Registered Designs Act 1949

1949 CHAPTER 88 12 13 and 14 Geo 6

*[**F1**Legal proceedings: general]*

25   Certificate of contested validity of registration.

(1) If in any proceedings before the court the validity of the registration of a design is contested, and it is found by the court that the design is [**F1**, to any extent,] validly registered, the court may certify that the validity of the registration of the design was contested in those proceedings.

(2) Where any such certificate has been granted, then if in any subsequent proceedings before the court for infringement of [**F2**the right in the registered design] or for [**F3**invalidation] of the registration of the design, a final order or judgment is made or given in favour of the registered proprietor, he shall, unless the court otherwise directs, be entitled to his costs as between solicitor and client:

Provided that this subsection shall not apply to the costs of any appeal in any such proceedings as aforesaid.

Textual Amendments
  F1   Words in s. 25(1) inserted (9.12.2001) by S.I. 2001/3949, reg. 9(1), **Sch. 1 para. 8(2)** (with transitional provisions in regs. 10-14)
  F2   Words substituted by Copyright, Designs and Patents Act 1988 (c. 48, SIF 67A), s. 272, **Sch. 3 para. 14**
  F3   Words in s. 25(2) substituted (9.12.2001) by S.I. 2001/3949, reg. 9(1), **Sch. 1 para. 8(3)** (with transitional provisions in regs. 10-14)

> **Changes to legislation:**
> Registered Designs Act 1949, Section 25 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.
> View outstanding changes
>
> > **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)