
 STATUTORY INSTRUMENTS

1978 No. 621

PATENTS

The Patents Act 1977 (Isle of Man) Order 1978

Made - - - - - *25th April 1978*
Laid before Parliament *4th May 1978*
Coming into Operation *1st June 1978*

At the Court at Windsor Castle, the 25th day of April 1978

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 132(2) of the Patents Act 1977(a) is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Patents Act 1977 (Isle of Man) Order 1978 and shall come into operation on 1st June 1978.
2. The Interpretation Act 1889(b) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
3. The provisions of the Patents Act 1977 referred to in the Schedule to this Order shall, in their extension to the Isle of Man, be subject to the modifications set out therein.

N. E. Leigh,
 Clerk of the Privy Council.

SCHEDULE

Article 3.

MODIFICATION OF SPECIFIED PROVISIONS OF THE PATENTS ACT 1977
 IN THEIR EXTENSION TO THE ISLE OF MAN

1. In section 22(9)(b) (Information prejudicial to defence of realm or safety of public), for the word "indictment" substitute "information".
2. In section 23(3)(b) (Restrictions on applications abroad by United Kingdom residents), for the word "indictment" substitute "information".
3. In section 41 (Amount of compensation), add the following subsection:—

"(12) In the Isle of Man an order made under section 40 above by the comptroller for the payment of any sums may be enforced in like manner as an execution issued out of the court."

 (a) 1977 c. 37.

(b) 1889 c. 63.

4. In section 52(2) (Opposition, appeal and arbitration) after the words “the Attorney General” insert “Attorney General for the Isle of Man”.
5. In section 58(12) (References of disputes as to Crown use) after the word “Wales” insert “the Isle of Man”.
6. In section 85 (European patent attorneys)—
 - (a) in subsection (1), after the words “Solicitors Act 1974” insert “section 10 of the Advocates Act 1976 (Act of Tynwald)”, and
 - (b) in subsection (3), at end insert:
“(d) section 11 of the Advocates Act 1976 (Act of Tynwald)”.
7. In section 88(3) (Jurisdiction in legal proceedings in connection with Community Patent Convention) after the words “Companies Act 1948” insert “or the Companies Act 1931 (Act of Tynwald)”.
8. In section 93 (Enforcement of orders for costs), add the following paragraph:—
“(d) in the Isle of Man, the order may be enforced in like manner as an execution issued out of the court.”.
9. In section 107 (Costs and expenses in proceedings before the comptroller), add the following subsection:—
“(6) In the Isle of Man, any order under this section for the payments of costs may be enforced in like manner to an execution issued out of the court.”.
10. In section 109 (Falsification of register etc.), for the word “indictment” substitute “information”.
11. In section 114 (Patent agents):—
 - (a) in subsection (2)(a), after the words “Companies Act 1948” insert “or the Companies Act 1931 (Act of Tynwald)”, and
 - (b) in subsection (6), after the words “Solicitors Act 1974”, insert “section 11 of the Advocates Act 1976 (Act of Tynwald)”.
12. In section 130(1) (Interpretation), at the end of the definition of “court” add the following sub-paragraph:—
“(d) as respects the Isle of Man, Her Majesty’s High Court of Justice of the Isle of Man;”.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order modifies the Patents Act 1977 in its application to the Isle of Man.

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