

FAQs — EUIPO Trade Mark and Design Education Programme

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Table of Contents

1. General Questions	3
2. Application and Admission	3
3. Tuition Fees	6
4. Methodology and Languages	7
5. Grading Policy, Examination and Certificate.....	8

FREQUENTLY ASKED QUESTIONS

1. General Questions

1. What is the objective of the EUIPO Trade Mark and Design Education Programme?

The objective of this programme is to increase the knowledge of the legal framework of EU trade marks and Community designs, in particular, the knowledge of proceedings and the EUIPO's practice within the community of IP professionals.

2. Who is the Education Programme aimed at?

The Education Programme is aimed at intellectual property professionals currently practising.

3. Is successful completion of the course a prerequisite for representing parties before the EUIPO?

No. Successful completion of the course is not a prerequisite for representing parties before the EUIPO and the certificate acquired does not entitle any participant to obtain the status of a professional representative through the exception set out in Article 120(4)(a) EUTMR.

2. Application and Admission

1. What are the requirements for enrolling on the Education Programme?

Applicants will be enrolled on the Education Programme at their request if they are either:

- a) a legal practitioner qualified in a member state of the European Economic Area and having his or her place of business within the EEA to the extent that he or she is entitled to act as a representative in trade mark matters within the EEA;
- b) a professional representative admitted and entered on the lists maintained by the EUIPO pursuant to Article 120(1)(b) EUTMR and Article 78(1)(b) CDR.

For further information about professional representation before the EUIPO, please see the EUIPO's Guidelines for Examination, [Part A, General Rules, Section 5, Professional Representation](#).

All applicants will be required to provide their EUIPO account username and representative ID number.

Applicants falling under category (a) who are not on the list of representatives maintained by the EUIPO because they have not yet had any dealings with the Office (and therefore do not

have a representative ID number) will be requested to create a representative account as a legal practitioner with the EUIPO, and provide all the relevant information therefor. The applicant will then be able to include details of this account in his or her application form for the Education Programme.

For more information on how to create a EUIPO User account, visit <https://euipo.europa.eu/ohimportal/en/sign-up>.

2. How can applications for enrolment be submitted?

Applications for enrolment are submitted electronically on a personal basis following the instructions published on the Education Programme's website: <https://euipo.europa.eu/ohimportal/en/etmdep>.

3. How can applications be submitted if there are technical incidents preventing the applications from being submitted electronically?

If any technical incident arises, please contact us via the email address provided for technical incidents in the application form. Applicants are advised to avoid submitting their application at the last minute; applications from candidates who fail to meet the set deadline will not be accepted.

4. How many participants are admitted to the Education Programme?

The number of participants to be admitted to the Education Programme will be determined individually for each course cycle. For the 2020/2021 course, the maximum number of participants is 60.

All participants complying with the admission requirements will be admitted in order of submission of their application.

5. If the maximum number of participants has been reached, what can I do?

You can register for a place on the waiting list (see also the next question).

6. If more than 60 participants ask to be admitted to the Education Programme, how will you decide who will actually be admitted to the Education Programme?

The list of admitted participants will be drawn up according to the date and time of reception of applications as recorded by the electronic application system.

Those who apply after the maximum number of 60 has been reached may register for a place on the waiting list, which is also drawn up in strict order of application arrival.

If an initially admitted participant does not produce the required admission documents within the deadline, does not pay the tuition fee in time or withdraws from the Education Programme before the course begins, the first person on the waiting list will be informed and sent an admission letter.

If persons called from the waiting list do not provide the required admission documents, do not pay the tuition fee in time or withdraw from the Education Programme, the places will be left vacant.

7. What documents are required to apply for enrolment on the Education Programme?

The documents required to apply for enrolment on the Education Programme are:

1. electronic application form;
2. copy of passport or national ID document (to be attached to the electronic application);
3. copy of transfer receipt as proof of payment of tuition fees.

Please also note that tuition fees must be received within seven calendar days from the date of the application. For further information in this regard, read the FAQs on tuition fees.

The EUIPO reserves the right to request additional documentation proving compliance with the admission criteria if there are serious doubts in this regard.

8. Is it compulsory to have a certain period of experience as a practitioner/professional representative dealing with IP matters?

No minimum experience is required to take part in the Education Programme. Participants should be aware, however, of the advanced level of most of the contents of the Education Programme's curriculum. For further information in this regard, please see the programme of studies [here](#).

9. How and when will admission and rejection letters be sent?

An automatic email confirming successful submission of the application form will be sent to the email given in the application form.

Enrolment on the Education Programme will be confirmed upon receipt of payment of the tuition fees within the set time limit.

10. Can admission be deferred to the next course cycle?

No, admission cannot be deferred. If the participant cannot/does not wish to take part in the Education Programme, he or she should inform us as soon as possible and apply again in

the following cycle, if appropriate.

If abandonment is communicated before commencement of the Education Programme and the reasons given are justified, the tuition fees will be refunded after deduction of the corresponding administration costs.

11. Can my registration to the Programme be transferred to someone else if I am not able to follow it?

No, the inscription in the ETMD EP is done on a personal and individual basis. Tuition fees paid by / on behalf of participants are only to benefit of the registered participants.

12. If my application is not accepted, can I apply again?

Yes, as long as the admission requirements are met, new applications for subsequent course cycles are possible.

3. Tuition Fees

1. What are the tuition fees and what do they cover?

Tuition fees are set at EUR 1 500 and cover participation in the course, including the final examination.

The tuition fees **do not cover** the following:

- travel and accommodation expenses for the two face-to-face workshop sessions and participation in final examination, all of them held on the EUIPO premises in Alicante, Spain;
- costs of technical equipment required for the online modules;
- any other expenses not expressly mentioned.

2. What is the deadline to pay for the tuition fees?

Tuition fees must be received within seven calendar days from the date of receipt of the application for enrolment.

3. How can I pay the tuition fees?

The payment method will be indicated in the announcement of the course cycle.

Payments must be made in a single instalment.

The full name of the applicant must be clearly indicated on the payment order.

4. Are any scholarships or subsidies offered for the tuition fees or travel costs?

No; financial aid for the tuition fees or travel costs of the participants in the Education Programme is not included. Participants must bear their own expenses.

5. If the bank charges a commission and the entire amount of tuition fees are not deposited, will my application be rejected?

Please make sure that you pay the entire amount of tuition fees (EUR 1 500). Any applicable commission must be paid by the applicant. If the full amount is not received within the established deadline, the application for enrolment will be rejected and the amount paid will be refunded.

6. What happens if the payment for the tuition fees arrives after the due date (seven calendar days from the date of receipt of the application for enrolment)?

Payments received after the due date (seven calendar days from the date of receipt of the application for enrolment) will be considered late and will result in rejection of the application for enrolment. Late payments will be reimbursed.

4. Methodology and Languages

1. What methodology is used in the EUIPO Trade Mark and Design Education Programme?

The methodology followed in the Education Programme will be blended learning, combining online learning and face-to-face workshop sessions.

Online learning will consist of live streamed sessions, recorded lectures, tutorials and reading materials.

Workshops will be interactive and focused on analysing selected case studies to consolidate the students' knowledge. There will be key emphasis on a practical approach to procedure and evidence.

2. What is the content of the programme of studies? What are the main areas of focus of the Education Programme?

The Education Programme will cover the complete range of the European Union trade mark and Community design legal framework, with a strong focus on the EUIPO's practice. Other topics such as updated relevant case-law and relations with other IP rights will be addressed.

The complete contents of the programme of studies can be found [here](#).

3. When are the workshop sessions held?

The dates of the workshop sessions will be indicated in the course announcement. Nevertheless, the workshops are initially scheduled to take place in October and March and will last for three days each.

4. What is the weekly expected dedication to the Education Programme?

The Education Programme has been designed to be a side activity to a normal full-time working commitment. Approximately 5 hours of weekly dedication is required in order to undertake the scheduled activities, most of which can be undertaken at the student's convenience.

Additional time for individual study and preparation will depend on the participant's experience and circumstances.

5. What is the working language of the Education Programme?

The course, including the examination, will be conducted entirely in English.

A formal certificate of English level is not a prerequisite; however, a level of C1 (according to the Common European Framework of Reference for Languages) is recommended to follow the courses.

6. Who are the lecturers? Is there any tutor in the Education Programme?

Lectures will be provided by the EUIPO's senior examiners, members and legal assistants of the Boards of Appeal, members of the litigation team as well as IP practitioners, university teachers and judges.

7. How can I get to the EUIPO? Is any assistance provided for the organisation of travel and/or accommodation for the workshop sessions?

The participants are responsible for arranging their travel and accommodation in a timely way. A list with suggestions for accommodation and transport, however, will be made available for the participants.

5. Grading Policy, Examination and Certificate

1. Will linguistic errors be taken into account when correcting the examination?

When marking examinations, errors of grammar or style will not be penalised, as participants may have written their answers in a language other than their mother tongue.

2. What happens if candidates cannot attend the examination?

Successful examination is a requirement in order to obtain the certificate. Only in the event of extraordinary circumstances (medical causes or *force majeure*) proven by the candidate, will he or she be entitled to sit the missed section of the examination, within one month of the original date of the examination.

Work-related duties are not considered extraordinary circumstances under the previous paragraph.

3. If specific sections of the final examination are failed, do participants need to retake the whole examination?

If a participant concludes the course cycle with a failing grade, the failed section or sections of the examination procedure may be retaken once in the next course cycle.

Candidates retaking one or more sections of the examination will be admitted to the workshop sessions and online modules before retaking the exam.

4. If the Education Programme is not completed by the participant or the examination is not successfully passed, are the tuition fees refundable?

The tuition fees are not refundable. The only possible exceptions are certified medical causes that prevent completion of the course for which the participant has submitted the relevant proof in time, as well as cases of *force majeure*.

After considering the evidence submitted by the participant, a decision will be made about refunding the fees, with no further appeal being possible.

5. Are there any special conditions planned for candidates with disabilities?

Any candidates with disabilities that have an impact on their capacity to participate in the Education Programme or in the examination process should contact the Education Programme at etmdep@euipo.europa.eu in order to adopt the most appropriate solution.

The programme administration must be notified at least one month before the beginning of the respective examination phase.

6. Will the list of results be public?

Each candidate will be notified of his or her own results.

7. Can an appeal be filed if the examination is failed?

If a candidate concludes the course cycle with a failing grade, the candidate can file a notice of appeal including a statement setting out the grounds for appeal with the Examination Board within 15 days of the date of notification of the examination results.

The Examination Board will issue a decision within two months of the date of filing the notice of appeal.

If the Examination Board considers that the appeal is inadmissible or not well founded, it will refuse the appeal and notify the appellant of its decision.

No appeal can be lodged against the Examination Board's decision.

8. Will the certificate expire or does it need to be renewed?

No, the certificate will not expire and does not require renewal.