



How to Guide on ASEAN Designview

1. Overview: Industrial Designs in South-East Asia

An industrial design constitutes the ornamental or aesthetic aspect of an article. It may consist of three dimensional features, such as the shape of an article, or two dimensional features, such as patterns, lines or color.

The application of industrial designs can be found in a wide variety of products of industry and handicraft items: from toys and stationery to furnishing and household goods, from lighting equipment to time pieces, and from vehicles to textiles and it is therefore relevant in various industries.

Industrial designs regimes in the South-East Asian region generally adopt the 'first-to-file' system, which means that the first person to file an industrial design application in a particular South-East Asia country will own that right in the country once the registration is granted. Thus, if you do not apply for protection on time, others may do so first and benefit from the industrial design creator's efforts.

In light of the above system, design prior searches are very useful for you to determine whether the design you wish to register is still available in the market(s) of your interest and to discover which designs have been already registered, before starting the application process.

2. What is ASEAN Designview?

ASEAN Designview (www.asean-designview.org) is a searchable online database of industrial design registrations and

published industrial design applications filed in participating ASEAN countries, namely, Brunei Darussalam (BN), Cambodia (KH), Lao PDR (LA), Malaysia (MY), Philippines (PH), Singapore (SG), Thailand (TH), and Vietnam (VN). Please note that there is currently no Industrial Design Law in Myanmar (MM) and consequently no records are available in ASEAN Designview for Myanmar. Industrial designs records for Indonesia will soon be made available on ASEAN Designview.

ASEAN Designview is free of charge and accessible by anyone who wants to conduct industrial designs searches. It is jointly developed by the Intellectual Property Offices of the ASEAN Member States, with the support of the EU-ASEAN Project on the Protection of Intellectual Property Rights (ECAP III Phase II) administered by the European Union Intellectual Property Office (EUIPO).

3. When do you need to use ASEAN Designview?

EU SMEs may wish to conduct industrial design searches, either directly through ASEAN Designview, online industrial design databases of individual South-East Asia countries, or with assistance from specialised IP firms, to check if their industrial design already exists before entering the South-East Asian market. If search results reveal the presence of conflicting designs, the business owner will have the opportunity to amend or make adjustments to the proposed design to avoid objections to the industrial design application during examination, as well as possible infringement of the earlier

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conflicting design.

EU SMEs that wish to perform due diligence checks during mergers and acquisitions can also benefit from accessing the industrial design records of the ASEAN Designview and verifying critical information of the industrial design of interest, such as industrial design expiration date and owner details through the database.

4. How to use ASEAN Designview – Step by Step Process

Before using ASEAN Designview, please note that the records for participating ASEAN countries are updated on a periodic basis. From the ASEAN Designview website, the last update of industrial design records for most countries was performed in 2015. Hence search results obtained from ASEAN Designview should not be regarded as conclusive and should be supplemented by additional searches conducted

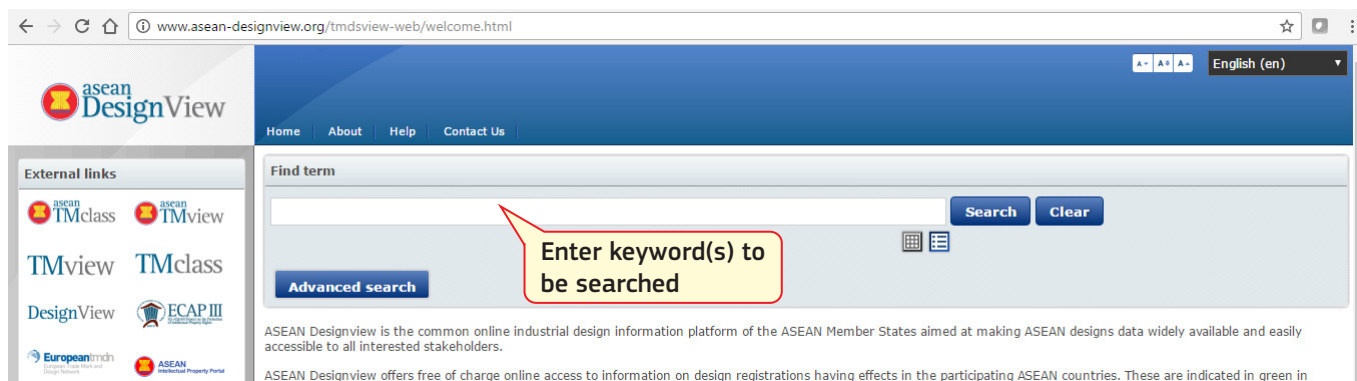
through the industrial design databases of individual IP offices.

To begin, the ASEAN Designview provides three different search options:

- 1) Standard Search option
- 2) Filter Search option
- 3) Advanced Search option

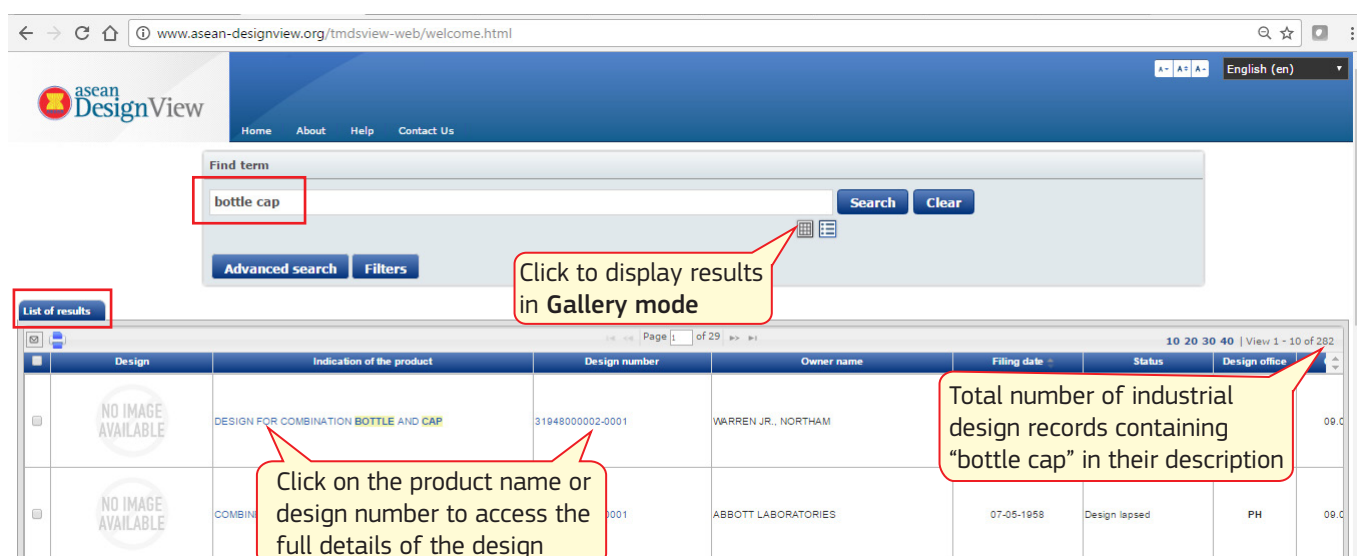
A. Standard Search

The Standard Search function is located on the top section of the Home page of ASEAN Designview. Under the standard search function, all industrial designs with description containing the keyword(s) entered in the search field will be retrieved. As you are typing the search term, ASEAN Designview will automatically provide a list of suggested terms displayed in a scroll down menu. The Standard Search field is not case sensitive.



EXAMPLE

A search for industrial designs containing the term "bottle cap" in their description returns the following results:



The **List of results** tab shows the specific records that match your current search. Records are displayed by default in **List mode**.

To modify the number of columns appearing on the **List of results** tab, click on the **View/Hide columns** button located at the bottom left of the **List of results** tab, check against the columns that are required and click "OK".

Design	Indication of the product	Design number	Owner name	Filing date	Status
AND		31948000002-0001	WARREN JR., NORTHAM	26-11-1948	Design lapse
CAP		31958000036-0001	ABBOTT LABORATORIES	07-05-1958	Design lapse

Full details relating to individual industrial designs will be displayed in separate tabs on the same screen by clicking on the relevant **Indication of the product** or **Design number** in the list of results as shown below.

The screenshot shows the asean DesignView website interface. At the top, there is a search bar with the text "ipvalue:bottle AND ipvalue:cap". Below the search bar, there are tabs for "List of results" and "PH 31948000002-0001". The "List of results" tab is active, showing a table with columns: Design, Indication of the product, Design number, Owner name, Filing date, and Status. The table contains two rows of data. A red box highlights the "Design" column header, with a callout stating "Shortcut menu to specific sections of the industrial design record". Another red box highlights the "Design" tab, with a callout stating "Tabs containing details of specific industrial design records from the List of results".

You may open up to ten tabs relating to specific industrial design records from the **List of results**. Each tab is named in accordance with the selected industrial design number and contains data organised according to the short cut menu bar located on the left of the page.

General information relating to the specific industrial design record is available under the **Design** section, including the office of registration, application number, design number, application language, application date, registration date, design description and current status.



The rest of the sections are self-explanatory. For example, the next section, **Representation (view of design)** displays all the different views submitted for the particular design, whereas details relating to the industrial design owner can be accessed from the **Owner** section.

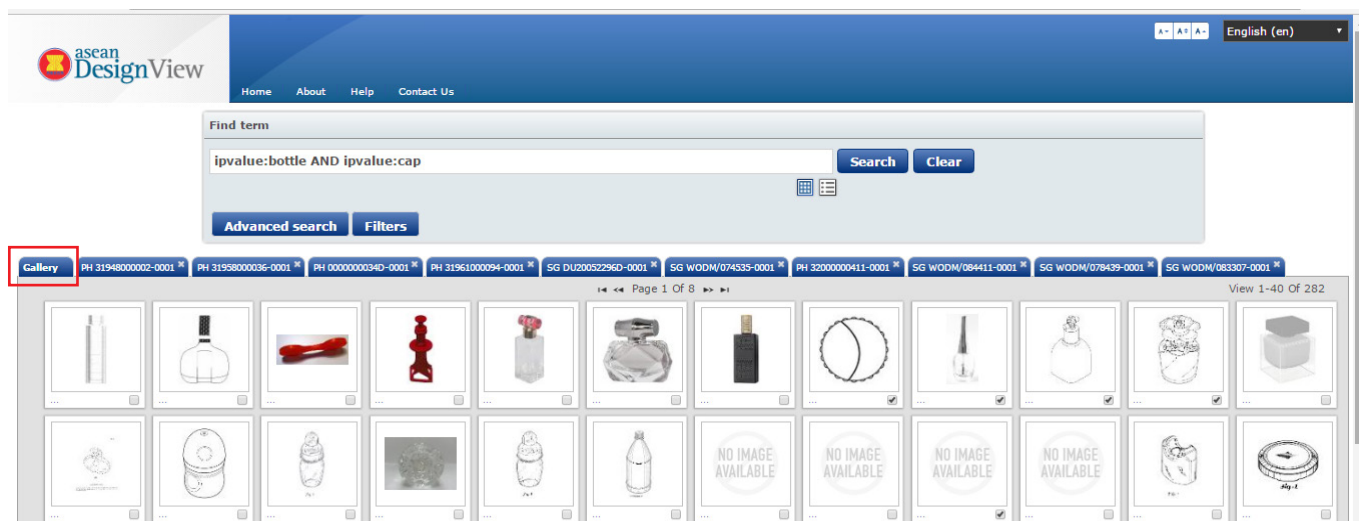
The small icons on the top right section of the specific industrial design records tab allows you to open the record as a new page, email a specific industrial design record as a link, download the specific record in PDF or in MS Excel format or print the record.

If you wish to view the industrial design record directly from its office of origin, you may do so by clicking on the link immediately below the shortcut menu. In the following example, the industrial design was filed with the Intellectual Property Office of Singapore ("IPOS"), hence the logo of IPOS appears as part of the link.

The screenshot shows the IPOS logo (Intellectual Property Office of Singapore) and a list of design details. The details include: (15) Registration date, Publication date, (57) Design description, (46) End of deferment, Renewal current status code, (18) Expiry date, Design current status code, Design current status date, and Comment. The logo is highlighted with a red dashed border.

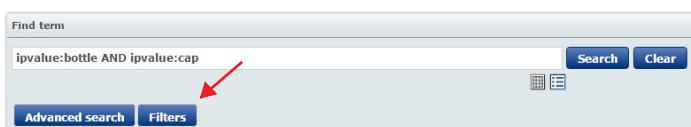
Gallery mode

By clicking on the **Gallery mode** icon  located beneath the search field, the search results will be displayed as a gallery of industrial design images at forty images per page. Clicking on the  icon returns the display to the default **List mode**.

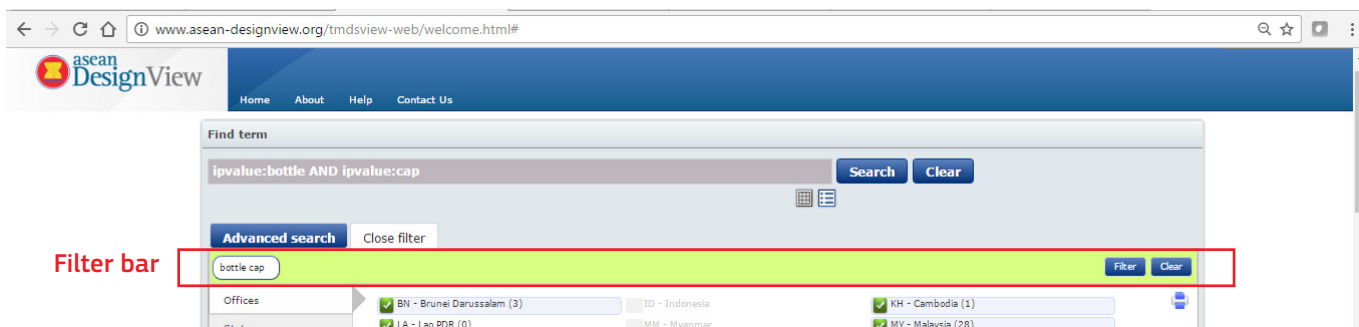


b. Filter Search

When you perform a standard search, a **Filters** button is displayed below the search bar. By clicking on this button, a filter selection section appears showing information about the records that match your current search, allowing you to narrow your search to only particular categories without entering additional search terms.



Each tab on the left hand side of the Filter selection section divides the matching records into categories and lists the number of records in your search matching each category. You can use this purely for information, or use it to refine your search.



As seen from the screenshot above, you can refine your search for each of the categories listed below:

Offices	To limit your search to one or several ASEAN design office(s) as listed in the table displayed in the Filter area, click on the label(s) of your interest and then on the Filter button on the right of the filter bar.
Status	To limit your search to one or several statuses listed in the table displayed in the Filter area, click on the label(s) of your interest and then on the Filter button on the right of the filter bar.
Dates	To limit your search to a registration/filing period of time from those proposed in the table displayed in the Filter area, click on the period(s) of your interest and then on the Filter button on the right of the filter bar.
Locarno*	The filter area displays a list of the Locarno classes applied to the records returned for your search. To limit your search to one or several Locarno classes, click on them and then on the Filter button on the right of the filter bar.
Applicant name	The filter area shows up to twenty applicants with the highest number of returned records for your search. To limit your search to one or several applicants only, click on his/her name(s) and then on the Filter button on the right of the filter bar.
Designer	The filter area shows up to twenty designers with the highest number of returned records for your search. If you would like to limit your search to one or several designers only, click on his/her name(s) and then on the Filter button on the right of the filter bar.

EXAMPLE:

A search for industrial designs containing the term "bottle cap" in their description and further filtering the search results by selecting only designs that have been **Filed** in the **Philippines** for Locarno class **09.01** returns 89 relevant records.

The screenshot shows the ASEAN DesignView search interface. The search bar contains the query "ipvalue:bottle AND ipvalue:cap". Below the search bar, the "Advanced search" section shows filters applied: "bottle cap", "oc:PH", and "lc:09.01". A "List of filters applied" section shows the following filters: "bottle cap", "oc:PH", "lc:09.01", "sc:Filed", "PH - Philippines (89)", "VN - Vietnam (0)", "ID - Indonesia", "MM - Myanmar", "SG - Singapore (0)", "KH - Cambodia (0)", "MY - Malaysia (0)", and "TH - Thailand (0)". A callout box points to the "PH - Philippines (89)" filter, stating "Total number of relevant design records". The "List of results" table shows one record for "BOTTLE AND CAP" with design number "0000001880D-0001", owner "COLGATE-PALMOLIVE COMPANY", filing date "18-11-1975", status "Filed", and design office "PH".

The filters that have been applied will be displayed in the filter bar. You can remove one or more of these filters by clicking on the "x" appearing next to each filter. To remove all the filters at once, click on the **Clear** button on the right of the filter bar.

You may print out all the records with your filter criteria by clicking on the printer icon beneath the filter bar.

c. Advanced Search

The advanced search feature is accessed by clicking on the **Advanced search** button displayed below the standard search bar. 18 different search criteria are available under **Advanced search** which can be used separately or in combination, as detailed below:

The screenshot shows the ASEAN DesignView Advanced Search interface. The search bar contains the query "ipvalue:bottle AND ipvalue:cap". Below the search bar, the "Advanced search" section shows various search criteria fields: "Indication of the product" (bottle cap), "Design number", "Application number", "Design status" (All), "Owner name", "Designer name", "Representative's name", "Locarno" (Locarno classification: All, Locarno sub-classification: All), "Strict mode" (Strict mode), and "Contains mode" (Contains mode).

Offices	Limit the search to one or more design offices by checking the corresponding check boxes in the drop down window.
Indication of the product	<p>ASEAN Designview will search and retrieve all designs where the entered string appears in the description of the product as a separate word. If more than one word is entered, ASEAN Designview will retrieve all designs where each entered string appears as a separate word in the description of the product.</p> <p>Additional options:</p> <ol style="list-style-type: none"> Contains mode: This option is selected as default. This will search for designs with similar text strings within the description of the product (similar in spelling). Right and left extensions to the entered text string are applied. Strict mode: Check this box to retrieve designs that include the exact text string in the description of the product. This option only works when the indication contains more than one word. If only one word is entered, the search will retrieve the same list of results as a normal search.
Design number*	Searches for a specific design based on its design number.
Application number*	Searches for a specific design based on its application number.
Design status	By default all designs statuses are included in the search results. It is possible to restrict the search by selecting the relevant status from the drop down box.

Owner name*	Searches for a specific design based on its current or previous owner's name.
Designer name*	Searches for a specific design based on its designer's name.
Representative's name*	Searches for a specific design based on the name of its legal representative.
Locarno classification* and sub-classification	By default all classes are included in the search results. It is possible to restrict the search by selecting the relevant class and optionally one or all subclass/es from the respective drop down menus.
Date Searches	It is possible to limit searches to a specific time period for dates values pertaining to designs: <ul style="list-style-type: none"> Expiry date: Search designs by the expected date of expiration if such design was not renewed. Filing date: Search designs by the date that the application for registration was filed and the filing date was granted. Registration date: Search designs by the date of registration. Publication date: Search designs by the date they were made available to the public by (1) publishing the application for registration or (2) publishing the registration of the design. Priority date: Search designs by the date of the first filing or first exhibition when the applicant claimed priority according to the Paris Convention for the Protection of Industrial property, or priority claimed from disclosure of the design on an exhibition recognised by a participating office. End of deferment date: Search designs by the end date of deferment of publication.
Convention priority number	Search by convention priority numbers, either by entering the whole or part of the number.
Priority country	By default, the option "All" is selected. To limit the search by priority country, one or more countries can be selected from the drop down menu.
Exhibition priority	Search by the name of the exhibition recognised for the purpose of granting the priority by a participating office.

*Wildcards can be applied to these fields

The final two selections allow you to sort the results by selecting the desired field from the drop down menu and order the results either in ascending or descending order.

Please note that some of the search criteria cannot be used for records in some offices. For example, it is not possible to search records in Singapore based on the designer's name. Hence if you perform an advanced search with a criterion not available for an office, ASEAN Designview will display the results for this office, but without applying the particular search criterion to the list of results from this office.

For an overview of search criteria available for participating offices, please refer to the ASEAN Designview help page (www.support.ecap3.org/en/asean-designview/help).

EXAMPLE:

A search for industrial designs containing the term "bottle cap" in their description and further restricting the search to designs that have been **Filed** in the **Philippines** for Locarno class **09** with owner name containing **"colgate"** returns 8 relevant records.

Find term

oc:PH AND ipvalue:bottle AND ipvalue:cap AND sc:Filed AND ann:colgate **Search** **Clear**

Advanced search **Filters**

List of results

Design	Indication of the product	Design number	Owner name	Filing date	Status	Design office	Cl
NO IMAGE AVAILABLE	BOTTLE AND CAP	0000001680D-0001	COLGATE-PALMOLIVE COMPANY	18-11-1975	Filed	PH	09
NO IMAGE AVAILABLE	BOTTLE AND CAP	0000003763D-0001	COLGATE-PALMOLIVE COMPANY	02-12-1983	Filed	PH	09

Using search codes to perform Advanced Search

When an advanced search is conducted, the search criteria relating to the advanced search is automatically displayed in the standard search field. Conversely, it is possible to perform an advanced search, simply by entering the relevant search codes and terms in combination with logical operators. For example, an advanced search for industrial designs containing the term "chair" in their description with further restriction to designs that have been **Registered** in **Thailand** for Locarno class **06** can be performed simply by entering "oc:TH AND ipvalue:chair AND sc:Registered and lc:06" in the standard search field. If you wish to obtain more details relating to the full list of search codes and logical operators, please refer to the ASEAN Designview help page ([link](#)).

5. What to do next?

i) If the industrial design you intend to register is not in the ASEAN Designview database

Several ASEAN countries including Thailand and Vietnam conduct substantive examination of design applications. When your search on ASEAN Designview returns no result, it is indicative that no earlier conflicting design may be cited against yours as you proceed to file your design application. However, determining whether earlier designs are similar to yours largely depends upon local law and practice, as well as the subjective opinion of the examiner. The cost, procedure and time frame from filing to registration of an industrial design vary amongst the ASEAN offices and hence it would be advisable to engage an IP professional who is familiar with the industrial design practice in the respective jurisdiction to provide you with necessary assistance to secure a smooth registration of your industrial design.

If your business is expanding in other countries simultaneously, you may want to consider filing a single international application via Hague Agreement in the IP Office of a country that is a member of the agreement or at the International Bureau of the World Intellectual Property Office. Currently only Brunei Darussalam and Singapore are the only ASEAN countries that members of the Hague Agreement. As result of the design search, it is recommended to proceed with your design registration as early as possible.

ii) If the industrial design you intend to register exists in the ASEAN Designview database

You may wish to conduct an independent investigation about the circumstances involving the third party that had registered your design. It will be more prudent to engage a local law firm and/or anyone who can investigate from the respective jurisdictions, in order to gather more commercial intelligence. These IP professionals can likewise assist you in coming up with a strategy that would be more appropriate for your business moving forward. Possible options include negotiating with the third party for the licensing or assignment of the design. If grounds exist, you can file an action to invalidate/revoke/cancel the design registration.

Alternatively, you can choose to revise and provide some adjustments and changes to your design in order to distinguish it from existing designs already registered. Once you are able to come up with a new design, thereafter, you

should again conduct a fresh design search so you can ensure that it will be available for use.

6. Take-away messages

- Although not mandatory, it is highly advisable to conduct a preliminary design clearance search. It may prove to be more cost efficient later on, and will provide you with concrete information on what is available in the country of your interest.
- As indicated at the start of the guide, it would be prudent to conduct supplementary searches directly with the respective national design offices, as the data of ASEAN Designview is not currently regularly updated for all countries.

7. Glossary of terms

Guidelines on Wildcards – What does it mean?

A wildcard character is a special character that represents one or more other characters. The most commonly used wildcard characters are the asterisk (*) and the question mark (?). The asterisk (*) allows you to match either 0 or multiple characters in your search. e.g. "abc*" will search any text starting with the "abc", "**abc" will search for any text ending in "abc", "*abc*" will search for any text with "abc" occurring anywhere. The question mark (?) will substitute only one character in your search, e.g. "abc?e" will search for any text with that pattern, e.g. "abcae", "abcbe", etc.

8. Related links and additional information

- Visit ASEAN Designview – www.asean-designview.org
- Visit the country factsheets of South-East Asia countries – www.southeastasia-iprhelpdesk.eu/en/country-factsheets
- Visit other publications at South-East Asia IPR SME Helpdesk website – www.ipr-hub.eu
- Visit the Helpdesk blog www.yourIPinsider.eu for related articles on IP in South-East Asia and China



ASEAN Designview is the common online industrial design information platform of the ASEAN Member States aimed at making ASEAN industrial design data widely available and easily accessible to all interested stakeholders. ASEAN Designview offers

free of charge online access to information on industrial design registrations and published industrial design applications in the participating ASEAN countries.

ASEAN Designview is an online tool to consult on publicly available data on industrial design. It does not constitute an official industrial design register and is of a purely informative nature.

ASEAN Designview was developed by the Intellectual Property Offices of the ASEAN Member States with the support of the EU-ASEAN Project on the Protection of Intellectual Property Rights (ECAP III Phase II) administered by the European Union Intellectual Property Office (EUIPO).

The South-East Asia IPR SME Helpdesk provides free, confidential, business-focused advice to European Small and Medium Enterprises (SMEs) relating to Intellectual Property Rights (IPR) in South-East Asia.

Helpdesk Enquiry Service: Submit further questions to the Helpdesk via phone, email (question@southeastasia-iprhelpdesk.eu) or in person and receive free and confidential first-line advice within three working days from a South-East Asia IP expert.

Training: The Helpdesk arranges training on South-East Asia IPR protection and enforcement across Europe and South-East Asia, tailored to the needs of SMEs.

Materials: Helpdesk business-focused guides and training materials on South-East Asia IPR issues are all downloadable from the online portal.

Online Services: Our multi-lingual online portal (www.ipr-hub.eu) provides easy access to Helpdesk guides, case studies, E-learning modules, event information and webinars.

For more information please contact the Helpdesk:

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