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B6-0152/2004

MOTION FOR A RESOLUTION

further to Questions for Oral Answer B6-0020/04, B6-0021/04, B6-0022/04, B6-0023/04 and B6-0024/04

pursuant to Rule 108(5) of the Rules of Procedure

by Toine Manders

on behalf of the ALDE Group

on the patentability of computer-implemented inventions

B6-0152/2004

European Parliament resolution on the patentability of computer-implemented inventions

The European Parliament,

- having regard to Rule 113 of its Rules of Procedure,
- having regard to Rule 108(5) of its Rules of Procedure,
- A. whereas the Commission's initial proposal was sent to Parliament on 22 February 2002,
- B. whereas on 24 September 2003 Parliament adopted the legislative report following the first reading in committee,
- C. whereas on 18 May 2004 the Council reached a political agreement on a common position,
 1. Considers that, according to the interinstitutional balance, it is not appropriate for Parliament to interfere at this stage in the Council's internal decision-making process;
 2. Recalls, given the above, that Parliament should respect the Treaty provisions of the codecision procedure and the second reading mechanism;
 3. Believes that the debate on the content of the directive should not be opened in plenary prior to the debate in the committee responsible, following the Treaty provisions and in order to give the political groups the appropriate time to study the text and develop their positions;
 4. Recalls that the amended Commission proposal was adopted at first reading;
 5. Recalls that the political agreement on a common position was reached in the Council in May 2004;
 6. Expects the common position of the Council to be sent officially to Parliament in order to proceed with the second reading and, at that stage, discuss the content of the directive;
 7. Asks the Council to send its common position as soon as possible, or otherwise give the reason for the delay in sending it;
 8. Believes, therefore, that it is not appropriate to ask the Commission to withdraw its proposal at this stage;
 9. Instructs its President to forward this resolution to the Council and the Commission.