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(Announcements)

ADMINISTRATIVE PROCEDURES

OFFICE FOR HARMONIZATION IN THE INTERNAL
MARKET**SELECTION PROCEDURE FOR DRAWING UP A RESERVE LIST FOR POSTS OF MEMBER OF THE
BOARDS OF APPEAL OF THE OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET****(Trade marks and designs)****VEXT/08/566/AD/BoA**

(2008/C 19 A/01)

1. DESCRIPTION OF THE OFFICE

The Office for Harmonization in the Internal Market (Trade Marks and Designs), 'the Office', was established by Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark (OJ L 11, 14. 1.1994) ⁽¹⁾.

The Office, which has legal personality and is independent as regards technical, administrative and financial matters, is responsible for administering the Community trade mark and the Community design systems. Community trade marks and designs registered by the Office produce their effects throughout the whole of the European Union.

The total number of Community trade mark applications filed by the end of December 2006 was approximately 550 000, of which approximately 78 000 were filed in 2006. 69 000 Community designs were filed during the same year. The Office's budget for 2007 was approximately EUR 275 million and the number of posts was in the region of 650.

The languages of the Office are Spanish, German, English, French and Italian.

The Office has its seat in Alicante, Spain.

2. THE BOARDS OF APPEAL

The Boards of Appeal are responsible for deciding on appeals against decisions of the examiners, the Opposition Divisions, the Administration of Trade Marks and Designs Division and the Cancellation Divisions of the Office.

Decisions of the Boards of Appeal are taken by Boards composed of a chairperson and two members. Two of the three must be legally qualified. In certain specific cases, decisions are taken by an enlarged Board or by a single member, who must be legally qualified. According to service requirements, members may be appointed to one or several Boards of Appeal. The members of the Boards of Appeal are independent. In their decisions they are not bound by any instructions.

⁽¹⁾ As amended by Council Regulation (EC) No 422/2004 of 19 February 2004 (OJ L 70, 9.3.2004, p. 1).

The Boards of Appeal currently consist of one President, three chairpersons and 11 members assisted by legal and administrative personnel and supported by the Registry and the Documentation and Support Service. About 70 persons work in the Boards of Appeal and their supporting services.

The Boards receive about 1 800 appeals annually, of which 65 % are in English, 20 % in German and the rest in other languages of the EU.

3. POST TO BE FILLED

The Office is seeking candidates to establish a reserve list for filling a minimum of two posts of member (female or male) of the Boards of Appeal.

4. APPOINTMENT

Members of the Boards of Appeal are appointed, for a period of five years, by the Administrative Board of the Office. This term of office may be renewed for additional five-year periods or until retirement age if that age is reached during the new term of office.

The date foreseen for taking up the duties for the posts is during 2009.

5. CONDITIONS OF EMPLOYMENT

A five-year contract as a member of the temporary staff pursuant to Article 2(a) of the Conditions of Employment of Other Servants of the European Communities, in the function group of administrators (AD), grade 11 will be offered to the chosen candidate. The basic monthly salary corresponding to the first step of this grade is EUR 8 500,81. There are additional salary elements reflecting marital status and dependent children. Furthermore, various allowances for removals and travel are provided, and also accident and health insurance and a pension scheme. Pay is subject to Community tax and other deductions laid down in the Conditions of Employment of Other Servants of the European Communities. It is however exempt from any national tax. Dependent children can attend the European School in Alicante free of charge. The Office offers relocation services. A relocation agency will contact the candidate before entering service and will help him/her with finding permanent accommodation, and will provide information about Alicante, hotel and car rental, and other useful information, for example, about the airport pick-up service.

Members of the Boards of Appeals appointed as a result of this selection procedure and whose term of office was renewed for a new term of office in accordance with Article 131(2) of the Regulation No 40/94, could be reclassified by the Administrative Board of the Office on proposal of the President of the Boards of Appeal in function group AD, grade 12, given their previous experience as members of the Boards of Appeal.

Successful candidates:

- who were formerly appointed as members of the Boards of Appeal by the Council pursuant to the procedure laid down in Article 131(1) Regulation No 40/94, before the amendment provided in Regulation (EC) No 422/2004 of 19 February 2004 (OJ EU L70/1 of 9 March 2004), and
- whose initial contract was established under the former Conditions of employment of other servants of the European Communities (CEOS), and
- whose term of office is renewed as a result of this selection procedure, and
- whose grade at the time of renewal is higher than the grade AD12;

may be reclassified by the Administrative Board of the Office on proposal of the President of the Boards of Appeal in a grade (up to grade AD13) and in a step such that, in accordance with the provisions laid down in the CEOS in force, their basic salary is at the closest possible level (by excess or by default) to the basic salary ⁽²⁾ they received at the end of their immediately previous term of office.

Employment shall be terminated either on the date established in the contract or at the request of the member of the temporary staff in question, upon the conclusion of three months' notice, without prejudice to the relevant provisions of the abovementioned Conditions of Employment.

6. BASIC REQUIREMENTS

Candidates must be nationals of one of the Member States of the European Union.

Candidates must not have been convicted or found guilty of any criminal offence.

Pursuant to Article 131(2) of Regulation (EC) No 40/94 on the Community trade mark, as amended by Council Regulation (EC) No 422/2004 of 19 February 2004, candidates must be in a position to fulfil a full first term of five years from the date of taking up the duties. The term of office cannot go beyond the end of the month in which the candidate reaches the compulsory retirement age (65) under the pension rules of the European civil service.

7. MINIMUM QUALIFICATIONS AND EXPERIENCE AND LANGUAGE SKILLS REQUIRED

Candidates must be able to work in a multilingual environment (a body of the European Union) and must have the ability to work on a large number of cases, which must be decided within reasonable time limits and in a collegial way, following objectives defined by the President of the Boards of Appeal.

The minimum qualifications and experience required are as follows:

- (a) A level of education which corresponds to completed university studies attested by a diploma when the normal period of university education is four years or more, or a level of education which corresponds to completed university studies attested by a diploma and appropriate professional experience of at least one year when the normal period of university education is at least three years; and
- (b) At the deadline for submitting applications, a minimum of 15 years' appropriate work experience related to the type of tasks to be carried out, acquired following the award of the diploma or the diploma and the experience mentioned above; and
- (c) At least five years of this experience must have been spent in the field of intellectual property and, in particular, in the area of trade marks or designs.

Candidates must also have a thorough knowledge of one of the official languages of the European Union and a satisfactory knowledge of a second official language of the European Union. One of these languages must be one of the five languages of the OHIM, namely, Spanish, German, English, French and Italian.

8. OTHER QUALIFICATIONS

The following will be considered an advantage:

- A university degree in law;
- Professional experience of working in a language other than the candidate's mother tongue;
- Thorough knowledge of English or German.

⁽²⁾ Calculated after the final application of the multiplication factor.

9. SUBMISSION OF APPLICATIONS

For an application to be valid, candidates must write to the following address:

Chairman of the Administrative Board
Office for Harmonization in the Internal Market
(Trade Marks and Designs)
Avenida de Europa, 4
E - 03008 Alicante
Spain

by midnight on **14 March 2008** at the latest (Alicante time, the postmark will serve as proof of the date of dispatch), enclosing the application form, dated and signed. The form is available on the website of the Office: <http://oami.europa.eu>

Please note, in particular, that all sections of the form must be completed. An incomplete application form (for example one bearing remarks such as 'see CV attached') will not be taken into account.

Applications must be sent by registered post. The envelope and all correspondence should bear the following reference: VEXT/08/566/AD/BoA.

The envelope must be marked as follows: 'Not to be opened by the mail service'.

10. SELECTION PROCEDURE

Selection will be conducted under the control of the Administrative Board.

Applications from candidates who do not fulfil the basic requirements or do not possess the minimum qualifications and experience required will be rejected.

At a later stage in the procedure, candidates will be requested to provide evidence that they have not been convicted or found guilty of any criminal offence as well as supporting documents relating to the basic requirements laid down, the minimum qualifications and experience required and other qualifications required, in particular:

1. a copy of an identity document (such as passport or ID card),
2. copies of diplomas to attest the qualifications specified on the application form,
3. copies of certificates or other documents relating to the professional experience mentioned in point 7 to attest claims made on the application form.

Any qualification or professional experience not supported by documentary evidence, such as copies of diplomas or certificates of employment, will be disregarded and may result in the application being rejected, regardless of the stage of the procedure. In particular, references to documentary evidence contained in previous applications (or in the personal file of an internal applicant) will not be taken into consideration.

On completion of the selection procedure, successful candidates will be placed on a reserve list of a maximum of four candidates. While offering no guarantees, inclusion on the list will mean that candidates may be offered a temporary staff contract, depending on the requirements of the Boards of Appeal. The reserve list will be valid until 31 December 2009.

The OHIM will ensure that candidates' personal data are processed as required by Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. This applies in particular to the confidentiality and security of such data (*Official Journal of the European Communities* L 8 of 12 January 2001).

The OHIM applies a policy of equal opportunities and accept applications without distinction on the grounds of sex, race, colour, ethnic or social origin, genetic features, language, religion, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.

11. FURTHER INFORMATION

Further information may be obtained from:

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