

99122009001000

Tätigwerden der Zollbehörden im Grenzbeschlagnahmeverfahren Erteilung

Heruntergeladen am 08.07.2025

<https://fimportal.de/xzufi-services/102743713/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99122009001000
Leistungsbezeichnung I	Tätigwerden der Zollbehörden im Grenzbeschlagnahmeverfahren Erteilung
Leistungsbezeichnung II	Request for the customs administration to stop counterfeit or infringing products
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Bund
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	
Verrichtungskennung	Erteilung (1)
SDG-Informationsbereich	Zollverfahren für Einfuhren und Ausfuhren gemäß dem

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	Zollkodex der Union
Lagen Portalverbund	Import und Export (2070200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	23.10.2023
Fachlich freigegeben durch	Federal Ministry of Finance (BMF)
Handlungsgrundlage	https://eur-lex.europa.eu/legal-content/DE/ALL/?uri=CELEX%3A32013R0608 https://www.gesetze-im-internet.de/markeng/_146.html https://www.gesetze-im-internet.de/urhg/_111b.html https://www.gesetze-im-internet.de/geschmmg_2004/_55.html https://www.gesetze-im-internet.de/patg/_142a.html https://www.gesetze-im-internet.de/gebrmg/_25a.html https://www.gesetze-im-internet.de/sortschg_1985/_40a.html https://www.gesetze-im-internet.de/halblschg/_9.html
Teaser	Are you concerned that goods being imported into or exported from the customs union could infringe your intellectual property rights? Then you can apply to the Central Industrial Property Office to stop these goods.
Volltext	Intellectual property rights can be acquired through an entry in a register or through use in the course of business. Unauthorized use of these rights is not permitted. Intellectual property rights can include patents, designs or trademarks, for example. If goods that infringe such intellectual property rights are placed on the market in the European Union (EU), rights holders, rights users or groups of producers and law-abiding manufacturers and traders may suffer considerable damage. Counterfeit products can endanger the health or safety of consumers. As a rights holder, you can submit an application for "action by customs authorities" under EU law for goods from third countries that could potentially infringe

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rights. You can limit this application to Germany. It is then a national application. You can also submit a Union application for other Member States.

In addition, you can also submit an application for "seizure by the customs authorities" in accordance with German legislation if the Union provisions are not applicable. This may apply to intra-Union traffic, for example.

If the customs authorities agree to your application, they can stop the suspicious goods as part of customs supervision. You and the person who declared or owns the goods will be informed during the customs stop. In the event of an infringement, the goods will be destroyed.

As the holder of a positive decision, you can also request information about the consignor, the consignee, the declarant or the holder of the goods, as well as the origin, provenance and destination of the goods.

Erforderliche Unterlagen

You may need to submit the following documents:

- Power of attorney from a legal representative
- exclusive license
- authorization of use
- Proof of payment for extension of the validity of a property right
- certificate of guarantee

Voraussetzungen

- You have property rights, for example in the form of patents utility models designs or registered designs varieties trademarks copyrights Topographies of semiconductor products Geographical indications
- You can describe your original products in such a way that counterfeit or infringing products can be identified during customs inspections.

Kosten

There are no costs for applying for action by the customs authorities.

Verfahrensablauf

Applications for action by the customs authorities are available online in the "Industrial property protection" service in the customs portal.

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If you would like to submit applications as a citizen:

- Register with a user account for private individuals on the Customs Portal website.
- To be able to use the full functionality of the customs portal service, you need to log in with "ELSTER" or "new ID card".
- Log in and select the "Industrial property protection" service.
- Complete your applications using the input masks. The necessary information is requested specifically. Tool tips integrated into the input masks help you to enter the data.
- If you use the "Industrial property protection" service in the customs portal with an ELSTER certificate or "new ID card", you can submit your applications electronically.
- In the customs portal, you can retrieve notifications for the applications you have submitted digitally.

If you want to submit applications as a company:

- Register with a user account for business customers or a user account for an existing business customer account on the website of the customs portal.
- A login with "ELSTER" is required to be able to use the full range of functions of the customs portal service.
- The remaining procedural steps correspond to the procedure for citizens.

Bearbeitungsdauer

The Directorate General of Customs (GZD) will inform you of the decision on your application within 30 working days of receipt of the application.

Frist

As part of the application processing, you may be granted a delivery period of 10 working days to submit the necessary information.

weiterführende Informationen

https://ec.europa.eu/taxation_customs/business/customs-controls/counterfeit-piracy-other-ipr-violations_de
<https://www.zoll.de/DE/Fachthemen/Verbote-Beschränkungen/Gewerblicher-Rechtsschutz/Marken-und-Produktpiraterie/Taetigwerden-der-Zollbehoerden/Taetigwerden-nach-Gemeinschaftsrecht/taetigwerden-nach-ge>

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	meinschaftsrecht_node.html https://www.zoll.de/DE/Fachthemen/Verbote-Beschraenkungen/Gewerblicher-Rechtsschutz/Marken-und-Produktpiraterie/Taetigwerden-der-Zollbehoerden/taetigwerden-der-zollbehoerden_node.html
Hinweise	
Rechtsbehelf	• Appeal Detailed information on how to lodge an objection can be found in the notification of the decision on your application.
Kurztext	• Action by customs authorities in border seizure procedures Issue • Stopping counterfeit or infringing goods on import or export to the customs union is possible on request • Prerequisite: Suspicion of infringement of intellectual property rights, for example of patents utility models designs or registered designs varieties trademarks copyrights Topographies of semiconductor products Geographical indications • Customs action can be requested online via the customs portal • responsible: Directorate General of Customs (GZD), Directorate VI, Central Industrial Property Office
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Tätigwerden der Zollbehörden im Grenzbeschlagnahmeverfahren Erteilung, Tätigwerden der Zollbehörden im Grenzbeschlagnahmeverfahren Erteilung