

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

**– NOTIFICATION OF REFUSAL –**

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

**INSTRUCTIONS**

This form is to be used where the Office considers that protection cannot be granted in the Contracting Party concerned. If the ground for refusal is remedied subsequently, the Office shall send to the International Bureau a notification of withdrawal of refusal in accordance with Rule 18(4), or a statement of grant of protection in accordance with Rule 18*bis*(2).

It is to be noted that the main purpose of this model form is to explain mandatory elements that must be included in the present communication. **In this regard, Offices are encouraged to send communications to the International Bureau in electronic format, and their IT personnel are welcome to contact the International Bureau to agree on the form of communication.**

Item III: Where the Office has found a ground for refusal with respect to only one/some of the industrial designs contained in the international registration, the second box should be checked, followed by the numbers of the industrial designs concerned.

Item V: This item is applicable, where the ground for refusal relates to an earlier national, regional or international application or registration. The indications required under this item may also be given by annexing a printout from the register or database.

Item VI: The indication required under this item may also be given by annexing a printout of the relevant provisions.

Item VII(iii): If the request for review or the appeal has to be filed through the intermediary of a representative whose address is within the territory of the Contracting Party concerned, it should be so indicated.

Item X: This optional element is not required under Rule 18(2), but may be provided at the Office's discretion.

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

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|---|
| I. Office sending the notification:<br><br>UKIPO  |
| II. Number of the international registration:<br><br>210142   |
| III. <input checked="" type="checkbox"/> Refusal for all the industrial designs<br><br><input type="checkbox"/> Refusal for the following industrial designs:<br>[followed by design numbers]   |
| IV. Grounds for refusal (where applicable, see item V):<br><br>N/A  |
| V. Information relating to an earlier industrial design:<br><br>(i) Filing date and number, and priority date (if any): N/A<br><br>(ii) Registration date and number (if available): N/A<br><br>(iii) Name and address of the owner: N/A<br><br>(iv) Reproduction of the earlier industrial design<br>(if that reproduction is accessible to the public): N/A |
| VI. Corresponding essential provisions of the applicable law:<br><br>Section 1(2) of the Registered Designs Act 1949 – idea/concept   |

VII. Information relating to subsequent procedures:

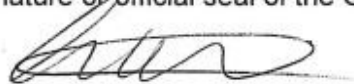
- (i) Time limit for requesting review or appeal: 16<sup>th</sup> December 2020.
- (ii) Authority to which such request for review or appeal should be made: UKIPO
- (iii) Indications concerning the appointment of a representative: EEA Address for service required.

VIII. Date on which the refusal was pronounced:

16<sup>th</sup> October 2020.

Signature or official seal of the Office making the notification:

IX.



(OPTIONAL ELEMENTS)

X. Contact details of the examiner:

- (i) Name: Lauren Johnson
- (ii) Telephone number: 01633 813838
- (iii) Email address: designsexamination@ipo.gov.uk



Concept House  
Cardiff Road, Newport  
NP10 8QQ

T +44 (0) 30 0300 2000  
F +44 (0) 16 3381 7777

World Intellectual Property  
Organisation (WIPO)  
International Bureau 34,  
Chemin des Colombettes  
1211 Geneva 20  
Switzerland

Your Reference: N/A

International Registration No: 210142

Examiner: Lauren Johnson

Direct Telephone: 01633 8813838

Date: 16<sup>th</sup> October 2020

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

**NOTIFICATION OF REFUSAL**

**Please reply by 16<sup>th</sup> December 2020 quoting the International Registration Number**

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

**Product Description: Musical Symbol**

Dear Sir or Madam,

Thank you for your design application, number 210142 filed on 5<sup>th</sup> October 2020.

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

### **Idea**

Your application is not acceptable under Section 1(2) of the Registered Designs Act 1949 as it appears to relate to an idea/concept, rather than a design. Design Registration protects the appearance of the whole or a part of a product resulting from the features of the lines, contour, colours, shape, texture or materials of the product or its ornamentation. Your application appears to only show a single bar line. This is a single vertical line used to divide a musical staff into measures and therefore can and will move positions. From your disclaimer which states 'placement of a musical symbol' it appears to me that you want to protect the idea of a bar line which once amended would produce a different overall impression on the informed user.

### **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 Roistered 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 of 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 Registered Designs Act 1949.**

Yours faithfully,

Lauren Johnson

**Designs Registry**