

Bogotá, 29 March, 2007

Mr.  
Michael Keplinger  
Deputy Director General  
Copyright and Related Rights Sector  
World Intellectual Property Organization (WIPO)

REF: Comments from the Government of Colombia to the Draft Non-paper on the WIPO Treaty on the Protection of Broadcasting Organizations

Dear Sir,

In replying to your request of comments from the Member States to the Draft Non-paper prepared by the Chair of the First Special Session of the SCCR, we would appreciate if you could consider the following comments of Colombia in the preparation of the final non-paper to be issued on May 1, 2007.

Colombia considers that the referred Draft Non-paper is a narrow model which deletes some of the exclusive rights described in document SCCR/15/2, keeping the privileges established in the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations. Furthermore, it recognizes cablecasting organizations as a new subject of protection. Even though it would be ideal to have a document with a wider scope, we recognize that there are some advances in favor of the broadcasting organizations, i.e. the inclusion of a new subject of protection, an exclusive right to authorize the retransmissions by any means, which includes simulcasting, the recognition of the three steps rule, the commitment for establishing an appropriate and effective legal protection against the non-authorized uses of pre-broadcast signals, the encrypted signals and the removal or alteration of the electronic information relevant for the application of the protection of these organizations.

Finally, Colombia would like to make further analysis of this document and of the comments presented by other countries.

Very truly yours,

MARIA ANDREA ALBAN DURAN  
Director of Multilateral Environmental, Economic and Social Issues  
Ministry of Foreign Affairs  
Republic of Colombia"

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