

2 June, 1911.]

UNIFORMITY OF LAWS.

[4th Day.

Sir JOSEPH WARD—*cont.*

conceded that where uniformity can be established, it is a good thing to work for. It was explained yesterday by Mr. Buxton, with regard to the Conference which took place dealing with regard to copyright a short time ago, that there has been practical uniformity arrived at as to what should be done with regard to that matter. That Conference held its meetings after I had given notice of this proposal to come on to this Conference for consideration, and I think the decision arrived at by the Copyright Conference upon the whole is in favour, as I understand it from the informal discussion, of the different Dominions. So far as that is concerned, I look upon it as settled that in connection with patents, trade marks, and companies it does seem to me that it is very desirable we should have uniformity in connection with these laws as far as we can, and what I suggested yesterday among other things was that we should make provision for uniformity of the forms of application and specification and the mode of execution of those documents, also the initial fees and manner of their payment. I understood yesterday that there was a difference of opinion as to whether the individual countries concerned could adopt a proposal to have uniformity of fees. The point was raised, and a very weighty one it is, that in some cases a great deal more work might be involved in the matter of administration and that consequently it would be more costly, and that uniformity of fees at all events was not looked upon as being practicable at the present time. Under those circumstances that is a matter that I should, in conformity with the wishes of the representatives at the meeting yesterday, leave out of the proposal I am submitting now.

The CHAIRMAN : Which matter would you leave out ?

Sir JOSEPH WARD : The initial fees and the manner of their payment. That need not come into consideration, assuming that the Conference agrees to this general resolution which I have submitted now. Then the forms of the claims and their substance would, of course, depend on the results of the examination in each country. As to the requirements regarding drawings, uniformity is absolutely necessary, in my opinion, because I have known of cases which have been brought under my notice where a man has applied for a patent, and the patent agent has had certain drawings prepared, and they have gone on to another country and then it has been found they did not conform to the requirements of that country at all. Then the process of delay starts again; the man who is waiting has to be advised in the country where he has first registered or perhaps only got provisional registration of his patent, and then he is told, perhaps three or six months afterwards, that fresh sets of drawings are required to be sent to another country. They may be prepared in the other country all right if he has given his consent, but in the meantime there is a delay, and it disheartens any man who spends money and is anxious to have his inventive ideas put into practical effect throughout the British Empire. Then there is another point which has come under my notice, the dispensing with an address for service in the country in which application from abroad is made. That is a matter of detail, no doubt, but it is a very important one and it causes no end of inconvenience to the people outside of the country where he has registered in the first instance the patent he is anxious to have protected in all parts of the world until the necessary searchings have taken place to enable him to be perfectly sure that there is not a similar patent on record in any of the outside countries to which he is going. The whole process at the present time means delay, it means expense, and there is nothing in the wide world to be gained by it as far as I can judge, and an enormous amount of good would arise if we had uniformity in the matter.

So with the opposition to patents. There ought to be no difficulty whatever throughout all portions of the British Empire to have uniformity as to what is required to oppose any proposed patent that is applied for. Now every country is different, there is not a single one alike, and, speaking generally, the systems right throughout the Empire are different. I think that if the Conference were to agree to a resolution that in form and substance as far as practicable we should have uniformity of law on a matter such as this, it would certainly