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Sec. 19. This section is designed to permit a defendant in an action for infringement in which the plaintiff relies upon a certificate of registration to set up, by way of defence, not only that the rights inferable from the certificate were not acquired, but also that even if properly acquired they have subsequently been lost by the abandonment of the use of the mark as a trade mark.

Sec. 20. This section gives to the Exchequer Court jurisdiction to entertain unfair competition cases generally. To effect this was perhaps the intention of Parliament in enacting 1928, c. 23 s. 3 (c), but this provision is not regarded as having had achieved this result, and serious inconvenience is sometimes caused by a plaintiff's being forced to maintain his rights by concurrent proceedings in the Exchequer Court to rectify entries in the register of trade marks relating to his competitor's mark, and in a provincial court to recover damages for the infringement of his own. It is moreover not satisfactory that, when a defendant has been guilty of like acts of unfair competition in several provinces, there should be no court in which all such acts can be simultaneously dealt with.

Sec. 21. This section confers upon the Exchequer Court an obviously necessary jurisdiction. In the United States territorial limitations narrower than the areas of states have been on occasion laid down by the federal courts, but the provisions of the section go as far in this direction as is consistent with the general principles upon which the Bill is based.

Sec. 22. This section is necessary in fulfilment of the obligations imposed by Art. 12 of the Convention by which

"Each of the contracting countries undertakes to establish a special government department for industrial property and central office for communication to the public of patents, utility models, industrial designs or models, and trade marks.

"This department shall publish an official periodical journal".

The section makes no substantial change in the laws as it stands under the *Trade Mark and Design Act* (Sec. 8), but contains more specific directions than that Act as to the contents of the register.