



Council of the  
European Union

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Eingelangt am 04/12/14

Brussels, 4 December 2014  
(OR. en)

16093/14

PI 133

#### NOTE

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From:	General Secretariat of the Council
To:	Delegations
Subject:	Renewal of the term of office of the Vice-President of the Office for Harmonisation in the Internal Market (trade marks and designs) and of two Chairmen of the Boards of Appeal of the Office for Harmonisation in the Internal Market (trade marks and designs)

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1. The renewal of the term of office of senior officials of the Office for Harmonisation in the Internal Market (trade marks and designs) (hereinafter referred to as "the Office") is regulated by Articles 125 and 136 of Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark.<sup>1</sup>

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<sup>1</sup> OJ L 78, 24.3.2009, p. 1.

2. In a letter dated 18 November 2014, addressed to the Secretary–General of the Council (Annex I), the Chairperson of the Administrative Board of the Office forwarded the unanimous decision taken by the Administrative Board on 18 November 2014 to propose the renewal of the term of office of Mr. Christian ARCHAMBEAU as Vice-President of the Office for five years, i.e. for the period from 1 December 2015 to 30 November 2020 (Annex II). In a letter dated 1 December 2014, addressed to the Secretary–General of the Council, the President of the Office, who has to be consulted, submitted his opinion on the proposed renewal of the term of office of Mr. Archambeau (Annex III).
  3. In another letter dated 18 November 2014 (Annex IV), addressed to the Secretary–General of the Council, the Chairperson of the Administrative Board of the Office forwarded the unanimous decision taken by the Administrative Board on 18 November 2014 to propose the renewal of the terms of office of Mr. Tomás DE LAS HERAS and Mr Detlef SCHENNEN as Chairmen of the Boards of Appeal of the Office from 1 November 2015 to 31 October 2020 (Annex II).
  4. Delegations are invited to consider whether they agree with the above mentioned proposals of the Administrative Board of the Office. In the affirmative, delegations are invited to recommend to the Council to adopt, as an "A" item of one of its future meetings, the Decision set out in Annex V, following its finalisation by the legal linguistic experts.
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**OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET  
(TRADE MARKS AND DESIGNS)**

ADMINISTRATIVE BOARD  
THE CHAIRPERSON

Alicante, 18 November 2014  
ICLAD/JN/KB/at/054-14-en

Mr Uwe Corsepius  
Secretary-General  
Council of the European Union  
Rue de la Loi 175  
B - 1048 Brussels

Dear Secretary-General

At its 48th meeting on 18 November 2014 the Administrative Board of the Office decided, in accordance with Art. 125 (1) and (3) of Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark, to propose the extension of the term of Office of Mr Christian Archambeau as Vice-President of OHIM for the period from 1 December 2015 to 30 November 2020.

In accordance with Art. 125 (1) and (3) of Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark, please find enclosed the list with the proposed candidate.

I should therefore be grateful if you would include an item concerning the extension of the term of office of Mr Christian Archambeau as Vice-President of OHIM on the agenda for the next meeting of the Council. You will also find enclosed a copy of the summary of decisions taken by the Administrative Board at its 48th meeting, together with the report on the basis of which the above-mentioned decision was taken.

Translations of these documents into the other four languages of OHIM will be sent to you as soon as they are available.

Yours sincerely

Mihály Ficsor

Enc.: 1. Summary of decisions  
2. List for the post of Vice-President of OHIM  
3. Selection Procedure of the Vice-President of the Office, including the President's assessment of the performance of the current Vice-President of the Office in view of the possible extension of his term of office

Copy: L. KARAMOUNTZOS, Council of the European Union

Avenida de Europa, 4 • E - 03008 Alicante • Spain  
Tel. +34 96 513 9100, direct +34 96 513 9972 • Fax +34 96 513 9327  
[www.oami.europa.eu](http://www.oami.europa.eu) • [abbcif@oami.europa.eu](mailto:abbcif@oami.europa.eu)



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

**ADMINISTRATIVE BOARD**

Alicante, 18 November 2014

CA/15/S49/2.1/EN(O)

**48<sup>th</sup> Meeting of the Administrative Board**

**of the Office for Harmonization in the Internal Market**

**(Trade Marks and Designs)**

**Alicante, 18 November 2014**

**Summary of the Decisions taken by the Administrative Board**

- CA-14-16 Adoption of the agenda of the 48<sup>th</sup> meeting of the Administrative Board.
- CA-14-17 Approval of the minutes of the 47<sup>th</sup> meeting of the Administrative Board held on 20 May 2014.
- CA-14-18 Decision not to publish a vacancy notice in order to fill the post of Vice-President of the Office.
- CA-14-19 Decision to submit to the Council of the European Union a proposal to extend the term of office of Mr Christian Archambeau as Vice-President of the Office for a second five-year period, from 1 December 2015 to 30 November 2020.
- CA-14-20 Unanimous decision to submit to the Council of the European Union a proposal to extend the term of office of Mr Tomás de las Heras as Chairperson of the Boards of Appeal of the Office until retirement age.

- CA-14-21 Unanimous decision to submit to the Council of the European Union a proposal to extend the term of office of Mr Detlef Schennen as Chairperson of the Boards of Appeal of the Office for a third five-year period, from 1 November 2015 to 31 October 2020.
- CA-14-22 Unanimous decision to extend the term of office of Mr Christoph Bartos as Member of the Boards of Appeal of the Office for a second five-year period, from 1 February 2016 to 31 January 2021.
- CA-14-23 Unanimous decision to extend the term of office of Ms Liesbeth Marijnissen as Member of the Boards of Appeal of the Office for a second five-year period, from 1 February 2016 to 31 January 2021.
- CA-14-24 Unanimous decision to extend the term of office of Mr Stefan Martin as Member of the Boards of Appeal of the Office for a second five-year period, from 1 February 2016 to 31 January 2021.
- CA-14-25 Unanimous decision to extend the term of office of Mr Carlo Rusconi as Member of the Boards of Appeal of the Office for a fourth five-year period, from 1 April 2016 to 31 March 2021.
- CA-14-26 Unanimous decision to extend the term of office of Mr Harri Salmi as Member of the Boards of Appeal of the Office for a third five-year period, from 1 September 2015 to 31 August 2020.
- CA-14-27 Approval of the vacancy notice for the establishment of a reserve list of a minimum of four Members of the Boards of Appeal of the Office, including its publication in the Official Journal of the European Union and on the Office's Internet site.
- CA-14-28 Approval of the composition of the Pre-Selection Committee, which shall be the following:
- Mr Mihály Ficsor (Chairperson of the Administrative Board), Ms Loredana Gulino (Deputy Chairperson of the Administrative Board), Mr António Campinos (President of the Office), Mr Théophile Margellos (President of the Boards of Appeal), Mr Christoph Ernst (German Delegation), Ms Patricia García-Escudero Márquez (Spanish Delegation) and Ms Susanne As Sivborg (Swedish Delegation).
- CA-14-29 Unanimous decision to recruit an additional Member for the Boards of Appeal of the Office from the reserve list established on 21 May 2013, valid until 31 December 2014.
- CA-14-30 Favourable opinion on the Guidelines for Examination in the Office for Harmonization in the Internal Market (Trade Marks and Designs).

CA-14-31     Decision taken to invite representatives of the OHIM Staff Committee to attend the meeting of the Administrative Board during discussions on matters not considered to be confidential.

cc.:           Members of the Administrative Board



The President

Alicante, December 1, 2014  
ICLAD/JN/KB/at/056-14-en

Mr Uwe Corsepius  
Secretary-General  
Council of the European Union  
Rue de la Loi 175  
B - 1048 Brussels

**Subject:** Extension of the term of office of the Vice-President of OHIM

Dear Secretary-General

At its 48<sup>th</sup> meeting on 18 November 2014, the Administrative Board of the Office drew up, in accordance with Art. 125 (1) and (3) of Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark, a list of one candidate for the post of Vice-President of OHIM which will fall vacant on 1 December 2015.

Prior to the meeting, the Administrative Board consulted me on the proposed candidate. I informed the Board that, being in charge of three key supporting areas, namely, Infrastructure, Information Technologies and Quality Management, which have a considerable impact on the accomplishment of the objectives of the OHIM Strategic Plan, the Vice-President has led his team in an efficient and result-oriented way, and has therefore notably contributed to the overall achievement of the Office's strategic goals.

In the light of the aforementioned, I recommend the extension of the term of office of the outgoing Vice-President, Mr Christian Archambeau.

Please do not hesitate to contact me if you require any further information.

Yours sincerely

*and with my best regards,*

António Campinos

Office for Harmonization in the Internal Market (Trade marks and designs)  
Avenida de Europa, 4, E-03008 Alicante, Spain  
Tel.+34 965 139 100 - [info@oami.europa.eu](mailto:info@oami.europa.eu)  
[www.oami.europa.eu](http://www.oami.europa.eu)



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

ADMINISTRATIVE BOARD  
THE CHAIRPERSON

Alicante, 18 November 2014  
ICLAD/JN/KB/at/055-14-en

Mr Uwe Corsepius  
Secretary-General  
Council of the European Union  
Rue de la Loi 175  
B - 1048 Brussels

Dear Secretary-General

At its 48th meeting on 18 November 2014, the Administrative Board of the OHIM decided, in accordance with the provisions of Article 136 (1) of Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark, to propose the extension of the term of office of Mr Tomás de las Heras as Chairperson of the Boards of Appeal of OHIM until retirement age, and to propose the extension of the term of office of Mr Detlef Schennen as Chairperson of the Boards of Appeal of OHIM for a third five-year period, from 1 November 2015 to 31 October 2020.

In accordance with the provisions of Article 136 (1) of Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark, please find enclosed the list with the proposed candidates.

I should therefore be grateful if you would include an item concerning the extension of the term of office of Mr Tomás de las Heras and Mr Detlef Schennen as Chairpersons of the Boards of Appeal of OHIM on the agenda for the next meeting of the Council. You will also find enclosed a copy of the summary of decisions taken by the Administrative Board at its 48th meeting.

Translations of these documents into the other four languages of OHIM will be sent to you as soon as they are available.

Yours sincerely

Mihály Ficsor

Enc.: 1. Summary of decisions  
2. List for the post of two Chairpersons

Copy: L. KARAMOUNTZOS, Council of the European Union

Avenida de Europa, 4 • E - 03008 Alicante • Spain  
Tel. +34 96 513 9100, direct +34 96 513 9972 • Fax +34 96 513 9327  
[www.oami.europa.eu](http://www.oami.europa.eu) • [abbcif@oami.europa.eu](mailto:abbcif@oami.europa.eu)



**DRAFT  
COUNCIL DECISION  
of ...**

**Renewing the terms of office of the Vice-President of the Office for Harmonisation in the Internal Market (trade marks and designs) and of two Chairmen of the Boards of Appeal of the Office for Harmonisation in the Internal Market (trade marks and designs)**

**THE COUNCIL OF THE EUROPEAN UNION,**

**Having regard to the Treaty on the Functioning of the European Union,**

**Having regard to Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark<sup>2</sup>, and in particular Article 125 and Article 136 thereof,**

**Whereas:**

- (1) On 18 November 2014, the Administrative Board of the Office submitted to the Council its proposals concerning the renewal of the terms of office of the Vice-President of the Office for Harmonisation in the Internal Market (trade marks and designs) (hereafter referred to as "the Office") and of two Chairmen of the Boards of Appeal of the Office.**
- (2) The terms of office of Mr Christian ARCHAMBEAU as Vice-President of the Office and of Mr. Tomás DE LAS HERAS, and Mr Detlef SCHENNEN as Chairmen of the Boards of Appeal of the Office, should be renewed for a period of 5 years.**

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<sup>2</sup> (1) OJ L 78, 24.3.2009, p. 1

**HAS ADOPTED THIS DECISION:**

**Article 1**

**The term of office of Mr Christian ARCHAMBEAU as Vice-President of the Office is hereby renewed for the period from 1 December 2015 to 30 November 2020.**

**Article 2**

**The terms of office of Mr. Tomás DE LAS HERAS and Mr Detlef SCHENNEN as Chairmen of the Boards of Appeal of the Office are hereby renewed for the period from 1 November 2015 to 31 October 2020.**

**Article 3**

**This Decision shall enter into force 20 days after its publication in the Official Journal of the European Union.**

**Done at Luxembourg, ...**

**For the Council**

**The President**

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