

## Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs

### TITLE II

### THE LAW RELATING TO DESIGNS

#### Section 2

#### Scope and term of protection

##### *Article 11*

#### **Commencement and term of protection of the [F1 supplementary] unregistered F2 ... design**

1 A design which meets the requirements under Section 1 shall be protected by [F3 a supplementary] unregistered F4 ... design for a period of three years as from the date on which the design was first made available to the public within the [F5 United Kingdom, a qualifying country or a qualifying territory].

2 For the purpose of paragraph 1, a design shall be deemed to have been made available to the public within the [F6 United Kingdom, a qualifying country or a qualifying territory] if it has been published, exhibited, used in trade or otherwise disclosed in such a way that, in the normal course of business, these events could reasonably have become known to the circles specialised in the sector concerned, operating within the [F6 United Kingdom, a qualifying country or a qualifying territory]. The design shall not, however, be deemed to have been made available to the public for the sole reason that it has been disclosed to a third person under explicit or implicit conditions of confidentiality.

#### **Textual Amendments**

- F1** Word in Art. 11 heading inserted (31.12.2020) by [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 1 para. 10(a)(i)** (with reg. 4, Sch. 2 Pt. 1) (as amended by [S.I. 2020/1050](#), regs. 1(2), 14, 19); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Word in Art. 11 heading omitted (31.12.2020) by virtue of [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 1 para. 10(a)(ii)** (with reg. 4, Sch. 2 Pt. 1) (as amended by [S.I. 2020/1050](#), regs. 1(2), 14, 19); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 11(1) substituted (31.12.2020) by [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 1 para. 10(b)(i)** (with reg. 4, Sch. 2 Pt. 1) (as amended by [S.I. 2020/1050](#), regs. 1(2), 14, 19); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in Art. 11(1) omitted (31.12.2020) by virtue of [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 1 para. 10(b)(ii)** (with reg. 4, Sch. 2 Pt. 1) (as amended by [S.I. 2020/1050](#), regs. 1(2), 14, 19); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 11(1) substituted (31.12.2020) by [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 1 para. 10(b)(iii)** (with reg. 4, Sch. 2 Pt. 1) (as amended by [S.I. 2020/1050](#), regs. 1(2), 14, 19); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 11(2) substituted (31.12.2020) by [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 1 para. 10(c)** (with reg. 4, Sch. 2 Pt. 1) (as amended by [S.I. 2020/1050](#), regs. 1(2), 14, 19); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the Council Regulation (EC) No 6/2002, Article 11.