



EUROPEAN COMMISSION

Brussels, 24.7.2018
C(2018) 4904 final

Dear Chair,

The Commission would like to thank the Poslanecká sněmovna for its Opinion on the Communications on a balanced intellectual property enforcement system responding to today's societal challenges {COM(2017) 707 final}, on guidance on certain aspects of Directive 2004/48/EC of the European Parliament and of the Council on the enforcement of intellectual property rights {COM(2017) 708 final}, and on setting out the European Union's approach to Standard Essential Patents {COM(2017) 712 final}.

The Commission would like to thank the Poslanecká sněmovna for its support for the initiatives outlined in these Communications. It is convinced that this comprehensive package of measures will allow the Commission to improve the application and enforcement of intellectual property rights, and to step up the fight against counterfeiting and piracy.

With respect to Poslanecká sněmovna's suggestion to use open source software and hardware in development of technical standards, the Commission strongly supports open standardisation. This, however, is not mutually exclusive with the approach based on Standard Essential Patents, as the reward stemming from Standard Essential Patents licensing can incentivise the contribution of best available technology into standards.

With reference to Poslanecká sněmovna's concern against the introduction of large, unspecific and expensive online content filtering systems, the Commission would like to stress that it does not intend to impose an obligation to introduce filtering systems that would be unspecific and/or overly expensive. As clarified in the Communication on the enforcement of intellectual property rights {COM(2017) 708 final}, the competent judicial authorities may, where appropriate, issue injunctions which entail specific monitoring obligations.

Mr Ondřej BENEŠÍK
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cc Mr Radek VONDRÁČEK
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The Commission would also like to reassure the Poslanecká sněmovna that any further initiative following on the above Communications will be presented in full respect of the fundamental rights and principles recognised in particular by the Charter of Fundamental Rights of the European Union.

The Commission hopes that these clarifications address the issues raised by the Poslanecká sněmovna and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Elżbieta Bienkowska
Member of the Commission*