

## **CHAPTER 218**

### **THE UNITED KINGDOM DESIGNS (PROTECTION) ACT.**

#### **Arrangement of Sections.**

Section

1. Rights in Uganda of proprietor of design registered in United Kingdom.
2. Innocent infringer not liable for damages.
3. Grounds upon which court may declare that rights have not been acquired in Uganda.

## CHAPTER 218

### THE UNITED KINGDOM DESIGNS (PROTECTION) ACT.

*Commencement:* 15 June, 1937.

#### **An Act to provide for the protection in Uganda of designs registered in the United Kingdom.**

#### **1. Rights in Uganda of proprietor of design registered in United Kingdom.**

Subject to this Act, the registered proprietor of any design registered in the United Kingdom under the Patents and Designs Acts, 1907 to 1932, or any Act of the United Kingdom amending or substituted for those Acts shall enjoy in Uganda the like privileges and rights as though the certificate of registration in the United Kingdom had been issued with an extension to Uganda.

#### **2. Innocent infringer not liable for damages.**

(1) 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 the infringement, he or she was not aware and had no reasonable means of making himself or herself aware of the existence of the registration of the design.

(2) Nothing in this section shall affect any proceedings for an injunction.

#### **3. Grounds upon which court may declare that rights have not been acquired in Uganda.**

(1) The court shall have power, upon the application of any person who alleges that his or her interests have been prejudicially affected, to declare, 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, that exclusive privileges and rights in a design have not been acquired in Uganda under this Act.

(2) Such grounds shall be deemed to include the publication of the

design in Uganda prior to the date of registration of the design in the United Kingdom.

**History:** Cap. 84.

### **Cross Reference**

Patent and Designs Acts of the United Kingdom, 1907 to 1932.

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