



# Intellectual Property Act 2014

## 2014 CHAPTER 18

### PART 1

#### DESIGN

##### *Unregistered design right*

### 3 Qualification criteria

- (1) In section 217 of that Act (qualifying individuals and qualifying persons), in subsection (1)—
  - (a) omit the definition of “qualifying individual”, and
  - (b) for the definition of “qualifying person” substitute—

““qualifying person” means—

    - (a) an individual habitually resident in a qualifying country, or
    - (b) a body corporate or other body having legal personality which—
      - (i) is formed under the law of a part of the United Kingdom or another qualifying country, and
      - (ii) has in any qualifying country a place of business at which substantial business activity is carried on.”
- (2) In that section, omit subsection (4).
- (3) In section 218 of that Act (qualification by reference to designer)—
  - (a) in subsection (2), omit “a qualifying individual or, in the case of a computer-generated design,”
  - (b) in subsection (3), omit “a qualifying individual or, as the case may be,” and
  - (c) in subsection (4), omit “qualifying individuals or”.
- (4) In section 220 of that Act (qualification by reference to first marketing)—
  - (a) in subsection (1)(a), omit “who is exclusively authorised to put such articles on the market in the United Kingdom”,
  - (b) in subsection (2), for “requirements” substitute “requirement”,

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*Status: This is the original version (as it was originally enacted).*

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- (c) in subsection (3), for “those requirements” substitute “that requirement”, and
  - (d) omit subsection (4).
- (5) In section 264 of that Act (index of defined expressions), in the Table, omit the entry for “qualifying individual”.
- (6) This section applies only to designs created after the commencement of this section.