

Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs

TITLE IX

**JURISDICTION AND PROCEDURE IN LEGAL ACTIONS  
RELATING TO [F1SUPPLEMENTARY UNREGISTERED] DESIGNS**

Section 2

**Disputes concerning the infringement and  
validity of [F1supplementary unregistered] designs**

*Article 89*

**Sanctions in actions for infringement**

1 Where in an action for infringement or for threatened infringement a <sup>F1</sup>... design court finds that the defendant has infringed or threatened to infringe a [<sup>F2</sup>supplementary unregistered] design, it shall, unless there are special reasons for not doing so, order the following measures:

- a an order prohibiting the defendant from proceeding with the acts which have infringed or would infringe [<sup>F3</sup>that] design;
- b an order to seize the infringing products;
- c an order to seize materials and implements predominantly used in order to manufacture the infringing goods, if their owner knew the effect for which such use was intended or if such effect would have been obvious in the circumstances;
- d any order imposing other sanctions appropriate under the circumstances which are provided by <sup>F4</sup>... law.

<sup>F5</sup>2 .....

**Textual Amendments**

- F1** Word in Art. 89(1) omitted (31.12.2020) by virtue of [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 1 para. 39(a)(i)(aa)** (with reg. 4, Sch. 2 Pt. 1) (as amended by S.I. 2020/1050, regs. 1(2), 14, 19); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 89(1) substituted (31.12.2020) by [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 1 para. 39(a)(i)(bb)** (with reg. 4, Sch. 2 Pt. 1) (as amended by S.I. 2020/1050, regs. 1(2), 14, 19); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Word in Art. 89(1)(a) substituted (31.12.2020) by [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 1 para. 39(a)(ii)** (with reg. 4, Sch. 2 Pt. 1) (as amended by S.I. 2020/1050, regs. 1(2), 14, 19); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 89(1)(d) omitted (31.12.2020) by virtue of [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 1 para. 39(a)(iii)** (with reg. 4, Sch. 2 Pt. 1) (as amended by S.I. 2020/1050, regs. 1(2), 14, 19); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Art. 89(2) omitted (31.12.2020) by virtue of [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 1 para. 39(b)** (with reg. 4, Sch. 2 Pt. 1) (as amended by S.I. 2020/1050, regs. 1(2), 14, 19); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the Council Regulation (EC) No 6/2002, Article 89.