

(b.) In cases where royalties are payable by means of adhesive labels, if at any time labels of the required denominations are not available either because—

- (i.) After the expiration of five days from the date of the prescribed notice of the intention of the person making the contrivances to make or sell such contrivances the owner of the copyright has not duly sent to the person making the contrivances an intimation of some reasonably convenient place within the United Kingdom from which such labels can be obtained; or

- (ii.) The owner of the copyright refuses or neglects to supply such labels within three days after demand duly made,

contrivances may be delivered to purchasers without having labels affixed thereto or to the carton or box enclosing the same; and the amount of royalties shall be a debt due from the person making the contrivances to the owner of the copyright, and the person making the contrivances shall keep an account of all such contrivances sold by him.

(c.) For the purposes of this regulation “the date of the prescribed notice” means—

- (i.) In cases where the notice is required to be sent by registered post, the date when the notice would in ordinary course of post be delivered:

- (ii.) In cases where the notice is required to be advertised in the *London Gazette*, the date of such advertisement.

(d.) In cases where royalties are payable on contrivances made before the commencement of the Copyright Act, 1911, the person making such contrivances may give notice of his intention to sell them, containing, *mutatis mutandis*, the same particulars and given in the same manner as is prescribed by these regulations in the case of the notice required by section 19 (2) of the Copyright Act, 1911.

(e.) Where royalties are by agreement payable in any other mode than by means of adhesive labels, the time and frequency of the payment shall be such as are specified in the agreement.

(f.) The adhesive label supplied as aforesaid shall be an adhesive paper label, square in shape, the design to be entirely enclosed within a circle, and the side of the label not to be greater than $\frac{3}{4}$ in. in length. The label shall not bear the effigy of the Sovereign or any other person, nor any word, mark, or design such as to suggest that the label is issued by or under the authority of the Government for the purpose of denoting any duty payable to the Government.

Ordinary Retail Selling-price.

5. The ordinary retail selling-price of any contrivance shall be calculated at the marked or catalogued selling-price of single copies to the public, or, if there is no such marked or catalogued selling-price, at the highest price at which single copies are ordinarily sold to the public.

Inquiries.

6. The inquiries referred to in section 19 (5) of the Copyright Act, 1911, shall be directed to the owner of the copyright by name or (if his name is not known and cannot with reasonable diligence be ascertained) in general terms to “the owner of the copyright” of the musical work in respect of which the inquiries are made, and shall contain—

- (a.) A statement of the name of the musical work in respect of which the inquiries are made and of the author (if known), and (if necessary) a description sufficient to identify it:

- (b.) A statement of the name, address, and occupation of the person making the inquiries:

- (c.) An allegation that a contrivance has previously been made by means of which the musical work may be mechanically performed, with the trade-name (if known) and a description of such contrivance:

- (d.) An inquiry whether the contrivance so described was made with the consent or acquiescence of the owner of the copyright.

7. The inquiries shall be sent by registered post or published by advertisement as follows:—

- (a.) If an address within the United Kingdom of the owner of the copyright is known or can with reasonable diligence be ascertained, the inquiries shall be sent to such address; or

- (b.) If such address is not known and cannot with reasonable diligence be ascertained, the inquiries shall be advertised in the *London Gazette*.

8. The prescribed time for reply to such inquiries shall be—

- (a.) In cases where the inquiries are required to be sent by registered post, seven days after the date when the inquiries would in ordinary course of post be delivered:

- (b.) In cases where the inquiries are required to be advertised in the *London Gazette*, seven days after the date of such advertisement.

Interpretation.

9. In these regulations the expression “owner of the copyright” has the same meaning as in section 19 (2) of the Copyright Act, 1911.

Dated this 7th day of June, 1912.

H. LLEWELLYN SMITH,
Secretary to the Board of Trade.

STATUTORY RULES AND ORDERS, 1912.—No. 661.—DESIGNS.

THE DESIGNS RULES, 1912. (Dated 26th June, 1912.)

By virtue of the provisions of the Patents and Designs Act, 1907, and the Copyright Act, 1911, the Board of Trade do hereby make the following rules:—