Industrial property: international registration of industrial designs, measures to give effect to the accession to the Geneva Act of the Hague Agreement, adopted in Geneva on 2 July 1999

2005/0274(CNS) - 18/12/2006 - Final act

PURPOSE: to adopt measures which are necessary to give effect to the accession of the European Community to the Geneva Act of the Hague Agreement concerning the international registration of industrial designs.

LEGISLATIVE ACT: Council Regulation 1891/2006/EC amending Regulations 6/2002/EC and 40/94/EC to give effect to the accession of the European Community to the Geneva Act of the Hague Agreement concerning the international registration of industrial designs.

CONTENT: the Council adopted a decision approving the accession of the European Community to the Geneva Act of the Hague Agreement concerning the international registration of industrial designs (see CNS/2005/0273), and a regulation in order to give effect to the accession.

The Geneva Act allows designers to obtain design protection in a number of countries through a single international deposit. Thus, under the Geneva Act, a single international application filed with the International Bureau of the World Intellectual Property Organization (WIPO) replaces a whole series of applications which, otherwise, should have been effected with different national or regional Offices.

One of the main innovations of the Geneva Act is that intergovernmental organisations which have a regional office for the purpose of registering designs with effect in the territory in which the constituting treaty of the organization applies, may accede. This innovation was introduced into the Geneva Act with the specific intention of allowing the Community to adhere to the international registration system after the entry into force of the Community design system.

This present Regulation sets out the measures necessary to give effect to the accession of the Community to the Geneva Act. These measures shall be incorporated in the Community Design Regulation through amendment of existing provisions and addition of a new Title XIa on "International Registration of Designs".

This Regulation shall enter into force on the date on which the Geneva Act enters into force with respect to the European Community.