

State of Israel
DESIGNS REGULATIONS
(IMPLEMENTATION OF THE HAGUE AGREEMENT), 5780-2019
Adopted on December 10, 2019

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By virtue of the power vested in me under sections 83(b), 85(b)(1), 86(2), 87(a) and 112 of the Designs Law, 5777-2017 (hereinafter: "the Law"), I hereby make the following regulations:

1. Interpretation

In these regulations --

"Priority Claim" -- within its meaning in section 21 of the Law;

"Notification of Refusal" -- notification by the Competent Authority under section 12 of the Agreement;

"Multiple Registered International Design" -- a Registered International Design Designating for Israel, comprising more than one Design;

"Additional Design " -- as defined in Article 7 of the Law;

"Main Design" -- within its meaning in section 52 of the Law.

2. Application of the Designs Regulations to a Registered International Design Designating Israel

If the Registrar receives notification from the International Bureau concerning a Registered International Design Designating Israel, the provisions of the Designs Regulations, 5779-2019 (hereinafter: the "the Designs Regulation") shall apply to such Design, mutatis mutandis and with the following changes: regulations 10, 13, 17, 20 through 24, 27, 41 through 44 and 75 through 77 shall not apply.

3. Additional Design

(a) An application under section 85(b)(2) of the Law shall be filed within three months from the delivery of the Notification of Refusal.

(b) Notwithstanding what is stated in the opening section of section 85(b)(1) of the Law and in sub-regulation (a), if the Competent Authority concludes that a Registered International Design Designating Israel may be eligible for registration as a Additional Design in relation to a Main Design which is a Registered International Design Designating Israel, and both are contained in the same International Application, it shall not refuse to register the Designs for this reason, and the International Design Designating Israel, which is eligible for registration as a Additional Design , shall be deemed to be an

Application for the Registration of a Additional Design under the provisions of section 55 of the Law.

4. Claim of Priority

If an International Application contains a declaration claiming priority under section 83(b) of the Law, and during the period between the submission of the Application in another Member State (in these regulations: "**the Prior Application**") and the submission of the International Application, a Design identical to the Design of the subject of the International Application or a Design that differs from it only in immaterial details has been published, the Competent Authority shall demand, that the Applicant file to the Authority a copy of the Prior Application in one of the ways listed in regulation 17(d) of the Design Regulations, no later than two months from the date on which the Authority sends such demand.

5. Statement of Grant of Protection where no Notification of Refusal is Delivered

Where a Registered International Design Designating Israel is deemed eligible for registration in the Register, the Competent Authority shall deliver notification regarding the protection granted to the Design in Israel, under section 84 of the Law; the Competent Authority shall include in such notification, inter alia, the following particulars:

- (1) the number of the Registered International Design;
- (2) if the Statement of Grant of Protection does not concern all the Designs contained in the International Application, the Competent Authority shall indicate to which of the Designs contained in the Multiple Registered International Design the notification refers;
- (3) the date of commencement of the validity of the protection;
- (4) the date on which the notification is given.

6. Notification of Refusal

If the Competent Authority delivers a Notification of Refusal to register an International Design Designating Israel under section 85 of the Law, it shall include in such notification, inter alia, the following particulars:

- (1) the number of the Registered International Design;
- (2) the reasons for which it has been decided that the Design was

not eligible for registration, together with a citation of the relevant provisions of the Law;

- (3) if the reasons on which the decision of refusal is based refer to similarity to a Registered Design or a pending Design Application (in these regulations: "**Earlier Design**"), the Competent Authority shall indicate the date of submission and application number of the **Earlier Design**, the date of registration and number of the **Earlier Design**, if any, the name and address of the Proprietor of the Earlier Design and the date of the Priority, if any, and it shall also attach a copy of the visual description filed under regulation 14 of the Designs Regulations of the Earlier Design, if such description is accessible to the public;
- (4) if the Notification of Refusal does not concern all the Designs contained in the International Application, the Competent Authority shall indicate to which of the Designs contained in the Multiple Registered International Design the notification refers;
- (5) it shall be also indicated that the period within which a response can be filed under regulation 30 of the Designs Regulations and provision of an address in Israel under regulation 8 of the Designs Regulations, if the owner of the Registered International Design wishes to respond to the Notification of Refusal;
- (6) the date on which the notification is given;
- (7) if a said notice is sent with respect to an International Design Designating Israel under section 85(b)(1) of the Law, the Competent Authority shall indicate that a reply under section 85(b)(2) of the Law shall be filed within three months from the date of delivery of the Notification of Refusal.

7. Notification of Grant of Protection to a Design in Israel, after a Refusal

- (a) If the Competent Authority delivers a notification of grant of protection to a Design in Israel after a refusal to register an International Design Designating Israel under section 85(d) of the Law, it shall include in such notification, inter alia, the following particulars:
 - (1) the number of the Registered International Design;
 - (2) if the Notification of Refusal does not concern all the

Designs contained in the International Application, the Competent Authority shall indicate as to which of the Designs contained in the Multiple Registered International Design the notification refers;

- (3) the date of registration at the International Bureau;
- (4) the date of registration in the Register;
- (5) the date on which the notification is given.

- (b) Where the Design has been amended in a proceeding before the Competent Authority, the amendments made shall be indicated in the notification.

8. Notification of an Application for Cancellation of the Registration of a Design in the Register

- (a) Without derogating from anything which was stated in regulation 9 of the Designs Regulations, if an application is filed for cancellation of the registration in the Register of a Design originating in a Registered International Design Designating Israel, the Competent Authority shall deliver to the Proprietor of the Design a notification in English concerning the submission of the application, and include in it the following particulars:

- (1) the number of the Registered International Design;
- (2) the name and address of the applicant for cancellation under regulation 8 of the Designs Regulations;
- (3) the last date for submission of a reply to the application under chapter A of the fifth part of the Designs Regulation.

- (b) A notification stated in sub-regulation (a) shall be delivered to the email address of the Proprietor of the Design, if such address is included in the information in possession of the International Bureau.

9. Notification of an Address for Delivery of Documents in Israel

In the reply to a Notification of Refusal or the reply to a notification of submission of an application for cancellation of a registration, the Proprietor of the Registered International Design notifies the Competent Authority, in a document made in an official language, of an address for delivery of documents in Israel as stated in regulation 10 of the Designs Regulations, and

he may notify the Competent Authority, in the same document, of the appointment of an attorney as stated in regulation 11 of the Designs Regulations; regulations 11 and 12 shall apply to any change of address and appointment of an attorney.

10. Notification of a Final Decision

If the Competent Authority notified the International Bureau of a decision that an International Design Designating Israel is not eligible for protection as a Registered Design, and the decision is final and not subject to appeal, the Competent Authority shall notify the International Bureau of the final decision, and include in this notification, inter alia, the following particulars:

- (1) the fact that the decision is not subject to appeal;
- (2) the number of the Registered International Design;
- (3) if the decision does not concern all the Designs contained in the International Application, the Competent Authority shall indicate to which of the Designs contained in the Multiple Registered International Design the decision refers;
- (4) the date of the final decision and the date on which it comes into effect, if any;
- (5) whether the final decision was given by a Court or the Registrar.

11. Application for a Change in a Registered International Design Designating Israel

The Proprietor of a Registered International Design Designating Israel, who wishes to make changes in the registration in the Register, shall file to the International Bureau an application for a change.

12. The Effect in Israel of Amendments in the International Register

If the International Bureau notifies the Competent Authority of one or more of the following amendments made in a Registered International Design Designating Israel, the Competent Authority shall register the change in the Register:

- (1) the name or address of the Proprietor of the Design;
- (2) a withdrawal of an application for registration, cancellation or removal of the registration of an International Design Designating Israel, registered in the Register.

13. Payment of the Renewal Fee

If the renewal fee is not paid in the manner and time prescribed by the Agreement and the Hague Regulations, it shall be stated in the Register that the validity of the International Design Designating Israel has expired.

14. Effect

These regulations shall come into effect three months from the date on which the State of Israel joined the Hague Agreement as a party.

December 10 2019