

**HAGUE AGREEMENT CONCERNING  
THE INTERNATIONAL REGISTRATION OF INDUSTRIAL DESIGNS**

**– NOTIFICATION OF REFUSAL –**

**Rule 18(2) of the Common Regulations**

I. Office sending the notification:  UKIPO
II. Number of the international registration:  208227
III. <input checked="" type="checkbox"/> Refusal for all the industrial designs  <input type="checkbox"/> Refusal for the following industrial designs: [followed by design numbers]
IV. Grounds for refusal (where applicable, see item V):  Rule 9 (4) of the Hague Common Regulations – Insufficient disclosure of industrial design.
V. Information relating to an earlier industrial design:  (i) Filing date and number, and priority date (if any):  (ii) Registration date and number (if available):  (iii) Name and address of the owner:  (iv) Reproduction of the earlier industrial design (if that reproduction is accessible to the public):
VI. Corresponding essential provisions of the applicable law:  <div style="background-color: #e0e0e0; height: 40px; width: 100%;"></div> Section 1(2) of the Registered Designs Act 1949 – insufficient disclosure of the design to be protected.

VII. Information relating to subsequent procedures:

(i) Time limit for requesting review or appeal:

2<sup>nd</sup> August 2020

(ii) Authority to which such request for review or appeal should be made:

UKIPO

(iii) Indications concerning the appointment of a representative:

The appointment of a representative or attorney based within the EEA is required.

VIII. Date on which the refusal was pronounced:

2<sup>nd</sup> June 2020

IX. Signature or official seal of the Office making the notification:



**(OPTIONAL ELEMENTS)**

X. Contact details of the examiner:

(i) Name: Amy Simms

(ii) Telephone number: 0044 1443 813720

(iii) Email address: DesignsExamination@ipo.gov.uk

**Your Reference:**

**International Registration No:**

**208227**

**Examiner: Amy Simms**

**Direct Telephone:**

**0044 1633 813720**

**Date: 2<sup>nd</sup> June 2020**

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**NOTIFICATION OF REFUSAL**

**Please reply by 2<sup>nd</sup> August 2020 quoting the International Registration Number**

**Examination Report of the UK Intellectual Property Office**

**Product Description: Animated Graphical User Interface for a Display Screen or Portion Thereof**

**Applicant: Beijing Xiaomi Mobile Software Co., Ltd.**

Dear Sir or Madam,

Thank you for your design application, number 208227 (UK Design number 6090867) filed on 14<sup>th</sup> February 2020.

Your application has failed to meet the requirements of the Registered Design Act 1949 for the following reasons:

### **Disclosure of Design**

Your application discloses more than one design and therefore does not comply with Section 1(2) of the Act, as outlined above. A UK application can consist of a number of visual elements including colours, lines, contours etc. As soon as differences in appearance occur, the design to be protected changes.

The illustrations filed show both greyscale (1.1-1.25) and coloured (1.26-1.30) images within the same application.

Such illustrations as those provided show inconsistency in colour and therefore result in ambiguity in the disclosure of the design in question. As the appearance of the design has not been sufficiently disclosed, your application is not acceptable in the UK.

### **Overcoming the above objection**

The application can be overcome if you limit the reproductions to either those which show no colour (1.1-1.25) **or** those which include colour (1.26-1.30)

### **Address for Service**

You are required to provide an address for service (correspondence address) within the EEA for the purposes of any proceedings under the UK Registered Designs Act 1949.

Rule 42(5) states:

*"An address for service furnished under this rule shall be an address in the United Kingdom, another EEA state or the Channel Islands"*

You must provide an appropriate address within the EEA to which we can correspond should you choose to proceed with the application.

### **Next Steps**

If you disagree with my findings you may request a hearing to appeal the decision by contacting me using the details provided.

If you would like to discuss your application or if there is any confusion on how to proceed, you can write to, e-mail or telephone me. My contact details are shown at the top of this letter.

### **Failure to Respond**

**If you fail to respond by the date given above, your application will be refused under Section 3A(4) of the Act.**

Yours faithfully,

Amy Simms

**Designs Registry**