

the committee on banking and commerce, which is the procedure that seems logical and proper to me?

Mr. CROLL: As a matter of fact, I was taken quite by surprise. I thought this bill would go to a committee and I think it ought to go to a committee. I am quite prepared to vouch for the people who are incorporating this body; I know of them and they are excellent citizens. However I am not fully acquainted with the bill and in committee we shall be able to explain it.

Mr. HACKETT: I think the hon. gentleman has been quite fair; the procedure suggested will enable the gentlemen who are interested in the bill to go before the committee and tell their story. The matter could then be dealt with in the usual businesslike way.

Mr. CROLL: I will move that the bill be referred to the banking and commerce committee.

The CHAIRMAN: With the unanimous consent of the committee.

Progress reported.

Mr. CROLL moved:

That Bill No. 180, to incorporate Workmen's Circle of Canada, be referred to the standing committee on banking and commerce.

Motion agreed to.

TORONTO TYPE FOUNDRY COMPANY LIMITED

Mr. DAVID CROLL (Spadina—for Mr. Sinclair, Ontario) moved the second reading of Bill No. 178, respecting certain patents owned by Toronto-Type Foundry Company Limited.

He said: At the request of the hon. member for Ontario, I think it is fair that I should make a few explanatory remarks about this bill. The Toronto Type Foundry Company Limited are the owners of certain patent rights relating to printing machinery, such as feeders, folders and stitchers. Some eight patents are involved. Two of the patents have expired and six have two or three years to run. The purpose of the bill is to revive the two patents which have expired and to extend for an additional period of six years, the life of those patents which have not yet expired. The reason they ask for this is that during the war the owners were unable to use the patents because of lack of material and lack of manpower. As I have already stated, the period that they ask for is approximately the six-year period. Under British law application may be made to the courts for the purpose of

extending the life of a patent. With respect to these patents that are applicable to Britain, that application has been made and has been granted. There is no such recourse to the courts in this country and so it is necessary to come to parliament. The company points out that it needs this legislation in order to operate successfully. In 1927, 1928 and 1930 similar legislation was passed by this house, though I have not with me and cannot seem to put my hands on the circumstances under which it was passed, but I have the references.

Mr. JACKMAN: Not in connection with the same company?

Mr. CROLL: No, not the same company. My suggestion is that because this bill is somewhat unusual it be sent to a committee where evidence may be heard and perhaps differences reconciled. I think the house should know that this corporation the Toronto Type Foundry Company, is neither a cartel nor a trust, but a family corporation of many years' standing in the city of Toronto. The public interest will not be injured if the bill is passed. There is similar machinery available in the country. Under the circumstances, and because it is an involved matter, I believe these people are entitled to their day in court. So I ask the house to give consideration to sending this bill to committee, where these people may have an opportunity to present all the pertinent facts before we deal with it here. There is a committee that has already dealt with the matter of patents, and it might very well be referred to that committee for such consideration and opinion as it may wish to give.

Mr. DIEFENBAKER: A moment ago the hon. member mentioned that in the United Kingdom there was provision for making application to the courts in order to maintain these patents which were lost under the circumstances referred to by him. Would he tell the house the nature of the proceedings taken over there and where they can be ascertained or whether he has a record of them?

Mr. CROLL: Yes I have; I shall refer to my memorandum. In answer to the hon. member's question the British patent act contains a provision which permits the courts to extend the life of patents. This was done in the case of two British patents No. 281599 and No. 290509 which correspond to Canadian patents No. 283101 and No. 323334 which are among those covered by the bill. Extensions in Britain were granted on the ground that the patentees had suffered loss or damage due to war, which is the same basis on which this