



The Hague Agreement Concerning the International Deposit of Industrial Designs

of November 6, 1925

- I. London Act 1934
- II. The Hague Act 1960
- III. Additional Act of Monaco 1961
- IV. Complementary Act of Stockholm 1967
as amended on September 28, 1979

Regulations

(as in force on January 1, 2002)

and

Administrative Instructions

(as in force on January 1, 2002)



**WORLD
INTELLECTUAL
PROPERTY
ORGANIZATION**

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PREFACE

The present publication contains the texts of the London Act (1934) of the Hague Agreement Concerning the International Deposit of Industrial Designs and the Hague Act (1960) of the same treaty as amended by the Complementary Act of Stockholm (1967), as well as the texts of the Additional Act of Monaco (1961) and the Complementary Act of Stockholm (1967).

It also contains the Regulations under the Hague Agreement as well as the Administrative Instructions under those Regulations.

I

London Act of June 2, 1934

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Article 1

Nationals of any of the contracting countries, as well as persons who, upon the territory of the restricted Union, have satisfied the conditions of Article 3 of the General Convention, may, in all the other contracting countries, secure protection for their industrial designs by means of an international deposit made at the International Bureau of Industrial Property at Berne.

Article 2

(1) The international deposit shall include designs, either in the form of the industrial product for which they are intended, or in the form of a drawing, a photograph, or any other adequate graphic representation of the said design.

(2) The articles submitted shall be accompanied by an application for international deposit, in duplicate, containing, in French, the particulars specified in the Regulations.

Article 3

(1) As soon as the International Bureau receives an application for international deposit it shall record the application in a special Register and shall publish it, sending free of charge to each Office the desired number of copies of the periodical journal in which it publishes such records.

(2) Deposits shall be kept in the archives of the International Bureau.

Article 4

(1) Any person making an international deposit of an industrial design shall, in the absence of proof to the contrary, be deemed to be the owner of the work.

(2) International deposit is purely declaratory. The deposit, as such, shall have in the contracting countries the same effect as if the designs had been deposited there direct on the date of the international deposit, subject however to the special rules established by this Agreement.

(3) The publicity mentioned in the foregoing Article shall be deemed in all the contracting countries to be sufficient, and no other publicity may be required of the depositor, apart from any formalities to be complied with for the exercise of rights in accordance with the domestic law.

(4) The right of priority established by Article 4 of the General Convention shall be guaranteed to every design which has been the subject of an international deposit, without requiring compliance with any of the formalities prescribed in the said Article.

Article 5

The contracting countries agree not to require designs which have been the subject of an international deposit to bear any compulsory marking. They shall not cause the designs to lapse either by reason of non-exploitation or as a result of the introduction of articles similar to those protected.

Article 6

(1) The international deposit may consist of either a single design or several, the number thereof being stated in the application.

(2) Such deposit may be made under open cover or under sealed cover. In particular, there shall be accepted as a means of deposit under sealed cover double envelopes having a perforated control number (Soleau system) or any other system for ensuring identification.

(3) The maximum dimensions of covers or packets eligible for deposit shall be fixed by the Regulations.

Article 7

The duration of international protection is fixed at fifteen years from the date of deposit at the International Bureau at Berne; this term is divided into two periods, namely, one period of five years and one period of ten years.

Article 8

During the first period of protection, deposits shall be accepted either under open cover or under sealed cover; during the second period of protection, they shall be accepted only under open cover.

Article 9

During the first period, deposits under sealed cover may be opened at the request of the depositor or of a competent court; upon expiration of the first period, they shall, with a view to transition to the second period, be opened upon application for prolongation.

Article 10

In the course of the first six months of the fifth year of the first period, the International Bureau shall give unofficial notice of expiration to the depositor of the design.

Article 11

(1) When the depositor desires to secure extension of the protection by transition to the second period he shall, before the expiration of the first period, file with the International Bureau an application for prolongation.

(2) The International Bureau shall open the package, if sealed, shall publish in its journal notice of the prolongation granted, and shall notify all Offices thereof by sending to each the desired number of copies of the said journal.

Article 12

Designs forming the subject of deposits which have not been prolonged, as well as those in respect of which protection has expired, shall, upon the request of the proprietors and at their expense, be returned to them as they stand. If unclaimed, they shall be destroyed at the end of two years.

Article 13

(1) Depositors may, at any time, renounce their deposit, either wholly or in part, by means of a declaration addressed to the International Bureau; the Bureau shall give such declaration the publicity referred to in Article 3.

(2) Renunciation shall entail the return of the deposit to the depositor, at his expense.

Article 14

If a court or any other competent authority orders the communication to it of a secret design, the International Bureau, when duly required, shall open the deposited package, shall extract therefrom the requested design, and shall remit it to the authority so requiring. Similar communication shall take place on request in the case of an unsealed design. The article thus communicated shall be returned in the shortest possible time and reincorporated in the sealed package or in the envelope, as the case may be. Such transactions may be subject to a fee, which shall be fixed by the Regulations.

Article 15

The fees for an international deposit and for the prolongation thereof, which shall be paid before registration of the deposit or of the prolongation can be proceeded with, shall be as follows:

1. for a single design, and in respect of the first period of five years: 5 francs;
2. for a single design, upon expiration of the first period and in respect of the duration of the second period of ten years: 10 francs;
3. for a multiple deposit, and in respect of the first period of five years: 10 francs;
4. for a multiple deposit, upon expiration of the first period and in respect of the duration of the second period of ten years: 50 francs.

Article 16

The net annual proceeds from fees shall be divided, as provided in Article 8 of the Regulations, among the contracting countries by the International Bureau, after deduction of the common expenses necessitated by the implementation of this Agreement.

Article 17

(1) The International Bureau shall record in its Registers all changes affecting the proprietorship of designs which are notified to it by the parties concerned; it shall publish them in its journal and shall announce them to all Offices by sending to each the desired number of copies of the said journal.

(2) These transactions may be subject to a fee, which shall be fixed by the Regulations.

(3) The proprietor of an international deposit may assign the rights in respect of part only of the designs included in a multiple deposit or in respect of one or several of the contracting countries only; but, in such cases, if the deposit has been made under sealed cover, the International Bureau shall open the package before recording the transfer in its Registers.

Article 18

(1) The International Bureau shall deliver to any person, upon application, and on payment of a fee fixed by the Regulations, an abstract of the entries in the Register in connection with any given design.

(2) Such abstract may, if the design lends itself thereto, be accompanied by a copy or a reproduction of the design, which has been supplied to the International Bureau and which the latter shall certify as being in conformity with the article deposited under open cover. If the Bureau is not in possession of such copies or reproductions, it shall have them made, on the request of interested parties and at their expense.

Article 19

The archives of the International Bureau, in so far as they contain unsealed deposits, shall be accessible to the public. Any person may inspect them, in the presence of an official, or may obtain from the Bureau written information on the contents of the Register, subject to payment of fees to be fixed by the Regulations.

Article 20

The details of the application of this Agreement shall be determined by Regulations the provisions of which may, at any time, be amended with the common consent of the Offices of the contracting countries.

Article 21

The provisions of This Agreement offer only a minimum of protection; they shall not preclude the claiming of the application of wider provisions that may be enacted by the domestic legislation of a contracting country, nor shall they prejudice the application of the provisions of the Berne Convention, as revised in 1928, relating to the protection of artistic works and works of art applied to industry.

Article 22

(1) Countries members of the Union which are not party to this Agreement may accede thereto at their request and in the manner prescribed by Articles 16 and 16*bis* of the General Convention.

(2) Notification of accession shall, of itself, ensure, upon the territory of the acceding country, the benefits of the foregoing provisions to industrial designs which, at the time of accession, are the subject of international deposit.

(3) However, any country may, in acceding to this Agreement, declare that application of this Act shall be limited to designs deposited from the date on which its accession becomes effective.

(4) In the case of denunciation of this Agreement, Article 17*bis* of the General Convention shall apply. International designs deposited up to the date on which denunciation becomes effective shall continue, throughout the period of international protection, to enjoy in the denouncing country, as well as in all other countries of the restricted Union, the same protection as if they had been deposited direct in such countries.

Article 23

(1) This Agreement shall be ratified and ratifications shall be deposited at London not later than July 1, 1938.

(2) It shall enter into force, between the countries which have ratified it, one month after that date, and shall have the same force and duration as the General Convention.

(3) This Act shall, as regards the relations between the countries which have ratified it, replace the Hague Agreement of 1925. However, the latter shall remain in force as regards the relations with countries which have not ratified this Act.

II

The Hague Act of November 28, 1960

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Article 1

(1) The contracting States constitute a Special Union for the international deposit of industrial designs.

(2) Only States members of the International Union for the Protection of Industrial Property may become party to this Agreement.

Article 2

For the purposes of this Agreement:

“1925 Agreement” shall mean the Hague Agreement concerning the International Deposit of Industrial Designs of November 6, 1925;

“1934 Agreement” shall mean the Hague Agreement concerning the International Deposit of Industrial Designs of November 6, 1925, as revised at London on June 2, 1934;

“this Agreement” or “the present Agreement” shall mean the Hague Agreement concerning the International Deposit of Industrial Designs as established by the present Act;

“Regulations” shall mean the Regulations for carrying out this Agreement;

“International Bureau” shall mean the International Bureau of Intellectual Property;

“international deposit” shall mean a deposit made at the international Bureau;

“national deposit” shall mean a deposit made at the national Office of a contracting State;

“multiple deposit” shall mean a deposit including several designs;

“State of origin of an international deposit” shall mean the contracting State in which the applicant has a real and effective industrial or commercial establishment or, if the applicant has such establishments in several contracting States, the contracting State which he has indicated in his application; if the applicant has no such establishment in any contracting State, the contracting State in which he has his domicile; if he has no domicile in a contracting State, the contracting State of which he is a national;

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“State having a novelty examination” shall mean a contracting State the domestic law of which provides for a system which involves a preliminary ex officio search and examination by its national Office as to the novelty of each deposited design.

Article 3

Nationals of contracting States and persons who, without being nationals of any contracting State, are domiciled or have a real and effective industrial or commercial establishment in the territory of a contracting State may deposit designs at the International Bureau.

Article 4

(1) International deposit may be made at the International Bureau:

1. direct, or
2. through the intermediary of the national Office of a contracting State if the law of that State so permits.

(2) The domestic law of any contracting State may require that international deposits of which it is deemed to be the State of origin shall be made through its national Office. Non-compliance with this requirement shall not prejudice the effects of the international deposit in the other contracting States.

Article 5

(1) The international deposit shall consist of an application and one or more photographs or other graphic representations of the design, and shall involve payment of the fees prescribed by the Regulations.

(2) The application shall contain:

1. a list of the contracting States in which the applicant requests that the international deposit shall have effect;
2. the designation of the article or articles in which it is intended to incorporate the design;

3. if the applicant wishes to claim the priority provided for in Article 9, an indication of the date, the State, and the number of the deposit giving rise to the right of priority;
4. such other particulars as the Regulations may prescribe.
 - (3) (a) In addition, the application may contain:
 1. a short description of characteristic features of the design;
 2. a declaration as to who is the true creator of the design;
 3. a request for deferment of publication as provided in Article 6(4).
 - (b) The application may be accompanied also by samples or models of the article or articles incorporating the design.
 - (4) A multiple deposit may include several designs intended to be incorporated in articles included in the same class of the International Design Classification referred to in Article 21(2), item 4.

Article 6

- (1) The International Bureau shall maintain the International Design Register and shall register international deposits therein.
- (2) The international deposit shall be deemed to have been made on the date on which the International Bureau received the application in due form, the fees payable with the application, and the photograph or photographs or other graphic representations of the design, or, if the International Bureau received them on different dates, on the last of these dates. The registration shall bear the same date.
 - (3) (a) For each international deposit, the International Bureau shall publish in a periodical bulletin:
 1. reproductions in black and white or, at the request of the applicant, in color of the deposited photographs or other graphic representations;
 2. the date of the international deposit;
 3. the particulars prescribed by the Regulations.
 - (b) The International Bureau shall send the periodical bulletin to the national Offices as soon as possible.
 - (4) (a) The publication referred to in paragraph (3)(a) shall, at the request of the applicant, be deferred for such period as he may request. The said period may not exceed twelve months from the date

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of the international deposit. However, if priority is claimed, the starting date of such period shall be the priority date.

(b) At any time during the period referred to in subparagraph (a), the applicant may request immediate publication or may withdraw his deposit. Withdrawal of the deposit may be limited to one or a few only of the contracting States and, in the case of a multiple deposit, to some only of the designs included therein.

(c) If the applicant fails to pay within the proper time the fees payable before the expiration of the period referred to in subparagraph (a), the International Bureau shall cancel the deposit and shall not effect the publication referred to in paragraph (3)(a).

(d) Until the expiration of the period referred to in subparagraph (a), the International Bureau shall keep in confidence the registration of deposits made subject to deferred publication, and the public shall have no access to any documents or articles concerning such deposits. These provisions shall apply without limitation as to time if the applicant has withdrawn his deposit before the expiration of the said period.

(5) Except as provided in paragraph (4), the Register and all documents and articles filed with the International Bureau shall be open to inspection by the public.

Article 7

(1) (a) A deposit registered at the International Bureau shall have the same effect in each of the contracting States designated by the applicant in his application as if all the formalities required by the domestic law for the grant of protection had been complied with by the applicant and as if all administrative acts required to that end had been accomplished by the Office of such State.

(b) Subject to the provisions of Article 11, the protection of designs the deposit of which has been registered at the International Bureau is governed in each contracting State by those provisions of the domestic law which are applicable in that State to designs for which protection has been claimed on the basis of a national deposit and in respect of which all formalities and administrative acts have been complied with and accomplished.

(2) An international deposit shall have no effect in the State of origin if the laws of that State so provide.

Article 8

(1) Notwithstanding the provisions of Article 7, the national Office of a contracting State whose domestic law provides that the national Office may, on the basis of an administrative *ex officio* examination or pursuant to an opposition by a third party, refuse protection shall, in case of refusal, notify the International Bureau within six months that the design does not meet the requirements of its domestic law other than the formalities and administrative acts referred to in Article 7(1). If no such refusal is notified within a period of six months the international deposit shall become effective in that State as from the date of that deposit. However, in a contracting State having a novelty examination, the international deposit, while retaining its priority, shall, if no refusal is notified within a period of six months, become effective from the expiration of the said period unless the domestic law provides for an earlier date for deposits made with its national Office.

(2) The period of six months referred to in paragraph (1) shall be computed from the date on which the national Office receives the issue of the periodical bulletin in which the registration of the international deposit has been published. The national Office shall communicate that date to any person so requesting.

(3) The applicant shall have the same remedies against the refusal of the national Office referred to in paragraph (1) as if he had deposited his design in that Office; in any case, the refusal shall be subject to a request for re-examination or appeal. Notification of such refusal shall indicate:

1. the reasons for which it has been found that the design does not meet the requirements of the domestic law;
2. the date referred to in paragraph (2);
3. the time allowed for a request for re-examination or appeal;
4. the authority to which such request or appeal may be addressed.

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(4) (a) The national Office of a contracting State whose domestic law contains provisions of the kind referred to in paragraph (1) requiring a declaration as to who is the true creator of the design or a description of the design may provide that, upon request and within a period of not less than sixty days from the dispatch of such a request by the said Office, the applicant shall file in the language of the application filed with the International Bureau:

1. a declaration as to who is the true creator of the design;
2. a short description emphasizing the essential characteristic features of the design as shown by the photographs or other graphic representations.

(b) No fees shall be charged by a national Office in connection with the filing of such declarations or descriptions, or for their possible publication by that national Office.

(5) (a) Any contracting State whose domestic law contains provisions of the kind referred to in paragraph (1) shall notify the International Bureau accordingly.

(b) If, under its legislation, a contracting State has several systems for the protection of designs one of which provides for novelty examination, the provisions of this Agreement concerning States having a novelty examination shall apply only to the said system.

Article 9

If the international deposit of a design is made within six months of the first deposit of the same design in a State member of the International Union for the Protection of Industrial Property, and if priority is claimed for the international deposit, the priority date shall be that of the first deposit.

Article 10

(1) An international deposit may be renewed every five years by payment only, during the last year of each period of five years, of the renewal fees prescribed by the Regulations.

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(2) Subject to the payment of a surcharge fixed by the Regulations, a period of grace of six months shall be granted for renewal of the international deposit.

(3) At the time of paying the renewal fees, the international deposit number must be indicated and also, if renewal is not to be effected for all the contracting States for which the deposit is about to expire, those of the contracting States for which the renewal is to be effected.

(4) Renewal may be limited to some only of the designs included in a multiple deposit

(5) The International Bureau shall record and publish renewals.

Article 11

(1) (a) The term of protection granted by a contracting State to designs which have been the subject of an international deposit shall not be less than:

1. ten years from the date of the international deposit if the deposit has been renewed;
2. five years from the date of the international deposit in the absence of renewal.

(b) However, if, under the provisions of the domestic law of a contracting State having a novelty examination, protection commences at a date later than that of the international deposit, the minimum terms provided for in subparagraph (a) shall be computed from the date at which protection commences in that State. The fact that the international deposit is not renewed or is renewed only once shall in no way affect the minimum terms of protection thus defined.

(2) If the domestic law of a contracting State provides, in respect of designs which have been the subject of a national deposit, for protection whose duration, with or without renewal, is longer than ten years, protection of the same duration shall, on the basis of the international deposit and its renewals, be granted in that State to designs which have been the subject of an international deposit.

(3) A contracting State may, under its domestic law, limit the term of protection of designs which have been the subject of an international deposit to the terms provided for in paragraph (1).

(4) Subject to the provisions of paragraph (1)(b) protection in a contracting State shall terminate at the date of expiration of the international deposit, unless the domestic law of that State provides that protection shall continue after the date of expiration of the international deposit.

Article 12

(1) The International Bureau shall record and publish changes affecting ownership of a design which is the subject of an international deposit in force. It is understood that transfer of ownership may be limited to the rights arising from the international deposit in one or a few only of the contracting States and, in the case of a multiple deposit, to some only of the designs included therein.

(2) The recording referred to in paragraph (1) shall have the same effect as if it had been made in the national Offices of the contracting States.

Article 13

(1) The owner of an international deposit may, by means of a declaration addressed to the International Bureau, renounce his rights in respect of all or some only of the contracting States and, in the case of a multiple deposit, in respect of some only of the designs included therein.

(2) The International Bureau shall record and publish such declaration.

Article 14

(1) No contracting State may, as a condition of recognition of the right to protection, require that the article incorporating the design bear a sign or notice concerning the deposit of the design.

(2) If the domestic law of a contracting State provides for a notice on the article for any other purpose, such State shall regard such requirement as satisfied if all the articles offered to the public with the

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authorization of the owner of the rights in the design, or the tags attached to such articles, bear the international design notice.

(3) The international design notice shall consist of the symbol \textcircled{D} (a capital D in a circle) accompanied by:

1. the year of the international deposit and the name, or the usual abbreviation of the name, of the depositor, or
2. the number of the international deposit.

(4) The mere appearance of the international design notice on the article or the tags shall in no case be interpreted as implying a waiver of protection by virtue of copyright or on any other grounds, whenever, in the absence of such notice, such protection may be claimed.

Article 15

(1) The fees prescribed by the Regulations shall consist of:

1. fees for the International Bureau;
2. fees for the contracting States designated by the applicant, namely:
 - (a) a fee for each contracting State;
 - (b) a fee for each contracting State having a novelty examination and requiring the payment of a fee for such examination.

(2) Any fees paid in respect of one and the same deposit for a contracting State under paragraph (1), item 2(a), shall be deducted from the amount of the fee referred to in paragraph (1), item 2(b), if the latter fee becomes payable for the same State.

Article 16

(1) The fees for contracting States referred to in Article 15(1), item 2, shall be collected by the International Bureau and paid over annually to the contracting States designated by the applicant.

(2) (a) Any contracting State may notify the International Bureau that it waives its right to the supplementary fees referred to in Article 15(1), item 2(a), in respect of international deposits of which any other contracting State making a similar waiver is deemed to be the State of origin.

(b) Such State may make a similar waiver in respect of international deposits of which it is itself deemed to be the State of origin.

Article 17

The Regulations shall govern the details concerning the implementation of this Agreement and in particular:

1. the languages and the number of copies in which the application for deposit must be filed, and the data to be supplied in the application;
2. the amounts and the dates and method of payment of the fees for the International Bureau and for the States, including the limits imposed on the fee for contracting States having a novelty examination;
3. the number, size, and other characteristics, of the photographs or other graphic representations of each design deposited;
4. the length of the description of characteristic features of the design;
5. the limits within which and conditions under which samples or models of the articles incorporating the design may accompany the application;
6. the number of designs that may be included in a multiple deposit and other conditions governing multiple deposits;
7. all matters relating to the publication and distribution of the periodical bulletin referred to in Article 6(3)(a), including the number of copies of the bulletin which shall be given free of charge to the national Offices and the number of copies which may be sold at a reduced price to such Offices;
8. the procedure for notification by contracting States of any refusal provided for under Article 8(1), and the procedure for communication and publication of such refusals by the International Bureau;
9. the conditions for recording and publication by the International Bureau of the changes affecting the ownership of a design referred to in Article 12(1), and for the renunciations referred to in Article 13;

10. the disposal of documents and articles concerning deposits for which the possibility of renewal has ceased to exist.

Article 18

The provisions of this Agreement shall not preclude the making of a claim to the benefit of any greater protection which may be granted by domestic legislation in a contracting State, nor shall they affect in any way the protection accorded to works of art and works of applied art by international copyright treaties and conventions.

Articles 19 to 22

[Repealed by Article 7(2) of the Complementary Act of Stockholm (1967)]

Article 23

(1) This Agreement shall remain open for signature until December 31, 1961.

(2) It shall be ratified and the instruments of ratification shall be deposited with the Government of the Netherlands.

Article 24

(1) States members of the International Union for the Protection of Industrial Property which have not signed this Agreement may accede thereto.

(1) Such accessions shall be notified through diplomatic channels to the Director General*, and by the latter to the Governments of all contracting States.

* “Director General” is defined by Article 1 of the Complementary Act of Stockholm (1967) as the Director General of the World Intellectual Property Organization.

Article 25

(1) Each contracting State undertakes to provide for the protection of industrial designs and to adopt, in accordance with its constitution, the measures necessary to ensure the application of this Agreement.

(2) At the time a contracting State deposits its instrument of ratification or accession, it must be in a position under its domestic law to give effect to the provisions of this Agreement.

Article 26

(1) This Agreement shall enter into force one month after the date on which the Director General has dispatched a notification to the contracting States of the deposit of ten instruments of ratification or accession, at least four of which are those of States which, at the date of the present Agreement, are not party either to the 1925 Agreement or to the 1934 Agreement.

(2) Thereafter, the deposit of instruments of ratification and accession shall be notified to the contracting States by the Director General. Such ratifications and accessions shall become effective one month after the date of the dispatch of such notification unless, in the case of accession, a later date is indicated in the instrument of accession.

Article 27

Any contracting State may at any time notify the Director General that this Agreement shall also apply to all or part of those territories for the external relations of which it is responsible. Thereupon, the Director General shall communicate such notification to the contracting States and the Agreement shall apply also to the said territories one month after the dispatch of the communication by the Director General to the contracting States unless a later date is indicated in the notification.

Article 28

(1) Any contracting State may, by notification addressed to the Director General, denounce this Agreement in its own name and on behalf of all or part of the territories designated in the notification under Article 27. Such notification shall take effect one year after its receipt by the Director General.

(2) Denunciation shall not relieve any contracting State of its obligations under this Agreement in respect of designs deposited at the International Bureau prior to the date on which the denunciation takes effect.

Article 29

(1) This Agreement shall be submitted to revision with a view to the introduction of amendments designed to improve the protection resulting from the international deposit of designs.

(2) Revision conferences shall be called at the request of not less than one-half of the contracting States.

Article 30

(1) Two or more contracting States may at any time notify the Director General that, subject to the conditions indicated in the notification:

1. a common Office shall be substituted for the national Office of each of them;
2. they shall be deemed to be a single State for the purposes of the application of Articles 2 to 17 of this Agreement.

(2) Such notification shall not take effect until six months after the date of dispatch of the communication thereof by the Director General to the other contracting States.

Article 31

(1) This Agreement alone shall be applicable as regards the mutual relations of States party to both the present Agreement and the 1925 Agreement or the 1934 Agreement. However, such States shall, in their mutual relations, apply the 1925 Agreement or the 1934 Agreement, as the case may be, to designs deposited at the International Bureau prior to the date on which the present Agreement becomes applicable as regards their mutual relations.

(2) (a) Any State party to both the present Agreement and the 1925 Agreement shall continue to apply the 1925 Agreement in its relations with States party only to the 1925 Agreement, unless the said State has denounced the 1925 Agreement.

(b) Any State party to both the present Agreement and the 1934 Agreement shall continue to apply the 1934 Agreement in its relations with States party only to the 1934 Agreement, unless the said State has denounced the 1934 Agreement.

(3) States party to the present Agreement only shall not be bound to States which, without being party to the present Agreement, are party to the 1925 Agreement or the 1934 Agreement.

Article 32

(1) Signature and ratification of, or accession to, the present Agreement by a State party, at the date of this Agreement, to the 1925 Agreement or the 1934 Agreement shall be deemed to include signature and ratification of, or accession to, the Protocol annexed to the present Agreement, unless such State makes an express declaration to the contrary at the time of signing or depositing its instrument of accession.

(2) Any contracting State having made the declaration referred to in paragraph (1), or any other contracting State not party to the 1925 Agreement or the 1934 Agreement, may sign or accede to the Protocol annexed to this Agreement. At the time of signing or depositing its instrument of accession, it may declare that it does not consider itself bound by the provisions of paragraphs (2)(a) or (2)(b) of the Protocol; in such case, the other States party to the Protocol shall

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be under no obligation to apply, in their relations with that State, the provisions mentioned in such declaration. The provisions of Articles 23 to 28 inclusive shall apply by analogy.

Article 33

This Act shall be signed in a single copy which shall be deposited in the archives of the Government of the Netherlands. A certified copy shall be transmitted by the latter to the Government of each State which has signed or acceded to this Agreement.

PROTOCOL*

States party to this Protocol have agreed as follows:

- (1) The provisions of this Protocol shall apply to designs which have been the subject of an international deposit and of which one of the States party to this Protocol is deemed to be the State of origin.
- (2) In respect of designs referred to in paragraph (1), above:
 - (a) the term of protection granted by States party to this Protocol to the designs referred to in paragraph (1) shall not be less than fifteen years from the date provided for in paragraphs (1)(a) or (1)(b), as the case may be, of Article 11;
 - (b) the appearance of a notice on the articles incorporating the designs or on the tags attached thereto shall in no case be required by the States party to this Protocol, either for the exercise in their territories of rights arising from the international deposit, or for any other purpose.

*

This Protocol is not yet in force.

III

Additional Act of Monaco of November 18,1961

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* This Table of Contents is added for the convenience of the reader. It does not appear in the original (French) text of the Additional Act.

Article 1

(1) Over and above the fees established in Article 15 of the Hague Agreement as revised at London, the following additional fees shall be payable in respect of the transactions hereinafter specified, that is to say:

1. for the deposit of a single design and in respect of the first period of five years: 20 Swiss francs;
2. for the deposit of a single design, upon expiration of the first period and in respect of the duration of the second period of ten years: 40 Swiss francs;
3. for a multiple deposit and in respect of the first period of five years: 50 Swiss francs;
4. for a multiple deposit, upon expiration of the first period and in respect of the duration of the second period of ten years: 200 Swiss francs.

(2) If the fees prescribed in items 2 and 4 of Article 15 of the Hague Agreement as revised at London have been paid after the date of this Act but before its entry into force—the latter being determined for each State in accordance with the provisions of paragraphs (2) and (3) of Article 7—where the first period of protection expires after such entry into force, the person making the deposit must pay the additional prolongation fee specified in items 2 and 4 of paragraph (1) of this Article. Upon entry into force of this Act, the International Bureau shall advise the depositors concerned that they must pay the additional fee within a period of six months from the receipt of such notice. If payment is not effected within such period the prolongation shall be deemed to be null and the reference thereto shall be deleted from the Register. In such case, the fee for prolongation already paid shall be refunded.

Article 2

Additional fees of 20 Swiss francs or 10 Swiss francs shall likewise be payable in respect of every other transaction provided for by the Hague Agreement as revised at London and for which the Regulations of the said Agreement prescribe a fee of 5 Swiss francs or 2.50 Swiss francs.

Article 3

(1) The fees prescribed in Articles 1 and 2 of this Act may be modified on the proposal of the International Bureau or of the Swiss Government, in accordance with the procedure hereinafter defined.

(2) Such proposals shall be communicated to the Offices of States party to this Act, which shall communicate their views to the International Bureau within a period of six months. If, after that period, a modification of a fee is adopted by a majority of the said Offices without giving rise to any opposition, such modification shall enter into force on the first day of the month following the date of dispatch of the notification thereof by the International Bureau to the aforesaid Offices.

Article 4

(1) There shall be established from the excess receipts derived from the application of the additional fees a reserve fund not exceeding 50,000 Swiss francs.

(2) When the reserve fund has reached this amount, any further excess receipts shall be distributed among the States party to this Act in proportion to the number of designs deposited by their nationals, or by the other persons referred to in Article 1 of the Hague Agreement as revised at London.

Article 5

For such time as all countries members of the Union created by the Hague Agreement as revised at London are not party to this Act or to the Hague Agreement of November 28, 1960, the International Bureau shall draw up separate accounts for countries which are party to this Act and for those which are party only to the Hague Agreement as revised at London.

Article 6

(1) This Act shall remain open for signature until March 31, 1962.

(2) States party to the Hague Agreement as revised at London which have not signed this Act may accede thereto. In such cases, the provisions of Articles 16 and 16*bis* of the Paris Convention for the Protection of Industrial Property shall be applicable.

Article 7

(1) This Act shall be ratified and the instruments or ratifications shall be deposited with the Government of the Principality of Monaco. Such deposits shall be notified by the latter Government to the Government of the Swiss Confederation, which shall notify them to the contracting States.

(2) This Act shall come into force at the expiration of a period of one month from the date of dispatch by the Government of the Swiss Confederation to the contracting States of the notification of the deposit of the second instrument of ratification.

(3) As regards States which deposit their instruments of ratification subsequently to the deposit of the second such instrument of ratification as is mentioned in the preceding paragraph, this Act shall enter into force upon expiration of a period of one month from the date of dispatch by the Government of the Swiss Confederation to the contracting States of the notification of the deposit of the instrument of ratification concerned.

Article 8

This Act shall be signed in a single copy and shall be deposited in the archives of the Government of the Principality of Monaco. A certified copy thereof shall be sent by the latter to each of the Governments of the countries of the Hague Union.

IV

Complementary Act of Stockholm of July 14,1967 as amended on September 28. 1979

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* This Table of Contents has been added for the convenience of the reader. It does not appear in the original (French) text of the Complementary Act of Stockholm.

Article 1

[Definitions]

For the purposes of this Complementary Act:

" 1934 Act " shall mean the Act signed at London on June 2, 1934, of the Hague Agreement concerning the International Deposit of Industrial Designs;

" 1960 Act " shall mean the Act signed at The Hague on November 28, 1960, of the Hague Agreement concerning the International Deposit of Industrial Designs;

" 1961 Additional Act " shall mean the Act signed at Monaco on November 18, 1961, additional to the 1934 Act;

" Organization " shall mean the World Intellectual Property Organization;

" International Bureau " shall mean the International Bureau of Intellectual Property;

" Director General " shall mean the Director General of the Organization;

" Special Union " shall mean the Hague Union established by the Hague Agreement of November 6, 1925, concerning the International Deposit of Industrial Designs, and maintained by the 1934 and 1960 Acts, by the 1961 Additional Act, and by this Complementary Act.

Article 2

[Assembly]

(1) (a) The Special Union shall have an Assembly consisting of those countries which have ratified or acceded to this Complementary Act.

(b) The Government of each country shall be represented by one delegate, who may be assisted by alternate delegates, advisors, and experts.

(c) The expenses of each delegation shall be borne by the Government which has appointed it.

(2) (a) The Assembly shall:

(i) deal with all matters concerning the maintenance and development of the Special Union and the implementation of this Agreement ;

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- (ii) give directions to the International Bureau concerning the preparation for conferences of revision, due account being taken of any comments made by those countries of the Special Union which have not ratified or acceded to this Complementary Act;
- (iii) modify the Regulations, including the fixation of the amounts of the fees relating to the international deposit of industrial designs;
- (iv) review and approve the reports and activities of the Director General concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union;
- (v) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts;
- (vi) adopt the financial regulations of the Special Union;
- (vii) establish such committees of experts and working groups as it may deem necessary to achieve the objectives of the Special Union;
- (viii) determine which countries not members of the Special Union and which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers;
- (ix) adopt amendments to Articles 2 to 5;
- (x) take any other appropriate action designed to further the objectives of the Special Union;
- (xi) perform such other functions as are appropriate under this Complementary Act.

(b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.

(3) (a) Each country member of the Assembly shall have one vote.

(b) One-half of the countries members of the Assembly shall constitute a quorum.

(c) Notwithstanding the provisions of subparagraph (b), if, in any session, the number of countries represented is less than one-half but equal to or more than one-third of the countries members of the Assembly, the Assembly may make

decisions but, with the exception of decisions concerning its own procedure, all such decisions shall take effect only if the conditions set forth hereinafter are fulfilled. The International Bureau shall communicate the said decisions to the countries members of the Assembly which were not represented and shall invite them to express in writing their vote or abstention within a period of three months from the date of the communication. If, at the expiration of this period, the number of countries having thus expressed their vote or abstention attains the number of countries which was lacking for attaining the quorum in the session itself, such decisions shall take effect provided that at the same time the required majority still obtains.

(d) Subject to the provisions of Article 5(2), the decisions of the Assembly shall require two-thirds of the votes cast.

(e) Abstentions shall not be considered as votes.

(f) A delegate may represent, and vote in the name of, one country only.

(g) Countries of the Special Union not members of the Assembly shall be admitted to the meetings of the latter as observers.

(4) (a) The Assembly shall meet once in every second calendar year in ordinary session upon convocation by the Director General and, in the absence of exceptional circumstances, during the same period and at the same place as the General Assembly of the Organization.

(b) The Assembly shall meet in extraordinary session upon convocation by the Director General, at the request of one-fourth of the countries members of the Assembly.

(c) The agenda of each session shall be prepared by the Director General.

(5) The Assembly shall adopt its own rules of procedure.

Article 3

[International Bureau]

(1) (a) International deposit of industrial designs and related duties, as well as all other administrative tasks concerning the Special Union, shall be performed by the International Bureau.

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(b) In particular, the International Bureau shall prepare the meetings and provide the secretariat of the Assembly and of such committees of experts and working groups as may have been established by the Assembly.

(c) The Director General shall be the chief executive of the Special Union and shall represent the Special Union.

(2) The Director General and any staff member designated by him shall participate, without the right to vote, in all meetings of the Assembly and of such committees of experts or working groups as may have been established by the Assembly. The Director General, or a staff member designated by him, shall be *ex officio* secretary of those bodies.

(3) (a) The International Bureau shall, in accordance with the directions of the Assembly, make the preparations for the conferences of revision of the provisions of the Agreement.

(b) The International Bureau may consult with inter-governmental and international non-governmental organizations concerning preparations for conferences of revision.

(c) The Director General and persons designated by him shall take part, without the right to vote, in the discussions at those conferences.

(4) The International Bureau shall carry out any other tasks assigned to it.

Article 4

[Finances]

(1) (a) The Special Union shall have a budget.

(b) The budget of the Special Union shall include the income and expenses proper to the Special Union, its contribution to the budget of expenses common to the Unions, and, where applicable, the sum made available to the budget of the Conference of the Organization.

(c) Expenses not attributable exclusively to the Special Union but also to one or more other Unions administered by the Organization shall be deemed to be expenses common to the Unions. The share of the Special Union in such common expenses shall be in proportion to the interest the Special Union has in them.

(2) The budget of the Special Union shall be established with due regard to the requirements of coordination with the budgets of the other Unions administered by the Organization.

(3) The budget of the Special Union shall be financed from the following sources:

- (i) international deposit fees and other fees and charges due for other services rendered by the International Bureau in relation to the Special Union;
- (ii) sale of, or royalties on, the publications of the International Bureau concerning the Special Union;
- (iii) gifts, bequests, and subventions;
- (iv) rents, interests, and other miscellaneous income.

(4) (a) The amounts of the fees referred to in paragraph (3)(i) shall be fixed by the Assembly on the proposal of the Director General.

(b) The amounts of such fees shall be so fixed that the revenues of the Special Union from fees and other sources shall be at least sufficient to cover the expenses of the International Bureau concerning the Special Union.

(c) If the budget is not adopted before the beginning of a new financial period, it shall be at the same level as the budget of the previous year, as provided in the financial regulations.

(5) Subject to the provisions of paragraph (4) (a), the amount of the fees and charges due for other services rendered by the International Bureau in relation to the Special Union shall be established, and shall be reported to the Assembly, by the Director General.

(6) (a) The Special Union shall have a working capital fund which shall be constituted by the excess receipts and, if such excess does not suffice, by a single payment made by each country of the Special Union. If the fund becomes insufficient, the Assembly shall decide to increase it.

(b) The amount of the initial payment of each country to the said fund or of its participation in the increase thereof shall be a proportion of the contribution of that country as a member of the Paris Union for the Protection of Industrial Property to the budget of the said Union for the year in which the fund is established or the decision to increase it is made.

(c) The proportion and the terms of payment shall be fixed by the Assembly on the proposal of the Director General

and after it has heard the advice of the Coordination Committee of the Organization.

(7) (a) In the headquarters agreement concluded with the country on the territory of which the Organization has its headquarters, it shall be provided that, whenever the working capital fund is insufficient, such country shall grant advances. The amount of those advances and the conditions on which they are granted shall be the subject of separate agreements, in each case, between such country and the Organization.

(b) The country referred to in subparagraph (a) and the Organization shall each have the right to denounce the obligation to grant advances, by written notification. Denunciation shall take effect three years after the end of the year in which it has been notified.

(8) The auditing of the accounts shall be effected by one or more of the countries of the Special Union or by external auditors, as provided in the financial regulations. They shall be designated, with their agreement, by the Assembly.

Article 5

[Amendment of Articles 2 to 5]

(1) Proposals for the amendment of this Complementary Act may be initiated by any country member of the Assembly, or by the Director General. Such proposals shall be communicated by the Director General to the member countries of the Assembly at least six months in advance of their consideration by the Assembly.

(2) Amendments referred to in paragraph (1) shall be adopted by the Assembly. Adoption shall require three-fourths of the votes cast, provided that any amendment to Article 2, and to the present paragraph, shall require four-fifths of the votes cast.

(3) Any amendment referred to in paragraph (1) shall enter into force one month after written notifications of acceptance, effected in accordance with their respective constitutional processes, have been received by the Director General from three-fourths of the countries members of the Assembly at the time it adopted the amendment. Any amendment thus accepted shall bind all the countries which are members of the Assembly at the

time the amendment enters into force, or which become members thereof at a subsequent date.

Article 6

[Amendment of the 1934 Act and the 1961 Additional Act]

(1) (a) References in the 1934 Act to " the International Bureau of Industrial Property at Berne, " to " the Berne International Bureau, " or to " the International Bureau, " shall be construed as references to the International Bureau as defined in Article 1 of this Complementary Act.

(b) Article 15 of the 1934 Act is repealed.

(c) Any amendment of the Regulations referred to in Article 20 of the 1934 Act shall be effected in accordance with the procedure prescribed under Article 2 (2)(a) (iii) and (3)(d).

(d) In Article 21 of the 1934 Act, for the words " revised in 1928 " there shall be substituted the words " for the Protection of Literary and Artistic Works. "

(e) References in Article 22 of the 1934 Act to Articles 16, 16*bis*, and 17*bis*, of the " General Convention " shall be construed as references to those provisions of the Stockholm Act of the Paris Convention for the Protection of Industrial Property which, in the said Stockholm Act, correspond to Articles 16, 16*bis* and 17*bis*, of the earlier Acts of the Paris Convention.

(2) (a) Any modification of the fees referred to in Article 3 of the 1961 Additional Act shall be effected in accordance with the procedure prescribed under Article 2 (2)(a) (iii) and (3)(d).

(b) Paragraph (1) of Article 4 of the 1961 Additional Act, and the words " When the reserve fund has reached this amount " in paragraph (2), are repealed.

(c) References in Article 6(2) of the 1961 Additional Act to Articles 16 and 16*bis* of the Paris Convention for the Protection of Industrial Property shall be construed as references to those provisions of the Stockholm Act of the said Convention which, in the Stockholm Act, correspond to Articles 16 and 16*bis* of the earlier Acts of the Paris Convention.

(d) References in paragraphs (1) and (3) of Article 7 of the 1961 Additional Act to the Government of the Swiss Confederation shall be construed as references to the Director General.

Article 7

[Amendment of the 1960 Act]

(1) References in the 1960 Act to " the Bureau of the International Union for the Protection of Industrial Property " or to " the International Bureau " shall be construed as references to the International Bureau as defined in Article 1 of this Complementary Act.

(2) Articles 19, 20, 21, and 22, of the 1960 Act are repealed.

(3) References in the 1960 Act to the Government of the Swiss Confederation shall be construed as references to the Director General.

(4) In Article 29 of the 1960 Act, the words " periodical " (paragraph (1)) and " of the International Design Committee or " (paragraph (2)) are deleted.

Article 8

[Ratification of, and Accession to, the Complementary Act]

(1) (a) Countries which, before January 13, 1968, have ratified the 1934 Act or the 1960 Act, and countries which have acceded to at least one of those Acts, may sign this Complementary Act and ratify it, or may accede to it.

(b) Ratification of, or accession to, this Complementary Act by a country which is bound by the 1934 Act without being bound also by the 1961 Additional Act shall automatically entail ratification of, or accession to, the 1961 Additional Act.

(2) Instruments of ratification and accession shall be deposited with the Director General.

Article 9

[Entry Into Force of the Complementary Act]

(1) With respect to the first five countries which have deposited their instruments of ratification or accession, this Complementary Act shall enter into force three months after the deposit of the fifth such instrument of ratification or accession.

(2) With respect to any other country, this Complementary Act shall enter into force three months after the date on which its

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ratification or accession has been notified by the Director General, unless a subsequent date has been indicated in the instrument of ratification or accession. In the latter case, this Complementary Act shall enter into force with respect to that country on the date thus indicated.

Article 10

[Automatic Acceptance of Certain Provisions by Certain Countries]

(1) Subject to the provisions of Article 8 and the following paragraph, any country which has not ratified or acceded to the 1934 Act shall become bound by the 1961 Additional Act and by Articles 1 to 6 of this Complementary Act from the date on which its accession to the 1934 Act enters into force, provided that, if on the said date this Complementary Act has not yet entered into force pursuant to Article 9(1), then, such country shall become bound by the said Articles of this Complementary Act only from the date of entry into force of the Complementary Act pursuant to Article 9 (1).

(2) Subject to the provisions of Article 8 and the foregoing paragraph, any country which has not ratified or acceded to the 1960 Act shall become bound by Articles 1 to 7 of this Complementary Act from the date on which its ratification of, or accession to, the 1960 Act enters into force, provided that, if on the said date this Complementary Act has not yet entered into force pursuant to Article 9 (1), then, such country shall become bound by the said Articles of this Complementary Act only from the date of entry into force of the Complementary Act pursuant to Article 9 (1).

Article 11

[Signature, etc., of the Complementary Act]

(1) (a) This Complementary Act shall be signed in a single copy in the French language and shall be deposited with the Government of Sweden.

(b) Official texts shall be established by the Director General, after consultation with the interested Governments, in such other languages as the Assembly may designate.

(2) This Complementary Act shall remain open for signature at Stockholm until January 13, 1968.

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(3) The Director General shall transmit two copies, certified by the Government of Sweden, of the signed text of this Complementary Act to the Governments of all countries of the Special Union and, on request, to the Government of any other country.

(4) The Director General shall register this Complementary Act with the Secretariat of the United Nations.

(5) The Director General shall notify the Governments of all countries of the Special Union of signatures, deposits of instruments of ratification or accession, entry into force, and all other relevant notifications.

Article 12

[Transitional Provision]

Until the first Director General assumes office, references in this Complementary Act to the International Bureau of the Organization or to the Director General shall be construed as references to the Bureau of the Union established by the Paris Convention for the Protection of Industrial Property or its Director, respectively.

Regulations Under the Hague Agreement Concerning the International Deposit of Industrial Designs

(as in force on January 1, 2002)

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1.1 *Abbreviated Expressions*

For the purposes of these Regulations:

(i) “1934 Act” means the Act signed at London on June 2, 1934, of the Hague Agreement Concerning the International Deposit of Industrial Designs;

(ii) “1960 Act” means the Act signed at The Hague on November 28, 1960, of the Hague Agreement Concerning the International Deposit of Industrial Designs;

(iii) “Agreement” means the 1934 Act and/or the 1960 Act;

(iv) “Hague Union” means the Union established by the Hague Agreement Concerning the International Deposit of Industrial Designs;

(v) “Contracting State” means any State bound by the 1934 Act but not by the 1960 Act, or by the 1934 Act and by the 1960 Act, or by the 1960 Act but not by the 1934 Act;

(vi) “national” of any State includes also any person who, without being a national of that State, is resident or has a real and effective industrial or commercial establishment in the territory of the said State;

(vii) “International Bureau” means the International Bureau of the World Intellectual Property Organization and, as long as it subsists, the United International Bureaux for the Protection of Intellectual Property (BIRPI);

(viii) “national Office” means the national Office of a Contracting State competent in matters concerning industrial designs;

(ix) “regional Office” means the Office common to several Contracting States referred to in Article 30 of the 1960 Act;

(x) “International Register” means the International Register of Industrial Designs;

(xi) “international deposit” means the deposit of one or more industrial designs for which recording in the International Register has been requested or effected;

(xii) “international deposit governed exclusively by the 1934 Act” means an international deposit in respect of which only the

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1934 Act is applicable because either the depositor is a national of a State bound by the 1934 Act but not by the 1960 Act, or the depositor, being a national of a State bound by both the 1934 Act and the 1960 Act, has not designated, under Rule 5.1(c)(i), a State bound by the 1960 Act;

(xiii) “international deposit governed exclusively by the 1960 Act” means an international deposit in respect of which only the 1960 Act is applicable because either the depositor is a national of a State bound by the 1960 Act but not by the 1934 Act, or the depositor, being a national of a State bound by the 1960 Act and the 1934 Act, has designated, under Rule 5.1(c)(i), one or more States bound by the 1960 Act and has renounced the effects of the deposit in the States bound by the 1934 Act;

(xiv) “international deposit governed partly by the 1960 Act” means an international deposit in respect of which the 1960 Act and the 1934 Act are applicable because the depositor is a national of a State bound by the 1960 Act and by the 1934 Act and has designated, under Rule 5.1(c)(i), one or more States bound by the 1960 Act without renouncing the effects of the deposit in the States bound by the 1934 Act;

(xv) “application” means the application for recording of an international deposit in the International Register;

(xvi) “depositor” means the natural person or the legal entity in whose name the application is filed;

(xvii) “owner” means the natural person or the legal entity whose name is recorded in the International Register as the owner of the international deposit;

(xviii) “legal entity” includes also any association of natural persons or legal entities which, under the national law of the State according to which it is constituted, may acquire rights and assume obligations notwithstanding the fact that it is not a legal entity;

(xix) “multiple deposit” means an international deposit including several industrial designs;

(xx) “International Classification” means the classification set up under the Locarno Agreement Establishing an International Classification for Industrial Designs;

(xxi) “Bulletin” means the periodical publication containing the data relating to international deposits whatever the medium used for that publication.

Rule 2
Representation Before the International Bureau

2.1 *Appointment of a Representative*

(a) A representative shall be regarded as a duly appointed representative if his appointment complies with the prescriptions of paragraphs (b) to (h).

(b) The appointment of any representative shall require:

(i) that his name appear as that of a representative in the application and that such application bear the signature of the depositor, or

(ii) that a separate power of attorney (i.e., a document appointing the representative), signed by the depositor or the owner, be filed with the International Bureau.

(c) The depositor and the owner may appoint only one representative.

(d) Where several natural persons or legal entities have been indicated as representatives, the natural person or legal entity first mentioned in the document in which they are indicated shall be regarded as the only duly appointed representative.

(e) Where a partnership or firm composed of attorneys or patent or trademark agents has been indicated as representative, it shall be regarded as one representative.

(f) (i) Where there are several depositors, they shall appoint a common representative. In the absence of such appointment, the depositor first mentioned in the application shall be considered the duly appointed common representative of all the depositors.

(ii) Where there are several owners, they shall appoint a common representative. In the absence of such appointment, the natural person or legal entity first mentioned among the said owners in the International Register shall be considered the duly appointed common representative of all the owners.

(iii) Subparagraph (ii) shall not apply to the extent that different persons or entities become owners in respect of different Contracting States or different designs.

(iv) Where there are several depositors or owners, the document containing or constituting the appointment of their common representative shall be signed by all of them.

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(g) Any document containing or constituting the appointment of a representative shall indicate his name and his address. Where the representative is a natural person, his name shall be indicated by his family name and given name(s), the family name being indicated before the given name(s). Where the representative is a legal entity or a partnership or firm of attorneys or patent or trademark agents, "name" shall mean the complete name of the legal entity or partnership or firm. The address of the representative shall be indicated in the same manner as that provided for in respect of the depositor in Rule 5.1(a)(iv).

(h) The document containing or constituting the appointment shall contain no words which, contrary to Rule 2.2, would limit the powers of the representative to certain matters or exclude certain matters from the powers of the representative or limit such powers in time.

(i) [Deleted]

(j) Where the appointment does not comply with the requirements referred to in paragraphs (b) to (h), it shall be treated by the International Bureau as if it had not been made, and the depositor or the owner as well as the natural person, the legal entity, the partnership or the firm which was indicated as the representative shall be informed accordingly by the International Bureau.

(k) The Administrative Instructions shall provide recommended wording for the appointment.

2.2 *Effect of Appointment*

Any invitation, notification or other communication addressed by the International Bureau to the duly appointed representative shall have the same effect as it would have had if it had been addressed to the depositor or the owner. Any document requiring the signature of the depositor or the owner in any procedure before the International Bureau, except the document appointing the representative or revoking his appointment, may be signed by the duly appointed representative of the depositor or of the owner, and any communication from the duly appointed representative to the International Bureau shall have the same effect as it would have had if it had been effected by the depositor or the owner.

2.3 *Revocation or Renunciation of Appointment*

(a) The appointment of any representative may be revoked at any time by the natural person who or legal entity which has appointed that representative. For the purposes of the International Bureau, the revocation shall be effective even if only one of the natural persons who or legal entities which have appointed the representative revokes the appointment, and it shall take effect as soon as the International Bureau receives the document referred to in paragraph (b).

(b) Revocation shall require a written document signed by the natural person or the legal entity referred to in paragraph (a).

(c) The appointment of a representative as provided in Rule 2.1 shall be regarded as the revocation of any earlier appointment of any other representative. The name of the other earlier appointed representative shall preferably be indicated.

(d) Any representative may renounce his appointment by means of a notification signed by him and addressed to the International Bureau.

2.4 *General Powers of Attorney*

The appointment of a representative in a separate power of attorney may be general in the sense that it relates to more than one application or more than one international deposit in respect of the same natural person or legal entity. The Administrative Instructions shall provide for the identification of such applications and such international deposits, as well as other details in respect of such general power of attorney and of its revocation or renunciation. They may provide for a fee payable in connection with the filing of general powers of attorney.

2.5 *Substitute Representative*

(a) The appointment of the representative referred to in Rule 2.1(b) may indicate also one or more natural persons as substitute representatives.

(b) For the purposes of the second sentence of Rule 2.2, substitute representatives shall be considered representatives.

(c) The appointment of any substitute representative may be revoked at any time by the natural person who or legal entity which has appointed the representative or by the representative. Revocation shall require a written document signed by the said natural person, legal entity

or representative. It shall be effective, as far as the International Bureau is concerned, as from the date of receipt of the said document by that Bureau.

2.6 *Recording, Notification and Publication*

Each appointment of a representative or of a substitute representative, its revocation and its renunciation shall be recorded in the International Register, shall be notified to the depositor or to the owner, and shall be published.

Rule 3

The International Register

3.1 *Contents of the International Register; Keeping of the International Register*

(a) The International Register shall contain, in respect of each international deposit:

(i) all the indications that must or may be furnished under the Agreement or these Regulations, and that have in fact been furnished, to the International Bureau, with the exception of those indications referred to in Rule 5.1(a)(iv), second sentence, (vii), (b)(ii), (c)(ii) and (iii);

(ii) the number and the date of the international deposit and the numbers, if any, and the dates of all recordings relating to that deposit.

(b) In the case of international deposits governed exclusively by the 1934 Act, the International Register shall mention, where appropriate, in addition to the indications referred to in paragraph (a), the date on which the sealed envelope or packet was opened.

(c) In the case of international deposits which are governed exclusively or partly by the 1960 Act, the International Register shall contain, in addition to the indications referred to in paragraph (a), the reproduction of photographs or other graphic representations filed.

(d) The Administrative Instructions shall regulate the establishment of the International Register, and, subject to the Agreement and these Regulations, shall specify the form in which it shall be kept and the procedure which the International Bureau shall

follow for making recordings therein and for preserving it from loss or other damage.

Rule 4
Depositor; Owner

4.1 *The Same Depositor for All States*

- (a) The depositor shall be the same for all States.
- (b) Where the application, as filed, does not indicate the same depositor for all States designated under Rule 5.1 (c)(i), it shall be treated as if only the State first mentioned therein, and any other State for the purposes of which the same depositor is indicated as for the said first-mentioned State, had been designated.

4.2 *Several Owners*

Several natural persons or legal entities may be owners of one and the same international deposit provided they are all nationals of Contracting States.

Rule 5
Mandatory Contents of the Application

5.1 *Mandatory Contents of the Application*

- (a) Any application shall contain:
 - (i) an indication to the effect that it is filed under the Agreement;
 - (ii) an indication of the depositor's name; if the depositor is a natural person, his name shall be indicated by his family name and given name(s), the family name being indicated before the given name(s); if the depositor is a legal entity, its name shall be indicated by the full, official designation of the said entity;

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(iii) an indication of the State of which the depositor has the nationality, the State of which he is a resident and the State where he has a real and effective industrial or commercial establishment; where the depositor has a real and effective industrial or commercial establishment in more than one of the States party to the Agreement, only one such State may be indicated in the application;

(iv) the depositor's address, indicated in such a way as to satisfy the customary requirements for prompt postal delivery at the indicated address and consisting, in any case, of all the relevant administrative units up to, and including, the house number, if any. Any telephone and telefacsimile numbers that the applicant may have should preferably also be indicated. For each depositor, only one address shall be indicated; if several addresses are indicated, only the one first mentioned in the application shall be considered;

(v) the exact designation of the article or articles in which it is intended to incorporate the designs;

(vi) an indication of the number of designs included in the international deposit;

(vii) an indication of the amounts of fees paid, the name of the person making the payment and the mode of payment as provided in Rule 28.5.

(b) In the case of international deposits governed exclusively by the 1934 Act, the application shall contain, in addition to the indications referred to in paragraph (a):

(i) an indication of the type of deposit (open or sealed);

(ii) an indication of the documents, photographs, other graphic representations or samples accompanying the application;

(iii) an indication that prolongation of the deposit is requested, if the prolongation fee is paid at the same time as the international deposit fee.

(c) In the case of international deposits governed exclusively or partly by the 1960 Act, the application shall contain, in addition to the indications referred to in paragraph (a):

(i) the designation of the States bound by the 1960 Act in which the depositor requests that the international deposit shall have effect; where, under a regional treaty, the depositor cannot limit his application to some only of the States forming that regional group, designation of one or more of those States shall be treated as designation of all the States forming that regional group;

(ii) an indication of the documents, photographs or other graphic representations accompanying the application;

(iii) where appropriate, an indication of the samples or models accompanying the application.

Rule 6

Optional Contents of the Application

6.1 *Naming of a Representative*

Any application may indicate a representative.

6.2 *Claiming of Priority and Exhibitions*

(a) Any application may contain a declaration claiming, under the Paris Convention for the Protection of Industrial Property, the priority of one or more earlier deposits.

(b) The declaration claiming the priority of an earlier deposit shall indicate:

(i) the date of the earlier deposit;

(ii) the number of the earlier deposit;

(iii) the name of the Office where the earlier deposit was made or, if this is the case, the fact that the earlier deposit was effected under the Agreement.

(c) If the declaration does not contain the indications referred to in paragraphs (b)(i) and (iii), the International Bureau shall treat the declaration as if it had not been made.

(d) If the earlier deposit number referred to in paragraph (b)(ii) is not indicated in the declaration but is furnished by the depositor or the owner to the International Bureau prior to the expiration of the tenth month from the date of the earlier deposit, it shall be considered to have been included in the declaration and shall be published by the International Bureau.

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(e) If the date of the earlier deposit as indicated in the declaration precedes the date of the international deposit by more than six months, the International Bureau shall treat the declaration as if it had not been made.

(f) If the declaration claims the priority of more than one earlier deposit, the provisions of paragraphs (b) to (e) shall apply to each of them.

(g) Any application may contain an indication to the effect that the article or articles in which the designs are incorporated have been shown at an official or officially recognized international exhibition, together with the place where the exhibition was held and the date on which the article or articles were first exhibited there.

6.3 *Other Optional Indications*

(a) In the case of international deposits governed exclusively or partly by the 1960 Act, the application may also include:

(i) a brief description, not exceeding 100 words, of characteristic features of the designs, including colors;

(ii) a declaration as to who is the creator of the designs;

(iii) a request for publication in color;

(iv) a request for deferment of publication, as provided in Rule 10.1.

(b) Where the declaration referred to in paragraph (a)(ii) does not appear in the application but is communicated by the depositor or the owner to the International Bureau before preparations for publication have been completed, it shall be considered to have been included in the application.

Rule 7

Language of the Application and of Recordings, Notifications and Correspondence

7.1 *Language of the Application*

(a) In the case of international deposits governed exclusively or partly by the 1960 Act, the application shall be in the English or in the French language.

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(b) In the case of international deposits governed exclusively by the 1934 Act, the application shall be in the French language.

7.2 *Language of Recordings, Notifications and Correspondence*

(a) The recording of the international deposit in the International Register and any subsequent recordings concerning the deposit or notifications made by the International Bureau shall be in the same language as the application. However, indications concerning the depositor's address, with the exception of the name of the State in which that address is located, shall be recorded and notified in the language in which they were furnished by the depositor.

(b) Correspondence between the International Bureau and the depositor or the owner shall be in the same language as the application.

(c) Letters and other written communications from national or regional Offices, addressed to or intended for the International Bureau, shall be in the English or in the French language.

(d) Letters addressed by the International Bureau to a national or regional Office shall be in the English or in the French language according to the wish of the Office concerned.

(e) Any matter quoted from the International Register shall be in the language in which such matter appears in that Register.

(f) Where the International Bureau is under the obligation to forward to the depositor or to the owner any of the communications referred to in paragraph (c), it shall forward them in the language in which it received them.

Rule 8

Form of the Application

8.1 *Model Form*

(a) The application shall be established in accordance with the model form issued by the International Bureau. On request, printed copies of the model form shall be furnished free of charge by the International Bureau.

(b) The form shall be filled in preferably by typewriter and shall be easily legible.

8.2 *Copies; Signature*

- (a) The application shall be filed in two copies.
- (b) The application shall be signed by the depositor.

8.3 *No Additional Matter*

(a) The application shall not contain any matter and shall not be accompanied by any document other than those prescribed or permitted by the Agreement and these Regulations.

(b) If the application contains matter other than matter so prescribed or permitted, the International Bureau shall delete it *ex officio*. If the application is accompanied by any document other than those prescribed or permitted, the International Bureau shall dispose of the said document.

Rule 9
Multiple Deposit

9.1 *Maximum Number of Designs Included in a Multiple Deposit*

An international deposit may include up to 100 designs.

9.2 *Other Rules Applicable to Multiple Deposits*

(a) In the case of international deposits governed exclusively or partly by the 1960 Act, all designs included in a multiple deposit shall be intended for incorporation in articles listed under the same class of the International Classification.

(b) Each design included in a multiple deposit and each sample or model which may accompany the application shall be identified by a different number. Numbering shall be applied to the photographs or other graphic representations in accordance with the Administrative Instructions.

(c) The States designated under Rule 5.1(c)(i) shall be the same for all the designs included in a multiple deposit.

(d) Where deferred publication is requested, as provided in Rule 10.1, the duration of the deferment period shall be the same for all the designs included in a multiple deposit.

Rule 10
Deferred Publication

10.1 *Request for Deferred Publication*

(a) Where the international deposit is governed exclusively or partly by the 1960 Act, the depositor may request that publication of the deposit be deferred, by specifying in the application the duration of the period for which deferment is requested and by paying the prescribed fee.

(b) The duration of the deferment period shall not exceed twelve months computed from the date of international deposit or, if priority is claimed, from the priority date; if the priority of more than one earlier deposit is claimed, the duration of the deferment period shall not exceed twelve months computed from the earliest priority date.

(c) Where the depositor does not specify the duration of the deferment period, the International Bureau shall consider that the request is for the maximum allowable deferment period.

10.2 *Request for Immediate Publication*

At any time during the period of deferred publication, the depositor may, by means of a letter addressed to the International Bureau, request immediate publication.

10.3 *Withdrawal of the International Deposit During the Deferment Period*

At any time during the period of deferred publication, the depositor may, subject to Rule 20.1, withdraw his deposit by addressing a written declaration to the International Bureau. Withdrawal may be limited to one or more of the States designated under Rule 5.1(c)(i) and, in the case of multiple deposits, to some only of the designs included in the deposit.

10.4 *Expiration of the Deferment Period*

(a) If, at the expiration of the time limit referred to in Rule 13.2(h), the depositor has paid the fees referred to in Rule 13.2(a)(ii) and (iv), the International Bureau shall proceed with publication at the expiration of the deferment period.

(b) If, at the expiration of the time limit referred to in Rule 13.2(h), the depositor has not paid the fees referred to in Rule 13.2(a)(ii) and (iv), the International Bureau shall cancel the international deposit at the expiration of the deferment period.

Rule 11

Sealed Envelopes or Packets

11.1 Sealed Envelopes or Packets

Where a deposit governed exclusively by the 1934 Act has been made in a sealed envelope or packet, the envelopes or packets shall bear the notice “dépôt cacheté.”

Rule 12

Reproduction, Samples and Models of the Designs or Articles

12.1 Reproduction, Samples and Models

(a) In the case of international deposits governed exclusively by the 1934 Act, the application shall be accompanied by one photograph or other graphic representation or one sample of each article in which it is intended to incorporate the designs.

(b) In the case of international deposits which are governed exclusively or partly by the 1960 Act, the application shall be accompanied, for each design or for each article in which it is intended to incorporate the designs, by one photograph or other graphic representation, in color if the depositor requests publication in color or, failing that, in black and white, presented in accordance with the provisions of the Administrative Instructions. Additionally, the application may be accompanied by samples or models of the article or articles. The maximum and minimum dimensions of the representation of each design or article shown in the photographs or other graphic representations accompanying the application shall be laid down in the Administrative Instructions.

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(c) Photographs or graphic representations shall be of a quality permitting all the details of the articles shown in them to be clearly distinguished and admitting of reproduction in accordance with the provisions of the Administrative Instructions.

(d) The same article may be represented from different angles, provided that each representation of the article viewed from a different angle is shown on a separate photograph or graphic representation.

(e) The photographs or other graphic representations or the samples or models relating to one and the same deposit shall be contained in a single envelope or packet. None of the dimensions of any envelope or packet, including packing, shall exceed 30cm and the weight of any such envelope or packet and its packing shall not exceed 4kg. Perishable articles or articles which are dangerous to store shall not be accepted for deposit.

Rule 13 Prescribed Fees

13.1 Fee Prescribed for International Deposits Governed Exclusively by the 1934 Act

(a) International deposits governed exclusively by the 1934 Act shall be subject to an international deposit fee.

(b) The fee referred to in paragraph (a) shall be paid at the time the application is filed with the International Bureau or, at the latest, within the time limit laid down in Rule 14.2(a).

13.2 Fees Prescribed for International Deposits Governed Exclusively or Partly by the 1960 Act

(a) International deposits governed exclusively or partly by the 1960 Act shall be subject to the following fees:

- (i) an international deposit fee,
- (ii) an international publication fee,
- (iii) ordinary State fees,
- (iv) State novelty examination fees.

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(b) State fees shall be payable only for those States designated under Rule 5.1(c)(i). State novelty examination fees shall be payable only for those of the said States which carry out novelty examinations.

(c) States having made a notification under Article 30 of the 1960 Act shall be deemed a single State for the payment of State fees.

(d) The ordinary State fee paid for any State shall be deducted from the State novelty examination fee required by the same State.

(e) The amount of the State novelty examination fee shall be fixed by the national or regional Office of the State which carries out novelty examinations within the meaning of Article 2 of the 1960 Act. The said fee shall not be more than three-quarters of the fee payable for designs deposited with the national or regional Office or more than 75 Swiss francs for each design.

(f) Any change in the amount of the State novelty examination fee shall be communicated in writing to the International Bureau by the national or regional Office concerned. The amount thus communicated shall be applicable as from the first of January of the calendar year which commences after the expiration of six months from the date on which the international Bureau received the communication.

(g) Subject to paragraph (h), the fees referred to in paragraph (a) shall be paid at the time the application is filed with the International Bureau or, at the latest, within the time limit laid down in Rule 14.2(a).

(h) Where the international deposit is accompanied by a request for deferred publication, the fees referred to in paragraph (a)(ii) and (iv) shall be paid not later than one month before the day on which the deferment period expires or, in the case of a request for immediate publication, at the time the International Bureau receives that request.

Rule 14

Recording or Declining of the International Deposit

14.1 Regular International Deposits

Subject to Rule 14.2, the International Bureau shall record the international deposit in the International Register as of the date on which it receives the application.

14.2 *Defective International Deposits*

(a) Where the International Bureau finds that the application or the items that should accompany it have not been filed as provided under the Agreement or these Regulations, or that the prescribed fees have not been paid or have not been paid in full, it shall invite the depositor, unless it is clearly impossible to reach him, to correct the defect within three months from the date of the invitation.

(b) If the defect is corrected within the period referred to in paragraph (a), the International Bureau shall record the international deposit in the International Register as of the date indicated in Rule 14.1, subject to paragraph (c).

(c) The international deposit shall bear the date on which the correction of the defect was received by the International Bureau where the defect was one of the following:

(i) the application did not contain the indication referred to in Rule 5.1(a)(i);

(ii) the application did not contain the necessary indications to identify the depositor and reach him by post;

(iii) [deleted]

(iv) the indications contained in the application were not such as to permit the conclusion that the depositor was entitled to own international deposits;

(v) [deleted]

(vi) [deleted]

(vii) the application was not in the prescribed language or one of the prescribed languages;

(viii) the provisions of Rule 12.1(a) or of Rule 12.1(b), first sentence, were not complied with;

(ix) [deleted]

(x) in the case of international deposits governed exclusively by the 1934 Act, the application did not contain the indication referred to in Rule 5.1(b)(i), or that indication was at variance with the notice referred to in Rule 11.1;

(xi) in the case of international deposits governed exclusively or partly by the 1960 Act, the application did not contain the indications referred to in Rule 5.1(c)(i).

(d) If the defect is not corrected within the period referred to in paragraph (a), the International Bureau shall decline the international deposit and shall inform the depositor accordingly, stating its grounds for declining; no fees, with the exception of the publication fee, shall be reimbursed.

(e) If the international deposit is effected through a national or regional Office, the International Bureau shall forward to that Office a copy of all correspondence addressed to the depositor.

(f) If the samples or models accompanying the application do not comply with Rule 12, the International Bureau shall return them to the depositor at his expense.

Rule 15

International Deposit Certificate

15.1 International Deposit Certificate

After the International Bureau has recorded the international deposit in the International Register, it shall issue to the owner an international deposit certificate, whose contents are provided for in the Administrative Instructions.

Rule 16

Publication of the International Deposit

16.1 Contents of the Publication of the International Deposit

The publication of any international deposit shall contain:

(i) the name and address of the owner, with the exception of those indications referred to in Rule 5.1(a)(iv), second sentence;

(ii) an indication of the States referred to in Rule 5.1(a)(iii);

(iii) the date of the international deposit;

(iv) the number of the international deposit;

(v) the exact designation of the article or articles in which it is intended to incorporate the designs;

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(vi) an indication of the class or classes of the International Classification in which the article or articles referred to in item (v) are classified;

(vii) an indication of the number of designs included in the international deposit and, in the case of a multiple deposit, where the international deposit is governed exclusively or partly by the 1960 Act, the number given to each individual design;

(viii) where the international deposit is governed exclusively or partly by the 1960 Act, an indication of the States designated under Rule 5.1(c)(i);

(ix) where the international deposit is governed exclusively or partly by the 1960 Act, the reproduction of the photographs or other graphic representations filed;

(x) the name and address of the representative, where one has been appointed;

(xi) where priority has been claimed, the indications referred to in Rule 6.2(b);

(xii) where given in the application, the indications referred to in Rule 6.2(g);

(xiii) where the international deposit is governed exclusively or partly by the 1960 Act, the description of characteristic elements of the designs if given in the application;

(xiv) where the international deposit is governed exclusively or partly by the 1960 Act, the name of the creator of the designs if given in the application;

(xv) where the international deposit is governed exclusively or partly by the 1960 Act and its publication has been deferred, an indication of the date on which the deferment period expired;

(xvi) where the international deposit is governed exclusively by the 1934 Act, an indication of the type of deposit (open or sealed).

Rule 17
Refusals

17.1 *Form and Contents of Notifications of Refusal and of Withdrawal of Refusal*

(a) Any refusal of protection referred to in Article 8(1) of the 1960 Act or any total or partial withdrawal of such refusal shall be notified to the International Bureau, by registered post and separately for each international deposit, in three identical copies signed by the originating national or regional Office.

(b) The notification of refusal of protection shall indicate:

(i) the national or regional Office which has pronounced the refusal;

(ii) the number of the international deposit;

(iii) the name and address of the owner of the international deposit;

(iv) the grounds for refusal;

(v) where the refusal does not apply to all the designs included in the international deposit, those for which protection is refused, together with the relevant numbers;

(vi) where there are one or more earlier national, regional or international deposits opposing the international deposit, the dates and numbers of those deposits and the names and addresses of their owners;

(vii) the essential provisions of the applicable national law or regional treaty;

(viii) the time limit for appeal and the authority to which the appeal should be addressed, stating, where appropriate, that the appeal should be lodged through a local representative;

(ix) the date on which the national or regional Office which pronounced the refusal received the issue of the Bulletin in which the international deposit was published for the first time;

(x) the date on which the refusal was pronounced.

(c) The notification of total or partial withdrawal of a refusal of protection shall state the number and date of the international deposit, the name and address of the owner and, in the case of partial withdrawal, the numbers of the designs for which the refusal is withdrawn.

17.2 *Recording, Transmittal and Publication of Refusal and of Withdrawal of Refusal*

(a) The refusal shall not be recorded in the International Register:

(i) if the notification of refusal was not received by the International Bureau within six months from the date referred to in Rule 17.1(b)(ix);

(ii) if the date referred to in Rule 17.1(b)(ix) has not been indicated, unless the notification of refusal was received by the International Bureau within six months after the publication date of the issue of the Bulletin in which the international deposit was published for the first time;

(iii) if the notification of refusal does not state which national or regional Office pronounced the refusal or does not bear the signature of that Office;

(iv) if the notification of refusal does not indicate the number of the international deposit;

(v) if the notification of refusal does not indicate any grounds for the refusal.

(b) In the cases referred to in paragraph (a), the International Bureau shall:

(i) transmit a copy of the notification of refusal to the owner;

(ii) inform the Office which pronounced the refusal and the owner that the refusal has not been recorded in the International Register, stating the grounds therefor.

(c) In the cases not covered by paragraph (a), the International Bureau shall record the refusal in the International Register, transmit a copy of the notification to the owner and publish the refusal. However, if the notification fails to comply with Rule 17.1(a) and (b) on points not covered by paragraph (a) of this Rule, the Office which pronounced the refusal shall be required, if so requested by the International Bureau or the owner, to correct the notification without delay.

(d) The International Bureau shall record the withdrawal of refusal in the International Register, shall transmit a copy of the notification to the owner and shall publish the withdrawal of refusal.

Rule 18
Termination of Protection in a Contracting State

18.1 *Termination of Protection in a Contracting State*

When a final administrative or judicial decision under which protection is terminated in one of the Contracting States is communicated to the International Bureau by a national or regional Office, the International Bureau shall record that decision in the International Register and publish it.

Rule 19
Changes in Ownership

19.1 *Request for Recording of Change in Ownership*

(a) The request for recording a change in ownership in the International Register shall be established in accordance with the model form issued by the International Bureau. On request, printed copies of the model form shall be furnished free of charge by the International Bureau. The form shall be filled in preferably by typewriter and shall be easily legible.

(b) The request for recording referred to in paragraph (a) shall indicate its purpose, shall be accompanied by the recording fee and shall contain:

(i) the name of the owner (hereinafter referred to as “the earlier owner”) appearing as such in the International Register;

(ii) the name and address of the new owner in the manner provided for such indications to be furnished in respect of the depositor under Rule 5.1(a)(ii) and(iv), as well as an indication of the State of which he has the nationality, the State of which he is a resident and the State where he has a real and effective industrial or commercial establishment;

(iii) the number of the international deposit;

(iv) where the change in ownership is not requested for all the States referred to in Rule 16.1(viii) or, in the case of an international deposit governed exclusively by the 1934 Act, for all the States bound by the 1934 Act, an indication of those States for which it is requested;

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(v) where the change in ownership is not requested for all the designs included in the deposit, the numbers of those designs for which it is requested.

(c) The request shall be signed by the earlier owner or, if his signature cannot be obtained, by the new owner. In the latter case, the request shall be accompanied by an attestation from the competent authority of the Contracting State of which the previous owner had the nationality at the time of the change in ownership, or from that of the Contracting State where, at that same time, the earlier owner had his residence or a real and effective industrial or commercial establishment. The competent authority shall attest that, according to evidence produced before it, the new owner appears to be the successor in title of the earlier owner to the extent described in the request and one of the conditions prescribed in the preceding sentence is fulfilled. The attestation shall be dated and shall bear the stamp, seal or signature of the competent authority. The attestation shall be given for the sole purpose of allowing the change in ownership to be recorded in the International Register.

19.2 Recording, Notification and Publication; Declining of Request for Recording

(a) Where, according to the indications furnished in the request for recording of the change in ownership, the new owner is a person entitled to own international deposits and the request complies with the other prescribed requirements, the International Bureau shall record the change in ownership in the International Register, subject to paragraph (c). Such recording shall contain the indications referred to in Rule 19.1(b)(ii), (iv) and (v).

(b) The International Bureau shall notify the recording of the change in ownership to the earlier and to the new owners.

(c) The International Bureau shall publish the change in ownership. The publication shall contain the indications referred to in Rule 19.1(b) and the date of the recording.

(d) Where the natural person or legal entity or one of the natural persons or legal entities indicated as the new owner in the request for recording of the change in ownership is not entitled to own international deposits or where the request does not comply with the

other prescribed requirements, the International Bureau shall decline it and notify accordingly the person who has signed the request, stating its grounds for declining.

(e) Where the recording of the change in ownership is requested for one or more States in respect of which the new owner is not a person entitled to own international deposits, the International Bureau shall decline the recording for the States concerned and notify accordingly the person who has signed the request, stating its grounds for declining.

Rule 20

Withdrawal and Renunciation of the International Deposit

20.1 Admissibility of the Withdrawal; Belated Withdrawal

Any declaration of withdrawal of the international deposit shall be treated as such by the International Bureau if it reaches it before preparations for publication have been completed. If the said declaration reaches the International Bureau later, it shall be treated as a renunciation of the international deposit.

20.2 Procedure

(a) Withdrawals and renunciations shall be effected by means of a written declaration addressed to the International Bureau and signed by the depositor or the owner, as the case may be. The International Bureau shall acknowledge receipt of the declaration of withdrawal and, if the international deposit has already been recorded in the International Register, shall cancel that deposit.

(b) If the withdrawal or renunciation is only partial, the States or the numbers of the designs to which it relates shall be clearly indicated, failing which the withdrawal or renunciation shall not be taken into consideration.

(c) If the withdrawal is total or partial, no fees shall be reimbursed, with the exception of the publication fee where the withdrawal is total.

(d) The International Bureau shall record the renunciation in the International Register, shall notify the owner accordingly, and shall publish it. No fees shall be reimbursed.

Rule 21
Other Amendments to the International Deposit

21.1 *Permissible Amendments*

The owner may request that amendments be made to recordings in the International Register corresponding to the mandatory or optional indications appearing in the application in accordance with Rules 5.1(a)(ii) to (iv), 5.1(b)(i), 6.1 and 6.3(a)(ii); he may also, in the absence of a declaration under Rule 6.3(a)(ii) or (b), request that the name of the creator of the designs be recorded in the International Register.

21.2 *Procedure*

(a) Any amendment or recording referred to in Rule 21.1 shall be requested by means of a written communication to the International Bureau, signed by the owner and accompanied by the corresponding fee.

(b) The International Bureau shall record the amendment or the name of the creator of the designs in the International Register, shall notify the owner accordingly and, except in the case of amendments relating to names and addresses of representatives or substitute representatives, shall publish it.

Rule 22
Corrections

22.1 *Corrections*

(a) Errors attributable to the International Bureau or to a national or regional Office which affect a recording in the International Register or its notification or publication shall, at all times, be corrected by the International Bureau.

(b) Errors attributable to the depositor or his representative shall, at all times, be corrected by the International Bureau in the case of obvious clerical errors in the name and address of the depositor or his representative or in the date or number of the deposit whose priority is claimed.

(c) Where a refusal pronounced by a national or regional Office relates to a corrected element, Rule 17 shall apply *mutatis mutandis*. The date referred to in Rule 17.1(b)(ix) shall be considered by the International Bureau to be the date of receipt by the national or regional Office of the issue of the Bulletin in which the correction was published for the first time.

Rule 23
Prolongation of International Deposits Governed
Exclusively by the 1934 Act

23.1 *Unofficial Notice of Expiration*

Within the first six months of the fifth year of the initial period of protection, the International Bureau shall, where the prolongation fee has not yet been paid, send the owner an unofficial notice reminding him of the date of expiration of the initial period. Failure to send or receive the notice, or the fact of sending or receiving it late or any error in the notice shall not affect the expiration date.

23.2 *Demand for Prolongation*

The demand for prolongation shall preferably be made on the printed form which is attached to the unofficial notice of expiration by the International Bureau, and which the latter furnishes free of charge on request. The demand shall, in any case, indicate its purpose and contain:

- (i) the name and address of the owner,
- (ii) the number of the international deposit,
- (iii) where the demand for prolongation is not made in respect of all the designs included in the international deposit, the numbers of those designs for which it is made.

23.3 *Time Limits; Fee and Surcharge*

(a) The demand for prolongation must reach the International Bureau before the expiration of the initial period of protection.

(b) Subject to paragraph (c), the prolongation fee must be paid to the International Bureau not later than six months after the expiration of the initial period.

(c) If the fee reaches the International Bureau within six months after the expiration of the initial period, prolongation shall be subject to the payment of a surcharge, which must be paid within six months after the expiration of such period.

(d) Where, within the time limit fixed in paragraph (a), the International Bureau receives:

- (i) a demand for prolongation which does not comply with the requirement of Rule 23.2, or
- (ii) a demand for prolongation but no payment or insufficient payment to cover the fee due, or
- (iii) money which appears to be intended to cover the prolongation fee but no demand for prolongation,

it shall promptly invite the owner, if the time limits fixed in paragraphs (a) or (b) permit, to present a correct demand for prolongation, to pay or complete the fee due, or to present a demand, as the case may be. The invitation shall indicate the applicable time limits.

(e) Failure to send or receive the invitation referred to in paragraph (d) or any delay in dispatching or receiving such invitation or any error in the invitation shall not prolong the time limits fixed in paragraphs (a) and (b).

23.4 *Recording, Notification and Publication of the Prolongation; Opening of the Sealed Deposit*

Once the demand for prolongation has been presented and the prolongation fee paid, the International Bureau shall record the prolongation in the International Register, shall notify the owner accordingly and shall publish the indications referred to in Rule 23.2 together with the date on which the second period of protection will expire; in the case of a sealed deposit, the International Bureau shall open the said deposit on expiration of the initial period.

23.5 *Declining the Demand for Prolongation*

(a) Where the time limit fixed in Rule 23.3(a) or (b), as appropriate, is not respected or where the demand for prolongation does not comply with the requirements of Rule 23.2 or the fee due is not paid, the International Bureau shall decline the demand for prolongation, shall notify the owner accordingly, stating its grounds for declining, and shall reimburse the fee paid, after deduction of 50 Swiss francs.

(b) Where the ground for declining relates to the payment of the prolongation fee, the International Bureau shall not decline the demand for prolongation before the expiration of six months after the starting date of the second period.

Rule 24
Renewal of International Deposits Governed Exclusively
or Partly by the 1960 Act

24.1 *Reminder*

The International Bureau shall send a letter to the owner before the expiration of the term, initial or renewal, which is in effect, reminding him of the date of expiration of such term. The reminder shall be sent at least six months before the expiration date. Failure to send or receive the reminder, or the fact of sending or receiving it late or any error in the reminder shall not affect the expiration date.

24.2 *Time Limits; Fees and Surcharge*

(a) Renewal shall be effected simply by payment, during the last six months of each period of five years, of the international renewal fee and the renewal fees payable to States.

(b) If the renewal has not been effected on expiration of the period referred to in paragraph (a), the owner may effect the renewal within six months after the expiration of that period provided he pays, in addition to the international renewal fee and the renewal fees due to States, the surcharge provided for that purpose.

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(c) At the time of paying the international renewal fee and the renewal fees due to States, the following indications must be provided, preferably on the printed form which is attached to the reminder referred to in Rule 24.1 by the International Bureau and which the latter furnishes free of charge on request:

(i) the name and address of the owner;

(ii) the number of the international deposit;

(iii) if the renewal is not to be effected for all the States in respect of which the international deposit is recorded in the International Register, those States in respect of which it is to be effected;

(iv) if the renewal is not to be effected for all the designs included in the international deposit, the numbers of those designs for which it is to be effected.

(d) Where the payment received by the International Bureau is insufficient to cover the fees referred to in paragraph (a), or where the required indications referred to in paragraph (c) have not been furnished, the International Bureau shall promptly invite the owner to complete the payment or furnish the missing indications, if the time limits fixed in paragraphs (a) and (b) permit.

(e) Rule 24.4 is reserved.

24.3 *Recording, Notification and Publication of the Renewal*

(a) Once the international renewal fee and the renewal fees due to States have been paid and the requirements under Rule 24.2(c) have been fulfilled, the International Bureau shall record the renewal in the International Register, shall notify the owner accordingly, and shall publish the indications referred to in Rule 24.2(c) together with the date on which the renewal will expire.

(b) Where a payment that was insufficient to cover the fees referred to in Rule 24.2(a) has not been completed within the time limit fixed in Rule 24.2(a) and (b), or where the amount of the fees has been paid but the required indications referred to in Rule 24.2(c) have not been furnished within the said time limit, the International Bureau shall notify the owner that the renewal cannot be recorded in the International Register, stating the grounds therefor, and shall reimburse the sum paid, after deduction of 50 Swiss francs.

(c) Rule 24.4 is reserved.

24.4 *Rules Applicable to Certain International Deposits*

For all international deposits having effects concurrently in States in respect of which the 1960 Act applies and in States in respect of which the 1934 Act applies, the State renewal fee shall be payable only for those States in respect of which the 1960 Act applies.

Rule 25
Expired International Deposits

25.1 *Expired International Deposits*

(a) Within a period of two years computed from the date on which an international deposit has been withdrawn, renounced or cancelled, or on which the possibility of prolongation or of renewal has ceased to exist, the depositor or the owner may request the International Bureau to return to him at his own expense the samples and models filed under Rule 12.

(b) If no request is made for return of the samples and models, the International Bureau shall destroy them on expiration of the period referred to in paragraph (a).

Rule 26
Transmittal of Documents to the International Bureau

26.1 *Place and Mode of Transmittal*

Applications and their annexes, demands for prolongation, notifications and any other documents intended for filing, notification or other communication to the International Bureau shall be deposited with the competent service of that Bureau during the office hours fixed in the Administrative Instructions, or mailed to that Bureau.

26.2 *Date of Receipt of Documents*

Any document received by the International Bureau through deposit or mail shall be considered to have been received on the day on which it is actually received by that Bureau, provided that, when it is

actually received after office hours, or on a day when the Bureau is closed for business, it shall be considered to have been received on the next subsequent day on which the Bureau is open for business.

26.3 *Legal Entity; Partnerships and firms*

(a) Where any document submitted to the International Bureau is required to be signed by a legal entity, the official designation of the legal entity shall be indicated in the place reserved for signature and shall be accompanied by the signature of the natural person or persons entitled to sign for such legal entity according to the national law of the country under whose law the legal entity was established.

(b) The provisions of paragraph (a) shall apply, *mutatis mutandis*, to partnerships or firms composed of attorneys or patent or trademark agents but which are not legal entities.

26.4 *Exemption from Certification*

No authentication, legalization or other certification shall be required for the signatures of documents submitted to the International Bureau under the Agreement or these Regulations.

Rule 27
Calendar; Computation of Time Limits

27.1 *Calendar*

The International Bureau, national and regional Offices, depositors and owners shall, for the purposes of the Agreement and these Regulations, express any date in terms of the Christian era and the Gregorian calendar.

27.2 *Periods Expressed in Years, Months or Days*

(a) When a period is expressed as one year or a certain number of years, computation shall start on the day following the day on which the relevant event occurred, and the period shall expire in the relevant subsequent year in the month having the same name and on the day having the same number as the month and the day on which the said

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event occurred, provided that if the relevant subsequent month has no day with the same number the period shall expire on the last day of that month.

(b) When a period is expressed as one month or a certain number of months, computation shall start on the day following the day on which the relevant event occurred, and the period shall expire in the relevant subsequent month on the day which has the same number as the day on which the said event occurred, provided that if the relevant subsequent month has no day with the same number the period shall expire on the last day of that month.

(c) When a period is expressed as a certain number of days, computation shall start on the day following the day on which the relevant event occurred, and the period shall expire on the day on which the last day of the count has been reached.

27.3 *Local Dates*

(a) The date which is taken into consideration as the starting date of the computation of any period shall be the date which prevails in the locality at the time when the relevant event occurred.

(b) The date on which any period expires shall be the date which prevails in the locality in which the required document is filed or the required fee is paid.

27.4 *Expiration on a Non- Working Day*

If the expiration of any period during which any document or fee must reach the International Bureau falls on a day on which that Bureau is not open for business, or on which ordinary mail is not delivered in Geneva, the period shall expire on the next subsequent day on which neither of the said two circumstances exists.

Rule 28
Amounts and Payment of Fees

28.1 *Amounts of Fees*

(a) The amounts of fees due under the Agreement and these Regulations are given in the Schedule of Fees which is annexed to these Regulations and forms an integral part thereof.

(b) The fees payable shall be:

(i) where they concern an international deposit, the fees in force on the date of receipt by the International Bureau of that deposit;

(ii) where they concern a prolongation or renewal, the fees in force at the time of payment.

28.2 *Payment to the International Bureau*

All fees referred to in Rule 28.1(a) shall be payable to the International Bureau.

28.3 *Currency*

All fees referred to in Rule 28.1(a) shall be payable in Swiss currency.

28.4 *Deposit Accounts*

(a) Any natural person or legal entity may open a deposit account with the International Bureau.

(b) The details concerning deposit accounts shall be provided in the Administrative Instructions.

28.5 *Mode of Payment*

(a) Unless the payment is made in cash to the cashier of the International Bureau, the application, the demand for prolongation and any request or other document filed with the International Bureau in connection with any international deposit and subject to the payment of any fee shall indicate:

(i) the name and address, as provided in Rule 5.1(a)(ii) and (iv), of the natural person or legal entity making the payment, unless the payment is made by a cheque attached to the document;

(ii) the mode of payment, which may be by an authorization to debit the amount of the fee to the deposit account of such person or entity, or by transfer to a bank account or to the postal cheque account of the International Bureau, or by cheque drawn on a Swiss bank. The Administrative Instructions shall provide the details, in particular those governing the kind of cheques that shall be accepted in payment.

(b) Where the payment is made pursuant to an authorization to debit the amount of the fee to a deposit account, the authorization shall specify the transaction to which it relates, unless there is a general authorization to debit to a specified deposit account any fee concerning a given depositor, owner or duly appointed representative.

(c) Where the payment is made by transfer to a bank account or to the postal cheque account of the International Bureau, or by a cheque not attached to the application, the demand for prolongation or any request or other document, the notification of the transfer or cheque (or paper accompanying it) shall identify the transaction to which the payment relates, in the manner to be provided for in the Administrative Instructions.

28.6 *Effective Date of Payment*

Fees shall be considered to have been paid on the date on which the International Bureau receives the prescribed amount, that is to say:

(i) if the payment is made in cash to the cashier of the International Bureau, on the date on which such payment is made;

(ii) if the payment is made by debiting a deposit account with the International Bureau pursuant to a general authorization to debit, on the date on which the application, the demand for prolongation or any request or other document entailing the obligation to pay fees is received by the International Bureau, or, in the case of a specific authorization to debit, on the date on which the specific authorization is received by the International Bureau; the fee shall not be considered to have been paid if the balance of the deposit account is not sufficient;

(iii) if the payment is made by transfer to a bank account or to the postal cheque account of the International Bureau, on the date on which such account is credited;

(iv) if the payment is made by cheque, on the date on which the cheque is received by the International Bureau, provided that it is honored upon presentation to the bank on which the cheque is drawn.

28.7 *State Fees*

The International Bureau shall, in every calendar year, transfer to the States concerned the amounts of the State fees referred to in Rule 13.2 and of the renewal fees due to the States referred to in Rule 24.2 which it collects in respect of international deposits and recording of renewals effected during the preceding calendar year.

28.8 *Reference to Fees in the File*

The file kept for each international deposit shall contain the particulars of the amount and date of receipt by the International Bureau of any fee paid for a recording in the International Register connected with that deposit.

Rule 29
The Bulletin

29.1 *Contents*

(a) All matters which, according to the Agreement or these Regulations, the International Bureau is obliged to publish shall be published in the Bulletin.

(b) The Administrative Instructions may provide for the inclusion of other matters in the Bulletin.

29.2 *Frequency*

The Bulletin shall be issued once a month.

29.3 *Languages*

The Bulletin shall be published in a bilingual (English and French) edition.

29.4 *Sale*

The subscription and other sale prices of the Bulletin shall be fixed in the Administrative Instructions.

29.5 *Copies of the Bulletin for National and Regional Offices*

(a) Before the first of July of each year, the national and regional Offices shall notify the International Bureau of the number of copies of the Bulletin which they wish to receive in the next subsequent year.

(b) The International Bureau shall make the requested number of copies available to each national or regional Office:

(i) free of charge, up to the same number as the number of units corresponding to the class chosen under the Paris Convention for the Protection of Industrial Property by the Contracting State of which it is the national Office or by whichever of the Contracting States of which it is the regional Office has chosen the class to which the highest number of units corresponds;

(ii) at half of the ordinary subscription or sale price, for copies in excess of the said number.

(c) Copies given free of charge or sold under paragraph (b) shall be for the internal use of the national or regional Office which has requested them.

Rule 30
Extracts, Copies, Photographs and Information;
Certification of Documents Issued
by the International Bureau

30.1 *Extracts, Copies, Photographs and Information Concerning International Deposits*

(a) Any person may obtain from the International Bureau, against payment of a fee whose amount shall be fixed in the schedule of fees annexed to these Regulations, certified or uncertified extracts or copies of recordings in the International Register or of any document in the file of any international deposit, and photographs of the samples or models filed in accordance with Rule 12.

(b) On request and against payment of a fee whose amount shall be fixed in the schedule of fees annexed to these Regulations, any person may obtain from the International Bureau oral or written

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information, or information by telefacsimile devices, on any fact appearing in the International Register or in any document in the file of any international deposit.

(c) Paragraphs (a) and (b) shall not apply to sealed international deposits or to those which are the subject of a period of deferred publication currently in force, provided, however, that in the case of a sealed deposit any person may request from the International Bureau extracts or copies of recordings in the International Register and oral or written information on the contents of that Register.

(d) Notwithstanding paragraphs (a) and (b), the Administrative Instructions may waive the obligation to pay any fee where the work or the expense connected with the sole furnishing of a copy, photograph or information is minimal.

(e) The communication referred to in Article 14 of the 1934 Act shall be effected by furnishing a reproduction of the design.

30.2 *Certification of Documents Issued by the International Bureau*

Where any document issued by the International Bureau bears the seal of that Bureau and the signature of the Director General or a person acting on his behalf, no authority of any Contracting State shall require authentication, legalization or any other certification of such document, seal or signature, by any other person or authority.

Rule 31

Administrative Instructions

31.1 *Establishment of Administrative Instructions; Matters Governed by Them*

(a) The Director General shall establish Administrative Instructions. He may modify them. He shall consult the national and regional Offices which have a direct interest in the proposed Administrative Instructions or their proposed modification.

(b) The Administrative Instructions shall deal with matters in respect of which these Regulations expressly refer to such Instructions and with details in respect of the application of these Regulations.

(c) All forms of interest to depositors and owners shall be annexed to the Administrative Instructions.

31.2 *Control by the Assembly of the Hague Union*

The Assembly of the Hague Union may invite the Director General to modify any provision of the Administrative Instructions, and the Director General shall proceed accordingly.

31.3 *Publication and Effective Date*

(a) The Administrative Instructions and any modification thereof shall be published in the Bulletin.

(b) Each publication shall specify the date on which the published provisions become effective. The dates may be different for different provisions, provided that no provision may be declared effective prior to its publication in the Bulletin.

31.4 *Conflict with the Agreement and the Regulations*

In the case of conflict between any provision of the Administrative Instructions and any provision of the Agreement or of these Regulations, the latter shall prevail.

Rule 32

Languages of the Regulations

32.1 *Languages of the Regulations*

(a) These Regulations shall be adopted in the English and French languages, both texts being equally authentic. However, for States bound exclusively by the 1934 Act, the French text shall be the only authentic text.

(b) Official texts shall be established by the Director General, after consultation with the interested Governments, in such other languages as the Assembly of the Hague Union may designate.

Rule 33
Entry Into Force

33.1 *Entry Into Force*

These Regulations shall enter into force on January 1, 1986, and shall replace, as from that date, the Regulations under the Hague Agreement Concerning the International Deposit of Industrial Designs of July 1, 1979.

**Administrative Instructions
for the Application of
the Hague Agreement Concerning
the International Deposit of Industrial Designs**

(as in force on January 1, 2002)

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ADMINISTRATIVE INSTRUCTIONS

Part One General Matters

Section 101

Abbreviated Expressions

For the purposes of these Administrative Instructions:

(i) “1934 Act” means the Act signed at London on June 2, 1934, of the Hague Agreement Concerning the International Deposit of Industrial Designs;

(ii) “1960 Act” means the Act signed at The Hague on November 28, 1960, of the Hague Agreement Concerning the International Deposit of Industrial Designs;

(iii) “Agreement” means the Hague Agreement Concerning the International Deposit of Industrial Designs signed at The Hague in 1925 and revised at London in 1934, and the same Agreement as revised at The Hague in 1960;

(iv) “Regulations” means the Regulations under the Agreement of October 1, 1985;

(v) “Article” means an Article of the Agreement;

(vi) “Rule” means a Rule of the Regulations;

(vii) “International Bureau” means the International Bureau of the World Intellectual Property Organization and, as long as it subsists, the United International Bureaux for the Protection of Intellectual Property (BIRPI);

(viii) “Director General” means the Director General of the World Intellectual Property Organization;

(ix) “International Register” means the International Register of Industrial Designs;

(x) “application” means the application for the international deposit of an industrial design;

(xi) “international deposit” means the deposit of one or more industrial designs for which recording in the International Register has been requested or effected;

(xii) “Bulletin” means the periodical publication containing the data relating to international deposits, whatever the medium used for that publication;

(xiii) “national” of a State means any person who has the nationality of that State or has his domicile or has a real and effective industrial or commercial establishment on the territory of that State.

ADMINISTRATIVE INSTRUCTIONS

[Rules 8.1(a), 17.1,
23.2, 24.2(c) and
31.1(c)]

Section 102

Use of the Forms

(a) The forms reproduced in Annex B of these Administrative Instructions (Forms DM/1(a), DM/1(b), DM/3, DM/4(a) DM/4(b) and DM/25) are part of the Administrative Instructions.

(b) The application shall be made on Form DM/1(a) if the depositor is a national of a State bound by the 1960 Act and on Form DM/1(b) if the depositor is a national of a State bound exclusively by the 1934 Act and not by the 1960 Act.

(c) The unofficial notice of expiration referred to in Rule 23.1 and the reminder referred to in Rule 24.1 shall be established on Forms DM/4(a) and DM/4(b), respectively.

(d) The use is recommended of Form DM/3 for notifications of refusal of protection, the reverse side of Form DM/4(b) for the demand for prolongation referred to in Rule 23.2, and the reverse side of Form DM/4(a) for the provision of the indications referred to in Rule 24.2(c) that have to accompany the payment of the renewal fees.

(e) The request for recording a change in ownership referred to in Rule 19.1 shall be made on form DM/25.

[Rule 26.1]

Section 103

Office Hours of the International Bureau

For the purpose of receiving the documents referred to in Rule 26.1, the office hours of the International Bureau in Geneva, Switzerland, shall be from 8.30 a.m. to 11.30 a.m. and from 1.30 p.m. to 4 p.m.

[Rule 27.4]

Section 104

Non-Working Days

For the purposes of Rule 27.4, the International Bureau is not open for business on the following days:

(i) each Saturday and Sunday;

(ii) the first day of January, called “New Year’s Day”; the second day of January; the Friday before Easter, called “Good Friday”; the Monday after Easter, called “Easter Monday”; the thirty-ninth day

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after Easter, called “Ascension Day”; the eleventh day after Ascension Day, called “Whit Monday”; the Thursday after the first Sunday of September, called “Jeûne genevois”; the twenty-fifth day of December, called “Christmas Day”; the twenty-sixth day of December; and

(iii) any other day which the Director General may, according to circumstances, designate as a non-working day, provided that a notification concerning such designation is published in the Bulletin with a minimum of delay.

Section 105

Signature Requirement

(a) Where, under the Regulations or these Administrative Instructions, a document submitted to the International Bureau must be signed by a natural person or legal entity, and where there is a material defect or omission affecting that document, any document submitted later containing a correction of that defect or omission must be signed by the same natural person or legal entity, or by their successor in title, or by the representative of that person, entity or successor in title.

(b) Where it is not necessary to sign the document indicating the correction to be made, the International Bureau shall mention the fact in the invitation to correct or other communication by which the defect or omission is notified.

Section 106

Means of Communicating with the International Bureau

(a) All communications addressed to the International Bureau must be in writing. Any action of the International Bureau shall be based exclusively on the written record at that Bureau.

(b) The transmittal of data to the International Bureau by telegraph, teleprinter or other electronic means shall be considered equivalent to a communication of such data in writing, provided that:

(i) the data, when received by the International Bureau, are in an easily legible form and in English or French; and that

(ii) where the data so transmitted are required to be presented on a form, all of the relevant headings and reference numbers on such form are also transmitted.

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(c) Where, under the Regulations or these Administrative Instructions, a document is required to be signed by any natural person or legal entity, transmittal of the prescribed data by one of the means referred to in paragraph (b) shall not be effective unless, prior to the expiration of twenty (20) days counted from the date of receipt of such transmittal, a document in writing confirming the original communication, and bearing the prescribed signature, has been received by the International Bureau. When so confirmed, the original communication shall be effective as of the date on which it was received by the International Bureau.

Section 107

Non-Prescribed or Non-Authorized Documents

Any document other than those prescribed or authorized by the Agreement, the Regulations or these Administrative Instructions shall be treated by the International Bureau as if it had not been received and the said Bureau shall dispose of the document.

Section 108

Dates**

Any date used in the correspondence of the International Bureau or of the national Offices relating to applications, requests, demands or deposits shall be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year. Where the depositor or the owner has not done so, the International Bureau shall, after or below any date indicated in the application, request, demand or other document, repeat the date in brackets, using two-digit Arabic numerals for the number of the day, for the number of the month and for the last two numbers of the year, in that order and with a period after the digit pairs of the day and of the month (for example, “30 March 1978 (30.03.78)”).

* This system of indication of dates is in conformity with WIPO standards and the Administrative Instructions under the Patent Cooperation Treaty (Section 110).

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Section 109

Layout of Numerals

Where the numeral “7” is indicated in any document in handwriting, it shall be presented thus: “7”.

Section 110

Names of States

The name of any State referred to in any application, request, demand or other document under the Agreement, the Regulations or these Administrative Instructions shall be indicated either by its full official title or by the short title which appears in the list in Annex A of these Administrative Instructions.

[Rule 30.2]

Section 111

Delegation of the Power of Signature of Documents in the Name of the Director General

The Director General shall establish at least once each year a list of the officers of the International Bureau authorized to sign in the Director General’s name the documents issued pursuant to the Agreement. A copy of that list shall be furnished, on request, to any interested person.

Part Two

Representation Before the International Bureau

Section 201

Selection of Representative

The International Bureau shall not recommend, or otherwise aid in the selection of, a representative.

[Rule 2.1(d)]

Section 202

Appointment of One Representative

Subject to Rule 2.1(c), where the International Bureau receives an application or other document in which more than one natural person or legal entity is indicated as representative, it shall cancel all such indications except that of the first-mentioned natural person or legal entity. The International Bureau shall notify the depositor or the owner accordingly, indicating in such notification the name of the natural person or legal entity that shall be regarded by it as the duly appointed representative.

Section 203

Correspondence Where There is a Representative

(a) Where the depositor or the owner of an international deposit has appointed a representative pursuant to the provisions of the Regulations, all correspondence from the International Bureau to such depositor or such owner shall be addressed only to that representative.

(b) Notwithstanding paragraphs (a) and(c), the notification referred to in Section 202 shall be addressed only to the depositor or the owner.

(c) Notwithstanding paragraphs (a) and(b), correspondence shall be addressed to the depositor or the owner and to the representative in the following cases:

(i) notification of a defective revocation of appointment referred to in Section 204(c);

(ii) any communication sent by the International Bureau during the one-month period referred to in Section 205(a).

(d) Where an unofficial notice of expiration (Rule 23.1) or a reminder (Rule 24.1), which has been sent to the appointed representative, is returned to the International Bureau with a note that it was not deliverable to the addressee, the notice or reminder shall be sent to the owner.

[Rule 2.3(a),
(b) and (c)]

Section 204

Revocation of Appointment

(a) Where, in accordance with Rule 2.3(c), the appointment of a new representative entails the revocation of an earlier appointment of another representative, such revocation shall have effect only in respect of the application or international deposit to which the appointment of the new representative relates, provided that the appointment of a representative in a general power of attorney in accordance with Rule 2.4 entails the revocation of those of the earlier appointments which relate to applications or international deposits specified in accordance with Section 208(a)(ii).

(b) The fact that the International Bureau has received a document entailing the revocation of an appointment of a representative shall be notified to the natural person or legal entity whose appointment has been revoked.

(c) Where the revocation of an appointment does not conform to the requirements of Rule 2.3(a) or (b), it shall be treated as if it had not been made, and the depositor or the owner shall be informed accordingly by the International Bureau.

[Rule 2.3(d)]

Section 205

Renunciation of Appointment

(a) Any renunciation of the appointment of a representative under Rule 2.3(d) shall, in so far as it concerns the International Bureau, be effective one month after the date on which the corresponding notification was received by that Bureau.

(b) The fact that the International Bureau has received a notification of renunciation shall be notified to the representative and the depositor or the owner concerned.

(c) Where the renunciation of an appointment does not conform to the requirements of Rule 2.3(d), it shall be treated as if it had not been made, and the representative concerned shall be informed accordingly by the International Bureau.

Section 206

Form of Revocation or Renunciation of Appointment

(a) The use of the following terms is recommended for revocation of an appointment:

“The undersigned (indicate the name(s) and address(es) of the depositors) or the owner(s),
having, on (indicate the date on which the representative was appointed), appointed (indicate the name and address of the representative),
as his (their) representative, to act in his (their) name in matters concerning (use whichever of the following texts is appropriate):

- the application(s) for the international deposit of (an) industrial design(s) in respect of (give a summary description of the article or articles deposited),
- the international deposits) of (an) industrial design(s) No(s)....,
any future application for the international deposit of (an) industrial design(s) and any future international deposit of (an) industrial designs), hereby revoke(s) the said appointment (date and signature(s) of the depositors) or the owners).”

(b) The use of the following terms is recommended for renunciation of an appointment:

“The undersigned (indicate the name and address of the representative),
having, on (indicate the date on which the appointment took place), been appointed representative to act in the name of (indicate the name(s) and address(es) of the person(s) having appointed the representative) before the International Bureau in matters concerning (use whichever of the following texts is appropriate):

- the application(s) for the international deposit of (an) industrial design(s) in respect of (give a summary description of the article or articles deposited),
- the international deposits) of (an) industrial design(s) No(s)....,

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- any future application for the international deposit of (an) industrial design(s) and any future international deposit of (an) industrial design(s), hereby renounces the said appointment (date and signature of the representative).”

[Rule 2. 1 (k) and 4]

Section 207

Appointment of a Representative in a Separate Power of Attorney

(a) The separate power of attorney referred to in Rule 2.1 (b)(ii) may relate to a single application or a single international deposit (specific power of attorney) or to several applications or several international deposits (general power of attorney).

(b) The general power of attorney may relate to several specified applications or international deposits belonging to the same depositor or owner, or to all future applications or international deposits belonging to the same depositor or owner, or to several specified applications or international deposits and all future applications or international deposits belonging to the same depositor or owner.

(c) The use of the following terms is recommended for the establishment of a separate power of attorney:

“The undersigned (indicate the name(s) and address(es) of the depositors) or the owners) of the deposit) hereby appoint(s) as his (their) representative (give the following indications concerning the representative: family name and given name(s) or, in the case of a legal entity, its full official designation, street, including the number, post code, locality, country and, where appropriate, telephone number, telegraphic address and teleprinter address), to act in his (their) name before the International Bureau in matters concerning (use whichever of the following texts is appropriate):

- the enclosed application(s) for the international deposit of (an) industrial design(s)
- the international deposit of (the) industrial design(s)
No(s)....

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any future application for the international deposit of (an) industrial design(s) and any future international deposit of (an) industrial design(s)

(date and signature of the depositors) or the owner(s)).”

[Rule 2.4]

Section 208

Details Concerning General Powers of Attorney

(a) A general power of attorney under Rule 2.4 may relate to:

(i) any future application filed or future international deposit effected by the natural person or the legal entity having issued the general power of attorney; and/or

(ii) several specified applications previously filed by the natural person or the legal entity having issued the general power of attorney and/or several specified international deposits of which such natural person or legal entity is the owner.

(b) The applications and/or international deposits referred to in paragraph (a)(ii) shall be specified by indicating the corresponding dates and numbers or, where such dates and numbers do not yet exist, by attaching copies of the applications.

(c) The provisions of Rule 2.1(f)(iv) to (j) shall apply to the appointment of a representative in a general power of attorney.

(d) [deleted]

(e) A general power of attorney may be revoked by a written document signed by the natural person or the legal entity having issued the general power of attorney. Rule 2.3(a), second sentence, and (b), and Section 204(b) and (c) shall apply, *mutatis mutandis*.

(f) Any representative for whom a general power of attorney has been issued may renounce his appointment by means of a notification signed by him and addressed to the International Bureau. Section 205 shall apply, *mutatis mutandis*.

(g) Any application, request, demand or document communicated to the International Bureau by a representative whose appointment was effected in a general power of attorney shall be accompanied by a photocopy of such general power of attorney and shall indicate the name and address of the representative and the date of the general power of attorney.

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[Rule 2.5]

Section 209

Substitute Representative

(a) A substitute representative under Rule 2.5 may be appointed either in the same document as that of the appointment of the representative for whom the substitute is to act or in a separate document. In the latter case, the document appointing the substitute representative shall be accompanied by a copy to the document appointing the representative.

(b) The provisions of Rule 2.3(d) and of Section 205 shall apply, *mutatis mutandis*, to the renunciation of the appointment of a substitute representative.

(c) Section 204(b) shall apply, *mutatis mutandis*, to the revocation of the appointment of a substitute representative.

(d) Any application, request, demand or document communicated to the International Bureau by a substitute representative shall indicate the name and address of the representative for whom the substitute representative is acting, as well as the date of the document appointing the substitute representative.

Section 210

Procedure in Case of Cessation of Professional Activities of a Representative

(a) Where it is manifestly apparent that a representative has permanently ceased all professional activities, the International Bureau shall inform accordingly any depositor or owner concerned.

(b) Until the appointment of such representative is revoked, any correspondence of the International Bureau referred to in Section 203(a) shall be addressed both to the representative and to the depositor or the owner concerned.

Part Three
International Register

[Rule 3.1(d)]

Section 301

Establishment of the International Register

The International Register is established and maintained by the International Bureau at its headquarters in Geneva, Switzerland.

Section 302

Form of the International Register and Procedure for Making Recordings Therein; File of an International Deposit

(a) The International Register shall consist, for each international deposit, of all the data and the reproductions referred to in paragraphs (a) to (c) of Rule 3.1. The International Register shall be kept, in the case of recordings published before March 1, 1999, in the form of reprints of all publications made with respect to the international deposits concerned and, in the case of recordings published after February 28, 1999, in the form of an electronic database.

(b) A file shall be established for each international deposit containing the application and any request, communication, correspondence or other document concerning the application or the international deposit.

(c) For international deposits in respect of which the recording was published before March 1, 1999, the file shall also contain the reprints referred to in paragraph (a) of the present Section. The reprints shall be numbered consecutively in the order of their recording date. A summary sheet shall be established in the same order and included in the file.

(d) A filing system shall be established so that each file may be easily consulted and updated without being removed from the place where it is located.

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Section 303

Conservation of the International Register and of the Files of International Deposits

(a) The International Bureau shall conserve indefinitely the International Register. The reprints referred to in Section 302(a) may be conserved on any suitable medium, including in electronic form.

(b) The International Bureau shall conserve, during the total duration of the deposit and for five years thereafter, the application and any requests, demands, communications, correspondence or other documents concerning the application or the international deposit.

Section 304

Date of Recording in the International Register

Subject to Rule 14, any recording relating to an international deposit shall be effected by the International Bureau under the date on which it received the indications to be recorded and the prescribed fees.

Section 305

Protection of the International Register Against Loss or Damage

(a) Subject to Article 14 of the 1934 Act, no original file or document to which the Agreement, the Regulations or these Administrative Instructions apply may be removed from the premises where the International Register is located.

(b) In order to avoid the consequences of loss or damage, a reproduction of the contents of the International Register shall be maintained, on paper or another suitable data carrier, at a location which is remote from the premises on which the International Register is located.

Section 306

International Deposit Numbers

(a) The International Bureau shall assign to each international deposit which is governed exclusively or partly by the 1960 Act an international deposit number consisting of the letters DM, an oblique stroke and a six-digit number (e.g., “DM/000705”).

(b) For as long as publication of an international deposit is deferred, that deposit shall have a provisional number consisting of the letters DMA, an oblique stroke and a six-digit number (e.g., “DMA/000025”).

(c) The International Bureau shall assign to every international deposit governed exclusively by the 1934 Act a deposit number according to the numbering used since the entry into force of the Hague Agreement.

Part Four

**Reproduction of the Design or Article Deposited,
Description of Characteristic Features**

[Rule 12.1(c)]

Section 401

Presentation of Reproductions

(a) One and the same deposit may comprise both photographs and graphic representations.

(b) Where the international deposit is governed exclusively or partly by the 1960 Act, the photographs or other graphic representations accompanying the application shall be either pasted or printed directly onto a separate sheet of A4 paper which is white and opaque. The separate sheet of paper shall be used upright and shall not contain more than 25 reproductions.

(c) The photographs or other graphic representations must be arranged on the separate sheet referred to in paragraph (b) in the orientation in which the applicant wishes them to be published. A margin of at least 5 millimeters should be left around each reproduction.

ADMINISTRATIVE INSTRUCTIONS

(d) Each reproduction must fall within a right-angled quadrilateral containing no other reproduction or part of another reproduction and no numbering. The photographs or other graphic representations shall not be folded or stapled or marked in any way.

(e) Where a design (in two dimensions) is intended to be applied to two or more articles that form a whole (e.g., a dinner service), the deposit may comprise only one of the articles forming the whole (e.g., a plate) that will be shown in the photographs or other graphic representations accompanying the application.

[Rule 9.2(b)]

Section 402

Numbering of Reproductions

(a) The numbering stipulated for multiple deposits shall appear in the margin of each photograph or other graphic representation. When the same article is represented from different angles, the numbering shall consist of two separate figures separated by a dot (e.g. 1.1, 1.2, 1.3, etc. for the first article, 2.1, 2.2, 2.3, etc. for the second article and so on).

(b) The reproductions shall be pasted or printed in ascending numerical order on the separate sheet referred to in Section 401(b).

Section 403

Representation of the Design or Article Deposited

(a) The photographs and other graphic representations shall represent the deposited design or article alone, to the exclusion of any other object, accessory, person or animal.

(b) The dimensions of the representation of each design or object appearing in a photograph or other graphic representation may not exceed 16 x 16 centimeters, and one of those dimensions must be at least 3 centimeters.

(c) The following shall not be accepted:

(i) technical drawings or representations showing articles in section or in plan, particularly with axes and dimensions;

(ii) explanatory text or legends.

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Section 404

Requirements for Photographs

(a) The photographs supplied must be of professional standard. The articles must be shown against a neutral plain background. Photographs retouched with ink or correcting fluid are not allowed.

(b) Reproductions of photographs that meet the conditions set forth in paragraph (a) and have been produced by means of electronic processes shall be allowed if they are themselves of professional standard and not retouched.

(c) Photographs or reproductions of photographs shall have all the edges cut at right angles.

Section 405

Requirements for Graphic Representations

Graphic representations must be either originals of professional standard produced with drawing instruments or by electronic means on good quality white, opaque paper, all of whose edges are cut at right angles, or prints or photocopies made from such originals and having the same quality. The lines must be even and boldly drawn. The article represented should preferably be in perspective; it may comprise shading and hatching to provide relief. Graphic representations executed by electronic means may be shown against a background, provided that it is neutral and plain and has only edges cut at right angles.

[Rule 6.3(a)(i)]

Section 406

Description of Characteristic Features

The description of characteristic features shall concern those features that appear in the reproduction. It may not describe technical features of the operation of the deposited article or its possible utilization.

Part Five
Fees

[Rule 28.4(b)]

Section 501

Deposit Accounts

(a) A deposit account with the International Bureau may be opened by any natural person or legal entity (hereinafter “account holder”) by sending a written request to the International Bureau indicating the account holder’s identity, residence, nationality and address in the same manner as that provided for in respect of the depositor in Rule 5, and by transferring to the account of the International Bureau an amount in Swiss francs of at least SF 1000, or whatever higher amount may be necessary to cover all payments that the account holder expects to make during a foreseeable period of time after the opening of the deposit account.

(b) Upon receipt of the indications and the amount referred to in paragraph (a), the International Bureau shall:

(i) establish the deposit account;

(ii) communicate in writing to the account holder the number of the relevant deposit account; and

(iii) send to the account holder a receipt for the amount he has transferred to it.

(c) In accordance with the instructions communicated by the account holder, the International Bureau shall debit the deposit account for any transaction under the Agreement, the Regulations or these Administrative Instructions in respect of which the payment of a fee is required.

(d) At the close of each month’s business, or, where appropriate, at shorter or longer intervals, a statement shall be rendered to the account holder setting forth all of the debits and credits effected during the preceding period and indicating the balance of the account. The account holder shall, if necessary, make a remittance promptly upon receipt of each statement to restore the account to its established normal deposit value.

(e) If instructions are communicated by the account holder to debit the amount of any fee to a deposit account and the balance of that account is not sufficient to cover the payment of that fee, the International Bureau shall treat such instructions as if they had not been communicated. In such case, the International Bureau shall without

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delay invite the account holder to replenish his account. Where there have been repeated cases of insufficient funds, the International Bureau may close the deposit account after having informed the account holder accordingly.

[Rule 28.5(a)(ii)]

Section 502

Payment of Fees by Cheque

Where the payment of any fee is made by cheque, the cheque must be made payable to the International Bureau and must be drawn in Swiss francs on a bank in Switzerland.

[Rule 28.5(c)]

Section 503

Identification of Transaction to Which a Payment Relates

Where any payment is made by transfer to a bank account or to the postal cheque account of the International Bureau, or by a cheque which is not attached to the application, request, demand or other document to which the payment relates, the notification to the International Bureau of the transfer or the cheque (or document attached thereto) shall indicate:

(i) the transaction under the Agreement, the Regulations or these Administrative Instructions to which the payment relates;

(ii) the date on which the application, request, demand or other document to which the payment relates was sent to the International Bureau;

(iii) where the transaction relates to an application, in addition to the indications referred to in (i) and (ii), the name and address of the depositor;

(iv) where the transaction relates to an international deposit, in addition to the indications referred to in (i) and (ii), the number of that deposit and the name and address of its owner;

(v) where applicable, the reference given by the International Bureau in the relevant correspondence; and

(vi) where applicable, the number of the invoice of the International Bureau.

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[Rule 30.1(d)]

Section 504

Exemption from Fees

The following shall be exempt from fees:

(a) total or partial withdrawal of an application; fees already paid are not reimbursed, however, with the exception of the international publication fee in the case of total withdrawal where the written declaration of withdrawal reaches the International Bureau before the preparations for publication have been completed;

(b) total or partial renunciation of an international deposit;

(c) total or partial cancellation of an international deposit pursuant to a final, binding decision of a court or other competent national authority;

(d) the furnishing of oral information in respect of a single application or a single international deposit, concerning the name and address of the depositor or the owner or the name and address of his representative;

(e) the recording of the name of the creator of the designs;

(f) opening of a sealed envelope or packet;

(g) the recording of the appointment of a representative, a change of representative or a change in the name or address of the representative;

(h) the filing of general powers of attorney;

(i) the communicating deposited designs to a court or any other competent authority

Part Six

Publication and International Deposit Certificate

[Rule 29.1(b)]

Section 601

Matters to be Published

(a) In addition to the matters to be published under Rule 29.1 (a), the Bulletin shall contain:

(i) in each issue, a list of the States party to the Agreement;

(ii) once a year, statistics relating to international deposits, prolongations and renewals effected during the previous year;

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(iii) once a year, one or more indexes permitting the retrieval of the numbers of the international deposits in respect of which a publication has been made in the course of the previous year;

(iv) once a year, where appropriate, a table of contents showing the articles and studies referred to in paragraph (b) below which were published in the course of the previous year.

(b) The Bulletin may also contain:

(i) articles and studies concerning the Agreement or the Regulations;

(ii) a part reserved for paid advertising connected with intellectual property.

Section 602

Publication of the International Deposit in Accordance With the Applicable Act

(a) The publication of the Bulletin shall be effected on any suitable medium; this medium may differ according to which Act governs the international deposits. The use of a single medium shall be considered fully sufficient for the purposes of any prescribed publication.

(b) International deposits governed exclusively partly by the 1960 Act and international deposits governed exclusively by the 1934 Act shall be published separately.

(c) In the publications relating to international deposits governed exclusively or partly by the 1960 Act, the States to which the deposits extend their effects shall be shown in two groups:

- I. States in respect of which the 1960 Act applies;
- II. States in respect of which the 1934 Act applies.

Section 603

Subscription and Other Forms of Sale

(a) The subscription price of the Bulletin, which shall be annual starting from the first issue of the year, shall be as follows:

(i) full subscription (CD-ROM edition and paper edition):
460 Swiss francs a year;

(ii) paper edition only: 115 Swiss francs a year.

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(b) The Bulletin may also be sold in the form of annual collections starting from the first issue of the year. The prices of annual collections shall be the same as that of the annual subscriptions

(c) The paper edition of the Bulletin may be sold singly, at a price of 15 Swiss francs per issue.

[Rule 15]

Section 604

International Deposit Certificate

(a) After having entered the international deposit in the International Register, the International Bureau shall issue to the owner an international deposit certificate containing the data and copies of the photographs or other graphic representations entered in the International Register. However,

(i) where publication of the international deposit is deferred, the certificate shall consist of a copy of the application, bearing the provisional number assigned to the deposit, and,

(ii) where the international deposit is accompanied by a request for deferment of publication, the period of deferment has ended and the conditions are fulfilled for publication to proceed, the International Bureau shall issue to the owner a new international deposit certificate containing the data and copies of the photographs or other graphic representations that are to be published.

(b) The copy of the application, the data and the copies of the photographs or other graphic representations contained in an international deposit certificate shall be certified by the Director General, or by an officer authorized to sign in his name by virtue of Section 111.

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Annex A

[Section 110] **Names of States Party to the Agreement
as of December 1, 2001**

<i>Short title</i>	<i>Full name</i>
Belgium	Kingdom of Belgium
Benin	Republic of Benin
Bulgaria	Republic of Bulgaria
Côte d'Ivoire	Republic of Côte d'Ivoire
Democratic People's Republic of Korea	Democratic People's Republic of Korea
Egypt	Arab Republic of Egypt
France	French Republic
Germany ¹	Federal Republic of Germany
Greece	Hellenic Republic
Holy See	Holy See
Hungary	Republic of Hungary
Indonesia	Republic of Indonesia
Italy	Italian Republic
Liechtenstein	Principality of Liechtenstein
Luxembourg	Grand Duchy of Luxembourg
Monaco	Principality of Monaco
Mongolia	Mongolia
Morocco	Kingdom of Morocco
Netherlands	Kingdom of the Netherlands
Republic of Moldova	Republic of Moldova
Romania	Romania
Senegal	Republic of Senegal
Slovenia	Republic of Slovenia
Spain	Kingdom of Spain
Suriname	Republic of Suriname
Switzerland	Swiss Confederation
The former Yugoslav Republic of Macedonia	The former Yugoslav Republic of Macedonia
Tunisia	Republic of Tunisia
Yugoslavia	Federal Republic of Yugoslavia

¹ As from October 3, 1990, that is to say the date of accession of the German Democratic Republic to the Federal Republic of Germany, the International Bureau is using the name "Germany" to designate the territory of the Federal Republic of Germany as it exists since that date, including the territory which, prior to October 3, 1990, constituted the German Democratic Republic.

Annex B

[Section 102]

Forms

Form DM/1(a)	Application for international deposit under the Hague Agreement Concerning the International Deposit of Industrial Designs—1960 Act
Form DM/1(b)*	Demande de dépôt international selon l'Arrangement de La Haye concernant le dépôt international des dessins et modelés industriels - Acte de 1934
Form DM/3	Notification of refusal
Form DM/4(a)	Front: Reminder Back: Renewal of an international deposit
Form DM/4(b)**	Front: Avis officieux d'échéance Back: Requête en prorogation
Form DM/25	Request for recording of a change, in ownership

* This form, used to file applications for international deposits governed exclusively by the 1934 Act, is available in French only (see Rule 7.1(a)).

** This form, used for the sending of unofficial notices of expiration and for requesting the prolongation of deposit governed exclusively by the 1934 Act, is available in French only (see Rule 7.2)

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