

to be mailed. If my hon. friend feels that the language is not clear we are prepared to accept any suggestions from him to remove the obscurity.

Mr. BRISTOL: With reference to the decision of the Department of Justice as to the right of appeal under section 20, I think it is absolutely reasonable. That is a case where a patentee has been refused a patent; therefore he is not being oppressed. He is simply allowed further time in which to get help to go on with his appeal. But this is not the case with 67a. I am quite in accord with the amendment made by the Department of Justice, but I do not think it is reasonable that the man contesting a patent should be allowed six months to proceed with his appeal. I think he should proceed promptly—say, within thirty days. After the applicant has been granted his patent he ought to be allowed to go ahead and get the full benefit from it.

Mr. ROBB: Why not make it three months?

Mr. BRISTOL: I am quite content.

Mr. ROBB: I will substitute three months.

The CHAIRMAN: Is it the pleasure of the committee that the word "six" be stricken out and the word "three" substituted?

Amendment agreed to.

Section as amended agreed to.

Sir HENRY DRAYTON: Several sections were allowed to stand.

The CHAIRMAN: Section 5 was allowed to stand. It is moved by Mr. Murdock:

That section 5 be stricken out and there be substituted the following:

The commissioner shall exercise the powers conferred and perform the duties imposed upon him by this act subject to the minister and in the absence or inability to act of the commissioner any officer or clerk named by the minister to perform the duties of the commissioner may, as acting commissioner exercise such powers and shall perform such duties.

Clause as amended agreed to.

The CHAIRMAN: Section 11 was allowed to stand.

Mr. ROBB: Mr. Chairman, to meet the desires of the hon. member for South Simcoe (Mr. Boys) I beg to move:

That clause 11 be amended by adding after the word "commissioner" in the fourteenth line thereof the following words:

After such notice as he may deem requisite and sufficient.

Amendment agreed to.

Section as amended agreed to.

[Mr. Robb.]

Mr. ROBB: The hon. member for South Simcoe had some objections to section 23, which we proposed to amend in accordance with his views. I beg to move therefore that the following words be added:

Any decision of the commissioner under this section shall be subject to appeal to the Exchequer Court.

Mr. BAXTER: It would be well to insert some limitation of time.

Mr. ROBB: All these appeals are limited by 67a to three months.

Sir HENRY DRAYTON: Is there anything new in this section at all?

Mr. ROBB: The clause is all new. It was put in at the request of the Advisory Council for Scientific and Industrial Research.

Sir HENRY DRAYTON: Is this their clause?

Mr. ROBB: Yes.

The CHAIRMAN: Shall clause 23 as amended carry?

Section as amended agreed to.

On section 30—Assignments in case of joint applications:

Mr. ROBB: I think my hon. friend (Sir Henry Drayton) made some objection to that. What is his desire?

Sir HENRY DRAYTON: It was the hon. member for Simcoe (Mr. Boys).

Mr. ROBB: My hon. friend raised the objection, I believe.

Sir HENRY DRAYTON: I pointed out afterwards what the effect of section 29 was; that is all.

Mr. ROBB: There is no objection, then.

Sir HENRY DRAYTON: I thought I was helping the hon. minister.

Mr. ROBB: The commissioner points out that for fifty years the provision has caused no particular trouble. We might as well put it through.

Section agreed to.

The CHAIRMAN: Section 40, and the amendment thereto by Mr. Boys.

Mr. ROBB: I would not like to have this passed in the absence of the hon. members for South Simcoe (Mr. Boys) and Vancouver Centre (Mr. Stevens). There was an understanding that they should confer with the commissioner with respect to some minor language in the bill.