



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART III

DESIGN RIGHT

CHAPTER I

DESIGN RIGHT IN ORIGINAL DESIGNS

Introductory

215 Ownership of design right.

(1) The designer is the first owner of any design right in a design which is not created ^{F1}... in the course of employment.

^{F2}(2)

(3) Where ^{F3}... a design is created by an employee in the course of his employment, his employer is the first owner of any design right in the design.

(4) If a design qualifies for design right protection by virtue of section 220 (qualification by reference to first marketing of articles made to the design), the above rules do not apply and the person by whom the articles in question are marketed is the first owner of the design right.

Textual Amendments

F1 Words in s. 215(1) omitted (1.10.2014) by virtue of [Intellectual Property Act 2014 \(c. 18\)](#), **ss. 2(1)(a), 24(1)** (with s. 2(3)); [S.I. 2014/2330](#), art. 3, Sch.

F2 S. 215(2) omitted (1.10.2014) by virtue of [Intellectual Property Act 2014 \(c. 18\)](#), **ss. 2(1)(b), 24(1)** (with s. 2(3)); [S.I. 2014/2330](#), art. 3, Sch.

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 215. (See end of Document for details)

F3 Words in s. 215(3) omitted (1.10.2014) by virtue of Intellectual Property Act 2014 (c. 18), **ss. 2(1)(c), 24(1)** (with s. 2(3)); S.I. 2014/2330, art. 3, Sch.

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 215.