

*Patent Act*

There has been a great scarcity of the kind of people required to do patent examinations, but the officers of the department are hopeful that some good recruits will now be forthcoming and that the work of the office may be made more efficient, though at a somewhat higher cost. That higher cost, it is felt, should be covered by the fees.

Now, sir, in order not to incur what I thought was the unreasonable criticism made of my hon. friend the Postmaster General (Mr. Cote), and in order to make as sure as I can that there will be no postcards in this measure, I should like to point out that under the statute certain powers are conferred, and I emphasize this, by parliament upon the governor in council to fix certain other fees. It is the intention of the governor in council, when this measure becomes law, to increase one or two of these other fees as well. I would prefer, unless hon. members wish me to do it now, to give precise examples in committee. There is also the *Patent Record* published by the office which is not now being paid for by subscription. It is intended also to increase the subscription for the *Record* and to increase the price charged for printed patents.

The measure, as hon. members will note, if passed will come into force on April 1. I am no expert on this matter, but representations have been made to the effect that certain of the steps taken under this law in the filing of documents, and that sort of thing, are valid only if full fees are paid at the time. It was felt that perhaps the interval of time between the passing of the act and the time it would come into force might not be sufficient to allow every possible applicant a reasonable opportunity to be informed of the change in rates. That is why clause 2 was put into the bill. It provides that if the old scale of fees are paid, the step will be valid, provided the additional fee is subsequently paid within a reasonable period of time.

Again, sir, and in order to make as complete a disclosure as possible to the house of the intentions of the government with respect to the Patent Act, I might say now that it is the intention of the government, if the necessary legislation can be drafted in time, to introduce another measure at this session which will affect the Patent Act and which will have to do with the codification and clarification of the patent rights of public servants, which are now governed by four or five different statutes which are not in every respect consistent with one another,

but this proposed measure will in no respect whatsoever change the law with respect to patents themselves.

It has also been represented to the government, both by officials having to do with the matter and by other interested persons outside, that there are other desirable amendments which should be made to this legislation. No amendment is made except one to increase the fees, and the reason for that is that it seemed to me—and in this I have the approbation of my colleagues—that the Patent Act and certain other closely related statutes were so important to the economy of the country that they should be given careful and thorough revision of a character which a layman like myself could certainly not be expected to undertake, even if he had the time to do it.

I have therefore been authorized to state today, sir, that it is the intention of the government within the next few months to establish a public inquiry under the Inquiries Act into the working of the Patent Act, the Copyright Act, the industrial design act, and other related legislation. I am not attempting to give any specific terms of reference, but merely to indicate that the general scope of the inquiry which is being undertaken is with a view to ensuring that adequate stimulus is being given to inventive and creative talent in Canada; to see that at the same time the public interest is being protected from undue exploitation of property in inventions and ideas; and to suggest amendments to the legislation which might be considered desirable to make the law more effective for these ends.

I am also pleased to be able to say that the chief justice of Nova Scotia, Right Hon. J. L. Hsley who is well known to many hon. members here, has consented to preside over the inquiry. I am sure hon. members will feel that no better evidence could be given that it will be in competent hands.

If I might crave your indulgence for a moment, Mr. Speaker, I should like to say that I recognize that although this announcement has relation to the act being amended, it has no direct relation to this bill. However, I feel that it would be helpful to me as the responsible minister, to the officials who will have to assist in the drafting of the terms of reference, and to the inquiry which is subsequently set up, if you would permit any hon. member who wishes to do so to make, quite briefly, any suggestions he wishes to make as to the scope or nature of that inquiry. The purpose is to make the legislation—about which I doubt if there