BRITISH AND FOREIGN

Patent Laws and Practice

FOR

American and Canadian Patent Attorneys only.

BY

MARKS AND CLERK,

CONSULTING ENGINEERS AND CHARTERED PATENT AGENTS.

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BRITISH AND FOREIGN PATENTS.

INTRODUCTION.

OBTAINING FOREIGN PATENTS.

THE common system of procedure adopted by a considerable number of American patent attorneys when requiring British and foreign patents is to hand over the American specification of the invention to some other resident American agent, who then forwards such application as may be necessary to various agents in other countries.

While this system is one that may be considered less troublesome at the outset to the attorney, it is unquestionably in the end one more productive of delay and of risk to the agent and his client than is frequently appreciated, and is also more expensive than is the practice of dealing directly with the foreign agent.

The grave objection to this passing over of responsibility is fortunately not so frequently brought home by the failure, neglect, indifference, and the incompetence of the sub-agent as one would almost anticipate from the fact that there are good firms in America doing this wholesale class of business who are quite capable of doing, and who do, all that is required in a perfectly satisfactory and honourable manner. There have been, however, so many instances of actual financial loss, annoyance, misconception, and failure connected with some of these intermediate agents, and actual practice has revealed so fully the disadvantages associated with the entire system, that a word of warning has now become an imperative necessity.

THE FOREIGN AGENT.

It should require but a moment's thought on the part of the attorney who has had personal charge of any case to know that he is the one best qualified to be in touch with the patent agent abroad who is to be responsible for the preparation of the specifications and the filing of the documents in the various countries where patents are required.

To adequately, and comprehensively, answer objections made by the examiners in the various foreign patent offices implies a full acquaintance with the nature and details of the invention, and this full acquaintance is not readily obtained when the original attorney passes the case first to a wholesale agent, and he in turn to others who have to look to him instead of to the actual draughtsman or author of the original specification for their information and instructions.

Technical information cannot be conveyed aright by non-technical persons, however well versed they may be on matters of ordinary simple office routine. In many cases where instructions have been sent us during the past 18 years of our practice as patent agents and engineering and technical experts, those instructions have been either indefinite or have been insufficient in detail, owing to a want of grasp of the salient points of the case on the part of the intermediate attorney. We have frequently wished we could have been put into actual communication with the original and responsible attorney, when greater expedition and a stronger and better patent would probably have been secured.

It will be found an economical and expeditious system to send instructions direct to us in London for all the European and Colonial patents required. There will be the additional satisfaction of knowing personally the firm who is absolutely responsible for the foreign patents.

In the matter of convenience of position it may be explained that our offices, which are believed to be the largest in England, are situated immediately facing the Government Patent Office, while the branch offices in Birmingham and Manchester ensure our being in close

touch with our large circle of clients in those important industrial centres.

THE NEW BRITISH PATENT ACT

makes it necessary for the agent to be fully informed on the patents he files, and the amount of study given to the English case will be invaluable in mastering the objections and making amendments if any are called for on the cases in other countries.

PERSONAL CONFIDENCE IN AGENTS.

With a view to establishing that personal confidence desirable in associates who have to take charge of matters abroad of the greatest moment and value to the attorney and his client, it may not be out of place to set forth the credentials of the four principals of the firm of Marks and Clerk.

Mr. G. Croydon Marks is an Associate Member of the Institution of Civil Engineers, a Member of the Institution of Mechanical Engineers, a Fellow of the Chartered Institute of Patent Agents, an enrolled United States Patent Attorney, and is a Justice of the Peace. He is the author of "Hydraulic Power Machinery," "Hydraulic Power Engineering," and "Steam Power and Steam Boilers," and has carried out important constructional and engineering works.

Mr. Dugald Clerk is a Member of the Institution of Civil Engineers, a Fellow of the Chemical Society, a Member of the Society of Chemical Industry, and a Fellow of the Chartered Institute of Patent Agents. He is the author of "The Gas Engine," "Oil and Gas Engines," and has had extensive and varied experience in the mechanical and chemical industries.

Mr. Edward C. R. Marks is an Associate Member of the Institution of Civil Engineers, is a Member of the Institution of Mechanical Engineers, and a Fellow of the Chartered Institute of Patent Agents. He is the author of "The Evolution of Modern Small Arms and Ammunition," "The Manufacture of Iron and Steel Tubes," "The Cor

struction of Pumps," "Mechanical Engineering Material," "The Construction of Cranes and Lifting Machinery." He has had a wide experience in the manufacturing and mechanical trades of England.

Mr. M. Atkinson Adam is a Fellow of the Chartered Institute of Patent Agents. He is an Associate Member of the Institution of Civil Engineers, an Associate Member of the Institution of Electrical Engineers, and a Bachelor of Science of Glasgow University. He has had a thorough practical training in engineering works and drawing offices, and acquired electrical manufacturing and chemical experience while serving on the staff of the Right Honourable the Lord Kelvin.

The prices given herein are for patent attorneys only, as we do not correspond with private American clients, but receive all instructions from American and Canadian patent attorneys only.

The telegraphic code used is A. I., Western Union, and our own personal code as given at the end of this booklet.

The registered cable address is—"Abecedary, London."

BRITISH AND FOREIGN PATENTS.

Costs and Charges by Messrs. Marks and Clerk.

Comparatively few of the practising patent attorneys in America realise the risk they run in filing an English patent in its "complete" form after they have waited for the allowance of the Claims in the American office, unless, of course, such an application is filed under the International Convention.

There are occasions when the best interests of American clients are secured by forwarding to England a copy of the specification and drawings, in order that an application may be lodged for a "provisional" patent in London shortly after the original application is lodged in Washington. When the claims are subsequently allowed, or ready for allowance in America, then the patent can be completed in England at any time within six months from the date of the provisional application. *Under the old Act the period was nine months.*

By this system the English market is at once available for goods, and any advertisement or trade paper which happens to reach England prior to the complete specification being filed does no harm to the subsequent grant of the patent, seeing that the date of the patent is that upon which the first or provisional specification was filed, although the complete specification and drawings were filed six months later. The American patent need not then issue until the applicant considers it desirable in that country.

A DANGEROUS SYSTEM.

Many valuable patents have been rendered absolutely invalid from the fact that advertisements or descriptions of the corresponding United States patents which have appeared in American technical or trade journals have circulated or been on public view in some of the large public English libraries or reading rooms before the English patents were applied for. The owners of the American pending patents have worked, advertised, and described their inventions in America while waiting for the final allowance of the American Patent Office, in order that their English claims should be made to agree with the allowed American ones; but this waiting is frequently fatal, as the leading American journals and trade publications arrive regularly to many of the English public libraries. The existence of one such prior description in a public place in England will invalidate any patent subsequently applied for.

CLAIMS CAN BE AMENDED AFTER GRANT.

It is frequently found necessary to amend an English patent specification which has claims corresponding to an American patent before any action can be proceeded with by striking out the immaterial and weak claims, and leaving only the principal or chief subject matter claims remaining. An infringer will attack with greater assiduity the immaterial claims, as he is more likely to find that they have been too widely drawn with regard to details, which details may exist for analogous purposes in prior patents. Before litigation is resorted to the claims should

be carefully considered. Making an amendment before instituting legal proceedings does not prejudice the patent in any way, but when amendments are made during the course of litigation, it is then necessary to obtain the leave of the Court to such a step, and the infringers may be let off the costs or damages for the infringements committed prior to the date of the amendments being made.

INSTRUCTIONS TO ATTORNEYS.

We prefer our correspondents to send us the provisional specification, which we can file, if desired, in the name of one of the principals of the firm as a "communication from abroad" from the inventor, whose full name, occupation, and address should be given. By this system immediate protection is obtained, and no forms are required to be signed by the inventor. Before the complete specification is due for filing, a copy of the American specification and the allowed claims should be sent us, together with the drawings on Whatman or white-rolled drawing paper, not on Bristol board or any paper liable to crack, as the Patent Office refuses to accept such. We reproduce on page the latest instructions from the Patent Office regarding drawings. The patent on issue would be assigned to the communicator or to any third party, in which latter case the communicator would be called upon for his signature to the assignment deed. When the application is to be made in the inventor's name, and not as a communication, the greatest care must be exercised in seeing that Form A. on page — is entirely filled up before being signed by the inventor or applicant. If the form is signed in blank the patent will be refused, and if any application is received by us for which a blank application form has been signed by the inventor, we shall in every case file the application as a communication from abroad.

THE NEW PATENT ACT.

Commencing January 1st, 1905.

The Patents Act passed in 1902 becomes fully operative in respect to all applications for patents filed in London

on and after January 1st, 1905, and will have far-reaching effect in the matter of the new procedure then to be instituted.

Under the new rules it will be a necessity for the English patent agent to become personally familiar with the specifications that he files, seeing that a system of searching is to be introduced that will be totally different to that through which the specification of the invention may have passed in America before being sent to England for filing with the application for a British patent.

OLD BRITISH PRACTICE.

It has hitherto been the practice of the British Patent Office to practically grant a patent to every applicant who believes himself to be possessed of any invention. No search, however, for novelty or examination into the previously granted patents was made by the Patent Office authorities, the entire risk as to the anticipation of the patent being left to the patentee himself to discover and provide against, with the natural result that very many so-called inventions have been patented many times over.

NEW BRITISH PRACTICE.

Under the new Act all completed applications for patents will be subjected to an official examination as to novelty, a search being instituted over the previously granted British patents for the past fifty years for determining whether the invention has been wholly or in part claimed or described in any prior specification.

Should the official search reveal any such prior specification, the agent will be informed thereof, and will be permitted to amend the specification so as not to conflict with what has been discovered, and the application will then be "accepted." In the event of the applicant not making any amendment of his specification, the patent will not be refused, but a reference to the prior specifications will be inserted after the claims in the applicant's specification before it is accepted. This reference will have

the effect of protecting or putting the public on its guard concerning the invention.

The search through which the British application has to pass will be entirely different to that of the American Office, as such search will be confined to British patent specifications of the preceding fifty years, foreign patents and literature not being brought within the purview of the examiners.

WE SUGGEST AMENDMENTS.

When the amendments are called for on the result of the search we shall prepare or suggest draft claims to meet what references may be cited, and then forward such, with our opinions thereon, to our associates for their consideration and approval, and ask for their instructions on behalf of the applicant before filing the amended claims at the Patent Office.

NO CHARGE FOR FORMAL AMENDMENTS.

We shall not make a fixed charge upon every application to cover the amendments, as it may be unnecessary in some cases for any but a formal amendment to be made, in which case no charge will be made by us; our charge for this service will be dependent entirely upon the nature of the invention and the technical study that is necessary to properly appreciate and advise on the case, and a debit note will be sent giving the cost involved, or that which will be involved if we prepare the amendments.

We do not suggest that alterations or amendments should be made by us in the specification before the case is filed, seeing that an official search will be instituted, not so much in reference to the actual wording of the claims in the first instance, but more upon the scope or nature of the invention as described in the specification, and as defined by the claims.

ACCEPTANCE OF SPECIFICATION.

The procedure after the acceptance of the complete specification will follow the old system by remaining open

to public opposition for two months; but a new and further sealing fee of £1 will be imposed before the patent can be sealed and issued, which is to cover the cost of the search now to be instituted by the Patent Office. The applicant can then decide whether, in view of what may have been disclosed by the search, it will be worth taking the patent by paying the final fee of £1.

Notwithstanding the official investigations and search that will be undertaken, such must not be taken or held in any way to guarantee the validity of the patent, as "no liability shall be incurred by the Board of Trade, or any officer thereof, by reason of or in connection with any such investigation or report of any proceedings cognisant thereon."

This system of granting patents after an official search has shown that the same invention or its equivalent has been previously patented will do no harm, for the public and other inventors will be protected by being referred to the prior specifications that have been discovered, and which in the opinion of the Patent Office Comptroller must be taken into consideration when interpreting the claims. On the other hand, to refuse the grant of a patent because of what the Patent Office interpret as prior patents might be to inflict injustice and injury upon the inventor, who *may have been working for the express purpose of remedy*ing the defects and difficulties connected with the old patents, and who would therefore have no objection whatever to the public being referred to such prior patents.

AMERICAN AND GERMAN SYSTEMS.

It is one of the serious flaws of the German—and sometimes of the American—system of examination that a patent is frequently refused because the examiners have not acquired sufficient experience or practical knowledge of the art to appreciate the practical uselessness of mere paper descriptions, such as exist in the old, improperly developed and even unworked patents.

We have known German and American applications for patents rejected for valuable improvements that had taken some years to bring into practical perfection, the reason

for rejecting being that the same invention had been previously disclosed in the specifications of patents which, however, had never been of the slightest commercial value, and which, too, had never been in use, but, on the contrary, were known by all engaged in the industry to have been impossible for the purposes disclosed in the later application.

The new British system of examination will not be open to the serious objections to which we have referred, as the inventor will have the option of taking his patent or not after his attention has been called to the fact that it cannot issue without specific reference and attention being directed to the prior patents that the Patent Office consider to have material bearing upon the subject matter of his invention. It may well be true that the inventor will allege that what the Patent Office examiners have considered as important will have no weight whatever either with the Courts, should the patent be contested, or with practical men familiar with the industry, so that the reference may even in some instances be of advantage to the patentee in enabling him to show that where others had absolutely failed he had succeeded.

ALTERATION OF AMERICAN CLAIMS.

It is quite certain that under the new rules the usual form of repetition frequent in many American claims will be objected to and rejected, and that the Patent Office will now require claims to be fewer in number and much more succinct and clear than is the general practice in America.

It will be noted in the rules, which are fully reproduced herein, that the Comptroller has the power to alter the date of the patent application if he finds that the amendments and other subsequent procedure will take too long a time to enable the specification to be accepted within the prescribed time, viz., twelve—or under extension within fifteen—months from the date of application, a fee of £2 per month being payable for each month's delay beyond twelve months. It is therefore desirable that no time

should be lost in dealing with the amendments and the suggestions that we forward for consideration.

INTERPRETATION OF CLAIMS.

With the object of assisting American patent attorneys to appreciate the point of view taken by an English Court upon patent claims, it must be remembered that on any claim, however immaterial, being attacked in a suit for infringement, and such claim being anticipated, the whole patent is thereby rendered invalid, and the suit or action fails, even though such claim is one upon which no reliance whatever was placed in bringing the action.

One bad claim is fatal to any British patent; the weak or bad claim, however, may always be removed after the patent has issued by the process of amendment.

INTERNATIONAL CONVENTION.

The following countries are at present parties to the International Convention: Brazil, Belgium, Denmark, France, Germany, Great Britain, Italy, Japan, Mexico, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, Tunis, United States of America, Santa Domingo, and each gives to the citizens of the other countries twelve months priority in the matter of applying for patents that have been previously patented in the applicant's own country. It is necessary, however, in the case of an application being filed under the International Convention, that the following

REQUIREMENTS FOR CONVENTION APPLICATION

be strictly adhered to: The specification to be filed must be accompanied by an officially certified copy obtained from Washington of the patent as issued in America, and there must also be a statement, signed by the applicant, that the specification as issued contains the same invention

or less than the same invention described in the original specification filed at Washington with the application for the patent. This latter provision is a new requirement, but is one of importance to the patentee. As an alternative the applicant may file a certified copy of the specification and drawings as originally lodged in the United States Patent Office.

It should be borne in mind that in Convention applications *nothing can be included which is not covered by* the United States application on which the claim for Convention rights is based.

Our fees to attorneys for filing an English provisional application, including the £1 for Government stamp, is $7·50 (seven dollars fifty cents).

For filing a complete specification six months later, all papers and drawings being sent us ready for filing, our fee, including £3 Government stamp, is $20 (twenty dollars). If a complete specification is filed at first without a provisional, then the Government stamp is £4, and our inclusive fee is $25 (twenty-five dollars). Amendments are charged extra if we make them. A final fee of £1 is payable on the patent being issued, and this would be payable to us within two months of the actual date of acceptance of the complete specification.

OPPOSITION TO PATENTS.

During the two months following the advertisement of the acceptance of the complete specification any person is at liberty to oppose the grant or the sealing of the patent upon the following grounds:—

1. That the applicant has obtained the invention from the opponent, or from a person of whom he is the legal representative.

2. That the invention has been patented in this country on an application of prior date, and in which prior patent the opponent has some interest.

3. That the complete specification includes an invention not set forth in the provisional, and for which the opponent has in the meantime applied for a patent.

It has been decided that a member of the public who

may happen to be aware of a prior patent which completely anticipates the application of a later inventor, but who has himself no interest in such prior patent, cannot oppose the grant of any patent.

In the opposition proceedings, which are conducted before the Comptroller, and, unless an appeal is made to the Law Officer, decided entirely by him, after giving the applicant and the opponent a hearing, no account is taken of a pure infringement by one patent of another.

The conducting of oppositions, together with the preparation of the papers, evidence, and models which may be necessary to support the case, are matters which we undertake, and we attend before the Comptroller and Law Officer in case of an appeal to argue the case personally.

The rejection or the disallowance of an opposition to a patent does not prejudice the opponent's position if it be upon a matter of infringement, seeing that the Comptroller has no power to try infringements or general cases of equivalents, but has to decide simply upon the hearing of the three grounds of opposition before mentioned. No costs can be recovered from any proceedings conducted before the Comptroller, but the Law Officer may allow such costs as he may consider necessary to cover the actual expenses of the hearing before him.

An appeal to the Law Officer from the decision of the Comptroller is open to every applicant and opponent.

COSTS OF OPPOSITION.

The cost of opposing a patent depends greatly upon the matter of the invention, but our fees to patent attorneys for such oppositions are for ordinary cases £50, which covers the fees payable to the Patent Office. Shorthand notes or transcript of the proceedings are often required by our clients; such notes are charged for by the official reporters.

An appeal to the Law Officer—that is, to the Attorney-General or the Solicitor-General—involves a re-hearing of the whole case, and extreme care is required in conducting the argument. Our fees to patent attorneys for such, including the Court fees, are £60.

THE PATENT.

Every patent granted is upon a printed form, with the name, or names, and particulars of the patentees, together with the number, title, and date of the patent written upon it, and having the name of the Comptroller-General of Patents placed at the end of the document, which is officially styled the "Royal Letters Patent," and below the Comptroller's name the wafer seal of the Patent Office is affixed. After the recital of the particulars as to the patentee and the invention, the document sets forth, amongst other things, that—

"The said inventor hath humbly prayed that we would be graciously pleased to grant unto him our Royal Letters Patent for the sole use and advantage of his said invention."

"And whereas we, being willing to encourage all inventions which may be for the public good, are graciously pleased to condescend to his request."

THE RIGHTS.

The letters patent further gives and grants unto the said patentee: "Our special license, full power, sole privilege, and authority that the said patentee, by himself, his agents, or licensees, and no others, may at all times hereafter during the term of years herein mentioned, make, use, exercise, and vend the said invention within our United Kingdom of Great Britain, Ireland, and the Isle of Man in such manner as to him or them may seem meet; and that the said patentee shall have and enjoy the whole profit and advantage from time to time accruing by reason of the said invention during the term of fourteen years. And to the end that the said patentee may have and enjoy the sole use and exercise, and the full benefit of the said invention, we do by these presents strictly command all our subjects whatsoever within our United Kingdom of Great Britain and Ireland, and the Isle of Man, that they do not at any time during the continuance of the said term of fourteen years, either directly or indirectly, make use of or put into practice the said invention or any part of the same, nor in anywise

imitate the same, nor make, or cause to be made, any additions thereto, or subtraction therefrom, whereby to pretend themselves the inventors thereof, without the consent, license, or agreement of the said patentee in writing under his hand and seal, on pain of incurring such penalties as may be justly inflicted on such offenders for their contempt of this our royal command, and being answerable to the patentee according to law for his damages thereby occasioned."

A copy of the specification is attached to the Letters Patent.

GREAT BRITAIN AND IRELAND.

TERM.

The term of the British patent is for fourteen years, dating from the day on which the application was lodged in the Patent Office.

Every patent when sealed has effect throughout the United Kingdom and the Isle of Man, but not throughout the Channel Islands. Although the term of the patent grant is for fourteen years, the patent rights will cease if the patentee or owner fails to make the prescribed payments for keeping the patent in force within the prescribed times.

RENEWAL FEES.

At the expiration of the fourth year, dating from the application for the patent, and before entering the fifth year, the patentee is required to pay a renewal fee of £5; and on or before the end of the fifth year a further renewal fee of £6; and so on at the end of each year, the annual renewal fees increasing £1 per year in extent up to the end of the thirteenth year, when £14 is payable to cover the last or fourteenth year.

If by accident or other satisfactory cause the fees are not paid during the prescribed time, the Comptroller may grant an enlargement of the time for making the payment, the extra fees payable for the extensions being £1, £3, or £5, for 1, 2, or 3 months' extension respectively. If the period of three months elapses before the fee is paid, then

recourse to a special Act of Parliament will be necessary to restore the patent rights by enabling the fees to be paid. This latter remedy will always be a most difficult procedure, and can only be obtained in very exceptional cases.

AMENDMENT OF THE SPECIFICATION.

A defective specification, whether from the fact of being deficient in descriptive matter, misleading in the instructions it purposes to give, or too wide in its claims, is fatal to the validity of the patent.

The law provides for the benefit of patentees that amendment may be made by way of disclaimer or correction, but such amendments must not enlarge or increase the scope of the invention. The amendments usually made are for the purpose of strengthening the patent by altering or striking out some of the claims or for making ambiguous or indistinct descriptions definite and positive in meaning.

OPPOSITION TO AMENDMENT.

When leave to amend has been applied for the same is advertised, and any person may then oppose it, the proceedings being similar to those connected with the opposition to the grant of the patent.

REVOCATION OF PATENTS.

Any patent which is granted to a person who is not the true and first inventor, or if the patent is declared invalid by a Court, or is otherwise an injury to the public by being permitted to remain in force, may be revoked by an action and trial before a Judge of the High Court. Such proceedings are, however, tedious and costly.

EXTENSIONS OF THE PATENT.

Although a patent is not granted for a longer period than fourteen years, it may sometimes happen that the period has proved inadequate for the patentee to reap a

sufficient benefit commensurate with the importance and value of the invention, and in such very exceptional cases an extension or prolongation for a few years may be obtained.

To secure this extension it must be conclusively shown by a petition to the Judicial Committee of the Privy Council, not to the Patent Office, that the inventor has not recouped himself for the large sums of money he has expended in introducing the invention, which must be of great commercial utility. Books, papers, and all documents will be closely examined, and the benefit secured by the patentee on his foreign patents will be considered in deciding as to profit or loss alleged in England alone.

RAPID INSTRUCTIONS.

When it is desired to secure a British patent quickly to prevent possibility of prior applications by others in exceptional cases, we can file a provisional application or communication from any foreign inventor if the essence of the invention is telegraphed to us, giving also the name of the inventor. For particulars see our private "Attorney's Code" herein.

WORKING OF PATENTS.

There are no requirements under the British Patent Acts calling for the working of inventions for which patents have been granted, but if a patented invention is not being worked and the Board of Trade is satisfied by a petitioner for a compulsory license thereunder that "the reasonable requirements of the public with respect to the patented invention have not been satisfied," the Board will refer the petition to the Judicial Committee of the Privy Council, who, after hearing the parties, may, if the petitioner proves his case, either—(1) Make an order for the grant of a compulsory license under the patent, or (2) if satisfied that the reasonable requirements of the public will not be satisfied by the grant of licenses, the patent may be revoked.

The new Act dealing with compulsory licenses applies to patents already granted, as well as to those hereafter granted; and for further information as to the provisions of the Act we refer our associates to the full text of the Act, which, with the rules made for the carrying out of the Act, are given herein.

NEW BRITISH PATENT LAW.

The full text of the new Act is as follows:—

[2 *Edw.* 7] *Patents Act*, 1902. [*Ch.* 34.]

An Act to amend the Law with reference to Applications for Patents and Compulsory Licenses, and other matters connected therewith. [18th December, 1902.]

1.—(1) Where an application for a patent has been made and a complete specification has been deposited by the applicant, the examiner shall forthwith, in addition to the inquiries which he is directed to make by the Patents, Designs, and Trade Marks Act, 1883 (in this Act referred to as the principal Act), make a further investigation for the purpose of ascertaining whether the invention claimed has been wholly or in part claimed or described in any specification (other than a provisional specification not followed by a complete specification) published before the date of the application, and deposited pursuant to any application for a patent made in the United Kingdom within fifty years next before the date of the application.

(2) If on investigation it appears that the invention has been wholly or in part claimed or described in any such specification, the applicant shall be informed thereof, and the applicant may, within such time as may be prescribed, amend his specification, and the amended specification shall be investigated in like manner as the original specification.

(3) The examiner shall report to the Comptroller the result of his investigations in such manner as the Board of Trade may direct.

(4) The provisions of Sub-section 5 of Section 9 of the

principal Act, as amended by any subsequent enactment, shall apply to reports under this section.

(5) If the Comptroller is satisfied that no objection exists to the specification on the ground that the invention claimed thereby has been wholly or in part claimed or described in a previous specification as before mentioned, he shall, in the absence of any other lawful ground of objection, accept the specification.

(6) If the Comptroller is not so satisfied, he shall, after hearing the applicant, and unless the objection be removed by amending the specification to the satisfaction of the Comptroller, determine whether a reference to any, and, if so, what, prior specifications ought to be made in the specification by way of notice to the public.

(7) An appeal shall lie from the decision of the Comptroller under this section to the Law Officer.

(8) Section 8 of the principal Act and Section 3 of the Patents, Designs, and Trade Marks (Amendment) Act, 1885 (which regulate the time for depositing a complete specification), shall have effect as if references therein to the period of nine months were references to the period of six months.

(9) The investigations and reports required by this section shall not be held in any way to guarantee the validity of any patent, and no liability shall be incurred by the Board of Trade or any officer thereof by reason of, or in connection with, any such investigation or report, or any proceeding consequent thereon.

(10) The Board of Trade, with the sanction of the Treasury, may prescribe an additional fee not exceeding £1 in respect of the investigation mentioned in this section, which shall be payable on the sealing of the patent.

(11) This section shall come into operation at such date as the Board of Trade may by order direct, and shall apply only to applications made after that date, and the order shall be laid before both Houses of Parliament.

2.—An invention covered by any patent granted on an application to which Section 1 of this Act applies shall not be deemed to have been anticipated by reason only of its publication in a specification deposited pursuant to

an application made in the United Kingdom not less than fifty years before the date of the application for a patent therefor, or of its publication in a provisional specification of any date not followed by a complete specification.

3.—Section 22 of the principal Act (relating to the grant of compulsory licenses by the Board of Trade) is hereby repealed, and the following provisions shall be substituted therefor:—

(1) Any person interested may present a petition to the Board of Trade alleging that the reasonable requirements of the public with respect to a patented invention have not been satisfied, and praying for the grant of a compulsory license, or, in the alternative, for the revocation of the patent;

(2) The Board of Trade shall consider the petition, and if the parties do not come to an arrangement between themselves, the Board of Trade, if satisfied that a *primâ facie* case has been made out, shall refer the petition to the Judicial Committee of the Privy Council, and, if the Board are not satisfied, they may dismiss the petition;

(3) Where any such petition is referred by the Board of Trade to the Judicial Committee, and it is proved to the satisfaction of the Judicial Committee that the reasonable requirements of the public with reference to the patented invention have not been satisfied, the patentee may be ordered by an Order in Council to grant licenses on such terms as the said Committee may think just, or, if the Judicial Committee are of opinion that the reasonable requirements of the public will not be satisfied by the grant of licenses, the patent may be revoked by Order in Council:

Provided that no order of revocation shall be made before the expiration of three years from the date of the patent, or if the patentee gives satisfactory reasons for his default:

(4) On the hearing of any petition under this section the patentee and any person claiming an interest in the patent as exclusive licensee or otherwise, shall be made parties to the proceedings, and the Law Officer or such other counsel as he may appoint shall be entitled to appear and be heard:

(5) If it is proved to the satisfaction of the Judicial Committee that the patent is worked or that the patented article is manufactured exclusively or mainly outside the United Kingdom, then, unless the patentee can show that the reasonable requirements of the public have been satisfied, the petitioner shall be entitled either to an order for a compulsory license, or, subject to the above proviso, to an order for the revocation of the patent;

(6) For the purposes of this section the reasonable requirements of the public shall not be deemed to have been satisfied if, by reason of the default of the patentee to work his patent or to manufacture the patented article in the United Kingdom to an adequate extent, or to grant licenses on reasonable terms, (*a*) any existing industry or the establishment of any new industry is unfairly prejudiced, or (*b*) the demand for the patented article is not reasonably met;

(7) An Order in Council directing the grant of any license under this section shall, without prejudice to any other method of enforcement, operate as if it were embodied in a deed granting a license and made between the parties to the proceedings;

(8) His Majesty in Council may make rules of procedure and practice for regulating proceedings before the Judicial Committee under this section, and subject thereto such proceedings shall be regulated according to the existing procedure and practice in patent matters. Any Order in Council or any order made by the Judicial Committee under this Act may be enforced by the High Court as if it were an order of the High Court;

(9) The costs of and incidental to all proceedings under this section shall be in the discretion of the Judicial Committee, but in awarding costs on any application for the grant of a license the Judicial Committee may have regard to any previous request for, or offer of, a license made either before or after the application to the Committee;

(10) For the purposes of this section three members of the Judicial Committee shall constitute a quorum;

(11) This section shall apply to patents granted before as well as after the commencement of this Act.

4.—In Sub-section 4 of Section 82 of the principal Act (which relates to the performance of the duties of the Comptroller by other officers under the direction of the Board of Trade) the words "in his absence" shall be repealed.

5.—This Act may be cited as the Patents Act, 1902, and may be cited and shall be construed as one with the Patents, Designs, and Trade Marks Acts, 1883 to 1901.

STATUTORY RULES AND ORDERS, 1904.

No. 1652.

PATENT.

THE PATENTS RULES, 1905. DATED OCTOBER 20, 1904.

By virtue of the provisions of the Patents, Designs, and Trade Marks Acts, 1883 to 1902, the Board of Trade do hereby make the following rules:—

SHORT TITLE.

1. These rules may be cited as the Patent Rules, 1905.

COMMENCEMENT.

2. These rules shall come into operation from and immediately after the 31st day of December, 1904.

INTERPRETATION.

3. In the construction of these rules, any words herein used defined by the said Acts shall have the meanings thereby assigned to them respectively.

APPLICATIONS FOR PATENTS.

4. The statement of the invention claimed, with which a complete specification must end, shall be clear and succinct as well as separate and distinct from the body of the specification.

5. For Rule 9 of the Patents Rules, 1903, the following rule shall be substituted:—

When a specification comprises several distinct matters, they shall not be deemed to constitute one invention by reason only that they are all applicable to or may form parts of an existing machine, apparatus, or process.

Where a person making application for a patent has included in his specification more than one invention, the Comptroller may require or allow him to amend such application and specification and drawings or any of them so as to apply to one invention only, and the applicant may make application for a separate patent for any invention excluded by such amendment.

Every such last-mentioned application may, if the Comptroller at any time so direct, bear the date of the original application, or such date between the date of the original application and the date of the application in question, as the Comptroller may direct, and shall otherwise be proceeded with as a substantive application in the manner prescribed by the said Acts and by any rules thereunder for the time being in force.

Where the Comptroller has required or allowed any application, specification, or drawings to be amended as aforesaid, such application shall, if the Comptroller at any time so direct, bear such date, subsequent to the original date of the application and not later than the date when the amendment was made, as the Comptroller shall consider reasonably necessary to give sufficient time for the subsequent procedure relating to such application.

Procedure under Section 1 of the Patents Act, 1902.

6. If after the leaving of any complete specification the Examiner reports that the nature of the invention is not sufficiently disclosed and defined to enable him to make the investigation prescribed by Sub-section 1, and the Comptroller has required amendment of the specification and drawings, or either of them, the application shall, if the Comptroller at any time so direct, bear such date, subsequent to its original date, and not later than the date when the requirement is complied with, as the Comptroller

may consider reasonably necessary to give sufficient time for the subsequent procedure relating to such application.

7. When the Examiner in prosecution of the investigation prescribed by Sub-section 1 finds that the invention claimed in the specification under examination has been wholly claimed or described in one or more specifications within the meaning of the sub-section in question, he shall, without any further prosecution of the investigation, make a provisional report to that effect to the Comptroller.

If the provisional report of the Examiner made under this rule be not reversed or altered, it shall be deemed a final report, and the application shall be dealt with as provided by Sub-section 6. If, however, such provisional report be reversed or altered, the investigation prescribed by Sub-section 1 shall be continued, and a further report shall be made to the Comptroller, and the specification shall be dealt with as provided in Sub-section 5 or Sub-section 6, as the case may require.

8. The time within which an applicant may leave his amended specification under Sub-section 2 shall be two months from the date of the letter informing him that the invention claimed has been wholly or in part claimed or described in any specification or specifications within the meaning of Sub-section 1.

In any special case the Comptroller may, if he think fit, enlarge the time prescribed by this rule.

9. When the applicant for a patent has been informed of the result of the investigation of the Examiner, made under the provisions of Sub-section 1, and the time allowed by Rule 8 for amendment of his specification has expired, the Comptroller, if he is not satisfied that no objection exists to the specification on the ground that the invention claimed therein has been wholly or in part claimed or described in a previous specification within the meaning of that sub-section, shall inform the applicant accordingly and appoint a time for hearing him, and shall give him ten days' notice at the least of such appointment. The applicant shall as soon as possible notify the Comptroller whether or not he desires to be heard. The Comptroller shall, after hearing the applicant, or without a hearing, if the applicant has not attended a hearing appointed or

has notified that he does not desire to be heard, determine whether reference ought to be made in the applicant's specification to any, and if so what, prior specification or specifications by way of notice to the public.

10. When under Sub-section 6 the Comptroller determines that a reference to a prior specification ought to be made by way of notice to the public, the form of reference shall be as follows, and shall be inserted after the claims:—

> Reference has been directed in pursuance of Section 1, Sub-section 6, of the Patents Act, 1902, to the following specification of Letters Patent No. granted to .

Where the reference is inserted as the result of a provisional report under Rule 7, a statement to that effect shall be added to the reference.

Appeal.

11. Every decision of the Comptroller under the foregoing rules shall be subject to an appeal to the Law Officer.

Sealing of Patent and Payment of Fee.

12. If the applicant for a patent desires to have a patent sealed on his application, he must, on or before the last day on which a patent can lawfully be sealed, pay the prescribed sealing fee; and if such fee be not paid, no patent shall be sealed.

The prescribed sealing fee should be paid by leaving at the Patent Office Form X in the Second Schedule to these rules, duly stamped.

Fees.

13. To the fees specified in the First Schedule to the Patents Rules, 1903, shall be added the fee specified in the First Schedule hereto.

Forms.

14. To the forms contained in the Second Schedule to the Patents Rules, 1903, shall be added the Form X contained in the Second Schedule hereto: and in the Form C

contained in the first-mentioned Schedule the following direction shall be added in a marginal note, namely:—
"In the preparation of the claim or claims careful attention should be paid to the terms of Rule 4 of the Patents Rules, 1905. Any unnecessary multiplicity of claims or prolixity of language should be avoided."

Size, Etc., of Documents.

15. For Rule 17 of the Patents Rules, 1903, the following rule shall be substituted:—

All documents and copies of documents, except drawings, sent to or left at the Patent Office or otherwise furnished to the Comptroller or to the Board of Trade shall be written, typewritten, lithographed, or printed in the English language (unless otherwise directed) in large and legible characters with deep permanent ink upon strong white paper, and, except in the case of statutory declarations and affidavits, on one side only, of a size of approximately 13 in. by 8 in., leaving a margin of at least 1½ in. on the left-hand part thereof, and the signatures thereto must be written in a large and legible hand. Duplicate documents shall at any time be left, if required by the Comptroller.

At the top of the first page of a specification a space of about 2 in. should be left blank.

Drawings Accompanying Specifications.

16. For Rules 18 to 24 of the Patents Rules, 1903, the following rules shall be substituted:—

As the drawings are printed by a photo-lithographic process, the character of each original drawing must be brought as nearly as possible to a uniform standard of excellence, suited to the requirements of such process, and calculated to give the best results in the interests of inventors, of the Office, and of the public. The following requirements should, therefore, be strictly observed, as non-compliance therewith will be certain to cause delay in the progress of an application for a patent.

17. Drawings, when furnished, should accompany the provisional or complete specification to which they refer, except in the case provided for by Rule 24. No drawing

or sketch such as would require the preparation for the printer of a special illustration for use in the letterpress of the specification when printed should appear in the specification itself.

18. Drawings may be made by hand or lithographed, printed, etc. They must be made on pure white, hot-pressed, rolled, or calendered strong paper of smooth surface, good quality, and medium thickness, without washes or colours, in such a way as to admit of being clearly reproduced on a reduced scale by photography. Mounted drawings must not be used.

19. Drawings must be on sheets which measure 13 in. from top to bottom and are either from 8 in. to 8½ in. or from 16 in. to 16½ in. wide, the narrower sheets being preferable.

If there are more figures than can be shown on one of the smaller-sized sheets, two or more of these sheets should be used in preference to employing the larger size. When an exceptionally large drawing is required, it should be continued on subsequent sheets. There is no limit to the number of sheets that may be sent in, but no more sheets should be employed than are necessary, and the figures should be numbered consecutively throughout and without regard to the number of sheets. The figures should not be more numerous than is absolutely necessary. They should be separated by a sufficient space to keep them distinct.

20. Drawings must be prepared in accordance with the following requirements:—

(*a*) They must be executed with absolutely black ink.

(*b*) Each line must be firmly and evenly drawn, sharply defined, and of the same strength throughout.

(*c*) Section lines, lines for effect, and shading lines should be as few as possible, and must not be closely drawn.

(*d*) Shade lines must not contrast too much in thickness with the general lines of the drawing.

(*e*) Sections and shading should not be represented by solid black or washes.

(*f*) They should be on a scale sufficiently large to show the invention clearly, and only so much of the apparatus, machine, etc., should appear as effects this purpose. If the scale is given, it should be drawn, and not denoted by words.

Reference letters and figures, and index numerals used in conjunction therewith, must be bold, distinct, and not less than $\frac{1}{8}$ in. in height. The same letters should be used in different views of the same parts. Where the reference letters are shown outside the figure, they must be connected with the parts referred to by fine lines.

21. Drawings must bear the name of the applicant (and, in the case of drawings left with a complete specification after a provisional specification, the number and year of the application) in the left-hand top corner; the number of sheets of drawings sent, and the consecutive number of each sheet, in the right-hand top corner; and the signature of the applicant or his agent in the right-hand bottom corner. Neither the title of the invention nor any descriptive matter should appear on the drawings.

22. A facsimile or "true copy" of the original drawings must be filed at the same time as the original drawings, prepared strictly in accordance with the above rules, except that it may be on tracing cloth and the reference letters and figures should be in black-lead pencil.

The words "original" or "true copy" must in each case be marked at the right-hand top corner, under the numbering of the sheet.

23. Drawings must be delivered at the Patent Office so as to be free from folds, breaks, or creases, which would render them unsuitable for reproduction by photography.

24. If an applicant desires to adopt the drawings lodged with his provisional specification as the drawings for his complete specification, he should refer to them in the complete specification as those left with the provisional specification.

The First Schedule.

FEE PAYABLE ON SEALING OF PATENT.

	£	s.	d.
13A. On sealing of patent; in respect of each application ...	1	0	0

The Second Schedule.

PATENTS, DESIGNS, AND TRADE MARKS ACTS, 1883 TO 1902.

PATENT.

FORM X.

FORM OF NOTICE OR DESIRE TO HAVE PATENT SEALED.

(a) *or* We.
(b) *or* Our.
(c) *or* We.

I (a) desire to have a patent sealed on my (b) Application No. , of 19 , and I (c) hereby transmit the prescribed fee on sealing.

(d) Here insert name, or names, and full address or addresses.

Name (d).....

Address.....

To the Comptroller,

The Patent Office, 25, Southampton Buildings,

Chancery Lane, London, W.C.

COMPULSORY LICENSES AND REVOCATION OF PATENTS.

RULES.

1. A petition to the Board of Trade for an order under Section 3 of the Patents Act, 1902, shall show clearly the nature of the petitioner's interest and the ground or grounds upon which he claims to be entitled to relief, and shall state in detail the circumstances of the case, the terms upon which he asks that an order may be made, and the purport of such order, and the name and address of the patentee and any other person who is alleged in the petition to have made default.

2. The petition and an examined copy thereof shall be left at the Patent Office accompanied by affidavits or statutory declarations in proof of the allegations contained in the petition, together with any other documentary evidence in support, and the petitioner shall simultaneously with, or as soon as may be after the leaving of such petition, deliver to the patentee and any other person who is alleged in the petition to have made default, copies of the petition and of such affidavits or statutory declarations and other documentary evidence in support.

3. The persons to whom such copies are delivered by the petitioner may, within fourteen days after being invited to do so by the Board of Trade, leave at the Patent Office their affidavits or statutory declarations in answer, and, if they do so, shall deliver copies thereof to the petitioner; and the petitioner may, within fourteen days from such last-mentioned delivery, leave at the Patent Office his affidavits or statutory declarations in reply, and, if he does so, shall deliver copies thereof to the patentee or any other person alleged in the petition to have made default, such last-mentioned affidavits or statutory declarations being confined to matters strictly in reply.

The times prescribed by this rule may be altered or enlarged by the Board of Trade, if they think fit, upon

such notice to parties interested and upon such terms, if *any*, as they *may* direct.

4. No further evidence than as aforesaid may be left by either side at the Patent Office except by leave or on requisition of the Board of Trade and upon such terms, if any, as the Board may think fit.

5. The Board of Trade shall consider the petition and the evidence, with a view to satisfying themselves whether a *primâ facie* case has been made out for proceeding further with the petition, and if they are not so satisfied they shall dismiss the petition.

6. If they are so satisfied, they shall consider whether there is any probability of an arrangement being come to between the parties, and if it appears to them that there is any reasonable probability that such an arrangement *can be come to, they may take such steps as they consider* desirable to bring it about, and in the meanwhile may defer the reference of the petition to the Judicial Committee of the Privy Council.

7. If the Board are not of opinion that there is a reasonable probability of any arrangement being come to between the parties, and are satisfied that a *primâ facie* case has been made out by the petitioner, they shall refer the petition to the Judicial Committee, with copies of any affidavits, statutory declarations, or other documentary evidence which may have been furnished under the foregoing rules, and with certified copies of all entries in the Register of Patents relating to the patent in question and any other information in the possession of the Board which it appears to them may be of service to the Judicial Committee in ascertaining what persons should be made parties to the proceedings before the Committee, and the Board shall give written notice to the parties that the petition has been referred to the Judicial Committee.

DESIGNS.

REGISTRATION OF DESIGNS IN ENGLAND.

There are many new appliances and articles which are capable of being fully protected, although not forming subject matter for a patent, by the registration of their shape, pattern, configuration, or ornamentation. Registration is granted for five years upon the deposit at the British Patent Office of three copies of the design, together with a statement as to its nature. The design will not be accepted if it is likely, in the opinion of the Comptroller, to conflict with any existing registered design. A design can be registered, although it be for something which might have been patented.

CLASSES OF GOODS.

For the purposes of registration, goods are divided into fourteen classes, and a separate registration is required for each class in which protection is desired. The classes are arranged according to the material of which the goods are wholly or chiefly composed, as follows:—

CLASS 1.—Articles composed wholly or partly of metals, but not gold, silver, plated goods, or jewellery.
CLASS 2.—Jewellery, gold, silver, and plated goods.
CLASS 3.—Wood, bone, ivory, papier-maché, vegetable, or solid substances not included in other classes.
CLASS 4.—Glass, clay goods, earthenware, cement, and other mineral non-metallic solid substances.
CLASS 5.—Paper (except paper-hangings).
CLASS 6.—Leather and bookbinding materials.
CLASS 7.—Paper-hangings.
CLASS 8.—Carpets, rugs, floorcloths.
CLASS 9.—Lace and hosiery.
CLASS 10.—Millinery, wearing apparel, boots, shoes, and hats.
CLASS 11.—Ornamental needlework on muslin or textile fabrics.

CLASS 12.—Goods not included in other classes.
CLASS 13.—Printed or woven designs on textile piece goods.
CLASS 14.—Printed or woven designs on handkerchiefs, shawls, and towels.

Each article included in any of the Classes 1 to 12, when being marked, must bear the abbreviation "Rd.," and the number appearing on the certificate of registration, and each article included in the Classes 13 and 14, must be marked with the abbrevintion "REGD." and the certificate number. No single article must be sent out on sale which does not bear this registration number.

Imitators are liable to a penalty of £50 for each offence, or an action for damages and an injunction.

ENGLISH TRADE MARKS.

Trade marks must be registered at the Patent Office before any piracy can be prevented. The mark is protected for fourteen years, but it can be again and again extended for further periods of fourteen years each time.

There are fifty classes in which a trade mark can be registered, according to the classes of goods to which it is to be applied.

A geographical or descriptive word cannot be registered. The mark must be a distinctive device, brand, invented word, copy of a written signature, combination of letters or words with a device, or a word or words having no reference to the character or quality of the goods to which it is to be applied.

A pictorial representation of the article to which the mark refers cannot be registered.

FORMS FOR PATENTS.

For the convenience of our correspondents, we reproduce herein the chief forms required in connection with the British patent practice. It is not absolutely necessary that such printed forms shall be employed, but attorneys may copy them in ordinary writing or typewriting should

they not be in possession of any of our official copies. We will mail a supply of our printed forms, and will send the "Power of Attorney" for any particular country or countries on application.

PATENTS, DESIGNS, & TRADE MARKS ACTS, 1883 to 1902.

MARKS & CLERK,
18, Southampton Buildings,
London, W.C.
13, Temple Street, Birmingham.
and
20, Cross Street, Manchester.

Form A.

APPLICATION FOR PATENT.

I Alexander Graham Black, of 349 Broadway in the City County and State of New York United States of America Electrician.

, do hereby declare that I am in possession of an invention the title of which is Improvements in and relating to Phonographs.

that I claim to be the true and first inventor thereof; and that the same is not in use by any other person or persons to the best of my knowledge and belief; and I humbly pray that a patent may be granted to me for the said invention.

Dated this 1st day of December 1902

A. G. Black

*To be signed by Applicant or Applicants

‡Ce document doit être signé par le demandeur ou les demandeurs

*Diese Urkunde muss durch den oder die Anmelder unterzeichnet werden

PATENTS, DESIGNS, & TRADE MARKS ACTS, 1883 to 1902

MARKS & CLERK,
18, Southampton Buildings, London, W.C.
11, Temple Street, Birmingham.
and
30, Cross Street, Manchester.

Form A.

APPLICATION FOR PATENT.

We, James Thomas Rice, of 512 Sixth Avenue, in the City and County of Los Angeles, in the State of California, Engineer, and Alexander Graham Black, of 349 Broadway in the City, County and State of New York, Electrician both in the United States of America, do hereby declare that we are in possession of an invention the title of which is Improvements in and relating to Phonographs.

that Alexander Graham Black claims to be the true and first inventor thereof; and that the same is not in use by any other person or persons to the best of our knowledge and belief; and we humbly pray that a patent may be granted to us for the said invention.

Dated this 1st day of December, 1904.

* James Thomas Rice
A. G. Black

* To be signed by Applicant or Applicants

* Ce document doit être signé par le demandeur ou les demandeurs

* Diese Urkunde muss durch den oder die Anmelder unterzeichnet werden.

PATENTS, DESIGNS, AND TRADE MARKS ACTS, 1883 to 1902.

PATENT.

Form A 2.

(To be accompanied by two copies of Form C.)

Application for Patent under International and Colonial Arrangements

(a) I, Alexander Graham Black, of 34 Broadway, in the City, County and State of New York, United States of America, Electrician,

do hereby declare that I ~~———~~ have made application for protection of my ~~———~~ invention of (b) Improvements in or relating to Phonographs

In the following Foreign States and on the following official dates, viz.: (c) United States of America, dated January 1st 1904

and in the following British Possessions and on the following official dates, viz.: (d)

That the said invention was not in use within the United Kingdom of Great Britain and Ireland and the Isle of Man by any other person or persons before the (e) 1st January 1904

to the best of my knowledge, information, and belief, and I humbly pray that a patent may be granted to me for the said invention in priority to other applicants, and that such patent shall have the date (f) 1st January 1904

(g) A. G. Black.

(a) Here insert the full name, address and description of applicant or of each applicant.

(b) Here insert title of invention.

(c) Here insert the name of each Foreign State, followed by the official date of the application in each respectively.

(d) Here insert the name of each British Possession as followed by the official date of the application in each respectively.

(e) Here insert the official date of the earliest foreign application.

(f) Here insert the official date of the earliest foreign application.

(g) Signature of applicant or of each of applicants.

AUTHORIZATION.

I hereby appoint Messrs. MARKS & CLERK, of 18, Southampton Buildings, Chancery Lane, London. W.C., and of Birmingham and Manchester, to act as my Agents in respect of the within application for a Patent, and request that all notices, requisitions, and communications relating thereto may be sent to such Agents at their address in London.

Dated this 1st day of December 1904

A. G. Black.

* To be signed by Applicant or Applicants.

* Ce document doit être signé par le demandeur ou les demandeurs.

* Diese Urkunde muss durch den oder die Anmelder unterzeichnet werden.

PATENTS, DESIGNS, AND TRADE MARKS ACTS, 1883 to 1902.

PATENT.

Form A 1.

(To be accompanied by two Copies of Form H or of Form H 1.)

Application for Patent for Inventions communicated from Abroad

(a) I (a) George Croydon Marks,

of 18 Southampton Buildings, London,

county of London, Chartered Patent Agent,

hereby declare that I am in possession of an invention the title of which is

Improvements in Phonographs

which invention has been communicated to me by (b) Alexander Graham Bolach, of 319 Broadway, in the City, County and State of New York, United States of America, Electrician,

that I claim to be the true and first inventor thereof; and that the same is not in use within the United Kingdom of Great Britain and Ireland and the Isle of Man by any other person or persons to the best of my knowledge and belief, and I humbly pray that a Patent may be granted to me for the said invention.

Dated 1st day of December 1902.

(d) George Croydon Marks

(a) If the applicant is a firm the names and full address of each partner should be given.

(b) State name of communicator.

(c) To be signed by the applicant or one of the applicants.

PATENTS, DESIGNS, AND TRADE MARKS ACTS, 1883 TO 1902.

PATENT

Form D.

Form of Opposition to Grant of Patent.

[*To be accompanied by an unstamped copy.*]

* Here state (in full) name and address

* I, *Alexander Graham Black, of N.Y. Broadway, in the City, County and State of New York, United States of America, Electrician,*

hereby give notice of my intention to oppose the grant of Letters Patent upon application No. *23311* of *1903*, applied for by *Robert Chapman, of 113 King Street, Sheffield, in the County of York, England, Engineer,*

† Here state upon which of the grounds of opposition stated in section 11 of the Act of 1902 as amended by section 4 of the Act of 1902 opposition is intended to be founded.

upon the ground † *that the invention has been patented in this country on an application of prior date, viz.: No. 13312 of 1901, of which Patent I am the registered proprietor.*

(Signed): *A. G. Black.*

‡ Insert address for service.

My address for service in the United Kingdom is:—

c/o Messrs. Marks & Clerk
18 Southampton Bldgs.
London. W.C.

PATENTS, DESIGNS, AND TRADE MARKS ACTS, 1883 to 1902.

PATENT

Form F.

Form of Application for Amendment of Specification.

* Here state (in full) name and address of applicant or patentee

* I, Alexander Graham Black, of 34 Broadway in the City, County and State of New York, United States of America, Electrician,

seek leave to amend the specification of Letters Patent No. 21878 of 1902, as shown in red ink in the certified copy of the original specification hereunto annexed.

† Here insert or state that no action, &c. If Letters Patent have been granted or sealed, or if Letters Patent have been sealed the application is made in pursuance of an order of the Court or a Judge

† I declare that no action for infringement or proceeding for revocation of the Letters Patent in question is pending

‡ Here state fully and clearly the grounds on which the application is made and the particular amendment or amendments sought to be allowed. If the amendment sought be for the purpose of introducing a disclaimer, it must be so stated

My reasons for making this amendment are as follows:—‡

I am advised that the specification as now drawn covers subject matter of doubtful novelty

(Signed) A. G. Black

My address for service in the United Kingdom is } Messrs. Marks & Clerk 57 Southampton Bldgs London. W.C.

To the Comptroller,
The Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

N.B.—No amendment is permissible that would make the invention substantially larger or substantially different (section 18 of the Act of 1883), nor, as long as any action for infringement or proceeding for revocation of a patent is pending, may the application be made except by leave of the Court or a Judge under section 19 of the Act of 1902. If the application is made by such leave, this should be stated, and an office copy of the order of the Court or Judge should be sent with the application.

PATENTS, DESIGNS, AND TRADE MARKS ACTS, 1883 to 1902.

PATENT

Form G.

Form of Opposition to Amendment of Specification or Drawings.

(To be accompanied by an unstamped copy.)

* Here state name and full address of opponent.

* I, Alexander Graham Black, of 349 Broadway, in the City, County and State of New York, United States of America, Electrician,

hereby give Notice of Objection to the proposed Amendment of the Specification or Drawings of Letters Patent No. 19121 of 1894, for the following reason:†

† Here state reasons of opposition.

that the specification as amended would cover an invention substantially larger than or different from the invention as now claimed in the specification.

(Signed) A. G. Black

My address for service in the United Kingdom is:—

% Messrs. Wright, Clark & Chapman,
15 Southampton Buildings,
London, W.C.

PATENTS, DESIGNS, & TRADE MARKS ACTS, 1883 to 1902.

MARKS & CLERK,
57 Southampton Buildings,
London, W.C.
57 Temple Street, Birmingham,
and
Manchester.

APPLICATION FOR REGISTRATION OF TRADE MARKS OR DESIGNS.

Authorization Form.

I hereby appoint Messrs. Marks & Clerk, of 57, Southampton Buildings, Chancery Lane, London, W.C., and of Birmingham and Manchester, to act as my Agents in respect to Applications for Registration of Trade Marks

and request that all notices, requisitions, and communications relating thereto may be sent to such Agents, at their London Address.

Any authorization of former date is hereby cancelled.

Dated this 1st day of December 1904.

A. G. Black.

*To be signed by Applicant or Applicants.

*If the signature of the Applicant or one of the Applicants cannot be obtained, the reason must be given.

*Power to sign should be given by the Applicant's authorized agent or manager.

CHARGES.

BRITISH PATENTS.

Application for Provisional Protection, all papers being sent ready for filing	$7·50
Application for Provisional Protection prepared by us from other specifications or particulars	$11·00
Application for Complete Patent after Provisional has been filed	$20·00
Application for Complete Patent in the first instance without Provisional	$25·00
Sealing Fee on issue of Patent	$5·00
Paying Renewal Fees, in addition to the Annual Tax, as set out on page —	$1·50

FOREIGN PATENTS.

Australian Commonwealth	$65·00
Austrian application (with 1,000 words, translation included)	$33·00
Belgian application (with 1,000 words, translation included)	$13·00
Brazilian application (one year, with 1,000 words, translation included)	$78·00
British North Borneo	$85·00
Cape Colony application	$80·00
Ceylon application	$73·00
Danish application (with 1,000 words, translation included)	$34·00
Egyptian registration in the Courts of Cairo, Alexandria, and Mansourah	$95·00
Finland (with 1,000 words, translation included)...	$53·00
French application (with 1,000 words, translation included)	$32·00
German application (with 1,000 words, translation included)	$30·00
Greece (special legislative grants), from $1,000 to	$2,000
Hong Kong application	$100·00

Hungarian application (with 1,000 words, translation included)	$30·00
Indian application	$35·00
Italian application (with 1,000 words, translation included, six years' patent)	$34·00
Japanese application (with 1,000 words, translation included, one year's patent)	$58·00
Luxembourg application (with 1,000 words, translation included)	$20·00
Mysore	$55·00
Natal application	$58·00
New Zealand	$33·00
Norwegian application (with 1,000 words, translation included)	$29·00
Orange River Colony	$120·00
Portuguese application (with 1,000 words, translation included)	$10·00
Russian application (with 1,000 words, translation included)	$58·00
Spanish application (with 1,000 words, translation included)	$33·00
Straits Settlements (excluding expert's fee)	$85·00
Swedish application (with 1,000 words, translation included)	$30·00
Swiss application (with 1,000 words, translation included, provisional)	$20·00
Transvaal	$60·00
Turkish application (with 1,000 words, translation included)	$50·00

TRADE MARKS.

BRITISH TRADE MARKS.

Filing application, in one class, block for illustration being supplied us	$5·00
Each additional class	$2·50
Paying final Registration Fee, on allowance, each class	$6·50

FOREIGN TRADE MARKS.

Austria-Hungary	$37·50
Belgium	$27·50
Cape Colony	$55·00
Ceylon	$50·00
China	$55·00
Denmark	$37·50
Egypt	$50·00
France	$20·00
Germany	$30·00
Hong Kong	$75·00
India	$20·00
Italy	$40·00
Japan	$50·00
Natal	$55·00
New South Wales	$35·00
New Zealand	$25·00
Norway	$37·50
Orange River Colony	$80·00
Portugal	$30·00
Queensland	$30·00
Rhodesia	$80·00
Russia	$40·00
South Australia	$20·00
Spain	$40·00
Sweden	$30·00
Switzerland	$22·50
Tasmania	$25·00
Transvaal	$50·00
Victoria	$25·00
West Australia	$25·00

BRITISH DESIGNS.

Filing application, four illustrations being sent us, $6·50.

ON SELLING PATENTS.

The business of selling or negotiating the sale of a patent is no part of the business that we undertake. Our practice is to obtain patents, not to exploit them. The attorney or agent who offers to sell a patent will sooner or later disappoint himself and annoy or lose his clients.

FACTORS WHO EXPLOIT PATENTS.

While we do not personally undertake the sale or disposal of any patents, we are always happy to pass on such instructions or inquiries to those merchants and factors who are engaged upon this class of work, and we have been instrumental in thus introducing to associates those who have successfully and satisfactorily sold or placed the patents that have been entrusted them. These factors work on a commission basis, but it is as well for attorneys to secure the lowest selling price or other terms from their clients, and not send extravagantly high figures such as will only cause disappointment and prevent any attention being given to the inventions by those familiar with the home markets.

It should be borne in mind that if an invention has not been commercially successful in America it is not likely to immediately succeed in Europe. Proof of working or success in the country of origin is always required by those approached in other countries.

INVENTORS BAD NEGOTIATORS.

We have seen so many disastrous failures due to inventors travelling to Europe with undeveloped and even with important inventions for which patents were to be sold at big prices, that we seriously advise attorneys to discourage this method of operation, and to suggest instead

to their clients as an initintive course the method herein outlined before undertaking the expense of a special trip for the purpose of selling their foreign patents. The man frequently least fitted to sell an invention is the inventor, for he is too prone to consider that the world is waiting for his product, and is consequently apt to be so dictatorial and positive in manner as to actually frighten off possible purchasers. The person who undertakes the negotiation of any patent must be possessed of unlimited patience, full of resource, and amenable to receiving more rebuffs than encouragements ere he ascertains the right outlet for what is offered.

Samples and specimens, with particulars of any invention, may be sent addressed to us at our London Office, and we will then place the factor in direct communication with the attorney, or give whatever information or instructions that may be desired free of all cost.

D

FOREIGN PATENTS.

NOTE.—Full particulars as to the sizes and other regulations in respect of drawings for British and Foreign Patents are given on page 67, *et seq.*

AUSTRALIAN COMMONWEALTH.

One patent is now obtainable covering the six Australian States included in the Commonwealth, viz.: Victoria, New South Wales, West Australia, South Australia, Queensland, and Tasmania. It is still necessary to obtain a separate patent to cover New Zealand.

Patents in the Commonwealth are granted to—(*a*) The actual inventor; or (*b*) his assignee, agent, attorney, or nominee; or (*c*) the actual inventor or his nominee jointly with the assignee of a part interest in the invention; or (*d*) the legal representative of a deceased actual inventor or of his assignee; or (*e*) any person to whom the invention has been communicated by the actual inventor, his legal representative or assignee (if the actual inventor, his legal representative, or assignee is not resident in the Commonwealth).

It will be noted that the first importer cannot, as in England, obtain a patent.

Provisional protection covering a period of nine months is granted. The duration of the patent is fourteen years.

Taxes.—A renewal fee of £5 is payable on the expiration of the seventh year of the patent.

Working.—There are no working requirements, but the compulsory licensing provisions of the British Act have been incorporated into the new Commonwealth Law.

In all essential respects the law is the same as the British Patent Law, and includes a search of the Australian Patent Records to determine whether the invention has been previously patented in the Commonwealth or in any State, or is already the subject of any prior application for a patent in the Commonwealth or in any State.

Patents of Addition.—These are granted to the patentee in respect of any improvement on an invention for the unexpired term of the original patent, the procedure being the same as for ordinary patents, but one-half of the fee for an ordinary patent only being payable.

The Commonwealth is not at present a party to the International Convention.

Documents Required.—Application form fully filled in, signed by applicant in the presence of a witness. All names in full. Statement of address and appointment of agent, simply signed by applicant. For a provisional application, two copies of provisional specification; and for a complete application, eight copies of specification, with three copies of the drawings, two on Whatman paper, as used by the British Patent Office, and one on tracing cloth.

AUSTRIA.

Separate patents are now required for Austria and Hungary.

Patents are granted to any person, whether the applicant be the inventor, an agent, firm, or company. If an application in a foreign country has been filed, however, either the owner of such foreign patent should be the applicant in Austria, or the applicant should retain evidence from such owner that he is entitled to apply for the Austrian patent.

Duration.—Fifteen years from the date of publication of provisional allowance.

Taxes.—These are payable each year and amount to: Second year, 25 florins; third year, 30 florins; fourth year, 40; fifth year, 50; sixth year, 60; seventh year, 80; eighth year, 100; ninth year, 120; tenth year, 140; eleventh year, 180; twelfth year, 220; thirteenth year, 260; fourteenth year, 300; and fifteenth year, 340 florins.

Working.—The patent must be worked within three years from the date of publication of provisional allowance. It should be remembered that publication in any country prior to the filing of the Austrian application will be a bar to the grant of the patent.

Patents of Addition are granted for the unexpired term of the original patent, expiring therewith.

Documents Required.—Power of attorney, simply signed by applicant, without attestation.

Specification in English.

Drawings in duplicate, with a spare copy for use in prosecuting the application.

BELGIUM.

Patents are granted to either the inventor, an importer, to a firm or company. The written consent of the inventor should be obtained when applicant is not the actual inventor.

Patents of importation are granted to those who have obtained patents elsewhere for a term equal to that of the longest foreign patent. Patents of importation are granted at any time after the grant of the foreign patent, provided no publication except by applicant's own foreign patents or by use of the invention has occurred in Belgium.

Duration.—Patents of invention, 20 years; patents of importation are granted for the unexpired term of the foreign patent on which they are based.

Taxes.—These are payable on either patents of invention or importation as follows: Commencing with the second year with 20 francs and increasing by 10 francs per annum.

Working.—The invention has to be worked within one year of the first commercial working elsewhere, and annually thereafter.

Patents of Addition on improvements can be obtained to expire with the original patent.

Documents Required.—Copy of the specification in English, drawings in duplicate, power of attorney, simply signed by applicant.

CAPE COLONY.

Patents are granted to the true and first inventor, which would probably include the first importer of the invention into the colony.

Duration.—Complete patent, 14 years; provisional protection, six months.

Taxes.—These are payable at the end of the third year, amounting to £10, and at the end of the seventh year, amounting to £20.

Working.—No requirements.

Documents Required.—Power of attorney, signed by applicant before two witnesses; specification embodying application in duplicate, signed before two witnesses; drawings in triplicate.

CEYLON.

Patents are granted to the inventor or his assigns, or jointly with other persons.

Duration.—The duration of the patent is 14 years from the date of filing of petition.

Taxes.—Renewal fees are payable amounting to 50 rupees at the end of the fourth, fifth, sixth, seventh, and eighth years, and 100 rupees at the end of the ninth, tenth, eleventh, twelfth, and thirteenth years.

Working.—No working is required.

Patents of Addition.—These are not granted.

Documents Required.—Petition signed by the applicant, with verification at foot thereof as to proof of matters alleged in petition, to be executed before an officer qualified to administer oaths; authorization of agents, signed by applicant before two witnesses: specification in duplicate, countersigned by agent, and signed by applicant before two witnesses: drawings, four sets on white smooth drawing paper.

DENMARK.

Patents are granted to the actual inventor or to some assignee or party who has become entitled to the invention.

Duration.—Fifteen years from the date of issue of the patent.

Taxes.—Annual payments are required to keep a Danish patent in force amounting to 25 kroner for each of the first three years, 50 kroner for each of the next three years, 100 kroner for each of the next three years, 200 kroner

for each of the next three years, and 300 kroner for each of the remaining three years.

Working.—Working has to be effected within three years from the date of grant, and must not be discontinued for more than a year at a time.

Patents of Addition.—These are granted for the unexpired term of the original patent, and expire therewith.

Documents Required.—Copy of specification in English, drawings in duplicate, power of attorney in the Danish language, simply signed by applicant, without attestation.

EGYPT.

Protection is granted by registration at the three district courts of Alexandria, Cairo, and Mansourah.

Protection is granted to the owner of the prior patent on which the registration is based, the

Duration being the same as that of the prior foreign patent.

Taxes. No renewal fees are payable.

Working.—No working has to be performed.

Documents Required.—Power of attorney, signed before a notary public; copy of the specification in the French language, and preferably in the form of a certified copy of some patent granted in a French-speaking country; drawings on tracing cloth or Bristol board.

FRANCE.

Patents are granted to the inventor, a firm, or corporation, but for either of the last two mentioned applicants actual proof should be retained by the applicants from the inventor that they were entitled to apply for the patent.

Duration.—Fifteen years.

Taxes.—Annual payments of 100 francs.

Working.—This has to be carried out within two years from the date of grant of the French patent. A nominal working by way of advertising can be conducted by us at any time, which can, however, only be taken to be a means to an end.

Patents of Addition.—These are granted for the unexpired term of the original patent, and expire therewith.

It is essential that the French application be filed before the invention is published in any country, unless the benefits of the International Convention are claimed by the applicant.

Assignments.—It should be borne in mind before filing the application that assignments in France can only be registered on paying up the whole fees for the remaining period for which the patent is granted, the only alternative being the execution by the parties to the assignment of powers of attorney authorising a *notaire* to register an assignment when this is desired. The death of either of the parties who execute the power, however, would annul the same.

Documents Required.—Specification in English (one copy); drawings in duplicate, carefully prepared as per directions on page hereof; power of attorney, simply signed by applicant.

GERMANY.

A patent is granted to the first applicant, whether inventor, a firm, or corporation. If a firm or corporation applies, proof should be retained of their right to the grant of the patent.

Duration.—Fifteen years from the date of application.

Taxes.—Thirty marks on application, 50 marks at end of second year, increasing by 50 marks annually for the remaining term of the patent.

Working.—Within three years from the date of publication of grant of the patent.

A very strict interpretation is given by the German authorities as to the meaning of the term "one invention," and applicants are frequently called upon to divide their applications into several cases. A very careful examination as to the novelty of the invention is made before a patent is granted, and unless "a new technological effect" is proved to exist the Office refuses to grant a patent.

Patents of Addition are granted for the unexpired term of the original patent.

Documents Required.—Power of attorney signed by applicant, without attestation; specification in English; drawings in duplicate, with spare copy on paper for attorney's use.

Protection by Gebrauchsmusterschutz or Design Patent is available to applicants whose patents are refused. In any doubtful cases it is advisable to lodge a petition for a Gebrauchsmuster, which can be prosecuted in the event of refusal of the main application or the grant of the same in limited ambit.

HONG KONG.

Patents are granted to the patentee or the owner of any English patent at any time before the use of the invention in the colony.

Duration.—The duration is for the unexpired term of the English patent.

Taxes.—No renewal fees are payable.

Working.—None required.

Documents Required.—Petition and power of attorney executed by applicant before a British Consul; declaration by applicant before a notary public or other officer authorised to administer oaths; specification in duplicate, signed by the officer who attests the execution of the before-mentioned declaration; certified copy of English specification; drawings in duplicate.

If the applicant is assignee, a certified copy of the assignment should be furnished.

HUNGARY.

The law is very similar to that in Austria, the patent being granted to the actual inventor or his assignee or legal representatives.

Duration.—The duration is fifteen years from the date of filing of the application.

Taxes.—Renewal fees are payable as follows: For the first year, 40 kronen; second year, 50; third year, 60; fourth year, 70; fifth year, 80; sixth year, 100; seventh year, 120; eighth year, 140; ninth year, 160; tenth year,

200; eleventh year, 250; twelfth year, 300; thirteenth year, 350; fourteenth year, 400; and fifteenth year, 500 kronen.

Working has to be effected within three years from the date of publication of grant of the patent.

Patents of Addition are granted for the unexpired term of the original patent, and expire therewith.

Documents Required.—Specification in English; drawings in duplicate; power of attorney, signed before a notary and legalised by the Austro-Hungarian Consul.

INDIA.

Patents are granted to the inventor or his assignee.

Duration.—Fourteen years from the date of filing of specification, but expiring with the revocation or expiration of the British equivalent patent.

The application must be lodged within twelve months from the date of sealing of the British patent.

Taxes.—Taxes are payable at the end of the fourth year and onwards, commencing with 50 rupees for the fifth, sixth, seventh, and eighth years of the patent, 100 rupees for the ninth, tenth, eleventh, twelfth, and thirteenth years of the patent.

Working.—There are no requirements.

Documents Required.—Petition with application, signed by applicant, without attestation, in duplicate; specification; power of attorney signed by applicant before two witnesses, whose addresses should be stated: and drawings, six copies, one signed by applicant, without attestation, six copies, on paper or tracing cloth.

ITALY.

A patent is granted to the inventor or his assignees.

Duration.—Fifteen years from the last quarter day of the quarter in which the patent is applied for; but if for an invention already patented abroad, the Italian patent expires with that having the longest period, if this does not exceed fifteen years.

Taxes.—Renewal fees are payable annually, and if the patent is originally applied for for a period of six years or less, prolongation fees also are payable during the term of the patent. The annual taxes amount to 40 lire each for the first three years, 60 lire each for the next three years, 80 lire each for the next three years, 115 lire each for the next three years, and 140 lire each for the remaining three years.

The prolongation taxes amount to a sum equal to ten lire multiplied by the number of years for which prolongation is required.

Working.—Working has to be carried out if the patent is granted for a less term than six years within one year from the date of the patent, and annually thereafter. On patents of six years' duration or over working has to be commenced within two years from the date of the patent, and not discontinued for any two consecutive years thereafter.

Importing into Italy one or more of the articles, and setting it up and working it there, is considered to be compliance with the law.

Patents of Addition are granted for the life of the original patent, and expire therewith.

Documents Required.—Specification in English; drawings in tripliate; power of attorney, signed by applicant before a notary public and legalised by Italian Consul.

JAPAN.

Patents are granted to an inventor or to an inventor and an assignee jointly, or to an assignee only who files the consent of the inventor to the grant of the patent in the assignee's name.

Duration.—Patents are granted for fifteen years, subject to the payment of

Taxes, which amount to 10 yen per annum for the first three years, 15 yen per annum for the second three years, 20 yen per annum for the third three years, 25 yen per annum for the fourth three years, and 30 yen per annum for the last three years.

Working.—Working has to be carried out within three years from the date of grant of the patent.

Documents Required.—Power of attorney, signed by applicant; certificate of nationality taken before a notary public; specification in English, signed by applicant; drawings, three copies.

LUXEMBOURG.

The first applicant is granted the patent, but if a patent be applied for by an importer, the consent of the true inventor should be retained.

Duration.—Fifteen years.

Taxes.—These are payable annually, amounting to 10 francs for the first year, 20 francs for the second year, and increasing by 10 francs annually.

Working—This has to be carried out within three years from the date of the patent.

Patents of Addition are granted for the life of and expire with the original patent.

Documents Required.—Specification in English; drawings in triplicate; power of attorney, signed by applicant before a notary; all signatures in full.

NATAL.

Patents are granted to the true and first inventor, which would probably include the first importer of the invention into the colony.

Duration.—The duration of the patent is 14 years; provisional protection six months.

Taxes.—Renewal fees are payable at the end of the third year, amounting to £5, and at the end of the seventh year amounting to £10.

Working.—No requirements.

Documents Required.—Power of attorney, signed by applicant before two witnesses; specification (embodying application) in duplicate, signed before two witnesses; drawings in triplicate.

NORWAY.

The inventor or his authorised agent may obtain a patent, the

Duration being fifteen years.

Application must be filed before invention is known in Norway or abroad.

Taxes.—Annual taxes are payable, commencing with ten kroner for the second year and increasing by five kroner annually.

Working of the patent has to be carried out within three years from the date of issue thereof, and not discontinued for any twelve consecutive months. Importation suffices to comply with the law.

Patents of Addition are granted for the unexpired term of the original patent.

Documents Required.—Power of attorney, simply signed by applicant; specification (one copy) in English; drawings in triplicate.

ORANGE RIVER COLONY.

Any person may apply for a patent, and corporations jointly with the true and first inventor are also entitled to the grant of a patent.

Duration.—Fourteen years. Provisional protection is granted for six months.

Taxes.—Renewal fees are payable amounting to £5 at the end of the third year and £10 at the end of the seventh year.

Working.—There are no requirements.

Documents Required.—Application, signed before a notary or other duly qualified officer; specification in triplicate, signed by applicant; power of attorney, signed by applicant before a notary and two witnesses, and legalised by the British Consul; drawings in triplicate.

PORTUGAL.

Patents are granted to the true and first inventor or inventors or to his or their assignee, who files with the

application an assignment conveying the interest to such assignee.

Duration.—Patents are issued for periods of from one to fifteen years, as elected by the applicant, counting from the date of issue of the patent. If the patent is originally issued for a less term than fifteen years, it may be prolonged to the maximum term, either in a single prolongation or in successive prolongations of one or more years each.

Taxes.—If a one-year patent is obtained, a tax of three milreis is payable annually for each year for which the patent is to be prolonged.

NOTE.—For prolonging the term of the patent the Letters Patent document must be produced.

Working.—Workings have to be carried out in Portugal within two years from the date of the patent, and the working must not be discontinued during any two consecutive years. An actual working alone suffices to comply with the law.

[We should be glad to quote for conducting any working on request.]

Patents of Addition.—These are granted to the proprietor of a patent or his assignees for the unexpired term of the original patent.

Documents Required.—Specification in English: drawings in duplicate (each sheet must indicate the scale): power of attorney, signed by applicant and legalised by the Portuguese Consul.

If the application is made under the International Convention, a certificate showing the date of the foreign application translated and legalised by the Portuguese Consul is required.

RHODESIA.

The true and first inventor can obtain a patent, or the legal representative of the inventor.

Duration.—Provisional protection is granted for a period of nine months, and complete patents are granted for a period of fourteen years from the date of filing of the application.

The procedure is very similar to that in Great Britain.

Taxes.—Renewal fees are payable annually, commencing at the end of the third year with a tax of £2, and increasing by ten shillings annually up to the fourteenth year, when the tax is £7.

Working.—There are no requirements, but the compulsory licensing conditions of the British Act apply.

Documents Required.—Power of attorney, signed by applicant before two witnesses; application and specification in triplicate (two copies, signed by applicant before two witnesses); drawings in triplicate.

RUSSIA.

The first applicant is entitled to the patent, and may be a single individual, a firm, or a corporation.

Duration.—Patents of invention are granted for fifteen years from the date of sealing of the patent.

Taxes.—Renewal fees are payable: Fifteen roubles within three months after allowance of the patent, with annual payments thereafter amounting to 20 roubles for the second year; 25 for the third; 30 for the fourth; 40 for the fifth; 50 for the sixth; 75 for the seventh; 100 for the eighth; 125 for the ninth; 150 for the tenth; 200 for the eleventh; 250 for the twelfth; 300 for the thirteenth; 350 for the fourteenth; and 400 roubles for the fifteenth year.

Working.—This has to be carried out within five years from the date of the patent. Nominal workings are of no value, seeing that a Government official must give a certificate in proof of the working which is carried out, and this certificate must be filed at the Patent Office. If it is not filed the patent lapses.

Patents of Addition are granted to either the patentee of the original invention at any time during the life of the original patent or to third persons who apply after one year from the commencement of the duration of the patent. An agreement would then require to be entered into between the parties as to the use of the invention, the subject of the patent, or of the addition.

Documents Required.—Specification in English; power executed before the Russian Consul, or a notary, whose signature must be legalised by the Russian Consul; drawings in duplicate.

The procedure in obtaining grant of a patent is exceedingly slow. Patents are granted after the grant of the foreign patent on the same invention so long as the invention is new in Russia, excepting by way of the publication given by printed copies of the applicant's foreign patents. Publication in books or periodicals would debar the grant of a patent.

SPAIN.

Patents of invention are granted to the inventor, to a firm or corporation. Patents of importation are granted to the owners of foreign patents, which, however, only permit the patentee to restrain the manufacture, exercise, or production of the patented article in Spain, but do not give power to prevent the importation and sale of similar articles from abroad.

Duration.—Patents of invention, which must be applied for within twelve months of the first foreign application, are granted for a term of twenty years. Patents of importation are granted for a term of five years, with no possibility of extension.

Taxes.—Renewal fees are payable annually, and amount to 10 pesetas for the first year, 20 pesetas for the second year, and so on, increasing by 10 pesetas annually to the end of the twentieth year if the patent be a patent of invention, and to the fifth year if the patent be one of importation.

Working.—The working of the patent has to be carried out within three years from the date of the application, and the first working must be an actual one to satisfy the Spanish Government officials. We can usually quote for such a working on request. Subsequent workings can be of a nominal nature, consisting of advertisements offering the patent for sale or licenses thereunder for disposal.

Patents of Addition are granted to the holder of the

patent of invention during the life of such patent, and no renewal fees are payable thereon.

Documents Required.—Specifiention in English; power of attorney, simply signed by applieant; drawings in dupliente.

SWEDEN.

Patents are granted to the actual inventor or his assignee for inventions which have not been published in printed publications accessible to the public.

Duration.—The duration of the patent is fifteen years from the date of publication.

Taxes.—These are payable annually in advance, and amount for the first year to 20 crowns; for the second, third, fourth, and fifth years, each 25 crowns; and for the next five years 50 crowns each; and for the last five of the duration 75 crowns each year.

Working. Working has to be carried out within three years from the date of grant of the patent, unless this is made subject to the compulsory licensing provisions of the law which cancel the working conditions of the law, but give to any interested party the right to obtain a license on terms for the working of the invention.

Patents of Addition are granted for the unexpired term of the original patent, and no annual taxes are payable thereon.

Documents Required. Specification in English; power of attorney, simply signed by applicant, without attestation: drawings in triplicate.

SWITZERLAND.

Patents are granted to the true inventor or his legal successor.

Provisional patents are issued for a term of three years from the date of filing of the application, which can be converted into complete patents by lodging evidence of the existence in any country of the machine or apparatus made in accordance with the patent. A model or photographs usually suffice for converting into a definitive

patent. No proceedings for infringement can be taken until after a definitive patent has been granted. The invention must be new in Switzerland when the application is filed.

Duration.—Provisional patents, three years; definitive patents, fifteen years from the original date of application.

Taxes.—These are payable on provisional or complete patents by annual payments, amounting for the first year to 20 francs, second year 30 francs, increasing by 10 francs annually.

Working.—The working requirements of the law are considered to be complied with on converting the provisional patent into a definitive one.

Patents of Addition.—These are granted for the unexpired term of the original patent on proof of the existence of the invention or of a model of same.

Documents Required.—Specification in English; drawings in tripliate; power of attorney, simply signed by applicant.

TRANSVAAL.

Patents are granted to the inventor either alone or jointly with others, or to the legal representative of the true and first inventor. The law is very similar to the British Patent Law, an important exception being that patents are granted within twelve months from the grant of the first foreign patent on the same invention.

Duration.—A provisional application can be filed for a nine months' duration, or a complete patent for fourteen years from the date of application.

Taxes.—These are payable annually, commencing at the end of the third year with a tax of £2, and increasing by ten shillings annually up to the end of the fourteenth year, when the tax is £7.

Working.—There are no requirements, but the compulsory licensing conditions of the British law have been adopted.

Documents Required.—Power of attorney, signed by applicant before two witnesses; application, simply signed by applicant; specification in tripliate (two copies, signed

by applicant before two witnesses); drawings in triplicate, and signed.

TURKEY.

Any party may obtain the grant of a patent in Turkey by filing application therefor before the publication of the invention in Turkey, unless the patent is to be a confirmation of some prior foreign patent, in which case a patent of importation will be granted. Patents of invention are only granted where there is absolute novelty in every country.

Duration.—Patents are granted for a period of fifteen years.

Taxes.—These are payable annually, and amount to two Turkish pounds per year.

Working.—This is required within two years from the date of issue of the patent, unless relief from working is obtained, as is sometimes possible. An actual working alone suffices.

Patents of Addition.—These are granted for the unexpired term of the original patent.

Documents Required.—Specification in English; drawings in duplicate; power of attorney, signed before a notary and legalised by Turkish Consul.

PARTICULARS OF DRAWINGS FOR PATENT APPLICATIONS.

GREAT BRITAIN.

Copy of official directions issued by the British Patent Office as to the preparation of drawings for British Applications.

Preparation of Specification Drawings.

Extract from the Patents Rules of 1905, and observations thereon, for the information of Applicants for Patents, and especially of draughtsmen engaged in the preparation of Specification Drawings.

Rule 16.—As the drawings are printed by a photo-lithographic process, the character of each original drawing must be brought as nearly as possible to a uniform standard of excellence, suited to the requirements of such process, and calculated to give the best results in the interests of inventors, of the office, and of the public. The following requirements should, therefore, be strictly observed, as non-compliance therewith will be certain to cause delay in the progress of an application for a patent.

Rule 17.—Drawings, when furnished, should accompany the provisional or complete specification to which they refer, except in the case provided for by Rule 24. No drawing or sketch such as would require the preparation for the printer of a special illustration for use in the letter-press of the specification when printed should appear in the specification itself.

Rule 18.—Drawings may be made by hand or lithographed, printed, etc. They must be made on pure white, hot-pressed, rolled, or calendered drawing paper of smooth surface, good quality, and medium thickness, without washes or colours, in such a way as to admit of being

clearly reproduced on reduced scale by photography. Mounted drawings must not be used.

Observations.—The photographic process used for preparing copies of the drawings to accompany the printed Specifications does *not* give *good results* if the paper used for the original drawing is either:

(*a*) toned or tinted;

(*b*) rough on the surface (in which case the lines are generally broken); or

(*c*) creased.

Thick cardboard if bent or folded crouses and breaks. It thus becomes unsuitable for exposure in a flat position for photographic purposes. The effect of a crease is shown in the transverse line on fig. 1, page 69.

A sample of suitable drawing paper will be supplied on application. Similar paper may be obtained from any dealer in artists' materials.

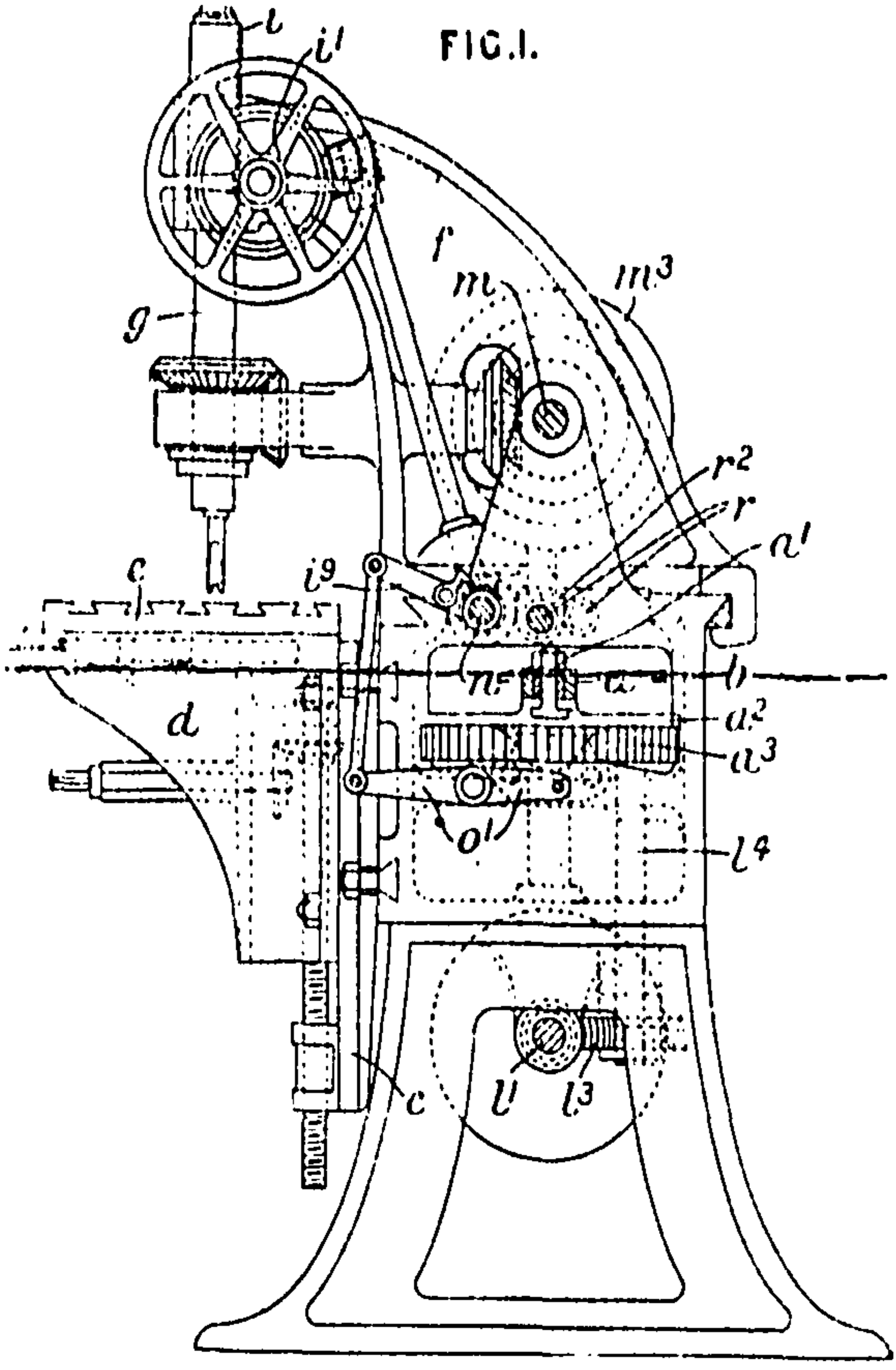
Rule 19.—Drawings must be on sheets which measure 13 inches from top to bottom, and are either from 8 inches to 8½ inches or from 16 inches to 16½ inches wide, the narrower sheets being preferable.

Observations.—Inconvenience is experienced in reading printed Specifications where the drawings attached thereto have been prepared with the figures side uppermost, and consequently require to be turned round in order that they may be clearly understood. In order to avoid this inconvenience, applicants and draughtsmen are particularly requested to take care that the "13 inches" measurement is at the *sides* of the sheet, while the *top* and *bottom* measurement is either "8 inches" or "16 inches" for small and large sheets respectively. That is to say, the figures should appear in their natural position when the sheet is placed with the "13 inches" measurement at the sides, and the "8 inches" or "16 inches" measurement at the top and bottom. The reference letters or numerals should be correspondingly placed.

Rule 19 (*continued*).—If there are more figures than can be shown on one of the smaller size sheets, two or

more of these sheets should be used in preference to employing the larger size. When an exceptionally large drawing is required, it should be continued on subsequent sheets.

FIG. 1.



Drawing showing effect of crease on cardboard original.

There is no limit to the number of sheets that may be sent in, but no more sheets should be employed than are necessary, and the figures should be numbered consecu-

tively throughout, and without regard to the number of sheets. The figures should not be more numerous than

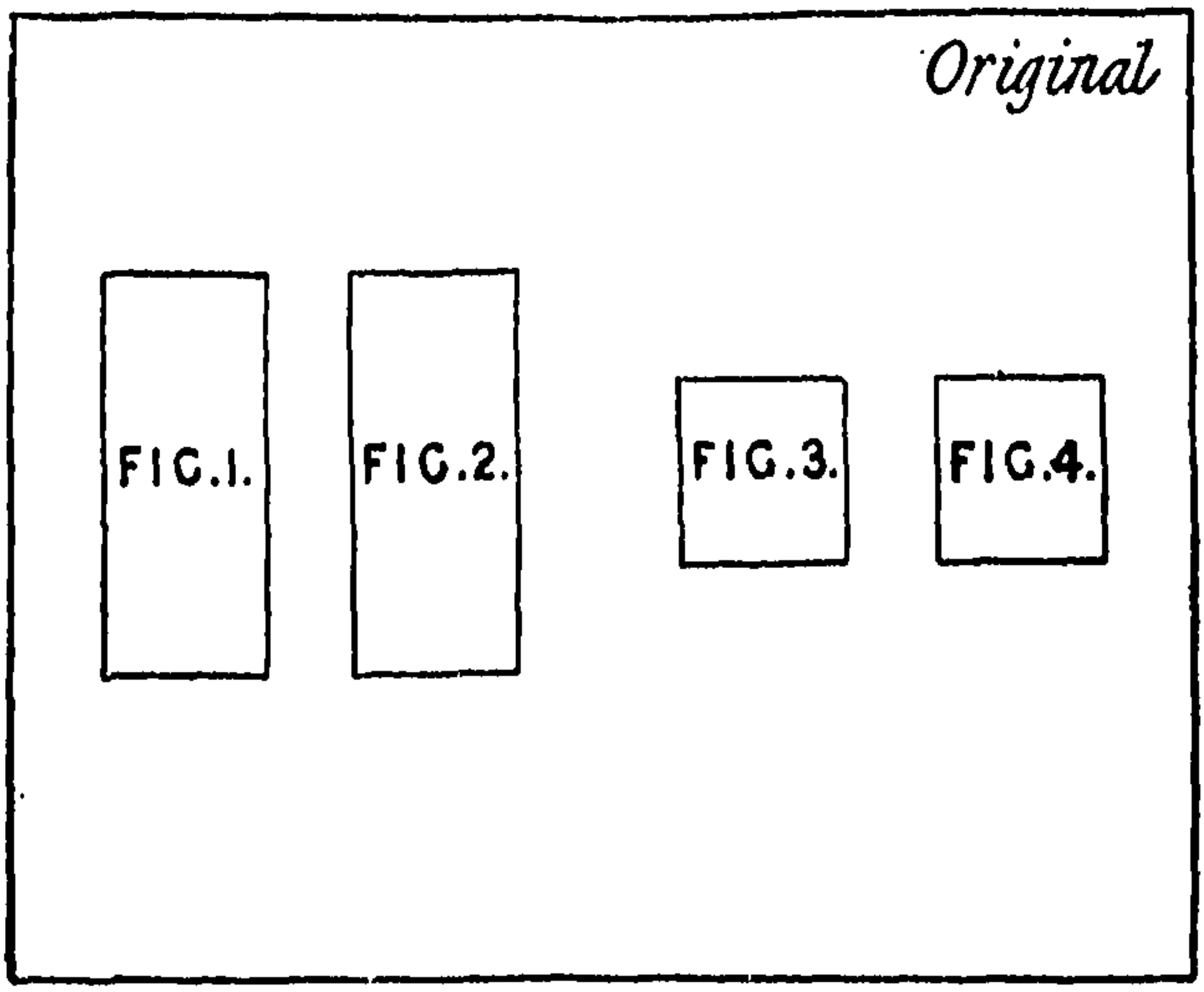


FIG. 2.

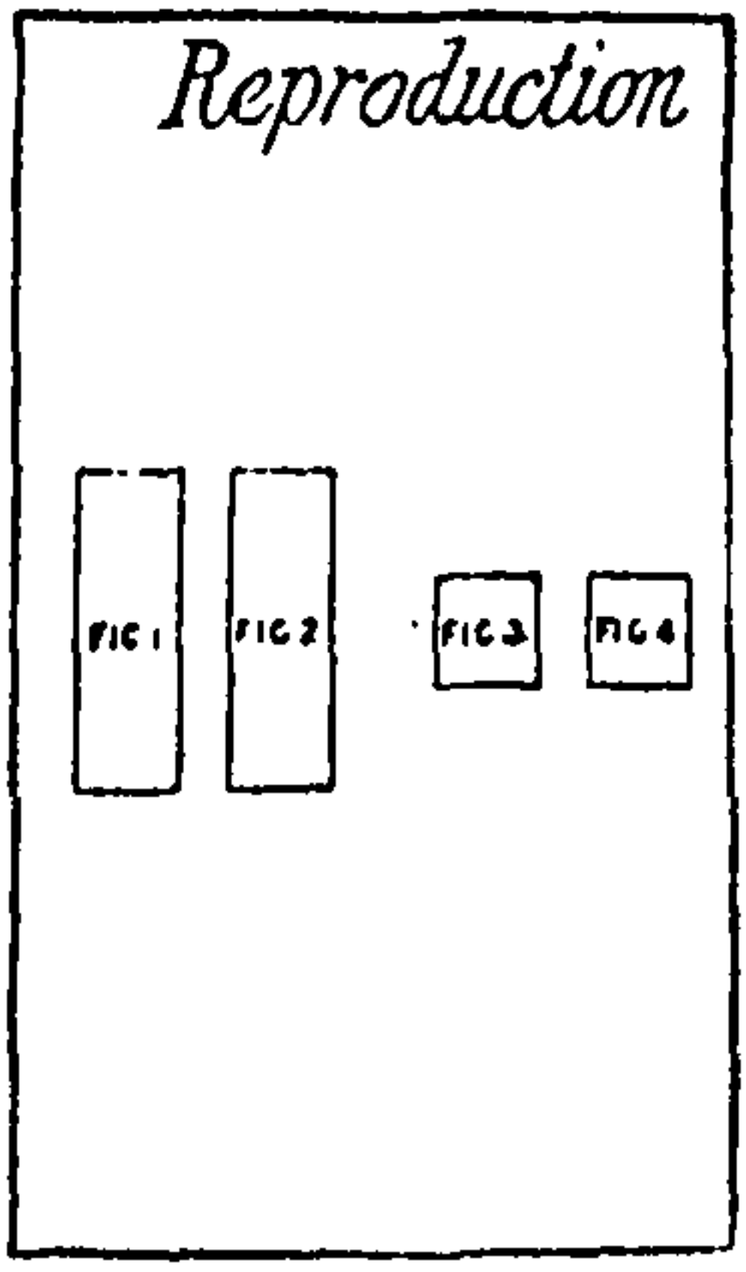


FIG. 3.

is absolutely necessary. They should be separated by a sufficient space to keep them distinct.

Observations.—In selecting the size of the sheet of paper, and arranging the figures thereupon, regard should be had to the printed reproduction to be issued with the Specification when published. Whenever the character of the figures will admit of it, this reproduction will be to the smaller printed size, even though the drawing may have been prepared upon a large-sized sheet of drawing paper. Where the repro-

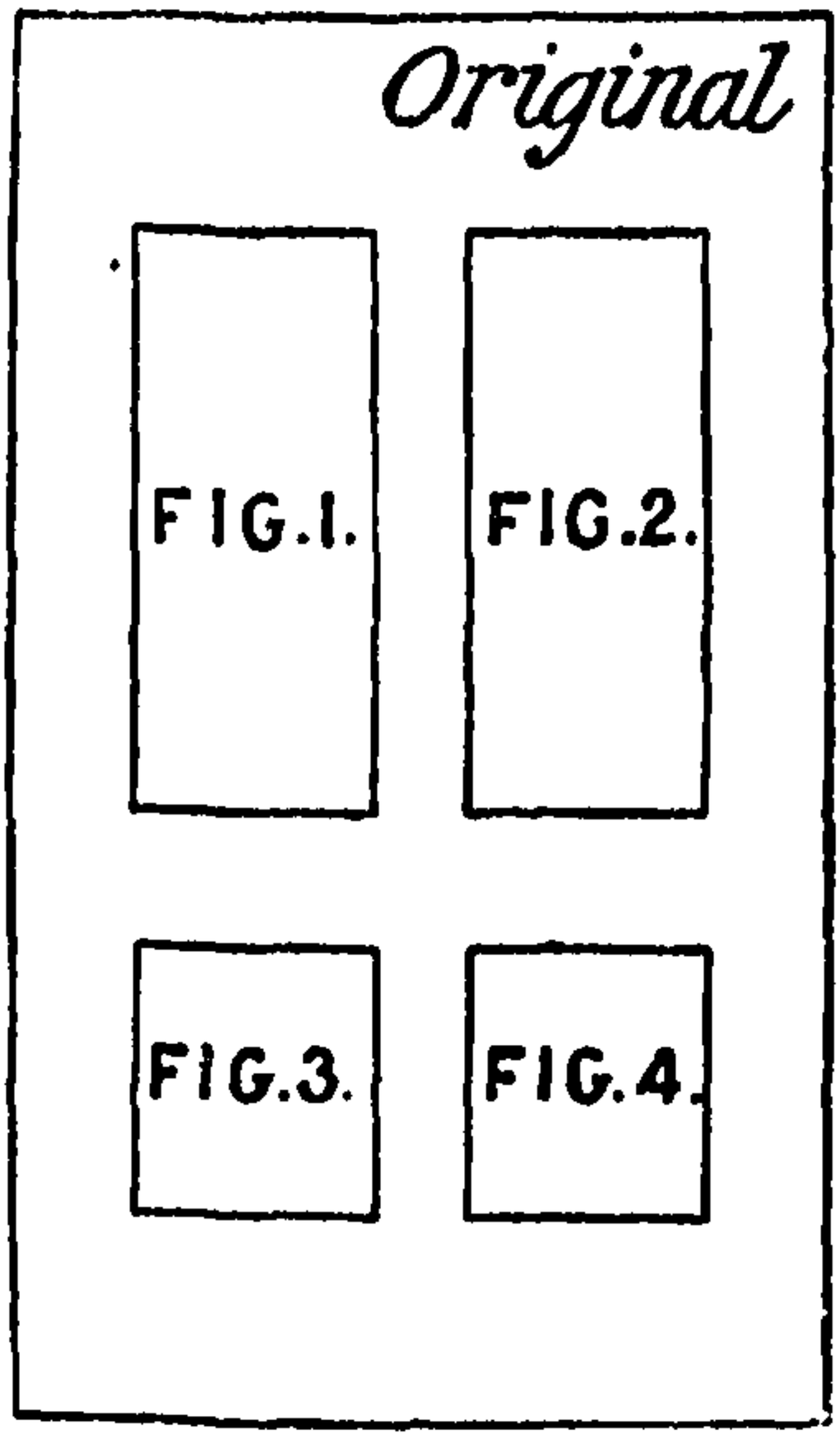


FIG. 4.

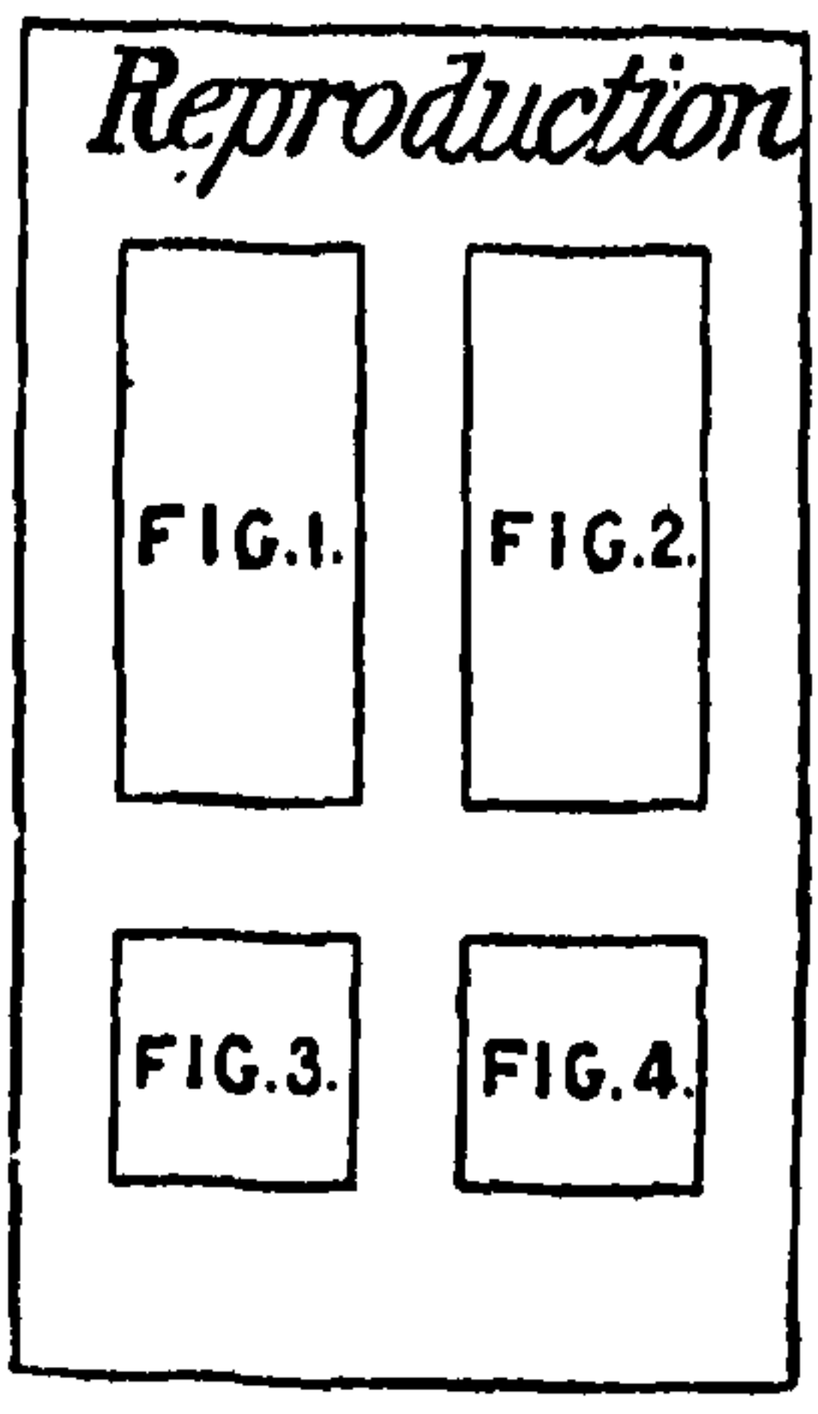


FIG. 5.

duction is thus made from a large-sized sheet of drawing paper, the result will be less satisfactory than it would be if the smaller-sized sheet had been used, owing to the loss of space in the resulting print.

The illustrations, figs. 2 and 3, represent a case in which four figures, badly placed upon a large original drawing, have been reproduced to the smaller printed size. The following illustrations, figs. 4 and 5, represent the same four figures arranged on a small original drawing. The resulting advantage appears

upon the corresponding reproduction. The figures should therefore not be needlessly spread out, but should be drawn as close together as is consistent with clearness, and should, as far as practicable, occupy the area of the sheet to the same extent proportionally in each direction.

RULE 20.—Drawings must be prepared in accordance with the following requirements:—

(*a*) They must be executed with absolutely black Indian ink.

(*b*) Each line must be firmly and evenly drawn, sharply defined, and of the same strength throughout.

(*c*) Section lines, lines for effect, and shading lines should be as few as possible, and must not be closely drawn.

(*d*) Shade lines must not contrast too much in thickness with the general lines of the drawing.

(*e*) Sections and shading should not be represented by solid black or washes.

Observations.—Drawings should not have very thick and very thin lines, since the exposure required for photographing thin lines is different from that required for thick lines. They should be free from marks of pin-holes, pencil lines, and the like. "Flatting" and heavy shading lines should as a rule be avoided, as they frequently obscure the references and details of the drawing. The two alternative drawings, figs. 6 and 7, show an unsuitably drawn and lettered figure in contrast with the same figure drawn and lettered as required.

RULE 20 (*continued*).—(*f*) They should be on a scale sufficiently large to show the invention clearly, and only so much of the apparatus, machine, etc., should appear as effects this purpose. If the scale is given, it should be drawn and not denoted by words.

Observations.—The words "Full Size," or a similar indication, should not be placed on a drawing, as the

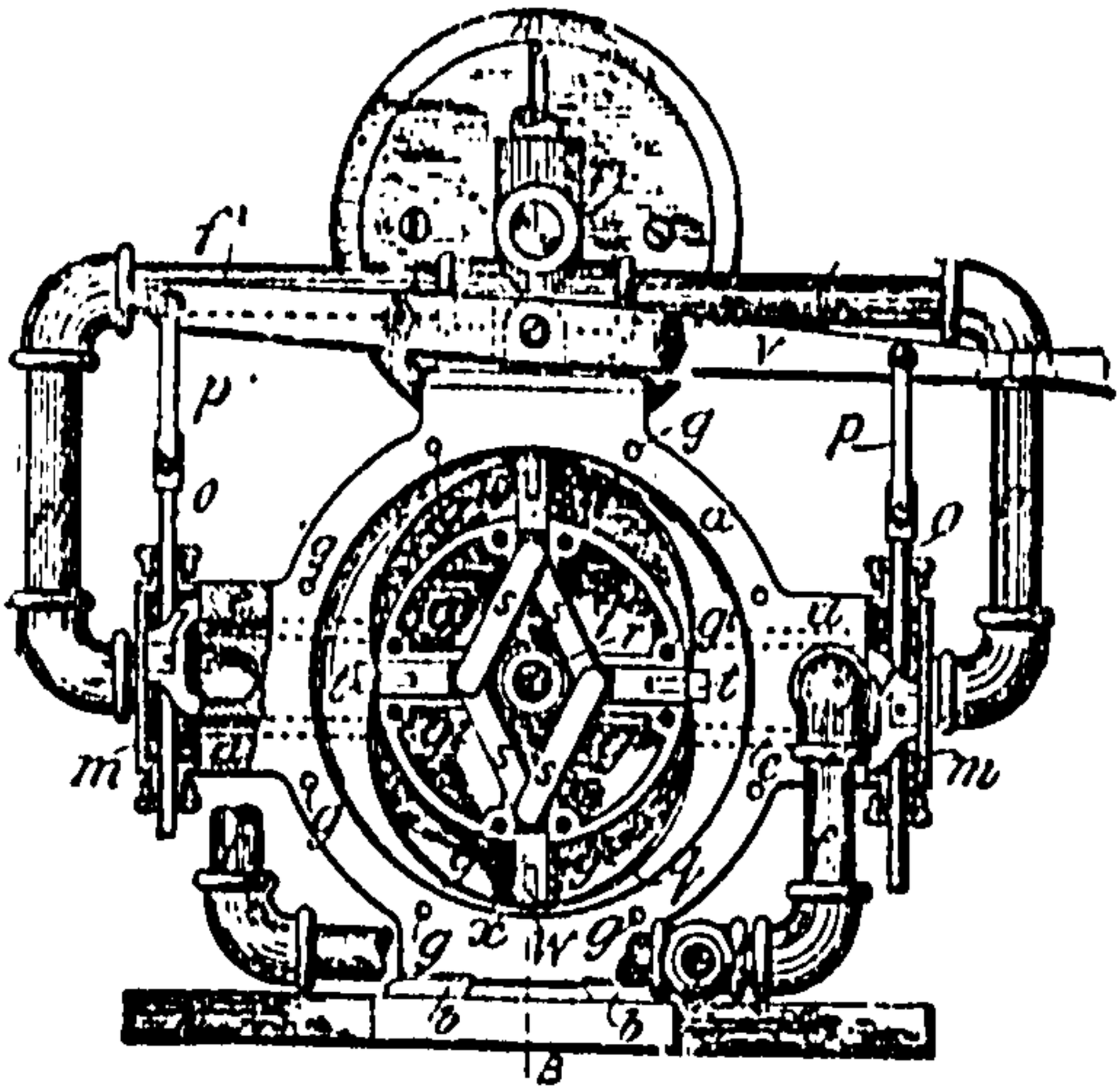


FIG. 6.—Drawing unsuitably prepared.

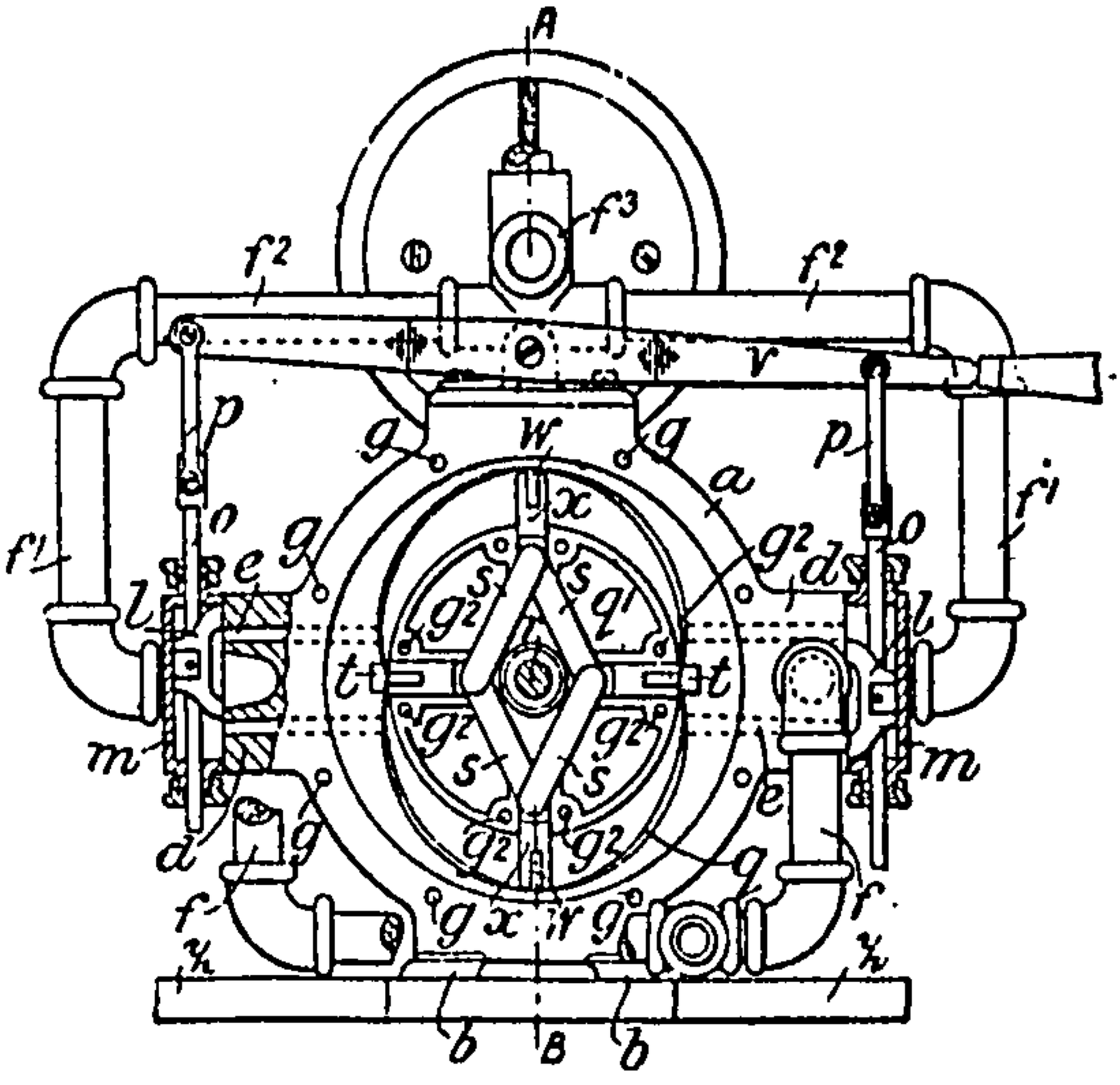


FIG. 7.—Drawing prepared as required.

NOTE.—The references on these figures have been reduced in size in reproduction.

F

figures are usually reduced in size in the process of reproduction for use with the printed Specification. When a drawn scale appears, the numerals upon it should be not less than the size prescribed for reference numerals—viz., ⅜ inch.

Rule 20 (*continued*).—Reference letters and figures, and index numerals used in conjunction therewith, must be bold, distinct, and not less than one-eighth of an inch in height; the same letters should be used in different views of the same parts. Where the reference letters are shown outside the figure they must be connected with the parts referred to by fine lines.

Observations.—Except in open parts of the drawing, the reference letters and numerals should be placed outside the feature indicated, and connected thereto by a fine line. Fig. 7, on page 73, shows suitably placed reference letters and numerals.

They should be uniform in size and strength, and of the following style:—

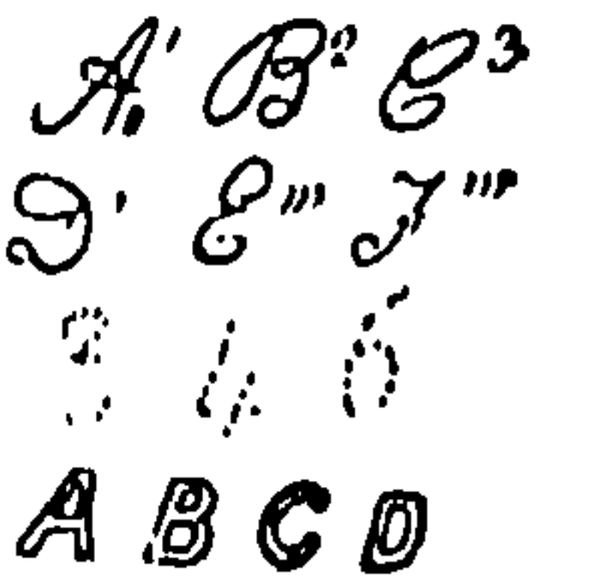


Index numerals and letters should not be less than the size prescribed for the reference letters (viz., ⅛ inch), and should preferably be of the same size as the letters or numerals they accompany, thus—



Block letters, as shown above, are preferred to the ordinary characters used in handwriting, as the fine upstrokes in the latter frequently fail to reproduce properly. For the same reason fine, dotted, or "skeleton" reference letters and numerals should be avoided. Commas or dashes in the place of index numerals should be also avoided. These various objectionable features are shown in the next illustration.

The lines connecting reference letters to the parts they indicate should be fully as black as other parts



of the work, but as fine as is consistent with satisfactory reproduction. They should not, however, be drawn faintly, as "hair lines," or they will fail in reproduction.

RULE 21.—Drawings must bear the name of the applicant (and, in the case of drawings left with a complete specification after a provisional specification, the number and year of the application) in the left-hand top corner; the number of sheets of drawings sent, and the consecutive number of each sheet in the right-hand top corner; and the signature of the applicant or his agent in the right-hand bottom corner. Neither the title of the invention nor any descriptive matter should appear on the drawings.

Observations.—With regard to the last paragraph, objection is not taken to such words as "Plan," "Elevation," or similar markings, provided they are sufficiently large and bold to be legibly reproduced.

RULE 22.—A facsimile or "true copy" of the original drawings must be filed at the same time as the original drawings, prepared strictly in accordance with the above rules, except that it may be on tracing cloth, and the reference letters and figures should be in blacklead pencil.

The words "original" or "true copy" must in each case be marked at the right-hand top corner, under the numbering of the sheet.

RULE 23.—Drawings must be delivered at the Patent Office so as to be free from folds, breaks, or creases, which

would render them unsuitable for reproduction by photography.

Rule 24.—*If* an applicant desires to adopt the drawings lodge with his Provisional Specifications as the drawings for his Complete Specification, he should refer to them in the Complete Specification as those left with the Provisional Specification.

AUSTRALIAN COMMONWEALTH.

Drawings in tripliate, two copies on pure white tough drawing paper and one on tracing cloth. Size of sheet, 13 in. high by 8 in. wide, with a marginal line ½ in. from the edge.

AUSTRIA.

Drawings in dupliate, one copy on Bristol board and one copy on tracing cloth. Size of sheet, 33 centimetres in height by 21 or 42 in width. A marginal line to be drawn two centimetres from the edge of paper, and a space of three centimetres to be left inside marginal line at the top of the sheet. Lithographs are accepted if the lines are perfectly black and clear.

BELGIUM.

Drawings in dupliate on tracing cloth. Size of sheet, 34 centimetres in height by 22 centimetres or 44 by 34 centimetres in width, a marginal line to be drawn four centimetres from the edge of the paper. Lithographs are accepted if the lines are perfectly black and clear.

CAPE COLONY.

Drawings in triplicate, one copy on strong white drawing paper and two copies on tracing cloth. Size of sheet, 13 in. high and 8 in. or 16 in. wide.

CEYLON.

Drawings same as Great Britain in size, but five copies.

DENMARK.

Drawings in duplicate, one copy on Bristol board and one copy on tracing cloth. Size of sheet, 33 centimetres in height by 21 or 42 in width. A marginal line to be drawn two centimetres from the edge of the paper, and a space of three centimetres to be left inside the margin line at the top of sheet. Lithographs are accepted if the lines are perfectly black and clear.

EGYPT.

Drawings same as Great Britain.

FRANCE.

Drawings in duplicate, one copy on strong smooth white drawing paper and one on tracing cloth, or both on drawing paper. Lithographs are accepted if the lines are perfectly black and clear. Size of sheet, 33 centimetres in height by 21 or 42 in width. A marginal line to be drawn half a millimetre thick and two centimetres from the edge of the sheet. As the drawings are ultimately to be reduced by the Patent Office to two-thirds their size, close shading should be avoided, and all reference letters must not be less than three millimetres in height; only Roman characters being allowed. The number of sheets must not exceed ten. The rules are strictly enforced.

GERMANY.

Drawings in duplicate, one copy on Bristol board and one copy on tracing cloth. Size of sheet, 33 centimetres in height by 21 or 42 in width. A marginal line to be drawn two centimetres from edge of the paper, and a space of three centimetres to be left inside the margin line at the top of sheet. The reference letters must be small italics or numerals. No indexed letters may be used, except to indicate different positions of the same part. Capital letters are to be used to indicate lines of section. Lithographs are accepted if the lines are perfectly black and clear.

GREAT BRITAIN.

Drawings in duplicate, both copies on Whatman's white hot-pressed drawing paper. Size of sheet, 13 in. in height by 8 in. to 8¼ in. or 16 in. to 16½ in. in width. A marginal line to be drawn ½ in. from the edge of paper all round the sheet. Lithographs are accepted if the lines are perfectly black and clear. (Full details are given on page 67.)

HONG KONG.

Drawings in duplicate on Bristol board or cloth any size accepted.

HUNGARY.

Drawings in duplicate, one copy on Bristol board and one copy on tracing cloth. Size of sheet, 33 centimetres in height by 21 or 42 in width. A marginal line to be drawn two centimetres from the edge of paper, and a space of three centimetres to be left inside the margin line at the top of the sheet. Lithographs are accepted if the lines are perfectly black and clear.

INDIA.

Eight copies are required on tracing cloth. Size of sheet, 13 in. high and 16 in. wide, with a ½ in. margin. The left half of the sheet must be left blank, the drawing to be on the right half only. Lithographs, photographs, or prints taken from British Blue Books are accepted.

ITALY.

Drawings in triplicate, one copy on Bristol board and two copies on tracing cloth. Size of sheet, 20 centimetres in height by 15 or 30 centimetres in width, or 40 centimetres in height and by 30 centimetres in width. A marginal line to be drawn five centimetres from the edge of the paper. Lithographs are accepted if the lines are perfectly black and clear.

JAPAN.

Drawings in duplicate, on drawing paper. Size of sheet, 7⅝ in. wide by 10⅝ in. high; marginal line ¼ in. from left-hand edge, 1⅝ in. from right-hand edge, ¾ in. from top edge, and ½ in. from bottom edge.

LUXEMBOURG.

Drawings in duplicate on tracing cloth any size accepted. Lithographs are accepted if the lines are perfectly black and clear.

NATAL.

Drawings in triplicate, one copy on strong white drawing paper and two copies on tracing cloth. Size of sheet, 13 in. high and 8 in. or 16 in. wide.

NORWAY.

Drawings in duplicate, one copy on Bristol board and one on tracing cloth. Size of sheet, 33 centimetres in height by 21 or 42 in width. A marginal line to be drawn two centimetres from the edge of the paper, and a space of three centimetres to be left inside margin line at the top of sheet. Lithographs are accepted if the lines are perfectly black and clear.

ORANGE RIVER COLONY.

Drawings same as Transvaal.

PORTUGAL.

Drawings in duplicate, on drawing paper or on tracing cloth. Size of sheet, 33 centimetres in height, but of any convenient width. A marginal line to be drawn two centimetres from the edge of paper. Lithographs are accepted if the lines are perfectly black and clear.

RHODESIA.

Drawings in triplicate, one copy, etc. (Same as Transvaal.)

RUSSIA.

Drawings in duplicate, one copy on Bristol board and one copy on tracing cloth. Size of sheet, 13 in. in height by 8 in., 16 in., or 24 in. in width. A marginal line to be drawn 1 in. from the edge of the paper. Lithographs are accepted if the lines are perfectly black and clear. The signification "Fig." must not appear on the drawing except in Russian characters.

SPAIN.

Drawings in duplicate, on tracing cloth 32 centimetres in height by 22 or 44 in width. Lithographs are accepted if the lines are perfectly black and clear.

SWEDEN.

Drawings in duplicate, one copy on Bristol board and one on tracing cloth. Size of sheet, 33 centimetres in height by 21 or 42 in width. A marginal line to be drawn two centimetres from the edge of the paper, and a space of three centimetres to be left inside the marginal line at the top of sheet. Lithographs are accepted if the lines are perfectly black and clear.

SWITZERLAND.

Drawings in duplicate, one copy on Bristol board and one on tracing cloth. Three sizes are given by the Swiss Patent Office, namely, 33 centimetres in height, by 21, 42, or 63 centimetres in width, and a marginal line two centimetres from edge of paper. These sizes must not be taken indiscriminately, but that size must be chosen which is the smallest in which the drawing can be clearly shown. If the drawing is not of a very complicated nature, it is usually found best to place several cor-

responding views on the medium-sized sheet in preference to placing separate views on several small sheets. No lithographs are allowed. The Swiss Office is particularly strict in the matter of drawings.

TURKEY.

Drawings in duplicate, on tracing cloth any convenient size, leaving ample margin. Lithographs are accepted if the lines are perfectly black and clear.

TRANSVAAL.

Drawings in triplicate, one copy on drawing paper and two sets on tracing cloth. Size of sheet, 13 in. high by 8 in. or 16 in. wide. Marginal line ½ in. from the edge.

THE PROTECTION OF INDUSTRIES ABROAD.

FALSE TRADE DESCRIPTIONS.

We have had to put into operation for the protection of American firms who import goods into England, but who do not manufacture there, the Merchandise Marks Act, 1887, and have obtained criminal convictions against offenders for applying a *False Trade Description* to their goods.

This important Act is not sufficiently appreciated by manufacturers abroad and by importers, or its provisions, which are of far-reaching effect, would more frequently be relied upon by those who suffer from the unscrupulous practices of small traders and dealers who sell other goods under proprietary descriptions, or who use the name of American firms to enable them to sell their own inferior productions. Under the Merchandise Marks Act, 1887—

1. Every person who—
   (*a*) Forges any trade mark; or
   (*b*) Falsely applies to goods any trade mark so nearly resembling a trade mark as to be calculated to deceive; or
   (*c*) Makes any die, block, machine, or other instrument for the purpose of forging, or of being used for forging, a trade mark; or
   (*d*) Applies any false trade description to goods; or
   (*e*) Disposes of or has in his possession any die, block, machine, or other instrument for the purpose of forging a trade mark; or
   (*f*) Causes any of the things above in this section mentioned to be done, shall, subject to the provisions of this Act, and unless he proves that he acted without intent to defraud, be guilty of an offence against the Act.

2. Every person who sells, or exposes for, or has in his possession for, sale, or any purpose of trade or manufacture, any goods or things to which any forged trade mark or false trade description is applied, or to which any trade mark or mark so nearly resembling a trade mark as to be calculated to deceive is falsely applied, as the case may be, shall be guilty of an offence against this Act.

The expression "Trade Description" means any description, statement, or other indication, direct or indirect, as to the number, quality, weight of goods, place of origin, mode of manufacture, material employed, or as to any goods being the subject of an existing patent, privilege, or copyright. The expression "False Trade Description" means a trade description which is false in a material respect, and includes every alteration of a trade description whether by way of effacement, addition, or otherwise.

SEARCH WARRANTS FOR OFFENDING GOODS.

We have under the provisions of the Merchandise Marks Act obtained Search Warrants, whereupon we have had seized, and subsequently made forfeit, goods found in stock to which a false trade description had been applied, and

which were in stock upon the premises for sale in such a manner as to bring the sellers under the clauses of the Act relating thereto.

It is seldom that a trader will be dishonest enough to bodily copy or forge a trade mark, but the class of person who thus avoids what he presumably considers a bad offence appears to be less careful in selling his goods in other makers' cases, or under the description that other makers have been at considerable expense in making publicly known.

It should be noted that the provisions of this Act do not relate solely to patents or trade marks, but to the actual trade descriptions under which the goods are originally sold by the maker. The protection afforded is swift and effective, while being more deterring in consequence of the offence being a criminal one than the somewhat more elaborate protection connected with an action for "passing off" or selling goods of one person as though they were those of another.

UNFAIR COMPETITION IN CONTINENTAL COUNTRIES.

The methods by which unfair competition can be restrained in most of the continental countries of Europe are even more salutary than in England, owing to the penalties that are imposed against future possible offences after conviction. We have secured convictions in cases where fraudulent firms have used descriptions calculated and intended to deceive, and have had prohibitive penalties stipulated for every article subsequently sold with similar false or misleading descriptions associated therewith. The value of these convictions for advertisement notices of warning can be readily appreciated.

Instructions to Correspondents.

Further information respecting procedure and all forms and documents will be sent post free to any attorney in America or Canada.

PERSONAL CODE PREPARED BY MESSRS. MARKS AND CLERK FOR ATTORNEY'S USE.

APPLICATION FOR PATENTS.

Probatory.	File Provisional Application from papers mailed you for English patent, date of filing to be
Proclaimer.	Make up a Provisional Application, and file as a communication, covering following description, inventor's name and address being
Compromise.	File Complete Application as a communication, covering United States patent No. , make broad modifications in description to embody new developments as follows:
Procumbent.	File Provisional Application as a communication, covering United States patent No. , make broad modifications in description to embody new developments as follows:
.. Compatir.	File Complete Application from papers mailed you for English patent.
Datair.	File Application on date following
Divan.	File Divided Application on patent of
Malart.	We have mailed you all documents, drawings and particulars.
Portail.	We have filed application for British patent for the invention of
Portiere.	The number of the patent or application is
Dation.	The date of the patent or application is
Fiheman.	We agree to insertion of ? ence suggested.

Fiche.	application filed number and date being
Amnesty.	Amend the claims to suit British practice.
Amphora.	Amend the claims please, we leave it entirely to your judgment.
Recusation.	Have you received our specification and papers for

ACCEPTANCE OF PATENT.

Accolade.	The specification will be accepted on
Aculeus.	Cable when the specification will be accepted of
Delatur.	Delay acceptance for one month.
Delection.	File application for one month's extension for completing patent No.
Achoire.	The specification will be accepted on , but we can delay acceptance if your instructions reach us before that date.

OPPOSITION TO PATENTS.

Oppression.	Opposition has been lodged against patent No. , particulars follow by mail.
Oppriman't.	Lodge opposition to patent No. on ground of forms now sending by mail signed by
Oppugne.	Opposition has failed. It can be appealed against.
Obstacle.	Opposition has succeeded. It can be appealed against.
Hearsay.	Apply for hearing in opposition of
Opprobrium.	Prepare papers and support the opposition to patent No.

Oppidan.	Prepare papers and resist the opposition to patent No.
Optimiste.	*Argument in support being mailed.*
Opiate.	Apply for extension of time.

SEALING AND ISSUE OF PATENTS.

Seaman.	Cable when seal will issue of patent No.
Rejuvenate.	*Patent is rejected.*
Seance.	The patent will be sealed on
Seamstress.	Patent No. will be sealed on
Seasoning.	Patent No. was sealed on
Seasoned.	Pay issue fee on application No.

RENEWALS AND TAXES.

Feerie.	Has current patent fee been paid on
Feodel.	Patent fee has not been paid, there is yet time.
Volution.	*Patent has now become void of No.*
Yeoman.	Patent No. still in force.
Feasteful.	Pay final fee on patent No.
Feaster.	Pay renewal fee on patent No.
Featiery.	Do not pay renewal fee on patent No.
Featherless.	Do not pay final fee on patent No.
Monarchie.	Draft sent by mail for dollars.

GENERAL.

Genuflection.	Is there not some mistake?
Geranium.	Are you aware that the course you propose is open to objection, and may be invalid?
Geometry.	Do not understand your letter of

GEOMETRICIAN.	Do not understand your cable of
GENEALOGY.	Cable information as to
GENTILISM.	Abandon further proceedings.
GERFALCON.	Answer by mail will do.
GENESIS.	In answer to your cable.
GETOCINA.	Use A1 code.
GENUS.	Have you received our cable of
GESTATION.	Have you received our letter of
GENTLENESS.	We await your money remittance.
GEOGNOSY.	Forward patent specification of following:
GENTRY.	Obtain full references and forward to us concerning patent No.
REFEREE.	Cable reference numbers against patent No.
ATTORNMENT.	Forward powers of attorney for
GENTIAN.	Machine or models received.
GEODESIA.	Answering your cable only now received.
GERMINATION.	We only require commercial protection; we know patent is weak. Get us the best you can.
WROTHFUL.	Wrong No. given in your letter.
WROTHLY.	Wrong name given in your letter.

JOHN HEYWOOD, Excelsior Printing and Bookbinding Works, Manchester.