

WESTERN PACIFIC HIGH COMMISSION.

No. 1 of 1917



[L.S.]

BICKHAM ESCOTT,

High Commissioner.

31st January, 1917.

## KING'S REGULATION

TO EMPOWER THE GRANT OF PRIVILEGES IN THE BRITISH SOLOMON ISLANDS PROTECTORATE TO PERSONS TO WHOM LETTERS PATENT IN RESPECT OF INVENTIONS HAVE BEEN GRANTED IN THE UNITED KINGDOM.

Made by His Britannic Majesty's High Commissioner for the Western Pacific under the provisions of the Pacific Order in Council, 1893.

In the name of His Majesty, George the Fifth, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India.

[31st January, 1917.]

1. This Regulation may be cited as the Solomons Patent Regulation 1917. SHORT TITLE.

2. In this Regulation the term—

“ Protectorate ” means the British Solomon Islands Protectorate.

“ High Commissioner ” means His Britannic Majesty's High Commissioner for the Western Pacific.

“ Resident Commissioner ” means the Resident Commissioner of the Protectorate.

“ Gazette ” means the Western Pacific High Commission Gazette.

3.—(1) Where any person has, by virtue of His Majesty's Letters Patent, obtained exclusive rights and privileges in the United Kingdom in respect of any invention, he, hereinafter called the patentee, or any assignee of such Letters Patent on his behalf, or the executors or administrators of the estate of such patentee, or any such assignee

INTERPRETATION

GRANT OF PRIVILEGES IN THE PROTECTORATE.

on their behalf, may apply by petition to the High Commissioner to grant to such patentee, or to his executors or the administrators of his estate, as the case may be, exclusive privileges under this Regulation in the Protectorate in respect of such invention, and the High Commissioner may, if he shall think fit, grant such exclusive privileges, subject to the provisions of this Regulation.

(2) Before any such grant shall issue, the applicant shall furnish a certificate by the Resident Commissioner to the effect that a duly certified copy of the said Letters Patent, of the complete specification describing the nature of the said invention, and of the assignment or other document of title, if any, by which the applicant may claim to be entitled to apply for such grant, has been filed in the office of the Resident Commissioner.

(3) Every grant of exclusive privileges under this Regulation shall be notified in the Gazette, and the notification shall state the name and address of the patentee and of the applicant, if other than the patentee, the number and year of the Letters Patent in the United Kingdom, and the period during which the grant shall be in force.

EFFECT OF  
GRANT.

4.—(1) From and after the issue and notification of such grant of exclusive privileges in the Protectorate, the person in whose favour such grant has been made shall have full power, special licence, sole privilege and authority, that he, by himself his agents and licensees and no others, may at all times thereafter, during the period mentioned in such grant, make, use, exercise, and vend, in the Protectorate the invention which is the subject of the Letters Patent referred to in such grant, and shall have in respect thereof in the Protectorate the same rights and privileges, subject to the same conditions and restrictions affecting it, in so far as applicable to the Protectorate, as he is entitled to in the United Kingdom, subject to the conditions and restrictions provided in this Regulation, and, subject as aforesaid, shall have and enjoy the whole profit and advantage from time to time accruing by reason of the said invention during the said period. Provided always that the Officers Administering any Department of His Majesty's Service in the Protectorate may, by themselves, their agents, contractors or others, use the said invention for the services of the Crown in such manner, at such times, and at and upon such reasonable prices and terms as before or after the use thereof shall be agreed upon between those Officers, with the approval of the High Commissioner, and the grantee, or in default of such agreement on such terms as may be settled by the Resident Commissioner in a summary manner after hearing all parties concerned.

(2) All rights and privileges enjoyed by any person by virtue of a grant under this Regulation shall, where the document from which they draw their title has been duly registered as hereinafter provided, extend to his executors, administrators and assigns to the same extent in all respects and subject to the same conditions and restrictions, as to such person himself, as from the date when such document of title shall purport to take effect.

EFFECT OF  
AVOIDANCE OF  
LETTERS PATENT.

5. If the said Letters Patent shall at any time be determined and declared void within the United Kingdom, any grant of exclusive privileges in respect of the invention to which they refer shall thereupon, *ipso facto*, become void and of no effect in the Protectorate.

6.—(1) In addition to the documents described in section three of this Regulation there may be filed in the office of the Resident Commissioner certified copies of assignments, and transmissions of, or licences under, such privileges, probates of wills, letters of administration, or other documents of title affecting such privileges, of grants of extension of the Letters Patent of the United Kingdom, and of any other document concerning such Letters Patent as may in any way affect such privileges.

REGISTRATION  
OF DOCUMENTS  
OF TITLE, ETC.

(2) A book, to be called the Patent Register, shall be kept by the Resident Commissioner, in which he shall register the particulars of any documents the filing of which in the office of the Resident Commissioner is provided for by this Regulation.

(3) No such document shall be valid or take effect in the Protectorate for affecting the title to, or extending the period of enjoyment of such privileges, unless it shall have been duly filed and registered.

7. The Patent Register and the Register of Patents of the United Kingdom shall be *prima facie* evidence of the matters directed by this Regulation or by the Imperial Patents and Designs Act 1907, to be entered therein respectively.

REGISTERS TO  
BE *prima facie*  
EVIDENCE OF  
MATTERS  
ENTERED.

8. A certified copy of an entry in the Patent Register signed by the Resident Commissioner and bearing his seal shall be admitted in evidence in all Courts, and in all proceedings, without further proof or production of the original.

CERTIFIED COPY  
OF ENTRY  
EVIDENCE.

9. The High Commissioner may make Rules providing for the particulars to be entered in the Patent Register, the fees to be charged in respect of the filing of any document, the furnishing of a certified copy of any entry, an inspection of the Register, or of any document filed in the office of the Resident Commissioner and for the further and better carrying out of the provisions of this Regulation.

RULES TO BE  
MADE BY THE  
HIGH COMMIS-  
SIONER.

All such Rules shall be published in the Gazette, and from the date of such publication shall be of full force and effect as if enacted in this Regulation.

10. The Patent Register and all documents relating to entries therein which may have been duly filed, shall be open to the inspection of any person during office hours, on payment of the prescribed fees.

PATENT  
REGISTER, ETC.  
TO BE OPEN TO  
INSPECTION.

11. A fee of five pounds shall be payable in respect of every grant made under the provisions of this Regulation.

FEE FOR GRANT.

12. Nothing in any grant made under this Regulation shall prejudice, abridge, or derogate from, the prerogatives of His Majesty, his heirs and successors.

SAVING  
PREROGATIVES  
OF CROWN.

Published and exhibited in the Public Office of the High Commissioner for the Western Pacific this thirty-first day of January, one thousand nine hundred and seventeen.

By Command,

A. L. AYTON,

Acting Secretary to His Britannic Majesty's  
High Commissioner for the Western Pacific.

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