



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP
AND SMEs

Brussels, **20 DEC. 2019**
GROW/B2/DG/mr (2019) 8796559

***By registered letter with
acknowledgment of receipt***

Mr. Mathias Schindler
Bundestagsbüro Julia Reda, MdEP
Unter den Linden 50
11011 Berlin
Germany

Advance copy by email: [ask+request-7458-
d9a27314@asktheeu.org](mailto:ask+request-7458-d9a27314@asktheeu.org)

Subject: Your application for access to documents – Ref. GestDem 2019/7175

Dear Mr. Schindler,

I refer to your request for access to documents of 16 November 2019, registered on 11 December 2019, in line with Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents¹ ("Regulation 1049/2001").

In your request of 16 November 2019, addressed to the Legal Service of the Commission, you request access to "all information held by the Commission" in the context of a note "for the attention of L. Romero Requena concerning Legal guidance on the scope of Directive (EU) 2015/1535 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services in relation to the rules on ancillary copyright adopted in Germany and Spain."

As you were informed, your request was split between the Legal Service, the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) and the Directorate-General for Communications Networks, Content and Technology (DG CNECT). Please note that this reply covers only documents in possession of DG GROW and we consider your request to cover documents held up to the date of your application.

We regret to inform you that DG GROW does not hold any documents that would correspond to the description given in your application. The note prepared for the attention of L. Romero Requena that was disclosed to you in 2017 (GestDem 2017/859) and in 2019 (GestDem 2019/5565) was not sent to the Commission's Legal Service as the internal process (registered as grow.b.2(2015)4899298) was put on hold and never completed.

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, OJ L 145, 31.5.2001, p. 43.

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

Given that no such documents, corresponding to the description given in your application, are held by the Commission, the Commission is not in a position to fulfil your request.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,



Timo Pesonen
Director-General