

The Act in the case of each of these colonies prescribes that the term "inventor" "shall not include a person importing an invention from any other colony or country without the authority of the actual inventor, his legal representatives or assigns."

Tasmania.

In Tasmania the terms of the Act indicate that the law is the same as in the United Kingdom, but the "Brief Instructions, 1896," state that the applicant must claim to be either (1) the true and first inventor, (2) the inventor's agent, (3) the inventor's assignee, (4) the introducer of the invention into the colony, (5) a deceased inventor's legal representative.

New Zealand.

In New Zealand, one or more of the applicants for a patent must be the true and first inventor, and the Act prescribes that the "true and first inventor" "means the person who is the actual inventor of an invention, or his nominee or assignee, but does not include the unauthorised importer of an invention from any place outside the colony."

Cape Colony, Natal.

In Cape Colony and Natal, a patent may be granted to the true and first inventor; or, if he dies within six months from the date of the application for the patent, to his executors within such six months or at any time within three months from his death.

WHAT INVENTIONS ARE PATENTABLE.

(a.) Definition of "Invention."

The differences as regards the definition of "invention" are not very material. Most of the colonies, by a reference to the Statute of Monopolies, adopt the principles of the law of the United Kingdom.

New Zealand, Queensland, Tasmania, Victoria.

In the Patent Acts of New Zealand, Queensland, Tasmania, and Victoria, the definition of "invention" is the same as in the British Act, *i.e.*, "invention" means any manner of new manufacture the subject of letters patent and grant of privilege within section 6 of the Statute of Monopolies, and includes an alleged invention. In Victoria no patent is granted for any invention the use of which would be dangerous or prejudicial to the public interest.

Canada.

In the Canadian Patent Act "invention" is defined as meaning "any new and useful art, machine, manufacture, or composition of matter, or any new and useful improvement in any art, machine, manufacture or composition of matter." No Canadian patent may issue which has an illicit object in view, or for any mere scientific principle or abstract theorem.

Newfoundland, South Australia.

Similar provisions to those in the Canadian definition are to be found in the Newfoundland and South Australian Patent Acts. In South Australia the patent becomes void if it appears that the grant was prejudicial or inconvenient to the general public.

Cape Colony, Natal.

In the Patent Acts of Cape Colony and Natal "invention" has the same meaning as in the old British Act of 1852 (15 and 16 Vict., c. 83). The definition of "invention" in that Act was "any manner of new manufacture the subject of letters patent and grant of privilege within the meaning of the Act of the 21st year of the reign of King James I., chapter 3," (commonly known as the Statute of Monopolies).

New South Wales.

In New South Wales "invention" is construed as meaning "any invention or improvement in the arts or manufactures . . . unless such invention or improvement appears to be detrimental to the public health, public welfare, morality, or the interest of the State. Scientific principles or theories cannot be patented, but the practical application of them to industrial ends may form the subject of a patent."

Western Australia.

The Patent Act of Western Australia does not apparently contain any express definition of "invention."

(b.) Qualifying Provisions as to Novelty.

The above definitions of "invention" are in some cases explained or qualified by further provisions.

Canada.

Under the Canadian Patent Act the invention must not have been in public use or on sale with the consent or allowance of the inventor for more than one year previously to his application for a patent, and any inventor who elects to obtain a patent for his invention in any foreign country before obtaining a patent for the same invention in Canada can only obtain a patent in Canada if the same be applied for within one year from the date of the issue of the first foreign patent for the invention.

Newfoundland.

The applicant for a patent in Newfoundland is required to "make oath in writing" that the invention "hath not to the best of his knowledge or belief been known or used in this colony, or