



DECISION No EX-16-2 OF THE PRESIDENT OF THE OFFICE

of 15 March 2016

amending Decision No EX-15-8 of 18 December 2015 concerning the days on which the Office is not open for the receipt of documents and on which ordinary mail is not delivered

THE PRESIDENT OF THE OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET (TRADE MARKS AND DESIGNS),

Having regard to Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark (CTMR), in particular Article 124(2)(a) thereof,

Having regard to Commission Regulation (EC) No 2868/95 of 13 December 1995 implementing Council Regulation (EC) No 40/94 on the Community trade mark (CTMIR), in particular Rule 72(1) thereof,

Having regard to Commission Regulation (EC) No 2245/2002 of 21 October 2002 implementing Council Regulation (EC) No 6/2002 on Community designs (CDIR), in particular Article 58(1) thereof,

Whereas the implementation of the changes in the CTMR brought about by Regulation (EU) 2015/2424 of the European Parliament and of the Council of 16 December 2015 amending Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark and Commission Regulation (EC) No 2868/95 of 13 December 1995 implementing Council Regulation (EC) No 40/94 on the Community trade mark, and repealing Commission Regulation (EC) No 2869/95 on the fees payable to the Office for Harmonization in the Internal Market (Trade Marks and Designs), and in particular those derived from the change of name of the Office to the 'European Union Intellectual Property Office' (EUIPO), will require a temporary shutdown of most of the Office's IT systems, including those enabling electronic communications to and from the Office, during a period estimated to last for approximately 24 hours,

Whereas this complex process necessarily has to take place on the day before the Amending Regulation enters into force, namely on 22 March 2016,

Whereas it is therefore considered reasonable under the circumstances to designate 22 March 2016 as an official holiday and as one of the days on which the Office is not open for the receipt of documents, replacing 15 August 2016,

Whereas given that 15 August 2016 is an official holiday in Spain, it should remain as one of the days on which the Office will not receive ordinary mail within the meaning of Rule 72(1) CTMIR and Article 58(1) CDIR,

HAS ADOPTED THE FOLLOWING DECISION:

Article 1

Decision No EX-15-8 of 18 December 2015 concerning the days on which the Office is not open for the receipt of documents and on which ordinary mail is not delivered (OJ OHIM 03/2016) shall be amended as follows:

- (1) Insert in Article 1 (list of official holidays on which the Office will not be open for the receipt of documents in 2016) the day of 22 March (Tuesday).
- (2) Delete from Article 1 the day of 15 August (Monday).
- (3) Insert in Article 2 (list of days on which the Office will not receive ordinary mail) the day of 15 August (Monday).

Article 2

This Decision shall enter into force on the day following its adoption. It shall be published in the Official Journal of the Office.

Done at Alicante, 15 March 2016

António Campinos
President