

**Doc. 36/2013**

**RESOLUTION OF IAB 43<sup>rd</sup> GENERAL ASSEMBLY  
INTERNET PROVIDER LIABILITY  
DUE TO VIOLATIONS OF COPYRIGHT**

**WHEREAS:**

Intellectual property rights are internationally recognized and guaranteed by international intellectual property agreements.

**CONSIDERING:**

1. That International treaties guarantee the exclusive prerogative of the copyright holder to authorize or prohibit the use of intellectual works, including the Internet.
2. That the technological development enabled Internet piracy to spread and the identification of infringing users became difficult.
3. That Internet provider sites permit the misuse of copyright-protected content by its users and many of them get financial benefits with these violations.
4. That Broadcasters invest huge amounts in producing and/or obtaining the rights of exhibition and audiovisual content, while piracy on the Internet concurs unfairly with their business, causing serious damage to the industry.
5. That Internet service providers active in the various countries in the world adopt a peaceful way of the system called "Notice & Take Down", for the removal of unauthorized content that is available in Internet.

**THE 43<sup>rd</sup> GENERAL ASSEMBLY OF THE INTERNATIONAL ASSOCIATION OF BROADCASTING - IAB - MEETING IN RIO DE JANEIRO , BRAZIL , RESOLVES :**

To urge governments to position themselves for the implementation of a liability system of Internet Service Providers based on the adoption of a mechanism known as " Notice & take down ", which by notifying the legitimate copyright and related rights holder about the unauthorized use, with their respective identification, as well as sufficient proof of ownership, the provider will become responsible and should remove content or block its access.

This mechanism would only discharge the Internet Service Provider's liability if it had not been possible to demonstrate prior knowledge of the unauthorized use.

Rio de Janeiro, October 16, 2013