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OPINION OF THE LEGAL SERVICE¹

From:	Legal Service
To:	Working Party on Trade Questions
Subject:	Proposal for a regulation of the European Parliament and of the Council on the protection of the Union and its Member States from economic coercion by third countries - legal basis and institutional aspects

In document ST 11943/22 INIT:

- on page 3, footnote 5 the reference to the judgment of of 22 October 2013 in Case *Commission v Council*, C-137/12, should read: “**EU:C:2013:675**”;
- on page 9, footnote 17 the following text should read: “... of the *World Trade Organisation* (OJ L 272, 16.10.2015), **as amended**, which are limited to intellectual property rights granted by a Union institution or agency that is valid throughout the Union.”;

¹ This document contains legal advice protected under Article 4(2) of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, and not released by the Council of the European Union to the public. The Council reserves all its rights in law as regards any unauthorised publication.

- on page 9, para. 24 the following text should read: “... *standards of protection of intellectual property rights displaying a degree of homogeneity [between operators of the EU and a third country concerned]* contribute to the participation [of the entrepreneurs of the EU and a third country concerned] on an equal footing in the free trade of goods and services ...”;
- on page 16, footnote 31 the following text should read: “*Judgment of 27 February 2014, Ahmed Ezz v Council and Commission, T-256/11 EU:T:2014:93, paragraph 42, confirmed on appeal C-220/14 P, EU:C:2015:147.*”;
- on page 19 in para. 40 and in footnote 35 the reference to the Council Regulation should read: “***Council Regulation No 2271/96***”;
- on page 19 in para. 40 the reference should read: “*Article 8(2)(b) of the Proposal*”;
- on page 23, footnote 42 the reference to the Official Journal should read: “*Regulation No 182/2011, OJ L 55, 28.2.2011, p. 13*”.