

**Order Expunging Entry in Register of Patents (b).**

Upon motion, &c., this Court doth order that the entry relating to the above-mentioned letters patent made in the Register of Patents of the Patent Office on the — day of — by or on behalf of the said A. B. be expunged from such register, and it is ordered that A. B. do pay to the applicant his costs of this application, such costs to be taxed by the taxing master, and it is ordered that an office copy of this order be served upon the Comptroller-General of Patents.

Notice to  
Comptroller.

**Order for Rectification of Register refused.**

In the Matter of the letters patent granted to P. of — bearing date the — day of — No. — for the invention of an improved process of treating certain descriptions of auriferous and argentiferous material for the purpose of facilitating the separation of the metals contained therein,

and

In the Matter of the Patents, Designs, and Trade Marks Act, 1883.

North, J. 11th January, 1888. B. 150.

Upon motion this day made unto this Court by counsel for H., of — that a full and proper entry might be made in the Register of Patents of a document dated the — of — and duly signed by the applicant and by the above-named P., relating to and affecting the proprietorship of the above-mentioned letters patent, and that the said P. should be ordered to pay the costs of such motion, and upon hearing counsel for the said P., and for the Comptroller-General of Patents, Designs, and Trade Marks, and upon reading an affidavit of, &c., this Court doth not think fit to make any order upon the said motion, but doth order that H. do pay to the said P., widow, and to the said Comptroller, their costs of the said motion, to be taxed by the taxing master.

(b) See Seton, vol. 1, p. 342, for form of order expunging entry in former register of proprietors.

## V.—Assignments, &amp;c. (c).

## Assignment.

THIS INDENTURE, made the — day of — 18— between A. B. of — of the first part, and C. D. of — of the other part.

Recital of patent.

WHEREAS the said A. B. obtained the letters patent in Great Britain and Isle of Man, dated the — day of — 18— and numbered — for — [Title].

Consideration.  
Assignment.

NOW THIS INDENTURE WITNESSETH, and in consideration of the sum of £— paid to the said A. B. (the receipt whereof he doth hereby acknowledge), the said A. B., as beneficial owner, doth hereby assign unto the said C. D., his executors, administrators, and assigns, all those the before-mentioned letters patent, and the liberties, privileges, profits, emoluments, and advantages belonging thereto, to hold the said letters patent unto the said C. D., his executors, administrators, and assigns absolutely: And the said A. B. doth hereby covenant with the said C. D., his executors, administrators, and assigns, that he, the said A. B., hath not at any time done or knowingly been party or privy to any act, deed, or thing whereby he is prevented from assigning the said letters patent in manner aforesaid, or whereby the same is or may be in anywise encumbered. IN WITNESS whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Covenant as to validity.

### Form of Assignment of Patent to Inventor by Communicator.

THIS INDENTURE made the — day of — 18— BETWEEN —. WHEREAS by letters patent dated the — day of — 18— and numbered — Her present Majesty Queen Victoria did give and grant to the assignor her especial licence, full power, sole privilege and authority that the assignor, his executors, administrators, assigns, by himself, his agents or licensees and no others, might at all times thereafter during the term of fourteen years from the date of the said letters patent, make, use, exercise, and vend within the United Kingdom of Great Britain and Ireland and Isle of Man in such manner as to him or them might seem meet an invention of — (a communication to him from abroad by the assignee.) AND WHEREAS the said letters patent were so obtained as aforesaid by the assignor as agent for and on behalf of the assignee. AND the assignor is possessed of the said invention and letters patent as a trustee for the assignee. AND WHEREAS the assignee requested the assignor to execute such an assignment of the said invention and letters patent as is hereafter contained. NOW THIS INDENTURE WITNESSETH that in pursuance of the said request and in consideration of the premises, the assignor

Recital of patent.

Patent of communication.

Assignment.

(c) For very full forms of assignments, licences, mortgages, agreements, and other conveyancing matters con-

nected with patents, see Morris's Patents Conveyancing, 1857.

DOETH hereby as trustee assign and convey unto the assignee — executors, administrators, and assigns, ALL THAT the said invention hereinbefore mentioned: AND the hereinbefore recited letters patent: AND the full and exclusive benefit and advantage thereof respectively and of any extension of the term of the said letters patent: AND all rights, benefits, and advantages whatsoever to the same invention, letters patent, and premises belonging; To HOLD the same unto the assignee — executors, administrators, and assigns, during all the residue now unexpired of the said term of fourteen years by the said letters patent granted and during any extension of the said term. IN WITNESS whereof the assignor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered by the above-named — in the presence of —.

**Assignment by Agent who has taken out Patent as a Communication from Abroad to a Company at request of Inventor.**

THIS INDENTURE made the — day of — 18— between — of — in the City of London, Fellow of the Institute of Patent Agents, of the first part; — of — France, Engineer, of the second part; and — carrying on business at —, hereinafter called the said company, of the third part.

Date.  
Parties.  
Recitals.

WHEREAS the said — is the grantee of letters patent for [*title*], dated the — day of — 18— No. —.

Letters patent.

AND WHEREAS the invention, the subject of the said letters patent, was communicated to the said — by the said — and the said letters patent were applied for and obtained, and are now held by the said — on behalf of and as trustee for the said —.

Communication.

AND WHEREAS the said — has requested the said — to assign the whole interest in the said letters patent to the said company.

Request to assign.

NOW THIS INDENTURE WITNESSETH, that in pursuance of such request, and in consideration of the sum of — by the said company to the said — well and truly paid, the receipt whereof is hereby acknowledged, the said — hereby assigns unto the said company, their successors and assigns, and which assignment the said — confirms by his signature to, and execution of these presents, ALL THOSE the letters patent and premises respectively hereinbefore mentioned, and the full and exclusive benefit and advantage, and all the right, title, interest, benefit, property, claim, and demand whatsoever of him the said — into, upon, or in respect of the said letters patent and premises. To HAVE, hold, use, exercise, and enjoy the said letters patent and premises unto and by the said company, their successors and assigns, for their sole use and benefit. And the said — doth hereby for himself, his heirs, executors, and administrators, covenant with the said company, their successors and assigns, that he hath not at any time heretofore made, done, committed, or suffered any act, deed, matter, or thing whatsoever whereby or by reason whereof

Consideration.

Assignment.

Covenant as to validity.

the said letters patent and premises, or any of the privileges thereby granted, have been affected, encumbered, or impeached in title, estate, or otherwise whatsoever. In witness whereof the parties hereto have hereunto set their hands and seals, the day and year first above-written.

### Agreement as to Purchase of Patents.

**Date.** MEMORANDUM OF AGREEMENT made this — day of — 18—

**Parties.** BETWEEN — of — and — of — hereinafter called the vendors of the one part, and — of — hereinafter called the purchaser of the other part. WHEREAS it has been agreed between the parties hereto as follows:—

**Purchase and consideration.** 1. The vendors shall sell and the purchaser shall purchase all and singular the patents and like privileges specified in the schedule hereto, and the respective inventions and processes for which the same were granted, and all the interests of the vendors therein and the full and exclusive benefits and advantages thereof respectively, with the benefit of all renewals of the same and improvements thereon at the price of £— payable to the vendors other than the said — as follows, namely: £— on the completion of this agreement; £— in nine months from the date hereof; and £— in fully paid up share in any company which the purchaser may form for acquiring such patents.

**Forfeiture of deposit.** 2. In the event of the said sum of £— not being paid, and the said shares not being handed over within the aforesaid space of nine months, the said sum of £— so paid as aforesaid shall be forfeited and received by the vendors as liquidated damages, and this agreement thereupon be deemed cancelled, and everything herein contained as though the same had never been entered into, and the vendors and purchasers shall not be at liberty to enforce the same in any way whatsoever.

**Assignment.** 3. Upon payment of the said sum of £— and delivery of the said shares, the vendors will execute a proper assignment of the said patents, and of any other patents referred to in clause 7 hereof, such assignment to be prepared by and at the expense of the purchaser, but to be executed by the vendors and all other proper parties at the expense of the vendors.

**Foreign patents, &c.** 4. The vendors will, at the expense of the purchaser, at all times after the completion of this agreement, when requested by the purchaser so to do, do all such acts and things as may be necessary to enable the purchaser to make any application for and obtain such foreign colonial or other patents as the purchaser may require, such patents to belong to the vendors until the completion of this purchase, and also will, if required by the purchaser so to do, for — months until completion of the purchase concur in granting, or do such acts and things as may be necessary to enable the purchaser to grant licences to any persons as the purchaser may require, provided that in the event of the balance of the purchase-money of £— not being paid within the time aforesaid, the vendors shall have the full benefit

**Licences.**

of such licences, together with any sums which shall have been received by the purchaser in respect thereof. If at any time hereafter the vendors or any of them shall become aware of any improvement or alteration which may prove an improvement in the machine apparatus or process the subject of the patents specified in the schedule hereto, or capable of being applied thereto, they or he will forthwith communicate such improvements or alterations to the purchaser, and, if required by the purchaser so to do, apply for and obtain at the expense of the purchaser such further grant of letters patent or other legal protection, or do all such acts and things at the expense of the purchaser as may be necessary to enable the purchaser to obtain the same, as may be required by the purchaser. Improvements.

5. The vendors hereby agree with the purchaser that they have not done or committed, or been party or privy to, any act, matter, or thing, whereby they are hindered from entering into this agreement, and that they have good right to the same. Covenant as to title.

As witnesseth the hand of the said — the day and year first above written.

THE SCHEDULE above referred to.

## VI.—Action of Infringement.

### Indorsement on Writ (*d*).

The plaintiff's claim is for damages for the infringement of the plaintiff's patent.

And for an injunction to restrain the defendant from infringing the plaintiff's patent.

### Indorsement on Writ (Another Form).

1. The plaintiffs' claim is for an injunction to restrain the defendants, their servants and agents, from manufacturing, selling, or exposing for sale — in infringement of the plaintiffs' patent dated the — day of — 18— or from making, selling, or exposing for sale, articles in colourable imitation of the articles manufactured by the plaintiffs under their said letters patent. Injunction.

2. Damages, or, at the option of the plaintiffs, an account of the proceeds of sale of all such articles manufactured and sold by the defendants as aforesaid in infringement of the plaintiffs' said patent. Damages.

3. Delivery up to the plaintiffs or destruction of all articles in the possession of the defendants made in infringement of the plaintiffs' said patent. Infringing articles.

4. Costs.

**Statement of Claim (e).**

**Infringement.** The defendant has infringed the plaintiff's patent, No. 14,084, granted for the term of fourteen years, from the 21st of May, 1880, for certain improvements in the manufacture of iron and steel, whereof the plaintiff was the first inventor.

**Injunction and damages.** The plaintiff claims an injunction to restrain the defendant from further infringement and 100% damages.

Particulars of breaches are delivered herewith.

Place of trial, Durham.

(Signed)  
Delivered

**Statement of Claim (Another Form).**

188 . B. No. .

In the High Court of Justice,  
Chancery Division.  
Vice-Chancellor Bacon.

Writ issued —.

Between—The A. B. Company and The C. D. Company,  
Limited, - - - - - Plaintiffs,  
and  
E. F. and the G. H. Company, Limited - Defendants.

**STATEMENT OF CLAIM.**

**Ownership in patents.**

1. The plaintiffs, the C. D. Company, Limited, are the registered legal owners of the letters patent dated the — day of — 18— and numbered — for an invention of improvements in electric lamps, and in the method of manufacturing the same. Such letters patent were duly assigned to the said company by an indenture dated the — day of — 18— which was registered in the Great Seal Patent Office on the — day of — 18— since which date the said company have remained the sole registered owners of such letters patent.

2. The plaintiffs, the A. B. Company, Limited, are the registered legal owners of the letters patent dated the — day of — 18— and numbered — as amended by disclaimer dated the — day of — 18— Such letters patent were duly assigned to the said last-mentioned company by an assignment dated the — day of — 18— which was duly registered in the Great Seal Patent Office on the — day of — 18— since which date the said company have remained the sole registered owners of such letters patent.

3. The whole legal and beneficial interest in each of the above-mentioned letters patent is vested in the plaintiffs, or one of them, and has been so vested ever since the — day of — 18— and the — day of — 18— respectively.

4. The said respective letters patent are good and valid, and are and have been ever since the granting thereof of full force and effect.

5. Since the said — day of — 18— and prior to the issue of the writ herein, the defendants have infringed the said letters patent numbered — of 18— and have made, sold, supplied, let on hire, and used incandescent electric lamps manufactured according to the invention in respect of which such letters patent were granted, and they threaten and intend to continue so to do, unless restrained by the order of this honourable Court. Infringement.

6. Since the said — day of — 18— and prior to the issue of the writ herein, the defendants have infringed the said letters patent numbered — of 18— as so amended by disclaimer, and have made, sold, supplied, let on hire, and used incandescent electric lamps, manufactured according to the invention in respect of which the said letters patent, as so amended, were granted, and they threaten and intend to continue so to do, unless restrained by the order of this honourable Court.

The plaintiffs claim as follows:—

1. That the defendants, their servants, agents, and workmen, may be restrained by injunction during the continuance of each of the said letters patent from manufacturing, selling, letting on hire, supplying, or using any electric lamps manufactured according to or in the manner described in the specifications filed in pursuance of such respective letters patent, or according to or in any manner only colourably differing from the same, and generally from infringing the rights of the plaintiffs in respect of such letters patent. Injunction.
2. That the defendants may be ordered to deliver up to the plaintiffs all such electric lamps as aforesaid as are in the possession or power of the defendants. Infringing articles.
3. That an account may be taken of all gains and profits made by the defendants by the manufacture, sale, letting on hire, supply, or user of such electric lamps manufactured, sold, let on hire, supplied, or used by the defendants, or by any person or persons by the order or for the use of the defendants, and that the defendants may be ordered to pay the amount of such gains and profits to the plaintiffs. Account.
4. That the defendants may be ordered to pay damages to the plaintiffs for the infringement of their said patent rights. Damages.
5. That the defendants may be ordered to pay the costs of this action. Costs.
6. The plaintiffs claim their full costs, charges, and expenses as between solicitor and client. In two actions brought by the plaintiffs and others against Messrs. W. and R. and the W. and R. Electric Manufacturing Company, Limited, for infringements of the said respective letters patent, Mr. Justice — certified that the validity of the said respective letters patent came in question. Costs as between solicitor and client.
7. That the plaintiffs may have such further or other relief as the nature of the case may require.

(Signed) —

Delivered the — day of — 18— by — of — in the — solicitors for the plaintiffs.

**Statement of Claim (Another Form).**

- Infringement**      1. The defendants have infringed the plaintiff's patent, No. 9073, granted for the term of fourteen years from the — day of — 18 — on a communication from abroad by the — of — in the United States of America to — of the firm of — patent agents — in the county of — for certain improvements in the manufacture of bustles or dress improvers whereof the said — is the first and true inventor.
2. The said letters patent have been duly vested in the plaintiffs.
- The plaintiffs claim—
- Injunction.**      1. An injunction to restrain the defendants, their servants and agents, from manufacturing, selling, or exposing for sale, bustles or dress improvers in infringement of the said patent, or from making, selling, or exposing for sale articles in colourable imitation of the articles manufactured by the plaintiffs under their said letters patent.
- Damages or account.**      2. Damages, or at the option of the plaintiffs an account of the proceeds of all such articles manufactured and sold by the defendants as aforesaid in infringement of the plaintiffs' said patent.
- Infringing articles.**      3. Delivery up to the plaintiffs or destruction of all articles in the possession of the defendants made in infringement of the plaintiffs' said patent.
- Costs.**              4. Costs.
- Particulars of breaches are delivered herewith.  
Delivered, &c.

**Particulars of Breaches.**

Delivered the — day of — 18— by — of — in the —  
Solicitors for the Plaintiffs.

- First Patent :**      The following are particulars of breaches complained of by the plaintiffs in this action, that is to say:—
- Infringement by user.**      1. The defendant E. F. has, at divers times since the — day of — 18— and prior to the issuing of the writ herein, used electric lamps manufactured according to, or in a manner only colourably differing from, the invention comprised in the letters patent dated the — day of — 18— and numbered — In particular the defendant E. F. has used such lamps continuously from the — day of — 18— up to the issuing of the writ herein, at the — in the county of — and the gardens adjoining the same.
- Vending, &c.**      2. The defendants, the G. H. Company, Limited, have at divers times since the — day of — 18— sold, supplied, let on hire, and used electric lamps manufactured according to, or in a manner only colourably differing from, the invention comprised in the letters patent dated the — day of — 18— and numbered — In particular, the defendants, the G. H. Company, Limited, have sold, supplied, let on



hire, and used such lamps continuously from the — day of — 18— up to the issuing of the writ herein, to and for the defendant E. F. at the — in the county of — and the gardens adjoining the same.

3. The defendants, the G. H. Company, Limited, have prior and up to the date of the writ herein publicly offered, by advertisement and otherwise, to supply such lamps to the general public, and still continue so to do.

4. The precise number and date of the defendants' infringements, save as hereinbefore mentioned, are not at present known to the plaintiffs, but the plaintiffs will claim to recover full compensation from the defendants in respect of all such infringements.

5. With respect to the letters patent numbered — of 18— the breaches complained of are infringements of the inventions described and claimed in the first, second, and fourth claiming clauses of the said letters patent. What claims infringed.

6. The defendant E. F. has at divers times since the — day of — 18— and prior to the issuing of the writ herein used electric lamps manufactured according to, or in a manner only colourably differing from, the invention comprised in the letters patent dated the — day of — 18— and numbered 4847, as amended by disclaimer, allowed the — day of — 18—. In particular, the defendant E. F. has used such lamps continuously from the — day of — 18— up to the issuing of the writ herein, at the — in the county of — and the gardens adjoining the same. Second Patent: Infringement by user.

7. The defendants, the G. H. Company, Limited, have at divers times since the — day of — 18— and prior to the issuing of the writ herein manufactured, sold, supplied, let on hire, and used, electric lamps manufactured according to or in a manner only colourably differing from the invention comprised in the letters patent dated the — day of — 18— and numbered 4847, as amended by disclaimer, allowed the — day of — 18—. In particular, the defendants, the G. H. Company, Limited, have sold, supplied, let on hire, and used such lamps continuously from the — day of — 18— up to the issuing of the writ herein, to and for the defendant E. F., at the — in the county of — and the gardens adjoining the same. Vending, &c.

8. The said defendants, the G. H. Company, Limited, have prior and up to the date of the writ herein publicly offered, by advertisement and otherwise, to supply such lamps to the general public, and still continue to do so.

9. The precise number and dates of the defendants' infringements, save as hereinbefore mentioned, are not at present known to the plaintiffs, but the plaintiffs will claim to recover full compensation from the defendants in respect of all such infringements.

10. The breaches complained of are infringements of the inventions described and claimed in the first and second claiming clauses of the said letters patent, as amended by disclaimer as aforesaid. Claims infringed.

### Order for further Particulars of Breaches.

*Tilghman's Patent Sand Blast Company, Limited v. Wright.* Pearson, J. 1st May, 1884. B. 582.

Upon the application of the defendants for directions under Order 30, Rule 1 of the Rules of the Supreme Court, 1883, which, upon hearing the solicitors for the applicants and for the plaintiffs, and upon reading the writ of summons issued the — the statement of claim and particulars hereinafter mentioned delivered the — and an affirmation of — was adjourned to be heard accordingly upon hearing counsel for the applicants and for the plaintiffs, and upon reading the said affirmation, an order dated — made in an action entitled — an affidavit of — in the last-mentioned action, and the particulars in writing of the breaches alleged to have been committed by the defendants delivered by the plaintiffs on the — with their statement of claim. This Court being of opinion that such particulars are insufficient doth order that the plaintiffs do deliver to the defendants further and better particulars in writing of the breaches alleged to have been committed by the defendants upon which the plaintiffs intend to rely on the trial of this action. And it is ordered that the costs of the said application in chambers, and occasioned by the adjournment thereof into Court, be costs in the action.

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#### Defence (a).

1. The defendant did not infringe the patent.
2. The invention was not new.
3. The plaintiff was not the first or true inventor.
4. The invention was not useful.
5. [*Denial of any other matter of fact affecting the validity of the patent.*]
6. The patent was not assigned to the plaintiff.

(Signed)  
Delivered

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#### Statement of Defence in Action on Two Patents.

DEFENCE as to Letters Patent No. 4576 of 18— granted to —.

Title denied.

1. The defendants do not admit that the C. D. Company are the registered legal owners of the letters patent No. 4576 of 18— granted to — or that the same were duly assigned to them.

(a) R. S. C., 1883, Appendix D., Sect. XII.

2. The defendants deny that the said letters patent are good or valid or of any force or effect. Patents invalid.
3. The defendants deny that they have infringed the said letters patent. Infringement denied.
4. Particulars of the objections upon which the defendants intend to rely at the trial of this action are delivered herewith.

DEFENCE as to Letters Patent No. 4847 of 18— granted to —.

1. The defendants do not admit that the A. B. Company, Limited, are the registered legal owners of the letters patent No. 4847 of 18— granted to — or that the same were duly assigned to them. Title denied.
2. The defendants deny that the said letters patent are good or valid or of any force or effect. Patents invalid.
3. The amendment made on or about the — day of — 18— pursuant to the determination of the law officers of the specification filed in pursuance of the said letters patent was not such as could be made by law, and extends the exclusive privileges granted by the said letters patent. Amendment of specification invalid.
4. The defendants deny that they have infringed the said letters patent. Infringement denied.
5. Particulars of the objections upon which the defendants intend to rely at the trial of this action are delivered herewith.

Delivered, &c.

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### Defence.

The defendants say that:—

1. The defendants have not infringed the plaintiffs' letters patent in the statement of claim mentioned. Infringement denied.
2. — named in the statement of claim was not the true and first inventor of the alleged invention comprised in the said letters patent. Not true and first inventor.
3. The plaintiffs' letters patent are invalid on the grounds stated in the particulars of objections delivered herewith. Patent invalid.
4. The defendants do not admit that the said letters patent have been duly vested in the plaintiffs. Title denied.
5. The bustles complained of in the statement of claim and particulars of breaches delivered in this action, and which are sold by the defendants, are identical with certain bustles which for several years previously to the date of the plaintiffs' said letters patent were sold in — by the — company in the statement of claim named (hereinafter called the — company) under the name of Health Braided Wire Bustle (hereinafter called the "Health Bustle"). The said Health Bustle was marked by the — company with the dates of three American patents, viz., — 18—, — 18— and — 18— and the said — company thereby intended to inform the public as the fact is that the said

Health Bustle was made according to the alleged inventions covered by the three American patents aforesaid. Each of the inventions comprised in the said three American patents was subsequently patented in England in two separate patents, one of which is a patent of — No. 1235 of 188— and the other of which is a patent No. 10191 of 188— The said patent of — expired (through non-payment of duty) before the date of the plaintiffs' said letters patent, and the said patent No. 10191 of 188— relates only to pillows, cushions, or similar articles, and does not include bustles. The defendants, therefore, say that if the plaintiffs' said letters patent are valid (which they deny) they can only be valid for a bustle different from the said Health Bustle, and that the defendants by selling a bustle identical with the Health Bustle as aforesaid have not infringed and do not infringe the plaintiffs' said letters patent. The plaintiffs' said letters patent were obtained by — in the statement of claim named as agent and trustee for the — company, and the plaintiffs are either purchasers from the — company of all the last-mentioned company's interest in the said patents, or they are the agents of the last-mentioned company, or connected with the last-mentioned company in some manner unknown to the defendants, and they have in fact always had full knowledge of the several facts aforesaid.

Delivered, &c.

### Particulars of Objections.

Delivered on the — day of — 18— by — of — defendants' solicitors.

- First Patent :* The following are the PARTICULARS of the OBJECTIONS upon which the defendants will rely at the trial of this action with respect to the letters patent No. 4,576 of 187— granted to —
- |                                   |  |
|-----------------------------------|--|
| No infringement.                  | 1. That the defendants have not infringed the said letters patent.   |
| Not true and first inventor.      | 2. That — was not the true and first inventor of the alleged invention comprised in the said letters patent.   |
| No subject-matter.                | 3. That the said alleged invention was not the subject-matter of valid letters patent.   |
| No utility.                       | 4. That the said alleged invention was not useful.   |
| Specification insufficient.       | 5. That the specification filed in pursuance of the said letters patent does not and did not sufficiently describe and ascertain the nature of the said alleged invention and the manner in which the same is to be performed. |
| Novelty denied.                   | 6. That the said specification does not sufficiently or at all describe or show either in the body of the specification or in any of the claims what it was that the said — claimed or intended to claim thereby.              |
| Anticipation by prior publication | 7. That the said alleged invention was not new at the date of the said letters patent, but was published within this realm before the date   |

hereof in and by the publication and by the persons at the times and places and in manner following, viz. :—

8. By an extract from ——— quoted in the ——— vol. ——— page ———
9. By the specification of letters patent, No. ——— of 18— granted to ——— page ——— line ——— to page ——— line ———
10. By the provisional specification of ——— No. ——— of 18— the first page.
11. By an article in ——— translated by ——— 18— Chap. ——— pages ——— to ———
12. By an article on ——— in ——— translated by ——— vol. ——— page ———
13. By the publication of ——— third edition, 18— vol. ——— page ———
14. By the manufacture of electric lamps by the said ——— and ——— and by the exhibition thereof to the members of the ——— and at the ——— in or about the year 18— Exhibition.  
Manufacture  
and user.
15. By the exhibition and description of electric incandescence lamps by ——— at ——— in the latter part of the year 18— and in 18— more particularly on the ——— 18— before the ——— on the ——— of ——— 18— in the subscription library at ——— on the ——— of ——— 18— before the ——— and on the ——— of ——— 18— at ——— and by the manufacture use and exhibition of incandescence lamps by ——— in ——— in 18— and 18—
16. By the manufacture use and exhibition of electric incandescence lamps by ——— in 18— and 18—

The following are the PARTICULARS of the OBJECTIONS upon which the defendants will rely at the trial of this action with respect to letters patent No. 4,847 of 18— granted to ——— *Second Patent :*

1. That the defendants have not infringed the said letters patent. No infringe-  
ment.
2. That ——— was not the true and first inventor of the alleged invention comprised in the said letters patent. Not true and  
first inventor.
3. That the said alleged invention was not the subject-matter of valid letters patent. No subje t-  
matter.
4. That the said alleged invention was not useful. No utility.
5. That the specification filed in pursuance of the said letters patent does not and did not sufficiently describe and ascertain the nature of the said alleged invention and the manner in which the same is to be performed. Specification  
insufficient.
6. That the amendment made on or about the ——— 18— pursuant to the determination of the law officer of the specification filed in pursuance of the said letters patent was not such as could be made by law and extends the exclusive privileges granted by the said letters patent. Illegal amend-  
ment.
7. That the said alleged invention was not new at the date of the said letters patent, but was published within this realm before the date thereof in and by the publications and by the persons at the times and places and in the manner following, viz. :— Not new.

[&c.]

### Particulars of Objections (Another Form).

The defendants, besides denying that they have infringed the letters patent in the statement of claim mentioned, rely in support of their defence to this action on the following objections to the validity of the said letters patent :—

- Not true and first inventor.** 1. That ——— was not the true and first inventor of the alleged invention comprised in the said letters patent.
- Not new.** 2. That the said alleged invention was not new at the date of the said letters patent.
- No subject-matter.** 3. That the alleged invention is not the proper subject-matter of letters patent.
- Specification insufficient.** 4. That the specification No. 9073 of A.D. 18— purporting to be filed by the said ——— does not sufficiently describe and ascertain the alleged invention, and in what manner the same is to be performed, and does not sufficiently distinguish which of the matters and things therein described, the said ——— claims to be new, or as being included in the said letters patent, and which of the same he does not so claim, and admits to be old. And that in other respects the said specification is insufficient, ambiguous, and framed so as to mislead.
- Not useful.** 5. That the alleged invention is not of any public utility.
- Anticipation by—** 6. That the said alleged invention was, previously to the date of the said letters patent, published within this realm in the following specifications left at and filed in the Great Seal Patent Office, as hereinafter mentioned, reference being made to the Queen's printer's copy of the said specifications, and to the drawings therein referred to, and also in the printed books hereinafter mentioned; that is to say,  
 The specification of ——— filed under letters patent dated ——— 18— No. 1235, page ——— line ——— &c., and the drawings therein respectively referred to.  
 The following volumes of the annual reports of the commissioners of patents of the United States of America, all such volumes being in the Patent Office Library, London, references being made to the pages hereinafter mentioned of the same volumes and to the descriptions therein of the United States patents hereinafter mentioned; that is to say, &c.  
 The following volumes of certified copies of American specifications, such volumes being in the Patent Office Library, London, reference being made to the pages hereinafter mentioned of the same volumes.
- Prior publication in books.** 7. That the said alleged invention was, previously to the date of the said letters patent, published within this realm by the manufacture or sale, or use, or public exhibition of articles or patterns or drawings of articles made according to the alleged invention by the persons hereinafter named, at the times and places following; that is to say,  
 By the said ——— at his place of business or abode, in and subsequently to the year 18—  
 By the defendants at their place of business in the ——— in the year 18— and subsequent years.
- Manufacture. Sale. User. Exhibition.** 8. That the bustles complained of in the statement of claim and the

particulars of breaches, and which are alleged by the plaintiffs to be made according to the alleged invention comprised in the plaintiffs' said letters patent, are identical with certain bustles which, for some years previously to the date of the plaintiffs' said letters patent, were sold in America by — Company in the statement of claim named (hereinafter called the — Company), under the name of Health Braided Wire Bustle (hereinafter called the "Health Bustle"). The said Health Bustle was marked by the — Company with the dates of three American patents, viz., — 18— — 18— and — 18— and the said — Company thereby intended to inform the public, as the fact is, that the said Health Bustle was made according to alleged inventions covered by the three American patents aforesaid. Each of the inventions comprised in the said three American patents was subsequently patented in England in two separate patents, one of which is the patent of — No. 1235 of 18— hereinbefore mentioned, and the other of which is a patent No. 10191 of 18—. The said patent of — expired through non-payment of stamp duty, before the date of the plaintiffs' letters patent, and the said patent No. 10191 of 18— relates only to pillows, cushions, or similar articles, and does not include bustles. The plaintiffs' said letters patent were obtained by the said — as agent and trustee for — Company, and the plaintiffs are either purchasers from the — Company of all the last-mentioned company's interest in the said patent, or they are the agents of the last-mentioned company, or connected with the last-mentioned company in some manner unknown to the defendants, and they have, in fact, always had full knowledge of the several facts aforesaid. Under the circumstances aforesaid, the plaintiffs' letters patent were an attempt by the — Company to obtain a new monopoly in this country for an article which they had admitted to be made under a patent which had then expired, and the plaintiffs' letters patent are therefore invalid.

Delivered, &c.

### Order for further and better Particulars of Objections.

(INSUFFICIENCY OF SPECIFICATION.)

*Crompton and Kapp v. The Anglo-American Brush Light Corporation, Limited.* Kay, J. 18 Feb. 1887. A. 208.

Upon the application of the plaintiffs, and hearing the solicitors, and also counsel for the said plaintiffs, and for the defendants, and upon reading the particulars of the defendants' objections, delivered on the 3rd February, 1887, it is ordered that the defendants do within seven days deliver to the plaintiffs further and better particulars in writing of paragraph 5 of the defendants' particulars of objections, showing how and in what respect the specification filed in pursuance of the letters patent does not sufficiently describe and ascertain the nature of the alleged invention, and in what manner the same is to be performed by reference when necessary to the subject-matter of the said specification. And it is ordered that the plaintiffs' costs of and consequent upon the said application, be his costs in any event.

Insufficiency of specification.

Costs.

## Another Order for Further and better Particulars of Objections.

*Boyd v. Farrar.* Kay, J. 25th July, 1887. A. 1199.

The application of the plaintiff, which, upon hearing, &c., in Chambers, was adjourned to be heard in Court, coming on this day to be heard accordingly, and upon hearing counsel for the plaintiff and defendant, and upon reading the particulars of objections delivered by the defendant with his statement of defence, this Court doth order that the defendant do on or before the — day of — 18— deliver to the plaintiff or his solicitors further and better particulars of objections.

Prior user.

1. As to paragraph of the said particulars delivered by giving the times and places of prior users which will be relied on under this paragraph, and by stating with reference to each of such prior users which parts of plaintiff's invention by reference to claiming clauses of the specification are alleged to be anticipated thereby.

Misrepresentations.

2. As to paragraph of the said particulars delivered, by giving particulars of the alleged untruth and misrepresentations.

Variance of provisional and complete specifications.

3. As to paragraphs and , by stating in what respects the invention described in the plaintiff's specification is alleged to differ from that disclosed in or described by the provisional specification.

Prior users.

4. As to paragraphs and , by giving such particulars of each of the articles relied upon as will suffice to identify specifically each of such alleged prior users.

Claims anticipated.

5. As to paragraph , by stating with reference to each specification relied upon which parts of plaintiff's invention, by reference to claiming clauses of the plaintiff's specification, are alleged to be anticipated thereby. And the plaintiff's costs of this application, so far as it relates to the said paragraphs , , , and of the said particulars, and as it relates to paragraphs and , except as hereinafter mentioned, are to be their costs in any event, and the defendant's costs of this application, so far as it relates to paragraphs and , and so much of paragraphs and of the said particulars as is not varied by this order, are to be their costs in any event.

Costs.

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## Order for leave to Amend Particulars of Objections.

*The American Braided Wire Company v. Thomson.* Stirling, J.  
5th May, 1887. A. 799.

Upon the application of the defendants, and upon hearing, &c.

Objection added.

It is ordered that the applicants be at liberty to amend their particulars of objections delivered in this action on the — day of — 18— by adding the objection following, that is to say, that the alleged invention was, previously to the date of the said letters patent, published within this realm by the offering for sale by — now of —



of bustles made according to the said alleged invention, such offers being made in London in the month of — 18— to, &c.

And it is ordered that the plaintiffs have six weeks time from the delivery of the amended particulars of objections to elect whether or not they shall continue the action. Elections of plaintiffs.

And it is ordered that if the said plaintiffs elect to discontinue this action, the defendants do pay to the plaintiffs their costs of this action as from the date of the delivery of the original particulars of objections, namely, the —, such costs to be taxed by the taxing master. Costs.

### Notice of Motion for Interlocutory Injunction.

Take notice that this Honourable Court will be moved before his lordship Mr. Justice —, on the — day of — 18—, or so soon thereafter as counsel can be heard, by Mr. — of counsel on behalf of the above-named plaintiff, that the defendant, his servants, and agents, may be restrained until the trial of this action or until further order during the continuance of the letters patent bearing date the — day of —, 18—, and numbered —, from making, selling, supplying, using or putting in practice any — [here describe articles, &c. which are the subject of the patent privilege] made according to or in the manner described in the specification [or specifications] of the invention for which the said letters patent were granted, or according to or in any manner only colourably differing from the same and from in any manner infringing the said letters patent, and that such further order may be made as to this Honourable Court shall seem meet.

### Interlocutory Injunction for Infringement refused on Terms.

*The Edison and Swan United Electric Light Company v. Holland.*  
Bacon, V.-C. 6th August, 1886.

Upon motion this day made unto this Court by counsel for the plaintiffs that the defendants might be restrained until the trial of this action or until further order during the continuance of the letters patent bearing date respectively the — day of — 18— and numbered — and the — day of — 18— and No. — from making, selling, supplying, or using any electric incandescent lamps made according to or in the manner described in the specifications filed in pursuance of the said respective letters patent or either of them, or according to or in any manner only colorably differing from the same, and from in any manner infringing the said letters patent or either of Motion, &c.

Undertaking  
by defendants.

No order  
except as to  
costs.

If judgment  
in certain  
action re-  
versed on  
appeal, liberty  
to apply to  
discharge  
undertaking.

them, and upon hearing counsel for the defendants, and upon reading the plaintiffs' statement of claim and particulars of breaches, the following affidavits all filed the — day of — 18— namely, &c., and the exhibits therein referred to, an affidavit of, &c., and the defendants respectively by their counsel undertaking until the trial of this action not to buy any more lamps such as those complained of from any persons other than the plaintiffs, and to keep an account of all lamps alleged to be an infringement of the said patents, which they may now be using or may hereafter use, or which they may have used since the — day of — 18— the date of the first judgment hereinafter mentioned. This Court doth not think fit to make any order on the said motion other than that the costs thereof be costs in the action. And in the event of the judgment pronounced in an action brought in the Chancery Division of this Court by the plaintiffs and by the Swan United Electric Light Company, Limited, Swan's Electric Light Company, Limited, and G., against Messrs. W. and R., dated the — day of — 18— and another judgment pronounced in another action brought in the Chancery Division of this Court by the plaintiffs, The Edison and Swan United Electric Light Company, Limited, against W. and R. and The Woodhouse and Rawson Electric Manufacturing Company, Limited, dated the — day of — 18— or either of them being reversed on appeal, the defendants are to be at liberty to apply for the discharge of the undertaking so given by them as aforesaid.

### Order for Inspection.

*The Haslam Foundry and Engineering Company, Limited v. Goodfellow and others. Kay, J. 5th April, 1887.*

Undertaking  
by plaintiffs.

Inspection by  
experts, &c.

Upon motion, &c., and upon reading the writ issued in this action, affidavits, &c., of — filed in the action of G. v. The H. F. E. Co., Ltd., 1887, G. 573, namely, affidavits, &c. And the plaintiffs by their counsel undertaking during the inspection hereinafter directed or until further order not to threaten the defendants, Messieurs G. and M., or their customers, or any other person or persons by circulars, advertisements, or otherwise, with any legal proceedings or liability in respect of the manufacture, use, sale, or purchase of refrigerating engines or machines by the said defendants, or the use, sale, or purchase of such engines or machines sold by or offered for sale by any purchaser from the said defendants. This Court doth order that the plaintiffs be at liberty on giving four days' notice by — [experts] and solicitor to inspect refrigerating machines manufactured and in course of manufacture by the defendants, Messrs. G. and M., for the other defendants or one of them which are referred to in the said affidavit of R. M. in the said action of G. v. The H. F. E. Co., Ltd., 1887, G. 573. And it is ordered that the costs of this application be costs in the action.

### **Order for Experiments before Experts during Trial of Action.**

*Edison and Swan United Electric Light Company, Limited v. Holland and others.* Kay, J. 1st June, 1888.

This Court being desirous that experiments should be conducted as hereinafter mentioned doth hereby order that experiments confined to the repetition of experiments of which evidence has already been given before this Court on behalf of the plaintiffs and defendants respectively upon the patent of ——— dated the ——— 18— and No. — be conducted before one of the following persons in the following rotation:—(1) Professor ——— (2) Professor ——— &c. And the plaintiffs and defendants respectively are to repeat in the presence of the person before whom such experiments are conducted, and of two experts on each side, any of their said experiments of which evidence has been given as aforesaid which they may think fit with the aid of assistants. Each side to choose the place at which its experiments shall be made. And it is ordered that such one of them the said ——— before whom such experiments shall be conducted do report to the Court the nature and result of each experiment made before him.

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### **Order of Reference to an independent Chemist for Report pending Hearing of Action.**

*Badische Anilin und Soda Fabrik v. Levinstein,* P. O. R. Vol. II. p. 73.

The Court being desirous of obtaining the opinion of Professor R. upon the questions set forth or referred to in the schedule hereto, doth order that such questions be referred to the said professor for inquiry and report, and that a specification of the patent dated the ——— No. ——— be supplied to the professor.

#### SCHEDULE.

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### **Order for Leave to amend Specification during Action.**

*The Haslam Foundry and Engineering Co., Ltd. v. Goodfellow and others.* Kay, J. 2nd December, 1887. A. 1727.

Upon motion this day made unto this Court by counsel for the plaintiffs, and upon hearing counsel for the defendants, and upon reading the pleadings in this action, an affidavit of, &c., and ———: It is ordered that the plaintiffs be at liberty to apply at the Patent Office for leave to further amend the specification of their patent No. ——— of the

Leave to  
apply at  
Patent Office.

Amendment  
of statement  
of claim.

Costs.

year 18— by striking out the second claim thereof and by making such other alterations (if any) as will be rendered necessary thereby. And it is ordered that after such amendment has been made the plaintiffs be at liberty within fourteen days to amend their statement of claim so as to limit this action to the amended specification of the said patent, and in default thereof it is ordered that this action do stand dismissed out of this Court with costs to be taxed by the taxing master, and to be paid by the plaintiffs, The, &c., to the defendants, Messieurs G., &c. And it is ordered that the costs of the defendants, Messieurs G., &c., of this application, and of and occasioned by such last-mentioned amendment, be their costs in any event, and be borne by the said plaintiffs, The, &c. And it is ordered that (in the event of this action proceeding) all other costs be reserved.

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### Order for Leave to amend Specification pending Action.

*G., G., and The N. Co. for the Distribution of Electricity by Secondary Generators, Ltd. v. L. & Co., Ltd., and F. Kekewich, J.*  
16th December, 1887.

The motion.

Upon motion this day made unto this Court by counsel for the plaintiffs G., and G., and the N. Co. for the Distribution of Electricity by Secondary Generators, Ltd., the owners of the letters patent mentioned in the writ in this action, that they might be at liberty to apply at the Patent Office for leave to amend their specifications filed in pursuance of the said letters patent by way of disclaimer, correction, or explanation, and that in the meantime the hearing of this action might be postponed, and that the said specification when so amended as aforesaid might be used in evidence on the hearing of the said action, and upon hearing counsel for the defendants, and upon reading the — and the defendants by their counsel offering to allow plaintiffs to discontinue this action so far as regards the patent No. — of — upon the plaintiffs paying to the defendants their costs of this action, so far as such costs were incurred in connection with that patent; and the plaintiffs by their counsel declining that offer: This Court doth not think fit to make any order upon the said motion. And it is ordered that the plaintiffs do pay to the defendants, L. & Co., Ltd., and F., their costs of the said motion (such costs to be taxed by the taxing master).

No order.

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### Order by Consent on Appeal varying above Order.

*G., G., and The N. Co. for the Distribution of Electricity by Secondary Generators, Ltd. v. L. & Co., Ltd., and F.* Court of Appeal.  
1st February, 1888.

Consent.

Upon motion this day made unto this Court by counsel for the plaintiffs by way of appeal from the refusal of Mr. Justice — on motion

made to him on the — to make any order, and upon hearing counsel for the defendants, and upon reading the said order dated the — and counsel for the defendants consenting: This Court doth order that the said order dated the — be varied as follows, that is to say, that the plaintiffs be at liberty to apply at the Patent Office for leave to amend their specification filed in pursuance of their letters patent No. — of — by way of disclaimer, and that the said specification, when so amended as aforesaid, may be used in evidence on the hearing of this action, the plaintiffs through their counsel waiving all claim for damages or relief in respect of infringements prior to the amendment of the said specification. And it is ordered that the defendants be at liberty within fourteen days after notice of the amendments made in the said specification to amend their defence and particulars of objection. And it is ordered that the plaintiffs, G., G., and The N. Co. for the Distribution of Electricity by Secondary Generators, Ltd., do pay to the defendants, L. & Co., Ltd., and F., their costs (on the lower scale) of this action up to the date of this order, including the costs of the defendants' motion before Mr. Justice — on the — and the costs of the said order dated the — and of this appeal, such costs to be taxed by the taxing master.

Liberty to apply for leave to amend.

Terms.

Costs.

### Judgment after Trial of Action.

*Morgan & Co., Limited v. Windover & Co., Limited.* Stirling, J.,  
11th July, 1887.

This action coming on for trial on the — days of — 18— before this Court in the presence of counsel for the plaintiffs and for the defendants, and upon reading the pleadings and the exhibits produced to the several witnesses hereinafter mentioned, and upon hearing the evidence of the several persons named in the 1st column of the schedule hereto upon their examinations taken orally before this Court on the days set opposite their several names in the 2nd column of the said schedule and the exhibits produced to such persons respectively set opposite their respective names in the 3rd column of the said schedule, and what was alleged by counsel for the plaintiffs and defendants. This Court did order that this action should stand for judgment, and the same standing in the paper for judgment this day accordingly in the presence of counsel for the plaintiffs and defendants.

Recital of evidence.

Stand for judgment.

This Court doth order and adjudge that the defendants W. & Co., Limited, their servants and agents, be restrained during the continuance of the letters patent granted to M. dated the — and numbered — for — and any extension of the term thereof from manufacturing, or selling, or disposing of any carriages with springs applied according to the plaintiffs' patented invention or only colourably differing therefrom, or being an infringement of the plaintiffs' said patent, or in any way infringing the plaintiffs' said patent. And this Court doth order that the defendant company, by W. their

Injunction awarded.

Affidavit as to infringing articles.

Account.

Costs on  
higher scale.

managing director do within fourteen days after service of this judgment make and file an affidavit stating what carriages of the same construction as the plaintiffs' and infringing the said patent are in their or their agents' possession or power. And the plaintiffs are to be at liberty to inspect the same for the purposes of identification. And it is ordered that an account be taken of the profits made by the defendant company by making, using, selling, or disposing of carriages constructed as aforesaid in infringement of the plaintiffs' said patent. And it is ordered that the defendants W. & Co., Limited, do within one month after the date of the chief clerk's certificate pay to the plaintiffs M. & Co., Limited, what shall be certified to be the amount of such profits. And it is ordered that the defendants do on or before the — day of — 18— upon oath remove from all carriages in their or their agents' possession or power, all springs so fitted by them in infringement of the plaintiffs' patent. And it is ordered that the defendants W. & Co., Limited, do pay to the plaintiffs M. & Co. their costs of this action, and (by consent) including therein the costs of the motion reserved by the order of the — of — 18— (such costs to be taxed by the taxing master on the higher scale).

## THE SCHEDULE.

<i>[Name of Witness.</i>	<i>Dates of Examination.</i>	<i>Exhibits.]</i>
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## Judgment after Trial of Action.

<i>The Edison and Swan United Electric Light Company, Limited, and The Edison Electric Light Company, Limited</i>	- - - - -	Plaintiffs,
<i>W. H. and The Jablochkoff and General Electricity Company, Limited</i>	- - - - -	Defendants,
and		
<i>The Anglo-American Brush Electric Light Corporation, Limited</i>	- - - - -	Third Parties.

Kay, J. 16th July, 1888.

Pleadings.

Particulars.

This action coming on for trial on the — — &c., before this Court, in the presence of counsel for the plaintiffs and the defendants and the Anglo-American Brush Electric Light Corporation, Limited, third parties, upon hearing the writ of summons issued in this action on the — the pleadings in this action, the orders dated — &c., an order of the Court of Appeal of the — the particulars of breaches delivered the — by — the plaintiffs' solicitors, the amended particulars of objections delivered the — by — the defendants' solicitors, and the several specifications and documents therein referred

to, the letters patent granted to T. A. E., dated the 10th November, 1879, and numbered 4576, and the specification filed in pursuance thereof, the letters patent granted to F. J. C., dated 28th November, 1878, and numbered 4847, and the specification filed in pursuance thereof, as amended by disclaimer allowed the 12th November, 1884, the joint answer of the plaintiffs, the Edison and Swan United Electric Light Company, Limited (by S. F. P., their secretary), and of the plaintiffs The Edison Electric Light Company, Limited (by G. S., the liquidator) to the interrogatories delivered by the defendants for the examination of the plaintiffs filed the ——— the answer of the defendant W. H., filed the ——— and the answers and further answers of the defendants the Jablochhoff and General Electricity Company, Limited, by R. B. R., the secretary of the company then known as "The United Electrical Engineering Company, Limited," to the interrogatories delivered by the plaintiffs for the examination of the defendants, filed respectively the ——— and the ——— the answer and further answer of the Anglo-American Brush Electric Light Corporation, Limited, by J. M. F., the assistant secretary, to the interrogatories delivered by the plaintiffs for their examination, filed respectively the ——— and the ——— a notice to admit lamps, dated the ——— the admission in writing dated the ——— and signed "—— solicitors for the defendants," a notice to admit certain documents as evidence dated the ——— and the admission thereof signed "—— plaintiffs' solicitors," dated ——— and the several documents therein referred to, a notice to admit certain documents as evidence dated the ——— and the admission thereof signed "—— defendants' solicitors," and dated ——— and the several documents therein referred to, a notice to admit the publication of certain documents dated the ——— and the admission thereof signed "—— plaintiffs' solicitors," dated ——— the admissions in writing signed "—— plaintiffs' solicitors," dated ——— and the several documents therein referred to, the admissions in writing signed "—— plaintiffs' solicitors," dated ——— and the several documents therein referred to, a notice to admit certain documents as evidence dated the ——— and the admission thereof signed "—— plaintiffs' solicitors," dated the ——— and the several documents therein referred to, the admission in writing signed "—— defendants' solicitors," and the several documents therein referred to, the judgments of Mr. Justice Butt in the action Edison and Swan United Electric Light Company, Limited and others v. Woodhouse and Rawson, 1884, E, 89, dated 20th May, 1886, and in the action Edison and Swan United Electric Light Company, Limited v. Woodhouse and Rawson and the Woodhouse and Rawson Electric Manufacturing Company, Limited, 1885, E, 315, dated 25th May, 1886, the judgments of the Court of Appeal in the said last-mentioned actions dated respectively the 31st January, 1887, and the 12th February, 1887, the certificates signed by Mr. Justice Butt in the said action, 1884, E, 89, of the validity of the letters patent of the 10th November, 1879, No. 4576, and in the said action 1885, E, 315, of the validity of the letters patent of the 28th November, 1878, numbered 4847, the report of Professor ——— dated the 28th June, 1888, pursuant to the order of the 1st June, 1888, table of duration, tests of lamps made during experiments before Professor ——— and table of voltages at which the said lamps were run, read, and upon hearing the evidence of the several persons named in the first column of the schedule hereto on their examination taken

Patent.

Interrogatories.

Admissions.

Former judgments.

Former certificates.

Report of experts.

Witnesses in schedule.

orally before this Court upon the several days set opposite their names in the second column of the said schedule, and upon production to the said several persons of the several documents and other exhibits set opposite their names in the third column of the said schedule, and upon hearing what was alleged by counsel for the plaintiffs and defendants and the Anglo-American Brush Electric Light Corporation, Limited, and counsel for all parties admitting that the running on the pumps and flashing, or flashing or running on the pumps, will materially improve the life of the lamps made at Ponder's End before Professor — and the plaintiffs by their counsel admitting that the conductor in the exhibit — referred to in the schedule hereto received its present shape before carbonization, and the defendants by their counsel admitting that the said conductor came from France, and that Carré made his carbons and sold them in France, and the plaintiffs by their counsel admitting that so far as they know the said conductor was made according to Lafontainé's description of Carré's mode of manufacture, this Court did order that this action should stand for judgment, and this action standing for judgment this day in the paper in the presence of counsel for the plaintiffs and defendants and for the said Anglo-American Brush Electric Light Corporation, Limited, This Court doth order and adjudge that this action do stand dismissed out of this Court so far as the same relates to the letters patent of T. A. E., dated the 10th November, 1879, and numbered 4576 in the pleadings mentioned, with costs to be taxed by the taxing master as hereinafter provided; And it is ordered that the defendants W. H. and the Jablochhoff and General Electricity Company, Limited, their several agents and workmen, be restrained, during the continuance of the letters patent in the pleadings mentioned, dated the 28th November, 1878, and numbered 4847, granted to F. J. C., as amended by the disclaimer allowed on the 12th November, 1884, and now vested in the plaintiffs, the Edison and Swan United Electric Light Company, Limited, from manufacturing, selling, letting on hire, supplying, or using any incandescent electric lamps having conductors prepared according to or in the manner described in the specification filed in pursuance of such letters patent, as altered by the said disclaimer, or according to or in any manner only colourably differing from the same, and generally from infringing the rights of the plaintiffs in respect of such letters patent. And it is ordered that the defendants, W. H. and the Jablochhoff and General Electricity Company, Limited, do, on or before the 10th day of January, 1889, or subsequently within seven days after service of this order, make and file an affidavit stating what lamps made in infringement of the said last-mentioned letters patent are in the possession or power of the defendants respectively or either of them, and do within the time aforesaid deliver up to the plaintiffs, or break up or otherwise render useless, in the presence of some person to be appointed by the plaintiffs and defendants respectively, and in the presence of their respective solicitors, all such incandescent electric lamps as aforesaid as are respectively in their possession or power. And it is ordered that the following inquiry be made, that is to say, an inquiry what damages the plaintiffs have sustained by reason or in consequence of the manufacture, sale, supplying, letting on hire, or user of any such incandescent electric lamps so manufactured, sold, supplied, let on hire, or used by the defendants respectively, or either of them, or by any

Admissions  
by counsel.

Action to  
stand for  
judgment.

Order.

Action dis-  
missed as to  
one patent  
with costs.

Injunction  
granted as to  
other patent.

Delivery up  
on oath of  
infringing  
lamps;

or destruction  
of the same.

Inquiry as  
to damages.



**ACTION OF INFRINGEMENT.**

person or persons to their order or for their use. And it is ordered that the defendants, W. H. and the Jablochkoff and General Electricity Company, Limited, respectively do, within twenty-one days after the date of the chief clerk's certificate to be made in pursuance of this order, pay to the plaintiffs, the Edison and Swan United Electric Light Company, Limited, the respective sums which shall be certified to be the amount of such damages. And it is ordered that a certificate do issue pursuant to the Patents, Designs, and Trade Marks Act, 1883, that the amended particulars of objections delivered by the defendants with respect to the patent numbered 4576 of 1879, were reasonable and proper, and that a like certificate do issue that the plaintiffs have proved their particulars of breaches in this action so far as the same relate to the patent numbered 4847 of 1878, and that the validity of the said patent came into question. And it is hereby referred to the taxing master to tax as between solicitor and client the costs of the plaintiffs, the Edison and Swan United Electric Light Company, Limited, and The Edison Electric Light Company, Limited, of this action so far as the same relate to the said letters patent numbered 4847 of 1878 on the higher scale. And it is hereby referred to the taxing master to tax the costs of the defendants, W. H. and The Jablochkoff and General Electricity Company, Limited, of this action, so far as the same relate to the said patent numbered 4576 of 1879 on the higher scale. And the taxing master is to set off the said costs of the plaintiffs and of the defendants when so respectively taxed, and certify to which of them the balance after such set-off is due. And it is ordered that such balance be paid by the party from whom to the party to whom the same shall be certified to be due, and any of the parties are to be at liberty to apply as they may be advised.

Order for payment of amount found due.

Certificate that particulars of objections reasonable and proper.

Particulars of breaches proved by plaintiff.

Taxation.

Costs to be set off.

Liberty to apply.

**THE SCHEDULE.**

[Witnesses.

Dates of Examination.

Exhibits.]

**Form of Certificate of Validity.**

I hereby certify, pursuant to the 31st section of the Patents, Designs, and Trade Marks Act, 1883 (46 & 47 Vict. c. 57), that upon the trial of this action the validity of the letters patent in the pleadings mentioned, dated the 28th November, 1878, and numbered 4,847, granted to F. J. O., amended by disclaimer allowed 12th November, 1884, and now vested in the Edison and Swan United Electric Light Company, Limited, came into question.

Dated this 16th day of July, 1888.

E. E. KAY.

**Judgment varied on Appeal.**

*The Edison and Swan United Electric Light Company, Limited, and The Edison Electric Light Company, Limited* - - - - - Plaintiffs,  
*W. H. and The Jablochkoff and General Electricity Company, Limited* - - - - - Defendants,  
 and  
*The Anglo-American Brush Electric Light Corporation, Limited* - - - - - Third Parties.

Upon motion on the, &c., made unto this Court by counsel for the plaintiffs by way of appeal from the judgment of Mr. Justice Kay, dated the — so far as it relates to the letters patent No. 4576 of 1879, and upon hearing counsel for the defendants and for the above-named third parties, and upon reading the said judgment, this Court did order that the said motion should stand for judgment, and the same standing this day for judgment accordingly in the presence of counsel for all parties: This Court doth reverse so much of the said judgment as directs that this action should stand dismissed out of this Court so far as the same related to the letters patent of Thomas Alva Edison, dated the 10th of November, 1879, and numbered 4576 in the pleadings mentioned, with costs to be taxed by the taxing master as in the said judgment provided. And instead thereof, this Court doth order that the defendants, W. H., and The Jablochkoff and General Electricity Company, Limited, their several agents and workmen, be restrained during the continuance of such letters patent from manufacturing, selling, letting on hire, supplying, or using any incandescent electric lamps manufactured according to or in the manner described in the specification filed in pursuance of such letters patent, or according to or in any manner only colourably differing from the same, and generally from infringing the rights of the plaintiffs in respect of such letters patent.

Motion to stand for judgment. Part of judgment reversed.

Injunction granted.

Delivery up on oath of infringing instruments.

Inquiry as to damages.

Payment of amount found due.

And it is ordered that the defendants W. H., and The Jablochkoff and General Electricity Company, Limited, do on or before the 30th day of April, 1889, or subsequently within seven days after service of this order, make and file an affidavit stating what lamps made in infringement of the said letters patent are in the possession or power of the defendants respectively or either of them, and do within the time aforesaid deliver up to the plaintiffs, or break up or otherwise render useless, in the presence of some person to be appointed by the plaintiffs and defendants respectively, and in the presence of their respective solicitors, all such incandescent electric lamps as aforesaid as are respectively in their possession or power. And it is ordered that the following inquiry be made, that is to say, an inquiry what damages the plaintiffs have sustained by reason or in consequence of the manufacture, sale, supplying, letting on hire, or user of any such incandescent electric lamps so manufactured, sold, supplied, let on hire, or used by the defendants respectively or either of them, or by any person or persons by their order or for their use. And it is ordered that the defendants W. H., and The Jablochkoff and General Electricity Company, Limited, respectively, do, within twenty-one days

after the date of the chief clerk's certificate to be made in pursuance of this order, pay to the plaintiffs, the Edison and Swan United Electric Light Company, Limited, the respective sums which shall be certified to be the amount of such damages. And it is hereby referred to the taxing master to tax as between solicitor and client the costs of the plaintiffs of this action, so far as the same relate to the said letters patent, on the higher scale, and also to tax as between solicitor and client the costs of the plaintiffs occasioned by this appeal. And it is ordered that so much of the said judgment as relates to the set-off of costs and the payment of the balance be discharged. And instead thereof, it is ordered and adjudged that the plaintiffs recover against the defendants the plaintiffs' costs of this action by the said judgment directed to be taxed, and against the defendants and the said third parties, their costs of the said action and occasioned by this appeal hereby directed to be taxed.

Taxation of costs.

Order as to set-off of costs discharged.

### Judgment at Trial for Defendants. Recital of Evidence. Costs.

*The American Braided Wire Company, and another v. Thomson.*  
Kekewich, J. 6th July, 1887. A. 1233.

This action coming on for trial on the 2nd and the 5th July, 1887, and this day before this Court in the presence of counsel for the plaintiffs and for the defendants, and upon hearing the pleadings in this action, specification of patent No. 9073, dated the — day of — 18— an indenture dated the — 18— made between — Manufacturing Company of the one part, and the American Braided Wire Company of the other part, the plaintiffs' particulars of breaches delivered on the — the defendants' re-amended particulars of objections delivered on the — and the answers and further answers of the defendants filed respectively the — and the — to the interrogatories of the plaintiffs, and the answers of the plaintiffs the American Braided Wire Company, filed the — to the interrogatories of the defendants, the admission of the defendants dated the — the letter from — to the defendants dated the — the letter from the defendants to — dated the — and the further letter from the defendants to — dated the — and a specification of patent No. 1235, dated the — 18— read, and the evidence of the persons named in the schedule hereto on their examination taken orally before this Court upon the several days set opposite to their names in the said schedule, and upon production to such persons of the several exhibits set opposite to their names in the third column of the said schedule, and what was alleged by counsel on both sides, and the re-amended particulars of objections being deemed to be further amended by the addition to the sixth objection of the passage in the specification of — page — lines — of the Queen's Printer's copy thereof, which is admitted by counsel for the plaintiffs and defendants to be correct: This Court doth order that this action do stand dismissed out of this Court. And it is ordered that it be

Evidence, &amp;c.

Action dismissed.

**Costs.** referred to the taxing master to tax upon the higher scale the costs of the defendants of this action, except so much as relates to the objections numbered 5, 7, and 7a, of the defendants' particulars of objections, and to tax the costs of the plaintiffs of the said objections 5, 7, and 7a. And the taxing master is to deduct the said costs of the plaintiffs from the said costs of the defendants, and is to certify the balance.

**Particulars of objections.**

And it is ordered that the plaintiffs — do pay to the defendants — the amount of such balance to be certified.

#### THE SCHEDULE.

##### *Witnesses examined in Court.*

[*Names of Witnesses.*

*Dates of Examination.*

*Exhibits.]*

#### Judgment in default of Defence.

*The Wenham Company, Limited v. Carpenter, Ford, and Company.*  
Chitty, J. 29th October, 1887.

**No defence delivered.**

**Injunction.**

Upon motion for judgment this day, &c., and upon reading the plaintiffs' statement of claim, the particulars of breaches delivered the 10th day of March, 1887, and an affidavit of — filed — and the exhibits therein referred to, and no statement of defence having been delivered: This Court doth order and adjudge that the defendants, — Company, their several servants, agents, and workmen, be restrained during the continuance of the letters patent hereinafter referred to, from using, or exercising, or causing or permitting to be used or exercised, the invention described in the specification of — filed under letters patent dated the — 18— No. 2869, as amended on the — 18— under the provisions in that behalf of the Patent, Designs, and Trade Marks Act, 1883, and the drawings attached thereto or any part of the same invention, and from manufacturing, selling, or making any profitable use, or permitting the manufacture, sale, or profitable use, of any gas lamps or lanterns not made by the plaintiffs or their licensees, being the same as the gas lamp sold to — named in the said particulars of breaches, or which as to any part or parts thereof are constructed or arranged according to the said invention or any part of the invention, or differ therefrom only colourably, or by the substitution of mere mechanical equivalents. And it is ordered that the following account be taken, that is to say, an account of all gas lamps or lanterns being the same as that sold to the said — as aforesaid, or otherwise made according to the said invention as described in the said amended specification, in infringement of the said letters patent which have since the amendment of the said specification been manufactured, or sold, or used by, or by the order or for the profits of the defendants, and also of the gains and profits made by the defendants by reason of such manufacture, or sale, or use. And it is ordered that the defendants, — Company, do pay to the plaintiffs, — Com-

**Account of profit, &c.**

**Payment of what found due.**

pany, Limited, what shall be certified to be the amount of such gains and profits within twenty-one days after the filing of the chief clerk's certificate of the result of such account. And it is ordered that the defendants do on or before the 15th day of December, 1887, or subsequently within four days after service upon them of this order, file an affidavit stating whether they have in their possession or power any, and if any, what, gas lamps or lanterns, or parts of gas lamps or lanterns, which gas lamps or lanterns or parts are the same as the lamp sold to — as aforesaid, or which have otherwise been manufactured or used in infringement, as aforesaid, since the said amendment. And it is ordered that all gas lamps or lanterns, or parts of gas lamps or lanterns, which gas lamps or lanterns or parts shall appear by such affidavit to have been so manufactured or used, and to be in the possession or power of the defendants, be destroyed within fourteen days after the filing of the said affidavit in the presence of some person at Birmingham to be nominated by the plaintiffs. And it is ordered that the defendants, Messieurs Carpenter, Ford, and Company, do pay to the plaintiffs, The Wenham Company, Limited, their costs of this action up to and including this judgment, such costs to be taxed by the taxing master. And this Court doth reserve the subsequent costs of this action. And it is ordered that the plaintiffs and defendants be at liberty to apply to the judge at Chambers as to the said subsequent costs.

Affidavit of  
infringing  
articles.

Costs.

### Judgment at Trial of Action.

*Siddell v. Vickers.* Kekewich, J. 21st December, 1887.

This action coming on for trial on the — before this Court in the presence of counsel for the plaintiff and defendants, and upon hearing the writ of summons issued in this action on the — the pleadings in this action, the letters patent granted to the plaintiff, No. — of A.D. — dated the — specifications to the said letters patent and the particulars of breaches delivered on the — and upon hearing the evidence of the several persons named in the schedule hereto on their examination taken orally before this Court upon the several days set opposite their names in the said schedule, and upon reading the several exhibits being documents, and examining the other exhibits produced to such persons on their said examination referred to in the third column of the said schedule, and hearing what was alleged by counsel on both sides, this Court did order that the said action should stand for judgment—

Evidence.

And the same standing for judgment this day in the paper in the presence of counsel for the plaintiff and defendants, this Court doth order and adjudge that the defendants — their agents, servants and workmen, be restrained during the continuance of the said letters patent No. — of A.D. — from using or permitting to be used the invention described in the specification and drawings, No. — of A.D. — filed by the plaintiff or any part or parts of the same invention and from using and permitting to be used in the manufacture of iron and steel forgings any appliances or means being

Stands for  
judgment.

Injunction.

the same as the appliances or means now or lately used by the defendants as mentioned in the said particulars of breaches, or which as to any part or parts thereof are arranged or constructed according to the said invention, or any part thereof, or differ therefrom only colorably, and by the substitution of more mechanical equivalents.

Affidavit of  
infringing  
articles.

And it is ordered that the defendants — do within fourteen days after the service of this judgment make and file an affidavit stating what appliances and parts of appliances for working or operating on iron or steel forgings as mentioned in the particulars of breaches, or otherwise manufactured in accordance with the said specification or according to or only colorably differing from the same have been manufactured by or by the order or for the use of the defendants as in the pleadings mentioned, and are in the possession, custody, or power of the said defendants, or their agents, servants, and workmen.

Account.

And it is ordered that the following account be taken :

1. An account of all iron or steel forgings manufactured by the defendants by the use of the plaintiff's said invention or any part or parts of such invention, and also of the profits made by the defendants by reason of such manufacture or use.

Account sus-  
pended pend-  
ing appeal.

And it is ordered that the taking of such account be suspended pending the appeal of the defendants to the Court of Appeal from this judgment.

And it is ordered that the defendants — do within fourteen days after service upon them of the chief clerk's certificate pay to the plaintiff — what shall be certified to be the amount of such profits.

Costs.

And it is ordered that the defendants — do pay to the plaintiff — (1) his costs of a certain application made by the defendants to the Attorney-General for his authority to present a petition for the revocation of the plaintiff's said letters patent, and (2) his costs of this action up to and including this judgment, except as to the alleged use by the defendants of the automatic action of the plaintiff's apparatus after the — the day when the plaintiff left the defendant's works, such costs to be taxed by the taxing master on the higher scale.

And this Court doth reserve the subsequent costs of this action.

Certificate of  
validity.

And it is ordered that a certificate do issue that upon the trial of this action the validity of the plaintiff's patent came in question.

And it is ordered that the plaintiff and defendants be at liberty to apply to the judge at chambers as they may be advised.

#### The SCHEDULE.

[Names of Witnesses.

Dates of Examination.

Exhibits.]

#### Judgment on Appeal.

*The American Braided Wire Company and another v. Thomson & Co.*  
Court of Appeal. 2nd February, 1888. A. 200.

Evidence.

Upon motion by way of appeal on the — days of — 18— and this day made unto this Court by counsel for the plaintiffs against the

judgment of his lordship Mr. Justice — made in this action on the — so far as it directs that this action shall stand dismissed out of Court, and so far as it directs the taxation of any costs of the defendants, and payment or allowance to the defendants by the plaintiffs of any costs, and upon hearing counsel for the defendants and the evidence of the following persons taken orally before this Court, on the — namely, — and the exhibits — produced to — and upon reading the said judgment, the further particulars of objections delivered by the defendants to the plaintiffs on the — and the specification of — of — No. —

This Court doth order that the said appeal be allowed, and that the said judgment dated the — be reversed. And it is ordered that the defendants T. & Co., their servants and agents respectively, be hereby perpetually restrained from manufacturing, selling, or exposing for sale bustles or dress improvers in infringement of the plaintiffs' patent dated the — in the pleadings mentioned, or from making, selling, or exposing for sale articles in colourable imitation of the articles manufactured by the plaintiffs under their said letters patent.

Judgment reversed.

Injunction.

And it is ordered that the following inquiry be made, that is to say:—

An inquiry what damages have been sustained by the plaintiffs by reason of the said infringement by the said defendants of the plaintiffs' said patent.

Inquiry as to damages, &c.

And it is ordered that the defendants, T. & Co., do within twenty-one days after the date of the certificate of the result of the said inquiry, pay to the plaintiffs, The A. B. W. Co., the amount which shall be certified to be due in respect of such damages.

And it is ordered that the defendants, T. & Co., do forthwith deliver up to the plaintiffs, the A. B. W. Co., all articles in their possession made in infringement of the said patent.

Delivery up of infringing articles.

And it is ordered that the defendants, T. & Co., do pay to the plaintiffs, The A. B. W. Co. and the W. & W. M. Co., their costs of this appeal and of this action, such costs to be taxed by the taxing-master on the higher scale, and the defendants thereupon by their counsel moving that all further proceedings under this order might be stayed pending an appeal therefrom to the House of Lords, and upon hearing counsel for the plaintiffs, this Court doth not think fit to make any order upon the said application, except that the delivery up of the said articles made in infringement of the said patent be not enforced pending the appeal of the said defendants to the House of Lords, provided notice of the said appeal be given to the plaintiffs' solicitors on or before the — Messrs. — and — the plaintiffs' solicitors, personally undertaking in writing (which is annexed to the registrar's book) to abide by any order this Court shall make as to refunding to the defendants the costs hereby directed to be paid to them by the defendants in the event of this order being reversed or varied on appeal by the House of Lords.

Costs.

Undertaking as to costs.

## Order for Discovery of Names of Customers and Prices of Articles.

*The American Braided Wire Company and another v. Thomson.* Stirling, J. 1st June, 1888. A. 822.

Inspection of  
books.

Upon, &c. And upon reading the judgment dated the ——— an order of the Court of Appeal dated the ——— an order dated the ——— and an affidavit of the defendants ——— this Court doth order that the defendants T. & Co. do within seven days after the service of this order at all seasonable times upon reasonable notice produce at ——— for the inspection of the plaintiffs all such parts of the documents as are set out in the second part of the first schedule to the affidavit of the defendants filed the ——— as disclose the names of the customers of the firm of T. & Co. to whom any articles made in infringement of the plaintiffs' letters patent in the order of the Court of Appeal of the ——— mentioned have been sold by the defendants, and also the prices for which any such articles were respectively sold. And the applicants, their solicitors and agents, are to be at liberty to inspect and peruse the parts of the documents so produced, and to take copies thereof and abstracts thereof, and extracts therefrom, as the applicants shall be advised at their expense. And it is ordered that the defendants do produce the same in this cause as the plaintiffs shall require, and the plaintiffs are to be at liberty to make such further application as to all or any of the documents mentioned in such affidavit as they may be advised. And it is ordered that the defendants T. & Co. do pay to the plaintiffs ——— their costs of the application in chambers and occasioned by the adjournment thereof into Court, such costs to be taxed by the taxing master.

Costs.

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## VII.—Action to Restrain Threats.

### Indorsement on Writ.

The plaintiff's claim is :—

Injunction.

1. For an injunction to restrain the defendants from continuing to threaten the plaintiff, or any other person or persons whereby the plaintiff may be aggrieved, by circulars, advertisements, or otherwise, with any legal proceedings or liability in respect of any alleged manufacture, use, sale, or purchase of any invention in infringement of the defendant's patent rights (if any).

Damages.

2. For damages for injury accrued to the plaintiff in respect of the said threats.

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## VIII.—Revocation of Patents.

### Petition for Revocation of Patent.

In the Matter of A. & B.'s Patent, No. ———, A.D. 1882

*and*

In the Matter of the Patents, Designs and Trade Marks Act,  
1883.

To her Majesty's High Court of Justice.

The humble petition of C. of ———

Showeth as follows:—

1. Your petitioner is an electrician, and the patentee of many inventions in connection with the production, distribution, and utilization of electric currents, which inventions are now in extensive practical use.

2. Among other methods of distribution, for some time past your petitioner has especially occupied himself with methods of effecting the same by means of secondary generators, by which electrical action is obtained at different points of an electrical circuit by means of electric induction only, without interrupting such circuit or making any connection with the conductor conveying the current.

3. In or about the month of ——— your petitioner invented an improved form of secondary generator for the purpose of effecting economically and conveniently the above-mentioned object, and on the ——— day of ——— your petitioner applied for and obtained a provisional protection No. ——— A.D. 1885, for such invention, and has since filed a complete specification for the said invention.

4. Since obtaining the said provisional protection your petitioner has manufactured and used secondary generators constructed according to your petitioner's said invention, and the same have been shown to possess great advantages over other forms, and to be of great practical utility.

5. The sale and user of the said secondary generators made according to your petitioner's invention has recently been interfered with by a limited company named the ——— The said company claim to be entitled to restrain any person using any mode of electrical distribution by means of secondary generators of whatever form or construction such generators may be.

6. The said claim of the aforesaid company purports to be based upon letters patent granted to A. & B., and numbered ——— A.D. ——— The invention in respect of which the said letters patent were granted was in nowise novel at the date of the same, and the said letters patent are and always have been of no force and validity by reason thereof, and of the other matters set forth in the particulars of objections delivered herewith in pursuance of section 26 of the above-named Act.

7. The existence of the above-named letters patent, claiming a wide and general monopoly of the system of distribution by means of secondary generators, which was known to, and the property of, the

public at the date of the said letters patent, has been and is the cause of great injury to the public by preventing the sale of machines made according to your petitioner's invention, as well as those made by other inventors who likewise have made improvements in secondary generators and in the distribution of electricity thereby.

8. That the public are prejudiced by the above-mentioned general claim in the said letters patent because consumers of electricity are not in general acquainted with the science of electricity and the technical application thereof, and are therefore unable to form an opinion as to the invalidity of the said letters patent, whereby the sale and use of improved secondary generators are wholly prevented.

9. The office of — is the place where the petitioner may be served with any petition, or summons, or notice of any proceedings or order of this Court relating to the matters herein referred to.

Your petitioner therefore humbly prays for the revocation of letters patent No. — A.D. 18— or that such order may be made in the premises as to this honourable Court may seem meet.

And your petitioner will ever pray, &c.

(Signature of Petitioner.)

It is intended to serve this petition on —

Fiat of Attorney-General.

I hereby authorize the presentation to the High Court of Justice of the above written petition.

Richard E. Webster,  
Attorney-General.

Royal Courts of Justice }  
—18— }

### Petition for Revocation of Patent (Another Form).

In the Matter of Letters Patent No. — A.D. 18—  
and

In the Matter of the Patents, Designs and Trade Marks Act,  
1883.

To her Majesty's High Court of Justice.

The humble Petition of X. of —

Sheweth as follows:—

1. On the — day of — 18— a patent was granted to your petitioner X. by the Commissioners of the United States Patent Office for certain new and useful improvements in apparatus for the manufacture of — and — and a specification fully describing the said invention was duly deposited at the said Patent Office and forms part of the said letters patent.

2. On the — day of — 18— your petitioner X. gave instructions to one — and a power of attorney to act as his agent in England in

and about the obtaining the grant of letters patent for the above-named invention.

3. Instead of obtaining letters patent for and on behalf of your petitioner X. as a communication from abroad, the said ——— conspired with ——— to wrongfully and by fraud obtain from the Crown the grant of letters patent for the said invention to the said ——— on behalf of himself as true and first inventor within this realm.

4. The usual declarations and specifications were filed and signed by the patentee ——— and his agent ——— and letters patent were duly granted on the ——— day of ——— A.D. 18— and numbered No. ——— The said letters patent were obtained in fraud of the rights of your petitioner X.

5. It is claimed that by an agreement dated the ——— an interest in the said United States Patent was given the said ——— the said ——— and to ——— residing in the United States of America.

Your petitioner therefore humbly prays that the grant of the said letters patent to ——— may be revoked, and for a declaration that your petitioner X. was the true and first inventor of the said invention. Or that such other order may be made in the premises as to this honourable Court shall seem meet.

And your petitioner will ever pray, &c.

Particulars of objections are delivered herewith.

It is intended to serve this petition on ———

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### Order for Revocation of Patent.

In the Matter of G. & G.'s Patent, No. ——— A.D. ———  
and

In the Matter of the Patents, Designs, and Trade Marks,  
Act, 1883.

North, J. 9th July, 1888.

Upon the petition of F. of ——— in the ——— on the ——— preferred unto this Court, and upon hearing counsel for the petitioner, and for the respondents, G., G., and the N. Co. for the Distribution of Electricity by Secondary Generators, Ltd., on the ——— and upon reading the petition, the amended particulars of objections delivered by the petitioner, the exhibits produced to the witnesses named in the schedule hereto, and set opposite to their names in the third column of such schedule, and upon hearing the evidence of the witnesses named in the first column of such schedule, upon their examination taken orally before this Court on the days mentioned in such schedule: This Court did order that the petitioner should stand for judgment; and the same standing for judgment this day in the paper in the presence of counsel for the petitioner and the respondents, This Court doth

Petition.

Evidence.

Order revok-  
ing patent.

order that the Letters Patent No. ——— A.D. ——— in the petition mentioned granted to G. and G. be revoked.

Costs.  
Higher scale.

And it is ordered that the respondents, G., G., and the N. Co. for the Distribution of Electricity by Secondary Generators, Ltd., pay to the petitioner, F., his costs of the said petition (to be taxed by the taxing master on the higher scale).

#### SCHEDULE.

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### Order Dismissing Petition for Revocation.

In the Matter of Letters Patent No. 6938, A.D. 1885  
and

In the Matter of the Patents, Designs, and Trade Marks Act,  
1883.

Stirling, J. 23rd February, 1887. A. 406.

Petition.

Upon the petition of A. of ——— on the 24th day of November, 1886, preferred unto this Court that the grant of the above-mentioned letters patent to L. might be revoked, and for a declaration that the petitioner was the true and first inventor of the invention in the said petition mentioned, and upon hearing counsel for the petitioner and for the respondents L. and W., and upon reading the said petition, the affidavit of, &c. And this Court being of opinion that the petitioner has not brought his case within clause (D) of sub-sect. (4) of sect. 26 of the Patents, Designs, and Trade Marks Act, 1883, and that the petitioner has not sufficiently alleged or proved himself to be the true inventor within clause (D) of the same sub-section: Doth order that the said petition be dismissed without prejudice to the right of the petitioner to present another petition for revocation of the said letters patent under the said clause (D). And it is ordered that the petitioner A. do pay to the respondents L. and W., their costs of the said petition to be taxed by the taxing master.

Order  
dismissing  
petition.

## IX.—Prolongation or Extension.

### Advertisement of Intention to Present Petition for Extension.

IN THE PRIVY COUNCIL.

In the matter of letters patent granted to ——— of ——— and  
bearing date the ——— day of ——— 18— and No. ———

Notice is hereby given that it is the intention of ——— to present a  
petition to Her Majesty in Council praying that the term of the said

letters patent may be extended. And notice is hereby further given that on the — day of — next, or on such subsequent day as the Judicial Committee of Her Majesty's Privy Council shall appoint for that purpose, application will be made to the said committee that a time may be fixed for hearing the matter of the said petition, and any person or persons desirous of being heard in opposition to the said petition must enter a caveat to that effect in the Privy Council on or before the said — day of — next.

Dated this — day of — 18—

\_\_\_\_\_  
Solicitors for the petitioner. ]

**Caveat.**

IN THE PRIVY COUNCIL.

In the matter of letters patent granted to — of — in the county of — for — bearing date the — No. —

*Caveat issued on behalf of —*

Let nothing be done in reference to the above-mentioned patent without due notice to —

Dated this — day of — 18—

\_\_\_\_\_  
Solicitors for —

**Notice of Day for Hearing Motion to fix date of Hearing.**

Council Office, Whitehall,  
— 18—

The registrar of the Privy Council begs to acquaint Messrs. — that the motion to fix a day for the hearing of the petition of — for the extension of letters patent granted to — of — for — and bearing date the — day of — 18— No. — will be heard by the Judicial Committee of the Privy Council on — the — of — at half past ten o'clock in the forenoon.

**Order fixing Day for Hearing Petition.**

At the Council Chamber, Whitehall,  
the — day of — 18—

By the Judicial Committee of the Privy Council.

Upon a motion this day made by counsel praying that a day may be appointed for hearing the petition of — for an extension of the term

of certain letters patent, dated the — day of — 18—, No. — granted to — for the invention of —

It is ordered by their lordships that the said petition be heard before this committee on — day, the — day of — 18—, at — o'clock in the forenoon, upon the petitioner forthwith advertising in the *London Gazette*, and two London newspapers, that that day has been fixed by their lordships for such hearing.

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### Advertisement of Day appointed for Hearing.

IN THE PRIVY COUNCIL.

In the matter of letters patent granted to — of — and bearing date the — day of — 18— No. —

Notice is hereby given that their lordships the Judicial Committee of the Privy Council have appointed — the — day of — 18— at half past ten o'clock in the forenoon for hearing the matter of the above petition.

Dated this — day of — 18—

\_\_\_\_\_  
Solicitor for petitioner.

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### Affidavit of Advertisement of Intention to present Petition.

IN THE PRIVY COUNCIL.

In the matter of letters patent granted to — of — for — bearing date the — day of — 18— No. —

I — of — make oath and say as follows:—

1. That on the — day of — 18— there appeared in the London Gazette an advertisement of which the following is a copy:—

[Set out advertisement.]

The said advertisement was repealed in the London Gazette the — day of — 18— the — day of — 18— and the — day of — 18—

2. On the — day of — 18— a similar advertisement appeared in the — newspaper, a paper published in —

3, 4, &c. [Set out other advertisements as required pursuant to the Rules.]

. Sworn, &c.

**Affidavit of Insertion of Advertisement of Day  
appointed for Hearing.**

IN THE PRIVY COUNCIL.

In the matter of letters patent granted to — of — and  
bearing date the — day of — 18— No. —

I — of — make oath and say as follows:—

1. That on the — day of — 18— there appeared in the London  
Gazette an advertisement in the above matter of which the following  
is a copy:—

[Set out advertisement here.]

2. On the — day of — 18— a similar advertisement appeared  
in the — a paper published in the county of —

3. (Similar to 2.)

Sworn, &c.

**Affidavit of Service of Petition on Caveators.**

IN THE PRIVY COUNCIL.

In the matter of letters patent granted to — of — for  
— dated the — No. —

I, A. B. of — make oath and say as follows:—

1. That I did on — the — day of — 18— at — o'clock in  
the afternoon serve Messrs. — of — the solicitors who have  
entered a caveat against the petitioners in the above matter with a  
true copy of the petition of the said — for a prolongation of the  
term of the above-mentioned patent by giving such copy to and  
leaving the same with a clerk of the said — at their office or place  
of business at — aforesaid.

2. Prove service on other caveators in similar manner.

3. That I have to-day duly searched at the office of the Privy  
Council, and have ascertained that up to the period of the closing of the  
said office on — day the — of — the day fixed by the advertise-  
ments in this matter for caveats to be lodged, the said caveats entered  
by — are the only caveats entered against the said petition of —

Sworn, &c.

## Form of Petition for Prolongation.

IN THE PRIVY COUNCIL.

*Presented the — day of — 18—.*

To the Queen's most excellent Majesty in Council.

In the matter of letters patent granted to A. formerly of —  
now — in the county of —, — for the invention of  
"A new or improved — constructed as a —" dated  
the — day of — 1873, No. —

The humble petition of the above-named A. formerly of — now  
— in the county of —

Sheweth :—

Invention.

1. That your petitioner, previously to the grant of the letters patent hereinafter mentioned, invented, after considerable personal application and cost, "A new or improved — constructed as a —" (hereinafter called "the said invention"), which invention was and is of great utility, and greatly beneficial to the public.

Grant.

2. That your Majesty was graciously pleased by letters patent under the Great Seal of the United Kingdom of Great Britain bearing date the — day of — 1873, to grant unto your petitioner A., his executors, administrators, and assigns, the sole privilege and authority to use the said invention within the said United Kingdom, the Channel Islands and Isle of Man, for the term of fourteen years from the date of the said letters patent.

Specification enrolled.

3. That your petitioner, in compliance with a proviso in the said letters patent contained, duly made and cause to be filed in the Great Seal Patent Office, within six calendar months from the date of the said letters patent, an instrument in writing under his hand and seal, particularly describing and ascertaining the nature of his said invention, and the manner in which the same was to be performed.

Foreign patent rights.

4. That your petitioner has not obtained any letters patent or brevets d'invention for his said invention in any foreign country.

Expenditure, &c. on invention.

5. That your petitioner has expended large sums of money, and devoted great pains and trouble while in health in endeavouring to introduce the said invention to the public, and to bring the same into use.

Delay in presenting petition.

6. That your petitioner met with an accident while travelling on the — Railway between — and — on — day of — 1878, and in consequence thereof was confined to his bed until nearly the end of the year 1882.

Reasons for.

7. That your petitioner would have presented this his petition earlier and about the — day of —, 1886, when he called at the Privy Council Office for particulars as to presenting same; he was, however [*here set out grounds of inability*].

Insufficient remuneration.

8. That your petitioner has, owing to [*mention circumstances*] failed to receive adequate benefit from his invention.



9. Your petitioner has no doubt that if the term of the said letters patent should be extended the said letters patent will become productive, and your petitioner will be able to obtain a fair reimbursement and remuneration commensurate with the great public value and importance of the said invention.

10. That your petitioner's invention was tried practically and with great success in the month of — 1883, at —, when the use of the invention for the — was most amply demonstrated. Merits of invention.

11. That your petitioner exhibited a model of his invention at the — Exhibition held in — in 18— when he was awarded a gold medal; and at the — Exhibition held at the — in 18— when he was awarded the first prize of —

12. That your petitioner humbly submits that under the circumstances of the case an exclusive right of using and vending the said invention for the further period of seven years will not sufficiently reimburse and remunerate your petitioner.

13. That your petitioner has given public notice by advertisements caused to be inserted the requisite number of times in the London Gazette, and in other newspapers, pursuant to the statutes in that case made and provided, that it is his intention to apply to your Majesty in Council that the said letters patent may be extended for a further term. Advertisements.

Your petitioner therefore humbly prays that your Majesty will be graciously pleased to take the case of your petitioner into your Royal consideration, and to refer this petition to the Judicial Committee of your Majesty's most honourable Privy Council; and that your petitioner may be heard before such committee by his counsel and witnesses, and that your Majesty will be graciously pleased to grant to your petitioner a prolongation of the term by the said letters patent granted for the additional term of fourteen years, or for such other term as to your Majesty shall seem fit. Prayer.

And your petitioner will ever pray.

**Form of Petition for Prolongation (Another Form).**

IN THE PRIVY COUNCIL.

*Presented the — day of — 18—*

To the Queen's most excellent Majesty in Council.

In the matter of letters patent granted to A. in — in the county of Middlesex for the invention of "Improvements in, &c.," dated the —, No. —.

The humble petition of the above-named —, and others.

Sheweth:—

Invention.

1. That your petitioner, the above-named —, previously to the grant of the letters patent hereinafter mentioned, invented, after considerable personal application and cost, certain "improvements in the means, &c." (hereinafter called "the said invention"), which invention was and is of great utility, and greatly beneficial to the public.

Grant of patent.

2. That your Majesty was graciously pleased, by letters patent under the Great Seal of the United Kingdom of Great Britain, bearing date the — day of —, to grant unto your petitioner —, his executors, administrators and assigns, the sole privilege and authority to use the said invention within the said United Kingdom, the Channel Islands, and Isle of Man, for the term of fourteen years from the date of the said letters patent.

Specification filed.

3. That your petitioner —, in compliance with a proviso in the said letters patent contained, duly made and caused to be filed in the Great Seal Patent Office, within six calendar months from the date of the said letters patent, an instrument in writing under his hand and seal, particularly describing and ascertaining the nature of his said invention, and the manner in which the same was to be performed.

No foreign patents.

4. That your petitioner — has not obtained any letters patent, or *Brevets d'Invention* for his said invention in any foreign country.

5. [*Assignment of share of patent.*]6. [*Agreement for partnership.*]

Agreement to form company.

7. By an indenture, dated the —, and made between your petitioners — of the first part, your petitioner — of the second part, your petitioner — of the third part, and your petitioner — of the fourth part, certain arrangements were made between the parties thereto, with a view to the formation of a company for working the said letters patent, and certain other patents relating to the same subject-matter.

Assignments.

8, 9, 10, 11. [*Assignments.*]12. [*Agreement with trustee for an intended company.*]

Formation of company.

13. The company contemplated by the last-mentioned agreement was duly formed and registered on the — day of —, under the name of the —, and it is hereafter referred to as "the said company."

Adoption of agreement by company.

14. By an agreement dated the —, and endorsed on the agreement last aforesaid, and made between your petitioners of the first part, — of the second part, and the said company of the third part, the said company ratified and adopted the agreement last hereinbefore stated.

15, 16, 17. [*Allotment of shares, company wound up.*]

18. Under the circumstances aforesaid, your petitioners are entitled to the said letters patent in the following shares, that is to say:—your petitioner — to — parts thereof; your petitioner — to — parts thereof; your petitioner — to — parts thereof; your petitioner — to — parts thereof; and your petitioner — to — parts thereof.

Interest of petitioners in patent.

19. That the said invention relates to the use of — and —, and it has been applied with very great and most marked practical success at —, and elsewhere.

Utility of invention.

20. That your petitioner — has given much time and labour, and expended considerable sums of money in conducting experiments relating to the subject-matter of this invention.

Expenditure, time, money, &c.

21. That your petitioners have expended large sums of money, and devoted great pains and trouble in endeavouring to introduce the said invention to the public, and to bring the same into use.

22. That your petitioners endeavoured to obtain the employment of the said invention by — companies in London and the neighbourhood, but that owing to the uncertainty which has prevailed since the year — in regard to proposed legislation —, the companies have been unwilling to embark new capital in adopting the said invention.

23. That only one licence has ever been granted for the use of the said invention, that is to say, to —, for the purpose of making and selling domestic —, which licence was determined in the year —.

Licences.

24. That, as will appear by the accounts, your petitioner —, notwithstanding the sums which he received from the said company as aforesaid—and even assuming that he had received from the said company the further sums which he has claimed as aforesaid—has not as yet received any adequate return for the capital and labour which he has expended on the said invention; and your petitioners — and —, have not received any adequate return for their outlay on the said invention, even assuming that they will receive the full amount of the said claim against the said company. Under the circumstances aforesaid, the said letters patent of the —, have not been productive of any sufficient reward.

No adequate return from invention.

25. That of late years the utility of the said invention has been generally acknowledged, and — have been introduced into the various Government departments. They are now beginning to be used by railway companies, hospitals and schools, not only in this country, but also by railway and telegraph companies in India, Persia and other foreign countries. Quite recently negotiations have been opened with your petitioner — on behalf of the new scheme of supplying —, and it is likely that this may lead to a large business. Another application received quite recently is —. Taking the three last years the value of the sales effected in the domestic — department increased in — about 13 per cent. as compared with —, and again in — about 26 per cent. as compared with —.

Prospects of invention.

26. That it is only now, when the letters patent are about to expire, that the use of the said invention is becoming fully established and extending, and your petitioners have no doubt that if the term of the said letters patent should be extended the said letters patent will become productive, and your petitioner — will be able to obtain a fair reimbursement and remuneration commensurate with the great public value and importance of the said invention.

27. That your petitioners humbly submit that, under the circum-

Term asked for.

stances of the case, an exclusive right of using and vending the said invention for the further period of seven years will not sufficiently reimburse and remunerate your petitioners.

Advertisements.

28. That your petitioners have given public notice, by advertisements caused to be inserted the requisite number of times in the *London Gazette*, and in Metropolitan and country newspapers, pursuant to the statutes in that case made and provided, that it is their intention to apply to your Majesty in Council that the said letters patent may be extended for a further term.

Prayer of petition.

Your petitioners therefore humbly pray that your Majesty will be graciously pleased to take the case of your petitioners into your royal consideration, and to refer the same to the judicial committee of your Majesty's Most Honourable Privy Council, and that your petitioners may be heard before such committee by their counsel and witnesses, and that your petitioners' letters patent be extended for the further and additional term of fourteen years, or for such other term as to your Majesty shall seem fit.

And your petitioners will ever pray.

IN THE PRIVY COUNCIL.

\_\_\_\_\_'s PATENT (18—, ————), No. —, IMPROVEMENTS IN ———.

PETITION FOR PROLONGATION.

ACCOUNT OF EXPENDITURE AND RECEIPTS.

Account of the Expenditure and Receipts of the Petitioner.

FIRST YEAR.

EXPENDITURE.		£	s.	d.
18—	At and prior to this date Petitioner — had expended various sums for models and other expenses of which he kept no account and is unable to specify them, but subsequently paid following :			
Mar. 2nd to Dec. 31st	Journey to London .....			
	Models .....			
	Sundry expenses—trials.....			
	Total Expenditure 18—.....	£		

RECEIPTS.

Nil.

SECOND YEAR.

EXPENDITURE.		£	s.	d.
18—	To amount paid — for half share of Patent Petitioner had assigned to him — .....			
Jan. 1st to Dec. 31st	„ Amount paid above —'s expenses of taking out patent, trials, &c. ....			
	„ Travelling expenses London and Portsmouth..			
	„ Advertising, printing, &c. ....			
	„ Cost of models .....			
	„ Expenses at trials.....			
	„ Legal expenses .....			
	„ Office furniture .....			
	„ Rent of offices .....			
	„ Rates and taxes.....			
	„ Subscription to exchange.....			
	„ Salaries of clerk.....			
	„ Office expenses .....			
	Total Expenditure for 18—.....	£		

RECEIPTS.

£ s. d.

18—	By Amount received from Messrs. — & — for right of sole manufacture .....			
Jan. 1st to Dec. 31st	„ Amount paid by Messrs. — & — to Petitioner — to enable him to devote his time specially to forwarding the invention and to be accepted in lieu of royalty during 18— .....			
10	[patented articles] sold during 18— : Total weight of same — cwts. — qr. — lbs. Total value of [patented articles] received by Petitioner and by him paid to the manufacturers Messrs. — & — ....£			

Total Receipts for 18—.....£

PROLONGATION OR EXTENSION.

**THIRD YEAR.**

EXPENDITURE.		£	s.	d.
18— Jan. 1st to Dec. 31st	To — Exhibition Expenses .....			
	„ Travelling expenses .....			
	„ Advertising and printing .....			
	„ Cost of models, photographs, frames, &c. ....			
	„ Expenses at trials, &c. ....			
	„ Legal expenses .....			
	„ Commission paid agents .....			
	„ Office furniture .....			
	„ Rent of offices .....			
	„ Rates and taxes .....			
	„ Salaries .....			
	„ Office expenses .....			
	„ [Patented article] not paid for, ——— .....			
	„ Bank commission .....			
	<b>Total Expenditure for 18—</b> .....	<b>£</b>		

RECEIPTS.		£	s.	d.
18— Jan. 1st to Dec. 31st	By amount paid by Messrs. — & — to Petitioner, —, to enable him to devote his time specially to forwarding the invention, and to be accepted in lieu of royalty during 18— ....			
	21 [patented articles] sold during 18— : Total weight of same, —cwts. —qrs. —lbs. Total value of [patented articles] received by Petitioner, and by him paid to the manufacturers, Messrs. — & — ....£			
	<b>Total Receipts for 18—</b> .....	<b>£</b>		

**FOURTH YEAR.**

EXPENDITURE.		£	s.	d.
18— Jan. 1st to Dec. 31st	To travelling expenses as per book ....			
	„ Patent duty (3 years) and expenses ..			
	„ Advertising and printing .....			
	„ Cost of models .....			
	„ Expenses at trials, &c. ....			
	„ Legal expenses .....			
	„ Commission paid agents .....			
	„ [Patented articles] not paid for, No. —			
	<b>GENERAL EXPENSES.</b>			
	„ Rent of offices and wharf .....			
	„ Rates and taxes .....			
	„ Salaries .....			
	„ Travelling and general trade expenses			
	„ Bank interest and commission .....			
	to Patent Account* .....	<b>£</b>		
	<b>Total Expenditure for 18—</b> .....	<b>£</b>		

RECEIPTS.		£	s.	d.
18— Jan. 1st to Dec. 31st	By amount paid by Messrs. — & — to Petitioner, —, to enable him to devote his time specially to forwarding the invention, and to be accepted in lieu of royalty during 18— ....			
	18 [patented articles] sold during 18— : Total weight of same, —cwts. —qrs. —lbs. Total value of [patented articles] received by Petitioner, and by him paid to the manufacturers, Messrs. — & — ....£			
	<b>Total Receipts for 18—</b> .....	<b>£</b>		

\* At this time the petitioner's patent business took up ½ time of petitioner's assistant.

**FIFTH YEAR.**

EXPENDITURE.		£	s.	d.	£	s.	d.
18—	To balance — Exhibition Expenses..						
Jan. 1st	to „ Advertising and printing .....						
Dec. 31st	„ Expenses at trials, &c. ....						
	„ Commission paid agents .....						
<b>GENERAL EXPENSES.</b>							
	To rent of offices and wharf .....						
	„ Salaries .....						
	„ Travelling and general trade expenses						
	„ Bank interest and commission .....						
					£		
	½ to Patent Account* .....						
	<b>Total Expenditure for 18—</b> .....				£		

RECEIPTS.		£	s.	d.
18—	By Royalty received during 18—, as per book .....			
Jan. 1st	to			
Dec. 31st				
	19 [ <i>patented articles</i> ] sold during 18— :			
	Total weight of same, —cwts. —qrs. —lbs.			
	Total value of [ <i>patented articles</i> ] sold by Petitioner, and by him paid to Messrs. — & —,			
	less above royalty, £ ..£			
	<b>Total Receipts for 18—</b> .....			£

\* *Memo.*—At this date the Petitioner's general business had increased, and the profits derived from it seemed to demand that a larger share of the expenses should be charged to that business, and therefore from this date Petitioner has only charged to this business one-third of the general expenses.

**SIXTH YEAR.**

EXPENDITURE.		£	s.	d.	£	s.	d.
18—	To Travelling expenses to London ....						
Jan. 1st	to „ Share of bad debt, — .....						
Dec. 31st	„ Advertising and printing .....						
	„ Photographs and frames .....						
	„ Commission paid agents .....						
<b>GENERAL EXPENSES.</b>							
	To Rent of offices and wharf and of show room at — .....						
	„ Salaries .....						
	„ Travelling and general trade expenses						
	„ Alterations to show-room at — ..						
	„ Bank interest and commission .....						
					£		
	½ to Patent Account .....						
	<b>Total Expenditure for 18—</b> .....				£		

RECEIPTS.		£	s.	d.
18—	By Royalty received during 18—, as per book ....			
Jan. 1st	to			
Dec. 31st				
	10 [ <i>patented articles</i> ] sold during 18— :			
	Total weight of same, —cwts —qrs. —lbs.			
	Total value of [ <i>patented articles</i> ] sold by Petitioner, and by him paid to Messrs. — & —,			
	less above royalty, £ ..£			
	<b>Total Receipts for 18—</b> .....			£

PROLONGATION OR EXTENSION.

**SEVENTH YEAR.**

		EXPENDITURE.		£ s. d. £ s. d.	
18—	To Travelling expenses, — to —				
Jan. 1st	„ Advertising and printing				
to	„ Photographs and frames				
Dec. 31st	„ Commission paid agents				
	„ [Patented articles] No. —, only part paid for				
	„ Expenses at trials, &c.				
GENERAL EXPENSES.					
	To Rent of offices and wharf and of show-room at —				
	„ Rates and taxes				
	„ Salaries				
	„ Travelling and general trade expenses				
	„ Bank interest and commission				
				£	
	to Patent Account				
	Total Expenditure for 18—			£	

		RECEIPTS.		£ s. d.	
18—	By Royalty received during 18— as per book				
Jan. 1st	to				
Dec. 31st					
	42 [patented articles] sold during 18—:				
	Total weight of same, —cwts. —qrs. —lbs.				
	Total value of [patented articles] sold by Petitioner and by him paid to Messrs. — & —				
	less above royalty, £			£	
	Total Receipts for 18—			£	

**EIGHTH YEAR.**

		EXPENDITURE.		£ s. d. £ s. d.	
18—	To Travelling expenses, Petitioner				
Jan. 1st	„ „ „				
to	„ Advertising and printing				
Dec. 31st	„ Photographs and frames				
	„ Legal expenses				
	„ Commission paid to agents				
	„ Patent duty (7th year) and expenses				
GENERAL EXPENSES.					
	To Rent of offices and wharf and of show-room at —				
	„ Rates and taxes				
	„ Salaries				
	„ Travelling and general trade expenses				
	„ Bank interest and commission				
				£	
	to Patent Account				
	Total Expenditure for 18—			£	

		RECEIPTS.		£ s. d.	
18—	By Royalty received during 18— as per book				
Jan. 1st	to				
Dec. 31st					
	55 [patented articles] sold during 18—:				
	Total weight of same, —cwts. —qrs. —lbs.				
	Total value of [patented articles] sold by Petitioner and by him paid to Messrs. — & —				
	less above royalty, £			£	
	Total Receipts for 18—			£	



**NINTH YEAR.**

		EXPENDITURE.		£	s.	d.	£	s.	d.
18—	Jan. 1st	To Travelling expenses, — to —	.....						
	to	„ Advertising and printing	.....						
	Dec. 31st	„ Photographs and frames	.....						
		„ Expenses at trials, &c.	.....						
		„ Commission paid to agents	.....						
<b>GENERAL EXPENSES.</b>									
		To Rent of wharf, offices, and show-room at —	.....						
		„ Rates and taxes	.....						
		„ Salaries	.....						
		„ Travelling and general trade expenses	.....						
		„ Bank interest and commission	.....						
		„ Alterations in offices at —	.....						
		„ Painting at —	.....						
		„ Plumbing at —	.....						
				£					
		‡ to Patent Account	.....						
		Total Expenditure for 18—	.....	£					

		RECEIPTS.		£	s.	d.
18—	Jan. 1st	By Royalty received during 18—, as per book	....			
	to					
	Dec. 31st					
		55 [ <i>patented articles</i> ] sold during 18— :				
		Total weight of same, —cwt. —qrs. —lbs.				
		Total value of [ <i>patented articles</i> ] sold by Petitioner and by him paid to Messrs. — & —, less above royalty, £	....	£		
		Total Receipts for 18—	.....	£		

**TENTH YEAR.**

		EXPENDITURE.		£	s.	d.	£	s.	d.
18—	Jan. 1st	To Share of bad debt (—)	.....						
	to	„ Advertising and printing	.....						
	Dec. 31st	„ Expenses at trials, &c.	.....						
		„ Commission paid to agents	.....						
		„ Royalty on No. —, returned — & —	.....						
<b>GENERAL EXPENSES.</b>									
		To Rent of wharf, offices, and show-room at —	.....						
		„ Rates and taxes	.....						
		„ Salaries	.....						
		„ Travelling and general trade expenses	.....						
		„ Bank interest and commission	.....						
				£					
		‡ to Patent Account	.....						
		Total Expenditure for 18—	.....	£					

		RECEIPTS.		£	s.	d.
18—	Jan. 1st	By Royalty received during 18—, as per book	....			
	to					
	Dec. 31st					
		37 [ <i>patented articles</i> ] sold during 18— :				
		Total weight of same, —cwts. —qrs. —lbs.				
		Total value of [ <i>patented articles</i> ] sold by Petitioner, and by him paid to Messrs. — & —, less above royalty, £	....	£		
		Total Receipts for 18—	.....	£		

PROLONGATION OR EXTENSION.

**ELEVENTH YEAR.**

18—		EXPENDITURE.		£	s.	d.	£	s.	d.
Jan. 1st	To	Travelling expenses to —	.....						
	to	Advertising and printing	.....						
Dec. 31st		Expenses at trials	.....						
		Commission paid to agents	.....						
		Share of bad debt (—)	.....						
		Legal expenses	.....						
<b>GENERAL EXPENSES.</b>									
		Rent of wharf, offices, and show-room at —	.....						
		Rates and taxes	.....						
		Salaries	.....						
		Travelling and general trade expenses	.....						
		Bank interest and commission	.....						
				£					
to Patent Account				.....					
<b>Total Expenditure for 18—</b>				.....	£				

18—		RECEIPTS.		£	s.	d.
Jan. 1st	By	Royalty received during 18—, as per book	....			
	to					
Dec. 31st						
61 [ <i>patented articles</i> ] sold during 18— :						
Total weight of same, —cwts. —qrs. —lbs.						
Total value of [ <i>patented articles</i> ] sold by Petitioner, and by him paid to Messrs. — & —, less above royalty, £ .....						
<b>Total Receipts for 18—</b>				.....	£	

**TWELFTH YEAR.**

18—		EXPENDITURE.		£	s.	d.	£	s.	d.
Jan. 1st	To	Expenses —	.....						
	to	" "	.....						
Dec. 31st		Royalty, returned — & —	....						
		Advertising and printing	.....						
		Cost of models, photographs, and frames	.....						
		Expenses at trials, &c.	.....						
		Commission paid to agents	.....						
<b>GENERAL EXPENSES.</b>									
		Rent of wharf, offices, and show-room, —	.....						
		Rates and taxes	.....						
		Salaries	.....						
		Travelling and general trade expenses	.....						
		Bank interest and commission	.....						
				£					
to Patent Account				.....					
<b>Total Expenditure for 18—</b>				.....	£				

18—		RECEIPTS.		£	s.	d.
Jan. 1st	By	Royalty received during 18—, as per book	....			
	to					
Dec. 31st						
83 [ <i>patented articles</i> ] sold during 18— :						
Total weight of same, —cwts. —qrs. —lbs.						
Total value of [ <i>patented articles</i> ] sold by Petitioner, and by him paid to Messrs. — & —, less above royalty, £ .....						
<b>Total Receipts for 18—</b>				.....	£	

**THIRTEENTH YEAR.**

18— Jan. 1st to Dec. 31st	EXPENDITURE.	£ s. d.	£ s. d.
	To Royalty — returned.....		
	„ Travelling expenses, Petitioner, London .....		
	„ Advertising and printing .....		
	„ Photographs and frames .....		
	„ Expenses at trials .....		
	„ Commission paid to agents .....		
	„ Legal expenses.....		
	GENERAL EXPENSES.		
	To Rent of wharf, offices and show-rooms at — .....		
	„ Rates and taxes.....		
	„ Salaries .....		
	„ Travelling and general trade expenses		
	„ Bank interest and commission .....		
		£	
	½ to Patent Account.....		
	Total Expenditure for 18— .....	£	

18— Jan. 1st to Dec. 31st	RECEIPTS.	£ s. d.
	By Royalty received during 18—, as per book ....	
	87 [ <i>patented articles</i> ] sold during 18— : Total weight of same, —cwts. —qrs. —lbs. Total value of [ <i>patented articles</i> ] sold by Petitioner and by him paid to Messrs. — & — less above royalty, £ .....	£
	Total Receipts for 18— .....	£

**FOURTEENTH YEAR.**

18— Jan. 1st to	EXPENDITURE.	£ s. d.	£ s. d.
	To Legal and other expenses connected with infringement .....		
	„ Travelling expenses — .....		
	„ Advertising and printing .....		
	„ Cost of models, photograph, frames, &c. ....		
	„ Expenses at trials .....		
	„ Commission paid to agents (say) ..		
	„ Royalty returned — .....		
	GENERAL EXPENSES.		
	To Rent of wharf, offices, and show-room at — .....		
	„ Rates and taxes.....		
	„ Salaries .....		
	„ Travelling and general trade expenses		
	„ Bank interest and commission .....		
		£	
	½ to Patent Account.....		
	Total Expenditure for 18— .....	£	

18— Jan. 1st to Dec. 31st	RECEIPTS.	£ s. d.
	By Royalty received during 18—, as per book ....	
	„ Amount received from — of Scotland for in- fringement .....	
	„ — & — share of infringement expenses ..	
	86 [ <i>patented articles</i> ] sold during 18— : Total weight of same, —cwts. —qrs. —lbs. Total value of [ <i>patented articles</i> ] sold by Petitioner and by him paid to Messrs. — & — less above royalty, £ .....	£
	Total Receipts for 18— .....	£

**Summary of Petitioner's Accounts.**

IN THE PRIVY COUNCIL.

—'s PATENT, No. —, 18—.

IMPROVEMENTS IN —.

SUMMARY OF PETITIONER'S ACCOUNTS.

Loss.		Nil.	PROFIT.
£ s. d.		£ s. d.	£ s. d.
	First year—		
	Receipts .....	Nil.	
	Expenditure .....	_____	
	Second year—		
	Receipts .....		
	Expenditure .....	_____	
	Third year—		
	Receipts .....		
	Expenditure .....	_____	
	Fourth year—		
	Receipts .....		
	Expenditure .....	_____	
	Fifth year—		
	Receipts .....		
	Expenditure .....	_____	
	Sixth year—		
	Receipts .....		
	Expenditure .....	_____	
	Seventh year—		
	Receipts .....		
	Expenditure .....	_____	
	Eighth year—		
	Receipts .....		
	Expenditure .....	_____	
	Ninth year—		
	Receipts .....		
	Expenditure .....	_____	
	Tenth year—		
	Receipts .....		
	Expenditure .....	_____	
	Eleventh year—		
	Receipts .....		
	Expenditure .....	_____	
	Twelfth year—		
	Receipts .....		
	Expenditure .....	_____	
	Thirteenth year—		
	Receipts .....		
	Expenditure .....	_____	
	Fourteenth year—		
	Receipts .....		
	Expenditure .....	_____	
_____			_____
£			Deduct Loss .....
			Total Profit .....
			£

# Form of Manufacturer's Accounts.

IN THE PRIVY COUNCIL.

—'s PATENT, [*date*], No. —, IMPROVEMENT IN —.

## PETITION FOR PROLONGATION.

### MANUFACTURER'S ACCOUNTS.

DR.

*Profit and Loss Account from —, 18— to —, 18—.*

CR.

	£	s.	d.		£	s.	d.
[ <i>Patented articles</i> ] manufactured and sold from — to —, 18—:				Sale of [ <i>patented articles</i> ] as per contra—			
10 [ <i>patented articles</i> ] —cwts. —qrs. —lbs. ....				10 [ <i>patented articles</i> ] —cwts. —qrs. —lbs. ....			
Patentee for sole right of manufacture .....							
Royalties .....							
Railway and other carriages—							
£— per ton on quantity invoiced, viz., —tons, —cwts.							
—qr. —lbs. ....							
Discounts and commissions .....							
	£				£		

### MANUFACTURE OF — 's [*patented article*].

DR.

*Profit and Loss Account for the year ending —, 18—.*

CR.

	£	s.	d.		£	s.	d.
[ <i>Patented articles</i> ] manufactured and sold for the year ending —, 18—:				Sale of [ <i>patented articles</i> ] as per contra—			
21 [ <i>patented articles</i> ] —cwts. —qrs. —lbs. ....				21 [ <i>patented articles</i> ] —cwts. —qrs. —lbs. ....			
Royalties .....							
Railway and other carriages—							
£— per ton on quantity invoiced, viz., —tons, —cwts.							
—qrs. —lbs. ....							
Discount and commissions .....							
	£				£		

PROLONGATION OR EXTENSION.

MANUFACTURE OF —'s [*patented article*].

DR.	<i>Profit and Loss Account for the Year ending —, 18—.</i>	CR.
	£   s.   d.	£   s.   d.
<p>[<i>Patented articles</i>] manufactured and sold for the year ending —, 18—:</p> <p>18 [<i>patented articles</i>], —cwts. —qrs. —lbs. ....</p> <p>Royalties .....</p> <p>Railway and other carriages— £— per ton on quantity invoiced, viz., —tons, —cwts. —qrs. —lbs. ....</p> <p>Discounts and commissions .....</p> <p>Rent of wharf .....</p> <p>Allowance, &amp;c. ....</p> <p>Exhibition expenses .....</p>	<p>Sales of [<i>patented articles</i>] as per contra— 18 [<i>patented articles</i>], —cwts. —qrs. —lbs. ....</p>	<hr style="border: 0.5px solid black;"/> <p style="text-align: right;">£</p> <hr style="border: 0.5px solid black;"/>
	<hr style="border: 0.5px solid black;"/> <p style="text-align: right;">£</p> <hr style="border: 0.5px solid black;"/>	

MANUFACTURE OF —'s [*patented article*].

DR.	<i>Profit and Loss Account for the Year ending —, 18—.</i>	CR.
	£   s.   d.	£   s.   d.
<p>[<i>Patented articles</i>] manufactured and sold for the year ending —, 18—:</p> <p>19 [<i>patented articles</i>], —cwts. —qrs. —lbs. ....</p> <p>Royalties .....</p> <p>Railway and other carriages— £— per ton on quantity invoiced, viz., —tons, —cwts. —qrs. —lbs. ....</p> <p>Discounts and commissions .....</p> <p>Rent of wharf .....</p> <p>Allowances, &amp;c. ....</p>	<p>Sales of [<i>patented articles</i>] as per contra— 19 [<i>patented articles</i>], —cwts. —qrs. —lbs. ....</p>	<hr style="border: 0.5px solid black;"/> <p style="text-align: right;">£</p> <hr style="border: 0.5px solid black;"/>
	<hr style="border: 0.5px solid black;"/> <p style="text-align: right;">£</p> <hr style="border: 0.5px solid black;"/>	

N.B.—The loss on the sale of [*patented articles*] in the years 18—, 18—, 18—, 18— was owing to the very high prices of materials and labour, also to the fact that it was a new manufacture, and therefore took some years to be properly developed.

MANUFACTURE OF —'s [patented article].

DR.

Profit and Loss Account for the Year ending —, 18—.

CR.

	£ s. d.		£ s. d.
[Patented articles] manufactured and sold for the year ending —, 18—:		Sales of [patented articles], as per contra—	
10 [patented articles] —cwts. —qrs. —lbs. ....		10 [patented articles], —cwts. —qrs. —lbs. ....	
Royalties .....			
Railway and other carriages—			
£— per ton on quantity invoiced, viz. —tons —cwts.			
—qrs. —lbs. ....			
Discounts and commissions .....			
Rent of wharf .....			
Allowance, &c. ....			
	£		£

MANUFACTURE OF —'s [patented article].

DR.

Profit and Loss Account for the Year ending —, 18—.

CR.

	£ s. d.		£ s. d.
[Patented articles] manufactured and sold for the year ending —, 18—:		Sales of [patented articles] as per contra—	
42 [patented articles], —cwts. —qrs. —lbs. ....		42 [patented articles], —cwts. —qrs. —lbs. ....	
Royalties .....			
Railway and other carriages—			
£— per ton on quantity invoiced, viz., —tons, —cwts.			
—qrs. —lbs. ....			
Discounts and commissions .....			
Rent of wharf .....			
Allowance, &c. ....			
Galvanizing [patented articles] .....			
	£		£

PROLONGATION OR EXTENSION.

MANUFACTURE OF ——'s [ *patented article* ].

DR.	<i>Profit and Loss Account for the Year ending ——, 18—.</i>	Cr.	
	£ s. d.	£ s. d.	
[ <i>Patented articles</i> ] manufactured and sold for the year ending ——, 18— :			
55 [ <i>patented articles</i> ], —cwt. —qrs. —lbs. ....			
Royalties .....			
Railway and other carriages—			
£— per ton on quantity invoiced, viz., —tons —cwt.			
—qrs. —lbs. ....			
Discounts and commissions .....			
Rent of wharf .....			
Allowance, &c. ....			
Galvanizing [ <i>patented articles</i> ] .....			
£ _____		£ _____	

Sales of [ *patented articles* ], as per contra—  
55 [ *patented articles* ], —cwt. —qrs. —lbs. ....

MANUFACTURE OF ——'s [ *patented article* ].

DR.	<i>Profit and Loss Account for the Year ending ——, 18—.</i>	Cr.	
	£ s. d.	£ s. d.	
[ <i>Patented articles</i> ] manufactured and sold for the year ending ——, 18— :			
55 [ <i>patented articles</i> ], —cwt. —qrs. —lbs. ....			
Royalties .....			
Railway and other carriages—			
£— per ton on quantity invoiced, viz., —tons —cwt.			
—qrs. —lbs. ....			
Discounts and commissions .....			
Rent of wharf .....			
Allowance, &c. ....			
£ _____		£ _____	

Sales of [ *patented articles* ], as per contra—  
55 [ *patented articles* ], —cwt. —qrs. —lbs. ....



MANUFACTURE OF —'s [ *patented article* ].

DR.

*Profit and Loss Account for the Year ending —, 18—.*

CR.

	£	s.	d.
[ <i>Patented articles</i> ] manufactured and sold for the year ending —, 18—:			
37 [ <i>patented articles</i> ], —cwts. —qrs. —lbs. ....			
Royalties .....			
Railway and other carriages—			
£— per ton on quantity invoiced, viz., —tons —cwts. —qrs. —lbs. ....			
Discounts and commissions .....			
Rent of wharf .....			
Allowance, &c. ....			

	£	s.	d.
Sales of [ <i>patented articles</i> ], as per contra—			
37 [ <i>patented articles</i> ], —cwts. —qrs. lbs. ....			

MANUFACTURE OF —'s [ *patented article* ].

DR.

*Profit and Loss Account for the Year ending —, 18—.*

CR.

	£	s.	d.
[ <i>Patented articles</i> ] manufactured and sold for the year ending —, 18—:			
61 [ <i>patented articles</i> ], —cwts. —qrs. —lbs. ....			
Royalties .....			
Railway and other carriages—			
£— per ton on quantity invoiced, viz., —tons, —cwts. —qrs. —lbs. ....			
Discounts and commissions .....			
Rent of wharf .....			
Allowance, &c. ....			

	£	s.	d.
Sales of [ <i>patented articles</i> ], as per contra—			
61 [ <i>patented articles</i> ], —cwts. —qrs. —lbs. ....			

PROLONGATION OR EXTENSION.

MANUFACTURE OF —'s [ *patented article* ].

Dr.

*Profit and Loss Account for the Year ending —, 18—.*

Cr.

	£	s.	d.
[ <i>Patented articles</i> ] manufactured and sold for the year ending —, 18—:			
83 [ <i>patented articles</i> ], —cwts. —qrs. —lbs. ....			
Royalties .....			
Railway and other carriages—			
£— per ton on quantity invoiced, viz., —tons —cwts. —qrs. —lbs. ....			
Discounts and commissions .....			
Rent of wharf .....			
Allowance, &c. ....			

Sales of [ *patented articles* ], as per contra—  
 83 [ *patented articles* ], — cwts. — qrs. — lbs. ....

£ s. d.

MANUFACTURE OF —'s [ *patented article* ].

Dr.

*Profit and Loss Account for the Year ending —, 18—.*

Cr.

	£	s.	d.
[ <i>Patented articles</i> ] manufactured and sold for the year ending —, 18—:			
87 [ <i>patented articles</i> ], —cwts. —qrs. —lbs. ....			
Royalties .....			
Railway and other carriages—			
£— per ton on quantity invoiced, viz., —tons —cwts. —qr. —lbs. ....			
Discounts and commissions .....			
Rent of wharf .....			
Allowance, &c. ....			

Sales of [ *patented articles* ], as per contra—  
 87 [ *patented articles* ], — cwts. — qrs. — lbs. ....

£ s. d.

MANUFACTURE OF ——'s [*patented article*].

DR.

*Profit and Loss Account for the Year ending ——, 18—.*

CR.

		£	s.	d.	£	s.	d.		
[ <i>Patented articles</i> ] manufactured and sold for the year ending ——, 18— :									
86 [ <i>patented articles</i> ], —cwts. —qrs. —lbs...									
Royalties paid .....									
Do. accrued but unpaid .....									
<hr/>									
Railway and other carriages—									
£— per ton on quantity invoiced, viz., —tons,									
—cwts. —qrs. —lbs. ....									
Discounts and commissions .....									
Rent of wharf .....									
Allowance, &c. ....									
					<hr/>				
					<hr/>				
					<hr/>				

Sales of [*patented articles*], as per contra—  
86 [*patented articles*], —cwts. —qrs. —lbs. ....

£ s. d.

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PROLONGATION OR EXTENSION.

3112

835



**Notice of Objections to Prolongation of Patent.**

IN THE PRIVY COUNCIL.

In the matter of letters patent granted to — and — both of — in the county of — for the invention—“Im-  
provements in machinery or apparatus for —,”  
bearing date the — 18— No. —

and

In the matter of a petition of — and — for an extension  
of the said letters patent.

Grounds of objection by — of — to the granting of the  
prayer of the above mentioned petition.

1. The alleged invention was not new at the date of the said letters Novelty.  
patent or useful.
2. The alleged invention, if new at the date of the said letters Small merit.  
patent, was at most a small improvement on the mode of — in  
use prior to the said date, and in fact varies very little from the inven-  
tions described in previous specifications, and particularly those of —  
18— No. — and of the petitioners of the — 18— No. — and  
— 18— No. — and is not of great merit.
3. The petitioners have already received a full reward adequate to Full reward  
the merit of their alleged invention, and have derived large trade already  
profits from their business, established solely by the monopoly they received.  
have enjoyed from their said patents.
4. If any inadequacy of remuneration has occurred, it has arisen If reward  
from the acts of the petitioners themselves in not advertising and insufficient  
pushing the said machine. They have refused licences for use of the due to laches  
invention, and have insisted that persons who have desired to work of petitioners.  
any part of the invention should purchase a complete machine of a  
costly character, made under all three of the said patents, and sold at  
an exorbitant price.
5. The petitioners have never brought actions to restrain alleged Conduct of  
infringements of their patent, though they have continually threatened petitioners.  
so to do.
6. In consequence of the expiry of the patents in — and Some foreign  
—, the alleged invention can be now freely worked in those patents ex-  
countries. pired.
7. The facts as stated in the said petition are incapable of proof.

Dated this — day of — 18—

(Signed) —  
Solicitor for the said —

## Notice of Objections to Prolongation of Patent (Another Form).

IN THE PRIVY COUNCIL.

In the matter of letters patent granted to A., No. — 18—  
for the invention of —

and

In the matter of the petition of the — for an extension of  
the term of the said letters patent.

The grounds of objection of — of — in the county of —,  
—, and trading there under the style of — to the grant-  
ing of the prayer of the above-mentioned petition — are as  
follows:—

Merit denied.

1. That the said alleged invention was not and is not of great advantage or benefit to the public.

Adequate remuneration.

2. That the said inventor has already received a full and adequate remuneration for the alleged invention.

Invention not novel.

3. That there is no sufficient merit in the said invention.

4. That the alleged invention comprised in the said letters patent was not new within this realm at the date of the said letters patent, nor was the said A. the true and first inventor in proof whereof leave is craved to refer to a previous patent obtained by — No. — 18—.

5. That the object of the alleged invention to — had been accomplished by the said invention of the said — previous to the letters patent No. — granted to A.

6. That the allegations in the petition are incapable of proof.

Dated this — day of — 18—

(Signed) —  
Solicitor for —

## Queen's Order in Council for Prolongation of Patent.

At the Court at — the — day of — 189 —. Present, The  
Queen's Most Excellent Majesty, Lord President, —.

WHEREAS there was this day read at the Board a Report from the Judicial Committee of the P. C., dated &c., in the words following, viz.: "Your Majesty having been pleased by your Order in Council of the — day of —, to refer unto this Committee the humble petition of &c., setting forth &c., The Lords of the Committee, in obedience to Your Majesty's said order of reference, have taken the said petition into consideration, and having heard the Petitioners &c., their Lordships do this day agree humbly to report to Your Majesty, &c." Her Majesty having taken the said report into consideration, was pleased, by and with the advice of her P. C., to approve thereof, and to order, as it is hereby ordered, that the Comptroller-General of Patents, upon receipt hereof, do cause new letters patent, according to

the tenor and effect of this order, to be made and sealed &c., provided that application be made to seal such new letters patent within three calendar months from the date of this order; whereof the Comptroller-General of Patents, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

C. L. PEEL (a).

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**Certificate of Registrar.**

Council Office, Whitehall,  
 ———18—

Her Majesty has been pleased by her Order in Council of the ——— day of ——— 18— to direct that new letters patent be granted to ——— for the term of ——— years in extension of certain letters patent, No. ——— for the invention of ——— such letters patent having been originally granted to ——— for the United Kingdom of Great Britain and Ireland, and the Channel Islands, and bearing date ——— 18—

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**New Letters Patent granted after Order in Council  
 prolonging Term.**

No. ———. 1874.

VICTORIA, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith: TO ALL TO WHOM THESE PRESENTS SHALL COME GREETING. WHEREAS we did by our letters patent under the Great Seal of our United Kingdom of Great Britain and Ireland bearing date the tenth day of September one thousand eight hundred and seventy-four, and numbered ———, grant unto X. then of ——— in the county of ———, North Britain, civil engineer, his executors, administrators and assigns, Our especial license, full power, sole privilege, and authority that he the said X., his executors, administrators, and assigns, and every of them, should and lawfully might make, use, exercise, and vend an invention for "improvements in ——— or ———" within our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, in such manner as to him the said X., his executors, administrators and assigns, or any of them, should in his or their discretion seem meet: To have, hold, exercise, and enjoy the said licenses, powers, privileges and advantages therein granted, or mentioned to be granted, unto the said X., his executors, administrators, and assigns, for and during and unto the full end and term of fourteen years from the day

Recitals.

(a) Signature of Clerk to Privy Council.

Petition for  
prolongation.

of the date of the said letters patent next and immediately ensuing and fully to be complete and ended according to the statute in such case made and provided as by the said letters patent, relation being thereunto had will more fully and at large appear. AND WHEREAS in pursuance of a proviso in that behalf in the said letters patent contained, the said X. did particularly describe and ascertain the nature of the said invention, and in what manner the same was to be performed by an instrument in writing under his hand and seal, and did cause the same to be duly filed in the Great Seal Patent Office. And the other conditions contained in the said letters patent relating to the payment of stamp duties and other matters have all been duly performed. AND WHEREAS the said X. has by his petition humbly represented unto us (amongst other things) that the profits of his said invention had been exceedingly small in comparison with its value, and humbly prayed that we would be pleased to take the case of the petitioner into consideration, and that the petitioner's said letters patent might be extended for the further and additional term of fourteen years, or for such other term as to us should seem fit.

Reference to  
and report of  
Privy Council.

AND WHEREAS the matter of the said petition having been referred to the Judicial Committee of our Privy Council, their lordships in pursuance of the statute in such case made and provided reported to us that (in case we should so think fit) new letters patent ought to be granted to the said X. for the said invention of "improvements in — or —" for which letters patent were granted to the said X., bearing date at Westminster the tenth day of September one thousand eight hundred and seventy-four, No. —. And that such new letters patent should be granted for a term of *ten years* from and after the expiration of the term of the said original letters patent.

New letters  
patent for ten  
years.

Grant,

KNOW YE THEREFORE that we, of our especial grace, certain knowledge and mere motion, do by these presents for us, our heirs and successors, give and grant unto the said X., the original patentee, now of Ipswich in the county of Suffolk, civil engineer, his executors, administrators, and assigns (hereinafter, together with his executors, administrators, and assigns, or any of them, referred to as the said patentee), our especial 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 for "improvements in — or —," as described in the letters patent granted to the said X. on the tenth day of September, one thousand eight hundred and seventy four, and numbered —, within our United Kingdom of Great Britain and Ireland, the Channel Islands and Isle of Man, in such manner as to him 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 *ten years* from the date hereunder written of these presents. 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 for us, our heirs and successors, strictly command all our subjects whatsoever within our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, that they do not at any time during the continuance of the said term of ten years, either

includes  
Channel  
Islands.



directly or indirectly, make use of or put in practice the said invention or any part of the same, nor in anywise imitate the same, nor make or cause to be made any addition 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 of being answerable to the patentee according to law for his damages thereby occasioned: PROVIDED THAT THESE OUR LETTERS PATENT ARE ON THIS CONDITION, that if at any time during the said term it shall be made to appear to us, our heirs or successors, or any six or more of our Privy Council, that this our grant is contrary to law, or prejudicial or inconvenient to our subjects in general, or that the said invention was not, at the date of the said original letters patent, a new invention as to the public use and exercise thereof within our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, or that the said X. was not the first and true inventor thereof within this realm as aforesaid, these our letters patent shall forthwith determine and be void to all intents and purposes, notwithstanding anything hereinbefore contained: PROVIDED ALSO that if the said patentee shall not supply or cause to be supplied for our service all such articles of the said invention as may be required by the officers or commissioners administering any department of our service in such manner, and at and upon such reasonable prices and terms as shall be settled in manner for the time being by law provided, then and in any of the said cases these our letters patent, and all privileges and advantages whatever hereby granted, shall determine and become void, notwithstanding anything hereinbefore contained. PROVIDED ALSO that nothing herein contained shall prevent the granting of licenses in such manner and for such considerations as they may by law be granted. And lastly, we do by these presents for us, our heirs and successors, grant unto the said patentee that these our letters patent shall be construed in the most beneficial sense for the advantage of the said patentee. IN WITNESS whereof we have caused these our letters patent to be made patent this tenth day of September, one thousand eight hundred and eighty-eight, and to be sealed as of the said tenth day of September, one thousand eight hundred and eighty-eight.

By Her Majesty's Order in Council.

(SEAL.)

**Council Office Fees (a).**

*On Appeals and Petitions to the Queen in Council.*

	£	s.	d.
<i>Lodging Petition of Appeal</i> .....	1	1	0
<i>Entering</i> .....	1	1	0
<i>Lodging Case</i> .....	1	1	0
<i>Entering Appearance</i> .....	0	10	0
<i>Setting down Case</i> .....	0	10	0

(a) The items in italics do not apply to petitions for prolongation.

	£	s.	d.
Summons .....	0	10	0
Committee Report .....	1	10	0
Order of Her Majesty in Council .....	3	2	6
Committee Order .....	1	12	6
Lodging Affidavit .....	1	1	0
Do. Petition .....	1	1	0
Notice to Attend .....	0	10	0
Searching Books for Information for Parties .....	0	10	0
Certificate delivered to Parties .....	0	10	0
Copies of Papers (each side) .....	0	5	0
Committee References .....	2	2	0
Lodging Caveat .....	1	1	0
Subpœna to Witnesses .....	0	10	0
Fee for Taxation ( <i>Appeals</i> ) .....	3	3	0
Do. do. ( <i>Potitions</i> ) .....	1	1	0

## X.—Confirmation (a).

### Form of Special Act to Confirm Patent.

(*Potter's Patent Act, 1887, 50 & 51 Vict. c. cxxi.(b).*)

*An Act for rendering valid certain Letters Patent granted to Richard Potter for Improvements in Furnaces for melting Glass. [19th July, 1887.]*

Preamble.

Whereas by letters Patent under the Great Seal of Great Britain bearing date the twenty-second day of June one thousand eight hundred and eighty-two being the forty-sixth year of the reign of her present Majesty Queen Victoria and numbered two thousand nine hundred and seventy-one her Majesty did give and grant unto Richard Potter of Dearne Terrace Stairfoot in the county of York his executors administrators and assigns her special licence full power sole privilege and authority that he the said Richard Potter his executors administrators and assigns and every of them by himself and themselves or by their deputies servants or agents or such others as he the said Richard Potter his executors administrators and assigns should at any time agree with and no others from time to time and at all times thereafter during the term of fourteen years from the date of the said letters patent should and lawfully might make use and exercise and vend within the United Kingdom of Great Britain and Ireland the Channel Islands and Isle of Man an invention therein mentioned for "improvements in furnaces for melting glass" in which letters patent is contained a proviso making void the said letters patent if the said Richard Potter his executors and administrators should not particularly describe and ascertain the nature of the said invention and in what manner the same is to be performed by an instrument in writing under their or one of their hands and seals and cause the same to be filed in the Great Seal Patent Office within six calendar months next and immediately after the date of the said recited letters patent and also if the said Richard Potter his executors administrators or assigns should not pay the stamp duty of fifty pounds and produce the said recited letters patent stamped with a proper stamp to that amount at the office of the Commissioners of Patents for inventions before the expiration of three

Grant of patent.

(a) For a form of petition to the Privy Council for confirmation, see Hindmarch, pp. 642, 643.  
(b) See Chap. XIX.

years from the date of the said letters patent which expired on the twenty-second day of June one thousand eight hundred and eighty-five ; Specification filed.

And whereas a specification was duly filed by the said Richard Potter in the Great Seal Patent Office within the time limited by the said letters patent whereby the said Richard Potter did particularly describe and ascertain the nature of the said invention and in what manner the same was to be performed ;

And whereas by an indenture dated the seventeenth day of February one thousand eight hundred and eighty-three and made between the said Richard Potter of the one part and Hiram Codd and Dan Rylands therein described of the other part and duly registered in the Great Seal Patent Office on the twenty-fifth day of April one thousand eight hundred and eighty-three the said Richard Potter for the considerations therein mentioned assigned transferred and set over to the said Hiram Codd and Dan Rylands the said letters patent upon the terms and conditions therein mentioned ; Assignment.

And whereas by indenture bearing date the sixth day of October one thousand eight hundred and eighty-four and made between the said Hiram Codd of the one part and the said Dan Rylands of the other part and duly registered in the Patent Office on the twenty-third day of December one thousand eight hundred and eighty-four the said Hiram Codd did for the considerations therein mentioned grant assign release and confirm unto the said Dan Rylands one equal half part or share or all other the share and interest of the said Hiram Codd of in and to the said letters patent and such letters patent are now vested in and belong to the said Dan Rylands exclusively and he is the registered patentee thereof ; Further assignment.

And whereas by the Patents Designs and Trade Marks Act 1883 the time within which the above-mentioned stamp duty or fee of fifty pounds should be paid was extended to the end of the fourth year from the date of the said letters patent which expired on the twenty-second day of June one thousand eight hundred and eighty-six ; Non-payment of stamp duty.

And whereas the said Dan Rylands omitted to pay the said stamp duty or fee of fifty pounds and on the first day of October one thousand eight hundred and eighty-six the said letters patent were announced to be void in the official journal published under the provisions of section 40 of the Patents Designs and Trade Marks Act 1883 ; Patent declared void in consequence.

And whereas the said Dan Rylands discovered the omission to pay the said duty or fee on the fifth day of October one thousand eight hundred and eighty six and immediately offered payment thereof and of any fine that might be imposed for the omission to pay the same to the Comptroller-General of Patents Designs and Trade Marks (hereinafter called the comptroller) but the time prescribed by section 17 of the Patents Designs and Trade Marks Act 1883 during which the comptroller is empowered to enlarge the time for such payment had already expired viz. on the twenty-second day of September one thousand eight hundred and eighty-six ; Omission discovered.

And whereas the said Dan Rylands thereupon gave the requisite instructions for an application to Parliament for power to pay the said stamp duty and to renew the said letters patent ; Application to Parliament.

And whereas much time has been devoted and considerable sums of money have been expended by the said Dan Rylands in acquiring and developing the said invention for which no adequate and sufficient return has hitherto been received ; Merits.

And whereas the omission to pay the said stamp duty or fee of fifty pounds and to apply to the comptroller within the prescribed period for an enlargement of the time for paying the same arose from the serious and continued illness of the said Dan Rylands which sufficiently accounts for the said omissions otherwise than by neglect inadvertence or mistake ; Omission to pay duty due to illness of petitioner.

And whereas the said stamp duty or fee of fifty pounds has now been paid and the total amount of fees (including the prescribed fee for enlargement due and to become due upon the said letters patent) has been deposited with the comptroller and certificates of the comptroller to that effect have been lodged in the office of the clerk of the Parliaments ; Amount of stamp duty deposited with comptroller.

And whereas it is expedient that the said letters patent should be rendered valid in manner hereinafter mentioned ;

And whereas the purposes aforesaid cannot be effected without the authority of Parliament ;

May it therefore please your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :

Letters patent confirmed.

1. Upon the passing of this Act the said letters patent (a true copy of which is set forth in the schedule to this Act annexed) or a duplicate thereof certified by the comptroller for the purposes of this Act shall be considered deemed and taken to be and to have been as good valid and effectual to all intents and purposes as if all the payments prescribed by the Patents Designs and Trade Marks Act 1883 to be made in respect of the said letters patent either before or after the passing of this Act had been duly made or satisfied.

Saving rights of other parties.

2. No action or other proceeding shall be commenced or prosecuted nor any damage recovered :

(1.) In respect of any infringement of the said letters patent which shall have taken place after the first day of October one thousand eight hundred and eighty-six and before the passing of this Act ;

(2.) In respect of the use or employment at any time hereafter of any structure process or operation actually made or carried on within the United Kingdom and the Isle of Man or of the use or sale of any article manufactured or made in infringement of the said letters patent after the said first day of October one thousand eight hundred and eighty-six and before the passing of this Act Provided that such use sale or employment is by the person or corporation by or for whom such article was bonâ fide manufactured or made or such structure process or operation was bonâ fide made or carried on his or their executors administrators successors or vendees or his or their assigns respectively ;

(3.) In respect of the use or employment at any time hereafter by the person or corporation entitled for the time being under the preceding sub-section to use or employ any structure process or operation of any improved extended or developed structure process or operation or of the use or sale of any article thereby manufactured or made in infringement of the said letters patent Provided that the use or employment of such improved extended or developed structure process or operation shall be limited to the buildings works or premises of the person or corporation by or for whom such structure process or operation was made or carried on within the meaning of the preceding sub-section his or their executors administrators successors or assigns.

If any person shall within one year after the passing of this Act make an application to the Board of Trade for compensation in respect of money time or labour expended by the applicant upon the subject-matter of the said letters patent on a bonâ fide belief that such letters patent had become and continued to be void it shall be lawful for the said Board after hearing the parties concerned or their agents to assess the amount of such compensation if in their opinion the application ought to be granted and to specify the party by whom and the day on which such compensation shall be paid and if default shall be made in payment of the sum awarded then the said letters patent shall by virtue of this Act become void but the sum awarded shall not in that case be recoverable as a debt or damages.

Short title.

3. This Act may be cited as Potter's Patent Act 1887.

SCHEDULE referred to in the foregoing Act.

[Form of Letters Patent.]

## XI.—Exhibitions.

### Certificate of Board of Trade that Exhibition is Industrial or International (c).

PATENTS, DESIGNS, AND TRADE MARKS ACT, 1883.

Upon the application of — of — made to the Board of Trade, on or about the — day of — 18— the Board of Trade do hereby certify that the — proposed to be held in the year 18— at — in the county of — is an Industrial [International] Exhibition.

Signed by order of the Board of Trade this — day of — 18—

\_\_\_\_\_  
*Assistant Secretary,  
 Board of Trade.*

### Order in Council granting temporary Protection to Inventions exhibited at the Paris (d) Universal Exhibition, 1889 (e).

At the Court at Windsor.

*The 17th day of November, 1888.*

*Present: The Queen's Most Excellent Majesty in Council.*

Whereas the Patents, Designs, and Trade Marks Act, 1883, amongst other things, provides, by section 39, that the exhibition of an invention at an industrial or international exhibition, certified as such by the Board of Trade, or the publication of any description of the invention during the period of the holding of the exhibition, or the use of the invention for the purpose of the exhibition in the place where the exhibition is held, or the use of the invention during the period of the holding of the exhibition by any person elsewhere, without the privity or consent of the inventor, shall not prejudice the right of the inventor or his legal personal representative to apply for and obtain provisional protection and a patent in respect of the invention, or the validity of any patent granted on the application, provided that both the following conditions are complied with, namely:—

- (a) The exhibitor must, before exhibiting the invention, give the comptroller the prescribed notice of his intention to do so: and
- (b) The application for a patent must be made before or within six months from the date of the opening of the exhibition.

And whereas the said Act further provides, by section 57, that the exhibition at an industrial or international exhibition, certified as such by the Board of Trade, or the exhibition elsewhere during the period

(c) See Act of 1883, sect. 39, at p. 493.

(e) See Act of 1886, sect. 3, at p. 727.

(d) This is given as an example.

of the holding of the exhibition, without the privity or consent of the proprietor, of a design, or of any article to which a design is applied, or the publication, during the holding of any such exhibition, of a description of a design, shall not prevent the design from being registered, or invalidate the registration thereof, provided that both the following conditions are complied with, namely:—

- (a) The exhibitor must, before exhibiting the design or article, or publishing a description of the design, give the comptroller the prescribed notice of his intention to do so; and
- (b) The application for registration must be made before or within six months from the date of the opening of the exhibition.

And whereas her Majesty, by virtue of the authority committed to her by the provisions of the Patents Act, 1886, is empowered by Order in Council from time to time to declare that the provisions of the said Act of 1883 above recited shall apply to any exhibition mentioned in the order in like manner as if it were an industrial or international exhibition certified by the Board of Trade, and to provide that the exhibitor shall be relieved from the conditions specified in the said hereinbefore recited sections of the said Act of 1883:

Now therefore her Majesty, by and with the advice of her Privy Council, and by virtue of the authority committed to her by the said Act of 1886, doth declare and it is hereby declared that the provisions of the foregoing sections of the said Act of 1883 shall apply to the Paris Universal Exhibition to be held at Paris in the year 1889; and further, that the exhibitor of an invention, a design, or any article to which a design is applied, shall be relieved from the conditions specified in the said hereinbefore-recited sections of the said Act of 1883 of giving notice as therein required of his intention to exhibit such invention, design, or article to which a design is applied.

C. L. PEEL.

## XII.—War Office Memorandum for Inventors (*f*).

WAR OFFICE,

1st January, 1886.

In consequence of the numerous claims for compensation for loss of time, and for expenses incurred by private individuals in working out inventions of various kinds, as well as for rewards in consequence of the use of such inventions, the Secretary of State for War considers it necessary to make known the following Regulations:—

(a.) With regard to unpatented inventions—

- (1.) Persons who desire to submit any unpatented invention for consideration, should do so by letter addressed to the Under Secretary of State for War. The letter should state the nature of the invention, and whether the person who offers it for consideration desires to make any claim to remuneration in connection with it. In the absence of such a statement, it will be assumed that no such remuneration is expected.

(*f*) See also Act of 1883, sect. 44, at p. 497.

- (2.) Expenses incurred before the submission of an unpatented invention, will not be considered to give a claim for repayment. No liability on behalf of the public will be recognised on account of loss of time, or expenses incurred in connection with an invention after such submission, unless authority for such expenses has been previously given by letter signed by one of the Under Secretaries of State, or the Director of Artillery; and the liability will be strictly confined to the limits of expenditure authorized in such letter.
- (3.) All claims for reward for unpatented inventions will be examined by a Joint Council of the Admiralty and War Office, to be held at the War Office, and if any payment be recommended by the Council and approved by the Secretary of State for War, the sum will, with the concurrence of the Treasury, be included in the estimates, but it will not be due to the Claimant until after the vote is passed by the House of Commons.
- (4.) No claim for reward for an unpatented invention will be held to be established, unless the invention has been adopted into the Service.
- (b.) With regard to patented inventions—
  - (5.) By section 27 of the Patents, Designs, and Trade Marks Act, 1883, it is enacted as follows:—

“A Patent shall have to all intents the like effect as against Her Majesty the Queen, Her Heirs, and Successors, as it has against a subject.

“But the Officers or Authorities administering any department of the service of the Crown, may by themselves, their agents, contractors, or others, at any time after the application, use the invention for the service of the Crown, on terms to be before or after the use thereof agreed on, with the approval of the Treasury, between those Officers or Authorities and the Patentee, or in default of such agreement, on such terms as may be settled by the Treasury, after hearing all parties interested.”
  - (6.) Persons desiring to submit patented inventions should proceed on all points as laid down in para. 1.
  - (7.) Should there be a statement to the effect that remuneration is expected in the event of the adoption and use of the invention by the Secretary of State for War, his agents, contractors, or others, and should there be such adoption and use, or an intention to adopt and use it, then in default of an agreement between the Secretary of State for War and the Patentee, or his Agent, as to the terms of remuneration, the Treasury will settle the terms after hearing all parties interested.

RALPH THOMPSON.

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## XIII.—Old Forms of Letters Patent, &amp;c.

**A Form of Letters Patent shortly before the Statute of Monopolies.**

ENGRAVING AND PRINTING MAPS, PLANS, &amp;c. (a).

A.D. 1617. No. 1.

*Rathburne and Burges' Patent.*

Style. **JAMES**, by the grace of God King of England, Scotland, France, and Ireland,  
 Address. **Defender of the Faith, &c.**, to all justices of peace, mayors, sheriffs, bailiffs,  
 constables, and all officers, ministers, and subjects of us, our heirs and suc-  
 cessors, to whom it shall or may appertain, and to every of them, greeting.

Recitals. **WHEREAS** we are informed that amongst foreign nations there are fair,  
 curious, and artificial descriptions, plots, and maps made and set forth of  
 their principal cities and towns of greatest note, which being exactly drawn  
 out in metal and printed off, are dispersed and sent abroad into all parts, to  
 the great honour and renown of those princes in whose dominions they are,  
 and that of our city of London, being the chief and principal in this our  
 kingdom of England, there hath never been made or taken any true or per-  
 fect description, but false and mean draughts cut out in wood, and so  
 dispersed abroad, to the great disparagement and disgrace of so famous and  
 worthy a state: And whereas our loving subject, Aron Rathburne, Gentle-  
 man, practitioner in the mathematics, hath a great desire to take a perfect  
 survey as well of the said city of London as of divers other places within  
 this our kingdom of England hereafter mentioned, and to make such exact  
 plots, maps, and descriptions thereof as hath not been hitherto performed by  
 any, and hath humbly besought us that we would be graciously pleased to  
 grant unto him our Royal licence and privilege (the want whereof, as we are  
 informed, hath been the cause that hitherto so curious and laudable a  
 work hath been neglected), as well for the sole making and setting forth of  
 such maps and plots as of such descriptions and books as he shall devise or  
 set forth in way of relation, of any the places hereafter mentioned within  
 this our realm and other our dominions, for some reasonable time, to the  
 end he may reap the fruits of his travel, charges, and expenses, to be sus-  
 tained in and about the premises.

Grant, **KNOW YE**, that we, graciously affecting and approving the commendable  
 endeavours of the said Aron, and for his better encouragement therein, that  
 he may receive in recompence thereof the profit of his labours, as reason  
 requireth, of our especial grace, certain knowledge, and mere motion, and at  
 the humble request of the said Aron Rathburne, have given and granted,  
 and by these presents, for us, our heirs and successors, do give and grant  
 unto the said Aron Rathburne and unto our well-beloved subject Roger  
 Burges, their executors, administrators, and assigns, and their or any of  
 their deputies or assigns having authority from them in that behalf, that  
 they only, and none others, shall and may, from time to time and at all  
 times for and during the term of twenty and one years next ensuing the  
 date hereof, within this our realm of England, or any other our dominions,  
 for twenty-  
 one years.

(a) This is the earliest patent or specification to be seen at the Patent Office. The series printed comprise all patents or specifications of inventions from this one, dated 11th March, 1617, to the present day. It is to be observed that this is to some extent a grant of copyright in maps of certain towns, and scarcely the proper subject-matter of a patent for an invention at the present day. There seems, however, to be nothing objectionable in this grant as there was in so many others made before the Statute of Monopolies.



and every or any of them, at their or any of their will and pleasure, make, describe, carve, and grave, or caused to be made, described, carved, and graven, in copper, brass, or other metal, all such and so many maps, plots, or descriptions of the aforesaid city of London, and of the city of Westminster, and the suburbs and adjacent parts of them or either of them, and of our cities of York, Bristol, Norwich, Canterbury, Bath, the two universities, Oxford and Cambridge, and the town and castle of Windsor, together with the suburbs and adjoining places to them, or any of them, as they or any of them shall think most meet and convenient, and the same so made, described, carved, and graven as aforesaid, to imprint and set forth in paper, parchment, cloth, or other materials, and likewise to imprint or cause to be imprinted and set forth all and all manner of descriptions and books which they or any of them shall devise, make, or set forth, for the better manifesting of or describing the said cities and towns, or any of them, or for better understanding of the said maps, plots, or descriptions; and likewise to erect and set up, in any place or places within our said realms or dominions, any engines or devises, and to use any tools or instruments necessary for the making, graving, carving, imprinting, or setting forth of the said maps, plots, descriptions, and books, or any of them, and the same so made and perfected, as well to utter and put to sale within these our dominions as to transport out of this our realm or any other our dominions into any the parts beyond the seas, or otherwise to dispose of the same at their or any of their free will and pleasure, and to their most benefit and profit during the said term of twenty and one years, without the let, hindrance, or interruption of us, our heirs or successors, or any the officers or ministers of us, our heirs or successors, or any other person or persons whatsoever. Wherefore our will and pleasure is, and we do by these presents, for us, our heirs and successors, straightly charge, prohibit, and forbid all and singular bodies politic and corporate, and all and every person and persons, as well our natural born subjects as aliens, denizens, and strangers whatsoever, other than the said Aron Rathburne and Roger Burges, their executors, administrators, deputies, and assigns, and such as shall by them, or some of them, be set on work, licensed, or authorized, that they, or any of them, do not presume, attempt, or take in hand, during the said term of twenty and one years, to make, grave, carve, describe, imprint, set forth, or counterfeit or sell, utter or dispose of, within this our realm, or any other of our dominions, or export out of the same the said maps, plots, descriptions, or books, or any of them, whereof the sole privilege is hereby granted to the said Aron Rathburne and Roger Burges, their executors, administrators, deputies, and assigns, nor shall import or bring, or cause to be imported or brought into this our realm of England, or any other of our dominions, or any part of any of them, any other the like maps, plots, descriptions, or books, or any of them, during the said term of twenty and one years, other than such as shall be made, graven, printed, perfected, and set forth by the said Aron Rathburne and Roger Burges, their executors, administrators, deputies, or assigns, or some of them; nor shall make, erect, set up, or frame any engines or devises, or counterfeit or use any tools or instruments for the making, graving, carving, or imprinting thereof, upon pain of forfeiture of all such maps, plots, descriptions, and books so to be counterfeited, made, graven, carved, imprinted, sold, uttered, imported, or exported contrary to the true meaning of these presents, and upon pain of forfeiture of all such engines, instruments, tools, and devises to be framed, set up, used, or exercised, contrary to our meaning herein expressed; and further upon pain of our heavy indignation and displeasure, and of such pains, penalties, and imprisonments, as by the laws or statutes of this realm can or may be inflicted upon the offenders for their contempt or disobedience in breaking and contemning our commandment and prerogative royal; and for the better execution of this our grant, privilege, and licence, we do by these presents, for us, our heirs and successors, give and grant full and free licence, power, and authority unto the said Aron Rathburne and Roger Burges, their executors, administrators, and

Exclusive monopoly to make maps, &c., of certain cities.

Prohibition.

Power of  
entry and  
search in ships  
and other  
places,

and seizure.

Proviso.

Command  
to all persons  
to assist  
patentees.

assigns, that they, the said Aron Rathburne and Roger Burges, their executors, administrators, and assigns, by themselves, or any of them, or their or any of their deputies, factors, servants, or assigns, shall and may at all times, and from time to time during the said term, with the assistance of a constable or other officer, at convenient times and in convenient and lawful manner, go on board any ship or other vessel, or enter into any place or places where they or any of them shall think good, within this our realm or any other of our dominions, as well within liberties as without, and there by all lawful ways and means to inquire and search for all such plots, maps, descriptions, and books, and for such frames, engines, devises, tools, and instruments, as by any body or bodies politic or corporate, or any other person or persons other than the said Aron Rathburne and Roger Burges, their executors, administrators, deputies, factors, servants, or assigns, shall, within the said term of twenty and one years by these presents granted, be made, graven, carved, imprinted, described, set forth, uttered, sold, imported, exported, framed, erected, set up or used contrary to the tenor and true meaning of these our letters patent; and also in due manner to seize, take, and carry away all and every such maps, plots, descriptions, books, engines, tools, and instruments, which they or any of them shall find to be made, carved, graven, imprinted, described, set forth, uttered, sold, imported, exported, framed, erected, set up, made, counterfeited, or used contrary to the true meaning hereof, the one moiety thereof to be to the said Aron Rathburne and Roger Burges, their executors, administrators, and assigns, and the other moiety to be reserved to us, our heirs and successors, to have and to hold the said licences, powers, privileges, and authorities aforesaid, unto the said Aron Rathburne and Roger Burges, their executors, administrators, deputies, and assigns, for and during the term of twenty and one years from the day of the date hereof next and immediately following, and fully to be complete and ended; provided always, and our will and pleasure is, that these presents, or any thing therein contained, shall not extend to the prejudice of any person or persons, bodies politic or corporate, for or concerning any matter or thing which they or any of them, by force of any other letters patent, grant or grants, by us or any of our noble progenitors or predecessors, kings or queens of this realm, granted, or by any just or lawful right ought to have or enjoy. And lastly, we do hereby for us, our heirs and successors, will and command all justices of peace, mayors, sheriffs, bailiffs, constables, and all other the officers, ministers, and subjects of us, our heirs and successors, to whom it shall or may appertain, that they and every of them be from time to time aiding, helping, and assisting to the said Aron Rathburne and Roger Burges, their executors, administrators, assigns, deputies, and servants, in the execution of these our letters patent, according to the purport, tenor, and true meaning of the same, as they tender our indignation and displeasure, and will avoid the same at their uttermost peril, although express mention, &c.

In witness whereof, &c. Witness ourself at Westminster, the eleventh day of March.

By Writ of Privy Seal.

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### Form of Letters Patent shortly before Act of 1852 (a).

VICTORIA, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith. To all to whom these presents

(a) See Hindmarch on Law of Patents, published in 1846, pp. 628 *et seq.*

shall come greeting. WHEREAS [*James Gowland, of Leathersellers Buildings, London Wall, in the city of London, Watch and Chronometer Maker,*] hath by his petition humbly represented unto us that (*b*) he hath invented [*“a certain improvement or certain improvements in the mechanism of Time Keepers,”*] which the petitioner conceives will be of great public utility, that he is the first and true inventor thereof, and that the same hath not been practised or used before in this kingdom by any other person or persons to the best of his knowledge and belief, the petitioner therefore most humbly prayed that we would be graciously pleased to grant unto him, his executors, administrators, and assigns, our royal letters patent under the Great Seal of the United Kingdom of Great Britain and Ireland, for the sole use, benefit, and advantage of his (*c*) said invention within that part of our United Kingdom of Great Britain and Ireland, called England, our dominion of Wales, and town of Berwick-upon-Tweed, [and also in our islands of Jersey, Guernsey, Alderney, Sark, and Man, and all our colonies and plantations abroad,] for the term of fourteen years, pursuant to the statute in that case made and provided, and we being willing to give encouragement to all arts and inventions which may be for the public good, are graciously pleased to condescend to the petitioner's request. KNOW YE THEREFORE, that we of our especial grace, certain knowledge, and mere motion, have given and granted, and by these presents for us, our heirs, and successors, do give and grant unto the said [*James Gowland,*] his executors, administrators, and assigns, our especial licence, full power, sole privilege and authority, that he the said [*James Gowland,*] his executors, administrators, and assigns, and every of them, by himself and themselves, or by his and their deputy and deputies, servants or agents, or such others as he the said [*James Gowland,*] his executors, administrators, and assigns, shall at any time agree with and no others, from time to time, and at all times hereafter, during the term of years herein expressed, shall and lawfully may make, use, exercise, and vend, his (*d*) said invention within that part of our United Kingdom of Great Britain and Ireland, called England, our dominion of Wales, and town of Berwick-upon-Tweed, [and also in our islands of Jersey, Guernsey, Alderney, Sark, and Man, and in all our colonies and plantations abroad,] in such manner as to him the said [*James Gowland,*] his executors, administrators, and assigns, or any of them, shall in his or their discretions seem meet. And that he the said [*James Gowland,*] his executors, administrators, and assigns, shall and lawfully may have and enjoy the whole profit, benefit, and advantage from time to time coming, growing, accruing, and arising by reason of the said invention, for and during the term of years herein mentioned. TO HAVE, HOLD, exercise, and enjoy the said licences, powers, privileges, and advantages hereinbefore granted or mentioned to be granted unto the said [*James Gowland,*] his executors, administrators, and assigns, for and during and unto the full end and term of fourteen years from the date of these presents next and immediately ensuing, and fully to be complete and ended according to the statute in such case made and provided. AND to the end that the said [*James Gowland,*] his executors, administrators, and assigns, and every of them, may have and enjoy the full benefit and the sole use and exercise of the said invention according to our gracious intention hereinbefore declared, we do by these presents for us, our heirs, and successors, require and strictly command all and every person and persons,

Recital.

Recital in a patent for an imported invention.

Grant.

Sole privilege.

Habendum for 14 years.

Prohibition to all others.

(*b*) If the patent be granted for an imported invention, the recital states the representation in the petition thus, “that, in consequence of a communication from a foreigner residing abroad, he is in possession of an invention of ‘improvements in the construction of locks,’ which the petitioner conceives will be of great public utility, and that

the same is new within this realm, and hath not been practised or used therein by any person or persons whomsoever, to the best of his knowledge and belief; the petitioner, therefore,” &c.

(*c*) If invention had been imported it was “the said invention.”

(*d*) Or if imported “the said invention.”

Command to justices, &c., not to molest the patentee.

Proviso, that if grant contrary to law, or invention not new, &c. patent may be revoked.

Patent not to give privilege to use any prior patent invention.

All patentees to use their

bodies politic and corporate, and all other our subjects whatsoever, of what estate, quality, degree, name or condition soever they be, within the said part of our United Kingdom of Great Britain and Ireland, called England, our dominion of Wales, and town of Berwick-upon-Tweed, [and also in our islands of Jersey, Guernsey, Alderney, Sark, and Man, and in all our colonies and plantations abroad,] that neither they nor any of them at any time during the continuance of the said term of fourteen years hereby granted, either directly or indirectly, do make use or put in practice the said invention, or any part of the same so attained by the said [James Gowland,] as aforesaid, nor in any wise counterfeit, imitate, or resemble the same, nor shall make or cause to be made any addition thereunto or subtraction from the same, whereby to pretend himself or themselves the inventor or inventors, deviser or devisers thereof, without the consent, licence, or agreement of the said [James Gowland,] his executors, administrators, or assigns, in writing under his or their hands and seals first had and obtained in that behalf, upon such pains and penalties as can or may be justly inflicted on such offenders for their contempt of this our royal command; and further be answerable to the said [James Gowland,] his executors, administrators, and assigns, according to law, for his and their damages thereby occasioned. AND MOREOVER, we do by these presents for us, our heirs and successors, will and command all and singular the justices of the peace, mayors, sheriffs, bailiffs, constables, head-boroughs, and all other officers and ministers whatsoever of us, our heirs and successors for the time being, they or any of them do not nor shall at any time hereafter during the said term hereby granted, in any wise molest, trouble, or hinder the said [James Gowland,] his executors, administrators, or assigns, or any of them, or his or their deputies, servants, or agents, in or about the due and lawful use or exercise of the said invention or any thing relating thereto. PROVIDED ALWAYS, and these our letters patent are and shall be upon this condition, that if at any time during the said term hereby granted it shall be made to appear to us, our heirs, or successors, or any six or more of our or their Privy Council, that this our grant is contrary to law, or prejudicial, or inconvenient to our subjects in general, or that the said invention is not a new invention as to the public use and exercise thereof, in(*c*) that said part of our United Kingdom of Great Britain and Ireland called England, our dominion of Wales, and town of Berwick-upon-Tweed, [and also in our islands of Jersey, Guernsey, Alderney, Sark, and Man, and in all our colonies and plantations abroad aforesaid,] or not invented and found out(*f*) by the said [James Gowland] as aforesaid; then upon signification or declaration thereof to be made by us, our heirs, or successors under our or their signet or Privy Seal, or by the Lords and others of our or their Privy Council, or any six or more of them under their hands, these our letters patent shall forthwith cease, determine, and be utterly void to all intents and purposes, any thing hereinbefore contained to the contrary thereof in anywise notwithstanding: PROVIDED ALSO, that these our letters patent or any thing herein contained, shall not extend or be construed to extend to give privilege unto the said [James Gowland], his executors, administrators, or assigns, or any of them, to use or imitate any invention or work whatsoever, which hath heretofore been invented or found out by any other of our subjects whatsoever, and publicly used or exercised in that said part of our United Kingdom of Great Britain and Ireland, called England, our dominion of Wales, and town of Berwick-upon-Tweed, [and also in our islands of Jersey, Guernsey, Alderney, Sark, and Man, and in all our colonies and plantations abroad aforesaid,] unto whom our like letters patent or privileges have been already granted for the sole use, exercise, and benefit thereof; it being our will and pleasure that the said [James Gowland], his

(*c*) It ought to have been "in this realm." See *Brown v. Annandale*, 1841-42, 1 Webs. R. 433.

(*f*) If the invention had been imported,

instead of "not invented and found out," the words "not introduced therein" were inserted; but they ought to have been "not introduced into this realm."

executors, administrators, and assigns, and all and every other person and persons to whom like letters patent or privileges have been already granted as aforesaid, shall distinctly use and practice their several inventions by them invented and found out according to the true intent and meaning of the same respective letters patent and of these presents: PROVIDED LIKEWISE nevertheless, and these our letters patent are upon this express condition, that if at any time heretofore these our letters patent, or the liberties and privileges hereby by us granted, shall become vested in or in trust for more than the number of twelve persons, or their representatives at any one time as partners dividing or entitled to divide the benefits or profits obtained by reason of these our letters patent (reckoning executors and administrators as and for the single person whom they represent as to such interest as they shall be entitled to in right of such their testator or intestate), that then these our letters patent and all liberties and advantages whatsoever hereby granted shall utterly cease, determine, and become void, anything hereinbefore contained to the contrary in anywise notwithstanding: *Provided* that nothing herein contained shall prevent the granting of licences in such manner and for such consideration as they may by law be granted: AND ALSO if the said [James Gowland] shall not particularly describe and ascertain the nature of his said invention (*g*), and in what manner the same is to be performed by an instrument in writing under his hand and seal, and cause the same to be enrolled in our High Court of Chancery within [*six*] calendar months next, and immediately after the date of these our letters patent: AND (*h*) ALSO if the said [James Gowland], his executors, administrators, or assigns, shall not supply, or cause to be supplied for our service, all such articles of the said invention as he or they shall be required to supply by the officers or commissioners administering the department of our service for the use of which the same shall be required, in such manner, at such times, and at and upon such reasonable prices and terms as shall be settled for that purpose by the said officers or commissioners requiring the same, that then and in any of the said cases these our letters patent, and all liberties and advantages whatsoever hereby granted shall utterly cease, determine, and become void, anything hereinbefore contained to the contrary thereof in anywise notwithstanding. AND LASTLY, we do by these presents for us, our heirs, and successors, grant unto the said [James Gowland], his executors, administrators, and assigns, that these our letters patent, or the enrolment, or exemplification thereof, shall be in and by all things good, firm, valid, sufficient, and effectual in the law according to the true intent and meaning thereof, and shall be taken, construed, and adjudged in the most favorable and beneficial sense for the best advantage of the said [James Gowland], his executors, administrators, and assigns, as well in all our Courts of record as elsewhere, and by all and singular the officers and ministers whatsoever of us, our heirs, and successors, in that part of our said United Kingdom of Great Britain and Ireland, called England, our dominion of Wales, and town of Berwick-upon Tweed [and also in our islands of Jersey, Guernsey, Alderney, Sark, and Man, and in all our colonies and plantations abroad aforesaid], and amongst all and every the subjects of us, our heirs, and successors whatsoever and wheresoever, notwithstanding the not, full, and certain describing the nature or quality of the said invention, or of the materials thereunto conducing and

inventions distinctly.

Proviso that if patent privilege becomes vested in more than twelve persons, patent to be void.

Proviso not to prevent any granting of licences.

Proviso requiring specification of the invention.

Proviso requiring patentee to supply articles for the public service.

Grant that patent shall be good notwithstanding the not full description of invention, &c.

(*g*) Or if imported, "the said invention."

(*h*) It had recently become the practice to insert this reservation in favour of the public service in every patent, instead of the following proviso:—"Provided also that if the said T. G., his executors, administrators and assigns shall not supply or cause to be supplied for our services all such articles of the

said invention as he or they shall be required to supply, in such manner, at such times, and upon such reasonable prices and terms as shall be settled for that purpose by the Master-General of our Ordnance or the principal officers of the Ordnance (and by the lords commissioners of our Admiralty, &c.), for the time being, that then, &c.," the patent becomes void. Hindmarch, p. 71.

belonging. IN WITNESS whereof we have caused these our letters to be made patent. WITNESS ourself at Westminster, this [*tenth*] day of [*November*], in the ninth year of our reign.

By Writ of Privy Seal,  
[—](i).

### Form of Enrolment of Patent.

Patents (*j*) of the [*ninth*] year of the reign of Queen Victoria.  
Roll [*twenty-four*].

[“JAMES GOWLAND,] } “VICTORIA. by the grace of God, &c. To all to  
Invention.” } whom these presents shall come greeting. WHEREAS,  
*James Gowland, of, &c.*” [*Here the whole of the patent is copied verbatim,*  
*except the conclusion, which is abbreviated thus.*] “In witness, &c. witness,  
&c. the [*tenth*] day of [*November*].”

“By Writ of Privy Seal.”

### Specification to be Enrolled in pursuance of the Proviso in the Patent.

TO ALL TO WHOM THESE PRESENTS SHALL COME, I [*James Gowland, of Leathersellers Buildings, London Wall, in the city of London, Chronometer Maker*], send greeting. WHEREAS, her most excellent Majesty, Queen Victoria, by her letters patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster the [*first*] day of [*January*] in the [*eighth*] year of her reign, did give and grant unto me the said [*James Gowland*], my executors, administrators, and assigns, her especial license, full power, sole privilege, and authority, that I the said [*James Gowland*], my executors, administrators, and assigns, and such others as I the said [*James Gowland*], my executors, administrators, or assigns should at any time agree with, and no others from time to time and at all times thereafter during the term of years therein mentioned, should and lawfully might make, use, exercise, and vend within that part of the United Kingdom of Great Britain and Ireland, called England, her dominion of Wales, and town of Berwick-upon-Tweed [and also in the islands of Jersey, Guernsey, Alderney, Sark, and Man, and in all her colonies and plantations abroad], my invention of [“*improvements in the construction of Chronometers and other Timekeepers.*”] In which said letters patent there is contained a proviso requiring that I the said [*James Gowland*] shall particularly describe and ascertain the nature of my said invention and in what manner the same is to be performed, by an instrument in writing under my hand and seal, to be enrolled in her said Majesty’s High Court of Chancery within [*six*] calendar months next, and immediately after the date of the said in part recited letters patent, as reference being thereunto had will more fully and at large appear. NOW KNOW YE, that in compliance with the said proviso, I the said [*James Gowland*] do hereby declare the nature of my invention, and the manner in which the same is to be performed is particularly described and ascertained in and by this present instrument in writing as follows (that is to say), My said invention consists, &c. [*Here describe the nature of the invention, &c., so as to comply with the terms of the proviso in the letters patent.*]

(i) The clerk of the patents.

(j) This was indorsed on the Roll.

*If, however, drawings are necessary, the form should be varied, thus*, are particularly described and ascertained in and by this present instrument in writing, reference being had to the drawing [*or several drawings*] hereunto annexed [*or in the margin of these presents*], and in which said drawing [*or several drawings*] similar parts are marked and referred to by similar letters or figures (that is to say), My said invention consists, &c. [*Here describe the invention, referring to the drawings so as to explain the description.*]

IN WITNESS whereof, I, the said [*James Gowland*], have hereunto set my hand and seal the [*first*] day of [*January*], in the year of our Lord one thousand eight hundred and forty [*four*].

(Signed) (k) [JAMES GOWLAND] L. S.

(l) Signed and sealed  
in the presence of  
*John Jones.*

### Acknowledgment of Specification before a Master in Chancery (m).

Taken and acknowledged by the within [*or above*] named [*James Gowland*], at [*the Public Office, Southampton Buildings, in the county of Middlesex*] this [*second*] day of [*January*] in the year of our Lord one thousand eight hundred and forty [*four*].

Before me,  
(Signed) [A. H. LYNCH] (n).

### Form of Enrolment of a Specification.

Making Cables, &c. )  
Improvements in ) To ALL TO WHOM THESE PRESENTS SHALL COME.  
[Smith's] ) I, [*Andrew Smith*] of [*Princes Street, Leicester Square,*  
Specification (o). ) [*in the county of Middlesex, engineer*], send greeting, &c.  
*[Here the whole of the specification is set out, including the signature and seal at the end, after which comes the following entry if the specification has been acknowledged.]*

### Record of Acknowledgment.

AND BE IT REMEMBERED that on the [*twentieth*] day of [*September*] in the [*third*] year of the reign of her Majesty, Queen Victoria, the said [*Andrew*] *Duckworth* (p).

(k) The instrument must be both signed and sealed.

(l) Although sometimes used, an attestation is not necessary.

(m) The acknowledgment was before a Master in Chancery, when taken in town; but when taken in the country it might be taken before a Master Extraordinary.

(n) It was unusual for a Master to do

more than sign his name; but a Master Extraordinary added words, such as, "Master Extraordinary," in order to show his power to take the acknowledgment.

(o) The form of this Marginal Abstract was not the same in all offices.

(p) This was the name of the Master before whom the acknowledgment was taken.

*Smith*] came before our said lady the Queen in her Chancery, and acknowledged the instrument aforesaid, and all and everything contained and specified in form above written: AND the instrument aforesaid was stamped according to the tenor of the statute made in the fifty-fifth year of the reign of his late Majesty King George the Third.

Date of enrolment.

Enrolled the [*twentieth*] day of [*September*] one thousand eight hundred and thirty [*nine*].

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### Certificate of Enrolment.

Enrolled in [the office of the Rolls Chapel, or the office of the Petty Bag], in her Majesty's High Court of Chancery, the [*first*] day of [*July*] in the year of our Lord one thousand eight hundred and forty [*five*] being first duly stamped according to the tenor of the statute made for that purpose.

(Signed) [A. B.]

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### XIV.—Register of Patent Agents Rules, 1889 (*g*).

FOR the purpose of giving effect to the provisions of the Patents, Designs, and Trade Marks Act, 1888 (*h*), relating to the registration of patent agents, the Board of Trade, by virtue of the provisions of the said Act, hereby make the following rules:—

Register of patent agents (*i*).

1. A register shall be kept by the Institute of Patent Agents, subject to the provisions of these rules and to the orders of the Board of Trade, for the registration of patent agents in pursuance of the Act.

Names, &c., of patent agents to be registered.

2. The register shall contain in one list all patent agents who are registered under the Act and these Rules.

Such list shall be made out alphabetically, according to the surnames of the registered persons, and shall also contain the full name of each registered person, with his address, the date of registration, and a mention of any honours, memberships, or other additions to the name of the registered person which the council of the institute may consider worthy of mention in the register. The register shall be in the Form 1 in Appendix A., with such variations as may be required.

Printed copy of register to be evidence.

3. The institute shall cause a correct copy of the register to be, once every year, printed, under their direction, and published and placed on sale. Such correct copy shall, in the year 1889, be printed and published at as early a date as is possible, and in every year subsequent to the year 1889, shall be printed and published on the 31st day of January. A copy of the register for the time being purporting to be so printed and published shall be admissible as evidence of all matters stated therein, and the absence of the name of any person from the register shall be evidence, until the contrary is made to appear, that such person is not registered in pursuance of the Act.

Appointment of registrar.

4. The institute shall appoint a registrar (*k*), who shall keep the register in accordance with the provisions of the Act and these rules, and, subject thereto, shall act under the directions of the institute and the Board of Trade.

(*g*) See Act of 1888, s. 1.

(*h*) See Patents Acts, 1885-88, pp. 425-528, and notes thereon.

(*i*) The side notes are the Author's.

(*k*) The Institute has appointed their Secretary, Mr. Howgrave Graham, registrar.



5. A person who is desirous of being registered in pursuance of the Act, on the ground that prior to the passing of the Act he had been *bonâ fide* practising as a patent agent, shall produce or transmit to the Board of Trade a statutory declaration in the Form 2 in Appendix A.; provided that the Board of Trade may in any case in which they shall think fit, require further or other proof that the person had, prior to the passing of the Act, been *bonâ fide* practising as a patent agent. Upon the receipt of such statutory declaration or of such further or other proof to their satisfaction as the case may be, the Board of Trade shall transmit to the registrar a certificate that the person therein named is entitled to be registered in pursuance of the Act, and the registrar shall on the receipt of such certificate cause the name of such person to be entered in the register.

Registration of patent agents practising before Act 1888.

6. Subject to the provisions of the Act in favour of every person who proves to the satisfaction of the Board of Trade that prior to the passing of the Act he had been *bonâ fide* practising as a patent agent, no person shall be entitled to be registered as a patent agent unless he has passed, and produces or transmits to the registrar a certificate under the seal of the institute that he has passed, such final examination as to his knowledge of patent law and practice and of the duties of a patent agent as the institute shall from time to time prescribe (1).

Examinations.

7. Any person who has been for at least seven consecutive years continuously engaged as a pupil or assistant to one or more registered patent agents, and any person for the time being entitled to practise as a solicitor of the Supreme Court of Judicature in England or Ireland, or as a law agent before the Court of Session in Scotland, shall be entitled to be registered without passing any examination other than the final examination provided for in the last preceding rule. The registrar shall, before registering the name of any such person as a patent agent (in addition to the final examination certificate) require proof satisfactory to the registrar that such person has been for at least seven consecutive years continuously engaged as such pupil or assistant, or is entitled to practise as such solicitor or law agent.

Exemptions from preliminary examination.

8. Any person who is not qualified under rule 7 must, in order to be entitled to present himself for the final qualifying examination, be—

Preliminary examinations.

A person who has passed one of the preliminary examinations mentioned in Appendix B., or such other examination as the institute shall, with the approval of the Board of Trade, by regulation prescribe.

9. The institute shall hold at least once in the year, commencing with the first day of July, 1889, and in every other succeeding year, a final qualifying examination, which shall be the final qualifying examination required under rules 6 and 7; and the institute shall, subject to these rules, have the entire management and control of all such examinations, and may from time to time make regulations with respect to all or any of the following matters, that is to say:—

Holding of examinations and regulations.

- (a) The subjects for and the mode of conducting the examination of candidates;
- (b) The times and places of the examinations, and the notices to be given of examinations;
- (c) The certificates to be given to persons of their having passed the examinations;
- (d) The appointment and removal of examiners, and the remuneration, by fees or otherwise, of the examiners so appointed; and
- (e) Any other matter or thing as to which the institute may think it necessary to make regulations for the purpose of carrying out this rule.

10. The registrar shall from time to time insert in the register any alteration which may come to his knowledge in the name or address of any person registered.

Alteration in name or address.

(1) This rule gives the Institute practically complete control over the admission of persons to the profession of patent agent.

- Names of deceased persons. 11. The registrar shall erase from the register the name of any registered person who is dead.
- Names of persons ceasing to practise as patent agents. 12. The registrar may erase from the register the name of any registered person who has ceased to practise as a patent agent, but not (save as hereinafter provided) without the consent of that person. For the purposes of this rule the registrar may send by post to a registered person to his registered address a notice inquiring whether or not he has ceased to practise or has changed his residence, and if the registrar does not within three months after sending the notice receive an answer thereto from the said person, he may, within fourteen days after the expiration of the three months, send him by post to his registered address another notice referring to the first notice, and stating that no answer has been received by the registrar; and if the registrar either before the second notice is sent receives the first notice back from the dead letter office of the Postmaster-General, or receives the second notice back from that office, or does not within three months after sending the second notice receive any answer thereto from the said person, that person shall, for the purposes of this rule, be deemed to have ceased to practise, and his name may be erased accordingly.
- Removal of names from register where registration fees unpaid. 13. If any registered person shall not, within one month from the day on which his annual registration fee becomes payable, pay such fee, the registrar may send to such registered person to his registered address, a notice requiring him, on or before a day to be named in the notice, to pay his annual registration fee; and if such registered patent agent shall not within one month from the day named in such notice pay the registration fee so due from him, the registrar may erase his name from the register: provided that the name of a person erased from the register under this rule may be restored to the register by direction of the institute or the Board of Trade on payment by such person of the fee or fees due from him, together with such further sum of money, not exceeding in amount the annual registration fee, as the institute or the Board of Trade (as the case may be) may in each particular case direct.
- Evidence. 14. In the execution of his duties the registrar shall, subject to these rules, in each case act on such evidence as appears to him sufficient.
- Fraudulent and incorrect entries. 15. The Board of Trade may order the registrar to erase from the register any entry therein which is proved to their satisfaction to have been incorrectly or fraudulently inserted.
- Removal of names of persons convicted of felony, &c. 16. If any registered person shall be convicted in her Majesty's dominions or elsewhere of an offence which, if committed in England, would be a felony or misdemeanour, or after due inquiry is proved to the satisfaction of the Board of Trade to have been guilty of disgraceful professional conduct, or having been entitled to practise as a solicitor or law agent shall have ceased to be so entitled, the Board of Trade may order the registrar to erase from the register the name of such person. Provided that no person shall be adjudged by the Board of Trade to have been guilty of disgraceful professional conduct unless such person has received notice of, and had an opportunity of defending himself from, any charge brought against him.
- Re-entry of names on register. 17. (1.) Where the Board of Trade direct the erasure from the register of a name of any person, or of any other entry, the name of the person or the entry shall not be again entered in the register, except by order of the Board of Trade.  
(2.) The Board of Trade may in any case in which they think fit restore to the register any name or entry erased therefrom either without fee, or on payment of such fee, not exceeding the registration fee, as the Board of Trade may from time to time fix, and the registrar shall restore the name accordingly.  
(3.) The name of any person erased from the register at the request or with the consent of such person shall, unless it might, if not so erased, have been erased by order of the Board of Trade, be restored to the register by the registrar on his application and on payment of such fee, not exceeding the registration fee, as the institute shall from time to time fix.

18. For the purpose of exercising in any case the powers of erasing from and of restoring to the register the name of a person, or an entry, the Board of Trade may appoint a committee consisting of such persons as they shall think fit. Every application to the Board of Trade for the erasure from, or restoration to, the register of the name of any patent agent shall be referred for hearing and inquiry to the committee, who shall report thereon to the Board of Trade, and a report of the committee shall be conclusive as to the facts for the purpose of the exercise of the said powers by the Board of Trade.

Appointment  
of committee.

19. Any person aggrieved by any order, direction, or refusal of the institute or registrar may appeal to the Board of Trade.

Appeal to  
Board of  
Trade.

20. A person who intends to appeal to the Board of Trade under these rules (in these rules referred to as the appellant) shall, within 14 days from the date of the making or giving of the order, direction, or refusal complained of, leave at the office of the institute a notice in writing signed by him of such his intention.

Procedure on  
appeal.

21. The notice of intention to appeal shall be accompanied by a statement in writing of the grounds of the appeal, and of the case of the appellant in support thereof.

22. The appellant shall also immediately after leaving his notice of appeal at the institute send by post a copy thereof with a copy of the appellant's case in support thereof addressed to the secretary of the Board of Trade, 7, Whitehall Gardens, London.

23. The Board of Trade may thereupon give such directions (if any) as they may think fit for the purpose of the hearing of the appeal.

24. Seven days' notice, or such shorter notice as the Board of Trade may in any particular case direct, of the time and place appointed for the hearing of the appeal shall be given to the appellant and the institute and the registrar.

25. The appeal may be heard by the president, a secretary, or an assistant secretary of the Board of Trade, and the decision and order thereon of the president, secretary, or assistant secretary, as the case may be, shall be the decision of the Board of Trade on such appeal. On the appeal such decision may be given or order made in reference to the subject-matter of the appeal as the case may require.

26. The fees set forth in Appendix C. to these rules shall be paid in respect of the several matters, and at the times and in the manner therein mentioned. The Board of Trade may from time to time, by orders signed by the secretary of the Board of Trade, alter any of, or add to, the fees payable under these rules.

Fees.

27. Any regulation made by the institute under these rules may be altered or revoked by a subsequent regulation. Copies of all regulations made by the institute under these rules shall, within twenty-eight days of the date of their being made, be transmitted to the Board of Trade, and if within twenty-eight days after a copy of any regulation has been so transmitted, the Board of Trade by an order signify their disapproval thereof, such regulation shall be of no force or effect; and if, after any regulation under these rules has come into force, the Board of Trade signify in manner aforesaid their disapproval thereof, such regulation shall immediately cease to be of any force or effect.

Alteration of  
regulations.

28. The institute shall once every year in the month of December transmit to the Board of Trade a report stating the number of applications for registration which have been made in the preceding year, the nature and results of the final examinations which have been held, and the amount of fees received by the institute under these rules, and such other matters in relation to the provisions of these rules, as the Board of Trade may from time to time, by notice signed by the secretary of the Board of Trade and addressed to the institute, require.

Institute to  
report to  
Board of  
Trade.

29. In these rules, unless the context otherwise requires—

Definitions.

“The Act” means the Patents, Designs, and Trade Marks Act, 1888.

## APPENDIX.

“The institute” means the Institute of Patent Agents, acting through the council for the time being.

“The registrar” means the registrar appointed under these rules.

“Registered patent agent” means any agent for obtaining patents in the United Kingdom whose name is registered under the Act and these rules.

Commence-  
ment of rules. 30. These rules shall commence and come into operation on the 12th day of June, 1889, but at any time after the making thereof any appointment or regulations may be made and things done for the purpose of bringing these rules into operation on the said day.

Short title. 31. These rules may be cited as the Register of Patent Agents Rules, 1889.

By the Board of Trade,

COURTENAY BOYLE,

Assistant Secretary, Railway Department.

The 11th day of June, 1889.

## APPENDIX A.

## FORM 1.

## FORM OF REGISTER.

Name.	Designation.	Address.	Date of Registration.

## FORM 2.

## FORM OF STATUTORY DECLARATION.

*Register of Patent Agents Rules, 1889.*

I, *A. B.* [*insert full name, and in the case of a member of a firm add, “a member of the firm of ”*], of \_\_\_\_\_, in the county of \_\_\_\_\_, patent agent, do solemnly and sincerely declare as follows:—

1. That prior to the 24th December, 1888, I had been *bonâ fide* practising in the United Kingdom as a patent agent.

2. That I acted as patent agent in obtaining the following patents:—  
[*Give the official numbers and dates of some patents for the United Kingdom in the obtaining of which the declarant acted as patent agent.*]

3. That I desire to be registered as a patent agent in pursuance of the said Act.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act, 1835.

Declared at \_\_\_\_\_ .

## APPENDIX B.

## PARTICULARS OF PRELIMINARY EXAMINATIONS.

1. The Matriculation Examination at any University in England, Scotland, or Ireland.
2. The Oxford or Cambridge Middle Class Senior Local Examinations.
3. The Examinations of the Civil Service Commissioners for admission to the Civil Service.

## APPENDIX C.

## FEES.

Nature of Fee.	When to be Paid.	To whom to be Paid.	Amount.
For registration of name of patent agent who had been <i>bonâ fide</i> in practice prior to the passing of the Act.	On application and before registration.	To the registrar at the Institute.	£ 5 5 0
For registration of name of any person other than as above.	Do. do.	Do. do.	5 5 0
Annual fee to be paid by every registered patent agent.	On or before November 30 of each year, in respect of the year commencing Jan. 1st following.	Do. do.	3 3 0
On entry of a candidate for the final qualifying examination.	At time of entering name.	Do. do.	2 2 0

# APPENDIX

## OF

### FOREIGN AND COLONIAL PATENT LAWS.

*Besides the actual Government fees mentioned, there are in many cases additional charges to law officers, &c., and expenses for advertising applications and specifications.*

#### ARGENTINE REPUBLIC (*Law of 11th October, 1864*).

To whom,  
and for what  
patent  
granted.

The inventor or assignee, including a foreign patentee, if inventor or assignee, may be a patentee.

All new discoveries or inventions in any branch of industry, and inventions patented abroad, are patentable. Improvements may be protected by certificates of addition. Inventions may be protected by provisional patents, which are kept secret, and the effect of which is to defer grants relating to the same subject-matter till notice has been given to the original patentee at his own domicile.

Official  
examination.  
Duration and  
payments.

There is an official examination as to novelty and patentability.

New inventions are granted for five, ten, or fifteen years, according to merit of invention and wish of applicant, but a patent once granted for a short term cannot be subsequently extended.

Patents of importation are limited to the term of the original patent, and cannot exceed ten years.

Certificates of addition are limited to the residue of the original patent, and cannot exceed ten years, except when half that period has expired, or when the improvement lessens by half at least the cost, time, or risk of production.

Provisional patents last for one year, and are renewable at expiration of each year.

The following payments are required in the case of:—

1. *New inventions*.—80, 200, or 350 piastres, according to the term.

2. *Importations*.—A sum proportionate to the term, according to same scale of fees.

3. *Certificates of addition*.—The original patentee pays one quarter; others than the original patentee pay one half of the fees above-mentioned.

4. *Provisional patents*.—50 piastres.

Working,  
importation,  
and marking  
by patentee.

A patent is void if the invention is not worked within two years after issue, or has, at any time during the term, been discontinued for a similar period, without sufficient excuse.

There are no provisions as to importation and marking.

Assignments.

Assignments can only be made by notarial act, and after payment of the taxes for the full term for which the patent is taken out, and must be registered in the patent office.

#### AUSTRIA-HUNGARY (*Laws of 15th August, 1852; June 27th, 1878, extending earlier law to Hungary; 20th December, 1879, extending earlier law to Bosnia and Herzegovina*).

To whom,  
and for what  
patent  
granted.

The inventor or his assignee resident in the empire, and a foreign patentee or assignee, whether resident in the empire or not, may be a patentee.

New products of industry, new means of production, and new methods of production are good subject-matter; importations from abroad are patentable. Improvements can only be protected by new patents.

There is an official examination as to the formal sufficiency of the specification, &c., but not as to the novelty or utility of the invention. Official examination.

Patents are granted for any number of years, not exceeding fifteen, and are limited in the case of importations and improvements to the residue of the original term. Duration and payments.

The patent tax is in proportion to the duration of the privilege, and is the same for discoveries, inventions, and improvements, for foreigners or natives, viz. : 100 florins for the first five years; 200 florins for the following five years, and 400 florins for the last: the annual ratio being 20 florins for the first five years, and for the remaining ten years 30, 35, 40, 45, 50, 60, 70, 80, 90, 100 florins respectively, *i.e.*, 700 florins or 70% for the fifteen years. It is usual to apply for a one year's patent and extend from year to year.

The invention must be worked in the empire within one year of the grant, and the working must not be discontinued for any two years during the term. Working, importation, and marking by patentee.

There are no provisions as to the importation and marking of patented articles.

Assignments must be duly legalised and registered. Assignments.

#### BAHAMA ISLANDS (*Colonial Act, 52 Vict. c. 23, 23rd May, 1889*).

The true and first inventor, whether resident or not, may be a patentee.

The invention must at the time of the filing of the specification be new as to the public use and exercise thereof in the colony. To whom, and for what patent granted.

Importations from abroad are patentable by the true and first inventor.

The governor, acting with the advice of the executive council, may refuse to issue patent if there is no novelty in the invention, or that the invention is not for other reasons patentable. Official examination.

The duration of a patent is seven years. Prolongation for two further periods of seven years each may be obtained. Duration and payments.

The following sums are payable:—3% for the original grant, 10% for the first renewal, and 20% for the second renewal.

The invention must be brought into operation within three years after the filing of the specification. Working, importation, and marking by patentee.

There are no provisions as to importation or marking.

Assignments must be registered in the office of the Registrar of Records. Assignments.

#### BARBADOES (*Act of 12th December, 1883*).

The true and first inventor, whether resident or not, may be a patentee. To whom, and for what patent granted.

There is no official examination except as to the formal sufficiency of the documents filed. Official examination.

The duration of a patent is seven years. Prolongation for two further periods of seven years each is obtainable. Duration and payments.

The following sums are payable:—3% 6s. 8d. for the original patent, 10% for the first, and 20% for the second renewal.

The invention must be worked within seven years after the filing of the specification. There are no provisions as to importation or marking. Working, importation, and marking by patentee.

Assignment is apparently permitted by the form of the grant.

There are no provisions as to registration. Assignments.

BELGIUM (*Law of 24th May, 1854*).

To whom,  
and for what  
patent  
granted.

An inventor, or his assignee duly appointed, or any one legally entitled, or an importer from abroad, may be a patentee.

Inventions, improvements, or importations capable of being worked as articles of industry and commerce, are patentable.

Official  
examination.

There is an examination as to the sufficiency of the documents filed.

Patents are granted without guarantee as to novelty or utility.

Duration and  
payments.

The duration of patents for new inventions, not patented abroad, is twenty years. Patents of importations and additions are limited to the unexpired residue of the original term; and the duration of such patents is in no case to exceed twenty years.

Patents of invention and patents of importation are subject to an annual and progressive tax, as follows: first year, 10 francs; second year, 20 francs; and so on to the twentieth year, for which the tax is 200 francs.

The tax must be paid in advance, and is in no case returned.

Patents of improvement are subject to no tax when granted to the owner of principal patent.

Working,  
importation,  
and marking  
by patentee.

The invention must be worked in Belgium within one year of its having been practically worked elsewhere, and whilst continuing to be worked abroad must not cease to be worked in Belgium for an entire year at a time, unless the owner can justify his inaction. Where the patent has been taken out after the invention has been practically worked abroad, the invention must be worked within one year from date of patent.

Assignments.

Assignments must be registered.

BOLIVIA (*Law of 8th May, 1858*).

To whom,  
and for what  
patent  
granted.

The true and first inventor, or the importer from abroad of new machinery or methods of manufacture, may be a patentee.

Methods, or means for the improvement of any manufacture or industry, and importations, are patentable.

Secret remedies are not patentable.

Official  
examination.  
Duration and  
payments.

The novelty or utility of the patented invention is not guaranteed.

Patents of invention are granted for not less than ten nor more than fifteen years.

The term of patents of importation is fixed by the following scale:— If the establishment of the imported invention requires an outlay of 25,000 dollars, the term is three years; if it reaches 50,000 dollars, six years; if 100,000 dollars or more, ten years.

Working,  
importation,  
and marking  
by patentee.

The invention must be put into complete practice within a year and a day from the date of the privilege, unless the omission is excused by justifiable causes according to law.

Assignments.

Assignments must be by public instrument on pain of forfeiture.

BRAZIL (*Law of 14th October, 1882*).

To whom,  
and for what  
patent  
granted.

The true and first inventor may be a patentee, or a foreign patentee can have his rights confirmed in Brazil.

New industrial products, processes, or applications of known processes; improvements on inventions already patented, if facilitating their manufacture or increasing their utility; alimentary, chemical, and pharmaceutical products,—are patentable.

During first year of patent only the inventor, or his successors in interest, can take out a certificate of addition. Third parties can, however, present their petitions within the said period to establish their rights.

Official  
examination.

Novelty or utility is not guaranteed. In case of alimentary, chemical, or pharmaceutical products, a secret examination is ordered, on the result of which the grant of a patent depends.



The maximum term of patent for invention is fifteen years, limited in case of foreign patents confirmed, or patents of addition, to the unexpired residue of the original term. Duration and payments.

Patents of invention are subject to an annual and progressive tax, commencing at twenty dollars and increasing at the rate of ten dollars per annum. Certificates of addition are exempt from taxes.

The invention must be brought into effective use within three years after the date of the grant, and such use must not be suspended for more than one year, except by reason of *force majeure*, admitted by government to be a sufficient excuse. Working, importation, and marking by patentee.

By use is understood the effective exercise of the patented industry, and the supply of the products in proportion to their employment or consumption.

The fraudulent marking of patented articles is punishable by fine of from 100 to 500 dollars.

Assignments do not take effect till registered in the Bureau of Agriculture, Commerce, and Public Works. Assignments.

#### BRITISH GUIANA (*Ordinance No. 13 of 1861*).

Patents are granted to the true and first inventor within the colony.

Invention means any manner of new manufacture within the meaning of the Statute of Monopolies. To whom, and for what patent granted.

No guarantee as to novelty or utility is given. There is a formal examination by the law officer, who has power to summon expert assistance. Official examination.

Letters patent continue in force within the colony for fourteen years from the date of the grant. Duration and payments.

The duration of the patent is subject to the payment of a tax of 100 dollars before the expiration of the seventh year of the grant.

There are no provisions in the law of this colony as to compulsory working, or as to the importation or marking of patented articles. Working, importation, and marking by patentee.

Assignments and licenses must be entered in the Register of Patents. Assignments.

#### BRITISH HONDURAS (*Law of 10th September, 1862*).

Patents are granted to the true and first inventor within the colony.

Any manner of new manufacture within the meaning of the Statute of Monopolies is patentable. To whom, and for what patent granted.

No examination is made as to novelty or utility. Applications, &c. are referred, as in British Guiana, to the law officer. Official examination.

The patent term is fourteen years from the date of application. Duration and payments.

The continuance of the patent depends on the payment of a fee tax of 50 dollars before the expiration of three years, and a further tax of 100 dollars before the expiration of seven years from the date of the patent.

There are no provisions as to compulsory working or as to the importation or marking of patented articles. Working, importation, and marking by patentee.

Assignments, &c., must be entered in the Register of Proprietors, and till this is done the grantee is deemed to be exclusive proprietor of the patent. Assignments.

#### BRITISH NORTH BORNEO (*Proclamation No. 1 of 1887*).

Straits Settlements Inventions Ordinance of 1871 adopted. *See STRAITS SETTLEMENTS, infra.*

**CANADA** (*Colonial Act of 1886, c. 61. The earlier Act of importance was dated 14th June, 1872, 35 Vict. c. 26*).

To whom,  
and for what  
patent  
granted.

A patent may be obtained by the true and first inventor of any new and useful art, machine, manufacture, or composition of matter, or any new and useful improvement therein, not known or used previously by any other person, and not in public use or on sale for more than one year previous to his Canadian application.

A foreign patentee whose patent has not been in existence for more than twelve months prior to his Canadian application can obtain a patent.

Any new and useful art, machine, manufacture, or composition of matter, and any new or useful improvement therein, are patentable.

Official  
examination.

There is a preliminary examination at the Patent Office into the novelty of every invention for which a patent is claimed. The Commissioner of Patents may refuse a grant on the ground of want of novelty; but his decision may be appealed against to the Governor in Council.

Duration and  
payments.

The term limited for the duration of every patent of invention is fifteen years; but at the time of the application therefor it shall be at the option of the applicant to pay the full fee for fifteen years, or the partial fees required for the term of five or ten years respectively. If a partial fee only is paid, the proportion of the fee paid shall be stated in the patent, and the patent ceases at the end of the term for which the partial fee is paid, unless before its expiration the patentee pays the renewal fee.

A Canadian patent expires at the earliest date at which any foreign patent for the same invention expires.

The full fee for fifteen years is sixty dollars. The partial fee for ten years is forty dollars; for five years, twenty dollars; and, in the latter case, for a further term of ten years, forty dollars. The fee for extending a term of ten years to fifteen is twenty dollars.

Working,  
importation,  
and marking  
by patentee.

A patent is forfeited if not worked in Canada within two years from its date, or within such extended time as the Commissioner of Patents, on satisfactory cause shown, may allow. Working means the continuously carrying on in Canada the construction or manufacture of the invention patented in such manner that any person desiring to use it may obtain it, or cause it to be made for him at a reasonable price, at some manufactory or establishment in Canada.

A patent will also be forfeited if after the expiration of one year, or such extended term not exceeding twelve months as the Commissioner may allow on cause shown, the patentee imports, or causes to be imported into Canada, the invention for which the patent is granted.

Every patented article must be marked with the word "Patented," followed by the year in which the patent was granted, under a penalty not exceeding 100 dollars.

Assignments.

Every assignment must be registered in the office of the Commissioner of Patents.

**CAPE OF GOOD HOPE** (*Act No. 17 of 1869*).

To whom,  
and for what  
patent  
granted.

Patents are granted to the true and first inventor or importer of any invention within the meaning of the Statute of Monopolies.

Any invention within the meaning of the Statute of Monopolies is patentable.

Official  
examination.

There is no preliminary examination as to novelty or utility, but applications, &c., are referred to the Attorney-General, who has power to call in expert assistance for formal examination.

Duration and  
payments.

The term limited for the duration of a patent is fourteen years.

The duration of a patent is subject to the payment of sums of 10*l.* and 20*l.* before the expiration of the third and seventh years of the term respectively.

There are no provisions as to compulsory working, or as to the importation or marking of patented articles.

Working,  
importation,  
and marking  
by patentee.  
Assignments.

Assignments, &c., must be registered in the Register of Proprietors, and until such entries have been made the grantees are deemed to be the sole and exclusive proprietors.

#### CEYLON (*Ordinance No. 6 of 1859*).

Patents are granted to the true and first inventor, or to the first importer, of an invention not previously known or in public use in Ceylon. The use of an invention in public by the actual inventor, or by his servants or agents, or by any other person with his written consent, is not deemed a public use thereof.

To whom,  
and for what  
patent  
granted.

An English patentee may obtain protection in Ceylon for the full term of fourteen years.

New and useful products, or processes, or improvements are patentable.

No examination is made as to novelty or utility.

Official  
examination.

The term of a patent of invention is fourteen years.

Every petition for leave to file a specification must be written on paper bearing a stamp of the value of 10%. No further payments are required.

Duration and  
payments.

There are no provisions as to compulsory working, or as to the importation or marking of patented articles.

Working,  
importation,  
and marking  
by patentee.

Assignments, &c., must be registered at the office of the Colonial Secretary.

Assignments.

#### CHILI (*Law of 9th September, 1840, and Decree of 1st August, 1851, and Law of 25th July, 1872*).

Patents are granted to the actual author or inventor of an art, manufacture, machine or instrument, preparation of materials, or any improvement therein; also to the introducers of arts, industries, or machines invented elsewhere, and entirely unknown or not established nor employed in Chili.

To whom,  
and for what  
patent  
granted.

New arts or inventions are patentable. See above.

An examination is made by a commission of experts as to the novelty and utility of the invention, its probable effects upon industry or commerce, and the expense and difficulty incurred by the petitioner, in order to regulate the term and conditions of the grant.

Official  
examination.

The term of every patent commences on the expiration of the time allotted for working it, and in no case exceeds ten years.

Duration and  
payments.

A fee of fifty dollars is payable upon application, but no further taxes are required.

Every patent must be worked on pain of forfeiture within a period fixed by the President of the Republic, from the expiration of which the patent runs. The working must not be discontinued for more than a year at a time within the patent term.

Working,  
importation,  
and marking  
by patentee.

There are no provisions as to importation or marking.

Assignments, with reasons thereof, must be intimated to the Minister of the Interior. If the reasons are considered sufficient the assignments are entered in the transfer book.

Assignments.

#### COLOMBIA (*Law No. 35, May 13th, 1869*).

Patents are granted to the inventor, whether a Colombian or a

To whom,  
and for what

patent  
granted.

foreigner, and to a foreign patentee, provided the invention in question has not already been introduced into public use.

The following are patentable:—Any invention or improvement in a machine, mechanical contrivance, combination of materials, or any process useful to industry, arts, or sciences, or any manufacture or industry; invention already patented abroad, if not already introduced into public use in Colombia. A patent will not be granted for the mere importation of natural or manufactured productions from foreign countries.

Official  
examination.  
Duration and  
payments.

There is no preliminary examination as to utility or novelty.

The term of a patent varies from five to twenty years, at the option of the applicant.

A patent granted for an invention patented abroad expires with the foreign patent.

On receiving the patent, the patentee pays a fee of from five to ten dollars a year for every year of the privilege. An applicant pays a sum of ten dollars, which is forfeited if the patent is refused, and is taken in part payment of the patent fee if the patent is granted.

Working,  
importation,  
and marking  
by patentee.

A patent for a new industry is void when the said industry is not worked for a whole year, unless unavoidable circumstances have intervened.

There are no provisions as to importation or marking.

Assignments.

There is no provision as to the assignment of patent rights.

To whom,  
and for what  
patent  
granted.

#### CONGO (*Law of October 29th, 1886; Decree of October 30th, 1886*).

A patent may be obtained by the inventor or importer of any discovery or improvement capable of being worked as an object of industry or commerce.

Patents are of three kinds—Patents of invention, of importation, and of improvement.

Official  
examination.

There is no preliminary examination as to utility or novelty; and the patent expressly mentions that the grant is made without guarantee and at the risk and peril of the applicant.

Duration and  
payments.

The term of a patent of invention is twenty years. A patent of importation expires with the foreign patent. A patent of improvement expires with the original term.

Patents of improvement are not liable to any tax. On other patents, a payment of 100 francs is required. Such payment must be made in advance.

Working,  
importation,  
and marking  
by patentee.  
Assignments.

There are no provisions as to compulsory working, importation, or marking.

Assignments must be notified to the Department of Foreign Affairs, and the deeds of assignment are published in the *Bulletin Officiel*, in the same way as grants of patents.

#### COSTA RICA.

Applications for patents must be made to the constitutional congress.

To whom,  
and for what  
patent  
granted.

#### DENMARK (*Report by Mr. Strachey, Parl. Rep. 1872, c. 741, p. 72*).

Patents may be granted to the true and first inventor, whether a Dane or a foreigner.

New and useful inventions are patentable.

Official  
examination.

There is a preliminary examination as to novelty and utility by the professors of the Polytechnic Institute. Generally speaking the applicant's request is granted.

Duration and  
payments.

Patents run usually for three, four, or five years. Patents granted to foreigners never run for more than five years. Important inventions are protected for ten, and, in special cases, for fifteen years.

The fee charged at the Ministry of the Interior for the whole transaction is 17 dollars.

The patent is forfeited if the patentee does not carry out his invention within the year and continue to employ it. No provisions exist as to importation or marking.

There is no provision as to assignments.

Working,  
importation,  
and marking  
by patentee.  
Assignments.

#### ECUADOR (*Law of 18th October, 1880*).

The Law of Ecuador is identical with that of Bolivia. See above.

#### FIJI (*Ordinance No. 3 of 1879*).

Patents are granted to the true and first inventor or importer of a patentable invention, his heirs, executors, administrators, or assigns.

The following are good subject-matter:—Any manner of new manufacture, every new process of manufacture, every new application of known processes, and improvements in any known process. An invention patented abroad or in England is patentable for the residue of the original term.

There is no preliminary examination as to utility and novelty.

The term of a patent of invention is fourteen years. A patent for an invention patented in foreign countries or in England expires with the foreign or English patent.

The patent is not subject to any payment after issue. A fee of five guineas is payable on deposit of petition and specification. The fee for provisional protection is three guineas. On obtaining letters patent, the applicant pays ten guineas.

There are no provisions as to working, importation, or marking.

Assignments, &c., must be registered in the office of the Colonial Registrar-General.

To whom,  
and for what  
patent  
granted.

Official  
examination.  
Duration and  
payments.

Working,  
importation,  
and marking  
by patentee.  
Assignments.

#### FINLAND (*Decree of 30th March, 1876*).

The inventor only is entitled to the patent.

New inventions relating to handicraft, industry, or art, and improvements upon earlier inventions of the same kind, are patentable. A foreign patentee may obtain a patent in Finland for the residue of his term.

There is no preliminary examination as to utility or novelty.

A patent of invention is granted for at least three, and for not more than twelve years, according to the nature and importance of the invention. A patent for an invention patented abroad expires with the foreign patent.

In addition to the customary dues payable to the Senate for the issue of a patent, an import duty of twenty marks is to be paid into the State Treasury of Finland for every year for which the patent right is granted.

Within two years from the date of his patent, the patentee must send in to the *Manufactures-Direction* evidence that he is in full working of the patented invention. This term may be limited to one year, or extended to four years by the Finance Department of the Senate as the scope and nature of the invention merit. The patentee must also in every year of his term furnish evidence that his invention is being continuously worked.

Assignments, &c., must be notified to the *Manufactures-Direction*.

To whom,  
and for what  
patent  
granted.

Official  
examination.  
Duration and  
payments.

Working,  
importation,  
and marking  
by patentee.

Assignments.

**FRANCE AND COLONIES** (*Law of 5th July, 1844; Decree of 21st October, 1848*).

To whom,  
and for what  
patent  
granted.

Patents are granted to the inventor, whether a citizen or a foreigner, or to his assignee; also to the author of an invention or discovery already patented abroad.

Every new discovery or invention in all departments of industry is patentable. The following are considered to be new inventions or discoveries:—The invention of new industrial products; the invention of new methods, or the new application of known methods, for obtaining an industrial result or product. An invention patented abroad can be patented in France.

Financial schemes and combinations are not patentable.

Improvements can be protected by certificates of addition or by new patents.

There is no official examination as to novelty or utility.

The term of a patent of invention is five, ten, or fifteen years.

A certificate of addition expires with the original patent.

A patent for an invention patented abroad expires with the foreign patent.

Every patent is subject to the following tax (payable by annual instalments of 100 francs):—500 francs for a patent of five years, 1,000 francs for a patent of ten years, and 1,500 francs for a patent of fifteen years.

A tax of 20 francs is payable on application for a certificate of addition. Certificates of addition are not subject to annual taxes.

The invention must be worked in France within two years from the date of signature, and the working must not be stopped during any two consecutive years in the term, unless in one case or the other the cause of inaction is justified. It appears that these provisions are directed against only voluntary and calculated inactivity.

The importation of patented articles into France is prohibited under penalty of forfeiture.

A patentee is not obliged to mark patented articles as such, but if he does so the words *Sans garantie du Gouvernement*, or the initial letters of these words—S. G. D. G.—must be added, under liability to a penalty of from 50 francs to 1,000 francs.

Assignments must be registered at the Ministry of Agriculture and Commerce.

Official  
examination.  
Duration and  
payments.

Working,  
importation,  
and marking  
by patentee.

Assignments.

**GERMANY** (*Law of 1st July, 1877*).

Whoever first applies for a patent of invention is entitled to a grant. The claim of the petitioner to the grant of a patent will not be allowed if the essential contents of his application have, without permission, been taken from the descriptions, &c., of another person, if such person raises opposition on that account.

Patents are granted for new inventions which can be turned to account in trade. An invention is not regarded as new if already described in any printed publication, in any country, or publicly used in Germany at the time of application, in such manner that its employment appears possible by other persons skilled in the particular trade to which it relates.

Patents are not granted for chemical products.

Improvements can be protected by patents of addition.

There is an official examination as to novelty.

The term of a patent is fifteen years from the day following the day of application.

A patent of addition expires with the original term.

A patent for an invention patented abroad is not affected by the lapsing of the foreign patent.

To whom,  
and for what  
patent  
granted.

Official  
examination.  
Duration and  
payments.

For every patent a fee of 20 marks on application, and 30 marks is payable on issue. Except in the case of patents of addition, a further fee must be paid for each patent at the commencement of the second and every subsequent year, amounting the first time to 50 marks, and increasing by 50 marks each succeeding year.

A patentee who proves his poverty may delay the payments for the first and second years until the third, and if the patent lapses in the third year they are entirely remitted.

The invention must be worked, or, at least, everything must be done to insure its being worked, within three years.

Compulsory licenses may be obtained.

There are no provisions as to importation or marking.

Assignments must be registered at the Patent Office, in order to be legally valid.

Working,  
importation,  
and marking  
by patentee.

Assignments.

#### GIBRALTAR.

There is no patent law in Gibraltar, but an English patentee may obtain a special ordinance extending his privilege to the dependency for the unexpired residue of his original term.

#### GREECE.

No special patent law exists. A private Act is required, which can be introduced by a deputy, and is treated like any other bill.

#### GRENADA. See WINDWARD ISLANDS.

#### GUATEMALA (*Law of 21st May, 1886*).

Every native of Guatemala, or foreigner domiciled there, who invents or perfects any machine, manufacture, or process capable of useful application in the sciences or arts, can obtain a patent of invention or a patent of improvement, as the case may be.

Patents for inventions already patented abroad may be obtained.

There is no official examination as to novelty or utility.

The term of a patent is from five to fifteen years.

A patent for an invention comprised in a foreign patent expired with the latter.

The grantee of a patent must pay by annuities, in advance, a tax of from five to fifty dollars for each year of the grant.

The invention must be worked within a year, and the working must not be discontinued for more than a year on pain of forfeiture.

There are no provisions as to importation or marking.

Under Art. 9 of the decree of 2nd June, 1864, assignments were required to be registered, and reasons given therefor.

To whom,  
and for what  
patent  
granted.

Official  
examination.  
Duration and  
payments.

Working,  
importation,  
and marking  
by patentee.  
Assignments.

#### HAWAIIAN KINGDOM (*Civil Code, sects. 255, 256; Law of August 29th, 1884*).

Patents are granted to the inventor or improver of any machine, manufacture, or other work of art calculated to promote the interests of science, agriculture, or manufactures.

The foreign patentee of any new and useful invention not introduced into public use in the Hawaiian Islands for more than one year prior to his application, may obtain a patent for the same.

There is a preliminary examination as to novelty and utility.

The duration of a patent is ten years. The term of a patent for an invention patented abroad is limited to that of the foreign patent, and in no case exceeds ten years.

On application for a patent five dollars are payable; the Commissioner of Patents receives twenty dollars for his examination; and a fee of five dollars is payable when the patent is issued. No further payments are required.

To whom,  
and for what  
patent  
granted.

Official  
examination.  
Duration and  
payments.

Working,  
importation,  
and marking  
by patentee.  
Assignments.

There are no provisions as to compulsory working, importation, or marking.

There are no provisions as to assignment.

**HONG-KONG** (*Ordinance No. 14 of 1862*).

To whom,  
and for what  
patent  
granted.

The inventor or assignee of any invention patented in England can obtain protection in the colony for the unexpired residue of the term. If the English patent is extended, an extension of the colonial patent may be obtained or a new patent may be issued.

Working,  
importation,  
and marking  
by patentee.

There are no provisions as to compulsory working, importation, or making.

**INDIA** (*Act No. 5 of 1888*).

To whom,  
and for what  
patent  
granted.

Patents are granted to the inventor, *i.e.*, the actual inventor of any new manufacture, whether a British subject or not. Inventor does not include the importer into British India of a new invention unless he is the actual inventor.

Invention includes improvement; manufacture includes any art, process, or manner of producing, preparing, or making an article, and also any article so prepared.

An invention is deemed to be new if it has not before the date of application been publicly used in any part of British India or of the United Kingdom, or been made publicly known in any part of British India or of the United Kingdom by means of a written publication.

Official  
examination.

Under sect. 6 of the Act of 1888, it seems that a preliminary examination into novelty and utility might be ordered.

Duration and  
payments.

The term of a patent is fourteen years from the date of filing the specification.

The following taxes are payable: Annual sums of 50 rupees from the fourth to the eighth year, and annual sums of 100 rupees from the eighth to the thirteenth year of the term.

These fees or any part thereof may be paid in advance.

Working,  
importation,  
and marking  
by patentee.  
Assignments.

Compulsory licences may be ordered.

There are no provisions as to importation or working.

Assignments must be registered in the address book at the Office of the Secretary to the Government of India.

**ITALY** (*Law of 31st January, 1864, extending Sardinian Law of 30th October, 1859, to the whole kingdom*).

To whom,  
and for what  
patent  
granted.

The author of a new invention or discovery, and in the case of inventions already patented abroad, the author or *his* designs, may be patentees.

The following are patentable:—A product or result relating to industrial pursuits, an instrument, machine tool, or any mechanical arrangement, a process or method of manufacture, a meter, or the application of any known power to industrial purposes, and the technical application of a scientific principle, producing industrial results. In the last case, the patent is limited to the results specified by the inventor. An invention is new when the particulars necessary for putting it into practice were not known before.

Official  
examination.

There is no official examination as to utility or novelty.

Duration and  
payments.

The maximum term of a patent is fifteen years.

The term of a patent, the invention comprised in which is patented abroad, is limited to the term of the foreign patent, and in any case to fifteen years.



Patents are subject to a proportionate tax payable at the time of application, and to an annual tax. The former consists of as many times ten lire as there are years in the term applied for. The latter consists of forty lire for the first three years, sixty-five lire for the next three years, ninety lire for the seventh, eighth, and ninth years, 115 lire for the tenth, eleventh, and twelfth years, and 140 lire for the remaining three years.

Certificates of addition are subject only to the payment in advance of twenty lire.

In the case of a patent of importation, whose term ends with that of the foreign patent, every fraction of a year is considered as an entire year with respect to the payment of the tax.

A patent ceases to be valid, in the case of a grant for five years or less, if the invention is not worked within the first year, or has ceased to be worked during a whole year; and in the case of a patent granted for more than five years, if the invention has not been worked before the expiration of the second year, or if the working has been discontinued for two years. The patentee does not forfeit his rights in either case if his inaction arose from causes beyond his own control. Want of pecuniary means is not included in these causes.

There are no provisions as to importation or marking.

Assignments must be registered at the Ministry, and published in the Official Gazette of the kingdom, at the expense of the applicant.

Working,  
importation,  
and marking  
by patentee.

Assignments.

#### JAMAICA (*Act of 1857, c. 30*).

Patents are granted to the true and first inventor within the island, or to his personal representative, and to the assignee of any person who has taken out a patent for an invention abroad. But letters patent will not be granted to the assignee of an invention made abroad for which no letters patent have been there obtained.

Patents are of three kinds: Patents of invention—invention meaning any manner of new manufacture within the meaning of the Statute of Monopolies, patents of addition, and patents of importation, the inventions comprised in which have already been patented abroad, and are not in public and common use in the colony at the date of application.

There is no official examination as to novelty or utility.

A patent of invention is granted for fourteen years. A patent of importation, and a certificate of addition, expire with the original term.

No tax is payable after issue.

The invention must be worked within two years after the date of the patent.

There are no provisions as to importation or marking.

Assignments must be registered in the office of the Colonial Secretary.

To whom,  
and for what  
patent  
granted.

Official  
examination.  
Duration and  
payments.

Working,  
importation,  
and marking  
by patentee.

Assignments.

#### JAPAN (*Imperial Proclamation, No. 7, April 18th, 1885*).

Patents are granted to the inventors of useful articles or of improvements upon existing patents. Officials concerned in the granting of patents may not be patentees. Inventions deemed necessary for war purposes, or those the general use of which is deemed important, are not patentable; but the Minister of Agriculture and Commerce will compensate inventors in such cases.

The inventor of an improvement in an existing patent, other than the patentee, must secure the consent of the latter; but if that is improperly withheld, special permission to use the invention, together with the improvement, may be granted upon the improver compensating the original patentee.

To whom,  
and for what  
patent  
granted.

Official  
examination.  
Duration and  
payments.

There is no official examination as to novelty or utility.

The maximum term for a patent of invention is fifteen years; a patent of improvement expires with the original term.

The following payments are required:—

For a patent of 5 years, 10 yen.

10 „ 15 yen.

15 „ 20 yen.

Addition 5 yen.

The yen is equivalent to a dollar.

Working,  
importation,  
and marking  
by patentee.

A patent will become void if the invention has not been publicly applied in practice within two years, or its execution has been suspended for two years without any representation of the circumstance to the authorities; or when patented inventions have been imported from abroad and sold.

Patentees must indicate on their invention the date and term of the patents. In the case of articles, the nature of which precludes such indication, the date and term must be marked on the cover, or otherwise.

If these provisions are not complied with no appeal for any claim of damage may be made.

Assignments.

For the assignment of patents, the permission of the Minister of Agriculture and Commerce is necessary.

To whom,  
and for what  
patent  
granted.

#### LEEWARD ISLANDS (*Acts No. 12 of 1876, and No. 16 of 1878*).

Patents are granted to the true and first inventor of any invention within the meaning of the Statute of Monopolies.

Inventions patented abroad are patentable.

Official  
examination.  
Duration and  
payments.

There is no official examination as to novelty or utility.

The term of a patent is fourteen years.

A patent for an invention patented abroad expires with the term of the foreign patent.

Fees of 10*l.* and 20*l.* are payable at or before the expiration of the third and seventh years respectively.

Working,  
importation,  
and marking  
by patentee.

There are no provisions as to working, importation, or marking.

Assignments.

Assignments, &c., must be recorded in the Register of Proprietors.

To whom,  
and for what  
patent  
granted.

#### LIBERIA (*Act of 23rd December, 1864*).

Patents are granted to the actual and original inventor, whether citizen or alien, of any new and useful art, machine, process or composition of matter, or of any new and useful application thereof, or improvement therein.

Official  
examination.  
Duration and  
payments.

There is a preliminary examination as to novelty.

The maximum term of a patent is twenty years.

A sum of twenty-five or fifty dollars is payable on application, according as the applicant is a citizen or an alien.

Working,  
importation,  
and marking  
by patentee.

An invention patented by an alien must be put in practical operation within three years.

There are no provisions as to importation or marking.

Assignments.

Assignments must be registered in the office of the Secretary of State within one year after execution.

To whom,  
and for what  
patent  
granted.

#### LUXEMBURG (*Law of 30th June, 1880*).

The right of obtaining a patent belongs to him who is the first to declare the invention, unless he has taken it fraudulently from another person.

The representatives or assignees of an inventor may receive a grant.

An applicant must elect a domicile in the Grand Duchy.

Improvements can be protected by certificate of addition.

New inventions capable of being worked commercially are patentable. An invention is not considered new when at the time of application it has been described clearly in public prints, or publicly worked in the Grand Duchy, or in one of the States of the German customs union, so that other experts could work it.

There is no preliminary examination as to novelty or utility.

The term of a patent is fifteen years from the day following the date of declaration.

The patent lapses if a patent for the same object is not applied for within three months in the States with which the Grand Duchy may be connected by treaties of customs union, or if such a patent is refused, annulled, or otherwise terminated.

A certificate of addition expires with the original patent.

An annual and progressive tax, commencing at ten francs and increasing by ten francs annually, is payable in advance.

Certificates of addition require only one tax of ten francs.

The invention must be worked to a suitable extent, or, at least, everything must be done to secure this working within three years.

After the expiration of three years compulsory licenses may be obtained.

There are no provisions as to importation or marking.

Assignments, &c., must be brought in an authenticated form to the knowledge of the member of the government having charge of commerce and industry, and are published in the *Memorial*.

Official  
examination.  
Duration and  
payments.

Working,  
importation,  
and marking  
by patentee.

Assignments.

#### MALTA (*Ordinance No. 13 of 1889*).

Patents may be granted to the first and true inventor of any mechanical contrivance, process of manufacture, pattern, or design.

Inventions patented in the United Kingdom, the colonies, or elsewhere, may be protected for the unexpired residue of the original term.

There is no preliminary examination as to novelty or utility.

The maximum term of a patent is fourteen years.

A patent for an invention patented abroad expires with the foreign patent.

A fee of 1*l.* sterling is payable on the filing of the application. A further fee is payable every two years of 1*l.* sterling, with five per cent. on such portion of the profits as have arisen from the exclusive manufacture, the amount to be declared by the affidavit of the patentee.

If the invention is not worked within twelve months, or if the working is subsequently suspended for twelve months continuously, the inventor may be required to assign his right, or grant the use thereof for a consideration to be determined by the competent civil court.

There are no provisions as to assignments, &c.

To whom,  
and for what  
patent  
granted.

Official  
examination.  
Duration and  
payments.

Working,  
importation,  
and marking  
by patentee.

Assignments.

#### MAURITIUS (*Ordinance No. 16 of 1875*).

Patents are granted to the actual inventor, whether native or foreigner, and to the representatives or assigns of the actual inventor. The importer of a new invention cannot obtain a patent therefor unless he is the actual inventor.

The holder of an English patent may have his invention protected in Mauritius, although previous to the time of his application in Mauritius the invention was known or used there, provided that his application is

To whom,  
and for what  
patent  
granted.

made within twelve months of the date of his English patent, and that the invention was not known, or in public use in Mauritius, before the date of the English patent.

Any art, process, or manner of producing, preparing, or making an article, and any article so produced or prepared, are patentable. Invention includes improvement.

Official  
examination.  
Duration and  
payments.

No examination is made as to novelty or utility.

The term of a patent of invention is fourteen years.

A patent for an invention comprised in a foreign patent expires with the term of such patent.

No taxes are payable after the grant of a patent.

Working,  
importation,  
and marking  
by patentee.  
Assignments.

There are no provisions as to working, importation, or marking.

Assignments must be registered and transcribed at the mortgage office.

**MEXICO** (*Law of May 7th, 1832. Decree of September 28th, 1843*).

To whom,  
and for what  
patent  
granted.

Patents are granted to the inventors or improvers, whether native or foreign, of any branch of industry.

A mere importation is not patentable; but the introducer of any branch of industry that is in the opinion of the Government of great importance may obtain an exclusive privilege by applying through government to the general congress.

Official  
examination.  
Duration and  
payments.

There is no preliminary examination as to utility.

The term of a patent of invention is ten years; the term of a patent of improvement is six years from the date of issue.

The fees for a patent are from 10 to 300 dollars.

Working,  
importation,  
and marking  
by patentee.  
Assignments.

The invention must be worked within a period fixed by and stated in the patent.

There are no provisions as to importation or marking.

There is no provision as to assignment.

**NATAL** (*Law No. 4 of 1870; Law No. 5 of 1871; Law No. 32 of 1884*).

To whom,  
and for what  
patent  
granted.

Patents are granted to the true and first inventor of any invention within the meaning of the Patent Law Amendment Act, 1852.

Inventions patented abroad are patentable.

Official  
examination.  
Duration and  
payments.

There is no preliminary examination as to novelty or utility.

The term of a patent is fourteen years.

A patent for an invention patented abroad expires with the foreign patent.

A tax of 5*l.* is payable at or before the expiration of three years, and another tax of 10*l.* at or before the expiration of seven years.

Working,  
importation,  
and marking  
by patentee.  
Assignments.

There are no provisions as to working, importation, or marking.

Assignments, &c., must be entered in the Register of Proprietors.

**NEWFOUNDLAND** (*Consolidated Statutes, Title XV. c. 54, s. 1*).

To whom,  
and for what  
patent  
granted.

The inventor, or the representatives or assigns of the inventor of any new and useful art, machine, manufacture, or composition of matter, or of any improvement therein, can obtain a patent.

Improvements can be protected by certificate of addition. Inventions patented abroad are patentable.

Official  
examination.

There is no preliminary examination as to utility or novelty.

The term of a patent of invention is fourteen years; that of a certificate of addition or a patent for an invention patented abroad is limited to the original term. Duration and payments.

In addition to the fees of the office, a patentee is required to pay a sum of twenty-five dollars to the Receiver-General.

The invention must be worked within two years from the date of issue.

There are no provisions as to importation or marking.

Assignments must be registered in the office of the Colonial Secretary.

Working, importation, and marking by patentee. Assignments.

**NEW SOUTH WALES** (*Act No. 24 of 6th December, 1852; Act No. 3 of 8th July, 1887*).

Letters patent may be granted to the author, or the agent, or assignee of the author of any invention or improvement in the arts or manufactures.

Under sects. 2 and 15 of the Act of 1887 it seems that a preliminary examination as to novelty or utility may be ordered.

The term of a patent is not less than seven, nor more than fourteen years.

The grant of a patent is not subject to any payments after it is made.

There are no provisions as to working, importation, or marking.

Assignments, &c., are null and void unless and until they are registered in the office of the Examiner of Patents.

To whom, and for what patent granted. Official examination. Duration and payments. Working, importation, and marking by patentee. Assignments.

**NEW ZEALAND** (*Act No. 12 of 1889*).

Any person, whether a British subject or not, may be a patentee. Patents are granted to the same persons as in England.

"Invention" means any invention, the subject-matter of letters patent, within the meaning of the Statute of Monopolies.

There is no preliminary examination as to novelty or utility.

The term of a patent is fourteen years.

A tax of 5% is payable at or before the expiration of the fourth year, and another tax of 10% at or before the expiration of the seventh year.

Compulsory licences may be obtained as in England.

There are no provisions as to working, importation, or marking.

Assignments, &c., must be entered in the Register of Patents.

To whom, and for what patent granted. Official examination. Duration and payments. Working, importation, and marking by patentee. Assignments.

**NICARAGUA.**

Nominally, patents are of three kinds:—viz., of invention, improvement, and importation, can be obtained.

The term of a patent of invention is ten years.

" " improvement is seven years.

" " importation is five years.

The usual practice is, however, to obtain a special Act of Congress.

To whom, and for what patent granted. Duration and payments.

**NORWAY** (*Law of 16th June, 1885*).

The right of obtaining a patent belongs to the first inventor, or to a person who has obtained the right from him.

Patents are granted for new inventions which may be beneficial to industry, or improvements thereon.

An invention is not considered new if before the date of application it is so far known that it could be carried out by experts. But publication, in print or by public exhibition, does not for a period of six months

To whom, and for what patent granted.

prevent a grant. Processes or apparatus specially designed for manufacturing articles of food, nourishment, or medicine are patentable.

Official  
examination.  
Duration and  
payments.

There is a preliminary examination as to novelty.

The term of a patent of invention is fifteen years from the date of application. The term of a patent of addition expires with the original grant.

For each patent of invention an annual tax is payable, amounting to ten crowns for the second year, and increasing five crowns each year. This tax is payable at the beginning of the year for which it is due, or within three months thereafter, on an additional payment of one-fifth.

Working,  
importation,  
and marking  
by patentee.  
Assignments.

The invention must be worked within three years, and the working must not be discontinued for one year, on pain of forfeiture.

Assignments must be registered at the Patent Office.

#### ORANGE FREE STATE (*Ordinance No. 10 of 1888*).

To whom,  
and for what  
patent  
granted.

Patents are granted to the authors of new industrial inventions, whether citizens or foreigners, and to the representatives of such authors. Corporations and companies have the same rights. The inventor, however, must be one of the members, and must be pointed out in the application.

An invention patented abroad is patentable.

Official  
examination.  
Duration and  
payments.

There is no preliminary examination as to novelty or utility.

The term of a patent is fourteen years. A patent for an invention patented abroad expires with the foreign patent. The fee for signing and sealing the patent is not less than 10*l.* or more than 50*l.*

Taxes of 5*l.* and 10*l.* are payable before or at the expiration of the third and seventh years respectively.

Working,  
importation,  
and marking  
by patentee.  
Assignments.

Compulsory licenses may be obtained. There are no provisions as to importation or marking.

Assignments must be registered.

#### PERU (*Law of 28th January, 1869*).

To whom,  
and for what  
patent  
granted.

New industrial products and new methods, or the new application of known methods for obtaining an industrial result or product, are patentable.

Under Articles 9 and 10 it seems that a preliminary examination may be ordered as to novelty.

Official  
examination.  
Duration and  
payments.

The duration of a privilege cannot exceed ten years, and the patentee must pay 100 dollars every year to the fund of the public works of the province in which his invention is to be exercised.

Working,  
importation,  
and marking  
by patentee.

The patentee forfeits all his rights who does not work his invention within two years, or the period fixed by the grant, unless he can legally justify the delay; or who imports articles manufactured abroad similar to those protected by the patent, with the exception of models of machinery whose introduction is authorized by the government.

The marking of patented articles is not obligatory.

Assignments.

Assignments are valid; but there is no provision as to registration.

#### PORTUGAL (*Civil Code, Chap. 3, Sects. 1—7*).

To whom,  
and for what  
patent  
granted.

Any manufacture, product, or article of commerce, or improvement thereon is patentable.

An invention, patented abroad, can be protected by a patent in Portugal.

The grant of a patent for an improvement cannot be made during the first year of the original term, save to the original patentee.

There is no preliminary examination as to novelty or utility.

The duration of a patent of invention is fifteen years from the date of grant. A patent of addition, and a patent for an invention, patented abroad, expires with the original term.

A tax of 120,000 reis, equivalent to about 26*l.* sterling, is payable on the grant of a patent.

The invention must be worked within two years, and not be interrupted for two years at a stretch on pain of forfeiture, unless the inaction can be justified.

There are no provisions as to importation or marking.

Assignments can only be effected by notarial deed.

Official  
examination.  
Duration and  
payments.

Working,  
importation,  
and marking  
by patentee.

Assignments.

**QUEENSLAND** (*Act No. 13 of 13th October, 1884; Act No. 5 of 4th September, 1886*).

Patentee means the person for the time being entitled to the benefit of a patent.

Invention is any manner of new manufacture within the meaning of the Statute of Monopolies.

There is a preliminary examination as to novelty.

The duration of a patent is fourteen years.

The following renewal fees are payable:—

Before the end of the 4th year, 5*l.*

8th „ 10*l.*

Or in lieu thereof the following annual fees:—

Before the expiration of the 4th year, 1*l.*

„ „ „ 5th „ 1*l.*

„ „ „ 6th „ 1*l.*

„ „ „ 7th „ 1*l.*

„ „ „ 8th „ 1*l.* 10*s.*

„ „ „ 9th „ 1*l.* 10*s.*

„ „ „ 10th „ 2*l.*

„ „ „ 11th „ 2*l.*

„ „ „ 12th „ 2*l.*

„ „ „ 13th „ 2*l.*

Compulsory licenses may be obtained as in England.

There are no provisions as to importation or marking.

Assignments, &c., must be entered in the Register of Patents.

To whom,  
and for what  
patent  
granted.

Official  
examination.  
Duration and  
payments.

Working,  
importation,  
and marking  
by patentee.  
Assignments.

**RUSSIA** (*Code of Laws, Vol. XI. Part II. sect. 3*).

Patents are granted to inventors, whether subjects or aliens, to improvers, and to the introducers of foreign inventions known abroad, but new in Russia.

Every discovery or invention of any new and useful art, machine, manufacture, or composition of matter, and every improvement therein, is patentable.

An invention patented abroad is patentable.

Patents are not granted for inventions and improvements relating to implements of war and the defence of the State.

Small firearms and hand weapons can be patented, but such grants are made solely on the condition that the military and naval departments can use the patented articles for the public service.

There is no preliminary examination as to novelty or utility.

The term of a patent of invention or improvement is three, five, or ten years, as the applicant may wish, and according to the discrimination of the government. A patent granted for a short term cannot be subsequently extended.

To whom,  
and for what  
patent  
granted.

Official  
examination.  
Duration and  
payments.

A patent for an invention patented abroad cannot exceed six years, and expires with the term of the foreign patent if shorter than that period.

The following taxes are payable:—

On patents of invention or improvement,	
For three years . . . .	90 roubles.
For five years . . . .	150 „
For ten years . . . .	450 „
On patents of importation,	
For one year . . . .	60 roubles.
For two years . . . .	120 „
For three years . . . .	180 „
For four years . . . .	300 „
For six years . . . .	360 „

Working,  
importation,  
and marking  
by patentee.

The invention must be put into complete execution during the first quarter of the term, and within six months thereafter the patentee must present to the department from which the patent was issued a certificate from the local authorities that this provision has been complied with.

There are no provisions as to importation or marking.

Assignments.

Assignments must be registered. A patentee cannot assign to a joint stock company without special permission from government.

#### ST. HELENA (*Ordinance No. 3 of 1872*).

The grantee of an English patent or his representatives can have his grant extended to the colony. All cases of doubt and difficulty not provided for by the laws of the colony are governed by the law in force in England.

#### ST. VINCENT. See WINDWARD ISLANDS.

#### SIERRA LEONE.

An Ordinance of 29th May, 1862, enacts that the laws or statutes in force in England on 1st January, 1862, shall be in force in this colony.

#### SOUTH AFRICAN REPUBLIC (*Law of 1st June, 1887*).

Upon the points taken up in this Appendix, the law is the same as that of the Orange Free State. See above.

#### SOUTH AUSTRALIA (*Act No. 78 of 21st December, 1877; Act No. 201 of 1881, and Patents Amendment Act, 1887*).

To whom,  
and for what  
patent  
granted.

Patents are granted to the true and first inventor, or his representatives.

Any new and useful art, machine, manufacture, or composition of matter, or any new and useful improvement thereon, is patentable.

An invention patented abroad is patentable.

Official  
examination.

Under sect. 25 of the Act of 1887, it seems that an examination may be ordered as to novelty.

Duration and  
payments.

The term of a patent is fourteen years. A patent for an invention patented abroad expires with the foreign patent.

A tax of £2: 10s. is payable before the expiration of three, and again on the expiration of seven, years from the date of the patent.

Working,  
importation,  
and marking  
by patentee.

An invention may be revoked, if not worked to a reasonable extent for the public benefit within three years.

There are no provisions as to importation or marking.

Assignments.

Assignments, &c., must be registered in the Register of Proprietors.

#### SPAIN (*Law of 30th July, 1878*).

To whom,  
and for what  
patent  
granted.

Patents are granted to inventors or importers, whether natives or foreigners. A patent can be granted to a society.

Machinery, apparatus, instruments, processes, or mechanical or chemical operations, being entirely or partly a new and original invention, or never before established or executed in the same way or form in the



Spanish dominions, and new industrial products, or results obtained by new or known means, provided their working tends to establish a new branch of industry in the country, are patentable.

There is no preliminary examination as to novelty or utility.

Official examination.  
Duration and payments.

The duration of a patent for a new and original invention is twenty years; for objects that are not original or not new, five years; and for inventions already patented and published elsewhere, ten years, provided that application is made in Spain within two years from the date of the first foreign patent.

For maintaining a patent, an annual and progressive tax, beginning at ten pesetas, and increasing by ten pesetas every year, is payable in advance.

A single tax of twenty-five pesetas is payable on application for a certificate of addition.

The invention must be worked within two years and every year after  
There are no provisions as to importation or marking.

Working: importation and marking by patentee.  
Assignments.

Assignments must be registered.

**STRAITS SETTLEMENTS** (*Ordinance No. 12 of 1871*).

Patents are granted to the actual inventor or importer, or representative or assigns of the inventor or importer, of any new and useful invention. Invention includes an improvement. An invention is deemed new if not publicly used in the United Kingdom, the colony, or any British possession, prior to the date of application.

To whom, and for what patent granted.

There is no preliminary examination as to novelty or utility.

Official examination.  
Duration and payments.

The term of a patent is fourteen years.  
No taxes are payable after issue.

There are no provisions as to working, importation, or marking.

Working, importation, and marking by patentee.  
Assignments.

Assignments must be entered on the Register of Proprietors.

**SWEDEN** (*Law of 16th May, 1884*).

Inventors, only, Swedish or foreign, or the legal representatives of inventors are entitled to obtain patents. Patents are granted for inventions of industrial productions, or of special methods of manufacturing such productions.

To whom, and for what patent granted.

Processes for the manufacture of provisions, or medicines, are patentable.

There is a preliminary examination as to novelty.

Official examination.  
Duration and payments.

The duration of a patent is fifteen years from the day of filing the application.

A certificate of addition expires with the original patent. On each patent granted, other than a certificate of addition, an annual tax is payable of twenty-five crowns a year for the second, third, fourth, and fifth years; fifty crowns for each of the following five years, and seventy-five crowns for each of the remaining five years. The fee must be paid before the commencement of each year, under penalty of an increase of one-fifth, and of forfeiture if the increased fee is not paid within ninety days after the new year.

The patent is forfeited if the invention is not worked within three years, or if working is subsequently discontinued for a year.

There are no provisions as to importation or marking.

Working, importation, and marking by patentee.  
Assignments.

Notice of assignments must be given to the patent authorities.

**SWITZERLAND** (*Law of 15th November, 1888*).

To whom,  
and for what  
patent  
granted.

Patents are granted to the authors, or assigns of the authors, of new inventions applicable to industry, and represented by models. A process is therefore not patentable. Improvements can be protected by patents of addition.

An invention is not new if at the time of application it is sufficiently known in Switzerland to be carried out by a man of the trade.

Official  
examination.  
Duration and  
payments.

There is a preliminary examination as to novelty and utility.

The term of a patent is fifteen years from the date of application.

For each patent an annual and progressive tax must be paid in advance on the first day of each year of the term, commencing with twenty francs and increasing by ten francs every year.

A patent of addition—expiring with the original term—may be obtained on payment of a single tax of twenty francs.

Working,  
importation,  
and marking  
by patentee.

A patent may be forfeited if the invention is not worked before the expiration of the third year from the date of application, or if the patented article is imported from abroad, and at the same time the proprietor of the patent has refused applications offered on equitable terms for Swiss licenses. Patented articles must be marked with the Federal Cross (☒), followed by the number of the patent.

Assignments.

Assignments and licenses must be registered at the Federal Office of Industrial Property.

**TASMANIA** (*Act No. 22 of 5th November, 1858*).

To whom,  
and for what  
patent  
granted.

Patents are granted to the true and first inventor of any invention within the meaning of the Statute of Monopolies. An invention patented abroad is patentable.

Official  
examination.  
Duration and  
payments.

There is no preliminary examination as to novelty or utility.

The term of a patent is fourteen years from the date of the patent.

A patent for an invention patented abroad expires with the foreign patent.

A tax of 15*l.* is payable at or before the expiration of the third year, and another tax of 20*l.* at or before the expiration of the seventh year.

Working,  
importation,  
and marking  
by patentee.

There are no provisions as to working, importation, or marking.

Assignments.

Assignments must be entered in the Register of Proprietors.

**TOBAGO.** See WINDWARD ISLANDS.**TRINIDAD** (*Ordinance No. 25 of 2nd September, 1867*).

To whom,  
and for what  
patent  
granted.

Patents are granted to the inventors or the representatives or assigns of the inventors of any new and useful invention.

Official  
examination.  
Duration and  
payments.

There is no preliminary examination as to novelty or utility.

The term of a patent is fourteen years.

No taxes are payable.

Working,  
importation,  
and marking  
by patentee.

There are no provisions as to working, importation, or marking.

Assignments.

Assignments must be registered.

**TUNIS** (*Law of 22nd Rabi-*et*-Tani, 1306, 26th December, 1888*).

To whom,  
and for what  
patent  
granted.

Patents are granted to the authors of new discoveries or inventions in all departments of industry, or to their representatives or assigns, whether citizens or foreigners.

New industrial products, or new methods, or the new application of known methods for obtaining industrial results, are patentable.

Improvements can be protected by certificates of addition, or by new patents.

Inventions patented abroad can be patented in Tunis.

There is no preliminary examination as to novelty or utility.

The term of a patent of invention is five, ten, or fifteen years.

Certificates of addition, or patents for inventions patented abroad, expire with the original patents.

For a patent of five years 500 piastres, ten years 1,000 piastres, fifteen years 1,500 piastres, are payable by annuities of 100 piastres.

For every certificate of addition a tax of 20 piastres must be paid.

The invention must be worked within two years from the date of issue, and this working must not be discontinued for two consecutive years, on pain of forfeiture, unless the patentee justifies his inaction.

A patentee who introduces into the Regency articles manufactured in foreign countries, and similar to those which are protected by his patent, forfeits all his rights. Nevertheless, the introduction may be authorised (1) of models of machines, and (2) of articles made abroad intended for public exhibition or trials made with the consent of the Government.

A patentee mentioning his title of patent without adding the words "without guarantee of the Tunisian Government," is liable to a fine of from 50 to 1,000 piastres.

Assignments, &c., must be entered in the Register of Patents.

Official examination.  
Duration and payments.

Working, importation, and marking by patentee.

Assignments.

**TURKEY** (*Law of 18th February, 1879*).

Patents are granted to the authors of new discoveries or inventions.

New industrial products and new processes, or new applications of known processes for obtaining industrial results, are good subject-matter. Improvements can be protected by certificates of addition, or by new patents. An invention patented abroad is patentable.

There is no preliminary examination as to novelty or utility.

The term of a patent is five, ten, or fifteen years.

A certificate of addition and a patent for an invention patented abroad expire with the original patent.

The following taxes are payable:—for a patent of five years, ten Turkish pounds; for a period of ten years, twenty Turkish pounds; for a period of fifteen years, thirty Turkish pounds,—in instalments of two Turkish pounds payable at the commencement of each year.

Every application for a certificate of addition requires the payment of one Turkish pound.

The invention must be worked within two years, and working must not be discontinued for any consecutive period of two years on pain of forfeiture, unless the patentee can justify his inaction.

Importation is prohibited under pain of forfeiture. The introduction of models or articles for exhibitions or experiments may, however, be authorized by government. A patentee who mentions his title without adding the words, "without guarantee of Government," is liable to a fine of not less than two nor more than forty-five Turkish pounds.

Assignments must be registered at the office of the Ministry of Commerce and Agriculture at Constantinople, or in the provinces at the office of the local authorities.

To whom, and for what patent granted.

Official examination.  
Duration and payments.

Working, importation, and marking by patentee.

Assignments.

**UNITED STATES** (*Revised Statute, 1874, Title XI*).

Patents are granted to the original and first inventor or his assignee, or to the inventor and his assignee jointly. No official of the Patent Office can obtain a patent.

To whom, and for what patent granted.

The following are patentable:—Any new and useful art, machine, manufacture, or composition of matter not known or used by others in the United States, and not patented or described in any printed publication in the United States or any foreign country before the invention or discovery thereof by the applicant, and not in public use or on sale for more than two years prior to his application, unless the same is proved to have been abandoned.

Any invention patented abroad is patentable, unless it has been introduced into the United States for more than two years prior to the application.

New designs or patterns of manufactured articles can be patented.

There is a searching official examination as to novelty and utility.

The term of a patent of invention is seventeen years from the date of issue of the patent.

A patent for an invention patented abroad expires with the foreign patent, and its term can in no case exceed seventeen years. By a recent decision of the Supreme Court it has been decided that the words *expiration of the term* do not include cesser of the term through forfeiture or breach of condition, but mean *expiration by lapse of time*. Therefore the failure to keep up a foreign patent will not avoid the United States patent, but its life will be determined by the life of the foreign patent obtained before the United States patent, which has the shortest term.

On the issue of each original patent a fee of twenty dollars is payable. No further payments are required.

There is no provision as to compulsory working.

Importation of the patented articles by the patentee is not prohibited.

Patented articles must be marked as such by the word "patented," together with the day and year the patent was granted being fixed to them; or when from the character of the articles this cannot be done, by fixing to each of them, or to the package wherein one or more of them is inclosed, a label containing the like notice. In any suit for infringement by the party failing so to mark, no damages shall be recovered by the plaintiff, except on proof that the defendant was duly notified of the infringement, and continued after such notice to make, use, or vend the article so patented.

An assignment is void as against a subsequent purchaser or mortgagee for value unless registered in the Patent Office within three months after the date thereof.

#### URUGUAY (*Law of November 12th, 1885*).

Patents are granted to the authors of inventions or improvements thereon, and to the inventors, or the attorneys, or assigns of the inventors of foreign patents.

No official of the Patent Office can be a patentee.

The following are patentable:—New industrial products, new means and the new application of known means for obtaining an industrial result or product.

Improvements on patents can be protected by certificates of addition.

An invention patented abroad is patentable if application be made within the first year of the privileged working.

There is no preliminary examination as to novelty or utility.

The term of a patent of invention is three, six, or nine years, at the option of the applicant.

A certificate of addition is never granted for a longer term than the principal patent.

Official  
examination.  
Duration and  
payments.

Working,  
importation,  
and marking  
by patentee.

Assignments.

To whom,  
and for what  
patent  
granted.

Official  
examination.  
Duration and  
payments.

For the grant of every patent there is payable in advance a tax of twenty-five dollars, annually, so long as the privilege lasts.

The invention must be worked within a period fixed by the executive. An extension of this period in cases of *vis major* may be obtained on petition to the executive, which must be presented at least three months before its expiration. Working, importation, and marking by patentee.

The working must not be discontinued for one year, on pain of forfeiture, unless this period is extended as above on petition presented within one month of its expiration.

There is no obligation on the patentee to mark patented articles.

Assignments must be by public deed, after notice to the Patent Office, without which requisites they are of no effect against third parties. Assignments.

#### VENEZUELA (*Law of 25th May, 1882*).

Patents are granted to the inventor, including the foreign patentee of an invention not already patented in Venezuela. Any new and useful art, machine, manufacture, or composition of matter, and any new and useful improvement thereof, is patentable. To whom, and for what patent granted.

There is no preliminary examination as to novelty or utility. Official examination.

The term of a patent of invention is five, ten, or fifteen years. Duration and

A patent for an invention patented abroad expires with the foreign patent. payments.

A patent is liable to a tax of eighty bolivars (francs) a year if it is for an invention or discovery, and of sixty bolivars a year if it relates to an improved process.

The invention must be worked within the period fixed in the grant. This period runs from the day of issue. Working, importation, and marking by patentee.

A patent is void when the working of the invention has been discontinued for a whole year, except in cases of fortuitous circumstances or *force majeure*.

There are no provisions in the law of 25th May, 1882, as to the registration of assignments. Assignments.

#### VICTORIA (*Act No. 1034 of 25th November, 1889*).

A patent may be granted to the actual inventor or to his assign, or to an importer who has had the invention communicated to him by the inventor. To whom, and for what patent granted.

Patentee means the person for the time being entitled to a patent, and has the same scope as in England.

Invention means any manner of new manufacture the subject-matter of letters patent within the meaning of the Statute of Monopolies.

Patents for foreign inventions may be granted within two years of the date of the foreign patent, notwithstanding prior user in Victoria.

There is a preliminary examination as to novelty. Official examination.

The term of a patent is fourteen years from its date, *i.e.*, the date of application. Duration and payments.

A fee of 2*l.* 10*s.* is payable at or before the expiration of the third, and again at or before the expiration of the seventh, year. Working, importation, and marking by patentee.

There are no provisions as to working, importation, or marking.

Assignments, &c. must be entered in the Register of Patents. Assignments.

To whom, and for what patent granted.	<p><b>WESTERN AUSTRALIA</b> (<i>Act No. 5 of 26th November, 1888</i>).</p> <p>Any person, whether a British subject or not, and any two or more persons, may make application.</p> <p>The holder or assignee of foreign or British patents may obtain letters of registration.</p> <p>Patents appear to be granted for the same inventions as in Great Britain.</p>
Official examination. Duration and payments.	<p>There is no preliminary examination as to novelty or utility.</p> <p>The term of a patent is fourteen years from its date.</p> <p>A fee of 4<i>l.</i> is payable before the expiration of the fourth and again before the expiration of the seventh year thereafter.</p> <p>Letters of registration of a foreign patent cost 15<i>l.</i>, and expire with the original term.</p>
Working, importation, and marking by patentee. Assignments.	<p>Compulsory licenses may be obtained as in England.</p> <p>There are no provisions as to working, importation, or marking.</p> <p>Assignments, &amp;c., must be entered in the Register of Patents.</p>
To whom, and for what patent granted.	<p><b>WINDWARD ISLANDS.</b> <i>See BARBADOES.</i></p> <p>In the Windward Islands other than Barbadoes,—viz., Grenada, S. Lucia, S. Vincent, and Tobago, the true and first inventor of any new and useful invention or his representatives can obtain an exclusive privilege by special ordinance for fourteen years.</p>

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