EUROPEAN UNION
THE COUNCIL
Brussels, 1er mars 1994
5200/94
RESTREINT
PI 20
CULTURE 11

SUMMARY OF PROCEEDINGS

of: Permanent Representatives Committee (Part I)
on: 23 February 1994

No. prev. doc.: 4729/94 PI 12 CULTURE 6
No. Cion prop.: 9219/93 PI 89 CULTURE 113

Subject: Preparation of the Internal Market Council session on 10 March 1994
  = Scope of the proposed Directive

I.

1. The Permanent Representatives Committee discussed this subject on the basis of the Presidency report in 4729/94 PI 12 CULTURE 6. The discussion of the Committee is summarized under point II below.

2. As several delegations expressed doubts as to the usefulness of a Council discussion of this item at this stage, the Chairman concluded that the Presidency would reflect further on whether the point would be maintained on the provisional agenda of the 10 March Internal Market Council(1).

(1) The Presidency decided subsequently to withdraw this item from the provisional agenda.
II.

3. The following views were expressed on the question whether the scope of the Directive should be limited to electronic databases or should be extended to cover non-electronic databases:

(a) the German, Greek, Spanish, Irish, Italian, Netherlands and United Kingdom delegations were in favour of extending the scope of the Directive to cover non-electronic databases;

(b) the French and Portuguese delegations were opposed to such an extension;

(c) the Belgian and Danish delegations had doubts in respect of such an extension;

(d) the Luxembourg delegation indicated an open position on this question;

(e) the Commission representative indicated that, while the scope of his Institution's original and amended proposals was limited to electronic databases, the Commission was prepared to consider an extension to non-electronic databases, the new element being the adoption of Article 10(2) of the Agreement on TRIPS referred to in point 9(c) of the Presidency report.

4. With regard to the suggestion referred to in point 11 of the Presidency report (extension of the provisions on copyright protection to cover non-electronic databases but limitation of the provisions concerning the sui generis right to electronic databases), the Committee concluded that it would be premature to put this suggestion to the Council before it had been examined more thoroughly at Working Party level.