



EUROPEAN COMMISSION
ENTERPRISE AND INDUSTRY DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

Brussels, 28 OCT. 2014
ENTR/C/3/CO/bml - (2014) 3894127

EDIMA

1050 Brussels

Email: info@europeandigitalmedia.org

Subject: Notification 2013/244/E – amendment of the notified draft

Dear [REDACTED],

Thank you for your e-mails of 17 October 2014, including the one transmitted to Mr Peltomaki, who asked us to answer on his behalf. Your e-mails concern a potential non-compliance with Directive 98/34/EC. More specifically, you inform us that, following the notification of the draft Bill amending the Recast Text of the Spanish Intellectual Property Act, adopted by Royal Legislative Decree 1/1996 of 12 April 1996, and Act 1/2000 of 7 January 2000 On Civil Procedure (notification number 2013/244/E), the Spanish authorities have made amendments to the initially notified text and that, following this modification, they should re-notify the draft in accordance with Article 8(1)(3) of Directive 98/34/EC.

Article 8(1)(3) states that Member States shall communicate the draft again "*if they make changes to the draft that have the effect of significantly altering its scope, shortening the timetable originally envisaged for implementation, adding specifications or requirements, or making the latter more restrictive*". Member States can notify a draft again at any time before the adoption thereof, allowing for the standstill period required by Directive 98/34/EC. According to the information currently available to the Commission, the draft act has not yet been adopted. We have informed the Spanish authorities that, in case the draft act contained significant amendments in the sense of Article 8(1)(3) of Directive 98/34/EC, they should notify it in the framework of this Directive.

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