

## Communication from the Commission on copyright protection of the common face design of the euro coins

(2011/C 41/03)

### INTRODUCTION

In spring 1996, Member States decided that the euro coins intended for circulation will have a common face and a national face and gave a mandate to the Commission to organise a competition at European level to select the design for the common face of the euro coins. The winning designs of the European coin design competition were selected by the Heads of States or Government in June 1997. Euro coins intended for circulation include eight denominations: 1, 2, 5, 10, 20, 50 cent and 1 and 2 euro.

Under Council Regulation (EC) No 974/98 <sup>(1)</sup> on the introduction of the euro, coins denominated in euro were introduced as from 1 January 2002.

The denominations and technical specifications of euro coins intended for circulation are defined in Council Regulation (EC) No 975/98 <sup>(2)</sup>.

On 7 June 2005, the Council concluded that the common sides of the 10-, 20- and 50-cent coins and the 1- and 2-euro coins, which represented the European Union before it was enlarged from 15 to 25 Member States in 2004, should be modified so that all Member States of the European Union would in the future be represented. The common sides of the smallest denomination coins (1-, 2- and 5-cent) were not modified since they represent Europe in the world and were not affected by the enlargement of the European Union.

The new common sides were introduced gradually as from 2007 and all euro coins intended for circulation with the year mark 2008 and later bear the new common sides.

The copyrights on the designs of the old as well as the new common sides have been transferred to the Commission by the artist of the winning design of the European coin design competition, selected by the Heads of States or Government in June 1997.

The Commission Communication of 22 October 2001 on copyright protection of the common face designs of the euro coins <sup>(3)</sup> set out the arrangements which had been put in place for the enforcement of the copyrights and the applicable reproduction regime of the common face designs.

Following the enlargement of the euro area after the adoption of the Communication and the assignment of the copyright in the common sides to new Member States, there is a need to update the Annex to the Communication with the names of the

designated authorities of the Member States that joined the euro in the meantime (Slovenia in 2007, Cyprus and Malta in 2008, Slovakia in 2009 and Estonia in 2011). The Mint Directors Working Group and the Euro Coin Sub-Committee were moreover consulted on the functioning of the reproduction and enforcement regime in autumn 2009 and concluded that the current regime had been functioning well and does not need to be changed. The present Communication thus replaces the aforementioned Commission Communication of 13 November 2001 on copyright protection of the common face designs of the euro coins. Apart from editorial changes, modifications compared to the 2001 Communication are therefore limited to updates in the recitals, the review clause and the Annex.

### 1. Holder of the copyright

The copyright on the design of the common face of the euro coins belongs to the European Union represented by the Commission. The European Commission has assigned to each Member State that has adopted the euro all the Union's rights as regards the territory of such Member State. The Commission will assign the copyright to the other Member States once they adopt the euro.

### 2. Reproduction regime

The following common reproduction regime will be applied by the Commission and by the participating Member States, as defined in Regulation (EC) No 974/98, as regards their territory. Reproduction of all or part of the common face design of the euro coins is authorised without recourse to a specific procedure in the following cases:

- for photographs, drawings, paintings, films, images, and generally reproductions in flat format (without relief) provided they are in faithful likeness and are used in ways which do not damage or detract from the image of the euro,
- for reproduction with relief on objects other than coins, medals and tokens or any other objects which might be confused with coins,
- for reproduction on tokens made in soft materials or made in plastic provided the size is at least 50 % greater or smaller than the real coins.

It is also recalled that reproduction on medals and tokens made in metal or on any other object made in metal which might be confused with coins is not authorised, as specified in Council Regulation (EC) No 2182/2004 <sup>(4)</sup>.

<sup>(1)</sup> OJ L 139, 11.5.1998, p. 1.

<sup>(2)</sup> OJ L 139, 11.5.1998, p. 6.

<sup>(3)</sup> OJ C 318, 13.11.2001, p. 3.

<sup>(4)</sup> OJ L 373, 21.12.2004, p. 1.

Any other reproduction of all or part of the common face design of the euro coins has to be expressly authorised by the European Commission in the case of non-participating Member States and third countries, and by the designated authority of the Member State to which the copyright has been assigned in the case of participating Member States (the list of designated authorities for the participating Member States is attached as Annex).

The requests for authorisation addressed to the European Commission should be sent to the Directorate-General for Economic and Financial Affairs.

### **3. Enforcement**

Enforcement of the copyright will be ensured by the participating Member States within their territory according to their national legislation and in compliance with the reproduction regime set out above. The Commission intends to enforce the copyright in the non-participating Member States and third countries according to the relevant national legislation.

If the Commission, or the national entities to which the copyrights have been assigned, become aware of an unauthorised reproduction having occurred on the relevant territory, they will take immediate action to ensure that such reproduction ceases or is withdrawn. The Commission or the Member States (in the case of participating Member States) may decide to bring civil or criminal proceeding against the person responsible for the reproduction according to the corresponding national legislation.

The Commission intends to enforce the copyrights in coordination with the Member States. For that purpose Member States are invited to inform the Commission of any action they take to enforce the copyrights and on the implementation of the reproduction rules.

### **4. Review of present arrangements**

The Commission may decide to review the implementation of the rules described above in the future with a view to adapting the present arrangements in the light of the experience gained.

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## ANNEX

**List of designated authorities as mentioned in point 2 of the Communication**

BELGIUM:	Ministère des Finances, Administration de la Trésorerie/Federale Overheidsdienst Financiën, Administratie van de thesaurie/Föderaler öffentlicher Dienst Finanzen, Schatzamt (Ministry of Finance, Treasury Administration)
GERMANY:	Bundesministerium der Finanzen (Federal Ministry of Finance)
ESTONIA:	Eesti Pank (Bank of Estonia)
IRELAND:	Minister for Finance
GREECE:	Υπουργείο Οικονομίας και Οικονομικών — Γενικό Λογιστήριο του Κράτους — 25 <sup>η</sup> Διεύθυνση Κίνησης Κεφαλαίων, Εγγυήσεων Δάνειων και Αξιών (Ministry of Economy and Finance — General Accounting Office of the State — 25th Directorate of Capital Transfer, Loans Guarantees & Securities)
SPAIN:	Dirección General del Tesoro y Política Financiera (Directorate-General of the Treasury and Financial Policy)
FRANCE:	Ministère de l'économie, des finances et de l'industrie; Direction Générale du Trésor (Ministry of Economy, Finance and Industry; General Directorate of Treasury)
ITALY:	Ministero dell'economia e delle finanze (Ministry of Economic and Financial Affairs)
CYPRUS:	Central Bank of Cyprus
LUXEMBOURG:	Ministère des Finances — Service de la Trésorerie (Ministry of Finance — Treasury Department)
MALTA:	Central Bank of Malta
NETHERLANDS:	Ministerie van Financiën — Directie Binnenlands Geldwezen (Ministry of Finance — Domestic Monetary and Financial Affairs Directorate)
AUSTRIA:	Münze Österreich AG (Austrian Mint)
PORTUGAL:	Imprensa Nacional. Casa da Moeda (National Printing Office — Mint)
SLOVENIA:	Ministrstvo za finance (Ministry of Finance)
SLOVAKIA:	Národná banka Slovenska (National Bank of Slovakia)
FINLAND:	Valtiovarainministeriö/Finansministeriet (Ministry of Finance)

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