

Registered Designs (Design Protection)

Design protection is protection against an imitation of the design. Therefore, it is not the function that is protected, but rather exclusively the design of the product and the aesthetic impression that it makes. Similar to the registered utility model, design protection is registered with the German Patent and Trademark Office without an inspection of the protection criteria. In the event of a registered design violation, it must therefore be evaluated whether the protection criteria are fulfilled. These criteria consist of the innovation as well as a certain design height, designated in the law as “proprietaryship”.

Protection of the registered design totals a maximum of 20 years from registration, while for the future EU design protection, a protective period 25 years is planned.

Many nations outside the EU also recognize comparable instruments for the protection of product design.