RUSSIAN FEDERATION

Accession to the Hague System for the International Registration of Industrial Designs

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Historical background


To ratify the 1999 Act and to comply with its requirements the following amendments have been made:

- the scope of legal protection is determined by reproduction;
- no requirement for the applicant to submit verbal characteristics of essential features describing the claimed subject matter;
- legal protection is granted for 5 years with a possibility of extension up to 25 years;
- one-year renewal period is replaced by a 5-year period;
- grace period is extended to 12 months.
Federal law №55 of 3 April 2017 on ratification of the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs entered into force on October 2, 2017
Accession to the Hague System for the International Registration of Industrial Designs

Federal law №55 of 3 April 2017 on ratification of the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs

Entered into force on 2 October, 2017

Drafting and depositing the instrument of ratification with Director General of WIPO

Three months after the deposit of the instrument of ratification with WIPO, Russia can be indicated in international applications as the country where the protection is claimed.
### Accession to the Hague System

**DECLARATIONS**

<table>
<thead>
<tr>
<th></th>
<th>Statement</th>
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<tbody>
<tr>
<td>1</td>
<td>Article 7(2) (choice of individual Designation fee)</td>
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<tr>
<td>2</td>
<td>Article 11(1)(b) (law does not provide for the deferment of publication)</td>
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<td>3</td>
<td>Article 13(1) (special requirements concerning unity)</td>
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<td>4</td>
<td>Article 14(2)(a), Rule 18(1)(c)(i) (concerning the date from which the protection is granted under international registration)</td>
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<td>5</td>
<td>Article 16(2) (concerning special requirements providing that any change in ownership made in international registration will have effect in the territory of the Russian Federation)</td>
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<td>6</td>
<td>Article 17(3)(c) (maximum duration of protection – 25 years)</td>
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<td>7</td>
<td>Rule 13(4) (the period of one month shall be replaced by a period of six months, in light of the security clearance)</td>
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<tr>
<td>8</td>
<td>Rule 18(1)(b) (concerning the extension of time period for notification of refusal up to 12 months)</td>
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**INDIVIDUAL DESIGNATION FEES**

Individual fees

Amount of the respective fee (RUB)

for designation of the Russian Federation as the territory where international industrial design registration is valid (for the first five years of protection)

11,900 RUB

+ 2,500 RUB for each industrial design of industrial designs group exceeding one
# Accession to the Hague System

## INDIVIDUAL RENEWAL FEES

Individual fees

2. for maintenance of industrial designs international registration in force for subsequent five-year periods

<table>
<thead>
<tr>
<th>Period</th>
<th>Amount (RUB)</th>
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<tr>
<td>2.1 for the period from the 6th to the 10th year of protection</td>
<td>18,900 RUB</td>
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<tr>
<td>2.2 for the period from 11th to 15th year of protection</td>
<td>46,400 RUB</td>
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<td>2.3 for the period from 16th to 20th year of protection</td>
<td>69,000 RUB</td>
</tr>
<tr>
<td>2.4 for the period from 21st to 25th year of protection</td>
<td>120,000 RUB</td>
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</tbody>
</table>
Amount of individual designation fees in the Russian Federation

Amount of the respective fee (RUB)

= 11,900 RUB
Amount of individual designation fees in the Russian Federation

Amount of the respective fee (RUB)

+ 11,900 RUB

+ 2,500 RUB
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Unity of Industrial Design requirement

Article 1377 of the Civil Code of the Russian Federation

The application for an industrial design should refer to one industrial design or to a group of industrial designs linked together so that they form a single creative idea.
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Unity of Industrial Design requirement

Group of Industrial designs forms a single creative idea, if the group consists of:

- Set of products having similar destination and designed for integrated use (each product of the set can be included into the same application as an additional design);

- Industrial design and its embodiments which could be differ by minor details or color;

- Industrial designs shall belong to the same class of Locarno classification
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Unity of Industrial Design requirement

JEWELERY SET (the product as a whole), EARRINGS (an independent part of the product), PENDANT (an independent part of the product), RING (an independent part of the product) and RING (an independent part of the product) (11-01) patent 90616
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Unity of Industrial Design requirement

SET OF PACKAGE FOR TEA (product as a whole), PACKAGING FOR TEA (an independent part of the product), PACKAGING FOR TEA (an independent part of the product) and PACKAGING FOR TEA (an independent part of the product) (09-03) patent 102540
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Unity of Industrial Design requirement

Label (2 variants) (19-08) patent 100200
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*Unity of Industrial Design requirement*

Label (2 options) (19-08) patent 100195
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Unity of Industrial Design requirement

LABEL DESIGN (4 variants)(19-08) patent 100195
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Granting protection on the territory of the Russian Federation

Civil Code, Article 1349

The results of intellectual activity can not be objects of patent rights, if they contradict the public interests, the principles of humanity and morals.

Civil Code, Article 1352 (paragraph 1)

Protection is provided to the industrial design, if by its essential characteristics it is new and original.
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Granting protection on the territory
of the Russian Federation

Civil Code, Article 1352 (paragraph 5)

Legal protection as an industrial design can not be granted to:

1) decisions, all of which are due solely to the **technical function** of the product;

2) decisions **capable of misleading the consumer of the product**, including with respect to the manufacturer of the product, or the place of manufacture of the product or the goods for which the product serves as packaging, labels...
Accession to the Hague System

Preparation of information and training materials for Russian applicants

- General information and Guidelines for filing international applications
- Procedure for security clearance
- Possibility of direct e-filing of international applications
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Preparation of information for foreign applicants

- Information relating to main provisions of the industrial designs legislation of the Russian Federation

- Explanatory notes on the unity

- Requirements in providing information concerning the creator and brief description

- And other items
Thanks for your attention!

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