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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	**ADOPTION OF LEGISLATIVE ACTS FOLLOWING THE EUROPEAN PARLIAMENT'S SECOND READING** Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 207/2009 on the Community trade mark and Commission Regulation (EC) No 2868/95 implementing Council Regulation (EC) No 40/94 on the Community trade mark, and repealing Commission Regulation (EC) No 2869/95 on the fees payable to the Office for Harmonization in the Internal Market (Trade Marks and Designs) and Proposal for a Directive of the European Parliament and of the Council to approximate the laws of the Member States relating to trade marks (Recast) - Outcome of the European Parliament's second reading (Strasbourg, 14 to 17 December 2015)

I. VOTE

Since no amendment had been adopted, the President of the European Parliament declared the Council's positions at first reading on the Regulation and on the Directive approved.

The respective amendments tabled by the EFDD political group aiming at the rejection of the Council's position at first reading did not receive the required majority.

The texts of the European Parliament's legislative resolutions are annexed to this note.

II. ADOPTION OF LEGISLATIVE ACTS FOLLOWING THE EUROPEAN PARLIAMENT'S SECOND READING

Since the European Parliament has approved the Council's positions at first reading, the acts in question are deemed to have been adopted in the wording which corresponds to the Council's positions at first reading, as provided for in Article 294 (7)(a) of the TFEU.

After signature by the President of the European Parliament, the President of the Council and the Secretaries-General of the two Institutions, the acts in question will be published in the *Official Journal* of the European Union.

ANNEX I
(15.12.2015)

EU trade mark ***II

European Parliament legislative resolution of 15 December 2015 on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 207/2009 on the Community trade mark and Commission Regulation (EC) No 2868/95 implementing Council Regulation (EC) No 40/94 on the Community trade mark, and repealing Commission Regulation (EC) No 2869/95 on the fees payable to the Office for Harmonization in the Internal Market (Trade Marks and Designs) (10373/1/2015 – C8-0351/2015 – 2013/0088(COD))

(Ordinary legislative procedure: second reading)

The European Parliament,

– having regard to the Council position at first reading (10373/1/2015 – C8-0351/2015),

– having regard to its position at first reading[1] on the Commission proposal to Parliament and the Council (COM(2013)0161),

– having regard to Article 294(7) of the Treaty on the Functioning of the European Union,

– having regard to Rule 76 of its Rules of Procedure,

– having regard to the recommendation for second reading of the Committee on Legal Affairs (A8-0354/2015),

1. Approves the Council position at first reading;

2. Notes that the act is adopted in accordance with the Council position;

3. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;

4. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication in the *Official Journal of the European Union*;

5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

[1] Texts adopted of 25.2.2014, P7_TA(2014)0118.

ANNEX II
(15.12.2015)

Laws of Member States relating to trade marks ***II

European Parliament legislative resolution of 15 December 2015 on the Council position at first reading with a view to the adoption of a directive of the European Parliament and of the Council to approximate the laws of the Member States relating to trade marks (recast) (10374/1/2015 – C8-0352/2015 – 2013/0089(COD))

(Ordinary legislative procedure: second reading)

The European Parliament,

– having regard to the Council position at first reading (10374/1/2015 – C8-0352/2015),

– having regard to the opinion of the European Economic and Social Committee of 11 July 2013[2],

– having regard to its position at first reading[3] on the Commission proposal to Parliament and the Council (COM(2013)0162),

– having regard to Article 294(7) of the Treaty on the Functioning of the European Union,

– having regard to Rule 76 of its Rules of Procedure,

– having regard to the recommendation for second reading of the Committee on Legal Affairs (A8-0355/2015),

1. Approves the Council position at first reading;

2. Notes that the act is adopted in accordance with the Council position;

3. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;

4. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication in the *Official Journal of the European Union*;

5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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[2] OJ C 372, 12.11.2013, p. 42.
[3] Texts adopted of 25.2.2014, P7_TA(2014)0119.