

Proposal From India

Article 9
Protection for Broadcasting Organizations

(Alternative)

(1) Broadcasting organizations shall enjoy the right to prohibit, if done without authorisation:

- i. the rebroadcast of their signal through traditional broadcasting means,
- ii. causing the broadcast to be seen or heard in public on payment of any charge, and
- iii. make a fixation of signal for the purpose of rebroadcast.

(2) Notwithstanding anything contained in paragraph 1, the rights therein shall be subject to the extent of rights acquired or owned by the broadcasting organisation from the owners of copyrights and related rights.

(3) This provision shall apply *mutatis mutandis* to the protection of cablecasting organizations in respect of their cablecasts on traditional media.

(4) The broadcasting organisations shall have a right to prohibit anyone from broadcast of their pre – broadcast signals.

(5) The broadcasting organisations shall have a further right to prohibit, subject to the extent of rights acquired or owned by them, unauthorised broadcasting or rebroadcasting of pre – broadcast signals or signals over computer networks or by any other means.