

# Designs framework call for views

The designs framework enables rights holders to protect designs and enforce their rights. The [call for views](#) sought views and evidence on opportunities to improve the designs framework in the UK. This will help the government ensure the UK's designs framework works for the designers, businesses and consumers that use it.

Responses to the call for views were received on three broad areas – new opportunities, future technologies, and better regulation. The [government response](#) provides a summary of the responses received. It sets out issues for further consideration, including areas for future consultation. These issues include:

- how to simplify the designs regime, in particular for [unregistered designs](#)
- how to improve guidance for designers, including those who do not normally engage with government directly
- options around search and examination
- the relationship between design and copyright law, and if there is a need for reform or guidance
- concerns about disclosure requirements for supplementary unregistered designs, including uncertainty in relation to simultaneous disclosure
- if the current format requirements for how designs are represented should be updated
- how to ensure the designs system is flexible enough to support developments in technology
- options for a possible deferment provision
- measures that could be introduced to make enforcement easier for all rights owners
- evidence to support views on the extension of criminal sanctions for unregistered design infringement

The UK has a vibrant design industry. A designs framework that supports designers, and encourages overseas investment, will help give the UK a competitive edge. Following the UK's departure from the European Union (EU), we have new flexibilities to define the domestic designs regime. As the UK negotiates trade deals with international partners, a modern and flexible designs framework will help make the most of these new opportunities and help our design industry flourish.

**The Intellectual Property Office's Chief Executive, Tim Moss, said:**

In a competitive global marketplace, great design helps UK products stand out, demonstrate quality and reach new customers all over the world.

The designs framework is a crucial element of our IP system.

Through this review, we want to ensure it remains fit to embrace the challenges of an increasingly digital future, helping to unleash the potential of the UK's creative and innovative industries.

**Matthew Ridley, Chair of Chartered Institute of Patent Attorneys' Designs and Copyright Committee, said:**

We have appreciated the opportunity to respond to the call for views, and look forward to providing further input at consultation.

We are pleased that the government response acknowledges the benefits of the existing speed and value of the UK designs registration system.

Further consultation will provide further opportunity to identify improvements to the UK design framework – particularly in the areas of simplifying the unregistered design and copyright systems, considering the searching and examination of registered designs and implementing a harmonised deferment provision under UK law. We look forward to further engagement with government on these important areas.

**Cat Drew, Chief Design Officer at the Design Council said:**

The design economy is a significant and growing contributor to economic growth. Our departure from the EU, the disruption of the Covid pandemic and the climate emergency are seeing us reconfigure and re-establish global trade routes. An IP framework that supports all designers, and protects sustainable and equitable innovation will help ensure the design economy remains a major driver of exports.

The climate emergency requires us to redesign almost every aspect of our lives. Global collaboration is crucial. We need an IP system that allows ideas to be shared and spread, protecting and rewarding imagination and creativity.

We welcome the IPO's recognition that these are complex issues, and look forward to working with them on further consultation to get this challenge right.

## Notes to editors:

- the Intellectual Property Office (IPO) is the government agency responsible for ensuring the designs framework supports rights holders to protect designs and enforce their rights
- the call for views ran for 8 weeks between January and March 2022 and received 57 responses. The IPO also held a number of round-table events
- in addition to the call for views, the IPO published a survey aimed at people with an interest in designs and how they are protected, but who do not consider themselves experts on IP. The survey received 288 responses
- responses to the call for views were received from designers (5), design consultants (2), academics (2), legal firms and professionals (17), legal trade bodies and professional bodies (7), other trade bodies (10), small and medium enterprises (SMEs) (9), large enterprises (4) and other (1)
- responses to the designs survey came predominantly from lone designers (58%) and small businesses employing fewer than 10 people (22%). This provides additional insight into how these groups use design protection in the UK