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

Fields marked with \* are mandatory.

### Objectives and General Information

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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 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.

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

The Danish Government

Contact person in relation to this consultation:  
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**\* 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

**\* 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

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**\* Please identify the national authority you are responding for.**

- National ministry or authority responsible for IPR enforcement policy
- National IP office
- National authority responsible for IPR enforcement
- Regional authority responsible for IPR enforcement
- Other law enforcement authority
- Other

**\* Please indicate the country of establishment of the authority:**

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

**\* Your authority is responsible for the following IPR:**

- |  |  |
|--|--|
| <input type="checkbox"/> Copyright   | <input type="checkbox"/> Rights related to copyright   |
| <input type="checkbox"/> Community trademark rights  | <input type="checkbox"/> Community design rights   |
| <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 checked="" type="checkbox"/> All IPR  |  |

## B. Impact of IP infringing goods and services

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

- Decreased
- Increased
-

- Unchanged
- Don't know

\* Please specify:

*1500 character(s) maximum*

The statistics from the Customs authorities' and a number of reports published by eg the European Observatory on Infringements of Intellectual Property Rights points to the conclusion that IPR infringements have increased over the last 10 years. At the same time, it is noted that the number of IPR court cases and injunction cases in Denmark have been stable over the last 10 years.

**What is your assessment of the impact of IP infringements on government and society?**

	Very high	High	Medium	Low	No impact
*Loss in tax revenues	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Health	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Safety	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*SME	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Competitiveness	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

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

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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

\* Do you think that the existing rules have helped effectively in protecting IP and preventing IP infringements?

- Yes
- No
- No opinion

\* Please explain:

*1500 character(s) maximum*

The minimum directive has secured a certain level for the IPR enforcement framework across the EU. However, the member states are interpreting the provisions somewhat differently. Training seminars (with workshops and cases) bringing judges from different member states together may be helpful in order to achieve a more uniform interpretation of the directive across the member states. The European Observatory on Infringement of Intellectual Property rights could be a good forum for such seminars.

## 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 in your jurisdiction. If appropriate please specify in your response, to the extent possible, particular national issues or practices.

### C.2.1. Evidence (Articles 6 and 7)

**\* Does IPRED provide for effective means of presenting, obtaining and preserving evidence?**

- Yes  
 No  
 No opinion

Please explain:

*1500 character(s) maximum*

**\* In view of your experience with the implementation and 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

### C.2.2. Right of information (Article 8)

**\* C.4.1. Do you have information on the number of request for information filed in your jurisdiction in cases of alleged infringement of IPR and on the length of the procedure?**

- Yes  
 No

**\* What are the requirements for a request for information to be proportionate and justified when exercising the right of information against an infringer?**

*1500 character(s) maximum*

According to the Danish Administration of Justice Act (AJA), Section 306 (3), the court partly or wholly refuses a request for information if it is assumed

that providing the information would cause the one to whom the request relates or others, injury or disadvantage which would be disproportionate to the claimant's interest in obtaining the information.

**\* What are the requirements for a request for information to be proportionate and justified when exercising this right of information against another person (e.g. an intermediary)?**

*1500 character(s) maximum*

According to AJA, Section 306 (1), the right of information applies not only against a counterparty but also third parties. Hence, the requirements for a request for information to be proportionate and justified when exercising the right of information against another person (e.g. an intermediary) are the same as explained above.

**\* How do you define "commercial scale" in your jurisdiction?**

*1500 character(s) maximum*

The Danish definition of commercial scale translates into "when part of a business activity". The threshold is low, as it does not take much to fall within this definition.

**\* What is the scope of the assessment of the admissibility and the merits of a request for information?**

*1500 character(s) maximum*

The court carries out a concrete assessment. The court partly or wholly refuses the request if the request for information is not proportionate and justified. It is a precondition to admit a request for information that an infringement must be assumed to exist. Hence, it may be necessary for the court to examine this issue under a partial decision, cf. AJA Section 253.

**\* What is the burden of proof and evidence required to demonstrate the existence of an infringement?**

*1500 character(s) maximum*

Unless otherwise is stipulated by law there is a free assessment of evidence under Danish law. However, an infringement, as mentioned in AJA, section 653 (2), must be ascertained to exist in order to obtain information under AJA section 306.

**\* What are the procedural safeguards in your jurisdiction to ensure the proportionate use, the relevance of the information for the identification of an infringer and the accuracy and correctness of the identification of the infringer, in particular when information is to be provided by a third person, for example an intermediary service provider, for such purposes?**

*1500 character(s) maximum*

According to AJA, Section 307 (2), the counterparty and the one to whom the request relates have the right to comment on the request before the court makes its decision.

**To your knowledge what are the reasons for not obtaining the requested information?**

	Very relevant	Relevant	Less relevant	Not relevant
Unjustified/disproportionate request	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Protection of confidentiality of information	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Protection of rights to respect for private life and protection of personal data	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Information not available (anymore)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Information provided in the request inaccurate	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**To your knowledge what are the reasons for not making use of the right of information?**

	Very relevant	Relevant	Less relevant	Not relevant
Low probability of success	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
No judgment on the merits yet	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Length of procedure	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Court fee	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Lawyer's fee and other costs related to the application	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Defendant established in another Member State	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Court in another Member State	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Applicable law of another Member State	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**\* In view of your experience with the implementation and application of the right of information do you think that the existing rules have helped effectively in protecting IP and preventing IPR infringements?**

- Yes
- No
- No opinion

\* Please explain:

*1500 character(s) maximum*

It is noted that the provisions on the right of information are rarely used in Denmark. Instead, the Danish industry generally seems to prefer to use the measures for preserving evidence (provided in article 7 in the enforcement directive).

\* **In view of your experience with the implementation and 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 see a need to clarify the criteria used to reconcile the requirements of the right to respect for private life/protection of personal data on the one hand and an effective remedy on the other hand when assessing requests for disclosure of personal data for the purpose of initiating judicial proceedings?**

- Yes  
 No  
 No opinion

\* Please explain:

*1500 character(s) maximum*

There is no need for such clarification in relation to Denmark. If the situation is different in other member states, it may be an idea to provide case examples/workshops for judges.

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

\* **Do you have information on the number of legal action filed in your jurisdiction in cases of alleged infringement of IPR and on the length of proceedings?**

- Yes  
 No

\* Please provide detail and reference:

*1500 character(s) maximum*

Overview of trademark and patent cases received by the Danish Maritime and Commercial Court from 2011–2015:



Cases received in:

2011: 124 trademark cases and 13 patent cases

2012: 92 trademark cases and 16 patent cases

2013: 89 trademark cases and 19 patent cases

2014: 92 trademark cases and 14 patent cases

2015: 116 trademark cases and 17 patent cases

**To your knowledge what are the reasons for taking an infringer to court?**

	Very relevant	Relevant	Less relevant	Not relevant
Damages	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Interlocutory injunction	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Permanent injunction	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**\* Please specify:**

*500 character(s) maximum*

Another motivation could be to encourage a settlement.

An additional motivation can be to obtain a judgment, which can show other potential infringers that the right owner will not accept IPR infringements, but will instead fight back rigorously through IPR enforcement actions.

**\* To your knowledge are there problems when taking legal action in a cross-border situation (judicial authority in your jurisdiction and infringer incorporated or resident in another Member State and/or judicial authority of another EU Member State)?**

- Yes
- No
- Don't know

**To your knowledge what are the reasons for not seeking civil redress?**

	Very relevant	Relevant	Less relevant	Not relevant
High court fees	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
High lawyer's fees and other costs related to litigation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Length of procedure	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Low probability of obtaining appropriate compensation for the damages suffered	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Low probability of obtaining appropriate compensation of legal costs and other expenses	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Low probability of obtaining a provisional and/or permanent injunction	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Low probability of enforcing the judgment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Court in another Member State	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Risk of IPR being invalidated	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Protection of confidential information	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Perceived lack of independence of courts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Lack of specialisation/expertise in courts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Applicable law of another Member State	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**\* In your jurisdiction damages compensating for the prejudice suffered as a result of an infringement can include**

- Lost profit
- Unfair profits
- Moral prejudice
- Lump sum
- Other

**\* Is it possible in your jurisdiction 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 explain:**

*1500 character(s) maximum*

**\* Overall, in view of your experience with the implementation and application of the rules for setting damages do you think that the existing rules have helped effectively in protecting IP and preventing IPR infringements?**

- Yes
- No
- No opinion

**\* Please explain:**

*1500 character(s) maximum*

-

**\* In view of your experience with the implementation and application of the rules for setting damages do you see a need to adjust the provisions for the application of that measure?**

- Yes
- No
- No opinion

**\* In your jurisdiction the reimbursement of legal costs incurred by the successful party can cover**

- Court fees for instituting proceedings
- In-house costs
- Other court fees
- Attorney's charge
- External expert(s) costs
- Additional attorney's fees
- Other

**\* Are there any limitations on the recoverability of legal costs stipulated in the legislation/established by case law in your jurisdiction?**

- Yes
- No

**\* Please explain:**

*1500 character(s) maximum*

All legal costs actually incurred are not necessarily reimbursed.

AJA Section 312: Unless otherwise agreed by the parties, the unsuccessful party must compensate the opposing party for the costs incurred as a result of the action.

(2) In interlocutory appeals against orders and decisions, the unsuccessful party must compensate the opposing party for the costs incurred as a result of the interlocutory appeal, unless otherwise agreed by the parties.

(3) However, the court may direct that the unsuccessful party is not to compensate or is only to partially compensate the opposing party for his costs if special circumstances so warrant.

(4) If the unsuccessful party has offered the opposing party what is due to that party, the opposing party must compensate the unsuccessful party for the costs of the subsequent part of the process. Subsection (3) applies correspondingly.

(5) If the case is dismissed in its entirety, the plaintiff will be deemed to have lost the case for the purposes of costs.

(6) If, on appeal, a party is not successful in having the decision under appeal modified or reversed, such party will be deemed to have lost the appeal for the purposes of costs.

(7) In the proceedings mentioned in Parts 42, 42a, 43, 43a and 43b neither party must pay costs to any other party. However, the court may direct a party to pay costs if special circumstances so warrant.

Please also see the description of AJA Section 316 supplied in the answer to the next question.

**\* Overall, in view of your experience with the implementation and application of the rules for the reimbursement of legal costs do you think that the existing rules have helped effectively in protecting IP and preventing IPR infringements?**

- Yes
- No
- No opinion

**\* Please explain:**

*1500 character(s) maximum*

The following remarks constitutes a continuation of the reply to the previous question, as sufficient space was not available above:

AJA Section 316: The costs which have been necessary for the adequate conduct of the case are deemed to constitute recoverable costs. Legal costs or costs for assistance by a person representing a party under section 260(5) by virtue of his occupation or under section 260(6) are recoverable by a reasonable amount, and other costs are recoverable in full.

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

- Yes
- No
- No opinion

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

##### Provisional and precautionary measures

**\* Do you have information on the number of requests for provisional and precautionary measures filed in your jurisdiction in cases of alleged infringement of IPR and on the length of proceedings?**

- Yes
- No

**To your knowledge what are the reasons for applying for provisional and precautionary measures?**

	Very relevant	Relevant	Less relevant	Not relevant
Prevent an imminent infringement	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Forbid the continuation of an alleged infringement	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lodging of guarantees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Seizure or delivery up of the goods suspected of infringing an IPR	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Blocking of alleged infringer's bank accounts and other assets	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Precautionary seizure of other movable and immovable property of the alleged infringer	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**\* In your jurisdiction what are the requirements to obtain provisional and precautionary measures against an infringer?**

*1500 character(s) maximum*

According to AJA, Section 413, a prohibitory or mandatory injunction may be granted if the party applying for the injunction proves on a balance of probabilities or by clear and convincing evidence:

- (i) that the party holds the right for which protection by way of a prohibitory or mandatory injunction is sought;
- (ii) that the conduct of the opposing party necessitates the granting of the injunction; and
- (iii) that the ability of the party to enforce his right will be lost if the party has to await a full trial.

According to AJA, Section 414, no prohibitory or mandatory injunction may be granted if the general provisions of this Act on penalty and compensation and any security offered by the opposing party are deemed to provide adequate protection to the party.

(2) The court may refuse to grant a prohibitory or mandatory injunction if such injunction would cause the opposing party to suffer a detriment or disadvantage which is clearly disproportionate to the party's interest in obtaining the injunction.

According to AJA, Section 627, the enforcement court may levy attachment to secure money claims when

- (i) execution cannot be levied regarding the claim, and
- (ii) it must be assumed that the possibility of obtaining coverage at a later point in time would otherwise be significantly impaired

Furthermore, according to AJA, Section 628, attachment cannot be levied when it must be assumed that the claim does not exist.

**\* In your jurisdiction can provisional and precautionary measures against an infringer be issued only to stop an actual infringement or also to prevent further infringements in the future?**



- Only actual infringement
- Also further infringements in the future
- Don't know

**\* Do you have in your jurisdiction an out of court procedure for cease and desist notices for alleged IP infringements?**

- Yes
- No
- Don't know

**To your knowledge what are the reasons for not obtaining provisional and precautionary measures against an infringer?**

	Very relevant	Relevant	Less relevant	Not relevant
Insufficient evidence	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Measure requested disproportionate	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
No likelihood of success on the merits of the case	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Protection of confidentiality of information	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Protection of the right to respect for private life and/or a right to protection of personal data	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Request for a security or an equivalent assurance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
No commercial scale infringement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Infringer established in another jurisdiction	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**\* In your jurisdiction what are the requirements to obtain provisional and precautionary measures against an intermediary?**

*1500 character(s) maximum*

AJA Section 413 on provisional and precautionary measures also applies in relation to intermediaries. Hence, the requirements are the same as explained above.

**\* Is it possible to obtain provisional and precautionary measures against any intermediary or is an injunction subject to an active involvement (responsibility/liability) of the intermediary in the infringement?**

- Any intermediary
- Only intermediaries actively involved in the infringement
- Don't know

**\* In your jurisdiction can provisional and precautionary measures against an intermediary be issued only to stop an actual infringement or also to prevent further infringements in the future?**

- Only actual infringement
- Also further infringements in the future
- Don't know

**\* How do you define "further infringements" without imposing on intermediaries general monitoring obligation in the meaning of the E-commerce Directive?**

*1500 character(s) maximum*

Such provisional/precautionary measures would concern a specific infringement; The courts can thus issue a preliminary injunction against an intermediary, which imposes an obligation on the intermediary to block future access to a specific website.

**To your knowledge what are the reasons for not obtaining provisional and precautionary measures against an intermediary?**

	Very relevant	Relevant	Less relevant	Not relevant
Insufficient evidence	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Measure requested disproportionate	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
No sufficient link between the intermediary and the infringement	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
No likelihood of success on the merits of the case	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Protection of confidentiality of information	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Protection of the right to respect for private life and/or right to protection of personal data	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
No commercial scale infringement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Intermediary established in another jurisdiction	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**\* Are you aware of problems when applying for provisional and precautionary measures in a cross-border situation (judicial authority in your jurisdiction and infringer or intermediary established in another Member State and/or judicial authority of another EU Member State)?**

- Yes
- No

**\* Are you aware of problems when executing provisional and precautionary measures in a cross-border situation (judicial authority in another jurisdiction and infringer or intermediary established in your jurisdiction or vice versa)?**

- Yes  
 No

**To your knowledge what are the reasons for not applying for provisional and precautionary measures?**

	Very relevant	Relevant	Less relevant	Not relevant
No need for a provisional injunction	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
High cost of procedure	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Excessive security	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Length of procedure	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Responsible court in another Member State	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Applicable law of another Member State	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Intermediary in question not covered	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**\* Please specify:**

*500 character(s) maximum*

Other reasons are:  
 The risk to be liable for damages in case the final judgment determines that the provisional/precautionary measures were not justified.

The industry also refers to the so-called "OHIM bomb", meaning that in cases where the right holder seeks an injunction, the alleged infringer can choose to initiate cancellations proceeding at OHIM (in 3 instances).

### Injunctions

**\* Do you have information on the number of requests for injunctions filed in your jurisdiction in cases of alleged infringement of IPR and on the length of proceedings?**

- Yes  
 No

**\* In your jurisdiction what are the requirements to obtain an injunction against an infringer?**

*1500 character(s) maximum*



According to AJA, Section 413, a prohibitory or mandatory injunction may be granted if the party applying for the injunction proves on a balance of probabilities or by clear and convincing evidence:

- (i) that the party holds the right for which protection by way of a prohibitory or mandatory injunction is sought;
- (ii) that the conduct of the opposing party necessitates the granting of the injunction; and
- (iii) that the ability of the party to enforce his right will be lost if the party has to await a full trial.

**\* In your jurisdiction can an injunction against an infringer be issued only to stop an actual infringement or also to prevent further infringements in the future?**

- Only actual infringement
- Also further infringements in the future
- Don't know

**To your knowledge what are the reasons for not obtaining an injunction against an infringer?**

	Very relevant	Relevant	Less relevant	Not relevant
Insufficient evidence	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
No sufficient link between the intermediary and the infringement	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Measure requested disproportionate	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Protection of confidentiality of information	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Protection of the right to respect for private life and/or right to protection	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
No commercial scale infringement	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**\* In your jurisdiction what are the requirements to obtain an injunction against an intermediary?**

*1500 character(s) maximum*

AJA Section 413 on injunctions also applies in relation to intermediaries. Hence, the requirements to obtain an injunction against an intermediary are the same as explained above.

**To your knowledge what are the measures applicants seek to implement when applying for an injunction against an intermediary with regard to third parties using their services infringing an IPR?**

	Very relevant	Relevant	Less relevant	Not relevant

Block access to infringing content online	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Stay down of infringing content online	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Adopt technical measures such as filtering	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
De-indexing infringing websites	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Permanent termination of domain	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Permanent termination of subscriber account	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Discontinue providing payment services	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Discontinue providing advertising services	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Discontinue providing transport services	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Discontinue manufacturing of infringing products	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Termination of lease for commercial premises	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**\* Is it possible to obtain an injunction against any intermediary or is an injunction subject to an active involvement (responsibility/liability) of the intermediary in the infringement?**

- Any intermediary
- Only intermediaries actively involved in the infringement
- Don't know

**\* In your jurisdiction can an injunction against an intermediary be issued only to stop an actual infringement or also to prevent further infringements in the future?**

- Only actual infringement
- Also further infringements in the future
- Don't know

**\* How do you define "further infringements" without imposing on intermediaries general monitoring obligation in the meaning of the E-commerce Directive?**

*1500 character(s) maximum*

Such an injunction would concern a specific infringement; The courts can thus issue an injunction against an intermediary, which imposes an obligation on the intermediary to block future access to a specific website.

**\* Is it possible in your jurisdiction to obtain an injunction against an internet intermediary forbidding the continued access to the material that is allegedly infringing IPR when that injunction does not specify the measures which that access provider must take?**

- Yes
- No
- Don't know

**\* How do courts guarantee the judicial oversight of the measures chosen by the intermediary in the context of the need to ensure compliance with the fundamental right of internet users to freedom of information?**

*1500 character(s) maximum*

The intermediary's customers can initiate legal proceeding against the intermediary. During such a case the court will decide, if the measures chosen by the intermediary went too far.

**To your knowledge what are the reasons for not obtaining an injunction against an intermediary?**

	Very relevant	Relevant	Less relevant	Not relevant
Insufficient evidence	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
No sufficient link between the intermediary and the infringement	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Measure requested too severe	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Protection of confidentiality of information	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Protection of the right to respect for private life and/or right to protection	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
No commercial scale infringement	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**To your knowledge what are the reasons for not applying for an injunction?**

	Very relevant	Relevant	Less relevant	Not relevant
No need for an injunction	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Costs of procedure	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Length of procedure	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Court in another Member State	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Applicable law of another Member State	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Intermediary in question not covered	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**\* Are you aware of problems when applying for an injunction in a cross-border situation (judicial authority in your jurisdiction and intermediary established in another Member State and/or judicial authority of another EU Member State)?**

- Yes  
 No

**\* Are you aware of problems when executing an injunction in a cross-border situation (judicial authority in another jurisdiction and infringer or intermediary established in your jurisdiction or vice versa)?**

- Yes  
 No

**\* 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*

It is not a problem in Denmark, where all types of intermediaries can be enjoined. However, as the situation differs across the member states, the proposed clarification is desirable.

**\* 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*

Please refer to the Danish Government's reply to the European Commission's recent public consultation on online platforms and online intermediaries etc. The reply describes the Danish Government's view on the role of intermediaries and provides suggestions for future initiatives.

\* **In that respect should the Directive establish criteria on how preventing further infringements is to be undertaken (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*

Looking at Denmark, there is no need for such a clarification. The system functions well in Denmark.

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

- Yes  
 No  
 No opinion

\* Please explain:

*1500 character(s) maximum*

We find that the term "intermediary" is sufficiently precise, while at the same time being fit for future developments.

\* **Do you see a need for a clarification on how to balance the effective implementation of an injunction 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*

Looking at Denmark, there is no need for such a clarification.

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

- Yes
- No
- No opinion

### C.2.5. Publication of judicial decisions (Article 15)

**\* Are judicial decisions related to the enforcement of intellectual property rights publicly available in your jurisdiction?**

- Yes
- No
- Don't know

**\* Please provide detail and reference:**

*1500 character(s) maximum*

Most civil IPR cases are handled by the Maritime and Commercial Court. Its judgments are publically available on the court's website. In addition, The Danish Ministerial Network on IPR Infringements has established an online database containing the judgment in criminal IPR cases (available at [www.stoppiratkopiering.dk](http://www.stoppiratkopiering.dk)).

**\* To your knowledge do parties usually request in legal proceedings instituted for infringement of an IPR the decision to be published in full or in part?**

- Yes
- No
- Don't know

Please specify:

*1500 character(s) maximum*

In most cases, this measure is not requested.

**\* 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*

It is noted that the dissemination is already systematic in Denmark. It would be preferable to have a systematic dissemination in all member states.

## C.2.6. Other issues

**\* Please explain:**

*1500 character(s) maximum*

-

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

- Yes  
 No  
 No opinion

## D. Issues outside the scope of the current legal framework

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### D.1. Intermediaries

**\* Do you think that the existing rules strike the right balance between need to effectively protect IP and preventing IP infringements and the need to protect fundamental rights including the right to respect for private life, the right to protection of personal data, the freedom to conduct a business as well as the freedom of information?**

- Yes  
 No  
 No opinion

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

- Yes  
 No  
 No opinion

**\* In your opinion which intermediaries are best placed to prevent infringements of IPR?**

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

\* Please specify:

*500 character(s) maximum*

All intermediaries could be relevant.

\* **Do you have in your jurisdiction a legal obligation for intermediaries to engage in the prevention of IPR infringements?**

- Yes  
 No  
 Don't know

\* **Do you facilitate voluntary cooperation between rightholders and intermediaries in the protection and enforcement of IPR in your jurisdiction?**

- Yes  
 No  
 Don't know

\* **For which intermediaries?**



- |   |   |
|---|---|
| <input type="checkbox"/> Advertising 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"/> Contract manufacturing service provider    | <input type="checkbox"/> DNS hosting service provider               |
| <input type="checkbox"/> Domain name registrar                      | <input type="checkbox"/> Domain name registry                       |
| <input type="checkbox"/> Internet Access Provider                   | <input type="checkbox"/> Mobile apps marketplace                    |
| <input type="checkbox"/> Online marketplace                         | <input checked="" type="checkbox"/> Other                           |
| <input type="checkbox"/> Payment service provider                   | <input type="checkbox"/> Press and media company                    |
| <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                                 |   |

\* Please specify:

*500 character(s) maximum*

In 2014-15 the Danish Ministry of Culture held a series of meeting ("the Dialogue Forum") which aimed to promote the cooperation between right holders and intermediaries in the protection and enforcement of especially copyright and related right in Danmark. Most of the intermediaries listed above were present. A number of working groups have been established with the aim of mapping existing voluntary cooperation schemes and discussing the possibility of developing new schemes.

\* Which IPR are covered by these voluntary cooperation schemes?

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Copyright  | <input checked="" type="checkbox"/> Rights related to copyright  |
| <input checked="" type="checkbox"/> Community trademark rights   | <input checked="" type="checkbox"/> Community design rights  |
| <input checked="" type="checkbox"/> National trademark rights  | <input checked="" 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 checked="" 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 checked="" type="checkbox"/> Other  |
| <input type="checkbox"/> All IPR   | <input type="checkbox"/> Don't know  |

\* Please specify:

*500 character(s) maximum*

Currently the Danish right holders and most ISPs have entered into a specific agreement concerning blocking of websites. The agreement regarding blocking of websites does not specifically specify the covered IP-rights, but does primarily relate to copyright and related rights. Blocking of websites can also affect other type of rights, e.g. trademarks.

\* Do you consider voluntary cooperation between rightholders and intermediaries successful?

- Yes

- No
- No opinion

**\* What are the essential elements for a successful voluntary cooperation between rightholders and intermediaries?**

*1500 character(s) maximum*

In Denmark, the following factors have been particularly important in the successful voluntary cooperation between right holders and intermediaries:

- Focus on the common interests of the right holders and the intermediaries instead of on the differences between them.
- Involvement of parties from all parts of the value chain.
- Political backup from the government.

**\* 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

**\* In view of your experience which model would you consider most efficient for the involvement of intermediaries in the prevention of IPR infringements?**

- Voluntary cooperation between rightholders and intermediaries (partners adopt amongst themselves and for themselves common guidelines at European level (particularly codes of practice or sectoral agreements)
- Co-regulation (basic principles laid down in a legislative act and entrusting the attainment of the objectives defined to the partners)
- Statutory cooperation
- Other model
- No opinion

## D.2. Specialised courts

**\* Do you have in your jurisdiction dedicated courts, courts' chamber or judges specialised in IP matters?**

- Yes
- No
- Don't know

**\* Please provide detail:**

*1500 character(s) maximum*

Each party to an IPR dispute can demand that the case is handled by The Maritime and Commercial Court.

In the area of copyright users and collective right management organisations can use the Danish Copyright Tribunal to settle some disputes related to the

size of the tariffs etc. A decision of the tribunal does not exclude the parties from using the regular court system.

**\* Which IPR are covered by the competence of the court?**

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

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

- Yes  
 No  
 No opinion

**\* What is the added value?**

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

### D.3 Other issues

**\* 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

**\* Please explain:**

*3000 character(s) maximum*

Please refer to the Danish Government's reply to the European Commission's recent public consultation on online platforms and online intermediaries etc. The reply supports that the Commission analyses the need for new proposals to enhance the intermediaries' use of effective notice and action mechanisms for removing illegal online content. The reply also invites the European Commission to provide guidance to intermediaries on how best to implement

efficient and cost-effective procedures. The reply further invites the Commission to consider and provide guidance on how a notifying party can present its notifications in order for them to be dealt with in a simple way.

## E. Other comments

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

- Yes  
 No

### Useful links

Enforcement of intellectual property rights

([http://ec.europa.eu/growth/industry/intellectual-property/enforcement/index\\_en.htm](http://ec.europa.eu/growth/industry/intellectual-property/enforcement/index_en.htm) )

The Single Market Strategy ([http://europa.eu/rapid/press-release\\_MEMO-15-5910\\_en.htm](http://europa.eu/rapid/press-release_MEMO-15-5910_en.htm) )

The Digital Single Market Strategy ([http://europa.eu/rapid/press-release\\_MEMO-15-4920\\_en.htm](http://europa.eu/rapid/press-release_MEMO-15-4920_en.htm) )

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### Background Documents

[DE] Hintergrund (/eusurvey/files/eed130c7-c2e2-4aa3-a725-834e6ac65582)

[EN] Background information (/eusurvey/files/59cc0502-e708-42a1-9f60-e6ac0d3ce7b2)

[EN] Privacy statement (/eusurvey/files/0e48e217-2a0e-4baa-b1c6-0a7f6b6a72de)

[ES] Antecedentes (/eusurvey/files/c98964c8-7868-4ed6-a486-3ed15857f6aa)

[ES] Declaracin de confidencialidad (/eusurvey/files/dcc62c7a-8fd0-4cb4-b318-c2394bc78ab0)

[FR] Contexte (/eusurvey/files/7954e368-34d3-4f77-949c-475054252ed7)

[FR] Dclaration relative la protection de la vie prive (/eusurvey/files/d44e8537-f2d0-4a2b-9ecb-705320173268)

[IT] Contesto (/eusurvey/files/cf4c0c14-5709-4a64-80fe-39c291450049)

[IT] Informativa sulla privacy (/eusurvey/files/99946082-57c7-4e0d-be6b-1e67556fb530)

[PL] Kontekst (/eusurvey/files/b248e5cc-33b6-4350-aa31-930b40ecd046)

[PL] Oświadczenie o ochronie prywatności (/eusurvey/files/5dcc83aa-d6fb-43dc-9acd-327a913d35aa)

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### Contact

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