

PATENTS AND DESIGNS ACT, 1907.

[7 EDW. VII. c. 29.]

An Act to consolidate the enactments relating to Patents for Inventions and the Registration of Designs and certain enactments relating to Trade Marks. [28th August, 1907.]

BE it enacted by the King'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:—

PART I.—PATENTS.

Application for and Grant of Patent.

Application.

1.—(1) An application for a patent may be made by any person who claims to be the true and first inventor of an invention, whether he is a British subject or not, and whether alone or jointly with any other person.

(2) The application must be made in the prescribed form, and must be left at, or sent by post to, the Patent Office in the prescribed manner.

(3) The application must contain a declaration to the effect that the applicant is in possession of an invention, whereof he, or in the case of a joint application one at least of the applicants, claims to be the true and first inventor, and for which he desires to obtain a patent, and must be accompanied by either a provisional or complete specification.

(4) The declaration required by this section may be either a statutory declaration or not, as may be prescribed.

Specifications.

2.—(1) A provisional specification must describe the nature of the invention.

(2) A complete specification must particularly describe and ascertain the nature of the invention and the manner in which the same is to be performed.

(3) In the case of any provisional or complete specification where the comptroller deems it desirable he may require that

suitable drawings shall be supplied with the specification, or at any time before the acceptance of the same, and such drawings shall be deemed to form part of the said specification.

(4) A specification, whether provisional or complete, must commence with the title, and in the case of a complete specification must end with a distinct statement of the invention claimed.

(5) Where the invention in respect of which an application is made is a chemical invention, such typical samples and specimens as may be prescribed shall, if in any particular case the comptroller considers it desirable so to require, be furnished before the acceptance of the complete specification.

3.—(1) The Comptroller General of Patents, Designs, and Trade Marks (herein-after referred to as the comptroller) shall refer every application to an examiner. Proceedings upon application.

(2) If the examiner reports that the nature of the invention is not fairly described, or that the application, specification, or drawings have not been prepared in the prescribed manner, or that the title does not sufficiently indicate the subject-matter of the invention, the comptroller may refuse to accept the application or require that the application, specification, or drawings be amended before he proceeds with the application; and in the latter case the application shall, if the comptroller so directs, bear date as from the time when the requirement is complied with.

(3) Where the comptroller refuses to accept an application or requires an amendment, the applicant may appeal from his decision to the law officer, who shall, if required, hear the applicant and the comptroller, and may make an order determining whether and subject to what conditions (if any) the application shall be accepted.

(4) The comptroller shall, when an application has been accepted, give notice thereof to the applicant.

4. Where an application for a patent in respect of an invention has been accepted, the invention may during the period between the date of the application and the date of sealing such patent be used and published without prejudice to the patent to be granted for the invention; and such protection from the consequences of use and publication is in this Act referred to as provisional protection. Provisional protection.

5.—(1) If the applicant does not leave a complete specification with his application, he may leave it at any subsequent time within ~~six~~ ^{three} months from the date of the application: Time for leaving complete specification. 1919

Provided that where an application is made for an extension of the time for leaving a complete specification, the comptroller shall, on payment of the prescribed fee, grant an extension of time to the extent applied for but not exceeding one month.

(2) Unless a complete specification is so left the application shall be deemed to be abandoned.

Comparison of
provisional
and complete
specification.

6.—(1) Where a complete specification is left after a provisional specification, the comptroller shall refer both specifications to an examiner.

(2) If the examiner reports that the complete specification has not been prepared in the prescribed manner, the comptroller may refuse to accept the complete specification until it has been amended to his satisfaction.

(3) If the examiner reports that the invention particularly described in the complete specification is not substantially the same as that which is described in the provisional specification the comptroller may—

(a) refuse to accept the complete specification until it has been amended to his satisfaction; or

(b) (with the consent of the applicant) cancel the provisional specification and treat the application as having been made on the date at which the complete specification was left, and the application shall have effect as if made on that date:

Provided that where the complete specification includes an invention not included in the provisional specification, the comptroller may allow the original application to proceed so far as the invention included both in the provisional and in the complete specification is concerned, and treat the claim for the additional invention included in the complete specification as an application for that invention made on the date at which the complete specification was left.

(4) A refusal of the comptroller to accept a complete specification shall be subject to appeal to the law officer, who shall, if required, hear the applicant and the comptroller and may make an order determining whether and subject to what conditions (if any) the complete specification shall be accepted.

(5) Unless a complete specification is accepted within twelve months from the date of the application, the application shall (except where an appeal has been lodged) become void:

Provided that where an application is made for an extension of time for the acceptance of a complete specification, the comptroller shall, on payment of the prescribed fee, grant an exten-

1913

sion of time to the extent applied for but not exceeding three months.

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

Investigation of previous specifications in United Kingdom on applications for patents.

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

see 1917

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

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

Provided that the comptroller, if satisfied that the invention claimed has been wholly and specifically claimed in any specification to which the investigation has extended, may, in lieu of requiring references to be made in the applicant's specification as aforesaid, refuse to grant a patent.

(5) An appeal shall lie from the decision of the comptroller under this section to the law officer.

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

8.—(1) An investigation under the last preceding section shall extend to specifications published after the date of the applica-

Investigation of specifications pub-

lished subsequently to application.

tion in respect of which the application is made, and being specifications which have been deposited pursuant to prior application; and that section shall, subject to rules under this Act, have effect accordingly.

(2) Where, on such an extended investigation, it appears that the invention claimed in the specification deposited pursuant to an application is wholly or in part claimed in any published specification deposited pursuant to a prior application, the applicant shall, whether or not his specification has been accepted or a patent granted to him, be afforded such facilities as may be prescribed for amending his specification, and in the event of his failing to do so the comptroller shall, in accordance with such procedure as may be prescribed, determine what reference, if any, to other specifications ought to be made in his specification by way of notice to the public.

(3) For the purposes of this section an application shall be deemed to be prior to another application if the patent applied for when granted would be of prior date to the patent granted pursuant to that other application.

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

Advertisement on acceptance of complete specification.

9. On the acceptance of the complete specification the comptroller shall advertise the acceptance; and the application and specifications with the drawings (if any) shall be open to public inspection.

Effect of acceptance of complete specification.

10. After the acceptance of a complete specification and until the date of sealing a patent in respect thereof, or the expiration of the time for sealing, the applicant shall have the like privileges and rights as if a patent for the invention had been sealed on the date of the acceptance of the complete specification: Provided that an applicant shall not be entitled to institute any proceeding for infringement until a patent for the invention has been granted to him.

Opposition to grant of patent.

11.—(1) Any person may at any time within two months from the date of the advertisement of the acceptance of a complete specification give notice at the Patent Office of opposition to the grant of the patent on any of the following grounds:—

(a) that the applicant obtained the invention from him, or from a person of whom he is the legal representative; or

Jan 1919

- (b) that the invention has been claimed in any complete specification for a British patent which is or will be of prior date to the patent the grant of which is opposed, other than a specification deposited pursuant to an application made more than fifty years before the date of the application for such last-mentioned patent; or
- (c) that the nature of the invention or the manner in which it is to be performed is not sufficiently or fairly described and ascertained in the complete specification; or
- (d) that the complete specification describes or claims an invention other than that described in the provisional specification, and that such other invention forms the subject of an application made by the opponent in the interval between the leaving of the provisional specification and the leaving of the complete specification,

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but on no other ground. *and (e) added 1919*

(2) Where such notice is given the comptroller shall give notice of the opposition to the applicant, and shall, on the expiration of those two months, after hearing the applicant and the opponent, if desirous of being heard, decide on the case.

(3) The decision of the comptroller shall be subject to appeal to the law officer, who shall, if required, hear the applicant and the opponent, if the opponent is, in his opinion, a person entitled to be heard in opposition to the grant of the patent, and shall decide the case; and the law officer may, if he thinks fit, obtain the assistance of an expert, who shall be paid such remuneration as the law officer with the consent of the Treasury may determine.

12.—(1) If there is no opposition, or, in case of opposition, if the determination is in favour of the grant of a patent, a patent shall, on payment of the prescribed fee, be granted to the applicant, or in the case of a joint application to the applicants jointly, and the comptroller shall cause the patent to be sealed with the seal of the Patent Office. *(1916) added*

Grant and sealing of patent.

1919

(2) A patent shall be sealed as soon as may be, and not after the expiration of fifteen months from the date of application, provided that—

(a) Where the comptroller has allowed an extension of the time within which a complete specification may be left or accepted, a further extension of four months after the said fifteen months shall be allowed for the sealing of the patent:

20 1919

(b) Where the sealing is delayed by an appeal to the law officer, or by opposition to the grant of the patent, the

patent may be sealed at such time as the law officer may direct:

- (c) Where the patent is granted to the legal representative of an applicant who has died before the expiration of the time which would otherwise be allowed for sealing the patent, the patent may be sealed at any time within twelve months after the date of his death:
- (d) Where in consequence of the neglect or failure of the applicant to pay any fee a patent cannot be sealed within the period allowed by this section, that period may, on payment of the prescribed fee and on compliance with the prescribed conditions, be extended to such an extent as may be prescribed, and this provision shall, in such cases as may be prescribed and subject to the prescribed conditions, apply where the period allowed for the sealing of the patent has expired before the commencement of this Act.

Date of
patent.

13. Except as otherwise expressly provided by this Act, a patent shall be dated and sealed as of the date of the application: Provided that no proceedings shall be taken in respect of an infringement committed before the publication of the complete specification.

Effect,
extent, and
form of
patent.

14.—(1) A patent sealed with the seal of the Patent Office shall have the same effect as if it were sealed with the Great Seal of the United Kingdom, and shall have effect throughout the United Kingdom and the Isle of Man:

Provided that a patentee may assign his patent for any place in or part of the United Kingdom, or Isle of Man, as effectually as if the patent were originally granted to extend to that place or part only.

(2) Every patent may be in the prescribed form and shall be granted for one invention only, but the specification may contain more than one claim; and it shall not be competent for any person in an action or other proceeding to take any objection to a patent on the ground that it has been granted for more than one invention.

Fraudulent
applications
for patents.

15.—(1) A patent granted to the true and first inventor shall not be invalidated by an application in fraud of him, or by provisional protection obtained thereon, or by any use or publication of the invention subsequent to that fraudulent application during the period of provisional protection.

(2) Where a patent has been revoked on the ground of fraud,

the comptroller may, on the application of the true inventor made in accordance with the provisions of this Act, grant to him a patent in lieu of and bearing the same date as the patent so revoked:

Provided that no action shall be brought for any infringement of the patent so granted committed before the actual date when such patent was granted.

16.—(1) Where the same applicant has put in two or more provisional specifications for inventions which are cognate or modifications one of the other, and has obtained thereby concurrent provisional protection for the same, and the comptroller is of opinion that the whole of such inventions are such as to constitute a single invention and may properly be included in one patent, he may accept one complete specification in respect of the whole of such applications and grant a single patent thereon.

Single patent for cognate inventions.

1919

(2) Such patent shall bear the date of the earliest of such applications, but in considering the validity of the same and for the purpose of the provisions of this Act with respect to oppositions to the grant of patents, the Court or the comptroller, as the case may be, shall have regard to the respective dates of the provisional specifications relating to the several matters claimed therein.

Term of Patent.

17.—(1) The term limited in every patent for the duration thereof shall, save as otherwise expressly provided by this Act, be ~~fourteen~~ years from its date.

Term of patent.

16

(2) A patent shall, notwithstanding anything therein or in this Act, cease if the patentee fails to pay the prescribed fees within the prescribed times; provided that the comptroller, upon the application of the patentee, shall, on receipt of such additional fee, not exceeding ten pounds, as may be prescribed, enlarge the time to such an extent as may be applied for but not exceeding three months.

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(3) If any proceeding is taken in respect of an infringement of the patent committed after a failure to pay any fee within the prescribed time, and before any enlargement thereof, the Court before which the proceeding is proposed to be taken may, if it thinks fit, refuse to award any damages in respect of such infringement.

18.—(1) A patentee may, after advertising in manner provided by rules of the Supreme Court his intention to do so, pre-

Extension of term of patent.

sent a petition to the Court praying that his patent may be extended for a further term, but such petition must be presented at least six months before the time limited for the expiration of the patent.

1919
 (2) Any person may give notice to the Court of objection to the extension.

(3) On the hearing of any petition under this section the patentee and any person who has given such notice of objection shall be made parties to the proceeding, and the comptroller shall be entitled to appear and be heard, and shall appear if so directed by the Court.

(4) The Court, in considering its decision, shall have regard to the nature and merits of the invention in relation to the public, to the profits made by the patentee as such, and to all the circumstances of the case.

(5) If it appears to the Court that the patentee has been inadequately remunerated by his patent, the Court may by order extend the term of the patent for a further term not exceeding seven, or, in exceptional cases, fourteen years, or may order the grant of a new patent for such term as may be specified in the order and containing any restriction, conditions, and provisions the Court may think fit.

Patents of
 addition.

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 19.—(1) Where a patent for an invention has been applied for or granted, and the applicant or the patentee, as the case may be, applies for a further patent in respect of any improvement in or modification of the invention, he may, if he thinks fit, in his application for the further patent, request that the term limited in that patent for the duration thereof be the same as that of the original patent or so much of that term as is unexpired.

(2) Where an application containing such a request is made, a patent (herein-after referred to as a patent of addition) may be granted for such term as aforesaid.

(3) A patent of addition shall remain in force so long as the patent for the original invention remains in force, but no longer, and in respect of a patent of addition no fees shall be payable for renewal.

(4) The grant of a patent of addition shall be conclusive evidence that the invention is a proper subject for a patent of addition, and the validity of the patent shall not be questioned on the ground that the invention ought to have been the subject of an independent patent.

Restoration of lapsed Patents.

20.—(1) Where any patent has become void owing to the failure of the patentee to pay any prescribed fee within the prescribed time, the patentee may apply to the comptroller in the prescribed manner for an order for the restoration of the patent. Restoration
of lapsed
patents.

(2) Every such application shall contain a statement of the circumstances which have led to the omission of the payment of the prescribed fee.

(3) If it appears from such statement that the omission was unintentional and that no undue delay has occurred in the making of the application, the comptroller shall advertise the application in the prescribed manner, and within such time as may be prescribed any person may give notice of opposition at the Patent Office. 111

(4) Where such notice is given the comptroller shall notify the applicant thereof.

(5) After the expiration of the prescribed period the comptroller shall hear the case and, subject to an appeal to the Court, issue an order either restoring the patent or dismissing the application: Provided that in every order under this section restoring a patent such provisions as may be prescribed shall be inserted for the protection of persons who may have availed themselves of the subject-matter of the patent after the patent had been announced as void in the illustrated official journal.

Amendment of Specification.

21.—(1) An applicant or a patentee may at any time, by request in writing left at the Patent Office, seek leave to amend his specification, including drawings forming part thereof, by way of disclaimer, correction, or explanation, stating the nature of, and the reasons for, the proposed amendment. Amendment
of speci-
fication by
comptroller.

(2) The request and the nature of the proposed amendment shall be advertised in the prescribed manner, and at any time within one month from its first advertisement any person may give notice at the Patent Office of opposition to the amendment. 11

(3) Where such a notice is given the comptroller shall give notice of the opposition to the person making the request, and shall hear and decide the case.

(4) Where no notice of opposition is given, or the person so giving notice of opposition does not appear, the comptroller shall

determine whether and subject to what conditions, if any, the amendment ought to be allowed.

(5) The decision of the comptroller in either case shall be subject to an appeal to the law officer, who shall, if required, hear the person making the request to amend and, where notice of opposition has been given, the person giving that notice, if he is, in the opinion of the law officer, entitled to be heard in opposition to the request, and, where there is no opposition, the comptroller, and may make an order determining whether and subject to what conditions (if any) the amendment ought to be allowed.

(6) No amendment shall be allowed that would make the specification, as amended, claim an invention substantially larger than or substantially different from the invention claimed by the specification as it stood before amendment.

(7) Leave to amend shall be conclusive as to the right of the party to make the amendment allowed, except in case of fraud; and the amendment shall be advertised in the prescribed manner, and shall in all courts and for all purposes be deemed to form part of the specification.

(8) This section shall not apply when and so long as any action for infringement or proceeding before the Court for the revocation of a patent is pending.

Amendment
of specifica-
tion by the
Court.

22. In any action for infringement of a patent or proceedings before a Court for the revocation of a patent the Court may by order allow the patentee to amend his specification by way of disclaimer in such manner, and subject to such terms as to costs advertisement or otherwise, as the Court may think fit:

Provided that no amendment shall be so allowed that would make the specification, as amended, claim an invention substantially larger than, or substantially different from, the invention claimed by the specification as it stood before the amendment, and where an application for such an order is made to the Court notice of the application shall be given to the comptroller, and the comptroller shall have the right to appear and be heard, and shall appear if so directed by the Court.

Restriction
on recovery
of damages.

23. Where an amendment of a specification by way of disclaimer, correction, or explanation, has been allowed under this Act, no damages shall be given in any action in respect of the use of the invention before the disclaimer, correction, or explanation, unless the patentee establishes to the satisfaction of the Court that his original claim was framed in good faith and with reasonable skill and knowledge.

Compulsory Licences and Revocation.

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

Compulsory
licences and
revocation.

(2) The Board of Trade shall consider the petition, and if the parties do not come to an arrangement between themselves the Board of Trade, if satisfied that a *prima facie* case has been made out, shall refer the petition to the Court, and, if the Board are not so satisfied, they may dismiss the petition.

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

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1919

Provided that an order of revocation shall not be made before the expiration of three years from the date of the patent, or if the patentee gives satisfactory reasons for his default.

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

(5) For the purposes of this section the reasonable requirements of the public shall not be deemed to have been satisfied—

- (a) if by reason of the default of the patentee to manufacture to an adequate extent and supply on reasonable terms the patented article, or any parts thereof which are necessary for its efficient working, or to carry on the patented process to an adequate extent or to grant licences on reasonable terms, any existing trade or industry, or the establishment of any new trade or industry in the United Kingdom is unfairly prejudiced, or the demand for the patented article or the article produced by the patented process is not reasonably met; or

(b) if any trade or industry in the United Kingdom is unfairly prejudiced by the conditions attached by the patentee before or after the passing of this Act to the purchase, hire, or use of the patented article or to the using or working of the patented process.

(6) An order of the Court directing the grant of any licence under this section shall, without prejudice to any other method of enforcement, operate as if it were embodied in a deed granting a licence and made between the parties to the proceeding.

Revocation
of patent.

25.—(1) Revocation of a patent may be obtained on petition to the Court.

(2) Every ground on which—

(a) a patent might, immediately before the first day of January, one thousand eight hundred and eighty-four, have been repealed by *scire facias*; or

(b) a patent may be revoked under this Act either by the comptroller or as an alternative to the grant of a compulsory licence;

shall be available by way of defence to an action of infringement and shall also be a ground of revocation under this section.

(3) A petition for revocation of a patent may be presented—

(a) by the Attorney-General or any person authorised by him; or

(b) by any person alleging—

(i) that the patent was obtained in fraud of his rights, or of the rights of any person under or through whom he claims; or

(ii) that he, or any person under or through whom he claims, was the true inventor of any invention included in the claim of the patentee; or

(iii) that he, or any person under or through whom he claims an interest in any trade, business, or manufacture, had publicly manufactured, used, or sold, within this realm, before the date of the patent, anything claimed by the patentee as his invention.

26.—(1) Any person who would have been entitled to oppose the grant of a patent, or is the successor in interest of a person who was so entitled, may, within two years from the date of the patent, in the prescribed manner apply to the comptroller for an order revoking the patent on any one or more of the grounds on which the grant of the patent might have been opposed:

Provided that when an action for infringement or proceedings

Power of
comptroller
to revoke
patents on
certain
grounds.

72 1919

for the revocation of the patent are pending in any Court, an application under this section shall not be made except with the leave of the Court.

(2) The comptroller shall give notice of the application to the patentee, and after hearing the parties, if desirous of being heard, may make an order revoking the patent or requiring the specification relating thereto to be amended by disclaimer, correction, or explanation, or dismissing the application; but the comptroller shall not make an order revoking the patent unless the circumstances are such as would have justified him in refusing to grant the patent had the proceedings been proceedings in an opposition to the grant of a patent.

(3) A patentee may at any time by giving notice in the prescribed manner to the comptroller offer to surrender his patent, and the comptroller may, if after giving notice of the offer and hearing all parties who desire to be heard he thinks fit, accept the offer, and thereupon make an order for the revocation of the patent.

(4) Any decision of the comptroller under this section shall be subject to appeal to the Court.

27.—(1) At any time not less than four years after the date of a patent and not less than one year after the passing of this Act, any person may apply to the comptroller for the revocation of the patent on the ground that the patented article or process is manufactured or carried on exclusively or mainly outside the United Kingdom.

Revocation
of patents
worked
outside the
United
Kingdom.

(2) The comptroller shall consider the application, and, if after enquiry he is satisfied that the allegations contained therein are correct, then, subject to the provisions of this section, and unless the patentee proves that the patented article or process is manufactured or carried on to an adequate extent in the United Kingdom, or gives satisfactory reasons why the article or process is not so manufactured or carried on, the comptroller may make an order revoking the patent either—

(a) forthwith; or

(b) after such reasonable interval as may be specified in the order, unless in the meantime it is shown to his satisfaction that the patented article or process is manufactured or carried on within the United Kingdom to an adequate extent:

Provided that no such order shall be made which is at variance with any treaty, convention, arrangement, or engagement with any foreign country or British possession.

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1819

(3) If within the time limited in the order the patented article or process is not manufactured or carried on within the United Kingdom to an adequate extent, but the patentee gives satisfactory reasons why it is not so manufactured or carried on, the comptroller may extend the period mentioned in the previous order for such period not exceeding twelve months as may be specified in the subsequent order.

(4) Any decision of the comptroller under this section shall be subject to appeal to the Court, and on any such appeal the law officer or such other counsel as he may appoint shall be entitled to appear and be heard.

27A - added in 1919

Register of Patents.

Register of
patents.

28.—(1) There shall be kept at the Patent Office a book called the register of patents, wherein shall be entered the names and addresses of grantees of patents, notifications of assignments and of transmissions of patents, of licences under patents, and of amendments, extensions, and revocations of patents, and such other matters affecting the validity or proprietorship of patents as may be prescribed.

(2) The register of patents existing at the commencement of this Act shall be incorporated with and form part of the register of patents under this Act.

(3) The register of patents shall be *prima facie* evidence of any matters by this Act directed or authorised to be inserted therein.

(4) Copies of deeds, licences, and any other documents affecting the proprietorship in any letters patent or in any licence thereunder, must be supplied to the comptroller in the prescribed manner for filing in the Patent Office.

Crown.

Patent to
bind Crown.

29. A patent shall have to all intents the like effect as against His Majesty the King as it has against a subject:

Provided that any Government department may, by themselves, their agents, contractors, or others, at any time after the application, use the invention for the services of the Crown on such terms as may, either before or after the use thereof, be agreed on, with the approval of the Treasury, between the department and the patentee, or, in default of agreement, as may be settled by the Treasury after hearing all parties interested.

1919

30.—(1) The inventor of any improvement in instruments or munitions of war may (either for or without valuable consideration) assign to the Secretary of State for War or the Admiralty on behalf of His Majesty all the benefit of the invention and of any patent obtained or to be obtained for the invention; and the Secretary of State or the Admiralty may be a party to the assignment.

Assignment to Secretary for War or the Admiralty of certain inventions.

(2) The assignment shall effectually vest the benefit of the invention and patent in the Secretary of State or the Admiralty on behalf of His Majesty, and all covenants and agreements therein contained for keeping the invention secret and otherwise shall be valid and effectual (notwithstanding any want of valuable consideration), and may be enforced accordingly by the Secretary of State or the Admiralty.

(3) Where any such assignment has been made, the Secretary of State or the Admiralty may at any time before the publication of the complete specification certify to the comptroller that, in the interest of the public service, the particulars of the invention and of the manner in which it is to be performed should be kept secret.

(4) If the Secretary of State or the Admiralty so certify the application and specifications, with the drawings (if any), and any amendment of the complete specification, and any copies of such documents and drawings shall, instead of being left in the ordinary manner at the Patent Office, be delivered to the comptroller in a packet sealed by authority of the Secretary of State or the Admiralty.

(5) The packet shall, until the expiration of the term during which a patent for the invention may be in force, be kept sealed by the comptroller, and shall not be opened save under the authority of an order of the Secretary of State or the Admiralty or of the law officer.

(6) The sealed packet shall be delivered at any time during the continuance of the patent to any person authorised by the Secretary of State or the Admiralty to receive it, and shall if returned to the comptroller be again kept sealed by him.

(7) On the expiration of the term of the patent, the sealed packet shall be delivered to the Secretary of State or the Admiralty.

(8) Where the Secretary of State or the Admiralty certify as aforesaid, after an application for a patent has been left at the Patent Office, but before the publication of the complete specification, the application and specifications, with the drawings (if any), shall be forthwith placed in a packet sealed by authority of the

comptroller, and the packet shall be subject to the foregoing provisions respecting a packet sealed by authority of the Secretary of State or the Admiralty.

(9) No proceeding by petition or otherwise shall lie for revocation of a patent granted for an invention in relation to which a certificate has been given by the Secretary of State or the Admiralty as aforesaid.

(10) No copy of any specification or other document or drawing, by this section required to be placed in a sealed packet, shall in any manner whatever be published or open to the inspection of the public, but, save as in this section otherwise directed, the provisions of this Act shall apply in respect of any such invention and patent as aforesaid.

(11) The Secretary of State or the Admiralty may at any time waive the benefit of this section with respect to any particular invention, and the specifications, documents, and drawings shall be thenceforth kept and dealt with in the ordinary way.

(12) The communication of any invention for any improvement in instruments or munitions of war to the Secretary of State or the Admiralty, or to any person or persons authorised by the Secretary of State or the Admiralty to investigate the same or the merits thereof, shall not, nor shall anything done for the purposes of the investigation, be deemed use or publication of such invention so as to prejudice the grant or validity of any patent for the same.

(13) Rules may be made under this Act, after consultation with the Secretary of State and the Admiralty, for the purpose of ensuring secrecy with respect to patents to which this section applies, and those rules may modify any of the provisions of this Act in their application to such patents as aforesaid so far as may appear necessary for the purpose aforesaid.

Legal Proceedings.

Hearing with
assessor.

31.—(1) In an action or proceeding for infringement or revocation of a patent, the Court may, if it think fit, and shall on the request of either of the parties to the proceeding, call in the aid of an assessor specially qualified, and try the case wholly or partially with his assistance; the action shall be tried without a jury unless the Court otherwise directs.

(2) The Court of Appeal may, if they think fit, in any proceeding before them call in the aid of an assessor as aforesaid.

(3) The remuneration, if any, to be paid to an assessor under

this section shall be determined by the Court or the Court of Appeal, as the case may be, and be paid as part of the expenses of the execution of this Act.

32. A defendant in an action for infringement of a patent, if entitled to present a petition to the Court for the revocation of the patent, may, without presenting such a petition, apply in accordance with the rules of the Supreme Court by way of counterclaim in the action for the revocation of the patent.

Power to counterclaim for revocation in an action for infringement.

1919

32 A.
33. A patentee shall not be entitled to recover any damages in respect of any infringement of a patent granted after the commencement of this Act from any defendant who proves that at the date of the infringement he was not aware, nor had reasonable means of making himself aware, of the existence of the patent, and the marking of an article with the word "patent," "patented," or any word or words expressing or implying that a patent has been obtained for the article, stamped, engraved, impressed on, or otherwise applied to the article, shall not be deemed to constitute notice of the existence of the patent unless the word or words are accompanied by the year and number of the patent:

Exemption of innocent infringer from liability for damages.

Provided that nothing in this section shall affect any proceedings for an injunction.

34. In an action for infringement of a patent, the Court may on the application of either party make such order for an injunction inspection or account, and impose such terms and give such directions respecting the same and the proceedings thereon as the Court may see fit.

Order for inspection, &c., in action.

1919

35. In an action for infringement of a patent, the Court may certify that the validity of the patent came in question; and, if the Court so certifies, then in any subsequent action for infringement the plaintiff in that action on obtaining a final order or judgment in his favour shall, unless the Court trying the action otherwise directs, have his full costs, charges, and expenses as between solicitor and client.

Certificate of validity questioned and costs thereon.

1919

36. Where any person claiming to be the patentee of an invention, by circulars, advertisements, or otherwise, threatens any other person with any legal proceedings or liability in respect of any alleged infringement of the patent, any person aggrieved thereby may bring an action against him, and may obtain an injunction against the continuance of such threats, and may recover such damage (if any) as he has sustained thereby, if the alleged infringement to which the threats related was not in fact

Remedy in case of groundless threats of legal proceedings.

1919

an infringement of any legal rights of the person making such threats:

Provided that this section shall not apply if the person making such threats with due diligence commences and prosecutes an action for infringement of his patent.

Miscellaneous.

Grant of patents to two or more persons.

37. Where, after the commencement of this Act, a patent is granted to two or more persons jointly, they shall, unless otherwise specified in the patent, be treated for the purpose of the devolution of the legal interests therein as joint tenants, but, subject to any contract to the contrary, each of such persons shall be entitled to use the invention for his own profit without accounting to the others, but shall not be entitled to grant a licence without their consent, and, if any such person dies, his beneficial interest in the patent shall devolve on his personal representatives as part of his personal estate.

Avoidance of certain conditions attached to the sale, &c. of patented articles.

38.—(1) It shall not be lawful in any contract made after the passing of this Act in relation to the sale or lease of, or licence to use or work, any article or process protected by a patent to insert a condition the effect of which will be—

- (a) to prohibit or restrict the purchaser, lessee, or licensee from using any article or class of articles, whether patented or not, or any patented process, supplied or owned by any person other than the seller, lessor, or licensor or his nominees; or
- (b) to require the purchaser, lessee, or licensee to acquire from the seller, lessor, or licensor, or his nominees, any article or class of articles not protected by the patent;

and any such condition shall be null and void, as being in restraint of trade and contrary to public policy:

Provided that this sub-section shall not apply if—

- (i) the seller, lessor, or licensor proves that at the time the contract was entered into the purchaser, lessee, or licensee had the option of purchasing the article or obtaining a lease or licence on reasonable terms, without such conditions as aforesaid; and
- (ii) the contract entitles the purchaser, lessee, or licensee to relieve himself of his liability to observe any such condition on giving the other party three months

notice in writing and on payment in compensation for such relief in the case of a purchase of such sum, or in the case of a lease or licence of such rent or royalty for the residue of the term of the contract, as may be fixed by an arbitrator appointed by the Board of Trade.

(2) Any contract relating to the lease of or licence to use or work any patented article or patented process, whether made before or after the passing of this Act, may at any time after the patent or all the patents by which the article or process was protected at the time of the making of the contract has or have ceased to be in force, and notwithstanding anything in the same or in any other contract to the contrary, be determined by either party on giving three months notice in writing to the other party; but where any such notice is given determining any contract made before the passing of this Act, the party giving the notice shall be liable to pay such compensation as failing agreement may be awarded by an arbitrator appointed by the Board of Trade.

(3) Any contract made before the passing of this Act relating to the lease of or licence to use or work any patented article or process and containing any condition which, had the contract been made after the passing of this Act, would by virtue of this section have been null and void may, at any time before the contract is determinable under the last preceding sub-section, and notwithstanding anything in the same or any other contract to the contrary, be determined by either party on giving three months notice in writing to the other party, but where any such notice is given the party giving the notice shall be liable to pay such compensation as, failing agreement, may be awarded by an arbitrator appointed by the Board of Trade.

(4) The insertion by the patentee in a contract made after the passing of this Act of any condition which by virtue of this section is null and void shall be available as a defence to an action for infringement of the patent to which the contract relates brought while that contract is in force.

(5) Nothing in this section shall—

- (a) affect any condition in a contract whereby a person is prohibited from selling any goods other than those of a particular person; or
- (b) be construed as validating any contract which would, apart from this section, be invalid; or
- (c) affect any right of determining a contract or condition

in a contract exerciseable independently of this section; or

(d) affect any condition in a contract for the lease of or licence to use a patented article, whereby the lessor or licensor reserves to himself or his nominees the right to supply such new parts of the patented article as may be required to put or keep it in repair.

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243
38 A.

Costs and security for costs.

39.—(1) The comptroller shall, in proceedings relating to an opposition to the grant of a patent or to an application for the amendment of a specification or the revocation of a patent, have power by order to award to any party such costs as he may consider reasonable, and to direct how and by what parties they are to be paid, and any such order may be made a rule of the Court.

(2) If a party giving notice of opposition to the grant of a patent or to the amendment of a specification, or applying to the comptroller for the revocation of a patent, or giving notice of appeal from any decision of the comptroller, neither resides nor carries on business in the United Kingdom or the Isle of Man, the comptroller, or, in case of appeal to the law officer, the law officer, may require such party to give security for costs of the proceedings or appeal, and in default of such security being given may treat the proceedings or appeal as abandoned.

referred
see 73
1919

Procedure on appeal to law officer.

40. The law officer may examine witnesses on oath and administer oaths for that purpose, and may make rules regulating references and appeals to the law officer and the practice and procedure before him under this part of this Act; and in any proceeding before the law officer under this part of this Act, the law officer may order costs to be paid by either party, and any such order may be made a rule of the Court.

Provisions as to anticipation.

41.—(1) An invention covered by any patent applied for on or after the first day of January one thousand nine hundred and five shall not be deemed to have been anticipated by reason only of its publication in a specification left pursuant to an application made in the United Kingdom not less than fifty years before the date of the application for the patent, or of its publication in a provisional specification of any date not followed by a complete specification.

(2) A patent shall not be held to be invalid by reason only of the invention in respect of which the patent was granted, or any part thereof, having been published prior to the date of the

patent, if the patentee proves to the satisfaction of the Court that the publication was made without his knowledge and consent, and that the matter published was derived or obtained from him, and, if he learnt of the publication before the date of his application for the patent, that he applied for and obtained protection for his invention with all reasonable diligence after learning of the publication.

Proviso deleted _____ *1919*

42. A patent shall not be held to be invalid on the ground that the complete specification claims a further or different invention to that contained in the provisional, if the invention therein claimed, so far as it is not contained in the provisional, was novel at the date when the complete specification was put in, and the applicant was the first and true inventor thereof. Discon-
formity.

43.—(1) If the person claiming to be inventor of an invention dies without making an application for a patent for the invention, application may be made by, and a patent for the invention granted to, his legal representative. Patent on
application
of representa-
tive of de-
ceased in-
ventor.

(2) Every such application must contain a declaration by the legal representative that he believes him to be the true and first inventor of the invention.

44. If a patent is lost or destroyed, or its non-production is accounted for to the satisfaction of the comptroller, the comptroller may at any time seal a duplicate thereof. Loss or
destruction
of patent.

45.—(1) 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 to apply for and obtain a patent in respect of the invention or the validity of any patent granted on the application, provided that—

Provisions
as to exhi-
bitions.

See 1917

(a) the exhibitor, before exhibiting the invention, gives the comptroller the prescribed notice of his intention to do so; and

(b) the application for a patent is made before or within six months from the date of the opening of the exhibition.

(2) His Majesty may by Order in Council apply this section to any exhibition mentioned in the order in like manner as if it

were an industrial or international exhibition certified as such by the Board of Trade, and any such order may provide that the exhibitor shall be relieved from the condition of giving notice to the comptroller of his intention to exhibit, and shall be so relieved either absolutely or upon such terms and conditions as may be stated in the order.

Publication
of illustrated
journal,
indexes, &c.

46.—(1) The comptroller shall issue periodically an illustrated journal of patented inventions, as well as reports of patent cases decided by Courts of law, and any other information that he may deem generally useful or important.

(2) Provision shall be made by the comptroller for keeping on sale copies of such journal, and also of all complete specifications of patents in force, with any accompanying drawings.

(3) The comptroller shall continue, in such form as he deems expedient, the indexes and abridgments of specifications hitherto published, and shall prepare and publish such other indexes, abridgments of specifications, catalogue, and other works relating to inventions, as he thinks fit.

Patent
Museum.

47.—(1) The control and management of the Patent Museum and its contents shall remain vested in the Board of Education, subject to such directions as His Majesty in Council may think fit to give.

(2) The Board of Education may at any time require a patentee to furnish them with a model of his invention on payment to the patentee of the cost of the manufacture of the model, the amount to be settled, in case of dispute, by the Board of Trade.

Foreign
vessels in
British
waters.

48.—(1) A patent shall not prevent the use of an invention for the purposes of the navigation of a foreign vessel within the jurisdiction of any of His Majesty's Courts in the United Kingdom, or Isle of Man, or the use of an invention in a foreign vessel within that jurisdiction, provided it is not used therein for or in connexion with the manufacture or preparation of anything intended to be sold in or exported from the United Kingdom or Isle of Man.

(2) This section shall not extend to vessels of any foreign state of which the laws do not confer corresponding rights with respect to the use of inventions in British vessels while in the ports of that state, or in the waters within the jurisdiction of its Courts.

PART II.—DESIGNS.

Registration of Designs.

49.—(1) The comptroller may, on the application made in the prescribed form and manner of any person claiming to be the proprietor of any new or original design not previously published in the United Kingdom, register the design under this part of this Act.

Application for registration of designs.

(2) The same design may be registered in more than one class, and, in case of doubt as to the class in which a design ought to be registered, the comptroller may decide the question.

(3) The comptroller may, if he thinks fit, refuse to register any design presented to him for registration, but any person aggrieved by any such refusal may appeal to the Board of Trade, and the Board shall, after hearing the applicant and the comptroller, if so required, make an order determining whether, and subject to what conditions, if any, registration is to be permitted.

(4) An application which, owing to any default or neglect on the part of the applicant, has not been completed so as to enable registration to be effected within the prescribed time shall be deemed to be abandoned.

(5) A design when registered shall be registered as of the date of the application for registration.

50. Where a design has been registered in one or more classes of goods the application of the proprietor of the design to register it in some one or more other classes shall not be refused, nor shall the registration thereof be invalidated—

Registration of designs in new classes.

(a) on the ground of the design not being a new and original design, by reason only that it was so previously registered; or

(b) on the ground of the design having been previously published in the United Kingdom, by reason only that it has been applied to goods of any class in which it was so previously registered.

200 1919

51.—(1) The comptroller shall grant a certificate of registration to the proprietor of the design when registered.

Certificate of registration.

(2) The comptroller may, in case of loss of the original certificate, or in any other case in which he deems it expedient, furnish one or more copies of the certificate.

52.—(1) There shall be kept at the Patent Office a book called the Register of Designs wherein shall be entered the names and

Register of designs.

addresses of proprietors of registered designs, notifications of assignments and of transmissions of registered designs, and such other matters as may be prescribed.

(2) The register of designs existing at the commencement of this Act shall be incorporated with and form part of the register of designs under this Act.

(3) The register of designs shall be *primâ facie* evidence of any matters by this Act directed or authorised to be entered therein.

Copyright in registered Designs.

Copyright on registration.

53.—(1) When a design is registered, the registered proprietor of the design shall, subject to the provisions of this Act, have copyright in the design during five years from the date of registration.

(2) If within the prescribed time before the expiration of the said five years application for the extension of the period of copyright is made to the comptroller in the prescribed manner, the comptroller shall on payment of the prescribed fee extend the period of copyright for a second period of five years from the expiration of the original period of five years.

(3) If within the prescribed time before the expiration of such second period of five years application for the extension of the period of copyright is made to the comptroller in the prescribed manner, the comptroller may, subject to any rules under this Act, on payment of the prescribed fee, extend the period of copyright for a third period of five years from the expiration of the second period of five years.

Requirements before delivery on sale.

54.—(1) Before delivery on sale of any articles to which a registered design has been applied, the proprietor shall—

- (a) (if exact representations or specimens were not furnished on the application for registration), furnish to the comptroller the prescribed number of exact representations or specimens of the design; and if he fails to do so the comptroller may erase his name from the register, and thereupon the copyright in the design shall cease; and
- (b) cause each such article to be marked with the prescribed mark, or with the prescribed words or figures denoting that the design is registered; and if he fails to do so the proprietor shall not be entitled to recover any penalty or damages in respect of any infringement of his copyright in the design unless he shows that he took all proper steps to ensure the marking of the article, or unless

he shows that the infringement took place after the person guilty thereof knew or had received notice of the existence of the copyright in the design.

(2) Where a representation is made to the Board of Trade by or on behalf of any trade or industry that in the interests of the trade or industry it is expedient to dispense with or modify as regards any class or description of articles any of the requirements of this section as to marking, the Board may, if they think fit, by rule under this Act dispense with or modify such requirements as regards any such class or description of articles to such extent and subject to such conditions as they think fit.

55. The disclosure of a design by the proprietor to any other person, in such circumstances as would make it contrary to good faith for that other person to use or publish the design, and the disclosure of a design in breach of good faith by any person other than the proprietor of the design, and the acceptance of a first and confidential order for goods bearing a new or original textile design intended for registration, shall not be deemed to be a publication of the design sufficient to invalidate the copyright thereof if registration thereof is obtained subsequently to the disclosure or acceptance.

Effect of disclosure on copyright.

56.—(1) During the existence of copyright in a design, or such shorter period not being less than two years from the registration of the design as may be prescribed, the design shall not be open to inspection except by the proprietor or a person authorised in writing by him, or a person authorised by the comptroller or by the Court, and furnishing such information as may enable the comptroller to identify the design, and shall not be open to the inspection of any person except in the presence of the comptroller, or of an officer acting under him, and on payment of the prescribed fee; and the person making the inspection shall not be entitled to take any copy of the design, or of any part thereof:

Inspection of registered designs.

Provided that where registration of a design is refused on the ground of identity with a design already registered, the applicant for registration shall be entitled to inspect the design so registered.

(2) After the expiration of the copyright in a design, or such shorter period as aforesaid, the design shall be open to inspection, and copies thereof may be taken by any person on payment of the prescribed fee.

(3) Different periods may be prescribed under this section for different classes of goods.

Information
as to existence
of copyright.

57. On the request of any person furnishing such information as may enable the comptroller to identify the design, and on payment of the prescribed fee, the comptroller shall inform such person whether the registration still exists in respect of the design, and if so, in respect of what classes of goods, and shall state the date of registration, and the name and address of the registered proprietor.

Cancellation
of registra-
tion of de-
signs used
wholly or
mainly
abroad.

58.—(1) At any time after the registration of a design any person may apply to the comptroller for the cancellation of the registration on the ground that the design is used for manufacture exclusively or mainly outside the United Kingdom, and where such an application is made the provisions of this Act with respect to the revocation of patents worked outside the United Kingdom (including those relating to costs) shall apply with the necessary modifications, except that there shall be no appeal from the decision of the comptroller.

(2) Such ground as aforesaid shall be available by way of a defence to an action for infringement of the copyright in the design.

58A

Industrial and International Exhibitions.

Provisions
as to exhi-
bitions.

59.—(1) The exhibition at an industrial or international exhibition certified as such by the Board of Trade, or the exhibition elsewhere during the period 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—

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

(2) His Majesty may, by Order in Council, apply this section to any exhibition mentioned in the order in like manner as if it were an industrial or international exhibition certified as such by the Board of Trade, and any such order may provide that the exhibitor shall be relieved from the condition of giving notice to the comptroller of his intention to exhibit, and shall be so

relieved either absolutely or upon such terms and conditions as may be stated in the order.

Legal Proceedings.

60.—(1) During the existence of copyright in any design it shall not be lawful for any person—

Piracy of registered design.

- (a) For the purposes of sale to apply or cause to be applied to any article in any class of goods in which the design is registered the design or any fraudulent or obvious imitation thereof, except with the licence or written consent of the registered proprietor, or to do anything with a view to enable the design to be so applied; or
- (b) Knowing that the design or any fraudulent or obvious imitation thereof has been applied to any article without the consent of the registered proprietor to publish or expose or cause to be published or exposed for sale that article.

(2) If any person acts in contravention of this section he shall be liable for every contravention to pay to the registered proprietor of the design a sum not exceeding fifty pounds, recoverable as a simple contract debt, or if the proprietor elects to bring an action for the recovery of damages for such contravention, and for an injunction against the repetition thereof, he shall be liable to pay such damages as may be awarded and to be restrained by injunction accordingly:

Provided that the total sum recoverable as a simple contract debt in respect of any one design shall not exceed one hundred pounds.

61. The provisions of this Act with regard to certificates of the validity of a patent, and to the remedy in case of groundless threats of legal proceedings by a patentee shall apply in the case of registered designs in like manner as they apply in the case of patents, with the substitution of references to the copyright in a design for references to a patent, and of references to the proprietor of a design for references to the patentee, and of references to the design for references to the invention.

Application of certain provisions of the Act as to patents to designs.

PART III.—GENERAL.

Patent Office and Proceedings thereat.

Patent
Office.
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62.—(1) The Treasury may continue to provide for the purposes of this Act and the Trade Marks Act, 1905, an office with all requisite buildings and conveniences, which shall be called, and is in this Act referred to as, the Patent Office.

(2) The Patent Office shall be under the immediate control of the comptroller, who shall act under the superintendence and direction of the Board of Trade.

(3) Any act or thing directed to be done by or to the comptroller may be done by or to any officer authorised by the Board of Trade.

(4) Rules under this Act may provide for the establishment of branch offices for designs at Manchester or elsewhere, and for any document or thing required by this Act to be sent to or done at the Patent Office being sent to or done at any branch office which may be established.

Officers and
clerks.

63.—(1) There shall continue to be a comptroller-general of patents, designs, and trade marks, and the Board of Trade may, subject to the approval of the Treasury, appoint the comptroller, and so many examiners and other officers and clerks, with such designations and duties as the Board of Trade think fit, and may remove any of those officers and clerks.

(2) The salaries of those officers and clerks shall be appointed by the Board of Trade, with the concurrence of the Treasury, and those salaries and the other expenses of the execution of this Act and the Trade Marks Act, 1905, shall continue to be paid out of money provided by Parliament.

Seal of
Patent Office.

64. Impressions of the seal of the Patent Office shall be judicially noticed and admitted in evidence.

Fees.

Fees.

65. There shall be paid in respect of the grant of patents and the registration of designs, and applications therefor, and in respect of other matters with relation to patents and designs under this Act, such fees as may be, with the sanction of the Treasury, prescribed by the Board of Trade, so however that the fees prescribed in respect of the instruments and matters mentioned in the First Schedule to this Act shall not exceed those specified in that Schedule.

Provisions as to Registers and other Documents in Patent Office.

66. There shall not be entered in any register kept under this Act, or be receivable by the comptroller, any notice of any trust expressed implied or constructive.

Trust not to be entered in registers.

67. Every register kept under this Act shall at all convenient times be open to the inspection of the public, subject to the provisions of this Act and to such regulations as may be prescribed; and certified copies, sealed with the seal of the Patent Office, of any entry in any such register shall be given to any person requiring the same on payment of the prescribed fee.

Inspection of and extracts from registers.

68. Reports of examiners made under this Act shall not in any case be published or be open to public inspection, and shall not be liable to production or inspection in any legal proceeding, unless the Court or officer having power to order discovery in such legal proceeding certifies that such production or inspection is desirable in the interests of justice, and ought to be allowed.

Privilege of reports of examiners.

211 1919

69.—(1) Where an application for a patent has been abandoned, or become void, the specifications and drawings (if any) accompanying or left in connexion with such application, shall not, save as otherwise expressly provided by this Act, at any time be open to public inspection or be published by the comptroller.

Prohibition of publication of specifications, drawings, &c. where application abandoned, &c.

(2) Where an application for a design has been abandoned or refused the application and any drawings, photographs, tracings, representations, or specimens left in connexion with the application shall not at any time be open to public inspection or be published by the comptroller.

70. The comptroller may, on request in writing accompanied by the prescribed fee,—

Power for comptroller to correct clerical errors.

- (a) correct any clerical error in or in connexion with any application for a patent or in any patent or any specification;
- (b) cancel the registration of a design either wholly or in respect of any particular goods in connexion with which the design is registered;
- (c) correct any clerical error in the representation of a design or in the name or address of the proprietor of any patent or design, or in any other matter which is entered upon the register of patents or the register of designs.

71.—(1) Where a person becomes entitled by assignment, transmission, or other operation of law to a patent, or to the

Entry of assignments and trans-

am. 1919

missions in registers.

copyright in a registered design, the comptroller shall, on request and on proof of title to his satisfaction, register him as the proprietor of a patent or design.

(2) Where any person becomes entitled as mortgagee, licensee, or otherwise to any interest in a patent or design, the comptroller shall, on request and on proof of title to his satisfaction, cause notice of the interest to be entered in the prescribed manner in the register of patents or designs, as the case may be.

(3) The person registered as the proprietor of a patent or design shall, subject to the provisions of this Act and to any rights appearing from the register to be vested in any other person, have power absolutely to assign, grant licences as to, or otherwise deal with, the patent or design and to give effectual receipts for any consideration for any such assignment, licence, or dealing: Provided that any equities in respect of the patent or design may be enforced in like manner as in respect of any other personal property.

Rectification of registers by Court.

72.—(1) The Court may, on the application in the prescribed manner of any person aggrieved by the non-insertion in or omission from the register of patents or designs of any entry, or by any entry made in either such register without sufficient cause, or by any entry wrongly remaining on either such register, or by an error or defect in any entry in either such register, make such order for making, expunging, or varying such entry as it may think fit.

(2) The Court may in any proceeding under this section decide any question that it may be necessary or expedient to decide in connexion with the rectification of a register.

(3) The prescribed notice of any application under this section shall be given to the comptroller, who shall have the right to appear and be heard thereon, and shall appear if so directed by the Court.

(4) Any order of the Court rectifying a register shall direct that notice of the rectification be served on the comptroller in the prescribed manner, who shall upon the receipt of such notice rectify the register accordingly.

Powers and Duties of Comptroller.

Exercise of discretionary power by comptroller.

73. Where any discretionary power is by or under this Act given to the comptroller, he shall not exercise that power adversely to the applicant for a patent, or for amendment of a specification, or for registration of a design, without (if so required

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1919 — 73 A

within the prescribed time by the applicant) giving the applicant an opportunity of being heard.

74. The comptroller may, in any case of doubt or difficulty arising in the administration of any of the provisions of this Act, apply to a law officer for directions in the matter.

Power of comptroller to take directions of law officers.

75. The comptroller may refuse to grant a patent for an invention, or to register a design, of which the use would, in his opinion, be contrary to law or morality.

Refusal to grant patent, &c. in certain cases.

am. 1913

76. The comptroller shall, before the first day of June in every year, cause a report respecting the execution by or under him of this Act to be laid before both Houses of Parliament, and therein shall include for the year to which the report relates all general rules made in that year under or for the purposes of this Act, and an account of all fees, salaries, and allowances, and other money received and paid under this Act.

Annual reports of comptroller.

Evidence, &c.

77.—(1) Subject to rules under this Act in any proceeding under this Act before the comptroller the evidence shall be given by statutory declaration in the absence of directions to the contrary; but in any case in which the comptroller thinks it right so to do, he may take evidence *vivâ voce* in lieu of or in addition to evidence by declaration or allow any declarant to be cross-examined on his declaration. Any such statutory declaration may in the case of appeal be used before the Court in lieu of evidence by affidavit, but if so used shall have all the incidents and consequences of evidence by affidavit.

Evidence before comptroller.

see 1913

(2) In case any part of the evidence is taken *vivâ voce*, the comptroller shall, in respect of requiring the attendance of witnesses and taking evidence on oath, be in the same position in all respects as an official referee of the Supreme Court.

78. A certificate purporting to be under the hand of the comptroller as to any entry, matter, or thing which he is authorised by this Act, or any general rules made thereunder, to make or do, shall be *primâ facie* evidence of the entry having been made, and of the contents thereof, and of the matter or thing having been done or left undone.

Certificate of comptroller to be evidence.

79. Printed or written copies or extracts, purporting to be certified by the comptroller and sealed with the seal of the Patent Office, of or from patents, specifications, and other documents in

Evidence of documents in Patent Office.

the Patent Office, and of or from registers and other books kept there, shall be admitted in evidence in all Courts in His Majesty's dominions, and in all proceedings, without further proof or production of the originals.

Transmission
of certified
printed
copies of
specifica-
tions, &c.

80.—(1) Copies of all specifications, drawings, and amendments left at the Patent Office after the commencement of this Act, printed for and sealed with the seal of the Patent Office, shall be transmitted to the Edinburgh Museum of Science and Art, and to the Enrolments Office of the Chancery Division in Ireland, and to the Rolls Office in the Isle of Man, within twenty-one days after they have been accepted or allowed at the Patent Office.

(2) Certified copies of or extracts from any such documents and of any documents so transmitted in pursuance of any enactment repealed by this Act shall be given to any person on payment of the prescribed fee; and any such copy or extract shall be admitted in evidence in all Courts in Scotland and Ireland and in the Isle of Man without further proof or production of the originals.

Applications
and notices
by post.

81. Any application, notice, or other document authorised or required to be left, made, or given at the Patent Office or to the comptroller, or to any other person under this Act, may be sent by post.

Excluded
days.

82. Where the last day fixed by this Act for doing anything under this Act falls on any day specified in rules under this Act as an excluded day, the rules may provide for the thing being done on the next following day not being an excluded day.

Declaration
by infant,
lunatic, &c.

83.—(1) If any person is, by reason of infancy, lunacy, or other disability, incapable of making any declaration or doing anything required or permitted by or under this Act, the guardian or committee (if any) of the person subject to the disability, or, if there be none, any person appointed by any Court possessing jurisdiction in respect of his property, may make such declaration or a declaration as nearly corresponding thereto as circumstances permit, and do such thing in the name and on behalf of the person subject to the disability.

(2) An appointment may be made by the Court for the purposes of this section upon the petition of any person acting on behalf of the person subject to the disability or of any other person interested in the making of the declaration or the doing of the thing.

Register of Patent Agents.

84.—(1) A person shall not be entitled to describe himself as a patent agent, whether by advertisement, by description on his place of business, or any document issued by him, or otherwise, unless he is registered as a patent agent in pursuance of this Act or an Act repealed by this Act.

Register
of patent
agents.

am / 1919

(2) Every person who proves to the satisfaction of the Board of Trade that prior to the twenty-fourth day of December, one thousand eight hundred and eighty-eight, he had been *bonâ fide* practising as a patent agent shall be entitled to be registered as a patent agent in pursuance of this Act.

(3) If any person knowingly describes himself as a patent agent in contravention of this section he shall be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding twenty pounds.

(4) In this section "patent agent" means exclusively an agent for obtaining patents in the United Kingdom.

85.—(1) Rules under this Act may authorise the comptroller to refuse to recognise as agent in respect of any business under this Act any person whose name has been erased from the register of patent agents, or who is proved to the satisfaction of the Board of Trade, after being given an opportunity of being heard, to have been convicted of such an offence or to have been guilty of such misconduct as would have rendered him liable, if his name had been on the register of patent agents, to have his name erased therefrom, and may authorise the comptroller to refuse to recognise as agent in respect of any business under this Act any company which, if it had been an individual, the comptroller could refuse to recognise as such agent.

Agents for
patents.

(2) Where a company or firm acts as agents, such rules as aforesaid may authorise the comptroller to refuse to recognise the company or firm as agent if any person whom the comptroller could refuse to recognise as an agent acts as director or manager of the company or is a partner in the firm.

(3) The comptroller shall refuse to recognise as agent in respect of any business under this Act any person who neither resides nor has a place of business in the United Kingdom or the Isle of Man.

Powers, &c. of Board of Trade.

Power for Board of Trade to make general rules.

86.—(1) The Board of Trade may make such general rules and do such things as they think expedient, subject to the provisions of this Act—

- (a) For regulating the practice of registration under this Act:
- (b) For classifying goods for the purposes of designs:
- (c) For making or requiring duplicates of specifications, drawings, and other documents:
- (d) For securing and regulating the publishing and selling of copies, at such prices and in such manner as the Board of Trade think fit, of specifications, drawings, and other documents:
- (e) For securing and regulating the making, printing, publishing, and selling of indexes to, and abridgments of, specifications and other documents in the Patent Office; and providing for the inspection of indexes and abridgments and other documents:
- (f) For regulating (with the approval of the Treasury) the presentation of copies of Patent Office publications to patentees and to public authorities, bodies, and institutions at home and abroad:
- (g) For regulating the keeping of the register of patent agents under this Act:
- (h) Generally for regulating the business of the Patent Office, and all things by this Act placed under the direction or control of the comptroller, or of the Board of Trade.

(2) General rules shall whilst in force be of the same effect as if they were contained in this Act.

(3) Any rules made in pursuance of this section shall be advertised twice in the official journal to be issued by the comptroller, and shall be laid before both Houses of Parliament as soon as practicable after they are made, and if either House of Parliament, within the next forty days after any rules have been so laid before that House, resolves that the rules or any of them ought to be annulled, the rules or those to which the resolution applies shall after the date of such resolution be of no effect, without prejudice to the validity of anything done in the meantime under the rules or to the making of any new rules.

Proceedings of the Board of Trade.

87.—(1) All things required or authorised under this Act to be done by, to, or before the Board of Trade, may be done by, to, or before the President or a secretary or an assistant secretary of the Board.

(2) All documents purporting to be orders made by the Board of Trade and to be sealed with the seal of the Board, or to be signed by a secretary or assistant secretary of the Board, or by any person authorised in that behalf by the President of the Board, shall be received in evidence, and shall be deemed to be such orders without further proof, unless the contrary is shown.

(3) A certificate, signed by the President of the Board of Trade, that any order made or act done is the order or act of the Board, shall be conclusive evidence of the fact so certified.

88. An Order in Council under this Act shall, from a date to be mentioned for the purpose in the order, take effect as if it had been contained in this Act; but may be revoked or varied by a subsequent order. Provision as to Order in Council.

Offences.

89.—(1) If any person makes or causes to be made a false entry in any register kept under this Act, or a writing falsely purporting to be a copy of an entry in any such register, or produces or tenders or causes to be produced or tendered in evidence any such writing, knowing the entry or writing to be false, he shall be guilty of a misdemeanour. Offences.

(2) If any person falsely represents that any article sold by him is a patented article, or falsely describes any design applied to any article sold by him as registered, he shall be liable for every offence, on conviction under the Summary Jurisdiction Acts, to a fine not exceeding five pounds.

(3) If any person sells an article having stamped, engraved, or impressed thereon or otherwise applied thereto the word "patent," "patented," "registered," or any other word expressing or implying that the article is patented or that the design applied thereto is registered, he shall be deemed for the purposes of this section to represent that the article is a patented article or that the design applied thereto is a registered design.

(4) Any person who, after the copyright in a design has expired, puts or causes to be put on any article to which the design has been applied the word "registered," or any word or words implying that there is a subsisting copyright in the design, shall be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding five pounds.

(5) If any person uses on his place of business, or on any document issued by him, or otherwise, the words "Patent Office," or any other words suggesting that his place of business is officially connected with, or is, the Patent Office, he shall be liable

on conviction under the Summary Jurisdiction Acts to a fine not exceeding twenty pounds.

Unauthorised
assumption
of Royal
Arms.

90.—(1) The grant of a patent under this Act shall not be deemed to authorise the patentee to use the Royal Arms or to place the Royal Arms on any patented article.

(2) If any person, without the authority of His Majesty, uses in connexion with any business, trade, calling, or profession the Royal Arms (or arms so nearly resembling them as to be calculated to deceive) in such manner as to be calculated to lead to the belief that he is duly authorised to use the Royal Arms, he shall be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding twenty pounds:

Provided that nothing in this section shall be construed as affecting the right, if any, of the proprietor of a trade mark containing such arms to continue to use such trade mark.

International and Colonial Arrangements.

International
and Colonial
arrange-
ments.

91.—(1) If His Majesty is pleased to make any arrangement with the government of any foreign state for mutual protection of inventions, or designs, or trade marks, then any person who has applied for protection for any invention, design, or trade mark in that state shall be entitled to a patent for his invention or to registration of his design or trade mark under this Act or the Trade Marks Act, 1905, in priority to other applicants; and the patent or registration shall have the same date as the date of the application in the foreign state.

Provided that—

- (a) The application is made, in the case of a patent within twelve months, and in the case of a design or trade mark within four months, from the application for protection in the foreign state; and
- (b) Nothing in this section shall entitle the patentee or proprietor of the design or trade mark to recover damages for infringements happening prior to the actual date on which his complete specification is accepted, or his design or trade mark is registered, in this country.

(2) The patent granted for the invention or the registration of a design or trade mark shall not be invalidated—

- (a) in the case of a patent, by reason only of the publication of a description of, or use of, the invention; or

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by deed of 1914
in his legal name
to his assignee

- (b) in the case of a design, by reason only of the exhibition or use of, or the publication of a description or representation of, the design; or
- (c) in the case of a trade mark, by reason only of the use of the trade mark,

in the United Kingdom or the Isle of Man during the period specified in this section as that within which the application may be made.

(3) The application for the grant of a patent, or the registration of a design, or the registration of a trade mark under this section, must be made in the same manner as an ordinary application under this Act or the Trade Marks Act, 1905: Provided that—

- (a) In the case of patents the application shall be accompanied by a complete specification, which, if it is not accepted within the twelve months from the application for protection in the foreign state, shall with the drawings (if any) be open to public inspection at the expiration of that period; and
- (b) In the case of trade marks, any trade mark the registration of which has been duly applied for in the country of origin may be registered under the Trade Marks Act, 1905.

(4) The provisions of this section shall apply only in the case of those foreign states with respect to which His Majesty by Order in Council declares them to be applicable, and so long only in the case of each state as the Order in Council continues in force with respect to that state.

(5) Where it is made to appear to His Majesty that the legislature of any British possession has made satisfactory provision for the protection of inventions, designs, and trade marks, patented or registered in this country, it shall be lawful for His Majesty, by Order in Council, to apply the provisions of this section to that possession, with such variations or additions, if any, as may be stated in the order.

Definitions.

92.—(1) In this Act, unless the context otherwise requires, "the Court" means, subject to the provisions as to Scotland, Ireland, and the Isle of Man, the High Court in England. Provisions as to "the Court."

(2) Where by virtue of this Act a decision of the comptroller is subject to an appeal to the Court, or a petition may

20. 1919

be referred or presented to the Court, the appeal shall, subject to and in accordance with rules of the Supreme Court, be made and the petition referred or presented to such judge of the High Court as the Lord Chancellor may select for the purpose, and the decision of that judge shall be final, except in the case of an appeal from a decision of the comptroller revoking a patent on any ground on which the grant of such patent might have been opposed.

Definitions.

93. In this Act, unless the context otherwise requires,—

“Law officer” means the Attorney-General or Solicitor-General for England:

“Prescribed” means prescribed by general rules under this Act:

“British possession” does not include the Isle of Man or the Channel Islands:

“Patent” means letters patent for an invention:

“Patentee” means the person for the time being ^{entitled} ~~to the benefit of a patent:~~ *on the register as the proprietor*

“Invention” means any manner of new manufacture the subject of letters patent and grant of privilege within section six of the Statute of Monopolies (that is, the Act of the twenty-first year of the reign of King James the First, chapter three, intituled “An Act concerning monopolies and dispensations with penal laws and the forfeiture thereof”), and includes an alleged invention:

“Inventor” and “applicant” shall, subject to the provisions of this Act, include the legal representative of a deceased inventor or applicant:

“Design” means any design (not being a design for a sculpture or other thing within the protection of the Sculpture Copyright Act, 1814) applicable to any article, whether the design is applicable for the pattern, or for the shape or configuration, or for the ornament thereof, or for any two or more of such purposes, and by whatever means it is applicable, whether by printing, painting, embroidering, weaving, sewing, modelling, casting, embossing, engraving, staining, or any other means whatever, manual, mechanical, or chemical, separate or combined:

“Article” means (as respects designs) any article of manufacture and any substance artificial or natural or partly artificial and partly natural:

“Copyright” means the exclusive right to apply a design to any article in any class in which the design is registered:

“Proprietor of a new and original design,”—

(a) Where the author of the design, for good consideration, executes the work for some other person, means the person for whom the design is so executed; and

(b) Where any person acquires the design or the right to apply the design to any article, either exclusively of any other person or otherwise, means, in the respect and to the extent in and to which the design or right has been so acquired, the person by whom the design or right is so acquired; and

(c) In any other case, means the author of the design;

and where the property in, or the right to apply, the design has devolved from the original proprietor upon any other person, includes that other person.

“Working on a commercial scale” _____

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Application to Scotland, Ireland, and the Isle of Man.

94. In the application of this Act to Scotland—

Application to Scotland.

(1) In any action for infringement of a patent in Scotland the provisions of this Act with respect to calling in the aid of an assessor shall apply, and the action shall be tried without a jury, unless the Court otherwise direct, but otherwise nothing shall affect the jurisdiction and forms of process of the Courts in Scotland in such an action or in any action or proceeding respecting a patent hitherto competent to those Courts; and for the purposes of the provisions so applied “Court of Appeal” shall mean any Court to which such action is appealed:

(2) Any offence under this Act declared to be punishable on conviction under the Summary Jurisdiction Acts may be prosecuted in the Sheriff Court:

(3) Proceedings for revocation of a patent shall be in the form of an action of reduction at the instance of the Lord Advocate, or at the instance of a party, having interest with his concurrence, which concurrence may be given on just cause shown only, and service of all writs and summonses in that action shall

APPENDIX.

be made according to the forms and practice existing at the commencement of this Act:

- (4) The provisions of this Act conferring a special jurisdiction on the Court as defined by this Act shall not, except so far as the jurisdiction extends, affect the jurisdiction of any Court in Scotland in any proceedings relating to patents or to designs; and with reference to any such proceedings, the term "the Court" shall mean any Lord Ordinary of the Court of Session, and the term "Court of Appeal" shall mean either Division of that Court:
- (5) Notwithstanding anything in this Act, the expression "the Court" shall, as respects petitions for compulsory licences or revocation which are referred by the Board of Trade to the Court in Scotland, mean any Lord Ordinary of the Court of Session, and shall in reference to proceedings in Scotland for the extension of the term of a patent mean such Lord Ordinary:
- (6) The expression "Rules of the Supreme Court" shall, except in section ninety-two of this Act, mean act of sederunt:
- (7) If any rectification of a register under this Act is required in pursuance of any proceeding in a Court, a copy of the order, decree, or other authority for the rectification, shall be served on the comptroller, and he shall rectify the register accordingly:
- (8) The expression "injunction" means "interdict."

see 111/

Application
to Ireland.

95. In the application of this Act to Ireland—

- (1) All parties shall, notwithstanding anything in this Act, have in Ireland their remedies under or in respect of a patent as if the same had been granted to extend to Ireland only:
- (2) The provisions of this Act conferring a special jurisdiction on the Court, as defined by this Act, shall not, except so far as the jurisdiction extends, affect the jurisdiction of any Court in Ireland in any proceedings relating to patents or to designs; and with reference to any such proceedings the term "the Court" means the High Court in Ireland:
- (3) If any rectification of a register under this Act is required in pursuance of any proceeding in a Court, a copy of the order, decree, or other authority for

the rectification shall be served on the comptroller, and he shall rectify the register accordingly.

96. This Act shall extend to the Isle of Man, subject to the following modifications:—

- (1) Nothing in this Act shall affect the jurisdiction of the Courts in the Isle of Man in proceedings for infringement, or in any action or proceeding respecting a patent or design competent to those Courts:
- (2) The punishment for a misdemeanour under this Act in the Isle of Man shall be imprisonment for any term not exceeding two years, with or without hard labour, and with or without a fine not exceeding one hundred pounds, at the discretion of the Court:
- (3) Any offence under this Act committed in the Isle of Man which would in England be punishable on summary conviction may be prosecuted, and any fine in respect thereof recovered, at the instance of any person aggrieved, in the manner in which offences punishable on summary conviction may for the time being be prosecuted.

Repeal, Savings, and Short Title.

97. Nothing in this Act shall take away, abridge, or prejudicially affect the prerogative of the Crown in relation to the granting of any letters patent or to the withholding of a grant thereof. Saving for prerogative.

98.—(1) The enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule— Repeal and savings.

- (a) As respects the enactments mentioned in Part I. of that schedule, as from the commencement of this Act;
- (b) As respects the enactments mentioned in Part II. of that schedule, as from the date when rules of the Supreme Court regulating the matters dealt with in those enactments come into operation;
- (c) As respects the enactments mentioned in Part III. of that schedule, as from the date when rules under this Act regulating the matters dealt with in those enactments come into operation;

and the enactments mentioned in Part II. and Part III. of that

schedule shall, until so repealed, have effect as if they formed part of this Act:

Provided that this repeal shall not affect any convention, Order in Council, rule, or table of fees having effect under any enactment so repealed, but any such convention, Order in Council, rule, or table of fees in force at the commencement of this Act shall continue in force, and may be repealed, altered or amended, as if it had been made under this Act.

(2) Except where otherwise expressly provided, this Act shall extend to all patents granted and all designs registered before the commencement of this Act, and to applications then pending, in substitution for such enactments as would have applied thereto if this Act had not been passed.

Short title
and com-
mencement.

99. This Act may be cited as the Patents and Designs Act, 1907, and shall, save as otherwise expressly provided, come into operation on the first day of January one thousand nine hundred and eight.

SCHEDULES.

Section 65.

FIRST SCHEDULE.

FEES ON INSTRUMENTS FOR OBTAINING PATENTS AND RENEWAL.

(a) *Up to sealing.*

	£	s.	d.	£	s.	d.
On application for provisional protection	1	0	0			
On filing complete specification	3	0	0			
				4	0	0
				<i>or</i>		
On filing complete specification with first application				4	0	0
On the sealing of the patent in respect of investigations as to anticipation				1	0	0

(b) *Further before end of four years from date of patent.*

On certificate of renewal	50	0	0
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(c) *Further before end of eight years from date of patent.*

On certificate of renewal	100	0	0
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Or in lieu of the fees of £50 and £100 the following annual fees :

Before the expiration of the—	£	s.	d.
Fourth year from the date of the patent.....	10	0	0
Fifth " " "	10	0	0
Sixth " " "	10	0	0
Seventh " " "	10	0	0
Eighth " " "	15	0	0
Ninth " " "	15	0	0
Tenth " " "	20	0	0
Eleventh " " "	20	0	0
Twelfth " " "	20	0	0
Thirteenth " " "	20	0	0

SECOND SCHEDULE.

Section 98.

ENACTMENTS REPEALED.

PART I.

Session and Chapter.	Short Title.	Extent of Repeal.
46 & 47 Vict. c. 57.	The Patents, Designs, and Trade Marks Act, 1883.	The whole Act, except subsections (5), (6), and (7) of section twenty-six, section twenty-nine, subsections (2) and (3) of section forty-seven, and section forty-eight.
48 & 49 Vict. c. 63.	The Patents, Designs, and Trade Marks (Amendment) Act, 1885	The whole Act.
49 & 50 Vict. c. 37.	The Patents Act, 1886	The whole Act.
51 & 52 Vict. c. 50.	The Patents, Designs, and Trade Marks Act, 1888.	The whole Act.
1 Edw. 7, c. 18.	The Patents Act, 1901	The whole Act.
2 Edw. 7, c. 34.	The Patents Act, 1902	The whole Act.
7 Edw. 7, c. 28.	The Patents and Designs (Amendment) Act, 1907.	The whole Act.

PART II.

Session and Chapter.	Short Title.	Extent of Repeal.
46 & 47 Vict. c. 57.	The Patents, Designs, and Trade Marks Act, 1883.	Subsections (5), (6), and (7) of section twenty-six, and section twenty-nine.

PART III.

Session and Chapter.	Short Title.	Extent of Repeal.
46 & 47 Vict. c. 57.	The Patents, Designs, and Trade Marks Act, 1883.	Subsections (2) and (3) of sec- tion forty-seven and section forty-eight.

PATENTS AND DESIGNS ACT, 1908.

[8 EDW. VII. c. 4.]

An Act to explain section ninety-two of the Patents and Designs Act, 1907. [1st August, 1908.]

BE it enacted by the King'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:—

1. It is hereby declared that so much of sub-section (2) of section ninety-two of the Patents and Designs Act, 1907, as provides that the decision of a judge of the High Court to whom a petition is presented by virtue of that Act is to be final does not apply in the case of a petition for the revocation of a patent under section twenty-five of that Act.

Explanation
of 7 Edw. 7,
c. 22, s. 92.

2. This Act may be cited as the Patents and Designs Act, 1908. Short title.

INTERPRETATION ACT, 1889, EXTRACTS FROM.

[52 & 53 VICT. c. 62.]

An Act for consolidating enactments relating to the Construction of Acts of Parliament and for further shortening the Language used in Acts of Parliament.

[30th August, 1889.]

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:

Re-enactment of existing Rules.

Rules as to
gender and
number.

1.—(1) In this Act and in every Act passed after the year one thousand eight hundred and fifty, whether before or after the commencement of this Act, unless the contrary intention appears,—

(a) words importing the masculine gender shall include females; and

(b) words in the singular shall include the plural, and words in the plural shall include the singular.

(2) The same rules shall be observed in the construction of every enactment relating to an offence punishable on indictment or on summary conviction, when the enactment is contained in an Act passed in or before the year one thousand eight hundred and fifty.

Application of
penal Acts to
bodies corpo-
rate.

2.—(1) In the construction of every enactment relating to an offence punishable on indictment or on summary conviction, whether contained in an Act passed before or after the commencement of this Act, the expression "person" shall, unless the contrary intention appears, include a body corporate.

(2) Where under any Act, whether passed before or after the commencement of this Act, any forfeiture or penalty is payable to a party aggrieved, it shall be payable to a body corporate in every case where that body is the party aggrieved.

Meanings of
certain words
in Acts since
1850.

3. In every Act passed after the year one thousand eight hundred and fifty, whether before or after the commencement of this Act, the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them; namely,—

The expression "month" shall mean calendar month:

The expression "land" shall include messuages, tenements, and hereditaments, houses, and buildings of any tenure:

The expressions "oath" and "affidavit" shall, in the case of

persons for the time being allowed by law to affirm or declare instead of swearing, include affirmation and declaration, and the expression "swear" shall, in the like case, include affirm and declare.

8. Every section of an Act shall have effect as a substantive enactment without introductory words.

Sections to be substantive enactments.

9. Every Act passed after the year one thousand eight hundred and fifty, whether before or after the commencement of this Act, shall be a public Act and shall be judicially noticed as such, unless the contrary is expressly provided by the Act.

Acts to be public Acts.

10. Any Act may be altered, amended, or repealed in the same session of Parliament.

Amendment or repeal of Acts in same session.

11.—(1) Where an Act passed after the year one thousand eight hundred and fifty, whether before or after the commencement of this Act, repeals a repealing enactment, it shall not be construed as reviving any enactment previously repealed, unless words are added reviving that enactment.

Effect of repeal in Acts passed since 1850.

(2) Where an Act passed after the year one thousand eight hundred and fifty, whether before or after the commencement of this Act, repeals wholly or partially any former enactment and substitutes provisions for the enactment repealed, the repealed enactment shall remain in force until the substituted provisions come into operation.

New General Rules of Construction.

12. In this Act, and in every other Act whether passed before or after the commencement of this Act, the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, namely:—

Official definitions in past and future Acts.

(1) The expression "the Lord Chancellor" shall, except when used with reference to Ireland only, mean the Lord High Chancellor of Great Britain for the time being, and when used with reference to Ireland only, shall mean the Lord Chancellor of Ireland for the time being.

(2) The expression "the Treasury" shall mean the Lord High Treasurer for the time being or the Commissioners for the time being of Her Majesty's Treasury.

(3) The expression "Secretary of State" shall mean one of Her Majesty's Principal Secretaries of State for the time being.

(4) The expression "the Admiralty" shall mean the Lord High Admiral of the United Kingdom for the time being, or the Commissioners for the time being for executing the office of Lord High Admiral of the United Kingdom.

(5) The expression "the Privy Council" shall, except when used with reference to Ireland only, mean the Lords and others for

the time being of Her Majesty's Most Honourable Privy Council, and when used with reference to Ireland only, shall mean the Privy Council of Ireland for the time being.

Judicial definitions in past and future Acts.

13. In this Act and in every other Act whether passed before or after the commencement of this Act, the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, namely:—

(1) The expression "Supreme Court," when used with reference to England or Ireland, shall mean the Supreme Court of Judicature in England or Ireland, as the case may be, or either branch thereof:

(2) The expression "Court of Appeal," when used with reference to England or Ireland, shall mean Her Majesty's Court of Appeal in England or Ireland, as the case may be.

(3) The expression "High Court," when used with reference to England or Ireland, shall mean Her Majesty's High Court of Justice in England or Ireland, as the case may be.

(6) The expression "the Summary Jurisdiction Act, 1848," shall mean the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties of justices of the peace out of sessions within England and Wales with respect to summary convictions and orders."

11 & 12 Vict.
c. 43.

42 & 43 Vict.
c. 49.

(7) The expression "the Summary Jurisdiction (England) Acts" and the expression "the Summary Jurisdiction (English) Acts" shall respectively mean the Summary Jurisdiction Act, 1848, and the Summary Jurisdiction Act, 1879, and any Act, past or future, amending those Acts or either of them.

27 & 28 Vict.
c. 33.

44 & 45 Vict.
c. 33.

(8) The expression "the Summary Jurisdiction (Scotland) Acts" shall mean the Summary Jurisdiction (Scotland) Acts, 1864 and 1881, and any Act, past or future, amending those Acts or either of them.

14 & 15 Vict.
c. 93.

(9) The expression "the Summary Jurisdiction (Ireland) Acts" shall mean, as respects the Dublin Metropolitan Police District, the Acts regulating the powers and duties of justices of the peace or of the police of that district, and as respects any other part of Ireland, the Petty Sessions (Ireland) Act, 1851, and any Act, past or future, amending the same.

(10) The expression "the Summary Jurisdiction Acts" when used in relation to England or Wales shall mean the Summary Jurisdiction (England) Acts, and when used in relation to Scotland the Summary Jurisdiction (Scotland) Acts, and when used in relation to Ireland the Summary Jurisdiction (Ireland) Acts.

(11) The expression "Court of summary jurisdiction" shall mean any justice or justices of the peace, or other magistrate, by

whatever name called, to whom jurisdiction is given by, or who is authorised to act under, the Summary Jurisdiction Acts, whether in England, Wales, or Ireland, and whether acting under the Summary Jurisdiction Acts or any of them, or under any other Act, or by virtue of his commission, or under the common law.

14. In every Act passed after the commencement of this Act, unless the contrary intention appears, the expression "rules of Court" when used in relation to any Court shall mean rules made by the authority having for the time being power to make rules or orders regulating the practice and procedure of such Court, and as regards Scotland shall include acts of adjournal and acts of sederunt.

Meaning of "rules of Court."

The power of the said authority to make rules of Court as above defined shall include a power to make rules of Court for the purpose of any Act passed after the commencement of this Act, and directing or authorising anything to be done by rules of Court.

18. In this Act, and in every Act passed after the commencement of this Act, the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, namely:—

Geographical and colonial definitions in future Acts.

(1) The expression "British Islands" shall mean the United Kingdom, the Channel Islands, and the Isle of Man.

(2) The expression "British possession" shall mean any part of Her Majesty's dominions exclusive of the United Kingdom, and where parts of such dominions are under both a central and a local legislature, all parts under the central legislature shall, for the purposes of this definition, be deemed to be one British possession.

(3) The expression "colony" shall mean any part of Her Majesty's dominions exclusive of the British Islands, and of British India, and where parts of such dominions are under both a central and a local legislature, all parts under the central legislature shall, for the purposes of this definition, be deemed to be one colony.

19. In this Act and in every Act passed after the commencement of this Act the expression "person" shall, unless the contrary intention appears, include any body of persons corporate or unincorporate.

Meaning of "person" in future Acts.

20. In this Act and in every other Act whether passed before or after the commencement of this Act expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in a visible form.

Meaning of "writing" in past and future Acts.

21. In this Act, and in every other Act, whether passed before

Meaning of "statutory"

declaration”
in past and
future Acts.
5 & 6 Will. 4,
c. 62.
Meaning of
service by
post.

or after the commencement of this Act, the expression “statutory declaration” shall, unless the contrary intention appears, mean a declaration made by virtue of the Statutory Declarations Act, 1835.

26. Where an Act passed after the commencement of this Act authorises or requires any document to be served by post, whether the expression “serve,” or the expression “give” or “send,” or any other expression is used, then, unless the contrary intention appears, the service shall be deemed to be effected by properly addressing, prepaying, and posting a letter containing the document, and unless the contrary is proved to have been effected at the time at which the letter would be delivered in the ordinary course of post.

References to
the Crown.

30. In this Act and in every other Act, whether passed before or after the commencement of this Act, references to the Sovereign reigning at the time of the passing of the Act or to the Crown shall, unless the contrary intention appears, be construed as references to the Sovereign for the time being, and this Act shall be binding on the Crown.

Construction
of statutory
rules, &c.

31. Where any Act, whether passed before or after the commencement of this Act, confers power to make, grant, or issue any instrument, that is to say, any Order in Council, order, warrant, scheme, letters patent, rules, regulations, or bye-laws, expressions used in the instrument, if it is made after the commencement of this Act, shall, unless the contrary intention appears, have the same respective meanings as in the Act conferring the power.

Construction
of provisions
as to exercise
of powers and
duties.

32.—(1) Where an Act passed after the commencement of this Act confers a power or imposes a duty, then, unless the contrary intention appears, the power may be exercised and the duty shall be performed from time to time as occasion requires.

(2) Where an Act passed after the commencement of this Act confers a power or imposes a duty on the holder of an office, as such, then, unless the contrary intention appears, the power may be exercised and the duty shall be performed by the holder for the time being of the office.

(3) Where an Act passed after the commencement of this Act confers a power to make any rules, regulations, or bye-laws, the power shall, unless the contrary intention appears, be construed as including a power, exercisable in the like manner and subject to the like consent and conditions, if any, to rescind, revoke, amend, or vary the rules, regulations, or bye-laws.

“Commence-
ment.”

36.—(1) In this Act, and in every Act passed either before or after the commencement of this Act, the expression “commencement,” when used with reference to an Act, shall mean the time at which the Act comes into operation.

(2) Where an Act passed after the commencement of this Act,

or any Order in Council, order, warrant, scheme, letters patent, rules, regulations, or bye-laws made, granted, or issued, under a power conferred by any such Act, is expressed to come into operation on a particular day, the same shall be construed as coming into operation immediately on the expiration of the previous day.

37. Where an Act passed after the commencement of this Act is not to come into operation immediately on the passing thereof, and confers power to make any appointment, to make, grant, or issue any instrument, that is to say, an Order in Council, order, warrant, scheme, letters patent, rules, regulations, or bye-laws, to give notices, to prescribe forms, or to do any other thing for the purposes of the Act, that power may, unless the contrary intention appears, be exercised at any time after the passing of the Act, so far as may be necessary or expedient for the purpose of bringing the Act into operation at the date of the commencement thereof, subject to this restriction, that any instrument made under the power shall not, unless the contrary intention appears in the Act, or the contrary is necessary for bringing the Act into operation, come into operation until the Act comes into operation.

Exercise of statutory powers between passing and commencement of Act.

38.—(1) Where this Act or any Act passed after the commencement of this Act repeals and re-enacts, with or without modification, any provisions of a former Act, references in any other Act to the provisions so repealed, shall, unless the contrary intention appears, be construed as references to the provisions so re-enacted.

Effect of repeal in future Acts.

(2) Where this Act or any Act passed after the commencement of this Act repeals any other enactment, then, unless the contrary intention appears, the repeal shall not—

- (a) revive anything not in force or existing at the time at which the repeal takes effect; or
- (b) affect the previous operation of any enactment so repealed or anything duly done or suffered under any enactment so repealed; or
- (c) affect any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment so repealed; or
- (d) affect any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment so repealed; or
- (e) affect any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid;

and any such investigation, legal proceeding, or remedy may be instituted, continued, or enforced, and any such penalty, forfeiture, or punishment, may be imposed, as if the repealing Act had not been passed.

**INTERNATIONAL CONVENTION FOR THE PROTECTION
OF INDUSTRIAL PROPERTY.**

SIGNED AT PARIS, MARCH 20, 1883.

RATIFICATIONS EXCHANGED AT PARIS, JUNE 6, 1884.

I.

International Convention.

SA Majesté le Roi des Belges, Sa Majesté l'Empereur du Brésil, Sa Majesté le Roi d'Espagne, le Président de la République Française, le Président de la République de Guatemala, Sa Majesté le Roi d'Italie, Sa Majesté le Roi des Pays-Bas, Sa Majesté le Roi de Portugal et des Algarves, le Président de la République de Salvador, Sa Majesté le Roi de Serbie, et le Conseil Fédéral de la Confédération Suisse,

Egalement animés du désir d'assurer, d'un commun accord, une complète et efficace protection à l'industrie et au commerce des nationaux de leurs Etats respectifs et de contribuer à la garantie des droits des inventeurs et de la loyauté des transactions commerciales, ont résolu de conclure une Convention à cet effet et ont nommé pour leurs Plénipotentiaires, savoir:

Sa Majesté le Roi des Belges: M. le Baron Beyens, Grand Officier de son Ordre Royal de Léopold, Grand Officier de la Légion d'Honneur, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris;

Sa Majesté l'Empereur du Brésil: M. Jules Constant, Comte de Villeneuve, Membre du Conseil de Sa Majesté, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges, Commandeur de l'Ordre du Christ, Officier de son Ordre de la Rose, Chevalier de la Légion d'Honneur, &c.;

Sa Majesté le Roi d'Espagne: Son Excellence M. le Duc de Fernan-Nuñez, de Montellano et del Arco, Comte de Cervellon,

INTERNATIONAL CONVENTION FOR THE PROTECTION
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I.

International Convention.

HIS Majesty the King of the Belgians, His Majesty the Emperor of Brazil, His Majesty the King of Spain, the President of the French Republic, the President of the Republic of Guatemala, His Majesty the King of Italy, His Majesty the King of the Netherlands, His Majesty the King of Portugal and the Algarves, the President of the Republic of Salvador, His Majesty the King of Servia, and the Federal Council of the Swiss Confederation,

Being equally animated with the desire to secure, by mutual agreement, complete and effectual protection for the industry and commerce of their respective subjects and citizens, and to provide a guarantee for the rights of inventors, and for the loyalty of commercial transactions, have resolved to conclude a Convention to that effect, and have named as their Plenipotentiaries, that is to say:—

His Majesty the King of the Belgians: the Baron Beyens, Grand Officer of His Majesty's Royal Order of Leopold, Grand Officer of the Legion of Honour, His Majesty's Envoy Extraordinary and Minister Plenipotentiary at Paris, &c.;

His Majesty the Emperor of Brazil: M. Jules Constant, Count de Villeneuve, member of His Majesty's Council, His Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the King of the Belgians, Commander of the Order of Christ, Officer of His Majesty's Order of the Rose, Chevalier of the Legion of Honour, &c.;

His Majesty the King of Spain: His Excellency the Duke de Fernan-Nuñez, de Montellano et del Arco, Count de Cervellon,

Marquis de Almonacir, Grand d'Espagne de Première Classe, Chevalier de l'Ordre Insigne de la Toison d'Or, Grand-Croix de l'Ordre de Charles III., Chevalier de Calatrava, Grand-Croix de la Légion d'Honneur, &c., Sénateur du Royaume, son Ambassadeur Extraordinaire et Plénipotentiaire à Paris;

Le Président de la République Française: M. Paul Challemel-Lacour, Sénateur, Ministre des Affaires Etrangères; M. Hérisson; Député, Ministre du Commerce; M. Charles Jagerschmidt, Ministre Plénipotentiaire de Première Classe, Officier de l'Ordre National de la Légion d'Honneur, &c.;

Le Président de la République de Guatemala: M. Crisanto Medina, Officier de la Légion d'Honneur, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris;

Sa Majesté le Roi d'Italie, M. Constantin Ressman, Commandeur de ses Ordres des Saints Maurice et Lazare et de la Couronne d'Italie, Commandeur de la Légion d'Honneur, &c., Conseiller de l'Ambassade d'Italie à Paris;

Sa Majesté le Roi des Pays-Bas: M. le Baron de Zuylen de Nyevelt, Commandeur de son Ordre du Lion Néerlandais, Grand-Croix de son Ordre Grand Ducal de la Couronne de Chêne et du Lion d'Or de Nassau, Grand Officier de la Légion d'Honneur, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris;

Sa Majesté le Roi de Portugal et des Algarves: M. Jose da Silva Mendes Leal, Conseiller d'Etat, Pair du Royaume, Ministre et Secrétaire d'Etat Honoraire, Grand-Croix de l'Ordre de Saint-Jacques, Chevalier de l'Ordre de la Tour et de l'Epée de Portugal, Grand Officier de la Légion d'Honneur, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris; M. Fernand de Azevedo, Officier de la Légion d'Honneur, &c., Premier Secrétaire de la Légation de Portugal à Paris;

Le Président de la République de Salvador; M. Torres-Cañedo, Membre Correspondant de l'Institut de France, Grand Officier de la Légion d'Honneur, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris;

Sa Majesté le Roi de Serbie: M. Sima M. Marinovitch, Chargé d'Affaires par intérim de Serbie, Chevalier de l'Ordre Royal de Takovo, &c.;

Et le Conseil Fédéral de la Confédération Suisse: M. Charles-Edouard Lardy, son Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris; M. J. Weibel, Ingénieur à Genève, Président de la Section Suisse de la Commission Permanente pour la Protection de la Propriété Industrielle:

Lesquels, après s'être communiqué leurs pleins pouvoirs respec-

Marquis de Almonacir, Grandee of Spain First Class, Chevalier of the Distinguished Order of the Golden Fleece, Grand Cross of the Order of Charles III., Chevalier de Calatrava, Grand Cross of the Legion of Honour, Senator of the Kingdom, His Majesty's Ambassador Extraordinary and Plenipotentiary at Paris, &c.;

The President of the French Republic: M. Paul Challemel-Lacour, Senator, Minister for Foreign Affairs; M. Hérissou, Deputy, Minister of Commerce; M. Charles Jagerschmidt, Minister Plenipotentiary of the First Class, Officer of the National Order of the Legion of Honour, &c.;

The President of the Republic of Guatemala: M. Crisanto Medina, Officer of the Legion of Honour, his Envoy Extraordinary and Minister Plenipotentiary at Paris, &c.;

His Majesty the King of Italy: M. Constantin Rössman, Commander of His Majesty's Orders of Saints Maurice and Lazarus, and of the Crown of Italy, Commander of the Legion of Honour, Councillor of the Italian Embassy at Paris, &c.;

His Majesty the King of the Netherlands: the Baron de Zuylen de Nyeveit, Commander of His Majesty's Order of the Netherlands Lion, Grand Cross of His Majesty's Grand Ducal Order of the Oaken Crown, and of the Golden Lion of Nassau, Grand Officer of the Legion of Honour, His Majesty's Envoy Extraordinary and Minister Plenipotentiary at Paris, &c.;

His Majesty the King of Portugal and the Algarves: M. Jose da Silva Mendes Leal, Councillor of State, Peer of the Realm, Minister and Honorary Secretary of State, Grand Cross of the Order of St. James, Chevalier of the Order of the Tower and Sword of Portugal, Grand Officer of the Legion of Honour, His Majesty's Envoy Extraordinary and Minister Plenipotentiary at Paris, &c.; M. Fernand de Azevedo, Officer of the Legion of Honour, First Secretary of the Portuguese Legation at Paris, &c.;

The President of the Republic of Salvador: M. Torres-Cañedo, corresponding member of the French Institute, Grand Officer of the Legion of Honour, his Envoy Extraordinary and Minister Plenipotentiary at Paris, &c.;

His Majesty the King of Servia: M. Sima M. Marinovitch, Chargé d'Affaires of Servia *ad interim*, Chevalier of the Royal Order of Takovo, &c.;

And the Federal Council of the Swiss Confederation; M. Charles Edouard Lardy, Envoy Extraordinary and Minister Plenipotentiary at Paris, &c.; M. J. Weibel, Engineer at Geneva, President of the Swiss Section of the Permanent Commission for the Protection of Industrial Property:

Who, having communicated to each other their respective full

tifs, trouvés en bonne et du forme, sont convenus des Articles suivants:—

ARTICLE I.

Les Gouvernements de la Belgique, du Brésil, de l'Espagne, de la France, du Guatemala, de l'Italie, des Pays-Bas, du Portugal, du Salvador, de la Serbie, et de la Suisse sont constitués à l'état d'Union pour la protection de la Propriété Industrielle.

ARTICLE II.

Les sujets ou citoyens de chacun des Etats Contractants jouiront, dans tous les autres Etats de l'Union, en ce qui concerne les brevets d'invention, les dessins ou modèles industriels, les marques de fabrique ou de commerce et le nom commercial, des avantages, que les lois respectives accordent actuellement ou accorderont par la suite aux nationaux.

En conséquence, ils auront la même protection que ceux-ci et le même recours légal contre toute atteinte portée à leurs droits, sous réserve de l'accomplissement des formalités et des conditions imposées aux nationaux par la législation intérieure de chaque Etat.

ARTICLE III.

Sont assimilés aux sujets ou citoyens des Etats Contractants les sujets ou citoyens des Etats ne faisant pas partie de l'Union qui sont domiciliés ou ont des établissements industriels ou commerciaux sur le territoire de l'un des Etats de l'Union.

ARTICLE IV.

Celui qui aura régulièrement fait le dépôt d'une demande de brevet d'invention, d'un dessin ou modèle industriel, d'une marque de fabrique ou de commerce, dans l'un des Etats Contractants, jouira, pour effectuer le dépôt dans les autres Etats, et sous réserve des droits de tiers, d'un droit de priorité pendant les délais déterminés ci-après.

En conséquence, le dépôt ultérieurement opéré dans l'un des autres Etats de l'Union avant l'expiration de ces délais ne pourra être invalidé par des faits accomplis dans l'intervalle, soit, notamment, par un autre dépôt, par la publication de l'invention ou son exploitation par un tiers, par la mise en vente d'exemplaires du dessin ou du modèle, par l'emploi de la marque.

powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I.

The Governments of Belgium, Brazil, Spain, France, Guatemala, Italy, Holland, Portugal, Salvador, Servia, and Switzerland constitute themselves into a Union for the Protection of Industrial Property.

ARTICLE II.

The subjects or citizens of each of the Contracting States shall, in all the other States of the Union, as regards patents, industrial designs or models, trade-marks and trade-names, enjoy the advantages that their respective laws now grant, or shall hereafter grant, to their own subjects or citizens.

Consequently, they shall have the same protection as the latter, and the same legal remedy against any infringement of their rights, provided they observe the formalities and conditions imposed on subjects or citizens by the internal legislation of each State.

ARTICLE III.

Subjects or citizens of States not forming part of the Union, who are domiciled or have industrial or commercial establishments in the territory of any of the States of the Union, shall be assimilated to the subjects or citizens of the contracting States.

ARTICLE IV.

Any person who has duly applied for a patent, industrial design or model, or trade-mark in one of the Contracting States, shall enjoy, as regards registration in the other States, and reserving the rights of third parties, a right of priority during the periods hereinafter stated.

Consequently, subsequent registration in any of the other States of the Union before expiry of these periods shall not be invalidated through any acts accomplished in the interval, either, for instance, by another registration, by publication of the invention, or by the working of it by a third party, by the sale of copies of the design or model, or by use of the trade-mark.

Les délais de priorité mentionnés ci-dessus seront de six mois pour les brevets d'invention, et de trois mois pour les dessins ou modèles industriels, ainsi que pour les marques de fabrique ou de commerce. Ils seront augmentés d'un mois pour les pays d'outre-mer.

ARTICLE V.

L'introduction par le breveté, dans le pays où le brevet a été délivré, d'objets fabriqués dans l'un ou l'autre des Etats de l'Union, n'entraînera pas la déchéance.

Toutefois le breveté restera soumis à l'obligation d'exploiter son brevet conformément aux lois du pays où il introduit les objets brevetés.

ARTICLE VI.

Toute marque de fabrique ou de commerce régulièrement déposée dans le pays d'origine sera admise au dépôt et protégée telle quelle dans tous les autres pays de l'Union.

Sera considéré comme pays d'origine le pays où le déposant a son principal établissement.

Si ce principal établissement n'est point situé dans un des pays de l'Union, sera considéré comme pays d'origine celui auquel appartient le déposant.

Le dépôt pourra être refusé, si l'objet pour lequel il est demandé est considéré comme contraire à la morale ou à l'ordre public.

ARTICLE VII.

La nature du produit sur lequel la marque de fabrique ou de commerce doit être apposée ne peut, dans aucun cas, faire obstacle au dépôt de la marque.

ARTICLE VIII.

Le nom commercial sera protégé dans tous les pays de l'Union sans obligation de dépôt, qu'il fasse ou non partie d'une marque de fabrique ou de commerce.

ARTICLE IX.

Tout produit portant illicitement une marque de fabrique ou de commerce, ou un nom commercial, pourra être saisi à l'importation dans ceux des Etats de l'Union dans lesquels cette marque ou ce nom commercial ont droit à la protection légale.

The above-mentioned terms of priority shall be six months for patents and three months for industrial designs and models and trade-marks. A month longer is allowed for countries beyond sea.

ARTICLE V.

The introduction by the patentee into the country where the patent has been granted of objects manufactured in any of the States of the Union shall not entail forfeiture.

Nevertheless, the patentee shall remain bound to work his patent in conformity with the laws of the country into which he introduces the patented objects.

ARTICLE VI.

Every trade-mark duly registered in the country of origin shall be admitted for registration, and protected in the form originally registered in all the other countries of the Union.

That country shall be deemed the country of origin where the applicant has his chief seat of business.

If this chief seat of business is not situated in one of the countries of the Union, the country to which the applicant belongs shall be deemed the country of origin.

Registration may be refused if the object for which it is solicited is considered contrary to morality or public order.

ARTICLE VII.

The nature of the goods on which the trade-mark is to be used can in no case be an obstacle to the registration of the trade-mark.

ARTICLE VIII.

A trade-name shall be protected in all the countries of the Union, without necessity of registration, whether it form part or not of a trade-mark.

ARTICLE IX.

All goods illegally bearing a trade-mark or trade-name may be seized on importation into those States of the Union where this mark or name has a right to legal protection.

APPENDIX.

La saisie aura lieu à la requête soit du Ministère Public, soit de la partie intéressée, conformément à la législation intérieure de chaque Etat.

ARTICLE X.

Les dispositions de l'Article précédent seront applicables à tout produit portant faussement, comme indication de provenance, le nom d'une localité déterminée, lorsque cette indication sera jointe à un nom commercial fictif ou emprunté dans une intention frauduleuse.

Est réputé partie intéressée tout fabricant ou commerçant engagé dans la fabrication ou le commerce de ce produit, et établi dans la localité faussement indiquée comme provenance.

ARTICLE XI.

Les Hautes Parties Contractantes s'engagent à accorder une protection temporaire aux inventions brevetables, aux dessins ou modèles industriels, ainsi qu'aux marques de fabrique ou de commerce, pour les produits que figureront aux Expositions Internationales officielles ou officiellement reconnues.

ARTICLE XII.

Chacune des Hautes Parties Contractantes s'engage à établir un service spécial de la Propriété Industrielle et un dépôt central, pour la communication au public des brevets d'invention, des dessins ou modèles industriels et des marques de fabrique ou de commerce.

ARTICLE XIII.

Un office international sera organisé sous le titre de " Bureau International de l'Union pour la Protection de la Propriété Industrielle."

Ce bureau, dont les frais seront supportés par les Administrations de tous les Etats Contractants, sera placé sous la haute autorité de l'Administration Supérieure de la Confédération Suisse, et fonctionnera sous sa surveillance. Les attributions en seront déterminées d'un commun accord entre les Etats de l'Union.

ARTICLE XIV.

La présente Convention sera soumise à des révisions périodiques en vue d'y introduire les améliorations de nature à perfectionner le système de l'Union.

The seizure shall be effected at the request of either the proper Public Department or of the interested party, pursuant to the internal legislation of each country.

ARTICLE X.

The provisions of the preceding Article shall apply to all goods falsely bearing the name of any locality as indication of the place of origin, when such indication is associated with a trade-name of a fictitious character or assumed with a fraudulent intention.

Any manufacturer of, or trader in, such goods, established in the locality falsely designated as the place of origin, shall be deemed an interested party.

ARTICLE XI.

The High Contracting Parties agree to grant temporary protection to patentable inventions, to industrial designs or models, and trade-marks, for articles exhibited at official or officially recognised International Exhibitions.

ARTICLE XII.

Each of the High Contracting Parties agrees to establish a special Government Department for industrial property, and a central office for communication to the public of patents, industrial designs or models, and trade-marks.

ARTICLE XIII.

An international office shall be organised under the name of "Bureau International de l'Union pour la Protection de la Propriété Industrielle" (International Office of the Union for the Protection of Industrial Property).

This office, the expense of which shall be defrayed by the Governments of all the Contracting States, shall be placed under the high authority of the Central Administration of the Swiss Confederation, and shall work under its supervision. Its functions shall be determined by agreement between the States of the Union.

ARTICLE XIV.

The present Convention shall be submitted to periodical revisions, with a view to introducing improvements calculated to perfect the system of the Union.

A cet effet, des Conférences auront lieu successivement, dans l'un des Etats Contractants, entre les Délégués des dits Etats.

La prochaine réunion aura lieu en 1885, à Rome.

ARTICLE XV.

Il est entendu que les Hautes Parties Contractantes se réservent respectivement le droit de prendre séparément, entre elles, des arrangements particuliers pour la protection de la Propriété Industrielle, en tant que ces arrangements ne contreviendraient point aux dispositions de la présente Convention.

ARTICLE XVI.

Les Etats qui n'ont point pris part à la présente Convention seront admis à y adhérer sur leur demande.

Cette adhésion sera notifiée par la voie diplomatique au Gouvernement de la Confédération Suisse, et par celui-ci à tous les autres.

Elle emportera, de plein droit, accession à toutes les clauses et admission à tous les avantages stipulés par la présente Convention.

ARTICLE XVII.

L'exécution des engagements réciproques contenus dans la présente Convention est subordonnée, en tant que de besoin, à l'accomplissement des formalités et règles établies par les lois constitutionnelles de celles des Hautes Parties Contractantes qui sont tenues d'en provoquer l'application, ce qu'elles s'obligent à faire dans le plus bref délai possible.

ARTICLE XVIII.

La présente Convention sera mise à exécution dans le délai d'un mois à partir de l'échange des ratifications et demeurera en vigueur pendant un temps indéterminé, jusqu'à l'expiration d'une année à partir du jour où la dénonciation en sera faite.

Cette dénonciation sera adressée au Gouvernement chargé de recevoir les adhésions. Elle ne produira son effet qu'à l'égard de l'Etat qui l'aura faite, la Convention restant exécutoire pour les autres Parties Contractantes.

ARTICLE XIX.

La présente Convention sera ratifiée, et les ratifications en seront échangées à Paris, dans le délai d'un an au plus tard.

To this end, Conferences shall be successively held in one of the Contracting States by Delegates of the said States. The next meeting shall take place in 1885, at Rome.

ARTICLE XV.

It is agreed that the High Contracting Parties respectively reserve to themselves the right to make separately, as between themselves, special arrangements for the protection of Industrial Property, in so far as such arrangements do not contravene the provisions of the present Convention.

ARTICLE XVI.

States which have not taken part in the present Convention shall be permitted to adhere to it at their request.

Such adhesion shall be notified officially through the diplomatic channel to the Government of the Swiss Confederation, and by the latter to all the others. It shall imply complete accession to all the clauses, and admission to all the advantages stipulated by the present Convention.

ARTICLE XVII.

The execution of the reciprocal engagements contained in the present Convention is subordinated, in so far as necessary, to the observance of the formalities and rules established by the Constitutional laws of those of the High Contracting Parties who are bound to procure the application of the same, which they engage to do with as little delay as possible.

ARTICLE XVIII.

The present Convention shall come into operation one month after the exchange of ratifications, and shall remain in force for an unlimited time, till the expiry of one year from the date of its denunciation. This denunciation shall be addressed to the Government commissioned to receive adhesions. It shall only affect the denouncing State, the Convention remaining in operation as regards the other Contracting Parties.

ARTICLE XIX.

The present Convention shall be ratified, and the ratifications exchanged in Paris, within one year at the latest.

En foi de quoi les Plénipotentiaires respectifs l'ont signée et y ont apposé leurs cachets.

Fait à Paris, le 20 Mars, 1883.

(Signé)
 (L.S.) BEYENS.
 (L.S.) VILLENEUVE.
 (L.S.) Duc DE FERNAN-NUÑEZ.
 (L.S.) P. CHALLEMEL-LACOUR.
 (L.S.) CH. HÉRISSON.
 (L.S.) CH. JAGERSCHMIDT.
 (L.S.) CRISANTO-MEDINA.
 (L.S.) RESSMAN.
 (L.S.) Baron DE ZUYLEN DE NYEVELT.
 (L.S.) JOSE DA SILVA MENDES LEAL.
 (L.S.) F. D'AZEVEDO.
 (L.S.) J.-M. TORRES-CAICEDO.
 (L.S.) SIMA M. MARINOVITCH.
 (L.S.) LARDY.
 (L.S.) J. WEIBEL.

II.

Final Protocol.

Au moment de procéder à la signature de la Convention conclue, à la date de ce jour, entre les Gouvernements de la Belgique, du Brésil, de l'Espagne, de la France, du Guatemala, de l'Italie, des Pays-Bas, du Portugal, du Salvador, de la Serbie, et de la Suisse, pour la protection de la Propriété Industrielle, les Plénipotentiaires soussignés sont convenus de ce qui suit:

1. Les mots "Propriété Industrielle" doivent être entendus dans leur acception la plus large, en ce sens qu'ils s'appliquent non seulement aux produits de l'industrie proprement dite, mais également aux produits de l'agriculture (vins, grains, fruits, bestiaux, &c.), et aux produits minéraux livrés au commerce (eaux minérales, &c.).

2. Sous le nom de "Brevets d'Invention" sont comprises les diverses espèces de brevets industriels admises par les législations des Etats Contractants, telles que brevets d'importation, brevets de perfectionnement, &c.

3. Il est entendu que la disposition finale de l'Article II. de la Convention ne porte aucune atteinte à la législation de chacun des Etats Contractants, en ce qui concerne la procédure suivie devant les Tribunaux et la compétence de ces Tribunaux.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto their seals.

Done at Paris, the 20th March, 1883.

(Signed)

(L.S.) BEYENS.
 (L.S.) VILLENEUVE.
 (L.S.) DUC DE FERNAN-NUÑEZ.
 (L.S.) P. CHALLEMEI-LACOUR.
 (L.S.) CH. HÉRISSE.
 (L.S.) CH. JAGERSCHMIDT.
 (L.S.) CRISANTO-MEDINA.
 (L.S.) RESSMAN.
 (L.S.) BARON DE ZUYLEN DE NYEVELT.
 (L.S.) JOSE DA SILVA MENDES LEAL.
 (L.S.) F. D'AZEVEDO.
 (L.S.) J.-M. TORRES-CAÏCEDO.
 (L.S.) SIMA M. MARINOVITCH.
 (L.S.) LARDY.
 (L.S.) J. WEIBEL.

II.

Final Protocol.

On proceeding to the signature of the Convention concluded this day between the Governments of Belgium, Brazil, Spain, France, Guatemala, Italy, the Netherlands, Portugal, Salvador, Servia, and Switzerland, for the protection of Industrial Property, the undersigned Plenipotentiaries have agreed as follows:—

1. The words "Industrial Property" are to be understood in their broadest sense; they are not to apply simply to industrial products, properly so called, but also to agricultural products (wines, corn, fruits, cattle, &c.), and to mineral products, employed in commerce (mineral waters, &c.).

2. Under the word "patents" are comprised the various kinds of industrial patents recognised by the legislation of each of the Contracting States, such as importation patents, improvement patents, &c.

3. The last paragraph of Article II. does not affect the legislation of each of the Contracting States as regards the procedure to be followed before the Tribunals, and the competence of those Tribunals.

4. Le paragraphe 1^{er} de l'Article VI. doit être entendu en ce sens qu'aucune marque de fabrique ou de commerce ne pourra être exclue de la protection dans l'un des Etats de l'Union par le fait seul qu'elle ne satisferait pas, au point de vue des signes qui la composent, aux conditions de la législation de cet Etat, pourvu qu'elle satisfasse, sur ce point, à la législation du pays d'origine et qu'elle ait été, dans ce dernier pays, l'objet d'un dépôt régulier. Sauf cette exception, qui ne concerne que la forme de la marque, et sous réserve des dispositions des autres Articles de la Convention, la législation intérieure de chacun des Etats recevra son application.

Pour éviter toute fausse interprétation, il est entendu que l'usage des armoiries publiques et des décorations peut être considéré comme contraire à l'ordre public, dans le sens du paragraphe final de l'Article VI.

5. L'organisation du service spécial de la Propriété Industrielle mentionné à l'Article XII. comprendra, autant que possible, la publication dans chaque Etat d'une feuille officielle périodique.

6. Les frais communs du Bureau International institué par l'Article XIII. ne pourront, en aucun cas, dépasser, par année, une somme totale représentant une moyenne de 2000 fr. par chaque Etat Contractant.

Pour déterminer la part contributive de chacun des Etats dans cette somme totale des frais, les Etats Contractants et ceux qui adhèreraient ultérieurement à l'Union seront divisés en six classes contribuant chacune dans la proportion d'un certain nombre d'unités, savoir:—

1 ^e classe.....	25 unités.
2 ^e classe.....	20 „
3 ^e classe.....	15 „
4 ^e classe.....	10 „
5 ^e classe.....	5 „
6 ^e classe.....	3 „

Ces co-efficients seront multipliés par le nombre des Etats de chaque classe, et la somme des produits ainsi obtenus fournira le nombre d'unités par lequel la dépense totale doit être divisée. Le quotient donnera le montant de l'unité de dépense.

Les Etats Contractants sont classés ainsi qu'il suit, en vue de la répartition des frais:—

1 ^e classe.....	France, Italie.
2 ^e classe.....	Espagne.
3 ^e classe.....	Belgique, Brésil, Portugal, Suisse.
4 ^e classe.....	Pays-Bas.
5 ^e classe.....	Serbie.
6 ^e classe.....	Guatemala, Salvador.

4. Paragraph 1 of Article VI. is to be understood as meaning that no trade-mark shall be excluded from protection in any State of the Union, from the fact alone that it does not satisfy, in regard to the signs composing it, the conditions of the legislation of that State; provided that on this point it comply with the legislation of the country of origin, and that it had been properly registered in said country of origin. With this exception, which relates only to the form of the mark, and under reserve of the provisions of the other Articles of the Convention, the internal legislation of each State remains in force.

To avoid misconstruction, it is agreed that the use of public armorial bearings and decorations may be considered as being contrary to public order, in the sense of the last paragraph of Article VI.

5. The organisation of the special Department for Industrial Property mentioned in Article XII. shall comprise, so far as possible, the publication in each State of a periodical official paper.

6. The common expenses of the International Office, instituted by virtue of Article XIII., are in no case to exceed for a single year a total sum representing an average of 2000 fr. for each Contracting State.

To determine the part which each State should contribute to this total of expenses, the Contracting States, and those which may afterwards join the Union, shall be divided into six classes, each contributing the proportion of a certain number of units, namely:—

1st class	25 units.
2nd class	20 „
3rd class	15 „
4th class	10 „
5th class	5 „
6th class	3 „

These co-efficients will be multiplied by the number of States in each class, and the sum of the result thus obtained will supply the number of units by which the total expense has to be divided. The quotient will give the amount of the unit of expense.

The Contracting States are classed as follows, with regard to the division of expense:—

1st class	France, Italy.
2nd class	Spain.
3rd class	Belgium, Brazil, Portugal, Switzerland.
4th class	Holland.
5th class	Servia.
6th class	Guatemala, Salvador.

L'Administration Suisse surveillera les dépenses du Bureau International, fera les avances nécessaires et établira le compte annuel, qui sera communiqué à toutes les autres Administrations.

Le Bureau International centralisera les renseignements de toute nature relatifs à la protection de la Propriété Industrielle et les réunira en une statistique générale qui sera distribuée à toutes les Administrations. Il procédera aux études d'utilité commune intéressant l'Union et rédigera, à l'aide des documents qui seront mis à sa disposition par les diverses Administrations, une feuille périodique, en langue Française, sur les questions concernant l'objet de l'Union.

Les numéros de cette feuille, de même que tous les documents publiés par le Bureau International, seront répartis entre les Administrations des Etats de l'Union, dans la proportion du nombre des unités contributives ci-dessus mentionnées. Les exemplaires et documents supplémentaires qui seraient réclamés, soit par les dites Administrations, soit par des Sociétés ou des particuliers, seront payés à part.

Le Bureau International devra se tenir en tout temps à la disposition des membres de l'Union, pour leur fournir, sur les questions relatives au service international de la Propriété Industrielle, des renseignements spéciaux, dont ils pourraient avoir besoin.

L'Administration du pays où doit siéger la prochaine Conférence préparera avec le concours du Bureau International, les travaux de cette Conférence.

Le Directeur du Bureau International assistera aux séances des Conférences et prendra part aux discussions sans voix délibérative. Il fera, sur sa gestion, un Rapport annuel, qui sera communiqué à tous les membres de l'Union.

La langue officiel du Bureau International sera la langue Française.

7. Le présent Protocole de Clôture, qui sera ratifié en même temps que la Convention conclue à la date de ce jour, sera considéré comme faisant partie intégrante de cette Convention, et aura même force, valeur et durée.

En foi de quoi, les Plénipotentiaires soussignés ont dressé le présent Protocole.

(Signé)

BEYENS.	RESSMAN.
VILLENEUVE.	BARON DE ZUYLEN DE NYEVELT.
DUK DE FERNAN-NUÑEZ.	JOSE DA SILVA MENDES LEAL.
P. CHALLEMEL-LACOUR.	F. D'AZEVEDO.
CH. HÉRISSON.	J.-M. TORRES-CAYCEDO.
CH. JAGERSCHMIDT.	SIMA M. MARINOVITCH.
CRISANTO-MEDINA.	LARDY. J. WEIBEL.

The Swiss Government will superintend the expenses of the International Office, advance the necessary funds, and render an annual account; which will be communicated to all the other Administrations.

The International Office will centralise information of every kind relating to the protection of Industrial Property, and will bring it together in the form of a general statistical statement, which will be distributed to all the Administrations. It will interest itself in all matters of common utility to the Union, and will edit, with the help of the documents supplied to it by the various Administrations, a periodical paper in the French language dealing with questions regarding the object of the Union.

The numbers of this paper, as well as all the documents published by the International Office, will be circulated among the Administrations of the States of the Union in the proportion of the number of contributing units as mentioned above. Such further copies as may be desired, either by the said Administrations or by Societies or private persons, will be paid for separately.

The International Office shall at all times hold itself at the service of members of the Union, in order to supply them with any special information they may need on questions relating to the international system of Industrial Property.

The Administration of the country in which the next Conference is to be held will make preparations for the transactions of that Conference, with the assistance of the International Office.

The Director of the International Office will be present at the meetings of the Conferences, and will take part in the discussions, but without the privilege of voting.

He will furnish an annual Report upon his administration of the office, which shall be communicated to all the members of the Union.

The official language of the International Office will be French.

7. The present Final Protocol, which shall be ratified, together with the Convention concluded this day, shall be considered as forming an integral part of, and shall have the same force, validity, and duration as the said Convention.

In witness whereof, the undersigned Plenipotentiaries have drawn up the present Protocol.

(Signed)

BREYENS.

VILLENEUVE.

DUC DE FERNAN-NUÑEZ.

P. CHALLEMEL-LACOUR.

CH. HÉRISSE.

CH. JAGERSCHMIDT.

CRISANTO-MEDINA.

RESSMAN.

BARON DE ZUYLEN DE NYEVELT.

JOSE DA SILVA MENDES LEAL.

F. D'AZEVEDO.

J.-M. TORRES-CAICEDO.

SIMA M. MARINOVITCH.

LARDY.

J. WEIBEL.

III.

Accession of Her Majesty's Government to the Convention signed at Paris, March 20, 1883.

The Undersigned, Ambassador Extraordinary and Plenipotentiary of her Majesty the Queen of the United Kingdom of Great Britain and Ireland to the French Republic, declares that her Britannic Majesty, having had the International Convention for the Protection of Industrial Property, concluded at Paris on the 20th March, 1883, and the protocol relating thereto, signed on the same date, laid before her, and availing herself of the right reserved by Article XVI. of that Convention to States not parties to the original Convention, accedes, on behalf of the United Kingdom of Great Britain and Ireland, to the said International Convention for the Protection of Industrial Property, and to the said Protocol, which are to be considered as inserted word for word in the present

[Continued on opposite page.]

IV.

Declaration of Acceptance of Accession.

Sa Majesté la Reine du Royaume Uni de la Grande-Bretagne et d'Irlande ayant accédé à la Convention Internationale, relative à la protection de la Propriété Industrielle, conclue à Paris le 20 Mars. 1883, et suivie d'un Protocol en date du même jour, en vertu de l'Acte d'Accession délivré par son Ambassadeur Extraordinaire et Plénipotentiaire près le Gouvernement de la République Française; acte dont la teneur suit ici, mot pour mot:—

(Here is inserted the text of No. III. in English.)

Le Président de la République Française a autorisé le Soussigné, Président du Conseil, Ministre des Affaires Etrangères, à accepter formellement la dite accession, y compris les réserves, qui y sont contenues, concernant l'Ile de Man, les Iles de la Manche et toutes autres possessions de Sa Majesté Britannique, s'engageant, tant en son nom qu'au nom des autres Hautes Parties Contractantes, à concourir à l'accomplissement des obligations stipulées dans la Convention et le Protocole y annexé, qui pourront concerner le Royaume Uni de la Grande-Bretagne et d'Irlande.

En foi de quoi, le Soussigné, dûment autorisé, a dressé le présent Acte d'Acceptation et y a fait apposer son cachet.

Fait à Paris, le 2 Avril, 1884.

(L.S.) (Signé) JULES FERRY.

Declaration, and formally engages as far as regards the President of the French Republic and the other High Contracting Parties to co-operate on her part in the execution of the stipulations contained in the Convention and Protocol aforesaid.

The Undersigned makes this Declaration on the part of her Britannic Majesty with the express understanding that power is reserved to her Britannic Majesty to accede to the Convention on behalf of the Isle of Man and the Channel Islands, and any of her Majesty's possessions, on due notice to that effect being given through her Majesty's Government.

In witness whereof the Undersigned, duly authorised, has signed the present Declaration of Accession, and has affixed thereto the seal of his arms.

Done at Paris, on the 17th day of March, 1884.

(L.S.) (Signed) LYONS.

IV.

Declaration of Acceptance of Accession.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, having acceded to the International Convention relative to the Protection of Industrial Property, concluded at Paris, March 20, 1883, together with a Protocol dated the same day, by the Declaration of Accession delivered by her Ambassador Extraordinary and Plenipotentiary to the Government of the French Republic, the text of which Declaration is word for word as follows:

(Here is inserted the text of No. III. in English.)

The President of the French Republic has authorised the Undersigned, President of the Council, Minister for Foreign Affairs, to formally accept the said Accession, together with the reserves which are contained in it concerning the Isle of Man, the Channel Islands, and all other possessions of her Britannic Majesty, engaging as well in his own name, as in that of the other High Contracting Parties, to assist in the accomplishment of the obligations stipulated in the Convention and the Protocol thereto annexed, which may concern the United Kingdom of Great Britain and Ireland.

In witness whereof the Undersigned, duly authorised, has drawn up the present Declaration of Acceptance, and has affixed thereto his seal.

Done at Paris, the 2nd April, 1884.

(L.S.) (Signed) JULES FERRY.

ADDITIONAL ACT MODIFYING THE INDUSTRIAL
PROPERTY CONVENTION OF MARCH 20, 1883.

SIGNED AT BRUSSELS, DECEMBER 14, 1900.

SA Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, Impératrice des Indes; Sa Majesté le Roi des Belges; le Président des États-Unis du Brésil; Sa Majesté le Roi de Danemark; le Président de la République Dominicaine; Sa Majesté le Roi d'Espagne et, en son nom, Sa Majesté la Reine-Régente du Royaume; le Président des États-Unis d'Amérique; le Président de la République Française; Sa Majesté le Roi d'Italie; Sa Majesté l'Empereur du Japon; Sa Majesté la Reine des Pays-Bas; Sa Majesté le Roi du Portugal et des Algarves; Sa Majesté le Roi de Serbie; Sa Majesté le Roi de Suède et de Norvège; le Conseil Fédéral de la Confédération Suisse; le Gouvernement Tunisien, ayant jugé utile d'apporter certaines modifications et additions à la Convention Internationale du 20 Mars, 1883, ainsi qu'au Protocole de clôture annexé à ladite Convention, ont nommé pour leurs Plénipotentiaires, savoir:

Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, Impératrice des Indes, le Très Honorable C. B. Stuart Wortley, M.P.; Sir Henry Bergne, K.C.M.G., Chef du Département Commercial au Foreign Office; M. C. N. Dalton, C.B., Comptroller-General of Patents;

Sa Majesté le Roi des Belges, M. A. Nyssens, Ancien Ministre de l'Industrie et du Travail; M. L. Capelle, Envoyé Extraordinaire et Ministre Plénipotentiaire, Directeur-Général du Commerce et des Consulats au Ministère des Affaires Etrangères; M. Georges de Ro, Avocat à la Cour d'Appel de Bruxelles, Ancien Secrétaire de l'Ordre; M. J. Dubois, Directeur-Général au Ministère de l'Industrie et du Travail;

Le Président des États-Unis du Brésil, M. da Cunha, Envoyé Extraordinaire et Ministre Plénipotentiaire des États-Unis du Brésil près Sa Majesté le Roi des Belges;

Sa Majesté le Roi de Danemark, M. H. Holten-Nielsen, Membre de la Commission des Brevets, Enregistreur des marques de fabrique;

Le Président de la République Dominicaine, M. J.-W. Hunter, Consul-Général de la République Dominicaine à Anvers;

ADDITIONAL ACT MODIFYING THE INDUSTRIAL
PROPERTY CONVENTION OF MARCH 20, 1883.

SIGNED AT BRUSSELS, DECEMBER 14, 1900.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India; His Majesty the King of the Belgians; the President of the United States of Brazil; His Majesty the King of Denmark; the President of the Dominican Republic; Her Majesty the Queen-Regent of Spain, in the name of His Majesty the King of Spain; the President of the United States of America; the President of the French Republic; His Majesty the King of Italy; His Majesty the Emperor of Japan; Her Majesty the Queen of the Netherlands; His Majesty the King of Portugal and the Algarves; His Majesty the King of Servia; His Majesty the King of Sweden and Norway; the Federal Council of the Swiss Confederation; and the Tunisian Government, having deemed it expedient to make certain modifications in, and additions to, the International Convention of the 20th March, 1883, and also as regards the Final Protocol annexed to the said Convention, have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Right Honourable C. B. Stuart Wortley, M.P.; Sir Henry Bergne, K.C.M.G., Head of the Commercial Department of the Foreign Office; Mr. C. N. Dalton, C.B., Comptroller-General of Patents;

His Majesty the King of the Belgians, M. A. Nyssens, formerly Minister of Industry and Works; M. L. Capelle, Envoy Extraordinary and Minister Plenipotentiary, Director-General of Commerce and of Consulates at the Ministry for Foreign Affairs; M. Georges de Ro, Advocate at the Court of Appeal of Brussels, formerly Secretary of the Order; M. J. Dubois, Director-General at the Ministry of Industry and Works;

The President of the United States of Brazil, M. da Cunha, Envoy Extraordinary and Minister Plenipotentiary of the United States of Brazil at the Court of His Majesty the King of the Belgians;

His Majesty the King of Denmark, M. H. Holten-Nielsen, Member of the Commission for Patents, Registrar of Trade-Marks;

The President of the Dominican Republic, M. J.-W. Hunter, Consul-General of the Dominican Republic at Antwerp:

Sa Majesté le Roi d'Espagne et, en son nom, Sa Majesté la Reine-Régente du Royaume, M. de Villa Urrutia, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges;

Le Président des Etats-Unis d'Amérique, M. Lawrence Townsend, Envoyé Extraordinaire et Ministre Plénipotentiaire des Etats-Unis d'Amérique près Sa Majesté le Roi des Belges; M. Francis Forbes; M. Walter H. Chamberlin, Assistant Commissioner of Patents;

Le Président de la République Française, M. Gérard, Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges; M. C. Nicolas, Ancien Conseiller d'Etat, Directeur honoraire au Ministère du Commerce, de l'Industrie, des Postes et des Télégraphes; M. Michel Pelletier, Avocat à la Cour d'Appel de Paris;

Sa Majesté le Roi d'Italie, M. Romeo Cantagalli, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges; M. le Commandeur Carlo-Francesco Gabba, Sénateur, Professeur à l'Université de Pise; M. le Chevalier Samuele Ottolenghi, Chef de Division au Ministère de l'Agriculture, de l'Industrie et du Commerce, Directeur du Bureau de la Propriété Industrielle;

Sa Majesté l'Empereur du Japon, M. Itchiro Motono, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges;

Sa Majesté la Reine des Pays-Bas, M. F.-W.-J.-G. Snyder van Wissenkerke, Docteur en Droit, Conseiller au Ministère de la Justice, Directeur du Bureau de la Propriété Industrielle;

Sa Majesté le Roi de Portugal et des Algarves, M. le Conseiller E. Madeira Pinto, Directeur-Général au Ministère des Travaux Publics, du Commerce et de l'Industrie;

Sa Majesté le Roi de Serbie, M. le Docteur Michel Vouitch, son Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris;

Sa Majesté le Roi de Suède et de Norvège, M. le Comte Wrangel, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges;

Le Conseil Fédéral de la Confédération Suisse, M. J. Borel, Consul-Général de la Confédération Suisse à Bruxelles; M. le Docteur Louis-Rodolphe de Salis, Professeur à Berne;

Le Président de la République Française, pour la Tunisie. M. Gérard, Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges; M. Bladé, Consul de première classe au Ministère des Affaires Etrangères de France;

Her Majesty the Queen-Regent of Spain, in the name of His Majesty the King of Spain, M. de Villa Urrutia, Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the King of the Belgians;

The President of the United States of America, Mr. Lawrence Townsend, Envoy Extraordinary and Minister Plenipotentiary of the United States of America at the Court of His Majesty the King of the Belgians; Mr. Francis Forbes; M. Walter H. Chamberlin, Assistant Commissioner of Patents;

The President of the French Republic, M. Gérard, Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the King of the Belgians; M. C. Nicolas, ex-Councillor of State, Honorary Director at the Ministry of Commerce, Industry, Posts and Telegraphs; M. Michel Pelletier, Advocate at the Court of Appeal of Paris;

His Majesty the King of Italy, M. Romeo Cantagalli, His Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the King of the Belgians; Commander Carlo-Francesco Gabba, Senator, Professor at the University of Pisa; Chevalier Samuele Ottolenghi, Head of Department at the Ministry of Agriculture, Industry, and Commerce, Director of the Office of Industrial Property;

His Majesty the Emperor of Japan, M. Itchiro Motono, His Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the King of the Belgians;

Her Majesty the Queen of the Netherlands, M. F.-W.-J.-G. Snyder van Wissenkerke, Doctor of Law, Councillor at the Ministry of Justice, Director of the Office of Industrial Property;

His Majesty the King of Portugal and the Algarves, the Councillor E. Madeira Pinto, Director-General at the Ministry of Public Works, Commerce, and Industry;

His Majesty the King of Servia, Dr. Michel Vouitch, His Envoy Extraordinary and Minister Plenipotentiary at Paris;

His Majesty the King of Sweden and Norway, Count Wrangel, His Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the King of the Belgians;

The Federal Council of the Swiss Confederation, M. J. Borel, Consul-General of the Swiss Confederation at Brussels, Dr. Louis-Rudolphe de Salis, Professor at Berne;

The President of the French Republic, on behalf of Tunis, M. Gérard, Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the King of the Belgians; M. Bladé, Consul of the First Class at the French Ministry for Foreign Affairs;

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des Articles suivants:—

ARTICLE I.

La Convention Internationale du 20 Mars, 1883, est modifiée ainsi qu'il suit:—

1. L'Article III. de la Convention aura la teneur suivante:—

“Art. III. Sont assimilés aux sujets ou citoyens des Etats contractants, les sujets ou citoyens des Etats ne faisant pas partie de l'Union, qui sont domiciliés ou ont des établissements industriels ou commerciaux effectifs et sérieux sur le territoire de l'un des Etats de l'Union.”

2. L'Article IV. aura la teneur suivante:—

“Art. IV. Celui qui aura régulièrement fait le dépôt d'une demande de brevet d'invention, d'un dessin ou modèle industriel, d'une marque de fabrique ou de commerce, dans l'un des Etats contractants, jouira, pour effectuer le dépôt dans les autres Etats, et sous réserve des droits des tiers, d'un droit de priorité pendant les délais déterminés ci-après.

“En conséquence, le dépôt ultérieurement opéré dans l'un des autres Etats de l'Union, avant l'expiration de ces délais, ne pourra être invalidé par des faits accomplis dans l'intervalle, soit, notamment, par un autre dépôt, par la publication de l'invention ou son exploitation, par la mise en vente d'exemplaires du dessin ou du modèle, par l'emploi de la marque.

“Les délais de priorité mentionnés ci-dessus seront de douze mois pour les brevets d'invention, et de quatre mois pour les dessins ou modèles industriels, ainsi que pour les marques de fabrique ou de commerce.”

3. Il est inséré dans la Convention un Article IV. *bis* ainsi conçu:—

“Art. IV. *bis*. Les brevets demandés dans les différents Etats contractants par des personnes admises au bénéfice de la Convention aux termes des Articles II. et III., seront indépendants des brevets obtenus pour la même invention dans les autres Etats adhérents ou non à l'Union.

“Cette disposition s'appliquera aux brevets existant au moment de sa mise en vigueur.

“Il en sera de même, en cas d'accession de nouveaux Etats, pour les brevets existant de part et d'autre au moment de l'accession.”

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I.

The International Convention of the 20th March, 1883, shall be modified as follows:—

1. Article III. of the Convention shall run as follows:—

“Art. III. The subjects or citizens of States which are not Parties to the Union shall be assimilated to the subjects or citizens of the Contracting States, provided that they are domiciled in or have industrial or commercial establishments, real and effective, in the territory of one of the States of the Union.”

2. Article IV. shall run as follows:—

“Art. IV. Any person who shall have duly applied for a patent, industrial design, or model or trade-mark in one of the Contracting States, shall enjoy, in order to admit of such request being lodged in the other States, during the periods of time mentioned below a right of priority, the rights of third parties being reserved.

“Consequently, subsequent registration in one of the other States of the Union, before the expiration of such periods of time, shall not be invalidated by any acts accomplished in the interval—either, for instance, by another registration, by the publication of the invention, or by the working of it, by the sale of patterns of the design or model, or by the use of the trade-mark.

“The above-mentioned periods of time during which priority is guaranteed shall be twelve months for patents with respect to inventions, and four months for patents for industrial designs or models, as well as for trade or merchandize marks.”

3. There shall be inserted in the Convention an Article IV. *bis*, in the following terms:—

“Art. IV. *bis*. Patents applied for in the various Contracting States by persons admitted to the benefits of the Convention in the terms of Articles II. and III., shall be independent of the patents obtained for the same invention in the other States, whether such States be or be not parties to the Union.

“This stipulation shall apply to patents already existing at the time when it shall come into effect.

“The same stipulation shall apply, in the case of the accession of new States, with regard to patents in existence, either on one side or the other, at the time of accession.”

4. Il est ajouté à l'Article IX. deux alinéas ainsi conçus:—

“ Dans les Etats dont la législation n'admet pas la saisie à l'importation, cette saisie pourra être remplacée par la prohibition d'importation.

“ Les autorités ne seront pas tenues d'effectuer la saisie en cas de transit.”

5. L'Article X. aura la teneur suivante:—

“ Art. X. Les dispositions de l'Article précédent seront applicables à tout produit portant faussement, comme indication de provenance, le nom d'une localité déterminée, lorsque cette indication sera jointe à un nom commercial fictif ou emprunté dans une intention frauduleuse.

“ Est réputé partie intéressée tout producteur, fabricant ou commerçant, engagé dans la production, la fabrication ou le commerce de ce produit, et établi soit dans la localité faussement indiquée comme lieu de provenance, soit dans la région où cette localité est située.”

6. Il est inséré dans la Convention un Article X. *bis* ainsi conçu:—

“ Art. X. *bis*. Les ressortissants de la Convention (Articles II. et III.) jouiront, dans tous les Etats de l'Union, de la protection accordée aux nationaux contre la concurrence déloyale.”

7. L'Article XI. aura la teneur suivante:—

“ Art. XI. Les Hautes Parties Contractantes accorderont, conformément à la législation de chaque pays, une protection temporaire aux inventions brevetables, aux dessins ou modèles industriels, ainsi qu'aux marques de fabrique ou de commerce, pour les produits qui figureront aux Expositions internationales officielles ou officiellement reconnues, organisées sur le territoire de l'une d'elles.”

8. L'Article XIV. aura la teneur suivante:—

“ Art. XIV. La présente Convention sera soumise à des revisions périodiques en vue d'y introduire les améliorations de nature à perfectionner le système de l'Union.

“ A cet effet, des Conférences auront lieu successivement dans l'un des Etats contractants, entre les Délégués desdits Etats.”

9. L'Article XVI. aura la teneur suivante:—

“ Art. XVI. Les Etats qui n'ont point pris part à la présente Convention seront admis à y adhérer sur leur demande.

“ Cette adhésion sera notifiée par la voie diplomatique au Gouvernement de la Confédération Suisse, et par celui-ci à tous les autres.

4. The two following paragraphs shall be added to Article IX.:—

“In States the laws of which do not admit of seizure upon importation, prohibition of importation may take the place of such seizure.

“The authorities shall not be compelled to effect the seizure in the case of goods in transit.”

5. Article X. shall run as follows:—

“Art. X. The stipulations of the preceding Article shall be applicable to every production which may falsely bear as indication of origin the name of a specified locality, when such indication shall be joined to a trade name of a fictitious character or used with intent to defraud.

“Any producer, manufacturer, or trader engaged in the production, manufacture, or trade of such goods, and established either in the locality falsely designated as the place of origin, or in the district where the locality is situated, is to be deemed a party concerned.”

6. There shall be inserted in the Convention an Article X. *bis*, in the terms following:—

“Art. X. *bis*. Persons resorting to the countries referred to in the Convention (Articles II. and III.) shall enjoy in all the States of the Union the protection accorded to nationals against dishonest competition.”

7. Article XI. shall run as follows:—

“Art. XI. The High Contracting Parties shall, in conformity with the legislation of each country, accord temporary protection to inventions susceptible of being patented, and to industrial designs or models, as well as to trade-marks or merchandize marks, in respect of products which shall be exhibited at official or officially recognized international Exhibitions held in the territory of one of them.”

8. Article XIV. shall run as follows:—

“Art. XIV. The present Convention shall be submitted to periodical revisions with a view to the introduction of amendments calculated to improve the system of the Union.

“For this purpose, Conferences shall be held successively, in one of the Contracting States, between the Delegates of the said States.”

9. Article XVI. shall run as follows:—

“Art. XVI. States which are not parties to the present Convention shall be allowed to accede to it upon their request.

“The accession shall be notified through the diplomatic channel to the Government of the Swiss Confederation, and by the latter to all the other States.

“ Elle emportera, de plein droit, accession à toutes les clauses et admission à tous les avantages stipulés par la présente Convention, et produira ses effets un mois après l’envoi de la notification faite par le Gouvernement Suisse aux autres Etats unionistes, à moins qu’une date postérieure n’ait été indiquée par l’Etat adhérent.”

ARTICLE II.

Le Protocole de clôture annexé à la Convention Internationale du 20 Mars, 1883, est complété par l’addition d’un numéro 3 *bis*, ainsi conçu:—

“ 3 *bis*. Le breveté, dans chaque pays, ne pourra être frappé de déchéance pour cause de non-exploitation qu’après un délai minimum de trois ans, à dater du dépôt de la demande dans le pays dont il s’agit, et dans le cas où le breveté ne justifierait pas des causes de son inaction.”

ARTICLE III.

Le présent Acte additionnel aura même valeur et durée que la Convention du 20 Mars, 1883.

Il sera ratifié, et les ratifications en seront déposées à Bruxelles, au Ministère des Affaires Etrangères, aussitôt que faire se pourra, et au plus tard dans le délai de dix-huit mois à dater du jour de la signature.

Il entrera en vigueur trois mois après la clôture du procès-verbal de dépôt.

En foi de quoi les Plénipotentiaires respectifs ont signé le présent Acte additionnel.

Fait à Bruxelles, en un seul exemplaire, le 14 Décembre, 1900.

Pour la Grande-Bretagne:

(Signé) CHARLES B. STUART WORTLEY.
H. G. BERGNE.
C. N. DALTON.

Pour la Belgique:

(Signé) A. NYSSENS.
CAPELLE.
GEORGES DE RO.
J. DUBOIS.

“It shall entail, as a matter of right, accession to all the clauses, as well as admission to all the advantages stipulated in the present Convention, and shall take effect one month after the dispatch of the notification by the Swiss Government to the other States of the Union, unless a subsequent date have been indicated by the acceding State.”

ARTICLE II.

The Final Protocol annexed to the International Convention of the 20th March, 1883, shall be completed by the addition of No. 3 *bis* in the following terms:—

“3 *bis*. The patent, in each country, shall not be liable to forfeiture on account of failure to utilize it, until after the expiration of at least three years from the date of the deposit of the application in the country concerned, and only provided the patentee cannot show reasonable cause for his inaction.”

ARTICLE III.

The present Additional Act shall have the same value and duration as the Convention of the 20th March, 1883.

It shall be ratified, and the ratifications shall be deposited at the Ministry for Foreign Affairs, Brussels, as soon as possible, and at the latest within a period of eighteen months from the date of signature.

It shall come into force three months after the Protocol of deposit shall have been closed.

In witness whereof the respective Plenipotentiaries have signed the present Additional Act.

Done at Brussels, in a single copy, the 14th December, 1900.

For Great Britain:

(Signed) CHARLES B. STUART WORTLEY.
H. G. BERGNE.
C. N. DALTON.

For Belgium:

(Signed) A. NYSENS.
CAPELLE.
GEORGES DE RO.
J. DUBOIS.

APPENDIX.

Pour le Brésil:

(Signé) F. XAVIER DA CUNHA.

Pour le Danemark:

(Signé) H. HOLTEN NIELSEN.

Pour la République Dominicaine:

(Signé) JOHN W. HUNTER.

Pour l'Espagne:

(Signé) W. R. DE VILLA URRUTIA.

Pour les Etats-Unis d'Amérique:

(Signé) LAWRENCE TOWNSEND.
FRANCIS FORBES.
WALTER H. CHAMBERLIN.

Pour la France:

(Signé) A. GÉRARD.
C. NICOLAS.
MICHEL PELLETIER.

Pour l'Italie:

(Signé) R. CANTAGALLI.
C. F. GABBA.
S. OTTOLENGHI.

Pour le Japon:

(Signé) I. MOTONO.

Pour la Norvège:

(Signé) COMTE WRANGEL.

Pour les Pays-Bas:

(Signé) SNYDER VAN WISSENKERKE.

Pour le Portugal:

(Signé) ERNESTO MADEIRA PINTO.

Pour la Serbie:

(Signé) DR. MICHEL VOÛTOH.

Pour la Suède:

(Signé) COMTE WRANGEL.

- For Brazil:
(Signed) F. XAVIER DA CUNHA.
- For Denmark:
(Signed) H. HOLTEN NIELSEN.
- For the Dominican Republic:
(Signed) JOHN W. HUNTER.
- For Spain:
(Signed) W. R. DE VILLA URRUTIA.
- For the United States of America:
(Signed) LAWRENCE TOWNSEND.
FRANCIS FORBES.
WALTER H. CHAMBERLIN.
- For France:
(Signed) A. GÉRARD.
C. NICOLAS.
MICHEL PELLETIER.
- For Italy:
(Signed) R. CANTAGALLI.
C. F. GABBA.
S. OTTOLENGHI.
- For Japan:
(Signed) I. MOTONO.
- For Norway:
(Signed) COMTE WRANGEL.
- For the Netherlands:
(Signed) SNYDER VAN WISSENKERKE.
- For Portugal:
(Signed) ERNESTO MADEIRA PINTO.
- For Servia:
(Signed) DR. MICHEL VOÛTCH.
- For Sweden:
(Signed) COMTE WRANGEL.

Pour la Suisse:

(Signé) JULES BOREL.
L. R. DE SALIS.

Pour la Tunisie:

(Signé) A. GÉRARD.
ETIENNE BLADÉ.

Procès-verbal.

LES Parties Contractantes ayant unanimement accepté que l'échange des ratifications sur l'Acte Additionnel à la Convention du 20 Mars, 1883, signé à Bruxelles le 14 Décembre, 1900, se ferait moyennant le dépôt des instruments respectifs aux archives du Ministère des Affaires Etrangères de Belgique, le présent procès-verbal de dépôt a été, à cet effet, ouvert au Ministère des Affaires Etrangères ce jourd'hui, 3 Mai, 1901.

(Signé)
LAWRENCE TOWNSEND.

Ce même jour a été effectué le dépôt des ratifications du Président des Etats-Unis d'Amérique.

(Signé)
JULES BOREL.

Ont été successivement présentées au dépôt:

Le 5 Août, 1901, les ratifications du Conseil Fédéral Suisse;

(Signé)
F. G. SCHACK DE BROCKDORFF.

Le 10 Octobre, 1901, les ratifications de Sa Majesté le Roi de Danemark;

(Signé)
CŒ. DE TOVAR.

Le 5 Novembre, 1901, les ratifications de Sa Majesté le Roi de Portugal et des Algarves;

(Signé)
CONSTANTINE PHIPPS.

Le 6 Décembre, 1901, les ratifications de Sa Majesté le Roi du Royaume-Uni de la Grande-Bretagne et d'Irlande et des Possessions Britanniques au delà des Mers, Empereur des Indes;

For Switzerland:

(Signed) JULES BOREL.
L. R. DE SALIS.

For Tunis:

(Signed) A. GÉRARD.
ETIENNE BLADÉ.

Procès-Verbal.

THE Contracting Parties having unanimously agreed that the exchange of the ratifications of the Additional Act to the Convention of the 20th March, 1883, signed at Brussels on the 14th December, 1900, shall be effected by means of the deposit of the respective instruments in the archives of the Belgian Ministry for Foreign Affairs, the present Protocol recording the deposit has been, for this purpose, drawn up at the Ministry for Foreign Affairs this 3rd day of May, 1901.

(Signed)
LAWRENCE TOWNSEND.

On this day the ratification of the President of the United States of America has been deposited.

In succession have been deposited:

(Signed)
JULES BOREL.

On the 5th August, 1901, the ratification of the Swiss Federal Council.

(Signed)
F. G. SCHACK DE BROCKDORFF.

On the 10th October, 1901, the ratification of His Majesty the King of Denmark.

(Signed)
CTE. DE TOVAR.

On the 5th November, 1901, the ratification of His Majesty the King of Portugal and the Algarves.

(Signed)
CONSTANTINE PHIPPS.

On the 6th December, 1901, the ratification of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India.

- (Signé)
P. DE FAVEREAU.
Le 10 Décembre, 1901, les ratifications de Sa Majesté le Roi des Belges;
- (Signé)
R. CANTAGALLI.
Le 12 Décembre, 1901, les ratifications de Sa Majesté le Roi d'Italie;
- (Signé)
S. MATSUGATA.
Le 21 Avril, 1902, les ratifications de Sa Majesté l'Empereur du Japon;
- (Signé)
A. GÉBARD.
Le 23 Mai, 1902, les ratifications du Président de la République Française et du Gouvernement Tunisien;
- (Signé)
C^{TE}. WRANGEL.
Le 5 Juin, 1902, les ratifications de Sa Majesté le Roi de Suède et de Norvège, pour la Suède;
- (Signé)
C^{TE}. WRANGEL.
Le même jour, les ratifications de Sa Majesté le Roi de Suède et de Norvège, pour la Norvège;
- (Signé)
R. DE PESTEL.
Le 10 Juin, 1902, les ratifications de Sa Majesté la Reine des Pays-Bas.

Conformément à l'Article 3 de l'Acte Additionnel du 14 Décembre, 1900, le présent procès-verbal a été clos à la date de ce jour.

Le Ministre des Affaires Etrangères
de Belgique,

(Signé) P. DE FAVEREAU.

Bruxelles, le 14 Juin, 1902.

Le dépôt des ratifications du Président des Etats-Unis du Brésil, du Président de la République Dominicaine, de Sa Majesté le Roi d'Espagne, et de Sa Majesté le Roi de Serbie n'ayant pu être

ACT MODIFYING CONVENTION OF 1883.

343

- (Signed)
P. DE FAVEREAU. On the 10th December, 1901,
the ratification of His Majesty
the King of the Belgians.
- (Signed)
R. CANTAGALLI. On the 12th December, 1901,
the ratification of His Majesty
the King of Italy.
- (Signed)
S. MATSUGATA. On the 21st April, 1902, the
ratification of His Majesty the
Emperor of Japan.
- (Signed)
A. GÉRARD. On the 23rd May, 1902, the
ratifications of the President of
the French Republic and of the
Government of Tunis.
- (Signed)
C. TE. WRANGEL. On the 5th June, 1902, the
ratification of His Majesty the
King of Sweden and Norway,
on behalf of Sweden.
- (Signed)
C. TE. WRANGEL. On the same day, the ratifi-
cation of His Majesty the
King of Sweden and Norway,
on behalf of Norway.
- (Signed)
R. DE PESTEL. On the 10th June, 1902, the
ratification of Her Majesty the
Queen of the Netherlands.

In conformity with Article 3 of the Additional Act of the 14th December, 1900, the present Protocol has been closed on this date.

The Belgian Minister for Foreign Affairs,

(Signed) P. DE FAVEREAU.
Brussels, June 14, 1902.

It not having been possible to deposit the ratifications of the President of the United States of Brazil, the President of the Dominican Republic, His Majesty the King of Spain, and His

effectué dans le délai fixé, les Gouvernements de la Belgique, du Danemark, des Etats-Unis d'Amérique, de la France, de la Grande-Bretagne, de l'Italie, du Japon, de la Norvège, des Pays-Bas, du Portugal, de la Suède, de la Suisse, et de la Tunisie se sont trouvés unanimement d'accord pour appliquer, à partir du 14 Septembre, 1902, l'Acte Additionnel du 14 Décembre, 1900, entre eux ainsi que vis-à-vis de ceux des quatre autres Etats Signataires dont les ratifications seraient déposées dans l'intervalle.

Pour copie conforme:

Le Secrétaire-Général
du Ministère des Affaires Etrangères de
Belgique,

(Signé) BARON LAMBERMONT.

ACT MODIFYING CONVENTION OF 1883.

345

Majesty the King of Servia, within the stipulated period, the Governments of Belgium, Denmark, the United States of America, France, Great Britain, Italy, Japan, Norway, the Netherlands, Portugal, Sweden, Switzerland, and Tunis have unanimously agreed that the Additional Act of the 14th December, 1900, shall, from the 14th September, 1902, take effect as regards themselves, and also as regards those of the other four Signatory States whose ratifications may in the interval have been deposited.

Certified copy:

The Secretary-General
of the Belgian Ministry for Foreign
Affairs,

(Signed) BARON LAMBERMONT.

STATUTORY RULES AND ORDERS, 1908.

No. 950.

PATENTS.

THE PATENTS RULES, 1908, DATED DECEMBER 17, 1907.

By virtue of the provisions of the Patents and Designs Act, 1907, hereinafter referred to as the "Act," the Board of Trade, hereinafter referred to as the "Board," do hereby make the following Rules:—

SHORT TITLE.

Short title. 1. These Rules may be cited as the Patents Rules, 1908.

COMMENCEMENT.

Commence-
ment. 2. These Rules shall come into operation from and immediately after the 31st December, 1907, with the exception of such of them as relate to procedure under Section 8 of the Act, which shall come into operation at such date as the Board may by Order direct.

INTERPRETATION.

Interpre-
tation. 3. In the construction of these Rules—
 "United Kingdom" includes the Isle of Man;
 "Foreign Application" means an application by any person for protection of his invention in a Foreign State or British Possession to which by any Order in Council for the time being in force the provisions of Section 91 of the Act are applicable;
 "Convention Application" means an application in the United Kingdom under Section 91 of the Act;
 "Office" means the Patent Office;
 "Journal" means the Illustrated Official Journal (Patents).

FEEES.

First
Schedule. 4. The fees to be paid under the Act, so far as it relates to Patents, shall be those specified in the list of fees in the First Schedule to these Rules.

FORMS.

5. The forms herein referred to are those contained in the Second and Third Schedules to these Rules, and such forms shall be used in all cases to which they are applicable, and shall be modified as directed by the comptroller to meet other cases.

Second
Schedule.

DOCUMENTS.

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

Size, &c., of
documents.

At the top of the first page of a specification a space of about two inches should be left blank.

7. Any application, notice, or other document authorised or required to be left, made, or given at the Office, or to the comptroller, or to any other person under the Act or these Rules, may be sent by a prepaid or official paid letter through the post, and if so sent shall be deemed to have been left, made, or given at the time when the letter containing the same would be delivered in the ordinary course of post. In proving such sending or service, it shall be sufficient to prove that the letter was properly addressed and put into the post.

Leaving and
serving
documents.

A letter addressed to a patentee at his address as it appears on the register of patents or at his address for service or to any applicant for or opponent to the grant, revocation, or restoration of a patent at the address appearing on the application or notice of opposition or given for service as hereinafter provided shall be deemed to be sufficiently addressed.

8. Every applicant for and opponent to the grant of a patent or the revocation of a patent or the restoration of a lapsed patent or the amendment of a specification, and every person who shall hereafter become a patentee, shall give an address for service in the United Kingdom, and such address may be treated, for all purposes connected with the patent, as the actual address of such applicant, opponent or patentee.

Address for
service.

If any patentee desires to have two addresses for service

entered in the register a request therefor shall be made on Patents Form No. 26.

The comptroller may require any existing patentee, who does not reside in the United Kingdom, to give an address for service within the United Kingdom, and such address may be treated as the actual address of the patentee for all purposes connected with such patent.

AGENCY.

Agency.

9. With the exception of the signing of the following documents namely, applications for patents, or for the revocation of patents or the restoration of lapsed patents, requests for leave to amend applications, specifications, or letters patent, authorisations of agents, notices of oppositions, requests for issue of duplicate letters patent, and surrenders of letters patent, all communications to the comptroller under the Act and these Rules relating to patents may be signed by and all attendances upon the comptroller may be made by or through an agent duly authorised to the satisfaction of the comptroller, and resident or having a place of business in the United Kingdom. The comptroller shall not be bound to recognise as such agent, or to receive further communications in respect of any business under the Act relating to patents from, any person whose name, by reason of his having been adjudged guilty of disgraceful professional conduct, has been erased from the register of patent agents kept under the provisions of the Act, and not since restored, or any person who is proved to the satisfaction of the Board, after being given an opportunity of being heard, to have been convicted of such an offence or to have been guilty of such misconduct as would have rendered him liable, if his name had been on the register of patent agents, to have his name erased therefrom, or any company, which if it had been an individual, the comptroller could refuse to recognise as agent, or any company or firm, if any person whom the comptroller could refuse to recognise as an agent acts as director or manager of the company or is a partner in the firm. In any particular case, the comptroller may, if he think fit, require the personal signature or presence of an applicant, opponent, or other person.

APPLICATIONS FOR THE GRANT OF PATENTS.

Form of application.

10. An application for a patent, other than a Patent of Addition or a Secret Patent, shall be made on one of the Patent Forms, Nos. 1, 1A or 1B, as the case may be. An application for a

Patent of Addition shall be made on Patents Form No. 1c, and an application for a Secret Patent on Patents Form No. 1d.

11. In the case of an application for a patent by the legal representative of a person who has died possessed of an invention, the probate of his will, or the letters of administration granted of his estate and effects, or an official copy of such probate or letters, shall be produced at the Office in proof of the applicant's title as such legal representative and be supported by such further evidence as the comptroller may require.

Application by representative of deceased inventor.

12. Applications for patents sent through the post shall, as far as may be practicable, be opened and numbered in the order in which the letters containing the same have been respectively delivered in the ordinary course of post.

Order of recording applications.

Applications left at the Office otherwise than through the post shall be in like manner numbered in the order of their receipt at the Office.

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

One invention.

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

Applications for separate patents by way of amendment.

Every such last-mentioned application may, if the comptroller at any time so direct, bear the date of the original application, or such date between the date of the original application and the date of the application in question, as the comptroller may direct, and shall otherwise be proceeded with as a substantive application in the manner prescribed by the Act and by these Rules.

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

(2) Where the same applicant has put in two or more provisional specifications for inventions which he believes to be cognate or modifications one of the other and the comptroller is of opinion that such inventions are not cognate or modifications one of the other, the applicant may divide the complete specification left in connexion with his application into such number of

complete specifications as may be necessary to enable the application to be proceeded with as two or more separate applications for patents for different inventions.

Claims.

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

APPLICATIONS UNDER THE INTERNATIONAL CONVENTION.

Convention applications.

15. Every Convention application shall contain a declaration that foreign application has been made for protection of the invention to which such Convention application relates, and shall specify all the Foreign States or British Possessions in which such foreign applications have been made, and the official date or dates thereof respectively. The application must be made within twelve months from the date of the first foreign application, and must be accompanied by a complete specification, and signed by the person or persons by whom such first foreign application was made. If such person, or any of such persons be dead, the application must be signed by the legal representative of such dead person, as well as by the other applicants, if any.

Foreign specification, &c., to accompany application.

1. In addition to the specification left with every Convention application a copy or copies of the specification or specifications and drawings or documents filed or deposited by the applicant in the Patent Office of the Foreign State or British Possession in respect of the first foreign application, duly certified by the official chief or head of the Patent Office of such Foreign State or British Possession as aforesaid, or otherwise verified to the satisfaction of the comptroller, must be left at the Office at the same time as the application or within such further time thereafter not exceeding three months as the comptroller may allow. If any specification or other document relating to the application is in a foreign language, a translation thereof shall be annexed thereto and verified by statutory declaration or otherwise to the satisfaction of the comptroller.

An application for extension of time for leaving the copy or copies of the foreign specification or specifications, drawings or documents shall be made on Patents Form No. 5.

Public inspection.

17. If the complete specification left with the application be not accepted within twelve months from the date of the first foreign application, it shall be open to public inspection at the expiration of that period.

Proceedings.

18. Save as aforesaid and as provided by Rule 83 all proceedings in connexion with a Convention application shall be taken

within the times and in the manner prescribed by the Act or these Rules for ordinary applications.

DRAWINGS.*

19. Drawings, when furnished, should accompany the provisional or complete specification to which they refer, except in the case provided for by Rule 26. No drawing or sketch such as would require the preparation for the printer of a special illustration for use in the letterpress of the specification when printed should appear in the specification itself. General.

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

21. Drawings must be on sheets which measure 13 inches from top to bottom and are either from 8 inches to $8\frac{1}{4}$ inches or from 16 inches to $16\frac{1}{2}$ inches wide, the narrower sheets being preferable. Size of drawings and arrangement of figures.

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

22. Drawings must be prepared in accordance with the following requirements:— Drawings to be suitable for reproduction.

- (a) They must be executed with absolutely black ink.
- (b) Each line must be firmly and evenly drawn, sharply defined, and of the same strength throughout.
- (c) Section lines, lines for effect, and shading lines should be as few as possible, and must not be closely drawn.
- (d) Shading lines must not contrast too much in thickness with the general lines of the drawing.
- (e) Sections and shading should not be represented by solid black or washes.

* NOTE.—Copies of Instructions as to the Preparation of Drawings may be had on application to the Patent Office.

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

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

Drawings to bear name of applicant, &c., but no descriptive matter.

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

Copies of drawings.

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

Marking of originals and true copies.

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

Delivery of drawings.

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

Provisional drawings used for complete specifications.

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

EXTENSION OF TIME FOR LEAVING COMPLETE SPECIFICATION.

Extension of time for leaving complete specification.

27. An application for one month's extension of time for leaving a complete specification shall be made on Patents Form No. 6.

PROCEDURE UNDER SECTION 7 OF THE ACT.

Power of comptroller to post-date.

28. If after the leaving of any complete specification the Examiner reports that the nature of the invention is not sufficiently

disclosed and defined to enable him to make the investigation prescribed by sub-section 1, and the comptroller requires amendment of the specification and drawings, or any of them, the application shall, if the comptroller at any time so direct, bear such date, subsequent to its original date and not later than the date when the requirement is complied with, as the comptroller may consider reasonably necessary to give sufficient time for the subsequent procedure relating to such application.

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

Provisional report in case of complete anticipation.

If the provisional report of the Examiner made under this Rule be not reversed or altered, it may be deemed a final report, and the application shall be dealt with as provided by sub-section 4. If, however, such provisional report be reversed or altered, the investigation shall be continued, and a further report shall be made to the comptroller, and the specification shall be dealt with as provided in sub-section 3 or sub-section 4, as the case may require.

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

Time for leaving amended specification.

31. When the applicant for a patent has been informed of the result of the investigation of the Examiner, made under the provisions of sub-section 1, and the time allowed for amendment of his specification has expired, the comptroller, if he is not satisfied that no objection exists to the specification on the ground that the invention claimed therein has been wholly or in part claimed or described in a previous specification within the meaning of that sub-section, shall inform the applicant accordingly and appoint a time for hearing him, and shall give him ten days' notice at the least of such appointment. The applicant shall as soon as possible notify the comptroller whether or not he desires to be heard. The comptroller shall, after hearing the applicant, or without a hearing, if the applicant has not attended a hearing appointed or has notified that he does not desire to be heard, determine whether reference ought to be made in the applicant's specification to any, and, if so, what prior specification or specifications by way of notice to the public, and in the event of the invention claimed

Hearing by the comptroller under sub-section 4.

being wholly and specifically claimed in any specification to which the investigation has extended whether he should refuse to grant a patent.

Reference
to prior
specification.

32. When under sub-section 4 the comptroller determines that a reference to a prior specification ought to be made by way of notice to the public, the form of reference shall be as follows, and shall be inserted after the claims:—

Reference has been directed in pursuance of section 7, sub-section 4, of the Patents and Designs Act, 1907, to specification No. of 1 .

Where the reference is inserted as the result of a provisional report under Rule 29, a statement to that effect shall be added to the reference.

PROCEDURE UNDER SECTION 8 OF THE ACT.

Procedure
under
section 8.

33. Where on the extended investigation provided for by section 8 of the Act it appears that the invention claimed in any specification deposited pursuant to an application is wholly or in part claimed in any published specification deposited pursuant to a prior application, the applicant shall be informed of the result of such extended investigation, and shall, within two months from the date of the letter so informing him, apply for leave to amend his specification by way of disclaimer, stating specifically what amendments he is prepared to make in it to remove the objection of anticipation, or if he considers that no amendments are necessary, inform the comptroller accordingly.

The comptroller shall consider any amendments submitted by the applicant for this purpose, and may allow the necessary amendments to be made.

Hearing by
comptroller.

If, at the expiration of the said two months, or such further time as the comptroller may allow, the comptroller is not satisfied that the invention claimed by the applicant is not wholly or in part claimed in the specification or specifications cited, he shall inform the applicant accordingly and appoint a time for hearing him, and shall give him ten days' notice at the least of such appointment. The applicant shall as soon as possible notify the comptroller whether or not he desires to be heard. The comptroller shall, after hearing the applicant or without a hearing, if the applicant has not attended a hearing appointed, or has notified that he does not desire to be heard, determine whether reference ought to be made in the applicant's specification to any, and if so, what prior specification or specifications by way of notice to the public.

34. When, under sub-sect. 2, the comptroller determines that reference to a prior specification ought to be made, by way of notice to the public, the form of reference shall be as follows, and shall be inserted after the claims:—

Reference to
prior speci-
fication.

“Reference has been directed, in pursuance of sect. 8, sub-sect. 2, of the Patents and Designs Act, 1907, to specification No. of 1 .”

35. When, after any accepted specification has been published, any amendment has been made, or any reference inserted therein, under either of the last two preceding Rules, notice thereof shall be advertised in the Journal.

Advertise-
ment of
amendments.

CHEMICAL INVENTIONS.—TYPICAL SAMPLES AND SPECIMENS.

36. Where under sect. 2, sub-sect. (5), of the Act before the acceptance of the complete specification left on any application for a patent for a chemical invention, the comptroller in any particular case considers it desirable to require typical samples or specimens to be furnished, such samples or specimens must, if so required by the comptroller, be supplied in duplicate.

Chemical
inventions—
Typical
samples and
specimens.

The fact that such samples or specimens have been furnished shall be notified to the public by a statement to that effect on the complete specification, and in connexion with the advertisement of acceptance of same in the Journal.

The samples or specimens must, unless other directions are specially given, be supplied in glass bottles of a total height not exceeding three inches, and of an external diameter of $1\frac{1}{2}$ inches, and the bottle must be securely closed by well-fitting stoppers, and sealed. Each bottle must have an adhesive or otherwise securely attached label bearing a description which clearly identifies the sample with the substance described in the specification. Labels which are not secured to the bottle by an adhesive should be 3 inches wide and not more than 4 inches long.

Where samples or specimens of colouring matters are required to be supplied, they must be accompanied by samples or specimens of materials printed or dyed with such colouring matters; such last-mentioned samples or specimens must be as flat as possible, and firmly attached to cards 13 inches long by 8 inches broad. The cards must bear a full description of the processes by which the respective dyed or printed effects were produced, including the compositions and strengths of the various baths, the temperatures, duration of treatment, degree of exhaustion of the dye baths, in the case of dyed fabrics the percentage of colouring matter fixed on, in the case of prints the composition of the

printing paste, and other necessary information. This description must also clearly identify the substance used with that described in the specification.

Samples of poisonous, corrosive, explosive, or easily inflammable substances must be clearly marked as such.

ACCEPTANCE OF SPECIFICATIONS.

Extension of time for accepting complete specification.
Notice and advertisement of acceptance.

37. An application for extension of time for accepting a complete specification shall be made on Patents Form No. 7.

38. On the acceptance of a provisional or complete specification the comptroller shall give notice thereof to the applicant, and shall advertise the acceptance of every complete specification in the Journal.

Inspection of specification.

39. Upon such acceptance in the case of a complete specification the application and specification or specifications with the drawings (if any) may be inspected at the Office upon payment of the prescribed fee.

OPPOSITION TO GRANTS OF PATENTS.

Notice of opposition.

40. A notice of opposition to the grant of a patent shall be given on Patents Form No. 8, and shall state the ground or grounds on which the person giving such notice (herein called the opponent) intends to oppose the grant, and must be signed by him. Such notice shall be accompanied by an unstamped copy, which shall be transmitted by the comptroller to the applicant.

Copy for applicant.

Statement of amendments desired.

Where the person giving notice of an opposition does not desire that the patent should be refused, but merely that the specification should be amended by disclaimer or limitation, the notice of opposition should be accompanied or supplemented as soon as may be by a written statement to that effect, indicating so far as can conveniently be done the general nature of the amendments desired and the portions of the earlier specifications, if any, relied upon as necessitating such amendments.

Evidence in support of allegation that invention has been obtained from opponent.

41.—(1) Where the ground of an opposition is that the applicant has obtained the invention from the opponent, or from a person of whom such opponent is the legal representative, unless evidence in support of such allegation be left at the Office within fourteen days after the expiration of two months from the date of the advertisement of the acceptance of the applicant's complete specification or such further time as the comptroller may in any special case allow, the opposition shall be deemed to be abandoned.

(2) Where the ground of the opposition is that the nature of the invention or the manner in which it is to be performed is not sufficiently or fairly described and ascertained in the complete specification, the notice of opposition should be accompanied by a written statement indicating so far as can conveniently be done in what respects the invention is alleged to be insufficiently or unfairly described or ascertained.

42. Except in the case provided for in Rule 41 (1) statutory declarations need not be left in connexion with an opposition, but the opponent may within fourteen days after the expiration of two months from the date of the advertisement of the acceptance of the applicant's complete specification, leave at the Office statutory declarations in support of his opposition, and on so leaving shall deliver to the applicant copies thereof. Opponent's evidence.

43. Within fourteen days from the delivery of such copies, the applicant may leave at the Office statutory declarations in answer, and on so leaving shall deliver to the opponent copies thereof, and within fourteen days from such delivery the opponent may leave at the Office his statutory declarations in reply, and on so leaving shall deliver to the applicant copies thereof. Such last-mentioned declarations shall be confined to matters strictly in reply. Applicant's evidence.
Evidence in reply.

44. If the opponent does not leave statutory declarations in support of his opposition, the applicant may (if he desires so to do) within three months from the date of the advertisement of the acceptance of his complete specification, leave at the Office statutory declarations in support of his application, and on so leaving shall deliver to the opponent copies thereof. Applicant's evidence if opponent does not leave statutory declarations.

45. Within fourteen days from the delivery of such copies, the opponent may leave at the Office statutory declarations in answer, and on so leaving shall deliver to the applicant copies thereof, and within fourteen days from such delivery the applicant may leave at the Office his statutory declarations in reply, and on so leaving shall deliver to the opponent copies thereof. Such last-mentioned declarations shall be confined to matters strictly in reply. Opponent's evidence.
Evidence in reply.

46. No further evidence shall be left on either side except by leave, or on the requisition, of the comptroller. Closing of evidence.

47. On completion of the evidence (if any), or at such other time as he may see fit, the comptroller shall appoint a time for the hearing of the case, and shall give the parties ten days' notice at the least of such appointment. If either party does not desire to be heard he shall as soon as possible notify the comptroller to that effect. If either party desires to be heard he must leave Patents Form No. 9 at the Office. The comptroller may refuse to hear either party who has not left Patents Form No. 9 prior to the Hearing.

date of hearing. If either party intends to refer at the hearing to any publication other than a specification mentioned in the notice of opposition, he should, unless the same has been referred to in a statutory declaration already filed, give to the other party and to the comptroller five days' notice at the least of his intention, together with details of each publication to which he intends to refer. After hearing the party or parties desirous of being heard or if neither party desires to be heard, then without a hearing, the comptroller shall decide the case and notify his decision to the parties.

SEALING OF PATENT AND PAYMENT OF FEE.

Sealing of patent and payment of fee.

48. If the applicant for a patent desires to have a patent sealed on his application, he shall within the period allowed by sect. 12 of the Act pay the sealing fee by leaving at the Office Patents Form No. 10, duly stamped.

Where in consequence of the neglect or failure of the applicant to pay such fee, a patent cannot be sealed within the period allowed by sect. 12, the applicant may apply to the comptroller on Patents Form No. 11 or Patents Form No. 12, as the case may be, for an extension of such period not exceeding three months where the period allowed for the sealing of the patent expires after the commencement of the Act, and not exceeding three months after the commencement of the Act where the period allowed for the sealing of the patent expired before the commencement of the Act.

The comptroller shall consider such application, and if the circumstances of the case appear to him to warrant the granting of the extension, he may seal the patent within such extended period.

Where the period allowed for the sealing of the patent has expired before the commencement of the Act, no proceedings shall be taken in respect of an infringement committed after the failure to pay the fee and before the sealing of the patent.

FORM OF PATENT.

Form of patent.

49. A patent, except in the cases provided for in Rules 50 and 51, may be in the Form A, in the Third Schedule to these Rules.

Form of patent of addition.

50. A patent of addition may be in the Form B, in the Third Schedule to these Rules.

Form of patent to legal representatives of deceased inventor and others.

51. Where after the commencement of the Act a patent is granted to the legal representatives of a deceased inventor, or in any case in which the applicants have asked to be treated for the purpose of the devolution not only of the legal but also of the beneficial interest in such patent as joint tenants, the form of the

patent shall be modified so as to show clearly that the persons to whom the grant is made are to be treated for the purpose of the devolution not only of the legal but also of the beneficial interest in the patent as joint tenants.

RENEWAL FEES.

52. If a patentee intends, at the expiration of the fourth year from the date of his patent or of any succeeding year during the term of the patent, to keep the same in force, he shall before the expiration of such year pay the prescribed annual renewal fee by means of Patents Form No. 13. The patentee may pay all or any of such prescribed annual renewal fees in advance. An application for an enlargement of time for payment of any fee under this Rule shall be made on Patents Form No. 14. Renewal fees.

53. On due compliance with the terms of Rule 52, the comptroller shall issue a certificate that the prescribed payment has been duly made. Certificate of payment of fee.

54. At any time not less than one month before the date when any renewal fee will become due in respect of any patent, the comptroller shall send to the patentee or patentees, whose names appear in the Register of Patents, at his or their address or addresses for service, or to the address of the person or persons who paid the last renewal fee, a notice reminding him or them of the date when such fee will become due, and of the consequences of the non-payment thereof. Notice as to renewal fees.

RESTORATION OF LAPSED PATENTS.

55. Where any patent has become void owing to the failure of the patentee to pay any prescribed fee within the prescribed time the patentee may apply to the comptroller on Patents Form No. 15 for an order for the restoration of the patent. Every such application shall be accompanied by one or more statutory declarations verifying the statements contained in such application. If the comptroller entertains the application, he shall advertise it in the Journal, and in such other manner as in his opinion is desirable. At any time within two months from the first of such advertisements in the Journal any person may give notice of opposition at the Office on Patents Form No. 16, and a copy of such notice shall be transmitted by the comptroller to the applicant. Restoration of lapsed patents.

56. Where such notice is given the opponent shall within 14 days after leaving the notice leave at the Office one or more statutory declarations verifying any evidence on which he relies in Opponent's evidence.

support of the grounds of his opposition, and on so leaving shall deliver to the applicant copies thereof.

Further
procedure.

57. Upon such declarations being left and delivered the provisions of Rules 43, 46, and 47 shall apply to the case, and the further proceedings thereon shall be regulated in accordance with such provisions as if they were herein repeated.

Order.

58. In every Order of the comptroller restoring a patent, provisions shall be inserted for the protection of persons who may have availed themselves of the subject-matter of the patent after the patent has been announced as void in the Journal. Such provisions shall restrain the patentee from commencing or prosecuting any action or other proceeding, and from recovering any damage:—

(1) In respect of any infringement of the patent which shall have taken place after the date on which the patent was announced in the Journal to be void and before the date of the order.

(2) In respect of the use or employment at any time thereafter of any mechanism, machine, machinery, process or operation actually made or carried on within the United Kingdom or of the use, purchase, or sale of any article manufactured or made in infringement of the patent after the date of the said announcement and before the date of the order. Provided that such use, purchase, sale, or employment is by the person or corporation by or for whom such machine or machinery or article was *bonâ fide* manufactured or made, or such mechanism, machine, machinery, 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, employment, or sale at any time thereafter by any person or corporation entitled for the time being under the preceding sub-section to use or employ any machine, machinery, mechanism, process or operation, or any improved or additional machine, machinery, mechanism, process or operation, or of the use or sale of any article manufactured or made by any of the means aforesaid in infringement of the patent; provided that the use or employment of any such improved or additional machine, machinery, mechanism, process or operation shall be limited to the buildings, works or premises existing at the time being or afterwards erected of the person or corporation by or for whom such machine, machinery, mechanism, process or operation was made or carried on within the meaning of the preceding paragraph, his or their executors, administrators, successors or assigns.

Compen-
sation.

59. The Order shall further provide that if any person within one year after the date thereof make an application to the Board

for compensation in respect of money, time, or labour expended by the applicant upon the subject-matter of the patent in the *bonâ fide* belief that such patent had become and continued to be void, it shall be lawful for the 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 patent shall become void, but the sum awarded shall not in that case be recoverable as a debt or damages.

AMENDMENT OF SPECIFICATION.

60. A request to the comptroller for leave to amend a specification, except when such request is made under Rule 33, shall be made on Patents Form No. 17. The request must be accompanied by a duly certified copy of the original specification and drawings, showing in red ink the proposed amendment in such manner as to indicate clearly the alteration desired, and shall be advertised by publication of the request and the nature of the proposed amendment in the Journal, and in such manner (if any) as the comptroller may in each case direct.

Request for leave to amend.

61. A notice of opposition to the amendment shall be on Patents Form No. 18, and shall be accompanied by an unstamped copy, which copy shall be transmitted by the comptroller to the applicant.

Notice of opposition.
Copy for the applicant.

62. Within fourteen days after the expiration of one month from the first advertisement of the application for leave to amend, the opponent may leave at the Office statutory declarations in support of his opposition, and on so leaving shall deliver to the applicant copies thereof.

Opponent's evidence.

63. Upon such declarations being left, and such copies being delivered, the provisions of Rules 43, 46, and 47 shall apply to the case, and the further proceedings shall be regulated in accordance with such provisions as if they were herein repeated.

Further proceedings.

64. If the opponent does not leave statutory declarations in support of his opposition, the applicant may (if he desires so to do) within two months from the date of the first advertisement of the application for leave to amend leave at the Office statutory declarations in support of his application, and on so leaving shall deliver to the opponent copies thereof.

Applicant's evidence if opponent does not leave statutory declarations.

65. Upon such declarations being left, and such copies being delivered, the provisions of Rules 45, 46, and 47 shall apply to the

Further proceedings.

case, and further proceedings therein shall be regulated in accordance with such provisions as if they were herein repeated.

Requirements on amendment.

66. Where leave to amend is given the applicant shall, if the comptroller so require, and within a time to be limited by him, leave at the Office a new specification and drawings as amended, to be prepared in accordance with Rules 6 and 19 to 25.

Advertisement of amendment.

67. Every amendment of a specification shall be advertised forthwith by the comptroller in the Journal, and in such other manner (if any) as the comptroller may direct.

COMPULSORY LICENCES AND REVOCATION OF PATENTS.

Petition for grant of compulsory licence or revocation of Patent.

68. A petition to the Board for an order under sect. 24 of the Act shall be made on Patents Form No. 20, and shall show clearly the nature of the petitioner's interest and the ground or grounds upon which he claims to be entitled to relief, and shall state in detail the circumstances of the case, the terms upon which he asks that an order may be made, and the purport of such order, and the name and address of the patentee and any other person who is alleged in the petition to have made default.

To be left with evidence at Office.

69. The petition and an examined copy thereof shall be left at the Office with a request on Patents Form No. 19, and shall be accompanied by affidavits or statutory declarations in proof of the allegations contained in the petition together with any other documentary evidence in support, and the petitioner shall simultaneously with, or as soon as may be after, the leaving of such petition deliver to the patentee and any other person who is alleged in the petition to have made default, copies of the petition and of such affidavits or statutory declarations and other documentary evidence in support.

Opponent's evidence.

70. The persons to whom such copies are delivered by the petitioner may give notice of opposition on Patents Form No. 21, and may, within fourteen days after being invited to do so by the Board, leave at the Office their affidavits or statutory declarations in answer, and if they do so shall deliver copies thereof to the petitioner; and the petitioner may within fourteen days from such last-mentioned delivery leave at the Office his affidavits or statutory declarations in reply, and if he does so shall deliver copies thereof to the patentee or any other person alleged in the petition to have made default, such last-mentioned affidavits or statutory declarations being confined to matters strictly in reply.

Evidence in reply.

The times prescribed by this Rule may be altered or enlarged by the Board, if they think fit, upon such notice to parties interested and upon such terms, if any, as they may direct.

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

Closing of evidence.

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

Power of Board of Trade to dismiss Petition.

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

Arrangements between parties.

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

Reference of petition to the Court.

PROCEDURE UNDER SECTION 26 OF THE ACT.

75. An application for the revocation of a patent under sect. 26 of the Act shall be made on Patents Form No. 22, and shall be accompanied by an unstamped copy of the form, which shall be transmitted by the comptroller to the patentee. Where the ground of application is that the applicant for the patent obtained the invention from the person applying for the revocation of the patent, evidence by way of statutory declaration in support of such allegation shall be left at the Office at the same time as the application for the revocation, or as soon as may be thereafter. In other cases such evidence may be so left by the applicant for revocation if he desires. Copies of any declaration left at the Office under this Rule shall be delivered by the applicant to the patentee.

Application under sect. 26 of the Act.

76. Upon such declarations being left and delivered the provision of Rules 43 to 47 shall apply *mutatis mutandis* to the

Procedure.

furnishing of further evidence and to the hearing of the case before the comptroller.

Surrender of patent.

77. A notice of an offer by a patentee to surrender his patent under sect. 26 of the Act shall be given on Patents Form No. 23, and shall be advertised by the comptroller in the Journal and in such other manner, if any, as he deems desirable.

REVOCATION OF PATENTS WORKED OUTSIDE THE UNITED KINGDOM.

Revocation of patents worked outside the United Kingdom.

78. An application for the revocation of a patent under sect. 27 of the Act shall be made on Patents Form No. 24. The applicant shall simultaneously with, or as soon as may be after, the leaving of such application at the Office deliver, or cause to be delivered, to the patentee or his agent a copy of such application, and furnish the comptroller with evidence of such delivery.

Procedure.

79. The patentee shall within fourteen days from the delivery of such copy, or within such further time as the comptroller may allow, leave at the Office evidence, by way of statutory declaration, stating whether or not the allegations contained in the application are correct; and, if they are incorrect, to what extent, and in what place the patented article or process is manufactured or carried on in the United Kingdom; and setting out in the event of the article or process not being manufactured or carried on in the United Kingdom to an adequate extent, the reasons why it is not so manufactured or carried on. The patentee shall deliver or cause to be delivered, copies of such evidence to the applicant and furnish the comptroller with evidence of such delivery.

Within fourteen days from the delivery of such copies, or within such further time as the comptroller may allow, the applicant shall, if he decides to proceed with his application, leave at the Office statutory declarations in answer, and on so leaving shall deliver to the patentee or his agent copies thereof, and furnish the comptroller with evidence of such delivery.

Closing of evidence.

80. No further evidence shall be left at the Office on either side except by leave, or on the requisition of the comptroller, and upon such terms, if any, as the comptroller may think fit.

Hearing.

81. On completion of the evidence or at such other time as he may see fit, the comptroller shall appoint a time for the hearing of the case, and give the parties 10 days' notice at least of such appointment, and in the event of his deciding to take evidence *vivâ voce* in lieu of or in addition to the evidence by declaration,

or to allow any declarant to be cross-examined on his declaration, he may require the attendance of any declarant or other person, whose evidence he may consider desirable.

REGISTER OF PATENTS.

82. Upon the sealing of a patent the comptroller shall cause to be entered in the Register of Patents the name, address, and calling of the patentee as the grantee thereof, the title of the invention, the date of the patent, and the date of the grant thereof, together with the address for service.

Entry of grant.

83. The patent granted on any Convention application shall be entered in the register as dated of the date on which the first foreign application was made, and the payment of renewal fees, and the expiration of the patent, shall be reckoned as from the date of the first foreign application. The date of the application in this country shall also be entered in the register.

Entry in respect of Convention application.

84. If a patentee send to the comptroller on Patents Form No. 25 notice of an alteration in his name or address or address for service, the comptroller shall cause the register to be altered accordingly, and may require the altered address to be in the United Kingdom.

Alteration of address.

85. Where a person becomes entitled by assignment, transmission, or other operation of law to a patent, or to any interest therein, as mortgagee, licensee or otherwise, a request for the entry in the register of his name as proprietor of the patent, or of a notice of such interest, as the case may be, shall be addressed to the comptroller, and left at the Office.

Request for entry of subsequent proprietorship.

86. Such request shall be on Patents Form No. 27 or Patents Form No. 28, as the case may be, and shall in the case of individuals be made and signed by the person requiring to be registered as proprietor, or by his agent, and in the case of a body corporate by its agent.

Form and signature of request.

87. Every such request shall state the name, address, and calling of the person claiming to be entitled to the patent, or to any interest therein, as the case may be, and the particulars of the assignment, transmission, or other operation of law, by virtue of which he claims to have entered in the register his name as proprietor or a notice of such interest, so as to show the manner in which, and the person or persons to whom, the patent, or such interest therein as aforesaid, has been assigned or transmitted.

Particulars to be stated in request.

88. Every assignment, and every other document containing, giving effect to, or being evidence of, the transmission of a patent or affecting the proprietorship thereof as claimed by such request,

Production of documents of title and other proof.

except such documents as are matters of record, shall, unless the comptroller in his discretion otherwise directs, be produced to him together with the request, and he may call for such other proof of title as he may require for his satisfaction.

As to a document which is a matter of record, an official or certified copy thereof shall in like manner be produced to the comptroller.

Copies for
Office.

89. There shall also be left with the request an attested copy of the assignment or other document or copy above required to be produced.

Entry of
notice of
interest.

90. The notice of interest in the patent of any person other than the proprietor entered in the register in pursuance of the request shall be such as may appear applicable to the circumstances of the particular case.

Entry of
notification of
document.

91. Where it is desired to enter in the register a notification of any document purporting to affect the proprietorship of a patent an attested copy of such document shall be left at the Office with a request on Patents Form No. 29 that a notification thereof may be entered in the register. The accuracy of such copy shall be certified as the comptroller may direct, and the original document shall at the same time be produced and left at the Office if required for further verification.

Entry of date
of payment of
fees on issue of
certificate.

92. Upon the issue of a certificate of payment under Rule 53, the comptroller shall cause to be entered in the register a record of the date of payment of the fee on such certificate.

Entry of failure
to pay fees.

93. If a patentee fails to make any prescribed payment within the prescribed time, or any enlargement thereof duly granted, there shall be duly entered in the register a notification of such failure.

Hours of
inspection of
register.

94. The register of patents shall be open to the inspection of the public on every day on which the Office is open to the public during the time it is so open except at such times when the register is required for any purpose of official use.

CORRECTION OF CLERICAL ERRORS.

Correction of
clerical errors.

95. A request for the correction of a clerical error in or in connexion with an application for a patent, or in any patent or specification, or in any matter which is entered upon the register of patents, shall be made on Patents Form No. 30.

CERTIFICATES.

Certificates
and certified
copies of
documents.

96. A request for a certificate of the comptroller as to any entry, matter or thing which he is authorised by the Act or any

of these Rules to make or do, shall be made on Patents Form No. 31.

Certified copies of any entry in the register, or certified copies of, or extracts from, patents, specifications, disclaimers, affidavits, statutory declarations, and other public documents in the Office, or of or from registers and other books kept there, may be furnished by the comptroller on payment of the prescribed fee.

SECRET PATENTS.

97. When it has been decided by the Secretary of State for War or the Admiralty that it is advisable to take out a secret patent for any invention assigned under sect. 30 of the Act, and an application for such patent has been made on Patents Form No. 1D, accompanied by a certificate of the Secretary of State or the Admiralty, under sect. 30 (3) of the Act, the comptroller shall not communicate the application or any documents relating thereto to any member of his staff other than a deputy or special examiner or examiners, who shall make the required investigations and reports required by the Act to be made in the case of other applications for patents. Secret patents.

Unless and until such invention is re-assigned to the inventor by the Secretary of State or the Admiralty—

- (1) No copy of any specification or any other document or drawing relating thereto shall in any manner whatever be published or open to the inspection of the public.
- (2) The application for the patent, and the acceptance of any specification relating to the invention shall not be advertised, nor shall the grant of the patent for such invention be open to opposition under sect. 11 of the Act; but the comptroller shall cause a patent to be sealed in respect of every such invention as soon as may be after the acceptance of the complete specification relating thereto.
- (3) Every such secret patent shall be registered in a confidential register at the Office, and no details or particulars relating thereto shall at any time be published as required by the Act for ordinary patents. Nor shall any entry be made in the ordinary Register of Patents in respect of any such patent or any assignment thereof.
- (4) No fees shall be payable in respect of any secret patent, and every such patent, notwithstanding the non-payment of such fees, shall remain in force for the full period of 14 years from its date.

Certificate of
secrecy after
application.

98. When an application has been made otherwise than as provided by the last preceding rule for a patent for an invention, and such application is still pending, and a certificate under sect. 30 (3) of the Act is furnished to the comptroller by the Secretary of State or the Admiralty, the provisions of such rule shall, so far as is practicable, having regard to the date of such certificate, apply to such application and to all documents relating thereto.

Re-assign-
ment.

99. In the event of any secret patent being re-assigned to the inventor by the Secretary of State or the Admiralty, it shall be removed from the Confidential Register of secret patents; all fees that would have been thereafter payable if the same had not been a secret patent shall be paid in respect thereof; and the patent shall remain in force only for the same term, and subject to the same conditions as to payment of fees and otherwise as if it had not been a secret patent.

LOST PATENT.

Lost patent.

100. An application for a duplicate of a patent which has been lost or destroyed shall be made on Patents Form No. 32, and in accordance with the directions thereon.

INDUSTRIAL OR INTERNATIONAL EXHIBITIONS.

Industrial or
international
exhibitions.

101. Any person desirous of exhibiting an invention at an industrial or international exhibition, or of publishing any description of the invention during the period of the holding of the exhibition, or of using the invention for the purpose of the exhibition in the place where the exhibition is held, may, after the Board have issued a certificate that the exhibition is an industrial or international one, give to the comptroller notice on Patents Form No. 33 of his intention to exhibit, publish, or use the invention, as the case may be. For the purpose of identifying the invention in the event of an application for a patent being subsequently made the inventor shall furnish to the comptroller a brief description of his invention, accompanied, if necessary, by drawings, and such other information as the comptroller may in each case require.

EXERCISE OF DISCRETIONARY POWERS BY THE COMPTROLLER.

Exercise of
discretionary
powers by
comptroller.

102. Before exercising any discretionary power given to the comptroller by the Act or these Rules adversely to the applicant for a patent or for amendment of a specification, the comptroller

shall give ten days' notice, or such longer notice as he may think fit, to the applicant of the time when he may be heard personally or by his agent before the comptroller. Notice of hearing.

103. Within five days from the date on which such notice would be delivered in the ordinary course of post, or such longer time as the comptroller may appoint in such notice, the applicant shall notify in writing to the comptroller whether or not he intends to be heard upon the matter. Notice by applicant.

104. Whether the applicant desires to be heard or not, the comptroller may at any time require him to submit a statement in writing within a time to be notified by the comptroller, or to attend before him and make oral explanations with respect to such matters as the comptroller may require. Comptroller may require statement, &c.

105. The decision or determination of the comptroller in the exercise of any such discretionary power as aforesaid shall be notified by him to the applicant, and to any other person who appears to him to be affected thereby. Decision to be notified to parties.

STATUTORY DECLARATIONS AND AFFIDAVITS.

106. The statutory declarations and affidavits required by these Rules, or used in any proceedings thereunder, shall be headed in the matter or matters to which they relate and shall be drawn up in the first person, and shall be divided into paragraphs consecutively numbered, and each paragraph shall so far as possible be confined to one subject. Every statutory declaration or affidavit shall state the description and true place of abode of the person making the same, and shall be written or printed bookwise and shall bear the name and address of the person leaving it and shall state on whose behalf it is left. Form, &c., of statutory declaration and affidavit.

107. The statutory declarations and affidavits required by the Act and these Rules, or used in any proceedings thereunder, shall be made and subscribed as follows:— Manner in which, and persons before whom, declaration or affidavit is to be taken.

- (a) In the United Kingdom, before any justice of the peace, or any commissioner or other officer authorised by law in any part of the United Kingdom to administer an oath for the purpose of any legal proceeding;
- (b) In any other part of His Majesty's dominions, before any Court, judge, justice of the peace, or any officer authorised by law to administer an oath there for the purpose of a legal proceeding; and
- (c) If made out of His Majesty's dominions, before a British Minister, or person exercising the functions of a British Minister, or a Consul, Vice-Consul, or other person exercising the functions of a British Consul,

or before a notary public, or before a judge or magistrate.

GENERAL.

Power of amendment, &c.

108. Any document for the amending of which no special provision is made by the Act may be amended, and any irregularity in procedure, which in the opinion of the comptroller may be obviated without detriment to the interests of any person, may be corrected, if and on such terms as the comptroller may think fit.

General power to enlarge time.

109. The times prescribed by these Rules for doing any act, or taking any proceeding thereunder, other than the times for lodging evidence referred to in Rules 68 to 74, or the times prescribed by Rules 16, 41 and 55, may be enlarged by the comptroller if he thinks fit, and upon such notice to other parties, and proceedings thereon, and upon such terms, as he may direct.

Days and hours of business.

110. The Office shall be open to the public every weekday except Saturday between the hours of ten and four, and on Saturday between the hours of ten and one, except on the days following:—

Christmas Day, Good Friday, the day observed as His Majesty's birthday, the days observed as days of public fast or thanksgiving, or as holidays at the Bank of England, and days which may from time to time be notified by a placard posted in a conspicuous place at the Office.

Excluded days.

111. Whenever the last day fixed by the Act, or by these Rules, for doing anything shall fall on a day when the Office is not open or on a Saturday, which days shall be excluded days for the purposes of the Act and these Rules, it shall be lawful to do any such thing on the day next following such excluded day, or days if two or more of them occur consecutively.

Power to dispense with evidence, signature, &c.

112. Where, under these Rules, any person is required to do any act or thing, or to sign any document, or to make any declaration on behalf of himself or of any body corporate, or any document or evidence is required to be produced to or left with the comptroller, or at the Office, and it is shown to the satisfaction of the comptroller that from any reasonable cause such person is unable to do such act or thing, or to sign such document, or to make such declaration, or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the comptroller, with the sanction of the Board, and upon the production of such other evidence, and subject to such terms as he may think fit, to dispense with any such act or thing, document, declaration, or evidence.

APPLICATIONS TO AND ORDERS OF COURT.

113. Four clear days' notice of every application to the Court under sect. 72 of the Act for rectification of the register of patents shall be given to the comptroller. Applications to a Court.

Where any Order has been made by the Court under the Act revoking a patent or extending the term of a patent, or allowing a patentee to amend his specification or affecting the validity or proprietorship of a patent, the person in whose favour such Order has been made shall forthwith leave at the Office an office copy of such Order together with Patents Form No. 34. The specification shall thereupon be amended or the register rectified or the purport of such Order shall otherwise be duly entered in the register as the case may be. Orders of Court.

REPEAL.

114. All general rules relative to Patents heretofore made by the Board of Trade under the Patents, Designs and Trade Marks Acts, 1883 to 1902, and in force on the 31st day of December, 1907, shall be and they are hereby repealed as from that date, without prejudice, nevertheless, to anything done under such rules, or to any application or other matter then pending. Repeal.

Dated the 17th day of December, 1907.

D. LLOYD GEORGE,
President of the Board of Trade.

THE FIRST SCHEDULE.

LIST OF FEES PAYABLE IN RESPECT OF THE GRANT OF PATENTS AND OF OTHER MATTERS WITH RELATION THERETO.

—	—	Corresponding Form.
£ s. d.	£ s. d.	
1. On application accompanied by provisional specification ...	1 0 0	Patents Form No. 1, 1A, 1B, or 1C.
2. On filing complete specification thereafter ...	3 0 0	Patents Form No. 3.
or		
3. On application accompanied by complete specification ...	4 0 0	„ „
4. On appeal from Comptroller to Law Officer. By appellant ...	3 0 0	Patents Form No. 4.

	—	Corresponding Form.
5. For extension of time under Rule 16 :— Not exceeding one month	£ 2 0 0	Patents Form No. 5.
,, two months	4 0 0	,, ,,
,, three months... ..	6 0 0	,, ,,
6. For extension of time for leaving complete specification not exceeding one month	2 0 0	Patents Form No. 6.
7. For extension of time for acceptance of complete specification :— Not exceeding one month	2 0 0	Patents Form No. 7.
,, two months	4 0 0	,, ,,
,, three months	6 0 0	,, ,,
8. On notice of opposition to grant of patent. By opponent	0 10 0	Patents Form No. 8.
9. On hearing by Comptroller. By applicant and by opponent respectively ...	1 0 0	Patents Form No. 9.
10. On sealing of patent	1 0 0	Patents Form No. 10.
11. For extension of time for sealing of patent where period allowed for the sealing of the patent will expire after the commencement of the Act :— Not exceeding one month	2 0 0	Patents Form No. 11.
,, two months... ..	4 0 0	,, ,,
,, three months	6 0 0	,, ,,
12. For extension of time for sealing a patent, where period allowed for the sealing of the patent has expired before the commencement of the Act	10 0 0	Patents Form No. 12.
On certificate of renewal :—		
13. Before the expiration of the 4th year from the date of the patent and in respect of the 5th year	5 0 0	Patents Form No. 13.
14. Before the expiration of the 5th year from the date of the patent and in respect of the 6th year	6 0 0	,, ,,
15. Before the expiration of the 6th year from the date of the patent and in respect of the 7th year	7 0 0	,, ,,
16. Before the expiration of the 7th year from the date of the patent and in respect of the 8th year	8 0 0	,, ,,
17. Before the expiration of the 8th year from the date of the patent and in respect of the 9th year	9 0 0	,, ,,
18. Before the expiration of the 9th year from the date of the patent and in respect of the 10th year	10 0 0	,, ,,
19. Before the expiration of the 10th year from the date of the patent and in respect of the 11th year	11 0 0	,, ,,

	—	Corresponding Form.
20. Before the expiration of the 11th year from the date of the patent and in respect of the 12th year	£ s. d. 12 0 0	Patents Form No. 13.
21. Before the expiration of the 12th year from the date of the patent and in respect of the 13th year	13 0 0	„ „
22. Before the expiration of the 13th year from the date of the patent and in respect of the 14th year	14 0 0	„ „
23. On enlargement of time for payment of renewal fees:—		
Not exceeding one month	1 0 0	Patents Form No. 14.
„ two months	3 0 0	„ „
„ three months	5 0 0	„ „
24. On application for restoration of a lapsed patent	20 0 0	Patents Form No. 15.
25. On notice of opposition to application for restoration of lapsed patent ...	1 0 0	Patents Form No. 16.
26. On hearing by Comptroller. By applicant and opponent respectively ...	1 0 0	Patents Form No. 9.
27. On application to amend specification:—		
Up to sealing. By applicant ...	1 10 0	Patents Form No. 17.
After sealing. By patentee	3 0 0	„ „
28. On notice of opposition to amendment. By opponent	0 10 0	Patents Form No. 18.
29. On hearing by Comptroller. By applicant and by opponent respectively ...	1 0 0	Patents Form No. 9.
30. On application to the Board of Trade for a compulsory licence. By person applying	1 0 0	Patents Form No. 19.
31. On opposition to grant of compulsory licence. By opponent	1 0 0	Patents Form No. 21.
32. On application to Comptroller to revoke a patent under Section 26	2 0 0	Patents Form No. 22.
33. On hearing by Comptroller. By applicant and by patentee respectively ...	2 0 0	Patents Form No. 9.
34. On offer to surrender a patent under Section 26	1 0 0	Patents Form No. 23.
35. On hearing by Comptroller. By applicant and by opponent respectively ...	1 0 0	Patents Form No. 9.
36. On application under Section 27 to Comptroller to revoke a patent worked outside the United Kingdom.	2 0 0	Patents Form No. 24.

	—	—	Corresponding Form.
37. On hearing by Comptroller. By applicant and by patentee respectively ...	£	s. d.	Patents Form No. 9.
	2	0 0	
38. For altering name or address or address for service in register	0	5 0	Patents Form No. 25.
39. For entry of two addresses for service in register	0	5 0	Patents Form No. 26.
40. On request to enter name of subsequent proprietor in the register of patents...	0	10 0	Patents Form No. 27.
41. On request to enter notice of interest in the register of patents	0	10 0	Patents Form No. 28.
42. On request to enter notification of a document in the register of patents...	0	10 0	Patents Form No. 29.
43. On request to Comptroller to correct a clerical error:—			
Up to sealing	0	5 0	Patents Form No. 30.
After sealing	1	0 0	„ „
44. For certificate of Comptroller under Section 78	0	5 0	Patents Form No. 31.
45. For duplicate of letters patent	2	0 0	Patents Form No. 32.
46. On notice to Comptroller of intended exhibition of an invention under Section 45	0	10 0	Patents Form No. 33.
47. On notice of Order of Court for amendment of specification or rectification of register	0	10 0	Patents Form No. 34.
48. On postal request for printed specification	0	0 8	Patents Form No. 35.
49. Search or inspection fee	0	1 0	
50. For office copies ... every 100 words (but never less than one shilling)	0	0 4	
51. For office copies of drawings, cost according to agreement.			
52. For certifying office copies, MSS. or printed each	0	1 0	

President of the Board of Trade.

Dated the 17th day of December, 1907.

Approved:

JOSEPH A. PEASE. }
T. H. WHITLEY. }

Lords Commissioners of
His Majesty's Treasury.

THE SECOND SCHEDULE.

FORMS.	Page in this Volume.	Corresponding Fee.
Patents Form No. 1.—Application for Patent ...	377	£1
,, No. 1A.—Application for Patent communicated from abroad ...	379	£1
,, No. 1B.—Application for Patent under International and Colonial arrangements	381	£1
,, No. 1C.—Application for Patent of Addition	383	£1
,, No. 1D.—Application for Secret Patent	385	—
,, No. 2.—Provisional Specification...	387	—
,, No. 3.—Complete	388	£3
,, No. 4.—Appeal to Law Officer ...	389	£3
,, No. 5.—Application for extension of Time under Rule 16	390	£2, £4, or £6
,, No. 6.—Application for extension of Time for leaving Complete Specification	391	£2
,, No. 7.—Application for extension of Time for acceptance of Com- plete Specification	392	£2, £4, or £6
,, No. 8.—Opposition to Grant of Patent	393	10s.
,, No. 9.—Notice that Hearing will be attended	394	£1 or £2
,, No. 10.—Notice of Desire to have Patent sealed	395	£1
,, No. 11.—Application for extension of Time for sealing of Patent, where period allowed for Sealing of Patent will expire after com- mencement of Act	396	£2, £4, or £6
,, No. 12.—Application where period allowed for the Sealing of the Patent has expired before the commencement of the Act ...	397	£10
,, No. 13.—Application for Certificate of Payment or Renewal	398	£5 to £14
,, No. 14.—Application for Enlarge- ment of Time for Payment of Renewal Fee	399	£1, £3, or £5
,, No. 15.—Application for restoration of a lapsed Patent	400	£20
,, No. 16.—Notice of opposition to an application for restoration of a lapsed Patent	401	£1
,, No. 17.—Application to amend Specification	402	£1 10s. or £3
,, No. 18.—Opposition to Amendment of Specification	403	10s.

FORMS.	Page in this Volume.	Corresponding Fee.
Patents Form No. 19.—Application for Grant of Compulsory Licence or Revocation of Patent	404	£1
„ No. 20.—Petition for Grant of Compulsory Licence or Revocation of Patent	405	—
„ No. 21.—Opposition to Petition for Grant of Compulsory Licence or Revocation of Patent	406	£1
„ No. 22.—Application to the Comptroller for an Order for the Revocation of a Patent under sect. 26 of the Act	407	£2
„ No. 23.—Offer to Surrender a Patent	408	£1
„ No. 24.—Application for Revocation of a Patent under sect. 27 of the Act	409	£2
„ No. 25.—Notice of Alteration of Name or Address for Service in Register	410	6s.
„ No. 26.—Request to enter two Addresses for Service in Register ..	411	5s.
„ No. 27.—Request to enter Name upon the Register of Patents ...	412	10s.
„ No. 28.—Request to enter Notice of Interest in the Register ...	413	10s.
„ No. 29.—Request to enter Notification of Document in Register..	414	10s.
„ No. 30.—Request for Correction of Clerical Error	415	5s. or £1
„ No. 31.—Request for Certificate of Comptroller	416	5s.
„ No. 32.—Application for Duplicate of Patent	417	£2
„ No. 33.—Notice of Intended Exhibition of Unpatented Invention	418	10s.
„ No. 34.—Application for Entry of Order of Court	419	10s.
„ No. 35.—On postal request for printed Specification	420	8d.

PATENTS FORM No. 1.

PATENT.
£1.

PATENTS AND DESIGNS ACT, 1907.

(To be accompanied by two copies of Patents Form No. 2 or of Patents Form No. 3.)

APPLICATION FOR PATENT.

(a) Here insert (in full) name, address, and calling of applicant or applicants.

(a) I (or we) _____

_____ do hereby declare that I am (or we are) in possession of an invention the title of which is (b) _____

(b) I hereby certify that the title of the invention is _____

(c) In the case of more than one applicant, state here who is or are the inventor or inventors.

that (c) _____ claim to be the true and first inventor thereof; and that the sum is not in use by any other person or persons to the best of my (or our) knowledge and belief; and I (or we) humbly pray that a Patent may be granted to me (or us) for the said invention.

Dated the _____ day of _____, 19_____

(d) To be signed by applicant or applicants. In the case of a Firm, each member of the Firm must sign.

(d) _____

NOTE.—One of the two forms on the back hereof or a separate authorization of agent should be signed by the applicant or applicants.

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

APPENDIX.

(1.) *Where application is made through an Agent (Rule 9).*

I (or we) hereby appoint _____
of _____
to act as my (or our) Agent in respect of the within application for a
Patent, and request that all notices, requisitions, and communications
relating thereto may be sent to such Agent at the above address.

Dated the _____ day of _____, 19 _____

* To be signed
by applicant or
applicants.

(2.) *Where application is made without an Agent (Rule 8).*

I (or we) hereby request that all notices, requisitions, and communica-
tions in respect of the within application may be sent to
_____ at _____

Dated the _____ day of _____, 19 _____

+ To be signed
by applicant or
applicants.

† _____

PATENTS FORM NO. 1A.



PATENTS AND DESIGNS ACT, 1907.

(To be accompanied by two copies of Patents Form No. 2 or of Patents Form No. 3.)

APPLICATION FOR PATENT FOR INVENTION COMMUNICATED FROM ABROAD.

(a) Here insert (in full) name, address, and calling of applicant or applicants.

(a) I (or we) _____ of _____

_____ do hereby declare that I am (or we are) in possession of an invention the title of which is

(b) Here insert title of invention.

(b) _____

(c) Here insert name, address, and calling of communicator.

which invention has been communicated to me (or us) by (c) _____

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

Dated the _____ day of _____, 19____

(d) To be signed by applicant or applicants.

(d) _____

NOTE.—One of the two forms on the back hereof or a separate authorization of agent should be signed by the applicant or applicants.

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

APPENDIX.

(1) *Where application is made through an Agent (Rule 9).*

I (or we) hereby appoint _____
of _____
to act as my (or our) Agent in respect of the within application for a
Patent, and request that all notices, requisitions, and communications
relating thereto may be sent to such Agent at the above address.

Dated the _____ day of _____, 19____

• _____

• To be signed
by applicant or
applicants.



(2) *Where application is made without an Agent (Rule 8).*

I (or we) hereby request that all notices, requisitions, and communica-
tions in respect of the within application may be sent to _____

_____ at _____

Dated the _____ day of _____, 19____

† _____

+ To be signed
by applicant or
applicants.

PATENTS FORM NO. 1B.

<p>PATENT.</p> <p>£1.</p>

PATENTS AND DESIGNS ACT, 1907.

(To be accompanied by two copies of Patents Form No. 3.)

APPLICATION FOR PATENT UNDER INTERNATIONAL AND COLONIAL ARRANGEMENTS.

(a) Here insert *(in full)* name, address, and calling of applicant or applicants.

(a) I (or we)

(b) Here insert title of invention.

do hereby declare that I (or we) have made applications for protection of my (or our) invention of (b)

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

in the following Foreign States and on the following official dates, viz.: (c)

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

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

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

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

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

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

(g) _____

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

NOTE.—One of the two forms on the back hereof or a separate authorization of agent should be signed by the applicant or applicants.

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

APPENDIX.

(1) *Where application is made through an Agent (Rule 9).*

I (or we) hereby appoint _____
of _____
to act as my (or our) Agent in respect of the within application for a
Patent, and request that all notices, requisitions, and communications
relating thereto may be sent to such Agent at the above address.

Dated the _____ day of _____, 19____

* To be signed
by applicant or
applicants.



(2) *Where application is made without an Agent (Rule 8).*

I (or we) hereby request that all notices, requisitions, and communica-
tions in respect of the within application may be sent to _____

_____ at _____

Dated the _____ day of _____, 19____

† To be signed
by applicant or
applicants.

† _____

PATENTS FORM No. 1c.

PATENT.
£1.

PATENTS AND DESIGNS ACT, 1907.

(To be accompanied by two copies of Patents Form No. 2 or of Patents Form No. 3.)

APPLICATION FOR PATENT OF ADDITION.

(a) Here insert (in full) name, address, and calling of applicant or applicants.

(a) I (or we), _____

(b) Here insert title of invention.

_____, do hereby declare that I am (or we are) in possession of an invention the title of which is (b) _____

(c) In the case of more than one applicant, state here who is or are the inventor or inventors.

that (c) _____ claim to be the true and first inventor _____ thereof; that the same is not in use by any other person or persons to the best of my (or our) knowledge and belief, and that the said invention is an improvement in or modification of my (or our) invention for which a patent was applied for on the _____, and numbered _____, [for which I was we were the applicant—] [of which I am we are the patentee—]; and I (or we) humbly pray that a patent may be granted to me (or us) for the said invention, and request that the term limited in such further patent for the duration thereof be the same as that of the original patent, or so much of that term as is unexpired.

Dated the _____ day of _____, 19_____.

(d) To be signed by applicant or applicants. In the case of a Firm, each member of the Firm must sign.

(d) _____

NOTE.—One of the two forms on the back hereof, or a separate authorization of agent, should be signed by the applicant or applicants.

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

APPENDIX.

(1) *Where application is made through an Agent (Rule 9).*

I (or we) hereby appoint _____
of _____
to act as my (or our) Agent in respect of the within application for a
Patent, and request that all notices, requisitions, and communications
relating thereto may be sent to such Agent _____ at the above address.

Dated the _____ day of _____, 19____.

• _____

* To be signed
by applicant or
applicants.

(2) *Where application is made without an Agent (Rule 8).*

I (or we) hereby request that all notices, requisitions, and communica-
tions in respect of the within application may be sent to _____
at _____

Dated the _____ day of _____, 19____.

† _____

+ To be signed
by applicant or
applicants.

PATENTS FORM No. 1D.

PATENTS AND DESIGNS ACT, 1907.

(To be accompanied by two copies of Patents Form No. 2 or of Patents Form No. 3, and a certificate under Sect. 30 (3)).

APPLICATION FOR A SECRET PATENT.

(a) Here insert (in full) name, address, and calling of applicant or applicants.

(a) I (or we) _____

(b) Here insert title of invention.

_____, do hereby declare that I am (or we are) in possession of an invention the title of which is (b) _____

(c) In the case of more than one applicant, state here who is or are the inventor or inventors.

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

Dated the _____ day of _____, 19_____.

(d) To be signed by applicant or applicants. In the case of a Firm, each member of the Firm must sign.

(d) _____

NOTE.—One of the two forms on the back hereof, or a separate authorization of agent, should be signed by the applicant or applicants.

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

APPENDIX.

(1) *Where application is made through an Agent (Rule 9).*

I (or we) hereby appoint _____
of _____
to act as my (or our) Agent in respect of the within application for a
Patent, and request that all notices, requisitions, and communications
relating thereto may be sent to such Agent _____ at the above
address.

Dated the _____ day of _____, 19____.

* To be signed
by applicant or
applicants.

(2) *Where application is made without an Agent (Rule 8).*

I (or we) hereby request that all notices, requisitions, and communica-
tions in respect of the within application may be sent to _____
at _____

Dated the _____ day of _____, 19____.

+ To be signed
by applicant or
applicants.

† _____

PATENTS FORM No. 2.

To be issued with Patents Forms Nos. 1, 1A, 1C or 1D.

PATENTS AND DESIGNS ACT, 1907.

PROVISIONAL SPECIFICATION.

(To be furnished in Duplicate.)

(a) Here insert title verbally agreeing with that in the application form.

(a) _____

(b) Here insert (in full) name, address and calling or applicant or applicants as in application form.

(b) (I or we) _____

(c) Here begin description of the nature of the invention. The continuation of the specification should be upon wide-ruled paper of the same size, on one side only, with a margin of one inch and a half on the left hand part of the paper. The specification and the duplicate thereof must be signed at the end, and dated (thus): "Dated the day of , 19 ."

do hereby declare the nature of this invention to be as follows:—(c)

PATENTS FORM No. 3.

PATENTS AND DESIGNS ACT, 1907.

PATENT.
£3.

Where provisional speci-
fication or specifications
have been left, quote No.
or Nos., and date or dates.
No.
Date _____

COMPLETE SPECIFICATION.

(To be furnished in Duplicate—one unstamped.)

(a) Here insert
title verbally
agreeing with
that in the ap-
plication form.

(a) _____

(b) Here insert
(in full) name,
address and call-
ing of applicant
or applicants as
in application
form.

(b) I (or we) _____

do hereby declare the nature of this invention and in what manner the
same is to be performed, to be particularly described and ascertained in
and by the following statement :

(c) Here begin
full description
of invention.
The continua-
tion of the speci-
fication should
be upon wide-
ruled paper of
the same size, on
one side only,
with a margin of
one inch and a
half on the left
hand part of the
paper. The
completion of
the description
should be fol-
lowed by the
words: "Having
now particularly
described and
ascertained the
nature of my
(or our) said
invention and in what manner the same is to be performed, I (or we) declare that what I (or we) claim is :"
after which should be written the claim or claims numbered consecutively. The specification and the duplicate
thereof must be signed at the end and dated (thus) : "Dated the _____ day of _____, 19 _____."

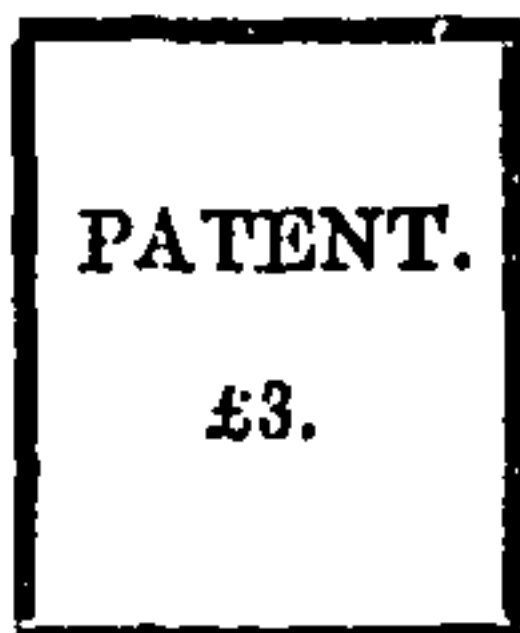
(c) _____

NOTE.--In the preparation of the claim or claims careful attention should
be paid to the terms of Rule 14 of the Patents Rules, 1908. Any unneces-
sary multiplicity of claims or prolixity of language should be avoided.

after which should be written the claim or claims numbered consecutively. The specification and the duplicate
thereof must be signed at the end and dated (thus) : "Dated the _____ day of _____, 19 _____."

PATENTS FORM No. 4.

PATENTS AND DESIGNS ACT, 1907.



FORM OF APPEAL TO LAW OFFICER.

(a) Hereinsert
(in full) name
and address of
appellant or
appellants.

(a) I (or we) _____

hereby give notice of my (or our) intention to appeal to the Law Officer

(b) Here insert
"the decision"
or "that part of
the decision," as
the case may be.

from (b) _____

of the _____ of the _____ day of _____

(c) Here insert
"refused [or
allowed] appli-
cation for
Patent," or
"refused [or
allowed] appli-
cation for leave
to amend
Patent," or
otherwise, as the
case may be.

19 _____ whereby he (c) _____

(d) Insert
number and
year.

No. (d) _____ of the year 1 _____ (d)

Signature _____

Date _____

NOTE.—This notice must be sent to the Comptroller-General at the Patent Office, London, W.C., and an unstamped copy of the same to the Law Officers' Clerk at Room 549, Royal Courts of Justice, London.

PATENTS FORM No. 5.

PATENT.
£2, £4, or £6.

PATENTS AND DESIGNS ACT, 1907.

**FORM OF APPLICATION FOR EXTENSION OF TIME
FOR LEAVING COPY OR COPIES OF THE FOREIGN
SPECIFICATION OR SPECIFICATIONS, DRAWINGS
OR DOCUMENTS UNDER RULE 16.**

I (or we) hereby apply for _____ month extension of time
for leaving copy or copies of the foreign specification or specifications,
drawings or documents under Rule 16 in respect of application No. _____
dated _____

(a) To be
signed by ap-
plicant or appli-
cants or his or
their agent.

(a) _____

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

PATENTS FORM No. 6.



PATENTS AND DESIGNS ACT, 1907.

**FORM OF APPLICATION FOR EXTENSION OF TIME
FOR LEAVING A COMPLETE SPECIFICATION.**

I (or we) hereby, in respect of application No. _____
dated _____, apply for one month's extension of time
in which to leave a Complete Specification.

(a) To be
signed by ap-
plicant or appli-
cants or his or
their agent.

(a) _____

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

PATENTS FORM No. 7.

PATENTS AND DESIGNS ACT, 1907.

PATENT.
£2, £4, or £6.

**FORM OF APPLICATION FOR EXTENSION OF TIME FOR
ACCEPTANCE OF A COMPLETE SPECIFICATION.**

I (or we) hereby apply for _____ month _____ extension of time
for the acceptance of the Complete Specification upon application No. _____
dated _____

(a) To be
signed by ap-
plicant or appli-
cants or his or
their agent.

(a) _____

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

PATENTS FORM No. 8.

PATENTS AND DESIGNS ACT, 1907.

PATENT
10s.

FORM OF OPPOSITION TO GRANT OF PATENT.

[To be accompanied by an unstamped copy.]

* Here state (in full) name and address.

* I (or we) _____

hereby give notice of my (or our) intention to oppose the grant of Letters Patent upon application No. _____ of _____, applied for by

upon the ground† _____

† Here state upon which of the grounds of opposition permitted by section 11 of the Act the grant is opposed. Where the ground or one of the grounds of opposition is that the invention has been claimed in any complete specification which is or will be of a prior date, the number and date of such prior specification should be stated. Where the person giving notice of an opposition does not desire that the patent should be refused, but merely that the specification should be amended by disclaimer or limitation, it is desirable that the notice of opposition should be accompanied or supplemented as soon as may be by a written statement to that effect indicating as far as can conveniently be done the general nature of the amendments desired and the portions of the earlier specifications if any relied upon as necessitating such amendments.

My (or our) address for service in the United Kingdom is:—

† _____

‡ To be signed by opponent or opponents.

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

PATENTS FORM No. 9.

<p>PATENT.</p> <p>£1 or £2.</p>

PATENTS AND DESIGNS ACT, 1907.

FORM OF NOTICE THAT HEARING OF OPPOSITION
BEFORE THE COMPTROLLER WILL BE ATTENDED.

(a) Here insert (in full) name and address.

(a) I (or we)

hereby give notice that the hearing in reference to _____

_____ will be attended by myself (or ourselves) or by some

person on my (or our) behalf.

(b) Signature.

(b) _____

To the Comptroller,

The Patent Office, 25, Southampton Buildings,

Chancery Lane, London, W.C.

PATENTS FORM No. 10.

PATENT.
£1.

PATENTS AND DESIGNS ACT, 1907.

**FORM OF NOTICE OF DESIRE TO HAVE PATENT
SEALED.**

(a) Here insert
name of appli-
cant or appli-
cants.

(a) I (or we) _____ desire to have a patent sealed on my (or our)
Application No. _____ of 19____, and I (or we) hereby transmit
the prescribed fee on sealing, and request that the following may be
entered on the Register as my (or our) address for service:—

(b) Signature
of applicant or
applicants or his
or their agent.

(b) _____

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

PATENTS FORM No. 11.

<p>PATENT.</p> <p>£2, £4, or £6.</p>

PATENTS AND DESIGNS ACT, 1907.

**FORM OF APPLICATION FOR EXTENSION OF TIME FOR
THE SEALING OF A PATENT WHERE THE PERIOD
ALLOWED FOR THE SEALING OF THE PATENT WILL
EXPIRE AFTER THE COMMENCEMENT OF THE ACT.**

I (or we) hereby apply for _____ month's extension of time for the sealing of a patent upon Application No. _____, dated _____

The circumstances and grounds upon which this extension is applied for are as follows (a) :—

(a) The circumstances and grounds must be stated in detail.

(b) To be signed by the applicant or applicants, or his or their agent.

(b) _____

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

PATENTS FORM No. 12.

PATENT.
£10.

PATENTS AND DESIGNS ACT, 1907.

**FORM OF APPLICATION FOR EXTENSION OF TIME FOR
THE SEALING OF A PATENT WHERE THE PERIOD
ALLOWED FOR THE SEALING OF THE PATENT HAS
EXPIRED BEFORE THE COMMENCEMENT OF THE ACT.**

I (or we) hereby apply for an extension of time not exceeding three months after the commencement of the Act for the sealing of a patent upon Application No. _____, dated _____.

The circumstances in and grounds upon which this extension is applied for are as follows (a):

(a) The circumstances and grounds must be stated in detail.

(b) To be signed by the applicant or applicants, or his or their agent.

(b) _____

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

PATENTS FORM No. 13.

PATENT.
 £5 to £14.

[When stamped this Form must be sent at once to the Patent Office.]

PATENTS AND DESIGNS ACT, 1907.

APPLICATION FOR CERTIFICATE OF PAYMENT OR RENEWAL.

I (or we) hereby transmit the fee prescribed for the continuation in force of* _____ Patent No. _____, of 1 _____ for a further period of _____.

* Here insert name of patentee.

It is requested that the address for service of the patentee in the United Kingdom shall be:—

† Here insert name and full address to which certificate is to be sent.

Name† _____
 Address _____

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

[This part of the Form to be filled in at the Patent Office.]

CERTIFICATE OF PAYMENT OR RENEWAL.

Letters Patent No. _____ of 1 _____

This is to certify that _____ did this _____ day of _____ 19____, make the prescribed payment of £ _____ in respect of a period of _____ from _____ and that by virtue of such payment the rights of the patentee remain in force.*

* See section 17 of the Patents and Designs Act, 1907.



The Patent Office, London.

PATENTS FORM No. 14.

<p>PATENT.</p> <p>£1, £3, or £5.</p>
--

PATENTS AND DESIGNS ACT, 1907.

**FORM OF APPLICATION FOR ENLARGEMENT OF TIME
FOR PAYMENT OF RENEWAL FEE.**

I (or we) hereby apply for an enlargement of time for _____ month in
 which to make the _____ payment of _____
 upon my (or our) Patent, No. _____ of 1 _____

(b) Here insert
 name and full
 address to which
 receipt is to be
 sent.

(b) _____

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

PATENTS FORM No. 15.

<p>PATENT.</p> <p>£20.</p>

PATENTS AND DESIGNS ACT, 1907.

**FORM OF APPLICATION FOR THE RESTORATION OF A
LAPSED PATENT UNDER SECTION 20 OF THE ACT.**

I (or we) hereby apply for an Order of the Comptroller for the restoration of the patent granted upon Application No. _____ dated _____.

The circumstances which have led to the omission of the payment of the fee of (a) _____ on or before the (b) _____ are as follows:—(c) _____

(a) State amount of fee.
 (b) State last day when fee was due.
 (c) The circumstances must be stated in detail.

(d) To be signed by the applicant or applicants.

(d) _____

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

PATENTS FORM No. 16.

PATENT.
£1.

PATENTS AND DESIGNS ACT, 1907.

**FORM OF NOTICE OF OPPOSITION TO AN APPLICATION
FOR THE RESTORATION TO A LAPSED PATENT.**

[To be accompanied by an unstamped copy.]

* Here state
(in full) name
and address of
opponent or
opponents.

* I (or we) _____

hereby give notice of opposition to the application for restoration of the
patent granted upon application No. _____ dated _____

+ Here state
reason of
opposition.

for the following reasons:—† _____

My (or our) address for service in the United Kingdom is:— _____

‡ To be signed
by the opponent
or opponents.

‡ _____

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

PATENTS FORM No. 17.

PATENTS AND DESIGNS ACT, 1907.

<p>PATENT. £1 10s. or £3.</p>

FORM OF APPLICATION FOR AMENDMENT OF SPECIFICATION OTHERWISE THAN UNDER RULE 33.

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

* I (or we) _____

seek leave to amend the specification of Letters Patent No. _____ of 1_____, as shown in red ink in the certified copy of the original specification hereunto annexed.

† These words are to be struck out when Letters Patent have not been sealed.

† I (or we) declare that no action for infringement or proceedings before the Court for the revocation of the Letters Patent in question is pending.

‡ Here state reasons for seeking amendment: and where the applicant is not the patentee, state what interest he possesses in the Letters Patent.

My (or our) reasons for making this amendment are as follows ‡

My (or our) address for service in the United Kingdom is:—

§ To be signed by applicant or patentee.

§ _____

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

N.B.—No amendment is permissible that would make the invention substantially larger or substantially different. See section 21 of the Act.

PATENTS FORM No. 18.

PATENT.
10s.

PATENTS AND DESIGNS ACT, 1907.

FORM OF OPPOSITION TO AMENDMENT OF SPECIFICATION.

[To be accompanied by an unstamped copy.]

* Here state (in full) name and address of opponent.

* I (or we) _____

hereby give notice of opposition to the proposed amendment of the specification of Letters Patent No. _____ of 1 _____ for the following reason: † _____

+ Here state reason of opposition.

My address for service in the United Kingdom is:—

‡ To be signed by opponent or opponents.

‡ _____

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

PATENTS FORM No. 19.

PATENTS AND DESIGNS ACT, 1907.

PATENT.
£1.

FORM OF APPLICATION FOR GRANT OF COMPULSORY LICENCE OR REVOCATION OF PATENT UNDER SECTION 24 OF THE ACT.

[To be accompanied by an unstamped copy.]

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

* I (or we) _____

† Here state name and address of patentee, and number and date of his patent.

hereby request you to bring to the notice of the Board of Trade the accompanying petition for the grant of a licence to me (or us) by †

My (or our) address for service in the United Kingdom is:—

‡ To be signed by applicant or applicants.

‡ _____

NOTE.—The petition must clearly set forth the facts of the case and be accompanied by an examined copy thereof. See Patents Form No. 20.

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

PATENTS FORM No. 20.

PATENTS AND DESIGNS ACT, 1907.

FORM OF PETITION FOR GRANT OF COMPULSORY LICENCE OR REVOCATION OF PATENT.

To the BOARD of TRADE.

(a) Here insert (in full) name, address, and calling.

THE PETITION of (a) _____, of _____ in the county of _____, being a person interested in the matter of this petition as hereinafter described :--

(b) Here insert title of invention.

SHEWETH as follows :--

(c) Here state fully the nature of petitioner's interest.

1. A patent date _____ No. _____ was duly granted to _____

(d) Here state fully in detail the circumstances of the case under section 24 of the Act, and show that it arises by reason of the default of the patentee, or as the case may be, of any other person claiming an interest in the Patent as exclusive licensee or otherwise.

for an invention of (b) _____

2. The nature of my (or our) interest in the matter of this petition is as follows :--(c) _____

3. (d) _____

The evidence (which I (or we) propose to leave at the Patent Office) accompanying this petition is as follows :--(e) _____

(e) Here state what affidavits or statutory declarations together with any other documentary evidence will be left at the Patent Office with the Petition, as required by Rule 69.

Having regard to the circumstances above stated, the petitioner alleges that the reasonable requirements of the public with respect to the invention patented as above stated have not been satisfied.

Your petitioner therefore pray that an order may be made granting to him (or them) a compulsory licence on the terms following, viz. :--(f) _____

(f) Here state the terms as to the amount of royalties, security for payment, or otherwise, upon which the petitioner claims to be entitled to the relief in question.

or in the alternative that the said patent may be revoked.

(g) _____

(g) Signature.

NOTE.—In pursuance of the requirements of Rule 69, the petitioner must deliver to the patentee, and to any other person alleged to have made default, copies of the petition and of the affidavits or statutory declarations and other documentary evidence in support.

PATENTS FORM No. 21.

PATENTS AND DESIGNS ACT, 1907.

PATENT.
£1.

**FORM OF OPPOSITION TO PETITION FOR GRANT OF
COMPULSORY LICENCE OR REVOCATION OF PATENT
UNDER SECTION 24.**

(a) Here state
(in full) name
and address of
opponent or
opponents.

(a) I (or we) _____

hereby give notice of opposition to the petition of _____

(b) Here state
fully the grounds
of opposition.

for the grant of a compulsory Licence under Patent No. _____ of 1____ ,
or in the alternative, for the revocation of the said patent. The grounds
upon which I (or we) oppose the said application are as follows, viz. :—(b)

(c) To be
signed by the
opponent or
opponents.

(c) _____

NOTE.—In pursuance of the requirements of Rule 70, copies of the
affidavits or statutory declarations in reply to the evidence left with the
petition must be delivered to the petitioner.

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

PATENTS FORM No. 22.

PATENT.
£2.

PATENTS AND DESIGNS ACT, 1907.

FORM OF APPLICATION TO THE COMPTROLLER FOR AN ORDER FOR THE REVOCATION OF A PATENT UNDER SECTION 26 OF THE ACT.

* Here state (in full) name and address of applicant, or applicants, for revocation.

* I (or we) _____

hereby apply for an Order for the revocation of the patent granted upon Application No. _____ dated _____

† The ground or grounds of an application for revocation under section 26 of the Act must be any one or more of the grounds on which the grant of the patent might have been opposed. Where the ground or one of the grounds of opposition is that the invention has been claimed in any complete specification which is or will be of a prior date, the number and date of such prior specification should be stated.

on the following grounds: † _____

No action‡ for infringement or proceedings for the revocation of the patent are pending.

My (or our) address for service in the United Kingdom is: _____

‡ If such an action is pending in any Court the application cannot be made without the leave of the Court.

§ _____

‡ To be signed by the applicant, or applicants, for revocation.

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

PATENTS FORM No. 23.

PATENT.
£1.

PATENTS AND DESIGNS ACT, 1907.

FORM OF OFFER TO SURRENDER A PATENT UNDER
SECTION 26 OF THE ACT.

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

* I (or we) _____

hereby offer to surrender the patent granted upon Application No. _____
dated _____.

+ If any action
or proceedings
are pending,
state what is
their nature.

No action † for infringement or proceedings for the revocation of the
patent are pending.

My (or our) reasons for making this offer are as follows: _____

My (or our) address for service in the United Kingdom is: _____

‡ To be signed
by the patentee
or patentees.

† _____

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

PATENTS FORM No. 24.

PATENT.
£2.

PATENTS AND DESIGNS ACT, 1907.

FORM OF APPLICATION FOR REVOCATION OF A
PATENT UNDER SECTION 27 OF THE ACT.

* Here state (in full) name and address of applicant, or applicants, for revocation.

* I (or we) _____

hereby apply for the revocation of Letters Patent No. _____ of
1 _____ on the ground that the patented article (or process) is manu-
factured [or carried on] exclusively or mainly outside the United
Kingdom.

My (or our) address for service in the United Kingdom is: _____

+ To be signed by applicant, or applicants, for revocation.

† _____

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

PATENTS FORM No. 25.

PATENT.
5s.

PATENTS AND DESIGNS ACT, 1907.

FORM OF NOTICE FOR ALTERATION OF A NAME OR AN ADDRESS OR AN ADDRESS FOR SERVICE IN REGISTER OF PATENTS.

In the matter of Patent No. _____

of _____

(a) Here state (in full) name or names and address of applicant or applicants.

(a) I (or we) _____

hereby request that _____ address [or _____ address for service] now

(b) Here insert full address.

upon the Register of Patents may be altered to (b) _____

(c) Signature of applicant or applicants.

(c) _____

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

PATENTS FORM No. 26.

PATENT.
58.

PATENTS AND DESIGNS ACT, 1907.

**FORM OF REQUEST FOR ENTRY OF TWO ADDRESSES
FOR SERVICE IN REGISTER OF PATENTS.**

In the matter of Patent No. _____

of _____

(a) Here state
(in full) name or
names and
address of
applicant or
applicants.

(a) I (or we) _____

hereby request that the two following addresses for service may be entered
in the Register of Patents:—

(b) Here insert
full addresses.

(1) _____

(2) _____

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

PATENTS FORM No. 27.

PATENTS AND DESIGNS ACT, 1907.



**FORM OF REQUEST TO ENTER NAME OF PROPRIETOR
UPON THE REGISTER OF PATENTS.**

(a) Here insert
(in full, name,
address, and
calling.

(a) I (or we) _____

hereby request that you will enter my (or our) name (or names) in the
Register of Patents as proprietor of Patent No. _____ of 1 _____,
granted to (b) _____

(b) Here give
name and ad-
dress of person
to whom patent
was granted.

(c) Here insert
title of the
invention.

the title of which is (c) _____

(d) Here spe-
cify the particu-
lars of such
document, giving
its date, and
the parties to
the same, and
showing how the
claim here made
is substantiated.

I (or we) claim to be so entitled by virtue of (d) _____

(e) Here insert
the nature of the
document.

And in proof whereof I (or we) transmit the accompanying (e) _____

with an attested copy thereof.

My (or our) address for service in the United Kingdom is:—

(f) Signature.

(f) _____

(g) Here state
in what capacity
the signatory is
acting.

(g) _____

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

PATENTS FORM No. 28.

<p>PATENT.</p> <p>10s.</p>

PATENTS AND DESIGNS ACT, 1907.

FORM OF REQUEST TO ENTER IN THE REGISTER OF PATENTS A NOTICE OF AN INTEREST IN A PATENT.

(a) Here insert (in full) name, address, and calling.

(a) I (or we) _____

hereby request that you will enter in the Register of Patents a notice of the following interest in a patent :—

(b) Here insert the nature of the claim, whether by way of Mortgage Licence or otherwise.

I (or we) claim to be entitled (b) _____

_____ to an interest in

(c) Here give name and address of person to whom patent was granted.

Patent No. _____ of 1 _____, granted to (c) _____

(d) Here insert title of the invention.

the title of which is (d) _____

(e) Here specify the particulars of such document, giving its date, and the parties to the same, and showing how the claim here made is substantiated.

by virtue of (e) _____

(f) Here insert the nature of the document.

And in proof whereof I (or we) transmit the accompanying (f) _____

_____ with an attested copy thereof.

My (or our) address for service in the United Kingdom is :—

(g) Signature.

(g) _____

(h) Here state in what capacity the signatory is acting.

(h) _____

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

PATENTS FORM No. 29.



PATENTS AND DESIGNS ACT, 1907.

FORM OF REQUEST TO ENTER NOTIFICATION OF
DOCUMENT IN THE REGISTER OF PATENTS.

(a) Here insert
a description of
the nature of
the document,
giving its date
and the names
and addresses
of the parties
thereto.

I (or we) HEREBY transmit an attested copy of (a)-----

under Patent No. ----- of 1-----, as well as the original document
for verification, and I (or we) have to request that a notification thereof
may be entered in the Register.

(b) Signature.

(b) -----

(c) Here insert
full address of
party benefiting
under the
document.

(c)-----

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

PATENTS FORM No. 30.

PATENT.
5s. or £1.

PATENTS AND DESIGNS ACT, 1907.

**FORM OF REQUEST FOR CORRECTION OF CLERICAL
ERROR.**

(a) Or errors. I (or we) hereby request that the following clerical error (a)_____

(b) Here state in the (b)_____ whether in application, specification, or register. No._____ of 1_____, may be corrected in the manner shown in red ink in the certified copy of the original (b)_____

hereunto annexed.

(c) Signature. (c) _____

(d) Address in full. (d) _____

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

PATENTS FORM No. 31.

PATENTS AND DESIGNS ACT, 1907.

<p>PATENT.</p> <p>£2.</p>

REQUEST FOR CERTIFICATE OF COMPTROLLER.

In the matter of the Patent No. _____

of 1 _____

I (or we) _____

of _____

hereby request you to furnish me (or us) with your Certificate to the

effect that (a) _____

(a) Here set out the particulars which the comptroller is requested to certify.

(b) Name and full address to which certificate is to be sent.

(b) _____

Dated the _____ day of _____ 19

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

PATENTS FORM No. 32.

PATENT.
£2.

PATENTS AND DESIGNS ACT, 1907.

APPLICATION FOR DUPLICATE OF PATENT.

Date _____

* Here insert date, number, full name, and address of grantee or grantees.

I (or we) REGRET to have to inform you that the Patent dated * _____

_____ No. _____ granted to _____

+ Here insert title of invention.

for an invention the title of which is † _____

‡ Here insert the word "destroyed" or "lost," as the case may be, and state, in full, the circumstances of the case, which must be verified by statutory declaration.

has been ‡ _____

I (or we) beg therefore to apply for the issue of a duplicate of such

§ Here state interest possessed by applicant, or applicants, in the Patent.

Patent. § _____

|| Signature of patentee or patentees.

|| _____

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

PATENTS FORM No. 33.

PATENT.
10s.

PATENTS AND DESIGNS ACT, 1907.

NOTICE OF INTENDED EXHIBITION OF AN UNPATENTED INVENTION.

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

* I (or we)-----

hereby give notice of my (or our) intention to exhibit a-----

of----- at the-----

+ State "opened" or "is to open."

Exhibition, which †----- on the----- day of----- 19

under the provisions of the Patents and Designs Act, 1907.

‡ This description of invention should be accompanied by drawings if necessary.

‡ I (or we) hereby enclose a brief description of my (or our) invention

§ To be signed by the applicant or applicants.

§-----

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

PATENTS FORM No. 34.

PATENT.
10s.

PATENTS AND DESIGNS ACT, 1907.

FORM OF APPLICATION FOR ENTRY OF ORDER OF
COURT IN REGISTER.

(a) Here state
(in full) name
and address of
applicant or
applicants.

(a) I (or we) _____

(b) Here state
the purport of
the order.

hereby transmit an office copy of an Order of the Court with reference to (b)

(c) Signature.

(c) _____

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

PATENTS FORM No. 35.

PATENTS AND DESIGNS ACT, 1907.

POSTAL REQUEST FOR PRINTED SPECIFICATION.

To the Comptroller-General.

Please send one copy of Specification, No. _____ Year _____
to

(Name in full)

(Address)

PATENTS,
7½d.

½d.

The Comptroller,

The Patent Office,

25, Southampton Buildings,

London, W.C.

FORM A.

THE THIRD SCHEDULE.

FORM OF PATENT.

EDWARD VII., by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India: To all to whom these presents shall come greeting:

WHEREAS
hath declared that he is in possession of an invention for

that he claims to be the true and first inventor thereof, and that the same is not in use by any other person to the best of his knowledge and belief:

And whereas the said inventor hath humbly prayed that a patent might be granted unto him for the sole use and advantage of the said invention:

And whereas the said inventor (herein-after together with his executors, administrators, and assigns, or any of them, referred to as the said patentee) hath by and in his complete specification particularly described the nature of his invention:

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

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 patentee our especial licence, full power, sole privilege, and authority, that the said patentee by himself, his agents, or licensees, and no others, may at all times hereafter during the term of years herein mentioned, make, use, exercise, and vend the said invention within our United Kingdom of Great Britain and Ireland, and Isle of Man, in such manner as to him or them may seem meet, and that the said patentee shall have and enjoy the whole profit and advantage from time to time accruing by reason of the said invention during the term of fourteen years 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, and the Isle of Man, that they do not at any time during the continuance of the said term of fourteen years either directly or indirectly make use of or put 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, licence 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 always that these letters patent shall be revocable on any of the grounds from time to time by law prescribed as grounds for revoking letters patent granted by Us, and the same may be revoked and made void accordingly: Provided also, that if the said patentee shall not pay all fees by law required to be paid in respect of the grant of these letters patent, or in respect of any matter relating thereto at the time or times, and in manner for the time being by law provided; and also 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, at such times, 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 herein-before contained: Provided also that nothing herein contained shall prevent the granting of licences 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 to be made patent and to be sealed as of the

one thousand nine hundred

and

* Here is to be inserted the name of the comptroller-general.

*Comptroller-General of Patents, Designs,
and Trade Marks.*



FORM B.

FORM OF PATENT OF ADDITION.

EDWARD VII., by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India: To all to whom these presents shall come greeting:

WHEREAS
hath declared that he is in possession of an invention for

that he claims to be the true and first inventor thereof, and that the same is not in use by any other person to the best of his knowledge and belief, and that the said invention is an improvement in or modification of his invention for which a patent was applied for on _____ and numbered _____ and on which a patent (hereinafter called the original patent) has been granted for which he was the applicant (or of which he is the patentee):

AND WHEREAS the said inventor hath humbly prayed that a patent might be granted unto him for the sole use and advantage of his said invention:

AND WHEREAS the said inventor (hereinafter together with his executors, administrators, and assigns, or any of them, referred to as the said patentee) hath by and in his complete specification particularly described the nature of his invention, and has requested that the term limited in such patent for the duration thereof be the same as that of the original patent or so much of that term as is unexpired:

AND WHEREAS We, being willing to encourage all inventions which may be for the public good, are graciously pleased to condescend to his request:

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 patentee our especial licence, full power, sole privilege, and authority, that the said patentee by himself, his agents, or licensees, and no others, may at all times hereafter during the term of years herein mentioned, make, use, exercise, and vend the said invention within our United Kingdom of Great Britain and Ireland,