

Special Union for the International Deposit of Industrial Designs (Hague Union)

Assembly

Forty-Second (19th Extraordinary) Session
Geneva, July 14 to 22, 2022

REPORT

adopted by the Assembly

1. The Assembly was concerned with the following items of the Consolidated Agenda (document A/63/1): 1, 2, 3, 4, 6, 8, 10(ii), 11, 16, 19, 20, and 21.
2. The reports on the said items, with the exception of item 16, are contained in the General Report (document A/63/10).
3. The report on item 16 is contained in the present document.
4. Mr. David R. Gerk (United States of America), Chair of the Assembly, presided over the meeting.

ITEM 16 OF THE CONSOLIDATED AGENDA

HAGUE SYSTEM

5. The Chair welcomed two new Contracting Parties to the Hague Union Assembly since the last session in October 2021, namely China and Jamaica.
6. Discussions were based on document H/A/42/1.
7. The Secretariat explained that the document contained a proposal to amend Rules 21 and 26 of the Common Regulations Under the 1999 Act and the 1960 Act of the Hague Agreement (hereinafter referred to as the “Common Regulations”), as recommended by the Working Group on the Legal Development of the Hague System for the International Registration of Industrial Designs (hereinafter referred to as, respectively, the “Working Group” and the “Hague System”) at its tenth session held in December 2021. The proposed amendments would provide for the publication in the *International Designs Bulletin* of all up-to-date information concerning representatives, including subsequent changes taking place after the international registration. The Secretariat added that the Madrid Regulations already had the same mechanism regarding representatives. The Secretariat noted that the proposed date of entry into force of these amendments was April 1, 2023. Accordingly, the amendments would apply to appointments and cancellations of representatives, as well as changes in the name or address of representatives recorded on and after that date.
8. The Delegation of China stated that this was the first time that China participated in the Hague Union Assembly as a member, following its accession to the Hague Agreement, which had entered into force on May 5, 2022. The Delegation expressed its willingness to contribute positively to the development of the Hague System. The Delegation highlighted that, between the entry into force of China’s accession and July 1, 2022, Chinese users had already submitted 353 international applications, which demonstrated the enthusiasm of Chinese innovators in using or leveraging the potential of the Hague System to protect their innovations. The Delegation expressed its support for the proposed amendments emphasizing that those amendments were in the interest of users and Offices of Contracting Parties. The Delegation expressed its appreciation for the consistent improvement of the Hague System, and hoped that in the future the language expansion would be an important direction for further development to provide more accessibility to global users.
9. The Delegation of the Russian Federation expressed its support for the proposed amendments as they would make the Hague System more accessible and user friendly, and increase its effectiveness. The Delegation noted that each issue of the *International Designs Bulletin* should be considered as an update for all Offices concerning international registrations.
10. The Delegation of Spain appreciated the continuing legal development of the Hague System and expressed its support for the proposed amendments as they would provide more information and transparency regarding representatives recorded in the International Register. The Delegation believed that the elimination of administrative hurdles was a duty towards the users of the Hague System, also in view of the growing importance of designs. The proposed amendments would also safeguard the coherence of the Hague and Madrid Systems. The Delegation concluded by welcoming the new members to the Hague System.
11. The Delegation of China thanked the Chair, the Secretariat and the members for their congratulations on China’s accession, and reiterated that it considered the expansion of the language regime as an important development in the future.
12. The Representative of the Intellectual Property Latin American School (ELAPI) stated that since 1934, the Hague System aimed at providing a streamlined international design system.

The Representative noted that the Hague System had been supporting innovation, in conjunction with designs, referring to recent examples, such as Seacsub (for sea diving equipment) and TechSafe Industries (for noise-barrier walls). The Representative offered its academic cooperation to the Hague Union, especially to the members of the Group of Latin American and the Caribbean Countries (GRULAC), for further enhancement of the Hague System.

13. The Assembly of the Hague Union adopted the proposed amendments to Rules 21 and 26 of the Common Regulations, as set out in Annexes I and II to document H/A/42/1, with a date of entry into force of April 1, 2023.

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