

WBU Broadcaster Treaty Working Group Background and Mission

For a number of years the world's broadcasters have sought new intellectual property rights in their signals, similar to those to those enjoyed by other rights owners, including producers of content, record labels and performers in sound recordings, whose rights were upgraded by WIPO treaties in 1996. The protection of broadcast signals accorded by the Rome Convention of 1961 is wholly inadequate in today's technological environment.

Broadcasters require new rights to effectively protect the enormous technical, creative and financial investment they expend to produce and distribute their signals. The economic model for broadcasting is not sustainable when broadcasters cannot protect their signals from unauthorized use by others. Digital technologies have made signal piracy easier and cheaper than ever, and the internet is now a major outlet for distribution of a wide variety of pirated television programming. Major sporting events (World Cup Football, the Olympics, Cricket matches, the Superbowl etc.) are examples of high value, expensive but perishable programming that is widely pirated across the world. Broadcasters pay large sums for rights, pay to produce, promote and distribute the signal, only to have pirates redistribute the signal in competition with them.

Due to this unsustainable situation the World Broadcasting Unions Secretaries General / Directors General established an ad-hoc *WBU Broadcaster Treaty Working Group* at their meeting in Copenhagen on 23-24 June, 2009. The WBU Secretariat has organized this first conference call of the working group. As a starting point, we propose the following mission for the working group:

The WBU Broadcast Treaty Working Group is expressly organized to address the issue of supporting activities at WIPO and elsewhere that will lead to the establishment of a Broadcaster Treaty, providing rights and protections to broadcasters that are currently lacking at the international level and are urgently needed. While the members of the working group named by their respective unions comprise the nucleus of the activity, it is expected that additional resources will be sought as appropriate to the success of the mission.

Dave Baylor 12 Aug 2009