DECISION OF THE EEA JOINT COMMITTEE

No 110/2004

of 9 July 2004

amending Annex XVII (Intellectual property) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

(1) Annex XVII to the Agreement was amended by the Agreement on the participation of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the European Economic Area signed on 14 October 2003 in Luxemburg [1].

(2) Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society [2], as corrected by OJ L 6, 10.1.2002, p. 70, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XVII to the Agreement shall be amended as follows:

1. The following shall be added before the adaptation text in point 7 (Council Directive 92/100/EEC) and in point 9 (Council Directive 93/98/EEC):

   ', as amended by:

   — **32001 L 0029**: Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 (OJ L 167, 22.6.2001, p. 10), as corrected by OJ L 6, 10.1.2002, p. 70.'

2. The following point shall be inserted after point 9d (Directive 98/44/EC of the European Parliament and of the Council):

   '9e. **32001 L 0029**: Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society (OJ L 167, 22.6.2001, p. 10), as corrected by OJ L 6, 10.1.2002, p. 70.

   The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

   The EFTA States shall be invited to send representatives to the meetings of the Contact Committee.'

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[1] OJ L 130, 29.4.2004, p. 3.

[2] OJ L 167, 22.6.2001, p. 10.

Article 2

The texts of Directive 2001/29/EC, as corrected by OJ L 6, 10.1.2002, p. 70, in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 10 July 2004, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 9 July 2004.

For the EEA Joint Committee

The President

KJARTAN JÓHANNSSON

(*) Constitutional requirements indicated.