

SERVICE CHARTER

2023-2026



Industrial Designs

OEPM

Excellence, sustainability,
talent, innovation and cooperation



GOBIERNO
DE ESPAÑA

MINISTERIO
DE INDUSTRIA, COMERCIO
Y TURISMO



Oficina Española
de Patentes y Marcas





Spanish Patent and Trademark Office, O.A. (OEPM), is an Autonomous Body attached to the Ministry of Industry, Trade and Tourism, through the Under-secretariat.

The OEPM promotes and supports technological and economic development by providing legal protection to the various types of Industrial Property through the granting of Patents and Utility Models (inventions), Supplementary Protection Certificates (SPC), Industrial Designs (designs), Trademarks and Trade Names (distinctive signs) and protection titles for Topographies of Semiconductor Products (integrated circuits). Likewise, the OEPM disseminates the information contained in the titles it processes and other titles to which it has access.

The purpose of this **Service Charter**, framed within the OEPM **Quality Policy**, is to provide information on:

- ▶ **Services** offered by the OEPM Patent and Technological Information Department in the field of **Industrial Designs**.
 - ▶ The **commitments and quality indicators assumed**, which can be improved based on the suggestions of our users.
 - ▶ The **relief measures** provided in the event of non-fulfilment of the commitments assumed.
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INDUSTRIAL DESIGNS

The Industrial Designs related services provided by the OEPM Patent and Technological Information Department are as follows:

- ▶ Admission examination and grant of filing date.
- ▶ Ex officio examination of the application, as well as the classification of Industrial Design applications according to the Locarno classification.
- ▶ Publication of Industrial Design applications.
- ▶ Technical examination of the oppositions filed against granting, which will give rise to grant or denial of the applied protection.
- ▶ Register of assignments, royalties, licences, purchase options and any other legal business or registrable contracts provided for by Law regarding Industrial Designs for the knowledge of third parties.



WHAT DO WE COMMIT TO?

Quality commitments

The services provided by the Patent and Technological Information Department, in the field of Industrial Designs, are carried out in accordance with the following **quality standards**:

Grant of Industrial Designs

- ▶ 100% of grants of Industrial Design applications which were filed in electronic format and which didn't have defects at acceptance or during the Ex officio examination, will be published within a maximum period of 15 days.

Industrial Designs oppositions decisions

- ▶ 100% of Industrial Designs oppositions decisions, without irregularities, will be published within a maximum period of 8 months from the publication of the opposition in the Boletín Oficial de la Propiedad Industrial – BOPI (Official Bulletin of Industrial Property).

HOW DO WE MEASURE THE ACHIEVEMENT OF THE COMMITMENTS?

Indicators

Grant of Industrial Designs

- ▶ Percentage of grants of Industrial Design applications published in 15 days or less which were filed in electronic format and which didn't have defects at acceptance or during the Ex officio examination.

Industrial Designs oppositions decisions

- ▶ Percentage of Industrial Designs oppositions decisions, without irregularities, published in 8 months or less from the publication of the opposition in the BOPI.



COMPLAINTS AND SUGGESTIONS

Complaints and suggestions can be submitted electronically at <https://www.oepm.es/es/qs/index.html> and in person or by post using the form: https://sede.oepm.gob.es/eSede/comun/Formularios_web/Formulario_DE_QUEJA_SUGERENCIA_FELICITACION.pdf

Once the complaint or suggestion has been received, the OEPM is committed to replying within 18 working days. If no reply is received in this time period, the interested party may contact the General Inspectorate for Services at the Ministry of Industry, Trade and Tourism (Article 16.3 of RD 951/2005).



RELIEF MEASURES

In the event of failure to fulfil any of the commitments assumed in this Service Charter, users can file a complaint in accordance with the provisions of the Complaints and Suggestions section, indicating the commitment that is considered to have been unfulfilled.

Once the complaint has been received, and within a maximum period of 18 working days, the OEPM Director will send the citizen a letter informing them of the circumstances responsible for non-fulfilment, as well as the appropriate measures that, where applicable, have been adopted.

Failure to fulfil the commitments stated in this Charter shall in no case give rise to State liability.





**Unit responsible
for the Service Charter**

Area of Models, Designs and Semiconductors
Patent and Technological Information Department OEPM



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SPANISH PATENT AND TRADEMARK OFFICE, O.A.
www.oepm.es

Paseo de la Castellana, 75
28071, MADRID
Telephone: +34 910 780 780

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NIPO (on line): 116-22-011-6