

BUSINESS COMMUNITY WELCOMES TODAY'S VOTE BY THE EUROPEAN PARLIAMENT ON COUNTERFEIT GOODS IN TRANSIT AND URGES COUNCIL TO FOLLOW SUIT

Brussels, 25 February, 2014

The undersigned organisations representing thousands of companies across all industry lines and sectors welcome today's vote by the European Parliament of robust measures to fight the transit of trademark counterfeit goods in the EU as part of a wider review of the European Union trademark legislation.

Trademark counterfeiting is a global, pervasive and serious hindrance to growth and jobs, and often a threat to citizen health and safety. The capacity of European customs to act is essential in this fight against the trade of counterfeits.

Since the Philips/Nokia Ruling (C-446 and 495/09) in 2011, under EU law, European customs can check counterfeit goods transiting through the EU but can only stop them if there is a risk of these goods entering into the Single Market. This means in practice that customs are powerless against counterfeit goods on route to a third country, and must let them go, at the risk of these goods being illegally diverted back into the EU.

The new provisions adopted today will allow customs to stop trademark counterfeit goods even if destined to a country outside the EU and will not affect the trade of legitimate goods under the EU's WTO international obligations. Likewise, these provisions ensure that genuine generic medicines will reach their final destination.

Trademark-intensive industries account for 21% of all direct jobs in the EU and for 34% of the EU GDP. The global trade of counterfeits has been growing exponentially and the lack of adequate rules at EU level has exacerbated the problem affecting companies, governments and citizens across Europe. Indeed, the 2012 detention statistics from EU customs have shown an unprecedented and extremely worrying fall by 65% on the year before. Without robust rules to stem the tide, the risk of the EU being a hub for the trade of counterfeits is real.

We salute this vote and the political courage of MEPs Marielle Gallo and Bernhard Rapkay who sponsored the transit provisions which were adopted today. With this vote, the European Parliament signals that it is serious about stopping trademark counterfeits to protect consumers everywhere and that the EU should show leadership in the global fight against counterfeiting.

List of signatory organisations

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