



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART IV

REGISTERED DESIGNS

Amendments of the Registered Designs Act 1949

267 Authorship and first ownership of designs.

- (1) Section 2 of the Registered Designs Act 1949 (proprietaryship of designs) is amended as follows.
- (2) For subsection (1) substitute—
 - “(1) The author of a design shall be treated for the purposes of this Act as the original proprietor of the design, subject to the following provisions.
 - (1A) Where a design is created in pursuance of a commission for money or money’s worth, the person commissioning the design shall be treated as the original proprietor of the design.
 - (1B) Where, in a case not falling within subsection (1A), a design is created by an employee in the course of his employment, his employer shall be treated as the original proprietor of the design.”
- (3) After subsection (2) insert—
 - “(3) In this Act the “author” of a design means the person who creates it.
 - (4) In the case of a design generated by computer in circumstances such that there is no human author, the person by whom the arrangements necessary for the creation of the design are made shall be taken to be the author.”
- (4) The amendments made by this section do not apply in relation to an application for registration made before the commencement of this Part.

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 267.