13. REPORT ON THE COPYRIGHT COMMISSION.

Mr Ledoux introduced this item of the agenda by explaining that this commission had not yet been set up regularly but reminded the members that, in Lyon, the necessity of such a commission had been felt, and that Mr Lindgren had accepted to be its chairman with Mr March-Hunnings attached as legal adviser. A first meeting with Mr March-Hunnings had been held in London in February 1971.

Mr March-Hunnings was here now to present a working paper on the preparation of a draft for the reform of the copyright laws as they affect film archives. This very dense report (annex No 11), broached mainly three problems:

a) Statutory deposit (cost - acquiring archive - material to be deposited - variant versions).

b) The law of film copyright (right to make copies - right to exhibit prints - copyright status - right of citation - cassettes).

c) The administration of film copyright (copyright status - archive services).

Mr March-Hunnings concluded by saying that his report was only a summary listing of those aspects of copyright law relating to film and film archives which seemed to need further examination and that "much work would probably be necessary in this pioneering enterprise before we were ready to proceed with confidence."

Mr Ledoux thanked Mr March-Hunnings for this very interesting preliminary study and opened discussion on the subject.

Professor Toeplitz asked Mr March-Hunnings what the film owners' position was regarding the copyright of 8 mm prints, since these can be sold and its possible influence on a softening of the copyright laws on 16 and 35 mm films.

Mr March-Hunnings replied that this new way of selling films would probably help to break the attitude of producers following which films cannot be shown otherwise than commercially.
Professor Toeplitz suggested that, after national archives had studied the copyright problem particular to their country, they should unite their point of views internationally in order to have a stronger claim to present to the next Bern Conference.

Mr Klaue reported that in East Berlin, they had submitted a list of problems on copyright as related to archives to the appropriate professor and students of their University who were now studying them. He thought this might be an initiative which other archives could easily follow.

To Mr Gregor's question of what was the definition of public domain, Mr March-Hannings replied that a film was in public domain when it was no longer covered by any copyright. But the great difficulty was to know when the copyright expired.

This concluded the report on the copyright commission.

CONTINUATION OF THE DISCUSSION ON THE FUTURE POLICY OF FIAF.

Problem 4. Intensification of cultural activities.

The Chairman, Mr Ledoux, asked Dr Di Giammatteo to introduce this part of the discussion, since, in a way, he had been the instigator of it. The members all had in their files copies of the correspondence (annex N°12) between Dr Di Giammatteo and some of them explaining why and how the need for improving the work and structure of FIAF had been felt. Dr Di Giammatteo said that his first intention had been to make a kind of provocation, and start a change in FIAF because he thought the Federation was probably not answering anymore to the needs of our time.

He thought Mr Klaue had perfectly understood his ideas in the propositions he had made, and agreed that "cultural commissions" was not the right term for what he meant. He would rather say now: a "Research committee" whose task would be to find and study new ways of promoting the cinematographical art, and improve the relationship spectator - mass media.