

Commission Regulation (EC) No 2245/2002 of 21 October 2002
implementing Council Regulation (EC) No 6/2002 on Community designs

CHAPTER XIX

LANGUAGES

Article 80

Applications and declarations

Without prejudice to Article 98(4) of Regulation (EC) No 6/2002:

- (a) any application or declaration relating to an application for a registered Community design may be filed in the language used for filing the application or in the second language indicated by the applicant in his/her application;
- (b) any application or declaration other than an application for declaration of invalidity pursuant to Article 52 of Regulation (EC) No 6/2002, or declaration of surrender pursuant to Article 51 of that Regulation relating to a registered Community design may be filed in one of the languages of the Office;
- (c) when any of the forms provided by the Office pursuant to Article 68 is used, such forms may be used in any of the official languages of the Community, provided that the form is completed in one of the languages of the Office, as far as textual elements are concerned.

Article 81

Written proceedings

1 Without prejudice to Article 98(3) and (5) of Regulation (EC) No 6/2002 and save as otherwise provided in this Regulation, 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 one month of the date of the submission of the original document.

Where the applicant for a registered Community design is the sole party to proceedings before the Office and the language used for the filing of the application for the registered Community 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 his/her application.

2 Save as otherwise provided in this Regulation, documents to be used in proceedings before the Office may be filed in any official language of the Community.

Where the language of such documents is not the language of the proceedings the Office may require that a translation be supplied, within a time limit specified by it, in that language or, at the choice of the party to the proceeding, in any language of the Office.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 2245/2002. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Article 82

Oral proceedings

1 Any party to oral proceedings before the Office may, in place of the language of proceedings, use one of the other official languages of the Community, on condition that he/she makes provision for interpretation into the language of proceedings.

Where the oral proceedings are held in a proceeding concerning the application for registration of a design the applicant may use either the language of the application or the second language indicated by him/her.

2 In oral proceedings concerning the application for registration of a design, the staff of the Office may use either the language of the application or the second language indicated by the applicant.

In all other oral proceedings, the staff of the Office may use, in place of the language of the proceedings, one of the other languages of the Office, on condition that the party or parties to the proceedings agree(s) to such use.

3 With regard to the taking of evidence, any party to be heard, witness or expert who is unable to express himself/herself adequately in the language of proceedings, may use any of the official languages of the Community.

Where the taking of evidence is decided upon following a request by a party to the proceedings, parties to be heard, witnesses or experts who express themselves in languages other than the language of proceedings may be heard only if the party who made the request makes provision for interpretation into that language.

In proceedings concerning the application for registration of a design, in place of the language of the application, the second language indicated by the applicant may be used.

In any proceedings with only one party, the Office may at the request of the party concerned permit derogation from the provisions in this paragraph.

4 If the parties and the Office so agree, any official language of the Community may be used in oral proceedings.

5 The Office shall, if necessary, make provision at its own expense for interpretation into the language of proceedings, or, where appropriate, into its other languages, unless this interpretation is the responsibility of one of the parties to the proceedings.

6 Statements by staff of the Office, by parties to the proceedings and by witnesses and experts, made in one of the languages of the Office during oral proceedings shall be entered in the minutes in the language employed. Statements made in any other language shall be entered in the language of proceedings.

Corrections to the application for or the registration of a Community design shall be entered in the minutes in the language of proceedings.

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Article 83

Certification of translations

1 When a translation of any document is to be filed, the Office may require the filing, within a time limit to be specified by it, of a certificate that the translation corresponds to the original text.

Where the certificate relates to the translation of a previous application pursuant to Article 42 of Regulation (EC) No 6/2002, such time limit shall not be less than three months after the date of filing of the application.

Where the certificate is not filed within that time limit, the document shall be deemed not to have been received.

2 The President of the Office may determine the manner in which translations are certified.

Article 84

Legal authenticity of translations

In the absence of evidence to the contrary, the Office may assume that a translation corresponds to the relevant original text.

Changes to legislation:

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Changes and effects yet to be applied to :

- Regulation revoked by [2023 c. 28 Sch. 1 Pt. 2](#)