

Public consultation on the evaluation and modernisation of the legal framework for the enforcement of intellectual property rights: Rightholders

Fields marked with * are mandatory.

Objectives and General information

The views expressed in this public consultation document may not be interpreted as stating an official position of the European Commission.

You are invited to read the privacy statement^[1] for information on how your personal data and contribution will be dealt with.

Please complete this section of the public consultation before moving to other sections.

Respondents with disabilities can request the questionnaire in .docx format and send their replies in email to the following address: GROW-IPRCONSULTATION@ec.europa.eu.

If you are an association representing several other organisations and intend to gather the views of your members by circulating the questionnaire to them, please send us a request in email and we will send you the questionnaire in .docx format. However, we ask you to introduce the aggregated answers into EU Survey. In such cases we will not consider answers submitted in other channels than EU Survey.

If you want to submit position papers or other information in addition to the information you share with the Commission in EU Survey, please send them to GROW-IPRCONSULTATION@ec.europa.eu and make reference to the "Case Id" displayed after you have concluded the online questionnaire. This helps the Commission to properly identify your contribution.

Given the volume of this consultation, you may wish to download a PDF version before responding to the survey online.

[1] Add link.

*** Please enter your name/organisation and contact details (address, e-mail, website, phone)**

*** Is your organisation registered in the Transparency Register of the European Commission and the European Parliament?**

In the interests of transparency, organisations (including, for example, NGOs, trade associations and commercial enterprises) are invited to provide the public with relevant information about themselves by registering in the Interest Representative Register and subscribing to its Code of Conduct

If you are a registered organisation, please indicate your Register ID number. Your contribution will then be considered as representing the views of your organisation

If your organisation is not registered, you have the opportunity to [register now](#). Then return to this page to submit your contribution as a registered organisation.

Submissions from organisations that choose not to register will be treated as 'individual contributions' unless they are recognized as representative stakeholders via relevant Treaty Provisions.

- Yes
- No
- Non-applicable

*** Register ID number**

*** In the interests of transparency, your contribution will be published on the Commission's website. How do you want it to appear?**

- Under the name supplied? (I consent to the publication of all the information in my contribution, and I declare that none of it is subject to copyright restrictions that would prevent publication.)
Anonymously? (I consent to the publication of all the information in my contribution except my
- name/the name of my organisation, and I declare that none of it is subject to copyright restrictions that would prevent publication).
- No publication - your answer will not be published and in principle will not be considered.

"Please note that your answers may be subject to a request for public access to documents under Regulation (EC) No 1049/2001."

A. Identification

*** You are a rightholder or a rightholders' association?**

- Rightholder
- Rightholders' association

*** You are what type of rightholder?**

"SME"

According to Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises, 2003/361/EC: enterprises which employ fewer than 250 persons and which have an annual turnover not exceeding EUR 50 million, and/or an annual balance sheet total not exceeding EUR 43 million ([SME definition](#))

- Individual
- EU based SME operating in one EU Member State
- EU based SME operating in various EU Member States
- EU based company (other than SME) operating in one Member State
- EU based company (other than SME) operating in various EU Member States
- Non-EU based SME
- Non-EU based company (other than SME)
- Company, part of multinational corporate group
- Other

*** Please specify :**

500 character(s) maximum

*** You are what type of rightholders' association?**

- Umbrella/cross-sector association
- Sector association
- SME
- National
- European
- International

*** Please indicate your country of residence, establishment or profession:**

- | | | |
|--------------------------------------|-----------------------------------|--------------------------------------|
| <input type="radio"/> Austria | <input type="radio"/> Belgium | <input type="radio"/> Bulgaria |
| <input type="radio"/> Cyprus | <input type="radio"/> Croatia | <input type="radio"/> Czech Republic |
| <input type="radio"/> Denmark | <input type="radio"/> Estonia | <input type="radio"/> Finland |
| <input type="radio"/> France | <input type="radio"/> Germany | <input type="radio"/> Greece |
| <input type="radio"/> Hungary | <input type="radio"/> Ireland | <input type="radio"/> Italy |
| <input type="radio"/> Latvia | <input type="radio"/> Lithuania | <input type="radio"/> Luxembourg |
| <input type="radio"/> Malta | <input type="radio"/> Netherlands | <input type="radio"/> Poland |
| <input type="radio"/> Portugal | <input type="radio"/> Romania | <input type="radio"/> Slovakia |
| <input type="radio"/> Slovenia | <input type="radio"/> Spain | <input type="radio"/> Sweden |
| <input type="radio"/> United Kingdom | <input type="radio"/> Other | |

* Please specify :

500 character(s) maximum

* **What is the core sector of your activity(ies)?**

- | | |
|--|--|
| <input type="radio"/> A Agriculture, forestry and fishing | <input type="radio"/> B Mining and quarrying |
| <input type="radio"/> C Manufacturing | <input type="radio"/> D Electricity, gas, steam and air conditioning supply |
| <input type="radio"/> E Water supply; sewerage, waste management and remediation activities | <input type="radio"/> F Construction |
| <input type="radio"/> G Wholesale and retail trade; repair of motor vehicles and motorcycles | <input type="radio"/> H Transportation and storage |
| <input type="radio"/> I Accommodation and food service activities | <input type="radio"/> J Information and communication |
| <input type="radio"/> K Financial and insurance activities | <input type="radio"/> L Real estate activities |
| <input type="radio"/> M Professional, scientific and technical activities | <input type="radio"/> N Administrative and support service activities |
| <input type="radio"/> O Public administration and defence; compulsory social security | <input type="radio"/> P Education |
| <input type="radio"/> Q Human health and social work activities | <input type="radio"/> R Arts, entertainment and recreation |
| <input type="radio"/> S Other service activities | <input type="radio"/> T Activities of households as employers; undifferentiated goods- and services-producing activities of households for own use |
| <input type="radio"/> U Activities of extraterritorial organisations and bodies | <input type="radio"/> Other |

* Please specify :

500 character(s) maximum

If possible please specify with four-digit **NA**

CE classification:

*** In which Member State(s) do you trade?**

- | | | |
|---|---|---|
| <input type="checkbox"/> Austria | <input type="checkbox"/> Belgium | <input type="checkbox"/> Bulgaria |
| <input type="checkbox"/> Cyprus | <input type="checkbox"/> Croatia | <input type="checkbox"/> Czech Republic |
| <input type="checkbox"/> Denmark | <input type="checkbox"/> Estonia | <input type="checkbox"/> Finland |
| <input type="checkbox"/> France | <input type="checkbox"/> Germany | <input type="checkbox"/> Greece |
| <input type="checkbox"/> Hungary | <input type="checkbox"/> Ireland | <input type="checkbox"/> Italy |
| <input type="checkbox"/> Latvia | <input type="checkbox"/> Lithuania | <input type="checkbox"/> Luxembourg |
| <input type="checkbox"/> Malta | <input type="checkbox"/> Netherlands | <input type="checkbox"/> Poland |
| <input type="checkbox"/> Portugal | <input type="checkbox"/> Romania | <input type="checkbox"/> Slovakia |
| <input type="checkbox"/> Slovenia | <input type="checkbox"/> Spain | <input type="checkbox"/> Sweden |
| <input type="checkbox"/> United Kingdom | <input type="checkbox"/> All EU member states | |

*** What type of IPR do you hold/represent?**

- | | |
|--|--|
| <input type="checkbox"/> Copyright | <input type="checkbox"/> Community trademark rights |
| <input type="checkbox"/> Community design rights | <input type="checkbox"/> Rights related to copyright |
| <input type="checkbox"/> National trademark rights | <input type="checkbox"/> National design rights |
| <input type="checkbox"/> Patent rights (including rights derived from supplementary protection certificates) | <input type="checkbox"/> Geographical indications |
| <input type="checkbox"/> Rights of the creator of the topographies of a semiconductor product | <input type="checkbox"/> Plant variety rights |
| <input type="checkbox"/> Sui generis right of a database maker | <input type="checkbox"/> Trade names (in so far as these are protected as exclusive property rights in the national law concerned) |
| <input type="checkbox"/> Utility model rights | <input type="checkbox"/> Other |
| <input type="checkbox"/> Don't know | |

*** Please specify:**

500 character(s) maximum

B. Exposure to and impact of infringements

*** Do you experience occurrence of IPR infringements when offering your services or trading your goods?**

- Yes
 No

* Please provide detail:

1500 character(s) maximum

* **How do infringements impact on your business?**

- Loss of turnover
- Monitoring costs (e.g. technical measures for prevention and detection)
- Litigation costs
- Free promotion of the brand/product
- Reputational damage
- Non-legal enforcement costs (e.g. notice and action procedures)
- Other

* Please specify:

1000 character(s) maximum

* **What is the overall financial impact of IPR infringements on your turnover?**

- Positive
- Negative

Please provide an estimation in percentage of overall turnover.

 %

* **From your experience, how did the occurrence of IPR infringements develop over the last 10 years?**

- Decreased
- Increased
- Unchanged
- Don't know

* Please provide detail:

1500 character(s) maximum

C. Functioning of key provisions of Directive 2004/48/EC on the enforcement of intellectual property rights

This section aims to provide the Commission with stakeholder' views, opinions and information about the functioning of the overall enforcement framework and of key provisions of IPRED.

C.1. Overall functioning of the enforcement framework

* Have you filed legal action against infringers of your IPR?

- Yes
- No

* In which Member State(s) did you litigate most?

at most 3 choice(s)

- | | | |
|---|--------------------------------------|---|
| <input type="checkbox"/> Austria | <input type="checkbox"/> Belgium | <input type="checkbox"/> Bulgaria |
| <input type="checkbox"/> Cyprus | <input type="checkbox"/> Croatia | <input type="checkbox"/> Czech Republic |
| <input type="checkbox"/> Denmark | <input type="checkbox"/> Estonia | <input type="checkbox"/> Finland |
| <input type="checkbox"/> France | <input type="checkbox"/> Germany | <input type="checkbox"/> Greece |
| <input type="checkbox"/> Hungary | <input type="checkbox"/> Ireland | <input type="checkbox"/> Italy |
| <input type="checkbox"/> Latvia | <input type="checkbox"/> Lithuania | <input type="checkbox"/> Luxembourg |
| <input type="checkbox"/> Malta | <input type="checkbox"/> Netherlands | <input type="checkbox"/> Poland |
| <input type="checkbox"/> Portugal | <input type="checkbox"/> Romania | <input type="checkbox"/> Slovakia |
| <input type="checkbox"/> Slovenia | <input type="checkbox"/> Spain | <input type="checkbox"/> Sweden |
| <input type="checkbox"/> United Kingdom | | |

For these jurisdictions please provide your overall experience and satisfaction with the legal framework for civil enforcement of IPR (please indicate Member State concerned first)?

	Overall experience and satisfaction
Member State 1	
Member State 2	
Member	

State 3

*** Do you think that the existing rules – as provided by the Directive and implemented at national level – have helped effectively in protecting IP and preventing IPR infringements?**

- Yes
- No
- Partly
- No opinion

Please explain:

1500 character(s) maximum

*** Do you consider that the measures and remedies provided for in the Directive are applied in a homogeneous manner across the MS?**

- Yes
- No
- No opinion

Please explain:

1500 character(s) maximum

C.2. Measures, procedures and remedies provided for by IPRED

Responses to this section should be based on the overall experience with the measures, procedures and remedies provided for by IPRED as implemented and applied at national level. If appropriate please specify in your response, to the extent possible, particular national issues or practices and the jurisdiction concerned.

C.2.1 Evidence (Articles 6 and 7)

*** Would you consider that the measures provided by IPRED are effective means for presenting, obtaining and preserving evidence?**

- Yes
- No
- No opinion

*** Please explain:**

1500 character(s) maximum

*** Did you face problems using evidence when making use of your right of information/taking legal action/applying for an injunction in a cross-border situation (judicial authority in your country of establishment and (alleged) infringer/intermediary incorporated or resident in another Member State and/or judicial authority of another EU Member State)?**

- Yes
- No

*** Please explain (please specify to the extent possible the issues and the jurisdictions concerned):**

1500 character(s) maximum

In view of your experience with the application of the rules for having access to and preserving evidence do you see a need to adjust the application of that measure, in particular with regard to preserving evidence in the digital environment?

- Yes
- No
- No opinion

*** Please explain:**

1500 character(s) maximum

C.2.2. Right of information (Article 8)

*** Have you made use of your right of information by applying for an order by a judicial authority?**

- Yes, against an infringer
- Yes, against an intermediary
- No

Right of information against an infringer

*** For infringements**

at most 2 choice(s)

- Offline
- Online

Where and how often in the past 5 years?

	Never	Once	Rarely (in average not more than once a year)	Occasionally (between 1 and 5 times a year)	Frequently (more than 5 times a year)
*In your country of establishment -Against alleged infringer incorporated or resident in your country of establishment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In your country of establishment - Against alleged infringer incorporated or resident in another Member State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In other EU Member States (seat or residence of the alleged infringer)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*** Did you face problems when making use of your right of information in a cross-border situation (judicial authority in your country of establishment and alleged infringer incorporated or resident in another Member State and/or judicial authority of another EU Member State)?**

- Yes
- No
- No experience

Please explain

1500 character(s) maximum

*** What was the information requested?**

- Origin and distribution network of the infringing product
- Quantities and price
- Names and addresses
- Other

Please specify:

500 character(s) maximum

*** Did you usually obtain the information?**

- Yes
- No

*** How long did it take in average to obtain an order obliging the infringer to disclose the requested information?**

- Less than 7 days
- Between 7 and 14 days
- Between 14 and 30 days
- Between 30 and 60 days
- More than 60 days

*** How did you use the information?**

- Cease and desist letter
- Request for preliminary injunction
- Request for permanent injunction
- Application for damages
- For internal purposes only
- Did not use the information
- Other

*** What was the reason for not obtaining the information?**

- Unjustified/disproportionate request
- Protection of confidentiality of information
- Right to respect for private life and/or right to protection of personal data
- Information not available (anymore)
- Information request inaccurate
- Other

Please specify:

500 character(s) maximum

Right of information against an intermediary

*** For infringements**

- Offline
- Online

* Against which type of intermediary?

For the purpose of this consultation:

- "Advertising service provider"

Advertising agencies, advertising broker

- "Contract manufacturing service provider"

Contract manufacturing is an outsourcing of certain production activities previously performed by the manufacturer to a third-party. This may concern certain components for the product or the assembly of the whole product.

- "Business-to-business data storage provider"

Data storage space and related management services for commercial user.

- "Business-to-consumer data storage provider"

File-storing or file-sharing services for personal media files and data

- "Content hosting platform"

Platforms providing to the user access to audio and video files, images or text documents.

- "Press and media company"

Newspaper, broadcaster

- | | |
|---|---|
| <input type="checkbox"/> Advertising service provider | <input type="checkbox"/> Contract manufacturing service provider |
| <input type="checkbox"/> Business-to-business data storage provider | <input type="checkbox"/> Business-to-consumer data storage provider |
| <input type="checkbox"/> Content hosting platform | <input type="checkbox"/> Domain name registrar |
| <input type="checkbox"/> Domain name registry | <input type="checkbox"/> DNS hosting service provider |
| <input type="checkbox"/> Internet Access Provider | <input type="checkbox"/> Mobile apps marketplace |
| <input type="checkbox"/> Press and media company | <input type="checkbox"/> Online marketplace |
| <input type="checkbox"/> Payment service provider | <input type="checkbox"/> Retailer |
| <input type="checkbox"/> Search engine | <input type="checkbox"/> Social media platform |
| <input type="checkbox"/> Transport and logistics company | <input type="checkbox"/> Wholesaler |
| <input type="checkbox"/> Other | |

Please specify:

500 character(s) maximum

Where and how often in the past 5 years?

	Never	Once	Rarely (in average not more than once a year)	Occasionally (between 1 and 5 times a year)	Frequently (more than 5 times a year)
*In your country of establishment - Against intermediary incorporated in your country of establishment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In your country of establishment - Against intermediary incorporated in another Member State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In other EU Member States (seat of the intermediary)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*** Did you face problems when making use of your right of information in a cross-border situation (judicial authority in your country of establishment and alleged infringer incorporated or resident in another Member State and/or judicial authority of another EU Member State)?**

- Yes
- No
- No experience

Please explain:

1500 character(s) maximum

*** What was the information requested?**

- Origin and distribution network of the infringing product
- Quantities and price
- Names and addresses
- Other

Please specify:

500 character(s) maximum

*** Did you usually obtain the information?**

- Yes
- No

*** How long did it take in average to obtain an order obliging the infringer to disclose the requested information?**

- Less than 7 days
- Between 7 and 14 days
- Between 14 and 30 days
- Between 30 and 60 days
- More than 60 days

*** How did you use the information?**

- Cease and desist letter
- Request for preliminary injunction
- Request for permanent injunction
- Application for damages
- For internal purposes only
- Did not use the information
- Other

Please specify:

500 character(s) maximum

*** What was the reason for not obtaining the information?**

- Unjustified/disproportionate request
- Protection of confidentiality of information
- Right to respect for private life and/or right to protection of personal data
- Information not available (anymore)
- Information request inaccurate
- Other

Please specify:

500 character(s) maximum

No use of the right of information

*** What was the reason for not making use of the right of information?**

- | | |
|---|--|
| <input type="checkbox"/> Low probability of success | <input type="checkbox"/> No judgment on the merits yet |
| <input type="checkbox"/> Length of procedure | <input type="checkbox"/> Court fee |
| <input type="checkbox"/> Lawyers' fees and other costs related to the application | <input type="checkbox"/> Defendant established in another Member State |
| <input type="checkbox"/> Court in another Member State | <input type="checkbox"/> Applicable law of another Member State |
| <input type="checkbox"/> Not needed | <input type="checkbox"/> Other |

Please specify:

500 character(s) maximum

*** In view of your experience with the application of the right of information do you see a need to adjust the provisions for the application of that measure?**

- Yes
 No
 No opinion

*** Please explain:**

1500 character(s) maximum

*** Do you consider that the right balance is struck between the right to property and the right to judicial review on the one hand and the right to respect for private life and/or the right to protection of personal data on the other?**

- Yes
 No
 No opinion

*** Please explain:**

1500 character(s) maximum

C.2.3. Procedures and courts, damages and legal costs (Articles 3, 13 and 14)

*** Have you filed legal action against infringers of your IPR?**

at most 2 choice(s)

- Yes
 No

*** For infringements of your IPR**

at most 2 choice(s)

- offline
- online

Where and how often in the past 5 years?

	Never	Once	Rarely (in average not more than once a year)	Occasionally (between 1 and 5 times a year)	Frequently (more than 5 times a year)
*In your country of establishment - Against alleged infringer incorporated or resident in your country of establishment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In your country of establishment - Against alleged infringer incorporated or resident in another Member State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In other EU Member States (seat or residence of the alleged infringer)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*** Did you face problems when taking legal action in a cross-border situation (judicial authority in your country of establishment and infringer incorporated or resident in another Member State and/or judicial authority of another EU Member State)?**

- Yes
- No
- No experience

*** Please explain:**

1500 character(s) maximum

*** What was the reason for taking an infringer to court?**

- Request for preliminary injunction
- Request for permanent injunction
- Application for damages
- Other

Please specify:

500 character(s) maximum

*** In view of your experience with filing legal actions against infringers of your IPR, what was the average time needed (in months) to resolve infringement cases by courts of first instance ?**

 months

*** In view of your experience with filing legal actions against infringers of your IPR, what was the average time needed (in months) to resolve infringement cases by courts of second instance?**

 months

What was the reason for not seeking civil redress?

between 16 and 17 answered rows

	Very relevant	Relevant	Less relevant	Not relevant
*Court fee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Lawyers' fees and other costs related to litigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Length of procedure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Low probability of obtaining appropriate compensation for the damages suffered	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Low probability of obtaining appropriate compensation of legal costs and other expenses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Low probability of obtaining a provisional and/or permanent injunction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Low probability of enforcing the judgment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Court in another Member State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Applicable law of another Member State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Risk of IPR being invalidated	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Protection of confidential information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Use of alternative dispute resolution methods	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Perceived lack of independence of courts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Lack of specialisation/expertise in courts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Infringement not significant to business	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Infringement beneficial to business (e.g. free advertisement)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* Did you claim reimbursement of legal costs incurred in proceedings related to IPR infringements?

- Yes
 No

Please explain:

500 character(s) maximum

*** Was the reimbursement of legal costs claimed at least partly granted?**

- Yes
- No

Please explain:

500 character(s) maximum

The reimbursement of legal costs covered the following expenses:

	Fully covered	Partly covered	No
*Court fees for instituting proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Other court fees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*External expert(s) costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In-house costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Attorney's charge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Additional attorney's fees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please specify:

500 character(s) maximum

*** Was the reimbursement of legal costs sufficient?**

- Yes
- No

Please explain:

500 character(s) maximum

*** Is there a cap on the recoverability of legal costs in your national legislation or any other of the jurisdictions where you litigated?**

- Yes
- No
- Don't know

Please explain:

500 character(s) maximum

*** In view of your experience with the application of the rules for the reimbursement of legal costs do you see a need to adjust the application of that measure?**

- Yes
- No
- No opinion

*** Please explain:**

500 character(s) maximum

*** Did you apply for damages as a compensation for the prejudice suffered as a result of IPR infringement?**

- Yes
- No

*** Did you receive damages?**

- Yes
- No

The damages received included:

	No	Partly covered	Fully covered	Not applied for	Not applicable
*Lost profit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Unfair profits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Moral prejudice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Lump sum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please specify:

500 character(s) maximum

*** Do you consider the award of damages in cases of IPR infringements to be sufficient to compensate for the actual prejudice suffered by the parties affected by an infringement?**

- Yes
- No
- No opinion

*** What are the main obstacles to a sufficient compensation?**

- Limitations in law
- Application of the rules in court
- Other

Please specify:

500 character(s) maximum

*** Is it possible in your Member State for the right holder to claim damages from a third party who actively and knowingly facilitates infringements of IPRs?**

- Yes
- No
- Don't know

Please specify:

500 character(s) maximum

What was the reason for for not claiming damages?

between 11 and 11 answered rows

	Very relevant	Relevant	Less relevant	Not relevant
*Court fee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Lawyers' fees and other costs related to litigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Length of procedure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Low probability of obtaining appropriate compensation for the damages suffered	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Low probability of obtaining appropriate compensation of legal costs and other expenses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Court in another Member State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Applicable law of another Member State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Infringement not significant to business	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Infringement beneficial to business (e.g. free advertisement)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Company policy not to claim damages for IPR infringements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please specify:

500 character(s) maximum

*** In view of your experience with the application of the rules for the calculation of damages do you see a need to adjust the application of that measure?**

- Yes
- No
- No opinion

Please explain:

500 character(s) maximum

C.2.4. Provisional and precautionary measures and injunctions (Articles 9 and 11)

* Have you applied for provisional and precautionary measures in case of an infringement of your IPR?

- Yes, against an infringer
 Yes, against an intermediary
 No

Provisional and precautionary measures against infringer

* For infringements

at most 2 choice(s)

- Offline
 Online

Where and how often in the past 5 years?

	Never	Once	Rarely (in average not more than once a year)	Occasionally (between 1 and 5 times a year)	Frequently (more than 5 times a year)
*In your country of establishment - Against alleged infringer incorporated or resident in your country of establishment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In your country of establishment - Against alleged infringer incorporated or resident in another Member State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In other EU Member States (seat or residence of the alleged infringer)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* Did you face problems when applying for provisional and precautionary measures in a cross-border situation (judicial authority in your country of establishment and (alleged) infringer incorporated or resident in another Member State and/or judicial authority of another EU Member State)?

- Yes
 No
 No experience

* Please explain:

1500 character(s) maximum

* **What are the reasons for applying for provisional and precautionary measures against an infringer?**

- | | |
|---|---|
| <input type="checkbox"/> Prevent an imminent infringement | <input type="checkbox"/> Forbid the continuation of an alleged infringement |
| <input type="checkbox"/> Lodging of guarantees | <input type="checkbox"/> Seizure or delivery up of the goods suspected of infringing an IPR |
| <input type="checkbox"/> Blocking of his/her bank accounts and other assets | <input type="checkbox"/> Precautionary seizure of other movable and immovable property of the alleged infringer |
| <input type="checkbox"/> Other | |

Please specify:

500 character(s) maximum

* **Did you usually obtain the provisional and precautionary measures?**

- Yes
 No

What are the reasons for not obtaining provisional and precautionary measures?

- | | |
|--|--|
| <input type="checkbox"/> Insufficient evidence | <input type="checkbox"/> Measure requested too severe |
| <input type="checkbox"/> Protection of confidentiality of information | <input type="checkbox"/> Right to respect for private life and/or right to protection of personal data |
| <input type="checkbox"/> No commercial scale infringement | <input type="checkbox"/> No likelihood of success on the merits of the case |
| <input type="checkbox"/> Request for a security or an equivalent assurance | <input type="checkbox"/> Other |

Please specify:

500 character(s) maximum

* **What was the average number of days between the lodging of a request for provisional and precautionary measures before the court and the adoption of a decision?**

- Less than 7 days
 Between 7 and 14 days
 Between 14 and 30 days
 Between 30 and 60 days
 More than 60 days

*** Is the decision to grant provisional and precautionary measures against an infringer usually appealed?**

- Yes
- No
- Don't know

Provisional and precautionary measures against an intermediary

*** For infringements**

- Offline
- Online

*** Against which type of intermediary?**

- | | |
|---|---|
| <input type="checkbox"/> Advertising service provider | <input type="checkbox"/> Contract manufacturing service provider |
| <input type="checkbox"/> Business-to-business data storage provider | <input type="checkbox"/> Business-to-consumer data storage provider |
| <input type="checkbox"/> Content hosting platform | <input type="checkbox"/> Domain name registrar |
| <input type="checkbox"/> Domain name registry | <input type="checkbox"/> DNS hosting service provider |
| <input type="checkbox"/> Internet Access Provider | <input type="checkbox"/> Mobile apps marketplace |
| <input type="checkbox"/> Press and media company | <input type="checkbox"/> Online marketplace |
| <input type="checkbox"/> Payment service provider | <input type="checkbox"/> Retailer |
| <input type="checkbox"/> Search engine | <input type="checkbox"/> Social media platform |
| <input type="checkbox"/> Transport and logistics company | <input type="checkbox"/> Wholesaler |
| <input type="checkbox"/> Other | |

Please specify:

500 character(s) maximum

Where and how often in the past 5 years?

	Never	Once	Rarely (in average not more than once a year)	Occasionally (between 1 and 5 times a year)	Frequently (more than 5 times a year)
*In your country of establishment - Against intermediary incorporated in your country of establishment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In your country of establishment - Against intermediary incorporated in another Member State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In other EU Member States (seat of the intermediary)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*** Did you face problems when applying for provisional and precautionary measures in a cross-border situation (judicial authority in your country of establishment and intermediary incorporated in another Member State and/or judicial authority of another EU Member State)?**

- Yes
 No
 No experience

*** Please explain:**

1500 character(s) maximum

*** Does the availability of provisional and precautionary measures against an intermediary depend on whether or not the infringer has been identified?**

- Yes
 No
 Don't know

*** Please explain:**

1500 character(s) maximum

*** What are the reasons for applying for provisional and precautionary measures against an intermediary?**

- | | |
|---|---|
| <input type="checkbox"/> Prevent an imminent infringement | <input type="checkbox"/> Forbid the continuation of an alleged infringement |
| <input type="checkbox"/> Lodging of guarantees | <input type="checkbox"/> Seizure or delivery up of the goods suspected of infringing an IPR |
| <input type="checkbox"/> Blocking of his/her bank accounts and other assets | <input type="checkbox"/> Precautionary seizure of other movable and immovable property of the alleged infringer |
| <input type="checkbox"/> Other | |

Please specify:

500 character(s) maximum

*** Did you usually obtain the provisional and precautionary measures?**

- Yes
 No

What are the reasons for not obtaining provisional and precautionary measures?

- | | |
|---|--|
| <input type="checkbox"/> No sufficient link between the intermediary and the infringement | <input type="checkbox"/> No likelihood of success on the merits of the case |
| <input type="checkbox"/> Insufficient evidence | <input type="checkbox"/> Measure requested too severe |
| <input type="checkbox"/> Protection of confidentiality of information | <input type="checkbox"/> Right to respect for private life and/or right to protection of personal data |
| <input type="checkbox"/> No commercial scale infringement | <input type="checkbox"/> Request for a security or an equivalent assurance |
| <input type="checkbox"/> Other | |

Please specify:

500 character(s) maximum

*** What was the average number of days between the lodging of a request for provisional and precautionary measures before the court and the adoption of a decision?**

- Less than 7 days
 Between 7 and 14 days
 Between 14 and 30 days
 Between 30 and 60 days
 More than 60 days

*** Do courts usually specify in the injunction the exact measures which the intermediary should implement in order to stop the continuation of the alleged infringement?**

- Yes
- No
- Don't know

Please specify:

1500 character(s) maximum

*** Is the decision to grant provisional and precautionary measures against an intermediary usually appealed?**

- Yes
- No
- No opinion

From your experience, from the total of final court decisions in IPR infringement cases, how many uphold the provisional injunction (in percentage)?

 %

No use of provisional and precautionary measures

*** What are the reasons for not applying for provisional and precautionary measures?**

- No need for a provisional injunction
- Costs of procedure
- Excessive security requested
- Length of procedure
- Court in another Member State
- Applicable law of another Member State
- Intermediary in question not covered
- Low probability of compliance with injunction
- Other

Please specify:

500 character(s) maximum

*** Have you applied for an injunction in case of an infringement of your IPR?**

- Yes, against an infringer
- Yes, against an intermediary
- No

Injunction against infringer

* For infringements

Offline

Online

Where and how often in the past 5 years?

	Never	Once	Rarely (in average not more than once a year)	Occasionally (between 1 and 5 times a year)	Frequently (more than 5 times a year)
*In your country of establishment - Against alleged infringer incorporated or resident in your country of establishment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In your country of establishment - Against alleged infringer incorporated or resident in another Member State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In other EU Member States (seat or residence of the alleged infringer)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* Did you face problems when applying for an injunction in a cross-border situation (judicial authority in your country of establishment and (alleged) infringer incorporated or resident in another Member State and/or judicial authority of another EU Member State)?

Yes

No

* Please explain:

500 character(s) maximum

* Did you usually obtain the injunction?

Yes

No

*** What are the reasons for not obtaining an injunction?**

- Right to respect for private life and/or right to protection of personal data
- No commercial scale infringement
- Measure requested too severe
- Protection of confidentiality of information
- Other

Please specify:

500 character(s) maximum

Injunction against an intermediary

*** For infringements**

- Offline
- Online

*** Against which type of intermediary?**

- | | |
|---|---|
| <input type="checkbox"/> Advertising service provider | <input type="checkbox"/> Contract manufacturing service provider |
| <input type="checkbox"/> Business-to-business data storage provider | <input type="checkbox"/> Business-to-consumer data storage provider |
| <input type="checkbox"/> Content hosting platform | <input type="checkbox"/> Domain name registrar |
| <input type="checkbox"/> Domain name registry | <input type="checkbox"/> DNS hosting service provider |
| <input type="checkbox"/> Internet Access Provider | <input type="checkbox"/> Mobile apps marketplace |
| <input type="checkbox"/> Press and media company | <input type="checkbox"/> Online marketplace |
| <input type="checkbox"/> Payment service provider | <input type="checkbox"/> Retailer |
| <input type="checkbox"/> Search engine | <input type="checkbox"/> Social media platform |
| <input type="checkbox"/> Transport and logistics company | <input type="checkbox"/> Wholesaler |
| <input type="checkbox"/> Other | |

Please specify:

500 character(s) maximum

Where and how often in the past 5 years?

	Never	Once	Rarely (in average not more than once a year)	Occasionally (between 1 and 5 times a year)	Frequently (more than 5 times a year)
*In your country of establishment - Against intermediary incorporated in your country of establishment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In your country of establishment - Against intermediary incorporated in another Member State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*In other EU Member States (seat of the intermediary)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*** Did you face problems when applying for an injunction in a cross-border situation (judicial authority in your country of establishment and intermediary incorporated in another Member State and/or judicial authority of another EU Member State)?**

- Yes
- No
- No experience

*** Please explain:**

1500 character(s) maximum

*** Does the availability of an injunction against an intermediary depend on whether or not the infringer has been identified?**

- Yes
- No
- Don't know

What are the reasons for applying for an injunction against an intermediary with regard to a third party using its services infringing an IPR?

	Very relevant	Relevant	Less relevant	Not relevant
*Block access to infringing content online	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Stay down of infringing content online	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Adopt technical measures such as filtering	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*De-indexing infringing websites	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Permanent termination of domain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Permanent termination of subscriber account	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Discontinue providing payment services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Discontinue providing advertising services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Discontinue providing transport services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Discontinue manufacturing of infringing products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Termination of lease for commercial premises	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please specify:

500 character(s) maximum

*** Did you usually obtain the injunction?**

- Yes
- No

*** Did the court usually specify in the injunction the exact measures which the intermediary should implement in order to stop the continuation of the alleged infringement?**

- Yes
- No
- Don't know

Please specify:

1500 character(s) maximum

*** What are the reasons for not obtaining an injunction?**

- No sufficient link between the intermediary and the infringement
- Right to respect for private life and/or right to protection of personal data
- No commercial scale infringement
- Measure requested too severe
- Protection of confidentiality of information
- Other

Please specify:

500 character(s) maximum

No use of injunctions

*** What are the reasons for not applying for an injunction?**

- No need for a permanent injunction
- Costs of procedure
- Length of procedure
- Court in another Member State
- Applicable law of another Member State
- Intermediary in question not covered
- Other

Please specify:

500 character(s) maximum

*** In view of your experience with the application of the rules for provisional and precautionary measures and injunctions do you see a need to adjust the application of these measures?**

- Yes
- No
- No opinion

*** Should the Directive explicitly establish that all types of intermediaries can be enjoined?**

- Yes
- No
- No opinion

Please explain:

1500 character(s) maximum

*** Should the Directive explicitly establish that no specific liability or responsibility (violation of any duty of care) of the intermediary is required to issue an injunction?**

- Yes
- No
- No opinion

Please explain:

1500 character(s) maximum

*** Should the Directive explicitly establish that national courts must be allowed to order intermediaries to take measures aimed not only at bringing to an end infringements already committed against IPR using their services, but also at preventing further infringements?**

- Yes
- No
- No opinion

Please explain:

1500 character(s) maximum

*** In that respect should the Directive establish criteria on how preventing further infringements is to be undertaken (in the on-line context without establishing a general monitoring obligation under the E-Commerce Directive)?**

- Yes
- No
- No opinion

Please explain:

1500 character(s) maximum

*** Do you see a need for criteria defining the proportionality of an injunction?**

- Yes
- No
- No opinion

Please explain:

1500 character(s) maximum

*** Do you see a need for a definition of the term "intermediary" in the Directive?**

- Yes
- No
- No opinion

Please explain:

1500 character(s) maximum

*** Do you see a need for a clarification on how to balance the effective implementation of a measure and the right to freedom of information of users in case of a provisional measure or injunction prohibiting an internet service provider from allowing its customers access to allegedly IPR infringing material without specifying the measures which that service provider must take?**

- Yes
- No
- No opinion

Please explain:

1500 character(s) maximum

*** Do you see a need for other amendments to the provisions on provisional and precautionary measures and on injunctions?**

- Yes
- No
- No opinion

Please explain:

1500 character(s) maximum

C.2.5. Publication of judicial decisions

*** Have you requested in legal proceedings instituted for infringement of an IPR the decision to be published in full or in part?**

- Yes
- No

Please explain your motivation:

1500 character(s) maximum

*** Do you see a need for / added value in a more systematic dissemination of the information concerning the decision in legal proceedings instituted for infringement of an IPR?**

- Yes
- No
- No opinion

Please explain:

1500 character(s) maximum

C.2.6. Other issues

*** Are there any other provisions of the Directive which, in your view, would need to be improved?**

- Yes
- No
- No opinion

* Please specify the relevant provisions and explain.

1500 character(s) maximum

D. Issues outside the scope of the current legal framework

D.1. Role of intermediaries in IPR enforcement and the prevention of IPR infringements

* **Do you believe that intermediary service providers should play an important role in enforcing IPR?**

- Yes
- No
- No opinion

* **Which intermediaries are best placed to prevent infringements of IPR?**

- | | |
|---|---|
| <input type="checkbox"/> Advertising service provider | <input type="checkbox"/> Contract manufacturing service provider |
| <input type="checkbox"/> Business-to-business data storage provider | <input type="checkbox"/> Business-to-consumer data storage provider |
| <input type="checkbox"/> Content hosting platform | <input type="checkbox"/> Domain name registrar |
| <input type="checkbox"/> Domain name registry | <input type="checkbox"/> DNS hosting service provider |
| <input type="checkbox"/> Internet Access Provider | <input type="checkbox"/> Mobile apps marketplace |
| <input type="checkbox"/> Press and media company | <input type="checkbox"/> Online marketplace |
| <input type="checkbox"/> Payment service provider | <input type="checkbox"/> Retailer |
| <input type="checkbox"/> Search engine | <input type="checkbox"/> Social media platform |
| <input type="checkbox"/> Transport and logistics company | <input type="checkbox"/> Wholesaler |
| <input type="checkbox"/> Other | |

Please specify:

500 character(s) maximum

* **Do you cooperate with intermediaries in the protection and enforcement of your IPR?**

- Yes
- No

*** Which intermediaries do you cooperate with?**

- | | |
|---|---|
| <input type="checkbox"/> Advertising service provider | <input type="checkbox"/> Contract manufacturing service provider |
| <input type="checkbox"/> Business-to-business data storage provider | <input type="checkbox"/> Business-to-consumer data storage provider |
| <input type="checkbox"/> Content hosting platform | <input type="checkbox"/> Domain name registrar |
| <input type="checkbox"/> Domain name registry | <input type="checkbox"/> DNS hosting service provider |
| <input type="checkbox"/> Internet Access Provider | <input type="checkbox"/> Mobile apps marketplace |
| <input type="checkbox"/> Press and media company | <input type="checkbox"/> Online marketplace |
| <input type="checkbox"/> Payment service provider | <input type="checkbox"/> Retailer |
| <input type="checkbox"/> Search engine | <input type="checkbox"/> Social media platform |
| <input type="checkbox"/> Transport and logistics company | <input type="checkbox"/> Wholesaler |
| <input type="checkbox"/> Other | |

Please specify:

500 character(s) maximum

*** How do you cooperate with these intermediaries?**

- Bilaterally
- Within a multilateral cooperation agreement
- Other

Please specify the agreement and its scope:

500 character(s) maximum

Please specify:

500 character(s) maximum

*** Do you consider your cooperation with intermediaries successful?**

- Yes
- No
- No opinion

What are the elements for a successful cooperation between rightholders and intermediaries?

500 character(s) maximum

*** On the basis of your experience what are the main challenges in establishing a successful cooperation between rightholders and intermediaries?**

- Economic interests (e.g. additional costs involved)
- Technology
- Specific regulatory requirements
- Other

Please specify:

500 character(s) maximum

*** Why do you not cooperate with intermediaries?**

- Not aware of the possibility
- Investigation and reporting costs
- Negative experience
- Other

*** In your opinion does the voluntary involvement of intermediary service providers in enforcing IPR have or might have a negative impact on fundamental rights?**

- Yes
- No
- No opinion

*** How could fundamental rights be negatively affected?**

- Limitation of freedom of expression
- Limitation of freedom to conduct business
- Limitation of the right to due process
- Limitation to the dissemination of legal content
- Other

Please specify:

500 character(s) maximum

D.2. Specialised courts

*** Have you filed legal actions with a court, a court's chamber or a judge specialised in IP matters?**

- Yes
- No

*** In which Member State(s)?**

- | | | |
|---|--------------------------------------|---|
| <input type="checkbox"/> Austria | <input type="checkbox"/> Belgium | <input type="checkbox"/> Bulgaria |
| <input type="checkbox"/> Cyprus | <input type="checkbox"/> Croatia | <input type="checkbox"/> Czech Republic |
| <input type="checkbox"/> Denmark | <input type="checkbox"/> Estonia | <input type="checkbox"/> Finland |
| <input type="checkbox"/> France | <input type="checkbox"/> Germany | <input type="checkbox"/> Greece |
| <input type="checkbox"/> Hungary | <input type="checkbox"/> Ireland | <input type="checkbox"/> Italy |
| <input type="checkbox"/> Latvia | <input type="checkbox"/> Lithuania | <input type="checkbox"/> Luxembourg |
| <input type="checkbox"/> Malta | <input type="checkbox"/> Netherlands | <input type="checkbox"/> Poland |
| <input type="checkbox"/> Portugal | <input type="checkbox"/> Romania | <input type="checkbox"/> Slovakia |
| <input type="checkbox"/> Slovenia | <input type="checkbox"/> Spain | <input type="checkbox"/> Sweden |
| <input type="checkbox"/> United Kingdom | | |

*** Which rights were covered by the competence of the court?**

- | | |
|--|--|
| <input type="checkbox"/> Copyright | <input type="checkbox"/> Community trademark rights |
| <input type="checkbox"/> Community design rights | <input type="checkbox"/> Rights related to copyright |
| <input type="checkbox"/> National trademark rights | <input type="checkbox"/> National design rights |
| <input type="checkbox"/> Patent rights (including rights derived from supplementary protection certificates) | <input type="checkbox"/> Geographical indications |
| <input type="checkbox"/> Rights of the creator of the topographies of a semiconductor product | <input type="checkbox"/> Plant variety rights |
| <input type="checkbox"/> Sui generis right of a database maker | <input type="checkbox"/> Trade names (in so far as these are protected as exclusive property rights in the national law concerned) |
| <input type="checkbox"/> Utility model rights | <input type="checkbox"/> Other |
| <input type="checkbox"/> Don't know | |

Please specify:

500 character(s) maximum

*** Does the legal action at a court specialised in IPR matters provide an added value compared to legal actions at other courts?**

- Yes
 No
 No opinion

*** Please specify the added value:**

- Shorter proceedings
- Lower costs
- More expertise
- Court proceedings more fit-for-purpose
- Better quality of the court decision
- Other

Please specify:

500 character(s) maximum

*** Why not?**

- Specialised courts not available
- Longer proceedings
- Higher costs
- Other

Please specify:

1500 character(s) maximum

D.3. Other issues outside the scope of the current legal framework

*** Do you identify any other issue outside the scope of the current legal framework that should be considered in view of the intention to modernise the enforcement of IPR?**

- Yes
- No
- No opinion

*** Please specify:**

3000 character(s) maximum

E. Other comments

*** Do you have any other comments?**

Yes

No

*** Please specify:**

3000 character(s) maximum