



# The Edinburgh Gazette

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TUESDAY, FEBRUARY 19, 1918.

At the Court at Buckingham Palace, the 12th day of February 1918.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by Section 91 of the Patents and Designs Act, 1907, it is enacted as follows:—

“91. (1) If His Majesty is pleased to make any arrangement with the Government of any Foreign State for mutual protection of inventions, or designs, or trade marks, then any person who has applied for protection for any invention, design, or trade mark in that State shall be entitled to a patent for his invention, or to Registration of his design or trade mark, under this Act or the Trade Marks Act, 1905, in priority to other applicants; and the patent or registration shall have the same date as the date of the application in the Foreign State:—

“Provided that—

“(a) The application is made, in the case of a patent within 12 months, and in the case of a design or trade mark within 4 months, from the application for protection in the Foreign State; and

“(b) Nothing in this Section shall entitle the patentee, or proprietor of the design or trade mark, to recover damages for infringement happening prior to the actual date on which his complete specification is accepted, or his design or trade mark is registered, in this Country.

“(2) The patent granted for the invention,

or the registration of a design or trade mark, shall not be invalidated:—

“(a) In the case of a patent, by reason only of the publication of a description of, or use of, the invention; or

“(b) In the case of a design, by reason only of the exhibition or use of, or the publication of a description or representation of, the design; or

“(c) In the case of a trade mark, by reason only of the use of the trade mark, in the United Kingdom or the Isle of Man during the period specified in this Section as that within which the application may be made.

“(3) The application for the grant of a patent, or the registration of a design, or the registration of a trade mark, under this Section, must be made in the same manner as an ordinary application under this Act or the Trade Marks Act, 1905:—

“Provided that—

“(a) In the case of patents the application shall be accompanied by a complete specification, which, if it is not accepted within the twelve months from the application for protection in the Foreign State, shall with the drawings (if any) be open to public inspection at the expiration of that period; and

“(b) In the case of trade marks, any trade mark the registration of which has been duly applied for in the Country of origin may be registered under the Trade Marks Act, 1905.

“(4) The provisions of this Section shall apply only in the case of those Foreign States with respect to which His Majesty, by Order in Council,