

WIPO Regional Copyright and Related Rights Conference

Regionalna konferenca WIPO o dobrem upravljanju in učinkovitem delovanju kolektivnih organizacij

“Collective Management of Copyright and Related Right Organisations – Transparency, Accountability, Governance and Supervision”

Ljubljana, Slovenia, October 8 and 9, 2014

Ljubljana, Slovenija, Cankarjev dom, 8. in 9. oktober 2014

Speakers (in order of appearance)

Govorci (v vrstnem redu nastopa)

Vesna Stanković Juričić

(Urad RS za intelektualno lastnino/Slovenian Intellectual Property Office)

Vesna Stanković Juričić je univerzitetna diplomirana pravnica (Pravna fakulteta Univerze v Ljubljani) z opravljenim pravniškim državnim izpitom. Na dosedanji poslovni poti je ustvarila bogat nabor znanj in kompetenc v javnem in zasebnem sektorju, s področja dela finančnih regulatornih organov, evropskih institucij, nacionalnega in mednarodnega gospodarskega prava ter prava intelektualne lastnine.

Svojo poslovno pot je začela na Ministrstvu za finance (1995), kjer je v postopkih pridruževanja Slovenije EU pripravljala predpise s področja bančništva in trga kapitala ter še posebej vzpostavitev nadzora nad finančnimi institucijami v Republiki Sloveniji. Po krajšem službovanju v Direktoratu za notranji trg Evropske komisije v Bruslju (1998) je poslovno pot nadaljevala na področju gospodarskega prava v odvetniški družbi Jadek in Pensa. Leta 2000 je postala direktorica pravne pisarne ter pravna svetovalka uprave in nadzornega sveta takrat vodilne mednarodno usmerjene slovenske družbe za informacijske tehnologije Hermes SoftLab (sedaj Comtrade), s hčerinskimi družbami v Zahodni Evropi, ZDA in Jadranski regiji. V tej vlogi je sodelovala v ekipah vrhunskih strokovnjakov, ki so na podlagi pravic intelektualne lastnine, znanja in tehnologij programske opreme podjetja Hermes SofLab oblikovale različne poslovne modele. Sodelovala je tako v postopkih komercializacije njihovih izdelkov, kot tudi v zahtevnih postopkih patentne zaščite njihove programske opreme, zlasti v ZDA. Za Hermes SoftLab je vzpostavila interne procese upravljanja in varovanja pravic intelektualne lastnine in vodila več skrbnih pregledov s področja tehnologij in pravic intelektualne lastnine.

Po odhodu iz podjetja Hermes SoftLab je v New Yorku vodila oddelek korporativnih financ pri globalni svetovalni družbi na področju bančnih informacijskih tehnologij Sofgen Group. Istočasno je v okviru zagonskih (start-up) mrež v Sloveniji in na Hrvaškem svetovala različnim manjšim podjetjem pri trženju njihovih storitev in izdelkov.

Vesna Stanković Juričić je bila s strani Državnega zbora RS v juniju 2013 imenovana za članico sveta Agencije za trg vrednostnih papirjev.

[Vesna Stanković Juričić, as from September 2013 the Acting Director of SIPO, was appointed Director of SIPO for the term of 5 years as of 23. 1. 2014. She holds a Bachelor of Laws degree from University of Ljubljana, Faculty of Law, and has passed the Slovenian State Bar Exam. She has been appointed Commissioner to the Board of the Slovenian Securities and Exchange Commission by the Slovenian Parliament in June 2013.](#)

[On her professional path so far she has gathered a rich set of knowledge and skills in the public and private sector, functioning of the EU institutions, Slovenian as well as international corporate law, intellectual property law and management.](#)

[Her business career began at the Slovenian Ministry of Finance \(1995\), where she worked in the field of banking and securities regulations. After a short period at the Internal Market & Services Directorate of the European Commission in Brussels \(1998\), she continued her career in the field of corporate law at one of Slovenia's largest and highly regarded law firms. In 2000, she became Director of the Legal Department and legal advisor to the Management and the Supervisory Boards of a leading, internationally oriented Slovenian IT company. In this role, she participated in teams of experts who](#)

built business models on the basis of intellectual property, know-how and technology. She was involved in both process of commercialisation of the company's software products/services as well as in the demanding process of patenting its software, particularly in the United States. She ran several acquisition, joint venture and due diligence activities in technology sector throughout Europe. Before being appointed Acting Director of Slovenian Intellectual Property Office she worked in New York, USA where she was in charge of mergers and acquisitions programme at a global consulting company. In parallel, she has been actively involved in start-up networks in the area of high-tech products and services in Slovenia and Croatia.

David Uwemedimo

(WIPO, Copyright Infrastructure Division)

David Uwemedimo, a barrister by training, has worked extensively with the creative community over the last 25 years. He has held various positions at PRS (the UK based performing right society) including Head of Legal Services as well as Secretary and Legal Counsel. During his time at PRS, David was also Secretary of the then Music Copyright Reform Group (a predecessor of British Music Rights). After PRS, he then spent a period in private practice (specialising in entertainment law) and at CISAC (the international confederation of authors' societies representing the full range of creativity). At CISAC, he held several positions including Director of Legal, Political and Strategic Affairs. David Uwemedimo is now working at WIPO (a specialised agency of the United Nations dedicated to developing a balanced and accessible international intellectual property system which rewards creativity, stimulates innovation and contributes to economic development) as Director, Creators and Performers Support Division. He has written several articles and publications including a book on contract law.

David Uwemedimo, po izobrazbi odvetnik, je zadnjih 25 let veliko sodeloval z ustvarjalno skupnostjo. Opravljal je različne funkcije pri PRS (britanska kolektivna organizacija), med drugim je bil vodja pravne službe, sekretar in pravni svetovalec. V času službovanja pri PRS je bil tudi sekretar takratne Music Copyright Reform Group (predhodnica British Music Rights). Po odhodu iz PRS je nekaj časa delal v zasebni praksi (specializirani za pravna vprašanja v industriji zabave) in pri CISAC (mednarodna konfederacija kolektivnih organizacij avtorjev celotnega spektra ustvarjanja), kjer je delal na več položajih, med drugim tudi kot direktor za pravne, politične in strateške zadeve. David Uwemedimo je trenutno zaposlen pri Svetovni organizaciji za intelektualno lastnino – WIPO (specializirana agencija Združenih narodov, posvečena razvoju uravnoteženega in dostopnega mednarodnega sistema intelektualne lastnine, ki nagraduje ustvarjalnost, spodbuja inovacije ter prispeva h gospodarskemu razvoju), in sicer je direktor oddelka za podporo ustvarjalcem in izvajalcem. Je tudi avtor več člankov in publikacij, med njimi tudi knjige o pogodbemem pravu.

Agata Gerba

(European Commission, DG Markt, Copyright Unit)

Agata Gerba is a legal adviser in the Copyright Unit at the Internal Market and Services Directorate General of the European Commission. The Copyright Unit is responsible for the development and enforcement of the EU "acquis" in the area of copyright and related rights as well as for international negotiations in bodies such as the World Intellectual Property Organisation. Before joining the Copyright Unit, Agata Gerba had been a member of a European Commission unit responsible for free movement of services and freedom of establishment issues, notably the Services Directive. Agata Gerba is admitted as an advocate to the Warsaw Bar and prior to joining the European Commission had been a senior associate at the international law firm of Lovells (currently Hogan Lovells) and had specialised in mergers & acquisitions and labour law.

Agata Gerba je pravna svetovalka v Enoti za avtorsko pravo pri Generalnem direktoratu za notranji trg in storitve Evropske komisije. Njena enota je odgovorna za razvoj in uveljavljanje pravnega reda EU na področju avtorske in sorodnih pravic, kakor tudi za mednarodna pogajanja v organizacijah kot je Svetovna organizacija za intelektualno lastnino. Pred tem je Agata Gerba delala v enoti Evropske komisije, ki je pristojna za vprašanja svobode ustanavljanja in opravljanja storitev, poznana tudi kot storitvena direktiva. Agata Gerba je tudi odvetnica in je kot članica varšavske odvetniške zbornice pred delom v Evropski komisiji delala kot višja sodelavka v mednarodni odvetniški pisarni Lovells (trenutno Hogan Lovells), kjer se je specializirala za združitve in prevzeme ter delovno pravo.

Nadia Vally

(UK Intellectual Property Office/Britanski urad za intelektualno lastnino)

Nadia Vally is the Head of Collective Rights Management at the UK Intellectual Property Office. She is based in the Copyright and Enforcement Directorate and leads the team that was responsible for introducing the regulatory framework for UK CMOs as well as its recent extended collective licensing provisions.

Nadia is a career civil servant who has previously worked on animal health policy and export financing. Her academic background is in law and she was educated in South Africa and at the University of Oxford.

Nadia Vally vodi področje za kolektivno upravljanje pravic na Uradu Združenega kraljestva za intelektualno lastnino. V okviru Direktorata za avtorsko pravo in uveljavljanje pravic vodi ekipo, ki je odgovorna za uvedbo zakonskega okvira za delovanje kolektivnih organizacij v Veliki Britaniji kot tudi za nedavne določbe o razširjenih kolektivnih licencah.

Je javna uslužbenka, ki je pred tem delala tudi na politiki zdravstvenega varstva živali in financiranju izvoza. Po izobrazbi je pravnica, šolala se je v Južni Afriki in na Univerzi v Oxfordu.

Owen Atkinson

(ALCS – Authors' Licensing and Collecting Society)

The Authors' Licensing and Collecting Society (ALCS) is a not-for-profit membership organisation, run by writers, for writers. Owen joined ALCS in 1997 having previously spent 10 years working in Hong Kong in IT consultancy developing bespoke solutions for the publishing and book industry.

Owen was initially responsible for the design and development of a new bespoke royalties system which was successfully implemented in 1999. He became Head of Operations in 2000 and has overseen the doubling of royalties collected and paid to authors over the past 8 years. Owen became Deputy CEO in 2004 and CEO in 2006. During this time he has been involved in international projects regarding information and repertoire exchange as well as working with data standards groups on the development of identifiers.

He is also involved in lobbying and campaigning in support of authors' rights and raising the profile of writers in both the UK and EU raising issues with ministers and MPs on the value of creators to the Creative Economy including those related to the current campaign to review and expand the Public Lending Right to cover both digital and audio books.

The Authors' Licensing and Collecting Society (ALCS) je neprofitna članska organizacija, ki jo vodijo pisatelji za pisatelje. Owen Atkinson se je ALCS pridružil leta 1997, potem ko je 10 let delal v Hongkongu na področju IT svetovanja za razvoj rešitev po meri za založništvo in knjižno industrijo. Pri ALCS je bil sprva odgovoren za načrtovanje in razvoj novega, po meri narejenega sistema za nadomestila, ki je bil uspešno vzpostavljen leta 1999. Leta 2000 je postal vodja operativnih zadev in je tako zadnjih 8 let nadziral podvojeno zbiranje in izplačevanje nadomestil avtorjem, leta 2004 je postal namestnik direktorja in leta 2006 še predsednik uprave. V tem času je sodeloval pri mednarodnih projektih za izmenjavo informacij in repertoarja pa tudi s skupinami za standardizacijo podatkov na razvoju identifikatorjev.

Aktiven je tudi pri promociji pomena avtorskih pravic in prepoznavnosti pisateljev tako v Veliki Britaniji kot v EU, z vprašanji o dodani vrednosti ustvarjalcev za kreativno industrijo nagovarja ministre in poslance, trenutno se zavzema za pregled in razširitev pravice do javnega posojanja tudi na digitalne in zvočne knjige.

Vera Castanheira
(AGICOA)

Vera Castanheira is head of legal and licensing department at AGICOA. As a copyright specialist, before holding that position she worked as a lawyer and consultant for legal and public affairs. She worked as deputy of the State Secretary of Culture of the Portuguese Government and was responsible for policy and legislation matters on copyright, public funding for cinema and creative economy, representing the State at the Council of the European Union and WIPO. She worked as executive director of a collective management organization for several years, where she also developed projects for literacy and awareness on copyright. Vera Castanheira has a degree in Law and has added to her academic experience specializations in Management, Communication and Media Studies, Digital Copyright and a Masters in Competition Law.

Vera Castanheira je vodja oddelka za pravne zadeve in licenciranje pri AGICOA. Pred tem je kot specialist za avtorsko pravo delala kot odvetnica in svetovalka za pravne in javne zadeve. Bila je namestnica državnega sekretarja za kulturo v portugalski vladi in bila v tej vlogi odgovorna za politiko in zakonodajo za avtorsko pravo, javno financiranje filmske produkcije in kreativne industrije in je predstavljala Portugalsko v Svetu Evropske unije in WIPO. Več let je delala tudi kot izvršni direktor kolektivne organizacije za upravljanje pravic, kjer je razvila projekte za pismenost in ozaveščenost o avtorskih pravicah. Vera Castanheira je diplomirana pravnica, njene akademske izkušnje pa vključujejo tudi praktične specializacije v menedžmentu, komunikacijskih in medijskih študijih, avtorskem pravu v digitalni dobi in magistririj iz konkurenčnega prava.

Mitko Chatalbashev
(CISAC/BIEM)

Mitko Chatalbashev has been Regional Director for Europe at CISAC and BIEM – two international umbrella organisations for authors' societies based in Paris, since October 2003. At the CISAC/BIEM European regional office located in Budapest, Mr. Chatalbashev is mainly responsible for relations with CISAC/BIEM members from Central and Eastern Europe and Central Asia and the implementation of CISAC policies and assistance programs in this vast region, including the implementation of the CISAC Professional Rules and the related verification process.

After studying Law at Sofia University he became a lawyer and member of the Sofia Bar, with special interests in copyright and human rights law. In 1995 he pursued a Private International Law specialisation in Spain with emphasis on International Protection of Copyright and Related Rights. He has been a Lecturer on IP issues at the New Bulgarian University, Department "Mass communications" (2000–2002). From 2001 to 2003 he was the Chief Legal Adviser to the Bulgarian society of music authors and publishers "MUSICAUTOR".

Mitko Chatalbashev je od oktobra 2003 regionalni direktor za Evropo pri CISAC in BIEM – dveh mednarodnih krovnih združenjih avtorjev s sedežem v Parizu (evropski regionalni sedež CISAC/BIEM je v Budimpešti). Odgovoren je predvsem za odnose s člani CISAC/BIEM iz srednje in vzhodne Evrope ter centralne Azije in za izvajanje politik in programov pomoči CISAC v tej regiji, vključno z vzpostavljanjem poklicnih pravil CISAC in s tem povezanim postopkom preverjanja.

Mitko Chatalbashev je po študiju prava na Univerzi v Sofiji postal odvetnik in član odvetniške zbornice v Sofiji, s posebnimi zanimanjem za avtorsko pravo in pravo človekovih pravic. Leta 1995 je opravil zasebno specializacijo iz mednarodnega prava v Španiji, s poudarkom na mednarodnem varstvu avtorske in sorodnih pravicah, bil je tudi predavatelj o pravicah intelektualne lastnine na oddelku "Množične komunikacije" Nove bolgarske univerze (2000–2002). Od leta 2001 do 2003 je bil glavni pravni svetovalec bolgarske organizacije glasbenih avtorjev in založnikov "MUSICAUTOR".

Maja Bogataj Jančič

(Intellectual Property Institute/Inštitut za intelektualno lastnino)

Maja Bogataj Jančič has earned her law degree from University of Ljubljana (law, '96) and holds master's degrees from the universities of Ljubljana (economics, '99), Harvard (law, '00) and Turin (intellectual property, '05) and a PhD degree from University of Ljubljana (copyright law, '06). She is the founder and the director of Intellectual Property Institute, a private research and consulting institution in the field of intellectual property, located in Ljubljana, Slovenia. Her research and academic work, as well as her consulting, focuses predominantly on intellectual property, mainly copyright, information and media law. She has published numerous works in the area of copyright, intellectual property and information law and is a co-author of several books in these fields. She is an arbiter in domain name disputes for the domain name .si and an arbiter at the Ljubljana Arbitration Centre at the Chamber of Commerce and Industry of Slovenia. She is a trademark and design attorney. Her consulting work is diverse and includes counselling large corporations and smaller start-ups, individual creators as well as public institutions.

Maja Bogataj Jančič je leta 1996 diplomirala na Pravni fakulteti Univerze v Ljubljani in pridobila magisterije na Pravni fakulteti Univerze v Ljubljani (1999, ekonomija), Harvard University (2000, pravo) in University of Torino – Faculty of Law (2005, intelektualna lastnina), ter doktorat na Pravni fakulteti v Ljubljani (2006, avtorsko pravo). Je ustanoviteljica in direktorica Inštituta za intelektualno lastnino, zasebne raziskovalne in svetovalne ustanove, ki deluje na področju intelektualne lastnine in se nahaja v Ljubljani. Njeno raziskovalno in akademsko delo in svetovalna dejavnost se razteza na vsa področja intelektualne lastnine, zlasti področje avtorskega prava, prava interneta in medijskega prava. Objavila je že številna dela s področja avtorskega prava, prava intelektualne lastnine in prava interneta in je tudi soavtorica več knjig na teh področjih. Je razsodnica v domenskih sporih glede domene .si in arbitrinja pri Stalni arbitraži pri Gospodarski zbornici Slovenije. Je zastopnica za blagovne znamke in modele. Njeno svetovalno delo je zelo raznovrstno: svetuje korporacijam in start-upom, posameznim ustvarjalcem in tudi javnim institucijam.

Boštjan Menart

(Menart Records)

DJ v času študija strojništva, leta 1994 ustanovi založbo Menart Records, leta 1995 so-ustanovi združenje fonogramske industrije, leta 1997 ustanovi založbo Menart Hrvaška, leta 2000 so-ustanovi Zavod IPF, od leta 2008 dalje predsednik skupščine proizvajalcev fonogramov. V Zavodu IPF si prizadeva za čimbolj racionalno in pregledno poslovanje, ki naj prinese čim večji delež zbranih nadomestil v delilno maso. Zagovarja sodelovanje sestrskih organizacij v regiji in širše. Založba Menart Records je v dvajsetih letih delovanja postala ena vodilnih glasbenih založb na Balkanu.

A DJ during his studies in mechanical engineering, Boštjan Menart set up a record label Menart in 1994, co-founded an association of phonogram industry in 1995, founded the record label Menart Croatia in 1997, and in 2000 co-founded IPF, a Slovenian collecting organisation for asserting rights of performers and producers of phonograms, where since 2008 he acts as President of the Assembly of producers of phonograms. Within the IPF he strives for rational and transparent operations that are to bring the greatest possible share of collected remunerations into the split mass. He advocates the cooperation of kindred organisations in the region and beyond. In its 20 years of operation the Menart Records has become one of the leading record labels in the Balkans.

Primož Grašič

Primož Grašič je kitarist, skladatelj, glasbeni aranžer, producent in učitelj, ki je v svoji glasbeni karieri igral in sodeloval z velikimi svetovnimi imeni jazza. Je tudi predsednik glasbenega odbora in od leta 2002 član organov vodenja Združenja SAZAS.

Primož Grašič is a guitarist, composer, music arranger, producer and teacher who played and collaborated with big names from the world of jazz. He has been a member of management bodies, since 2002 also the Chairman of Music Committee of SAZAS Society, a Slovenian collective society for composers, authors and music copyright holders.

Martin Srebotnjak

Martin Srebotnjak je scenarist, režiser in igralec, pri nekaterih svojih filmskih projektih pa tudi montažer. Je univerzitetno diplomirani filmski in televizijski režiser (UL AGRFT) ter univerzitetno diplomirani inženir računalništva in informatike (UL FRI). Je visokošolski učitelj na Akademiji za gledališče, radio, film in televizijo – docent za področje filmske režije, kjer je trenutno tudi predstojnik Katedre za filmsko režije. Kot dolgoletni član Sveta Zavoda AIPA se je srečeval s problematiko avtorsko-pravne zakonodaje, kolektivnega upravljanja in varstva avtorskih pravic.

Martin Srebotnjak is a screenwriter, director and actor, as well as film editor of some of his audiovisual projects. He has Bachelor degrees in Film and Television Directing and Computer and Information Science (both from University of Ljubljana). He is Assistant Professor of Film Directing at Academy of Theatre, Radio, Film and Television and currently acts Chair of Film Directing at Academy's Film and Television Department. As a long term member of the Managing Board of AIPA Institute he has encountered issues of copyright legislation, collective society management and protection of copyright in Slovenia.

Jan Poeppel

(German Patent and Trademark Office/Nemški urad za patente in znamke)

Jan Poeppel has worked for the German Patent and Trade Mark Office (DPMA) since 2005. Since 2011 he has been Head of a section which deals with government supervision of Collecting Societies. Additionally, he supports several patent divisions of the GPTO as a Legal Member. Prior to that, he gained experience within the DPMA not only in the area of supervision of collecting societies but also in national industrial property law and trade mark law. His professional career began at an IP/IT practice group of an international law firm. Jan Poeppel holds a PhD in law; his thesis deals with the German exceptions and limitations to copyright in the digital environment.

Jan Poeppel je doktor prava, v doktoratu je obravnaval izjeme in omejitve avtorskih pravic v digitalnem okolju v nemški zakonodaji. Jan Poeppel je zaposlen v nemškem uradu za patente in znamke od leta 2005, leta 2011 je bil imenovan za vodjo oddelka, ki izvaja vladni nadzor nad kolektivnimi organizacijami. Poleg tega v uradu zagotavlja pravno podporo različnim oddelkom v patentnem sektorju. Pred tem je v uradu pridobil izkušnje iz nacionalnega prava na področju industrijske lastnine, svojo poklicno pot pa je začel z delom v skupini za intelektualno lastnino in informacijske tehnologije v mednarodni odvetniški pisarni.