

PART 9 - INFRINGEMENT OF DESIGNS

This Part sets out what constitutes an infringement of a design, such as using a design that is substantially similar to a registered design, or using a registered design without the consent of the registered owner of the design. It also deals with how to obtain redress and relief in cases of infringement.

PART 10 - INDIGENOUS KNOWLEDGE

This Part provides for the protection of indigenous knowledge. It requires the Registrar to refer applications for registration of a design that involves an expression of indigenous culture to the Vanuatu National Cultural Council, and provides that such a design is not to be registered without the consent of the custom owners of the indigenous knowledge. In limited circumstances such consent is not required eg if the custom owners cannot be identified. There is also provision for payment to the custom owners of an equitable share of the benefits from the design.

PART 11 - OFFENCES

This Part makes certain types of conduct, such as falsely using a design and selling goods made from false designs, offences against the Act

PART 12 - JURISDICTION AND POWERS OF COURTS

This Part deals with the jurisdiction of the Supreme Court to hear and determine matters arising under the Bill. It sets out the circumstances when a person aggrieved by a decision of the Registrar may appeal to the Supreme Court, and provides a right of appeal to the Court of Appeal.

PART 13 - ADMINISTRATION

This Part deals with the Registrar and the keeping of the Register of Designs. It provides for the Registrar to be appointed by the Public Service Commission, for the Registrar to be responsible for keeping the Register, and allows for the Register to be kept by computer.

PART 14 - MISCELLANEOUS

This Part deals with miscellaneous matters such as an address for service, the fixing of fees for applications and other matters under the Bill, the service of documents and the making of regulations.

**Deputy Prime Minister and Minister of
Trade Tourism and Economic Cooperation**