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**398L0071**

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 21/2000**

**of 25 February 2000**

**amending Annex XVII (Intellectual property)**  
**to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted 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 Decision of the EEA Joint Committee No 59/97 of 31 July 1997<sup>1</sup>;
- (2) Directive 98/71/EC of the European Parliament and of the Council of 13 October 1998 on the legal protection of designs<sup>2</sup> is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

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<sup>1</sup> OJ L 316, 20.11.1997, p. 21.

<sup>2</sup> OJ L 289, 28.10.1998, p. 28.

### *Article 1*

The following point shall be inserted after point 9a (Directive 96/9/EC of the European Parliament and of the Council) in Annex XVII to the Agreement:

- ‘9b. **398 L 0071:** Directive 98/71/EC of the European Parliament and of the Council of 13 October 1998 on the legal protection of designs (OJ L 289, 28.10.1998, p. 28).

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

Article 15 shall be replaced by the following:

“The rights conferred by a design right upon registration shall not extend to acts relating to a product in which a design included within the scope of protection of the design right is incorporated or to which it is applied, when the product has been put on the market in a Contracting Party by the holder of the design right or with his consent.”

### *Article 2*

The texts of Directive 98/71/EC of the European Parliament and of the Council in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

### *Article 3*

This Decision shall enter into force on 26 February 2000, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee\* .

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\* Constitutional requirements indicated. Date of entry into force: 1.10.2000.

*Article 4*

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

Done at Brussels, 25 February 2000.

*For the EEA Joint Committee  
The President*

*F. Barbaso*

*The Secretaries  
to the EEA Joint Committee*

*G. Vik*

*E. Gerner*