

ELIZABETH II



1968 CHAPTER 68

An Act to amend the law relating to the copyright of the design of certain manufactured articles, and for connected purposes. [25th October 1968]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Section 10 of the Copyright Act 1956 (special exception Amendment in respect of industrial designs) shall be amended as follows— of 1956 c. 74.

- (a) subsection (1) shall be omitted;
- (b) (i) in subsection (2)(b) after the words “ offered for sale or hire ” there shall be inserted the words “ whether in the United Kingdom or elsewhere ”;
- (ii) subsection (2)(c) shall be omitted;
- (c) for subsection (3) there shall be substituted the following subsection:—

“ (3) Subject to the next following subsection, after the end of the relevant period of 15 years it shall not be an infringement of the copyright in the work to do anything which at the time when it was done would, if a corresponding design had been registered under the Registered Designs Act 1949 (in this section 1949 c. 88. referred to as ‘ the Act of 1949 ’) immediately before that time, have been within the scope of the copyright in the design as extended to all associated designs and articles.

In this subsection ‘ the relevant period of 15 years ’ means the period of 15 years beginning with the date on which articles, such as are mentioned in paragraph

(b) of the last preceding subsection, were first sold, let for hire or offered for sale or hire, whether in the United Kingdom or elsewhere.”

(2) Schedule 1 to that Act (False Registration of Industrial Designs) shall continue to have effect subject to the following amendments—

- (a) in paragraph 2 the words “ subsection (1) of section ten of this Act shall not apply, and ” shall be omitted;
- (b) in paragraph 3 for the last two lines there shall be substituted the words “ this shall be a good defence to such proceedings ”.

Short title.

2. This Act shall be cited as the Design Copyright Act 1968.

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