

Michael Sherlock
Intellectual Property Office
Concept House
Cardiff Road
Newport NP10 8QQ

Michael.Sherlock@ipo.gov.uk

16 November 2017

Dear Michael

Draft HCCH Convention for the Recognition and Enforcement of Foreign Judgments

Following the IP stakeholder meeting concerning the above on 18 October, and in view of the meetings currently taking place from 13-17 November, I have consulted the British Copyright Council (BCC) on the possible inclusion in the Convention of judgments relating to the infringement of copyright and related rights.

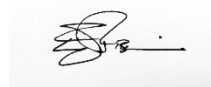
The BCC states its interest in the proposal and welcomes the invitation to contribute its views. The provisions envisaged by the draft Convention nevertheless require a level of detailed study and consideration, which — given our relatively recent awareness of the project — some members have not had the opportunity to undertake.

At this moment and on this understanding, the BCC is inclined to the opinion that judgments relating to copyright and related rights should remain in the scope of the Convention, on the express condition that it includes the freedom for the UK to opt out of provisions relevant to intellectual property at a later date, if desired.

The BCC is not yet in a position to comment in any detail on other questions raised, except to say that if copyright and related rights remain relevant for the Convention, then we believe only targeted requirements carved out from the general rules under Article 5.1 should apply.

I hope that these comments are of some assistance and would be grateful if the BCC could be kept informed of progress.

Yours sincerely



Elisabeth Ribbens
Director of Policy & Public Affairs

cc: Andrew Yeates
Chair – Copyright & Technology Working Group - BCC