

Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008

## CHAPTER III

### GEOGRAPHICAL INDICATIONS

#### *Article 21*

#### **Protection of geographical indications**

- 1 Geographical indications protected under this Regulation may be used by any operator marketing a spirit drink produced in conformity with the corresponding product specification.
- 2 Geographical indications protected under this Regulation shall be protected against:
  - a any direct or indirect commercial use of a registered name in respect of products not covered by the registration where those products are comparable to the products registered under that name or where using the name exploits the reputation of the protected name, including where those products are used as an ingredient;
  - b any misuse, imitation or evocation, even if the true origin of the products or services is indicated or if the protected name is translated or accompanied by an expression such as ‘style’, ‘type’, ‘method’, ‘as produced in’, ‘imitation’, ‘flavour’, ‘like’ or similar, including when those products are used as an ingredient;
  - c any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product in the description, presentation or labelling of the product liable to convey a false impression as to the origin of the product;
  - d any other practice liable to mislead the consumer as to the true origin of the product.
- 3 Geographical indications protected under this Regulation shall not become generic in the Union.
- 4 The protection referred to in paragraph 2 shall also apply with regard to goods entering the customs territory of the Union without being released for free circulation there.

#### *Article 22*

#### **Product specification**

- 1 A geographical indication protected under this Regulation shall comply with a product specification which shall include at least:
  - a the name to be protected as a geographical indication, as it is used, whether in trade or in common language, only in the languages which are or were historically used to describe the specific product in the defined geographical area, in the original script and in Latin transcription if different;

- b the category of the spirit drink or the term ‘spirit drink’ if the spirit drink does not comply with the requirements laid down for the categories of spirit drinks set out in Annex I;
- c a description of the characteristics of the spirit drink, including the raw materials from which it is produced, if appropriate, as well as the principal physical, chemical or organoleptic characteristics of the product and the specific characteristics of the product compared to spirit drinks of the same category;
- d the definition of the geographical area delimited with regard to the link referred to in point (f);
- e a description of the method of producing the spirit drink and, where appropriate, the authentic and unvarying local production methods;
- f details establishing the link between a given quality, reputation or other characteristic of the spirit drink and its geographical origin;
- g the names and addresses of the competent authorities or, if available, the names and addresses of the bodies that verify compliance with the provisions of the product specification pursuant to Article 38 and their specific tasks;
- h any specific labelling rule for the geographical indication in question.

Where applicable, requirements regarding packaging shall be included in the product specification, accompanied by a justification showing why the packaging must take place in the defined geographical area to safeguard quality, to ensure the origin or to ensure control, taking into account Union law, in particular Union law on the free movement of goods and the free provision of services.

2 Technical files submitted as part of any application before 8 June 2019 under Regulation (EC) No 110/2008 shall be deemed to be product specifications under this Article.

### *Article 23*

#### **Content of application for registration of a geographical indication**

- 1 An application for registration of a geographical indication pursuant to Article 24(5) or (8) shall include at least:
- a the name and address of the applicant group and of the competent authorities or, if available, the bodies that verify compliance with the provisions of the product specification;
  - b the product specification provided for in Article 22;
  - c a single document setting out the following:
    - (i) the main points of the product specification, including the name to be protected, the category to which the spirit drink belongs or the term ‘spirit drink’, the production method, a description of the characteristics of the spirit drink, a concise definition of the geographical area, and, where appropriate, specific rules concerning packaging and labelling;
    - (ii) a description of the link between the spirit drink and its geographical origin as referred to in point (4) of Article 3, including, where appropriate, the specific elements of the product description or production method justifying the link.

An application as referred to in Article 24(8) shall also include the publication reference of the product specification and proof that the name of the product is protected in its country of origin.

- 2 An application dossier as referred to in Article 24(7) shall include:
- a the name and address of the applicant group;
  - b the single document referred to in point (c) of paragraph 1 of this Article;
  - c a declaration by the Member State that it considers that the application meets the requirements of this Regulation and the provisions adopted pursuant thereto;
  - d the publication reference of the product specification.

#### *Article 24*

### **Application for registration of a geographical indication**

1 Applications for the registration of a geographical indication under this Chapter may only be submitted by groups who work with the spirit drink, the name of which is proposed for registration.

2 An authority designated by a Member State may be deemed to be a group for the purposes of this Chapter if it is not feasible for the producers concerned to form a group by reason of their number, geographical locations or organisational characteristics. In such case, the application dossier referred to in Article 23(2) shall state those reasons.

3 A single natural or legal person may be deemed to be a group for the purpose of this Chapter if both of the following conditions are fulfilled:

- a the person concerned is the only producer willing to submit an application; and
- b the defined geographical area possesses characteristics which differ appreciably from those of neighbouring areas, the characteristics of the spirit drink are different from those produced in neighbouring areas or the spirit drink has a special quality, reputation or other characteristic which is clearly attributable to its geographical origin.

4 In the case of a geographical indication that designates a cross-border geographical area, several groups from different Member States or third countries may submit a joint application for registration.

Where a joint application is submitted, it shall be submitted to the Commission by a Member State concerned, or by an applicant group in a third country concerned, directly or through the authorities of that third country after consultation of all the authorities and applicant groups concerned. The joint application shall include the declaration referred to in point (c) of Article 23(2) from all the Member States concerned. The requirements laid down in Article 23 shall be fulfilled in all Member States and third countries concerned.

In the case of joint applications, the related national opposition procedures shall be carried out in all the Member States concerned.

5 Where the application relates to a geographical area in a Member State, the application shall be submitted to the authorities of that Member State.

The Member State shall scrutinise the application by appropriate means in order to check that it is reasoned and meets the requirements of this Chapter.

6 As part of the scrutiny referred to in the second subparagraph of paragraph 5, the Member State shall initiate a national opposition procedure that ensures adequate publication of the application referred to in paragraph 5 and that provides for a reasonable period within which any natural or legal person having a legitimate interest and resident or established on its territory may submit an opposition to the application.

The Member State shall examine the admissibility of any opposition received in accordance with the criteria referred to in Article 28.

7 If, after assessment of any opposition received, the Member State considers that the requirements of this Chapter are met, it may take a favourable decision and submit an application dossier to the Commission. In such a case, it shall inform the Commission of admissible oppositions received from a natural or legal person that has legally marketed the products in question, using the names concerned continuously for at least five years preceding the date of the publication referred to in paragraph 6. Member States shall also keep the Commission informed of any national judicial proceedings that may affect the registration procedure.

The Member State shall ensure that where it takes a favourable decision pursuant to the first subparagraph, that decision is made public and that any natural or legal person having a legitimate interest has an opportunity to appeal.

The Member State shall ensure that the version of the product specification on which its favourable decision is based is published, and shall provide electronic access to the product specification.

The Member State shall also ensure adequate publication of the version of the product specification on which the Commission takes its decision pursuant to Article 26(2).

8 Where the application relates to a geographical area in a third country, the application shall be submitted to the Commission, either directly or via the authorities of the third country concerned.

9 The documents referred to in this Article which are sent to the Commission shall be in one of the official languages of the Union.

#### *Article 25*

### **Provisional national protection**

1 On a provisional basis only, a Member State may grant protection to a name under this Chapter at national level, with effect from the date on which an application is submitted to the Commission.

2 Such national protection shall cease on the date on which either a decision on registration under this Chapter is taken or the application is withdrawn.

3 Where a name is not registered under this Chapter, the consequences of such national protection shall be the sole responsibility of the Member State concerned.

4 The measures taken by Member States under paragraph 1 shall produce effects at national level only, and shall have no effect on intra-Union or international trade.

#### *Article 26*

### **Scrutiny by the Commission and publication for opposition**

1 The Commission shall scrutinise by appropriate means any application that it receives pursuant to Article 24, in order to check that it is reasoned, that it meets the requirements of this Chapter, and that the interests of stakeholders outside the Member State of application have been taken into account. Such scrutiny shall be based on the single document referred to in point (c) of Article 23(1), shall consist of a check that there are no manifest errors in the application,

and, as a general rule, shall not exceed a period of six months. However, where this period is exceeded, the Commission shall immediately indicate in writing to the applicant the reasons for the delay.

The Commission shall, at least each month, make public the list of names for which registration applications have been submitted to it, as well as their date of submission. The list shall also contain the name of the Member State or third country from which the application came.

2 Where, based on the scrutiny carried out pursuant to the first subparagraph of paragraph 1, the Commission considers that the requirements of this Chapter are met, it shall publish in the *Official Journal of the European Union* the single document referred to in point (c) of Article 23(1) and the publication reference of the product specification.

### *Article 27*

#### **Opposition procedure**

1 Within three months from the date of publication in the *Official Journal of the European Union*, the authorities of a Member State or of a third country, or a natural or legal person having a legitimate interest and resident or established in a third country may submit a notice of opposition to the Commission.

Any natural or legal person having a legitimate interest and resident or established in a Member State other than that from which the application was submitted, may submit a notice of opposition to the Member State in which that person is resident or established within a time limit permitting an opposition to be submitted pursuant to the first subparagraph.

A notice of opposition shall contain a declaration that the application might infringe the requirements of this Chapter.

A notice of opposition that does not contain such a declaration shall be void.

The Commission shall forward the notice of opposition without delay to the authority or body that submitted the application.

2 If a notice of opposition is submitted to the Commission and is followed within two months by a reasoned statement of opposition, the Commission shall check the admissibility of this reasoned statement of opposition.

3 Within two months from the receipt of an admissible reasoned statement of opposition, the Commission shall invite the authority or person that submitted the opposition and the authority or body that submitted the application to engage in appropriate consultations for a period that shall not exceed three months. That deadline shall start on the date when the invitation to the interested parties is delivered by electronic means.

The authority or person that submitted the opposition and the authority or body that submitted the application shall start such appropriate consultations without undue delay. They shall provide each other with the relevant information to assess whether the application for registration complies with the requirements of this Chapter. If no agreement is reached, that information shall also be provided to the Commission.

When the interested parties reach an agreement, the authorities of the Member State or of the third country from which the application was submitted shall notify the Commission of all the factors which enabled that agreement to be reached, including the opinions of

the applicant and of the authorities of a Member State or of a third country, or of other natural and legal persons having submitted an opposition.

Irrespective of whether an agreement has been reached or not, the notification to the Commission shall be made within one month from the end of the consultations.

At any time during those three months, the Commission may, at the request of the applicant extend the deadline for the consultations by a maximum of three months.

4 Where, following the appropriate consultations referred to in paragraph 3 of this Article, the details published in accordance with Article 26(2) have been substantially amended, the Commission shall repeat the scrutiny referred to in Article 26.

5 The notice of opposition, the reasoned statement of opposition and the related documents which are sent to the Commission in accordance with paragraphs 1 to 4 shall be in one of the official languages of the Union.

#### *Article 28*

### **Grounds for opposition**

1 A reasoned statement of opposition as referred to in Article 27(2) shall be admissible only if it is received by the Commission within the time limit set out in that Article and if it shows that:

- a the proposed geographical indication does not comply with the definition in point (4) of Article 3 or with the requirements referred to in Article 22;
- b the registration of the proposed geographical indication would be contrary to Article 34 or 35;
- c the registration of the proposed geographical indication would jeopardise the existence of an entirely or partly identical name or of a trade mark or the existence of products which have been legally on the market for at least five years preceding the date of the publication provided for in Article 26(2); or
- d the requirements referred to in Articles 31 and 32 are not complied with.

2 The grounds for opposition shall be assessed in relation to the territory of the Union.

#### *Article 29*

### **Transitional periods for use of geographical indications**

1 The Commission may adopt implementing acts granting a transitional period of up to five years to enable spirit drinks originating in a Member State or a third country, and the name of which contravenes Article 21(2), to continue to use the designation under which they were marketed on condition that an admissible statement of opposition under Article 24(6) or Article 27 shows that the registration of the name would jeopardise the existence of:

- a an entirely identical name or of a compound name, one term of which is identical to the name to be registered; or
- b other names similar to the name to be registered which refer to spirit drinks which have been legally on the market for at least five years preceding the date of the publication provided for in Article 26(2).

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 47(2).

2 Without prejudice to Article 36, the Commission may adopt implementing acts extending the transitional period granted under paragraph 1 up to 15 years, or allowing continued use for up to 15 years in duly justified cases, provided it is shown that:

- a the designation referred to in paragraph 1 has been in legal use consistently and fairly for at least 25 years before the application for protection was submitted to the Commission;
- b the purpose of using the designation referred to in paragraph 1 has not, at any time, been to profit from the reputation of the registered geographical indication; and
- c the consumer has not been nor could have been misled as to the true origin of the product.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 47(2).

3 When using a designation referred to in paragraphs 1 and 2, the indication of the country of origin shall clearly and visibly appear on the labelling.

### *Article 30*

#### **Decision on registration**

1 Where, on the basis of the information available to the Commission from the scrutiny carried out pursuant to the first subparagraph of Article 26(1), the Commission considers that the conditions for the registration of a proposed geographical indication are not fulfilled, it shall inform the Member State or third country applicant concerned of the reasons for rejection and shall give it two months to submit observations. If the Commission receives no observations or if, despite the observations received, it still considers that the conditions for registration are not fulfilled it shall, by means of implementing acts, reject the application unless the application is withdrawn. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 47(2).

2 If the Commission receives no notice of opposition or no admissible reasoned statement of opposition under Article 27, it shall adopt implementing acts, without applying the procedure referred to in Article 47(2), to register the name.

3 If the Commission receives an admissible reasoned statement of opposition, it shall, following the appropriate consultations referred to in Article 27(3), and taking into account the results thereof, either:

- a if an agreement has been reached, register the name by means of implementing acts adopted without applying the procedure referred to in Article 47(2), and, if necessary, amend the information published pursuant to Article 26(2) provided such amendments are not substantial; or
- b if an agreement has not been reached, adopt implementing acts deciding on the registration. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 47(2).

4 Acts of registration and decisions on rejection shall be published in the *Official Journal of the European Union*.

The act of registration shall grant the protection referred to in Article 21 to the geographical indication.

### Article 31

#### **Amendment to a product specification**

1 Any group having a legitimate interest may apply for approval of an amendment to a product specification.

Applications shall describe and give reasons for the amendments requested.

2 Amendments to a product specification shall be classified into two categories as regards their importance:

- a Union amendments requiring an opposition procedure at Union level;
- b standard amendments to be dealt with at Member State or third country level.

3 An amendment shall be considered a Union amendment if it:

- a includes a change in the name or any part of the name of the geographical indication registered under this Regulation;
- b consists of a change of the legal name or the category of the spirit drink;
- c risks voiding the given quality, reputation or other characteristic of the spirit drink that is essentially attributable to its geographical origin; or
- d entails further restrictions on the marketing of the product.

Any other amendments shall be considered standard amendments.

A standard amendment shall also be considered a temporary amendment when it concerns a temporary change in the product specification resulting from the imposition of obligatory sanitary and phytosanitary measures by the public authorities or is linked to natural disasters or adverse weather conditions formally recognised by the competent authorities.

4 Union amendments shall be approved by the Commission. The approval procedure shall follow, *mutatis mutandis*, the procedure laid down in Article 24 and Articles 26 to 30. Applications for Union amendments submitted by a third country or by third country producers shall contain proof that the requested amendment complies with the laws applicable in that third country to the protection of geographical indications.

5 Standard amendments shall be approved by the Member State in whose territory the geographical area of the product concerned is located. As regards third countries, amendments shall be approved in accordance with the law applicable in the third country concerned.

6 The scrutiny of the application for amendment shall only address the proposed amendment.

### Article 32

#### **Cancellation**

1 The Commission may, on its own initiative or at the request of any natural or legal person having a legitimate interest, adopt implementing acts to cancel the registration of a geographical indication in either of the following cases:

- a where compliance with the requirements for the product specification can no longer be ensured;



- b where no product has been placed on the market under the geographical indication for at least seven consecutive years.

Articles 24, 26, 27, 28 and 30 shall apply *mutatis mutandis* to the cancellation procedure.

2 Notwithstanding paragraph 1, the Commission may, at the request of the producers of the spirit drink marketed under the registered geographical indication, adopt implementing acts cancelling the corresponding registration.

3 In the cases referred to in paragraphs 1 and 2, before adopting the implementing act, the Commission shall consult the authorities of the Member State, the authorities of the third country or, where possible, the third country producer which had originally applied for the registration of the geographical indication concerned, unless the cancellation is directly requested by those original applicants.

4 The implementing acts referred to in this Article shall be adopted in accordance with the examination procedure referred to in Article 47(2).

### *Article 33*

#### **Register of geographical indications of spirit drinks**

1 The Commission shall adopt, by 8 June 2021, delegated acts in accordance with Article 46 supplementing this Regulation by establishing a publicly accessible electronic register, which is kept up to date, of geographical indications of spirit drinks recognised under this scheme ('the register').

2 The name of a geographical indication shall be registered in its original script. Where the original script is not in Latin characters, a transcription or transliteration in Latin characters shall be registered together with the name in its original script.

For geographical indications registered under this Chapter, the register shall provide direct access to the single documents and shall also contain the publication reference of the product specification.

For geographical indications registered before 8 June 2019, the register shall provide direct access to the main specifications of the technical file as set out in Article 17(4) of Regulation (EC) No 110/2008.

The Commission shall adopt delegated acts in accordance with Article 46 supplementing this paragraph by laying down further detailed rules on the form and content of the register.

3 Geographical indications of spirit drinks produced in third countries that are protected in the Union pursuant to an international agreement to which the Union is a contracting party may be entered in the register as geographical indications.

### *Article 34*

#### **Homonymous geographical indications**

1 If a name for which an application is submitted is a whole or partial homonym of a name already registered under this Regulation, the name shall be registered with due regard to local and traditional usage and any risk of confusion.

2 A homonymous name which misleads the consumer into believing that products come from another territory shall not be registered even if the name is accurate as far as the actual territory, region or place of origin of those products is concerned.

3 The use of a registered homonymous geographical indication shall be subject to there being a sufficient distinction in practice between the homonym registered subsequently and the name already in the register, having regard to the need to treat the producers concerned in an equitable manner and not to mislead the consumer.

4 The protection of geographical indications of spirit drinks referred to in Article 21 of this Regulation shall be without prejudice to the protected geographical indications and designations of origin of products under Regulations (EU) No 1308/2013 and (EU) No 251/2014.

#### *Article 35*

### **Specific grounds for refusal of protection**

1 A generic name shall not be protected as a geographical indication.

To establish whether or not a name has become a generic name, account shall be taken of all relevant factors, in particular:

- a the existing situation in the Union, in particular in areas of consumption;
- b the relevant Union or national legislation.

2 A name shall not be protected as a geographical indication where, in the light of a trade mark's reputation and renown, protection could mislead the consumer as to the true identity of the spirit drink.

3 A name shall only be protected as a geographical indication if the production steps which give the spirit drink the quality, reputation or other characteristic that is essentially attributable to its geographical origin, take place in the relevant geographical area.

#### *Article 36*

### **Relationship between trade marks and geographical indications**

1 The registration of a trade mark the use of which corresponds or would correspond to one or more of the situations referred to in Article 21(2) shall be refused or invalidated.

2 A trade mark the use of which corresponds to one or more of the situations referred to in Article 21(2), which has been applied for, registered, or established by use, if that possibility is provided for by the legislation concerned, in good faith within the territory of the Union, before the date on which the application for protection of the geographical indication was submitted to the Commission, may continue to be used and renewed notwithstanding the registration of a geographical indication, provided that no grounds for its invalidity or revocation exist under Directive (EU) 2015/2436 of the European Parliament and of the Council<sup>(1)</sup> or Regulation (EU) 2017/1001 of the European Parliament and of the Council<sup>(2)</sup>.

### Article 37

#### **Existing registered geographical indications**

Geographical indications of spirit drinks registered in Annex III to Regulation (EC) No 110/2008 and thus protected under that Regulation shall automatically be protected as geographical indications under this Regulation. The Commission shall list them in the register referred to in Article 33 of this Regulation.

### Article 38

#### **Verification of compliance with the product specification**

1 Member States shall draw up and keep up to date a list of operators that produce spirit drinks with a geographical indication registered under this Regulation.

2 In respect of the geographical indications that designate spirit drinks originating within the Union registered under this Regulation, verification of compliance with the product specification referred to in Article 22, before placing the product on the market, shall be carried out by:

- a one or more competent authorities referred to in Article 43(1); or
- b control bodies within the meaning of point 5 of the second subparagraph of Article 2 of Regulation (EC) No 882/2004, operating as a product certification body.

Where a Member State applies Article 24(2), verification of compliance with the product specification shall be ensured by an authority other than that deemed to be a group under that paragraph.

Notwithstanding the national law of Member States, the costs of such verification of compliance with the product specification may be borne by the operators which are subject to those controls.

3 In respect of the geographical indications that designate spirit drinks originating within a third country registered under this Regulation, verification of compliance with the product specification, before placing the product on the market, shall be carried out by:

- a a public competent authority designated by the third country; or
- b a product certification body.

4 Member States shall make public the names and addresses of the competent authorities and bodies referred to in paragraph 2, and update that information periodically.

The Commission shall make public the name and address of the competent authorities and bodies referred to in paragraph 3 and update that information periodically.

5 The control bodies referred to in point (b) of paragraph 2 and the product certification bodies referred to in point (b) of paragraph 3 shall comply with and be accredited in accordance with European standard ISO/IEC 17065:2012 or any applicable future revision or amended version thereof.

6 The competent authorities referred to in paragraphs 2 and 3 that verify compliance of the geographical indication protected under this Regulation with the product specification shall be objective and impartial. They shall have at their disposal the qualified staff and resources necessary to carry out their tasks.

### Article 39

#### **Surveillance of the use of names in the market place**

1 Member States shall carry out checks, based on a risk analysis, as regards the use, in the market place, of the geographical indications registered under this Regulation and shall take all necessary measures in the event of breaches of the requirements of this Chapter.

2 Member States shall take appropriate administrative and judicial steps to prevent or stop the unlawful use of the names of products or services that are produced or marketed in their territory and that are covered by geographical indications registered under this Regulation.

To that end, Member States shall designate the authorities that are responsible for taking those steps, in accordance with procedures determined by each individual Member State.

Those authorities shall offer adequate guarantees of objectivity and impartiality, and shall have at their disposal the qualified staff and resources necessary to carry out their tasks.

3 Member States shall inform the Commission of the names and addresses of the competent authorities responsible for controls as regards the use of names in the market place, and designated in accordance with Article 43. The Commission shall make public the names and addresses of those authorities.

### Article 40

#### **Procedure and requirements, and planning and reporting of control activities**

1 The procedures and requirements laid down in Regulation (EC) No 882/2004 shall apply *mutatis mutandis* to the checks provided for in Articles 38 and 39 of this Regulation.

2 Member States shall ensure that activities for the control of obligations under this Chapter are specifically included in a separate section within the multi-annual national control plans in accordance with Articles 41 to 43 of Regulation (EC) No 882/2004.

3 The annual reports referred to in Article 44(1) of Regulation (EC) No 882/2004 shall include in a separate section the information referred to in that provision concerning the control of the obligations established by this Regulation.

### Article 41

#### **Delegated powers**

1 The Commission is empowered to adopt delegated acts in accordance with Article 46 supplementing this Regulation by setting out further conditions to be followed, including in cases where a geographical area includes more than one country, in respect of:

- a an application for the registration of a geographical indication as referred to in Articles 23 and 24; and
- b preliminary national procedures as referred to in Article 24, scrutiny by the Commission, the opposition procedure, and the cancellation of geographical indications.

2 The Commission is empowered to adopt delegated acts in accordance with Article 46 supplementing this Regulation by establishing conditions and requirements for the procedure concerning the Union amendments and standard amendments, including temporary amendments, to product specifications as referred to in Article 31.

#### *Article 42*

### **Implementing powers**

- 1 The Commission may adopt implementing acts laying down detailed rules concerning:
  - a the form of the product specification referred to in Article 22, and measures on the information to be provided in the product specification with regard to the link between the geographical area and the final product as referred to in point (f) of Article 22(1);
  - b the procedures for, form and presentation of, oppositions as referred to in Articles 27 and 28;
  - c the form and presentation of applications for Union amendments and of communications concerning standard and temporary amendments as referred to in Article 31(4) and (5) respectively;
  - d the procedures for and form of the cancellation process referred to in Article 32, as well as on the presentation of the requests for cancellation; and
  - e the checks and verifications to be carried out by the Member States, including testing, as referred to in Article 38.
- 2 The Commission shall adopt, by 8 June 2021, implementing acts laying down detailed rules concerning the procedures for, form and presentation of, applications as referred to in Articles 23 and 24, including for applications concerning more than one national territory.
- 3 The implementing acts referred to in paragraphs 1 and 2 shall be adopted in accordance with the examination procedure referred to in Article 47(2).

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**Status:** This is the original version (as it was originally adopted).

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- (1) Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 to approximate the laws of the Member States relating to trade marks (OJ L 336, 23.12.2015, 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).