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Sec. 44. The *Trade Mark and Design Act* (sec. 15) boldly provides that a registered trade mark "shall be assignable in law". The Courts have, however, held that a registered mark, like any trade mark at common law, is assignable only with the goodwill of the business in connection with which it is used. This section leaves the transfer of title to be regulated by the common law and deals only with the recording of it, just as the original registration is limited to the entry in the register of rights already acquired.

Sec. 45. Associated marks must necessarily remain so in order that the public shall not be misled. Hence this section. See sections 28 (b) 41 and 45.

Sec. 46. See sec. 30 and the note thereto.

Sec. 47. This section is designed to enable the Registrar to furnish certified copies of the records without undue expense in the preparation of copies of design marks, particularly those in colour.

Sec. 49. This and the two next following sections are designed to provide a simple and inexpensive procedure for keeping the register from becoming encumbered by marks not actually in use or contemplated re-use and to ensure that, so far as possible, it shall accurately represent the facts of the commercial situation. The requirement that action shall be preceded by two successive notices at an interval of not less than three months, and the prohibition against any action being taken by the Registrar if objection is made by the owner of the mark, adequately safeguard the latter's rights and at the same time fulfil the condition laid down by the concluding paragraph of Art. 5 of the Convention, which provides that:

"If in any country, the utilization of a registered mark is compulsory, registration cannot be cancelled until after a reasonable period has elapsed, and then only if the person interested cannot justify the causes of his inaction."