

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

Recourse by the United States to Article 22.6 of the DSU

*Communication from the Arbitrator*

The following communication, dated 26 February 2002, has been received from the Permanent Delegation of the European Commission and the Permanent Mission of the United States and addressed to Mr. Ian F. Sheppard, Chairman of the arbitrators.

"The European Communities and their member States (EC) and the United States of America (US) wish to thank you and the other arbitrators for accepting to serve as the Arbitrator in the above-captioned proceeding.

The EC and the US would like to inform you that they are engaged in constructive discussions with a view to finding a solution to this dispute. Therefore, the EC and the US would respectfully request the Arbitrator to suspend the arbitration proceeding. The EC and the US agree that the arbitration proceeding may be reactivated at the request of either party after 1 March 2002."

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In accordance with the joint request by the parties, the Arbitrator has suspended the arbitration proceeding. The Arbitrator has taken note of the parties' agreement that the arbitration proceeding may be reactivated at the request of either party after 1 March 2002.

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