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EVENTS

8 to 12 November 2010, [WIPO Standing Committee on Copyright and Related Rights \(SCCR\)](#), Geneva/Switzerland,

18 to 19 November 2010, [AEPO-ARTIS Seminar "Performers' rights in today's European environment: how to adapt existing rights to new uses of performances?"](#)

22 to 26 November 2010, [Committee on Development and Intellectual Property \(CDIP\): sixth Session](#), Geneva/Switzerland

1 to 2 December 2010, [Symposium Enhancing the Culture of Reading and Books in the Digital Age](#), Tokyo/Japan

6-10 December 2010, WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional knowledge and folklore. Geneva/Switzerland

10 to 12 January 2011, [APE 2011 - Academic Publishing in Europe Nr. 6.](#), Berlin/Germany

31 March to 2 April 2011, [World Book Summit 2011](#), Ljubljana/Slovenia

7 to 8 June 2011, [World Copyright Summit](#), Brussels, Belgium

9 June 2011, IFRRO Business Models Forum, Brussels, Belgium

10 June 2011, IFRRO European Group, Brussels, Belgium

24 to 27 October 2011, IFRRO World Congress, Ljubljana, Slovenia

27 October 2011, IFRRO AGM, Ljubljana, Slovenia

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Magdalena Vinent sets the tone for the 2011 AGM

IFRRO President, Magdalena Vinent, welcomed AGM delegates to Boston – a city of culture with a great history and prestigious universities. She reminded them that access to content is still the key issue for users, governments and international organisations, many of which have realised, during the past year, that collective management is an effective means of dealing with requests for massive access, especially those generated by digital libraries. Unfortunately there are still some countries which do not seem to be fully convinced of the importance of respecting intellectual property and several are currently debating bills which would do away with paid access to works in educational environments.

IFRRO firmly believes that access to works provided by educational institutions, must fully respect intellectual property rights so that cultural and scientific creation can continue to thrive. One of the objectives of RROs, working on behalf of authors and publishers, is to address requests for massive access. To successfully accomplish this, new business models must be developed and this has been a central part of IFRRO's work of the last year. In many of the contentious areas of collective management – Orphan Works, Out-of-Print Works, access to copyright works by people with reading impairment and multi-territorial licenses – IFRRO is at the forefront of the debate and has been developing positions and coming up with solutions in partnership with other interested parties.

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Challenging IFRRO 2011 AGM week in Boston

At the IFRRO Business Models Forum its Chair, Copyright Clearance Center CEO, Tracey Armstrong, reminded IFRRO members of President JF Kennedy's assertion that "Change is the law of life. And those who look only to the past or present are certain to miss the future". In a packed AGM week, in Boston which IFRRO thanks CCC for hosting so well, participants were given glimpses into that future from inspirational speakers such as Ken Auletta (author of the best selling "Googled – The End of the World as We Know It"), and Mike Chatzkin (The Idea Logical Company). Auletta urged IFRRO members to "lean forward" and accept the challenges and Chatzkin predicted that context rather than content was the key and that often collective licensing was the only way forward. The AGM was also addressed by Trevor Clarke, Assistant Director General, Culture and Creative Industries Sector at the World Intellectual Property Organization (WIPO). Welcoming the cooperation with IFRRO, Clarke also looked to the future for new, more effective ways of collaboration – "Treaties make things possible", he said "but Stakeholder Dialogue make things happen".

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Magdalena Vinent re-elected IFRRO President

The IFRRO AGM elected Magdalena Vinent as the IFRRO President for a further two year period at its meeting in Boston on 28 October. Magdalena is the Chief Executive of CEDRO, the Spanish RRO (Reproduction Rights Organisation) and has been President of IFRRO since October 2008. A [short biography](#) can be found on the IFRRO website.

The AGM also reappointed, for two year terms, Franziska Eberhard (Deputy Executive President of ProLitteris) as IFRRO 1st Vice-President and Bruce Funkhouser (Vice-President, International & Business Operations at Copyright Clearance Center, Inc.) as IFRRO 2nd Vice-President.

The other Board members elected by the AGM are as follows:

Directors:

RRO Members: Jim Alexander (CAL), Christer Johansson (Bonus Presskopia), H el ene Messier (COPIBEC).

Associate Members – creators: Owen Atkinson (ALCS). **Associate Members – publishers:** Jens Bammel (IPA);

Substitute Directors:

RRO Members: Maureen Cavan (Access Copyright), Rainer Just (VG Wort).

Associate Members – creators: Mats Lindberg (BUS), **Associate Members – publishers:** Michael Mabe (STM).

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IFRRO recommends guidelines to facilitate solutions for the licensing of out-of-print works

The IFRRO Board has adopted a [statement](#) in which it recommends some basic guidelines aimed at facilitating the licensing Out of Print Works (OPW). It was also submitted to the Reflection Group of the European Commission on Boosting cultural Heritage online in Europe set up by Commissioners Neelie Kroes and Androulla Vassiliou. There are lots of reasons why a work may not be in stock or available in tangible copies. One shouldn't therefore automatically conclude either that the rightholders do not intend to commercialise it or that, even if they don't, that they could have no objections to copies being made available. The key is to respect the author's and publisher's wishes on whether or not his work should be exploited commercially and to seek an appropriate license.

IFRRO supports initiatives to preserve cultural heritage, and IFRRO and its membership assist authors and publishers in their collaborative efforts to realise EUROPEANA and the European digital libraries. In this respect IFRRO stresses the need for pragmatic solutions, transparency and an active dialogue with creators and publishers when plans are being made to digitise works and make them available to the public.

IFRRO has also partnered creators, publishers, libraries and their organisations in the *Accessible Registries of Rights Information and Orphan Works* ([ARROW](#)) project. The aim of ARROW is to enable libraries as well as other users to obtain information on who are the pertinent creators and publishers or other rightholders, which are the relevant rights concerned, who owns and administers them and how, where they can seek permission to digitise and / or make available the work and on orphan works.

The ARROW project and the IFRRO Guidelines on facilitating Out of Print Works licensing are prime examples of how voluntary, stakeholder dialogues can produce effective solutions.

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IFRRO European Group Statement on the CJEU ruling in the Padawan case

The IFRRO European Group meeting adopted at its meeting on 27 October a [statement](#) on the decision of the Court of Justice of the European Union (CJEU) in the so-called Padawan case. The CJEU decision addresses the fair compensation of rightholders through levies for private copying based on article 5, 2, b of the European Commission (EC) Copyright Directive 2001/29. IFRRO is

pleased that the CJEU states that the concept of fair compensation has to be interpreted uniformly across the European Union according to the CJEU.

IFRRO then notes that the simple fact that the devices are able to make copies is sufficient in itself to justify the application of a private copy levy and points out that surveys show that devices, in the business sector, are often used for private copying.

The CJEU preliminary ruling concerns the application of article 5, 2, b on the exception for private copying. The application of a levy on copying devices relevant to RROs is most frequently based on article 5, 2, a of the Directive 2001/29 which allows Member States to introduce an exception for reprography. This exception has a broader scope than the exception for private copying and the compensation is not based solely on private use.

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European Commission issues Act to relaunch the Single Market

The Commission has recently published its [Single Market Act](#). Some aspects are of concern for IFRRO members.

The Act focuses on creativity and announces a directive on the management of rights with the aim of opening up access to online content by improving the governance, transparency and electronic management of copyright. It also announces a directive on orphan works.

The Commission further acknowledges “that different national systems for private copying levies are affecting cross-border sales services and the production of support media. The Commission will take account of the dialogue between the various interested parties in order to find paths to a sound solution.” IFRRO is pleased that the dialogue is mentioned and that the intention of the Commission is to base itself on it to find solutions.

The Commission is also announcing its action plan against counterfeiting and piracy that should be proposed this year and a legislative initiative for next year to adjust the current legal framework to the Internet.

Finally, a communication to discuss the barriers to the development of electronic commerce should be presented in the first half of 2011 as well as a code of users' online rights in the EU. These two latest elements will be monitored by IFRRO.

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IFRRO joins International Standards Name Identifier (ISNI) consortium

The IFRRO Board has approved that IFRRO join a consortium to run the ISNI International Agency (ISNI –IA). ISNI is the International Standard Name Identifier, which is a draft ISO Standard (ISO 27729) for the identification of Public Identities of parties throughout the media content industry. As well as IFRRO, the consortium includes the International Confederation of Societies of Authors and Composers (CISAC), the Conference of European National Librarians (CENL), the Online Computer Library Center, Inc (OCLC), the International Performers’ Database Association (IPDA) and ProQuest. The ISNI International Agency is the body recognized by ISO, which runs the system for assigning ISNIs and maintaining the ISNI Reference Database and is aiming to start business next year.

The ISNI has been designed as a bridge identifier, above proprietary Party identification systems. It allows various industry partners to exchange information relating to a Party without the need to disclose confidential information. A Party can be a natural person (a human being), a legal entity (such as a registered company) or a fictional character.

Each founding member already maintains an important database of names of creators, including in particular the Virtual International Authority File - VIAF, the Interested Party Identifier – IPI and the International Performer Database – IPDA. Data from these and other databases will be made available for the creation of the initial ISNI database. To validate the quality level required, the founding members undertook a proof of concept defining the criteria necessary to ensure the uniqueness of all the ISNI assigned. The establishment of a proof of concept means that the ISNI database will include at least 3 million records on its first day of operation, including book and text authors, performers and music composers.

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New ISTC Registration Authority approved

The International ISTC Agency, the official Registration Authority for the International Standard Text Code (ISTC) of which IFRRO is a founding member, has announced its appointment of Cercle de la Librairie in Paris, France, as the fourth official ISTC registration agency. Cercle de la Librairie is to delegate responsibility for operating their agency to Electre, the French language bibliographic data service. This means that Electre are now authorized to assign ISTCs to textual works on behalf of authors, publishers and other content owners or representatives. Although no ISTC registration agency has exclusive rights to operate within a specific domain, Electre intends to focus on works which are written in French and/or published in France.

The ISTC is an approved ISO standard (ISO 21047), providing a means of uniquely identifying textual works in information systems. It facilitates the enhancement of discovery tools, enabling them to identify and group together publications of the same textual content. The ISTC also facilitates exchange of information about such works between publishers, authors and authors associations, collective management organizations, libraries, search engines and others on an international level. More information regarding the ISTC standard is available at www.ISTC-international.org, the official web site of the International ISTC Agency.

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New RRO member approved

The [Zambia Reprographic Rights Society \(ZARRSO\)](#) has been approved as the 128th IFRRO member. ZARRSO has been established following a long preparatory period by a group of publishers and authors including the Book Publishers Association of Zambia (BPAZ); Zambia Women Writers Association (ZAWWA); Zambia Educational Publishing House (ZEPH); Macmillan Zambia; University of Zambia Press (UNZA Press); Visual Arts Council of Zambia (VAC); and Zambia Music Copyright Society (ZAMCOPS). IFRRO now has 73 RROs of which 59 with full RRO Member status and 55 Associations of either Authors or Publishers as members.

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