



EUROPEAN PARLIAMENT

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Committee on the Internal Market and Consumer Protection

2014/2151(INI)

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DRAFT OPINION

of the Committee on the Internal Market and Consumer Protection

for the Committee on Legal Affairs

on ‘Towards a renewed consensus on the enforcement of Intellectual Property Rights: An EU Action Plan’
(2014/2151(INI))

Rapporteur: Catherine Stihler

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SUGGESTIONS

The Committee on the Internal Market and Consumer Protection calls on the Committee on Legal Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Recognises that the enforcement of intellectual property rights (IPRs) is not merely a driver for jobs and growth across the Union but is essential for the proper functioning of the single market, especially in view of factors such as share of EU GDP, employment, and the range of industries affected by IPRs;
2. Welcomes the Commission's Action Plan with its emphasis on tackling enforcement on commercial scale infringements by adopting a 'follow the money' approach where those who are the greatest offenders will suffer financial loss;
3. Recognises the importance of voluntary Memoranda of Understanding that establish firm principles agreed upon during stakeholder dialogues, as they will help reduce commercial scale IPR infringements in the online environment, and looks forward to a report back on the success of any voluntary measures on an annual basis;
4. Emphasises the threat and damage to consumer health and safety the purchase of IPR infringing goods may result in; thus compliments the Commission on its engagement with consumers, in particular those of the younger generation, via public information campaigns and other relevant means, and encourages it to continue; welcomes, in particular, the efforts of the Observatory located within the Office for Harmonisation in the Internal Market (OHIM) that are aimed at raising awareness among consumers of the benefits of choosing IPR respecting products and facilitating access to such products;
5. Looks forward to receiving information on existing national initiatives addressing IP civil enforcement for SMEs by the end of 2015; welcomes the forthcoming Green Paper on the need for future Union action based on the best practice found in nationally financed schemes assisting SMEs to enforce their IP rights;
6. Welcomes the Commission's proposed Green Paper on consulting stakeholders on the impact of chargeback and related schemes to tackle commercial scale IP infringements and to assess the need to take more concrete actions in this field;
7. Supports the emphasis placed in the Action Plan on the importance of working with Member States, sharing information and best practice, and coordinating activity over crossborder enforcement; welcomes the establishment of the Member State Expert Group on IP Enforcement, as sharing best practice will help with the implementation of the Action Plan;
8. Notes that training for development of sectorial IPR enforcement at national level is essential, as is the role which the Observatory located within OHIM will play in helping train Member State authorities and sharing best practice, in particular by promoting digitally accessible value for money campaigns and coordinating these with the relevant agencies and bodies;

9. Highlights the vital role public authorities play through procurement and purchasing, and commends the Commission's desire to develop, promote and publish a guide on best practices to avoid public authorities purchasing counterfeit goods;
10. Further notes the inclusive stakeholder consultation proposals on applying EU due diligence throughout the supply chain to prevent IP infringements, and asks that the outcome of the consultations and the voluntary EU due diligence scheme be presented to Parliament on an annual rather than biennial basis;
11. Calls on the Commission to make all stakeholder consultations transparent and timely and to ensure that the outcome of consultations is analysed both qualitatively as well as quantitatively and shared with stakeholders, including Parliament and other EU institutions;
12. Calls on the Commission to bring forward necessary proposals in line with stakeholders if voluntary measures are found not to be working after the first publication of the 'IP in the EU economy' report, which should be published annually.