

## CHAPTER 377

### THE REGISTRATION OF UNITED KINGDOM PATENTS ACT

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REGISTRATION OF UNITED KINGDOM PATENTS

(23rd April, 1925.)

911925.  
S.R.O. 22/1956.  
Ord. 411957.  
18/1989.

1. This Act may be cited as the Registration of United Kingdom Patents Act. Short title.

2. In this Act— Interpretation

"Court" means the High Court.

"Registrar" means the Registrar of the High Court.

3. 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 Antigua and Barbuda. Where any partial assignment or transmission has been made, all proper parties shall be joined in the application for registration. Application for registration.

4. Every application under this Act 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. Certificate to accompany application.

5. (1) Upon such application being received, together with the documents mentioned in section 4, the Registrar shall advertise the application in such manner as may be prescribed, and any person may at any time within two months from the date of such advertisement give notice to the Registrar of opposition to the issue of a certificate of registration upon any of the grounds prescribed by section 10 of the Patents Act, for opposition to the grant of Letters Patent. Formalities before issue of certificate of registration.  
Cap. 308.

(2) Where notice of opposition is given within the prescribed time, the Registrar shall transmit a copy of the notice to the applicant and after hearing both parties, if desirous of being heard, shall decide on the case.

(3) If there is no opposition, or, in the case of opposition, if the decision of the Registrar is in favour of the issue of the certificate of registration, the Registrar shall issue a certificate of registration, and for such certificate there shall be paid to the credit of the general revenue of Antigua and Barbuda a fee of four dollars and eighty cents.

**Rights on grant  
of certificate.**

**6.** Such certificate of registration shall confer on the applicant privileges and rights subject to all conditions established by the law of Antigua and Barbuda as though the patent had been issued in the United Kingdom with an extension to Antigua and Barbuda.

**Commencement  
and duration of  
rights.**

**7.** 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 Antigua and Barbuda.

**Powers of Court.**

**8.** (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.

Such grounds shall be deemed to include the manufacture, use or sale of the invention in Antigua and Barbuda 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 Antigua and Barbuda 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.

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(2) For the purposes of this section 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 of the United Kingdom. **12, 13 & 14 Geo. VI. c. 87.**

**9.** Whenever the specification or drawings of a United Kingdom patent registered in Antigua and Barbuda 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 to substitute a copy of the specification and drawings as amended for the specification and drawings originally filed. **Substitution of amended specification and drawings for those originally filed.**

**10.** 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 of Patents for the entry on the register of such assignment, transmission, or other instrument affecting the title, or giving an interest therein. **Registration of assignment or transmission.**

**11.** The Registrar 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 under this Act. **Rules.**

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