

OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET
(TRADE MARKS AND DESIGNS)

The President

DECISION No EX-03-4 OF THE PRESIDENT OF THE OFFICE

of 20 January 2003

concerning notifications in proceedings relating to registered Community designs

THE PRESIDENT OF THE OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET (TRADE MARKS AND DESIGNS),

Having regard to Commission Regulation (EC) No 2245/2002 of 21 October 2002 implementing Council Regulation (EC) No 6/2002 on Community designs, hereinafter referred to as "Commission Regulation No 2245/2002", in particular Article 41 (2) and Article 52 (2) thereof,

Whereas public notification shall be effected through publication of the necessary particulars in the Community Designs Bulletin,

Whereas Article 41 (1) of Commission Regulation No 2245/2002 provides that any decision, communication or notice from the Office shall indicate the department or division of the Office and the name or names of the responsible officials and must be signed by the responsible official or officials or carry a printed or stamped seal,

Whereas Article 41 (2) of Commission Regulation No 2245/2002 provides that the President of the Office may determine that other means of identifying the department or division and the responsible official, or another identification than a seal, may be used where documents are notified by the Office by telecopier or by electronic means of communication,

Whereas the Office's designs administration system EURODESIGN is an electronic system without paper support and notification of decisions, communications and notices is made by transmitting the original document produced electronically directly from the workstation of the responsible official without the document being printed,

HAS ADOPTED THE FOLLOWING DECISION:

Article 1
Public notification

(1) Public notification under Article 52 of Commission Regulation No 2245/2002 shall be effected in the Community Designs Bulletin.

(2) The time limit of one month on the expiry of which the document shall be deemed to have been notified shall start 10 days after the date which is mentioned in the Community Designs Bulletin as the date of electronic publication.

(3) Public notification shall consist of publication of the following particulars:

- a) an indication of the proceedings to which the publication relates,
- b) the application number or registration number of the registered Community design concerned,
- c) the name of the addressee,
- d) the address of the addressee known to the Office,
- e) the type of document to be notified,
- f) the date of the document,
- g) the place where the document can be inspected.

Article 2

Form of notifications

Any decision, communication or notice which is transmitted by the Office in proceedings concerning registered Community designs by telecopier or electronic means of communication shall state the responsible department in the letterhead, and shall indicate the full name of the responsible official or officials at the end of the decision, communication or notice. These indications shall substitute any seal or signature.

Article 3

Entry into force

This Decision shall enter into force on the date following its adoption. It shall be applicable as of 1 January 2003. It shall be published in the Official Journal of the Office.

Done at Alicante, 20 January 2003

Wubbo de Boer
President