



European Commission
Head of the Unit, GROW F.5
Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
BREY 13/092
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BELGIUM

By E-mail: GROW-IPRCONSULTATION@ec.europa.eu

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Dear Sirs

Consultation on Directive 2004/48/EC

The IP Federation represents the views of IP intensive companies in both intellectual property policy and practice matters within the UK, the EU and internationally. We believe that a cost effective, high quality intellectual property rights framework is a critical component in industry's present and future successes in the global economy. Our members come from a range of different industry sectors and own significant IP portfolios. They are naturally affected by the activities and IP rights of competitors. They may be either claimants or defendants in intellectual property litigation throughout the European Union. Many of our members have completed the EU Survey and submitted position papers on behalf of their respect organisations. Some members may have suggested specific areas for the Commission to examine. A list of its members is at the end of this letter.

The IP Federation believes that the existing measures provided for by Directive 2004/48/EC ("IPRED") are generally an effective framework for enforcing intellectual property rights throughout the European Union. In particular, the IP Federation considers that provided IPRED is applied by Member States in line with the spirit of its recitals, it strikes a balance in providing a harmonised and strong regime for enforcement of intellectual property rights, while safeguarding against the potential for abuse. The Commission, if minded to, could take this opportunity to review the manner and extent to which Member States apply IPRED's framework.

To the extent that the Commission considers it necessary to amend IPRED's provisions, the IP Federation urges that caution is taken with any change. It must be borne in mind that the provisions of IPRED apply to all intellectual property rights. An amendment made to address possible concerns raised with respect to a particular intellectual property right and/or nature of infringement may have unintended consequences when applied to other forms of intellectual property rights or infringement.

The IP Federation has amongst its members representatives who are experts in intellectual property and industry. It has a long history of working with law makers and cooperating with public bodies. We appreciate the work of the Commission and would be happy to discuss and answer any questions that the Commission may have on IPRED and the Consultation at any time. Please do not hesitate to contact us to take this further.

Yours faithfully

Carol Arnold
President, IP Federation



IP Federation members 2016

The IP Federation represents the views of UK industry in both IPR policy and practice matters within the EU, the UK and internationally. Its membership comprises the innovative and influential companies listed below. The CBI, although not a member, is represented on the Federation Council, and the Council is supported by a number of leading law firms which attend its meetings as observers. It is listed on the joint Transparency Register of the European Parliament and the Commission with identity No. 83549331760-12.

AGCO Ltd
Airbus
ARM Ltd
AstraZeneca plc
Babcock International Ltd
BAE Systems plc
BP p.l.c.
British Telecommunications plc
British-American Tobacco Co Ltd
BTG plc
Caterpillar U.K. Ltd
Dyson Technology Ltd
Eli Lilly & Co Ltd
Ericsson Limited
ExxonMobil Chemical Europe Inc.
Ford of Europe
Fujitsu Services Ltd
GE Healthcare
GKN plc
GlaxoSmithKline plc
Glory Global Solutions Ltd
HP Inc UK Limited
IBM UK Ltd
Infineum UK Ltd
Johnson Matthey PLC
Merck Sharp & Dohme Ltd
Nokia UK Ltd
Pfizer Ltd
Philips Electronics UK Ltd
Pilkington Group Ltd
Procter & Gamble Ltd
Renishaw plc
Rolls-Royce plc
Shell International Ltd
Smith & Nephew
Syngenta Ltd
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UCB Pharma plc
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Vectura Limited