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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

**SPECIAL UNION FOR THE INTERNATIONAL DEPOSIT OF INDUSTRIAL DESIGNS
(HAGUE UNION)**

ASSEMBLY

**Twenty-Fourth (16th Ordinary) Session
Geneva, September 24 to October 3, 2007**

REPORT

adopted by the Assembly

1. The Assembly was concerned with the following items on the Consolidated Agenda (document A/43/1): 1, 2, 3, 4, 5, 6, 9, 10, 14, 23, 28, 31 and 32.
2. The report on the said items, with the exception of item 23, is contained in the General Report (document A/43/16).
3. The report on item 23 is contained in the present document.
4. Mrs. Maria Ludovica Agro' (Italy), Chair of the Assembly, presided over the meeting.

ITEM 23 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE HAGUE UNION

Fee Structure Under The Hague Agreement

5. Discussions were based on document H/A/24/1.
6. The Secretariat introduced the document, stressing that the proposals contained therein resulted from an informal consultative meeting held on May 4, 2007, and attended by Member States, observer states and observer non-governmental organizations. The proposals concerned the following:
 - Simplification of the publication fee structure;
 - Introduction of different levels of the standard designation fee concerning the international application;
 - Reduction of fees for applicants from Least Developed Countries (LDCs).
7. The Delegation of Iceland supported the proposed introduction of the three-level structure of standard designation fees. The Delegation recalled that during the General Assembly in 2006, it had urged the International Bureau to reconsider the standard designation fee structure under the Hague Agreement, which was the same for all non-examining countries and, did not take into consideration the fact that work procedures might differ between Member States. The current proposal took into account the different levels of examination and, consequently, the different costs which may have to be borne by Member States. The setting of three levels was more in line with the general budgetary principle of the budget of the Office of Iceland, namely, that the fee for each application should cover its cost. Regarding the proposed simplification of the publication fee structure and the reduction of fees for applicants from LDCs, the Delegation of Iceland indicated its support also for those proposals and expressed its hope that this would increase the use of the Hague system for applicants from those countries.
8. The Delegations of France, Germany and Switzerland expressed their support for all of the proposed amendments set out in document H/A/24/1.
9. The Delegation of Benin speaking on behalf of LDCs, said that it welcomed the proposals put forward in document H/A/24/1 relating to reductions in the fees payable by applicants from such countries.
10. The Assembly:
 - (i) regarding the introduction of different levels of the standard designation fee concerning the international application, adopted the amendment of Rule 12 of the Common Regulations and the consequential amendment of item 4 of the Schedule of Fees, as set out in Annex I of document H/A/24/1, effective January 1, 2008;

(ii) regarding the simplification of the publication fee structure, adopted the amendment of item 2 of the Schedule of Fees annexed to the Common Regulations, as set out in Annex I of document H/A/24/1, effective January 1, 2008; and

(iii) regarding the reduction of fees for applicants from Least Developed Countries, adopted the amendment of items 1, 2, 3, 4 and 6 of the Schedule of Fees, as set out in Annex I of document H/A/24/1, with effect from January 1, 2008, along with the recommendation set out in paragraph 55 of the same document, with effect from January 1, 2008.

Modernization of the Information Technology System Under the Hague Agreement

11. Discussions were based on document H/A/24/2.

12. The Secretariat suggested a slight amendment to the decision paragraph (replacing “in 2009” by “in due course” under item (iii)) to take into account the global proposals made by the International Bureau for financing of projects in the medium term, as contained in document A/43/15.

13. The Delegations of France, Germany and Switzerland expressed their support for the proposals contained in document H/A/24/2.

14. The Assembly:

(i) took note of the proposed IT modernization program as described in paragraphs 26 to 28 of document H/A/24/2, and approved the implementation of Phase I of that program in 2008/09;

(ii) took note that the participation of the Hague Union budget in the financing of Phase I of the IT modernization program to be implemented in 2008/09 would be fully covered within the proposed Program and Budget for the 2008/09 biennium; and

(iii) took note that proposals for the implementation and financing of Phase II and, possibly, Phase III of the IT modernization program would be submitted for consideration by the Assembly in due course.

Hague Union Budget Flexibility Formula

15. Discussions were based on document H/A/24/3.

16. The Secretariat suggested an amendment to the decision paragraph to indicate, explicitly, that the adoption of the formula was for the 2008/09 biennium, and that this decision would be without prejudice to the envisaged revision of the Financial Regulations and Rules of the Organization.

17. The Delegations of France, Germany and Switzerland expressed their support for the proposals contained in this document.

18. The Assembly:

(i) took note of the methodology described in the Annex to document H/A/24/3, and

(ii) approved the new flexibility formula for the budget of the Hague Union for the 2008/09 biennium, proposed in paragraphs 10 to 12 of document H/A/24/3, noting that this decision would not prejudice the envisaged revision of the Financial Regulations and Rules of the Organization.

Other Matters

19. The Delegation of Spain recalled that during the course of the informal consultative meeting of May 4, 2007, the Delegation of Spain had proposed that the possibility of introducing Spanish as a working language of the Hague Agreement should be studied. Advocating that the system would become more attractive to prospective Member States as a result of such an introduction, and making a parallel, in particular, with the Madrid system, the Delegation requested that the International Bureau study the possibility of introducing Spanish as a working language of the Hague Agreement.

20. The Delegations of Cuba and El Salvador expressed support for the statement made by the Delegation of Spain.

21. The Assembly took note of the request of the Delegation of Spain, and of the support expressed by the Delegations of Cuba and El Salvador, for a study to be carried out by the International Bureau about the possible inclusion of Spanish as a working language of the Hague Agreement.

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