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Ordinance on the Protection of Designs (Designs Ordinance, DesO)

of 8 March 2002 (Status as of 1 July 2025)

The Swiss Federal Council,

on the basis of Articles 20 paragraph 2, 23 paragraph 2, 24 paragraphs 2 and 4, as well as 27 paragraphs 2 and 3 of the Federal Act of 5 October 2001¹ on the Protection of Designs (DesA)

and on Article 13 of the Federal Act of 24 March 1995² on the Statute and Tasks of the Swiss Federal Institute of Intellectual Property,³

ordains:

Chapter 1 General Provisions

Art. 1 Responsibility

¹ The Swiss Federal Institute of Intellectual Property (IPI)⁴ is responsible for carrying out the administrative duties stipulated in the DesA⁵ and this Ordinance.

² The Federal Office for Customs and Border Security (FOCBS) is responsible for enforcing Articles 46–49 DesA and Articles 37–40 of this Ordinance.⁶

Art. 2 Time limits

If a time limit is calculated in months or years, it shall end in the final month on the same date of the month as the date on which it started. If there is no such date, the time limit shall end on the final day of the final month.

AS **2002** 1122

¹ SR **232.12**

² SR **172.010.31**

³ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

⁴ The name of this administrative unit was amended in application of Art. 16 para. 3 of the Publications Ordinance of 17 Nov. 2004 (AS **2004** 4937). This amendment has been made throughout the text.

⁵ Expression in accordance with No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833). This amendment has been made throughout the text.

⁶ Amended by No I 4 of the O of 14 May 2025 on the Introduction of a Simplified Procedure for Destroying Small Consignments in Intellectual Property Law, in force since 1 July 2025 (AS **2025** 376).

Art. 3 Language

¹ Submissions to the IPI must be written in an official Swiss language.

^{1bis} The official language chosen by the applicant at the time of filing is the language of the procedure.⁷

² Where official documents of evidence are not written in an official language, the IPI may request a translation and a certificate confirming its accuracy. If the translation or certificate is not submitted despite being requested, the document of evidence will not be taken into account.

Art. 4⁸ Several applicants or owners of a design

¹ Where several persons apply to register a design or hold the right to a design (right holder), they must either designate one of them to whom the IPI may send all communications with effect for all of them, or they must appoint a joint representative.

² If neither of these conditions have been met, the IPI shall designate a recipient in accordance with paragraph 1. If one of the other persons objects, the IPI shall request that all parties act in accordance with paragraph 1.

Art. 5⁹ Power of attorney

¹ If an applicant or right holder is represented before the IPI, the IPI may request a written power of attorney.

² Any person who has been authorised by the applicant or right holder to submit all declarations provided for in the DesA or in this Ordinance to the IPI and to receive communications from the IPI on their behalf shall be entered in the Register as a representative in accordance with Article 25. If the IPI is not explicitly notified of any restriction to the power of attorney, it is deemed comprehensive.

Art. 6 Signature

¹ Submissions must be signed.

² If a valid signature is missing from a submission, the original date on which it was submitted shall be recognised provided that a signed submission identical in content is subsequently submitted within one month of a request from the IPI.

³ The application for registration does not have to be signed. The IPI may designate other documents that do not require a signature.

Art. 6a¹⁰ Proof

¹ The IPI may request proof where it has reasonable doubt concerning the accuracy of a submission.

⁷ Inserted by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

⁸ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

⁹ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

¹⁰ Inserted by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

² The IPI shall disclose the reasons for its doubt, provide an opportunity to respond, and set a time limit for the submission of proof.

Art. 7¹¹ Electronic communication

¹ The IPI may authorise electronic communication.

² It shall determine the technical details and publish them in an appropriate manner.

Chapter 2 Filing and Registration

Section 1 Registration Procedure

Art. 8¹² Filing

¹ The official form or a form approved by the IPI must be used for filing the application for registration.

² If an application is filed that is otherwise formally valid and contains all the information required, the IPI may waive the requirement to submit the form.

Art. 9 Application for registration

¹ The application for registration shall include:

- a. the application to register the design;
- b. the surname and first name or the company name and the address of the applicant;
- c. the number of designs included in the filing;
- d. a reference number for each filed design;
- e. at least one representation of each filed design;
- f. information about the products for which the designs are to be used;
- g.¹³ the surname, first name and domicile of the persons who created the design.

² The application for registration must be supplemented, where applicable, with the following:

- a.¹⁴ the address for service of the applicant in Switzerland;
- a^{bis}.¹⁵ in the case of two or more applicants, the designation of the recipient in accordance with Article 4 paragraph 1 and their address for service where applicable;

¹¹ Amended by No I of the O of 3 Dec. 2004, in force since 1 Jan. 2005 (AS **2004** 5023).

¹² Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

¹³ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

¹⁴ Amended by No I of the O of 11 May 2011, in force since 1 July 2011 (AS **2011** 2245).

¹⁵ Inserted by No I of the O of 11 May 2011 (AS **2011** 2245). Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

ater.¹⁶ the name and address of the representative, where applicable, and their address for service in Switzerland;

- b. the declaration of priority in accordance with Article 23 of the DesA;
- c. the application for deferment of publication in accordance with Article 26 paragraph 1 of the DesA;
- d. a description of the design in up to 100 words in accordance with Article 19 paragraph 4 of the DesA; the text must be machine-readable.

³ If a deferment of publication is requested for a two-dimensional design in accordance with Article 26 of the DesA, a specimen of the design may be submitted in lieu of a representation (Art. 19 para. 3 DesA).

⁴ The representations shall be released for publication five working days after receipt of the application for registration provided that the IPI has not received an application for deferment of publication by that date.

Art. 10 Requirements for representations of the design and dimensions of a multiple application

¹ The representations of the design must be suitable for reproduction.

² A multiple application must not weigh more than 5 kg and may not exceed dimensions of 30cm in any direction, irrespective of the number of designs filed within the application.

Art. 11 Declaration of priority and priority document

¹ The declaration of priority within the meaning of the Paris Convention of 20 March 1883¹⁷ for the Protection of Industrial Property shall include the following information:

- a. the date of the first filing;
- b. the country in which the first filing was made;
- c. the countries for which the first filing was made.

² The declaration of priority may relate to multiple first filings.

³ The priority document consists of a certificate of the first filing from the competent authority indicating the filing or registration number of the design. It may be submitted in English.

Art. 12 Lapse of right to priority

The right to priority shall lapse where:

- a. the declaration of priority is not made at the time of filing the design;
- b. the priority document is not submitted within the time limit set by the IPI.

¹⁶ Inserted by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS 2016 4833).

¹⁷ SR 0.232.01, 0.232.02, 0.232.03, 0.232.04

Art. 13¹⁸ Priority document for Swiss first filings

The IPI will prepare a priority document for a Swiss first filing on request.

Art. 14¹⁹ Submission date for postal items

For postal items, the submission date is the date on which the item is delivered by Swiss Post to the IPI.

Art. 15 Formality examination

¹ If the application for registration does not fulfil the formal requirements of Article 19 paragraph 1 and Article 20 of the DesA, as well as Article 9 and 10 of this Ordinance, the IPI shall set a time limit for the applicant to complete or correct the application.

² If the applicant does not remedy the deficiency within the time limit, the IPI shall dismiss the application for registration in its entirety or in part.

Art. 16 Substantive examination

¹ If there are grounds for refusal as defined in Article 4 letters a, d or e of the DesA, the IPI shall set a time limit for the applicant to remedy the deficiency.

² If the applicant does not remedy the deficiency within the time limit, the IPI shall refuse the application for registration in its entirety or in part. The IPI may set further time limits in exceptional cases.²⁰

Art. 17 Registration fee

¹ The registration fee must be paid within the time limit set by the IPI (Art. 19 para. 2 DesA).

² The registration fee consists of:

- a. the basic fee;
- b. the publication fee, where applicable;
- c. and d.²¹ ...

3 ...²²

⁴ If the registration is to be published after expiry of the deferment period, the publication fee must be paid prior to publication.²³

¹⁸ Amended by No I of the O of 18 Oct. 2006, in force since 1 Jan. 2007 (AS **2006** 4481).

¹⁹ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

²⁰ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

²¹ Repealed by No I of the O of 18 Oct. 2006, with effect from 1 Jan. 2007 (AS **2006** 4481).

²² Repealed by No I of the O of 18 Oct. 2006, with effect from 1 Jan. 2007 (AS **2006** 4481).

²³ Amended by No I of the O of 18 Oct. 2006, in force since 1 Jan. 2007 (AS **2006** 4481).

Art. 18²⁴ Registration and publication

¹ If there are no grounds for dismissal or refusal and no deferment of publication has been requested, the IPI shall enter the design in the Register and publish the registration.

² It will provide the right holder with confirmation of the registration.

Art. 19 Publication after deferment

¹ The IPI may remind the right holder entered in the Register, or their representative, to pay the publication fee prior to the expiry of the deferment period.²⁵

² If the publication of a two-dimensional design has been deferred in accordance with Article 26 of the DesA, and a specimen of the design has been submitted in lieu of a representation, the IPI may issue a reminder to the right holder entered in the Register, or to their representative, to submit at least one representation of the design.²⁶

³ In the case of multiple applications (Art. 20 DesA), protection may, on request, be renewed for individual designs after expiry of the deferment period.

⁴ If the publication fee is not paid by the last day of the deferment period, or if the required representations are not submitted two months at the latest prior to expiry of the deferment period, the IPI shall cancel the registration.

Section 2 **Renewal of Protection****Art. 20²⁷** Notification of expiry of the period of protection

The IPI may remind the right holder entered in the Register, or their representative, about the date of expiry and the possibility of renewal before the expiry of the period of protection. The IPI may also send such notifications abroad.

Art. 21 Procedure

¹ The application for renewal must be submitted to the IPI within the last twelve months preceding the expiry of the period of protection, but no later than six months after its expiry.

² In the case of multiple applications (Art. 20 DesA), renewal of protection may be limited to individual designs. In this case, those designs for which renewal is requested must be clearly specified.

³ The renewal fee must be paid within the time limits under paragraph 1. If the fee is paid after the expiry of the period of protection, a surcharge must be paid.²⁸

²⁴ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

²⁵ Amended by No I of the O of 18 Oct. 2006, in force since 1 Jan. 2007 (AS **2006** 4481).

²⁶ Amended by No I of the O of 18 Oct. 2006, in force since 1 Jan. 2007 (AS **2006** 4481).

²⁷ Amended by No I of the O of 18 Oct. 2006, in force since 1 Jan. 2007 (AS **2006** 4481).

²⁸ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).
The correction of 7 April 2025 concerns the French text only (AS **2025** 230).

⁴ The renewal takes effect on expiry of the previous period of protection.

⁵ The IPI shall provide the right holder with confirmation of the renewal of protection.²⁹

Art. 21a³⁰ Reimbursement of the renewal fee

If an application for renewal has been submitted and it does not result in the renewal of the term of protection, the renewal fee shall be reimbursed.

Chapter 3 Dossier and Register

Section 1 Dossier

Art. 22 Content

¹ The IPI shall maintain a dossier in which the stages of the registration procedure and all entries in the Register are recorded.

² Official documents of evidence that disclose manufacturing or trade secrets or contain other information that the applicant has a legitimate interest in keeping confidential shall be filed separately on request. This will be noted in the dossier.³¹

³ ...³²

Art. 23 Inspection of the files

¹ Prior to the entry of the design in the Register and during the period of deferment of publication, the dossier may be inspected by:

- a. the applicant and his or her representative;
- b. persons who prove that the applicant alleges that they have infringed the applicant's right to the filed design or has warned them of such an infringement;
- c. other persons with the express consent of the applicant or his or her representative.

² The persons named in paragraph 1 may also inspect the files relating to applications for registration that have been withdrawn or rejected, or which the IPI has dismissed.

³ Anyone may inspect the dossier after the design has been entered in the Register, provided that the publication has not been deferred.

²⁹ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

³⁰ Inserted by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

³¹ Amended by No I of the O of 18 Oct. 2006, in force since 1 Jan. 2007 (AS **2006** 4481).

³² Repealed by No I of the O of 3 Dec. 2004, with effect from 1 Jan. 2005 (AS **2004** 5023).

⁴ The IPI shall make a decision regarding the inspection of separately filed official documents of evidence in accordance with Article 22 paragraph 2 following consultation with the right holder.

⁵ On request, the files to be inspected shall be issued in the form of copies.³³

Art. 24 Retention of files

¹ The IPI shall retain the originals or copies of the files of completely cancelled register entries for five years following the cancellation.

² The IPI shall retain the originals or copies of the files of applications for registration that have been withdrawn or rejected, or which have been dismissed by the IPI, for five years following the withdrawal, rejection or dismissal.

³ ...³⁴

⁴ On request, the IPI shall return submitted design specimens to the right holder after expiry of the retention period. The request must be made prior to the expiry of the retention period.³⁵

Section 2 The Register

Art. 25 Register content

¹ The entry of a design in the Register shall include:

- a. the filing number;
- b. the filing date;
- c. the surname and first name or the company name as well as the address of the right holder;
- d. the surname and address of the representative, where applicable;
- e.³⁶ the surname and domicile of the persons who created the design;
- f. information about the products for which the designs are to be used;
- g. a reference number for each filed design;
- h. the reproductions of the designs;
- i. the date of registration;
- j. the date of publication.

² Where applicable, the entry shall also include the following:

- a. information concerning the priority claim in accordance with Articles 22 and 23 DesA;

³³ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

³⁴ Repealed by No I of the O of 3 Dec. 2004, with effect from 1 Jan. 2005 (AS **2004** 5023).

³⁵ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

³⁶ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

- b. an indication that the publication has been deferred;
- c. a description of the design.

³ The following shall also be entered in the Register:

- a. the renewal of the term of protection and the date on which the renewal comes into effect;
- b. the complete or partial cancellation of the registration with the reason for the cancellation;
- c. the complete or partial transfer of the design right;
- d.³⁷ the grant of a licence or sub-licence with the surname and first name or company name as well as the address of the person to whom the license is granted (licensee), and an indication as to whether it concerns an exclusive licence or a partial licence;
- e. the usufruct of the design right and pledging of the design right;
- f. restrictions on powers of disposal ordered by the courts and compulsory enforcement authorities;
- g. amendments concerning registered information.

⁴ The IPI may enter other information of public interest.

⁵ ...³⁸

Art. 26 Inspection and extracts from the Register

¹ The entries in the Register, with the exception of entries whose publication has been deferred, are open for anyone to inspect.

² The IPI shall issue extracts from the Register.³⁹

³ ...⁴⁰

Section 3 Amendments to the Design Registration

Art. 27 Transfer

¹ The request for registration of the transfer must be made by the former right holder or the person who is acquiring the design right (acquirer).

² It shall include:

- a. an express declaration by the former right holder or another satisfactory document showing that the design right is entirely or partially transferred to the acquirer;

³⁷ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

³⁸ Repealed by No I of the O of 3 Dec. 2004, with effect from 1 Jan. 2005 (AS **2004** 5023).

³⁹ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

⁴⁰ Repealed by No I of the O of 18 Oct. 2006, with effect from 1 Jan. 2007 (AS **2006** 4481).

- b.⁴¹ the surname and first name or company name, the address of the person acquiring the design right and, where applicable, their address for service in Switzerland;

Art. 28 Licence

¹ The request for registration of a licence must be made by the right holder or by the licensee.

² It shall include:

- a. an express declaration by the right holder or another satisfactory document showing that the right holder authorises the licensee to use the design;
- b. the surname and first name or the company name as well as the address of the licensee;
- c. the request that the licence be registered as an exclusive licence where applicable;
- d. in the case of a partial licence, an indication of the licensed rights where applicable.

³ For the registration of a sub-licence, paragraphs 1 and 2 apply by analogy. In addition, it must be proven that the licensee is authorised to grant sub-licences.

⁴ If an exclusive licence is entered in the Register, no other licenses that are incompatible with the exclusive license will be entered in the Register for the same design.⁴²

Art. 29 Other Register amendments

On the basis of an appropriate declaration by the right holder or another satisfactory document, the IPI shall register:

- a. the usufruct of the design right and pledging of the design right;
- b.⁴³ restrictions on powers of disposal ordered by the courts and compulsory enforcement authorities;
- c. amendments concerning registered information.

Art. 30 Cancellation of third party rights

On request, the IPI shall cancel a right registered in favour of a third party if an express waiver or other satisfactory document is presented by the holder of this right.

⁴¹ Amended by No I of the O of 11 May 2011, in force since 1 July 2011 (AS **2011** 2245).

⁴² Inserted by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

⁴³ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

Art. 31 Rectifications

¹ Incorrect register entries shall be rectified without delay at the request of the right holder.⁴⁴

² If the error results from an oversight by the IPI, it shall be rectified *ex officio*.

Art. 32

¹ ...⁴⁵

²⁻³ ...⁴⁶

Art. 33⁴⁷**Section 4 Cancellation of a Design****Art. 34**⁴⁸

¹ The IPI shall cancel a design on its own initiative if, in the event of the deferment of publication, no representations are submitted (Art. 19 para. 3 DesA).

² The IPI shall notify the right holder of the cancellation.

³ The cancellation of a design is free of charge.

Chapter 4 Publications by the IPI**Art. 35** Subject matter of publications

Unless deferment of publication has been requested, the IPI shall publish:

- a. the registration of the design including the information under Article 25 paragraphs 1 letters a–h and 2;
- b. the information under Article 25 paragraph 3 and 4 where its publication appears appropriate.

Art. 36⁴⁹ Organ of publication

¹ The IPI shall determine the organ of publication.

² On request and subject to a fee, it shall make paper copies of data that has only been published electronically.

⁴⁴ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

⁴⁵ Repealed by No I of the O of 3 Dec. 2004, with effect from 1 Jan. 2005 (AS **2004** 5023).

⁴⁶ Repealed by No I of the O of 18 Oct. 2006, with effect from 1 Jan. 2007 (AS **2006** 4481).

⁴⁷ Repealed by No I of the O of 18 Oct. 2006, with effect from 1 Jan. 2007 (AS **2006** 4481).

⁴⁸ Amended by No I of the O of 2 Dec. 2016, in force since 1 Jan. 2017 (AS **2016** 4833).

⁴⁹ Amended by No I of the O of 3 Dec. 2004, in force since 1 Jan. 2005 (AS **2004** 5023).

Chapter 5⁵⁰**Assistance in connection with Items being brought into or taken out of the Customs Territory****Art. 37** Scope

This chapter applies to assistance in the case of unlawfully manufactured items being brought into or taken out of the customs territory.

Art. 37a Small consignment

A small consignment is a consignment that contains a maximum of three units and has a gross weight of less than five kilogrammes.

Art. 37b Application for assistance

¹ The right holder or the licensee entitled to initiate proceedings (applicant) must submit the application for assistance to the FOCBS.

² Once the FOCBS has received the application in full, it shall decide on it within 40 days.

³ The approved application is valid for a period of two years unless a shorter period of validity is requested. It may be renewed.

Art. 38 Detention of items

¹ If the FOCBS detains items, it shall hold them in safekeeping itself for a fee or place them in the safekeeping of a third party at the cost of the applicant.

² It shall provide the applicant with the name and address of the declarant, holder or owner, a precise description, the quantity and the sender of the detained items.

³ If the consignment is small and it has been destroyed under the simplified procedure, the FOCBS shall inform the applicant of the quantity and type of items destroyed and the sender.

⁴ If it is established prior to the expiry of the time limit under Article 48 paragraph 3 or 4 DesA that the applicant is unable to obtain preliminary measures, the items shall be released immediately.

Art. 39 Assignment of responsibility for small consignments

¹ If the detained items are in a small consignment, the FOCBS shall assign responsibility for carrying out the procedure to the IPI and hand the items over to the IPI or a third party designated by the IPI for safekeeping.

² If the IPI is the applicant, the FOCBS shall remain responsible.

⁵⁰ Amended by No I 4 of the O of 14 May 2025 über die Einführung eines vereinfachten Verfahrens zur Vernichtung von Kleinsendungen im Immaterialgüterrecht, in force since 1 July 2025 (AS **2025** 376).

Art. 39a Specimens or samples

¹ The applicant may request that specimens or samples be handed over or delivered for examination or that the items be made available for inspection.

² Instead of the specimens or samples, the FOCBS may also provide the applicant with photographs of the detained items if these enable an examination to be carried out.

³ The application may be submitted to the FOCBS with the application for assistance or to the authority responsible while the items are being detained.

Art. 39b Safeguarding of manufacturing and trade secrets

¹ The declarant, holder or owner of the items may request the FOCBS to refuse to take specimens or samples. The request must be substantiated.

² The FOCBS shall inform the declarant, holder or owner of the items of the option stipulated in paragraph 1 and set an appropriate time limit.

³ If the FOCBS permits the applicant to inspect the detained items, it shall take appropriate consideration of the interests of the applicant and the declarant, holder or owner when determining the date of inspection.

Art. 39c Safekeeping of evidence in the event of destruction of items

¹ The FOCBS shall hold the specimens or samples in safekeeping for one year from the date of notifying the declarant, holder or owner that the items are being detained. After this time limit expires, the FOCBS shall request the declarant, holder or owner to take possession of the specimens or samples or bear the costs of their continued safekeeping. If the declarant, holder or owner does not comply with the request or does not respond within 30 days, the FOCBS shall destroy the specimens or samples.

² Instead of taking specimens or samples, the FOCBS may take photographs of the destroyed items, provided this serves the purpose of preserving evidence.

Art. 39d Processing, disclosure and storage of personal data and data of legal entities

¹ The authorities responsible for providing assistance are authorised to process the following personal data and data of legal entities that concern persons involved in the movement of items into or out of the customs territory or in the provision of assistance where the said data processing is for the purposes set out in Articles 46–49a DesA, in particular in connection with the processing of applications for assistance, notifications of suspicious consignments, the detention or destruction of items and the taking or delivery of specimens and samples:

- a. personal details of the applicant, sender, declarant, holder or owner of the items, in particular their last name and first name or company name and address;
- b. information and documents relating to the applications in accordance with Article 47 DesA;

- c. information and documents relating to the items detained in accordance with Article 48 DesA;
- d. information and documents on assistance, including the detention and destruction of items and the taking and delivery of specimens and samples.

² If the IPI is responsible for carrying out the procedure, the FOCBS shall provide it with the necessary data in accordance with paragraph 1.

³ The authorities responsible may store the data for as long as required for the purpose of processing, but for no longer than five years after the period of validity of an application for assistance has expired or the assistance has been provided.

Art. 40 Fees

¹ The fees for assistance provided by the FOCBS are governed by the Ordinance of 4 April 2007⁵¹ on the Fees of the Federal Office for Customs and Border Security.

² If the IPI is responsible for carrying out the procedure, the fees are based on the IPI Fee Ordinance of 14 June 2016⁵².

Chapter 6 Final Provisions

Art. 41 Repeal of current law

The Ordinance of 27 July 1900⁵³ on Industrial Designs and Models is repealed.

Art. 42 Amendment of current law

The amendment of the current law is regulated in the Annex.

Art. 43 Transitional provisions for time limits currently in force

Time limits set by the IPI that are running on the day this Ordinance comes into force shall remain unchanged.

Art. 43a⁵⁴

Art. 44 Commencement

This Ordinance comes into force on 1 July 2002.

⁵¹ SR **631.035**

⁵² SR **232.148**

⁵³ [BS 2 881; AS **1956** 806; **1962** 460; **1968** 603; **1972** 2447; **1977** 1994; **1978** 20; **1995** 1789, 5161]

⁵⁴ Inserted by No I of the O of 18 Oct. 2006 (AS **2006** 4481). Repealed by No I of the O of 14 March 2008, with effect from 1 July 2008 (AS **2008** 1895).

Annex
(Art. 42)

Amendment of current legislation

The legislation below is amended as follows:

...⁵⁵

⁵⁵ The amendments can be consulted under AS **2002** 1122.

