

ments transmitted with New Zealand despatch of 15th May, 1920, with the addition of provision for search for local anticipations and for opposition and examination by Imperial Patent Office instead of establishment of separate central office.

Extent of this report and proceedings at Conference.

In view of the full report of the Conference, the accompanying minutes, and my former report, it is not necessary that I should do more than now briefly refer to the conclusions arrived at, and indicate the course which I recommend be followed by this country in the matter. The discussion I may mention, was of a more or less informal nature, and was not reported fully, but a longhand note was drawn up each day by the secretary.

Examination of laws—proposed schemes.

As will be seen from the report, the practice in each country was first fully gone into. The various schemes submitted were next examined; those outlined in the Comptroller's memorandum were withdrawn, leaving only two or three from outside sources. None of these, however, appeared to be likely to simplify the procedure and lessen the expense, which the Conference regarded as essential to the adoption of any such proposal.

Scheme recommended for ultimate adoption.

A system of registration of English patents in each Dominion was then proposed; and, though this formed the basis of the scheme the Conference thought most likely to prove successful, it was not adopted without lengthy consideration and extensive amendment. As pointed out, registration of English patents prevails in some of the Crown colonies, and was at one time in force in this country; but the form it is suggested it should now take has several new features with the view to preserving autonomous rights and avoiding loss of revenue in the parts of the Empire concerned. It is proposed that, while retaining the rights of the various dominions to issue patents in their own territories, a Central Patent Office shall be established for receiving and examining applications and issuing patents, and that such patents shall extend to any part of the British dominions (subject to opposition in any part thereof) on registration in the country in which protection is desired. The Central Office is to make a search into the novelty of each invention, covering the ground at present covered by the offices of the United Kingdom and each of the dominions which at present undertake this work. The scheme is to be applicable, with some modifications, to British colonies and protectorates.

Advantages of such scheme.

Such a scheme, as claimed in the report, appears to have the advantage of simplifying the procedure and lessening the cost of obtaining protection, while preserving the autonomy of the self-governing dominions and India, and maintaining the functions of the local Patent Offices in granting patents which will be operative only in the particular dominion or territory.

Expense and other features involved.

The heavy cost of the establishment of such an office might be to some extent avoided by utilizing the buildings, material, and staff of one of the existing offices, and the revenue would probably suffice for working-expenses. It was felt that the search undertaken by the office should be restricted to the ground mentioned, instead of adopting the wider but less thorough search of the United States and some other countries. While the fees charged in the dominions were considered to be generally reasonable, it was thought that a considerable reduction might be made in those payable in the Crown colonies. If this is effected and merely a printed copy of the English specification filed with the application for registration a very marked reduction in cost ought to be the result, without necessarily involving any reduction in fees in the dominions.

Modified or provisional scheme.

It was recognized, however, that the expense involved in connection with such a scheme, and the time required for equipping an office and collecting the material necessary for the more extended search, rendered it desirable to submit a modified scheme which might be put into force until the various parts of the Empire saw their way to the adoption of the other plan. It is accordingly proposed that—

- (1.) The rights of the United Kingdom, self-governing dominions, and India to grant patents in their own territories shall be preserved as now existing and in accordance with the scheme referred to.
- (2.) Instead of the establishment of a Central Office, as proposed, patents obtained after examination in the United Kingdom shall on application be registrable in any of the self-governing dominions and India adopting the scheme, such application to be open to opposition as under the before-mentioned scheme, as well as to any lawful objection which the Patent Office may see fit to raise.
- (3.) The scheme is to be applicable to the colonies and protectorates, with such modifications as may be considered desirable.

Under the scheme in its modified form the patentee in Great Britain may apply in any self-governing dominion or India within twelve months of his application in Great Britain, and such application shall be accompanied by a certified copy of his English specification, which shall be accepted as complying with all requirements as to lodging of specification or as to sufficiency of description or claims. Such application is to be subject to any action as to amendment or rejection on account of novelty through local anticipations as each country may prescribe, and when accepted