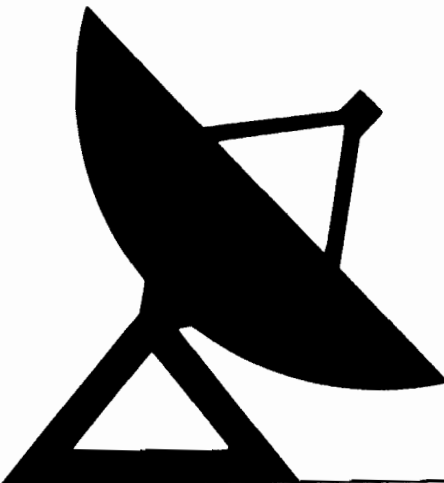


# ANNOUNCEMENT

from the Copyright Office, Library of Congress, Washington, D.C. 20559



## U.S. SENATE RATIFIES BRUSSELS SATELLITE CONVENTION

An important step toward world-wide cooperation in the international protection of copyrighted programming carried by satellites was taken on October 12, 1984, as the United States Senate ratified the Convention Relating to Distribution of Programme-Carrying Signals Transmitted by Satellite, also known as the Brussels Satellite Convention. President Ronald Reagan had transmitted the Convention to the Senate for ratification in August.

Only 20 years ago the Telstar satellite carried the first live television signals across the Atlantic Ocean. Since then satellite transmission has become a powerful force in the delivery of television signals of nearly perfect quality all across the world. But the unauthorized reception and distribution of those signals, commonly called poaching, has deprived copyright owners of the revenues they could obtain by licensing their works, thereby threatening to diminish the important commercial benefits of satellite distribution.

The unauthorized interception and distribution of American programming transmitted via satellite has occurred throughout the Western Hemisphere, but most particularly in the countries where the natural "footprint" of those signals extends, in part of Canada, Latin America, the Caribbean, and Mexico. As more powerful satellites are launched into space, the problems of satellite poaching may extend beyond the Hemisphere and take on global proportions.

Efforts to develop an international instrument to protect the commercial integrity of programming delivered through space satellite signals began in the late 1960's. Interest in the United States in the Brussels Satellite Convention as a mechanism to curb international poaching of satellite signals was rekindled recently as the U.S. government considered a variety of approaches to emphasize the importance of international respect for copyright protection. The Convention, developed in Brussels in 1974 and now consisting of nine member states, obligates contracting states to take adequate measures to prevent the unauthorized distribution of programming carried by satellite on or from their territories. The Convention leaves each state free to choose its own method of implementation including designation of the specific beneficiaries of protection. The Convention, however, exempts signals which are intended for direct reception from satellite by the general public; these broadcast satellite signals are generally already regulated under the copyright or neighboring rights regimes of most states. Nor does the Convention apply to individual reception of satellite signals for purposes of private viewing.

Ratification by the United States of the Brussels Satellite Convention will not in itself stop unauthorized retransmissions of satellite-borne signals. Ratification will confirm, however, that foreign program-originating organizations are protected against unauthorized distribution in the United States; moreover, it will serve both as a model to other nations which look to the United States for guidance in resolving questions raised by new technologies and as a bench-mark of fairness from which the United States can seek similar treatment in the markets of our trading partners.

The United States Copyright Office, noting that the copyright laws of many countries in the Western Hemisphere were not so developed or clear in practice as to settle the question of the applicability of these rights to satellite signals, recommended the ratification of the Convention, as did the Departments of Commerce, Justice, and State.

The Convention was ratified by the United States Senate without any amendment of domestic law. The United States takes the position that the obligations of the Convention are satisfied by provisions of the existing communications and copyright laws of this country.

Copies of the Executive Report (Sen. Doc. 98-52) are available from the Public Information Office, LM-401, Copyright Office, Library of Congress, Washington, D.C. 20559.