The Marrakesh Treaty and the Targeted Uses of Copyright Exhaustion

Marketa Trimble
Associate Professor of Law
William S. Boyd School of Law

International IP Scholars Roundtable
Duke Law School
May 1, 2015
Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled
(concluded by the WIPO Diplomatic Conference in Marrakesh in 2013)
Marketa Trimble, 
*The Marrakesh Puzzle*,
45(7) IIC 768 (2014)

- Implementation of the cross-border exchange provisions of the Treaty
- Reference to the exhaustion principle and its possible use in implementing the cross-border exchange provisions of the Treaty
The Marrakesh Treaty and the Targeted Uses of Copyright Exhaustion

- Can the exhaustion principle assist in the implementation of the Treaty?
The Marrakesh Treaty and the Targeted Uses of Copyright Exhaustion

- Can the exhaustion principle assist in the implementation of the Treaty?

- Does the Treaty allow for the exhaustion principle to be used to fulfill the goals of the Treaty?
The Marrakesh Treaty and the Targeted Uses of Copyright Exhaustion

- Can the exhaustion principle assist in the implementation of the Treaty?

Does the Treaty concern subsequent distribution?
The Marrakesh Treaty and the Targeted Uses of Copyright Exhaustion

- Can the exhaustion principle assist in the implementation of the Treaty?

- Does the Treaty place any constraints on subsequent distribution?
The Marrakesh Treaty and the Targeted Uses of Copyright Exhaustion

- Can the exhaustion principle assist in the implementation of the Treaty?

- Can the application of the exhaustion principle be targeted to serve particular goals?
The Marrakesh Treaty and the Targeted Uses of Copyright Exhaustion

Can the exhaustion principle assist in the implementation of the Treaty?

Should the exhaustion principle be used to implement the Treaty?
The Marrakesh Treaty and the Targeted Uses of Copyright Exhaustion

Marketa Trimble
Associate Professor of Law
William S. Boyd School of Law

International IP Scholars Roundtable
Duke Law School
May 1, 2015