



French threat on Design rights for Ink cartridge?

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Just published is a decision issued on April 15, 2010, where the Paris Court of Instance upheld that the registered Designs of ink cartridge hold by SEIKO EPSON CORPORATION be invalidated.

The Court said that such designs lacked novelty and individual character because, when normally used by the public, they are incorporated into a complex product and are no more apparent. As a result, the ornamental function of the design cannot be fulfilled.

This is quite a strict position. If it was to be confirmed in the French practice, no more registration of the appearance of ink cartridge could be sought as design.