

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

DIPLOMATIC CONFERENCE FOR THE ADOPTION OF A NEW ACT OF THE HAGUE AGREEMENT CONCERNING THE INTERNATIONAL DEPOSIT OF INDUSTRIAL DESIGNS

Geneva, June 16 to July 6, 1999

ARTICLES 11 AND 12 OF THE DRAFT NEW ACT AND
RULE 18 OF THE REGULATIONS UNDER THE DRAFT NEW ACT

Proposal by the Delegation of Japan

Articles 11 and 12 and Rule 18 should be amended as follows:

Article 11

(2)(c) [deleted]

[New paragraph]

(4) [*Withdrawal of Refusal or Statement of Acceptance*] An Office that has communicated a notification of refusal in accordance with paragraph (2) may, at any time, notify the International Bureau that the refusal is withdrawn, in part or in whole, or that it has decided to accept, in part or in whole, the effects of the international registration.

Article 12

(2)(b) Where the Office of a designated Contracting Party has communicated a notification of refusal and has subsequently withdrawn, in part or in whole, that notification or has subsequently stated that it accepts the effects, in part or in whole, of the international registration, the international registration shall, to the extent that the notification of refusal is withdrawn or that the statement of acceptance applies, have the same effect in that Contracting Party as a grant of protection for the industrial design under the law of the said Contracting Party at the latest from the date on which the notification was withdrawn or the statement of acceptance was made.

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Rule 18

(3) [*Notification of Withdrawal of Refusal or of Statement of Acceptance*] (a) The notification of any withdrawal of refusal or of any statement of acceptance following a refusal shall relate to one international registration, shall be dated and shall be signed by the Office making the notification.

(b) The notification shall contain or indicate

(i) the Office making the notification;

(ii) the number of the international registration;

(iii) where the withdrawal or statement of acceptance does not relate to all the industrial designs to which the refusal applied, an indication of the designs to which it relates or does not relate, and

(iv) the date on which the refusal was withdrawn or the decision of acceptance was made.

[End of document]