



Doc. 13448

20 March 2014

Intellectual property rights in the digital era

Motion for a resolution

tabled by Mr Axel E. FISCHER and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

The attempt by the European Union and other States to set up a global Anti-Counterfeiting Trade Agreement (ACTA) *de facto* failed in 2012, because of an unprecedented wave of protests around the world. Two years later, governments in Europe and abroad have not yet been able to resume their political thinking about the proper position of intellectual property rights globally for the next decade.

At present, intellectual property is protected, for instance, under the revised Bern Convention for the Protection of Literary and Artistic Works, the Copyright Treaty of the World Intellectual Property Organisation, Article 17.2 of the European Union Charter of Fundamental Rights as well as Article 1 of the first Protocol to the European Convention on Human Rights. The implementation and adaptation of those legal standards with regard to the cyberspace still poses legal, factual and political problems.

The International Chamber of Commerce expects that trade in counterfeit goods could reach 1.7 trillion US dollars by 2015, primarily for the benefit of those in countries where intellectual property rights are not protected. This challenge will probably increase with the growth of cloud computing.

Therefore, the Parliamentary Assembly should discuss whether it would be necessary to redefine the scope of intellectual property rights in the digital era, to review the existing legal standards and to discuss and propose strategies for parliaments in all European States on how to ensure effective protection of these rights at national, European and global levels, while safeguarding freedom of information on the internet.

Signed (see overleaf)



*Signed*¹:

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1. ALDE: Alliance of Liberals and Democrats for Europe
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