



## Going Global: Overview of the Hague System

Seminar on the Hague System for the International  
Registration of Industrial Designs

Mikhail Faleev  
Senior Information Officer  
Hague Development and Promotion Section  
The Hague Registry

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# General Overview of the Hague System



Basic features and advantages



Legal framework



Going global – geographical scope



Some statistics



Latest developments and  
upcoming features



# Basic Features and Advantages of the Hague System

# What is the Hague System?

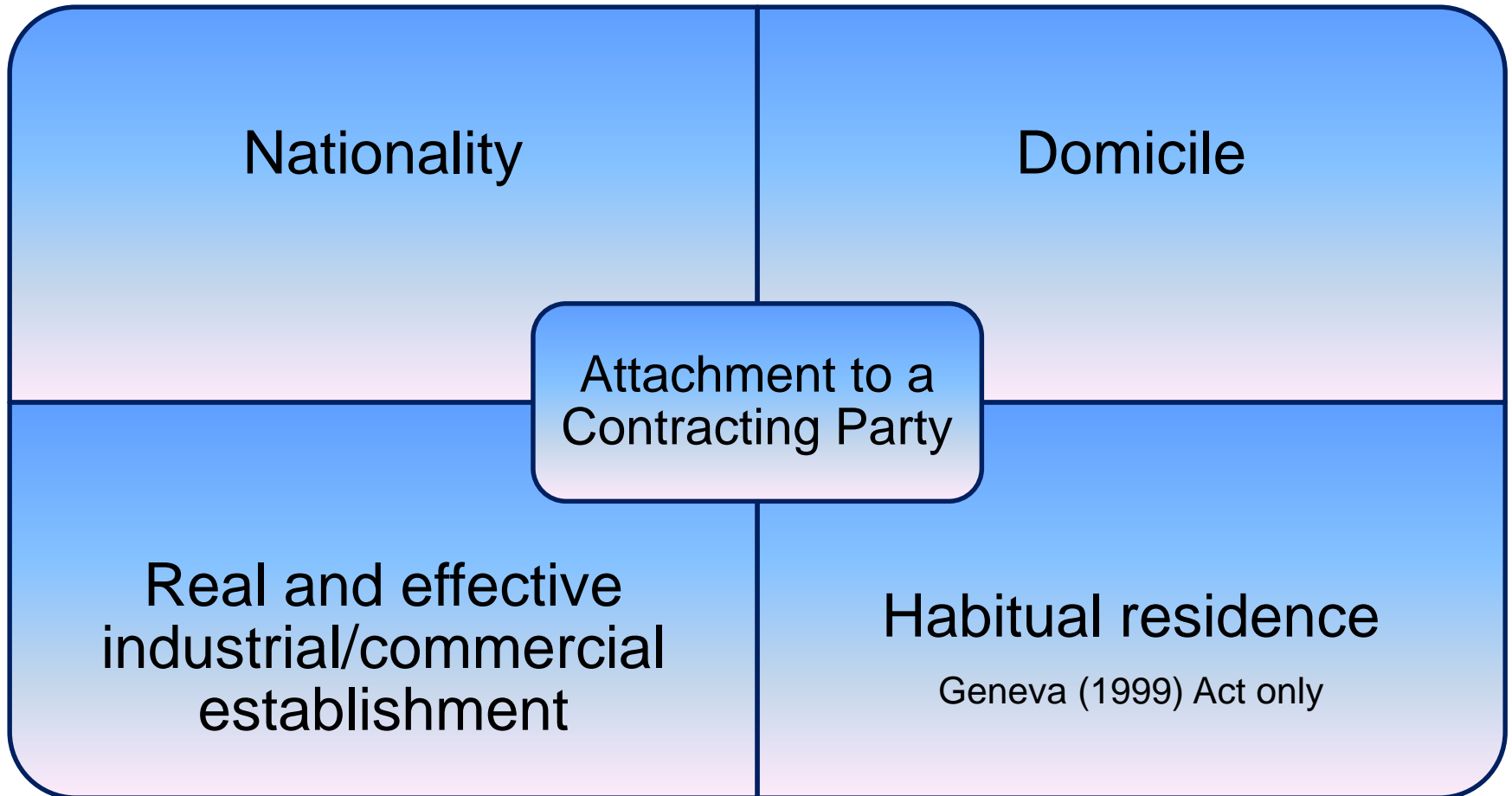
## One to many relationships

- File a single international application for a single international registration in which one or more Contracting Parties are designated

## “Bundle of rights”

- If no refusal, the resulting international registration has the effect of a grant of protection in each designated Contracting Party

# Who Can Use the System?



# Main Features of the Hague System



## **Simplicity**

The Hague System enables holders to obtain protection for their designs with a minimum of formality



## **Cost-effectiveness**

Payment of a single set of fees in one currency



## **Efficiency**

Considerable facilitation of the subsequent management of the registration



## **Flexibility**

Right holders have more opportunities in targeting national, regional or global markets

# The Hague System is a Procedural Arrangement

Issues such as:



the conditions for protection



the refusal procedure to be applied when deciding whether a design may be protected



the rights which result from protection

are governed by the law of each Contracting Party designated in an international registration

# The International Application

In English, French or Spanish

May be filed directly with the International Bureau through the E-filing interface but also on paper

May comprise several different designs up to a maximum of 100 if they belong to the same class of the International Classification (Locarno)

One set of fees (in CHF) is to be paid



# The Hague System: Role of the International Bureau

Formal examination

Recording in the International Register

Sending the certificate to the holder

Publication in the International Designs Bulletin

Notification to members through the publication in the Bulletin

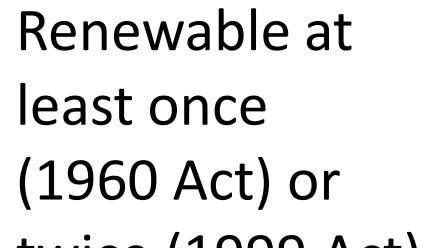

In case of any incompliance with the applicable requirements the International Bureau invites the applicant to make the required corrections within three months from the date of such invitation.

International registration has the same effect as a regularly-filed application in all designated Contracting Parties.

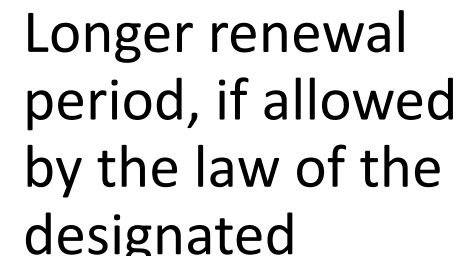

# The Hague System: Terms of protection



Duration of protection: five years



Renewable at least once (1960 Act) or twice (1999 Act)



Longer renewal period, if allowed by the law of the designated Contracting Party

# General Advantages of the Hague System



## Hague System (international route)

one Office for filing  
one language  
one currency  
one international registration  
one renewal  
one modification  
foreign attorney or agent  
(first needed if refused)

## National/regional route

many Offices for filing  
many languages  
many currencies  
many registrations  
many renewals  
many modifications  
foreign attorney or agent  
(first needed at filing)



# Legal Framework

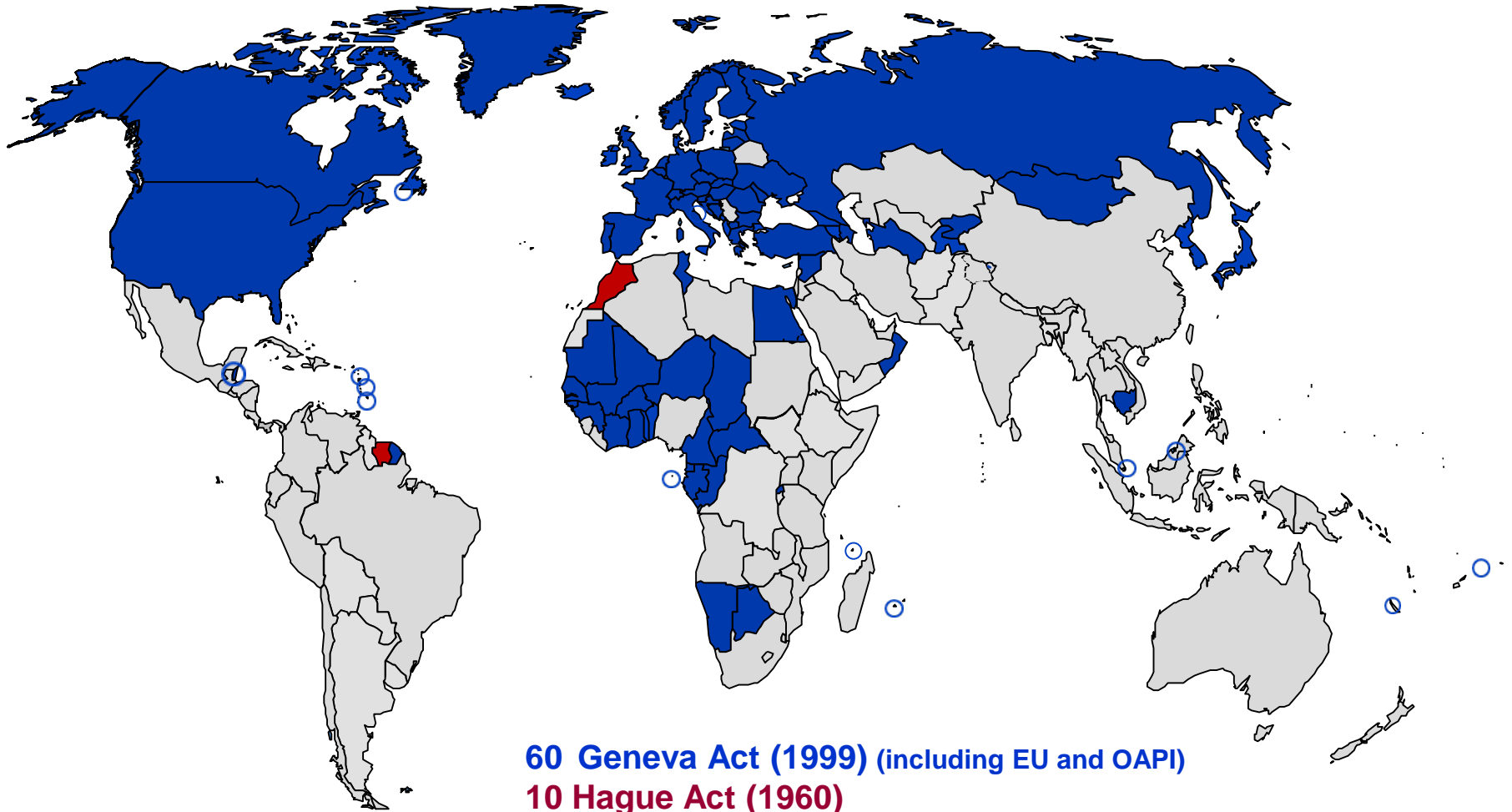


- **Common Regulations (1996), last revised: January 1, 2019 (in force)**
- **Administrative Instructions (2002), last revised: January 1, 2019**
- **National Laws and Regulations**



# Going Global – Geographical Scope of the Hague System

# Hague Union



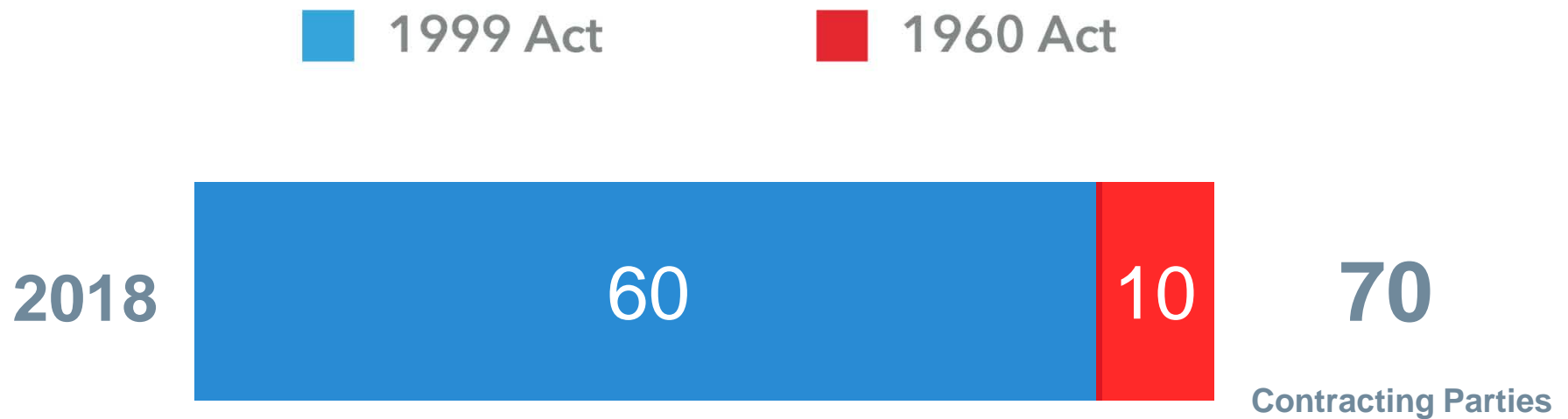
**60 Geneva Act (1999) (including EU and OAPI)**

**10 Hague Act (1960)**

**70 Contracting Parties**

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Design System

# Hague System Growth (as of December, 2018)





# Hague Union Members According to the Most Recent Applicable Act

Geneva Act (1999)  
60 members

- African Intellectual Property Organization, Albania, Armenia, Azerbaijan, Belgium, Belize, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Cambodia, Canada, Croatia, D.P.R. of Korea, Denmark, Egypt, Estonia, European Union, Finland, France, Georgia, Germany, Ghana, Hungary, Iceland, Japan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Mongolia, Montenegro, Namibia, Netherlands, North Macedonia, Norway, Oman, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, San Marino, Sao Tome and Principe, Serbia, Singapore, Slovenia, Spain, Syrian Arab Republic, Switzerland, Tajikistan, Tunisia, Turkey, Turkmenistan, Ukraine, United Kingdom and the United States of America (60)

Hague Act (1960)  
10 members

- Benin, Côte d'Ivoire, Gabon, Greece, Italy, Mali, Morocco, Niger, Senegal and Suriname (10)

# Geneva Act (1999)

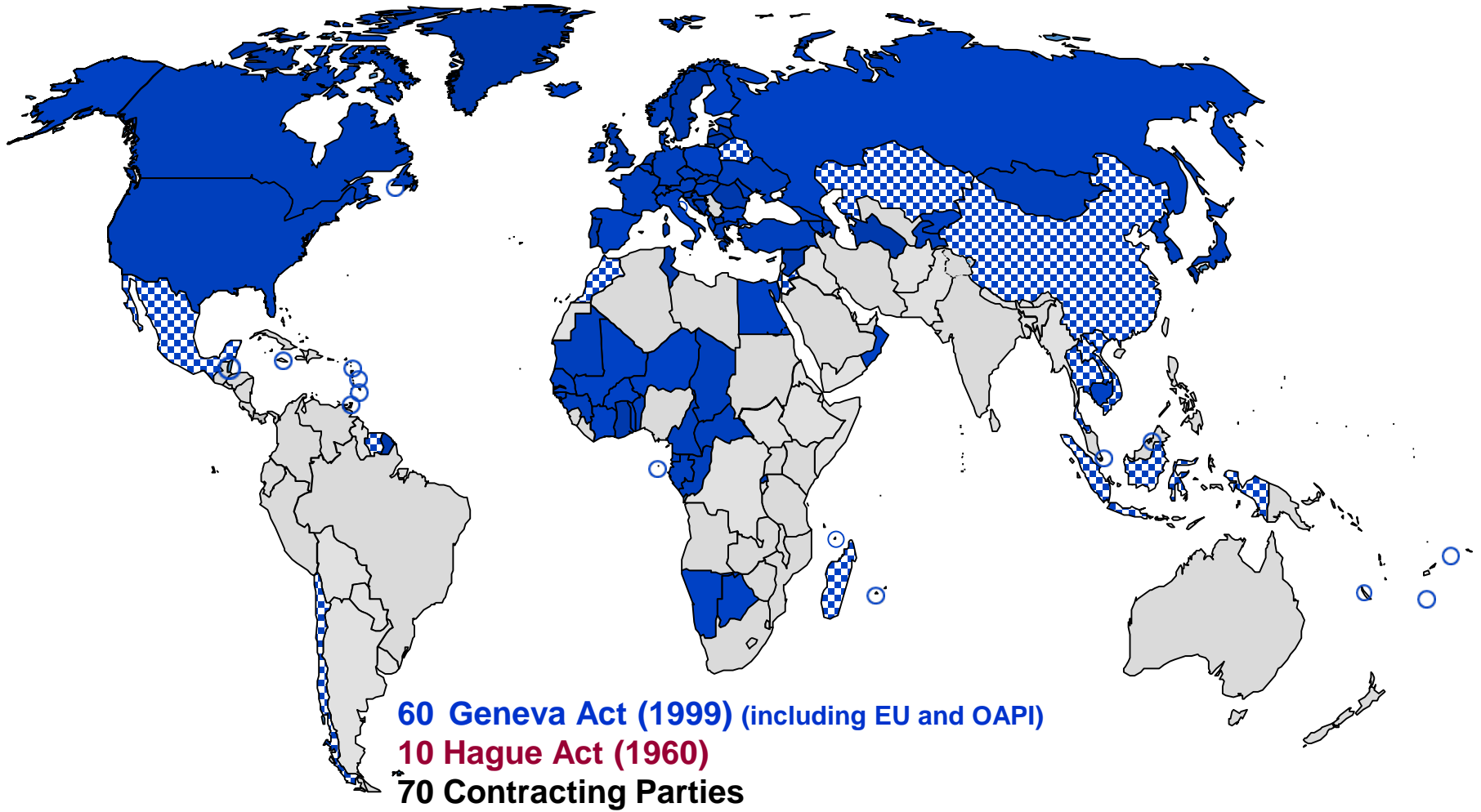
## Recent Accessions

	Belize (November 9, 2018)
	San Marino (October 26, 2018)
	Benelux Union (December 18, 2018)
	Canada (July 16, 2018)
	United Kingdom (March 13, 2018)
	Russian Federation (November 30, 2017)
	The Kingdom of Cambodia (November 25, 2016)
	D.P.R. of Korea (June 13, 2016)

## Potential Accessions in 2019

	China
	Morocco
	Israel
	Mexico
	Madagascar
	Jordan
	Vietnam
	Indonesia
	Samoa
	Suriname
	Eurasian Patent Organization

# Hague Union



**Potential Contracting Parties of Geneva (1999) Act**

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## Some Statistics

# International Applications - 2018

Number of applications

**5,404**

↑  
**3.7%**

Number of designs  
contained in applications

**19,323**

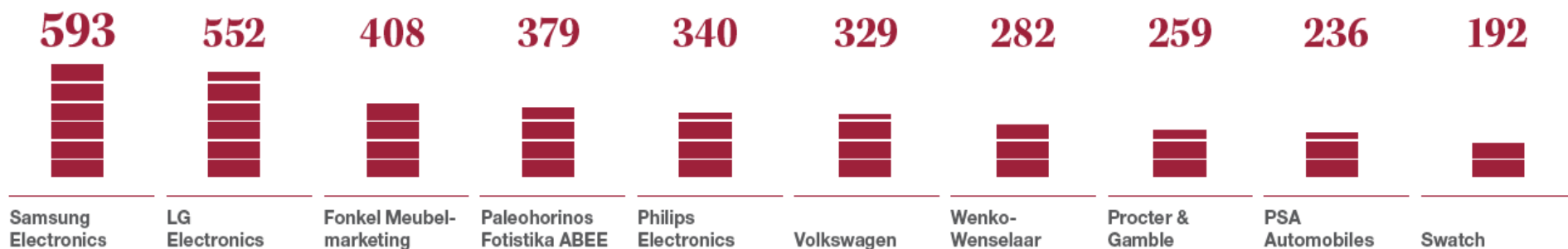
↓  
**-2.1%**

# Who filed most in 2018?

- Germany: 3,964 designs
- Switzerland: 2,510 designs
- Republic of Korea: 1,547 designs
- France: 1,454 designs
- Netherlands: 1,382 designs (+71.3%)
- Italy: 1,261 designs
- United States of America: 1,293
- Japan: 1,268 (+52.6%)
- Turkey: 478
- Greece: 410

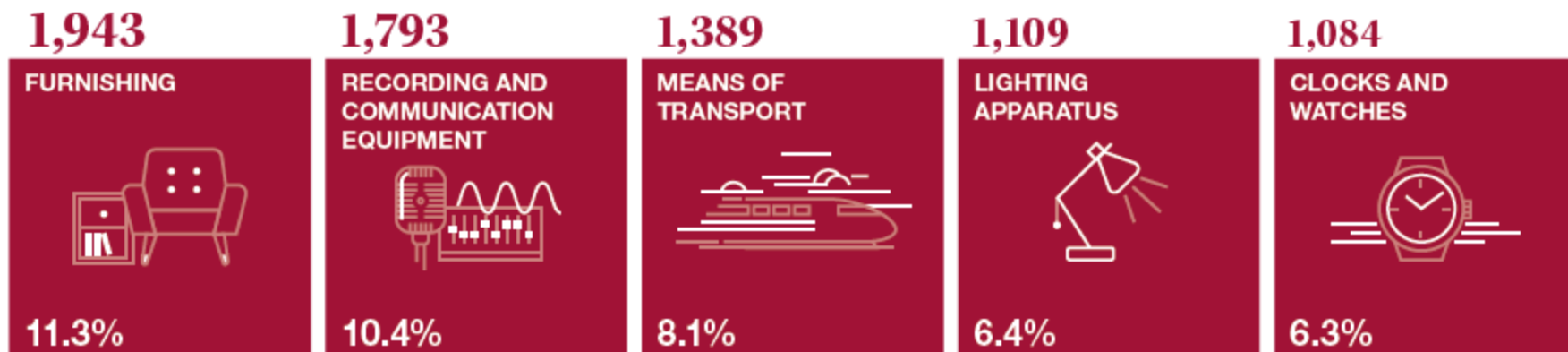
# Top 10 Hague applicants

Number of designs contained in new Hague registrations



# Top 5 classes

Number of designs in applications and share of total







# Latest Developments

# Latest Developments



Regularization of international applications online  
(since March 2016)



Guidance on reproductions



Hague Express and Global Design Databases  
since January 2015



Improvement of the E-filing interface



New Hague E-services and useful E-tools



Developments in the legal framework

# Improvement of the E-Filing Interface



Receive and download notifications from the IB relating to international applications



Send corrections to irregularities or defects



Retrieve in real-time current status of international application



Improvement of the E-filing interface



Indication of access code obtained from the IP office of first filing, so that the IP office of the designated Contracting Party is able to access the priority document via the WIPO Digital Access Service (DAS)

# New Hague E-services and useful E-tools



New E-service and E-tools are available at:

[www.wipo.int/hague](http://www.wipo.int/hague)



## Contact Hague Form

- Single point of contact for users, while making enquiries, submitting documents or to request a priority document



## Hague Member Profiles Database

- Compilation of data
- Search tool

# Latest Developments (legal framework)



Termination of the London (1934) Act of the Hague Agreement Concerning the International Deposit of Industrial Designs took place in October 2016



Amendments to the Common Regulations Under the 1999 Act and the 1960 Act of the Hague Agreement concerning a safeguard against non-delivery of an electronic communication entered into force on January 1, 2017



Entry into force of the twelfth edition of the Locarno Classification on January 1, 2019

# Latest Developments (legal framework)



Power of Attorney no longer required at the time of filing. The appointment of a representative may be made in the international application. The naming of the representative in the international application at the time of filing shall constitute an appointment by the applicant of such representative. (Rule 3 as amended in force as from January 1, 2019)



Section 203 of the Administrative Instructions deleted (fax is not in use as from January 1, 2019)



Modes of payment are more flexible for the IB in accepting payments by debit cards or other new forms of payment (online payment system) since 01.01.2019

# Stay up to date with the Hague System

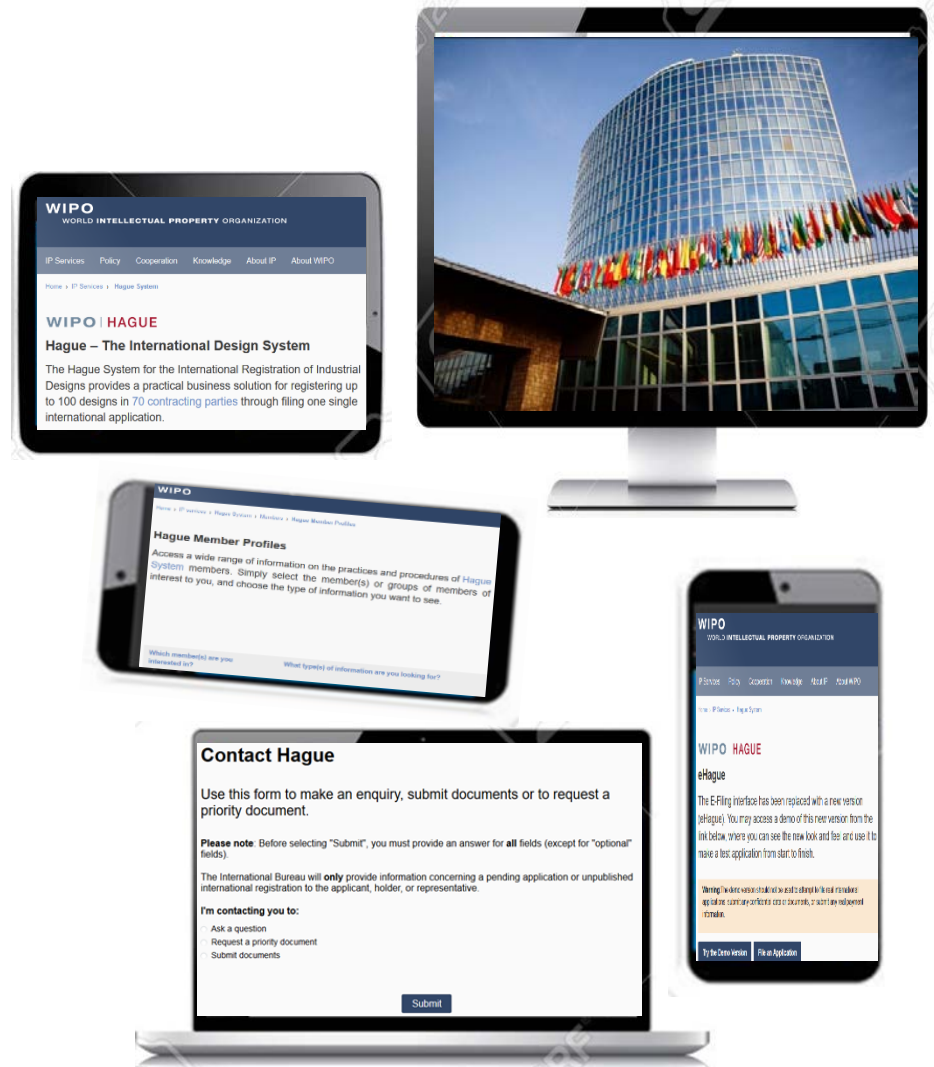
➤ Visit the Hague System website:

<https://www.wipo.int/hague/en/>

➤ Enjoy the new E-Services:

- eHague (new E-filing opportunities);
- e-Renewal (sophisticated features for renewals);
- ePay (extended opportunities to pay the fees online);
- Contact Hague (unique portal to communicate with the Hague Registry);
- Hague Member Profiles Database (wide range of information on the practices and procedures of Hague System members)

➤ Subscribe to Hague Notices to be aware about Hague information notices and updates on developments in the Hague System



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# Thank you!



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