

Directive 2006/115/EC of the European Parliament and of the Council of 12 December 2006 on rental right and lending right and on certain rights related to copyright in the field of intellectual property (codified version)

## CHAPTER II

### RIGHTS RELATED TO COPYRIGHT

#### *Article 9*

#### **Distribution right**

1 Member States shall provide the exclusive right to make available to the public, by sale or otherwise, the objects indicated in points (a) to (d), including copies thereof, hereinafter ‘the distribution right’:

- a for performers, in respect of fixations of their performances;
- b for phonogram producers, in respect of their phonograms;
- c for producers of the first fixations of films, in respect of the original and copies of their films;
- d for broadcasting organisations, in respect of fixations of their broadcasts as set out in Article 7(2).

2 The distribution right shall not be exhausted within the Community in respect of an object as referred to in paragraph 1, except where the first sale in the Community of that object is made by the rightholder or with his consent.

3 The distribution right shall be without prejudice to the specific provisions of Chapter I, in particular Article 1(2).

4 The distribution right may be transferred, assigned or subject to the granting of contractual licences.