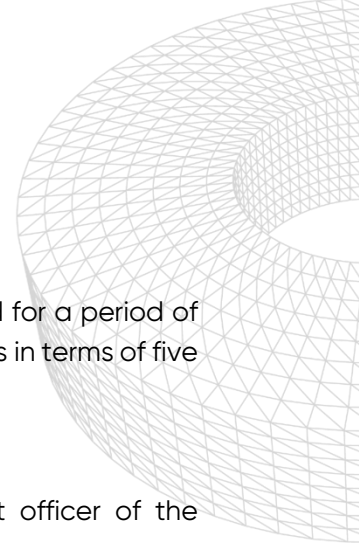


- 1. What is the current design protection regime in Israel?** As of August 7, 2018, industrial designs are governed by the new Designs Law, 2017. Designs filed before the new law's entry into force are governed by the old Patents and Designs Ordinance, dating back to 1924.
- 2. What qualifies as a 'design'?** 'Design' means the appearance of a product or part of a product, consisting of one or more visual features, as the case may be, including contour, color, shape, ornamentation, texture or material they are made from. A product may include a system of components, packaging, graphic symbol, or screen display, and excludes typeface and computer software.
- 3. What are the requirements for design protection?** A design must be new and have individual character.
- 4. What is the novelty requirement in Israel?** The Israel Design Ordinance calls for absolute novelty. This means that the design must not be identical or similar to designs available anywhere in the world, prior to the filing of the Israeli application.
- 5. Is there a grace period for exposure of industrial designs in Israel?** A grace period of twelve months prior to the effective filing date is available.
- 6. Can a functional product be eligible for design protection?** Yes, as long as the appearance of a product or part thereof is not:
 - dictated solely by the function which the product has to perform;
 - intended to be connected or incorporated into another product, or where the other product is incorporated therein ('must-match' exception); or must be manufactured exactly in the form and dimensions in which they were produced in order for their function to be performed as stated ('must-fit' exception).
- 7. Can several industrial designs be protected in a single application (multiple design application)?** Multiple design applications may be filed, but will be divided into separate single design applications, either at the time of filing (if filing fees for each design have been paid), or at the commencement of the examination process (if filing fees for each design have not been paid). In both cases, each design will be examined independently.
- 8. Can a design application claim priority on the basis of a prior application, filed in another country?** Priority may be claimed on the basis of a prior design application filed in countries, parties of the Paris Convention, or to the WTO. Priority can only be claimed where the application is filed within six months from the date of filing of the first application.
- 9. What kinds of representations are required?** Photographs, line drawings or computer illustrated images clearly representing the design from various views (preferably 6 elevations and at least one perspective view) are required. Line drawings with shading may be accepted. Unclaimed parts of the designs may be shown in dashed lines, blurring, coloring or lightening



10. How long is a Registered Design valid for? Registered Design is initially valid for a period of five years from the filing date of the application, and can be renewed four times in terms of five years, up to a total of 25 years.

11. What documents are required for filing a design application in Israel?

- An original **Power of Attorney** signed (in blue ink) by a competent officer of the applicant company, specifying his/her name and title.
- **Representations** (as detailed in sec. 9).
- **Certified copy of the priority document** (where priority is claimed) must be presented either together with the documents when filed, or within three months of filing.

12. Is there an unregistered design right in Israel? Unregistered design protection is available for a period of 3 years from the date of disclosure, provided that the design is new and of individual character, and that it was offered for sale or distributed to the public in Israel in a commercial manner, including online, by the design owner or on its behalf, within 6 months of its disclosure date to the public, in or outside Israel.

13. Is it possible to perform an on-line search for Registered Designs and design applications at the Israel Patent Office website? On-line search is available to the public. The information available includes registered designs ([here](#)) and also design applications that were filed as of August 7, 2018 ([here](#)).

14. Can an applicant apply for a deferment of the publication of a Registered Design in Israel? It is possible to request a deferment of the publication of the application, for a period not exceeding 6 months from the application filing date.

Our Design department specializes in consulting its clients on optimal means to protect designs, in selection of strategies and tactics for filing designs, occasionally alongside drafting patent applications pertaining to the same subject matter, in order to consider all aspects of protection and enforcement of respective rights.

For more information regarding Industrial Designs in Israel, please contact Mr. David de Vries, Senior Partner and Head of Technology department at dade@rcip.co.il, or Mr. Sa'ar Alon, Partner and Manager of the Design department at saalon@rcip.co.il.

This guide is provided for general information only. It is not intended as legal advice or opinion and cannot be relied upon as such.

Reinhold Cohn Group