

# BECHUANALAND PROTECTORATE

No. 30 of 1920.

[Promulgated 18th June, 1920.]

## PROCLAMATION

By His Excellency the High Commissioner

Entitled the Bechuanaland Protectorate Patents Registration  
Proclamation 1920.

Whereas it is expedient to make provision for the registration in the Bechuanaland Protectorate of the proprietors of patents within the Union of South Africa and for the conferring on such persons certain rights in the Bechuanaland Protectorate.

And whereas it is expedient to repeal Act No. 17 of 1860 of the Colony of the Cape of Good Hope so far as it is in force in the Bechuanaland Protectorate.

Now therefore under and by virtue of the powers in me vested I do hereby declare, proclaim and make known as follows:—

1. The Resident Commissioner shall cause to be kept at Mafeking or such other place as may be designated by him by notice in the *Gazette* a register of patents wherein shall be entered—

- (a) the names and addresses of persons entitled to certificates under this Proclamation;
- (b) notifications of assignments and transmissions of rights granted under this Proclamation and of assignments, amendments, extensions or revocations of the patents in respect of which they are granted and of licences granted thereunder; and
- (c) particulars of such other matters as may be required.

2. Any person being registered in the Register of Patents of the Union of South Africa under Act No. 9 of 1916 or any amendment thereof as the proprietor of a patent may on production of the patent together with a true copy thereof and on payment of the fee prescribed be registered in the Register of Patents to be kept under section *one* of this Proclamation, and a certificate of such registration shall thereupon be issued to him by the Resident Commissioner.

3. Any person registered under section *two* shall so long as the patent in respect of which he is registered remains in force in the Union of South Africa and so long as he is the proprietor thereof have and enjoy in the Bechuanaland Protectorate the same rights and privileges and be subject to the same duties, obligations and conditions as have been conferred or imposed upon him by the said patent within the Union of South Africa.

4. The name of any person registered under this Proclamation as proprietor of a patent may be removed from the Register by written order of the Resident Commissioner—

- (a) if the patent in respect of which he was so registered has been revoked or has expired by effluxion of time or has been transferred; and
- (b) if any licence fees which may be prescribed for the renewal of registration are not duly paid.

Provided that before the name of any person is so removed written notice shall be served on him at his registered address if it is within the Bechuanaland Protectorate or sent to such address by registered post if it be outside the Bechuanaland Protectorate calling upon him to show cause within a time to be specified therein why his name should not be removed.

5. Notice shall be given to the Resident Commissioner of any assignment of a patent in respect of which any person is registered as proprietor under this Proclamation and of any amendment or extension of such patent and of any licence granted under such patent and the Resident Commissioner on being satisfied that such assignment, amendment, extension or licence has been duly registered in the Patents Register of the Union of South Africa and on payment of the prescribed fee shall cause an entry to be made accordingly in the Patents Register kept under this Proclamation and in the case of assignment shall issue to the assignee a certificate of registration as proprietor.

6. In any action which may be brought for infringement of the rights granted under this Proclamation any ground upon which the name of the person by whom or in whose right the action is brought could be removed from the register may be applied by way of defence.

7. The fees set forth in the Schedule to this Proclamation shall be due and payable for the several acts therein specified and such fees shall be collected by means of Bechuanaland Protectorate revenue stamps to be affixed to the document in respect of which any such act may be done.

8. Act No. 17 of 1860 of the Colony of the Cape of Good Hope shall be and is hereby repealed as regards its application to the Bechuanaland Protectorate so far as it is in force therein, but without prejudice to any rights lawfully acquired thereunder.

9. This Proclamation may be cited as the Bechuanaland Protectorate Patents Registration Proclamation 1920 and shall have force and take effect from the 1st day of July, 1920.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Eleventh day of June One thousand Nine hundred and Twenty.

BUXTON,

High Commissioner.

By Command of His Excellency the  
High Commissioner.

H. J. STANLEY,

Imperial Secretary.

SCHEDULE.

1. On filing application for registration of patent ...	£0 10 0
2. On registration of patent ... ..	1 0 0

*Renewal Fees.*

3. Before the expiration of the third year of patent ...	2 0 0
4. Before the expiration of the seventh year of patent ...	3 0 0
5. Before the expiration of the tenth year of patent ...	5 0 0

NOTE.—Any or all of the payments for renewals may be made in one sum.

6. On registration of any assignment, amendment, extension, or licence ... ..	0 10 0
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