Amendment of Article 46 of the Statute of the Court of Justice

1994/0924(CNS) - 06/06/1995 - Final act

OBJECTIVE: to amend Article 46 of the Statute of the Court of Justice in order for the Rules of Procedure of the Court of First Instance to be adjusted. COMMUNITY MEASURE: Council Decision 95 /208/EC amending the Protocol on the Statute of the Court of Justice of the European Community. SUBSTANCE: This amendment of the Statute of the Court of Justice (Article 46) aims to adjust the Rules of Procedure of the Court of First Instance to the specific features it must be aware of in accordance with Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark. This amendment is necessary to take account of the specific features of the proceedings relating to intellectual property rights that differ from the proceedings the Court is normally called up on to hear, in that these cases concern the conflicting interests of two private parties. The amendment thus aims to ensure that the Rules of Procedure provided the possibility for the third parties concerned to participate in the proceedings with a view to defending their interest, irrespective of the procedural action of the Trade Mark Office. ENTRY INTO FORCE: 6 June 1995.