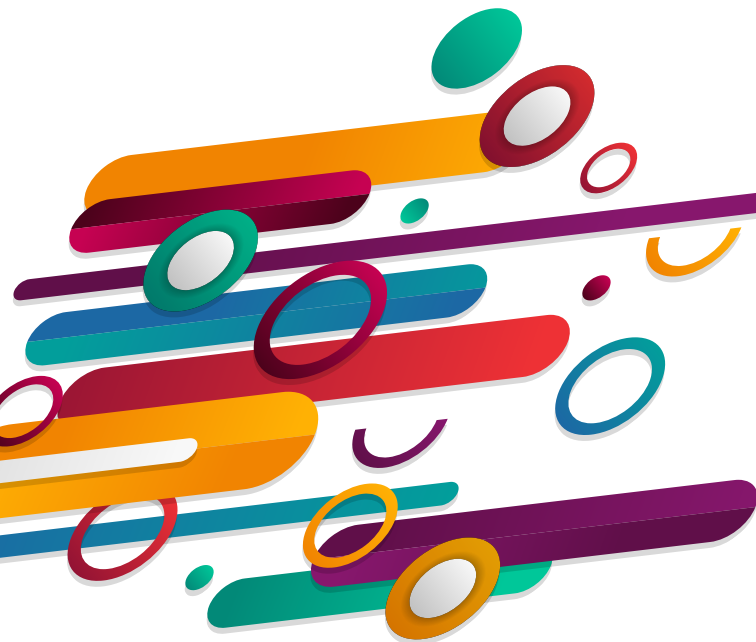


SERVICE CHARTER

2021-2024



Utility Models

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 **Area of Models, Designs and Semiconductors, in the field of Utility Models.**
 - ▶ 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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UTILITY MODELS

The Utility Model-related services provided by the OEPM Patent and Technological Information Department are as follows:

- ▶ Admission checks on Utility Model applications.
- ▶ Formal and technical examination and classification of Utility Model applications in accordance with the International Patent Classification.
- ▶ Publication of Utility Model applications.
- ▶ Technical examination of oppositions filed against the registration of a Utility Model, resulting in the granting or denial of the requested protection.
- ▶ Registration of legal changes (transfers, real rights, licences, purchase options and any other legal business or modifications to rights provided for by law) relating to Utility Models, for the purpose of informing third parties.



WHAT DO WE COMMIT TO?

Quality Commitments

The services provided by the Area of Models, Designs and Semiconductors, in the field of Utility Models, are carried out in accordance with the following **quality standards**:

Publication of applications

- ▶ Utility Model applications, without defects in the examination on filing or in the formalities examination, will be published within a maximum period of 6 months.

Granting without opposition

- ▶ The grant of Utility Models, which have not been subjected to an opposition procedure, will be published within 3 months from the mention of the publication of the application in the Official Industrial Property Bulletin (BOPI).

Granting with opposition

- ▶ The grant of Utility Models which, even having been subjected to an opposition procedure, but that have not had a negative reasoned decision nor formal defects in the notice of opposition, will be published within 12 months from the mention of the publication of the application in the Official Industrial Property Bulletin (BOPI).

HOW DO WE MEASURE THE ACHIEVEMENT OF THE COMMITMENTS?

Indicators

Publication of applications

- ▶ Percentage of Utility Model applications without defects in the examination on filing or in the formalities examination published in 6 months or less.

Granting without opposition

- ▶ Percentage of Utility Model grants not subjected to an opposition procedure published in 3 months or less from the mention of the publication of the application in the BOPI.

Granting with opposition

- ▶ Percentage of Utility Model grants subjected to an opposition procedure, without a negative reasoned decision nor formal defects in the notice of opposition, published in 12 months or less from the mention of the publication of the application in the BOPI.



COMPLAINTS AND SUGGESTIONS

Complaints and suggestions can be submitted electronically at <https://www.oepm.es/es/qsf/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



MINISTERIO
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Oficina Española
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NIPO (on line): 116-21-017-4