

1922.
NEW ZEALAND.

PATENTS, DESIGNS, AND TRADE-MARKS.

THIRTY-THIRD ANNUAL REPORT OF THE REGISTRAR.

Presented to both Houses of the General Assembly pursuant to Section 113 of the Patents, Designs, and Trade-marks Act, 1911.

I HAVE the honour, in pursuance of section 113 of the Act, to submit my report on the operations thereunder during the past year.

I pointed out in my last reports that the number of applications for recent years has been greatly increased by cases coming forward which were held up by circumstances arising from the war, and with the last of these accumulated cases a reduction in the number of applications might be expected. Though the number is still high compared with that for ordinary years, it is lower than it was for each of the last two years, and a further reduction will probably take place, though doubtless the number of applications will with the ordinary growth of the country (instead of from any extraneous source) show as marked an increase in the future as it has in the past.

The number of applications in respect of patents, designs, and trade-marks in each of the recent years as well as 1910 (the previous highest year) is indicated by the following figures: 1910, 2,695; 1919, 3,226; 1920, 3,693; 1921, 3,250. As will be seen under their respective headings, the number of applications for patents is fairly well maintained, and the falling-off is chiefly in respect of trade-marks.

The revenue amounted to £9,857 1s. 10d., an increase of £160 4s. 6d. on the previous year; and the expenditure to £4,016 13s. 5d.—£280 9s. 4d. in excess of that of 1920. The maintenance of the revenue, in spite of the falling-off in applications, was chiefly due to the large number of patent renewal fees paid in pursuance of the Finance Act, 1921 (Patents, &c., Amendment), and regulations thereunder, on cases held up by the war. The amount paid in salaries and for clerical assistance was about the same as in the previous year, the increase in expenditure being in printing and stationery, £1,447 18s. 10d., as compared with £1,161 6s., owing to additional number of abridgments of complete specifications with drawings of inventions published during the year. The balance of receipts over expenditure was £5,840 8s. 5d., as compared with £5,960 13s. 3d. for 1920, and brings the total of the amount received over that expended since the 1st January, 1890, to £97,228. It may be added that to counteract any serious drop in revenue with the return to normal conditions the scale of fees has been slightly revised, chiefly in respect of initial payments, and the increases, though not great, will serve to maintain the revenue.

While it is satisfactory that the working of the Office results each year in a considerable surplus, this is of course a secondary consideration, and the success or otherwise of the operation of the patent laws can be judged only by their effect on the promotion of invention and manufacture in this country.

If—as there are good grounds for believing—these objects can be advanced by increased expenditure, it may well be questioned whether more of the revenue should not be employed in the directions referred to. Until there is provision for a closer investigation of the novelty of inventions for which applications for patents are made than the Office is at present able to carry out, and of making more widely known the particulars of inventions sought to be patented, this country must be regarded as falling short in its adoption of recognized methods of encouraging invention and industry.

The ordinary work of the Office was considerably augmented during the past year by the large number of cases dealt with for which provision had been made in the Finance Act of 1921 (Patents, &c., Amendment) and regulations thereunder, and in pursuance thereof most cases claimed to be delayed owing to conditions arising from the war have now been proceeded with.

LEGISLATION.

By the Act of last session the law was brought into line with that of Great Britain, except in certain respects, in which longer operation in that country was thought to be desirable before consideration of adoption here.

The more important provisions of the statute which comes into operation on the 1st July next are as follows:—

One important alteration involves the question of who is entitled to a patent, and the law on this subject is brought into line with that of Great Britain by removing the obstruction placed on the first importer.

The provisions with regard to examination, &c., are found to throw on the Office more work and responsibility than it can undertake without employing experts on different subjects and a special examining staff. However desirable this may be, it is quite beyond the present resources of the