



WORLD INTELLECTUAL PROPERTY ORGANIZATION

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HAGUE AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF INDUSTRIAL DESIGNS

Freeze of the Application of the 1934 Act

1. On September 24, 2009, the 15 Contracting States to the London (1934) Act of the Hague Agreement Concerning the International Deposit of Industrial Designs* decided, at an Extraordinary Meeting held in Geneva, to freeze the application of this Act as from January 1, 2010. The text of that decision, as reported to the Assembly of the Hague Union at its twenty-eighth (17th ordinary) session, which took place in Geneva from September 22 to October 1, 2009, is as follows:

“The Contracting States to the London (1934) Act of the Hague Agreement Concerning the International Deposit of Industrial Designs (“1934 Act”), decide to freeze the application of this Act with effect from January 1, 2010. In taking this decision, the Contracting States intend that no new designation under the 1934 Act may be recorded in the International Register, but that this freeze shall be without prejudice to the continuation in force of designations recorded in the International Register before the effective date of the freeze. More precisely, the Contracting States to the 1934 Act recognize that it shall continue to be possible for these designations to be the subject of a prolongation or any other recording provided for in the Common Regulations under the 1999 Act, the 1960 Act and the 1934 Act of the Hague Agreement, in the version in force before the effective date of the freeze.”

2. So as to reflect that decision in operational terms, the Assembly of the Hague Union adopted, at this same twenty-eighth session, a set of amendments to the Common Regulations. These removed all references to the 1934 Act from the Common Regulations and introduced a transitional provision applicable to designations recorded in the International Register before the effective date of the freeze. These amendments will also come into effect on January 1, 2010, and are further detailed in Information Notice No. 10/2009.

* The following 15 States are party to the 1934 Act: Benin, Côte d’Ivoire, Egypt, France, Germany, Indonesia, Liechtenstein, Monaco, Morocco, Netherlands (in respect of the Netherlands Antilles), Senegal, Spain, Suriname, Switzerland and Tunisia.

3. As a result of the freeze beginning January 1, 2010, it will no longer be possible to file international deposits under the 1934 Act nor to make new designations governed by that Act. Nevertheless, the prolongation (renewal) of designations made under the 1934 Act before January 1, 2010, and the recording of any change affecting such designations will continue to be possible in the International Register up to the maximum duration of protection under the 1934 Act (15 years).

4. For more information on the decision to freeze the application of the 1934 Act and on the related amendments to the Common Regulations, documents H/EXTR/09/01 and H/EXTR/09/02 are available on WIPO's website, at http://www.wipo.int/meetings/en/details.jsp?meeting_id=19584 and documents H/A/28/1. and H/A/28/3 are available at http://www.wipo.int/meetings/en/details.jsp?meeting_id=18648.

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