



**EUROPEAN COMMISSION**  
ENTERPRISE AND INDUSTRY DIRECTORATE-GENERAL

Single Market for goods  
Prevention of Technical Barriers

**14 OCT. 2014**

Brussels,  
ENTR/C/3/CO/gl - (2014) 3742750

Mr Miguel Pérez Subias  
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**Subject: Notification 2013/244/E – amendment of the notified draft**

Dear Mr Miguel Pérez Subias,

Thank you for your e-mail of 24 September 2014, concerning potential non-compliance with Directive 98/34/EC. In your complaint, 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.

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.

Yours sincerely,



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