



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART III

DESIGN RIGHT

CHAPTER I

DESIGN RIGHT IN ORIGINAL DESIGNS

Dealings with design right

223 Prospective ownership of design right.

- (1) Where by an agreement made in relation to future design right, and signed by or on behalf of the prospective owner of the design right, the prospective owner purports to assign the future design right (wholly or partially) to another person, then if, on the right coming into existence, the assignee or another person claiming under him would be entitled as against all other persons to require the right to be vested in him, the right shall vest in him by virtue of this section.
- (2) In this section—
 - “future design right” means design right which will or may come into existence in respect of a future design or class of designs or on the occurrence of a future event; and
 - “prospective owner” shall be construed accordingly, and includes a person who is prospectively entitled to design right by virtue of such an agreement as is mentioned in subsection (1).
- (3) A licence granted by a prospective owner of design right is binding on every successor in title to his interest (or prospective interest) in the right, except a purchaser in good faith for valuable consideration and without notice (actual or constructive) of the licence or a person deriving title from such a purchaser; and references in this Part

Changes to legislation: *There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 223. (See end of Document for details)*

to doing anything with, or without, the licence of the design right owner shall be construed accordingly.

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 223.