

# The OPRI's services

The Belgian Intellectual Property Office

## The option to protect a drawing or a design

A **design (3D)** or a **drawing (2D)** relates to the appearance of (part of) a product, which is novel and has an individual character. The design of a product plays an important strategic role: between two products of the same quality, the consumer will often prefer the most aesthetic form. That is why many companies and designers choose to protect their drawings or designs by registering them.

By registering a design or a drawing (or a combination of both), you can protect the appearance of your product from **counterfeiting** or against **abuse**.

A design registration is **valid for 5 years** and can be extended by successive periods of 5 years, up to a **maximum of 25 years**.

A design right always offers a **territorial protection**. You can choose between a Benelux protection, a Community design that is valid throughout the European Union, or an international protection.

### Is your drawing or design as unique as you think it is?

If it turns out that your design or drawing already exists, it will not meet the **novelty requirement** for a valid application and its exploitation can also be an infringement on an existing design right.

In order to determine whether identical drawings or designs already exist, you can search the registers of drawings and designs. The **Benelux Designs Register** (<https://www.boip.int/en/designs-register>) and the **DesignView** database ([www.tmdn.org](http://www.tmdn.org)) contain the registered European drawings and designs, as well as the drawings and designs filed at national level within the EU.

The **Hague Express** online register contains all international registrations of drawings and designs (<https://www3.wipo.int/designdb/hague/en/>).

Go to: [economie.fgov.be/en/opri](http://economie.fgov.be/en/opri)  
or contact the Belgian Intellectual Property Office directly:

Tel.: +32 800 120 33 (free)

Email: [piie.contact@economie.fgov.be](mailto:piie.contact@economie.fgov.be)

Are you creative as a designer or do you invest in product conception and design as an entrepreneur?

Then it might be sensible to apply for a **design registration** for your design or drawing.

Note: Searching the registers will not give you complete results as many designs and drawings have not been registered or remain secret.

In case of doubt, consult an intellectual property expert to interpret the search results.

To do so, visit [www.bmm.be](http://www.bmm.be).

### Where to apply for a benelux, a european or an international protection?

A Benelux drawing or design application is valid in Belgium, Luxembourg and the Netherlands. The application is followed by the registration and - if all conditions are met - the publication.



Since 2014, the applications must be submitted to the **Benelux Office for Intellectual Property** ([www.BOIP.int](http://www.BOIP.int)).

(Note: In contrast to the neighbouring countries, Belgium, Luxembourg and the Netherlands only provide common protection to all three countries.)

If you want protection in all countries of the European Union, including Belgium, you can opt for a European drawing or design application: the Community design. More information can be found on the website of the **European Union Intellectual Property Office** ([www.EUIPO.europa.eu](http://www.EUIPO.europa.eu)).



If you wish to benefit from protection outside the European Union, you may consider an international application. The advantage is that, by filing one single application at the **World Intellectual Property Organization (WIPO)**, you can get a protection in the countries of your choice. More information can be found on the WIPO website: [www.WIPO.int](http://www.WIPO.int).



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