

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Tuesday, the 9th day of July, 1889.

PATENTS, DESIGNS, AND TRADE MARKS BILL.

Hon. Mr. FERGUS, in Committee, to move the following amendment:—

Clause 8, line 21. After "Patent Office" insert "or left at a local Patent Office." Line 30, omit "under the hand and seal of," and substitute "signed by." Line 42, after "title" insert "must be limited to one invention"; also omit all words of the subsection after "claimed." Line 45, after "local" insert "Patent."

Clause 16, line 10. After "in writing" insert "in duplicate." Lines 18 and 19, omit all words between "heard" and "decide."

Clause 18. Omit subsection "(a.)," substitute,—

(a.) When the sealing is delayed by an appeal to the Court, the patent may be sealed at such time as the Court may direct:

(b.) Where the application for sealing is made before the expiration of the term of provisional protection, but the sealing is delayed through accident, and not from the wilful default of the applicant, the patent may be sealed at such time as the Governor may direct:

Change (b.) into (c.)

Clause 24 to be omitted, and the following substituted:—

Every patent shall be in the form contained in the First Schedule, or to the like effect, and shall be made subject to the provisions of this Act, and to the conditions and restrictions that may be inserted in such patent by virtue thereof.

Clause 45, line 1. After "for" insert "or grant licenses for the use of the invention protected thereby, in"

Clause 58, subsection (2), page 17, line 2. Omit "taken by," insert "supplied to."

Clause 74, line 26. Omit "three," substitute "two"; line 27, omit "not exceeding four months"; line 32, omit "not exceeding three months."

Clause 80. Omit all words of the clause after "trade mark" in line 52.

Clause 88, line 6. Omit "in which any goods"; substitute "or, if a colony, the name of the particular colony, in which any goods and the material or substance thereof"; line 10, after "material" insert "or substance"; line 32, after "unincorporate" insert "and any servant or employé."

Clause 101, line 22. Omit "in which the goods"; insert, "or if a colony, the name of the particular colony in which the goods and the material or substance thereof."

Clause 113. After the words "was taken," insert "or given."

First Schedule. Form of Application for Patent. At foot thereof insert "*Witness to signature,*" and "*Signature of inventor.*"

Omit Form of Patent, substitute the following instead thereof: —

FORM OF PATENT.

VICTORIA, by the grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith: To all to whom these presents shall come, greeting:

WHEREAS [*Here insert name, address, and calling of inventor, as in declaration*] hath represented unto us that he is in possession of an invention for [*Here insert title of invention, as in declaration*], that he is the true and first inventor thereof, and that the same is not in use by any other person, to the best of his knowledge and belief: And whereas the said inventor hath represented that he is desirous of obtaining letters patent for securing unto him our special license for an invention for [*the said invention*]; and by an instrument in writing under his hand, deposited in the Patent Office under the provisions of "The Patents, Designs, and Trade-marks Act, 1889," the patentee hath particularly described and ascertained the nature of the said invention, and in what manner the same is to be performed: Now, therefore, know ye that we have given and granted, and by these presents, for us, our heirs and successors, do give and grant, unto the patentee our special license and authority that the patentee, by himself or his servants or agents, or such others as he shall at any time agree with during the term herein expressed, shall and lawfully may make, use, and vend his said invention within our Colony of New Zealand and its dependencies, in such manner as to him shall seem meet: To have, hold, and enjoy the said license, privilege, and advantage unto and by the patentee for and during the term of fourteen years now next ensuing; and that he shall and lawfully may have and enjoy the whole profit, benefit, and advantage from time to time coming, accruing, and arising by reason of the said invention during the said term: Subject, however, in all things to the provisions of "The Patents, Designs, and Trade-marks Act, 1889," and to the conditions and restrictions thereby imposed [and inserted herein, if any]:

Provided that these our letters patent are on this condition, that if at any time during the said term it shall appear that this our grant is contrary to law, or prejudicial or inconvenient to our subjects in general, or that the said invention is not a new invention as to the public use and exercise thereof within our said colony and its dependencies, or that the said patentee is not the first and true inventor thereof within our said colony as aforesaid, these our letters patent shall forthwith determine and be void to all intents and purposes, notwithstanding anything hereinbefore contained: Provided also that if the said patentee shall not pay all fees by law required to be paid in respect of the grant of these letters patent or in respect of any matter relating thereto at the time or times and in the manner for the time being provided by law; and also if the said patentee shall not supply or cause to be supplied for our service all such articles of the said invention as may be required by the officers or commissioners administering any department of our service, in such manner, at such times, and at and upon such reasonable prices and terms as shall be settled in manner for the time being by law provided, then and in any of the said cases these our letters patent, and all privileges and advantages whatever hereby granted, shall determine and become void, notwithstanding anything hereinbefore contained: Provided also that nothing herein contained shall prevent the granting of licenses in such manner and for such considerations as they may by law be granted.

In witness whereof we have caused these our letters to be made patent, and to be sealed and bear date as of the _____ day of _____, one thousand eight hundred and _____

Governor.

Seal of the Colony.

Second Schedule. Page 40, item 11, add "in addition to fee otherwise payable" after "time;" after item 23 insert "Copy of any drawing; cost according to agreement."

Page 41. Item 9, omit "one," substitute "any." Item 11, from bottom of page, for "mark" substitute "trade-mark." Item 4, from bottom of page, "Setting a special case by Registrar, £2 0 0" to be omitted. Before the last item on page insert "Copy of any trade-mark; cost according to agreement."

TOWN DISTRICTS ACT AMENDMENT BILL.

Mr. JOYCE, in Committee, to move the following additional clauses:—

Separate rates may be levied for works in particular portions of district.

4. Sections thirty-nine and forty of the said Act are hereby repealed, and in lieu thereof it is hereby enacted as follows:—

(1.) Where it appears that any work which the Board is authorised to execute is for the special benefit of any particular portion of the town district, the Board may, for defraying the expenses incurred in executing such work, by special order distinctly defining such portion, make and levy a

separate rate on such part of the district, and such separate rate may be an annual-recurring rate until such work or improvement is paid for; but the total amount of all such separate rates made for any one year in any part of district shall not exceed one shilling in the pound.

- (2.) No such special order shall be made unless a petition shall be presented to the Board praying that a separate rate may be made and levied, signed by three-fifths of the rate-payers having a majority of votes in such portion of the district liable to be rated to such separate rate.
- (3.) The Board shall apply the moneys collected and received from any such portion of the district respectively by virtue of any such separate rate or rates towards the expense of such works as herein mentioned, or towards recouping the District Fund the expenses of such works which may have been commenced before such separate rate was resolved on.

5. Part IX. of "The Municipal Corporations Act, 1886," is hereby incorporated with the said Act, and shall be read with the necessary changes of words and phrases to render it applicable to the purposes of the said Act.

Incorporation.

REPRESENTATION BILL.

The following clerical errors have been discovered in the Appendix :—

Page 30. Fourth Count: B $1,350 + 99 + 99 = 1,538$, should be 1,548.

Page 30. *Second Example*. Second Count. G $250 + 50 = 500$, should be $450 + 50 = 500$.

Page 32. Third Count. The words "from H" should be "from G."