



Registered Designs Act 1949

1949 CHAPTER 88 12 13 and 14 Geo 6

Registrable designs and proceedings for registration

2 Proprietorship of designs.

[^{F1}(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.]

(2) Where a design ^{F2}. . . becomes vested, whether by assignment, transmission or operation of law, in any person other than the original proprietor, either alone or jointly with the original proprietor, that other person, or as the case may be the original proprietor and that other person, shall be treated for the purposes of this Act as the proprietor of the design ^{F3}. . . .

[^{F4}(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.]

Textual Amendments

F1 S. 2(1) substituted by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 267(2)

F2 Words in s. 2(2) repealed (9.12.2001) by [S.I. 2001/3949, reg. 9\(2\)](#), [Sch. 2](#) (with transitional provisions in [regs. 10-14](#))

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Status: Point in time view as at 09/12/2001. This version of this provision has been superseded.

Changes to legislation: Registered Designs Act 1949, Section 2 is up to date with all changes known to be in force on or before 10 April 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)

F4 S. 2(3)(4) inserted by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), **s. 267(3)(4)**

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