

EXCHANGE OF NOTES (DECEMBER 3/28, 1937), BETWEEN CANADA
AND THE UNITED STATES CONCERNING THE RECIPROCAL
RECOGNITION OF DULY REGISTERED PATENT ATTORNEYS

*From the Canadian Minister at Washington to the Secretary of State of the
United States*

CANADIAN LEGATION

No. 241

WASHINGTON, December 3, 1937.

SIR,—I have the honour to advise you that as a result of an amendment to the Rules of practice of the Patent Office of Canada—which was adopted in 1933—attorneys who had previously been listed on the Canadian Patent Office Register were no longer permitted to practice before that Office. Subsequently there have been informal negotiations between the Commissioner of Patents of the United States and the Under-Secretary of State of Canada with a view to the conclusion of a reciprocal arrangement.

The negotiations have culminated in the decision of the Government of Canada to substitute for existing Rule 14 under the Patent Act a new Rule to become effective on January 1, 1938, which will read as follows:—

14. (1) The names of the following persons shall on request and payment of the prescribed fee of \$5 be entered on the Register of Attorneys who are permitted, subject to the qualifications and conditions prescribed by these Rules and Regulations, to practice before the Patent Office:

(a) Any barrister, solicitor or advocate on the roll of barristers, solicitors or advocates under the Laws of any of the Provinces of Canada;

(b) Notaries entitled to practice their profession under the Laws of the Province of Quebec;

(c) Any barrister, solicitor or attorney resident in any part of the British Commonwealth of Nations, who files proof to the satisfaction of the Commissioner that he is registered and in good standing before the Patent Office of his place of residence and possesses the qualifications required to practice before the said office;

(d) Any attorney resident in the United States of America, who files proof to the satisfaction of the Commissioner that he is registered and in good standing before the Patent Office of the United States of America and possesses the qualifications required to practice before the said office;

(e) The names of Canadian nationals residing in Canada entered on the Register of Attorneys on the date of approval of these rules shall be continued thereon. Any Canadian national resident in Canada and who is not a member of the bar of one of the Provinces or a Notary Public of the Province of Quebec, but who has had three years experience in patent work under the personal direction and supervision of a duly registered patent attorney, or who has served for three years in the examining corps of the Canadian Patent Office, and who shall file proof that he is of good moral character and of good repute and possessed of the necessary technical qualifications to enable him competently to prosecute applications before the Patent Office, may be entered on the register of Patent Attorneys with the approval of the Minister; provided however that attorneys who are not Canadian nationals may continue to practice with respect to pending applications.

(2) Each person residing outside Canada whose name is entered on the Register of Attorneys, shall state, in respect of each application or other proceeding filed by him in the Patent Office, the name and address of an attorney resident in Canada, who is associated with him in the