

## SCHEDULE 2

### Continuing unregistered Community designs

## PART 1

### Design Regulation and continuing unregistered Community designs

#### **Article 81: The “design court” – jurisdiction over infringement and validity**

**29.** For Article 81, substitute—

*“Article 81*

*The “design court” – Jurisdiction over infringement and validity*

- 1.** In this Regulation, “design court” means—
  - (a) in England and Wales, the High Court;
  - (b) in Scotland, the sheriff court and the Court of Session; and
  - (c) in Northern Ireland, the county court and the High Court.
- 2.** The design court has exclusive jurisdiction—
  - (a) for infringement actions and actions in respect of threatened infringement of supplementary unregistered designs;
  - (b) for actions for declaration of non-infringement of supplementary unregistered designs;
  - (c) for actions for a declaration of invalidity of a supplementary unregistered design;
  - (d) for counterclaims for a declaration of invalidity of a continuing a supplementary unregistered design raised in connection with actions under (a).”