

Hague Agreement Concerning the International Registration of Industrial Designs

Accession to the 1999 Act: Luxembourg

1. On September 3, 2013, the Government of Luxembourg deposited with the Director General of the World Intellectual Property Organization (WIPO) its instrument of accession to the Geneva (1999) Act of the Hague Agreement Concerning the International Registration of Industrial Designs.
2. The instrument of accession was accompanied by the following declarations:
 - the declaration referred to in Article 4(1)(b) of the 1999 Act, whereby international applications may not be filed through the Benelux Office for Intellectual Property (BOIP);
 - the declaration referred to in Article 11(1)(a) of the 1999 Act, whereby the maximum period for the deferment of the publication of an industrial design provided for by the legislation of Benelux is 12 months;
 - the declaration required under Article 17(3)(c) of the 1999 Act, specifying that the maximum duration of protection provided for by the legislation of Benelux in respect of industrial designs is 25 years; and
 - the declaration referred to in Article 19(1) of the 1999 Act, according to which the BOIP is designated as the common Office to the three Benelux countries and the territories of the three countries to which the Benelux Convention on Intellectual Property (trademarks and designs) applies is considered as one single Contracting Party for the application of Articles 1, 3 to 18 and 31 of the 1999 Act.
3. The 1999 Act will enter into force, with respect to Luxembourg, at a later date, in accordance with Articles 27 and 28 of the 1999 Act. In this regard, it is recalled that the Government of Belgium deposited with the Director General of WIPO its instrument of ratification of the 1999 Act on June 7, 2013 (see Information Notice No. 4/2013). The 1999 Act will therefore enter into force with respect to the three Benelux countries, in accordance with Article 27(3)(c) of the 1999 Act, only if and after the Government of the Kingdom of the Netherlands deposits with the Director General of WIPO its instrument of ratification of the same Act, assuming that the instrument of ratification is accompanied by the declaration referred to in Article 19(1) of the 1999 Act, whereby the BOIP is designated as the common Office to the three Benelux countries.

4. Furthermore, in accordance with Article 30(2) of the 1999 Act, the declarations made under Articles 4(1)(b), 11(1)(a) and 17(3)(c) of the 1999 Act will become effective only if the other Benelux countries make the corresponding declarations. In this regard, it is recalled that the instrument of ratification received from the Government of Belgium was also accompanied by those three declarations.

5. A list of the Contracting Parties to the Hague Agreement is available on the WIPO web site at the following address:

<http://www.wipo.int/export/sites/www/treaties/en/documents/pdf/hague.pdf>.

November 8, 2013