



**COUNCIL OF
THE EUROPEAN UNION**

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6251/13

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"I/A" ITEM NOTE

from: General Secretariat of the Council
to Permanent Representatives Committee / Council

No. prev. doc.: 5129/13 UD 1 PI 5 COMER 1 CODEC 44
No. Cion prop.: 10880/11 UD 134 PI 64 COMER 110 + ADD 1 + ADD 2 + ADD 3

Subject: Proposal for a regulation of the European Parliament and of the Council
concerning customs enforcement of intellectual property rights
- *Political agreement*

I. INTRODUCTION

1. On 26 May 2011, the Commission submitted to the Council the above proposal based on Articles 207 of the Treaty on the Functioning of the European Union and aiming at updating the EU legislation with regard to the customs enforcement of intellectual property rights.
2. The Working Party on Customs Union examined the proposal at various meetings under the HU, PL and DK Presidencies and, following its meeting on 14 June 2012, reached an agreement on a compromise text prepared by the DK Presidency, as laid down in doc. 7427/5/12 REV 5 UD 64 PI 31 COMER 51 CODEC 1361.

3. In accordance with paragraphs 16-18 of the Joint Declaration on Practical Arrangements for the Codecision Procedure¹, the Presidency, operating under the mandate from Coreper², has been involved in informal contacts with the European Parliament, with a view to reaching an agreement between the institutions at the stage of the Council's first reading. Subsequently, such agreement has been reached at the informal trilogue meeting on 19 December 2012.
4. At its meeting on 21 December 2012, the Permanent Representatives Committee was debriefed on the successful outcome of the trilogue meeting of 19 December 2012 and confirmed its overall agreement on the text laid down in the Annex to doc. 17974/12 + COR 1.
5. The Chairman of the European Parliament's IMCO Committee, Mr Malcolm Harbour, indicated in his letter of 29 January 2013 to the Chairman of Coreper-II that, should the Council transmit formally to the Parliament its position in the form as it stands in the annex to his letter, he would recommend to the plenary to accept the Council's position without amendments, subject to the legal-linguistic verification, at Parliament's second reading.
6. It is therefore suggested that the Permanent Representatives Committee submit the draft text of the Regulation concerned and the joint declaration, as set out in doc. 6249/13 UD 35 PI 17 COMER 20 CODEC 290, to the Council for political agreement.

¹ OJ C 145, 30.6.2007, p.5.

² Doc. 11562/12 UD 172 PI 76 COMER 152 CODEC 1710.