



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

**VACANCY NOTICE FOR PRESIDENT OF THE BOARDS OF APPEAL (M/F)
VEXT/09/589/AD 14/PBoA**

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

The Office for Harmonization in the Internal Market (Trade Marks and Designs), "the Office", is established by Council Regulation (EC) No 207/2009 of 26 February 2009¹ on the Community trade mark (OJ EU L 78, 24.03.2009).

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 500,000 Community trade mark applications have led to registration. The Office exists alongside national trade mark offices. 87,000 Community trade mark applications and 77,000 Community design applications were filed during 2008. The Office's budget for 2009 is approximately EUR 200 million and the number of staff is in the region of 700.

The Office is headed by a President. It is organised into various departments, which are run by directors who have been delegated tasks and powers to run operations. The Boards of Appeal have been established under the Regulation as a separate management unit within the Office to provide an independent review of Office decisions, with further appeals being made to the European Courts in Luxembourg. The Boards are organised into a number of chambers, each of which consists of a Chair and several Members. Currently there are three chairpersons and eleven members who are supported by legal assistants and other staff, numbering approximately 70 staff in all.

In 2008, 1,815 appeals were filed and 1,866 decisions issued. Overseeing the work is a President of the Boards of Appeal, who takes overall responsibility for the flow of work and management matters.

Although the Boards of Appeal must remain independent in the exercise of their decision-making, they are integrated into the Office administrative and management systems, so that the President of the Boards of Appeal sits on the Management Committee of the Office alongside the directors of the different departments. The post-holder therefore also contributes to the overall management of the Office.

The 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.

¹ Regulation 207/2009 is the codified version of Council Regulation (EC) No 40/1994 of 20 December 1993 on the Community trade mark, which has been substantially amended.

2. POST TO BE FILLED

The Office is seeking candidates for the post of President of the Boards of Appeal (m/f).

3. DESCRIPTION OF FUNCTIONS

In accordance with Article 136 of Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark, the successful candidate will exercise a number of managerial and organisational powers in relation to the Boards of Appeal, principally:

- chair the authority of the Boards of Appeal, responsible for laying down the rules and organising the work of the Boards;
- ensure the implementation of the authority's decisions;
- allocate cases to a Board on the basis of objective criteria determined by the authority;
- forward to the President of the Office the Boards' expenditure requirements;
- chair the enlarged Board.

4. APPOINTMENT

The successful candidate will be appointed by the Council of the European Union upon a proposal from the Administrative Board of the Office.

The date foreseen for taking up the duties is 16/01/2011.

5. CONDITIONS OF EMPLOYMENT

A five-year contract as a member of temporary staff pursuant to Article 2(a) of the Conditions of Employment of Other Servants of the European Communities, in grade AD14 will be offered to the chosen candidate. The basic monthly salary on 1 July 2008 corresponding to the first step of this grade was 12,732.20€.

6. PERSON SPECIFICATION

We are looking for someone who can give direction to the work of the Boards of Appeals so that it maintains credibility as an independent appeal mechanism, it continues to develop consistent case law, and so that it works efficiently on the disposal of the cases that come before it. As well as meeting the basic admissibility requirements set out below, the ideal candidate:

- must have exercised significant management responsibilities at a senior level;
- must have a legal qualification;
- must have at least 5 years experience in the field of trade mark and/or design law;
- should have a good understanding of the public service environment in which the Office operates;
- should desirably have knowledge of the languages of the Office beyond the minimum requirements.

7. ADMISSIBILITY REQUIREMENTS

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 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;

- At the deadline for submitting applications, a minimum of 15 years' post-graduate experience, acquired after the relevant qualifications above were obtained;
- 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 the OHIM, namely, Spanish, German, English, French or Italian.

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.

8. SUBMISSION OF APPLICATIONS

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

<http://oami.europa.eu/ows/rw/pages/OHIM/career/career.en.do>

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
E - 03008 Alicante
SPAIN

Applications must arrive before midnight on 29/10/2009.

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 a passport or ID card);
- 2) copies of diplomas;
- 3) copies of certificates relating to the professional experience mentioned in points 6 and 7.

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.

9. SELECTION PROCEDURE

Selection will be conducted subject to the control of the Administrative Board of the Office. An advisory committee appointed by the Administrative Board will conduct a preliminary screening of applications to assess admissibility, and to decide on which candidates should be invited to an interview or to other tests. The Administrative Board will then decide on a short list of up to three candidates to be submitted to the Council of Ministers for a final decision.

10. PROTECTION OF PERSONAL DATA

As the body responsible for organising the selection, the OHIM ensures that applicants' personal data is processed as required by Regulation (EC) No 45/2001 of the European Parliament and 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.

11. 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 Communities, at the following address:

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

12. FURTHER INFORMATION

Further information may be obtained from:

Mr Peter Lawrence
Vice President and Director of the Human Resources Department
Office for Harmonization in the Internal Market
(Trade Marks and Designs)
Office 1A-3/20-21
Avenida de Europa 4
E - 03008 Alicante
SPAIN
e-mail: peter.lawrence@oami.europa.eu

** If there are discrepancies between the different linguistic versions, the English one should be taken as the correct version.*