

Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs

TITLE II

**THE LAW RELATING TO DESIGNS**

Section 1

**Requirements for protection**

*Article 5*

**Novelty**

1 A design shall be considered to be new if no identical design has been made available to the public:

a in the case of [<sup>F1</sup>a supplementary] unregistered <sup>F2</sup>... design, before the date on which the design for which protection is claimed has first been made available to the public;

<sup>F3</sup>b .....

2 Designs shall be deemed to be identical if their features differ only in immaterial details.

**Textual Amendments**

**F1** Words in Art. 5(1)(a) substituted (31.12.2020) by [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 1 para. 6(a)(i)** (with reg. 4, Sch. 2 Pt. 1) (as amended by [S.I. 2020/1050](#), regs. 1(2), 14, 19); 2020 c. 1, Sch. 5 para. 1(1)

**F2** Word in Art. 5(1)(a) omitted (31.12.2020) by virtue of [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 1 para. 6(a)(ii)** (with reg. 4, Sch. 2 Pt. 1) (as amended by [S.I. 2020/1050](#), regs. 1(2), 14, 19); 2020 c. 1, Sch. 5 para. 1(1)

**F3** Art. 5(1)(b) omitted (31.12.2020) by virtue of [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 1 para. 6(b)** (with reg. 4, Sch. 2 Pt. 1) (as amended by [S.I. 2020/1050](#), regs. 1(2), 14, 19); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the Council Regulation (EC) No 6/2002, Article 5.