

Brussels, 27th February 2012

Dear Members of the European Parliament ITRE Committee:

Subject: ACTA

On behalf of PIN-SME I am writing to express our concerns about the ACTA (Anti Counterfeiting Trade Agreement) and to ask you to take them into account in the current debate at the European Parliament.

PIN-SME, the PanEuropean ICT and eBusiness Network for SMEs, is an association that was formed in 2007 to represent the interests of small and medium sized enterprises in the European ICT sector. It currently holds twelve national associations as members, representing some 50 000 ICT SMEs that account for around 200 000 jobs in Europe. It provides a voice for ICT SMEs in the policy and business arenas and is represented in several EU expert groups and taskforces.

We believe that the ACTA introduces measures that if adopted would create undue liability on SMEs in the ICT domain for data they transmit or host¹. The conditions outlined in the ACTA create a legal uncertainty and a potential for unwarranted direct legal pressure from rights holders on small businesses operating networks and services on the Internet. This in turn infers substantial costs on individual ICT SMEs and hampers innovation, growth and employment in Europe.

PIN-SME has together with the European trade union representing workers in the ICT sector, UNI Europa ICTS², adopted a joint statement setting out its concerns and recommendations regarding overall intellectual property protection including ACTA and software patents, please find enclosed.

Sincerely yours,



Bruno Robine

PIN-SME President

Enclosed: PIN-SME and UNI Europa ICTS Common Position on Intellectual Property (ACTA and Software Patents)

¹ e.g. through ACTA article 23:1,4 “[...]Party shall ensure that criminal liability for aiding and abetting is available under law [...] in cases of wilful trademark counterfeiting or copyright or related rights piracy on a commercial scale.”

² The Global Union for the information, communication, technology and services industry, www.uniglobalunion.org

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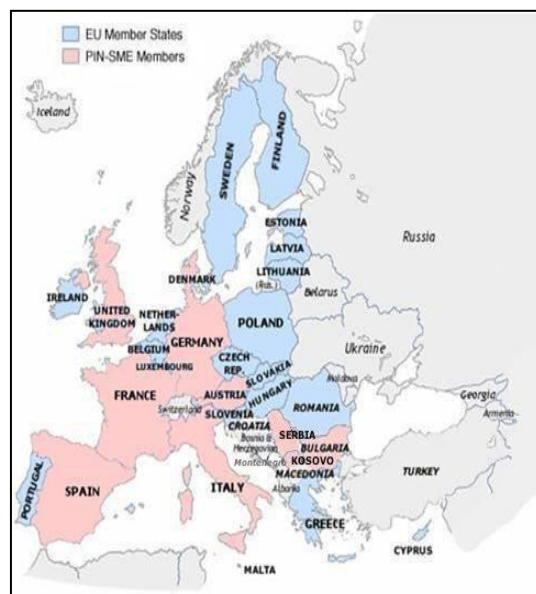


UNION EUROPEENNE DE L'ARTISANAT ET DES PETITES ET MOYENNES
ENTREPRISES
EUROPÄISCHE UNION DES HANDWERKS UND DER KLEIN- UND MITTELBETRIEBE
EUROPEAN ASSOCIATION OF CRAFT, SMALL AND MEDIUM-SIZED ENTERPRISES
UNIONE EUROPEA DELL' ARTIGIANATO E DELLE PICCOLE E MEDIE IMPRESE



PIN-SME members

BASSCOM, Bulgarian Association of Software Companies (BULGARIA), **CNA**, Comunicazione e Terziario Avanzato, Confederazione Nazionale dell'Artigianato e della Piccola e Media impresa (ITALY), **CONETIC**, Confederación Española de Empresas de Tecnologías de la Información, Comunicaciones y Electrónica, **GPNI**, Groupement Professionnel National de l'Informatique (FRANCE), **IT-forum midtjylland** (DENMARK), **UBIT**, **Unternehmensberatung & IT** (AUSTRIA), **UKITA**, United Kingdom IT Association (UNITED KINGDOM), **SwissMedia - Swiss IT & Multimedia Association** (SWITZERLAND), **VDEB – Verband IT-Mittelstands E.V.** (GERMANY), **Vojvodina ICT Cluster** (THE REPUBLIC OF SERBIA), **Belgrade Chamber of Commerce, IT Association** (THE REPUBLIC OF SERBIA), **STIKK** - Kosovo Association of Information and Communication Technology (THE REPUBLIC OF KOSOVO)



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