

Designs

No. 108 of 1967

An Act to amend the *Designs Act* 1906–1966 in relation to
Infringement of Copyright in Designs.

[Assented to 14 November 1967]

BE it enacted by the Queen'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 *Designs Act* 1967.

(2.) The *Designs Act* 1906–1966,* as amended by this Act, may be
cited as the *Designs Act* 1906–1967.

Commence-
ment.

2. This Act shall come into operation on the day on which it receives
the Royal Assent.

* Act No. 4, 1906, as amended by No. 19, 1910; No. 14, 1912; Nos. 53 and 70, 1932; No. 36, 1933; Nos. 42 and 45, 1934; No. 80, 1950; and No. 93, 1966.

3. Section 30 of the *Designs Act* 1906–1966 is repealed and the following section inserted in its stead:—

“ 30.—(1.) A person shall be deemed to infringe the copyright in a registered design if, while the copyright continues, he, without the licence or authority of the owner of the copyright—

Infringement
of copyright
in designs.

- (a) applies the design or any fraudulent or obvious imitation of it to any article in respect of which the design is registered;
- (b) imports into Australia for sale, or for use for the purposes of any trade or business, any article in respect of which the design is registered and to which the design or any fraudulent or obvious imitation of it has been applied outside Australia without the licence or authority of the person who was the registered owner of the design at the time when the design or imitation was so applied; or
- (c) sells, or offers or keeps for sale, any article—
 - (i) to which the design or any fraudulent or obvious imitation of it has been applied in infringement of the copyright in the design; or
 - (ii) in respect of which the design is registered and to which the design or any fraudulent or obvious imitation of it has been applied outside Australia without the licence or authority of the person who was the registered owner of the design at the time when the design or imitation was so applied.

“ (2.) For the purposes of this section, a reference to Australia shall be deemed to include a reference to any Territory under the authority of the Commonwealth to which this Act has been extended.”.
