

Communication from the Commission on copyright protection of the common face design of the euro coins /* COM/2001/0600 final */

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COMMUNICATION FROM THE COMMISSION on copyright protection of the common face design of the euro coins

Introduction

Under Council Regulation (EC) No 974/98 on the introduction of the euro, [1] coins denominated in euro will be introduced as from 1 January 2002.

[1] OJ L 139, 11.05.1998.

The denominations and technical specifications of the first series of euro coins were defined in a Council Regulation adopted on 3 May 1998 (Regulation (EC) No 975/98) [2]. Following this, a proposal to slightly modify that Regulation, for reasons of new developments, was adopted by the Commission on 29 July 1998. The first series of euro coins will include eight denominations: 1, 2, 5, 10, 20, 50 cent and 1 and 2 euro.

[2] OJ L 139, 11.05.1998.

In spring 1996 Member States decided that the euro coins will have a common face and a national face and gave a mandate to the Commission to organise a competition at European level to select the design for the common face of the euro coins. The winning designs of the European coin design competition were selected by the Heads of States and Government in June 1997.

As provided in the competition's terms of reference, the copyrights on the winning designs were assigned to the Commission by the artist.

By this Communication the Commission intends to set out the arrangements which have been put in place for the enforcement of the copyrights and the applicable reproduction regime.

1. Holder of the copyright

The copyright on the design of the common face of the euro coins belongs to the European Community represented by the Commission. The European Commission has assigned to each of the Member States adopting the euro all the Community rights as regards the territory of such Member State. The Commission will assign the copyright to the other Member States once they adopt the euro.

2. Reproduction regime

The following common reproduction regime will be applied by the Commission and by the participating Member States as regards their territory.

Reproduction of all or part of the common face design of the euro coins is authorised without recourse to a specific procedure in the following cases:

* for photographs, drawings, paintings, films, images, and generally reproductions in flat format (without

relief) provided they are in faithful likeness and are used in ways which do not damage or detract from the image of the euro.

* For reproduction with relief on objects other than coins, medals and tokens or any other objects which might be confused with coins.

* For reproduction on tokens made in soft materials or made in plastic provided the size is at least 50% greater or smaller than the real coins.

Reproduction on medals and tokens made in metal or on any other object made in metal which might be confused with coins is not authorised.

Any other reproduction of all or part of the common face design of the euro coins has to be expressly authorised by the European Commission in the case of non-participating Member States, and by the designated authority of the Member State to which the copyright has been assigned in the case of participating Member States. (The list of designated authorities for the participating Member States is attached as Annex I)

The requests for authorisation addressed to the European Commission should be sent to the Directorate-General for Economic and Financial Affairs.

3. Enforcement

Enforcement of the copyright will be ensured by the participating Member States within their territory according to their national legislation and in compliance with the reproduction regime set out above. The Commission intends to enforce the copyright in the non-participating Member States and third countries according to the relevant national legislation.

If the Commission or the national entities to which the copyrights have been assigned, become aware of an unauthorised reproduction having occurred on the relevant territory, they will take immediate action to ensure that such reproduction ceases or is withdrawn. The Commission or the Member States (in the case of participating Member States) may decide to bring civil or criminal proceeding against the person responsible for the reproduction according to the corresponding national legislation.

The Commission intends to enforce the copyrights in coordination with the Member States. For that purpose Member States are invited to inform the Commission of any action they take to enforce the copyrights and on the implementation of the reproduction rules.

4. Review of present arrangements

By the time of the introduction of the euro coins on 1 January 2002, the Commission intends to review the implementation of the rules described above. The present arrangements might be adapted in the future in the light of the experience gained.

Annex I

List of designated authorities as mentioned in paragraph 2 of the Communication

BELGIUM: // Ministère des Finances - Administration de la Trésorerie (Ministry of Finance - Treasury Administration)

GERMANY: // Bundesministerium der Finanzen (Federal Ministry of Finance)

GREECE: // Ὀδῶν ἠλοῦς Ἰεῦνῆς - Ἀἰεῦ Ἐἰεῶδης ὁῖο Ἐνῶδῶ (Ministry of Finance - State Accounts Department)

SPAIN: // Dirección General del Tesoro y Política Financiera (Directorate-General of the Treasury and Financial Policy)

FRANCE: // Direction des Monnaies et médailles - Ministère de l'Economie des Finances et de l'Industrie de la République Française (Mint and Medals Directorate - Ministry of Economic and Financial Affairs and Industry)

IRELAND: // Minister for Finance

ITALY: // Ministero dell' Economia e delle Finanze (Ministry of Economic and Financial Affairs)

LUXEMBOURG: // Ministère des Finances - Service de la Trésorerie (Ministry of Finance - Treasury Department)

NETHERLANDS: // Ministerie van Financiën - Directie Binnenlands Geldwezen (Ministry of Finance - Domestic Monetary and Financial Affairs Directorate)

AUSTRIA: // Münze Österreich AG (Austrian Mint)

PORTUGAL: // Imprensa Nacional - Casa da Moeda (National Printing Office - Mint)

FINLAND: // Valtiovarainministeriö (Ministry of Finance)