

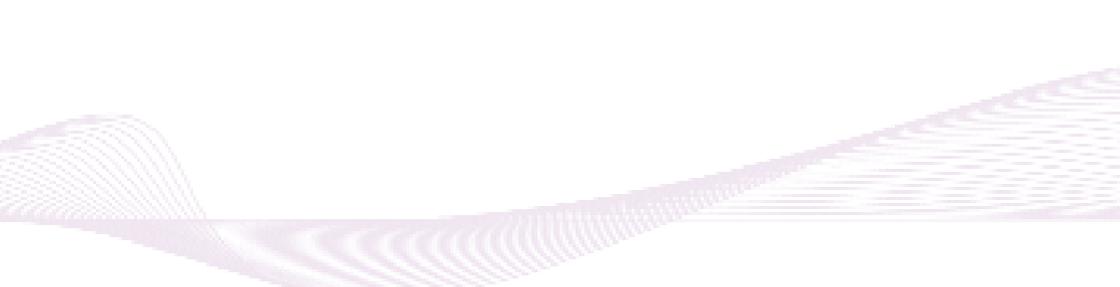
Intellectual Property
for Business Series

| Number:

2

LOOKING GOOD

An Introduction to Industrial Designs for Small
and Medium-sized Enterprises in Malawi



Publications in the “Intellectual Property for Business” series:

1. Making a Mark: An Introduction to Trademarks for Small and Medium-sized Enterprises in Malawi. Department of Registrar General, publication No. 001.
2. Looking Good: An introduction to Industrial Designs for Small and Medium-sized Enterprises in Malawi. Department of Registrar General, publication No. 002.
3. Inventing the Future: An introduction to Patents for Small and Medium-sized Enterprises in Malawi. Department of Registrar General, publication No. 003.
4. Creative Expression: An introduction to Copyright for Small and Medium-sized Enterprises. Department of Registrar General, publication No. 004.

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Preface

Until recently, Intellectual Property has been viewed as luxury by industry and in particular, by the Small and Medium-sized Enterprises (SMEs). Every business has some valuable intangible property worth protecting. The SMEs need to be abreast of the latest information on Intellectual Property Rights (IPRs) systems so that they are able to protect their IP assets. Ignorance in Intellectual Property issues may lead to loss of SMEs' valuable rights or expensive litigation or both.

This customized version of 'Industrial Designs' discusses basics of industrial designs and benefits to be derived from their protection and use. The effort of getting industrial design protection is complex. However, the long-term benefits from the protection of industrial designs are huge and far outweigh the efforts and investment.

I commend the efforts of the Department of Registrar General team comprising Mr Joseph K. Chintolo, Mr P. M. Chimteya and Mr A. Nyirenda during production of this book. In particular, I commend Mr Chintolo for providing guidance and legal input. In a special way, I commend the tireless efforts, expertise and know-how of Mr H.Y. Mateche, the Consultant, in customising, developing and producing this book. Finally, I thank the World Intellectual Property Organisation (WIPO) for its efforts and financial support that made it possible to produce this book.

G. E. Nkhata
DEPUTY REGISTRAR GENERAL

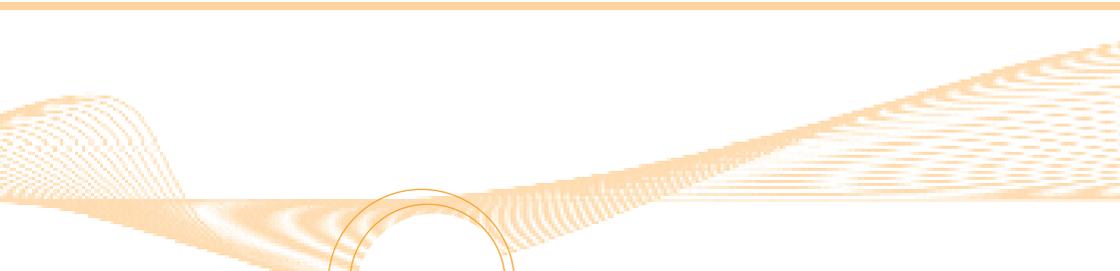


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1. Industrial Designs

What is an industrial design?

The Malawi Industrial Design Act defines industrial designs as “features of shape, configuration, pattern or ornamental applied to an article by any industrial process or means being features which in the finished article appeal to and are judged solely by the eye, but does not include a method or principle of construction or features of shape or configuration which are dictated solely by the function which the article to be made in that shape or configuration has to perform”.

In everyday language, an industrial design refers to a product’s overall form and function. For instance, an armchair is said to have a “good industrial design” when it is comfortable to sit in and we like the way it looks. For businesses, designing a product generally implies developing the product’s functional and aesthetic features taking into consideration issues such as the product’s marketability, costs of manufacturing, ease of transport, storage, repair and disposal.

However, from an intellectual property law perspective, an industrial design refers only to the ornamental or aesthetic aspects of a product. In other words, industrial design refers only to

the appearance of a product. Although the design of a product may have technical or functional features, industrial design, as a category of intellectual property law, refers only to the aesthetic nature of a finished product and is distinct from any technical or functional aspects.

Industrial design is relevant to a wide variety of products of industry, fashion, and handicrafts ranging from technical and medical instruments to watches, jewelry, and other luxury items; from household products, toys, furniture and electrical appliances to cars and architectural structures; and from textile designs to sports equipment. Industrial design is also important to packaging, containers and “get-up” of products. An industrial design consists of:

- three-dimensional features such as the shape of a product,
- two-dimensional features, such as ornamentation, patterns, lines or color of a product; or
- a combination of one or more such features.

Example of a three-dimension design



Example of a three-dimensional design



Example of a three-dimensional design



Creative Designs in Business

Enterprises often devote a significant amount of time and resources to enhancing the design appeal of their products. New and original designs are often created to:

1. Customize products to appeal to specific market segments: small modifications to the design of some products (e.g. a watch) may make them suitable for different age groups, cultures or social groups. While the main function of a watch remains the same, children and adults generally have very different tastes in design.
2. Create a new niche market: in a competitive marketplace, many companies seek to create a niche market by introducing creative designs for their new products to differentiate them from those of their competitors. This may be the case for ordinary items such as locks, shoes, cups and saucers and for expensive items such as jewelry, computers or cars.
3. Strengthen brands: creative designs are often also combined with distinctive trademarks to enhance the distinctiveness of a company's brand(s). Many companies have successfully created or redefined their brand image through a strong

focus on product design.

Why protect industrial designs?

An industrial design adds value to a product. An industrial design makes a product attractive and appealing to customers, and this may even be its unique selling point. So protecting valuable designs should be a crucial part of the business strategy of any designer or manufacturer.

By protecting an industrial design through its registration at the Industrial Design Office, the owner obtains the exclusive right to prevent its unauthorized copying or imitation by others. Preventing others from copying an industrial design makes business sense as it improves the competitiveness of a business and often brings in additional revenue in one or more of the following ways:

- when you register a design, you are able to prevent it from being copied and imitated by competitors thereby strengthening your competitive position;
- registering a valuable design contributes to obtaining a fair return on investment made in creating and marketing the relevant product thereby improving your profit.

- industrial designs are business assets that can increase the commercial value of a company and its products. A more successful design is more valuable to a company.
- a protected design may be licensed (or sold) to others for a fee. When you license a design, you may be able to enter markets that you are otherwise unable to serve.
- registration of industrial designs encourages fair competition and honest trade practices, which, in turn, promote the production of a diverse range of aesthetically attractive products.

Shedding Some Light on Designs

While the functional elements of a lamp do not generally differ significantly from product to product, its appearance is likely to be one of the major determinants of success in the marketplace. This is why the Register for industrial design in Malawi has a long list of designs for household products such as lamps.

2. Protecting Industrial Designs

How do you obtain protection for industrial designs?

In Malawi, designs are registered under

the Registered Designs Act in order to be protected under the Act.

To register an Industrial Design, you must file an application in the Designs Office at the Department of Registrar General using Designs Form No.1 for a non-convention and Designs Form No. 2 for convention. However, if you want to register a design to be applied to a set of articles (non convention) use Designs Form No. 3 and to register a design to be applied to a set of articles (convention) use Design Form No. 4.

While this guide focuses mainly on registered industrial designs, it is important to point out that, in Malawi, there are alternative ways of protecting industrial designs: These alternative ways are presented below.

- One alternative for protecting designs is the Copyright Act. The Act generally provides exclusive rights for literary and artistic works. As designs are considered works of art or applied art, copyright protection may apply and may represent an attractive option for Small and Medium-sized Enterprises.
- If an industrial design functions as a trademark in the marketplace, then it may be protected as a three-

dimensional mark. This may be the case when the shape of the product or its packaging is considered to be distinctive.

- Laws on unfair competition may also protect a company's industrial design from imitation by competitors.

What rights are provided by industrial design protection?

The Malawi Industrial Design Act states that when an industrial design is protected through registration, the registered design owner has the exclusive right in Malawi to make or import for sale or use of any trade or business, or for sell, hire or offer for sale or hire, any article in respect of which the design is registered, being an article to which the registered design or a design not substantially different from the registered design has been applied, and to make anything for enabling such article to be made as aforesaid. In addition, the registered design owner has the exclusive right to prevent others from making, offering, importing, exporting or selling any product in which the design is incorporated or to which it is applied.

Exclusive Rights

In order to understand what exclusive rights are, let us assume that your company has designed a mosquito

bednet with an innovative design, has registered it at the Industrial Designs Office, and has therefore obtained exclusive rights over the mosquito bednet bearing that design. What this means is that if you discovered that a competitor is making, selling or importing a mosquito bednet bearing the same or substantially the same design, you will be able to prevent him from using your design and, possibly, you will obtain compensation for damages which your business has suffered from the unauthorized use of that design.



Malawi application: Mw/P/2011/00001.
a Multi-layer mosquito bednet.
Courtesy: Sandy Kachale

So, while you cannot stop competitors from making competitive products, you may prevent them from making products that look just like yours and having a free ride on your creativity. Let us take another example of a company in Malawi called "UNILEVER East Africa" designed and produced Vaseline Blue Seal a product that is popular on the Malawian market. The product is very popular not only to mothers but also to everyone in the country and even beyond. In order to ensure protection for its product, Unilever East Africa deposited an international application for industrial design registration. Once the registration was completed, Unilever East Africa managed to commercialize its product in many countries in Africa, either directly or by granting licenses based on its registered industrial design.

The success of this product has been considerable. Vaseline Blue Seal is today one of Unilever East Africa's leading products and the company, armed with the legal monopoly provided by industrial design protection, continues to market its product in Africa and beyond.



Vaseline Blue Seal
Courtesy: Unilever East Africa

What can be registered as an industrial design?

The Malawi Industrial Design Act stipulates that for a design to be registered in Malawi, it must have the following attributes.

- The design must be "new". A design is considered to be new if no identical design has been made available to the public before the date of filing an application for registration.
- The design must be "original". A design is considered original if it has been independently created by a designer and is not a copy or an imitation of existing designs registered or published in Malawi.

How long does it take to register a design?

In Malawi, it takes about six to twelve months to register an industrial design depending on whether there are objections by others for its registration.

What cannot be protected by industrial design rights?

According to the Industrial Design Act of Malawi, some designs cannot be protected by industrial design rights. The designs are the following:

- Designs that do not meet the requirements of novelty, originality and those that have been already registered or published in Malawi.
- Designs that are considered to be primarily artistic in character.
- Designs that incorporate protected official symbols or emblems such as the national flag.
- Designs that are contrary to public order or morality.
- Works of sculpture other than casts
- Wall plaques and medal.
- Designs that are of secrecy for defence purposes.

How do you register a design?

To register a design in Malawi you must do the following:

- You must file a signed application using Designs Form No. 1 for non-convention and Design Form No. 2 for convention. However, if you want to

register a design to be applied to a set of articles (non convention) use Designs Form No. 3 and to register a design to be applied to a set of articles (convention) use Designs Form No.4. If you want to use an agent to apply for a design, use the Designs Form No. 30.

- The Designs Office undertakes both formality examination and substantive examination as prescribed by the Registered Designs Act to check whether a design is new or original.
- You must file a written statement of features of the design for which novelty is claimed. The description should be accurate and adequate in differentiating the design from any similar earlier designs. However, there is no specific format required for the graphic illustration of the design that is to be included in the application.
- You must pay appropriate registration fee.
- You may employ an agent to assist you in filing the application and completing the registration process. If you employ an agent, you must also file a document certifying transfer of your power to the agent.
- Once a design is accepted, the Registrar of Designs enters it in the design register. Thereafter, the Registrar of Designs publishes the

Registrar of Designs publishes the design in the gazette and then issues a design registration certificate.

How important is it to keep the design confidential before registration?

If you wish to protect your industrial design under a registration system, keeping the design confidential is absolutely crucial. The reason for this is that the central requirement for design protection is that the design must be “new”. If you show your design to others it is advisable to have confidentiality clauses in written agreements, clarifying that the design is confidential.

A design that has already been disclosed to the public by, for example, advertising it in your company’s catalogue or brochure, the design may no longer be considered “new”. A design that is disclosed to the public becomes part of the public domain and thus cannot be protected.

What is the “grace period”?

In some countries, the legislation allows for a grace period. In Malawi however, the Registered Design Act does not provide for a grace period for registering an industrial design.

How long does industrial design protection last?

The Malawi Industrial Designs Act provides for 5 years of protection for a

registered industrial design from the date of registration. The protection can be extended for a second period of five years from the day of expiration of the original period and for a third period of five years from the expiration day of the second period. The application form for extending protection for a design for the next 5 years is Designs Form No. 11 and for another 5 years is Designs Form No. 12. The applicant must pay the prescribed application fees before the expiration of the relevant period.

How much does it cost to protect an industrial design?

The actual costs to protect an industrial design will include:

1. Registration fees payable to Malawi Intellectual Property office. The fees will depend on the number of designs to be registered and the number of countries in which registration is being sought.
2. There will also be costs associated with the hiring of the services of an IP agent to assist you in the registration process, if you choose to rely on expert advice to file your application.
3. Renewal fees, payable on a five-year basis, to maintain their exclusive rights over an industrial design.

What should you do if your design combines functional improvements with aesthetic features?

To obtain exclusivity over the functional improvements of a product, it is advisable to apply for patent or utility model protection or, where the function is not obvious from the product, to keep it as a trade secret. However, sometimes a new product combines



functional improvements with innovative aesthetic features. Let us say you have designed a new mobile phone. While the mobile phone may be the result of a series of improvements to the electronic components and therefore could be protected by patent(s), the original design of your mobile phone could be registered as an industrial design and you can apply for both patent and industrial design protection.

Who may apply for industrial design protection?

The person who created the design or, if working under contract, his employer, may apply for industrial design protection. The applicant can be an

individual or, can be a company. The application may be made by an applicant himself or can be made through an agent. If the applicant is not a Malawi national, he may use an agent to file an application but the agent should be duly authorised using Designs Form No. 30.

Design Protection and Business Strategy

Decisions on how, when and where to protect a company's industrial designs may have an important impact on other areas of design management. It is crucial therefore to integrate issues of design protection into the broader business strategy of an enterprise. For example, the type of protection, the costs, the effectiveness of protection and issues of ownership of designs, may be important considerations when deciding:

- whether to undertake design development in-house or to commission an outside agency;
- the timing of the initial use of a new design in advertising, marketing or public display in an exhibition;
- which export markets to target;
- if, when and how to license or assign a design to be commercially exploited by other companies in return for economic remuneration.

Who owns the rights over an industrial design?

The creator of a design, that is, the designer, is usually the first owner of the design unless there are special circumstances. For example, if an employee has developed a design under terms of an employment contract, that is, during his working hours within the enterprise and as part of his regular duties within the enterprise, the design (and the related rights) will belong to the employer or may require to be transferred by a formal written assignment.

If the design is developed by an external designer under contract, the rights will belong to the company that commissioned the design. In such cases, it is considered that the design was produced for the use of the person who commissioned the design who is therefore the owner. Misunderstandings at a later date can be avoided by clarifying the issue of rights ownership in the contract with the designer. You should also bear in mind that the designer of the product may have automatic copyright protection over the drawings of the original design and the issue should also be covered by the contract.

Can you apply for the registration of many different designs through a single application?

In Malawi, you have to file a separate application for each design as the Industrial Design Act does not provide for single application for many designs. Furthermore, the Industrial Design Act while limiting a single application to a design, allows for an application for registration in respect of the same or one or more other articles, of a design consisting of the registered design with modifications or variations not sufficient to alter the character or substantially to affect the identity thereof.

According to the Act, a set means “a number of articles of the same general character ordinarily on sale or intended to be used together, to each of which the same design, or the same design with modifications or variations not sufficient to alter the character or substantially to affect the identity thereof.” This means that if you have designed a set of chairs, tables and dressers and would like to protect them, you are allowed to file a single application covering all of these products and paying only one application fee because they all belong to the same set of products. You can obtain details of the requirements from the Designs Office.

The International Classification System

Industrial designs are generally classified or grouped into classes for ease of retrieval.

or grouped into classes for ease of retrieval.

You may be asked to refer to the class of products for which you intend to use the design in question in your application form. Malawi, like many countries uses the classification of the Locarno Agreement Establishing an International Classification for Industrial Designs (see List of Classes in Annex II). See also: www.wipo.int/classifications/en/locarno/about/

Can you license your industrial designs?

The Malawi Industrial Designs Act provides for licencing of industrial designs. When licensing an industrial design, the owner of the design (licensor) grants permission to another person (the licensee) to use the design for whatever mutually agreed purposes. In such cases, a licensing contract is signed between the two parties specifying the terms and scope of the agreement.

In Malawi, the Act provides for compulsory licencing of industrial designs. At any time after registration of a design, any person may apply to the Designs Office for a compulsory licence for a design on the ground that the design is not applied in Malawi by any industrial process.

An order granting licence will have the same effect as if the design was done by a registered proprietor. However, no order made by the license will be at variance with provisions of the Convention ie the Union of Convention of Paris, dated 20th March 1883, for the Protection of Industrial Property, revised at Brussels on the 14th December 1990, in Washington on 2nd June 1911 at the Hague on the 6th November 1925, and at London on the 2nd June 1934, and any revision thereof to which Malawi may accede in terms of Section 7 of the Patents Act. When you authorize others to use your industrial designs through a licensing contract, you will be able to have an additional source of revenue. This is a common means of exploiting your company's exclusivity over its registered designs.

3. Protecting Designs Abroad

Why protect designs abroad?

If your company intends to export products bearing an original design, or intends to license the manufacture, sale or export of such products to other firms in foreign countries, it should consider protecting its designs in these countries in order to enjoy the same benefits of protection abroad as it enjoys in the domestic market.

How do you protect your industrial designs abroad?

Industrial design protection is limited to a country or region where you have registered your design. If you wish to have your industrial design protected in export markets you should apply for protection of your industrial design in those countries.

There are three ways of protecting your industrial designs abroad.

1. The National Route: In Malawi, you may apply for protection of your industrial design by filing an application at the Industrial Designs Office in the Department of the Registrar General or the national design offices of each country in which you intend to obtain protection.
2. The Regional Route: You can file a single application at the regional office of a group of countries that are members of regional agreements which enable the registration of designs in more than one country. Regional IP offices include:
 - the African Regional Industrial Property Office (ARIPO) for industrial design protection in English-speaking African countries;
 - the Benelux Designs Office (BDO) for protection in Belgium, the Netherlands and Luxembourg;

- the Office for Harmonization in the Internal Market (OHIM) for Community designs in the countries of the European Union;
- the Organisation Africaine de la Propriété Intellectuelle (OAPI) for protection in French-speaking African countries.

See Annex I for website addresses of regional IP offices.

3. The International Route: If you wish to register your industrial designs internationally in several countries, you may use the procedures offered by the Hague Agreement Concerning the International Deposit of Industrial Designs, a WIPO-administered treaty. If you are an applicant from a Member country to the Hague Agreement, you can file a single international application with WIPO. The design will then be protected in as many Member countries of the treaty as you wish. For full information about the Hague Agreement including a list of Member States and the application form, visit the WIPO website at: www.wipo.int/hague/.

International Design Protection

In 2001, the ten largest users of The Hague System for the international deposit of industrial designs were the Swatch Group, Interior, Sony Overseas,

Hermès, Daimler Chrysler, Nokia, Villerio + Boch A.G., Moulinex, Philips Electronics and Salomon. In that year, the Swatch Group, the largest user of the system, deposited 103 applications for design registration using The Hague System. The distinctive “look” of its watches is considered a crucial feature that influences the choice of its customers in favor of its products. In view of this, companies like the Swatch Group invest large sums of money and expertise in the development of winning designs and make sure they have exclusive rights to the exploitation of their design through registration in many countries.

4. Enforcing Your Industrial Designs

How can you enforce your rights when your design is being imitated, copied or infringed?

Enforcing your industrial design rights may be a complex issue for which it is advisable to seek professional assistance from a competent industrial design lawyer.

It is important to bear mind that the main responsibility for identifying and taking action against imitators or infringement of an industrial design lies with the owner. In other words, you are responsible for monitoring the use of your design in the marketplace identifying any imitators or counterfeiters and deciding whether, how

and when to take action against them.

Whenever you believe there is an infringement, you may choose as a first step, to send a “cease or desist letter” informing the infringer of a possible conflict between his design and your exclusive rights. It is recommended that you get assistance of a lawyer in drafting such a letter. If the infringement persists, it may be necessary to take legal action against the infringer.

In order to prevent importation of infringing goods, there are measures at the international borders which the design owner can take in Malawi through the Malawi customs authorities.

As a general rule, if infringement is identified, it is advisable to seek professional advice.

5. Other Legal Instruments for Protecting Industrial Designs

What are the differences between copyright protection and industrial design protection for designs?

In Malawi, the Industrial Design Act recognizes copyright protection for certain designs, for example, in the design of textile and fabrics.

In Malawi, you may obtain both copyright protection and industrial design protection which exist concurrently for the same design, while in a few countries, the two forms of protection are mutually exclusive.

The first step before taking any decision on how best to protect your design is to understand the differences between these two forms of protection. Some of the main differences are outlined below:

Registration

- Under industrial design law the industrial design generally needs to be registered by the applicant before publication or public use anywhere in Malawi, or at least in the country where protection is claimed. The registration certificate, provided by protection under industrial design law, may

prove useful in cases of infringement, as it provides a more solid basis from which you may enforce your exclusive rights.

- Copyright in works considered to be original subsists without formalities. While registration is not necessary for protection, registration of creative works exist in Malawi where you may obtain a certificate from the Copyright Society of Malawi.

Duration

- Industrial design protection in Malawi lasts for a period of 5 years from the date of registration and can be extended to a second and third period of 5 years.
- Copyright lasts in Malawi for the life of the author and 50 after his death.

Scope of protection

- The right conferred by registration of an industrial design is an absolute right in the sense that there is infringement whether or not there has been deliberate copying.
- To enforce rights under copyright law, the copyright owner must prove that the allegedly infringing work is a direct or indirect reproduction of the work protected by copyright.

Types of products

- In Malawi, not all designs can be protected by copyright but those

While the distinction may not always be clear, some designs, such as the shape of manufactured products, are unlikely to be protectable under copyright law, while others such as textile designs are often covered by both forms of protection.

Costs

- Registering your design in the countries you are interested in means that you will have to pay the applicable fees. In addition, it may be useful or necessary to use the services of an Industrial Design Agent to assist you in drafting the application, which will incur additional costs.
- In Malawi, works have to be registered with the Copyright Society of Malawi and this attracts some cost. Also, there are costs for demonstrating proof of ownership in case of disputes.

In summary, while the protection granted by registered industrial design is stronger in that it covers even unintentional infringement and provides a registration certificate which may be an important proof in case of infringement, it involves more effort (financial and administrative) because it requires registration, and is shorter in duration

In any case, and particularly if the design is not registered, it is advisable

to keep good records of every step in the development of your design. You should sign and date every sketch, and properly keep them as this may help in the case of infringement.

When can trademark law protect a design?

A trademark is a distinctive sign (generally a word, a logo, or a combination of the two) used to differentiate products of one company from those of others. There are circumstances in which the form, design, or packaging of a given product may be considered to be a distinctive feature of the product in question and may be protectable as a three-dimensional trademark. The bottle of Coca-Cola or the triangular shape of the Toblerone chocolate bar are some such examples.

You should consult an Industrial Design Agent to determine whether a particular design may be considered a three-dimensional trademark.

Trademark protection has the advantage of being renewable indefinitely, while industrial design protection is usually for a limited period of time. There may also be a difference in the costs of registering trademarks as compared with industrial design protection. In Malawi, the two types of protection co-exist.

Do laws on unfair competition protect your design?

In other countries, industrial designs are often protected under laws on unfair competition. Thus, a design may be protected against acts of unfair competition including, in particular, slavish copying and acts that may lead to confusion, acts of imitation or use of a third party's reputation. However, protection under unfair competition is generally significantly weaker and infringement is more difficult to prove.

Annex I - Useful websites

For more information on:

- other intellectual property issues from a business perspective:
www.wipo.int/sme/
- industrial designs generally:
www.wipo.int/about-ip/en/
- practical aspects relating to the registration of industrial designs, see list of websites of national and regional intellectual property offices available in Annex I or:
www.wipo.int/directory/en/urls.jsp
- the Hague Agreement for the International Deposit of Industrial Designs:
www.wipo.int/hague/en/
- the Locarno Agreement Establishing an International Classification for Industrial Designs:
www.wipo.int/classifications
(under Locarno Agreement)
- arbitration and mediation:
<http://arbitrator.wipo.int/>

ANNEX II – Internet Addresses

National and Regional Intellectual Property Offices

African Intellectual Property Organization	www.oapi.wipo.net
Algeria	www.inapi.org
Albania	www.alpto.gov.al
Andorra	www.ompa.ad
Argentina	www.inpi.gov.ar
Armenia	www.armpatent.org
Australia	www.ipaustralia.gov.au
Austria	www.patent.bmvit.gv.at
Bahrain	www.gulf-patent-office.org.sa/bahrainframe.htm
Barbados	www.caipo.org
Belarus	www.belgospatent.org/english/about/history.html
Belgium	www.mineco.fgov.be
Belize	www.belipo.bz
Benelux	www.boip.int
Benin	www.oapi.wipo.net
Bolivia	www.senapi.gov.bo
Botswana	www.aripo.org
Brazil	www.inpi.gov.br
Bulgaria	www.bpo.bg
Burkina Faso	www.oapi.wipo.net
Burundi	www.oapi.wipo.net
Cambodia	www.moc.gov.kh
Cameroon	www.oapi.wipo.net
Canada	www.opic.gc.ca
Central African Republic	www.oapi.wipo.net
Chad	www.oapi.wipo.net
Chile	www.dpi.cl
China	www.sipo.gov.cn
China (Hong Kong -SAR)	www.ipd.gov.hk
China (Macao)	www.economia.gov.mo
China (Marks)	www.saic.gov.cn
Colombia	www.sic.gov.co
Congo	www.oapi.wipo.net
Costa Rica	www.registracional.go.cr

Côte d'Ivoire	www.oapi.wipo.net
Croatia	www.dziv.hr
Cuba	www.ocpi.cu
Cyprus	www.mcit.gov.cy/mcit/drcor/drcor.nsf
Czech Republic	www.upv.cz
Democratic Republic of the Congo	www.oapi.wipo.net
Denmark	www.dkpto.dk
Dominican Republic	www.seic.gov.do/onapi
Egypt	www.egypo.gov.eg
El Salvador	www.cnr.gobs.sv
Estonia	www.epa.ee
Eurasian Patent Office	www.eapo.org
European Union (Office for Harmonization in the Internal Market – OHIM)	www.oami.eu.int
Finland	www.prh.fi
France	www.inpi.fr
Gabon	www.oapi.wipo.net
Gambia	www.aripo.org
Georgia	www.sakpatenti.org.ge
Germany	www.dpma.de
Ghana	www.aripo.org
Greece	www.obl.gr
Honduras	www.sic.gob.hn/pintelec/indice.htm
Hungary	www.mszh.hu/english/index.html
Iceland	www.patent.is/focal/webguard.nsf/key2/indexeng.html
India	www.ipindia.nic.in
Indonesia	www.dgip.go.id
Ireland	www.patentsoffice.ie
Israel	www.justice.gov.il
Italy	www.uibm.gov.it
Jamaica	www.jipo.gov.jm
Japan	www.jpo.go.jp
Jordan	www.mit.gov.jo
Kazakhstan	www.kazpatent.org/english
Kenya	www.aripo.org
Kuwait	www.gulf-patent-office.org.sa
Lao People's Democratic Republic	www.stea.la.wipo.net

Latvia	www.lrpv.lv
Lebanon	www.economy.gov.lb
Lesotho	www.aripo.org
Liechtenstein	www.european-patent-office.org
Lithuania	www.vpb.lt
Luxembourg	www.etat.lu/ec
Malawi	www.aripo.org
Malaysia	www.mipc.gov.my
Mali	www.oapi.wipo.net
Mexico	www.impi.gob.mx
Monaco	www.european-patent-office.org/patlib/country/monaco
Montenegro	www.yupat.sv.gov.yu
Morocco	www.ompic.org.ma
Mozambique	www.aripo.org
Namibia	www.aripo.org
Nepal	www.ip.np.wipo.net
Netherlands	www.octrooicentrum.nl
New Zealand	www.iponz.govt.nz
Niger	www.oapi.wipo.net
Norway	www.patentstyret.no
Oman	www.gulf-patent-office.org.sa
Panama	www.digerpi.gob.pa
Peru	www.indecopi.gob.pe
Philippines	www.ipophil.gov.ph
Poland	www.business.gov.pl/Intellectual,property,protection,90.html
Portugal	www.inpi.pt
Qatar	www.gulf-patent-office.org.sa
Republic of Korea	www.kipo.go.kr
Republic of Moldova	www.agepi.md
Romania	www.osim.ro
Russian Federation	www.rupto.ru
Saint Vincent and the Grenadines	196.1.161.62/govt/cipo/index.asp
Saudi Arabia	www.gulf-patent-office.org.sa
Senegal	www.oapi.wipo.net
Serbia	www.yupat.sv.gov.yu
Sierra Leone	www.aripo.org
Singapore	www.ipos.gov.sg
Slovak Republic	www.indprop.gov.sk

Sierra Leone	www.aripo.org
Singapore	www.ipos.gov.sg
Slovak Republic	www.indprop.gov.sk
Slovenia	www.uil-sipo.si/Default.htm
Somalia	www.aripo.org
South Africa	www.cipro.gov.za
Spain	www.oepm.es
Sudan	www.aripo.org
Swaziland	www.aripo.org
Sweden	www.prv.se
Switzerland	www.ige.ch
Syrian Arab Republic	www.himaya.net
Tajikistan	www.tipat.org
Thailand	www.ipthailand.org
The Former Yugoslav Republic of Macedonia	www.ippo.gov.mk
Togo	www.oapi.wipo.net
Trinidad and Tobago	www.ipo.gov.tt/home.asp
Tunisia	www.inorpi.ind.tn
Turkey	www.turkpatent.gov.tr
Turkmenistan	www.eapo.org
Uganda	www.aripo.org
Ukraine	www.sdip.gov.ua
United Arab Emirates	www.gulf-patent-office.org.sa
United Kingdom	www.patent.gov.uk
United Republic of Tanzania	www.aripo.org
United States	www.uspto.gov
Uruguay	www.dnpi.gub.uy
Uzbekistan	www.patent.uz
Venezuela	www.sapi.gov.ve
Yemen	www.most.org.ye
Zambia	www.aripo.org
Zimbabwe	www.aripo.org

Note:

For up-to-date information visit website at the following urls:

www.wipo.int/members/en/ and

www.wipo.int/directory/en/urls.jsp

For up-to-date information visit website at the following urls:

www.wipo.int/members/en/ and

www.wipo.int/directory/en/urls.jsp

Annex III – Locarno Agreement

International Classification for Industrial Designs of the Locarno Agreement

LIST OF CLASSES

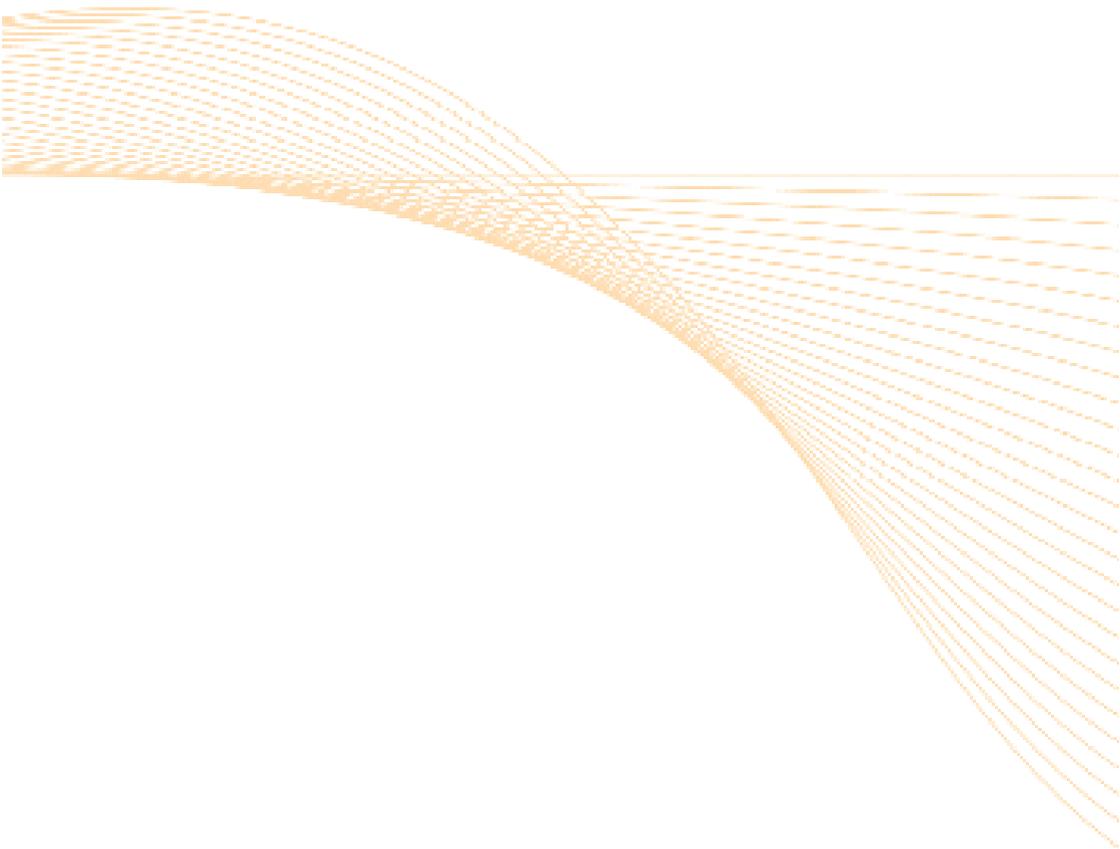
1. Foodstuffs
2. Articles of clothing and haberdashery
3. Travel goods, cases, parasols and personal belongings, not elsewhere specified
4. Brushware
5. Textile piece goods, artificial and natural sheet material
6. Furnishing
7. Household goods, not elsewhere specified
8. Tools and Hardware
9. Packages and containers for the transport or handling of goods
10. Clocks and watches and other measuring instruments, checking and signalling instruments
11. Articles of adornment
12. Means of transport or hoisting
13. Equipment for production, distribution or transformation of electricity
14. Recording, communication or information retrieval equipment
15. Machines, not elsewhere specified
16. Photographic, cinematographic and optical apparatus
17. Musical instruments
18. Printing and office machinery
19. Stationery and office equipment, artists' and teaching materials
20. Sales and advertising equipment, signs
21. Games, toys, tents and sports goods
22. Arms, pyrotechnic articles, articles for hunting, fishing and pest killing
23. Fluid distribution equipment, sanitary, heating, ventilation and air-conditioning equipment, solid fuel
24. Medical and laboratory equipment
25. Building units and construction elements
26. Lighting apparatus
27. Tobacco and smokers' supplies
28. Pharmaceutical and cosmetic products, toilet articles and apparatus
29. Devices and equipment against fire hazards, for accident prevention and for rescue
30. Articles for the care and handling of animals
31. Machines and appliances for preparing food or drink not elsewhere specified
- 99 Miscellaneous

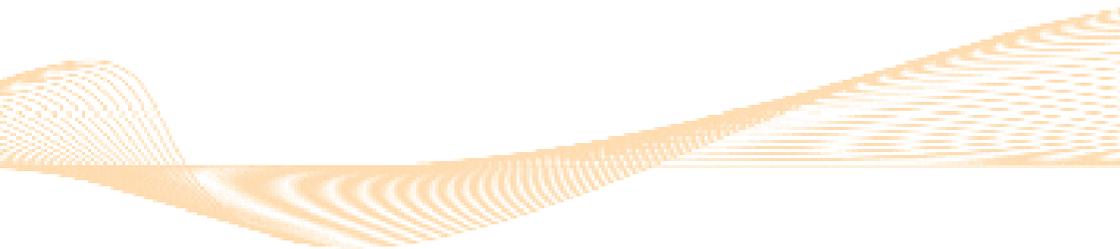


Note:

For up-to-date information, visit website at the following url:

www.wipo.int/hague/en/general/classification/html





Annex IV – Hague Agreement

Members of the Hague Agreement Concerning the International Deposit of Industrial Designs (as of August 2006)

Belgium	Liechtenstein
Belize	Luxembourg
Benin	Mali
Bulgaria	Monaco
Côte d'Ivoire	Mongolia
Croatia	Montenegro
Democratic People's Republic of Korea	Morocco
Egypt	Namibia
Estonia	Netherlands
France	Niger
Gabon	Republic of Moldova
Georgia	Romania
Germany	Senegal
Greece	Serbia
Holy See	Singapore
Hungary	Slovenia
Iceland	Spain
Indonesia	Suriname
Italy	Switzerland
Kyrgyzstan	The former Yugoslav Republic of Macedonia
Latvia	Tunisia
	Turkey
	Ukraine

Member States: 44

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