



Questionnaire on Copyright Issues

Purpose of Survey

The 18th WIPO SCCR Session was held on 25-29 May 2009 in Geneva, Switzerland. The Standing Copyright and Related Right (SCCR) decided to continue the discussion on the protection of rights of broadcasting organisations. The next WIPO-SCCR session is scheduled to be held in December 2009.

Almost a decade has already passed since the WIPO-SCCR started discussions on the Broadcasters' Treaty, which aims to protect the broadcast signals, without realising any positive results. In the meantime digital technology has made a remarkable progress such as Internet which is spreading dramatically into our daily life.

This questionnaire aims at investigating the current status of the ABU members with regard to the signal and content protection measures used by members and any infringement encountered by them. We would appreciate it if you could complete and send back the questionnaire to the ABU Programme Department via fax or e-mail **by 31 October 2009**.

If you have any questions, you may contact the following persons:

Ms. Maloli Espinosa

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References:

- 1 *Conclusion of the SCCR prepared by the Chair*
http://www.wipo.int/edocs/mdocs/copyright/en/sccr_17/sccr_17_www_112533.pdf

- 2 *Revised Draft Basic Proposal For the WIPO Treaty on the Protection of Broadcasting Organizations*
http://www.wipo.int/edocs/mdocs/copyright/en/sccr_15/sccr_15_2.pdf



Questionnaire

14 January 2009

This questionnaire includes not only legal issues but also technology issues. Please consult with the technical department or related departments of your organisation, if necessary.

Name/Title :
Department :
Organisation :
Phone :
Fax :
E-mail :

Q1 Has digital terrestrial television (DTV) broadcast started in your organisation?

Yes No

-If Yes, please specify the starting date of DTV broadcast.

Day () Month () Year ()

-If No, is there a plan of transition to DTV broadcast?

Yes No

-If yes, please specify the scheduled starting date of DTV broadcast.

Day () Month () Year ()

Q2 What DTV broadcasting standard has been adopted or will be adopted in your organisation?

ATSC DVB-T ISDB-T Others ()

Q3 How many TV households are receiving DTV broadcast signals in your country? Please specify the number.

DTV Households () Total TV Households ()

Percentage of DTV out of total TV households ()

Q4 Is any technological scheme to protect broadcast signals implemented or planned to be implemented in the future?

Yes No Others ()

-If Yes

What kind of technology is implemented or to be implemented?

()

To what extent is the broadcast signal protected by such technology? Please specify:

(i. e. enough as pay TV service, not so much, no considerations, etc.)

Q5 What do you think is the best effective measures to prevent unauthorised use/retransmission of broadcast signals?

- Development/improvement of legal system
- Implementation of technology
- Training courses/seminars
- Others ()

Q6 Do you think the anti-piracy measures limit the public right to access to information?

Yes No

Q7 Is there any law to protect the broadcast signals in your country?

Yes No

-If Yes, please specify:

(Law:)

(Year enacted:)

Q8 Do you think that your government support is necessary for the protection of broadcast signals?

Yes No Others ()

Q9 Has your organisation ever suffered financial loss due to the infringement of broadcast signals?

Yes No

-If Yes, have there been any cases in which such loss was claimed?

Yes No

Name(s) of claimant ()

How much was the estimated financial loss?

US\$ ()

Q10 Has your organisation ever filed a complaint or filed a lawsuit relating to unauthorized use of your broadcast signals?

Filing a complaint: Yes No Planning to do

Filing a lawsuit: Yes No Planning to do

Other measures

()

The following questions are regarding the copyright infringement of broadcast content.

Q11 Is Digital Rights Management (DRM) implemented to protect broadcast content or planned to be implemented in the future?

Yes No Others ()

-If Yes

What kind of DRM technology is implemented or to be implemented?

CAS () Broadcast Flag () Others ()

To what extent is the broadcast content protected by such technology? Please specify:

(i. e. enough as pay TV service, not so much, no considerations, etc.)

Q12 Does your organisation have a website where your broadcast content is uploaded?

Yes No

-If Yes, is it for free viewing or on a pay basis?

Free () Pay () and amount of charges ()

Has your broadcast content been uploaded on the video-sharing site such as YouTube?

Yes No

-If Yes, who authorizes such uploaded content, your organisation, by other entity, or TV audience without authorisation?

- By your organisation
- By other entity with authorisation
- By other without authorization
- Others ()

Q13 What is your major concern with regard to the copyright infringement of broadcast content?

- Unauthorised distribution on video-sharing site (i.e. YouTube)
- Illegal retransmission by cable and/or satellite
- Unauthorised package distribution (i.e. DVD, video-tape)
- Decoding DRM
- Others ()

Q14 What is the most infringed content?

Movies Dramas Sports Animations Music
News Documentaries Others ()

Q15 Has your organisation ever suffered financial loss due to the copyright infringement of content?

Yes No

-If Yes, have there been any cases in which such loss was claimed by rights holders?

Yes No

Name(s) of rights holders ()

How much was the estimated financial loss?
US\$ ()

Q16 Has your organisation ever filed a complaint, filed a lawsuit, or requested a take-down notice to the copyright infringement/infringer?

Filing a complaint: Yes No Planning to do

Requesting take-down notice(s): Yes No Planning to do

Filing a lawsuit: Yes No Planning to do

Other measures

()

Q17 Please describe or clarify cases of copyright infringement which your organisation is facing or has faced so far.

Q18 Please feel free to make comments and suggestions.

Thank you for your cooperation!