Basic information

2000/2187(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Intellectual property: exhaustion of trade mark rights **Subject** 2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 3.50.15 Intellectual property, copyright	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs and Internal Market	MAYER Hans-Peter (PPE-DE)	20/03/2000

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, External Trade, Research, Energy	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Competitiveness (Internal Market, Industry, Research and Space)	2351	2001-05-30

Key events

Date	Event	Reference	Summary
01/12/1999	Non-legislative basic document published	SEC(1999)2033	Summary
07/07/2000	Committee referral announced in Parliament		
30/05/2001	Debate in Council		Summary
18/09/2001	Vote in committee		Summary
18/09/2001	Committee report tabled for plenary	A5-0311/2001	
02/10/2001	Debate in Parliament		
03/10/2001	Decision by Parliament	T5-0499/2001	Summary
03/10/2001	End of procedure in Parliament		
11/04/2002	Final act published in Official Journal		

Technical information	
Procedure reference	2000/2187(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	JURI/5/12300

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A5-0311/2001	18/09/2001	
Text adopted by Parliament, single reading		T5-0499/2001 OJ C 087 11.04.2002, p. 0061-0148 E	03/10/2001	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	SEC(1999)2033	01/12/1999	Summary
Follow-up document	SEC(2003)0575	21/05/2003	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0042/2001 OJ C 123 25.04.2001, p. 0028	25/01/2001	

Intellectual property: exhaustion of trade mark rights

2000/2187(COS) - 03/10/2001 - Text adopted by Parliament, single reading

The European Parliament voted 473 to 22 with 27 abstentions in favour of a resolution on a Commission working paper on the exhaustion of trade mark rights. (Please refer to the previous text).

Intellectual property: exhaustion of trade mark rights

2000/2187(COS) - 30/05/2001

The Council heard the Presidency's information on the exhaustion of trade mark rights and parallel imports. There was broad support among the delegations for continued detailed studies on the issue. The Council took note of the intention of the incoming Belgian Presidency to pursue the work on this file. There is a divergence of views among Member States between those who favour a shift from the principle of Community exhaustion of trade mark rights to international exhaustion and those who are in favour of maintaining the present system.

Intellectual property: exhaustion of trade mark rights

2000/2187(COS) - 01/12/1999 - Non-legislative basic document

PURPOSE : to present a Commission staff working paper on the exhaustion of trade mark rights. CONTENT : this document constitutes the Commission services' working document on exhaustion of trade mark rights that the Commission undertook to prepare at the Internal Market Council of 21 June 1999. The working document should serve as a basis for a further and detailed discussion in a Council expert group in order to prepare the EC position on a possible change to the current trade mark exhaustion regime in the EC. The discussion should focus in particular on four key issues which were raised at the Internal Market Council in June. These are: a) possible consequences of different regimes for national trade marks compared to Community trade marks; b) differentiation of exhaustion regimes for different intellectual property rights; c) differentiation of exhaustion regimes for different sectors of industry; d) international exhaustion through international agreements. Furthermore, the working document explores different options available if it is decided that a change of exhaustion is necessary. Each option has its own advantages and disadvantages and will require careful examination before any conclusion can be drawn. The document does not elaborate on other issues which are also relevant in the larger context of parallel trade, like competition issues and questions on vertical restraints. In addition, developments in the information society including e-commerce are also of relevance when discussing the merits and problems of the Community exhaustion regime, in so far as they open up new possibilities for consumers to obtain branded goods which have initially been marketed on foreign markets. The discussion on exhaustion regimes has important economic implications, for example, in industries such as musical recordings, pharmaceuticals, cosmetics and perfumes, confectionary, footwear, leather goods, and alcoholic drinks and finally, the motor vehicle industry.