

No. 25 OF 1936.

A LAW TO PROVIDE FOR THE PROTECTION IN THE COLONY
OF DESIGNS REGISTERED IN THE UNITED KINGDOM.

W. D. BATTERSHILL,]

[8th August, 1936.

Officer Administering the Government.

BE it enacted :—

Short title.

1. This Law may be cited as the United Kingdom Designs (Protection) Law, 1936.

Privileges
and rights in
the Colony of
registered
proprietor
of design
in United
Kingdom.

2. Subject to the provisions of this Law, the registered proprietor of any design registered in the United Kingdom under the Patents and Designs Acts, 1907 to 1932, 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.

Innocent
infringer not
liable in
damages.

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 :

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

Grounds
upon which
Court may
declare that
exclusive
privileges
and rights
have not
been
acquired in
the Colony.

4. The District Court shall have power upon the application of any person who alleges that his interests have been prejudicially affected to declare 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 that exclusive privileges and rights in a design have not been acquired in the Colony under the provisions of this Law.

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

Repeal.

33 of 1928.
26 of 1932.
40 of 1934.

5. The Registration of United Kingdom Designs Laws, 1928 to 1934, and the Registration of United Kingdom Designs Rules, 1929 to 1934, made thereunder, are hereby repealed.

This Law came into operation on 14th August, 1936.