



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 7 April 2004

**Interinstitutional File:
2003/0024 (COD)**

8285/04

ADD 1

**PI 36
CODEC 529
OC 368**

ADDENDUM to "I/A" ITEM NOTE

from: General Secretariat of the Council

to: Permanent Representatives Committee (Part 1)/Council

No. prev. doc. : 7012/04 CODEC 308 PI 31 CULT 19

No. Cion prop. : 6777/03 PI 19 CULT 17 CODEC 204

Subject : Adoption of a Directive of the European Parliament and of the Council on measures and procedures to ensure the enforcement of intellectual property rights

COMMON GUIDELINES

Deadline for consultation: 23 April 2004

Delegations will find attached the statement to be entered in the minutes of the Council meeting at which the above Directive will be adopted.

Statement by the Commission

“The Commission considers that effective action against counterfeit and piracy requires criminal sanctions for serious infringements which are intentional and committed for commercial purposes. It also considers, in line with Article 20 of its original proposal that where necessary to achieve a Community objective, such measures may be adopted under the powers conferred for the purposes of achieving the aims set out in Article 95 of the Treaty establishing the European Community. Consequently, the Commission will examine the possibility to propose in due course further measures providing for criminal sanctions in this field.”
