



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART III

#### DESIGN RIGHT

#### CHAPTER V

##### MISCELLANEOUS AND GENERAL

*[<sup>F1</sup>Licensee under licence of right not to claim connection with design right owner]*

**254 Licensee under licence of right not to claim connection with design right owner.**

- (1) A person who has a licence in respect of a design by virtue of section 237 or 238 (licences of right) shall not, without the consent of the design right owner—
  - (a) apply to goods which he is marketing, or proposes to market, in reliance on that licence a trade description indicating that he is the licensee of the design right owner, or
  - (b) use any such trade description in an advertisement in relation to such goods.
- (2) A contravention of subsection (1) is actionable by the design right owner.
- (3) In this section “trade description”, the reference to applying a trade description to goods and “advertisement” have the same meaning as in the <sup>M1</sup>Trade Descriptions Act 1968.

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**Marginal Citations**

**M1** 1968 c. 29.

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 254.