



# Registered Designs Act 1949

1949 CHAPTER 88 12 13 and 14 Geo 6

*<sup>F1</sup>Opinions service*

## Textual Amendments

**F1** S. 28A and cross-heading inserted (1.10.2014) by [Intellectual Property Act 2014 \(c. 18\)](#), ss. **11(1)**, [24\(1\)](#); [S.I. 2014/2330](#), art. 3, Sch.

## 28A Opinions on designs

- (1) The Secretary of State may by regulations make provision about the making of requests to the registrar for an opinion on specified matters relating to—
  - (a) designs registered under this Act;
  - (b) designs of such other description as may be specified.
- (2) The regulations must require the registrar to give an opinion in response to a request made under the regulations, except—
  - (a) in specified cases or circumstances, or
  - (b) where for any reason the registrar considers it inappropriate in all the circumstances to do so.
- (3) The regulations may provide that a request made under the regulations must be accompanied by—
  - (a) a fee of a specified amount;
  - (b) specified information.
- (4) The regulations must provide that an opinion given by the registrar under the regulations is not binding for any purposes.
- (5) The regulations must provide that neither the registrar nor any examiner or other officer of the Patent Office is to incur any liability by reason of or in connection with—
  - (a) any opinion given under the regulations, or
  - (b) any examination or investigation undertaken for the purpose of giving such an opinion.

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**Changes to legislation:** Registered Designs Act 1949, Cross Heading: Opinions service is up to date with all changes known to be in force on or before 21 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (6) An opinion given by the registrar under the regulations is not to be treated as a decision of the registrar for the purposes of section 27A.
- (7) But the regulations must provide for an appeal relating to an opinion given under the regulations to be made to a person appointed under section 27A; and the regulations may make further provision in relation to such appeals.
- (8) The regulations may confer discretion on the registrar.
- (9) Regulations under this section—
  - (a) may make different provision for different purposes;
  - (b) may include consequential, incidental, supplementary, transitional, transitory or saving provision.
- (10) In this section, “specified” means specified in regulations under this section.]

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(1)(aa) and word inserted by [2014 c. 18 s. 9\(2\)](#)
- s. 22(5) inserted by [2014 c. 18 s. 9\(4\)](#)
- s. 22(6)(7) inserted by [2014 c. 18 s. 9\(5\)](#)