

Mr Michel Rocard
European Parliament
Altiero Spinelli
14G205
60, rue Wiertz
B-1047 Brussels

10 April 2006

THE SECRETARY GENERAL

Dear Mr Rocard,

UNICE has stressed time and again how important it is for European industry that the international system for the protection of industrial designs should provide designers and industry with cost-effective and efficient means to obtain protection and to enforce their rights.

The Hague Agreement concerning the International Deposit of Industrial Designs offers owners of industrial designs a simplified, quick and inexpensive means of applying for protection of a design in several countries with a single international application. Otherwise, a design owner would have to file separate applications in each of the countries where protection is sought. In practical terms, the average cost of an international deposit under the Hague System is estimated at approximately € 650 to protect five designs in 11 designated countries depending on publication costs and individual designation fees for some countries concerned.

The European Community (EC) meets the conditions to become a party to the Geneva Act of the Hague Agreement, which entered into force on 23 December 2003.

The link between the Community Design and the Hague system with the accession of the Union to the Hague Agreement could therefore be potentially very attractive for industry.

The accession of the EC to the Hague Agreement would be a very useful and complementary instrument to the Community Design for industry, since many EU Member States are not yet members of the Agreement individually.

Therefore, UNICE supports the accession of the EC to the Hague Agreement. Acceding to the Hague system would make it easier for industrial design owners from the European Union to obtain protection for their industrial designs in the European Union and in the territories of Contracting Parties to the Hague System outside the European Union, with considerable savings both at the time of filing for protection and also during the subsequent management of the design rights.

A cost-effective and simplified means of protecting their intellectual property, especially in a broad geographical context, through facilitated access to an international registration system is of critical importance particularly for SMEs, with their limited resources.

Even though the Community Design system remains more interesting for European companies, since there are only a few important countries within the Hague system, the EC accession could prompt the accession of the EU's most important trading partners, such as the United States of America, Japan, China and others, in the near future.

Furthermore, accession would facilitate the enforcement of EU industrial design rights.

UNICE is committed to participate constructively in the debate and we remain at your disposal to discuss the issue further if you consider this necessary in the preparation of your report.

Yours sincerely,

Cordoba,



Philippe de Buck