



Patents, Designs, Copyright and Trade Marks (Emergency) Act

1939 CHAPTER 107 2 and 3 Geo 6

6 Power of comptroller to extend time limits having regard to war circumstances.

- (1) The comptroller may, subject to such conditions, if any, as he thinks fit to impose, extend the time limited by or under the ^{M1}Patents and Designs Act 1907, [^{F1}the Trade Marks Act 1994] or this Act, for doing any act, where he is satisfied—
 - (a) [^{F2}that the act was not done within the time so limited by reason that a person was on active service or by reason of] any other circumstances arising from the existence of a state of war which, in the opinion of the comptroller, justify an extension of the time so limited, or
 - (b) that, by reason of circumstances arising from the existence of a state of war, the doing of the act within the time so limited would have been or would be injurious to the rights or interests of the person by or on whose behalf the act is or was to be done or to the public interest.
- (2) An extension under this section of the time for doing any act—
 - (a) may be for any period that the comptroller thinks fit, notwithstanding that by or under any enactment in the said Acts power is conferred to extend the time for doing that act for a specified period only; and
 - (b) may be granted notwithstanding that that time expired before any application or request for extension was made, or that, by reason of that act not having been done within that time, the relevant application, patent, registration or proceeding has ceased or expired, or become void or invalid, or been treated as abandoned.
- (3) The powers conferred by this section may be exercised notwithstanding that the exercise thereof benefits, whether directly or indirectly, an enemy or an enemy subject.

Textual Amendments

- F1** Words in s. 6(1) substituted (31.10.1994) by 1994 c. 26, s. 106(1), **Sch. 4 para. 3(3)(b)**; S.I. 1994/2550, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Patents, Designs, Copyright and Trade Marks (Emergency) Act, Section 6. (See end of Document for details)

F2 Words substituted by [Patents and Designs Act 1946 \(c. 44\)](#), **s. 6(2)**

Modifications etc. (not altering text)

C1 By [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(2), **Sch. 2 para. 2** it is provided that [s. 6\(1\)](#) shall continue to have effect with the amendment made by s. 6(2) of the Patents and Designs Act 1946, (that is, with the substitution of the words in s. 6(1)(a) as indicated)

C2 [S. 6\(1\)](#) extended by [Patents, Designs and Marks Act 1986 \(c. 39, SIF 67A\)](#), s. 2, **Sch. 2 para. 2(2)**

Marginal Citations

M1 [1907 c. 29](#).

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