

is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

I. The said Order in Council of the twentieth of October one thousand eight hundred and ninety-eight shall be deemed for all purposes to have commenced and come into operation on the twenty-fifth day of November one thousand eight hundred and ninety-eight.

II. This Order may be cited as the Southern Rhodesia Order in Council 1899.

A. W. FitzRoy.

AT the Court at *Osborne House, Isle of Wight*, the 2nd day of *February*, 1899.

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

WHEREAS by Treaty grant, usage, sufferance, and other lawful means, Her Majesty the Queen has power and jurisdiction in China, Japan, and Corea.

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by "The Foreign Jurisdiction Act, 1890," and otherwise in Her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. Any act which, if done in the United Kingdom or in a British possession, would be an offence against any of the following Statutes of the Imperial Parliament or Orders in Council, that is to say—

"The Merchandise Marks Act, 1857."

"The Patents, Designs, and Trade Marks Acts, 1883 to 1888."

Any Act, Statute, or Order in Council for the time being in force relating to copyright or to inventions, designs, or trade-marks; or

Any Statute amending or substituted for any of the above-mentioned Statutes—

Shall, if done by a British subject in China, Japan, or Corea, be an offence against this Order, whether such act is done in relation to any property or right of a British subject, or of a foreigner or otherwise:

Provided—

(1.) That a copy of any such Statute or Order in Council shall be published in the public offices of the Consulates-General of Shanghai, Tôkiô, and Seoul respectively, and shall be there open for inspection by any person at all reasonable times; and a person shall not be punished under this Order for anything done before the expiration of one month after such publication, unless the person offending is proved to have had express notice of the Statute or Order;

(2.) That a prosecution by or on behalf of a prosecutor who is not a British subject shall not be entertained without the consent, in writing, of Her Majesty's Minister or Chargé d'Affaires, who may withhold such consent, unless he is satisfied that effectual provision exists for the punishment, in Consular or other Courts in China, Japan, or Corea (as the case may be), of similar acts committed by the subjects of the State or Power of which such prosecutor is a subject, in relation to or affecting the interests of British subjects.

2. An offence against this Order shall be punishable with imprisonment for any period not exceeding three months, or fine not exceeding £100, or both.

3. This Order may be cited as "The China, Japan, and Corea (Patents, &c.) Order in Council, 1899."

And the Most Honourable the Marquess of Salisbury, K.G., one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein.

A. W. FitzRoy.

AT the Court at *Osborne House, Isle of Wight*, the 2nd day of *February*, 1899.

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

WHEREAS "The Patents Designs and Trade Marks Act 1883" amongst other things provides by section 39 that the exhibition of an invention at an industrial or international exhibition certified as such by the Board of Trade or the publication of any description of the invention during the period of the holding of the exhibition or the use of the invention for the purpose of the exhibition in the place where the exhibition is held or the use of the invention during the period of the holding of the exhibition by any person elsewhere without the privity or consent of the inventor shall not prejudice the right of the inventor or his legal personal representative to apply for and obtain provisional protection and a patent in respect of the invention or the validity of any patent granted on the application provided that both the following conditions are complied with, namely:—

- (a.) The exhibitor must before exhibiting the invention give the Comptroller the prescribed notice of his intention to do so; and
- (b.) The application for a patent must be made before or within six months from the date of the opening of the exhibition:

And whereas the said Act further provides by section 57 that the exhibition at an industrial or international exhibition certified as such by the Board of Trade or the exhibition elsewhere during the period of the holding of the exhibition without the privity or consent of the proprietor of a design or of any article to which a design is applied or the publication during the holding of any such exhibition of a description of a design shall not prevent the design from being registered or invalidate the registration thereof provided that both the following conditions are complied with, namely:—

- (a.) The exhibitor must before exhibiting the design or article or publishing a description of the design give the Comptroller the prescribed notice of his intention to do so; and
- (b.) The application for registration must be made before or within six months from the date of the opening of the exhibition:

And whereas Her Majesty, by virtue of the authority committed to Her by the provisions of "The Patents Act, 1886," is empowered by Order in Council from time to time to declare that the provisions of the said Act of 1883, above recited, shall apply to any exhibition mentioned in the Order in like manner as if it were an industrial or international exhibition certified by the Board of Trade, and to provide that the exhibitor shall be relieved from the conditions specified in the said hereinbefore recited sections of the said Act of 1883:

Now therefore, Her Majesty by and with the advice of Her Privy Council and by virtue of the authority committed to Her by the said Act of 1886, doth declare, and it is hereby declared that the provisions of the foregoing sections of the said Act of 1883 shall apply to the International Exhibition to be held at Paris in the year 1900, and further, that the exhibitor of an invention a design or any article to which a design is applied shall be relieved from the conditions specified in