

Sec. 15. This section is to the same effect as Sec. 23 of the *Trade Mark and Design Act*, except that it does not expressly mention a "trade description" and extends to a distinguishing guise.

Sec. 16. This section is designed to give effect, in civil cases, so far as, under our system of law, it seems practically possible to give effect to the principle expressed in Art. 9 of the Convention, which is as follows:—

"All goods illegally bearing a trade mark or trade name shall be seized on importation into those countries of the Union where this mark or name has a right to legal protection.

"Seizure shall be effected equally in the country where the mark or name was illegally applied, or in the country into which the goods bearing it may have been imported.

"The seizure shall take place at the request either of the public prosecutor or of any other competent authority or of any interested party whether an individual or a body of persons corporate or unincorporate in conformity with the domestic law of each country.

"The authorities shall not be bound to effect the seizure of goods in transit.

"If the laws of a country do not admit of seizure on importation, such seizure shall be replaced by prohibition of importation or seizure within such country.

"If the laws of any country do not admit either of seizure upon importation, or of prohibition of importation, or of seizure within the country, and pending the requisite modification of these laws, these measures shall be replaced by the remedies available in such cases to nationals".

The importation of falsely marked wares is also dealt with by Sec. 493 of the *Criminal Code*.