

Copies of drawings.

34. For every copy of drawings, the party applying shall pay such sum as the Commissioner considers a fair remuneration for time and labour expended thereon by any officer of the Department or person employed to perform such service.

Fees to be in full for all services.

35. The said fees shall be in full of all services performed under this Act in any such case by the Commissioner or any person employed in the Patent Office. 5

Fees to be paid over to Receiver General.

36. All fees received under this Act shall be paid over to the Receiver General and form part of the Consolidated Revenue Fund of Canada, except such sums as may be paid for copies of drawings when made by persons not receiving salaries in the Patent Office. 10

Of return of fees.

37. No fee shall be made the subject of exemption in favor of any person; and no fee, once paid, shall be returned to the person who paid it, except : 15

1. When the invention is not susceptible of being patented ;

2. When the petition for a Patent is withdrawn ;

And in every such case the Commissioner may return one half of the fee paid ;

And in the case of withdrawal, a fresh application shall be necessary to revive the claim, as if no proceeding had taken place in the matter. 20

MISCELLANEOUS PROVISIONS.

Intending applicant for patent may filed caveat.

38. An intending applicant for a Patent who has not yet perfected his invention and is in fear of being despoiled of his idea, may file in the Patent Office a description of his invention so far, with or without plans, at his own will ; and the Commissioner, on reception of the fee hereinbefore prescribed, shall cause the said Document to be preserved in secrecy, with the exception of delivering copies of the same whenever required by the said party or by any judicial tribunal—the secrecy of the document to cease when he obtains a Patent for his invention ; and such document shall be called a *caveat*. 30

Commissioner may object to grant a patent in certain cases.

39. The Commissioner may object to grant a Patent in the following cases :

1. When he is of opinion that the alleged invention is not patentable in law ; 35

2. When it appears that the invention is already in the possession of the public with the consent or allowance of the inventor ;

3. When it appears that the invention has been described in a book or other printed publication before the date of the application ; 40

4. When it appears that the invention has already been patented except, however, when the case is one within the seventh section of this Act ; or one in which the Commissioner has doubts as to whether the patentee or the applicant is the first inventor.

Commissioner to notify applicant and state ground of objection.

40. Whenever the Commissioner objects to grant a Patent as aforesaid, he shall notify the applicant to that effect and shall state the ground or reason therefor with sufficient detail to enable the applicant to answer, if he can, the objection of the Commissioner. 45