

INTELLECTUAL PROPERTY ACTS (AMENDMENT) ACT, 1984–20

Arrangements of Sections

Section

- [1.](#) Short title
- [2.](#) 1981–55 amended
- [3.](#) 1981–56 amended
- [4.](#) 1982–1 amended

BARBADOS

I assent
HUGH W. SPRINGER
Governor-General
22nd June, 1984

1984–20

An Act to amend the statute law in respect of technical deficiencies in certain Intellectual Property Acts of Barbados.

Commencement

Sections 2 & 3–21st December, 1981

Section 4–22nd January, 1982

BE IT ENACTED by the Parliament of Barbados as follows:

Citation

Short title

1. This Act may be cited as the Intellectual Property Acts (Amendment) Act, 1984.

Patents Act, 1981

1981–51 amended

2. (1) The *Patents Act, 1981* is amended

- (a) as to section 11 thereof by replacing the words “or an abuse by” in subsection (2) thereof with the words “by, or an abuse of the rights of”;
- (b) as to section 20 thereof by replacing “section 15,” with “section 18”;
- (c) as to section 34(2) thereof by deleting the word “no” before “circumstances”;
- (d) as to section 75 thereof by replacing “to (8)” in subsection (2) with “to (5)”;

- (e) as to section 99 by deleting all the words preceding the words “the Patents Act” and by substituting therefor the words “Subject to subsection (2),”.

(2). This section has effect from the 21st December, 1981.

The Trade Marks Act, 1981

3. (1) The *Trade Marks Act, 1981* is amended

1981–56 amended

- (a) as to section 8(1) thereof by deleting subparagraph (i) of paragraph (a) thereof and by substituting the following:

“(i) resembles, in such a way as to be likely to mislead the public, a mark registered under this Act by another person or for which an application for registration by another person is pending under this Act, or”

- (b) as to section 15(4),

- (i) by replacing the words “made can” with the words “made cannot”, and

- (ii) by replacing the words “subsection (1) to (3)” with the words “section 16”;

- (c) as to section 21(1) thereof by deleting paragraph (c) and by substituting the following:

“(c) the name and address of the registered owner of the mark and if he resides outside Barbados his address for service in Barbados;”;

- (d) as to section 32(1) thereof by replacing the words “does contain” with the words “does not contain”;

- (e) as to section 41(4) by replacing the words “For the purposes of subsection (2), the” with the word “The”

- (f) as to section 57 by adding after subsection (2) thereof the following:

“(2.1)A reference in this Act to a mark registered under this Act or to an application pending under this Act for registration of a mark in any of the following provisions namely, sections 3, 8(1)(a)(i), 20(1)(a) and (b), and 31, includes, as the circumstances require,

- (a) the registration before the commencement of this Act of a mark under Chapter 319 of the Laws of Barbados, or

- (b) an application for registration of a mark pending under Chapter 319 of the Laws of Barbados on the commencement of this Act;

and this Act applies, *mutatis mutandis*, to a mark registered under Chapter 319 of the Laws of Barbados but without diminishing the rights acquired by virtue of registration under Chapter 319.”

(2) This section has effect from the 21st December, 1981.

Copyright Act, 1981

4. (1) The *Copyright Act, 1981* is amended

1982–1 amended.

- (a) as to section 1 by replacing the title “Copyright Act, 1981” with “Copyright Act, 1982”;
- (b) as to section 22 thereof by replacing the word “exists” with the word “exist”;

- (c) as to paragraph (b) of section 23 thereof, by replacing “section 15,” with “section 16,”;
 - (d) as to section 38 thereof by renumbering the second subsection as “(2)” instead of “(3)”;
and
 - (e) as to section 40(1) thereof, by inserting the relative pronoun “that” immediately after the words “this Act”.
- (2) This section has effect from the 22nd day of January, 1982.
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