



# Patents and Designs Act 1907

## 1907 CHAPTER 29

### PART III

#### GENERAL

##### *Definitions*

#### **92 Provisions as to "the court"**

- (1) In this Act, unless the context otherwise requires, " the court" means, subject to the provisions as to Scotland, Ireland, and the Isle of Man, the High Court in England.
- (2) Where by virtue of this Act a decision of the comptroller is subject to an appeal to the court, or a petition may be referred or presented to the court, the appeal shall, subject to and in accordance with rules of the Supreme Court, be made and the petition referred or presented to such judge of the High Court as the Lord Chancellor may select for the purpose, and the decision of that judge shall be final, except in the case of an appeal from a decision of the comptroller revoking a patent on any ground on which the grant of such patent might have been opposed.

#### **93 Definitions**

In this Act, unless the context otherwise requires,—

" Law officer " means the Attorney-General or Solicitor-General for England :

" Prescribed " means prescribed by general rules under this Act:

" British possession " does not include the Isle of Man or the Channel Islands:

" Patent " means letters patent for an invention :

" Patentee " means the person for the time being entitled to the benefit of a patent :

" Invention " means any manner of new manufacture the subject of letters patent and grant of privilege within section six of the Statute of Monopolies (that is, the Act of the twenty-first year of the reign of King James the First,

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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chapter three, intituled " An Act " concerning monopolies and dispensations with penal " laws and the forfeiture thereof"), and includes an alleged invention :

" Inventor " and " applicant " shall, subject to the provisions of this Act, include the legal representative of a deceased inventor or applicant:

" Design " means any design (not being a design for a sculpture or other thing within the protection of the Sculpture Copyright Act, 1814) applicable to any article, whether the design is applicable for the pattern, or for the shape or configuration, or for the ornament thereof, or for any two or more of such purposes, and by whatever means it is applicable, whether by printing, painting, embroidering, weaving, sewing, modelling, casting, embossing, engraving, staining, or any other means whatever, manual, mechanical, or chemical, separate or combined:

" Article " means (as respects designs) any article of manufacture and any substance artificial or natural, or partly artificial and partly natural:

" Copyright " means the exclusive right to apply a design to any article in any class in which the design is registered :

" Proprietor of a new and original design, "—

- (a) Where the author of the design, for good consideration, executes the work for some other person, means the person for whom the design is so executed ; and
- (b) Where any person acquires the design or the right to apply the design to any article, either exclusively of any other person or otherwise, means, in the respect and to the extent in and to which the design or right has been so acquired, the person by whom the design or right is so acquired 5-and
- (c) In any other case, means the author of the design;

and where the property in, or the right to apply, the design has devolved from the original proprietor upon any other person, includes that other person.