

(4) Any person who, as aforesaid, has made an assignment under this section to the Minister of National Defence, in respect of any covenants and agreements contained in such assignment for keeping the invention secret and otherwise in respect of all matters relating to the said invention, and any other person who has knowledge of such assignment and of such covenants and agreements, shall be, for the purposes of *The Official Secrets Act*, deemed to be persons having in their possession or control information respecting the said matters which has been entrusted to them in confidence by any person holding office under His Majesty and the communication of any of the said information by such first mentioned persons to any person other than one to whom they are authorized to communicate with by or on behalf of the Minister of National Defence shall be an offence under section four of *The Official Secrets Act*.

(5) Where any agreement for such assignment has been made the Minister of National Defence may submit an application for patent for the invention to the Commissioner, with the request that it be examined for patentability, and if such application is found allowable may, before the grant of any patent thereon, certify to the Commissioner that, in the public interest, the particulars of the invention and of the manner in which it is to be worked should be kept secret.

(6) If the Minister of National Defence so certifies, the application and specification, with the drawing, if any, and any amendment of the application, and any copies of such documents and drawing and the patent granted thereon, shall be placed in a packet sealed by the Commissioner under authority of the Minister of National Defence.

(7) 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 Commissioner, and shall not be opened save under the authority of an order of the Minister of National Defence.

(8) The sealed packet shall be delivered at any time during the continuance of the patent to any person authorized by the Minister of National Defence to receive it, and shall if returned to the Commissioner be kept sealed by him.

(9) On the expiration of the term of the patent, the sealed packet shall be delivered to the Minister of National Defence.

(10) No proceeding by petition or otherwise shall lie to have declared invalid or void a patent granted for an invention in relation to which a certificate has been given by the Minister of National Defence as aforesaid, except by permission of the said Minister.

(11) 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.

(12) The Minister of National Defence may at any time waive the benefit of this section with respect to any particular invention, and the specification, documents and drawing shall be thenceforth kept and dealt with in the regular way.

(13) No claim shall be made in respect of any infringement of a patent which occurred in good faith during the time that such patent was kept secret under the provisions of this section; and any person who, before the publication of such patent, had in good faith done any act which, but for the provisions of this subsection would have given rise to any such claim, shall be entitled, after such publication, to obtain a licence to