27.6.2012

Amendment 133
Christian Engström
on behalf of the Verts/ALE Group

Report
Jürgen Creutzmann
Customs enforcement of intellectual property rights

Proposal for a regulation
Article 2 – paragraph 1 – point 1 – point h

Text proposed by the Commission

(h) a Community plant variety right as provided for in Council Regulation (EC) No 2100/94;  

Amendment

deleted

Or. en
27.6.2012

Amendment 134
Christian Engström
on behalf of the Verts/ALE Group

Report
Jürgen Creutzmann
Customs enforcement of intellectual property rights

Proposal for a regulation
Article 2 – paragraph 1 – point 1 – point i

Text proposed by the Commission

(i) a plant variety right as provided for by the legislation of a Member State;

Amendment

deleted

Or. en
27.6.2012  
Amendment 135  
Christian Engström  
on behalf of the Verts/ALE Group  

Report  
Jürgen Creutzmann  
Customs enforcement of intellectual property rights  

Proposal for a regulation  
Article 2 – paragraph 1 – point 1 – point j  

_text proposed by the Commission Amendment_

(j) a topography of semiconductor product  
deleted
as provided for by the legislation of a  
Member State;

Or. en
27.6.2012 A7-0046/136

Amendment 136
Christian Engström
on behalf of the Verts/ALE Group

Report A7-0046/2012
Jürgen Creutzmann
Customs enforcement of intellectual property rights

Proposal for a regulation
Article 2 – paragraph 1 – point 1 – point k

Text proposed by the Commission

Amendment

(k) a utility model as provided for by the deleted legislation of a Member State;

Or. en
27.6.2012

Amendment 137
Christian Engström
on behalf of the Verts/ALE Group

Report

Jürgen Creutzmann

Customs enforcement of intellectual property rights

Proposal for a regulation

Article 2 – paragraph 1 – point 1 – point l

Text proposed by the Commission

Amendment

(l) a trade name in so far as it is protected deleted
as an exclusive intellectual property right
by legislation of a Member State;

Or. en
27.6.2012 A7-0046/138

Amendment 138
Christian Engström
on behalf of the Verts/ALE Group

Report A7-0046/2012
Jürgen Creutzmann
Customs enforcement of intellectual property rights

Proposal for a regulation
Article 2 – paragraph 1 – point 1 – point m

Text proposed by the Commission

Amendment

(m) any other right that is established as deleted
an exclusive intellectual property right by
Union legislation;

Or. en

Justification

It is not possible, nor desirable to anticipate what rights, in the future, may be subject to the proposed regulation and consequently it is not possible to assess whether they are suitable for customs intervention or not.
27.6.2012

Amendment 139
Christian Engström
on behalf of the Verts/ALE Group

Report
Jürgen Creutzmann
Customs enforcement of intellectual property rights

Proposal for a regulation
Article 2 – paragraph 1 – point 5 – point a

Text proposed by the Commission
(a) goods which are subject of an action infringing a trade mark and bear without authorisation a trade mark identical to the trade mark validly registered in respect of the same type of goods, or which cannot be distinguished in its essential aspects from such a trade mark;

Amendment
(a) any goods, including packaging, bearing without authorisation a trade mark identical to the trade mark validly registered in respect of the same type of goods, or which cannot be distinguished in its essential aspects from such a trade mark, and which thereby infringes the rights of the owner of the trademark in question in the country of importation;

Or. en
Amendment 140
Christian Engström
on behalf of the Verts/ALE Group

Report
Jürgen Creutzmann
Customs enforcement of intellectual property rights

Proposal for a regulation
Article 2 – paragraph 1 – point 6

Text proposed by the Commission

(6) ‘pirated goods’ means goods which are subject of an action infringing a copyright or related right or a design and which are or contain copies made without the consent of the holder of a copyright or related right or a design, regardless of whether it is registered, or of a person authorised by that holder in the country of production;

Amendment

(6) ‘pirated copyright goods’ means any goods which are copies made without the consent of the right-holder in the country of production and which are made directly or indirectly from an article where the making of that copy would have constituted an infringement of a copyright under the law of the country of importation;

Or. en
27.6.2012 A7-0046/141

Amendment 141
Christian Engström
on behalf of the Verts/ALE Group

Report A7-0046/2012
Jürgen Creutzmann
Customs enforcement of intellectual property rights

Proposal for a regulation
Article 2 – paragraph 1 – point 7 – introductory part

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>(7) ‘goods suspected of infringing an intellectual property right’ means goods with regard to which there is adequate evidence to satisfy customs authorities that, in the Member State where these goods are found, are prima facie:</td>
<td>(7) 'goods suspected of infringing an intellectual property right’ means goods with regard to which there are adequate indications on the basis of the applicable legal procedures to satisfy customs authorities that, in the Member State where these goods are found, are prima facie:</td>
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</tbody>
</table>

Or. en
Amendment 142
Christian Engström
on behalf of the Verts/ALE Group

Report
Jürgen Creutzmann
Customs enforcement of intellectual property rights

Proposal for a regulation
Article 2 – paragraph 1 – point 7 – point a

Text proposed by the Commission

(a) goods which are subject of an action infringing an intellectual property right under the law of the Union or of that Member State;

Amendment

(a) counterfeit trademark goods or pirated copyright goods which are subject of an action under the law of the Union or of that Member State;

Or. en