[FR] New Legislation on Copyright and Neighbouring Rights

IRIS 1997-5:1/12

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The Act of 27 March 1997 transposes into French legislation Council Directive 93/83/EEC of 27 September 1993 on the co-ordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission and Council Directive 93/98/EEC of 29 October 1993 harmonizing the term of protection of copyright and certain related rights (the "Duration Directive"). The Act covers firstly the broadcasting by satellite and retransmission by cable. It renders subject to the Intellectual Property Code the broadcasting of a work towards a satellite from France or a State outside the European Union which does not provide a level of copyright protection equivalent to that guaranteed under French law. The text then confers on the societies which collect and distribute royalties the right to authorise the retransmission by cable, simultaneously and in full, throughout France of a work broadcast from an EU Member State.

In Section II the Act brings the provisions of the Intellectual Property Code (Code de la propriété intellectuelle) on the duration of copyright and related rights into line with the EC's `Duration Directive', by increasing it to seventy years following the death of the author from fifty years as stipulated previously in national legislation. Lastly, the text adopted by Parliament includes `riders' on a number of copyright provisions which the authorities would like to see adopted. These include details concerning the tasks and functioning of the societies which gather and distribute royalties, the creation in Article 17 of a further exception to the right of reproduction for the benefit of auctioneers, and a scale of fees to be paid by record library operators to artists and producers of phonograms under Article L 214-4 of the Intellectual Property Code.

Loi n°97-283 du 27 mars portant transposition dans le code de la propriété intellectuelle les Directives du Conseil des Communautés européennes n° 93/83 du 27 septembre 1993 et 93/98 du 29 octobre 1993. Journal Officiel de la République Française du 28 mars 1997

Act No 97-283 of 27 March 1997 incorporating into the Intellectual Property Code Directives No 93/88 of 27 September 1993 and 93/98 of 29 October 1993 of the Council of the European Communities, Journal Officiel de la République française of 28 March 1997

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