

DESIGN PROTECTION in the European Union

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Agenda

1. EU, EUIPO & EU (Registered Community) Designs
2. UCDs & RCDs
3. The process of filing
4. Examination & registration process
5. Resources
6. Legal Reform
7. Design Europa Awards
8. Main takeouts



EU, EUIPO & EU designs (RCDs)

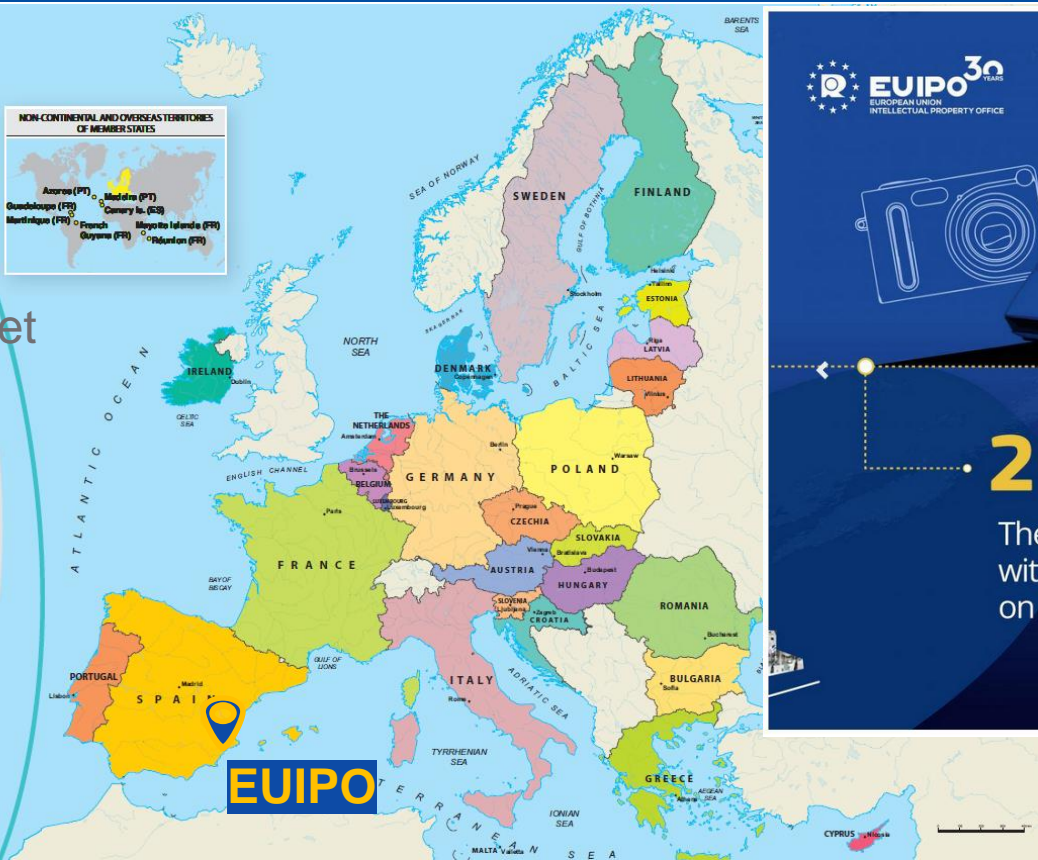
single market

THE MEMBER STATES OF
THE EUROPEAN UNION



Council of the
European Union

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EU, EUIPO & EU designs

CELEBRATING THE RCD'S 20TH ANNIVERSARY



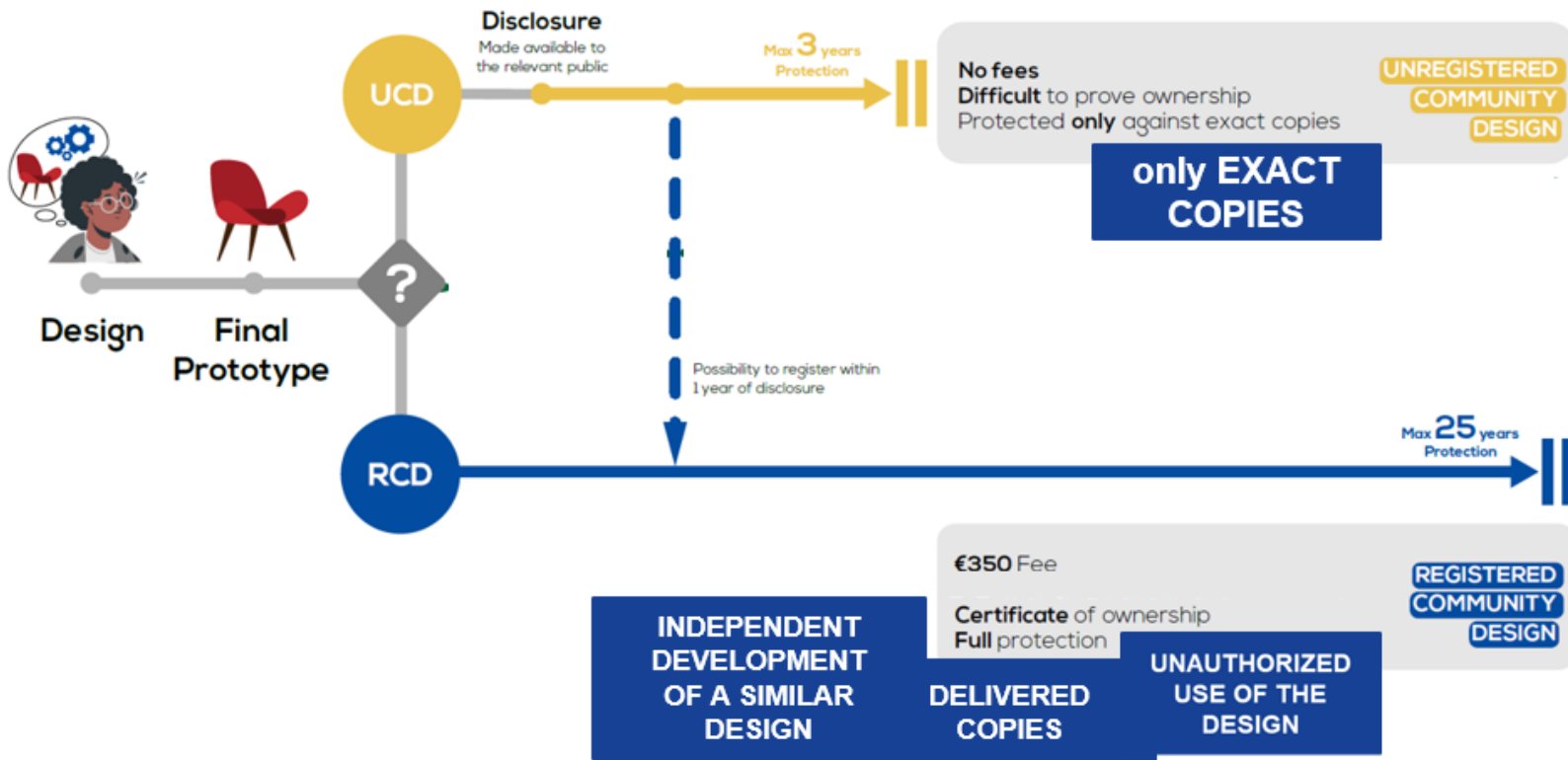
2003

2023

100.000 designs per year

> 1.5 million RCDs

UCDs & RCDs



RCDs

ALL MEMBER STATES OF THE EUROPEAN UNION

One single quick procedure registration* fee**

Unitary character = all or nothing

Complements national &
international systems

Fee structure	Registration fee per design	Publication fee per design	Optional deferment fee per design
1st design	€230	€120	€40
2nd to 10th design	€115	€60	€20
From the 11th design onwards	€50	€30	€10

The process of filing

HOW TO FILE – best practices



By e-filing

- **fast track**
- Regular Track



By post or courier delivery

DESIGN class

The process of filing

HOW TO FILE – best practices



By e-filing

-  **fast track**
- Regular Track

RCD Easy Filing

RCD Advanced

Representatives

- ✓ Appoint a representative

Deferments

- ✓ Choose to defer publication for up to 30 months

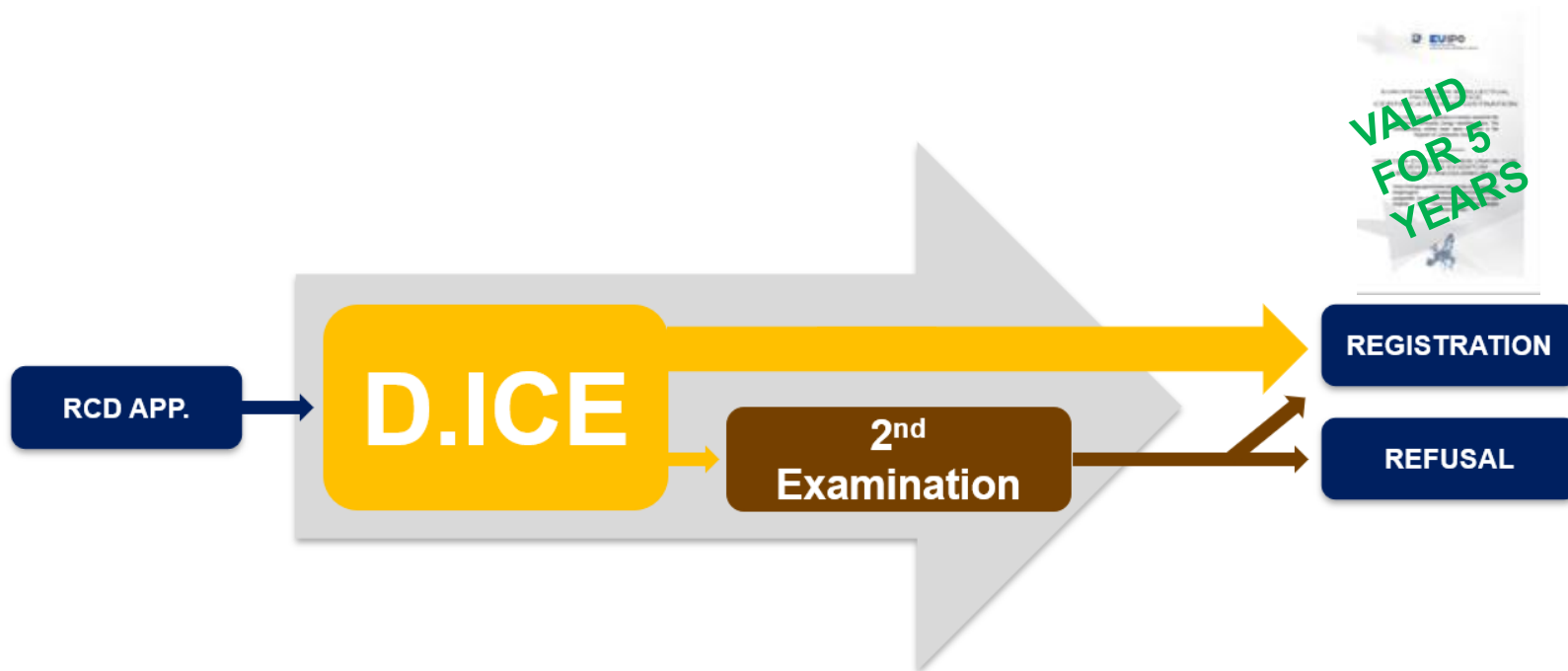
Claims

- ✓ Claim priority at a later stage with the 'claim priority later' option
- ✓ Claim priority without attaching any documents with the 'send document later' option

Fast track registered within 2 working days!

Regular track registered within 10 working days

Examination & registration process



Examination & registration process

Languages

FIRST LANGUAGE

ANY OFFICIAL LANGUAGE OF THE EU

SECOND LANGUAGE

ONE OF THE 5 LANGUAGES OF THE OFFICE

Examination & registration process

What is examined?

QUALITY

CONSISTENCY

PRODUCT
INDICATION

DESIGN DEFINITION

APPLICANT

PUBLIC POLICY &
MORAL

FEES



Examination & registration process

Filing date requirements (Art. 36(1) CDR)



Request for registration of an RCD



Information identifying the applicant



Representation of the design

Examination of formalities & registration process

Persons



Applicants from outside EEA
must appoint a representative
VALID for EUIPO



Legal form



Address



Applications must be signed

Substantive examination & registration process – public policy & morality

- Defined by official sources of law and/or policy documents
- MS national legislation and practice = Indicators
- Average sensitivity
- All, ordinary citizens

Specific exclusions from registration:

- Blasphemous
- Racist
- Discriminatory or insulting words or phrases



Examination & registration process



**✗ NO NEUTRAL
BACKGROUND**



**✗ BAD
QUALITY**

Examination & registration process



VIEW 1



VIEW 2



VIEW 1



VIEW 2



✗ ADDITIONAL
ELEMENTS

Examination & registration process



VIEW 1



VIEW 1



VIEW 2

Examination & registration process



VIEW 1



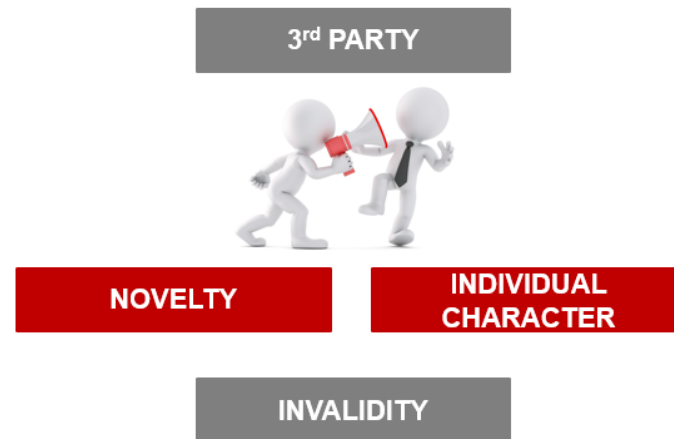
VIEW 1



VIEW 2

Post registration - invalidity

What we leave for 3rd parties?



Resources



Pesquisa nas bases de dados de PI

[eSearch plus](#) →

[Jurisprudência eSearch](#) →

[TMview](#) →

[TMclass](#) →

[Ver todas as pesquisas](#) →

- Searches

DESIGNview


English (en) ▾


Search 23,236,033 designs
across the European Union and beyond

Type indication of the product 

 **Drag and drop an image or upload it from your computer.**
Supported by these offices: BX, DK, PT, CZ, BM, IT, ES, SI, SK, EE, BG, FR, RO, AT, CY, DE, FI, HU, IE, LT, LV, MT, PL, SE, HR, GR



Territories ▾ 

Offices ▾ 

eSearch plus

The EUIPO's database *access*

Search trade marks, designs, owners, representatives, Bulletins and Office decisions in one single application. [Learn how](#)

Advanced search





Drag 1 image to search for trade marks and up to 7 for designs

JPG, PNG, GIF and TIFF are allowed

 To obtain better results upload high quality images

[Terms and Conditions](#)

Resources - Searches & Key Case Law

eSearch Case Law

From To Language

Case number Case name Text search

Advanced search

Recent BoA decisions Recent GC/CJ judgments

Search for decisions of the EUIPO and judgments of the General Court, Court of Justice and national courts. [Learn how](#)

eSearch Case Law

[Basic search](#)

Trade mark decisions | **Design decisions** | National court judgments | Preliminary rulings

Add search criteria from below

Decision information

- Text search
- Design number
- Language
- Norms

Application information

Invalidity

Boards of Appeal

General Court/Court of Justice

Search criteria

Decision/judgment date

and decision type

Invalidity decisions Board of Appeal decisions

GC/CJ judgments

and Text search

and Language

Sort results by

Resources - Guidelines



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Guidelines

The EUIPO's current trade mark and design practice is reflected in a series of guidelines for examination that are intended to help both our users and our staff in charge of the various procedures.



Trade mark guidelines

Guidelines for examination of European Union trade marks

[Go to the EUIPO guidelines](#) ↗



Design guidelines

Guidelines for examination of registered designs at EU level

[Go to the EUIPO guidelines](#) ↗

Resources - Convergence of Practices

Designs

CP6. Graphic Representation of Designs

[Download](#)

[More info](#)

CP7. Harmonisation of Product Indications

[Download](#)

[More info](#)

CP10. Criteria for Assessing Disclosure of Designs on the Internet

[Download](#)

[More info](#)

Trade Marks

CP14. Trade marks contrary to public policy or to accepted principles of morality

[Download](#)

[More info](#)

Legal Reform

Designs:

- Definition – Article 3
- Representation
- Scope of protection – Article 18 (a)

Fees:

- Single basic fee
- Renewal
- Multiple application

Simplification:

- Classification
- Multiple applications
- Publication / Deferment
- Alterations

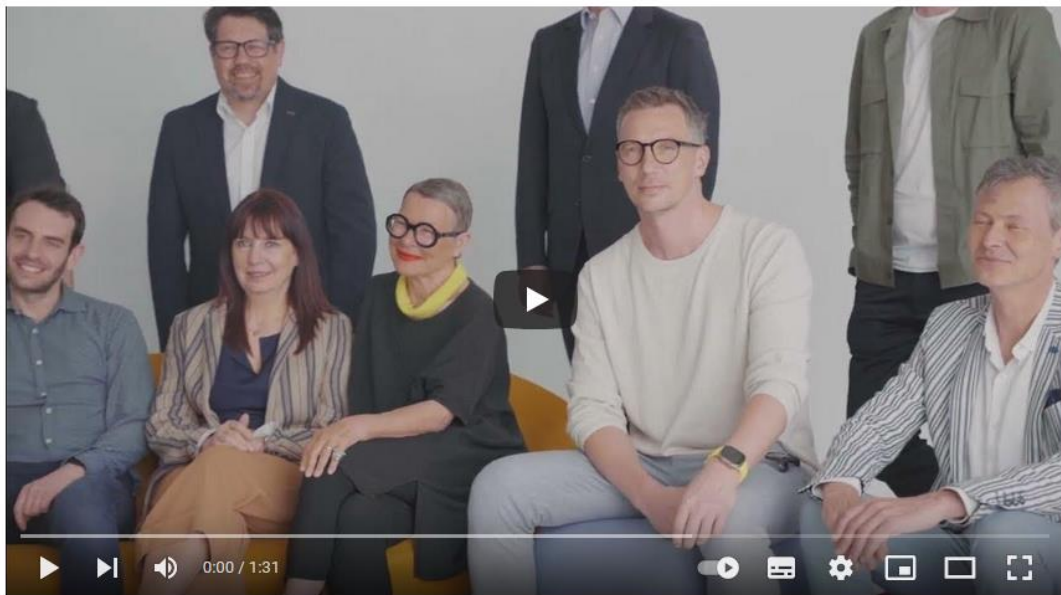
Enforcement:

- Quick resolution – Article 53 (a)
- Symbol – Article 26 (a)

DESIGN EUROPA AWARDS

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2023 Design Europa Awards: Jury meeting at the EUIPO

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**DESIGNEUROPA
AWARDS**

DesignEuropa Awards 2024 | Riga (Latvia)

**DESIGNEUROPA
AWARDS 2024**

Main takeouts

1 filing, unitary protection for the whole EU internal market

The process of filing is easy & fast

EUIPO representative for applicants outside the EEA

RCD can be registered within 2 working days

Possibility to defer publication up to 30 months

There are plenty of online free resources to assist you

Contact us!

GENERAL INFORMATION

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Monday to Friday: 08.30-18.30, except on [official holidays](#).

After-hours emergency contact number

Only to be used in the event of technical issues ahead of an impending deadline

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Q & A



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