

Recd in 10. 11. 23.

TRINIDAD AND TOBAGO.

No. 20—1924.

I ASSENT,



Acting Governor.

7th November, 1924.

AN ORDINANCE to amend the Patents Designs and Trade Marks Ordinance and to provide for the registration in the Colony of Letters Patent granted in the United Kingdom.

[7th November, 1924.]

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Patents Ordinance, 1924, and shall be read as one with the Patents Designs and Trade Marks Ordinance, No. 76, hereinafter called the Principal Ordinance. Short title. Construction.

2. Section 2 of the Principal Ordinance is amended as follows:— Interpretation.

(1) by inserting the following definition between the definitions of "Patent" and "Patentee":—

"United Kingdom Patent" means letters patent for an invention granted in the United Kingdom.

[Price 2d.]

(2) by adding the following words at the end of the definition of "Invention":—

"and includes an alleged invention".

Addition of
sub-head
"Local
Patents."

3. The following sub-head shall be inserted below the head "Part I—Patents" and above section 4 in the Principal Ordinance:—

A.—Local Patents.

United
Kingdom
Patents.

4. The following sub-head and sections shall be inserted at the end of Part I of the Principal Ordinance:—

B.—United Kingdom Patents.

Application
for
registration.

15A. Any person being the grantee of a United Kingdom patent 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 issue of such 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.

Documents to
accompany
application.

15B.—(1) Every application under section 15A of this Ordinance shall be accompanied by 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 issue of the patent on such specification or specifications.

Issue of
certificate of
registration.

(2) Upon such application being received, together with the documents mentioned in sub-section (1) of this section, the Registrar shall issue a certificate of registration.

Rights
conferred by
certificate.

(3) 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 issued in the United Kingdom with an extension to the Colony.

Duration of
rights
conferred by
certificate.

(4) 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 the Colony. No action for infringement prior to issue of certificate.


15c. Upon the application, 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, of any person who alleges that his interests have been prejudicially affected by the issue of a certificate of registration, the Court shall have power to declare that the exclusive privileges and rights conferred by such certificate of registration have not been acquired. Revocation.

15d. The Registrar shall record in the Register of Patents, in a special part to be set aside for United Kingdom patents, under a distinguishing number and in the order in which application shall have been duly made to him, every application for the registration of a United Kingdom patent and the christian and surname of the applicant and the day of the date of the certificate of registration issued in respect thereof. Register of patents.

15e. Whenever the specification 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, on request, accompanied by a copy of the specification and drawings (if any) as amended, duly certified by the Comptroller-General of the United Kingdom Patent Office, the Registrar shall substitute a copy of the specification and drawings as amended, for the specification and drawings originally filed. Amendment of entries in Register.

15f. Where a person becomes entitled by assignment, transmission, or other operation of law to the privileges and rights conferred by a certificate of registration or to any interest therein, he may make application in the prescribed manner to the Registrar for the entry on the Register of Patents of such assignment, transmission, or other instrument affecting the title, or giving an interest therein, and such entry shall be made accordingly. Entry of assignments in Register.

Passed in Council this thirty-first day of October, in the year of Our Lord one thousand nine hundred and twenty-four.


Acting Clerk of the Council.