

Commission Regulation (EC) No 2245/2002 of 21 October 2002
implementing Council Regulation (EC) No 6/2002 on Community designs

CHAPTER III

RENEWAL OF REGISTRATION

Article 21

Notification of expiry of registration

At least six months before expiry of the registration, the Office shall inform the holder, and any person having a right entered in the Register, including a licence, in respect of the Community design, that the registration is approaching expiry. Failure to give notification shall not affect the expiry of the registration.

[^{F1}Article 22

Renewal of Community design registration

- 1 An application for renewal of registration shall contain:
 - a the name of the person requesting renewal;
 - b the registration number;
 - c where applicable, an indication that renewal is requested for all the designs covered by a multiple registration or, if the renewal is not requested for all such designs, an indication of those designs for which renewal is requested.
- 2 The fees payable pursuant to Article 13 of Regulation (EC) No 6/2002 for the renewal of a registration shall consist of:
 - a renewal fee, which, in cases where several designs are covered by a multiple registration, shall be proportionate to the number of designs covered by the renewal;
 - b here applicable, the additional fee for late payment of the renewal fee or late submission of the request for renewal, pursuant to Article 13 of Regulation (EC) No 6/2002, as specified in Regulation (EC) No 2246/2002.
- 3 If the payment referred to in paragraph 2 of this Article is made according to the provisions of Article 5(1) of the Regulation (EC) No 2246/2002, this shall be deemed to constitute a request for renewal provided that it contains all the indications required under points (a) and (b) of paragraph 1, of this Article and Article 6(1) of that Regulation.
- 4 Where the application for renewal is filed within the time limits provided for in Article 13(3) of Regulation (EC) No 6/2002, but the other conditions for renewal provided for in Article 13 thereof and in this Regulation are not satisfied, the Office shall inform the applicant of the deficiencies.
- 5 Where an application for renewal is not submitted or is submitted after expiry of the time limit provided for in the second sentence of Article 13(3) of Regulation (EC) No 6/2002, or if the fees are not paid or are paid only after expiry of the relevant time limit, or if the deficiencies are not remedied within the time limit specified by the Office, the Office shall determine that the registration has expired and shall notify the holder accordingly.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 2245/2002. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

In the case of a multiple registration, where the fees paid are insufficient to cover all the designs for which renewal is requested, such a determination shall be made only after the Office has established which designs the amount paid is intended to cover.

In the absence of other criteria for determining which designs are intended to be covered, the Office shall take the designs in the numerical order in which they are represented in accordance with Article 2(4).

The Office shall determine that the registration has expired with regard to all designs for which the renewal fees have not been paid or have not been paid in full.

6 Where the determination made pursuant to paragraph 5 has become final, the Office shall cancel the design from the Register with effect from the day following the day on which the existing registration expired.

7 Where the renewal fees provided for in paragraph 2 have been paid but the registration is not renewed, those fees shall be refunded.

8 A single application for renewal may be submitted for two or more designs, whether or not part of the same multiple registration, upon payment of the required fees for each of the designs, provided that the holders or the representatives are the same in each case.]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EC\) No 876/2007 of 24 July 2007 amending Regulation \(EC\) No 2245/2002 implementing Council Regulation \(EC\) No 6/2002 on Community designs following the accession of the European Community to the Geneva Act of the Hague Agreement concerning the international registration of industrial designs \(Text with EEA relevance\).](#)

^{F2}Article 22a

Renewals of international registration designating the Community

The international registration shall be renewed directly at the International Bureau in compliance with Article 17 of the Geneva Act.]

Textual Amendments

- F2** Inserted by [Commission Regulation \(EC\) No 876/2007 of 24 July 2007 amending Regulation \(EC\) No 2245/2002 implementing Council Regulation \(EC\) No 6/2002 on Community designs following the accession of the European Community to the Geneva Act of the Hague Agreement concerning the international registration of industrial designs \(Text with EEA relevance\).](#)

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