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2014 - 2019

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*Committee on Legal Affairs*

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**2014/2151(INI)**

27.3.2015

# **AMENDMENTS**

## **1 - 124**

**Draft report**  
**Pavel Svoboda**  
(PE549.140v01-00)

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

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PE552.123v01-00

**EN**

*United in diversity*

**EN**

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**Amendment 1**  
**Max Andersson, Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Citation 1 a (new)**

*Motion for a resolution*

*Amendment*

**- 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)**

*Motion for a resolution*

*Amendment*

**- 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)**

*Motion for a resolution*

*Amendment*

**- 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’,*

Or. fr

**Amendment 4**  
**Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Citation 8 a (new)**

*Motion for a resolution*

*Amendment*

*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;*

Or. pl

**Amendment 5**  
**Daniel Buda**

**Motion for a resolution**  
**Citation 14 a (new)**

*Motion for a resolution*

*Amendment*

*- 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,*

Or. ro

**Amendment 6**  
**Kostas Chrysogonos, Jiří Maštálka**

**Motion for a resolution**  
**Recital A**

*Motion for a resolution*

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;***

*Amendment*

A. whereas intellectual property rights are one of the driving forces of innovation and creativity and a key contributor to competitiveness and employment;

Or. en

**Amendment 7**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital A**

*Motion for a resolution*

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;

*Amendment*

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;

Or. fr

**Amendment 8**  
**Max Andersson**

**Motion for a resolution**  
**Recital A**

*Motion for a resolution*

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;

*Amendment*

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;

Or. en

**Amendment 9**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Recital A**

*Motion for a resolution*

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;

*Amendment*

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***;

Or. en

**Amendment 10**  
**Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Recital A**

*Motion for a resolution*

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;

*Amendment*

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;

Or. pl

**Amendment 11**  
**Daniel Buda**

**Motion for a resolution**  
**Recital A**

*Motion for a resolution*

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;

*Amendment*

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;*** 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;

Or. ro

**Amendment 12**  
**Enrico Gasbarra**

**Motion for a resolution**  
**Recital -A (new)**

*Motion for a resolution*

*Amendment*

***-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;***

Or. it

**Amendment 13**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Recital B**

*Motion for a resolution*

*Amendment*

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); ***whereas these figures also illustrate the added value which IPR represent for the European economy in global competition;***

Or. fr

**Amendment 14**  
**Dietmar Köster**

**Motion for a resolution**  
**Recital B**



*Motion for a resolution*

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);

*Amendment*

B. whereas the EU faces a high number of intellectual property rights infringements, and whereas the volume and financial value of these infringements are **not insubstantial**, as reported by the Commission in its report on the application of the Directive on the enforcement of intellectual property rights (COM(2010)0779);

Or. de

**Amendment 15**

**Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**

**Recital B**

*Motion for a resolution*

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);

*Amendment*

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); ***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;***

Or. pl

**Amendment 16**

**Therese Comodini Cachia**

**Motion for a resolution**  
**Recital B a (new)**

*Motion for a resolution*

*Amendment*

***Ba. whereas IPR infringements including counterfeiting discourages growth, job creation, innovation and creativity;***

Or. en

**Amendment 17**  
**Constance Le Grip**

**Motion for a resolution**  
**Recital B a (new)**

*Motion for a resolution*

*Amendment*

***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;***

Or. fr

**Amendment 18**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital B a (new)**

*Motion for a resolution*

*Amendment*

***Ba. whereas adequate protection of intellectual property rights is a prerequisite for the development of the digital economy and of the digital single market;***

Or. fr

**Amendment 19**  
**Constance Le Grip**

**Motion for a resolution**  
**Recital C**

*Motion for a resolution*

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;

*Amendment*

C. whereas the development of e-commerce and online activities has changed the way IPR enforcement ***in the digital environment*** should be considered, particularly because it affords new possibilities for infringement;

Or. fr

**Amendment 20**  
**Enrico Gasbarra**

**Motion for a resolution**  
**Recital C**

*Motion for a resolution*

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;

*Amendment*

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, ***owing not least to new social behavioural patterns among users***;

Or. it

**Amendment 21**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Recital C**

*Motion for a resolution*

C. whereas the development of e-

*Amendment*

C. whereas the ***rapidly increasing***

commerce and online activities has changed the way IPR enforcement should be considered, particularly because it affords new possibilities for infringement;

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)**

*Motion for a resolution*

*Amendment*

*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;*

Or. pl

**Amendment 23**  
**Dietmar Köster**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

*Amendment*

**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<sup>8</sup>;

*deleted*

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<sup>8</sup> See OHIM Report 'European Citizens and intellectual property: perception, awareness and behaviour', November 2013.

**Amendment 24**  
**Axel Voss, Angelika Niebler**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

*Amendment*

**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<sup>8</sup>;

*deleted*

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

**Amendment 25**  
**Mady Delvaux**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

*Amendment*

**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***<sup>8</sup>;

**D.** whereas there is a certain level of tolerance among ***a substantial minority of*** Europeans for the idea that IPR infringements could be considered ***acceptable***;

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<sup>8</sup> ***See OHIM Report ‘European Citizens and intellectual property: perception, awareness and behaviour’, November 2013.***

**Amendment 26**  
**Enrico Gasbarra**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

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<sup>8</sup>;

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

*Amendment*

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<sup>8</sup> ***as well as poor understanding of which types of web content use are permitted***;

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

**Amendment 27**  
**Max Andersson, Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

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<sup>8</sup>;

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<sup>8</sup> See OHIM Report ‘European Citizens and intellectual property: perception, awareness and behaviour’, November

*Amendment*

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<sup>8</sup> ***and entrepreneurial start-up companies***;

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<sup>8</sup> See OHIM Report ‘European Citizens and intellectual property: perception, awareness and behaviour’, November

2013.

2013.

Or. en

**Amendment 28**  
**Constance Le Grip**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

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<sup>8</sup>;

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

*Amendment*

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<sup>8</sup>; ***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;***

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<sup>8</sup> 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**

*Motion for a resolution*

D. whereas there is a ***certain*** level of ***tolerance*** among ***Europeans for the idea***

*Amendment*

D. whereas there is a ***significant*** level of ***unawareness, especially*** among ***young***

*that IPR infringements could be considered legitimate, especially among the young generation*<sup>8</sup> ;

*people throughout the EU, regarding the potential consequences of IPR infringements on the European economy and on the general safety of citizens;*

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

Or. en

**Amendment 30**  
**Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

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<sup>8</sup>;

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

*Amendment*

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<sup>8</sup>, *due to a lack of suitable knowledge of the rights they enjoy and the rules that they should not break;*

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

Or. pl

**Amendment 31**  
**Jytte Guteland**

**Motion for a resolution**  
**Recital D a (new)**



*Motion for a resolution*

*Amendment*

***Da. whereas there is a certain level of knowledge gap among the younger generation regarding actions considered as infringements of intellectual property rights;***

Or. en

**Amendment 32**  
**Enrico Gasbarra**

**Motion for a resolution**  
**Recital D a (new)**

*Motion for a resolution*

*Amendment*

***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;***

Or. it

**Amendment 33**  
**Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Recital E**

*Motion for a resolution*

*Amendment*

E. whereas no one should make a profit out of IPR infringements;

E. whereas ***there is a need to redouble efforts to combat the illegal trade in counterfeit goods, and*** no one should make a profit out of IPR infringements;

Or. pl

**Amendment 34**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Recital F**

*Motion for a resolution*

F. whereas law enforcement is essential,  
and whereas *it is of the utmost importance*  
*to find effective means of enforcing* IPR;

*Amendment*

F. whereas law enforcement is essential,  
and whereas *Member States must adopt*  
*measures to enforce* IPR *effectively*;

Or. fr

**Amendment 35**  
**Enrico Gasbarra**

**Motion for a resolution**  
**Recital F**

*Motion for a resolution*

F. whereas law enforcement is essential,  
and whereas it is of the utmost importance  
to find effective means of enforcing IPR;

*Amendment*

F. whereas law enforcement is essential,  
and whereas it is of the utmost importance,  
*in the context of upholding fundamental*  
*rights and of data protection*, to find  
effective means of enforcing IPR;

Or. it

**Amendment 36**  
**Max Andersson, Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Recital F**

*Motion for a resolution*

F. whereas law enforcement is essential,  
and whereas it is of the utmost importance  
to find effective means of enforcing IPR;

*Amendment*

F. whereas law enforcement is essential  
*with regard to the foreseeability of the*  
*law*, and whereas it is of the utmost  
importance to find effective, *proportionate*  
*and dissuasive* means of enforcing IPR;

**Amendment 37**  
**Dietmar Köster**

**Motion for a resolution**  
**Recital F**

*Motion for a resolution*

F. whereas *law enforcement is essential, and whereas it is of the utmost importance to find effective* means of enforcing IPR;

*Amendment*

F. Whereas *Directive 2000/31/EC (the Electronic Commerce Directive) is an appropriate* means of enforcing IPR.

**Amendment 38**  
**Constance Le Grip**

**Motion for a resolution**  
**Recital F**

*Motion for a resolution*

F. whereas law enforcement is essential, and whereas it is of the utmost importance to find effective means of enforcing IPR;

*Amendment*

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;*

**Amendment 39**  
**Axel Voss, Angelika Niebler**

**Motion for a resolution**  
**Recital F**

*Motion for a resolution*

F. whereas law enforcement is essential,

*Amendment*

F. whereas law enforcement is essential,

and whereas it is of the utmost importance to find effective means of enforcing IPR;

and whereas it is of the utmost importance to find effective means of enforcing IPR *across borders*;

Or. de

**Amendment 40**  
**Dietmar Köster**

**Motion for a resolution**  
**Recital G**

*Motion for a resolution*

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;

*Amendment*

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**

*Motion for a resolution*

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*;

*Amendment*

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**

*Motion for a resolution*

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;***

*Amendment*

1. Welcomes ***in principle*** the communication of the Commission of 1 July 2014 presenting an action plan on the enforcement of intellectual property rights;

Or. de

**Amendment 43**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

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;

*Amendment*

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;***

Or. en

**Amendment 44**  
**Axel Voss, Angelika Niebler**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

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;

*Amendment*

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;

Or. de

**Amendment 45**  
**Dietmar Köster**

**Motion for a resolution**  
**Paragraph 1 a (new)**

*Motion for a resolution*

*Amendment*

***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;***

Or. de

**Amendment 46**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 1 a (new)**

*Motion for a resolution*

*Amendment*

***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;***

**Amendment 47**  
**Dietmar Köster**

**Motion for a resolution**  
**Paragraph 1 b (new)**

*Motion for a resolution*

*Amendment*

***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;***

Or. de

**Amendment 48**  
**Dietmar Köster**

**Motion for a resolution**  
**Paragraph 1 c (new)**

*Motion for a resolution*

*Amendment*

***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;***

Or. de

**Amendment 49**  
**Jean-Marie Cavada, Marc Joulaud**

**Motion for a resolution**  
**Subheading 1**

*Motion for a resolution*

Involving all actors in the supply chain

*Amendment*

Involving all actors in the supply chain,  
***both on line and off line***

Or. fr

**Amendment 50**  
**Dietmar Köster**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

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;***

*Amendment*

2. Believes that all actors in the supply chain ***in the offline context*** have a role to play in the fight against IPR infringement and should be involved in this process; stresses that ***the*** approach ***adopted must involve*** all actors

Or. de

**Amendment 51**  
**Max Andersson, Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

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;

*Amendment*

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; ***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;*

Or. en

**Amendment 52**  
**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

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*;

*Amendment*

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 *in both an online and offline context* should be developed *by all actors in a comprehensive, collaborative and transparent manner*;

Or. en

**Amendment 53**  
**Dietmar Köster**

**Motion for a resolution**  
**Paragraph 2 a (new)**

*Motion for a resolution*

*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;*

Or. de

**Amendment 54**  
**Constance Le Grip**

**Motion for a resolution**  
**Paragraph 2 a (new)**

*Motion for a resolution*

*Amendment*

**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;**

Or. fr

**Amendment 55**  
**Kostas Chrysogonos, Jiří Maštálka**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

*Amendment*

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;

Or. en

**Amendment 56**  
**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

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;**

*Amendment*

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;

Or. en

**Amendment 57**  
**Dietmar Köster**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

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;**

*Amendment*

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;**

Or. de

**Amendment 58**  
**Axel Voss, Angelika Niebler**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

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;

*Amendment*

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;

Or. de

**Amendment 59**  
**Jean-Marie Cavada, Marc Joulaud**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

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;**

*Amendment*

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;

Or. fr

**Amendment 60**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 4**

*Motion for a resolution*

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;

*Amendment*

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**;

Or. fr

**Amendment 61**  
**Max Andersson, Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Paragraph 4**

*Motion for a resolution*

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;

*Amendment*

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<sup>8a</sup> from supporting self- and co-regulatory mechanisms where fundamental rights, such as the right to freedom of expression, are at stake**;

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<sup>8a</sup> *The Inter-Institutional Agreement on Better Law-Making between the European Parliament, the Council and*

**Amendment 62**

**Axel Voss, Angelika Niebler**

**Motion for a resolution**

**Paragraph 4**

*Motion for a resolution*

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;***

*Amendment*

4. Welcomes the approach of depriving IPR infringers of their revenues by means of agreements between right-holders and their partners;

**Amendment 63**

**Victor Negrescu**

**Motion for a resolution**

**Paragraph 4**

*Motion for a resolution*

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;

*Amendment*

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; ***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).*

Or. en

**Amendment 64**

**Max Andersson, Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**

**Paragraph 5**

*Motion for a resolution*

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;

*Amendment*

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 *as foreseeability of the law is a precondition for its respect*; calls on the Commission and the Member States to further develop awareness actions aimed at specific audiences and relevant markets;

Or. en

**Amendment 65**

**Angel Dzhambazki**

**Motion for a resolution**

**Paragraph 5**

*Motion for a resolution*

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

*Amendment*

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;

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;

Or. en

**Amendment 66**  
**Victor Negrescu**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

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;

*Amendment*

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 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.*

Or. en

**Amendment 67**  
**Victor Negrescu**

**Motion for a resolution**  
**Paragraph 5 a (new)**

*Motion for a resolution*

*Amendment*

***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.***

Or. en

**Amendment 68**  
**Jean-Marie Cavada, Marc Joulaud**

**Motion for a resolution**  
**Paragraph 5 a (new)**

*Motion for a resolution*

*Amendment*

***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;*

Or. fr

**Amendment 69**  
**Jean-Marie Cavada, Marc Joulaud**

**Motion for a resolution**  
**Paragraph 5 b (new)**

*Motion for a resolution*

*Amendment*

*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;*

Or. fr

**Amendment 70**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 6**

*Motion for a resolution*

*Amendment*

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*

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 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*

*Counterfeiting and Piracy, especially with regard to the sharing of best practices;*

*directly at consumers;*

Or. fr

**Amendment 71**

**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**

**Paragraph 6**

*Motion for a resolution*

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; deplors 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;

*Amendment*

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; deplors 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;

Or. en

**Amendment 72**

**Constance Le Grip**

**Motion for a resolution**

**Paragraph 6**

*Motion for a resolution*

6. *Believes at the same time that consumers should be better able to*

*Amendment*

6. Deplors the fact that the Commission's action plan does not include any action

*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;*

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, *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;*

Or. fr

**Amendment 73**  
**Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Paragraph 6**

*Motion for a resolution*

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;

*Amendment*

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 *and the Member States* 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;

Or. pl

**Amendment 74**  
**Jean-Marie Cavada, Marc Joulaud**

**Motion for a resolution**  
**Paragraph 6**

*Motion for a resolution*

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;

*Amendment*

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;

Or. fr

**Amendment 75**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 6 a (new)**

*Motion for a resolution*

**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;**

*Amendment*

Or. fr

**Amendment 76**  
**Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Paragraph 7**

*Motion for a resolution*

7. Insists on the need to coordinate initiatives and campaigns in order to avoid duplication of work and ensure coherence and efficiency;

*Amendment*

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**

*Motion for a resolution*

***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;***

*Amendment*

*deleted*

Or. fr

**Amendment 78**  
**Dietmar Köster**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

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;

*Amendment*

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 develop, in all Member States, licit offers that are both diversified and attractive;

Or. de

**Amendment 79**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

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;

*Amendment*

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;

Or. fr

**Amendment 80**  
**Constance Le Grip**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

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;***

*Amendment*

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.***

Or. fr

**Amendment 81**  
**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

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;***

*Amendment*

8. Believes that ***it can be*** difficult to deter consumers from buying unlawful goods or using unlawful content ***and that this can be due to a lack of consumer awareness about legal offers in addition to a lack of supply;***

Or. en

**Amendment 82**  
**Jean-Marie Cavada, Marc Joulaud**



**Motion for a resolution  
Paragraph 8**

*Motion for a resolution*

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;

*Amendment*

8. Believes that ***infringements of IPR hamper the development of new economic models whose competitiveness is damaged by illicit offers an abusive practices***; takes the view that sufficient progress has not been made in this area, and reiterates its demand that the Commission and Member States ***support the cultural and creative industry in developing***, in all Member States, licit offers that are both diversified and attractive;

Or. fr

**Amendment 83  
Jean-Marie Cavada**

**Motion for a resolution  
Paragraph 9**

*Motion for a resolution*

***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;***

*Amendment*

***deleted***

Or. fr

**Amendment 84  
Constance Le Grip**

**Motion for a resolution  
Paragraph 9**

*Motion for a resolution*

***9. Takes the view as well that***

*Amendment*

***deleted***

*opportunities for infringement should not be created, and that business models should be reconsidered by the industry in certain sectors;*

Or. fr

**Amendment 85**  
**Mady Delvaux**

**Motion for a resolution**  
**Paragraph 9**

*Motion for a resolution*

*Amendment*

*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;*

*deleted*

Or. fr

**Amendment 86**  
**Dietmar Köster**

**Motion for a resolution**  
**Paragraph 9**

*Motion for a resolution*

*Amendment*

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**

*Motion for a resolution*

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;

*Amendment*

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;***

Or. pl

**Amendment 88**  
**Victor Negrescu**

**Motion for a resolution**  
**Paragraph 9**

*Motion for a resolution*

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;

*Amendment*

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 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.***

Or. en

**Amendment 89**  
**Max Andersson**

**Motion for a resolution**  
**Paragraph 9 a (new)**

*Motion for a resolution*

*Amendment*

***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;***

Or. en

**Amendment 90**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 9 a (new)**

*Motion for a resolution*

*Amendment*

***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;***

Or. fr

**Amendment 91**  
**Max Andersson, Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Paragraph 9 b (new)**

*Motion for a resolution*

*Amendment*

**9b. Takes the view that extensive intermediary liability regimes threatens the development of new business models and a free and open internet;**

Or. en

**Amendment 92**  
**Daniel Buda**

**Motion for a resolution**  
**Paragraph 10 a (new)**

*Motion for a resolution*

*Amendment*

**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;**

Or. ro

**Amendment 93**  
**Dietmar Köster**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

*Amendment*

**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. 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;**

**Amendment 94**  
**Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

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;

*Amendment*

10. Welcomes the Commission's declared intention to support SMEs in enforcing their IPR ***through improving accessible ways of civil redress in order to better fight market abuse from larger competitors*** and, in particular, to further assess SMEs' needs for future EU action;

**Amendment 95**  
**Dietmar Köster**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

***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;***

*Amendment*

***deleted***

**Amendment 96**  
**Victor Negrescu**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

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;

*Amendment*

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, ***thus should take as a basis a high level of protection, and develop an 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;***

Or. en

**Amendment 97**  
**Max Andersson, Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Paragraph 12**

*Motion for a resolution*

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;

*Amendment*

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, ***in particular with regards to clarifying which achievements constitute patentable subject matter;***

**Amendment 98**  
**Dietmar Köster**

**Motion for a resolution**  
**Paragraph 12**

*Motion for a resolution*

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***;

*Amendment*

12. Insists on the need to take into account SMEs when drafting legislation ***for businesses***, and reiterates that the ‘think small first’ principle should be ***taken into account***;

**Amendment 99**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 13**

*Motion for a resolution*

13. Stresses the importance of access to justice and of ***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*** in the area of IPR;

*Amendment*

13. Stresses the importance of access to justice and of judicial proceedings, ***to resolve disputes*** in the area of IPR;

**Amendment 100**  
**Dietmar Köster**

**Motion for a resolution**  
**Paragraph 13**



*Motion for a resolution*

13. Stresses the importance of access to justice and of 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 in the area of IPR;***

*Amendment*

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)**

*Motion for a resolution*

***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;***

Or. en

**Amendment 102**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 13 a (new)**

*Motion for a resolution*

*Amendment*

**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;**

Or. fr

**Amendment 103**  
**Kostas Chrysogonos, Jiří Maštálka**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

*Amendment*

**14. 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;**

**14. 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;**

Or. en

**Amendment 104**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

14. 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;***

*Amendment*

14. Expresses its satisfaction about the development of the activities of the European Observatory on ***Infringements of Intellectual Property Rights as a useful aid to the deliberations of political decision-makers and*** as a tool for collecting and exchanging data and information on all forms of IPR infringements;

Or. fr

**Amendment 105**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 14 a (new)**

*Motion for a resolution*

***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;***

*Amendment*

Or. fr

**Amendment 106**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

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;

*Amendment*

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;

Or. fr

**Amendment 107**

**Victor Negrescu**

**Motion for a resolution**

**Paragraph 15 a (new)**

*Motion for a resolution*

*Amendment*

***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**

*Motion for a resolution*

*Amendment*

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;

Or. it

**Amendment 109**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

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;

*Amendment*

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;

Or. fr

**Amendment 110**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 16 a (new)**

*Motion for a resolution*

*Amendment*

***16a. Stresses the need to work together and for information to be exchanged between all parties;***

Or. fr

**Amendment 111**  
**Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Paragraph 17**

*Motion for a resolution*

17. Welcomes the publication of the Commission's report on the application of the IPR Enforcement Directive<sup>9</sup>, 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;

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<sup>9</sup> COM(2010) 779.

*Amendment*

17. Welcomes the publication of the Commission's report on the application of the IPR Enforcement Directive<sup>9</sup>, 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; ***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;***

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<sup>9</sup> COM(2010) 779.

Or. pl

**Amendment 112**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

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

*Amendment*

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;

adapting the EU legislative framework to the internet environment; ***stresses that any such proposals must be subject to a detailed impact assessment;***

Or. fr

**Amendment 113**  
**Enrico Gasbarra**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

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;

*Amendment*

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, ***with full regard for fundamental guarantees and data protection;***

Or. it

**Amendment 114**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

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;

*Amendment*

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; ***calls on the Commission to take into account the IPR and copyright reform initiative concerning Directive 2001/29/EC, with special attention to territoriality, licensing and the digital context;***

Or. en

**Amendment 115**  
**Sajjad Karim**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

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;

*Amendment*

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**

*Motion for a resolution*

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;

*Amendment*

20. Reiterates its call for **an** IPR strategy, including a legal framework to combat counterfeiting and piracy adapted to the online environment;

Or. de

**Amendment 117**  
**Daniel Buda**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

20. Reiterates its call for a comprehensive IPR strategy, including a complete and strong legal framework to combat

*Amendment*

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;

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)**

*Motion for a resolution*

*Amendment*

***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**

*Motion for a resolution*

*Amendment*

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**

*Motion for a resolution*

21. Insists on the important role played by customs and international cooperation in the fight against IPR infringement in cross-border trade;

*Amendment*

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 inspections on goods in transit within EU territory;***

Or. fr

**Amendment 121**  
**Victor Negrescu**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. Insists on the important role played by customs and international cooperation in the fight against IPR infringement in cross-border trade;

*Amendment*

21. Insists on the important role played by customs and international cooperation in the fight against IPR infringement in cross-border trade ***and calls on the EU legislator to strictly define the quotations exception in light of its importance for cross-border exchange of knowledge;***

Or. en

**Amendment 122**  
**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

23. Calls ***on the Commission to reflect further on the remaining*** issues raised in the context of IPR enforcement by customs, for example in relation to the storage and destruction of infringing goods;

*Amendment*

23. Calls ***for enhanced market surveillance, risk management and sharing of information among customs authorities on*** issues raised in the context of IPR enforcement by customs, for example, in relation to the storage and destruction of infringing goods;

Or. en

**Amendment 123**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Paragraph 23 a (new)**

*Motion for a resolution*

***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 national customs authorities to further strengthen and improve the IPR enforcement mechanism;***

*Amendment*

Or. en

**Amendment 124**  
**Jean-Marie Cavada, Marc Joulaud**

**Motion for a resolution**  
**Paragraph 24 a (new)**

*Motion for a resolution*

***24a. Stresses the importance of close cooperation and exchanges of information, as well as the importance of***

*Amendment*

*appropriate training of customs  
authorities, market surveillance  
authorities and judicial authorities;*

Or. fr