



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 23 August 2011
(OR. en)**

12195/11

**Interinstitutional File:
2011/0167 (NLE)**

**WTO 255
PI 81
UD 167
DROIPEN 75
JUSTCIV 188
COPEN 173
MI 343**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the conclusion of the Anti-Counterfeiting Trade Agreement between the European Union and its Member States, Australia, Canada, Japan, the Republic of Korea, the United Mexican States, the Kingdom of Morocco, New Zealand, the Republic of Singapore, the Swiss Confederation and the United States of America

COUNCIL DECISION No .../2011/EU

of

**on the conclusion of the Anti-Counterfeiting Trade Agreement
between the European Union and its Member States, Australia, Canada,
Japan, the Republic of Korea, the United Mexican States, the Kingdom of Morocco,
New Zealand, the Republic of Singapore, the Swiss Confederation
and the United States of America**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(6)(a)(v) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹,

¹ OJ C , , p. .

Whereas:

- (1) On 14 April 2008, the Council authorised the Commission to negotiate a plurilateral anti-counterfeiting trade agreement on behalf of the Union and its Member States.
- (2) Those negotiations have been concluded and the Anti-Counterfeiting Trade Agreement between the European Union and its Member States, Australia, Canada, Japan, the Republic of Korea, the United Mexican States, the Kingdom of Morocco, New Zealand, the Republic of Singapore, the Swiss Confederation and the United States of America ("the Agreement") was initialled on 25 November 2010.
- (3) In accordance with Council Decision No .../2011/EU of ...^{*1} the Agreement was signed on behalf of the Union on ...⁺.
- (4) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

* OJ: please insert in the recital the number and date of the Decision in ST 12192/11.

¹ OJ L , , p. (OJ: please insert in this footnote the OJ publication reference of the Decision in ST 12192/11).

⁺ OJ: please insert date of signature of the Agreement.

Article 1

The Anti-Counterfeiting Trade Agreement between the European Union and its Member States, Australia, Canada, Japan, the Republic of Korea, the United Mexican States, the Kingdom of Morocco, New Zealand, the Republic of Singapore, the Swiss Confederation and the United States of America ("the Agreement") is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision*.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to deposit, on behalf of the Union, the instrument of approval of the Agreement¹.

Article 3

This Decision shall enter into force on the day of its adoption.

Done at Brussels,

For the Council

The President

* OJ: Please attach document ST 12196/11.

¹ The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.