

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

DIPLOMATIC CONFERENCE
ON THE PROTECTION OF AUDIOVISUAL PERFORMANCES

Geneva, December 7 to 20, 2000

AMENDMENT TO ARTICLE 12

OF THE BASIC PROPOSAL FOR THE SUBSTANTIVE PROVISIONS
OF AN INSTRUMENT ON THE PROTECTION OF AUDIOVISUAL PERFORMANCES
TO BE CONSIDERED BY THE DIPLOMATIC CONFERENCE
(DOCUMENT IAVP/DC/3)

Proposal by the Delegations of the European Community and its Member States

Article 12

Transfer

Contracting Parties may provide that exclusive rights of authorization provided for in this Agreement are transferred, with respect to a particular audiovisual fixation, from the performer to the producer of that particular fixation.

Agreed statement concerning the law applicable to a transfer by agreement

Without prejudice to international obligations, the understanding is hereby confirmed that a transfer by agreement of exclusive rights of authorization granted under this Agreement shall be governed by the law of the country chosen by the parties or, to the extent that the law applicable to the contract has not been chosen, by the law of the country most closely connected with it, without prejudice to any mandatory rules, including on inalienability and unwaivability of rights, in the law of the country where protection is sought.

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