Basic information

1994/0234(CNS) CNS - Consultation procedure Regulation	Procedure completed
Community trademark: Uruguay round (amend. Regulation (EC) No 40 /94) Repealed by 2006/0267(CNS) **Subject** 2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 6.20.01 Agreements and relations in the context of the World Trade Organization (WTO)	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
RELA External Economic Relations	RANDZIO-PLATH Christa (PSE)	04/11/1994

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	MÜLLER Edith (V)	03/11/1994

Council of the European Union

Council configuration	Meetings	Date
Health	1823	1994-12-22

Key events

Date	Event	Reference	Summary
05/10/1994	Legislative proposal published	COM(1994)0414	Summary
14/11/1994	Committee referral announced in Parliament		
12/12/1994	Vote in committee		
12/12/1994	Committee report tabled for plenary, 1st reading/single reading	A4-0108/1994	
14/12/1994	Debate in Parliament		
22/12/1994	Act adopted by Council after consultation of Parliament		
22/12/1994	End of procedure in Parliament		

31/12/1994	Final act published in Official Journal		

Technical information

Procedure reference	1994/0234(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealed by 2006/0267(CNS)
Legal basis	EC Treaty (before Amsterdam) E 235
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0108/1994 OJ C 018 23.01.1995, p. 0019	12/12/1994	
Text adopted by Parliament, 1st reading/single reading		T4-0187/1994 OJ C 018 23.01.1995, p. 0054-0079	14/12/1994	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1994)0414	05/10/1994	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 1994/3288
OJ L 349 31.12.1994, p. 0083 Summary

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.

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

1994/0234(CNS) - 22/12/1994 - Final act

PURPOSE: to amend Council Regulation 40/94/EC on Community trademarks with a view to taking into account the agreement instituting the World Trade Organization (and more specifically the TRIPS agreement on the aspects of intellectual property rights of the general WTO Agreement).

LEGISLATIVE ACT: Council Regulation 3288/94/EC amending Regulation (EC) No 40/94 on the Community trade mark for the implementation of the agreements concluded in the framework of the Uruguay Round.

CONTENT: The agreement setting up the World Trade Organisation (WTO) signed in the name of the Community contains in its Annex, an agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).

The Council adopted Regulation (EC) No 3288/94, which seeks to amend Council Regulation (EC) No 40/94 on Community trademarks, with a view to taking into account this Agreement, as well as defining the general measures and fundamental principles which apply to the protection of intellectual property rights, puts 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.

This Regulation conforms to the standards defined in the agreement in respect of trademarks and as a result is intended to modify the relevant Community Regulation ((EC) No 40/94). The latter is amended so as to extend the definition of "holders of the Community trademark", who benefit from the principle of national treatment (at present only those countries who are signatories to the Paris Convention for the protection of intellectual property), to include all members of the WTO (whether or not they are signatories to the Convention). The Regulation also includes a specific clause on wines and spirits and therefore provides for the refusal or invalidation of brands of wine or spirits which include false geographical information.

ENTRY INTO FORCE: The Regulation enters into force on 01.01.1995 and shall be applicable as from 01.01.1996.

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

1994/0234(CNS) - 14/12/1994 - Text adopted by Parliament, 1st reading/single reading

Parliament approved the Commission's proposal subject to the amendment which it had introduced, the aim of which was to set the date of entry into force of the Regulation for 1.01.1995.