

INFORMACIJA O MEDNARODNI REGISTRACIJI MODELA

Od 1. aprila 2004 dalje lahko slovenski državljani na podlagi zakona o ratifikaciji Ženevskega akta 1999 Haaškega sporazuma o mednarodni registraciji modelov (Uradni list RS-MP, št.4/02) – doslej je bil ratificiran le Haaški akt 1960 (Uradni list RS-MP, št. 20/94) - z eno samo prijavo, vloženo v angleškem ali francoskem jeziku pri Mednarodnem uradu Svetovne organizacije za intelektualno lastnino (WIPO), registrirajo videz svojega izdelka v državah pogodbenicah enega ali obeh aktov.

1. aprila so bile pogodbenice omenjenih aktov Belize, Beneluks, Benin, Bolgarija, Estonija, Francija, Gabon, Grčija, Gruzija, Hrvaška, Islandija, Italija, Kirgizistan, Severna Koreja, Liechtenstein, Madžarska, Makedonija, Maroko, Moldavija, Monako, Mongolija, Nemčija, Romunija, Senegal, Slonokoščena obala, Slovenija, Surinam, Španija, Švica, Ukrajina ter Srbija in Črna gora. Seznam pogodbenic se spreminja in je priložen prijavnemu obrazcu.

Pogodbenice Ženevskega akta 1999 lahko določijo svoje pogoje za registracijo modela, zato se postopki registracije za posamezno državo razlikujejo. Besedila obeh aktov, njun skupni pravilnik, obrazci, natančna navodila, posebni pogoji držav in cenik pristojbin so na voljo na spletni strani WIPO <http://www.wipo.int>.

Kdo je lahko prijavitelj?

Prijavitelj je lahko vsaka fizična ali pravna oseba, ki je državljan Slovenije, ali oseba, ki ima v Sloveniji stalno ali običajno prebivališče ali resnično in dejavno industrijsko ali trgovsko podjetje.

Za pridobitev mednarodne registracije ni potrebna poprejšnja registracija modela v Sloveniji.

Kje se vloži prijava?

Prijavo za mednarodno registracijo vloži prijavitelj sam ali prek zastopnika neposredno pri WIPO, 34 chemin des Colombettes, P.O. Box 18, 1211 Geneva 20, Switzerland.

Vsi stiki med WIPO in prijaviteljem pred registracijo in po njej potekajo prek gornjega naslova.

Prednosti mednarodne registracije

Poglavitna prednost mednarodne registracije je možnost, da prijavitelj zagotovi varstvo svojega videza izdelka z eno samo prijavo in z najmanj formalnosti in stroškov v vseh pogodbenicah Akta 1960 in Akta 1999, ki jih označi v prijavnem obrazcu. S tem se izogne formalnim postopkom registracije pri posameznih nacionalnih uradih in plačevanju

pristojbin v vsaki državi posebej. Učinke in trajanje varstva tako pridobljenega modela določa nacionalna zakonodaja posamezne države.

Države, v katerih prijavitelj zahteva registracijo, lahko sicer izjavijo, da zadevnemu modelu ne priznavajo varstva zaradi neizpolnjevanja pogojev iz njihove zakonodaje. Če tega ne storijo v šestih mesecih (pogodbenice Akta 1960) oziroma dvanajstih (pogodbenice Akta 1999) od datuma objave mednarodne registracije modela v uradnem glasilu WIPO »International Designs Bulletin«, se šteje, da je model registriran. Če država registracijo zavrne, ima prijavitelj na voljo pritožbena sredstva, ki jih dovoljuje njena zakonodaja.

Sestavine prijave

Prijava za mednarodno registracijo mora vsebovati:

- zahtevo za mednarodno registracijo modela na obrazcu DM/1(E) (v enem izvodu);
- fotografije ali grafične prikaze videza izdelka, za katerega se zahteva registracija (v enem izvodu);
- dokazilo o plačilu mednarodnih pristojbin;
- pooblastilo zastopniku, če se zahteva vloži po zastopniku.

Če se zahteva registracija dvodimenzionalnega videza izdelka, se po Aktu 1999 namesto fotografij ali grafičnih prikazov lahko predloži primerek izdelka, s tem da se hkrati zahteva tudi odlog objave registracije za največ 30 mesecev. Tri mesece pred iztekom zahtevanega roka se pošljejo tudi fotografije ali grafični prikazi in tudi tedaj se še lahko plačajo pristojbine.

Mednarodne pristojbine

Pristojbine za pridobitev mednarodne registracije modela kot tudi potek plačevanja so določeni v skupnem pravilniku Akta 1999, Akta 1960 in Akta 1934 Haaškega sporazuma in se plačujejo v švicarskih frankih na račun WIPO. Številka računa je navedena v prijavnem obrazcu.

Mednarodne pristojbine so:

1. Osnovna pristojbina za prvo petletno obdobje:
 - za en videz izdelka 397 CHF
 - za vsak dodatni videz izdelka v isti mednarodni prijavi (večpredmetna prijava) 19 CHF
2. Pristojbina za objavo
 - za vsak prikaz videza izdelka v črnobeli barvi 12 CHF
 - za vsak prikaz videza izdelka v barvi 75 CHF
 - za vsako stran, na kateri je eden ali več prikazov videza izdelka 150 CHF
3. Dodatna pristojbina za vsako besedo, ki presega 100 besed opisa videza izdelka 2 CHF
4. Standardna pristojbina:

- za en videz izdelka 42 CHF
 - za vsak dodatni videz izdelka v isti mednarodni prijavi (večpredmetna prijava) 2 CHF
5. Posebna pristojbina, ki jo lahko zahteva država pogodbenica z deklaracijo in je objavljena na spletni strani WIPO.

Splošno

V vložišču našega urada so na voljo prijavní obrazci in navodila za izpolnjevanje in sestavo prijave za mednarodno registracijo modela, v čitalnici pa skupni pravilnik Akta 1999, Akta 1960 in Akta 1934 Haaškega sporazuma, mednarodna (Locarnska) klasifikacija za industrijske vzorce in modele ter druga strokovna literatura.

Pomoč pri sestavi in vložitvi zahteve za mednarodno registracijo modela lahko dobite pri zastopnikih, ki so vpisani v register zastopnikov pri Uradu RS za intelektualno lastnino.

avgust 2006

Urad RS za intelektualno lastnino
Kotnikova 6, 1000 Ljubljana
tel.: (01) 478 3100
faks: (01) 478 3111 , (01) 300 6290
Internet naslov: <http://www.uil-sipo.si>

APPLICATION FOR INTERNATIONAL REGISTRATION
GOVERNED EXCLUSIVELY OR PARTLY BY THE 1999 ACT AND/OR THE 1960 ACT

For use by the applicant

This international application contains the following number of continuation sheets:
.....
Reference:

For use by the International Bureau

Registration No.:

Filing date: Color:

1 APPLICANT

(a) Name:

(b) Address:

(c) Telephone: Fax:

E-mail address:

If there are several applicants, check box and use a continuation sheet, giving the above required information for each applicant

2 ADDRESS FOR CORRESPONDENCE
(where there are **several applicants** with different addresses and no representative is appointed, an address for correspondence should be indicated. Where no such address has been indicated, the address of the person named above shall be treated as the address for correspondence. If there is **only one applicant** and no representative is appointed, this item should be completed only if the address for correspondence is different from the address given in item 1(b))

Address for correspondence:

3 ENTITLEMENT TO FILE
(items (a), (b) and (c) must all be completed – even if the Contracting Party concerned is the same in all cases. Only one Contracting Party may be indicated with respect to each item. If any item is not applicable, write “None”. A list of the Contracting Parties bound by the 1999 Act, the 1960 Act and/or the 1934 Act is attached to the present form)

(a) Contracting Party of which the applicant is a national:

(b) Contracting Party in which the applicant has a domicile:

(c) Contracting Party in which the applicant has a real and effective industrial or commercial establishment:

(d) Contracting Party in which the applicant has a habitual residence (only a Contracting Party bound by the **1999 Act** may be indicated):

If there are several applicants, check box and use a continuation sheet, giving the above required information for each applicant

4 APPLICANT’S CONTRACTING PARTY
(indicate the Contracting Party, if any, bound by the *1999 Act* and mentioned in item 3, that is to be considered as the applicant’s Contracting Party)

Applicant’s Contracting Party:

If there are several applicants, check box and use a continuation sheet, giving the above required information for each applicant

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INTERNATIONAL EXHIBITION (optional)

 If the space provided is not sufficient,
check this box and use a continuation sheet

 The applicant claims that one or more designs were shown at an official, or officially recognized, international exhibition

(a) Place where exhibition was held:

(b) Name of the exhibition:

(c) Date on which product(s) was (were) first exhibited:

(d) Number of each industrial design shown, or not shown, at the exhibition concerned (if no industrial design is indicated, it will be understood that all industrial designs were shown at the above indicated exhibition):

 The industrial designs indicated below were
shown at the exhibition concerned

or

 The industrial designs indicated below were **not**
shown at the exhibition concerned

.....

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PUBLICATION OF THE INTERNATIONAL REGISTRATION

(a) The applicant requests the publication in color

(b) Timing of publication (publication will take place six months after the date of the international registration, unless the applicant requests one of the options below):

(i) The applicant requests the immediate publication of the international registration (ii) The applicant requests a deferment of publication

- Period of deferment requested (in months):

Warning:

The period of deferment of publication cannot exceed 30 months counted from the date of the international application, or if priority is claimed, from the priority date. However:

- if **Iceland, Indonesia, Netherlands Antilles, Tunisia** or **Holy See** is designated, or if **Ukraine** is designated under the 1999 Act, the applicant may NOT request deferment of publication;
- if a Contracting Party is designated under the 1960 Act, or if **Croatia, Estonia** or **Slovenia** is designated, the period of deferment cannot exceed **12 months**.

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SIGNATURE BY THE APPLICANT OR HIS REPRESENTATIVE

ApplicantRepresentative of the applicant

Name:

Signature and/or seal:

Date of signature (dd/mm/yyyy):

Name of the person to contact, if necessary:

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OFFICE PRESENTING THE REQUEST (if applicable)

Name of the Office:

Date of receipt of the international application by the Office:

Signature and/or seal of the Office:

PAYMENT OF FEES

The applicant has requested a deferment in publication (item 13(b)(ii)) and wishes to pay the publication fees at a later date but not later than three months before the period of deferment expires.

1. INSTRUCTION TO DEBIT FROM A CURRENT ACCOUNT
 (if this box is completed, it is not necessary to complete items 2 and 3 below)

The International Bureau is hereby instructed to debit the required amount of fees from the following current account opened with the International Bureau:

Holder of the account: Account number:

Identity of the party giving the instruction:

2. METHOD OF PAYMENT

Identity of the party effecting the payment:

Payment received and acknowledged by WIPO WIPO receipt number

Payment made by banker's cheque Cheque identification dd/mm/yyyy

Payment made to WIPO bank account
 No. CH35 0425 1048 7080 8100 0
 Credit Suisse, CH-1211 Geneva 70
 Swift: CRESCH ZZ12A Payment identification dd/mm/yyyy

Payment made to WIPO postal cheque account
 N° 12-5000-8, Geneva Payment identification dd/mm/yyyy

GRAND TOTAL IN SWISS FRANCS (see note 3 or use the fee calculation sheet attached herewith)

FEE CALCULATION SHEET

This sheet is provided for the convenience of users.
It is not necessary to complete it if the fee calculator has been used.

3. AMOUNT OF FEES**(a) Basic fees**

for one design 397.--

for each additional design

19 Swiss francs × designs in addition to the first

(b) Designation fees**(i) Standard designation fees (payable only for Contracting Parties designated under the 1999 or 1960 Act and for which an individual designation fee is not payable)**

for first design

42 Swiss francs × Contracting Parties

for each additional design

2 Swiss francs × designs in addition to the first × Contracting Parties

(ii) Individual designation fee (payable only for the following Contracting Parties designated under the 1999 Act or the 1960 Act)

Bulgaria: 124 Swiss francs for first design + 32 Swiss francs × designs in addition to the first

Hungary: 126 Swiss francs for first design + 30 Swiss francs × designs in addition to the first

Kyrgyzstan: 188 Swiss francs for first design + 94 Swiss francs × designs in addition to the first

Rep. of
Moldova: 65 Swiss francs for first design + 13 Swiss francs × designs in addition to the first

Romania: 101 Swiss francs for first design + 25 Swiss francs × designs in addition to the first

(c) Publication fees**(i) Fee per reproductions**

12 Swiss francs × reproductions to be published in black and white

75 Swiss francs × reproductions to be published in color

(ii) Fee per page on which reproductions are presented

150 Swiss francs × page(s) in addition to the first

(d) Additional fee where the description exceeds 100 words

2 Swiss francs × words exceeding 100

GRAND TOTAL (SWISS FRANCS)

CONTRACTING PARTIES OF THE HAGUE AGREEMENT

Contracting Parties of the Hague Agreement		Acts of the Hague Agreement		
		<i>1999 Act</i>	<i>1960 Act</i>	<i>1934 Act</i>
(AN)	Netherlands Antilles			√
(BG)	Bulgaria		√	
(BJ)	Benin		√	√
(BX)	Benelux		√	
(BZ)	Belize		√	
(CH)	Switzerland	√	√	√
(CI)	Cote D'Ivoire		√	√
(DE)	Germany		√	√
(EE)	Estonia	√		
(EG)	Egypt	√		√
(ES)	Spain	√		√
(FR)	France		√	√
(GA)	Gabon		√	
(GE)	Georgia	√	√	
(GR)	Greece		√	
(HR)	Croatia	√	√	
(HU)	Hungary	√	√	√
(ID)	Indonesia			√
(IS)	Iceland	√		
(IT)	Italy		√	
(KG)	Kyrgystan	√	√	
(KP)	Democratic People's Republic of Korea		√	
(LI)	Liechtenstein	√	√	√
(MA)	Morocco		√	√
(MC)	Monaco		√	√
(MD)	Republic of Moldova	√	√	
(MK)	The former Yugoslav Republic of Macedonia		√	
(MN)	Mongolia		√	
(NA)	Namibia	√		
(RO)	Romania	√	√	
(SI)	Slovenia	√	√	
(SN)	Senegal		√	√
(SR)	Suriname		√	√
(TN)	Tunisia			√
(UA)	Ukraine	√	√	
(VA)	Holy See			√
(YU)	Serbia & Montenegro		√	