
STATUTORY INSTRUMENTS

2014 No. 2330

**The Intellectual Property Act 2014 (Commencement
No. 3 and Transitional Provisions) Order 2014**

Citation and interpretation

1. This Order may be cited as the Intellectual Property Act 2014 (Commencement No. 3 and Transitional Provisions) Order 2014.
2. In this Order—
 - “the Act” means the Intellectual Property Act 2014; and
 - “the commencement date” means 1st October 2014.

Provisions of the Act coming into force on the commencement date

3. The day appointed for the coming into force of the provisions of the Act specified in the Schedule is the commencement date.

Transitional provision regarding ownership of design

4. Section 6(1) of the Act does not apply to—
 - (a) any design created before the commencement date, or
 - (b) any design created on or after the commencement date in pursuance of a commission (irrespective of whether the design was commissioned before, on or after the commencement date) provided that—
 - (i) the designer and the commissioner of the design have entered into a contract relating to the commission of the design, and
 - (ii) the contract was entered into before the commencement date.

Transitional provision regarding marking products with internet links

5. Section 15 of the Act does not apply in respect of the infringement of a patent referred to in section 62(1) of the Patents Act 1977⁽¹⁾ where the infringement occurred before the commencement date.

Transitional provision regarding the patent opinions service

6. Section 16(4) of the Act applies where a request for an opinion is made under section 74A(1) of the Patents Act 1977⁽²⁾ on or after the commencement date.

⁽¹⁾ 1977 c.37; section 62(1) is amended by section 15(1) of the Act (section 15(1) is brought into force by this Order).
⁽²⁾ 1977 c.37; section 74A was inserted by section 13(1) of the Patents Act 2004 (c.16) and is amended by section 16(1) of the Act (section 16(1) is brought into force by this Order).

Transitional provision regarding sharing information with overseas patent offices

7. Section 18 of the Act does not apply in respect of an application for a patent under the Patents Act 1977 whose date of filing is before the commencement date.

Transitional provision regarding payment of European patent (UK) renewal fees following restoration

8.—(1) Paragraph 6 of the Schedule to the Act applies where, under the European Patent Convention, a European patent (UK) is restored on or after the commencement date.

(2) In this article, “European Patent Convention” and “European patent (UK)” have the meanings given to those terms in section 130(1) of the Patents Act 1977⁽³⁾.

28th August 2014

Baroness Neville-Rolfe
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(3) [1977 c.37](#); there are amendments to section 130(1) which are not relevant to this Order.