

STATUTORY INSTRUMENTS

1989 No. 1100

The Design Right (Semiconductor Topographies) Regulations 1989

Qualification

4.—(1) Section 213(5) of the Act has effect subject to paragraphs (2) to (4) below.

[^{F1}(2) Part III of the Act has effect as if for section 217(3) there was substituted the following—

“(3) In this section “qualifying country” means—

- (a) the United Kingdom,
- (b) [^{F2}a] member State,
- (c) the Isle of Man, Gibraltar, the Channel Islands or any colony,]

[^{F3}(d) any other country that is a member of the World Trade Organisation.”]

(3) Where a semiconductor topography is created in pursuance of a commission or in the course of employment and the designer of the topography is, by virtue of section 215 of the Act (as substituted by regulation 5 below), the first owner of design right in that topography, section 219 of the Act does not apply and section 218(2) to (4) of the Act shall apply to the topography as if it had not been created in pursuance of a commission or in the course of employment.

(4) Section 220 of the Act has effect subject to regulation 7 below and as if for subsection (1) there was substituted the following:

(1) A design which does not qualify for design right protection under section 218 or 219 (as modified by regulation 4(3) of the Design Right (Semiconductor Topographies) Regulations 1989) or under the said regulation 4(3) qualifies for design right protection if the first marketing of articles made to the design—

- (a) is by a qualifying person who is exclusively authorised to put such articles on the market in [^{F4}the United Kingdom], and
- (b) takes place within the territory of [^{F5}the United Kingdom].”;

^{F6}
...

Textual Amendments

- F1** Reg. 4(2) substituted (1.8.2006) by [The Design Right \(Semiconductor Topographies\) \(Amendment\) Regulations 2006 \(S.I. 2006/1833\)](#), regs. 1, 3
- F2** Word in reg. 4(2) substituted (31.12.2020) by [The Design Right \(Semiconductor Topographies\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1052\)](#), regs. 1, **2(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in reg. 4(2) substituted (1.1.2024) by [The Design Right, Artist’s Resale Right and Copyright \(Amendment\) Regulations 2023 \(S.I. 2023/1285\)](#), regs. 1(2), **2(2)**
- F4** Words in reg. 4(4) substituted (31.12.2020) by [The Design Right \(Semiconductor Topographies\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1052\)](#), regs. 1, **2(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the The Design Right (Semiconductor Topographies) Regulations 1989, Section 4. (See end of Document for details)

- F5** Words in reg. 4(4) substituted (31.12.2020) by The Design Right (Semiconductor Topographies) (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1052), regs. 1, **2(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in reg. 4(4) omitted (31.12.2020) by virtue of The Design Right (Semiconductor Topographies) (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1052), regs. 1, **2(3)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

- I1** Reg. 4 in force at 1.8.1989, see **reg. 1**

Changes to legislation:

There are currently no known outstanding effects for the The Design Right (Semiconductor Topographies) Regulations 1989, Section 4.