



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

The President

**Decision No ADM-06-18**

concerning the creation of a Trade Marks and  
Cancellation Department

The President of the Office for Harmonization in the Internal Market (Trade Marks and Designs),

Having regard to Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark (CTMR), and in particular Article 119 (1) and (2) (a) thereof,

Whereas for obtaining a more efficient design of workflows in IP core activities it is convenient to introduce gradual changes in the present workflows in order to reduce the number of examiners that have to intervene in a particular file, following the guiding 'one file, one examiner' principle and that such changes would require an adequate organisational structure;

Whereas this structure should consist of two new departments built of staff currently working at the Administration of Trade Mark and Designs Department (hereinafter ATMDD) and the Trade Mark Department (hereinafter TMD).

HAS ADOPTED THE FOLLOWING DECISION:

**Article 1**

A Trade Marks & Cancellation Department (hereinafter TMCD) shall be established within the Office.

**Article 2**

The TMCD shall be under the direct authority of the President of the Office.

**Article 3**

The person responsible for the TMCD shall have the title of Director of the Department.

**Article 4**

The TMCD shall be responsible for all activities and operations relating to the following tasks:

- a) Community trade marks procedures in EN, DE, ES and FR, and also in IT, PT, HU, ET, MT, LT, LV and EL, carried out at present by the Formality Examination Service in the ATMDD and by the TMD;
- b) Trade mark and design data reception, capture and dispatch, carried out at present by the Data Reception, Capture and Distribution Service in the ATMDD;
- c) Trade mark cancellation proceedings, carried out at present by the TMD;
- d) International Applications under the Madrid Protocol, carried out at present by the ATMDD;
- e) Other tasks related to IT projects/tools and the management of resources, organisational issues and day-to-day legal assistance to the examiners, carried out at present by the ATMDD and the TMD.

**Article 5**

The organizational structure of this department will be established by a later decision.

**Article 6**

Until the date of the decisions appointing the persons responsible for each of the internal structures of this department, the tasks mentioned in Article 4 will continue to be carried out by the services currently responsible, as indicated above. These services will continue to exist in their present form, although they will completely or partially form part of the TMCD.

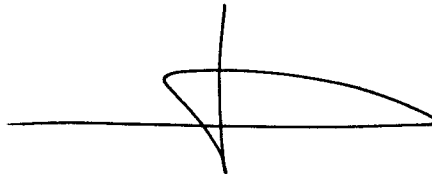
**Article 7**

The Human Resources Department shall ensure the implementation of this decision.

**Article 8**

This decision shall enter into force as from the date of entering into force of the decision establishing the structure of the TMCD and no later than the 1 July 2006.

Done at Alicante, 28 April 2006

A handwritten signature in black ink, consisting of a horizontal line that curves upwards and then downwards, with a vertical line intersecting it.

Wubbo de Boer