

CHAPTER 58.

REGISTRATION OF UNITED KINGDOM PATENTS.

2 of 1930.
8 of 1932.

AN ORDINANCE TO PROVIDE FOR THE REGISTRATION IN THE COLONY OF LETTERS PATENT GRANTED IN THE UNITED KINGDOM.

[29th April, 1930.]

Short title.

1. This Ordinance may be cited as the Registration of United Kingdom Patents Ordinance.

To whom certificates of registration may be granted.

2. Any person being the grantee of a patent in the United Kingdom or any person deriving his right from such grantee by assignment, transmission or other operation of law may apply within three years from the date of issue of the patent to have such patent registered in the Colony. Where any partial assignment or transmission has been made, all proper parties shall be joined in the application for registration.

Procedure.

3. Every application under this Ordinance shall be addressed to the Registrar-General, and there shall be transmitted with such application :

- (1) A certificate of the Comptroller General of the United Kingdom Patent Office giving full particulars of the issue of the patent.
- (2) Two certified copies of the complete specification (including the drawings if any) in relation to any patent.
- (3) In the case of an assignment, an affidavit that the applicant is the assignee in respect of the Colony of the registered proprietor of the patent.
- (4) A fee of one pound.

Issue of certificates of registration.

4. Upon such application being received, together with the documents mentioned in section 3 of this Ordinance, the Registrar-General shall issue a certificate of registration.

[*Note.* This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. 1 (D.S.).]

5. Such 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 patent had been issued in the United Kingdom with an extension to the Colony.

Privileges and rights conferred.

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

Certificate of registration in Colony to remain in force concurrently with certificate of registration in United Kingdom.

Provided that no action for infringement shall be entertained in respect of any manufacture, use or sale of the invention prior to the date of issue of the certificate of registration in the Colony.

7. All renewals of letters patent in the United Kingdom of a patent registered under this Ordinance shall be notified to the Registrar-General, who shall, on sufficient evidence thereof and on payment of a fee of one pound, enter the same in the Register in the prescribed manner.

Notification of renewals of letters patent in the United Kingdom.

8. The Supreme Court shall have power upon the application of any person who alleges that his interests have been prejudicially affected by the issue of a certificate of registration, to declare that the exclusive privileges and rights conferred by such certificate of registration have not been acquired on any of the grounds upon which the United Kingdom patent might be revoked under the law for the time being in force in the United Kingdom. Such grounds shall be deemed to include the manufacture use or sale of the invention in the Colony prior to the date of the patent in the United Kingdom, but not to include the manufacture use or sale of the invention in the Colony by some person or persons after the date of the patent in the United Kingdom and prior to the date of the issue of the certificate of registration under section 4 of this Ordinance.

Supreme Court to afford relief. 8 of 1932.

9. Whenever the specification or drawings of a United Kingdom patent registered in the Colony have been amended by way of disclaimer, correction or explanation, according to the law of the United Kingdom, a request, accompanied by a copy of the specification and drawings (if any) as amended, duly certified by the Comptroller General of the

Amendment of specification or drawings.

United Kingdom Patent Office, may be made to the Registrar-General to substitute a copy of the specification and drawings as amended, for the specification and drawings originally filed.

Registration
of assign-
ment.

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

Registrar
may make
rules regu-
lating pro-
cedure.

11. The Registrar-General may make such general rules and do such things as he may think expedient, subject to the provisions of this Ordinance, for regulating procedure under this Ordinance.