



VIRGIN ISLANDS

PATENTS ACT **Statutory Instruments**

Revised Edition
showing the law as at 30 June 2013

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act 2014.

This edition contains a consolidation of the following laws—

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PATENTS REGULATIONS – SECTION 48

(S.R.O. 10/1908)

Commencement

[22 October 1908]

Short title

1. These Regulations may be cited as the Patents Regulations.

Interpretation

2. (1) In these Regulations—

“the Act” means the Patents Act;

“convention application” means an application in the Territory under the provisions of section 46 of the Act;

“foreign application” means an application duly made by any person for protection of his or her invention in any place to which the provisions of sections 46 or 47 of the Act shall have become applicable;

“United Kingdom” includes the Isle of Man.

(2) Save as aforesaid any words herein used defined by the Act shall have the meanings thereby assigned to them respectively.

Forms

3. The Forms contained in the Schedule may, as far as they are applicable, be used in any proceedings under the Act or under these Regulations.

Application by representative of deceased inventor

4. In the case of an application for a patent by the legal representative of a person who has died possessed of an invention, the Probate of his or her Will, or the Letters of Administration granted of his or her estate and effects, or an official copy of such Probate or Letters, shall be produced at the Registrar’s office in proof of the applicant’s title as such legal representative, and must be supported by such further evidence as the Registrar may require.

Order of recording applications

5. (1) Applications for patents sent through the post shall, as far as may be practicable, be opened and numbered in the order in which the letters containing the same have been respectively delivered in the ordinary course of post.

(2) Applications left at the Registrar’s office otherwise than through the post shall be in like manner numbered in the order of their receipt at the Registrar’s office.

Claims

6. The statement of the invention claimed, with which a complete specification must end, shall be clear and succinct as well as separate and distinct from the body of the specification.

One invention

7. (1) When a specification comprises several distinct matters, they shall not be deemed to constitute an invention by reason only that they are all applicable to or may form parts of an existing machine, apparatus, or process.

(2) Where a person making application for a patent has included in his or her specification more than one invention, the Registrar may require or allow him or her to amend such application and specification and drawings or any of them so as to apply to one invention only, and the applicant may make application for a separate patent for any invention excluded by such amendment.

(3) Every such last mentioned application may, if the Registrar at any time so direct, bear the date of the original application or such date between the date of the original application and the date of the application in question, as the Registrar may direct, and shall otherwise be proceeded with as a substantive application in the manner prescribed by the Act and by any regulations thereunder for the time being in force.

(4) When the Registrar has required or allowed any application, specification or drawings to be amended as aforesaid, such application shall, if the Registrar at any time so directs, bear such date, subsequent to the original date of the application and not later than the date when the amendment was made, as the Registrar shall consider reasonably necessary to give sufficient time for the subsequent procedure relating to such application.

Extension of time for leaving and accepting complete specification

8. An application for extension of time for leaving or accepting a complete specification shall be made on Form U or on Form V in the Schedule as the case may require, and shall state in detail in what circumstances, and upon what grounds such extension is applied for, and the Registrar may require the applicant to substantiate such allegations by such proof as the Registrar may think necessary.

Notice and advertisement of acceptance

9. On the acceptance of a provisional or complete specification, the Registrar shall give notice thereof to the applicant, and shall advertise the acceptance of every complete specification in the *Gazette*.

Inspection of complete specification

10. Upon such acceptance in the case of a complete specification, the application and specification, or specifications, with the drawings (if any), may be inspected at the Registrar's office upon payment of the prescribed fee.

Convention applications

11. Every convention application shall contain a declaration that foreign application has been made for protection of the invention to which such convention application relates, and shall specify all the places in which such foreign applications have been made, and the official date or dates thereof, respectively. The application must be made within 12 months from the date of the first foreign application, and must be accompanied by a complete specification, and signed by the person or persons by whom such first foreign application was made. If such person, or any of such persons be dead, the application must be signed by the legal representative of such dead person, as well as by the other applicants, if any.

Foreign specification etc., to accompany specification

12. Every convention application, in addition to the specification left therewith, must be accompanied by a copy or copies of the specification, and drawings or documents filed or deposited by the applicant in the Patent office of the place in respect of the first foreign application, duly certified by the official chief or head of the Patent office of such place as aforesaid, or otherwise verified to the satisfaction of the Registrar. If any specification or other document relating to the application is in a foreign language, a translation thereof shall be annexed thereto and verified by statutory declaration or otherwise to the satisfaction of the Registrar.

Proceedings

13. Save as aforesaid and as provided by regulation 50, all proceedings in connection with a convention application shall be taken within the times and in the manner prescribed by the said Act or these Regulations for ordinary applications.

Size, etc. of documents

14. (1) All documents and copies of documents, except drawings, sent to or left at the Registrar's office, or otherwise furnished to the Registrar, shall be written, typewritten, lithographed, or printed in the English language (unless otherwise directed) in large and legible characters with deep permanent ink upon strong white paper, and, except in the case of statutory declarations and affidavits, on one side only, of a size of approximately 13 inches by 8 inches, leaving a margin of at least one inch and a half on the left hand part thereof, and the signatures thereto must be written in a large and legible hand. Duplicate documents shall at any time be left, if required by the Registrar.

(2) At the top of the first page of a specification a space of about two inches should be left blank.

Drawings accompanying specifications

15. Drawings, when furnished, should accompany the provisional or complete specification to which they refer, except in the case provided for by regulation 22. No drawing or sketch such as would require the preparation for the printer of a special illustration for use in the letterpress of the specification when printed should appear in the specification itself.

Requirements as to paper

16. Drawings may be made by hand or lithographed, printed, etc. They must be made on pure, white, hotpressed, rolled, or calendered strong paper of smooth surface, good quality, and medium thickness without washes or colours, in such a way, as to admit of being clearly reproduced on a reduced scale by photography. Mounted drawings must not be used.

Size of drawings and arrangement of figures

17. Drawings must be on sheets which measure 13 inches from top to bottom and are either from 8 inches to 8¼inches or from 16 inches to 16½ inches wide, the narrower sheets being preferable. If there are more figures than can be shown on one of the smaller sized sheets, two or more of these sheets should be used in preference to employing the larger size. When an exceptionally large drawing is required, it should be continued on subsequent sheets. There is no limit to the number of sheets that may be sent in, but no more sheets should be employed than are necessary, and the figures

should be numbered consecutively throughout, and without regard to the number of sheets. The figures should not be more numerous than is absolutely necessary. They should be separated by a sufficient space to keep them distinct.

Drawings to be suitable for reproduction

18. (1) Drawings must be prepared in accordance with the following requirements—
- (a) they must be executed with absolutely black ink;
 - (b) each line must be firmly and evenly drawn, sharply defined, and of the same strength throughout;
 - (c) section lines, lines for effect, and shading lines, should be as few as possible, and must not be closely drawn;
 - (d) shade lines must not contrast too much in thickness with the general lines of the drawings;
 - (e) sections and shading should not be represented by solid black or washes;
 - (f) they should be on a scale sufficiently large to show the invention clearly, and only so much of the apparatus, machine, etc., should appear as effects this purpose. If the scale is given, it should be drawn, and not denoted by words.

(2) Reference letters and figures, and index numerals used in conjunction therewith must be bold, distinct, and not less than $\frac{1}{8}$ of an inch in height. The same letters should be used in different views of the same parts. Where the reference letters are shown outside the figure, they must be connected with the parts referred to by fine lines.

Drawings to bear name of application etc., but no descriptive matter

19. Drawings must bear the name of the applicant, (and, in the case of drawings left with a complete specification after a provisional specification, the number and year of the application) in the left hand top corner; the number of sheets of drawings sent, and the consecutive number of each sheet, in the right hand top corner; and the signature of the applicant or his or her agent in the right hand bottom corner. Neither the title of the invention nor any descriptive matter should appear in the drawings.

Copies of drawings

20. (1) A facsimile or “true copy” of the original drawings must be filed at the same time as the original drawings, prepared strictly in accordance with the above regulations, except that it may be on tracing cloth and the reference letters and figures should be in black-lead pencil.

(2) The words “original” or “true copy” must in each case be marked at the right hand top corner, under the numbering of the sheet.

Delivery of drawings

21. Drawings must be delivered at the Registrar’s office so as to be free from folds, breaks, creases, which would render them unsuitable for reproduction by photography.

Provisional drawings used for complete specification.

22. If an applicant desires to adopt the drawings lodged with his or her provisional specification as the drawings for his or her complete specification, he or she should refer to them in the complete specification, as those left with the provisional specification.

Form of statutory declaration and affidavit

23. The statutory declarations and affidavits required by these Regulations, or used in any proceedings thereunder, shall be headed in the matter or matters to which they relate and shall be drawn up in the first person, and shall be divided into paragraphs consecutively numbered, and each paragraph shall so far as possible be confined to one subject. Every statutory declaration or affidavit shall state the description and true place of abode of the person making the same, and shall be written or printed bookwise, and shall bear the name and address of the person leaving it and shall state on whose behalf it is left.

Manner in which, and persons before whom, declaration or affidavit is to be taken

24. The statutory declarations and affidavits required by the Act and these Regulation, or used in any proceedings thereunder, shall be made and subscribed as follows—

- (a) in the Territory, before any Commissioner or other officer authorised by law to administer an oath for the purpose of any legal proceeding;
- (b) in the United Kingdom, before any Justice of the Peace, or any Commissioner or other officer authorised by law in any part of the United Kingdom to administer an oath for the purpose of any legal proceeding;
- (c) in any other part of Her Majesty's dominions, before any Court, Judge, Justice of the Peace, or any Officer authorised by law, to administer an oath there for the purpose of a legal proceeding;
- (d) if made out of Her Majesty's dominions, before a British Minister, or person exercising the functions of a British Minister, or a Consul, Vice-Consul, or other person exercising the functions of a British Consul, or before a Notary Public or before a Judge or Magistrate.

Industrial or international exhibitions

25. Any person desirous of exhibiting an invention at an industrial or international exhibition, or of publishing any description of the invention, during the period of the holding of the exhibition, or of using the invention for the purpose of the exhibition in the place where the exhibition is held, may after the Registrar has given a certificate that the exhibition is an industrial or international one, give to the Registrar notice on Form 0 in the Schedule of his or her intention to exhibit, publish, or use the invention as the case may be. For the purpose of identifying the invention in the event of an application for a patent being subsequently made, the inventor shall furnish to the Registrar a brief description of his or her invention, accompanied, if necessary, by drawings and such other information as the Registrar may in each case require.

Exercise of discretionary powers by Registrar

26. Before exercising any discretionary power given to the Registrar by the Act or these Regulations adversely to the applicant for a patent or for amendment of a specification, the Registrar shall give 10 days' notice, or such longer notice as he or she may think fit, to the

applicant of the time when he or she may be heard personally or by his or her agent before the Registrar.

Notice by applicant

27. Within 5 days from the date when such notice would be delivered in the ordinary course of the post, or such longer time as the Registrar may appoint in such notice, the applicant shall notify in writing to the Registrar whether or not he or she intends to be heard upon the matter.

Registrar may require statement, etc.

28. Whether the applicant desires to be heard or not, the Registrar may at any time require him or her to submit a statement in writing within a time to be notified by the Registrar, or to attend before the Registrar and make oral explanations with respect to such matters as the Registrar may require.

Decision to be notified to parties

29. The decision or determination of the Registrar in the exercise of any such discretionary power as aforesaid, shall be notified by him or her to the applicant, and to any other person who appears to him or her to be affected thereby.

Notice of opposition

30. A notice of opposition to the grant of a patent shall be on Form D in the Schedule, and shall state the ground or grounds on which the person giving such notice (hereinafter called the opponent) intends to oppose the grant, and must be signed by him or her. Such notice shall state his or her address for service, and shall be accompanied by a copy, which copy shall be transmitted by the Registrar to the applicant.

Evidence in support of allegation that invention has been obtained from opponent

31. Where the ground of an opposition is, that the applicant has obtained the invention from the opponent, or from a person of whom such opponent is the legal representative, unless evidence in support of such allegation be left at the Registrar's office within 14 days after the expiration of 2 months from the date of the advertisement of the acceptance of the applicant's complete specification, the opposition shall be deemed to be abandoned.

Attendance of declarant on Registrar

32. Where the ground of an opposition is that the applicant has obtained the invention from the opponent, or from a person of whom such opponent is the legal representative, the Registrar may request or allow any person who has made a statutory declaration in the matter to which the opposition relates to attend before him or her at the hearing of the case and make oral explanations with respect to such matters as the Registrar may require.

Particulars of prior patent

33. Where the ground or one of the grounds of opposition is that the invention has been patented in this Territory on an application of prior date, the number and date of such prior application shall be specified in the notice.

Opponent's evidence

34. Except in the case provided for in regulation 31, statutory declarations need not be left in connection with an opposition, but the opponent may within 14 days after the expiration of 2 months from the date of the advertisement of the acceptance of the applicant's complete specification, leave at the Registrar's office statutory declarations in support of his opposition, and on so leaving shall deliver to the applicant copies thereof.

Applicant's evidence

35. Within 14 days from the delivery of such copies, the applicant may leave at the Registrar's office statutory declarations in answer, and on so leaving shall deliver to the opponent copies thereof, and within 14 days from such delivery the opponent may leave at the Registrar's office his or her statutory declarations in reply, and on so leaving shall deliver to the applicant copies thereof. Such last-mentioned declarations shall be confined to matters strictly in reply.

Applicant's evidence if opponent does not leave statutory declarations

36. If the opponent does not leave statutory declarations in support of his or her opposition, the applicant may (if he or she desires so to do) within 3 months from the date of the advertisement of the acceptance of his or her complete specification, leave at the Registrar's office statutory declarations in support of his or her application, and on so leaving shall deliver to the opponent copies thereof.

Opponent's evidence

37. Within 14 days from the delivery of such copies, the opponent may leave at the Registrar's office statutory declarations in answer, and on so leaving shall deliver to the applicant copies thereof, and within 14 days of such delivery, the applicant may leave at the Registrar's office his or her statutory declarations in reply, and on so leaving shall deliver to the opponent copies thereof. Such last mentioned declarations shall be confined to matters strictly in reply.

Closing of evidence

38. No further evidence shall be left on either side except by leave, or on the requisition, of the Registrar.

Hearing

39. On completion of the evidence (if any) or at such other time as he or she may see fit, the Registrar shall appoint a time for the hearing of the case, and shall give the parties 10 days' notice at the least of such appointment. If either party does not desire to be heard, he or she shall as soon as possible notify the Registrar to that effect. If either party desires to be heard, he or she must leave Form E in the Schedule at the Registrar's office. The Registrar may refuse to hear either party who has not left Form E prior to the date of the hearing. If either party intends to refer at the hearing to any publication other than a specification mentioned in the notice of opposition, he or she should, unless the same has been referred to in a statutory declaration already filed, give to the other party and to the Registrar 5 days' notice at the least of his or her intention, together with details of each publication to which he or she intends to refer. After hearing the party or parties desirous of being heard, or if neither party desires to be heard, then without a hearing the Registrar shall decide the case and notify his or her decision to the parties.

Request for leave to amend

40. A request for leave to amend a specification must be signed by the applicant and shall contain an address for service in the Territory. When not made in pursuance of an order of the Court, or a Judge, the request must, where a patent has been sealed, also contain a statement that no action for infringement nor proceeding for revocation of the patent is pending. The request must be accompanied by a duly certified copy of the original specification and drawings, showing in red ink the proposed amendment, and shall be advertised by publication of the request, and the nature of the proposed amendment in the *Gazette*, and in such other manner (if any), as the Registrar may in each case direct.

Leave by order of Court

41. Where a request for leave to amend is made in pursuance of an order of the Court or a Judge, an office copy of the order shall be left with the request at the Registrar's office.

Notice of opposition

42. A notice of opposition to the amendment shall be on Form G in the Schedule and shall state the ground or grounds on which the person giving such notice (hereinafter called the opponent) intends to oppose the amendment, and must be signed by him or her. Such notice shall state his or her address for service, and shall be accompanied by a copy, which copy shall be transmitted by the Registrar to the applicant.

Opponent's evidence

43. Within 14 days after the expiration of one month from the first advertisement of the application for leave to amend, the opponent may leave at the Registrar's office statutory declarations in support of his or her opposition, and on so doing shall deliver to the applicant copies thereof.

Further proceedings

44. Upon such declarations being left, and such copies being delivered, the provisions of regulations 35, 38 and 39, shall apply to the case, and the further proceedings therein shall be regulated in accordance with such provisions as if they were here repeated.

Applicant's evidence if opponent does not leave statutory declarations

45. If the opponent does not leave statutory declarations in support of his or her opposition, the applicant may (if he or she desires so to do) within 2 months from the date of the first advertisement of the application for leave to amend, leave at the Registrar's office statutory declarations in support of his or her application, and on so leaving shall deliver to the opponent copies thereof.

Further proceedings

46. Upon such declarations being left, and such copies being delivered, the provisions of regulations 37, 38 and 39, shall apply to the case, and further proceedings therein shall be regulated in accordance with such provisions as if they were here repeated.

Requirements on amendments.

47. Where leave to amend is given, the applicant shall, if the Registrar so requires, and within a time to be limited by him or her, leave at the Registrar's office a new specification and drawings as amended, to be prepared in accordance with regulations 14 to 21.

Advertisement of amendment

48. Every amendment of a specification shall be advertised forthwith by the Registrar in the *Gazette*, and in such other manner (if any), as the Registrar may direct.

Entry of grant

49. Upon the sealing of a patent the Registrar shall cause to be entered in the register of patents the name, address, and calling of the patentee as the grantee thereof, and the title of the invention, together with the address for service.

Entry in respect of convention application

50. The patent granted on any convention application shall be entered in the register as dated of the date on which the first foreign application was made, and the payment of renewal fees, and the expiration of the patent, shall be reckoned as from the date of the first foreign application.

Alteration of address

51. If a patentee sends to the Registrar on Form R in the Schedule, notice of an alteration in his or her address, the Registrar shall cause the register to be altered accordingly.

Request for entry of subsequent proprietorship

52. Where a person becomes entitled to a patent, or to any share or interest therein, by assignment, or by transmission, or other operation of law, a request for the entry of his or her name in the register as such complete or partial proprietor of the patent, or of such share or interest therein, as the case may be, shall be addressed to the Registrar, and left at the Registrar's office.

Form and signature of request

53. Such request shall be on Form L in the Schedule, and shall in the case of individuals be made and signed by the person requiring to be registered as proprietor, or by his or her agent duly authorised to the satisfaction of the Registrar, and in the case of a body corporate by its agent, authorised in like manner.

Particulars to be stated in request

54. Every such request shall state the name, address and calling of the person claiming to be entitled to the patent, or to any share or interest therein, as the case may be, and the particulars of the assignment, transmission, or other operation of law, by virtue of which he or she claims to be entered in the register as proprietor, so as to show the manner in which, and the person or persons to whom, the patent, or such share or interest therein as aforesaid, has been assigned or transmitted.

Production of documents of title and other proof

55. (1) Every assignment, and every other document containing, giving effect to, or being evidence of, the transmission of a patent, or affecting the proprietorship thereof as claimed by such request, except such documents as are matters of record, shall, unless the Registrar in his or her discretion otherwise directs, be produced to him or her together with the request, and such other proof of title as the Registrar may require for his or her satisfaction.

(2) As to a document which is a matter of record, an official or certified copy thereof shall in like manner be produced to the Registrar.

Copies for Registrar's office

56. There shall also be left with the request an attested copy of the assignment or other document or copy above required to be produced.

Body corporate

57. A body corporate may be registered as proprietor by its corporate name.

Entry of orders of Cabinet or of the Court

58. Where an order has been made by the Cabinet for the extension of a patent for a further term, or for the grant of a new patent, or where an order has been made for the revocation of a patent under section 28 of the Act, or otherwise affecting the validity or proprietorship of the patent, the person in whose favour such order has been made shall forthwith leave at the Registrar's office an office copy of such order. The Register shall thereupon be rectified or the purport of such order shall otherwise be duly entered in the Register, as the case may be.

Entry of date of payment of fees on issue of certificate

59. Upon the issue of a certificate of payment under regulation 66, the Registrar shall cause to be entered in the Register a record of the date of payment of the fee on such certificate.

Entry of failure to pay fees

60. If a patentee fails to make any prescribed payment within the prescribed time, on any enlargement thereof duly granted, there shall be duly entered in the Register a notification of such failure.

Entry of notification of licence or other document

61. An attested copy of every licence granted under a patent, or of any other document purporting to affect the proprietorship of a patent, shall be left at the Registrar's office, with a request on Form M in the Schedule, that a notification thereof may be entered in the Register. The accuracy of such copy shall be certified as the Registrar may direct, and the original document shall at the same time be produced and left at the Registrar's office if required for further verification.

Hours of inspection of register

62. The Register of patents shall be open to the inspection of the public on every week day except Saturday between the hours of 9 a.m. and 3.30 p.m. and on Saturday between the hours of 9 a.m. and 12 noon, except on the days and the times following—

- (a) Christmas Day, Good Friday, the day observed as Her Majesty's birthday, days observed as days of public fast or thanksgiving, and days observed as public holidays; or
- (b) days which may from time to time be notified by a placard posted in a conspicuous place at the Registrar's office;
- (c) times when the Register is required for any purpose of official use.

Certified copies of documents

63. Certified copies of any entry in the Register, or certified copies of, or extracts from patents, specifications, disclaimers, affidavits, statutory declarations, and other public documents in the Registrar's office, or of or from registers or other books kept there, may be furnished by the Registrar on payment of the prescribed fee.

Payment of fees for continuance of patent

64. (1) If a patentee intends at the expiration of the fourth year from the date of his or her patent to keep the same in force, he or she shall, before the expiration of the fourth and each succeeding year during the term of the patent, pay the prescribed fee. The patentee may pay the whole or any portion of the aggregate of such prescribed annual fees in advance.

(2) The Form J in the Schedule should be used for the purpose of this payment.

Enlargement of time for payments

65. An application for an enlargement of the time for making a prescribed payment shall state in detail the circumstances in which the patentee by accident, mistake, or inadvertence has failed to make such payment, and the Registrar may require the patentee to substantiate by such proof as he or she may think necessary the allegations contained in the application for enlargement.

Certificate of payment

66. On due compliance with the terms of regulation 64, and as soon as may be after such respective periods as aforesaid, or any enlargement thereof respectively duly granted, the Registrar shall issue a certificate that the prescribed payment has been duly made.

Petition for grant of compulsory licence or revocation of patent

67. A petition to the Cabinet for an order under section 24 of the Act shall show clearly the nature of the petitioner's interest, and the ground or grounds upon which he or she claims to be entitled to relief, and shall state in detail the circumstances of the case, the terms upon which he or she asks that an order may be made, and the purport of such order, and the name and address of the patentee, and any other person who is alleged in the petition to have made default.

Petition to be left with evidence at Registrar's office

68. The petition and an examined copy thereof shall be left at the Registrar's office accompanied by affidavits or statutory declarations in proof of the allegations contained in the petition together with any other documentary evidence in support, and the petitioner shall simultaneously with, or as soon as may be after the leaving of such petition, deliver to the patentee and any other person who is alleged in the petition to

have made default, copies of the petition and of such affidavits or statutory declarations and other documentary evidence in support.

Opponent's evidence

69. (1) The persons to whom such copies are delivered by the petitioner, may within 14 days after being invited to do so by the Cabinet, leave at the Registrar's office their affidavits or statutory declarations in answer, and if they do so shall deliver copies thereof to the petitioner; and the petitioner may within 14 days from such last-mentioned delivery leave at the Registrar's office his affidavits or statutory declarations in reply, and if he or she does so shall deliver copies thereof to the patentee or any other person alleged in the petition to have made default, such last-mentioned affidavits or statutory declarations being confined to matters strictly in reply.

(2) The times prescribed by this regulation may be altered or enlarged by the Cabinet if it thinks fit, upon such notice to parties interested, and upon such terms, if any, as it may direct.

Closing of evidence

70. No further evidence than as aforesaid may be left by either side at the Registrar's office, except by leave or on requisition of the Cabinet, and upon such terms, if any, as the Cabinet may think fit.

Power of amendment, etc.

71. Any document, for the amending of which no special provision is made by the Act may be amended, and any irregularity in procedure, which in the opinion of the Registrar may be obviated without detriment to the interests of any person, may be corrected, if and on such terms as the Registrar may think fit.

General power to enlarge time

72. The times prescribed by these Regulations for doing any act, or taking any proceeding thereunder, other than the times for lodging evidence referred to in regulation 31, or in the procedure in these Regulations relating to compulsory licences and revocation of patents, may be enlarged by the Registrar if he or she thinks fit, and upon such notice to other parties, and proceedings thereon, and upon such terms, as he or she may direct.

Power to dispense with evidence

73. Where, under these Regulations, any person is required to do any act or thing, or to sign any document, or to make any declaration on behalf of himself or herself or of any body corporate, or any document or evidence is required to be produced to or left with the Registrar, or at the Registrar's office, and it is shown to the satisfaction of the Registrar that from any reasonable cause such person is unable to do such act or thing, or to sign such document, or make such declaration, or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the Registrar, upon the production of such other evidence, and subject to such terms as he or she may think fit, to dispense with any such act or thing, document, declaration, or evidence.

Hours of business

74. The Registrar's office shall be open to the public every week day except Saturday between the hours of 9 a.m. and 3.30 p.m. and on Saturday between the hours of 9 a.m. and 12 noon, except on the following days—

Christmas Day, Good Friday, the day observed as Her Majesty's birthday, the days observed as days of public fast or thanksgiving, or as public holidays, and days which may from time to time be notified by a placard posted in a conspicuous place at the Registrar's office.

Leaving documents

75. Any application, notice, or other document, authorised or required to be left, made, or given at the Registrar's office, or to the Registrar, or to any other person under these Regulations, may be sent by a pre-paid letter through the post, and if so sent shall be deemed to have been left, made, or given at the time when the letter containing the same, would be delivered in the ordinary course of post. In proving such service, or sending, it shall be sufficient to prove that the letter was properly addressed and put into the post.

Agency

76. With the exception of the signing of the following documents, namely, applications for patents, requests for leave to amend applications, specifications, or letters patent, authorizations of agents, notices of oppositions, requests for issue of duplicate letters patent, notices of abandonment of or of intention not to proceed with applications, surrenders of letters patent, and petitions for compulsory licence and revocation of patent, all communications to the Registrar under the Act and these Regulations may be signed by and all attendances upon the Registrar may be made by or through an agent duly licensed under section 35 of the Act. In any particular case, the Registrar may, if he or she thinks fit, require the personal signature or presence of an applicant, opponent, or other person.

SCHEDULE 1

FORM A

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT**APPLICATION FOR PATENT***(To be accompanied by two copies of Form B or of Form C)*

- (a) Here insert (in full) name, address and calling of inventor. I (a) of in do solemnly and sincerely declare that I am in possession of an invention for (b) ; that I am the true and first inventor thereof; and that the same is not in use by any other person or persons to the best of my knowledge and belief: and humbly pray that a patent may be granted to me for the said invention. And I make the above solemn declaration contentiously believing the same to be true, etc.
- (c) Signature of inventor. In the case of a Firm, each member of the Firm must sign. Declared at in this day of 20 . (d) Registrar.
- (d) Signature and title of the officer before whom the declaration is made. (NOTE.—This declaration must be accompanied by the statement of an address in the Territory, for the reception of all notices, and other communications with respect to the application or invention.)
- To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

MEMORANDUM

(To be endorsed on the back of Form A.)

(Regulation 76)

- (1) Where application is made through an Agent. hereby appoint of to act as Agent in respect of the written application for a Patent, and request that all notices, requisitions and communications relating thereto may be sent to such Agent at the above address. day of 20 .

*

- (2) Where application is made without an Agent. hereby request that all notices, requisitions and communications in respect of the within application may be sent to

*To be signed by applicant or applicants

†To be signed by applicant or applicants

at day of 20 . †

FORM A1
GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

APPLICATION FOR PATENT FOR INVENTIONS COMMUNICATED FROM ABROAD

(To be accompanied by two copies of Form B or of Form C)

(a) Here inset (in full) name, address, and calling of applicant. I (a) _____ of _____ in _____ do solemnly and sincerely declare that I am in possession of an invention for (b)

(b) Here inset title of invention.

which invention has been communicated to me by (c)

(c) Here inset name, address, and calling of communicator.

that I claim to be the true and first inventor thereof; and that the same is not in use within the Territory by any other person or persons to the best of my knowledge and belief; and I humbly pray that a patent may be granted to me for the said invention.

(d) To be signed by applicant or applicants.

Declared at this day of (d) 20 before me

Memorandum to be endorsed on the back of Form A1.
(Regulation 76)

(1) Where application is made through an Agent. hereby appoint _____ of _____ to act as agent in respect of the within application for a Patent, and request that all notices, requisitions and communications relating thereto may be sent to such Agent at the above address. day of 20 . *

† To be signed by applicant or applicants. (2) Where application is made without an Agent. hereby request that all notices, requisitions, and communications in respect of the within application may be sent to _____ at _____ day of 20 . †

FORM A2

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT**APPLICATION FOR PATENT UNDER INTERNATIONAL AND
COLONIAL ARRANGEMENTS***(To be accompanied by two copies of Form C)*

- (a) Here insert (in full) name, address, and calling of applicant, or of each of the applicants. (a) do solemnly and sincerely declare that I (or we) have made applications for protection of my (or our) invention of
- (b) Here insert title of invention. (b)
- (c) Here insert the name of each Foreign State, followed by the official date of the application in each respectively. in the following Foreign States and on the following official dates, viz: (c)
- (d) Here insert the name of each British Possession, followed by the official date of the application in each respectively. and in the following British Possessions and on the following official dates, viz: (d)
- (e) Here insert the official date of the earliest foreign application. that the said invention was not in use within the Territory by any other person or persons before the (e)
- (f) Here insert the official date of the earliest foreign application. to the best of knowledge, information and belief, and humbly pray that a patent may be granted to for the said invention in priority to other applicants, and that such patent shall have the date (f)
- (g) Signature of applicant or of each of applicants. (g)

(NOTE.—If the application be made through an agent a proper authorization should be supplied; if not, an address for service to which communications may be sent should be furnished.)

To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

FORM B
GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

PROVISIONAL SPECIFICATION

(To be issued with Form A or Form A1)
(To be furnished in Duplicate)

(a) Here insert title verbally agreeing with that in the application form. (a)

(b) Here insert (in full) name, address and calling of applicant or applicants as in application form (b)

do hereby declare the nature of my invention to be as follows

(c) Here begin description of the nature of the invention. The continuation of the specification should be upon wide-ruled paper of the same size, on one side only, with a margin of 2 inches on the left hand of the paper. The specification and the duplicate thereof must be dated thus:- Dated this day of 20 , and signed at the end. (c)

FORM C

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

COMPLETE SPECIFICATION

(To be furnished in Duplicate)

(a) Here insert title verbally agreeing with that in the application form.

(a)

(b) Here insert (in full) name, address and calling of applicant or applicants as in application form.

(b)

(c) Here begin full description of invention. The continuation of the specification should be upon wide-ruled paper of the same size, on one side only, with a margin of the paper.

do hereby declare the nature of my invention for, and in what manner, the same is to be performed, to be particularly described and ascertained in and by the following statement:

(c)

The completion of the description should be followed by the words:—
“Having now particularly described and ascertained the nature of my said invention, and in what manner the same is to be performed, declare that what I claim is:

”
After which should be written the claim or claims numbered consecutively. The specification and the duplicate thereof must be dated thus: “Dated this day of 20 ,” and signed at the end.

FORM D

(Regulation 30)

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

FORM OF OPPOSITION TO GRANT OF PATENT

(To be accompanied by a copy)

*Here state in full name and address.

I*

hereby give notice of my intention to oppose the grant of Letters Patent upon application No. of applied for by upon the ground †

†Here state upon which of the grounds of opposition permitted by section 10 of the Act the grant is opposed.

(Signed) ††

††To be signed by opponent.

To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

FORM E

(Regulation 39)

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

**FORM OF NOTICE THAT HEARING BEFORE THE REGISTRAR
WILL BE ATTENDED**

Oppositions to the Grant of Patents or Amendments.
Sir,

of (a)

hereby give notice that the hearing in reference to

will be

(a) Here insert address.

attended by myself or by some person on my behalf.

Sir,

Your obedient Servant,
(Signed)

To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

FORM F
GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

FORM OF APPLICATION FOR AMENDMENT OF SPECIFICATION

* Here state (in full) name and *
address of applicant or patentee.

seek leave to amend the specification of Letters Patent No.
of 2 , as shown in red ink in the certified copy of the
original specification hereunto annexed.

† These words are to be struck out
when Letters Patent have not been
sealed, or when, if Letters Patent
have been sealed, the application is
made in pursuance of an order of the
Court or a Judge.

† I declare that no action for infringement or proceeding for
revocation of the Letters Patent in question is pending.

†† Here state reasons for seeking
amendment; and where the applicant
is not the patentee, state what
interest he or she possesses in the
Letters Patent.

My reasons for making this amendment are as follows ††

(Signed)§

§To be signed by applicant.

My address for service in the Territory is
To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

FORM G

(Regulation 42)

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

FORM OF OPPOSITION TO AMENDMENT OF SPECIFICATION

(To be accompanied by a copy)

*Here state (in full) name and
address of opponent.

*

†Here state reason of opposition.

hereby give notice of objection to the proposed amendment of
the specification of Letters Patent No. of 2, for the following
reason†

(Signed)

My address for service in the Territory is

To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

FORM H

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

**FORM OF APPLICATION FOR GRANT OF COMPULSORY LICENCE OR
REVOCATION OF PATENT**

(To be accompanied by a copy)

*Here state (in full) name
and address of applicant.

*

†Here state name and address
of patentee and number and
date of his Patent.

hereby request you to bring to the notice of the Governor in
Council the accompanying petition for the grant of a licence to
me by†

(Signed)

(Note.—The petition must clearly set forth the facts of the case
and be accompanied by an examined copy thereof. [See Form
H1.]

To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

FORM H1

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT**FORM OF PETITION FOR GRANT OF COMPULSORY LICENCE OR
REVOCATION OF PATENT**

- (a) Here insert (in full) name, address and calling. To the Governor in Council.
- (b) Here insert title of invention. The petition of (a) of in the of being a person interested in the matter of this petition as herein after described: Sheweth as follows:-
- (c) Here state fully the nature of the petitioner's interest. interested in the matter of this petition as herein after described: Sheweth as follows:-
- (d) Here state in detail the circumstances of the case under Section 24 of the Act, and show that it arises by reason of the default of the patentee, or as the case may be, of any other person claiming an interest in the Patent as exclusive licensee or otherwise to work his or her Patent or to manufacture the patented article in the Territory to an adequate extent, or to grant licences on reasonable terms, the statement of the case should give the names and addresses of any persons who are alleged in the petition to have made default. The paragraphs should be numbered consecutively.
1. A patent dated No. was duly granted to for an invention of (b)
 2. The nature of my interest in the matter of this petition is as follows:— (c)
 3. (d)
- The evidence which I propose to leave at the Registrar's Office accompanying this petition is as follows:— (e)
- Having regard to the circumstances above stated, the petitioner alleges that by reason of the aforesaid default, the reasonable requirements of the public with respect to the invention patented as above stated have not been satisfied.
- Your petitioner therefore prays that an order may be made granting to him a compulsory licence on the terms following, viz:—(f)
- or that the said patent may be revoked.
- (Signed)
- (f) Here state the terms as to the amount of royalties, security for payment, or otherwise, upon which the petitioner claims to be entitled to the relief in question.
- (Note.:—In pursuance of the requirements of Regulation 68 the petitioner must deliver to the patentee and to any other person alleged to have made default, copies of the petition and of the affidavits or statutory declarations or other documentary evidence in support.)

FORM I

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

**FORM OF OPPOSITION TO PETITION FOR GRANT OF
COMPULSORY LICENCE OR REVOCATION OF PATENT**

- (a) Here insert (in full) name and address. (a) hereby give notice of opposition to the petition of for the grant of a Compulsory Licence under Patent No. of 2 , or the revocation of the said patent. The grounds upon which I oppose the said application are as follows, viz:— (b)
- (b) Here state fully the grounds of opposition.

(Signed)

(Note.—In pursuance of the requirements of Regulation 69 copies of the affidavits or statutory declarations in reply to the evidence left with the petition must be delivered to the petitioner.)

To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

FORM J

*(Regulation 64)*GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT**APPLICATION FOR CERTIFICATE OF PAYMENT OR RENEWAL***(When stamped this Form must be sent at once to the Registrar's Office)*

* Here insert name of patentee.

hereby transmit the fee prescribed for the continuation in force
of*Patent No. of 2 , for a further period of

† Here insert name and address.

Name†

Address

To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

* See section 19 of the Act.

Certificate of Payment or Renewal

(This part of the Form to be filled in at the Registrar's Office)

Letters Patent No. of 2 .

This is to certify that did this
day of 20 , make the prescribed payment of \$ in
respect of a period of from and that by virtue of such
payment the rights of the patentee remain in force.*To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

FORM K
GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

**FORM OF APPLICATION FOR ENLARGEMENT OF TIME FOR
PAYMENT OF RENEWAL FEE**

Sir,

I hereby apply for an enlargement of time for
month in which to make the
payment of
upon my Patent No. of 2

(a) The circumstances must be
stated in detail: See Regulation
15.

The circumstances in which the payment was omitted are as
follows:— (a)

(b) Here insert full address to
which receipt is to be sent.

I am,
Sir,

Your obedient Servant,

(b)

To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

FORM L

*(Regulation 53)*GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT**FORM OF REQUEST TO ENTER NAME UPON THE REGISTER OF PATENTS**

- (a) or We Here insert (in full) I (a)
name, address, and
description.
- (b) my or our. hereby request that you will enter (b)name (c) in the Register
of Patents:—
- (c) or names.
- (d) I or We. (d) claim to be entitled (e)
- (e) Here insert the nature
of the claim e.g. as Assignee.
- (f) Here give name and address of the Patent No. of 2 , granted to (f)
of person to whom Patent
was
granted.
- (g) Here insert title of the the title of which is (g)
invention.
- (h) Here specify the particulars by virtue of (h)
of such document, giving its
date, and the parties to
the same, and showing how
the claim here made is
substantiated.
- (i) Here insert the nature
of the document.

And in proof whereof I transmit the accompanying (i)
with an attested copy thereof.

I am,
Sir,
Your obedient Servant,

To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

FORM M

(Regulation 61)

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

**FORM OF REQUEST TO ENTER NOTIFICATION OF LICENCE OR
OTHER DOCUMENT IN THE REGISTER OF PATENTS**

Sir,

(a) Here insert a description of
the nature of the document.

I hereby transmit an attested copy of (a)
under Patent No. of 2 , as well as the original document
for verification, and I have to request that a notification
thereof may be entered in the Register.

(b) Here insert full address.

I am,
Sir,
Your obedient Servant,

(Signed)

(b)

To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

FORM N

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT**APPLICATION FOR DUPLICATE OF PATENT**

* Here insert date, number, full name, and address of grantee.

Date

†Here insert title of invention.

Sir,

I regret to have to inform you that the Patent dated*

††Here insert the word “destroyed” or “lost” as the case may be, and state, in full, the circumstances of the case, which must be verified by statutory declaration.

No. and granted to

for an invention the title of which is †

has been††

§ Here state interest possessed by applicant in the patent

I beg therefore to apply for the issue of a duplicate of such Patent§

(Signature of Patentee)

To the Registrar,
Registrar’s Office,
Tortola, Virgin Islands.

FORM O

(Regulation 25)

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT**NOTICE OF INTENDED EXHIBITION OF AN UNPATENTED INVENTION**

*Here state (in full) name and address of applicant.

*

†State “opened” or “is to open”.

hereby give notice of my intention to exhibit a

of at the

exhibition, which† of 20 ,

††This description of invention should be accompanied by drawings if necessary.

under the provisions of the Patents Act.

†† herewith enclose a brief description of my invention.

(Signed)

To the Registrar,
Registrar’s Office,
Tortola, Virgin Islands.

FORM P

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

FORM OF REQUEST FOR CORRECTION OF CLERICAL ERROR

(a) or errors.

(b) Here state whether in
application, specification,
or register.

Sir,

I hereby request that the following clerical error (a) in the
(b)

No. of 2 , may be corrected in the manner shown in red
ink in the certified copy of the original

(b) herewith annexed.

Signature

Full address

To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

FORM Q

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

CERTIFICATE OF REGISTRAR

The Registrar's Office,

20.

I,
hereby certify
To †

Registrar of Patents,

†Here insert (in full) name and
address of person requiring the
certificate.

FORM R

*(Regulation 51)*GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT**FORM OF NOTICE FOR ALTERATION OF AN ADDRESS IN REGISTER**

- (a) Here state (in full) name or names and address of applicant or applicants. Sir,
(a) hereby request that address now upon the Register may be altered as follows:—
- (b) Here insert full address. (b)

Sir,
Your obedient Servant,

To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

FORM S

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT**FORM OF APPLICATION FOR ENTRY OF ORDER OF GOVERNOR IN COUNCIL IN REGISTER**

- (a) Here state (in full) name and address of applicant. (a) hereby transmit an office copy of an Order in Council with reference to (b)
- (b) Here state the purport of the order.

Sir,
Your obedient Servant,

To the Registrar,
Registrar's Office,
Tortola, Virgin Islands.

FORM T

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

FORM OF APPEAL TO A JUDGE IN CHAMBERS

- (a) Here insert (in full) name and address of applicant. I (a) hereby give notice of my intention to appeal to a Judge in Chambers from (b) of the Registrar of the day of 20 , whereby he or she (c)
- (b) Here insert “the decision” or “that part of the decision” as the case may be. No. (d) of the year 2 , (d)
- (c) Here insert “refused (or allowed) application for Patent,” or “refused (or allowed) application for leave to amend Patent”, or otherwise as the case may be. Signature
Date
- (d) Insert number and year.

FORM U

(Regulation 8)

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

**FORM OF APPLICATION FOR EXTENSION OF TIME FOR
LEAVING A COMPLETE SPECIFICATION**

- Sir,
hereby, in respect of Application No. dated , apply for one month’s extension of time in which to leave a complete Specification.
- (a) The circumstances and grounds must be stated in detail, see Regulation 8. The circumstances in and grounds upon which this extension is applied for are as follows:— (a)
- (b) To be signed by applicant or applicants or his or their agent. Sir,
Your obedient Servant,
(b)
- To the Registrar,
Registrar’s Office,
Tortola, Virgin Islands.

FORM V

*(Regulation 8)*GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT**FORM OF APPLICATION FOR EXTENSION OF TIME FOR ACCEPTANCE OF A
COMPLETE SPECIFICATION**

Sir,
 hereby apply for months _____ extension
 of time for acceptance of the complete Specification upon
 Application No. dated _____

(a) The circumstances and grounds must be stated in detail, see Regulation 8.

The circumstances in and grounds upon which this extension is applied for are as follows:— (a)

(b) To be signed by applicant or applicants or his or their agent.

Sir,
 Your obedient Servant,

(b)

To the Registrar,
 Registrar's Office,
 Tortola, Virgin Islands.

FORM W

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
PATENTS ACT

FORM OF PATENT

[L.S] By His or Her Honour (*here insert the name of the Governor*)
Governor of the Territory of the Virgin Islands.
To all to whom these presents shall come, Greeting:

WHEREAS of in ,
hath, by his or her solemn declaration represented unto me that he or she is in possession of
an invention for , that he or she is the true and first inventor thereof, and that the same is not
in use by any other person to the best of his or her knowledge and belief :

And Whereas the said inventor hath humbly prayed that I would be pleased to grant unto
him or her (hereinafter together with his or her executors, administrators, and assigns, or any
of them, referred to as the said patentee) Letters Patent in the name of Her Majesty for the
sole use and advantage, of his or her said invention within the Territory:

And Whereas the said inventor hath by and in his or her complete specification particularly
described the nature of his or her invention :

Know Ye, therefore, that I, in the name and on behalf of Her Majesty, do by these Presents, give
and grant unto the said patentee my special licence, full power, sole privilege, and authority, that
he or she the said patentee by himself or herself , his or her agent, or licensees, and no others,
may at all times hereafter, during the term of years herein mentioned, make, use, exercise, and
vend the said invention within

in such manner as to him, her or them may seem meet, and that the said patentee shall have and
enjoy the whole profit and advantage from time to time accruing by reason of the said invention,
during the term of 14 years from the date hereunder written of these presents : and to the end
that the said patentee may have and enjoy the sole use and exercise and the full benefit of the
said invention, I do by these presents require and strictly command all and every person and
persons, bodies politic and corporate, and all others of what estate, quality, degree, name or
condition so ever they be within this Territory, that they do not at any time during the
continuance of the said term of 14 years, either directly or indirectly, make use of or put in
practice the said invention, or any part of the same, nor in anywise imitate the same, nor make or
cause to be made any addition thereto or subtraction therefrom, whereby to pretend themselves
the inventors thereof, without the consent, licence, or agreement of the said patentee in writing
under his or her hand and seal, on pain of incurring such penalties as may be justly inflicted on
such offenders for their contempt and of being answerable to the said patentee according to law
for his or her damages thereby occasioned; Provided always and these Letters Patent are on this
condition, that, if any time during the said term it be made to appear to the High Court that this
grant is contrary to law, or prejudicial or inconvenient to Her Majesty's subjects in general, or
that the said invention is not a new invention as to the public use and exercise thereof or that the
said patentee is not the first and true inventor thereof within this Territory as aforesaid, there
Letters Patent shall forthwith determine, and be void to all intents and purposes, notwithstanding
anything hereinbefore contained; Provided also, that if the said patentee shall not pay all fees by
law required to be paid in respect of the grant of these Letters Patent, or in respect of any matter
relating thereto at the time or times, and in manner for the time being by law provided; and also
if the said patentee shall not supply or cause to be supplied, for Her Majesty's service in this
Territory, all such articles of the said invention as may be required by the Officers administering

any department of Her Majesty's service in this Territory in such a manner, at such times, and at and upon such reasonable prices and terms as shall be settled for that purpose by the Governor of this Territory, then, and in any of the said cases, these Letters Patent, and all privileges and advantages whatever hereby granted shall determine and become void, notwithstanding anything hereinbefore contained: Provided also, that nothing herein contained shall prevent the granting of licences in such manner and for such considerations as they may by law be granted; and lastly, I do by these Presents in the name and on behalf of Her Majesty grant unto the said patentee that these Letters Patent shall be construed in the most beneficial sense for the advantage of the said patentee. In witness whereof I have caused these Letters to be made Patent this day of 20 to be sealed and dated as of the said day of 20 in the year of Her Majesty's reign.
