

manufacture, or composition of matter; or a new and useful improvement in some art, machine, manufacture, or composition of matter, not known and used by others before his discovery or invention thereof, and at the time of the application not in public or common use in this Province; to which Petition shall be annexed an affidavit sworn to by the applicant, setting forth that the allegations in the same are just and true to the best of his knowledge and belief.

Specifications,
drawings, and
models, to be lodged
with Provincial
Secretary.

3. With his Petition and affidavit, the applicant shall deliver into the office of the Provincial Secretary, a written description of his invention, signed by him, and attested by two witnesses, setting forth the manner of making or compounding it, and mode of using the same, in such full, clear and exact terms, as to distinguish it from all other things before known, and enable any skilled person to make, compound and use the invention; the description shall also set forth the principle of the invention, and the several modes by which it is contemplated to apply that principle, or the characteristics which distinguish it from other inventions; and it shall be accompanied by drawings and written references, and by a model, where the nature of the case admits of the same, or with specimens of the ingredients and of the composition of matter, sufficient in quantity for the purpose of experiment, when the invention is a composition of matter.

Patent may be
granted for articles
patented elsewhere.

4. No applicant shall be deprived of his right to a patent in this Province for his invention, by reason of his having previously taken out Letters Patent therefor in any other country, provided that such invention shall not have been introduced into public and common use in this Province prior to the application for a patent therein, and that the patent granted in this Province shall not continue in force after the expiration of the patent granted elsewhere.

Executor or
Administrator may
take out patent for
deceased inventor.

5. If any person entitled to a patent in this Province for a new invention or discovery, shall die before the same is granted to him, the right to apply for and obtain such patent shall devolve on his executor or administrator, and shall be granted in as full and ample a manner, and under the same conditions and restrictions as if issued to the inventor in his life time; and when a Petition for a patent is made by an executor or administrator, the deposition attached thereto shall be varied to suit the circumstances of the case.

Assignee of inventor
in this Province may
take out patent.

6. Letters Patent may issue to the assignee of any person entitled to a patent for any invention or discovery made in this Province, but for which no patent has previously issued, the assignment duly proved shall accompany the application and be filed therewith, together with an affidavit of the assignee that the same was made for good consideration, and also an affidavit of the assignor that the invention or discovery was made by him as required by the second section of this Act.

Assignee of foreign
patentee may also
take out patent.

7. Letters Patent may also issue to the assignee of any person who may have taken out Letters Patent for his invention or discovery in any other country, but not for any discovery or invention made abroad for which no Letters Patent have been there obtained, provided that the invention or discovery so assigned shall not have been introduced into public and common use in this Province prior to the application for a patent, and that the assignee of such foreign patent shall file with his application the assignment duly proved under which he claims a patent in this Province, and an affidavit setting forth the date of the patent abroad, that the article thereby patented has not been in public and common use in this Province, and that he is the assignee for a good consideration.

Patents may be
assigned wholly, or
in part.

8. Every patent granted in this Province shall be assignable either as to the whole interest therein, or any fractional part thereof, by instrument in writing, which assignments, and also every grant or conveyance of the exclusive right,
under