



**Republika e Kosovës**  
**Republika Kosovo - Republic of Kosovo**  
*Kuvendi - Skupština - Assembly*

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**Law No. 05/L-058**

**ON INDUSTRIAL DESIGN**

**The Assembly of the Republic of Kosovo,**

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves

**LAW ON INDUSTRIAL DESIGN**

**CHAPTER I**  
**GENERAL PROVISIONS**

**Article 1**  
**Purpose**

1. By this Law shall be provided the requirements and procedures for registration of the industrial design, the rights deriving from registration and implementation of such rights and community design.
2. This law is in accordance with the Directive 98/71/EC of the European Parliament and of the Council of 13 October 1998 on the legal protection of designs, Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights (O.J. L 157, p.45, 30.4.2004; O.J. L 195, p.16, 2.6.2004).

## **Article 2**

### **Scope of implementation**

This law is implemented for all industrial designs, subject to the procedure of registration at the Agency for Industrial Property, including the community designs and international registration which are valid in the Republic of Kosovo.

## **Article 3**

### **Definitions**

1. The terms used in this Law shall have the following meanings:

1.1. **Ministry** – the competent Ministry for Industrial Property;

1.2. **Minister** - the Minister of the competent Ministry for Industrial Property;

1.3. **Industrial Property Agency (IPA)** –the Agency established within the Ministry of Trade and Industry;

1.4. **Design** - the outer appearance of the whole or of a part of product resulting from features of, shape, form, colour, lines, contours, texture or materials of the product itself or its ornaments;

1.5. **The Product** - any industrial or handicraft item, including the parts intended to be assembled into a complex product, packaging, graphic symbols and typographic typefaces, but excluding the computer programs;

1.6. **Complex product** - a product which is composed of multiple components which can be replaced permitting disassembly and reassembly of the product;

1.7. **The Paris Convention** - Paris Convention for the Protection of Industrial Property of 20 March 1883, as revised at Brussels on 14 December, 1900, at Washington on June 2, 1911, at the Hague on 6 November, 1925, at London on 2 June, 1934, at Lisbon on 31 October, 1958, and at Stockholm on 14 July, 1967, and as amended on 28 September, 1979;

1.8. **The Locarno Agreement** - Locarno Agreement Establishing an International Classification for Industrial Designs, signed at Locarno on 8 October 1968 as amended on 28 September 1979 in Locarno, known as the Locarno Classification;

1.9. **The Locarno Classification** - the international classification for industrial designs, established through the Locarno Agreement;

1.10. **The Hague Agreement** - Hague Agreement Concerning the International Deposit of Industrial Designs of 6 November 1925, as revised in the Hague on 28 November 1960 (1960 Act), as complemented in Stockholm on 14 July 1967,

with the amendments of 28 September 1979 (Complementary Act of 1967), and the Geneva Act of the Hague Agreement on the International Registration of Industrial Designs, adopted in Geneva on 2 July 1999 (the Geneva Act of 1999) and the provisions of implementing regulations to the Hague Agreement;

1.11. **International Bureau** - the International Bureau of the World Intellectual Property Organization;

1.12. **Regulation for Community Design** - the Council Regulation (EC) No 6/2002 on Community Designs and its amendments;

1.13. **Community Design** - the registered design or the design under the registration procedures in accordance to the Regulation for Community Designs;

1.14. **Application for Community Design** - the application for registration of the Community Design pursuant to provisions of the Regulation on Community Designs;

1.15. **National Design** - the industrial design acquired in the Agency of Industrial Property, according to procedure and pursuant to the provisions of this Law;

1.16. **Application for National Design** - the application for registration of the national design in the Agency for Industrial Property, pursuant to the provisions of this Law.

#### **Article 4 Industrial Property Agency**

IPA is competent for the registration procedure and protection of the industrial design pursuant to this law.

## **CHAPTER II REQUIREMENTS FOR PROTECTION OF INDUSTRIAL DESIGN**

#### **Article 5 Protection of Industrial Design**

1. By industrial design right is protected the design to the extent that is new and has individual character.

2. A design which is applied or incorporated in a product which constitutes a component part of complex product shall only be considered to be new and to have individual character:

- 2.1. if the component part, once it has been incorporated into the complex product, remains visible during normal use of product;
  - 2.2. when to the extent of visible features of the characteristics component part, fulfils in themselves the requirements as to novelty and individual character.
3. According to paragraph 2. sub-paragraph 2.1. of this Article “Common Use” shall mean use by the final user, excluding maintenance, servicing or repair of the product.

### **Article 6** **Design novelty**

1. A design shall be considered new if no identical design has been made available to the public before the date of filing of the application for registration or, if priority right is claimed, prior recognition of priority right.
2. Designs shall be considered to be identical if their features differ only in immaterial details.

### **Article 7** **Individual character of the design**

1. It is considered that the design has individual character if the common impression created to the informed consumer differs from the impression that was left to the consumer by any other design, that has been available to the public before the date of the submission of application for the design, or if the right of priority was required before the date of recognition of the priority right.
2. In assessing individual character of the design, the degree of the freedom of designer in developing the design shall be taken into consideration.

### **Article 8** **Design disclosure**

1. In accordance of Articles 6 and 7 of this Law, a design shall be deemed to have been made available to the public if it has been published following registration or exhibited, used in trade or otherwise disclosed, except where these events could not reasonably have become known in the normal course of business to the circles specialized in the sector concerned, operating within the territory of the Republic of Kosovo and from the date of adhering of Kosovo in the European Union and within territory of European Union before the date of filing of the application for registration or, if priority right is claimed, prior recognition of priority right.

2. The design shall not, however, be considered to have been made available to the public for the sole reason that it has been disclosed to a third person under explicit or implicit conditions of confidentiality.

3. Disclosure of the design according to paragraphs 1. and 2. of this Article shall not be considered if design, for which protection is claimed according to this Law, has been made available to public and if:

3.1 by the designer, his successor in title, or a third person as a result of information provided or action taken by the designer, or his successor in title;

3.2 during the twelve (12) month period preceding the date of filing of the application for industrial design or, if priority right is claimed, from the date of priority.

4. The provisions of paragraph 3. of this Article shall also apply in cases when the design has been available to the public as a consequence of abuse in relation to the designer or his successor.

#### **Article 9**

##### **Design dictated by their technical function and design of interconnections**

1. The right of the design shall not exist on product features:

1.1. which are especially dictated by their technical functions;

1.2 to which the reproduction is necessary for the same shape and dimension, in order that the product in its composition of which is incorporated or the design is applied, the design may be mechanically assemble with another product and may be placed on, or together with the other product around it, in order that both products may perform their functions.

2. Notwithstanding of provisions of paragraph 1. sub-paragraph 1.2. of this Article, pursuant to Articles 6 and 7 of this Law, the design right shall exist in the designing dedication which serves the purpose of the connection of the interchangeable parts of a product within a modular system.

#### **Article 10**

##### **Design contrary to public interest and morality**

The design which is contrary to public interest and moral principles shall not be protected.

## **CHAPTER III THE RIGHT ON INDUSTRIAL DESIGN**

### **Article 11 Designer**

1. A designer is the natural person who created the industrial design.
2. A person who has only provided technical assistance in the creation of the design shall not be considered a designer.

### **Article 12 Right to the industrial design and the right of the assumed holder**

1. The right of industrial design belongs to the designer or his legal successor in title.
2. If the designer is not the applicant, the applicant shall be deemed to have the right to the initiate acquiring procedure of the industrial design in accordance with this Law, until proven the contrary.
3. If the design was created on the basis of a commission contract, the right to the design shall vest in the commissioner of the design, unless otherwise specified by the contract.
4. If the design was created by the designer while execution of his duties as employee or following instructions given by his employer, the employer has the right on the industrial design, unless otherwise specified by the contract.
5. Person on whose name the industrial design is registered or the person on whose name the application is submitted before registration is considered to be the person who is entitled for all the proceedings developed at the IPA in regard to the design and also in all other procedures related.

### **Article 13 Joint creation of an industrial design**

1. If the design was created by the joint efforts of several designers, the right to that industrial design shall vest in them, their successors in title, and they shall all be deemed entitled to the industrial design in accordance with this Law.
2. The share of the designer in a jointly created design shall be determined in proportion to each of the designers' actual contribution in creating the design, unless otherwise specified by contract.

3. If the shares of the designers are not specified in the contract and cannot be determined in proportion to each of the designers' actual contribution in creating the design, they shall be deemed equal.

**Article 14**  
**Moral rights of the designer**

1. The designer has moral right in his designs in all documents during the public exhibition of its design, notwithstanding whether he is the applicant or the right holder of a registered industrial design.

2. The moral right of the designer cannot be transferred.

3. If several designers participated in the creation of the design, the right under paragraph 1. of this Article belongs to all designers notwithstanding contribution in the design creation.

**Article 15**  
**Equality on the right of industrial design**

Legal and natural persons, local or foreigners, have the equal rights for acquiring and protection of the design pursuant to this Law.

**CHAPTER IV**  
**EFFECTS OF A REGISTERED INDUSTRIAL DESIGN**

**Article 16**  
**Acquisition of an industrial design**

1. The industrial design is acquired by decision of the registration and the registering of the design in the register.

2. The date of entry in the register shall be the same as the date of the decision on granting the registration of an industrial design.

**Article 17**  
**The exclusive rights granted by the industrial design**

1. The holder of the industrial design has the exclusive right for use of the registered design and prevents third parties from using the design without his permission.

2. Usage, pursuant to paragraph 1. of this Article, includes especially the processing, offer, placement in the market, import, export or the use of the product in composition of which the design is applied or the storage of the product for these purposes is included.

3. If the publication of a registered industrial design is deferred in accordance of Article 45 of this Law, for the duration of the deferment, the holder of the industrial design shall have the right to prevent third parties from taking the actions referred to in paragraph 2. of this Article, only if such use results from copying of the registered design.

### **Article 18** **Limitation of exclusive rights deriving from the right of design**

1. The exclusive right shall not be exercised in respect of:

1.1. acts undertaken privately and for non-commercial purposes;

1.2. acts undertaken for experimental purposes;

1.3. acts of reproduction for the purposes of making citations or of teaching, provided that such acts are compatible with fair trade practice and do not unduly prejudice the normal exploitation of the design, and that mention is made of the source.

2. Except the acts mentioned in paragraph 1. of this Article, the rights conferred by an industrial design upon registration shall not be exercised in respect of:

2.1. the equipment on aircraft registered in another country when these temporarily enter the territory of the Republic of Kosovo;

2.2. the import in the Republic of Kosovo of spare and additional parts for the purpose of repairing such equipments;

2.3. the execution of repairs on such equipments.

### **Article 19** **The right of prior use of design**

1. A right of prior use shall exist for any third person who can establish that before the date of filing of the application, or, if a priority is claimed, before the date of priority, he has in good faith commenced use within the territory of the Republic of Kosovo, or has made serious and effective preparations to that end, of a design included within the scope of protection of a registered design, which has not been copied from the latter.

2. The right of prior use, shall entitle the third person to use the design for the purposes for which its use is intended, or for which preparations are made before the date of



submission of application for industrial design or before the date of priority received, if the priority has been claimed.

3. The right of prior use, cannot give a right to third parties for the use of the design.

4. The right of prior use cannot be transferred except, where the third person is a business and design is transferred along the part of the business in the course of which acts are undertaken and the preparations are made.

### **Article 20**

#### **Exhaustion of the right**

Upon entry into the market by the owner of the industrial design or with his explicit permission, in the Republic of Kosovo, respectively, after the accession of the Republic of Kosovo in the European Union and in the territory of any of the countries of the European Union, respectively in the territory of any of the member states which have signed the Agreement on the European Economic Area, the product of which includes industrial design, exhausted exclusive rights in relation to that product on the territory of the Republic of Kosovo.

## **CHAPTER V**

### **INDUSTRIAL DESIGN AS THE OBJECT OF PROPERTY**

#### **Article 21**

##### **Transfer**

1. The holder of Industrial Design may transfer his rights related to industrial design to other persons. The transfer may be complete or partial.

2. The transfer shall be recorded in the register and published in the bulletin of Agency at the request of any of the parties under the previous agreement between them. The registration of transfer of rights must be evidenced by a contract for the transfer of rights or a certified statement to the competent authority on the transfer of rights and signed by both parties.

3. The transfer shall only have effect to third parties after the entry in the register.

4. The request for registration of the transfer of rights, fees, terms and data as part of the request, should be regulated by a sub-legal act.

## **Article 22**

### **License**

1. The holder of industrial design may issue exclusive and non-exclusive license for using of the right of the design fully or partially, for the whole territory of the Republic of Kosovo or a part of it.
2. The right for usage of the industrial design is acquired based on the licensing contract and has effect on third parties after the registration of the license in the Register.
3. The licensing contract shall be in written form and signed by the contracting parties.
4. The owner of industrial design can realize the design rights to the licensee who violates any provision of the license contract, particularly in relation to the duration of the license, the form in which design can be used, the quantity of products for which was issued, the quality of products manufactured by licensee and territory of design use.
5. The licensee may initiate court proceeding regarding to the infringement of the rights derived from industrial design, only if the holder of the industrial design agrees with this.
6. The licensee may issue sub-license only if it is defined by the contract.
7. The license is registered after the request for that is made by the owner of the design or of the person who acquired the license, provided that IPA will be provided with the copy of contract for the license.
8. The registration of the license shall be published in the Agency bulletin.
9. The form and request content for the registration of the license shall be defined by sub-legal act.

## **Article 23**

### **The right of pledge in industrial design**

1. An industrial design may be subject of pledge.
2. Upon request of the pledgee or pledgor, the pledge shall be recorded in the register and published in the bulletin of the Agency.
3. The court which applies pledge as ex officio shall inform the Agency to implement the pledge towards design with the purpose of entry in the register and published in the bulletin of the Agency.
4. The pledge effects the third parties only after entry in the registry. Registration of pledge is published in the bulletin of Agency.

5. The form and the content of the request for the registration of the pledge shall be defined by sub-legal act.

**Article 24**  
**The execution procedure**

1. An industrial design may be subject of execution procedure.
2. The competent authority which decides on execution must immediately notify the Agency regarding the design execution for the purpose of registration in the register and published in the bulletin of the Agency.

**Article 25**  
**Bankruptcy procedures**

When the industrial design is involved in bankruptcy proceedings, the competent body upon his proposal should immediately notify the Agency regarding proceedings on insolvency and with the purpose of entering of these data in the register and published in the bulletin of the Agency.

**Article 26**  
**Application for the registration of the industrial design as an object of proprietary**

Provisions of Articles 21, 22, 23, 24 and 25 shall be implemented for the applications of registration of the industrial designs.

**CHAPTER VI**  
**APPLICATION FOR REGISTRATION OF AN INDUSTRIAL DESIGN**

**Article 27**  
**Initiation of the industrial design registration procedure**

The procedure for the registration of an industrial design shall be initiated by filing the application at the Agency.

**Article 28**  
**Content of the application**

1. Application for the industrial design shall contain:

- 1.1. a request for registration of the industrial design;
  - 1.2. information identifying the applicant;
  - 1.3. a representation of the design suitable for reproduction. However, if the object of the application is a two-dimensional design and the application contains a request for deferment of publication in accordance with Article 45 of this law, the representation of the design may be replaced by a specimen.
2. The application of industrial design shall further contain:
- 2.1. naming of products in which the design will be incorporated or in which is intended to be applied;
  - 2.2. information identifying the duly authorized representative if the applicant has appointed one;
  - 2.3. information on the joint representative, if there is one.
3. In addition, the application of industrial design may contain:
- 3.1. a description explaining the representation or the sample of the design;
  - 3.2. a request for deferment of publication of the registered design in accordance with Article 45 of this Law;
  - 3.3. classification of the product, according to the class in which the design is incorporated or in which is intended to be applied, in accordance with the Locarno Agreement, based in The Locarno Classification;
  - 3.4. information for the designer or the designers, or the statement that the designer or designers has waived the right to be cited;
  - 3.5. information and evidence of the priority referred to in Articles 33 and 34 of this Law.
4. The form and content of the application for industrial design and all the other constitutive parts of the application shall be defined by sub-legal act.
5. Data contained in the elements mentioned in paragraph 2. and paragraph 3., sub-paragraph 3.1. and 3.3. of this Article, have no impact on the capacity of industrial design protection.
6. The application shall be payment subject of registration and publication fee, whereas if deferment has been required according to paragraph 3. sub-paragraph 3.2 of this Article, the publication fee should be replaced with the fee for the deferment.

7. The evidence for payment of the appropriate fee must be attached to the application.

**Article 29**  
**Multiple application for industrial designs**

1. If the application contains several designs, except in cases of ornamentation, all products that will be incorporated into the design or those intended to be applied must be at the same class of the Locarno Classification.

2. In the multiple applications, the number of the designs being requested for protection shall be noted.

3. Each design that is included in the registration application or multiple registration, can be considered separately from the others for the purpose of implementing the provisions of this Law. The design specifically, as independent from the others may be applied, licensed, be subject to the pledge, of execution or bankruptcy proceedings, subject to waiver, extension or transfer of defence, be subject to deferment of publication or announcement as void.

4. The multiple applications shall be subject of additional payment fee for registration and publication.

**Article 30**  
**Division of the multiple application**

1. The applicant may divide the multiple applications into two or more applications that each refers to one or more product designs.

2. Each application separated from a multiple application shall retain the priority right of the multiple application.

3. The conditions for division of the multiple applications shall be defined by sub-legal act.

4. The division of application from paragraph 1. of this Article shall be subject to payment of the application and publication fee for the division.

**Article 31**  
**Application date**

The application date for the industrial design shall be the date when the applicant has submitted at the Agency the documents containing the information as defined by Article 28 paragraph 1. and 2. of this Law.

**Article 32**  
**The priority right**

- 1.If the application for registration of the industrial design has been submitted according to Articles 28 and 29 of this law, the applicant from the date of submitting application has the right of priority towards any other applicant, who may submit later the application for registration of the same industrial design or identical.
2. Every application filed under an International Agreement to which the Republic of Kosovo is a party, shall also give rise to the priority of such an application according to the provisions of the relevant international agreement.
3. The right of priority invoked according to Articles 33 and 34 of this Law shall have the effect that the date of priority shall be deemed as the date of filing of the industrial design application for the purposes of establishing which rights take precedence in accordance with paragraph 1. of this Article.

**Article 33**  
**Priority right according to Paris Convention**

- 1.If the applicant for industrial design has filed an application for the first time in any Member State to the Paris Convention or the Agreement Establishing the World Trade Organization, he or his legal successor, with the aim of submitting the application for industrial design under this Law for the same industrial design, can be called on the first application, under condition that according to this Law, to submit the application at the Agency within six (6) months from the date of the first application submission.
2. The applicant invoking the right of priority from paragraph 1. of this Article, at the Agency he shall indicate basic information pertaining to the application invoked as state, application date and number of application, within the period of three (3) months from the date of application at the Agency, must submit a copy of the first application certified by the competent body of the Member State of the Paris Convention or the World Trade Organization and translation of the certified copy on the official languages of the Republic of Kosovo.
3. If the applicant does not fulfil the requirements stated in paragraph 1. and 2. of this Article, shall be considered that the right of priority has not been claimed.

**Article 34**  
**Exhibition priority right**

1. If an applicant has disclosed products in which the industrial design is incorporated, or to which it is applied, at an official or officially recognized international exhibition in the Republic of Kosovo or in the member state of the Paris Convention or the World Trade

Organization, he may pretend priority right, if he files the application within a period of six (6) months from the date of the first exhibition of that product.

2. An applicant invoking the exhibition priority right based on the date of exposition of a product shall, alongside the application filed to the Agency within three (3) months, file a certificate issued by the competent authority of the member state of the Paris Convention or the World Trade Organization, containing information concerning the type of the exhibition, venue, dates of opening and closing of the exhibition and the first day of exhibiting the product cited in the application, and evidence that the product design is identical to the one cited in the application.

3. If the applicant does not meet the requirements set out in paragraph 1. and 2. of this Article, priority shall be deemed not to have been claimed.

### **Article 35 Certificate of priority**

At the request of the industrial design applicant or the industrial design holder and upon payment of the required fee, the Agency shall issue a certificate of priority right.

## **CHAPTER VII REGISTRATION OF THE DESIGN**

### **Article 36 Register**

1. The Agency shall maintain a register in which applications for the registration of the industrial designs comply with formal requirements from Article 28 of this Law and which have been accorded a filing date pursuant to Article 31 of this Law will be entered, as well as industrial designs for which registration was not refused pursuant to Article 42 of this Law.

2. The content of the register shall be regulated by sub-legal act.

3. The Register is public.

4. If the application contains the request for deferment of publication of the registration in accordance with Article 45 of this Law, the information on this application registration shall not be public before the publication of the registration pursuant to the Article 44 of this Law.

5. At the request of the interested party, and after the payment of the required fee, the Agency shall issue an extract from the register.

**Article 37**  
**Agency bulletin**

The Agency shall publish the bulletin with the information defined by this law and sub-legal acts.

**Article 38**  
**Fees**

1. For all the procedures regulated by this law, the respective fees shall be paid.
2. Types and the amount of fees shall be defined by sub-legal act.
3. If the fees have not been paid, the application or the request is rejected, while in the case of non-payment of the tariffs for continuation of the protection of the industrial design, the industrial design shall lapse.

**Article 39**  
**Search on novelty of the design**

At the request of an interested party and after the payment of the required fee, the Agency shall provide the services comprising novelty search of the registered industrial designs, having effect in the Republic of Kosovo.

**Article 40**  
**Determination of the application date for industrial design**

1. Upon receiving the industrial design application, the Agency shall examine whether the application meets the requirements for according the filing date referred to in Article 28 of this Law.
2. If the application does not meet the requirements on application date acceptance, the Agency shall invite the applicant that within sixty (60) days from the date of receipt of the invitation to complete the found deficiencies.
3. If the deficiencies are completed within the set time limit, in accordance with the invitation referred to in paragraph 2. of this Article, the Agency shall accord, as the filing date, the date on which the deficiencies were completed.
4. After defining the application date, the Agency shall invite the applicant who has not submitted evidence of having paid the prescribed fee, to do so within thirty (30) days from the day of receipt of the invitation, to offer the Agency evidence on payment.



5. If the applicant, within the determined timeline does not act according to invitation of the Agency, the application shall be rejected with a decision.

6. The application, which the date of application is accepted, may not be changed by extending the scope of protection of the design.

7. On the request of the applicant or the holder of the registered design, amendments shall be permitted on the name or the address of the applicant, or correction of any other technical error with a condition that the object of protection is not extended, and after the additional fee have been paid.

8. The content of the request for amendments in accordance to paragraph 7. of this Article shall be defined by sub-legal act.

#### **Article 41**

#### **Formal examination of the application**

1. By a formal examination of an industrial design application, the Agency shall establish whether the application complies with the requirements set out in Article 28 paragraph 1. and 2. of this law, respectively requirements set out in Article 29 of this Law for the multiple application.

2. If the industrial design application does not comply with the requirements set out in paragraph 1. of this Article, the Agency shall invite the applicant to complete the application within sixty (60) days.

3. Upon request of the applicant, the timeline referred to in paragraph 2. of this Article may be extended for a maximum of sixty (60) days under the condition of payment of additional fee.

4. If the applicant does not act according to the invitation of the Office, the application shall be rejected upon a decision.

#### **Article 42**

#### **Refusal of the registration of an industrial design**

1. The Office/Agency shall refuse the registration of the industrial design, if:

1.1. the design does not meet the requirements in accordance to Article 3 paragraph 1. sub- paragraph 1.4. of this Law;

1.2. the design does not meet the requirements set out in Article 10 of this Law;

1.3. the design constitutes an unauthorized use of any of the items of the products as foreseen in Article 6 of the Paris Convention, or of badges, emblems and

different escutcheons as foreseen in Article 6 of the Paris Convention and which are of particular public interest in the Republic of Kosovo.

2. The Agency may partly refuse the registration of an industrial design according to paragraph 1. sub-paragraphs 1.2 and 1.3 of this Article if the design meets the requirements for registration retaining the form and the identity of the design.
3. The refusal decision of the registration of the design may not be issued if the applicant has not been previously informed in writing about the causes of refusal and has not been invited to withdraw the application or declare his remarks on refusal of registration.
4. The applicant has the right to submit his remarks in writing regarding the reasons of registration refusal within sixty (60) days from the day of receiving written notification referred to in paragraph 3. of this Article, and submit the evidence of possible new facts, that could affect the final decision of the Agency.
5. Upon request of the applicant, the timeline referred to in paragraph 4. of this Article may be extended for a maximum of sixty (60) days, upon the relevant payment fee.

### **Article 43 Registration**

If the application fulfills requirements for registration of an industrial design according to Article 41 of this Law, to the extent that the application has not been refused by virtue of Article 42 of this Law, the Agency by decision registers the design, under the condition that the fee for registration of the industrial design has been paid within thirty (30) days from the date of receiving of the invitation for registration of the industrial design.

### **Article 44 Publication of the industrial design**

1. The registered design shall be published in the Office/Agency bulletin.
2. The information of publication shall be defined by sub-legal act.

### **Article 45 Deferment of publication**

1. The applicant may request, while filing the application, that the publication of the registered industrial design be deferred for a period of twelve (12) months from the date of filing the application or, if a priority is claimed, from the date of priority.

2. Upon such request, where the conditions set out in paragraph 1. of this Article, the industrial design shall be registered, either the design presentation nor any data relating to the application shall not be open to public.

3. The Agency shall publish in its bulletin the request on the deferment of the publication of the registered industrial design, which shall be accompanied by information on the holder of the registered industrial design, the date of filing the application and other information defined by sub-legal act.

4. In the case referred to in paragraph 1. of this Article, the Agency at the expiry of the period of deferment, shall invite the applicant or design owner, within thirty (30) days from the day of receiving invitation, to provide a graphic or photographic reproduction of the design as prescribed by Article 28, paragraph 1 sub-paragraph 1.3. of this Law.

5. If the holder of the industrial design fails to comply with the invitation referred to in paragraph 4. of this Article or if the maintenance fee for the first five (5) year period of industrial design protection has not been paid, it is considered that the industrial design has not have legal effects.

6. In the case of the multiple applications as to Article 29 of this law, provisions referred to paragraph 1. and 3. of this Article may also apply only to some of the designs included in that application.

#### **Article 46** **Certificate of the industrial design**

1. At the request of an industrial design holder and after the payment of the required fee, the Agency shall issue a certificate on industrial design.

2. The content of the certificate is defined by sub-legal act.

### **CHAPTER VIII** **SCOPE AND TERM OF DESIGN PROTECTION**

#### **Article 47** **Scope of protection**

1. The protection which derives by an industrial design shall include any design which does not produce a different overall impression on the consumer.

2. When determining the scope of the protection, the degree of freedom of the designer in developing his design shall be taken into consideration.

**Article 48**  
**Term of protection**

1. After registration from the Agency, the design is protected for five (5) years, starting from the date of application submitting.
2. Protection of the industrial design may be extended for one or more additional period of five (5) years, on a total period of twenty-five (25) years, starting from the date of submitting of the application.

**Article 49**  
**Renewal of registration**

1. Registration of industrial design shall be extended at the request of the owner of the right or the person authorized by him, if the appropriate fee is paid. The request for extension must be submitted and taxes shall continue to be paid within a period of twelve (12) months which ends on the last date of the month in which protection ends. If this fails, then the application may be submitted and taxes must be paid within a period of six (6) months after the expiration of the protection, if the additional fees for this period are paid.
2. The continuation of the registration begins the next day of the date of expiry of the previous period of protection.
3. The continuation shall be registered and published in the Agency bulletin.
4. The relevant fees according to paragraph 1. and 2. of this Article, and the information on the application for continuation of industrial design registration shall be defined by sub- legal act.

**Article 50**  
**Complaints against decisions of the Agency**

1. The Agency decision shall be appealed within the time limit of fifteen (15) days from the day of decision acceptance.
2. The complaint shall be reviewed by the Commission of Complaints within the time limit of thirty days (30) from the day of decision acceptance.
3. The Commission of Complaints shall be established upon the decision of the Minister.
4. Against decisions of the Commission of Complaints a claim may be submitted at competent court within the time limit of thirty days (30) from the day of decision acceptance.

5. Competencies, mandate and work of the commission shall be regulated by bylaws.

## **CHAPTER IX ENDING OF THE INDUSTRIAL DESIGN EFFECT**

### **Article 51 Ending of the industrial design effect**

1. Industrial design shall cease to have effect in the following cases:
  - 1.1. on expiry of the protection period of the industrial design as referred to in Article 48 and Article 49 of this Law;
  - 1.2. on the basis of the abdication;
  - 1.3. based on the declaration of invalidity.
2. The cease of the industrial design effect shall be entered in the register and published in the Agency bulletin.

### **Article 52 Industrial design abdication**

1. The industrial design abdication shall be done through a written declaration by the holder at the Agency. The declaration shall have legal effects after being entered in the register.
2. In case of abdication of an industrial design which is subject to deferment of publication, it shall be assessed that the design did not have the effects specified in this Law.
3. The holder may partially abdicate from the design under the condition that its amended form complies with the requirements for protection and the identity of the design is retained.
4. If the license has been registered, the abdication shall be entered in the register only if the holder of the design proves that he has informed the licensee of his intention to abdicate from the design.
5. If a complaint is submitted to the court related to the design in accordance to the Article 71 of this Law, the Agency shall not enter the abdication in the register without the consent of the claimant.

### **Article 53**

#### **Full or partial announcement of the invalidity of the registered industrial design**

1. The Agency, through a decision, announces the design as full or partial invalid if:
  - 1.1.the design is not a design in accordance with Article 3, paragraph 1. subparagraph 1.4. of this Law;
  - 1.2. the design does not meet the requirements under Articles 5, 6, 7, 8, 9 and 10 of this Law;
  - 1.3. the applicant or holder of the registered design has no rights according to this Law;
  - 1.4. the design is in conflict with a prior design which was made available to public after the date of application or in cases when the priority is claimed, after the received priority date, the design shall be protected from the date which existed before the registration of registered design in The Republic of Kosovo or before application for such a right;
  - 1.5.any distinctive sign is used in the next design, and the right holder of this distinctive sign has the right to prohibit such use;
  - 1.6.if the design constitutes an unauthorized use of a work protected under the Copyright Law;
  - 1.7. if the design constitutes an unauthorized use of any of the items listed in Article 6 of the Paris Convention, or of badges, emblems or escutcheons and different graffiti other than those covered by Article 6 of the Paris Convention which are of particular public interest in the Republic of Kosovo.
2. In cases when the industrial design is partially cancelled, may be maintained in the amended form, if that form is in accordance with the requirements for protection and if design identity is retained.

### **Article 54**

#### **Request on invalidity announcement**

1. The request for invalidity announcement of the design according to Article 53 of this Law shall be submitted in written to the Agency.
2. Request for invalidity announcement of the design may be submitted during the protection period. The request may be filed even after the termination of effect of the design, if the applicant evidences that the procedures on violation of the design have been initiated, or if applicant has initiated the court procedure to prove that he has not in any case, violated the relevant industrial design.

3. Application received according to paragraph 1. of this Article, shall not be reviewed until the respective fee has been paid.
4. The content of the request for invalidity announcement shall be defined by sub-legal act.
5. Reasons for invalidity announcement of the industrial design, defined by Article 53 paragraph 1. sub- paragraph 1.3 of this Law may be requested only by person who in accordance to this Law has the right on the industrial design.
6. Reasons for invalidity announcement of the industrial design, defined by Article 53 paragraph 1. sub-paragraph 1.5. and 1.6 of this Law, may be invoked only by the applicant or the holder of the contested right.
7. Reasons for invalidity announcement on of the industrial design, defined by Article 53 paragraph 1. sub-paragraph 1.7. of this Law, may be invoked only by the person or the subject whose rights have been infringed by usage.
8. Without prejudice against the provisions set out in paragraphs 5., 6. and 7. of this Article, the request for the announcement of invalidity of an industrial design may be invoked by any natural or legal person.

#### **Article 55**

##### **Review of the design announcement invalidity request**

1. The Agency reviews the application for invalidity announcement of the industrial design.
2. If the Agency finds that the request for invalidity announcement is admissible, the Agency shall examine whether the causes for invalidity referred to in the application prejudice the maintenance of the industrial design.
3. During the examination of the application the Agency shall invite the parties, to file information regarding the request within sixty (60) days from the day of receiving a written invitation.
4. Upon request of the applicant, the time limit referred to in paragraph 3. of this Article may be extended for a maximum sixty (60) days, after payment of the respective fee.
5. In cases when the requirements invalidity announcement of the design are not met in accordance with Article 53 of this law, then the Agency through a decision, rejects the request for invalidity announcement.

**Article 56**  
**Participation of suspected violator on procedure**

1. If the request for invalidation of registered industrial design, presented during the protection period and until Agency has not yet made a decision, a third person who testifies against him that started court proceedings because violation of this design as well as the applicant for invalidity announcement, can join as a party to the announcement of invalidity procedures with the request submitted at the Agency.
2. The paragraph 1. of this Article shall also be applied in cases to any third party who proves that the right holder of the industrial design has requested that he cease an alleged infringement of the design and the third party has started the procedure to prove that he has not infringed the industrial design.
3. The request to join as a party shall be submitted in written and shall include the causes of the request. The request shall not be reviewed until the specified fees have been paid in accordance to Article 54 paragraph 3. of this Law.

**Article 57**  
**Legal effects of announcement of invalidity**

If the industrial design is announced as invalid, all legal effects derived from design registration should be invalid.

**CHAPTER X**  
**INTERNATIONAL REGISTRATION**

**Article 58**  
**International registration of the industrial design**

1. The international registration of industrial designs shall be carried out in accordance with the provisions of the Hague Agreement.
2. The applications for international registration of industrial designs shall be submitted directly to the International Bureau of World Organization of Intellectual Property (hereinafter The International Bureau).
3. All the fees of the international registration of designs shall be paid directly to the International Bureau.
4. In accordance with the provisions of the Hague Agreement, the provisions of this Law shall apply to the requests of overall principles for continuation of the effects of the



international registration to the Republic of Kosovo, with the exclusion of Articles 40 and 41 of this Law.

5. The requests for continuation from paragraph 4. of this Article, shall be replaced by duration as in Article 42 paragraph 4. of this Law by the period of four (4) months.

## **CHAPTER XI COMMUNITY DESIGN**

### **Article 59 Expansion of community design effects**

The effects of applications submitted for Community Design and Community designs registered before the date of accession of the Republic of Kosovo to the European Union shall have legal effects to the Republic of Kosovo after accession of the Republic of Kosovo in EU.

### **Article 60 Community design as an earlier design**

According to Articles 6, 7, 8 and 53 of this Law, applications for the registration of Community Design as well as Protected Community Designs shall be considered as earlier designs in relation to the national design applications submitted, and national designs registered upon such applications after the accession of the Republic of Kosovo to the European Union.

### **Article 61 Proceeding an application for a community design**

If the application for community design is presented to the Agency, in accordance with Article 32 paragraph 2. of the Regulation for Community Design, the relevant fees are paid for application proceeding.

### **Article 62 Prohibition of usage of community design**

If the use of a Community Design referred to in Article 59 of this Law conflicts with the use of a national design acquired before the accession of the Republic of Kosovo to the European Union, or of a national design application submitted before the accession of the Republic of Kosovo to the European Union, the holder of such national design may institute a legal action, claiming prohibition of the use of the Community Design in the

Republic of Kosovo and the effect of which is extended to the territory of the Republic of Kosovo. The holder proves that the Community Design conflicts with his/her national design.

#### **Article 63**

#### **Protection of Community design in cases of infringement**

1. In case of community design infringement of rights, the provisions for protection of national design shall be applied.
2. The competent court on cases of infringements of the Community Design are the domestic courts based on EU Regulation on Community Design.

### **CHAPTER XII**

#### **CIVIL-LEGAL RIGHTS IMPLEMENTATION**

#### **Article 64**

#### **Competent court for industrial design implementation**

The Basic Court in Prishtina is competent for industrial design rights implementation.

#### **Article 65**

#### **Persons who have the right to request the rights implementation**

Besides the holder of the rights or persons authorized by the holder of the right in accordance with the general rules of representation, the implementation of the rights conferred by this Law shall be entitled to require the licensee with the exclusive license to the extent to which he/ she has earned the right to exploitation of industrial design based on Law or legal transaction.

#### **Article 66**

#### **The request for declaration of and the request for termination of the infringement of design**

1. The holder of an industrial design may institute a legal action against a person who has infringed an industrial design by performing without authorization any of the acts referred to in Article 17 of this Law, requiring infringement declaration.
2. The holder of an industrial design may initiate a legal action against a person who has infringed an industrial design by performing without authorization any of the acts

referred to in Article 17 of this Law, claiming termination of the infringement and prohibition of such and similar future infringements.

3. The holder of an industrial design may initiate a legal action against a person who has by performing any of the acts without authorization, caused a serious threat that his industrial design might be infringed, claiming termination of the acts concerned and prohibition of the infringement of the industrial design.

4. The legal action referred to in paragraphs 1., 2. and 3. of this Article may also be initiate against a person who in the course of his/her business activity conducts services used in the acts infringing an industrial design or from which infringement of an industrial design may follow.

### **Article 67**

#### **The request for seizure and destruction of products**

1. The holder of an industrial design may initiate a legal action against a person who has infringed an industrial design by performing without authorization of any of the acts referred to in Article 17 of this Law, claiming that the products infringing the industrial design be removed from the market, seized or destroyed at the expense of that person.

2. The court shall order the measures referred to in paragraph 1. of this Article at the expense of the defendant, unless there are special reasons that such an act not to be undertaken.

3. When the measures are imposed as specified in paragraph 1. of this Article, the Court must ensure that they are proportionate to the nature and reliability of the violation.

### **Article 68**

#### **The request for damage compensation, ordinary compensation and unfair enrichment**

1. The holder of an industrial design may initiate a legal action against a person who has caused him damages by performing without authorization any of the acts referred to in Article 17 of this law, claiming compensation of damages.

2. The holder of an industrial design may initiate a legal action against a person who has performed without authorization any of the acts referred to in Article 17 of this law, claiming payment of remuneration in the amount that he/she would have claimed in the license agreement, if concluded.

3. The holder of an industrial design may initiate a legal action against a person who has infringed an industrial design by performing without authorization any of the acts referred to in Article 17 of this law, and who without legal or court decision, has

benefited from this. The holder may seek return or compensation of such benefits under the general rules for unfair enrichment.

4. Requirements under paragraph 1., 2. and 3. of this Article does not exclude each other. When deciding on the request referred to in paragraphs 1., 2. and 3. of this Article presented cumulatively, the Court must be based on the general provisions of the Law on Obligational Relationships.

#### **Article 69** **Request for publication of the judgment**

1. The holder of the design may claim that the court decision which confirms complete or partial infringement of the design rights, to be published in public media, at the expense of the defendant.

2. The court shall decide, within the limits of the claim, on the means of the public communication where the judgment shall be published, and whether it shall be published entirely or partially.

#### **Article 70** **Request for information**

1. The holder of industrial design, who has initiated civil proceedings to implement the design in cases of violation, may claim the provision of information on the origin and distribution channels of the goods infringing his/her industrial design.

2. The request referred to in paragraph 1. of this Article may be submitted in the form of a legal action or a provisional measure against:

2.1. a person who has been sued in the civil proceedings referred to in paragraph 1. of this Article;

2.2. a person who is within her/his business activities in possession of the goods suspected of infringing an industrial design;

2.3. a person who provides within her/his business activities services suspected of infringing an industrial design;

2.4. persons who provide within their business activities services used in the activities suspected of infringing an industrial design;

2.5. a person who is indicated by any of the mentioned persons as being involved in the manufacture or distribution of the goods or the provision of the services suspected of infringing an industrial design.

3. The request for information on the origin and distribution channels of the goods and services referred to in paragraph 1. of this Article may include in particular:

3.1. information on the names and addresses of the producers, distributors, suppliers and other previous holders of the goods and providers of the services, respectively, as well as the intended wholesalers and retailers;

3.2. information on the quantities produced, delivered, received or ordered, as well as the price obtained for the goods or services concerned;

4. If mentioned person refuses to provide information without convincing reason, he/ she is responsible for caused damage pursuant to legal provisions in force.

5. The provisions of this Article does not affect provisions dealing with how to use confidential information in civil and criminal proceedings, provisions that regulate the responsibility for misuse of the right to receive information, as well as provisions governing the processing and protection of personal data.

6. The provisions of this Article shall not have an impact on Articles 73 and 74 of this Law that regulate the evidence storage and security.

### **Article 71**

#### **Request for transferring the design rights through the Court**

1. If the design application is filed by an unauthorized person or is registered in the register on the name of the person in conflicting provisions in Articles 11, 12, 13 and 14 of this Law, the authorized person may institute at the court a request for transfer of the industrial design, or to require registration of it in the register as designer in accordance with Article 16 of this Law.

2. A person authorized as referred in paragraph 1. of this Article may initiate the procedure at the court for transfer of design, throughout the duration of design protection.

3. The Court should immediately as ex officio, inform the Agency for the judgment against who cannot be appealed, in order to transfer registration in the registry for publication in the bulletin of the Agency.

4. If the design is transferred through a judgment, license and other rights that are in favour of third parties cease on the day of entry of transfer in the register.

5. If before registration of transfer of design through a court, the holder of unauthorized design or licensees have used the relevant design used it or made effective and serious preparations to use it in good faith, the court may recognize them the right of non exclusive license for usage after the following request submitted to the court no later than three (3) months from the date of registration of transfer.

**Article 72**  
**Interim actions in case of violation of design**

1. On request of the holder of design, who evidences that his/her design has been infringed or attempted to be infringed, the court may order temporary actions in order to stop or prevent infringements and, in particular:

1.1. to order the alleged infringer to end or terminate the actions of infringements of industrial design; the court may also issue such orders against the infringer whose services used by a third party may be infringing the design;

1.2. to order the seizure or removal from the market of products which infringe the design.

2. On request of holder of the design, who evidences that his/her design has been infringed in any business activities in order to gain material benefits and such infringements may have caused him irreparable damage or hard recoverable, the court, except interim actions mentioned in paragraph 1. of this Article, shall order the confiscation of movable and immovable property of opposing party, which is not directly related to the infringement, including the blocking of his/her bank account and other assets.

3. For the purpose of assignment and execution of interim measures under paragraph 2. of this Article, the court requires from the opposing party or other relevant parties, statement of banking information, financial and other economic information, or setting available information and other documents related to. The court provides protection of confidentiality of such information and prevents misuse of such data.

4. Interim measures under paragraph 1. of this Article can be ordered without informing the opposing party, if the applicant proves that otherwise other measures would not be effective, or there is a risk of causing irreparable damage or hard recoverable. Interim measures under paragraph 2. of this Article can be ordered without informing the opposing party, if the applicant for the measure, proves that it would not be effective or, given the circumstances of the case, it would be necessary.

5. In the decision on interim measure, the court determines the duration of such measure and if the measure is imposed before starting the indictment, within the period, where the applicant of the measure, initiates proceedings to justify the measure, not less than twenty (20) working days and not longer than thirty one (31) calendar days from the date of pronouncement of the interim measure.

**Article 73**  
**Interim measures for preserving evidence**

1. At the request of the design holder, who claims that the right of his/her design has been violated, or exists the possibility that the evidence of violation or threat violation or respective threat cannot be or become difficult to be provided, the court orders to take temporary measures to preserve evidence.
2. Through interim measures under paragraph 1. of this Article, the court orders:
  - 2.1. a detailed description of products and services that may violate design with or without sampling;
  - 2.2. seizure of products that threat to violate design;
  - 2.3. confiscation of materials and tools used in production and distribution of products that may violate design and documentation that has to do with it.
3. Interim measures specified in paragraph 1. of this Article can be ordered without informing the opposing party, if the applicant for taking the measure states that there is a risk that the evidence may be destroyed or that can cause irreparable damage or hard reparable.
4. In a decision ordering an interim measure, the court must specify the duration of such measure and whether the measure is ordered before the start of court actions is the period within which the applicant for the measure should initiate legal action to justify the measure, which should be within twenty (20) working days and not more than thirty (31) calendar days, whichever expires later.

**Article 74**  
**Providing evidence during the civil procedure**

1. When a party to the proceedings requires proof that belongs to the opposing party or that are under its control, the court invites the opposing party to submit such evidence within a specified time.
2. The holder of the design in a role of the plaintiff, who alleges the violation of design on business is conducted in case of economical and material profits and thus presents during the proceedings and presents evidence such as: bank documents, financial or commercial documents or other evidence to confirm that they belong to opposing party or are under its control, the court invites the opposing party to submit such evidence within a specified time.
3. If the party invited to present testimony, refuses that evidences belong to them or are under its control, the court may take the evidences to prove such a fact.

**Article 75**  
**Accelerated Procedures**

1. The procedure concerning the infringement of an industrial design shall be subject to acceleration.
2. Upon the request of the court or any of the parties to the proceedings concerning the infringement of an industrial design, the Agency shall accept the request for the announcement of invalidity of the industrial design, submitted before or in the course of the procedure, shall act on accelerated procedures. The court, taking into consideration the circumstances of the case, shall decide the termination of the proceedings up to the final decision upon the request of the party on announcement of invalidity of industrial design.

**CHAPTER XIII**  
**REPRESENTATION**

**Article 76**  
**Representation by authorized representatives**

1. Natural or legal persons who have residence or business headquarters in the Republic of Kosovo may apply their rights according to this Law through authorized representatives who are registered in the register of representatives, maintained by the Agency.
2. Natural or legal persons who do not have permanent residency or business office in the Republic of Kosovo may apply their rights according to this Law through proceedings at the Agency only by authorized representatives, registered in the representatives register maintained by the Office/Agency.

**Article 77**  
**Authorized Representatives**

1. Representation of natural or legal persons at the Agency may only be done by the authorized representative, registered in the register maintained by the Agency.
2. The Agency shall register and unregistered persons from the register of the Authorized Representatives if such person meet or do not meet requirements defined by sub-legal act.



**Article 78**  
**Authorization of authorized representatives**

1. An authorized representative of industrial design may be represented by natural or legal person at the Agency based on authorization issued by natural or legal person.
2. Authorization may be issued for one or more, existing or future, applications or industrial design registered.
3. Authorization for all applications and industrial design registrations for a natural or legal person shall be considered as general authorization.
4. Authorization may be limited only for some defined actions undertaken at the Agency.
5. If cases of surrender from industrial design authorization shall contain clearly claims mentioned by the holder of the design.

**Article 79**  
**Withdrawal of the authorization**

1. Holder of the design may withdraw the given authorization to design representative at any time.
2. After informing the Agency about the change of representation, Agency shall continue to communicate with the new design representative or directly with holder of the design.
3. Holder of the design, who has issued two or more authorization to various representatives for the same design, the last authorization shall be valid.

**Article 80**  
**Submitting the authorization**

1. An industrial design representative that claims to be authorized to represent a natural or legal person at the Agency, but does not submit the authorization at the Agency to argument, shall be invited to submit a valid authorization within sixty (60) days from the date of the receipt of the invitation.
2. Upon request of the industrial design representative, the time limit may be extended for a maximum of sixty (60) days from the date of expiration of that time limit referred in paragraph 1. of this Article.
3. If industrial design representative does not submit valid authorization at the Agency within time limit and acts in his name, the action undertaken by the representative shall be deemed as not undertaken at all.

**Article 81**  
**Relationship to other rights of industrial property**

The provisions of this law shall not affect the application of other legal provisions related to trademarks or other distinctive signs, patents and provisions that regulate civil liability and unfair competition.

**Article 82**  
**Relationship with copyright**

Design protected by industrial design right registered in accordance with this Law, (in or in connection with the Republic of Kosovo), should be eligible for protection under the Law on Copyright and Related Rights, from the date when the design is created. The extent to and the conditions under which, such protection is given, including the level of originality required, shall be determined by the Law on Copyright and Related Rights.

**CHAPTER XIV**  
**PENALTY PROVISIONS**

**Article 83**  
**Penalty provisions**

1. A fine from five thousand (5000) to eight thousand (8000) Euros shall be applied to legal person, who during business activity in any form uses the products or services by violating the rights defined in Article 17 of this law.
2. A fine of two thousand (2000) to three thousand (3000) Euros shall be applied to the responsible person of legal person for violations according to Article 17 of this Law.
3. A fine of three thousand (3000) up to four thousand (4000) Euros shall be applied to natural person who during business activity in any form uses the products or services by violating the rights defined in Article 17 of this law.
4. In cases when the design is used conflicting provisions of this law, allegedly a criminal act has been committed, the provisions of the Criminal Code of Kosovo shall be applied.

**CHAPTER XV**  
**FINAL AND TRANSITIONAL PROVISIONS**

**Article 84**  
**Transitional provisions**

1. Article 58 of this Law shall be applied from the date of signing the Hague Agreement by the Republic of Kosovo, and as Republic of Kosovo enters European Union Article 59, 60, 61, 62 and 63 of this Law shall be applied from the date of accession.
2. For the whole registration procedures of industrial designs that have started before the day this Law enters into force, for which the Agency has not begun examination, procedures related to annulment or abrogation of design and procedures related to applications for registration of industrial designs revalidated provisions of this Law are applied.
3. In Article 8 paragraph 1. of this Law, the words “territory of the Republic of Kosovo” shall be replaced by the words “European Union” on the day of the accession of the Republic of Kosovo in the European Union.

**Article 85**  
**Issuance of Sub-Legal Acts**

Ministry of Trade and Industry shall issue sub-legal acts for implementation of this law, in terms of twelve (12) months, from entrance into force of this law.

**Article 86**  
**Bylaws applicable to the issuance of new Legislation**

Provided they are not inconsistent with this Law and by issuance of new legislation to implement fair and full of this law currently applicable laws shall remain in force as following:

- 1.1 Administrative Instruction No.11/2012 On Industrial Design Registration

**Article 87**  
**Abolishment provisions**

Upon entry into force of this Law, the law Nr.04/L-028 on Industrial Design shall be abolished.

**Article 88**  
**Entry into force**

This law shall enter into force fifteen (15) days after publication in the Official Gazette of the Republic of Kosovo.

**Law No. 05/L-058**  
**14 December 2015**

**President of the Assembly of the Republic of Kosovo**

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**Kadri VESELI**