



PUBLIC CONSULTATION

Evaluation of EU legislation on design protection

About this consultation

Feedback period

18 December 2018 - 31 March 2019 (midnight Brussels time)

Topic

Single market

Target audience

Stakeholder categories relevant for or interested in the concerned policy area:

1. All sectors of industry, businesses and designers owning/creating designs (including design and creative industries, small and medium sized enterprises, individual designers);
2. Union-wide bodies and associations representing the various economic sectors, including design and creative industries, small and medium sized enterprises, individual designers, design right owners as well as legal practitioners and professional representatives in the area of design law;
3. Member States and national authorities (in particular national intellectual property offices) dealing with design protection;
4. The Judiciary, the legal profession and academia;
5. General public, consumer and consumer organisations, civil rights associations.

Why we are consulting

The purpose of this stakeholder consultation is to gather sufficient stakeholder evidence and views in order to support the evaluation of Directive 98/71/EC of the European Parliament and of the Council of 13 October 1998 on the legal protection of designs ('Design Directive') and of Council Regulation (EC) No 6/2002 of 12 December 2001 on the Community designs ('Community Design Regulation') with a view to establishing the degree to which that legislation works as intended and can still be considered fit for purpose.

In the light of the growing economic importance of design protection for encouraging innovation and the development of new products with appealing design, there is increasing need for accessible, modern, effective and consistent legal protection for design rights in the EU. The existing Union legislation on design protection dates already back to 1998 (Design Directive) and 2002 (Community Design Regulation) and no overall evaluation of that legislation has been carried

out since its adoption. The consultation initiative aims at collecting the input of stakeholders on the functioning of the design protection systems in the EU (both at Union and national levels), building on and following previous research, analysis and targeted surveys conducted as part of two studies on economic (2015) and legal (2016) review of those systems. The consultation activities, together with other relevant information coming from supportive studies, monitoring data etc., shall help the Commission to draw conclusions on the need for improvement, modernisation and further harmonisation of the above-mentioned legal acts. Eventually, it may feed into an impact assessment study for a possible legislative review of the legislation.

Responding to the questionnaire

You can contribute to this consultation by filling in the online questionnaire. If you are unable to use the online questionnaire, please contact us using the email address below.

Questionnaires are available in some or all official EU languages. You can submit your responses in any official EU language.

For reasons of transparency, organisations and businesses taking part in public consultations are asked to register in the [EU's Transparency Register](#).

[Respond to the questionnaire](#)

Personal data and privacy

The European Union is committed to user privacy. When carrying out public consultations we adhere to the policy on 'protection of individuals with regard to the processing of personal data by the Community institutions', based on [Regulation 45/2001](#) on processing of personal data by the EU institutions.

Further information on the [protection of your personal data](#)

Contact

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