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No. 11.

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

BILL.

An Act to confer on the Commissioner of
Patents certain powers for the relief of
Thomas Robertson.

First reading, March 29th, 1899.

(PRIVATE BILL.)

Mr. ROBERTSON.

OTTAWA

Printed by S. E. DAWSON
Printer to the Queen's most Excellent Majesty
1899

An Act to confer on the Commissioner of Patents certain powers for the relief of Thomas Robertson.

WHEREAS Thomas Robertson, having his chief place of business at Toronto, has, by his petition, represented that on the ninth day of December, one thousand eight hundred and ninety-two, he was granted letters patent under the seal of the Patent Office for a "machine for the automatic production of drops made of fine sugar and gum or similar material" being patent number forty-one thousand one hundred and thirty-eight; 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 Robertson 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 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; that the said Robertson duly paid to his solicitor at the time of the application for the said letters patent the full fee required for the full term of eighteen years; that the said solicitor died on or about the thirteenth day of August, one thousand eight hundred and ninety-three, without having paid any further fee than that required for the first term of six years for the said patent; that, subsequently to the death of the said solicitor, the said Robertson discovered that the full fee had not been paid, and immediately made application to pay the same, but was informed by the Commissioner of Patents that such application could not be entertained, and that the certificate of payment of the additional fee could not be granted; that the said Robertson relied upon the said solicitor and did not make enquiries at the time of the issue of the said letters patent, and that the expiry of the said letters patent was caused by the omission or negligence of the said solicitor, and without fault or neglect on the part of the said Robertson; and whereas the said Robertson 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 extend duration of letters patent.

40 Commissioner of Patents may receive from Thomas Robertson

the application for a certificate of payment and the usual fees upon the said letters patent for the remainder of the term of eighteen years from the date thereof, and may grant and issue to the said Thomas Robertson 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 application therefor had been duly made within six years from the date of the issue of the said letters patent. 5