

# Regulations Under the Hague Agreement Concerning the International Deposit of Industrial Designs

(Text in force as from April 1, 1992)

## TABLE OF CONTENTS

<i>Preamble</i>	
<i>Rule 1:</i>	Abbreviated Expressions 1.1 Abbreviated Expressions
<i>Rule 2:</i>	<i>Representation Before the International Bureau</i> 2.1 Appointment of a Representative 2.2 Effect of Appointment 2.3 Revocation or Renunciation of Appointment 2.4 General Powers of Attorney 2.5 Substitute Representative 2.6 Recording, Notification and Publication
<i>Rule 3:</i>	<i>The International Register</i> 3.1 Contents of the International Register; Keeping of the International Register
<i>Rule 4:</i>	<i>Depositor; Owner</i> 4.1 The Same Depositor for All States 4.2 Several Owners
<i>Rule 5:</i>	<i>Mandatory Contents of the Application</i> 5.1 Mandatory Contents of the Application
<i>Rule 6:</i>	<i>Optional Contents of the Application</i> 6.1 Naming of a Representative 6.2 Claiming of Priority and Exhibitions 6.3 Other Optional Indications
<i>Rule 7:</i>	<i>Language of the Application and of Recordings, Notifications and Correspondence</i> 7.1 Language of the Application 7.2 Language of Recordings, Notifications and Correspondence
<i>Rule 8:</i>	<i>Form of the Application</i> 8.1 Model Form 8.2 Copies; Signature 8.3 No Additional Matter
<i>Rule 9:</i>	<i>Multiple Deposit</i> 9.1 Maximum Number of Designs Included in a Multiple Deposit 9.2 Other Rules Applicable to Multiple Deposits
<i>Rule 10:</i>	<i>Deferred Publication</i> 10.1 Request for Deferred Publication 10.2 Request for Immediate Publication 10.3 Withdrawal of the International Deposit During the Deferment Period 10.4 Expiration of the Deferment Period
<i>Rule 11:</i>	<i>Sealed Envelopes or Packets</i> 11.1 Sealed Envelopes or Packets
<i>Rule 12:</i>	<i>Reproduction, Samples and Models of the Article or Articles in Which the Designs are Intended to be Incorporated</i> 12.1 Reproduction, Samples and Models
<i>Rule 13:</i>	<i>Prescribed Fees</i> 13.1 Fee Prescribed for International Deposits Governed Exclusively by the 1934 Act 13.2 Fees Prescribed for International Deposits Which are Governed Exclusively or Partly by the 1960 Act
<i>Rule 14:</i>	<i>Recording or Declining of the International Deposit</i> 14.1 Regular International Deposits

- 14.2 Defective International Deposits
- Rule 15: *International Deposit Certificate*
  - 15.1 International Deposit Certificate
- Rule 16: *Publication of the International Deposit*
  - 16.1 Contents of the Publication of the International Deposit
- Rule 17: *Refusals*
  - 17.1 Form and Contents of Notifications of Refusal and of Withdrawal of Refusal
  - 17.2 Recording, Transmittal and Publication of Refusal and of Withdrawal of Refusal
- Rule 18: *Termination of Protection in a Contracting State*
  - 18.1 Termination of Protection in a Contracting State
- Rule 19: *Changes in Ownership*
  - 19.1 Request for Recording of Change in Ownership
  - 19.2 Recording, Notification and Publication; Declining of Request for Recording
- Rule 20: *Withdrawal and Renunciation of the International Deposit*
  - 20.1 Admissibility of the Withdrawal; Belated Withdrawal
  - 20.2 Procedure
- Rule 21: *Other Amendments to the International Deposit*
  - 21.1 Permissible Amendments
  - 21.2 Procedure
- Rule 22: *Corrections*
  - 22.1 Corrections
- Rule 23: *Prolongation of International Deposits Governed Exclusively by the 1934 Act*
  - 23.1 Unofficial Notice of Expiration
  - 23.2 Demand for Prolongation
  - 23.3 Time Limits; Fee and Surcharge
  - 23.4 Recording, Notification and Publication of the Prolongation; Opening of the Sealed Deposit
  - 23.5 Declining the Demand for Prolongation
- Rule 24: *Renewal of International Deposits Which are Governed Exclusively or Partly by the 1960 Act*
  - 24.1 Reminder
  - 24.2 Time Limits; Fees and Surcharge
  - 24.3 Recording, Notification and Publication of the Renewal
  - 24.4 Rules Applicable to Certain International Deposits
- Rule 25: *Expired International Deposits*
  - 25.1 Expired International Deposits
- Rule 26: *Transmittal of Documents to the International Bureau*
  - 26.1 Place and Mode of Transmittal
  - 26.2 Date of Receipt of Documents
  - 26.3 Legal Entity; Partnerships and Firms
  - 26.4 Exemption from Certification
- Rule 27: *Calendar; Computation of Time Limits*
  - 27.1 Calendar
  - 27.2 Periods Expressed in Years, Months or Days
  - 27.3 Local Dates
  - 27.4 Expiration on a Non-Working Day
- Rule 28: *Amounts and Payment of Fees*
  - 28.1 Amounts of Fees
  - 28.2 Payment to the International Bureau
  - 28.3 Currency
  - 28.4 Deposit Accounts
  - 28.5 Mode of Payment
  - 28.6 Effective Date of Payment
  - 28.7 State Fees
  - 28.8 Reference to Fees in the File
- Rule 29: *The Bulletin*
  - 29.1 Contents
  - 29.2 Frequency

- 29.3 Languages  
29.4 Sale  
29.5 Copies of the Bulletin for National and Regional Offices
- Rule 30:* *Extracts, Copies, Photographs and Information; Certification of Documents Issued by the International Bureau*  
30.1 Extracts, Copies, Photographs and Information Concerning International Deposits  
30.2 Certification of Documents Issued by the International Bureau
- Rule 31:* *Administrative Instructions*  
31.1 Establishment of Administrative Instructions; Matters Governed by Them  
31.2 Control by the Assembly of the Hague Union  
31.3 Publication and Effective Date  
31.4 Conflict with the Agreement and the Regulations
- Rule 32:* *Languages of the Regulations*  
32.1 Languages of the Regulations
- Rule 33:* *Entry Into Force*  
33.1 Entry Into Force

## ANNEX TO THE REGULATIONS

Schedule of Fees

### Rule 1

#### Abbreviated Expressions

##### 1.1 Abbreviated Expressions

For the purposes of these Regulations:

- (i) "1934 Act" means the Act signed at London on June 2, 1934, of the Hague Agreement Concerning the International Deposit of Industrial Designs;
- (ii) "1960 Act" means the Act signed at The Hague on November 28, 1960, of the Hague Agreement Concerning the International Deposit of Industrial Designs;
- (iii) "Agreement" means the 1934 Act and/or the 1960 Act;
- (iv) "Hague Union" means the Union established by the Hague Agreement Concerning the International Deposit of Industrial Designs;
- (v) "Contracting State" means any State bound by the 1934 Act but not by the 1960 Act, or by the 1934 Act and by the 1960 Act, or by the 1960 Act but not by the 1934 Act;
- (vi) "national" of any State includes also any person who, without being a national of that State, is resident or has a real and effective industrial or commercial establishment in the territory of the said State;
- (vii) "International Bureau" means the International Bureau of the World Intellectual Property Organization and, as long as it subsists, the United International Bureaux for the Protection of Intellectual Property (BIRPI);
- (viii) "national Office" means the national Office of a Contracting State competent in matters concerning industrial designs;
- (ix) "regional Office" means the Office common to several Contracting States referred to in Article 30 of the 1960 Act;
- (x) "International Register" means the International Register of Industrial Designs;
- (xi) "international deposit" means the deposit of one or more industrial designs for which recording in the International Register has been requested or effected;
- (xii) "international deposit governed exclusively by the 1934 Act" means an international deposit in respect of which only the 1934 Act is applicable because either the depositor is a national of a State bound by the 1934 Act but not by the 1960 Act, or the depositor, being a national of a State bound by both the 1934 Act and the 1960 Act, has not designated, under Rule 5.1(c)(i), a State bound by the 1960 Act;

- (xiii) "international deposit governed exclusively by the 1960 Act" means an international deposit in respect of which only the 1960 Act is applicable because either the depositor is a national of a State bound by the 1960 Act but not by the 1934 Act, or the depositor, being a national of a State bound by the 1960 Act and the 1934 Act, has designated, under Rule 5.1(c)(i), one or more States bound by the 1960 Act and has renounced the effects of the deposit in the States bound by the 1934 Act;
- (xiv) "international deposit governed partly by the 1960 Act" means an international deposit in respect of which the 1960 Act and the 1934 Act are applicable because the depositor is a national of a State bound by the 1960 Act and by the 1934 Act and has designated, under Rule 5.1(c)(i), one or more States bound by the 1960 Act without renouncing the effects of the deposit in the States bound by the 1934 Act;
- (xv) "application" means the application for recording of an international deposit in the International Register;
- (xvi) "depositor" means the natural person or the legal entity in whose name the application is filed;
- (xvii) "owner" means the natural person or the legal entity whose name is recorded in the International Register as the owner of the international deposit;
- (xviii) "legal entity" includes also any association of natural persons or legal entities which, under the national law of the State according to which it is constituted, may acquire rights and assume obligations notwithstanding the fact that it is not a legal entity;
- (xix) "multiple deposit" means an international deposit including several industrial designs;
- (xx) "International Classification" means the classification set up under the Locarno Agreement Establishing an International Classification for Industrial Designs;
- (xxi) "Bulletin" means the International Designs Bulletin/Bulletin des dessins et modèles internationaux.

## Rule 2

### Representation Before the International Bureau

#### 2.1 Appointment of a Representative

- (a) A representative shall be regarded as a duly appointed representative if his appointment complies with the prescriptions of paragraphs (b) to (i).
- (b) The appointment of any representative shall require:
- (i) that his name appear as that of a representative in the application and that such application bear the signature of the depositor, or
- (ii) that a separate power of attorney (i.e., a document appointing the representative), signed by the depositor or the owner, be filed with the International Bureau.
- (c) The depositor and the owner may appoint only one representative.
- (d) Where several natural persons or legal entities have been indicated as representatives, the natural person or legal entity first mentioned in the document in which they are indicated shall be regarded as the only duly appointed representative.
- (e) Where a partnership or firm composed of attorneys or patent or trademark agents has been indicated as representative, it shall be regarded as one representative.
- (f)
- (i) Where there are several depositors, they shall appoint a common representative. In the absence of such appointment, the depositor first mentioned in the application shall be considered the duly appointed common representative of all the depositors.
- (ii) Where there are several owners, they shall appoint a common representative. In the absence of such appointment, the natural person or legal entity first mentioned among the said owners in the International Register shall be considered the duly appointed common representative of all the owners.
- (iii) Subparagraph (ii) shall not apply to the extent that different persons or entities become owners in respect of different Contracting States or different designs.
- (iv) Where there are several depositors or owners, the document containing or constituting the appointment of their common representative shall be signed by all of them.

(g) Any document containing or constituting the appointment of a representative shall indicate his name and his address. Where the representative is a natural person, his name shall be indicated by his family name and given name(s), the family name being indicated before the given name(s). Where the representative is a legal entity or a partnership or firm of attorneys or patent or trademark agents, "name" shall mean the complete name of the legal entity or partnership or firm. The address of the representative shall be indicated in the same manner as that provided for in respect of the depositor in Rule 5.1(a)(iv).

(h) The document containing or constituting the appointment shall contain no words which, contrary to Rule 2.2, would limit the powers of the representative to certain matters or exclude certain matters from the powers of the representative or limit such powers in time.

(i) [Deleted]

(j) Where the appointment does not comply with the requirements referred to in paragraphs (b) to (i), it shall be treated by the International Bureau as if it had not been made, and the depositor or the owner as well as the natural person, the legal entity, the partnership or the firm which was indicated as the representative shall be informed accordingly by the International Bureau.

(k) The Administrative Instructions shall provide recommended wording for the appointment.

## 2.2 *Effect of Appointment*

Any invitation, notification or other communication addressed by the International Bureau to the duly appointed representative shall have the same effect as it would have had if it had been addressed to the depositor or the owner. Any document requiring the signature of the depositor or the owner in any procedure before the International Bureau, except the document appointing the representative or revoking his appointment, may be signed by the duly appointed representative of the depositor or of the owner, and any communication from the duly appointed representative to the International Bureau shall have the same effect as it would have had if it had been effected by the depositor or the owner.

## 2.3 *Revocation or Renunciation of Appointment*

(a) The appointment of any representative may be revoked at any time by the natural person who or legal entity which has appointed that representative. For the purposes of the International Bureau, the revocation shall be effective even if only one of the natural persons who or legal entities which have appointed the representative revokes the appointment, and it shall take effect as soon as the International Bureau receives the document referred to in paragraph (b).

(b) Revocation shall require a written document signed by the natural person or the legal entity referred to in paragraph (a).

(c) The appointment of a representative as provided in Rule 2.1 shall be regarded as the revocation of any earlier appointment of any other representative. The name of the other earlier appointed representative shall preferably be indicated.

(d) Any representative may renounce his appointment by means of a notification signed by him and addressed to the International Bureau.

## 2.4 *General Powers of Attorney*

The appointment of a representative in a separate power of attorney may be general in the sense that it relates to more than one application or more than one international deposit in respect of the same natural person or legal entity. The Administrative Instructions shall provide for the identification of such applications and such international deposits, as well as other details in respect of such general power of attorney and of its revocation or renunciation. They may provide for a fee payable in connection with the filing of general powers of attorney.

## 2.5 *Substitute Representative*

(a) The appointment of the representative referred to in Rule 2.1(b) may indicate also one or more natural persons as substitute representatives.

(b) For the purposes of the second sentence of Rule 2.2, substitute representatives shall be considered representatives.

(c) The appointment of any substitute representative may be revoked at any time by the natural person who or legal entity which has appointed the representative or by the representative. Revocation shall require a written document signed by the said natural person, legal entity or representative. It shall be effective, as far as the International Bureau is concerned, as from the date of receipt of the said document by that Bureau.

## 2.6 Recording Notification and Publication

Each appointment of a representative or of a substitute representative, its revocation and its renunciation shall be recorded in the International Register, shall be notified to the depositor or to the owner, and shall be published.

### Rule 3

#### The International Register

##### 3.1 Contents of the International Register; Keeping of the International Register

(a) The International Register shall contain, in respect of each international deposit:

(i) all the indications that must or may be furnished under the Agreement or these Regulations, and that have in fact been furnished, to the International Bureau, with the exception of those indications referred to in Rule 5.1(a)(iv), second sentence, (vii), (b)(ii), (c)(ii) and (iii);

(ii) the number and the date of the international deposit and the numbers, if any, and the dates of all recordings relating to that deposit.

(b) In the case of international deposits governed exclusively by the 1934 Act, the International Register shall mention, where appropriate, in addition to the indications referred to in paragraph (a), the date on which the sealed envelope or packet was opened.

(c) In the case of international deposits which are governed exclusively or partly by the 1960 Act, the International Register shall contain, in addition to the indications referred to in paragraph (a), the reproduction of photographs, other graphic representations or photographic transparencies filed.

(d) The Administrative Instructions shall regulate the establishment of the International Register, and, subject to the Agreement and these Regulations, shall specify the form in which it shall be kept and the procedure which the International Bureau shall follow for making recordings therein and for preserving it from loss or other damage.

### Rule 4

#### Depositor; Owner

##### 4.1 The Same Depositor for All States

(a) The depositor shall be the same for all States.

(b) Where the application, as filed, does not indicate the same depositor for all States designated under Rules 5.1(c)(i), it shall be treated as if only the State first mentioned therein, and any other State for the purposes of which the same depositor is indicated as for the said first-mentioned State, had been designated.

##### 4.2 Several Owners

Several natural persons or legal entities may be owners of one and the same international deposit provided they are all nationals of Contracting States.

### Rule 5

#### Mandatory Contents of the Application

##### 5.1 Mandatory Contents of the Application

(a) Any application shall contain:

(i) an indication to the effect that it is filed under the Agreement;

(ii) an indication of the depositor's name; if the depositor is a natural person, his name shall be indicated by his family name and given name(s), the family name being indicated before the given name(s); if the depositor is a legal entity, its name shall be indicated by the full, official designation of the said entity;

(iii) an indication of the State of which the depositor has the nationality, the State of which he is a resident and the State where he has a real and effective industrial or commercial establishment; where

the depositor has a real and effective industrial or commercial establishment in more than one of the States party to the Agreement, only one such State may be indicated in the application;

(iv) the depositor's address, indicated in such a way as to satisfy the customary requirements for prompt postal delivery at the indicated address and consisting, in any case, of all the relevant administrative units up to, and including, the house number, if any. Any telegraphic or teleprinter address and telephone number that the applicant may have should preferably also be indicated. For each depositor, only one address shall be indicated; if several addresses are indicated, only the one first mentioned in the application shall be considered;

(v) the exact designation of the article or articles in which it is intended to incorporate the designs;

(vi) an indication of the number of designs included in the international deposit;

(vii) an indication of the amounts of fees paid, the name of the person making the payment and the mode of payment as provided in Rule 28.5.

(b) In the case of international deposits governed exclusively by the 1934 Act, the application shall contain, in addition to the indications referred to in paragraph (a):

(i) an indication of the type of deposit (open or sealed);

(ii) an indication of the documents, photographs, other graphic representations or samples of the deposited article accompanying the application;

(iii) an indication that prolongation of the deposit is requested, if the prolongation fee is paid at the same time as the international deposit fee.

(c) In the case of international deposits governed exclusively or partly by the 1960 Act, the application shall contain, in addition to the indications referred to in paragraph (a):

(i) the designation of the States bound by the 1960 Act in which the depositor requests that the international deposit shall have effect; where, under a regional treaty, the depositor cannot limit his application to some only of the States forming that regional group, designation of one or more of those States shall be treated as designation of all the States forming that regional group;

(ii) an indication of the documents, photographs, transparencies, other graphic representations of the deposited article accompanying the application;

(iii) where appropriate, an indication of the samples or models accompanying the application.

## Rule 6

### Optional Contents of the Application

#### 6.1 Naming of a Representative

Any application may indicate a representative.

#### 6.2 Claiming of Priority and Exhibitions

(a) Any application may contain a declaration claiming the priority of one or more earlier deposits effected in or in respect of one or more States party to the Paris Convention for the Protection of Industrial Property.

(b) The declaration claiming the priority of an earlier deposit shall indicate:

(i) the date of the earlier deposit;

(ii) the number of the earlier deposit;

(iii) the State in which the earlier deposit was effected; where the deposit was effected under a regional treaty, the Office at which it was effected and at least one State in respect of which it was effected; where the earlier deposit was effected under a special agreement within the meaning of Article 19 of the Paris Convention, the title of such agreement.

(c) If the declaration does not contain the indications referred to in paragraphs (b)(i) and (iii), the International Bureau shall treat the declaration as if it had not been made.

(d) If the earlier deposit number referred to in paragraph (b)(ii) is not indicated in the declaration but is furnished by the depositor or the owner to the International Bureau prior to the expiration of the tenth month from the date of the earlier deposit, it shall be considered to have been included in the declaration and shall be published by the International Bureau.

(e) If the date of the earlier deposit as indicated in the declaration precedes the date of the international deposit by more than six months, the International Bureau shall treat the declaration as if it had not been made.

(f) If the declaration claims the priority of more than one earlier deposit, the provisions of paragraphs (b) to (e) shall apply to each of them.

(g) Any application may contain an indication to the effect that the article or articles in which the designs are incorporated have been shown at an official or officially recognized international exhibition, together with the place where the exhibition was held and the date on which the article or articles were first exhibited there.

### 6.3 Other Optional Indications

(a) In the case of international deposits which are deposits governed exclusively or partly by the 1960 Act, the application may also include:

- (i) a brief description, not exceeding 100 words, of characteristic features of the designs, including colors;
- (ii) a declaration as to who is the creator of the designs;
- (iii) a request for publication in color;
- (iv) a request for deferment of publication, as provided in Rule 10.1.

(b) Where the declaration referred to in paragraph (a)(ii) does not appear in the application but is communicated by the depositor or the owner to the International Bureau before preparations for publication have been completed, it shall be considered to have been included in the application.

## Rule 7

### Language of the Application and of Recordings, Notifications and Correspondence

#### 7.1 Language of the Application

(a) In the case of international deposits governed exclusively or partly by the 1960 Act, the application shall be in the English or in the French language.

(b) In the case of international deposits governed exclusively by the 1934 Act, the application shall be in the French language.

#### 7.2 Language of Recordings, Notifications and Correspondence

(a) The recording of the international deposit in the International Register and any subsequent recordings concerning the deposit or notifications made by the International Bureau shall be in the same language as the application. However, indications concerning the depositor's address, with the exception of the name of the State in which that address is located, shall be recorded and notified in the language in which they were furnished by the depositor.

(b) Correspondence between the International Bureau and the depositor or the owner shall be in the same language as the application.

(c) Letters and other written communications from national or regional Offices, addressed to or intended for the International Bureau, shall be in the English or in the French language.

(d) Letters addressed by the International Bureau to a national or regional Office shall be in the English or in the French language according to the wish of the Office concerned.

(e) Any matter quoted from the International Register shall be in the language in which such matter appears in that Register.

(f) Where the International Bureau is under the obligation to forward to the depositor or to the owner any of the communications referred to in paragraph (c), it shall forward them in the language in which it received them.

## Rule 8

### Form of the Application

#### 8.1 Model Form

(a) The application shall be established in accordance with the model form issued by the International Bureau. On request, printed copies of the model form shall be furnished free of charge by the International Bureau.

(b) The form shall be filled in preferably by typewriter and shall be easily legible.

#### 8.2 Copies; Signature

(a) The application shall be filed in two copies.

(b) The application shall be signed by the depositor.

#### 8.3 No Additional Matter

(a) The application shall not contain any matter and shall not be accompanied by any document other than those prescribed or permitted by the Agreement and these Regulations.

(b) If the application contains matter other than matter so prescribed or permitted, the International Bureau shall delete it ex officio; and if it is accompanied by any document other than those prescribed or permitted, the International Bureau shall treat such document as if it had not been transmitted to it and shall return the said document to the depositor at his expense.

## Rule 9

### Multiple Deposit

#### 9.1 Maximum Number of Designs Included in a Multiple Deposit

An international deposit may include up to 100 designs.

#### 9.2 Other Rules Applicable to Multiple Deposits

(a) In the case of international deposits governed exclusively or partly by the 1960 Act, all designs included in a multiple deposit shall be intended for incorporation in articles listed under the same class of the International Classification.

(b) Each design included in a multiple deposit shall be identified by a different number, which shall appear on the photographs, other graphic representations or photographic transparencies and on the samples or models which may accompany the application. Numbering shall be in accordance with the Administrative Instructions.

(c) The States designated under Rule 5.1(c)(i) shall be the same for all the designs included in a multiple deposit.

(d) Where deferred publication is requested, as provided in Rule 10.1, the duration of the deferment period shall be the same for all the designs included in a multiple deposit.

## Rule 10

### Deferred Publication

#### 10.1 Request for Deferred Publication

(a) Where the international deposit is governed exclusively or partly by the 1960 Act, the depositor may request that publication of the deposit be deferred, by specifying in the application the duration of the period for which deferment is requested and by paying the prescribed fee.

(b) The duration of the deferment period shall not exceed twelve months computed from the date of international deposit or, if priority is claimed, from the priority date; if the priority of more than one earlier deposit is claimed, the duration of the deferment period shall not exceed twelve months computed from the earliest priority date.

(c) Where the depositor does not specify the duration of the deferment period, the International Bureau shall consider that the request is for the maximum allowable deferment period.

### 10.2 *Request for Immediate Publication*

At any time during the period of deferred publication, the depositor may, by means of a letter addressed to the International Bureau, request immediate publication.

### 10.3 *Withdrawal of the International Deposit During the Deferment Period*

At any time during the period of deferred publication, the depositor may, subject to Rule 20.1, withdraw his deposit by addressing a written declaration to the International Bureau. Withdrawal may be limited to one or more of the States designated under Rule 5.1(c)(i) and, in the case of multiple deposits, to some only of the designs included in the deposit.

### 10.4 *Expiration of the Deferment Period*

(a) If, at the expiration of the time limit referred to in Rule 13.2(h), the depositor has paid the fees referred to in Rule 13.2(a)(ii) and (iv), the International Bureau shall proceed with publication at the expiration of the deferment period.

(b) If, at the expiration of the time limit referred to in Rule 13.2(h), the depositor has not paid the fees referred to in Rule 13.2(a)(ii) and (iv), the International Bureau shall cancel the international deposit at the expiration of the deferment period.

## **Rule 11**

### **Sealed Envelopes or Packets**

#### 11.1 *Sealed Envelopes or Packets*

Where a deposit governed exclusively by the 1934 Act has been made in a sealed envelope or packet, the envelopes or packets shall bear the notice "d,p"t cachet,."

## **Rule 12**

### **Reproduction, Samples and Models of the Article or Articles in which the Designs are Intended to be Incorporated**

#### 12.1 *Reproduction, Samples and Models*

(a) In the case of international deposits governed exclusively by the 1934 Act, the application shall be accompanied by two photographs or other graphic representations, or two samples, of each article designated under Rule 5.1(a)(v).

(b) In the case of international deposits which are governed exclusively or partly by the 1960 Act, the application shall be accompanied, for each article designated under Rule 5.1(a)(v):

(i) if the depositor does not request that the designs be published in color: by two photographs or other graphic representations in black and white;

(ii) if the depositor requests that the designs be published in color: by either two photographs or other graphic representations in color, or one color transparency and two photographs in color produced from the transparency.

Additionally, the application may be accompanied by samples or models of the article or articles. The dimensions of the representation of the article shown in the photographs or other graphic representations accompanying the application shall be those in which the depositor wishes the design to be published, provided that one of those dimensions shall be not less than 3cm. The dimensions of the representations of the articles shall not be more than 16cm×16cm.

(c) Photographs, graphic representations or photographic transparencies shall be of a quality permitting all the details of the articles shown in them to be clearly distinguished and admitting of reproduction in accordance with the provisions of the Administrative Instructions.

(d) The same article may be represented from different angles; reproductions of the article viewed from different angles may be shown on the same photograph, graphic representation or transparency or on separate photographs, graphic representations or transparencies.

(e) The photographs or other graphic representations, the transparencies or the samples or models relating to one and the same deposit shall be contained in a single envelope or packet. None of the

dimensions of any envelope or packet, including packing, shall exceed 30cm and the weight of any such envelope or packet and its packing shall not exceed 4 kg. Perishable articles or articles which are dangerous to store shall not be accepted for deposit.

### Rule 13

#### Prescribed Fees

##### 13.1 *Fee Prescribed for International Deposits Governed Exclusively by the 1934 Act*

(a) International deposits governed exclusively by the 1934 Act shall be subject to an international deposit fee.

(b) The fee referred to in paragraph (a) shall be paid at the time the application is filed with the International Bureau or, at the latest, within the time limit laid down in Rule 14.2(a).

##### 13.2 *Fees Prescribed for International Deposits Governed Exclusively or Partly by the 1960 Act*

(a) International deposits governed exclusively or partly by the 1960 Act shall be subject to the following fees:

- (i) an international deposit fee,
- (ii) an international publication fee,
- (iii) ordinary State fees,
- (iv) State novelty examination fees.

(b) State fees shall be payable only for those States designated under Rule 5.1(c)(i). State novelty examination fees shall be payable only for those of the said States which carry out novelty examinations.

(c) States having made a notification under Article 30 of the 1960 Act shall be deemed a single State for the payment of State fees.

(d) The ordinary State fee paid for any State shall be deducted from the State novelty examination fee required by the same State.

(e) The amount of the State novelty examination fee shall be fixed by the national or regional Office of the State which carries out novelty examinations within the meaning of Article 2 of the 1960 Act. The said fee shall not be more than three-quarters of the fee payable for designs deposited with the national or regional Office or more than 75 Swiss francs for each design.

(f) Any change in the amount of the State novelty examination fee shall be communicated in writing to the International Bureau by the national or regional Office concerned. The amount thus communicated shall be applicable as from the first of January of the calendar year which commences after the expiration of six months from the date on which the international Bureau received the communication.

(g) Subject to paragraph (h), the fees referred to in paragraph (a) shall be paid at the time the application is filed with the International Bureau or, at the latest, within the time limit laid down in Rule 14.2(a).

(h) Where the international deposit is accompanied by a request for deferred publication, the fees referred to in paragraph (a)(ii) and (iv) shall be paid not later than one month before the day on which the deferment period expires or, in the case of a request for immediate publication, at the time the International Bureau receives that request.

### Rule 14

#### Recording or Declining of the International Deposit

##### 14.1 *Regular International Deposits*

Subject to Rule 14.2, the International Bureau shall record the international deposit in the International Register as of the date on which it is in possession of the application accompanied by the items required under Rule 12 and the prescribed fees.

##### 14.2 *Defective International Deposits*

(a) Where the International Bureau finds that the application or the items that should accompany it have not been filed as provided under the Agreement or these Regulations, or that the prescribed fees have

not been paid or have not been paid in full, it shall invite the depositor, unless it is clearly impossible to reach him, to correct the defect within three months from the date of the invitation.

(b) If the defect is corrected within the period referred to in paragraph (a), the International Bureau shall record the international deposit in the International Register as of the date indicated in Rule 14.1, subject to paragraph (c).

(c) The international deposit shall bear the date on which the correction of the defect was received by the International Bureau where the defect was one of the following:

- (i) the application did not contain the indication referred to in Rule 5.1(a)(i);
- (ii) the application did not contain the necessary indications to identify the depositor and reach him by post;
- (iii) the application did not contain the indications referred to in Rule 5.1(a)(iii);
- (iv) the indications contained in the application were not such as to permit the conclusion that the depositor was entitled to own international deposits;
- (v) the application did not contain the indications referred to in Rule 5.1(a)(v) to (vii);
- (vi) the application was not signed;
- (vii) the application was not in the prescribed language or one of the prescribed languages;
- (viii) the provisions of Rule 12 were not complied with, except in the case where the photographs, other graphic representations, samples or models were furnished in one copy only;
- (ix) the prescribed fees were not paid or were not paid in full;
- (x) in the case of international deposits governed exclusively by the 1934 Act, the application did not contain the indication referred to in Rule 5.1(b)(i), or that indication was at variance with the notice referred to in Rule 11.1.
- (xi) in the case of international deposits governed exclusively or partly by the 1960 Act, the application did not contain the indications referred to in Rule 5.1(c)(i).

(d) If the defect is not corrected within the period referred to in paragraph (a), the International Bureau shall decline the international deposit and shall inform the depositor accordingly, stating its grounds for declining; no fees, with the exception of the publication fee, shall be reimbursed.

(e) If the international deposit is effected through a national or regional Office, the International Bureau shall forward to that Office a copy of all correspondence addressed to the depositor.

(f) If the samples or models accompanying the application do not comply with Rule 12, the International Bureau shall return them to the depositor at his expense.

## Rule 15

### International Deposit Certificate

#### 15.1 *International Deposit Certificate*

After the International Bureau has recorded the international deposit in the International Register, it shall issue to the owner an international deposit certificate, whose contents are provided for in the Administrative Instructions.

## Rule 16

### Publication of the International Deposit

#### 16.1 *Contents of the Publication of the International Deposit*

The publication of any international deposit shall contain:

- (i) the name and address of the owner, with the exception of those indications referred to in Rule 5.1(a)(iv), second sentence;
- (ii) an indication of the States referred to in Rule 5.1(a)(iii);
- (iii) the date of the international deposit;
- (iv) the number of the international deposit;

- (v) the exact designation of the article or articles in which it is intended to incorporate the designs;
- (vi) an indication of the class or classes of the International Classification in which the article or articles referred to in item (v) are classified;
- (vii) an indication of the number of designs included in the international deposit and, in the case of a multiple deposit, where the international deposit is governed exclusively or partly by the 1960 Act, the number given to each individual design;
- (viii) where the international deposit is governed exclusively or partly by the 1960 Act, an indication of the States designated under Rule 5.1(c)(i);
- (ix) where the international deposit is governed exclusively or partly by the 1960 Act, the reproduction of the photographs, other graphic representations or transparencies filed;
- (x) the name and address of the representative, where one has been appointed;
- (xi) where priority has been claimed, the indications referred to in Rule 6.2(b);
- (xii) where given in the application, the indications referred to in Rule 6.2(g);
- (xiii) where the international deposit is governed exclusively or partly by the 1960 Act, the description of characteristic elements of the designs if given in the application;
- (xiv) where the international deposit is governed exclusively or partly by the 1960 Act, the name of the creator of the designs if given in the application;
- (xv) where the international deposit is governed exclusively or partly by the 1960 Act and its publication has been deferred, an indication of the date on which the deferment period expired;
- (xvi) where the international deposit is governed exclusively by the 1934 Act, an indication of the type of deposit (open or sealed).

## Rule 17

### Refusals

#### 17.1 *Form and Contents of Notifications of Refusal and of Withdrawal of Refusal*

- (a) Any refusal of protection referred to in Article 8(1) of the 1960 Act or any total or partial withdrawal of such refusal shall be notified to the International Bureau, by registered post and separately for each international deposit, in three identical copies signed by the originating national or regional Office.
- (b) The notification of refusal of protection shall indicate:
  - (i) the national or regional Office which has pronounced the refusal;
  - (ii) the number of the international deposit;
  - (iii) the name and address of the owner of the international deposit;
  - (iv) the grounds for refusal;
  - (v) where the refusal does not apply to all the designs included in the international deposit, those for which protection is refused, together with the relevant numbers;
  - (vi) where there are one or more earlier national, regional or international deposits opposing the international deposit, the dates and numbers of those deposits and the names and addresses of their owners;
  - (vii) the essential provisions of the applicable national law or regional treaty;
  - (viii) the time limit for appeal and the authority to which the appeal should be addressed, stating, where appropriate, that the appeal should be lodged through a local representative;
  - (ix) the date on which the national or regional Office which pronounced the refusal received the issue of the Bulletin in which the international deposit was published;
  - (x) the date on which the refusal was pronounced.
- (c) The notification of total or partial withdrawal of a refusal of protection shall state the number and date of the international deposit, the name and address of the owner and, in the case of partial withdrawal, the numbers of the designs for which the refusal is withdrawn.

### 17.2 *Recording, Transmittal and Publication of Refusal and of Withdrawal of Refusal*

(a) The refusal shall not be recorded in the International Register:

(i) if the notification of refusal was not received by the International Bureau within six months from the date referred to in Rule 17.1(b)(ix);

(ii) if the date referred to in Rule 17.1(b)(ix) has not been indicated, unless the notification of refusal was received by the International Bureau within six months after the publication date of the issue of the Bulletin in which the international deposit was published;

(iii) if the notification of refusal does not state which national or regional Office pronounced the refusal or does not bear the signature of that Office;

(iv) if the notification of refusal does not indicate the number of the international deposit;

(v) if the notification of refusal does not indicate any grounds for the refusal.

(b) In the cases referred to in paragraph (a), the International Bureau shall:

(i) transmit a copy of the notification of refusal to the owner;

(ii) inform the Office which pronounced the refusal and the owner that the refusal has not been recorded in the International Register, stating the grounds therefor.

(c) In the cases not covered by paragraph (a), the International Bureau shall record the refusal in the International Register, transmit a copy of the notification to the owner and publish the refusal. However, if the notification fails to comply with Rule 17.1(a) and (b) on points not covered by paragraph (a) of this Rule, the Office which pronounced the refusal shall be required, if so requested by the International Bureau or the owner, to correct the notification without delay.

(d) The International Bureau shall record the withdrawal of refusal in the International Register, shall transmit a copy of the notification to the owner and shall publish the withdrawal of refusal.

## Rule 18

### Termination of Protection in a Contracting State

#### 18.1 *Termination of Protection in a Contracting State*

When a final administrative or judicial decision under which protection is terminated in one of the Contracting States is communicated to the International Bureau by a national or regional Office, the International Bureau shall record that decision in the International Register and publish it.

## Rule 19

### Changes in Ownership

#### 19.1 *Request for Recording of Change in Ownership*

(a) The International Bureau shall, on request, record any change in ownership in the International Register.

(b) The request for recording referred to in paragraph (a) shall indicate its purpose, shall be accompanied by the recording fee and shall contain:

(i) the name of the owner (hereinafter referred to as "the earlier owner") appearing as such in the International Register;

(ii) the name and address of the new owner in the manner provided for such indications to be furnished in respect of the depositor under Rule 5.1(a)(ii) and (iv), as well as an indication of the State of which he has the nationality, the State of which he is a resident and the State where he has a real and effective industrial or commercial establishment;

(iii) the number of the international deposit;

(iv) where the change in ownership is not requested for all the States referred to in Rule 16.1(viii) or, in the case of an international deposit governed exclusively by the 1934 Act, for all the States bound by the 1934 Act, an indication of those States for which it is requested;

(v) where the change in ownership is not requested for all the designs included in the deposit, the numbers of those designs for which it is requested.

(c) The request shall be signed by the earlier owner or, if his signature cannot be obtained, by the new owner. In the latter case, the request shall be accompanied by an attestation from the competent authority of the Contracting State of which the previous owner had the nationality at the time of the change in ownership, or from that of the Contracting State where, at that same time, the earlier owner had his residence or a real and effective industrial or commercial establishment. The competent authority shall attest that, according to evidence produced before it, the new owner appears to be the successor in title of the earlier owner to the extent described in the request and one of the conditions prescribed in the preceding sentence is fulfilled. The attestation shall be dated and shall bear the stamp, seal or signature of the competent authority. The attestation shall be given for the sole purpose of allowing the change in ownership to be recorded in the International Register.

#### 19.2 *Recording, Notification and Publication; Declining of Request for Recording*

(a) Where, according to the indications furnished in the request for recording of the change in ownership, the new owner is a person entitled to own international deposits and the request complies with the other prescribed requirements, the International Bureau shall record the change in ownership in the International Register, subject to paragraph (e). Such recording shall contain the indications referred to in Rule 19.1(b)(ii), (iv) and (v).

(b) The International Bureau shall notify the recording of the change in ownership to the earlier and to the new owners.

(c) The International Bureau shall publish the change in ownership. The publication shall contain the indications referred to in Rule 19.1(b) and the date of the recording.

(d) Where the natural person or legal entity or one of the natural persons or legal entities indicated as the new owner in the request for recording of the change in ownership is not entitled to own international deposits or where the request does not comply with the other prescribed requirements, the International Bureau shall decline it and notify accordingly the person who has signed the request, stating its grounds for declining.

(e) Where the recording of the change in ownership is requested for one or more States in respect of which the new owner is not a person entitled to own international deposits, the International Bureau shall decline the recording for the States concerned and notify accordingly the person who has signed the request, stating its grounds for declining.

## Rule 20

### Withdrawal and Renunciation of the International Deposit

#### 20.1 *Admissibility of the Withdrawal; Belated Withdrawal*

Any declaration of withdrawal of the international deposit shall be treated as such by the International Bureau if it reaches it before preparations for publication have been completed. If the said declaration reaches the International Bureau later, it shall be treated as a renunciation of the international deposit.

#### 20.2 *Procedure*

(a) Withdrawals and renunciations shall be effected by means of a written declaration addressed to the International Bureau and signed by the depositor or the owner, as the case may be. The International Bureau shall acknowledge receipt of the declaration of withdrawal and, if the international deposit has already been recorded in the International Register, shall cancel that deposit.

(b) If the withdrawal or renunciation is only partial, the States or the numbers of the designs to which it relates shall be clearly indicated, failing which the withdrawal or renunciation shall not be taken into consideration.

(c) If the withdrawal is total or partial, no fees shall be reimbursed, with the exception of the publication fee where the withdrawal is total.

(d) The International Bureau shall record the renunciation in the International Register, shall notify the owner accordingly, and shall publish it. No fees shall be reimbursed.

## Rule 21

### Other Amendments to the International Deposit

#### 21.1 Permissible Amendments

The owner may request that amendments be made to recordings in the International Register corresponding to the mandatory or optional indications appearing in the application in accordance with Rules 5.1(a)(ii) to (iv), 5.1(b)(i), 6.1 and 6.3(a)(ii); he may also, in the absence of a declaration under Rule 6.3(a)(ii) or (b), request that the name of the creator of the designs be recorded in the International Register.

#### 21.2 Procedure

(a) Any amendment or recording referred to in Rule 21.1 shall be requested by means of a written communication to the International Bureau, signed by the owner and accompanied by the corresponding fee.

(b) The International Bureau shall record the amendment or the name of the creator of the designs in the International Register, shall notify the owner accordingly, and shall publish it.

## Rule 22

### Corrections

#### 22.1 Corrections

(a) Errors attributable to the International Bureau or to a national or regional Office which affect a recording in the International Register or its notification or publication shall, at all times, be corrected by the International Bureau.

(b) Errors attributable to the depositor or his representative shall, at all times, be corrected by the International Bureau in the case of obvious clerical errors in the name and address of the depositor or his representative or in the date or number of the deposit whose priority is claimed.

(c) Where a refusal pronounced by a national or regional Office relates to a corrected element, Rule 17 shall apply *mutatis mutandis*. The date referred to in Rule 17.1(b)(ix) shall be considered by the International Bureau to be the date of receipt by the national or regional Office of the issue of the Bulletin in which the correction was published.

## Rule 23

### Prolongation of International Deposits Governed Exclusively by the 1934 Act

#### 23.1 Unofficial Notice of Expiration

Within the first six months of the fifth year of the initial period of protection, the International Bureau shall, where the prolongation fee has not yet been paid, send the owner an unofficial notice reminding him of the date of expiration of the initial period. Failure to send or receive the notice, or the fact of sending or receiving it late or any error in the notice shall not affect the expiration date.

#### 23.2 Demand for Prolongation

The demand for prolongation shall preferably be made on the printed form which is attached to the unofficial notice of expiration by the International Bureau, and which the latter furnishes free of charge on request. The demand shall, in any case, indicate its purpose and contain:

- (i) the name and address of the owner,
- (ii) the number of the international deposit,
- (iii) where the demand for prolongation is not made in respect of all the designs included in the international deposit, the numbers of those designs for which it is made.

#### 23.3 Time Limits; Fee and Surcharge

(a) The demand for prolongation must reach the International Bureau before the expiration of the initial period of protection.

(b) Subject to paragraph (c), the prolongation fee must be paid to the International Bureau not later than six months after the expiration of the initial period.

(c) If the fee reaches the International Bureau within six months after the expiration of the initial period, prolongation shall be subject to the payment of a surcharge, which must be paid within six months after the expiration of such period.

(d) Where, within the time limit fixed in paragraph (a), the International Bureau receives:

- (i) a demand for prolongation which does not comply with the requirement of Rule 23.2, or
- (ii) a demand for prolongation but no payment or insufficient payment to cover the fee due, or
- (iii) money which appears to be intended to cover the prolongation fee but no demand for prolongation,

it shall promptly invite the owner, if the time limits fixed in paragraphs (a) or (b) permit, to present a correct demand for prolongation, to pay or complete the fee due, or to present a demand, as the case may be. The invitation shall indicate the applicable time limits.

(e) Failure to send or receive the invitation referred to in paragraph (d) or any delay in dispatching or receiving such invitation or any error in the invitation shall not prolong the time limits fixed in paragraphs (a) and (b).

#### *23.4 Recording, Notification and Publication of the Prolongation, Opening of the Sealed Deposit*

Once+ the demand for prolongation has been presented and the prolongation fee paid, the International Bureau shall record the prolongation in the International Register, shall notify the owner accordingly and shall publish the indications referred to in Rule 23.2 together with the date on which the second period of protection will expire; in the case of a sealed deposit, the International Bureau shall open the said deposit on expiration of the initial period.

#### *23.5 Declining the Demand for Prolongation*

(a) Where the time limit fixed in Rule 23.3(a) or (b), as appropriate, is not respected or where the demand for prolongation does not comply with the requirements of Rule 23.2 or the fee due is not paid, the International Bureau shall decline the demand for prolongation, shall notify the owner accordingly, stating its grounds for declining, and shall reimburse the fee paid, after deduction of 50 Swiss francs.

(b) Where the ground for declining relates to the payment of the prolongation fee, the International Bureau shall not decline the demand for prolongation before the expiration of six months after the starting date of the second period.

### **Rule 24**

#### **Renewal of International Deposits Governed Exclusively or Partly by the 1960 Act**

##### *24.1 Reminder*

The International Bureau shall send a letter to the owner before the expiration of the term, initial or renewal, which is in effect, reminding him of the date of expiration of such term. The reminder shall be sent at least six months before the expiration date. Failure to send or receive the reminder, or the fact of sending or receiving it late or any error in the reminder shall not affect the expiration date.

##### *24.2 Time Limits; Fees and Surcharge*

(a) Renewal shall be effected simply by payment, during the last year of each period of five years, of the international renewal fee and the renewal fees payable to States.

(b) If the renewal has not been effected on expiration of the period referred to in paragraph (a), the owner may effect the renewal within six months after the expiration of that period provided he pays, in addition to the international renewal fee and the renewal fees due to States, the surcharge provided for that purpose.

(c) At the time of paying the international renewal fee and the renewal fees due to States, the following indications must be provided, preferably on the printed form which is attached to the reminder referred to in Rule 24.1 by the International Bureau and which the latter furnishes free of charge on request:

- (i) the name and address of the owner;

- (ii) the number of the international deposit;
- (iii) if the renewal is not to be effected for all the States in respect of which the international deposit is recorded in the International Register, those States in respect of which it is to be effected;
- (iv) if the renewal is not to be effected for all the designs included in the international deposit, the numbers of those designs for which it is to be effected.

(d) Where the payment received by the International Bureau is insufficient to cover the fees referred to in paragraph (a), or where the required indications referred to in paragraph (c) have not been furnished, the International Bureau shall promptly invite the owner to complete the payment or furnish the missing indications, if the time limits fixed in paragraphs (a) and (b) permit.

(e) Rule 24.4 is reserved.

#### 24.3 *Recording, Notification and Publication of the Renewal*

(a) Once the international renewal fee and the renewal fees due to States have been paid and the requirements under Rule 24.2(c) have been fulfilled, the International Bureau shall record the renewal in the International Register, shall notify the owner accordingly, and shall publish the indications referred to in Rule 24.2(c) together with the date on which the renewal will expire.

(b) Where a payment that was insufficient to cover the fees referred to in Rule 24.2(a) has not been completed within the time limit fixed in Rule 24.2(a) and (b), or where the amount of the fees has been paid but the required indications referred to in Rule 24.2(c) have not been furnished within the said time limit, the International Bureau shall notify the owner that the renewal cannot be recorded in the International Register, stating the grounds therefor, and shall reimburse the sum paid, after deduction of 50 Swiss francs.

(c) Rule 24.4 is reserved.

#### 24.4 *Rules Applicable to Certain International Deposits*

For all international deposits having effects concurrently in States in respect of which the 1960 Act applies and in States in respect of which the 1934 Act applies, the State renewal fee shall be payable only for those States in respect of which the 1960 Act applies.

### **Rule 25**

#### **Expired International Deposits**

##### 25.1 *Expired International Deposits*

(a) Within a period of two years computed from the date on which an international deposit has been withdrawn, renounced or cancelled, or on which the possibility of prolongation or of renewal has ceased to exist, the depositor or the owner may request the International Bureau to return to him at his own expense the samples and models filed under Rule 12.

(b) If no request is made for return of the samples and models, the International Bureau shall destroy them on expiration of the period referred to in paragraph (a).

### **Rule 26**

#### **Transmittal of Documents to the International Bureau**

##### 26.1 *Place and Mode of Transmittal*

Applications and their annexes, demands for prolongation, notifications and any other documents intended for filing, notification or other communication to the International Bureau shall be deposited with the competent service of that Bureau during the office hours fixed in the Administrative Instructions, or mailed to that Bureau.

##### 26.2 *Date of Receipt of Documents*

Any document received by the International Bureau through deposit or mail shall be considered to have been received on the day on which it is actually received by that Bureau, provided that, when it is actually received after office hours, or on a day when the Bureau is closed for business, it shall be considered to have been received on the next subsequent day on which the Bureau is open for business.

### 26.3 Legal Entity; Partnerships and firms

(a) Where any document submitted to the International Bureau is required to be signed by a legal entity, the official designation of the legal entity shall be indicated in the place reserved for signature and shall be accompanied by the signature of the natural person or persons entitled to sign for such legal entity according to the national law of the country under whose law the legal entity was established.

(b) The provisions of paragraph (a) shall apply, *mutatis mutandis*, to partnerships or firms composed of attorneys or patent or trademark agents but which are not legal entities.

### 26.4 Exemption from Certification

No authentication, legalization or other certification shall be required for the signatures of documents submitted to the International Bureau under the Agreement or these Regulations.

## Rule 27

### Calendar; Computation of Time Limits

#### 27.1 Calendar

The International Bureau, national and regional Offices, depositors and owners shall, for the purposes of the Agreement and these Regulations, express any date in terms of the Christian era and the Gregorian calendar.

#### 27.2 Periods Expressed in Years, Months or Days

(a) When a period is expressed as one year or a certain number of years, computation shall start on the day following the day on which the relevant event occurred, and the period shall expire in the relevant subsequent year in the month having the same name and on the day having the same number as the month and the day on which the said event occurred, provided that if the relevant subsequent month has no day with the same number the period shall expire on the last day of that month.

(b) When a period is expressed as one month or a certain number of months, computation shall start on the day following the day on which the relevant event occurred, and the period shall expire in the relevant subsequent month on the day which has the same number as the day on which the said event occurred, provided that if the relevant subsequent month has no day with the same number the period shall expire on the last day of that month.

(c) When a period is expressed as a certain number of days, computation shall start on the day following the day on which the relevant event occurred, and the period shall expire on the day on which the last day of the count has been reached.

#### 27.3 Local Dates

(a) The date which is taken into consideration as the starting date of the computation of any period shall be the date which prevails in the locality at the time when the relevant event occurred.

(b) The date on which any period expires shall be the date which prevails in the locality in which the required documents is filed or the required fee is paid.

#### 27.4 Expiration on a Non-Working Day

If the expiration of any period during which any document or fee must reach the International Bureau falls on a day on which that Bureau is not open for business, or on which ordinary mail is not delivered in Geneva, the period shall expire on the next subsequent day on which neither of the said two circumstances exists.

## Rule 28

### Amounts and Payment of Fees

#### 28.1 Amounts of Fees

(a) The amounts of fees due under the Agreement and these Regulations are given in the Schedule of Fees which is annexed to these Regulations and forms an integral part thereof.

(b) The fees payable shall be:

- (i) where they concern an international deposit, the fees in force on the date of receipt by the International Bureau of a deposit which complies with the Agreement and these Regulations;
- (ii) where they concern a prolongation or renewal, the fees in force at the time of payment or, if payment is made within the six months preceding the expiration date of the current term, the fees in force six months before that date.

#### 28.2 *Payment to the International Bureau*

All fees referred to in Rule 28.1(a) shall be payable to the International Bureau.

#### 28.3 *Currency*

All fees referred to in Rule 28.1(a) shall be payable in Swiss currency.

#### 28.4 *Deposit Accounts*

- (a) Any natural person or legal entity may open a deposit account with the International Bureau.
- (b) The details concerning deposit accounts shall be provided in the Administrative Instructions.

#### 28.5 *Mode of Payment*

(a) Unless the payment is made in cash to the cashier of the International Bureau, the application, the demand for prolongation and any request or other document filed with the International Bureau in connection with any international deposit and subject to the payment of any fee shall indicate:

- (i) the name and address, as provided in Rule 5.1(a)(ii) and (iv), of the natural person or legal entity making the payment, unless the payment is made by a cheque attached to the document;
- (ii) the mode of payment, which may be by an authorization to debit the amount of the fee to the deposit account of such person or entity, or by transfer to a bank account or to the postal cheque account of the International Bureau, or by cheque drawn on a Swiss bank. The Administrative Instructions shall provide the details, in particular those governing the kind of cheques that shall be accepted in payment.

(b) Where the payment is made pursuant to an authorization to debit the amount of the fee to a deposit account, the authorization shall specify the transaction to which it relates, unless there is a general authorization to debit to a specified deposit account any fee concerning a given depositor, owner or duly appointed representative.

(c) Where the payment is made by transfer to a bank account or to the postal cheque account of the International Bureau, or by a cheque not attached to the application, the demand for prolongation or any request or other document, the notification of the transfer or cheque (or paper accompanying it) shall identify the transaction to which the payment relates, in the manner to be provided for in the Administrative Instructions.

#### 28.6 *Effective Date of Payment*

Fees shall be considered to have been paid on the date on which the International Bureau receives the prescribed amount, that is to say:

- (i) if the payment is made in cash to the cashier of the International Bureau, on the date on which such payment is made;
- (ii) if the payment is made by debiting a deposit account with the International Bureau pursuant to a general authorization to debit, on the date on which the application, the demand for prolongation or any request or other document entailing the obligation to pay fees is received by the International Bureau, or, in the case of a specific authorization to debit, on the date on which the specific authorization is received by the International Bureau; the fee shall not be considered to have been paid if the balance of the deposit account is not sufficient;
- (iii) if the payment is made by transfer to a bank account or to the postal cheque account of the International Bureau, on the date on which such account is credited;
- (iv) if the payment is made by cheque, on the date on which the cheque is received by the International Bureau, provided that it is honored upon presentation to the bank on which the cheque is drawn.

### 28.7 State Fees

The International Bureau shall, in every calendar year, transfer to the States concerned the amounts of the State fees referred to in Rule 13.2 and of the renewal fees due to the States referred to in Rule 24.2 which it collects in respect of international deposits and recording of renewals effected during the preceding calendar year.

### 28.8 Reference to Fees in the File

The file kept for each international deposit shall contain the particulars of the amount and date of receipt by the International Bureau of any fee paid for a recording in the International Register connected with that deposit.

## Rule 29

### The Bulletin

#### 29.1 Contents

(a) All matters which, according to the Agreement or these Regulations, the International Bureau is obliged to publish shall be published in the Bulletin.

(b) The Administrative Instructions may provide for the inclusion of other matters in the Bulletin.

#### 29.2 Frequency

The Bulletin shall be issued once a month.

#### 29.3 Languages

(a) The Bulletin shall be published in a bilingual (English and French) edition.

(b) Publication of international deposits and any other publication connected with such deposits shall be made in the language of the application.

#### 29.4 Sale

The subscription and other sale prices of the Bulletin shall be fixed in the Administrative Instructions.

#### 29.5 Copies of the Bulletin for National and Regional Offices

(a) Before the first of July of each year, the national and regional Offices shall notify the International Bureau of the number of copies of the Bulletin which they wish to receive in the next subsequent year.

(b) The International Bureau shall make the requested number of copies available to each national or regional Office:

(i) free of charge, up to the same number as the number of units corresponding to the class chosen under the Paris Convention for the Protection of Industrial Property by the Contracting State of which it is the national Office or by whichever of the Contracting States of which it is the regional Office has chosen the class to which the highest number of units corresponds;

(ii) at half of the ordinary subscription or sale price, for copies in excess of the said number.

(c) Copies given free of charge or sold under paragraph (b) shall be for the internal use of the national or regional Office which has requested them.

## Rule 30

### Extracts, Copies, Photographs and Information; Certification of Documents Issued by the International Bureau

#### 30.1 Extracts, Copies, Photographs and Information Concerning International Deposits

(a) Any person may obtain from the International Bureau, against payment of a fee whose amount shall be fixed in the schedule of fees annexed to these Regulations, certified or uncertified extracts or copies of recordings in the International Register or of any document in the file of any international deposit, and photographs of the samples or models filed in accordance with Rule 12.

(b) On request and against payment of a fee whose amount shall be fixed in the schedule of fees annexed to these Regulations, any person may obtain from the International Bureau oral or written

information, or information by telecopier devices, on any fact appearing in the International Register or in any document in the file of any international deposit.

(c) Paragraphs (a) and (b) shall not apply to sealed international deposits or to those which are the subject of a period of deferred publication currently in force, provided, however, that in the case of a sealed deposit any person may request from the International Bureau extracts or copies of recordings in the International Register and oral or written information on the contents of that Register.

(d) Notwithstanding paragraphs (a) and (b), the Administrative Instructions may waive the obligation to pay any fee where the work or the expense connected with the sole furnishing of a copy, photograph or information is minimal.

(e) The communication referred to in Article 14 of the 1934 Act shall be effected by furnishing a reproduction of the design.

### 30.2 *Certification of Documents Issued by the International Bureau*

Where any document issued by the International Bureau bears the seal of that Bureau and the signature of the Director General or a person acting on his behalf, no authority of any Contracting State shall require authentication, legalization or any other certification of such document, seal or signature, by any other person or authority.

## Rule 31

### Administrative Instructions

#### 31.1 *Establishment of Administrative Instructions; Matters Governed by Them*

(a) The Director General shall establish Administrative Instructions. He may modify them. He shall consult the national and regional Offices which have a direct interest in the proposed Administrative Instructions or their proposed modification.

(b) The Administrative Instructions shall deal with matters in respect of which these Regulations expressly refer to such Instructions and with details in respect of the application of these Regulations.

(c) All forms of interest to depositors and owners shall be annexed to the Administrative Instructions.

#### 31.2 *Control by the Assembly of the Hague Union*

The Assembly of the Hague Union may invite the Director General to modify any provision of the Administrative Instructions, and the Director General shall proceed accordingly.

#### 31.3 *Publication and Effective Date*

(a) The Administrative Instructions and any modification thereof shall be published in the Bulletin.

(b) Each publication shall specify the date on which the published provisions become effective. The dates may be different for different provisions, provided that no provision may be declared effective prior to its publication in the Bulletin.

#### 31.4 *Conflict with the Agreement and the Regulations*

In the case of conflict between any provision of the Administrative Instructions and any provision of the Agreement or of these Regulations, the latter shall prevail.

## Rule 32

### Languages of the Regulations

#### 32.1 *Languages of the Regulations*

(a) These Regulations shall be adopted in the English and French languages, both texts being equally authentic. However, for States bound exclusively by the 1934 Act, the French text shall be the only authentic text.

(b) Official texts shall be established by the Director General, after consultation with the interested Governments, in such other languages as the Assembly of the Hague Union may designate.

**Rule 33****Entry Into Force****33.1 Entry Into Force**

These Regulations shall enter into force on January 1, 1986, and shall replace, as from that date, the Regulations under the Hague Agreement Concerning the International Deposit of Industrial Designs of July 1, 1979.

**Schedule of Fees**Amount in  
Swiss francs

<i>I. Fees payable if the deposit is governed exclusively or partly by the 1960 Act (deposits published under the 1960 Act)</i>	
1. International deposit fee [Rule 13.2(a)(i)]	
1.1 For 1 design	325
1.2 For each additional design included in the same deposit	16
2. International publication fee [Rule 13.2(a)(ii)]	
2.1 For publication in black and white, per set of four standard spaces*	37
2.2 For publication in color, per set of four standard spaces*	290
3. Deferred publication fee [Rule 10.1(a)]	80
4. Ordinary State fee [per designated State referred to in Rule 13.2(b)] [Rule 13.2(a)(iii)]	
4.1 For 1 design	37
4.2 For each additional design included in the same deposit	2
5. State novelty examination fee	70
[Rule 13.2(a)(iv)] if Hungary is a designated State, for each design, less the amount of the ordinary State fee paid for Hungary (see item 4)	
6. International renewal fee (Rule 24)	
6.1 For a deposit containing 1 design	176
6.2 For each additional design included in the same deposit	14
7. State renewal fee [per designated State to which the 1960 Act applies (Rule 24.2)]	**
7.1 For a deposit containing 1 design	18
7.2 For each additional design included in the same deposit	1
<i>II. Fees payable if the deposit is governed exclusively by the 1934 Act (deposits published under the 1934 Act)</i>	
8. International deposit fee for an initial period of five years [Rule 13.1(a)]	
8. International deposit fee for an initial period of five years [Rule 13.1(a)]	
8.1 For 1 design	190
8.2 For 2 to 50 designs included in the same deposit	385
8.3 For 51 to 100 designs included in the same deposit	560
9. Prolongation fee for a further period of ten years (Rule 23)	
9.1 For 1 design	370
9.1 For 1 design	370
9.3 For 51 to 100 designs included in the same deposit	1090
9.4 Surcharge	***
<i>III. Common fees</i>	
10. Fee for recording a change in ownership (Rule 19)	125
11. Fee for recording a change in the indications referred to in Rule 5.1(a)(ii) to (iv) (Rule 21)	

\* \* A standard space is 4cm x 4cm; the fee is calculated on the basis of the number of spaces or sets of spaces completely or partly occupied by the representation of the article or articles in which it is intended to incorporate the designs included in the deposit. One single space cannot include the representation, in whole or in part, of several articles or the representation, in whole or in part, of one single article viewed from different angles.

\*\* 50% of the international renewal fee.

\*\*\* 50% of the prolongation fee.



	Amount in Swiss francs
- for a single international deposit	125
- for each subsequent international deposit recorded in the name of the same owner, if recording the same change is requested at the same time	65
12. Supply of an extract from the International Register relating to an international deposit	125
13. Supply of non-certified copies of the International Register or items in the file of an international deposit	
- for the first five pages	25
- for each additional page after the fifth if the copies are requested at the same time and relate to the same application or the same international deposit	1
14. Supply of certified copies from the International Register or of items in the file of a deposit	
- for the first five pages	40
- for each additional page after the fifth if the copies are requested at the same time and relate to the same application or the same international deposit	2
15. Supply of a photograph of a deposited object	50
16. Supply of information on the contents of the International Register or of the file of an international deposit	
(i) in the case of oral information	
- concerning an application or an international deposit	25
- for any additional application or international deposit involving the same depositor or owner and if the same information is requested at the same time	5
(ii) in the case of information given in writing	
- in respect of an application or an international deposit	70
- for any additional application or international deposit involving the same depositor or owner and if the same information is requested at the same time	10
(iii) in the case of information given by telecopier, basic fee	30
- for communication of an A5 format document	2
- for communication of an A4 format document	4
- plus actual cost of using the telephone network	