



EUROPEAN PARLIAMENT

2014 - 2019

Committee on International Trade

2014/2206(INI)

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AMENDMENTS

1 - 159

Draft report
Alessia Maria Mosca
(PE549.414v01-00)

on Strategy for the protection and enforcement of intellectual property rights in
third countries
(2014/2206(INI))

AM_Com_NonLegReport

Amendment 1
Emma McClarkin

Motion for a resolution
Citation 1 a (new)

Motion for a resolution

Amendment

- having regard to the Commission's Strategy for the enforcement of intellectual property rights in third countries^{1 a} and its independent evaluation of November 2010,

^{1 a} OJ C129, 26.5.2005, p.3.

Or. en

Amendment 2
Alessia Maria Mosca

Motion for a resolution
Citation 7 a (new)

Motion for a resolution

Amendment

- having regard to the 2010 trade policy working paper by the OECD entitled "Policy Complements to the Strengthening of IPRS in Developing Countries",

Or. en

Amendment 3
Inmaculada Rodríguez-Piñero Fernández

Motion for a resolution
Citation 10 a (new)

Motion for a resolution

Amendment

- having regard to the Doha Declaration on the TRIPS agreement and public health adopted by the World Trade Organization Ministerial Conference on 14 November 2001,

Or. es

**Amendment 4
Yannick Jadot**

**Motion for a resolution
Citation 12**

Motion for a resolution

Amendment

- having regard to Council Regulation (EC) No 953/2003 of 26 May 2003 to avoid trade diversion into the European Union of certain key medicines⁴,

deleted

⁴ OJ L 135, 3.6.2003, p. 5.

Or. en

**Amendment 5
David Martin**

**Motion for a resolution
Citation 13**

Motion for a resolution

Amendment

- having regard to Council Regulation (EC) No 980/2005 of 27 June 2005 applying a scheme of generalised tariff preferences (GSP Regulation)⁵,

deleted

⁵ OJ L 169, 30.6.2005, p. 1.

Amendment 6
Emma McClarkin

Motion for a resolution
Citation 15 a (new)

Motion for a resolution

Amendment

- having regard to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and the Doha Declaration of 14th November 2001 on the TRIPS Agreement and public health;

Or. en

Amendment 7
Emma McClarkin

Motion for a resolution
Recital A

Motion for a resolution

Amendment

A. whereas competitiveness of the EU has increasingly **been** based on creativity and innovation, and whereas ‘smart growth’ – developing an economy based on knowledge and innovation – is one of the three priorities of the Europe 2020 strategy;

A. whereas competitiveness of the EU has, **and** increasingly **will be**, based on creativity and innovation, and whereas ‘smart growth’ – developing an economy based on knowledge and innovation – is one of the three priorities of the Europe 2020 strategy;

Or. en

Amendment 8
Marine Le Pen

Motion for a resolution
Recital A

Motion for a resolution

A. whereas competitiveness of the *EU* has increasingly been based on *creativity* and innovation, *and whereas ‘smart growth’ – developing an economy based on knowledge and innovation – is one of the three priorities of the Europe 2020 strategy*;

Amendment

A. whereas competitiveness of the *economies of the Member States* has increasingly been based on *research* and innovation;

Or. fr

Amendment 9
Marielle de Sarnez

Motion for a resolution
Recital A a (new)

Motion for a resolution

Aa. whereas intellectual property rights contribute to the development of innovation and creativity, whereas their protection is a key issue for the competitiveness of Europe and, accordingly, the EU needs a more ambitious strategy concerning the protection of intellectual property rights vis-à-vis its trading partners;

Amendment

Or. fr

Amendment 10
Emma McClarkin

Motion for a resolution
Recital B

Motion for a resolution

B. whereas it is essential to promote the strengthening of links between education, business and research and innovation;

Amendment

B. whereas it is essential to promote the strengthening of links between education, business and research and innovation *and*

whereas procedures for combating intellectual property rights (IPR) infringements are costly and time-consuming, particularly for SMEs;

intellectual property; whereas procedures for combating intellectual property rights (IPR) infringements are costly and time-consuming, particularly for SMEs *and individual right holders*;

Or. en

Amendment 11
Alessia Maria Mosca

Motion for a resolution
Recital B

Motion for a resolution

B. whereas it is essential to promote the strengthening of links between education, business and research and innovation; whereas procedures for combating intellectual property rights (IPR) infringements are costly and time-consuming, particularly for SMEs;

Amendment

B. whereas it is essential to promote the strengthening of links between education, business and research and innovation; whereas procedures for combating intellectual property rights (IPR) infringements are costly and time-consuming, particularly for SMEs, *including individual rightholders*;

Or. en

Amendment 12
Daniel Caspary

Motion for a resolution
Recital B

Motion for a resolution

B. whereas it is essential to promote the strengthening of links between education, business and research and innovation; whereas procedures for combating intellectual property rights (IPR) infringements are costly and time-consuming, particularly for SMEs;

Amendment

B. whereas it is essential to promote the strengthening of links between education, business and research and innovation; whereas procedures for combating intellectual property rights (IPR) infringements are costly and time-consuming, particularly for SMEs *and natural persons holding rights*;

Amendment 13
Emma McClarkin

Motion for a resolution
Recital C

Motion for a resolution

C. whereas the EU and its Member States, as members of the World Trade Organisation, are bound by the Agreement on Trade Related Intellectual Property Rights (TRIPS) and thereby committed to the adoption and implementation of effective measures against all infringements of IPR;

Amendment

C. whereas the EU and its Member States, as members of the World Trade Organisation, are bound by the Agreement on Trade Related Intellectual Property Rights (TRIPS) and thereby committed to the adoption and implementation of *minimum standards of* effective measures against all infringements of IPR;

Or. en

Amendment 14
Marine Le Pen

Motion for a resolution
Recital C

Motion for a resolution

C. whereas the *EU and its* Member States, as members of the World Trade Organisation, are bound by the Agreement on Trade Related Intellectual Property Rights (TRIPS) and thereby committed to the adoption and implementation of effective measures against all infringements of IPR;

Amendment

C. whereas the Member States, as members of the World Trade Organisation, are bound by the Agreement on Trade Related Intellectual Property Rights (TRIPS) and thereby committed to the adoption and implementation of effective measures against all infringements of IPR;

Or. fr

Amendment 15
Emma McClarkin

Motion for a resolution
Recital D

Motion for a resolution

D. whereas the IPR debate should be based on qualified reflection of past experiences, while keeping consistency between internal and external aspects, distinguishing between physical and digital environments, taking into consideration concerns of all stakeholders, including SMEs and consumer organisations and aiming at ensuring *a fair balance between the interests of rights' holders and those of end users*;

Amendment

D. whereas the IPR debate should be based on qualified reflection of past experiences *as well as future technological trends*, while keeping consistency between internal and external aspects *where appropriate*, distinguishing between physical and digital environments, taking into consideration concerns of all stakeholders, including SMEs and consumer organisations and aiming at ensuring *full transparency of interests while striving to achieve a fair balance between them*;

Or. en

Amendment 16
Alessia Maria Mosca

Motion for a resolution
Recital D

Motion for a resolution

D. whereas the IPR debate should be based on qualified reflection of past experiences, while keeping consistency between internal and external aspects, distinguishing between physical and digital environments, taking into consideration concerns of all stakeholders, including SMEs and consumer organisations and aiming at ensuring *a fair balance between the interests of rights' holders and those of end users*;

Amendment

D. whereas the IPR debate should be based on qualified reflection of past experiences, while keeping consistency between internal and external aspects, distinguishing between physical and digital environments, taking into consideration concerns of all stakeholders, including SMEs and consumer organisations and aiming at ensuring *full transparency of interests and adequate legitimacy when striving to achieve a fair balance amongst all interests at stake*;

Or. en

Amendment 17
Daniel Caspary

Motion for a resolution
Recital D

Motion for a resolution

D. whereas the IPR debate should be based on qualified reflection of past experiences, while keeping consistency between internal and external aspects, distinguishing between physical and digital environments, taking into consideration concerns of all stakeholders, including SMEs and consumer organisations and aiming at ensuring a fair balance between *the* interests *of rights' holders and those of end users*;

Amendment

D. whereas the IPR debate should be based on qualified reflection of past experiences, while keeping consistency between internal and external aspects, *if required*, distinguishing between physical and digital environments, taking into consideration concerns of all stakeholders, including SMEs and consumer organisations, *with the necessary extensive transparency*, and aiming at ensuring a fair balance between *all* interests;

Or. de

Amendment 18
Santiago Fisas Ayxelà

Motion for a resolution
Recital E

Motion for a resolution

E. whereas counterfeiting is no longer confined to luxury products but also includes commonly used goods, such as toys, medicines, cosmetics and foodstuffs;

Amendment

E. whereas counterfeiting is no longer confined to luxury products but also includes commonly used goods, such as toys, medicines, cosmetics and foodstuffs *which, if counterfeited, can cause injuries or pose serious health risks for consumers*;

Or. en

Amendment 19
Marine Le Pen

Motion for a resolution
Recital E a (new)

Motion for a resolution

Amendment

Ea. whereas the fight against counterfeiting is an effective way to protect the specific features and cultural diversity of the Member States and third countries;

Or. fr

Amendment 20
Marine Le Pen

Motion for a resolution
Recital F a (new)

Motion for a resolution

Amendment

Fa. whereas the Member States are the most effective level at which to implement customs controls to curb fraud and combat counterfeiting networks;

Or. fr

Amendment 21
Yannick Jadot

Motion for a resolution
Recital G

Motion for a resolution

Amendment

G. whereas 72 % of all detentions in 2013 was related to small consignments; whereas medicines represented for the fourth consecutive year the top category, accounting for 19 % of these detentions and 10 % of all detentions;

G. whereas 72 % of all detentions in 2013 was related to small consignments; whereas ***life-style*** medicines represented for the fourth consecutive year the top category, accounting for 19 % of these detentions and 10 % of all detentions;

Or. en

Amendment 22
Emma McClarkin

Motion for a resolution
Recital H

Motion for a resolution

H. whereas it is necessary to combat IPR infringements in order to lower the risks they pose to the health and safety of consumers and to the environment and in **order** to avoid economic and social consequences for EU businesses and creators; whereas the fight against organised crime profiting from trade in counterfeit and pirated goods requires specific attention;

Amendment

H. whereas it is necessary to combat IPR infringements in order to lower the risks they pose to the health and safety of consumers and to the environment, **protect value creation in the EU** and in **third countries as well as** to avoid economic and social consequences for EU businesses and creators; whereas the fight against organised crime profiting from trade in counterfeit and pirated goods requires specific attention;

Or. en

Amendment 23
Alessia Maria Mosca

Motion for a resolution
Recital H

Motion for a resolution

H. whereas it is necessary to combat IPR infringements in order to lower the risks they pose to the health and safety of consumers and to the environment and in order to avoid economic and social consequences for EU businesses and creators; whereas the fight against organised crime profiting from trade in counterfeit and pirated goods requires specific attention;

Amendment

H. whereas it is necessary to combat IPR infringements in order to lower the risks they pose to the health and safety of consumers and to the environment and in order to avoid economic and social consequences for EU businesses and creators **as well as risks to cultural diversity in Europe and in third countries**; whereas the fight against organised crime profiting from trade in counterfeit and pirated goods requires specific attention;

Or. en

Amendment 24
Yannick Jadot

Motion for a resolution
Recital H

Motion for a resolution

H. whereas it is necessary to combat IPR infringements in order to lower the risks they pose to the health and safety of consumers and to the environment and in order to avoid economic and social consequences for EU businesses and creators; whereas the fight against organised crime profiting from trade in counterfeit and pirated goods requires specific attention;

Amendment

H. whereas it is necessary to combat IPR infringements in order to lower the risks they **can** pose to the health and safety of consumers and to the environment and in order to avoid economic and social consequences for EU businesses and creators; whereas the fight against organised crime profiting from trade in counterfeit and pirated goods requires specific attention;

Or. en

Amendment 25
Marine Le Pen

Motion for a resolution
Recital H

Motion for a resolution

H. whereas it is necessary to combat IPR infringements in order to lower the risks they pose to the health and safety of consumers and to the environment and in order to avoid economic and social consequences for **EU** businesses and creators; whereas the fight against organised crime profiting from trade in counterfeit and pirated goods requires specific attention;

Amendment

H. whereas it is necessary to combat IPR infringements in order to lower the risks they pose to the health and safety of consumers and to the environment and in order to avoid economic and social consequences for businesses and creators **in the Member States**; whereas the fight against organised crime profiting from trade in counterfeit and pirated goods **and the failure to control both the internal and external borders of the EU** requires specific attention;

Or. fr

Amendment 26
Emma McClarkin

Motion for a resolution
Recital I

Motion for a resolution

I. whereas a comprehensive IPR legal framework should be combined with effective enforcement, while ensuring that IPR enforcement measures do not unduly burden legitimate trade;

Amendment

I. whereas a comprehensive IPR legal framework should be combined with effective enforcement, ***with reference, where appropriate, to enforcement measures and penalties*** while ensuring that IPR enforcement measures do not unduly burden legitimate trade;

Or. en

Amendment 27
Yannick Jadot

Motion for a resolution
Recital I

Motion for a resolution

I. whereas a comprehensive IPR legal framework should be combined with effective enforcement, while ensuring that IPR enforcement measures ***do not unduly burden*** legitimate trade;

Amendment

I. whereas a comprehensive IPR legal framework should be combined with effective enforcement, while ensuring that IPR enforcement measures ***fully respect the ambit of*** legitimate trade;

Or. en

Amendment 28
Marielle de Sarnez

Motion for a resolution
Recital I a (new)

Motion for a resolution

Amendment

Ia. whereas one of the main features of intellectual property protection is the correct enforcement of existing laws and international commitments, including statutes on penalties;

Or. fr

Amendment 29
Alessia Maria Mosca

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

Ia. Considers that diligent identification of all interests involved is required as a necessary step to enable a healthy and legitimate debate on important topics like IPR;

Or. en

Amendment 30
Emma McClarkin

Motion for a resolution
Paragraph 2

Motion for a resolution

Amendment

2. Considers that ***there is no evaluation of the Communication that takes into account both the 2004 Strategy for the enforcement of intellectual property rights in third countries and the rejection of the Anti-Counterfeiting Trade Agreement (ACTA);***

2. Considers that ***the Commission should explore how an informed public debate can be had on the protection and enforcement of IP and what this means for consumers; believes that diligent identification of all interests involved is a necessary part of this process;***

Or. en

Amendment 31
Alessia Maria Mosca

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Considers that there is no evaluation of the Communication that takes into account both the 2004 Strategy for the enforcement of intellectual property rights in third countries and the rejection of the Anti-Counterfeiting Trade Agreement (ACTA);

Amendment

2. Considers that ***the debate on balancing of interests is multifaceted and complex, with commercial interests on all sides; considers that the call for improved stakeholder involvement in the debate on IPR need to be accompanied by steps to ensure transparency and legitimacy of all participants; notes that the in this respect*** there is no evaluation of the Communication that takes into account both the 2004 Strategy for the enforcement of intellectual property rights in third countries and the rejection of the Anti-Counterfeiting Trade Agreement (ACTA);

Or. en

Amendment 32
Emma McClarkin

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Stresses that it is not clear by what means and by what method the results included in the Communication could be achieved, in particular as regards what resources will be used and where they will be taken from;

Amendment

3. Stresses that it is not ***sufficiently*** clear by what means and by what method the results included in the Communication could be achieved, in particular as regards what resources will be used and where they will be taken from;

Or. en

Amendment 33
Alessia Maria Mosca

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Stresses that it is not clear by what means and by what method the results included in the Communication could be achieved, in particular as regards what resources will be used and where they will be taken from;

Amendment

3. Stresses that it is not clear by what means and by what method the results included in the Communication could be achieved, in particular as regards what resources will be used and where they will be taken from, ***also considering the limited resources made available for the purpose of supporting European rightholders who export or who establish themselves in third markets;***

Or. en

Amendment 34
Daniel Caspary

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Stresses that it is not clear by what means and by what method the results included in the Communication could be achieved, in particular as regards what resources will be used and where they will be taken from;

Amendment

3. Underscores the fact that the public debate on a fair balance between rightholders' interests and end users' interests is by no means characterised by ideology alone, but, rather, is extremely complex and is driven on all sides by economic interests which are not clear-cut; calls accordingly, in the interests of an informed, transparent and democratic decision-taking process, for economic interests to be scrutinised and disclosed; is convinced that, given those considerations, there ought to be greater stakeholder engagement only if, at the same time, there is greater transparency as to the real motives and commitments to disclose relevant interests;

Amendment 35
Alessia Maria Mosca

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Considers that there is no clear indication of coordination between internal policies and external policies regarding the protection of intellectual property rights, and stresses the importance of internal improvement on the issue;

Amendment

4. Considers that there is no clear indication of coordination between internal policies and external policies regarding the protection of intellectual property rights, and stresses the importance of internal improvement on the issue; ***recognises that coherence between internal and external policies does not negate the need for a tailored approach, recognising the specific facts and circumstances existing in a third country market at issue;***

Amendment 36
Marine Le Pen

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Considers that there is no clear indication of coordination between internal policies and external policies regarding the protection of intellectual property rights, and stresses the importance of internal improvement on the issue;

Amendment

4. Considers that there is no clear indication of coordination between internal policies and external policies regarding the protection of intellectual property rights, and stresses the importance of internal improvement on the issue ***whilst ensuring that the interests of each Member State are respected;***

Amendment 37
Emma McClarkin

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Underlines that IPR protection should be seen as a first step – necessary but not sufficient – towards establishing access to a third country’s market, ***since export promotion does not have any effect without protection;***

Amendment

5. Underlines that IPR protection should be seen as a first step – necessary but not sufficient – towards establishing access to a third country’s market ***and that exercising these rights is contingent upon effective enforcement and remedies in the country concerned;***

Or. en

Amendment 38
Alessia Maria Mosca

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Underlines that IPR protection should be seen as a first step – necessary but not sufficient – towards establishing access to a third country’s market, since export promotion does not have any effect without protection;

Amendment

5. Underlines that IPR protection should be seen as a first step – necessary but not sufficient – towards establishing access to a third country’s market, since export promotion does not have any effect without ***substantive protection and the ability to effectively exercise the recognised IP rights;***

Or. en

Amendment 39
Yannick Jadot

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Underlines that IPR protection *should be seen as a first step – necessary but not sufficient – towards establishing access to a third country’s market, since export promotion does not have any effect without protection;*

Amendment

5. Underlines that IPR protection *is an important factor for many companies for establishing presence in a third country’s market;*

Or. en

Amendment 40
Emma McClarkin

Motion for a resolution
Paragraph 6

Motion for a resolution

6. Stresses that the growing involvement of organised crime in IPR infringements has become a major issue; regrets that the United Nations Convention against Transnational Organised Crime (Palermo Convention) still does not have a protocol on counterfeiting;

Amendment

6. Stresses that the *commercial nature and* growing involvement of organised crime in IPR infringements has become a major issue; regrets that the United Nations Convention against Transnational Organised Crime (Palermo Convention) still does not have a protocol on counterfeiting; *encourages international emphasis on tackling enforcement by adopting a 'follow the money' approach aimed at ensuring that those who are the greatest IPR offenders, in particular on a commercial-scale, should suffer financial loss;*

Or. en

Amendment 41
Marielle de Sarnez

Motion for a resolution
Paragraph 6

Motion for a resolution

6. Stresses that the growing involvement of organised crime in IPR infringements has become a major issue; regrets that the United Nations Convention against Transnational Organised Crime (Palermo Convention) still does not have *a* protocol *on counterfeiting*;

Amendment

6. Stresses that the growing involvement of organised crime in IPR infringements has become a major issue; regrets that the United Nations Convention against Transnational Organised Crime (Palermo Convention) still does not have an *anti-counterfeiting* protocol;

Or. fr

Amendment 42
Alessia Maria Mosca

Motion for a resolution
Paragraph 6

Motion for a resolution

6. Stresses that the growing involvement of organised crime in IPR infringements *has* become a major issue; regrets that the United Nations Convention against Transnational Organised Crime (Palermo Convention) still does not have a protocol on counterfeiting;

Amendment

6. Stresses that the *commercial nature of many IPR infringements and the* growing involvement of organised crime in IPR infringements *have* become a major issue; regrets that the United Nations Convention against Transnational Organised Crime (Palermo Convention) still does not have a protocol on counterfeiting;

Or. en

Amendment 43
Daniel Caspary

Motion for a resolution
Paragraph 6

Motion for a resolution

6. Stresses that the growing involvement of organised crime in *IPR infringements has* become a major issue; regrets that the United Nations Convention against

Amendment

6. Stresses that *commercial-scale IPR infringements and* the growing involvement of organised crime in *them have* become a major issue; regrets that the

Transnational Organised Crime (Palermo Convention) still does not have a protocol on counterfeiting;

United Nations Convention against Transnational Organised Crime (Palermo Convention) still does not have a protocol on counterfeiting, **and calls on the Commission and the Member States considerably to step up their efforts to bring that about,**

Or. de

Amendment 44
Marine Le Pen

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. Points out in this regard that organised crime and networks involving the production, distribution and sale of counterfeit products can be combated and dismantled through stringent controls on the flows of people and goods at both the external and internal borders of the EU, between each Member State;

Or. fr

Amendment 45
Alessia Maria Mosca

Motion for a resolution
Paragraph 7

Motion for a resolution

Amendment

7. Appreciates and supports the aim of better coherence between IPR protection and enforcement and other policies, and between the Commission and Member States in reaching the goal; considers that **IPR protection** can play a crucial role in the fight against organised crime, money

7. Appreciates and supports the aim of better coherence between IPR protection and enforcement and other policies, and between the Commission and Member States in reaching the goal; considers that **adequate measures to address IPR infringements** can play a crucial role in the

laundering and tax evasion;

fight against organised crime, money laundering and tax evasion *and the development of fair and sustainable online business environment*;

Or. en

Amendment 46
Yannick Jadot

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Appreciates and supports the aim of better coherence between IPR protection and enforcement and other policies, and between the Commission and Member States in reaching the goal; considers that IPR protection can *play a crucial role* in the fight against organised crime, money laundering and tax evasion;

Amendment

7. Appreciates and supports the aim of better coherence between IPR protection and enforcement and other policies, and between the Commission and Member States in reaching the goal; considers that IPR protection can *contribute* in the fight against organised crime, money laundering and tax evasion;

Or. en

Amendment 47
Daniel Caspary

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Appreciates and supports the aim of better coherence between IPR protection and enforcement and other policies, and between the Commission and Member States in reaching the goal; considers that IPR protection can play a crucial role in the fight against organised crime, money laundering and tax evasion;

Amendment

7. Appreciates and supports the aim of better coherence between IPR protection and enforcement and other policies, and between the Commission and Member States in reaching the goal; considers that IPR protection *and resolute measures to combat IPR infringements* can play a crucial role in the fight against organised crime, money laundering and tax evasion *and are essential for a future-proof and*

innovation-friendly digital market;

Or. de

Amendment 48

Yannick Jadot

Motion for a resolution

Paragraph 8

Motion for a resolution

8. *Supports the Commission in its work* identifying geographical priorities, using as a starting basis its biannual reports on the protection and enforcement of intellectual property rights in third countries;

Amendment

8. *Takes note of the Commission's work* ***in*** identifying geographical priorities, using as a starting basis its biannual reports on the protection and enforcement of intellectual property rights in third countries; ***underlines that under the TRIPS agreement developing countries have flexibilities to develop their IP laws according to their level of development which must be duly recognized in the reports;***

Or. en

Amendment 49

Emma McClarkin

Motion for a resolution

Paragraph 9

Motion for a resolution

9. Considers that the Strategy does not give sufficient recognition to the distinction between the physical counterfeiting of trademarks and patents and violations of copyright, especially in the digital environment;

Amendment

9. Considers that the Strategy does not give sufficient recognition to the distinction between the physical counterfeiting of trademarks and patents and violations of copyright, especially in the digital environment, ***notes that with increasingly rapid trends of digitisation that the issue of IPR protection and enforcement in the digital world will assume increasing importance worldwide;***

Amendment 50
Emma McClarkin

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Considers that the Strategy should include a strong collaboration with customs authorities to ensure horizontal coherence;

Amendment

10. Considers that the Strategy should include a strong collaboration with customs authorities **and market surveillance authorities** to ensure horizontal coherence;

Or. en

Amendment 51
Tonino Picula

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Considers that the Strategy should include a strong collaboration with customs authorities to ensure horizontal coherence;

Amendment

10. Considers that the Strategy should **be better adapted to the digital environment** and include a strong collaboration with customs authorities to ensure horizontal coherence;

Or. en

Amendment 52
Yannick Jadot

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Considers that the Strategy should

Amendment

10. Considers that the Strategy should

include a strong collaboration with customs authorities to ensure horizontal coherence;

include a strong collaboration with customs authorities to ensure horizontal coherence, ***but emphasizes that custom officials are neither trained nor capable of handling civil disputes over patent infringement and therefore should not be allowed to intervene in this domain without judicial authority decision;***

Or. en

Amendment 53
Marine Le Pen

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Considers that the Strategy should include a strong collaboration with customs authorities to ensure horizontal coherence;

Amendment

10. Considers that the Strategy should include a strong collaboration with customs authorities ***of the Member States*** to ensure horizontal coherence;

Or. fr

Amendment 54
Marielle de Sarnez

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Underlines that the geographic indications and their protection are equally important as other types of intellectual property, ***and that their recognition should be a central objective of the Commission when negotiating free trade agreements;***

Amendment

11. Underlines that the geographic indications and their protection are equally important as other types of intellectual property ***in that they ensure that products are traceable up to the time of consumption and safeguard producer know-how;***

Or. fr

Amendment 55
Marielle de Sarnez

Motion for a resolution
Paragraph 11 a (new)

Motion for a resolution

Amendment

11a. Takes the view that the Commission should ensure that geographic indications are recognised and genuinely protected when negotiating free-trade agreements with third countries, in particular with regard to the Transatlantic Trade and Investment Partnership (TTIP);

Or. fr

Amendment 56
Emma McClarkin

Motion for a resolution
Paragraph 12

Motion for a resolution

Amendment

12. Takes the view that the TRIPS agreement should be implemented in the most flexible way;

12. Takes the view that the TRIPS agreement should be implemented in the most flexible way ***without overriding the fundamental principle of Article 27(1) of the TRIPS agreement relating to non-discriminatory treatment of all IP interests; believes that account should also be taken of the Doha Declaration while underlining that reinforced intellectual property protection and enforcement benefits not only EU countries but also helps developing countries to build and develop necessary domestic frameworks to encourage and protect innovation and research, an issue of increasing relevance as they move up international trading value chains;***

Amendment 57
Santiago Fisas Ayxelà

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Takes the view that the TRIPS agreement should be implemented in the most *flexible way*;

Amendment

12. Takes the view that the TRIPS agreement should be implemented in the most *effective way and that any flexibilities in the wording of the TRIPS agreement should fully respect the fundamental principle of non-discriminatory treatment for all fields of technology as laid down in Article 27(1) of the TRIPS agreement*;

Or. en

Amendment 58
Alessia Maria Mosca

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Takes the view that the TRIPS agreement should be implemented in *the most flexible way*;

Amendment

12. Takes the view that the *rules and flexibilities in the* TRIPS agreement should be implemented in *a balanced and effective manner where appropriate*;

Or. en

Amendment 59
Daniel Caspary

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Takes the view that the TRIPS agreement should be implemented ***in the most flexible way***;

Amendment

12. Takes the view that the TRIPS agreement should be implemented;

Or. de

Amendment 60
Yannick Jadot

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Takes the view that the TRIPS agreement should be implemented in the most flexible way;

Amendment

12. Takes the view that the TRIPS agreement should be implemented in the most flexible way; ***calls on the Commission and the EU Member States to stop challenging third countries which make use of the existing TRIPS flexibilities in accordance with the Doha Declaration on TRIPS and public health***;

Or. en

Amendment 61
Santiago Fisas Aixelà

Motion for a resolution
Subheading 2

Motion for a resolution

Enforcement and public ***debate***

Amendment

Enforcement and public ***awareness***

Or. en

Amendment 62
Emma McClarkin

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Underlines the need for a stronger public debate on enforcement;

Amendment

13. Underlines the need for a stronger public debate on enforcement **with transparency of interests playing a key role**;

Or. en

Amendment 63
Santiago Fisas Aixelà

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Underlines the need for a stronger public **debate** on enforcement;

Amendment

13. Underlines the need for a stronger public **awareness** on enforcement;

Or. en

Amendment 64
Alessia Maria Mosca

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Underlines the need for a stronger public debate on enforcement;

Amendment

13. Underlines the need for a stronger **and more transparent** public debate on enforcement;

Or. en

Amendment 65
Inmaculada Rodríguez-Piñero Fernández

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Underlines the need for a stronger public debate on enforcement;

Amendment

13. Underlines the need for a stronger ***and balanced*** public debate on enforcement, ***involving all interested parties***;

Or. es

Amendment 66
Yannick Jadot

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Underlines the need for ***a stronger*** public debate on enforcement;

Amendment

13. Underlines the need for ***an informed*** public debate on ***the role of IPR protection and possibilities of its*** enforcement, ***balancing between the interests of IP rights holders and public interests, such as access to knowledge, natural resources and health***;

Or. en

Amendment 67
Emma McClarkin

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Recognises the necessity of increasing awareness among consumers, pointing to the fact that stronger enforcement alone will not solve ***the problem***; stresses the role of the business sector in this respect;

Amendment

14. Recognises the necessity of increasing awareness among consumers, pointing to the fact that stronger enforcement alone will not solve ***existing and future concerns regarding IP protection and enforcement***; stresses the role of the

business sector in this respect;

Or. en

Amendment 68
Santiago Fisas Aixelà

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Recognises the necessity of increasing awareness among consumers, pointing to the fact that stronger enforcement ***alone will not solve the problem***; stresses the role of the business sector in this respect;

Amendment

14. Recognises the necessity of increasing awareness among consumers, pointing to the fact that stronger enforcement ***should be complementary to an increased awareness among consumers***; stresses the role of the business sector in this respect;

Or. en

Amendment 69
Inmaculada Rodríguez-Piñero Fernández

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Recognises the necessity of increasing awareness among consumers, pointing to the fact that stronger enforcement alone will not solve the problem; stresses the role of the business sector in this respect;

Amendment

14. Recognises the necessity of increasing awareness among consumers ***of the pecuniary loss, detriment to innovation and, on occasions, dangers to health and safety caused by purchasing goods which infringe intellectual property***, pointing to the fact that stronger enforcement alone will not solve the problem; stresses the role of the business sector in this respect;

Or. es

Amendment 70
Yannick Jadot

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Recognises the necessity of increasing awareness among consumers, pointing to the fact that stronger enforcement **alone** will not solve the problem; stresses the role of the business sector in this respect;

Amendment

14. Recognises the necessity of increasing awareness among consumers, pointing to the fact that stronger enforcement will not solve the problem **as long as consumer behaviour remains unchanged**; stresses the role of the business sector in this respect;

Or. en

Amendment 71
Emma McClarkin

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Considers that it is **not** clear **how** public support in defence of IPR **could** be achieved, **stressing that the proposed measures do not successfully explain how broader public support is to be obtained**;

Amendment

15. Considers that it is clear **that** public support in defence of IPR **must** be achieved, **notes in this context the work of the Office of Harmonisation in the Internal Market (OHIM) which includes awareness raising campaigns among citizens of the impacts of commercial scale IP infringement**;

Or. en

Amendment 72
Inmaculada Rodríguez-Piñero Fernández

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Considers that it is not clear how public support in defence of IPR could be achieved, stressing that the proposed measures do not successfully explain how broader public support is to be obtained;

Amendment

15. Considers that it is not clear how public support in defence of IPR could be achieved, stressing that the proposed measures do not successfully explain how broader public support ***or greater consumer awareness and information*** is to be obtained;

Or. es

Amendment 73
Emma McClarkin

Motion for a resolution
Paragraph 16

Motion for a resolution

16. ***Calls on the Commission and the Member States to negotiate and sign memoranda of understanding with online platforms to eliminate*** the sale of counterfeit goods;

Amendment

16. ***Welcomes the memorandum of understanding, signed on the 4th May 2011, between rights holders and internet platforms in a joint effort to reduce the sale of counterfeit goods via e-commerce platforms, requests that the Commission and the Member States continue to promote action in this area;***

Or. en

Amendment 74
Yannick Jadot

Motion for a resolution
Paragraph 16

Motion for a resolution

16. Calls on the Commission and the Member States to ***negotiate and sign memoranda of understanding*** with online platforms ***to eliminate*** the sale of

Amendment

16. Calls on the Commission and the Member States to ***enter into a structured dialogue*** with online platforms ***on how to best identify and tackle*** the sale of

counterfeit goods;

counterfeit goods;

Or. en

Amendment 75

Alessia Maria Mosca

Motion for a resolution

Paragraph 16 a (new)

Motion for a resolution

Amendment

16 a. Considers that the problem of IPRs infringement multiplied in the last years through digitalization and the growing number of digital selling platforms, where counterfeited products are sold and distributed worldwide without any effective mean of control; in this respect, calls for a deeper reflection aimed at the adoption of more efficient tools for control in the online selling of physical products;

Or. en

Amendment 76

Emma McClarkin

Motion for a resolution

Paragraph 18

Motion for a resolution

Amendment

18. Calls on the Commission to work with the Internet Corporation for Assigned Names and Numbers (ICANN) and the World Intellectual Property Organization (WIPO) to ***establish*** a protection mechanism for geographic indications on the internet;

18. Calls on the Commission to work with the Internet Corporation for Assigned Names and Numbers (ICANN) and the World Intellectual Property Organization (WIPO) to ***examine the feasibility of establishing*** a protection mechanism for geographic indications on the internet;

Or. en

Amendment 77
Santiago Fisas Aixelà

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Considers that the responsibilities of intermediaries **are underestimated**; would in this regard have welcomed a more sophisticated Strategy;

Amendment

19. Considers that the responsibilities of intermediaries **has to be carefully evaluated**; would in this regard have welcomed a more sophisticated Strategy;

Or. en

Amendment 78
Alessia Maria Mosca

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Considers that the responsibilities of intermediaries are underestimated; would in this regard have welcomed a more sophisticated Strategy;

Amendment

19. Considers that the responsibilities of intermediaries are underestimated; would in this regard have welcomed a more sophisticated Strategy **while recognising that this issue is subject to a separate debate**;

Or. en

Amendment 79
Yannick Jadot

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Considers that the **responsibilities** of intermediaries are underestimated; would

Amendment

19. Considers that the **market functions** of intermediaries are **still** underestimated;

in this regard have welcomed a more sophisticated Strategy;

would in this regard have welcomed a more sophisticated Strategy;

Or. en

Amendment 80
Marielle de Sarnez

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Considers that *the responsibilities of intermediaries are underestimated*; would in this regard have welcomed a more sophisticated Strategy;

Amendment

19. Considers that intermediaries *should incur greater liability*; would in this regard have welcomed a more sophisticated Strategy;

Or. fr

Amendment 81
Emma McClarkin

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Considers that the Strategy should have included the introduction of an obligation for banks to sanction automatically fraud happening on the internet;

Amendment

deleted

Or. en

Amendment 82
Santiago Fisas Aixelà

Motion for a resolution
Paragraph 20

Motion for a resolution

Amendment

20. Considers that the Strategy should have included the introduction of an obligation for banks to sanction automatically fraud happening on the internet;

deleted

Or. en

Amendment 83
Marielle de Sarnez

Motion for a resolution
Paragraph 20

Motion for a resolution

Amendment

20. Considers that the Strategy should have included the introduction of an obligation for banks to sanction automatically fraud happening on the internet;

deleted

Or. fr

Amendment 84
Yannick Jadot

Motion for a resolution
Paragraph 20

Motion for a resolution

Amendment

20. Considers that the Strategy should have ***included the introduction of an obligation for banks to sanction automatically*** fraud happening on the internet;

20. Considers that the Strategy should have ***indicated possible avenues to explore the role of banks and online payment schemes in sanctioning*** fraud happening on the internet;

Or. en

Amendment 85
Marine Le Pen

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Considers that the Strategy should have included the introduction of an obligation for banks to sanction automatically fraud happening on the internet;

Amendment

20. Considers that the Strategy should have included the introduction of an obligation for banks to sanction automatically fraud happening on the internet ***and calls for more involvement in the development of IPR protection mechanisms and anti-fraud measures relating to counterfeiting and illegal sales on the internet and to companies offering online services and payment systems;***

Or. fr

Amendment 86
Marine Le Pen

Motion for a resolution
Paragraph 20 a (new)

Motion for a resolution

20a. Calls on the Member States to ensure that measures to combat IPR fraud on internet do not restrict the digital freedoms of citizens of the Member States, especially with regard to the protection of personal data and privacy;

Or. fr

Amendment 87
Emma McClarkin

Motion for a resolution
Paragraph 21

Motion for a resolution

21. Calls on the Commission to contribute to creating an environment in which the interests of Member States and third countries are convergent and where there is a reciprocal interest in *raising the bar*;

Amendment

21. Calls on the Commission to contribute to creating an environment in which the interests of Member States and third countries are convergent and where there is a reciprocal interest in *the creation of high standard protection frameworks coupled to effective remedies*;

Or. en

Amendment 88
Alessia Maria Mosca

Motion for a resolution
Paragraph 21

Motion for a resolution

21. Calls on the Commission to contribute to creating an environment in which the interests of Member States and third countries are convergent and where there is a reciprocal interest in raising the bar;

Amendment

21. Calls on the Commission to contribute to creating an environment in which the interests of Member States and third countries are convergent and where there is a reciprocal interest in *closing the gaps in protection and, where appropriate, in raising the bar; notes the need to distinguish carefully between the circumstances of the different "developing countries" and the trade issues involved*;

Or. en

Amendment 89
Daniel Caspary

Motion for a resolution
Paragraph 21

Motion for a resolution

21. Calls on the Commission to contribute

Amendment

21. Calls on the Commission to contribute

to creating an environment in which the interests of Member States and third countries are convergent and where there is a reciprocal interest in raising the bar;

to creating an environment in which the interests of Member States and third countries are convergent and where there is a reciprocal interest in raising the bar, **and calls on it to fill the gaps in IPR protection arrangements permanently, while taking account of specific circumstances in individual developing countries;**

Or. de

Amendment 90
Yannick Jadot

Motion for a resolution
Paragraph 21

Motion for a resolution

21. Calls on the Commission to contribute to creating an environment in which the interests of Member States and third countries **are convergent** and where there is a reciprocal interest in raising the bar;

Amendment

21. Calls on the Commission to contribute to creating an environment in which the interests of Member States and third countries **could better converge** and where there is a reciprocal interest in raising the bar, **for example regarding legitimate technology transfer expectations of developing countries, a restraint of the Commission in routinely questioning any decision of a developing country to make use of existing TRIPS flexibilities, and the acceptance by the EU of broad exceptions and limitations of IPRs in the negotiations of FTAs with Thailand, India and Vietnam;**

Or. en

Amendment 91
Marine Le Pen

Motion for a resolution
Paragraph 21

Motion for a resolution

21. Calls on the **Commission** to contribute to creating an environment in which the interests of Member States and third countries are **convergent** and where there is a reciprocal interest in raising the bar;

Amendment

21. Calls on the **Member States** to contribute to creating an environment **of cooperation** in which the interests of Member States and third countries are **respected** and where there is a reciprocal interest in raising the bar;

Or. fr

Amendment 92
Emma McClarkin

Motion for a resolution
Paragraph 22

Motion for a resolution

22. Takes the view that the criteria to be applied for the Generalised Scheme of Preferences Plus (GSP+) programme should include the ratification and implementation of the WIPO Trademark Law Treaty, the Geneva Act of the Hague Agreement, the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, and other IPR-related international agreements;

Amendment

deleted

Or. en

Amendment 93
Marielle de Sarnez

Motion for a resolution
Paragraph 22

Motion for a resolution

22. Takes the view that the criteria to be applied for the Generalised Scheme of Preferences Plus (GSP+) programme

Amendment

deleted

should include the ratification and implementation of the WIPO Trademark Law Treaty, the Geneva Act of the Hague Agreement, the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, and other IPR-related international agreements;

Or. fr

Amendment 94
David Martin

Motion for a resolution
Paragraph 22

Motion for a resolution

Amendment

22. Takes the view that the criteria to be applied for the Generalised Scheme of Preferences Plus (GSP+) programme should include the ratification and implementation of the WIPO Trademark Law Treaty, the Geneva Act of the Hague Agreement, the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, and other IPR-related international agreements;

deleted

Or. en

Amendment 95
Yannick Jadot

Motion for a resolution
Paragraph 22

Motion for a resolution

Amendment

22. Takes the view that the criteria to be applied for the Generalised Scheme of Preferences Plus (GSP+) programme should include the ratification and implementation of the WIPO Trademark

deleted

Law Treaty, the Geneva Act of the Hague Agreement, the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, and other IPR-related international agreements;

Or. en

Amendment 96
Santiago Fisas Aixelà

Motion for a resolution
Paragraph 22

Motion for a resolution

22. Takes the view that ***the criteria to be applied*** for the Generalised Scheme of Preferences Plus (GSP+) programme should ***include the ratification and implementation of the*** WIPO Trademark Law Treaty, the Geneva Act of the Hague Agreement, the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, and other IPR-related international agreements;

Amendment

22. Takes the view that ***countries applying*** for the Generalised Scheme of Preferences Plus (GSP+) programme should ***be encouraged to also ratify and implement*** WIPO Trademark Law Treaty, the Geneva Act of the Hague Agreement, the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, and other IPR-related international agreements;

Or. en

Amendment 97
Alessia Maria Mosca

Motion for a resolution
Paragraph 22

Motion for a resolution

22. Takes the view that the criteria to be applied for the Generalised Scheme of Preferences Plus (GSP+) programme should include the ratification and implementation of the WIPO Trademark Law Treaty, the Geneva Act of the Hague Agreement, the Lisbon Agreement for the

Amendment

22. Takes the view that the criteria to be applied for the Generalised Scheme of Preferences Plus (GSP+) programme should include the ratification and implementation of the WIPO Trademark Law Treaty, the ***WIPO Phonograms and Performance Treaty, the WIPO Copyright***

Protection of Appellations of Origin and their International Registration, and other IPR-related international agreements;

Treaty, the Geneva Act of the Hague Agreement, the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, and other IPR-related international agreements;

Or. en

Amendment 98
Daniel Caspary

Motion for a resolution
Paragraph 22

Motion for a resolution

22. Takes the view that the criteria to be applied for the Generalised Scheme of Preferences Plus (GSP+) programme should include the ratification and implementation of the WIPO Trademark Law Treaty, the Geneva Act of the Hague Agreement, the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, and other IPR-related international agreements;

Amendment

22. Takes the view that the criteria to be applied for the Generalised Scheme of Preferences Plus (GSP+) programme should include the ratification and implementation of the WIPO Trademark Law Treaty, *the WIPO Performances and Phonograms Treaty (WPPT), the WIPO Copyright Treaty (WCT)*, the Geneva Act of the Hague Agreement, the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, and other IPR-related international agreements;

Or. de

Amendment 99
Emma McClarkin

Motion for a resolution
Paragraph 23

Motion for a resolution

23. Welcomes the work done by the Commission in supporting developing countries wishing to improve their IPR systems, and calls on the Commission to

Amendment

23. Welcomes the work done by the Commission in supporting, *on a case by case basis*, developing countries wishing to improve their IPR systems, and calls on the

continue and step up these efforts by providing continued technical assistance in the form of awareness-raising programmes, legislative assistance and training of officials;

Commission to continue and step up these efforts by providing continued technical assistance in the form of awareness-raising programmes, legislative assistance and training of officials;

Or. en

Amendment 100
David Martin

Motion for a resolution
Paragraph 23

Motion for a resolution

23. Welcomes the work done by the Commission in supporting developing countries wishing to improve their IPR systems, and calls on the Commission to continue and step up these efforts by providing continued technical assistance in the form of awareness-raising programmes, legislative assistance and training of officials;

Amendment

23. Welcomes the work done by the Commission in supporting developing countries wishing to improve their IPR systems, and calls on the Commission to continue and step up these efforts by providing continued ***appropriate*** technical assistance in the form of awareness-raising programmes, legislative assistance and training of officials, ***with consideration given to the levels of development in each country***;

Or. en

Amendment 101
Yannick Jadot

Motion for a resolution
Paragraph 23

Motion for a resolution

23. ***Welcomes*** the work done by the Commission in supporting developing countries wishing to improve their IPR systems, ***and calls on the Commission to continue and step up these efforts by providing continued technical assistance***

Amendment

23. ***Recognizes*** the work done by the Commission in supporting developing countries wishing to improve their IPR systems; ***underlines that in order to make increased IPR protection a positive goal for developing countries, the Commission***

in the form of awareness-raising programmes, legislative assistance and training of officials;

should accept technology transfer and local content requirements in its negotiation of investment agreements with these countries;

Or. en

Amendment 102
David Martin

Motion for a resolution
Paragraph 24

Motion for a resolution

24. Agrees with the call for a broad response to the complex and multifaceted problem of access to medicines;

Amendment

24. Agrees with the call for a broad response to the complex and multifaceted problem of access to medicines *while underlining the importance of a patient-focused approach to IPR in the pharmaceutical sector;*

Or. en

Amendment 103
Yannick Jadot

Motion for a resolution
Paragraph 24

Motion for a resolution

24. Agrees with the call for a broad response to the complex and multifaceted problem of access to medicines;

Amendment

24. Agrees with the call for a broad response to the complex and multifaceted problem of *the relation between IPR and universal* access to *affordable* medicines;

Or. en

Amendment 104
Marine Le Pen

Motion for a resolution
Paragraph 24

Motion for a resolution

24. *Agrees with the call for a broad response* to the complex and multifaceted problem of access to medicines;

Amendment

24. *Calls for the development of a coordinated response by Member States* to the complex and multifaceted problem of access to medicines, *while ensuring that the economic interests of the Member States are respected*;

Or. fr

Amendment 105
Emma McClarkin

Motion for a resolution
Paragraph 25

Motion for a resolution

25. Calls on the Commission to *support a* constructive dialogue on access to medicines involving all relevant stakeholders;

Amendment

25. Calls on the Commission to *continue to ensure support for* constructive dialogue on access to medicines involving all relevant stakeholders;

Or. en

Amendment 106
Alessia Maria Mosca

Motion for a resolution
Paragraph 25

Motion for a resolution

25. Calls on the Commission to support a constructive dialogue on access to medicines involving all relevant stakeholders;

Amendment

25. Calls on the Commission to *continue to* support a constructive dialogue on access to medicines involving all relevant stakeholders;

Amendment 107
Marielle de Sarnez

Motion for a resolution
Paragraph 25

Motion for a resolution

25. Calls on the Commission to support a constructive dialogue on access to medicines involving all relevant stakeholders;

Amendment

25. Calls on the Commission ***and the Member States*** to support a constructive dialogue on access to medicines involving all relevant stakeholders ***and to find ways of facilitating access to medicines for the populations of the poorest countries unable to obtain the best treatments currently available;***

Or. fr

Amendment 108
Emma McClarkin

Motion for a resolution
Paragraph 26

Motion for a resolution

26. Underlines the unresolved issue of generic medicines and the defence of pharmaceutical research;

Amendment

deleted

Or. en

Amendment 109
Yannick Jadot

Motion for a resolution
Paragraph 26

Motion for a resolution

Amendment

26. Underlines the unresolved issue of generic medicines and the defence of pharmaceutical research;

deleted

Or. en

Amendment 110

Inmaculada Rodríguez-Piñero Fernández

Motion for a resolution

Paragraph 26

Motion for a resolution

Amendment

26. Underlines the unresolved issue of *generic* medicines and *the defence of* pharmaceutical research;

26. Underlines the unresolved issue of *guaranteeing access to* medicines *at prices within everyone's reach* and *rewarding in a suitable, transparent and fair manner innovation and* pharmaceutical research;

Or. es

Amendment 111

Emma McClarkin

Motion for a resolution

Paragraph 27

Motion for a resolution

Amendment

27. Takes the view that, while EU enterprises must be protected, it is necessary for medicine prices to be adapted to the economic level of the country in which they are sold, while account must also be taken of market distortions caused by the reselling of medicines in third countries;

27. Takes the view that, while EU enterprises must be protected, it is necessary for medicine prices to be adapted to the economic level of the country in which they are sold, while account must also be taken of market distortions caused by the reselling of medicines in third countries; *recognises that some EU enterprises do, to an extent, already provide access to medicines through assistance programs and discounted or*

tiered prices;

Or. en

Amendment 112
Santiago Fisas Aixelà

Motion for a resolution
Paragraph 27

Motion for a resolution

27. Takes the view that, while *EU enterprises* must be protected, *it is necessary for medicine prices to be adapted to the economic level of the country in which they are sold, while account must also be taken of market distortions caused by the reselling of medicines* in third countries;

Amendment

27. Takes the view that while *the interest and competitiveness of EU pharmaceutical companies* must be protected, *an account must also be taken of market distortions caused by the reselling of medicines in third countries; however notes the fact that many EU enterprises provide access to medicines through assistance programs and discounted or tiered prices* in third countries;

Or. en

Amendment 113
Alessia Maria Mosca

Motion for a resolution
Paragraph 27

Motion for a resolution

27. Takes the view that, while EU enterprises must be protected, it is necessary for medicine prices to be adapted to the economic level of the country in which they are sold, while account must also be taken of market distortions caused by the reselling of medicines in third countries;

Amendment

27. Takes the view that, while EU enterprises must be protected, *and taking into account that some EU enterprises provide access to medicines through assistance programs and discounted tiered prices*, it is necessary for medicine prices to be adapted to the economic level of the country in which they are sold, while account must also be taken of market distortions caused by the reselling of

medicines in third countries;

Or. en

Amendment 114
Inmaculada Rodríguez-Piñero Fernández

Motion for a resolution
Paragraph 27

Motion for a resolution

27. Takes the view that, while EU enterprises must be protected, it is necessary for medicine prices to be ***adapted to the economic level of*** the country in which they are sold, while account must also be taken of market distortions caused by the reselling of medicines in third countries;

Amendment

27. Takes the view that, while EU enterprises must be protected, ***to guarantee everyone access to medicines*** it is necessary for medicine prices to be ***within the reach of people in*** the country in which they are sold, ***making support for the use of the flexibilities provided for in the TRIPS Agreement and recognised in the Doha Declaration essential,*** while account must also be taken of market distortions caused by the reselling of medicines in third countries;

Or. es

Amendment 115
Yannick Jadot

Motion for a resolution
Paragraph 27

Motion for a resolution

27. Takes the view that, ***while EU enterprises must be protected, it is necessary for medicine prices to be adapted*** to the economic level of the country in which they are sold, while account must also be taken of ***market distortions caused by the reselling of medicines in third countries;***

Amendment

27. Takes the view that ***the fundamental universal right to life and physical integrity obliges governmental authorities to adapt medicine prices*** to the economic level of the country in which they are sold, while account must also be taken of ***the legitimate rights of companies involved in the production of pharmaceuticals;*** ***underlines that a considerable part of***

pharmaceutical research is publically financed and should therefore have public benefits, a principle which curtails the right of monopoly and the autonomy of price setting of private companies;

Or. en

Amendment 116
Marielle de Sarnez

Motion for a resolution
Paragraph 27

Motion for a resolution

27. Takes the view that, while EU enterprises must be protected, it is necessary for medicine prices to be adapted to the economic level of the country in which they are sold, while account must also be taken of market distortions caused by the reselling of medicines in third countries;

Amendment

27. Takes the view that, while EU enterprises must be protected *by preserving their capacity for innovation*, it is necessary for medicine prices to be adapted to the economic level of the country in which they are sold, while account must also be taken of market distortions caused by the reselling of medicines in third countries;

Or. fr

Amendment 117
David Martin

Motion for a resolution
Paragraph 27 – subparagraph 1 (new)

Motion for a resolution

Calls on the Commission and Member States to continue efforts to ensure border measures intended to block the importation of counterfeit medicines do not negatively affect the transit of generic drugs;

Or. en

Amendment 118
Emma McClarkin

Motion for a resolution
Paragraph 28

Motion for a resolution

Amendment

28. Takes the view that companies should be encouraged to collaborate in a better way in their competitive environment and to work together with public authorities;

deleted

Or. en

Amendment 119
David Martin

Motion for a resolution
Paragraph 28

Motion for a resolution

Amendment

28. Takes the view that companies should be encouraged to collaborate in a better way in their competitive environment and to work together with public authorities;

28. Stresses that companies should be encouraged to collaborate in a better way in their competitive environment and to work together with public authorities; ***calls on the Commission to consider supporting innovative mechanisms such as patent pools to stimulate research while ensuring generic production;***

Or. en

Amendment 120
Inmaculada Rodríguez-Piñero Fernández

Motion for a resolution
Paragraph 28

Motion for a resolution

28. Takes the view that companies should be encouraged to collaborate in a better way in their competitive environment and to work together with public authorities;

Amendment

28. Takes the view that companies should be encouraged to collaborate in a better way in their competitive environment and to work together with public authorities ***with the aim of guaranteeing greater and improved access to medicines in the Member States and in third countries;***

Or. es

Amendment 121
Anne-Marie Mineur

Motion for a resolution
Paragraph 28

Motion for a resolution

28. Takes the view that companies should be encouraged to collaborate in a better way in their competitive environment and to work together with public authorities;

Amendment

28. Takes the view that companies should be encouraged to collaborate in a better way in their competitive environment and to work together with public authorities, ***and believes that this should be done within the Horizon 2020 framework;***

Or. en

Amendment 122
David Martin

Motion for a resolution
Paragraph 28 a (new)

Motion for a resolution

Amendment

28a. Insists data exclusivity provisions on pharmaceutical test data is not included in bilateral free trade agreements, in particular in agreements with developing and emerging economies;

Or. en

Amendment 123
Alessia Maria Mosca

Motion for a resolution
Paragraph 29 a (new)

Motion for a resolution

Amendment

29a. Calls on the Commission to stimulate early exports of EU produced generic medicines as soon as they are not patent protected in third countries anymore;

Or. en

Amendment 124
Emma McClarkin

Motion for a resolution
Paragraph 30

Motion for a resolution

Amendment

30. Considers that the statistical data quoted by the Communication ***has been derived using a controversial and already criticised methodology;***

30. Considers that the statistical data quoted by the Communication ***must be improved to better reflect the actual situation regarding the centrality of IPR, its protection, and its enforcement, to the EU economy, not only to inform and improve existing policy but to further support the principle of evidence based policy making;***

Or. en

Amendment 125
Alessia Maria Mosca

Motion for a resolution
Paragraph 30

Motion for a resolution

30. Considers that the statistical data quoted by the Communication has been derived using a controversial and already criticised methodology;

Amendment

30. Considers that **some of** the statistical data quoted by the Communication has been derived using a controversial and already criticised methodology;

Or. en

Amendment 126
Marine Le Pen

Motion for a resolution
Paragraph 31

Motion for a resolution

31. Agrees with the Commission's reasoning for the establishment of the EU Observatory on Infringements of Intellectual Property Rights, and asks that it be allocated dedicated resources;

Amendment

deleted

Or. fr

Amendment 127
Anne-Marie Mineur

Motion for a resolution
Paragraph 31

Motion for a resolution

31. **Agrees** with the Commission's reasoning for the establishment of the EU Observatory on Infringements of Intellectual Property Rights, **and asks that it be allocated dedicated resources;**

Amendment

31. **Does not agree** with the Commission's reasoning for the establishment of the EU Observatory on Infringements of Intellectual Property Rights, **but instead suggests that the infringement of Intellectual Property Rights be a charge of the national authorities and the European Patent Office;**

Or. en

Amendment 128
Anne-Marie Mineur

Motion for a resolution
Paragraph 32

Motion for a resolution

Amendment

32. Points out that the Observatory should be composed in a comprehensive way and should not replicate already existing bodies; *deleted*

Or. en

Amendment 129
Marine Le Pen

Motion for a resolution
Paragraph 32

Motion for a resolution

Amendment

32. Points out that the Observatory should be composed in a comprehensive way and should not replicate already existing bodies; *deleted*

Or. fr

Amendment 130
Anne-Marie Mineur

Motion for a resolution
Paragraph 33

Motion for a resolution

Amendment

33. Calls on the Commission to work towards the Observatory maintaining its independence, to ensure that its work is not undermined by real or perceived *deleted*

biases;

Or. en

Amendment 131
Marine Le Pen

Motion for a resolution
Paragraph 33

Motion for a resolution

Amendment

33. Calls on the Commission to work towards the Observatory maintaining its independence, to ensure that its work is not undermined by real or perceived biases;

deleted

Or. fr

Amendment 132
Emma McClarkin

Motion for a resolution
Paragraph 34

Motion for a resolution

Amendment

34. Recognises that better, harmonised internal IPR-related policies could be helpful in the effort to standardise the protection and enforcement of IPR globally;

34. Recognises that better, ***appropriately*** harmonised internal IPR-related policies could be helpful in the effort to standardise the protection and enforcement of IPR globally;

Or. en

Amendment 133
Alessia Maria Mosca

Motion for a resolution
Paragraph 34

Motion for a resolution

34. Recognises that better, harmonised internal IPR-related policies could be helpful in the effort to *standardise the* protection and enforcement of IPR globally;

Amendment

34. Recognises that better, harmonised internal IPR-related policies could be helpful in the effort to *improve the standard of* protection and enforcement of IPR globally;

Or. en

Amendment 134

Yannick Jadot

Motion for a resolution

Paragraph 35

Motion for a resolution

35. Calls on the Commission to work with the Member States towards the ratification of the WIPO Trademark Law Treaty, the Geneva Act of the Hague Agreement and the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, *as well as of other IPR-related international agreements*;

Amendment

35. Calls on the Commission to work with the Member States towards the ratification of the WIPO Trademark Law Treaty, the Geneva Act of the Hague Agreement and the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration;

Or. en

Amendment 135

Emma McClarkin

Motion for a resolution

Paragraph 36

Motion for a resolution

36. Calls on the Commission to take further steps in line with the outcome of the public consultation of its Green paper 'Making the most out of Europe's traditional know-how' (COM(2014) 469)

Amendment

deleted

concerning a possible extension of geographical indications protection of the Union to non-agricultural products;

Or. en

Amendment 136
Daniel Caspary

Motion for a resolution
Paragraph 37

Motion for a resolution

37. Supports the Commission's pledge to give priority to promoting better IPR protection in the WTO and in any other international arenas;

Amendment

37. Supports the Commission's pledge to give priority to promoting better IPR protection **and enforcement thereof** in the WTO and in any other international arenas **and thus open up new markets for European exporters and improve existing market access**;

Or. de

Amendment 137
Yannick Jadot

Motion for a resolution
Paragraph 37

Motion for a resolution

37. Supports the Commission's pledge to **give priority to promoting** better IPR protection in the WTO and in any other international arenas;

Amendment

37. Supports the Commission's pledge to **promote** better IPR protection in the WTO and in any other international arenas;

Or. en

Amendment 138
Emma McClarkin

Motion for a resolution
Paragraph 37 a (new)

Motion for a resolution

Amendment

37a. Notes that the granting of Market Economy Status in terms of trade defence instruments is contingent upon, among other criteria, IP protection in the country concerned;

Or. en

Amendment 139
Marielle de Sarnez

Motion for a resolution
Paragraph 38

Motion for a resolution

Amendment

38. Calls on the Commission to work towards the inclusion in the WTO system of IPR-related international agreements that are not yet part of it, such as the WIPO Trademark Law Treaty, the Geneva Act of the Hague Agreement and the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration;

38. Calls on the Commission ***and Member States to uphold IPRs more effectively in all relevant multilateral organisations (the WTO, the World Health Organisation and the World Intellectual Property Organisation) and*** to work towards the inclusion in the WTO system of IPR-related international agreements that are not yet part of it, such as the WIPO Trademark Law Treaty, the Geneva Act of the Hague Agreement and the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration;

Or. fr

Amendment 140
Alessia Maria Mosca

Motion for a resolution
Paragraph 38

Motion for a resolution

38. Calls on the Commission to work towards the inclusion in the WTO system of IPR-related international agreements that are not yet part of it, such as the WIPO Trademark Law Treaty, the Geneva Act of the Hague Agreement and the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration;

Amendment

38. Calls on the Commission to work towards the inclusion in the WTO system of IPR-related international agreements that are not yet part of it, such as the WIPO Trademark Law Treaty, the **WIPO Phonograms and Performance Treaty, the WIPO Copyright Treaty**, the Geneva Act of the Hague Agreement and the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration;

Or. en

Amendment 141
Daniel Caspary

Motion for a resolution
Paragraph 38

Motion for a resolution

38. Calls on the Commission to work towards the inclusion in the WTO system of IPR-related international agreements that are not yet part of it, such as the WIPO Trademark Law Treaty, the Geneva Act of the Hague Agreement and the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration;

Amendment

38. Calls on the Commission to work towards the inclusion in the WTO system of IPR-related international agreements that are not yet part of it, such as the WIPO Trademark Law Treaty, **the WIPO Performances and Phonograms Treaty (WPPT), the WIPO Copyright Treaty (WCT)**, the Geneva Act of the Hague Agreement and the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration;

Or. de

Amendment 142
Emma McClarkin

Motion for a resolution
Paragraph 39

Motion for a resolution

39. Considers that in negotiations for bilateral free trade agreements priority should be given to chapters on intellectual property, and that the negotiating parties should recognise that the right to conduct a business should take into account respect for IPR;

Amendment

39. Considers that in negotiations for bilateral free trade agreements priority should be given to chapters on intellectual property, and that the negotiating parties should recognise that the right to conduct business should take into account respect for IPR ***and compliance with existing legal frameworks, welcomes the Commission's work so far in successfully integrating chapters on IP protection and enforcement in bilateral free trade agreements;***

Or. en

Amendment 143
David Martin

Motion for a resolution
Paragraph 39

Motion for a resolution

39. Considers that ***in negotiations for*** bilateral free trade agreements ***priority*** should ***be given to*** chapters on intellectual property, and that the negotiating parties should recognise that the right to conduct a business should take into account respect for IPR;

Amendment

39. Considers that bilateral free trade agreements should ***include*** chapters on intellectual property, and that the negotiating parties should recognise that the right to conduct a business should take into account respect for IPR;

Or. en

Amendment 144
Santiago Fisas Aixelà

Motion for a resolution
Paragraph 39

Motion for a resolution

39. Considers that in negotiations for bilateral free trade agreements **priority** should be given to chapters on intellectual property, and that the negotiating parties should recognise that the right to conduct a business should take into account respect for IPR;

Amendment

39. Considers that in negotiations for bilateral free trade agreements **particular attention** should be given to chapters on **enforcement of** intellectual property, and that the negotiating parties should recognise that the right to conduct a business should take into account respect for IPR;

Or. en

Amendment 145
Yannick Jadot

Motion for a resolution
Paragraph 39

Motion for a resolution

39. Considers that in negotiations for bilateral free trade agreements **priority** should be given to chapters on intellectual property, **and that the negotiating parties should recognise that the right** to conduct a business **should take into account respect for IPR**;

Amendment

39. Considers that in negotiations for bilateral free trade agreements **appropriate attention** should be given to chapters on intellectual property, **so that market opening leads to a factual possibility** to conduct a business;

Or. en

Amendment 146
Anne-Marie Mineur

Motion for a resolution
Paragraph 40

Motion for a resolution

40. Considers that ratification of the WIPO treaties should be included in the bilateral free trade agreements concluded by the Union;

Amendment

deleted

Amendment 147
Alessia Maria Mosca

Motion for a resolution
Paragraph 40

Motion for a resolution

40. Considers that ratification of the WIPO treaties should be included in the bilateral free trade agreements concluded by the Union;

Amendment

40. Considers that ratification of the WIPO treaties ***listed in paragraph above for the inclusion of WTO system*** should be included in the bilateral free trade agreements concluded by the Union;

Or. en

Amendment 148
Emma McClarkin

Motion for a resolution
Paragraph 41

Motion for a resolution

41. Supports the Commission's approach of setting up IP dialogues and working groups with priority countries with which comprehensive negotiations are not ongoing, with the aim of achieving specific commitments in IP protection and enforcement;

Amendment

41. Supports the Commission's approach of setting up IP dialogues and working groups with priority countries with which comprehensive negotiations are not ongoing, with the aim of achieving ***and strengthening*** specific commitments in IP protection and enforcement;

Or. en

Amendment 149
Alessia Maria Mosca

Motion for a resolution
Paragraph 41

Motion for a resolution

41. Supports the Commission's approach of setting up IP dialogues and working groups with priority countries with which comprehensive negotiations are not ongoing, with the aim of achieving specific commitments in IP protection and enforcement;

Amendment

41. Supports the Commission's approach of setting up IP dialogues and working groups with priority countries with which comprehensive negotiations are not ongoing, with the aim of achieving specific commitments in IP protection and enforcement; ***stresses the need to put IPR on the agenda of higher level political meetings when progress at the level of IP dialogues and inter-agency meetings is not forthcoming;***

Or. en

Amendment 150
Marine Le Pen

Motion for a resolution
Paragraph 41

Motion for a resolution

41. Supports the Commission's approach of setting up IP dialogues and working groups with priority countries with which comprehensive negotiations are not ongoing, with the aim of achieving specific commitments in IP protection and enforcement;

Amendment

41. Supports the Commission's approach of setting up IP dialogues and working groups with priority countries with which comprehensive negotiations are not ongoing, with the aim of achieving specific commitments in IP protection and enforcement ***and accordingly urges the Commission to propose a framework for cooperation between national patent, trademark and design registration offices on the one hand, and the European Patent Office on the other;***

Or. fr

Amendment 151
Marine Le Pen

Motion for a resolution
Paragraph 43

Motion for a resolution

43. Calls on the Commission to make more regular recourse to dispute settlement mechanisms, including the WTO's Dispute Settlement Body, when the rights of the Union's economic operators are infringed;

Amendment

deleted

Or. fr

Amendment 152
Emma McClarkin

Motion for a resolution
Paragraph 43

Motion for a resolution

43. Calls on the Commission to make more regular recourse to dispute settlement mechanisms, including the WTO's Dispute Settlement Body, when the rights of the Union's economic operators are infringed;

Amendment

43. Calls on the Commission to make more regular recourse to **relevant** dispute settlement mechanisms, including the WTO's Dispute Settlement Body, when the rights of the Union's economic operators are infringed;

Or. en

Amendment 153
Alessia Maria Mosca

Motion for a resolution
Paragraph 43

Motion for a resolution

43. Calls on the Commission to make more regular recourse to dispute settlement mechanisms, including the WTO's Dispute Settlement Body, when the rights of the Union's economic operators are infringed;

Amendment

43. Calls on the Commission to make more regular recourse to dispute settlement mechanisms, including the WTO's Dispute Settlement Body, when the rights of the Union's economic operators, **including all**

IPR holders, are infringed;

Or. en

Amendment 154

Daniel Caspary

Motion for a resolution

Paragraph 43

Motion for a resolution

43. Calls on the Commission to make more regular recourse to dispute settlement mechanisms, including the WTO's Dispute Settlement Body, when the rights of the Union's economic operators are infringed;

Amendment

43. Calls on the Commission to make more regular recourse to dispute settlement mechanisms, including the WTO's Dispute Settlement Body, when the rights of the Union's economic operators ***and of other rightholders*** are infringed;

Or. de

Amendment 155

Yannick Jadot

Motion for a resolution

Paragraph 43

Motion for a resolution

43. Calls on the Commission to make ***more regular*** recourse to dispute settlement mechanisms, including the WTO's Dispute Settlement Body, when the rights of the Union's economic operators are infringed;

Amendment

43. Calls on the Commission to make recourse to dispute settlement mechanisms, including the WTO's Dispute Settlement Body, when ***specific governmental commitments regarding the implementation of IPR related treaties and conventions are violated and*** the rights of the Union's economic operators are infringed;

Or. en

Amendment 156

Marielle de Sarnez

Motion for a resolution
Paragraph 44 a (new)

Motion for a resolution

Amendment

44a. Calls on the Commission and Member States to step up customs cooperation within the Union and with third countries for the seizure of counterfeit goods and to simplify customs procedures;

Or. fr

Amendment 157
Marielle de Sarnez

Motion for a resolution
Paragraph 44 b (new)

Motion for a resolution

Amendment

44b. Calls on the Commission and Member States to cooperate plus closely with third countries regarding copyright and licensing issues;

Or. fr

Amendment 158
Marielle de Sarnez

Motion for a resolution
Paragraph 44 c (new)

Motion for a resolution

Amendment

44c. Is convinced that better protection of intellectual property rights and effective implementation of related rules in third countries would be a strong incentive for investors from the European Union and elsewhere to invest, share new

technological skills and update existing technologies;

Or. fr

Amendment 159
Emma McClarkin

Motion for a resolution
Paragraph 45

Motion for a resolution

45. Considers that EU economic operators and consumers in any third country should be able to seek advice from one or more IPR attachés representing the interests of the Union;

Amendment

45. Notes that some Member States have IP attaches within their delegations in certain key countries, believes that better coordination and information sharing among Member States could provide for new opportunities to meet shared objectives in terms of IP protection in third countries;

Or. en