

Black's Law Dictionary®

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the advent of no-fault divorce, this term was commonly used in divorce statutes. The term was often part of the longer phrase *willful, continued, and obstinate desertion*.

► **willful, continued, and obstinate desertion.** See *obstinate desertion*.

Desert Land Act. See CAREY ACT.

deserts. See JUST DESERTS.

design, n. (16c) 1. A plan or scheme. 2. Purpose or intention combined with a plan.

► **formed design.** (1861) *Criminal law.* The deliberate and fixed intention to kill, though not necessarily a particular person. See PREMEDITATION.

3. The pattern or configuration of elements in something, such as a work of art. 4. *Patents.* The drawing or the depiction of an original plan for a novel pattern, model, shape, or configuration that is chiefly decorative or ornamental. • If it meets other criteria, a design may also be protectable as a trademark. — **design, vb.**

design around, vb. (1923) *Patents.* To make something that performs the same function or has the same physical properties as (a patented product or process) but in a way different enough from the original that it does not infringe the patent. Cf. DOCTRINE OF EQUIVALENTS.

designate, n. (16c) See DESIGNEE.

designate, vb. 1. To choose (someone or something) for a particular job or purpose <the forest was designated a conservation area>. 2. To represent or refer to (something) using a particular symbol, sign, name, etc. <lakes are designated by blue spaces on the map>.

designated driver. (1982) Someone who agrees to drink little if any alcohol when two or more friends or coworkers go to a place where alcohol is being served so that he or she can drive the others home safely.

designated public forum. See PUBLIC FORUM.

designating petition. (1940) A document used to designate a candidate for a political-party nomination at a primary election or for election to a party position.

designation. (14c) 1. The act of choosing someone or something for a particular purpose or of giving the person or thing a particular description <the designation of Cheng as lead counsel>. 2. A name or title <the designation known as solicitor general>.

designatio personae (dez-æg-nay-shee-oh pər-sōh-nee). [Law Latin] Designation of the person by class or category rather than by name, as “the children of A.” • This phrase was used to specifically identify a person in a contract or deed, often as a word of limitation (e.g., “to my eldest son”). Cf. DESCRIPTIO PERSONAE.

design claim. See PATENT CLAIM.

design defect. See DEFECT.

design-defect exclusion. See EXCLUSION (3).

designedly, adv. (17c) Willfully; intentionally.

designee. (1925) Someone who has been designated to perform some duty or carry out some specific role. — Also termed *designate* (dez-ig-nət), *n.*

designer defense. See DEFENSE (1).

designer drug. See DRUG.

design patent. See PATENT (3).

design review. (1962) A process by which a building permit is withheld until the proposed building meets the architectural standards established by land-use regulations. — Also termed *architectural review*.

design specification. See STATEMENT OF WORK.

design-specification contract. See *build-to-print contract* under CONTRACT.

desist. (16c) To stop or leave off. See CEASE-AND-DESIST ORDER.

desk-appearance ticket. (1972) *Criminal law.* A written police instruction directing a defendant charged with an offense to appear in court at a specified time. — Abbr. DAT.

desk audit. See AUDIT.

deskill, vb. (1941) To reduce or remove the need for a skill in (a job), usu. by a change in machinery or technology.

desk job. (1965) *Employment law.* An occupation that requires mostly working at a desk in an office.

de solemnitate (dee sə-lem-ni-tay-tee). [Law Latin] (17c) *Scots law.* As a solemnity. • The phrase appeared in reference to certain deed requirements essential to the deed's validity. Cf. EX SOLEMNITATE.

de son tort (də sawn [or son] tor[t]). [Law French “by his own wrongdoing”] Wrongful.

► **executor de son tort.** See EXECUTOR.

► **trustee de son tort.** See TRUSTEE (1).

de son tort demesne (də sawn tor[t] di-mayn). [Law French] Of a person's own wrong. • This is the law French equivalent of the Latin phrase *de injuria*. See DE INJURIA.

desperate debt. See DEBT.

despitus (di-spi-təs or des-pi-təs). [Law Latin] 1. Contempt. 2. A contemptible person.

despoil (di-spoil), *vb.* (14c) 1. To deprive (a person or place) of possessions illegally by violence or by clandestine means, esp. in time of war. 2. To mar the appearance of (a place) by taking or damaging things. — **despoliation** (di-spoh-lee-ay-shən), *despoliment, n.*

desponsation (dee-spon-say-shən). (14c) *Archaic.* The act of betrothal; the act of contracting for marriage.

despot (des-pət), *n.* (16c) 1. A ruler with absolute power and authority. 2. A tyrant who uses power in cruel and unfair ways. — **despotic** (di-spot-ik), *adj.*

despotism (des-pə-tiz-əm). (18c) 1. A government by a ruler with absolute, unchecked power. 2. Total power or controlling influence.

de statu defunctorum (dee stay-t[y]oo dee-fəngk-tor-əm). [Law Latin] *Scots law.* Concerning the status of the decedent. • The phrase was often used to refer to questions about the decedent's legitimacy.

de statuto mercatorio (dee stə-tyoo-toh mər-kə-tor-ee-oh), *n.* [Law Latin “of statute merchant”] (18c) *Hist.* A writ ordering the imprisonment of someone who forfeits a statute-merchant bond until the debt has been paid. See STATUTE MERCHANT.

de statuto stapulae (dee stə-tyoo-toh stay-pyā-lee), *n.* [Law Latin “of statute staple”] *Hist.* A writ to seize the property of and imprison a person who forfeits a staple-statute bond. See STATUTE STAPLE.