

many. Where the damage is caused by the branch at The Hague or a sub-office or employees attached thereto, the provisions of the law of the Contracting State in which such branch or sub-office is located shall apply.

(3) The personal liability of the employees of the European Patent Office towards the Organisation shall be laid down in their Service Regulations or conditions of employment.

(4) The courts with jurisdiction to settle disputes under paragraphs 1 and 2 shall be:

- (a) for disputes under paragraph 1, the courts of competent jurisdiction in the Federal Republic of Germany, unless the contract concluded between the parties designates the courts of another State;
- (b) for disputes under paragraph 2, either the courts of competent jurisdiction in the Federal Republic of Germany, or the courts of competent jurisdiction in the State in which the branch or sub-office is located.

CHAPTER III

The European Patent Office

Article 10

Direction

(1) The European Patent Office shall be directed by the President who shall be responsible for its activities to the Administrative Council.

(2) To this end, the President shall have in particular the following functions and powers:

- (a) he shall take all necessary steps, including the adoption of internal administrative instructions and the publication of guidance for the public, to ensure the functioning of the European Patent Office;
- (b) in so far as this Convention contains no provisions in this respect, he shall prescribe which transactions are to be carried out at the European Patent Office at Munich and its branch at The Hague respectively;

Er skaden forvoldt af afdelingen i Haag eller af et afdelingskontor eller af dertil knyttede ansatte, finder lovgivningen i den kontraherende stat, i hvilken afdelingen eller afdelingskontoret er beliggende, anvendelse.

3) De ved Den europæiske Patentmyndighed ansattes personlige ansvar over for Organisationen fastsættes i deres tjenestereglement eller i de for dem gældende ansættelsesbetingelser.

4) Tvister i henhold til stk. 1 og stk. 2 henhører under følgende retter:

- a) for så vidt angår tvister i henhold til stk. 1, den kompetente ret i Forbundsrepublikken Tyskland, medmindre der i den mellem parterne afsluttede kontrakt er valgt en ret i en anden stat;
- b) for så vidt angår tvister i henhold til stk. 2, enten den kompetente ret i Forbundsrepublikken Tyskland eller den kompetente ret i den stat, i hvilken afdelingen eller afdelingskontoret er beliggende.

KAPITEL III

Den europæiske Patentmyndighed

Artikel 10

Ledelse

1) Ledelsen af Den europæiske Patentmyndighed påhviler præsidenten, der over for Administrationsrådet er ansvarlig for myndighedens virksomhed.

2) Med dette formål for øje har præsidenten særlig følgende opgaver og beføjelser:

- a) han træffer alle de fornødne foranstaltninger til sikring af Den europæiske Patentmyndigheds funktion, herunder udfærdigelse af interne administrative bestemmelser og offentliggørelse af vejledninger til offentligheden;
- b) i det omfang denne konvention ikke indeholder bestemmelser herom, fastlægger han, hvilke sager der skal behandles af henholdsvis Den europæiske Patentmyndighed i München og dens afdeling i Haag;