

PATENTS ACT AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Incorporation with Act of 1870.</p> <p>3. Alteration of fees.</p> <p>4. Appointment of local offices and officers.</p>	<p>5. Repeal. Mode of application.</p> <p>6. Receipt for and transmission of documents.</p> <p>7. Protection of invention.</p> <p>8. Amendment of section 10, "Patents Act, 1870." Schedule.</p>
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A BILL INTITULED

AN ACT to further amend "The Patents Act, 1870."

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

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| 5 | 1. The Short Title of this Act is "The Patents Act Amendment, 1882." | Short Title. |
| 2 | 2. This Act shall be read and construed, <i>mutatis mutandis</i> , with "The Patents Act, 1870," and "The Patents Act Amendment Act, 1881" (hereinafter termed "the said Acts"). | Incorporation with Act of 1870. |
| 10 | 3. It shall be lawful for the Governor from time to time, by notification in the <i>Gazette</i> , to reduce the fees payable under the said Acts: Provided that the fee payable by the applicant on depositing specifications, as under section seven of "The Patents Act, 1870," shall be <i>ten</i> shillings, unless and until further reduced as aforesaid. | Alteration of fees. |
| 15 | 4. The Governor may for all such purposes as he may deem necessary for the public convenience, by public notification in the <i>Gazette</i> or otherwise, appoint Local Patent Offices and Patent Office Agents in the various centres of population throughout the colony, and from time to time alter or revoke the appointment of such offices and agents respectively. | Appointment of local offices and officers. |
| 20 | Such agents shall not demand or receive from the applicant, or any one on his behalf, any fees or charges whatever other than such as are payable under this or the said Acts. | |
| 5 | 5. Section seven of "The Patents Act, 1870," is hereby repealed, and in lieu thereof it is enacted as follows:— | Repeal. |
| 25 | Every application under the said Acts for the grant of letters patent for an invention shall be made as follows—that is to say: The applicant shall deposit at the Patent Office, or at any local Patent Office, an instrument in writing under his hand and seal, particularly describing and ascertaining the nature and details of the said invention with precision, and in what manner the same is to be performed, and a distinct claim for the especial novelty thereof, and a declaration that no letters patent have been applied for elsewhere by the applicant for the said invention; and accompanied by drawings, if necessary, for the full description and understanding of the said invention; and also a copy of such instrument and drawings. | Mode of application. |
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Receipts for and
transmission of
documents.

6. If such deposit be made at any local office the Patent Office Agent shall indorse on such application the exact time of the receipt of such application, give the applicant or his agent a receipt therefor in the form contained in the Schedule hereto, or to the like effect, and shall forthwith transmit the documents and a copy of his receipt to the Registrar of Patents.

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Protection of
invention.

7. The exact time of the deposit of every such specification, which upon examination by the Registrar of Patents shall be found to be in accordance with this Act, and the said Acts, and the regulations thereunder, shall be recorded at the said Patent Office and indorsed upon such specification, and a certificate thereof given to such applicant or his agent; and thereupon, subject and without prejudice to the provisions hereinafter contained, the said invention shall be protected under the said Acts and this Act for the term of *twelve* months next after the said deposit, and the applicant shall have during such term the like powers, rights, and privileges, as might have been conferred upon him by letters patent for such invention issued under the said Acts and this Act and duly sealed as of the day of such deposit, and during the continuance of such powers, rights, and privileges, under this provision, such invention may be used and published without prejudice to any letters patent to be granted for the same; and where letters patent are granted in respect of such invention, such letters patent shall be conditioned to become void if such specification does not particularly describe and ascertain the nature of the said invention, and in what manner the same is to be performed.

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Provided always that, in case the title of the invention or the said specification be too large or insufficient, it shall be lawful for the Patent Office Agent, on the hearing of the application for the grant of the letters patent, to allow or require such specification to be amended, or another and sufficient specification to be deposited in lieu thereof, and every such amended or new specification shall have the same force, effect, and operation, as if it had been originally deposited in its amended or new state.

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Amendment of
section 10, "Patents
Act, 1870."

8. The tenth section of "The Patents Act, 1870," is hereby amended by inserting therein the word "fourteen" in lieu of the word "three," where it occurs in the said section.

Schedule.

SCHEDULE.

RECEIVED from A.B. specification for an invention for [*Insert the title*] for transmission to the Registrar of Patents, Wellington, at the hour of [*Insert the time*], on this day of 18 .

Local Patent Office.

Patent Office Agent.