

FAQs – Design Law Treaty Diplomatic Conference

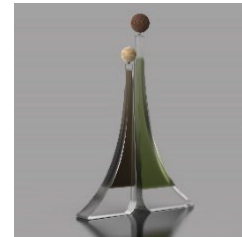
WHAT IS A DESIGN?

A design is the **look and feel of an object**.

- Designs are applied to a wide range of products, such as packaging, furniture, clothing, electronic devices, medical equipment, handicraft items, and jewelry.
- A design may be three-dimensional, such as the shape of a product, or two-dimensional, as in a specific surface pattern.



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| <p>Emoji <i>Grebet O'Plérou</i> Côte d'Ivoire</p> | <p>Bench <i>Macos Studio Serviço de Design LTDA</i> Brazil</p> | <p>Pediatric dosing syringe <i>Dr. Jayraj B. Malik, Dr. Vaishali Keluskar, Dr. Shivayogi Charantimath and Dr. Namratha Patil</i> India</p> |
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| <p>Footwear and soles for footwear <i>Bathu Swag (Pty) Ltd</i> South Africa</p> | <p>Toboggan slides, playground apparatus <i>Diseño Neko, S.A. de C.V.</i> Mexico RCD 006330080-0008</p> | <p>Olive oil and vinegar glass set <i>Areej Saleh Alghonaim</i> Instagram username (@areej.pdesign) Saudi Arabia</p> |
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| <p>Greeting card <i>Happy Pop-up Co. Ltd</i> Viet Nam (DM/233 312)</p> |
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WHY ARE DESIGNS IMPORTANT?

- Designs are for everyone, everywhere. By making products attractive to consumers, **designs drive consumer choices**.
- A product's success is often due to its design. Designs are important for all "**creatives**", whether individuals, small and medium-sized enterprises (SMEs), or larger companies, in whatever economic sector.
- Designs are **business assets** that may increase a product's market value and provide a competitive advantage.

WHY SHOULD DESIGNERS SEEK TO PROTECT THEIR DESIGNS?

- No designer likes to see their work used by others without permission or compensation. Protection provides **exclusive rights** and legal remedies to prevent others from copying and commercially exploiting design without consent.
- No designer works for free. Protection ensures a return on investment and on the human and financial resources used to create designs. Moreover, the exclusive rights can be sold or licensed to another company and be a source of income.

HOW CAN DESIGNERS PROTECT THEIR DESIGNS?

- Generally, designers need to follow the **filing procedures** set by the intellectual property (IP) office of the country in which they seek protection.
- Design rights are **territorial**: the rights arising from protection obtained in one country (or region) are limited to that country (or region).

WHAT ARE THE DESIGN LAW TREATY (DLT) AND ITS OBJECTIVE?

- Procedures vary significantly from one country to another, making it difficult for designers to protect their designs.
- The design law treaty (DLT) will address that challenge by **simplifying** protection procedures and eliminating red tape.

HOW WILL THE TREATY SIMPLIFY DESIGN PROTECTION PROCEDURES?

- It will simplify the information that designers must submit with an application.
- It will allow applicants to choose how they represent the design in an application (drawings, photographs or, if admitted, video files).
- It will allow applicants to include several designs in a single application.

- It will provide for a grace period of six or 12 months following a first disclosure of the design, during which such disclosure will not be deemed detrimental to the novelty of the design.
- It will provide for relief measures to prevent applicants from losing their rights if they miss a deadline.
- It will simplify the procedure for requesting the renewal of a design registration.

WHY DOES THE TREATY MATTER?

- It will support designers around the world by making protection procedures **more predictable, less complex and more affordable**.
- It will make it easier for designers to protect their designs across the globe and thereby to make a living from their creative work.

WHERE AND WHEN WILL THE TREATY BE NEGOTIATED?

- A Diplomatic Conference will be held in Riyadh (Saudi Arabia) from November 11 to 22, 2024, to negotiate the treaty.