

UNITED STATES CODE

TITLE 35—PATENTS

CHAPTER 16—DESIGNS

Sec.

- | | |
|-----|------------------------|
| 171 | Patents for designs. |
| 172 | Right of priority. |
| 173 | Term of design patent. |

**CHAPTER 29—REMEDIES FOR INFRINGEMENT OF A PATENT,
AND OTHER ACTIONS**

- | | |
|-----|--|
| 289 | Additional remedy for infringement of design patent. |
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CHAPTER 16—DESIGNS

35 U.S.C. 171 Patents for designs.

Whoever invents any new, original, and ornamental design for an article of manufacture may obtain a patent therefor, subject to the conditions and requirements of this title.

The provisions of this title relating to patents for inventions shall apply to patents for designs, except as otherwise provided.

35 U.S.C. 172 Right of priority.

The right of priority provided for by subsections (a) through (d) of section 119 of this title and the time specified in section 102(d) shall be six months in the case of designs. The right of priority provided for by section 119(e) of this title shall not apply to designs.

(Amended Dec. 8, 1994, Public Law 103–465, sec. 532, 108 Stat. 4809, effective June 8, 1995.)

35 U.S.C. 173 Term of design patent.

Patents for designs shall be granted for the term of fourteen years from the date of grant.

(Amended Aug. 27, 1982, Public Law 97–247, sec. 16, 96 Stat. 321; amended Dec. 8, 1994, Public Law 103–465, sec. 532,

108 Stat. 4809, effective June 8, 1995.)

**CHAPTER 29—REMEDIES FOR INFRINGEMENT OF PATENT,
AND OTHER ACTIONS**

35 U.S.C. 289 Additional remedy for infringement of design patent.

Whoever during the term of a patent for a design, without license of the owner,

- (1) applies the patented design, or any colorable imitation thereof, to any article of manufacture for the purpose of sale, or

- (2) sells or exposes for sale any article of manufacture to which such design or colorable imitation has been applied shall be liable to the owner to the extent of his total profit, but not less than \$250, recoverable in any United States district court having jurisdiction of the parties.

Nothing in this section shall prevent, lessen, or impeach any other remedy which an owner of an infringed patent has under the provisions of this title, but he shall not twice recover the profit made from the infringement.