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**H/LD/WG/****9/6**

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

**Ninth Session**

**Geneva, December 14 to 16, 2020**

ADDITIONAL PROPOSAL BY THE DELEGATION OF THE UNITED STATES OF AMERICA CONCERNING AMENDMENTS TO RULE 5 OF THE COMMON REGULATIONS

*Document prepared by the International Bureau*

This document contains in Annex a proposal submitted by the Delegation of the United States of America to amend Rule 5 of the Common Regulations Under the 1999 Act and the 1960 Act of the Hague Agreement in addition to the proposed amendments presented in the Annex to document H/LD/WG/9/3 Rev.

[Annex follows]

**Common Regulations**

**Under the 1999 Act and the 1960 Act**

**of the Hague Agreement**

(as in force on…..)

[…]

**CHAPTER 1**

**GENERAL PROVISIONS**

[…]

*Rule 5*

*Excuse of Delay in Meeting Time Limits*

(1) *[Excuse of Delay in Meeting Time Limits due to Force Majeure Reasons]*  Failure by an interested party to meet a time limit specified in the Regulations to perform an action before the International Bureau shall be excused if the interested party submits evidence showing, to the satisfaction of the International Bureau, that such failure was due to war, revolution, civil disorder, strike, natural calamity, epidemic, irregularities in postal, delivery or electronic communication services owing to circumstances beyond the control of the interested party or other *force majeure* reason.

(2) *[Waiver of Evidence; Statement in Lieu of Evidence]* The International Bureau may waive the requirement under paragraph (1) concerning the submission of evidence. In such a case, the interested party must submit a statement that the failure to meet the time limit was due to the reason for which the International Bureau waived the requirement concerning the submission of evidence.

(3) *[Limitation on Excuse]* Failure to meet a time limit shall be excused under this Rule only if the evidence referred to in paragraph (1) or the statement referred to in paragraph (2) is received by, and the corresponding action is performed before the International Bureau as soon as reasonably possible and not later than six months after the expiry of the time limit concerned.

[...]

[End of Annex and of document]