

THE MANUFACTURING CLAUSE OF THE CANADIAN PATENT LAW.

The Patent Act of 1872, contains the following section, which is printed upon every patent issued and which all patentees may read for themselves in their own patent deed:

" 28. Every patent granted under this Act shall be subject and expressed to be subject to the condition that such patent and all the rights and privileges thereby granted shall cease and determine, and the patent shall be null and void, at the end of two years from the date thereof, unless the patentee, or his assignee or assignees shall, within that period, have commenced, and shall, after such commencement, continuously carry on in Canada the construction or manufacture of the invention or discovery patented, in such manner that any person desiring to use it may obtain it, or cause it to be made for him at a reasonable price, at some manufactory or establishment for making or constructing it in Canada; and that such patent shall be void if after the expiration of twelve months from the granting thereof, the patentee, or his assignee or assignees, for the whole or part of his interest in the patent, imports, or causes to be imported into Canada, the invention for which the patent is granted; and provided always, that in case disputes should arise as to whether a patent has or has not become null and void under the provisions of this section, such disputes shall be settled by the Minister of Agriculture or his Deputy,—whose decision shall be final.

" 2. Whenever a patentee has been unable to carry on the construction or manufacture of his invention within the two years hereinbefore mentioned, the Commissioner may, at any time not more than three months before the expiration of that period, grant to the patentee a further delay on his adducing proof to the satisfaction of the Commissioner that he was, for reasons beyond his control, prevented from complying with the above mentioned condition.*

" 3. The Commissioner may grant to the patentee or his assignee or assignees for the whole or any part of the patent, an extension for a further period of time, not exceeding one year beyond the twelve months limited by the first paragraph of this section, during which he may import or cause to be imported into Canada the invention for which the patent is granted: Provided, that the patentee or his assignee or assignees for the whole or any part of the patent, shall show cause satisfactory to the Commissioner to warrant the granting of such extension; but no extension shall be granted, unless application be made to the Commissioner at some time within three months before the expiry of the twelve months aforesaid or any extension thereof."†

*33]Victoria, Chap. 14, An Act still further to amend the Patent Act of 1872, assented to April, 1875.
†45 Victoria, Chap. 22, An Act to further amend the Patent Act of 1872, assented to 18th May, 1882.