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https://govinfo.gov

3510-16-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; International Design Applications (Hague Agreement)

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice of information collection; request for comments.

SUMMARY: The United States Patent and Trademark Office (hereafter "USPTO" or "Agency"), as required by the Paperwork Reduction Act of 1995, invites comments on the extension and revision of an existing information collection: 0651-0075 (International Design Applications (Hague Agreement)). The purpose of this notice is to allow 60 days for public comments preceding submission of the information collection to the Office of Management and Budget (OMB).

DATES: To ensure consideration, you must submit comments regarding this information collection on or before [INSERT DATE 60 DAYS AFTER THE DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Interested persons are invited to submit written comments by any of the following methods. Do not submit Confidential Business Information or otherwise sensitive or protected information.

- Email: InformationCollection@uspto.gov. Include "0651-0075 comment" in the subject line of the message.

- Federal eRulemaking Portal: https://www.regulations.gov.
- Mail: Justin Isaac, Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.
- Telephone: Rafael Bacares, Senior Legal Advisor, 571-272-3276.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Rafael Bacares, Senior Legal Advisor, at: United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; 571-272-3276; or rafael.bacares@uspto.gov with "0651-0075 comment" in the subject line. Additional information about this information collection is also available at https://www.reginfo.gov under "Information Collection Review."

SUPPLEMENTARY INFORMATION:

I. Abstract

Title I of The Patent Law Treaties Implementation Act of 2012[1] (PLTIA) amended the patent laws to implement the provisions of the Geneva Act of the Hague Agreement Concerning International Registration of Industrial Designs (hereafter "Hague Agreement"). The Hague Agreement is an international registration system which offers the possibility of obtaining protection for up to 100 industrial designs in designated member countries and intergovernmental organizations (referred to as "Contracting Parties") by filing a single international design application either directly with the International Bureau of the World Intellectual Property Organization (WIPO) or indirectly through the office of an applicant's Contracting Party. The United States is a Contracting Party to the Hague Agreement, which took effect with respect to the United States on May 13, 2015. The Hague Agreement is administrated by the International Bureau (IB) of WIPO located in Geneva, Switzerland.

Under the Hague Agreement, a U.S. applicant can file an international design application indirectly through the United States Patent and Trademark Office (USPTO), which will forward

[1] https://www.congress.gov/112/plaws/publ211/PLAW-112publ211.pdf.

the application to the IB upon satisfaction of certain requirements, or directly with the IB. All international design applications are subject to the following fees: (1) a basic fee, (2) a publication fee, and (3) in respect of each Contracting Party designated for protection, either a standard or individual designation fee. An international design application is also subject to an additional per word fee where the description exceeds 100 words. A transmittal fee is also required for international design applications filed indirectly through the USPTO. The fees required by the IB may be paid either directly to the IB in Swiss currency or through the USPTO as an office of indirect filing in U.S. dollars. If applicants want to pay the required fees through the USPTO as an office of indirect filing, the fees must be paid no later than the date of payment of the transmittal fee. The fees will then be forwarded to the IB after conversion to Swiss currency.

Where the U.S. is designated, the applicant will be required to pay a first part U.S. designation fee to the IB. The first part U.S. designation fee, established in Swiss currency, is based on the combined amounts of the basic filing fee (37 CFR § 1.16(b)), search fee (§ 1.16(l)), and examination fee (§ 1.16(p)) for a design application. See § 1.1031(f)(1). Upon issuance of a notice of allowance by the USPTO, payment of a second part U.S. designation fee (i.e., the issue fee) will be required. See § 1.1031(f)(2). The second part U.S. designation fee may be paid either directly to the USPTO in U.S. dollars or through the IB in Swiss currency.

The IB examines international design application for compliance with the applicable formal requirements under the Hague Agreement. If the applicable requirements are satisfied, the IB registers the international design to the International Register. Thereafter, the IB will publish the international registration in the International Designs Bulletin based on the publication timing selected by the applicant. The IB will provide a copy of the publication of the international registration to each Contracting Party designated by the application.

A designated Contracting Party may or may not perform a substantive examination of the international design registration. The USPTO will perform a substantive examination for

patentability of the international design application, as in the case of regular U.S. design applications.

This information collection covers all the necessary information required for an international design application that is filed either through the USPTO as an office of indirect filing or directly with the IB. The information in this collection is used to register industrial designs under the provisions of the Hague Agreement. The USPTO manages two forms in this information collection, and the rest are forms managed by the IB.

II. Method of Collection

Items in this information collection may be submitted as electronic submissions. Applicants may also submit the information in paper form by mail, fax, or hand delivery.

III. Data

OMB Control Number: 0651-0075.

Forms: (PTOL = Patent Trademark Official Legal Forms; WIPO = World Intellectual Property Organization)

- PTO-1595 (Recordation Form Cover Sheet – Patents). PTO-1595 is also approved for use under USPTO information collection 0651-0027.
- PTOL-85 Part B (Fee(s) Transmittal). PTOL-85 Part B is also approved for use under USPTO information collection 0651-0033.
- WIPO DM/1 (Application for International Registration)
- WIPO DM/1/I (Annex I: Oath or Declaration of the Creator under Rule 8(1)(a)(ii) of the Regulations)
- WIPO DM/1/II (Annex II: Supporting Document(s) Concerning a Declaration to the Exception to Lack of Novelty under Section 408(c)(ii) of the Administrative Instructions)
- WIPO DM/1/III (Annex III: Information On Eligibility For Protection under Rule 7(5)(g) and Section 408(d) of the Administrative Instructions)

- WIPO DM/1/IV (Annex IV: Reduction of United States Individual Designation Fee under Section 408(b) of the Administrative Instructions)
- WIPO DM/1/V (Annex V: Supporting Document(s) Concerning Priority Claim under Article 4 of the Paris Convention)
- WIPO DM/7 (Appointment of a Representative (Power of Attorney))

Type of Review: Extension and revision of a currently approved information collection.

Affected Public: Private sector.

Respondent's Obligation: Required to obtain or retain benefits.

Frequency: On occasion.

Estimated Number of Annual Respondents: 5,633 respondents.

Estimated Number of Annual Responses: 5,633 responses.

Estimated Time per Response: The USPTO estimates that the responses for this information collection will take the public approximately 15 minutes (0.25 hours) to 6 hours to complete. This includes the time to gather the necessary information, create the document, and submit the completed item(s) to the USPTO.

Estimated Total Annual Respondent Burden Hours: 25,393 hours.

Estimated Total Annual Respondent Hourly Cost Burden: $13,966,150.

Table 1: Total Reporting Burden Hours and Hourly Costs to Private Sector Respondents

Item No.	Item	Estimated Annual Respondents (a)	Responses per Respondent (b)	Estimated Annual Responses (a) x (b) = (c)	Estimated Time for Response (hours) (d)	Estimated Burden (hour/year) (c) x (d) = (e)	Rate[2] ($/hour) (f)	Estimated Annual Respondent Cost Burden (e) x (f) = (g)

[2] *2025 Report of the Economic Survey*, published by the Committee on Economics of Legal Practice of the American Intellectual Property Law Association; pg. F–35. The USPTO uses the average billing rate for intellectual property work in all firms which is $550 per hour (https://www.aipla.org/detail/journal-issue/2025-report-of-the-economic-survey).

Item No.	Item	Estimated Annual Respondents (a)	Responses per Respondent (b)	Estimated Annual Responses (a) x (b) = (c)	Estimated Time for Response (hours) (d)	Estimated Burden (hour/year) (c) x (d) = (e)	Rate[2] ($/hour) (f)	Estimated Annual Respondent Cost Burden (e) x (f) = (g)
1	Application for International Registration (WIPO DM/1 filed directly with IB in which applicants have designated the U.S.	3,870	1	3,870	6[3]	23,220	$550[4]	$12,771,000
2	Application for International Registration (WIPO DM/1 filed indirectly through the USPTO)	140	1	140	6	840	$550	$462,000
3	Claim and Reproduction (Drawings) filed indirectly	140	1	140	4	560	$550	$308,000
4	Transmittal Letter at the time of indirect filing	6	1	6	2	12	$550	$6,600
5	Appointment of a Representative (WIPO DM/7)	62	1	62	0.25 (15 minutes)	16	$550	$8,800
6	Petition to Excuse a Failure to Comply with a Time Limit	1	1	1	4	4	$550	$2,200
7	Petition to Convert to a Design Application under 35 U.S.C. Chapter 16	1	1	1	4	4	$550	$2,200
8	Petition to Review a Filing Date	1	1	1	4	4	$550	$2,200
9	Fee Authorization at the time of filing indirectly	1	1	1	0.25 (15 minutes)	0	$550	$0
10	Petitions to the Commissioner	7	1	7	4	28	$550	$15,400
11	Oath or Declaration of the Creator under Rule 8(1)(a)(ii) of the Common Regulations (WIPO DM/1/I) (Declaration of Inventorship for the Designation of the United States of America and Substitute Statement in Lieu of a	33	1	33	0.50 (30 minutes)	17	$550	$9,350

[3] Applications for international registration prepared in other contracting parties that are filed directly with the IB designating the U.S. The estimate time for preparation and response varies from country to country. The USPTO uses 6 hours as an estimate to account for the time for foreign applicants to prepare the applications.

[4] Applications for international registration that are filed directly with the IB and then electronically transmitted to the USPTO are prepared in other countries. The hourly rates associated with that preparation vary from country to country. The USPTO uses the $550 hourly rate to account for the estimated hourly costs.

Item No.	Item	Estimated Annual Respondents (a)	Responses per Respondent (b)	Estimated Annual Responses (a) x (b) = (c)	Estimated Time for Response (hours) (d)	Estimated Burden (hour/year) (c) x (d) = (e)	Rate[2] ($/hour) (f)	Estimated Annual Respondent Cost Burden (e) x (f) = (g)
	Declaration of Inventorship for the Designation of the United States) filed indirectly through the USPTO							
12	Supporting Document(s) Concerning a Declaration to the Exception to Lack of Novelty under Section 408(c)(ii) of the Administrative Instructions (WIPO DM/1/II) filed indirectly through the USPTO	5	1	5	0.50 (30 minutes)	3	$550	$1,650
13	Information on Eligibility for Protection (WIPO DM/1/III) filed indirectly through the USPTO	3	1	3	1	3	$550	$1,650
14	Reduction of United States Individual Designation Fee under Section 408(b) of the Administrative Instructions (WIPO DM/1/IV) filed indirectly through the USPTO	8	1	8	0.50 (30 minutes)	4	$550	$2,200
15	Supporting Document(s) Concerning Priority Claim under Article 4 of the Paris Convention (WIPO DM/1/V) filed indirectly through the USPTO	5	1	5	0.50 (30 minutes)	3	$550	$1,650
16	Fee(s) Transmittal to the USPTO for an International Design Application (PTOL-85 Part B (Hague)). Second Part of the U.S. designation fee. Issue Fee	1,350	1	1,350	0.50 (30 minutes)	675	$550	$371,250
	Totals	**5,633**	**- - -**	**5,633**	**- - -**	**25,393**	**- - -**	**$13,966,150**

Estimated Total Annual Respondent Non-hourly Cost Burden: $13,607,168. There are no capital start-up costs, maintenance costs, or recordkeeping costs associated with this information collection. However, the USPTO estimates that the total annual non-hourly cost burden for this information collection, in the form of filing fees, drawing costs, and postage, is $13,607,168

Filing Fees

The filing fees associated with this information collection that are paid to the USPTO are listed in the table below.

Table 2: Filing Fees Paid to the USPTO

Item No.	Fee Code	Item	Estimated Annual Responses (a)	Filing Fee ($)[5] (b)	Non-hourly Cost Burden (a) x (b) = (c)
1	WIPO 1791	Application for International Registration submitted to WIPO – Designation Fee (first part) for the U.S. (Transmitting to the USPTO by WIPO) (undiscounted entity)	2,092	CHF 1,150 $1,405.36	CHF2,405,800 $2,940,013
1	WIPO 2791	Application for International Registration submitted to WIPO – Designation Fee (first part) for the U.S. (Transmitting to the USPTO by WIPO) (small entity)	1,551	CHF460 $562.14	CHF713,460 $871,879
1	WIPO 3791	Application for International Registration submitted to WIPO – Designation Fee (first part) for the U.S. (Transmitting to the USPTO by WIPO) (undiscounted entity)	227	CHF230 $281.07	CHF52,210 $63,803
2	1781	Application for International Registration (electronic) filed indirectly through the USPTO – Transmittal Fee (set by and collected by USPTO) (undiscounted)	60	$130	$7,800
2	2781	Application for International Registration (electronic) filed indirectly through the USPTO – Transmittal Fee (set by and collected by USPTO) (small entity)	63	$52	$3,276
2	3781	Application for International Registration (electronic) filed indirectly through the USPTO	17	$26	$442

[5] WIPO fees are required to be paid in Swiss francs (CHF). For the purposes of this information collection, the USPTO will show the current WIPO rate in CHF as well as the current conversion rate from CHF to the U.S. dollar. The USPTO is using the Wise Currency Converter to determine the appropriate exchange rate. This converter can be found here: https://wise.com/us/currency-converter/chf-to-usd-rate. The exchange rate used was taken on July 24, 2026.

		– Transmittal Fee (set by and collected by USPTO) (micro entity)			
6	1784	Petition to excuse applicant's failure to act within prescribed time limits in an international design application, delay less than or equal to two years (undiscounted)	1	$2,260	$2,260
6	2784	Petition to excuse applicant's failure to act within prescribed time limits in an international design application, delay less than or equal to two years (small entity)	1	$904	$904
6	3784	Petition to excuse applicant's failure to act within prescribed time limits in an international design application, delay less than or equal to two years (micro entity)	1	$452	$452
6	1785	Petition to excuse applicant's failure to act within prescribed time limits in an international design application, delay greater than two years (undiscounted entity)	1	$3,000	$3,000
6	2785	Petition to excuse applicant's failure to act within prescribed time limits in an international design application, delay greater than two years (small entity)	1	$1,200	$1,200
6	3785	Petition to excuse applicant's failure to act within prescribed time limits in an international design application, delay greater than two years (micro entity)	1	$600	$600
7	1783	Petition to Convert to a Design Application under 35 U.S.C. Chapter 16 (undiscounted)	1	$195	$195
7	2783	Petition to Convert to a Design Application under 35 U.S.C. Chapter 16 (small entity)	1	$78	$78
7	3783	Petition to Convert to a Design Application under 35 U.S.C. Chapter 16 (micro entity)	1	$39	$39
8	1462	Petition to Review a Filing Date (undiscounted)	1	$450	$450
8	2462	Petition to Review a Filing Date (small entity)	1	$180	$180
8	3462	Petition to Review a Filing Date (micro entity)	1	$90	$90
10	1462	Petitions to Commissioner (undiscounted)	7	$450	$3,150
10	2462	Petitions to Commissioner (small entity)	1	$180	$180
10	3462	Petitions to Commissioner (micro entity)	1	$90	$90

16	1509	Issue Fee paid directly to USPTO for an International Design Application (undiscounted)	800	$1,300	$1,040,000
16	2509	Issue Fee paid directly to USPTO for an International Design Application (small entity)	360	$520	$187,200
16	3509	Issue Fee paid directly to USPTO for an International Design Application (micro entity)	46	$260	$11,960
16	1792	Application for International Registration submitted to WIPO – Issue Fee (Second part) for the U.S. (Transmitting to the USPTO by WIPO) (undiscounted)	216	CHF1,150 $1,405.36	CHF248,400 $303,558
16	2792	Application for International Registration submitted to WIPO – Issue Fee (Second part) for the U.S. (Transmitting to the USPTO by WIPO) (small entity)	234	CHF460 $562.14	CHF107,640 $131,541
16	3792	Application for International Registration submitted to WIPO – Issue Fee (Second part) for the U.S. (Transmitting to the USPTO by WIPO) (micro entity)	43	CHF230 $281.07	CHF9,890 $12,086
		Totals	**5,730**	**- - -**	**$5,586,426**

The USPTO also collects one fee associated with applications for international registrations that are indirectly filed to WIPO through the USPTO. The USPTO does not intake any of the money associated with this fee. Instead, the USPTO transfers the fee amounts to WIPO on behalf of the applicant filing indirectly. That fee amount is indicated here as part of this information collection but is not directly counted as part of the collection's final non-hourly cost burden total.

Table 3: Filing Fees Paid to WIPO

Item No.	Fee Code	Item	Estimated Annual Responses (a)	Filing Fee ($) (b)	Non-hourly Cost Burden (a) x (b) = (c)
1	WIPO	Application for International Registration (electronic) filed	140	Variable[6]	Variable

[6] This fee amount is determined based on specific elements set under the Hague System including the basic fee, publication fee, designation fees (the amount depends on which Hague Contracting parties are designated) and additional description fee (if the description exceeds 100 words, an additional fee per word over the limit is charged by WIPO). The fees are expressed in Swiss francs and can be affected by the payment method/currency conversion.

		indirectly through the USPTO – International design application fees payable to WIPO			
	Totals	**- - -**	**140**	**- - -**	**Variable**

Drawing Costs

The USPTO estimates that the costs to produce design drawings can range from $50 to $350 per sheet. Taking the average of this range, the USPTO estimates that it can cost $200 per sheet to produce design drawings. On average, 10 sheets of drawings are submitted for an application resulting in an average cost of $2,000 to produce the design drawings. The USPTO estimates that 140 respondents will file international design applications indirectly through the USPTO for transmission to the IB. The USPTO further estimates that it will receive approximately 3,870 international design applications from the IB where applicants have designated the U.S., accompanied by payment of the first part of the designated fee for substantive examination by the USPTO. The USPTO estimates that all of the 4,010 design applications will be submitted with drawings. Overall, the costs associated with submitting these drawings are estimated to be $8,020,000.

Postage Costs

Although the USPTO prefers that the items in this information collection be submitted electronically, responses may be submitted by mail through the United States Postal Service. The USPTO estimates that 1% of the 5,633 items in this information collection will be submitted in the mail, resulting in 56 mailed items. The USPTO estimates that the average postage cost for a mailed submission, using a Priority Mail legal flat-rate envelope, will be $13.25. Therefore, the USPTO estimates the total mailing costs for this information collection is $742.

IV. Request for Comments

The USPTO is soliciting public comments to:

(a) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(b) Evaluate the accuracy of the Agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected; and

(d) Minimize the burden of the collection of information on those who intend to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

All comments submitted in response to this notice are a matter of public record. The USPTO will include or summarize each comment in the request to OMB to approve this information collection. Before including an address, phone number, email address, or other personally identifiable information (PII) in a comment, be advised that the entire comment — including PII — may be made publicly available at any time. While one may request in a comment to withhold PII from public view, the USPTO cannot guarantee that it will be able to do so.

Justin Isaac,
Information Collections Officer, Office of the Chief Administrative Officer, United States Patent and Trademark Office.

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