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The International  
Design System

# The Hague System for the International Registration of Industrial Designs

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

Yves Closet, Head, Information and  
Promotion Section, The Hague Registry

**Geneva  
November 10, 2016**

# Industrial Designs



DM/074502

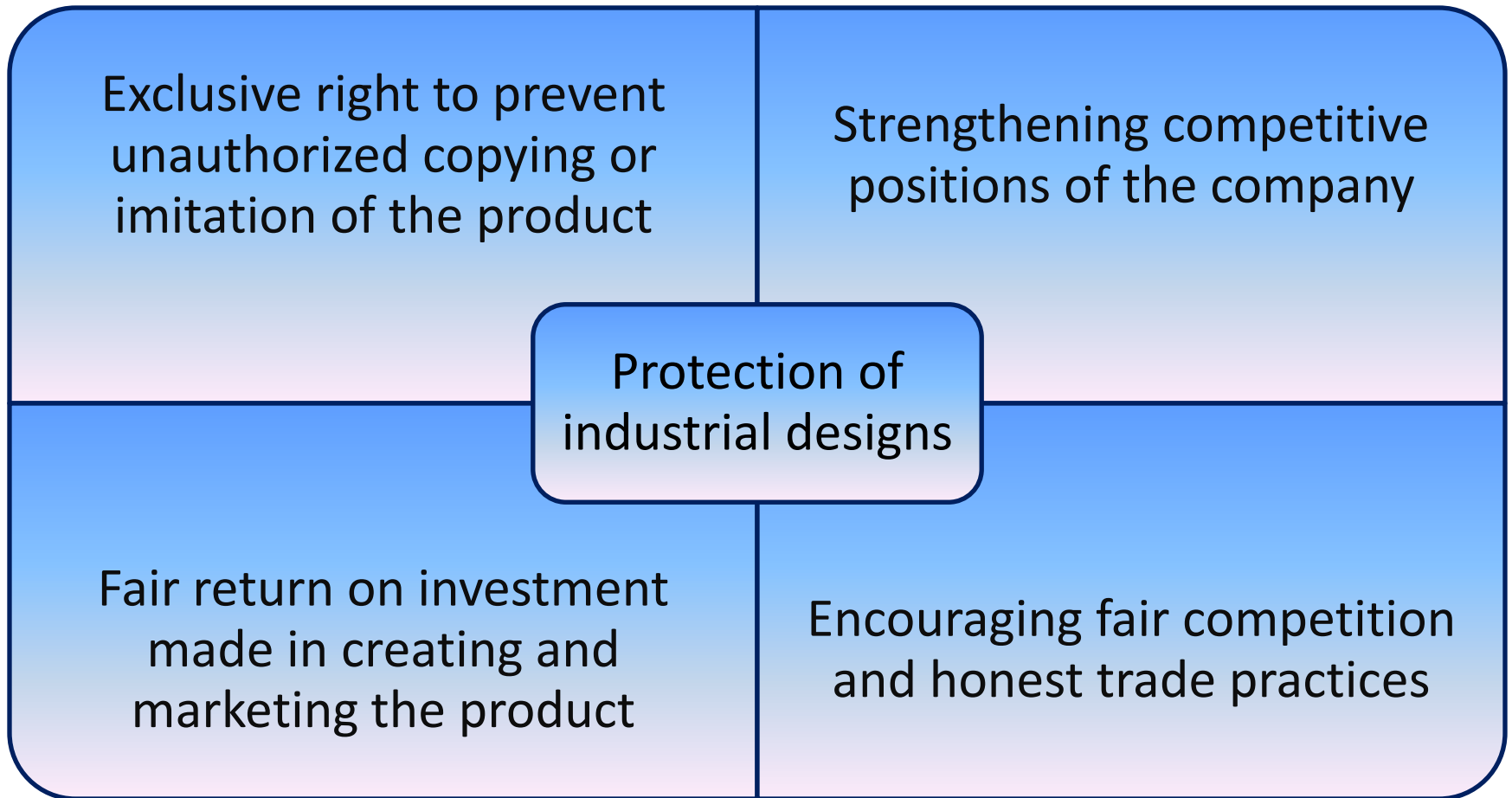


DM/083330



DM/081900

# Why Protect Industrial Designs?



# 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

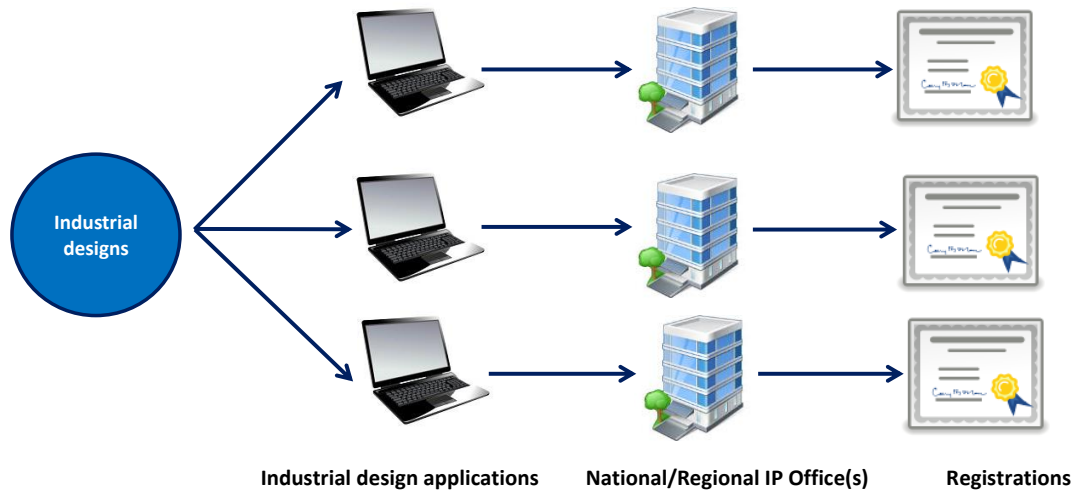
# Hague System: a simple but timeless concept

The centralized acquisition and maintenance of industrial design rights by filing a single international application for a single international registration with effect in one or more designated Contracting Parties



# Independent filings vs. Hague Route

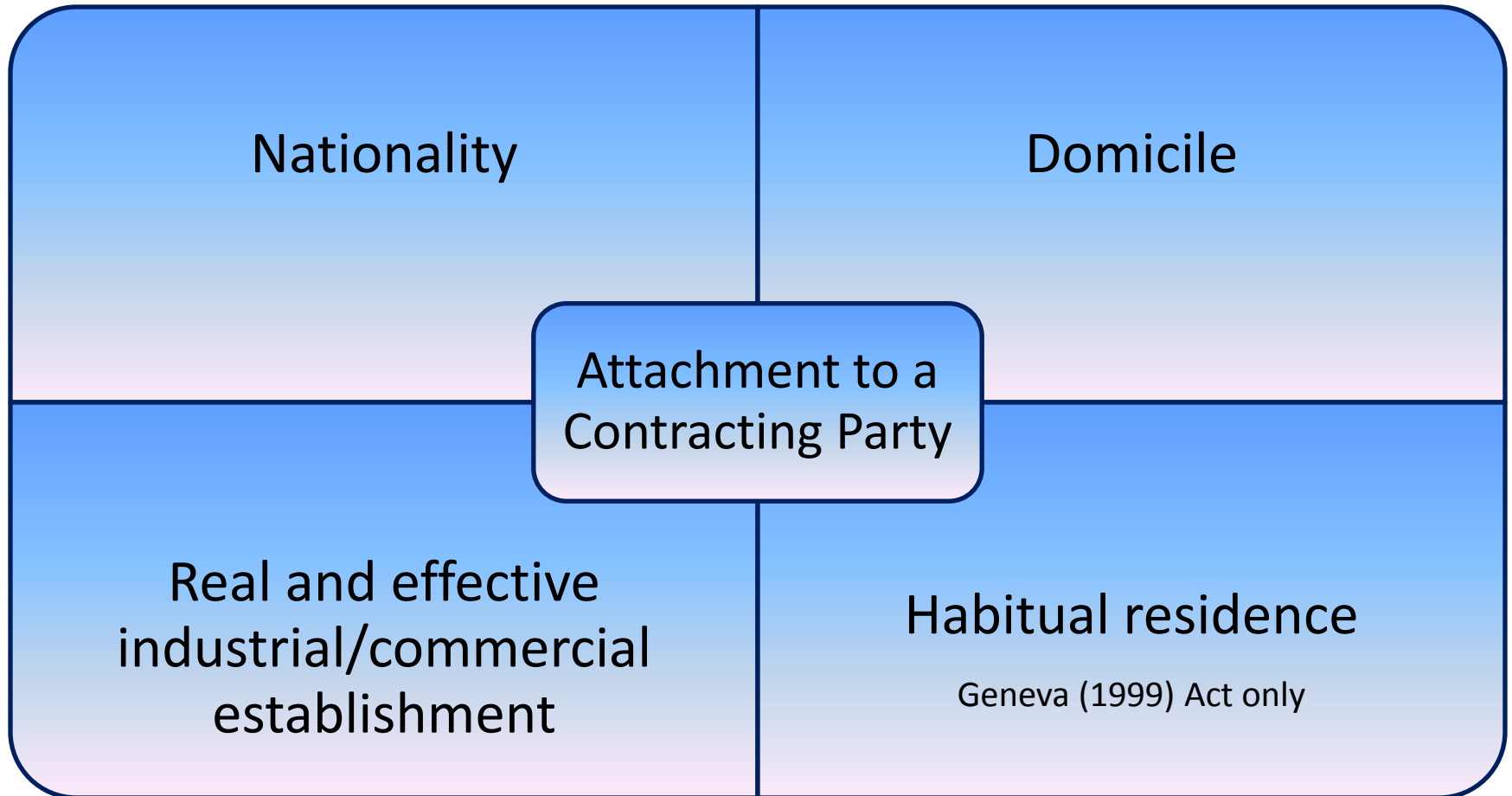
## Direct/Paris Route



## The Hague System



# 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

# What is the Hague System?

## One to many relationships

- File a single international application for a single international registration (IR) in which one or more Contracting Parties (CP) 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

# 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 Procedure: 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

If the International Bureau finds that the international application does not fulfill the applicable requirements, it invites the applicant to make the required corrections within three months from the date of invitation sent by the International Bureau

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

# The Hague System Procedure (II)

## Refusal by a designated Contracting Party

on same substantive grounds as for national/regional filings

must be communicated within time limit

effect limited to territory of the member that has refused

## International registration (where not refused)

no refusal = same rights as a local design registration

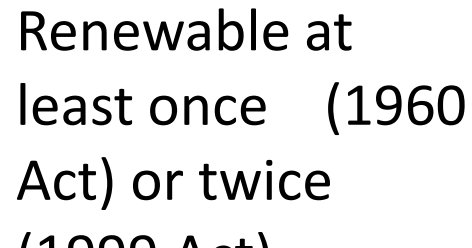

a bundle of independent national/regional rights

advantages of central management

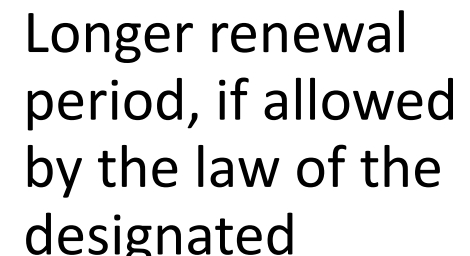

# The Hague System Procedure (III)



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

# Hague Agreement

```
graph TD; A[Hague Agreement] --- B[Hague Act (1960)]; A --- C[Geneva Act (1999)];
```

Hague Act (1960)

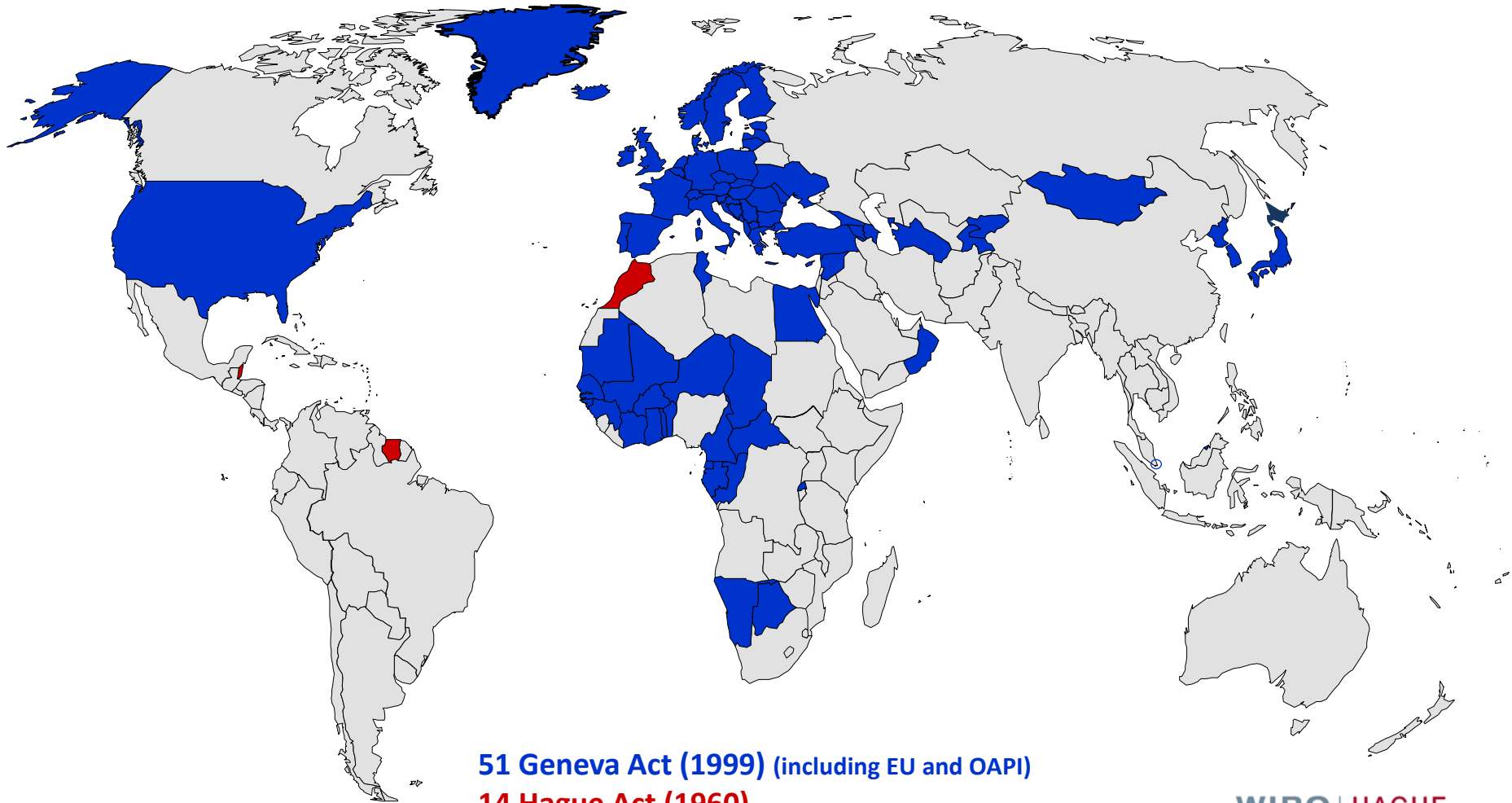
Geneva Act (1999)

- **Common Regulations (1996), last revised: January 1, 2015**
- **Administrative Instructions (2002), last revised: July 1, 2014**
- **National Laws and Regulations**



# Going Global – Geographical Scope of the Hague System

# Hague Union



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

**14 Hague Act (1960)**

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**65 Contracting Parties**

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# Hague Union Members according to the most recent applicable Act

## Geneva Act (1999)




•African Intellectual Property Organization, Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Croatia, D.P.R. of Korea, Denmark, Egypt, Estonia, European Union, Finland, France, Georgia, Germany, Ghana, Hungary, Iceland, Japan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Monaco, Mongolia, Montenegro, Namibia, Norway, Oman, Poland, Republic of Korea, Republic of Moldova, Romania, Rwanda, Sao Tome and Principe, Serbia, Singapore, Slovenia, Spain, Syrian Arab Republic, Switzerland, Tajikistan, the former Y.R. of Macedonia, Tunisia, Turkey, Turkmenistan, Ukraine and the United States of America (51)

## Hague Act (1960)

•Belgium, Belize, Benin, Côte d'Ivoire, Gabon, Greece, Italy, Luxembourg, Mali, Morocco, Netherlands, Niger, Senegal and Suriname (14)

# Geneva Act (1999)

## Recent Accessions

-  D.P.R. of Korea  
(September 13, 2016)
-  Turkmenistan  
(March 16, 2016)
-  United States of America  
(May, 2015)
-  Japan  
(May, 2015)
-  Republic of Korea  
(July 2014)

## Potential Accessions

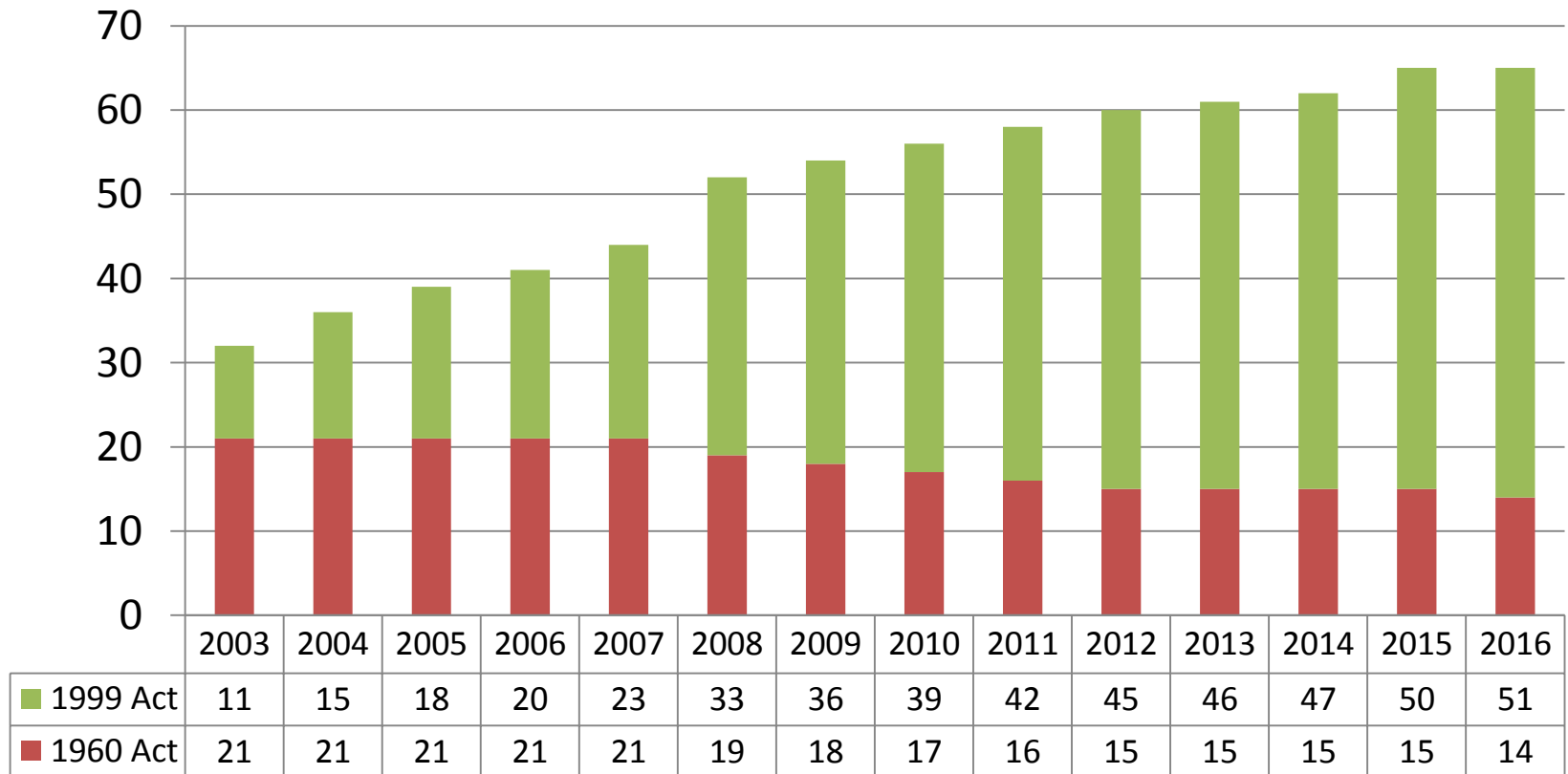
-  China
-  Russian Federation
-  Morocco
-  ASEAN countries
-  Israel
-  Canada
-  Mexico
-  Madagascar



# Some Statistics

# Hague Membership

## Status as of September 2016 (by most recent Act)





# International Registrations in Force in the International Register (on December 31, 2015)

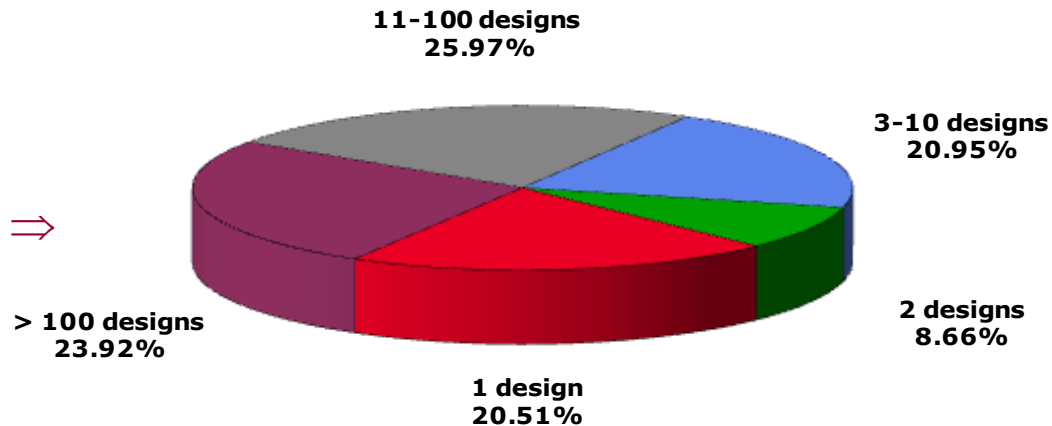
## Industrial Designs

**Right-holders**  
**(8,949)**



Industrial designs by right-holder	Number of right-holders	
1 design	6024	67.31%
2 designs	1272	14.21%
3-10 designs	1319	14.74%
11-100 designs	310	3.46%
> 100 designs	24	0.27%
<b>All</b>	<b>8949</b>	<b>100.00%</b>

**Registrations in force**  
**(29,372)**



## International Applications: January-September 2016



4,166 international applications were received containing 14,151 designs (max. 100 designs / application)



42.4% growth compared to the respective period in 2015 in the number of applications



21% growth compared to the respective period in 2015 in the number of designs

# International Registrations: January-September 2016



3,892 international registrations were inscribed containing 13,456 designs



62.9% growth compared to the respective period in 2015 in the number of registrations



32% growth compared to the respective period in 2015 in the number of designs

# January-September 2016: Five Most Popular Classes in International Registrations



## Class 14

Recording, communication or  
information retrieval equipment

551 registrations (14.1%)



## Class 12

Means of transport or hoisting

339 registrations (8.7%)



## Class 15

Machines, not elsewhere specified

324 registrations (8.3%)



## Class 10

Clocks and watches and other  
measuring instruments, checking  
and signaling instruments

266 registrations (6.8%)



## Class 6

Furnishing

249 registrations (6.3%)



# Latest Developments and Upcoming Features

# Latest Developments



Regularization of international applications online  
(since March 2016)



Guidance on preparing and providing reproductions in order to forestall possible refusals on the ground of insufficient disclosure of an industrial design by Examining Offices\*



New Hague Express Database since January 2015



Improvement of E-filing interface



Developments in the legal framework

\* [http://www.wipo.int/edocs/hagdocs/en/2016/hague\\_2016\\_9.pdf](http://www.wipo.int/edocs/hagdocs/en/2016/hague_2016_9.pdf)

# Hague Express Database

## Hague Express

The Hague Express Database, updated weekly, includes bibliographical data and, as far as international registrations governed exclusively or partly by the 1999 and/or by the 1960 Act(s) of the Hague Agreement are concerned, reproductions of industrial designs relating to international registrations that have been recorded in the International Register and published in the International Designs Bulletin as of issue No. 1/1999. International registrations that have lapsed are not removed from the database.

**SEARCH BY**

Design Names Numbers Dates Country

Indication of Products =

Locarno =

Description =

**CURRENT SEARCH**

PROD:watch

**FILTER BY**









Designation Locarno Class Reg. Date \* Contracting Party \*

CH	1,535	MC	1,131	TN	991	MA	963	LI	960
FR	894	DE	890	IT	889	EG	887	BX	851
BE	851	NL	851	LU	851	ES	813	ME	684
MK	683	GR	666	MD	642	MN	634	SG	611
TR	594	UA	591	ID	586	EM	583	KP	556
RS	523	VA	489	SI	462	CW	409	BQ	408
SX	406	GE	380	RO	378	KG	376	BZ	364

Display:  Sort:

1 - 10 / 1,627

10 per page 1 / 163

Reg. No	Holder	Reg. Date	Locarno Cl	Ind. Prod.	Des.	Designs	Image
DM/046674	HYSEK JÖRG	1999-02-03	03-01	Etui pour montre	AN,EG,ES,ID,MA,TN,V	1	
DM/082429	CARTIER CREATION STUDIO SA	2013-12-13	10-02	1. Watch; 2. Watch case; 3. Watch dial; 4. Watch; 5. Watch bracelet; 6. Watch dial; 7. Watch dial	CH,EM,SG,TR	8	
DM/083367	FRANCK MULLER WATCHLAND SA	2014-04-09	10-02	1. Montre-bracelet	EM,MC,SG	1	
DM/065362	SWATCH AG (SWATCH SA) (SWATCH LTD.)	2004-05-12	10-02	1. Montre-bracelet	BQ,CW,EG,ID,SX,TN,I	1	
DM/073485	BÉDAT & CO SA	2010-03-26	10-02	Watch	BX,KP,CH,EM,LI,OA,S	1	
DM/073351	HUBLOT SA, GENÈVE	2010-03-18	10-02	Watch	CH,EM,SG	1	
DM/073317	OMEGA SA (OMEGA AG) (OMEGA LTD.)	2010-02-12	10-02	Watch	BZ,MA,MC,ME,AL,AM,I	1	
DM/072570	ALEXIS BARTHELAY (SOCIÉTÉ ANONYME)	2009-10-20	10-02	Watch	MA,CH,EG,EM,OM,SG	1	

# New Features of the E-Filing Portfolio Manager



Send corrections to irregularities or defects



Receive and download notifications from the IB relating to international applications



Retrieve in real-time current status of IA



**Thank You!**

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