V

(Announcements)

ADMINISTRATIVE PROCEDURES

OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET

Vacancy notice for three posts of members of the Boards of Appeal

VEXT/11/623/AD 11/BoA — Members

(2011/C 157 A/01)

1. THE OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET (OHIM)


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

Since the Office opened for business in 1996, over 650 000 Community trade mark applications have led to registration. The Office exists alongside national trade mark offices. 98 000 Community trade mark applications and over 74 000 Community designs were filed during 2010. The Office’s budget for 2011 is approximately EUR 180 million and the number of posts is in the region of 700.

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

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 taken by the staff of the Office in relation to the examination of trade marks or designs, oppositions, cancellations or invalidity.

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 Boards of Appeal currently consist of one President, three chairpersons and 12 members assisted by legal and administrative personnel and supported by the Registry. About 75 persons work in the Boards of Appeal and their supporting services.

The total number of appeals filed by the end of December 2010 was approximately 15 700, with approximately 14 000 of those cases being closed by that date. Overall, approximately 65 % of all cases established English as the language of the proceedings, followed by German (20 %), Spanish (7 %), French (5 %) and Italian (2 %).

3. POST TO BE FILLED

The Office is seeking candidates to establish a reserve list for filling three posts of members of the Boards of Appeal.

4. APPOINTMENT

Members of the Boards of Appeal are appointed, for a period of 5 years, by the Administrative Board of the Office. This term of office may be renewed for additional 5-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 is during 2012.

5. CONDITIONS OF EMPLOYMENT

The chosen candidates will be offered a 5-year contract (for the duration of the mandate as member of the Boards of Appeal) as a member of the temporary staff pursuant to Article 2(a) of the Conditions of employment of other servants of the European Union, in the function group of administrators (AD), grade 11. This contract is directly linked to the mandate as member of the Boards of Appeal and therefore it will be automatically terminated at the expiry of the term of office. The basic monthly salary on the 1 July 2010 corresponding to the first step of this grade was EUR 9 115,76. There are additional salary elements reflecting marital status and dependent children. Furthermore, various allowances for removals and travel are provided, as well as 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 Union. It is however exempt from any national tax. Dependent children can attend the European School in Alicante free of charge.

Any member of the Boards of Appeal appointed as a result of this selection procedure and whose term of office was renewed for a further term of office in accordance with Article 136(2) of Regulation (EC) No 207/2009, 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 a member of the Boards of Appeal.

Any member of the Boards of Appeal appointed as a result of this selection procedure:

— who was formerly appointed as a member of the Boards of Appeal by the Council pursuant to the procedure laid down in Article 136(2) of Regulation (EC) No 207/2009, before the amendment provided in Council Regulation (EC) No 422/2004 (OJ L 70, 9.3.2004, p. 1), 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 grade AD 12,
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 AD 13) and in a step such that, in accordance with the provisions laid down in the CEOS in force, his/her basic salary is at the closest possible level (by excess or by default) to the basic salary (f) he/she received at the end of his/her most recently completed 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 3 months’ notice, without prejudice to the relevant provisions of the abovementioned Conditions of employment.

6. QUALIFICATIONS AND EXPERIENCE REQUIRED

Candidates must be able to work in a multilingual environment (a body of the European Union). A large number of cases 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 level of education which corresponds to completed university studies attested by a diploma when the normal period of university education is 4 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 1 year when the normal period of university education is at least 3 years,

— a minimum of 15 years of professional experience, corresponding to the category of the post and which has been acquired, after the date of the abovementioned degree, by the closing date for the submission of applications, at least five of which must have been spent in the field of intellectual property and, in particular, in the area of trade marks and/or designs,

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

The following will be considered as advantages:

— 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.

The successful candidate must also meet the general conditions for employment as a servant of the European Union, notably:

— be a national of one of the Member States of the European Union,

— must not have been convicted or found guilty of a criminal offence,

— must be physically fit to carry out the duties,

— be able to complete a full 5-year mandate before reaching retirement age, i.e. the end of the month in which the person reaches the age of 65.

(f) Calculated after the final application of the multiplication factor.
7. SUBMISSION OF APPLICATIONS

Applications may be submitted by e-mail or by messenger services, using the application form available on the Office’s website:


Those sent by e-mail should be sent to the following address: ABBCIF@oami.europa.eu

Those sent by courier should be sent to:

Chairperson of the Administrative Board
Office for Harmonization in the Internal Market (Trade Marks and Designs)
Avenida de Europa, 4
03008 Alicante
SPAIN

Applications must arrive before midnight on 27 June 2011.

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.

Candidates who are invited to interview (see selection procedure below) will also be required by the time of the interview to have supplied the relevant supporting documents relating to the basic requirements laid down, and other qualifications and experience claimed:

(1) copy of an identity document (such as passport or ID card);

(2) copies of diplomas;

(3) copies of certificates relating to the professional experience mentioned in point 6.

Other documents, particularly curricula vitae, will not be taken into consideration. It is to be noted, in particular, that any qualifications or professional experience which cannot be supported by documentary evidence, such as copies of diplomas or certificates of employment, will be disregarded and that this may result in the application being rejected.

8. SELECTION PROCEDURE

Selection will be conducted subject to the control of the Administrative Board of the Office. A pre-selection committee appointed by the Administrative Board will conduct a preliminary sifting of applications to assess admissibility, and to decide on which candidates should be invited to an interview or to other tests. On completion of the selection procedure, successful candidates will be placed on a reserve list of a maximum of six people. 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 2012.

9. PROTECTION OF PERSONAL DATA

As the body responsible for organising the selection, OHIM ensures that applicants’ 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 (OJ L 8, 12.1.2001, p. 1). This applies in particular to the confidentiality and security of such data.
10. **APPEAL**

If a candidate considers that he/she has been adversely affected by a particular decision, he/she can lodge a complaint under Article 90(2) of the Staff Regulations of Officials of the European Union, at the following address:

Office for Harmonisation in the Internal Market
Human Resources Department
Avenida de Europa, 4
03008 Alicante
SPAIN

11. **FURTHER INFORMATION**

Further information may be obtained from:

Mr Hugues Bello
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Office for Harmonization in the Internal Market (Trade Marks and Designs)
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