

Frequently Asked Questions

About

EPCH DESIGN REGISTER

Export Promotion Council For Handicrafts (EPCH) is an apex body of handicrafts exporters for promotion of exports of Handicrafts from country and projected India's image abroad as a reliable supplier of high quality of handicrafts goods & services and ensured various measures keeping in view of observance of international standards and specification. Further, the EPCH has been playing a pivotal role in providing help and assistance to its member exporters with regard to design & product development and technology up gradation.

Several times, it has been brought to EPCH notice that the conflicts arise between its members or sometime between its members and buyers about the designs being copied by one or other members of the Council. In order to resolve such issues, the Council has decided to create a dedicated platform for its members only, termed as Design Register so as to enable them to register their designs/products/material/article prepared or to be prepared.

Q1. What is Design Register at EPCH?

Ans1. Design Register at EPCH is an Online facility maintained by the EPCH through its own means with an sole objective to create awareness amongst its member Exporters only, and to facilitate them to register their design/products/material/article prepared or to be prepared/created or to be created/owned by them under the Design Register at EPCH subject to payment and registered with the Design Register at EPCH. Further, the Design Register at EPCH would work as a Code of Conduct of the handicrafts exporters, for the handicrafts exporters and by the handicrafts exporters.

The Design Register is maintained on online platform and can be accessed only in conflict resolution in presence of both the parties and design register Advisory committee. It shall be considered prima facie evidence for any matter and issue unless the contrary be produced by the other.

Q2. How will the Design Register Facilitate?

Ans2. A design or product registered under Design Register at EPCH shall always be having prerogative to establish its claim during all activities/events of EPCH whether in India or Overseas amongst EPCH members or otherwise.

The Design Register at EPCH shall facilitate as below:

- Registered designs can be used to stop the malpractices of infringement of Design by others.
- Registering your designs/products will add value to your business i.e. it will give Unique Selling Point (USP).

- Registering your designs in Design Register at EPCH is cost effective and time saving and less complicated than design registration with the competent government authorities.
- It will also give due acknowledgment to your Designs and will also Protect and give recognition to intellectual property rights.
- In case of any illegal display/exhibit of design at the exhibition, EPCH shall assist the actual and real owner in all manners including removal of those exhibits if the defaulter fails to satisfy in accordance with rules laid down.
- Maintain Complete confidentiality in relation to the Application maintained by EPCH.
- It will provide a specific registration number to the registered products with proper acknowledgement containing all the vital information for deciding the ownership of the product including i.e Date & Time of registration.
- A registered proprietor of the design is entitled to a protection of his intellectual property.
- In addition to other rights available, he/she Can sue for infringement, if his/her right is infringed by any person or entity.

Q3. What are the eligibility criteria to apply for Design Register at EPCH?

Ans3. A design under the Design Register at EPCH can be registered by any member of EPCH claiming to be the proprietor of any new or original design. Following are the eligibility criteria for any person or entity for submitting online application for their product/designs/creations under the Design Register maintained at EPCH:

- a. Valid membership of EPCH
- b. Must paid all the dues of membership in prior.
- c. Design being registered must be novel and must not be commercially exploited prior to date of registration.

The Artisans can also apply under the Design Register at EPCH:

Karigars/Artisans are also eligible for Design Register protection.

Rights given to Artisans to apply their design under the design Register at EPCH will not give any right to Artisans to claim membership of EPCH. The Artisans can apply, provided,

- Artisans should have valid Artisans ID Card.
- Artisans having valid artisans ID card have to submit a confirmation certificate from any member exporter of the EPCH to claim ownership and novelty of the design.

Q4. What is the procedure for registration under the Design Register at EPCH?

Ans4. For detailed stepwise procedure, we request you visit designregister.epch.in , For login into Design Register you have to click on “Register here”, and mention your

membership number. You will receive an OTP on your registered mobile number. Thereafter, you would view your data as per your membership details available with EPCH. At the time of registration, you will need the following details in hand:

EPCH Membership Number of your company/Firm.
PAN Number of your company/Firm.
GST number of the company/Firm.

Registration will complete only upon payment of online, one time enrolment fee for Design Register. Further you can add money to your online wallet and start registering your designs as per the applicable fee.

Q5. How to start registering your designs online on the Design Register at EPCH?

Ans5. The detailed stepwise process has been explained elaborately under in the Video Tutorial Link: <https://youtu.be/ul1RFi3bNh8>

However, in case you need any assistance, please email your query on designregister@epch.com or WhatsApp on +91 8750020692.

Q6. What is the function of Design Register Management Committee?

Ans6. The Design Register Management Committee will consist of selected people who will work in accordance with the laid rules and guidelines of Design Register.

- The Committee will function for any Conflict resolution during any ongoing fair/exhibition.
- The Committee will be the final decision making body in case of any conflict or claim of infringement of anyone's right.
- The decision of committee shall not be prejudice and will be in accordance with applicable rules.
- The Committee will have the powers to remove the exhibits/suspend the display of products during the fairs or till the resolution of the dispute/complaint by the appropriate body.

Q7. When is the right time to for applying for a design registration under the Design Register at EPCH?

Ans7. One should apply for design registration as close as possible to the date of creation of the design and before it made public either by use or publication, so that the design remains new at the time of such Application.

Q8. What's the difference between Design registrations with office of Controller General of patents, Design and Trade Marks and EPCH Design Register? Is there any link between the two?

Ans8. The Design Register at EPCH is totally separate and different from the Registration of Design by the Office of Controller General of Patents, Design and Trade Marks and the same will not in any supersedes the Office of Controller General of Patents, Design and Trade Marks. Design Register at EPCH is only to facilitate their members. The validation of Design Register is only in the domain of EPCH where only the registered exporter member of EPCH can avail the services of Design Register. Design Register is not related to the Controller General of Patents, Designs & Trade Marks in any way.

Q9. How can Design Register help exporter in case of any litigation and during fair?

Ans9. Design Register will help in the validation of your registered designs amongst members of EPCH only. It will be an effective tool to establish your claims on your registered designs. During the litigation, the design register with EPCH will assist the concerned members to establish its claims through proper proof and in fairs it will also provide priority to your rights subject to the rules applicable.

Q10. In case of exhibition/fair, someone makes copies the design of an exhibitor and get it registered during the ongoing fair/exhibition. Then in case of conflict, will the product registration made during the ongoing fair be counted?

Ans10. In such case, the company which has registered their design/product earlier with EPCH or the concerned registering body of government will have an advantage subject to production of documents in this regard. Further, if the creator has already registered their design/product under Design Register then the copied item registered later will be treated as copied on the basis of evidence i.e pdf receipt having date and time generated during the time of registration of design with EPCH Design Register. Registration of such erring company's design will not be considered as registered and same will be cancelled.

Q11. How does Design Register help member exporters in international fair?

Ans11. As stated, the Design Register provides right to register its design for its members only and in case anyone violates the design of any members during the international fairs then EPCH will fully assist its members in all manner. Secondly, this register will broadly cover the disputes between its members or buyers only.

Q12. Can sketch / pattern / proportion of a creation be submitted on Design Register ??

Ans12. Pattern and proportion can be registered provided the prototype should be developed within 45 days from the time of pattern/proportion registration.

Q13. Why should we follow Design Register? EPCH is a fair organizing body how such things should be implemented?

Ans13. Being the member of EPCH, one should comply the rules and regulations made by the EPCH to govern regulate the conducts of its members in order to ensure the integrity of trade fairs in terms of new and original design development. EPCH as a Council has taken an initiative to completely ban the plagiarism of design/products/creations and Design Register is the necessary tool in that direction. For proper implimentaion, EPCH has all the rules in place for the same.

Q14. How confidential Design Register is ? How secured the website is against hacking or leak of designs?

Ans14. The Design Register is maintained on an online portal and can be opened only in conflict resolution in presence of both the parties and Design Register Committee. The register of designs at EPCH shall be prima facie evidence for any matter and issue unless the contrary be produced by the other. Design Register is completely secured, the website has been integrated with SSL Certificate for digital security and also audited by cyber auditing agency empanelled by Ministry of IT, Govt. of India. EPCH has made all the possible efforts to make the Design Register fully confidential and done all necessary acts which protects its from hacking.

Disclaimer: The above mentioned FAQs are basic in nature and are only of illustrative nature for facilitation. However, specific cases/queries/claims shall be dealt as per specific guidelines of Design Register. Time to time EPCH will further edit such above illustrative FAQs
