



# Registered Designs Act 1949

1949 CHAPTER 88 12 13 and 14 Geo 6

*Effect of registration, etc.*

## **[<sup>F1</sup>7A Infringements of rights in registered designs.**

- (1) Subject as follows, the right in a registered design is infringed by a person who, without the consent of the registered proprietor, does anything which by virtue of section 7 of this Act is the exclusive right of the registered proprietor.
- (2) The right in a registered design is not infringed by—
  - (a) an act which is done privately and for purposes which are not commercial;
  - (b) an act which is done for experimental purposes;
  - (c) an act of reproduction for teaching purposes or for the purpose of making citations provided that the conditions mentioned in subsection (3) below are satisfied;
  - (d) the use of equipment on ships or aircraft which are registered in another country but which are temporarily in the United Kingdom;
  - (e) the importation into the United Kingdom of spare parts or accessories for the purpose of repairing such ships or aircraft; or
  - (f) the carrying out of repairs on such ships or aircraft.
- (3) The conditions mentioned in this subsection are—
  - (a) the act of reproduction is compatible with fair trade practice and does not unduly prejudice the normal exploitation of the design; and
  - (b) mention is made of the source.
- (4) The right in a registered design is not infringed by an act which relates to a product in which any design protected by the registration is incorporated or to which it is applied if the product has been put on the market in [<sup>F2</sup> the United Kingdom or] the European Economic Area by the registered proprietor or with his consent.
- (5) The right in a registered design of a component part which may be used for the purpose of the repair of a complex product so as to restore its original appearance is not infringed by the use for that purpose of any design protected by the registration.

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**Changes to legislation:** Registered Designs Act 1949, Section 7A 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) No proceedings shall be taken in respect of an infringement of the right in a registered design committed before the date on which the certificate of registration of the design under this Act is granted.]

#### Textual Amendments

- F1** Ss. 7 and 7A substituted (9.12.2001) for s. 7 by [S.I. 2001/3949](#), [reg. 4](#) (with transitional provisions in [regs. 10-14](#))
- F2** Words in s. 7A(4) inserted (31.1.2020) by [The Intellectual Property \(Exhaustion of Rights\) \(EU Exit\) Regulations 2019 \(S.I. 2019/265\)](#), [regs. 1, 3\(2\)](#); 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\(5\)](#)