

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

Ninth Session, Geneva, December 14 to 16, 2020

Opening Remarks by the Director General

Honorable Delegates,
Ladies and Gentlemen,

It is my honor and pleasure to welcome you to the ninth session of the Working Group on the Legal Development of the Hague System for the International Registration of Industrial Designs.

Like other meetings held by our organization this year, this meeting takes place under challenging circumstances, but your presence, whether physically or virtually, has meant that our work can continue. The virtual format has, in fact, allowed those who have never attended in the past to join, we welcome you and we have the highest participation ever to a Hague Working Group meeting. This once again shows your commitment and dedication to the work of this working group.

Beyond meetings, the pandemic has disrupted our operations, like many of you in the IP Offices who are attending with us today. Despite this, I am pleased to share with you that colleagues in the Hague Registry have been determined to bring the work of the Registry back to normal production levels. Like many of you, the pandemic has accelerated the move to digital communications, with 96 per cent of our notifications now sent via email. In this regard, I applaud the Hague Union Assembly for deciding just a couple of months ago to make the provision of an e-mail address a mandatory

requirement for new applicants, holders and representatives. This will allow us to communicate with each other in these difficult times.

Ladies and Gentlemen,

The largest ever participation for a meeting of this Working Group underscores the importance of designs for all Members. Designs, in particular, are accessible to individuals and SMEs in all parts of the world as it does not require the level of investments that the protection of some other types of IP need. Increasingly, designs are a product differentiator for enterprises, and have emerged as an engine of growth for cities and for countries.

For individual designers as well as companies who wish to capitalize on the power of design to leverage the ability to grow into international markets, the use of the Hague System is a key step in this process.

Take, for example, AKRAPOVIČ, a Slovenian company founded in 1990, which has grown from a small startup to become a leading supplier of high-end motorcycle components, selling its products in over 80 countries. A key competitive advantage of their products is their unique design, recognized by every motorcycle enthusiast. Akrapovic has registered more than 50 designs for its products through the Hague System.

This interest in designs is also reflected in the number of design filings around the world. In the recently launched 2020 edition of WIPO's World Intellectual Property Indicators, we shared that the number of industrial designs filed around the globe grew by 1.3 per cent in 2019, representing a 14th consecutive year of growth. Whilst this long positive trend is largely driven by the exponential growth of design filings in

China alone, it is nonetheless a testimony to the growing relevance of designs as a form of intellectual property rights across the globe. Good designs don't just make an impact within a country, but often appeal to consumers across borders and here is where the Hague System plays a critical role, with applications in 2019 increasing by 8 per cent in comparison to the previous year.

The pandemic has of course some impact on our filings. For this year, we have seen a decrease of 3 per cent versus an earlier growth projection of 7 per cent. However, we expect the filings to recover in 2021 if the COVID-19 situation improves and if a number of expected accessions do take place next year. In the meantime, the registration activity remains strong and the International Bureau has already recorded over 6,000 registrations in 2020, which is the first time that the 6,000 registrations milestone has been reached, and by year end, will also represent the highest annual registration total in the history of the Hague System.

While all these numbers are interesting, I want to emphasize that the Hague System only truly comes alive when it is embedded within a dynamic design ecosystem.

Let me share the example of Turkey. Turkey receives more than 40 thousand design applications each year, making it one of the top 10 countries in design applications. But beyond the numbers, what makes Turkey effective in its use of the Hague System is the creation of a dynamic Turkish design ecosystem. This is a holistic approach to designs and includes various stakeholders, from design centers to universities, from SMEs to individual designers. Public institutions also play a significant role in this ecosystem. The Turkish IP office, Turkpatent, serves as a bridge between the design community and public institutions, and is the Secretariat of the Turkish Design Council under the Ministry of Science and Technology.

This Design Council aims at creating a platform to develop national design strategies and to discuss and solve the challenges that Turkish designers face.

Turkey has around 400 design centers that benefit from tax incentives and design education which has a 40-year history. Currently, 34 universities offer design education at undergraduate, masters and doctorate level. Every year around 1,000 designers graduate from these centers and join the private sector. NGOs and associations are also part of this ecosystem, and the Turkish design community has close relations with international design organizations and associations, such as the World Design Organization (WDO), the International Council of Design (ico-D) and the International Federation of Interior Architects/Designers (IFI).

All these elements progressively add up to make Turkey an effective user of the Hague System, where designs come alive not just as design applications, but as a way for designers to be supported, for enterprises to use designs effectively to compete, and ultimately for Turkey's economic development and social vibrancy.

Turning to accessions, the Hague Union has gained some new members since the Working Group last met in Fall 2019. During the last session of the WIPO Assemblies, Viet Nam, Samoa and Israel deposited their instruments of accession to the Geneva Act (1999) and their accession entered into force during the New Year period. In addition, Mexico also deposited its instrument of accession to the 1999 Act earlier this year, being the first Spanish-speaking country in Latin America to join the Hague System. With those recent accessions, the Hague Union now comprises of 74 members, covering 91 national jurisdictions. Finally, Suriname upgraded its status from being a 1960 Act member to a 1999 Act

member, bringing us closer to the objective of having a Hague System that is governed by a single Act.

We are looking forward to many more countries joining the 1999 Act of the Hague System in the near future, and in particular, China, Laos, Belarus, Jamaica, Jordan, Kazakhstan, Madagascar, Morocco, Saint Vincent and the Grenadines, Trinidad and Tobago and the Eurasian Patent Organization as an international organization.

The recent and upcoming accessions will result in the expansion of the Hague System covering all geographical regions. Focused efforts will continue to support active usage and further increase membership to reinforce the Hague System's position as the preferred system for the international protection of industrial designs.

I welcome all new members, and members in waiting, and we will continue working with everyone to support accessions to the 1999 Act of the Hague Agreement.

During the course of 2018 and 2019, the Hague Registry started the iterative roll-out of several improvements to its online services offered to both holders and national and regional IP Offices, which are based on extensive and fundamental underlying back office core improvements. In addition to the underlying changes, Hague's eHague and eRenewal services were the first to integrate with WIPO's new ePay portal, and from a user perspective, a new eHague is about to be launched under the umbrella of the Global IP Portal, which we hope will offer greater functionality to Hague users and the start of self-service. Additional future new Hague online

functionalities and services are expected over the next few years, including ongoing enhanced customer interactions and new online services for IP Offices.

“Contact Hague”, an online communication channel for Hague customers and institutional stakeholders provides valuable data and customer feedback concerning Hague services. Improvements to the Hague Hotline introduced during the year have also improved the collection of data from you – all of these provide key inputs to the Hague Registry management – concerning customer concerns and expectations and allowing us to provide even better services.

In addition, outreach activities, in particular Hague promotion and training activities, are now taking place in virtual mode, leveraging on communication technologies to reinforce and multiply our engagement with customers and partnerships with IP Offices, civil societies and other stakeholders.

The improvement of services to Hague customers remains a top priority for us and we hope to have your continued feedback to improve what we are offering you, through our customer enquiry channels such as Contact Hague and the Hague hotline.

Distinguished delegates, Ladies and Gentlemen

During the course of this Working Group session, all of you will engage in discussions on possible improvements to the Hague System. Current members, as well as the new members from all regions of the world, are introducing greater diversity in the Hague System, which presents both a challenge and an opportunity. How can we – all the interested parties, the members, the users of the System and the International Bureau – ensure that the Hague System remains responsive to the

real needs of users in this new environment? This Working Group is an important forum for such reflection and discussion and action.

One of the issues that is alive before us is that of languages. In this regard, the Secretariat, in response to the request from this Group at its previous session, prepared two documents relating to the expansion of the language regime. However, we are cognizant of the views of Members that the hybrid format would not be conducive for the in-depth discussion that is needed for this issue. As such, it will not be placed on this session's agenda, but we remain prepared, when Members are ready, to take up the discussions again.

Be that as it may, the agenda of this Working Group remains full and I am pleased that other discussions are taking place to ensure the continued adaptation of the Hague System to users' needs.

As I mentioned earlier, the COVID-19 pandemic and the measures taken in connection with it have resulted in disruptions for users of the Hague System that are likely to continue for some time in different parts of the world. In order to address such difficulties in the future even more efficiently, the agenda includes a proposal to amend the Common Regulations regarding the excuse of delay in meeting time limits with a view to providing Hague System users with adequate safeguards, in particular in relation to *force majeure* events. Similar amendments to the Madrid and Lisbon Regulations have just been recommended for adoption by the respective Working Groups.

The agenda also includes proposals to make the System more attractive to users. To this end, the Working Group is invited to consider a proposal to extend the

standard publication period from six months to 12 months. The Secretariat is hopeful that this proposal can be considered favorably, given that this is the second time that it is on the agenda, and it has now received clear and strong support by user circles.

In conclusion, I urge all of you to make the most of your participation in this special session of the Working Group and to engage in the constructive discussions that you are leading, so that the Hague System continues to serve IP offices, designers and users well.

Lastly, let me once again wish you all the best for this week's discussions, and reiterate the commitment and support from my colleagues and I in the Secretariat to facilitate the important work that you are undertaking.

Since this is the last WIPO meeting of the year, let me on behalf of all colleagues here, wish everyone the best year-end holidays and for you, your family and colleagues to stay safe and healthy in order to be prepared for work next year.

Thank you.

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