



The Hague System for the International Registration of Industrial Designs

Study Visit of the ONO Academic College students

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Basics of design protection (international context)

Paris Convention

The protection of industrial property has as its object patents, utility models, industrial designs, trademarks, service marks, trade names, indications of source or appellations of origin, and the repression of unfair competition.

TRIPS Agreement

- **Section 4: industrial designs**
- **Article 25**
Requirements for Protection
- **Article 26**
Protection

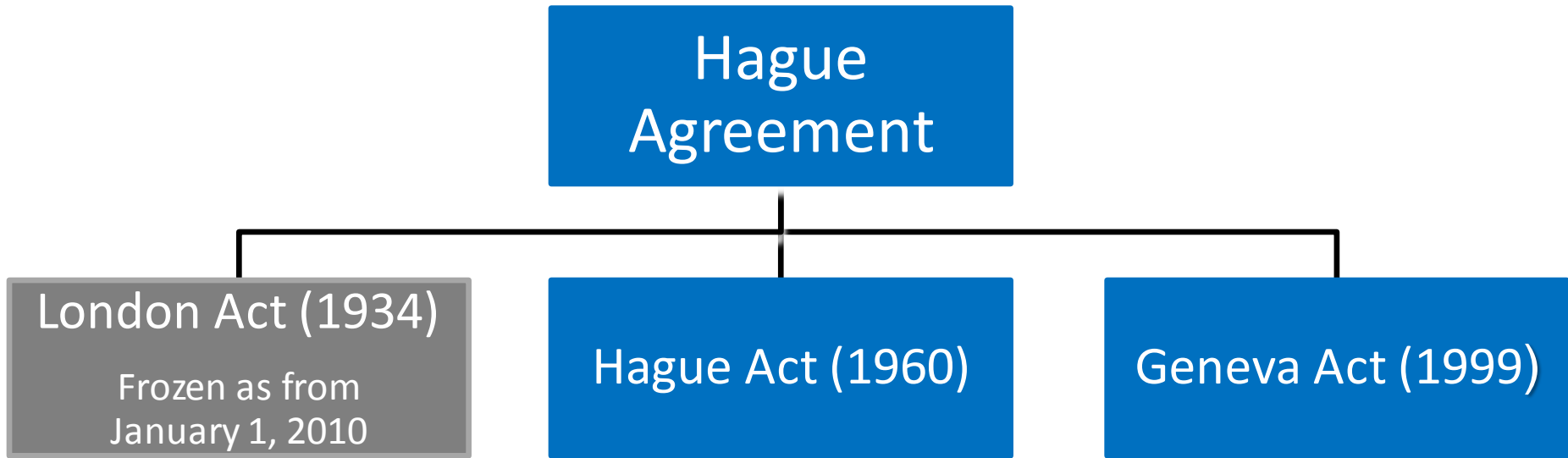
Hague Agreement

- **London Act (1934)**
- **Hague Act (1960)**
- **Geneva Act (1999)**

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





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

Locarno Agreement Establishing an International Classification for Industrial Designs of 1968

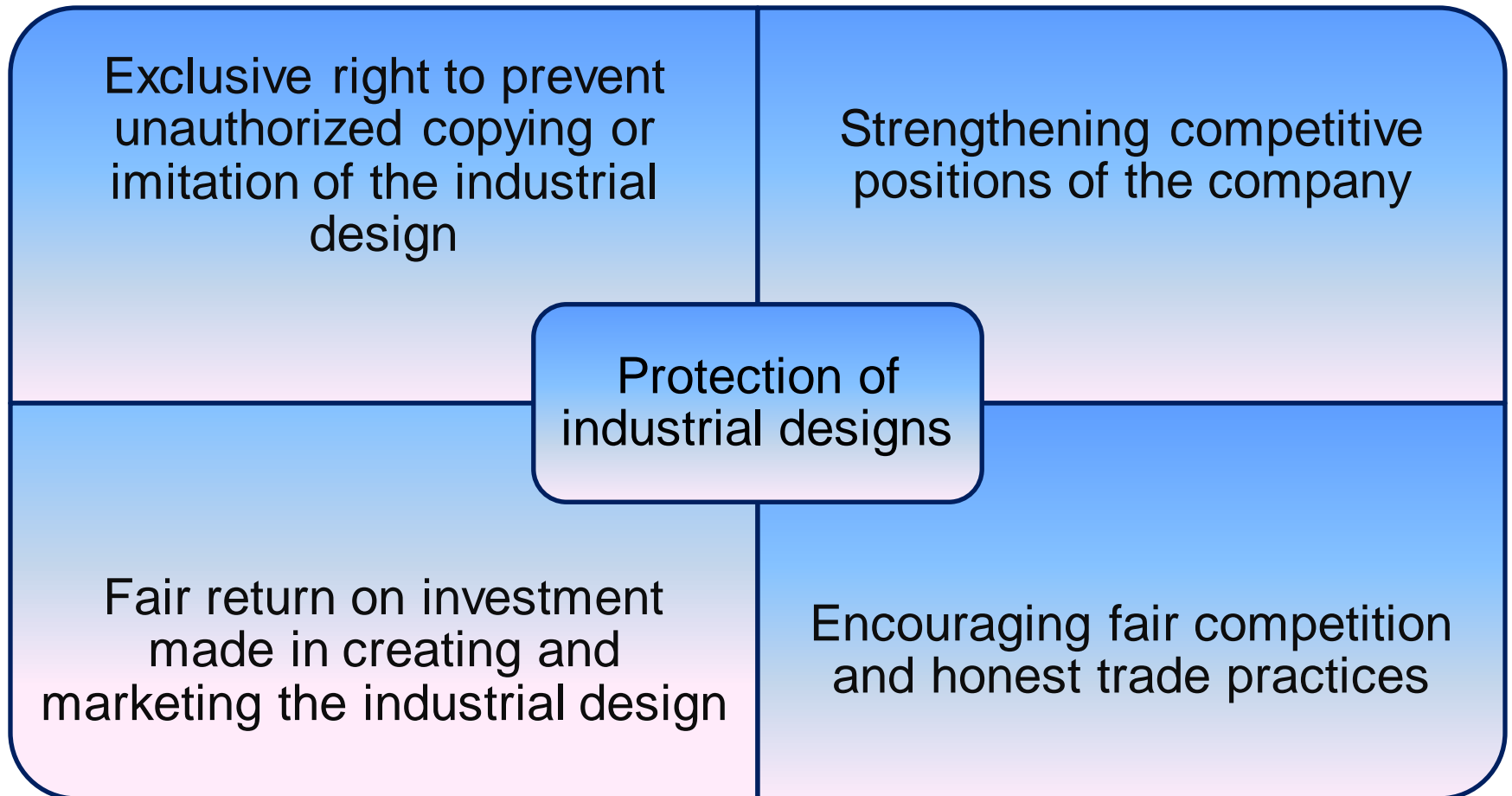
Locarno classification for articles representing industrial designs

Not binding the scope of protection granted

Industrial designs are generally grouped into classes for ease of retrieval

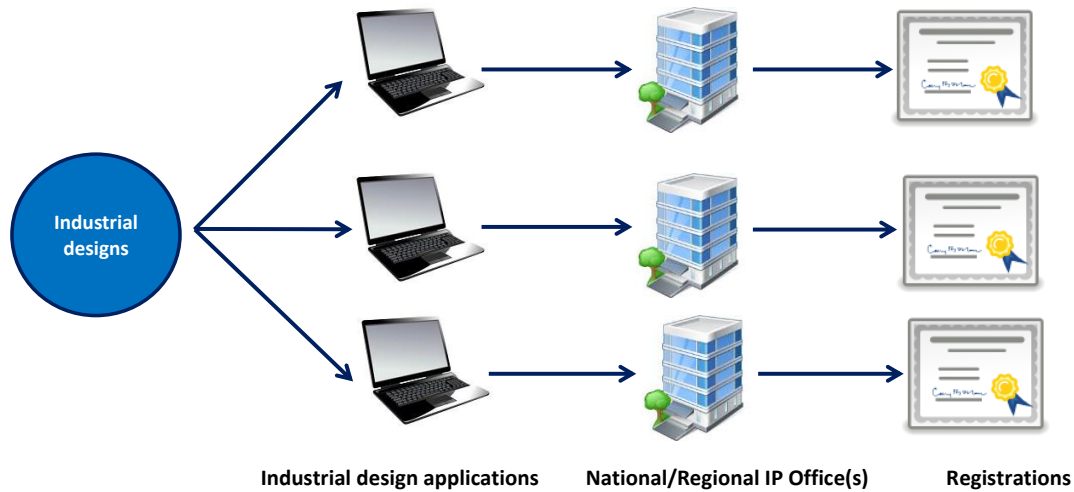
Locarno Classification contains 32 classes

Why Protect Industrial Designs?



Independent filings v. Hague Route

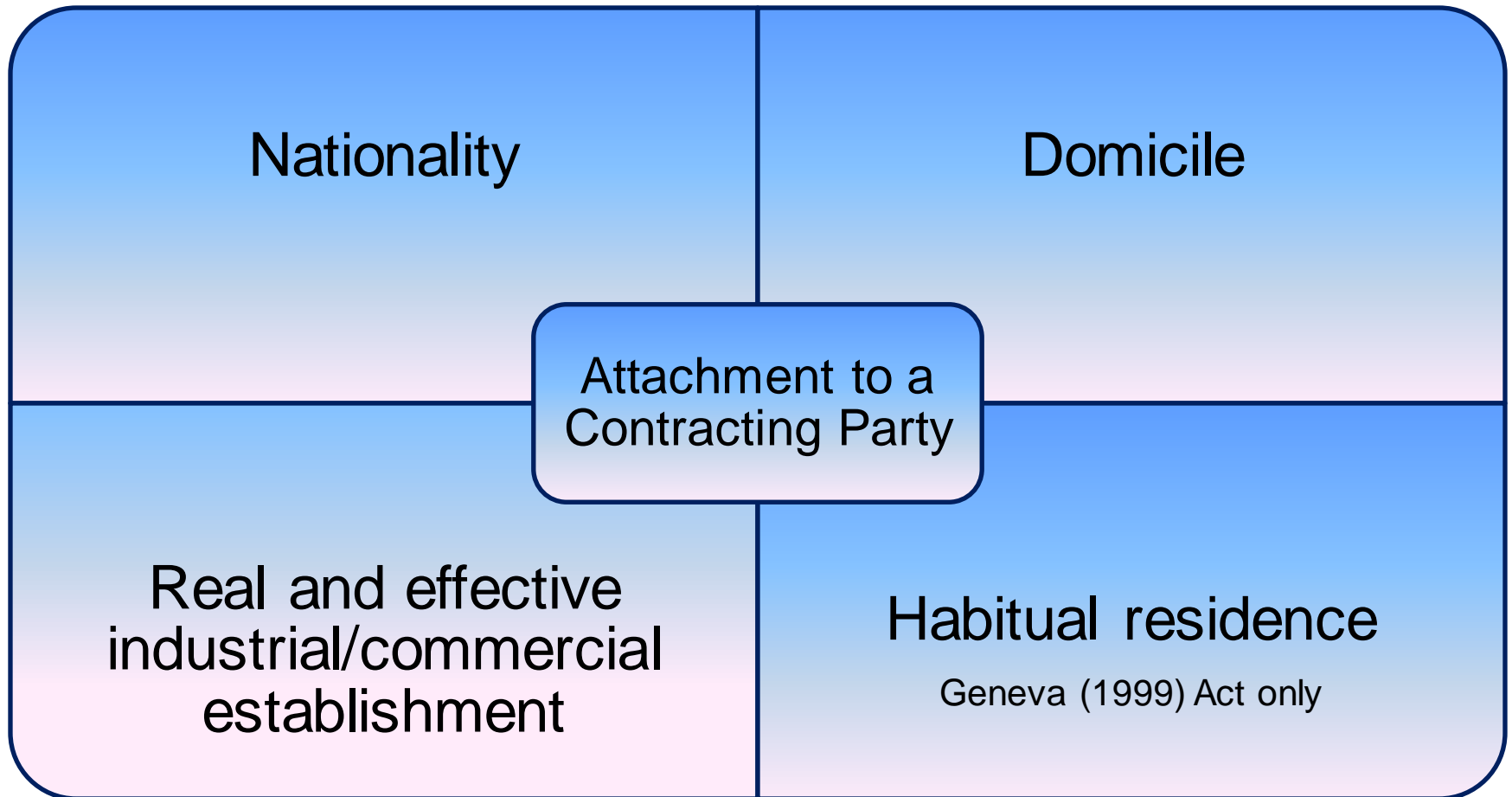
Direct/Paris Route



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



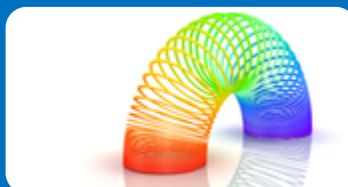
Cost-effectiveness

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

Cost effectiveness (calculation made in 2013)

<http://www.wipo.int/export/sites/www/hague/en/fees/pdf/sched.pdf>

Seeking protection of 5 designs (4 views each) in EU, Norway, Singapore, Switzerland, Tunisia, Turkey and Ukraine would cost to the applicant if he/she goes

The saving is app. **63%**

Via national route in each country app.
CHF 4,903

Via Hague route (E-filing), app.
CHF 1,808

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

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 is to be paid in single currency (CHF)

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

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 Hague System Procedure

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)

same rights as a local design registration

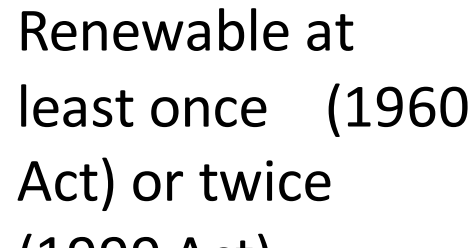

a bundle of independent national/regional rights

advantages of central management

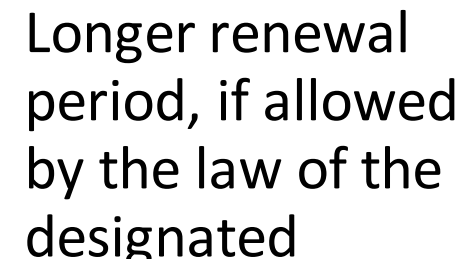

The Hague System Procedure



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)



Going Global – Geographical Scope of the Hague System

Geneva Act (1999)

Recent Accessions



United States of America
(as of May 13, 2015)



Japan
(as of May 13, 2015)



Republic of Korea
(July 2014)



Brunei Darussalam
(December 2013)

Potential accessions



China



Russian Federation



Morocco



ASEAN countries



Israel



Belize

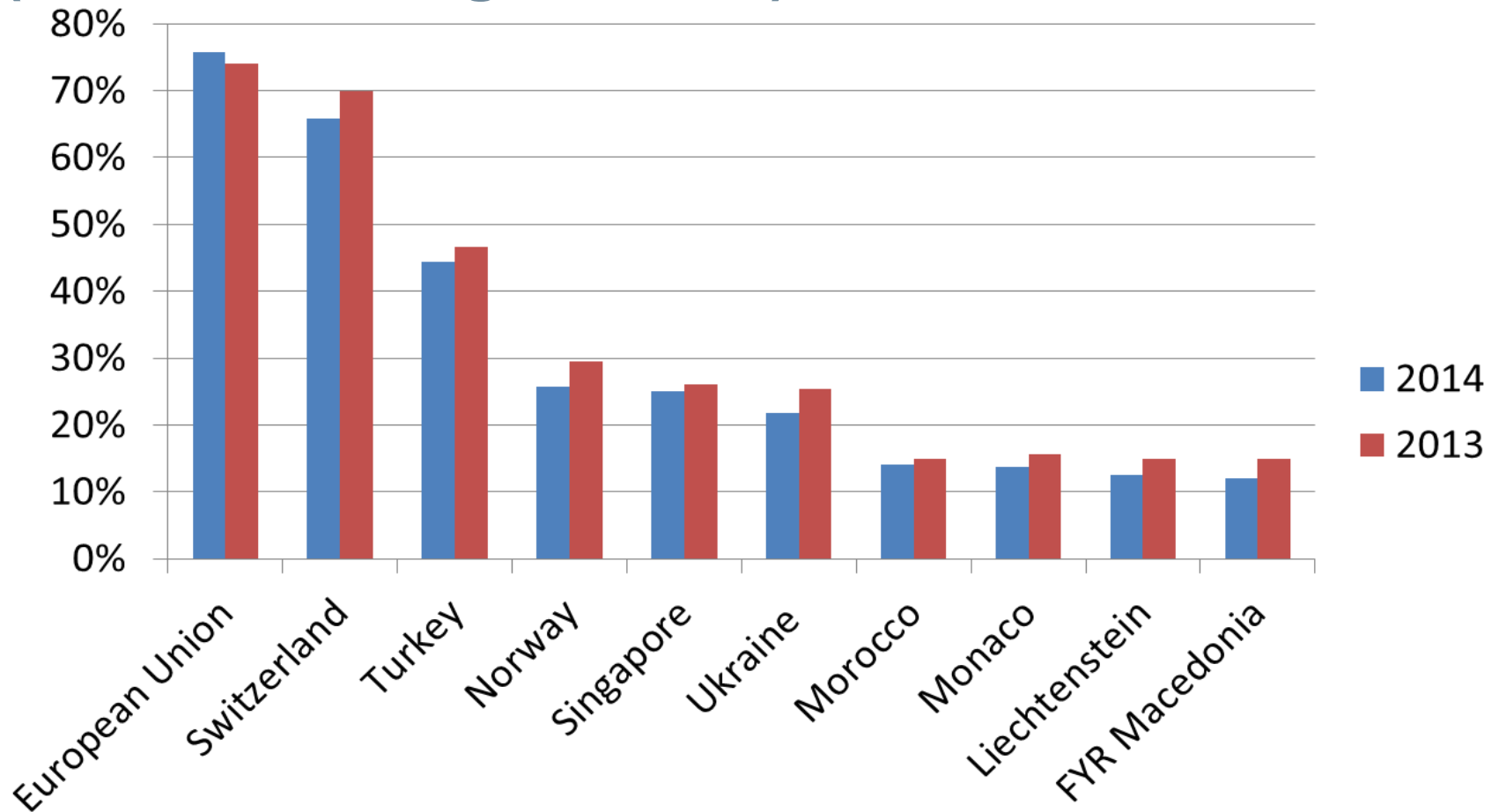


Mexico

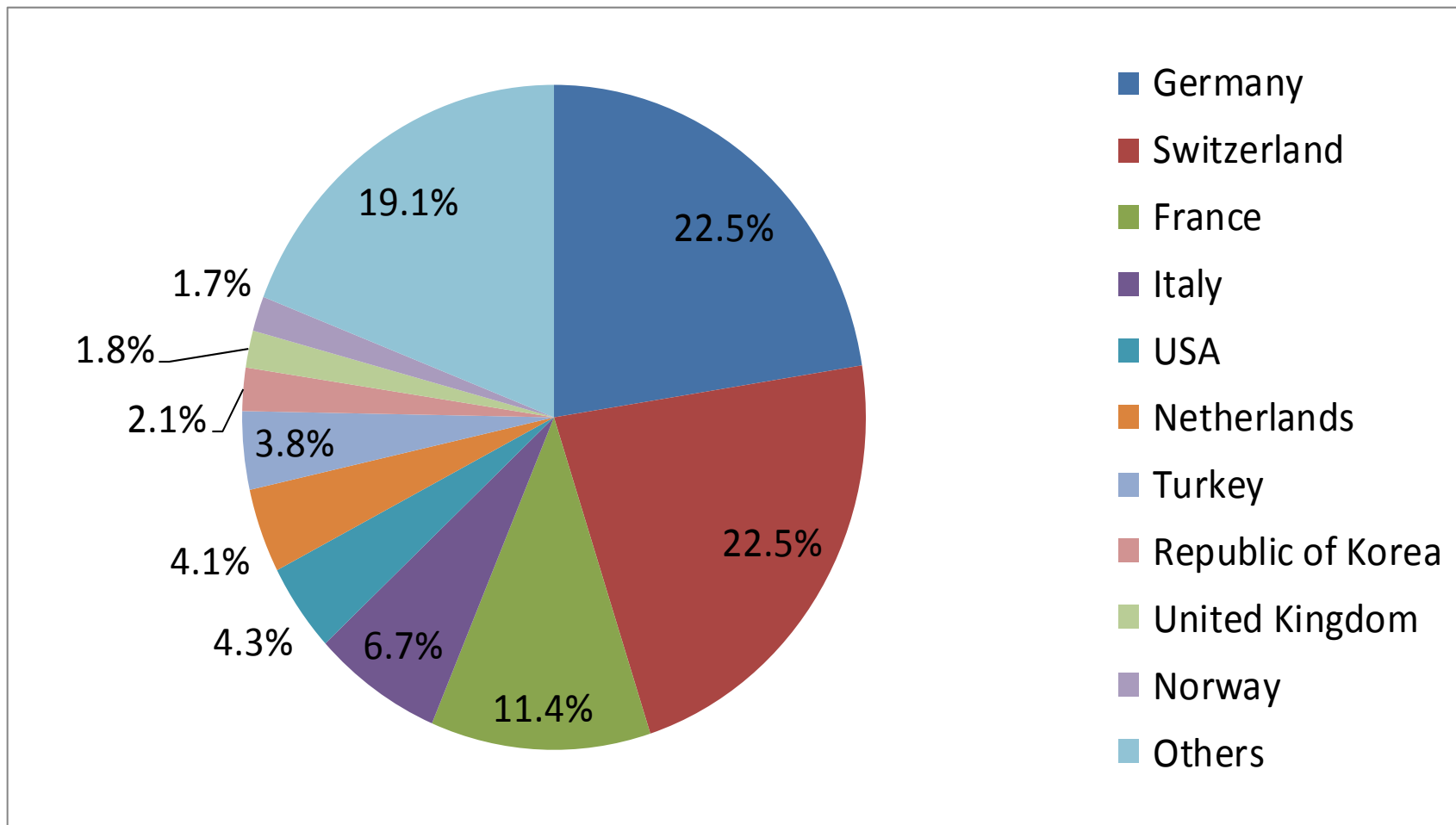


Madagascar

Most designated Contracting Parties in 2014 (international registrations)



2014: Top Filers of International Applications (country of address of the applicant)



2014: Five Most Popular classes in International Registrations



Class 10

Clocks and watches and other measuring instruments, checking and signaling instruments
275 registrations (10.2%)



Class 9

Packages and containers for the transport or handling of goods
240 registrations (8.9%)



Class 12

Means of transport or hoisting
238 registrations (8.8%)



Class 6

Furnishing
232 registrations (8.6%)



Class 14

Recording, communication or information retrieval equipment
160 registrations (5.9%)



Latest Developments and Upcoming Features

Latest Developments



New Hague Express Database since January 2015



Global Design Database launched in January 2015



Improvement of E-filing interface



Developments in the legal framework

E-Filing Platform

The E-filing platform includes the following features:

a WIPO User account

facilitated downloading of reproductions

real time checking of certain formalities

saving of applications in progress

fully integrated fee calculator













payment of fees by credit card

and much more...

E-Filing Portfolio Manager

WIPO reference

39014

-  Applicant(s)
-  Representative Correspondence
-  Designation(s)
-  Design(s)
- Related Design(s)
- Description
-  Creator(s)
-  Priority(ies)
-  Exhibition(s)
-  More Optional Contents
-  Publication
-  Signature
-  Payment/Validat.
- Summary
-  Return to e-filing manager

Information regarding data entry

Please continue on this page if you wish to register a new applicant. Otherwise, click on the next tab on the left.

Information concerning the applicant


Name and address

Name * Telephone

Address * Fax

Zip/Post code E-mail address

Town * Address of website

Country* 

(*) Compulsory

Entitlements **

Nationality 

Domicile 

Real and effective industrial or commercial establishment 



Habitual residence 

(**) Indicate at least one entitlement

Applicant's Contracting Party (ACP)

Applicant's Contracting Party 

Applicant(s) registered

Name	Address	Nat.	Dom.	Estab.	Res.	ACP	Act(s)	Actions
Yves Clozet	34 Ch. des Colombettes 1211 Lausanne Switzerland	BX		EM		EM	60/99	 

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 =

search ↗

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: List Sort: Count - desc




filter ▼

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edit columns ↔

10 per page

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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	

Coming Soon

Hague Office Portal (HOP)

It is foreseen the communications between the International Bureau and the Office of a Contracting Party will mainly take place electronically through the Hague Office Portal (HOP)

HOP is intended to serve as a main communication tool between the International Bureau and an Office throughout the life of an international registration, both before and after its publication in the International Designs Bulletin

Thank You!

Hague Customer Service

<mailto:hague.registry@wipo.int>

+41 022 338 7575