

ACT NO. VI OF 1915.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

*(Received the assent of the Governor General on the 22nd
March, 1915.)*

An Act to extend the powers of the Governor General in Council during the continuance of the present war to make rules under the Indian Patents and Designs Act, 1911.

Short title,
extent, etc.

1. (1) This Act may be called the Indian Patents and Designs (Temporary Rules) Act, 1915.

(2) It extends to the whole of British India including British Baluchistan and the Santhal Parganas.

(3) This Act and the rules made thereunder shall be in force during the continuance of the present war and for a period of six months thereafter.

Definitions.

2. In this Act the expression 'subject of any State at war with His Majesty' includes—

(i) any person resident and carrying on business in the territory of a State at war with His Majesty; and

(ii) with reference to a company, any company the business whereof is managed or controlled by such subjects, or is carried on wholly or mainly for the benefit or on behalf of such subjects, notwithstanding that the company may be registered within His Majesty's dominions.

Power to
make rules.

3. (1) The power of the Governor General in Council under section 77 of the Indian Patents and Designs Act, 1911, to make rules shall include power^{11 of 1911.} to make rules—

(a) for avoiding or suspending in whole or in part any patent or licence, the person entitled

entitled to the benefit of which is the subject of any State at war with His Majesty ;

(b) for avoiding or suspending the registration and all or any rights conferred by the registration, of any design the proprietor whereof is a subject as aforesaid ;

(c) for avoiding or suspending any application made by any such person under the said Act ;

(d) for enabling the grant, in favour of persons other than such persons as aforesaid, on such terms and conditions, and either for the whole term of the patent or registration or for such less period, as may be thought fit, of licences to make, use, exercise, or vend, patented inventions and registered designs so liable to avoidance or suspension as aforesaid ; and

(e) for extending the time within which any act or thing may be or is required to be done under the said Act.

(2) If the rules made under this Act so provide, the rules or any of them shall have effect from the passing of this Act.

(3) All rules made under this Act shall be published in the *Gazette of India*, and on such publication shall have effect as if enacted in this Act.

4. The power to make rules conferred by section 3 (1) (a) and (d) of this Act shall be exercisable in respect of any exclusive privilege acquired under the Inventions and Designs Act, 1888, as if such exclusive privilege had been a patent granted under the Indian Patents and Designs Act, 1911 ; and the power to make rules conferred by section 3 (1) (e) of this Act in respect of anything to be done under the Indian Patents and Designs Act, 1911, shall be exercisable in respect of anything to be done under the Inventions and Designs Act, 1888.

Power in case of exclusive privileges under Act V of 1888.

V of 1888.

II of 1911.

II of 1911.

V of 1888.