

# Intellectual Property in an Increasingly Interconnected World

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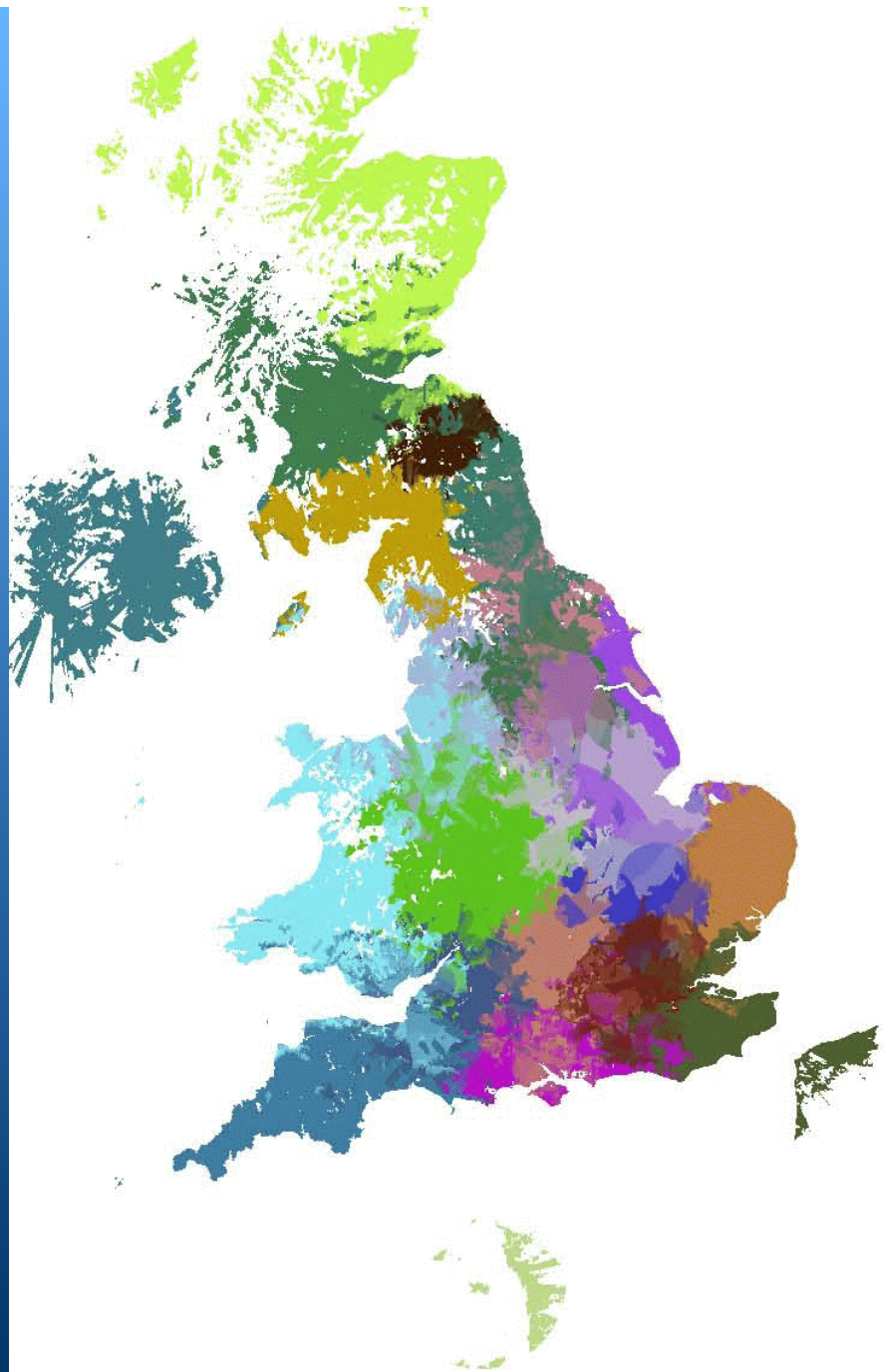
Welsh Centre for International Affairs  
Cardiff, 1st July 2009

# Terrestrial TV

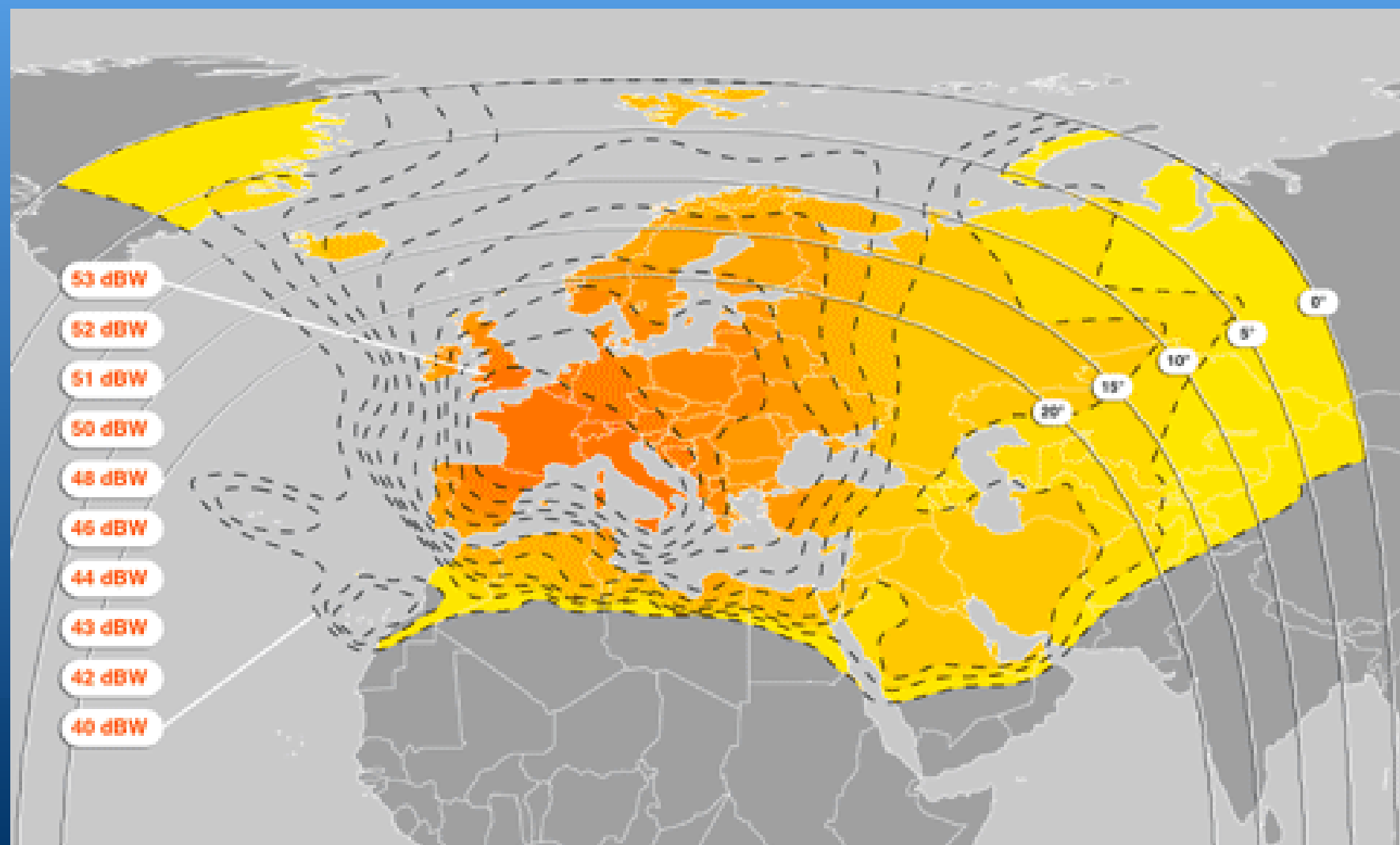
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UK  
ITV  
Regions  
Map



# Hotbird satellite footprint



# EU “single audiovisual area”

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## Legislation

- Directive 89/552/EEC - “TV Without Frontiers”  
- single point of regulation in Member State of origin of broadcast
- Directive 93/83/EEC - satellite broadcast  
subject to copyright licensing only in Member State of origin of broadcast

# Maintaining national zones of reception

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- Encryption of broadcasts
- Sale of decoder cards restricted to national territory
- Content providers impose contractual terms of broadcasters prohibiting sale of decoders outside territory

# Growth of the “grey” market

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- Millions of ex-pats living outside country of origin
- Important for minority language speakers -S4C?
- Travellers on holiday and second home owners
- Broadcasters still get paid per card sold
- Some specialist users *need* access to foreign TV

# The “grey” market (continued) ...

Satellite dishes on the roof of MU training facility



# FAPL v QC Leisure

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European Court of Justice will decide:-

- Whether “Conditional Access Directive” 98/84/EC entitles broadcasters to prevent circulation of lawful decoders in single market
- Whether use of copyrights to divide single market is contrary to “free movement” rules of Treaty of Rome
- Whether clause preventing broadcasters from selling decoder cards outside national territory breaches competition law (Article 81 of Treaty)

# Single Market or Fortress Europe?

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Levi Strauss v Tesco (Case C-414/99)

Lawful if  
marketed  
in EU



Infringing if  
marketed in USA

Which is more  
entitled to the  
trademarks?

# Internet trading

Levis 501 on sale now. Sale on Levis jeans and jackets. Levis 501 original jeans, 501, 505, 550, 514, 527, 549, 569, 517. Calvin Klein Easy Fit jeans, ck jeans. Dickies pants. Levi Strauss. Levis 501. Levi's 501.

**AmericanJeans.com**



We Ship Worldwide!

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Enter search key

## Shop By Brand

**Levis**  
Calvin Klein  
Dickies  
Tommy Hilfiger  
True Religion  
Antik  
DKNY  
Dockers  
French  
Connection  
J Lo  
Lacoste  
Le Tigre  
Nautica  
Puma

All Products ...

## Customer Service

Contact Us  
Shipping Info  
Return Policy  
FAQs  
Currency  
Converter

Home :: Levis :: Mens :: Levis 501 Jeans - New Wash (3907)

## Levis 501 Jeans - New Wash (3907)



[larger image](#)

~~\$46.00~~ **\$39.99**  
**Save: 13% off**

Original 501 jeans, button fly,  
original fit through seat &  
thigh

### Please Choose:

**Color:**  New Wash

**Size:**

Add to Cart:

[add this  
to my cart](#)

# Internet streaming ...

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- Link to: <http://wwitv.com/>

# Questions

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- Can national restrictions on IP rights survive in our increasingly interconnected world?
- Should they?
- Who benefits from the enforcement of national restrictions?
- Who loses?

# The End

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Thank you for your attention -  
Questions please?