

E-FILING OF AN INSPECTION REQUEST AND LEGALISATION OF EUIPO CERTIFIED COPIES

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DEFINITION

Legalisation is the certification process of a document, so that it is officially recognised by a foreign country's legal system.

The procedure for legalising a document varies depending on the country.

For documents issued by the EUIPO, it is the Head of the European Commission (EC) Representation in Spain who is authorised to legalise the signatures of EUIPO officials, and therefore, the legalisation of certified copies of the EUIPO ¹ used for all procedures, in national offices (priority) or for litigation in courts, for non-EU countries.

¹ Under European Commission Decision C (2000) 2665 of 19 September 2000 published in the Official Journal of the European Communities on 19 January 2001 (2001/C 17/06).



HOW TO REQUEST A CERTIFIED COPY WITH LEGALISATION FROM THE EUIPO

When applying for certified copies from the EUIPO you should state that you need them legalised and for which country.

The EUIPO will prepare the certified copies and send them directly to the EC Representation in Madrid to be legalised.

Once the document has been legalised by the EC in Madrid, it will be sent by regular mail to the address specified in the request.

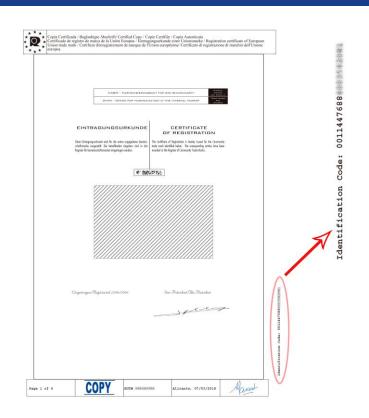
You should provide a contact telephone number, if you prefer to collect it in person.



CERTIFIED COPIES DOWNLOADED FROM EUIPO WEBSITE

If you have downloaded the document from the EUIPO website, you should ensure that:

- it is printed in good quality, colour,
 A4 format, and stapled;
- the identification code appears vertically in the right margin of the document (PDF printing options — 'Fit to Page').





IF YOU ALREADY HAVE A CERTIFIED COPY AND NEED IT LEGALISED?

If you already have a certified copy, because:

- you requested it from the EUIPO without specifying that it needed legalisation, or
- you downloaded it directly from the EUIPO website,

you can send it directly to the EC Representation in Madrid.

More information: https://ec.europa.eu/spain/services/euipo/english_es



ADDRESS OF EC REPRESENTATION IN MADRID

You can send it to the following address:

COMISIÓN EUROPEA

Representación en España Legalizaciones EUIPO Paseo de la Castellana 46

E-28046 Madrid — Spain





HOW TO REQUEST LEGALISATION DIRECTLY FROM THE EC REPRESENTATION

You can send it by post, courier or deliver it in person to the offices of the Representation in Madrid.

You must enclose, together with the EUIPO certified copy, a letter stating:

- who is applying for legalisation (postal address and contact names);
- the country for which the legalisation is sought;
- the address where it has to be sent or a contact telephone number if you prefer to collect it in person.



WHAT TO DO AFTER OBTAINING LEGALISATION FROM EC REPRESENTATION / 1

Once documents are legalised and sent to the requester, the EC Representation does not take any further action.

Once you have received the certified copies legalised by the EC in Madrid, it may be that:

- the institution where you must present the document accepts it;
- you are required by the institution of destination to present the legalised document via diplomatic channel.



WHAT TO DO AFTER OBTAINING LEGALISATION FROM EC REPRESENTATION / 2

If the procedures should be carried out via diplomatic channel, the subsequent steps are:

- at the Spanish Ministry of Foreign Affairs (step that can be skipped depending on the destination country);
- at the embassy or consulate <u>in Spain</u> of the country of destination of the document.

Therefore, if you are unsure how to proceed, we advise you to contact the embassy of the country of destination of the document.



SPANISH MINISTRY OF FOREIGN AFFAIRS

If, in addition, the embassy of the country of destination of the document requires a subsequent legalisation by the Spanish Ministry of Foreign Affairs (MAEC), information on the procedure is explained clearly on the MAEC website.

http://www.exteriores.gob.es/Portal/en/ServiciosAlCiudadano/SiEstasEnElExtranjero/Paginas/Legalizaciones.aspx

The EUIPO certified copies are included in the section 'Mercantile documents':

'In any case, mercantile documents shall always go through the Legalisations Section of the Ministry of Foreign Affairs and Cooperation (C/ Pechuán, 1 – 28002 Madrid. Tel: +34 91 379 16 55), and, finally, at the diplomatic or consular mission, accredited to Spain, of the country in which the document is to take effect.'



THE HAGUE APOSTILLE / 1

The embassy/consulate of the country where you have to present the certified copies has mentioned 'the Hague Apostille'.

The Hague Convention is an agreement between countries to abolish the requirement for legalisation of foreign public documents. It has replaced the procedure via 'diplomatic channel' by using the apostille in the signatory countries of the agreement.

It is not possible for EUIPO documents.



THE HAGUE APOSTILLE / 2

The European Union (EU) is not a member of the Hague Convention, therefore an apostille does not exist for documents issued by European Union institutions and therefore for documents issued by the EUIPO either.

To that end, in 2000, the EC adopted a procedure, which was published in the Official Journal of the EU, authorising the Head of the EC Representation in Spain to authenticate the signature of documents issued by the EUIPO.

If the embassy or consulate requests that you affix an apostille, you must answer that this is not possible because the EU, as a whole, is not a member of the Hague Convention, **and you need diplomatic legalisation**.



CONTACT AND INFORMATION

European Commission Representation in Spain

EUIPO Legalisations

Paseo de la Castellana 46

E-28046 Madrid — Spain

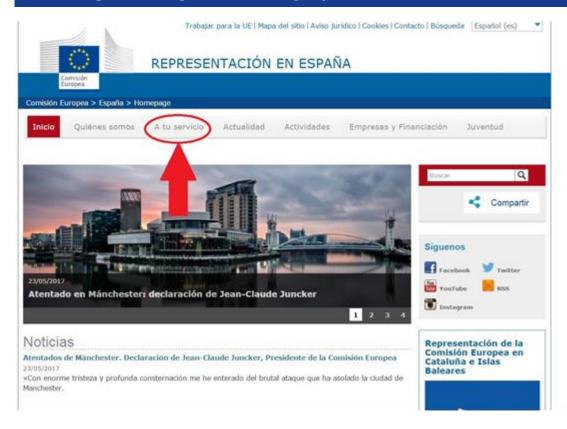
Phone: +34 914238000

Email: COMM-REP-MAD-EUIPO@ec.europa.eu

Web page: http://europa.eu/spain



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QUESTIONS





www.euipo.europa.eu



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Thank you



Presentation			
Status	DRAFT / APPROVED		
Approved by owner	-		
Authors	16/03/2018	Daniele Pietro MESSA	
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Contributors	-		
	-		

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0.2	16/03/2018	Daniele Messa	Version sent to proof reading	
0.1	DD/MM/YYYY			