

HAGUE AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF INDUSTRIAL DESIGNS

Denunciation of the 1934 Act: Aruba, Curaçao, Sint Maarten and the Caribbean Part of the Netherlands (Bonaire, Saint Eustatius and Saba)

1. It is recalled that, with effect from October 10, 2010, the Netherlands Antilles ceased to exist as part of the Kingdom of the Netherlands. The part formerly known as the Netherlands Antilles consisted of the islands of Curaçao, Sint Maarten, Bonaire, Saint Eustatius and Saba. From that date onwards, the Kingdom consists of four parts: the Netherlands, Aruba, Curaçao and Sint Maarten. The other three islands are henceforth named the Caribbean part of the Netherlands (for more information on these changes, please refer to Information Notice No. 10/2010).
2. By notification received on December 13, 2010, the Government of the Kingdom of the Netherlands denounced the 1934 Act of the Hague Agreement with the Director General of the World Intellectual Property Organization (WIPO), with respect to Aruba, Curaçao, Sint Maarten and the Caribbean part of the Netherlands.
3. Pursuant to Article 22(4) of the 1934 Act, the denunciation of the 1934 Act by the Kingdom of the Netherlands will take effect one year after the day on which the Director General has received the notification, namely on December 13, 2011.
4. It is recalled, however, that as from January 1, 2010, it is no longer possible to make new designations under the 1934 Act as a result of the freeze of the application of that Act (for more information on the freeze, please refer to Information Notice No. 9/2009). International designs deposited up to that date under the 1934 Act in respect of the territories formerly known as the Netherlands Antilles will continue, throughout the period of international protection, to enjoy in Curaçao, Sint Maarten and the Caribbean part of the Netherlands the same protection as if they had been deposited directly.
5. It is further recalled that by declaration deposited on February 20, 1989, with the Director General of WIPO, the Government of the Kingdom of the Netherlands suspended the application of the 1934 Act in respect of Aruba for an indefinite period and retroactive to the time at which the treaty became applicable to Aruba.

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