



PRIMER on IPR – DESIGNS

What to do? When to
do? And Why?

INK IDEÉ
ink your idea

PATENT AND TRADEMARK ATTORNEYS

FORMS OF IP

TRADEMARKS: ownership of brand name, company name, logo

PATENTS : ownership of technology and science

COPYRIGHTS : ownership of content, creative work

DESIGN REGISTRATIONS : ownership of aesthetic work on products

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WHERE DO DESIGNS HELP?

A design registration or an industrial design right is an intellectual property right that protects the visual aspects or the aesthetics of any product. Shape and configuration protection warrants a design registration.

2

FREE SEARCH

Search Portal, Singapore: <https://www.ip2.sg/RPS/WP/CM/SearchAdvanceP.aspx>

Search Portal, Australia:

http://pericles.ipaustralia.gov.au/adds2/adds.adds_simple_search.paint_simple_search

Search Portal, India:

<http://ipindiaservices.gov.in/designapplicationstatus/designstatus.aspx>

3

PROFESSIONAL HELP

A PATENT AGENT or a PATNET ATTORNEY is licensed to represent a client before the State (Design Registry and Offices of that state).

4

SECURING RIGHTS

A design registration is for an "article". The design should relate to features of shape, configuration, pattern or ornamentation applied or applicable to an article.

Thus, designs of industrial plans, layouts and installations cannot be registered under the Act.

The design should be applied or applicable to any article by any industrial process. Normally, designs of artistic nature like painting, sculptures and the like which are not produced in bulk by any industrial process are excluded from registration under the Act.

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HOW TO DETERMINE INFRINGEMENT?

Always be on the lookout for similarities in the market

Gather evidence of dates of inception, use, continuous use, market size, market similarity, class similarity, goods and services.

Conduct an online Search – Google it. Create news alerts.

Refer to the patent document that you own. Refer to similarities in design. Find differentiations. Seek expert opinion.

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ACTS ASSOCIATED WITH DESIGNS

Registered Designs Act (CHAPTER 266) (Original Enactment: Act 25 of 2000) REVISED EDITION 2005 (31st July 2005)

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SYMBOLS

- Design Registration No.

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