The CHAIRMAN: Our next witness is Mr. Riches.

Mr. C. HAROLD RICHES (Consolidated Mining and Smelting Company): Mr. Chairman and honourable members, I regret that I was retained on this brief only some twenty-four hours ago. Consequently I have not had really sufficient time to prepare a comprehensive survey by reading very closely the minutes of the proceedings of your Committee.

My instructions are to the effect that the Consolidated Mining and Smelting Company feel that the proposed Bill is a decided improvement on the present Act, and that only some small changes are required in the wording.

I may say, gentlemen, that we are patent solicitors, and that our clients consist practically entirely of purely Canadian manufacturers and Canadian inventors. In other words, we do not represent any Canadian subsidiaries of foreign organizations. In speaking therefore on the two sections to which I intend to direct my remarks, I do so purely from the consensus of opinion gathered over the past number of years in our general work.

Right Hon. Mr. MEIGHEN: You are speaking for the Consolidated Mining and Smelting Company only?

Mr. RICHES: Yes. Their views in this respect coincide with a number of views of other of our clients whom I am not mentioning.

Right Hon. Mr. MEIGHEN: But who are Canadians only?

Mr. RICHES: Canadians only.

In the first place, section 26 of the proposed Act limits the filing in Canada to within twelve months of the filing date of the first foreign application. Mr. Cahan has no doubt realized the privileges that foreign inventors have had in Canada under present section 7. We have found in a number of cases that patent protection by patents obtained by foreign companies last anywhere from twenty to twenty-nine years, and I believe in one case thirty-one years, through taking advantage of section 7 of the present Act. I believe the proposed change is to make filing before the allowance of the first foreign application. This would mean, of course, a mere difference of two years. It is my contention, gentlemen, that if there is going to be any loosening we should bring our filing requirements into alignment with those of the United States. An application from a foreign inventor may be filed in the United States after twelve months of the filing date of his first foreign application, provided he takes the issue of his United States patent before the issue of his first foreign patent.

Right Hon. Mr. MEIGHEN: Are you speaking of a man applying in the United States for a patent who has already applied somewhere else?

Mr. RICHES: Yes.

Right Hon. Mr. MEIGHEN: Tell us in what position he is?

Mr. RICHES: He has his choice of two things, either filing in the United States within twelve months of the filing date of his first foreign application, or filing in the United States after that twelve month period provided he takes the issue of his United States patent before the issue of his first foreign patent.

Hon. Mr. GRIESBACH: But that is not within his control. He cannot control the period within which the patent will come out in the United States, can he?

Mr. RICHES: Purely by a matter of prosecution, sir. You will realize that in addition to the Patent Office having some responsibility in connection with the issue of a patent, the patent solicitor also has some. If a Canadian inventor's application is filed in the United States, I would say that within one year the attorney who is prosecuting that case has a good idea of just exactly what is allowable and what is not.

Right Hon. Mr. MEIGHEN: Suppose an inventor in Ohio applies first in Great Britain. He can apply in the United States within a year of that applica-