

Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs

[^{F1}TITLE XIa

INTERNATIONAL REGISTRATION OF DESIGNS

Section 1

General provisions

Article 106a

Application of provisions

1 Unless otherwise specified in this title, this Regulation and any Regulations implementing this Regulation adopted pursuant to Article 109 shall apply, mutatis mutandis, to registrations of industrial designs in the international register maintained by the International Bureau of the World Intellectual Property Organisation (hereinafter referred to as ‘international registration’ and ‘the International Bureau’) designating the Community, under the Geneva Act.

2 Any recording of an international registration designating the Community in the International Register shall have the same effect as if it had been made in the register of Community designs of the Office, and any publication of an international registration designating the Community in the Bulletin of the International Bureau shall have the same effect as if it had been published in the Community Designs Bulletin.

Section 2

International registrations designating the community

Article 106b

Procedure for filing the international application

International applications pursuant to Article 4(1) of the Geneva Act shall be filed directly at the International Bureau.

Article 106c

Designation fees

The prescribed designation fees referred to in Article 7(1) of the Geneva Act are replaced by an individual designation fee.

Status: Point in time view as at 01/07/2013.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 6/2002, TITLE XIa. (See end of Document for details)

Article 106d

Effects of international registration designating the European Community

1 An international registration designating the Community shall, from the date of its registration referred to in Article 10(2) of the Geneva Act, have the same effect as an application for a registered Community design.

2 If no refusal has been notified or if any such refusal has been withdrawn, the international registration of a design designating the Community shall, from the date referred to in paragraph 1, have the same effect as the registration of a design as a registered Community design.

3 The Office shall provide information on international registrations referred to in paragraph 2, in accordance with the conditions laid down in the Implementing Regulation.

Article 106e

Refusal

1 The Office shall communicate to the International Bureau a notification of refusal not later than six months from the date of publication of the international registration, if in carrying out an examination of an international registration, the Office notices that the design for which protection is sought does not correspond to the definition under Article 3(a), or is contrary to public policy or to accepted principles of morality.

The notification shall state the grounds on which the refusal is based.

2 The effects of an international registration in the Community shall not be refused before the holder has been allowed the opportunity of renouncing the international registration in respect of the Community or of submitting observations.

3 The conditions for the examination as to the grounds for refusal shall be laid down in the Implementing Regulation.

Article 106f

Invalidation of the effects of an international registration

1 The effects of an international registration in the Community may be declared invalid partly or in whole in accordance with the procedure in Titles VI and VII or by a Community design court on the basis of a counterclaim in infringement proceedings.

2 Where the Office is aware of the invalidation, it shall notify it to the International Bureau.]

Textual Amendments

- F1** Inserted by [Council Regulation \(EC\) No 1891/2006 of 18 December 2006 amending Regulations \(EC\) No 6/2002 and \(EC\) No 40/94 to give effect to the accession of the European Community to the Geneva Act of the Hague Agreement concerning the international registration of industrial designs.](#)

Status:

Point in time view as at 01/07/2013.

Changes to legislation:

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