

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Community Design Regulations 2005 (“the 2005 Regulations”) so that unintentional infringement of a registered or unregistered Community design in the UK cannot give rise to an order to pay damages. This amendment to the 2005 Regulations will ensure that where a person innocently infringes Community designs then they are liable on the same basis as that available in relation to innocent infringement of UK designs.

The 2005 Regulations make provision for the operation of Council Regulation (6/2002/EC) on Community designs.

An impact assessment has not been produced for this instrument as it has a negligible effect on business.