

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

Communication from the United States

The following communication, dated 24 August 2000, from the Permanent Mission of the United States to the Chairman of the Dispute Settlement Body, is circulated at the request of the United States.

At the 27 July 2000 meeting of the Dispute Settlement Body (DSB), the United States indicated that it disagreed with that portion of the Panel Report in "United States – Section 110(5) US Copyright Act" that dealt with Section 110(5)B of that Act. However, because my delegation agreed with the Panel findings upholding Section 110(5)(A) of the Copyright Act, the United States did not appeal, and the report was adopted by the DSB.

Now that the report has been adopted, my authorities have instructed me to advise the DSB of my delegation's intentions in respect of implementation of the recommendations and rulings of the DSB, as is our responsibility under Article 21.3 of the Dispute Settlement Understanding (DSU).

It is the intention of the United States to implement the recommendations and rulings of the DSB in a manner which respects US WTO obligations, and we have begun to evaluate options for doing so. The United States will need a reasonable period of time in which to do this. Accordingly, pursuant to Article 21.3(a), the United States proposes that such reasonable period of time shall be 15 months.

My delegation also stands ready to discuss with the European Communities this proposal for the implementation period, in accordance with Article 21.3(b), if necessary.
