

EUROPEAN UNION – APPLICATION FOR ACTION

1 COPY FOR THE COMPETENT CUSTOMS DEPARTMENT	1. Applicant Name*: EORI-No*: Address*: Town*: Postal Code: Country*: TIN No: National registration No: Telephone: (+) Mobile: (+) Fax: (+) Email*: Website:		For official use Date of receipt Registration number of application INTELLECTUAL PROPERTY RIGHTS APPLICATION FOR ACTION BY CUSTOMS AUTHORITIES under Article 6 of Regulation (EU) No 608/2013	
	2*. Union application ☐ National application ☐ National application (cf. Article 5(3)) ☐			
	3*. Status of applicant ☐ Right-holder ☐ Person or entity authorised to use the IP right ☐ IP collective rights management body ☐ Professional defence body ☐ Group of producers of products with a Geographical Indication or representative of such group ☐ Operator entitled to use a Geographical Indication ☐ Inspection body or authority competent for a Geographical Indication ☐ Exclusive license holder covering two or more Member States			
	4. Representative submitting the application in the name of the applicant Company: Name*: EORI-No*: Address*: Town*: Postal Code: Country*: Telephone: (+) Mobile: (+) Fax: (+) Email*: Website:			
1	5*. Type of right to which the application refers ☐ National trademark (NTM) ☐ European Union trademark (EUTM) ☐ International registered trademark (ITM) ☐ Registered national design (ND) ☐ Registered Community design (CDR) ☐ International registered design (ICD) ☐ Unregistered Community design (CDU) ☐ Copyright and related right (NCPR) ☐ Trade name (NTN) ☐ Topography of semiconductor product (NTSP) ☐ Patent as provided for by national law (NPT) ☐ Patent as provided for by Union law (UPT) ☐ Utility model (NUM)			
	Geographical Indication/Designation of origin: ☐ for agricultural products and foodstuff (CGIP) ☐ for wine (CGIW) ☐ for aromatised drinks based on wine products (CGIA) ☐ for spirit drinks (CGIS) ☐ for other products (NGI) ☐ as listed in Agreements between the Union and third countries (CGIL)			
	Plant variety right: ☐ national (NPVR) ☐ Community (CPVR)			
	Supplementary protection certificate: ☐ for medicinal products (SPCM) ☐ for plant protection products (SPCP)			
6*. Member State or, in the case of a Union application, Member States in which customs action is requested ☐ ALL MEMBER STATES ☐ BE ☐ BG ☐ CZ ☐ DK ☐ DE ☐ EE ☐ IE ☐ EL ☐ ES ☐ FR ☐ HR ☐ IT ☐ CY ☐ LV ☐ LT ☐ LU ☐ HU ☐ MT ☐ NL ☐ AT ☐ PL ☐ PT ☐ RO ☐ SI ☐ SK ☐ FI ☐ SE ☐ UK				
7. Representative for legal matters Company: Name*: Address*: Town*: Postal Code: Country*: Telephone: (+) Fax: (+) Mobile: (+) Email*: Website:		8. Representative for technical matters Company: Name*: Address*: Town*: Postal Code: Country*: Telephone: (+) Fax: (+) Mobile: (+) Email*: Website:		
9. In case of a Union application, the details of the designated representatives for legal and technical matters are included in annex no				
10. I request the use of the procedure of Article 26 of Regulation (EU) No 608/2013 (small consignments) in the following Member State(s) and, where requested by the customs authorities, agree to cover the costs related to the destruction of goods under this procedure. ☐ ALL MEMBER STATES ☐ BE ☐ BG ☐ CZ ☐ DK ☐ DE ☐ EE ☐ IE ☐ EL ☐ ES ☐ FR ☐ HR ☐ IT ☐ CY ☐ LV ☐ LT ☐ LU ☐ HU ☐ MT ☐ NL ☐ AT ☐ PL ☐ PT ☐ RO ☐ SI ☐ SK ☐ FI ☐ SE ☐ UK				

* these are mandatory fields and shall be filled in

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(+) at least one of these fields shall be filled in

11*. List of rights to which the application refers					
No	Type of right	Registration number	Date of registration	Expiry date	List of goods to which the right refers
For further rights see annex no					☐ Restricted handling

12*. Goods details		☐ Restricted handling
IP right no: Goods description: CN tariff number: Customs value: European average market value: National market value:		
		☐ See enclosed annex no
13*. Goods distinctive features		☐ Restricted handling
Position on the goods: Description:		
		☐ See enclosed annex no
14*. Place of production		☐ Restricted handling
Country: Company: Address: Town:		
		☐ See enclosed annex no
15*. Involved companies		☐ Restricted handling
Role: Name: Address: Town: Postal Code: Country:		
		☐ See enclosed annex no
16*. Traders		☐ Restricted handling
Name: Address: Town: Postal Code: Country:		
		☐ See enclosed annex no
17. Goods clearance details and distribution information		☐ Restricted handling
		☐ See enclosed annex no
18. Packages		☐ Restricted handling
Kind of packages: Number of items per package: Description (incl. distinctive features):		
		☐ See enclosed annex no
19. Accompanying documents		☐ Restricted handling
Type of document: Description:		
		☐ See enclosed annex no

28. Additional information

☐ Restricted handling

☐

☐ See enclosed annex no

29. Undertakings

By signing I undertake to:

- notify immediately the competent customs department that granted this application of any change in the information provided by me within this application or attachments in accordance with Article 15 of Regulation (EU) No 608/2013.
- forward to the competent customs department that granted this application any update on the information as referred to in point (g), (h) or (i) of Article 6(3) of Regulation (EU) No 608/2013 that are relevant to customs authorities' analysis and assessment of the risk of infringement of the intellectual property right(s) included in this application.
- assume liability under the conditions laid down in Article 28 of Regulation (EU) No 608/2013 and bear the costs as referred to in Article 29 of Regulation (EU) No 608/2013.

I agree that all the data submitted with this application may be processed by the Member States and the European Commission, acting as a processor on behalf of Member States, and the European Union Intellectual Property Office.

30*. Signature

Date (DD/MM/YYYY)

Applicant's signature

Place

Name (Block capitals)

For official use

Decision by customs authorities (within the meaning of Section 2 of Regulation (EU) No 608/2013)

- ☐ The application is completely granted.
- ☐ The application has been partially granted (for the granted rights see attached list).

Date of adoption (DD/MM/YYYY)

Signature and stamp

Competent customs department

Expiry date of the application:

Any request for extension of the period that customs authorities are to take action should be received by the competent customs department at the latest 30 working days before the expiry date.

- ☐ The application has been rejected.

A reasoned decision stating the grounds for partial or complete rejection and information concerning the appeal procedure are attached.

Date (DD/MM/YYYY)

Signature and stamp

Competent customs department

Personal data protection and the central database for the processing of applications for action.

This privacy statement explains the reasons for processing your personal data, the way they are collected, handled and the way protection of all your personal data is ensured.

The competent customs authority of a Member State are the controller(s) of the processing operation. To this respect the controller(s) processes personal data contained in this application in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

The European Commission acts as a processor on behalf of Member States and processes personal data contained in this application in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council 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.

The purpose of the processing of personal data of the application for action is the enforcement of intellectual property rights (IPR) by customs authorities in the Union, in accordance with Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights.

The legal basis for processing the personal data for the enforcement of IPR are Articles 31 and 33 of Regulation (EU) No 608/2013.

The processing activity of the Commission, acting on behalf of Member States and within their mandate, consists of storing and maintaining of the personal data related to applications for action and its attachments in the central database COPIS. This includes maintaining adequate technical and organizational arrangements for the reliable and secure operation of the database COPIS. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. The access to personal data is granted on a need-to-know basis and via personal accounts to authorised personnel of Member States custom authorities and the European Commission. The contact point within the European Commission for questions on the processing activity in COPIS is Directorate-General for Taxation and Customs Union: TAXUD-DP-COPIS@ec.europa.eu.

For a deeper analysis of the infringements data and to improve the understanding of the geographical scope and impact of infringements of IPR, the Commission within the mandate provided by the Member States will send, together with the infringement data, the name of the respective holder of the decision based on which the customs acted to the European Union Intellectual Property Office. The record reference of EUIPO's processing operation is DPR-2019-051 (https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/contentPdfs/data_protection/rpt_register_en.pdf).

Replies to data fields marked with an * and to at least one of the fields marked "+" are obligatory to be filled in. In case of failure to fill in these obligatory data, the application shall be rejected.

Customs authorities will delete the data no later than six months from the date the decision granting the application has been revoked or the relevant period during which customs authorities are to take action has expired. The period during which customs authorities are to take action shall be specified by the competent customs department when granting the application and shall not exceed one year from the day following the date of adoption of the decision granting the application. However, where customs authorities have been notified of proceedings initiated to determine a possible infringement of goods under the application, they will delete the data no later than six months after the proceedings have been concluded in a final way.

In case of a data breach, the customs authorities in the Member States will fulfil their obligations in compliance with their duties stipulated in the GDPR. Where that personal data breach is likely to result in a high risk to your rights and freedoms the customs authorities in the Member States are committed to inform you immediately in order to allow you to take the necessary precautions. You are at any given moment entitled to access and rectify your personal data in case the data is inaccurate or incomplete. You have the rights to (if applicable) request restriction of processing or erasure ('right to be forgotten'), to object to the processing, to withdraw your consent, and not to be subject to automated individual decision making, including profiling. All requests shall be submitted to and processed by the competent customs department where the application was submitted. For the list of competent customs departments in the Member States see

https://ec.europa.eu/taxation_customs/sites/taxation/files/resources/documents/customs/customs_controls/counterfeit_piracy/right_holders/defend-your-rights_en.pdf.

If you feel that your rights are violated in any way, you are entitled to file a complaint with the National Supervisory Authority responsible for data protection (contact info here: https://edpb.europa.eu/about-edpb/board/members_en) following the applicable national procedure. If you have comments, questions or any concerns regarding the collection and use of your personal data, please feel free to contact Data Protection Officer (DPO) in the Member State's Customs Organisation. If your complaint concerns an action of the European Commission, you should lodge it with the European Data Protection Supervisor.

EUROPEAN UNION – APPLICATION FOR ACTION

2	1. Applicant		For official use	
	Name*:		Date of receipt	
	EORI-No*:		Registration number of application	
	Address*:			
COPY FOR THE APPLICANT	Town*:		INTELLECTUAL PROPERTY RIGHTS	
	Postal Code:		APPLICATION FOR ACTION BY CUSTOMS AUTHORITIES	
	Country*:		under Article 6 of Regulation (EU) No 608/2013	
	TIN No:		2*. Union application ☐	
	National registration No:		National application ☐	
	Telephone: (+)		National application (cf. Article 5(3)) ☐	
	Mobile: (+)			
	Fax: (+)			
	Email*:			
	Website:			
3*. Status of applicant		☐ Group of producers of products with a Geographical Indication or representative of such group ☐ Operator entitled to use a Geographical Indication ☐ Inspection body or authority competent for a Geographical Indication ☐ Exclusive license holder covering two or more Member States		
☐ Right-holder ☐ Person or entity authorised to use the IP right ☐ IP collective rights management body ☐ Professional defence body				
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Company:				
Name*:				
EORI-No*:				
Address*:				
Town*:				
Postal Code:				
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7. Representative for legal matters		8. Representative for technical matters		
Company:		Company:		
Name*:		Name*:		
Address*:		Address*:		
Town*:		Town*:		
Postal Code:		Postal Code:		
Country*:		Country*:		
Telephone: (+)		Telephone: (+)		Fax: (+)
Mobile: (+)		Mobile: (+)		
Email*:		Email*:		
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Authentic goods					
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15*. Involved companies					☐ Restricted handling
Role:					
Name:					
Address:					
Town:					
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https://ec.europa.eu/taxation_customs/sites/taxation/files/resources/documents/customs/customs_controls/counterfeit_piracy/right_holders/defend-your-rights_en.pdf.

If you feel that your rights are violated in any way, you are entitled to file a complaint with the National Supervisory Authority responsible for data protection (contact info here: https://edpb.europa.eu/about-edpb/board/members_en) following the applicable national procedure. If you have comments, questions or any concerns regarding the collection and use of your personal data, please feel free to contact Data Protection Officer (DPO) in the Member State's Customs Organisation. If your complaint concerns an action of the European Commission, you should lodge it with the European Data Protection Supervisor.