



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART III

DESIGN RIGHT

CHAPTER V

MISCELLANEOUS AND GENERAL

[^{F1} Unjustified threats

[^{F1}253 Threats of infringement proceedings

- (1) A communication contains a “threat of infringement proceedings” if a reasonable person in the position of a recipient would understand from the communication that—
- (a) design right subsists in a design, and
 - (b) a person intends to bring proceedings (whether in a court in the United Kingdom or elsewhere) against another person for infringement of the design right by—
 - (i) an act done in the United Kingdom, or
 - (ii) an act which, if done, would be done in the United Kingdom.
- (2) References in this section and in section 253C to a “recipient” include, in the case of a communication directed to the public or a section of the public, references to a person to whom the communication is directed.]

Textual Amendments

- F1** S. 253 253 and crossheading substituted for (1.10.2017) by [Intellectual Property \(Unjustified Threats\) Act 2017 \(c. 14\)](#), **ss. 5(2)**, 8 (with [art. 7\(4\)](#)); [S.I. 2017/771](#), **reg. 2(1)(b)** (with [reg. 3](#))

Status:

Point in time view as at 01/10/2017.

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 253.