

DFH/JPC/nd/5.5/4/1

5 May 2000

Mr Romano Prodi  
President of the  
European Commission  
BREY 12/100  
Rue de la Loi, 200  
1049 Bruxelles

Dear Mr Prodi,

RE: EXHAUSTION OF TRADEMARKS AND OTHER INTELLECTUAL PROPERTY RIGHTS

UNICE understands that the Commission is in the process of defining its position on the issue of exhaustion of trademarks and other intellectual property rights.

In this context, we would like to reiterate industry's support for the current regime of Community exhaustion of intellectual property rights.

The companies represented by UNICE are of the firm opinion that a unilateral move to an international exhaustion regime would reduce the economic value of intellectual property rights and thereby place European companies at a competitive disadvantage vis-à-vis competitors from countries which do not apply this regime.

UNICE will therefore continue to oppose international exhaustion as long as there is no single world market with a uniform commercial, economic and legal framework.

You will find at annex, for ready reference, a copy of our latest position paper on this subject in which we give evidence as to how European companies would be affected by a move to international exhaustion.

We hope very much that you will be able to defend European companies' interests by opposing a change to the current Community exhaustion system.

UNICE's experts remain at your disposal if you wish to discuss any aspect of the attached paper further.

Yours sincerely,

*(original signed by)*

Dirk F. Hudig  
Secretary General

Encl.