

Technopolis study on the implementation of the IPR Enforcement Directive (IPRED), December 2017

The study aims to provide support for an ex-post evaluation of Directive 2004/48/EC [IPRED] and for an Impact Assessment in view of a possible review of the IPRED to modernise the enforcement of IPR. The study builds on the results of the public consultation carried out in 2016 and expert legal knowledge to obtain a detailed analysis how the main articles were being implemented in the Member States. In addition, interviews and quantitative evidence on court cases were used to underpin the evidence base for the study. In short, the study finds that IPRED proved to be effective on a very general and conceptual level, allowing for a common legal European framework, the development of pan-European IP enforcement strategies, and the productive exchange of intelligence among judges cross-border. However, higher order effectiveness is hampered by the actual application of IPRED in the Member States, the study concludes.