

The above-mentioned terms of priority, as fixed by the original Convention of 1883, were six months for patents of inventions, and three months for industrial designs and models and for trade and commercial marks. These terms were increased by a month for "countries beyond the sea," an expression which has been interpreted as meaning "countries outside Europe which do not border on the Mediterranean."

By the additional Act of the 14th December, 1900, the terms of priority were fixed for all countries at twelve months for patents and four months for industrial designs and models and for trade and commercial marks.

Article V. of the Convention provided that—"The introduction by the patentee into the country where the patent has been issued of objects manufactured in any of the States of the Union shall not entail forfeiture. Nevertheless, the patentee shall remain subject to the obligation to work his patent in conformity with the laws of the country into which he introduces the patented objects."

This article has been modified by the additional Act of the 14th December, 1900, which provides that "the patentee in each country shall not incur forfeiture for non-working until the expiration of a minimum period of three years commencing from the date of the deposit of his application in the country in question, and in case the patentee fails to give satisfactory reasons for his inaction."

Articles VI. to X. of the Convention relate to trade or commercial marks.

Article XI., as modified by the additional Act of the 14th December, 1900, provides that the high contracting parties shall, in conformity with the legislation of each country, grant temporary protection to patentable inventions, industrial designs or models, and to trade or commercial marks, for articles exhibited at official or officially recognised international exhibitions which have been organized in the territory of one of them.

Article XII. provides that each of the contracting States shall establish "a special department for industrial property, and a central office for the communication to the public of patents of invention, industrial designs or models, and trade or commercial marks."

In the final protocol of the Convention it is stated that the organization of this special department is to comprise, so far as possible, the publication in each State of a periodical official paper.

Article XIII. provides that an International Office shall be established under the authority and supervision of the Central Administration of the Swiss Confederation, the expenses being borne in common by the contracting States. The total expenses are limited by the protocol of the 15th April, 1891, to the sum of 60,000 francs a year.

By the additional Act of the 14th December, 1900, a new clause has been inserted in the Convention providing that:—"The patents claimed in the different contracting States by persons entitled to the benefit of the Convention shall be independent of the patents obtained for the same invention in other States whether adhering to the Union or not. This provision shall apply in the case of the accession of new States to patents existing in either State at the time of accession."

#### INTERNATIONAL ARRANGEMENTS IN THE SELF-GOVERNING COLONIES.

##### Queensland, New Zealand.

The only two colonies that are already parties to the International Convention are Queensland and New Zealand. The Government of Western Australia has recently expressed a desire to join the Convention, while those of Natal and Newfoundland have expressed a contrary desire.

##### New South Wales, Tasmania, Western Australia.

The patent laws of New South Wales, Tasmania, Western Australia (in common with those of Queensland and New Zealand, which have already entered the Union) contain provisions on the same lines as those in section 103\* of the British Act of 1883, which, when made applicable by Order in Council to any colony which has joined the Union, give the priority conceded by Article IV. of the Convention to applicants from all countries belonging to the Union; and when made applicable to colonies which have not joined the Union give similar rights of priority to applicants from such colonies and the United Kingdom. Orders in Council have made the section applicable to Western Australia and Tasmania, neither of which has yet joined the Union.

##### Victoria.

The patent law of Victoria provides that, subject to the issue of Orders in Council, an applicant for a patent in the United Kingdom, any Australian colony, or the Colonies of New Zealand or Fiji, may have six months' priority in Victoria. The law in this colony also gives twelve months' priority to a patentee abroad, provided that any publication of the invention in Victoria shall have been without the inventor's consent.

##### Canada, Newfoundland, South Australia, Cape Colony, Natal.

The patent laws of Canada, Newfoundland, South Australia, Cape Colony, and Natal contain no provision for international arrangements for the protection of inventions. The Canadian Patent Act, however, gives twelve months' priority to a patentee abroad, provided notice of intention to apply for a patent in Canada be given to the Commissioner within three months of the date of the foreign application. In the Newfoundland Consolidated Statutes (Second Series), chapter 109, section 18 implies that patents may be granted in England which shall extend to Newfoundland, but provides that they shall not be effective there until the arrival of the specification and drawings.

\* This section has been amended by section 6 of the Act of 1885 and by the Act of 1901.