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Assembly

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PROPOSED AMENDMENTS TO THE COMMON REGULATIONS UNDER THE 1999 ACT AND THE 1960 ACT OF THE HAGUE AGREEMENT

Document prepared by the International Bureau

I. INTRODUCTION

1. The fifth and sixth sessions of the Working Group on the Legal Development of the Hague System for the International Registration of Industrial Designs (hereinafter referred to as the “Working Group”) were convened from December 14 to 16, 2015, and from June 20 to 22, 2016, respectively¹.

2. At its fifth session, the Working Group considered favorably the submission of a proposal to amend the Common Regulations with respect to Rule 5, for adoption, to the Assembly of the Hague Union. Furthermore, at its sixth session, the Working Group considered favorably the submission of proposals to amend the Common Regulations with respect to Rules 14, 21 and 26 and to the Schedule of Fees, for adoption, to the Assembly of the Hague Union.

¹ The Summary by the Chair of the fifth session is available in document H/LD/WG/5/7 on the WIPO website at http://www.wipo.int/edocs/mdocs/hague/en/h_ld_wg_5/h_ld_wg_5_7.pdf, and the Summary by the Chair of the sixth session is available in document H/LD/WG/6/6 at http://www.wipo.int/edocs/mdocs/hague/en/h_ld_wg_6/h_ld_wg_6_6.pdf.

II. PROPOSED AMENDMENTS TO THE COMMON REGULATIONS

PROPOSAL FOR AMENDMENTS TO RULE 5

3. At its second session, the Working Group discussed safeguards in the event of a failure by an interested party to meet a time limit for a communication addressed to the International Bureau of the World Intellectual Property Organization (WIPO) by electronic means. The discussion continued at its third and fifth sessions. The discussions at the third and fifth sessions of the Working Group were based on documents H/LD/WG/3/3 and H/LD/WG/5/2².
4. It is recalled that Rule 5 provides for a safeguard in the case of irregularities in postal and delivery services. It is likely that in the future communications with the International Bureau would mostly take place in electronic format. Under the Hague System, the Portfolio Manager, which is available on the WIPO website, allows an applicant to reply electronically to an irregularity notice issued by the International Bureau against an international application. The Portfolio Manager will be extended to also cover other types of actions, such as requests for the recording of a change in ownership or of a change in the name or address of the holder, to cover the whole lifespan of the international registration. The proposed amendments to Rule 5 would provide a safeguard against non-delivery of an electronic communication also in the case of non-availability of electronic communications services.
5. Under proposed new paragraph (3) of Rule 5, failure of an interested party to meet a time limit for a communication addressed to the International Bureau that was sent electronically would be excused, where the interested party submits satisfactory evidence showing that the time limit was not met because of a failure in the electronic communication with the International Bureau or a failure that affects the locality of the interested party due to extraordinary circumstances. In this case, a new communication should be effected no later than five days after the electronic services are resumed.
6. Given the similarity in the structure of the whole provision with Rule 5 of the Common Regulations under the Madrid Agreement Concerning the International Registrations of Marks and the Protocol Relating to that Agreement (hereinafter referred to as the “Madrid Common Regulations”), the wording of proposed Rule 5(3) is aligned with Rule 5(3) of the Madrid Common Regulations, which entered into force on April 1, 2016. It should be noted that, under the Madrid System, the provision deals solely with communications sent electronically to the International Bureau.
7. The Working Group also considered favorably a consequential amendment to current paragraph (3), which would be renumbered as paragraph (4). The time limit for submitting the evidence, together with the missing communication would remain six months – the same for communications sent through a postal or delivery service, which is in line with revised Rule 5(4) of the Madrid Common Regulations, which entered into force on April 1, 2016.
8. Finally, it is recalled that pursuant to Rule 12(3) of the Common Regulations, a declaration under Article 7(2) concerning an individual designation fee, may specify that the individual designation fee to be paid in respect of the Contracting Party concerned comprises two parts, the first to be paid at the time of filing the international application and the second part to be paid at a later date which is determined in accordance with the law of the Contracting Party concerned. Given that the applicable law provides for the time limit for the payment of the second part of the individual designation fee, including conditions for excuse of a delay in meeting that time limit, and that the second part of the individual designation fee may also be

² Documents H/LD/WG/3/3, entitled “Possible Amendment of Rule 5 of the Common Regulations Under the 1999 Act and the 1960 Act of the Hague Agreement” and H/LD/WG/5/2, entitled “Proposal for Amendments to Rule 5 of the Common Regulations under the 1999 Act and the 1960 Act of the Hague Agreement” are available on the WIPO website at http://www.wipo.int/meetings/en/details.jsp?meeting_id=29704 and http://www.wipo.int/meetings/en/details.jsp?meeting_id=35585, respectively.

paid to the national Office concerned, the Working Group recommended that the payment of the second part of the individual designation fee should be outside the scope of Rule 5. Accordingly, proposed new paragraph (5) states that Rule 5 shall not apply to the payment of the second part of the individual designation fee through the International Bureau as referred to in Rule 12(3)(c).

9. It is also proposed to amend the title of Rule 5 in order to clarify the purpose of the provision.

10. It is understood that a possible application of Rule 4(4) of the Common Regulations by the International Bureau on account of emergency or unavailability of its electronic communications services, and a possible exercise of Rule 5(3) on the part of the interested party in a similar circumstance are not mutually exclusive.

11. For ease of reference, the proposed amendments to Rule 5 of the Common Regulations are first reproduced in Annex I, in “track changes” mode, i.e., with the text that is proposed to be deleted, struck through, and the text that is proposed to be added, appearing underlined. For additional clarity, the final text of all provisions concerned, as it would result following the amendments, is reproduced in Annex II.

PROPOSAL FOR AMENDMENTS TO RULE 14

12. At its fifth and sixth sessions, the Working Group discussed a proposal to amend Rule 14 of the Common Regulations, to allow the International Bureau to first invite the applicant to make the payment of at least the amount corresponding to the basic fee for one design before completing its examination. The discussions at the fifth and sixth sessions of the Working Group were based on documents H/LD/WG/5/6 and H/LD/WG/6/3 Rev.³.

13. The duty of examination by the International Bureau is defined under Article 8(1) of the 1999 Act of the Hague Agreement Concerning the International Registration of Industrial Designs (hereinafter referred to as the “1999 Act”). According to Article 8(1), if the International Bureau finds that the international application does not, at the time of its receipt, fulfill the applicable requirements, it shall invite the applicant to make the required corrections within the time limit of three months from the date of invitation sent by the International Bureau, as prescribed by Rule 14(1) of the Common Regulations. It is stressed that any steps taken by the applicant within three months from the date of invitation, is considered by the International Bureau as an express intent by the applicant to continue his international application.

14. As referred to above, the International Bureau’s duty of examination of the international application consists of the examination of the international application as to its compliance with the legal framework of the Hague System. Whilst some of this work is automated, such as the detection of elements necessary for the attribution of a filing date or the confirmation that the proper amount of fees has been paid, a large part of it is not and, on the contrary, requires an intellectual intervention by the examiner in charge of the application.

15. The documents submitted to the fifth and sixth sessions of the Working Group described the growing concern in respect of frivolous applications made by individuals merely “playing” with the E-Filing interface with no intention to continue their applications or pay the required fees, and the increase in the workload of the International Bureau. The Working Group agreed with the proposed amendments to Rule 14 as a means to address this problem.

³ Document H/LD/WG/5/6, entitled “Consideration Relating to a Possible Revision of the Schedule of Fees”, and document H/LD/WG/6/3 Rev., entitled “Revised Proposal for Amendments to Rule 14 of the Common Regulations” are available on the WIPO website at http://www.wipo.int/meetings/en/details.jsp?meeting_id=35585 and http://www.wipo.int/meetings/en/details.jsp?meeting_id=39683, respectively.

16. The proposal for a new subparagraph (b) to Rule 14(1) would entail, in accordance with Rule 14(3), the natural abandonment of frivolous applications for which there was no intention to pay the required fees, and enable the examiners to concentrate on other applications. As a consequential amendment, the addition of a reference to proposed subparagraph (b) in paragraph (3) is also proposed.

17. Finally, it shall be noted that under current Rule 14(1), the International Bureau may issue several irregularity notices. In the E-Filing interface, an automated process for detecting the absence of the necessary elements for the establishment of the filing date, as mandatory contents of an international application, has been integrated. The International Bureau is determined to reinforce its internal processes to detect the absence of the necessary elements for the establishment of a filing date also in respect of paper filings and indirect filings through Offices. To safeguard the users rights and in accordance with the principle of equal treatment, where the absence of an element for the establishment of the filing date is detected, the International Bureau shall first invite the applicant to correct that irregularity.

18. Given the ongoing transformation of the IT-based administration of the Hague Registry towards a new platform, the implementation of the proposed amendments in the IT-based administration of the Hague System may only take place once the said integration is terminated⁴. Therefore, it is proposed that the date of entry into force of the proposed amendments would be determined by the International Bureau.

19. For ease of reference, all the proposed amendments to Rule 14 of the Common Regulations are first reproduced in Annex III, in “track changes” mode, i.e., with the text that is proposed to be deleted, struck through, and the text that is proposed to be added, appearing underlined. For additional clarity, the final text of all provisions concerned, as they would result following the amendments, is reproduced in Annex IV.

PROPOSAL FOR AMENDMENTS TO RULES 21 AND 26 AND THE SCHEDULE OF FEES

20. At its fifth and sixth sessions, the Working Group discussed a proposal to amend Rules 21 and 26 and the Schedule of Fees, which would allow a recording in the International Register of a change in the indications concerning the identity of the creator of an industrial design. The discussion was based on documents H/LD/WG/5/3 and H/LD/WG/6/2⁵.

21. It is recalled that Article 16(1) of the 1999 Act sets out the types of changes that the International Bureau may record in the International Register, while Article 16(2) provides that any recording referred to in paragraph (1) shall have the same effect as if it had been made in the Register of the Office of each of the Contracting Party⁶.

⁴ Refer to document H/A/35/1, entitled “Final Report on the Information Technology Modernization Program (Hague International Registration System)”, available on the WIPO website at http://www.wipo.int/meetings/en/details.jsp?meeting_id=36341.

⁵ Documents H/LD/WG/5/3, entitled “Proposal for a New Rule Relating to Amendments to the Indications Concerning the Identity of the Creator” and H/LD/WG/6/2, entitled “Revised Proposal for Amendments to Rule 21 and 26 of the Common Regulations” are available on the WIPO website at http://www.wipo.int/meetings/en/details.jsp?meeting_id=35585 and http://www.wipo.int/meetings/en/details.jsp?meeting_id=39683, respectively.

⁶ The only exception to this principle is where a Contracting Party has made a declaration under paragraph (2) to the effect that a recording of a change in ownership of the international registration shall not have that effect in that Contracting Party until the Office of that Contracting Party has received the statements or documents specified in that declaration.

22. Indications concerning the identity of the creator of the industrial design may be included in an international application, either as additional mandatory content in accordance with Rule 7(4)(b) or (c), or as optional content in accordance with Rule 7(5)(a). This information becomes part of the contents of the international registration pursuant to Rule 15(2)(i), and is published in the *International Designs Bulletin* (hereinafter referred to as the “Bulletin”) pursuant to Rules 17(2)(i) and 26(1)(i).

23. Occasionally, the International Bureau receives a request from the holder of an international registration to record a change in the name or address of the creator in the International Register. A change in the name or address of the creator may occur as often as a change in the name or address of the holder, for instance, as a result of the creator’s moving to a new address or, in the case of a natural person, a change in marital status.

24. In view of these, the Working Group considered favorably a proposal to add subparagraph (a)(v) to Rule 21(1). That subparagraph would introduce the possibility of recording in the International Register a change in the name and/or address of the creator. The subparagraph would also introduce the possibility of recording in the International Register the name and address of the creator of any or all of the industrial designs where none was contained in the international registration, it being understood that this situation would never occur from the moment the international registration also contained the designation of a Contracting Party in respect of which indications concerning the identity of the creator are mandatory content in accordance with Rule 7(4)(b) or (c), as the International Bureau would have ensured compliance with this requirement before proceeding to registration.

25. Proposed new subparagraph (2)(vi) will deal with the case of a provision of the name and address of a creator who is not the creator of all of the industrial designs that are the subject of the international registration. This additional indication is necessary for the International Bureau to be able to associate that creator with the industrial designs created by that same person, and to record and publish that information correctly.

26. As mentioned in paragraph 21, above, a recording made in the International Register under proposed new Rule 21(1)(a)(v) shall have the effects provided for in Article 16(2) of the 1999 Act (“the same effect as if it had been made in the Register of the Office”). However, such a recording should not be required to be given effect in any designated Contracting Party whose legislation did not have a corresponding recording procedure. This is also the case where a corresponding procedure was no longer available at the time of recording in the International Register⁷.

27. It is recalled that the criteria concerning a creator/inventor are different in different jurisdictions, for example, under some jurisdictions a creator may only be a natural person whereas in other jurisdictions a creator may be a legal entity constituted by a group of creators. Likewise, in certain jurisdictions the identity of the creator and more specifically the identification of the incorrect creator or creators may have a substantive effect on the rights. In view of the above, the Working Group favored the addition of a new paragraph (9) to Rule 21, providing that any recording of a change in the name of the creator under paragraph (1)(a)(v) shall be void *ab initio* if such a recording concerns a change in the person of the creator. Proposed new paragraph (9) ensures that a change in the name of the creator may not be given effect by a designated Contracting Party, if, rather than merely changing the name which the creator is identified by, the new name is actually a different individual or individuals. As such, paragraph (9) makes clear that the proposed amendments to the provisions are not to be utilized to correct or modify the creator itself. Rather, such actions would need to be taken as a correction under Rule 22.

⁷ For example, if a Contracting Party has already given effect to the international registration and no corresponding procedure exists for such a recording once rights have been given effect, the Contracting Party would not need to give the request for recording of a change in name or address effect.

28. As is the case with all other types of recordings of changes, provisions of the name and address of the creator and changes in the name or address of the creator should be published in the Bulletin. Thus, the Working Group considered favorably a proposal to amend subparagraph (iv) of Rule 26(1) accordingly.

29. For a request to record a change in the name or address of the creator, or to provide the name and address of the creator, the Working Group recommended that the fee payable would be the same as the fee payable for a request to record a change in the name or address of the holder, namely, 144 Swiss francs for one international registration, and 72 Swiss francs for each additional international registration included in the same request.

30. Given the ongoing transformation of the IT-based administration of the Hague Registry towards a new platform, the implementation of the proposed amendments in the IT-based administration of the Hague System may only take place once the said integration is terminated⁸. Therefore, it is proposed that the date of entry into force of the proposed amendments would be determined by the International Bureau.

31. For ease of reference, all the proposed amendments to Rules 21 and 26 and the Schedule of Fees of the Common Regulations are first reproduced in Annex III, in “track changes” mode, i.e., with the text that is proposed to be deleted, struck through, and the text that is proposed to be added, appearing underlined. For additional clarity, the final text of all provisions concerned, as they would result following the amendments, is reproduced in Annex IV.

32. *The Assembly of the Hague Union is invited to adopt the amendments:*

(i) to Rule 5 of the Common Regulations, with a date of entry into force of January 1, 2017, and

(ii) to Rules 14, 21 and 26, and to the Schedule of Fees of the Common Regulations with a date of entry into force to be decided by the International Bureau,

as set out in the Annexes to the “Proposed Amendments to the Common Regulations under the 1999 Act and the 1960 Act of the Hague Agreement” (document H/A/36/1).

[Annexes follow]

⁸ Refer to document H/A/35/1, entitled “Final Report on the Information Technology Modernization Program (Hague International Registration System)”, available on the WIPO website at http://www.wipo.int/meetings/en/details.jsp?meeting_id=36341.

**Common Regulations
Under the 1999 Act and the 1960 Act
of the Hague Agreement**

(as in force on [January 1, 2017])

Rule 5

~~*Irregularities in Postal and Delivery Services*~~ *Excuse of Delay in Meeting Time Limits*

[...]

(3) [Communication Sent Electronically] Failure by an interested party to meet a time limit for a communication addressed to the International Bureau and submitted by electronic means shall be excused if the interested party submits evidence showing, to the satisfaction of the International Bureau, that the time limit was not met because of failure in the electronic communication with the International Bureau, or which affects the locality of the interested party owing to extraordinary circumstances beyond the control of the interested party, and that the communication was effected not later than five days after the electronic communication service was resumed.

~~(34)~~ [Limitation on Excuse] Failure to meet a time limit shall be excused under this Rule only if the evidence referred to in paragraph (1), ~~or~~ (2) or (3) and the communication or, where applicable, a duplicate thereof are received by the International Bureau not later than six months after the expiry of the time limit.

(5) [Exception] This rule shall not apply to the payment of the second part of the individual designation fee through the International Bureau as referred to in Rule 12(3)(c).

[Annex II follows]

**Common Regulations
Under the 1999 Act and the 1960 Act
of the Hague Agreement**

(as in force on [January 1, 2017])

*Rule 5
Excuse of Delay in Meeting Time Limits*

[...]

(3) [*Communication Sent Electronically*] Failure by an interested party to meet a time limit for a communication addressed to the International Bureau and submitted by electronic means shall be excused if the interested party submits evidence showing, to the satisfaction of the International Bureau, that the time limit was not met because of failure in the electronic communication with the International Bureau, or which affects the locality of the interested party owing to extraordinary circumstances beyond the control of the interested party, and that the communication was effected not later than five days after the electronic communication service was resumed.

(4) [*Limitation on Excuse*] Failure to meet a time limit shall be excused under this Rule only if the evidence referred to in paragraph (1), (2) or (3) and the communication or, where applicable, a duplicate thereof are received by the International Bureau not later than six months after the expiry of the time limit.

(5) [*Exception*] This rule shall not apply to the payment of the second part of the individual designation fee through the International Bureau as referred to in Rule 12(3)(c).

[Annex III follows]

**Common Regulations
Under the 1999 Act and the 1960 Act
of the Hague Agreement**

(as in force on [...])

*Rule 14
Examination by the International Bureau*

(1) [*Time Limit for Correcting Irregularities*] (a) If the International Bureau finds that the international application does not, at the time of its receipt by the International Bureau, fulfill the applicable requirements, it shall invite the applicant to make the required corrections within three months from the date of the invitation sent by the International Bureau.

(b) Notwithstanding subparagraph (a), where the amount of the fees received at the time of receipt of the international application is less than the amount corresponding to the basic fee for one design, the International Bureau may first invite the applicant to make the payment of at least the amount corresponding to the basic fee for one design within two months from the date of the invitation sent by the International Bureau.

[...]

(3) [*International Application Considered Abandoned; Reimbursement of Fees*] Where an irregularity, other than an irregularity referred to in Article 8(2)(b) of the 1999 Act, is not remedied within the time limits referred to in paragraphs (1)(a) or (b), the international application shall be considered abandoned and the International Bureau shall refund any fees paid in respect of that application after deduction of an amount corresponding to the basic fee.

*Rule 21
Recording of a Change*

(1) [*Presentation of the Request*] (a) A request for the recording shall be presented to the International Bureau on the relevant official form where the request relates to any of the following:

- (i) a change in the ownership of the international registration in respect of all or some of the industrial designs that are the subject of the international registration;
 - (ii) a change in the name or address of the holder;
 - (iii) a renunciation of the international registration in respect of any or all of the designated Contracting Parties;
 - (iv) a limitation, in respect of any or all of the designated Contracting Parties, to one or some of the industrial designs that are the subject of the international registration;
- (v) the provision of the name and address of the creator, or a change in the name or address of the creator, of any or all of the industrial designs that are the subject of the international registration.

(b) The request shall be presented by the holder and signed by the holder; however, a request for the recording of a change in ownership may be presented by the new owner, provided that it is

- (i) signed by the holder, or
- (ii) signed by the new owner and accompanied by an attestation from the competent authority of the holder's Contracting Party that the new owner appears to be the successor in title of the holder.

(2) [*Contents of the Request*] The request for the recording of a change shall, in addition to the requested change, contain or indicate

- (i) the number of the international registration concerned,
- (ii) the name of the holder, unless the change relates to the name or address of the representative,
- (iii) in case of a change in the ownership of the international registration, the name and address, given in accordance with the Administrative Instructions, of the new owner of the international registration,
- (iv) in case of a change in the ownership of the international registration, the Contracting Party or Parties in respect of which the new owner fulfils the conditions to be the holder of an international registration,
- (v) in case of a change in the ownership of the international registration that does not relate to all the industrial designs and to all the Contracting Parties, the numbers of the industrial designs and the designated Contracting Parties to which the change in ownership relates,
- (vi) in case of the provision of the name and address of the creator of the industrial design, the numbers of the industrial designs concerned, where the person is not a creator of all the industrial designs that are the subject of the international registration, and
- (vii) the amount of the fees being paid and the method of payment, or instruction to debit the required amount of fees to an account opened with the International Bureau, and the identification of the party effecting the payment or giving the instructions.

[...]

(9) [*Recording of a Change in the Name of the Creator*] Any recording of a change in the name of the creator under paragraph (1)(a)(v) shall be void *ab initio* if such a recording concerns a change in the person of the creator.

Rule 26 *Publication*

(1) [*Information Concerning International Registrations*] The International Bureau shall publish in the Bulletin relevant data concerning

- (i) international registrations, in accordance with Rule 17;
- (ii) refusals, with an indication as to whether there is a possibility of review or appeal, but without the grounds for refusal, and other communications recorded under Rules 18(5) and 18*bis*(3);
- (iii) invalidations recorded under Rule 20(2);
- (iv) changes in ownership and mergers, changes of name or address of the holder, renunciations, ~~and~~ limitations, provisions of the name and address of the creator and changes in the name or address of the creator recorded under Rule 21;
- (v) corrections effected under Rule 22;
- (vi) renewals recorded under Rule 25(1);
- (vii) international registrations which have not been renewed;
- (viii) cancellations recorded under Rule 12(3)(d);
- (ix) declarations that a change in ownership has no effect and withdrawals of such declarations recorded under Rule 21*bis*.

[...]

SCHEDULE OF FEES
(as in force on [...])

Swiss francs

[...]

V. *Miscellaneous Recordings*

13.	Change in ownership	144
14.	Change of name and/or address of the holder	
14.1	For one international registration	144
14.2	For each additional international registration of the same holder included in the same request	72

<u>14bis.</u>	<u>Provision of the name and address of the creator, or change in the name and/or address of the creator, of the industrial design</u>	
<u>14bis.1</u>	<u>For one international registration</u>	<u>144</u>
<u>14bis.2</u>	<u>For each additional international registration included in the same request</u>	<u>72</u>

[...]

[Annex IV follows]

**Common Regulations
Under the 1999 Act and the 1960 Act
of the Hague Agreement**

(as in force on [...])

*Rule 14
Examination by the International Bureau*

(1) [*Time Limit for Correcting Irregularities*] (a) If the International Bureau finds that the international application does not, at the time of its receipt by the International Bureau, fulfill the applicable requirements, it shall invite the applicant to make the required corrections within three months from the date of the invitation sent by the International Bureau.

(b) Notwithstanding subparagraph (a), where the amount of the fees received at the time of receipt of the international application is less than the amount corresponding to the basic fee for one design, the International Bureau may first invite the applicant to make the payment of at least the amount corresponding to the basic fee for one design within two months from the date of the invitation sent by the International Bureau.

[...]

(3) [*International Application Considered Abandoned; Reimbursement of Fees*] Where an irregularity, other than an irregularity referred to in Article 8(2)(b) of the 1999 Act, is not remedied within the time limits referred to in paragraphs (1)(a) or (b), the international application shall be considered abandoned and the International Bureau shall refund any fees paid in respect of that application after deduction of an amount corresponding to the basic fee.

*Rule 21
Recording of a Change*

(1) [*Presentation of the Request*] (a) A request for the recording shall be presented to the International Bureau on the relevant official form where the request relates to any of the following:

- (i) a change in the ownership of the international registration in respect of all or some of the industrial designs that are the subject of the international registration;
- (ii) a change in the name or address of the holder;
- (iii) a renunciation of the international registration in respect of any or all of the designated Contracting Parties;
- (iv) a limitation, in respect of any or all of the designated Contracting Parties, to one or some of the industrial designs that are the subject of the international registration;
- (v) the provision of the name and address of the creator, or a change in the name or address of the creator, of any or all of the industrial designs that are the subject of the international registration.

(b) The request shall be presented by the holder and signed by the holder; however, a request for the recording of a change in ownership may be presented by the new owner, provided that it is

- (i) signed by the holder, or
- (ii) signed by the new owner and accompanied by an attestation from the competent authority of the holder's Contracting Party that the new owner appears to be the successor in title of the holder.

- (2) [*Contents of the Request*] The request for the recording of a change shall, in addition to the requested change, contain or indicate
- (i) the number of the international registration concerned,
 - (ii) the name of the holder, unless the change relates to the name or address of the representative,
 - (iii) in case of a change in the ownership of the international registration, the name and address, given in accordance with the Administrative Instructions, of the new owner of the international registration,
 - (iv) in case of a change in the ownership of the international registration, the Contracting Party or Parties in respect of which the new owner fulfils the conditions to be the holder of an international registration,
 - (v) in case of a change in the ownership of the international registration that does not relate to all the industrial designs and to all the Contracting Parties, the numbers of the industrial designs and the designated Contracting Parties to which the change in ownership relates,
 - (vi) in case of the provision of the name and address of the creator of the industrial design, the numbers of the industrial designs concerned, where the person is not a creator of all the industrial designs that are the subject of the international registration, and
 - (vii) the amount of the fees being paid and the method of payment, or instruction to debit the required amount of fees to an account opened with the International Bureau, and the identification of the party effecting the payment or giving the instructions.

[...]

- (9) [*Recording of a Change in the Name of the Creator*] Any recording of a change in the name of the creator under paragraph (1)(a)(v) shall be void *ab initio* if such a recording concerns a change in the person of the creator.

Rule 26 *Publication*

- (1) [*Information Concerning International Registrations*] The International Bureau shall publish in the Bulletin relevant data concerning
- (i) international registrations, in accordance with Rule 17;
 - (ii) refusals, with an indication as to whether there is a possibility of review or appeal, but without the grounds for refusal, and other communications recorded under Rules 18(5) and 18*bis*(3);
 - (iii) invalidations recorded under Rule 20(2);
 - (iv) changes in ownership and mergers, changes of name or address of the holder, renunciations, limitations, provisions of the name and address of the creator and changes in the name or address of the creator recorded under Rule 21;
 - (v) corrections effected under Rule 22;
 - (vi) renewals recorded under Rule 25(1);
 - (vii) international registrations which have not been renewed;
 - (viii) cancellations recorded under Rule 12(3)(d);
 - (ix) declarations that a change in ownership has no effect and withdrawals of such declarations recorded under Rule 21*bis*.

[...]

SCHEDULE OF FEES
(as in force on [...])

Swiss francs

[...]		
V.	<i>Miscellaneous Recordings</i>	
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14bis.	Provision of the name and address of the creator, or change in the name and/or address of the creator, of the industrial design	
14bis.1	For one international registration	144
14bis.2	For each additional international registration included in the same request	72
[...]		

[End of Annex IV and of document]