

Hague Agreement Concerning the International Registration of Industrial Designs

Accession to the 1999 Act: Brazil

1. On February 13, 2023, the Government of Brazil deposited with the Director General of the World Intellectual Property Organization (WIPO) its instrument of accession to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs (“1999 Act”).

2. The instrument of accession was accompanied by the following declarations under the 1999 Act and the Common Regulations Under the 1999 Act and the 1960 Act of the Hague Agreement (“Common Regulations”):

- the declaration referred to in Article 4(1)(b) of the 1999 Act, whereby international applications may not be filed through its Office;
- the declaration referred to in Article 11(1)(b) of the 1999 Act, whereby the law of Brazil does not provide for the deferment of the publication of an industrial design;
- the declaration referred to in Article 13(1) of the 1999 Act, that, in accordance with the law of Brazil, an application may contain only one industrial design, which may consist of up to 20 variants, provided they are intended for the same purpose and maintain the same preponderant distinctive characteristics;
- the declaration referred to in Article 16(2) of the 1999 Act, whereby the recording of a change in ownership of an international registration in the International Register shall not have effect in Brazil until the National Institute of Industrial Property (INPI) of Brazil has received documents evidencing the change in ownership;
- the declaration as required under Article 17(3)(c) of the 1999 Act, specifying that the maximum duration of protection provided for by the law of Brazil in respect of industrial designs is 25 years;
- the declaration referred to in Rule 8(1)(a)(i) of the Common Regulations, specifying that the law of Brazil requires an application for the protection of an industrial design to be filed in the name of the creator of the industrial design^{*}; and
- the declaration referred to in Rule 12(1)(c)(i) of the Common Regulations, specifying that level two of the standard designation fee applies.

^{*} With respect to this declaration, Brazil accepts the standard statement under the “Creator” section of the international application form. Consequently, no additional statement or document will be required in this respect from applicants who designate Brazil.

3. Furthermore, the Government of Brazil declared that the accession will enter into force on August 1, 2023. In accordance with Article 28(3)(b) of the 1999 Act, the 1999 Act and the declarations made will enter into force with respect to Brazil on August 1, 2023.

4. The accession of Brazil to the 1999 Act brings the number of Contracting Parties to this Act to 71 and the total number of Contracting Parties to the Hague Agreement to 79. A list of the Contracting Parties to the Hague Agreement is available on the WIPO website at <https://www.wipo.int/export/sites/www/treaties/en/documents/pdf/hague.pdf>.

March 2, 2023