



Design Protection in India

Thought Leadership • May 19, 2013

The purpose of the Design Act is to protect novel designs that are applied to or govern the shape of an article which is to be manufactured and marketed on a commercial scale, with emphasis on the visual impact of the finished article. The Design Act grants protection to the rights holder, who may enjoy an exclusive right to the embedded commercial value of its design. An industrial design applied to an article may enjoy protection through registration if it is new or original, provided that it is a non-functional feature of shape, configuration, pattern, ornamentation or a composition of lines of colours, whether in two- or three-dimensional form or both. The Act uses a 'first to file, first to get' system; the inventor or creator of a design must file the application for registration to prevent other persons claiming rights on that particular design. *Authored by Archana Shanker. This chapter was published in International Design Protection: A Global Handbook.* To continue reading, please contact us at email@anandandanand.com

