

AMENDMENT FORM

Suggestion for amendment of Article : 265 (ex Article 229a), part III of the Constitution

By Ms / Mr : Teija Tiilikainen, Antti Peltomäki, Kimmo Kiljunen, Jari Vilén, Hannu Takkula and Esko Helle

**Status : Tiilikainen, Kiljunen, Vilén - Members
 Peltomäki, Takkula and Helle - Alternates**

Article III-265 (ex Article 229a)

Without prejudice to the other provisions of the Constitution, a European law **of the Council** shall confer on the European Court of Justice, to the extent that it shall determine, jurisdiction in disputes relating to the application of acts adopted on the basis of the Constitution which create intellectual property rights. **The Council shall act unanimously after consulting the European Parliament.**

Explanation (if any) :

Decisions on the establishment, composition and powers of specialised courts should be made unanimously by the Council because of the constitutional nature of the issue (see Article III-260). As for the 'Community Patent Court', the decision further entails transfer of new competence to the Community.