



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 7 October 2003

12976/03

**Interinstitutional File:
1996/0190 (CNS)
1996/0198 (CNS)**

**PI 92
OC 602**

"A" ITEM NOTE

from: General Secretariat of the Council

to: Council

No. prev. doc. : 12057/03 PI 74

No. Cion prop.: 9497/96 PI 47

9530/96 PI 48

Subject : Adoption of

- a Council Decision approving the accession of the European Community to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, adopted at Madrid on 27 June 1989
- a Council Regulation modifying Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark to give effect to the accession of the European Community to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks adopted at Madrid on 27 June 1989

COMMON GUIDELINES

Deadline for consultation: 17.10.2003

1. On 22 July 1996 the Commission submitted a proposal for a Council Decision approving the accession of the European Community to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, adopted at Madrid on 27 June 1989¹.

¹ 9497/96 PI 47 - OJ C 293, 5.10.1996, p. 11.

On 24 July 1996 the Commission submitted a proposal for a Council Regulation modifying Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark to give effect to the accession of the European Community to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks adopted at Madrid on 27 June 1989².

2. The Economic and Social Committee delivered its opinion on both proposals on 29 January 1997³.

The European Parliament delivered its opinion (consultation procedure) on both proposals on 16 May 1997⁴.

3. On 19 September 2003 the Permanent Representatives Committee unanimously approved both proposals, subject to finalisation by the Legal/Linguistic Experts.

The text of the Decision finalised by the Legal/Linguistic Experts will be found in 12812/03 PI 89 OC 600.

The text of the Regulation finalised by the Legal/Linguistic Experts will be found in 12813/03 PI 90 OC 601.

4. It is therefore suggested that the Council:

- adopt the Decision as contained in 12812/03 PI 89 OC 600 and the Regulation as contained in 12813/03 PI 90 OC 601 as an "A" item on the agenda for one of its forthcoming meetings;
- enter in the minutes of that meeting the statement contained in Addendum 1 to this note and authorise it to be made available to the public.

² 9530/96 PI 48 - OJ C 300, 10.10.1996, p. 11.

³ OJ C 89, 19.3.1997, p. 14.

⁴ OJ C 167, 2.6.1997, pp. 251 and 252.