

of the provisions of the convention. That is the very reason that the Patent Act is before the house at this last session of this parliament, because attention has been drawn to it on many occasions. No one would think of introducing a contentious matter like the Patent Act at this session if it could be avoided, but complaints became so numerous that we should put our house in order, having regard to the convention to which we became a party, approved by parliament in 1928, that the bill was introduced in this house after it had been carefully compared with the provisions of the British statute. And that very language of section 27 of the old act was at variance with the provisions of the Hague convention made in 1925 and approved by this house in 1928. This statute came before the house, and the minister asked that the order be discharged in order that it might be considered by the Senate. There nineteen hearings were had and the fullest opportunity given, for representations, and I very much regret that by any misunderstanding of the real purpose of these sections it should be thought that the grievances to which attention has been called have not been provided for. They are not only provided for; they are most amply provided for, in the very terms in which the mother of parliaments provided for them. They contemplate two things: first, that those who receive patents from the Dominion of Canada should commence the manufacture of the patented article in Canada, and failure to do so within three years constitutes an abuse and subjects them to the possible loss of their patent unless they make a good case for its defence. And the second principle is that the grievances—and there are more than one, the many grievances—provided for by the statute, that constitute not infringement but abuses, may cause successive steps to be taken by the commissioner, one, two and three, finally terminating in revocation of the patent itself, which is a drastic remedy, to be pursued only when every other fails; and it may only be exercised conditionally in the first instance by giving the party a "*locus pœnitentiæ*" in which he may redeem his position. That applies equally to those who may secure the patent from him as to the patentee himself.

Therefore I trust that the hon. member for East Kootenay (Mr. Stevens) will observe that the very grievances to which he directs attention have been amply taken care of by the bill before the committee. Section 65, which may easily mislead one not accustomed to the law—and patents are legal matters—has brought about a misunderstanding of the true effect and meaning. These provisions, replacing section 40, have been introduced

into our statute from the English act for the purpose of giving effective control to the commissioner, and protecting the consumer to the maximum against every grievance, including excessive prices, to which attention has been called.

All I can say is that in the light of the facts mentioned by the hon. member the Attorney General of Canada will take early opportunity to bring to the attention of the commissioner these abuses of the patent law for the purpose of enabling the very machinery of this bill, if it passes, to become effective.

Mr. CHURCH: I wish to say a word about these clauses 64 and 65. I am not concerned in any private dispute between the hon. member for St. Lawrence-St. George (Mr. Cahan) and the hon. member for East Kootenay (Mr. Stevens), but I am interested in the hydro electric power movement in the province of Ontario, which is saving to the domestic and commercial consumers of power in that province \$30,000,000 a year. I want to know if a monopoly, combine or trust exists and how it operates and affects the rates for power and appliances. The rates in Ontario compared with those in the United States are 1.57 cents per kilowatt hour as against 5.6 cents, and a total cost of \$11,676,000 in Ontario as against \$41,490,000 for the same power at American prices.

I am also interested in this matter as one of the supporters of the nearly seven hundred municipalities using the hydro in Ontario who desire power at cost and equipment at cost. I am interested to see that they shall be protected in this patent act from monopolies, trusts and combines. I well remember the debate nearly ten years ago on this act and the Gatineau power bill which I opposed. At that time I was urging a rebate to the hydro of customs duties in connection with the building of the Chippawa power plant, on account of patent monopolies held by German and American concerns. Do not forget that Ontario could not have kept its munition plants going during the war but for the cheap power. The Chippawa plant, which was to cost \$65,000,000, cost over \$100,000,000 because of high building costs during the war, and foreign patents and such combines. This Chippawa plant was built and generates 550,000 horsepower. American, German and other patents from all over the world have been forced on the people of Ontario who have had to pay for it all, as well as high rates for equipment and electrical appliances of all kinds in the pioneer days and even to-day.

I realize that the late government ratified this convention with the League of Nations,