

International Protection Strategies: Using the Hague System

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Agenda

1. EUIPO & WIPO
2. What done at the EUIPO
3. Main takeouts



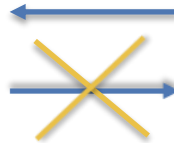
EUIPO & WIPO

- The Hague Agreement governs a system for the international registration of industrial designs. It is administered by the International Bureau of the World Intellectual Property Organization (WIPO) located in Switzerland, Europe
- EU accession to the 1999 Geneva Act as an intergovernmental organisation as of 01/01/2008
- Majority of EU Member States are Hague Union members

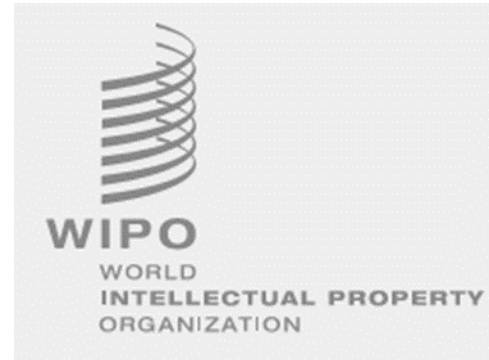


EUIPO & WIPO

- EUIPO can **only** be the **designated office**
- Maximum duration of protection is **25 years**



DESIGN class



International Registration for Designs (IRD) - examination requirements

- **Formalities examination** is carried out **by WIPO**
- **EUIPO examines:**
 - Compliance with the definition of a design
 - Not contrary to public policy / principles of morality
- **NO assessment of novelty or other substantive requirements**
- Possible to claim priority

Acceptance of IRD

- No later than 6 months from the publication of the IR on the WIPO website, EUIPO carries out a **substantive examination** limited to two grounds for refusal.
- EUIPO sends a **grant of protection** confirmation where no ground for refusal is found.
- EUIPO **does not republish** international designs with EU designation in the Registered Community Designs Bulletin.
- No need to appointment a **representative**. May be required when a ground for refusal is raised or in case of an invalidity action.

Refusal of IRD

- Where EUIPO finds a **substantive ground for refusal**, it communicates a reasoned notification of refusal to WIPO which forwards it to the holder of the international registration.
- The holder **may have to appoint a representative** and has to respond **within 2 months** by submitting observations directly to the EUIPO.
- EUIPO may **accept (withdraw the refusal) or finally refuse** the international registration and notify WIPO accordingly.

Invalidity of IRD

- The EUIPO **notifies** holder/representative directly about the invalidity action.
- Invalidity procedure follows the **same rules** as for registered EU designs (RCDs) filed directly before the EUIPO.
- Where the EUIPO declares the effects of an international registration for the EU invalid, it must **inform the International Bureau** of its final decision.

Main takeouts

1. Designate EUIPO
2. Limited role of the EUIPO
3. For some proceedings, appoint a representative
4. For further info - contact us!

GENERAL INFORMATION

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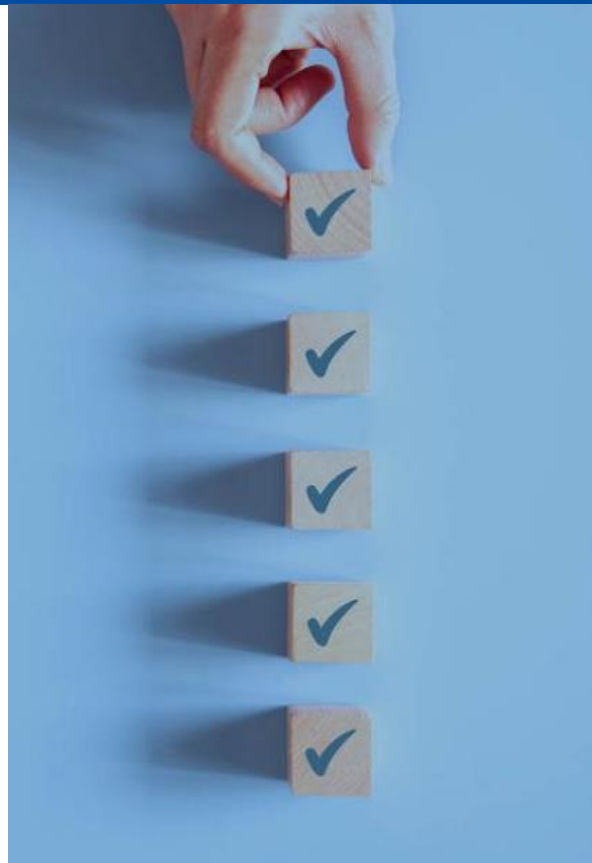
Monday to Friday: 08.30-18.30, except on [official holidays](#).

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



THANK YOU!



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