

EUIPO Extends Deadlines in Response to COVID-19 Pandemic

March 19, 2020

In response to the disruption caused by COVID-19, the EU Intellectual Property Office (EUIPO), which is responsible for the registration of EU trademarks and designs, has announced that it is extending all time limits expiring between 9 March and 30 April inclusive that affect all parties in proceedings before the office to **1 May 2020**. As Friday 1 May 2020 is a public holiday (Labor Day) in Spain, time limits are, in practice, extended until Monday 4 May.

For the sake of clarity, the EUIPO's announcement covers:

- All time limits set by any instance of the office, in any proceeding before the EUIPO, including its Boards of Appeal; and
- All time limits imposed directly by EU trademark and design legislation, including time limits relating to:
 - The opposition period;
 - The payment of the application fee;
 - The right of priority;
 - Exhibition priority;
 - Payment of the opposition fee;
 - A request for renewal;
 - The filing of an appeal, the statement of grounds and the payment of the appeal fee;
 - A request for conversion;
 - Deferment of publication of a design.

As the EUIPO's announcement applies to proceedings before the office, it does not apply to time limits that relate to proceedings before other authorities, even if mentioned in EU trademark and design legislation. This means the time limit for bringing an action before the General Court against decisions of the Boards of Appeal will *not* be extended.

Cooley's trademark practitioners and prosecution staff continue to work, combining remote-based working with services provided direct from our offices as appropriate. It is our intention to continue to docket deadlines as normal (i.e., with the original deadlines) and, where possible, to meet these original deadlines. This will help us to avoid any bandwidth issues (with the EUIPO, with our clients and within our team), given that a number of deadlines will now be consolidated on 1 May 2020 (in practice, 4 May 2020).

However, as the situation with COVID-19 develops, there may be practical reasons where we, or our clients, cannot meet the original deadlines, in which case we now have the security of the later 1 May 2020 deadline.

As things stand, the United Kingdom Intellectual Property Office (UKIPO) has not taken any similar measures, and deadlines relating to United Kingdom trademarks and designs remain unchanged. However, the UKIPO has said that it will consider requests for extensions of time "as favourably as possible" on a case-by-case basis.

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