



European Communities Trade Mark Association

Brussels, 25 May 2012

**European Parliament
Rue Wiertz/Wiertzstraat, 60
B-1047 Bruxelles/Brussel
Belgique/België**

For the attention of Members of the European Parliament

Vote on ACTA – Support for postponement of vote until the CJEU rules on compatibility with *EU acquis* and Fundamental Rights AND/OR until the Commission has provided clarification on a number of points from the Parliament

Dear Member of European Parliament,

In view of the upcoming votes on ACTA in the various committees, we would like to express our support for tabled amendments that recommend that the European Parliament wait to vote until the Court of Justice of the European Union has ruled on the compatibility of the Treaty with the *EU acquis*, or at least until the Parliament has had the clarifications it requires from the European Commission on a number of relevant articles of the Treaty.

The fight against IPR infringements at European but also Global level has been one of the key priorities for ECTA association for many years. The problems which ACTA seeks to address are real and growing. IPR infringements have increased substantially and continue to do so, which has negative consequences ranging from economic and job losses to health and safety dangers.

Therefore, we are in support of initiatives that aim to address the harms of IPR infringements to consumers, governments, economies and jobs. ACTA contributes to addressing today's challenges in fighting IPR infringements by building upon current international agreements and setting a procedural framework allowing governments to better cooperate in their enforcement and public awareness raising efforts against IPR infringements.

Some MEPs expressed concerns regarding the ACTA Treaty's compatibility with the *EU acquis* and fundamental rights, and so we welcomed the decision of the European Commission to refer ACTA to the Court of Justice of the EU to get clarity on this matter. It would be a pity if the Parliament went ahead and voted without waiting for the CJEU ruling. At the very least, we ask that the Parliament wait for the clarifications that a number of MEPs have asked for from the European Commission on several points in the treaty.

ECTA

European Communities Trade Mark Association

We therefore support the following amendments allowing for the ruling of the CJEU or additional clarification to take place before the European Parliament votes on the treaty:

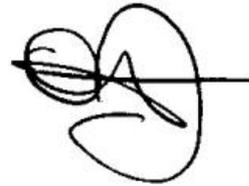
- **ITRE: Amendment 39**
- **LIBE: Amendments 3, 20, 21, 30, 31, 37**

Please do not hesitate to contact us should you require any further clarification or information about the added value of ACTA or any other IP-related policy initiative.

Yours sincerely,



Marius Schneider
Chair of ECTA Anti-Counterfeiting
Committee



Annick Mottet Haugaard
ECTA President