



Registered Designs Act 1949

1949 CHAPTER 88 12 13 and 14 Geo 6

Effect of registration, etc.

[^{F1}8A Restoration of lapsed right in design.

- (1) Where the right in a registered design has expired by reason of a failure to extend, in accordance with section 8(2) or (4), the period for which the right subsists, an application for the restoration of the right in the design may be made to the registrar within the prescribed period.
- (2) The application may be made by the person who was the registered proprietor of the design or by any other person who would have been entitled to the right in the design if it had not expired; and where the design was held by two or more persons jointly, the application may, with the leave of the registrar, be made by one or more of them without joining the others.
- (3) Notice of the application shall be published by the registrar in the prescribed manner.
- (4) If the registrar is satisfied that the [^{F2}failure of the proprietor] to see that the period for which the right subsisted was extended in accordance with section 8(2) or (4) [^{F3}was unintentional], he shall, on payment of any unpaid renewal fee and any prescribed additional fee, order the restoration of the right in the design.
- (5) The order may be made subject to such conditions as the registrar thinks fit, and if the proprietor of the design does not comply with any condition the registrar may revoke the order and give such consequential directions as he thinks fit.
- (6) Rules altering the period prescribed for the purposes of subsection (1) may contain such transitional provisions and savings as appear to the Secretary of State to be necessary or expedient.]

Textual Amendments

- F1** Ss. 8, 8A, 8B substituted for s. 8 by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 269(1)(2)

Changes to legislation: Registered Designs Act 1949, Section 8A 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](#)

- F2** Words in s. 8A(4) substituted (1.10.2006) by [Regulatory Reform \(Registered Designs\) Order 2006 \(S.I. 2006/1974\)](#), arts. 1(1), **17(a)**
- F3** Words in s. 8A(4) inserted (1.10.2006) by [Regulatory Reform \(Registered Designs\) Order 2006 \(S.I. 2006/1974\)](#), arts. 1(1), **17(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\(5\)](#)