Council of the European Union: Provisions Relating to Copyright in the Interim Agreement

IRIS 1997-6:1/6

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On 29 April 1997 the Council of the European Union approved two bilateral Interim Agreements on trade and trade-related matters between the European Communities (EC, ECSC, Euratom) and Armenia and Georgia. The agreements will exist until the partnership and cooperation treaties between the European Communities and their Member States on the one hand and Armenia and Georgia on the other, signed on 22 April, come into force. In the Interim Agreements (Article 15 in each) both the former USSR states undertake to provide protection of the rights of intellectual, industrial and commercial property such that by the end of the fifth year after the entry into force of the agreements the level of protection offered is similar to that of the Community, inter alia as provided by the following legal texts:

- Council Directive 91/250/EEC of 14 May 1991 on the legal protection of computer programs;

- 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;

- Council Directive 93/98/EEC of 29 October 1993 harmonising the term of protection of copyright and certain related rights;

- Council Directive 92/100/EEC of 19 November 1992 on rental right and lending right and on certain rights related to copyright in the field of intellectual property.

The parties have agreed that if problems affecting trading conditions occur urgent consultations will be undertaken with a view to reaching mutually satisfactory solutions.

Both agreements also contain unilateral declarations by Armenia and Georgia on the protection of intellectual, industrial and commercial property rights. The States undertake to comply with the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Rome, 1961). Armenia also undertakes to comply with the Berne Convention for the Protection of Literary and Artistic Works (Paris Act, 1971) while Georgia, as a contracting party to it, confirms the importance it attaches to the obligations arising therefrom (see IRIS 1996-10: 8, IRIS 1996-4: 6, IRIS 1996-2: 4-5 and IRIS

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1995-2: 4).

Interim Agreement on trade and trade-related matters between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and Armenia, of the other part. Official Journal of the European Communities no.L 129: 1-41, dated 21 May 1997

http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:21997A0521%2801%29:EN:HTML

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