New EMCDDA Scientific Committee appointed for the next three years

On 13 December, the EMCDDA Management Board appointed 15 high-level scientists to serve on the agency's Scientific Committee for the period 2020–22.
The selection followed a call for expressions of interest in the *Official Journal of the European Union* in April this year, which yielded 78 eligible applications.

The 15 members – selected from EU Member States, Norway and Turkey – were chosen, following a public selection process, on the basis of scientific merit, independence and expertise in the most relevant scientific fields linked to the problems of drugs and drug addiction today. Almost half of the scientists appointed are new members, while eight previously served on the Committee. As members are appointed in a personal capacity, they are required to give their opinions independently of their country and of the EU institutions.

The Scientific Committee plays a major role in the EMCDDA's endeavour to attain scientific excellence. The agency consults the Committee on the quality of its work programmes and on any scientific matter concerning its activity, which the Management Board or the Director may submit to it.

The Management Board also approved a list of experts to be called upon by the EMCDDA Director for the purposes of assessing the risks posed by new psychoactive substances (NPS) – one of the agency's core tasks.

The mandate of the current Committee and risk assessment experts draws to a close at the end of 2019. The EMCDDA would like to thank the outgoing experts for their hard work and their role as guardians and advocates of the scientific integrity of the agency over two consecutive terms (2014–16 and 2017–19).

Further details on the new Scientific Committee will be available in January 2020.

Press release – Ten years of the Lisbon Treaty and the Charter of Fundamental Rights

Parliament President David Sassoli, Commission President Ursula von der Leyen and European Council President Charles Michel will speak during the sitting to celebrate the 10-year anniversary of the entry into force of the Lisbon Treaty, which converted the Charter of Fundamental Rights into a legally binding document. Short interventions by political group speakers will wrap up the debate.

These reforms introduced a higher level of democratic accountability and better protection of civil, political, economic and social rights in the EU.

You can watch the formal sitting live via EP Live and EbS+.

Article – Corporate taxes: MEPs want to tackle tax avoidance by large companies

The discussion centred on international efforts led by the Organisation for Economic Co-operation and Development (OECD) to modernise corporate tax rules in line with the challenges posed by globalisation and the digital revolution. MEPs will vote on a resolution on Wednesday 18 December.

Modernising taxation

It is no longer necessary to build factories, employ workers or even move goods across borders to earn money in a country as large companies rely increasingly on digital business models. However, current corporate tax rules make companies liable to taxation in a given country only if they have a physical presence there.

In addition, large companies often have subsidiaries in many places and can direct revenue to the jurisdictions with the lowest corporate tax rates. This, in turn, creates incentives for countries to offer them more advantageous tax conditions, in effect depriving other countries of tax revenue.

The negotiations under the OECD, involving 135 countries, seek to address the challenges of taxing companies with no physical presence, and to set a minimum tax rate to prevent damaging tax competition.

Tax justice

During the debate, many MEPs said that it was a matter of fairness to ensure multinational and digital companies contribute. “While citizens, consumers and small companies pay their share with effective tax rates of 40% or more, many large multinationals do not,” said Italian S&D member Irene Tinagli, chair of the economic affairs committee

Tinagli pointed out that according to research 40% of large companies' profits are shifted to tax havens. "The current international fiscal regime […] increases inequalities and puts most of the fiscal burden on less mobile tax payers – workers and consumers. This is simply not fair."

Spanish Renew Europe member Luis Garicano quoted numbers showing that Apple paid €4 million in corporate taxes in Spain on an annual income of €320 million, while Netflix paid only €3,140. "How are we going to be financing our welfare states, if those who earn more, do not contribute to keeping the welfare state going?" he asked. "We are facing these challenges with rules from the 19th century."

Looking for solutions at the international level

"When we are talking about the digital economy, we are looking at international challenges. We must therefore work on these challenges internationally," said German EPP member Markus Ferber. He also pointed out that the EU should keep its own house in order. "We should solve our own problems within the EU […]. We need to put an end to our own tax havens," he said.

Economy commissioner Paolo Gentiloni said the EU was committed to finding an international agreement on this issue, but assured MEPs that the European Commission was ready to act in any case. "If no or limited agreement is reached internationally by 2020, it is crystal clear that the strong rationale for action at EU level will remain and that the Commission will act on this basis."

Germany: EIB provides funding of EUR 50 million to BioNTech as part of the Investment Plan for Europe

- **Funds will support BioNTech's research and development of cancer treatments**
- **Financing by EU bank is provided under Investment Plan for Europe, or Juncker Plan**

The European Investment Bank (EIB) and BioNTech SE (NASDAQ: BNTX, "BioNTech" or "the Company") announced today the signing of a contract which provides financing of EUR 50 million to BioNTech SE, an international clinical-stage biotechnology company focused on patient-specific immunotherapies for the treatment of cancer and other serious diseases. BioNTech will use the funds for the research and development, market access and manufacturing development for its most advanced treatments under development.

The EU bank’s loan is backed by a guarantee from the European Fund for Strategic Investments (EFSI), the heart of the Investment Plan for Europe – the Juncker Plan – under which the EIB and the European Commission are working together as strategic partners and the EIB’s financing operations are boosting the competitiveness of the European economy.

EIB Vice-President, Ambroise Fayolle, who is responsible for EFSI and operations in Germany, said: “BioNTech focuses on patient-specific immunotherapies for the treatment of cancer and beyond. This approach is highly innovative as it combines ground-breaking research with cutting-edge technologies. For the EIB, in particular with the support of the Juncker-plan, it is a top priority to support investment that is geared towards innovation and greater competitiveness. I therefore very much welcome our cooperation with BioNTech, as the company is driven to become the leading global biotechnology company for individualized cancer medicine, with the headquarters based in the heart of Europe.”

European Commissioner for the Economy, Paolo Gentiloni, said: “The Investment Plan for Europe has a strong track record in supporting innovative biotech companies researching new therapies for serious diseases. The EIB’s €50 million in financing will allow BioNTech to take on more highly-specialized staff and push forward the research and development of treatments that could prove to be life-saving.”

BioNTech’s CFO, Dr. Sierk Poetting said: “We see the funding of the European Investment Bank as a token of trust in BioNTech as a innovative, and fast growing company. We aim to build a global biotechnology leader. Our focus is to develop and commercialize the next generation of immunotherapies, as we aspire to individualize cancer medicine. We have always placed a significant emphasis on a fully integrated business model including our own manufacturing and production as we want to ensure a high-quality and fast treatment production. The EIB’s funding will increase the production capacities for our mRNA-based product candidates and also create new jobs.”

Background Information

About BioNTech

BioNTech was founded in 2008 on the understanding that every cancer patient’s tumor is unique and therefore each patient’s treatment should be individualized. Its cutting-edge pipeline includes individualized mRNA-based product candidates, innovative chimeric antigen receptor T cells, novel checkpoint immunomodulators, targeted cancer antibodies and small molecules. BioNTech has established relationships with seven pharmaceutical collaborators, including Eli Lilly and Company, Genmab, Sanofi, Bayer Animal Health, Genentech, a member of the Roche Group, Genevant and Pfizer, and has published over 150 peer-reviewed publications on its scientific approach.

Consultation on CP12 – Evidence in Trade Mark Appeal Proceedings

December 17, 2019 *General*

Consultation on CP12 – Evidence in Trade Mark Appeal Proceedings

The draft Common Practice of the project **CP12 'Evidence in Trade Mark Appeal Proceedings: filing, structure and presentation of evidence, and the treatment of confidential evidence'** has been made available in English for comments.

The CP12 Working Group, composed of representatives from five external Appeal Bodies, the Appeal departments of three EU intellectual property offices, three user associations and the EUIPO Boards of Appeal, made significant progress on developing the Common Practice during the course of two Working Group meetings and a workshop in which the representatives shared best practices and expertise to establish the common principles of the CP12 project.

As a result, the draft of the CP12 Common Practice is now available for review by all stakeholders. The Working Group considers this to be a 'living document' and open to discussion, where it would be very **appreciated to receive input or feedback**.

The scope of the CP12 project covers **five main areas:**

- General Concepts – definitions and admissibility of evidence
- Means and sources of evidence – documents; online evidence; and genuineness, veracity and reliability of evidence
- Establishing the relevant date of evidence – documentary evidence; online evidence; and the period and timing of a market survey
- Ways to present evidence: structure and presentation – acceptable

formats, size and recommended length; structure of the evidence; structure of market surveys; and templates
- Confidentiality of evidence – acceptable ways and point in time to claim confidentiality; the scope of the confidentiality request and criteria for assessing it; and publication of the decision and use of confidential evidence.

The EUIPO welcomes your comments on the draft Common Practice, which should be returned either via email (stating the relevant section or page number) or by completing the Feedback Form and send it to CommonPractices@euipo.europa.eu by **Monday, 20 January 2020.**

The CP12 project is part of the EUIPO's European Cooperation Projects under the heading 'ECP4 Shared Services and Practices'.