

**Explanatory Meeting on the Acquis**

**Agenda for Chapter 7: Intellectual Property Law**

**Dates: 7-8 February 2019**

**Venue: Albert Borschette, Rue Froissart 36, 1040 Etterbeek – Meeting Room 1A**

**Chair: Marc Jorna (DG NEAR)**

**Day 1**

08:30 – 09:00	<b>Arrival of participants</b>
09:00 – 09:15	
<b>Welcome</b>	<b>Welcome and opening remarks by the Chair – Marc JORNA</b>
<b>Opening remarks</b>	<b>Introductory statement by Krisztina STUMP - Deputy Head of Unit, DG CNECT</b>
	<b>Introductory statement by Mr. Armand SKAPI, Director, Ministry for Europe and Foreign Affairs</b>
	<b>Introductory statement by Mr. Bojan MARICHIKJ, Chief Negotiator</b>

**COPYRIGHTS AND NEIGHBOURING RIGHTS**

9.15 – 9.45	<b><u>Copyright in the information society</u></b>
<b>Véronique DELFORGE</b>	Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society, as corrected (OJ L 167 22.06.2001 p. 10).  Consolidated text: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:167:0010:0019:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:167:0010:0019:EN:PDF</a> – 2002 Corrigendum.
9.45 – 10.00	<i>Questions and Answers</i>
10:00 – 10:15	<b><u>Rental and public lending rights</u></b>
<b>Véronique DELFORGE</b>	Directive 2006/115/EC of the European Parliament and of the Council of 12 December 2006 on rental right and lending right and on certain rights related to copyright in the field of intellectual property repealing and replacing Directive 92/100/EEC.  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:376:0028:0035:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:376:0028:0035:EN:PDF</a>
10.15 – 10.30	<i>Questions and Answers</i>
10.30 – 10.40	<b><u>Term of protection</u></b>
<b>Véronique DELFORGE</b>	Directive 2011/77/EU of the European Parliament and of the Council of 27 September 2011 on the term of protection of copyright and certain related rights.  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:265:0001:0005:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:265:0001:0005:EN:PDF</a> .
10.40 – 11.10	<i>Questions and Answers</i>
11.10 – 11.25	<i>Coffee break</i>

<p>11.25-11.35</p> <p><b>Emmanuelle DU CHALARD</b></p>	<p><b><u>Portability</u></b></p> <p>Regulation (EU) 2017/1128 of the European Parliament and of the Council of 14 June 2017 on cross-border portability of online content services in the internal market.</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2017.168.01.0001.01.ENG&amp;toc=OJ:L:2017:168:TOC">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2017.168.01.0001.01.ENG&amp;toc=OJ:L:2017:168:TOC</a>.</p>
<p>11:35 - 11:45</p>	<p><i>Questions and Answers</i></p>
<p>11.45 – 12.00</p> <p><b>Emmanuelle DU CHALARD</b></p>	<p><b><u>Broadcasting via satellite and retransmission by cable</u></b></p> <p>Council Directive 93/83/EEC of 27 September 1993 on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission (OJ L 290 , 24/11/1993 p. 9).</p> <p><a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31993L0083:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31993L0083:EN:HTML</a>.</p>
<p>12.00 – 12.15</p>	<p><i>Questions and Answers</i></p>
<p>12:15 – 12:25</p> <p><b>Emmanuelle DU CHALARD</b></p>	<p><b><u>Ongoing negotiations</u></b></p> <p>Proposal for a Regulation of the European Parliament and of the Council laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes.</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016PC0594">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016PC0594</a>.</p>
<p>12.25 – 12.35</p>	<p><i>Questions and Answers</i></p>
<p>12.35 – 12.45</p> <p><b>Caroline COLIN</b></p>	<p><b><u>Artist's resale right</u></b></p> <p>Directive 2001/84/EC of the European Parliament and of the Council of 27 September 2001 on the resale right for the benefit of the author of an original work of art (OJ L 272 13.10.2001 p. 32).</p>

	<a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32001L0084:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32001L0084:EN:HTML</a> .
12.45 – 12.55	<i>Questions and Answers</i>
12.55 – 14.30	<i>Lunchbreak</i>
14.30 – 14.45  <b>Anna KOŁODZIEJSKA</b>	<b><u>Management of copyright and related rights</u></b>  Directive 2014/26/EU of the European Parliament and of the Council of 26 February 2014 on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market (“CRM Directive”).  <a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014L0026">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014L0026</a> .
14.45 – 15.00	<i>Questions and Answers</i>
15.00 – 15.15  <b>Caroline COLIN</b>	<b><u>Legal protection of databases</u></b>  Directive 96/9/EC of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases (OJ L 077 27.03.1996 p. 20).  <a href="http://eur-lex.europa.eu/Result.do?T1=V3&amp;T2=1996&amp;T3=9&amp;RechType=RECH_naturel&amp;Submit=Search">http://eur-lex.europa.eu/Result.do?T1=V3&amp;T2=1996&amp;T3=9&amp;RechType=RECH_naturel&amp;Submit=Search</a> .
15.15 – 15.30	<i>Questions and Answers</i>
15.30 – 15.45	<i>Coffee break</i>

<p>15.45 – 16.00</p> <p><b>Caroline COLIN</b></p>	<p><b><u>Implementation of the Marrakesh Treaty in EU law</u></b></p> <p>Directive (EU) 2017/1564 of the European Parliament and of the Council of 13 September 2017 on certain permitted uses of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled and amending Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society;</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32017L1564">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32017L1564</a>.</p> <p>Regulation (EU) 2017/1563 of the European Parliament and of the Council of 13 September 2017 on the cross-border exchange between the Union and third countries of accessible format copies of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled.</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32017R1563">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32017R1563</a>.</p>
<p>16:00 – 16.15</p>	<p><i>Questions and Answers</i></p>
<p>16.15 – 16.30</p> <p><b>Anna KOŁODZIEJSKA</b></p>	<p><b><u>Orphan works</u></b></p> <p>Directive 2012/28/EU of the European Parliament and of the Council of 25 October 2012 on certain permitted uses of orphan works.</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32012L0028">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32012L0028</a>.</p>
<p>16:30 – 16.45</p>	<p><i>Questions and Answers</i></p>
<p>16.45 – 17.00</p> <p><b>Caroline COLIN</b></p>	<p><b><u>Computer programmes</u></b></p> <p>Directive 2009/24/EC of the European Parliament and of the Council of 23 April 2009 on the legal protection of computer programs (“Software Directive”).</p>

	<a href="https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32009L0024">https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32009L0024</a> .
17.00 – 17.15	<i>Questions and Answers</i>
17.15 – 17.25  Anna KOŁODZIEJSKA	<b><u>Semiconductors</u></b>  <b>31987L0054</b>  Council Directive 87/54/EEC of 16 December 1986 on the legal protection of topographies of semiconductor products (OJ L 024 27.01.1987 p. 36).  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31987L0054:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31987L0054:EN:HTML</a> .
17:25-17:40	<i>Questions and Answers</i>
17:40-18:00	<i>Additional time for discussions</i>
18:00	<i>End of Day 1</i>

## Day 2

9:00 – 9:30	<b>Arrival of participants</b>
9:30 – 9:45	<b>Welcome and opening remarks by the Chair – Marc JORNA</b> <b>Introductory remarks by Harrie Temmink – Deputy Head of Unit, DG GROW</b>
<b>INDUSTRIAL PROPERTY RIGHTS</b>	
9.45 – 10.15 <b>Tomas EICHENBERG (DG GROW)</b>	<b><u>Trade marks</u></b> Directive (EU) 2015/2436 to approximate the laws of the Members States relating to trade marks of 16 December 2015. <a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015L2436">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015L2436</a> . Regulation (EU) 2017/1001 on the European Union trade mark of 14 June 2017 <a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017R1001">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017R1001</a> .
10.15 – 10.30	<i>Questions and Answers</i>
10:30 – 11.00 <b>Tomas EICHENBERG (DG GROW)</b>	<b><u>Designs</u></b> Directive 98/71/EC of the European Parliament and of the Council of 13 October 1998 on the legal protection of designs. <a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A31998L0071">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A31998L0071</a> .

	<p>Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs .</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32002R0006">https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32002R0006</a>.</p>
11.00 – 11.15	<i>Questions and Answers</i>
11.15 – 11.30	<i>Coffee break</i>
<p>11.30-11.45</p> <p><b>Jean-Luc GAL</b> <b>(DG GROW)</b></p>	<p><b><u>Patents, including unitary patents</u></b></p> <p>Regulation (EU) No 1257/2012 of the European Parliament and of the Council implementing enhanced cooperation in the area of the creation of unitary patent protection.</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R1257">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R1257</a>.</p> <p>Council regulation (EU) No 1260/2012 implementing enhanced cooperation in the area of the creation of unitary patent protection with regard to the applicable translation arrangements.</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R1260">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R1260</a>.</p> <p>The Agreement on the Unified Patent Court</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A42013A0620%2801%29">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A42013A0620%2801%29</a>.</p>
11:45 - 12:00	<i>Questions and Answers</i>
<p>12.00 – 12.15</p> <p><b>Jean-Luc GAL</b> <b>(DG GROW)</b></p>	<p><b><u>Supplementary protection certificates</u></b></p> <p>Council regulation (EEC) No 1768/92 concerning the creation of a supplementary protection certificate for medicinal products (codified as Regulation (EC) no 469/2009 of the European Parliament and of the Council of 6 May 2009 concerning the supplementary protection certificate for medicinal products).</p>



	<p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32009R0469">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32009R0469</a>.</p> <p>Regulation (EC) No 1610/96 of the European Parliament and of the Council concerning the creation of a supplementary protection certificate for plant protection products.</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A31996R1610">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A31996R1610</a>.</p> <p>Commission proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 469/2009 concerning the supplementary protection certificate for medicinal products.</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2018%3A317%3AFIN">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2018%3A317%3AFIN</a>.</p>
12.15 – 12.30	<i>Questions and Answers</i>
12.30 – 12.45  <b>Jean-Luc GAL (DG GROW)</b>	<p><b><u>Compulsory licensing</u></b></p> <p>Regulation (EC) No 816/2006 on compulsory licensing of patents relating to the manufacture of pharmaceutical products for export to countries with public health problems</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32006R0816">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32006R0816</a>.</p>
12.45 – 13.00	<i>Questions and Answers</i>
13.00 – 13.15  <b>Jean-Luc GAL (DG GROW)</b>	<p><b><u>Biotechnological inventions</u></b></p> <p>Directive 98/44/EC of the European Parliament and of the Council of 6 July 1998 on the legal protection of biotechnological inventions (“Biotech Directive”).</p> <p><a href="https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:31998L0044">https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:31998L0044</a>.</p>

	<p>Commission Notice on certain articles of Directive 98/44/EC of the European Parliament and of the Council on the legal protection of biotechnological inventions.</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52016XC1108%2801%29">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52016XC1108%2801%29</a>.</p>
13.15 – 13.30	<i>Questions and Answers</i>
13.30 – 15.00	<i>Lunch break</i>
15.00 – 15.30	<p><b><u>Trade Secrets Protection</u></b></p> <p>Directive (EU) 2016/943 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure.</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016L0943">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016L0943</a>.</p>
Jorge Novais GONCALVES (DG GROW)	
15.30 – 15.45	<i>Questions and Answers</i>
<b>ENFORCEMENT</b>	
15.45 – 16.30	<p><b><u>Enforcement of IPRs<sup>1</sup></u></b></p> <p>Directive 2004/48/EC on the enforcement of intellectual property rights.</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32004L0048R%2801%29">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32004L0048R%2801%29</a>.</p> <p>Soft measures (MoUs).</p>
Natalia Zebrowska (DG GROW)	
16.30 – 16.45	<i>Questions and Answers</i>
16.45 – 16.50	<b><u>Public Administration Reform</u></b>

<sup>1</sup>The provisions on enforcement cover both copyright and related rights, and industrial property rights. The customs-specific provisions of Regulation (EC) No. 1383/2003 concerning customs action against goods suspected of infringing certain intellectual property rights will be screened under Chapter 29 – Customs Union.

	<ul style="list-style-type: none"><li>• <b>Marc JORNA - Chair</b></li></ul>
16.50 – 17.00	<p><b><u>Closing remarks: DG NEAR</u></b></p> <ul style="list-style-type: none"><li>• <i>David CULLEN – Head of Unit, DG NEAR</i></li><li>• <i>Michela MATUELLA – Head of Unit, DG NEAR</i></li></ul>
17.00	<i>End of Day 2</i>