

*How to apply to
register a design
in the Hong Kong SAR?*

*Designs Registry, Intellectual Property Department,
The Government of the HKSAR*

General introduction

This document provides basic information on how to apply to register your design in the Hong Kong Special Administrative Region (the HKSAR). Please read it carefully before you submit your application. A sample application form has been included for your reference.

More information

Website: <http://www.ipd.gov.hk/>

Enquiry: enquiry@ipd.gov.hk

Submitting your design application

All design applications should be sent to:

*Designs Registry
Intellectual Property Department
24/F, Wu Chung House Wanchai
213 Queen's Road East
Hong Kong*

The Designs Registry does not undertake to give legal advice and this document carries no legal authority. The Designs Registry will therefore not accept any responsibility for the consequences of any omissions or inaccuracies in this document.

What designs can be registered?

New designs

To be registrable a design must be new at the filing date of the application, or the priority date (if claimed). A design is new if :

- it has not been previously registered for the same or any other article, or
- it has not been previously published or disclosed in the HKSAR or elsewhere.

Disclosure of a design before filing an application may destroy its novelty. As a result, the registration may be invalid because the design is not new.

This means that to obtain a valid registration, the design owner should apply for registration before marketing the designed product in the HKSAR or anywhere else in the world.

Convention priority

A design owner can claim a priority date based on a first application in a Paris Convention country or World Trade Organisation member territory if he applies in the HKSAR within six months of the first application. To be registrable the design must be new at the priority date.

Confidential disclosure

Disclosure in confidence by the owner, or disclosure by another person in breach of good faith, or communication to a government department, or display at an official international exhibition will not destroy the novelty of a design.

International exhibitions

If an application is made not later than six months after the opening of the exhibition, a design displayed at, or published after, an official international exhibition will not lose its novelty.

Spare parts

Designs for spare parts are registrable only if the parts are made and sold separately.

Who can apply for registration?

Only the owner of a design is entitled to register a design. An owner may obtain ownership by commissioning the creation of the design, or under an employment contract or by assignment, etc.

How to apply?

Filing application

Filing an application requires:

- a completed application form ([Designs Form D1](#))
- a set of clear representation of the design, and
- payment of the [filing fee and advertisement fee](#).

Both the [filing and advertisement fees](#) have to be paid at the time the application is filed. The fees payable for filing an application, or for other transactions under the Registered Designs Ordinance, can be found in the Schedule to the Registered Designs Rules (click [here](#)).

Notes for completing Designs Form D1 are provided [below](#).

Multiple applications

More than one design can be included in an application provided that the designs relate to the same class of articles as classified under the Locarno Classification, or to the same set of articles. A reduced fee is payable for every subsequent design in a multiple application.

A set of articles means two or more articles of the same or similar design and of the same general character that are usually sold together or are intended to be used together. For example, a tea set is a set of articles.

What documents are required?

Representations and statement of novelty

Representations and a statement of novelty are essential as they show the design and describe the features claimed to be new so that the scope of protection can be known to the public. It is in the interests of the design owner to file clear representations so that the registration effectively protects the design.

Please refer to the [Notes on representations](#) and the [Notes on completing Part 06](#) below.

Samples for textile designs

In addition to a representation, a sample can be filed to support an application to register a two-dimensional design for a textile article. A textile sample can be filed if:

- it is contained in a single envelope or packet,
- its dimensions do not exceed 30 cm and the weight of the envelope or packet and its packing does not exceed 4 kg, and
- it is not perishable or dangerous to store.

Samples of other articles will not be accepted unless required by us.

What happens to an application after it has been filed?

Filing date

Shortly after receiving the application, we will send a notice to the applicant or the agent, giving the filing date of the application.

The filing date is the date we receive the following:

- a request for registration of the design,
- a representation of the design suitable for reproduction,
- applicant's name and address, and
- the fees payable.

The filing date is the registration date from which the period of registration starts. It is

also the date for determining the novelty of the design (unless priority is claimed).

Formality examination

After giving the filing date, we will examine the formalities of the application. The formalities are the information required in the application form. There is no substantive examination of the application and the Designs Registry does not search records of prior registered designs.

If the application is not in order, we will give notice to the applicant to correct the deficiencies within three months. Failure to correct deficiencies may result in the application being deemed withdrawn.

Registration and publication

If an application is in order, we will register the design, publish the registration in the Hong Kong Intellectual Property Journal (http://www.ipd.gov.hk/eng/ip_journal.htm) and issue a certificate of registration.

Usually a certificate of registration can be issued within three months after an application is filed. A registered design owner can bring civil proceedings for infringements committed after the certificate of registration is issued.

Duration of registration

The registration of a design lasts for five years beginning from the filing date. It may be extended for additional periods of five years, up to a maximum of 25 years from the filing date.

Access to design information

Anyone can make a search about designs registered in Hong Kong, China at the online search system provided by the Intellectual Property Department (<https://esearch.ipd.gov.hk/nis-pos-view/>).

Information about design registration is published in the Hong Kong Intellectual Property Journal (http://www.ipd.gov.hk/eng/ip_journal.htm).

Business hours

The Designs Registry is open to the public as follows:

Monday to Friday 9:00 a.m. - 5:45 p.m.



知識產權署
Intellectual Property Department

SAMPLE

For official use

Designs Form D1

Application for registration of design(s)

Registered Designs Ordinance (Cap. 522)

Registered Designs Rules (Cap. 522A)

Important notes

1. General notes:

- a. This form is available in Chinese and English. Either Chinese or English can be used as the language of proceedings. Please complete this form in English unless otherwise stated. The language of proceedings will be in English.
- b. By submitting this form, you will be treated as having given consent to the Designs Registry and its service provider to copy or communicate all the information provided to any third party (in or outside Hong Kong) who assists or supports the Designs Registry in performing its functions under the Designs Ordinance, Cap. 522 and its subsidiary legislation.
- c. This form must be signed and dated.
- d. If there is not enough space for any part on this form, please continue on an additional sheet. Number each additional sheet and state the number of additional sheet(s).
- e. Please enquire through the following means:
 - E-mail: enquiry@ipd.gov.hk
 - Internet homepage address: www.ipd.gov.hk
- f. The Registered Designs Ordinance, Cap. 522 and Registered Designs Rules, Cap 522A can be viewed at www.ipd.gov.hk.

2. Use of personal data:

Personal data collected by the Registrar of Designs ("the Registrar") in the forms filed with the Registrar will be used for the purposes set out in the Personal Information Collection Statement at https://www.ipd.gov.hk/eng/personal_information.htm.

3. Use of other information:

- a. The Designs Registry will use any information relating to any commercial enterprise or entity provided in this form and any document(s) filed in relation to it for processing your application, request or notice, and for the purposes of collection set out in the Personal Information Collection Statement at https://www.ipd.gov.hk/eng/personal_information.htm. **They may be made available for public inspection, in full or in part, pursuant to section 70 of the Registered Designs Ordinance, Cap. 522 and section 55 of the Registered Designs Rules, Cap 522A. Such information may be accessed through the Internet.**
- b. **DO NOT include any business information of your own or that of third parties which you consider to be confidential or commercially sensitive.** Where such information is included in this form or any document(s) filed in relation to it, the Registrar will treat it an express and voluntary consent given by you and any such third party to disclosure of all such information for the purpose of public inspection.

4. Submission of application/request/notice:

- a. In person or by mail with the appropriate fee to the Registrar of Designs, 24/F, Wu Chung House, No. 213 Queen's Road East, Wanchai, Hong Kong. The fee schedule can be viewed at http://www.ipd.gov.hk/eng/forms_fees.htm. Payment can be made in person by cash, or by sending a cheque/bank draft (in Hong Kong dollars which can be cleared in Hong Kong) made payable to THE GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION.
- b. This form can also be submitted electronically. For details, please visit [IPD's e-Filing System](#).

*Denotes mandatory fields unless otherwise stated

01. Reference

Filer's reference

MY/2019/1

02. *Details of applicant making request under section (12)(2)(a) of the Registered Designs Ordinance for registration of design(s)

If there is more than one applicant, please provide details of all applicants.

***(a) Name in English**

If your name is not in Roman letters or in Chinese, please include a transliteration in Roman letters.

Standard Co. Ltd.

(b) Name in Chinese
(if applicable)

***(c) Address**

Flat/Floor/Building

25/F, Wu Chung House,

Street/District/City

213 Queen's Road East, Wanchai

Country/Territory/Area

HONG KONG

(d) Applicant type

Please mark one box only

Individual Go to [Part 02\(g\)](#)

Incorporated Go to [Part 02\(e\)](#) (and [Part 02\(f\)](#) if applicable)

Unincorporated Go to [Part 02\(g\)](#)

(e) Country/Territory/Area of incorporation

HONG KONG

(f) State of incorporation

For applicant incorporated in the United States.

(g) Applicant's right to the design(s)

If the applicant is not the designer, please mark the appropriate box(es) to explain the applicant's rights in relation to the design(s). If the box "Others" is marked, please specify the details.



By virtue of employment



By virtue of assignment



Applicant commissioned the design



Others (please specify)

03. *Application type

Please mark **ONE** only of the following box(es) to indicate the type of application.

<input checked="" type="checkbox"/>	Single design Only one design included in this application	
<input type="checkbox"/>	Multiple designs of articles	No. of designs included in this application: _____ More than one design in the same class of articles
<input type="checkbox"/>	Single set of articles	No. of articles included in this set: _____
<input type="checkbox"/>	Multiple sets of articles	No. of designs included in this application: _____ No. of articles included in each set: _____

The term "set of articles" is defined in section 2 of the Registered Designs Ordinance as two or more articles of the **same general character** that are **ordinarily on sale together or intended to be used together**, to each of which the **same design**, or the same design with modifications or variations not sufficient to alter the character or substantially to affect the identity thereof, is applied, for example, a tea set.

04. *Locarno Classification

The International Classification for Industrial Designs ("the Locarno Classification") published by the World Intellectual Property Organization is adopted for classifying design articles. For details of the Locarno Classification, please refer to the website at <http://www.wipo.int/classifications/en>.

***(a) Class**

10

***(b) Sub-class**

01

05. *Article

The statement identifying the article(s) or set of article(s) to which the design applies must be made in English and Chinese. It should be no more than 50 words for each language in English and Chinese.

***(a) English**

Alram clock

***(b) Chinese**

鬧鐘

06. *Statement of novelty

A statement of the features of the design for which novelty is claimed ("statement of novelty") in both English and Chinese should be included in the application. A statement of novelty is not required for textile articles or wallpaper.

You can provide the statement of novelty by either of the following:

- a) Describing the feature(s) in both **English and Chinese** of the design by **marking ANY of the following checkbox(es)**.

The feature(s) of the design for which novelty is claimed is/are the
表述所顯示的物品的

- pattern/式樣,
 ornament/裝飾,
 shape/形狀,
 configuration/構形

of the article as shown in the representations.
是聲稱具有新穎性的外觀設計特色。

OR

- b) Providing the statement of novelty in both **English and Chinese** in the following boxes.

English

Chinese

07. Details of disclosures

Go to Part 08 if you do NOT claim confidential and non-prejudicial disclosures.

(a) Confidential disclosure

If the design(s) has/have been previously disclosed and section 9(1) of the Registered Designs Ordinance applies, please indicate so by marking the appropriate box(es).

section 9(1)(a) <input type="checkbox"/>	section 9(1)(b) <input type="checkbox"/>	section 9(1)(c) <input type="checkbox"/>	section 9(1)(d) <input type="checkbox"/>
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State the circumstances of the disclosure and the relevant dates

DD-MM-YYYY

(b) Non-prejudicial disclosure

Disclosure at an official international exhibition under section 9(2) of the Registered Designs Ordinance.

- (i) Name and place of exhibition**

(ii) Opening date of exhibition

This application should NOT be made later than 6 months after this opening date.

DD-MM-YYYY

(iii) Date of first disclosure

(if not on the opening date of the exhibition)

DD-MM-YYYY

08. Priority details

Go to [Part 09](#) if you do NOT claim priority.

If you have duly filed an application for registration of design(s) in a Paris Convention country or WTO member within six months prior to the date of filing of this application, right of priority may be claimed.

Where priority is claimed, you are required to file a copy of certificate issued by the competent authority of the relevant Paris Convention country or WTO member verifying:

- the country, territory or area of filing
- the filing date and number
- the representation of the design
- the articles covered by the previous application

If any copy of certificates or other document relating to the previous application is in a language other than English or Chinese, you need to file a translation into English which states the translator and his official capacity (if any).

(a) Country/Territory/Area

CANADA

(b) Filing date

DD-MM-YYYY

01-10-2018

(c) Filing no.

2016757

If the previous application was not made in the name(s) given in Part 02, state the instrument (for example, deed of assignment) which gives the applicant the right to claim priority including appropriate name(s) and date(s).

(d) Name of instrument

Assignment

(e) Date of instrument

DD-MM-YYYY

28-09-2018

(f) Names of parties

Assignor: LEE HO

09. Associated design(s)

Go to Part 10 if you do NOT have associated application or registration.

State the application/registration number(s) and filing date(s) of any previous design application(s) or registration(s) for association under section 11 of the Registered Designs Ordinance.

(a) **Application/Registration no(s).**

(b) **Filing date**

10. Division of application

Go to Part 11 if you do NOT have earlier application.

State the number and filing date of any earlier application whose filing date is claimed under section 22 of the Registered Designs Ordinance.

(a) **Application no(s).**

(b) **Filing date**

***Representation(s) of design(s)**

1. Representation(s) of design(s) must be attached to this form.
2. The representation may be either a drawing or a photograph and shall be of a size of not more than 210mm by 297mm. If the representation is a photograph, please affix it on A4 paper.
3. If the design relates to a set of articles, the representations should show the design as applied to each article in the set.
4. Please indicate the page no. on top right corner of the representations as 1, 2, 3 accordingly. For multiple applications relating to two or more designs, please also number the representations M001, M002, M003...for the first, second, third...designs respectively and sort them into separate sets, one for each design.

11. *Address for service

All correspondence and/or document(s) will be sent to the address below.

***(a) Name**

Standard Co. Ltd.

***(b) Address**

You must provide an address for service in Hong Kong. Please note that a P.O. Box or "care of" address is not acceptable.

Flat/Floor/Building

25/F, Wu Chung House,

Street/District

Queen's Road East, Wanchai

HONG KONG

(c) **Telephone no.**
In Hong Kong

2803 5860

(d) **Fax no.**
In Hong Kong

2838 6315

12. Agent's details

Go to Part 13 if you are NOT an agent.

If you have been duly authorized to act as an agent, please complete this part on behalf of the applicant(s) for the purpose of this application.

(a) Name

(b) Address

You must provide an address in Hong Kong where you reside or carry on your business activities. Please note that a P.O. Box or "care of" address is not acceptable.

Flat/Floor/Building

Street/District

HONG KONG

(c) Telephone no.

In Hong Kong

(d) Fax no.

In Hong Kong

13. * Declaration

I/We confirm that I/we have read and understood the "Important notes" of this form.

I/We declare that the applicant(s) claim(s) to be the owner(s) of the design(s) in relation to the article(s) or set(s) of articles specified above.

***(a) Authorized signature**



***(b) Name of signatory**

LEE Kwok Yan

***(c) Official capacity of signatory**

Example: Authorized person, Director, Partner or Principal Officer of Applicant(s)/Agent; Applicant in person

Director

***(d) Date**

DD-MM-YYYY

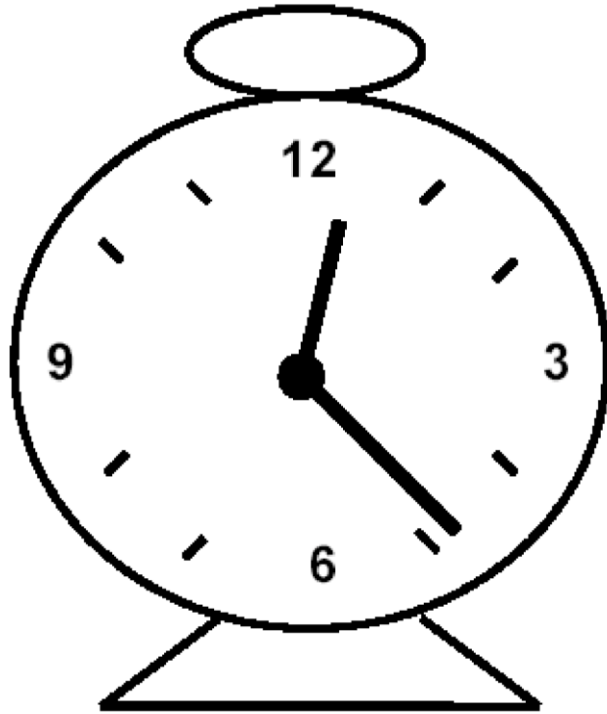
14-02-2019

14. Attachment(s)

Total number of attachment(s)

1

Representations



Front View

Notes on Completion of Designs Form D1

Please read carefully the notes in Form D1 and complete the form in English.

Parts 02, 03, 04, 05, 06, 11 and 13 must be completed.

Other parts may need to be completed, depending on the circumstances.

Part 02 (d) to (f)

(a) To complete the field “Applicant type” in Part 02 (d), you have to indicate whether you are an individual, incorporated entity or unincorporated entity. If you are an incorporated entity, please also indicate your place of incorporation.

Individual

- If you are a natural person, or natural persons making an application in joint names, the box “Individual” should be marked.
- For a sole proprietorship established in Hong Kong, an application is usually filed in the name of the sole proprietor trading in the name of the firm (e.g. Chan Siu-ling trading as Chan & Co.). In this case, the box “Individual” should be marked.
- For a partnership established in Hong Kong, it is common for an application to list the names of the partners (or at least two of them) followed by the name of the firm (e.g. Chan Siu-ling and Lam Mei-mei trading as Chan & Lam). In this case, the box “Individual” should be marked.

Incorporated

- If you are a corporation (i.e. a company incorporated in Hong Kong, or any other body corporate incorporated/established in or outside Hong Kong), please mark the box “Incorporated”.
- Thereafter, you may indicate the country/territory/area of incorporation in Part 02(e). If the corporation is being incorporated in the United States, you may also fill in the state of incorporation in Part 02 (f). Such particulars, if provided by you, may be entered by the Registrar of Designs in the register of designs to

enhance the transparency of the public records and also to help the Registrar of Designs and the third parties better identify the owner of a design registration.

Unincorporated

- If you are an unincorporated entity which nevertheless has legal capacity to hold property under the law of the place where it is established, please mark the box “unincorporated”.

(b) Please note that the entity named as the applicant for/registered owner of a design must be capable of holding property, including the design in question. If you have any doubt as to whether you have any legal capacity to hold property, please consult your legal advisers. The Registrar is not in a position to advise you on this.

(c) Please also note that the Registrar will not verify any information about the applicant type or place (and state) of incorporation (if applicable) as provided by you before entering such information on the register of designs. Any person who wishes to ascertain the veracity of such information should carry out independent inquiries and searches and seek independent advice, if necessary.

Part 03

Please mark **one** of the boxes to indicate the type of application. If the box “Multiple designs of articles” is selected, please state the no. of designs included in the application. If the box “Single set of articles” is selected, please state the no. of articles included in the set. If the box “Multiple sets of articles” is selected, please state the no. of designs included in the application **and** the no. of articles included in each set.

Part 04

Please refer to the latest edition of “International Classification for Industrial Designs” under the Locarno Agreement published by the World Intellectual Property Organization (WIPO) (“Locarno Classification”). A copy of it is available for reference at WIPO’s website <http://www.wipo.int/classifications/nivilo/> and also at the registry’s counter.

According to the Locarno Classification, Class 32 sub-class 00 is the class to which the items “graphic symbols and logos, surface patterns, ornamentation” belong. Under section 2 of the Registered Designs Ordinance (Cap. 522), “design” is defined as “features of shape, configuration, pattern or ornament applied to an article by any industrial process ...” and “article” means “any article of manufacture and includes any part of an article if that part is made and sold separately”.

Accordingly, if you wish to apply for registration of a design in respect of “graphic symbols and logos, surface patterns, ornamentation” (or any of the above items), you need to specify the article(s) to which the relevant Class 32 sub-class 00 items are to be applied and state the class and sub-class of the article(s) in accordance with the Locarno Classification. For example, if you wish to seek registration of a design in respect of an “ornamentation” and the ornamentation is to be applied to handbags, the article and the classification may be stated as “ornamentation for handbags” and “3-01” respectively in Form D1 instead of “ornamentation” and “32-00” respectively.

If you file an application for registration of design and wish to claim priority in your application based on a previous application for registration of the same design filed in a Paris Convention country or a World Trade Organization member, you are required to specify the article and the class in your application form as mentioned in the preceding paragraph even if such previous application is classified in Class 32 sub-class 00.

Part 05

The statement of article must be specific. Vague, general, or descriptive terms should not be used. The Chinese and English statements of article should be consistent. Please see the notes on completion relating to Part 04 above.

Part 06

1. A statement of the features (pattern, ornament, shape or configuration) of the design for which novelty is claimed (“statement of novelty”) in both English and Chinese should be included in the application.
2. A statement of novelty is not required for a design, intended to be applied to a textile article, to wall paper or similar wall covering or to lace or to sets of textile articles or lace.
3. You can provide the statement of novelty by either of the following:
 - a). Marking any of the checkbox(es) of pattern/式樣, ornament/裝飾, shape/形狀 or configuration/構形 OR
 - b). Providing the statement of novelty in both English and Chinese in writing which can be expressed in the following way:

"The features of the design for which novelty is claimed are the (*pattern, ornament, shape or configuration) of the article as shown in the representations.

表述所顯示的物品的(*式樣、裝飾、形狀或構形)是聲稱具有新穎性的外觀設計特色。"

(*delete as appropriate)

4. The statement of novelty must not include any description of the use of the article or its features, or its advantages or method of construction.
5. Where novelty is claimed for a particular part of an article, the statement of novelty can be expressed as follows :

“The features of the design for which novelty is claimed are the (*shape, configuration, pattern or ornamentation) of the part (** coloured blue, ringed in red, shown in solid lines) in the representations.”

(*, ** delete as appropriate)

Part 07

If the design has been disclosed in circumstances where Section 9 of the Registered Designs Ordinance applies, give details.

Part 08

For Part 08 (d) to (f), state from whom and the date and name of instrument by which the applicant obtained the right to claim priority for the application.

Part 09

To be completed if the design is to be associated under section 11 of the Registered Designs Ordinance.

Part 10

To be completed if the application is divided out of an earlier application.

Representation(s) of design(s)

One set of the representations must be attached to the application form. Notes on representations are provided below.

Notes on representations

1. Representations must be either drawings or photographs (except instant photos) affixed to good quality A4 size paper by adhesive tape.
2. One set of representations must be attached to form part of the application form.
3. Only one side of the paper should be used. Each sheet should show the total number of sheets in the set, for example, 1/3, 2/3 or sheet 1 of 3, sheet 2 of 3, etc.
4. The drawings or photographs should show only the designed article. No other objects should be shown and the representations should not show any corrections.
5. Representations should be labelled with short designations of the view. The views should **include one perspective view**.
6. Representations should show all details of the article clearly and should be capable of being reproduced clearly.
7. Other than designations of views and the statement of article, representations should not contain unnecessary descriptive wording such as disclaimers, etc.
8. Where a design is to be applied to a set of articles, the representations should show the design as applied to each different article included in the set.
9. For multiple applications, representations should be labelled M001, M002, etc. The representations for each of the multiple designs shall be affixed to separate sheets of A4 paper.
10. Sectional views are unnecessary unless they show some aspects of external shape which would not be clear from two-dimensional drawings or photographs. They should not show details of internal construction which would not usually be seen.
11. If sectional views are included, they must be blacked in solidly on the plane of cut to conceal all internal features not normally visible in the finished article.
12. If the applicant wants protection for only a particular part of an article, that part of the article in which novelty is claimed must be clearly and unambiguously

identified, for example by colouring the part, or by encircling the part in ink, or by drawing it in solid lines and showing the remaining parts in dotted lines.

Drawings

13. Drawings should be not more than 210 mm by 297 mm (A4 size).
14. The lines of drawings must be even and boldly drawn.

Photographs

15. Photographs should be not more than 210 mm by 297 mm (A4 size).
16. Photographs must be clear originals. The articles should be shown against a neutral plain background without shadows or reflections. Photographs must not be instant type photographs.
17. Photographs should be firmly affixed to the backing sheets by double-sided adhesive tape. Glue must not be used.