



Webmarking of Registered Designs

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The measure will be introduced shortly and will bring registered design rights in line with **patents** and the similar approach available in the USA.

Present Situation

If you have a registered design right we currently recommend that you mark the related product with the country of application and registered design number.

If you display this information then an infringer cannot assert that his actions were innocent (that is, he did not know the design was registered). No damages can be sought against a registered design infringer who is able to prove that they were unaware of the existence of the disputed design right at the time of alleged infringement.

What's changing

When webmarking for registered designs is introduced you will be able to mark your product with a **web address** and be able to benefit in the same way as if you had marked it with the country of application and the registered design number. As with patent webmarking, the requirement is that the webpage clearly associates the registered design number with that product.

The government's report on the matter can be **found here**.

If you would like further clarification, then please do not hesitate to contact one of our attorneys. At A.A. Thornton & Co. our patent and trade mark attorneys are qualified to provide advice on all aspects of design law. For more information on the design services we provide, please visit the website **here**.

Contact

For more information please contact **Stuart Greenwood** via email at sgg@aathornton.com or your usual A.A Thornton & Co. advisor.

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