



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *Devices designed to circumvent copy-protection*

#### **296 Devices designed to circumvent copy-protection**

- (1) This section applies where copies of a copyright work are issued to the public, by or with the licence of the copyright owner, in an electronic form which is copy-protected.
- (2) The person issuing the copies to the public has the same rights against a person who, knowing or having reason to believe that it will be used to make infringing copies—
  - (a) makes, imports, sells or lets for hire, offers or exposes for sale or hire, or advertises for sale or hire, any device or means specifically designed or adapted to circumvent the form of copy-protection employed, or
  - (b) publishes information intended to enable or assist persons to circumvent that form of copy-protection,as a copyright owner has in respect of an infringement of copyright.
- (3) Further, he has the same rights under section 99 or 100 (delivery up or seizure of certain articles) in relation to any such device or means which a person has in his possession, custody or control with the intention that it should be used to make infringing copies of copyright works, as a copyright owner has in relation to an infringing copy.
- (4) References in this section to copy-protection include any device or means intended to prevent or restrict copying of a work or to impair the quality of copies made.
- (5) Expressions used in this section which are defined for the purposes of Part I of this Act (copyright) have the same meaning as in that Part.
- (6) The following provisions apply in relation to proceedings under this section as in relation to proceedings under Part I (copyright)—

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**Status:** This is the original version (as it was originally enacted).

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- (a) sections 104 to 106 of this Act (presumptions as to certain matters relating to copyright), and
  - (b) section 72 of the Supreme Court Act 1981, section 15 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 and section 94A of the Judicature (Northern Ireland) Act 1978 (withdrawal of privilege against self-incrimination in certain proceedings relating to intellectual property);
- and section 114 of this Act applies, with the necessary modifications, in relation to the disposal of anything delivered up or seized by virtue of subsection (3) above.