

## Hague Agreement Concerning the International Registration of Industrial Designs

### Individual Designation Fee: United States of America

1. The Government of the United States of America has made the declaration referred to in Article 7(2) of the 1999 Act of the Hague Agreement Concerning the International Registration of Industrial Designs that, in connection with an international application in which the United States of America is designated, the prescribed designation fee shall be replaced by an individual designation fee.
2. The declaration specified, in accordance with Rule 12(3) of the Common Regulations under the 1999 Act and the 1960 Act of the Hague Agreement, that the individual designation fee comprises *two parts*.
3. The declaration also specified reduced amounts for applicants who qualify
  - (a) for “[small entity](#)” status within the meaning of Section 41(h) of Title 35 of the United States Code and Section 3 of the Small Business Act, and applicable regulations of the United States Patent and Trademark Office (USPTO);
  - (b) as a “[micro entity](#)” within the meaning of Section 123 of Title 35 of the United States Code and applicable regulations of the USPTO.
4. For more guidance regarding the conditions relating to these reduced amounts, users should consult the website of the USPTO by clicking on the hyperlinks above.

5. In accordance with Rule 28(2)(b) of the Common Regulations, the Director General of the World Intellectual Property Organization (WIPO) has established, after consultation with the USPTO, the amounts of the individual designation fee which must be paid in connection with an international application in which the United States of America is designated:

<b>Items</b>		<b>Amounts</b> <i>(in Swiss francs)</i>
International Application	<u>First part:</u>	
	– default amount	733
	– amount for “small entity” applicant	367
	– amount for “micro entity” applicant	183
	<u>Second part:</u>	
	– default amount	540
– amount for “small entity” applicant	270	
– amount for “micro entity” applicant	135	

6. The first part of this individual designation fee is to be paid *at the time of the international application*. The second part will be payable only if the USPTO is satisfied that the design that is the subject of the international registration qualifies for protection, i.e., if the design is *allowed*. Therefore, the payment of the second part will, if applicable, be required *at a later date*.

7. The date by which the second part of the individual designation fee must be paid will be notified through an invitation, namely a *Notice of Allowance*, by the USPTO to the holder and to the International Bureau in respect of each international registration concerned.

8. Upon receipt of the invitation for payment, the holder may pay either directly to the USPTO, in US dollars, the amount specified in the *Notice of Allowance*, or through the International Bureau, in Swiss francs, the amount specified in the present information notice corresponding to the economic status indicated in the invitation.

9. If the second part of the individual designation fee is not paid in whole within the time period specified in the *Notice of Allowance* to either the International Bureau or the USPTO, the international registration may be cancelled with respect to the United States of America, following Rule 12(3)(d) of the Common Regulations.

10. As regards the *renewal* of an international registration requested for the United States of America, no individual designation fee shall apply, as it is recalled that, in accordance with the law of the United States of America, the protection for industrial designs is a single term of 15 years from the grant of a design patent.

11. The declaration relating to the individual designation fee made by the United States of America will enter into force on May 13, 2015.

May 12, 2015