



10 November 2022

(22-8395)

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

Original: English

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

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

<b>Notifying Member</b>	<b>AUSTRIA</b>
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**Details of the notified legal text**

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

**Brief description of the notified legal text**

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

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

**Notification details**

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

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