

United Nations Educational,
Scientific and Cultural Organization

(Unesco)

Paris

World Intellectual
Property Organization

(WIPO)

Geneva



Distribution: limited

UNESCO/WIPO/WG.II/FOLK/DR.2
Paris, 10 February 1981
Original: English

WORKING GROUP ON THE INTELLECTUAL PROPERTY ASPECTS

OF FOLKLORE PROTECTION

(SECOND MEETING)

(Paris, 9 - 13 February 1981)

DRAFT SECTION 3 (FORMER SECTION 2)

Utilizations Subject to Authorization

Subject to the provisions of Section 4 (former Section 3) the following utilizations of the expressions of folklore are subject to authorization by the competent authority mentioned in Section 9 (former Section 8 (1)) when they are made [Alternative A) with gainful intent]

[Alternative B) outside the community in which the expression of folklore originates [with gainful intent] [or] [without gainful intent]]

[Alternative C) outside the community in which the folklore originates [with gainful intent] [or] [without gainful intent] or by such community if the said utilizations are made outside the context of traditional use]:

- (i) any publication, reproduction [or any distribution] [and any distribution] of copies of expressions of folklore;
- (ii) any public recitation or performance, any transmission by wireless means or by wire, and any other form of communication to the public, of expressions of folklore.

DRAFT SECTION 4 (FORMER SECTION 3)

Paragraph 1 to be maintained only in the case where the alternative A of Section 3 above is adopted.