

*Status: Point in time view as at 01/12/1996.*

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Paragraph 44. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 4

#### THE REGISTERED DESIGNS ACT 1949 AS AMENDED ARRANGEMENT OF SECTIONS

**Modifications etc. (not altering text)**

**C1** Sch. 4 extended (with modifications) (Isle of Man) (9.12.2001) by [S.I. 2001/3678](#), [art. 3](#), [Sch. 3](#)

#### *Supplemental*

#### *Interpretation.*

44 (1) In this Act, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned by them, that is to say—

“Appeal Tribunal” means the Appeal Tribunal constituted and acting in accordance with section 28 of this Act as amended by the Administration of Justice Act 1969;

“article” means any article of manufacture and includes any part of an article if that part is made and sold separately;

“artistic work” has the same meaning as in Part I of the Copyright, Designs and Patents Act 1988;

“assignee” includes the personal representative of a deceased assignee, and references to the assignee of any person include references to the assignee of the personal representative or assignee of that person;

“author”, in relation to a design, has the meaning given by section 2(3) and (4);

... ..

“corresponding design”, in relation to an artistic work, means a design which if applied to an article would produce something which would be treated for the purposes of Part I of the Copyright, Designs and Patents Act 1988 as a copy of that work;

“the court” shall be construed in accordance with section 27 of this Act;

“design” has the meaning assigned to it by section 1(1) of this Act;

“employee”, “employment” and “employer” refer to employment under a contract of service or of apprenticeship;

... ..

“prescribed” means prescribed by rules made by the Secretary of State under this Act;

“proprietor” has the meaning assigned to it by section two of this Act;

“registered proprietor” means the person or persons for the time being entered in the register of designs as proprietor of the design;

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“registrar” means the Comptroller-General of Patents Designs and Trade Marks;

“set of articles” means a number of articles of the same general character ordinarily on sale or intended to be used together, to each of which the same design, or the same design with modifications or variations not sufficient to alter the character or substantially to affect the identity thereof, is applied.

- (2) Any reference in this Act to an article in respect of which a design is registered shall, in the case of a design registered in respect of a set of articles, be construed as a reference to any article of that set.
- (3) Any question arising under this Act whether a number of articles constitute a set of articles shall be determined by the registrar; and notwithstanding anything in this Act any determination of the registrar under this subsection shall be final.
- (4) For the purposes of subsection (1) of section 14 and of section 16 of this Act, the expression “personal representative”, in relation to a deceased person, includes the legal representative of the deceased appointed in any country outside the United Kingdom.

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