

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 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 4th 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and those of other countries, which shall not discriminate against the inhabitants of the United States, are hereby repealed," and establishing uniform rates of fees of \$35 for all, on the conditions recited in the foregoing extract.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, which, most probably, is then assigned over to the American.

The countries that do not now discriminate between their own subjects and foreigners in the issue of patents are Austria, Australia, Bavaria, Belgium, France, Great Britain, Hanover, India, The Netherlands, Poland, Portugal, Prussia, Russia, Sardinia, Saxony, Spain, Sweden and Norway, the United States of America, and several minor states and governments; so that Canada now stands alone in sustaining prohibitory patent laws.

The duration of patent rights in the foregoing States vary from three to fifteen years, and the fees from an average of from \$5 in some to \$60 in others, per annum, for the whole term. In some two dozen of German and other States there exists no special patent legislation, but the respective governments grant privileges to inventors for the exclusive use or working of their inventions.

A draft of an amended Bill was prepared by the provincial government during the past year, which will most probably be submitted to the Legislature during its present session. The leading features of the Bill are that it provides for the establishment at the seat of government of a Patent Office, to be attached to the Bureau of Agriculture, and the appointment of a Commissioner of Patents; for the granting of patents to "any person of any country whatever," on the same conditions as to inhabitants of Canada; the establishment of a gallery for models of inventions, to be open at all suitable times for public inspection; the preparation of indices, &c., to specifications, to be open to the inspection of the public at such times as the Commissioner may appoint; the registration of "trade marks," and of copyrights of original designs, and the forwarding of copies of index of titles of designs to the Boards of Arts and Manufactures for public inspection. A large portion of the Bill is taken up with the necessary forms of