



Intellectual Property Act 2014

2014 CHAPTER 18

PART 1

DESIGN

Unregistered design right

2 Ownership of design

- (1) In section 215 of the Copyright, Designs and Patents Act 1988 (ownership of unregistered design right)—
- in subsection (1), omit “in pursuance of a commission or”,
 - omit subsection (2), and
 - in subsection (3), omit “, in a case not falling within subsection (2)”.
- (2) In consequence of subsection (1)—
- in section 213(5)(a) of that Act (person by reference to whom design qualifies for design right), for “the design was commissioned or the designer employed” substitute “ the designer was employed ”,
 - in section 218 of that Act (design qualifies for design right by reference to designer), in subsection (1), omit “in pursuance of a commission or”,
 - in section 219 of that Act (the title to which becomes “ Qualification by reference to employer ”), in subsection (1), for “in pursuance of a commission from, or in the course of employment with,” substitute “ in the course of employment with ”,
 - in subsection (2) of that section, omit “a joint commission or” and “commissioners or”,
 - in subsection (3) of that section, omit “jointly commissioned or”, “commissioners or” and “commissioner or”,
 - in that subsection, for “215(2) or (3)” substitute “ 215(3) ”,
 - in section 220 of that Act (qualification by reference to first marketing), in subsection (1), omit “, commissioner”,

Status: Point in time view as at 01/10/2014.

Changes to legislation: There are currently no known outstanding effects for the Intellectual Property Act 2014, Section 2. (See end of Document for details)

- (h) in subsection (4)(a) of that section, omit “, commissioner of the design”,
 - (i) in section 263 of that Act (definitions), in subsection (1), in the definition of “British design”, omit “the design is commissioned or”,
 - (j) in that subsection, omit the definition of “commission”, and
 - (k) in section 264 of that Act (index of defined expressions), omit the entry for “commission”.
- (3) This section does not apply to—
- (a) any design created before the commencement of this section, or
 - (b) any design created after the commencement of this section in pursuance of a commission (irrespective of whether the design was commissioned before or after that commencement) provided that—
 - (i) the designer and the commissioner of the design have entered into a contract relating to the commission of the design, and
 - (ii) the contract was entered into before that commencement.

Commencement Information

II S. 2 in force at 1.10.2014 by S.I. 2014/2330, art. 3, Sch.

Status:

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