



C/2023/1028

28.11.2023

VACANCY NOTICE

Deputy Executive Director of the EUIPO (EXT/23/105/AD 14_Deputy Executive Director)

(C/2023/1028)

The European Union Intellectual Property Office (EUIPO, 'the Office'), is seeking candidates to fill the post of Deputy Executive Director of the Office.

Job title	Deputy Executive Director of the EUIPO (M/F)
Function group/grade	AD 14
Type of contract	Temporary Agent
Reference	EXT/23/105/AD 14_Deputy Executive Director
Deadline for applications	9 January 2024 midnight Alicante time (CET)
Place of employment	Alicante, SPAIN
Date foreseen for taking up duties	As from 1 October 2024

1. BACKGROUND

Historical and legal background

The Office was established by Council Regulation (EC) No 40/94 ⁽¹⁾ (now Regulation (EU) 2017/1001 of the European Parliament and of the Council) ⁽²⁾ as a decentralised agency of the European Union ('EU') to offer IP rights protection to businesses and innovators across the EU and beyond. Council Regulation (EC) No 6/2002 ⁽³⁾ created the registered Community design which is also managed by the Office, and later, Regulation (EU) No 386/2012 of the European Parliament and of the Council ⁽⁴⁾ entrusted to the Office the European Observatory on Infringements of Intellectual Property Rights. In the near future the EUIPO may be entrusted with new areas of competence, particularly in the area of Geographical Indications and Patents.

Since its foundation in 1994, the Office has been based in Alicante, Spain, where it manages the registration of the EU trade mark and the registered Community design, which are valid throughout the EU. The work at EU level also extends to the convergence of tools and practices in cooperation with the partners in national and regional IP offices throughout the EU, users and other institutional partners. Together, these offices constitute the European Union Intellectual Property Network (EUIPN), working jointly to offer users a consistent registration experience, be it at national or at EU level.

The languages of the Office are English, French, German, Italian, and Spanish.

Governance, management and structure of the EUIPO

The governance structure of the EUIPO consists of the Management Board and the Budget Committee, each composed of one representative from each Member State, two representatives from the European Commission and one representative from the European Parliament. The EUIPO enjoys legal, administrative and financial autonomy.

⁽¹⁾ Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark (OJ L 11, 14.1.1994, p. 1).

⁽²⁾ 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) ('EUTMR').

⁽³⁾ Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs (OJ L 3, 5.1.2002, p. 1).

⁽⁴⁾ Regulation (EU) No 386/2012 of the European Parliament and of the Council of 19 April 2012 on entrusting the Office for Harmonization in the Internal Market (Trade Marks and Designs) with tasks related to the enforcement of intellectual property rights, including the assembling of public and private-sector representatives as a European Observatory on Infringements of Intellectual Property Rights (OJ L 129, 16.5.2012, p. 1).

The Council decides on the appointment of the Executive Director, the Deputy Executive Director(s), and the President and Chairpersons of the Boards of Appeal. The Executive Director is the legal representative of the Office and responsible for its management, being accountable to the Management Board and the Budget Committee. The Executive Director is assisted by one or more Deputy Executive Directors.

The Office's budget for 2023 is approximately EUR 455 million and the number of posts in the establishment plan is 1 172.

The EUIPO is organised into several functional departments, each reporting to the Executive Director and/or to the Deputy Executive Director.

Although they are integrated into the Office's administrative and management systems, the Boards of Appeal have been established under EUTMR as a separate unit within the Office to provide an independent review of the Office's decisions, with further appeals being possible to the EU Courts in Luxembourg.

For further information please consult the following website:

<https://euipo.europa.eu/ohimportal/en/home>

2. DUTIES

Pursuant to Article 157(5) of EUTMR, the Deputy Executive Director assists the Executive Director in the performance of his/her duties.

If the Executive Director is absent or indisposed, the Deputy Executive Director or one of the Deputy Executive Directors shall replace him/her in accordance with the procedure laid down by the Management Board of the Office.

Moreover, the Deputy Executive Director shall provide advice and input on specific files, policy development and the definition of strategic objectives, and carry out the specific management functions as may be agreed with the Executive Director.

3. ELIGIBILITY CRITERIA

To be admissible for this selection procedure, candidates must fulfil all the following conditions by the deadline for submission of applications:

General conditions ⁽⁵⁾

- Be a national of one of the Member States of the European Union and enjoy full rights as a citizen;
- Have fulfilled any obligations imposed by the laws concerning military service;
- Meet the character requirements ⁽⁶⁾ as to suitability for the performance of the duties involved;
- Be physically fit to perform the duties;
- Be able to complete a full 5-year mandate as from the expected date of taking up duties, before reaching retirement age which is set at the end of the month in which the candidate reaches the age of 66 ⁽⁷⁾. The expected date of taking up the duties is as from 1 October 2024.

Education

- Have a level of education which corresponds to completed university studies attested by a diploma, when the normal period of university education is 4 years or more;
- or
- Have a level of education which corresponds to completed university studies attested by a diploma and a professional experience of at least 1 year when the normal period of university education is at least 3 years.

⁽⁵⁾ Please refer to Article 12 of the Conditions of Employment of Other Servants of the European Union (CEOS), Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (OJ 45, 14.6.1962, p. 1385/62) ('Staff Regulations'). Consolidated text: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A01962R0031-20230101&qid=1700032404003>

⁽⁶⁾ In particular, the candidate must not have been convicted or found guilty of a criminal offence.

⁽⁷⁾ In accordance with Article 47(a) of CEOS.

Professional experience ⁽⁸⁾

Have by the deadline for submission of applications a **minimum of 15 years' professional experience** (16 years in the case of having a 3-year degree), acquired after the date of the relevant degree.

Of these 15 years' professional experience, at least 5 years must have been gained in a domain comparable with the Office's activities.

In addition, at least 5 of these 15 years' professional experience must have been gained in a high level management function ⁽⁹⁾.

The periods of professional experience in a domain comparable with the Office's activities and of professional experience gained in a high level management function may overlap.

Language skills

- Have a thorough knowledge of one of the official languages of the European Union (minimum level C1) — Language 1;
- Have a satisfactory knowledge of one of the languages of the Office (minimum level B2) to the extent necessary for the performance of the duties — Language 2 ⁽¹⁰⁾.

The five languages of the Office are English (EN), French (FR) German (DE), Italian (IT) and Spanish (ES). Common European Framework of Reference for Languages ⁽¹¹⁾.

4. SELECTION CRITERIA/ADVANTAGES

In order to select the best-qualified candidates for a pre-screening interview, the following criteria will be used and individually assessed:

(a) Leadership and managerial experience, and in particular:

- To have established a proven track record as a senior manager in one or more organisations comparable in size, characteristics and/or complexity to that of the Office;
- To have exercised significant management responsibilities at a senior level, including planning of human and budgetary resources and financial management;
- To have demonstrated experience in dealing with or managing institutional matters;
- To have demonstrated a good understanding of the public service environment in which the Office operates;
- To have experience of international negotiation and/or cooperation;
- To have experience with change management practices;

(b) Technical knowledge and/or experience, and in particular:

- In the intellectual property field, including trade marks, designs, Geographical Indications and Patents;
- Of the European IP environment and legislation, including counterfeiting and infringement matters;
- Of the Institutions of the European Union and how they operate and interact;
- Of organisations delivering services to the public or business sector;

⁽⁸⁾ Professional experience is counted from the date of obtaining the relevant diploma as required under the above eligibility criterion 'Education'.

⁽⁹⁾ Applicants must describe all their management experiences acquired by indicating on the application form 1) Title and role of management positions held; 2) number of staff members overseen in these positions; 3) the size of the budget managed, if relevant; 4) number of hierarchical layers above and below, as well as number of peers in the organisation.

⁽¹⁰⁾ Language 1 and 2 need to be different.

⁽¹¹⁾ <https://www.coe.int/en/web/common-european-framework-reference-languages/table-1-cefr-3.3-common-reference-levels-global-scale>

- To have demonstrated the competences associated with high level external communication, e.g. addressing conferences, communication with the press and other media;

(c) Other experience and knowledge, in particular:

- Working environment: Demonstrated ability to work in a multicultural and/or international environment;

(d) Languages:

- Professional experience of working in a language other than the candidate's mother tongue;
- Thorough knowledge of any other language of the Office (EN, FR, DE, IT, ES) (minimum level C1) apart from the languages mentioned under point 3 — Language 3 and further.

In addition to the above criteria, candidates invited to the pre-screening interview will also be assessed against the following requirements:

(e) Competencies, in particular:

- Communication: Communicate clearly and precisely both orally and in writing, and build consensus to achieve results;
- Analysis and problem solving: Identify the critical facts in complex issues and develop creative and practical solutions;
- Working with others: Work cooperatively with others in teams and across organisational boundaries and respect differences between people; create a sense of team spirit by encouraging shared goals and exchange of knowledge and experience;
- Learning and development: Develop and improve personal skills and knowledge of the organisation and its environment; commit to train others, share knowledge, and systematically improve working methods;
- Prioritisation and organisation: Ability to prioritise the most important tasks, work flexibly and organise own and others' workload efficiently;
- Quality and results: Take personal responsibility and initiative for delivering work to a high standard quality within set procedures; show clear customer orientation (internal and external); build systematic and methodical processes into projects and work of self and own team;
- Resilience: Remain effective under work pressure, be flexible and adapt to a changing work environment; encourage others to do the same and adjust own and team's approach to embrace changing circumstances;
- Leadership: Lead and manage people and teams to achieve results.

5. SELECTION PROCEDURE

General

The selection procedure will be conducted subject to the control of the Management Board of the Office.

Preliminary work

A Preparatory Subcommittee appointed by the Management Board will conduct a preliminary evaluation of applications and carry out pre-screening interviews with the best-qualified candidates.

Admissible candidates whose applications rank amongst the best-qualified in accordance with the selection criteria detailed under point 4, may be contacted in order to verify their language skills, as well as to prove their professional experience and/or other skills, knowledge and competencies. Candidates who are contacted during the pre-selection phase will not necessarily be entitled to be invited to a pre-screening interview; such contact may be used as one of the steps in selecting the most suitable candidates to be invited for a pre-screening interview.

The Preparatory Subcommittee will inform the candidates of the status of the procedure according to the mandate given by the Management Board.

Pre-screening interview

Pre-screening interviews will take place in Alicante ⁽¹²⁾. Candidates invited for a pre-screening interview will be informed in due time of the exact date and time. The pre-screening interview will be held in one of the languages of the Office (EN, FR, DE, IT, ES) other than the candidate's mother tongue as indicated on the application form.

The pre-screening interview will serve to confirm whether the candidates comply with the requirements for the post as described in the present vacancy notice, with a view to determining their suitability to be called for hearing with the Management Board.

After the pre-screening interviews, the Preparatory Subcommittee will draw up a report on the preparatory work for the Management Board, which will include a draft list of a minimum of four best-qualified candidates, wherever possible, to be invited to a hearing before the Management Board.

Hearing before the Management Board

The hearing of the best-qualified candidates will take place in Alicante. Candidates invited for the hearing will be informed well in advance of the date and time. The hearing will be held in one of the languages of the Office (EN, FR, DE, IT, ES) other than the candidate's mother tongue as indicated on the application form.

Members of the Management Board will be putting questions to the candidates covering the candidate's knowledge and experience of matters relating to the duties to be performed and other criteria included in the present vacancy notice.

List of candidates and appointment

After the hearing of the candidates, the Management Board will decide on the candidates to be placed on a list of a minimum of two and a maximum of three candidates to be proposed to the Council, pursuant to Article 158 of EUTMR.

Before being appointed, the candidates selected by the Management Board may be invited to make a statement before any competent European Parliament committee and to answer questions put forward by its members. Before appointment, the Executive Director of the Office will be consulted in order to provide an opinion on the candidates.

6. CONDITIONS OF EMPLOYMENT

The successful candidate will be appointed by the Council from a list of candidates proposed by the Management Board of the Office. The term of office shall be 5 years. In this regard, please note that the candidate must be able to complete a first full 5-year mandate before reaching retirement age, i.e.: the end of the month in which he/she reaches the age of 66 ⁽¹³⁾, from the date upon which it is proposed and agreed to enter into service.

A contract as a member of the temporary staff pursuant to Article 2(a) of CEOS ⁽¹⁴⁾ in category AD, grade 14 will be offered to the appointed candidate.

The current basic monthly salary corresponding to the first step of this grade is EUR 16 569,31. There are additional salary elements reflecting marital status and dependent children. Furthermore, various allowances for removals and travel are provided, as well as accident and health insurance and a pension scheme. Pay is subject to EU tax and other deductions laid down in the CEOS. It is however exempt from any national tax. Dependent children can attend the European School in Alicante free of charge.

Pursuant to Article 158(6) of EUTMR the term of office of the Deputy Executive Director may be extended once and for no more than five years by the Council, after consultation of the Executive Director.

Employment shall be terminated either at the end of the term or at the request of the appointed Deputy Executive Director, with three months' notice.

⁽¹²⁾ The format of the interviews can be changed to virtual if required by the circumstances.

⁽¹³⁾ In accordance with Article 47(a) of CEOS.

⁽¹⁴⁾ <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:01962R0031-20140701&from=EN>

Independence and declaration of interests

Pursuant to Article 157 of EUTMR, the Deputy Executive Director shall be independent in the performance of her/his duties and shall neither seek nor take instructions from a government or from any other body. The Deputy Executive Director may be removed from office only upon a decision of the Council acting on a proposal from the Management Board, and after consultation of the Executive Director, and where applicable, the Executive Director-elect, in accordance with the procedure laid down in Article 158(6) of EUTMR.

The Deputy Executive Director appointed will thus be required to make a declaration of commitment to act independently in the public interest and to make a declaration in relation to interests which might be considered prejudicial to her/his independence. Applicants must confirm their willingness to do so in their application.

Due to the particular nature of the functions, applicants invited to pre-screening interviews will be required to sign a declaration relating to their current or future interests that might be considered prejudicial to their independence.

7. HOW TO APPLY

Candidates must use the application form available on the Office's website:

<https://euipo.europa.eu/ohimportal/en/vacancies>

Applications shall be submitted by email, to the following email address:

MBBCSecretariat@euipo.europa.eu

Applications must arrive before midnight Alicante time (CET) on 9 January 2024.

Please note that all sections of the form must be completed. An incomplete application form (for example one bearing remarks such as 'see CV or motivation letter attached') will not be taken into account.

Candidates who are invited to a pre-screening interview (see point 5 'Selection Procedure') will also be requested to have supplied prior to the pre-screening interview by the time indicated for that purpose by the Preparatory Subcommittee proof of compliance with the requirements laid down in the present vacancy notice, and other qualifications and experience declared in their application:

- Copy of an identity document (such as passport or ID card);
- Copies of diplomas;
- Copies of certificates relating to the professional experience mentioned in point 3.

Other documents, particularly curricula vitae, will not be taken into consideration. It is to be noted that any qualifications or professional experience which cannot be supported by documentary evidence, such as copies of diplomas or certificates of employment, will be disregarded and that this may result in the application being rejected.

8. EQUAL OPPORTUNITIES

The Office applies a policy of equal opportunities and accepts applications without distinction on the grounds of sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of national minority, property, birth, disability, age or sexual orientation.

9. PROTECTION OF PERSONAL DATA

As the body responsible for organising the selection, the Office ensures that applicants' personal data are processed in compliance with Regulation (EU) 2018/1725 of the European Parliament and of the Council⁽¹⁵⁾. This applies in particular to the confidentiality and security of such data.

⁽¹⁵⁾ 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).

10. APPEAL

If a candidate considers that he/she has been adversely affected by a particular decision, he/she can lodge a complaint under Article 90(2) of the Staff Regulations of Officials of the European Union ('Staff Regulations'), at the following address:

EUIPO — European Union Intellectual Property Office
Human Resources Department
Avenida de Europa, 4
03008 Alicante
SPAIN

He/she can also submit a judicial appeal under Article 270 of the Treaty on the Functioning of the European Union and Article 91 of the Staff Regulations to the General Court at the following address:

General Court
Rue du Fort Niedergrünwald
L-2925 Luxembourg
LUXEMBOURG

For details on how to submit an appeal, please consult the website of the General Court: https://curia.europa.eu/jcms/jcms/Jo2_7033/en/

11. FURTHER INFORMATION

Any further information or communication with the Office, Preparatory Subcommittee or Management Board as regards this selection procedure shall be addressed to the following email address: MBBCSecretariat@euipo.europa.eu

Applicants are reminded that the work of the Preparatory Subcommittee is confidential. It is forbidden for applicants to make direct or indirect contact with members of this committee, or for anybody to do so, on their behalf.

Any reference in this notice to a person of the male sex must be deemed also to constitute a reference to a person of the female sex.

If there are discrepancies between the different linguistic versions, the English one should be taken as the correct version.
