

No. 141.

4th Session, 8th Parliament, 62 Victoria, 1899

BILL.

An Act to confer on the Commissioner of
of Patents certain powers for the relief
of the Penberthy Injector Company.

First reading, June 6, 1899.

(PRIVATE BILL.)

Mr. MCGREGOR.

OTTAWA

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1899

An Act to confer on the Commissioner of Patents certain powers for the relief of the Penberthy Injector Company.

WHEREAS the Penberthy Injector Company has, by its Preamble. petition, represented that on and prior to the eighth day of March, one thousand eight hundred and ninety-nine, it was, by a certain assignment, the holder and owner of letters
 5 patent under the seal of the Patent Office, dated the eighth day of March, one thousand eight hundred and eighty-nine, for new and useful improvements in steam injectors, being patent number thirty thousand nine hundred and six; that on or before
 10 the expiration of the second five years of the said letters patent, which were granted for a term of fifteen years, only the partial fee for the first five years being paid upon the issue thereof, the said company was entitled, upon application therefor, to a certificate of payment of the additional fee provided by section 22 of *The Patent Act*, chapter 61 of the R.S.C., c. 61,
 15 Revised Statutes as amended by section 5 of chapter 24 of the s. 22. statutes of 1892, and section 3 of chapter 34 of the statutes of 1892, c. 24, s. 5. 1893; that the said company had, prior to the said eighth day 1893, c. 34, s. 3. of March, one thousand eight hundred and ninety-nine, invested large sums of money in the purchase of the said letters
 20 patent and in the manufacture of injectors thereunder; that the said company inadvertently omitted to make the said application although it was the intention of the said company to make such application and to pay the necessary fee, and that the omission was caused solely by the inadvertence of
 25 the officer of the said company whose duty it was to make such application; that on and after the eighth day of March, one thousand eight hundred and ninety-nine, the Commissioner of Patents could not entertain such application, or grant the certificate of payment of the additional fee; and whereas
 30 the said company has, by its 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:—

35 **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 the Penberthy Injector Company the application for a certificate of payment and the usual fees upon the said letters patent for the remainder of the term of fifteen years from the date thereof, and
 40 may grant and issue to the said Penberthy Injector Company the certificate of payment fees provided by *The Patent Act*, Commissioner of Patents may extend duration of letters patent.

and an extension of the period of the duration of the said letters patent to the full term of fifteen years in as full and ample a manner as if application therefor had been duly made within ten years from the date of the issue of the said letters patent.

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Rights of
third persons
saved.

2. Any person who has within the period between the eighth day of March, 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, 10 shall continue to enjoy the same as if this Act had not been passed.