



10 November 2022

(22-8395)

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**Council for Trade-Related Aspects of
Intellectual Property Rights**

Original: English

**NOTIFICATION OF LAWS AND REGULATIONS
UNDER ARTICLE 63.2 OF THE TRIPS AGREEMENT**

AUSTRIA: DESIGN LAW 1990, FEDERAL ACT OF 7 JUNE 1990 ON THE PROTECTION OF DESIGNS
(DESIGN PROTECTION ACT 1990 MUSCHG) STF: FEDERAL LAW GAZETTE NO. 497/1990
(NR: GP XVII RV 1141 AB 1342 P. 146. BR: AB 3910 P. 531)

Notifying Member	AUSTRIA
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Details of the notified legal text

Title	Design Law 1990, Federal Act of 7 June 1990 on the Protection of Designs (Design Protection Act 1990 MuSchG) StF: Federal Law Gazette No. 497/1990 (NR: GP XVII RV 1141 AB 1342 p. 146. BR: AB 3910 p. 531)
Subject matter	Industrial designs
Nature of notification	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
Link to legal text*	https://ip-documents.info/2022/IP/AUT/22_7700_00_e.pdf https://ip-documents.info/2022/IP/AUT/22_7700_00_x.pdf
Notification status	<input type="checkbox"/> First notification <input type="checkbox"/> Amendment or revision to notified legal text <input checked="" type="checkbox"/> Replacement or consolidation of notified legal text(s)
Previous notification(s) referred to	IP/N/1/AUT/D/1 ; IP/N/1/AUT/1/Rev.2 ; IP/N/1/AUT/1/Rev.1

Brief description of the notified legal text

Since 1996 the Austrian Federal Law on Protection of Designs (Design Protection Act 1990) has been amended several times, *inter alia*, by Federal Law 81/2003 implementing provisions of Council regulation 98/71/EC on the legal protection of designs, e.g. by introducing a grace period of 12 months, by establishing the link to the Community Design system based on Council Regulation 6/2002 on Community Designs and by centralizing applications for design protection at the Austrian Patent Office. Later amendments concern the implementation of EC Directive 2004/48/EC on the Enforcement of Intellectual Property Rights, *inter alia*, by changing the procedure in regard to registration and cancellation of designs by entrusting the "Oberlandesgericht Wien", with appeal procedures in second instance.

Language(s) of notified legal text	English, German
Entry into force	7 June 1990
Other date	

Notification details

Submission date of notification	9 November 2022
Other information	IP/N/1/EU/D/2 Council Regulation 6/2002 on Community Designs IP/N/1/EEC/E/4 EC Directive 2004/48/EC on the Enforcement of Intellectual Property Rights
Agency or authority responsible	Austrian Patent Office (resp. expert Ms. Raphaela Tiefenbacher) Dresdner Str. 87 1200 Vienna Email: info@patentamt.at Tel.: +43-1-534 24

* Links are provided to texts of laws and regulations notified under the TRIPS Agreement in the form supplied by the Member concerned; the WTO Secretariat does not endorse or revise their content.