

Patent Laws and Statistics.

CANADIAN PATENT LAWS.

We had hoped that the efforts put forth for the past few years, to secure amendments to the Patent Laws of this Province, so as to assimilate them to the laws of all other enlightened nations, would ere this have been successful. Another session of Parliament has however come and gone, and nothing has been done, except to submit to His Excellency the Governor General, the following Report, by the late Minister of Agriculture, the Hon. L. Letellier:—

"The following statement demonstrates, that notwithstanding that the number of applications for Letters Patent is greater, and the revenue from this source has been larger, nevertheless, the increase has not been so rapid as in former years. This is easily explained by the fact that the public have, for the last two years, been anticipating important modifications of the law regulating this species of property. On the other hand, patents are evidently acquiring greater importance than heretofore, since the number of transfers has increased. This increase indicates a salutary development of the spirit of industrial enterprise, which cannot fail to benefit the commercial and agricultural interests of the Province. This progress is a matter which demands from the Government serious attention, and a thorough consideration of the means best adapted to the perfecting of this branch of the administrative service, in such a manner as to define more clearly and more efficaciously the respective rights of inventors and of the public.

COMPARATIVE STATEMENT OF BUSINESS TRANSACTED —1861-'62-'63.

Year.	Applications	Patents granted.	Transfers registered.	Drawings registered.	Trade Marks registered.	Fees received
1861.	160	142	55	2	3	\$3012.70
1862.	180	160	72	—	17	3,650.90
1863.	207	156	78	4	1	3,759.75

For several years past, it seems to have been admitted that our laws relating to the granting of letters patent for the protection of inventions and discoveries, require certain modifications and the enactment of new provisions, with the view of simplifying and regulating this branch of the public service.

The gradual increase in the business of the Patent Office affords, from day to day, further proof of the necessity of an early revision of the law relating to that department.

Of all the modifications which have been discussed, for some time past, the most important are undoubtedly those which would have the effect of assimilating our laws more closely to those of the nations now at the head of civilization, and permit

inventors from all countries to enjoy amongst us that protection which is now afforded them almost everywhere.

The expediency and advantages of such a measure have frequently been debated. I think that the reasons given, and which seem to suggest themselves the first from a simple examination of the question, militate strongly in favor of a more liberal system than that which is possible under the present law.

Now, by enabling the subjects of other countries to take our letters patent amongst us, upon the same footing as our own people, we shall at once throw open to inventors residing in our country a vast and fertile field, from which they are at present excluded—the States of the neighboring Union, which, by recent enactments, have offered the protection of their laws, upon the same footing and upon the same conditions as to Americans themselves, to all inventors the subjects of countries in which protection is extended to American inventions.

By following this example of liberal legislation, we should at once put an end to the position of inferiority in which our own people, as well as all other British subjects who come to reside amongst us, are now placed.

But there is a more pressing consideration which seems to me deserving of our immediate attention, and which should induce us to adopt a more liberal system, inasmuch as it affects more directly the interests of the greater number; I mean the stimulus which must of necessity be imparted to our own manufacturing industry, by affording protection to machinery and improved processes originating in other countries, but which, for lack of adequate protection, no one ever seeks to introduce amongst us. It is quite evident that the establishment of new machinery, the preliminary cost of experiments, the construction of models, &c., necessitating as they do, a certain outlay of capital and the incurring of risk, to which those who have only to copy what has been already effected are not exposed serve, to a certain extent, to deter foreign inventors and capitalists who might be disposed to establish new branches of manufacture in our midst, which, by employing within the country our primary agencies, the arms of our people and our native power, would have the effect of augmenting the general prosperity. By making it a simple condition for the protection afforded to patentees that the machinery or improved production should be manufactured within the Province, a provision adopted in France and several other countries, consumers would be protected against an outside monopoly and our manufacturers against unfair competition. I might refer to several machines and manufacturing processes which would receive much more attention and be developed in our midst, if the holders of foreign patents could obtain in this country the same protection which is afforded to them elsewhere. I shall cite but one case of this kind, because it affects more immediately the interests of the agricultural classes, to show that certain products which are now neglected or lost would become available for useful purposes, and that consumers and the public generally would themselves reap the greatest advantage from such a measure.