

**AN INNOVATION-DRIVEN SINGAPORE THROUGH DESIGNS**

**New Initiatives**

The Singapore Registered Designs Act (“current RDA”) was enacted in 2000. With the evolution of new designs trend, the technological advances and 16 years on from the first RDA enactment, the Ministry of Law in collaboration with the Intellectual Property Office of Singapore (IPOS) has recently concluded a joint review of the Singapore Registered Designs Act. The objective of the review is to enhance the existing designs law in Singapore and to complement Singapore’s Designs Masterplan.

The Designs Masterplan 2025 is spearheaded by the Ministry of Communications and Information (MCI) who appointed the Design Masterplan Committee (DMC) to propose strategies on how to bring Singapore’s Designs’ landscape to the next level. The Designs Masterplan 2025 was launched earlier this year. Its’ objective is to promote and gear the nation towards an innovation-driven economy under the slogan “Singapore by Design”, to encourage design creativity and lead the nation towards designs excellence.

**Designs 101**

We encounter so many designs in our daily lives. A basic example are the clothes that we wear which we customarily choose because of the attractiveness of its designs. A design registration in Singapore protects the appearance of the product (aesthetics), in this case the appearance and pattern of the clothes. Samples of various local fashion designs are exhibited at the National Designs Centre.



Designs are also adopted in the cutesy-artsy but useful things meant for everyday use, such as these folders from little red box which depicts the Singapore story- for the historian in us.



There are also handcrafted knitted baskets from nanaknits which are attractively designed but are also useful. These are just a few of the thousands of designs we see around us.

Indeed, Designs make the world around us a livelier and comfortable place to live in. From fashion to electronics, it adds flavor to the otherwise ordinary. It also plays a vital role to a nation’s economy, as consumers will generally pay more for a product with enhanced or unique design.

**THE CHANGES**

It is important to keep in place measures to encourage designers’ creativity and there are three proposed major changes in the “current RDA”, which will be set in place to assist to implement and sustain the Designs Masterplan 2025, as follows:

(i) **To broaden the scope of registrable designs**

| CURRENT DESIGNS DEFINITION (“current RDA”)  | PROPOSAL TO BROADEN THE SCOPE OF REGISTRABLE DESIGNS, TO INCLUDE:- (“future RDA”)   |
|---|---|
| <p>‘DESIGN’ means features of shape, configuration, pattern or ornament applied to an article by any industrial process...</p> <p>Criteria for design:-<br/>                     - it must be new; and<br/>                     - it must be industrially applied onto an article</p> | <ul style="list-style-type: none"> <li>- visual or projected designs;</li> <li>- design or artisanal or handcrafted items; and</li> <li>- colours as a design feature.</li> <br/> <li>- removal of the requirement for the design to be ‘applied by an industrial process’</li> </ul> |

The scope of the “current RDA” does not include, for example, the latest trends in designs such as design of artisanal or handcrafted items, 3D printing, visual design, etc.

One such design trend is 3D printing articles. These are proposed to be allowed protection under the new Designs regime in Singapore. 3D printing or additive manufacturing uses the computer to create a three dimensional object and allows designs to be applied to an article outside the ‘industrial process’ context.



In this picture are 3D articles produced by Pirate3D Pte Ltd with the use of the Buccaneer, a 3D printer created for the consumer market.

(ii) **Designer to be owner in default**

The current RDA provides protection by default to the person who commissioned a work. To protect designers and to encourage creativity, it is proposed that the Singapore Designs Act will shift to a regime to one where the “designer is the owner in default” of all its’ creations.

(iii) **Extended and broader grace period for design applications.**

In order to provide sufficient time for designers to test their products prior to registration, an extended and broader grace period for design applications from the current 6 months is proposed to be extended to a 12 month grace period. To ensure that the Singapore’s Design regime is aligned to the international designs practice, it is also proposed to remove the limitation on the requirements on where the disclosure is made, *i.e. that disclosures can only be made on certain international exhibitions.*

**Conclusion**

The proposed amendments in the current Registered Designs Act are expected to be rolled out later this year while the Designs Masterplan has until 2025 to unfold. These changes will assist the nation to have an innovation driven economy and ultimately secure its position to be the Intellectual Property Hub of Asia.



**Sources:**

1. Ministry of Law – Registered Designs Regime to Provide Greater Protection and Clarity to Designers press released of 16 Mar 2016;
2. Intellectual Property Office of Singapore, Final Report on the Review of Singapore’s Registered Designs Regime;
3. Photos privately taken from the National Designs Centre display and Naise shops (The Cathay and Suntec City).

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