Abstract: A decade after their introduction, approximately three-quarters of a million European registered community designs (RCDs) have been filed, and recent court cases suggest firms regard them as important for competition. This paper reviews design protection in the European Union, discusses this legal instrument to protect designs and design innovations, and provides an overview of how RCDs are used by firms from different countries and industries. To develop a more detailed understanding of their usage, we also report an exploratory qualitative study on the use of RCDs by German firms in three industries: footwear, car manufacturing and tool-making. This revealed some important differences, notably between judicious filing and “all-you-can-file” strategies, which implies that future research using this instrument requires attention be paid to firm and industry level behaviors. We develop a set of propositions, and set out a research agenda.

Stichworte: Design rights; Product design; Innovation; Research agenda

Intellectual Contribution: Contribution to Practice
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