

TOTAL RIGHT OF OWNERSHIP



At Prospect IP, we're committed to helping you protect your intellectual property and ensure you have the right of ownership. Our experts provide the guidance you need to navigate the complex world of IP law.



IF THE DESIGN IS COMMERCIALY IMPORTANT FOR YOUR BUSINESS WE RECOMMEND THAT YOU OBTAIN A REGISTERED DESIGN

Unregistered Design Right:

Unregistered design rights (UDRs) are automatically granted to the creator of a design that is original and applied to a product. However, they are limited in scope and duration. UDRs only protect the design itself, not the underlying idea or concept. The duration of a UDR is limited to 10 years from the date of first marketing of the design, or 15 years from the date of creation, whichever is shorter. UDRs do not require registration and are free to obtain. However, they are often weaker than registered design rights (RDs) and may not provide the same level of protection for your business. UDRs are also not enforceable against third parties who have acquired the design independently. Therefore, while UDRs provide some protection, they are often insufficient for businesses that rely on their designs for a competitive advantage.

Registered design rights (RDs) provide a stronger and more enforceable form of protection for your design. RDs are granted by the Intellectual Property Office (IPO) and last for 10 years from the date of registration, with the possibility of extending this to a maximum of 15 years. RDs cover the design of the shape, configuration, or appearance of a product. They are enforceable against anyone who copies the design without your permission. RDs also provide a clear record of ownership and can be used as evidence in court. The application process for RDs is straightforward and can be completed online. The cost of registration is relatively low, making RDs an accessible option for many businesses. By registering your design, you can ensure that your investment in design is protected and your business is better positioned to compete in the market.

REGISTERED DESIGN APPLICATION PROCESS

