

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the commencement regulations made under the Intellectual Property (Unjustified Threats) Act 2017 (c.14) (“the 2017 Act”).

Regulation 2(1) brings into force, on 1st October 2017, the provisions of the 2017 Act referred to below. Those which relate to the European patent with unitary effect (which are contained in section 1(3) and (8)) come into force on the date of entry into force of the Agreement on the Unified Patent Court (Regulation 2(2)).

The 2017 Act makes amendments to the law relating to unjustified threats to bring proceedings for infringements contained in the Registered Designs Act 1949, the Patents Act 1977, the Copyright, Designs and Patents Act 1988, the Trade Marks Act 1994, the Community Design Regulations 2005 and the Community Trade Mark Regulations 2006.

Section 1(1), (2), (4), (5), (6) and (7); sections 2 to 6 and section 7(4) are brought into force on 1st October 2017.

Regulation 3 contains a transitional provision relating to the changes made by the 2017 Act, so that they will only have effect in relation to an alleged threat of infringement proceedings which is made on or after 1st October 2017.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Intellectual Property (Unjustified Threats) Act 2017 (Commencement and Transitional Provisions) Regulations 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- reg. 2(2) revoked by [S.I. 2021/355 Sch. para. 2](#)