

Registered Community design application



The documents/information/instructions required by us to prepare a registered Community (i.e. EU) design application for filing at OHIM are as follows:

- The full name, address and nationality/state of incorporation of each applicant.
- Up to seven representations of each design to be registered. These may be drawings or photographs, but it is particularly helpful to have the representations supplied to us in electronic form. There are strict requirements for the format of the representations for filing and our draughtsman can prepare suitable representations if necessary.
- An indication of the type of article to which the design will be applied. This is required to allocate the design to a specific Locarno class for searching purposes only and has no effect on the scope of protection provided.
- An indication of the derivation of the applicant's right to file the application, if the applicant is not the same as that for any earlier application from which priority is claimed. Otherwise, the application does not require any details of the designers, nor how the applicant obtained rights in the design. However, if it is intended to file applications in other countries claiming priority from the Community application, we will require the name and addresses of the designers for the overseas applications.
- If priority is to be claimed for the Community application, the country, date of filing and application number of the priority application. Priority from the first application should preferably be claimed at the time of filing the Community application, although it can be claimed up to one month after the filing date. Furthermore, the Community application must be filed within six months from the filing date of the earliest priority application.
- If priority is claimed, a certified copy of the priority application, or a photocopy of such a certified copy, must be filed within three months of the application filing date. If the priority application is not in one of the five official languages of OHIM (English, French, German, Spanish and Italian) the OHIM is now likely to ask for parts of it to be translated.

This information has been prepared by Boult Wade Tennant.

For further information please contact your usual adviser.

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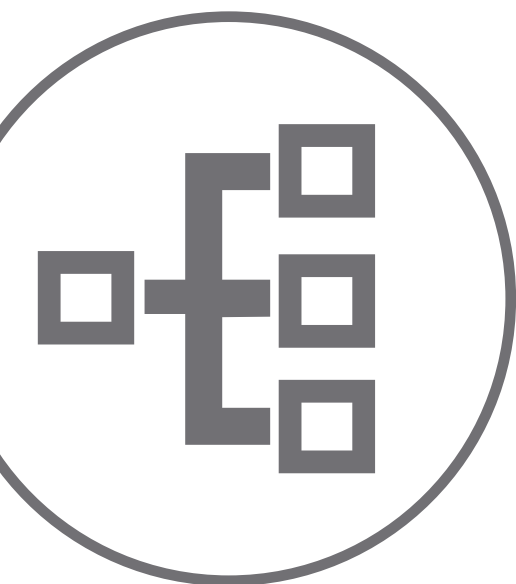
Offices also in Reading,
Oxford and Cambridge

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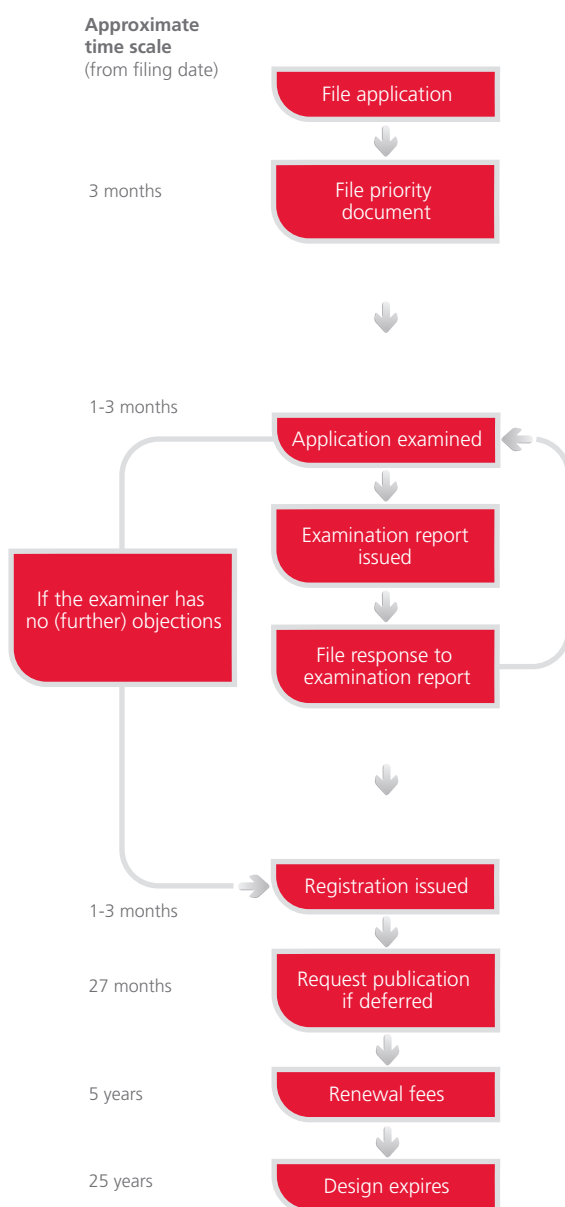
OHIM does not require any forms signed by the applicant on filing. Although it does have the right to request a signed Power of Attorney, it rarely does so.



The prosecution stages of a registered Community design application



*If priority is claimed from an earlier UK or overseas application (convention application), details of the earlier application must be given. NB. A convention application must be filed within six months of the earlier application.



Notes

With the application, it is necessary to file representations in the form of drawings or photographs showing the relevant views of the design.

If priority was claimed, a certified copy of the earlier application must be filed within three months of the filing date.

The application is examined by the Community Designs Office (OHIM) for formalities only. No novelty search or examination of novelty or individual character is carried out.

Objections are rare, but if any are raised they must be dealt with within two months.

Upon registration, the design is published. The design is regarded as registered as from its filing date.

Publication can be deferred by up to 30 months if requested upon filing. Publication must be requested within 27 months of filing.

Registrations may be renewed for four subsequent periods of five years, up to a total of 25 years.