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## Unregistered Design Right

Design right is a free, automatic form of protection, which does not require any registration formalities. In order to be protected by design right, your design must be original, in the sense that you have created the design. The shape or configuration of the design is protected. You can enforce your design right to stop anyone making or selling a copy of your design.

UK design right protects your design in the UK only and last for fifteen years from the creation of the design or ten years from first marketing of your design in the UK, whichever is earlier. For the first five years of unregistered design protection you can stop anyone copying your design. For the remainder of the term of the design right you are obliged to grant a licence to anyone wishing to use your design.

European design rights are an automatic right which last for three years from disclosure of the design within the European Union.

In order to prove and enforce your design rights we recommend that you keep dated design drawings of all of your products and record when they were first marketed.

Unregistered rights are always more difficult to enforce than registered rights. If you have a new design, we would always advise that you apply to register the design. We are always happy to discuss the best forms of protection for your products. Please give us a call to discuss your requirements in more detail or take up our offer of a free thirty minute consultation to decide the best way to proceed.