

Standing Committee on Copyright and Related Rights

Thirty-Seventh Session
Geneva, November 26 to 30, 2018

**PROPOSED MODALITIES OF A STUDY ON THE PROTECTION OF THEATRE
DIRECTORS' RIGHTS**

prepared by the Secretariat

PROTECTION OF THEATRE DIRECTORS' RIGHTS

The Russian Federation submitted a "Proposal on the Part of the Russian Federation with Regard to Strengthening the Protection of Theatre Directors' Rights at the International Level" (document SCCR/35/8) at the 35th session of the SCCR in November 2017.

The Delegation made a detailed presentation of its proposal during the 36th session of the SCCR and proposed that the Committee undertake a study on this topic. The Committee accepted the proposal and the Secretariat was asked to present the modalities of the study at the 37th session of the SCCR.

It is proposed that the study be undertaken by two experts, one from Canada and one from the Russian Federation.

Professor Ysolde Gendreau, national of Canada, is a graduate of McGill University and Université Paris II (Doctorate in Law) and member of the Québec Bar. Professor Gendreau has taught intellectual property law and competition law at the Faculty of Law of the University of Montréal since 1991, as well as in several foreign universities. Her research focuses on copyright from a comparative and international perspective. She is the author of numerous publications both in Canada and abroad.

Professor Anton Sergo, national of the Russian Federation, is a graduate of the Moscow State Academy of Law (Doctorate in Law) and holds the UNESCO Chair on Copyright and Other Branches of IP Law there. He is Associate Professor of the Faculty of Copyright and Related Rights at the Russian State Academy of Intellectual Property Institute, and is the author of numerous publications.

The Study, a document of 35-45 pages, is to be drafted in English and an abstract will be translated into the various working languages of WIPO.

The Study shall include a survey on the ways theatre directors are protected under copyright and related rights law in various jurisdictions around the world. It will:

- (i) set out the international legal framework applicable to the rights of theatre directors;
- (ii) set out the scope of the subject recognized (e.g., activities covered, moral and economic rights, with examples from various Member States);
- (iii) identify a representative sample of national legislative provisions of WIPO Member States with regard to the protection of rights of theatre directors and conditions for the grant of the respective legal protection, including the protection of performances not fixed in any material form;
- (iv) study implementation practice in the area of the protection of the rights of theatre directors with some case studies illustrating the systems currently in use;
- (v) analyze the efficiency of protection of the rights of theatre directors to evaluate the relevance of any international mechanism of protection in any form.

The Study shall be presented at the 39th session of the SCCR in October 2019. An interim progress report will be given during the 38th session of the SCCR in April 2019.

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