

## Design FAQs

Select from the options below to ask a question about the Intellectual Property Office or this website.

What would you like information on?

[What is a design?](#)

[How do I search for a design?](#)

[How do I apply for design registration?](#)

[When will your application be processed?](#)

[How do I maintain my design registration?](#)

[Will New Zealand Design registration protect my Design overseas?](#)

[After your Design is registered](#)

[What happens if I forget to pay my renewal fee?](#)

[How do I request a refund?](#)

[How do I sell or licence my Design?](#)

[What can I do if my Design is copied?](#)

[Can my Design be cancelled after it is granted?](#)

If you haven't found your answer then [send us your question](#) and we'll get back to you.

### What is a design?

See [What is a design?](#)

### How do I search for a design?

See [How to check for existing](#) designs.

### How do I apply for design registration?

See [How to apply for a design.](#)

### When will your application be processed?

You can find the latest processing timeframes for Design applications and correspondence [here](#).

To track the progress of a particular application or correspondence you have submitted please see our View IP History service.

[VIEW NOW](#)

## How do I maintain my design registration?

See [Maintaining a design](#).

## Will New Zealand Design registration protect my Design overseas?

No. Each country has its own laws and practices regarding design registration. You will need to make separate applications in the countries in which you wish to protect your design.

If you do make an application overseas within six months of applying in New Zealand, you may be able to claim priority from your New Zealand application date in those overseas countries

## After your Design is registered

Once your design has been registered, it is your responsibility to ensure that it does not lapse.

## What happens if I forget to pay my renewal fee?

If you fail to pay your renewal fee within 6 months of the Renewal date your design will be removed from the Register of Designs. It is not possible to restore a lapsed Design registration to the design Register.

## How do I request a refund?

You may be eligible to a refund if the fees attached to your application, renewal, document or request for service, here after referred to as application, were overpaid.

For example:

- the fees paid were greater than fee required
- the fee was not required

All requests for refunds will be considered on a case by case basis depending on the nature of the overpayment. You need to write to us and request the refund. Written requests can take the form of a letter, fax or e-mail but must include the following information:

- receipt date
- receipt number
- how you paid the fees i.e. manual or online payment system
- amount you are requesting be refunded
- why you think a refund is payable
- name of person/organisation the refund is to be paid to

If you have paid the fees using our direct debit system, the refund will show as an adjustment on your next direct debit statement.

If you paid the fees by any other payment method your refund will be direct credited into your bank account unless you specify you would prefer a cheque. You will need to complete a Vendor Direct Credit form and attach it to your refund request so we have your bank account details.

Your refund request and [Vendor Direct Credit form \[116 kB PDF\]](#) (if applicable) should be forward to our Corporate Services team.

Please note that refunds will not be processed in the following circumstances:

- a) Where the applicant has chosen to pay GST with their application. If the fees attached to an application include GST, the office will assume GST is payable by the applicant and receipt that GST.
- b) Refunds will not be processed once an application has been receipted and work has commenced on, or been completed on processing the application.

You can choose to pay for all IPONZ fee-bearing services by direct debit account or credit card giving you more certainty that fees will not be overpaid or underpaid. Credit card authorisation forms are attached to all forms for fee bearing transactions.

You can set up a direct debit account online. For more information please see [How do I manage my login?](#)

## How do I sell or licence my Design?

If you wish to change the ownership of your design. You are advised to seek legal advice when drafting your contract.

Iponz does not assist with the drafting of contracts between parties, nor does it provide forms.

## What can I do if my Design is copied?

You can advise the other party that you have a registered design and ask them to stop the action

We recommend that you do not threaten any legal action without seeking professional legal advice.

IPONZ cannot assist you if your design copyright is infringed.

## Can my Design be cancelled after it is granted?

Yes. It can be cancelled or rectified. The Commissioner and the High Court can cancel or rectify a registered design for a number of reasons, including, but not only, because:

- the design was not new and original; or
- the design was granted to a person who was not entitled to apply for it.

When a registered design is cancelled the proprietor loses the right to have sole use of that design.