

Duplate Safety Glass Company

an appeal, but obviously when the time has expired within which you can make application there is no ground upon which one can appeal to the exchequer court, and the purpose of this bill is to extend for a period of three months from its passing the time within which that application for a patent may be made to the commissioner of patents.

Again there is considerable dispute on an interpretation of the act and the decision of the exchequer court to which the Secretary of State referred, as to just how long overdue this application is. I think I need not enter into any quarrel in that regard because, irrespective of that, the principle of the bill is the same.

As to the four patents in respect of which it is alleged by the Secretary of State that they are still within time to apply, I have investigated the matter and I find that to be correct and when I conclude I shall move an amendment to strike out those patent numbers from the preamble to the bill, which will then allow the applicants to make their application in the ordinary way to the patent office.

Prior to the discovery by the Duplate Glass Company that they were not protected with Canadian patents they had made an investment in machinery and plant for the purpose of manufacturing this glass in Canada of some \$20,000. Needless to say, when they discovered the difficulty they ceased to continue a contemplated investment of \$100,000 but have been manufacturing small quantities of this glass with the plant which they have available.

I should next like to point out to the house that there is nothing particularly new in a bill of this kind being brought before parliament. Before the private bills committee seven precedents were cited. It is within my recollection since I have been a member of this house that we have had such bills before the committee, and on each occasion the question for decision by the committee and by parliament has been whether or not in the particular circumstances of each case an extension of time should be granted.

The Secretary of State lays some emphasis on the question of monopoly. I will quite freely admit that if this bill is passed, and if in pursuance of this extension of time the commissioner of patents ultimately grants a patent, then it does create a monopoly, but it only creates the same kind of monopoly as is created in every single instance in which a patent is granted by this country in respect of any invention.

[Mr. Lawson.]

Will such a monopoly be injurious? At the present time this glass is not manufactured in this country except to the limited extent of the investment of the Duplate Glass Company. It is imported from the United States and France, and even with the limited extent to which it is manufactured by the Duplate Glass Company at the present time the price at which it is offered for sale in this country is one-third less than the imported article. I am assured by the parties interested in procuring this bill that if they are allowed to have some protection in connection with this matter they will make an investment of somewhere between \$100,000 and \$150,000; that they will employ three or four times the number of men who are now employed and that the glass will be on sale and available to the Canadian public at one-half the price they were paying for the imported article. Again I ask, will monopoly injure? I suppose the largest plate glass company in this country is the Consolidated Plate Glass Company. It was pointed out to me by the manager of that company that there is not a sufficient demand in Canada to support two manufacturers of safety glass. Consequently, although as alleged by the Secretary of State the right to make this glass has fallen into the public domain, nevertheless no one has sought to make it during these years that it has been in the public domain, and I fail to see how by giving protection to a firm that is now willing to make it, provide employment, and sell the article to the Canadian public at a price far less than the imported article, we are going to create a monopoly which will be injurious to this country or how we are going to prostitute the powers of parliament.

Mr. STEVENS: Mr. Chairman, for fifteen years or more I have voiced opposition in the house to bills of this character. It is my conviction that during many years past a number of such bills as this have been passed and patent rights established which, if all the facts had been fully understood by the members of the house and the public generally, would never have been granted.

I think it should be borne in mind that the basic reason for the granting of a patent by the state is to preserve to some talented individual the right of his discovery. It is assumed that a discovery of some new and useful device or some scientific discovery or formula which will be of benefit to humanity may be made by an individual who is himself perhaps unable financially to promote the manufacture or production of the article, and that therefore there should be preserved to