

**International Symposium on Industrial Designs  
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**GENEVA ACT**

**REAL PROTECTION INSTRUMENT OF  
INDUSTRIAL DESIGN**

**WORLD WIDE**

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# INDUSTRIAL DESIGN



## VISUAL APPEARANCE

### CHARACTERISTICS IN :

- shape
- Ornament



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# PROTECTION TOOLS



- **Industrial property protection**
  - Trademarks
  - Industrial design
- **Copyright protection as artistic works**

**Cumulative protection**



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# ECONOMIC SECTORS



- Handycraft industry
- Furniture
- agribusiness



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# EXEMPLES



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## **ADVANTAGE OF PROTECTION BY INDUSTRIEL DESIGNS**

- **Provide territorial protection**
- **Give a definite date of protection,**
- **Provide to applicant a simple presumption of right holder for the creation;**

## **ADVANTAGES OF PROTECTION**

- ⑩ Diffusion of the information next to public ( web, newspaper, ...)**
- ⑩ Strike against illegal copy**

# **NATIONAL SYSTEM OF INDUSTRIAL DESIGN LAW 17/97**

- **Registration system**
- **No examination**
- **Litigation submitted to commercial court**



# PROTECTION CONDITIONS

## Novelty

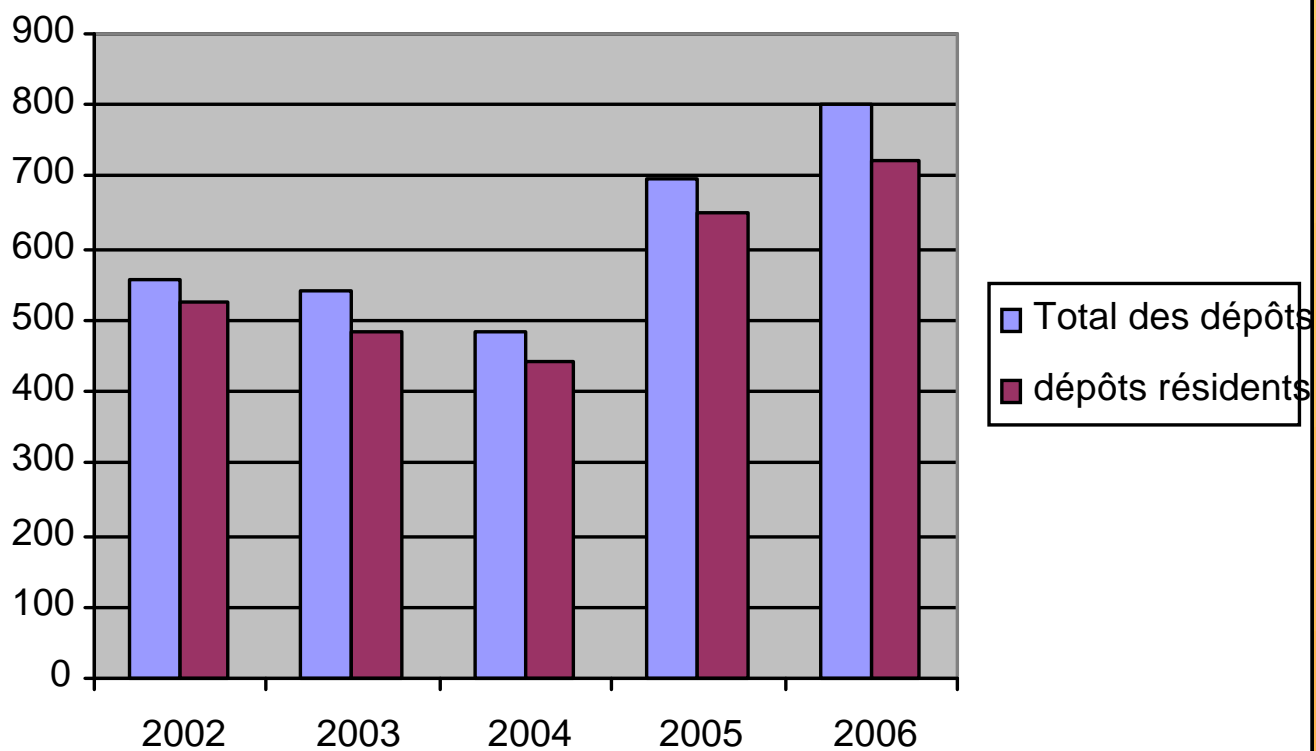
Industrial design should have novelty criteria

## Protection period

5 years renewable twice (total 15 years)

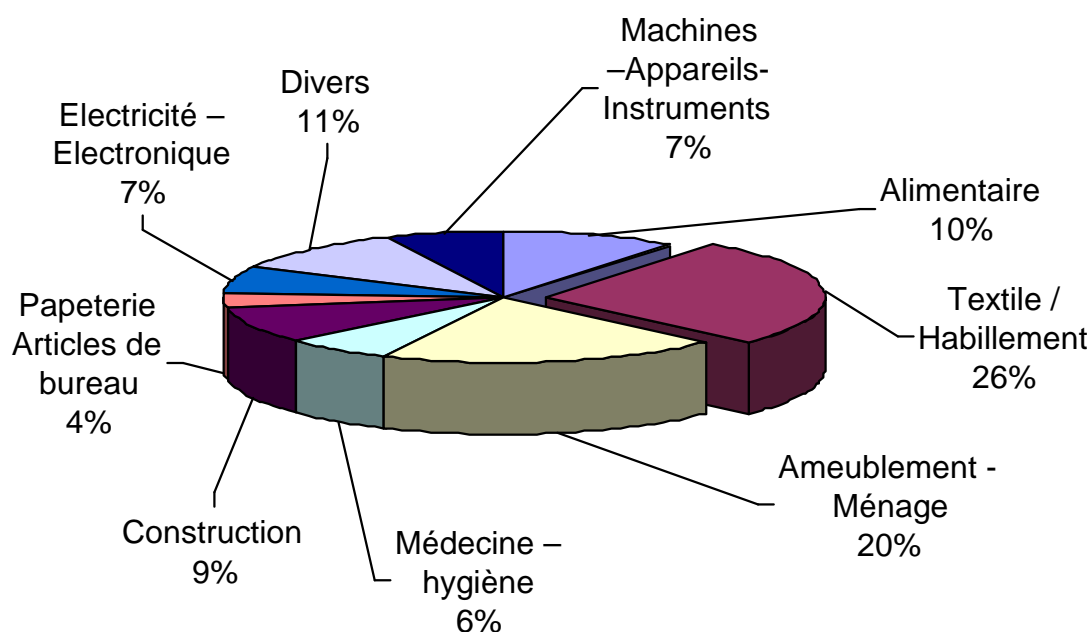
# STATISTICS

COMPARATIVE ANALYSIS



# STATISTICS

SECTORIAL ANALYSIS



**Predominance of : 1/ textile and clothing sectors  
2/ furniture and housekeeping sectors**

# Promotion of designs in Morocco

- **Program visits in national and international exhibitions (sectorial area)**
- **Organisation of several events:**
  - Workshops (Design protection),
  - Workshops (Design search),
  - National and regional séminars (national and international design protection)
- **Promotion of designs through Industrial property diagnosis service**

## PROMOTION OF DESIGNS

- Average increase of number of design applications between 2004 and 2006: **40%**
- Predominance of :
  - 1/ textile and clothing sectors
  - 2/ furniture and housekeeping sectors

# **INTERNATIONAL SYSTEM**

## **The Hague Agreement**

### **Entry into Force (Morocco)**

- **The London Act 1934 in 21/01/1941**
- **The Hague Act 1960 in 13/10/1999**

# **INTERNATIONAL SYSTEM**

## **The Hague Agreement**

### **OBJECTIVES**

- Offer to exporters international protection tool
- Stimulate creation
- Encourage export
- Optimize costs and save time

# **INTERNATIONAL SYSTEM**

## **The Hague Agreement**

### **Advantages**

- **The protection can be obtained by minimum fees and minimum formalities**
- **The possibility to apply 100 designs in the same application (same object).**
- **It's not obligatory to deposit several applications in several countries**



# **OMPIC HELP DESK**

- **Do search**
- **Assist applicant to file and to accomplish formalities**

# **Why to adopt a new act?**

**The number of countries members to the Hague Agreement is low**

**1999 act has a double objective :**

** To expand the Hague system to others members,**

** To maintain its fundamental simplicity**

** To set a linkage between international system and regional system**

# **GENEVA ACT**

- **Was adopted on 23<sup>rd</sup> of december 2003**
- **29 countries signed the act**

# GENEVA ACT

## NOVELTIES

- **Extend the refusal delay from 6 to 12 months**
- **Possibility to ask publication adjournment during 30 months starting from application date**
- **Modification in fees (individual designation fees for the countries having examination system)**
- **Give a possibility to inter governmental organization to join the new system**

# **GENEVA ACT**

**several advantages and several contributions in the new act**



**Morocco is studying the opportunity to be member of the Geneva Act**