



Council of the  
European Union

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#### **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL IMPLEMENTING DECISION approving the conclusion by Eurojust of the Memorandum of Understanding between the Office for Harmonisation in the Internal Market and Eurojust

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**COUNCIL IMPLEMENTING DECISION (EU) 2015/...**

**of ...**

**approving the conclusion by Eurojust  
of the Memorandum of Understanding between  
the Office for Harmonisation in the Internal Market  
and Eurojust**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2002/187/JHA of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime<sup>1</sup>, and in particular Article 26(2) thereof,

Having regard to the opinion of the European Parliament,

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<sup>1</sup> OJ L 63, 6.3.2002, p. 1.

Whereas:

- (1) According to Decision 2002/187/JHA, Eurojust may conclude agreements or working arrangements with the institutions, bodies and agencies set up by, or on the basis of, the Treaties. Such agreements or working arrangements may, in particular, concern the exchange of information, including personal data, and the secondment of liaison officers to Eurojust. Such agreements or working arrangements may only be concluded after consultation by Eurojust with the Joint Supervisory Body concerning the provisions on data protection and after the approval by the Council.
- (2) In order to strengthen its capacity to work with the Office for Harmonisation in the Internal Market established by Council Regulation (EC) No 207/2009<sup>1</sup>, Eurojust has negotiated a Memorandum of Understanding between the Office for Harmonisation in the Internal Market and Eurojust (the 'Memorandum').
- (3) The Joint Supervisory Body of Eurojust gave a positive opinion on the Memorandum.

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<sup>1</sup> Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark (OJ L 78, 24.3.2009, p. 1).

- (4) The Memorandum was approved by the College of Eurojust on 19 May 2015.
- (5) Eurojust should be authorised to conclude the Memorandum.
- (6) Denmark is bound by Decision 2002/187/JHA and is therefore taking part in the adoption and application of this Decision which implements Decision 2002/187/JHA.
- (7) The United Kingdom and Ireland are bound by Decision 2002/187/JHA and are therefore taking part in the adoption and application of this Decision which implements Decision 2002/187/JHA,

HAS ADOPTED THIS DECISION:

*Article 1*

Eurojust is hereby authorised to conclude the Memorandum of Understanding between the Office for Harmonisation in the Internal Market and Eurojust.

*Article 2*

This Decision shall take effect on the date of its notification.

*Article 3*

This Decision is addressed to Eurojust.

Done at ...,

*For the Council*

*The President*

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