

(4) Where the renewal fee has not been paid within such period or such extended period as is specified in subsection (2), the Director-General shall remove from the relevant register the registration relating to such industrial design.

CHAPTER VII

RIGHTS OF A REGISTERED OWNER OF AN INDUSTRIAL DESIGN

Rights of a registered owner of an industrial design.

47. (1) Subject and without prejudice to other provisions of this Part, the registered owner of an industrial design shall in relation to such industrial design have the exclusive rights to —

- (a) reproduce and embody such industrial design in making a product ;
- (b) import, offer for sale, sell or use a product embodying such industrial design ;
- (c) stock for the purpose of offering for sale, selling or using, a product embodying such industrial design ;
- (d) assign or transmit the registration of the industrial design ;
- (e) conclude licence contracts.

(2) No person shall do any of the acts referred to in subsection (1) without the consent of the registered owner of the industrial design.

(3) The acts referred to in subsection (1), if done by any unauthorized person, shall not be lawful solely by reason of the fact that the reproduction of the registered industrial design differs from the registered industrial design in minor respects or that the reproduction of the registered industrial design is embodied in a type of product different from a product embodying the registered industrial design.

- 48.** The provisions of subsection (1) of section 47 shall—
- (1) extend only to acts done for industrial or commercial purposes ;
 - (2) not preclude third parties from performing any of the acts referred to therein in respect of a product embodying the registered industrial design after the said product has been lawfully manufactured, imported, offered for sale, sold, used or stocked in Sri Lanka.
- Limitation of registered owner's rights.

CHAPTER VIII

ASSIGNMENT AND TRANSMISSION OF APPLICATIONS FOR REGISTRATION OF INDUSTRIAL DESIGNS AND REGISTRATIONS OF THE SAME

- 49.** (1) An application for registration or the registration of an industrial design may be assigned or transmitted and such assignment or transmission shall be in writing signed by or on behalf of the contracting parties.
- Assignment and transmission of applications and registrations.
- (2) Any person becoming entitled by assignment or by transmission to an application for registration or the registration of an industrial design may apply to the Director-General in the prescribed manner along within the prescribed fee to have such assignment or transmission recorded in the register.
- (3) No such assignment or transmission shall be recorded in the register unless the prescribed fee has been paid to the Director-General.
- (4) No such assignment or transmission shall have effect against third parties unless so recorded in the register.

- 50.** In the absence of any agreement to the contrary between the parties, joint owners of an application for registration or the registration of an industrial design may, separately, assign or transmit their rights in the application
- Joint ownership of applications and registration.