

*Status: Point in time view as at 11/11/2013.*

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Paragraph 8A. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 4

#### THE REGISTERED DESIGNS ACT 1949 AS AMENDED ARRANGEMENT OF SECTIONS

##### **Modifications etc. (not altering text)**

- C1** Sch. 4 extended (with modifications) (Isle of Man) (9.12.2001) by [S.I. 2001/3678, art. 3, Sch. 3](#)
- C1** Sch. 4 extended (Isle of Man) (with modifications) (11.11.2013) by [The Registered Designs \(Isle of Man\) Order 2013 \(S.I. 2013/2533\), arts. 1, 3\(2\), Sch. 2](#)

##### *Effect of registration, &c.*

##### *Restoration of lapsed right in design.*

- 8A (1) Where the right in a registered design has expired by reason of a failure to extend, in accordance with section 8(2) or (4), the period for which the right subsists, an application for the restoration of the right in the design may be made to the registrar within the prescribed period.
- (2) The application may be made by the person who was the registered proprietor of the design or by any other person who would have been entitled to the right in the design if it had not expired; and where the design was held by two or more persons jointly, the application may, with the leave of the registrar, be made by one or more of them without joining the others.
- (3) Notice of the application shall be published by the registrar in the prescribed manner.
- (4) If the registrar is satisfied that the proprietor took reasonable care to see that the period for which the right subsisted was extended in accordance with section 8(2) or (4), he shall, on payment of any unpaid renewal fee and any prescribed additional fee, order the restoration of the right in the design.
- (5) The order may be made subject to such conditions as the registrar thinks fit, and if the proprietor of the design does not comply with any condition the registrar may revoke the order and give such consequential directions as he thinks fit.
- (6) Rules altering the period prescribed for the purposes of subsection (1) may contain such transitional provisions and savings as appear to the Secretary of State to be necessary or expedient.

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