

WIPO



H/A/XV/3

ORIGINAL: French

DATE: October 1, 1997

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

**SPECIAL UNION FOR THE INTERNATIONAL DEPOSIT OF INDUSTRIAL DESIGNS
(HAGUE UNION)**

ASSEMBLY

**Fifteenth Session (11th Ordinary)
Geneva, September 22 to October 1, 1997**

REPORT

adopted by the Assembly

1. The Assembly was concerned with the following items on the consolidated agenda (document AB/XXXI/1 Prov.2): 1, 2, 3, 5, 6, 12, 21, 28, 29 and 30.
2. The report on these items, with the exception of item 12, is given in the general report (document AB/XXXI/12).
3. The report on item 12 is given in this document.
4. Mr. Jan Nicaise (Netherlands), Chairman of the Assembly, presided over the session of the Assembly.

ITEM 12 ON THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE HAGUE UNION

5. Discussions were based on documents H/A/XV/1 and 2.

Amendments to the Regulations

6. The Delegation of Germany stated that it accepted the amendments to the Regulations under the Hague Agreement proposed in document H/A/XV/1.

7. The Assembly adopted the amendments and decided that they would enter into force on October 1, 1997, except for those concerning Rule 19.1(a) and Rule 8.3(b), which would enter into force on January 1, 1998. The amended provisions of the Regulations under the Hague Agreement are given in the Annex to this report.

The International Designs Bulletin

8. The Delegation of Hungary, noting that the SARINDI prototype had been devised by a Hungarian firm, was fully convinced of the advantages for depositors of the proposal by the International Bureau contained in document H/A/XV/2 and gave its full support to that proposal.

9. The Delegation of France acknowledged that the International Bureau's proposal offered numerous advantages. However, in view of the importance assumed by the quality of reproductions, a premature decision should not be taken on the date at which paper publication of the Bulletin should be ceased. The Delegation of France therefore invited the International Bureau to plan for an adequate period of testing, during which the Offices and other users of the publication could acquire the hardware which would permit a good quality of reproduction when using the CD-ROM.

10. The Assembly authorized the Director General to proceed with the introduction of electronic publication of international designs in accordance with the proposal contained in document H/A/XV/2.

[Annex follows]

ANNEX

Rule 5

Mandatory Contents of the Application

5.1 *Mandatory Contents of the Application*

(a) Any application shall contain:

(i) to (iii) [No change]

(iv) the depositor's address, indicated in such a way as to satisfy the customary requirements for prompt postal delivery at the indicated address and consisting, in any case, of all the relevant administrative units up to, and including, the house number, if any. Any telephone and telefacsimile numbers that the applicant may have should preferably also be indicated. For each depositor, only one address shall be indicated; if several addresses are indicated, only the one first mentioned in the application shall be considered.

(v) to (vii) [No change]

(b) [No change]

(i) [No change]

(ii) an indication of the documents, photographs, other graphic representations or samples accompanying the application;

(iii) [No change]

(c) [No change]

(i) [No change]

(ii) an indication of the documents, photographs, transparencies or other graphic representations accompanying the application;

(iii) [No change]

Rule 8

Form of the Application

8.1 and 8.2 [No change]

8.3 *No Additional Matter*

(a) [No change]

(b) If the application contains matter other than matter so prescribed or permitted, the International Bureau shall delete it *ex officio*. If the application is accompanied by any document other than those prescribed or permitted, the International Bureau shall dispose of the said document.

Rule 12

Reproduction, Samples and Models of the Designs or Articles

12.1 Reproduction, Samples and Models

(a) In the case of international deposits governed exclusively by the 1934 Act, the application shall be accompanied by two photographs or other graphic representations, or two samples, of each design or of each article in which it is intended to incorporate the designs.

(b) In the case of international deposits which are governed exclusively or partly by the 1960 Act, the application shall be accompanied, for each design or for each article in which it is intended to incorporate the designs,

(i) and (ii) [No change]

Additionally, the application may be accompanied by samples or models of the article or articles. The dimensions of the representation of each design or article shown in the photographs or other graphic representations accompanying the application shall be those in which the depositor wishes the design to be published, provided that one of those dimensions shall not be less than 3 cm. The dimensions of the representations shall not be more than 16 cm x 16 cm.

(c) to (e) [No change]

Rule 14

Recording or Declining of the International Deposit

14.1 Regular International Deposits

Subject to Rule 14.2, the International Bureau shall record the international deposit in the International Register as of the date on which it receives the application.

14.2 Defective International Deposits

(a) and (b) [No change]

(c) The international deposit shall bear the date on which the correction of the defect was received by the International Bureau where the defect was one of the following:

(i) and (ii) [No change]

(iii) [Deleted]

(iv) [No change]

(v) and (vi) [Deleted]

(vii) [No change]

(viii) the provisions of Rule 12.1(a) or of Rule 12.1(b), first sentence, were not complied with, except in the case where the photographs, other graphic representations, samples or models were furnished in one copy only;

(ix) [Deleted]

(x) and (xi) [No change]

(d) to (f) [No change]

Rule 19

Changes in Ownership

19.1 *Request for Recording of Change in Ownership*

(a) The request for recording a change in ownership in the International Register shall be established in accordance with the model form issued by the International Bureau. On request, printed copies of the model form shall be furnished free of charge by the International Bureau. The form shall be filled in preferably by typewriter and shall be easily legible.

(b) and (c) [No change]

19.2 [No change]

Rule 24

Renewal of International Deposits Governed Exclusively or Partly by the 1960 Act

24.1 [No change]

24.2 *Time Limits; Fees and Surcharge*

(a) Renewal shall be effected simply by payment, during the last six months of each period of five years, of the international renewal fee and the renewal fees payable to States.

(b) to (e) [No change]

24.3 and 24.4 [No change]

Rule 28

Amounts and Payment of Fees

28.1 *Amounts of Fees*

(a) [No change]

(b) The fees payable shall be:

(i) where they concern an international deposit, the fees in force on the date of receipt by the International Bureau of that deposit;

(ii) where they concern a prolongation or renewal, the fees in force at the time of payment.

28.2 to 28.8 [No change]

[End of Annex and of document]