

Community trademark: Uruguay round (amend. Regulation (EC) No 40/94)

1994/0234(CNS) - 05/10/1994 - Legislative proposal

This proposal for a regulation sought to amend Council Regulation (EC) No 40/94 on the Community trademark with a view to taking into account the agreement concluded in the framework of the Uruguay Round negotiations (namely the "TRIPs Agreement"). This Agreement, as well as defining the general measures and fundamental principles which applied to the protection of intellectual property rights, put forward standards relating to the existence, scope and use of these rights, and in particular: - copyright and assimilated rights; - trademarks; - geographical information; - designs and industrial models; - patents; - printed circuit layouts; - the protection of non-disclosed information; - the control of anti-competitive practices in contractual licences. The present proposal for a regulation conformed to the standards defined in the agreement in respect of trademarks and as a result was intended to amend the relevant Community Regulation ((EC) No 40/94). The latter was amended so as to extend the definition of "holders of the Community trademark", who benefited from the principle of national treatment (at present only those countries that were signatories to the Paris Convention for the protection of intellectual property). The proposal for amendment sought to include in this definition all members of the WTO and not only those that were signatories to the Paris Convention.