



Registered Designs Act 1949

1949 CHAPTER 88 12 13 and 14 Geo 6

Registrable designs and proceedings for registration

[^{F1}3B Modification of applications for registration.

- (1) The registrar may, at any time before an application for the registration of a design [^{F2}or designs] is determined, permit the applicant to make such modifications of the application as the registrar thinks fit.
- (2) Where an application for the registration of a design [^{F3}or designs] has been modified before it has been determined in such a way that [^{F4}any design included in the application] has been altered significantly, the registrar may, for the purpose of deciding whether and to what extent the design is new or has individual character, direct that the application [^{F5}so far as relating to that design] shall be treated as having been made on the date on which it was so modified.
- (3) Where—
 - (a) an application for the registration of [^{F6}more than one design] has been modified before it has been determined to exclude one or more designs from the application; and
 - (b) a subsequent application for the registration of a design so excluded has, within such period (if any) as has been prescribed for such applications, been made by the person who made the earlier application or his successor in title,the registrar may, for the purpose of deciding whether and to what extent the design is new or has individual character, direct that the subsequent application shall be treated as having been made on the date on which the earlier application was, or is treated as having been, made.
- (4) Where ^{F7}... the registration of a design has been refused on any ground mentioned in [^{F8}section 3A(4)(b) or (c)] of this Act, the application [^{F9}for the design] may be modified by the applicant if it appears to the registrar that—
 - (a) the identity of the design is retained; and
 - (b) the modifications have been made in accordance with any rules made under this Act.

Changes to legislation: Registered Designs Act 1949, Section 3B 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

- (5) An application modified under subsection (4) above shall be treated as the original application and, in particular, as made on the date on which the original application was made or is treated as having been made.
- (6) Any modification under this section may, in particular, be effected by making a partial disclaimer in relation to the application.]

Textual Amendments

- F1** Ss. 3-3D substituted (9.12.2001) for s. 3 by S.I. 2001/3949, **reg. 4** (with transitional provisions in **regs. 10-14**)
- F2** Words in s. 3B(1) inserted (1.10.2006) by Regulatory Reform (Registered Designs) Order 2006 (S.I. 2006/1974), arts. 1(1), **13(2)**
- F3** Words in s. 3B(2) inserted (1.10.2006) by Regulatory Reform (Registered Designs) Order 2006 (S.I. 2006/1974), arts. 1(1), **13(3)(a)**
- F4** Words in s. 3B(2) substituted (1.10.2006) by Regulatory Reform (Registered Designs) Order 2006 (S.I. 2006/1974), arts. 1(1), **13(3)(b)**
- F5** Words in s. 3B(2) inserted (1.10.2006) by Regulatory Reform (Registered Designs) Order 2006 (S.I. 2006/1974), arts. 1(1), **13(3)(c)**
- F6** Words in s. 3B(3) substituted (1.10.2006) by Regulatory Reform (Registered Designs) Order 2006 (S.I. 2006/1974), arts. 1(1), **13(4)**
- F7** Words in s. 3B(4) omitted (1.10.2006) by virtue of Regulatory Reform (Registered Designs) Order 2006 (S.I. 2006/1974), arts. 1(1), **13(5)(a)**
- F8** Words in s. 3B(4) substituted (1.10.2006) by Regulatory Reform (Registered Designs) Order 2006 (S.I. 2006/1974), arts. 1(1), **6**
- F9** Words in s. 3B(4) inserted (1.10.2006) by Regulatory Reform (Registered Designs) Order 2006 (S.I. 2006/1974), arts. 1(1), **13(5)(b)**

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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\(5\)](#)