

Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights (Text with EEA relevance)

[<sup>XI</sup>CHAPTER II

**MEASURES, PROCEDURES AND REMEDIES**

Section 1

**General provisions**

[<sup>XI</sup>Article 5

**Presumption of authorship or ownership**

For the purposes of applying the measures, procedures and remedies provided for in this Directive,

- (a) for the author of a literary or artistic work, in the absence of proof to the contrary, to be regarded as such, and consequently to be entitled to institute infringement proceedings, it shall be sufficient for his/her name to appear on the work in the usual manner;
- (b) the provision under (a) shall apply *mutatis mutandis* to the holders of rights related to copyright with regard to their protected subject matter.]

**Editorial Information**

- X1** Substituted by [Corrigendum to Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights \(Official Journal of the European Union L 157 of 30 April 2004\)](#).