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1st Session, 4th Parliament, 16 Vict. 1853.

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L. L.

## **BILL.**

An Act for the protection of British and  
American Patentees of Inventions and the  
encouragement of Arts and Manufactures  
in this Province.

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Received and read first time, Tuesday 7th June, 1853.

Second reading, Saturday 11th June, 1853.

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[250 copies.]

HON. MR. BELLEAU.

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QUEBEC:

S. S.

## BILL.

An Act for the Protection of British and American Patentees of Inventions and the encouragement of Arts and Manufactures in this Province.

**W**HERAS, it is highly desirable that the Inhabitants of this Province should be placed in a position to derive advantage from discoveries in the useful Arts and Manufactures made in other parts of the British Empire and in the United States of America, so far as may be consistent with justice to the parties making such discoveries ; Be it therefore enacted, &c.

Preamble.

That any person, or the assignee of any person, who has obtained in Great Britain or in any of the British Colonies or in the United States of America, Letters Patent of Invention for any new and useful Art, Manufacture, Machine or Composition of Matter, or for any new and useful improvement upon any Art, Machine, Manufacture or Composition of Matter, may secure to himself all the privileges conferred by Letters Patent of Invention issued in this Province under the now existing laws, by causing such Letters Patent so as aforesaid obtained to be enregistered at full length in the Office of the Registrar of the Province within six months from and after the passing of this Act ; and any person, or the assignee of any person, who may hereafter obtain in Great Britain or in any of the British Colonies, or in the United States of America, Letters Patent of Invention for any new and useful Art, Manufacture, Machine or Composition of Matter or any new and useful improvement upon any Art, Machine, Manufacture or Composition of Matter, may secure to himself all the privileges conferred by Letters Patent of Invention issued in this Province under the now existing laws by causing such Letters Patent so as last aforesaid obtained to be enregistered at full length in the Office of the Registrar of the Province within six months from and after the date of such last mentioned Letters Patent.

Holders of Letters Patent of Invention obtained in Great Britain or in any British Colony or in the United States of America may by enregistering the same in Canada, secure to themselves all the privileges conferred by Canadian Letters Patent.

II. And be it enacted, That every such Patentee or Assignee of a Patentee, for the purpose of causing such Letters Patent to be enregistered in this Province, shall make a written application, signed by himself or by his duly appointed Attorney, to the Minister of Agriculture, and shall transmit to him duly authenticated copies in duplicate of such Letters Patent, and of the Specifications, Descriptions and Drawings attached or belonging thereto, and shall, at the time of his

Proceedings to be adopted for causing such Letters Patent to be enregistered

application for such enregistration, pay to the said Minister of Agriculture the following fees, that is to say :

For the enregistration of Letters Patent obtained in Great Britain or in any of the British Colonies the same sum then payable for Letters Patent of Invention in this Province. 5

For the enregistration of Letters Patent obtained in the United States of America, one fifth part of the sum then payable by a non-resident British Subject for Letters Patent of Invention in the said United States.

Duration & effect of Letters Patent so enregistered.

III. And be it enacted, that Letters Patent so enregistered shall be and remain in force in this Province until the expiration of the period for which they have been or may be granted ; and such enregistration shall secure to the Patentee or his assignee during such period all the rights and privileges that could be secured to him by Letters Patent obtained in this Province under the existing Laws, all the provisions of which shall extend to such enregistered Letters Patent in as full ample a manner as if such Letters Patent were granted in this Province under and in virtue of the same : Provided always, that every person who has or shall have purchased, acquired, constructed or used any Machine, Manufacture or Composition of Matter included in such Letters Patent so as aforesaid enregistered, previously to the enregistration thereof in this Province, shall be held to possess the right to use and to vend to others to be used the identical Machine, Manufacture or Composition of Matter so actually purchased, acquired, constructed or used by him before such enregistration aforesaid, without liability to the Patentee or of other person interested in the invention for which such Letters Patent so enregistered were or may have been obtained. 10  
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Proviso.

Effect of importation of subject of enregistered Letters Patent.

IV. And be it enacted, that the importation into this Province of any Machine, Manufacture or Composition of Matter for which Letters Patent shall have been obtained or enregistered in this Province shall be deemed an infringement on the rights of the Patentee or his Assignee, and if caused or procured by the Patentee or his Assignee himself shall *ipso facto* have the effect of annulling such Letters Patent so far as regards this Province. Provided always, that nothing herein contained shall be construed so as to apply to the importation by any such Patentee or his Assignee of one such Machine or sample of such Manufacture or Composition of Matter to serve as a model or specimen for the making of such Machine manufacture or Composition of Matter in this Province. 30  
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Proviso.

Repeal of Acts  
Vict. c. 24

V. And be it enacted, that so much of the Act passed in the twelfth year of Her Majesty's Reign, intituled " An Act to con-

“ solidate and amend the Laws of Patents for Inventions in  
 “ this Province” and of the Act passed in the session held in and 14 & 15  
 the fourteenth and fifteenth years of Her Majesty’s Reign, Vict. c. 79.  
 intituled, “ An Act to enable parties holding Patents for Inven-  
 5 “ tions confined to one section of this Province to obtain the  
 “ extension of the same to the other section thereof, and for  
 “ other purposes therein mentioned,” as may be inconsistent  
 with the provisions of this Act, be and the same is hereby  
 repealed.