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PATENTS LAWS FOR THE DOMINION.

His Excellency the Governor General, in his speech at the opening of the first parliament of the Dominion of Canada, included in the measures to be submitted, one "for the introduction of uniform Laws respecting patents of Invention and Discovery." It is understood that this measure will be taken up on the re-assembling of the Legislature.

The present patent laws of Canada extend only to the Provinces of Ontario and Quebec, and are very arbitrary in their restrictions, as to who may obtain patents. The Province of New Brunswick is more liberal, and grants patents to foreigners on the same terms as to her own citizens. The laws of Nova Scotia, we believe, are also very restrictive. This is contrary to the spirit of the age, and the interests of these Provinces; and, apart from the necessity for assimilating the patent laws of the different sections of the Dominion, require immediate revision.

We have received from C. Legge & Co., Solicitors of Patents, Montreal, a pamphlet* on this subject. It is, as it professes to be, made up principally of suggestions of their clients. Their first proposition is to admit British subjects and foreigners to equal rights with our own, in obtaining letters patent—patents to be granted for fourteen years, and absolutely not renewable. Fees to be increased in amount, and rights granted and fees to be paid at the commencement of each of three terms, of three, seven and fourteen years respectively, as is the practice in Great Britain—patent rights already granted in each Province, to be extended to the whole of the Confederation—the privilege of filing *caveats* for six months, so as to give time to perfect inventions. These are the principal suggestions made.

On turning to our article in the number of the *Journal* for March, 1864, we notice that it discusses the leading objections to the present law, and suggests amendments which we still think desirable. As the article referred to is not in the hands of many of our present subscribers, we re-produce the main portion, viz:—

"The principal objections to the present law are, 1st, That a patent right cannot be obtained by any but a British subject, nor by a British subject unless an actual resident of Canada. 2nd, That no efficient examination is made as to the novelty or utility of the inventions, thus allowing so many useless articles to be patented. 3rd, That the specifications and drawings of patented articles are not published by the Department, so as to be available to the public for reference. 4th, That the law being prohibitory as to Americans obtaining patent rights in Canada, Canadians can only obtain patent rights in the United States by payment of the sum of \$500, which in many cases is tantamount to a prohibition.

"As to the first of these objections, it must certainly appear very ungenerous to our fellow-subjects coming from other portions of the Queen's dominions with a valuable invention or discovery, to find that by our provincial law he is excluded from obtaining any protection; and, to the American most inconsistent for us, who are continually declaiming against American publishers for pirating the works of English authors, to refuse him a patent right on payment of suitable fees—the avowed purpose being to use and benefit by his invention, without affording him any remuneration therefor.

"The second objection we do not esteem as of much weight, the loss accruing from patenting useless articles falling principally upon the inventors themselves. Could an efficient examination, however, be established, it would prevent the re-patenting of any invention or discovery, and thus prevent an injustice being done to the original patentee.

"As to the third objection, it would greatly increase the value both to the inventor and the public if the specifications and drawings were freely published, and placed in the libraries of the Boards of Arts and Manufactures, and of all Mechanics' and similar institutions, for reference. It would also afford information to inventors of what had already been patented, and save them time and expense in perfecting machines already discovered and patented by others.

"A gentleman of this city devoted some years study to what he considered a new mode of propelling steamers, an improvement on the ordinary side paddle-wheels now in use, and went to the expense of having models prepared preparatory to applying for a patent. When his models were nearly completed he consulted the British Patent Office publications in the Free Library of this Board, and at once discovered that an invention exactly similar had been patented in England

* Suggestions with reference to the proposed new Act respecting Letters Patent for Invention, in the Dominion of Canada.