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DRAFT STATUTORY INSTRUMENTS

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**2001 No.**

**The Registered Designs Regulations 2001**

**Rectification of register**

**8.**—(1) Section 20 of the Registered Designs Act 1949(1) (rectification of register) shall be amended as follows.

(2) In subsection (1) (applications for rectification) for the words “any person aggrieved” there shall be substituted “the relevant person”.

(3) After subsection (1) there shall be inserted—

“(1A) In subsection (1) above “the relevant person” means—

- (a) in the case of an application invoking any ground referred to in section 1A(1)(c) of this Act, any person concerned by the use in question;
- (b) in the case of an application invoking the ground mentioned in section 1A(2) of this Act, the appropriate person;
- (c) in the case of an application invoking any ground mentioned in section 11ZA(2), (3) or (4) of this Act, the person able to make the objection;
- (d) in any other case, any person aggrieved.

(1B) In subsection (1A) above “the appropriate person” means, in relation to an earlier design protected by virtue of registration under this Act or an application for such registration, the registered proprietor of the design or (as the case may be) the applicant.”

(4) After subsection (5) there shall be added—

“(6) Orders which may be made by the court under this section include, in particular, declarations of partial invalidity.”