

**Registration of United Kingdom Patents Act
(CHAPTER 271)**

Table of Contents

Long Title

1 Short title

2 Interpretation

**3 Application for registration in Singapore of patents granted in
United Kingdom**

4 Documents which must accompany application

5 Issue of certificate of registration

6 Rights conferred by certificate

7 Commencement and duration of rights

8 Special provisions as to vessels, aircraft and land vehicles

9 Powers of High Court

10 Amendment of specification and drawings

11 Registration of assignment or transmission

12 Registration of certain entries

13 Register of Patents

14 Inspection of Register and specifications

15 Certificate of Registrar or Registrar of Patents, Malaysia, to be prima facie evidence

16 Certified copies to be evidence

17 Power to make regulations

Legislative History

REGISTRATION OF UNITED KINGDOM PATENTS ACT (CHAPTER 271)

(Original Enactment: Ordinance 2 of 1937)

REVISED EDITION 1985

(30th March 1987)

An Act to provide for the registration in Singapore of letters patent granted in the United Kingdom.

[14th May 1937]

Short title

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

Interpretation

2. In this Act —

“patent” means letters patent for an invention;

“Registrar of Patents” means the person appointed as such by name or office by the President for the purposes of this Act;

“Registrar of Patents, Malaysia” means the person for the time being appointed to that office under any written law of Malaysia corresponding to this Act.

Application for registration in Singapore of patents granted in United Kingdom

3. Any person being a grantee of a patent in the United Kingdom or any person deriving his right from the grantee by assignment, transmission or other operation of law may apply to the Registrar of Patents within 3 years from the date of issue of the patent to have the patent registered in Singapore. Where any partial assignment or transmission has been made, all proper parties shall be joined in the application for registration:

Provided that the Registrar of Patents may in his discretion accept the application where it is shown to his satisfaction that for any reason the application could not be made within 3 years from the date of issue of the patent in the United Kingdom.

Documents which must accompany application

4. Every application under section 3 shall be accompanied by a certified copy of the specification or specifications including drawings, if any, of the United Kingdom patent and a certificate of the Comptroller-General of Patents, Designs and Trade Marks giving full particulars of the issue of the patent on such specification or specifications:

Provided that, when any such United Kingdom patent is already registered in Malaysia under the provisions of any written law corresponding to this Act relating to the registration of United Kingdom patents, the Registrar of Patents, in his discretion, may waive all or any of the requirements of this section absolutely, or subject to such conditions as he may think fit to impose.

Issue of certificate of registration

5. Upon such application being received, together with the documents mentioned in section 4 and the application fee, the Registrar of Patents shall issue a certificate of registration.

Rights conferred by certificate

6. Such certificate of registration shall confer on the applicant privileges and rights, subject to any privileges or rights acquired under any previous Act of Singapore relating to inventions, similar in all respects to those conferred by the issue of the patent in the United Kingdom.

Commencement and duration of rights

7.—(1) 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:

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 Singapore.

(2) Any extension, lapse, revocation and restoration after lapse in the United Kingdom of any patent registered under this Act may be notified by the grantee of that patent or any person deriving title under him to the Registrar of Patents who shall, on production of a certified copy of the order issued by the United Kingdom Patent Office within one year from the date thereof, enter the patent in the Register of Patents and shall issue a certificate in the prescribed form in respect of such entry. Any extension of the term, or restoration after lapse, of a patent in the United Kingdom shall, on such registration, have effect in Singapore to extend the term of the patent for the period the patent remains in force in the United Kingdom.

(3) Where any extension of the term of a patent in the United Kingdom or the ordering of a grant of a new patent fell due to be registered in the Straits Settlements during the period between 15th February 1942 and 31st December 1946 the certificate of registration shall not be deemed to have lapsed if notification thereof is given in accordance with subsection (2) save that the notification shall be made within 6 months from 31st December 1946.

(4) Notwithstanding subsections (2) and (3), the Registrar of Patents may, in his discretion, accept a notification under the provisions of those subsections where it is shown to his satisfaction that for any reason the notification could not be made within the period or before the date specified therein.

Special provisions as to vessels, aircraft and land vehicles

8.—(1) Subject to this section, the following shall not be deemed to constitute infringement:

- (a) the use on board a foreign vessel of the patented invention in the body of the vessel or in the machinery, tackle, apparatus or other accessories thereof, if the vessel comes into the territorial waters of Singapore temporarily or accidentally only, and the invention is used exclusively for the actual needs of the vessel; or
- (b) the use of the patented invention in the construction or working of a foreign aircraft or foreign land vehicle or of the accessories thereof if the aircraft or vehicle comes into Singapore temporarily or accidentally only.

(2) Subject to subsection (3), this section shall apply only to the vessels, aircraft and land vehicles of those foreign states with respect to which the President may by notification published in the *Gazette* declare them to be applicable and so long only in

the case of the vessels, aircraft and land vehicles of each of such foreign states as the notification continues in force with respect to the vessels, aircraft and land vehicles of that state.

(3) The provisions of this section shall apply to vessels, aircraft and land vehicles of the United Kingdom, and the President may by notification apply those provisions to vessels, aircraft and land vehicles of any other part of the Commonwealth in like manner as to vessels, aircraft and land vehicles of a foreign state.

(4) For the purposes of this section —

“vessels” and “aircraft” shall be deemed to be vessels and aircraft of the country in which they are registered, and “land vehicles” shall be deemed to be vehicles of the country within which the owners are ordinarily resident;

“foreign state” shall be deemed to include any colony, protectorate, territory subject to the authority or under the suzerainty of a foreign state and any territory administered by a foreign state in accordance with a mandate from the League of Nations or under the trusteeship system of the United Nations.

Powers of High Court

9. The High 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 that certificate of registration have not been acquired on any of the grounds *mutatis mutandis* 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 Singapore 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 Singapore 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 5.

Amendment of specification and drawings

10. Whenever the specification or drawings of a United Kingdom patent registered in Singapore has or 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 Patents, Designs and Trade Marks, may be made to the Registrar of Patents to substitute a copy of the specification and drawings as amended, for the specification and drawings originally filed: