



Mission Permanente  
de la République Islamique d'Iran  
auprès des Nations Unies  
et des autres Organisations Internationales à Genève

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The permanent Mission of Islamic Republic of Iran to the United Nations and other International Organizations in Geneva Presents its compliments to the World Intellectual Property Organization and with reference to the Draft Non-Paper on the WIPO Treaty on the protection of Broadcasting Organization (Draft 1.0 March 8,2007)has the honour to communicate to the latter the comments received from Tehran on the aforementioned Draft for necessary consideration.

The Permanent Mission of the Islamic Republic of Iran to the United Nations and other International Organisations in Geneva avails itself of this opportunity to renew to all Permanent Missions the assurances of its highest consideration. *A.A.*

Geneva, 27 March 2007



World Intellectual Property Organization  
34,chemain des Colombettes

1211 GENEVA

Réponse à signer  
par M .....  
Réponse à préparer  
par M .....  
Autre action par  
M .....  
M .....

Copie pr Information  
M .. J. CEPILINGER .....  
M .. BLANCHARD .....

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جمهوری اسلامی ایران

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### Comments of the Islamic Republic of Iran on Draft Non-Paper of the WIPO Treaty on the Proteciron of Broadcasting Organizations

- The Islamic Republic of Iran appreciates the Chairman,s initiative for Preparing the Non-Paper and is of the opinion that some parts of the views of delegations have been considered and some improvements are seen in the text.
- The optional suggestion for some parts of the Draft treaty is welcome but it should be in a manner that cover all parts of the draft as an integrity.
- The alternatives in the relevant Article on National Treatment may neutralize the optional view of the Chair on Rights.
- In the 14<sup>th</sup> session of SCCR as reflected in Document SCCR/14/7 report,Appendix it is decided that the scope of the treaty be limited to the protection of broadcasting organizations and cablecasting organizations (in the traditional sense). It is also decided that the Webcasting and Simulcasting be considered in a separate process, so we suggest that the Article 3 be limited to the protection of broadcasting organizations and be alternated as follows:

"The Provisions of this treaty shall apply to the protection of the Broadcasting and Cablecasting Organizations in the traditional sense."

So all references to Computer network like "by any means" or "by any form of manner" should be removed from the draft text.

- The object of protection as reflected in article 1, should be coordinated with the article of 6 of the Document SCCR/15/2. Namely, protection against signal Piracy.
- In the first Special Session of SCCR agreed that the alternative H in the article 7 of the Document SCCR/15/2 be removed from any new text. This issue in another way has been incorporated in articles 3 and 5(d). So it is necessary to be corrected in the new text.
- In article 5(a), Broadcast has been defined as an.....carrying assembled and scheduled program for the reception by the general public. Also in article 9 it is mentioned that pre-broadcast signals should be protected by adequate and effective legal protection against any acts referred to in Articles 8 and 10.

Since the pre-broadcast signals are not assembled or scheduled how it can be eligible to be protected and acquire the same rights?

- The optional nature of exclusive rights and post-fixation rights have been put on the assumption that right-based approach have been agreed by member states.
- The final provisions of the treaty is also very important, So all part of the treaty as an integrity make sense.

The Islamic Republic of Iran supports the conclusion of the treaty on protection of the rights of broadcasting organizations and is of the opinion that with considering the views of all member in the next Special session, the Committee can move toward convening the Diplomatic Conference.

Thank you