COMMENTS ON CONCEPT NOTE: PROPOSED AMENDMENT TO THE DESIGNS ACT, 2000

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Introduction

This note provides comments on the Concept Note[1] published by the government of India proposing a set of amendments to the Designs Act (2000).[2] The Concept Note accurately describes a set of amendments needed to bring Indian procedural law into conformity with the harmonized framework established by the DLT and its Regulations.[3] It also introduces a series of broader reforms addressing subject matter scope, enforcement mechanisms, duration of protection, and the relationship between design and copyright law that are not required by the DLT. In addition, it proposes to join the Hague Agreement, which is not itself required by the DLT. While the substantive reforms and joining the Hague Agreement are consistent with the DLT's requirements, they are not required by the DLT and may raise policy questions as to the scope of design law that will best further India's industrial policy interests.

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[1] Department for Promotion of Industry and Internal Trade, *Concept Note: Proposed Amendment to the Designs Act, 2000*(January 2026), Government of India, https://www.dpiit.gov.in/static/uploads/2026/01/791a71ebde47d93b67560f7394be2fec.pdf
[2] India Design Act, 2000 at https://www.indiacode.nic.in/bitstream/123456789/1917/1/200016.pdf
[3] Riyadh Design Law Treaty, WIPO at https://www.wipo.int/wipolex/en/treaties/textdetails/19853; Regulations Riyadh Design Law Treaty, WIPO at https://www.wipo.int/wipolex/en/text/594067.

1. Virtual Designs Protection

India's Proposal

India is proposing to amend the Designs Act to protect graphical user interfaces (GUIs), icons, animations, and other virtual designs. Although the 2021 amendment to the Designs Rules aligned classification with the Locarno system to include GUIs and virtual designs, the Designs Act (2000) continues to refer to physical articles, creating uncertainty for digital designs. The proposal seeks to revise the definitions of "design" and "article" to include virtual and non-physical forms, including animated and screen-based designs, and to make related changes to infringement provisions so that protection does not depend on physical embodiment.

DLT Comparison and Analysis

India's proposal to amend the Designs Act to expressly protect GUIs, icons, animated designs, and other virtual or non-physical designs is compatible with the DLT and its Regulations adopted on 22 November 2024.

Article 2(1) of the DLT establishes that "[n]othing in this Treaty or the Regulations is intended to be construed as prescribing anything that would limit the freedom of a Contracting Party to prescribe such requirements of the applicable substantive law relating to industrial designs as it desires".[4] This provision clearly confirms that the Treaty does not harmonize substantive design law.[5] It does not define what constitutes an "industrial design," nor does it limit the categories of designs that a Contracting Party may choose to protect. Consequently, a national decision to

[4] Article 2 (originally Article 1bis) was introduced during the 2015 deliberations of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT/35/2) as a response to concerns surrounding disclosure requirements and to clarify that the treaty framework was confined to procedural harmonisation rather than substantive unification. Article 2(1) expressly provides that "[n]othing in this Treaty or the Regulations is intended to be construed as prescribing anything that would limit the freedom of a Contracting Party to prescribe such requirements of the applicable substantive law relating to industrial designs as it desires." This provision was deliberately modelled on Article 2(2) of the Patent Law Treaty, which contains an analogous safeguard for substantive patent law, and reflects the same structural logic as Article 27(5) of the Patent Cooperation Treaty, which similarly emphasises that treaty provisions, particularly those relating to prior art, operate exclusively for procedural purposes and do not constrain national substantive standards of patentability. Together, these parallels underscore a consistent treaty-making strategy aimed at facilitating broad international participation by insulating procedural convergence from substantive legal harmonisation.

[5] The treaty's targeted approach toward procedural harmonization echoes earlier WIPO instruments like the Patent Law Treaty and the Singapore Treaty on the Law of Trademarks. See also WIPO | EUR-Lex, Proposal for a Council Decision Authorising the Opening of Negotiations on the Design Law Treaty (COM(2024) 232 final, 6 June 2024), explicitly notes that the DLT aims to harmonize procedural formalities, such as filing requirements and grace periods, while not addressing substantive definitions of "design" at https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX%3A52024PC0232&utm_source=chatgpt.com.

extend protection to virtual, animated, or non-physically embodied designs falls within the substantive autonomy expressly preserved by Article 2(1)[6].

With respect to application formalities, Article 4 sets out an exhaustive list of permissible requirements.[7] Among these is the requirement for "a representation of the industrial design" (Article 4(1)(a)(v)) and "an indication of the product or products which incorporate the industrial design, or in relation to which the industrial design is to be used" (Article 4(1)(a)(vi)).[8] The wording does not restrict the "product" to a physical object. It refers more broadly to products that incorporate the design or in relation to which it is to be used.[9]

Assessment

The DLT's definitions are sufficiently flexible to accommodate screen-based images, sequences of views showing movement, or other visual depictions of digital designs. While extending design protection to GUIs and other visual representations is permissible under the DLT, one should note that there is significant criticism by scholars of this approach, especially in the United States of America, where such protection is often granted. The criticisms include:

- Expanding design patents to GUIs allows applicants to evade the inherent limits of copyright law, such as the requirement for copying and the fair use defense, which do not exist in the design patent regime;
- In the US, design patents have been granted for digital designs that fail to meet even the minimal "originality" or creativity standards required for copyright (often referred to as the *Feist* standard);

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[6] Riyadh Design Law Treaty, WIPO, article 2. Article 3(2) reinforces this conclusion by providing that the Treaty "shall apply to industrial designs that can be registered as industrial designs … under the applicable law". The scope of protectable subject matter is therefore determined by national law. If India amends its legislation to recognize GUIs, animations or other virtual creations as "industrial designs," those designs would automatically fall within the procedural framework of the Treaty. The Treaty neither requires nor presupposes that an industrial design must be embodied in a tangible product.

[7] Article 4 introduces a closed list of permissible requirements in a design application, thereby curbing arbitrary and burdensome national administrative practices. This includes the applicant's identity, a representation of the design, and requisite fees. Importantly, Article 4(2) permits, but does not compel, additional disclosures relevant to eligibility, thereby accommodating national interests in transparency, especially concerning traditional knowledge (TK), traditional cultural expressions (TCEs). The South Centre policy brief (supra 16) highlights that developing countries secured the option for disclosing traditional knowledge and cultural expressions. See also Bagley, Margo A., 'Ask Me No Questions,' the Struggle for Disclosure of Cultural and Genetic Resource Utilization in Design Law (May 31, 2018). Vanderbilt Journal of Entertainment & Technology Law, Forthcoming, Emory Legal Studies Research Paper, Available at SSRN: https://ssrn.com/abstract=3188591: "by delineating a closed list of application requirements that countries can impose on applicants, the DLT in effect moves beyond formalities to placing substantive limits on countries in relation to design registration". See also Sean Flynn & Luca Schirru, Developing Countries' Accomplishments in the WIPO Design Law Treaty, InfoJustice Blog (Jan. 24, 2025), https://infojustice.org/archives/46073

[8] Riyadh Design Law Treaty, WIPO, article 4

[9] Regulations Riyadh Design Law Treaty, Rule 3(1) provides that the representation of the industrial design may take the form of photographs, graphic reproductions, "any other visual representation admitted by the Office," or a combination thereof.

- While design patents are intended to protect only "ornamental" (non-functional) appearances, user interfaces inherently incorporate significant functional elements, leading to a system where designers may gain a "functional equivalent" of a utility patent through the design patent system.[10]

The inclusion of GUI protection in the proposal could raise concerns for India's vibrant cell phone industry. India's mobile phone industry has transformed into the second-largest global manufacturer as of 2025, with 99.2% of phones sold domestically being manufactured within the country. India has grown from just two mobile manufacturing units in 2014 to over 300 today. It currently manufactures more than 325–330 million mobile phones annually. The Indian smartphone industry in India has long faced challenges from international brands over uses of GUIs. Indian Patent Office (IPO) has frequently rejected GUI design applications (such as those from Amazon and UST Global) on the grounds that a GUI is not an "article of manufacture." The office argued that GUIs are software-driven, visible only when a device is "ON," and lack the "constant eye appeal" required for design protection. In *UST Global (Singapore) Pte Ltd v. Controller of Patents*, the Calcutta High Court held that GUIs can be considered a "design" as they appeal to the eye and influence consumer decisions but the IPO has continued to refuse the UST Global application upon reconsideration. Beyond registration disputes, tech giants like Zoom have contemplated legal action against Indian platforms like JioMeet for allegedly similar user interfaces,[11] though such actions are often framed as copyright infringement due to the design registration hurdles mentioned above.

3. Design-Copyright Interface

India's Proposal

India is proposing to amend Section 15(2) of the Copyright Act (1957)[12] to allow copyright protection to continue for designs that are registrable under design law but remain unregistered, while limiting that copyright protection to a maximum term of 15 years.[13] At present, Section 15(1) of the Copyright Act (1957) excludes copyright protection for designs that are registered under the Designs Act (2000). However, Section 15(2) provides that where a design is capable of being registered under design law but is not registered, copyright in that work ceases once it has been reproduced more than fifty times by an industrial process. The objective is to reconcile copyright and design law by permitting protection while preventing long-term copyright monopolies over subject matter more appropriately governed by design law.

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[10] See Sarah Burstein, Uncreative Designs, 73 Duke Law Journal 1437-1499 (2024)
[11] See Devina Sengupta, Held discussions on legal action against JioMeet: Zoom India Head (ETTelecom, 2020), https://telecom.economictimes.indiatimes.com/news/shocked-zoom-may-take-legal-action-against-jiomeet/76866372
[12] See India Copyright Act (Act No. 14 of 1957, amended up to Act No. 18 of 2023), https://www.wipo.int/wipolex/en/legislation/details/22949.
[13] Department for Promotion of Industry and Internal Trade, *Concept Note: Proposed Amendment to the Designs Act, 2000*(January 2026), Government of India, https://www.dpiit.gov.in/static/uploads/2026/01/791a71ebde47d93b67560f7394be2fec.pdf

DLT Comparison and Analysis

This proposal falls entirely outside the scope of the Treaty. The DLT does not regulate the relationship between industrial design protection and copyright protection.

Assessment

India's proposed reform of Section 15(2), permitting copyright protection for registrable but unregistered designs while limiting its term to 15 years, raises no compatibility issues under the DLT. It may, however, raise concerns under the Berne Convention, which states that the minimum term of copyrights over works of authorship must be 50 years after the life of the author.

4. Grace Period for Disclosure

India's Proposal

Under the current Section 21 of the Indian Designs Act, a six-month grace period is available only for disclosures made at exhibitions notified by the Central Government. The proposal seeks to replace this with a general 12-month grace period covering disclosures made in any manner. It would also allow applicants to test products in the market before filing, while requiring applications to be submitted within 12 months of disclosure.

DLT Comparison and Analysis

India is not required by the DLT to change its current grace period. Article 7, mandating a 12 month grace period provided the disclosure was made by the creator or successor in title, or by a person who obtained the information directly or indirectly from them, [14] is subject to a reservation in Article 31(2) (2) by any member "whose applicable law at the date it becomes a party to this Treaty does not comply."

Assessment

[14] Riyadh Design Law Treaty, WIPO, Article 7. Article 7 addresses the grace period, namely the time during which a public disclosure of a design does not destroy its novelty or originality for a subsequent application. During the DLT negotiations, significant debate arose over the length of the period, the identity of the disclosing party, and the scope of protection against pre-filing disclosures. Divergent national positions led to a compromise: the Treaty establishes a twelve-month grace period for disclosures made by, or derived from, the creator, while allowing Contracting Parties to enter a reservation excluding the application of Article 7. This solution preserves national policy flexibility while maintaining the Treaty's harmonized framework. See WIPO Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications, Third Special Session − Preparation of the Basic Proposal for the Diplomatic Conference to Conclude and Adopt a Design Law Treaty (DLT) Geneva, October 2 to 6, 2023, at https://www.wipo.int/meetings/en/details.jsp?meeting_id=76268

If the reform were to extend the grace period to disclosures made independently by unrelated third parties, it would exceed the scope of Article 7, which does not cover such disclosures. Complying with the DLT's grace period requirement is completely optional for India, however. During the DLT negotiations, India opposed eliminating the six-month option and argued that Contracting Parties, particularly developing countries, should retain flexibility in determining the appropriate duration of any grace period[15]. Policy concerns about longer grace periods include that they may introduce marketplace uncertainty, delay registrations, and favor large foreign firms over local industries.[16]

5. Deferred Publication

India's Proposal

The reform would allow an applicant, at the time of filing and upon payment of a prescribed fee, to request that publication be deferred for up to 30 months. During this period, the design and related documents would remain confidential. The proposal also incorporates procedural safeguards and remedial adjustments. An innocent infringer defence would apply where infringement occurs during the deferment period and the defendant had no knowledge of the registration. In such cases, damages or account of profits would not be available for acts committed before publication or notice, although injunctive relief may still be granted once the defendant becomes aware of the design.

Under the current Designs Act, 2000, designs are published upon registration and no option exists to delay publication.

DLT Comparison and Analysis

The DLT requires a six month deferment period,[17] and permits a Contracting Party to require that a request for deferment be made and that a fee be paid.[18] The DLT does not regulate substantive consequences of deferred publication. It does not address infringement liability during the deferment period, innocent infringer defenses, damages limitations, or the availability of injunctive relief.

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[15] SCT/S3, India: "The Delegation of India does not support the proposal to amend Article 6 by deleting 6 months. The Delegation of India is of the opinion that both options of 6 and 12 months may be retained as such. With regard to the other proposals, the Delegation of India would need more time to study these proposals." Nigeria, and several members of the African Group also opposed eliminating the six-month option.

[16] See Syam, Nirmalya (2024) Towards a Balanced WIPO Design Law Treaty (DLT) for Developing Countries. South Centre Policy Brief n. 132, https://www.southcentre.int/wp-content/uploads/2024/11/PB132_Towards-a-Balanced-WIPO-Design-Law-Treaty-DLT-for-Developing-Countries_EN.pdf

[17] Article 10(1) of the DLT provides that "[a] Contracting Party shall allow the industrial design to be maintained unpublished for a period fixed by its applicable law, subject to the minimum period prescribed in the Regulations." The Regulations Rule 6 states that the minimum period referred to in Article 10(1) "shall be six months from the filing date".

[18] Article 10(2).

The Hague Agreement (specifically the 1999 Geneva Act) allows countries to opt out of its provision providing for a 30-month deferral period. The Hague Agreement sets a maximum deferment period of 30 months, and makes a 30 month deferral the default, countries may have shorter deferment periods through official declarations.[19]

Assessment

India's proposal of a deferment period of up to 30 months exceeds the DLT's minimum period of 6 months and is not required for Hague Agreement accession. A 30 month period is the more common standard among Hague Agreement members, and thus supports harmonization of requirements for international filers. Some of the policy implications of a longer deferment period include:

- Lack of Public Records: A 30-month deferral means a design may remain secret for 2.5 years after filing. Indian manufacturers may unknowingly invest in developing and launching products that infringe on these "hidden" registered designs.
- Chilled Competition: Businesses may hesitate to innovate in certain sectors if they cannot verify which aesthetic features are already legally protected, leading to a "wait-and-see" approach that stifles market dynamism.
- Enforcement Risks: Since designs are not published during the deferral, third parties cannot easily conduct thorough "freedom-to-operate" searches. This increases the risk of litigation once the design is finally published and the owner begins enforcement. To mitigate this, the Department for Promotion of Industry and Internal Trade (DPIIT) Concept Note proposes an "innocent infringer" defence. However, relying on this defence in court can still be expensive and time-consuming for Micro-, Small and Medium-sized Enterprises (MSMEs) and startups.
- Extended Secrecy: In fast-moving industries like fashion and consumer electronics, a 30-month window far exceeds the typical lifecycle of a trend.
- Barriers to Iteration: Competitors are barred from legally "designing around" or improving upon a protected aesthetic if they cannot see the original filing, effectively extending the practical monopoly beyond the intended term.
- Resource Imbalance: While large corporations use 30-month deferrals to coordinate global launches, smaller Indian firms may lack the legal resources to monitor these delayed publications or fight infringement claims that surface years after they have entered the market.
- Capital Lock-up: Startups may find it harder to secure investment if they cannot provide a clear, public "patent/design map" of their competitive landscape due to the large volume of unpublished filings.

5. Statutory Damages

[19] Article 11(1)(a); See https://www.wipo.int/en/web/hague-system/guide/introduction#:~:text=Deferred%20publication%20for%20a%20period.of%20the%20allowable%20deferment%20period.

India's Proposal

The Concept Note proposes to introduce statutory damages for willful infringement of registered designs. Under the proposal, a court may award statutory damages having regard to the nature of the infringement and the scale of the infringer's business. The award would be available in cases where proof of actual damages is not feasible. The proposal also provides for higher statutory damage bands in cases of repeat infringement, thus becoming more akin to punitive damages. The current Designs Act requires a rights holder to prove actual loss or seek an account of profits.

DLT Comparison and Analysis

The proposal to introduce statutory damages for willful design infringement concerns the substantive enforcement framework of industrial design law, and therefore is outside of the matters governed by the DLT.

The World Trade Organization Agreement on Trade-Related Intellectual Property Rights requires only that judicial authorities have the authority to order the infringer to pay "damages adequate to compensate for the injury the right holder has suffered." Article 45(1). TRIPS permits recovery of profits and/or pre-established (i.e., statutory) damages where appropriate, Art. 45(2), but does not require countries to have statutory or punitive damages systems.

Assessment

The proposal to introduce statutory damages falls entirely outside the scope of the DLT as is consistent with, but not required by, the WTO TRIPS agreement. The primary policy concern with statutory damages occurs if the level of damages is set higher than the amount that would compensate for any actual harm caused to the rights owner. In such a case, it may over-deter competitive industries and thus have a negative effect on competition and local industry production.

6. Term of Protection

India's Proposal

The proposal would restructure the term of protection into a "5+5+5" model, which would allow for an initial 5-year term followed by two successive 5-year renewals. Under current Indian law, design registrations are granted for an initial term of 10 years, which can be extended once for an additional 5 years, resulting in a maximum total of 15 years.

DLT Comparison and Analysis

DLT Article 13 regulates the formalities for renewal, such as the possibility of requiring a request and the payment of a fee, but it does not prescribe the length of the initial term or the total

maximum duration of protection. The Hague Agreement Concerning the International Registration of Industrial Designs (1999), Article 17(1), provides that international registrations are initially valid for five years and may be renewed for additional period(s) of five years, subject to the maximum duration permitted by the law of each designated Contracting Party. The Hague Agreement thus suggests a minimum of 10 years, but does not impose a ceiling.

Assessment

Adopting a "5+5+5" structure for term and renewals would not conflict with the DLT or the Hague Agreement. Moving to a 5+5+5 structure, rather than the current 10+5 structure in the current law will likely benefit the Indian industry in a number of ways. These include:

- It may decrease the number of "deadweight" design protections that are no longer in use;
- For smaller businesses and startups, the 5-year increments allow for lower upfront costs, as they only pay for continued protection if the design remains profitable;
- The structure aligns with the Hague System and the DLT, facilitating easier international filings for Indian exporters by standardising renewal timelines.

India could, however, shorten the total term to 10 years by adopting the 5+5-year minimum term of the Hague Convention. Some of the policy implications of a longer term include:

- Balancing Monopoly and Innovation: Extending protection to 15 years through staged renewals increases the potential period of monopoly and thus may deter innovators who seek to build upon the aesthetic features of dominant providers. This may have particular effects in consumer electronics, such as cell phones, where India has substantial interest;
- Conflict with Trademark Law: There is a concern that companies may use the 15-year design term and then attempt to transition to trademark protection for the same shape or pattern. This could effectively circumvent legislative intent by securing indefinite protection for an aesthetic that was meant to enter the public domain after 15 years. The law could introduce a ban on using a trademark in this way.

7. Multiple Designs and Divisional Applications

India's Proposal

India proposes to permit the filing of multiple designs falling within the same class in a single design application. At present, separate applications are required for each design.

DLT Comparison and Analysis

DLT permits, but does not require, multiple designs to be included in the same application. Article 4(4) of the DLT provides that, "[s]ubject to such conditions as may be prescribed under the applicable law, an application may include more than one industrial design." Article 9(1)

provides that where an application includes more than one industrial design and does not comply with national conditions prescribed under Article 4(4), the Office may require the applicant, at their option, either to amend the application or to divide it into two or more divisional applications.

The Hague Agreement requires that the international filing process allow applicants to include up to 100 designs in a single application through WIPO. But the Hague Agreement would not require that India change its domestic single application requirement. Article 13(1) of the Hague Agreement provides that any member “whose law, at the time it becomes party to this Act, requires that … only one independent and distinct design may be claimed in a single application, may, in a declaration, notify the Director General accordingly. However, no such declaration shall affect the right of an applicant to include in the same international application two or more industrial designs”.

Assessment

India is not required to change its single application rules by the DLT or Hague Agreement. Allowing multiple designs in a single application raises several policy concerns:

- Procedural complexity: If multiple distinct designs are bundled into one application, a single objection or technical defect in one design could delay the registration of all other designs in that file. To mitigate this, the DPIIT has simultaneously proposed "divisional applications," allowing applicants to split problematic filings. However, this adds a layer of procedural complexity and potentially higher legal costs for applicants and administrative costs to the government. Permitting multiple designs (up to 100 in some international systems) could overwhelm the Indian Design Office. This might lead to less rigorous substantive examination, resulting in the grant of "weak" registrations that are easier to challenge later.
- Class Consistency Challenges: Designs in a multi-design application must typically belong to the same Locarno Class. Misclassification issues could become more frequent as applicants try to group diverse products together to save on fees.
- Heavier Search Burden: For Indian MSMEs, conducting "freedom-to-operate" searches becomes more difficult. Instead of searching individual registrations, they may have to navigate complex multi-design files to ensure their new products do not infringe on any of the variants hidden within a single registration number.
- Anti-Competitive Practices: There is a concern that large corporations might use multi-design filings to "flood" the register with minor variants of a single product, creating a "thicket" that effectively blocks smaller competitors from innovating in that space.
- Complex Infringement Suits: In litigation, a single case involving multiple designs from one application can become significantly more expensive and time-consuming to defend or prosecute compared to a case focused on a single registered design.
- Statutory Damages Interaction: With the proposal of Statutory Damages, the stakes of infringing even one variant within a multi-design registration are much higher, potentially leading to aggressive "patent troll" style behavior by larger entities.

8. Introduction of a Chapter on International registrations under the Hague System

India's Proposal

The Concept Note proposes to accede to the Hague Agreement.

DLT Comparison and Analysis

Article 2(2) of the DLT expressly provides that "[n]othing in this Treaty shall derogate from any obligations that Contracting Parties have to each other under any other treaties".

Assessment

Participation in the Hague Agreement is fully compatible with the DLT framework. Joining the Hague Agreement may raise policy concerns primarily around the effect of making it easier for international filers to protect their creations in India through a single WIPO application, without needing a local agent initially. This could lead to a surge in foreign-owned design registrations, potentially "crowding out" domestic MSMEs in sectors like fashion and consumer electronics. There may also be increased administrative burdens from an influx of international applications.

9. Disclosures of Traditional Knowledge and Other Elements Relevant to Registration (Article 4)

Article 4(2) of the DLT permits Contracting Parties to require, where allowed under applicable law, disclosure of "information relevant to eligibility," "including information on traditional cultural expressions and traditional knowledge."[20] The Treaty does not mandate such disclosure, but it leaves space for national legislation to introduce it. India could therefore use this flexibility to require disclosure, in appropriate cases, of the use of TK, TCEs, genetic resources, in the creation of designs. In the DLT negotiations, other relevant disclosures were discussed by stakeholders and member states, including of public funding or the use of artificial intelligence (AI) in the creation of a design.[21]

Under the current Indian Designs Act, 2000, there is no general requirement to disclose the use of TK, TCEs, genetic resources, or AI in the creation of a design. Accordingly, if India wishes to introduce disclosure requirements concerning TK's, TCE's or AI-generated inputs in the design context, legislative amendment would be required.

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[20] (2) [Indication of Information] A Contracting Party may require, where permitted under the applicable law, that an application contain an indication of any prior application or registration, or of other information, including information on traditional cultural expressions and traditional knowledge, of which the applicant is aware, that is relevant to the eligibility for registration of the industrial design.

[21] See KEI Briefing Note 2024:8. The Basic Proposal for the Design Law Treaty (DLT) and its inappropriate restrictions on transparency. https://www.keionline.org/40332

Conclusion

Overall, the proposed amendments appear structurally compatible with the DLT and its Regulations, provided that the procedural ceilings established by Articles 4 and 6 are respected and that filing date requirements are not expanded beyond the Treaty's closed lists. Other proposed reforms, such as expansion of protectable subject matter to virtual designs, restructuring of the term of protection, introduction of statutory damages, and recalibration of the design–copyright interface, fall outside the procedural scope of the DLT.