

The Executive Director

**Communication No 1/2025 of the Executive Director of the Office
of 17 January 2025**

**on the implementation of Article 5s of Council Regulation (EU) No 833/2014
concerning restrictive measures in view of Russia's actions destabilising the
situation in Ukraine, as introduced by Council Regulation (EU) 2024/1745 of
24 June 2024**

The Executive Director of the European Union Intellectual Property Office (the Office),

Having regard to the further measures adopted by the Council of the European Union under [Council Regulation \(EU\) 2024/1745 of 24 June 2024](#)⁽¹⁾ amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine ('the 14th Sanctions package'),

Having regard to Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark⁽²⁾ (EUTMR), in particular Article 157(4)(a) thereof, and having regard to Council Regulation (EC) 6/2002 of 12 December 2001 on Community designs, as amended⁽³⁾ (CDR), in particular Article 97 thereof, the Executive Director shall take all the necessary steps, including the adoption of internal administrative instructions and the publication of notices, to ensure the functioning of the Office,

Whereas:

- (1) The 14th Sanctions package imposes restrictions on EU intellectual property (IP) offices on (i) accepting new applications for registration of IP rights and (ii) accepting requests and submissions relating to IP rights by or from:

- Russian nationals;
- natural persons residing in Russia;
- legal persons, entities or bodies established in Russia;

unless they fall within the relevant exceptions.

- (2) The European Commission published a [Notice for EU and Member State intellectual property offices on Article 5s of Council Regulation \(EU\) No 833/2014](#)⁽⁴⁾ and [Frequently Asked Questions](#)⁽⁵⁾ to raise awareness on the new measures contained in the 14th Sanctions package on 24 June 2024.

- (3) Article 5s of Council Regulation 833/2014 requires IP offices to take action from the date of entry into force of the measures (i.e. on **25 June 2024** at 00:00),

⁽¹⁾ <https://eur-lex.europa.eu/eli/reg/2024/1745/oj>

⁽²⁾ OJ L 154, 16.06.2017, p. 1

⁽³⁾ OJ L 386, 29.12.2006, p. 14

⁽⁴⁾ <https://ec.europa.eu/docsroom/documents/60437/attachments/1/translations/en/renditions/native>

⁽⁵⁾ https://finance.ec.europa.eu/publications/intellectual-property-rights_en (last updated on 05/11/2024)

HAS ADOPTED THE FOLLOWING COMMUNICATION:

I. Scope and purpose

This Communication is intended to give general guidance on how the Office will implement Article 5s Council Regulation 833/2014.

The measures identified in this Communication are in addition to existing prohibitions already in place under Article 2 Council Regulation 269/2014⁽⁶⁾, Article 4(1)(a) and Article 5aa Council Regulation 833/2014⁽⁷⁾.

The Office has assessed the regulatory implications of the new provision for EU trade marks (EUTMs), registered Community designs (RCDs), international registrations for EU trade marks and registered Community designs (IRs and IRCDs) and will implement the 14th Sanctions package as set out below.

II. Targeted parties

Pursuant to Article 5s of Council Regulation 833/2014 certain restrictions apply to:

- Russian nationals, except if they have a residence permit for the European Economic Area (EEA) or Switzerland (CH);
- natural persons residing in Russia, except if they are nationals of EEA or CH;
- legal persons, entities or bodies established in Russia;

referred to collectively as ‘targeted parties’.

III. New applications

As from 25 June 2024 the Office shall not accept new trade mark or design applications filed individually or jointly by any targeted parties. Consequently:

- applications for EUTMs or RCDs filed by targeted parties via the Office’s online eFiling platforms will be blocked based on the mandatory address and/or nationality fields: no filing date or application number will be assigned;
- applications for EUTMs or RCDs filed by targeted parties as from 25 June 2024 via the Office’s online eFiling platforms before the blocking system’s implementation, or those filed by post or courier, will be deemed not to have been filed and fees will be refunded;
- applications for IRs and IRCDs filed by targeted parties will be issued with a notification of provisional refusal where the notification date to the Office is after 24 June 2024 (irrespective of when the application was filed at the World Intellectual Property Organization (WIPO)) – where the exceptions do not apply (see paragraph VI below), this refusal will become final;
- international applications filed by targeted parties with the Office after 24 June

⁽⁶⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0269>

⁽⁷⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02014R0833-20240913>

2024 will not be transmitted to WIPO (i.e. the Office will not act as office of origin for applications filed by targeted parties).

Applications that are blocked or deemed not to have been filed by the Office can be filed again once the relevant sanctions are lifted.

IV. New requests and submissions

As from 25 June 2024, the Office shall not accept any requests or submissions filed individually or jointly by any targeted parties during the registration procedure of their own or of third parties' applications including for procedures that were already pending on 25 June 2024 ('pending proceedings').

a) Targeted party's own application

The Office shall not accept requests or submissions by targeted parties relating to:

- all pre-registration proceedings such as the examination of formalities, request or submission intending to remedy a deficiency notified by the Office, absolute grounds for refusal, opposition proceedings, requests to restrict the list of goods and services, and requests for transfer of the application – the restriction also applies to requests for extension of time limits in any of these proceedings.

The Office **will suspend** the processing of these requests or submissions, as well as the related proceedings, until the sanctions are lifted. Therefore, not accepting them in this way will not lead to the refusal of a pending application.

The Office will accept and process requests by targeted parties for the withdrawal of their pending applications.

b) Third party's application

The Office shall not accept requests or submissions by targeted parties relating to:

- opposition proceedings, where the targeted party is the opponent, including the filing of new oppositions.

The Office will, in principle, deem requests or submissions submitted by targeted parties related to a third party's application as not having been filed and will refund the corresponding fees.

This principle, however, is subject to the guiding objective that the actions of a targeted party, as from 25 June 2024, should not prevent a third party from registering its IP rights. The Office may, therefore, process certain requests or submissions if treating them as deemed not filed would unfairly prejudice the interests of others (e.g. the Office may accept a targeted party's request to withdraw its opposition).

Pending proceedings where all procedural steps were completed by 24 June 2024 and no further requests or submissions are made by targeted parties will be concluded in the usual manner with the corresponding decision.

V. Post-registration procedures

The prohibitions in Article 5s of Council Regulation 833/2014 do not concern requests and submissions relating to rights already registered on 25 June 2024.

The Office will therefore proceed as usual in the post-registration phase of proceedings and will accept all requests, submissions and actions filed by targeted parties in the usual manner, concerning, for example:

- cancellation or RCD invalidity actions;
- renewals;
- requests for transfer of ownership.

VI. Exceptions

Any applicants that fall within the exceptions set out in Article 5s(5) of Council Regulation 833/2014 should contact the Office's [Customer Care Service](#)⁽⁸⁾ on how to file applications or submit requests or submissions with the Office.

VII. Data protection

The processing of the personal data of the targeted parties is subject to Regulation (EU) 2018/1725⁽⁹⁾. For more details, please refer to the [data protection notice](#) and the [privacy statement](#) on the Office's website.

Done at Alicante, 17 January 2025



João Negrão
Executive Director

⁽⁸⁾ <https://www.euipo.europa.eu/en/about-us/the-office/who-we-are/contact-us>

⁽⁹⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39-98.).