



**Call for expression of interest for the Post of Member of the Board of Appeal of the Community
Plant Variety Office (CPVO)**

(C/2025/4926)

AIM: TO MAKE A LIST OF 30 QUALIFIED CANDIDATES

1. DESCRIPTION OF THE OFFICE AND ITS BOARD OF APPEAL

The Community Plant Variety Office, hereinafter called 'the Office' or 'the CPVO', was established by Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights ⁽¹⁾ (hereinafter 'the Basic Regulation').

The purpose of the Office, an EU Agency with legal personality, which has administrative and financial autonomy, is to administer the Community Plant Variety Rights system, a specific type of industrial property right for new plant varieties. In particular, the Office has to take decisions on applications for the grant of such rights, which guarantee uniform protection throughout the European Union. The Office is based in Angers, France.

Article 45 of the Basic Regulation establishes a Board of Appeal for the purpose of deciding on appeals from the decisions referred to in Article 67 of the same Regulation, inter alia, on the grant or refusal, objections to applications, nullities, or cancellations of Community Plant Variety Rights.

The Board of Appeal consists of a Chairman, a Rapporteur, another member, and their respective alternates. The Board of Appeal shall consist of technically and legally qualified members.

2. DESCRIPTION OF TASKS

The member selected shall exercise the powers conferred on the Board of Appeal.

The tasks of a member of the Board of Appeal shall in particular include the following:

- Examine and decide on appeals in an independent and impartial manner.
- Respect legal principles and rules in the proceedings.
- Rule on admissibility and well-foundedness of appeals.
- Participate in oral hearings and draft decisions on appeals in a timely and thorough manner.

More information on the Board of Appeal can be found at:

<https://cpvo.europa.eu/en/about-us/law-practice/board-appeal>

3. SELECTION AND APPOINTMENT

Under the terms of the Basic Regulation, the Administrative Council of the CPVO will decide on the appointment of the members of the Board of Appeal on the basis of a list of qualified candidates proposed by the President of the CPVO.

The purpose of this call for expression of interest is to allow the President of the CPVO to establish a list of legally and technically qualified candidates to be proposed to the Administrative Council.

The President of the CPVO will set-up a selection panel for the selection process. The panel will invite to an interview the candidates with the most qualified profiles, selected on the basis of their merits and the criteria set below.

Following this interview, the President of the CPVO will adopt a short-list of candidates which will be presented to the Administrative Council. The latter will appoint members of the Board of Appeal from the said list, for a period of five years renewable, starting on **23 February 2026**.

The number of legally and technically qualified members shall not exceed **30**. In an attempt to achieve geographical balance, individuals from all Member States are encouraged to present themselves as candidates.

⁽¹⁾ OJ L 227, 1.9.1994, p.1.

4. CONDITIONS OF EMPLOYMENT

The member may continue his/her professional activities. The Staff Regulations of Officials and Conditions of Employment of other servants of the European Union (the 'Staff Regulations') do not apply to the members of the Board of Appeal (Articles 31 and 47 of the Basic Regulation) who are not already employed as servants of the European Union.

1. The member will be appointed from the adopted list of qualified members by the Chairman of the Board of Appeal, as and when necessary, so that the Board consists of the three members required.
2. The member, who will have given their acceptance to the appointment, will perform their assignment for the Board of Appeal. The availability required is of at least 10 days per calendar year.

By decision of the Administrative Council of the CPVO of 19 September 2019:

1. EU civil servants in active service within an EU Institution, Agency, Body, Authority who are appointed to act on the CPVO Board of Appeal, are not allowed to be in receipt of remuneration from other EU Institutions, but only reimbursement of mission costs, as per the Staff Regulations. To this end, it is appropriate that the assignment to serve on the CPVO Board of Appeal is agreed with their EU Institution or Agency.

The CPVO may enter into a service level agreement (SLA) or Memorandum of Understanding (MoU) with an EU Institution or an EU Agency to regulate the conditions on costs (including mission costs) for its staff to serve on the CPVO Board of Appeal.

2. The remuneration of the members of the Board of Appeal who are not EU civil servants shall vary according to the performance in the assignment and the role in which the member has participated and shall be as follows:

(EUR)

| | Remuneration per actual day of work (1 day/8 hours) | Maximum remuneration per one appeal |
|--------------|--|-------------------------------------|
| Chairperson | 500 | 7 500 |
| Rapporteur | 400 | 6 000 |
| Other member | 300 | 4 500 |

3. In addition to the said remuneration, members of the Board of Appeal will be in receipt of:
 - a) Travel and living expenses in accordance with the latest Rules regarding the reimbursement of experts coming to CPVO meetings or travelling on behalf of the CPVO to meetings.
 - b) One additional day of work for travelling time to and from Angers, provided the oral hearing actually takes place and travelling time spent takes more than an hour. In case of several cases examined by the Board of Appeal over one or several consecutive days, only one additional day for travelling time shall be given.

5. ELIGIBILITY CRITERIA

Candidates must:

- Be a national of a Member State of the European Union.
- Have thorough knowledge of one of the EU official languages and satisfactory knowledge of one other EU official language. A good knowledge of English would be an advantage.

Candidates must fulfil the formal requirements stated below on the closing date of the application:

- Either (a) successful completion of a full course of university studies in law, or agronomy, horticulture, botany, agriculture, or related subject attested by a degree where the normal duration of university education is 4 years or more giving access to undertake postgraduate studies; or (b) successful completion of a full course of university studies in law or agronomy, horticulture, botany, agriculture, or related subject attested by a degree where the normal duration of university education is 3 years, and an additional year of relevant professional experience.
- Either (a) be legally qualified and have proven experience in the field of intellectual property; experience in the field of plant variety rights would be an advantage; or (b) be a qualified botanist or agronomist with proven experience in the field. Familiarity with the UPOV guidelines and DUS technical examinations would be an advantage.
- A minimum of 10 years professional experience acquired following the award of the university degree or the degree and the experience mentioned above.

Candidates should have:

- The ability to make decisions and work collegially with others.
- Good oral and written communication skills.

The following will be an asset:

- Familiarity with the UPOV guidelines and DUS technical examinations.
- Judicial work, including drafting decisions.
- Working in a collegial body.
- Working in a multicultural and multilingual environment.
- Knowledge of official languages of the European Union other than those corresponding to the fulfilment of the eligibility criteria.

6. INDEPENDANCE AND DECLARATION OF INTERESTS

Pursuant to Article 47(3) and (4) of the Basic Regulation, the members of the Board of Appeal shall be independent. In making their decisions, they shall not be bound by any instructions. They shall not be members of the Committees referred to in Article 35 of the Basic Regulation, nor perform any other duties in the Office.

Upon application to become members of the CPVO Board of Appeal in reply to the CPVO call for expression of interest, candidates are required to sign a general declaration of absence of conflict of interest (See *Annex-Model declaration of independence for Board of Appeal members to sign*).

Pursuant to Article 48 of the Basic Regulation, the members of the Board of Appeal may not take part in any appeal proceedings if they have any personal interest therein, if they have previously been involved as representatives of one of the parties to proceedings or if they have participated in the decision under appeal. The members of the Board of Appeal, upon designation in given appeal proceedings, should inform in writing the Board of Appeal in case of doubt about a potential conflict of interest, and the latter shall decide on the action to be taken.

7. SUBMISSION OF APPLICATIONS

The application and a detailed *curriculum vitae* in English (EU format) should be sent before midnight **on 20 October 2025 at the latest** to the following address:

appealproceedings@cpvo.europa.eu

with subject: 'MEMBER OF THE BOARD OF APPEAL – APPLICATION – CONFIDENTIAL'.

Certified copies of degrees/diplomas, references, proof of experience, etc. should *not* be sent at this point but must be submitted at a later stage of the procedure, if requested.

Failure to submit all documents specified above within the relevant deadline will automatically result in the rejection of the application.

Further information may be obtained by email at appealproceedings@cpvo.europa.eu

8. **EQUAL OPPORTUNITIES**

The European Union institutions and other bodies apply a policy of equal opportunities and accept applications without distinction on the grounds of sex, race, colour, ethnic or social origin, genetic features, language, religion, political or any other opinion, membership of a national minority, property, birth, disability, age, or sexual orientation.

9. **PROTECTION OF PERSONAL DATA**

The CPVO will ensure that the personal data of candidates are processed as required by Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC ⁽³⁾. This applies in particular to the confidentiality and security of such data. For more information, please consult the Privacy Statement on appointing members of the CPVO Board of Appeal.

⁽³⁾ OJ L 295, 21.11.2018, p. 39.

ANNEX

Model declaration of independence for Board of Appeal members

Name and address:

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I hereby declare that I am not linked in any way to a private company or any person having professional activities involved in proceedings before the Community Plant Variety Office.

I commit to act independently, in the public interest, and to make an immediate declaration in respect of any interest, which might be considered prejudicial to my independence.

I undertake to treat in the strictest confidence and not make use of or divulge to third parties any information or documents which are linked to performance of my tasks as a member of the CPVO Board of Appeal. I understand that I am responsible for maintaining the confidentiality of any documents or electronic files received or prepared in this framework.

I am aware that I continue to be bound by this undertaking after the completion of my tasks as a member of the CPVO Board of Appeal.

I also declare that I am hereby informed that the present declaration will be kept on file by the secretariat of the Board of Appeal during the term of my appointment as a member of the CPVO Board of Appeal and of my right, in pursuance to Articles 11 and 12 of Regulation (EU) 2018/1725 of the European Parliament and of the Council, to access and rectify the present declaration by addressing a communication to dpo@cpvo.europa.eu and the Board of Appeal Registrar, and to have recourse at any time to the European Data Protection Supervisor.

Date and signature:
