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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Regulation (EC) No 6/2002 on Community designs and repealing Commission Regulation (EC) No 2246/2002 - Four-column document

Delegations will find attached the text of the four-column document for the above-mentioned proposal, containing the initial positions of the institutions.

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Council Regulation (EC) No 6/2002 on Community designs and repealing Commission
Regulation (EC) No 2246/2002 (Text with EEA relevance)**

2022/0391(COD)

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2022/0391 (COD)	2022/0391 (COD)	2022/0391 (COD)	
Proposal Title				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
2	<p>Proposal for a</p> <p>REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p>amending Council Regulation (EC) No 6/2002 on Community designs and repealing Commission Regulation (EC) No 2246/2002</p> <p>(Text with EEA relevance)</p>	<p>Proposal for a</p> <p>REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p>amending Council Regulation (EC) No 6/2002 on Community designs and repealing Commission Regulation (EC) No 2246/2002</p> <p>(Text with EEA relevance)</p>	<p>Proposal for a</p> <p>REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p>amending Council Regulation (EC) No 6/2002 on Community designs and repealing Commission Regulation (EC) No 2246/2002</p> <p>(Text with EEA relevance)</p>	
Formula				
3	<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE</p>	<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE</p>	<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE</p>	

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	EUROPEAN UNION,	EUROPEAN UNION,	EUROPEAN UNION,	
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 118, first paragraph, thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 118, first paragraph, thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 118, first paragraph, thereof,	
Citation 2				
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	

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Citation 3				
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
Citation 4				
7	Having regard to the opinion of the European Economic and Social Committee ¹ , _____ 1. OJ C , , p . .	Having regard to the opinion of the European Economic and Social Committee ¹ , _____ 1. OJ C , , p . .	Having regard to the opinion of the European Economic and Social Committee ¹ , _____ 1. OJ C , , p . .	

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Citation 5				
8	Having regard to the opinion of the Committee of the Regions ¹ , _____	Having regard to the opinion of the Committee of the Regions ¹ , _____	Having regard to the opinion of the Committee of the Regions ¹ , _____	
	1. OJ C , , p. .	1. OJ C , , p. .	1. OJ C , , p. .	
Citation 6				
9	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
Formula				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
10	Whereas:	Whereas:	Whereas:	
Recital 1				
11	(1) Council Regulation (EC) No 6/2002 ¹ created a system of design protection specific to the European Union which provided for the protection of designs at Union level in parallel to the protection of designs available at national level in the Member States in accordance with the respective national design protection laws, harmonised by Directive 98/71/EC of the European Parliament and of	(1) Council Regulation (EC) No 6/2002 ¹ created a system of design protection specific to the European Union which provided for the protection of designs at Union level in parallel to the protection of designs available at national level in the Member States in accordance with the respective national design protection laws, harmonised by Directive 98/71/EC of the European Parliament and of	(1) Council Regulation (EC) No 6/2002 ¹ created a system of design protection specific to the European Union which provided for the protection of designs at Union level in parallel to the protection of designs available at national level in the Member States in accordance with the respective national design protection laws, harmonised by Directive 98/71/EC of the European Parliament and of	

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	<p>the Council².</p> <p>_____</p> <p>1. Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs (OJ L 3, 5.1.2002, p. 1).</p> <p>2. Directive 98/71/EC of the European Parliament and of the Council of 13 October 1998 on the legal protection of designs (OJ L 289, 28.10.1998, p. 28).</p>	<p>the Council².</p> <p>_____</p> <p>1. Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs (OJ L 3, 5.1.2002, p. 1).</p> <p>2. Directive 98/71/EC of the European Parliament and of the Council of 13 October 1998 on the legal protection of designs (OJ L 289, 28.10.1998, p. 28).</p>	<p>the Council².</p> <p>_____</p> <p>1. Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs (OJ L 3, 5.1.2002, p. 1).</p> <p>2. Directive 98/71/EC of the European Parliament and of the Council of 13 October 1998 on the legal protection of designs (OJ L 289, 28.10.1998, p. 28).</p>	
Recital 2				
12	<p>(2) In line with its Communication on Better Regulation¹ and its commitment to review Union policies regularly, the Commission carried out an extensive evaluation</p>	<p>(2) In line with its Communication on Better Regulation¹ and its commitment to review Union policies regularly, the Commission carried out an extensive evaluation</p>	<p>(2) In line with its Communication on Better Regulation¹ and its commitment to review Union policies regularly, the Commission carried out an extensive evaluation</p>	

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	<p>of the design protection systems in the Union, involving a comprehensive economic and legal assessment, supported by a series of studies².</p> <p>_____</p> <p>1. Communication from the Commission: Better regulation for better results – An EU agenda, COM(2015) 215 final, p. 4.</p> <p>2. Commission Staff Working Document Evaluation of EU legislation on design protection (SWD(2020) 264 final).</p>	<p>of the design protection systems in the Union, involving a comprehensive economic and legal assessment, supported by a series of studies².</p> <p>_____</p> <p>1. Communication from the Commission: Better regulation for better results – An EU agenda, COM(2015) 215 final, p. 4.</p> <p>2. Commission Staff Working Document Evaluation of EU legislation on design protection (SWD(2020) 264 final).</p>	<p>of the design protection systems in the Union, involving a comprehensive economic and legal assessment, supported by a series of studies².</p> <p>_____</p> <p>1. Communication from the Commission: Better regulation for better results – An EU agenda, COM(2015) 215 final, p. 4.</p> <p>2. Commission Staff Working Document Evaluation of EU legislation on design protection (SWD(2020) 264 final).</p>	
Recital 3				
13	(3) In its conclusions of 11 November 2020 on intellectual	(3) In its conclusions of 11 November	(3) In its conclusions of 4 10 November 2020 on intellectual	

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	<p>property policy and the revision of the industrial design system in the Union¹, the Council called on the Commission to present proposals for the revision of Regulation (EC) No 6/2002 and Directive 98/71/EC. The purpose of that revision should be to modernise the protection systems relating to industrial designs in the Union and to make design protection more attractive for individual designers and businesses, especially small and medium-sized enterprises (SMEs).</p> <p>_____</p> <p>1. Council conclusions on intellectual property policy and the revision of the industrial designs system in the Union 2020/C 379 I/01 (OJ C 379I, 10.11.2020, p. 1).</p>	<p>2020 on intellectual property policy and the revision of the industrial design system in the Union¹, the Council called on the Commission to present proposals for the revision of Regulation (EC) No 6/2002 and Directive 98/71/EC². <u>an invitation which was echoed by the European Parliament in its resolution of 11 November 2021 on an action plan for intellectual property²</u>. The purpose of that revision should be to modernise the protection systems relating to industrial designs in the Union and to</p> <p>make design protection more attractive for individual designers and businesses, especially small and medium-sized enterprises</p>	<p>property policy and the revision of the industrial design system in the Union¹, the Council called on the Commission to present proposals for the revision of Regulation (EC) No 6/2002 and Directive 98/71/EC. The purpose of that revision should be to modernise the protection systems relating to industrial designs in the Union and to make design protection more attractive for individual designers and businesses, especially small and medium-sized enterprises (SMEs).</p> <p>_____</p> <p>1. Council conclusions on intellectual property policy and the revision of the industrial designs system in the Union 2020/C 379 I/01 (OJ C 379I, 10.11.2020, p. 1).</p>	

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		<p>(SMEs):</p> <p>_____</p> <p>1. Council conclusions on intellectual property policy and the revision of the industrial designs system in the Union 2020/C 379 I/01 (OJ C 379I, 10.11.2020, p. 1).</p> <p><u>2. European Parliament resolution of 11 November 2021 on an intellectual property action plan to support the EU's recovery and resilience (2021/2007(INI)) (OJ C 205, 20.5.2022, p. 26).</u></p>		
Recital 4				
14	(4) Since the establishment of the Community design system, experience has shown that	(4) Since the establishment of the Community design system, experience has shown that	(4) Since the establishment of the Community design system, experience has shown that	

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	individual designers and undertakings from within the Union and from third countries have accepted the system which has become a successful and viable complement or alternative to the protection of designs at the national level of the Member States.	individual designers and undertakings from within the Union and from third countries have accepted the system which has become a successful and viable complement or alternative to the protection of designs at the national level of the Member States.	individual designers and undertakings from within the Union and from third countries have accepted the system which has become a successful and viable complement or alternative to the protection of designs at the national level of the Member States.	
Recital 4a				
14a		<u>(4a) In its resolution of 11 November 2021, the European Parliament pointed out that the current EU design protection system was set</u>		

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		<u><i>up 20 years ago and should be reviewed, highlighting the need for the provisions of the Regulation to be updated in order to ensure greater legal certainty;</i></u>		
Recital 5				
15	(5) National design protection systems continue nevertheless to be necessary for those individual designers and undertakings that do not want protection of their designs at Union level, or that are unable to obtain Union-wide protection while national protection does not face any obstacles. It should be left to each person seeking design	(5) National design protection systems continue nevertheless to be necessary for those individual designers and undertakings that do not want protection of their designs at Union level, or that are unable to obtain Union-wide protection while national protection does not face any obstacles. It should be left to each person seeking design	(5) National design protection systems continue nevertheless to be necessary for those individual designers and undertakings that do not want protection of their designs at Union level, or that are unable to obtain Union-wide protection while national protection does not face any obstacles. It should be left to each person seeking design	

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	protection to decide whether the protection is sought only as a national design in one or more Member States, or only as an EU design, or both.	protection to decide whether the protection is sought only as a national design in one or more Member States, or only as an EU design, or both.	protection to decide whether the protection is sought only as a national design in one or more Member States, or only as an EU design, or both.	
Recital 6				
16	(6) While the Commission’s evaluation of the Union’s legislation on design protection confirmed that it is still largely fit for purpose, it announced in its communication ‘Making the most of the EU’s innovative potential – An intellectual property action plan to support the EU’s recovery and resilience’ ¹ of 25 November 2020	(6) While the Commission’s evaluation of the Union’s legislation on design protection confirmed that it is still largely fit for purpose, it announced in its communication ‘Making the most of the EU’s innovative potential – An intellectual property action plan to support the EU’s recovery and resilience’ ¹ of 25 November 2020	(6) While the Commission’s evaluation of the Union’s legislation on design protection confirmed that it is still largely fit for purpose, it announced in its communication ‘Making the most of the EU’s innovative potential – An intellectual property action plan to support the EU’s recovery and resilience’ ¹ of 25 November 2020	

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	<p>that following the successful reform of the EU trade mark legislation, among others, it will revise the Union legislation on design protection with a view to improving the accessibility and affordability of design protection in the Union.</p> <hr/> <p>1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Making the most of the EU’s innovative potential. An intellectual property action plan to support the EU’s recovery and resilience (COM/2020/760 final).</p>	<p>that following the successful reform of the EU trade mark legislation, among others, it will revise the Union legislation on design protection with a view to improving the accessibility, <u>efficiency and streamlining, and with a view to updating the regulatory framework in line with the evolution of new technologies on the market</u> and affordability of design protection in the Union.</p> <hr/> <p>1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Making the most of the EU’s innovative potential. An intellectual property action plan to support the EU’s recovery and resilience (COM/2020/760 final).</p>	<p>that following the successful reform of the EU trade mark legislation, among others, it will revise the Union legislation on design protection with a view to improving the accessibility and affordability of design protection in the Union.</p> <hr/> <p>1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Making the most of the EU’s innovative potential. An intellectual property action plan to support the EU’s recovery and resilience (COM/2020/760 final).</p>	

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Recital 7				
17	(7) In parallel with the improvements and amendments to the EU design system, national design laws and practices should be further harmonised and brought into line with the EU design system to the extent appropriate in order to create, as far as possible, equal conditions for the registration and protection of designs throughout the Union. This should be complemented by further efforts of the European Union Intellectual Property Office (EUIPO, ‘the Office’), the central industrial	(7) In parallel with the improvements and amendments to the EU design system, national design laws and practices should be further harmonised and brought into line with the EU design system to the extent appropriate in order to create, as far as possible, equal conditions for the registration and protection of designs throughout the Union. This should be complemented by further efforts of the European Union Intellectual Property Office (EUIPO, ‘the Office’), the central industrial	(7) In parallel with the improvements and amendments to the EU design system, national design laws and practices should be further harmonised and brought into line with the EU design system to the extent appropriate in order to create, as far as possible, equal conditions for the registration and protection of designs throughout the Union. This should be complemented by further efforts of the European Union Intellectual Property Office (EUIPO, ‘the Office’), the central industrial	

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	<p>property offices of the Member States and the Benelux Office for Intellectual Property to promote convergence of practices and tools in the field of designs under the cooperation framework laid down in Article 152 of Regulation (EU) 2017/1001 of the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark (OJ L 154, 16.6.2017, p. 1).</p>	<p>property offices of the Member States and the Benelux Office for Intellectual Property to promote convergence of practices and tools in the field of designs under the cooperation framework laid down in Article 152 of Regulation (EU) 2017/1001 of the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark (OJ L 154, 16.6.2017, p. 1).</p>	<p>property offices of the Member States and the Benelux Office for Intellectual Property to promote convergence of practices and tools in the field of designs under the cooperation framework laid down in Article 152 of Regulation (EU) 2017/1001 of the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark (OJ L 154, 16.6.2017, p. 1).</p>	
Recital 8				
18				

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	(8) It is necessary to update the terminology of Regulation (EC) No 6/2002 to conform with the Lisbon Treaty. This entails the replacement of ‘Community design’ by ‘European Union design’ (‘EU design’). In addition, the terminology needs to be aligned with that of Regulation (EU) 2017/1001. This involves in particular the replacement of the name ‘Office for Harmonization in the Internal Market (trade marks and designs)’ by ‘European Union Intellectual Property Office’.	(8) It is necessary to update the terminology of Regulation (EC) No 6/2002 to conform with the Lisbon Treaty. This entails the replacement of ‘Community design’ by ‘European Union design’ (‘EU design’). In addition, the terminology needs to be aligned with that of Regulation (EU) 2017/1001. This involves in particular the replacement of the name ‘Office for Harmonization in the Internal Market (trade marks and designs)’ by ‘European Union Intellectual Property Office’.	(8) It is necessary to update the terminology of Regulation (EC) No 6/2002 to conform with the Lisbon Treaty. This entails the replacement of ‘Community design’ by ‘European Union design’ (‘EU design’). In addition, the terminology needs to be aligned with that of Regulation (EU) 2017/1001. This involves in particular the replacement of the name ‘Office for Harmonization in the Internal Market (trade marks and designs)’ by ‘European Union Intellectual Property Office’.	
Recital 9				
19				

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	<p>(9) Since the establishment of the Community design system, the rise of information technology entailed the advent of new designs which are not embodied in physical products. That calls for a broadening of the definition of products eligible for design protection to clearly cover those visualised in a graphic, embodied in a physical object or apparent from the spatial arrangement of items intended to form, in particular, an interior environment. In this context, it should also be recognised that the movement, transition or animation of features can contribute to the visual appearance of designs, in particular for designs that are not embodied in a physical object.</p>	<p>(9) Since the establishment of the Community design system, the rise of information technology entailed the advent of new designs which are not embodied in physical products. That calls for a broadening of the definition of products eligible for design protection to clearly cover those visualised in a graphic, embodied in a physical object or apparent from the spatial arrangement of items intended to form, in particular, an interior environment. In this context, it should also be recognised that the movement, transition or animation of features can contribute to the visual appearance of designs, in particular for designs that are not embodied in a physical object.</p>	<p>(9) Since the establishment of the Community design system, the rise of information technology entailed the advent of new designs which are not embodied in physical products. That calls for a broadening of the definition of products eligible for design protection to clearly cover those visualised in a graphic, embodied in a physical object or apparent from the spatial arrangement of items intended to form, in particular, an interior or exterior environment. In this context, it should also be recognised that animations, such as the movement, or the transition or animation of features of the features of a product can contribute to the visual appearance</p>	

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			of designs, in particular for designs that are not embodied in a physical object.	
Recital 10				
20	(10) In order to ensure legal certainty, it is appropriate to clarify that protection is conferred upon the right holder for those design features of a product, in whole or in part, which are shown visibly in an application for a registered EU design and made available to the public by way of publication or consultation of the relevant file. While otherwise design features of a given product do not need to be	(10) In order to ensure legal certainty, it is appropriate to clarify that protection is conferred upon the right holder for those design features of a product, in whole or in part, which are shown visibly in an application for a registered EU design and made available to the public by way of publication or consultation of the relevant file. While <i>otherwise</i>	(10) In order to ensure legal certainty, it is appropriate to clarify that protection is conferred upon the right holder for those design features of a product, in whole or in part, which are shown visibly in an application for a registered EU design and made available to the public by way of publication or consultation of the relevant file. While otherwise design features of a given product do not need to be	

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	<p>visible at any particular time or in any particular situation of use in order to attract design protection, an exception should apply to the design protection of component parts of a complex product that need to remain visible during normal use of that product.</p>	<p>design features of a given product do not need <u>need to be visible to benefit from design protection, it is not necessary for these characteristics</u> to be visible at any particular time <u>all times</u> or in any a particular situation of use in order to attract design <u>benefit from this</u> protection. <u>However</u>, an exception should apply to the design protection of component parts of a complex product that need to remain visible during normal use of that product.</p>	<p>visible at any particular time or in any particular situation of use in order to attract design protection, an exception should apply to the design protection of component parts of a complex product that need to remain visible during normal use of that product.</p> <p>(Final part of this recital moved to new recital (10a) below)</p>	
Recital 10a				
20a			(10a) Apart from being shown	

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			<p>visibly in an application, design features of a given product do not need to be visible at any particular time or in any particular situation of use in order to attract design protection. An exception should apply to the design protection of component parts of a complex product that need to remain visible during normal use of that product.</p> <p>(moved from recital 10) above.</p>	
Recital 10b				
20b				

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		<p><u><i>(10a) Technological innovation should not be hampered by granting design protection to designs consisting exclusively of features or the arrangement of features dictated solely by a technical function. It is understood that this does not entail that a design must have an aesthetic quality and that designs with a technical function are not excluded from design protection. Likewise, the interoperability of products of different makes should not be hindered by extending protection to the design of mechanical fittings. Features of a design which are excluded from</i></u></p>		

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		<p><u>protection for</u></p> <p><u>these reasons should not be taken into consideration for the purpose of assessing whether other features of the design fulfil the requirements for protection.</u></p>		
Recital 11				
21	<p>(11) The use of 3D printing technologies in different areas of industry is growing, which results in challenges for design right holders to effectively prevent illegitimate copying of their protected designs. Therefore, it is appropriate to provide that the</p>	<p>(11) The use of <u>artificial intelligence</u> <u>and</u> 3D printing technologies in different areas of industry is growing, which results in challenges for design right holders to effectively prevent illegitimate copying of their protected designs.</p>	<p>(11) The use of 3D printing technologies in different areas of industry is growing, which results in challenges for design right holders to effectively prevent illegitimate copying of their protected designs. Therefore, it is appropriate to provide that the</p>	

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	creation, downloading, copying and making available of any medium or software recording the design for the purpose of reproducing a product that infringes the design, amounts to use of the design being subject to the right holder's authorisation.	<u><i>In this context, there should be clarity when it comes to the protection of 3D printing files and the limitations to the private use of designs.</i></u> Therefore, it is appropriate to provide that the creation, downloading, copying and making available of any medium or software recording the design for the purpose of reproducing a product that infringes the design, amounts to use of the design being subject to the right holder's authorisation.	creation, downloading, copying and making available of any medium or software recording the design for the purpose of reproducing a product that infringes the design, amounts to use of the design being subject to the right holder's authorisation.	
Recital 12				
22	(12) In order to ensure design	(12) In order to ensure design	(12) In order to ensure design	

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	<p>protection and combat counterfeiting effectively, and in line with international obligations of the Union under the framework of the World Trade Organisation (WTO), in particular Article V to the General Agreement on Tariffs and Trade (GATT), which provides for freedom of transit, and, as regards generic medicines, the Declaration on the TRIPS Agreement and Public Health, the holder of a registered EU design should be entitled to prevent third parties from bringing products, in the course of trade, into the Union without being released for free circulation there, where such products come from third countries and without authorisation incorporate a design which is</p>	<p>protection and combat counterfeiting effectively, and in line with international obligations of the Union under the framework of the World Trade Organisation (WTO), in particular Article V to the General Agreement on Tariffs and Trade (GATT), which provides for freedom of transit, and, as regards generic medicines, the Declaration on the TRIPS Agreement and Public Health, the holder of a registered EU design should be entitled to prevent third parties from bringing products, in the course of trade, into the Union without being released for free circulation there, where such products come from third countries and without authorisation incorporate a design which is</p>	<p>protection and combat counterfeiting effectively, and in line with international obligations of the Union under the framework of the World Trade Organisation (WTO), in particular Article V to the General Agreement on Tariffs and Trade (GATT), which provides for freedom of transit, and, as regards generic medicines, the Declaration on the TRIPS Agreement and Public Health, the holder of a registered EU design should be entitled to prevent third parties from bringing products, in the course of trade, into the Union without being released for free circulation there, where such products come from third countries and without authorisation incorporate a design which is</p>	

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	identical or essentially identical to the registered EU design or where a design is applied to those products which is identical or essentially identical to the registered EU design.	identical or essentially identical to the registered EU design or where a design is applied to those products which is identical or essentially identical to the registered EU design.	identical or essentially identical to the registered EU design or where a design is applied to those products which is identical or essentially identical to the registered EU design.	
Recital 13				
23	(13) To that effect, it should be permissible for holders of registered EU designs to prevent entry of infringing products and their placement in all customs situations, also when such products are not intended to be placed on the market of the Union. In performing customs controls, the customs	(13) To that effect, it should be permissible for holders of registered EU designs to prevent entry of infringing products and their placement in all customs situations, also when such products are not intended to be placed on the market of the Union. In	(13) To that effect, it should be permissible for holders of registered EU designs to prevent entry of infringing products and their placement in all customs situations, also when such products are not intended to be placed on the market of the Union. In performing customs controls, the customs	

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	<p>authorities should make use of the powers and procedures laid down in Regulation (EU) No 608/2013 of the European Parliament and the Council¹, including at the request of the right holders. In particular, the customs authorities should carry out the relevant controls on the basis of risk analysis criteria.</p> <p>_____</p> <p>1. Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003 (OJ L 181, 29.6.2013, p. 15).</p>	<p>performing customs controls, the customs authorities should make use of the powers and procedures laid down in Regulation (EU) No 608/2013 of the European Parliament and the Council¹, including at the request of the right holders. In particular, the customs authorities should carry out the relevant controls on the basis of risk analysis criteria.</p> <p>_____</p> <p>1. Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003 (OJ L 181, 29.6.2013, p. 15).</p>	<p>authorities should make use of the powers and procedures laid down in Regulation (EU) No 608/2013 of the European Parliament and the Council¹, including at the request of the right holders. In particular, the customs authorities should carry out the relevant controls on the basis of risk analysis criteria.</p> <p>_____</p> <p>1. Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003 (OJ L 181, 29.6.2013, p. 15).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 14				
24	(14) It is necessary to reconcile the need to ensure the effective enforcement of design rights with the necessity to avoid hampering the free flow of trade in legitimate products. Therefore, the entitlement of the holder of the registered EU design should lapse where, during proceedings before the European Union design court ('EU design court') competent to take a substantive decision on whether the EU design has been infringed, the declarant or the holder of the products is able to prove that the holder of the registered EU design is not entitled	(14) It is necessary to reconcile the need to ensure the effective enforcement of design rights with the necessity to avoid hampering the free flow of trade in legitimate products. Therefore, the entitlement of the holder of the registered EU design should lapse where, during proceedings before the European Union design court ('EU design court') competent to take a substantive decision on whether the EU design has been infringed, the declarant or the holder of the products is able to prove that the holder of the registered EU design is not entitled	(14) It is necessary to reconcile the need to ensure the effective enforcement of design rights with the necessity to avoid hampering the free flow of trade in legitimate products. Therefore, the entitlement of the holder of the registered EU design should lapse where, during proceedings before the European Union design court ('EU design court') competent to take a substantive decision on whether the EU design has been infringed, the declarant or the holder of the products is able to prove that the holder of the registered EU design is not entitled	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to prohibit the placing of the products on the market in the country of final destination.	to prohibit the placing of the products on the market in the country of final destination.	to prohibit the placing of the products on the market in the country of final destination.	
Recital 15				
25	(15) The exclusive rights conferred by a registered EU design should be subject to an appropriate set of limitations. Apart from private and non-commercial use and acts carried out for experimental purposes, permissible use should include acts of reproduction for the purpose of making citations or acts of teaching, referential use in the context of comparative advertising,	(15) The exclusive rights conferred by a registered EU design should be subject to an appropriate set of limitations. Apart from private and non-commercial use and acts carried out for experimental purposes, permissible use should include acts of reproduction for the purpose of making citations or acts of teaching, referential use in the context of comparative advertising,	(15) The exclusive rights conferred by a registered EU design should be subject to an appropriate set of limitations. Apart from private and non-commercial use and acts carried out for experimental purposes, permissible use should include acts of reproduction for the purpose of making citations or acts of teaching, referential use in the context of comparative advertising,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>and use for the purpose of comment, critique or parody, provided that those acts are compatible with fair trade practices and do not unduly prejudice the normal exploitation of the design. Use of a registered EU design by third parties for the purpose of artistic expression should be considered as being fair as long as it is in accordance with honest practices in industrial and commercial matters. Furthermore, the rules on the EU design should be applied in a way that ensures full respect of fundamental rights and freedoms, and in particular the freedom of expression.</p>	<p>and use for the purpose of comment, critique or parody, provided that those acts are compatible with fair trade practices and do not unduly prejudice the normal exploitation of the design. Use of a registered EU design by third parties for the purpose of artistic expression should be considered as being fair as long as it is in accordance with honest practices in industrial and commercial matters. Furthermore, the rules on the EU design should be applied in a way that ensures full respect of fundamental rights and freedoms, and in particular the freedom of expression.</p>	<p>and use for the purpose of comment, critique or parody, provided that those acts are compatible with fair trade practices and do not unduly prejudice the normal exploitation of the design. Use of a registered EU design by third parties for the purpose of artistic expression should be considered as being fair as long as it is in accordance with honest practices in industrial and commercial matters. Furthermore, the rules on the EU design should be applied in a way that ensures full respect of fundamental rights and freedoms, and in particular the freedom of expression.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 16				
26	<p>(16) Directive (EU) [xxx] harmonises the laws of the Member States with regard to the use of protected designs for the purpose of permitting the repair of a complex product so as to restore its original appearance, where the design is applied to or incorporated in a product which constitutes a component part of a complex product upon whose appearance the protected design is dependent. Accordingly, the current transitional repair clause contained in Regulation (EC) No 6/2002 should be converted into a permanent provision. As the</p>	<p>(16) Directive (EU) [xxx] harmonises the laws of the Member States with regard to the use of protected designs for the purpose of permitting the repair of a complex product so as to restore its original appearance, where the design is applied to or incorporated in a product which constitutes a component part of a complex product upon whose appearance the protected design is dependent. Accordingly, the current transitional repair clause contained in Regulation (EC) No 6/2002 should be converted into a permanent provision. As the</p>	<p>(16) Directive (EU) [xxx] harmonises the laws of the Member States with regard to the use of protected designs for the purpose of permitting the repair of a complex product so as to restore its original appearance, where the design is applied to or incorporated in a product which constitutes a component part of a complex product upon whose appearance the protected design is dependent. Accordingly, the current transitional repair clause contained in Regulation (EC) No 6/2002 should be converted into a permanent provision. As the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>intended effect of that provision is to make registered and unregistered Community design rights unenforceable where the design of the component part of a complex product is used for the purpose of the repair of a complex product so as to restore its original appearance, the repair clause should be placed among the available defences to EU design right infringement under Regulation (EC) No 6/2002. Furthermore, for the sake of coherence with the repair clause inserted into Directive (EU) [XXX], and in order to ensure that the scope of design protection is only restricted to prevent design right holders from actually being granted product monopolies, it is</p>	<p>intended effect of that provision is to make registered and unregistered Community design rights unenforceable where the design of the component part of a complex product is used for the purpose of the repair of a complex product so as to restore its original appearance, the repair clause should be placed among the available defences to EU design right infringement under Regulation (EC) No 6/2002. Furthermore, for the sake of coherence with the repair clause inserted into Directive (EU) [XXX], and in order to ensure that the scope of design protection is only restricted to prevent design right holders from actually being granted product monopolies, it is</p>	<p>intended effect of that provision is to make registered and unregistered Community design rights unenforceable where the design of the component part of a complex product is used for the purpose of the repair of a complex product so as to restore its original appearance, the repair clause should be placed among the available defences to EU design right infringement under Regulation (EC) No 6/2002. Furthermore, for the sake of coherence with the repair clause inserted into Directive (EU) [XXX], and in order to ensure that the scope of design protection is only restricted to prevent design right holders from actually being granted product monopolies, it is</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>necessary to explicitly limit the application of the repair clause set out in Regulation (EC) No 6/2002 to component parts of a complex product upon whose appearance the protected design is dependent. In addition, in order to ensure that consumers are not misled but are able to make an informed decision between competing products that can be used for the repair, it should also be made explicit in the law that the repair clause cannot be invoked by the manufacturer or the seller of a component part who have failed to duly inform consumers about the origin of the product to be used for the purpose of repair of the complex product.</p>	<p>necessary to explicitly limit the application of the repair clause set out in Regulation (EC) No 6/2002 to component parts of a complex product upon whose appearance the protected design is dependent. In addition, in order to ensure that consumers are not misled but are able to make an informed decision between competing products that can be used for the repair, it should also be made explicit in the law that the repair clause cannot be invoked by the manufacturer or the seller of a component part who have failed to duly inform consumers <u>with detailed information</u> about the origin <u>and the identity of the manufacturer</u> of the product to be used for the purpose of repair of the complex</p>	<p>necessary to explicitly limit the application of the repair clause set out in Regulation (EC) No 6/2002 to component parts of a complex product upon whose appearance the protected design is dependent. In addition, in order to ensure that consumers are not misled but are able to make an informed decision between competing products that can be used for the repair, it should also be made explicit in the law that the repair clause cannot be invoked by the manufacturer or the seller of a component part who have failed to duly inform consumers about the commercial origin, typically the producer, of the product to be used for the purpose of repair of the complex product.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		product.		
Recital 17				
27	(17) In order to facilitate the marketing of design protected products, in particular by SMEs and individual designers, and to increase awareness of the design registration regimes existing both at Union and national level, a commonly accepted notice consisting of the symbol (D) should be available for use by design right holders and others with their consent.	(17) In order to facilitate the marketing of design protected products, in particular by SMEs and individual designers, and to increase awareness of the design registration regimes existing both at Union and national level, a commonly accepted notice consisting of the symbol (D) should be available for use by design right holders and others with their consent.	(17) In order to facilitate the marketing of design protected products, in particular by SMEs and individual designers, and to increase awareness of the design registration regimes existing both at Union and national level, a commonly accepted notice consisting of the symbol (D) should be available for use by design right holders and others with their consent.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 18				
28	<p>(18) In view of the insignificant number of EU design applications filed at the central industrial property offices of the Member States and the Benelux Office for Intellectual Property, and in order to align the system for EU design applications to the system set out in Regulation (EU) 2017/1001, it should henceforth only be possible to file an EU design application at the Office.</p>	<p>(18) In view of the insignificant number of EU design applications filed at the central industrial property offices of the Member States and the Benelux Office for Intellectual Property, and in order to align the system for EU design applications to the system set out in Regulation (EU) 2017/1001, it should henceforth only be possible to file an EU design application at the Office. <u>However, Member States should establish a ‘one-stop shop’ through which applicants can receive</u></p>	<p>(18) In view of the insignificant number of EU design applications filed at the central industrial property offices of the Member States and the Benelux Office for Intellectual Property, and in order to align the system for EU design applications to the system set out in Regulation (EU) 2017/1001, it should henceforth only be possible to file an EU design application at the Office.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>guidance, legal and technical support.</i></u>		
Recital 18a				
28a		<u><i>(18a) It is desirable that Member States' central industrial property offices and the Benelux Office for Intellectual Property cooperate with each other and with the EUIPO in all fields of design registration and administration in order to promote convergence of practices and tools, such as the creation and updating of common or connected databases and</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>portals for consultation and search purposes. The Member States should further ensure that their central industrial property offices and the Benelux Office for Intellectual Property cooperate with each other and with the EUIPO in all other areas of their activities which are relevant for the protection of designs in the Union.</u></p>		
Recital 19				
29	(19) Both technological advancement and the experience gained in the application of the current EU design registration	(19) Both Technological advancement, <u>artificial intelligence evolution</u> , and the experience gained in the	(19) Both technological advancement and the experience gained in the application of the current EU design registration	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>system has revealed the need for improvement of certain aspects of procedure. Consequently, certain measures should be taken to update, simplify and speed up procedures where appropriate and to enhance legal certainty and predictability where required.</p>	<p>application of the current EU design registration system has revealed the need for improvement <u>to improve and streamline</u> certain aspects of procedure. Consequently, certain measures should be taken to update, simplify and speed up procedures where appropriate and to enhance legal certainty and predictability where required.</p>	<p>system has revealed the need for improvement of certain aspects of procedure. Consequently, certain measures should be taken to update, simplify and speed up procedures where appropriate and to enhance legal certainty and predictability where required.</p>	
Recital 20				
30	<p>(20) To this end, it is of key importance to provide the appropriate means to allow a clear</p>	<p>(20) To this end, it is of key importance to provide the appropriate means to allow a clear</p>	<p>(20) To this end, it is of key importance to provide the appropriate means to allow a clear</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>and precise representation for all designs, which is adaptable to the technical advance for the visualisation of designs and the needs of the Union industry. In order to ensure that the same graphic representation can be used for design applications in one or more Member States and for applications for registered EU designs, the Office, the central industrial property offices of the Member States and the Benelux Office for Intellectual Property should be required to cooperate with each other to establish common standards for the formal requirements that the representation must fulfil.</p>	<p>and precise representation for all designs, which is adaptable to the technical advance for the visualisation of designs and the needs of the Union industry. In order to ensure that the same graphic representation can be used for design applications in one or more Member States and for applications for registered EU designs, the Office, the central industrial property offices of the Member States and the Benelux Office for Intellectual Property should be required to cooperate with each other to establish common standards for the formal requirements that the representation must fulfil.</p>	<p>and precise representation for all designs, which is adaptable to the technical advance for the visualisation of designs and the needs of the Union industry. In order to ensure that the same graphic representation can be used for design applications in one or more Member States and for applications for registered EU designs, the Office, the central industrial property offices of the Member States and the Benelux Office for Intellectual Property should be required to cooperate with each other to establish common standards for the formal requirements that the representation must fulfil.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 21				
31	<p>(21) For greater efficiency it is also appropriate to facilitate the filing of multiple applications for registered EU designs by allowing applicants to combine designs in one application without being subject to the condition that the products in which the designs are intended to be incorporated or to which they are intended to be applied all belong to the same class of the Locarno Classification¹. However, a maximum limit should be provided for to avoid potential abuse of multiple filings.</p> <p>_____</p>	<p>(21) For greater efficiency it is also appropriate to facilitate the filing of multiple applications for registered EU designs by allowing applicants to combine designs in one application without being subject to the condition that the products in which the designs are intended to be incorporated or to which they are intended to be applied all belong to the same class of the Locarno Classification¹. However, a maximum limit should be provided for to avoid potential abuse of multiple filings.</p> <p>_____</p>	<p>(21) For greater efficiency it is also appropriate to facilitate the filing of multiple applications for registered EU designs by allowing applicants to combine designs in one application without being subject to the condition that the products in which the designs are intended to be incorporated or to which they are intended to be applied all belong to the same class of the Locarno Classification¹. However, a maximum limit should be provided for to avoid potential abuse of multiple filings.</p> <p>_____</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. International Classification for Industrial Designs under the Locarno Agreement (Locarno Classification), 13 th Edition.	1. International Classification for Industrial Designs under the Locarno Agreement (Locarno Classification), 13 th Edition.	1. International Classification for Industrial Designs under the Locarno Agreement (Locarno Classification), 13 th Edition.	
Recital 22				
32	(22) For reasons of efficiency and to streamline proceedings, the means of notifications and communications should be electronic only.	(22) For reasons of efficiency and to streamline proceedings, the means of notifications and communications should <i>primarily</i> be electronic only .	(22) For reasons of efficiency and to streamline proceedings, the means of notifications and communications should be electronic only.	
Recital 23				
33				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(23) In order to render the access to registered EU design protection more affordable and transparent, in particular for SMEs and individual designers that tend to file less designs compared to larger enterprises, it is appropriate to adjust the structure and amount of fees for the application of registered EU designs.	(23) In order to render the access to registered EU design protection more affordable and transparent, in particular for SMEs and individual designers that tend to file less designs compared to larger enterprises, it is appropriate to adjust the structure and amount of fees for the application of registered EU designs.	(23) In order to render the access to registered EU design protection more affordable and transparent, in particular for SMEs and individual designers that tend to file less designs compared to larger enterprises, it is appropriate to adjust the structure and amount of fees for the application of registered EU designs.	
Recital 24				
34	(24) Given the essential importance of the amounts of fees payable to the Office for the functioning of the EU design protection system and its	(24) Given the essential importance of the amounts of fees payable to the Office for the functioning of the EU design protection system and its	(24) Given the essential importance of the amounts of fees payable to the Office for the functioning of the EU design protection system and its	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>complementary relationship as regards national design systems, and in order to align the legislative approach with Regulation (EU) 2017/1001, it is appropriate to set those fee amounts directly in Regulation (EC) No 6/2002 in the form of an annex. The amounts of the fees should be fixed at a level which ensures both that the revenue they produce is in principle sufficient for the budget of the Office to be balanced and that there is coexistence and complementarity between the EU design and the national design systems, also taking into account the size of the market covered by the EU design and the needs of SMEs.</p>	<p>complementary relationship as regards national design systems, and in order to align the legislative approach with Regulation (EU) 2017/1001, it is appropriate to set those fee amounts directly in Regulation (EC) No 6/2002 in the form of an annex. The amounts of the fees should be fixed at a level which ensures both that the revenue they produce is in principle sufficient for the budget of the Office to be balanced and that there is coexistence and complementarity between the EU design and the national design systems, also taking into account the size of the market covered by the EU design and the needs <u>and minimal impact of these fees on SMEs accessing the industrial</u></p>	<p>complementary relationship as regards national design systems, and in order to align the legislative approach with Regulation (EU) 2017/1001, it is appropriate to set those fee amounts directly in Regulation (EC) No 6/2002 in the form of an annex. The amounts of the fees should be fixed at a level which ensures both that the revenue they produce is in principle sufficient for the budget of the Office to be balanced and that there is coexistence and complementarity between the EU design and the national design systems, also taking into account the size of the market covered by the EU design and the needs of SMEs.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>design protection system in the Union. A sufficient level of flexibility shall be given on the amounts of the fees to take into account the inflation and ensure stable level of resources for the Office of SMEs.</u>		
Recital 25				
35	(25) Regulation (EC) 6/2002 confers powers on the Commission to adopt rules implementing that Regulation. As a consequence of the entry into force of the Treaty, the powers conferred upon the Commission under Regulation (EC) No 6/2002 need to be aligned	(25) Regulation (EC) 6/2002 confers powers on the Commission to adopt rules implementing that Regulation. As a consequence of the entry into force of the Treaty, the powers conferred upon the Commission under Regulation (EC) No 6/2002 need to be aligned	(25) Regulation (EC) 6/2002 confers powers on the Commission to adopt rules implementing that Regulation. As a consequence of the entry into force of the Treaty, the powers conferred upon the Commission under Regulation (EC) No 6/2002 need to be aligned	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	with Articles 290 and 291 of the Treaty on the Functioning of the European Union ('TFEU').	with Articles 290 and 291 of the Treaty on the Functioning of the European Union ('TFEU').	with Articles 290 and 291 of the Treaty on the Functioning of the European Union ('TFEU').	
Recital 26				
36	(26) In order to ensure an effective, efficient and expeditious examination and registration of EU design applications by the Office using procedures which are transparent, thorough, fair and equitable, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the details on the procedure for amending an	(26) In order to ensure an effective, efficient and expeditious examination and registration of EU design applications by the Office using procedures which are transparent, thorough, fair and equitable, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the details on the procedure for amending an	(26) In order to ensure an effective, efficient and expeditious examination and registration of EU design applications by the Office using procedures which are transparent, thorough, fair and equitable, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the details on the procedure for amending an	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	application.	application.	application.	
Recital 27				
37	(27) In order to ensure that a registered EU design can be declared invalid in an effective and efficient way by means of a transparent, thorough, fair and equitable procedure, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the procedure for declaring a registered EU design invalid.	(27) In order to ensure that a registered EU design can be declared invalid in an effective and efficient way by means of a transparent, thorough, fair and equitable procedure, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the procedure for declaring a registered EU design invalid.	(27) In order to ensure that a registered EU design can be declared invalid in an effective and efficient way by means of a transparent, thorough, fair and equitable procedure, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the procedure for declaring a registered EU design invalid.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 28				
38	(28) In order to allow for an effective, efficient and complete review of decisions of the Office by the Boards of Appeal by means of a transparent, thorough, fair and equitable procedure, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the details of appeal proceedings where proceedings relating to EU designs require derogations from the provisions set out in delegated acts adopted pursuant to Article 73 of Regulation (EU) 2017/1001.	(28) In order to allow for an effective, efficient and complete review of decisions of the Office by the Boards of Appeal by means of a transparent, thorough, fair and equitable procedure, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the details of appeal proceedings where proceedings relating to EU designs require derogations from the provisions set out in delegated acts adopted pursuant to Article 73 of Regulation (EU) 2017/1001.	(28) In order to allow for an effective, efficient and complete review of decisions of the Office by the Boards of Appeal by means of a transparent, thorough, fair and equitable procedure, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the details of appeal proceedings where proceedings relating to EU designs require derogations from the provisions set out in delegated acts adopted pursuant to Article 73 of Regulation (EU) 2017/1001.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 29				
39	(29) In order to ensure a smooth, effective and efficient operation of the EU design system, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the requirements as to the details on oral proceedings and the detailed arrangements for taking of evidence, the detailed arrangements for notification, the means of communication and the forms to be used by the parties to proceedings, the rules governing the calculation and duration of time limits, the procedures for the	(29) In order to ensure a smooth, effective and efficient operation of the EU design system, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the requirements as to the details on oral proceedings and the detailed arrangements for taking of evidence, the detailed arrangements for notification, the means of communication and the forms to be used by the parties to proceedings, the rules governing the calculation and duration of time limits, the procedures for the	(29) In order to ensure a smooth, effective and efficient operation of the EU design system, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the requirements as to the details on oral proceedings and the detailed arrangements for taking of evidence, the detailed arrangements for notification, the means of communication and the forms to be used by the parties to proceedings, the rules governing the calculation and duration of time limits, the procedures for the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	revocation of a decision or for cancellation of an entry in the Register of EU designs, the detailed arrangements for the resumption of proceedings, and the details on representation before the Office.	revocation of a decision or for cancellation of an entry in the Register of EU designs, the detailed arrangements for the resumption of proceedings, and the details on representation before the Office.	revocation of a decision or for cancellation of an entry in the Register of EU designs, the detailed arrangements for the resumption of proceedings, and the details on representation before the Office.	
Recital 30				
40	(30) In order to ensure an effective and efficient organisation of the Boards of Appeal, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the details on the organisation of the Boards of	(30) In order to ensure an effective and efficient organisation of the Boards of Appeal, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the details on the organisation of the Boards of	(30) In order to ensure an effective and efficient organisation of the Boards of Appeal, the power to adopt delegated acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of specifying the details on the organisation of the Boards of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Appeal where proceedings relating to EU designs require derogation from the delegated acts adopted pursuant to Article 168 of Regulation (EU) 2017/1001.	Appeal where proceedings relating to EU designs require derogation from the delegated acts adopted pursuant to Article 168 of Regulation (EU) 2017/1001.	Appeal where proceedings relating to EU designs require derogation from the delegated acts adopted pursuant to Article 168 of Regulation (EU) 2017/1001.	
Recital 31				
41	(31) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making ¹ . In particular,	(31) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making ¹ . In particular,	(31) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making ¹ . In particular,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p> <p>_____</p> <p>1. OJ L 123, 12.5.2016, p. 1.</p>	<p>to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p> <p>_____</p> <p>1. OJ L 123, 12.5.2016, p. 1.</p>	<p>to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p> <p>_____</p> <p>1. OJ L 123, 12.5.2016, p. 1.</p>	
Recital 32				
42	(32) In order to ensure uniform conditions for the implementation	(32) In order to ensure uniform conditions for the implementation	(32) In order to ensure uniform conditions for the implementation	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>of Regulation (EC) No 6/2002, implementing powers should be conferred on the Commission in respect of specifying the details concerning applications, requests, certificates, claims, regulations, notifications and any other document under the relevant procedural requirements established by Regulation (EC) No 6/2002 as well as in respect of maximum rates for costs essential to the proceedings and actually incurred, details concerning publications in the European Union Designs Bulletin and the Official Journal of the Office, the detailed arrangements for exchange of information between the Office and national authorities, detailed arrangements concerning</p>	<p>of Regulation (EC) No 6/2002, implementing powers should be conferred on the Commission in respect of specifying the details concerning applications, requests, certificates, claims, regulations, notifications and any other document under the relevant procedural requirements established by Regulation (EC) No 6/2002 as well as in respect of maximum rates for costs essential to the proceedings and actually incurred, details concerning publications in the European Union Designs Bulletin and the Official Journal of the Office, the detailed arrangements for exchange of information between the Office and national authorities, detailed arrangements concerning</p>	<p>of Regulation (EC) No 6/2002, implementing powers should be conferred on the Commission in respect of specifying the details concerning applications, requests, certificates, claims, regulations, notifications and any other document under the relevant procedural requirements established by Regulation (EC) No 6/2002 as well as in respect of maximum rates for costs essential to the proceedings and actually incurred, details concerning publications in the European Union Designs Bulletin and the Official Journal of the Office, the detailed arrangements for exchange of information between the Office and national authorities, detailed arrangements concerning</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>translations of supporting documents in written proceedings, and exact types of decisions to be taken by a single member of the Invalidity Divisions. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>	<p>translations of supporting documents in written proceedings, and exact types of decisions to be taken by a single member of the Invalidity Divisions. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>	<p>translations of supporting documents in written proceedings, and exact types of decisions to be taken by a single member of the Invalidity Divisions. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>	
Recital 33				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
43	(33) Given the advanced harmonisation of copyright law in the Union, it is appropriate to adjust the principle of cumulation of protection under Regulation (EC) No 6/2002 and under copyright law by allowing designs protected by EU design rights to be protected as copyright works, provided that the requirements of Union copyright law are met.	(33) Given the advanced harmonisation of copyright law in the Union, it is appropriate to adjust the principle of cumulation of protection under Regulation (EC) No 6/2002 and under copyright law by allowing designs protected by EU design rights to be protected as copyright works, provided that the requirements of Union copyright law are met.	(33) Given the advanced harmonisation of copyright law in the Union, it is appropriate to adjust the principle of cumulation of protection under Regulation (EC) No 6/2002 and under copyright law by allowing designs protected by EU design rights to be protected as copyright works, provided that the requirements of Union copyright law are met.	
Recital 34				
44	(34) Regulation (EC) No 6/2002 should therefore be amended	(34) Regulation (EC) No 6/2002 should therefore be amended	(34) Regulation (EC) No 6/2002 should therefore be amended	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>accordingly and Regulation (EC) No 2246/2002 should be repealed.</p>	<p>accordingly and Regulation (EC) No 2246/2002 should be repealed.</p>	<p>accordingly and Regulation (EC) No 2246/2002 should be repealed.</p> <p>Commission Regulation (EC) No 2245/2002¹⁴ should be amended by the Commission in order to align it with the amendments introduced by this Regulation to Regulation (EC) No 6/2002 regarding the terminology of the Treaty of Lisbon and of Regulation (EU) 2017/1001 of the European Parliament and of the Council, the reference to rules concerning fees payable to the Office, the duration of time limits and the representation before the Office, as well as the inclusion of a number of rules initially contained in that Commission Regulation and in Council Regulation (EC) 6/2002. The</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>repeal of the empowerment that served as the basis for the adoption and revision of Commission Regulation (EC) 2245/2002 should be without prejudice to the maintenance of that Regulation until that act is repealed.</p> <p>_____</p> <p>1. Commission Regulation (EC) No 2245/2002 of 21 October 2002 implementing Council Regulation (EC) No 6/2002 on Community designs (OJ L 341, 17.12.2002, p. 28).</p>	
Recital 35				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
45	(35) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States but can rather, by reason of the autonomous nature of the EU design system being independent from national systems, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.	(35) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States but can rather, by reason of the autonomous nature of the EU design system being independent from national systems, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.	(35) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States but can rather, by reason of the autonomous nature of the EU design system being independent from national systems, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 36				
46	<p>(36) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ and delivered an opinion on ...,</p> <p>_____</p> <p>1. 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).</p>	<p>(36) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ and delivered an opinion on ...,</p> <p>_____</p> <p>1. 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).</p>	<p>(36) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ and delivered an opinion on ...,</p> <p>_____</p> <p>1. 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).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
47	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
Article 1				
48	Article 1	Article 1	Article 1	
Article 1, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
49	Regulation (EC) No 6/2002 is amended as follows:	Regulation (EC) No 6/2002 is amended as follows:	Regulation (EC) No 6/2002 is amended as follows:	
Article 1, first paragraph, point (1)				
50	(1) the title is replaced by the following:	(1) the title is replaced by the following:	(1) the title is replaced by the following:	
Article 1, first paragraph, point (1), amending provision, first paragraph				
51	‘ Council Regulation (EC) No	‘ Council Regulation (EC) No	‘ Council Regulation (EC) No	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	6/2002 of 12 December 2001 on European Union designs;	6/2002 of 12 December 2001 on European Union designs;	6/2002 of 12 December 2001 on European Union designs;	
Article 1, first paragraph, point (2)				
52	(2) in Article 1, paragraph 1 is replaced by the following:	(2) in Article 1, paragraph 1 is replaced by the following:	(2) in Article 1, paragraph 1 is replaced by the following:	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1)				
53	1. A design which complies with the conditions contained in this	1. A design which complies with the conditions contained in this	1. A design which complies with the conditions contained in this	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation is hereinafter referred to as a “European Union design” (‘EU design’).;	Regulation is hereinafter referred to as a “European Union design” (‘EU design’).;	Regulation is hereinafter referred to as a “European Union design” (‘EU design’).;	
Article 1, first paragraph, point (3)				
54	(3) throughout the articles, the words ‘Community design’ are replaced by ‘EU design’ and any necessary grammatical changes are made;	(3) throughout the articles, the words ‘Community design’ are replaced by ‘EU design’ and any necessary grammatical changes are made;	(3) throughout the articles, the words ‘Community design’ are replaced by ‘EU design’ and any necessary grammatical changes are made;	
Article 1, first paragraph, point (4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
55	(4) throughout the Regulation, the term ‘Community design court’ is replaced by ‘EU design court’ and any necessary grammatical changes are made;	(4) throughout the Regulation, the term ‘Community design court’ is replaced by ‘EU design court’ and any necessary grammatical changes are made;	(4) throughout the Regulation, the term ‘Community design court’ is replaced by ‘EU design court’ and any necessary grammatical changes are made;	
Article 1, first paragraph, point (5)				
56	(5) in Article 1(3), Article 7(1), Article 11(1), Article 22(1), Article 27(1), Article 96(1), Article 98(1), Article 98(5), Article 106a(1), Article 106a(2), Article 106d(1), Article 106d(2), and Article 110a(1), the words ‘the Community’ are replaced by ‘the	(5) in Article 1(3), Article 7(1), Article 11(1), Article 22(1), Article 27(1), Article 96(1), Article 98(1), Article 98(5), Article 106a(1), Article 106a(2), Article 106d(1), Article 106d(2), and Article 110a(1), the words ‘the Community’ are replaced by ‘the	(5) in Article 1(3), Article 7(1), Article 11(1), Article 22(1), Article 27(1), Article 96(1), Article 98(1), Article 98(5), Article 106a(1), Article 106a(2), Article 106d(1), Article 106d(2), and Article 110a(1), the words ‘the Community’ are replaced by ‘the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Union' and any necessary grammatical changes are made;	Union' and any necessary grammatical changes are made;	Union' and any necessary grammatical changes are made;	
Article 1, first paragraph, point (6)				
57	(6) Article 2 is replaced by the following:	(6) Article 2 is replaced by the following:	(6) Article 2 is replaced by the following:	
Article 1, first paragraph, point (6), amending provision, first paragraph				
58	Article 2	Article 2	Article 2	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (6), amending provision, second paragraph				
59	European Union Intellectual Property Office	European Union Intellectual Property Office	European Union Intellectual Property Office	
Article 1, first paragraph, point (6), amending provision, third paragraph				
60	The European Union Intellectual Property Office ('the Office'), established by Regulation (EU) 2017/1001 of the European Parliament and of the Council*, shall carry out the tasks entrusted to it by this Regulation.	The European Union Intellectual Property Office ('the Office'), established by Regulation (EU) 2017/1001 of the European Parliament and of the Council*, shall carry out the tasks entrusted to it by this Regulation. <u>The Office shall communicate publically often and clearly about these</u>	The European Union Intellectual Property Office ('the Office'), established by Regulation (EU) 2017/1001 of the European Parliament and of the Council*, shall carry out the tasks entrusted to it by this Regulation.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>tasks, in order to raise awareness and promote the possibilities of registering an EU design.</i></u>		
Article 1, first paragraph, point (6), amending provision, fourth paragraph				
61	* Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark (OJ L 154, 16.6.2017, p.1).;	* Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark (OJ L 154, 16.6.2017, p.1).;	* Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark (OJ L 154, 16.6.2017, p.1).;	
Article 1, first paragraph, point (7)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
62	(7) the following Article is inserted:	(7) the following Article is inserted:	(7) the following Article is inserted:	
Article 1, first paragraph, point (7), amending provision, first paragraph				
63	Article 2a	Article 2a	Article 2a	
Article 1, first paragraph, point (7), amending provision, second paragraph				
64	Capacity to act	Capacity to act	Capacity to act	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (7), amending provision, third paragraph				
65	For the purpose of implementing this Regulation, companies or firms and other legal bodies shall be regarded as legal persons if, under the terms of the law governing them, they have the capacity in their own name to have rights and obligations of all kinds, to make contracts or accomplish other legal acts, and to sue and be sued.;	For the purpose of implementing this Regulation, companies or firms and other legal bodies shall be regarded as legal persons if, under the terms of the law governing them, they have the capacity in their own name to have rights and obligations of all kinds, to make contracts or accomplish other legal acts, and to sue and be sued.;	For the purpose of implementing this Regulation, companies or firms and other legal bodies shall be regarded as legal persons if, under the terms of the law governing them, they have the capacity in their own name to have rights and obligations of all kinds, to make contracts or accomplish other legal acts, and to sue and be sued.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (8)				
66	(8) Article 3 is replaced by the following:	(8) Article 3 is replaced by the following:	(8) Article 3 is replaced by the following:	
Article 1, first paragraph, point (8), amending provision, first paragraph				
67	‘ Article 3	‘ Article 3	‘ Article 3	
Article 1, first paragraph, point (8), amending provision, second paragraph				
68				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Definitions	Definitions	Definitions	
Article 1, first paragraph, point (8), amending provision, third paragraph				
69	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	
Article 1, first paragraph, point (8), amending provision, third paragraph, point (1)				
70	(1) ‘design’ means the appearance of the whole or a part of a product resulting from the features, in particular, the lines, contours,	(1) ‘design’ means the appearance of the whole or a part of a product resulting from the features, in particular, the lines, contours,	(1) ‘design’ means the appearance of the whole or a part of a product resulting from the features, in particular, the lines, contours,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	colours, shape, texture, materials of the product itself and/or its decoration, including the movement, transition or any other sort of animation of those features;	colours, shape, texture, materials of the product itself and/or its decoration, including the movement, transition or any other sort of animation of those features;	colours, shape, texture, materials of the product itself and/or its decoration, including the movement, transition or any other sort of animation of those features;	
Article 1, first paragraph, point (8), amending provision, third paragraph, point (2)				
71	(2) ‘product’ means any industrial or handicraft item other than computer programs, regardless of whether it is embodied in a physical object or materialises in a digital form, including:	(2) ‘product’ means any industrial or handicraft item other than computer programs, regardless of whether it is embodied in a physical object or materialises in a digital form, including:	(2) ‘product’ means any industrial or handicraft item other than computer programs, regardless of whether it is embodied in a physical object or materialises in a digital non-physical form, including:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (8), amending provision, third paragraph, point (2)(a)				
72	(a) packaging, sets of articles, get-up, spatial arrangement of items intended to form, in particular, an interior environment, and parts intended to be assembled into a complex product;	(a) packaging, sets of articles, get-up, spatial arrangement of items intended to form, in particular, an interior environment, and parts intended to be assembled into a complex product;	(a) packaging, sets of articles, get-up, spatial arrangement of items intended to form, in particular, an interior or exterior environment, and parts intended to be assembled into a complex product;	
Article 1, first paragraph, point (8), amending provision, third paragraph, point (2)(b)				
73	(b) graphic works or symbols, logos, surface patterns, typographic typefaces, and graphical user interfaces;	(b) graphic works or symbols, logos, surface patterns, typographic typefaces, and graphical user interfaces;	(b) graphic works or symbols, logos, surface patterns, typographic typefaces, and graphical user interfaces;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (8), amending provision, third paragraph, point (3)				
74	(3) ‘complex product’ means a product that is composed of multiple components which can be replaced, permitting disassembly and reassembly of the product.;	(3) ‘complex product’ means a product that is composed of multiple components which can be replaced, permitting disassembly and reassembly of the product.;	(3) ‘complex product’ means a product that is composed of multiple components which can be replaced, permitting disassembly and reassembly of the product.;	
Article 1, first paragraph, point (8), amending provision, third paragraph, point (3a)				
74a		<u>(3a) ‘manufacturer’ means manufacturer as defined in Article</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>3, point (8), of Regulation (EU) 2023/988 of the European Parliament and of the Council¹.</u></p> <hr/> <p><u>1. Regulation (EU) 2023/988 of the European Parliament and of the Council of 10 May 2023 on general product safety, amending Regulation (EU) No 1025/2012 of the European Parliament and of the Council and Directive (EU) 2020/1828 of the European Parliament and the Council, and repealing Directive 2001/95/EC of the European Parliament and of the Council and Council Directive 87/357/EEC (OJ L 135, 23.5.2023, p. 1).</u></p>		
Article 1, first paragraph, point (9)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
75	(9) in Article 4, paragraph 1 is replaced by the following:	(9) in Article 4, paragraph 1 is replaced by the following:	(9) in Article 4, paragraph 1 is replaced by the following:	
Article 1, first paragraph, point (9), amending provision, numbered paragraph (1)				
76	1. A design shall be protected by an EU design, if it is new and has individual character.;	1. A design shall be protected by an EU design, if it is new and has individual character.;	1. A design shall be protected by an EU design, if it is new and has individual character.;	
Article 1, first paragraph, point (10)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
77	(10) in Article 7(2), the introductory words are replaced by the following:	(10) in Article 7(2), the introductory words are replaced by the following:	(10) in Article 7(2), the introductory words are replaced by the following:	
Article 1, first paragraph, point (10a)				
77a		This row was added by mistake. Due a technical issue it was not possible to remove it. To be deleted at later stage.		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (10), amending provision, numbered paragraph (2)				
78	<p>‘</p> <p>2. A disclosure shall not be taken into consideration for the purpose of applying Articles 5 and 6 if the disclosed design, which is identical with or does not differ in its overall impression from the design for which protection is claimed under a registered EU design, has been made available to the public; ;</p> <p>’</p>	<p>‘</p> <p>2. A disclosure shall not be taken into consideration for the purpose of applying Articles 5 and 6 if the disclosed design, which is identical with or does not differ in its overall impression from the design for which protection is claimed under a registered EU design, has been made available to the public; ;</p> <p>’</p>	<p>‘</p> <p>2. A disclosure shall not be taken into consideration for the purpose of applying Articles 5 and 6 if the disclosed design, which is identical with or does not differ in its overall impression from the design for which protection is claimed under a registered EU design, has been made available to the public; ;</p> <p>’</p>	
Article 1, first paragraph, point (10a), amending provision, numbered paragraph (2a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
78a		<p><u>2a. Paragraph 2 shall also apply if the design has been made available to the public as a consequence of an abuse in relation to the designer or his successor in title or copying of the protected design.</u></p>		
Article 1, first paragraph, point (10a), amending provision, numbered paragraph (2b)				
78b		<p><u>(10a) Article 11(2) is replaced by the following:</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (10a), amending provision, numbered paragraph (2c)				
78c		<p><u><i>“2. For the purpose of paragraph 1, a design shall be deemed to have been made available to the public within the Union if it has been published, exhibited, used in trade or otherwise disclosed in such a way that, in the normal course of business, these events could reasonably have become known to the circles specialised in the sector concerned, operating within the Union. A design shall not, however, be deemed to have been made available to the public if it has been only disclosed to a</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>third person under explicit or implicit conditions of confidentiality.”</i></u>		
Article 1, first paragraph, point (11)				
79	(11) Article 12 is replaced by the following:	(11) Article 12 is replaced by the following:	(11) Article 12 is replaced by the following:	
Article 1, first paragraph, point (11), amending provision, first paragraph				
80	‘	‘	‘	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 12	Article 12	Article 12	
Article 1, first paragraph, point (11), amending provision, second paragraph				
81	Commencement and term of protection of the registered EU design	Commencement and term of protection of the registered EU design	Commencement and term of protection of the registered EU design	
Article 1, first paragraph, point (11), amending provision, numbered paragraph (1)				
82	1. Protection by a registered EU design of a design which meets the requirements set out in Section 1 shall arise with registration by the	1. Protection by a registered EU design of a design which meets the requirements set out in Section 1 shall arise with registration by the	1. Protection by a registered EU design of a design which meets the requirements set out in Section 1 shall arise with registration by the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Office.	Office.	Office.	
Article 1, first paragraph, point (11), amending provision, numbered paragraph (2)				
83	2. A registered EU design shall be registered for a period of five years calculated from the date of filing of the application for registration. The right holder may have the term of protection renewed for one or more periods of 5 years each, up to a total term of 25 years from the date of filing of the application for registration.;	2. A registered EU design shall be registered for a period of five years calculated from the date of filing of the application for registration. The right holder may have the term of protection renewed for one or more periods of 5 years each, up to a total term of 25 years from the date of filing of the application for registration.;	2. A registered EU design shall be registered for a period of five years calculated from the date of filing of the application for registration. The right holder may have the term of protection renewed renew the registration, in accordance with Article 50d , for one or more periods of 5 years each, up to a total term of 25 years from the date of filing of the application for registration.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (12)				
84	(12) Article 13 is deleted;	(12) Article 13 is deleted;	(12) Article 13 is deleted;	
Article 1, first paragraph, point (13)				
85	(13) Articles 15 and 16 are replaced by the following:	(13) Articles 15 and 16 are replaced by the following:	(13) Articles 15 and 16 are replaced by the following:	
Article 1, first paragraph, point (13), amending provision, first paragraph				
86				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 15	Article 15	Article 15	
Article 1, first paragraph, point (13), amending provision, second paragraph				
87	Claims relating to the entitlement to an EU design	Claims relating to the entitlement to an EU design	Claims relating to the entitlement to an EU design	
Article 1, first paragraph, point (13), amending provision, numbered paragraph (1)				
88	1. If an unregistered EU design is disclosed or claimed by a person who is not entitled to it under Article 14 or if a registered EU	1. If an unregistered EU design is disclosed or claimed by a person who is not entitled to it under Article 14 or if a registered EU	1. If an unregistered EU design is disclosed or claimed by a person who is not entitled to it under Article 14 or if a registered EU	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	design has been applied for or registered in the name of such a person, the person entitled to it under that provision may, without prejudice to any other remedy which may be open to him, claim before the competent court or authority of the Member State concerned to become recognised as the legitimate holder of the EU design.	design has been applied for or registered in the name of such a person, the person entitled to it under that provision may, without prejudice to any other remedy which may be open to him, claim before the competent court or authority of the Member State concerned to become recognised as the legitimate holder of the EU design.	design has been applied for or registered in the name of such a person, the person entitled to it under that provision may, without prejudice to any other remedy which may be open to him, claim before the competent court or authority of the Member State concerned to become recognised as the legitimate holder of the EU design.	
Article 1, first paragraph, point (13), amending provision, numbered paragraph (2)				
89	2. Where a person is jointly entitled to an EU design, that person may, in accordance with paragraph 1, claim to become	2. Where a person is jointly entitled to an EU design, that person may, in accordance with paragraph 1, claim to become	2. Where a person is jointly entitled to an EU design, that person may, in accordance with paragraph 1, claim to become	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	recognised as joint holder.	recognised as joint holder.	recognised as joint holder.	
Article 1, first paragraph, point (13), amending provision, numbered paragraph (3)				
90	3. Legal proceedings under paragraphs 1 or 2 shall be barred three years after the date of publication of a registered EU design or the date of disclosure of an unregistered EU design. This provision shall not apply if the person who is not entitled to the EU design was acting in bad faith at the time when such design was applied for, disclosed or acquired.	3. Legal proceedings under paragraphs 1 or 2 shall be barred three years after the date of publication of a registered EU design or the date of disclosure of an unregistered EU design. This provision shall not apply if the person who is not entitled to the EU design was acting in bad faith at the time when such design was applied for, disclosed or acquired.	3. Legal proceedings under paragraphs 1 or 2 shall be barred three years after the date of publication of a registered EU design or the date of disclosure of an unregistered EU design. This provision shall not apply if the person who is not entitled to the EU design was acting in bad faith at the time when such design was applied for, disclosed or acquired.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (13), amending provision, numbered paragraph (4)				
91	4. The person entitled to an EU design under Article 14 may submit a request, pursuant to paragraph 1 of this Article, for a change of ownership to the Office, together with a final decision of the competent court or authority of the Member State concerned.	4. The person entitled to an EU design under Article 14 may submit a request, pursuant to paragraph 1 of this Article, for a change of ownership to the Office, together with a final decision of the competent court or authority of the Member State concerned.	4. The person entitled to an EU design under Article 14 may submit a request, pursuant to paragraph 1 of this Article, for a change of ownership to the Office, together with a final decision of the competent court or authority of the Member State concerned.	
Article 1, first paragraph, point (13), amending provision, numbered paragraph (5)				
92	5. In the case of a registered EU design, the following shall be entered in the Register of EU	5. In the case of a registered EU design, the following shall be entered in the Register of EU	5. In the case of a registered EU design, the following shall be entered in the Register of EU	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	designs referred to in Article 72 ('the Register'):	designs referred to in Article 72 ('the Register'):	designs referred to in Article 72 ('the Register'):	
Article 1, first paragraph, point (13), amending provision, numbered paragraph (5), point (a)				
93	(a) an indication that legal proceedings under paragraph 1 have been instituted before the competent court or authority of the Member State concerned;	(a) an indication that legal proceedings under paragraph 1 have been instituted before the competent court or authority of the Member State concerned;	(a) an indication that legal proceedings under paragraph 1 have been instituted before the competent court or authority of the Member State concerned;	
Article 1, first paragraph, point (13), amending provision, numbered paragraph (5), point (b)				
94	(b) the date and particulars of the final decision of the competent	(b) the date and particulars of the final decision of the competent	(b) the date and particulars of the final decision of the competent	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	court or authority of the Member State concerned or any other termination of the proceedings;	court or authority of the Member State concerned or any other termination of the proceedings;	court or authority of the Member State concerned or any other termination of the proceedings;	
Article 1, first paragraph, point (13), amending provision, numbered paragraph (5), point (c)				
95	(c) any change in the ownership of the registered EU design resulting from the final decision of the competent court or authority of the Member State concerned.	(c) any change in the ownership of the registered EU design resulting from the final decision of the competent court or authority of the Member State concerned.	(c) any change in the ownership of the registered EU design resulting from the final decision of the competent court or authority of the Member State concerned.	
Article 1, first paragraph, point (13), amending provision, eighth paragraph				
96				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 16	Article 16	Article 16	
Article 1, first paragraph, point (13), amending provision, ninth paragraph				
97	Effects of a judgment on entitlement to a registered EU design	Effects of a judgment on entitlement to a registered EU design	Effects of a judgment on entitlement to a registered EU design	
Article 1, first paragraph, point (13), amending provision, numbered paragraph (1)				
98	1. Where there is a complete change of ownership of a registered EU design as a result of legal proceedings under Article	1. Where there is a complete change of ownership of a registered EU design as a result of legal proceedings under Article	1. Where there is a complete change of ownership of a registered EU design as a result of legal proceedings under Article	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	15(1), licences and other rights shall lapse upon the entering in the Register of the new holder of the registered EU design.	15(1), licences and other rights shall lapse upon the entering in the Register of the new holder of the registered EU design.	15(1), licences and other rights shall lapse upon the entering in the Register of the new holder of the registered EU design.	
Article 1, first paragraph, point (13), amending provision, numbered paragraph (2)				
99	2. If, before the institution of the legal proceedings under Article 15(1) has been registered, the holder or a licensee of the registered EU design has exploited the design within the Union or made serious and effective preparations to do so, that holder or licensee may continue such exploitation provided that they request, within a period of 3	2. If, before the institution of the legal proceedings under Article 15(1) has been registered, the holder or a licensee of the registered EU design has exploited the design within the Union or made serious and effective preparations to do so, that holder or licensee may continue such exploitation provided that they request, within a period of 3	2. If, before the institution of the legal proceedings under Article 15(1) has been registered, the holder or a licensee of the registered EU design has exploited the design within the Union or made serious and effective preparations to do so, that holder or licensee may continue such exploitation provided that they request, within a period of 3	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	months of the date of the entering in the Register of the new holder, a non-exclusive licence from the new holder whose name is entered in the Register. The licence shall be granted for a reasonable period and upon reasonable terms.	months of the date of the entering in the Register of the new holder, a non-exclusive licence from the new holder whose name is entered in the Register. The licence shall be granted for a reasonable period and upon reasonable terms.	months of the date of the entering in the Register of the new holder, a non-exclusive licence from the new holder whose name is entered in the Register. The licence shall be granted for a reasonable period and upon reasonable terms.	
Article 1, first paragraph, point (13), amending provision, numbered paragraph (3)				
100	3. Paragraph 2 shall not apply if the holder of the registered EU design or the licensee was acting in bad faith at the time when that holder or licensee began to exploit the design or to make preparations to do so.;	3. Paragraph 2 shall not apply if the holder of the registered EU design or the licensee was acting in bad faith at the time when that holder or licensee began to exploit the design or to make preparations to do so.;	3. Paragraph 2 shall not apply if the holder of the registered EU design or the licensee was acting in bad faith at the time when that holder or licensee began to exploit the design or to make preparations to do so.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (14)				
101	(14) in Article 18, the following sentence is added:	(14) in Article 18, the following sentence is added:	(14) in Article 18, the following sentence is added:	
Article 1, first paragraph, point (14), amending provision, first paragraph				
102	That right includes the right to enter a change of the name of the designer or of the team in the Register.;	That right includes the right to enter a change of the name of the designer or of the team in the Register.;	That right includes the right to enter a change of the name of the designer or of the team in the Register.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	,	,	,	
Article 1, first paragraph, point (15)				
103	(15) the following Article 18a is inserted after the heading of Section 4:	(15) the following Article 18a is inserted after the heading of Section 4:	(15) the following Article 18a is inserted after the heading of Section 4:	
Article 1, first paragraph, point (15), amending provision, first paragraph				
104	Article 18a	Article 18a	Article 18a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (15), amending provision, second paragraph				
105	Object of protection	Object of protection	Object of protection	
Article 1, first paragraph, point (15), amending provision, third paragraph				
106	Protection shall be conferred for those features of the appearance of a registered EU design which are shown visibly in the application for registration.;	Protection shall be conferred for those features of the appearance of a registered EU design which are shown visibly in the application for registration.;	Protection shall be conferred for those features of the appearance of a registered EU design which are shown visibly in the application for registration.;	
Article 1, first paragraph, point (16)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
107	(16) Articles 19 to 21 are replaced by the following:	(16) Articles 19 to 21 are replaced by the following:	(16) Articles 19 to 21 are replaced by the following:	
Article 1, first paragraph, point (16), amending provision, first paragraph				
108	Article 19	Article 19	Article 19	
Article 1, first paragraph, point (16), amending provision, second paragraph				
109	Rights conferred by the EU design	Rights conferred by the EU design	Rights conferred by the EU design	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (16), amending provision, numbered paragraph (1)				
110	1. A registered EU design shall confer on its holder the exclusive right to use it and to prevent any third party not having the consent of the holder from using it.	1. A registered EU design shall confer on its holder the exclusive right to use it and to prevent any third party not having the consent of the holder from using it.	1. A registered EU design shall confer on its holder the exclusive right to use it and to prevent any third party not having the consent of the holder from using it.	
Article 1, first paragraph, point (16), amending provision, numbered paragraph (2)				
111	2. The following, in particular, may be prohibited under paragraph 1:	2. The following, in particular, may be prohibited under paragraph 1:	2. The following, in particular, may be prohibited under paragraph 1:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (16), amending provision, numbered paragraph (2), point (a)				
112	(a) making, offering, putting on the market, or using a product in which the design is incorporated or to which the design is applied;	(a) making, offering, putting on the market, or using a product in which the design is incorporated or to which the design is applied;	(a) making, offering, putting on the market, or using a product in which the design is incorporated or to which the design is applied;	
Article 1, first paragraph, point (16), amending provision, numbered paragraph (2), point (b)				
113	(b) importing or exporting a product referred to in point (a);	(b) importing or exporting a product referred to in point (a);	(b) importing or exporting a product referred to in point (a);	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (16), amending provision, numbered paragraph (2), point (c)				
114	(c) stocking a product referred to in point (a) for the purposes referred to in points (a) and (b);	(c) stocking a product referred to in point (a) for the purposes referred to in points (a) and (b);	(c) stocking a product referred to in point (a) for the purposes referred to in points (a) and (b);	
Article 1, first paragraph, point (16), amending provision, numbered paragraph (2), point (d)				
115	(d) creating, downloading, copying and sharing or distributing to others any medium or software recording the design for the purpose of enabling a product referred to in point (a) to be made.	(d) creating, downloading, copying and sharing or distributing to others any medium or software recording the design for the purpose of enabling a product referred to in point (a) to be made.	(d) creating, downloading, copying and sharing or distributing to others any medium or software recording the design for the purpose of enabling a product referred to in point (a) to be made.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (16), amending provision, numbered paragraph (3), first subparagraph				
116	<p>3. By way of derogation from Article 10(1), the holder of a registered EU design shall be entitled to prevent all third parties from bringing products, in the course of trade, from third countries into the Union, that are not released for free circulation in the Union, where the design is identically incorporated in or applied to those products, or the design cannot be distinguished in its essential aspects from such products, and an authorisation has not been given.</p>	<p>3. By way of derogation from Article 10(1), the holder of a registered EU design shall be entitled to prevent all third parties from bringing products, in the course of trade, from third countries into the Union, that are not released for free circulation in the Union, where the design is identically incorporated in or applied to those products, or the design cannot be distinguished in its essential aspects from such products, and an authorisation has not been given.</p>	<p>3. By way of derogation from Article 10(1), The holder of a registered EU design shall be entitled to prevent all third parties from bringing products, in the course of trade, from third countries into the Union, that are not released for free circulation in the Union, where the design is identically incorporated in or applied to those products, or the design cannot be distinguished in its essential aspects from such products, and an authorisation has not been given.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (16), amending provision, numbered paragraph (3), second subparagraph				
117	The right referred to in the first subparagraph shall lapse, if, during proceedings to determine whether the EU design has been infringed, initiated in accordance with Regulation (EU) No 608/2013 of the European Parliament and of the Council*, evidence is provided by the declarant or the holder of the products that the holder of the registered EU design is not entitled to prohibit the placing of the products on the market in the country of final destination.	The right referred to in the first subparagraph shall lapse, if, during proceedings to determine whether the EU design has been infringed, initiated in accordance with Regulation (EU) No 608/2013 of the European Parliament and of the Council*, evidence is provided by the declarant or the holder of the products that the holder of the registered EU design is not entitled to prohibit the placing of the products on the market in the country of final destination.	The right referred to in the first subparagraph shall lapse, if, during proceedings to determine whether the EU design has been infringed, initiated in accordance with Regulation (EU) No 608/2013 of the European Parliament and of the Council*, evidence is provided by the declarant or the holder of the products that the holder of the registered EU design is not entitled to prohibit the placing of the products on the market in the country of final destination.	
Article 1, first paragraph, point (16), amending provision, numbered paragraph (4), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
118	4. The holder of an unregistered EU design shall be entitled to prevent acts referred to in paragraphs 1 and 2 only if the contested use results from copying that design.	4. The holder of an unregistered EU design shall be entitled to prevent acts referred to in paragraphs 1 and 2 only if the contested use results from copying that design.	4. The holder of an unregistered EU design shall be entitled to prevent acts referred to in paragraphs 1 and 2 only if the contested use results from copying that design.	
Article 1, first paragraph, point (16), amending provision, numbered paragraph (4), second subparagraph				
119	The contested use referred above shall not be deemed to result from copying the unregistered EU design if it results from an independent work of creation by a designer who may be reasonably thought not to be familiar with the	The contested use referred above shall not be deemed to result from copying the unregistered EU design if it results from an independent work of creation by a designer who may be reasonably thought not to be familiar with the	The contested use referred above shall not be deemed to result from copying the unregistered EU design if it results from an independent work of creation by a designer who may be reasonably thought not to be familiar with the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	design made available to the public by the holder.	design made available to the public by the holder.	design made available to the public by the holder.	
Article 1, first paragraph, point (16), amending provision, numbered paragraph (5)				
120	5. Paragraph 4 shall also apply to a registered EU design subject to deferment of publication as long as the relevant entries in the Register and the file have not been made available to the public in accordance with Article 50(4).	5. Paragraph 4 shall also apply to a registered EU design subject to deferment of publication as long as the relevant entries in the Register and the file have not been made available to the public in accordance with Article 50(4).	5. Paragraph 4 shall also apply to a registered EU design subject to deferment of publication as long as the relevant entries in the Register and the file have not been made available to the public in accordance with Article 50(4).	
Article 1, first paragraph, point (16), amending provision, eighth paragraph				
121				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 20	Article 20	Article 20	
Article 1, first paragraph, point (16), amending provision, ninth paragraph				
122	Limitation of the rights conferred by an EU design	Limitation of the rights conferred by an EU design	Limitation of the rights conferred by an EU design	
Article 1, first paragraph, point (16), amending provision, numbered paragraph (1)				
123	1. The rights conferred by an EU design shall not be exercised in respect of:	1. The rights conferred by an EU design shall not be exercised in respect of:	1. The rights conferred by an EU design shall not be exercised in respect of:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (16), amending provision, numbered paragraph (1), point (a)				
124	(a) acts carried out privately and for non-commercial purposes;	(a) acts carried out privately and for non-commercial purposes;	(a) acts carried out privately and for non-commercial purposes;	
Article 1, first paragraph, point (16), amending provision, numbered paragraph (1), point (b)				
125	(b) acts carried out for experimental purposes;	(b) acts carried out for experimental purposes;	(b) acts carried out for experimental purposes;	
Article 1, first paragraph, point (16), amending provision, numbered paragraph (1), point (c)				
126	(c) acts of reproduction for the	(c) acts of reproduction for the	(c) acts of reproduction for the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	purpose of making citations or of teaching;	purpose of making citations or of teaching;	purpose of making citations or of teaching;	
Article 1, first paragraph, point (16), amending provision, numbered paragraph (1), point (d)				
127	(d) acts carried out for the purpose of identifying or referring to a product as that of the design right holder;	(d) acts carried out for the purpose of identifying or referring to a product as that of the design right holder;	(d) acts carried out for the purpose of identifying or referring to a product as that of the design right holder;	
Article 1, first paragraph, point (16), amending provision, numbered paragraph (1), point (e)				
128	(e) acts carried out for the purpose of comment, critique or parody;	(e) acts carried out for the purpose of comment, critique or parody;	(e) acts carried out for the purpose of comment, critique or parody;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (16), amending provision, numbered paragraph (1), point (f)				
129	(f) the equipment on ships and aircraft that are registered in a third country and that temporarily enter the territory of the Union;	(f) the equipment on ships and aircraft that are registered in a third country and that temporarily enter the territory of the Union;	(f) the equipment on ships and aircraft that are registered in a third country and that temporarily enter the territory of the Union;	
Article 1, first paragraph, point (16), amending provision, numbered paragraph (1), point (g)				
130	(g) the importation into the Union of spare parts and accessories for the purpose of repairing ships and aircraft referred to in point (f);	(g) the importation into the Union of spare parts and accessories for the purpose of repairing ships and aircraft referred to in point (f);	(g) the importation into the Union of spare parts and accessories for the purpose of repairing ships and aircraft referred to in point (f);	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (16), amending provision, numbered paragraph (1), point (h)				
131	(h) the execution of repairs on ships and aircraft referred to in point (f).	(h) the execution of repairs on ships and aircraft referred to in point (f).	(h) the execution of repairs on ships and aircraft referred to in point (f).	
Article 1, first paragraph, point (16), amending provision, numbered paragraph (2)				
132	2. Paragraph 1, points (c), (d) and (e), shall only apply where the acts are compatible with fair trade practices and do not unduly prejudice the normal exploitation of the design, and in the case of	2. Paragraph 1, points (c), (d) and (e), shall only apply where the acts are compatible with fair trade practices and do not unduly prejudice the normal exploitation of the design, and in the case of	2. Paragraph 1, points (c), (d) and (e), shall only apply where the acts are compatible with fair trade practices and do not unduly prejudice the normal exploitation of the design, and in the case of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	point (c), where mention is made of the source of the product in which the design is incorporated or to which the design is applied.	point (c), where mention is made of the source of the product in which the design is incorporated or to which the design is applied.	point (c), where mention is made of the source of the product in which the design is incorporated or to which the design is applied.	
Article 1, first paragraph, point (16), amending provision, twelfth paragraph				
133	Article 20a	Article 20a	Article 20a	
Article 1, first paragraph, point (16), amending provision, thirteenth paragraph				
134	Repair clause	Repair clause	Repair clause	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (16), amending provision, numbered paragraph (1)				
135	<p>1. Protection shall not be conferred on an EU design which constitutes a component part of a complex product, upon whose appearance the design of the component part is dependent, and which is used within the meaning of Article 19(1) for the sole purpose of the repair of that complex product so as to restore its original appearance.</p>	<p>1. Protection shall not be conferred on an EU <u>a registered</u> design which constitutes a component part of a complex product, upon whose appearance <u>the design of the component part is dependent, and</u> which is used within the meaning of Article 19(1) <u>16(1)</u> for the sole purpose of the repair of that complex product so as to restore its original appearance. <u>The use of that component part of a complex product for the purpose of enabling that complex product to</u></p>	<p>1. Protection shall not be conferred on an EU design which constitutes a component part of a complex product, upon whose appearance the design of the component part is dependent, and which is used within the meaning of Article 19(1) for the sole purpose of the repair of that complex product so as to restore its original appearance.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>be repaired will be presumed.</i></u>		
Article 1, first paragraph, point (16), amending provision, numbered paragraph (1a)				
135a		<u><i>1a. Paragraph 1 shall not apply to rims, covers and similar parts of a complex product the shape of which is not determined by the appearance of the complex product.</i></u>		
Article 1, first paragraph, point (16), amending provision, numbered paragraph (2)				
136	2. Paragraph 1 cannot be invoked	2. Paragraph 1 cannot be invoked	2. Paragraph 1 cannot be invoked	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>by the manufacturer or the seller of a component part of a complex product who have failed to duly inform consumers, through a clear and visible indication on the product or in another appropriate form, about the origin of the product to be used for the purpose of the repair of the complex product, so that they can make an informed choice between competing products that can be used for the repair.</p>	<p>by the manufacturer or the seller of a component part of a complex product who have failed to duly inform consumers, through a clear and visible indication on the product or in another appropriate form, about the <i>origin</i> <u>identity of the manufacturer</u> of the product to be used for the <u>exclusive</u> purpose of the repair of the complex product, so that they can make an informed choice between competing products that can be used for the repair. <u>That indication of the manufacturer's identity shall include at least the name of the manufacturer, the geographical address of its registered place of business and, where applicable, its telephone</u></p>	<p>by the manufacturer or the seller of a component part of a complex product who have failed to duly inform consumers, through a clear and visible indication on the product or in another appropriate form, about the commercial origin of the product to be used for the purpose of the repair of the complex product, so that they can make an informed choice between competing products that can be used for the repair.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>number or email address.</u>		
Article 1, first paragraph, point (16), amending provision, sixteenth paragraph				
137	Article 21	Article 21	Article 21	
Article 1, first paragraph, point (16), amending provision, seventeenth paragraph				
138	Exhaustion of rights	Exhaustion of rights	Exhaustion of rights	
Article 1, first paragraph, point (16), amending provision, eighteenth paragraph				
139				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The rights conferred by an EU design shall not extend to acts relating to a product in which a design included within the scope of protection of the EU design is incorporated or to which it is applied, when the product has been put on the market in the European Economic Area (EEA) by the holder of the EU design or with his consent.’;	The rights conferred by an EU design shall not extend to acts relating to a product in which a design included within the scope of protection of the EU design is incorporated or to which it is applied, when the product has been put on the market in the European Economic Area (EEA) by the holder of the EU design or with his consent.’;	The rights conferred by an EU design shall not extend to acts relating to a product in which a design included within the scope of protection of the EU design is incorporated or to which it is applied, when the product has been put on the market in the European Economic Area (EEA) by the holder of the EU design or with his consent.’;	
Article 1, first paragraph, point (16), amending provision, nineteenth paragraph				
140	* Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement	* Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement	* Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of intellectual property rights and repealing Council Regulation (EC) No 1383/2003 (OJ L 181, 29.6.2013, p. 15).	of intellectual property rights and repealing Council Regulation (EC) No 1383/2003 (OJ L 181, 29.6.2013, p. 15).	of intellectual property rights and repealing Council Regulation (EC) No 1383/2003 (OJ L 181, 29.6.2013, p. 15).	
Article 1, first paragraph, point (17)				
141	(17) in Article 24, paragraph 2 is replaced by the following:	(17) in Article 24, paragraph 2 is replaced by the following:	(17) in Article 24, paragraph 2 is replaced by the following:	
Article 1, first paragraph, point (17), amending provision, numbered paragraph (2)				
142				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2. An EU design may be declared invalid even after the EU design has lapsed or has been surrendered, if the applicant shows a legitimate interest in obtaining a decision on the merits.;	2. An EU design may be declared invalid even after the EU design has lapsed or has been surrendered, if the applicant shows a legitimate interest in obtaining a decision on the merits.;	2. An EU design may be declared invalid even after the EU design has lapsed or has been surrendered, if the applicant shows a legitimate interest in obtaining a decision on the merits.;	
Article 1, first paragraph, point (18)				
143	(18) Article 25 is replaced by the following:	(18) Article 25 is replaced by the following:	(18) Article 25 is replaced by the following:	
Article 1, first paragraph, point (18), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
144	Article 25	Article 25	Article 25	
Article 1, first paragraph, point (18), amending provision, second paragraph				
145	Grounds for invalidity	Grounds for invalidity	Grounds for invalidity	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (1)				
146	1. An EU design may be declared invalid only in the following situations:	1. An EU design may be declared invalid only in the following situations:	1. An EU design may be declared invalid only in the following situations:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (18), amending provision, numbered paragraph (1), point (a)				
147	(a) the EU design does not correspond to the definition under Article 3, point (1);	(a) the EU design does not correspond to the definition under Article 3, point (1);	(a) the EU design does not correspond to the definition under Article 3, point (1);	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (1), point (b)				
148	(b) the EU design does not fulfil the requirements laid down in Articles 4 to 9;	(b) the EU design does not fulfil the requirements laid down in Articles 4 to 9;	(b) the EU design does not fulfil the requirements laid down in Articles 4 to 9;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (18), amending provision, numbered paragraph (1), point (c)				
149	(c) by virtue of a decision of the competent court or authority, the right holder is not entitled to the EU design under Article 14;	(c) by virtue of a decision of the competent court or authority, the right holder is not entitled to the EU design under Article 14;	(c) by virtue of a decision of the competent court or authority, the right holder is not entitled to the EU design under Article 14;	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (1), point (d)				
150	(d) the EU design is in conflict with a prior design which has been made available to the public, and which is protected from a date prior to the date of filing of the application, or if priority is claimed, the date of priority of the	(d) the EU design is in conflict with a prior design which has been made available to the public, and which is protected from a date prior to the date of filing of the application, or if priority is claimed, the date of priority of the	(d) the EU design is in conflict with a prior design which has been made available to the public, and which is protected from a date prior to prior to or after the date of filing of the application, or if priority is claimed, the date of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	EU design:	EU design:	priority of the EU design, and which is protected from a date prior to the said date:	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (1), point (d)(i)				
151	(i) by a registered EU design or an application for such a design subject to its registration,	(i) by a registered EU design or an application for such a design subject to its registration,	(i) by a registered EU design or an application for such a design subject to its registration,	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (1), point (d)(ii)				
152	(ii) by a registered design right of a Member State, or by an application for such a right subject	(ii) by a registered design right of a Member State, or by an application for such a right subject	(ii) by a registered design right of a Member State, or by an application for such a right subject	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to its registration, or	to its registration, or	to its registration, or	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (1), point (d)(iii)				
153	(iii) by a design right registered under the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs of 1999 ('the Geneva Act'), which has effect in the Union, or by an application for such a right subject to its registration;	(iii) by a design right registered under the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs of 1999 ('the Geneva Act'), which has effect in the Union, or by an application for such a right subject to its registration;	(iii) by a design right registered under the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs of 1999 ('the Geneva Act'), which has effect in the Union, or by an application for such a right subject to its registration;	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (1), point (e)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
154	(e) a distinctive sign is used in a subsequent design, and Union law or the law of the Member State governing that sign confers on the right holder of the sign the right to prohibit such use;	(e) a distinctive sign is used in a subsequent design, and Union law or the law of the Member State governing that sign confers on the right holder of the sign the right to prohibit such use;	(e) a distinctive sign is used in a subsequent design, and Union law or the law of the Member State governing that sign confers on the right holder of the sign the right to prohibit such use;	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (1), point (f)				
155	(f) the design constitutes an unauthorised use of a work protected under the copyright law of a Member State;	(f) the design constitutes an unauthorised use of a work protected under the copyright law of a Member State;	(f) the design constitutes an unauthorised use of a work protected under the copyright law of a Member State;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (18), amending provision, numbered paragraph (1), point (g)				
156	(g) the design constitutes an improper use of any of the items listed in Article 6ter of the Paris Convention for the Protection of Industrial Property ('the Paris Convention'), or of badges, emblems and escutcheons other than those covered by that Article and which are of particular public interest in a Member State.	(g) the design constitutes an improper use of any of the items listed in Article 6ter of the Paris Convention for the Protection of Industrial Property ('the Paris Convention'), or of badges, emblems and escutcheons other than those covered by that Article and which are of particular public interest in a Member State.	(g) the design constitutes an improper use of any of the items listed in Article 6ter of the Paris Convention for the Protection of Industrial Property ('the Paris Convention'), or of badges, emblems and escutcheons other than those covered by that Article and which are of particular public interest in a Member State, and without the consent of the competent authorities to the registration having been given.	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
157	2. The grounds for invalidity provided for in paragraph 1, points (a) and (b), may be invoked by the following:	2. The grounds for invalidity provided for in paragraph 1, points (a) and (b), may be invoked by the following:	2. The grounds for invalidity provided for in paragraph 1, points (a) and (b), may be invoked by the following:	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (2), point (a)				
158	(a) any natural or legal person;	(a) any natural or legal person;	(a) any natural or legal person;	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (2), point (b)				
159	(b) any group or body set up for the purpose of representing the	(b) any group or body set up for the purpose of representing the	(b) any group or body set up for the purpose of representing the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	interests of manufacturers, producers, suppliers of services, traders or consumers if that group or body has the capacity to sue and be sued in its own name under the terms of the law governing it.	interests of manufacturers, producers, suppliers of services, traders or consumers if that group or body has the capacity to sue and be sued in its own name under the terms of the law governing it.	interests of manufacturers, producers, suppliers of services, traders or consumers if that group or body has the capacity to sue and be sued in its own name under the terms of the law governing it.	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (3)				
160	3. The ground for invalidity provided for in paragraph 1, point (c), may be invoked solely by the person who is entitled to the EU design under Article 14.	3. The ground for invalidity provided for in paragraph 1, point (c), may be invoked solely by the person who is entitled to the EU design under Article 14.	3. The ground for invalidity provided for in paragraph 1, point (c), may be invoked solely by the person who is entitled to the EU design under Article 14.	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
161	4. The grounds for invalidity provided for in paragraph 1, points (d), (e) and (f), may be invoked solely by the following:	4. The grounds for invalidity provided for in paragraph 1, points (d), (e) and (f), may be invoked solely by the following:	4. The grounds for invalidity provided for in paragraph 1, points (d), (e) and (f), may be invoked solely by the following:	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (4), point (a)				
162	(a) the applicant for or the holder of the earlier right;	(a) the applicant for or the holder of the earlier right;	(a) the applicant for or the holder of the earlier right;	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (4), point (b)				
163	(b) the persons who are entitled	(b) the persons who are entitled	(b) the persons who are entitled	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	under Union legislation or the law of the Member State concerned to exercise the rights in question;	under Union legislation or the law of the Member State concerned to exercise the rights in question;	under Union legislation or the law of the Member State concerned to exercise the rights in question;	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (4), point (c)				
164	(c) a licensee authorised by a proprietor of a trade mark or a holder of a design right.	(c) a licensee authorised by a proprietor of a trade mark or a holder of a design right.	(c) a licensee authorised by a proprietor of a trade mark or a holder of a design right. the earlier	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (5)				
165	5. The ground for invalidity provided for in paragraph 1, point (g), may be invoked solely by the	5. The ground for invalidity provided for in paragraph 1, point (g), may be invoked solely by the	5. The ground for invalidity provided for in paragraph 1, point (g), may be invoked solely by the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	person or entity concerned by the improper use.	person or entity concerned by the improper use.	person or entity concerned by the improper use.	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (6)				
166	6. By way of derogation from paragraphs 4 and 5, Member States may provide that the grounds provided for in paragraph 1, points (d) and (g) may also be invoked by the appropriate authority of the Member State in question on its own initiative.	6. By way of derogation from paragraphs 4 and 5, Member States may provide that the grounds provided for in paragraph 1, points (d) and (g) may also be invoked by the appropriate authority of the Member State in question on its own initiative.	6. By way of derogation from paragraphs 4 and 5, Member States may provide that the grounds provided for in paragraph 1, points (d) and (g) may also be invoked by the appropriate authority of the Member State in question on its own initiative.	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (7)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
167	7. An EU design may not be declared invalid where the applicant for or holder of one of the rights referred to in paragraph 1, points (d) to (g), has consented expressly to the registration of the EU design before submitting the application for a declaration of invalidity or the counterclaim.	7. An EU design may not be declared invalid where the applicant for or holder of one of the rights referred to in paragraph 1, points (d) to (g), has consented expressly to the registration of the EU design before submitting the application for a declaration of invalidity or the counterclaim.	7. An EU design may not be declared invalid where the applicant for or holder of one of the rights referred to in paragraph 1, points (d) to (g) (f), has consented expressly to the registration of the EU design before submitting the application for a declaration of invalidity or the counterclaim.	
Article 1, first paragraph, point (18), amending provision, numbered paragraph (8)				
168	8. Where the applicant for or a holder of one of the rights referred to in paragraph 1, points (d) to (g),	8. Where the applicant for or a holder of one of the rights referred to in paragraph 1, points (d) to (g),	8. Where the applicant for or a holder of one of the rights referred to in paragraph 1, points (d) to (g),	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	has previously applied for a declaration that an EU design is invalid or made a counterclaim in infringement proceedings, they may not submit a new application for a declaration of invalidity or lodge a new counterclaim on the basis of any of the other rights referred to in those points, which could have been invoked in support of the first application or counterclaim.?’;	has previously applied for a declaration that an EU design is invalid or made a counterclaim in infringement proceedings, they may not submit a new application for a declaration of invalidity or lodge a new counterclaim on the basis of any of the other rights referred to in those points, which could have been invoked in support of the first application or counterclaim.?’;	has previously applied for a declaration that an EU design is invalid or made a counterclaim in infringement proceedings, they may not submit a new application for a declaration of invalidity or lodge a new counterclaim on the basis of any of the other rights referred to in those points, which could have been invoked in support of the first application or counterclaim.?’;	
Article 1, first paragraph, point (19)				
169	(19) in Article 26, paragraph 1 is	(19) in Article 26, paragraph 1 is	(19) in Article 26, paragraph 1 is	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	replaced by the following:	replaced by the following:	replaced by the following:	
Article 1, first paragraph, point (19), amending provision, numbered paragraph (1)				
170	1. An EU design which is declared invalid shall be deemed not to have had the effects specified in this Regulation as from the outset.’;	1. An EU design which is declared invalid shall be deemed not to have had the effects specified in this Regulation as from the outset.’;	1. An EU design which is declared invalid shall be deemed not to have had the effects specified in this Regulation as from the outset.’;	
Article 1, first paragraph, point (20)				
171	(20) the following heading is	(20) the following heading is	(20) the following heading is	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	inserted after Article 26:	inserted after Article 26:	inserted after Article 26:	
Article 1, first paragraph, point (20), amending provision, first paragraph				
172	‘ Section 6	‘ Section 6	‘ Section 6	
Article 1, first paragraph, point (20), amending provision, second paragraph				
173	Notice of registration ,	Notice of registration ,	Notice of registration ,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (21)				
174	(21) the following Article 26a is inserted after the heading of Section 6:	(21) the following Article 26a is inserted after the heading of Section 6:	(21) the following Article 26a is inserted after the heading of Section 6:	
Article 1, first paragraph, point (21), amending provision, first paragraph				
175	Article 26a	Article 26a	Article 26a	
Article 1, first paragraph, point (21), amending provision, second paragraph				
176				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Registration symbol	Registration symbol	Registration symbol	
Article 1, first paragraph, point (21), amending provision, third paragraph				
177	The holder of a registered EU design may inform the public that the design is registered by displaying on the product in which the design is incorporated or to which it is applied the letter D enclosed within a circle. Such design notice may be accompanied by the registration number of the design or hyperlinked to the entry of the design in the Register.;	The holder of a registered EU design may inform the public that the design is registered by displaying on the product in which the design is incorporated or to which it is applied the letter DR enclosed within a circle. Such design notice may be accompanied by the registration number of the design or hyperlinked to the entry of the design in the Register. <u><i>Any misuse of this indication may lead to legal proceedings.</i></u> ;	The holder of a registered EU design may inform the public that the design is registered by displaying on the product in which the design is incorporated or to which it is applied the letter D enclosed within a circle. Such design notice may be accompanied by the registration number of the design or hyperlinked to the entry of the design in the Register.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (22)				
178	(22) Article 28 is replaced by the following:	(22) Article 28 is replaced by the following:	(22) Article 28 is replaced by the following:	
Article 1, first paragraph, point (22), amending provision, first paragraph				
179	Article 28	Article 28	Article 28	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (22), amending provision, second paragraph				
180	Transfer of the registered EU design	Transfer of the registered EU design	Transfer of the registered EU design	
Article 1, first paragraph, point (22), amending provision, numbered paragraph (1), first subparagraph				
181	1. An assignment of a registered EU design shall be made in writing and shall be signed by the parties to the contract, except when it is the result of a judgment.	1. An assignment of a registered EU design shall be made in writing and shall be signed by the parties to the contract, except when it is the result of a judgment.	1. An assignment of a registered EU design shall be made in writing and shall be signed by the parties to the contract, except when it is the result of a judgment.	
Article 1, first paragraph, point (22), amending provision, numbered paragraph (1), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
182	An assignment of a registered EU design that does not comply with the requirements set out in the first subparagraph shall be void.	An assignment of a registered EU design that does not comply with the requirements set out in the first subparagraph shall be void.	An assignment of a registered EU design that does not comply with the requirements set out in the first subparagraph shall be void.	
Article 1, first paragraph, point (22), amending provision, numbered paragraph (2)				
183	2. On request of one of the parties, a transfer of a registered EU design shall be entered in the Register and published.	2. On request of one of the parties, a transfer of a registered EU design shall be entered in the Register and published.	2. On request of one of the parties, a transfer of a registered EU design shall be entered in the Register and published.	
Article 1, first paragraph, point (22), amending provision, numbered paragraph (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
184	3. A request for registration of a transfer in the Register shall contain information identifying the registered EU design, the new holder and, where applicable, the representative of the new holder. It shall also contain documents duly establishing the transfer in accordance with paragraph 1.	3. A request for registration of a transfer in the Register shall contain information identifying the registered EU design, the new holder and, where applicable, the representative of the new holder. It shall also contain documents duly establishing the transfer in accordance with paragraph 1.	3. A request for registration of a transfer in the Register shall contain information identifying the registered EU design, the new holder and, where applicable, the representative of the new holder. It shall also contain documents duly establishing the transfer in accordance with paragraph 1.	
Article 1, first paragraph, point (22), amending provision, numbered paragraph (4)				
185	4. Where the conditions for the registration of a transfer, as laid down in paragraph 1 or in the implementing acts referred to in	4. Where the conditions for the registration of a transfer, as laid down in paragraph 1 or in the implementing acts referred to in	4. Where the conditions for the registration of a transfer, as laid down in paragraph 1 or in the implementing acts referred to in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 28a, are not fulfilled, the Office shall notify the applicant of the deficiencies. If the deficiencies are not remedied within the time limit specified by the Office, it shall reject the application for registration of the transfer.	Article 28a, are not fulfilled, the Office shall notify the applicant of the deficiencies. If the deficiencies are not remedied within the time limit specified by the Office, it shall reject the application for registration of the transfer.	Article 28a, are not fulfilled, the Office shall notify the applicant of the deficiencies. If the deficiencies are not remedied within the time limit specified by the Office, it shall reject the application for registration of the transfer.	
Article 1, first paragraph, point (22), amending provision, numbered paragraph (5)				
186	5. A single application for registration of a transfer may be submitted for two or more registered EU designs, provided that the registered holder and the successor in title are the same for all these registered EU designs.	5. A single application for registration of a transfer may be submitted for two or more registered EU designs, provided that the registered holder and the successor in title are the same for all these registered EU designs.	5. A single application for registration of a transfer may be submitted for two or more registered EU designs, provided that the registered holder and the successor in title are the same for all these registered EU designs.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (22), amending provision, numbered paragraph (6)				
187	6. As long as the transfer has not been entered in the Register, the successor in title may not invoke the rights arising from the registration of the registered EU design.	6. As long as the transfer has not been entered in the Register, the successor in title may not invoke the rights arising from the registration of the registered EU design.	6. As long as the transfer has not been entered in the Register, the successor in title may not invoke the rights arising from the registration of the registered EU design.	
Article 1, first paragraph, point (22), amending provision, numbered paragraph (7)				
188	7. Where there are time limits to be observed vis-à-vis the Office, the successor in title may make the	7. Where there are time limits to be observed vis-à-vis the Office, the successor in title may make the	7. Where there are time limits to be observed vis-à-vis the Office, the successor in title may make the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	corresponding statements to the Office once the request for registration of the transfer has been received by the Office.	corresponding statements to the Office once the request for registration of the transfer has been received by the Office.	corresponding statements to the Office once the request for registration of the transfer has been received by the Office.	
Article 1, first paragraph, point (22), amending provision, numbered paragraph (8)				
189	8. All documents which require notification to the holder of the registered EU design in accordance with Article 66 shall be addressed to the person registered as holder in the Register.;	8. All documents which require notification to the holder of the registered EU design in accordance with Article 66 shall be addressed to the person registered as holder in the Register.;	8. All documents which require notification to the holder of the registered EU design in accordance with Article 66 shall be addressed to the person registered as holder in the Register.;	
Article 1, first paragraph, point (23)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
190	(23) the following Article 28a is inserted:	(23) the following Article 28a is inserted:	(23) the following Article 28a is inserted:	
Article 1, first paragraph, point (23), amending provision, first paragraph				
191	Article 28a	Article 28a	Article 28a	
Article 1, first paragraph, point (23), amending provision, second paragraph				
192	Conferral of implementing powers regarding transfer	Conferral of implementing powers regarding transfer	Conferral of implementing powers regarding transfer	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (23), amending provision, third paragraph				
193	The Commission shall adopt implementing acts specifying:	The Commission shall adopt implementing acts specifying:	The Commission shall adopt implementing acts specifying:	
Article 1, first paragraph, point (23), amending provision, third paragraph, point (a)				
194	(a) the details to be contained in the request for registration of a transfer referred to in Art 28(3);	(a) the details to be contained in the request for registration of a transfer referred to in Art 28(3);	(a) the details to be contained in the request for registration of a transfer referred to in Art 28(3);	
Article 1, first paragraph, point (23), amending provision, third paragraph, point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
195	(b) the kind of documentation required to establish a transfer as referred to in Article 28(3), taking account of the agreements given by the registered holder and the successor in title.	(b) the kind of documentation required to establish a transfer as referred to in Article 28(3), taking account of the agreements given by the registered holder and the successor in title.	(b) the kind of documentation required to establish a transfer as referred to in Article 28(3), taking account of the agreements given by the registered holder and the successor in title.	
Article 1, first paragraph, point (23), amending provision, fourth paragraph				
196	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (24)				
197	(24) Articles 31 to 34 are replaced by the following:	(24) Articles 31 to 34 are replaced by the following:	(24) Articles 31 to 34 are replaced by the following:	
Article 1, first paragraph, point (24), amending provision, first paragraph				
198	Article 31	Article 31	Article 31	
Article 1, first paragraph, point (24), amending provision, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
199	Insolvency proceedings	Insolvency proceedings	Insolvency proceedings	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (1)				
200	1. The only insolvency proceedings in which an EU design may be involved are those opened in the Member State within the territory of which the debtor has his centre of main interests.	1. The only insolvency proceedings in which an EU design may be involved are those opened in the Member State within the territory of which the debtor has his centre of main interests.	1. The only insolvency proceedings in which an EU design may be involved are those opened in the Member State within the territory of which the debtor has his centre of main interests.	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (2)				
201				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2. For insurance undertakings as defined in Article 13, point (1), of Directive 2009/138/EC of the European Parliament and of the Council* and credit institutions as defined in Article 4(1) of Regulation (EU) No 575/2013 of the European Parliament and of the Council**, the centre of main interests referred to in paragraph 1 shall be the Member State where the undertaking or institution has been authorised.	2. For insurance undertakings as defined in Article 13, point (1), of Directive 2009/138/EC of the European Parliament and of the Council* and credit institutions as defined in Article 4(1) of Regulation (EU) No 575/2013 of the European Parliament and of the Council**, the centre of main interests referred to in paragraph 1 shall be the Member State where the undertaking or institution has been authorised.	2. For insurance undertakings as defined in Article 13, point (1), of Directive 2009/138/EC of the European Parliament and of the Council* and credit institutions as defined in Article 4(1) of Regulation (EU) No 575/2013 of the European Parliament and of the Council**, the centre of main interests referred to in paragraph 1 shall be the Member State where the undertaking or institution has been authorised.	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (3)				
202	3. In the case of joint holdership of an EU design, paragraph 1 shall	3. In the case of joint holdership of an EU design, paragraph 1 shall	3. In the case of joint holdership of an EU design, paragraph 1 shall	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	apply to the share of the joint holder.	apply to the share of the joint holder.	apply to the share of the joint holder.	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (4)				
203	4. Where an EU design is involved in insolvency proceedings, an entry to this effect shall, on request of the competent national authority, be made in the Register and published.	4. Where an EU design is involved in insolvency proceedings, an entry to this effect shall, on request of the competent national authority, be made in the Register and published.	4. Where an EU design is involved in insolvency proceedings, an entry to this effect shall, on request of the competent national authority, be made in the Register and published.	
Article 1, first paragraph, point (24), amending provision, seventh paragraph				
204				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 32	Article 32	Article 32	
Article 1, first paragraph, point (24), amending provision, eighth paragraph				
205	Licensing	Licensing	Licensing	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (1)				
206	1. An EU design may be licensed for the whole or part of the Union. A licence may be exclusive or non-exclusive.	1. An EU design may be licensed for the whole or part of the Union. A licence may be exclusive or non-exclusive.	1. An EU design may be licensed for the whole or part of the Union. A licence may be exclusive or non-exclusive.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (24), amending provision, numbered paragraph (2)				
207	2. The holder may invoke the rights conferred by the EU design against a licensee who contravenes any provision in the licensing contract with regard to:	2. The holder may invoke the rights conferred by the EU design against a licensee who contravenes any provision in the licensing contract with regard to:	2. The holder may invoke the rights conferred by the EU design against a licensee who contravenes any provision in the licensing contract with regard to:	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (2), point (a)				
208	(a) the duration of the licence;	(a) the duration of the licence;	(a) the duration of the licence;	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (2), point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
209	(b) the form in which the design may be used;	(b) the form in which the design may be used;	(b) the form in which the design may be used;	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (2), point (c)				
210	(c) the range of products for which the licence is granted;	(c) the range of products for which the licence is granted;	(c) the range of products for which the licence is granted;	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (2), point (d)				
211	(d) the quality of the products manufactured by the licensee under the licence.	(d) the quality of the products manufactured by the licensee under the licence.	(d) the quality of the products manufactured by the licensee under the licence.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (24), amending provision, numbered paragraph (3)				
212	<p>3. If not stated otherwise in the licensing contract, the licensee may bring proceedings for infringement of an EU design only if its holder consents thereto. However, the holder of an exclusive licence may bring such proceedings if the holder of the EU design, after a formal notice, does not bring infringement proceedings within an appropriate period.</p>	<p>3. If not stated otherwise in the licensing contract, the licensee may bring proceedings for infringement of an EU design only if its holder consents thereto. However, the holder of an exclusive licence may bring such proceedings if the holder of the EU design, after a formal notice, does not bring infringement proceedings within an appropriate period.</p>	<p>3. If not stated otherwise in the licensing contract, the licensee may bring proceedings for infringement of an EU design only if its holder consents thereto. However, the holder of an exclusive licence may bring such proceedings if the holder of the EU design, after a formal notice, does not bring infringement proceedings within an appropriate period.</p>	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
213	4. A licensee shall, for the purpose of obtaining compensation for damage suffered, be entitled to intervene in infringement proceedings brought by the holder of the EU design.	4. A licensee shall, for the purpose of obtaining compensation for damage suffered, be entitled to intervene in infringement proceedings brought by the holder of the EU design.	4. A licensee shall, for the purpose of obtaining compensation for damage suffered, be entitled to intervene in infringement proceedings brought by the holder of the EU design.	
Article 1, first paragraph, point (24), amending provision, thirteenth paragraph				
214	Article 32a	Article 32a	Article 32a	
Article 1, first paragraph, point (24), amending provision, fourteenth paragraph				
215				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Procedure for entering licences and other rights in the Register	Procedure for entering licences and other rights in the Register	Procedure for entering licences and other rights in the Register	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (1)				
216	1. Article 28(2) and (3), the rules adopted pursuant to Article 28a, and Article 28(6) shall apply mutatis mutandis to the registration of a right in rem or transfer of a right in rem referred to in Article 29, the levy of execution referred to in Article 30, the involvement in insolvency proceedings referred to in Article 31, as well as to the registration of a licence or transfer of a licence as referred to in Article 32. However, the requirement	1. Article 28(2) and (3), the rules adopted pursuant to Article 28a, and Article 28(6) shall apply mutatis mutandis to the registration of a right in rem or transfer of a right in rem referred to in Article 29, the levy of execution referred to in Article 30, the involvement in insolvency proceedings referred to in Article 31, as well as to the registration of a licence or transfer of a licence as referred to in Article 32. However, the requirement	1. Article 28(2) and (3), the rules adopted pursuant to Article 28a, and Article 28(6) shall apply mutatis mutandis to the registration of a right in rem or transfer of a right in rem referred to in Article 29, the levy of execution referred to in Article 30, the involvement in insolvency proceedings referred to in Article 31, as well as to the registration of a licence or transfer of a licence as referred to in Article 32. However, the requirement	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	concerning documentary evidence set out in Article 28(3) shall not apply where the request is made by the holder of the EU design.	concerning documentary evidence set out in Article 28(3) shall not apply where the request is made by the holder of the EU design.	concerning documentary evidence set out in Article 28(3) shall not apply where the request is made by the holder of the EU design.	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (2)				
217	2. The application for registration of the rights referred to in paragraph 1, where applicable, shall not be deemed to have been filed until the required fee has been paid.	2. The application for registration of the rights referred to in paragraph 1, where applicable, shall not be deemed to have been filed until the required fee has been paid.	2. The application for registration of the rights referred to in paragraph 1, where applicable, shall not be deemed to have been filed until the required fee has been paid.	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (3), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
218	3. The application for registration of a licence may contain a request to record a licence in the Register as one or more of the following:	3. The application for registration of a licence may contain a request to record a licence in the Register as one or more of the following:	3. The application for registration of a licence may contain a request to record a licence in the Register as one or more of the following:	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (3), first subparagraph, point (a)				
219	(a) an exclusive licence;	(a) an exclusive licence;	(a) an exclusive licence;	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (3), first subparagraph, point (b)				
220	(b) a sub-licence in the event that the licence is granted by a licensee	(b) a sub-licence in the event that the licence is granted by a licensee	(b) a sub-licence in the event that the licence is granted by a licensee	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	whose licence is recorded in the Register;	whose licence is recorded in the Register;	whose licence is recorded in the Register;	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (3), first subparagraph, point (c)				
221	(c) a licence limited to a specific range of products;	(c) a licence limited to a specific range of products;	(c) a licence limited to a specific range of products;	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (3), first subparagraph, point (d)				
222	(d) a licence limited to part of the Union;	(d) a licence limited to part of the Union;	(d) a licence limited to part of the Union;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (24), amending provision, numbered paragraph (3), first subparagraph, point (e)				
223	(e) a temporary licence.	(e) a temporary licence.	(e) a temporary licence.	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (3), second subparagraph				
224	Where a request is made to record the licence as a licence referred to in the first subparagraph, point (c), (d), or (e), the application for registration shall indicate the specific product range, the part of the Union or the time period for which the licence is granted.	Where a request is made to record the licence as a licence referred to in the first subparagraph, point (c), (d), or (e), the application for registration shall indicate the specific product range, the part of the Union or the time period for which the licence is granted.	Where a request is made to record the licence as a licence referred to in the first subparagraph, point (c), (d), or (e), the application for registration shall indicate the specific product range, the part of the Union or the time period for which the licence is granted.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (24), amending provision, numbered paragraph (4)				
225	4. Where the conditions for registration of licences and other rights set out in this Regulation are not fulfilled, the Office shall notify the applicant of the deficiency. If the deficiency is not remedied within a time limit specified by the Office, it shall reject the application for registration.	4. Where the conditions for registration of licences and other rights set out in this Regulation are not fulfilled, the Office shall notify the applicant of the deficiency. If the deficiency is not remedied within a time limit specified by the Office, it shall reject the application for registration.	4. Where the conditions for registration of licences and other rights set out in this Regulation are not fulfilled, the Office shall notify the applicant of the deficiency. If the deficiency is not remedied within a time limit specified by the Office, it shall reject the application for registration.	
Article 1, first paragraph, point (24), amending provision, nineteenth paragraph				
226	Article 33	Article 33	Article 33	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (24), amending provision, twentieth paragraph				
227	Effects vis-à-vis third parties	Effects vis-à-vis third parties	Effects vis-à-vis third parties	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (1)				
228	<p>1. Legal acts referred to in Articles 28, 29 and 32 concerning an EU design shall only have effect vis-à-vis third parties in all the Member States after entry in the Register. Nevertheless, such an act, before it is so entered, shall have effect vis-à-vis third parties who have</p>	<p>1. Legal acts referred to in Articles 28, 29 and 32 concerning an EU design shall only have effect vis-à-vis third parties in all the Member States after entry in the Register. Nevertheless, such an act, before it is so entered, shall have effect vis-à-vis third parties who have</p>	<p>1. Legal acts referred to in Articles 28, 29 and 32 concerning an EU design shall only have effect vis-à-vis third parties in all the Member States after entry in the Register. Nevertheless, such an act, before it is so entered, shall have effect vis-à-vis third parties who have</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	acquired rights in the registered EU design after the date of that act but who knew of the act at the date on which the rights were acquired.	acquired rights in the registered EU design after the date of that act but who knew of the act at the date on which the rights were acquired.	acquired rights in the registered EU design after the date of that act but who knew of the act at the date on which the rights were acquired.	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (2)				
229	2. Paragraph 1 shall not apply to a person who acquires the registered EU design or a right concerning the registered EU design by way of transfer of the whole of the undertaking or by any other universal succession.	2. Paragraph 1 shall not apply to a person who acquires the registered EU design or a right concerning the registered EU design by way of transfer of the whole of the undertaking or by any other universal succession.	2. Paragraph 1 shall not apply to a person who acquires the registered EU design or a right concerning the registered EU design by way of transfer of the whole of the undertaking or by any other universal succession.	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
230	3. The effects vis-à-vis third parties of the legal acts referred to in Article 30 shall be governed by the law of the Member State determined in accordance with Article 27.	3. The effects vis-à-vis third parties of the legal acts referred to in Article 30 shall be governed by the law of the Member State determined in accordance with Article 27.	3. The effects vis-à-vis third parties of the legal acts referred to in Article 30 shall be governed by the law of the Member State determined in accordance with Article 27.	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (4)				
231	4. The effects vis-à-vis third parties of bankruptcy or similar proceedings shall be governed by the law of the Member State in which such proceedings are first brought within the meaning of national law or of conventions	4. The effects vis-à-vis third parties of bankruptcy or similar proceedings shall be governed by the law of the Member State in which such proceedings are first brought within the meaning of national law or of conventions	4. The effects vis-à-vis third parties of bankruptcy or similar proceedings shall be governed by the law of the Member State in which such proceedings are first brought within the meaning of national law or of conventions	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	applicable in this field.	applicable in this field.	applicable in this field.	
Article 1, first paragraph, point (24), amending provision, twenty-fifth paragraph				
232	Article 33a	Article 33a	Article 33a	
Article 1, first paragraph, point (24), amending provision, twenty-sixth paragraph				
233	Procedure for cancelling or modifying registrations of licences and other rights	Procedure for cancelling or modifying registrations of licences and other rights	Procedure for cancelling or modifying registrations of licences and other rights	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
234	1. A registration effected under Article 32a(1) shall be cancelled or modified upon application by one of the parties concerned.	1. A registration effected under Article 32a(1) shall be cancelled or modified upon application by one of the parties concerned.	1. A registration effected under Article 32a(1) shall be cancelled or modified upon application by one of the parties concerned.	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (2)				
235	2. The application shall contain the registration number of the registered EU design, or in the case of a multiple registration, the number of each design, and the particulars of the right for which registration is requested to be cancelled or modified.	2. The application shall contain the registration number of the registered EU design, or in the case of a multiple registration, the number of each design, and the particulars of the right for which registration is requested to be cancelled or modified.	2. The application shall contain the registration number of the registered EU design, or in the case of a multiple registration, the number of each design, and the particulars of the right for which registration is requested to be cancelled or modified.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (24), amending provision, numbered paragraph (3)				
236	3. The application shall be accompanied by documents showing that the registered right no longer exists or that the licensee or the holder of another right consents to the cancellation or modification of the registration.	3. The application shall be accompanied by documents showing that the registered right no longer exists or that the licensee or the holder of another right consents to the cancellation or modification of the registration.	3. The application shall be accompanied by documents showing that the registered right no longer exists or that the licensee or the holder of another right consents to the cancellation or modification of the registration.	
Article 1, first paragraph, point (24), amending provision, numbered paragraph (4)				
237	4. Where the requirements for cancellation or modification of the	4. Where the requirements for cancellation or modification of the	4. Where the requirements for cancellation or modification of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	registration are not satisfied, the Office shall notify the applicant of the deficiencies. If the deficiencies are not remedied within the time limit specified by the Office, it shall reject the application for cancellation or modification of the registration.	registration are not satisfied, the Office shall notify the applicant of the deficiencies. If the deficiencies are not remedied within the time limit specified by the Office, it shall reject the application for cancellation or modification of the registration.	registration are not satisfied, the Office shall notify the applicant of the deficiencies. If the deficiencies are not remedied within the time limit specified by the Office, it shall reject the application for cancellation or modification of the registration.	
Article 1, first paragraph, point (24), amending provision, thirty-first paragraph				
238	Article 34	Article 34	Article 34	
Article 1, first paragraph, point (24), amending provision, thirty-second paragraph				
239				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The application for a registered EU design as an object of property	The application for a registered EU design as an object of property	The application for a registered EU design as an object of property	
Article 1, first paragraph, point (24), amending provision, thirty-third paragraph				
240	Articles 27 to 33a shall apply to applications for registered EU designs. Where the effect of one of those provisions is conditional upon an entry in the Register, that formality shall be performed upon entry of the registered EU design in the Register.’;	Articles 27 to 33a shall apply to applications for registered EU designs. Where the effect of one of those provisions is conditional upon an entry in the Register, that formality shall be performed upon entry of the registered EU design in the Register.’;	Articles 27 to 33a shall apply to applications for registered EU designs. Where the effect of one of those provisions is conditional upon an entry in the Register, that formality shall be performed upon entry of the registered EU design in the Register.’;	
Article 1, first paragraph, point (24), amending provision, thirty-fourth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
241	* Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 335 17.12.2009, p. 1).	* Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 335 17.12.2009, p. 1).	* Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 335 17.12.2009, p. 1).	
Article 1, first paragraph, point (24), amending provision, thirty-fifth paragraph				
242	** Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/2012 (OJ	** Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/2012 (OJ	** Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/2012 (OJ	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	L 176 27.6.2013, p. 1).	L 176 27.6.2013, p. 1).	L 176 27.6.2013, p. 1).	
Article 1, first paragraph, point (25)				
243	(25) Article 35 is replaced by the following:	(25) Article 35 is replaced by the following:	(25) Article 35 is replaced by the following:	
Article 1, first paragraph, point (25), amending provision, first paragraph				
244	Article 35	Article 35	Article 35	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (25), amending provision, second paragraph				
245	Filing of applications	Filing of applications	Filing of applications	
Article 1, first paragraph, point (25), amending provision, numbered paragraph (1)				
246	1. An application for a registered EU design shall be filed at the Office.	1. An application for a registered EU design shall be filed at the Office.	1. An application for a registered EU design shall be filed at the Office.	
Article 1, first paragraph, point (25), amending provision, numbered paragraph (1a)				
246a		<u><i>1a. Member States shall establish</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>a 'one-stop shop' through which applicants can receive guidance, legal and technical support.</i></u>		
Article 1, first paragraph, point (25), amending provision, numbered paragraph (2)				
247	2. The Office shall issue to the applicant, without delay, a receipt which shall include at least the file number, a representation, description or other identification of the design, the nature and the number of documents and the date of their receipt. In the case of a multiple application, the receipt issued by the Office shall specify the first design and the number of designs filed.;	2. The Office shall issue to the applicant, without delay, a receipt which shall include at least the file number, a representation, description or other identification of the design, the nature and the number of documents and the date of their receipt. In the case of a multiple application, the receipt issued by the Office shall specify the first design and the number of designs filed.;	2. The Office shall issue to the applicant, without delay, a receipt which shall include at least the file number, a representation, description or other identification of the design, the nature and the number of documents and the date of their receipt. In the case of a multiple application, the receipt issued by the Office shall specify the first design and the number of designs filed.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (26)				
248	(26) Article 36 is amended as follows:	(26) Article 36 is amended as follows:	(26) Article 36 is amended as follows:	
Article 1, first paragraph, point (26)(a)				
249	(a) paragraphs 1 to 4 are replaced by the following:	(a) paragraphs 1 to 4 are replaced by the following:	(a) paragraphs 1 to 4 are replaced by the following:	
Article 1, first paragraph, point (26)(a), amending provision, numbered paragraph (1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
250	1. An application for a registered EU design shall contain:	1. An application for a registered EU design shall contain:	1. An application for a registered EU design shall contain:	
Article 1, first paragraph, point (26)(a), amending provision, numbered paragraph (1), point (a)				
251	(a) a request for registration;	(a) a request for registration;	(a) a request for registration;	
Article 1, first paragraph, point (26)(a), amending provision, numbered paragraph (1), point (b)				
252	(b) information identifying the applicant;	(b) information identifying the applicant;	(b) information identifying the applicant;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (26)(a), amending provision, numbered paragraph (1), point (c)				
253	(c) a representation of the design suitable for reproduction, permitting all the details of the subject matter for which protection is sought to be clearly distinguished and permitting publication.	(c) a representation of the design suitable for reproduction, permitting all the details of the subject matter for which protection is sought to be clearly distinguished and permitting publication.	(c) a sufficiently clear representation of the design suitable for reproduction, permitting all the details of the subject matter for which protection is sought to be clearly distinguished and permitting publication-determined.	
Article 1, first paragraph, point (26)(a), amending provision, numbered paragraph (2)				
254	2. The application shall further	2. The application shall further	2. The application shall further	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	contain an indication of the products in which the design is intended to be incorporated or to which it is intended to be applied.	contain an indication of the products in which the design is intended to be incorporated or to which it is intended to be applied.	contain an indication of the products in which the design is intended to be incorporated or to which it is intended to be applied.	
Article 1, first paragraph, point (26)(a), amending provision, numbered paragraph (3)				
255	3. In addition, the application may contain:	3. In addition, the application may contain:	3. In addition, the application may contain:	
Article 1, first paragraph, point (26)(a), amending provision, numbered paragraph (3), point (a)				
256	(a) a description explaining the representation;	(a) a description explaining the representation;	(a) a description explaining the representation;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (26)(a), amending provision, numbered paragraph (3), point (b)				
257	(b) a request for deferment of publication of the registration in accordance with Article 50;	(b) a request for deferment of publication of the registration in accordance with Article 50;	(b) a request for deferment of publication of the registration in accordance with Article 50;	
Article 1, first paragraph, point (26)(a), amending provision, numbered paragraph (3), point (c)				
258	(c) information identifying the representative if the applicant has appointed one;	(c) information identifying the representative if the applicant has appointed one;	(c) information identifying the representative if the applicant has appointed one;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (26)(a), amending provision, numbered paragraph (3), point (d)				
259	(d) the classification of the products in which the design is intended to be incorporated or to which it is intended to be applied according to class and subclass of the Locarno Agreement Establishing an International Classification for Industrial Designs ('the Locarno Classification'), as amended and in force at the date of filing of the design;	(d) the classification of the products in which the design is intended to be incorporated or to which it is intended to be applied according to class and subclass of the Locarno Agreement Establishing an International Classification for Industrial Designs ('the Locarno Classification'), as amended and in force at the date of filing of the design;	(d) the classification of the products in which the design is intended to be incorporated or to which it is intended to be applied according to class and subclass of the Locarno Agreement Establishing an International Classification for Industrial Designs ('the Locarno Classification'), as amended and in force at the date of filing of the design;	
Article 1, first paragraph, point (26)(a), amending provision, numbered paragraph (3), point (e)				
260				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(e) the citation of the designer or of the team of designers or a statement under the applicant’s responsibility that the designer or the team of designers has waived the right to be cited.	(e) the citation of the designer or of the team of designers or a statement under the applicant’s responsibility that the designer or the team of designers has waived the right to be cited.	(e) the citation of the designer or of the team of designers or a statement under the applicant’s responsibility that the designer or the team of designers has waived the right to be cited.	
Article 1, first paragraph, point (26)(a), amending provision, numbered paragraph (4)				
261	4. The application shall be subject to the payment of the application fee. Where a request for deferment under paragraph 3, point (b), is filed, it shall be subject to an additional fee for deferment of publication.;	4. The application shall be subject to the payment of the application fee. Where a request for deferment under paragraph 3, point (b), is filed, it shall be subject to an additional fee for deferment of publication.;	4. The application shall be subject to the payment of the application fee. Where a request for deferment under paragraph 3, point (b), is filed, it shall be subject to an additional fee for deferment of publication.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (26)(b)				
262	(b) paragraph 5 is replaced by the following:	(b) paragraph 5 is replaced by the following:	(b) paragraph 5 is replaced by the following:	
Article 1, first paragraph, point (26)(b), amending provision, numbered paragraph (5)				
263	5. In addition to the requirements referred to in paragraphs 1 to 4, an application for a registered EU design shall comply with the formal requirements laid down in	5. In addition to the requirements referred to in paragraphs 1 to 4, an application for a registered EU design shall comply with the formal requirements laid down in	5. In addition to the requirements referred to in paragraphs 1 to 4, an application for a registered EU design shall comply with the formal requirements laid down in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>this Regulation and in the implementing acts adopted pursuant to it. To the extent that those requirements relate to the design representation and the means thereof as referred to in paragraph 1, point (c), the Executive Director shall determine the manner of numbering different views in the event of representation by static views, the formats and size of the electronic file as well as any other relevant technical specification. If those requirements provide for the identification of a subject matter for which no protection is sought by way of certain types of visual disclaimers or for the filing of certain specific types of views, the Executive Director may determine additional</p>	<p>this Regulation and in the implementing acts adopted pursuant to it. To the extent that those requirements relate to the design representation and the means thereof as referred to in paragraph 1, point (c), the Executive Director shall determine the manner of numbering different views in the event of representation by static views, the formats and size of the electronic file as well as any other relevant technical specification. If those requirements provide for the identification of a subject matter for which no protection is sought by way of certain types of visual disclaimers or for the filing of certain specific types of views, the Executive Director may determine additional</p>	<p>this Regulation and in the implementing acts adopted pursuant to it. To the extent that those requirements relate to the design representation and the means thereof as referred to in paragraph 1, point (c), the Executive Director shall determine the manner of numbering different views in the event of representation by static views, the formats and size of the electronic file as well as any other relevant technical specification. If those requirements provide for the identification of a subject matter for which no protection is sought by way of certain types of visual disclaimers or for the filing of certain specific types of views, the Executive Director may determine additional</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	types of visual disclaimers and specific types of views.;	types of visual disclaimers and specific types of views.;	types of visual disclaimers and specific types of views.;	
Article 1, first paragraph, point (27)				
264	(27) the following Article 36a is inserted:	(27) the following Article 36a is inserted:	(27) the following Article 36a is inserted:	
Article 1, first paragraph, point (27), amending provision, first paragraph				
265	Article 36a	Article 36a	Article 36a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (27), amending provision, second paragraph				
266	Conferral of implementing powers regarding the application	Conferral of implementing powers regarding the application	Conferral of implementing powers regarding the application	
Article 1, first paragraph, point (27), amending provision, third paragraph				
267	The Commission shall adopt implementing acts specifying the details to be contained in the application for a registered EU design. Those implementing acts shall be adopted in accordance with the examination procedure	The Commission shall adopt implementing acts specifying the details to be contained in the application for a registered EU design. Those implementing acts shall be adopted in accordance with the examination procedure	The Commission shall adopt implementing acts specifying the details to be contained in the application for a registered EU design. Those implementing acts shall be adopted in accordance with the examination procedure	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	referred to in Article 109(2).;	referred to in Article 109(2).;	referred to in Article 109(2).;	
Article 1, first paragraph, point (28)				
268	(28) Article 37 is amended as follows:	(28) Article 37 is amended as follows:	(28) Article 37 is amended as follows:	
Article 1, first paragraph, point (28)(a)				
269	(a) paragraphs 1 and 2 are replaced by the following:	(a) paragraphs 1 and 2 are replaced by the following:	(a) paragraphs 1 and 2 are replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (28)(a), amending provision, numbered paragraph (1)				
270	<p>,</p> <p>1. A maximum number of 50 designs may be combined in one multiple application for registered EU designs. Each design contained in a multiple application shall be numbered by the Office in accordance with a system determined by the Executive Director.</p>	<p>,</p> <p>1. A maximum number of 50 designs may be combined in one multiple application for registered EU designs. Each design contained in a multiple application shall be numbered by the Office in accordance with a system determined by the Executive Director.</p>	<p>,</p> <p>1. A maximum number of 50 designs may be combined in one multiple application for registered EU designs. Each design contained in a multiple application shall be numbered by the Office in accordance with a system determined by the Executive Director.</p>	
Article 1, first paragraph, point (28)(a), amending provision, numbered paragraph (2)				
271	<p>2. In addition to the fees referred</p>	<p>2. In addition to the fees referred</p>	<p>2. In addition to the fees referred</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to in Article 36(4), the multiple application shall be subject to payment of an application fee in respect of each additional design included in the multiple application and, in case the application contains a request for deferment of publication, a fee for deferment of publication in respect of each design included in the multiple application for which deferment is requested.;	to in Article 36(4), the multiple application shall be subject to payment of an application fee in respect of each additional design included in the multiple application and, in case the application contains a request for deferment of publication, a fee for deferment of publication in respect of each design included in the multiple application for which deferment is requested.;	to in Article 36(4), the multiple application shall be subject to payment of an application fee in respect of each additional design included in the multiple application and, in case the application contains a request for deferment of publication, a fee for deferment of publication in respect of each design included in the multiple application for which deferment is requested.;	
Article 1, first paragraph, point (28)(b)				
272	(b) paragraph 3 is replaced by the	(b) paragraph 3 is replaced by the	(b) paragraph 3 is replaced by the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	following:	following:	following:	
Article 1, first paragraph, point (28)(b), amending provision, numbered paragraph (3)				
273	3. The multiple application shall comply with the conditions of representation laid down in the implementing acts adopted pursuant to Article 37a.;	3. The multiple application shall comply with the conditions of representation laid down in the implementing acts adopted pursuant to Article 37a.;	3. The multiple application shall comply with the conditions of representation laid down in the implementing acts adopted pursuant to Article 37a.;	
Article 1, first paragraph, point (28)(c)				
274				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(c) paragraph 4 is replaced by the following:	(c) paragraph 4 is replaced by the following:	(c) paragraph 4 is replaced by the following:	
Article 1, first paragraph, point (28)(c), amending provision, numbered paragraph (4)				
275	4. Each of the designs contained in a multiple application or a registration based on such application may be dealt with separately from the others. Such a design may, separately from the others, be enforced, be licensed, be the subject of a right in rem, a levy of execution or insolvency proceedings, be surrendered, renewed or assigned, be the subject	4. Each of the designs contained in a multiple application or a registration based on such application may be dealt with separately from the others. Such a design may, separately from the others, be enforced, be licensed, be the subject of a right in rem, a levy of execution or insolvency proceedings, be surrendered, renewed or assigned, be the subject	4. Each of the designs contained in a multiple application or a registration based on such application may be dealt with separately from the others. Such a design may, separately from the others, be enforced, be licensed, be the subject of a right in rem, a levy of execution or insolvency proceedings, be surrendered, renewed or assigned, be the subject	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of deferred publication or be declared invalid.;	of deferred publication or be declared invalid.;	of deferred publication or be declared invalid.;	
Article 1, first paragraph, point (29)				
276	(29) the following Article 37a is inserted:	(29) the following Article 37a is inserted:	(29) the following Article 37a is inserted:	
Article 1, first paragraph, point (29), amending provision, first paragraph				
277	Article 37a	Article 37a	Article 37a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (29), amending provision, second paragraph				
278	Conferral of implementing powers regarding multiple applications	Conferral of implementing powers regarding multiple applications	Conferral of implementing powers regarding multiple applications	
Article 1, first paragraph, point (29), amending provision, third paragraph				
279	The Commission shall adopt implementing acts specifying the details to be contained in the multiple application. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article	The Commission shall adopt implementing acts specifying the details to be contained in the multiple application. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article	The Commission shall adopt implementing acts specifying the details to be contained in the multiple application. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	109(2).;	109(2).;	109(2).;	
Article 1, first paragraph, point (30)				
280	(30) Articles 38 and 39 are replaced by the following:	(30) Articles 38 and 39 are replaced by the following:	(30) Articles 38 and 39 are replaced by the following:	
Article 1, first paragraph, point (30), amending provision, first paragraph				
281	Article 38	Article 38	Article 38	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (30), amending provision, second paragraph				
282	Date of filing	Date of filing	Date of filing	
Article 1, first paragraph, point (30), amending provision, third paragraph				
283	The date of filing of an application for a registered EU design shall be the date on which documents containing the information specified in Article 36(1) are filed with the Office by the applicant, subject to the payment of the application fees referred to in Articles 36(4) and 37(2) within one month of filing those documents.	The date of filing of an application for a registered EU design shall be the date on which documents containing the information specified in Article 36(1) are filed with the Office by the applicant, subject to the payment of the application fees referred to in Articles 36(4) and 37(2) within one month of filing those documents.	The date of filing of an application for a registered EU design shall be the date on which documents containing the information specified in Article 36(1) are filed with the Office by the applicant, subject to the payment of the application fees referred to in Articles 36(4) and 37(2) within one month of filing those documents.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (30), amending provision, fourth paragraph				
284	Article 39	Article 39	Article 39	
Article 1, first paragraph, point (30), amending provision, fifth paragraph				
285	Equivalence of Union filing with national filing	Equivalence of Union filing with national filing	Equivalence of Union filing with national filing	
Article 1, first paragraph, point (30), amending provision, sixth paragraph				
286				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	An application for a registered EU design which has been accorded a date of filing shall, in the Member States, be equivalent to a regular national filing, including where appropriate the priority claimed for the EU design application.;	An application for a registered EU design which has been accorded a date of filing shall, in the Member States, be equivalent to a regular national filing, including where appropriate the priority claimed for the EU design application.;	An application for a registered EU design which has been accorded a date of filing shall, in the Member States, be equivalent to a regular national filing, including where appropriate the priority claimed for the EU design application.;	
Article 1, first paragraph, point (31)				
287	(31) Articles 40, 41 and 42 are replaced by the following:	(31) Articles 40, 41 and 42 are replaced by the following:	(31) Articles 40, 41 and 42 are replaced by the following:	
Article 1, first paragraph, point (31), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
288	Article 40	Article 40	Article 40	
Article 1, first paragraph, point (31), amending provision, second paragraph				
289	Classification and product indications	Classification and product indications	Classification and product indications	
Article 1, first paragraph, point (31), amending provision, numbered paragraph (1)				
290	1. Products in which an EU design is intended to be incorporated or to	1. Products in which an EU design is intended to be incorporated or to	1. Products in which an EU design is intended to be incorporated or to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	which it is intended to be applied shall be classified in accordance with the Locarno Classification, as amended and in force at the date of filing of the design.	which it is intended to be applied shall be classified in accordance with the Locarno Classification, as amended and in force at the date of filing of the design.	which it is intended to be applied shall be classified in accordance with the Locarno Classification, as amended and in force at the date of filing of the design.	
Article 1, first paragraph, point (31), amending provision, numbered paragraph (2)				
291	2. The product indication shall identify clearly and precisely the nature of the products and shall enable each product to be classified in only one class and subclass of the Locarno Classification, if possible using the harmonised database of product indications made available by the Office. The product indication shall accord	2. The product indication shall identify clearly and precisely the nature of the products and shall enable each product to be classified in only one class and subclass of the Locarno Classification, if possible using the harmonised database of product indications made available by the Office. The product indication shall accord	2. The product indication shall identify clearly and precisely the nature of the products and shall enable each product to be classified in only one class and subclass of the Locarno Classification, if possible using the harmonised database of product indications made available by the Office. The product indication shall accord	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	with the representation of the design.	with the representation of the design.	with the representation of the design.	
Article 1, first paragraph, point (31), amending provision, numbered paragraph (3)				
292	3. The products shall be grouped according to the classes of the Locarno Classification, each group being preceded by the number of the class to which that group of products belongs and presented in the order of the classes and subclasses under that classification.	3. The products shall be grouped according to the classes of the Locarno Classification, each group being preceded by the number of the class to which that group of products belongs and presented in the order of the classes and subclasses under that classification.	3. The products shall be grouped according to the classes of the Locarno Classification, each group being preceded by the number of the class to which that group of products belongs and presented in the order of the classes and subclasses under that classification.	
Article 1, first paragraph, point (31), amending provision, numbered paragraph (4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
293	4. When the applicant uses product indications which are not contained in the database referred to in paragraph 2, or which do not accord with the representation of the design, the Office may propose product indications from that database. The Office may proceed with the examination based on the proposed product indications when the applicant does not reply within the time limit specified by the Office.	4. When the applicant uses product indications which are not contained in the database referred to in paragraph 2, or which do not accord with the representation of the design, the Office may propose product indications from that database. The Office may proceed with the examination based on the proposed product indications when the applicant does not reply within the time limit specified by the Office.	4. When the applicant uses product indications which are not contained in the database referred to in paragraph 2, or which do not accord with the representation of the design, the Office may propose product indications from that database. The Office may proceed with the examination based on the proposed product indications when the applicant does not reply within the time limit specified by the Office.	
Article 1, first paragraph, point (31), amending provision, seventh paragraph				
294				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 41	Article 41	Article 41	
Article 1, first paragraph, point (31), amending provision, eighth paragraph				
295	Right of priority	Right of priority	Right of priority	
Article 1, first paragraph, point (31), amending provision, numbered paragraph (1)				
296	1. A person who has duly filed an application for a design right or for a utility model in or for any State party to the Paris Convention, or to the Agreement establishing the World Trade Organisation, or his	1. A person who has duly filed an application for a design right or for a utility model in or for any State party to the Paris Convention, or to the Agreement establishing the World Trade Organisation, or his	1. A person who has duly filed an application for a design right or for a utility model in or for any State party to the Paris Convention, or to the Agreement establishing the World Trade Organisation, or his	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	successors in title, shall enjoy, for the purpose of filing an application for a registered EU design in respect of the same design or utility model, a right of priority during a period of 6 months from the date of filing of the first application.	successors in title, shall enjoy, for the purpose of filing an application for a registered EU design in respect of the same design or utility model, a right of priority during a period of 6 months from the date of filing of the first application.	successors in title, shall enjoy, for the purpose of filing an application for a registered EU design in respect of the same design or utility model, a right of priority during a period of 6 months from the date of filing of the first application.	
Article 1, first paragraph, point (31), amending provision, numbered paragraph (2)				
297	2. Every filing that under the national law of the State where it was made or under bilateral or multilateral agreements is sufficient to establish the date on which the application was filed, whatever may be the outcome of the application, shall be recognised	2. Every filing that under the national law of the State where it was made or under bilateral or multilateral agreements is sufficient to establish the date on which the application was filed, whatever may be the outcome of the application, shall be recognised	2. Every filing that under the national law of the State where it was made or under bilateral or multilateral agreements is sufficient to establish the date on which the application was filed, whatever may be the outcome of the application, shall be recognised	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	as giving rise to a right of priority.	as giving rise to a right of priority.	as giving rise to a right of priority.	
Article 1, first paragraph, point (31), amending provision, numbered paragraph (3)				
298	3. A subsequent application for a design which was the subject of a previous first application, and which is filed in or in respect of the same State, shall be considered as the first application for the purpose of determining priority, provided that, at the date of the filing of the subsequent application, the previous application has been withdrawn, abandoned or refused without being open to public inspection and without leaving any rights outstanding, and has not	3. A subsequent application for a design which was the subject of a previous first application, and which is filed in or in respect of the same State, shall be considered as the first application for the purpose of determining priority, provided that, at the date of the filing of the subsequent application, the previous application has been withdrawn, abandoned or refused without being open to public inspection and without leaving any rights outstanding, and has not	3. A subsequent application for a design which was the subject of a previous first application, and which is filed in or in respect of the same State, shall be considered as the first application for the purpose of determining priority, provided that, at the date of the filing of the subsequent application, the previous application has been withdrawn, abandoned or refused without being open to public inspection and without leaving any rights outstanding, and has not	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	served as a basis for claiming a right of priority. The previous application may not thereafter serve as a basis for claiming a right of priority.	served as a basis for claiming a right of priority. The previous application may not thereafter serve as a basis for claiming a right of priority.	served as a basis for claiming a right of priority. The previous application may not thereafter serve as a basis for claiming a right of priority.	
Article 1, first paragraph, point (31), amending provision, numbered paragraph (4)				
299	4. If the first filing has been made in a State which is not a party to the Paris Convention, or to the Agreement establishing the World Trade Organisation, paragraphs 1 to 3 shall apply only in so far as that State, according to published findings, grants, on the basis of the first filing made at the Office and subject to conditions equivalent to	4. If the first filing has been made in a State which is not a party to the Paris Convention, or to the Agreement establishing the World Trade Organisation, paragraphs 1 to 3 shall apply only in so far as that State, according to published findings, grants, on the basis of the first filing made at the Office and subject to conditions equivalent to	4. If the first filing has been made in a State which is not a party to the Paris Convention, or to the Agreement establishing the World Trade Organisation, paragraphs 1 to 3 shall apply only in so far as that State, according to published findings, grants, on the basis of the first filing made at the Office and subject to conditions equivalent to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	those laid down in this Regulation, a right of priority having equivalent effect. The Executive Director shall, where necessary, request the Commission to consider enquiring as to whether the State referred to in the first sentence accords such reciprocal treatment. If the Commission determines that reciprocal treatment is accorded, it shall publish a communication to that effect in the Official Journal of the European Union.	those laid down in this Regulation, a right of priority having equivalent effect. The Executive Director shall, where necessary, request the Commission to consider enquiring as to whether the State referred to in the first sentence accords such reciprocal treatment. If the Commission determines that reciprocal treatment is accorded, it shall publish a communication to that effect in the Official Journal of the European Union.	those laid down in this Regulation, a right of priority having equivalent effect. The Executive Director shall, where necessary, request the Commission to consider enquiring as to whether the State referred to in the first sentence accords such reciprocal treatment. If the Commission determines that reciprocal treatment is accorded, it shall publish a communication to that effect in the Official Journal of the European Union.	
Article 1, first paragraph, point (31), amending provision, numbered paragraph (5)				
300	5. The right of priority referred to	5. The right of priority referred to	5. The right of priority referred to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>in paragraph 4 shall apply from the date of publication in the Official Journal of the European Union of the communication determining that reciprocal treatment is accorded, unless the communication states an earlier date from which it is applicable. It shall cease to apply from the date of publication in the Official Journal of the European Union of a communication of the Commission to the effect that reciprocal treatment is no longer accorded, unless the communication states an earlier date from which it is applicable.</p>	<p>in paragraph 4 shall apply from the date of publication in the Official Journal of the European Union of the communication determining that reciprocal treatment is accorded, unless the communication states an earlier date from which it is applicable. It shall cease to apply from the date of publication in the Official Journal of the European Union of a communication of the Commission to the effect that reciprocal treatment is no longer accorded, unless the communication states an earlier date from which it is applicable.</p>	<p>in paragraph 4 shall apply from the date of publication in the Official Journal of the European Union of the communication determining that reciprocal treatment is accorded, unless the communication states an earlier date from which it is applicable. It shall cease to apply from the date of publication in the Official Journal of the European Union of a communication of the Commission to the effect that reciprocal treatment is no longer accorded, unless the communication states an earlier date from which it is applicable.</p>	
<p>Article 1, first paragraph, point (31), amending provision, numbered paragraph (6)</p>				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
301	6. Communications referred to in paragraphs 4 and 5 shall also be published in the Official Journal of the Office.	6. Communications referred to in paragraphs 4 and 5 shall also be published in the Official Journal of the Office.	6. Communications referred to in paragraphs 4 and 5 shall also be published in the Official Journal of the Office.	
Article 1, first paragraph, point (31), amending provision, fifteenth paragraph				
302	Article 42	Article 42	Article 42	
Article 1, first paragraph, point (31), amending provision, sixteenth paragraph				
303	Claiming priority	Claiming priority	Claiming priority	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (31), amending provision, numbered paragraph (1)				
304	<p>1. An applicant for a registered EU design desiring to take advantage of the priority of a previous application shall file a declaration of priority either together with the application or within two months of the date of filing. Such declaration of priority shall include the date and country of the previous application. The file number of the previous application and the documentation in support of the priority claim shall be filed within three months of the date of filing of the declaration of priority.</p>	<p>1. An applicant for a registered EU design desiring to take advantage of the priority of a previous application shall file a declaration of priority either together with the application or within two months of the date of filing. Such declaration of priority shall include the date and country of the previous application. The file number of the previous application and the documentation in support of the priority claim shall be filed within three months of the date of filing of the declaration of priority.</p>	<p>1. An applicant for a registered EU design desiring to take advantage of the priority of a previous application shall file a declaration of priority either together with the application or within two months of the date of filing. Such declaration of priority shall include the date and country of the previous application. The file number of the previous application and the documentation in support of the priority claim shall be filed within three months of the date of filing of the declaration of priority.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (31), amending provision, numbered paragraph (2)				
305	<p>2. The Executive Director may determine that the documentation to be provided by the applicant in support of the priority claim may consist of less than the documentation required under the implementing acts adopted pursuant to Article 42a, provided that the information required is available to the Office from other sources.;</p>	<p>2. The Executive Director may determine that the documentation to be provided by the applicant in support of the priority claim may consist of less than the documentation required under the implementing acts adopted pursuant to Article 42a, <u>subject to compliance with the principle of equal treatment between applicants and</u> provided that the information required is available to the Office from other sources.;</p>	<p>2. The Executive Director may determine that the documentation to be provided by the applicant in support of the priority claim may consist of less than the documentation required under the implementing acts adopted pursuant to Article 42a, provided that the information required is available to the Office from other sources.;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (32)				
306	(32) the following Article 42a is inserted:	(32) the following Article 42a is inserted:	(32) the following Article 42a is inserted:	
Article 1, first paragraph, point (32), amending provision, first paragraph				
307	Article 42a	Article 42a	Article 42a	
Article 1, first paragraph, point (32), amending provision, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
308	Conferral of implementing powers regarding the claim of priority	Conferral of implementing powers regarding the claim of priority	Conferral of implementing powers regarding the claim of priority	
Article 1, first paragraph, point (32), amending provision, third paragraph				
309	The Commission shall adopt implementing acts specifying the kind of documentation to be filed for claiming the priority of a previous application in accordance with Article 42(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	The Commission shall adopt implementing acts specifying the kind of documentation to be filed for claiming the priority of a previous application in accordance with Article 42(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	The Commission shall adopt implementing acts specifying the kind of documentation to be filed for claiming the priority of a previous application in accordance with Article 42(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	,	,	,	
Article 1, first paragraph, point (33)				
310	(33) Article 43 is replaced by the following:	(33) Article 43 is replaced by the following:	(33) Article 43 is replaced by the following:	
Article 1, first paragraph, point (33), amending provision, first paragraph				
311	‘ Article 43	‘ Article 43	‘ Article 43	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (33), amending provision, second paragraph				
312	Effect of priority right	Effect of priority right	Effect of priority right	
Article 1, first paragraph, point (33), amending provision, third paragraph				
313	The right of priority shall have the effect that the date of priority shall count as the date of the filing of the application for a registered EU design for the purposes of Articles 5, 6, 7 and 22, Article 25(1), points (d), (e) and (f), and Article 50(1).;	The right of priority shall have the effect that the date of priority shall count as the date of the filing of the application for a registered EU design for the purposes of Articles 5, 6, 7 and 22, Article 25(1), points (d), (e) and (f), and Article 50(1).;	The right of priority shall have the effect that the date of priority shall count as the date of the filing of the application for a registered EU design for the purposes of Articles 5, 6, 7 and 22, Article 25(1), points (d), (e) and (f), and Article 50(1).;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (34)				
314	(34) Article 44 is replaced by the following:	(34) Article 44 is replaced by the following:	(34) Article 44 is replaced by the following:	
Article 1, first paragraph, point (34), amending provision, first paragraph				
315	‘ Article 44	‘ Article 44	‘ Article 44	
Article 1, first paragraph, point (34), amending provision, second paragraph				
316				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Exhibition priority	Exhibition priority	Exhibition priority	
Article 1, first paragraph, point (34), amending provision, numbered paragraph (1)				
317	1. If an applicant for a registered EU design has disclosed products in which the design is incorporated, or to which it is applied, at an official or officially recognised international exhibition falling within the 1928 Convention on International Exhibitions as last revised on 30 November 1972, the applicant may, if the application is filed within a period of 6 months from the date of the first disclosure of such products, claim a right of	1. If an applicant for a registered EU design has disclosed products in which the design is incorporated, or to which it is applied, at an official or officially recognised international exhibition falling within the 1928 Convention on International Exhibitions as last revised on 30 November 1972, the applicant may, if the application is filed within a period of 6 months from the date of the first disclosure of such products, claim a right of	1. If an applicant for a registered EU design has disclosed products in which the design is incorporated, or to which it is applied, at an official or officially recognised international exhibition falling within the 1928 Convention on International Exhibitions as last revised on 30 November 1972, the applicant may, if the application is filed within a period of 6 months from the date of the first disclosure of such products, claim a right of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	priority from that date.	priority from that date.	priority from that date.	
Article 1, first paragraph, point (34), amending provision, numbered paragraph (2)				
318	2. An applicant who wishes to claim priority pursuant to paragraph 1 shall file a declaration of priority either together with the application or within 2 months of the date of filing. The applicant shall, within 3 months of the declaration of priority, file evidence that the products in which the design is incorporated, or to which it is applied, have been disclosed within the meaning of paragraph 1.	2. An applicant who wishes to claim priority pursuant to paragraph 1 shall file a declaration of priority either together with the application or within 2 months of the date of filing. The applicant shall, within 3 months of the declaration of priority, file evidence that the products in which the design is incorporated, or to which it is applied, have been disclosed within the meaning of paragraph 1.	2. An applicant who wishes to claim priority pursuant to paragraph 1 shall file a declaration of priority either together with the application or within 2 months of the date of filing. The applicant shall, within 3 months of the declaration of priority, file evidence that the products in which the design is incorporated, or to which it is applied, have been disclosed within the meaning of paragraph 1.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (34), amending provision, numbered paragraph (3)				
319	3. An exhibition priority granted in a Member State or in a third country does not extend the period of priority laid down in Article 41.;	3. An exhibition priority granted in a Member State or in a third country does not extend the period of priority laid down in Article 41.;	3. An exhibition priority granted in a Member State or in a third country does not extend the period of priority laid down in Article 41.;	
Article 1, first paragraph, point (35)				
320	(35) the following Article 44a is inserted:	(35) the following Article 44a is inserted:	(35) the following Article 44a is inserted:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (35), amending provision, first paragraph				
321	Article 44a	Article 44a	Article 44a	
Article 1, first paragraph, point (35), amending provision, second paragraph				
322	Conferral of implementing powers	Conferral of implementing powers	Conferral of implementing powers	
Article 1, first paragraph, point (35), amending provision, third paragraph				
323	The Commission shall adopt	The Commission shall adopt	The Commission shall adopt	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	implementing acts specifying the type and details of evidence to be filed for claiming an exhibition priority in accordance with Article 44(2). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	implementing acts specifying the type and details of evidence to be filed for claiming an exhibition priority in accordance with Article 44(2). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	implementing acts specifying the type and details of evidence to be filed for claiming an exhibition priority in accordance with Article 44(2). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	
Article 1, first paragraph, point (36)				
324	(36) the heading of Title V is replaced by the following:	(36) the heading of Title V is replaced by the following:	(36) the heading of Title V is replaced by the following:	
Article 1, first paragraph, point (36), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
325	‘ TITLE V	‘ TITLE V	‘ TITLE V	
Article 1, first paragraph, point (36), amending provision, second paragraph				
326	REGISTRATION PROCEDURE, RENEWAL AND ALTERATION	REGISTRATION PROCEDURE, RENEWAL AND ALTERATION	REGISTRATION PROCEDURE, RENEWAL AND ALTERATION	
Article 1, first paragraph, point (37)				
327	(37) Article 45 is amended as	(37) Article 45 is amended as	(37) Article 45 is amended as	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	follows:	follows:	follows:	
Article 1, first paragraph, point (37)(a)				
328	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	
Article 1, first paragraph, point (37)(a), amending provision, numbered paragraph (1)				
329	1. The Office shall examine whether the application for a registered EU design complies with the requirements for the	1. The Office shall examine whether the application for a registered EU design complies with the requirements for the	1. The Office shall examine whether the application for a registered EU design complies with the requirements for the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	accordance of a date of filing laid down in Article 38..	accordance of a date of filing laid down in Article 38..	accordance of a date of filing laid down in Article 38..	
Article 1, first paragraph, point (37)(b)				
330	(b) paragraphs 2 and 3 are replaced by the following:	(b) paragraphs 2 and 3 are replaced by the following:	(b) paragraphs 2 and 3 are replaced by the following:	
Article 1, first paragraph, point (37)(b), amending provision, numbered paragraph (2)				
331	2. The Office shall examine	2. The Office shall examine	2. The Office shall examine	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	whether:	whether:	whether:	
Article 1, first paragraph, point (37)(b), amending provision, numbered paragraph (2), point (a)				
332	(a) the application for a registered EU design complies with the conditions and requirements referred to in Article 36(5) and, in the case of a multiple application, in Article 37(3);	(a) the application for a registered EU design complies with the conditions and requirements referred to in Article 36(5) and, in the case of a multiple application, in Article 37(3);	(a) the application for a registered EU design complies with the conditions and requirements referred to in Article 36(5) 36(2), (3) and (5) and, in the case of a multiple application, in Article 37(3);	
Article 1, first paragraph, point (37)(b), amending provision, numbered paragraph (2), point (b)				
333	(b) where relevant, the additional	(b) where relevant, the additional	(b) where relevant, the additional	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	fee for deferment of publication pursuant to Article 36(4) has been paid within the prescribed period;	fee for deferment of publication pursuant to Article 36(4) has been paid within the prescribed period;	fee for deferment of publication pursuant to Article 36(4) has been paid within the prescribed period;	
Article 1, first paragraph, point (37)(b), amending provision, numbered paragraph (2), point (c)				
334	(c) where relevant, the additional application fees for a multiple application pursuant to Article 37(2) have been paid within the prescribed period.	(c) where relevant, the additional application fees for a multiple application pursuant to Article 37(2) have been paid within the prescribed period.	(c) where relevant, the additional application fees for fee for deferment of publication in respect of each design included in a multiple application pursuant to Article 37(2) have has been paid within the prescribed period.	
Article 1, first paragraph, point (37)(b), amending provision, numbered paragraph (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
335	3. Where the application for a registered EU design does not satisfy the requirements referred to in paragraph 1, the Office shall request the applicant to remedy the deficiencies or the default on payment within 2 months of the notification of that request.	3. Where the application for a registered EU design does not satisfy the requirements referred to in paragraph 1, the Office shall request the applicant to remedy the deficiencies or the default on payment within 2 months of the notification of that request.	3. Where the application for a registered EU design does not satisfy the requirements referred to in paragraph 1 or 2 , the Office shall request the applicant to remedy the deficiencies or the default on payment within 2 months of the notification of that request.	
Article 1, first paragraph, point (37)(b), amending provision, numbered paragraph (4)				
336	4. If the applicant does not comply with the request with regard to the requirements referred to in paragraph 1, the application shall	4. If the applicant does not comply with the request with regard to the requirements referred to in paragraph 1, the application shall	4. If the applicant does not comply with the request with regard to the requirements referred to in paragraph 1, the application shall	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	not be dealt with as an application for a registered EU design. If the applicant complies with the request with regard to those requirements, the Office shall accord as the date of filing of the application the date on which the deficiencies or the default on payment are remedied.	not be dealt with as an application for a registered EU design. If the applicant complies with the request with regard to those requirements, the Office shall accord as the date of filing of the application the date on which the deficiencies or the default on payment are remedied.	not be dealt with as an application for a registered EU design. If the applicant complies with the request with regard to those requirements, the Office shall accord as the date of filing of the application the date on which the deficiencies or the default on payment are remedied.	
Article 1, first paragraph, point (37)(b), amending provision, numbered paragraph (5)				
337	5. If the applicant does not comply with the request with regard to the requirements referred to in paragraph 2, points (a) and (b), the Office shall refuse the application.	5. If the applicant does not comply with the request with regard to the requirements referred to in paragraph 2, points (a) and (b), the Office shall refuse the application.	5. If the applicant does not comply with the request with regard to the requirements referred to in paragraph 2, points (a) and (b), the Office shall refuse the application.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (37)(b), amending provision, numbered paragraph (6)				
338	6. If the applicant does not comply with the request with regard to the requirements referred to in paragraph 2, point (c), the application shall not be dealt with as an application for a registered EU design in respect of the additional designs unless it is clear which designs the amount paid is intended to cover. In the absence of other criteria to determine which designs are intended to be covered, the Office shall treat the designs in the numerical order in which they are represented in accordance with the rules adopted pursuant to Article 37a. The application shall	6. If the applicant does not comply with the request with regard to the requirements referred to in paragraph 2, point (c), the application shall not be dealt with as an application for a registered EU design in respect of the additional designs unless it is clear which designs the amount paid is intended to cover. In the absence of other criteria to determine which designs are intended to be covered, the Office shall treat the designs in the numerical order in which they are represented in accordance with the rules adopted pursuant to Article 37a. The application shall	6. If the applicant does not comply with the request with regard to the requirements referred to in paragraph 2, point (c), the application shall not be dealt with as an application for a registered EU design be refused in respect of the additional designs unless it is clear which designs the amount paid is intended to cover. In the absence of other criteria to determine which designs are intended to be covered, the Office shall treat the designs in the numerical order in which they are represented in accordance with the rules adopted pursuant to Article	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	not be dealt with as an application for a registered EU design in respect of those designs for which the additional application fees have not been paid or have not been paid in full.	not be dealt with as an application for a registered EU design in respect of those designs for which the additional application fees have not been paid or have not been paid in full.	37a. The application shall not be dealt with as an application for a registered EU design be refused in respect of those designs for which the additional application fees have fee for deferment of publication has not been paid or have has not been paid in full.	
Article 1, first paragraph, point (37)(b), amending provision, numbered paragraph (7)				
339	7. Failure to satisfy the requirements concerning a priority claim shall result in the loss of the right of priority for the application.;	7. Failure to satisfy the requirements concerning a priority claim shall result in the loss of the right of priority for the application.;	7. Failure to satisfy the requirements concerning a priority claim shall result in the loss of the right of priority for the application.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (38)				
340	(38) Article 46 is deleted;	(38) Article 46 is deleted;	(38) Article 46 is deleted;	
Article 1, first paragraph, point (39)				
341	(39) Article 47 is replaced by the following:	(39) Article 47 is replaced by the following:	(39) Article 47 is replaced by the following:	
Article 1, first paragraph, point (39), amending provision, first paragraph				
342				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 47	Article 47	Article 47	
Article 1, first paragraph, point (39), amending provision, second paragraph				
343	Grounds for non-registrability	Grounds for non-registrability	Grounds for non-registrability	
Article 1, first paragraph, point (39), amending provision, numbered paragraph (1)				
344	1. If the Office, in carrying out the examination pursuant to Article 45, notices that the design for which protection is sought does not correspond to the definition in	1. If the Office, in carrying out the examination pursuant to Article 45, notices that the design for which protection is sought does not correspond to the definition in	1. If the Office, in carrying out the examination pursuant to Article 45, notices that the design for which protection is sought does not correspond to the definition in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3, point (1), or is contrary to public policy or to accepted principles of morality, it shall notify the applicant that the design is non-registrable, specifying the ground for non-registrability.	Article 3, point (1), or is contrary to public policy or to accepted principles of morality, it shall notify the applicant that the design is non-registrable, specifying the ground for non-registrability.	Article 3, point (1), or that it is contrary to public policy or to accepted principles of morality or, without the consent of the competent authorities to the registration having been given, that it constitutes an improper use of any of the items listed in Article 6ter of the Paris Convention, or of badges, emblems and escutcheons other than those covered by the said Article 6ter and which are of particular public interest in a Member State, it shall notify the applicant that the design is non-registrable, specifying the ground for non-registrability.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (39), amending provision, numbered paragraph (2)				
345	2. In the notification referred to in paragraph 1, the Office shall specify a period within which the applicant may submit observations, withdraw the application or the objected views or submit an amended representation of the design that differs only in immaterial details from the representation as originally filed.	2. In the notification referred to in paragraph 1, the Office shall specify a period within which the applicant may submit observations, withdraw the application or the objected views or submit an amended representation of the design that differs only in immaterial details from the representation as originally filed.	2. In the notification referred to in paragraph 1, the Office shall specify a period within which the applicant may submit observations, withdraw the application or the objected views or submit an amended representation of the design that differs only in immaterial details from the representation as originally filed.	
Article 1, first paragraph, point (39), amending provision, numbered paragraph (3)				
346	3. Where the applicant fails to	3. Where the applicant fails to	3. Where the applicant fails to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	overcome the grounds for non-registrability, the Office shall refuse the application. If those grounds concern only some of the designs contained in a multiple application, the Office shall refuse the application only in so far as those designs are concerned.;	overcome the grounds for non-registrability, the Office shall refuse the application. If those grounds concern only some of the designs contained in a multiple application, the Office shall refuse the application only in so far as those designs are concerned.;	overcome the grounds for non-registrability, the Office shall refuse the application. If those grounds concern only some of the designs contained in a multiple application, the Office shall refuse the application only in so far as those designs are concerned.;	
Article 1, first paragraph, point (40)				
347	(40) the following Article 47a is inserted:	(40) the following Article 47a is inserted:	(40) the following Article 47a is inserted:	
Article 1, first paragraph, point (40), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
348	Article 47a	Article 47a	Article 47a	
Article 1, first paragraph, point (40), amending provision, second paragraph				
349	Withdrawal and amendment	Withdrawal and amendment	Withdrawal and amendment	
Article 1, first paragraph, point (40), amending provision, numbered paragraph (1)				
350	1. The applicant may at any time withdraw an EU design application or, in the case of a multiple	1. The applicant may at any time withdraw an EU design application or, in the case of a multiple	1. The applicant may at any time withdraw an EU design application or, in the case of a multiple	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	application, withdraw some of the designs contained in the application.	application, withdraw some of the designs contained in the application.	application, withdraw some of the designs contained in the application.	
Article 1, first paragraph, point (40), amending provision, numbered paragraph (2)				
351	2. The applicant may at any time amend the representation of the EU design applied for in immaterial details.;	2. The applicant may at any time amend the representation of the EU design applied for in immaterial details <u>which merely remedy a lack of precision, certainty or clarity regarding the design for which EU design registration is sought</u> .;	2. The applicant may at any time amend the representation of the EU design applied for in immaterial details.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (41)				
352	(41) the following Article 47b is inserted:	(41) the following Article 47b is inserted:	(41) the following Article 47b is inserted:	
Article 1, first paragraph, point (41), amending provision, first paragraph				
353	‘ Article 47b	‘ Article 47b	‘ Article 47b	
Article 1, first paragraph, point (41), amending provision, second paragraph				
354				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Delegation of power regarding the amendment of the application	Delegation of power regarding the amendment of the application	Delegation of power regarding the amendment of the application	
Article 1, first paragraph, point (41), amending provision, third paragraph				
355	The Commission is empowered to adopt delegated acts in accordance with Article 109(2) to supplement this Regulation by specifying the details of the procedure for the amendment of the application as referred to in Article 47a(2).;	The Commission is empowered to adopt delegated acts in accordance with Article 109(2) to supplement this Regulation by specifying the details of the procedure for the amendment of the application as referred to in Article 47a(2).;	The Commission is empowered to adopt delegated acts in accordance with Article 109(2) to supplement this Regulation by specifying the details of the procedure for the amendment of the application as referred to in Article 47a(2).;	
Article 1, first paragraph, point (42)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
356	(42) Article 48 is replaced by the following:	(42) Article 48 is replaced by the following:	(42) Article 48 is replaced by the following:	
Article 1, first paragraph, point (42), amending provision, first paragraph				
357	Article 48	Article 48	Article 48	
Article 1, first paragraph, point (42), amending provision, second paragraph				
358	Registration	Registration	Registration	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (42), amending provision, numbered paragraph (1)				
359	1. If the requirements for an application for a registered EU design have been fulfilled, and to the extent that the application has not been refused pursuant to Article 47, the Office shall enter the design contained in the application and the particulars referred to in Article 72(2) in the Register.	1. If the requirements for an application for a registered EU design have been fulfilled, and to the extent that the application has not been refused pursuant to Article 47, the Office shall enter the design contained in the application and the particulars referred to in Article 72(2) in the Register.	1. If the requirements for an application for a registered EU design have been fulfilled, and to the extent that the application has not been refused pursuant to Article 47, the Office shall enter the design contained in the application and the particulars referred to in Article 72(2) in the Register.	
Article 1, first paragraph, point (42), amending provision, numbered paragraph (2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
360	2. If the application contains a request for deferment of publication pursuant to Article 50, an indication of that request and the date of expiry of the period of deferment shall also be entered in the Register.	2. If the application contains a request for deferment of publication pursuant to Article 50, an indication of that request and the date of expiry of the period of deferment shall also be entered in the Register.	2. If the application contains a request for deferment of publication pursuant to Article 50, an indication of that request and the date of expiry of the period of deferment shall also be entered in the Register.	
Article 1, first paragraph, point (42), amending provision, numbered paragraph (3)				
361	3. The registration shall bear the date of filing of the application referred to in Article 38.	3. The registration shall bear the date of filing of the application referred to in Article 38.	3. The registration shall bear the date of filing of the application referred to in Article 38.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (42), amending provision, numbered paragraph (4)				
362	4. The fees payable pursuant to Articles 36(4) and 37(2) shall not be refunded even if the design applied for is not registered.;	4. The fees payable pursuant to Articles 36(4) and 37(2) shall not be refunded even if the design applied for is not registered.;	4. The fees payable pursuant to Articles 36(4) and 37(2) shall not be refunded even if the design applied for is not registered.;	
Article 1, first paragraph, point (43)				
363	(43) Article 49 is replaced by the following:	(43) Article 49 is replaced by the following:	(43) Article 49 is replaced by the following:	
Article 1, first paragraph, point (43), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
364	Article 49	Article 49	Article 49	
Article 1, first paragraph, point (43), amending provision, second paragraph				
365	Publication	Publication	Publication	
Article 1, first paragraph, point (43), amending provision, third paragraph				
366	Upon registration, the Office shall publish the registered EU design in the EU Designs Bulletin as referred	Upon registration, the Office shall publish the registered EU design in the EU Designs Bulletin as referred	Upon registration, the Office shall publish the registered EU design in the EU Designs Bulletin as referred	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to in Article 73(1), point (a)..	to in Article 73(1), point (a)..	to in Article 73(1), point (a)..	
Article 1, first paragraph, point (44)				
367	(44) the following Article 49a is inserted:	(44) the following Article 49a is inserted:	(44) the following Article 49a is inserted:	
Article 1, first paragraph, point (44), amending provision, first paragraph				
368	Article 49a	Article 49a	Article 49a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (44), amending provision, second paragraph				
369	Conferral of implementing powers regarding publication	Conferral of implementing powers regarding publication	Conferral of implementing powers regarding publication	
Article 1, first paragraph, point (44), amending provision, third paragraph				
370	The Commission shall adopt implementing acts laying down the details to be contained in the publication referred to in Article 49. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	The Commission shall adopt implementing acts laying down the details to be contained in the publication referred to in Article 49. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	The Commission shall adopt implementing acts laying down the details to be contained in the publication referred to in Article 49. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (45)				
371	(45) Article 50 is replaced by the following:	(45) Article 50 is replaced by the following:	(45) Article 50 is replaced by the following:	
Article 1, first paragraph, point (45), amending provision, first paragraph				
372	Article 50	Article 50	Article 50	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (45), amending provision, second paragraph				
373	Deferment of publication	Deferment of publication	Deferment of publication	
Article 1, first paragraph, point (45), amending provision, numbered paragraph (1)				
374	1. The applicant for a registered EU design may request, when filing the application, that the publication of the registered EU design be deferred for a period of 30 months from the date of filing the application or, if a priority is claimed, from the date of priority.	1. The applicant for a registered EU design may request, when filing the application, that the publication of the registered EU design be deferred for a period of 30 months from the date of filing the application or, if a priority is claimed, from the date of priority.	1. The applicant for a registered EU design may request, when filing the application, that the publication of the registered EU design be deferred for a period of up to 30 months from the date of filing the application or, if a priority is claimed, from the date of priority.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (45), amending provision, numbered paragraph (2)				
375	2. Upon a request referred to in paragraph 1, where the conditions set out in Article 48 are satisfied, the registered EU design shall be registered, but neither the representation of the design nor any file relating to the application shall, subject to Article 74(2), be open to public inspection.	2. Upon a request referred to in paragraph 1, where the conditions set out in Article 48 are satisfied, the registered EU design shall be registered, but neither the representation of the design nor any file relating to the application shall, subject to Article 74(2), be open to public inspection.	2. Upon a request referred to in paragraph 1, where the conditions set out in Article 48 are satisfied, the registered EU design shall be registered, but neither the representation of the design nor any file relating to the application shall, subject to Article 74(2), be open to public inspection.	
Article 1, first paragraph, point (45), amending provision, numbered paragraph (3)				
376				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. The Office shall publish in the EU Designs Bulletin an indication of a request referred to in paragraph 1. The indication shall be accompanied by information identifying the right holder of the registered design, the name of the representative, if any, the date of filing and registration, and the file number of the application. Neither the representation of the design nor any particulars identifying its appearance shall be published.	3. The Office shall publish in the EU Designs Bulletin an indication of a request referred to in paragraph 1. The indication shall be accompanied by information identifying the right holder of the registered design, the name of the representative, if any, the date of filing and registration, and the file number of the application. Neither the representation of the design nor any particulars identifying its appearance shall be published.	3. The Office shall publish in the EU Designs Bulletin an indication of a request referred to in paragraph 1. The indication shall be accompanied by information identifying the right holder of the registered design, the name of the representative, if any, the date of filing and registration, and the file number of the application. Neither the representation of the design nor any particulars identifying its appearance shall be published.	
Article 1, first paragraph, point (45), amending provision, numbered paragraph (4)				
377	4. At the expiry of the period of deferment, or at any earlier date on	4. At the expiry of the period of deferment, or at any earlier date on	4. At the expiry of the period of deferment, or at any earlier date on	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	request by the right holder, the Office shall open to public inspection all the entries in the Register and the file relating to the application and shall publish the registered EU design in the EU Designs Bulletin.	request by the right holder, the Office shall open to public inspection all the entries in the Register and the file relating to the application and shall publish the registered EU design in the EU Designs Bulletin.	request by the right holder, the Office shall open to public inspection all the entries in the Register and the file relating to the application and shall publish the registered EU design in the EU Designs Bulletin.	
Article 1, first paragraph, point (45), amending provision, numbered paragraph (5)				
378	5. The right holder may prevent publication of the registered EU design as referred to in paragraph 4, by submitting a request for surrender of the EU design in accordance with Article 51 at the latest 3 months before expiry of the period of deferment. Any requests	5. The right holder may prevent publication of the registered EU design as referred to in paragraph 4, by submitting a request for surrender of the EU design in accordance with Article 51 at the latest 3 months before expiry of the period of deferment. Any requests	5. The right holder may prevent publication of the registered EU design as referred to in paragraph 4, by submitting a request for surrender of the EU design in accordance with Article 51 at the latest 3 months before expiry of the period of deferment. Any requests	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	for the entry of the surrender in the Register that do not comply with the requirements set out in Article 51 and the implementing acts adopted pursuant to Article 51a, or that are submitted after the time limit referred to in the first sentence, shall be rejected.	for the entry of the surrender in the Register that do not comply with the requirements set out in Article 51 and the implementing acts adopted pursuant to Article 51a, or that are submitted after the time limit referred to in the first sentence, shall be rejected.	for the entry of the surrender in the Register that do not comply with the requirements set out in Article 51 and the implementing acts adopted pursuant to Article 51a, or that are submitted after the time limit referred to in the first sentence, shall be rejected.	
Article 1, first paragraph, point (45), amending provision, numbered paragraph (6)				
379	6. In the case of a registration on the basis of a multiple application, the holder shall, together with the request for earlier publication referred to in paragraph 4 or the request for surrender referred to in paragraph 5, clearly indicate which	6. In the case of a registration on the basis of a multiple application, the holder shall, together with the request for earlier publication referred to in paragraph 4 or the request for surrender referred to in paragraph 5, clearly indicate which	6. In the case of a registration on the basis of a multiple application, the holder shall, together with the request for earlier publication referred to in paragraph 4 or the request for surrender referred to in paragraph 5, clearly indicate which	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of the designs contained in the application are to be published earlier or surrendered and for which designs deferment of publication is to be continued.	of the designs contained in the application are to be published earlier or surrendered and for which designs deferment of publication is to be continued.	of the designs contained in the application are to be published earlier or surrendered and for which designs deferment of publication is to be continued.	
Article 1, first paragraph, point (45), amending provision, numbered paragraph (7)				
380	7. If the holder fails to comply with the requirement set out in paragraph 6, the Office shall request the holder to remedy the deficiency within a specified time limit, which shall in no case expire after the 30-month deferment period.	7. If the holder fails to comply with the requirement set out in paragraph 6, the Office shall request the holder to remedy the deficiency within a specified time limit, which shall in no case expire after the 30-month deferment period.	7. If the holder fails to comply with the requirement set out in paragraph 6, the Office shall request the holder to remedy the deficiency within a specified time limit, which shall in no case expire after the 30-month deferment period.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (45), amending provision, numbered paragraph (8)				
381	8. Failure to remedy the deficiency referred to in paragraph 7 within the specified time limit shall result in the request for early publication being deemed not to have been filed or the request for surrender being rejected.	8. Failure to remedy the deficiency referred to in paragraph 7 within the specified time limit shall result in the request for early publication being deemed not to have been filed or the request for surrender being rejected.	8. Failure to remedy the deficiency referred to in paragraph 7 within the specified time limit shall result in the request for early publication being deemed not to have been filed or the request for surrender being rejected.	
Article 1, first paragraph, point (45), amending provision, numbered paragraph (9)				
382	9. The institution of legal proceedings on the basis of a registered EU design during the period of deferment of publication	9. The institution of legal proceedings on the basis of a registered EU design during the period of deferment of publication	9. The institution of legal proceedings on the basis of a registered EU design during the period of deferment of publication	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	shall be subject to the condition that the information contained in the Register and in the file relating to the application has been communicated to the person against whom the action is brought.;	shall be subject to the condition that the information contained in the Register and in the file relating to the application has been communicated to the person against whom the action is brought.;	shall be subject to the condition that the information contained in the Register and in the file relating to the application has been communicated to the person against whom the action is brought.;	
Article 1, first paragraph, point (46)				
383	(46) the following Article 50a is inserted:	(46) the following Article 50a is inserted:	(46) the following Article 50a is inserted:	
Article 1, first paragraph, point (46), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
384	Article 50a	Article 50a	Article 50a	
Article 1, first paragraph, point (46), amending provision, second paragraph				
385	Publication after the period of deferment	Publication after the period of deferment	Publication after the period of deferment	
Article 1, first paragraph, point (46), amending provision, third paragraph				
386	The Office shall, at the expiry of the period of deferment referred to	The Office shall, at the expiry of the period of deferment referred to	The Office shall, at the expiry of the period of deferment referred to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	in Article 50 or, in the case of a request for earlier publication, as soon as technically possible:	in Article 50 or, in the case of a request for earlier publication, as soon as technically possible:	in Article 50 or, in the case of a request for earlier publication, as soon as technically possible:	
Article 1, first paragraph, point (46), amending provision, third paragraph, point (a)				
387	(a) publish the registered EU design in the EU Designs Bulletin, with the indications set out in the rules adopted pursuant to Article 49a, together with an indication of the fact that the application contained a request for deferment of publication pursuant to Article 50;	(a) publish the registered EU design in the EU Designs Bulletin, with the indications set out in the rules adopted pursuant to Article 49a, together with an indication of the fact that the application contained a request for deferment of publication pursuant to Article 50;	(a) publish the registered EU design in the EU Designs Bulletin, with the indications set out in the rules adopted pursuant to Article 49a, together with an indication of the fact that the application contained a request for deferment of publication pursuant to Article 50;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (46), amending provision, third paragraph, point (b)				
388	(b) make available for public inspection any file relating to the design;	(b) make available for public inspection any file relating to the design;	(b) make available for public inspection any file relating to the design;	
Article 1, first paragraph, point (46), amending provision, third paragraph, point (c)				
389	(c) open to public inspection all the entries in the Register, including any entries withheld from inspection pursuant to Article 74(5).;	(c) open to public inspection all the entries in the Register, including any entries withheld from inspection pursuant to Article 74(5).;	(c) open to public inspection all the entries in the Register, including any entries withheld from inspection pursuant to Article 74(5).;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (47)				
390	(47) the following Article 50b is inserted:	(47) the following Article 50b is inserted:	(47) the following Article 50b is inserted:	
Article 1, first paragraph, point (47), amending provision, first paragraph				
391	‘ Article 50b	‘ Article 50b	‘ Article 50b	
Article 1, first paragraph, point (47), amending provision, second paragraph				
392				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Registration certificates	Registration certificates	Registration certificates	
Article 1, first paragraph, point (47), amending provision, third paragraph				
393	After publication of the registered EU design, the Office shall issue a certificate of registration. The Office shall provide certified or uncertified copies of the certificate subject to the payment of a fee, where those copies are issued by other than electronic means.;	After publication of the registered EU design, the Office shall issue a certificate of registration. The Office shall provide certified or uncertified copies of the certificate subject to the payment of a fee, where those copies are issued by other than electronic means.;	After publication of the registered EU design, the Office shall issue a certificate of registration. The Office shall provide certified or uncertified copies of the certificate subject to the payment of a fee, where those copies are. The certificates and copies shall be issued by other than electronic means.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (48)				
394	(48) The following Articles 50c and 50d are inserted:	(48) The following Articles 50c and 50d are inserted:	(48) The following Articles 50c and 50d are inserted:	
Article 1, first paragraph, point (48), amending provision, first paragraph				
395	‘ Article 50c	‘ Article 50c	‘ Article 50c	
Article 1, first paragraph, point (48), amending provision, second paragraph				
396				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Conferral of implementing powers	Conferral of implementing powers	Conferral of implementing powers	
Article 1, first paragraph, point (48), amending provision, third paragraph				
397	The Commission shall adopt implementing acts specifying the details to be contained in and the form of the certificate of registration referred to in Article 50b. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).	The Commission shall adopt implementing acts specifying the details to be contained in and the form of the certificate of registration referred to in Article 50b. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).	The Commission shall adopt implementing acts specifying the details to be contained in and the form of the certificate of registration referred to in Article 50b. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).	
Article 1, first paragraph, point (48), amending provision, fourth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
398	Article 50d	Article 50d	Article 50d	
Article 1, first paragraph, point (48), amending provision, fifth paragraph				
399	Renewal	Renewal	Renewal	
Article 1, first paragraph, point (48), amending provision, numbered paragraph (1)				
400	1. The registration of the EU design shall be renewed at the request of the right holder or of any person expressly authorised by the right holder, provided that the	1. The registration of the EU design shall be renewed at the request of the right holder or of any person expressly authorised by the right holder, provided that the	1. The registration of the EU design shall be renewed at the request of the right holder or of any person expressly authorised by the right holder, provided that the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	renewal fees have been paid.	renewal fees have been paid.	renewal fees have been paid.	
Article 1, first paragraph, point (48), amending provision, numbered paragraph (2)				
401	<p>2. The Office shall inform the right holder of the registered EU design and any person having a registered right in respect of the EU design of the expiry of the registration at least 6 months before the date of such expiry. Failure to give such information shall not involve the responsibility of the Office and shall not affect the expiry of the registration.</p>	<p>2. The Office shall inform the right holder of the registered EU design and any person having a registered right in respect of the EU design of the expiry of the registration at least 6 months before the date of such expiry. Failure to give such information shall not involve the responsibility of the Office and shall not affect the expiry of the registration.</p>	<p>2. The Office shall inform the right holder of the registered EU design and any person having a registered right in respect of the EU design of the expiry of the registration at least 6 months before the date of such expiry. Failure to give such information shall not involve the responsibility of the Office and shall not affect the expiry of the registration.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (48), amending provision, numbered paragraph (3)				
402	<p>3. The request for renewal shall be submitted within a 6 months period prior to the expiry of the registration. The renewal fee shall also be paid within that period. Failing this, the request may be submitted and the fee paid within a further period of 6 months following the expiry of the registration, provided that an additional fee for late payment of the renewal fee or late submission of the request for renewal is paid within this further period.</p>	<p>3. The request for renewal shall be submitted within a 6 months period prior to the expiry of the registration. The renewal fee shall also be paid within that period. Failing this, the request may be submitted and the fee paid within a further period of 6 months following the expiry of the registration, provided that an additional fee for late payment of the renewal fee or late submission of the request for renewal is paid within this further period.</p>	<p>3. The request for renewal shall be submitted within a 6 months period prior to the expiry of the registration. The renewal fee shall also be paid within that period. Failing this, the request may be submitted and the fee paid within a further period of 6 months following the expiry of the registration, provided that an additional fee for late payment of the renewal fee or late submission of the request for renewal is paid within this further period.</p>	
Article 1, first paragraph, point (48), amending provision, numbered paragraph (4), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
403	4. The request for renewal referred to in paragraph 1 shall include:	4. The request for renewal referred to in paragraph 1 shall include:	4. The request for renewal referred to in paragraph 1 shall include:	
Article 1, first paragraph, point (48), amending provision, numbered paragraph (4), first subparagraph, point (a)				
404	(a) the name of the person requesting renewal;	(a) the name of the person requesting renewal;	(a) the name of the person requesting renewal;	
Article 1, first paragraph, point (48), amending provision, numbered paragraph (4), first subparagraph, point (b)				
405	(b) the registration number of the EU design to be renewed;	(b) the registration number of the EU design to be renewed;	(b) the registration number of the EU design to be renewed;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (48), amending provision, numbered paragraph (4), first subparagraph, point (c)				
406	(c) in case of a registration on the basis of a multiple application, an indication of the designs for which renewal is requested.	(c) in case of a registration on the basis of a multiple application, an indication of the designs for which renewal is requested.	(c) in case of a registration on the basis of a multiple application, an indication of the designs for which renewal is requested.	
Article 1, first paragraph, point (48), amending provision, numbered paragraph (4), second subparagraph				
407	If the renewal fees are paid, the payment shall be deemed to constitute a request for renewal provided that it contains all necessary indications to establish	If the renewal fees are paid, the payment shall be deemed to constitute a request for renewal provided that it contains all necessary indications to establish	If the renewal fees are paid, the payment shall be deemed to constitute a request for renewal provided that it contains all necessary indications to establish	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the purpose of the payment.	the purpose of the payment.	the purpose of the payment.	
Article 1, first paragraph, point (48), amending provision, numbered paragraph (5)				
408	5. In the case of a registration on the basis of a multiple application, where the fees paid are insufficient to cover all the designs for which renewal is requested, registration shall be renewed if it is clear which designs the amount paid is intended to cover. In the absence of other criteria for determining which designs are intended to be covered, the Office shall treat the designs in the numerical order in which they are represented in accordance with the rules adopted	5. In the case of a registration on the basis of a multiple application, where the fees paid are insufficient to cover all the designs for which renewal is requested, registration shall be renewed if it is clear which designs the amount paid is intended to cover. In the absence of other criteria for determining which designs are intended to be covered, the Office shall treat the designs in the numerical order in which they are represented in accordance with the rules adopted	5. In the case of a registration on the basis of a multiple application, where the fees paid are insufficient to cover all the designs for which renewal is requested, registration shall be renewed if it is clear for those designs in respect of which it is clear the amount paid is intended to cover. In the absence of other criteria for determining which designs are intended to be covered, the Office shall treat the designs in the numerical order in which they are represented in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	under Article 37a.	under Article 37a.	accordance with the rules adopted under Article 37a.	
Article 1, first paragraph, point (48), amending provision, numbered paragraph (6)				
409	6. Renewal shall take effect from the day following the date on which the existing registration expires. The renewal shall be entered in the Register.	6. Renewal shall take effect from the day following the date on which the existing registration expires. The renewal shall be entered in the Register.	6. Renewal shall take effect from the day following the date on which the existing registration expires. The renewal shall be entered in the Register.	
Article 1, first paragraph, point (48), amending provision, numbered paragraph (7)				
410	7. Where the request for renewal is filed within the periods provided	7. Where the request for renewal is filed within the periods provided	7. Where the request for renewal is filed within the periods provided	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	for in paragraph 3, but the other conditions governing renewal provided for in this Article are not satisfied, the Office shall inform the applicant of the deficiencies found.	for in paragraph 3, but the other conditions governing renewal provided for in this Article are not satisfied, the Office shall inform the applicant of the deficiencies found.	for in paragraph 3, but the other conditions governing renewal provided for in this Article are not satisfied, the Office shall inform the applicant of the deficiencies found.	
Article 1, first paragraph, point (48), amending provision, numbered paragraph (8)				
411	8. Where a request for renewal is not submitted or is submitted after the expiry of the period provided for in paragraph 3, or where the fees are not paid or are paid only after the period in question has expired, or where the deficiencies referred to in paragraph 7 are not remedied within that period, the	8. Where a request for renewal is not submitted or is submitted after the expiry of the period provided for in paragraph 3, or where the fees are not paid or are paid only after the period in question has expired, or where the deficiencies referred to in paragraph 7 are not remedied within that period, the	8. Where a request for renewal is not submitted or is submitted after the expiry of the period provided for in paragraph 3, or where the fees are not paid or are paid only after the period in question has expired, or where the deficiencies referred to in paragraph 7 are not remedied within that period, the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Office shall determine that the registration has expired and shall notify the holder of the EU design accordingly. Where the determination has become final, the Office shall cancel the design from the Register. The cancellation shall take effect from the day following the date on which the existing registration expired. Where the renewal fees have been paid but the registration is not renewed, those fees shall be refunded.	Office shall determine that the registration has expired and shall notify the holder of the EU design accordingly. Where the determination has become final, the Office shall cancel the design from the Register. The cancellation shall take effect from the day following the date on which the existing registration expired. Where the renewal fees have been paid but the registration is not renewed, those fees shall be refunded.	Office shall determine that the registration has expired and shall notify the holder of the EU design accordingly. Where the determination has become final, the Office shall cancel the design from the Register. The cancellation shall take effect from the day following the date on which the existing registration expired. Where the renewal fees have been paid but the registration is not renewed, those fees shall be refunded.	
Article 1, first paragraph, point (48), amending provision, numbered paragraph (9)				
412	9. A single request for renewal	9. A single request for renewal	9. A single request for renewal	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	may be submitted for two or more designs provided that the holder or the representative is the same for all designs covered by the request. The required renewal fee shall be paid in respect of each design to be renewed.;	may be submitted for two or more designs provided that the holder or the representative is the same for all designs covered by the request. The required renewal fee shall be paid in respect of each design to be renewed.;	may be submitted for two or more designs provided that the holder or the representative is the same for all designs covered by the request. The required renewal fee shall be paid in respect of each design to be renewed.;	
Article 1, first paragraph, point (49)				
413	(49) the following Article 50e is inserted:	(49) the following Article 50e is inserted:	(49) the following Article 50e is inserted:	
Article 1, first paragraph, point (49), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
414	Article 50e	Article 50e	Article 50e	
Article 1, first paragraph, point (49), amending provision, second paragraph				
415	Alteration	Alteration	Alteration	
Article 1, first paragraph, point (49), amending provision, numbered paragraph (1)				
416	1. The representation of the registered EU design shall not be altered in the Register during the	1. The representation of the registered EU design shall not be altered in the Register during the	1. The representation of the registered EU design shall not be altered in the Register during the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	period of registration or on renewal thereof except in immaterial details.	period of registration or on renewal thereof except in immaterial details, <u>which merely remedy a lack of precision, certainty or clarity regarding the design for which EU design registration is sought.</u>	period of registration or on renewal thereof except in immaterial details.	
Article 1, first paragraph, point (49), amending provision, numbered paragraph (2)				
417	2. A request by the holder for alteration shall include the representation of the registered EU design in its altered version.	2. A request by the holder for alteration shall include the representation of the registered EU design in its altered version.	2. A request by the holder for alteration shall include the representation of the registered EU design in its altered version.	
Article 1, first paragraph, point (49), amending provision, numbered paragraph (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
418	<p>3. A request for alteration shall be deemed not to have been filed until the required fee has been paid. If the fee has not been paid or has not been paid in full, the Office shall inform the holder accordingly. A single request may be made for the alteration of the same element in two or more registrations, provided that the holder is the same for all designs. The required alteration fee shall be paid in respect of each registration to be altered. If the requirements governing the alteration of the registration set out in this Article and the implementing acts adopted pursuant to Article 50f are not fulfilled, the Office shall</p>	<p>3. A request for alteration shall be deemed not to have been filed until the required fee has been paid. If the fee has not been paid or has not been paid in full, the Office shall inform the holder accordingly. A single request may be made for the alteration of the same element in two or more registrations, provided that the holder is the same for all designs. The required alteration fee shall be paid in respect of each registration to be altered. If the requirements governing the alteration of the registration set out in this Article and the implementing acts adopted pursuant to Article 50f are not fulfilled, the Office shall</p>	<p>3. A request for alteration shall be deemed not to have been filed until the required fee has been paid. If the fee has not been paid or has not been paid in full, the Office shall inform the holder accordingly. A single request may be made for the alteration of the same element in two or more registrations, provided that the holder is the same for all designs. The required alteration fee shall be paid in respect of each registration to be altered. If the requirements governing the alteration of the registration set out in this Article and the implementing acts adopted pursuant to Article 50f are not fulfilled, the Office shall</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	communicate the deficiency to the holder. If the deficiency is not remedied within a period to be specified by the Office, the Office shall reject the request for alteration.	communicate the deficiency to the holder. If the deficiency is not remedied within a period to be specified by the Office, the Office shall reject the request for alteration.	communicate the deficiency to the holder. If the deficiency is not remedied within a period to be specified by the Office, the Office shall reject the request for alteration.	
Article 1, first paragraph, point (49), amending provision, numbered paragraph (4)				
419	4. The publication of the registration of the alteration shall contain a representation of the registered EU design as altered.;	4. The publication of the registration of the alteration shall contain a representation of the registered EU design as altered.;	4. The publication of the registration of the alteration shall contain a representation of the registered EU design as altered.;	
Article 1, first paragraph, point (50)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
420	(50) the following Article 50f is inserted:	(50) the following Article 50f is inserted:	(50) the following Article 50f is inserted:	
Article 1, first paragraph, point (50), amending provision, first paragraph				
421	Article 50f	Article 50f	Article 50f	
Article 1, first paragraph, point (50), amending provision, second paragraph				
422	Conferral of implementing powers regarding alteration	Conferral of implementing powers regarding alteration	Conferral of implementing powers regarding alteration	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (50), amending provision, third paragraph				
423	The Commission shall adopt implementing acts specifying the details to be contained in the request for alteration referred to in Article 50e(2). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	The Commission shall adopt implementing acts specifying the details to be contained in the request for alteration referred to in Article 50e(2). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	The Commission shall adopt implementing acts specifying the details to be contained in the request for alteration referred to in Article 50e(2). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	
Article 1, first paragraph, point (51)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
424	(51) the following Article 50g is inserted:	(51) the following Article 50g is inserted:	(51) the following Article 50g is inserted:	
Article 1, first paragraph, point (51), amending provision, first paragraph				
425	Article 50g	Article 50g	Article 50g	
Article 1, first paragraph, point (51), amending provision, second paragraph				
426	Change of name or address	Change of name or address	Change of name or address	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (51), amending provision, numbered paragraph (1)				
427	1. The holder of an EU design shall inform the Office about a change of its name or address, which is not the consequence of a transfer or a change of ownership of the registered EU design.	1. The holder of an EU design shall inform the Office about a change of its name or address, which is not the consequence of a transfer or a change of ownership of the registered EU design.	1. The holder of an EU design shall inform the Office about a change of its name or address, which is not the consequence of a transfer or a change of ownership of the registered EU design.	
Article 1, first paragraph, point (51), amending provision, numbered paragraph (2)				
428	2. A single request may be made for a change of the name or address in respect of two or more	2. A single request may be made for a change of the name or address in respect of two or more	2. A single request may be made for a change of the name or address in respect of two or more	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	registrations of the same holder.	registrations of the same holder.	registrations of the same holder.	
Article 1, first paragraph, point (51), amending provision, numbered paragraph (3)				
429	3. If the requirements for a change of name or address set out in this Article and in the implementing acts adopted pursuant to Article 50h are not fulfilled, the Office shall communicate the deficiency to the holder of the EU design. If the deficiency is not remedied within the time limit specified by the Office, the Office shall reject the request.	3. If the requirements for a change of name or address set out in this Article and in the implementing acts adopted pursuant to Article 50h are not fulfilled, the Office shall communicate the deficiency to the holder of the EU design. If the deficiency is not remedied within the time limit specified by the Office, the Office shall reject the request.	3. If the requirements for a change of name or address set out in this Article and in the implementing acts adopted pursuant to Article 50h are not fulfilled, the Office shall communicate the deficiency to the holder of the EU design. If the deficiency is not remedied within the time limit specified by the Office, the Office shall reject the request.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (51), amending provision, numbered paragraph (4)				
430	4. Paragraphs 1, 2 and 3 shall also apply to a change of the name or address of the registered representative.	4. Paragraphs 1, 2 and 3 shall also apply to a change of the name or address of the registered representative.	4. Paragraphs 1, 2 and 3 shall also apply to a change of the name or address of the registered representative.	
Article 1, first paragraph, point (51), amending provision, numbered paragraph (5)				
431	5. The Office shall enter the particulars referred to in Article 72(3), points (a) and (b), in the Register.	5. The Office shall enter the particulars referred to in Article 72(3), points (a) and (b), in the Register.	5. The Office shall enter the particulars referred to in Article 72(3), points (a) and (b), in the Register.	
Article 1, first paragraph, point (51), amending provision, numbered paragraph (6)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
432	6. Paragraphs 1 to 4 shall apply to applications for EU designs. The change shall be entered in the files kept by the Office concerning the EU design application.;	6. Paragraphs 1 to 4 shall apply to applications for EU designs. The change shall be entered in the files kept by the Office concerning the EU design application.;	6. Paragraphs 1 to 4 shall apply to applications for EU designs. The change shall be entered in the files kept by the Office concerning the EU design application.;	
Article 1, first paragraph, point (52)				
433	(52) The following Article 50h is inserted:	(52) The following Article 50h is inserted:	(52) The following Article 50h is inserted:	
Article 1, first paragraph, point (52), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
434	Article 50h	Article 50h	Article 50h	
Article 1, first paragraph, point (52), amending provision, second paragraph				
435	Conferral of implementing powers regarding change of name or address	Conferral of implementing powers regarding change of name or address	Conferral of implementing powers regarding change of name or address	
Article 1, first paragraph, point (52), amending provision, third paragraph				
436	The Commission shall adopt	The Commission shall adopt	The Commission shall adopt	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	implementing acts specifying the details to be contained in a request for a change of name or address pursuant to Article 50g(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	implementing acts specifying the details to be contained in a request for a change of name or address pursuant to Article 50g(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	implementing acts specifying the details to be contained in a request for a change of name or address pursuant to Article 50g(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	
Article 1, first paragraph, point (53)				
437	(53) Article 51 is replaced by the following:	(53) Article 51 is replaced by the following:	(53) Article 51 is replaced by the following:	
Article 1, first paragraph, point (53), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
438	Article 51	Article 51	Article 51	
Article 1, first paragraph, point (53), amending provision, second paragraph				
439	Surrender	Surrender	Surrender	
Article 1, first paragraph, point (53), amending provision, numbered paragraph (1)				
440	1. The surrender of a registered EU design shall be declared to the Office in writing by the right	1. The surrender of a registered EU design shall be declared to the Office in writing by the right	1. The surrender of a registered EU design shall be declared to the Office in writing by the right	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	holder. It shall not have effect until it has been entered in the Register.	holder. It shall not have effect until it has been entered in the Register.	holder. It shall not have effect until it has been entered in the Register.	
Article 1, first paragraph, point (53), amending provision, numbered paragraph (2)				
441	2. If an EU design which is subject to deferment of publication is surrendered it shall be deemed from the outset not to have had the effects specified in this Regulation.	2. If an EU design which is subject to deferment of publication is surrendered it shall be deemed from the outset not to have had the effects specified in this Regulation.	2. If an EU design which is subject to deferment of publication is surrendered it shall be deemed from the outset not to have had the effects specified in this Regulation.	
Article 1, first paragraph, point (53), amending provision, numbered paragraph (3)				
442	3. A surrender shall be registered only with the agreement of the	3. A surrender shall be registered only with the agreement of the	3. A surrender shall be registered only with the agreement of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>proprietor of a right entered in the Register. If a licence has been registered, a surrender shall be entered in the Register only if the holder of the registered EU design proves that the licensee has been informed about his intention to surrender. The entry of the surrender shall be made on expiry of the three-month period after the date on which the holder satisfies the Office that the licensee has been informed of the intention to surrender, or before the expiry of that period, as soon as the holder proves that the licensee has given his consent.</p>	<p>proprietor of a right entered in the Register. If a licence has been registered, a surrender shall be entered in the Register only if the holder of the registered EU design proves that the licensee has been informed about his intention to surrender. The entry of the surrender shall be made on expiry of the three-month period after the date on which the holder satisfies the Office that the licensee has been informed of the intention to surrender, or before the expiry of that period, as soon as the holder proves that the licensee has given his consent.</p>	<p>proprietor of a right entered in the Register. If a licence has been registered, a surrender shall be entered in the Register only if the holder of the registered EU design proves that the licensee has been informed about his intention to surrender. The entry of the surrender shall be made on expiry of the three-month period after the date on which the holder satisfies the Office that the licensee has been informed of the intention to surrender, or before the expiry of that period, as soon as the holder proves that the licensee has given his consent.</p>	
<p>Article 1, first paragraph, point (53), amending provision, numbered paragraph (4)</p>				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
443	4. If an action pursuant to Article 15 relating to the entitlement to a registered EU design has been brought before the competent court or authority, the Office shall not enter the surrender in the Register without the agreement of the claimant.	4. If an action pursuant to Article 15 relating to the entitlement to a registered EU design has been brought before the competent court or authority, the Office shall not enter the surrender in the Register without the agreement of the claimant.	4. If an action pursuant to Article 15 relating to the entitlement to a registered EU design has been brought before the competent court or authority, the Office shall not enter the surrender in the Register without the agreement of the claimant.	
Article 1, first paragraph, point (53), amending provision, numbered paragraph (5)				
444	5. If the requirements governing surrender set out in this Article and in the implementing acts adopted pursuant to Article 51a are not fulfilled, the Office shall	5. If the requirements governing surrender set out in this Article and in the implementing acts adopted pursuant to Article 51a are not fulfilled, the Office shall	5. If the requirements governing surrender set out in this Article and in the implementing acts adopted pursuant to Article 51a are not fulfilled, the Office shall	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	communicate the deficiencies to the declarant. If the deficiencies are not remedied within the time limit specified by the Office, the Office shall not enter the surrender in the Register.;	communicate the deficiencies to the declarant. If the deficiencies are not remedied within the time limit specified by the Office, the Office shall not enter the surrender in the Register.;	communicate the deficiencies to the declarant. If the deficiencies are not remedied within the time limit specified by the Office, the Office shall not enter the surrender in the Register.;	
Article 1, first paragraph, point (54)				
445	(54) the following Article 51a is inserted:	(54) the following Article 51a is inserted:	(54) the following Article 51a is inserted:	
Article 1, first paragraph, point (54), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
446	Article 51a	Article 51a	Article 51a	
Article 1, first paragraph, point (54), amending provision, second paragraph				
447	Conferral of implementing powers regarding surrender	Conferral of implementing powers regarding surrender	Conferral of implementing powers regarding surrender	
Article 1, first paragraph, point (54), amending provision, third paragraph				
448	The Commission shall adopt implementing acts specifying:	The Commission shall adopt implementing acts specifying:	The Commission shall adopt implementing acts specifying:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (54), amending provision, third paragraph, point (a)				
449	(a) the details to be contained in a declaration of surrender pursuant to Article 51(1);	(a) the details to be contained in a declaration of surrender pursuant to Article 51(1);	(a) the details to be contained in a declaration of surrender pursuant to Article 51(1);	
Article 1, first paragraph, point (54), amending provision, third paragraph, point (b)				
450	(b) the kind of documentation required to establish the agreement of a third party pursuant to Article 51(3) and that of a claimant pursuant to Article 51(4).	(b) the kind of documentation required to establish the agreement of a third party pursuant to Article 51(3) and that of a claimant pursuant to Article 51(4).	(b) the kind of documentation required to establish the agreement of a third party pursuant to Article 51(3) and that of a claimant pursuant to Article 51(4).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (54), amending provision, fourth paragraph				
451	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	
Article 1, first paragraph, point (55)				
452	(55) Article 52 is amended as follows:	(55) Article 52 is amended as follows:	(55) Article 52 is amended as follows:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (55)(a)				
453	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	
Article 1, first paragraph, point (55)(a), amending provision, numbered paragraph (1)				
454	‘ 1. Subject to Article 25(2) to (5), any natural or legal person, as well as a public authority empowered to do so, may submit to the Office an application for a declaration of invalidity of a registered EU design.;	‘ 1. Subject to Article 25(2) to (5), any natural or legal person, as well as a public authority empowered to do so, may submit to the Office an application for a declaration of invalidity of a registered EU design.;	‘ 1. Subject to Article 25(2) to (5), any natural or legal person, as well as a public authority empowered to do so, may submit to the Office an application for a declaration of invalidity of a registered EU design.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (55)(b)				
455	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	
Article 1, first paragraph, point (55)(b), amending provision, numbered paragraph (3)				
456	3. An application for a declaration of invalidity shall not be admissible if an application relating to the same subject matter	3. An application for a declaration of invalidity shall not be admissible if an application relating to the same subject matter	3. An application for a declaration of invalidity shall not be admissible if an application relating to the same subject matter	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and cause of action, and involving the same parties, has been adjudicated on its merits, either by the Office or by an EU design court as referred to in Article 80, and the decision of the Office or the EU design court on such application has become final.;	and cause of action, and involving the same parties, has been adjudicated on its merits, either by the Office or by an EU design court as referred to in Article 80, and the decision of the Office or the EU design court on such application has become final.;	and cause of action, and involving the same parties, has been adjudicated on its merits, either by the Office or by an EU design court as referred to in Article 80, and the decision of the Office or the EU design court on such application has become final.;	
Article 1, first paragraph, point (56)				
457	(56) Article 53 is replaced by the following:	(56) Article 53 is replaced by the following:	(56) Article 53 is replaced by the following:	
Article 1, first paragraph, point (56), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
458	Article 53	Article 53	Article 53	
Article 1, first paragraph, point (56), amending provision, second paragraph				
459	Examination of the application	Examination of the application	Examination of the application	
Article 1, first paragraph, point (56), amending provision, numbered paragraph (1)				
460	1. If the Office finds that the application for a declaration of invalidity is admissible, the Office	1. If the Office finds that the application for a declaration of invalidity is admissible, the Office	1. If the Office finds that the application for a declaration of invalidity is admissible, the Office	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	shall examine whether the grounds for invalidity referred to in Article 25 prejudice the maintenance of the registered EU design.	shall examine whether the grounds for invalidity referred to in Article 25 prejudice the maintenance of the registered EU design.	shall examine whether the grounds for invalidity referred to in Article 25 prejudice the maintenance of the registered EU design.	
Article 1, first paragraph, point (56), amending provision, numbered paragraph (2)				
461	2. When examining the application for a declaration of invalidity, the Office shall invite the parties, as often as necessary, to file observations, within a period to be fixed by the Office, on communications from the other parties or issued by the Office itself.	2. When examining the application for a declaration of invalidity, the Office shall invite the parties, as often as necessary, to file observations, within a period to be fixed by the Office, on communications from the other parties or issued by the Office itself.	2. When examining the application for a declaration of invalidity, the Office shall invite the parties, as often as necessary, to file observations, within a period to be fixed by the Office, on communications from the other parties or issued by the Office itself.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (56), amending provision, numbered paragraph (3)				
462	3. If the holder of the registered EU design so requests, an applicant for a declaration of invalidity invoking an earlier EU or national trade mark as a distinctive sign within the meaning of Article 25(1), point (e), shall furnish proof of genuine use of such mark in accordance with Article 64(2) and (3) of Regulation (EU) 2017/1001 and the rules adopted pursuant to Article 53a of this Regulation.	3. If the holder of the registered EU design so requests, an applicant for a declaration of invalidity invoking an earlier EU or national trade mark as a distinctive sign within the meaning of Article 25(1), point (e), shall furnish proof of genuine use of such mark in accordance with Article 64(2) and (3) of Regulation (EU) 2017/1001 and the rules adopted pursuant to Article 53a of this Regulation.	3. If the holder of the registered EU design so requests, an applicant for a declaration of invalidity invoking an earlier EU or national trade mark as a distinctive sign within the meaning of Article 25(1), point (e), shall furnish proof of genuine use of such mark in accordance with Article 64(2) and (3) of Regulation (EU) 2017/1001 and the rules adopted pursuant to Article 53a of this Regulation.	
Article 1, first paragraph, point (56), amending provision, numbered paragraph (4)				
463				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	4. A record of the Office's decision on the application for a declaration of invalidity shall be entered in the Register once it has become final.	4. A record of the Office's decision on the application for a declaration of invalidity shall be entered in the Register once it has become final.	4. A record of the Office's decision on the application for a declaration of invalidity shall be entered in the Register once it has become final.	
Article 1, first paragraph, point (56), amending provision, numbered paragraph (5)				
464	5. The Office may invite the parties to make a friendly settlement.;	5. The Office may invite the parties to make a friendly settlement.;	5. The Office may invite the parties to make a friendly settlement.;	
Article 1, first paragraph, point (57)				
465				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(57) the following Article 53a is inserted:	(57) the following Article 53a is inserted:	(57) the following Article 53a is inserted:	
Article 1, first paragraph, point (57), amending provision, first paragraph				
466	Article 53a	Article 53a	Article 53a	
Article 1, first paragraph, point (57), amending provision, second paragraph				
467	Delegation of powers regarding the declaration of invalidity	Delegation of powers regarding the declaration of invalidity	Delegation of powers regarding the declaration of invalidity	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (57), amending provision, third paragraph				
468	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by specifying the details of the procedure for the declaration of invalidity of an EU design as referred to in Articles 52 and 53, including the possibility to examine an application for a declaration of invalidity as a matter of priority where the holder of the registered EU design does not contest the grounds of invalidity or the relief sought.;	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by specifying the details of the procedure for the declaration of invalidity of an EU design as referred to in Articles 52 and 53, including the possibility to examine an application for a declaration of invalidity as a matter of priority where the holder of the registered EU design does not contest the grounds of invalidity or the relief sought.;	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by specifying the details of the procedure for the declaration of invalidity of an EU design as referred to in Articles 52 and 53, including the possibility to examine an application for a declaration of invalidity as a matter of priority where the holder of the registered EU design does not contest the grounds of invalidity or the relief sought.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (58)				
469	(58) Article 55 is replaced by the following:	(58) Article 55 is replaced by the following:	(58) Article 55 is replaced by the following:	
Article 1, first paragraph, point (58), amending provision, first paragraph				
470	‘ Article 55	‘ Article 55	‘ Article 55	
Article 1, first paragraph, point (58), amending provision, second paragraph				
471				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Decisions subject to appeal	Decisions subject to appeal	Decisions subject to appeal	
Article 1, first paragraph, point (58), amending provision, numbered paragraph (1)				
472	1. An appeal shall lie from the decisions of the Office referred to in Article 102, points (a), (b), (c), and (e).	1. An appeal shall lie from the decisions of the Office referred to in Article 102, points (a), (b), (c), and (e).	1. An appeal shall lie from the decisions of the Office referred to in Article 102, points (a), (b), (c), and (e).	
Article 1, first paragraph, point (58), amending provision, numbered paragraph (2)				
473	2. Articles 66 to 72 of Regulation (EU) 2017/1001 shall apply to appeals dealt with by the Boards of	2. Articles 66 to 72 of Regulation (EU) 2017/1001 shall apply to appeals dealt with by the Boards of	2. Articles 66 to 72 of Regulation (EU) 2017/1001 shall apply to appeals dealt with by the Boards of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Appeal under this Regulation, unless otherwise provided in this Regulation.;	Appeal under this Regulation, unless otherwise provided in this Regulation.;	Appeal under this Regulation, unless otherwise provided in this Regulation.;	
Article 1, first paragraph, point (59)				
474	(59) the following Article 55a is inserted:	(59) the following Article 55a is inserted:	(59) the following Article 55a is inserted:	
Article 1, first paragraph, point (59), amending provision, first paragraph				
475	,	,	,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 55a	Article 55a	Article 55a	
Article 1, first paragraph, point (59), amending provision, second paragraph				
476	Delegation of powers regarding appeal proceedings	Delegation of powers regarding appeal proceedings	Delegation of powers regarding appeal proceedings	
Article 1, first paragraph, point (59), amending provision, third paragraph				
477	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by specifying the details of appeal proceedings under	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by specifying the details <u>formal content of the notice</u>	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by specifying the details of appeal proceedings under	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	this Regulation.;	of appeal <u>and the</u> proceedings under this Regulation <u>for lodging and examining an appeal.</u> ;	this Regulation.;	
Article 1, first paragraph, point (60)				
478	(60) Articles 56 to 61 are deleted;	(60) Articles 56 to 61 are deleted;	(60) Articles 56 to 61 are deleted;	
Article 1, first paragraph, point (61)				
479	(61) Article 62 is replaced by the following:	(61) Article 62 is replaced by the following:	(61) Article 62 is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (61), amending provision, first paragraph				
480	Article 62	Article 62	Article 62	
Article 1, first paragraph, point (61), amending provision, second paragraph				
481	Decisions and communications of the Office	Decisions and communications of the Office	Decisions and communications of the Office	
Article 1, first paragraph, point (61), amending provision, numbered paragraph (1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
482	1. Decisions of the Office shall state the reasons on which they are based. They shall be based only on reasons or evidence on which the parties concerned have had an opportunity to present their comments. Where oral proceedings are held before the Office, the decision may be given orally. Subsequently, the decision shall be notified in writing to the parties.	1. Decisions of the Office shall state the reasons on which they are based. They shall be based only on reasons or evidence on which the parties concerned have had an opportunity to present their comments. Where oral proceedings are held before the Office, the decision may be given orally. Subsequently, the decision shall be notified in writing to the parties.	1. Decisions of the Office shall state the reasons on which they are based. They shall be based only on reasons or evidence on which the parties concerned have had an opportunity to present their comments. Where oral proceedings are held before the Office, the decision may be given orally. Subsequently, the decision shall be notified in writing to the parties.	
Article 1, first paragraph, point (61), amending provision, numbered paragraph (2)				
483	2. Any decision, communication or notice from the Office shall	2. Any decision, communication or notice from the Office shall	2. Any decision, communication or notice from the Office shall	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>indicate the department or division of the Office as well as the name or the names of the official or officials responsible. They shall be signed by that official or those officials, or, instead of a signature, carry a printed or stamped seal of the Office. The Executive Director may determine that other means of identifying the department or division of the Office and the name of the official or officials responsible or an identification other than a seal may be used where decisions, communications or notices are transmitted by any technical means of communication.</p>	<p>indicate the department or division of the Office as well as the name or the names of the official or officials responsible. They shall be signed by that official or those officials, or, instead of a signature, carry a printed or stamped seal of the Office. The Executive Director may determine that other means of identifying the department or division of the Office and the name of the official or officials responsible or an identification other than a seal may be used where decisions, communications or notices are transmitted by any technical means of communication.</p>	<p>indicate the department or division of the Office as well as the name or the names of the official or officials responsible. They shall be signed by that official or those officials, or, instead of a signature, carry a printed or stamped seal of the Office. The Executive Director may determine that other means of identifying the department or division of the Office and the name of the official or officials responsible or an identification other than a seal may be used where decisions, communications or notices are transmitted by any technical means of communication.</p>	
<p>Article 1, first paragraph, point (61), amending provision, numbered paragraph (3)</p>				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
484	<p>3. Decisions of the Office which are open to appeal shall be accompanied by a written communication indicating that any notice of appeal is to be filed in writing at the Office within 2 months of the date of notification of the decision in question. The communications shall also draw the attention of the parties to the provisions laid down in Articles 66, 67, 68, 71 and 72 of Regulation (EU) 2017/1001, which also apply to appeals under this Regulation pursuant to Article 55(2) of this Regulation. The parties may not plead any failure on the part of the Office to communicate the availability of appeal proceedings.;</p>	<p>3. Decisions of the Office which are open to appeal shall be accompanied by a written communication indicating that any notice of appeal is to be filed in writing at the Office within 2 months of the date of notification of the decision in question. The communications shall also draw the attention of the parties to the provisions laid down in Articles 66, 67, 68, 71 and 72 of Regulation (EU) 2017/1001, which also apply to appeals under this Regulation pursuant to Article 55(2) of this Regulation. The parties may not plead any failure on the part of the Office to communicate the availability of appeal proceedings.;</p>	<p>3. Decisions of the Office which are open to appeal shall be accompanied by a written communication indicating that any notice of appeal is to be filed in writing at the Office within 2 months of the date of notification of the decision in question. The communications shall also draw the attention of the parties to the provisions laid down in Articles 66, 67, 68, 71 and 72 of Regulation (EU) 2017/1001, which also apply to appeals under this Regulation pursuant to Article 55(2) of this Regulation. The parties may not plead any failure on the part of the Office to communicate the availability of appeal proceedings.;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (62)				
485	(62) in Article 63, paragraph 1 is replaced by the following:	(62) in Article 63, paragraph 1 is replaced by the following:	(62) in Article 63, paragraph 1 is replaced by the following:	
Article 1, first paragraph, point (62), amending provision, numbered paragraph (1)				
486	1. In proceedings before it the Office shall examine the facts of its own motion. However, in proceedings relating to a	1. In proceedings before it the Office shall examine the facts of its own motion. However, in proceedings relating to a	1. In proceedings before it the Office shall examine the facts of its own motion. However, in proceedings relating to a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	declaration of invalidity, the Office shall be restricted in this examination to the grounds, facts, evidence and arguments provided by the parties and the relief sought.;	declaration of invalidity, the Office shall be restricted in this examination to the grounds, facts, evidence and arguments provided by the parties and the relief sought.;	declaration of invalidity, the Office shall be restricted in this examination to the grounds, facts, evidence and arguments provided by the parties and the relief sought.;	
Article 1, first paragraph, point (63)				
487	(63) Article 64 is replaced by the following:	(63) Article 64 is replaced by the following:	(63) Article 64 is replaced by the following:	
Article 1, first paragraph, point (63), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
488	Article 64	Article 64	Article 64	
Article 1, first paragraph, point (63), amending provision, second paragraph				
489	Oral proceedings	Oral proceedings	Oral proceedings	
Article 1, first paragraph, point (63), amending provision, numbered paragraph (1)				
490	1. If the Office considers that oral proceedings would be expedient, they shall be held either at the	1. If the Office considers that oral proceedings would be expedient, they shall be held either at the	1. If the Office considers that oral proceedings would be expedient, they shall be held either at the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	instance of the Office or at the request of any party to the proceedings.	instance of the Office or at the request of any party to the proceedings.	instance of the Office or at the request of any party to the proceedings.	
Article 1, first paragraph, point (63), amending provision, numbered paragraph (2)				
491	2. Oral proceedings before the examiners and the Department in charge of the Register shall not be public.	2. Oral proceedings before the examiners and the Department in charge of the Register shall not be public.	2. Oral proceedings before the examiners and the Department in charge of the Register shall not be public.	
Article 1, first paragraph, point (63), amending provision, numbered paragraph (3)				
492	3. Oral proceedings, including delivery of the decision, before the	3. Oral proceedings, including delivery of the decision, before the	3. Oral proceedings, including delivery of the decision, before the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Invalidity Divisions and the Boards of Appeal shall be public, unless the department before which the proceedings are taking place decides otherwise in cases where admission of the public could have serious and unjustified disadvantages, in particular for a party to the proceedings.;	Invalidity Divisions and the Boards of Appeal shall be public, unless the department before which the proceedings are taking place decides otherwise in cases where admission of the public could have serious and unjustified disadvantages, in particular for a party to the proceedings.;	Invalidity Divisions and the Boards of Appeal shall be public, unless the department before which the proceedings are taking place decides otherwise in cases where admission of the public could have serious and unjustified disadvantages, in particular for a party to the proceedings.;	
Article 1, first paragraph, point (64)				
493	(64) the following Article 64a is inserted:	(64) the following Article 64a is inserted:	(64) the following Article 64a is inserted:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (64), amending provision, first paragraph				
494	Article 64a	Article 64a	Article 64a	
Article 1, first paragraph, point (64), amending provision, second paragraph				
495	Delegation of powers regarding oral proceedings	Delegation of powers regarding oral proceedings	Delegation of powers regarding oral proceedings	
Article 1, first paragraph, point (64), amending provision, third paragraph				
496				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by setting out the detailed arrangements for oral proceedings referred to in Article 64, including the detailed arrangements for the use of languages in accordance with Article 98.;	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by setting out the detailed arrangements for oral proceedings referred to in Article 64, including the detailed arrangements for the use of languages in accordance with Article 98.;	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by setting out the detailed arrangements for oral proceedings referred to in Article 64, including the detailed arrangements for the use of languages in accordance with Article 98.;	
Article 1, first paragraph, point (65)				
497	(65) Article 65 is amended as follows:	(65) Article 65 is amended as follows:	(65) Article 65 is amended as follows:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (65)(a)				
498	(a) in paragraph 3, the following sentence is added:	(a) in paragraph 3, the following sentence is added:	(a) in paragraph 3, the following sentence is added:	
Article 1, first paragraph, point (65)(a), amending provision, first paragraph				
499	‘ The period of notice provided in such summons shall be at least one month, unless the party, witness or expert agrees to a shorter period.; ,	‘ The period of notice provided in such summons shall be at least one month, unless the party, witness or expert agrees to a shorter period.; ,	‘ The period of notice provided in such summons shall be at least one month, unless the party, witness or expert agrees to a shorter period.; ,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (65)(b)				
500	(b) the following paragraph 5 is added:	(b) the following paragraph 5 is added:	(b) the following paragraph 5 is added:	
Article 1, first paragraph, point (65)(b), amending provision, numbered paragraph (5)				
501	5. The Executive Director shall determine the amounts of expenses to be paid, including advances, as regards the costs of taking of evidence as referred to in this	5. The Executive Director shall determine the amounts of expenses to be paid, including advances, as <u>regards to cover</u> the costs of taking of evidence as referred to in this	5. The Executive Director shall determine the amounts of expenses to be paid, including advances, as regards the costs of taking of evidence as referred to in this	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article.;	Article.;	Article.;	
Article 1, first paragraph, point (66)				
502	(66) the following Article 65a is inserted:	(66) the following Article 65a is inserted:	(66) the following Article 65a is inserted:	
Article 1, first paragraph, point (66), amending provision, first paragraph				
503	Article 65a	Article 65a	Article 65a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (66), amending provision, second paragraph				
504	Delegation of powers regarding the taking of evidence	Delegation of powers regarding the taking of evidence	Delegation of powers regarding the taking of evidence	
Article 1, first paragraph, point (66), amending provision, third paragraph				
505	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by setting out the detailed arrangements for the taking of evidence referred to in Article 65.;	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by setting out the detailed arrangements for the taking of evidence referred to in Article 65.;	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by setting out the detailed arrangements for the taking of evidence referred to in Article 65.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (67)				
506	(67) Article 66 is replaced by the following:	(67) Article 66 is replaced by the following:	(67) Article 66 is replaced by the following:	
Article 1, first paragraph, point (67), amending provision, first paragraph				
507	Article 66	Article 66	Article 66	
Article 1, first paragraph, point (67), amending provision, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
508	Notification	Notification	Notification	
Article 1, first paragraph, point (67), amending provision, numbered paragraph (1)				
509	1. The Office shall, as a matter of course, notify those concerned of decisions and summonses and of any notice or other communication from which a time limit is reckoned, or of which those concerned are to be notified under other provisions of this Regulation or of acts adopted pursuant to this Regulation, or of which notification has been ordered by the Executive Director.	1. The Office shall, as a matter of course, notify those concerned of decisions and summonses and of any notice or other communication from which a time limit is reckoned, or of which those concerned are to be notified under other provisions of this Regulation or of acts adopted pursuant to this Regulation, or of which notification has been ordered by the Executive Director.	1. The Office shall, as a matter of course, notify those concerned of decisions and summonses and of any notice or other communication from which a time limit is reckoned, or of which those concerned are to be notified under other provisions of this Regulation or of acts adopted pursuant to this Regulation, or of which notification has been ordered by the Executive Director.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (67), amending provision, numbered paragraph (2)				
510	2. Notification shall be effected by electronic means. The details regarding electronic means shall be determined by the Executive Director.	2. Notification shall be <u>mainly</u> effected by electronic means. The details regarding electronic means shall be determined by the Executive Director. <u>The Office shall designate an official address for official communication with the Office.</u>	2. Notification shall be effected by electronic means. The details regarding electronic means shall be determined by the Executive Director.	
Article 1, first paragraph, point (67), amending provision, numbered paragraph (3)				
511	3. Where notification has proved	3. Where notification has proved	3. Where notification has proved	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to be impossible by the Office, notification shall be effected by public notice. The Executive Director shall determine how the public notice is to be given and shall fix the beginning of the 1-month period on the expiry of which the document shall be deemed to have been notified.;	to be impossible by the Office, notification shall be effected by public notice. The Executive Director shall determine how the public notice is to be given and shall fix the beginning of the 1-month period on the expiry of which the document shall be deemed to have been notified.;	to be impossible by the Office, notification shall be effected by public notice. The Executive Director shall determine how the public notice is to be given and shall fix the beginning of the 1-month period on the expiry of which the document shall be deemed to have been notified.;	
Article 1, first paragraph, point (68)				
512	(68) the following Article 66a is inserted:	(68) the following Article 66a is inserted:	(68) the following Article 66a is inserted:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (68), amending provision, first paragraph				
513	Article 66a	Article 66a	Article 66a	
Article 1, first paragraph, point (68), amending provision, second paragraph				
514	Delegation of powers regarding notification	Delegation of powers regarding notification	Delegation of powers regarding notification	
Article 1, first paragraph, point (68), amending provision, third paragraph				
515				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The Commission is empowered to adopt delegated acts in accordance with Article 109a supplementing this Regulation by setting out the detailed arrangements for notification referred to in Article 66.;	The Commission is empowered to adopt delegated acts in accordance with Article 109a supplementing this Regulation by setting out the detailed arrangements for notification referred to in Article 66.;	The Commission is empowered to adopt delegated acts in accordance with Article 109a supplementing this Regulation by setting out the detailed arrangements for notification referred to in Article 66.;	
Article 1, first paragraph, point (69)				
516	(69) the following Articles 66b and 66c are inserted:	(69) the following Articles 66b and 66c are inserted:	(69) the following Articles 66b and 66c are inserted:	
Article 1, first paragraph, point (69), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
517	Article 66b	Article 66b	Article 66b	
Article 1, first paragraph, point (69), amending provision, second paragraph				
518	Notification of loss of rights	Notification of loss of rights	Notification of loss of rights	
Article 1, first paragraph, point (69), amending provision, third paragraph				
519	Where the Office finds that the loss of any rights results from this Regulation or acts adopted	Where the Office finds that the loss of any rights results from this Regulation or acts adopted	Where the Office finds that the loss of any rights results from this Regulation or acts adopted	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>pursuant to this Regulation, without any decision having been taken, it shall communicate this to the persons concerned in accordance with Article 66. The persons concerned may apply for a decision on the matter within 2 months of notification of the communication, if they consider that the finding of the Office is incorrect. The Office shall adopt such a decision only where it disagrees with the persons requesting it. If that is not the case, the Office shall amend its finding and inform the persons requesting the decision hereof.</p>	<p>pursuant to this Regulation, without any decision having been taken, it shall communicate this to the persons concerned in accordance with Article 66. The persons concerned may apply for a decision on the matter within 2 months of notification of the communication, if they consider that the finding of the Office is incorrect. The Office shall adopt such a decision only where it disagrees with the persons requesting it. If that is not the case, the Office shall amend its finding and inform the persons requesting the decision hereof.</p>	<p>pursuant to this Regulation, without any decision having been taken, it shall communicate this to the persons concerned in accordance with Article 66. The persons concerned may apply for a decision on the matter within 2 months of notification of the communication, if they consider that the finding of the Office is incorrect. The Office shall adopt such a decision only where it disagrees with the persons requesting it. If that is not the case, the Office shall amend its finding and inform the persons requesting the decision hereof.</p>	
<p>Article 1, first paragraph, point (69), amending provision, fourth paragraph</p>				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
520	Article 66c	Article 66c	Article 66c	
Article 1, first paragraph, point (69), amending provision, fifth paragraph				
521	Communications to the Office	Communications to the Office	Communications to the Office	
Article 1, first paragraph, point (69), amending provision, sixth paragraph				
522	Communications addressed to the Office shall be effected by electronic means. The Executive Director shall determine the electronic means to be used and the	Communications addressed to the Office shall be effected by electronic means. The Executive Director shall determine the electronic means to be used and the	Communications addressed to the Office shall be effected by electronic means. The Executive Director shall determine the electronic means to be used and the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	manner and technical conditions under which such electronic means shall be used.;	manner and technical conditions under which such electronic means shall be used.;	manner and technical conditions under which such electronic means shall be used.;	
Article 1, first paragraph, point (70)				
523	(70) the following Article 66d is inserted:	(70) the following Article 66d is inserted:	(70) the following Article 66d is inserted:	
Article 1, first paragraph, point (70), amending provision, first paragraph				
524	,	,	,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 66d	Article 66d	Article 66d	
Article 1, first paragraph, point (70), amending provision, second paragraph				
525	Delegation of power regarding communications to the Office	Delegation of power regarding communications to the Office	Delegation of power regarding communications to the Office	
Article 1, first paragraph, point (70), amending provision, third paragraph				
526	The Commission is empowered to adopt delegated acts in accordance with Article 109a supplementing this Regulation by specifying the rules on communications addressed	The Commission is empowered to adopt delegated acts in accordance with Article 109a supplementing this Regulation by specifying the rules on communications addressed	The Commission is empowered to adopt delegated acts in accordance with Article 109a supplementing this Regulation by specifying the rules on communications addressed	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to the Office as referred to in Article 66c and the forms for such communication that shall be made available by the Office.;	to the Office as referred to in Article 66c and the forms for such communication that shall be made available by the Office.;	to the Office as referred to in Article 66c and the forms for such communication that shall be made available by the Office.;	
Article 1, first paragraph, point (71)				
527	(71) the following Article 66e is inserted:	(71) the following Article 66e is inserted:	(71) the following Article 66e is inserted:	
Article 1, first paragraph, point (71), amending provision, first paragraph				
528	,	,	,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 66e	Article 66e	Article 66e	
Article 1, first paragraph, point (71), amending provision, second paragraph				
529	Time limits	Time limits	Time limits	
Article 1, first paragraph, point (71), amending provision, numbered paragraph (1)				
530	1. Time limits shall be laid down in terms of full years, months, weeks or days. Calculation shall start on the day following the day on which the relevant event occurred. The duration of time	1. Time limits shall be laid down in terms of full years, months, weeks or days. Calculation shall start on the day following the day on which the relevant event occurred. The duration of time	1. Time limits shall be laid down in terms of full years, months, weeks or days. Calculation shall start on the day following the day on which the relevant event occurred. The duration of time	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	limits shall be no less than one month and no more than 6 months, unless otherwise set out in this Regulation or in any acts adopted pursuant to this Regulation.	limits shall be no less than one month and no more than 6 months, unless otherwise set out in this Regulation or in any acts adopted pursuant to this Regulation.	limits shall be no less than one month and no more than 6 months, unless otherwise set out in this Regulation or in any acts adopted pursuant to this Regulation.	
Article 1, first paragraph, point (71), amending provision, numbered paragraph (2)				
531	2. The Executive Director shall determine, before the commencement of each calendar year, the days on which the Office is not open for receipt of documents.	2. The Executive Director shall determine, before the commencement of each calendar year, the days on which the Office is not open for receipt of documents.	2. The Executive Director shall determine, before the commencement of each calendar year, the days on which the Office is not open for receipt of documents.	
Article 1, first paragraph, point (71), amending provision, numbered paragraph (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
532	3. The Executive Director shall determine the duration of the period of interruption in the case of an actual interruption of the Office's connection to admitted electronic means of communication.	3. The Executive Director shall determine the duration of the period of interruption in the case of an actual interruption of the Office's connection to admitted electronic means of communication.	3. The Executive Director shall determine the duration of the period of interruption in the case of an actual interruption of the Office's connection to admitted electronic means of communication.	
Article 1, first paragraph, point (71), amending provision, numbered paragraph (4)				
533	4. If an exceptional occurrence, such as a natural disaster or strike, interrupts or interferes with proper communication from the parties to the proceedings to the Office or vice-versa, the Executive Director	4. If an exceptional occurrence, such as a natural disaster or strike, interrupts or interferes with proper communication from the parties to the proceedings to the Office or vice-versa, the Executive Director	4. If an exceptional occurrence, such as a natural disaster or strike, interrupts or interferes with proper communication from the parties to the proceedings to the Office or vice-versa, the Executive Director	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>may determine that for parties to the proceedings that have their residence or registered office in the geographical area affected by the exceptional occurrence, or who have appointed a representative with a place of business in that area, all time limits that otherwise would expire on or after the date of commencement of such occurrence shall be extended until a certain date. When determining that date, the Executive Director shall assess when the exceptional occurrence comes to an end. If the occurrence affects the seat of the Office, such determination of the Executive Director shall specify that it applies in respect of all parties to the proceedings.;</p>	<p>may determine that for parties to the proceedings that have their residence or registered office in the geographical area affected by the exceptional occurrence, or who have appointed a representative with a place of business in that area, all time limits that otherwise would expire on or after the date of commencement of such occurrence shall be extended until a certain date. When determining that date, the Executive Director shall assess when the exceptional occurrence comes to an end. If the occurrence affects the seat of the Office, such determination of the Executive Director shall specify that it applies in respect of all parties to the proceedings.;</p>	<p>may determine that for parties to the proceedings that have their residence or registered office in the geographical area affected by the exceptional occurrence, or who have appointed a representative with a place of business in that area, all time limits that otherwise would expire on or after the date of commencement of such occurrence shall be extended until a certain date. When determining that date, the Executive Director shall assess when the exceptional occurrence comes to an end. If the occurrence affects the seat of the Office, such determination of the Executive Director shall specify that it applies in respect of all parties to the proceedings.;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	,	,	,	
Article 1, first paragraph, point (72)				
534	(72) the following Article 66f is inserted:	(72) the following Article 66f is inserted:	(72) the following Article 66f is inserted:	
Article 1, first paragraph, point (72), amending provision, first paragraph				
535	Article 66f	Article 66f	Article 66f	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (72), amending provision, second paragraph				
536	Delegation of power regarding calculation and duration of time limits	Delegation of power regarding calculation and duration of time limits	Delegation of power regarding calculation and duration of time limits	
Article 1, first paragraph, point (72), amending provision, third paragraph				
537	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by specifying the details regarding the calculation and duration of time limits referred to in Article 66e.;	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by specifying the details regarding the calculation and duration of time limits referred to in Article 66e.;	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by specifying the details regarding the calculation and duration of time limits referred to in Article 66e.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (73)				
538	(73) the following Articles 66g and 66h are inserted:	(73) the following Articles 66g and 66h are inserted:	(73) the following Articles 66g and 66h are inserted:	
Article 1, first paragraph, point (73), amending provision, first paragraph				
539	Article 66g	Article 66g	Article 66g	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (73), amending provision, second paragraph				
540	Correction of errors and manifest oversights	Correction of errors and manifest oversights	Correction of errors and manifest oversights	
Article 1, first paragraph, point (73), amending provision, numbered paragraph (1)				
541	1. The Office shall correct any linguistic errors or errors of transcription and manifest oversights in its decisions, errors in registering an EU design or errors in publishing the registration of its own motion or at the request of a party.	1. The Office shall correct any linguistic errors or errors of transcription and manifest oversights in its decisions, errors in registering an EU design or errors in publishing the registration of its own motion or at the request of a party.	1. The Office shall correct any linguistic errors or errors of transcription and manifest oversights in its decisions, errors in registering an EU design or errors in publishing the registration of its own motion or at the request of a party.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (73), amending provision, numbered paragraph (2)				
542	2. Where the correction of errors in the registration of an EU design or the publication of the registration is requested by the holder, Article 50g shall apply mutatis mutandis.	2. Where the correction of errors in the registration of an EU design or the publication of the registration is requested by the holder, Article 50g shall apply mutatis mutandis.	2. Where the correction of errors in the registration of an EU design or the publication of the registration is requested by the holder, Article 50g shall apply mutatis mutandis.	
Article 1, first paragraph, point (73), amending provision, numbered paragraph (3)				
543	3. Corrections of errors in the registration of an EU design and in the publication of the registration	3. Corrections of errors in the registration of an EU design and in the publication of the registration	3. Corrections of errors in the registration of an EU design and in the publication of the registration	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	shall be published.	shall be published.	shall be published.	
Article 1, first paragraph, point (73), amending provision, sixth paragraph				
544	Article 66h	Article 66h	Article 66h	
Article 1, first paragraph, point (73), amending provision, seventh paragraph				
545	Cancellation of entries in the Register and revocation of decisions	Cancellation of entries in the Register and revocation of decisions	Cancellation of entries in the Register and revocation of decisions	
Article 1, first paragraph, point (73), amending provision, numbered paragraph (1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
546	1. Where the Office has made an entry in the Register or taken a decision which contains an obvious error attributable to the Office, it shall ensure that the entry is cancelled or the decision is revoked. Where there is only one party to the proceedings and the entry or the act affects its rights, cancellation or revocation shall be determined even if the error was not evident to the party.	1. Where the Office has made an entry in the Register or taken a decision which contains an obvious error attributable to the Office, it shall ensure that the entry is cancelled or the decision is revoked. Where there is only one party to the proceedings and the entry or the act affects its rights, cancellation or revocation shall be determined even if the error was not evident to the party.	1. Where the Office has made an entry in the Register or taken a decision which contains an obvious error attributable to the Office, it shall ensure that the entry is cancelled or the decision is revoked. Where there is only one party to the proceedings and the entry or the act affects its rights, cancellation or revocation shall be determined even if the error was not evident to the party.	
Article 1, first paragraph, point (73), amending provision, numbered paragraph (2)				
547	2. Cancellation or revocation as	2. Cancellation or revocation as	2. Cancellation or revocation as	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>referred to in paragraph 1 shall be determined, ex officio or at the request of one of the parties to the proceedings, by the department which made the entry or took the decision. The cancellation of the entry in the Register or the revocation of the decision shall be effected within one year of the date on which the entry was made or the decision was taken, after consultation with the parties to the proceedings and any proprietor of rights to the EU Design in question that are entered in the Register. The Office shall keep records of any such cancellation or revocation.</p>	<p>referred to in paragraph 1 shall be determined, ex officio or at the request of one of the parties to the proceedings, by the department which made the entry or took the decision. The cancellation of the entry in the Register or the revocation of the decision shall be effected within one year of the date on which the entry was made or the decision was taken, after consultation with the parties to the proceedings and any proprietor of rights to the EU Design in question that are entered in the Register. The Office shall keep records of any such cancellation or revocation.</p>	<p>referred to in paragraph 1 shall be determined, ex officio or at the request of one of the parties to the proceedings, by the department which made the entry or took the decision. The cancellation of the entry in the Register or the revocation of the decision shall be effected within one year of the date on which the entry was made or the decision was taken, after consultation with the parties to the proceedings and any proprietor of rights to the EU Design in question that are entered in the Register. The Office shall keep records of any such cancellation or revocation.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (73), amending provision, numbered paragraph (4)				
548	<p>4. This Article shall be without prejudice to the right of the parties to submit an appeal under Articles 55 and 55a or to the possibility of correcting errors and manifest oversights under Article 66g. Where an appeal has been filed against a decision of the Office containing an error, the appeal proceedings shall become devoid of purpose upon revocation by the Office of its decision pursuant to paragraph 1 of this Article. In the latter case, the appeal fee shall be reimbursed to the appellant.;</p>	<p>4. This Article shall be without prejudice to the right of the parties to submit an appeal under Articles 55 and 55a or to the possibility of correcting errors and manifest oversights under Article 66g. Where an appeal has been filed against a decision of the Office containing an error, the appeal proceedings shall become devoid of purpose upon revocation by the Office of its decision pursuant to paragraph 1 of this Article. In the latter case, the appeal fee shall be reimbursed to the appellant.;</p>	<p>43. This Article shall be without prejudice to the right of the parties to submit an appeal under Articles 55 and 55a or to the possibility of correcting errors and manifest oversights under Article 66g. Where an appeal has been filed against a decision of the Office containing an error, the appeal proceedings shall become devoid of purpose upon revocation by the Office of its decision pursuant to paragraph 1 of this Article. In the latter case, the appeal fee shall be reimbursed to the appellant.;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (74)				
549	(74) the following Article 66i is inserted:	(74) the following Article 66i is inserted:	(74) the following Article 66i is inserted:	
Article 1, first paragraph, point (74), amending provision, first paragraph				
550	Article 66i	Article 66i	Article 66i	
Article 1, first paragraph, point (74), amending provision, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
551	Delegation of power regarding cancellation of entries and revocation of decisions	Delegation of power regarding cancellation of entries and revocation of decisions	Delegation of power regarding cancellation of entries and revocation of decisions	
Article 1, first paragraph, point (74), amending provision, third paragraph				
552	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by setting out the procedure for the cancellation of an entry in the Register or the revocation of a decision as referred to in Article 66h.;	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by setting out the procedure for the cancellation of an entry in the Register or the revocation of a decision as referred to in Article 66h.;	The Commission is empowered to adopt delegated acts in accordance with Article 109a to supplement this Regulation by setting out the procedure for the cancellation of an entry in the Register or the revocation of a decision as referred to in Article 66h.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (75)				
553	(75) Article 67 is amended as follows:	(75) Article 67 is amended as follows:	(75) Article 67 is amended as follows:	
Article 1, first paragraph, point (75)(a)				
554	(a) in paragraph 2, the fourth sentence is replaced by the following:	(a) in paragraph 2, the fourth sentence is replaced by the following:	(a) in paragraph 2, the fourth sentence is replaced by the following:	
Article 1, first paragraph, point (75)(a), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
555	<p>‘</p> <p>In the case of non-submission of the request for renewal of registration or of non-payment of a renewal fee, the application shall be filed and the omitted act completed within 12 months from the date of expiration of the further period of 6 months following the expiry of registration provided in the third sentence of Article 50d(3).;</p> <p>’</p>	<p>‘</p> <p>In the case of non-submission of the request for renewal of registration or of non-payment of a renewal fee, the application shall be filed and the omitted act completed within 12 months from the date of expiration of the further period of 6 months following the expiry of registration provided in the third sentence of Article 50d(3).;</p> <p>’</p>	<p>‘</p> <p>In the case of non-submission of the request for renewal of registration or of non-payment of a renewal fee, the application shall be filed and the omitted act completed within 12 months from the date of expiration of the further period of 6 months following the expiry of registration provided in the third sentence of Article 50d(3) shall not be deducted from the period of one year.’;</p> <p>’</p>	
Article 1, first paragraph, point (75)(b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
556	(b) in paragraph 3, the following sentence is added:	(b) in paragraph 3, the following sentence is added:	(b) in paragraph 3, the following sentence is added:	
Article 1, first paragraph, point (75)(b), amending provision, first paragraph				
557	‘ If the request for restitutio in integrum is granted, the fee shall be reimbursed.; ,	‘ If the request for restitutio in integrum is granted, the fee shall be reimbursed.; ,	‘ If the request for restitutio in integrum is granted, the fee shall be reimbursed.; ,	
Article 1, first paragraph, point (75)(c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
558	(c) paragraph 5 is replaced by the following:	(c) paragraph 5 is replaced by the following:	(c) paragraph 5 is replaced by the following:	
Article 1, first paragraph, point (75)(c), amending provision, numbered paragraph (5)				
559	5. Non-observance of the time limits laid down in paragraph 2 and in Article 67a shall not give rise to re-establishment of rights as referred to in paragraph 1 of this Article.;	5. Non-observance of the time limits laid down in paragraph 2 and in Article 67a shall not give rise to re-establishment of rights as referred to in paragraph 1 of this Article.;	5. Non-observance of the time limits laid down in paragraph 2 and in Article 67a shall not give rise to re-establishment of rights as referred to in paragraph 1 of this Article.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (76)				
560	(76) the following Articles 67a and 67b are inserted:	(76) the following Articles 67a and 67b are inserted:	(76) the following Articles 67a and 67b are inserted:	
Article 1, first paragraph, point (76), amending provision, first paragraph				
561	‘ Article 67a	‘ Article 67a	‘ Article 67a	
Article 1, first paragraph, point (76), amending provision, second paragraph				
562				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Continuation of proceedings	Continuation of proceedings	Continuation of proceedings	
Article 1, first paragraph, point (76), amending provision, numbered paragraph (1)				
563	<p>1. An applicant for or a holder of a registered EU design or any other party to proceedings before the Office who has not observed a time limit vis-à-vis the Office may, upon request, obtain the continuation of proceedings, provided that at the time the request is made the omitted act has been carried out. The request for continuation of proceedings shall be admissible only if it is submitted within 2 months of the expiry of the unobserved time limit. The</p>	<p>1. An applicant for or a holder of a registered EU design or any other party to proceedings before the Office who has not observed a time limit vis-à-vis the Office may, upon request, obtain the continuation of proceedings, provided that at the time the request is made the omitted act has been carried out. The request for continuation of proceedings shall be admissible only if it is submitted within 2 months of the expiry of the unobserved time limit. The</p>	<p>1. An applicant for or a holder of a registered EU design or any other party to proceedings before the Office who has not observed a time limit vis-à-vis the Office may, upon request, obtain the continuation of proceedings, provided that at the time the request is made the omitted act has been carried out. The request for continuation of proceedings shall be admissible only if it is submitted within 2 months of the expiry of the unobserved time limit. The</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	request shall not be deemed to have been filed until the fee for continuation of the proceedings has been paid.	request shall not be deemed to have been filed until the fee for continuation of the proceedings has been paid.	request shall not be deemed to have been filed until the fee for continuation of the proceedings has been paid.	
Article 1, first paragraph, point (76), amending provision, numbered paragraph (2)				
564	2. Continuation of proceedings shall not be granted in case of non-observance of the time limits laid down in:	2. Continuation of proceedings shall not be granted in case of non-observance of the time limits laid down in:	2. Continuation of proceedings shall not be granted in case of non-observance of the time limits laid down in:	
Article 1, first paragraph, point (76), amending provision, numbered paragraph (2), point (a)				
565	(a) Article 38 and Articles 41(1),	(a) Article 38 and Articles 41(1),	(a) Article 38 and Articles 41(1),	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	44(1), 45(3), 50d(3), and Article 67(2);	44(1), 45(3), 50d(3), and Article 67(2);	44(1), 45(3), 50d(3), and Article 67(2);	
Article 1, first paragraph, point (76), amending provision, numbered paragraph (2), point (b)				
566	(b) Article 68 and Article 72(5) of Regulation (EU) 2017/1001 in conjunction with Article 55(2) of this Regulation;	(b) Article 68 and Article 72(5) of Regulation (EU) 2017/1001 in conjunction with Article 55(2) of this Regulation;	(b) Article 68 and Article 72(5) of Regulation (EU) 2017/1001 in conjunction with Article 55(2) of this Regulation;	
Article 1, first paragraph, point (76), amending provision, numbered paragraph (2), point (c)				
567	(c) paragraph 1 of this Article.	(c) paragraph 1 of this Article.	(c) paragraph 1 of this Article.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (76), amending provision, numbered paragraph (3)				
568	3. The department competent to decide on the omitted act shall decide upon the request for continuation.	3. The department competent to decide on the omitted act shall decide upon the request for continuation.	3. The department competent to decide on the omitted act shall decide upon the request for continuation.	
Article 1, first paragraph, point (76), amending provision, numbered paragraph (4)				
569	4. If the Office accepts the request for continuation, the consequences of having failed to observe the time limit shall be deemed not to have occurred. If a decision has been taken between the expiry of that time limit and the request for the	4. If the Office accepts the request for continuation, the consequences of having failed to observe the time limit shall be deemed not to have occurred. If a decision has been taken between the expiry of that time limit and the request for the	4. If the Office accepts the request for continuation, the consequences of having failed to observe the time limit shall be deemed not to have occurred. If a decision has been taken between the expiry of that time limit and the request for the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	continuation of proceedings, the department competent to decide on the omitted act shall review the decision and, where completion of the omitted act itself is sufficient, take a different decision. If, following the review, the Office concludes that the original decision does not require to be altered, it shall confirm that decision in writing.	continuation of proceedings, the department competent to decide on the omitted act shall review the decision and, where completion of the omitted act itself is sufficient, take a different decision. If, following the review, the Office concludes that the original decision does not require to be altered, it shall confirm that decision in writing.	continuation of proceedings, the department competent to decide on the omitted act shall review the decision and, where completion of the omitted act itself is sufficient, take a different decision. If, following the review, the Office concludes that the original decision does not require to be altered, it shall confirm that decision in writing.	
Article 1, first paragraph, point (76), amending provision, numbered paragraph (5)				
570	5. If the Office rejects the request for continuation, the fee shall be refunded.	5. If the Office rejects the request for continuation, the fee shall be refunded.	5. If the Office rejects the request for continuation, the fee shall be refunded.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (76), amending provision, eighth paragraph				
571	Article 67b	Article 67b	Article 67b	
Article 1, first paragraph, point (76), amending provision, ninth paragraph				
572	Interruption of proceedings	Interruption of proceedings	Interruption of proceedings	
Article 1, first paragraph, point (76), amending provision, numbered paragraph (1), first subparagraph				
573	1. Proceedings before the Office	1. Proceedings before the Office	1. Proceedings before the Office	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	shall be interrupted:	shall be interrupted:	shall be interrupted:	
Article 1, first paragraph, point (76), amending provision, numbered paragraph (1), first subparagraph, point (a)				
574	(a) in the event of the death or legal incapacity of the applicant for, or holder of, a registered EU design or of the person authorised by national law to act on behalf of the applicant or holder.	(a) in the event of the death or legal incapacity of the applicant for, or holder of, a registered EU design or of the person authorised by national law to act on behalf of the applicant or holder.	(a) in the event of the death or legal incapacity of the applicant for, or holder of, a registered EU design or of the person authorised by national law to act on behalf of the applicant or holder.	
Article 1, first paragraph, point (76), amending provision, numbered paragraph (1), first subparagraph, point (b)				
575	(b) in the event of the applicant for, or holder of, a registered EU	(b) in the event of the applicant for, or holder of, a registered EU	(b) in the event of the applicant for, or holder of, a registered EU	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	design being prevented, for legal reasons resulting from action taken against his property, from continuing the proceedings before the Office;	design being prevented, for legal reasons resulting from action taken against his property, from continuing the proceedings before the Office;	design being prevented, for legal reasons resulting from action taken against his property, from continuing the proceedings before the Office;	
Article 1, first paragraph, point (76), amending provision, numbered paragraph (1), first subparagraph, point (c)				
576	(c) in the event of the death or legal incapacity of the representative of an applicant for, or holder of, a registered EU design, or of that representative being prevented, for legal reasons resulting from action taken against his property, from continuing the proceedings before the Office.	(c) in the event of the death or legal incapacity of the representative of an applicant for, or holder of, a registered EU design, or of that representative being prevented, for legal reasons resulting from action taken against his property, from continuing the proceedings before the Office.	(c) in the event of the death or legal incapacity of the representative of an applicant for, or holder of, a registered EU design, or of that representative being prevented, for legal reasons resulting from action taken against his property, from continuing the proceedings before the Office.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (76), amending provision, numbered paragraph (1), second subparagraph				
577	To the extent that the death or incapacity referred to in the first subparagraph, point (a), does not affect the authorisation of a representative appointed under Article 78, proceedings shall be interrupted only on application by such representative.	To the extent that the death or incapacity referred to in the first subparagraph, point (a), does not affect the authorisation of a representative appointed under Article 78, proceedings shall be interrupted only on application by such representative.	To the extent that the death or incapacity referred to in the first subparagraph, point (a), does not affect the authorisation of a representative appointed under Article 78, proceedings shall be interrupted only on application by such representative.	
Article 1, first paragraph, point (76), amending provision, numbered paragraph (2)				
578	2. Proceedings before the Office	2. Proceedings before the Office	2. Proceedings before the Office	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	may be resumed as soon as the identity of the person authorised to continue them has been established or the Office has exhausted all reasonable attempts to establish the identity of such person.;	may be resumed as soon as the identity of the person authorised to continue them has been established or the Office has exhausted all reasonable attempts to establish the identity of such person.;	may be resumed as soon as the identity of the person authorised to continue them has been established or the Office has exhausted all reasonable attempts to establish the identity of such person.;	
Article 1, first paragraph, point (77)				
579	(77) the following Article 67c is inserted:	(77) the following Article 67c is inserted:	(77) the following Article 67c is inserted:	
Article 1, first paragraph, point (77), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
580	Article 67c	Article 67c	Article 67c	
Article 1, first paragraph, point (77), amending provision, second paragraph				
581	Delegation of power regarding the resumption of proceedings	Delegation of power regarding the resumption of proceedings	Delegation of power regarding the resumption of proceedings	
Article 1, first paragraph, point (77), amending provision, third paragraph				
582	The Commission is empowered to adopt delegated acts in accordance	The Commission is empowered to adopt delegated acts in accordance	The Commission is empowered to adopt delegated acts in accordance	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	with Article 109a to supplement this Regulation by setting out the detailed arrangements for the resumption of proceedings before the Office referred to in Article 67b(2).;	with Article 109a to supplement this Regulation by setting out the detailed arrangements for the resumption of proceedings before the Office referred to in Article 67b(2).;	with Article 109a to supplement this Regulation by setting out the detailed arrangements for the resumption of proceedings before the Office referred to in Article 67b(2).;	
Article 1, first paragraph, point (78)				
583	(78) Article 68 is replaced by the following:	(78) Article 68 is replaced by the following:	(78) Article 68 is replaced by the following:	
Article 1, first paragraph, point (78), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
584	Article 68	Article 68	Article 68	
Article 1, first paragraph, point (78), amending provision, second paragraph				
585	Reference to general principles	Reference to general principles	Reference to general principles	
Article 1, first paragraph, point (78), amending provision, third paragraph				
586	In the absence of procedural provisions in this Regulation or in acts adopted pursuant to this	In the absence of procedural provisions in this Regulation or in acts adopted pursuant to this	In the absence of procedural provisions in this Regulation or in acts adopted pursuant to this	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation, the Office shall take into account the principles of procedural law generally recognised in the Member States.;	Regulation, the Office shall take into account the principles of procedural law generally recognised in the Member States.;	Regulation, the Office shall take into account the principles of procedural law generally recognised in the Member States.;	
Article 1, first paragraph, point (79)				
587	(79) in Article 69, paragraphs 1 and 2 are replaced by the following:	(79) in Article 69, paragraphs 1 and 2 are replaced by the following:	(79) in Article 69, paragraphs 1 and 2 are replaced by the following:	
Article 1, first paragraph, point (79), amending provision, numbered paragraph (1)				
588				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>1. Rights of the Office to the payment of fees shall be extinguished after four years from the end of the calendar year in which the fee fell due.</p>	<p>1. Rights of the Office to the payment of fees shall be extinguished after four years from the end of the calendar year in which the fee fell due.</p>	<p>1. Rights of the Office to the payment of fees shall be extinguished after four years from the end of the calendar year in which the fee fell due.</p>	
Article 1, first paragraph, point (79), amending provision, numbered paragraph (2)				
589	<p>2. Rights against the Office for the refunding of fees or sums of money paid in excess of a fee shall be extinguished after four years from the end of the calendar year in which the right arose.;</p>	<p>2. Rights against the Office for the refunding of fees or sums of money paid in excess of a fee shall be extinguished after four years from the end of the calendar year in which the right arose.;</p>	<p>2. Rights against the Office for the refunding of fees or sums of money paid in excess of a fee shall be extinguished after four years from the end of the calendar year in which the right arose.;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (80)				
590	(80) Article 70 is replaced by the following:	(80) Article 70 is replaced by the following:	(80) Article 70 is replaced by the following:	
Article 1, first paragraph, point (80), amending provision, first paragraph				
591	Article 70	Article 70	Article 70	
Article 1, first paragraph, point (80), amending provision, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
592	Apportionment of costs	Apportionment of costs	Apportionment of costs	
Article 1, first paragraph, point (80), amending provision, numbered paragraph (1)				
593	1. The losing party in proceedings for a declaration of invalidity of a registered EU design or appeal proceedings shall bear the fees paid by the other party for the application for a declaration of invalidity and for appeal. The losing party shall also bear the costs incurred by the other party that are essential to the proceedings, including travel and subsistence and the remuneration	1. The losing party in proceedings for a declaration of invalidity of a registered EU design or appeal proceedings shall bear the fees paid by the other party for the application for a declaration of invalidity and for appeal. The losing party shall also bear the costs incurred by the other party that are essential to the proceedings, including travel and subsistence and the remuneration	1. The losing party in proceedings for a declaration of invalidity of a registered EU design or appeal proceedings shall bear the fees paid by the other party for the application for a declaration of invalidity and for appeal. The losing party shall also bear the costs incurred by the other party that are essential to the proceedings, including travel and subsistence and the remuneration	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of a representative within the meaning of Article 78(1), within the maximum rates set for each category of costs in the implementing act adopted pursuant to Article 70a.	of a representative within the meaning of Article 78(1), within the maximum rates set for each category of costs in the implementing act adopted pursuant to Article 70a.	of a representative within the meaning of Article 78(1), within the maximum rates set for each category of costs in the implementing act adopted pursuant to Article 70a.	
Article 1, first paragraph, point (80), amending provision, numbered paragraph (2)				
594	2. Where each party succeeds on some and fails on other heads, or where reasons of equity so dictate, the Invalidation Division or Board of Appeal shall decide on another apportionment of costs than the one set out in paragraph 1.	2. Where each party succeeds on some and fails on other heads, or where reasons of equity so dictate, the Invalidation Division or Board of Appeal shall decide on another apportionment of costs than the one set out in paragraph 1.	2. Where each party succeeds on some and fails on other heads, or where reasons of equity so dictate, the Invalidation Division or Board of Appeal shall decide on another apportionment of costs than the one set out in paragraph 1.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (80), amending provision, numbered paragraph (3)				
595	3. The party who terminates the proceedings by withdrawing the EU design application, the application for a declaration of invalidity or the appeal, by not renewing the registration of the EU design, or by surrendering the registered EU design, shall bear the fees and the costs incurred by the other party as set out in paragraphs 1 and 2.	3. The party who terminates the proceedings by withdrawing the EU design application, the application for a declaration of invalidity or the appeal, by not renewing the registration of the EU design, or by surrendering the registered EU design, shall bear the fees and the costs incurred by the other party as set out in paragraphs 1 and 2.	3. The party who terminates the proceedings by withdrawing the EU design application, the application for a declaration of invalidity or the appeal, by not renewing the registration of the EU design, or by surrendering the registered EU design, shall bear the fees and the costs incurred by the other party as set out in paragraphs 1 and 2.	
Article 1, first paragraph, point (80), amending provision, numbered paragraph (4)				
596				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	4. Where a case does not proceed to judgment, the costs shall be at the discretion of the Invalidation Division or Board of Appeal.	4. Where a case does not proceed to judgment, the costs shall be at the discretion of the Invalidation Division or Board of Appeal.	4. Where a case does not proceed to judgment, the costs shall be at the discretion of the Invalidation Division or Board of Appeal.	
Article 1, first paragraph, point (80), amending provision, numbered paragraph (5)				
597	5. Where the parties conclude before the Invalidation Division or Board of Appeal a settlement of costs differing from that provided for in paragraphs 1 to 4, the body concerned shall take note of that agreement.	5. Where the parties conclude before the Invalidation Division or Board of Appeal a settlement of costs differing from that provided for in paragraphs 1 to 4, the body concerned shall take note of that agreement.	5. Where the parties conclude before the Invalidation Division or Board of Appeal a settlement of costs differing from that provided for in paragraphs 1 to 4, the body concerned shall take note of that agreement.	
Article 1, first paragraph, point (80), amending provision, numbered paragraph (6)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
598	<p>6. The Invalidation Division or Board of Appeal shall fix ex officio the amount of the costs to be paid pursuant to paragraphs 1 to 5 of this Article when the costs to be paid are limited to the fees paid to the Office and the representation costs. In all other cases, the registry of the Board of Appeal or Invalidation Division shall fix, on request, the amount of the costs to be paid. The request shall be admissible only for a period of 2 months following the date on which the decision for which an application was made for the costs to be fixed becomes final and shall be accompanied by a bill and supporting evidence. For the costs</p>	<p>6. The Invalidation Division or Board of Appeal shall fix ex officio the amount of the costs to be paid pursuant to paragraphs 1 to 5 of this Article when the costs to be paid are limited to the fees paid to the Office and the representation costs. In all other cases, the registry of the Board of Appeal or Invalidation Division shall fix, on request, the amount of the costs to be paid. The request shall be admissible only for a period of 2 months following the date on which the decision for which an application was made for the costs to be fixed becomes final and shall be accompanied by a bill and supporting evidence. For the costs</p>	<p>6. The Invalidation Division or Board of Appeal shall fix ex officio the amount of the costs to be paid pursuant to paragraphs 1 to 5 of this Article when the costs to be paid are limited to the fees paid to the Office and the representation costs. In all other cases, the registry of the Board of Appeal or Invalidation Division shall fix, on request, the amount of the costs to be paid. The request shall be admissible only for a period of 2 months following the date on which the decision for which an application was made for the costs to be fixed becomes final and shall be accompanied by a bill and supporting evidence. For the costs</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>of representation pursuant to Article 78(1), an assurance by the representative that the costs have been incurred shall be sufficient. For other costs, it shall be sufficient if their plausibility is established. Where the amount of the costs is fixed pursuant to the first sentence of this paragraph, representation costs shall be awarded at the level laid down in the implementing act adopted pursuant to Article 70a and irrespective of whether they have been actually incurred.</p>	<p>of representation pursuant to Article 78(1), an assurance by the representative that the costs have been incurred shall be sufficient. For other costs, it shall be sufficient if their plausibility is established. Where the amount of the costs is fixed pursuant to the first sentence of this paragraph, representation costs shall be awarded at the level laid down in the implementing act adopted pursuant to Article 70a and irrespective of whether they have been actually incurred.</p>	<p>of representation pursuant to Article 78(1), an assurance by the representative that the costs have been incurred shall be sufficient. For other costs, it shall be sufficient if their plausibility is established. Where the amount of the costs is fixed pursuant to the first sentence of this paragraph, representation costs shall be awarded at the level laid down in the implementing act adopted pursuant to Article 70a and irrespective of whether they have been actually incurred.</p>	
Article 1, first paragraph, point (80), amending provision, numbered paragraph (7)				
599				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>7. Decisions on the fixing of costs adopted in accordance with paragraph 6 shall state the reasons on which it is based and may be reviewed by the Invalidity Division or Board of Appeal on a request filed within 1 month of the date of notification of the decision. It shall not be deemed to be filed until the fee for reviewing the amount of the costs has been paid. The Invalidity Division or the Board of Appeal, as the case may be, shall take a decision on the request for a review of the decision on the fixing of costs without oral proceedings.;</p>	<p>7. Decisions on the fixing of costs adopted in accordance with paragraph 6 shall state the reasons on which it is based and may be reviewed by the Invalidity Division or Board of Appeal on a request filed within 1 month of the date of notification of the decision. It shall not be deemed to be filed until the fee for reviewing the amount of the costs has been paid. The Invalidity Division or the Board of Appeal, as the case may be, shall take a decision on the request for a review of the decision on the fixing of costs without oral proceedings.;</p>	<p>7. Decisions on the fixing of costs adopted in accordance with paragraph 6 shall state the reasons on which it is based and may be reviewed by the Invalidity Division or Board of Appeal on a request filed within 1 month of the date of notification of the decision. It shall not be deemed to be filed until the fee for reviewing the amount of the costs has been paid. The Invalidity Division or the Board of Appeal, as the case may be, shall take a decision on the request for a review of the decision on the fixing of costs without oral proceedings.;</p>	
Article 1, first paragraph, point (81)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
600	(81) the following Article 70a is inserted:	(81) the following Article 70a is inserted:	(81) the following Article 70a is inserted:	
Article 1, first paragraph, point (81), amending provision, first paragraph				
601	Article 70a	Article 70a	Article 70a	
Article 1, first paragraph, point (81), amending provision, second paragraph				
602	Conferral of implementing powers regarding maximum rates for costs	Conferral of implementing powers regarding maximum rates for costs	Conferral of implementing powers regarding maximum rates for costs	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (81), amending provision, third paragraph				
603	The Commission shall adopt implementing acts specifying the maximum rates for costs essential to the proceedings and actually incurred by the successful party as referred to in Article 70(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).	The Commission shall adopt implementing acts specifying the maximum rates for costs essential to the proceedings and actually incurred by the successful party as referred to in Article 70(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).	The Commission shall adopt implementing acts specifying the maximum rates for costs essential to the proceedings and actually incurred by the successful party as referred to in Article 70(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).	
Article 1, first paragraph, point (81), amending provision, fourth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
604	<p>When specifying the maximum rates with respect to travel and subsistence costs, the Commission shall take into account the distance between the place of residence or business of the party, representative or witness or expert and the place where the oral proceedings are held, the procedural stage at which the costs have been incurred, and, as far as costs of representation within the meaning of to Article 78(1) are concerned, the need to ensure that the obligation to bear the costs may not be misused for tactical reasons by the other party. In addition, subsistence expenses shall be calculated in accordance with the</p>	<p>When specifying the maximum rates with respect to travel and subsistence costs, the Commission shall take into account the distance between the place of residence or business of the party, representative or witness or expert and the place where the oral proceedings are held, the procedural stage at which the costs have been incurred, and, as far as costs of representation within the meaning of to Article 78(1) are concerned, the need to ensure that the obligation to bear the costs may not be misused for tactical reasons by the other party. In addition, subsistence expenses shall be calculated in accordance with the</p>	<p>When specifying the maximum rates with respect to travel and subsistence costs, the Commission shall take into account the distance between the place of residence or business of the party, representative or witness or expert and the place where the oral proceedings are held, the procedural stage at which the costs have been incurred, and, as far as costs of representation within the meaning of to Article 78(1) are concerned, the need to ensure that the obligation to bear the costs may not be misused for tactical reasons by the other party. In addition, subsistence expenses shall be calculated in accordance with the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Staff Regulations of Officials of the Union and the Conditions of Employment of Other Servants of the Union, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68*. The losing party shall bear the costs for one party in the proceedings only and, where applicable, one representative only.	Staff Regulations of Officials of the Union and the Conditions of Employment of Other Servants of the Union, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68*. The losing party shall bear the costs for one party in the proceedings only and, where applicable, one representative only.	Staff Regulations of Officials of the Union and the Conditions of Employment of Other Servants of the Union, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68*. The losing party shall bear the costs for one party in the proceedings only and, where applicable, one representative only.	
Article 1, first paragraph, point (81), amending provision, fifth paragraph				
605	* Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European	* Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European	* Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Commission and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1.);	Commission and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1.);	Commission and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1.);	
Article 1, first paragraph, point (82)				
606	(82) in Article 71, paragraph 2 is replaced by the following:	(82) in Article 71, paragraph 2 is replaced by the following:	(82) in Article 71, paragraph 2 is replaced by the following:	
Article 1, first paragraph, point (82), amending provision, numbered paragraph (2)				
607	,	,	,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>2. Enforcement shall be governed by the rules of civil procedure in force in the Member State in the territory of which it is carried out. Each Member State shall designate a single authority responsible for verifying the authenticity of the decision referred to in paragraph 1 and shall communicate its contact details to the Office, the Court of Justice and the Commission. The order for enforcement shall be appended to the decision by that authority, with the verification of the authenticity of the decision as the sole formality.;</p>	<p>2. Enforcement shall be governed by the rules of civil procedure in force in the Member State in the territory of which it is carried out. Each Member State shall designate a single authority responsible for verifying the authenticity of the decision referred to in paragraph 1 and shall communicate its contact details to the Office, the Court of Justice and the Commission. The order for enforcement shall be appended to the decision by that authority, with the verification of the authenticity of the decision as the sole formality.;</p>	<p>2. Enforcement shall be governed by the rules of civil procedure in force in the Member State in the territory of which it is carried out. Each Member State shall designate a single authority responsible for verifying the authenticity of the decision referred to in paragraph 1 and shall communicate its contact details to the Office, the Court of Justice and the Commission. The order for enforcement shall be appended to the decision by that authority, with the verification of the authenticity of the decision as the sole formality.;</p>	
Article 1, first paragraph, point (83)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
608	(83) Article 72 is replaced by the following:	(83) Article 72 is replaced by the following:	(83) Article 72 is replaced by the following:	
Article 1, first paragraph, point (83), amending provision, first paragraph				
609	Article 72	Article 72	Article 72	
Article 1, first paragraph, point (83), amending provision, second paragraph				
610	Register of EU designs	Register of EU designs	Register of EU designs	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (83), amending provision, numbered paragraph (1)				
611	1. The Office shall keep a Register of registered EU designs which it shall keep up to date.	1. The Office shall keep a Register of registered EU designs which it shall keep up to date.	1. The Office shall keep a Register of registered EU designs which it shall keep up to date.	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2)				
612	2. The Register shall contain the following entries relating to EU design registrations:	2. The Register shall contain the following entries relating to EU design registrations:	2. The Register shall contain the following entries relating to EU design registrations:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2), point (a)				
613	(a) the date of filing the application;	(a) the date of filing the application;	(a) the date of filing and registration of the application, pursuant to Article 48(3) ;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2), point (b)				
614	(b) the file number of the application and the file number of each individual design included in a multiple application;	(b) the file number of the application and the file number of each individual design included in a multiple application;	(b) the file number of the application and the file number of each individual design included in a multiple application;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2), point (c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
615	(c) the date of the publication of the registration;	(c) the date of the publication of the registration;	(c) the date of the publication of the registration;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2), point (d)				
616	(d) the name and city and country of the applicant;	(d) the name and city and country of the applicant;	(d) the name and city and country of the applicant;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2), point (e)				
617	(e) the name and business address of the representative, other than a representative referred to in Article	(e) the name and business address of the representative, other than a representative referred to in Article	(e) the name and business address of the representative, other than a representative referred to in Article	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	77(3), first sentence;	77(3), first sentence;	77(3), first sentence;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2), point (f)				
618	(f) the representation of the design;	(f) the representation of the design;	(f) the representation of the design;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2), point (g)				
619	(g) the names of the products, preceded by the numbers of the classes and subclasses of the Locarno classification;	(g) the names of the products, preceded by the numbers of the classes and subclasses of the Locarno classification;	(g) the names of the products, preceded by the numbers of the classes and subclasses of the Locarno classification;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2), point (h)				
620	(h) particulars of claims of priority pursuant to Article 42;	(h) particulars of claims of priority pursuant to Article 42;	(h) particulars of claims of priority pursuant to Article 42;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2), point (i)				
621	(i) particulars of claims of exhibition priority pursuant to Article 44;	(i) particulars of claims of exhibition priority pursuant to Article 44;	(i) particulars of claims of exhibition priority pursuant to Article 44;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2), point (j)				
622				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(j) the citation of the designer or of the team of designers pursuant to Article 18, or a statement that the designer or the team of designers has waived the right to be cited;	(j) the citation of the designer or of the team of designers pursuant to Article 18, or a statement that the designer or the team of designers has waived the right to be cited;	(j) the citation of the designer or of the team of designers pursuant to Article 18, or a statement that the designer or the team of designers has waived the right to be cited;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2), point (k)				
623	(k) the language in which the application was filed and the second language which the applicant has indicated in his application, pursuant to Article 98(3);	(k) the language in which the application was filed and the second language which the applicant has indicated in his application, pursuant to Article 98(3);	(k) the language in which the application was filed and the second language which the applicant has indicated in his application, pursuant to Article 98(3);	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2), point (l)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
624	(l) the date of registration of the design in the Register and the registration number pursuant to Article 48;	(l) the date of registration of the design in the Register and the registration number pursuant to Article 48;	(l) the date of registration of the design in the Register and the registration number pursuant to Article 48 (1) ;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2), point (m)				
625	(m) an indication of any request for deferment of publication pursuant to Article 50(3), specifying the date of expiry of the period of deferment;	(m) an indication of any request for deferment of publication pursuant to Article 50(3), specifying the date of expiry of the period of deferment;	(m) an indication of any request for deferment of publication pursuant to Article 50(3), specifying the date of expiry of the period of deferment;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (2), point (n)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
626	(n) an indication that a description was filed pursuant to Article 36(3), point (a).	(n) an indication that a description was filed pursuant to Article 36(3), point (a).	(n) an indication that a description was filed pursuant to Article 36(3), point (a).	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3)				
627	3. The Register shall also contain the following entries, each accompanied by the date of their recording:	3. The Register shall also contain the following entries, each accompanied by the date of their recording:	3. The Register shall also contain the following entries, each accompanied by the date of their recording:	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (a)				
628				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(a) changes in the name or the city and country of the holder pursuant to Article 50g;	(a) changes in the name or the city and country of the holder pursuant to Article 50g;	(a) changes in the name or the city and country of the holder pursuant to Article 50g;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (b)				
629	(b) changes in the name or business address of the representative, other than a representative referred to in Article 77(3), first sentence;	(b) changes in the name or business address of the representative, other than a representative referred to in Article 77(3), first sentence;	(b) changes in the name or business address of the representative, other than a representative referred to in Article 77(3), first sentence;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (c)				
630				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(c) where a new representative is appointed, the name and business address of that representative;	(c) where a new representative is appointed, the name and business address of that representative;	(c) where a new representative is appointed, the name and business address of that representative;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (d)				
631	(d) changes in the name of the designer or the team of designers pursuant to Article 18;	(d) changes in the name of the designer or the team of designers pursuant to Article 18;	(d) changes in the name of the designer or the team of designers pursuant to Article 18;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (e)				
632	(e) withdrawals, amendments and corrections of the design, pursuant	(e) withdrawals, amendments and corrections of the design, pursuant	(e) withdrawals, amendments and corrections of the design, pursuant	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to Article 47a and corrections of errors and manifest oversights pursuant to Article 66g;	to Article 47a and corrections of errors and manifest oversights pursuant to Article 66g;	to Article 47a and corrections of errors and manifest oversights pursuant to Article 66g;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (f)				
633	(f) alterations of the design pursuant to Article 50e;	(f) alterations of the design pursuant to Article 50e;	(f) alterations of the design pursuant to Article 50e;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (g)				
634	(g) an indication that entitlement proceedings have been instituted before the competent court under	(g) an indication that entitlement proceedings have been instituted before the competent court under	(g) an indication that entitlement proceedings have been instituted before the competent court under	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 15(5), point (a);	Article 15(5), point (a);	Article 15(5), point (a);	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (h)				
635	(h) the date and particulars of the final decision of the competent court or other termination of proceedings pursuant to Article 15(5), point (b);	(h) the date and particulars of the final decision of the competent court or other termination of proceedings pursuant to Article 15(5), point (b);	(h) the date and particulars of the final decision of the competent court or other termination of proceedings pursuant to Article 15(5), point (b);	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (i)				
636	(i) a change of ownership pursuant to Article 15(5), point (c);	(i) a change of ownership pursuant to Article 15(5), point (c);	(i) a change of ownership pursuant to Article 15(5), point (c);	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (j)				
637	(j) a transfer pursuant to Article 28;	(j) a transfer pursuant to Article 28;	(j) a transfer pursuant to Article 28;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (k)				
638	(k) the creation or transfer of a right in rem pursuant to Article 29 and the nature of the right in rem;	(k) the creation or transfer of a right in rem pursuant to Article 29 and the nature of the right in rem;	(k) the creation or transfer of a right in rem pursuant to Article 29 and the nature of the right in rem;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (l)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
639	(l) a levy of execution pursuant to Article 30 and insolvency proceedings pursuant to Article 31;	(l) a levy of execution pursuant to Article 30 and insolvency proceedings pursuant to Article 31;	(l) a levy of execution pursuant to Article 30 and insolvency proceedings pursuant to Article 31;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (m)				
640	(m) the grant or transfer of a licence pursuant to Article 16(2) or Article 32 and, where applicable, the type of licence pursuant to Article 32a(3);	(m) the grant or transfer of a licence pursuant to Article 16(2) or Article 32 and, where applicable, the type of licence pursuant to Article 32a(3);	(m) the grant or transfer of a licence pursuant to Article 16(2) or Article 32 and, where applicable, the type of licence pursuant to Article 32a(3);	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (n)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
641	(n) the renewal of the registration pursuant to Article 50d and the date from which that renewal takes effect;	(n) the renewal of the registration pursuant to Article 50d and the date from which that renewal takes effect;	(n) the renewal of the registration pursuant to Article 50d and the date from which that renewal takes effect;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (o)				
642	(o) the determination of the expiry of the registration pursuant to Article 50d(8);	(o) the determination of the expiry of the registration pursuant to Article 50d(8);	(o) the determination of the expiry of the registration pursuant to Article 50d(8);	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (p)				
643				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(p) a declaration of surrender by the holder pursuant to Article 51(1);	(p) a declaration of surrender by the holder pursuant to Article 51(1);	(p) a declaration of surrender by the holder pursuant to Article 51(1);	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (q)				
644	(q) the date of submission and the particulars of an application for a declaration of invalidity under Article 52, of a counterclaim for a declaration of invalidity pursuant to Article 84(5) or of an appeal pursuant to Article 55;	(q) the date of submission and the particulars of an application for a declaration of invalidity under Article 52, of a counterclaim for a declaration of invalidity pursuant to Article 84(5) or of an appeal pursuant to Article 55;	(q) the date of submission and the particulars of an application for a declaration of invalidity under Article 52, of a counterclaim for a declaration of invalidity pursuant to Article 84(5) or of an appeal pursuant to Article 55;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (r)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
645	(r) the date and particulars of the final decision on the application for a declaration of invalidity pursuant to Article 53, of the final decision on a counterclaim for a declaration of invalidity pursuant to Article 86(3), of the final decision on an appeal pursuant to Article 55, or of any other termination of proceedings pursuant, to those Articles;	(r) the date and particulars of the final decision on the application for a declaration of invalidity pursuant to Article 53, of the final decision on a counterclaim for a declaration of invalidity pursuant to Article 86(3), of the final decision on an appeal pursuant to Article 55, or of any other termination of proceedings pursuant, to those Articles;	(r) the date and particulars of the final decision on the application for a declaration of invalidity pursuant to Article 53, of the final decision on a counterclaim for a declaration of invalidity pursuant to Article 86(3), of the final decision on an appeal pursuant to Article 55, or of any other termination of proceedings pursuant, to those Articles;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (s)				
646	(s) the cancellation of the representative recorded pursuant to	(s) the cancellation of the representative recorded pursuant to	(s) the cancellation of the representative recorded pursuant to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	paragraph 2, point (e);	paragraph 2, point (e);	paragraph 2, point (e);	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (t)				
647	(t) the modification or cancellation from the Register of the items referred to in paragraph 3, points (l), (m) and (n).	(t) the modification or cancellation from the Register of the items referred to in paragraph 3, points (l), (m) and (n).	(t) the modification or cancellation from the Register of the items referred to in paragraph 3, points (l), (m) and (n).	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (3), point (u)				
648	(u) the revocation of a decision or an entry in the Register pursuant to Article 66h, where the revocation concerns a decision or entry which	(u) the revocation of a decision or an entry in the Register pursuant to Article 66h, where the revocation concerns a decision or entry which	(u) the revocation of a decision or an entry in the Register pursuant to Article 66h, where the revocation concerns a decision or entry which	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	has been published.	has been published.	has been published.	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (4)				
649	4. The Executive Director may determine that items other than those referred to in paragraphs 2 and 3 shall be entered in the Register.	4. The Executive Director may determine that items other than those referred to in paragraphs 2 and 3 shall be entered in the Register.	4. The Executive Director may determine that items other than those referred to in paragraphs 2 and 3 shall be entered in the Register.	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (5)				
650	5. The Register may be maintained in electronic form. The Office shall collect, organise, make public and	5. The Register may be maintained in electronic form. The Office shall collect, organise, make public and	5. The Register may be maintained in electronic form. The Office shall collect, organise, make public and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	store the items referred to in paragraphs 1, 2 and 3, including any personal data, for the purposes laid down in paragraph 8. The Office shall keep the Register easily accessible for public inspection.	store the items referred to in paragraphs 1, 2 and 3, including any personal data, for the purposes laid down in paragraph 8. The Office shall keep the Register easily accessible for public inspection.	store the items referred to in paragraphs 1, 2 and 3, including any personal data, for the purposes laid down in paragraph 8. The Office shall keep the Register easily accessible for public inspection.	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (6)				
651	6. The holder of a registered EU design shall be notified of any change in the Register.	6. The holder of a registered EU design shall be notified of any change in the Register.	6. The holder of a registered EU design shall be notified of any change in the Register.	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (7)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
652	7. The Office shall, where access to the Register is not restricted pursuant to Article 74(5), provide certified or uncertified extracts from the Register on request, subject to the payment of a fee where those extracts are issued other than by electronic means.	7. The Office shall, where access to the Register is not restricted pursuant to Article 74(5), provide certified or uncertified extracts from the Register on request, subject to the payment of a fee where those extracts are issued other than by electronic means.	7. The Office shall, where access to the Register is not restricted pursuant to Article 74(5), provide, by electronic means , certified or uncertified extracts from the Register on request, subject to the payment of a fee where those extracts are issued other than by electronic means.	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (8)				
653	8. The processing of the data concerning the entries set out in paragraphs 2 and 3, including any personal data, shall take place for	8. The processing of the data concerning the entries set out in paragraphs 2 and 3, including any personal data, shall take place for	8. The processing of the data concerning the entries set out in paragraphs 2 and 3, including any personal data, shall take place for	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the purposes of:	the purposes of:	the purposes of:	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (8), point (a)				
654	(a) administering the applications and/or registrations as described in this Regulation and any acts adopted pursuant to it;	(a) administering the applications and/or registrations as described in this Regulation and any acts adopted pursuant to it;	(a) administering the applications and/or registrations as described in this Regulation and any acts adopted pursuant to it;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (8), point (b)				
655	(b) maintaining a public Register for inspection by, and the information of, public authorities and economic operators, in order to	(b) maintaining a public Register for inspection by, and the information of, public authorities and economic operators, in order to	(b) maintaining a public Register for inspection by, and the information of, public authorities and economic operators, in order to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	enable them to exercise the rights conferred on them by this Regulation and be informed about the existence of prior rights belonging to third parties;	enable them to exercise the rights conferred on them by this Regulation and be informed about the existence of prior rights belonging to third parties;	enable them to exercise the rights conferred on them by this Regulation and be informed about the existence of prior rights belonging to third parties;	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (8), point (c)				
656	(c) producing reports and statistics enabling the Office to optimise its operations and improve the functioning of the system for registration of EU designs.	(c) producing reports and statistics enabling the Office to optimise its operations and improve the functioning of the system for registration of EU designs.	(c) producing reports and statistics enabling the Office to optimise its operations and improve the functioning of the system for registration of EU designs.	
Article 1, first paragraph, point (83), amending provision, numbered paragraph (9)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
657	9. All the data, including personal data, concerning the entries in paragraphs 2 and 3 shall be considered to be of public interest and may be accessed by any third party except to the extent that Article 50(2) provides otherwise. The entries in the Register shall be kept for an indefinite period of time.;	9. All the data, including personal data, concerning the entries in paragraphs 2 and 3 shall be considered to be of public interest and may be accessed by any third party except to the extent that Article 50(2) provides otherwise. The entries in the Register shall be kept for an indefinite period of time.;	9. All the data, including personal data, concerning the entries in paragraphs 2 and 3 shall be considered to be of public interest and may be accessed by any third party except to the extent that Article 50(2) provides otherwise. The entries in the Register shall be kept for an indefinite period of time.;	
Article 1, first paragraph, point (84)				
658	(84) the following Articles 72a	(84) the following Articles 72a	(84) the following Articles 72a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and 72b are inserted:	and 72b are inserted:	and 72b are inserted:	
Article 1, first paragraph, point (84), amending provision, first paragraph				
659	Article 72a	Article 72a	Article 72a	
Article 1, first paragraph, point (84), amending provision, second paragraph				
660	Database	Database	Database	
Article 1, first paragraph, point (84), amending provision, numbered paragraph (1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
661	1. In addition to the obligation to keep a Register as set out in Article 72, the Office shall collect and store in an electronic database all the particulars provided by holders or any other party to the proceedings pursuant to this Regulation or acts adopted pursuant to it.	1. In addition to the obligation to keep a Register as set out in Article 72, the Office shall collect and store in an electronic database all the particulars provided by holders or any other party to the proceedings pursuant to this Regulation or acts adopted pursuant to it.	1. In addition to the obligation to keep a Register as set out in Article 72, the Office shall collect and store in an electronic database all the particulars provided by holders or any other party to the proceedings pursuant to this Regulation or acts adopted pursuant to it.	
Article 1, first paragraph, point (84), amending provision, numbered paragraph (2)				
662	2. The electronic database may include personal data, beyond those included in the Register pursuant to Article 72, to the extent	2. The electronic database may include personal data, beyond those included in the Register pursuant to Article 72, to the extent	2. The electronic database may include personal data, beyond those included in the Register pursuant to Article 72, to the extent	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	that such data is required by this Regulation or by acts adopted pursuant to it. The collection, storage and processing of personal data shall serve the purposes of:	that such data is required by this Regulation or by acts adopted pursuant to it. The collection, storage and processing of personal data shall serve the purposes of:	that such data is required by this Regulation or by acts adopted pursuant to it. The collection, storage and processing of personal data shall serve the purposes of:	
Article 1, first paragraph, point (84), amending provision, numbered paragraph (2), point (a)				
663	(a) administering the applications and/or registrations as described in this Regulation and in acts adopted pursuant to it;	(a) administering the applications and/or registrations as described in this Regulation and in acts adopted pursuant to it;	(a) administering the applications and/or registrations as described in this Regulation and in acts adopted pursuant to it;	
Article 1, first paragraph, point (84), amending provision, numbered paragraph (2), point (b)				
664				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b) accessing the information necessary for conducting the relevant proceedings more easily and efficiently;	(b) accessing the information necessary for conducting the relevant proceedings more easily and efficiently;	(b) accessing the information necessary for conducting the relevant proceedings more easily and efficiently;	
Article 1, first paragraph, point (84), amending provision, numbered paragraph (2), point (c)				
665	(c) communicating with the applicants and other parties to the proceedings;	(c) communicating with the applicants and other parties to the proceedings;	(c) communicating with the applicants and other parties to the proceedings;	
Article 1, first paragraph, point (84), amending provision, numbered paragraph (2), point (d)				
666	(d) producing reports and statistics	(d) producing reports and statistics	(d) producing reports and statistics	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	enabling the Office to optimise its operations and improve the functioning of the system.	enabling the Office to optimise its operations and improve the functioning of the system.	enabling the Office to optimise its operations and improve the functioning of the system.	
Article 1, first paragraph, point (84), amending provision, numbered paragraph (3)				
667	3. The Executive Director shall determine the conditions of access to the database and the manner in which the contents, other than the personal data referred to in paragraph 2 of this Article but including the data listed in Article 72, may be made available in machine-readable form, including the charges for such access.	3. The Executive Director shall determine the conditions of access to the database and the manner in which the contents, other than the personal data referred to in paragraph 2 of this Article but including the data listed in Article 72, may be made available in machine-readable form, including the charges for such access <u>if it is not free of charge. Any fees to be paid for accessing the database</u>	3. The Executive Director shall determine the conditions of access to the database and the manner in which the contents, other than the personal data referred to in paragraph 2 of this Article but including the data listed in Article 72, may be made available in machine-readable form, including the charges for such access.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>shall in no case exceed the actual cost of the costs directly incurred as a result of such access.</u>		
Article 1, first paragraph, point (84), amending provision, numbered paragraph (4)				
668	4. Access to the personal data referred to in paragraph 2 shall be restricted and such data shall not be made publicly available unless the party concerned has given his express consent.	4. Access to the personal data referred to in paragraph 2 shall be restricted and such data shall not be made publicly available unless the party concerned has given his express consent.	4. Access to the personal data referred to in paragraph 2 shall be restricted and such data shall not be made publicly available unless the party concerned has given his express consent.	
Article 1, first paragraph, point (84), amending provision, numbered paragraph (5)				
669				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	5. All data shall be kept indefinitely. However, the party concerned may request the removal of any personal data from the database after 18 months from the expiry of the registered EU design or the closure of the relevant inter partes procedure. The party concerned shall have the right to obtain the correction of inaccurate or erroneous data at any time.	5. All data shall be kept indefinitely. However, the party concerned may request the removal of any personal data from the database after 18 months from the expiry of the registered EU design or the closure of the relevant inter partes procedure. The party concerned shall have the right to obtain the correction of inaccurate or erroneous data at any time.	5. All data shall be kept indefinitely. However, the party concerned may request the removal of any personal data from the database after 18 months from the expiry of the registered EU design or the closure of the relevant inter partes procedure. The party concerned shall have the right to obtain the correction of inaccurate or erroneous data at any time.	
Article 1, first paragraph, point (84), amending provision, eighth paragraph				
670	Article 72b	Article 72b	Article 72b	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (84), amending provision, ninth paragraph				
671	Online access to decisions	Online access to decisions	Online access to decisions	
Article 1, first paragraph, point (84), amending provision, numbered paragraph (1)				
672	1. The decisions of the Office regarding registered EU designs shall be made available online for the information and consultation of the general public. Any party to the proceedings that led to the adoption of the decision may request the removal of any personal data included in the decision.	1. The decisions of the Office regarding registered EU designs shall be made available online for the information and consultation of the general public. Any party to the proceedings that led to the adoption of the decision may request the removal of any personal data included in the decision.	1. The decisions of the Office regarding registered EU designs shall be made available online for the information and consultation of the general public. Any party to the proceedings that led to the adoption of the decision may request the removal of any personal data included in the decision.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (84), amending provision, numbered paragraph (2)				
673	2. The Office may provide online access to judgments of national and Union courts related to its tasks in order to raise public awareness of intellectual property matters and promote convergence of practices. The Office shall respect the conditions of the initial publication with regard to personal data.;	2. The Office may provide online access to judgments of national and Union courts related to its tasks in order to raise public awareness of intellectual property matters and promote convergence of practices. The Office shall respect the conditions of the initial publication with regard to personal data.;	2. The Office may provide online access to judgments of national and Union courts related to its tasks in order to raise public awareness of intellectual property matters and promote convergence of practices. The Office shall respect the conditions of the initial publication with regard to personal data.;	
Article 1, first paragraph, point (85)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
674	(85) Article 73 is replaced by the following:	(85) Article 73 is replaced by the following:	(85) Article 73 is replaced by the following:	
Article 1, first paragraph, point (85), amending provision, first paragraph				
675	Article 73	Article 73	Article 73	
Article 1, first paragraph, point (85), amending provision, second paragraph				
676	Periodical publications	Periodical publications	Periodical publications	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (85), amending provision, numbered paragraph (1), first subparagraph				
677	1. The Office shall periodically publish:	1. The Office shall periodically publish:	1. The Office shall periodically publish:	
Article 1, first paragraph, point (85), amending provision, numbered paragraph (1), first subparagraph, point (a)				
678	(a) an European Union Designs Bulletin containing publications of entries made in the Register, as well as other particulars relating to registrations of EU designs the publication of which is required under this Regulation or by acts	(a) an European Union Designs Bulletin containing publications of entries made in the Register, as well as other particulars relating to registrations of EU designs the publication of which is required under this Regulation or by acts	(a) an European Union Designs Bulletin containing publications of entries made in the Register, as well as other particulars relating to registrations of EU designs the publication of which is required under this Regulation or by acts	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	adopted pursuant to it;	adopted pursuant to it;	adopted pursuant to it;	
Article 1, first paragraph, point (85), amending provision, numbered paragraph (1), first subparagraph, point (b)				
679	(b) an Official Journal of the Office containing notices and information of a general character issued by the Executive Director, as well as any other information relevant to this Regulation or its implementation.	(b) an Official Journal of the Office containing notices and information of a general character issued by the Executive Director, as well as any other information relevant to this Regulation or its implementation.	(b) an Official Journal of the Office containing notices and information of a general character issued by the Executive Director, as well as any other information relevant to this Regulation or its implementation.	
Article 1, first paragraph, point (85), amending provision, numbered paragraph (1), second subparagraph				
680	The publications referred to in the	The publications referred to in the	The publications referred to in the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	first subparagraph, points (a) and (b), may be effected by electronic means.	first subparagraph, points (a) and (b), may be effected by electronic means.	first subparagraph, points (a) and (b), may be effected by electronic means.	
Article 1, first paragraph, point (85), amending provision, numbered paragraph (2)				
681	2. The European Union Designs Bulletin shall be published in a manner and at a frequency to be determined by the Executive Director.	2. The European Union Designs Bulletin shall be published in a manner and at a frequency to be determined by the Executive Director.	2. The European Union Designs Bulletin shall be published in a manner and at a frequency to be determined by the Executive Director.	
Article 1, first paragraph, point (85), amending provision, numbered paragraph (3)				
682	3. The Official Journal of the	3. The Official Journal of the	3. The Official Journal of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Office shall be published in the languages of the Office. However, the Executive Director may determine that certain items shall be published in the Official Journal of the Office in the official languages of the Union.;	Office shall be published in the languages of the Office. However, the Executive Director may determine that certain items shall be published in the Official Journal of the Office in the official languages of the Union.;	Office shall be published in the languages of the Office. However, the Executive Director may determine that certain items shall be published in the Official Journal of the Office in the official languages of the Union.;	
Article 1, first paragraph, point (86)				
683	(86) the following Article 73a is inserted:	(86) the following Article 73a is inserted:	(86) the following Article 73a is inserted:	
Article 1, first paragraph, point (86), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
684	Article 73a	Article 73a	Article 73a	
Article 1, first paragraph, point (86), amending provision, second paragraph				
685	Conferral of implementing powers regarding periodical publications	Conferral of implementing powers regarding periodical publications	Conferral of implementing powers regarding periodical publications	
Article 1, first paragraph, point (86), amending provision, third paragraph				
686	The Commission shall adopt implementing acts specifying:	The Commission shall adopt implementing acts specifying:	The Commission shall adopt implementing acts specifying:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (86), amending provision, third paragraph, point (a)				
687	(a) the date to be considered as the date of publication in the European Union Designs Bulletin;	(a) the date to be considered as the date of publication in the European Union Designs Bulletin;	(a) the date to be considered as the date of publication in the European Union Designs Bulletin;	
Article 1, first paragraph, point (86), amending provision, third paragraph, point (b)				
688	(b) the manner of publication of entries regarding the registration of a design which do not contain changes as compared to the publication of the application;	(b) the manner of publication of entries regarding the registration of a design which do not contain changes as compared to the publication of the application;	(b) the manner of publication of entries regarding the registration of a design which do not contain changes as compared to the publication of the application;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (86), amending provision, third paragraph, point (c)				
689	(c) the forms in which editions of the Official Journal of the Office may be made available to the public.	(c) the forms in which editions of the Official Journal of the Office may be made available to the public.	(c) the forms in which editions of the Official Journal of the Office may be made available to the public.	
Article 1, first paragraph, point (86), amending provision, fourth paragraph				
690	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (87)				
691	(87) Article 74 is amended as follows:	(87) Article 74 is amended as follows:	(87) Article 74 is amended as follows:	
Article 1, first paragraph, point (87)(a)				
692	(a) paragraph 4 is replaced by the following:	(a) paragraph 4 is replaced by the following:	(a) paragraph 4 is replaced by the following:	
Article 1, first paragraph, point (87)(a), amending provision, numbered paragraph (4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
693	4. Where the files are inspected pursuant to paragraph 2 or 3, the following parts of the file shall be excluded from inspection:	4. Where the files are inspected pursuant to paragraph 2 or 3, the following parts of the file shall be excluded from inspection:	4. Where the files are inspected pursuant to paragraph 2 or 3, the following parts of the file shall be excluded from inspection:	
Article 1, first paragraph, point (87)(a), amending provision, numbered paragraph (4), point (a)				
694	(a) documents relating to exclusion or objection pursuant to Article 169 of Regulation (EU) 2017/1001;	(a) documents relating to exclusion or objection pursuant to Article 169 of Regulation (EU) 2017/1001;	(a) documents relating to exclusion or objection pursuant to Article 169 of Regulation (EU) 2017/1001;	
Article 1, first paragraph, point (87)(a), amending provision, numbered paragraph (4), point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
695	(b) draft decisions and opinions, and all other internal documents used for the preparation of decisions and opinions;	(b) draft decisions and opinions, and all other internal documents used for the preparation of decisions and opinions;	(b) draft decisions and opinions, and all other internal documents used for the preparation of decisions and opinions;	
Article 1, first paragraph, point (87)(a), amending provision, numbered paragraph (4), point (c)				
696	(c) parts of the file which the party concerned showed a special interest in keeping confidential before the request for inspection of the files was made, unless inspection of such part of the file is justified by overriding legitimate interests of the party seeking inspection.;	(c) parts of the file which the party concerned showed a special interest in keeping confidential before the request for inspection of the files was made, unless inspection of such part of the file is justified by overriding legitimate interests of the party seeking inspection.;	(c) parts of the file which the party concerned showed a special interest in keeping confidential before the request for inspection of the files was made, unless inspection of such part of the file is justified by overriding legitimate interests of the party seeking inspection.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (87)(b)				
697	(b) the following paragraph 5 is added:	(b) the following paragraph 5 is added:	(b) the following paragraph 5 is added:	
Article 1, first paragraph, point (87)(b), amending provision, numbered paragraph (5)				
698	5. Where the registration is subject to a deferment of publication pursuant to Article 50(1), access to the Register for persons other than	5. Where the registration is subject to a deferment of publication pursuant to Article 50(1), access to the Register for persons other than	5. Where the registration is subject to a deferment of publication pursuant to Article 50(1), access to the Register for persons other than	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>the holder shall be limited to the name of the holder, the name of any representative, the date of filing and registration, the file number of the application and the indication that publication is deferred. In such cases, the certified or uncertified extracts from the register shall contain only the name of the holder, the name of any representative, the date of filing and registration, the file number of the application and the indication that publication is deferred, except where the request for extracts has been made by the holder or by his representative.;</p>	<p>the holder shall be limited to the name of the holder, the name of any representative, the date of filing and registration, the file number of the application and the indication that publication is deferred. In such cases, the certified or uncertified extracts from the register shall contain only the name of the holder, the name of any representative, the date of filing and registration, the file number of the application and the indication that publication is deferred, except where the request for extracts has been made by the holder or by his representative.;</p>	<p>the holder shall be limited to the name of the holder, the name of any representative, the date of filing and registration, the file number of the application and the indication that publication is deferred. In such cases, the certified or uncertified extracts from the register shall contain only the name of the holder, the name of any representative, the date of filing and registration, the file number of the application and the indication that publication is deferred, except where the request for extracts has been made by the holder or by his representative.;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (88)				
699	(88) the following Articles 74a, 74b and 74c are inserted:	(88) the following Articles 74a, 74b and 74c are inserted:	(88) the following Articles 74a, 74b and 74c are inserted:	
Article 1, first paragraph, point (88), amending provision, first paragraph				
700	Article 74a	Article 74a	Article 74a	
Article 1, first paragraph, point (88), amending provision, second paragraph				
701				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Procedures for the inspection of files	Procedures for the inspection of files	Procedures for the inspection of files	
Article 1, first paragraph, point (88), amending provision, numbered paragraph (1)				
702	1. Inspection of the files of registered EU designs shall be of the original document, or of copies thereof, or of technical means of storage if the files are stored in that way. The request for inspection of the files shall not be deemed to have been made until the required fee has been paid. No fee shall be payable if inspection of technical means of storage takes place online. The Executive Director shall determine the means of	1. Inspection of the files of registered EU designs shall be of the original document, or of copies thereof, or of technical means of storage if the files are stored in that way. The request for inspection of the files shall not be deemed to have been made until the required fee has been paid. No fee shall be payable if inspection of technical means of storage takes place online. The Executive Director shall determine the means of	1. Inspection of the files of registered EU designs shall be of the original document, or of copies thereof, or of technical means of storage if the files are stored in that way. The request for inspection of the files shall not be deemed to have been made until the required fee has been paid. No fee shall be payable if. Such inspection of technical means of storage takes shall take place online. The Executive Director shall determine	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	inspection.	inspection.	the means of inspection.	
Article 1, first paragraph, point (88), amending provision, numbered paragraph (2)				
703	2. Where the request for inspection of the files relates to an application for a registered EU design or to a registered EU design which has been subject to deferment of publication and which has been surrendered before or on the date of expiry of the period of deferment, the request shall contain evidence to the effect that:	2. Where the request for inspection of the files relates to an application for a registered EU design or to a registered EU design which has been subject to deferment of publication and which has been surrendered before or on the date of expiry of the period of deferment, the request shall contain evidence to the effect that:	2. Where the request for inspection of the files relates to an application for a registered EU design or to a registered EU design which has been subject to deferment of publication and which has been surrendered before or on the date of expiry of the period of deferment, the request shall contain evidence to the effect that:	
Article 1, first paragraph, point (88), amending provision, numbered paragraph (2), point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
704	(a) the applicant for or holder of the EU design has consented to the inspection; or	(a) the applicant for or holder of the EU design has consented to the inspection; or	(a) the applicant for or holder of the EU design has consented to the inspection; or	
Article 1, first paragraph, point (88), amending provision, numbered paragraph (2), point (b)				
705	(b) the person requesting the inspection has established a legitimate interest in the inspection of the file.	(b) the person requesting the inspection has established a legitimate interest in the inspection of the file.	(b) the person requesting the inspection has established a legitimate interest in the inspection of the file.	
Article 1, first paragraph, point (88), amending provision, numbered paragraph (3)				
706				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>3. Inspection of the files shall take place on the premises of the Office. On request, inspection of the files shall be effected by means of copies of file documents. The issuing of such copies shall be conditional on the payment of a fee. The Office shall also, on request, issue certified or uncertified copies of the application for an EU design upon payment of a fee.</p>	<p>3. Inspection of the files shall take place on the premises of the Office. On request, inspection of the files shall be effected by means of copies of file documents. The issuing of such copies shall be conditional on the payment of a fee. The Office shall also, on request, issue certified or uncertified copies of the application for an EU design upon payment of a fee.</p>	<p>3. Inspection of the files shall take place on the premises of the Office. On request, inspection of the files shall be effected by means of electronic copies of file documents. The issuing of such copies shall be conditional on the payment of a fee. The Office shall also, on request, issue certified or uncertified copies of the application for an EU design upon payment of a fee by electronic means.</p>	
Article 1, first paragraph, point (88), amending provision, sixth paragraph				
707	Article 74b	Article 74b	Article 74b	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (88), amending provision, seventh paragraph				
708	Communication of information contained in the files	Communication of information contained in the files	Communication of information contained in the files	
Article 1, first paragraph, point (88), amending provision, eighth paragraph				
709	Subject to the restrictions provided for in Article 74 of this Regulation, the Office may, upon request, communicate information from any file of any procedure relating to an EU design application or to a registered EU design, subject to	Subject to the restrictions provided for in Article 74 of this Regulation, the Office may, upon request, communicate information from any file of any procedure relating to an EU design application or to a registered EU design, subject to	Subject to the restrictions provided for in Article 74 of this Regulation, the Office may, upon request, communicate information from any file of any procedure relating to an EU design application or to a registered EU design, subject to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	payment of a fee. However, if the Office finds it appropriate due to the quantity of information to be supplied, it may require the person requesting the inspection to inspect the file in situ on the premises of the Office.	payment of a fee. However, if the Office finds it appropriate due to the quantity of information to be supplied, it may require the person requesting the inspection to inspect the file in situ on the premises of the Office.	payment of a fee. However, if the Office finds it appropriate due to the quantity of information to be supplied, it may require the person requesting the inspection to inspect the file in situ on the premises of the Office.	
Article 1, first paragraph, point (88), amending provision, ninth paragraph				
710	Article 74c	Article 74c	Article 74c	
Article 1, first paragraph, point (88), amending provision, tenth paragraph				
711				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Keeping of files	Keeping of files	Keeping of files	
Article 1, first paragraph, point (88), amending provision, numbered paragraph (1)				
712	1. The Office shall keep the files of any procedure relating to EU design applications and to registered EU designs. The Executive Director shall determine the form in which those files shall be kept.	1. The Office shall keep the files of any procedure relating to EU design applications and to registered EU designs. The Executive Director shall determine the form in which those files shall be kept.	1. The Office shall keep the files of any procedure relating to EU design applications and to registered EU designs. The Executive Director shall determine the form in which those files shall be kept.	
Article 1, first paragraph, point (88), amending provision, numbered paragraph (2)				
713				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2. Where the files are kept in electronic format, the electronic files, or back-up copies thereof, shall be kept indefinitely. The original documents filed by parties to the proceedings, and forming the basis of such electronic files, shall be disposed of after a period following their reception by the Office, which shall be determined by the Executive Director.	2. Where the files are kept in electronic format, the electronic files, or back-up copies thereof, shall be kept indefinitely. The original documents filed by parties to the proceedings, and forming the basis of such electronic files, shall be disposed of after a period following their reception by the Office, which shall be determined by the Executive Director.	2. Where the files are kept in electronic format, the electronic files, or back-up copies thereof, shall be kept indefinitely. The original documents filed by parties to the proceedings, and forming the basis of such electronic files, shall be disposed of after a period following their reception by the Office, which shall be determined by the Executive Director.	
Article 1, first paragraph, point (88), amending provision, numbered paragraph (3)				
714	3. Where, and to the extent that, files or parts of the files are kept in any form other than electronically, documents or items of evidence	3. Where, and to the extent that, files or parts of the files are kept in any form other than electronically, documents or items of evidence	3. Where, and to the extent that, files or parts of the files are kept in any form other than electronically, documents or items of evidence	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	constituting part of such files shall be kept for at least five years from the end of the year in which:	constituting part of such files shall be kept for at least five years from the end of the year in which:	constituting part of such files shall be kept for at least five years from the end of the year in which:	
Article 1, first paragraph, point (88), amending provision, numbered paragraph (3), point (a)				
715	(a) the application is rejected or withdrawn;	(a) the application is rejected or withdrawn;	(a) the application is rejected or withdrawn;	
Article 1, first paragraph, point (88), amending provision, numbered paragraph (3), point (b)				
716	(b) the registration of the EU design expires definitively;	(b) the registration of the EU design expires definitively;	(b) the registration of the EU design expires definitively;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (88), amending provision, numbered paragraph (3), point (c)				
717	(c) the surrender of the registered EU design is entered in the Register pursuant to Article 51 of this Regulation;	(c) the surrender of the registered EU design is entered in the Register pursuant to Article 51 of this Regulation;	(c) the surrender of the registered EU design is entered in the Register pursuant to Article 51 of this Regulation;	
Article 1, first paragraph, point (88), amending provision, numbered paragraph (3), point (d)				
718	(d) the registered EU design is definitively removed from the Register.;	(d) the registered EU design is definitively removed from the Register.;	(d) the registered EU design is definitively removed from the Register.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (89)				
719	(89) Article 75 is replaced by the following:	(89) Article 75 is replaced by the following:	(89) Article 75 is replaced by the following:	
Article 1, first paragraph, point (89), amending provision, first paragraph				
720	Article 75	Article 75	Article 75	
Article 1, first paragraph, point (89), amending provision, second paragraph				
721				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Administrative cooperation	Administrative cooperation	Administrative cooperation	
Article 1, first paragraph, point (89), amending provision, numbered paragraph (1)				
722	1. Unless otherwise provided in this Regulation or in national laws, the Office and the courts or authorities of the Member States shall on request give assistance to each other by communicating information or opening files for inspection. Where the Office opens files to inspection by courts, Public Prosecutors' Offices or central industrial property offices, the inspection shall not be subject to the restrictions laid down in Article	1. Unless otherwise provided in this Regulation or in national laws, the Office and the courts or authorities of the Member States shall on request give assistance to each other by communicating information or opening files for inspection. Where the Office opens files to inspection by courts, Public Prosecutors' Offices or central industrial property offices, the inspection shall not be subject to the restrictions laid down in Article	1. Unless otherwise provided in this Regulation or in national laws, the Office and the courts or authorities of the Member States shall on request give assistance to each other by communicating information or opening files for inspection. Where the Office opens files to inspection by courts, Public Prosecutors' Offices or central industrial property offices, the inspection shall not be subject to the restrictions laid down in Article	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	74.	74.	74.	
Article 1, first paragraph, point (89), amending provision, numbered paragraph (2)				
723	2. The Office shall not charge fees for the communication of information or the opening of files for inspection.;	2. The Office shall not charge fees for the communication of information or the opening of files for inspection.;	2. The Office shall not charge fees for the communication of information or the opening of files for inspection.;	
Article 1, first paragraph, point (90)				
724	(90) the following Article 75a is inserted:	(90) the following Article 75a is inserted:	(90) the following Article 75a is inserted:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (90), amending provision, first paragraph				
725	Article 75a	Article 75a	Article 75a	
Article 1, first paragraph, point (90), amending provision, second paragraph				
726	Conferral of implementing powers regarding administrative cooperation	Conferral of implementing powers regarding administrative cooperation	Conferral of implementing powers regarding administrative cooperation	
Article 1, first paragraph, point (90), amending provision, third paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
727	<p>The Commission shall adopt implementing acts setting out the detailed arrangements for the exchange of information between the Office and the authorities of the Member States and for the opening of files for inspection as referred to in Article 75, taking into account the restrictions to which the inspection of files relating to EU design applications or registrations is subject, pursuant to Article 74, when they are opened to third parties. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;</p>	<p>The Commission shall adopt implementing acts setting out the detailed arrangements for the exchange of information between the Office and the authorities of the Member States and for the opening of files for inspection as referred to in Article 75, taking into account the restrictions to which the inspection of files relating to EU design applications or registrations is subject, pursuant to Article 74, when they are opened to third parties. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;</p>	<p>The Commission shall adopt implementing acts setting out the detailed arrangements for the exchange of information between the Office and the authorities of the Member States and for the opening of files for inspection as referred to in Article 75, taking into account the restrictions to which the inspection of files relating to EU design applications or registrations is subject, pursuant to Article 74, when they are opened to third parties. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (91)				
728	(91) Article 76 is deleted;	(91) Article 76 is deleted;	(91) Article 76 is deleted;	
Article 1, first paragraph, point (92)				
729	(92) Article 77 is replaced by the following:	(92) Article 77 is replaced by the following:	(92) Article 77 is replaced by the following:	
Article 1, first paragraph, point (92), amending provision, first paragraph				
730				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 77	Article 77	Article 77	
Article 1, first paragraph, point (92), amending provision, second paragraph				
731	General principles of representation	General principles of representation	General principles of representation	
Article 1, first paragraph, point (92), amending provision, numbered paragraph (1)				
732	1. Subject to paragraph 2, no person shall be compelled to be represented before the Office.	1. Subject to paragraph 2, no person shall be compelled to be represented before the Office.	1. Subject to paragraph 2, no person shall be compelled to be represented before the Office.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (92), amending provision, numbered paragraph (2)				
733	2. Without prejudice to the second sentence of paragraph 3 of this Article, natural or legal persons having neither their domicile nor their principal place of business or a real and effective industrial or commercial establishment in the EEA shall be represented before the Office in accordance with Article 78(1) in all proceedings provided for by this Regulation, other than the filing of an application for a registered EU design.	2. Without prejudice to the second sentence of paragraph 3 of this Article, natural or legal persons having neither their domicile nor their principal place of business or a real and effective industrial or commercial establishment in the EEA shall be represented before the Office in accordance with Article 78(1) in all proceedings provided for by this Regulation, other than the filing of an application for a registered EU design.	2. Without prejudice to the second sentence of paragraph 3 of this Article, natural or legal persons having neither their domicile nor their principal place of business or a real and effective industrial or commercial establishment in the EEA shall be represented before the Office in accordance with Article 78(1) in all proceedings provided for by this Regulation, other than the filing of an application for a registered EU design.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (92), amending provision, numbered paragraph (3)				
734	<p>3. Natural or legal persons having their domicile or principal place of business or a real and effective industrial or commercial establishment in the EEA may be represented before the Office by an employee. An employee of a legal person to which this paragraph applies may also represent other legal persons which have economic connections with the first legal person, even if those other legal persons have neither their domicile nor their principal place of business nor a real and effective</p>	<p>3. Natural or legal persons having their domicile or principal place of business or a real and effective industrial or commercial establishment in the EEA may be represented before the Office by an employee. An employee of a legal person to which this paragraph applies may also represent other legal persons which have economic connections with the first legal person, even if those other legal persons have neither their domicile nor their principal place of business nor a real and effective</p>	<p>3. Natural or legal persons having their domicile or principal place of business or a real and effective industrial or commercial establishment in the EEA may be represented before the Office by an employee. An employee of a legal person to which this paragraph applies may also represent other legal persons which have economic connections with the first legal person, even if those other legal persons have neither their domicile nor their principal place of business nor a real and effective</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>industrial or commercial establishment within the EEA.</p> <p>Employees who represent persons within the meaning of this paragraph shall, at the request of the Office or, where appropriate, of the party to the proceedings, provide the Office with a signed authorisation for insertion in the files.</p>	<p>industrial or commercial establishment within the EEA.</p> <p>Employees who represent persons within the meaning of this paragraph shall, at the request of the Office or, where appropriate, of the party to the proceedings, provide the Office with a signed authorisation for insertion in the files.</p>	<p>industrial or commercial establishment within the EEA.</p> <p>Employees who represent persons within the meaning of this paragraph shall, at the request of the Office or, where appropriate, of the party to the proceedings, provide the Office with a signed authorisation for insertion in the files.</p>	
Article 1, first paragraph, point (92), amending provision, numbered paragraph (4)				
735	<p>4. Where there is more than one applicant or more than one third party acting in common, a common representative shall be appointed.;</p>	<p>4. Where there is more than one applicant or more than one third party acting in common, a common representative shall be appointed.;</p>	<p>4. Where there is more than one applicant or more than one third party acting in common, a common representative shall be appointed.;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (93)				
736	(93) Article 78 is amended as follows:	(93) Article 78 is amended as follows:	(93) Article 78 is amended as follows:	
Article 1, first paragraph, point (93)(a)				
737	(a) paragraphs 1 to 6 are replaced by the following:	(a) paragraphs 1 to 6 are replaced by the following:	(a) paragraphs 1 to 6 are replaced by the following:	
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
738	<p>1. Representation of natural or legal persons in proceedings before the Office under this Regulation may only be undertaken by any of the following:</p>	<p>1. Representation of natural or legal persons in proceedings before the Office under this Regulation may only be undertaken by any of the following:</p>	<p>1. Representation of natural or legal persons in proceedings before the Office under this Regulation may only be undertaken by any of the following:</p>	
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (1), point (a)				
739	<p>(a) a legal practitioner qualified in one of the Member States of the EEA and having his place of business within the EEA, to the extent that he is entitled, within that Member State, to act as a</p>	<p>(a) a legal practitioner qualified in one of the Member States of the EEA and having his place of business within the EEA, to the extent that he is entitled, within that Member State, to act as a</p>	<p>(a) a legal practitioner qualified in one of the Member States of the EEA and having his place of business within the EEA, to the extent that he is entitled, within that Member State, to act as a</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	representative in industrial property matters;	representative in industrial property matters;	representative in industrial property matters;	
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (1), point (b)				
740	(b) professional representatives whose names appear on the list of professional representatives referred to in Article 120(1)(b) of Regulation (EU) 2017/1001;	(b) professional representatives whose names appear on the list of professional representatives referred to in Article 120(1)(b) of Regulation (EU) 2017/1001;	(b) professional representatives whose names appear on the list of professional representatives referred to in Article 120(1)(b) of Regulation (EU) 2017/1001;	
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (1), point (c)				
741	(c) professional representatives whose names appear on the special	(c) professional representatives whose names appear on the special	(c) professional representatives whose names appear on the special	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	list of professional representatives for design matters referred to in paragraph 4.	list of professional representatives for design matters referred to in paragraph 4.	list of professional representatives for design matters referred to in paragraph 4.	
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (2)				
742	2. The persons referred to in paragraph 1, point (c), shall only be entitled to represent third persons in proceedings on design matters before the Office.	2. The persons referred to in paragraph 1, point (c), shall only be entitled to represent third persons in proceedings on design matters before the Office.	2. The persons referred to in paragraph 1, point (c), shall only be entitled to represent third persons in proceedings on design matters before the Office.	
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (3)				
743	3. Representatives acting before	3. Representatives acting before	3. Representatives acting before	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the Office shall, at the request of the Office or, where appropriate, of the other party to the proceedings, provide the Office with a signed authorisation for insertion on the files.	the Office shall, at the request of the Office or, where appropriate, of the other party to the proceedings, provide the Office with a signed authorisation for insertion on the files.	the Office shall, at the request of the Office or, where appropriate, of the other party to the proceedings, provide the Office with a signed authorisation for insertion on the files.	
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (4), first subparagraph				
744	4. The Office shall establish and maintain a special list of professional representatives in design matters (the ‘list of professional representatives in design matters’). Any natural person who fulfils all the following conditions may be included in that list:	4. The Office shall establish and maintain a special list of professional representatives in design matters (the ‘list of professional representatives in design matters’). Any natural person who fulfils all the following conditions may be included in that list:	4. The Office shall establish and maintain a special list of professional representatives in design matters (the ‘list of professional representatives in design matters’). Any natural person who fulfils all the following conditions may be included in that list:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (4), first subparagraph, point (a)				
745	(a) being a national of one of the Member States of the EEA;	(a) being a national of one of the Member States of the EEA;	(a) being a national of one of the Member States of the EEA;	
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (4), first subparagraph, point (b)				
746	(b) having his place of business or employment in the EEA;	(b) having his place of business or employment in the EEA;	(b) having his place of business or employment in the EEA;	
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (4), first subparagraph, point (c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
747	(c) being entitled to represent natural or legal persons in design matters before the Benelux Office for Intellectual Property or before the central industrial property office of a Member State of the EEA.	(c) being entitled to represent natural or legal persons in design matters before the Benelux Office for Intellectual Property or before the central industrial property office of a Member State of the EEA.	(c) being entitled to represent natural or legal persons in design matters before the Benelux Office for Intellectual Property or before the central industrial property office of a Member State of the EEA.	
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (4), second subparagraph				
748	Where the entitlement referred to in the first subparagraph, point (c), is not conditional upon the requirement of special professional qualifications, the person applying to be entered on the list who acts in	Where the entitlement referred to in the first subparagraph, point (c), is not conditional upon the requirement of special professional qualifications, the person applying to be entered on the list who acts in	Where the entitlement referred to in the first subparagraph, point (c), is not conditional upon the requirement of special professional qualifications, the person applying to be entered on the list who acts in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>design matters before the Benelux Office for Intellectual Property or a central industrial property office shall have habitually so acted for at least five years. However, persons whose professional qualification to represent natural or legal persons in design matters before the Benelux Office for Intellectual Property or a central industrial property office is officially recognised in accordance with the regulations laid down by the State concerned shall not be required to have exercised the profession.</p>	<p>design matters before the Benelux Office for Intellectual Property or a central industrial property office shall have habitually so acted <u>gained professional experience in the field of designs</u> for at least five years. However, persons whose professional qualification to represent natural or legal persons in design matters before the Benelux Office for Intellectual Property or a central industrial-<u>l</u> property office is officially recognised in accordance with the regulations laid down by the State concerned shall not be required to have exercised the profession.</p>	<p>design matters before the Benelux Office for Intellectual Property or a central industrial property office shall have habitually so acted for at least five years. However, persons whose professional qualification to represent natural or legal persons in design matters before the Benelux Office for Intellectual Property or a central industrial property office is officially recognised in accordance with the regulations laid down by the State concerned shall not be required to have exercised the profession.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (5)				
749	<p>5. Entry on the list of professional representatives in design matters shall be effected upon request, accompanied by a certificate furnished by the Benelux Office for Intellectual Property or the central industrial property office of the Member State concerned, indicating that the conditions laid down in paragraph 4 are fulfilled. The entries in the list of professional representatives in design matters shall be published in the Official Journal of the Office.</p>	<p>5. Entry on the list of professional representatives in design matters shall be effected upon request, accompanied by a certificate furnished by the Benelux Office for Intellectual Property or the central industrial property office of the Member State concerned, indicating that the conditions laid down in paragraph 4 are fulfilled. The entries in the list of professional representatives in design matters shall be published in the Official Journal of the Office.</p>	<p>5. Entry on the list of professional representatives in design matters shall be effected upon request, accompanied by a certificate furnished by the Benelux Office for Intellectual Property or the central industrial property office of the Member State concerned, indicating that the conditions laid down in paragraph 4 are fulfilled. The entries in the list of professional representatives in design matters shall be published in the Official Journal of the Office.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (6)				
750	6. The Executive Director may grant an exemption from any of the following:	6. The Executive Director may grant an exemption from any of the following:	6. The Executive Director may grant an exemption from any of the following:	
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (6), point (a)				
751	(a) the requirement set out in paragraph 4, point (a), in the case of highly qualified professionals, provided that the requirements set out in paragraph 4, points (b) and (c), are fulfilled;	(a) the requirement set out in paragraph 4, point (a), in the case of highly qualified professionals, provided that the requirements set out in paragraph 4, points (b) and (c), are fulfilled;	(a) the requirement set out in paragraph 4, point (a), in the case of highly qualified professionals, provided that the requirements set out in paragraph 4, points (b) and (c), are fulfilled;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (93)(a), amending provision, numbered paragraph (6), point (b)				
752	(b) the requirement set out in the first sentence of the second subparagraph of paragraph 4, if the person applying to be entered on the list furnishes proof that he has acquired the required qualification in another way.;	(b) the requirement set out in the first sentence of the second subparagraph of paragraph 4, if the person applying to be entered on the list furnishes proof that he has acquired the required qualification in another way.;	(b) the requirement set out in the first sentence of the second subparagraph of paragraph 4, if the person applying to be entered on the list furnishes proof that he has acquired the required qualification in another way.;	
Article 1, first paragraph, point (93)(b)				
753	(b) paragraph 7 is replaced by the following:	(b) paragraph 7 is replaced by the following:	(b) paragraph 7 is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (93)(b), amending provision, numbered paragraph (7)				
754	<p>7. A person may be removed from the list of professional representatives in design matters at the request of the person or when that person is no longer in a capacity to act as a professional representative. The amendments of the list of professional representatives in design matters shall be published in the Official Journal of the Office.;</p>	<p>7. A person may be removed from the list of professional representatives in design matters at the request of the person or when that person is no longer in a capacity to act as a professional representative. The amendments of the list of professional representatives in design matters shall be published in the Official Journal of the Office.;</p>	<p>7. A person may be removed from the list of professional representatives in design matters at the request of the person or when that person is no longer in a capacity to act as a professional representative. The amendments of the list of professional representatives in design matters shall be published in the Official Journal of the Office.;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (93)(c)				
755	(c) the following paragraph is added:	(c) the following paragraph is added:	(c) the following paragraph is added:	
Article 1, first paragraph, point (93)(c), amending provision, numbered paragraph (8)				
756	8. Representatives acting before the Office shall be entered in the database referred to in Article 72a and obtain an identification number. The Office may require	8. Representatives acting before the Office shall be entered in the database referred to in Article 72a and obtain an identification number. The Office may require	8. Representatives acting before the Office shall be entered in the database referred to in Article 72a and obtain an identification number. The Office may require	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the representative to prove the real and effective nature of their establishment or employment at any of the addresses identified. The Executive Director may determine the formal requirements for obtaining an identification number, in particular for associations of representatives, and for the entries of the representatives in the database.;	the representative to prove the real and effective nature of their establishment or employment at any of the addresses identified. The Executive Director may determine the formal requirements for obtaining an identification number, in particular for associations of representatives, and for the entries of the representatives in the database.;	the representative to prove the real and effective nature of their establishment or employment at any of the addresses identified. The Executive Director may determine the formal requirements for obtaining an identification number, in particular for associations of representatives, and for the entries of the representatives in the database.;	
Article 1, first paragraph, point (94)				
757	(94) the following Article 78a is inserted:	(94) the following Article 78a is inserted:	(94) the following Article 78a is inserted:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (94), amending provision, first paragraph				
758	Article 78a	Article 78a	Article 78a	
Article 1, first paragraph, point (94), amending provision, second paragraph				
759	Delegation of powers regarding professional representation	Delegation of powers regarding professional representation	Delegation of powers regarding professional representation	
Article 1, first paragraph, point (94), amending provision, third paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
760	The Commission is empowered to adopt delegated acts in accordance with Article 208 to supplement this Regulation by specifying:	The Commission is empowered to adopt delegated acts in accordance with Article 208 to supplement this Regulation by specifying:	The Commission is empowered to adopt delegated acts in accordance with Article 208 to supplement this Regulation by specifying:	
Article 1, first paragraph, point (94), amending provision, third paragraph, point (a)				
761	(a) the conditions and the procedure for the appointment of a common representative as referred to in Article 77(4);	(a) the conditions and the procedure for the appointment of a common representative as referred to in Article 77(4);	(a) the conditions and the procedure for the appointment of a common representative as referred to in Article 77(4);	
Article 1, first paragraph, point (94), amending provision, third paragraph, point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
762	(b) the conditions under which employees referred to in Article 77(3) and professional representatives referred to in Article 78(1) shall file with the Office a signed authorisation in order to undertake representation, and the content of that authorisation;	(b) the conditions under which employees referred to in Article 77(3) and professional representatives referred to in Article 78(1) shall file with the Office a signed authorisation in order to undertake representation, and the content of that authorisation;	(b) the conditions under which employees referred to in Article 77(3) and professional representatives referred to in Article 78(1) shall file with the Office a signed authorisation in order to undertake representation, and the content of that authorisation;	
Article 1, first paragraph, point (94), amending provision, third paragraph, point (c)				
763	(c) the circumstances in which a person may be removed from the list of professional representatives in design matters referred to in	(c) the circumstances in which a person may be removed from the list of professional representatives in design matters referred to in	(c) the circumstances in which a person may be removed from the list of professional representatives in design matters referred to in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 78(7).;	Article 78(7).;	Article 78(7).;	
Article 1, first paragraph, point (95)				
764	(95) Article 79 is replaced by the following:	(95) Article 79 is replaced by the following:	(95) Article 79 is replaced by the following:	
Article 1, first paragraph, point (95), amending provision, first paragraph				
765	Article 79	Article 79	Article 79	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (95), amending provision, second paragraph				
766	Application of Union rules on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters	Application of Union rules on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters	Application of Union rules on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters	
Article 1, first paragraph, point (95), amending provision, numbered paragraph (1)				
767	1. Unless otherwise specified in this Regulation, the Union rules on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters shall apply to proceedings relating to EU designs and applications for	1. Unless otherwise specified in this Regulation, the Union rules on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters shall apply to proceedings relating to EU designs and applications for	1. Unless otherwise specified in this Regulation, the Union rules on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters shall apply to proceedings relating to EU designs and applications for	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	registered EU designs, as well as to proceedings relating to simultaneous and successive actions on the basis of EU designs and national designs.	registered EU designs, as well as to proceedings relating to simultaneous and successive actions on the basis of EU designs and national designs.	registered EU designs, as well as to proceedings relating to simultaneous and successive actions on the basis of EU designs and national designs.	
Article 1, first paragraph, point (95), amending provision, numbered paragraph (2)				
768	2. In the case of proceedings in respect of the actions and claims referred to in Article 81:	2. In the case of proceedings in respect of the actions and claims referred to in Article 81:	2. In the case of proceedings in respect of the actions and claims referred to in Article 81:	
Article 1, first paragraph, point (95), amending provision, numbered paragraph (2), point (a)				
769	(a) Articles 4 and 6, Article 7,	(a) Articles 4 and 6, Article 7,	(a) Articles 4 and 6, Article 7,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	points 1, 2, 3 and 5, and Article 35 of Regulation (EU) No 1215/2012 of the European Parliament and of the Council* shall not apply;	points 1, 2, 3 and 5, and Article 35 of Regulation (EU) No 1215/2012 of the European Parliament and of the Council* shall not apply;	points 1, 2, 3 and 5, and Article 35 of Regulation (EU) No 1215/2012 of the European Parliament and of the Council* shall not apply;	
Article 1, first paragraph, point (95), amending provision, numbered paragraph (2), point (b)				
770	(b) Articles 25 and 26 of Regulation (EU) No 1215/2012 shall apply subject to the limitations set out in Article 82(4) of this Regulation;	(b) Articles 25 and 26 of Regulation (EU) No 1215/2012 shall apply subject to the limitations set out in Article 82(4) of this Regulation;	(b) Articles 25 and 26 of Regulation (EU) No 1215/2012 shall apply subject to the limitations set out in Article 82(4) of this Regulation;	
Article 1, first paragraph, point (95), amending provision, numbered paragraph (2), point (c)				
771				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(c) the provisions of Chapter II of Regulation (EU) No 1215/2012 which are applicable to persons domiciled in a Member State shall apply also to persons who do not have a domicile in any Member State but have an establishment therein.	(c) the provisions of Chapter II of Regulation (EU) No 1215/2012 which are applicable to persons domiciled in a Member State shall apply also to persons who do not have a domicile in any Member State but have an establishment therein.	(c) the provisions of Chapter II of Regulation (EU) No 1215/2012 which are applicable to persons domiciled in a Member State shall apply also to persons who do not have a domicile in any Member State but have an establishment therein.	
Article 1, first paragraph, point (95), amending provision, numbered paragraph (3), first subparagraph				
772	3. References in this Regulation to Regulation (EU) No 1215/2012 shall include, where appropriate, the Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and	3. References in this Regulation to Regulation (EU) No 1215/2012 shall include, where appropriate, the Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and	3. References in this Regulation to Regulation (EU) No 1215/2012 shall include, where appropriate, the Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	enforcement of judgments in civil and commercial matters done on 19 October 2005.	enforcement of judgments in civil and commercial matters done on 19 October 2005.	enforcement of judgments in civil and commercial matters done on 19 October 2005.	
Article 1, first paragraph, point (95), amending provision, numbered paragraph (3), second subparagraph				
773	* Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012, p.1).;	* Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012, p.1).;	* Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012, p.1).;	
Article 1, first paragraph, point (96)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
774	(96) in Article 80, paragraph 5 is deleted;	(96) in Article 80, paragraph 5 is deleted;	(96) in Article 80, paragraph 5 is deleted;	
Article 1, first paragraph, point (97)				
775	(97) Article 82 is amended as follows:	(97) Article 82 is amended as follows:	(97) Article 82 is amended as follows:	
Article 1, first paragraph, point (97)(a)				
776	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (97)(a), amending provision, numbered paragraph (1)				
777	<p>1. Subject to the provisions of this Regulation and to any provisions of Regulation (EU) No 1215/2012 applicable by virtue of Article 79, proceedings in respect of the actions and claims referred to in Article 81 shall be brought in the courts of the Member State in which the defendant is domiciled or, if the defendant is not domiciled in any of the Member States, in any Member State in which the defendant has an</p>	<p>1. Subject to the provisions of this Regulation and to any provisions of Regulation (EU) No 1215/2012 applicable by virtue of Article 79, proceedings in respect of the actions and claims referred to in Article 81 shall be brought in the courts of the Member State in which the defendant is domiciled or, if the defendant is not domiciled in any of the Member States, in any Member State in which the defendant has an</p>	<p>1. Subject to the provisions of this Regulation and to any provisions of Regulation (EU) No 1215/2012 applicable by virtue of Article 79, proceedings in respect of the actions and claims referred to in Article 81 shall be brought in the courts of the Member State in which the defendant is domiciled or, if the defendant is not domiciled in any of the Member States, in any Member State in which the defendant has an</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	establishment.;	establishment.;	establishment.;	
Article 1, first paragraph, point (97)(b)				
778	(b) paragraph 4 is replaced by the following:	(b) paragraph 4 is replaced by the following:	(b) paragraph 4 is replaced by the following:	
Article 1, first paragraph, point (97)(b), amending provision, numbered paragraph (4)				
779	4. By way of derogation from paragraphs 1, 2 and 3:	4. By way of derogation from paragraphs 1, 2 and 3:	4. By way of derogation from paragraphs 1, 2 and 3:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (97)(b), amending provision, numbered paragraph (4), point (a)				
780	(a) Article 25 of Regulation (EU) No 1215/2012 shall apply if the parties agree that a different EU design court shall have jurisdiction;	(a) Article 25 of Regulation (EU) No 1215/2012 shall apply if the parties agree that a different EU design court shall have jurisdiction;	(a) Article 25 of Regulation (EU) No 1215/2012 shall apply if the parties agree that a different EU design court shall have jurisdiction;	
Article 1, first paragraph, point (97)(b), amending provision, numbered paragraph (4), point (b)				
781	(b) Article 26 of Regulation (EU) No 1215/2012 shall apply if the defendant enters an appearance before a different EU design court.;	(b) Article 26 of Regulation (EU) No 1215/2012 shall apply if the defendant enters an appearance before a different EU design court.;	(b) Article 26 of Regulation (EU) No 1215/2012 shall apply if the defendant enters an appearance before a different EU design court.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (98)				
782	(98) in Article 84, the following paragraphs 5 and 6 are added:	(98) in Article 84, the following paragraphs 5 and 6 are added:	(98) in Article 84, the following paragraphs 5 and 6 are added:	
Article 1, first paragraph, point (98), amending provision, numbered paragraph (5)				
783	5. The EU design court with which a counterclaim for a declaration of invalidity of a registered EU design has been filed shall not proceed	5. The EU design court with which a counterclaim for a declaration of invalidity of a registered EU design has been filed shall not proceed	5. The EU design court with which a counterclaim for a declaration of invalidity of a registered EU design has been filed shall not proceed	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>with the examination of the counterclaim, until either the interested party or the court has informed the Office of the date on which the counterclaim was filed. The Office shall record that information in the Register in accordance with Article 72(3), point (q). If an application for a declaration of invalidity of the registered EU design had been filed with the Office before the counterclaim was filed, the court shall be informed thereof by the Office and stay the proceedings in accordance with Article 91(1) until the decision on the application is final or the application is withdrawn.</p>	<p>with the examination of the counterclaim, until either the interested party or the court has informed the Office of the date on which the counterclaim was filed. The Office shall record that information in the Register in accordance with Article 72(3), point (q). If an application for a declaration of invalidity of the registered EU design had been filed with the Office before the counterclaim was filed, the court shall be informed thereof by the Office and stay the proceedings in accordance with Article 91(1) until the decision on the application is final or the application is withdrawn.</p>	<p>with the examination of the counterclaim, until either the interested party or the court has informed the Office of the date on which the counterclaim was filed. The Office shall record that information in the Register in accordance with Article 72(3), point (q). If an application for a declaration of invalidity of the registered EU design had been filed with the Office before the counterclaim was filed, the court shall be informed thereof by the Office and stay the proceedings in accordance with Article 91(1) until the decision on the application is final or the application is withdrawn.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (98), amending provision, numbered paragraph (6)				
784	6. The EU design court hearing a counterclaim for a declaration of invalidity of a registered EU design may, on application by the right holder of the registered EU design and after hearing the other parties, stay the proceedings and request the defendant to submit an application for a declaration of invalidity to the Office within a time limit which the court shall determine. If the application is not made within the time limit, the proceedings shall continue; the counterclaim shall be deemed withdrawn. Article 91(3) shall apply.;	6. The EU design court hearing a counterclaim for a declaration of invalidity of a registered EU design may, on application by the right holder of the registered EU design and after hearing the other parties, stay the proceedings and request the defendant to submit an application for a declaration of invalidity to the Office within a time limit which the court shall determine. If the application is not made within the time limit, the proceedings shall continue; the counterclaim shall be deemed withdrawn. Article 91(3) shall apply.;	6. The EU design court hearing a counterclaim for a declaration of invalidity of a registered EU design may, on application by the right holder of the registered EU design and after hearing the other parties, stay the proceedings and request the defendant to submit an application for a declaration of invalidity to the Office within a time limit which the court shall determine. If the application is not made within the time limit, the proceedings shall continue; the counterclaim shall be deemed withdrawn. Article 91(3) shall apply.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (99)				
785	(99) Article 86 is replaced by the following:	(99) Article 86 is replaced by the following:	(99) Article 86 is replaced by the following:	
Article 1, first paragraph, point (99), amending provision, first paragraph				
786	Article 86	Article 86	Article 86	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (99), amending provision, second paragraph				
787	Judgments of invalidity	Judgments of invalidity	Judgments of invalidity	
Article 1, first paragraph, point (99), amending provision, numbered paragraph (1)				
788	1. Where in a proceeding before an EU design court the EU design has been put in issue by way of a counterclaim for a declaration of invalidity:	1. Where in a proceeding before an EU design court the EU design has been put in issue by way of a counterclaim for a declaration of invalidity:	1. Where in a proceeding before an EU design court the EU design has been put in issue by way of a counterclaim for a declaration of invalidity:	
Article 1, first paragraph, point (99), amending provision, numbered paragraph (1), point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
789	(a) if any of the grounds mentioned in Article 25 are found to prejudice the maintenance of the EU design, the court shall declare the EU design invalid;	(a) if any of the grounds mentioned in Article 25 are found to prejudice the maintenance of the EU design, the court shall declare the EU design invalid;	(a) if any of the grounds mentioned in Article 25 are found to prejudice the maintenance of the EU design, the court shall declare the EU design invalid;	
Article 1, first paragraph, point (99), amending provision, numbered paragraph (1), point (b)				
790	(b) if none of the grounds mentioned in Article 25 is found to prejudice the maintenance of the EU design, the court shall reject the counterclaim.	(b) if none of the grounds mentioned in Article 25 is found to prejudice the maintenance of the EU design, the court shall reject the counterclaim.	(b) if none of the grounds mentioned in Article 25 is found to prejudice the maintenance of the EU design, the court shall reject the counterclaim.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (99), amending provision, numbered paragraph (2)				
791	2. An EU design court shall reject a counterclaim for a declaration of invalidity of a registered EU design if a decision taken by the Office relating to the same subject matter and cause of action and involving the same parties has already become final.	2. An EU design court shall reject a counterclaim for a declaration of invalidity of a registered EU design if a decision taken by the Office relating to the same subject matter and cause of action and involving the same parties has already become final.	2. An EU design court shall reject a counterclaim for a declaration of invalidity of a registered EU design if a decision taken by the Office relating to the same subject matter and cause of action and involving the same parties has already become final.	
Article 1, first paragraph, point (99), amending provision, numbered paragraph (3)				
792	3. Where an EU design court has given a judgment which has become final on a counterclaim for	3. Where an EU design court has given a judgment which has become final on a counterclaim for	3. Where an EU design court has given a judgment which has become final on a counterclaim for	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	a declaration of invalidity of a registered EU design, a copy of the judgment shall be sent to the Office without delay, either by the court or by any of the parties to the national proceedings. The Office or any other interested party may request information about such judgment. The Office shall enter the judgment in the Register in accordance with Article 72(3), point (r).;	a declaration of invalidity of a registered EU design, a copy of the judgment shall be sent to the Office without delay, either by the court or by any of the parties to the national proceedings. The Office or any other interested party may request information about such judgment. The Office shall enter the judgment in the Register in accordance with Article 72(3), point (r).;	a declaration of invalidity of a registered EU design, a copy of the judgment shall be sent to the Office without delay, either by the court or by any of the parties to the national proceedings. The Office or any other interested party may request information about such judgment. The Office shall enter the judgment in the Register in accordance with Article 72(3), point (r).;	
Article 1, first paragraph, point (100)				
793	(100) in Article 88, paragraph 2 is	(100) in Article 88, paragraph 2 is	(100) in Article 88, paragraph 2 is	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	replaced by the following:	replaced by the following:	replaced by the following:	
Article 1, first paragraph, point (100), amending provision, numbered paragraph (2)				
794	2. On all matters not covered by this Regulation, an EU design court shall apply the applicable national law.;	2. On all <u>design</u> matters not covered by this Regulation, an EU design court shall apply the applicable national law.;	2. On all matters not covered by this Regulation, an EU design court shall apply the applicable national law.;	
Article 1, first paragraph, point (101)				
795	(101) Article 89 is replaced by the	(101) Article 89 is replaced by the	(101) Article 89 is replaced by the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	following:	following:	following:	
Article 1, first paragraph, point (101), amending provision, first paragraph				
796	Article 89	Article 89	Article 89	
Article 1, first paragraph, point (101), amending provision, second paragraph				
797	Sanctions in actions for infringement	Sanctions in actions for infringement	Sanctions in actions for infringement	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (101), amending provision, numbered paragraph (1)				
798	1. Where an EU design court finds that the defendant has infringed or threatened to infringe an EU design, it shall, unless there are special reasons for not doing so, issue an order prohibiting the defendant from proceeding with the acts which infringed or would infringe the EU design. It shall also take such measures in accordance with its national law as are aimed at ensuring that this prohibition is complied with.	1. Where an EU design court finds that the defendant has infringed or threatened to infringe an EU design, it shall, unless there are special reasons for not doing so, issue an order prohibiting the defendant from proceeding with the acts which infringed or would infringe the EU design. It shall also take such measures in accordance with its national law as are aimed at ensuring that this prohibition is complied with.	1. Where an EU design court finds that the defendant has infringed or threatened to infringe an EU design, it shall, unless there are special reasons for not doing so, issue an order prohibiting the defendant from proceeding with the acts which infringed or would infringe the EU design. It shall also take such measures in accordance with its national law as are aimed at ensuring that this prohibition is complied with.	
Article 1, first paragraph, point (101), amending provision, numbered paragraph (2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
799	2. The EU design court may also apply measures or orders available under the applicable law which it deems appropriate in the circumstances of the case.;	2. The EU design court may also apply measures or orders available under the applicable law which it deems appropriate in the circumstances of the case.;	2. The EU design court may also apply measures or orders available under the applicable law which it deems appropriate in the circumstances of the case.;	
Article 1, first paragraph, point (102)				
800	(102) in Article 90, paragraph 3 is replaced by the following:	(102) in Article 90, paragraph 3 is replaced by the following:	(102) in Article 90, paragraph 3 is replaced by the following:	
Article 1, first paragraph, point (102), amending provision, numbered paragraph (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
801	<p>3. An EU design court whose jurisdiction is based on Article 82(1), (2), (3) or (4) shall have jurisdiction to grant provisional measures, including protective measures, which, subject to any necessary procedure for recognition and enforcement pursuant to Chapter III of Regulation (EU) No 1215/2012, are applicable in the territory of any Member State. No other court shall have such jurisdiction.;</p>	<p>3. An EU design court whose jurisdiction is based on Article 82(1), (2), (3) or (4) shall have jurisdiction to grant provisional measures, including protective measures, which, subject to any necessary procedure for recognition and enforcement pursuant to Chapter III of Regulation (EU) No 1215/2012, are applicable in the territory of any Member State. No other court shall have such jurisdiction.;</p>	<p>3. An EU design court whose jurisdiction is based on Article 82(1), (2), (3) or (4) shall have jurisdiction to grant provisional measures, including protective measures, which, subject to any necessary procedure for recognition and enforcement pursuant to Chapter III of Regulation (EU) No 1215/2012, are applicable in the territory of any Member State. No other court shall have such jurisdiction.;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (103)				
802	(103) Article 93 is replaced by the following:	(103) Article 93 is replaced by the following:	(103) Article 93 is replaced by the following:	
Article 1, first paragraph, point (103), amending provision, first paragraph				
803	‘ Article 93	‘ Article 93	‘ Article 93	
Article 1, first paragraph, point (103), amending provision, second paragraph				
804				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Supplementary provisions on the jurisdiction of national courts other than EU design courts	Supplementary provisions on the jurisdiction of national courts other than EU design courts	Supplementary provisions on the jurisdiction of national courts other than EU design courts	
Article 1, first paragraph, point (103), amending provision, numbered paragraph (1)				
805	1. Within the Member State whose courts have jurisdiction under Article 79(1), the courts which would have jurisdiction <i>ratione loci</i> and <i>ratione materiae</i> in the case of actions relating to a national design right in that Member State shall have jurisdiction for actions relating to EU designs other than the actions referred to in Article 81.	1. Within the Member State whose courts have jurisdiction under Article 79(1), the courts which would have jurisdiction <i>ratione loci</i> and <i>ratione materiae</i> in the case of actions relating to a national design right in that Member State shall have jurisdiction for actions relating to EU designs other than the actions referred to in Article 81.	1. Within the Member State whose courts have jurisdiction under Article 79(1), the courts which would have jurisdiction <i>ratione loci</i> and <i>ratione materiae</i> in the case of actions relating to a national design right in that Member State shall have jurisdiction for actions relating to EU designs other than the actions referred to in Article 81.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (103), amending provision, numbered paragraph (2)				
806	2. Actions relating to an EU design, other than the actions referred to in Article 81, for which no court has jurisdiction pursuant to Article 79(1) and paragraph 1 of this Article may be heard before the courts of the Member State in which the Office has its seat.;	2. Actions relating to an EU design, other than the actions referred to in Article 81, for which no court has jurisdiction pursuant to Article 79(1) and paragraph 1 of this Article may be heard before the courts of the Member State in which the Office has its seat.;	2. Actions relating to an EU design, other than the actions referred to in Article 81, for which no court has jurisdiction pursuant to Article 79(1) and paragraph 1 of this Article may be heard before the courts of the Member State in which the Office has its seat.;	
Article 1, first paragraph, point (104)				
807				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(104) in Article 96, paragraph 2 is replaced by the following:	(104) in Article 96, paragraph 2 is replaced by the following:	(104) in Article 96, paragraph 2 is replaced by the following:	
Article 1, first paragraph, point (104), amending provision, numbered paragraph (2)				
808	<p>‘</p> <p>2. A design protected as an EU design shall also be eligible for protection by copyright as from the date on which the design was created or fixed in any form, provided that the requirements of Union copyright law are met.;</p> <p>’</p>	<p>‘</p> <p>2. A design protected as an EU design shall also be eligible for protection by copyright as from the date on which the design was created or fixed in any form, provided that the requirements of Union copyright law are met.;</p> <p>’</p>	<p>‘</p> <p>2. A design protected as an EU design shall also be eligible for protection by copyright as from the date on which the design was created or fixed in any form, provided that the requirements of Union copyright law are met.;</p> <p>’</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (105)				
809	(105) Article 97 is replaced by the following:	(105) Article 97 is replaced by the following:	(105) Article 97 is replaced by the following:	
Article 1, first paragraph, point (105), amending provision, first paragraph				
810	‘ Article 97	‘ Article 97	‘ Article 97	
Article 1, first paragraph, point (105), amending provision, second paragraph				
811				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Application of Regulation (EU) 2017/1001	Application of Regulation (EU) 2017/1001	Application of Regulation (EU) 2017/1001	
Article 1, first paragraph, point (105), amending provision, third paragraph				
812	Unless otherwise provided in this Title, Articles 142 to 146, Articles 148 to 158, Article 162, and Articles 165 to 177 of Regulation (EU) 2017/1001 shall apply to the Office with regard to its tasks under this Regulation.;	Unless otherwise provided in this Title, Articles 142 to 146, Articles 148 to 158, Article 162, and Articles 165 to 177 of Regulation (EU) 2017/1001 shall apply to the Office with regard to its tasks under this Regulation.;	Unless otherwise provided in this Title, Articles 142 to 146, Articles 148 to 158, Article 162, and Articles 165 to 177 of Regulation (EU) 2017/1001 shall apply to the Office with regard to its tasks under this Regulation.;	
Article 1, first paragraph, point (106)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
813	(106) Article 98 is amended as follows:	(106) Article 98 is amended as follows:	(106) Article 98 is amended as follows:	
Article 1, first paragraph, point (106)(a)				
814	(a) the following paragraph 4a is inserted:	(a) the following paragraph 4a is inserted:	(a) the following paragraph 4a is inserted:	
Article 1, first paragraph, point (106)(a), amending provision, first paragraph, first subparagraph				
815	4a. Without prejudice to paragraph	4a. Without prejudice to paragraph	4a. Without prejudice to paragraph	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	4:	4:	4:	
Article 1, first paragraph, point (106)(a), amending provision, first paragraph, first subparagraph, point (a)				
816	(a) any application or declaration relating to an application for a registered EU design may be filed in the language used for filing the application for a registered EU design or in the second language indicated by the applicant in that application;	(a) any application or declaration relating to an application for a registered EU design may be filed in the language used for filing the application for a registered EU design or in the second language indicated by the applicant in that application;	(a) any application or declaration relating to an application for a registered EU design may be filed in the language used for filing the application for a registered EU design or in the second language indicated by the applicant in that application;	
Article 1, first paragraph, point (106)(a), amending provision, first paragraph, first subparagraph, point (b)				
817				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b) any application or declaration relating to a registered EU design other than an application for declaration of invalidity pursuant to Article 52 or a declaration of surrender pursuant to Article 51 may be filed in one of the languages of the Office.	(b) any application or declaration relating to a registered EU design other than an application for declaration of invalidity pursuant to Article 52 or a declaration of surrender pursuant to Article 51 may be filed in one of the languages of the Office.	(b) any application or declaration relating to a registered EU design other than an application for declaration of invalidity pursuant to Article 52 or a declaration of surrender pursuant to Article 51 may be filed in one of the languages of the Office.	
Article 1, first paragraph, point (106)(a), amending provision, first paragraph, second subparagraph				
818	However, when any of the forms provided by the Office as referred to in Article 66d is used, such forms may be used in any of the official languages of the Union, provided that the form is completed in one of the languages	However, when any of the forms provided by the Office as referred to in Article 66d is used, such forms may be used in any of the official languages of the Union, provided that the form is completed in one of the languages	However, when any of the forms provided by the Office as referred to in Article 66d is used, such forms may be used in any of the official languages of the Union, provided that the form is completed in one of the languages	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of the Office, as far as textual elements are concerned.;	of the Office, as far as textual elements are concerned.;	of the Office, as far as textual elements are concerned.;	
Article 1, first paragraph, point (106)(b)				
819	(b) the following paragraphs 6 and 7 are added:	(b) the following paragraphs 6 and 7 are added:	(b) the following paragraphs 6 and 7 are added:	
Article 1, first paragraph, point (106)(b), amending provision, numbered paragraph (6)				
820	6. Without prejudice to paragraphs 3 and 5 and unless provided	6. Without prejudice to paragraphs 3 and 5 and unless provided	6. Without prejudice to paragraphs 3 and 5 and unless provided	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>otherwise, in written proceedings before the Office a 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 1 month of the date of the submission of the original document. Where the applicant for a registered EU design is the sole party to proceedings before the Office and the language used for the filing of the application for the registered EU design is not one of the languages of the Office, the translation may also be filed in the second language indicated by the applicant in the application.</p>	<p>otherwise, in written proceedings before the Office a 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 1 month of the date of the submission of the original document. Where the applicant for a registered EU design is the sole party to proceedings before the Office and the language used for the filing of the application for the registered EU design is not one of the languages of the Office, the translation may also be filed in the second language indicated by the applicant in the application.</p>	<p>otherwise, in written proceedings before the Office a 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 1 month of the date of the submission of the original document. Where the applicant for a registered EU design is the sole party to proceedings before the Office and the language used for the filing of the application for the registered EU design is not one of the languages of the Office, the translation may also be filed in the second language indicated by the applicant in the application.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (106)(b), amending provision, numbered paragraph (7)				
821	7. The Executive Director shall determine the manner in which translations are to be certified.;	7. The Executive Director shall determine the manner in which translations are to be certified.;	7. The Executive Director shall determine the manner in which translations are to be certified.;	
Article 1, first paragraph, point (107)				
822	(107) the following Article 98a is inserted:	(107) the following Article 98a is inserted:	(107) the following Article 98a is inserted:	
Article 1, first paragraph, point (107), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
823	Article 98a	Article 98a	Article 98a	
Article 1, first paragraph, point (107), amending provision, second paragraph				
824	Conferral of implementing powers regarding need and standards of translation	Conferral of implementing powers regarding need and standards of translation	Conferral of implementing powers regarding need and standards of translation	
Article 1, first paragraph, point (107), amending provision, third paragraph				
825	The Commission shall adopt	The Commission shall adopt	The Commission shall adopt	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	implementing acts specifying:	implementing acts specifying:	implementing acts specifying:	
Article 1, first paragraph, point (107), amending provision, third paragraph, point (a)				
826	(a) the extent to which supporting documents to be used in written proceedings before the Office may be filed in any language of the Union, and the need to supply a translation;	(a) the extent to which supporting documents to be used in written proceedings before the Office may be filed in any language of the Union, and the need to supply a translation;	(a) the extent to which supporting documents to be used in written proceedings before the Office may be filed in any language of the Union, and the need to supply a translation;	
Article 1, first paragraph, point (107), amending provision, third paragraph, point (b)				
827	(b) the requisite standards of translations to be filed with the	(b) the requisite standards of translations to be filed with the	(b) the requisite standards of translations to be filed with the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Office.	Office.	Office.	
Article 1, first paragraph, point (107), amending provision, fourth paragraph				
828	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	
Article 1, first paragraph, point (108)				
829	(108) Article 99 is replaced by the following:	(108) Article 99 is replaced by the following:	(108) Article 99 is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (108), amending provision, first paragraph				
830	Article 99	Article 99	Article 99	
Article 1, first paragraph, point (108), amending provision, second paragraph				
831	Publication and entries in the Register	Publication and entries in the Register	Publication and entries in the Register	
Article 1, first paragraph, point (108), amending provision, numbered paragraph (1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
832	1. All information the publication of which is prescribed by this Regulation or an act adopted pursuant to this Regulation shall be published in all the official languages of the Union.	1. All information the publication of which is prescribed by this Regulation or an act adopted pursuant to this Regulation shall be published in all the official languages of the Union.	1. All information the publication of which is prescribed by this Regulation or an act adopted pursuant to this Regulation shall be published in all the official languages of the Union.	
Article 1, first paragraph, point (108), amending provision, numbered paragraph (2)				
833	2. All entries in the Register shall be made in all the official languages of the Union.	2. All entries in the Register shall be made in all the official languages of the Union.	2. All entries in the Register shall be made in all the official languages of the Union.	
Article 1, first paragraph, point (108), amending provision, numbered paragraph (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
834	<p>3. In cases of doubt, the text in the language of the Office in which the application for the registered EU design was filed shall be authentic. If the application was filed in an official language of the Union other than one of the languages of the Office, the text in the second language indicated by the applicant shall be authentic.;</p>	<p>3. In cases of doubt, the text in the language of the Office in which the application for the registered EU design was filed shall be authentic. If the application was filed in an official language of the Union other than one of the languages of the Office, the text in the second language indicated by the applicant shall be authentic.;</p>	<p>3. In cases of doubt, the text in the language of the Office in which the application for the registered EU design was filed shall be authentic. If the application was filed in an official language of the Union other than one of the languages of the Office, the text in the second language indicated by the applicant shall be authentic.;</p>	
Article 1, first paragraph, point (109)				
835	(109) Article 100 is replaced by	(109) Article 100 is replaced by	(109) Article 100 is replaced by	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the following:	the following:	the following:	
Article 1, first paragraph, point (109), amending provision, first paragraph				
836	Article 100	Article 100	Article 100	
Article 1, first paragraph, point (109), amending provision, second paragraph				
837	Supplementary powers of the Executive Director	Supplementary powers of the Executive Director	Supplementary powers of the Executive Director	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (109), amending provision, third paragraph				
838	In addition to the powers conferred upon the Executive Director by Article 157(4), point (o), of Regulation (EU) 2017/1001, the Executive Director shall exercise the powers conferred under Article 36(5), Article 37(1), Article 41(5), Article 42(2), Article 62(2), Article 65(5), Articles 66, 66c, 66e, Article 72(4), Article 72a(3), Article 73, Article 74a(1), Articles 74c, 78, Article 98(7), Article -106aa, Article -106ab(1), Articles -106ac and -106ad in accordance with the criteria set out in this Regulation and in the acts adopted pursuant to this Regulation.;	In addition to the powers conferred upon the Executive Director by Article 157(4), point (o), of Regulation (EU) 2017/1001, the Executive Director shall exercise the powers conferred under Article 36(5), Article 37(1), Article 41(5), Article 42(2), Article 62(2), Article 65(5), Articles 66, 66c, 66e, Article 72(4), Article 72a(3), Article 73, Article 74a(1), Articles 74c, 78, Article 98(7), Article -106aa, Article -106ab(1), Articles -106ac and -106ad in accordance with the criteria set out in this Regulation and in the acts adopted pursuant to this Regulation.;	In addition to the powers conferred upon the Executive Director by Article 157(4), point (o), of Regulation (EU) 2017/1001, the Executive Director shall exercise the powers conferred under Article 36(5), Article 37(1), Article 41(5), Article 42(2), Article 62(2), Article 65(5), Articles 66, 66c, 66e, Article 72(4), Article 72a(3), Article 73, Article 74a(1), Articles 74c, 78, Article 98(7), Article -106aa, Article -106ab(1), Articles -106ac and -106ad in accordance with the criteria set out in this Regulation and in the acts adopted pursuant to this Regulation.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (110)				
839	(110) Article 101 is deleted;	(110) Article 101 is deleted;	(110) Article 101 is deleted;	
Article 1, first paragraph, point (111)				
840	(111) Articles 102, 103 and 104 are replaced by the following:	(111) Articles 102, 103 and 104 are replaced by the following:	(111) Articles 102, 103 and 104 are replaced by the following:	
Article 1, first paragraph, point (111), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
841	Article 102	Article 102	Article 102	
Article 1, first paragraph, point (111), amending provision, second paragraph				
842	Competence	Competence	Competence	
Article 1, first paragraph, point (111), amending provision, third paragraph				
843	For taking decisions in connection with the procedures laid down in this Regulation the following shall	For taking decisions in connection with the procedures laid down in this Regulation the following shall	For taking decisions in connection with the procedures laid down in this Regulation the following shall	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	be competent:	be competent:	be competent:	
Article 1, first paragraph, point (111), amending provision, third paragraph, point (a)				
844	(a) examiners;	(a) examiners;	(a) examiners;	
Article 1, first paragraph, point (111), amending provision, third paragraph, point (b)				
845	(b) the Department in charge of the Register;	(b) the Department in charge of the Register;	(b) the Department in charge of the Register;	
Article 1, first paragraph, point (111), amending provision, third paragraph, point (c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
846	(c) Invalidation Divisions;	(c) Invalidation Divisions;	(c) Invalidation Divisions;	
Article 1, first paragraph, point (111), amending provision, third paragraph, point (d)				
847	(d) Boards of Appeal;	(d) Boards of Appeal;	(d) Boards of Appeal;	
Article 1, first paragraph, point (111), amending provision, third paragraph, point (e)				
848	(e) any other unit or person appointed by the Executive Director to that effect.	(e) any other unit or person appointed by the Executive Director to that effect, <u>provided that each of the persons so appointed has sufficient</u>	(e) any other unit or person appointed by the Executive Director to that effect.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>professional experience to enable him or her to make an effective contribution to the protection of designs.</i></u>		
Article 1, first paragraph, point (111), amending provision, fourth paragraph				
849	Article 103	Article 103	Article 103	
Article 1, first paragraph, point (111), amending provision, fifth paragraph				
850	Examiners	Examiners	Examiners	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (111), amending provision, sixth paragraph				
851	The examiners shall be responsible for taking decisions on behalf of the Office in relation to an application for a registered EU design.	The examiners shall be responsible for taking decisions on behalf of the Office in relation to an application for a registered EU design.	The examiners shall be responsible for taking decisions on behalf of the Office in relation to an application for a registered EU design.	
Article 1, first paragraph, point (111), amending provision, seventh paragraph				
852	Article 104	Article 104	Article 104	
Article 1, first paragraph, point (111), amending provision, eighth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
853	The Department in charge of the Register	The Department in charge of the Register	The Department in charge of the Register	
Article 1, first paragraph, point (111), amending provision, numbered paragraph (1)				
854	1. In addition to the powers conferred upon it by Regulation (EU) 2017/1001, the Department in charge of the Register shall be responsible for taking decisions in respect of entries in the Register under this Regulation and other decisions required by this Regulation which do not fall within the competence of the examiners or an Invalidity Division.	1. In addition to the powers conferred upon it by Regulation (EU) 2017/1001, the Department in charge of the Register shall be responsible for taking decisions in respect of entries in the Register under this Regulation and other decisions required by this Regulation which do not fall within the competence of the examiners or an Invalidity Division.	1. In addition to the powers conferred upon it by Regulation (EU) 2017/1001, the Department in charge of the Register shall be responsible for taking decisions in respect of entries in the Register under this Regulation and other decisions required by this Regulation which do not fall within the competence of the examiners or an Invalidity Division.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (111), amending provision, numbered paragraph (2)				
855	2. The Department in charge of the Register shall also be responsible for maintaining the list of professional representatives in design matters.;	2. The Department in charge of the Register shall also be responsible for maintaining the list of professional representatives in design matters.;	2. The Department in charge of the Register shall also be responsible for maintaining the list of professional representatives in design matters.;	
Article 1, first paragraph, point (112)				
856	(112) in Article 105, the following paragraph 3 is added:	(112) in Article 105, the following paragraph 3 is added:	(112) in Article 105, the following paragraph 3 is added:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (112), amending provision, numbered paragraph (3)				
857	3. Decisions relating to costs or to procedures shall be taken by a single member of the Invalidity Division.;	3. Decisions relating to costs or to procedures shall be taken by a single member of the Invalidity Division.;	3. Decisions relating to costs or to procedures shall be taken by a single member of the Invalidity Division.;	
Article 1, first paragraph, point (113)				
858	(113) the following Article 105a is inserted:	(113) the following Article 105a is inserted:	(113) the following Article 105a is inserted:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (113), amending provision, first paragraph				
859	Article 105a	Article 105a	Article 105a	
Article 1, first paragraph, point (113), amending provision, second paragraph				
860	Conferral of implementing powers regarding decisions taken by a single member	Conferral of implementing powers regarding decisions taken by a single member	Conferral of implementing powers regarding decisions taken by a single member	
Article 1, first paragraph, point (113), amending provision, third paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
861	The Commission shall adopt implementing acts specifying the exact types of decisions that are to be taken by a single member as referred to in Article 105(3). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	The Commission shall adopt implementing acts specifying the exact types of decisions that are to be taken by a single member as referred to in Article 105(3). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	The Commission shall adopt implementing acts specifying the exact types of decisions that are to be taken by a single member as referred to in Article 105(3). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 109(2).;	
Article 1, first paragraph, point (114)				
862	(114) Article 106 is replaced by the following:	(114) Article 106 is replaced by the following:	(114) Article 106 is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (114), amending provision, first paragraph				
863	Article 106	Article 106	Article 106	
Article 1, first paragraph, point (114), amending provision, second paragraph				
864	Boards of Appeal	Boards of Appeal	Boards of Appeal	
Article 1, first paragraph, point (114), amending provision, third paragraph				
865				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	In addition to the powers conferred upon it by Article 165 of Regulation (EU) 2017/1001, the Boards of Appeal shall be responsible for deciding on appeals of decisions of the instances of the Office referred to in Article 102, points (a), (b) and (c), and, where appropriate, Article 102, point (e), in connection with the procedures laid down in this Regulation.;	In addition to the powers conferred upon it by Article 165 of Regulation (EU) 2017/1001, the Boards of Appeal shall be responsible for deciding on appeals of decisions of the instances of the Office referred to in Article 102, points (a), (b) and (c), and, where appropriate, Article 102, point (e), in connection with the procedures laid down in this Regulation.;	In addition to the powers conferred upon it by Article 165 of Regulation (EU) 2017/1001, the Boards of Appeal shall be responsible for deciding on appeals of decisions of the instances of the Office referred to in Article 102, points (a), (b) and (c), and, where appropriate, Article 102, point (e), in connection with the procedures laid down in this Regulation.;	
Article 1, first paragraph, point (115)				
866	(115) the following Article -106a is inserted:	(115) the following Article -106a is inserted:	(115) the following Article -106a is inserted:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (115), amending provision, first paragraph				
867	Article -106a	Article -106a	Article -106a	
Article 1, first paragraph, point (115), amending provision, second paragraph				
868	Delegation of power regarding the Boards of Appeal	Delegation of power regarding the Boards of Appeal	Delegation of power regarding the Boards of Appeal	
Article 1, first paragraph, point (115), amending provision, third paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
869	The Commission is empowered to adopt delegated acts in accordance with Article 109a specifying the details concerning the organisation of the Boards of Appeal in proceedings relating to designs under this Regulation where such proceedings require a different organisation than what is laid down in the delegated acts adopted pursuant to Article 168 of Regulation (EU) 2017/1001.;	The Commission is empowered to adopt delegated acts in accordance with Article 109a specifying the details concerning the organisation of the Boards of Appeal in proceedings relating to designs under this Regulation where such proceedings require a different organisation than what is laid down in the delegated acts adopted pursuant to Article 168 of Regulation (EU) 2017/1001.;	The Commission is empowered to adopt delegated acts in accordance with Article 109a specifying the details concerning the organisation of the Boards of Appeal in proceedings relating to designs under this Regulation where such proceedings require a different organisation than what is laid down in the delegated acts adopted pursuant to Article 168 of Regulation (EU) 2017/1001.;	
Article 1, first paragraph, point (116)				
870				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(116) the following Section 3 is added in Title XI:	(116) the following Section 3 is added in Title XI:	(116) the following Section 3 is added in Title XI:	
Article 1, first paragraph, point (116), amending provision, first paragraph				
871	Section 3	Section 3	Section 3	
Article 1, first paragraph, point (116), amending provision, second paragraph				
872	Fees and their payment	Fees and their payment	Fees and their payment	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (116), amending provision, third paragraph				
873	Article -106aa	Article -106aa	Article -106aa	
Article 1, first paragraph, point (116), amending provision, fourth paragraph				
874	Fees and charges and due date	Fees and charges and due date	Fees and charges and due date	
Article 1, first paragraph, point (116), amending provision, numbered paragraph (1)				
875	1. The Executive Director shall lay down the amount to be charged for any services rendered by the Office	1. The Executive Director shall lay down the amount to be charged for any services rendered by the Office	1. The Executive Director shall lay down the amount to be charged for any services rendered by the Office	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	other than those set out in Annex, as well as the amount to be charged for publications issued by the Office. The amounts of charges shall be set in euros and shall be published in the Official Journal of the Office. The amount of each charge shall not exceed what is necessary to cover the costs of the specific service rendered by the Office.	other than those set out in Annex, as well as the amount to be charged for publications issued by the Office. The amounts of charges shall be set in euros and shall be published in the Official Journal of the Office. The amount of each charge shall not exceed what is necessary to cover the costs of the specific service rendered by the Office.	other than those set out in Annex, as well as the amount to be charged for publications issued by the Office. The amounts of charges shall be set in euros and shall be published in the Official Journal of the Office. The amount of each charge shall not exceed what is necessary to cover the costs of the specific service rendered by the Office.	
Article 1, first paragraph, point (116), amending provision, numbered paragraph (2), first subparagraph				
876	2. Fees and charges in respect of which the due date is not specified in this Regulation shall be due on the date of receipt of the request	2. Fees and charges in respect of which the due date is not specified in this Regulation shall be due on the date of receipt of the request	2. Fees and charges in respect of which the due date is not specified in this Regulation shall be due on the date of receipt of the request	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	for the service for which the fee or the charge is incurred.	for the service for which the fee or the charge is incurred.	for the service for which the fee or the charge is incurred.	
Article 1, first paragraph, point (116), amending provision, numbered paragraph (2), second subparagraph				
877	With the consent of the Budget Committee, the Executive Director may determine which of the services mentioned in the first subparagraph shall not be dependent upon the advance payment of the corresponding fees or charges.	With the consent of the Budget Committee, the Executive Director may determine which of the services mentioned in the first subparagraph shall not be dependent upon the advance payment of the corresponding fees or charges.	With the consent of the Budget Committee, the Executive Director may determine which of the services mentioned in the first subparagraph shall not be dependent upon the advance payment of the corresponding fees or charges.	
Article 1, first paragraph, point (116), amending provision, seventh paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
878	Article -106ab	Article -106ab	Article -106ab	
Article 1, first paragraph, point (116), amending provision, eighth paragraph				
879	Payment of fees and charges	Payment of fees and charges	Payment of fees and charges	
Article 1, first paragraph, point (116), amending provision, numbered paragraph (1), first subparagraph				
880	1. Fees and charges due to the Office shall be paid by the methods of payment determined by the Executive Director with the consent of the Budget Committee.	1. Fees and charges due to the Office shall be paid by the methods of payment determined by the Executive Director with the consent of the Budget Committee.	1. Fees and charges due to the Office shall be paid by the methods of payment determined by the Executive Director with the consent of the Budget Committee.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (116), amending provision, numbered paragraph (1), second subparagraph				
881	Determinations made pursuant to the first subparagraph shall be published in the Official Journal of the Office. All payments shall be made in euros.	Determinations made pursuant to the first subparagraph shall be published in the Official Journal of the Office. All payments shall be made in euros.	Determinations made pursuant to the first subparagraph shall be published in the Official Journal of the Office. All payments shall be made in euros.	
Article 1, first paragraph, point (116), amending provision, numbered paragraph (2)				
882	2. Payments through means of payment other than those referred to in paragraph 1 shall be considered not to have been made	2. Payments through means of payment other than those referred to in paragraph 1 shall be considered not to have been made	2. Payments through means of payment other than those referred to in paragraph 1 shall be considered not to have been made	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and the amount which has been paid shall be refunded.	and the amount which has been paid shall be refunded.	and the amount which has been paid shall be refunded.	
Article 1, first paragraph, point (116), amending provision, numbered paragraph (3)				
883	3. Payments shall contain the necessary information to enable the Office to establish immediately the purpose of the payment.	3. Payments shall contain the necessary information to enable the Office to establish immediately the purpose of the payment.	3. Payments shall contain the necessary information to enable the Office to establish immediately the purpose of the payment.	
Article 1, first paragraph, point (116), amending provision, numbered paragraph (4)				
884	4. If the purpose of the payment referred to in paragraph 2 cannot immediately be established, the	4. If the purpose of the payment referred to in paragraph 2 cannot immediately be established, the	4. If the purpose of the payment referred to in paragraph 2 cannot immediately be established, the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Office shall require the person making the payment to notify it in writing of that purpose within a certain period. If the person does not comply with the request within that period, the payment shall be considered not to have been made and the amount which has been paid shall be refunded.	Office shall require the person making the payment to notify it in writing of that purpose within a certain period. If the person does not comply with the request within that period, the payment shall be considered not to have been made and the amount which has been paid shall be refunded.	Office shall require the person making the payment to notify it in writing of that purpose within a certain period. If the person does not comply with the request within that period, the payment shall be considered not to have been made and the amount which has been paid shall be refunded.	
Article 1, first paragraph, point (116), amending provision, thirteenth paragraph				
885	Article -106ac	Article -106ac	Article -106ac	
Article 1, first paragraph, point (116), amending provision, fourteenth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
886	Deemed date of payment	Deemed date of payment	Deemed date of payment	
Article 1, first paragraph, point (116), amending provision, fifteenth paragraph				
887	The Executive Director shall establish the date on which payments shall be considered to have been made.	The Executive Director shall establish the date on which payments shall be considered to have been made.	The Executive Director shall establish the date on which payments shall be considered to have been made.	
Article 1, first paragraph, point (116), amending provision, sixteenth paragraph				
888	Article -106ad	Article -106ad	Article -106ad	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (116), amending provision, seventeenth paragraph				
889	Insufficient payments and refund of insignificant amounts	Insufficient payments and refund of insignificant amounts	Insufficient payments and refund of insignificant amounts	
Article 1, first paragraph, point (116), amending provision, numbered paragraph (1)				
890	1. A time limit for payment shall be considered to have been observed only if the full amount of the fee or charge has been paid in due time. If the fee or charge is not paid in full, the amount which has been paid shall be refunded after	1. A time limit for payment shall be considered to have been observed only if the full amount of the fee or charge has been paid in due time. If the fee or charge is not paid in full, the amount which has been paid shall be refunded after	1. A time limit for payment shall be considered to have been observed only if the full amount of the fee or charge has been paid in due time. If the fee or charge is not paid in full, the amount which has been paid shall be refunded after	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the period for payment has expired.	the period for payment has expired.	the period for payment has expired.	
Article 1, first paragraph, point (116), amending provision, numbered paragraph (2)				
891	2. The Office may, however, in so far as is possible within the time remaining before the end of the period for payment, give the person making the payment the opportunity to pay the amount lacking or, where this is considered justified, overlook any small amounts lacking, without prejudice to the rights of the person making the payment.	2. The Office may <i>shall</i> , however, in so far as is possible within the time remaining before the end of the period for payment, give the person making the payment the opportunity to pay the amount lacking or, where this is considered justified, overlook any small amounts lacking, without prejudice to the rights of the person making the payment.	2. The Office may, however, in so far as is possible within the time remaining before the end of the period for payment, give the person making the payment the opportunity to pay the amount lacking or, where this is considered justified, overlook any small amounts lacking, without prejudice to the rights of the person making the payment.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (116), amending provision, numbered paragraph (3)				
892	3. With the consent of the Budget Committee, the Executive Director may waive action for the enforced recovery of any sum due where the sum to be recovered is minimal or where such recovery is too uncertain.	3. With the consent of the Budget Committee, the Executive Director may waive action for the enforced recovery of any sum due where the sum to be recovered is minimal or where such recovery is too uncertain.	3. With the consent of the Budget Committee, the Executive Director may waive action for the enforced recovery of any sum due where the sum to be recovered is minimal or where such recovery is too uncertain.	
Article 1, first paragraph, point (116), amending provision, numbered paragraph (4), first subparagraph				
893	4. Where an excessive sum is paid to cover a fee or a charge, the excess shall not be refunded if the amount is insignificant and the	4. Where an excessive sum is paid to cover a fee or a charge, the excess shall not be refunded if the amount is insignificant and the	4. Where an excessive sum is paid to cover a fee or a charge, the excess shall not be refunded if the amount is insignificant and the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	party concerned has not expressly requested a refund.	party concerned has not expressly requested a refund.	party concerned has not expressly requested a refund.	
Article 1, first paragraph, point (116), amending provision, numbered paragraph (4), second subparagraph				
894	With the consent of the Budget Committee, the Executive Director may determine the amount below which an excessive sum paid to cover a fee or a charge shall not be refunded.	<i>deleted</i>	With the consent of the Budget Committee, the Executive Director may determine the amount below which an excessive sum paid to cover a fee or a charge shall not be refunded.	
Article 1, first paragraph, point (116), amending provision, numbered paragraph (4), third subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
895	Determinations pursuant to the second subparagraph shall be published in the Official Journal of the Office.;	<i>deleted</i>	Determinations pursuant to the second subparagraph shall be published in the Official Journal of the Office.;	
Article 1, first paragraph, point (117)				
896	(117) in Article 106d, paragraph 3 is replaced by the following:	(117) in Article 106d, paragraph 3 is replaced by the following:	(117) in Article 106d, paragraph 3 is replaced by the following:	
Article 1, first paragraph, point (117), amending provision, numbered paragraph (3)				
897				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>3. The Office shall provide information on international registrations referred to in paragraph 2 in the form of an electronic link to the searchable database of international registrations of designs maintained by the International Bureau.;</p>	<p>3. The Office shall provide information on international registrations referred to in paragraph 2 in the form of an electronic link to the searchable database of international registrations of designs maintained by the International Bureau.;</p>	<p>3. The Office shall provide information on international registrations referred to in paragraph 2 in the form of an electronic link to the searchable database of international registrations of designs maintained by the International Bureau.;</p>	
Article 1, first paragraph, point (118)				
898	(118) Article 106e is replaced by the following:	(118) Article 106e is replaced by the following:	(118) Article 106e is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (118), amending provision, first paragraph				
899	Article 106e	Article 106e	Article 106e	
Article 1, first paragraph, point (118), amending provision, second paragraph				
900	Examination of grounds for refusal	Examination of grounds for refusal	Examination of grounds for refusal	
Article 1, first paragraph, point (118), amending provision, numbered paragraph (1)				
901				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>1. Where the Office finds, in the course of carrying out an examination of an international registration, that the design for which protection is sought does not correspond to the definition in Article 3, point (1), or that the design is contrary to public policy or to accepted principles of morality, it shall send to the International Bureau a notification of refusal not later than 6 months from the date of publication of the international registration, specifying the grounds for refusal pursuant to Article 12(2) of the Geneva Act.</p>	<p>1. Where the Office finds, in the course of carrying out an examination of an international registration, that the design for which protection is sought does not correspond to the definition in Article 3, point (1), or that the design is contrary to public policy or to accepted principles of morality, it shall send to the International Bureau a notification of refusal not later than 6 months from the date of publication of the international registration, specifying the grounds for refusal pursuant to Article 12(2) of the Geneva Act.</p>	<p>1. Where the Office finds, in the course of carrying out an examination of an international registration, that the design for which protection is sought does not correspond to the definition in Article 3, point (1), or that the design is contrary to public policy or to accepted principles of morality, or that the design constitutes an improper use of any of the items listed in Article 6ter of the Paris Convention, or of badges, emblems and escutcheons other than those covered by the said Article 6ter and which are of particular public interest in a Member State, it shall send to the International Bureau a notification of refusal not later than 6 months</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			from the date of publication of the international registration, specifying the grounds for refusal pursuant to Article 12(2) of the Geneva Act.	
Article 1, first paragraph, point (118), amending provision, numbered paragraph (2)				
902	2. Where the holder of the international registration is obliged to be represented before the Office pursuant to Article 77(2), the notification referred to in paragraph 1 of this Article shall contain a reference to the obligation of the holder to appoint a representative as referred to in Article 78(1).	2. Where the holder of the international registration is obliged to be represented before the Office pursuant to Article 77(2), the notification referred to in paragraph 1 of this Article shall contain a reference to the obligation of the holder to appoint a representative as referred to in Article 78(1).	2. Where the holder of the international registration is obliged to be represented before the Office pursuant to Article 77(2), the notification referred to in paragraph 1 of this Article shall contain a reference to the obligation of the holder to appoint a representative as referred to in Article 78(1).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (118), amending provision, numbered paragraph (3)				
903	<p>3. The Office shall specify a time limit by which the holder of the international registration may renounce the international registration in respect of the Union, limit the international registration to one or some of the industrial designs in respect of the Union or submit observations, and, where appropriate, shall appoint a representative. The time period shall start on the day on which the Office issues the provisional refusal.</p>	<p>3. The Office shall specify a time limit by which the holder of the international registration may renounce the international registration in respect of the Union, limit the international registration to one or some of the industrial designs in respect of the Union or submit observations, and, where appropriate, shall appoint a representative. The time period shall start on the day on which the Office issues the provisional refusal.</p>	<p>3. The Office shall specify a time limit by which the holder of the international registration may renounce the international registration in respect of the Union, limit the international registration to one or some of the industrial designs in respect of the Union or submit observations, and, where appropriate, shall appoint a representative. The time period shall start on the day on which the Office issues the provisional notification of refusal.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (118), amending provision, numbered paragraph (4)				
904	4. If the holder fails to appoint a representative within the time limit referred to in paragraph 3, the Office shall refuse the protection of the international registration.	4. If the holder fails to appoint a representative within the time limit referred to in paragraph 3, the Office shall refuse the protection of the international registration.	4. If the holder fails to appoint a representative within the time limit referred to in paragraph 3, the Office shall refuse the protection effects of the international registration.	
Article 1, first paragraph, point (118), amending provision, numbered paragraph (5)				
905	5. Where the holder submits observations that satisfy the Office within the specified time limit, the	5. Where the holder submits observations that satisfy the Office within the specified time limit, the	5. Where the holder submits observations that satisfy the Office within the specified time limit, the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Office shall withdraw the refusal and notify the International Bureau in accordance with Article 12(4) of the Geneva Act. Where, pursuant to Article 12(2) of the Geneva Act, the holder does not submit observations that satisfies the Office within the specified time limit, the Office shall confirm the decision refusing protection for the international registration. That decision shall be subject to appeal in accordance with Articles 66 to 72 of Regulation (EU) 2017/1001 in conjunction with Article 55(2) of this Regulation.	Office shall withdraw the refusal and notify the International Bureau in accordance with Article 12(4) of the Geneva Act. Where, pursuant to Article 12(2) of the Geneva Act, the holder does not submit observations that satisfies the Office within the specified time limit, the Office shall confirm the decision refusing protection for the international registration. That decision shall be subject to appeal in accordance with Articles 66 to 72 of Regulation (EU) 2017/1001 in conjunction with Article 55(2) of this Regulation.	Office shall withdraw the refusal and notify the International Bureau in accordance with Article 12(4) of the Geneva Act. Where, pursuant to Article 12(2) of the Geneva Act, the holder does not submit observations that satisfies the Office within the specified time limit, the Office shall confirm the decision refusing protection for the international registration. That decision shall be subject to appeal in accordance with Articles 66 to 72 of Regulation (EU) 2017/1001 in conjunction with Article 55(2) of this Regulation.	
Article 1, first paragraph, point (118), amending provision, numbered paragraph (6)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
906	6. Where the holder renounces the international registration or limits the international registration to one or some of the industrial designs in respect of the Union, the holder shall inform the International Bureau by way of the recording procedure in accordance with Article 16(1), points (iv) and (v), of the Geneva Act.;	6. Where the holder renounces the international registration or limits the international registration to one or some of the industrial designs in respect of the Union, the holder shall inform the International Bureau by way of the recording procedure in accordance with Article 16(1), points (iv) and (v), of the Geneva Act.;	6. Where the holder renounces the international registration or limits the international registration to one or some of the industrial designs in respect of the Union, the holder shall inform the International Bureau by way of the recording procedure in accordance with Article 16(1), points (iv) and (v), of the Geneva Act.;	
Article 1, first paragraph, point (119)				
907	(119) the following Article 106g is	(119) the following Article 106g is	(119) the following Article 106g is	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	added in Title XIa:	added in Title XIa:	added in Title XIa:	
Article 1, first paragraph, point (119), amending provision, first paragraph				
908	Article 106g	Article 106g	Article 106g	
Article 1, first paragraph, point (119), amending provision, second paragraph				
909	Renewals	Renewals	Renewals	
Article 1, first paragraph, point (119), amending provision, third paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
910	The international registration shall be renewed directly at the International Bureau in compliance with Article 17 of the Geneva Act.;	The international registration shall be renewed directly at the International Bureau in compliance with Article 17 of the Geneva Act.;	The international registration shall be renewed directly at the International Bureau in compliance with Article 17 of the Geneva Act.;	
Article 1, first paragraph, point (120)				
911	(120) Article 107 is amended as follows:	(120) Article 107 is amended as follows:	(120) Article 107 is amended as follows:	
Article 1, first paragraph, point (120)(a)				
912				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	
Article 1, first paragraph, point (120)(a), amending provision, numbered paragraph (1)				
913	‘ 1. The Commission shall adopt an implementing act setting out rules for the implementation of this Regulation. That implementing regulation shall be adopted in accordance with the examination procedure laid down in Article 109(2).;’	‘ 1. The Commission shall adopt an implementing act setting out rules for the implementation of this Regulation. That implementing regulation shall be adopted in accordance with the examination procedure laid down in Article 109(2).;’	1. The Commission shall adopt an implementing act setting out rules for the implementation of this Regulation. That implementing regulation shall be adopted in accordance with the examination procedure laid down in Article 109(2).;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (120)(b)				
914	(b) paragraphs 2 and 3 are deleted;	(b) paragraphs 2 and 3 are deleted;	(b) paragraphs 2 and 3 are deleted;	
Article 1, first paragraph, point (121)				
915	(121) Article 107 is deleted;	(121) Article 107 is deleted;	(121) Article 107 is deleted;	
Article 1, first paragraph, point (122)				
916	(122) Article 108 is deleted;	(122) Article 108 is deleted;	(122) Article 108 is deleted;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (123)				
917	(123) Article 109 is replaced by the following:	(123) Article 109 is replaced by the following:	(123) Article 109 is replaced by the following:	
Article 1, first paragraph, point (123), amending provision, first paragraph				
918	Article 109	Article 109	Article 109	
Article 1, first paragraph, point (123), amending provision, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
919	Committee Procedure	Committee Procedure	Committee Procedure	
Article 1, first paragraph, point (123), amending provision, numbered paragraph (1)				
920	1. The Commission shall be assisted by the Committee on Implementation Rules established by Regulation (EU) 2017/1001. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the Committee on Implementation Rules established by Regulation (EU) 2017/1001. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the Committee on Implementation Rules established by Regulation (EU) 2017/1001. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	
Article 1, first paragraph, point (123), amending provision, numbered paragraph (2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
921	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.;	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.;	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.;	
Article 1, first paragraph, point (124)				
922	(124) the following Article 109a is inserted:	(124) the following Article 109a is inserted:	(124) the following Article 109a is inserted:	
Article 1, first paragraph, point (124), amending provision, first paragraph				
923				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 109a	Article 109a	Article 109a	
Article 1, first paragraph, point (124), amending provision, second paragraph				
924	Exercise of the delegation	Exercise of the delegation	Exercise of the delegation	
Article 1, first paragraph, point (124), amending provision, numbered paragraph (1)				
925	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (124), amending provision, numbered paragraph (2)				
926	2. The power to adopt delegated acts referred to in Articles 47b, 53a, 55a, 64a, 65a, 66a, 66d, 66f, 66i, 67c, 78a and -106a shall be conferred on the Commission for an indeterminate period of time from [OP: please insert the date = the date of entry into force of this Regulation].	2. The power to adopt delegated acts referred to in Articles 47b, 53a, 55a, 64a, 65a, 66a, 66d, 66f, 66i, 67c, 78a and -106a shall be conferred on the Commission for an indeterminate period of time from [OP: please insert the date = the date of entry into force of this Regulation].	2. The power to adopt delegated acts referred to in Articles 47b, 53a, 55a, 64a, 65a, 66a, 66d, 66f, 66i, 67c, 78a and -106a shall be conferred on the Commission for an indeterminate period of time from [OP: please insert the date = the date of entry into force of this Regulation].	
Article 1, first paragraph, point (124), amending provision, numbered paragraph (3)				
927				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>3. The delegation of power referred to in Articles 47b, 53a, 55a, 64a, 65a, 66a, 66d, 66f, 66i, 67c, 78a and -106a may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</p>	<p>3. The delegation of power referred to in Articles 47b, 53a, 55a, 64a, 65a, 66a, 66d, 66f, 66i, 67c, 78a and -106a may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</p>	<p>3. The delegation of power referred to in Articles 47b, 53a, 55a, 64a, 65a, 66a, 66d, 66f, 66i, 67c, 78a and -106a may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</p>	
<p>Article 1, first paragraph, point (124), amending provision, numbered paragraph (4)</p>				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
928	4. Before adopting a delegated act, the Commission shall carry out consultations with experts, including experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall carry out consultations with experts, including experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall carry out consultations with experts, including experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	
Article 1, first paragraph, point (124), amending provision, numbered paragraph (5)				
929	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (124), amending provision, numbered paragraph (6)				
930	6. A delegated act adopted pursuant to Articles 47b, 53a, 55a, 64a, 65a, 66a, 66d, 66f, 66i, 67c, 78a and -106a shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period	6. A delegated act adopted pursuant to Articles 47b, 53a, 55a, 64a, 65a, 66a, 66d, 66f, 66i, 67c, 78a and -106a shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period	6. A delegated act adopted pursuant to Articles 47b, 53a, 55a, 64a, 65a, 66a, 66d, 66f, 66i, 67c, 78a and -106a shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	shall be extended by 2 months at the initiative of the European Parliament or of the Council.;	shall be extended by 2 months at the initiative of the European Parliament or of the Council.;	shall be extended by 2 months at the initiative of the European Parliament or of the Council.;	
Article 1, first paragraph, point (125)				
931	(125) Article 110 is deleted;	(125) Article 110 is deleted;	(125) Article 110 is deleted;	
Article 1, first paragraph, point (126)				
932	(126) in Article 110a, paragraph 5, the second sentence is deleted;	(126) in Article 110a, paragraph 5, the second sentence is deleted;	(126) in Article 110a, paragraph 5, the second sentence is deleted;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (127)				
933	(127) the following Article 110b is inserted:	(127) the following Article 110b is inserted:	(127) the following Article 110b is inserted:	
Article 1, first paragraph, point (127), amending provision, first paragraph				
934	Article 110b	Article 110b	Article 110b	
Article 1, first paragraph, point (127), amending provision, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
935	Evaluation	Evaluation	Evaluation	
Article 1, first paragraph, point (127), amending provision, numbered paragraph (1)				
936	1. By [OP please insert the date = the first day of the month following 84 months after the date of entry into force of this Regulation], and every five years thereafter, the Commission shall evaluate the implementation of this Regulation.	1. By [OP please insert the date = the first day of the month following 84 ⁶⁰ months after the date of entry into force of this Regulation], and every five years thereafter, the Commission shall evaluate the implementation of this Regulation.	1. By [OP please insert the date = the first day of the month following 84 months after the date of entry into force of this Regulation], and every five years thereafter, the Commission shall evaluate the implementation of this Regulation.	
Article 1, first paragraph, point (127), amending provision, numbered paragraph (2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
937	2. The Commission shall forward the evaluation report together with its conclusions drawn on the basis of that report to the European Parliament, the Council and the Management Board. The findings of the evaluation shall be made public.;	2. The Commission shall forward the evaluation report together with its conclusions drawn on the basis of that report to the European Parliament, the Council and the Management Board. The findings of the evaluation shall be made public.;	2. The Commission shall forward the evaluation report together with its conclusions drawn on the basis of that report to the European Parliament, the Council and the Management Board. The findings of the evaluation shall be made public.;	
Article 1, first paragraph, point (128)				
938	(128) in Article 111, paragraph 2 is replaced by the following:	(128) in Article 111, paragraph 2 is replaced by the following:	(128) in Article 111, paragraph 2 is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (128), amending provision, numbered paragraph (2)				
939	2. Applications for registered EU designs may be filed at the Office from 1 April 2003.;	2. Applications for registered EU designs may be filed at the Office from 1 April 2003.;	2. Applications for registered EU designs may be filed at the Office from 1 April 2003.;	
Article 1, first paragraph, point (129)				
940	(129) the Annex as set out in Annex I to this Regulation is added.	(129) the Annex as set out in Annex I to this Regulation is added.	(129) the Annex as set out in Annex I to this Regulation is added.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 2				
941	Article 2	Article 2	Article 2	
Article 2, first paragraph				
942	Regulation (EC) No 2246/2002 is repealed.	Regulation (EC) No 2246/2002 is repealed.	Regulation (EC) No 2246/2002 is repealed.	
Article 2, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
943	References to the repealed Regulation shall be construed as references to Regulation (EC) No 6/2002 and shall be read in accordance with the correlation table set out in Annex II.	References to the repealed Regulation shall be construed as references to Regulation (EC) No 6/2002 and shall be read in accordance with the correlation table set out in Annex II.	References to the repealed Regulation shall be construed as references to Regulation (EC) No 6/2002 and shall be read in accordance with the correlation table set out in Annex II.	
Article 3				
944	Article 3	Article 3	Article 3	
Article 3, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
945	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	
Article 3, second paragraph				
946	Article 1, points ... and Article 2 shall apply from [OP: please insert the date = the first day of the month following 3 months after the date of entry into force of this Regulation]	Article 1, points ... and Article 2 shall apply from [OP: please insert the date = the first day of the month following 3 months after the date of entry into force of this Regulation]	Article 1, points ... and Article 2 It shall apply from [OP: please insert the date = the first day of the month following 3 months after the date of entry into force of this Regulation]	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 3, third paragraph				
947	Article 1, points (18), (19), (22), (24), (26)(b), (28)(b), (31), (34), (36), (37)(b), (38), (39), (40), (43), (47), (49), (51), (53), (56), (58), (60), (61), (65), (67), (69), (71), (73), (75)(c), (76), (80), (85), (93)(b), (106), (108), and (121) shall apply from [OP please insert the date = the first day of the month following 18 months after the date of entry into force of this Regulation].	Article 1, points (18), (19), (22), (24), (26)(b), (28)(b), (31), (34), (36), (37)(b), (38), (39), (40), (43), (47), (49), (51), (53), (56), (58), (60), (61), (65), (67), (69), (71), (73), (75)(c), (76), (80), (85), (93)(b), (106), (108), and (121) shall apply from [OP please insert the date = the first day of the month following 18 months after the date of entry into force of this Regulation].	However , Article 1, points (18), (19), (22), (24), (26)(b), (28)(b), (31), (34), (36), (37)(b), (38), (39), (40), (43), (47), (49), (51), (53), (56), (58), (60), (61), (65), (67), (69), (71), (73), (75)(c), (76), (80), (85), (93)(b), (106), (108) , and (121) 108 shall apply from [OP please insert the date = the first day of the month following 18 months after the date of entry into force of this Regulation].	
Article 3, fourth paragraph				
948				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	
Formula				
949	Done at Brussels,	Done at Brussels,	Done at Brussels,	
Formula				
950	For the European Parliament	For the European Parliament	For the European Parliament	
Formula				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
951	The President	The President	The President	
Formula				
952	For the Council	For the Council	For the Council	
Formula				
953	The President	The President	The President	
Annex I				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
954	Annex I	Annex I	Annex I	
Annex I, amending provision, first paragraph				
955	ANNEX	ANNEX	ANNEX	
Annex I, amending provision, second paragraph				
956	Amounts of fees as referred to in Article -106aa(1)	Amounts of fees as referred to in Article -106aa(1)	Amounts of fees as referred to in Article -106aa(1)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, amending provision, third paragraph				
957	The fees to be paid to the Office under this Regulation shall be as follows (in EUR):	The fees to be paid to the Office under this Regulation shall be as follows (in EUR):	The fees to be paid to the Office under this Regulation shall be as follows (in EUR):	
Annex I, amending provision, third paragraph, point (1)				
958	1. Application fee referred to in Article 36(4):	1. Application fee referred to in Article 36(4):	1. Application fee referred to in Article 36(4):	
Annex I, amending provision, third paragraph, point (1), first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
959	EUR 250.	EUR 250 350.	EUR 250 350.	
Annex I, amending provision, third paragraph, point (2)				
960	2. Individual designation fee for an international registration referred to in Article 106c:	2. Individual designation fee for an international registration referred to in Article 106c:	2. Individual designation fee for an international registration referred to in Article 106c:	
Annex I, amending provision, third paragraph, point (2), first paragraph				
961	EUR 62 per design.	EUR 62 per design.	EUR 62 per design.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, amending provision, third paragraph, point (3)				
962	3. Fee for deferment of publication referred to in Article 36(4):	3. Fee for deferment of publication referred to in Article 36(4):	3. Fee for deferment of publication referred to in Article 36(4):	
Annex I, amending provision, third paragraph, point (3), first paragraph				
963	EUR 40.	EUR 40.	EUR 40.	
Annex I, amending provision, third paragraph, point (4)				
964	4. Additional application fee in respect of each additional design	4. Additional application fee in respect of each additional design	4. Additional application fee in respect of each additional design	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	included in a multiple application referred to in Article 37(2):	included in a multiple application referred to in Article 37(2):	included in a multiple application referred to in Article 37(2):	
Annex I, amending provision, third paragraph, point (4), first paragraph				
965	EUR 125.	EUR 125.	EUR 125 150.	
Annex I, amending provision, third paragraph, point (5)				
966	5. Additional fee for deferment of publication in respect of each additional design included in a multiple application that is subject to deferment of publication	5. Additional fee for deferment of publication in respect of each additional design included in a multiple application that is subject to deferment of publication	5. Additional fee for deferment of publication in respect of each additional design included in a multiple application that is subject to deferment of publication	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	referred to in Article 37(2):	referred to in Article 37(2):	referred to in Article 37(2):	
Annex I, amending provision, third paragraph, point (5), first paragraph				
967	EUR 20.	EUR 20.	EUR 20.	
Annex I, amending provision, third paragraph, point (6)				
968	6. Renewal fee referred to in Article 50d(1), (3) and (9):	6. Renewal fee referred to in Article 50d(1), (3) and (9):	6. Renewal fee referred to in Article 50d(1), (3) and (9):	
Annex I, amending provision, third paragraph, point (6)(a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
969	(a) for the first period of renewal: EUR 70 per design;	(a) for the first period of renewal: EUR 70 <u>250</u> per design;	(a) for the first period of renewal: EUR 70 <u>120</u> per design;	
Annex I, amending provision, third paragraph, point (6)(b)				
970	(b) for the second period of renewal: EUR 140 per design;	(b) for the second period of renewal: EUR 140 <u>250</u> per design;	(b) for the second period of renewal: EUR 140 <u>180</u> per design;	
Annex I, amending provision, third paragraph, point (6)(c)				
971	(c) for the third period of renewal: EUR 280 per design;	(c) for the third period of renewal: EUR 280 <u>700</u> per design;	(c) for the third period of renewal: EUR 280 per design;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, amending provision, third paragraph, point (6)(d)				
972	(d) for the fourth period of renewal: EUR 560 per design.	(d) for the fourth period of renewal: EUR 560 <u>1400</u> per design.	(d) for the fourth period of renewal: EUR 560 per design.	
Annex I, amending provision, third paragraph, point (7)				
973	7. Individual renewal fee for an international registration referred to in Article 106c:	7. Individual renewal fee for an international registration referred to in Article 106c:	7. Individual renewal fee for an international registration referred to in Article 106c:	
Annex I, amending provision, third paragraph, point (7)(a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
974	(a) for the first period of renewal : EUR 62 per design;	(a) for the first period of renewal : EUR 62 per design;	(a) for the first period of renewal : EUR 62 per design;	
Annex I, amending provision, third paragraph, point (7)(b)				
975	(b) for the second period of renewal: EUR 62 per design;	(b) for the second period of renewal: EUR 62 per design;	(b) for the second period of renewal: EUR 62 per design;	
Annex I, amending provision, third paragraph, point (7)(c)				
976	(c) for the third period of renewal: EUR 62 per design;	(c) for the third period of renewal: EUR 62 per design;	(c) for the third period of renewal: EUR 62 per design;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, amending provision, third paragraph, point (7)(d)				
977	(d) for the fourth period of renewal: EUR 62 per design.	(d) for the fourth period of renewal: EUR 62 per design.	(d) for the fourth period of renewal: EUR 62 per design.	
Annex I, amending provision, third paragraph, point (8)				
978	8. Fee for late payment of the renewal fee referred to in Article 50d(3):	8. Fee for late payment of the renewal fee referred to in Article 50d(3):	8. Fee for late payment of the renewal fee referred to in Article 50d(3):	
Annex I, amending provision, third paragraph, point (8), first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
979	25% of the renewal fee.	25% of the renewal fee.	25% of the renewal fee.	
Annex I, amending provision, third paragraph, point (9)				
980	9. Fee for the application for a declaration of invalidity referred to in Article 52(2):	9. Fee for the application for a declaration of invalidity referred to in Article 52(2):	9. Fee for the application for a declaration of invalidity referred to in Article 52(2):	
Annex I, amending provision, third paragraph, point (9), first paragraph				
981	EUR 320.	EUR 320.	EUR 320 350.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, amending provision, third paragraph, point (10)				
982	10. Fee for continuation of proceedings referred to in Article 67a(1):	10. Fee for continuation of proceedings referred to in Article 67a(1):	10. Fee for continuation of proceedings referred to in Article 67a(1):	
Annex I, amending provision, third paragraph, point (10), first paragraph				
983	EUR 400.	EUR 400.	EUR 400.	
Annex I, amending provision, third paragraph, point (11)				
984	11. Fee for restitutio in integrum	11. Fee for restitutio in integrum	11. Fee for restitutio in integrum	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	referred to in Article 67(3):	referred to in Article 67(3):	referred to in Article 67(3):	
Annex I, amending provision, third paragraph, point (11), first paragraph				
985	EUR 200.	EUR 200.	EUR 200.	
Annex I, amending provision, third paragraph, point (12)				
986	12. Fee for the registration of a licence or another right in respect of a registered EU design referred to in Article 32a(1) and (2) or for the registration of a licence or another right in respect of an application for an EU design	12. Fee for the registration of a licence or another right in respect of a registered EU design referred to in Article 32a(1) and (2) or for the registration of a licence or another right in respect of an application for an EU design	12. Fee for the registration of a licence or another right in respect of a registered EU design referred to in Article 32a(1) and (2) or for the registration of a licence or another right in respect of an application for an EU design	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	referred to in Article 32a(1) and (2) and Article 34:	referred to in Article 32a(1) and (2) and Article 34:	referred to in Article 32a(1) and (2) and Article 34:	
Annex I, amending provision, third paragraph, point (12)(a)				
987	(a) for a grant of a licence: EUR 200 per design;	(a) for a grant of a licence: EUR 200 per design;	(a) for a grant of a licence: EUR 200 per design;	
Annex I, amending provision, third paragraph, point (12)(b)				
988	(b) for a transfer of a licence: EUR 200 per design;	(b) for a transfer of a licence: EUR 200 per design;	(b) for a transfer of a licence: EUR 200 per design;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, amending provision, third paragraph, point (12)(c)				
989	(c) for a creation of a right in rem: EUR 200 per design;	(c) for a creation of a right in rem: EUR 200 per design;	(c) for a creation of a right in rem: EUR 200 per design;	
Annex I, amending provision, third paragraph, point (12)(d)				
990	(d) for a transfer of a right in rem: EUR 200 per design;	(d) for a transfer of a right in rem: EUR 200 per design;	(d) for a transfer of a right in rem: EUR 200 per design;	
Annex I, amending provision, third paragraph, point (12)(e), first subparagraph				
991	(e) for a levy of execution: EUR	(e) for a levy of execution: EUR	(e) for a levy of execution: EUR	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	200 per design;	200 per design;	200 per design;	
Annex I, amending provision, third paragraph, point (12)(e), second subparagraph				
992	up to a maximum of EUR 1000 where multiple requests are submitted in the same application for registration of a licence or another right or at the same time.	up to a maximum of EUR 1000 where multiple requests are submitted in the same application for registration of a licence or another right or at the same time.	up to a maximum of EUR 1000 where multiple requests are submitted in the same application for registration of a licence or another right or at the same time.	
Annex I, amending provision, third paragraph, point (13)				
993	13. Fee for the alteration of a registered EU design referred to in	13. Fee for the alteration of a registered EU design referred to in	13. Fee for the alteration of a registered EU design referred to in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 50e(3):	Article 50e(3):	Article 50e(3):	
Annex I, amending provision, third paragraph, point (13), first paragraph				
994	EUR 200.	EUR 200.	EUR 200.	
Annex I, amending provision, third paragraph, point (14)				
995	14. Fee for the issue of a copy of the application for a registered EU design referred to in Article 74a(3), for the issue of a copy of the certificate of registration referred to in Article 50b or for an extract from the Register referred to in	14. Fee for the issue of a copy of the application for a registered EU design referred to in Article 74a(3), for the issue of a copy of the certificate of registration referred to in Article 50b or for an extract from the Register referred to in	14. Fee for the issue of a copy of the application for a registered EU design referred to in Article 74a(3), for the issue of a copy of the certificate of registration referred to in Article 50b or for an extract from the Register referred to in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 72(7):	Article 72(7):	Article 72(7):	
Annex I, amending provision, third paragraph, point (14)(a)				
996	(a) for an uncertified copy or extract: EUR 10;	(a) for an uncertified copy or extract: EUR 10;	(a) for an uncertified copy or extract: EUR 10;	
Annex I, amending provision, third paragraph, point (14)(b)				
997	(b) for a certified copy or extract: EUR 30.	(b) for a certified copy or extract: EUR 30.	(b) for a certified copy or extract: EUR 30.	
Annex I, amending provision, third paragraph, point (15)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
998	15. Fee for the inspection of the files referred to in Article 74a(1):	15. Fee for the inspection of the files referred to in Article 74a(1):	15. Fee for the inspection of the files referred to in Article 74a(1):	
Annex I, amending provision, third paragraph, point (15), first paragraph				
999	EUR 30.	EUR 30.	EUR 30.	
Annex I, amending provision, third paragraph, point (16)				
1000	16. Fee for the issue of copies of file documents referred to in Article 74a(3):	16. Fee for the issue of copies of file documents referred to in Article 74a(3):	16. Fee for the issue of copies of file documents referred to in Article 74a(3):	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, amending provision, third paragraph, point (16)(a)				
1001	(a) for an uncertified copy: EUR 10 + EUR 1 for each page exceeding 10;	(a) for an uncertified copy: EUR 10 + EUR 1 for each page exceeding 10;	(a) for an uncertified copy: EUR 10 + EUR 1 for each page exceeding 10;	
Annex I, amending provision, third paragraph, point (16)(b)				
1002	(b) for a certified copy: EUR 30 + EUR 1 for each page exceeding 10.	(b) for a certified copy: EUR 30 + EUR 1 for each page exceeding 10.	(b) for a certified copy: EUR 30 + EUR 1 for each page exceeding 10.	
Annex I, amending provision, third paragraph, point (17)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1003	17. Fee for the communication of information in a file referred to in Article 74b:	17. Fee for the communication of information in a file referred to in Article 74b:	17. Fee for the communication of information in a file referred to in Article 74b:	
Annex I, amending provision, third paragraph, point (17), first paragraph				
1004	EUR 10 + EUR 1 for each page exceeding 10.	EUR 10 + EUR 1 for each page exceeding 10.	EUR 10 + EUR 1 for each page exceeding 10.	
Annex I, amending provision, third paragraph, point (18)				
1005	18. Fee for review of the determination of the procedural	18. Fee for review of the determination of the procedural	18. Fee for review of the determination of the procedural	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	costs to be refunded referred to in Article 70(7):	costs to be refunded referred to in Article 70(7):	costs to be refunded referred to in Article 70(7):	
Annex I, amending provision, third paragraph, point (18), first paragraph				
1006	EUR 100.	EUR 100.	EUR 100.	
Annex I, amending provision, third paragraph, point (19)				
1007	19. Appeal fee referred to in Article 68(1) of Regulation (EU) 2017/1001, which also applies to appeals under this Regulation pursuant to Article 55(2):	19. Appeal fee referred to in Article 68(1) of Regulation (EU) 2017/1001, which also applies to appeals under this Regulation pursuant to Article 55(2):	19. Appeal fee referred to in Article 68(1) of Regulation (EU) 2017/1001, which also applies to appeals under this Regulation pursuant to Article 55(2):	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, amending provision, third paragraph, point (19), first paragraph				
1008	EUR 720.	EUR 720.	EUR 720 800.	
Annex II				
1009	Annex II	Annex II	Annex II	
Annex II, first paragraph				
1010				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	CORRELATION TABLE	CORRELATION TABLE	CORRELATION TABLE	
Annex II, Table 1, Column 1, Row 1				
1011	Regulation (EC) No 2246/2002	Regulation (EC) No 2246/2002	Regulation (EC) No 2246/2002	
Annex II, Table 1, Column 1, Row 2				
1012	Article 1	Article 1	Article 1	
Annex II, Table 1, Column 1, Row 3				
1013				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2	Article 2	Article 2	
Annex II, Table 1, Column 1, Row 4				
1014	Article 3	Article 3	Article 3	
Annex II, Table 1, Column 1, Row 5				
1015	Article 4	Article 4	Article 4	
Annex II, Table 1, Column 1, Row 6				
1016				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 5	Article 5	Article 5	
Annex II, Table 1, Column 1, Row 7				
1017	Article 6	Article 6	Article 6	
Annex II, Table 1, Column 1, Row 8				
1018	Article 7	Article 7	Article 7	
Annex II, Table 1, Column 1, Row 9				
1019				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 8	Article 8	Article 8	
Annex II, Table 1, Column 1, Row 10				
1020	Article 9 Annex	Article 9 Annex	Article 9 Annex	
Annex II, Table 1, Column 2, Row 1				
1021	Regulation (EC) No 6/2002	Regulation (EC) No 6/2002	Regulation (EC) No 6/2002	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, Table 1, Column 2, Row 2				
1022	--	--	--	
Annex II, Table 1, Column 2, Row 3				
1023	Article -106aa(1)	Article -106aa(1)	Article -106aa(1)	
Annex II, Table 1, Column 2, Row 4				
1024	Article -106aa(1)	Article -106aa(1)	Article -106aa(1)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, Table 1, Column 2, Row 5				
1025	Article -106aa(2)	Article -106aa(2)	Article -106aa(2)	
Annex II, Table 1, Column 2, Row 6				
1026	Article -106ab(1)	Article -106ab(1)	Article -106ab(1)	
Annex II, Table 1, Column 2, Row 7				
1027	Article -106ab(3) and (4)	Article -106ab(3) and (4)	Article -106ab(3) and (4)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, Table 1, Column 2, Row 8				
1028	Article -106ac	Article -106ac	Article -106ac	
Annex II, Table 1, Column 2, Row 9				
1029	Article -106ad(1) and (2)	Article -106ad(1) and (2)	Article -106ad(1) and (2)	
Annex II, Table 1, Column 2, Row 10				
1030	Article -106ad(3) and (4)	Article -106ad(3) and (4)	Article -106ad(3) and (4)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Annex	Annex	Annex	
