

country. A fairly effective check is at present provided, and this may be extended by additions to the staff from time to time; and the recent amendment, while retaining the provisions regarding examination, investigating novelty, &c., renders them more elastic and better adapted to the resources of the Office.

An important provision is that in petitions for extensions, the time for presentation of the petition may be enlarged, and that regard shall be taken to loss to the patentee during the war. It is also provided that where application is for an extension owing to the war it may be made by originating summons, thus facilitating the procedure.

At present two months from the acceptance of an application is allowed for opposing the grant of a patent, and if that opportunity is lost the only course is to take proceedings in the Supreme Court. The recent Act enables the Office to revoke a patent on the grounds on which it could have been opposed up to two years from the date of the application for patent.

At present the Crown has the right to use inventions on such terms as may be decided between it and the patentee. Though this right is not often exercised, it was considered advisable to retain it, and to embody the more recent English provisions on the subject, which has accordingly been done.

A specification, though for a single invention, contains, as a rule, a series of distinct claims for the composite parts, and the invalidity of one of these claims at present deprives a patentee of relief in an action for infringement. It is considered that on the whole the invalidity of one or more claims should not necessarily defeat the patent, and it is provided that in such cases relief shall be granted in respect of sound claims infringed in accordance with recent English provision.

It has been the practice in many countries to restrict the patenting of such vital matters as food and medicines. This has been lately effected in Great Britain, and the recent Act provides that in future patents for the production of food and chemical compounds shall not include claims to the substances themselves except as produced according to the patented process.

In the case of designs, the definition is amended to draw distinction more clearly between them and patentable matter.

Though the Registrar may refuse to register a design, the only way of removing a design from the register at present is by application to the Supreme Court. Power is now given to the Registrar to cancel the registration where the design is shown to be not new.

Only a certain number of trade-marks are eligible under the ordinary provisions of the Act at present in force. Others are registrable on an order of the Supreme Court declaring them to be distinctive, but a large number of marks which are quite good for purposes of trade cannot be put on the register.

The Act of last session authorizes the Registrar to decide the distinctiveness of marks that at present have to go before the Supreme Court.

According to another important alteration the register is divided into two parts. Part A includes those marks at present eligible, and part B other marks which have been *bona fide* used in New Zealand for not less than two years.

Another important provision is that enabling an association or person to be registered who only certifies the goods and has no direct interest in them.

A provision of considerable importance is that debarring registration of trade-marks of the only practicable name of any single chemical element as distinguished from a mixture.

At present the only advantage registration as a Patent Agent secures is the right to use the words "Patent Agent," and the Act restricts the rights of practising as Patent Agents to those who are registered.

A considerable number of minor alterations are included.

PATENTS.

(The figures in parentheses are for the year 1920.)

The number of applications received during 1921 was 2,115 (2,193), on which 1,199 (984) were filed with provisional specifications, and 916 (1,210) were complete; 286 complete specifications were lodged during the year in respect of applications with which provisional specifications have been filed.

The total number of applications received to the 31st December, 1921, was 47,231, and the number of patents in force as on that date was 5,910.

The amount received in patent fees during 1921 was £7,491 12s.¹

The number of assignments, licenses, &c., of patents entered on the register in 1921 was 133 (106).

The amount of fees received in respect of the restoration of lapsed patents was £33, being the same amount as was received in 1920.

Sixty women inventors lodged applications during the year under review, being an increase of twenty as compared with 1920.

Four patents of addition were sealed during the year.

Countries from which Applications received.

While applications from New Zealand residents are well to the fore in the total received at the Office, a greater number are accompanied only by provisional specifications than is the case with applications from abroad; and, while a considerable number of these applications are proceeded with, no further steps are taken with a fair proportion of them. Although for purposes of comparison this somewhat discounts the number from New Zealand residents, this country contributes a very considerable part of the cases received and proceeded with. Of the total number of 2,126, 1,291 were from residents of New Zealand, as compared with 1,155 out of the 2,196 received in the previous year.

The number from other British possessions was 530 (639): Great Britain, 220 (318); Australia, 285 (293); Canada, 25 (18); and from other places, 304 (412).