



WIPO SUB-REGIONAL WORKSHOP ON THE HAGUE SYSTEM FOR STAKEHOLDERS IN BOTSWANA, GHANA, NAMIBIA, RWANDA AND SAO TOME & PRINCIPE.

NOVEMBER 2022.

User/Filer Experience On The Strategic Use Of The Hague System





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## INTRODUCTION(ABOUT US)

- Dee-Twelve Technologies is a packaging solutions company incorporated in Nigeria some few years ago and into packaging solutions which has it's base in Nigeria.
- We are a start-up company in the packaging industry that is determined to render top-notch packaging solutions to our clients and customers in the food and drinks industry.
- We currently have 3 designs for pet bottles that are manufactured for drinks(beverages, juice, alcohol and water) for our numerous clients.
- Our designs are made to enjoy our drinks in an easy, stress free, convenient, innovative and fashionable way to sip the drinks from the PET containers using straws attached to the containers.





# INTRODUCTION(ABOUT US)

- Our customers who are manufacturers of drinks and beverages have recorded at least 20% increase in sales in the first quarter of using our designs to package their drinks because our products are surely designed to interest the minds of the young adults and children to want to try our packaging designs when trying to have fun in quenching their thirst.
- Our designs are as shown below





#### **OUR DESIGNS**



REGISTRATION NUMBER: DM/210343





#### **OUR DESIGNS**



REGISTRATION NUMBER: DM/210343





#### Motivation to register under the Hague system

- Our motivation to register under hague was as a result of the ease of accessing other territories and being protected while doing business in any of its contracting parties.
- Also the hague system gives a cost effective way getting protection in a conglomerate way as to what it would cost you to get design protection individually in various countries locally or regionally as this would cost way more.





#### WHY HAGUE?

- Hague as a system of registering your designs helps to ensure that you can securely and digitally file your international applications, manage your international applications and also renew your registrations at expiration.
- Hague system also helps with your applications to different countries (contracting parties) without moving from offices to offices booking flights and renting hotels in different countries just to get an IP protection in those territories thereby saving you some extra costs and stress.
- For easier and centralized IP management.





#### ADVANTAGES OF BEEN A DESIGN HOLDER IN THE HAGUE SYSTEM

- It serves as a veritable tool for design protection internationally.
- It helps to access global markets
- It helps to boost your confidence when talking or pitching your design/ideas to potential investors or business partners.
- It can help to set up legal framework/synergy for partnership.
- If harnessed well it could help with migration into different countries(contracting parties) where you hope to do business.
- The design certificate as an intangible asset could serve as an added equity/stake in financial partnerships.
- It shows your level of seriousness and dedication to your ideas/design and shows that you are also passionate about them.





#### ADVANTAGES OF BEEN A DESIGN HOLDER IN THE HAGUE SYSTEM

- It makes legal works easy as it gives a good framework for litigation in case of rights infringement.
- It gives recognition and respect in your business endeavors and also in your various locations (contracting parties).
- It helps in the commercialization of your design as a manufacturer/owner of the design.
- It shows/portends you as a highly cerebral and intellectually sound individual/entity.





## **DISADVANTAGES**

- One of the disadvantages is that because of the enormous protection it gives, you might not be able to partner with exploitative individuals/entities who you would have loved to do business with and who ordinarily might have partnered with you and exploited you if you didn't have the IP.
- There might be tendencies of overvaluation of designs/ideas by creators.





# TIME TAKEN TO GET REGISTERED.

#### PAYMENT RECIEPT



#### REGISTRATION CERTIFICATE

232	WIPO HAGUE
INTERNATIONAL F	REGISTRATION CERTIFICATE
certifies that the particular International Register of I	of the World Intellectual Property Organization (WIPO) hereby as given below correspond to the recording made in the noteral Designs, at the date of the international registration, unde notering the International Registration of Industrial Designs.
Registration number	DM/210343
Date of the international registration	19 August 2020
Filing clate	19 August 2020
Name and address of holder	OLADAYO MATTHEW FANIRAN 10, teshe street, patang accra (Ghana)
Entitlement	
Domicile	Ghana
Habitual residence	Ghana
Applicant's Contracting Party	Ghana
Name and address of the representative	OLADAYO MATTHEW FANIRAN 7. DELE FANIRAN STREET, ILEEPO OKE-ODO ABULEEGBA LAGOS (Nigeria)
Name and address of creator of designs	No(s) 1-3: OLADAYO MATTHEW FANIRAN, 10, teshe street, patang, ACCRA, Ghana
Number of designs included in the international registration	3
Locamo Classification	Cl. 09-01
Indication of products	No(s) 1-3: Bottle
Description	No(a) 1-3: The designs show bottle packaging for liquids with straw attached to its body of the bottle; design 1 with a L-shaped straw attached from the side of the bottle to the bottle of the bottle; design 2 with a U-shaped straw attached to the side of the bottle; design 3 with straight straw attached from outside the

As seen from the time of payment and the time the certificate was issued, it only took four (4) days for the processing of the certificate from the hague registry.





#### HOW TO REGISTER ON THE HAGUE REGISTRY

- The following simple and easy steps are to be followed for ease of registration
- Get your designs/images/sketches in soft copy images and make sure it satisfies the requirements by the hague system.
- Remember you can file up to 100 designs in the same Locarno classification(class) at a single application
- Create a wipo account to use in accessing and managing wipo's different products including the hague system registry using the e-hague.
- Search already existing designs to avoid duplications of designs in the hague's express database which is been updated weekly as new designs are been registered on wipo.int/hague/en/design\_search/
- If your designs meet the hague requirements and its not already existing then you can proceed to file an international application using the e-hague.





# STEPS IN FILING AN INTERNATIONAL APPLICATION USING THE E-HAGUE.

The e-hague is the online electronic platform of the Hague that will give you complete digital access to all aspects of your application. You can save your application for completion and submission later, view and download your applications, check the status of application, reply to communications from WIPO, and easily pay fees online.

The following are the steps for filing an international application using the ehague.



# SECTIONS ON E-HAGUE

- APPLICANT
- DESIGNATION
- DESIGN
- MAIN OR PRINCIPAL DESIGN
- DESCRIPTION
- CREATOR
- CLAIM
- PRIORITY
- EXHIBITION
- OTHER CONTENT(IF APPLICABLE)
- PUBLICATION
- SUMMARY







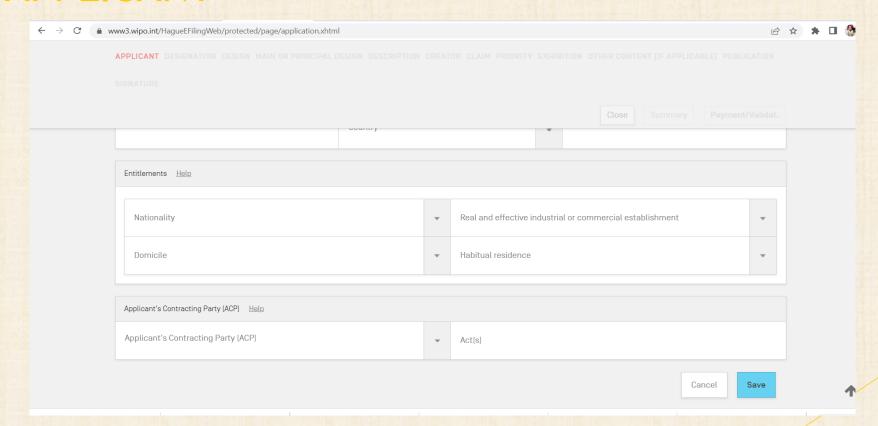
## **APPLICANT**

- Here the applicant is expected to fill in their details, representatives and correspondence and also choose the contracting parties which makes the applicant entitled to file an international application which are either their nationality, domicile, habitual residence and real industrial or commercial establishment.
- Here the applicant is expected to indicate their entitlements.





### **APPLICANT**







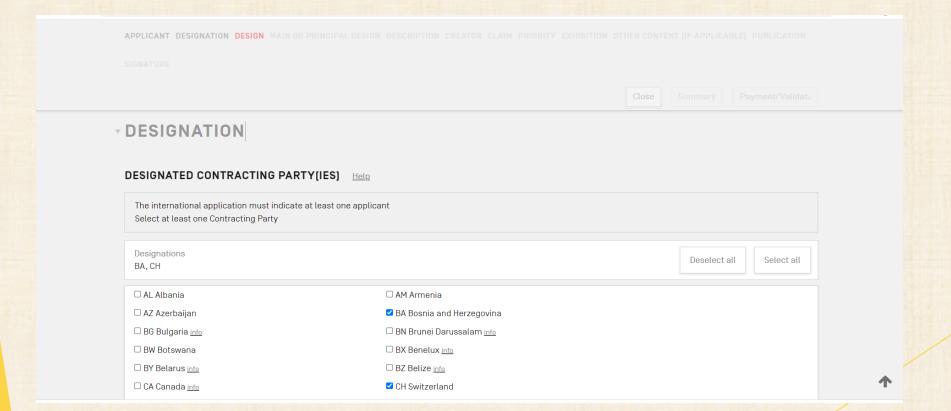
#### **DESIGNATION**

The "Designation(s)" section allows you to indicate in which Contracting Party(ies) you seek protection for your design(s). Here you can click or double click the box in front of the contracting parties available to select or unselect the available contracting parties as your designations.





### **DESIGNATION**



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- The designs section has 3 subsections.
- Here you'll be prompted to indicate the total number of designs and reproductions.
- The first subsection is optional and allows you to specify the class, under the <u>Locarno Classification</u>, to which the product or products in relation to the industrial design belong.
- You will be prompted to enter a *Locarno sub-class* (optional) and a *product indication* (mandatory) for each design as shown in the image below. To enter a custom product indication, simply enter such indication in the *Product Indication* field instead of choosing an indication from the dropdown list. Custom product indications cannot be longer than 255 characters.
- Once you have added at least one design, you can upload reproductions. Note that you cannot proceed with your application until at least one reproduction has been uploaded for each design.
- To preview how your reproductions will look on a printed sheet of paper, click on the "Preview Reproductions" action button.





- You may upload multiple reproductions at the same time. The system will then run two tests:
- 1. The system will automatically ensure your reproductions comply with the <u>file</u> <u>format and size requirements</u> indicated. Once the system accepts the files, you will see them listed as the below screen.
- 2. The system also automatically ensures that resolution and dimensions (height, width) of your images are compliant with the <u>particulars for electronic communications</u>. For example, if the image is too large, the system will automatically resize it. If automatic transformations were made to the reproduction(s) you uploaded, click on the "Transformations carried out" link in the "View" column of the screen shown in item 1 above to view them. The transformations carried out will be displayed as the screen below
- Preview Reproduction from Reproductions Table
- You may preview exactly how your reproduction will appear once printed by clicking on the thumbnail of your reproduction. You will see details of the reproduction.





	APPLICANT DESIGNATION DESIGN MAIN OR PRINCIPAL DESIGN DESCRIPTION CREATOR CLAIM PRIORITY EXHIBITION OTHER CONTENT [IF APPLICABLE] PUBLICATION	TION
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_	DESIGN	
	INFORMATION CONCERNING DESIGN(S) Help	
	The international application must indicate at least one design	
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	The reproductions are published in the color mode as originally submitted.  Warning: If China, Japan and/or the United States of America is/are designated, it is recommended to provide a legend for each reproduction.  How to prepare your reproductions	
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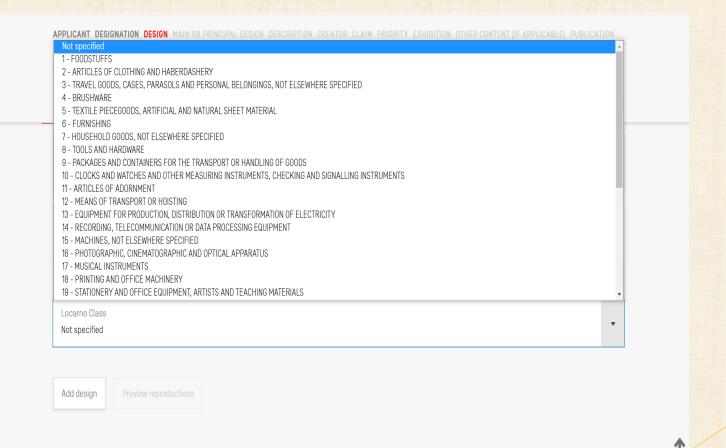




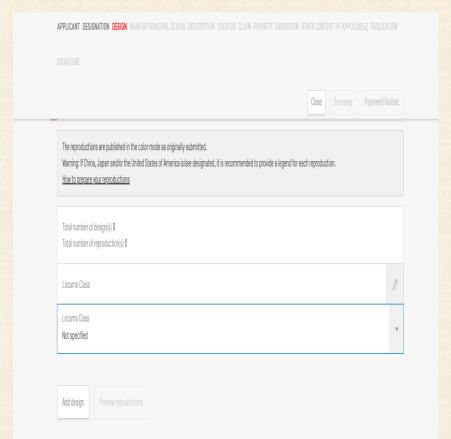
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The reproductions are published in the color mode as originally submitted.  Warning: If China, Japan and/or the United States of America is/are designated, it is recommended to provide a legend for each reproduction.  How to prepare your reproductions	
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Add design Preview reproductions	
	The reproductions are published in the color mode as originally submitted.  Warning: If China, Japan and/or the United States of America is/are designated, it is recommended to provide a legend for each reproduction.  How to prepare your reproductions  Total number of design[s] 0 Total number of reproduction[s] 0  Locarno Class  Locarno Class



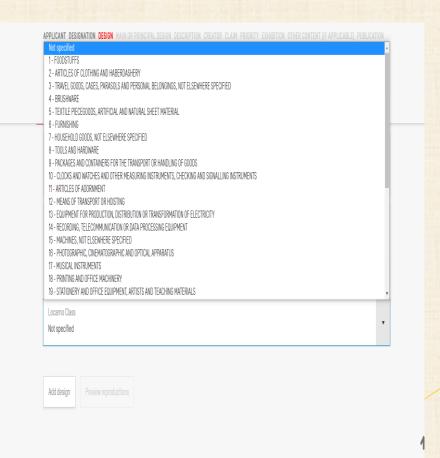
















### **DESCRIPTION**

The description is an optional indication which may be included in any international application. If a description is provided, it should relate to the characteristic visual features of the designs that appear in the reproductions, or describe the type of the reproduction(s) (e.g. "front view", "top view", etc). The description may disclose the operation or possible use of the design as long as this description is not technical. If the description exceeds 100 words, an additional fee of 2 Swiss francs per each word exceeding 100 is payable.





# **DESCRIPTION**

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	С	ancel	Save	<b>^</b>

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## **CREATOR**

- As a matter of principle, the identity of the creator of the designs is an optional indication which may be included in any international application. However, such indication may be mandatory in some circumstances under the 1960 and/or the 1999 Act.
- Under the 1960 Act, the law of a Contracting Party may require such information where it is designated under that Act (without the need to make a corresponding notification to the Director General of WIPO). Therefore, whenever such a Contracting Party is designated under the 1960 Act, the international application should contain the identity of the creator. Failure to provide this indication may lead to a refusal of protection being issued by the Office of the Contracting Party in question. However, given that the requirement to furnish the identity of the creator does not have to be notified to the Director General of WIPO under the 1960 Act, the International Bureau does not carry out an examination in that respect.





# **CREATOR**

APPLICANT DESIGNATION DESIGN MAIN OR PRINCIPAL DESIGN DESCRIPTION CREATOR CLAIM PRIORITY EXHIBITION OTHER CONTENT (IF APPLICABLE) PUBLICATION

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\*\*CREATOR\*

INFORMATION CONCERNING THE CREATOR(S) Help

Given name(s) \*

Family name \*

Address \*

Zip/Post code







#### **CLAIM**

- Where the international application contains the designation of the United States of America or Viet Nam, a claim with the wording as specified in the declaration under Article 5(2)(a) of the 1999 Act made by the United States of America or Viet Nam must be contained in the international application (United States of America: "the ornamental design for [indicate an article] as shown and described"; Viet Nam: "Application for overall protection for design(s) as shown and described"). That wording is reproduced in the application form and the eHague interface.
- If neither the United States of America nor Viet Nam is designated, a claim may not be included in the international application.





#### **CLAIM**

With respect to the designation of the United States of America, it is important to note the relationship between the claimed invention, as defined by the claim (Item 12), and naming each creator (Item 11). Under U.S. national law, the creators, referred to as inventors, of the claimed invention must be named. The claimed invention is also relevant to the oath or declaration of each creator required under Rule 8(1)(a)(ii), because the oath or declaration must include a statement that the person signing the oath or declaration believes that each named inventor is an inventor of a claimed invention in the application. For international applications that contain multiple designs, care should be taken to name and submit an oath or declaration for each creator (inventor) of the claimed design. For example, if the international application contains a design for a ring invented by creator A and a different design for a necklace invented by creator B, but the claimed invention is to "[a]n ornamental design for a ring as shown and described", then it would not be proper for creator B to execute the Declaration of Inventorship (Annex I), since creator B is not the inventor of a claimed invention. Accordingly, the article indicated in the claim should be chosen to ensure consistency with the naming of the creators and proper execution of the oath or declaration of the creator required under Rule 8(1)(a)(ii), and to cover all embodiments applicant intends to claim protection for in the United States of America





#### **CLAIM**

APPLICANT DESIGNATION DESIGN MAIN OR PRINCIPAL DESIGN DESCRIPTION CREATOR CLAIM PRIORITY EXHIBITION OTHER CONTENT (IF APPLICABLE) PUBLICATION SIGNATURE THE APPLICANT(S) CLAIM(S) THE PRIORITY OF THE EARLIER FILING MENTIONED BELOW Help Warning: If China, Japan, Mexico, the Republic of Korea, Turkey, the Russian Federation and/or the United States of America is/are designated, it is strongly recommended to refer to the <u>Hague Guide for Users</u>, <u>International Application - Item 13</u>. Add Office of earlier filing \* No. of earlier filing Date of earlier filing \* Design No. \* Select all





#### **PRIORITY**

- Priority may be claimed on the basis of a first filing made in one of the States party to the Paris Convention or any member of the World Trade Organization.
- Moreover, since an international application for registration of designs may be a *first* application under the Hague System, it may itself also serve as a basis for claiming priority with regard to a subsequent national, regional or international application.
- A priority claim should be indicated in item 13. The priority claim may be to a single earlier filing or to multiple earlier filings.
- Where priority is claimed, the name of the Office with which the earlier filing was made or the country in which it was filed, the number of the earlier filing (if available), and the date of the earlier filing (in the order of day, month and year) must be indicated. A priority claim to an earlier filed international application for registration of designs should indicate the International Bureau as the Office of earlier filing and identify the number of the earlier filing by the application number (nine-digit number where the application was filed using form DM/1 or in the case of indirect filings, or "WIPO" + number where the application was filed using eHague) assigned by the International Bureau<sup>6</sup>. Where priority is claimed from more than one earlier filing and all the relevant details cannot be accommodated in the space provided, those with the earliest date should be provided under item 13 and all other details should be set out on a continuation sheet (unless a self-generated form is used).





# **PRIORITY**

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Add					
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No. of earlier filing					
Date of earlier filing *		1			





## **EXHIBITION**

- Temporary protection of designs exhibited at certain exhibitions may be claimed under the Paris Convention. If it is intended to claim exhibition priority in the international application, the applicant should provide all relevant information in item 14 of the international application form.
- The application form must indicate where the exhibition took place, the date on which the product was first exhibited and the number of each design shown at the exhibition.
- Where the claim does not relate to all the designs included in the international application, then the applicant should indicate those designs for which exhibition priority is claimed. If no design is indicated, it is assumed by the International Bureau that all the designs were shown at the exhibition in question.





# **EXHIBITION**

APPLICANT DESIGNATION DESIGN MAIN OR PRINCIPAL DESIGN DESCRIPTION CREATOR CLAIM PRIORITY EXHIBITION OTHER CONTENT (IF APPLICABLE) PUBLICATION OF PRINCIPAL DESIGN DESCRIPTION CREATOR CLAIM PRIORITY EXHIBITION OTHER CONTENT (IF APPLICABLE)	ATION			
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INTERNATIONAL EXHIBITION Help				
The applicant(s) declare(s) that the product(s) made up of or incorporating one or more design(s) was/were displayed at an official or officially recognized exhibition				
Add				
Place of exhibition *				
Name of exhibition *				
Date of first exhibition *				
Design(s) * Select all	*			





#### **PUBLICATION**

- The publication dates available for an international application depend on the Contracting parties designated. In the Publication section, the Information Area will display information about publication options for Contracting Parties designated in the application.
- If a Contracting Party has limitations on deferment of publication, this information will be displayed in the Information Area. If no designated Contracting Parties in your international application have limitations on deferment, publication can be deferred up to a maximum of 30 months. The help text () provides contextual help.
- You will then see a screen presenting you with the following publication options:
- \* "Standard" publication twelve months after the date of your international registration.
- Immediate publication shortly after recording of your international registration.
- Publication at a chosen time (counted in months from the filing date) enables you to indicate a time earlier than "standard publication". You will still be able to defer publication beyond the standard publication period up to 30 months from the filing date, or if you have claimed priority from an earlier filing, from the priority date.





## **PUBLICATION**

APPLICANT DESIGNATION DESIGN MAIN OR PRINCIPAL DESIGN DESCRIPTION CREATOR CLAIM PRIORITY EXHIBITION OTHER CONTENT (IF APPLICABLE) PUBLICATION SIGNATURE **PUBLICATION** PUBLICATION OF INTERNATIONAL REGISTRATION Help Requested publication \* O Publication 12 months after the date of international registration O Publication immediately after the recording of the international registration O Publication at a chosen time specified in number of months from the filing date: Save

FANIRAN Oladayo Matthew - November 2022





### **SIGNATURE**

- The international application form may be signed by the applicant or his representative (or by an Office when the international application has been presented to the International Bureau through that Office). In either case, the name of the signatory should be indicated separately. It is recommended to use text string signatures (e.g. /John Doe/). Signatures may be handwritten, printed, stamped, typed or in another electronic form (image, digital or computer generated).
- For eHague, a signature is replaced by an electronic authentication through a user account which requires the account holder's user name and password.





# **SIGNATURE**

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SIGNATURE	
SIGNATURE BY THE APPLICANT OR REPRESENTATIVE Help	
Please click on the name of the representative and/or applicant in order to validate the signature	
The applicant(s)  West brooks	
Application reference	
	Cancel





### MAIN OR PRINCIPAL DESIGN

- Main or principal design is only applicable for the designation of China, Japan and the Republic of Korea
- The national law of China contains a requirement of unity of design (refer to "Item 6: Number of Designs, Reproductions and/or Specimens"). As specified in the declaration made by China, an international application may contain only one design, except that two or more similar designs for the same product or two or more designs which are incorporated in products sold or used in sets may be included in one application.
- Furthermore, if the application contains two or more similar designs for the same product, the total number of the designs cannot exceed 10, and the applicant must indicate one of them as the "main design" which is similar to all the others.
- Examination as to whether designs are similar to the main design or not will be conducted by the China National Intellectual Property Administration (CNIPA). In the event of a notification of refusal of the effects of the international registration issued by CNIPA on the ground of lack of unity of design, the holder of the international registration may, in his/her reply to CNIPA, overcome the refusal ground by amending the international registration for the sake of the designation of China.
- In addition, it is recommended to consult the Guidance on Including Multiple Designs in an International Application in Order to Forestall Possible Refusals, which was established in consultation with the Offices of Contracting Parties which have made a declaration concerning unity of design.





#### FEES AND PAYMENT

International design applications are subject to the payment of three types of fees, all payable in Swiss francs a basic fee (397 Swiss francs for one design; 19 Swiss francs for each additional design included in the same application); a publication fee (17 Swiss francs for each reproduction; 150 Swiss francs for each page on which one or more reproductions are shown); and a standard designation fee or an individual designation fee for each contracting party where protection is sought. Note: For standard designation fees, a three-level structure applies, reflecting the level of examination carried out by the contracting party.





#### FEES AND PAYMENT

- Under the Hague system, all fees must be paid in Swiss francs (CHF).
- The fees payable in connection with an international application consist of a basic fee, a standard designation fee (level one, two or three) or, where a designated Contracting Party is one in respect of which an individual designation fee is payable, that fee, a publication fee consisting of an amount to be paid in respect of each reproduction to be published.
- Also there's a Reduction of fees for applicants from Least Developed Countries (LDCs)For international applications filed by applicants whose sole entitlement is a connection with a Least Developed Country (LDC), in accordance with the list established by the United Nations, or with an intergovernmental organization the majority of whose member States are LDCs, the fees intended for the International Bureau are reduced to 10% of the prescribed amounts (rounded to the nearest full figure). The reduction also applies in respect of an international application filed by an applicant whose entitlement is not solely a connection with such an intergovernmental organization, provided that any other entitlement of the applicant is a connection with a Contracting Party which is an LDC





#### FEES AND PAYMENT

#### **WIPO REFERENCE 124320**

Summary

Back

#### PAYMENT OF FEES Help

Breakdown of fees	
International registration basic fee	397.00
Level 1 Standard designation fee [BA] [1 x 42.00]	42.00
Level 2 Standard designation fee [CH] [1 x 60.00]	60.00
Publication of reproductions (1 x 17.00)	17.00
Total	CHF 516.00
□ In case of deferment, the applicant wishes to pay the fees at the latest 3 weeks before the expiration of the deferment period	

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### **SUMMARY**

- The summary gives a brief break down of every section that was filled during the course of filling the international application using the e-hague platform.
- It gives an opportunity to review the sections filled and to ensure it's correctness before the final submission and payment.
- It also gives a breakdown of the fees to be paid due to the designations chosen, design and reproductions fees as well as basic fees and publication fees.
- The total fees is also indicated in the summary so as to be able to proceed with the application after the fees has been paid.





## **SUMMARY**

#### SUMMARY

Print

#### **Applicant's Details**

#### Applicant

Given name[s] West
Family name brooks
Address 5 gesti str l.a west virgina BJ - Benin
Telephone +2347894567678

Fax

E-mail address ladisd@gmail.com Address of website

#### Entitlement to file

Nationality FI Domicile

Real and effective industrial or commercial establishment





## REFERENCES

- The hague registry website (www.wipo.int/hague/en/)
- E-hague online filling portal (www.wipo.int/hagueEFilingweb/protected/portfoliomanager.xhtml)





#### WORD OF ADVICE

- From all mentioned above, we can all see that it is imperative to get an IP through the e-hague section of the hague system so as to help us africans as an emerging economy to fully tap into the growth tendencies that having an international registration could give as the benefits as seen are boundless and countless.
- Getting a registration in contracting parties would serve as a tool in projecting Africa as an embodiment of intellectual acumen to the world at large thereby causing geometric growth for the continent too.





# THANK YOU

CREATED BY FANIRAN OLADAYO MATTHEW dayomatthews@yahoomail.com