sub-section 2. Usually a year is granted. At the end of that year you may get another year and so on until you are in a position to manufacture in Canada yourselves, have it manufactured for you, or sell the patent. Even on the grounds of expediency it will be wise to apply for delay, because, supposing even that the above decision was sound, and that a new case was not likely to be decided the opposite way, you would still secure a valuable immunity from the risk and annoyance of being involved in a similar suit to the above by which you would be certain to loose time and money even if you gained the verdict.

It should be noted that in order to obtain a grant of delay, application for it must be made within the three months preceding the end of the term during which manufacture may remain in abeyance.

Application is made by petition to the Commissioner of Patents stating the reasons why a delay is desired. If the delay is granted the patent is endorsed accordingly, hence the patent must be sent for that purpose.

It is often asked whether the manufacturing clause is complied with if the various parts or some of the parts composing a patented article are imported and put together in Canada. The answer is no, the law is not satisfied with this, it be then that the putting together constituted the essential part of the patent or that the parts so imported could not possibly be obtained in Canada.

A few words, and only a few, may also be said about importation. The Amendment Act of 1872, forming sub-section 3 of section 28, even strengthens what I consider to be the correct reading of the section. For one year you may import with impunity. After that you may have, or may expect to have, a demand in Canada for your patented goods, but not sufficient to warrant just then the commencement of manufacturing, or you may not have the means or opportunity to do it. Then you may obtain leave to import for a period not exceeding another year. By that time the legal time has expired when you should commence manufacturing and now, if you want to work your patent at all you must manufacture or let your patent lie dormant, since permission to delay manufacture would be of no practical value to you except in cases of want of capital or time, since you could not supply any demand for your goods without manufacturing. It will be seen that by sub-section 3 the time to import may be made equal to the time during which you need not manufacture, and although you may have the time for non-manufacture extended you cannot have the time extended for importation also beyond that point. The patent is therefore practically lying dormant because if there is no manufacture there cannot be a sale and importation would kill the patent. This sub-section 3 is a valuable one. Few patentees are ready to manufacture at the end of the first year of the patent and by obtaining extension of time for importing they may be able to test the market and ascertain whether manufacturing would be sufficiently renumerative to warrant further expenditure of time or