

MAIN PROGRAM 15

Hague System for the International Deposit of Industrial Designs

15.1 Management and Operation of the Hague System

15.2 Automation of the Hague System

15.3 Legal Information and Development of the Hague System; Training and Promotion Services

Main objectives:

- ◆ To provide the services entrusted to the International Bureau under the Hague Agreement and the Regulations thereunder in a swift, reliable and cost-effective manner.
- ◆ To render the Hague System ever more responsive to the needs of its users by expanding its geographical coverage and improving its procedures and operation.

Current situation

The total number of deposits and renewals or prolongations under the Hague System increased significantly in 1996 (4%) and 1997 (over 6%). Given the evident growing interest in protection of industrial designs in those countries from which most international deposits originate, a continued annual increase of about 5% is likely in 1998 and 1999.

At its September-October 1997 session, the Assembly of the Hague Union agreed to substitute, during the 1998-99 biennium, the current paper publication for a CD-ROM publication of the reproductions of international deposits. Electronic publication of these reproductions should create significant savings on publication costs for the Hague Union already by 1999. As a first step towards the development of the CD-ROM publication, the International Bureau is undertaking the integration of the data contained in international deposits in the computer system that is used to maintain the International Registry of Marks (see Main Program 14).

On December 31, 1997, 29 States were members of the Hague Union, 23 party to the Hague (1960) Act of the Agreement and 16 to the London (1934) Act (10 States are party to both Acts and six are party only to the 1934 Act). Although four States became bound by the Agreement in the 1996-97 biennium, no significant increase in membership of the Hague System is expected before a new Act of the Agreement enters into force. The ongoing work for the development of the Hague Agreement, which started in 1991, is expected to culminate in a diplomatic conference to be convened in 1999.

The following table provides statistical information on the actual and expected registration activity under the Hague System in the 1996-97 biennium and the

1998-99 biennium:

	1996	1997	1998	1999
	Actual	Actual	Estimate	Estimate
International deposits	3,726	3,984	4,200	4,400
Renewals	2,106	2,239	2,300	2,400
Total: deposits and renewals	5,832	6,223	6,500	6,800
Total number of designs contained in the deposits	19,110	18,509	21,400	22,400
Changes to the Register	1,772	1,912	1,950	2,000

**Strategy
for the
future**

Concentration of effort will be on the promotion of wider acceptance of the Hague System through the conclusion of a new Act of the Hague Agreement. Electronic systems and products will be progressively developed in areas of the International Industrial Design Registry where the investment return is the highest, particularly in the area of publication.

**New
program
activities**

- ◆ A diplomatic conference for the adoption of a new Act of the Hague Agreement, preceded by a preparatory meeting.

**Expected
results**

- ◆ Provision of the services required under the Hague System in a manner that fully satisfies the interested Contracting Parties and owners of industrial designs from the viewpoint of speed, reliability and cost-effectiveness.
- ◆ Adoption of a new Act of the Hague Agreement, allowing wider acceptance and use of the Hague System in the future.

Sub-program 15.1

Management and Operation of the Hague System

Objective:

- ◆ To provide the services entrusted to the International Bureau under the Hague Agreement.

Main activities

- ◆ Performance of the tasks entrusted to the International Bureau under the Hague Agreement, in particular: receipt of applications for international deposit and examination as to formal requirements; registration of the deposits; recordal of renewals of deposit, of changes in the deposits and of any refusals by member countries; required communications and notifications to the applicants or owners of international deposits; preparation for publication, publishing and mailing the bilingual periodical *WIPO International Designs Bulletin* on paper; and, at the beginning of 1999, cessation of the paper publication of the reproductions contained in international deposits and replacement by a CD-ROM publication (sub-program 15.2).

Expected results

- ◆ The statistical table under Main Program 15 sets out the expected growth in activity, based on an annual increase in the number of deposits of about 5% in 1998 and 1999. It is assumed that 50% of deposits are renewed after five years and 25% are renewed after 10 years. The proposed budget reflects a reduction by 50% of publication costs in 1999 on account of the phasing out of the paper publication of reproductions contained in international deposits.

Management and Operation of the Hague System (in thousands of Swiss francs)											
Sub-program 15.1	Official Travel and Fellowships			Contractual Services				Operating Exp.		Equipment and Supplies	
	Staff Missions	Part. Govt Officials	Fellowships	Conferences	Consultants	Publishing	Other	Premises & Maint.	Comm. & Other	Supplies & Materials	Furniture & Equipment
Total	2,202	-	-	-	-	1,800	130	21	111	-	140

Sub-program 15.2

Automation of the Hague System

- ◆ **Objectives:**
- ◆ To provide support to the activities under sub-program 15.1.
- ◆ To reduce the cost of publication of the international deposits of industrial designs.
- ◆ To facilitate the task of industrial property offices of members of the Hague Union.

Background A major item of expenditure for the budget of the Hague Union is the publication (on paper) of the *International Designs Bulletin*. At the fifteenth session of the Assembly of the Hague Union, in September-October 1997, the International Bureau proposed that the publication on paper of the reproductions of designs deposited with the International Bureau be substituted by a CD-ROM publication, with a view to reducing costs (see document H/A/XV/2). The Assembly approved this proposal (see document H/A/XV/3).

In order to produce the information to be included on the CD-ROM (comprising also the bibliographic data associated with the reproductions deposited), the International Bureau will require a relational electronic database for the International Registry of Industrial Designs. Setting up this database will enable the International Bureau to offer interested offices of the countries party to the Hague Agreement to receive in electronic form bibliographic data and reproductions contained in the international deposits designating them. The expected reduction in publication costs more than offsets the initial investment to develop the new CD-ROM publication system (120,000 francs for contractual services and 60,000 francs of equipment) and the cost of digitization of the reproductions, formatting of the CD-ROM publication and of the paper publication, as well as pre-mastering of the former. Once the new publication system is fully operational, the Director General will propose a reduction of the publication fee associated with the international deposit of industrial designs.

Main activities

- ◆ Integration of the data contained in the international deposits of industrial designs on the computer platform developed for the management, registration and publication of marks under the Madrid Agreement and Protocol (MAPS), including necessary adaptations to MAPS for the storage of that data, production of communications with applicants and holders and of certificates of deposit and renewal, and the preparation of the publication.
- ◆ Development in 1998 of a system for the publication on CD-ROMs of the reproductions contained in international deposits of industrial designs and of the associated bibliographic data, aiming at cessation of their publication on paper by the beginning of 1999, but with continued publication on paper of bibliographic data on international deposits, and subsequent inscriptions in the International Register of Industrial Designs.

Expected results

- ◆ The international registration procedure will be more cost effective and will allow a reduction in publication fee. Furthermore, Industrial Property Offices of Member States of the Hague Union will be able to receive bibliographic data and reproduction of international individual designs in electronic form. For those Offices which capture data on international deposits, this will save related staff costs.
- ◆ Access by Offices and by the general public to the data contained in the periodic publication of international industrial designs will be improved by the new CD-ROM publication.

Automation of the Hague System (in thousands of Swiss francs)												
Sub-program 15.2	Official Travel and Fellowships			Contractual Services				Operating Exp.		Equipment and Supplies		
	Staff Missions	Part. Govt Officials	Fellowships	Conferences	Consultants	Publishing	Other	Premises & Maint.	Comm. & Other	Supplies & Materials	Furniture & Equipment	
Total	244	-	-	-	124	-	120	-	-	-	-	

Sub-program 15.3

Legal Information and Development of the Hague System; Training and Promotion Services

Objectives:

- ◆ To increase, among creators of industrial designs and the design industry, industrial property agents, governments and intergovernmental organizations, awareness and knowledge of the Hague System, its use and benefits.
- ◆ To encourage participation in the Hague System by more Contracting Parties.
- ◆ To render the Hague System more responsive to the needs of its users by expanding its geographical scope and, as far as possible, simplifying its procedures.

Background A process of revision of the Hague Agreement was initiated in 1991, aiming, on the one hand, at expanding its geographical scope by removing obstacles that have so far prevented countries whose legislation provides for substantive examination of applications for the protection of industrial designs from joining the Agreement; and, on the other hand, at making the system simpler, cheaper and generally more responsive to the requirements of creators of designs, particularly in those branches of industry where the life-cycle of design creation is short.

This work has aroused renewed interest for the international protection of industrial designs and generated demand for information on the operation of the Hague System on the part of users and potential users thereof as well as of competent authorities of potential Contracting Parties. Among potential Contracting Parties, developing countries have special needs for assistance in drafting implementing legislation to give effect to international deposits applicable on their territories, and to enable their offices to provide information to potential international applicants.

Main activities

- ◆ A diplomatic conference in 1999 for the adoption of a new Act of the Agreement, to which all Member States of WIPO will be invited to participate, with equal rights, preceded by a preparatory meeting dealing with procedural aspects of the conference.
- ◆ Promotion of the use of the Hague System and advice on its use to applicants, potential applicants and their representatives, in particular by:
 - organizing two advisory meetings of Hague users and two seminars on the Hague System, and taking part in other meetings, seminars and other activities for applicants, potential applicants and their representatives in cooperation with other program areas; and
 - producing and publishing in paper form and on the Internet information and training material, including the *Guide to the International Deposit of Industrial Designs*.
- ◆ Provision of information and assistance to the competent authorities of current and potential Contracting Parties of the Hague Agreement, through 10 missions of WIPO

officials attending seminars, workshops or similar meetings, and during visits of officials of these competent authorities to the WIPO headquarters, with particular support to the requirements of developing countries from the special unit to be established in the International Registrations Department under sub-program 14.3.

Expected results

- ◆ Adoption of a new Act of the Hague Agreement.
- ◆ Better understanding and more effective use of the Hague System by industrial design owners and their representatives.
- ◆ Enhanced capacity of Offices of countries participating in the Hague System to advise potential users on its operation.

Legal Information and Development of the Hague System; Training & Promotion Services (in thousands of Swiss francs)												
Sub-program 15.3	Official Travel and Fellowships			Contractual Services				Operating Exp.		Equipment and Supplies		
	Staff Missions	Part. Govt Officials	Fellowships	Conferences	Consultants	Publishing	Other	Premises & Maint.	Comm. & Other	Supplies & Materials	Furniture & Equipment	
Total	906	63	25	-	694	124	-	-	-	-	-	-

Program Budget Summary

Hague System for the International Deposit of Industrial Designs (in thousands of Swiss francs)												
	Official Travel and Fellowships			Contractual Services				Operating Exp.		Equipment and Supplies		
	Staff Missions	Part. Govt Officials	Fellowships	Conferences	Consultants	Publishing	Other	Premises & Maint.	Comm. & Other	Supplies & Materials	Furniture & Equipment	
Sub-program 15.1	2,202	-	-	-	-	1,800	130	21	111	-	140	
Sub-program 15.2	244	-	-	-	-	124	120	-	-	-	-	
Sub-program 15.3	906	63	25	-	694	124	-	-	-	-	-	
Total	3,352	63	25	-	694	248	1,800	250	21	111	-	140

Staff needs and costs

1.5 additional General Service posts will be required to cope with the projected growth of registration activity in the Hague system. If the number of deposits and renewals or prolongations were, in fact, less or more than forecast in this program, then the number of posts would be reduced or increased accordingly.

Posts	1996-97	1998-99	Variation
Directors	0	0	0
Professionals	1	1	0
General Service	10	11.5	1.5
Total	11	12.5	1.5

Staff costs (in thousands of Swiss francs)	Budget 1996-97	Budget 1998-99	Variation
Salaries of regular staff	2,095	2,462	
Salaries of short-term staff	75	180	
Social charges + other personnel costs	687	807	
Total staff costs	2,857	3,449	20.73%

Comparative Budget Summary

	(In thousands of Swiss francs)					
	Budget 1996-97	Budget 1998-99	Variation			
			Program		Cost	
MAIN PROGRAM 15: Hague System for the International Deposit of Industrial Designs			Amount	%	Amount	%
Program Activities	3,042	3,352	189	6.2%	121	4.0%
Staff Costs	2,857	3,449	589	20.6%	3	0.1%
TOTAL	5,899	6,801	778	13.2%	124	2.1%