

CORRESPONDENCE

DIFFERENCES BETWEEN CANADIAN AND U. S. PATENT LAWS.

Editor Canadian Mining Journal:

Sir,—Your issue of the 1st inst. contained an interesting little article by Wm. Rich on Patents. While most of it applies equally well to Canadian patents as to United States, we desire to call attention to one point which it is very important for Canadian patentees or would-be patentees to keep in mind. While the United States allows an inventor to have his invention in public use in United States for two years prior to the date of his application, Canada only allows an inventor to have his invention in public use for one year prior to the date of his application for a patent. Further, under the United States patent act, public use by the inventor abroad has no bearing on his right to obtain a patent on his invention in United States. Under our Canadian act, public use with the knowledge or consent of the inventor anywhere in the world for more than one year prior to the date of his application for patent in Canada would prevent him obtaining a valid Canadian patent.

Yours, etc.,

Toronto, Dec. 10, 1917. RIDOUT & MAYBEE.

THE MUNITION RESOURCES COMMISSION CIRCULAR.

The following letter appears in the December bulletin of the Canadian Mining Institute:

To the Editor,—In its issue for November 15th, the Canadian Mining Journal expatiates at some length on the subject of the Canadian Muniton Resources Commission with regard to its recent circularization of Canadian mining engineers and geologists with the view of assembling information regarding certain minerals that are or may be required during the present strenuous times.

The Canadian Mining Journal is evidently ignorant of the fact that this work was undertaken by the Commission at the request of the Secretary of the Canadian Mining Institute who had received a communication from Mr. Bradley Stoughton, of the American Institute of Mining Engineers, asking the co-operation of the Institute with the War Minerals Committee of the United States to the end that the mineral supplies of North America could be indexed effectively in order that information of a special character might immediately be available if required, having regard to the abnormal demand for certain metals and metal products. The Commission accepted this work after some correspondence with the Secretary of the C.M.I., in the course of which correspondence it was pointed out that the Commission had better facilities for conducting this investigation than the Canadian Mining Institute, and that in order to avoid duplication of effort this work in any case should properly be entrusted to the Commission. Before taking any action in the matter the subject was discussed with several members of the staff of the Department of Mines at Ottawa, and while it was fully recognized that possibly 90 per cent. of the information desired could be obtained from both Federal and Provincial publications, it was decided to proceed with the suggestion of the War Minerals Committee on the grounds that the securing of information that would lead to the operation of even one or two mineral deposits would fully justify the trouble and expense undertaken by such circularization.

The Canadian Mining Journal has apparently assumed that the Muniton Resources Commission was attempting to duplicate the work of the Department of Mines and the various Provincial Bureaux with the view of making separate publications of its own findings. Such, however, is not the case. The Commission has no intention of over-lapping the work accomplished by the Federal Department or the various Provincial Bureaux, but rather intends to hand over to the Federal Department all information in its files which may possibly be made use of in future Departmental publications.

The Canadian Mining Journal makes the statement that the Department of Mines has collected information concerning all known important mineral deposits, but it fails to grasp the point that the Commission while fully aware of the truth of this statement is inquisitive as regards certain unknown and what may possibly prove to be important mineral deposits.

To what end is the Canadian Mining Journal making argument? Because the United States possess deposits of soluble phosphate are we, therefore, to ignore the possibilities of discovery in this country? Why continue any search for Canadian iron ores? There are large deposits of iron ore in Michigan and Minnesota. The nickel-copper industries of Sudbury do not manufacture sulphuric acid from their waste gases, not because there is no market for acid but because there is no market for acid that might be produced at the cost of reclaiming the waste sulphur gases at Sudbury.

It is quite within the range of possibility that some nice little tin mine may be hidden in the Canadian bush, but it will never be discovered through consultation of the present records at Ottawa or the various Provincial Bureaux.

But why argue further? The Canadian Mining Journal either cannot understand or will not take the trouble to inquire, and, therefore, one is forced to the conclusion that the War Minerals Committee of the United States and this Commission made an unfortunate mistake in attempting the inquiry as regards the mineral deposits without previous consultation with the Canadian Mining Journal.

In drawing up the circulars issued by this Commission it may be a matter of regret that the Canadian engineers and geologists were advised to supply only such information as in their opinion would not be found in the various Government publications; but at the time the circulars were issued it was considered that the men to whom they were addressed would use discrimination in this particular.

A great deal of discussion has taken place recently in the columns of the Canadian Mining Journal on the subject of a certain phosphate deposit in British Columbia and some capital has been made of the point that a report made for private interests concerning this deposit had fully covered the ground prior to the investigation of this field by public officials. Would the Canadian Mining Journal argue that this particular instance of mineral investigation for private interests without the knowledge of Government officials be an isolated case unlikely to re-occur at some future date? The whole subject of mineral investigation within the Dominion carried on by Government Departments, Commissions, and various private interests would form a most interesting subject of discussion at the forthcoming meeting of the Institute next March.

GEO. C. MACKENZIE,

Member and Secretary, Munitions Resources Commission.

Ottawa, Nov. 22, 1917.