

Languages and translations in inter-partes proceedings

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Operations Department
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Outline:

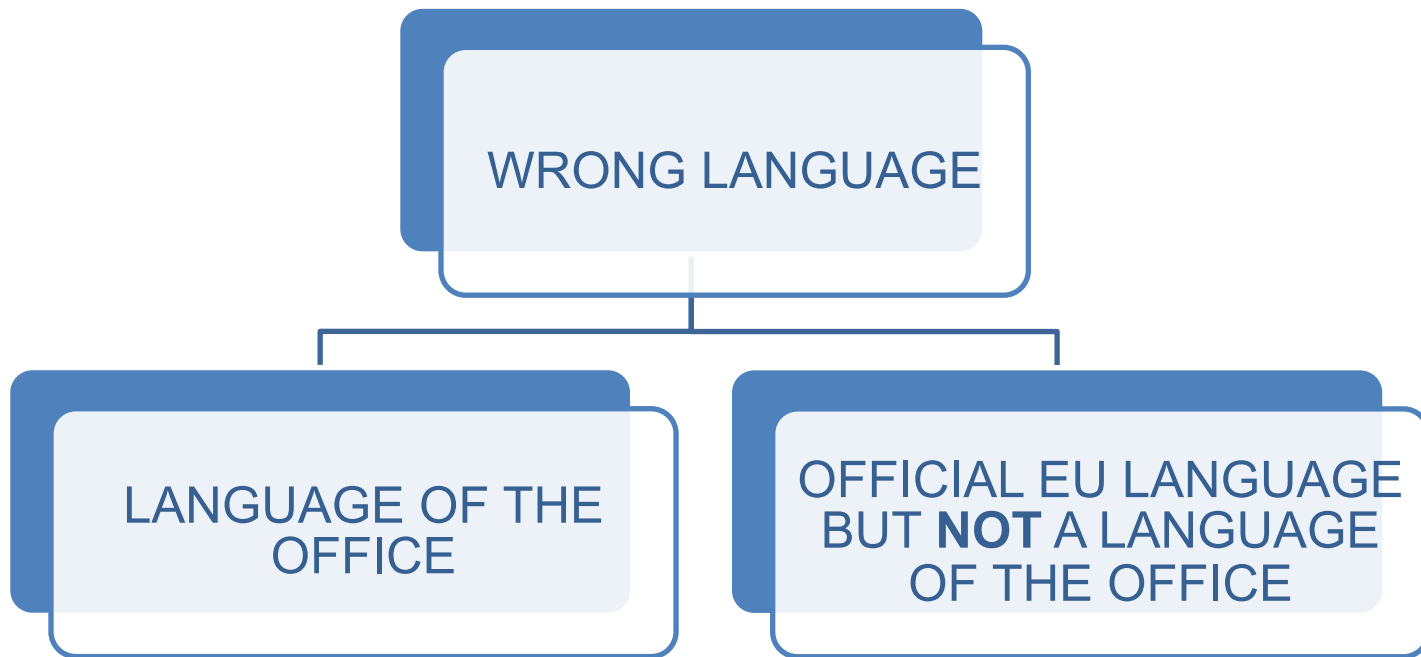
- Language of proceedings
- Change of language during proceedings
- Translations :
 - admissibility
 - facts and evidence for substantiation
 - other evidence
 - further observations
 - proof of use

Language of proceedings

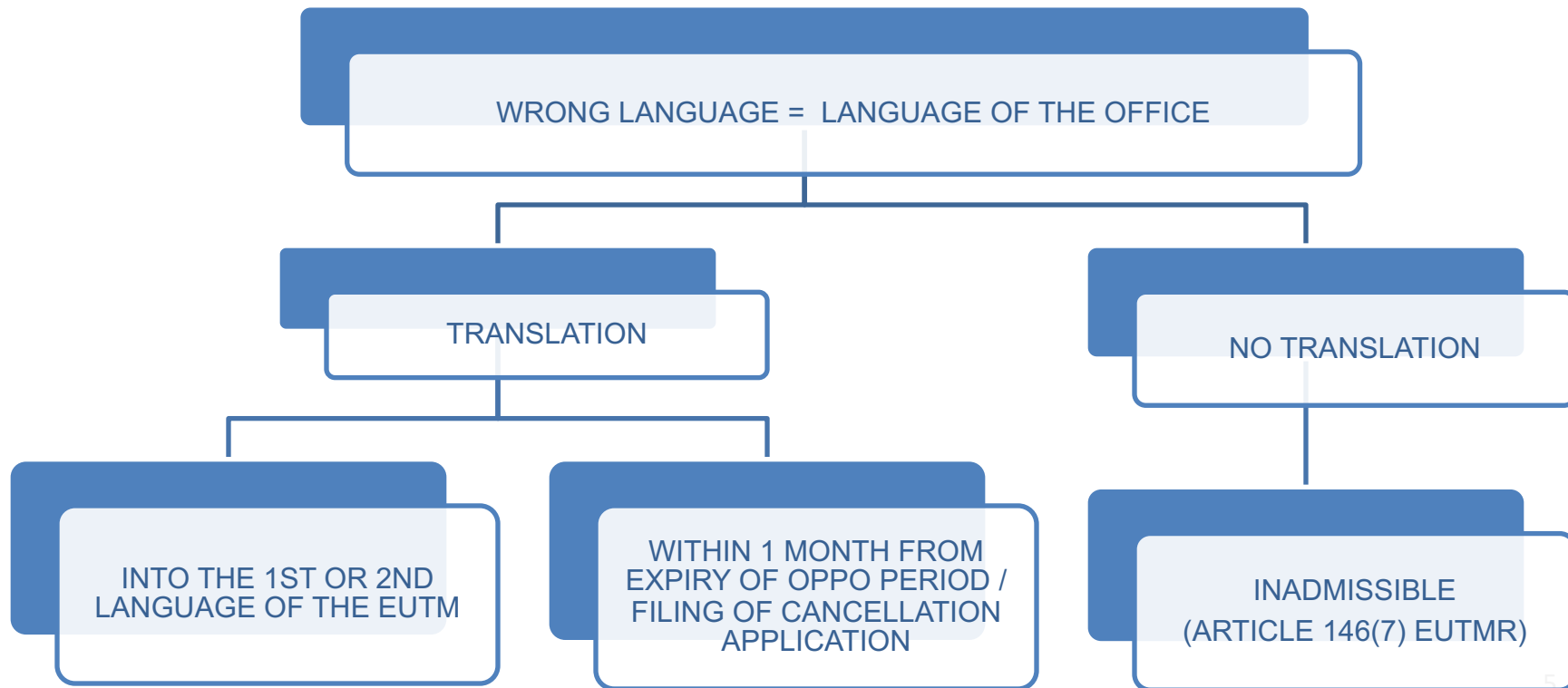
Article 146(5), (6) and (7) EUTMR

- An opposition or request for cancellation (application for revocation or declaration of invalidity) may be filed:
 - in the **first or second** language of the EUTM application or registration if the first language is one of the five languages of the Office;
 - in the **second** language if the first language is **not one of the Office languages**.
- This language becomes the language of proceedings for the opposition or cancellation proceedings.

Language of proceedings

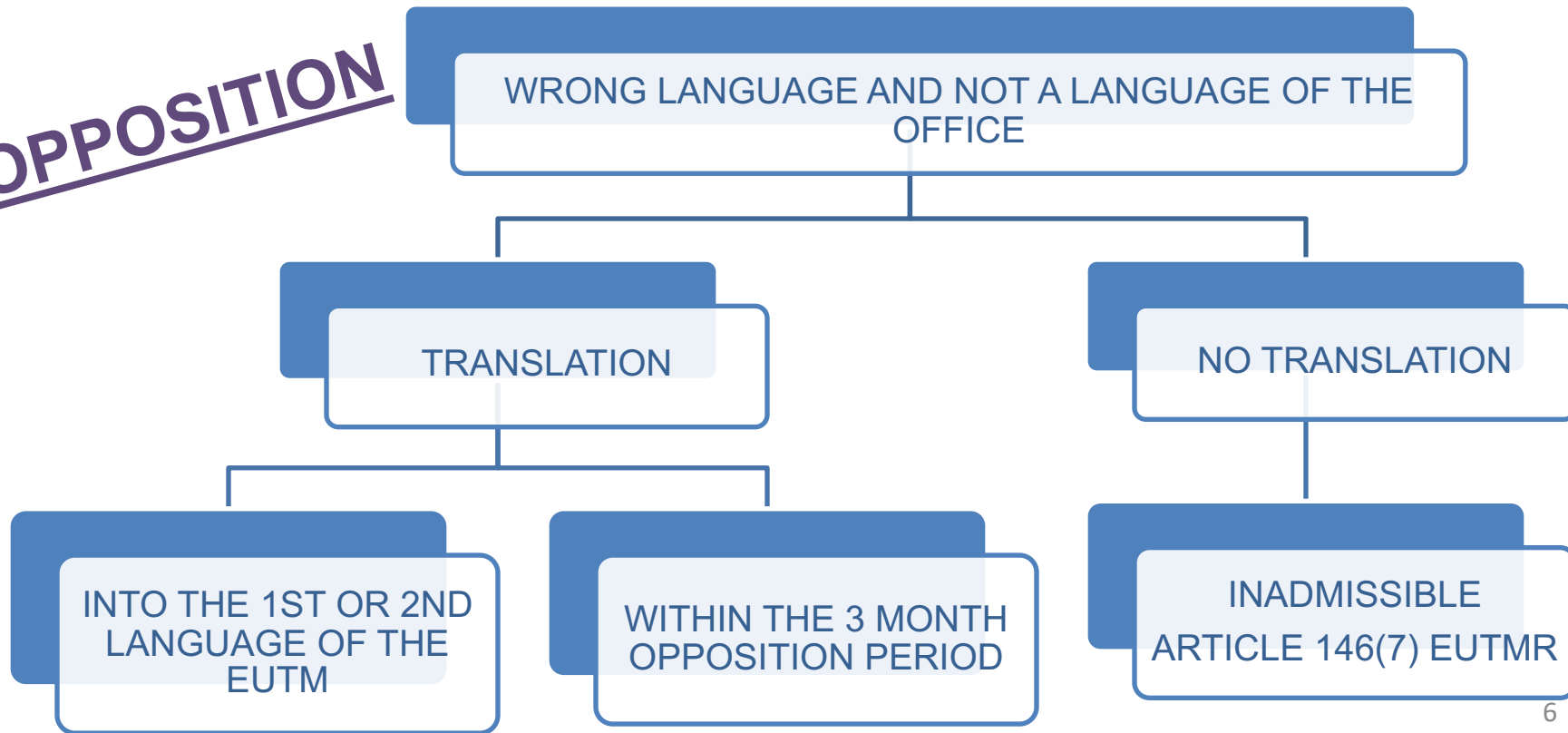


Language of proceedings



Language of proceedings

OPPOSITION



Language of proceedings

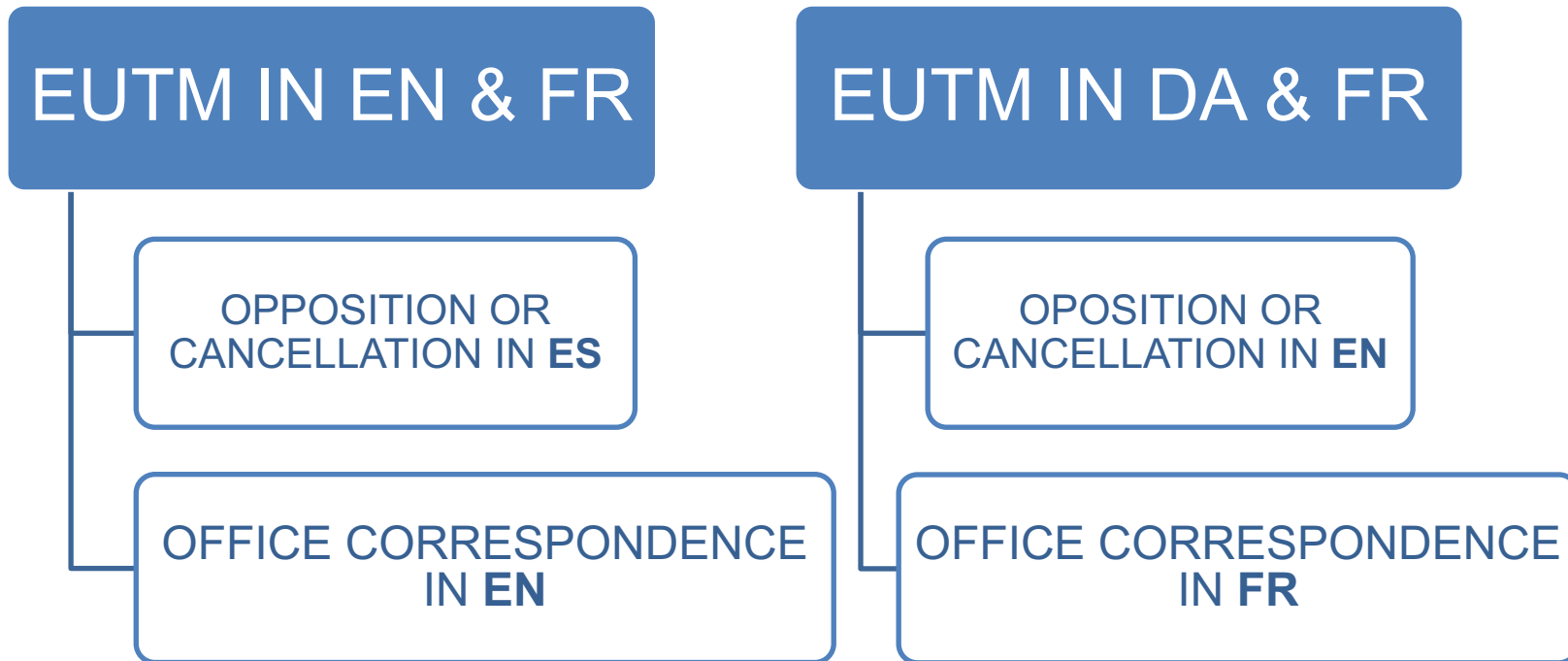
WRONG LANGUAGE

NOT A LANGUAGE OF
THE OFFICE

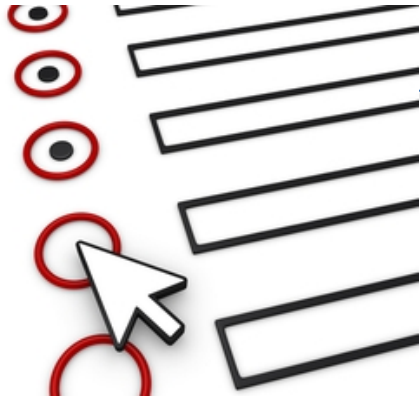
INADMISSIBLE
ARTICLE 146(7) EUTMR

CANCELLATION

Language of proceedings - Example



Language of proceedings



FORM IN ANY LANGUAGE OF EU
TEXTUAL ELEMENTS IN LANGUAGE OF THE
OFFICE

FORM IN WRONG LANGUAGE
TEXTUAL ELEMENTS IN WRONG LANGUAGE
CHOSEN LANGUAGE NOT POSSIBLE

OFFICE LANGUAGE

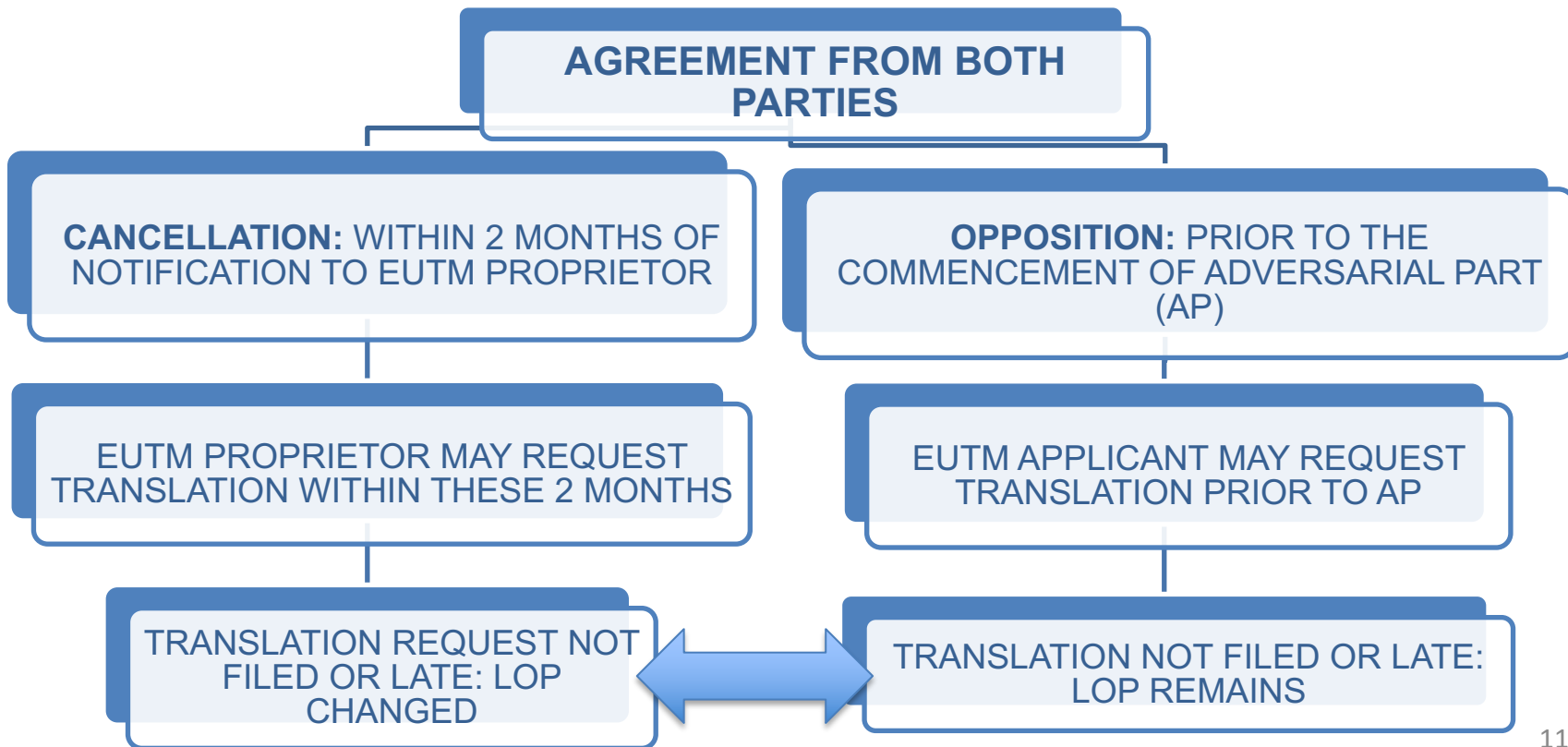
WITHIN 1 MONTH FROM
EXPIRY OF OPPO PERIOD /
FILING OF CANCELLATION
APPLICATION

NON OFFICE LANGUAGE

INADMISSIBLE (ARTICLE
146(7) EUTMR

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Change of the language of proceedings (LOP) — Article 146(8) EUTMR



- Language of proceedings
- Change of language during proceedings
- **Translations :**
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Translations

Article 146(9) EUTMR

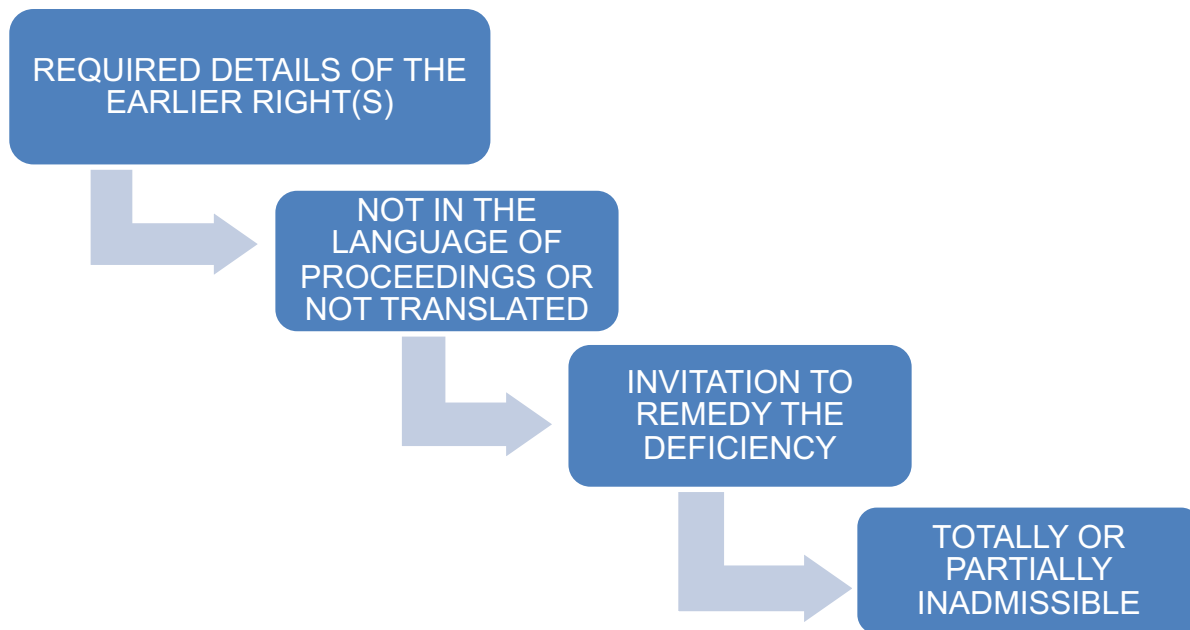
‘Unless provided otherwise, in written proceedings before the Office **any party may use any language of the Office**. If the language chosen is not the language of the proceedings, **the party shall supply a translation** into that language **within one month** of the date of the submission of the original document.’

Translations

Article 24 EUTMIR

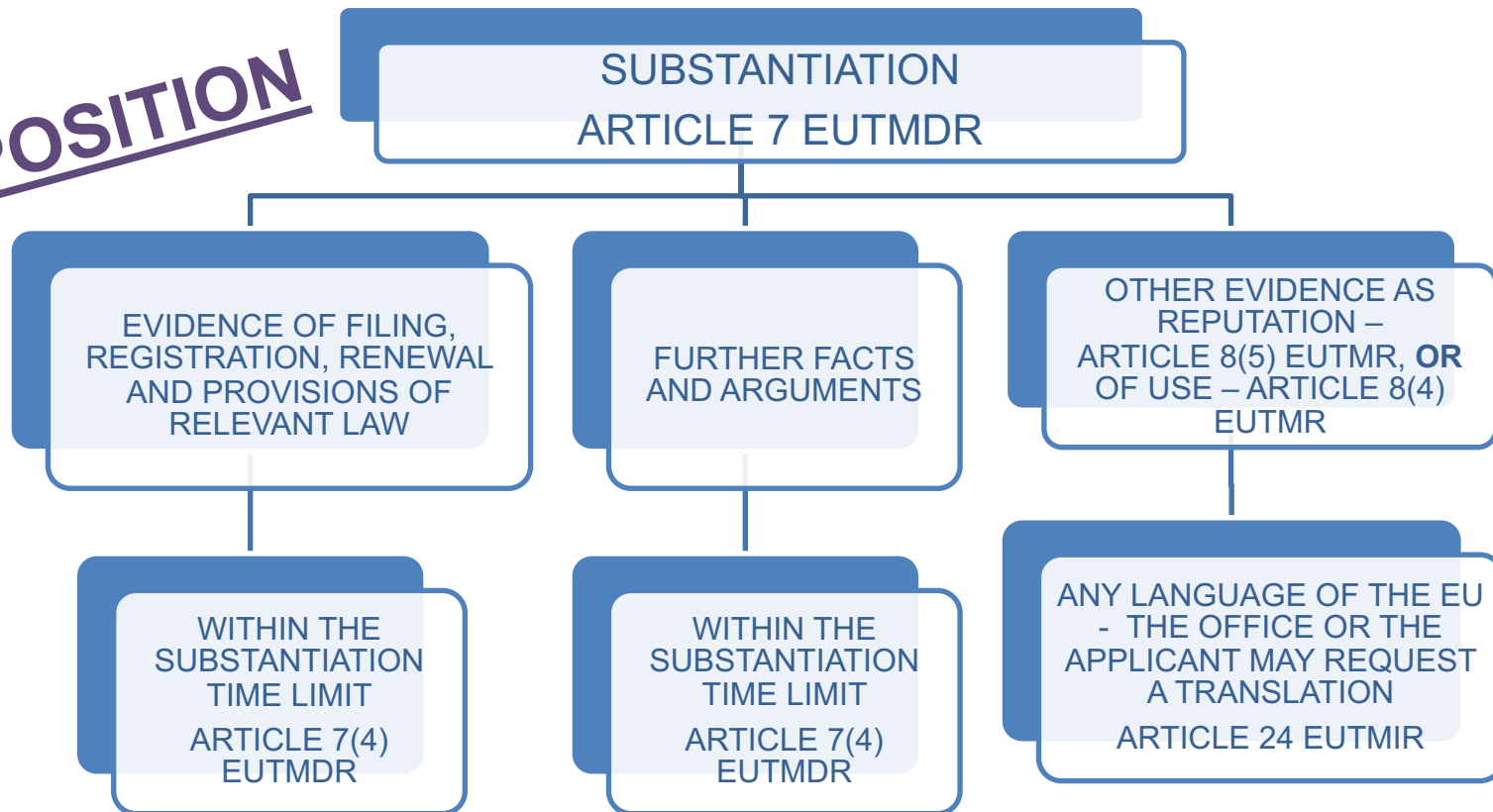
‘Unless otherwise provided for in this Regulation or in Delegated Regulation (EU) 2018/625, supporting documents to be used in written proceedings before the Office may be filed **in any official language of the Union**. Where the language of such documents is not the language of the proceedings as determined in accordance with Article 146 of Regulation (EU) 2017/1001, **the Office may**, of its own motion or upon reasoned request by the other party, **require that a translation be supplied**, within a period specified by it, in that language.’

Translations - Admissibility



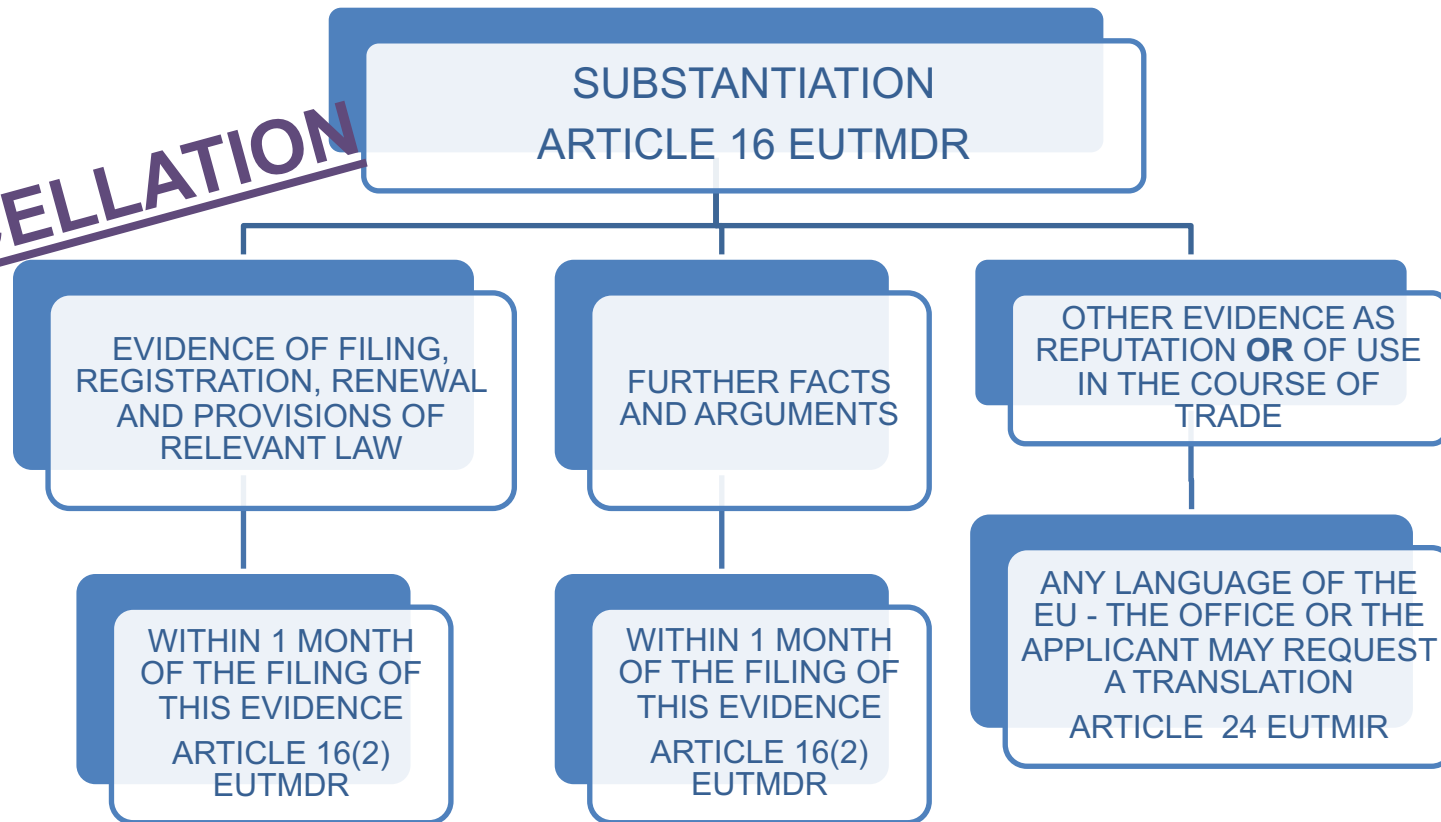
Translations - Substantiation

OPPOSITION



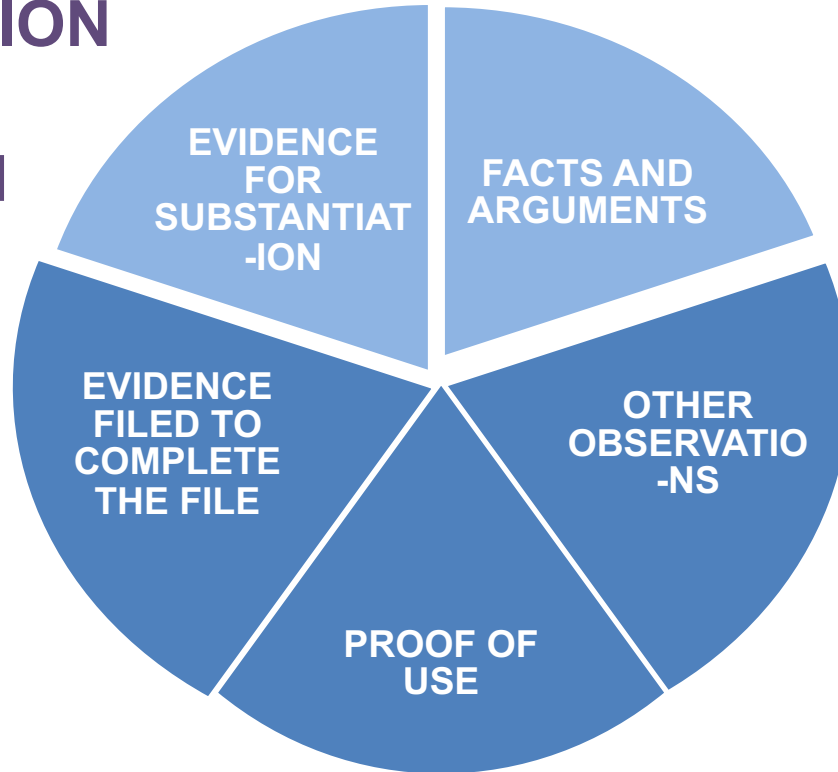
Translations - Substantiation

CANCELLATION

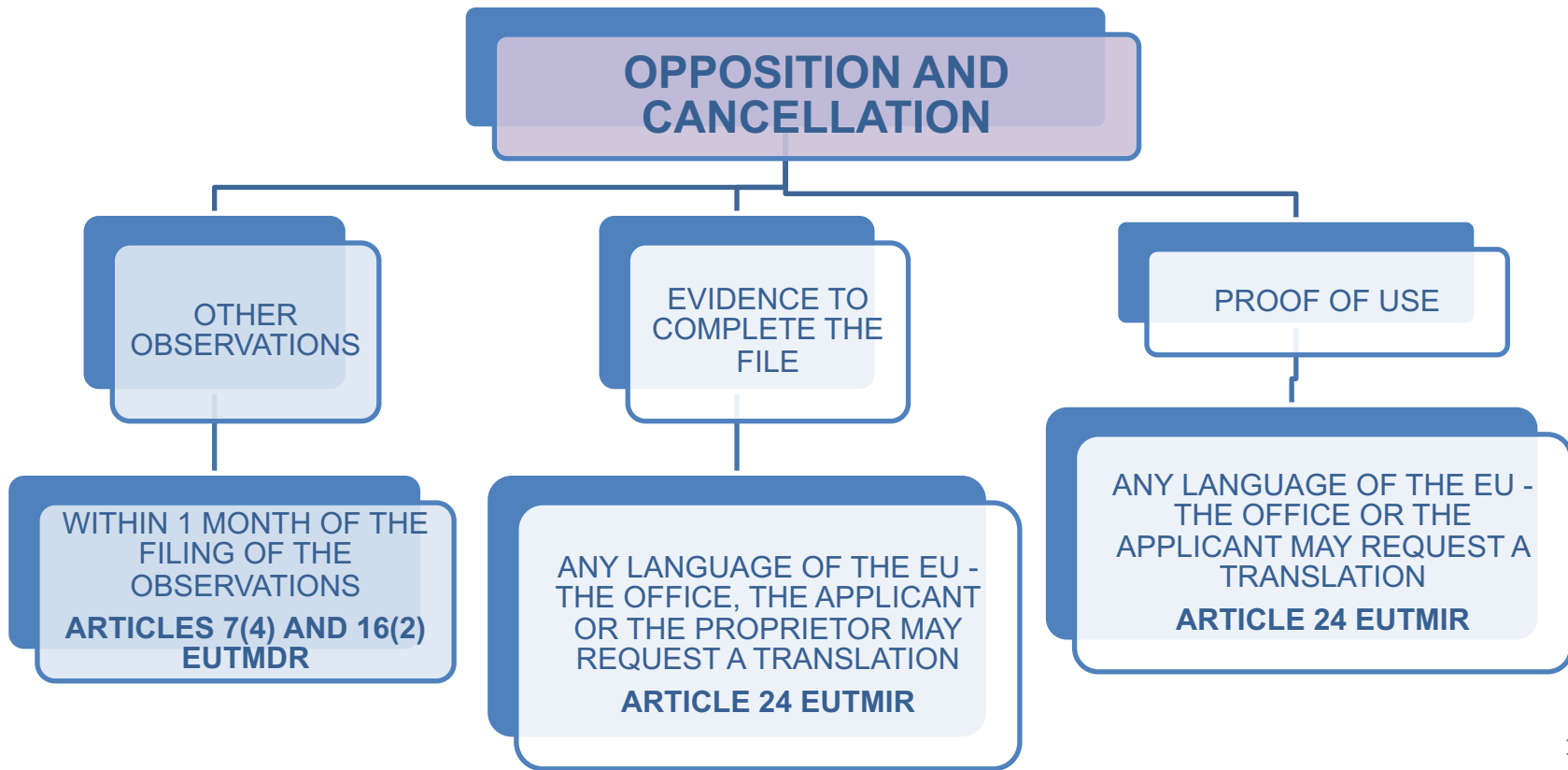


Translations

CANCELLATION and OPPOSITION



Translations



- Language of proceedings
- Change of language during proceedings
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Thank you

Presentation	Languages and translations in <i>inter partes</i> proceedings	
Status	DRAFT / APPROVED	
Approved by owner	RP Group	
Authors	HT	Hanne Kirsten Thomsen
	-	
Contributors		

Revision history			
Version	Date	Author	Description
0.1	05/08/2019	HT	First draft
0.2		HT	Update
0.1	DD/MM/YYYY		