

tration,<sup>7</sup> of the commencement and period of registry, of the person named as proprietor being proprietor, of the originality of the design, and of compliance with the provisions of the Act; and the writing shall be received as evidence without proof of the signature of the Commissioner, or of the seal of the Office.

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Application  
be made be-  
fore publica-  
tion of design.

**48.** Every design to be protected must be registered before publication, and, at the time of the registration, applied to some article in the above mentioned classes, by specifying the number of the class; the name of the person registering must be registered as the proprietor of the design.

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How the re-  
gistered arti-  
cle shall be  
marked.

**49.** After publication, the name of the proprietor shall appear upon the article to which his design applies; if the manufacture be a woven fabric, by printing upon one end; if another substance, at the edge, or upon any convenient parts, the letters Rd., with the number or letter, corresponding with the date of the registration; the mark may be put upon the manufacture by making it on the material itself, or by attaching thereto a label containing the proper marks.

Who shall be  
the proprietor  
of the design.

**50.** The author of the design shall be considered the proprietor thereof, unless he has executed the design for another person, for a good or valuable consideration, then such other person shall be considered the proprietor, and shall alone be entitled to register it; but his right to the property shall only be co-extensive with the right which he may have acquired.

Register of  
designs to be  
kept.

**51.** The Commissioner of Patents shall keep at the Patent Office, a book to be called the "Register of Designs," to be kept in a manner similar to that provided for the "Register of Patents," in section six of this Act.

Designs as-  
signable.

**52.** Every design shall be assignable in the same manner as Letters Patent of Invention, and subject to the same conditions.

No person to  
use a regis-  
tered design  
without li-  
cense.

**53.** During the existence of the right (whether it be of the entire or partial use of such design), no person shall, without the license in writing of the registered proprietor, apply such design, or a fraudulent imitation thereof, to the ornamenting of any article of manufacture, &c., for the purposes of sale, or publish, sell, or expose for sale or use any article of manufacture, &c., to which such design, or fraudulent imitation thereof, shall have been applied, under penalty of a sum not less than twenty dollars, and not exceeding one hundred and twenty dollars, to the proprietor of the design, and costs; The penalty may be recovered by a summary proceeding before two justices having jurisdiction in the district or county wherein the offender resides, or by an action of debt, at the instance of the proprietor of such copyright; and one half of such penalty shall belong to the party prosecuting and the other half to the crown.

Penalty for-  
contravention

Penalty for  
marking an  
unregistered  
design as "re-  
gistered."

**54.** Every person placing the word "registered," or the letters "Rd.," upon any unregistered article, or upon any article the copyright of which has run out, or advertising the same for sale as a registered article, or unlawfully selling, publishing, or exposing for sale such article, knowing the same to have been fraudulently stamped, or that the copyright thereof had expired, shall forfeit for every offence a sum not less than four dollars, and not exceeding thirty dollars, to be recovered in the same manner as penalties under the preceding section, and that by any person whatever, who shall receive one half the amount of the