

EU Design Legal Reform, WIPO DAS and WIPO Standard ST.92

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Agenda

1. Background
2. WIPO DAS current implementation at EUIPO
3. European Union Design legal reform
4. The WIPO ST.92 Standard: EUIPO perspective
5. EUIPO tentative roadmap

1. Background

- EUIPO is a participating office in the WIPO DAS since 11th July 2020, design matters only
- European Union has a Design legislative reform ongoing
- Implementation of the ST.92 to be carried out before the sunset date (when all IPOs have the ST.92 implemented)

2. WIPO DAS current implementation at EUIPO

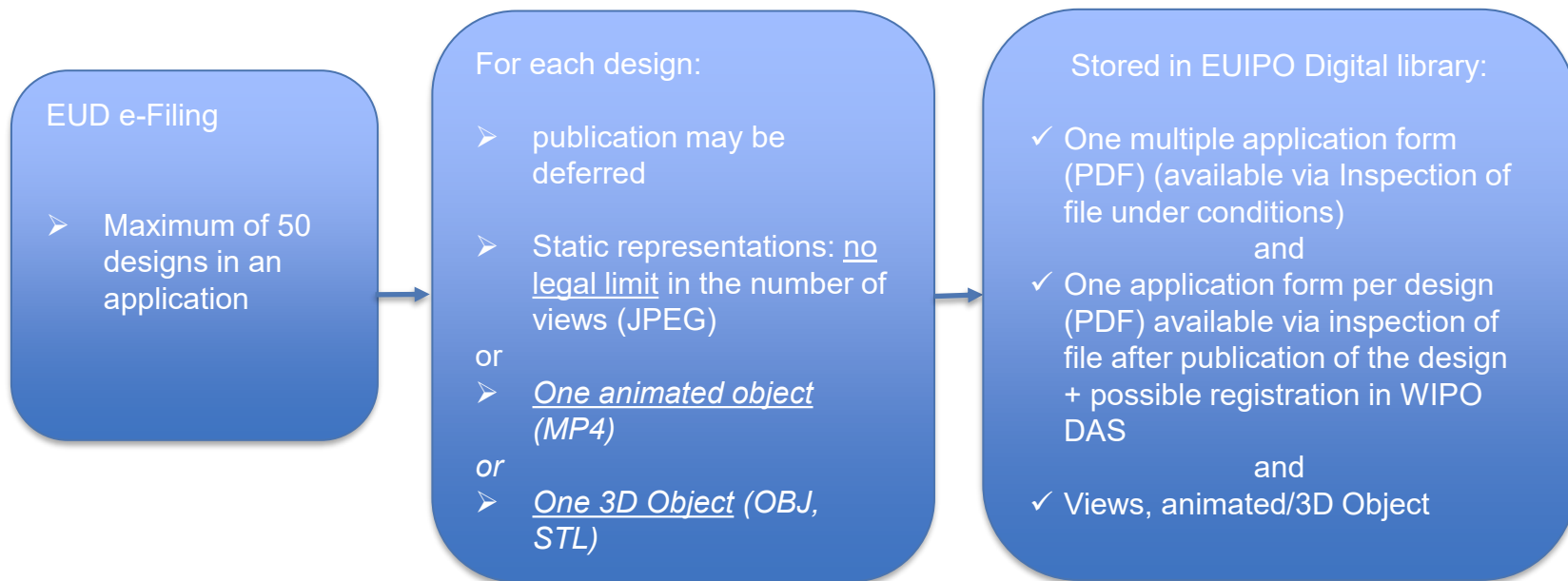
- EUIPO has been a participating office in the WIPO DAS since 11th July 2020 to exchange priority documents for European Union Designs (EUD), in particular, the confidential ones.
- EUIPO holds its digital library and registers only the priority data with WIPO (IP type, priority office code, priority application number, priority application filing date and access code).
- EUIPO as providing office transmits one PDF document containing a certified copy of the individual design application form and its registration certificate (if available). WIPO adds a certification page to this document before delivery to the receiving Office.
- Communication with WIPO via web service (Trilateral Document Access via SOAP protocol).

3. European Union Design legal reform (1/3)

- European Union Design legal reform
 - Regulation (EU) 2024/2822 of the European Parliament and of the Council of 23 October 2024 amending Council Regulation (EC) No 6/2002 on Community designs and repealing Commission Regulation (EC) No 2246/2002
 - Directive (EU) 2024/2823 of the European Parliament and of the Council of 23 October 2024 on the legal protection of designs
- Implementation in two phases
 - ✓ Phase I – Entered into force on 01/05/2025
 - Number of designs in a multiple application is limited 50 (no limit set in previous regulation)
 - ☐ Phase II – Enters into force on 01/07/2026
 - The restriction in the number of static representations is removed (seven protected views in previous regulation)
 - Introduction of animated or 3D object representations

3. European Union Design legal reform (2/3)

- From filing to WIPO DAS – **After EU Legal reform – Phase II (01/07/2026)**



3. European Union Design legal reform (3/3)

- Number of designs received at EUIPO, broken down by type of representation

Number of designs	Representation format	% Total
1,919,115	JPG	99.82%
1,866	OBJ	0.10%
1,585	STL	0.08%
10	X3D	0.00%

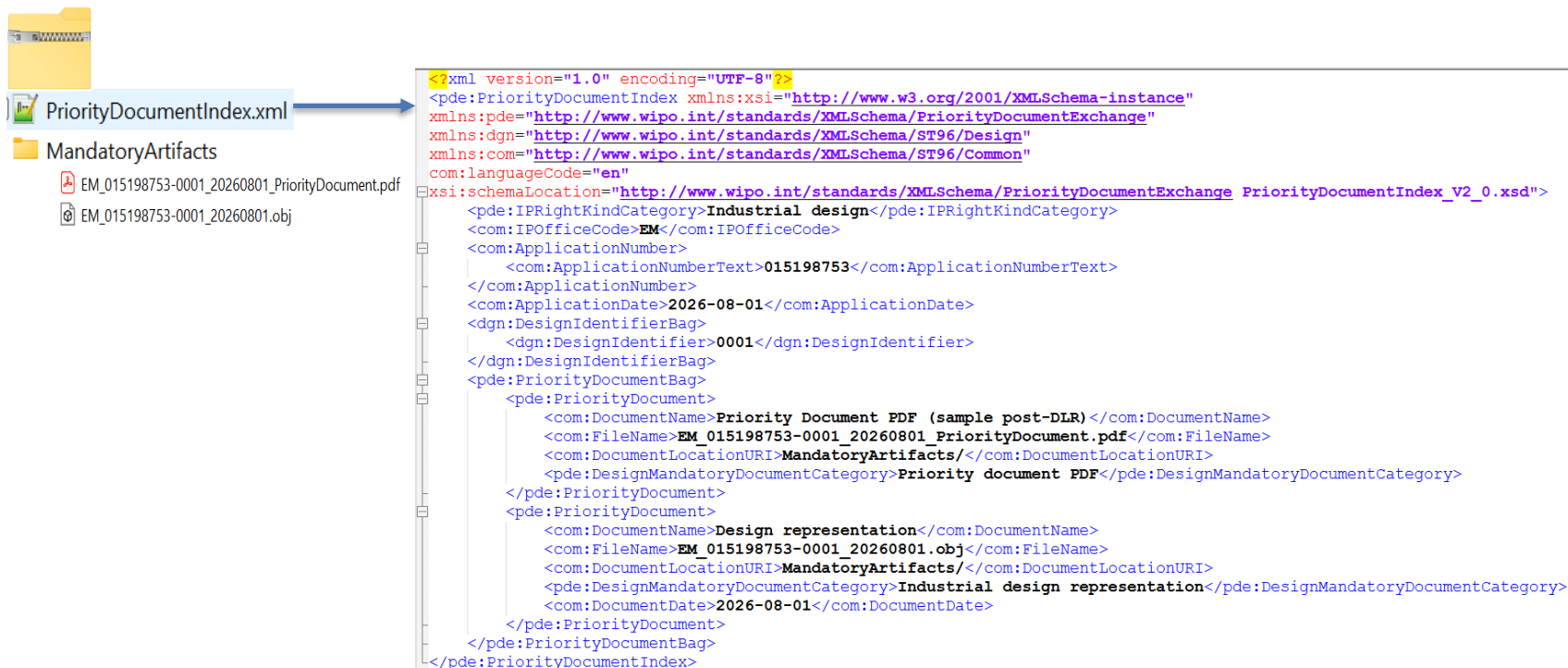
- How to address the issue of sending priority documents having animated/3D objects after the 1st July 2026
 - Applicants may file a design application with static representations if they foresee to use it as priority document
 - Grant IPOs access to a secured FTP server
 - Implementation of the WIPO ST.92 standard

4. The WIPO ST.92 Standard: EUIPO perspective (1/3)

- The WIPO ST.92 Standard defines the requirements on the data package format for the electronic exchange of priority documents for Patents and is being extended to Trademarks and Designs.
- In practice, a ZIP package is exchanged, and it has the following structure:
 - ✓ An XML Index file (providing information and reference to the files contained in the ZIP package) following a schema which is defined in annex of the standard
 - ✓ One “Mandatory Artifacts” folder to store the mandatory documents (e.g. PDF, binary)
 - ✓ An optional “Supplementary Artifacts” folder to store relevant additional documents (e.g. registration certificate)

4. The WIPO ST.92 Standard: EUIPO perspective (2/3)

EUIPO example of WIPO ST.92 data package for an EU design to be sent via WIPO DAS



The image shows a file explorer on the left and an XML editor on the right. The file explorer displays a folder named 'PriorityDocumentIndex.xml' containing two files: 'EM_015198753-0001_20260801_PriorityDocument.pdf' and 'EM_015198753-0001_20260801.obj'. A blue arrow points from the 'PriorityDocumentIndex.xml' folder to the XML editor. The XML editor shows the following code:

```
<?xml version="1.0" encoding="UTF-8"?>
<pde:PriorityDocumentIndex xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance"
xmlns:pde="http://www.wipo.int/standards/XMLSchema/PriorityDocumentExchange"
xmlns:dgn="http://www.wipo.int/standards/XMLSchema/ST96/Design"
xmlns:com="http://www.wipo.int/standards/XMLSchema/ST96/Common"
com:languageCode="en"
xsi:schemaLocation="http://www.wipo.int/standards/XMLSchema/PriorityDocumentExchange PriorityDocumentIndex_V2_0.xsd">
  <pde:IPRightKindCategory>Industrial design</pde:IPRightKindCategory>
  <com:IPOfficeCode>EM</com:IPOfficeCode>
  <com:ApplicationNumber>
    <com:ApplicationNumberText>015198753</com:ApplicationNumberText>
  </com:ApplicationNumber>
  <com:ApplicationDate>2026-08-01</com:ApplicationDate>
  <dgn:DesignIdentifierBag>
    <dgn:DesignIdentifier>0001</dgn:DesignIdentifier>
  </dgn:DesignIdentifierBag>
  <pde:PriorityDocumentBag>
    <pde:PriorityDocument>
      <com:DocumentName>Priority Document PDF (sample post-DLR)</com:DocumentName>
      <com:FileName>EM_015198753-0001_20260801_PriorityDocument.pdf</com:FileName>
      <com:DocumentLocationURI>MandatoryArtifacts</com:DocumentLocationURI>
      <pde:DesignMandatoryDocumentCategory>Priority document PDF</pde:DesignMandatoryDocumentCategory>
    </pde:PriorityDocument>
    <pde:PriorityDocument>
      <com:DocumentName>Design representation</com:DocumentName>
      <com:FileName>EM_015198753-0001_20260801.obj</com:FileName>
      <com:DocumentLocationURI>MandatoryArtifacts</com:DocumentLocationURI>
      <pde:DesignMandatoryDocumentCategory>Industrial design representation</pde:DesignMandatoryDocumentCategory>
      <com:DocumentDate>2026-08-01</com:DocumentDate>
    </pde:PriorityDocument>
  </pde:PriorityDocumentBag>
</pde:PriorityDocumentIndex>
```

4. The WIPO ST.92 Standard: EUIPO perspective (3/3)

- EUIPO contributed to the ST.92 revision by providing comments and modifications during the technical revision of the related XML schema, created some sample cases, shared some legal and practical information and answered the survey on the implementation plan.
- EUIPO also carried out some internal basic testing of the current REST API (exchange of PDF documents) which will support, in its next version, the exchange of priority documents as ZIP packages

5. EUIPO tentative roadmap

- EUIPO currently focusing on the EU design legal reform.
- No ST.92 related activities would start before the 01/07/2026.
- EUIPO should be ready before the sunset date.



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THANK YOU