

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1209

of 13 August 2020

amending Implementing Regulation (EU) No 1352/2013 establishing the forms provided for in Regulation (EU) No 608/2013 of the European Parliament and of the Council concerning customs enforcement of intellectual property rights

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003 ⁽¹⁾, and in particular Article 6(1) and Article 12(7) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 1352/2013 ⁽²⁾ establishes the forms to be used to submit an application requesting that customs authorities take action with respect to goods suspected of infringing an intellectual property right, referred to in Article 6 of Regulation (EU) No 608/2013, and to submit a request for extension of the period during which the customs authorities are to take action, referred to in Article 12 of that Regulation ('the forms').
- (2) The forms need to be adapted to take into account the introduction of the EU Customs Trader Portal for the electronic submission of the forms. In order to provide a secure access to that portal, it is important that the applicants and their representatives are identified in a unique manner. For that, the Economic Operators Registration and Identification (EORI) number will become a mandatory field in the box for the applicant and the representative in the forms.
- (3) The EORI system already provides unique identification numbers for economic operators. It is appropriate to apply that system also to persons other than economic operators within the meaning of Article 6(1)(a) of Commission Delegated Regulation (EU) 2015/2446 ⁽³⁾.
- (4) Regulation (EU) No 386/2012 of the European Parliament and of the Council ⁽⁴⁾, and in particular Article 2(2)(b) thereof, assigns to the European Union Intellectual Property Office (EUIPO) the task to collect, analyse and disseminate relevant objective, comparable and reliable data regarding infringements of intellectual property rights.
- (5) In accordance with Article 5(1)(b) of Regulation (EU) No 386/2012, the Commission forwards to the EUIPO any relevant information related to the suspension of the release or the detention of goods suspected of infringing intellectual property rights that is provided by the Member States in accordance with Article 31(2) of Regulation (EU) No 608/2013.

⁽¹⁾ OJ L 181, 29.6.2013, p. 15.

⁽²⁾ Commission Implementing Regulation (EU) No 1352/2013 of 4 December 2013 establishing the forms provided for in Regulation (EU) No 608/2013 of the European Parliament and of the Council concerning customs enforcement of intellectual property rights (OJ L 341, 18.12.2013, p. 10).

⁽³⁾ Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1).

⁽⁴⁾ Regulation (EU) No 386/2012 of the European Parliament and of the Council of 19 April 2012 on entrusting the Office for Harmonisation in the Internal Market (Trade Marks and Designs) with tasks related to the enforcement of intellectual property rights, including the assembling of public and private-sector representatives as a European Observatory on Infringements of Intellectual Property Rights (OJ L 129, 16.5.2012, p. 1).

- (6) In order to enable a deeper analysis of the infringement data and to improve the understanding of the geographical scope and impact of the infringements, it is important that the suspension of the release and the detention of such goods can be attributed to the holder of the decision. It is also important that that person is informed, already when the forms are filed, of the fact that his or her personal data will be provided to the EUIPO and consents to that data transfer. Therefore the forms need to be adapted accordingly.
- (7) Following the entry into application of Regulations (EU) 2016/679 ⁽⁵⁾ and (EU) 2018/1725 ⁽⁶⁾ of the European Parliament and of the Council, the references in the forms to the data protection provisions need to be updated.
- (8) Taking into account that, in accordance with Article 31 of Regulation (EU) No 608/2013, all exchanges of data on decisions relating to applications and detentions between the Member States and the Commission are to be made via the central database of the Commission and that that database needs to be adjusted to the new forms, the amendments to Annexes I to III to Implementing Regulation (EU) No 1352/2013 should apply from 15 September 2020.
- (9) Implementing Regulation (EU) No 1352/2013 should therefore be amended accordingly.
- (10) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on 24 June 2020.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) No 1352/2013 is amended as follows:

- (1) Annex I is replaced by the text in Annex I to this Regulation;
- (2) Annex II is replaced by the text in Annex II to this Regulation;
- (3) Annex III is amended in accordance with Annex III to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 15 September 2020.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 August 2020.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁵⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

⁽⁶⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

ANNEX I

'ANNEX I'

EUROPEAN UNION – APPLICATION FOR ACTION

COPY FOR THE COMPETENT CUSTOMS DEPARTMENT	1	1. Applicant Name*: EORI-No*: Address*: Town*: Postal Code: Country*: TIN No: National registration No: Telephone: (+) ----- Mobile: (+) Fax: (+) ----- Email*: Website:	For official use Date of receipt Registration number of application INTELLECTUAL PROPERTY RIGHTS APPLICATION FOR ACTION BY CUSTOMS AUTHORITIES under Article 6 of Regulation (EU) No 608/2013 2*. Union application <input type="checkbox"/> National application <input type="checkbox"/> National application (cf. Article 5(3)) <input type="checkbox"/>
	3*. Status of applicant	<input type="checkbox"/> Right-holder <input type="checkbox"/> Person or entity authorised to use the IP right <input type="checkbox"/> IP collective rights management body <input type="checkbox"/> Professional defence body	<input type="checkbox"/> Group of producers of products with a Geographical Indication or representative of such group <input type="checkbox"/> Operator entitled to use a Geographical Indication <input type="checkbox"/> Inspection body or authority competent for a Geographical Indication <input type="checkbox"/> Exclusive license holder covering two or more Member States
	4. Representative submitting the application in the name of the applicant Company: Name*: EORI-No*: Address*: Town*: Postal Code: Country*: Telephone: (+) Mobile: (+)	<input type="checkbox"/> Evidence of the representatives power to act is enclosed Fax: (+) Email*: Website:	
	5*. Type of right to which the application refers	<input type="checkbox"/> National trademark (NTM) <input type="checkbox"/> European Union trademark (EUTM) <input type="checkbox"/> International registered trademark (ITM) <input type="checkbox"/> Registered national design (ND) <input type="checkbox"/> Registered Community design (CDR) <input type="checkbox"/> International registered design (ICD) <input type="checkbox"/> Unregistered Community design (CDU) <input type="checkbox"/> Copyright and related right (NCPR) <input type="checkbox"/> Trade name (NTN) <input type="checkbox"/> Topography of semiconductor product (NTSP) <input type="checkbox"/> Patent as provided for by national law (NPT) <input type="checkbox"/> Patent as provided for by Union law (UPT) <input type="checkbox"/> Utility model (NUM)	Geographical Indication/Designation of origin: <input type="checkbox"/> for agricultural products and foodstuff (CGIP) <input type="checkbox"/> for wine (CGIW) <input type="checkbox"/> for aromatised drinks based on wine products (CGIA) <input type="checkbox"/> for spirit drinks (CGIS) <input type="checkbox"/> for other products (NGI) <input type="checkbox"/> as listed in Agreements between the Union and third countries (CGIL) Plant variety right: <input type="checkbox"/> national (NPVR) <input type="checkbox"/> Community (CPVR) Supplementary protection certificate: <input type="checkbox"/> for medicinal products (SPCM) <input type="checkbox"/> for plant protection products (SPCP)
	6*. Member State or, in the case of a Union application, Member States in which customs action is requested	<input type="checkbox"/> ALL MEMBER STATES	<input type="checkbox"/> BE <input type="checkbox"/> BG <input type="checkbox"/> CZ <input type="checkbox"/> DK <input type="checkbox"/> DE <input type="checkbox"/> EE <input type="checkbox"/> IE <input type="checkbox"/> EL <input type="checkbox"/> ES <input type="checkbox"/> FR <input type="checkbox"/> HR <input type="checkbox"/> IT <input type="checkbox"/> CY <input type="checkbox"/> LV <input type="checkbox"/> LT <input type="checkbox"/> LU <input type="checkbox"/> HU <input type="checkbox"/> MT <input type="checkbox"/> NL <input type="checkbox"/> AT <input type="checkbox"/> PL <input type="checkbox"/> PT <input type="checkbox"/> RO <input type="checkbox"/> SI <input type="checkbox"/> SK <input type="checkbox"/> FI <input type="checkbox"/> SE <input type="checkbox"/> UK
	7. Representative for legal matters Company: Name*: Address*: Town*: Postal Code: Country*: Telephone: (+) ----- Fax: (+) ----- Mobile: (+) Email*: Website:	8. Representative for technical matters Company: Name*: Address*: Town*: Postal Code: Country*: Telephone: (+) ----- Fax: (+) ----- Mobile: (+) Email*: Website:	
	9. In case of a Union application, the details of the designated representatives for legal and technical matters are included in annex no		
	10. I request the use of the procedure of Article 26 of Regulation (EU) No 608/2013 (small consignments) in the following Member State(s) and, where requested by the customs authorities, agree to cover the costs related to the destruction of goods under this procedure.	<input type="checkbox"/> ALL MEMBER STATES	<input type="checkbox"/> BE <input type="checkbox"/> BG <input type="checkbox"/> CZ <input type="checkbox"/> DK <input type="checkbox"/> DE <input type="checkbox"/> EE <input type="checkbox"/> IE <input type="checkbox"/> EL <input type="checkbox"/> ES <input type="checkbox"/> FR <input type="checkbox"/> HR <input type="checkbox"/> IT <input type="checkbox"/> CY <input type="checkbox"/> LV <input type="checkbox"/> LT <input type="checkbox"/> LU <input type="checkbox"/> HU <input type="checkbox"/> MT <input type="checkbox"/> NL <input type="checkbox"/> AT <input type="checkbox"/> PL <input type="checkbox"/> PT <input type="checkbox"/> RO <input type="checkbox"/> SI <input type="checkbox"/> SK <input type="checkbox"/> FI <input type="checkbox"/> SE <input type="checkbox"/> UK

* these are mandatory fields and shall be filled in

(+) at least one of these fields shall be filled in

11*. List of rights to which the application refers					
No	Type of right	Registration number	Date of registration	Expiry date	List of goods to which the right refers
For further rights see annex no					<input type="checkbox"/> Restricted handling
Authentic goods					
12*. Goods details					<input type="checkbox"/> Restricted handling
IP right no:					
Goods description:					
CN tariff number:					
Customs value:					
European average market value:					
National market value:					
					<input type="checkbox"/> See enclosed annex no
13*. Goods distinctive features					<input type="checkbox"/> Restricted handling
Position on the goods:					
Description:					
					<input type="checkbox"/> See enclosed annex no
14*. Place of production					<input type="checkbox"/> Restricted handling
Country:					
Company:					
Address:					
Town:					
					<input type="checkbox"/> See enclosed annex no
15*. Involved companies					<input type="checkbox"/> Restricted handling
Role:					
Name:					
Address:					
Town:					
Postal Code:					
Country:					
					<input type="checkbox"/> See enclosed annex no
16*. Traders					<input type="checkbox"/> Restricted handling
Name:					
Address:					
Town:					
Postal Code:					
Country:					
					<input type="checkbox"/> See enclosed annex no
17. Goods clearance details and distribution information					<input type="checkbox"/> Restricted handling
					<input type="checkbox"/> See enclosed annex no
18. Packages					<input type="checkbox"/> Restricted handling
Kind of packages:					
Number of items per package:					
Description (incl. distinctive features):					
					<input type="checkbox"/> See enclosed annex no
19. Accompanying documents					<input type="checkbox"/> Restricted handling
Type of document:					
Description:					
					<input type="checkbox"/> See enclosed annex no

Infringing goods	
20. Goods details IP right no: Goods description: CN tariff number: Minimum value:	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no
21. Goods distinctive features Position on the goods: Description:	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no
22. Place of production Country: Company: Address: Town: Postal Code:	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no
23. Involved companies Role: Name: Address: Town: Postal Code: Country:	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no
24. Traders Name: Address: Town: Postal Code: Country:	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no
25. Goods distribution information	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no
26. Packages Kind of packages: Number of items per package: Description (incl. distinctive features):	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no
27. Accompanying documents Type of document: Description:	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no

28. Additional information <input type="checkbox"/>	<input type="checkbox"/> Restricted handling						
<input type="checkbox"/> See enclosed annex no							
29. Undertakings By signing I undertake to: <ul style="list-style-type: none"> • notify immediately the competent customs department that granted this application of any change in the information provided by me within this application or attachments in accordance with Article 15 of Regulation (EU) No 608/2013. • forward to the competent customs department that granted this application any update on the information as referred to in point (g), (h) or (i) of Article 6(3) of Regulation (EU) No 608/2013 that are relevant to customs authorities' analysis and assessment of the risk of infringement of the intellectual property right(s) included in this application. • assume liability under the conditions laid down in Article 28 of Regulation (EU) No 608/2013 and bear the costs as referred to in Article 29 of Regulation (EU) No 608/2013. <p>I agree that all the data submitted with this application may be processed by the Member States and the European Commission, acting as a processor on behalf of Member States, and the European Union Intellectual Property Office.</p>							
30*. Signature <table style="width: 100%; border: none;"> <tr> <td style="width: 45%; border: none;">Date (DD/MM/YYYY)</td> <td style="width: 55%; border: none;">Applicant's signature</td> </tr> <tr> <td style="border: none;">Place</td> <td style="border: none;">Name (Block capitals)</td> </tr> </table>		Date (DD/MM/YYYY)	Applicant's signature	Place	Name (Block capitals)		
Date (DD/MM/YYYY)	Applicant's signature						
Place	Name (Block capitals)						
For official use Decision by customs authorities (within the meaning of Section 2 of Regulation (EU) No 608/2013) <ul style="list-style-type: none"> <input type="checkbox"/> The application is completely granted. <input type="checkbox"/> The application has been partially granted (for the granted rights see attached list). <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: none;">Date of adoption (DD/MM/YYYY)</td> <td style="width: 33%; border: none;">Signature and stamp</td> <td style="width: 34%; border: none;">Competent customs department</td> </tr> </table> <p style="margin-top: 20px;">Expiry date of the application: Any request for extension of the period that customs authorities are to take action should be received by the competent customs department at the latest 30 working days before the expiry date.</p> <ul style="list-style-type: none"> <input type="checkbox"/> The application has been rejected. <p>A reasoned decision stating the grounds for partial or complete rejection and information concerning the appeal procedure are attached.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: none;">Date (DD/MM/YYYY)</td> <td style="width: 33%; border: none;">Signature and stamp</td> <td style="width: 34%; border: none;">Competent customs department</td> </tr> </table>		Date of adoption (DD/MM/YYYY)	Signature and stamp	Competent customs department	Date (DD/MM/YYYY)	Signature and stamp	Competent customs department
Date of adoption (DD/MM/YYYY)	Signature and stamp	Competent customs department					
Date (DD/MM/YYYY)	Signature and stamp	Competent customs department					

Personal data protection and the central database for the processing of applications for action.

This privacy statement explains the reasons for processing your personal data, the way they are collected, handled and the way protection of all your personal data is ensured.

The competent customs authority of a Member State are the controller(s) of the processing operation. To this respect the controller(s) processes personal data contained in this application in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

The European Commission acts as a processor on behalf of Member States and processes personal data contained in this application in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

The purpose of the processing of personal data of the application for action is the enforcement of intellectual property rights (IPR) by customs authorities in the Union, in accordance with Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights.

The legal basis for processing the personal data for the enforcement of IPR are Articles 31 and 33 of Regulation (EU) No 608/2013.

The processing activity of the Commission, acting on behalf of Member States and within their mandate, consists of storing and maintaining of the personal data related to applications for action and its attachments in the central database COPIS. This includes maintaining adequate technical and organizational arrangements for the reliable and secure operation of the database COPIS. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. The access to personal data is granted on a need-to-know basis and via personal accounts to authorised personnel of Member States custom authorities and the European Commission. The contact point within the European Commission for questions on the processing activity in COPIS is Directorate-General for Taxation and Customs Union: TAXUD-DP-COPIS@ec.europa.eu.

For a deeper analysis of the infringements data and to improve the understanding of the geographical scope and impact of infringements of IPR, the Commission within the mandate provided by the Member States will send, together with the infringement data, the name of the respective holder of the decision based on which the customs acted to the European Union Intellectual Property Office. The record reference of EUIPO's processing operation is DPR-2019-051

(https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/contentPdfs/data_protection/rpt_register_en.pdf).

Replies to data fields marked with an * and to at least one of the fields marked "+" are obligatory to be filled in. In case of failure to fill in these obligatory data, the application shall be rejected.

Customs authorities will delete the data no later than six months from the date the decision granting the application has been revoked or the relevant period during which customs authorities are to take action has expired. The period during which customs authorities are to take action shall be specified by the competent customs department when granting the application and shall not exceed one year from the day following the date of adoption of the decision granting the application. However, where customs authorities have been notified of proceedings initiated to determine a possible infringement of goods under the application, they will delete the data no later than six months after the proceedings have been concluded in a final way. In case of a data breach, the customs authorities in the Member States will fulfil their obligations in compliance with their duties stipulated in the GDPR. Where that personal data breach is likely to result in a high risk to your rights and freedoms the customs authorities in the Member States are committed to inform you immediately in order to allow you to take the necessary precautions.

You are at any given moment entitled to access and rectify your personal data in case the data is inaccurate or incomplete.

You have the rights to (if applicable) request restriction of processing or erasure ('right to be forgotten'), to object to the processing, to withdraw your consent, and not to be subject to automated individual decision making, including profiling. All requests shall be submitted to and processed by the competent customs department where the application was submitted. For the list of competent customs departments in the Member States see

https://ec.europa.eu/taxation_customs/sites/taxation/files/resources/documents/customs/customs_controls/counterfeit_piracy/right_holders/defend-your-rights_en.pdf.

If you feel that your rights are violated in any way, you are entitled to file a complaint with the National Supervisory Authority responsible for data protection (contact info here: https://edpb.europa.eu/about-edpb/board/members_en) following the applicable national procedure. If you have comments, questions or any concerns regarding the collection and use of your personal data, please feel free to contact Data Protection Officer (DPO) in the Member State's Customs Organisation. If your complaint concerns an action of the European Commission, you should lodge it with the European Data Protection Supervisor.

EUROPEAN UNION – APPLICATION FOR ACTION

2 COPY FOR THE APPLICANT	1. Applicant		For official use	
	Name*:		Date of receipt	
	EORI-No*:		Registration number of application	
	Address*:		INTELLECTUAL PROPERTY RIGHTS APPLICATION FOR ACTION BY CUSTOMS AUTHORITIES under Article 6 of Regulation (EU) No 608/2013	
	Town*:			
	Postal Code:		2*. Union application <input type="checkbox"/> National application <input type="checkbox"/> National application (cf. Article 5(3)) <input type="checkbox"/>	
	Country*:			
	TIN No:			
	National registration No:			
	Telephone: (+)			
Mobile: (+)				
Fax: (+)				
Email*:				
Website:				
3*. Status of applicant		<input type="checkbox"/> Group of producers of products with a Geographical Indication or representative of such group <input type="checkbox"/> Right-holder <input type="checkbox"/> Operator entitled to use a Geographical Indication <input type="checkbox"/> Person or entity authorised to use the IP right <input type="checkbox"/> Inspection body or authority competent for a Geographical Indication <input type="checkbox"/> IP collective rights management body <input type="checkbox"/> Exclusive license holder covering two or more Member States <input type="checkbox"/> Professional defence body		
4. Representative submitting the application in the name of the applicant		<input type="checkbox"/> Evidence of the representatives power to act is enclosed		
Company:				
Name*:				
EORI-No*:				
Address*:				
Town*:				
Postal Code:				
Country*:		Fax: (+)		
Telephone: (+)		Email*:		
Mobile: (+)		Website:		
5*. Type of right to which the application refers		Geographical Indication/Designation of origin: <input type="checkbox"/> for agricultural products and foodstuff (CGIP) <input type="checkbox"/> for wine (CGIW) <input type="checkbox"/> for aromatised drinks based on wine products (CGIA) <input type="checkbox"/> for spirit drinks (CGIS) <input type="checkbox"/> for other products (NGI) <input type="checkbox"/> as listed in Agreements between the Union and third countries (CGIL)		
<input type="checkbox"/> National trademark (NTM) <input type="checkbox"/> European Union trademark (EUTM) <input type="checkbox"/> International registered trademark (ITM) <input type="checkbox"/> Registered national design (ND) <input type="checkbox"/> Registered Community design (CDR) <input type="checkbox"/> International registered design (ICD) <input type="checkbox"/> Unregistered Community design (CDU)		Plant variety right: <input type="checkbox"/> national (NPVR) <input type="checkbox"/> Community (CPVR)		
<input type="checkbox"/> Copyright and related right (NCPR) <input type="checkbox"/> Trade name (NTN) <input type="checkbox"/> Topography of semiconductor product (NTSP) <input type="checkbox"/> Patent as provided for by national law (NPT) <input type="checkbox"/> Patent as provided for by Union law (UPT) <input type="checkbox"/> Utility model (NUM)		Supplementary protection certificate: <input type="checkbox"/> for medicinal products (SPCM) <input type="checkbox"/> for plant protection products (SPCP)		
6*. Member State or, in the case of a Union application, Member States in which customs action is requested		<input type="checkbox"/> ALL MEMBER STATES <input type="checkbox"/> BE <input type="checkbox"/> BG <input type="checkbox"/> CZ <input type="checkbox"/> DK <input type="checkbox"/> DE <input type="checkbox"/> EE <input type="checkbox"/> IE <input type="checkbox"/> EL <input type="checkbox"/> ES <input type="checkbox"/> FR <input type="checkbox"/> HR <input type="checkbox"/> IT <input type="checkbox"/> CY <input type="checkbox"/> LV <input type="checkbox"/> LT <input type="checkbox"/> LU <input type="checkbox"/> HU <input type="checkbox"/> MT <input type="checkbox"/> NL <input type="checkbox"/> AT <input type="checkbox"/> PL <input type="checkbox"/> PT <input type="checkbox"/> RO <input type="checkbox"/> SI <input type="checkbox"/> SK <input type="checkbox"/> FI <input type="checkbox"/> SE <input type="checkbox"/> UK		
7. Representative for legal matters		8. Representative for technical matters		
Company:		Company:		
Name*:		Name*:		
Address*:		Address*:		
Town*:		Town*:		
Postal Code:		Postal Code:		
Country*:		Country*:		
Telephone: (+)		Telephone: (+)		
Mobile: (+)		Mobile: (+)		
Fax: (+)		Fax: (+)		
Email*:		Email*:		
Website:		Website:		
9. In case of a Union application, the details of the designated representatives for legal and technical matters are included in annex no				
10. I request the use of the procedure of Article 26 of Regulation (EU) No 608/2013 (small consignments) in the following Member State(s) and, where requested by the customs authorities, agree to cover the costs related to the destruction of goods under this procedure.				
<input type="checkbox"/> ALL MEMBER STATES <input type="checkbox"/> BE <input type="checkbox"/> BG <input type="checkbox"/> CZ <input type="checkbox"/> DK <input type="checkbox"/> DE <input type="checkbox"/> EE <input type="checkbox"/> IE <input type="checkbox"/> EL <input type="checkbox"/> ES <input type="checkbox"/> FR <input type="checkbox"/> HR <input type="checkbox"/> IT <input type="checkbox"/> CY <input type="checkbox"/> LV <input type="checkbox"/> LT <input type="checkbox"/> LU <input type="checkbox"/> HU <input type="checkbox"/> MT <input type="checkbox"/> NL <input type="checkbox"/> AT <input type="checkbox"/> PL <input type="checkbox"/> PT <input type="checkbox"/> RO <input type="checkbox"/> SI <input type="checkbox"/> SK <input type="checkbox"/> FI <input type="checkbox"/> SE <input type="checkbox"/> UK				

* these are mandatory fields and shall be filled in

(+) at least one of these fields shall be filled in

11*. List of rights to which the application refers					
No	Type of right	Registration number	Date of registration	Expiry date	List of goods to which the right refers
For further rights see annex no					<input type="checkbox"/> Restricted handling
Authentic goods					
12*. Goods details					<input type="checkbox"/> Restricted handling
IP right no:					
Goods description:					
CN tariff number:					
Customs value:					
European average market value:					
National market value:					
					<input type="checkbox"/> See enclosed annex no
13*. Goods distinctive features					<input type="checkbox"/> Restricted handling
Position on the goods:					
Description:					
					<input type="checkbox"/> See enclosed annex no
14*. Place of production					<input type="checkbox"/> Restricted handling
Country:					
Company:					
Address:					
Town:					
					<input type="checkbox"/> See enclosed annex no
15*. Involved companies					<input type="checkbox"/> Restricted handling
Role:					
Name:					
Address:					
Town:					
Postal Code:					
Country:					
					<input type="checkbox"/> See enclosed annex no
16*. Traders					<input type="checkbox"/> Restricted handling
Name:					
Address:					
Town:					
Postal Code:					
Country:					
					<input type="checkbox"/> See enclosed annex no
17. Goods clearance details and distribution information					<input type="checkbox"/> Restricted handling
					<input type="checkbox"/> See enclosed annex no
18. Packages					<input type="checkbox"/> Restricted handling
Kind of packages:					
Number of items per package:					
Description (incl. distinctive features):					
					<input type="checkbox"/> See enclosed annex no
19. Accompanying documents					<input type="checkbox"/> Restricted handling
Type of document:					
Description:					
					<input type="checkbox"/> See enclosed annex no

Infringing goods	
20. Goods details IP right no: Goods description: CN tariff number: Minimum value:	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no
21. Goods distinctive features Position on the goods: Description:	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no
22. Place of production Country: Company: Address: Town: Postal Code:	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no
23. Involved companies Role: Name: Address: Town: Postal Code: Country:	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no
24. Traders Name: Address: Town: Postal Code: Country:	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no
25. Goods distribution information	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no
26. Packages Kind of packages: Number of items per package: Description (incl. distinctive features):	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no
27. Accompanying documents Type of document: Description:	<input type="checkbox"/> Restricted handling <input type="checkbox"/> See enclosed annex no

28. Additional information <input type="checkbox"/>	<input type="checkbox"/> Restricted handling												
<input type="checkbox"/> See enclosed annex no													
29. Undertakings By signing I undertake to: <ul style="list-style-type: none"> • notify immediately the competent customs department that granted this application of any change in the information provided by me within this application or attachments in accordance with Article 15 of Regulation (EU) No 608/2013. • forward to the competent customs department that granted this application any update on the information as referred to in point (g), (h) or (i) of Article 6(3) of Regulation (EU) No 608/2013 that are relevant to customs authorities' analysis and assessment of the risk of infringement of the intellectual property right(s) included in this application. • assume liability under the conditions laid down in Article 28 of Regulation (EU) No 608/2013 and bear the costs as referred to in Article 29 of Regulation (EU) No 608/2013. <p>I agree that all the data submitted with this application may be processed by the Member States and the European Commission, acting as a processor on behalf of Member States, and the European Union Intellectual Property Office.</p>													
30*. Signature <table style="width: 100%; border: none;"> <tr> <td style="width: 45%;">Date (DD/MM/YYYY)</td> <td style="width: 50%;">Applicant's signature</td> </tr> <tr> <td style="height: 40px;"></td> <td style="height: 40px;"></td> </tr> <tr> <td>Place</td> <td>Name (Block capitals)</td> </tr> </table>		Date (DD/MM/YYYY)	Applicant's signature			Place	Name (Block capitals)						
Date (DD/MM/YYYY)	Applicant's signature												
Place	Name (Block capitals)												
For official use Decision by customs authorities (within the meaning of Section 2 of Regulation (EU) No 608/2013) <ul style="list-style-type: none"> <input type="checkbox"/> The application is completely granted. <input type="checkbox"/> The application has been partially granted (for the granted rights see attached list). <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Date of adoption (DD/MM/YYYY)</td> <td style="width: 33%;">Signature and stamp</td> <td style="width: 33%;">Competent customs department</td> </tr> <tr> <td style="height: 100px;"></td> <td style="height: 100px;"></td> <td style="height: 100px;"></td> </tr> </table> <p>Expiry date of the application: Any request for extension of the period that customs authorities are to take action should be received by the competent customs department at the latest 30 working days before the expiry date.</p> <ul style="list-style-type: none"> <input type="checkbox"/> The application has been rejected. <p>A reasoned decision stating the grounds for partial or complete rejection and information concerning the appeal procedure are attached.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Date (DD/MM/YYYY)</td> <td style="width: 33%;">Signature and stamp</td> <td style="width: 33%;">Competent customs department</td> </tr> <tr> <td style="height: 40px;"></td> <td style="height: 40px;"></td> <td style="height: 40px;"></td> </tr> </table>		Date of adoption (DD/MM/YYYY)	Signature and stamp	Competent customs department				Date (DD/MM/YYYY)	Signature and stamp	Competent customs department			
Date of adoption (DD/MM/YYYY)	Signature and stamp	Competent customs department											
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Personal data protection and the central database for the processing of applications for action.

This privacy statement explains the reasons for processing your personal data, the way they are collected, handled and the way protection of all your personal data is ensured.

The competent customs authority of a Member State are the controller(s) of the processing operation. To this respect the controller(s) processes personal data contained in this application in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

The European Commission acts as a processor on behalf of Member States and processes personal data contained in this application in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

The purpose of the processing of personal data of the application for action is the enforcement of intellectual property rights (IPR) by customs authorities in the Union, in accordance with Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights.

The legal basis for processing the personal data for the enforcement of IPR are Articles 31 and 33 of Regulation (EU) No 608/2013.

The processing activity of the Commission, acting on behalf of Member States and within their mandate, consists of storing and maintaining of the personal data related to applications for action and its attachments in the central database COPIS. This includes maintaining adequate technical and organizational arrangements for the reliable and secure operation of the database COPIS. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. The access to personal data is granted on a need-to-know basis and via personal accounts to authorised personnel of Member States custom authorities and the European Commission. The contact point within the European Commission for questions on the processing activity in COPIS is Directorate-General for Taxation and Customs Union: TAXUD-DP-COPIS@ec.europa.eu.

For a deeper analysis of the infringements data and to improve the understanding of the geographical scope and impact of infringements of IPR, the Commission within the mandate provided by the Member States will send, together with the infringement data, the name of the respective holder of the decision based on which the customs acted to the European Union Intellectual Property Office. The record reference of EUIPO's processing operation is DPR-2019-051

(https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/contentPdfs/data_protection/rpt_register_en.pdf).

Replies to data fields marked with an * and to at least one of the fields marked "+" are obligatory to be filled in. In case of failure to fill in these obligatory data, the application shall be rejected.

Customs authorities will delete the data no later than six months from the date the decision granting the application has been revoked or the relevant period during which customs authorities are to take action has expired. The period during which customs authorities are to take action shall be specified by the competent customs department when granting the application and shall not exceed one year from the day following the date of adoption of the decision granting the application. However, where customs authorities have been notified of proceedings initiated to determine a possible infringement of goods under the application, they will delete the data no later than six months after the proceedings have been concluded in a final way. In case of a data breach, the customs authorities in the Member States will fulfil their obligations in compliance with their duties stipulated in the GDPR. Where that personal data breach is likely to result in a high risk to your rights and freedoms the customs authorities in the Member States are committed to inform you immediately in order to allow you to take the necessary precautions.

You are at any given moment entitled to access and rectify your personal data in case the data is inaccurate or incomplete.

You have the rights to (if applicable) request restriction of processing or erasure ('right to be forgotten'), to object to the processing, to withdraw your consent, and not to be subject to automated individual decision making, including profiling. All requests shall be submitted to and processed by the competent customs department where the application was submitted. For the list of competent customs departments in the Member States see

https://ec.europa.eu/taxation_customs/sites/taxation/files/resources/documents/customs/customs_controls/counterfeit_piracy/right_holders/defend-your-rights_en.pdf.

If you feel that your rights are violated in any way, you are entitled to file a complaint with the National Supervisory Authority responsible for data protection (contact info here: https://edpb.europa.eu/about-edpb/board/members_en) following the applicable national procedure. If you have comments, questions or any concerns regarding the collection and use of your personal data, please feel free to contact Data Protection Officer (DPO) in the Member State's Customs Organisation. If your complaint concerns an action of the European Commission, you should lodge it with the European Data Protection Supervisor.

ANNEX II

'ANNEX II'

EUROPEAN UNION – REQUEST FOR EXTENSION

COPY FOR THE COMPETENT CUSTOMS DEPARTMENT	1	1*. Holder of the decision Name*: EORI-No*: Address*: Town*: Postal Code: Country*: Telephone: (+) Mobile: (+) Fax: (+) Email*:	For official use Date of receipt	
	INTELLECTUAL PROPERTY RIGHTS REQUEST FOR EXTENSION OF THE PERIOD FOR ACTION under Article 12 of Regulation (EU) No 608/2013			
	2. Representative of the holder of the decision Company: Name*: EORI-No*: Address*: Town*: Postal Code: Country*: Telephone: (+) Mobile: (+)			<input type="checkbox"/> Evidence of the representatives power to act is enclosed Fax: (+) Email*: Website:
	3*. I request the extension of the period during which the customs authorities are to take action in respect of the following application Registration number of application: /			
1	<input type="checkbox"/> I confirm, that there are no changes in the information concerning the application for action and its annexes. <input type="checkbox"/> I provide the following information concerning the application for action. See enclosed annex no I agree that all the data submitted with this extension request may be processed by the Member States and the European Commission, acting as a processor on behalf of Member States, and the European Union Intellectual Property Office. Any request for extension of the period that customs authorities are to take action should be received by the competent customs department at the latest 30 working days before the expiry date.			
4*. Signature Date (DD/MM/YYYY)		Signature of the holder of the decision		
Place		Name (Block capitals)		
For official use Decision by customs authorities (within the meaning of Section 2 of Regulation (EU) 608/2013) <input type="checkbox"/> The request for extension is completely granted. <input type="checkbox"/> The request for extension has been partially granted (for the granted rights see attached list). Date (DD/MM/YYYY) Signature and stamp Competent customs department				
Expiry date of the application: <input type="checkbox"/> The request for extension has been rejected. A reasoned decision stating the grounds for partial or complete rejection and information concerning the appeal procedure are attached. Date (DD/MM/YYYY) Signature and stamp Competent customs department				

* these are mandatory fields and shall be filled in

(+) at least one of these fields shall be filled in

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The purpose of the processing of personal data of the extension request is the enforcement of intellectual property rights (IPR) by customs authorities in the Union in accordance with Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights.

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EUROPEAN UNION – REQUEST FOR EXTENSION

2	1*. Holder of the decision	For official use Date of receipt
	Name*: EORI-No*: Address*: Town*: Postal Code: Country*: Telephone: (+) Mobile: (+) Fax: (+) Email*:	INTELLECTUAL PROPERTY RIGHTS REQUEST FOR EXTENSION OF THE PERIOD FOR ACTION under Article 12 of Regulation (EU) No 608/2013
COPY FOR THE APPLICANT	2. Representative of the holder of the decision	
	Company: Name*: EORI-No*: Address*: Town*: Postal Code: Country*: Telephone: (+) Mobile: (+)	<input type="checkbox"/> Evidence of the representatives power to act is enclosed Fax: (+) Email*: Website:
2	3*. I request the extension of the period during which the customs authorities are to take action in respect of the following application	
	Registration number of application: / <input type="checkbox"/> I confirm, that there are no changes in the information concerning the application for action and its annexes. <input type="checkbox"/> I provide the following information concerning the application for action.	
See enclosed annex no		
I agree that all the data submitted with this extension request may be processed by the Member States and the European Commission, acting as a processor on behalf of Member States, and the European Union Intellectual Property Office.		
Any request for extension of the period that customs authorities are to take action should be received by the competent customs department at the latest 30 working days before the expiry date.		
4*. Signature		
Date (DD/MM/YYYY)	Signature of the holder of the decision	
Place	Name (Block capitals)	
For official use		
Decision by customs authorities (within the meaning of Section 2 of Regulation (EU) 608/2013)		
<input type="checkbox"/> The request for extension is completely granted.		
<input type="checkbox"/> The request for extension has been partially granted (for the granted rights see attached list).		
Date (DD/MM/YYYY)	Signature and stamp	Competent customs department
Expiry date of the application:		
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ANNEX III

‘ANNEX III

Annex III to Implementing Regulation (EU) No 1352/2013 is amended as follows:

(1) Part I is amended as follows:

(a) in the note on the completion of box 1 (‘Applicant’), the text is replaced by the following:

‘Details concerning the applicant shall be entered in this box. It shall contain information on the name and complete address of the applicant, his or her Economic Operator Registration and Identification Number (EORI-No), which is a number, unique throughout the Union, assigned by a customs authority in a Member State to the applicant, his or her telephone, mobile telephone or fax number and his or her email address. The applicant may also enter, where appropriate, his Taxpayer Identification Number, any other national registration number and the address of his or her website.’;

(b) in the note on the completion of box 4 (‘Representative submitting the application in the name of the applicant’), the text is replaced by the following:

‘Where the application is submitted by the applicant by means of a representative, details concerning that representative shall be entered in this box. Those details shall contain information on the name and complete address of the representative, his or her Economic Operator Registration and Identification Number (EORI-No), which is a number, unique throughout the Union, assigned by a customs authority in a Member State to the representative, his or her telephone, mobile telephone or fax number and his or her email address. The representative may also enter, where appropriate, the name of the company where he or she works and the address of the company’s website. The application shall include evidence of his or her power to act as a representative in accordance with the legislation of the Member State where the application is submitted and the corresponding box shall be ticked.’;

(2) Part II is replaced by the following:

II. SPECIFICATIONS OF THE BOXES OF THE REQUEST FOR EXTENSION FORM SET OUT IN
ANNEX II TO BE FILLED IN BY THE HOLDER OF THE DECISION

Fields in the form marked with an asterisk (*) are mandatory fields and shall be filled in.

In boxes where fields are marked with a plus (+) at least one of these fields shall be filled in.

Do not enter data in the boxes marked ‘for official use’.

Box 1: Details concerning the holder of the decision

Details concerning the holder of the decision shall be entered in this box.

Box 2: Representative of the holder of the decision

Where the request is submitted by the holder of the decision by means of a representative, details concerning that representative shall be entered in this box. Those details shall contain information on the name and complete address of the representative, his or her Economic Operator Registration and Identification Number (EORI-No), which is a number, unique throughout the Union, assigned by a customs authority in a Member State to the representative, his or her telephone, mobile telephone or fax number and his or her email address. The representative may also enter, where appropriate, the name of the company where he or she works and the address of the company’s website. If not submitted with the initial application, the request shall include evidence of his or her power to act as a representative in accordance with the legislation of the Member State where the initial decision was adopted and the corresponding box shall be ticked.

Box 3: Extension request

The application registration number including the first two digits with the iso/alpha-2 code of the Member State of granting shall be entered in this box. The holder of the decision shall likewise indicate whether he or she is requesting modifications to the information contained in the application by ticking the appropriate box.

Box 4: Signature

In box 4, the holder of the decision or the representative of the holder of the decision shall enter the place and date of completion of the request and shall sign. The signatory’s name shall be given in block capitals.”