

REPRINT

REGISTRATION OF UNITED KINGDOM PATENTS ACT (CAP. 179)

As in force at: 1 March 1996

STATUS: CURRENT

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**AN ACT TO PROVIDE FOR THE REGISTRATION OF LETTERS PATENT
GRANTED IN THE UNITED KINGDOM**

REGISTRATION OF UNITED KINGDOM PATENTS ACT (CAP. 179)

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REGISTRATION OF UNITED KINGDOM PATENTS ACT (Cap. 179)

As in force at: 1 March 1996

1 Short title

This Act may be cited as the *Registration of United Kingdom Patents Act*.

2 Application to register patent granted in United Kingdom

Any person being the grantee of a patent in the United Kingdom or any person deriving his right from such grantee by assignment, transmission or other operation of law, may apply within three years from the date of issue of the patent to have such patent registered in Solomon Islands. Where any partial assignment or transmission has been made all proper parties shall be joined in the application for registration.

3 Appointment of Registrar-General

The Minister may appoint a Registrar-General of United Kingdom Patents (hereinafter referred to as the Registrar-General) and such other officers as he may consider necessary for the purpose of giving effect to the provisions of this Act.

4 Documents required on application for registration

Every application under this Act shall be made to the Registrar-General and shall be accompanied by a certified copy of the specification or specifications (including drawings, if any) of the United Kingdom patent and a certificate of the Comptroller General of the United Kingdom Patent Office giving full particulars of the issue of the patent on such specification or specifications.

5 Issue of certificate of registration

Upon such application being received together with the documents mentioned in section 4 the Registrar-General shall file the same in

his office and shall issue a certificate of registration.

6 Effect of certificate

Such certificate of registration shall confer on the applicant the same privileges and rights in so far as may be applicable to Solomon Islands as he is entitled to in the United Kingdom and as though the patent had been issued in the United Kingdom with an extension to Solomon Islands.

7 Period for which effective

Privileges and rights so granted shall date from the date of the patent in the United Kingdom and shall continue in force only so long as the patent remains in force in the United Kingdom:

Provided that no action for infringement shall be entertained in respect of any manufacture, use or sale of the invention prior to the date of issue of the certificate of registration in Solomon Islands.

8 A patent register to be kept

The Registrar-General shall keep in his office a book to be called the "Patent Register" in which he shall register the particulars of any documents filed showing the number, nature and date thereof and the name of the grantee or parties thereto.

9 Jurisdiction of the Court

- (1) The Court shall have power upon the application of any person who alleges that his interests have been prejudicially affected by the issue of a certificate of registration to declare that the exclusive privileges and rights conferred by such certificate of registration have not been acquired on any of the grounds upon which the United Kingdom patent might be revoked under the law for the time being in force in the United Kingdom.
- (2) Such grounds shall be deemed to include the manufacture, use or sale of the invention in Solomon Islands before the priority date applicable to the patent in the United Kingdom, but not to include the manufacture, use or sale of the invention in Solomon Islands by some person or persons after the priority date applicable to the

patent in the United Kingdom and before the date of the issue of the Certificate of Registration under section 5.

For the purposes of this subsection the expression “**priority date**” in its application to a patent in the United Kingdom has the meaning assigned to it in section 5 of the *Patents Act, 1949*.

10 Substitution of amended for original specification, etc.

Whenever the specification or drawings of a United Kingdom patent registered in Solomon Islands has been amended by way of disclaimer, correction or explanation according to the law of the United Kingdom a request accompanied by a copy of the specification and drawings (if any) as amended duly certified by the Comptroller General of the United Kingdom Patent Office may be made to the Registrar-General to substitute a copy of the specification and drawings as amended for the specification and drawings originally filed.

11 Entry on Register of assignment, etc.

Where a person becomes entitled by assignment, transmission or other operation of law to the privileges and rights conferred by a certificate of registration or to any interest therein he may make application in the prescribed manner to the Registrar-General for the entry on the Patent Register of such assignment, transmission or other instrument affecting the title or giving an interest therein.

12 Entry in Patent Register or certified copies of any entry therein to be admissible in evidence

Any entry in the Patent Register, or any certified copy thereof or of any document duly filed, signed by the Registrar-General and given under his hand and seal, shall be admitted in evidence in all Courts of Solomon Islands and in all proceedings without further proof.

13 Patent Register, etc., to be open to inspection

The Patent Register and all documents relating to entries therein which may have been duly filed shall be open to the inspection of any person during office hours on payment of the prescribed fee.

14 Power to make rules and prescribe fees

The Minister may make such general rules and do such things as he may think expedient subject to the provisions of this Act for regulating procedure under this Act and for prescribing the fees to be paid in respect of proceedings thereunder:

Provided that the fees contained in the Schedule to this Act shall be the prescribed fees until altered, amended, revoked or added to by general rules as hereinbefore provided.

SCHEDULE

(Section 14)

Proceedings	Fee
	\$
(a) On filing application for registration with documents specified in section 4 and making entry in the Patent Register and issue of certificate of Registration	50.00
(b) On inspection of any document filed or any entry in the Patent Register or both.	25.00
(c) On substitution of amended specifications and drawings (if any).	10.00
(d) On entry in the Patent Register of any assignment, etc., under section 11.	10.00
(e) On any certified copy or extract of entry in the Patent Register.	15.00
(f) On filing any document not otherwise provided for.	5.00
(g) On filing copy of any document per folio	0.50

(subject to a minimum fee
of \$0.50).

(h)	On certifying same.	10.00
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ENDNOTES

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KEY

amd = amended	Pt = Part
Ch = Chapter	rem = remainder
Div = Division	renum = renumbered
exp = expires/expired	rep = repealed
GN = Gazette Notice	Sch = Schedule
hdg = heading	Sdiv = Subdivision
ins = inserted	SIG = Solomon Islands Gazette
lt = long title	st = short title
LN = Legal Notice	sub = substituted
nc = not commenced	

NOTE

This Reprint comprises the Act and amendments as in force on 1 March 1996 and published as Chapter 179 of the Revised Edition of the Laws of Solomon Islands.

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LIST OF LEGISLATION

Registration of United Kingdom Patents Act (Cap. 179)

Constituent legislation:

- 6 of 1924 (Commenced 14 July 1924)
- 6 of 1933
- 9 of 1956
- 7 of 1968
- LN 46A of 1978
- LN 88 of 1978
- LN 54 of 1992

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LIST OF AMENDMENTS