

After ACTA: EU needs new tools to protect EU intellectual property rights

Plenary sessions [09-06-2015 - 12:55]

The EU needs better tools to protect EU intellectual property in third countries, say MEPs in a resolution voted on Tuesday. They ask the EU Commission to look into appropriate means and methods to this end. In a separate resolution, also voted on Tuesday, they also advocate assessing and adjusting intra-EU rules to combat online breaches of intellectual property rights (IPRs).

The "commercial nature of many IPR infringements" and the "growing involvement of organised crime" pose a serious threat to creativity and innovation, which are the EU's key assets in the global market say MEPs, in a resolution drafted by Maria Alessia Mosca (S&D, IT) and approved on Tuesday by 521 votes to 164 with 17 abstentions.

They ask the Commission to tackle this admittedly "extremely complex" issue in order to balance the interests of rights holders, economic operators and end users.

Challenges of the digital era

MEPs say that the Commission's current approach does not differentiate clearly enough between physical counterfeiting and digital violations of copyrights. As a growing number of digital sales platforms sell counterfeit or plagiarized products, the Commission and EU member states should "engage with online platforms" on how best to identify and tackle these infringements, they suggest.

As part of a solution, MEPs suggest that the EU and its member states should add an anti-counterfeiting protocol to the United Nations Convention against Transnational Organised Crime.

In a separate non-legislative resolution, drafted by Pavel Svoboda (EPP, CZ) and approved by 529 votes to 143 with 28 abstentions, MEPs call for a comprehensive legal framework, tailored to the online environment, with which to combat IPR infringements in the EU.

To fight IPR infringements, MEPs advocate involving all players in the supply chain and helping small firms to get their IPRs enforced. They also stress the need for awareness-raising campaigns on the consequences of IPR infringements for society as whole and for consumers and citizens individually.

Affordable medicines

In the resolution on protecting EU IPRs abroad, MEPs also stress the need to balance IPR protection with the need to ensure access to generic medicines worldwide and the importance of bearing patients' interests in mind when applying IPR rules in the pharmaceutical sector.

Furthermore, border checks to prevent the entry of counterfeit medicines to the EU market should not prevent that of generic ones. The Commission should also consider innovative mechanisms, such as patent pools, to "stimulate research while ensuring generic production", they add.

Press release

Note to editors: IPR infringements

In 2013 EU customs authorities confiscated almost 36 million items thought to be counterfeit or to infringe IPRs, worth over €760 million. Medicines accounted for 10 % of this total.

Background on ACTA available at [link to the right](#).

The EU's IP-intensive industries account for 39% of total economic activity (worth €4.7 trillion a year) and about 56 million jobs (about 26% of the total).

Procedure: Non-legislative resolution

Further information:

- Adopted text will be available here (click on 09.06.2015))
: <http://www.europarl.europa.eu/plenary/en/texts-adopted.html>
- Video recording of debate (click on 08.06.2015)
: <http://www.europarl.europa.eu/ep-live/en/plenary/search-by-date>
- Audiovisual material for professionals
: <http://audiovisual.europarl.europa.eu/Assetdetail.aspx?ref=I104339>
- Profile of rapporteur on IPR in third countries Maria Alessia Mosca (S&D, IT)
: http://www.europarl.europa.eu/meps/en/124868/ALESSIA+MARIA_MOSCA_home.html
- Profile of the rapporteur on IPR in the EU Pavel Svoboda (EPP, CZ)
: http://www.europarl.europa.eu/meps/en/96272/PAVEL_SVOBODA_home.html
- Procedure file (enforcement of IPR)
: <http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2014/2151%28INI%29&l=en>
- Commission Communication: Trade, growth, and intellectual property - Strategy for the protection of intellectual property rights in third countries":
[http://www.europarl.europa.eu/meetdocs/2014_2019/documents/com/com_com\(2014\)0389_/com_com\(2014\)0389_en.pdf](http://www.europarl.europa.eu/meetdocs/2014_2019/documents/com/com_com(2014)0389_/com_com(2014)0389_en.pdf)
- Commission: Action Plan on the enforcement of Intellectual Property Rights
: http://ec.europa.eu/internal_market/iprenforcement/action-plan/index_en.htm
- ACTA before the European Parliament (04.07.2012)
: <http://www.europarl.europa.eu/news/en/news-room/content/20120217BKG38488/html/ACTA-before-the-European-Parliament>

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