

some years previously. Another gentleman from the city of Hamilton, who had for a long time been studying an improvement on the screw propeller, and was about to apply for a British patent, found, on reference to the same library, a description of an exactly similar invention. By these means they were saved further trouble and expense, and had they only consulted these works sooner, they would no doubt have been saved much disappointment also.

"The provisions of the present law referred to in the fourth objection is undoubtedly the most detrimental of any to the interests of Canadian inventors, and also to the public, whose interests are identical with theirs. A number of inventions are now waiting the alteration of our law so as to secure reciprocity with the United States. The reasons given by the inventors for withholding their discoveries from the public are, that a patent for Canada only secures the monopoly of a very limited market, and they cannot afford to pay the sum of five hundred dollars required from every Canadian citizen for a patent in the United States, consequent upon our prohibitory law; and therefore prefer to wait, hoping that our legislature will make such amendments thereto as will enable us to take advantage of the law passed by the United States Congress, March 2nd, 1861, section 10, 'That all laws now in force fixing the rates of the Patent Office to be paid, and discriminating between the inhabitants of the United States and those of other countries, which shall not discriminate against the inhabitants of the United States are hereby repealed,' and establishing uniform rates of fees of \$35 for all, on the conditions recited in the foregoing extract.

"It will thus be seen that so soon as our law ceases to discriminate against the inhabitants of the United States, a reciprocity in patents will take place; and surely no one can for a moment doubt but the advantage of securing the American market to our inventors, will be a boon far more valuable than we can confer on American citizens by throwing our market open to them.

"A fear is sometimes expressed that by granting patent rights to Americans, they will neither manufacture their inventions here or sell rights to others to do so; but this may be guarded against by providing that unless the manufacture of the article patented is commenced in the province within say twelve months after the issue of the patent, all exclusive rights therein shall be forfeited by the patentee or his assignee.

"The immorality which the present law leads to is also another important consideration. A large number of patents taken out in Canada are the

inventions of American citizens, who, on finding that patent rights cannot be obtained in their own name, on account of their being aliens, secure the service of some weak or immoral minded Canadian, who for a *consideration* makes the affirmation that the invention or discovery is his, and thus secures the patent. We also suggested that a six months "Provisional protection" should be provided, so as to allow inventors to experiment on their machines with a view to perfecting them before depositing a complete specification. The absence of this provision in the present law causes the greatest dissatisfaction, and accounts to a great extent for the many crude machines patented in the Province, as the inventors dare not put their utility and completeness to a practical test for fear of others witnessing and pirating their ideas, and, as has been done in too many cases, taking out patents before the real inventors are fully prepared.

"In the United States the inventor is allowed to file a caveat which protects him for twelve months, unless another person applies for a protection for a similar invention, when notice thereof is given the person filing the caveat, and he is required within three months of the date of such notice to file his complete specification, model, &c., and make his final application for the patent. In Great Britain the inventor is allowed to file a "provisional specification" which protects him for six months, on payment of a small fee; and if he proposes to proceed with his application for a patent, having satisfied himself of the novelty and utility of his invention or discovery, notice thereof must be given to the Commissioner not less than eight weeks before the expiration of the term of provisional protection; and at least eight days before the expiration of such provisional protection, he is required to file his complete specification, and make application for the issue of the letters patent. We strongly urge the introduction of somewhat similar provisions in any amended Act that may be passed in this Province.

To the above we would add, that the fees should be so raised as to cover the expense of printing the specifications in full, with wood-cut illustrations when necessary; and that this should be done within a given number of days, say one month, after the issue of letters patent; and that copies of such specifications should be sent to the Libraries of the Boards of Arts, and Agriculture, and Mechanics' and similar institutions, for public reference.

The advantage of such publicity to inventors, would far more than compensate them for the additional fees paid; and intending applicants for patents would thus be able to ascertain the nature