



Patents Act 1949

1949 CHAPTER 87 12 13 and 14 Geo 6

Supplemental

103 Application to Scotland.

In the application of this Act to Scotland—

(1) In any action for infringement of a patent in Scotland the action shall be tried without a jury unless the court otherwise direct, but otherwise nothing shall affect the jurisdiction and forms of process of the courts in Scotland in such an action or in any action or proceeding respecting a patent hitherto competent to those courts:

^{F1}(2)

(3) The provisions of this Act conferring a special jurisdiction on the court as defined by this Act shall not, except so far as the jurisdiction extends, affect the jurisdiction of any court in Scotland in any proceedings relating to patents; and with reference to any such proceedings, the term “the Court” shall mean the Court of Session:

(4) Notwithstanding anything in this Act, the expression “the Court” shall in reference to proceedings in Scotland for the extension of the term of a patent mean the Court of Session:

(5) If any rectification of a register under this Act is required in pursuance of any proceedings in a court, a copy of the order, decree, or other authority for the rectification shall be served on the comptroller, and he shall rectify the register accordingly:

(6) The expression “injunction” means “interdict”; the expression “chase in action” means a right of action or an incorporeal moveable; the expression “an account of profits” means “an accounting and payment of profits”; the expression “arbitrator” means “arbiter”; the expression “plaintiff” means “pursuer”; the expression “defendant” means “defender”.

Changes to legislation: There are currently no known outstanding effects
for the Patents Act 1949, Section 103. (See end of Document for details)

Textual Amendments

F1 S. 103(2) repealed (S.)(1.8.1991) by S.I. 1991/1621, **art. 3**

Changes to legislation:

There are currently no known outstanding effects for the Patents Act 1949, Section 103.