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### Høring vedrørende revideret udkast til Design Law Treaty - DLT

15. maj 2012

Vi henviser til Styrelsens brev af 16. april 2013 og kan oplyse, at ADIPAs designudvalg har gennemgået det reviderede udkast i dokumenterne SCT/29/2 og SCT/29/3 og har følgende bemærkninger.

The proposed new Article 13bis and Rule 11bis have attracted the attention of ADIPA and a few comments are considered appropriate. The proposals in footnotes by national delegations appear to be of minor importance.

#### **Article 13bis(1), Rule 11bis(2)**

The proposed provisions for correcting or adding a priority claim has the effect that, ultimately, a priority claim may be added until 6 months after filing. Preferably, of course, a priority claim should be made on filing, but with the suggested provision, the public cannot rely on priority data until 6 months after the filing date and will have to live with this uncertainty. The proposed provisions are acceptable.

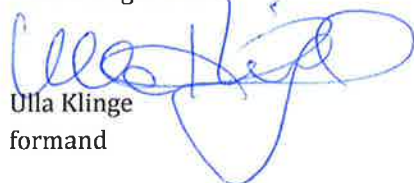
#### **Article 13bis(2)(iv), Rule 11bis(3)**

The proposed requirement of *due care* or *unintentionality* is acceptable. The proposed one-month period is well within six-month period in Rule 11bis(2) in which the public is left in uncertainty about priority data.

#### **Article 13bis(4), Rule 11bis(3)**

The same standard of evidence should apply both to *due care* and to *unintentionality*.

Med venlig hilsen



Ulla Klinge  
formand