



UK Registered Designs: Quick Facts.



Mancunium IP

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- Protects Designs after 1 August 1989 (Copyright was used to protect designs prior to this)
- Scope: A registered design is a legal right which protects the overall visual appearance of a product (and not the function). The product is required to have a unique appearance by virtue of one of its features. It is also possible to register a design showing the ornamentation alone, for example a pattern for use on a Chandelier.
- Criteria: The design must be novel; and it must possess 'individual character'. Both are judged with reference to designs made available to the public before the effective filing date of the design in question.*
- Term: 15 years from the end of the calendar year in which the design was first recorded in a design document, or article.
- If article was put on sale within the first five years, that term of design right lasts for 10 years from the date of the first sale.
- Within the last 5 years of this term, a proprietor must grant a license if asked. So generally, during this period can generate royalties, but can't enforce.
- Exclusions: You may not be able to register your design if:
 - - It is not a design by legal definition
 - - It is offensive.
 - - It consists of, or includes, certain protected flags and international emblems
 - - It is solely dictated by the product's technical function.

*A design is considered to be 'new' if no identical (or very similar) design has been published or publicly disclosed in the UK or the European Economic Area (EEA) . 'Identical' covers designs whose features differ only in 'immaterial details'. 'Individual character' means that the appearance of the design (known as the overall impression) is different from the appearance of other already known designs. This is assessed from the view of the "informed user", a person who is familiar with the kind of product in question.

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