the Reading road; and two other branch tracks traverse the building, so that a locomotive enters and is attached to the cars on which finished work has been deposited by the cranes. The economy resulting from these arrangements is obvious. The establishment is fully worthy a visit, as it combines the improvements made up to the present time in each department.

The New Patent Law of Great Britain. BY JOHN HENRY JOHNSON,
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This act having already made its appearance in full, in many of our contemporaries, we think our readers will derive more benefit from a general statement of the changes which it effects, and the machinery through which it acts, than from a mere copy of the act itself. This is the more obvious to us, as the act is by no means particularly clear to the comprehension even of those most accustomed to the construction of the statutes; and it would be still more unintelligible to the majority of our readers, who do not probably number amongst them many members of the legal profession. Hence, the following translation may perhaps be found worthy of acceptance:

Commissioners.—The Lord Chancellor, the Master of the Rolls, the Attorney and Solicitor Generals for England and Ireland, the Lord Advocate and Solicitor General for Scotland, and such other persons as her Majesty shall appoint, are to be “Commissioners of Patents for Invention;” any three of whom (the Lord Chancellor or Master of the Rolls being one) may act.

The commissioners are to have a seal of office, and are to make rules of practice, to report annually to parliament, and to appoint such clerks and officers as they may think proper.

Provisional Protection.—A petition, declaration, and provisional specification, very similar to the documents at present required on petitioning for letters patent, are to be left in the commissioners’ office, and to be referred by them to one of the law-officers, who will have the power to call scientific assistance to his aid. If the law-officer approves of the title and provisional specification, both of which he can allow or require to be amended, he is to give a certificate of such approval or allowance, which is to be filed in the commissioners’ office, whereupon the invention may, for six months from the date of the petition, be used and published without prejudice to any letters patent to be granted for the same. The entire expense of this proceeding, including agency, fees, &c., will probably amount to £10 10s. As the validity of the patent will principally depend upon this provisional specification, it will be necessary to frame it with the greatest care and consideration.

Instead of the proceeding last described, the applicant for letters patent may file, with his petition and declaration, in the commissioners’ office, a complete specification of his invention; whereupon a certificate of the filing having been given him, the invention is protected for a period of six months, as before. Any letters patent granted, therefore,

* From the London Practical Mechanic’s Journal, August, 1852.

are to contain a clause, conditioning them to be void if this specification does not fully describe the invention ; a copy of the specification is to be open for public inspection from the time of its deposit. The commissioners are to cause these "protections" to be advertised as they may see fit. The expense of this protection will of course vary in every case, with the nature of the invention, and the amount of trouble or skill required in preparing the specification and drawings, if drawings are necessary : the actual payment to government will be £10.

Completion of the Patent.—When the applicant is desirous to complete his patent, after either of the preliminary steps before described, he is to give the commissioners notice to that effect ; the application is then to be advertised, and parties desirous of opposing the grant are, within such time as the commissioners shall appoint, to leave with the commissioners notice in writing of their grounds of opposition. When the time for this purpose has expired, the applicant's provisional or complete specification, and the particulars of objection, are to be referred to the law-officer to whom the application has been referred ; the law-officer is to decide upon the matter as he may think fit, and, if he deems it advisable, he has the power to decide by whom the costs of the application, reference, and hearing (if any) shall be paid. After the law-officer's decision, he is to issue his warrant for the sealing of the patent ; the warrant is to be sealed with the commissioners' seal, and is to set out the clauses and restrictions to be contained in the grant. The same power is reserved to the Lord Chancellor as to the making and issuing of patents under this warrant, as he possesses under the present system ; and power is also reserved to her Majesty, by warrant under her royal sign manual, to direct the law-officer to withhold his warrant, or to direct that no letters patent shall issue under his warrant, or to direct the insertion in the letters patent of any provisions or restrictions she may think fit, and also to direct any complete specification which may have been filed, to be cancelled, upon which the protection obtained shall cease.

The letters patent are to be void unless £50 be paid at the end of three years from the date thereof, and £100 further at the end of seven years. Certificates of these payments are to be issued under the commissioners' seal, and receipts therefor to be endorsed on the letters patent ; such certificates to be legal evidence of the payments.

After the sealing of the warrant, and when required by the applicant, which must be within three months from the date of the warrant, the commissioners are to cause letters patent to be prepared, and the Lord Chancellor is to affix the great seal thereto ; such letters patent extending to the United Kingdom of Great Britain and Ireland, the Channel Islands, the Isle of Man, and such of the Colonies as have been specially petitioned for, and are named in the warrant. These letters patent are to be of the same effect as the three distinct grants now are. One transcript of the letters patent is to be entered in the Records of Chancery in Scotland, in the same manner, and to the same effect, as letters patent for Scotland now are ; and copies of, or extracts from, such transcripts are to be received as evidence in the Scotch law-courts, with the same effect as the letters patent themselves. Another transcript is to be transmitted for enrolment in the Chancery Enrolment Office in Dublin, and is

to have the same effect in Ireland as letters patent for that country solely now have. Letters patent are not to issue, unless granted during the period of preliminary protection already fully described, except in case application has been made to seal the letters patent, and such sealing has been delayed by reason of a caveat or application to the Lord Chancellor against their being sealed, or in case of the death of the petitioner during the continuance of the preliminary protection, under which circumstances the executors or administrators of the applicant may obtain the seal within three months after his decease.

Letters patent may be sealed as of the day of the date of the application, or in case of any invention protected under the "Protection of Inventions Act, 1851," the act passed for the protection of inventions exhibited at the 1851 Exhibition—as of the day of the provisional registration, or of the day of the sealing of the letters patent, or, in the discretion of the Lord Chancellor and the law-officer, of any other day between the day of application or provisional registration, and of sealing: but, *except in case a complete specification has been filed with the application*, no legal proceedings can be adopted for infringements committed before the patent was actually sealed. This is a very important provision, and for this cause it may be desirable, in some cases, to file a complete specification with the application.

Specifications.—Specifications are to be filed instead of being enrolled, and all provisional and complete specifications filed in the commissioners' office shall, immediately on the completion of the letters patent, and where no patent is issued, then within six months from the date of the application, be transferred to the office in Chancery, where specifications are to be filed. If drawings are alluded to in the specification, two copies of such drawings are to be left with the specification.

Copies of all specifications, disclaimers, memoranda of alterations and provisional specifications, after the expiry of the term of their provisional protection, are to be open for inspection at the office of the commissioners, and at offices in Edinburgh and Dublin.

Specifications, disclaimers, and memoranda of alterations, are to be printed and published, and sold as soon as conveniently may be after their being filed; and the commissioners may present copies thereof to such public libraries and museums as they may think proper, and the patentee may have twenty-five copies of such publications without any charge; and these copies, printed by the Queen's printer, are to be *prima facie* evidence of the existence of the originals in all law-courts. The proceedings now in operation, under the Acts 5 and 6 Wm. IV., c. 83, and 7 and 8 Vict., c. 69, as to disclaimers, memoranda of alterations and confirmations, are to be applicable to letters patent obtained under this act.

Registers.—The office in Chancery, where specifications are to be filed, is to keep a "Register of Patents," wherein will be recorded, in chronological order, all letters patent granted under this act, the deposit or filing of specifications, disclaimers, and memoranda of alterations, all amendments, all confirmations and extensions, the expiry, vacating or cancelling letters patent, with their dates, and all other matters affecting the validity of patents, as the commissioners may direct.

The same office is to keep a "Register of Proprietors," wherein is to be entered, as the commissioners shall direct, the assignment of any patent, or of any interest therein, any license, and the district to which it refers, with the name of any person having any interest in such patent or license, and the date of his acquiring the same, and any other matter relating to the proprietorship; and copies of such entries, certified under the seal of the office, shall be received as *prima facie* evidence of such transactions. Until such entries have been made, the original patentee is to be deemed the sole party interested. Duplicates of the entries in the "Register of Proprietors" are to be open for inspection in Edinburgh and Dublin.

Any person obtaining a false entry in the register of proprietors, is deemed guilty of a misdemeanor, and will be punished accordingly; and any person deeming himself aggrieved by any entry therein, may apply, by motion, to the Master of the Rolls, or to any of the courts of common law at Westminster, in term, or to a judge in vacation, for an order to expunge, vacate, or vary such entry, which may be ordered. We consider these provisions to be of great importance, as at present there is no method by which information as to dealings with patents can be obtained.

Patents for Foreigners.—Where an application is made under this act for the United Kingdom, in respect of any invention *first invented in any foreign country*, or by the subject of any foreign power or state, and a monopoly therefor has been obtained in any foreign country before the date of letters patent for the United Kingdom, the British patent is to become void immediately upon the determination of the foreign patent, or where several foreign patents have been obtained, upon the expiration of the first of such foreign patents; and no patent granted for an invention for which a patent has been obtained abroad, and has expired, is to be valid in the United Kingdom. This clause will render it very desirable for foreigners, or Englishmen resident abroad, to obtain their British patent before doing anything in the country where they are resident. We are afraid the alteration in this respect, which appears to be quite uncalled for, will be a source of great trouble to foreign patentees. No British patent is to extend to foreign ships within British ports, except in the case of ships belonging to foreign countries whose laws will prevent the use of their subjects' inventions by British ships whilst in the ports of such foreign countries.

As to Patents applied for before Passing of Act.—Patents may be granted on applications made before the passing of the act, as if the act had not passed; and where letters patent for England, or Scotland, or Ireland, have been granted before the passing of the act, or are in respect of any application made before the passing of the act, hereafter granted for any invention, letters patent for England, or Scotland, or Ireland, may be granted for such invention as if the act had not passed, except that, in place of the existing fees, there shall be paid for each country a sum equal to one-third of the total fees to be paid for the United Kingdom under this act.

Fees and Stamp Duties.—The under-mentioned fees and stamp duties are to be paid. The stamp duties are to be under the control of the

Commissioners of Inland Revenue, and the provisions of the present Stamp Acts are to be applicable thereto. The fees to be paid into the receipt of the Exchequer, and are to form part of the Consolidated Fund. The law-officers' fees, in cases of appeals, oppositions, disclaimers, and memoranda of alterations, are to be paid as heretofore, and the Lord Chancellor and the Master of the Rolls are to determine the fees to be paid the law-officers, and also the charges for office copies, certificates, &c., to be granted under this act.

Persons now holding offices abolished by this act are to be compensated.

<i>Fees.</i>	£	s.	d.
On leaving petition for grant of letters patent,	5	0	0
On notice of intention to proceed with the application,	5	0	0
On sealing of letters patent,	5	0	0
On filing specification,	5	0	0
At or before the expiration of the third year,	10	0	0
At or before the expiration of the seventh year,	80	0	0
On leaving notice of objections,	2	0	0
Every search and inspection,	0	1	0
Entry of assignment or license,	0	5	0
Certificate of assignment or license,	0	5	0
Filing application for disclaimer,	5	0	0
Caveat against disclaimer,	0	2	0

Stamp Duties.

On warrant of law-officer for letters patent,	5	0	0
On certificate of payment of the fee payable at or before the expiration of the third year,	10	0	0
On certificate of payment of the fee payable at or before the expiration of the seventh year,	20	0	0

There are some clauses relative to legal proceedings upon letters patent, of which no abstract is given, as it is thought they would not be very intelligible to inventors and intending patentees, for whose information only we have prepared this abstract.

Summary of Chief Alterations.—In place of a separate, most expensive, and tedious process for each kingdom, one grant of letters patent will extend to the whole of the United Kingdom; and one specification only of the invention will have to be filed.

A preliminary protection will be given for a period of six months, at a slight cost, within which period an inventor will have the opportunity of publishing and of testing the actual merits of his invention.

Letters patent will be granted on a scale of fees payable at three periods—on obtaining the grant, at the expiration of three years, and at the expiration of seven years, instead of the total amount having to be paid on the commencement, as at present.

The practice is thus assimilated to that of the principal continental states, as the costs of obtaining protection are, as it were, proportioned to the success of the invention. For, if successful, or promising to be so, at the end of three years, the patentee will gladly pay the additional sum required; whereas, if unsuccessful, he very naturally will not.