



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART III U.K.

#### DESIGN RIGHT

### CHAPTER IV U.K.

#### JURISDICTION OF THE COMPTROLLER AND THE COURT

##### *Jurisdiction of the court*

#### **251 References and appeals on design right matters. U.K.**

- (1) In any proceedings before him under section 246 (reference of matter relating to design right), the comptroller may at any time order the whole proceedings or any question or issue (whether of fact or law) to be referred, on such terms as he may direct, to the High Court or, in Scotland, the Court of Session.
- (2) The comptroller shall make such an order if the parties to the proceedings agree that he should do so.
- (3) On a reference under this section the court may exercise any power available to the comptroller by virtue of this Part as respects the matter referred to it and, following its determination, may refer any matter back to the comptroller.
- (4) An appeal lies from any decision of the comptroller in proceedings before him under section 246 (decisions on matters relating to design right) to <sup>F1</sup>—
  - (a) the High Court or, in Scotland, the Court of Session <sup>F2</sup>, or
  - (b) a person appointed under section 27A of the Registered Designs Act 1949].

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**Changes to legislation:** There are currently no known outstanding effects for the  
Copyright, Designs and Patents Act 1988, Section 251. (See end of Document for details)

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#### Textual Amendments

- F1** Words in s. 251(4) renumbered as s. 251(4)(a) (6.4.2015) by [Intellectual Property Act 2014 \(c. 18\)](#), [ss. 10\(8\)\(a\)](#), 24(1); S.I. 2015/165, art. 3
- F2** S. 251(4)(b) and word preceding it inserted (6.4.2015) by [Intellectual Property Act 2014 \(c. 18\)](#), [ss. 10\(8\)\(b\)](#), 24(1); S.I. 2015/165, art. 3

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 251.