

Hague Agreement Concerning the International Registration of Industrial Designs

Amendments to the Administrative Instructions

1. At its seventh session which took place in Geneva from July 16 to 18, 2018, the Working Group on the Legal Development of the Hague System for the International Registration of Industrial Designs was invited to comment on proposed amendments to the Administrative Instructions for the Application of the Hague Agreement (hereinafter referred to as the “Administrative Instructions”). This was with a view to proceeding to the consultation required pursuant to Rule 34(1)(a) of the Common Regulations Under the 1999 Act and the 1960 Act of the Hague Agreement. As a result of the said consultation, the Administrative Instructions have been amended by the Director General of the World Intellectual Property Organization (WIPO).
2. The amendments concern Sections 203 and 801 of the Administrative Instructions which will come into force on January 1, 2019.

DISCONTINUATION OF USE OF TELEFACSIMILE (FAX) AT THE INTERNATIONAL BUREAU OF WIPO

3. Section 203 of the Administrative Instructions provides for the possibility to submit any communication, other than an international application containing a reproduction of the industrial design to be published in color, by fax. However, the telecommunications service provider of the International Bureau of WIPO ceased to provide analog lines on January 1, 2018, having been replaced by Voice Over Internet Protocol (VOIP). The resulting incompatibility of the old fax technology with the new internet technology could result in possible data loss without warning to the sender.
4. Consequently, Section 203 has been deleted to discontinue communications via fax with the International Bureau of WIPO. As a result, communications under the Hague System may no longer be addressed to the International Bureau of WIPO by fax from January 1, 2019. Instead, a new function that will allow users to easily and securely upload documents in PDF format will shortly be made available and accessible from the E-Filing Portfolio Manager and Contact Hague Service. The said document upload function will allow the submission of documents, including requests made on the relevant official forms. Accordingly, in exceptional circumstances where the E-Filing Interface is down, that function could be relied on as a safeguard measure.

ONLINE PAYMENT

5. Section 801 of the Administrative Instructions provides for the modes of payment acceptable by the International Bureau of WIPO. In order to enhance flexibility with respect to online payment, the text of Section 801(iii) has been amended to allow other new forms of online payment.

November 29, 2018

Administrative Instructions for the Application of the Hague Agreement

(as in force on January 1, 2019)

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[...]

<i>Part Two:</i>	<i>Communications with the International Bureau</i>
Section 201:	Communication in Writing; Several Documents in One Envelope
Section 202:	Signature
Section 203:	[Deleted]
Section 204:	Electronic Communications
Section 205:	Communications Through User Accounts Available on the Web Site of the Organization

[...]

Part Two Communications with the International Bureau

[...]

Section 203: [Deleted]

[...]

Part Eight Fees

Section 801: Modes of Payment

Fees may be paid to the International Bureau

- (i) by debit to a current account with the International Bureau,
- (ii) by payment into the Swiss postal check account or to any of the specified bank accounts of the International Bureau,
- (iii) through an online payment system made available by the International Bureau.

[...]

[End of Annex]