

Subject: BAU date; termination of the general extension of deadlines at BOIP.

Date: 25 May 2020

In accordance with the Director-General's communication of 11 May and the considerations set out therein, the 'BAU date' announced in the Director-General's communication of 20 March 2020 is set at 25 May 2020. As a result:

1. All the running time limits to be observed at BOIP which were to expire between 16 March 2020 and the BAU date (25 May 2020), but which have been suspended in accordance with the Director-General's Communication of 16 and 20 March 2020, are automatically extended until 25 June 2020.
2. With the exception of the cases referred to in paragraph 5 (below), all time limits in procedures at BOIP that would expire within one month after the BAU date, i.e. between 25 May 2020 and 24 June 2020, shall be automatically extended until 25 June 2020.
3. All time limits in procedures at BOIP that expire on or after 25 June 2020 will not be extended, unless this is still possible on the basis of the BCIP or the Implementing Regulations (IR).
4. Paragraphs 1 to 3 shall apply to all acts at BOIP based on the BCIP, including but not limited to: responding to requests for regularisation, filing oppositions, submitting arguments or other documents in opposition and cancellation proceedings, objecting to provisional decisions refusing the registration of trademark applications, renewal of existing registrations and paying the fees due.
5. By way of derogation from paragraph 2, all time limits starting from 25 May 2020 in proceedings before BOIP shall be applied in the normal way as determined in the BCIP and IR.
6. As indicated in the communication of 20 March 2020, BOIP shall not be able to communicate a new deadline for all individual requests and procedures. The present communication therefore replaces communications on a case-by-case basis.
7. BOIP emphasizes once again that this communication does not affect the assessment of actions before the Benelux Court of Justice. The question whether an action pursuant to Article 1.15bis(1) BCIP has been performed in a timely manner is not for consideration.

BOIP urges users to avoid, as much as possible, acting only at the last moment of a deadline. This will allow the Office to serve all users quickly and accurately.