EUIPO
EUROPEAN UNION
INTELLECTUAL PROPERTY OFFICE

# EUIPO GUIDELINES ON DESIGNS

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# Outline of the presentation

1. General overview of the EUIPO´s Guidelines
2. Revision of the EUIPO´s Guidelines
3. Design Guidelines

# 1. General overview of the EUIPO´s Guidelines

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## What are the Guidelines?

**A unique source of reference on the EUIPO's practice**

# EUTM

European Union Trade Marks

~1650 pages

# RCD

Registered Community Designs

~ 450 pages

Daily Practice

Case-law of the EUIPO's first instance

Regulations

Case-law of the EUIPO's Boards of Appeal

Convergence Projects

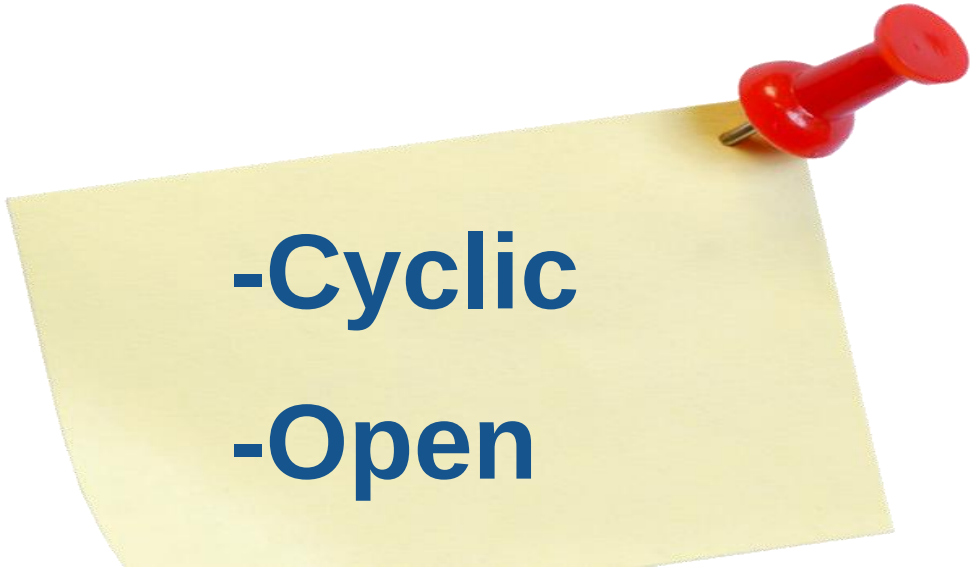
Case-law of the Court of Justice of the European Union

Professional representatives

Owners

Examiners

# 2. Revision of the EUIPO´s Guidelines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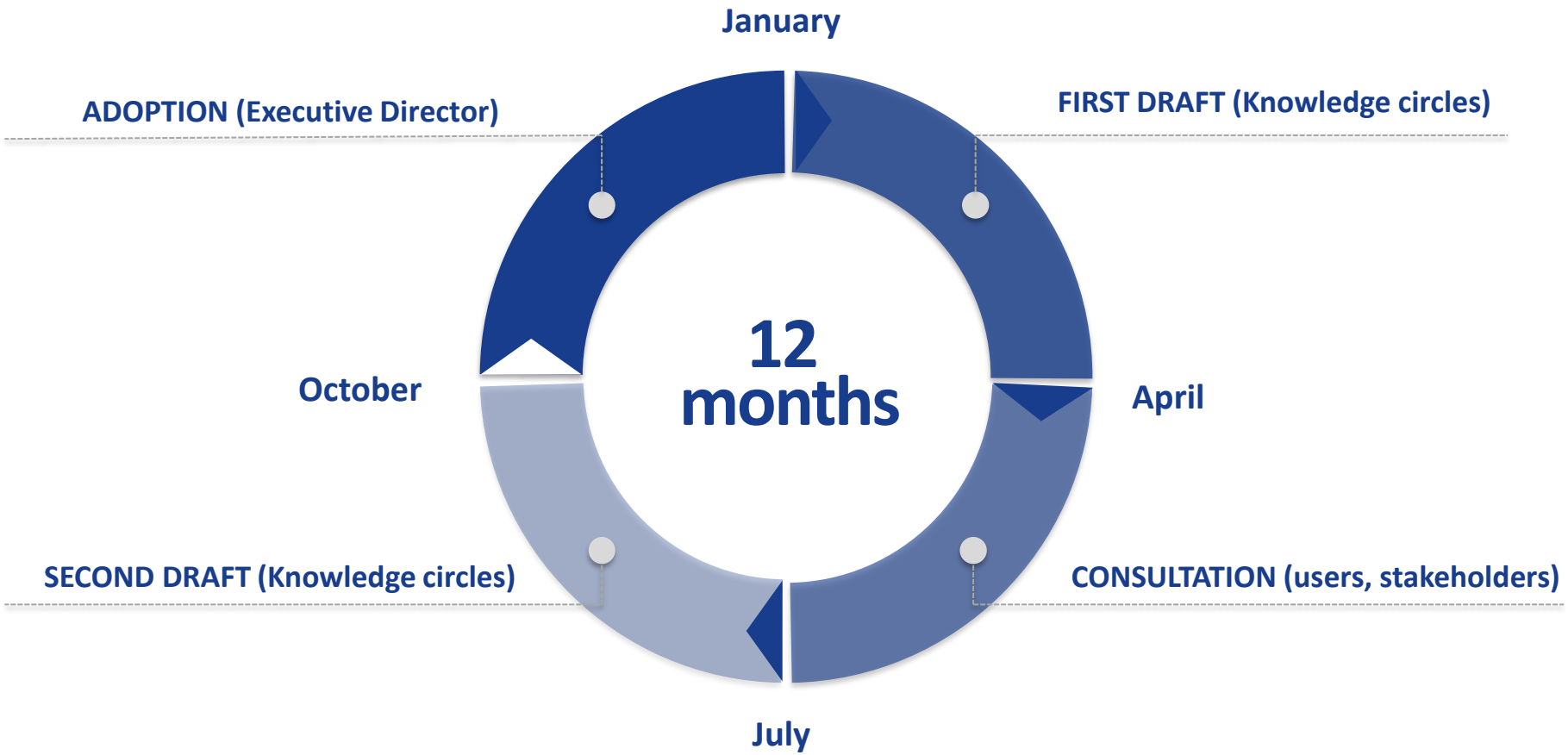
January
FIRST DRAFT (Knowledge circles)
April
CONSULTATION (users, stakeholders)
July
SECOND DRAFT (Knowledge circles)
October
ADOPTION (Executive Director)
12 months

# 3. Design guidelines

# Structure of the Guidelines

| EUTM | | RCD |
|---|---|---|
| European Union Trade Marks | | Registered Community Designs |
| Part A: General rules | ⟺ | Part A: General rules |
| Part B: Examination | ⟺ | Part B: Examination |
| Part C: Opposition | | **Examination of Applications for RCDs** |
| Part D: Cancellation | | **Examination of Design Invalidity Applications** |
| Part E: Register Operations | ⟺ | Part E: Register Operations |
| Part M: International marks | | |

- 1 Introduction
- Examination of applications for registered Com
  - 1 Introduction
  - 2 Filing an Application with the Office
  - 3 Allocation of a Filing Date
  - 4 Examination of the Substantive Requirem
  - 5 Additional Requirements Regarding the R
  - 6 Additional Elements that an Application M
  - 7 Multiple Applications
  - 8 Payment of Fees
  - 9 Withdrawals and Corrections
  - 10 Registration, Publication and Certificates
  - 11 Corrections and Changes in the Registe
  - 12 International Registrations
  - 13 Enlargement and the Registered Comm
- Examination of design invalidity applications
- Parts shared with current trade mark practice
- Editor's note and general introduction
- Part A General rules
- Part B Examination
- Part E Register operations

# Trade mark and Design guidelines

Show modifications

## 1 Introduction

The Office's current trade mark and design practice is reflected in a series of Guidelines that are intended to be of practical use both to Office staff in charge of the various procedures and to users of the Office's services.

The Office issues a revision of the Guidelines on a yearly basis. See the Guidelines, Editor's Note and General Introduction, paragraph 3, for further information about the revision process of the Office's Guidelines.

The Office's Guidelines are the main point of reference for users of the European Union trade mark system and the Community design system, and for professional advisers who want to ensure they have the latest information on our examination practices.

They have been drawn up to reflect our Office practice in the most frequent scenarios. They contain general instructions, which have to be adapted to the particularities of a case.

Therefore, the Office's Guidelines are not legal acts, but self-imposed rules of conduct adopted by an administrative decision.

The Guidelines on EU trade marks and the Guidelines on registered Community designs that are currently in force were adopted by the Executive Director on 08/02/2021 (Decision No EX-21-1), and entered into force on 01/03/2021.

The Office's Guidelines can be accessed in the five working languages of the Office (English, French, German, Italian and Spanish), through either a clean or a track-changed version. In the online version of the Guidelines, the track-changed version is visible via the 'show modification' function, which highlights the changes made compared to the previously adopted edition of the Guidelines.

Track-changed versions of new editions of the Office's Guidelines will also be translated and made available online in the other eighteen EU languages after they became available in the five working languages of the Office.

For previous editions of the Guidelines, please visit the Repository.

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# Thank you