



WIPO | HAGUE

The International
Design System

■ Industrial Designs and The Generalities

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Familiar with these products?



Baskets - Rwanda
[Link](#)



Herero dolls - Namibia
[Link](#)



Ceramic pottery - Botswana
[Link](#)



Handicraft – Sao Tome & Principe
[Link](#)



Waist beads - Ghana
[Link](#)



Ewe kente stripes - Ghana
[Link](#)

What is an industrial design?



DM/222 410

- Ornamental aspects of an article/product



DM/209 355

- Three dimensional features:
 - Shapes of an article



DM/221 210

- Two dimensional features
 - Patterns
 - Lines
 - Colors

What kind of protection does an industrial design right offer?

Right to prevent third parties from:



Making



Selling

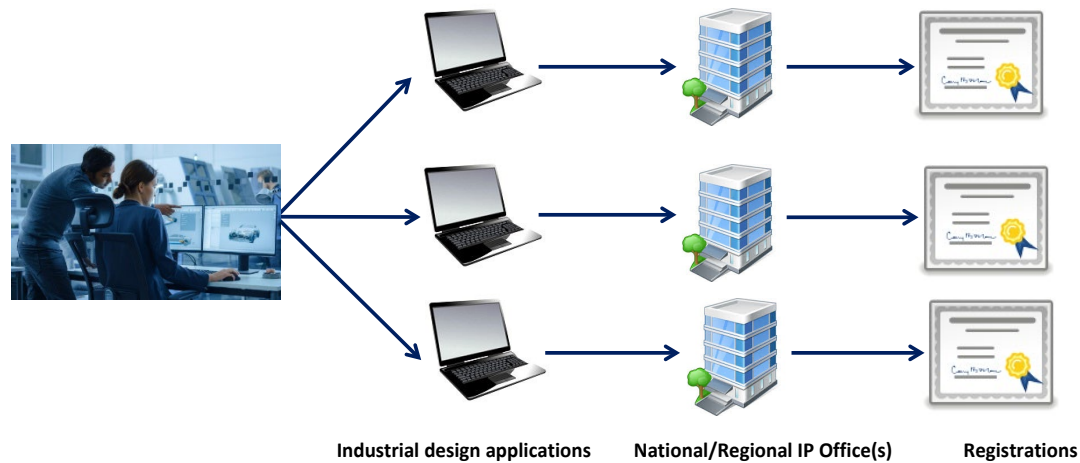


Importing

Articles bearing or embodying a design which is a copy, or substantially a copy, of the protected designs when such acts are undertaken for commercial purposes.

How to obtain protection for an industrial design?

- Filing with the intellectual property (IP) office of the country (or region)



- Filing with the Hague System (an entitlement to file is required)



Applying for industrial design protection

- Must fulfill some or all of the following criteria: novelty, originality
- Granted by the IP Office of the country (or region) where the application is filed
- May file the application yourself or may be required to appoint an agent (depending on applicable law)
- Rights are territorial: limited to the country (or region) where protection is granted
- Timing is important: in general, before publicly disclosing it

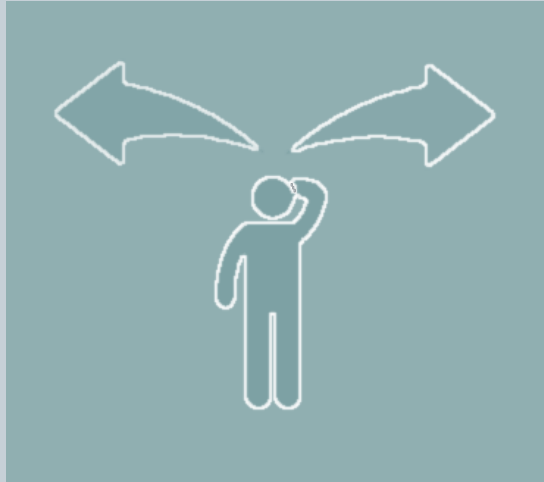
Resources

- IP Offices may have online databases of industrial design/patent for industrial design registrations available. <https://www.wipo.int/directory/en/urls.jsp>
- WIPO Lex: easy access to IP legislation from a wide range of countries and regions and treaties on IP. <https://www.wipo.int/wipolex/en/>
- National or regional IP offices provide information on their websites. <https://www.wipo.int/directory/en/urls.jsp>

How are industrial designs relevant to businesses?



- Makes a product attractive and appealing to customers.



- Drives consumer's choice and can be a key factor in the purchase decision.



- May lead to success or failure of a product.

Advantages to businesses of protecting their industrial designs? (1)



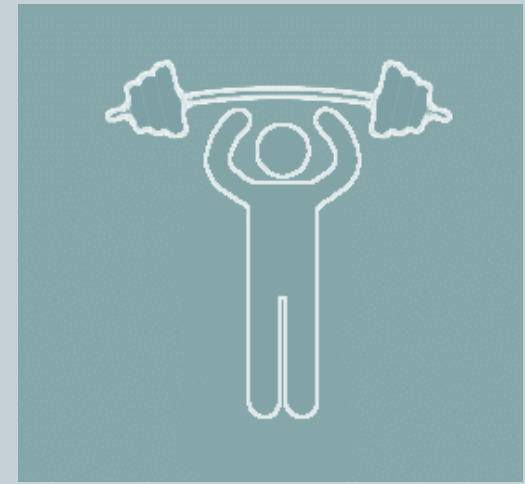
■ Return on investments

Protection contributes to obtaining a return on investments made in creating and marketing attractive and innovative products.



■ Exclusive rights

Protection provides exclusive rights for at least 10 years, so as to prevent or stop others from commercially exploiting or copying the industrial design.



■ Strengthen brands

Industrial designs can be an important element of a company's brand. Protecting industrial designs contributes to protecting a company's brand.

Advantages to businesses of protecting their industrial designs? (2)



■ Opportunity to license/sell

Protection provides rights that may be sold or licensed to another enterprise (source of income for the owner of the rights).



■ Positive image

Protection helps convey a positive image of a company, since industrial designs are business assets which may increase the market value of a company and its products.



■ Reward and creativity

Protecting industrial designs rewards and encourages creativity.

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<https://www.wipo.int/hague/en/>