

sometimes receive after having imported it properly a letter cautioning him that he cannot use that radio unless he pays an additional exaction to an organization in the city of Toronto? Shortly before the war, I referred in this house to the case of a local schoolteacher in the city of Ottawa who bought both a small radio and a radio for the automobile and declared them at the port of entry. By some means which I have never been quite able to understand, the radio people who held the Canadian patents wrote this teacher a letter warning him that since these two instruments had been imported and no royalty had been paid in Canada, they could not be used in this country. I may say that subsequently, after some correspondence, permission was given to use one of these radios, and if my memory serves me correctly it was the radio in the automobile. But the point I am making is this. If there were patents on radio tubes or on the parts of the radios that were imported, then a royalty had been collected on them where they were made, in the United States; and for the life of me I cannot see why another exaction should be made in Canada by substantially the same people who have an office, I think, in the city of Toronto. Toronto always seems to be coming in for this sort of thing. Perhaps that is why it is such a well-to-do city, as the hon. member for Rosedale frequently reminds me. But I think this is a matter that should be gone into carefully by the commissioner of patents and by the government. There are powers under the Patents Act which would give the governor general in council authority to deal with situations of that sort, and I think they should be dealt with effectively. Indeed, patents as they are used today, are often used merely to reap a reward from the public to which the corporation which is using the patents is not entitled. I think many hon. members know of cases of quite useful inventions which have been made by workers in industries and for which they have received some small amount from the company and the patents pass over to the corporation. The person whose brains invented the improvement or the new device does not reap the profit. The invention passes from him to someone else, often for a mere trifle.

I have often thought that, after patents are examined and when they are going to be used, they should become the property of the public, that a reward should be given to the actual inventor for patents that are used in industry, and that the patents should then become public property and not be used merely to assist in the formation of a monop-

oly or the restriction of trade. If we live in a competitive system, then let us have competition. If we live in an economy largely of monopolies, let us not help to build them up any more than we can help by adopting legislation in their interests.

Another thing that has always struck me is this. Under the act the patent runs out in seventeen years; but even a modification at the end of that period of time, or an improvement, will enable the patent to be carried along for a further period of time, and so on; so that you eliminate competition for a very long time.

I do not want to delay consideration of this amending bill clause by clause, but some features of the patent legislation require careful consideration by this house. I have no doubt the committee have given this bill careful consideration, and I know they have encountered difficulties in getting anything better than we have before us. But I believe the whole basis of the Patent Act is wrong when it allows abuses of the kind to which I have referred. I am particularly interested in articles such as radios, because on occasions when I have heard of the exactions that have been made I have felt them to be wrong and grossly unfair. I know, of course, that a person who invents something useful should be rewarded for his invention, but I do not think any group of people should have the right to say we cannot use something upon which a royalty has been paid in another country, when it is legally imported into this country.

Section agreed to.

Sections 2 and 3 agreed to.

On section 4—Secret patents.

Mr. FLEMING: I should like to make one or two observations on this section, in part of a general nature and in part of a specific nature in reference to this provision. First, I should like to say a word by way of commendation of the work done by the banking and commerce committee in connection with this bill. That commendation does not apply only to this section, which is perhaps the most important and most difficult section in the bill; it applies to the bill in general.

In my submission, Mr. Chairman, the bill now before the committee of the whole, containing the amendments proposed by the banking and commerce committee, is a great improvement over the bill which was before the house on second reading. I also think it well to observe that in drafting and adding amendments to this bill the committee was not confined to the sections which were proposed to be amended by the original amend-