

## SCHEDULE 1

### Amendments to the Registered Designs (Isle of Man) Order 2013

8. After paragraph 29, insert—

“**29A.** After section 25 (certificate of contested validity of registration), insert—

**“Privilege for communications with those on the special list of professional designs representatives**

**25A.—**(1) This section applies to communications as to any matter relating to the protection of a design as a registered design.

(2) Any such communication—

- (a) between a person and a professional designs representative; or
- (b) for the purposes of obtaining, or in response to a request for, information which a person is seeking for the purpose of instructing a professional designs representative,

is privileged from, or in Scotland protected against, disclosure in legal proceedings in the same way as a communication between a person and a solicitor or, as the case may be, a communication for the purpose of obtaining, or in response to a request for, information which a person is seeking for the purpose of instructing a solicitor.

(3) In subsection (2) “professional designs representative” means a person whose name appears on the special list of professional representatives for design matters maintained by the European Union Intellectual Property Office referred to in Article 78(4) of Council Regulation (EC) 6/2002 of 12th December 2001 on Community designs as it has effect in EU law.”.”