

ANNEX to Clause 25 of the EOTA INTERNAL REGULATIONS

**Logo of EOTA and Regulations governing
the use of the trademark EOTA**

Version November 2019

Logo of EOTA



Regulations governing the use of the Trademark EOTA

1) Name and address of the holder

EOTA (European Organisation for Technical Assessments)
Avenue des Arts 40
1040 Brussels

2) Aim of the association (Article 1 of the Statutes)

“1.1 The name of the Organisation is ‘European Organisation for Technical Assessment’ (Organisation Européenne pour l’évaluation technique) abbreviated as ‘EOTA’ (hereinafter referred to as EOTA).

1.2 EOTA was initially established as ‘European Organisation for Technical Approvals’ under the provisions of the EC-Council Directive of December 21, 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products (89/106/EEC-Official Journal of the European Communities L40 of 11/02/1989).

1.3 EOTA is the organisation for technical assessment according to Article 31 of the CPR.

1.4 Reference in the Statutes or in the Internal Regulations to the CPR shall be construed as reference to the corresponding provisions of the Directive 89/106/EEC as regards the transitional period and provisions in order to ensure the proper use of the assessment procedures and guidelines produced by EOTA before July 1, 2013 (Article 66 CPR).

1.5 This organisation is subject to the provisions of Title III of the Belgian law of June 27, 1921 on the non-profit making associations, the international non-profit making associations and the foundations.”

3) Bodies representing the association (Article 4 of the Statutes)

“4.1 EOTA consists of the following organs:

- the General Assembly,
- the Executive Board and
- the Technical Board”

All organs are described separately and in detail hereinafter.

4.2 EOTA has 4 officers, namely a President, a Treasurer, a Chair of its Technical Board and a Secretary General, whose duties are described hereinafter.”

4) Membership conditions (extract of Article 5 of the Statutes)

“5.1 The General Assembly of EOTA shall, based on a written demand to EOTA, accept as members all ‘Technical Assessment Bodies’ (hereinafter referred to as TABs) meeting the following cumulative criteria:

- The body has been designated by the respective Member State (in the context of these Statutes a Member State of the European Union, another state being member of the European Economic Area, or a state which is entitled to designate a Technical Assessment Body based on a relevant agreement with the European Union) according to Article 29 of the CPR and complies with all requirements set forth in Article 30 of the CPR and the related annexes (Annex IV, Table 2); and
- The body has accepted in writing and guaranties to comply with the Statutes and the Internal Regulations of EOTA by way of signing the Membership Commitment.

5.2 At any time, each Member State has the right to choose, amongst the TABs which have been designated by this Member State and that comply with the criteria as set forth in Article 5.1, a Spokesbody.

If the Member State has not chosen a Spokesbody, the designated TABs of this Member State should choose a Spokesbody. In case there is only one designated TAB in a Member State, that TAB automatically becomes the Spokesbody for that Member State.

The Spokesbody is responsible to coordinate the positions of the TABs of the respective Member State for the purpose of decisions in the General Assembly and the Technical Board.”

5) Persons allowed to use the mark

As EOTA is constituted of bodies (organizations and institutions), no private person can use the mark.

The mark can therefore only be used by the secretariat of EOTA itself, by all members of EOTA designated in accordance with the relevant Article 5 of the statutes and by organizations mandated by EOTA to this effect (e.g. organizers from conferences in which representatives of EOTA participate, after having received thereto the authorisation).

6) Conditions of use and sanctions

The logo of EOTA or any reference to it as a mark might exclusively be used by EOTA itself or by one of its members or by third parties mandated specifically thereto by EOTA. It might be used by the members of EOTA, in particular for all form of publications, communications and presentations which refer to their membership of EOTA. It might in particular be used in the ETAs they issue and in translations of EADs they are responsible for, whereas EOTA remains the sole proprietor.

In case of misuse by third parties, legal procedures will be initiated by EOTA with respect to the damage caused by the misuse to the reputation of EOTA or its members.