

The Executive Director

**DECISION No EX-20-1 of the
Executive Director of the Office of
14 February 2020 concerning the
extension of time limits**

The Executive Director of the European Union Intellectual Property Office (the Office),

Having regard to Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark⁽¹⁾ (EUTMR) and in particular Article 157(4)(a) thereof, pursuant to which the Executive Director of the Office must take all necessary steps, including the adoption of internal administrative instructions and the publication of notices, to ensure the functioning of the Office,

Having regard to Article 101(4) EUTMR, stating that *[i]f an exceptional occurrence, such as a natural disaster or strike, interrupts or interferes with proper communication from the parties to the proceedings to the Office or vice-versa, the Executive Director may determine that for parties to the proceedings having their residence or registered office in the Member State concerned or who have appointed a representative with a place of business in the Member State concerned all time limits that otherwise would expire on or after the date of commencement of such occurrence, as determined by him, shall extend until a date to be determined by him. When determining that date, he shall assess when the exceptional occurrence comes to an end. If the occurrence affects the seat of the Office, such determination of the Executive Director shall specify that it applies in respect of all parties to the proceedings,*

Having regard to Council Regulation (EC) No 6/2002 of 12 December 2001 on Community Designs, as amended⁽²⁾ (CDR) and in particular Article 100 thereof concerning the supplementary powers of the Executive Director, and to Commission Regulation (EC) No 2245/02 of 21 October 2002 implementing the Council Regulation, as amended⁽³⁾, (CDIR), in particular Article 58(4) thereof,

Whereas:

- (1) On 30/01/2020 the Director-General of the World Health Organization declared that an outbreak of *coronavirus disease (COVID-19)* in the People's Republic of China constituted a Public Health Emergency of International Concern⁽⁴⁾. The outbreak has affected communications between the People's Republic of China and the European Union.

⁽¹⁾ OJ L 154, 16.6.2017, p. 1.

⁽²⁾ OJ L 386, 29.12.2006, p. 14.

⁽³⁾ OJ L 193, 25.7.2007, p. 13.

⁽⁴⁾ According to a *Statement on the second meeting of the International Health Regulations (2005) Emergency Committee regarding the outbreak of novel coronavirus (2019-nCoV)*, 30/01/2020 (available online at [https://www.who.int/news-room/detail/30-01-2020-statement-on-the-second-meeting-of-the-international-health-regulations-\(2005\)-emergency-committee-regarding-the-outbreak-of-novel-coronavirus-\(2019-ncov\)](https://www.who.int/news-room/detail/30-01-2020-statement-on-the-second-meeting-of-the-international-health-regulations-(2005)-emergency-committee-regarding-the-outbreak-of-novel-coronavirus-(2019-ncov))).

- (2) The extent and the status of the *coronavirus disease (COVID-19)* outbreak constitutes an exceptional occurrence, which has disrupted proper communication between parties and the Office.
- (3) The disruption extends to all time limits,

HAS ADOPTED THE FOLLOWING DECISION:

Article 1
Purpose and scope

In accordance with Article 101(4) EUTMR and Article 58(4) CDIR, all time limits expiring between 30 January 2020 and 28 February 2020 inclusive that affect parties in proceedings before the Office having their residence or registered office in People's Republic of China are extended until 29 February 2020.

Article 2
Entry into force

This Decision will enter into force on the day following its adoption and will be published in the Official Journal of the Office.

Done at Alicante, 14 February 2020.



Christian Archambeau
Executive Director