

JURI ruft nach EU-Patentgericht Gallo-Bericht auf dem Weg zur Plenarabstimmung im Europäischen Parlament

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<http://eupat.ffii.org/10/06/gallo>

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1 Lage

According to media reports, the European Parliament's legal affairs commission (JURI), presided by Klaus-Heiner Lehne, yesterday passed the "Gallo report" in which they ask for more unified and stringent IPR enforcement, in particular a unified crackdown on p2p filesharing but also unified levies, IPRED2 revival, UPLS and more.

Regarding patents, we find in there some of the usual one-size-fits-all IPR rhetoric:

A. whereas violations of intellectual property rights (IPR), defined as any violation of any IPR, such as copyright, trade marks, designs or patents, constitute a genuine threat not only to consumer health and safety but also to our economies and societies,

some insights about a need to protect patents for the sake of protecting patents:

I. whereas, in the case of patents, their protection is crucial in order to efficiently fight patent violations; whereas the question of the unified patent system at the EU level has yet to be resolved,

and a blanko cheque for transfer of quasi-legislative power to patent experts without any parliamentary oversight:

7. Calls on the Commission to put forward appropriate legislative proposals based on Article 118 of the TFEU which will address the issue of an effective EU patent system;

which can hopefully be amended by the plenary, as happened in 2007, when a similar JURI call was made dependent on "significant improvements to the EPLA text", which address "concerns about democratic control, judicial independence and litigation costs".

2 Termine

The Gallo report still faces a plenary vote which can be expected to be held before the summer break, i.e. during the July session week.

3 Unterlagen

discussion forum