

Brussels, 14 September 2009

Intellectual Property Rights: Commission comes forward with practical, non-legislative measures to combat counterfeiting and piracy

The European Commission today adopted a Communication on enhancing the enforcement of intellectual property rights in the internal market. The Communication sets out a series of practical initiatives to respond to the dramatic and damaging effect that counterfeiting and piracy is having on EU economies and on society in general. The Commission is proposing to complement the existing legal framework by more focused enforcement through greater collaboration between the private sector, national authorities and consumers, throughout the internal market.

Internal Market and Services Commissioner Charlie McCreevy said: "*The EU is home to some of most successful businesses in the world who consider intellectual property rights to be amongst their most precious commercial possessions. Intellectual property rights encourage innovation and creativity which results in an essential cycle of business development, knowledge, further innovation and employment. They also offer consumers a reassurance that the products and services they buy are legitimate, reliable and above all safe. Unfortunately, there are always those who will seek to undermine honest intentions. We need to stop this dangerous trend not by more legislation, but by mobilising stronger collaboration helping us to fight back.*"

Intellectual property rights are a cornerstone of a creative, competitive, wealth-generating, knowledge-based society. Counterfeiting and piracy undermines this position, placing creators, business, jobs and consumers at ever-growing risk through fake products and services that pose a real threat to health and safety.

The Commission aims to ensure a highly **efficient, proportionate and predictable system of enforcement of intellectual property rights**, both within and outside the internal market. The current legal framework provides the tools to enforce intellectual property rights in a fair, effective and proportionate way.

Complementing legislation, the actions in this Communication aim to:

- support enforcement through a new **EU Observatory on counterfeiting and piracy** which will bring together national representatives, private sector experts and consumers to work to collect data on and analyse the scope and scale of the problem, share information, promote best practices and strategies, raise awareness and propose solutions to key problems;
- foster administrative cooperation across Europe by developing coordination to ensure that more effective exchanges of information and mutual assistance can take place. As a result, Member States are called to designate **National Coordinators**. An electronic network for information sharing will also need to be available.

- build coalitions between stakeholders to overcome conflicts and disputes, by developing **collaborative voluntary arrangements** that focus on concrete problems, such as the sale of counterfeit goods over the internet, and are capable to adapt quickly to changing markets and technology. Such agreements can also be more easily extended beyond the EU and become the foundation for best practice at global level.

The Communication results from the Commission's IPR Strategy for Europe adopted last year and builds upon the recent Council Resolution on a comprehensive European anti-counterfeiting and anti-piracy plan.

More information on enhancing the enforcement of IP rights in the internal market is available at:

http://ec.europa.eu/internal_market/iprenforcement/index_en.htm