

THE ORISSA



GAZETTE

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SEPARATE PAGING IS GIVEN TO THIS PART, IN ORDER THAT IT MAY BE FILED AS A SEPARATE COMPILATION

PART V

Acts of the Indian Legislature assented to by the Governor-General

GOVERNMENT OF INDIA
LEGISLATIVE DEPARTMENT

The following Act of the Indian Legislature received the assent of the Governor-General on the 22nd November 1944 and is hereby promulgated for general information :—

ACT No. XV OF 1944

An Act temporarily to amend the Indian Patents and Designs Act, 1911

WHEREAS it is expedient temporarily to amend the Indian Patents and Designs Act, 1911 (II of 1911), for the purpose hereinafter appearing ;

It is hereby enacted as follows :—

1. Short title—This Act may be called the Indian Patents and Designs (Temporary Amendment) Act, 1944.

2. Temporary amendment of section 21, Act II of 1911—

During the period beginning on the 3rd day of September 1939, and ending on the expiry of six months after the cessation of the present hostilities, section 21 of the Indian Patents and Designs Act, 1911, shall have effect, and shall be deemed to have had effect throughout the said period, as if—

(a) after sub-section (3) the following sub-section had been inserted, namely :—

“(3A) The powers of officers or authorities administering any department of the service of His Majesty under sub-section (2) or sub-section (3) to make, use or exercise an invention for the service of the Crown shall include the

power to make, use, exercise or vend an invention upon such terms as are mentioned in sub-section (2) or sub-section (3), as the case may be, for any purpose which appears to any such officer or authority necessary or expedient for the efficient prosecution of the war or for maintaining supplies and services essential to the life of the community; and the terms of any such agreement or licence as is mentioned in sub-section (2) shall be inoperative so far as concerns the making, use, exercise or vending of an invention under this sub-section as they are inoperative so far as concerns the making, use or exercise of an invention under sub-section (2).";

(b) in sub-section (4), for the words "or exercise" the words "exercise or vending" had been substituted;

(c) to sub-section (5) the following proviso had been added, namely:—

"Provided that nothing in this sub-section shall affect the right to vend an invention conferred by sub-section (3A).";

(d) after sub-section (5) the following sub-section had been inserted, namely:—

"(5A) The purchaser of any article sold in pursuance of sub-section (3A) or sub-section (5) and any person claiming through him may deal with the article in like manner as if the patent for the invention were held on behalf of His Majesty."

G. H. SPENCE
Secy. to the Govt. of India