

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

TITLE II

THE LAW RELATING TO DESIGNS

Section 3

Right to the [^{F1}supplementary unregistered] design

Article 14

Right to the [^{F2}supplementary unregistered] design

1 The right to the [^{F2}supplementary unregistered] design shall vest in the designer or his successor in title.

2 If two or more persons have jointly developed a design, the right to the [^{F2}supplementary unregistered] design shall vest in them jointly.

3 However, where a design is developed by an employee in the execution of his duties or following the instructions given by his employer, the right to the [^{F2}supplementary unregistered] design shall vest in the employer, unless otherwise agreed ^{F3}....

Textual Amendments

- F2** Words in Art. 14 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. 13(a)** (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** Words in Art. 14(3) 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. 13(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)

Article 15

Claims relating to the entitlement to a [^{F4}supplementary unregistered] design

1 If [^{F5}a supplementary] unregistered ^{F6}... design is disclosed or claimed by ^{F7}... a person who is not entitled to it under Article 14, the person entitled to it under that provision may, without prejudice to any other remedy which may be open to him, claim to become recognised as the legitimate holder of [^{F8}that] design.

2 Where a person is jointly entitled to a [^{F9}supplementary unregistered] design, that person may, in accordance with paragraph 1, claim to become recognised as joint holder.

3 Legal proceedings under paragraphs 1 or 2 shall be barred three years after ^{F10}... the date of disclosure of [^{F11}a supplementary] unregistered ^{F12}... design. This provision shall not apply if the person who is not entitled to [^{F13}that] design was acting in bad faith at the time when such design was ^{F14}... disclosed or was assigned to him.

Changes to legislation: This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on legislation.gov.uk. (See end of Document for details)

F154

Textual Amendments

- F4** Words in Art. 15 heading 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. 14(a)** (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** Words in Art. 15(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. 14(b)(i)** (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)
- F6** Word in Art. 15(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. 14(b)(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)
- F7** Words in Art. 15(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. 14(b)(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)
- F8** Word in Art. 15(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. 14(b)(iv)** (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)
- F9** Words in Art. 15(2) 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. 14(c)** (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)
- F10** Words in Art. 15(3) 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. 14(d)(i)** (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)
- F11** Words in Art. 15(3) 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. 14(d)(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)
- F12** Word in Art. 15(3) 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. 14(d)(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)
- F13** Word in Art. 15(3) substituted (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. 14(d)(iv)** (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)
- F14** Words in Art. 15(3) 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. 14(d)(v)** (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)
- F15** Art. 15(4) 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. 14(e)** (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)

^{F16} Article 16

Effects of a judgement on entitlement to a registered Community design

Changes to legislation: This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on legislation.gov.uk. (See end of Document for details)

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Textual Amendments

F16 Arts. 16-18 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. 15** (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)

^{F16}Article 17

Presumption in favour of the registered holder of the design

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Textual Amendments

F16 Arts. 16-18 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. 15** (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)

^{F16}Article 18

Right of the designer to be cited

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Textual Amendments

F16 Arts. 16-18 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. 15** (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)

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Textual Amendments

F1 Words in Title 2 Section 3 heading 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. 12** (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:

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