

carriage of the application or other proceeding, and no applications or other proceedings by an attorney resident outside Canada shall be filed, entered or examined until an associate resident in Canada has been so named. The associate so named shall be a person qualified under (a), (b) or (e) of subsection (1) of this section and whose name is entered in the Register of Attorneys in the Patent Office. Notices, letters and other communications relating to the application or other proceeding shall be forwarded by the Office to the Canadian associate and shall be deemed, for the purposes of the Patent Act and of the Rules and Regulations, to have been communicated by the Office to the Attorney filing the application or other proceeding.

(3) The Commissioner of Patents, with the approval of the Minister, after giving notice and opportunity for a hearing, may suspend or exclude, either generally or in any particular case, from further practice before this office any person, agent or attorney shown to be incompetent or disreputable, or guilty of gross misconduct, or who refuses to comply with the rules and regulations, or who shall, with intent to defraud in any manner, deceive, or mislead any applicant or prospective applicant, or other person having immediate or prospective business before the Patent Office by word, circular, letter or by advertising, or who shall guarantee the successful prosecution of any application for patent or the procurement of any patent, or by word, circular, letter, or advertisement shall make any false promise or misleading representation. The reasons for any such suspension or exclusion shall be duly recorded, and the action of the Commissioner may be reviewed by the Minister. If the name of an attorney registered under (c) or (d) of subsection (1) of this section shall be removed from the list of those registered as entitled to practice before the Patent Office of the Dominion, colony, state or country in which he resides, his name shall be removed by the Commissioner from the Register of Attorneys permitted to practice before the Canadian Patent Office.

(4) All advertising matter of registered patent attorneys or other agents interested in the procuring or developing of patents used for the promotion of their business shall be submitted to the Commissioner before being issued, but such advertising matter shall not contain any matter from which, due to its arrangement or text, it may be inferred that the Commissioner vouches for the statements made therein or the ability or integrity of the advertiser. Any violation of this rule shall incur a penalty of suspension of practice before the Patent Office for one month or for such longer period as the Commissioner may determine.

It is the understanding of the Canadian Government that, in return for the adoption of this Rule, the Government of the United States will undertake that residents of Canada whose names are entered on the Register of Attorneys permitted to practice before the Patent Office of Canada will be accorded the right of registering in the Register of Attorneys permitted to practice before the United States Patent Office on a reciprocal basis; and that any amendment to the United States Patent Rules which may be necessary to give effect to this arrangement will be adopted. I should be grateful for your confirmation of this understanding.

I have the honour to be,  
with the highest consideration,

Sir,

Your most obedient,  
humble servant,

HERBERT M. MARLER