

1949
NEW ZEALAND

PATENTS, DESIGNS, AND TRADE-MARKS

SIXTIETH ANNUAL REPORT OF THE COMMISSIONER

Presented to Both Houses of the General Assembly Pursuant to Section 128 of the Patents, Designs, and Trade-marks Act, 1921-22

REPORT

I HAVE the honour, in accordance with section 128, to submit my report on the administration of the Act during the year 1948.

The total number of applications for the grant of letters patent and for the registration of designs and trade-marks during the year was 4,137, being 523 less than the previous year. It is evident from the figures since 1945 that most of the applications deferred during the war years have now been lodged and that henceforth only the normal volume of business may be expected.

A substantial increase in the fees collected has again been recorded, the total being £24,498, representing an excess of £7,091 over expenditure.

PATENTS

The first patent legislation in New Zealand was enacted on 27th October, 1860, but nearly eighty-eight years were to pass before a total of 100,000 applications were received in the Patent Office. That number was reached on 19th August, 1948, and it is interesting to note that, while it took sixty-three years to record the first 50,000 applications, the second 50,000 were received in twenty-five years. The increasing number of patent applications in recent years has been due mainly to the advances in the electronic and chemical fields, and the expansion of industry in this country.

The 2,469 applications received during the year may be broadly classified as follows: mechanical engineering, 737; electronics, 583; chemistry, 360; miscellaneous, 273; primary industries, 272; and building construction, 244.

The countries from which applications are received showed little change, except that New Zealand (853) now takes the lead from Great Britain (636), United States of America (447), Australia (207), and Holland (159), with the remainder (167) distributed among fifteen other countries.

Although the Patent Office is handicapped in the matter of staff and accommodation, substantial progress was made during the year in dealing with the accumulation arising out of the war, and a record total of 2,176 applications proceeded to acceptance.

TRADE-MARKS

The 1,439 applications covered all classes. Classes 5 (pharmaceutical, veterinary, and sanitary substances) and 25 (clothing) again predominated with 190 and 184 respectively; and they were followed by Class 3 (soaps, cosmetics, &c.), 138; Class 24 (tissues (piece-goods)), 97; Class 1 (chemical products used in industry), 73; Class 30 (groceries), 63; and Class 9 (electrical apparatus), 62.

The countries from which the applications originated were: New Zealand, 510; Great Britain and Northern Ireland, 482; United States of America, 189; Australia, 115; Switzerland, 54; France, 22; Canada, 11; and eleven others, 56.

Renewal of the registration of 1,401 trade-marks was effected during the year.

DESIGNS

Applications for the registration of designs totalled 229, making in all 5,840 applications since the inception of design registration in New Zealand. The bulk of the applications were divided between Classes 1, 3, 4, and 5, with 100, 58, 33, and 21 respectively.

PATENTS COMMISSION

The Commission which was set up under Warrant of the 28th April, 1948, to inquire whether any, and if so what, changes were desirable in the Patents, Designs, and Trade-marks Act, 1908, the Patents, Designs, and Trade-marks Act, 1921–22, and the several Acts amending those Acts, and in the practice of the Patent Office and of the Courts in relation to matters arising therefrom, began its public sittings, all of which were held in Wellington, on the 11th May, 1948. Further sittings were held at intervals during the remainder of the year, and, as much evidence still remained to be taken, the date on which the Commission was required under the warrant to make its report was extended from the 31st January, 1949, to the 31st July, 1949.

The members of the Commission are—

Herbert Edgar Evans, Esquire, K.C., of Wellington, Solicitor-General (Chairman);
George William Clinkard, Esquire, of Wellington, Secretary for Industries and Commerce;

Andrew John Park, Esquire, of Wellington, Barrister and Patent Agent;
Stuart Wentworth Innes-Ker Peterson, Esquire, of Wellington, Manufacturer;
and

John Ralfe Smith, Esquire, of Wellington, Communications Engineer.

CONCLUSION

The Appendix hereto contains the following tables, lists, &c., viz. :—

- A. Receipts and Payments Account for the Year Ended 31st December, 1948.
- B. Table Showing Receipts and Payments for Each of the Last Ten Years.
- C. Total Number of Applications for Patents and for Registration of Designs and Trade-marks Recorded for Each of the Last Twenty Years.

A. H. IHLE,

Commissioner of Patents, Designs, and Trade-marks.

The Patent Office, Wellington,
25th May, 1949.

APPENDIX

PATENT OFFICE

A. RECEIPTS AND PAYMENTS ACCOUNT FOR THE YEAR ENDED 31ST DECEMBER, 1948

<i>Receipts</i>				<i>Payments</i>			
			£				£
Patent fees	..	..	17,833	Salaries, &c.	..	..	12,421
Design fees	..	..	167	Fuel, light, power and water	..	..	45
Trade-mark fees	..	..	6,367	Office furniture and equipment	..	..	786
Sale of publications	..	..	131	Rent, maintenance, and repairs	..	..	310
				<i>Patent Office Journal</i>	..	..	2,703
				Postages, telegrams, and telephones	..	..	230
				Printing and stationery, &c.	..	..	849
				Refunds	..	..	63
				Balance, cash in Public Account	..	..	7,091
			<u>£24,498</u>				<u>£24,498</u>

A. H. IHLE,
Commissioner of Patents.

I hereby certify that the Statement of Receipts and Payments has been duly examined and compared with the relative books and documents submitted for audit, and correctly states the position as disclosed thereby. Copyright fees are not included.—
J. P. RUTHERFORD, Controller and Auditor-General.

B. TABLE SHOWING RECEIPTS AND PAYMENTS FOR EACH OF THE LAST TEN YEARS

Year.	Receipts.	Payments.	Surplus.	Year.	Receipts.	Payments.	Surplus.
	£	£	£		£	£	£
1939	14,134	6,846	7,288	1944	15,631	5,032	10,599
1940	12,241	6,076	6,165	1945	17,247	6,569	10,678
1941	13,148	5,713	7,435	1946	18,891	7,586	11,305
1942	11,668	5,900	5,768	1947	21,919	13,654	8,265
1943	13,657	4,824	8,833	1948	24,498	17,407	7,091

C. TOTAL NUMBER OF APPLICATIONS FOR PATENTS AND FOR REGISTRATION OF DESIGNS AND TRADE-MARKS RECORDED FOR EACH OF THE LAST TWENTY YEARS

Year.	Patents.	Designs.	Trade-marks.	Total.	Year.	Patents.	Designs.	Trade-marks.	Total.
1929	2,251	125	1,359	3,735	1939	1,821	137	694	2,652
1930	2,103	169	1,265	3,537	1940	1,277	108	626	2,011
1931	2,065	151	999	3,215	1941	1,214	108	534	1,856
1932	1,845	164	925	2,934	1942	1,104	60	398	1,562
1933	1,761	143	814	2,718	1943	1,384	61	678	2,123
1934	1,766	146	915	2,827	1944	2,045	104	924	3,073
1935	1,730	185	943	2,858	1945	2,651	188	1,320	4,159
1936	1,836	124	1,096	3,056	1946	3,025	351	1,766	5,142
1937	1,832	193	889	2,914	1947	2,753	237	1,670	4,660
1938	1,960	160	860	2,980	1948	2,469	229	1,439	4,137

Approximate Cost of Paper.—Preparation, not given; printing (728 copies), £7 10s.

By Authority: R. E. OWEN, Government Printer, Wellington.—1949.

Price 3d.]

