



UNITED KINGDOM DESIGNS (PROTECTION) ACT

Revised Edition
showing the law as at 30 June 2013

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act 2014.

This edition contains a consolidation of the following laws—

UNITED KINGDOM DESIGNS (PROTECTION) ACT

Act 3 of 1930 .. in force 26 February 1930

Amended by Acts: 3 of 1934

2 of 1957

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Published in 2014
On the authority and on behalf of the Government of The Virgin Islands
by
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Printed on the authority and on behalf of the Government of The Virgin Islands
by
The Regional Law Revision Centre Inc.
P.O. Box 1626, Hannah-Waver House, Caribbean Commercial Centre,
The Valley, AI-2640, Anguilla
Authorised Printers for this Revised Edition

UNITED KINGDOM DESIGNS (PROTECTION) ACT

(Acts 3 of 1930, 3 of 1934 and 2 of 1957)

Commencement

[26 February 1930]

Short title

1. This Act may be cited as the United Kingdom Designs (Protection) Act.

Protection in the Territory of designs registered in the United Kingdom

2. Subject to the provisions of this Act, the registered proprietor of any design registered in the United Kingdom under the Patents and Designs Acts, 1907 and 1919, or any Act amending or substituted for those Acts shall enjoy in the Territory the like privileges and rights as though the certificate of registration in the United Kingdom had been issued with an extension to the Territory.

Recovery of damages

3. (1) The registered proprietor of a design shall not be entitled to recover any damages in respect of any infringement of copyright in a design from any defendant who proves that at the date of the infringement he or she was not aware nor had any reasonable means of making himself or herself aware of the existence of the registration of the design.

(2) Nothing in this section shall affect any proceedings for an injunction.

Power of High Court to declare extent to which privileges and rights in designs have been acquired

4. (1) The High Court shall have power upon the application of any person who alleges that his or her interests have been prejudicially affected to declare that exclusive privileges and rights in a design have not been acquired in the Territory under the provisions of this Act upon any of the grounds upon which the United Kingdom registration might be cancelled under the law for the time being in force in the United Kingdom.

(2) Such grounds shall be deemed to include the publication of the design in the Territory prior to the date of registration of the design in the United Kingdom.