



Registered Designs Act 1949

CHAPTER 88

REGISTERED DESIGNS ACT 1949

Registrable designs and proceedings for registration

- 1 Registration of designs.
- 1A Substantive grounds for refusal of registration.
- 1B Requirement of novelty and individual character.
- 1C Designs dictated by their technical function.
- 1D Designs contrary to public policy or morality.
- 2 Proprietorship of designs.
- 3 Applications for registration.
- 3A Determination of applications for registration.
- 3B Modification of applications for registration.
- 3C Date of registration of designs.
- 3D Appeals in relation to applications for registration.
- 4 Registrable designs and proceedings for registration
- 5 Provisions for secrecy of certain designs.
- 6 Registrable designs and proceedings for registration

Effect of registration, etc.

- 7 Right given by registration.
- 7A Infringements of rights in registered designs.
- 7B Right of prior use
- 8 Duration of right in registered design.
- 8A Restoration of lapsed right in design.
- 8B Effect of order for restoration of right.
- 9 Exemption of innocent infringer from liability for damages.
- 10 Effect of registration,
- 11 Cancellation of registration.
- 11ZA Grounds for invalidity of registration.

Changes to legislation: Registered Designs Act 1949 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 11ZB Applications for declaration of invalidity.
- 11ZC Determination of applications for declaration of invalidity.
- 11ZD Modification of registration.
- 11ZE Effect of cancellation or invalidation of registration.
- 11ZF Appeals in relation to cancellation or invalidation.
- 11A Powers exercisable for protection of the public interest.
- 11AB Powers exercisable following merger and market investigations
- 11B Effect of registration,
 - 12 Use for services of the Crown.
- 12A Application of the Act to certain registered Community designs
- 12B Application of the Act to certain international designs

International Arrangements

- 13 Orders in Council as to convention countries.
- 14 Registration of design where application for protection in convention country has been made.
- 15 Extension of time for applications under s. 14 in certain cases.
- 15ZA Accession to the Hague Agreement

Property in and dealing with registered designs and applications

- 15A The nature of registered designs
- 15B Assignment, &c of registered designs and applications for registered designs
- 15C Exclusive licences
- 16 International Arrangements

Register of designs, etc .

- 17 Register of designs etc.
- 18 Certificate of registration.
- 19 Registration of assignments, etc.
- 20 Rectification of register.
- 21 Power to correct clerical errors.
- 22 (1) Where a design has been registered under this Act,...
- 23 Information as to existence of right in registered design.

Legal proceedings: general

- 24A Action for infringement
- 24B Exemption of innocent infringer from liability
- 24C Order for delivery up
- 24D Order as to disposal of infringing articles, &c
- 24E Jurisdiction of county court and sheriff court
- 24F Rights and remedies of exclusive licensee
- 24G Meaning of “infringing article”
 - 24
 - 25 Certificate of contested validity of registration.
- 25A Privilege for communications with those on the special list of professional designs representatives

Unjustified threats

- 26 Threats of infringement proceedings

Changes to legislation: Registered Designs Act 1949 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 26A Actionable threats
- 26B Permitted communications
- 26C Remedies and defences
- 26D Professional advisers
- 26E Supplementary: pending registration
- 26F Supplementary: proceedings for delivery up etc.

Meaning of “the court” and appeals

- 27 The court.
- 27A Appeals from decisions of registrar
- 27B Persons appointed to hear and determine appeals
- 28 The Appeal Tribunal.

Opinions service

- 28A Opinions on designs

Powers and Duties of Registrar

- 29 Exercise of discretionary powers of registrar.
- 30 Costs and security for costs.
- 31 Evidence before registrar.
- 31A Power to require use of forms
- 32 Powers and Duties of Registrar

Offences

- 33 Offences under s. 5.
- 34 Falsification of register, etc.
- 35 Fine for falsely representing a design as registered.
- 35ZA Offence of unauthorised copying etc. of design in course of business
- 35ZB Section 35ZA: enforcement
- 35ZC Section 35ZA: forfeiture in England and Wales or Northern Ireland
- 35ZD Section 35ZA: forfeiture in Scotland
- 35A Offence by body corporate or partnership: liability of officers or partners

Rules, etc.

- 36 General power of Board of Trade to make rules, etc.
- 37 Provisions as to rules and Orders.
- 37A Use of electronic communications
- 38

Supplemental

- 39 Hours of business and excluded days.
- 40 Fees.
- 41 Service of notices, etc., by post.
- 42 Annual report of registrar.
- 43 Savings.
- 44 Interpretation.
- 45 Application to Scotland
- 46 Application to Northern Ireland.
- 47 Application to Isle of Man.

Changes to legislation: Registered Designs Act 1949 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 47A Territorial waters and the Continental shelf.
- 48 Repeals, savings, and transitional provisions.
- 49 Short title and commencement.

SCHEDULES

SCHEDULE A1 — Grounds for refusal of registration in relation to emblems etc.

- 1 Grounds for refusal in relation to certain emblems etc.
- 2 Grounds for refusal in relation to emblems etc. of Paris Convention countries
- 3 Grounds for refusal in relation to emblems etc. of certain international organisations

Paragraphs 2 and 3: supplementary

- 4 (1) For the purposes of paragraph 2 above state emblems...

Interpretation

- 5 In this Schedule— “a Paris Convention country” means a country,...

FIRST SCHEDULE — Provisions as to the use of Registered Designs for the services of the Crown and as to the Rights of Third Parties in respect of such use

- 1 Use of registered designs for services of the Crown.
- 2 Rights of third parties in respect of Crown use.
- 2A Compensation for loss of profit.
- 3 Reference of disputes as to Crown use.
- 4 Special provisions as to Crown use during emergency.

SCHEDULE 1A — EUROPEAN COMMUNITY REGISTERED DESIGNS

PART 1 — EXISTING REGISTERED COMMUNITY DESIGNS

- 1 Designs registered as Community designs to be treated as registered under the Act
 - 2 Entries to be made in the register in relation to designs treated as registered under this Act
 - 3 Opt out
 - 4 Effect of claim of priority
 - 5 Unregistered pre-exit transfers
 - 6 Pre-exit licences to continue to have effect in the United Kingdom
 - 7 Security interests in existing registered Community designs
 - 8 Continuity of rights in relation to an existing registered Community design
 - 9 Pending proceedings concerning an existing registered Community design
 - 9A Existing registered Community design: effect of invalidity
 - 10 Effect of injunction protecting an existing registered Community design
- #### PART 2 — APPLICATIONS FOR REGISTERED COMMUNITY DESIGNS WHICH ARE PENDING AT IP COMPLETION DAY
- 11 Applications for registration pending immediately before IP completion day
 - 12 (1) Where a person who has filed an existing EU...

Changes to legislation: Registered Designs Act 1949 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PART 3 — REGISTERED COMMUNITY DESIGNS WHERE PUBLICATION IS DEFERRED AT IP COMPLETION DAY

- 13 Designs registered at the EUIPO immediately before IP completion day where publication is deferred
- 14 (1) This paragraph applies where the proprietor of a deferred...
PART 4 — TREATMENT OF REGISTERED COMMUNITY DESIGNS WHOSE REGISTRATIONS EXPIRE DURING THE PERIOD OF SIX MONTHS ENDING ON IP COMPLETION DAY
- 15 Application of Part
- 16 Renewal of registration of an expired Community design
PART 5 — RESTORATION OF REGISTERED COMMUNITY DESIGN REGISTRATIONS AND APPLICATIONS
- 17 Restoration of registered Community design to the RCD register
- 18 Restoration of application for registered Community design
PART 6 — INTERPRETATION
- 19 Interpretation
- 20 References in this Schedule to an “Article” are to an...

SCHEDULE 1B — INTERNATIONAL DESIGNS

PART 1 — EXISTING INTERNATIONAL DESIGNS

- 1 International designs in respect of which the European Union is designated to be treated as registered under the Act
- 2 Entries to be made in the register in relation to designs treated as registered under this Act
- 3 Opt out
- 4 Effect of claim of priority
- 5 Unregistered pre-exit transfers
- 6 Pre-exit licences to continue to have effect in the United Kingdom
- 7 Security interests in protected ... international registered designs (EU)
- 8 Continuity of rights in relation to a protected international registered design (EU)
- 9 Pending proceedings concerning a protected international registered design (EU)
- 10 Effect of injunction protecting a protected international registered design (EU)

PART 2 — INTERNATIONAL REGISTRATIONS IN RESPECT OF WHICH THE PERIOD FOR REFUSAL HAS NOT EXPIRED BEFORE IP COMPLETION DAY ETC

- 11 (1) In this Part references to a “pending international design...
- 12 (1) Where the holder of the international registration to which...
PART 3 — TREATMENT OF INTERNATIONAL REGISTERED DESIGNS WHOSE REGISTRATIONS EXPIRE DURING THE PERIOD OF SIX MONTHS ENDING ON IP COMPLETION DAY

- 13 Application of Part
- 14 Renewal of registration of an expired international design
PART 4 — INTERPRETATION

- 15 Interpretation

SECOND —
SCHEDULE

Changes to legislation:

Registered Designs Act 1949 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 11AB heading words inserted by S.I. 2019/93, Sch. 1 para. A1(5) (as inserted) by [S.I. 2019/1245 reg. 16](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 11AB(1) word inserted by S.I. 2019/93, Sch. 1 para. A1(2)(a) (as inserted) by [S.I. 2019/1245 reg. 16](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 11AB(1) words inserted by S.I. 2019/93, Sch. 1 para. A1(2)(b) (as inserted) by [S.I. 2019/1245 reg. 16](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 11AB(6)(a) words inserted by S.I. 2019/93, Sch. 1 para. A1(3) (as inserted) by [S.I. 2019/1245 reg. 16](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 11AB(8) word inserted by S.I. 2019/93, Sch. 1 para. A1(4) (as inserted) by [S.I. 2019/1245 reg. 16](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 22(1) words substituted by [2014 c. 18 s. 9\(3\)](#)
- s. 24G(5) omitted by [S.I. 2019/638 Sch. 8 para. 7](#) (This amendment not applied to legislation.gov.uk. Sch. 8 para. 7 omitted immediately before IP completion day by virtue S.I. 2020/1050, regs. 1(2), 25)
- s. 27(1)(a) words inserted by [2014 c. 18 s. 10\(3\)](#)
- s. 27A amendment to earlier affecting provision 2007 c. 15 s. 143(2) by [2013 c. 22 Sch. 9 para. 49](#) (This amendment not applied to legislation.gov.uk. S. 143, which prospectively inserts s. 27A, was repealed without ever being in force (6.4.2015) by 2014 c. 18, s. 10(11); S.I. 2015/165, art. 3)
- s. 27A inserted by [2007 c. 15 s. 143\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 143 repealed without ever being in force (6.4.2015) by 2014 c. 18, s. 10(11); S.I. 2015/165, art. 3)
- s. 27A(4)-(6) omitted by [2013 c. 22 Sch. 9 para. 21\(3\)](#) (This amendment not applied to legislation.gov.uk. S. 143, which prospectively inserts s. 27A, was repealed without ever being in force (6.4.2015) by 2014 c. 18, s. 10(11); S.I. 2015/165, art. 3)
- s. 28 repealed by [2007 c. 15 s. 143\(1\)Sch. 23 Pt. 6](#) (This amendment not applied to legislation.gov.uk. S. 143 repealed without ever being in force (6.4.2015) by 2014 c. 18, s. 10(11); S.I. 2015/165, art. 3)
- s. 37(2) words inserted by [2014 c. 18 s. 9\(6\)](#)

- s. 37(3) words repealed by [2007 c. 15 Sch. 23 Pt. 6](#) (This amendment not applied to legislation.gov.uk. Words already repealed (6.4.2015) by 2014 c. 18, s. 10(5); S.I. 2015/165, art. 3)
- s. 44(1) words repealed by [2007 c. 15 Sch. 23 Pt. 6](#) (This amendment not applied to legislation.gov.uk. Words already repealed (6.4.2015) by 2014 c. 18, s. 10(4); S.I. 2015/165, art. 3)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(1)(aa) and word inserted by [2014 c. 18 s. 9\(2\)](#)
- s. 22(5) inserted by [2014 c. 18 s. 9\(4\)](#)
- s. 22(6)(7) inserted by [2014 c. 18 s. 9\(5\)](#)