

Eidgenössisches Institut für Geistiges Eigentum
Institut Fédéral de la Propriété Intellectuelle
Istituto Federale della Proprietà Intellettuale
Swiss Federal Institute of Intellectual Property

The Geneva Act – A Truly Global Route For Industrial Design Protection?

The Swiss Perspective

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Intellectual Property Protection in Switzerland

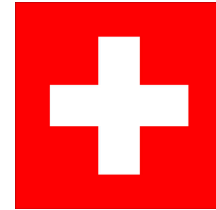
- n **1848** **Birth of modern Switzerland
(new Swiss Confederation)**
- n **1879** **first Federal Law on trade marks**
- n **1888** **first Federal Laws on patents and on industrial
designs**
- n **1888** **“Office of intellectual property“ opened
6 employees
budget: CHF 65'000 (USD 53'000)**
- n **1996** **Swiss Federal Institute of Intellectual Property**
- n **2006** **200 employees
budget: CHF 55m (USD 45m)**



Switzerland in the international context

- n **Member of EFTA, but not the EU**
- n **Situated in the centre of Europe**
- n **Export-oriented economy**





Switzerland and the Hague Agreement

- n **Joined in 1928**
- n **Member of all three versions**
- n **Among the first Contracting Parties to ratify the Geneva Act (2002)**



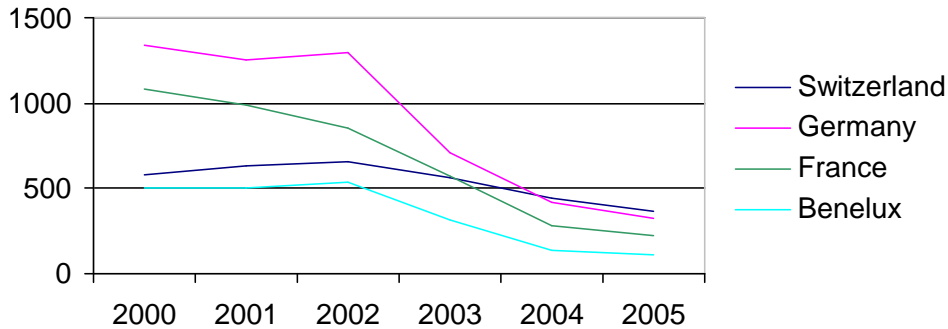
Advantages of the Hague Agreement

- n **Access to protection in a number of important economies**
- n **One Office (the International Bureau)**
- n **One language**
- n **One currency and a single set of fees**
- n **Uniform dates of renewal**
- n **Simplified management**



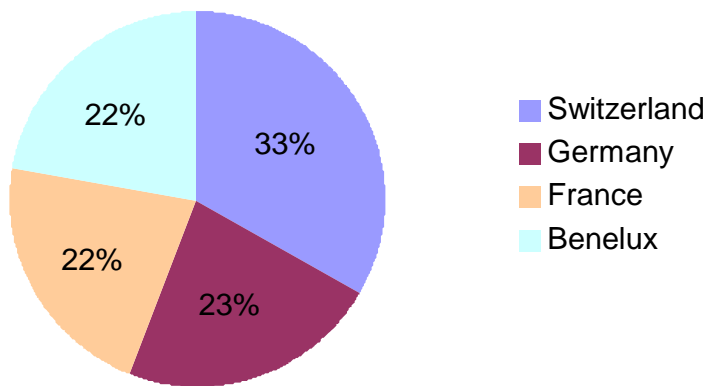
The importance of the Hague Agreement for Switzerland – and

**Number of deposits by country of origin,
2000 - 2005**



The importance of the Hague Agreement for Switzerland – and

Distribution of designations, 2005



Main motives to use the Hague system

- n **No alternative – there is only one way to obtain protection in a number of states with one application**
- n **Among the Contracting Parties are some of the most important export markets (Germany, France, Italy)**
- n **Simplicity of the registration procedure**



The Geneva Act – a step forward

- n **Sufficient flexibility for Contracting Parties with an examining office**
- n **No safeguard clause**
- n **Possibility for intergovernmental organisations to become members**



Some minor grievances of Swiss users

- n **No electronic filing**
- n **Older registrations not accessible in the electronic register**
- n **Parallel existence of three versions**
- n **A number of important countries are still not members (USA, Japan, South America)**



Conclusions and outlook

- n **The Hague Agreement offers a reasonably efficient way to obtain registration in multiple jurisdictions**
- n **With the establishment of a link between the international registration system and the European Union's Community Design (expected in 2007), the geographical scope will be greatly enlarged and the attractiveness of the system further enhanced**



Thank you for your attention!

**For questions and suggestions:
Please contact juerg.herren@ipi.ch**

