

An Act to amend the laws regulating the granting of Patents for Inventions.

WHEREAS it is expedient to amend the laws of this Province Preamble.
 concerning Patents for Inventions in this Province, by affording
 to those who may have obtained Patents, or to their assigns, more ample
 protection against those persons who might otherwise, in certain cases,
 5 repeat their infringements of the rights of the Patentees; Therefore Her
 Majesty enacts as follows :

1. From and after the passing of this Act, any person who, either by
 himself or by the intervention of any other person whatsoever, shall
 have infringed, or may hereafter infringe, the rights and privileges
 10 granted to any Patentee of any invention or discovery whatever, either
 by making, counterfeiting, imitating, or selling or causing to be sold,
 without the permission of the Patentee, the thing for which the Pa-
 tentee shall have obtained a Patent, and against whom an action of
 damages in consequence of such infringement shall have been or shall
 15 be brought by the Patentee, before any court whatsoever in this Pro-
 vince having jurisdiction in the matter, with the view of recovering
 damages for or of preventing such infraction, or both, shall be bound, be-
 fore repeating the act alleged as such infringement and on account of
 which such action shall have been so brought against him, and upon
 20 application to that effect made to the Court by the Patentee at any
 time while the action is pending, to give good and valid security to the
 satisfaction of a Judge of the Court before which the action shall have
 been brought, for the payment of any damages which may be recover-
 ed by the Patentee against such defendant for every such infringement
 25 which shall have taken place after the time of bringing the action as
 above-mentioned; And if such defendant refuses to give such security
 as above-mentioned, any Judge of the Court before whom the action
 shall have been brought, may issue a peremptory injunction or order to
 such defendant forthwith to discontinue such infringement of the
 30 rights and privileges of the Patentee, either by making, counterfeiting,
 imitating, selling, or causing to be sold as above-mentioned, without the
 permission of the Patentee, the object or thing for which the Patent
 shall have been obtained; And if such defendant fails to conform
 35 to the order of such Judge, he shall be held to be in contempt of
 the Court and liable accordingly, and the Judge may in such case order
 the imprisonment of such person or persons for such period as in his
 discretion he shall deem meet.

A Patentee who has brought an action for infringement of Patent may demand security for all damages to be sustained by him from any repetition of such infringement,—otherwise an injunction may issue to command the defendant to abstain from such infringement, on pain of imprisonment, &c.