

Protecting your designs

Design is an asset in its own right: the appearance of your products triggers the purchase and embodies your identity. Registering your designs protects that value against imitation.



TERM	OFFICES	PRIORITY	GRACE PERIOD
5 years, renewable up to 25	INPI · EUIPO (EUD) · WIPO (The Hague)	6 months	12 months (France and EU)

What a design protects: the appearance of a product

A registered design protects the appearance of a product or part of a product, as defined by its lines, contours, colours, shape, texture or materials. The notion of product is broadly understood, industrial or handicraft item, packaging, graphic symbol, typeface, and the European reform, fully applicable since 1 July 2026, has explicitly extended it to the digital world: graphical user interfaces, animations and transitions, virtual objects, and even the arrangement of interior spaces. The field now matches design as it is actually practised.

The protection has one boundary: features of appearance dictated solely by the product's technical function are excluded, a shape commanded by no aesthetic consideration belongs not to design law but, where appropriate, to the patent. The rule draws the line between the two titles: appearance to the design, technical solution to the patent; many products warrant both.

The conditions for protection: novelty and individual character

Two conditions govern the validity of the title. Novelty, first: no identical design may have been disclosed anywhere before. Individual character, next: the design must produce, on the informed user, someone who knows the sector without being its expert, an overall visual impression that differs from previously disclosed creations. It is on that overall impression that validity, and later infringement, will be assessed.

Disclosure is therefore the critical point. French and EU law provide a grace period: disclosure originating from the designer within the twelve months before filing cannot be held against them, time enough to test the market's response. But that period does not exist in every legal system, and a premature presentation can doom extensions abroad: the discipline remains to file before disclosing.

A title by registration, without substantive examination

The title is obtained by registration, without substantive examination: neither the INPI nor the EUIPO assesses novelty or individual character, which will only be debated if challenged. The result is a fast title, a few weeks, at a controlled cost, but whose strength depends entirely on its preparation: the views filed define the exact scope of protection, and an incomplete representation curtails the right accordingly; prior analysis of earlier creations, for its part, prevents fragile titles.

Three routes are open to the applicant. The French filing protects for five years, renewable in five-year periods up to twenty-five. The European Union design covers all twenty-seven Member States with a single title; one filing can bundle up to fifty designs across all classes, and publication can be deferred for up to thirty months, the office now accepts dynamic views and the new formats introduced by the reform, reproducing a design by 3D printing, file included,

constitutes infringement, and the owner may signal their rights with the © symbol. The Hague System, finally, extends protection to nearly a hundred countries in a single application. To these is added, without formality, the unregistered EU design: three years of protection against copying from disclosure, useful in short-cycle sectors, insufficient to found a lasting exclusivity.

Filing strategy and the cumulation of rights

Strategy is built before the form: selection and quality of the views, protection of a design's variations, bundling collections into multiple filings, deferred publication timed to the launch calendar, extensions abroad within the six-month priority period. A furniture collection lends itself well: a single filing can cover the sofa, its variants, the armchair and the coffee table, each design remaining separately enforceable.

One creation, finally, often falls under several rights, and the safest protection arises from their cumulation. French law accepts, the doctrine of 'unity of art', that a creation of form be protected both by the design right and by copyright, if it is original; the three-dimensional trademark can take over, without time limit, once the shape has become distinctive; the patent covers what the appearance owes to engineering. Articulating these titles gives a design the longest and hardest-to-circumvent exclusivity.

Our services

- ✓ Design protection strategy (design right, copyright, 3D trademark)
- ✓ Digital designs: interfaces, icons, animations
- ✓ Preparation of views; INPI, EUIPO (EUD) and international (Hague) filings
- ✓ Multiple filings and collection management
- ✓ Deferred publication
- ✓ Renewals and portfolio management
- ✓ Watch services
- ✓ Invalidity actions and infringement litigation
- ✓ Exploitation agreements

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General information sheet · July 2026 · This document does not constitute legal advice.