



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART III

DESIGN RIGHT

CHAPTER I

DESIGN RIGHT IN ORIGINAL DESIGNS

Qualification for design right protection

219 [F¹Qualification by reference to employer].

- (1) A design qualifies for design right protection if it is created [F²in the course of employment with] a qualifying person.
- (2) In the case of F³... joint employment a design qualifies for design right protection if any of the F³... employers is a qualifying person.
- (3) Where a design which is F⁴... created in the course of joint employment qualifies for design right protection under this section, only those F⁴... employers who are qualifying persons are entitled to design right under section [F⁵215(3)] (first ownership of design right: entitlement of F⁴... employer).

Textual Amendments

- F1** S. 219 heading substituted (1.10.2014) by [Intellectual Property Act 2014 \(c. 18\)](#), **ss. 2(2)(c)**, 24(1) (with s. 2(3)); S.I. 2014/2330, art. 3, Sch.
- F2** Words in s. 219(1) substituted (1.10.2014) by [Intellectual Property Act 2014 \(c. 18\)](#), **ss. 2(2)(c)**, 24(1) (with s. 2(3)); S.I. 2014/2330, art. 3, Sch.
- F3** Words in s. 219(2) omitted (1.10.2014) by virtue of [Intellectual Property Act 2014 \(c. 18\)](#), **ss. 2(2)(d)**, 24(1) (with s. 2(3)); S.I. 2014/2330, art. 3, Sch.

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 219. (See end of Document for details)

- F4** Words in s. 219(3) omitted (1.10.2014) by virtue of Intellectual Property Act 2014 (c. 18), **ss. 2(2)(e), 24(1)** (with s. 2(3)); S.I. 2014/2330, art. 3, Sch.
- F5** Word in s. 219(3) substituted (1.10.2014) by Intellectual Property Act 2014 (c. 18), **ss. 2(2)(f), 24(1)** (with s. 2(3)); S.I. 2014/2330, art. 3, Sch.

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