

Working Group on the Legal Development of the Hague System for the International Registration of Industrial Designs

Fourteenth Session
Geneva, October 6 to 8, 2025

PROPOSAL BY THE DELEGATION OF BRAZIL

Document prepared by the International Bureau

1. In a communication dated September 3, 2025, the International Bureau received a proposal from the Delegation of Brazil concerning the possibility of introducing a new rule in the Regulations Under the Geneva Act (1999) of the Hague Agreement Concerning the International Registration of Industrial Designs, for consideration by the Working Group on the Legal Development of the Hague System for the International Registration of Industrial Designs, at its fourteenth session to be held in Geneva from October 6 to 8, 2025.
2. The said proposal is annexed to this document.

[Annex follows]

PROPOSAL BY THE DELEGATION OF BRAZIL

Proposed amendments to the Regulations Under the Geneva Act (1999) of the Hague Agreement Concerning the International Registration of Industrial Designs

INTRODUCTION

This document contains a proposal by the delegation of Brazil to change the Regulations Under the Geneva Act (1999) of the Hague Agreement Concerning the International Registration of Industrial Designs (hereinafter referred to, respectively, as “Regulations” and “the Agreement”).

More specifically, the proposal concerns the introduction of new Rule 20*bis* of the Regulations. The proposal supports the ongoing process of making the Hague System for the International Registration of Industrial Designs (hereinafter referred to as “the Hague System”) more user-friendly and attractive to its users, Offices of Contracting Parties and interested third parties. The proposal is reproduced in this document.

COMMUNICATIONS BY DESIGNATED OFFICES SENT THROUGH THE INTERNATIONAL BUREAU

BACKGROUND

It is well noticed that some Offices of Contracting Parties to the Hague System have no available means to send certain communications to non-resident holders who have neither indicated an address for service in their territory nor appointed a local representative, or, like in Brazil, the applicable legislation does not provide for the Office to officially communicate directly with the holder.

Other bodies of the World Intellectual Property Organization, such as the Working Group on the Legal Development of the Madrid System for the International Registration of Marks, have faced a similar situation.

The solution encountered has proven to be useful to inform holders of, for example, proceedings initiated in the designated Contracting Parties or of impending deadlines to meet an obligation with the Office.

Such solution was so successful that recently the Assembly of the Madrid Union decided to widen the scope of communications covered by Rule 23*bis* of the Regulations under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, allowing Offices of all designated Contracting Parties to request that the International Bureau send communications not covered by the Regulations on their behalf*.

Taking this into consideration and the solutions already founded, the Delegation of Brazil presents this proposal.

PROPOSED AMENDMENTS

The Delegation of Brazil proposes the introduction of a new Rule 20*bis* into the Regulations to enable Offices of designated Contracting Parties to request that the International Bureau transmit communications not covered by the Regulations on their behalf.

* See documents [MM/A/57/1](#) and [MM/A/57/2](#).

The International Bureau would simply transmit the communication to the holder(s) or to the recorded representative. The International Bureau would not examine the contents of the communication nor inscribe it in the International Register.

The International Bureau would transmit communications to the holder without undue delay, using the most expeditious means available. It is anticipated that, as these communications would be the subject of neither examination nor recording, their handling and transmission would be highly automated. Moreover, the effects of a communication transmitted to the holder through the International Bureau under the proposed new rule, including any implications related to applicable time limits for specific actions required by the holder, would remain a matter for the applicable law of the relevant Contracting Party.

To relieve any burden, the International Bureau may provide standards enabling Offices to transmit data concerning these communications by electronic means, using the eXtensible Markup Language (XML) format.

It is therefore proposed to revise the Regulations as follows:

**Regulations
Under the Geneva Act (1999)
of the Hague Agreement Concerning the
International Registration of Industrial Designs**

(as in force on [.....])

**Chapter 3
Refusals and Invalidations**

[...]

Rule 20bis

Communications from the Offices of the Designated Contracting Parties Sent Through the International Bureau

- (1) [Communications Not Covered by These Regulations] The Office of a designated Contracting Party may request the International Bureau to transmit communications concerning an international registration to the holder on its behalf.
- (2) [Format of the Communication] The International Bureau shall establish the format in which the communication referred to in paragraph (1) shall be sent by the Office concerned.
- (3) [Transmission to the Holder] The International Bureau shall transmit the communication referred to in paragraph (1) to the holder, in the format established by the International Bureau, without examining its contents or recording it in the International Register.

DATE OF ENTRY INTO FORCE

It is suggested that the proposed amendment to the Regulations enter into force on a date to be determined by the International Bureau, taking into consideration the planning and implementation of necessary IT system modifications required for the effective operation of the proposed Rule 20bis.

In view of the above, the Delegation of Brazil expects the Working Group to consider this proposal favorably and recommend to the Assembly of the Hague Union the adoption of the proposed amendments to the Regulations.

REMARKS

Brazil wishes to express its gratitude to the International Bureau for its ongoing efforts in ensuring the success of the Hague System. Brazil looks forward to engaging in discussions with the International Bureau, Contracting Parties, other WIPO Member States, and users of the System regarding this proposal, as well as other initiatives aimed at enhancing the Hague System.

[End of Annex and of document]