



Patents Act 1949

1949 CHAPTER 87 12 13 and 14 Geo 6

Miscellaneous provisions as to rights in inventions

54^{F1}

Textual Amendments

F1 Ss. 54, 57, 58, 68 repealed by [Patents Act 1977 \(c. 37\)](#), [Sch. 6](#)

55 Power of comptroller to give directions to co-owners.

- (1) Where two or more persons are registered as grantee or proprietor of a patent, the comptroller may, upon application made to him in the prescribed manner by any of those persons, give such directions in accordance with the application as to the sale or lease of the patent or any interest therein, the grant of licences under the patent, or the exercise of any right under the last foregoing section in relation thereto, as he thinks fit.
- (2) If any person registered as grantee or proprietor of the patent fails to execute any instrument or to do any other thing required for the carrying out of any direction given under this section within fourteen days after being requested in writing so to do by any of the other persons so registered, the comptroller may, upon application made to him in the prescribed manner by any such other person, give directions empowering any person to execute that instrument or to do that thing in the name and on behalf of the person in default.
- (3) Before giving directions in pursuance of an application under this section, the comptroller shall give an opportunity to be heard—
 - (a) in the case of an application under subsection (1) of this section, to the other person or persons registered as grantee or proprietor of the patent;
 - (b) in the case of an application under subsection (2) of this section, to the person in default.
- (4) An appeal shall lie from any decision or direction of the comptroller under this section.

*Changes to legislation: There are currently no known outstanding effects for the Patents Act 1949,
Cross Heading: Miscellaneous provisions as to rights in inventions. (See end of Document for details)*

- (5) No directions shall be given under this section so as to affect the mutual rights or obligations of trustees or of the personal representatives of a deceased person, or their rights or obligations as such.

.....

Modifications etc. (not altering text)

C1 S. 55 restricted by [Patents Act 1977 \(c. 37\)](#), s. 127, [Sch. 1 para. 1](#)

56 Disputes as to inventions made by employees.

- (1) Where a dispute arises between an employer and a person who is or was at the material time his employee as to the rights of the parties in respect of an invention made by the employee either alone or jointly with other employees or in respect of any patent granted or to be granted in respect thereof, the comptroller may, upon application made to him in the prescribed manner by either of the parties, and after giving to each of them an opportunity to be heard, determine the matter in dispute, and may make such orders for giving effect to his decision as he considers expedient:
Provided that if it appears to the comptroller upon any application under this section that the matter in dispute involves questions which would more properly be determined by the court, he may decline to deal therewith.
- (2) In proceedings before the court between an employer and a person who is or was at the material time his employee, or upon an application made to the comptroller under subsection (1) of this section, the court or comptroller may, unless satisfied that one or other of the parties is entitled, to the exclusion of the other, to the benefit of an invention made by the employee, by order provide for the apportionment between them of the benefit of the invention, and of any patent granted or to be granted in respect thereof, in such manner as the court or comptroller considers just.
- (3) A decision of the comptroller under this section shall have the same effect as between the parties and persons claiming under them as a decision of the court.
- (4) An appeal shall lie from any decision of the comptroller under this section.

.....

Modifications etc. (not altering text)

C2 S. 56 restricted by [Patents Act 1977 \(c. 37\)](#), s. 127, [Sch. 1 para. 1](#)

57, 58. F2

.....

Textual Amendments

F2 Ss. 54, 57, 58, 68 repealed by [Patents Act 1977 \(c. 37\)](#), [Sch. 6](#)

Changes to legislation:

There are currently no known outstanding effects for the Patents Act 1949, Cross Heading: Miscellaneous provisions as to rights in inventions.