

## PATENTS.

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### No. 16 of 1935.

#### An Act to amend sections four and thirty of the *Patents Act 1903-1934.*

[Assented to 12th April, 1935.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title and  
citation.

1.—(1.) This Act may be cited as the *Patents Act 1935.*

(2.) The *Patents Act 1903-1934\** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Patents Act 1903-1935.*

Definitions.

2. Section four of the Principal Act is amended by omitting from the definition of "Supreme Court" the words "State in which the Patent Office is situated or a Judge thereof" and inserting in their stead the words "Australian Capital Territory or the Judge thereof".

Rectification  
of Register.

3. Section thirty of the Principal Act is amended by inserting, after the words "appear to", the words "the High Court or".

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\* Act No. 21, 1903 as amended by No. 19, 1906; No. 17, 1909; No. 19, 1910; No. 24, 1921 No. 76, 1930; No. 70, 1932; No. 57, 1933 and by No. 45, 1934.

## COPYRIGHT.

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### No. 17 of 1935.

#### An Act to amend the *Copyright Act 1912-1933.*

[Assented to 12th April, 1935.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title and  
citation.

1.—(1.) This Act may be cited as the *Copyright Act 1935.*

(2.) The *Copyright Act 1912-1933,\** as amended by this Act, may be cited as the *Copyright Act 1912-1935.*

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\* Act No. 20, 1912, as amended by Act No. 68, 1933.

2. After section forty-one of the *Copyright Act* 1912-1933, the following section is inserted:—

“41A. Where any person claiming to be the owner of a copyright, by circulars, advertisements, or otherwise, threatens any other person with any legal proceedings or liability in respect of any alleged infringement of the copyright, any person aggrieved thereby may bring an action against him, and may obtain an injunction against the continuance of such threats, and may recover such damages (if any) as he has sustained thereby, if the alleged infringement to which the threats related was not in fact an infringement of any legal rights of the person making such threats :

Provided that this section shall not apply if the person making such threats with due diligence commences and prosecutes an action for infringement of the copyright claimed by him.”.

Remedy in case of groundless threats of legal proceedings.

## CARRIAGE BY AIR.

No. 18 of 1935.

An Act to give effect to a Convention for the unification of certain rules relating to international carriage by air, and for other purposes.

[Assented to 12th April, 1935.]

**W**HEREAS a Convention for the unification of certain rules relating to international carriage by air (a copy of the text of which is set forth in the First Schedule to this Act and is in this Act referred to as “the Convention”) was, on the twelfth day of October, One thousand nine hundred and twenty-nine, signed at Warsaw on behalf of the Commonwealth :

Preamble.

AND WHEREAS it is expedient that provision should be made for giving effect to the Convention :

BE it therefore enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1. This Act may be cited as the *Carriage by Air Act* 1935.

Short title.

2. Any reference in the First Schedule to this Act to the territory of any High Contracting Party to the Convention shall be read as a reference to the territories which are subject to the sovereignty, suzerainty, mandate or authority of a Party declared, in pursuance of the next succeeding section, to be a High Contracting Party to the Convention, and in respect of which that Party is so declared to be bound by the Convention.

Interpretation.

