

Schedule



Intellectual Property Office

Designs Form DF2A – Guidance Notes

Section 1 – Applicant Details

If you are applying as an individual you should enter your full name. Alternatively if the owner of the design is a company you should enter the 'full registered company name' here. 'Full Registered Company name' is the name of the incorporated Company or Limited Liability Partnership which will own the Design. In the UK, incorporated bodies usually have a formal designation such as 'Limited', 'Plc' or 'LLP'.

Partnership - You must enter the details of at least one partner. When completing the first partner's name please also type in the name of the partnership e.g. John Smith a partner in The Demo Partnership.

Trading name - A trading name is NOT the same as a company name. If using a trading name as part of this application; you must also provide the name of the body which is legally entitled to hold property e.g. 'Smith Ltd trading as Smith's'.

Please be aware that your design may be declared null and void if you do not have the necessary standing to hold intellectual property. It is your responsibility to ensure that the applicant is legally capable of owning property in the name entered on this application.

Section 2 – Representative Details

Please only complete this section if you have someone acting on your behalf such as an IP Attorney, solicitor etc. All correspondence will be sent to this address.

Section 3 – Number of Designs

Please specify the total number of designs applied for.

Section 4 – Fee Paid

| | |
|--|--|
| Application to be published immediately: | £60 (for a single design or for the 1 st design in a multiple). £40 for each additional design if filing a multiple. |
| Publication to be deferred: | £40 (for a single design or for the 1 st design in a multiple). £20 for each additional design if filing a multiple. |

Please use the designs fee calculator on the website to ensure the correct fees are paid as we cannot refund your application fee.

Section 5 – Do you wish to register your Design straight away?

You can choose to defer the registration of your application for up to 12 months from the date of filing your application. This allows you to secure a filing date whilst also giving you more time to market your product or to apply for a patent before publicly disclosing your design(s) on our website. The initial fees for a deferred application are less (see section 4 notes for fees). Please note that if you defer registration of the design, it will not be registered until you instruct us to do so. A further form and fee will be due within 12 months of your filing date. Failure to file the form DF2C and fee within the 12 month non-extendable deadline will result in your application being refused.

Section 6 – What is your Design?

You should state exactly what the design actually is e.g. logo, chair, car, t-shirt, wardrobe etc.

Section 7 – Illustrations of your Design

Illustrations should be presented as follows:

- Either line drawings, CAD or photographs showing the design as it actually appears to the eye
- Show the design in isolation e.g. with no other designs or background detail visible
- Plain A4 paper
- Do not include any technical detail such as borders/labelling/dimensions
- Show all relevant views of the design (maximum of 7) e.g. perspective view, rear view, front view, side view etc.
- The only text accepted on representations are view designations (perspective view, front view etc) and/or disclaimers should you choose to use them
- Please do not fold or crease the images
- Please ensure the print quality of the images is not effected with printer lines etc

Examples of acceptable illustrations are over leaf.

Section 8 – Do I need to include a disclaimer or limitation?

A disclaimer or limitation, alongside the illustration, can help define the scope of protection given to your design. It is important that you think carefully about whether you want or need to make a disclaimer. If your design contains features e.g. pattern(s) or colour(s) which do not relate to your design, then you should consider the use of a disclaimer. Equally, if your design only relates to a part of the product, then you should consider whether or not to limit the scope of your design to that particular element.

Disclaimers and limitations can play an important role in any dispute where you want to enforce your rights against someone who is copying your design, or if there is any dispute about its validity.

Here are three example scenarios where a disclaimer or limitation could be used:

Disclaimers



Example 1: You want to file a design for a bike. Although the illustration shows the bike in pink, the design relates only to its *shape*, and not to the colour shown in the illustration. In this case, the applicant should consider making a disclaimer to the colour shown in the illustration. If they do not, the protection given may be limited to the design shown in the colour pink. In this example, the designer might say “*no claim is made to the colour shown in the illustration*”.



Example 2: You want to file a design for a teapot. Although the illustration shows a pattern applied to the teapot, the design relates only to its shape and not to the pattern. In this case, a feature of the design (the pattern) is *not* part of the design and so the designer should consider disclaiming the pattern shown in the illustration. In his example, a disclaimer might be “*No claim is made for the pattern shown on the surface of the teapot*”.

Limitation



Example 3: You want to file a design for a table. Although the illustration shows the whole table including its top, bottom, legs and side views, the design relates to the legs of the table only - the table top is *not* part of the design. The designer should consider limiting the design to the table legs. In this example, you may wish to highlight the relevant part of your illustration (the table legs) by using a clear visual border, or by greying-out the irrelevant parts of your design.

If I need to record one, how do I submit a disclaimer or limitation?

You can specify the part of your design which you want protection for by using either a *disclaimer* or a *limitation* as outlined in the above examples.

A disclaimer and limitation can either be shown visually (graphically) by indicating that protection is intended for only part of your article. Using the table example, you may wish to highlight the relevant part of your illustration (the table legs) by using a clear visual border, or by greying-out the irrelevant parts of your design.

Alternatively, If you wish to record a written disclaimer or limitation (and it isn't already clear from the illustrations you have submitted), you should enter it in **Section 8** of the form:

Please note that disclaimers and limitations are optional. If you want protection for the whole of your design as shown on the illustration(s), then you should not use them. Please also note that disclaimers and limitations will limit the scope and extent of protection conferred upon your design.”

Section 9 – Repeated Surface Pattern (optional)

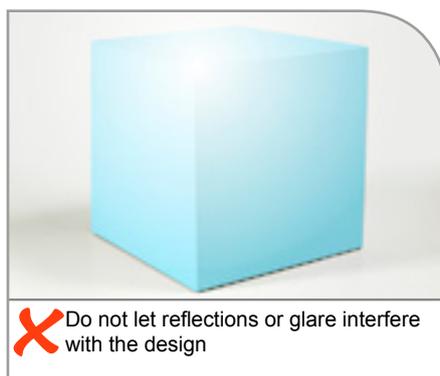
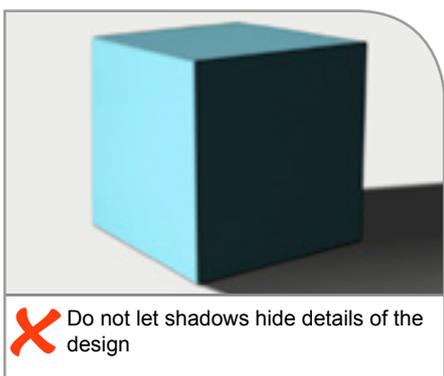
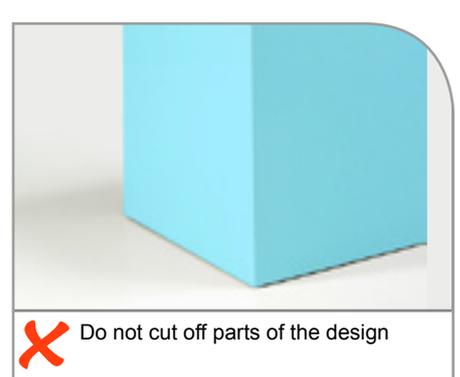
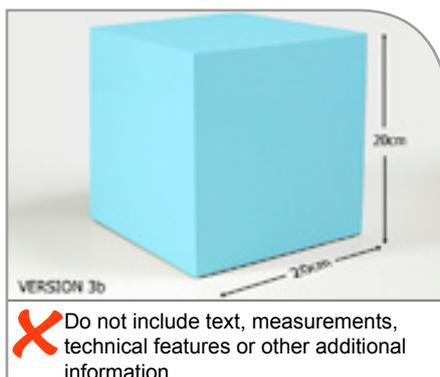
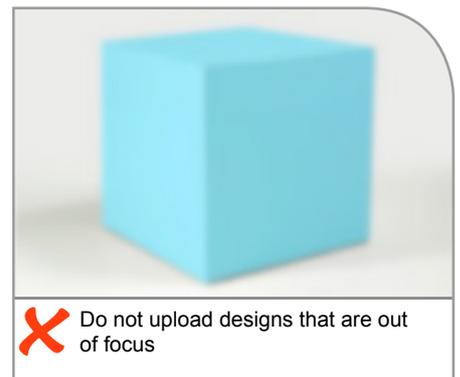
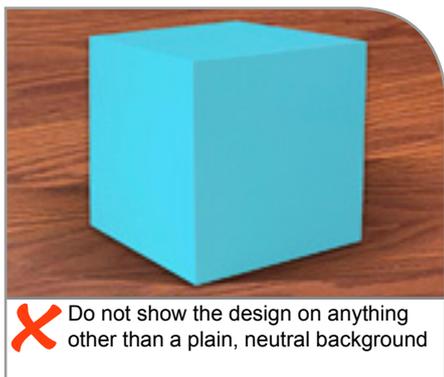
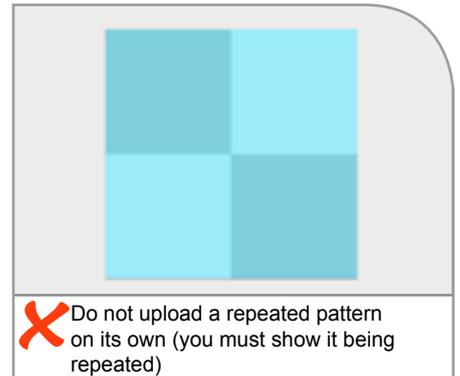
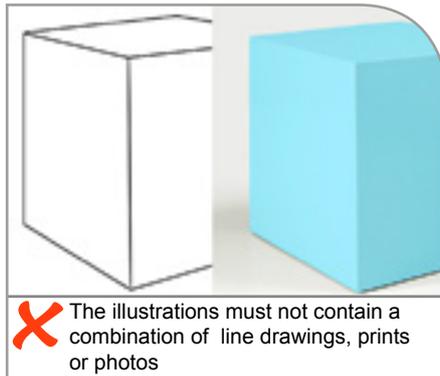
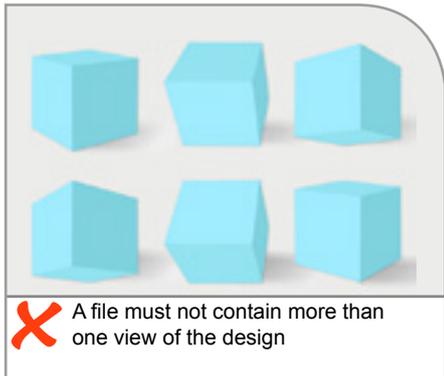
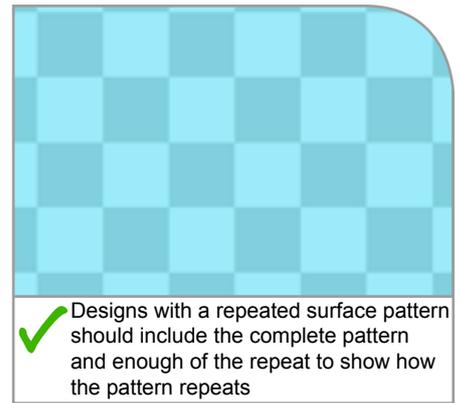
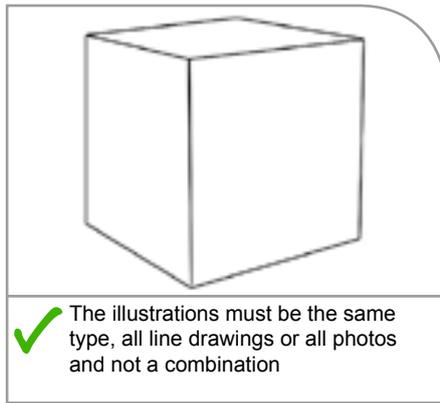
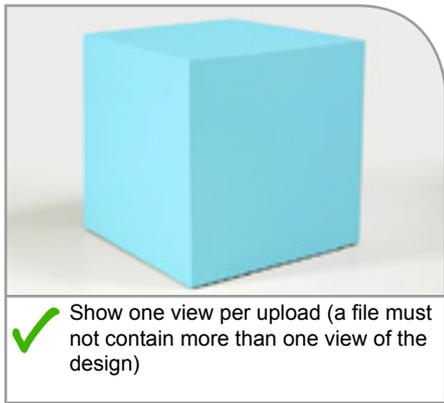
Views of designs with a repeated surface pattern should show the complete pattern and be surrounded with enough of the repeat to fully illustrate the entire pattern. Examples of such designs are wallpaper or textile materials.

Additional Information

On filing your application, it will undergo an examination process where we will examine your application to ensure it meets the requirements of the Registered Designs Act 1949 and The Registered Designs Rules 2006. Please be aware that we do not conduct a novelty search as part of the process. We can conduct a search of identical designs registered in the UK on request by filing form DF21 and a £25 fee.

The rules regarding ownership have changed (1st October 2014). Employers continue to own the rights to any design created by employees as part of their employment. If you are an independent designer you own the rights to your design even if commissioned unless a contract is in place stating otherwise. If you pay someone commission to create a design on your behalf, you do not own the rights in the design unless a contract is in place stating otherwise.

Section 7 cont. - Illustrations dos and don'ts.





Designs Form DF2A

Use this form to file your application to register a Design

Fee - Up to date fees are published on our website (www.gov.uk/government/publications/design-forms-and-fees)

As part of the registration process your name, address and details of your design are published.

1. Full name

Proposed owner (as it will appear on the Registration Certificate)

Owner type

Note: Specify the owner is an individual, registered company/LLP, partnership or trust

Address

If the address is not within the United Kingdom, European Economic Area (EEA) or the Channel Islands you must also complete section 2 below

| | |
|----------------------|----------|
| <input type="text"/> | |
| <input type="text"/> | |
| <input type="text"/> | Postcode |

Email address

Complete if you have no representative and would like us to correspond with you by email.

Country of incorporation

If registered in USA also enter the 'State' e.g. 'Delaware'.

Contact details

Name, daytime telephone number of the person to contact in case of a query

2. Representative name

If you have no representative, go to section 3.

Address

The address provided in this section must be in the UK, European Economic Area (EEA) or the Channel Islands.

| | |
|----------------------|----------|
| <input type="text"/> | |
| <input type="text"/> | |
| <input type="text"/> | Postcode |

Email address

Complete if you would like to correspond via this address

3. Number of Designs

Please confirm the number of designs you are applying for.

4. Fee Paid

Please ensure the correct fee has been enclosed.

A fee calculator is available with this form

(<https://www.gov.uk/government/publications/design-application-fee-calculator>)

About Your Design

This is the (for example, first) design out of a total of designs.

You must answer these questions for each design in a multiple application, so copy this sheet as many times as you need.

| | | |
|--|---|-----------|
| 5. Do you wish to register your Design straight away? Please indicate yes or no here | Yes | No |
| | If you wish to delay registration, detailed guidance notes as to why this may be a possible option for you are available with this form | |

| | |
|--|--|
| 6. What is your Design? Please tell us what the design is i.e. a chair, wardrobe, hosepipe etc | |
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|---|
| 7. Representation of your Design Please include a representation of your design on the representation sheet provided. Further details on how to present your representations are available with this form. |
|---|

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| 8. Disclaimers and Limitations (Optional) If you want to disclaim any part of the design e.g no claim is made for the colours shown, you can do so here. This should also be applied to the representation of your Design | |
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| 9. Repeated Surface Pattern (Optional) Write "RSP" if this is the design of a pattern which repeats across the surface of a product, for example, wallpaper here and on your representation of the Design | |
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| | | |
|--|---------------------------------|--|
| 10. Priority Claim (Optional) If you have applied for this Design outside of the UK in the last six months you can claim priority by entering the details here | Priority Claim Country | |
| | Application/Registration Number | |
| | Priority Claim | |

| | |
|--|--|
| 11. Declaration Signature A signature must be supplied Name (BLOCK CAPITALS) Date | I can confirm that: The applicant is entitled to hold property I understand and accept that any application fees paid are non-refundable (even if the application is not acceptable) |
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| 12. Your reference Complete if you would like us to quote this in communications with you, otherwise leave blank. | |
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Checklist

Please make sure you have remembered to:

- Sign and date the form
- Complete fee sheet (Form FS2)
- Enclose the fee and fee sheet
- Enclose the representations of the Design

Where to send

Intellectual Property Office
Trade Marks Registry
Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

Representation of your Design (Please ensure you use one format of representations only i.e. line drawings OR photographs).

You can use this sheet or present your design on separate plain A4 paper

This is the (for example, first) design out of a total designs

