

2. Clauses 17 and 20 of the Second Schedule to the said Order in Council dated the 16th day of December 1912, as amended by the said Order in Council dated the 13th day of October 1922 are hereby repealed.

3. The following Rules shall have effect in relation to the Dockyard Port of Portsmouth, and shall be read and construed as though inserted in the Second Schedule of the said Order in Council dated the 16th day of December 1912, in the position indicated by the numbers prefixed thereto:—

17. When one of His Majesty's vessels or other vessel being either in charge of His Majesty's Officers or over 2500 tons gross register intends to pass in or out of the Harbour she shall hoist the Red Ensign over "M" flag (International Code—alphabetical) by day, or a red light by night at the foremast head, and all other of His Majesty's vessels present in the port shall hoist the Pilot Jack by day, or show position lights (two white lights vertical 8 feet apart, hoisted at the peak, or if no gaff, hoisted abreast of the maintop in the middle line of the ship or on the Ensign Staff) by night, as a general warning. The Pilot Jack shall be hoisted by day, or position lights by night at the sub-signal station, King's Stairs, at Fort Blockhouse, and at "Vernon" Shore Establishment, and position lights shall also be shown at the Horse Fort by night for the same purpose, and all other vessels under way in the harbour shall keep out of the way of the said vessel flying the Red Ensign over "M" flag by day, or showing the red light by night, at the foremast head; provided always that the said vessel shall be navigated with due care and at a moderate speed.

20. When it is specially necessary to keep the harbour channel clear owing to a very large vessel or royal yacht entering or leaving harbour, a red oblong flag with a white diagonal bar from the outer upper corner will be hoisted by day, or three green lights vertical by night, at the sub-signal station, King's Stairs, Fort Blockhouse, "Vernon" Shore Establishment, and Horse Fort, and while this flag is flying or those green lights are being shown, no vessel is to enter the harbour from either end.

M. P. A. HANKEY.

At the Court at Buckingham Palace, the 20th day of February 1924.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by Section 91 of the Patents and Designs Acts, 1907 (7 Edw. 7, c. 29), as amended by the Patents and Designs Act, 1914 (4 and 5 Geo. 5, c. 18), and the Patents and Designs Act, 1919 (9 and 10 Geo. 5, c. 80), 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, or his legal representa-

tive or assignee, 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 infringements happening prior to the actual date of 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 12 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 declares them to be applicable, and so long only in the case of each State as the Order in Council continues in force with respect to that State.

" (5) Where it is made to appear to His Majesty that the Legislature of any British Possession has made satisfactory provision for the protection of inventions, designs or trade marks, patented or registered in this country, it shall be lawful for His Majesty, by Order in Council, to apply the provision of this Section to that Possession, with such variations or additions, if any, as may be stated in the Order":