

Source: sooperkanoon.com/act/231005

Designs Act, 1911

Section 43 - APPLICATION FOR REGISTRATION OF DESIGNS

1) The Controller may, on the application of any person claiming to be the proprietor of any new or original design not previously published in India, register the design under this Part. (2) The application must be made in the prescribed form and must be left at the Patent Office in the prescribed manner and must be accompanied by the prescribed fee. (3) The same design may be registered in more than one class, and, in case of doubt as to the class in which a design ought to be registered, the Controller may decide the question. (4) The Controller may, if he thinks fit, refuse to register any design presented to him for registration; but any person aggrieved by any such refusal may appeal to the Central Government. (5) An application which, owing to any default or neglect on the part of the applicant, has not been completed so as to enable registration to be effected within the prescribed time shall be deemed to be abandoned. (6) A design when registered shall be registered as of the date of the application for registration.