



MONTSERRAT

CHAPTER 15.24

UNITED KINGDOM DESIGNS (PROTECTION) ACT

Revised Edition
showing the law as at 1 January 2002

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Act.

This edition contains a consolidation of the following laws—

UNITED KINGDOM DESIGNS (PROTECTION) ACT

Act 3 of 1930 .. in force 26 February 1930

Amended by Acts: 3 of 1934

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Page
3



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Page
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UNITED KINGDOM DESIGNS (PROTECTION) ACT

(Acts 3 of 1930, 3 of 1934 and 24 of 1956)

Commencement

[26 February 1930]

Short title

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

Protection in Montserrat of designs registered in the United Kingdom

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, or any Act amending or substituted for those Acts shall enjoy in Montserrat the like privileges and rights as though the certificate of registration in the United Kingdom had been issued with an extension to Montserrat.

Recovery of damages

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:

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

Power of High Court to declare extent to which privileges and rights in designs have been acquired

4. The High 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 Montserrat 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.

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

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