

No. 15.—1917.

[L S.]



I ASSENT,

J. R. CHANCELLOR,
Governor.

1st June, 1917.

AN ORDINANCE to deal with Trade Marks belonging to or used in connection with Enemy businesses.

[1st June, 1917.]

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 Trade Marks Short Title (Enemy marks) Ordinance, 1917.

2. In this Ordinance, unless the context otherwise Interpretation. requires:

“Enemy business mark” means a Trade mark registered under the Patents Designs and Trade Marks Ordinance (No. 76) belonging to or used in connection with a business carried on by an enemy person, firm or company who or which is not resident or has no place of business in the Colony:



“Liquidated enemy business mark” means a trade mark registered under the Patents, Designs and Trade Marks Ordinance (No. 76) belonging to an enemy business directed to be liquidated under the Alien Enemies Ordinances.

Enemy
business mark
to vest in
Custodian.

3.—(1.) In all the following cases, that is to say—

- (a.) Where an enemy business mark is the name of a patented article, and a licence is either before or after the commencement of this Ordinance granted under the patent protecting it; or
- (b.) Where such mark is the only name, or the only practicable name of an article manufactured under an expired patent; or
- (c.) Where such mark is the name or the only practicable name of an article manufactured in accordance with a process or a formula which has been published or is well known in a particular trade;

every such mark shall be vested in and become the property of the Custodian of Enemy property appointed under Section 3 of the Trading with the Enemy (Consolidation) (Amendment) Ordinance, 1916.

(2.) Any goodwill of a business existing by reason of the use within the Colony of any such mark shall also be vested in the said Custodian.

Transfer of
liquidated
enemy
business mark.

4.—(1.) In the case of a liquidated enemy business mark, such mark shall only be transferred in connection with the goodwill of any such business.

(2.) In making any such transfer, the Liquidating Committee appointed for the purposes mentioned in the Alien Enemies Ordinances may attach such conditions relating to the use, alteration or modification of such mark as they consider necessary.

(3.) Any person who contravenes the terms of any such condition is liable on summary conviction before a

Magistrate to a penalty not exceeding £5 with regard to each occasion or article in respect of which such contravention occurs.

Passed in Council this Eleventh day of May, in the year of Our Lord one thousand nine hundred and seventeen.

J. M. FARFAN,
Acting Clerk of the Council.
