



Registered Designs Act 1949

1949 CHAPTER 88 12 13 and 14 Geo 6

[^{F1}Legal proceedings: general]

[^{F1}24G Meaning of “infringing article”

- (1) In this Act “infringing article”, in relation to a design, shall be construed in accordance with this section.
- (2) An article is an infringing article if its making to that design was an infringement of the right in a registered design.
- (3) An article is also an infringing article if—
 - (a) it has been or is proposed to be imported into the United Kingdom, and
 - (b) its making to that design in the United Kingdom would have been an infringement of the right in a registered design or a breach of an exclusive licensing agreement relating to that registered design.
- (4) Where it is shown that an article is made to a design which is or has been a registered design, it shall be presumed until the contrary is proved that the article was made at a time when the right in the registered design subsisted.
- (5) Nothing in subsection (3) shall be construed as applying to an article which—
 - ^{F2}(a) [may be lawfully imported into the United Kingdom by virtue of anything which forms part of assimilated law as a result of section 3 of the European Union (Withdrawal) Act 2018, or
 - (b) has been or is proposed to be imported into the United Kingdom after being put on the market in the European Economic Area by or with the consent of the proprietor of the registered design.]]
- ^{F3}(6) In subsection (5)(a), the reference to assimilated law is to be read, until the coming into force of paragraph 2(6) of Schedule 2 to the Retained EU Law (Revocation and Reform) Act 2023, as a reference to retained EU law.]

Changes to legislation: Registered Designs Act 1949, Section 24G is up to date with all changes known to be in force on or before 21 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

- F1** Ss. 24A-24G inserted (29.4.2006) by [Intellectual Property \(Enforcement, etc\) Regulations 2006 \(S.I. 2006/1028\)](#), art. 1, **Sch. 1 para. 3**
- F2** S. 24G(5)(a)(b) substituted for words (31.12.2023 immediately before the end of 2023) by [The Intellectual Property \(Exhaustion of Rights\) \(Amendment\) Regulations 2023 \(S.I. 2023/1287\)](#), regs. 1(b), **2(a)**
- F3** S. 24G(6) inserted (31.12.2023 immediately before the end of 2023) by [The Intellectual Property \(Exhaustion of Rights\) \(Amendment\) Regulations 2023 \(S.I. 2023/1287\)](#), regs. 1(b), **2(b)**

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Changes and effects yet to be applied to :

- s. 24G(5) omitted by [S.I. 2019/638 Sch. 8 para. 7](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 8 para. 7 omitted immediately before IP completion day by virtue S.I. 2020/1050, regs. 1(2), 25)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(1)(aa) and word inserted by [2014 c. 18 s. 9\(2\)](#)
- s. 22(5) inserted by [2014 c. 18 s. 9\(4\)](#)
- s. 22(6)(7) inserted by [2014 c. 18 s. 9\(5\)](#)