



РОССИЯ

RUSSIAN FEDERATION

# Accession to the Hague System for the International Registration of Industrial Designs

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# Historical background

Russian Federation signed the Geneva Act of the Hague Agreement in July 1999.

To ratify the 1999 Act and to comply with its requirements the following amendments have been made

- the scope of legal protection is determined by reproduction;
- no requirement for the applicant to submit verbal characteristics of essential features describing the claimed subject matter;
- legal protection is granted for 5 years with a possibility of extension up to 25 years;
- one-year renewal period is replaced by a 5-year period;
- grace period is extended to 12 months.



**Federal law №55 of 3 April 2017  
on ratification of the Geneva Act  
of the Hague Agreement Concerning the  
International Registration of Industrial  
Designs**

*entered into force on October 2, 2017*



# Accession to the Hague System for the International Registration of Industrial Designs

**Federal law №55  
of 3 April 2017**  
on ratification of  
the Geneva Act  
of the Hague  
Agreement  
Concerning the  
International  
Registration of  
Industrial  
Designs

**Entered into  
force on 2  
October, 2017**

**Drafting and  
depositing the  
instrument of  
ratification with  
Director General of  
WIPO**

**Three months after  
the deposit of the  
instrument of  
ratification with  
WIPO, Russia can be  
indicated in  
international  
applications as the  
country where the  
protection is claimed**



# Accession to the Hague System

## ***DECLARATIONS***

1	Article 7(2) (choice of individual Designation fee)
2	Article 11(1)(b) (law does not provide for the deferment of publication)
3	Article 13(1) (special requirements concerning unity)
4	Article 14(2)(a), Rule 18(1)(c)(i) (concerning the date from which the protection is granted under international registration)
5	Article 16(2) (concerning special requirements providing that any change in ownership made in international registration will have effect in the territory of the Russian Federation)
6	Article 17(3)(c) (maximum duration of protection – 25 years)
7	Rule 13(4) (the period of one month shall be replaced by a period of six months, in light of the security clearance)
8	Rule 18(1) (b) (concerning the extension of time period for notification of refusal up to 12 months)



# Accession to the Hague System

## ***INDIVIDUAL DESIGNATION FEES***

Individual fees

for designation of the Russian Federation as the territory where international industrial design registration is valid (for the first five years of protection)

Amount of the respective fee (RUB)

**11,900 RUB**

**+ 2,500 RUB for each industrial design of industrial designs group exceeding one**



# Accession to the Hague System

## ***INDIVIDUAL RENEWAL FEES***

Individual fees

2. for maintenance of industrial designs international registration in force for subsequent five-year periods

Amount of the respective fee (RUB)

2.1 for the period from the 6th to the 10th year of protection

18,900 RUB

2.2 for the period from 11th to 15th year of protection

46,400 RUB

2.3 for the period from 16th to 20th year of protection

69,000 RUB

2.4 for the period from 21th to 25th year of protection

120,000 RUB



## ***Amount of individual designation fees in the Russian Federation***



Amount of the respective  
fee (RUB)

= 11,900 RUB



## *Amount of individual designation fees in the Russian Federation*



Amount of the respective  
fee (RUB)

+ 11,900 RUB

+ 2,500 RUB



# Accession to the Hague System

## *Unity of Industrial Design requirement*

### Article 1377 of the Civil Code of the Russian Federation

The application for an industrial design should refer

**to one industrial design or  
to a group of industrial designs** linked together so that they form a **single creative idea**





# Accession to the Hague System

## *Unity of Industrial Design requirement*

Group of Industrial designs forms a **single creative idea**, if the group consists of:

- Set of products having similar destination and designed for integrated use (each product of the set can be included into the same application as an additional design);
- Industrial design and its embodiments which could be differ by minor details or color;
- Industrial designs shall belong to the **same class** of Locarno classification



# Accession to the Hague System

## *Unity of Industrial Design requirement*

### JEWELRY SET

(the product as a whole),

EARRINGS (an independent part of the product),

PENDANT (an independent part of the product),

RING (an independent part of the product) and RING (an independent part of the product)

(11-01)

patent 90616



# Accession to the Hague System

## *Unity of Industrial Design requirement*

SET OF PACKAGE  
FOR TEA (product  
as a whole),  
PACKAGING FOR  
TEA (an  
independent part of  
the product),  
PACKAGING FOR  
TEA (an  
independent part of  
the product) and  
PACKAGING FOR  
TEA (an  
independent part of  
the product)  
(09-03)  
patent 102540



# Accession to the Hague System

## *Unity of Industrial Design requirement*

Label (2 variants) (19-08) patent 100200



# Accession to the Hague System

## *Unity of Industrial Design requirement*

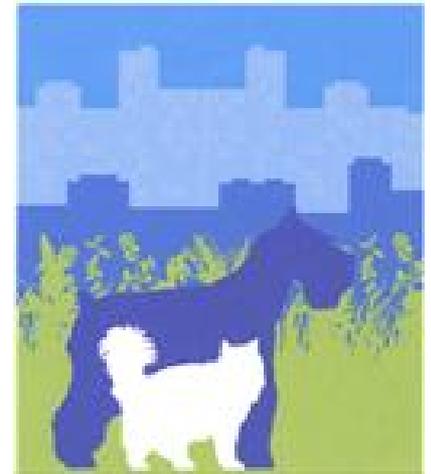
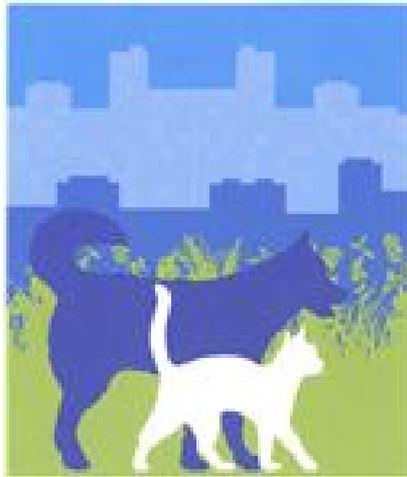
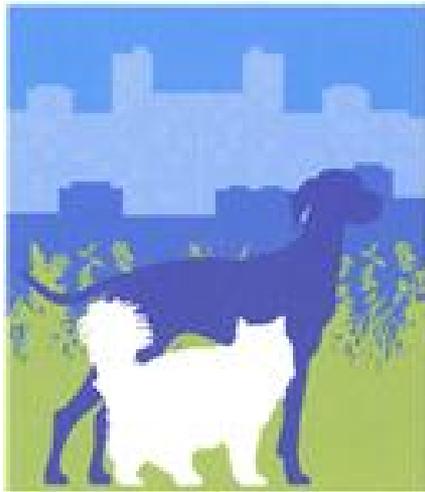
Label (2 options) (19-08) patent 100195



# Accession to the Hague System

## *Unity of Industrial Design requirement*

LABEL DESIGN (4 variants)(19-08) patent 100195



# Accession to the Hague System

## *Granting protection on the territory of the Russian Federation*

### **Civil Code, Article 1349**

The results of intellectual activity can not be objects of patent rights, if they contradict the **public interests**, **the principles of humanity and morals**

### **Civil Code, Article 1352 (paragraph 1)**

Protection is provided to the industrial design, **if by its essential characteristics it is new and original**



# Accession to the Hague System

## *Granting protection on the territory of the Russian Federation*

### Civil Code, Article 1352 (paragraph 5)

Legal protection as an industrial design can not be granted to:

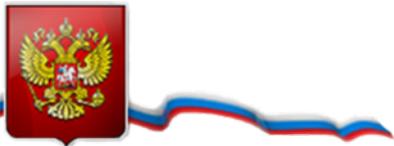
- 1) decisions, all of which are due solely to the **technical function** of the product;
- 2) decisions **capable of misleading the consumer of the product**, including with respect to the manufacturer of the product, or the place of manufacture of the product or the goods for which the product serves as packaging, labels...



# Accession to the Hague System

## Preparation of information and training materials for Russian applicants

- General information and Guidelines for filing international applications
- Procedure for security clearance
- Possibility of direct e-filing of international applications



# Accession to the Hague System

## Preparation of information for foreign applicants

- Information relating to main provisions of the industrial designs legislation of the Russian Federation
- explanatory notes on the unity
- requirements in providing information concerning the creator and brief description
- and other items





**Thanks for your attention!**

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