

**UNITED STATES – SECTION 110(5) OF THE US COPYRIGHT ACT**

Status Report by the United States

Addendum

The following communication, dated 21 January 2002, from the Permanent Mission of the United States to the Chairman of the Dispute Settlement Body, is circulated pursuant to Article 21.6 of the DSU.

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Status Report Regarding Implementation of the  
DSB Recommendations and Rulings in the Dispute  
United States – Section 110(5) of the US Copyright Act  
(WT/DS160)

The United States submits this report in accordance with Article 21.6 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* (DSU).

On 27 July 2000, the Dispute Settlement Body (DSB) adopted its recommendations and rulings in *United States - Section 110(5) of the US Copyright Act*. At the DSB meeting on 24 August 2000, the United States informed the DSB that it intended to implement the recommendations and rulings in connection with this matter. The DSB agreed that the "reasonable period of time" for implementation expired on the date of the conclusion of the then current session of the US Congress or 31 December 2001, whichever was earlier. The United States has been engaged in discussions with the European Communities to find a mutually acceptable resolution of the dispute. In connection with those discussions, the United States and the European Communities took the unprecedented step of resorting to arbitration under Article 25 of the DSU in order to determine the level of nullification or impairment of benefits caused by Section 110(5)(B) of the US Copyright Act.

In light of the award of the Arbitrators, the European Communities and the United States have been engaged in productive discussions with a view to resolving the dispute. Those discussions are continuing.

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