Industrial property: legal protection of designs

1993/0464(COD) - 03/12/1993 - Legislative proposal

The proposal for a directive aims to provide effective legal protection for designs or industrial models in the Community Member States. It seeks to reduce the legal obstacles to freedom of movement for design goods and to establish a system of undistorted competition in the internal market. The directive complements the proposal for a regulation to establish a Community protection system and is applicable to registered designs or models or to registration applications. It should make it possible to harmonise the characteristics needed for specific national protection and Community protection of designs and models to coexist. These lie in the definition of 'design or model', the requirement for obtaining protection including the grounds for exclusion, non-prejudicial disclosures as to the individual character and novelty of the design or model, the scope and term of protection, the grounds for refusal or invalidity, the definition of the rights conferred by the design or model including their limitations and exhaustion of rights.