

European Communities

EUROPEAN PARLIAMENT

Working Documents

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MOTION FOR A RESOLUTION

tabled by Mr von WOGAU, Mr von BISHARCK, Mr HERMAN,
Mr PFLIMLIN, Mr Ingo FRIEDRICH, Mr SEITLINGER,
Mr PÖTTERING and Mr BEUMER

on behalf of the Group of the European People's Party
(CD Group)

pursuant to Rule 47 of the Rules of Procedure

on the Convention for the European patent for the
common market

The European Parliament,

- A - further to its opinion on the proposal for a Council regulation (EEC) on Community trade marks,
- B - considering the reasons advanced for the creation of a Community trade mark, namely that it would remove an obstacle to free movement of goods within the Community resulting from the territorial limitations of national trade mark law, and thus establish the basis for undistorted competition within the common market,
1. Notes that the same reasons may be advanced for the creation of a Community patent;
 2. Notes that the creation of a Community patent has already been decided upon through the Convention for the European patent for the common market (Community Patent Convention), signed in Luxembourg on 15 December 1975 by the then Member States;
 3. Notes that the governments of the then Member States declared their intention, on signing the Community Patent Convention, to arrange for ratification of this Convention as soon as possible, in order to minimize the difference in time between the entry into force of the Community Patent Convention and that of the Convention on the grant of European patents (European Patent Convention), signed in Munich on 5 October 1973, which was signed by all the Community Member States as well as other European countries;
 4. Notes that the European Patent Convention has been in force since 7 October 1977;
 5. Notes that the Community Patent Convention, on the other hand, has still not been ratified by all the original Community signatory states;
 6. Considers it necessary for the Community Patent Convention to be brought into force without delay, for the benefit of the common market;
 7. Considers it necessary for national procedures for the ratification of the Community Patent Convention to be set in train as soon as possible, where this has not yet happened;
 8. Calls on the Council and the Commission to take all appropriate steps to expedite the entry into force of the Community Patent Convention.