

## IP Insight

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summary reviews of :

- methods of legal protection of industrial designs in the Republic of Serbia
- procedure for registration of the industrial design in the Republic of Serbia
- procedure for deposit of industrial design as copyright work with Intellectual Property Office of the Republic of Serbia

### *Methods of legal protection of designs in the Republic of Serbia*

Design, as three-dimensional or two-dimensional shape of industrial or handcrafted product, may at the same time be protected as industrial design and by copyright.

### *Features of protection by industrial design right*

- formal administrative protection procedure (the right arises by enactment of the Decision on recognition of right and by its registration in the Register of Intellectual Property Office);
- territorial limitedness, i.e. validity only within territories of those countries in which the right has been registered;
- 25 years long protection starting as of the date of filing the application for registration;
- certainty of legal protection, as well as certainty of business investment; existence of right easy to prove in case of dispute;
- wide possibility of authorisation for usage of design in business activity.

### *Features of protection by copyright*

- Informal protection (the right is born when a work that qualifies for protection is created);
- validity of the right is not limited by territory;
- difficult to prove existence of right in case of dispute.
- copyright protection during the entire life of author and 70 years after his/her death;
- protection uncertainty due to the high possibility of unauthorized copying.

### Ask a question

We shall gladly respond to any questions you may have

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### Our IP team

Our IP team assists clients at every stage of their business growth - from individual to large companies - in every aspect of their business that involves acquisition, exploitation and protection of intellectual property.

To find out more about the team and our capabilities please  
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## **Design registration procedure in the Republic of Serbia**

Protection of industrial designs for the territory of Serbia is obtained in administrative procedure before the national Intellectual Property Office (national protection).

Application for industrial design registration for the territory of the Republic of Serbia may also be filed with the International Bureau of WIPO pursuant to the Hague Agreement (international protection);

If the Intellectual Property Office finds that conditions for registration of the right are fulfilled (novelty and individual character), Intellectual Property Office shall render a decision on recognition of the right and register the right in the Register of Industrial design Right;

After the industrial design right is ceased, the industrial design continues to be protected with copyright.

## **Procedure for deposit of design as copyright work with the Intellectual Property Office of the Republic of Serbia**

If industrial design is protected only by copyright, it is possible to deposit such industrial design at the Intellectual Property Office of the Republic of Serbia in order to facilitate proving of existence of the industrial design in the event of dispute. In this case Intellectual Property Office would issue a Deposit Certificate.

*Should you wish to learn more about legal protection of industrial designs, our law firm will be pleased to provide you with more comprehensive information.*



### *Disclaimer*

*Detailed specialist advice should be obtained before taking or refraining from any action on the basis of comments made in this publication, which are only intended as a brief introduction to the particular subject. This information is correct on the date of publication. We are not responsible for either the content of or the links to external websites that may become broken in the future.*

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