

Standing Committee on

**Designs**

2015



Date: 30th July 2015

## **REPORT** **Standing Committee on**

### **Designs**

Chair: Mario FRANZOSI

Responsible Reporter: Anne Marie Verschuur

1) Report on the activities of the Standing Committee during the reporting period

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- Participated in the working group of CP07 convergence program of OHIM, about designs (Locarno and non-Locarno taxonomy)
- Participated in Mock Arbitration re Design Rights at the World Intellectual Property Congress Toronto, Canada, September 14-17, 2014 (Participants from Design Rights Committee were Christopher Carani, Mario Franzosi and Ivan Poli)
- Represented AIPPI as observers in the OAMI (OHIM) User Group Meetings as User Association
- Served as advisors to OHIM for day seminars about Designs by Mario Franzosi, Christopher Carani and/or any other EU and non-EU members in order to make comparisons with other national design laws
- Provided advice, suggestions and comments on design law related questions to be debated at WIPO and/or OHIM.
- Held in-depth committee discussions on the fundamental concept of the intents and goals of design rights all over the world in an effort to develop guidelines and tools for harmonizing design laws
- Received updates from committee members on significant developments or decision on design law within their home jurisdiction
- Presentation of "Design Patent Functionality" by Christopher Carani in the AIPPI Swiss Day in Zurich, Switzerland (May 27, 2015)

- Presentation on the draft bill to amend the Design Patent Law in Argentina by our co-chair Ivan Poli.
- Providing input at planning sessions for Panel Session about Designs at the World Intellectual Property Congress to be held in Rio de Janeiro, Brazil, October 10-14, 2015. (Committee Member Christopher Carani will serve as Panel Leader)
- Robert Wulff (one of our members), on behalf of AIPPI, has within the last 12 months made submissions to the Australian Advisory Council for Intellectual Property (ACIP's) review of the current Australian Designs Law.

2) Key issues/developments relevant to the Terms of Reference of the Standing Committee (arising during the reporting period or coming up)

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- Accession of new countries (U.S., Japan) to the The Hague System for the International Registration of Industrial Designs, which provides applicant the ability to register up to 100 designs in over 64 territories through the filing one single international application.
- Monitor and contribute input to the the Design Law Treaty, which is a treaty currently being negotiated at the WIPO Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications ("SCT")
- Discussion and debates of several members of the committee about the concept of designs all over the world and how to develop tools to harmonize design rights
- Comparative analyses of the treatment of the issue of functionality has on issues of validity and scope of protection
- Giving general comments and opinion about design cases in different countries amongst committee members (whenever the decisions and judgments are given)
- Attending WIPO sessions about designs (when held)
- Organizing internal committee meetings within the annual congresses of AIPPI (every year)
- Proposal of having regular (perhaps monthly) calls, and varying the times of their telecons so that everyone gets a chance to participate in at least some of the calls

3) Any recommendation for AIPPI involvement/action (describe what involvement/action is recommended and why, by whom and relevant time frames)

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4) Plan for the activities of the Standing Committee for the next reporting period highlighting any priorities

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- Regular working question to be developed in the next annual congress of 2016 in Milan about designs, mainly by our Chair Professor Mario Franzosi
- Finalization of the project within the working group of CP07 convergence program of OHIM about designs (Locarno and non-Locarno taxonomy) during 2016 by Mario Franzosi and Ruth Almaraz representing AIPPI as user Association
- Participated in Panel Session about Designs at the 2015 World Intellectual Property Congress to be held

AIPPI Standing Committee on Designs

in Rio de Janeiro, Brazil, October 10-14, 2015. (Committee Member Christopher Carani will serve as Panel Leader)

- Within the Patent Committee of the Mexican Association for Protection of Intellectual Property which is the Mexican national group of AIPPI, an event (3 hour conference) related to Designs is being planned for the last week of August 2015

AIPPI

## Names and Functions of Committee Members

Chair	Mario FRANZOSI	Italy
Co Chair(s)	Iván POLI	Argentina
Secretary	Ruth ALMARAZ	Spain
Members	Robert WULFF	Australia
	Sara ASHBY	United Kingdom
	Cristiano BACCHINI	italy
	Curtis BEHMANN	Canada
	Pina CAMPAGNA	United States
	Christopher CARANI	United States
	Fernand DE VISSCHER	Belgium
	Octavio ESPEJO	Mexico
	Qing GE	China
	Arnout GROEN	Netherlands
	Michiel HAEGENS	Netherlands
	Jens KÜNZEL	Germany
	Mattias MALMSTEDT	Sweden
Lucas MARTIN GAIARSA	Brazil	
Kazuko MATSUO	Japan	
Reinhard OERTLI	Switzerland	