

CHAPTER 75.

UNITED KINGDOM DESIGNS (PROTECTION).

AN ORDINANCE TO PROVIDE FOR THE PROTECTION IN THE COLONY OF DESIGNS REGISTERED IN THE UNITED KINGDOM. 11 of 1928. 7 of 1932.

[13th November, 1928.]

1. This Ordinance may be cited as the United Kingdom Designs (Protection) Ordinance, and shall apply to the Colony and the Dependencies. Short title and application.

2. Subject to the provisions of this Ordinance the registered proprietor of any design registered in the United Kingdom under the Patents and Designs Acts 1907 and 1919 or any Act amending or substituted for those Acts shall enjoy in the Colony the like privileges and rights as though the Certificate of Registration in the United Kingdom had been issued with an extension to the Colony. Extension to Colony of registration in United Kingdom.

3. The registered proprietor of a design shall not be entitled to recover any damages in respect of any infringement of copyright in a design from any defendant who proves that at the date of the infringement he was not aware nor had any reasonable means of making himself aware of the existence of the registration of the design : Damages not recoverable from innocent infringer.

Provided that nothing in this section shall affect any proceedings for an injunction.

4. The Supreme Court shall have power, upon the application of any person who alleges that his interests have been prejudicially affected, to declare that exclusive privileges and rights in a design have not been acquired in the Colony under the provisions of this Ordinance upon 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. Such grounds shall be deemed to include the publication of the design in the Colony prior to the date of registration of the design in the United Kingdom. Supreme Court may declare registration not to be valid in Colony. 7 of 1932.