

## Meeting with industry on EU-US FTA IPR Chapter, 17 April

### Summary

In view of the upcoming EU-US FTA negotiations, DG TRADE met with industry representatives in order to assess their matters of interest in the IPR chapter. The meeting included participants also from DG MARKT, DG TAXUD and DG AGRI.

The meeting was well attended, with more than 40 industry participants. After a short general introduction from DG TRADE on the main characteristics and state of play of TTIP – including our view that the IPR chapter should focus on a limited number of specific issues that can benefit EU and US stakeholders - the industry shared their views and priorities.

The most strongly supported were:

- the need for the US to protect certain rights related to copyright, in accordance with international standards;
- the importance of increased approximation in the registration of trademarks and patents;
- the need for both sides to enforce protection of trade secrets;
- the importance of EU and US cooperating to promote high levels of IP protection and enforcement in 3<sup>rd</sup> countries.

The industry representatives voiced their approval of such meetings with stakeholders and expressed their interest in being kept informed and consulted also in the future. A number of participants indicated that they would follow up with individual submissions before the FTA negotiations start.

#### Copyright and related rights:

GESAC: protection of authors' rights (mentioned WTO panel ruling and the "Irish music" case).

BusinessEurope: support to commitment of both parties to international standards and obligations.

IFPI: support to commitment to international norms, i.e. WIPO treaties (specifically mentioned WPPT), **NOT RELEASABLE**

BSA: need to insist on the use of legal software for all national administrations.

#### Trademarks:

INTA: usefulness of using a harmonized classification of goods and services by the TM offices.

BusinessEurope: support to increased harmonization work between the IP offices (also concerning patents).

Patents:

EFPIA: concerns regarding IP erosion, cost of litigation and enforcement, the need for the US and EU to keep ahead on innovation processes.

ESA: some issues need to be addressed regarding plant varieties.

BusinessEurope: FTA process could help IP5 harmonization, mentioned specialization of judges, formalities on patent applications, discovery and client attorney privilege. Also brought up patent grace period being discussed in IP5.

**NOT RELEASABLE**

**NOT RELEASABLE**

Enforcement:

INTA: cooperation and sharing of information between customs authorities (some EU MS customs already have good cooperation with US customs on IP matters).

**NOT RELEASABLE**

Trade secrets:

Support to trade secret protection in the EU and US. DG MARKT indicated that the impact assessment on trade secret protection in the EU should be available in the nearest weeks and the legislative proposal would likely follow later this year.

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