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New Property Rights Agency Mulled

By The Moscow Times

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A new federal agency may be created to step up oversight and regulation in the sphere of intellectual property, Vedomosti reported Thursday.

The Economic Development Ministry has sent the government a draft of a presidential decree creating this organization on the order of First Deputy Prime Minister Igor Shuvalov, a state official said and a spokesman for Shuvalov confirmed.

Shuvalov commissioned the decree after reading a ministry report that described the current system of collecting and distributing royalties as opaque and unregulated, the official said.

The report recommended that the government order royalty collection organizations to disclose the statistics they use when distributing funds to copyright holders. It also proposes conducting yearly audits of the organizations and setting limits on their expenditures.

According to the decree, the new agency would take on all the functions of the current Federal

Service for Intellectual Property plus the additional duty of monitoring protection of intellectual property rights and the regulatory environment.

Unlike its predecessor, which is subordinate to the Economic Development Ministry, the agency would answer directly to the government.

The two non-government organizations that now collect and distribute royalties — the Russian Union of Right-Holders, or RSP, and the Russian Author's Society — would continue their work "at least at first," an unidentified state official said.

RSP President Nikita Mikhalkov, director of such classic films as Burnt by the Sun, plans to nominate himself as head of the new agency, the official added.

An individual close to Shuvalov confirmed that Mikhalkov could be a candidate, but said that the president and prime minister will ultimately appoint the agency's head.

"The creation of a single agency for overseeing this market is positive," an executive in one authors' society said. "Now many agencies are engaged in this issue and we constantly encounter disagreements in their positions."

Although the Culture Ministry is technically responsible for the government's intellectual property policy, the Communications and Press Ministry, the Federal Service for Intellectual Property and the Interior Ministry also deal with these issues in different areas of the economy.

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