



The Hague System – A Route to Global Branding

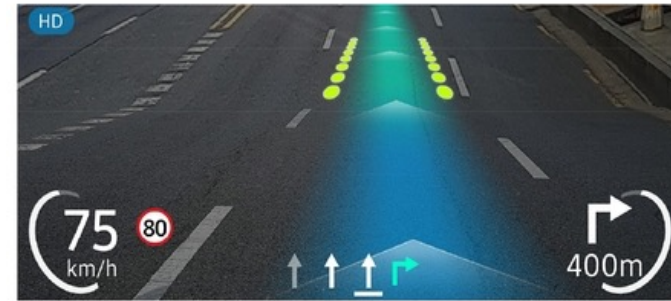
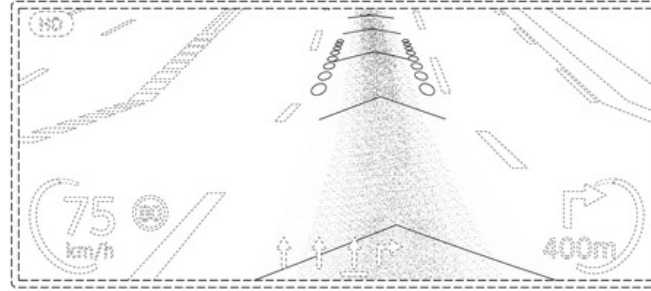
Jonah Asher
Coordinator
Hague Development and Promotion Section
The Hague Registry
World Intellectual Property Organization

Online
September 21, 2022

Outline

- 1. Legal framework
- 2. Roles of WIPO and Offices
- 3. Features and advantages
- 4. Useful resources before filing
- 5. How to file your application
- 6. Making payments
- 7. Examination of your application
- 8. Managing your registrations
- 9. Statistics
- 10. How to find help


| What is a design?



| Why protect your designs?



| What is the Hague System?



**The Hague System provides a
unique international mechanism for
securing and managing design
rights simultaneously in multiple
jurisdictions, including:**

Nine out of ten of the
world's top economic
markets

(2020 World Bank rankings)

The
whole of
Europe

And
many
more

Who can use the Hague System?



Nationals of...



Anyone with a domicile or
habitual residence in...



Anyone with a real and
effective industrial or
commercial establishment in...

...any Hague System member (referred
to as “contracting party”), including any
country of the European Union (EU) or
the African Intellectual Property
Organization (OAPI).

| 1. Legal framework

Legal framework

WIPO:

- Hague Agreement
- Common Regulations
- Administrative Instructions

Contracting parties:

- Conditions of protection
- Refusal procedures
- Rights resulting from protection

Legal framework

■ The Geneva Act (1999)

- Article 5 (Contents of the IA), Article 7 (Designation Fees)
- Article 8 (Correction of Irregularities)

■ The Common Regulations

- Chapter 2 (International Applications and International Registrations)

■ The Administrative Instructions

- Part Three: Requirements concerning Names and Addresses
- Part Four: Requirements concerning Reproductions and Other Elements of the IA

https://www.wipo.int/hague/en/legal_texts/

Hague System Members



77 Contracting Parties
94 countries

Recent accessions to the Geneva Act (1999)

-  **Morocco** (July 22, 2022)
-  **China** (May 5, 2022)
-  **Jamaica** (February 10, 2022)
-  **Belarus** (July 19, 2021)
-  **Suriname** (September 10, 2020)
-  **Mexico** (June 6, 2020)
-  **Israel** (January 3, 2020)
-  **Samoa** (January 2, 2020)

2. Roles of WIPO and Offices

WIPO's Role

- Formality examination of applications
 - Applicants are notified of any irregularities, which must be corrected within three months
- Recording in the International Register
- Issuance of the certificate of international registration
- Publication in the International Designs Bulletin (which is notification to designated Contracting Parties)
- Notification to holder of international registration of any refusal by a designated CP

Role of the Office of the Designated Contracting Party

■ Substantive examination*

- Refusal can only be made on substantive grounds
 - must be communicated to WIPO within a six/12-month time limit
 - does not affect protection in other designated CPs
 - can be overcome by the holder at the IP office concerned

*Optional – and if undertaken, must follow the same regime as that applied to domestic applications

If No Refusal – The holder obtains a bundle of independent national/regional rights in all designated Contracting Parties.

| 3. Features and advantages



Efficient



Economical



Easy



Efficient

CENTRALIZED MANAGEMENT

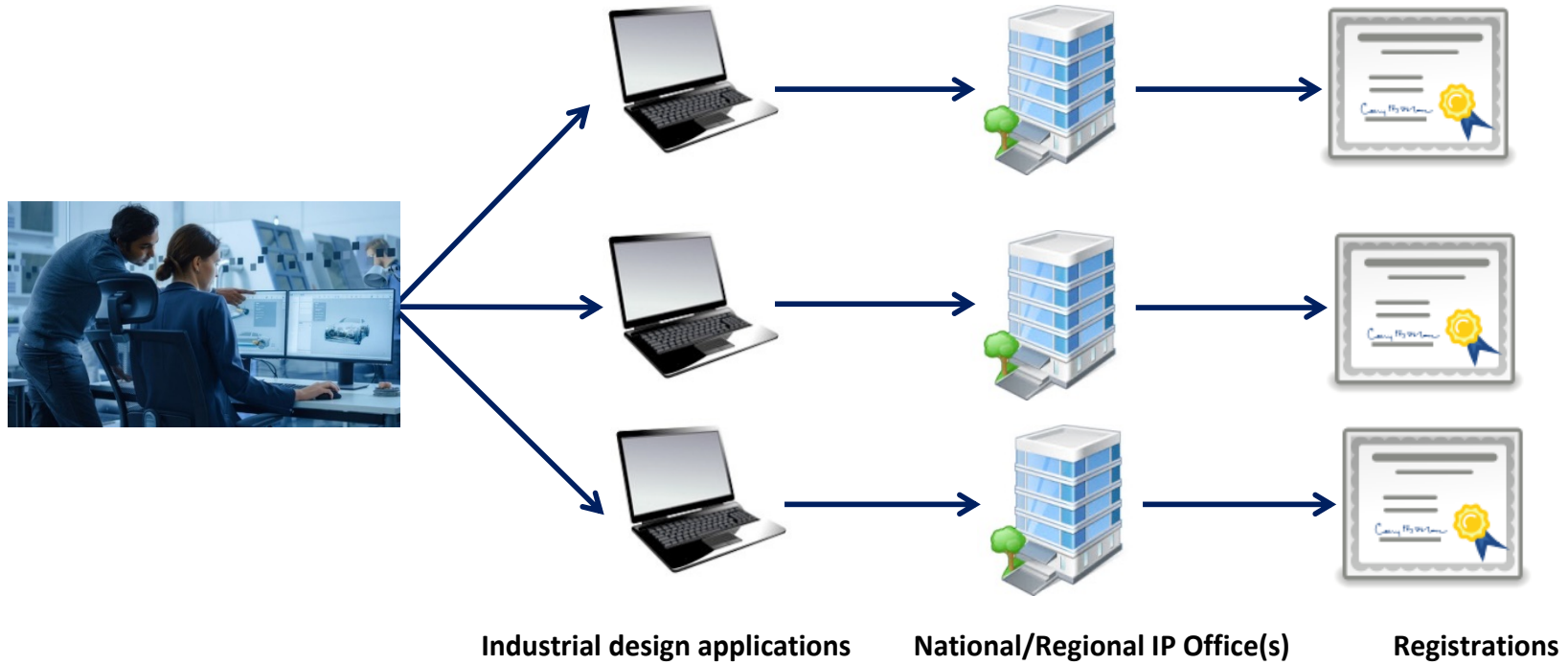
ONE

- International application
- Application language
- Set of fees in a single currency
- Modification request

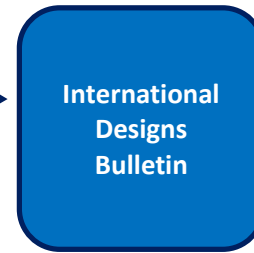
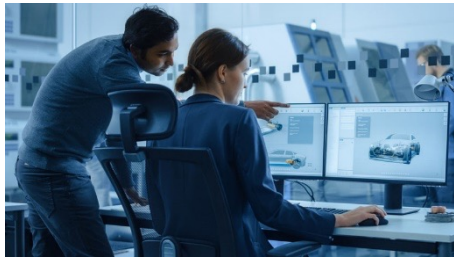
UP TO 100

- Designs in the same Locarno classification in one application









Industrial design application

International registration

National/Regional IP Office(s)

Duration of protection

Five years

The initial period of protection under the Hague System is five years.

Renew twice or more

The quickest way to renew your registration is through eHague.

15 years or more

The Hague System guarantees at least 15 years of protection. If the domestic law of designated contracting parties allows for a longer term of protection, your international registration will also benefit!



Economical

- EM – European Union
- GB – United Kingdom
- US – United States of America
- JP – Japan
- CH – Switzerland

➤ 1 design, 7 reproductions



DOMESTIC NATIONAL / REGIONAL APPLICATION FEES	<u>Swiss francs</u>	HAGUE SYSTEM INTERNATIONAL APPLICATION FEE	<u>Swiss francs</u>
Total	2,637	Total (Savings)	2,277 (14%)

Costs for foreign attorney/agent at the time of filing are avoided!



Easy

eHague lets you file any time, anywhere

Built-in checks integrate mandatory filing requirements

Electronic notifications throughout the process

Manage your registrations quickly and simply online

| 4. Useful resources before filing

Interactive Tools

Easily accessible from the IP Portal

Hague System Member Profiles

Hague System Fee Calculator

International Designs Bulletin

Hague Express

Global Design Database

Reference Resources

Easily accessible from the Hague System website

Hague Guide for Users

Guidance on Reproductions

Guidance on Multiple Designs

Hague System Questions & Answers

| 5. How to file your application

Using Form DM/1

DM/1 (E)



APPLICATION FOR INTERNATIONAL REGISTRATION

IMPORTANT

We strongly recommend that you file your international application online using [eHague](#).

Warning: When using form DM/1, an extra publication fee of 150 Swiss francs applies per additional page of reproductions.

If using this form:

1. All fields are **mandatory** unless indicated otherwise.
2. You must complete this form electronically; WIPO cannot accept handwritten forms.
3. Please avoid printing and scanning this form. Upload the completed and signed form directly to WIPO through [Contact Hague](#).
4. One international application may contain **up to 100 designs** in the same class of the [Locarno Classification](#).
5. **Reproductions** must be prepared according to [standard requirements](#).
6. **Security clearance** is required by certain domestic laws:
 - designs created in the **Russian Federation**, by **Russian legal entities or nationals**, are subject to a security clearance procedure by the [national Office](#) to ensure that they do not contain state secrets; and

DM/1 (E)



APPLICATION FOR INTERNATIONAL REGISTRATION

For use by the applicant

Reference (*optional*):

Number of continuation sheets (*if any*):

This international application is accompanied by the following Annex(es):

☐ I ☐ II ☐ III ☐ IV ☐ V

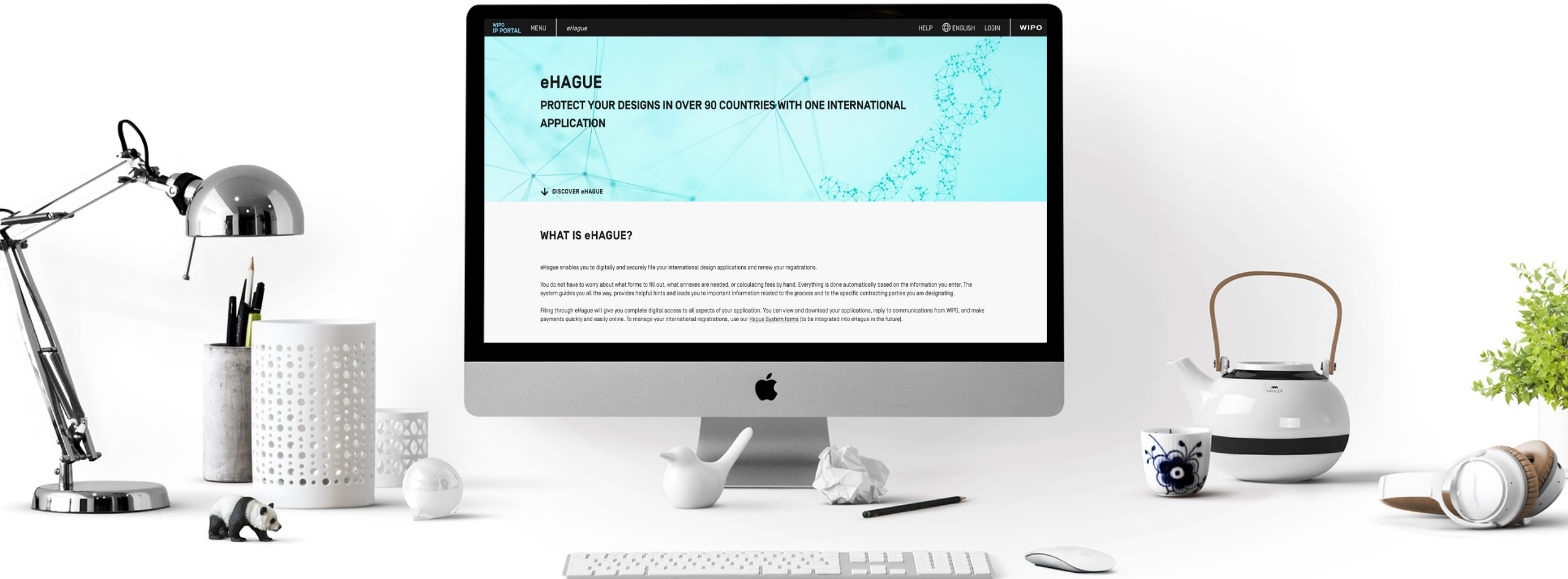
For use by the Office of indirect filing

Office transmitting the international application (*if applicable*):

Name of the Office:

Office reference:

eHague – an easier way!



Benefits of using eHague

- Built-in checks
- WIPO account authentication
- Electronic notifications
- Reply to communication from WIPO online
- Online payments

What are you looking for?



CLOSE

PATENTS >

TRADEMARKS >

DESIGNS >

GEOGRAPHICAL INDICATIONS >

DIGITAL EVIDENCE >

ASSISTANCE PROGRAMS >

MEDIATION AND ARBITRATION >

DOMAIN NAME DISPUTE RESOLUTION >

PAYMENTS >

Search >

File & Manage >

Pay >

IP Offices >

Statistics >

eHague

File and manage international applications to protect your designs and renew your international design registrations under the Hague System.

Hague System Forms

Access all official forms used under the Hague System.

Fee Calculator

Estimate the fees for filing an international application or the renewal of your international registration under the Hague System.

Hague System Member Profiles

Access information on the practices and procedures of Hague System members.

Digital Access Service [DAS] for Applicants

Register and manage priority documents for secure electronic exchange.

Contact Hague

Raise any queries about the Hague System, request certified copies or priority documents, submit [non-confidential] documents.

Discover the new version of the
WIPO IP Portal 

**WIPO Lex**

Free of charge access to legal information on intellectual property [IP].

WIPO Academy

The center of excellence for intellectual property [IP] education and training for WIPO member states.

eHAGUE SERVICES

FILE

Smartly file an application online anytime, anywhere.

Get started

RENEW

Renew your registration the easy way.

Get started

MANAGE REPRESENTATIVE

Appoint or cancel a representative

Get started

MY WORKBENCH

Open my workbench

Get started

File – create new applications, view draft or submitted applications, and reply to communication from WIPO.

Renew – access the renewal interface to renew registrations (no login is required).

NEW! – appoint or cancel a representative and change the contact details of an existing representative.

NEW! – view the status of your requests.

eHague filing interface

EHAGUE

New

Filed application[s]

Draft[s] (75)

eHague communication

eHague tutorial

Application language*

The application language determines notably the language of the registration certificate.

☒ New application

☐ New application using data from a filed application

☐ New application from a draft

Warning

It is a requirement under the law of the United States of America that, for designs created in the United States of America, the applicant first obtains a license from the United States Patent and Trademark Office [USPTO] before filing outside of the United States of America.

It is a requirement under the law of the Russian Federation that designs created in the Russian Federation by Russian legal entities or nationals are subject to a security clearance procedure by the Federal Service for Intellectual Property [ROSPATENT] to ensure that the designs do not contain state secrets.

Confirm

A gateway that allows you to **digitally** and **securely** file your international design applications and renew your registrations.

Intuitive – integrates mandatory requirements.

Automatic fee calculation.

Provides helpful hints.

Leads you to **important** and **relevant** information.


Built-in checks

APPLICANT DESIGNATION DESIGN RELATED DESIGN DESCRIPTION **CREATOR CLAIM** PRIORITY EXHIBITION OPTIONAL CONTENT **PUBLICATION** SIGNATURE

WIPO REFERENCE 89920

APPLICATION LANGUAGE : **EN** [INFO](#)

Close Summary **Payment/Validat.**




Tip: If any required fields are missing you cannot proceed to submit your application.

APPLICANT DESIGNATION DESIGN RELATED DESIGN DESCRIPTION CREATOR **CLAIM** PRIORITY EXHIBITION OPTIONAL CONTENT PUBLICATION SIGNATURE

WIPO REFERENCE 89920

APPLICATION LANGUAGE : **EN** [INFO](#)

Close Summary **Payment/Validat.**



Tip: Once all required items are completed, the Payment/Validation button is active.

Communicating with WIPO about your application

REPLY FOR WIPO3968 / REQUEST 967334101 - LETTER 9673343

Subject: Reply for notification concerning application WIPO3968 / 967334101

Reply

Clear

Document(s) attached [PDF only]

Select a type of document:
Power of attorney

▼

Upload PDF

Add document [.pdf]

Reproduction(s) [jpg or tif only]

Design No.

Repro. No.

Type of view

▼

Upload reproductions

Upload

Cancel

Submit your reply

Tip: You can reply to a communication from WIPO in eHague. Your reply can include free text, submission of additional documents, or you can upload new reproductions.

| 6. Making payments

Payment

REDUCTION OF US INDIVIDUAL DESIGNATION FEE

Undiscounted (default)

BREAKDOWN OF FEES, IN SWISS FRANCS (CHF)

International registration basic fee	397.00
Level 1 Standard designation fee (TR) (1 x 42.00)	42.00
Level 2 Standard designation fee (MA) (1 x 60.00)	60.00
Level 3 Standard designation fee (IS) (1 x 90.00)	90.00
Individual designation fee (CA) (1 x 300.00)	300.00
Individual designation fee (JP) (1 x 665.00)	665.00
Individual designation fee (KR) (1 x 210.00)	210.00
Part 1 of 2 of Individual Designation Fee (Undiscounted) (US)	908.00
Publication of reproductions (8 x 17.00)	136.00
Total	2808.00

PAYMENT OF FEES

Please enter the following one-time reference **EPAY-IWBR-SEBL** to retrieve your payment details after accessing our payment portal: <https://www3.wipo.int/epayweb2/>.

When paying through the payment portal you will receive a payment basket reference beginning with EPMT – please note and save this reference or your payment confirmation for any related support.

You will find further details on the available payment methods at: <http://www.wipo.int/finance/en/hague.html>.

- If you choose to return to your workbench, when you are ready to pay download your Acknowledgement of Receipt and note the one-time reference indicated in the “Payment of Fees” section (highlighted in the image to the left).
- Go to our payment portal to proceed with payment:

<https://www3.wipo.int/epayweb2>

Payment

PAYMENT DETAILS

Your WIPO account is currently associated to the customer **144054 WIPO** for billing purposes, if this is incorrect please [contact us](#).

Payment method

Bank transfer

Credit card

Current Account at WIPO

PayPal

Total amount due **CHF 995.00**

Go back

Continue

- Choose your payment method and click "Continue"

Payment

EPMT-IRDN-3V97

PAYMENT DETAILS

Beneficiary	WIPO/OMPI
IBAN	CH51 0483 5048 7080 8100 0
SWIFT/BIC	CRESCHZZ80A
Bank	Credit Suisse, 1211 Geneva 70, Switzerland
Reference	EPMT-IRDN-3V97

BASKET

Payment subject	Fee for Hague electronic filing
Amount	524.00 CHF
Payment method	Bank transfer
Date (dd/mm/yyyy)	20/05/2020

PAYMENT ITEMS

Payment number	Item	Description	Amount
EPAY-IRDL-PGOH	HAG/WIPO4810		524.00 CHF

Please include the reference EPMT-IRDN-3V97 on the transfer order.

The International Bureau of WIPO will send an acknowledgement of receipt to the person or entity effecting a payment to a WIPO bank account within 10 days from such receipt. If the aforementioned acknowledgement is not received within the said period, please inform the International Bureau of WIPO.

[Contact Us](#)

Important! You will receive a confirmation email from **noreply.hague@wipo.int** upon successful payment.

| 7. Examination of your application

Examination by the International Bureau

- Formal examination by the International Bureau (formalities+ examination)
 - Practice notes
 - Informal case review with Offices
- Issuance of irregularity letter in case of defect
- Time limit of **3 months** to file response

Examination by the International Bureau

Formal examination



Recording in the International Register



Sending the certificate to the holder



Publication in the International Designs Bulletin (IDB)



Notification to members through the publication in the IDB

Irregularities

■ What is an irregularity?

- > The international application (IA) fails to fulfill applicable requirements after a formality examination by the International Bureau.
- > Two types: those that **postpone the filing date** and those which do not.

■ What are the timelines?

- > An irregularity notification is issued during examination
- > A reply must be made within three months from the notification date

Common defects in Hague applications

Oath not signed or mismatch between name and signature

Product indication is vague or not precise

Fees unpaid

Micro-entity declaration not signed

Mismatch between product indication and claim (soft check by IB)

Reproduction quality / reproduction not upright

Explanatory text or legends in reproductions

Number of designs

The article is not shown alone

Irregularities that postpone the filing date

The international application is not in a prescribed language

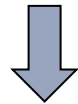
An express or implicit indication that international registration under the 1999 or 1960 Acts is sought is missing

Information related to the identity of the Applicant is missing

Insufficient contact details to enable the applicant or its representative to be contacted

There are no reproductions in the international application

There are no designated Contracting Parties in the international application



The filing date is the date on which the correction was received.

Observations

The examiner may notify the Applicant of observations.

Observations do not always require an action from the Applicant or Representative (if any)



Example:

The description will read as follows: *In figures 2.1 to 2.7 the dashed lines represent features which form no part of the design and are not claimed.*

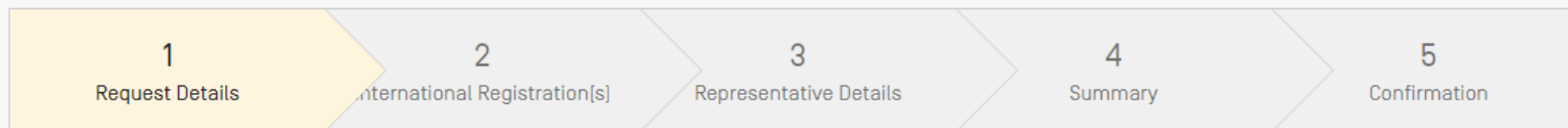
| 8. Managing your registrations

What can you manage online?

- ✓ **Application (DM/1)**
- ✓ **Renewal (DM/4)**
- ✓ **Appoint a representative (DM/7)**
- ✓ **Change representative name and/or address (DM/8)**
- ✓ **Cancel a representative (DM/9)**



MANAGEMENT OF REPRESENTATIVE



REQUEST DETAILS

You may use this form to appoint a Representative to act on your behalf to manage your International Registration before the International Bureau (WIPO); request a recording of a change in the contact details (including name or address) of the Representative already recorded in the International Register; or to cancel a Representative.

A single form may be used by the Holder to request the Appointment, or the cancellation of a Representative for multiple International Registrations provided that all registrations listed are recorded in the name of the Holder making the request. A single form may also be used by a Representative to request a change in contact details, or to cancel the Appointment of a Representative for multiple International Registrations provided all registrations listed are recorded in the name of the Representative making the request.

I am *

- ☒ The recorded Holder
☐ The recorded Representative

My request concerns *

- ☐ The Appointment or Replacement of a representative
☐ A change of name and/or contact details of an existing representative
☐ The cancellation of a representative

[Next](#)

eHague Workbench

MY WORKBENCH

All

Applications

Changes

IB Reference ↕	Request Type	Processing Status	Submission Date ▾	Registration Number[s]	Actions
<input type="text"/> <input type="button" value="🔍"/>	<input type="text"/> <input type="button" value="▼"/>	<input type="text"/> <input type="button" value="▼"/>	<input type="text" value="dd/mm/yyyy"/> <input type="button" value="📅"/>	<input type="text"/> <input type="button" value="🔍"/>	
970135609	Appointment of Representative	PROCESSING	17 May 2022	DM/200001	<input type="button" value="View"/>

<<<

<

1

>

>>>

10 ▾

eHague Renewal

International designs E-Renewal System

Please enter your **International Registration Number (IRN)**:

(for example: 123456, 123456A) *

SUBMIT

This application enables you to **renew** the international registration. Please follow instructions provided on each screen.

Online payment of the renewal fee, either by WIPO Current Account or by credit card, is made on last screen.

In order to pay by WIPO Current Account, you will need to provide the **username** and **password** that WIPO provided you when you opened the Current Account. **The username and password are the same as those your company uses to consult its WIPO Current Account (please contact your company's Finance department).**

[RSS](#) | [Contact us](#) | [Terms of use](#)

What can't you manage online?



Change in ownership (DM/2)



Coming Soon!



Limitation (DM/3)



Renunciation (DM/5)



Change in holder name/address (DM 6)

How to manage with forms

- Where can I find them?

<https://www.wipo.int/hague/en/forms/>

- How do I fill them out?

<https://www.wipo.int/hague/en/forms/instructions.html>

How to manage with forms



Important! Forms must be completed **electronically**. WIPO cannot accept handwritten forms!



Sending your forms to WIPO

WIPO
IP PORTAL

MENU

Hague Document Upload

HELPTEST ACCOUNT



WIPO

[Home](#) › [IP Services](#) › [Hague System](#) › [Hague Document Upload](#)

Submit Documents to WIPO

Upload a form

Select user type

☐ Natural person

☐ Legal entity

Email address

Email address

Confirm email address*

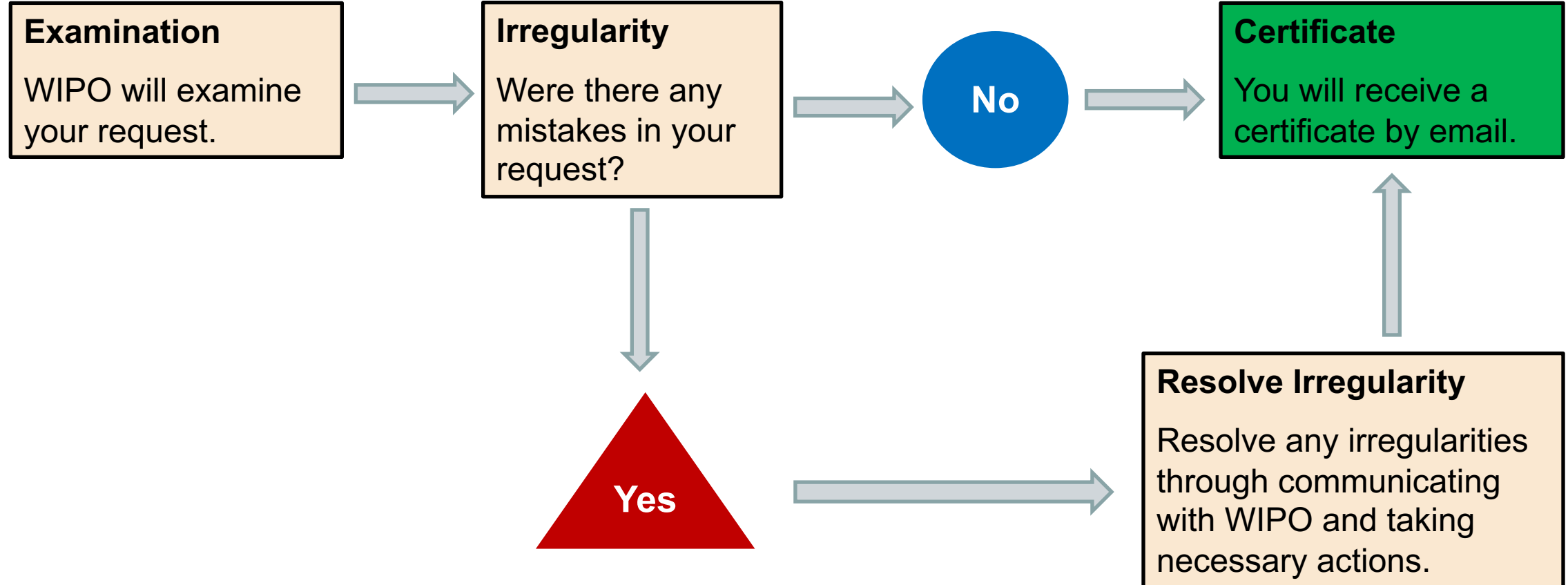
Send separate email confirmations for each form submitted. ☐

Submit

Important! Use the **Hauge Document Upload** service. **Do not** send by email! You need to log in with your **WIPO account** to use the Hague Document Upload.

Instructions: <https://www3.wipo.int/contact/en/hague/hdu-help.html>

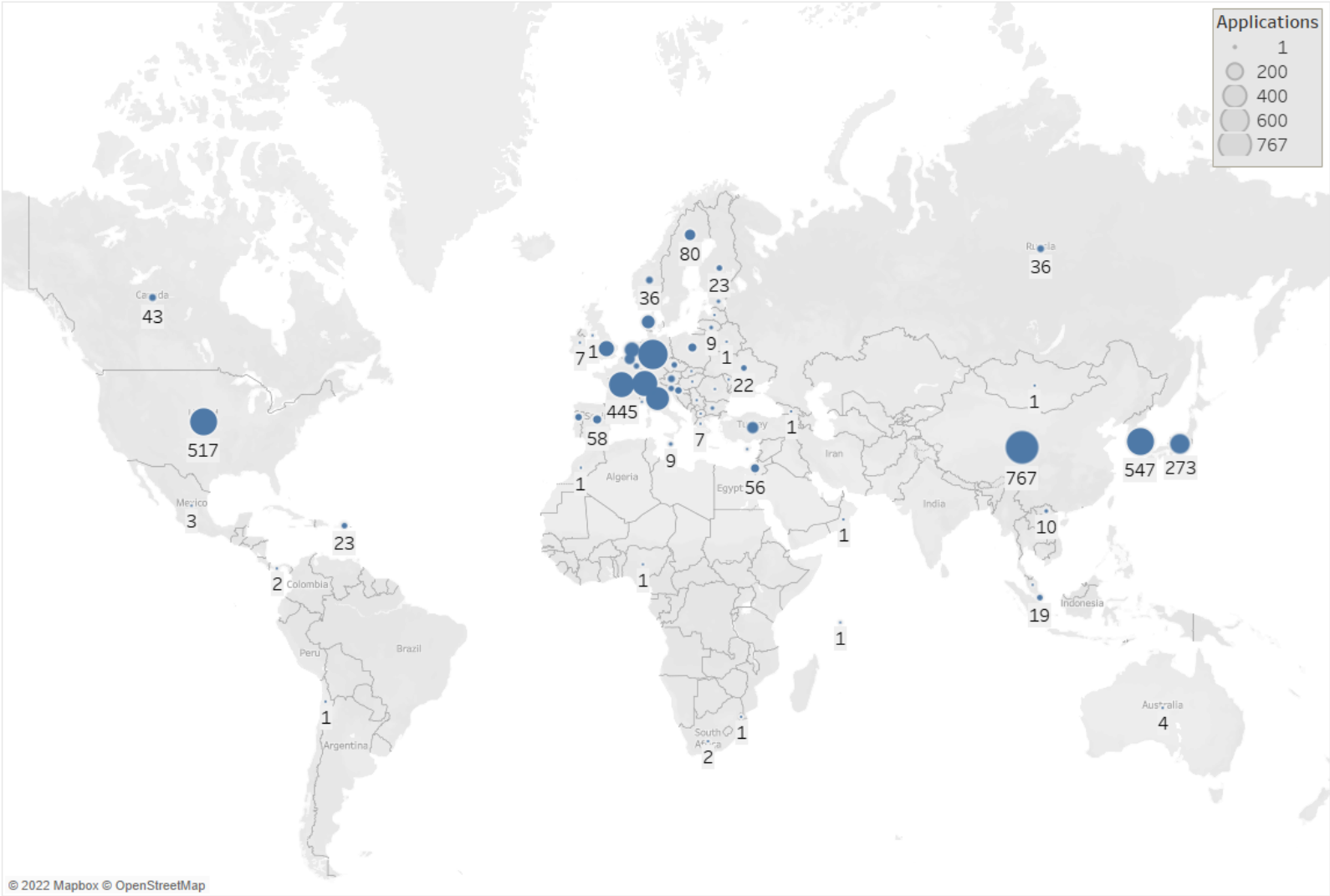
Processing modification requests



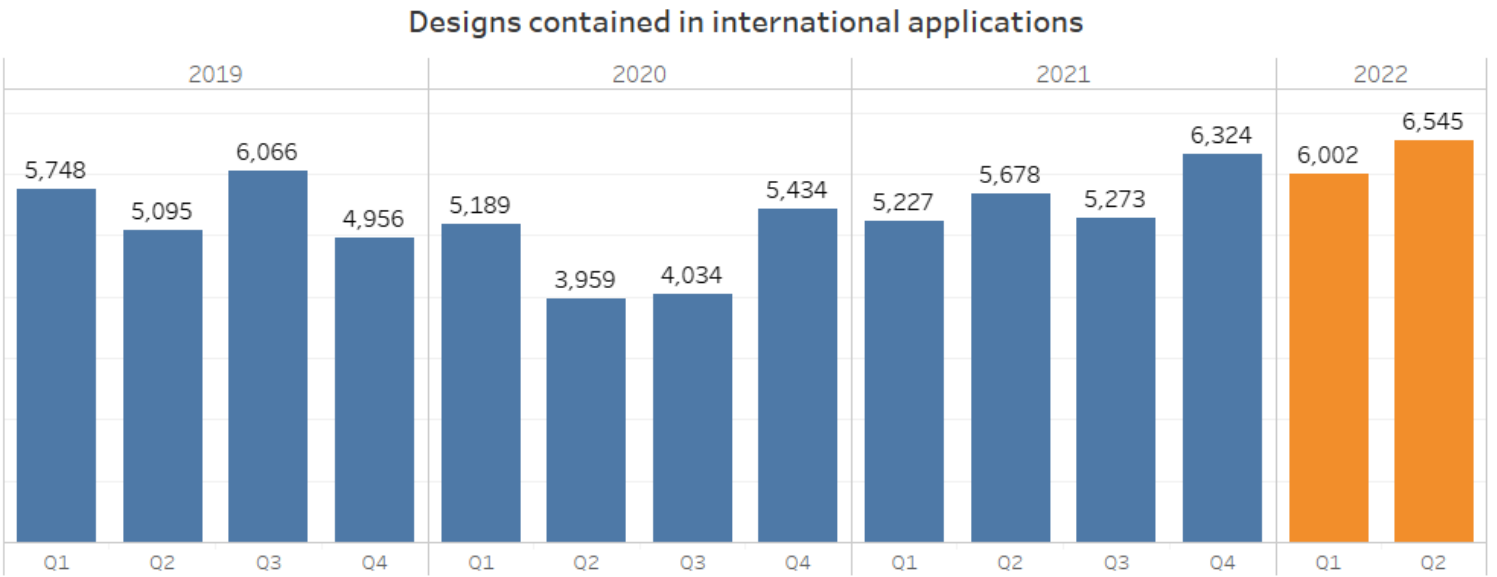
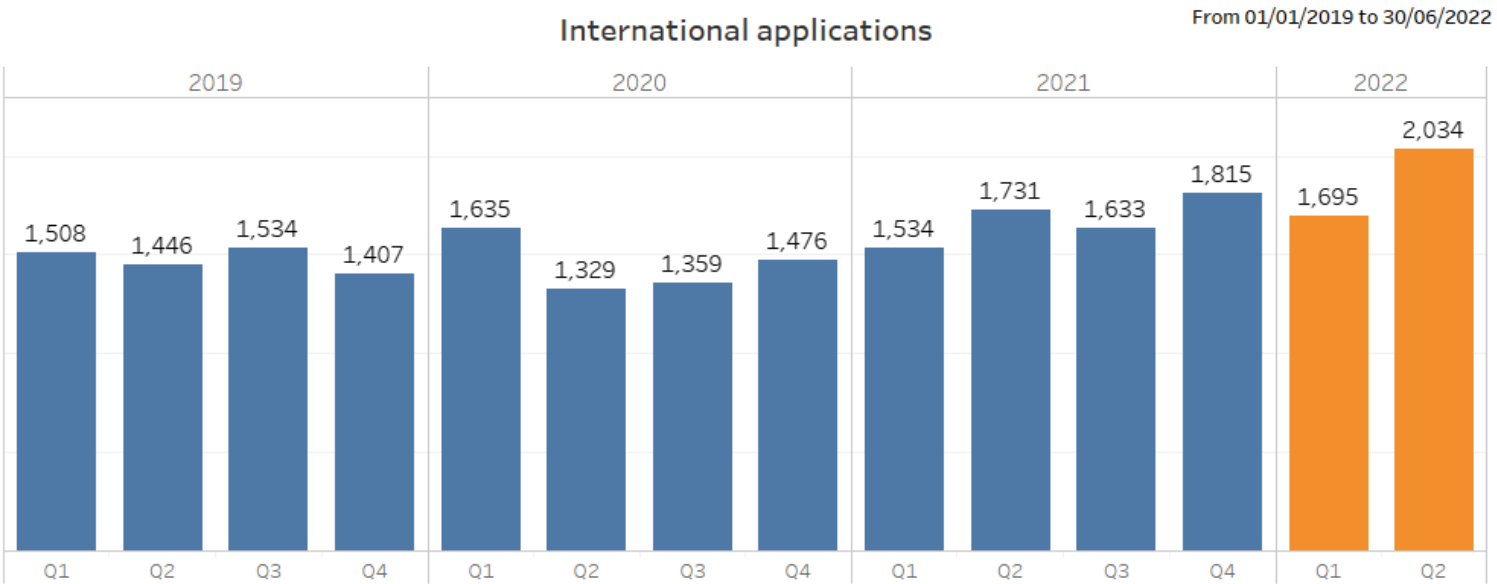
| 9. Statistics

Global Hague System statistics (applications)

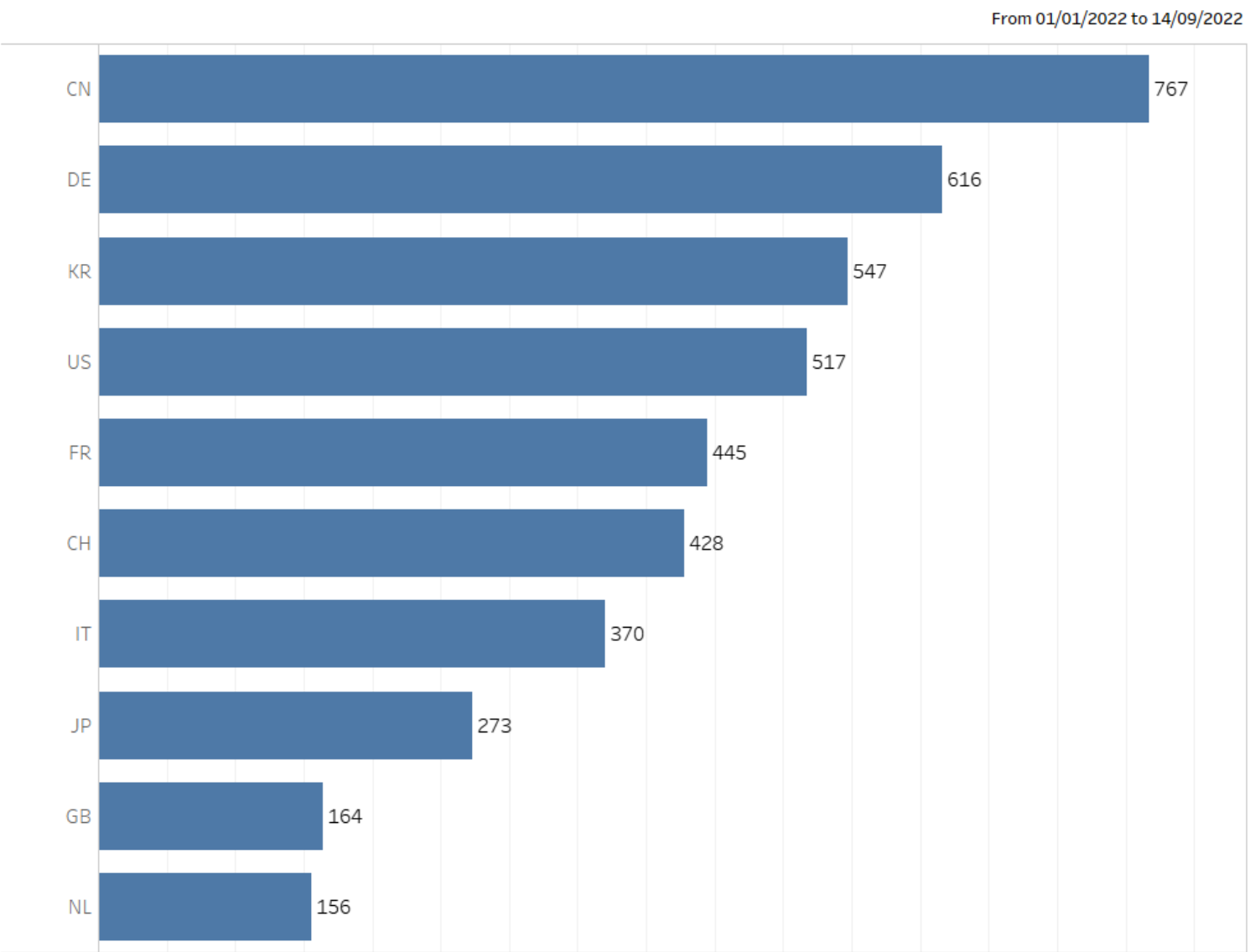
From 01/01/2022 to 14/09/2022



Application trend



Where did applications from in 2022?



*Application count by country of the holder

Top 10 applicants in 2022

Applicants by number of applications

From 01/01/2022 to 14/09/2022

Applicants	Applications	Designs
LG ELECTRONICS INC	154	282
SAMSUNG ELECTRONICS CO, LTD	109	302
BEIJING XIAOMI MOBILE SOFTWARE	96	214
PSA AUTOMOBILES SA	66	99
LG DISPLAY CO, LTD	62	62
HERMES SELLIER	57	156
HYUNDAI MOTOR COMPANY	54	54
CARTIER INTERNATIONAL AG	54	95
FERRARI SPA	49	186
KONINKLIJKE PHILIPS NV	48	456

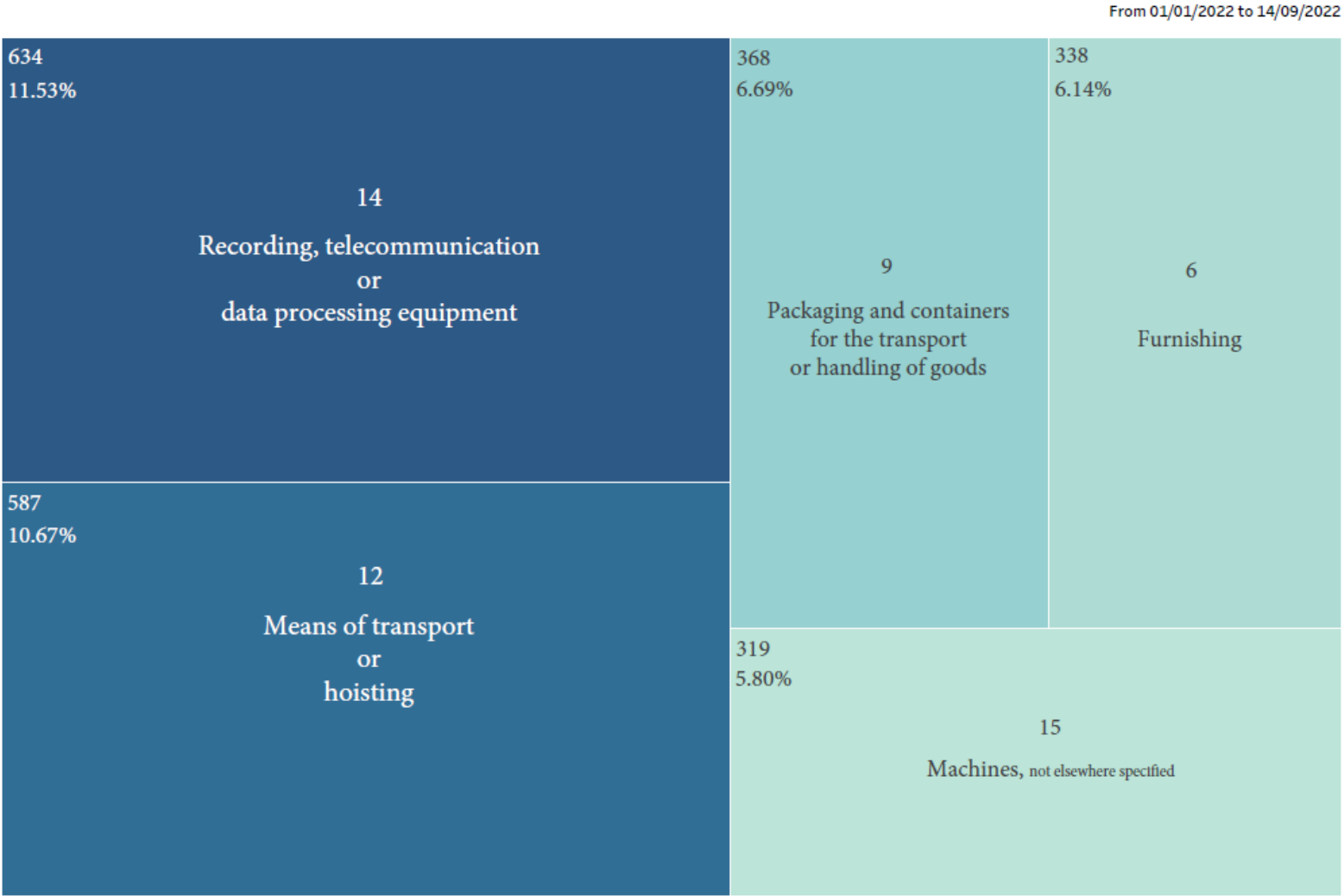
*Based on applications received

Applicants by design count

Applicants	Applications	Designs
THE PROCTER & GAMBLE COMPANY	39	459
KONINKLIJKE PHILIPS NV	48	456
I PALEOHORINOS FOTISTIKA ABEE	6	408
SAMSUNG ELECTRONICS CO, LTD	109	302
LG ELECTRONICS INC	154	282
WENKO-WENSELAAR GMBH & CO KG	18	274
BEIJING XIAOMI MOBILE SOFTWARE	96	214
DR ING HC F PORSCHE AKTIENGESELLSCHAFT	34	189
FERRARI SPA	49	186
THOMAS SABO GMBH & CO KG	6	182

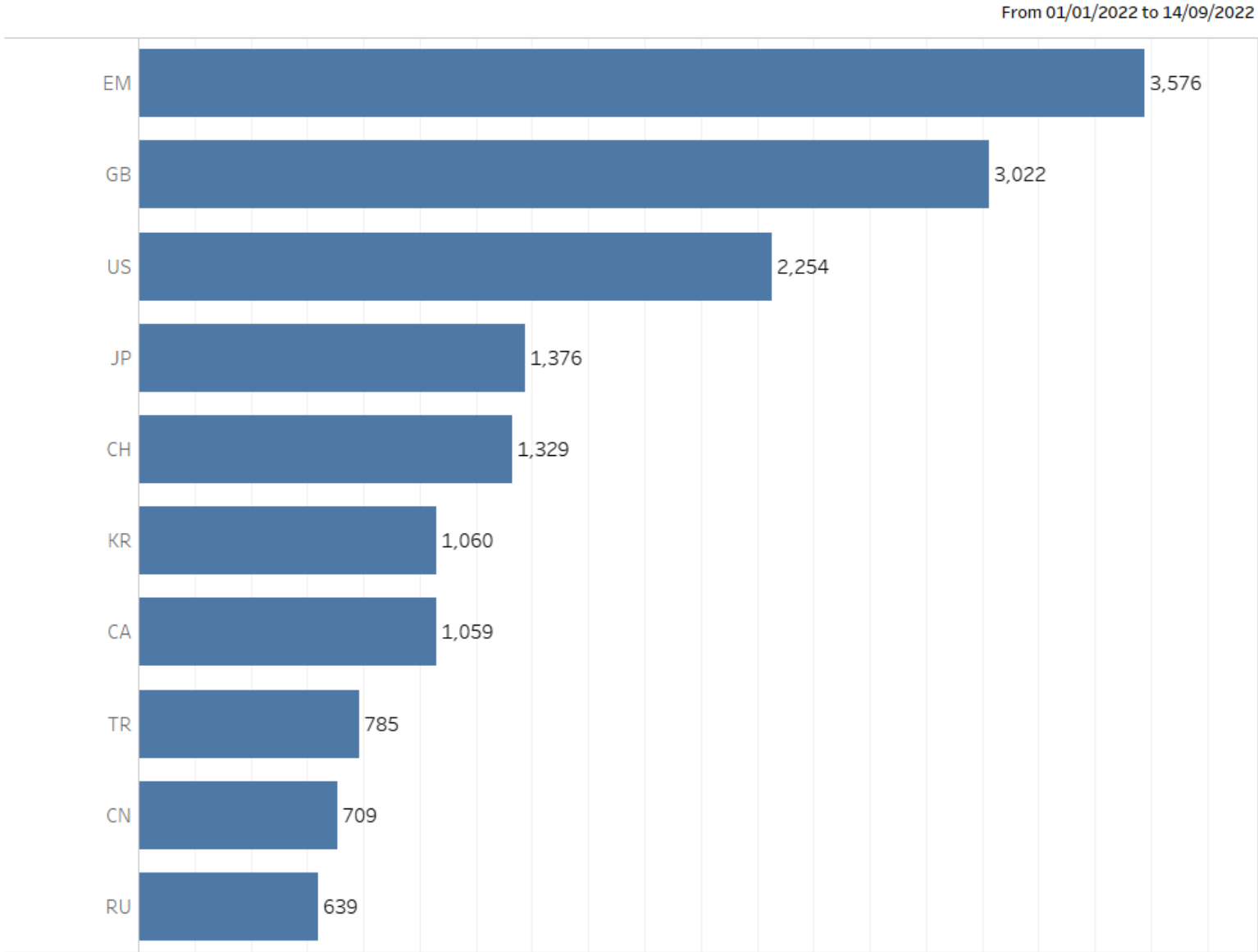
*Based on design count in applications received

Top five classes in 2022



*Based on applications received

Top ten designations in 2022



*Application count by designated Contracting Party

| 10. How to find help

eHague Tutorial

eHague – Filing Tutorial

(Latest revision: May 2022)

This tutorial walks you through the steps involved in filing an international design application online. [Get started](#) to provide feedback or report issues, please [Contact Us](#).

eHague – Filing demo

Try our [eHague filing demo](#) to create a test version of an international design application from start to finish. Note: You cannot access the demo version of eHague without a WIPO Account. You need to create a 'dummy' WIPO Account, using details as follows:

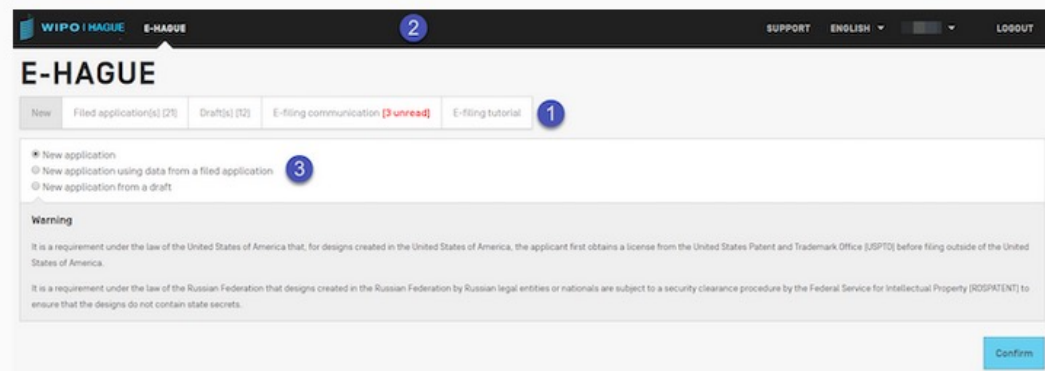
- from the demo login page, click on Create WIPO Account below the login fields;
- complete the form and follow the instructions to validate the email address;
- log in to the demo version of eHague using your dummy account details.

Important! Do not submit any confidential data, documents or ~~your~~ payment information.

Complete your application at your own pace

Your applications are automatically stored and saved in real-time. That means you can always come back and complete them later on.

General features



(1) Manage your applications

Using the three tabs at the top of the main dialog box, you can create new applications (*File*), view applications already sent (*Filed applications*), or edit and manage unfinished applications that have been saved (*Drafts*).

The features of the three tabs are described in detail in the following section.

eHague Demo Version

WIPO
IP PORTAL

MENU

eHague

HELP

ENGLISH

LOGIN

WIPO

EHAGUE

New

Filed application(s)

Draft(s)

eHague communication

eHague tutorial

Application language*

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☒ New application

☐ New application using data from a filed application

☐ New application from a draft

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Confirm

Customer Service – Contact Hague

Assisting you throughout the lifecycle of your international design applications and registrations

*Contact Hague*HELP  ENGLISH

Contact Hague

I am: *

an international design registration applicant, holder or representative

User type: *

natural person

My request concerns: *

application

Hague Customer Service

- **Tel:** +41 22 338 7575 (Monday to Friday – 9:00-18:00 Central European Time CET)

WIPO official holidays

Want to send us documents?

Access [Hague System Document Upload](#) using your WIPO Account. [Upload instructions](#).



Thank you!

WIPO | HAGUE
The International
Design System