

*Status: Point in time view as at 11/11/2013.*

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Paragraph 11B. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 4

#### THE REGISTERED DESIGNS ACT 1949 AS AMENDED ARRANGEMENT OF SECTIONS

**Modifications etc. (not altering text)**

- C1** Sch. 4 extended (with modifications) (Isle of Man) (9.12.2001) by [S.I. 2001/3678](#), art. 3, **Sch. 3**
- C1** Sch. 4 extended (Isle of Man) (with modifications) (11.11.2013) by [The Registered Designs \(Isle of Man\) Order 2013 \(S.I. 2013/2533\)](#), arts. 1, 3(2), **Sch. 2**

*Effect of registration, &c.*

*Undertaking to take licence of right in infringement proceedings.*

- 11B (1) If in proceedings for infringement of the right in a registered design in respect of which a licence is available as of right under section 11A of this Act the defendant undertakes to take a licence on such terms as may be agreed or, in default of agreement, settled by the registrar under that section—
- (a) no injunction shall be granted against him, and
  - (b) the amount recoverable against him by way of damages or on an account of profits shall not exceed double the amount which would have been payable by him as licensee if such a licence on those terms had been granted before the earliest infringement.
- (2) An undertaking may be given at any time before final order in the proceedings, without any admission of liability.
- (3) Nothing in this section affects the remedies available in respect of an infringement committed before licences of right were available.

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