



In line with our [our analysis](#) of the Draft Report, **European Digital Rights** would like to comment on the amendments tabled to JURI's [Draft Report](#) on Towards a renewed consensus on the enforcement of Intellectual Property Rights: An EU Action Plan 2014/2151(INI)

The left column repeats the original Draft Report; the right column contains the amendments proposed by the members of JURI. Our comments can be found below.

For ease of reading, the headings are highlighted and marked with colours and symbols as follows:



green (++) for amendments we welcome;



yellow (+) for amendments which pursue good aims, but could benefit from further suggested improvements;



red (-) for amendments which in our view should be reconsidered;

grey for amendments in which we do not have a position.

A short justification is given, when relevant.

**Amendment 1****Max Andersson, Lidia Joanna Geringer de Oedenberg****Motion for a resolution****Citation 1 a (new)**

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
	- having regard to Article 17 of the Charter of Fundamental Rights of the European Union,

Or. en

**Amendment 2****Jean-Marie Cavada****Motion for a resolution****Citation 2 a (new)**

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
	- having regard to Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003,

Or. fr

**Amendment 3****Jean-Marie Cavada, Marc Joulaud****Motion for a resolution****Citation 2 b (new)**

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
	- having regard to the report submitted by OHIM and the EPO in September 2013, entitled 'Intellectual property rights intensive industries: contribution to economic performance and employment in the European Union',
<p>Comments: The data of that report has been already challenged by its lack of accuracy: p://copyright4creativity.eu/wp-content/uploads/2014/06/COPYRIGHT-MYTHS-FACTSHEtET1-23062014.pdf</p> <p>This report has been widely regarded as only having very limited value for assessing the actual contributions, if any, to performance and employment in the European Union.</p>	

Or. fr

**Amendment 4****Lidia Joanna Geringer de Oedenberg****Motion for a resolution****Citation 8 a (new)**

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>8a. - having regard to the Commission's plan to create a single EU digital market and to Parliament's resolution of 20 April 2012 on a competitive digital single market;</i>

Or. pl

**Amendment 5****Daniel Buda****Motion for a resolution****Citation 14 a (new)**

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>- having regard to Article 27 of the Universal Declaration of Human Rights, which stipulates that everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which they are the author,</i>

Or. ro

**Amendment 6****Kostas Chrysogonos, Jiří Maštálka****Motion for a resolution****Recital A**

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
<i>A. whereas intellectual property rights are one of the driving forces of innovation and creativity and a key contributor to competitiveness and employment; whereas the enforcement of intellectual property rights plays a significant role in ensuring consumers' health and safety; whereas counterfeiting is generally linked with a black economy;</i>	<i>A. whereas intellectual property rights are one of the driving forces of innovation and creativity and a key contributor to competitiveness and employment;</i>

Or. en

**Amendment 7****Virginie Rozière****Motion for a resolution****Recital A**

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>A. whereas intellectual property rights are one of the driving forces of innovation and creativity and a key contributor to competitiveness and employment; whereas the enforcement of intellectual property rights plays a significant role in ensuring consumers' health and safety; whereas counterfeiting is generally linked with a black economy;</p>	<p>A. whereas intellectual property rights are one of the driving forces of innovation and creativity and a key contributor to competitiveness, employment and cultural diversity; whereas the enforcement of intellectual property rights plays a significant role in ensuring consumers' health and safety; whereas revenue from counterfeiting generally feeds into the black economy;</p>
<p>Comments: The link between the broad term of intellectual property rights (which includes also copyright and trademarks) to health and safety is not at all obvious.</p>	

Or. fr

**Amendment 8****Max Andersson****Motion for a resolution****Recital A**

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>A. whereas intellectual property rights are one of the driving forces of innovation and creativity and a key contributor to competitiveness and employment; whereas the enforcement of intellectual property rights plays a significant role in ensuring consumers' health and safety; whereas counterfeiting is generally linked with a black economy;</p>	<p>A. whereas intellectual property rights are one of the driving forces of innovation and creativity and a key contributor to competitiveness and employment; whereas product authenticity must not be conflated with product safety and product quality issues, the enforcement of intellectual property rights could also play a role in ensuring consumers' health and safety; whereas counterfeiting is generally linked with a black economy;</p>

Or. en



Amendment 9

Angel Dzhambazki

Motion for a resolution

Recital A

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
A. whereas intellectual property rights are one of the driving forces of innovation and creativity and a key contributor to competitiveness and employment; whereas the enforcement of intellectual property rights plays a significant role in ensuring consumers' health and safety; whereas counterfeiting is generally linked with a black economy;	A. whereas intellectual property rights are one of the driving forces of innovation and creativity and a key contributor to competitiveness and employment; whereas the enforcement of intellectual property rights plays a significant role in ensuring consumers' health and safety; whereas counterfeiting is generally linked with a black economy and organised crime, through financial contributions;
Comments: Same as for amendment 7. There is no factual basis for this assertion.	

Or. en



Amendment 10

Lidia Joanna Geringer de Oedenberg

Motion for a resolution

Recital A

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
A. whereas intellectual property rights are one of the driving forces of innovation and creativity and a key contributor to competitiveness and employment; whereas the enforcement of intellectual property rights plays a significant role in ensuring consumers' health and safety; whereas counterfeiting is generally linked with a black economy;	A. whereas the creation of a single EU digital market and intellectual property rights are one of the driving forces of innovation and creativity and a key contributor to competitiveness and employment; whereas the enforcement of intellectual property rights plays a significant role in ensuring consumers' health and safety; whereas counterfeiting is generally linked with a black economy;
Amendment 8 is clearer and more grammatically consistent.	

Or. pl



Amendment 11

Daniel Buda

Motion for a resolution

Recital A

+	
<i>Motion for a resolution</i>	<i>Amendment</i>
A. whereas intellectual property rights are one of the driving forces of innovation and creativity and a key contributor to competitiveness and employment; whereas the enforcement of intellectual property rights plays a significant role in ensuring consumers' health and safety; whereas counterfeiting is generally linked with a black economy;	<i>A. whereas intellectual property rights (IPRs) are legal rights relating to creations from intellectual activities in the industrial, scientific, literary and artistic fields; whereas IPRs enable creators or holders of the patent for an invention, of a trademark or of a work protected by copyright to subsequently benefit from their work and their investment;</i> whereas intellectual property rights are one of the driving forces of innovation and creativity and a key contributor to competitiveness and employment; whereas the enforcement of intellectual property rights plays a significant role in ensuring consumers' health and safety; whereas counterfeiting is generally linked with a black economy;
Comments: This amendment fails to acknowledge that over two-thirds of the income created by creators and inventors does not come from licenses.	

Or. ro



Amendment 12

Enrico Gasbarra

Motion for a resolution

Recital -A (new)

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>-A. whereas particular emphasis is placed on intellectual property in Article 118 of the Treaty of Lisbon and in Article 17 of the Charter of Fundamental Rights of the European Union;</i>
This amendment suggests 'intellectual property' taking precedent over other forms of property and other fundamental rights described in the Charter of the fundamental rights of the European Union, which established case law of the CJEU indicates it does not.	

Or. it



Amendment 13

Jean-Marie Cavada

Motion for a resolution

Recital B

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
B. whereas the EU faces a high number of intellectual property rights infringements, and whereas the volume and financial value of these infringements are alarming, as reported by the Commission in its report on the application of the Directive on the enforcement of intellectual property rights (COM(2010)0779);	B. whereas the EU faces a high number of intellectual property rights infringements, and whereas the volume and financial value of these infringements are alarming, as reported by the Commission in its report on the application of the Directive on the enforcement of intellectual property rights (COM(2010)0779); <i>whereas these figures also illustrate the added value which IPR represent for the European economy in global competition;</i>

Or. fr



Amendment 14

Dietmar Köster

Motion for a resolution

Recital B

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
B. whereas the EU faces a high number of intellectual property rights infringements, and whereas the volume and financial value of these infringements are <i>alarming</i> , as reported by the Commission in its report on the application of the Directive on the enforcement of intellectual property rights (COM(2010)0779);	B. whereas the EU faces a high number of intellectual property rights infringements, and whereas the volume and financial value of these infringements are <i>not insubstantial</i> , as reported by the Commission in its report on the application of the Directive on the enforcement of intellectual property rights (COM(2010)0779);
Comment: Although its meaning is not very clear, it is the best available amendment on this point.	

Or. de



Amendment 15
Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Recital B

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>B. whereas the EU faces a high number of intellectual property rights infringements, and whereas the volume and financial value of these infringements are alarming, as reported by the Commission in its report on the application of the Directive on the enforcement of intellectual property rights (COM(2010)0779);</p>	<p>B. whereas the EU faces a high number of intellectual property rights infringements, and whereas the volume and financial value of these infringements are alarming, as reported by the Commission in its report on the application of the Directive on the enforcement of intellectual property rights (COM(2010)779); <i>in spite of the small reduction in the number of packages suspected of infringing intellectual property rights, customs authorities noted as many as 87 000 incidents of such abuses in 2013, while the value of the 36 million articles seized is estimated at more than EUR 768 million;</i></p>

Or. pl



Amendment 16
Therese Comodini Cachia
Motion for a resolution
Recital B a (new)

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<p><i>Ba. whereas IPR infringements including counterfeiting discourages growth, job creation, innovation and creativity;</i></p>
<p>There does not seem to be factual basis for this assertion.</p>	

Or. en




Amendment 17
Constance Le Grip
Motion for a resolution
Recital B a (new)


-	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<p><i>Ba. whereas infringements of IPR cause both non-material and economic damage to European undertakings and bring about heavy economic and fiscal losses to States;</i></p>
<p>Comments: The non-material damages harm caused by IPR infringements are not clear.</p>	

 **Amendment 18**
Virginie Rozière
Motion for a resolution
Recital B a (new)

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>Ba. whereas adequate protection of intellectual property rights is a prerequisite for the development of the digital economy and of the digital single market;</i>
Comments: There is no factual basis for this assertion.	

 **Amendment 19**
Constance Le Grip
Motion for a resolution
Recital C

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
C. whereas the development of e-commerce and online activities has changed the way IPR enforcement should be considered, particularly because it affords new possibilities for infringement;	C. whereas the development of e-commerce and online activities has changed the way IPR enforcement <i>in the digital environment</i> should be considered, particularly because it affords new possibilities for infringement;

 **Amendment 20**
Enrico Gasbarra
Motion for a resolution
Recital C

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
C. whereas the development of e-commerce and online activities has changed the way IPR enforcement should be considered, particularly because it affords new possibilities for infringement;	C. whereas the development of e-commerce and online activities has changed the way IPR enforcement should be considered, particularly because it affords new possibilities for infringement, <i>owing not least to new social behavioural patterns among users;</i>
Comments: Music sharing happened in the era of cassette tapes. Studies show that some of this new patterns include spending more money spent in certain cultural products: http://www.europeandigitalmedia.org/uploads/Press/documents/EDiMA-CCIA_Technology%20is%20Culture.pdf	

Or. it

 **Amendment 21**
Angel Dzhambazki
Motion for a resolution
Recital C

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
C. whereas the development of e-commerce and online activities has changed the way IPR enforcement should be considered, particularly because it affords new possibilities for infringement;	C. whereas the rapidly increasing development of e-commerce and online activities has changed the way IPR enforcement should be considered in the digital environment , particularly because it affords new possibilities for infringement;

Or. en

Amendment 22
Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Recital C a (new)


<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>Ca. - whereas the placing on the market of goods that are counterfeit, uncertified and not in compliance with EU standards may be harmful to consumers' health and lives;</i>
Comments: This falls outside EDRI's scope.	

Or. pl

 **Amendment 23**
Dietmar Köster
Motion for a resolution
Recital D

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
D. whereas there is a certain level of tolerance among Europeans for the idea that IPR infringements could be considered legitimate, especially among the young generation ⁸ ;	<i>deleted</i>

⁸ See OHIM Report 'European Citizens and intellectual property: perception, awareness and behaviour', November 2013.	
Comments: The rapporteur's original text does not correctly reflect what the OHIM report actually says.	

 **Amendment 24**
Axel Voss, Angelika Niebler
Motion for a resolution
Recital D

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
<i>D.</i> whereas there is a certain level of tolerance among Europeans for the idea that IPR infringements could be considered legitimate, especially among the young generation ⁸ ;	<i>deleted</i>

⁸ See OHIM Report ‘European Citizens and intellectual property: perception, awareness and behaviour’, November 2013.	
Comments: Same comment as for amendment 23.	

 **Amendment 25**
Mady Delvaux
Motion for a resolution
Recital D

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
D. whereas there is a certain level of tolerance among Europeans for the idea that IPR infringements could be considered <i>legitimate, especially among the young generation</i> ⁸ ;	D. whereas there is a certain level of tolerance among <i>a substantial minority of</i> Europeans for the idea that IPR infringements could be considered <i>acceptable</i> ;

⁸ See OHIM Report ‘European Citizens and intellectual property: perception, awareness and behaviour’, November 2013.	



Amendment 26
Enrico Gasbarra
Motion for a resolution
Recital D

+	
<i>Motion for a resolution</i>	<i>Amendment</i>
D. whereas there is a certain level of tolerance among Europeans for the idea that IPR infringements could be considered legitimate, especially among the young generation ⁸ ;	D. whereas there is a certain level of tolerance among Europeans for the idea that IPR infringements could be considered legitimate, especially among the young generation ⁸ <i>as well as poor understanding of which types of web content use are permitted;</i>
_____	_____
⁸ See OHIM Report ‘European Citizens and intellectual property: perception, awareness and behaviour’, November 2013.	⁸ See OHIM Report ‘European Citizens and intellectual property: perception, awareness and behaviour’, November 2013.
Comment: The intent of the added text is positive, but the amendment leaves the misrepresentation of the OHIM report unchanged.	

Or. it



Amendment 27
Max Andersson, Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Recital D

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
D. whereas there is a certain level of tolerance among Europeans for the idea that IPR infringements could be considered legitimate, especially among the young generation ⁸ ;	D. whereas there is a certain level of tolerance among Europeans for the idea that IPR infringements could be considered legitimate, especially among the young generation ⁸ <i>and entrepreneurial start-up companies;</i>
_____	_____
⁸ See OHIM Report ‘European Citizens and intellectual property: perception, awareness and behaviour’, November 2013.	⁸ See OHIM Report ‘European Citizens and intellectual property: perception, awareness and behaviour’, November 2013.
Comment: The factual basis of this assertion is unclear.	

Or. en



Amendment 28
Constance Le Grip
Motion for a resolution
Recital D

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
D. whereas there is a certain level of tolerance among Europeans for the idea that IPR infringements could be considered legitimate, especially among the young generation ⁸ ;	D. whereas there is a certain level of tolerance among Europeans for the idea that IPR infringements could be considered legitimate, especially among the young generation ⁸ ; <i>whereas this is particularly attributable to the fact that citizens/consumers are insufficiently aware of the disastrous impact of counterfeiting, which has become a global phenomenon with alarming economic and social consequences, with production sites and extensive distribution networks, particularly using the internet;</i>
_____	_____
⁸ See OHIM Report ‘European Citizens and intellectual property: perception, awareness and behaviour’, November 2013.	⁸ See OHIM Report ‘European Citizens and intellectual property: perception, awareness and behaviour’, November 2013.

Or. fr



Amendment 29
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Recital D

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
D. whereas there is a <i>certain</i> level of <i>tolerance</i> among <i>Europeans for the idea that IPR infringements could be considered legitimate, especially among the young generation</i> ⁸ ;	D. whereas there is a <i>significant</i> level of <i>unawareness, especially among young people throughout the EU, regarding the potential consequences of IPR infringements on the European economy and on the general safety of citizens;</i>
_____	_____
⁸ See OHIM Report ‘European Citizens and intellectual property: perception, awareness and behaviour’, November 2013.	
Comment: Assertions of this kind, which have no particular reference to actual research are not helpful for evidence-based policy development.	

Or. en



Amendment 30

Lidia Joanna Geringer de Oedenberg

Motion for a resolution

Recital D

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
D. whereas there is a certain level of tolerance among Europeans for the idea that IPR infringements could be considered legitimate, especially among the young generation ⁸ ;	D. whereas there is a certain level of tolerance among Europeans for the idea that IPR infringements could be considered legitimate, especially among the young generation ⁸ , <i>due to a lack of suitable knowledge of the rights they enjoy and the rules that they should not break;</i>
_____	_____
⁸ See OHIM Report ‘European Citizens and intellectual property: perception, awareness and behaviour’, November 2013.	⁸ See OHIM Report ‘European Citizens and intellectual property: perception, awareness and behaviour’, November 2013.
Comments: This amendment says that the OHIM report says something that it does not say. .	

Or. pl



Amendment 31

Jytte Guteland

Motion for a resolution

Recital D a (new)

+	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>Da. whereas there is a certain level of knowledge gap among the younger generation regarding actions considered as infringements of intellectual property rights;</i>
Comments: As above, the update of the current norms to the habits of the XXI century is a major cause of “infringements” since they go against what is natural for today's consumers. There is also a credibility gap as regards what the younger generation believes should be an infringement of intellectual property.	

Or. en



Amendment 32
Enrico Gasbarra
Motion for a resolution
Recital D a (new)

+	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>Da. whereas it is necessary and possible to run suitable user awareness and information campaigns, particularly for younger users, on the social and cultural importance of copyright;</i>
Comments: Although this may beneficial, it will not be possible to make users believe that restrictions that they consider legitimate, such as format shifting or breaking copy protections that are preventing private copying, for which a levy has already been paid..	

Or. it



Amendment 33
Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Recital E

+	
<i>Motion for a resolution</i>	<i>Amendment</i>
E. whereas no one should make a profit out of IPR infringements;	E. whereas <i>there is a need to redouble efforts to combat the illegal trade in counterfeit goods, and</i> no one should make a profit out of IPR infringements;
Comments: This amendment is out of EDRI's scope.	

Or. pl



Amendment 34
Jean-Marie Cavada
Motion for a resolution
Recital F

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
F. whereas law enforcement is essential, and whereas <i>it is of the utmost importance to find effective means of enforcing</i> IPR;	F. whereas law enforcement is essential, and whereas <i>Member States must adopt measures to enforce</i> IPR <i>effectively;</i>

Or. fr



Amendment 35
Enrico Gasbarra
Motion for a resolution
Recital F

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
F. whereas law enforcement is essential, and whereas it is of the utmost importance to find effective means of enforcing IPR;	F. whereas law enforcement is essential, and whereas it is of the utmost importance, <i>in the context of upholding fundamental rights and of data protection,</i> to find effective means of enforcing IPR;

Or. it



Amendment 36
Max Andersson, Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Recital F

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
F. whereas law enforcement is essential, and whereas it is of the utmost importance to find effective means of enforcing IPR;	F. whereas law enforcement is essential <i>with regard to the foreseeability of the law,</i> and whereas it is of the utmost importance to find effective, <i>proportionate and dissuasive</i> means of enforcing IPR;

Or. en



Amendment 37
Dietmar Köster
Motion for a resolution
Recital F

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
F. whereas <i>law enforcement is essential, and whereas it is of the utmost importance to find effective</i> means of enforcing IPR;	F. Whereas <i>Directive 2000/31/EC (the Electronic Commerce Directive)</i> is an <i>appropriate</i> means of enforcing IPR.
Comments: There are no IPR enforcement measures in the E-Commerce Directive.	

Or. de



Amendment 38
Constance Le Grip
Motion for a resolution
Recital F

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
F. whereas law enforcement is essential, and whereas it is of the utmost importance to find effective means of enforcing IPR;	F. whereas law enforcement is essential, and whereas it is of the utmost importance to find effective means of enforcing IPR, particularly on the internet, which has become the prime channel for distribution of counterfeits;
Comment: The European Parliament cannot demand evidence-based policy making from the Commission and then adopt reports that make baseless assertions of this kind.	

Or. fr



Amendment 39
Axel Voss, Angelika Niebler
Motion for a resolution
Recital F

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
F. whereas law enforcement is essential, and whereas it is of the utmost importance to find effective means of enforcing IPR;	F. whereas law enforcement is essential, and whereas it is of the utmost importance to find effective means of enforcing IPR across borders;
While we are deeply unconvinced by the original text, this amendment does not materially improve it.	

Or. de



Amendment 40
Dietmar Köster
Motion for a resolution
Recital G

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
G. whereas IPR infringements have a particular impact on SMEs, including in business-to-business services, and can lead to the loss of markets and bankruptcy;	G. whereas IPR infringements have an impact on SMEs and on business-to-business services, and can lead to the loss of markets and bankruptcy;

Or. de

Amendment 41
Therese Comodini Cachia
Motion for a resolution
Recital G

<i>Motion for a resolution</i>	<i>Amendment</i>
G. whereas IPR infringements have a particular impact on SMEs, including in business-to-business services, and can lead to the loss of markets and bankruptcy ;	G. whereas IPR infringements have a particular impact on SMEs, including in business-to-business services, and can lead to the loss of markets, bankruptcy and loss of jobs ;

Or. en

 **Amendment 42**
Dietmar Köster
Motion for a resolution
Paragraph 1

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
1. Welcomes the communication of the Commission of 1 July 2014 presenting an action plan on the enforcement of intellectual property rights; supports its approach to IPR enforcement, based on preventive actions and on policy tools which intend to deprive commercial-scale infringers of their revenues and make it more difficult for infringing goods to be put on the market ;	1. Welcomes in principle the communication of the Commission of 1 July 2014 presenting an action plan on the enforcement of intellectual property rights;
Comments: Despite the deletion of the vague term of commercial-scale infringement, the Communication presents many unresolved issues that would need to be addressed: https://edri.org/endoritorial-commission-communication-ip-enforcement	

Or. de



Amendment 43
Kostas Chrysogonos
Motion for a resolution
Paragraph 1

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>1. Welcomes the communication of the Commission of 1 July 2014 presenting an action plan on the enforcement of intellectual property rights; supports its approach to IPR enforcement, based on preventive actions and on policy tools which intend to deprive commercial-scale infringers of their revenues and make it more difficult for infringing goods to be put on the market;</p>	<p>1. Welcomes the communication of the Commission of 1 July 2014 presenting an action plan on the enforcement of intellectual property rights; supports its approach to IPR enforcement, based on preventive actions and on policy tools which intend to make it more difficult for infringing goods to be put on the market, and calls to define what ‘commercial-scale infringements’ are so as to deprive ‘commercial-scale’ infringers of their revenues;</p>

Or. en



Amendment 44
Axel Voss, Angelika Niebler
Motion for a resolution
Paragraph 1

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>1. Welcomes the communication of the Commission of 1 July 2014 presenting an action plan on the enforcement of intellectual property rights; supports its approach to IPR enforcement, based on preventive actions and on policy tools which intend to deprive commercial-scale infringers of their revenues and make it more difficult for infringing goods to be put on the market;</p>	<p>1. Welcomes the communication of the Commission of 1 July 2014 presenting an action plan on the enforcement of intellectual property rights; supports its approach to IPR enforcement, based on preventive actions and on policy tools which intend to deprive commercial-scale infringers of their revenues and make it more difficult for infringing goods and services to be put on the market;</p>
<p>Comments: The Communication presents many unresolved issues that would need to be addressed. Amendment 43 is more precise and is preferable over this one. See also: https://edri.org/endoritorial-commission-communication-ip-enforcement/</p>	

Or. de



Amendment 45
Dietmar Köster
Motion for a resolution
Paragraph 1 a (new)

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>1a. Calls on the Commission to ensure that one of the main objectives of the EU action plan is to provide reliable data on the socio-economic impact of commercial-scale IPR infringements;</i>

Or. de



Amendment 46
Virginie Rozière
Motion for a resolution
Paragraph 1 a (new)

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>1a. Considers that respect for the exercise of intellectual property rights and efforts to combat counterfeiting should be the main objectives of the action plan;</i>
Comments: The action plan should go further than that.	

Or. fr



Amendment 47
Dietmar Köster
Motion for a resolution
Paragraph 1 b (new)

+	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>1b. Stresses that, at times of financial crisis, when major cuts are being made in financial support for the cultural sector, IPR are often among individual creators' main sources of income; stresses, therefore, that ensuring fair remuneration for creators should be a crucial element of the EU action plan;</i>
Comments: While the call for fair remuneration of authors is positive, the mention of IPR is a source of income is both vague and inaccurate, since IPR includes many different topics (for example, patents) which are not related to individual creators income.	

Or. de



Amendment 48
Dietmar Köster
Motion for a resolution
Paragraph 1 c (new)

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>1c. Takes the view that in the interests of innovation, creativity and competitiveness, it is crucial that IPR protection measures are transparent and that full information is available to the public and to all other actors concerned;</i>

Or. de



Amendment 49
Jean-Marie Cavada, Marc Joulaud
Motion for a resolution
Subheading 1

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
Involving all actors in the supply chain	Involving all actors in the supply chain, <i>both on line and off line</i>
<p>Comment: If the Draft Report had been more precise and focused on counterfeiting for these articles, the amendment would have been positive. However, given the different topics covered under “IPR infringement” this amendment could mislead to support the involvement of intermediaries in what have been called “voluntary measures”, which are in fact a privatised form of law enforcement contrary to the Rule of Law.</p>	

Or. fr



Amendment 50
Dietmar Köster
Motion for a resolution
Paragraph 2

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
2. Believes that all actors in the supply chain have a role to play in the fight against IPR infringement and should be involved in this process; stresses that <i>an</i> approach <i>involving</i> all actors <i>should be developed both in the online and in the offline context;</i>	2. Believes that all actors in the supply chain <i>in the offline context</i> have a role to play in the fight against IPR infringement and should be involved in this process; stresses that <i>the</i> approach <i>adopted must involve</i> all actors
<p>Comment: Same as amendment 49.</p>	

Or. de



Amendment 51

Max Andersson, Lidia Joanna Geringer de Oedenberg

Motion for a resolution

Paragraph 2

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
2. Believes that all actors in the supply chain have a role to play in the fight against IPR infringement and should be involved in this process; stresses that an approach involving all actors should be developed both in the online and in the offline context;	2. Believes that all actors in the supply chain have a role to play in the fight against IPR infringement and should be involved in this process; stresses that an approach involving all actors should be developed both in the online and in the offline context; <i>believes that fundamental rights need to be balanced for this to be successful as measures that impact fundamental rights cannot be undertaken voluntarily by commercial operators, but need a legal basis and judicial oversight;</i>

Or. en



Amendment 52
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 2

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>2. Believes that all actors in the supply chain have a role to play in the fight against IPR infringement and should be involved in this process; stresses that an approach <i>involving all actors</i> should be developed <i>both in the online and in the offline context</i>;</p>	<p>2. Believes that all actors in the supply chain have a role to play in the fight against IPR infringement and should be involved in this process; stresses that an approach <i>in both an online and offline context</i> should be developed <i>by all actors in a comprehensive, collaborative and transparent manner</i>;</p>
<p>Comment: See comments for amendment 49.</p>	

Or. en



Amendment 53
Dietmar Köster
Motion for a resolution
Paragraph 2 a (new)

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<p><i>2a. Stresses that the inclusion of online actors in measures to combat IPR infringements must comply with the principles of Directive 2000/31/EC (the Electronic Commerce Directive) and the Charter of Fundamental Rights of the European Union;</i></p>

Or. de



Amendment 54
Constance Le Grip
Motion for a resolution
Paragraph 2 a (new)

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<p><i>2a. Calls on the Commission to work to redefine the status of intermediaries in the current digital environment and to formulate proposals for compelling them to shoulder their responsibilities;</i></p>
<p>Comment: The “responsibilities” of the intermediaries, specially when they could have an impact on fundamental rights, need to be addressed by the competent judicial authorities and not pushed by political institutions.</p>	



Amendment 55

Kostas Chrysogonos, Jiří Maštálka

Motion for a resolution

Paragraph 3

+	
<i>Motion for a resolution</i>	<i>Amendment</i>
3. Believes that applying due diligence throughout the supply chain would improve the business environment and contribute to preventing infringing goods from entering the market; stresses, however, that the cost-benefit ratio of qualitative auditing schemes should be well assessed and that providing support to SMEs should be considered in that respect;	3. Believes that applying due diligence, which has a different meaning in the online and the offline environment and thus has to be defined accordingly , throughout the supply chain would improve the business environment and contribute to preventing infringing goods from entering the market; stresses, however, that the cost-benefit ratio of qualitative auditing schemes should be well assessed and that providing support to SMEs should be considered in that respect;
Comment: Although we welcome the call to define due diligence, there are fundamental differences even between what online companies would even qualify as being parts of the “supply chain”. This is the best available option for paragraph 3.	



Amendment 56

Angel Dzhambazki, Sajjad Karim

Motion for a resolution

Paragraph 3

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
3. Believes that applying due diligence throughout the supply chain would improve the business environment and contribute to preventing infringing goods from entering the market; stresses, however , that the cost-benefit ratio of qualitative auditing schemes should be well assessed and that providing support to SMEs should be considered in that respect;	3. Believes that applying due diligence throughout the supply chain and enhanced market surveillance and information sharing between customs authorities would improve the business environment and contribute to preventing infringing goods from entering the market; stresses that the cost-benefit ratio and effectiveness of any qualitative auditing schemes should be well assessed before being pursued and that providing support to SMEs should be a strong consideration in that respect;
Comment: Introducing measures of effectiveness is positive. However, the concept of “due diligence” is exceptionally unclear in the extremely broad sense that it is being used here.	

**Amendment 57****Dietmar Köster****Motion for a resolution****Paragraph 3**

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>3. Believes that applying due diligence throughout the supply chain would improve the business environment and contribute to preventing infringing goods from entering the market; stresses, however, that the cost-benefit ratio of qualitative auditing schemes should be well assessed and that providing support to SMEs should be considered in that respect;</p>	<p>3. Believes that applying due diligence throughout the supply chain, particularly in the interests of SMEs, would improve the business environment and contribute to preventing infringing goods from entering the market; welcomes the Commission's initiative of exploring what EU-wide measures can improve the enforcement of IPR and thus where necessary reduce any dispute costs incurred, particularly for SMEs;</p>
<p>Comment: The practical meaning of this amendment is unclear.</p>	

Or. de

**Amendment 58****Axel Voss, Angelika Niebler****Motion for a resolution****Paragraph 3**

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>3. Believes that applying due diligence throughout the supply chain would improve the business environment and contribute to preventing infringing goods from entering the market; stresses, however, that the cost-benefit ratio of qualitative auditing schemes should be well assessed and that providing support to SMEs should be considered in that respect;</p>	<p>3. Believes that applying due diligence throughout the supply chain would improve the business environment and contribute to preventing infringing goods and services from entering the market; stresses, however, that the cost-benefit ratio of qualitative auditing schemes should be well assessed and that providing support to SMEs should be considered in that respect;</p>
<p>Comment: See amendment 56.</p>	

Or. de



Amendment 59

Jean-Marie Cavada, Marc Joulaud

Motion for a resolution

Paragraph 3

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>3. Believes that applying due diligence throughout the supply chain would improve the business environment and contribute to preventing infringing goods from entering the market; stresses, however, that the cost-benefit ratio of qualitative auditing schemes should be well assessed and that providing support to SMEs should be considered in that respect;</p>	<p>3. Believes that, in the context of commercial activity, applying due diligence on the part of the various parties throughout the supply chain is a key element in combating infringements of IPR and protecting consumers to the maximum, and would improve cooperation between undertakings and contribute to preventing infringing goods from entering the market;</p>
<p>Comment: See comment for amendment 56.</p>	

Or. fr



Amendment 60

Jean-Marie Cavada

Motion for a resolution

Paragraph 4

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>4. Welcomes the approach of depriving IPR infringers of their revenues by means of agreements between right-holders and their partners; supports the elaboration of memoranda of understanding as soft-law measures to fight against counterfeiting and piracy, and supports the idea of developing such measures further among stakeholders;</p>	<p>4. Welcomes the approach of depriving IPR infringers of their revenues by means of agreements between right-holders and their partners; supports the elaboration of memoranda of overall understanding as soft-law measures to fight against counterfeiting and piracy, and supports the idea of developing such measures further, involving all stakeholders in the value chain;</p>
<p>Comment: There are no “memoranda of overall understanding”. There are “memoranda of understanding” which lead sometimes to privatized enforcement of the law without any judicial supervision.</p>	

Or. fr



Amendment 61
Max Andersson, Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Paragraph 4

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
4. Welcomes the approach of depriving IPR infringers of their revenues by means of agreements between right-holders and their partners; supports the elaboration of memoranda of understanding as soft-law measures to fight against counterfeiting and piracy , and supports the idea of developing such measures further among stakeholders;	4. Welcomes the approach of depriving IPR infringers of their revenues by means of agreements between right-holders and their partners; supports the elaboration of memoranda of understanding as soft-law measures to fight against counterfeiting and supports the idea of developing such measures further among stakeholders; reminds the Commission that it is precluded by the 2003 Inter-Institutional Agreement^{8a} from supporting self- and co-regulatory mechanisms where fundamental rights, such as the right to freedom of expression, are at stake;
	—————
	^{8a} The Inter-Institutional Agreement on Better Law-Making between the European Parliament, the Council and the Commission (2003/C 321/01)

Or. en



Amendment 62
Axel Voss, Angelika Niebler
Motion for a resolution
Paragraph 4

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
4. Welcomes the approach of depriving IPR infringers of their revenues by means of agreements between right-holders and their partners; supports the elaboration of memoranda of understanding as soft-law measures to fight against counterfeiting and piracy, and supports the idea of developing such measures further among stakeholders;	4. Welcomes the approach of depriving IPR infringers of their revenues by means of agreements between right-holders and their partners;
<p>Comment: Such restrictive measures cannot be enforced by agreements. All that rightholders and their unnamed “partners” can do is to take vigilante action against organisations they assume to be breaching IPR.</p>	



Amendment 63

Victor Negrescu

Motion for a resolution

Paragraph 4

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>4. Welcomes the approach of depriving IPR infringers of their revenues by means of agreements between right-holders and their partners; supports the elaboration of memoranda of understanding as soft-law measures to fight against counterfeiting and piracy, and supports the idea of developing such measures further among stakeholders;</p>	<p>4. Welcomes the approach of depriving IPR infringers of their revenues by means of agreements between right-holders and their partners; supports the elaboration of memoranda of understanding as soft-law measures to fight against counterfeiting and piracy, and supports the idea of developing such measures further among stakeholders; <i>In this respect recommends the Commission to conduct a research on how these counterfeiting operations are cross-funding their activities (selling counterfeit products and providing illegal content).</i></p>
<p>Comments: Further research is warranted, however this amendment does not address the fundamental flaws of the original text.</p>	

Or. en



Amendment 64

Max Andersson, Lidia Joanna Geringer de Oedenberg

Motion for a resolution

Paragraph 5

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>5. Welcomes the approach taken by the Commission to develop targeted awareness campaigns; believes that it is essential that the concrete consequences of IPR infringements for society as a whole, and for consumers and citizens individually, should be understood by all; believes that consumers should be better informed of what IPR consist of, and what can be done or not done with protected goods and content; calls on the Commission and the Member States to further develop awareness actions aimed at specific audiences and relevant markets;</p>	<p>5. Welcomes the approach taken by the Commission to develop targeted awareness campaigns; believes that it is essential that the concrete consequences of IPR infringements for society as a whole, and for consumers and citizens individually, should be understood by all; believes that consumers should be better informed of what IPR consist of, and what can be done or not done with protected goods and content <i>as foreseeability of the law is a precondition for its respect</i>; calls on the Commission and the Member States to further develop awareness actions aimed at specific audiences and relevant markets;</p>

 **Amendment 65**

Angel Dzhambazki
Motion for a resolution
Paragraph 5

	-
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>5. Welcomes the approach taken by the Commission to develop targeted awareness campaigns; believes that it is essential that the concrete consequences of IPR infringements for society as a whole, and for consumers and citizens individually, should be understood by all; believes that consumers should be better informed of what IPR consist of, and what can be done or not done with protected goods and content; calls on the Commission and the Member States to further develop awareness actions aimed at specific audiences and relevant markets;</p>	<p>5. Welcomes the approach taken by the Commission to develop targeted awareness campaigns; believes that it is essential that the concrete consequences of IPR infringements for society as a whole and for consumers and citizens individually should be understood by all; believes that consumers should be better informed of what IPR consists of, its important contribution to jobs in the European Union , what can be done or not done with protected goods and content and the effects of IPR infringements on criminal activity; calls on the Commission and the Member States to work with the European Observatory on Infringements of IPRs to further develop awareness actions aimed at specific audiences and relevant markets;</p>
<p>Comments: In light of the structural problems of the European Observatory and the lack of accuracy of their studies, we cannot support this amendment.</p>	

Or. en

 **Amendment 66**
Victor Negrescu
Motion for a resolution
Paragraph 5

	-
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>5. Welcomes the approach taken by the Commission to develop targeted awareness campaigns; believes that it is essential that the concrete consequences of IPR infringements for society as a whole, and for consumers and citizens individually, should be understood by all; believes that consumers should be better informed of what IPR consist of, and what can be done or not done with protected goods and content; calls on the Commission and the Member States to further develop awareness actions aimed at specific audiences and relevant markets;</p>	<p>5. Welcomes the approach taken by the Commission to develop targeted awareness campaigns; believes that it is essential that the concrete consequences of IPR infringements for society as a whole, and for consumers and citizens individually, should be understood by all; believes that consumers should be better informed of what IPR consist of, and what can be done or not done with protected goods and content; calls on the Commission and the Member States to further develop awareness actions aimed at specific audiences and relevant markets; In this</p>

	<p><i>respect recommends the Commission to further entrust the European Observatory on Counterfeiting and Piracy with a new public online platform containing Intellectual Property Rights guidelines such as the United Kingdom's IPO - I.P. Guide for Universities in order for people to have a better understanding of their work and their intellectual property of it.</i></p>
<p>Comments: In light of the structural problems of the European Observatory and the lack of accuracy of their studies, we cannot support this amendment.</p>	

Or. en



Amendment 67
Victor Negrescu
Motion for a resolution
Paragraph 5 a (new)

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<p><i>5a. Recommends a broader information campaign regarding the Intellectual Property Right Holders and Enforcement Authorities Platform so that right holder have a more active role in defending their rights across the European Union through the Enforcement Database secure network integration with the Directorate-General for Taxation and Customs Union. Further integration with the Police authorities and other customs of the world should be faster implemented for a better enforcement of Intellectual Property Rights.</i></p>
<p>Comments: The proposal to integrate right holders into enforcement and police authorities raises questions into how private actors potentially interfering in fundamental rights (freedom of expression, access to culture) is something necessary and proportionate in a democratic society.</p>	

Or. en



Amendment 68
Jean-Marie Cavada, Marc Joulaud
Motion for a resolution
Paragraph 5 a (new)

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>5a. Stresses the need to address, more specifically, the younger generation by means of appropriate campaigns to raise awareness, bearing in mind that, as a recent survey of perceptions of intellectual property has revealed, it is that particular generation that is least respectful of intellectual property rights;</i>
<p>Comments: What the consultation organized by the European Commission showed is that there needs to be a change in the copyright legislation so it is adapted to an era where the print is not the only form to distribute information and where the concept of authors, editors and rightholders has evolved into something different from what it was when copyright norms were created.</p>	

Or. fr



Amendment 69
Jean-Marie Cavada, Marc Joulaud
Motion for a resolution
Paragraph 5 b (new)

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>5b. Stresses the importance of initiatives to assess and monitor the development of knowledge of young people's understanding and perception of intellectual property in order to better understand their needs and to define the most appropriate action to take;</i>

Or. fr




Amendment 70
Jean-Marie Cavada
Motion for a resolution
Paragraph 6

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>6. Believes at the same time that consumers should be better able to identify infringing offers so that they can decide not to proceed with a given purchase; deplores the fact that the Commission's action plan does not include any action designed to</p>	<p>6. Believes at the same time that the public authorities and European institutions should help consumers to be better able to identify infringing offers so that they can decide not to proceed with a given purchase; encourages the Commission</p>

<p><i>improve consumers' ability to identify infringing goods and contents, and calls on the Commission to reflect further on the development of specific tools, including labelling, based on the experiences gathered by the Commission and the European Observatory on Counterfeiting and Piracy, especially with regard to the sharing of best practices;</i></p>	<p><i>and Member States to introduce effective measures requiring each participant in the supply chain to refrain from using means intended to mislead consumers; calls in particular on the Commission to step up measures to combat unfair on-line trading practices, particularly those aimed directly at consumers;</i></p>
<p>Better implementation of consumer legislation – including unfair contract terms – would be a step forward. The removal of the reference to the failing EU Observatory is also positive.</p>	

Or. fr

 **Amendment 71**
Angel Dzhambazki, Sajjad Karim
Motion for a resolution

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>6. Believes at the same time that consumers should be better able to identify infringing offers so that they can decide not to proceed with a given purchase; deplores the fact that the Commission's action plan does not include any action designed to improve consumers' ability to identify infringing goods and contents, and calls on the Commission to reflect further on the development of specific tools, including labelling, based on the experiences gathered by the Commission and the European Observatory on Counterfeiting and Piracy, especially with regard to the sharing of best practices;</p>	<p>6. Believes at the same time that consumer information, including information about obligations, should be enhanced so consumers are better able to identify infringing offers so that they can decide not to proceed with a given purchase; deplores the fact that the Commission's action plan does not include any action designed to improve consumers' ability to identify infringing goods and contents, and calls on the Commission to reflect further on the development of specific tools, including labelling, based on the experiences gathered by the Commission and the European Observatory on Infringements of IPRs, especially with regard to the sharing of best practices;</p>
<p>Comment: Given the lack of accuracy of the Observatory no measures should be based on its studies.</p>	

Or. en



Amendment 72
Constance Le Grip
Motion for a resolution
Paragraph 6

<i>Motion for a resolution</i>	<i>Amendment</i>
<p>6. <i>Believes at the same time that consumers should be better able to identify infringing offers so that they can decide not to proceed with a given purchase</i>; deplores the fact that the Commission's action plan does not include any action designed to improve consumers' ability to identify infringing goods and contents, and calls on the Commission to reflect further on the development of specific tools, <i>including labelling, based on the experiences gathered by the Commission and the European Observatory on Counterfeiting and Piracy, especially with regard to the sharing of best practices</i>;</p>	<p>6. Deplores the fact that the Commission's action plan does not include any action designed to improve consumers' ability to identify infringing goods and contents, and calls on the Commission to reflect further on the development of specific tools, <i>particularly the establishment of a harmonised European system of notification/withdrawal of infringing goods and content, so that consumers and undertakings can take action when they are misled in the same way as they can act to draw attention to undesirable content</i>;</p>
<p>Comment: Given the often counterproductive ways current notification mechanism functions, we feel that this amendment should not be supported.</p>	

Or. fr



Amendment 73
Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Paragraph 6

<i>Motion for a resolution</i>	<i>Amendment</i>
<p>6. Believes at the same time that consumers should be better able to identify infringing offers so that they can decide not to proceed with a given purchase; deplores the fact that the Commission's action plan does not include any action designed to improve consumers' ability to identify infringing goods and contents, and calls on the Commission to reflect further on the development of specific tools, including labelling, based on the experiences gathered by the Commission and the European Observatory on Counterfeiting and Piracy, especially with regard to the sharing of best practices;</p>	<p>6. Believes at the same time that consumers should be better able to identify infringing offers so that they can decide not to proceed with a given purchase; deplores the fact that the Commission's action plan does not include any action designed to improve consumers' ability to identify infringing goods and contents, and calls on the Commission <i>and the Member States</i> to reflect further on the development of specific tools, including labelling, based on the experiences gathered by the Commission and the European Observatory on Counterfeiting and Piracy, especially with regard to the sharing of best practices;</p>
<p>Comment: Given the lack of accuracy of the Observatory no measures should be based on its</p>	

studies.

Or. pl



Amendment 74

Jean-Marie Cavada, Marc Joulaud

Motion for a resolution

Paragraph 6

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
6. Believes at the same time that consumers should be better able to identify infringing offers so that they can decide not to proceed with a given purchase; deplores the fact that the Commission's action plan does not include any action designed to improve consumers' ability to identify infringing goods and contents, and calls on the Commission to reflect further on the development of specific tools, including labelling, based on the experiences gathered by the Commission and the European Observatory on Counterfeiting and Piracy , especially with regard to the sharing of best practices;	6. Believes at the same time that consumers should be better able to identify infringing offers so that they can decide not to proceed with a given purchase; deplores the fact that the Commission's action plan does not include any action designed to improve consumers' ability to identify infringing goods and contents, and calls on the Commission to reflect further on the development of specific tools, guides , including labelling, based on the experiences gathered by the Commission and the European Observatory on Infringements of Intellectual Property Rights , especially with regard to the sharing of best practices;
Comment: Given the lack of accuracy of the Observatory no measures should be based on its studies.	

Or. fr



Amendment 75

Virginie Rozière

Motion for a resolution

Paragraph 6 a (new)

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
	6a. Considers that it will be possible to achieve greater transparency and better information in an effective manner only with the cooperation of the main internet stakeholders who convey content protected by IPR and that it is therefore desirable to involve them in such efforts to achieve transparency and the circulation of information;
Comments: The risks to the functioning of the rule of law when private actors are put to police and judge Internet behaviour are too high and this should not be supported by the European Parliament.	

Or. fr

**Amendment 76**

Lidia Joanna Geringer de Oedenberg

Motion for a resolution

Paragraph 7

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
7. Insists on the need to coordinate initiatives and campaigns in order to avoid duplication of work and ensure coherence and efficiency;	7. Insists on the need to coordinate initiatives and campaigns in all Member States in order to avoid duplication of work and ensure coherence and efficiency;

Or. pl

**Amendment 77**

Mady Delvaux

Motion for a resolution

Paragraph 8

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
8. Believes that the lack of a competitive supply of non-infringing products and content makes it difficult to deter consumers from buying unlawful goods or using unlawful content; takes the view that sufficient progress has not been made in this area, and reiterates its demand that the Commission and Member States put more pressure on the industry to develop, in all Member States, licit offers that are both diversified and attractive;	Deleted
Comment: The original text seeks to address a core element of this policy area. It is baffling that anybody would oppose this.	

Or. fr

**Amendment 78**

Dietmar Köster

Motion for a resolution

Paragraph 8

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
8. Believes that the lack of a competitive supply of non-infringing products and content makes it difficult to deter consumers from buying unlawful goods or using unlawful content; takes the view that sufficient progress has not been made in this area, and reiterates its demand that the Commission and Member States put more pressure on the industry to develop, in all	8. Believes that the lack, to some extent , of a competitive supply of non-infringing products and content makes it difficult to deter consumers from buying unlawful goods or using unlawful content; takes the view that further progress needs to be made in this area, and reiterates its demand that the Commission and Member States put more pressure on the industry to

Member States, licit offers that are both diversified and attractive;	develop, in all Member States, licit offers that are both diversified and attractive;
Comments: This amendment weakens a very well-balanced part of the report.	

Or. de



Amendment 79

Virginie Rozière

Motion for a resolution

Paragraph 8

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
8. Believes that the lack of a competitive supply of non-infringing products and content makes it difficult to deter consumers from buying unlawful goods or using unlawful content; takes the view that sufficient progress has not been made in this area, and reiterates its demand that the Commission and Member States put more pressure on the industry to develop, in all Member States, licit offers that are both diversified and attractive;	8. Believes that in certain sectors, particularly the audiovisual, the poor competitive supply of non-infringing products and content makes it difficult to deter consumers from buying unlawful goods or using unlawful content; takes the view that sufficient progress has not been made in this area, and reiterates its demand that the Commission and Member States put more pressure on the industry to develop, in all Member States, licit offers that are both diversified and attractive;
Comments: This amendment weakens a very well-balanced part of the report.	

Or. fr



Constance Le Grip

Motion for a resolution

Paragraph 8

+	
<i>Motion for a resolution</i>	<i>Amendment</i>
8. Believes that the lack of a competitive supply of non-infringing products and content makes it difficult to deter consumers from buying unlawful goods or using unlawful content; takes the view that sufficient progress has not been made in this area, and reiterates its demand that the Commission and Member States put more pressure on the industry to develop, in all Member States, licit offers that are both diversified and attractive;	8. Believes that progress with regard to the competitive supply of non-infringing products and content must continue, so that citizens/consumers genuinely have every opportunity to purchase licit goods or to use licit content.
Comments: Despite being positive, this amendment is less desirable than the original text.	

Or. fr



Amendment 81
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 8

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>8. Believes that <i>the lack of a competitive supply of non-infringing products and content makes it</i> difficult to deter consumers from buying unlawful goods or using unlawful content; <i>takes the view that sufficient progress has not been made in this area, and reiterates its demand that the Commission and Member States put more pressure on the industry to develop, in all Member States, licit offers that are both diversified and attractive;</i></p>	<p>8. Believes that <i>it can be</i> difficult to deter consumers from buying unlawful goods or using unlawful content <i>and that this can be due to a lack of consumer awareness about legal offers in addition to a lack of supply;</i></p>
<p>Comments: This amendment weakens a very well-balanced part of the report.</p>	

Or. en



Amendment 82
Jean-Marie Cavada, Marc Joulaud
Motion for a resolution
Paragraph 8

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>8. Believes that <i>the lack of a competitive supply of non-infringing products and content makes it difficult to deter consumers from buying unlawful goods or using unlawful content;</i> takes the view that sufficient progress has not been made in this area, and reiterates its demand that the Commission and Member States <i>put more pressure on</i> the industry <i>to develop,</i> in all Member States, licit offers that are both diversified and attractive;</p>	<p>8. Believes that <i>infringements of IPR hamper the development of new economic models whose competitiveness is damaged by illicit offers an abusive practices;</i> takes the view that sufficient progress has not been made in this area, and reiterates its demand that the Commission and Member States <i>support</i> the <i>cultural and creative industry in developing,</i> in all Member States, licit offers that are both diversified and attractive;</p>
<p>Comments: This amendment weakens a very well-balanced part of the report.</p>	

Or. fr



Amendment 83
Jean-Marie Cavada
Motion for a resolution
Paragraph 9

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<i>9. Takes the view as well that opportunities for infringement should not be created, and that business models should be reconsidered by the industry in certain sectors;</i>	<i>Deleted</i>
Comments: This amendment removes a very strong point in the report. It is odd that a parliamentarian would seek to avoid dealing with the totality of the problem being addressed.	

Or. fr



Amendment 84
Constance Le Grip
Motion for a resolution
Paragraph 9

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<i>9. Takes the view as well that opportunities for infringement should not be created, and that business models should be reconsidered by the industry in certain sectors;</i>	<i>Deleted</i>
Comments: This amendment removes a salient point in the report.	

Or. fr



Amendment 85
Mady Delvaux
Motion for a resolution
Paragraph 9

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<i>9. Takes the view as well that opportunities for infringement should not be created, and that business models should be reconsidered by the industry in certain sectors;</i>	<i>Deleted</i>
Comments: This amendment removes a salient point in the report.	

Or. fr



Amendment 86
Dietmar Köster
Motion for a resolution
Paragraph 9

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
9. Takes the view as well that opportunities for infringement should not be created, and that business models should be reconsidered by the industry in certain sectors ;	9. Takes the view as well that one way of strengthening IPR could be to develop innovative business models; further stresses that the improvement and constant adaptation of such models to the advance of technology should be reconsidered for certain sectors of the industry;

Or. de



Amendment 87
Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Paragraph 9

+	
<i>Motion for a resolution</i>	<i>Amendment</i>
9. Takes the view as well that opportunities for infringement should not be created, and that business models should be reconsidered by the industry in certain sectors;	9. Takes the view as well that opportunities for infringement should not be created, and that business models should be reconsidered by the industry in certain sectors; feels, furthermore, that adequate safeguards should be taken in respect of copyright-protected goods ;
Comments: This amendment is somewhat redundant in the context of the report.	

Or. pl



Amendment 88
Victor Negrescu
Motion for a resolution
Paragraph 9

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
9. Takes the view as well that opportunities for infringement should not be created, and that business models should be reconsidered by the industry in certain sectors;	9. Takes the view as well that opportunities for infringement should not be created, and that business models should be reconsidered by the industry in certain sectors; Recommends the acknowledgement of all cultural entities, including authors and performers to be provided with up-to-date, EU-wide recognition and legal protection for their creative and artistic work through

	<i>exclusive rights and recognition of the producers and publishers role in producing and bringing works to the market, and the need for fair compensation for all categories of right holders, in the digital environment and in the analogue world alike.</i>
Comments: This amendment is in denial of the reality that a substantial group of authors and performers already have found other business models and do not believe in compensation through IPR licenses anymore.	

Or. en



Amendment 89
Max Andersson
Motion for a resolution
Paragraph 9 a (new)

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>9a. Asks the Commission to increase its efforts to put an end to extortion practices profiting from over-broad protection of vaguely defined intellectual property assets;</i>

Or. en



Amendment 90
Jean-Marie Cavada
Motion for a resolution
Paragraph 9 a (new)

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>9a. Stresses that intellectual property rights are guarantors of the creativity, innovation and competitiveness of the cultural and creative industries in particular, but also of other industrial sectors, as underlined by Commission in its Communication ‘For a European industrial renaissance’; calls on the Commission to continue the work of taking IPR into account as a factor in the competitiveness of the European economy;</i>
It is ironic, perhaps deliberately so, that the amendment refers to the renaissance, which was extremely creative but where there was no copyright.	

Or. fr

**Amendment 91****Max Andersson, Lidia Joanna Geringer de Oedenberg****Motion for a resolution****Paragraph 9 b (new)**

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>9b. Takes the view that extensive intermediary liability regimes threatens the development of new business models and a free and open internet;</i>

Or. en

Amendment 92**Daniel Buda****Motion for a resolution****Paragraph 10 a (new)**

<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>10a. Welcomes the decision set out in the Commission's Communication to the European Parliament and to the Council of 1 July 2014, and more specifically Action 4 therein, which was aimed at improving IPR civil enforcement procedures for SMEs, in particular in respect of low value claims and possible action in that field;</i>

Or. ro

**Amendment 93****Dietmar Köster****Motion for a resolution****Paragraph 10**

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
<i>10. Welcomes the Commission's declared intention to support SMEs in enforcing their IPR and, in particular, to further assess SMEs' needs for future EU action;</i>	<i>10. Notes the Commission's intention to further assess the need for the enforcement of IPR for SMEs with a view to future EU action; further stresses that this should also apply to independent creators;</i>
Comments: We welcome putting authors, inventors and performers back at the center of any IPR enforcement.	

Or. de



Amendment 94

Lidia Joanna Geringer de Oedenberg

Motion for a resolution

Paragraph 10

+	
<i>Motion for a resolution</i>	<i>Amendment</i>
10. Welcomes the Commission's declared intention to support SMEs in enforcing their IPR and, in particular, to further assess SMEs' needs for future EU action;	10. Welcomes the Commission's declared intention to support SMEs in enforcing their IPR <i>through improving accessible ways of civil redress in order to better fight market abuse from larger competitors</i> and, in particular, to further assess SMEs' needs for future EU action;
Comments: We welcome the initiative of enhancing IPR enforcement via civil redress rather than the usual privatised enforcement of the law which is usually suggested for IPR enforcement.	

Or. en



Amendment 95

Dietmar Köster

Motion for a resolution

Paragraph 11

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<i>11. Calls on the Commission to make sure that any measure taken will have a limited impact in terms of the burden and cost imposed on SMEs; in particular, calls on the Commission to assess further how SMEs could take part in qualitative auditing schemes and to identify what specific measures could be taken in favour of SMEs to this end;</i>	<i>Deleted</i>
Comments: We think this amendment removes a valid part of the report.	

Or. de



Amendment 96
Victor Negrescu
Motion for a resolution
Paragraph 11

+	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>11. Calls on the Commission to make sure that any measure taken will have a limited impact in terms of the burden and cost imposed on SMEs; in particular, calls on the Commission to assess further how SMEs could take part in qualitative auditing schemes and to identify what specific measures could be taken in favour of SMEs to this end;</p>	<p>11. Calls on the Commission to make sure that any measure taken will have a limited impact in terms of the burden and cost imposed on SMEs; in particular, calls on the Commission to assess further how SMEs could take part in qualitative auditing schemes and to identify what specific measures could be taken in favour of SMEs to this end, <i>thus should take as a basis a high level of protection, and develop and evidence-based approach taking into consideration the interest of small and medium-sized enterprises, since rights are crucial to intellectual creation and provide a stable, clear and flexible legal base that fosters, investments and growth in the creative and cultural sector, whilst removing legal uncertainties and inconsistencies that adversely affect the functioning of the internal market to the prejudice of consumers and right holders;</i></p>
<p>Comments: We support evidence- based approaches on the whole spectrum of IPR-enforcement. However we do not share the view that a high level of protection is necessary.</p>	


Or. en



Amendment 97
Max Andersson, Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Paragraph 12

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>12. Insists on the need to take into account SMEs when drafting legislation, and reiterates that the ‘think small first’ principle should be applied at all times;</p>	<p>12. Insists on the need to take into account SMEs when drafting legislation, and reiterates that the ‘think small first’ principle should be applied at all times, <i>in particular with regards to clarifying which achievements constitute patentable subject matter;</i></p>

Or. en

 **Amendment 98**
Dietmar Köster
Motion for a resolution
Paragraph 12

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
12. Insists on the need to take into account SMEs when drafting legislation, and reiterates that the ‘think small first’ principle should be <i>applied at all times</i> ;	12. Insists on the need to take into account SMEs when drafting legislation <i>for businesses</i> , and reiterates that the ‘think small first’ principle should be <i>taken into account</i> ;

Or. de

 **Amendment 99**
Kostas Chrysogonos
Motion for a resolution
Paragraph 13

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
13. Stresses the importance of access to justice and of <i>the cost-effectiveness of judicial proceedings, especially for SMEs, and calls for the development of mediation services and other business-to-business alternative dispute resolution schemes</i> in the area of IPR;	13. Stresses the importance of access to justice and of judicial proceedings, <i>to resolve disputes</i> in the area of IPR;

Or. en

 **Amendment 100**
Dietmar Köster
Motion for a resolution
Paragraph 13

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
13. Stresses the importance of access to justice and of the cost-effectiveness of judicial proceedings, especially for SMEs, <i>and calls for the development of mediation services and other business-to-business alternative dispute resolution schemes in the area of IPR</i> ;	13. . Stresses the importance of access to justice and of the cost-effectiveness of judicial proceedings, especially for SMEs;

Or. de



Amendment 101
Victor Negrescu
Motion for a resolution
Paragraph 13 a (new)

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<p><i>13a. Stresses that Europe’s cultural and creative industries are a driving force for social and economic development as well as job creation in Europe, while reminding that notable contribution to the economic growth, innovation and job creation in the European Union is also generated by creators, designers and institutions relying on exceptions and limitations to copyright, stresses that any legislative initiative to modernise copyright should be based on independent evidence regarding the impact on growth and jobs, particularly SME’s in the cultural and creative sectors, access to knowledge and culture, as well as its potential costs and benefits;</i></p>

Or. en



Amendment 102
Jean-Marie Cavada
Motion for a resolution
Paragraph 13 a (new)

+	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<p><i>13a. Stresses the importance of regularly analysing the factors which decisively influence decisions by SMEs to use or not to use IPR, so as to identify where improvements could be made, whether in the case of innovative SMEs or in the case of SMEs which encounter problems, in particular, in exercising their IPR;</i></p>
<p>This amendment has some positive elements, but appears to view IPR as an end in itself, rather than as a tool.</p>	

Or. fr

**Amendment 103**

Kostas Chrysogonos, Jiří Maštálka

Motion for a resolution

Paragraph 14

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
14. <i>Expresses its satisfaction about the development of the activities of the European Observatory on Counterfeiting and Piracy as a tool for collecting and exchanging data and information on all forms of IPR infringements, and welcomes in particular the efforts made and the results obtained, notably as regards the Enforcement Database and the Anti-Counterfeiting Intelligence Support Tool;</i>	14. <i>Expects the European Observatory on Counterfeiting and Piracy to function as a tool for collecting and exchanging data and information on all forms of IPR infringements, and welcomes in particular the efforts made and the results obtained so far; calls on the Commission to monitor the work of the Observatory making sure that its reports are of a high quality, and use rigorously this evidence to propose solutions for improving legislation; calls on the Commission to report back to Parliament on this on a regular basis;</i>

Or. en

**Amendment 104**

Jean-Marie Cavada

Motion for a resolution

Paragraph 14

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
14. Expresses its satisfaction about the development of the activities of the European Observatory on <i>Counterfeiting and Piracy</i> as a tool for collecting and exchanging data and information on all forms of IPR infringements, <i>and welcomes in particular the efforts made and the results obtained, notably as regards the Enforcement Database and the Anti-Counterfeiting Intelligence Support Tool;</i>	14. Expresses its satisfaction about the development of the activities of the European Observatory on <i>Infringements of Intellectual Property Rights as a useful aid to the deliberations of political decision-makers and</i> as a tool for collecting and exchanging data and information on all forms of IPR infringements;
Comments: The work of the Observatory has not been of high quality and should be subject to far more critical assessment by the Parliament.	

Or. fr



Amendment 105
Jean-Marie Cavada
Motion for a resolution
Paragraph 14 a (new)

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<p><i>14a. Welcomes in particular the efforts made and the results achieved by the Observatory, particularly regarding specialised studies and tools, such as the implementation database and the Anti-Counterfeiting Intelligence Support Tool database, and calls on Member States to take full advantage of them;</i></p>
<p>Comments: The work of the Observatory has not been of high quality and should be subject to far more careful scrutiny by the Parliament.</p>	

Or. fr



Amendment 106
Jean-Marie Cavada
Motion for a resolution
Paragraph 15

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
<p>15. Calls on the Commission to make use of the data collected by the Observatory, and of the results of the Observatory's activities, to draw conclusions and propose solutions for improving IPR enforcement to be used by policy-makers; calls on the Commission to report back to Parliament on this on a regular basis;</p>	<p>15. Calls on the Commission to make full use of the data collected by the Observatory, and of the results of the Observatory's activities, to draw conclusions and propose solutions for improving IPR enforcement to be used by policy-makers; calls on the Commission to report back to Parliament on this on a regular basis;</p>
<p>Comments: The work of the Observatory has not been of high quality and therefore the "full use" of the data obtained by them is counter-productive to produce any sort of legislation on IPR.</p>	

Or. fr



Amendment 107
Victor Negrescu
Motion for a resolution
Paragraph 15 a (new)

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
	15a. Stresses that the enforcement on Intellectual Property is needed for the stimulation of investments in innovation which is a key element for the smooth functioning of the internal market;

Or. en



Amendment 108
Enrico Gasbarra
Motion for a resolution
Paragraph 16

+	
<i>Motion for a resolution</i>	<i>Amendment</i>
16. Welcomes the establishment by the Commission of an expert group on IPR enforcement, and calls on the Commission to invite Parliament to send experts to attend its meetings;	16. Welcomes the establishment by the Commission of an expert group on IPR enforcement, and calls on the Commission to ensure that Parliament is involved more closely in the group's work and in particular that it be asked to send experts to attend its meetings;
Comment: Although the amendment is positive, the need to involve civil society and other stakeholders in the IPR working group is necessary to bring different voices to the debates.	

Or. it



Amendment 109
Jean-Marie Cavada
Motion for a resolution
Paragraph 16

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
16. Welcomes the establishment by the Commission of an expert group on IPR enforcement, and calls on the Commission to invite Parliament to send experts to attend its meetings;	16. Welcomes the establishment by the Commission of an expert group on IPR enforcement, and calls on the Commission to invite Parliament and, where necessary, the European Observatory on Infringements of Intellectual Property Rights , to send experts to attend its meetings;
Comments: The work of the Observatory has not been of high quality and should not be blindly and uncritically supported.	



Amendment 110
Jean-Marie Cavada
Motion for a resolution
Paragraph 16 a (new)

+	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>16a. Stresses the need to work together and for information to be exchanged between all parties;</i>



Amendment 111
Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Paragraph 17

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
17. Welcomes the publication of the Commission's report on the application of the IPR Enforcement Directive ⁹ , while noting that only limited conclusions can be drawn in some respects owing to the late transposition of the directive by some Member States; calls on the Commission to provide further analysis of the impact of the directive, in particular on innovation and on the development of the information society, as required by its Article 18(1) and as called for by Parliament in its resolution of 22 September 2010;	17. Welcomes the publication of the Commission's report on the application of the IPR Enforcement Directive ⁹ , while noting that only limited conclusions can be drawn in some respects owing to the late transposition of the directive by some Member States; calls on the Commission to provide further analysis of the impact of the directive, in particular on innovation and on the development of the information society, as required by its Article 18(1) and as called for by Parliament in its resolution of 22 September 2010; <i>recalls, however, that a number of other aspects of enforcing intellectual property rights were identified by the Commission, such as the role of intermediaries in combating infringements, which could also prove useful in the fight against abuses;</i>
_____	_____
⁹ COM(2010) 779.	⁹ COM(2010) 779.
Comments: The European Union should not rely on private companies in combating IPR infringements.	



Amendment 112
Virginie Rozière
Motion for a resolution
Paragraph 18

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
18. Takes note of the Commission’s report indicating that the IPR Enforcement Directive is in some respects out of step with the digital age and insufficient for combating online infringements; calls on the Commission to come up with a detailed assessment of the limitations of the current legal framework as regards online activities and, if appropriate, with proposals for adapting the EU legislative framework to the internet environment;	18. Takes note of the Commission’s report indicating that the IPR Enforcement Directive is in some respects out of step with the digital age and insufficient for combating online infringements; calls on the Commission to come up with a detailed assessment of the limitations of the current legal framework as regards online activities and, if appropriate, with proposals for adapting the EU legislative framework to the internet environment; <i>stresses that any such proposals must be subject to a detailed impact assessment;</i>

Or. fr



Amendment 113
Enrico Gasbarra
Motion for a resolution
Paragraph 20

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
20. Reiterates its call for a comprehensive IPR strategy, including a complete and strong legal framework to combat counterfeiting and piracy adapted to the online environment;	20. Reiterates its call for a comprehensive IPR strategy, including a complete and strong legal framework to combat counterfeiting and piracy adapted to the online environment, <i>with full regard for fundamental guarantees and data protection;</i>

Or. it



Amendment 114
Angel Dzhambazki
Motion for a resolution
Paragraph 20

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
20. Reiterates its call for a comprehensive IPR strategy, including a complete and strong legal framework to combat counterfeiting and piracy adapted to the online environment;	20. Reiterates its call for a comprehensive IPR strategy, including a complete and strong legal framework to combat counterfeiting and piracy adapted to the online environment; <i>calls on the Commission to take into account the IPR</i>

	<i>and copyright reform initiative concerning Directive 2001/29/EC, with special attention to territoriality, licensing and the digital context;</i>
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Or. en



Amendment 115

Sajjad Karim

Motion for a resolution

Paragraph 20

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
20. Reiterates its call for a comprehensive IPR strategy, including a complete and strong legal framework to combat counterfeiting and piracy adapted to the online environment;	20. Reiterates its call for a comprehensive IPR strategy, including a complete and strong legal framework to combat IPR infringement adapted to the online environment;

Or. en



Amendment 116

Dietmar Köster

Motion for a resolution

Paragraph 20

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
20. Reiterates its call for a comprehensive IPR strategy, including a complete and strong legal framework to combat counterfeiting and piracy adapted to the online environment;	20. Reiterates its call for an IPR strategy, including a legal framework to combat counterfeiting and piracy adapted to the online environment;
Comments: The first step is to have a strategy. The second step is to work out how to implement it.	

Or. de



Amendment 117

Daniel Buda

Motion for a resolution

Paragraph 20

-	
<i>Motion for a resolution</i>	<i>Amendment</i>
20. Reiterates its call for a comprehensive IPR strategy, including a complete and strong legal framework to combat counterfeiting and piracy adapted to the online environment;	20. Reiterates its call for a comprehensive IPR strategy, including a complete and strong legal framework to combat counterfeiting and piracy adapted to the online environment; considers that legal protection is urgently needed for new creations since this will encourage investment and lead on to further

innovations;

Or. ro



Amendment 118

Jiří Maštálka

Motion for a resolution

Paragraph 20 a (new)

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
	20a. Stresses that the enforcement of intellectual property rights should be proportionate and respect users' fundamental rights and freedoms, such as the right to presumption of innocence, the right to fair trial, confidentiality of communications. Any restrictions to users' rights must be foreseen by law.

Or. en



Amendment 119

Max Andersson, Lidia Joanna Geringer de Oedenberg

Motion for a resolution

Paragraph 21

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
21. Insists on the important role played by customs and international cooperation in the fight against IPR infringement in cross-border trade;	21. Insists that the important role played by customs and international cooperation in the fight against IPR infringement in cross-border trade must not undermine global public health targets and trade in generic medicines;

Or. en

Amendment 120

Constance Le Grip

Motion for a resolution

Paragraph 21

<i>Motion for a resolution</i>	<i>Amendment</i>
21. Insists on the important role played by customs and international cooperation in the fight against IPR infringement in cross-border trade;	21. Insists on the important role played by customs and international cooperation in the fight against IPR infringement in cross-border trade and stresses the need to support and facilitate the work performed by customs services in mutual cooperation, by clarifying operational rules, particularly in order that this work may permit the effective performance of

	<i>inspections on goods in transit within EU territory;</i>
Comments: This out of EDRI's scope.	

Or. fr

Amendment 121
Victor Negrescu
Motion for a resolution
Paragraph 21

<i>Motion for a resolution</i>	<i>Amendment</i>
21. Insists on the important role played by customs and international cooperation in the fight against IPR infringement in cross-border trade;	21. Insists on the important role played by customs and international cooperation in the fight against IPR infringement in cross-border trade <i>and calls on the EU legislator to strictly define the quotations exception in light of its importance for cross-border exchange of knowledge;</i>
Comments: This out of EDRI's scope.	

Or. en

Amendment 122
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 23

<i>Motion for a resolution</i>	<i>Amendment</i>
23. Calls <i>on the Commission to reflect further on the remaining</i> issues raised in the context of IPR enforcement by customs, for example in relation to the storage and destruction of infringing goods;	23. Calls <i>for enhanced market surveillance, risk management and sharing of information among customs authorities on</i> issues raised in the context of IPR enforcement by customs, for example, in relation to the storage and destruction of infringing goods;
Comments: This out of EDRI's scope.	


Or. en

 **Amendment 123**
Angel Dzhambazki
Motion for a resolution
Paragraph 23 a (new)

<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>23a. Calls on the Commission to consider proposing OHIM's budgetary surplus or a significant part thereof, to be allocated to the support of training initiatives of</i>

	<i>national customs authorities to further strengthen and improve the IPR enforcement mechanism;</i>
Comments: The existence of a budgetary surplus at OHIM calls into question the fees asked by OHIM and is no reason for allocating it elsewhere.	

Or. en

 **Amendment 124**
Jean-Marie Cavada, Marc Joulaud
Motion for a resolution
Paragraph 24 a (new)

++	
<i>Motion for a resolution</i>	<i>Amendment</i>
	<i>24a. Stresses the importance of close cooperation and exchanges of information, as well as the importance of appropriate training of customs authorities, market surveillance authorities and judicial authorities;</i>

Or. fr