

THE DESIGNS ACT

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## THE DESIGNS ACT

Cap. 97.  
Act  
9 of 1975.

[15th July, 1937.]

1. This Act may be cited as the Designs Act.
2. In this Act—
- “class” means prescribed class;
- “copyright” means the exclusive right to apply a design to any article of manufacture as to any such substance as in this section mentioned in the class or classes in which the design is registered;
- “Court” means the Supreme Court;
- “design” means any design applicable to any article of manufacture, or to any substance artificial or natural or partly artificial and partly natural, whether the design is applicable for the pattern, or for the shape or configuration or for the ornament thereof or for any two or more such purposes, and by whatever means it is applicable, whether by printing, painting, embroidering, weaving, sewing, modelling, casting, embossing, engraving, staining, or any other means whatever, manual, mechanical or chemical, separate or combined;
- “Judge” means a Judge of the Court;
- “registered” means registered in the Register of Designs and “registration” has a corresponding meaning;
- “Registrar” means the Registrar of Companies;
- “Registry” means the office of the Registrar of Companies;

Short title.

Interpretation.

9/1975  
S. 2(a).

9/1975  
S. 2(b).

[The inclusion of this page is authorized by L.N. 60/1976]

“approved society” means a society, institution or organization of a public, philanthropic, or self-help, character approved by the Minister.

### PART I. *Designs*

Register of  
Designs.

3. There shall be kept at the Registry a book called “The Register of Designs” wherein shall be entered the names and addresses of proprietors of registered designs, and such other matters as may from time to time be prescribed.

Author of  
new design  
to be deemed  
proprietor  
thereof.

4. The author of any new and original design shall be deemed to be the proprietor thereof, unless he executed the work on behalf of an approved society, whether for consideration or otherwise, or on behalf of another person for a good or valuable consideration, in which case such society or person shall be considered the proprietor; and every approved society acquiring, and every person acquiring for a good or valuable consideration, a new and original design, or the right to apply the same to any article or substance, either exclusively of any other person or otherwise, and also every person on whom the property in such design or such right to the application thereof shall devolve shall be considered the proprietor of the design in the respect in which the same may have been so acquired, and to that extent, but not otherwise.

Application  
for registra-  
tion of  
design.

5.—(1) The Registrar may, on application by or on behalf of any person claiming to be the proprietor of any new or original design not previously published in this Island, and on payment of the prescribed fee, register the design under this Part.

(2) The application must be made in such form as may be from time to time prescribed, and must be left at the Registry in the prescribed manner.

(3) The application must contain a statement of the nature of the design, and the prescribed class or classes of goods in which the applicant desires that the design be registered.

(4) The same design may be registered in more than one class.

(5) In case of doubt as to the class in which a design ought to be registered, the Registrar may decide the question.

(6) The Registrar 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 therefrom to a Judge in Chambers.

6. On application for registration of a design, the applicant shall furnish to the Registrar the prescribed number of drawings, photographs, or tracings of the design sufficient to enable him to identify the design, and suitable for the official records; or the applicant may, instead of such copies furnish exact representations or specimens of the design.

Drawings, etc., to be furnished on application for registration.

7.—(1) When a design is registered the Registrar shall grant a certificate of registration and the registered proprietor of the design shall, subject to the provisions of this Act, have copyright in the design during fifteen years from the registration of the design.

Copyright on registration.

(2) Before delivery on sale of any articles to which a registered design has been applied, the proprietor must (if exact representations or specimens were not furnished