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## COPYRIGHT.

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**No. 17 of 1935.**

**An Act to amend the *Copyright Act* 1912-1933.**

[Assented to 12th April, 1935.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

**Short title and  
citation.**

- 1.—(1.) This Act may be cited as the *Copyright Act* 1935.
- (2.) The *Copyright Act* 1912-1933,\* as amended by this Act, may be cited as the *Copyright Act* 1912-1935.

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\* Act No. 20, 1912, as amended by Act No. 68, 1933.

2. After section forty-one of the *Copyright Act* 1912–1933, the following section is inserted :—

“ 41A. Where any person claiming to be the owner of a copyright, by circulars, advertisements, or otherwise, threatens any other person with any legal proceedings or liability in respect of any alleged infringement of the copyright, any person aggrieved thereby may bring an action against him, and may obtain an injunction against the continuance of such threats, and may recover such damages (if any) as he has sustained thereby, if the alleged infringement to which the threats related was not in fact an infringement of any legal rights of the person making such threats :

Remedy in  
case of  
groundless  
threats of  
legal  
proceedings.

Provided that this section shall not apply if the person making such threats with due diligence commences and prosecutes an action for infringement of the copyright claimed by him.”.

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