



# Patents Act 1949

## 1949 CHAPTER 87

### *Offences*

#### **90 Falsification of register, etc.**

If any person makes or causes to be made a false entry in any register kept under this Act, or a writing falsely purporting to be a copy of an entry in any such register, or produces or tenders or causes to be produced or tendered in evidence any such writing, knowing the entry or writing to be false, he shall be guilty of a misdemeanour.

#### **91 Unauthorised claim of patent rights**

- (1) If any person falsely represents that any article sold by him is a patented article, he shall be liable on summary conviction to a fine not exceeding five pounds; and for the purposes of this provision a person who sells an article having stamped, engraved or impressed thereon or otherwise applied thereto the word "patent" or "patented", or any other word expressing or implying that the article is patented, shall be deemed to represent that the article is a patented article.
- (2) If any person uses on his place of business, or on any document issued by him, or otherwise, the words "Patent Office" or any other words suggesting that his place of business is, or is officially connected with, the Patent Office, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

#### **92 Unauthorised assumption of Royal Arms**

- (1) The grant of a patent under this Act shall not be deemed to authorise the patentee to use the Royal Arms or to place the Royal Arms on any patented article.
- (2) If any person, without the authority of His Majesty, uses in connection with any business, trade, calling or profession the Royal Arms (or Arms so nearly resembling them as to be calculated to deceive) in such manner as to be calculated to lead to the belief that he is duly authorised to use the Royal Arms, then, without prejudice to any proceedings which may be taken against him under section sixty-one of the Trade

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*Status: This is the original version (as it was originally enacted).*

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Marks Act, 1938, he shall be liable on summary conviction to a fine not exceeding twenty pounds:

Provided that this section shall not affect the right, if any, of the proprietor of a trade mark containing such Arms to continue to use that trade mark.

### **93 Offences by companies**

Where an offence under section eighteen or section eighty-eight of this Act is committed by a body corporate, every person who at the time of the commission of the offence is a director, general manager, secretary or other similar officer of the body corporate, or is purporting to act in any such capacity, shall be deemed to be guilty of that offence unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.