

# Softening of design protection in the crisis wrong signal



Yesterday, the Bundestag decided to introduce a repair clause, which is to significantly limit the design protection of car manufacturers for visible spare parts. Reinhard Zirpel, President of the Association of International Motor Vehicle Manufacturers (VDIK) explained: "The performance of the automotive industry is based not least on the fact that its innovations are protected. Car manufacturers worldwide are expected to invest massively in the development of alternative engines. The funds for this must be generated. So softening design protection is the wrong signal, especially in times of crisis".

Body design is one of the most important factors shaping the brand image of modern motor vehicles. Car manufacturers invest enormous sums in this area. The values and products that are created in this way are rightly specially protected – by the so-called design law. In future, this protection is to be dropped for visible spare parts for new models, provided that these are used for repair purposes (repair clause). However, the protection of designs cannot only apply to new parts, but must of course also cover spare parts. According to the new law, designs that have already been filed will be protected as existing designs; here, design protection will continue to apply without restriction.

Both the European manufacturers' association and national industry associations warn very clearly against the consequences of a softening of design protection for the added value of automobile manufacturers. For example, a repair clause introduced throughout Europe would most likely have a negative impact on employment in the automotive industry. After all, the abolition of design protection would enable companies that produce exclusively for the aftermarket to legally manufacture imitation parts of dubious quality. In contrast to manufacturers, these companies have naturally not invested in the development of the parts in question. Germany is therefore sending the wrong signal by introducing a national regulation.