

CYPRUS

PATENTS

CHAPTER 266 OF THE LAWS

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CHAPTER 266.

PATENTS.

ARRANGEMENT OF SECTIONS.

<i>Section</i>	<i>Page</i>
1 Short title	2
2 Interpretation	2
3 Register	3
4 Who may apply for a registration	3
5 Method of applying	3
6 Issue of certificate	3
7 Privileges and rights conferred by registration	3
8 Duration of privileges	3
9 Power of Court	4
10 Procedure in applications and appeals	4
11 Substitution of amended specifications	4
12 Registration of assignments, etc.	5
13 Registration of extensions etc.	5
14 Registrar may make corrections	5
15 Certificate and sealed copies to be evidence	6
16 Inspection, etc.	6
17 Offences	6
18 Royal Arms	7
19 Power to make Rules	7
20 Passing off action	8
21 Commencement, repeal and savings	8

A LAW TO MAKE FURTHER AND BETTER PROVISION FOR THE
GRANTING OF PATENTS.

40 of 57.

[27th December, 1957.]

Short title.

1. This Law may be cited as the Patents Law.

Interpreta-
tion.

2. In this Law, unless the context otherwise requires—
“prescribed” means prescribed by this Law or the
rules made thereunder;

“registered patent” means a patent that is entered
on the register;

“the register” means the Register of Patents kept
under this Law and includes the register kept under the
Patents Law repealed by this Law;

“the Registrar” means the Official Receiver and
Registrar and includes any other person appointed by
the Governor to exercise all or any of the powers and
perform all or any of the duties of the Registrar.

1949
Cap. 200.

3. (1) There shall be kept at the Office of the Registrar a register to be known as " the Register of Patents " in which entries shall be made of the names and addresses of grantees of certificates of registration under this Law, such particulars regarding the subject matter of the patent as the Registrar deems necessary to identify it, and entries of all corrections, amendments, assignments, transmissions or other matters which the Registrar is empowered or required by Law to record.

Register.

(2) The register shall be *prima facie* evidence of all matters directed or authorised by or under this Law to be entered therein.

4. Any person being the grantee of a patent (which expression shall include a patent of addition) 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 the sealing 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.

Who may apply for registration.

5. An application for registration of a patent under this Law shall be made to the Registrar in the prescribed manner and shall be accompanied by the prescribed fee, two certified copies of the specification or specifications (including drawings, if any) of the United Kingdom patent and a certificate of the Comptroller General of the United Kingdom Patent Office giving full particulars of the grant of the patent on such specification or specifications.

Method of applying.

6. Upon such application and fee being lodged, together with the documents mentioned in section 5 of this Law, the Registrar shall issue a certificate of registration in the prescribed form under his hand and seal.

Issue of certificate.

7. 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 granted in the United Kingdom with an extension to the Colony.

Privileges and rights conferred by registration.

8. Privileges and rights so conferred shall date from the date of the patent in the United Kingdom and shall continue

Duration of privileges.

in force only so long as the patent remains in force in the 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.

Power of
Court.

9. (1) Subject to the provisions of this Law, the Law relating to patents for the time being in force in the United Kingdom shall, in so far as circumstances admit, apply to the Colony and the Supreme Court shall have power in accordance with such law to grant either absolutely or on such terms and conditions as shall seem just all remedies to which any person may be entitled within the Colony in respect of either claim to or defence of any right, title or interest in relation to any letters patent in force under a certificate granted under this Law.

(2) 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.

(3) Such grounds shall be deemed to include the manufacture, use or sale of the invention in the Colony before the priority date applicable to 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 priority date applicable to the patent in the United Kingdom and before the date of the issue of the certificate of registration under section 6 of this Law.

12, 13 and
14.
Geo. VI,
c. 87.

For the purposes of this subsection the expression "priority date" in its application to a patent in the United Kingdom has the meaning assigned to it in section 5 of the Patents Act, 1949.

Procedure
in applica-
tions and
appeals.

10. All applications for orders requiring the Registrar to do or abstain from doing any act or applications made by the Registrar for directions or appeals against decisions or orders of the Registrar shall be made to the Supreme Court.

Substitu-
tion of
amended

11. Whenever the specifications or drawings of a United Kingdom patent registered in the Colony have been amended