

Explanatory notes on the form

Request to modify a registration in the Benelux Register

General notes:

If the space provided on the form is not sufficient, you may add the information in an attachment. Please refer to the attachment under the relevant item on this form and make sure the reference and the name of the applicant stated under item 1 of this form is mentioned on the attachment.

A modification can only be registered if accompanied by supporting documentation. Please include this with your request. The relevant notes will explain which documentation is needed. Documentation sent to us is public. Copies can be requested.

The form may be sent by the contact form available on our website (www.boip.int) or by post to:

Benelux Office for Intellectual Property

P.O. Box 90404
2509 LK The Hague
The Netherlands
Tel.: +31 70 349 11 11

Visiting address:
Bordewijklaan 15
2591 XR The Hague

Open Monday to Friday, 10 AM to 12 AM and 2 PM to 4 PM

For further information, please visit our website www.boip.int or contact our Information Centre. Tel.: + 31 70 349 12 42 / info@boip.int.

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Explanatory notes per item

Before completing each question, please read the corresponding section of the explanatory notes.

1 References, telephone number and bank account number

State your own reference or own file number. BOIP will use this reference in all correspondence.

BOIP requires a bank account number for the administrative processing of the fees.

2 Details of the holder of the registration(s)

Please state the name and address of the holder.

3 Representative

This item is to be filled in by a representative.

4 Designs affected by the modification

Please state the registration number(s) of the design(s) in the Benelux Register affected by the modification. If the design(s) is/are not yet registered, you may state the application number. In the case of a registered design, please state the registration number rather than the application number.

5 Modifications

Check the relevant box to indicate which modifications you wish to record. It is possible to register the following modifications:

A Transfer or transition:

For example, if you have purchased or sold a design.

Please state the name and address of the transferee(s) of the design(s).

Please note: if the transferee is a natural person, please state surname and first name in full; if the transferee is a company or organisation, please state the legal form.

Always include the street address of the transferee. Correspondence from the Benelux Office for Intellectual Property can be sent to a post office box, however only street addresses can be registered.

A deed of the transfer of the design(s) signed by both the transferor and transferee has to be included with the request. You may send an extract of the original deed signed by both parties (copies are permitted).

Please note: if an attachment has been lodged on the design(s), you must also submit a declaration showing that the attaching party has granted permission.

B Change of name and/or address of the design holder/licensee

Check the appropriate box(es) to indicate the type of modification (name or address) you wish to record and whose details have changed (design holder or licensee).

Please note: you can modify both a name and an address using the same form. If applicable, check both options. Modifications may only be recorded for licensees who are already registered.

Please provide the relevant information.

For name changes of the design holder/licensee, please indicate both the new name and the legal form and send supporting documentation (e.g. an extract from the trade register showing the name change). You may submit a copy.

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For address changes, please provide the new full address. Always state the street address. Correspondence from the Benelux Office for Intellectual Property can be sent to a post office box, however only street addresses can be registered.

C Appointment of/change of representative

This item is to be filled in by a representative.

If you wish to be registered as the representative of the design, check the appropriate box. More than one request to record a modification in the register may be sent at the same time.

D Licence, pledge, attachment

Check the relevant box(es) to indicate which right has been established on the design(s).

Please provide the name and address of the person who has established an attachment or has acquired a right of pledge or licence rights on the design(s).

Please note: if this is a natural person, please state surname and first name in full; if it is a company or organisation, also state the legal form.

Always include the street address. Correspondence from the Benelux Office for Intellectual Property can be sent to a post office box, however only street addresses can be registered.

Supporting documentation has to be included. You may send an extract of the original deed signed by both parties (copies are permitted).

If the request concerns a cancellation of a licence, right of pledge or an attachment, the details of the holder of the rights to be cancelled (as listed in the register) must also be provided.

Please note: cancellation of a licence can only be requested jointly by the design holder and licensee.

Abrogation of an attachment can only be requested by the attaching party. Abrogation of a pledge requires at least the request of the pledgee.

E Modification of the details of the representative

Check the appropriate box(es) to indicate which details (name, address or both) of the registered representative have been changed.

Please provide the relevant information.

When recording a name change, both the new name and the legal form must be provided. Please send documentation supporting the modification (e.g. an extract from the Trade Register showing the name change).

You may submit a copy.

For address changes, you must provide the new full address.

F Modification of a correspondence address

Applicants that are not established in the EU or EEA and have no representative are obliged to have a correspondence address in the EU or EEA. State the (new) correspondence address.

G Cancellation of registration(s)

Check the appropriate box to indicate the type of cancellation.

If the request is sent by a representative, a recent power of attorney must be attached.

Please note: if the design(s) is (are) subject to a writ of attachment/right of pledge/licensing rights, the cancellation may only be processed if the creditor/pledgee/licensee has (have) granted permission.

H Demand for a claim

The name of the claimant must be stated. Furthermore, a document evidencing the demand for a claim has to be attached.

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I Maintenance in amended form

A declaration of the holder or a final court decision has to be attached.

6 Fees

Payment can be effected by a cash deposit and/or a bank transfer to the following bank accounts:

in the Netherlands

- bank account IBAN NL68 ABNA 0240 0367 00 BIC: ABNA NL2A (ABN AMRO)

in Belgium

- bank account IBAN BE24 0014 3183 0538 BIC: GEBA BEBB (BNP Paribas Fortis)

in Luxembourg

- bank account IBAN LU50 0030 0556 7430 0000 BIC: BGLL LULL (BGL BNP Paribas)

If you have a current account at BOIP, the fees will be debited from this account. In that case, check the appropriate box and fill in the (four-digit) number of the current account.

Please note: direct debit from a bank account is not possible.

7 Signature

The request must be signed by the applicant or the representative. If the request is sent on behalf of a legal entity, the name and position (capacity) of the signatory must be stated.

8 Attachments

Always state the number of attachments.

State on each attachment the reference and name of the applicant you entered under item 1. Refer on the attachments to the relevant items on the form (if applicable).