

The Board understand that a deputation representing the London and Leicester Chambers of Commerce and the Chartered Institute of Patent Agents waited on the High Commissioner for New Zealand on the 5th September, and that he has cabled to the New Zealand Government explaining their views, which are identical with those expressed by Messrs. Bristows, Cooke, and Carpmael in the enclosed letters.

The Board are strongly of opinion that His Majesty's Government should lend their support to those views, and they would accordingly suggest for Mr. Harcourt's consideration that the Governor of New Zealand should be instructed by telegraph to inform his Ministers accordingly.

As the Board understand that the Bill has passed the Lower House, and is expected to pass the Legislative Council by the 19th October, the matter is one of considerable urgency.

I have, &c.,

GEORGE J. STANLEY.

The Under-Secretary of State, Colonial Office.

1 Copthall Buildings, E.C., London, 15th September, 1911.

SIR,—

*New Zealand Patents Bill.*

It is probably within your recollection that in 1909 our Mr. Cooke went to Australia on behalf of a large number of British manufacturers with a view to representing to the Australian Government that the Patents Bill then before the House would, if passed in the form in which it was introduced, cause great damage to British manufacturers who were owners of Australian letters patent.

Mr. Cooke had the advantage of laying his views before Mr. Hamilton Wickes, the Board of Trade Commissioner for Australia, who was kind enough to interest himself in this matter so important to British traders, and it was largely due to his assistance that the proper representations were brought before the Australian Government, with the result that the clause in the Bill was altered into the form in which it appeared in the Act as finally passed.

We are now informed that a Bill has been introduced into the New Zealand Parliament relating to patents in which the same clause, which was considered to be so harmful in Australia, has been embodied. The clause in question follows the clause in the English Act, but it is quite clear that, owing to the limited population of the Dominion, and consequently the comparatively small demand, a provision which may be applicable to a country of more than forty million inhabitants is wholly inapplicable to the Dominion, with its present small population.

In consequence of the small demand in the colony it is absolutely impossible for British manufacturers to incur the capital outlay which would be necessitated if they are to work their patents in the colony, and if the clause in the Bill is to stand as at present drawn the result would be that the large competing manufacturers in Germany, America, and other countries would take steps to revoke New Zealand patents owned by British manufacturers in order to enable such foreign competitors to import their rival goods into the Dominion in competition with British traders.

The clause in the Australian Act as finally adopted was framed to prevent this being done, while at the same time encouraging the starting of industries in the Commonwealth as far as can properly be done.

In the interests of our clients we venture to draw the attention of the Board of Trade to this most important question, and to suggest that the Board of Trade Commissioner in New Zealand should be instructed to look into the matter, and to place before the New Zealand Government such representations as may be necessary on behalf of British traders. We are sure that the Commissioner in New Zealand cannot do better than communicate with Mr. Hamilton Wickes, in Melbourne, who is thoroughly acquainted with the whole question.

We shall be greatly obliged if you will kindly look into the matter, and let us know whether we may rely upon the assistance of the Board of Trade to prevent the passing of the clause which can only, in its effect, harm British trade and benefit the already keen competition which British traders have to meet from German, American, and other foreign competitors in the British colonies.

If we can give you any further information on the matter our Mr. Cooke will be happy to attend you at any time you may name.

We are, &c.,

BRISTOWS, COOKE, AND CARPMAEL.

The Secretary the Board of Trade (Commercial Department), Whitehall Gardens, S.W.

1 Copthall Buildings, E.C., London, 29th September, 1911.

SIR,—

*New Zealand Patents Bill.*

Referring to our letter of the 15th instant, we have now had an opportunity of considering the Bill, and we notice that, in addition to clause 29 referred to in our previous letter, clause 39 should, in our opinion, receive the careful consideration of your Department.

This clause is based upon section 38 of the English Act, and relates to the granting of licenses, but in the New Zealand Bill the proviso at the end of subsection (1) of section 38 of the English Act is omitted. At the time the English Patents Bill was before Parliament this clause was considered carefully in consultation with the then President of the Board of Trade, and it was agreed that the proviso ought to be inserted in subsection (1), so as to enable business men to make such arrangements as they might think conducive to their own interests.

We can see no reason for the omission of this proviso from the New Zealand Bill, and it may seriously tend to hamper patentees in carrying on their business if this clause is not altered so as to be like the English and Australian Patent Acts.