

*Repealed by Sec. 111 of Ord. 9 of 1952*

## CHAPTER 61.

### DESIGNS (UNITED KINGDOM) REGISTRATION.

[No. IV of 1929.]

[26th January, 1929.]

Short title.

1. This Ordinance may be cited as the Designs (United Kingdom) Registration Ordinance.

Interpretation.

2. In this Ordinance, unless the context otherwise requires,—

“ the Registrar ” means the Registrar of Deeds;

“ the register ” means the register of designs required to be kept by section eleven of this Ordinance;

“ the Court ” means the Supreme Court of the colony;

“ prescribed ” means prescribed by rules made under this Ordinance.

Application for registration of design registered in United Kingdom.

3. Anyone who is the registered proprietor of a design registered in the United Kingdom under the Patents and Designs Acts, 1917 and 1919, or any Act amending or substituted for those Acts, or any person deriving his right from that registered proprietor by assignment, transmission, or other operation of law, may apply within three years from the date of registration of the design to have the design registered in the colony. Where any partial assignment or transmission has been made, all proper parties shall be joined in the application for registration.

Documents required.

4. An application for registration of a design under this Ordinance shall be made to the registrar and shall be accompanied by two certified representations of the design and a certificate of the Comptroller General of the United Kingdom Patent Office giving full particulars of the registration of the design in the United Kingdom and stating the date at which the design became or will normally become open to public inspection.

Certificate of registration.

5. Upon the application being lodged, together with the documents mentioned in the last preceding section, the registrar shall issue a certificate of registration.

6. The certificate of registration shall confer on the applicant privileges and rights subject to all conditions established by the law of the colony as though the certificate of registration in the United Kingdom had been issued with an extension to the colony.

Privileges conferred by certificate.

7. Privileges and rights so granted shall date from the date of registration in the United Kingdom and shall continue in force only so long as the registration in the United Kingdom remains in force:

Duration of privileges :

Provided that no action for infringement of copyright in the design shall be entertained in respect of any use of the design prior to the date of issue of the certificate of registration in the colony.

Proviso.

8. The Court, upon the application of any person who alleges that his interests have been prejudicially affected by the issue of a certificate of registration, may declare that the exclusive privileges and rights conferred by the certificate have not been acquired on any of the grounds upon which the United Kingdom registration might be cancelled under the law for the time being in force in the United Kingdom.

Court may declare privileges not acquired.

9. Where a person becomes entitled by assignment, transmission, or other operation of law, to the privileges and rights conferred by a certificate of registration, or to any interests therein, he may make application in the prescribed manner to the registrar for the entry on the register of the assignment, transmission, or other instrument affecting the title, or giving an interest therein.

Registration of assignment.

10. The registrar may make such general rules and do such things as he thinks expedient, subject to the provisions of this Ordinance, for regulating procedure hereunder and prescribing the fees to be paid in respect of proceedings hereunder. All rules and acts aforesaid shall be subject to the approval of the Governor in Council.

Rules as to procedure and fees.

11.—(1) The registrar shall keep a book, to be called the register of designs, wherein shall be entered the names and addresses of proprietors of registered designs, notifications of assignments and of transmissions of registered designs, and any other matters from time to time prescribed.

Keeping and inspection of register of designs.



(2) The register shall be *primâ facie* evidence of any matters by this Ordinance or by any rules directed or prescribed to be inserted therein.

(3) The register shall be open to inspection by members of the public at all reasonable times, but a design shall not be open to inspection except by the proprietor or a person authorised in writing by him, or a person authorised by the registrar or by the Court, before the date when the design became open to public inspection in the United Kingdom.

Extensions  
of copyright.

12. All extensions of the period of copyright in the United Kingdom in a design registered under this Ordinance shall be notified to the registrar, who shall, on sufficient evidence thereof and on payment of the prescribed fee, enter them in the register in the prescribed manner.

Alterations in  
the register.

13. The registrar, on request in writing made by the registered proprietor, and on payment of the prescribed fee, may—

- (a) cancel the registration of a design either wholly or in respect of any particular goods in connection with which the design is registered;
  - (b) correct any clerical error in, or in connection with, any application under this Ordinance or in any matter which is entered upon the register;
  - (c) enter in the register any change in the name or address of the person who is registered as proprietor of a design.
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