

No. 102.

5th Session, 5th Parliament, 63 Victoria, 1900

BILL.

**An Act to confer on the Commissioner of
Patents certain powers for the relief of
James Milne.**

First reading, March 21, 1900.

(PRIVATE BILL.)

MR. CLARKE.

OTTAWA

Printed by S. Dawson

Printer to the Queen's most Excellent Majesty

1900

An Act to confer on the Commissioner of Patents certain powers for the relief of James Milne.

WHEREAS James Milne, having his chief place of business Preamble.
 at the city of Toronto, in the Province of Ontario, has, by his petition, represented that on and prior to the twenty-seventh day of October, one thousand eight hundred and ninety-eight he was, by certain mesne assignments, the holder and owner of letters patent under the seal of the patent office, dated the twenty-fifth day of July, one thousand eight hundred and ninety-three, for new and useful improvements in fuel feeding devices, being patent number forty-three thousand seven hundred and thirty-one; that on or before the expiration of the first six years of the said letters patent, which were granted for a term of eighteen years, only the partial fee for the first six years being paid upon the issue thereof, the said James Milne was entitled, upon application therefor, to a certificate of payment of the additional fee provided by section 22 of *The Patent Act*, chapter 51 of the Revised Statutes, as amended by section 5 of chapter 24 of the statutes of 1892, and section 3 of chapter 34 of the statutes of 1893; and whereas the said James Milne and others, including the General Engineering Company of Ontario, Limited, had, prior to the said twenty-seventh day of October, one thousand eight hundred and ninety-eight invested a large sum in the perfecting of the details of the manufacture of the said invention and the extension and advertising of the business, dealing in the machine covered by the said letters patent; that the said Milne, an officer of the said company carrying on business at the time at the city of Toronto aforesaid, inadvertently omitted to make such application before the twenty-fifth day of July, one thousand eight hundred and ninety-nine, but, soon after the omission was observed, made application to pay the said fee, at which date such application could not be entertained, as the Commissioner of Patents could not then accept the additional fee and grant a certificate of payment thereof; and whereas the said Milne has, by his petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Notwithstanding anything to the contrary in *The Patent Act*, or in the letters patent mentioned in the preamble, the Commissioner of Patents may receive from James Milne the application for a certificate of payment and the usual fees upon the said letters patent for the remainder of the term of eighteen Commissioner of Patents may extend duration of letters patent.

years from the date thereof, and may grant and issue to the said James Milne the certificate of payment of fees provided by *The Patent Act*, and an extension of the period of the duration of the said letters patent to the full term of eighteen years in as full and ample a manner as if the application therefor had been duly made within six years from the date of the issue of the said letters patent. 5

Rights of
third persons
saved.

2. Any person who has within the period between the twenty-fifth day of July, one thousand eight hundred and ninety-nine, and the extension hereunder of the said letters patent, acquired by assignment, user, manufacture or otherwise any interest or right in respect of such improvements or invention shall continue to enjoy the same as if this Act had not been passed. 10