

Standing Committee on Copyright and Related Rights

Thirty-Seventh Session
Geneva, November 26 to 30, 2018

PROPOSAL BY THE DELEGATION OF ARGENTINA

Prepared by the Delegation of Argentina

1. Taking into consideration the discussions held in the thirty-sixth session of the SCCR, we propose that deferred transmissions be classified only into (i) equivalent deferred transmissions, and (ii) other deferred transmissions.
2. Equivalent deferred transmissions are those broadcast by a broadcasting organization that correspond to its linear broadcasts and are available to the public for a limited period of weeks or months, such as online repeats, on-demand catch-up services and previews.
3. In view of the above, we propose the following amendments to part B of document SCCR/36/6:

I. DEFINITIONS

- Amend the definition in h) “equivalent deferred transmission” as follows:
 - h) “equivalent deferred transmission” means the deferred transmission broadcast by a broadcasting organization that corresponds to its linear broadcasts and is only available to the public for a limited period of weeks or months.¹²
- Eliminate the definitions i) “closely-related deferred transmission” and j) “unrelated deferred transmission”.

II. OBJECT OF PROTECTION (Alternative B)

- Amend paragraph (4) as follows:
 - (4) (i) Broadcasting organizations may enjoy protection for any other deferred transmission.
 - (ii) A Contracting Party may provide that a broadcasting organization of another Contracting Party shall enjoy the right referred to in subparagraph (i) above only if the legislation of that other Contracting Party provides comparable protection.
 - Eliminate paragraph (3) and paragraph (4), as amended above, becomes the new paragraph (3).

[End of document]

¹ **Agreed Statement concerning “equivalent deferred transmissions” and “other deferred transmissions”**: *Equivalent deferred transmissions include online repeats, on-demand catch-up services and previews. Other deferred transmissions include parallel sport events, extra footage on news or programs, additional interviews, behind-the-scenes programs, pure on-demand streaming channels and on-demand catalogues.*

² **Agreed Statement concerning “for a limited period of weeks or months”** is purposely used in the definition to maintain the different uses of the industry worldwide in terms of the time extension of catch-up services and online repetitions.