

Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications

**Third Special Session - Preparation of the Basic Proposal for the Diplomatic
Conference to Conclude and Adopt a Design Law Treaty (DLT)
Geneva, October 2 to 6, 2023**

PROPOSAL BY THE DELEGATION OF THE REPUBLIC OF KOREA

Document prepared by the Secretariat

In a communication dated September 27, 2023, the Delegation of the Republic of Korea transmitted to the International Bureau of the World Intellectual Property Organization (WIPO) the proposal contained in the Annex to the present document.

[Annex follows]

Proposal by the Republic of Korea on Industrial Design Law and Practice

– Note on Draft Article

The Republic of Korea would like to propose the following in the Third Special Session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) for discussions on the Draft Articles and Regulations. In order to ensure effective communication, the Republic of Korea is submitting the content in writing first.

Note 5.07 on Article 5(4)

If the wordings in brackets referring to Permitted Additional Requirements are maintained in Article 5(4), the Republic of Korea proposes to add the following sentence to Note 5.07.

Note 5.07 *Paragraph (4) provides* that, where an application does not contain all the elements or indications which are required to obtain a filing date, a time limit shall be afforded to the applicant to complete the application. The time limit is prescribed in the Regulations, so as to facilitate any change that may be justified in the future. [It is also understood that the obligation of the Office on the notification of non-compliance with permitted additional requirements, along with affording a time limit prescribed in the Regulations, applies only to the Contracting Parties that have declared those requirements.](#)

[End of Annex and of document]