



Registered Designs Act 1949

1949 CHAPTER 88 12 13 and 14 Geo 6

[^{F1}Legal proceedings: general]

[^{F1}24D Order as to disposal of infringing articles, &c

- (1) An application may be made to the court for an order that an infringing article or other thing delivered up in pursuance of an order under section 24C of this Act shall be—
 - (a) forfeited to the registered proprietor, or
 - (b) destroyed or otherwise dealt with as the court may think fit,or for a decision that no such order should be made.
- (2) In considering what order (if any) should be made, the court shall consider whether other remedies available in an action for infringement of the right in a registered design would be adequate to compensate the registered proprietor and to protect his interests.
- (3) Where there is more than one person interested in an article or other thing, the court shall make such order as it thinks just and may (in particular) direct that the thing be sold, or otherwise dealt with, and the proceeds divided.
- (4) If the court decides that no order should be made under this section, the person in whose possession, custody or control the article or other thing was before being delivered up is entitled to its return.
- (5) References in this section to a person having an interest in an article or other thing include any person in whose favour an order could be made in respect of it—
 - (a) under this section;
 - (b) under section 19 of Trade Marks Act 1994 ^{F2}...; [^{F3}or]
 - (c) under section 114, 204 or 231 of the Copyright, Designs and Patents Act 1988;
^{F4}...
 - ^{F5}(d)]

Changes to legislation: Registered Designs Act 1949, Section 24D 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

Textual Amendments

- F1** Ss. 24A-24G inserted (29.4.2006) by [Intellectual Property \(Enforcement, etc\) Regulations 2006 \(S.I. 2006/1028\)](#), art. 1, **Sch. 1 para. 3**
- F2** Words in s. 24D(5)(b) omitted (31.12.2020) by virtue of [The Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/269\)](#), reg. 1(1), **Sch. 5 para. 1**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Word in s. 24D(5)(b) inserted (31.12.2020) by [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 8 para. 6(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in s. 24D(5)(c) omitted (31.12.2020) by virtue of [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 8 para. 6(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** S. 24D(5)(d) omitted (31.12.2020) by virtue of [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 8 para. 6(c)**; 2020 c. 1, Sch. 5 para. 1(1)

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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\(5\)](#)