



Patents and Designs Act 1907

1907 CHAPTER 29 7 Edw 7

An Act to consolidate the enactments relating to Patents for Inventions and the Registration of Designs and certain enactments relating to Trade Marks.

Modifications etc. (not altering text)

- C1 Act: by 1994 c. 26, s. 106(1), [Sch. 4 para. 2\(1\)\(4\)](#); S.I. 1994/2550, [art. 2](#) it is provided (retrospectively) that the repeal of this Act, except certain provisions, shall be deemed not to have extended to the long title, date of enactment or enacting words or to so much of section 99 as provides the Act with its short title
- C2 Act amended by [Patents, Designs, Copyright and Trade Marks \(Emergency\) Act 1939 \(c. 107\), s. 6](#)

PART I

PATENTS

1—36. F1

Textual Amendments

- F1 Ss. 1—46 repealed by [Patents Act 1949 \(c. 87\), Schs. 2, 3](#) and [Registered Designs Act 1949 \(c. 88\), s. 48, Sch. 2](#)

Miscellaneous

37— F2
46.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Patents and Designs Act 1907. (See end of Document for details)

Textual Amendments

F2 Ss. 1–46 repealed by Patents Act 1949 (c. 87), Schs. 2, 3 and Registered Designs Act 1949 (c. 88), s. 48, **Sch. 2**

47 Patent Museum.

(1) **F3**

(2) **F4**

Textual Amendments

F3 S. 47(1) repealed by National Heritage Act 1983 (c. 47, SIF 78:3), s. 41(1), **Sch. 6**

F4 S. 47(2) repealed by Patents Act 1977 (c. 37), **Sch. 6**

48 **F5**

Textual Amendments

F5 Ss. 48–61, 62(4), 65–:81, 83–87, 89, 90, 91(2)–(2C), 91B–91D, 92–:98, Schs. 1, 2 repealed by Patents Act 1949 (c. 87), Schs. 2, 3 and Registered Designs Act 1949 (c. 88), s. 48, **Sch. 2**

PART II

49— **F6**

61.

Textual Amendments

F6 Ss. 48–61, 62(4), 65–:81, 83–87, 89, 90, 91(2)–(2C), 91B–91D, 92–:98, Schs. 1, 2 repealed by Patents Act 1949 (c. 87), Schs. 2, 3 and Registered Designs Act 1949 (c. 88), s. 48, **Sch. 2**

PART III

GENERAL

Patent Office, and Proceedings thereat

62 Patent Office.

(1) The Treasury may continue to provide for the purposes of this Act and the ^{M1}Trade Marks Act 1905, an office with all requisite buildings and conveniences, which shall be called, and is in this Act referred to as, the Patent Office.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Patents and Designs Act 1907. (See end of Document for details)

- (2) The Patent Office shall be under the immediate control of the comptroller, who shall act under the superintendence and direction of the Board of Trade.
- (3) Any act or thing directed to be done by or to the comptroller may be done by or to any officer authorised by the Board of Trade.
- (4) F7

Textual Amendments

F7 Ss. 48–61, 62(4), 65–:81, 83–87, 89, 90, 91(2)–(2C), 91B–91D, 92–:98, Schs. 1, 2 repealed by [Patents Act 1949 \(c. 87\)](#), Schs. 2, 3 and [Registered Designs Act 1949 \(c. 88\)](#), s. 48, [Sch. 2](#)

Modifications etc. (not altering text)

C3 S. 62(1) extended by [Patents, Designs and Marks Act 1986 \(c. 39, SIF 67A\)](#), s. 2(3), [Sch. 2 Pt. II para. 2\(2\)\(a\)](#)

C4 S. 62(1): By virtue of [S.I. 1981/1670](#), [arts. 2\(1\)\(a\)](#), 3(5) s. 63 (1) (2) has effect as if the reference to the Minister for the Civil Service were a reference to the Treasury

C5 S. 62(2) extended by [Patents, Designs and Marks Act 1986 \(c. 39, SIF 67A\)](#), s. 2(3), [Sch. 2 Pt. II para. 2\(2\)\(a\)](#)

C6 Functions of the Board of Trade now exercisable concurrently by Secretary of State: [S.I. 1970/1537](#), [art. 2\(1\)\(a\)](#)

Marginal Citations

M1 1905 c. 15.

63 Officers and clerks.

- (1) There shall continue to be a comptroller-general of patents, designs, and trade marks, and the Board of Trade may, subject to the approval of the [^{F8}Minister for the Civil Service], appoint the comptroller, and so many examiners and other officers and clerks, with such designations and duties as the Board of Trade think fit, and may remove any of those officers and clerks.
- (2) The salaries of those officers and clerks shall be appointed by the Board of Trade, with the concurrence of the [^{F8}Minister for the Civil Service], and those salaries and the other expenses of the execution of this Act and the ^{M2}Trade Marks Act 1905, shall continue to be paid out of money provided by Parliament.

Textual Amendments

F8 Words substituted by virtue of [S.I. 1968/1656](#), [arts. 2\(1\)\(e\)](#), 3(2)

Modifications etc. (not altering text)

C7 Functions of the Board of Trade now exercisable concurrently by Secretary of State: [S.I. 1970/1537](#), [art. 2\(1\)\(a\)](#)

Marginal Citations

M2 1905 c. 15.

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Changes to legislation: There are currently no known outstanding effects for the Patents and Designs Act 1907. (See end of Document for details)

64 Seal of Patent Office.

Impressions of the seal of the Patent Office shall be judicially noticed and admitted in evidence.

65— **F9**
76.

Textual Amendments
F9 Ss. 48–61, 62(4), 65–:81, 83–87, 89, 90, 91(2)–(2C), 91B–91D, 92–:98, Schs. 1, 2 repealed by Patents Act 1949 (c. 87), Schs. 2, 3 and Registered Designs Act 1949 (c. 88), s. 48, **Sch. 2**

Evidence, &c.

77— **F10**
81.

Textual Amendments
F10 Ss. 48–61, 62(4), 65–:81, 83–87, 89, 90, 91(2)–(2C), 91B–91D, 92–:98, Schs. 1, 2 repealed by Patents Act 1949 (c. 87), Schs. 2, 3 and Registered Designs Act 1949 (c. 88), s. 48, **Sch. 2**

82 **F11**

Textual Amendments
F11 S. 82 repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), **Sch. 1 Pt. VI**

83— **F12**
85.

Textual Amendments
F12 Ss. 48–61, 62(4), 65–:81, 83–87, 89, 90, 91(2)–(2C), 91B–91D, 92–:98, Schs. 1, 2 repealed by Patents Act 1949 (c. 87), Schs. 2, 3 and Registered Designs Act 1949 (c. 88), s. 48, **Sch. 2**

Powers, &c., of Board of Trade

86, 87. **F13**

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Textual Amendments

F13 Ss. 48–61, 62(4), 65–:81, 83–87, 89, 90, 91(2)–(2C), 91B–91D, 92–:98, Schs. 1, 2 repealed by [Patents Act 1949 \(c. 87\)](#), Schs. 2, 3 and [Registered Designs Act 1949 \(c. 88\)](#), s. 48, **Sch. 2**

88 **F14**

Textual Amendments

F14 Ss. 88, 91, 91A repealed by [Patents, Designs and Marks Act 1986 \(c. 39, SIF 67A\)](#), s. 3(2), **Sch. 3 Pt. II**

89, 90. **F15**

Textual Amendments

F15 Ss. 48–61, 62(4), 65–:81, 83–87, 89, 90, 91(2)–(2C), 91B–91D, 92–:98, Schs. 1, 2 repealed by [Patents Act 1949 \(c. 87\)](#), Schs. 2, 3 and [Registered Designs Act 1949 \(c. 88\)](#), s. 48, **Sch. 2**

International and Colonial Arrangements

91 **F16**

Textual Amendments

F16 Ss. 88, 91, 91A repealed by [Patents, Designs and Marks Act 1986 \(c. 39, SIF 67A\)](#), s. 3(2), **Sch. 3 Pt. II**

91A **F17**

Textual Amendments

F17 Ss. 88, 91, 91A repealed by [Patents, Designs and Marks Act 1986 \(c. 39, SIF 67A\)](#), s. 3(2), **Sch. 3 Pt. II**

91B— **F18**
91D.

Textual Amendments

F18 Ss. 48–61, 62(4), 65–:81, 83–87, 89, 90, 91(2)–(2C), 91B–91D, 92–:98, Schs. 1, 2 repealed by [Patents Act 1949 \(c. 87\)](#), Schs. 2, 3 and [Registered Designs Act 1949 \(c. 88\)](#), s. 48, **Sch. 2**

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92— **F19**
96.

Textual Amendments

F19 Ss. 48–61, 62(4), 65–:81, 83–87, 89, 90, 91(2)–(2C), 91B–91D, 92–:98, Schs. 1, 2 repealed by [Patents Act 1949 \(c. 87\)](#), Schs. 2, **3** and [Registered Designs Act 1949 \(c. 88\)](#), s. 48, **Sch. 2**

Repeal Savings and Short Title

97, 98. **F20**

Textual Amendments

F20 Ss. 48–61, 62(4), 65–:81, 83–87, 89, 90, 91(2)–(2C), 91B–91D, 92–:98, Schs. 1, 2 repealed by [Patents Act 1949 \(c. 87\)](#), Schs. 2, **3** and [Registered Designs Act 1949 \(c. 88\)](#), s. 48, **Sch. 2**

[^{F21}**99** *Short title and commencement.*

This Act may be cited as the Patents and Designs Act 1907, and shall, save as otherwise expressly provided, come into operation on the first day of January, one thousand nine hundred and eight.]

Textual Amendments

F21 S. 99 repealed by [Patents Act 1949 \(c. 87\)](#), Schs. 2, **3** and [Registered Designs Act 1949 \(c. 88\)](#), s. 48, **Sch. 2**; and by 1994 c. 26, s. 106(1), **Sch. 4 para. 2(1)(4)**; S.I. 1994/2550, **art. 2** it is provided that the repeal of this Act shall be deemed not to have extended to so much of section 99 as provides the Act with its short title

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Changes to legislation: There are currently no known outstanding effects for the Patents and Designs Act 1907. (See end of Document for details)

SCHEDULES

F22F22 FIRST AND SECOND SCHEDULES

Textual Amendments

F22 Ss. 48–61, 62(4), 65–:81, 83–87, 89, 90, 91(2)–(2C), 91B–91D, 92–:98, Schs. 1, 2 repealed by [Patents Act 1949 \(c. 87\)](#), Schs. 2, **3** and [Registered Designs Act 1949 \(c. 88\)](#), s. 48, **Sch. 2**

F22

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Patents and Designs Act 1907.