

STATEMENT BY THE COMMISSION**concerning Article 2 of Directive 2004/48/EC of the European Parliament and of the Council on the enforcement of intellectual property rights**

(2005/295/EC)

Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights⁽¹⁾ states in Article 2(1) that the Directive applies to any infringement of intellectual property rights as provided for by Community law and/or by the national law of the Member State concerned.

The Commission considers that at least the following intellectual property rights are covered by the scope of the Directive:

- copyright,
- rights related to copyright,
- *sui generis* right of a database maker,
- rights of the creator of the topographies of a semiconductor product,
- trademark rights,
- design rights,
- patent rights, including rights derived from supplementary protection certificates,
- geographical indications,
- utility model rights,
- plant variety rights,
- trade names, in so far as these are protected as exclusive property rights in the national law concerned.

⁽¹⁾ OJ L 157, 30.4.2004, p. 45. Directive as corrected and republished in OJ L 195, 2.6.2004, p. 16.