

CHAPTER 181

UNITED KINGDOM DESIGNS (PROTECTION)

AN ACT TO PROVIDE FOR THE PROTECTION OF DESIGNS
REGISTERED IN THE UNITED KINGDOM

3 of 1934
4 of 1935

[16th July 1934]

1. This Act may be cited as the United Kingdom Designs
(Protection) Act.

Short title

2. Subject to the provisions of this Act the registered proprietor of any design registered in the United Kingdom under the Patents and Designs Acts 1907 and 1919 shall enjoy in Solomon Islands the privileges and rights as though the Certificate of Registration in the United Kingdom had been issued with an extension to Solomon Islands.

Protection of
designs
registered in
United Kingdom
7 Ed. VII. c. 28
9 & 10 Geo V.
c. 80
LN 46A of 1978

3. The registered proprietor of a design shall not be entitled to recover any damages in respect of any infringement of copyright in a design from any defendant who proves that at the date of the infringement he was not aware, nor had any reasonable means of making himself aware, of the existence of the registration of the design:

Protection of
innocent
infringer

Provided that nothing in this section shall affect any proceedings for an injunction.

4. The Court shall have power upon the application of any person who alleges that his interests have been prejudicially affected to declare that exclusive privileges and rights in a design have not been acquired in Solomon Islands under the provisions of this Act, upon any of the grounds upon which the United Kingdom registration might be cancelled under the law for the time being in force in the United Kingdom.

Jurisdiction of
Court
LN 46A of 1978

Such grounds shall be deemed to include the publication of the design in Solomon Islands prior to the date of registration of the design in the United Kingdom.