



INTELLECTUAL PROPERTY OFFICE OF PAPUA NEW GUINEA

THE INDUSTRIAL DESIGN APPLICATION PROCESS IN PAPUA NEW GUINEA

<p>1. To lodge an application with IPOPNG, the applicant must fill in Form 5 and attach an official request letter expressing his/her intention, a lodgment fee of K300 and 4 perspective drawings of the design.</p> <p>2. [OPTIONAL] For every new application, it is expected that the “Power of Attorney” must be furnished if a law agent is lodging the application for the applicant and a “Statement Justifying the Applicant’s Right” if the applicant is NOT the creator of the design.</p> <p>3. When lodging the application, it is important to make a brief explanation of the use of the design on the lodgment form 5 to allow the office to classify the application.</p> <p>4. Industrial Design applications can claim priority of a previous filing if any.</p> <p>5. An application will still be considered Novel if the design has been disclosed within 12 months from the initial filing date or if through abuse committed by a third party without regard to the applicant.</p> <p>6. Industrial Design examination is purely based on formalities inclusive of the following factors; (1) It must not contradict Public Morality, (2) It must be Novel/New and (3) It must only serve its sole purpose to obtain a technical result and should not have the freedom to serve other purposes.</p>	<p>7. Where there is an objection raised by the examiner, the applicant will be expected to respond within a time limit to either amend the application or furnish supplementary documents to facilitate the examination. During this time, the process is suspended pending the applicant’s response.</p> <p>8. Processing of the application within IPOPNG with regard to the time frame is very much dependent on the applicant and how fast he/she responds to objections raised by the office.</p> <p>9. Upon fulfilling all requirements, the applicant will be notified that the application will proceed to recommendation for grant and attention to the Registrar of Industrial Designs. If the Registrar endorses the grant, the applicant will be asked to remit a grant & publication fee of K100.</p> <p>10. Publication of the granted Industrial Design will then be published in the official quarterly journal prior to issuance of certificate to the design owner.</p> <p>11. It is essential to note that IPOPNG is not a member of the Hague Agreement; however, the office uses the Locarno Classification to classify designs upon lodgment. [OPTIONAL] It is, therefore, the applicant’s decision if he/she wishes to provide the classification for his/her design upon lodgment.</p>
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NOTE: Expected time frame to process one (1) application is approximately between 3 to 6 months with possible variations.