

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

Status Report by the United States

The following communication, dated 10 November 2004, from the delegation of the United States to the Chairperson 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* (WT/DS160). At the following DSB meeting on 24 August 2000, the United States informed the DSB of its intention to implement the recommendations and rulings of the DSB in connection with this matter. As a result of discussions to find a mutually acceptable resolution of the dispute, the United States and the European Communities agreed pursuant to Article 25 of the DSU to enter into arbitration in order to determine the level of nullification or impairment of benefits caused by Section 110(5)(B) of the US Copyright Act. After the arbitration, the parties reached a temporary resolution of the dispute, which was notified to the DSB on 23 June 2003. That temporary arrangement covers the period through 20 December 2004.

The US Administration has been consulting with the US Congress, and will continue to confer with the European Communities, in order to reach a mutually satisfactory resolution of this matter.

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