

Semiconductor Integrated Circuits Layoutdesign Act, 2000

Section 26 - Power of Registrar for cancellation of registration as registered user.—

1) Without prejudice to the provisions of section 30, the registration of a person as registered user (a) may be cancelled by the Registrar on application in writing in the prescribed manner of the registered proprietor or of the registered user or of any other registered user of the layout-design; (b) may be cancelled by the Registrar on the application in writing in the prescribed manner of any person on any of the following grounds, namely: (i) that the registered user has used the layout-design otherwise than in accordance with the agreement under clause (a) of sub-section (1) of section 25; (ii) that the proprietor or the registered user misrepresented, or failed to disclose, some fact material to the application for registration which if accurately represented or disclosed would not have justified the registration of the registered user; (iii) that the circumstances have changed since the date of registration in such a way that at the date of such application for cancellation they would not have justified registration of the registered user; (iv) that the registration ought not to have been effected having regard to right vested in the applicant by virtue of a contract in the performance of which he is interested; (c) may be cancelled by the Registrar on his own motion or on the application in writing in the prescribed manner by any person on the ground that any stipulation in the agreement between the registered proprietor and the registered user regarding the topographical dimensions of the layout-design is either not being enforced or is not being complied with; (d) may be cancelled by the Registrar if the layout-design is no longer registered. (2) The Registrar shall issue notice in the prescribed manner in respect of every application under this section to the registered proprietor and each registered user (not being the applicant) of the layout-design. (3) The procedure for cancelling a registration shall be such as may be prescribed: Provided that before cancelling of registration, the registered proprietor shall be given a reasonable opportunity of being heard