

08 January 2024

VACANCY NOTICE

Reference: CPVO/2023/TA/02

Open position: Selection procedure for Legal Advisors AD 5 (TA2f) in two profiles: Intellectual Property (Profile A) and International Relations & CPVR Registry Affairs (Profile B).

1. The CPVO

The Community Plant Variety Office (CPVO) is an independent EU Agency that was established by Council Regulation (EC) No 2100/94 on 27 July 1994. The CPVO is responsible for the management of the Community Plant Variety Rights System. This system provides protection with an intellectual property right for new plant varieties on European Union level. The mission of the CPVO is to deliver and promote an efficient Intellectual Property Rights system that supports the creation of new plant varieties for the benefit of Society.

2. The position

2.1. Profile

The CPVO wishes to recruit highly motivated and well qualified staff members who, under the authority of the Head of the Legal & Governance Affairs Unit, may be supporting the Unit and the Office in one of the two profiles described below. The agent must possess a law degree with knowledge in IP law. The agent must have a very good command of English (both oral and written) as most of the communication as well as the majority of the documents are drafted in that language.

Two reserve lists will be established in total: One for Profile A and one for Profile B described below.

These functions are aligned with the CPVO Strategic Plan 2022-2026 accessible [here](#).

2.2. Duties

The Legal & Governance Affairs Unit of the CPVO provides legal advice and support to the President and to the other Units and services of the Office on all aspects of the Office's work and infrastructure.

In this respect, the main tasks of the agent for the different profiles shall be:

Profile A: Legal Advisor – Intellectual Property

- Providing legal advice in relation to any of the application, grant, objection, nullity, cancellation, appeal and Court of Justice proceedings.
- Providing legal advice on Plant Variety Rights (PVR) legislation and any other legal-related matters.
- Drafting written pleadings and other procedural documents in relation to CPVR proceedings.
- Defending the Agency's position in the Board of Appeal cases or in front of the EU Courts.

- Drafting and/or reviewing decision templates, operational procedures, implementing rules, guidelines and internal administrative instructions.
- Verifying the legal correctness of decisions, opinions, and positions of the Office.
- Contributing to the development of databases such as the case-law database.
- Providing support in dealing with requests for public access to documents and confirmatory requests.
- Legal research, analysis, and follow-up of case-law in the field of IP law.
- Representing the Office before, and maintain contact with, various local, national, EU and international institutions, as well as dealing with applicants and their procedural representatives.

Profile B: Legal Advisor for International Relations & CPVR Registry Affairs

- Analysing, preparing and drafting briefing and background notes, reports, terms of reference, legislative texts, guidelines, policy papers, studies, reports, presentations, and other complex texts relating to the activities of the Unit/Agency, in particular IP Law. Draft
- Support the preparation, the coordination and the implementation of EU funded projects/initiatives in close cooperation with the funding of EU-Institution/s, EU Agencies, international organizations, EU Member States, relevant stakeholders and potential third country beneficiaries; Draft working arrangements and cooperation plans and support the negotiations leading to agreements.
- Developing dialogue and strategic cooperation with the Agency's external partners
- Where requested and in cooperation with other Units or services, support the organization and participate in conferences, project coordination meetings, expert meetings, workshops, visits, high level meetings, seminars in the related cooperation fields by conceptualising and implementing the objectives of these activities
- Oversee and coordinate legal document certification
- Strategic processing and management of CPVR applications and titles to ensure that they meet all legal requirements, ensuring that Registry's records are accurate and up-to-date
- Develop and implement access to documents control Policies
- Managing and monitoring projects, and monitor subsequent implementation, evaluation and dissemination of results
- Performing other tasks assigned by the Head of Unit or direct supervisor and related to the Unit/Office's activities



3. Qualifications & experience required

3.1. Formal requirements equal for Profile A and B

To be considered eligible for selection, the applicant must meet by the closing date of this call, the following formal requirements:

- Completed university studies of at least 3 years attested by a diploma relevant to the post;
- Be a national of a Member State of the European Union¹;
- Have a thorough knowledge of one of the languages of the European Union² and a satisfactory knowledge of another;
- Entitlement to full rights as a citizen³;
- Have fulfilled any obligations imposed by national laws concerning military service;
- Be physically fit to perform duties linked to the post⁴.

3.2. Selection criteria

If the candidate meets the formal requirements set out above, he/she will be assessed in view of a selection for an interview and written tests on the basis of the following criteria for Profile⁵ A and B:

3.2.1. Essential criteria for Profile A - Legal Advisor – Intellectual Property

Specific Knowledge

- The academic qualifications and their relevance to the tasks listed in section “duties” for **Profile A** above.
- Ability to draft complex legal texts in English (decisions, pleadings, opinions etc.) as well as to communicate orally in that language.
- Knowledge in the field of Intellectual Property Rights certified by a specialization acquired by a postgraduate academic Master’s Degree in Intellectual Property Law awarded by European and/or international universities or colleges.
- Proficiency with the suite of M365 tools, in particular Excel, Outlook, PowerPoint, Word

¹ The Member States of the European Union are: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, The Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden.

² Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, Irish, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish.

³ Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, Irish, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish.

⁴ Before the appointment, the successful candidate shall be medically examined by one of the institutions’ medical officers in order that the CPVO may be satisfied that he/she fulfills the requirement of article 82 point 3(d) of the Conditions of Employment of Other Servants of the European Communities

⁵ **Important:** Candidates must identify in the CV and Motivation Letter the profile(s) they are applying for



Competencies

- *Self-management*, Capacity to work autonomously, sense of initiative and pay attention to details, excellent time management.
- *Working with others*, Teamwork and capacity to work effectively in cooperation with colleagues with different backgrounds (technical, IT, legal) and capacity to work in a multicultural environment.
- *Adaptability & Resilience*, under pressure, change or stress, demonstrates the ability to remain productive and effective and/or overcome difficulties.
- *Organisation & Prioritisation*, organises and plans own work to ensure business continuity and be ready for unpredictable/unforeseen requests that may occur.
- *Stakeholders and service focus*, possesses the ability to provide adequate solutions for stakeholders depending on their needs under a service-oriented attitude.
- *Powerful Communication*, Strong communication skills both written and oral, interpersonal and diplomatic skills with ability to communicate and liaise effectively, orally and in writing, at all levels within the Agency and with external parties.

Languages

- Excellent command of English both written and oral and good communication skills in any of the following languages: German, Dutch, Spanish or French.

Advantageous

- Knowledge of patent law and patent practice with a particular focus on biotechnologies
- Experience in the field of plant variety rights
- Experience in litigation in the domain of Intellectual Property Law, both in specialized Law Firms or other IP Institutions/EU Agencies.
- Experience in EU Law.
- Experience in proceedings for access to documents and/or in data protection.
- Knowledge of relevant databases such as e-Curia or any other IT tools for the management of legal proceedings, procedural documents, and registries.
- Ability to communicate effectively in any other EU official language as indicated in the application form.

3.2.2. Essential criteria for Profile B – Legal Advisor for International Relations & CPVR Registry Affairs

Specific Knowledge

- The academic qualifications and their relevance to the tasks listed in section “duties” for **Profile B** above.
- Ability to draft complex legal texts in English (decisions, reports, opinions etc.) as well as to communicate orally in that language.
- Knowledge in the field of Intellectual Property Rights certified by a specialization acquired by a postgraduate academic Master’s Degree in Intellectual Property Law awarded by European and/or international universities or colleges.



- Proficiency with the suite of M365 tools, in particular Excel, Outlook, PowerPoint, Word
- Knowledge on management of registry and/or data bases, as well as project management to optimize the registration process, with the aim of enhancing efficiency and users' experience under a continuous improvement approach.
- Knowledge on management of international cooperation projects
- Knowledge of implementation and monitoring of projects described under the section "duties" for Profile B

Competencies

- *Self-management*, Capacity to work autonomously, sense of initiative and pay attention to details, excellent time management.
- *Working with others*, Teamwork and capacity to work effectively in cooperation with colleagues with different backgrounds (technical, IT, legal) and capacity to work in a multicultural environment.
- *Adaptability & Resilience*, under pressure, change or stress, demonstrates the ability to remain productive and effective and/or overcome difficulties.
- *Organisation & Prioritisation*, organises and plans own work to ensure business continuity and be ready for unpredictable/unforeseen requests that may occur.
- *Stakeholders and service focus*, possesses the ability to provide adequate solutions for stakeholders depending on their needs under a service-oriented attitude.
- *Powerful Communication*, Strong communication skills both written and oral, interpersonal and diplomatic skills with ability to communicate and liaise effectively, orally and in writing, at all levels within the Agency and with external parties.

Languages

- Excellent command of English both written and oral and good communication skills in any of the following languages: German, Dutch, Spanish or French.

Advantageous

- Experience in the field of plant variety rights
- Experience in EU Law
- Experience in proceedings for access to documents and/or in data protection.
- Knowledge of relevant databases such as e-Curia or any other IT tools for the management of legal proceedings, procedural documents and registries.
- Ability to communicate effectively in any other EU official language as indicated in the application form.



4. Selection procedure

Important:

Candidates must clearly identify in their CV and Motivation Letter the profile to which they are applying.

If candidates apply for Profile A **and** B and the candidate is pre-selected for both, they will be invited to the interview and written test for both profiles.

Application will be excluded if the candidate fails to identify the profile(s) to which they are applying.

The selection procedure includes the following steps:

- Only duly completed applications submitted electronically within the deadline will be taken into consideration;
- Each duly completed application will be examined with a view to establishing that the candidate meets all eligibility criteria;
- Eligible applications will be evaluated by the appointed Selection Committee based on selection criteria defined in this vacancy notice. Depending on the number of applications received, the Selection Committee may apply stricter requirements within the selection criteria noted above;
- The best-admissible candidates will be short-listed for interview and written tests;
- Interviews and written tests will be in English and by Visioconference;
- Candidates will be required to sit a written examination to test the knowledge specific to the post and there will be a computer-based testing to test general skills;
- During the interviews, the Selection Committee will examine the candidates' profiles and assess their relevancy for the post in question;
- Before or on the day of interviews candidates will be requested to present copies of documents detailing citizenship, studies and professional experience, in particular:
 - a copy of their identity card, passport or other official document specifying citizenship;
 - a copy of their diploma certifying the required level of academic qualifications;
 - documentary evidence of professional experience, clearly indicating starting and finishing dates.

Copies of these documents will be retained by the CPVO.

- The interviews are held by Visioconference and for that reason copies of these documents will be requested by email.
- If at any stage of the procedure, it were established that information in the application has been knowingly falsified, the candidate shall be disqualified from the selection process.
- The Selection Committee will place the most suitable eligible candidates⁶ on a draft reserve list. This draft will be submitted to the Appointing Authority (AIPN) for approval. The adopted reserve list will be valid for 24 months. The validity of this list may be extended.
- Each candidate will be informed by email whether or not s/he has been placed on the reserve list. However inclusion of candidates on the reserve list does not guarantee recruitment.
- Prior to being offered a post, candidates on a reserve list may be required to undergo further evaluation by the CPVO (e.g. a second interview with the President and /or senior management of the CPVO).
- Inclusion on a reserve list does not imply any entitlement to employment in the CPVO.
- The AIPN (the President of the CPVO) will appoint the selected jobholder from the reserve list, taking into account the establishment of a gender balanced, geographically diverse organisation.

⁶ On the basis of the criteria listed under point 3 above



Please note that:

- The internal proceedings of the Selection Committee are confidential and any contact with its members is strictly forbidden. Soliciting on behalf of a candidate can lead to immediate disqualification.
- For applications to be valid, candidates must be made through the CPVO electronic recruitment portal, which can be found on the CPVO web site: <http://www.cpvo.europa.eu/main/en/home/about-the-cpvo/vacancies>
- Applicants are requested not to attach any supporting documents at this stage, e.g. copies of ID cards, diplomas, evidence of previous professional experience, etc. Only candidates invited to an interview will be asked to present copies of these documents for verification. Applications will not be returned to candidates but will be kept on file by the CPVO in line with its data protection guidelines.
- Incomplete applications will automatically be excluded from the selection procedure.
- The time span between the closing date for the submission of applications and the end of the process to short list candidates for the interview may take several weeks.

5. Conditions of employment

The successful candidate will be offered a contract in grade AD5 under Article 2f of to the Conditions of Employment of Other servants of the European Communities, subject to a nine-month probation period. The duration of the contract will be four years and may be renewed not more than once for a fixed period.

The place of employment is Angers (France), where the CPVO is based. For reasons related to the CPVO's operational requirements, the chosen candidate will be expected to be available at short notice.

The job holder shall work in a multicultural environment where social dialogue between management and staff is regarded as vital. The CPVO is fully computerised and working time is based around flexitime and core working hours. The normal working week is 40 hours. The jobholder is expected to start **as soon as possible**.

Work-life balance

We offer flexible working arrangements: CPVO allows its staff to work within a perimeter of 350 km and 4 hours of car from Angers, while respecting the provisions applicable to its working conditions.

Teleworking from abroad it is also possible, with a maximum of days established per year, aiming at helping our staff manage their personal and professional commitments effectively.

For more information about our working conditions and why join the CPVO candidates can consult our career page ([here](#)).

6. Remuneration

Successful applicants who are offered a contract of employment will, on their entry into service, be placed in step 1 or step 2 of the AD 5 grade, according to the length of their professional experience. The basic net monthly salaries for Temporary Agents in grade AD 5, as of 1 January 2023, are:

- Step 1: € 4 987,57 (without expatriation allowance) and € 5 996,16 (with expatriation allowance)
- Step 2: € 5 174,78 (without expatriation allowance) and € 6 225,76 (with expatriation allowance)



In addition to the basic salary, staff members may be entitled to various allowances, in particular expatriation allowance, household allowance, dependent child allowance and education allowance. The applicable step and gross basic salary could be higher depending on the length of experience of the chosen candidate. Salaries are subject to tax at source but are exempt from national taxation. Deductions are also made for medical insurance, pension and unemployment insurance. Please note that the correction coefficient weighting for France is currently equal to 116,8.

7. Independence & declarations of interest

The job holder will be required to enter into a commitment to act independently in the public interest and to make complete declarations of any direct or indirect interests that might be considered prejudicial to his/her independence. Candidates must confirm their willingness to do so in their application.

8. Equal opportunities

CPVO is an equal opportunities employer and accepts applications without distinction on the grounds of sex, racial or ethnic origin, religion or belief, age or sexual orientation, marital status or family situation. All applicants to selection procedures will be given an equal opportunity to demonstrate their abilities. The staff members are recruited on the broadest possible geographical basis from among nationals of all Member States of the European Union.

9. Closing date for applications: 2 February 2024.

10. Starting date: as soon as possible.

11. Review-Appeal-Complaints

Applicants who consider that they have grounds for complaint concerning a particular decision may, at any point in the selection procedure, request further details regarding said decision from the Chair of the Selection Board, instigate and appeal procedure or file a complaint with the European Ombudsman. Since the Staff Regulations apply to selection procedures, please note that all proceedings are confidential. If at any stage of this selection procedure applicants consider that their interests have been prejudiced by a particular decision, they may take the following action:

11.1. Requests for further information or for review

Send a letter requesting further information or a review and stating your case to:

For the attention of the Chair of the Selection Board

CPVO/2023/TA/02

CPVO/OCVV

3 Boulevard du Maréchal Foch

CS 10121

F-49101 Angers CEDEX 2



within a month of being notified the decision regarding the selection procedure. The Selection Board will send a reply as soon as possible and not later than within a month.

11.2. Appeal procedures

Lodge a complaint under Article 90(2) of the Staff Regulations of Officials of the European Union, at the following address:

For the attention of the Chair of the Selection Board

CPVO/2023/TA/02

CPVO/OCVV

3 Boulevard du Maréchal Foch

CS 10121

F-49101 Angers CEDEX 2

The time limit for initiating this type of procedure (see Staff Regulations as last amended by Council Regulation (EC, Euratom) No 1023/2013 (OJ L 287 of 29 October 2013 p.15 – <http://www.europa.eu/eur-lex>) starts to run from the time applicants are notified of the act allegedly prejudicing their interests.

Please note that the Appointing Authority does not have the power to amend the decisions of a Selection Board. The Court has consistently held that the wide discretion enjoyed by the Selection Board is not subject to review by the Court unless the rules which govern the proceedings of the Selection Board have clearly been infringed.

11.3. Complaints to the European Ombudsman

Like all citizens of the European Union, applicants can make a complaint to the:

European Ombudsman

1 avenue du Président-Robert-Schuman – BP 403

67001 STRASBOURG CEDEX

France

under Article 228 of the Treaty on the Functioning of the European Union and in accordance with the conditions laid down in Decision 94/262/ECSC, EC, Euratom of the European Parliament of 9 March 1994 on the regulations and general conditions governing the performance of the Ombudsman's duties (OJ L 113 of 4 May 1994, p. 15) and amended by its decisions of 14 March 2002 (OJ L 92 of 9 April 2002, p. 13) and 18 June 2008 (OJ L 189 of 17 July 2008, p. 25).

Please note that complaints made to the Ombudsman have no suspensive effect to the period laid down in Articles 90(2) and 91 of the Staff Regulations for lodging complaints or for submitting appeals to the Civil Service Tribunal under Article 270 of the Treaty on the Functioning of the European Union. Please note also that, under Article 2(4) of the general conditions governing the performance of the Ombudsman's duties, any complaint lodged with the Ombudsman must be preceded by the appropriate administrative approaches to the institutions and bodies concerned.



12. Protection of personal data

The Community Plant Variety Office (as the body responsible for organising the selection procedure) will ensure that applicants' personal data are processed in line with Regulation (EU) N° 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, officers and agencies and on the free movement of such data (repealing Regulation (EC) N° 45/2001 and Decision N° 1247/2002/EC). This applies in particular to the confidentiality and security of such data. For further information on Data Protection at the CPVO, please refer to the dedicated page on the website ([Data protection | CPVO \(europa.eu\)](#)), or contact dpc@cpvo.europa.eu.

