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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Design Right (Semiconductor Topographies) Regulations 1989 (SI 1989/1100) (“1989 Regulations”) to give effect to the Council Decision of 22nd December 1994 on the extension of the legal protection of topographies of semiconductor products to persons from a member of the World Trade Organization (94/824/EC) (L 349, 31.12.1994, p. 201).

The 1989 Regulations modify the application of Part 3 (design right) of the Copyright, Designs and Patents Act 1989 (c. 48) (“1988 Act”) to semi-conductor topographies.

*Regulation 3* amends regulation 4 of the 1989 Regulations. Regulation 4(2) of the 1989 Regulations included a modified version of section 217 of the 1988 Act. The new provision substituted by *regulation 3* of these Regulations provides a modified version of section 217(3) of the 1988 Act. The rest of that section will therefore apply to topographies in its normal form.

*Regulation 4* substitutes a new Schedule for the Schedule to the 1989 Regulations. The new Schedule includes a list of qualifying countries, other than member States of the European Community, which are parties to the Agreement establishing the World Trade Organisation (including the Agreement on Trade-Related Aspects of Intellectual Property Rights (Cm. 3044-6, 3080, 3263-4, 3268-9, 3271, 3275-7 and 3282)).