

Hague Agreement Concerning the International Registration of Industrial Designs

Amendments to the Common Regulations Under the 1999 Act and the 1960 Act of the Hague Agreement

1. It is recalled that at its forty-second (19th extraordinary) session, which took place in Geneva, from July 14 to 22, 2022, the Assembly of the Hague Union adopted amendments to Rules 21 and 26 of the Common Regulations Under the 1999 Act and the 1960 Act of the Hague Agreement (“Common Regulations”) that will enter into force on April 1, 2023.
2. The amended texts of the aforementioned Rules are reproduced in Annex I to the present Information Notice. Background information concerning these amendments can be found in document H/A/42/1 of the Assembly of the Hague Union, which is available on the WIPO website at the following address:
https://www.wipo.int/edocs/mdocs/govbody/en/h_a_42/h_a_42_1.pdf.
3. The amendments to Rules 21 and 26¹ provide for publication in the *International Designs Bulletin* (“Bulletin”) of up-to-date information concerning representatives before the International Bureau, so that users and the Offices of designated Contracting Parties be officially² notified of changes in this respect throughout the life of an international registration, as summarized in Annex II to the present Information Notice.
4. The amendments will apply to an appointment of a representative, cancellation thereof, and a change in the name or address of a representative recorded on and after the date of entry into force.

January 30, 2023

¹ The opportunity was seized to add to Rule 26(3) a reference to Article 17(5) of the Geneva Act (1999) of the Hague Agreement Concerning the International Registration of Industrial Designs (“1999 Act”), in order to clarify that the publication of each issue of the Bulletin is deemed to replace the sending of the Bulletin under Article 17(5) of the 1999 Act for the purpose of notifying recordings of renewal to the Office of each of the designated Contracting Parties.

² The Bulletin is the official publication and notification of international registrations and other relevant recordings. Information concerning representatives, including subsequent updates, is already available in the Hague Express Database and the Global Design Database.

**Common Regulations
Under the 1999 Act and the 1960 Act
of the Hague Agreement**

(as in force on April 1, 2023)

[...]

CHAPTER 4

CHANGES AND CORRECTIONS

Rule 21

Recording of a Change

(1) [*Presentation of the Request*] (a) A request for the recording shall be presented to the International Bureau on the relevant official form where the request relates to any of the following:

- (i) a change in the ownership of the international registration in respect of all or some of the industrial designs that are the subject of the international registration;
- (ii) a change in the name or address of the holder;
- (iii) a renunciation of the international registration in respect of any or all of the designated Contracting Parties;
- (iv) a limitation, in respect of any or all of the designated Contracting Parties, to one or some of the industrial designs that are the subject of the international registration;
- (v) [a change in the name or address of the representative](#).

[...]

(2) [*Contents of the Request*] (a) The request for the recording of a change shall, in addition to the requested change, contain or indicate

- (i) the number of the international registration concerned,
- (ii) the name of the holder, ~~unless~~ [the name of the representative where](#) the change relates to the name or address of the representative,
- (iii) in case of a change in the ownership of the international registration, the name and address, given in accordance with the Administrative Instructions, and email address of the new owner of the international registration,
- (iv) in case of a change in the ownership of the international registration, the Contracting Party or Parties in respect of which the new owner fulfills the conditions to be the holder of an international registration,
- (v) in case of a change in the ownership of the international registration that does not relate to all the industrial designs and to all the Contracting Parties, the numbers of the industrial designs and the designated Contracting Parties to which the change in ownership relates, and
- (vi) the amount of the fees being paid and the method of payment, or instruction to debit the required amount of fees to an account opened with the International Bureau, and the identification of the party effecting the payment or giving the instructions.

(b) The request for the recording of a change in the ownership of the international registration may be accompanied by a communication to appoint a representative of the new owner. Provided that the requirements under Rule 3(2)(b) and (c) are complied with, the effective date of such appointment shall be the date of the recording of the change in ownership pursuant to paragraph (6)(b). In such case, the recording of the change in ownership in the International Register shall contain that appointment.

[...]

CHAPTER 6

PUBLICATION

Rule 26

Publication

(1) [*Information Concerning International Registrations*] The International Bureau shall publish in the Bulletin relevant data concerning

(i) international registrations, in accordance with Rule 17;
 (ii) refusals, with an indication as to whether there is a possibility of review or appeal, but without the grounds for refusal, and other communications recorded under Rules 18(5) and 18*bis*(3);

(iii) invalidations recorded under Rule 20(2);

(iv) changes ~~in ownership and mergers, changes of name or address of the holder, renunciations and limitations~~ recorded under Rule 21;

(ivbis) appointments of representatives recorded under Rule 3(3)(a), unless published under items (i) or (iv), and cancellations thereof other than *ex officio* cancellations under Rule 3(5)(a);

(v) corrections effected under Rule 22;

(vi) renewals recorded under Rule 25(1);

(vii) international registrations which have not been renewed;

(viii) cancellations recorded under Rule 12(3)(d);

(ix) declarations that a change in ownership has no effect and withdrawals of such declarations recorded under Rule 21*bis*.

[...]

(3) [*Mode of Publishing the Bulletin*] The Bulletin shall be published on the web site of the Organization. The publication of each issue of the Bulletin shall be deemed to replace the sending of the Bulletin referred to in Articles 10(3)(b), ~~and~~ 16(4) and 17(5) of the 1999 Act and Article 6(3)(b) of the 1960 Act, and, for the purposes of Article 8(2) of the 1960 Act, each issue of the Bulletin shall be deemed to have been received by each Office concerned on the date of its publication on the web site of the Organization.

[...]

[Annex II follows]

Information concerning Representatives - Recording or Cancellation of Recording in the International Register, and Publication in the Bulletin

Information concerning representatives	Recording/cancellation of recording and publication (applicable Rule)
a. Appointment of a representative at the time of filing or during the pendency of an international application	Recorded (existing Rule 3(3)(a)), and published as part of the international registration (existing Rules 15(2)(i), 17(2)(i) and 26(1)(i))
b. Appointment of a new representative at the time of requesting the recording of a change in ownership	Recorded (existing Rule 3(3)(a)), and to be published as part of the recorded change in ownership (new Rules 21(2)(b) and 26(1)(iv))
c. Appointment of a representative subsequent to the international registration (except for appointment under item b)	Recorded (existing Rule 3(3)(a)), and to be published under an independent heading (new Rule 26(1)(iv bis))
d. Cancellation of the recording of the appointment of a representative (except for the <i>ex officio</i> cancellation of the recording of the appointment of the representative of the previous owner, where a change in ownership is recorded)	Cancelled (existing Rule 3(5)(a)), and to be published under an independent heading (new Rule 26(1)(iv bis))
e. Change in the name or address of an appointed representative	To be recorded (new Rule 21(1)(a)(v)), and to be published under an independent heading (new Rule 26(1)(iv))

[End of Annex II and of document]