



GEDIPE

INTERNATIONAL CONFERENCE

Current Status of Copyright and Related Rights

13.04.2018

Centro Cultural de Belém
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INTRODUCTORY NOTE

As Europe moves swiftly towards a new reform of Copyright and Related Rights, driven in part by the dialogue between the European Commission/European Parliament/ Council and also in other -rather substantial - part by the European Court of Justice's "frantic" activity, GEDIPE takes this opportunity to openly discuss the upcoming **Digital Single Market reform** with some of the world's highest respected academics, who have also been involved in the ongoing legislative procedures and some other well-known experts, mainly from the audiovisual field.

This will also be an occasion to gather around GEDIPE's sister societies from **AGICOA** and **AGICOA EUROPE** and share some of the deepest concerns that run across the audiovisual sector regarding the future, as well as openly discuss some possible solutions.

PROGRAMME

09:00 – 09:30 Reception and Registration of Participants.

09:30 – 10:00 Opening speech and welcome words by **Susana Gato**, *Executive President of APIT (Associação de Produtores Independentes de Televisão) and President of GEDIPE.*

10:00 – 10:45 a. The future Directive on Copyright in the Digital Single Market:

a1. Art 13- The issue of the digital gap between the income of content providers and that of rightholders. The case for liability of Internet Service Providers – recent European Case-Law evolution. When do ISPs qualify for Safe Harbour? The role of search engines and content service providers according to the European legislator and the Member States' perspectives by **Pierre Sirinelli**, *Professor at the University of Paris-1 (Panthéon - Sorbonne), France (presented in French*).*

10:45 – 11:15 b. The implementation of Copyright in the Information Society Directive:

b1. The right to communication to the public (comments to the recent EU CJ Case-law) by **Silke von Lewinski**, *Head of the department specialising in international and European copyright law, Professor at the Max Planck Institute for Intellectual Property in Munich, Germany and Franklin Pierce Center for IP at the University of New Hampshire Law School, Concord, N.H., USA.*

11:15 – 11:30 Coffee Break

11:30 – 12:15 b2. The right of making available to the public: current issues of interpretation and application by Professor **Mihály Ficsor**, *ex-Former Managing Director General of the World Intellectual Property Organization (WIPO) in charge of copyright and related rights, Member of the Board and Hon. President of the Hungarian Copyright Experts Council, Budapest, Hungary.*

12:15 – 13:00 b3. DRM /TPM protection and the evolution of digital rights management – technical solutions adopted, and practical results achieved by **Ted Shapiro** – *Lawyer, former responsible for the European legal team at Motion Picture Association in Brussels.*

13:00 – 14:15 FREE-TIME FOR LUNCH

14:15 – 15:00 c. The review of Enforcement Directive:

c1. Compensation for Intellectual Property infringement, admissibility of punitive damages and moral prejudice by **Paul Torremans**, *Professor of Intellectual Property Law, Faculty of Social Sciences at the University of Nottingham, U.K.*

15:00 – 15:45 c2. Injunctions and website blocking: limitations on account of Fundamental Rights issues by **Maria Fredenslund**, *Lawyer, Diretor of Rettigheds Alliancen, Copenhagen, Denmark.*

15:45 – 16:00 d. The regulation of the European Parliament and of the Council laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes:

d1. Impact of the Regulation on the normal functioning of the market (e.g. Film and Audiovisual Industry). The issues of direct injection and passive sales by **Pierre Sirinelli**, *Professor at the University of Paris-1 (Panthéon - Sorbonne), France (presented in French*).*

16:00 – 16:45 e. The Challenges of the Digital Age:

e1. The exception of UGC (User Generated Content): Canadian experience and lessons to be drawn by **Victor Nabhan**, *honorary Professor at the University of Nottingham, former President of ALAI (presented in French*).*

16: 45 – 17:00 Q&A (Debate with the audience)

17:00 – 17:15 Coffee-Break

17:15 – 18:30 Round-table on the Principle of Territoriality vs Country of Origin – a perspective from the Audiovisual sector-moderated by **Victor Castro Rosa**-*External Relations-GEDIPE, Lisbon.*

Panellists (by alphabetical order):

1. **António Paulo Santos** – *General Manager at GEDIPE (Associação para a Gestão Coletiva de Direitos de Autor e de Produtores Cinematográficos e Audiovisuais);*
2. **António-Pedro Vasconcelos** – *Portuguese Film Director and Writer;*
3. **Charlotte Lund Thomsen** – *Legal Counsel from FIAPF (International Federation of Film Producers Associations);*
4. **Chris Marcich** – *President of AGICOA (Association for the International Collective Management of Audiovisual Works);*
5. **Maja Djondovic** – *Legal Advisor at A-prava (Organization for Protection of Film Producers' Rights in Montenegro);*
6. **Susana Gato** – *Executive President of APIT (Associação de Produtores Independentes de Televisão) and President of GEDIPE.*

18:30 CLOSING REMARKS (PORTUGUESE MINISTRY OF CULTURE)

*There will be simultaneous translation French/English/Portuguese.

Note: Participants are entitled to a certificate of attendance (upon request)