

Name of Colony.	Year.	Number of Patents issued.
Canada ... ..	1901	4,766
Newfoundland ... ..	*	*
New South Wales ... ..	1899	674
Queensland ... ..	1900	459
South Australia ... ..	1899	405
Victoria ... ..	1898	572
Western Australia ... ..	1899	340
Tasmania ... ..	1899	208
New Zealand ... ..	1900	536
Cape Colony... ..	1898	188
Natal ... ..	1900	152
Total (excepting Newfoundland)		8,300

\* No statistics available. The total number of patents granted in Newfoundland up to 1899 is only 198.

The number of patents issued in the United Kingdom in 1901 was 13,062.

It will be seen from the above table that a majority of the patents issued in the self-governing colonies are granted in Canada, and that the number of patents granted in the self-governing colonies amounts to considerably more than half of the number granted in the United Kingdom. On the other hand, it should be borne in mind that it not unfrequently happens that an invention patented in the United Kingdom is patented in more than one colony.

#### WHO MAY OBTAIN PATENTS.

The main points of difference arising in this branch of the patent law are (1) whether an inventor may assign or bequeath his right to obtain a patent for his invention; and (2) whether a person, who is not the inventor in the ordinary sense of the term, but who is the first to introduce the invention from abroad, should be allowed to obtain a patent for it in disregard of the rights of the real inventor or his assignee.

##### United Kingdom.

In the United Kingdom a patent may be granted to one or more applicants. Every application must contain a declaration to the effect that the applicant or applicants is or are in the possession of an invention whereof he, or, in the case of a joint application, one or more of the applicants, claims or claim to be the true and first inventor or inventors.

If an inventor dies before applying for a patent, the patent may be obtained by his legal representative, provided that he makes his application within six months of the decease of the inventor.

If an applicant dies before the expiration of fifteen months from the date of application, the patent may be granted to his legal representative at any time within twelve months after the death of the applicant.

Any person to whom an invention has been communicated from abroad, and who declares that to the best of his knowledge and belief the invention is not in use in the United Kingdom by any other person or persons, is regarded as the true and first inventor within this country.

##### Canada, South Australia.

In Canada and South Australia a patent may be obtained by the inventor, or by any person to whom he has assigned or bequeathed the right of obtaining it, or, in the event of the death of the inventor, by his legal representatives.

##### Newfoundland.

In Newfoundland, before any person can obtain a patent he must "make oath, in writing, that he doth verily believe that he is the inventor or discoverer of the art, machine, composition of matter, or improvement for which he solicits letters patent."

##### New South Wales.

In New South Wales patents may be granted to any person claiming to be the author or designer of any invention in, or improvement to, the arts or manufactures, or to his agent or assignee,

##### Queensland.

In Queensland the law is the same as in the United Kingdom, except that, when an inventor is out of the colony, application for the patent may be made by his assignee, either alone, or, if the whole right of the invention is not assigned, jointly with the inventor.

##### Victoria, Western Australia.

In Victoria and Western Australia the applicant for a patent may be,—

- (a.) The actual inventor; or
- (b.) His assigns; or
- (c.) The actual inventor jointly with the assigns of a part interest in the invention; or
- (d.) The legal representatives of a deceased actual inventor or of his assigns; or
- (e.) Any person to whom the invention has been communicated by the actual inventor, his legal representatives or assigns (if the actual inventor, his legal representatives or assigns, is not or are not resident in Victoria or Western Australia).