




**FINAL VERSION/2**


Report: ZINGARETTI (A6-0073/2007) [\*\*\*I]  
Criminal measures to enforce intellectual property rights

Committee: Legal Affairs

Subject of the amendment	Am No	Author	RCV etc.	Vote	Remarks	
						
<i>Proposal to reject the proposal for a directive</i>	43= 44=	EUL/NGL Greens/EFA	RCV	+		
<i>Amendments by the committee responsible -block vote</i>	1-2 4-7 10 12 15 23 25	<i>committee</i>		+		
<i>Amendments by the committee responsible - separate votes</i>	11	<i>original text</i>	separate	-		
	29	<i>committee</i>	separate	-		
Article 1	45= 63=	Greens/EFA EUL/NGL		+	adoption 45/63 = 8+9 fall	
	8-9	<i>committee</i>		+		
Article 2	46  <b>against oral amend.</b>	Greens/EFA	split/RCV		<i>oral amendment</i> adoption 46 = 39/59, 13+30 fall	
			1	+		
			2	+		
			3	+		
			4	+		
			5	+		
	39= 59=	PES+EPP-ED EUL/NGL	split/RCV			adoption 39/59 = 13+30 fall
			1	-		
			2	+		

Subject of the amendment	Am No	Author	RCV etc.	Vote 	Remarks	
			3	+	<b><i>(b) "infringements on a commercial scale" means any infringement of an intellectual property right committed to obtain a commercial advantage; this excludes acts carried out by private users for personal and not-for-profit purposes;</i></b>	
			4	+		
			5	+		
	13	<i>committee</i>	split/RCV			adoption 13 = 30 falls
			1	-		
			2	+		
			3	-		
			4	+		
			5	+		
	30	ALDE	split/RCV			
			1	-		
			2	-		
			3	-		

Subject of the amendment	Am No	Author	RCV etc.	Vote 	Remarks
After Article 2	38	PES+EPP-ED	RCV	+	<b>italian version is opposite meaning</b> <i>In particular, this Directive does <u>not apply</u> to any infringement of an intellectual property right related to: - patent rights, utility models and plant variety rights, including rights derived from supplementary protection certificates; - parallel importation of original goods from a third country which have been allowed by the rightholder.</i>
Article 3	50= 64=	Greens/EFA EUL/NGL	RCV	+	adoption 50/64 = 31+14 fall
	31	ALDE		+	adoption 31 = 14 falls
	14	<i>committee</i>		+	
Article 3 - after existing text	51	Greens/EFA		+	adoption 51 = 16 falls
	16	<i>committee</i>	RCV	+	
	52	Greens/EFA		+	
	53	Greens/EFA		+	
Article 4	54= 60=	Greens/EFA EUL/NGL	RCV	+	adoption 54/60 = 41+17-19 fall
	41	PES+EPP-ED		+	
	17-19	<i>committee</i>		+	
Article 5	55= 65=	Greens/EFA EUL/NGL		+	adoption 55/65 = 20-22 fall
	20-22	<i>committee</i>		-	
After § 6	61	EUL/NGL	RCV	+	adoption 61 = 24+56 fall
	24	<i>committee</i>		+	adoption 24 = 56 falls

Subject of the amendment	Am No	Author	RCV etc.	Vote	Remarks
	56	Greens/EFA		 <b>+</b>	
Article 7	57= 62=	Greens/EFA EUL/NGL	RCV	<b>+</b>	adoption 57/62 = 32, 26-28 fall
	32	ALDE		<b>0</b>	adoption 32 = 26-28 falls
	26	<i>committee</i>	separate	<b>-</b>	
	27-28	<i>committee</i>		<b>+</b>	
Article 8	58	Greens/EFA		<b>+</b>	
After Recital 5	34	ALDE		<b>+</b>	
After Recital 7	33	ALDE		<b>+</b>	
Recital 8	35	ALDE		<b>0</b>	adoption 35 = 37+3 fall
	37	PES+EPP-ED		<b>0</b>	adoption 37 = 3 falls
	3	<i>committee</i>		<b>+</b>	
<i>vote: amended proposal</i>			RCV	<b>-</b> <b>follow</b> <b>Guidoni</b>	
<i>vote: legislative resolution</i>			RCV	<b>-</b> <b>follow</b> <b>Guidoni</b>	

*Amendments 40 and 42 do not concern all language versions and will not therefore be put to the vote (see Rule 151(1) d) of the Rules of Procedure)*

Amendments 36 and 66 have been cancelled; amendments 47, 48 and 49 have been withdrawn

=identical amendments

Requests for separate votes

PES: am 11  
EUL/NGL: ams 29, 26

Requests for roll-call votes

EUL/NGL: ams 43, 64, 16, 60, 61, 62  
Greens/EFA: am 57  
ALDE ams 39/59, 13, 30, 46, 38, amended proposal and final vote  
PES am 39/59

Requests for split votes

**PES:**

**am 39/59**

*1st part:* points a) and d)  
*2nd part:* point b)  
*3rd part:* point c)

Greens/EFA:

**am 46**

*1st part:* point a)  
*2nd part:* point b)  
*3rd part:* point c)  
*4th part:* point d)

**am 39**

*1st part:* point a)  
*2nd part:* point b)  
*3rd part:* point c)  
*4th part:* point d)

**am 13**

*1st part:* point a)  
*2nd part:* point b)  
*3rd part:* point c)  
*4th part:* point d)

**am 30**

*1st part:* point a)  
*2nd part:* point b)

**ALDE**

**am 46**

*1st part:* Text as a whole excluding the words "committed in pursuit of a direct pecuniary gain"  
*2nd part:* these words

**am 39/59**

*1st part:* point a) excluding indents 1, 2 and 5  
*2nd part:* indents 1, 2 and 5  
*3rd part:* points b), c) and d)

**am 13**

*1st part:* point a) excluding indents 1, 2 and 5  
*2nd part:* indents 1, 2 and 5  
*3rd part:* points b), c) and d)

**am 30**

*1st part:* Everything except indents 1, 2 and 5 of point a)  
*2nd part:* indents 1, 2 and 5

**EPP-ED**

**am 13**

- 1st part:* point a)
- 2nd part:* point b)
- 3rd part:* points c) and d)

*Voting scheme*

**am 46**

- 1st part:* point a)
- 2nd part:* point b) excluding the words "committed in pursuit of a direct pecuniary gain"
- 3rd part:* the words "committed in pursuit of a direct pecuniary gain"
- 4th part:* point c)
- 5th part:* point d)

**am 39/59**

- 1st part:* point a) - except the first, second and fifth indent of point a)
- 2nd part:* first, second and fifth indent of point a)
- 3rd part:* point b)
- 4th part:* point c)
- 5th part:* point d)

**am 13**

- 1st part:* point a) - except the first, second and fifth indent of point a)
- 2nd part:* first, second and fifth indent of point a)
- 3rd part:* point b)
- 4th part:* point c)
- 5th part:* point d)

**am 30**

- 1st part:* point a) - except the first, second and fifth indent of point a)
- 2nd part:* first, second and fifth indent of point a)
- 3rd part:* point b)

Mr. Guardans will move the following oral amendment to am 46:

***(a) "intellectual property rights" means  
– copyright AND RELATED RIGHTS***