



# Post Office Act 1969

## 1969 CHAPTER 48

### PART III

#### THE NEW AUTHORITY FOR THE CONDUCT OF POSTAL AND TELEGRAPHIC BUSINESS

##### *General Provisions as to Transfer to the Post Office of Property, Rights and Liabilities of the Postmaster General*

#### **18 Vesting in the Post Office of rights and liabilities under certain contracts conferring on the Crown incidental rights as to patents,**

- (1) Where a contract entered into on behalf of the Crown by the Postmaster General contains provision conferring on the Crown (otherwise than by reference to the office of master of the Post Office and incidentally only to other matters with which the contract is principally concerned) rights in respect of a patent, invention or registered design, the rights of the Crown subsisting by virtue of the contract (other than such as subsist by virtue of that provision) and the liabilities of the Crown so subsisting (other than such, if any, as relate to payment in respect of an exercise of rights that so subsist) shall, on the appointed day, vest in the Post Office by virtue of this section but the Post Office shall—
  - (a) enjoy, concurrently with the Crown and subject to the like liability (if any) as is incumbent on the Crown to make payment in respect of an exercise thereof, the Crown's rights under the contract that so subsist and
  - (b) be liable to satisfy any unsatisfied liability of the Crown to make payment in respect of an exercise by the Postmaster General, on behalf of the Crown, of those rights.
- (2) In so far as a contract provides for the terms upon which use of an invention may be made by virtue of section 46 of the Patents Act 1949 for the manufacture of articles by the department of the Postmaster General or the manufacture and supply to that department of articles by a person authorised by it or provides for the terms upon which use of a registered design may be made by virtue of paragraph 1 of Schedule 1 to the Registered Designs Act 1949 for either of these purposes, it shall be excepted from the operation of the foregoing subsection.