22. Unregistered designs

This chapter discusses the law on unregistered designs. The Copyright, Designs and Patents Act 1988 defines unregistered designs as the design of any aspect of the shape or configuration (whether internal or external) of the whole, or part, of an item. In order to secure protection, such a design must be original, in the sense that it should not be commonplace in the design field in question at the time of its creation. Unregistered design rights roughly offer 15 years of protection, during which the right holder has the exclusive right to reproduce the design for commercial purposes. Infringement consists in anyone making an item to the design without authorization and in the making of a design document that records the design for the purposes of enabling someone else to make items to it, again without authorization.
22. Unregistered designs

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