

## SCHEDULES

### SCHEDULE 4

#### THE REGISTERED DESIGNS ACT 1949 AS AMENDED ARRANGEMENT OF SECTIONS

**Modifications etc. (not altering text)**

- C1** Sch. 4 extended (with modifications) (Isle of Man) (9.12.2001) by [S.I. 2001/3678](#), art. 3, **Sch. 3**
- C1** Sch. 4 extended (Isle of Man) (with modifications) (11.11.2013) by [The Registered Designs \(Isle of Man\) Order 2013 \(S.I. 2013/2533\)](#), arts. 1, 3(2), **Sch. 2**

*Register of designs, etc.*

*Registration of assignments, etc.*

- 19 (1) Where any person becomes entitled by assignment, transmission or operation of law to a registered design or to a share in a registered design, or becomes entitled as mortgagee, licensee or otherwise to any other interest in a registered design, he shall apply to the registrar in the prescribed manner for the registration of his title as proprietor or co-proprietor or, as the case may be, of notice of his interest, in the register of designs.
- (2) Without prejudice to the provisions of the foregoing subsection, an application for the registration of the title of any person becoming entitled by assignment to a registered design or a share in a registered design, or becoming entitled by virtue of a mortgage, licence or other instrument to any other interest in a registered design, may be made in the prescribed manner by the assignor, mortgagor, licensor or other party to that instrument, as the case may be.
- (3) Where application is made under this section for the registration of the title of any person, the registrar shall, upon proof of title to his satisfaction—
- (a) where that person is entitled to a registered design or a share in a registered design, register him in the register of designs as proprietor or co-proprietor of the design, and enter in that register particulars of the instrument or event by which he derives title; or
  - (b) where that person is entitled to any other interest in the registered design, enter in that register notice of his interest, with particulars of the instrument (if any) creating it.
- (3A) Where design right subsists in a registered design, the registrar shall not register an interest under subsection (3) unless he is satisfied that the person entitled to that interest is also entitled to a corresponding interest in the design right.
- (3B) Where design right subsists in a registered design and the proprietor of the registered design is also the design right owner, an assignment of the design right shall be

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Copyright, Designs and Patents Act 1988, Paragraph 19. (See end of Document for details)*

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taken to be also an assignment of the right in the registered design, unless a contrary intention appears.

- (4) Subject to any rights vested in any other person of which notice is entered in the register of designs, the person or persons registered as proprietor of a registered design shall have power to assign, grant licences under, or otherwise deal with the design, and to give effectual receipts for any consideration for any such assignment, licence or dealing.

Provided that any equities in respect of the design may be enforced in like manner as in respect of any other personal property.

- (5) Except for the purposes of an application to rectify the register under the following provisions of this Act, a document in respect of which no entry has been made in the register of designs under subsection (3) of this section shall not be admitted in any court as evidence of the title of any person to a registered design or share of or interest in a registered design unless the court otherwise directs.

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Paragraph 19.