

## The Hague System for the International Registration of Industrial Designs

## **Cross-Regional Online Workshop**

Geneviève Steimlé Legal Analyst and Information Officer Hague Development and Promotion Section The Hague Registry World Intellectual Property Organization

IP for Women Entrepreneurs in the Industrial Design Sector Division for Transition and Developed Countries World Intellectual Property Organization April 12, 2023 – 10.25-11.00

# Outline

- **1. Introduction**
- 2. Overview of the Hague System
- **3. Filing through eHague**
- 4. Online Resources and Tools
- **5. Hague System Statistics**
- 6. Conclusion



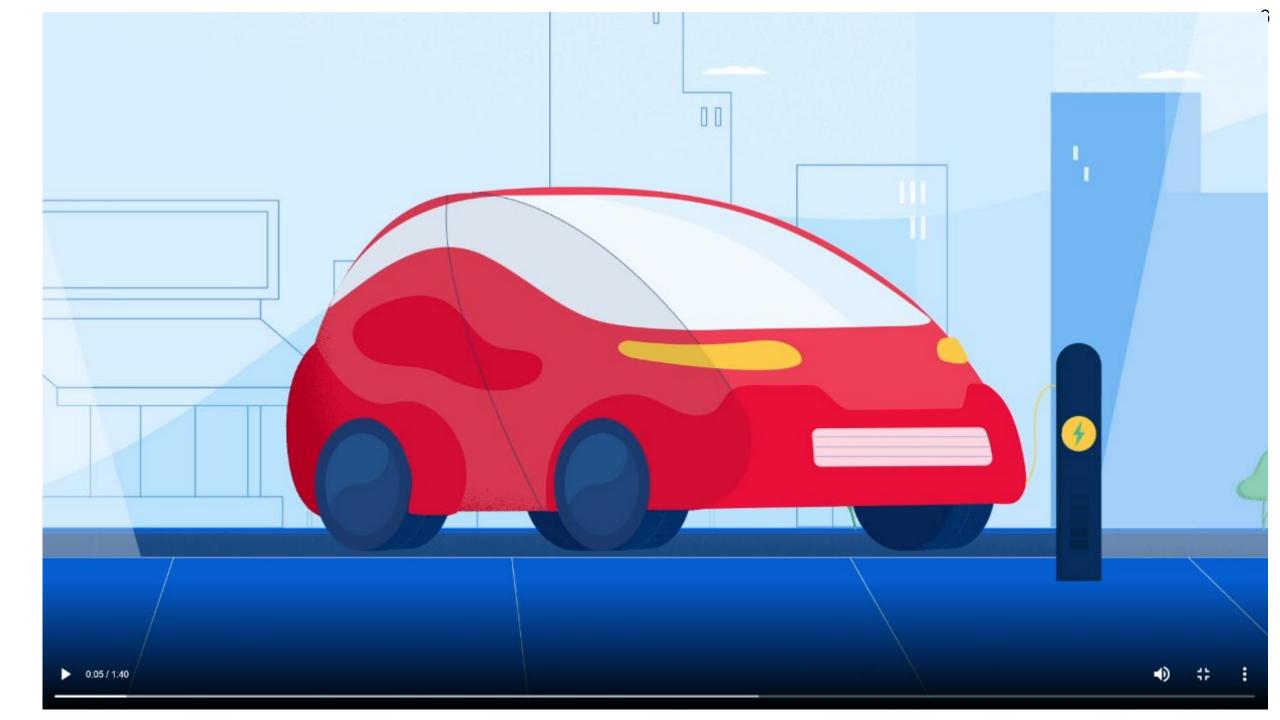
Design System

https://www.wipo.int/hague/en/how\_hague\_works.html

# Part 1: Introduction

## **Outline - Introduction**

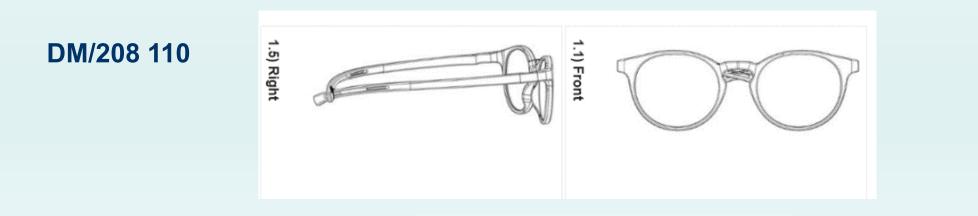
- **1. What is an industrial design?**
- **2. What are industrial designs rights?**
- **3. Why protect industrial design?**
- 4. Examples of International Registrations.



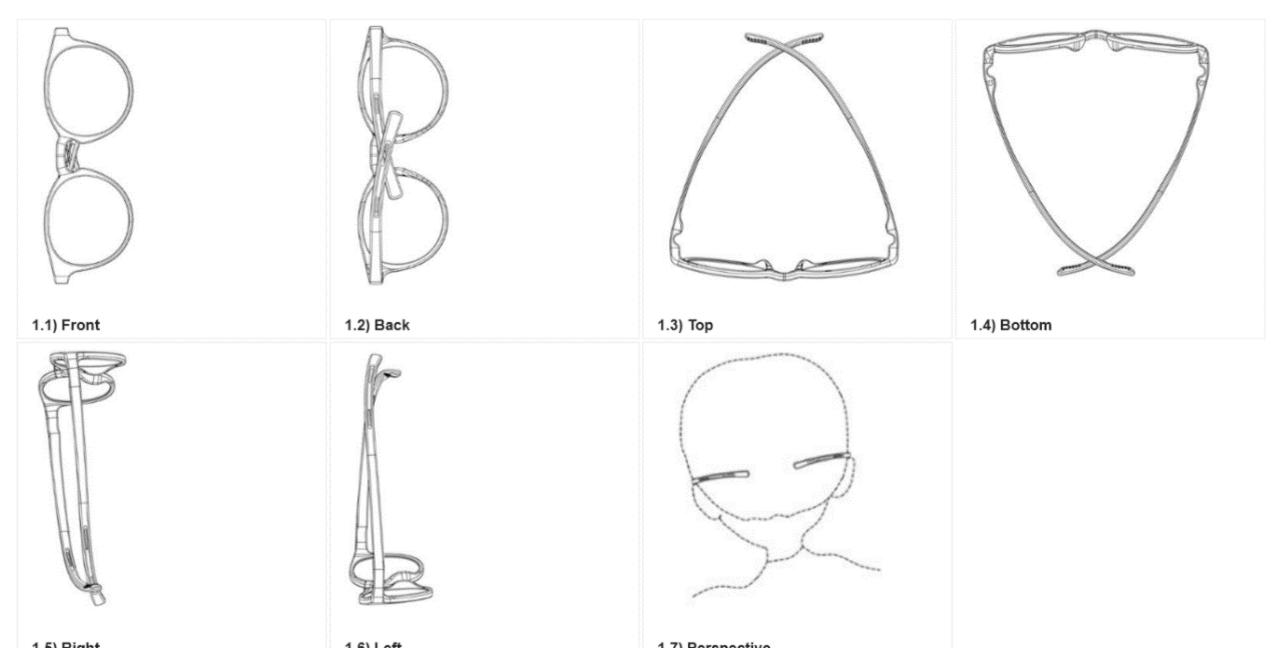
# **1-1. What is an industrial design?**

An industrial design constitutes the ornamental aspect of an article.

An industrial design may consist of three dimensional features, such as the shape of an article, or two dimensional features, such as patterns, lines or color.



## DM/208 110











constitutes the ornamental aspects of a product: shapes, patterns, lines, colors

## **1-2. What are industrial design rights?**

They are the rights that protect the ornamental aspects of a product: its shapes, patterns, lines or colors.

In principle, the owner of a registered industrial design has the right to prevent third parties from making, selling or importing articles bearing or embodying a design which is a copy, or substantially a copy, of the protected design, when such acts are undertaken for commercial purposes.



protect the ornamental aspects of a product: shapes, patterns, lines, colors.



# protect the ornamental aspects of a product: shapes, patterns, lines, colors.

## **1-3. Why protect industrial designs?**



**Positive image** 



Obtain exclusive rights



Encourage creativity and fair competition



Enjoy Return on investment



Strengthens the commercial value of business

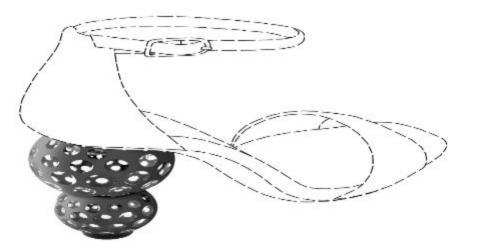


Opportunity to license/sell

HAGUE national ystem

# **1-4: Examples of International Registrations**







2.1

1.1

DM/213 194





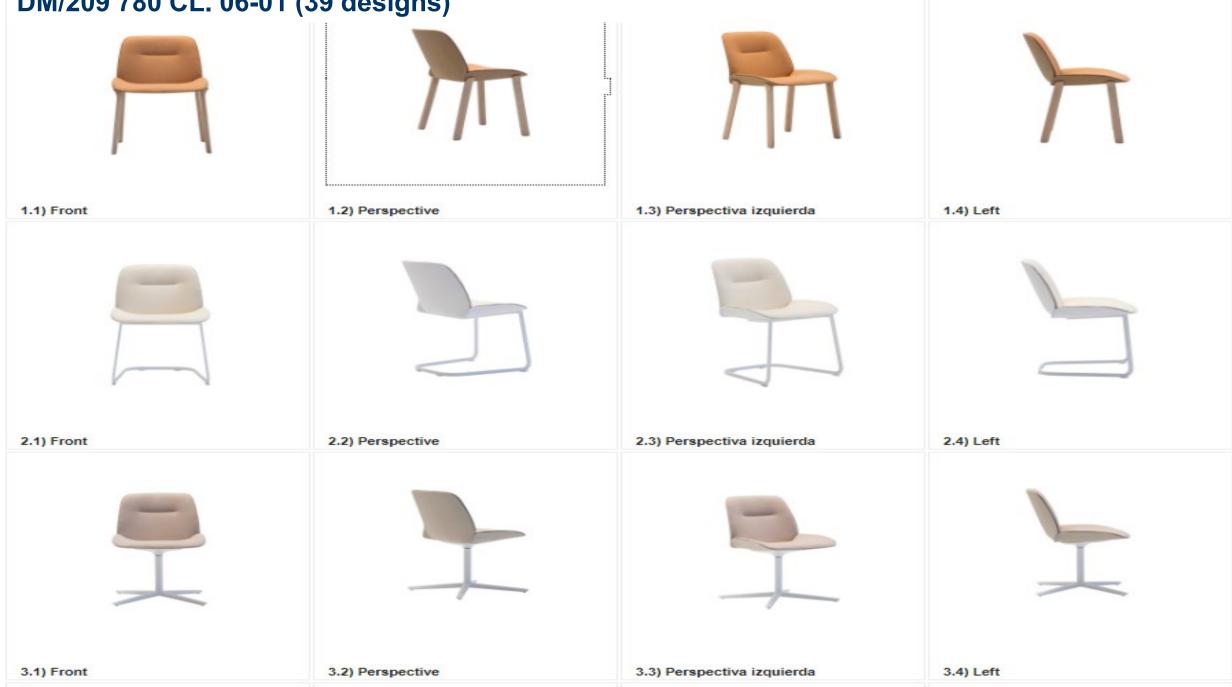


### DM/209 780

## CL. 06-01 (39 designs)



## DM/209 780 CL. 06-01 (39 designs)



### DM/209 780 CL. 06-01 (39 designs)

DW/203700 CL. 00-01			
24.1) Front	24.2) Back	24.3) Left perspective	24.4) Left
25.1) Front	25.2) Back	25.3) Left perspective	25.4) Left
26.1) Front	26.2) Back	26.3) Left perspective	26.4) Left
20.1) 11011	20.2) DOCK	20.07 Leit perspective	20.47 LOIL

Designated contracting parties:

All CH EG EM SG TR UA US

### DM/209 780

## CL. 06-01 (39 designs)

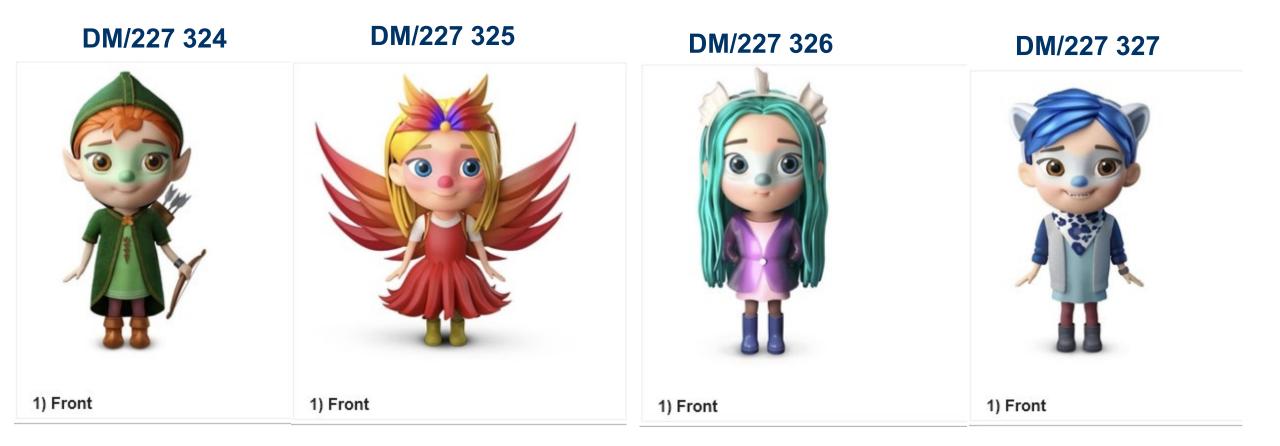
1.000						
Sta	tement of Grant of Protection: EM: Bulletin No. 43/2020 PDF					
(11)	International registration number					
0						
(81)	Designated Contracting Party which made the notification, followed by the date on which protection was granted	uhara the	t data uu	n communicated to the International Dursau		
0	EM; 05.10.2020	Curren	t Status	History		
24)	Date on which the international registration produced the effect as a grant of protection under the applicable law					
	17.03.2020	Current Status				
58)	Date of recording in the International Register					
	12.10.2020					
Or	inal Registration under 1999 Act : Bulletin No. 38/2020		Registration under 1999 Act			
11)	International Registration Number					
	DM/209 780	(11)	Internat	tional Registration Number		
15)	Date of the international registration		DM/209	780		
	17.03.2020	(15)	Date of	the international registration		
18)	Expected expiration date of the registration/renewal		17.03.2	020		
	17.03.2025	(18)	Expecte	ed expiration date of the registration/renewal		
22)	Filing date		17.03.2	025		
	17.03.2020	(22)	Filing d	late		
73)	Name and address of the holder(s)		17.03.2	020		

1.0	 						
(	DM/227326	Gesellschaft mit beschränkter Haftung "Ehrmann"	2023-02-22	32-01	Graphic design [two-dimensional]	AM,KG,GE,MN,RS,TJ	
(	DM/227327	Gesellschaft mit beschränkter Haftung "Ehrmann"	2023-02-22	32-01	Graphic design [two-dimensional]	AM,KG,GE,MN,RS,TJ	
(	DM/227324	Gesellschaft mit beschränkter Haftung "Ehrmann"	2023-02-22	32-01	Graphic design [two-dimensional]	AM,KG,GE,RS,MN,TJ	
(	DM/227325	Gesellschaft mit beschränkter Haftung "Ehrmann"	2023-02-22	32-01	Graphic design [two-dimensional]	AM,KG,GE,MN,RS,TJ	
10						1	Docian System

Design System

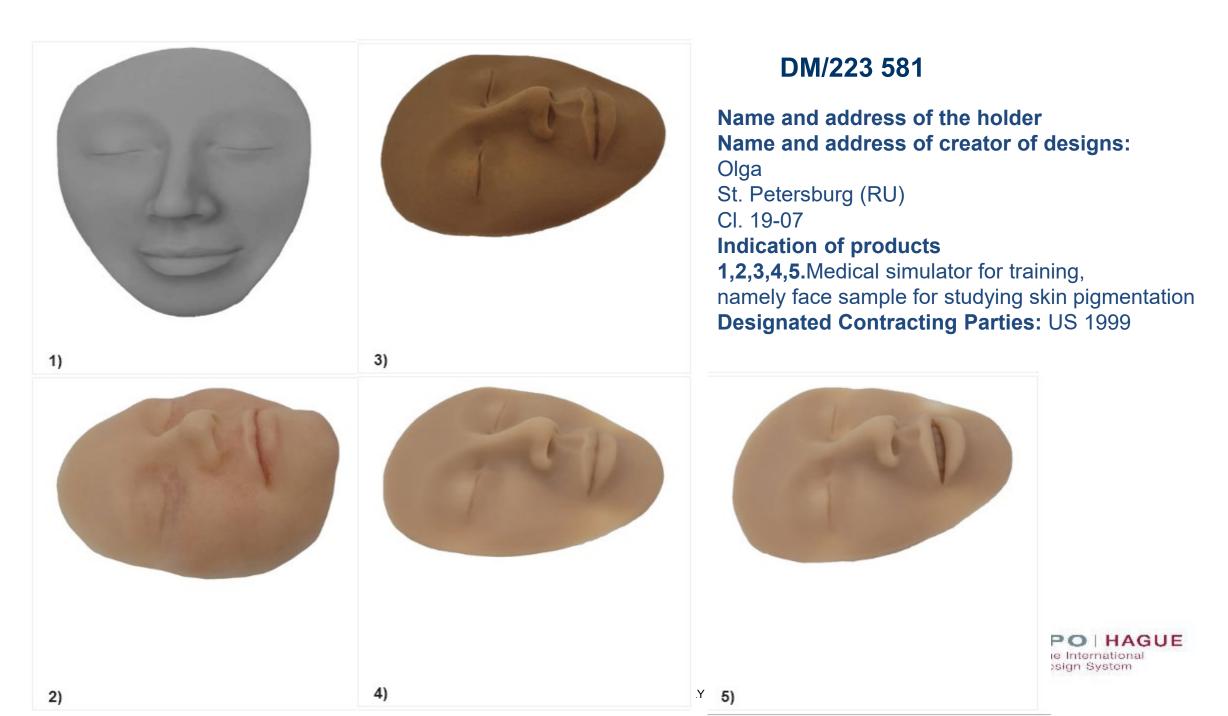
•1.Tamara - Moscow (RU)

Name and address of creator of designs



### Cl. 32-01 Indication of products

1.Graphic design [two-dimensional]



### History

### Designated contracting parties:

All US

### Original Registration under 1999 Act : Bulletin No. 39/2022

- (11) International Registration Number DM/223 581
- (15) Date of the international registration 03.11.2021
- (18) Expected expiration date of the registration/renewal 03.11.2026
- (22) Filing date 03.11.2021
- (73) Name and address of the holder(s)

Olga

194358 St. Petersburg (RU)

(86) Contracting Party of which the holder is a national

🖯 RU

(85) Contracting Party to the 1999 Act in the territory of which the holder has a habitual residence

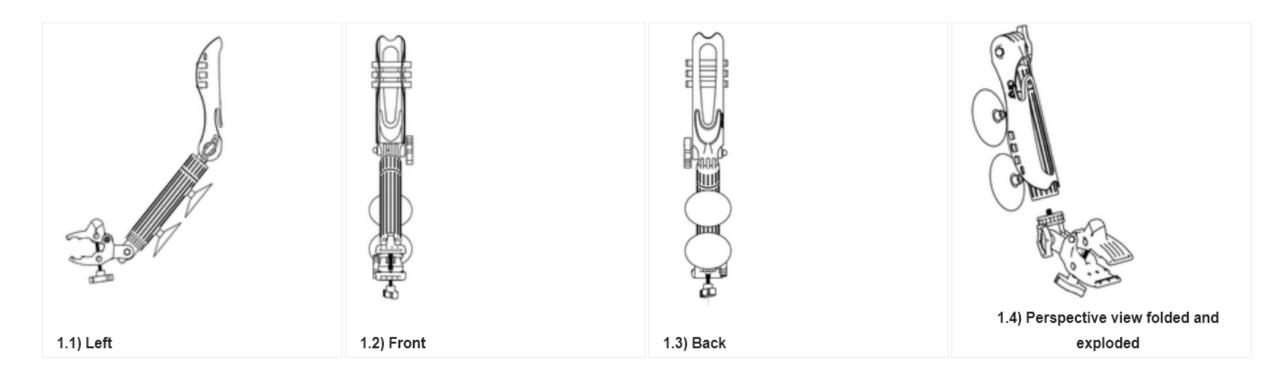
🛭 RU

- (89) Applicant's Contracting Party
  - 🛭 RU
- (74) Name and address of representative

«INSTITUTE OF INNOVATION AND LAW», LLC/ MAKS YUREVICH LUTSKOVSKII

### DM/215 042 CI. 28-03 Holder for hair dryer

Name and address of the holder Name and address of creator of designs: Elena Ekaterinburg (RU)



Designated contracting parties:

All AM AZ CA EM GB UA US

### Statement of Grant of Protection: CA: Bulletin No. 08/2023 🔤

(11) International registration number

DM/215 042

- (81) Designated Contracting Party which made the notification, followed by the date on which protection was granted where that date was communicated to the International Bureau CA; 09.02.2023
- (24) Date on which the international registration produced the effect as a grant of protection under the applicable law 09.02.2023
- (58) Date of recording in the International Register 11.02.2023

### Statement of Grant of Protection: AM: Bulletin No. 21/2022 🔤

- (11) International registration number
  - DM/215 042
- (81) Designated Contracting Party which made the notification, followed by the date on which protection was granted where that date was communicated to the International Bureau AM; 20.05.2022
- (24) Date on which the international registration produced the effect as a grant of protection under the applicable law 17.05.2022
- (58) Date of recording in the International Register 20.05.2022

### Statement of Grant of Protection: EM: Bulletin No. 03/2022 🔤

(11) International registration number

DM/215 042

- (81) Designated Contracting Party which made the notification, followed by the date on which protection was granted where that date was communicated to the International Bureau EM: 05.01.2022
- (24) Date on which the international registration produced the effect as a grant of protection under the applicable law 16.06.2021
- (58) Date of recording in the International Register 07.01.2022

### DM/215 042 CI. 28-03 Holder for Hair Dryer



# DM/227 984<br/>CI. 20-03<br/>Shop signName and address of the holder<br/>Name and address of creator of designs:<br/>Victoriia<br/>43018 Lutsk, Volyn region (UA))



### 1) Front

### **Designated contracting parties:**

All EM

### **Current Status** Registration under 1999 Act (11) International Registration Number DM/227 984 (15) Date of the international registration 24.01.2023 (18) Expected expiration date of the registration/renewa 24.01.2028 (22) Filing date 24.01.2023 (73) Name and address of the holder(s) Victoriia 43018 Lutsk, Volyn region (UA) (86) Contracting Party of which the holder is a national 🖯 UA (87) Contracting Party in the territory of which the holder has a domicile 🖯 UA (89) Applicant's Contracting Party \rm UA (72) Name and address of creator of designs Victoriia Matviichuk 73 Lvivska street, apartment 14 43018 Lutsk, Volyn region (UA) (28) Number of designs included in the international registration (51) Class and subclass of the Locarno Classification 1. Cl. 20-03 (54) Indication of products

1. Shop sign / Enseigne de magasin / Letrero de tienda

Current Status History

### (57) Description of the characteristic features of the design(s), or matter for which protection is not sought

1. The sign is claimed for registration as an industrial design; the appearance of the sign is shown in the image, reproduction 1.1 - front view; the industrial design is combined, it consists of graphic and verbal parts, made industrial design is a combination of white background and brown figure (RAL color code #8017) in the form of a circle with a white rim; the figure of a circle is symbolically divided in half by the image of another figure - the slight shift to the tor; the rolling pin is made in a light brown color with an imitation of word taylure; in the lower part of the rolling pin a white semicircle with indistinct edges is denicted, symbolically divided in half by the image of another figure - the

## DM/227 981 CI. 09-03 Packaging box

Tetiana

Name and address of the holder

## Designated contracting parties:

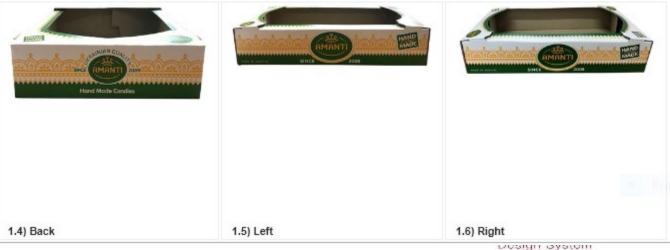
AZ BG EE LT LV MD PL RO TR AM



# Registration under 1999 Act

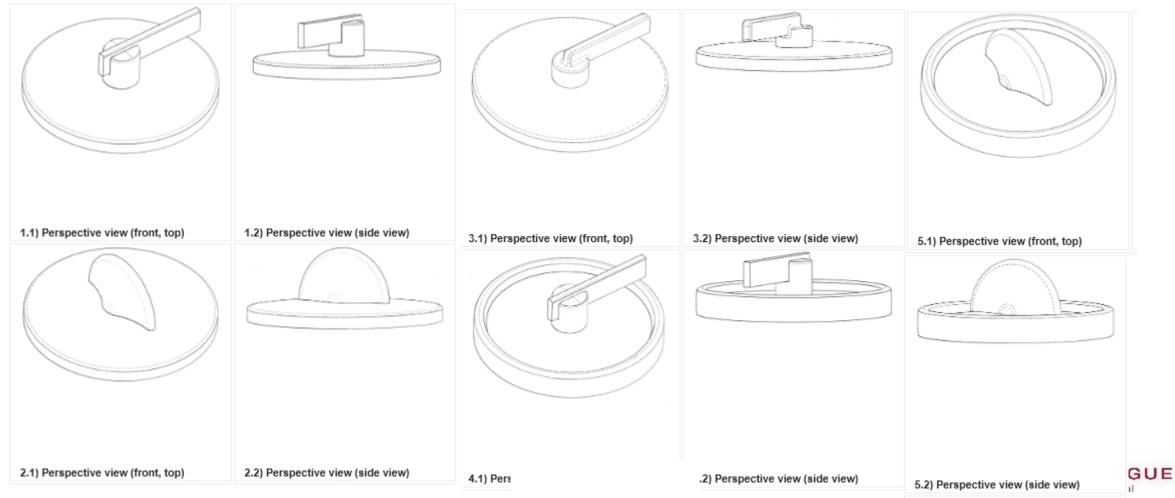
Name and address of creator of designs:

- International Registration Number (11)DM/222 981
- Date of the international registration (15)15.08.2022
- Expected expiration date of the registration/renewal (18)15.08.2027
- Filing date (22) 15.08.2022



### DM/217 276 Cl. 13-03 Switch [electricity]

Name and address of the holder Name and address of creator of designs: Monika ... and Jacek ... 5-110 Rajszew (PL)



Design system

# Part 2: Overview of the Hague System

## **Outline - Overview of the Hague System**

- **1.** What is the Hague System?
- **2.** Main features and benefits
- **3.** Geographical Scope
- 4. Legal Framework A procedural Arrangement
- **5.** Main Points of the procedure
- **6.** Recent Developments

## **2.1. What is the Hague System?**

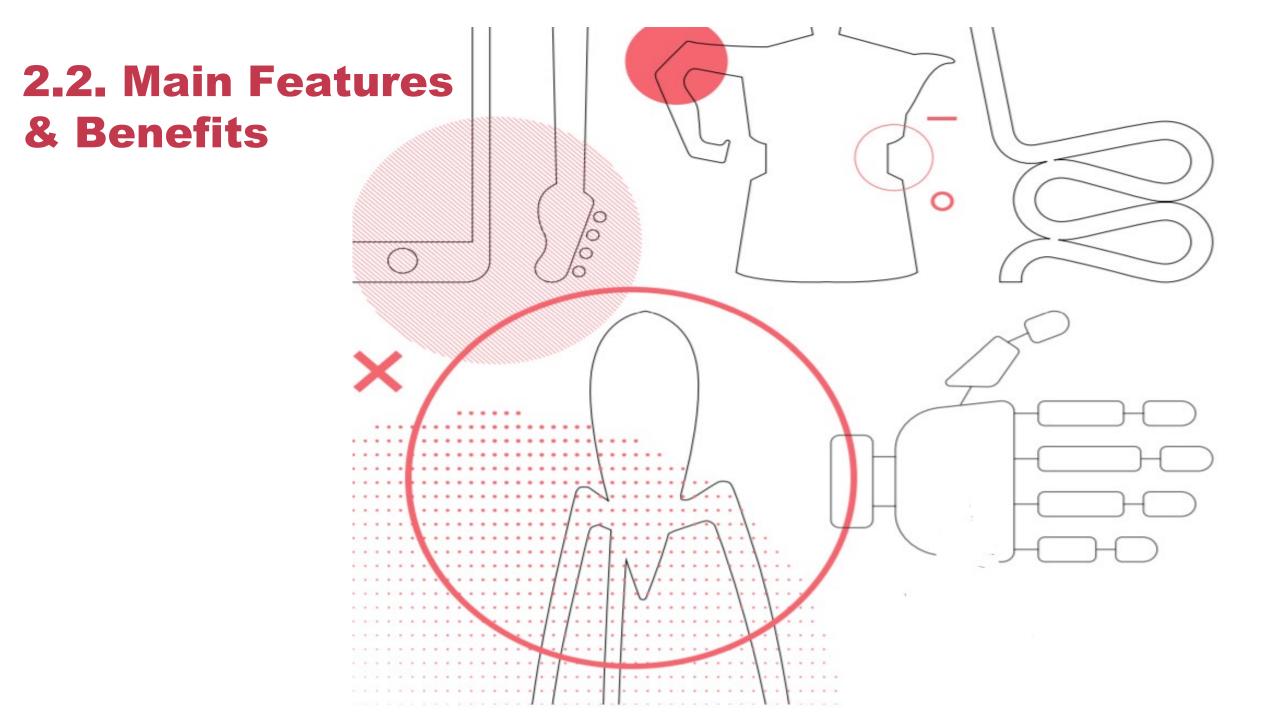
The Hague System provides a unique international mechanism for securing and managing design rights simultaneously in multiple jurisdictions, including:

9/10, Nine out of ten of the world's top economic market 96 countries



# A simple concept

# **A centralized procedure**



## **A unique business solution.**

- > Allow, through one international application,
- > to protect, secure up to 100 designs
- in more than 90 countries,
- > through a centralized management system
- In one currency.



### Benefits of the Hague System





### Global

Protect your designs in over 90 countries, with more joining soon.

## Streamlined

One international application can include up to 100 designs.



### Economical

Save time and money thanks to the single application framework.

### Competitive

Cost and time effective: A procedure A scheme of rates in one currency



### Centralized

Easily manage your international design registrations directly with WIPO.

### Simple

Centralized procedure and management (eHague, eRenewal)

Intuitive: Mandatory formal requirements integrated

WIPO | HAGUE The International Design System 36

### Efficient

Access to different markets

Anywhere at any time

Belonging to the same Locarno Class One language One set of fees One currency

Economical

Save time and money thanks to the single application framework.

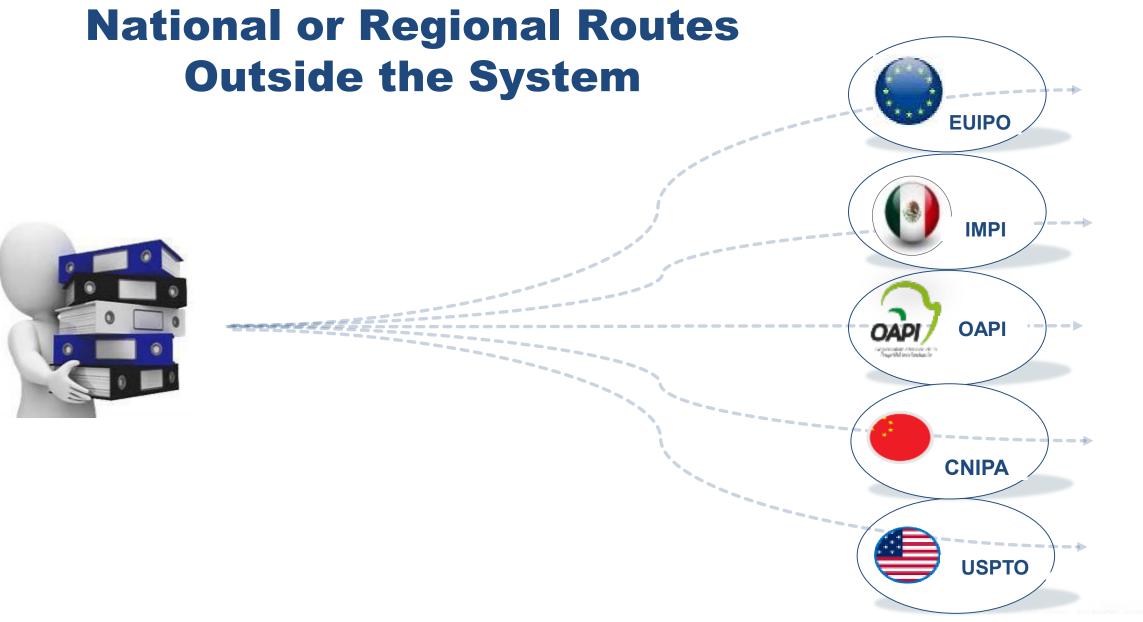
5 designated Contracting Parties Japan EUIPO Switzerland US US United Kingdom

National/regional<br/>application feesApplication Fees under the<br/>Hague SystemTotal 2,637 CHFTotal 2,277 CHF

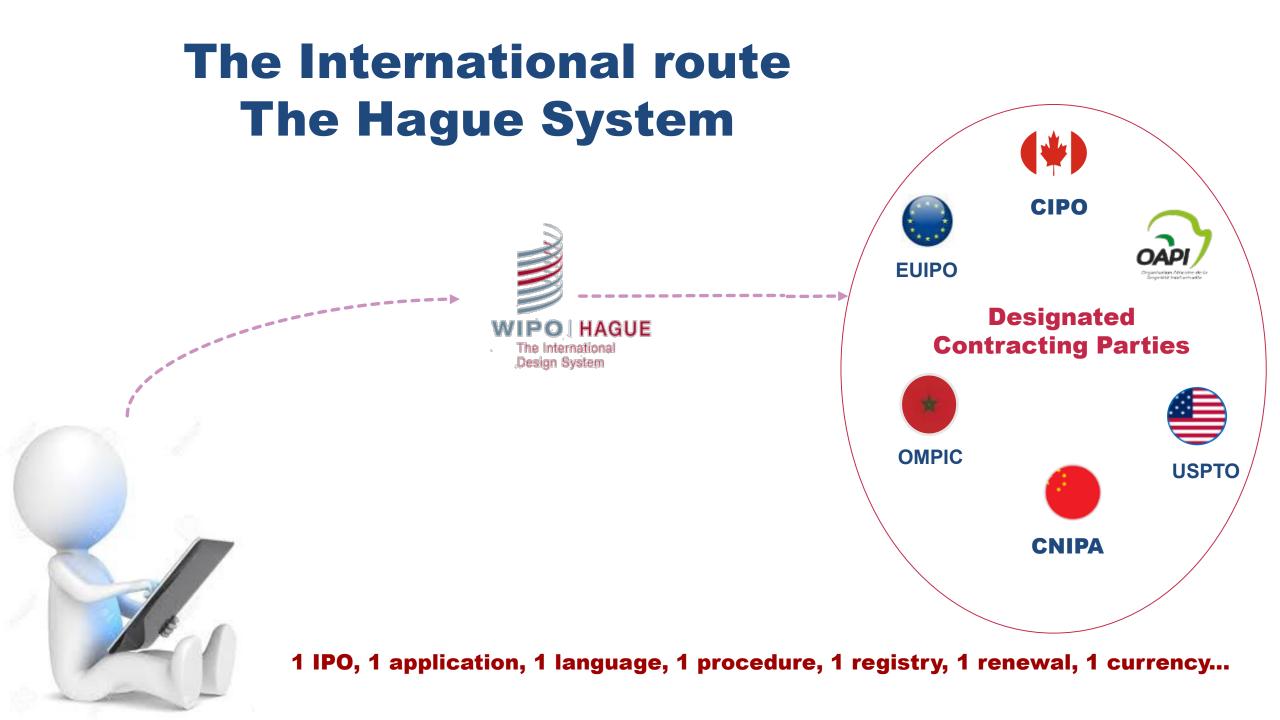
**On average each applicant paid just over CHF 2,000 per registration in 2021** 

The International Design System

14%



5 IPO, 4/5 languages, 5 applications, 5 procedures, 5 registries, 5 renewals, 5 currencies...



# **2.3: Geographical scope**



# **Hague System membership**



96 countries with Jamaica, China, Mauritius and Brazil

The 1999 Act will enter into force in Mauritius on May 6, 2023 and in Brazil on August 1, 2023

# **Recent Accessions to the Geneva Act (1999)**



Brazil August 1, 2023



Morocco July 22, 2022

China May 5, 2022

Belarus July 19 2021





\*

Israel January 3, 2020

Suriname September 10, 2020

Jamaica

Mexico

June 6, 2020

**February 10, 2022** 

Samoa January 2, 2020

> IAGUE onal om

# Potential Accessions to the Geneva Act (1999)



Trinidad and Tobago



Antigua y Barbuda





Jordan

**Philippines** 

Thailand



Lao People's Democratic Republic

Malaysia

Madagascar





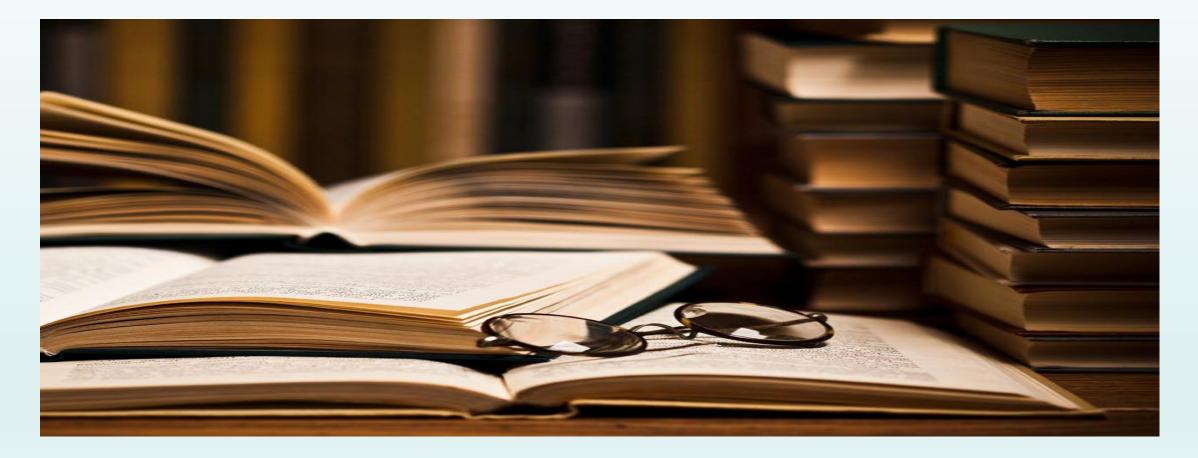
Australia



Design System

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# 2.4 Legal Framework – A procedural Arrangement



# The Hague System

Hague Agreement Concerning the International Registration of Industrial Designs

#### of November 6, 1925

- I. Hague Act 1960
- II. Complementary Act of Stockholm 1967 as amended on September 28, 1979
   III. Geneva Act 1999

**Common Regulations** 

(as in force on January 1, 2022) and

**Administrative Instructions** 

(as in force on April 1, 2022)

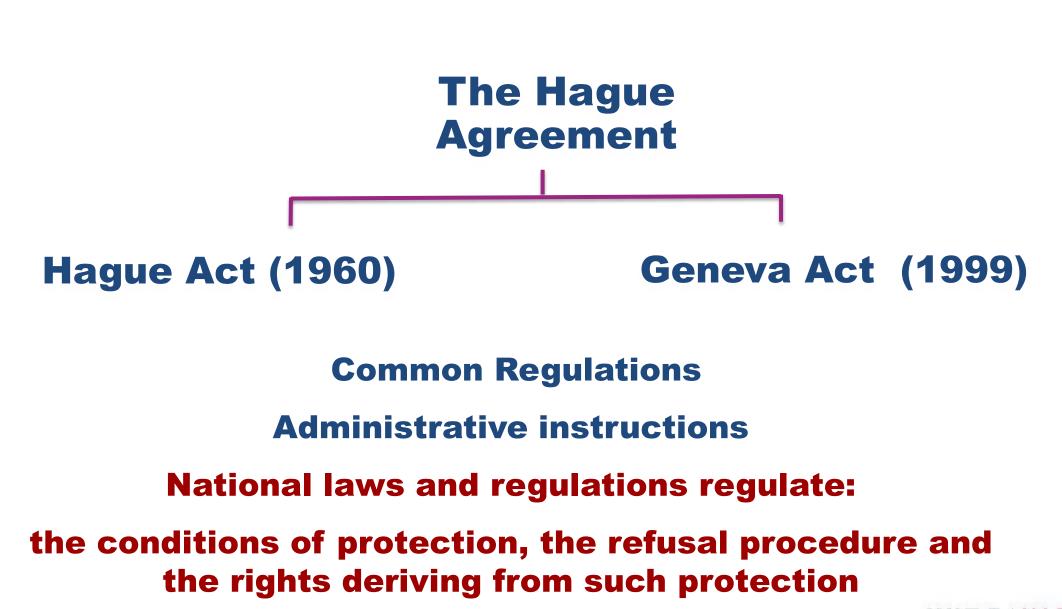
WIPO Publication No. 269E/22



# Treaties

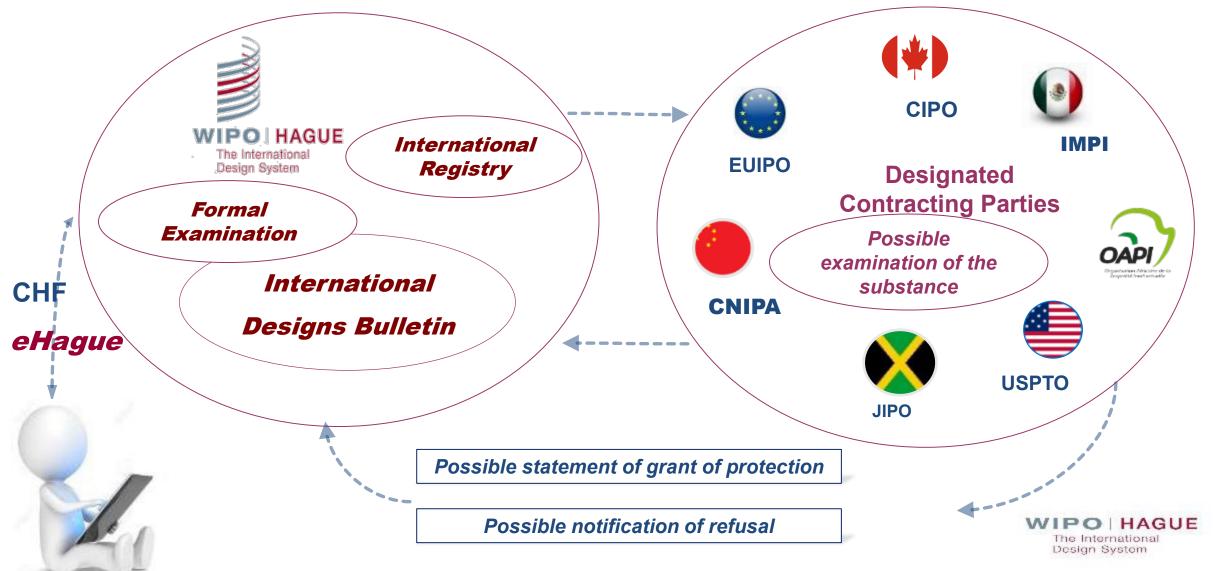
## + National laws and regulations

2022



The International Design System

# The Hague System A procedural arrangement



# **WIPO's role**

- **1. Sends the applicant an acknowledgment of receipt**
- **2.** Formal examination of the application
- **3.** Notifies any irregularity to the applicant (to be corrected within 3 months)
- **4.** Records it in the International Register
- **5.** Issues the certificate of the international registration
- 6. Publishes it in the *International Designs Bulletin* (Notification to CP)

WIPO HAGUE

- 7. Notifies to holders of a possible refusal by a Contracting Party
- **8.** Manages the international registration

# **Role of designated Contracting Parties**

- **1.** Possible examination of the substance
- **2.** The laws of each designated Contracting Parties govern:
  - **1.** the conditions for obtaining protection
  - **2.** the substantive examination procedure
  - **3.** the refusal procedure (if any) and
  - 4. the rights conferred by protection.

# **Possible Refusal**

- Only for substantive grounds;
  - Must be communicated to WIPO within a specified time frame It does not affect protection in other designated Contracting Parties
  - the holder may resolve it before the IP office concerned
  - If there is no refusal: automatic granting of protection
  - The holder obtains a set of independent rights in all designated

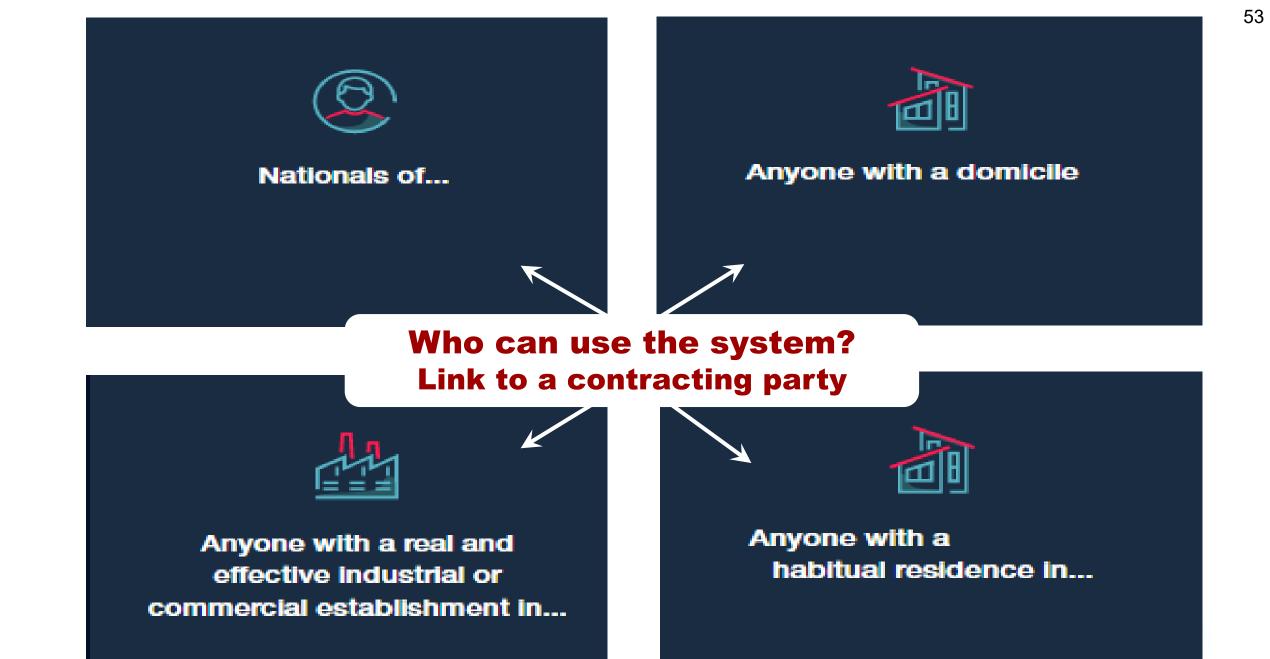
**Contracting Parties** 

WIPO | HAGUE The International Design System

# **Examination of refusals by the International Bureau**

- Number of the international registration
- The presence of ground(s) for refusal
- Compliance with the prescribed period
- If the conditions for refusal are met, the International Bureau registers it in the International Register and communicates it to the holder.
- If the refusal does not meet the conditions, it will not be recorded in the International Register and the OI will inform the holder and the national Office that issued the refusal.

# 2.5. Main points of the procedure



# Main points of the procedure

- No prior application or registration is required
- Electronic filing eHague and e-renewal interfaces are intuitive
- Possible to designate 79 Contracting Parties
- Up to 100 designs (of the same class) in the same international application
- Most international applications are filed directly with the International Bureau (not through an IP Office)
- Subsequent designation is not possible



# **Submitting an application**

### Directly to the International Bureau

(or through national offices of certain Contracting Parties: Japan, Republic of Korea, Russian Federation, United States)

#### Editable PDF form: DM/1

In English, French or SpanishPayment of a fixed fee in CHF

### All contracting parties in which protection is sought must be designated (impossible to make designations later)

Advisable to consult the declarations of designated contracting parties (creator, postponement of publication, oath or certificate, special reproductions, claim, description...)

# **Duration of protection**



# Longer term of protection, if provided for by the law of the designated Contracting Party



https://www.wipo.int/hague/en/declarations/index.html#protection

# **Same rights - same effects**

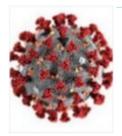
### As those resulting of a national or regional application

### submitted and registered at the national or regional level



# 2.6. Recent Developments

# **Recent Legal Developments**



COVID-19 – Measures to address non-compliance with deadlines with the International Bureau due to force majeure (e.g. pandemic) (January 1, 2022)



Standard publication period extended from 6 to 12 months: (January 1, 2022)



Contact details: Tel number may be indicated Email address becomes mandatory (February 2021) (April 1, 2022)



Exclusive Use of Electronic Communications (March 28, 2022)



Update/modernization of signature Accepted formats for signature will now also include typed signature (including text-string signature through user-account) (April 1, 2022)



# **Recent Legal Developments**



WIPO DAS System for Priority Documents for International Applications under the Hague System (January 15, 2020) CHANGE OF OWNERSHIP Easier for a new owner to request the recording of the change in ownership procedure (January 1, 2022)





Entry into force of the 14th edition of the Locarno Classification entered into force on 1 January 2023



Publication in the Bulletin of any information concerning representatives to keep informed IPOs (April 1, 2023)



# **Recent technologic improvements**

Launch of the eHague Portal Centralized Online access to Hague System services

**WIPO Notifications Electronically since March 2020** 

SEND

eHague

Irregularity corrections can be submitted electronically

Payment method for WIPO services, with simultaneous integration

**Digital Access Service (DAS) for sharing priority documents** 

### **WIPO Digital Access Service (DAS)**

- WIPO became a depositing office for International Applications under the Hague System with the WIPO DAS System for Priority Documents (January 15, 2020) (IN Hague No. 1/2020)
- Secure exchange of priority doc. between IP Offices participating in DAS
- The access code of the first application filed must be included, so that the designated office can directly access the priority document
- The code is obtained from the Office of first deposit, so that the Office of the designated Contracting Party can access the priority document
- Participating Offices: <u>https://www.wipo.int/das/en/participating\_offices/</u>
- How to join? <u>https://www3.wipo.int/contact/en/area.jsp?area=das</u>

# Part 3: Filing through eHague

#### Outline

- **1. WIPO IP Portal and eHague?**
- **2.** Electronic filing interface
- **3.** Mandatory requirements
- **4.** Optional requirements

### 4.1. WIPO IP Portal - ePortal

WIPO

MENU

#### ENGLISH WIPO LOGIN HELP

# WIPO IP Portal Easy access to all online IP Services

Find all services in the MENU and login with your WIPO Account for full access.

Create WIPO Account Login



version of the WIPO IP additional information

Current Account at WIPO Your WIPO financial

account that simplifies your transactions with WIPO services.

IP PORTAL MENU eHa	gue			HELP	⊕ english	LOGIN WIP
What are you looking for?					Q	CLOSE
PATENTS TRADEMARKS	> >				Discover th WIPO IP Po	e new version of the ortal
DESIGNS	>	Search	>			WIPO IP PORTAL Easy access to all online IP Services
GEOGRAPHICAL INDICATIONS	>	File & Manage	>	eHague		FILE YOUR INTERNATIONAL
DIGITAL EVIDENCE	>	Pay	>	File and manage international applications to protect your designs and renew your international design registrations under the Hague System.		Se parate e Ver, effecte de Card e de Card e de Serie e Ser
ASSISTANCE PROGRAMS	>	IP Offices	>	Hague System Forms		$\bigcirc \bigcirc \bigcirc \bigcirc \bigcirc$
MEDIATION AND ARBITRATION	>	Statistics	>	Access all official forms used under the Hague System.	WIPO Lex	
DOMAIN NAME DISPUTE RESOLUTION	>			Fee Calculator Estimate the fees for filing an international application or the renewal of	information	rge access to legal on intellectual property
PAYMENTS	>			your international registration under the Hague System.	for 1.	

#### Hague System Member Profiles

Access information on the practices and procedures of Hague System members.

#### Digital Access Service [DAS] for Applicants

Register and manage priority documents for secure electronic exchange.

#### **Contact Hague**

Raise any queries about the Hague System, request certified copies or priority documents, submit (non-confidential) documents.

WIPO Academy

The center of excellence for intellectual property (IP) education and training for WIPO member states.

66



**4.2.** What is eHague?

### A digital gateway to:

 File online industrial design applications anytime, anywhere 67

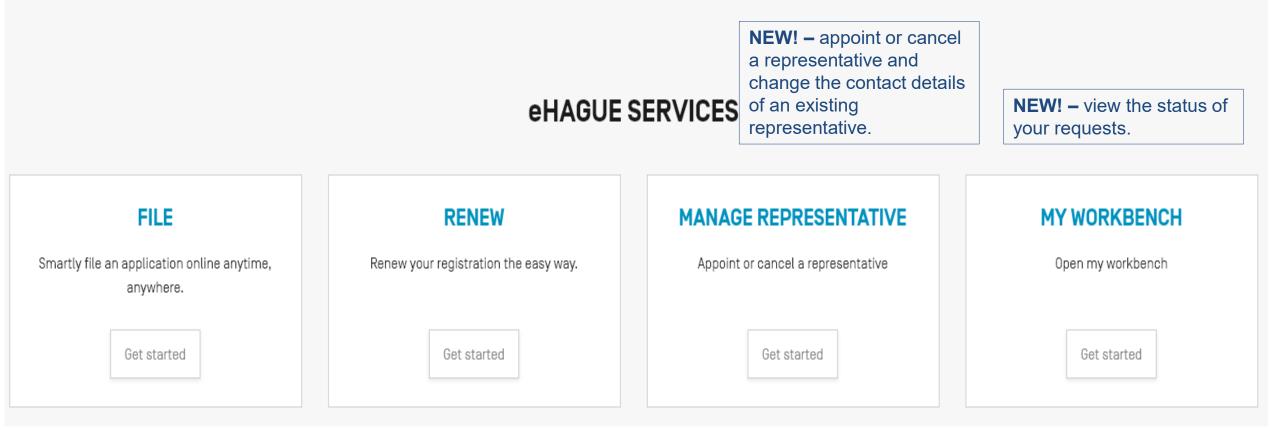
- Renew online industrial design registrations, securely and easily
- An intuitive guide to the international registration procedure that allows to:
  - Integrate mandatory requirements,
  - Automatically calculate rates,
  - Have direct useful advice and
  - important information on designated Contracting Parties

#### WHAT IS eHAGUE?

eHague enables you to digitally and securely file your international design applications and renew your registrations.

You do not have to worry about what forms to fill out, what annexes are needed, or calculating fees by hand. Everything is done automatically based on the information you enter. The system guides you all the way, provides helpful hints and leads you to important information related to the process and to the specific contracting parties you are designating.

Filing through eHague will give you complete digital access to all aspects of your application. You can view and download your applications, reply to communications from WIPO, and make payments quickly and easily online. To manage your international registrations, use our <u>Hague System forms</u> (to be integrated into eHague in the future).



# **3.2. Electronic Filing Interface**

# **EHAGUE**

New	Filed application[s]	Draft(s) (21)	eHague communication	eHague tutorial
Ap <del>plica</del>	New			

The application language determines notably the language of the registration certificate.

#### New application

O New application using data from a filed application

○ New application from a draft

#### Warning

It is a requirement under the law of the United States of America that, for designs created in the United States of America, the applicant first obtains a license from the United States Patent and Trademark Office (USPTO) before filing outside of the United States of America.

It is a requirement under the law of the Russian Federation that designs created in the Russian Federation by Russian legal entities or nationals are subject to a security clearance procedure by the Federal Service for Intellectual Property [ROSPATENT] to ensure that the designs do not contain state secrets.

Confirm

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New Filed application(s)	Draft(s) (21) eHague cor	aft[s] (21)										
[1 of 3] ™ ↔ 1 2 3 ₩ ₩												
WIPO reference -	Creation date ≎	Applicant[s] ¢	Locarno Class ≎	Designation(s) \$								
WIP0114488	08/03/2022				0							
WIP0113400	09/02/2022	Picapiedra Pedro	11	EM, MD, US	0							
WIP0113333	08/02/2022				0							
WIP0102513	05/03/2021				0							
WIP092059	12/02/2020	Rodriguez Miguel	14	EM, IL, MX, US	0							
WIP092052	12/02/2020				Ø							
WIP092012	10/02/2020	bondad Alegria	2	CA, ES, FR, GR, JP, KR, MA, RS, TJ, US	0							
WIP091801	03/02/2020				0							
WIP091798	03/02/2020				0							
WIP077912	06/12/2018	FAncy Boxes	2	CA, CH, CI, EM, OA, RU, SN, US	0							
		[1 of 3] 💷 <= 🔳 2	2 3 🕨 🖬									



**Tip:** All sections become editable after an applicant, designation, and at least one design have been recorded.

The International Design System

### **4.4. Mandatory requirements**

- Applicant references
- At least one designation of the contracting parties
- At least one reproduction (100 designs, unlimited reprod.)
- Indication of the product
- Signature of the applicant or his representative
- Payment of fees

WIPO | HAGUE The International Design System

Name and address Help			
Type C Legal Entity Natural person	Address *		Telephone (e.g +41 22 338 80 80)
		/i	E-mail address *
Given name(s) *	Zip/Post code		
Family name *			Address of website
	City *		
Denting (Chate			
	Region/State		
	Country *	*	

### **At least one Designation of a Contracting Parties**

### - **DESIGNATION**

#### DESIGNATED CONTRACTING PARTY(IES) Help

The international application must indicate at least one applicant Select at least one Contracting Party

Designations None

Change selection



		Fermer Résumé Palement/Valida
Désignations Aucun	least one designatio	nof a CP Tout désélectionner Tout sélectionner
□ AL Albanie	AM Arménie	□ AZ Azerbaïdjan
BA Bosnie-Herzégovine	BG Bulgarie into	BN Brunéi Darussalam info
🗆 BW Botswana	BX Benelux info	BY Bélarus info
BZ Belize into	CA Canada into	X CH Suisse Click on the information icon to
DE Allemagne	DK Danemark info	EE Estorie info
🗙 EG Égypte	EM Union européenne	<b>ES Espagne</b> find what effect the designation of a
FI Finlande info	FR France	GB Royaume-Uni info
🗆 GE Géorgie	GH Ghana info	□ HR Croatie info on the data you need to enter. The
□ HU Hongrie info	□ IL Israël Into	IS Islande into information will be displayed
JM Jamaïque into	JP Japon into	G KG Kirghizistan
C KH Cambodge into	KP République populaire démocratique de Corée	KR République de Corée into
LI Liechtenstein	LT Lituanie	LV Lettonie
MC Monaco info	MD République de Moldova	ME Monténégro
MK la République de Macédoine du Nord	MN Mongolie	MX Mexique info
🗆 NA Namibie	NO Norvège Info	OA Organisation africaine de la propriété intellectuelle <u>info</u>
X OM Oman	PL Pologne info	R0 Roumanie into
RS Serbie into	RU Fédération de Russie into	RW Rwanda
SG Singapour into	SI Stovénie info	SM Saint-Marin
SR Suriname info	ST Sao Tomé-et-Principe	X SY République arabe syrienne info
🗆 TJ Tadjikistan info	TM Turkménistan	X TN Tunisie
TR Turquie into	UA Ukraine Info	US États-Unis d'Amérique Info

# At least one Reproduction of the Design



A reproduction refers to photographs, drawings or other graphic representations that illustrate the designs

- Rule 9 of the Common Regulations Reproductions of the Industrial Design
- Part Four of the Administrative instructions: Requirements Concerning Reproductions and Other Elements of the International Application



## **4.5. Optional requirements**

- Creator references
- Description
- Legend(s)
- Claim of priority
- International Exhibition
- Publication (immediate or deferred)

# Part 4: Online Resources and Tools

### **Outline: Online Resources and Tools**

- **1. Hague Webpage**
- **2. Hague System: Guide for Users**
- **3.** Tips for Reproductions
- **4. Hague System: Questions and Answers**
- **5. Hague System Member Profiles**
- **6.** Online Databases



#### How the Hague System works

The International Design System

HAGUE

Learn all about the process of securing international design protection.

### Filing international design applications

File your international design applications online to have digital access to your portfolio.



### Managing international design registrations

Update (transfer ownership, renunciation, limitation, etc.) and renew your international registration directly through WIPO.



#### Searching protected designs

Check what your competitors are doing by searching existing designs before you file an international design application.

#### Legal resources

- Hague System legal texts
- Hague System Member Profiles
- Information notices
- Declarations by contracting parties
- Maximum duration of protection
- Hague System forms
- Order certified documents

#### User guides

- Guide to the Hague System
- Preparing reproductions
   PDF
- Including multiple designs in an international application
   PDF
- Hague System electronic notifications

#### Fees

- Fees and payment methods
- Calculate your fees
- Online payment

#### Design search tools

- International Designs Bulletin
- Hague Express Database
- Global Design Database
- Locarno Classification

#### Meetings and training

- Hague System Working Group
- Hague System webinars
- Distance learning



# Hague System Guide for Users

The Hague System Guide for Users is a comprehensive manual that explains the Hague System in detail. It combines legal and procedural information with cross references to all relevant legal citations.

# **3. Tips for reproductions**

Guidance on Preparing and Providing Reproductions in Order to Forestall Possible Refusals on the Ground of Insufficient Disclosure of an Industrial Design by Examining Offices

https://www.wipo.int/export/sites/www/hague/en/how\_to/pdf/guidance.pdf

### Guidance on Including Multiple Designs in an International Application in Order to Forestall Possible Refusals

https://www.wipo.int/export/sites/www/hague/en/docs/hague\_system\_guidance\_multiple\_designs.pdf

WIPO | HAGUE The International Design System

#### Hague System: Questions and Answers

4.

#### (Latest revision: September 2022)

Hot topic - Designating China in international applications

#### Find out more...

- Hague System Digital Information Kit
- Questions on eHague
- Questions on designs

#### A. Protecting your designs with the Hague System

#### https://www.wipo.int/hague/en/faqs.html

**Tip!** Designs can help you to differentiate your products from those of your competitors and obtain wider market recognition and visibility. Protection of designs (shape, form, patterns, lines or color of the ornamental part of your product) is essential. Exclusive rights – allowing you to license others to use your design for a fee – and protection against copying and counterfeits will strengthen your competitive position and the commercial value of your business and its products. This in turn will stimulate economic growth. Find out more about designs.

- 1. What is the Hague System?
- 2. How can the Hague System help me?
- 3. Can I use the Hague System?

#### **B.** International applications

▼ 12. How many designs can my international application cover?

You can include up to 100 designs per application. All designs **must** however belong to the same class of the International Classification for Industrial Designs (the Locarno Classification).

**Tip!** Some contracting parties require unity of design (for details, refer to Declarations of Contracting Parties). If this requirement is not met, they may refuse the effects of the international registration, pending compliance. **Find out more:** Guidance on including multiple designs in one application.

#### HAGUE SYSTEM MEMBER PROFILES

Access a wide range of information on the practices and procedures of Hague System members. Select the members or relevant groupings. For complementary resources, consult the <u>Hague System website</u>. Find out <u>more about our Hague System Member Profiles</u>.

1 Select members 2 Select details 3 Member information `4

Reset

#### □ All members

### HSMP – Information on the practices and procedures of Hague System members

[OA] African Intellectual Property Organization 🗹 (GE) Georgia (PL) Poland 🗹 (AL) Albania (DE) Germany [KR] Republic of Korea [AM] Armenia [GH] Ghana [MD] Republic of Moldova [GR] Greece (R0) Romania [AZ] Azerbaijan (BY) Belarus (HU) Hungary (RU) Russian Federation [BZ] Belize 🗌 (RW) Rwanda [IS] Iceland (BX) Benelux 🗌 (IL) Israel 🗌 [WS] Samoa 🗌 (BJ) Benin (IT) Italy [SM] San Marino (BA) Bosnia and Herzegovina [JM] Jamaica [ST] Sao Tomé and Principe 🗌 (BW) Botswana 🗌 (JP) Japan 🗌 (SN) Senegal 🗆 (BR) Brazil [KG] Kyrgyzstan 🗹 [RS] Serbia 🗌 (BN) Brunei Darussalam [SG] Singapore [LV] Latvia 🗹 (BG) Bulgaria (LI) Liechtenstein (SI) Slovenia [ES] Spain (KH) Cambodia 🗹 (LT) Lithuania 🗌 (CA) Canada 🗆 (ML) Mali [SR] Suriname [CN] China (MU) Mauritius [CH] Switzerland [CI] Côte d'Ivoire [MX] Mexico [SY] Syrian Arab Republic (HR) Croatia [MC] Monaco 🗹 (TJ) Tajikistan [KP] Democratic People's Republic of Korea 🗌 (TN) Tunisia (MN) Mongolia (DK) Denmark (ME) Montenegro (TR) Türkiye [EG] Egypt [MA] Morocco [TM] Turkmenistan (EE) Estonia [NA] Namibia 🗹 (UA) Ukraine (EM) European Union (NE) Niger [GB] United Kingdom 🗌 (FI) Finland [MK] North Macedonia [US] United States of America (FR) France [N0] Norway [VN] Viet Nam 🗌 (GA) Gabon [0M] 0man

Selected members 25 / 77

### 6. Online databases

# Global Design Database

Browse through the millions of designs that exist under the Hague System and in the collections of participating offices, including China, the EU, Japan, the Republic of Korea, and the USA.

# Hague Express

Search our weekly updated database of all international registrations.

The International Design System 85

# **Global Design Database**

IP PORTAL MENU Global Design Database

WIPO

A world-wide collection of industrial designs data; including WIPO Hague registrations and information from participating offices.

										searches 💌	records 💌
SEARCH BY Design Names Numbers	Dates Country Priority		FILTER BY	Source	Status	Designation	Locarno Class	Reg. Year ×	Expiration ×	Holder ×	
Indication of = Product Design class • = Description =			AL Designs CA Designs CR Designs ES Designs ID Designs JP Designs		181,038 1,938 464,723 52,461 598,850	BN Designs CH Designs DE Designs FR Designs IN Designs JO Designs	130,58 1,223,51 784,04 63,31 2,19	<ol> <li>BW Designs</li> <li>CN Designs</li> <li>EM Designs</li> <li>GE Designs</li> <li>IT Designs</li> <li>KE Designs</li> </ol>	6,253 1,406 2 49	,689 ,531 ,132 ,225	A
1 - 10 / 13,393,955 DESIGN view D	3	search $\rho$	''DIsplay'- L		Sort: <sup>¬</sup> Va	ue - asc 🗸		0 1 4 D		/ 1,339,39	
With international <sup>[]</sup> registrations	Sort by Reg. Date - desc ✓ NZ ID 428724 FLUID CONNECTOR 2021-04-01 KPR U.S., LLC		© 						or r	natio egion stries	al
under The Hague System	NZ ID 428723 FLUID CONNECTOR 2021-04-01 KPR U.S., LLC		0						nat	icipat ional nal off	or
	NZ ID 428722 FLUID CONNECTOR			Tene (	5			Let un	eresign e		_

### **Search for any registered designs**

## **HAGUE EXPRESS**

MIPO IP PORTAL MENU Hague Express

 WIPO

searches • records •

The Hague Express Database, updated weekly, includes bibliographical data and, as far as international registrations governed exclusively or partly by the 1999 and/or by the 1960 Act(s) of the Hague Agreement are concerned, reproductions of industrial designs relating to published bearing a registration date as from January 3, 1985. International registrations that have lapsed are not removed from the database.

SEARCH BY Design	Names Numbers Dates Country	F	FILTER B		Locarno Class	Reg. Year ×	Contracting Party ×	Expiration ×	
la dia dia matrice 🗶 🗖			сн	76,121 BE	57,593 LU	57,590 NL	57,586 <b>BX</b>	57,584 <b>FR</b>	56,361
Indication of T = Product			DE	56,008 IT	51,776 <b>ES</b>	41,204 EG	39,215 <b>TN</b>	39,172 ID 🔅	34,951
Troduct			MA	34,539 <b>VA</b>	32,911 <b>EM</b>	32,320 AN	31,674 MC 2	23,619 <b>LI</b> 2	22,900
Locarno Class =			HU	15,617 <b>TR</b>	15,055 <b>GR</b>	12,047 <b>US</b>	11,695 <b>UA</b>	9,719 <b>RO</b>	9,656
			SI	9,635 <b>SG</b>	9,577 <b>ME</b>	9,108 <b>RS</b>	8,933 <b>MK</b>	8,913 <b>KP</b>	8,086
			MD	7,784 <b>NO</b>	7,753 DD	7,357 CW	6,974 <b>BQ</b>	6,974 <b>SX</b>	6,973
Description 🔭 👘			VN	6,517 JP	6,322 KR	5,853 <b>BG</b>	5,578 <b>HR</b>	5,066 MN	5,006
			SN	4 713 SR	4,605 YU	4.486 GE	3,949 <b>BJ</b>	3,948 <b>KG</b>	3,189
	search P		Display:	List 🗸	Sort: Count - d	esc 🗸	-	-	filte

1	1 - 10 / 111,614 (edit columns ↔) (a) (a) (a) (b) (b) (b) (b) (b) (c) (c) (c) (c) (c) (c) (c) (c) (c) (c							
	Reg. No	Holder	🗢 Reg. Date	Locarno CI.	Ind. Prod.	Designations	Image	
	DM/212992	URBIDERMIS, S.L.	2021-03-01	26-05	Support for light fixture	US,EM,GB		
	DM/212993	URBIDERMIS, S.L.	2021-03-01	26-05	Light fixture	US,EM,GB		

### Search for registered international designs

# Part 5. Statistics



# Hague System Statistics

Access WIPO's extensive statistical data on designs worldwide.

Design System

## **WIPO IP Statistics Data Center**

Source: WIPO statistics data				
Key indicators Patent Tradema	k Industrial design Utility model Geographical indications	PCT Ma	adrid Hague	Saved searches
Indicator	Indicator	~		
Report type	Туре	~		
Year range	1995 V 2022 V Search Reset			

## The Hague System Statistics – 2020/2021

<u>2020</u>

Applications:	5.799
<b>Registrations:</b>	6.795
<b>Designs in applications:</b>	18.580
<b>Designs in registrations:</b>	23.671

<u>2021</u>

Applications: Registrations: Designs in applications: Designs in registrations: 6.7116.10622.48619.993

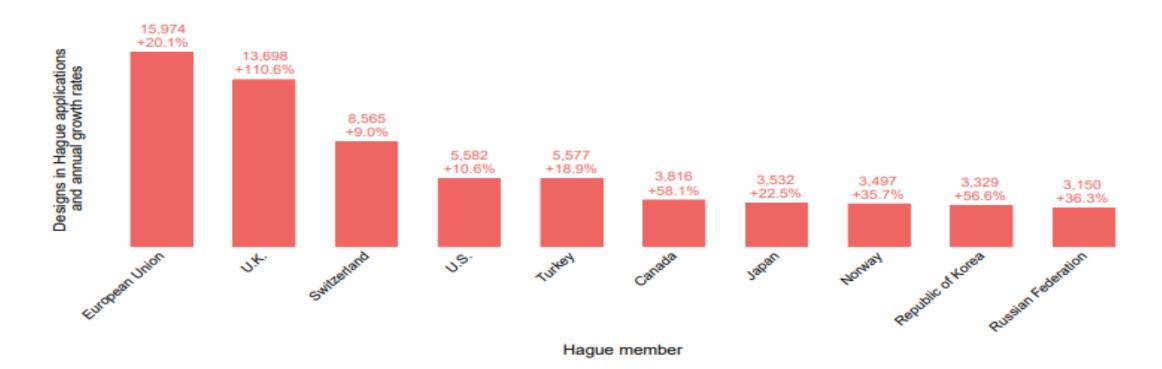
The International Design System

Hague Yearly Review 2021 and 2022

# The 5 most used international registration classes in 2021

	<b>1</b> °	<b>2°</b>	<b>3°</b>	<b>4</b> °	<b>5°</b>
	lass 12 Mains of	Class 14 Recording and	Class 9 Packages and	Class 6 Furnishing	Class 26 Lighting apparatus
1	ransport	communication equipment	containers		
Number of	2.179	2.154	1.847	1.548	1.457
designs	9,7%	9,6%	8.2%	6,9%	6,5%

# 6. Designs contained in designations in international applications for the top 10 designated Hague members, 2021

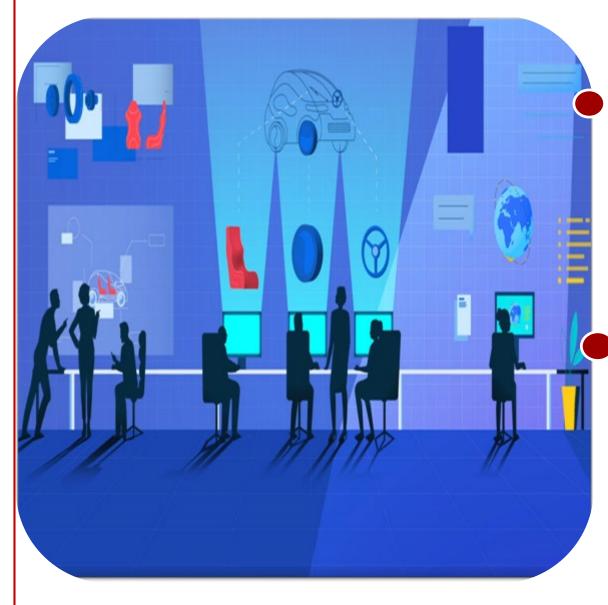


Source: WIPO Statistics Database, February 2022.

WIPO | HAGUE The International Design System

WIPO FOR OFFICIAL USE ONLY

# Part 6: Conclusion



The Hague System provides a straightforward solution to international design protection that eliminates the need to file separate and multiple applications in individual countries or regions.

IP rights are territorial – **the domestic laws of each contracting party govern the protection** resulting from international registrations



Design System

https://www.wipo.int/hague/en/how\_hague\_works.html

### Contact Hague

Use this form to make an enquiry, submit documents or to request a priority document.

#### l am:\*

Assisting you throughout the lifecycle of your international design applications and registrations

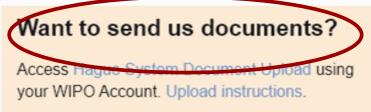
### Need help?

Submit

#### Email updates

Hague News – Information Notices and updates on developments in the Hague System.

```
Our Hague Customer Service team is available to answer all your questions and queries and to assist 
you throughout the lifecycle of your international design applications and registrations. To ensure 
optimal handling of enquiries use Contact Hague.
```



Hague Customer Service

WIPO official holidays

 Tel: +41 22 338 7575 (Monday to Friday – 9:00-18:00 Central European Time <u>CET</u>)

Sign up



# The Hague | WIPO

https://www.wipo.int/hague/en/



## **Many thanks**