You can file a design application online, through our website (www.boip.int). To do so, you will first have to create an account.

An application may be submitted in the official languages of BOIP, Dutch or French. In addition, it is also possible to submit an application in English. Throughout the registration procedure, all communications with BOIP will be in the language of your application. For any legal proceedings, the competent authority's linguistic rules will be applicable.

What is a design?

The definition of a design is recorded in Article 3.1 of the Benelux Convention on Intellectual Property:

1 A design shall be protected to the extent that it is new and has individual character.

2 The appearance of the whole or a part of a product shall be regarded as a design.

3 The appearance of a product shall be imparted, in particular, through the features of the lines, contours, colours, shape, texture and/or materials of the product itself and/or its ornamentation.

4 A product shall mean any industrial or handicraft item, including inter alia parts intended to be assembled into a complex product, packaging, get-up, graphic symbols and typographic typefaces. Computer programs shall not be regarded as a product.

Explanatory notes

1 Reference, telephone number, e-mail address and bank account number

Reference: state your own reference or own file number here. BOIP will use this reference in all correspondence.
Please state your bank account number in case we need to refund.

2 Single or multiple application

Single application (form A when using paper form)
You can choose a single application if you wish to register a single product. This product may consist of several individual components that belong together. Furthermore, the components may be available as individual sales units.
Examples of a simple design:

- A standing lamp
- A perfume bottle with vaporiser
- A game with all its parts
- A kitchen appliance with accessories

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Multiple application (forms A + B when using paper forms)
You can apply for 50 products in a multiple application. These products do not have to be related in any way. They may belong to separate product groups. The advantage of a multiple application is that the fees are degressive. Examples of multiple designs:

- A car, a moped and a truck (3 designs)
- A sofa and a vase (2 designs)
- A bag, a T-shirt and a wallet (3 designs)

3 Applicant

Please state the rightful claimant of the applied design.

An applicant may be either a natural person or a legal entity. If the applicant is a natural person, please state surname, first name (in full) and full address. If the applicant is a legal entity please state the name and the legal form registered at the trade register. Registration in the name of a sole-proprietorship or a company in formation is not possible.

Please state the street address of the applicant. Correspondence from BOIP may be sent to a post office box, however only street addresses can be registered.

4 Representative

This item is to be filled in by a representative. Representatives or lawyers specialised in IP are kindly asked to state their details. They advise on design protection and can deal with all formalities for the applicant. More information on the services of representatives and a list of addresses can be found on the website of the professional association for trademark agents in the Benelux, the 'BMM' (www.bmm.nl, www.bmm.be or www.bmm.lu). If you use the services of a representative or a lawyer specialising in IP, they must have a residential or business address in the EU or EEA.

5 Correspondence address

If an applicant has no representative and does not have a residential or business address in the EU or EEA, a correspondence address within this area must be provided.

6 Product

Please state the common name of the product. For example, glasses frame, watch, telephone, piano, cupboard.

7 Colours

Please fill in if the representation(s) (see item 16) is/are in colour.

The colour(s) must be mentioned in words. In addition you can mention the colour code(s). This is not obligatory. Designs that are filed in colour will also be published in colour by BOIP.

8 Description of the characteristic features of the design

Optional description.

If the characteristic features of the product are not clear, please add a description. The description (maximum of 150 words) must exclusively relate to the new appearance of the product.

Excluded are: other derived versions, manuals, colour descriptions, technical details relating to the functioning, gamerules or operation instructions of the product.

Important: descriptions mentioned under 8 are subject to a supplementary fee per design.

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9 Designer

Optional.

The surname and first name of the actual designer (a natural person) can be stated.

10 Right of priority

Optional

You may claim a right of priority if you have previously applied for the same design in a country outside the Benelux. However, the earlier application may not be older than six months and must be applied for in a country that has ratified the Paris Convention for the Protection of Industrial Property or is a member of the WTO (World Trade Organisation).

If you are invoking the right of priority, you must state the country, number, holder and application date upon which the right of priority is based. A copy of the earlier application must be submitted.

If the applicant for the design in the country of origin is not the same as the person applying for the Benelux filing, the latter must submit a document (or a copy of a document) establishing his rights.

11 Deferment of publication

Check if applicable.

You may apply for a deferment of publication for a maximum period of one year. This period starts on the date of application or the date of priority. In case of a multiple application, the deferment will affect all designs.

Important: the fee for deferment (delay) and publication must have been paid within a month after the date of application.

The applicant may inform BOIP to cancel the application before the deferment ends. In case of a multiple application, please state the numbers for which no publication is needed. Those designs will be cancelled. At request of the applicant the deferment of publication may be cancelled at any time.

12 Fees

Please fill in the fees due. The rates are mentioned in the explanatory notes. The fees are exempt from VAT.
Your payment must be received by BOIP within a month after the date of application. If the payment of the basic fees is received later, the application date will be postponed. It is in your own interest to ensure prompt payment. This will also expedite the processing of the application; the application will not be processed until the payment has been received.

Payment can be effected by a cash deposit and/or a bank transfer to the following bank accounts:

in the Netherlands

- bank account IBAN NL68 ABNA 0240 0367 00 BIC: ABNA NL2A (ABN AMRO)

in Belgium

- bank account IBAN BE24 0014 3183 0538 BIC: GEBA BEBB (BNP Paribas Fortis)

in Luxembourg

- bank account IBAN LU50 0030 0556 7430 0000 BIC: BGLL LULL (BGL BNP Paribas)

Please note: direct debit from a bank account is not possible.

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13 Request for debit from current account

If you have a current account at BOIP, you may request to debit your current account. In that case, check the box and fill in the (four-digit) number of your current account.

14 Attachments

Please state the number and type of attachments.
Remember to include your reference (see item 1) on each attachment.

15 Signature

Form 'A' and, in case of a multiple application, a form 'B' for each design must be signed stating the name of the signatory. If the application is signed on behalf of a legal entity, please also state the position of the signatory.

16 Representations

A page with a rectangular space of 16 x 24 cm has been included under item 16 of the forms 'A' and 'B'. The representation(s) of the product must be attached here. The first representation must be attached in the top left corner of the rectangular space (starting from the arrow). Each representation has to be one view of the design. A publication fee has to be paid per representation.

Important: use representations of good quality. The quality of the representations determines the quality of the publication. The design must be displayed on a neutral background. The required size of the representations is between 4 x 4 cm and 16 x 24 cm. At least one representation should display the product in its entirety. Photos must be printed on matte paper and line drawings must be clear reprographic prints.

Three copies of each representation must be sent. One of these copies must be attached to the form in the way the design needs to be published. Please make sure to leave enough space between the different representations to allow for electronic processing (scanning).

BOIP also accepts representations of the product from various angles, detailed representations and cross-sections. They may be accompanied by descriptions such as 'top view' or 'perspective view'. Explanatory texts, keys or technical scales will not be accepted.

If the space on page 4 of form 'A' and page 2 of form 'B' is not enough to attach your representations, you may copy these pages. The form can also be printed from the website of the Benelux Office for Intellectual Property (www.boip.int).

Important information

Application forms A and B

For a single application, use form A: Benelux application of a design.
For a multiple application, use form A for the first design and form B for each following design (up to a maximum of 50).

Content of the application

The following details (minimum requirements) must be stated on the application form:

- Name and address of the applicant
- Common name of the product
- Clear representations of the design
- Signature of applicant or representative
- The fees must be paid within one month after the date BOIP receive the application

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Please check the form on these points. This will significantly expedite the procedure at BOIP. For more information, please contact BOIP.

Filing in black and white or in colour?

Black and white
If the colours are not an intrinsic part of the product, please provide representations in black and white. BOIP will publish the design in black and white.

Colour
If the colours are an intrinsic part of the product, please provide representations in colour.
BOIP will publish the design in colour.
Remember to state the colour(s) under item 7 of your application.

Adresses

Benelux Office for Intellectual Property
P.O. Box 90404
NL-2509 LK The Hague
The Netherlands
Tel.: +31-70-349 11 11
Fax: +31-70-347 57 08
Visiting address:
Bordewijklaan 15
2591 XR The Hague

Open Monday to Friday, 10 AM to 12 AM and 2 PM to 4 PM

Federale Overheidsdienst Economie, K.M.O., Middenstand & Energie
Intellectual Property
North Gate III
Koning Albert II-laan 16
B-1000 Brussel
Belgium
Tel.: +32 2 277 52 97
Fax: +32 2 277 52 77

Ministère de l'Economie et du Commerce extérieur
Office de la Propriété Intellectuelle
19-21, Boulevard Royal
L-2449 Luxemburg
Grand Duchy of Luxembourg
Tel.: +352 2478 41 87
Fax: +352 22 26 60

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Final comments

BOIP will send a confirmation of receipt of your application. After the application procedure has been completed, the design will be registered and published. The registration certificate will then be sent to you. The registration is valid for 5 years and can be extended with successive periods of 5 years up to 25 years.

Designs

Single design	Digital	Paper
Application	€ 108	€ 124
Publication per representation	€ 10	€ 11
Publication characteristic features	€ 40	€ 46
Deferment of publication	€ 39	€ 44

Multiple design

Application first design	€ 108	€ 124
2nd till 10th design, per design	€ 54	€ 62
11th till 20th design, per design	€ 27	€ 31
21st till 50th design, per design	€ 22	€ 25
Publication per representation	€ 10	€ 11
Publication characteristic features, per design	€ 40	€ 46
Deferment of publication	€ 39	€ 44

Renewal

Single design		€ 95
Multiple design:	1st design	€ 95
	2nd till 10th design, per design	€ 48
	11th till 20th design, per design	€ 24
	21st till 50th design, per design	€ 20

Modifications

Transfer or transition, license, right of pledge or writ of attachment	
• 1st application	€ 24
• subsequent applications	€ 12
Change of name and/or address of the applicant, representative, design holder or licensee	free
Appointment or change of representative	
• 1st application	€ 9
• subsequent applications	€ 5

Other

Registration declaration right of priority (art 2.4 (2))	€ 12
Registration claim	€ 12
Correction of typing errors	
• 1st application	€ 9
• subsequent applications	€ 5
Supplementary fee, payment in the grace period	€ 12

Information

• less than 1 hour	€ 17
• more than 1 hour, per hour	€ 30

Copies

• not certified, per registration	€ 4
• not certified, per page	€ 2
• certified, per registration	€ 18
• certified, per page	€ 5
• Certificate of right of priority	€ 12
• Translation of a published application or registration from English into Dutch or French	per word € 0,20

Community design

Submission application community design	€ 71
Expenses of sending, if those exceed 25 euros	expenses