

McCarthy et al 2003/02/27 demanding “strong sanctions”

<http://swpat.ffii.org/papers/eubsa-swpat0202/amccarthy030327/index.en.html>

Workgroup

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On 2003/03/27, MEP Arlene McCarthy published an appeal which calls for signatures to a letter that links copyright infringement to terrorism and calls for strong sanctions against “any infringement of intellectual property”.

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1 The Text

We are writing to ask for your support in signing our written declaration on the fight against piracy and counterfeiting in the enlarged EU.

Piracy and counterfeiting have now reached alarming levels in the EU and epidemic proportions in accession countries. Recent Commission statistics showed an increase of 900 per cent in pirated goods. Not only is counterfeiting and piracy leading to an average loss of 17 000 jobs per annum in the EU and millions in lost tax revenue for governments, but counterfeit goods can pose serious health and safety risks to consumers. It is organised crime networks that are behind the pirate trade, using profits from piracy and counterfeiting to finance drug trafficking and terrorism.

Currently there are two important pieces of legislation going through the European Parliament, the enforcement directive and consultation on customs action against counterfeit and pirated goods (repealing Regulation 3295/94/EC).

We are calling on the Council and the Commission to;

- ensure that current and forthcoming legislation provides strong, harmonised civil sanctions for any intellectual property infringement and tough criminal penalties for commercial scale counterfeiting;*
- to promote better cross-border cooperation between law enforcement authorities in the Member States in addition to strengthening the role of Europol in combating counterfeiting and piracy;*
- to raise consumer awareness that piracy and counterfeiting are not victimless crimes.*

We would really welcome your personal signature on this declaration to give a strong signal to Council and Commission of Parliament's concerns at the alarming levels of piracy and counterfeiting.

The written declaration is available to sign this afternoon outside of the Hemicycle. The declaration needs at least 313 signatures.

Yours sincerely

Arlene McCarthy MEP, Janelly Fourtou MEP, Toine Manders MEP, Mercedes Echerer MEP and Marcelino Oreja Arburua MEP

2 Annotated Links

- **EU IP Enforcement Directive Proposal COM (2003) 46(01)**¹

The European Commission has proposed a directive which gives owners of copyrights, patents and all other kinds of exclusion rights greater powers to persecute infringers. The directive is championed in the European Parliament by MEP Janelly Fourtou (wife of Vivendi boss) and energetically supported by MEP Arlene McCarthy and others. Concerns have been raised by civil liberty groups that the proposal, by granting far-reaching powers to exclusion right titularies and neglecting civil rights and public concerns, may create various perverse effects.

- **Arlene McCarthy MEP and Software Patents**²

British Member of the European Parliament, Labor/PSE, appointed by the European Parliament Committee for Legal Affairs and Internal Market (JURI) in 2002/03 to report on the software patentability directive. In June 2002 Arlene McCarthy published a short report which aggressively promoted the agenda of the European Patent Office (EPO). The paper charged the patent critics of having provided only invalid arguments, but failed to quote or refute any of these arguments. Meanwhile various people from the EPO and patent lobby were in contact with McCarthy and boasted that their viewpoint would prevail and the discussion would soon be over. A hearing arranged by McCarthy and the European Parliament website dedicated to the hearing both offered minimal room for critical views. Arlene McCarthy's draft report of 2003/02/19, her explanatory note of 2003/05/03 and her refusal to accept any amendments which limit patentability or patent enforceability in any way show complete dedication to the interests of patent owners. While staying away from all informed discussions and conferences on software patent questions, McCarthy has actively reaching out to the media in order to present herself as a victim of a "dishonest and destructive misinformation campaign" who is sincerely trying to limit patentability.

- **IFPI statement on McCarthy's IP campaign victory**³

- **McCarthy @ Labour photo page**⁴

As of 2003/07/23, this page contained the photo of Arlene McCarthy with two friends from the music industry and an explanation "Arlene with Jay Berman and Sir George Martin, campaigning for Music Industry rights in the European Parliament"

¹<http://www.ffii.org/proj/euipd/index.en.html>

²<http://swpat.ffii.org/players/amccarthy/index.en.html>

³<http://www.ifpi.org/site-content/press/20030605b.html>

⁴<https://www.copernicus.co.uk/WiaB2/ViewPage.cfm?Page=2923>

- **phm 2003/02/27: MEPs demanding “strong sanctions”**⁵

Mailing List discussions

see also Arlene McCarthy MEP and Software Patents⁶

- **Janelly Fourtou MEP and Software Patents**⁷

Co-initiator of the Appeal

⁵<http://aful.org/www/arc/patents/2003-03/msg00085.html>

⁶<http://swpat.ffii.org/players/amccarthy/index.en.html>

⁷<http://swpat.ffii.org/players/jfourtou/index.en.html>