

ALAI CONGRESS 2014 BRUSSELS

Moral rights in the 21st Century

The changing role of the moral rights in an era of information overload

SCIENTIFIC PROGRAM

September 18, 2014 : MORAL RIGHTS « REVISITED »

09.00–09.30 Welcome and tribute to Stig Stromholm by Victor **Nabhan**, President of the ALAI

Welcome by Jan **Corbet**, honorary member of the ABA/BVA, former President of the ABA/BVA that organised the ABA/BVA congress on moral rights in 1993

Presentation of the congress by Fabienne **Brison**, President of the ABA/BVA

1st Session : Getting up to speed : where and why did it start?

09.30–10.40 Introduced by Morten **Rosenmeier**, Professor Københavns Universitet, Denmark

« **L'historique et la philosophie des droits moraux** » by Mireille **Buydens**, Professor Université Libre de Bruxelles and Attorney, Belgium

« **La nature du droit moral: un droit de propriété?** » by Pilar **Cámara**, Professor Universidad Autónoma de Madrid, Spain

Discussion led by Morten **Rosenmeier**

Coffee break

2nd Session : A clash between theory and practice?

11.00-12.30 Introduced by Paul **Torremans**, Professor University Nottingham, United Kingdom

General report : « **Le droit moral dans les différents régimes du droit d'auteur** » by Agnès **Lucas**, Akademische Oberrätin Universität Ludwig-Maximilian de Munich, Germany

Program established by the Scientific Committee of the Congress composed by: Prof. dr. Fabienne Brison, Prof. dr. Séverine Dusollier, Prof. dr. Marie-Christine Janssens and Prof. dr. Hendrik Vanhees, with the collaboration of Prof. dr. Frank Gotzen and Prof. dr. Alain Strowel (the Scientific Committee wants to thank Victor Nabhan and Prof. dr. Jane Ginsburg for their very valuable comments).

Panel discussion on selected issues, such as waivability, transferability, public domain, alternative protection modes, etc., with :

- « **Le droit moral du point de vue du continent** » by Jacques **de Werra**, Professor University of Geneva, Switzerland
- « **Moral right from a copyright perspective** » by Jonathan **Griffiths**, Reader Queen Mary University of London, United Kingdom

Discussion led by Paul **Torremans**

Lunch

3rd Session: Trying to find a balance

14.00-15.30 Introduced by Antoon **Quaedvlieg**, Professor Nijmegen, the Netherlands

« **L'abus du droit moral** » by Philippe Gaudrat, Professor University of Poitiers, France

« **The conflicts with material property** » by Juan **Cordoba**, Associate Professor Universidad de La Sabana, Colombia

« **Is it a pressing social need or shall freedom of expression prevail ?** » by Bernt **Hugenholtz**, Professor University of Amsterdam, the Netherlands

Discussion led by Antoon **Quaedvlieg**

Coffee break

4th Session The « collective » practice: the audiovisual sector as a study-case

16.00-17.30 Introduced by Ted **Shapiro**, Attorney, Belgium

Panel discussion with:

- Duncan **Crabtree-Ireland**, COO-General Counsel SAG-AFTRA, United States of America
- Dominick **Luquer**, General Secretary of FIA – International Federation of Actors, Belgium
- Johannes **Studinger**, Head of UNI MEI, Belgium

- Hubert **Tilliet**, Directeur juridique de la SACD, France

Discussion led by Ted **Shapiro**

17.30-18.00

General Assembly

September 19, 2014 : MORAL RIGHTS IN A GLOBALISED WORLD

1st Session : Moral rights aspects in new forms of use

09.00 – 10.30 Introduced and **general report** by Pierre **Sirinelli**, Professor Paris I, France

Panel discussion with contributions on :

- « **The Nexus and Disconnect of Moral Rights and the Protection of Traditional Knowledge** » by Susy **Frankel**, Professor Victoria University Wellington, New Zealand
- « **Increasing impact of aspects of international private law** » by Raquel **Xalabarder**, Professor Universitat Oberta de Catalunya, Spain

Discussion led by Pierre **Sirinelli**

Coffee break

2nd Session The application of moral rights in the digital era

11.00-12.30 Introduced by Mihaly **Ficsor**, Member/Honorary President of the Hungarian Copyright Council, Hungary

Panel discussion with contributions on :

- « **Creative commons** » by Mélanie **Clément-Fontaine**, Professor Université Versailles Saint-Quentin, France
- « **Orphan Works** » by Marco **Ricolfi**, Professor University Torino, Italy
- « **Cloud computing** » by Tatsuhiro **Ueno**, Professor Waseda University, Japan
- « **Le contenu généré par les utilisateurs demande-t-il des adaptations législatives ?** » by Ysolde **Gendreau**, Professor Université Montréal, Canada

Discussion led by Mihaly **Ficsor**

Lunch

3rd Session: The avatars of the moral rights

14.00-16.00 Introduced by Alain **Strowel**, Avocat at the Brussels bar, Belgium :

Panel discussion on « From the right of divulgation to a right of privacy, from the right to paternity to a right of attribution and from the right to integrity to a right of authenticity? » with:

- Mira Sundara **Rajan**, Professor University of Glasgow, United Kingdom
- Valérie-Laure **Benabou**, Professor Université Versailles-Saint-Quentin, France
- Jane **Ginsburg**, Professor Columbia University, United States of America **Ginsberg**

Discussion led by Alain **Strowel**

Panel discussion on « From personality rights to related interests of the industry ? »
with the point of view of:

- broadcasters by Heijo **Ruijsenaars**, Head IP EBU Geneva
- publishers by Carlo **Lavizzari**, Attorney, Switzerland/South-Africa
- journalists by Mike **Holderness**, European Federation of Journalists, UK

Discussion led by Alain **Strowel**

Coffee break

4th Session Future perspectives?

16.30-18.00 Introduced by Daniel **Gervais**, Professor Vanderbilt University, USA

Panel discussion with:

- Michele **Woods**, Director Copyright Law Division, WIPO, Switzerland
- Maria **Martin-Prat**, Head of Copyright Unit in the Department Intellectual Property of DG Internal Market and Services of the European Commission
- Paul **Goldstein**, Professor Stanford University, United States of America

Discussion led by Daniel **Gervais**

Conclusions by Frank **Gotzen**, Professor em. KULeuven, Belgium

Closing remarks by Victor **Nabhan**, President of the ALAI