



Patents and Designs Act 1907

1907 CHAPTER 29

PART II

DESIGNS

Registration of Designs

49 Application for registration of designs

- (1) The comptroller may, on the application made in the prescribed form and manner of any person claiming to be the proprietor of any new or original design not previously published in the United Kingdom, register the design under this Part of this Act.
- (2) The same design may be registered in more than one class, and, in case of doubt as to the class in which a design ought to be registered, the comptroller may decide the question.
- (3) The comptroller may, if he thinks fit, refuse to register any design presented to him for registration, but any person aggrieved by any such refusal may appeal to the Board of Trade, and the Board shall, after hearing the applicant and the comptroller, if so required, make an order determining whether, and subject to what conditions, if any, registration is to be permitted.
- (4) An application which, owing to any default or neglect on the part of the applicant, has not been completed so as to enable registration to be effected within the prescribed time shall be deemed to be abandoned.
- (5) A design when registered shall be registered as of the date of the application for registration.

50 Registration of designs in new classes

Where a design has been registered in one or more classes of goods the application of the proprietor of the design to register it in some one or more other classes shall not be refused, nor shall the registration thereof be invalidated—

Status: This is the original version (as it was originally enacted).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

- (a) on the ground of the design not being a new and original design, by reason only that it was so previously registered; or
- (b) on the ground of the design having been previously published in the United Kingdom, by reason only that it has been applied to goods of any class in which it was so previously registered.

51 Certificate of registration

- (1) The comptroller shall grant a certificate of registration to the proprietor of the design when registered.
- (2) The comptroller may, in case of loss of the original certificate, or in any other case in which he deems it expedient, furnish one or more copies of the certificate.

52 Register of designs

- (1) There shall be kept at the Patent Office a book called the Register of Designs wherein shall be entered the names and addresses of proprietors of registered designs, notifications of assignments and of transmissions of registered designs, and such other matters as may be prescribed.
- (2) The register of designs existing at the commencement of this Act shall be incorporated with and form part of the register of designs under this Act.
- (3) The register of designs shall be prima facie evidence of any matters by this Act directed or authorised to be entered therein.