

Hon. Mr. Bell.

PATENTS, DESIGNS, AND TRADE-MARKS AMENDMENT.

ANALYSIS.

Title.  
1. Short Title.

2. Provisions for sealing of patent after application has lapsed.

A BILL INTITULED

AN ACT to amend the Patents, Designs, and Trade-marks Act, 1911. Title.

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

1. This Act may be cited as the Patents, Designs, and Trade-marks Amendment Act, 1913, and shall form part of and be read together with the Patents, Designs, and Trade-marks Act, 1911,  
10 (hereinafter referred to as the principal Act). Short Title.

2. (1.) Where, in consequence of the neglect or failure of the applicant to pay any fee, a patent has not been sealed within the period allowed by section fourteen of the principal Act or within such extended time as may be prescribed pursuant to paragraph (d)  
15 of the said section, the applicant may apply to the Registrar in the prescribed manner to have the patent sealed. Provisions for sealing of patent after application has lapsed.

(2.) Every application for the sealing of a patent under this section shall contain a statement of the circumstances which led to the omission of the payment of the prescribed fee.

20 (3.) If it appears from the statement that the omission was unintentional, and that no undue delay has occurred in the making of the application, the Registrar shall advertise the application; and within such time as may be prescribed any person may give notice of opposition at the Patent Office to the sealing of the patent.

25 (4.) Where any such notice of opposition is given, the Registrar shall notify the applicant thereof.

(5.) After the expiration of the prescribed time the Registrar shall hear the case, and shall thereupon seal the patent or dismiss the application.

30 (6.) An appeal to the Supreme Court shall lie from the decision of the Registrar under this section.

(7.) In every patent sealed under this section such provisions as may be prescribed shall be inserted for the protection of persons who have availed themselves of the subject-matter of the patent before  
35 the sealing thereof and after the publication of a notification that a patent had not been sealed on the original application.