



# 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- F1 Ss. 1—46 repealed by [Patents Act 1949 \(c. 87\), Schs. 2, 3](#) and [Registered Designs Act 1949 \(c. 88\), s. 48, Sch. 2](#)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*Status: Point in time view as at 31/10/1994.*

*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**F2** Ss. 1–46 repealed by Patents Act 1949 (c. 87), Schs. 2, 3 and Registered Designs Act 1949 (c. 88), s. 48, **Sch. 2**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**F3** S. 47(1) repealed by National Heritage Act 1983 (c. 47, SIF 78:3), s. 41(1), **Sch. 6**

**F4** S. 47(2) repealed by Patents Act 1977 (c. 37), **Sch. 6**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**F5** Ss. 48–61, 62(4), 65–:81, 83–87, 89, 90, 91(2)–(2C), 91B–91D, 92–:98, Schs. 1, 2 repealed by Patents Act 1949 (c. 87), Schs. 2, 3 and Registered Designs Act 1949 (c. 88), s. 48, **Sch. 2**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**F6** Ss. 48–61, 62(4), 65–:81, 83–87, 89, 90, 91(2)–(2C), 91B–91D, 92–:98, Schs. 1, 2 repealed by Patents Act 1949 (c. 87), Schs. 2, 3 and Registered Designs Act 1949 (c. 88), s. 48, **Sch. 2**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 [<sup>F7</sup>the Patents Act 1977, the Registered Designs Act 1949 and the Trade Marks Act 1994], 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*Status: Point in time view as at 31/10/1994.*

*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 [<sup>F8</sup>the Secretary of State].
- (3) Any act or thing directed to be done by or to the comptroller may be done by or to any officer authorised by [<sup>F9</sup>the Secretary of State].
- (4) . . . . . <sup>F10</sup>

**Textual Amendments**

- F7** Words in s. 62(1) substituted (31.10.1994) by 1994 c. 26, s. 106(1), **Sch. 4 para. 2(2)(a)**; S.I. 1994/2550 art. 2
- F8** Words in s. 62(2)(3) substituted (31.10.1994) by 1994 c. 26, s. 106(1), **Sch. 4 para. 2(2)(b)**; S.I. 1999/2550 art. 2
- F9** Words in s. 62(2)(3) substituted (31.10.1994) by 1994 c. 26, s. 106(1), **Sch. 4 para. 2(2)(b)**; S.I. 1999/2550 art. 2
- 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**

**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)**

**63 Officers and clerks.**

- (1) There shall continue to be a comptroller-general of patents, designs, and trade marks, and [<sup>F11</sup>the Secretary of State] may, subject to the approval of the [<sup>F12</sup>Minister for the Civil Service], appoint the comptroller, and so many examiners and other officers and clerks, with such designations and duties as [<sup>F11</sup>the Secretary of State] think fit, and may remove any of those officers and clerks.
- (2) The salaries of those officers and clerks shall be appointed by [<sup>F11</sup>the Secretary of State], with the concurrence of the [<sup>F12</sup>Minister for the Civil Service]. . . .

**Textual Amendments**

- F11** Words in s. 63 substituted (31.10.1994) by 1994 c. 26, s. 106(1), **Sch. 4 para. 2(3)(a)**; S.I. 1994/2550, **art. 2**
- F12** 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)**

*Status: Point in time view as at 31/10/1994.*

*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—** ..... **F13**  
**76.**

**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**

*Evidence, &c.*

**77—** ..... **F14**  
**81.**

**Textual Amendments**  
**F14** 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** ..... **F15**

**Textual Amendments**  
**F15** S. 82 repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), **Sch. 1 Pt. VI**

**83—** ..... **F16**  
**85.**

**Textual Amendments**  
**F16** 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.** ..... **F17**

*Status: Point in time view as at 31/10/1994.*

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**Textual Amendments**

**F17** 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** ..... **F18**

**Textual Amendments**

**F18** 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.** ..... **F19**

**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](#)

*International and Colonial Arrangements*

**91** ..... **F20**

**Textual Amendments**

**F20** Ss. 88, 91, 91A repealed by [Patents, Designs and Marks Act 1986 \(c. 39, SIF 67A\)](#), s. 3(2), [Sch. 3 Pt. II](#)

**91A** ..... **F21**

**Textual Amendments**

**F21** Ss. 88, 91, 91A repealed by [Patents, Designs and Marks Act 1986 \(c. 39, SIF 67A\)](#), s. 3(2), [Sch. 3 Pt. II](#)

**91B—** ..... **F22**  
**91D.**

**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](#)

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92— ..... F23  
96.

#### Textual Amendments

**F23** 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. .... F24

#### Textual Amendments

**F24** 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**

[<sup>F25</sup>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

**F25** 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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## SCHEDULES

### F26F26 FIRST AND SECOND SCHEDULES

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#### Textual Amendments

**F26** 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](#)

.....  
F26

**Status:**

Point in time view as at 31/10/1994.

**Changes to legislation:**

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