

27A—(1) A licence granted under the provisions of this section shall be personal to the holder and shall be valid only in respect of the particular mentioned therein.

(2) A licence shall not be transferable save with the approval of the Commissioner.

27B. Every licence shall, unless previously cancelled, expire on the thirty-first day of December in the year in which it was issued.

27C. No fee paid in respect of any licence shall be refunded on the ground that the licence has been cancelled.

27D. Paragraph (b) of section 33 of the principal law is hereby amended by the substitution for the figures and words "131.2 per centum" (lines 4 and 5) of the figures and words "130 per centum".

11. Form A in the Schedule to the principal law is hereby amended by the substitution for the words, symbol and figures "THE PAID 1957" (line 12) of the words, symbol and figures "THE PAID 1957".

A. F. J. HENDAWAY,
 Administrative Secretary.

No. 40 OF 1957.

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

HUGH FOOT,
Governor.

[27th December, 1957.]

BE it enacted by His Excellency the Governor and Commander-in-Chief of the Colony of Cyprus as follows:—

Short title.

1. This Law may be cited as the Patents Law, 1957.

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

“prescribed” means prescribed by this Law or the rules made thereunder;

Interpretation.

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“the register” means the Register of Patents kept under this Law and includes the register kept under the Patents Law repealed by this Law;

Cap. 200.

“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.

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 authorized 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.

Duration of
privileges.

8. Privileges and rights so conferred 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 :

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 sub-section 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
specifica-
tions.

11. Whenever the specifications 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 the prescribed fee, two copies of the specifications or drawings as amended, duly certified by the Comptroller General of the United Kingdom Patent Office, and such other information as may be prescribed, may be made to the Registrar to substitute copies of the specifications or drawings as amended, for the specifications or drawings originally filed.