

# Industrial Designs Protection in Singapore

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# Overview

- Intellectual Property Office of Singapore
- Industrial Design Protection in Singapore
- International Protection of Designs
- Some observations

# Intellectual Property Office of Singapore

# Intellectual Property Office of Singapore (“IPOS”)

- National IP office in Singapore
- Ministry of Law

- Originally the Registry of Trade Marks and Patents
- Registration of United Kingdom Patents Ordinance 1937
- The Trade Marks Ordinance 1938 came into force in 1939 – Registry of Trade Marks and Patents established
- In 2001, became a Statutory Board under the Ministry of Law

## **IPOS administers the following IP legislation:**

- ⑩ Trade Marks Act
- ⑩ Patents Act
- ⑩ Registered Designs Act
- ⑩ Plant Varieties Protection Act
- ⑩ Copyright Act
- ⑩ Geographical Indications Act
- ⑩ Layout-Designs of Integrated Circuits Act

<http://statutes.agc.gov.sg>

# Industrial Design protection in Singapore

# History

- The United Kingdom Designs (Protection) Ordinance - Ordinance 17 of 1938
- Enacted on the 16th September 1938 as "An Act for the protection in Singapore of designs registered in the United Kingdom."



# Protection under the UK Designs (Protection) Act

- Requirement to register the design with the UK Designs Registry
- Once the design was registered in the UK, it was deemed registered in Singapore
- Same rights and privileges enjoyed in Singapore as in the UK
- No requirement for a re-registration of the United Kingdom registered design in Singapore

# TRIPS and the enactment of a new Designs Act

- UK Designs (Protection) Act fulfilled the requirements of TRIPS - not necessary to draft a new Registered Design Bill.
- In line with the modernisation of the rest of our intellectual property legislation, a new Registered Design Act was passed in the year 2000

# The Registered Designs Act 2000 ("RDA")

- Came into operation on 13 November 2000
- Repealed the United Kingdom Designs (Protection) Act and the registration scheme under that Act
- Move towards independent registration systems to promote local entrepreneurship
- Modelled upon UK legislation (with some differences)

# Registry of Designs

- The first Registry of Designs under the aegis of the Intellectual Property Office of Singapore (IPOS) was set up
- From 13th November 2000, any person who wished to protect his registered design in Singapore had to file an application for registration in Singapore instead of in the UK

# The Registered Designs Act 2000

- In conformity with Article 25 of the TRIPS Agreement.
- Provides for the protection of independently created designs that are new.
- Protection for maximum of 15 years
- Designs dictated essentially by technical or functional features not protected

# The Registered Designs Act 2000

- Formalities examination
- Maintains an electronic Register of Designs which contains particulars relating to registered designs in Singapore
  - **eDesigns on the IPOS website:**

**<http://www.ipos.gov.sg>**

Click on:



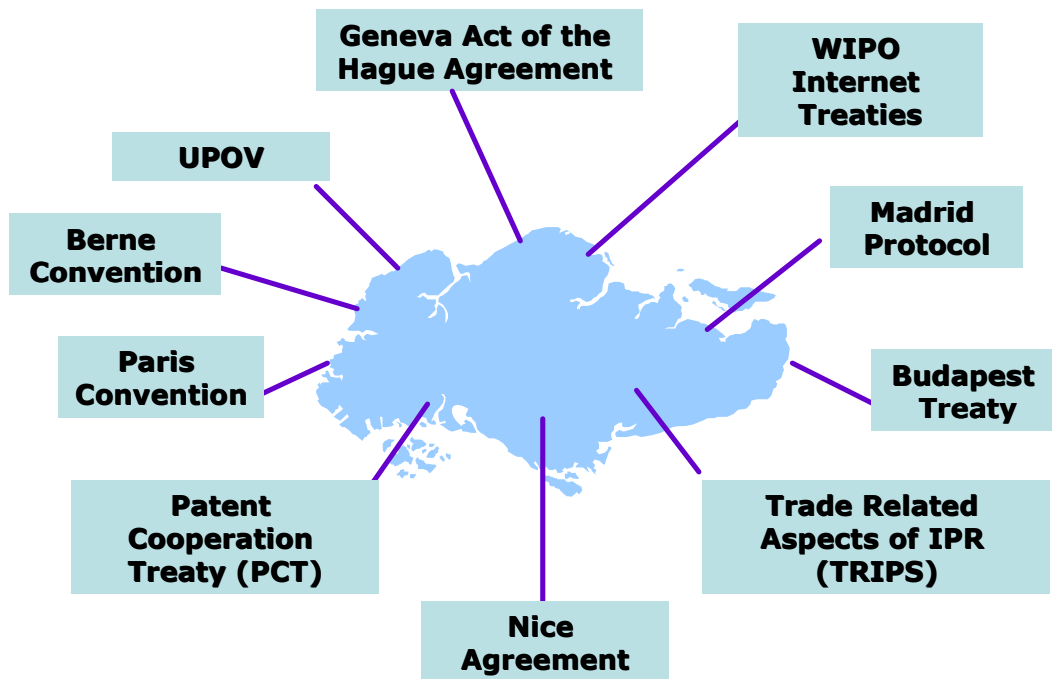
# Transitional Provisions

- Ensured that United Kingdom registered design owners who had registrations prior to this Act coming into force continued to enjoy the rights provided by new legislation.
- Although the term of protection was shortened to 15 years, this did not affect the owners of designs registered in the UK who continue to enjoy 25 years protection.

# International Protection of Designs



# Singapore's membership in major International IPR conventions & treaties



Fully TRIPS-compliant IPR legislative and administrative regime

# Accession to the Geneva Act

- Advice concerning the Act and the Common Regulations
- 2 experts from WIPO assisted in the training – Mr Denis Cohen and Mr Patrick Cartant
- Legislation drafted and declarations made to WIPO

# Accession to the Geneva Act

- Instrument of accession was deposited on 15 January 2005
- On 15 April 2005, Singapore became 17<sup>th</sup> country to accede to the 1999 Geneva Act

# Some observations

# Statistics from April – Dec 2005

## Designated state: Singapore

• Switzerland (CH)	<b>136</b>
• Spain (ES)	<b>1</b>
• Liechtenstein (LI)	<b>5</b>
• Romania (RO)	<b>1</b>
• Singapore (SG)	<b>1</b>
• Turkey (TR)	<b>1</b>
<b>Total</b>	<b>145</b>

 INTELLECTUAL PROPERTY OFFICE OF SINGAPORE <b>Country of Origin</b>		<i>Number of National Applications</i>	<i>Number of Hague Applications</i>
Singapore	(DOMESTIC FILINGS)	594	1
AR	Argentina		
AT	Austria		
AU	Australia	28	
BE	Belgium	5	
BG	Bulgaria		
BR	Brazil	3	
BX	Benelux		
CA	Canada	8	
CH	Switzerland	123	136
CN	China	10	
CZ	Czech Republic		
DE	Germany	122	
DK	Denmark	10	
ES	Spain	2	1
FI	Finland	61	
FR	France	78	
GB	United Kingdom	88	

GR	Greece		
HU	Hungary		
IE	Ireland		
IL	Israel		
IN	India	5	
IT	Italy	76	
JP	Japan	629	
KR	Republic of Korea	23	
LI	Liechtenstein	2	5
LU	Luxembourg		
MX	Mexico		
NL	Netherlands	125	
NO	Norway	13	
NZ	New Zealand	9	
PL	Poland		
PT	Portugal	4	
RO	Romania	0	1
RU	Russian Federation		
SE	Sweden	24	
SK	Slovakia		
TR	Turkey	0	1
US	United States of America	220	
ZA	South Africa	2	
XX	OTHERS	62	

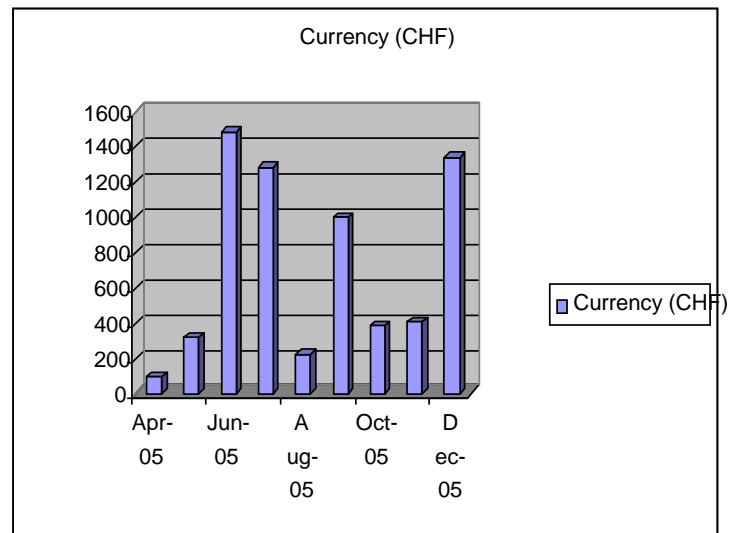
The information stated herein is confidential and is accurate as of 25 February 2007.  
 It is intended as a guide only and does not amount to legal advice.  
 Professional advice must be sought prior to acting on any matter contained within this presentation.

# Fees collected from Hague applications designating Singapore (April - Dec 05)

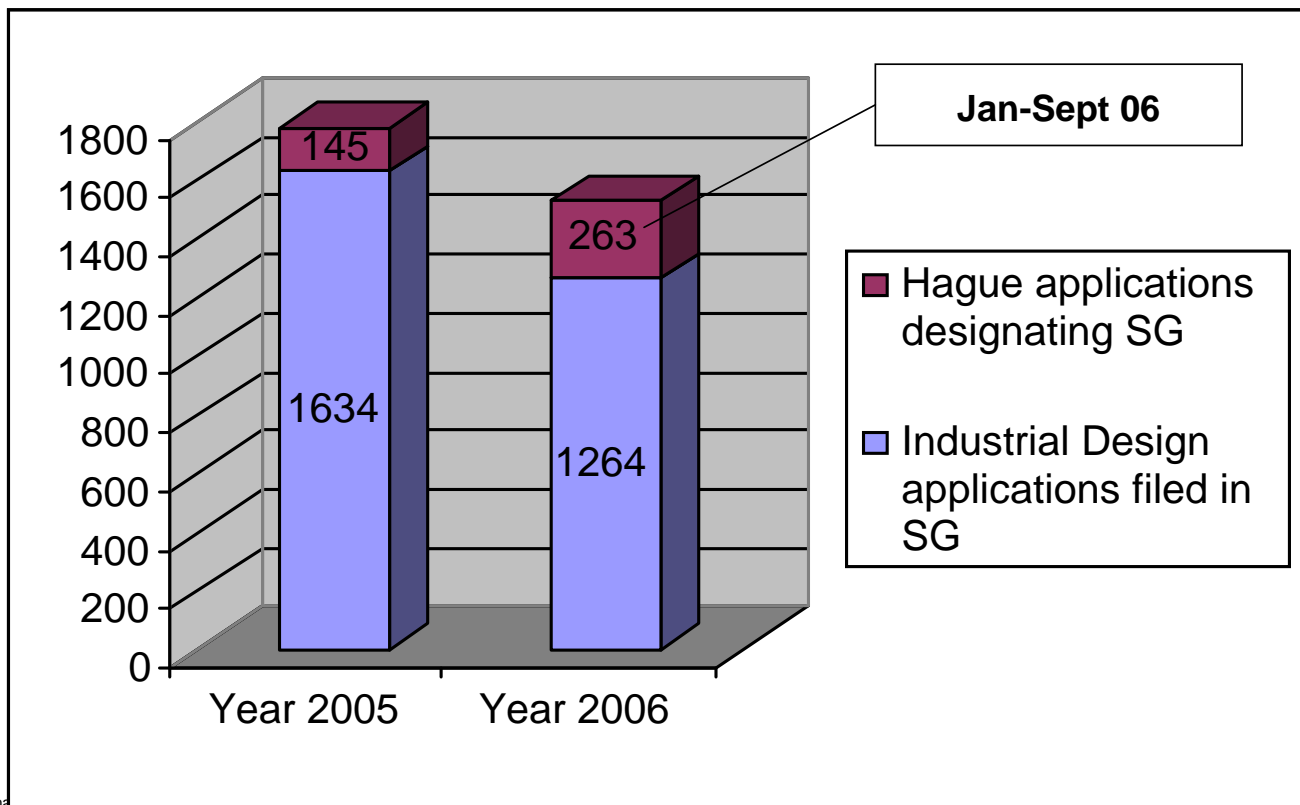
Currency (CHF)

Apr-05	96
May-05	322
Jun-05	1488
Jul-05	1286
Aug-05	226
Sep-05	1002
Oct-05	388
Nov-05	410
Dec-05	1338

6556



## Number of Singapore Design applications showing breakdown of applications filed in Singapore and Hague applications designating Singapore.





# Thank You