



**Days Vienna
10 and 11 September 2010
Draft Program**

O v e r v i e w

Thursday 9 September 2010

10:00 – 17:00 ALAI Executive Committee
18:00 – 20:00: Registration
18:30 Reception by the Federal Minister of Justice (Palais Trautson)
Welcoming remarks
Followed by a visit of a Viennese Art Museum (Museum's Quater)

Friday 10 September 2010

09:00 – 12:00 Registration
09:00 – 10:00 Opening Session
10:00 – 13:00 Morning Session
13:00 – 14:30 Lunch
14:30 – 17:30 Afternoon Session
19:00 Concert or other evening event

Saturday 11 September 2010

09:00 – 13:00 Morning Session
13:00 – 14:00 Lunch
14:30 – 16:30 Afternoon Session
17:00 General Assembly ALAI
19:00 Congress Dinner (City Hall of Vienna)

Sunday 12 September 2010 (optional)

Morning: Excursion by Bus to Heiligenkreuz (Cistercian monastery – founded in 1133) situated in the 'Vienna Woods' (ca 9:00 – 13:00)
Afternoon: Visit of several interesting cultural/tourist sites in Vienna City (for those interested in – not included in the morning excursion)

DURATION OF AUTHORS' RIGHTS AND RELATED RIGHTS

10 September 2010: Morning Session (9:00 – 13:00)

Opening Session (9:00 – 10:00)

Welcome speeches

1. First working session: 'Term of protection in copyright: from 10 to 70 years and beyond' Chair: Victor Nabhan

(10:00 – 11:00)

1.1. 'Historical perspectives regarding the duration of authors' rights - convergence of term systems' (introductory speech – 20') (speaker: **Michel Walter**)

1.2. 'Framework of the International Copyright Treaties and comparative overview of the terms granted in national law' (Introductory speech/General report) (20') (speaker: J.A.L. Sterling)

Discussion (10:40 – 11:00)

Coffee break (11:00 – 11:30)

2. Second working session: 'The proper term of protection of authors' rights'

(11:30 – 13:00)

Panel I: Chair: Pierre Sirinelli

'The *raison d'être* of the "lifetime plus" system' (15') (speaker: **André Lucas**)

'Recompense or incentive - Overprotection or fair balance?' (15')

(speaker: Catherine Seville)

'The proper term: 50 – 70 – or beyond?' (15') (speaker: Axel Nordemann/Jan Bernd Nordemann/Gabriel Larrea Richerand/Carlos Ballesteros/Fernando Zapata)

'By securing for limited times to authors ... - the US perspective' (speaker: **Marshall Leaffer**)

'(Termination of contract and) Reversionary right' (speaker: **Ysolde Gendreau**)

Discussion (12:30 – 13:00)

Lunch break

Afternoon Session (14:30 – 17:00)

3. Third working session: 'Related rights' terms of protection'

(14:30 – 16:00) Chair: **Frank Gotzen**

3.1. 'Framework of the International Treaties and comparative overview of the terms granted in national law' (introductory speech/general report – 30') (speaker: **Thomas Dreier**)

3.2. Panel II: 'The European Commission's initiative/legislature

'concern of the (proposed) term extension – Status of legislation' (30')

(speaker: European Commission)

Coffee break (15:30 – 16:00)

Panel II: 'The European Commission's initiative/legislature (continued)

'Fair concern or fruit of industry lobbying?' (20') (speaker: Bernt Hugenholtz)

'Scope of extension – fixations - audiovisual artists' (20') (speaker: Tilo Gerlach/Abel Martín) (20')

'Transitional and accompanying provisions' (20') (Pal Tomori)

Discussion (17:00 – 17:30)

11 September 2010: Morning Session (9:00 – 13:00)

4. Fourth working session: ‘Further approximation or harmonization of the duration of authors’ rights on the regional and/or on the international level?’

(09:00 – 10:30) Chair: **Jukka Liedes**

4.1. ‘Further approximation (minimum term) or need for harmonization in the digital age?’ (introductory speech – 30’) (speaker: **Samuel Ricketson**)

4.2. Panel III: ‘Possible obstacles’

‘Joint authorship - Anonymous and pseudonymous works’ (15’) (speaker: **Silke von Lewinski**)

‘War related extensions of terms’ (15’) (speaker: Astrid Lund)

‘Moral rights’ (15’) (speaker: **Miyo Tonami**)

‘Posthumous works between authors’ rights and related rights’ (15’) (speaker: Albrecht Haller/Dominik Goebel/Clemens Thiele)

Discussion (10:30 - 11:00)

Coffee break (11:00 – 11:30)

5. Fifth working session: Transitional law and prolongation of the terms of protection

(11:30 – 13:00) Chair: Paul Torremans

Panel V: ‘Aspects of transitional law’

‘Article 18 of the Berne and the US Uruguay Round Agreements Act’ (15’) (speaker: **Mihály Ficsor**)

‘Works in the public domain – Revival of the term of protection under the European Term Directive’ (15’) (speaker: Willem Grosheide)

‘Transitional law and treatment of aliens - The European Court of Justice’s judgment in the “*Sony/Falcon/Bob Dylan*” case’ (15’) (speaker: **Valérie-Laure Benabou**)

‘Contracts concluded and prolongation of protection – a neglected issue’ (15’) (speaker: Ramón Casas Vallées/Lucie Guibault/Andreas Wiebe)

Discussion (12:30 – 13:00)

Lunch break (13:00 – 14:00)

DOMAINE PUBLIC PAYANT AND THE SOCIO-CULTURAL FUNCTION OF AUTHORS’ RIGHTS

6. Sixth working session: *Domaine Public Payant* and alternatives (14:00 – 16:30)

Chair: ...

‘Different systems of *Domaine Public Payant*’ (General report - 30’) (speaker: **Delia Lipszyc**)

‘A modern concept of the *Domaine Public Payant* regime’ (30’) (speaker: **Adi Dietz**)

Coffee break (15:00 – 15:30)

Panel V: Pros and cons - including ‘alternative solutions outside copyright (cultural funds)’ (15:30-16:00)

(speakers: **Igor Gliha, N Kojima, ...**)

Discussion (16:00 – 16:30)

17:00 General Assembly ALAI