

## CHANGES TO REGISTERED DESIGNS REGIME

This follows up from to our previous update to the changes to the Singapore Registered Designs regime. The changes summarised herein took effect from 30 October 2017.

### Colour design feature

It is now possible to specify colour as one of the features of the Registered Design. However, to receive protection the one or more colour features must not be –

- (1) dictated solely by the function that the article or non-physical product has to perform;
- (2) dependent upon the appearance of another article or non-physical product of which the article or non-physical product is intended by the designer to form an integral part;
- (3) to enable the article or non-physical product to be connected to, or placed in, around or against, another article or non-physical product, to allow either article or non-physical to perform its function; or
- (4) used alone without any feature of shape or configuration and do not give rise to any feature of pattern or ornament, i.e. the colour/s itself is not protected.

### Non-physical product

This is a new category for Registered Designs and is meant to protect virtual designs. A nonphysical product is defined as anything that does not have a physical form, is produced by the projection of a design on a surface or a medium, and has an intrinsic utilitarian function (other than merely to portray the appearance of thing or to convey information).

An example of a non-physical product that can be protected is a virtual keyboard which can be used to type characters in the same manner as a physical keyboard (its utilitarian function). An example of a non-physical product which cannot be protected is a virtual cup and which is not able to actually hold a liquid.

The amended act also protects any device for projecting the registered non-physical object, including any product or component used in or with such a device, for example software.

# DESIGNS UPDATE

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