

McCarthy
Cap.161.
Ordinances
Nos.
23 of 1928
22 of 1932
41 of 1949.

UNITED KINGDOM DESIGNS (PROTECTION)

(Gold Coast)

AN ORDINANCE TO PROVIDE FOR THE PROTECTION
IN THE GOLD COAST OF DESIGNS REGISTERED IN
THE UNITED KINGDOM.

(Amended by 41 of 1949, s.2.)

Date of
Commence-
ment.

[9th November, 1928.]

Short title.

1. This Ordinance may be cited as the "United Kingdom Designs (Protection) Ordinance." (Substituted by 41 of 1949, s.3.)

Extension
to the
Gold Coast of
privileges
and rights
enjoyed under
7 Edw.7,
c.29 and 9
and 10 Geo.V.
c.80.

2. Subject to the provisions of this Ordinance, the registered proprietor of any design registered in the United Kingdom under the Patents and Designs Acts, 1907 and 1919, or any act amending or substituted for those Acts, shall enjoy in the Gold Coast the like privileges and rights as though the Certificate of Registration in the United Kingdom had been issued with an extension to the Gold Coast.
(Amended by 41 of 1949, s.4.)

Protection
of persons
uninten-
tionally
infringing
copyright in
designs.

3. The registered proprietor of a design shall not be entitled to recover any damages in respect of any infringement of copyright in a design from any defendant who proves that at the date of infringement he was not aware nor had any reasonable means of making himself aware of the existence of the registration of the design:

Proviso.

Provided that nothing in this section shall affect any proceedings for an injunction.

Power to Court
to declare
that copyright
in a design
has not been
acquired in
the Gold Coast.

4. The Court shall have power upon the application of any person who alleges that his interests have been prejudicially affected, to declare that exclusive privileges and rights have not been acquired in the Gold Coast under the provisions of this Ordinance, upon any of the grounds upon which the United Kingdom registration might be cancelled under the law for the time being in force in the United Kingdom. Such grounds shall be deemed to include the publication of the designs in the Gold Coast prior to the date of registration of the design in the United Kingdom. (Amended by 22 of 1932 and 41 of 1949, s.4.)