Intellectual property, WIPO Treaties: copyright WCT and neihbouring rights WPPT, phonograms

1998/0141(AVC) - 04/10/1999 - Modified legislative proposal

The Council proposed a new version of the text of the proposed decision regarding the approval by the Community of the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT). This new text essentially seeks to ensure that the legal base of the text is in line with that which is in force since the Treaty of Amsterdam. Furthermore, the Council, in its new text, specifies that the President of the Council will deposit the instruments of the conclusion of the treaties at the WIPO following the date on which the Member States have brought into force the measures adopted by the European Parliament and the Council, that are necessary to adapt the existing Community legislation to the new obligations arising from the WCT and the WPPT). The new text also includes two declarations in the annex that state: - the Council and the Member States will keep one another regularly informed regarding the state of ratification of the WCT and the WPPT in the Member States so that the deposit of the ratification instruments of the Community and the Member States occurs simultaneously; - when the Assemblies deal with questions affecting the rights and obligations falling both within the competence of Member States and the Community, the Council, the Commission and COREPER, meeting within the Council will be required to cooperate closely and to ensure that they reach a common agreement. In the absence of a common agreement, the opinions expressed shall not adversely affect the objectives of the Community.