

***Ad hoc* Working Group on the Legal Development of the Hague System for the International Registration of Industrial Designs**

Geneva, May 30 to June 1, 2011

SUMMARY BY THE CHAIR

approved by the ad hoc Working Group

1. The *ad hoc* Working Group on the Legal Development of the Hague System for the International Registration of Industrial Designs (hereinafter referred to as “the *ad hoc* Working Group”) met in Geneva from May 30 to June 1, 2011.
2. The following members of the Hague Union were represented at the session: Bulgaria, Denmark, Estonia, France, Georgia, Germany, Hungary, Italy, Latvia, Lithuania, Mongolia, Morocco, Norway, Poland, Republic of Moldova, Romania, Serbia, Singapore, Spain, Switzerland, The former Yugoslav Republic of Macedonia and Tunisia (22).
3. The following States were represented as observers: Algeria, Canada, China, Haiti, Indonesia, Japan, Kazakhstan, Panama, Republic of Korea, Saudi Arabia and United States of America (11).
4. Representatives of the following international intergovernmental organizations (IGOs) took part in the session in an observer capacity: Benelux Office for Intellectual Property (BOIP) and Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM) (2).
5. Representatives of the following international non-governmental organizations (NGOs) took part in the session in an observer capacity: *Association romande de propriété intellectuelle* (AROPI) and European Communities Trade Mark Association (ECTA) (2).

Agenda Item 1: Opening of the session

6. Mr. Francis Gurry, Director General of WIPO, opened the session of the *ad hoc* Working Group and welcomed the participants.

Agenda Item 2: Election of a Chair and two Vice-Chairs

7. Ms. Solvår Winnie Finnanger (Norway) was unanimously elected as Chair of the *ad hoc* Working Group, and Ms. Anne Loo (Singapore) and Mr. Gusztáv Szöllősi (Hungary) were elected as Vice-Chairs.
8. Ms. Päivi Lähdesmäki (WIPO) acted as Secretary to the *ad hoc* Working Group.

Agenda Item 3: Adoption of the Agenda

9. The *ad hoc* Working Group adopted the draft agenda (document H/LD/WG/1/1 Prov.) without modification.

Agenda Item 4: Issues relating to the publication and contents of the *International Designs Bulletin* and related proposed amendments to the Common Regulations Under the 1999 Act and the 1960 Act of the Hague Agreement

10. Discussion was based on document H/LD/WG/1/2.
11. The *ad hoc* Working Group considered document H/LD/WG/1/2 in detail.
 12. The Chair concluded that the *ad hoc* Working Group supported approach three elaborated in the document, on the understanding that the *International Designs Bulletin* will be published on a weekly basis.
 13. The Chair noted that the International Bureau will send a circular to the Offices of all the Contracting Parties inviting them to comment on the target date of January 1, 2012, for the implementation of a weekly publication of the *International Designs Bulletin*.
 14. The Chair concluded that the *ad hoc* Working Group recommended that a proposal to amend the Common Regulations with respect to the titles of Chapter 6 and Rule 26, and with respect to Rules 26(2) and (3), 28(2)(c) and (d), and 34(3)(b), as provided in Annex I to document H/LD/WG/1/2, be submitted, for adoption, to the Assembly of the Hague Union.
 15. The Chair concluded that the *ad hoc* Working Group recommended that a proposal to amend Sections 204(a)(i) and (d), 402(b) and 601 of the Administrative Instructions, as provided in Annex II to document H/LD/WG/1/2, be submitted, for consultation, to the Assembly of the Hague Union.

Agenda Item 5: Proposal for a new Rule on the refusal of the effects of the recording of a change in ownership in the International Register

16. Discussion was based on document H/LD/WG/1/3, as well as on a first draft of possible model forms for “Certificate of Transfer” and “Transfer Document”, as prepared and circulated by the Secretariat in the course of the meeting.
17. The Chair concluded that the *ad hoc* Working Group recommended to the Hague Union Assembly the introduction to the Common Regulations of proposed new Rule 21*bis*, as reproduced in Annex I to document H/LD/WG/1/3, subject to editorial corrections to the French version thereof, with January 1, 2012, as the date for its entry into force.
18. The Chair concluded that the *ad hoc* Working Group wanted the International Bureau to pursue the development of possible model forms and that, in that respect, the International Bureau would be taking into account any comments made by Offices and user groups as well as developments in the Digital Access Service environment.

Agenda Item 6: Situation of the 1934 Act and the 1960 Act of the Hague Agreement

19. Discussion was based on document H/LD/WG/1/4.
20. The *ad hoc* Working Group took note of the information provided in the document.

Agenda Item 7: Other matters

21. The Chair concluded that the *ad hoc* Working Group agreed to recommend to the Assembly of the Hague Union the establishment of a Working Group to address the legal development of the Hague system.

Agenda Item 8: Summary by the Chair

22. The *ad hoc* Working Group approved the Summary by the Chair as contained in the present document.

Agenda Item 9: Closing of the session

23. The Chair closed the session on June 1, 2011.

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