

- (c.) The section in the Act enabling the Court to make an order that when an invention is manufactured exclusively or mainly outside, and not to an adequate extent in, New Zealand, the patent shall not be infringed by any one manufacturing or vending the article in New Zealand, and thus restricting the patent to articles imported from abroad, does not come into effect until four years from the date of the patent and two years from the commencement of the Act on the 1st July, 1912, so no proceedings have yet been taken thereunder. Following the example of the English Patent Office, this Office has issued circulars to patentees calling their attention to the provision on the subject.
- (d.) For the first time the law makes provision for the Office investigating the novelty of inventions, and the question of the extent of the examination to be undertaken is receiving consideration. This Office, as hitherto, looks into the matter as far as possible with the staff available, but the examination it is able to make is at present very meagre, and inventors should endeavour to ascertain for themselves how far their inventions are new or not before applying for letters patent.
- (e.) The alteration in the fees has so far not materially affected the receipts, and will not do so for some little time yet.

As to designs.—The provision for extending the term of five years under the old Act by five years, and, at the discretion of the Registrar, by a further five years, making fifteen years in all, and the substantial reduction effected in the fees, has not led to any very marked increase in the small number of registrations, and I think this form of protection can be regarded as of very little value except in manufacturing countries, and even there it does not appear to afford unmixed satisfaction.

As to trade-marks.—The widening of the definition of a registrable mark has enabled a number of marks to be registered, which, though capable of satisfactorily serving their purpose by distinguishing the goods to which they were applied, were not hitherto eligible.

The Act also now enables marks which even do not come within the extended definition to be declared distinctive by the Court on its being satisfied that use or other circumstances has rendered them such, and two cases which were brought before the Court were proceeded with in accordance with this provision.

General.—All notices under the Act are now inserted in a separate *Journal* issued by the Office. This publication, without being any more costly, is a decided improvement on the special Supplement to the *Gazette*, in which the notices formerly appeared, and the printing, reproductions of the drawings, and the *Journal* generally reflect the greatest credit on the Government Printing Office.

The *Journal* is sent to all libraries in New Zealand willing to keep it available for free public inspection, as well as to a number of similar institutions in Australia. Steps are also being taken to issue it to the leading libraries in Great Britain, the United States, and other countries, and it is expected that this Office will receive similar publications in exchange from those places which are not already furnishing them.

Examination of Patent Agents.—In accordance with the regulations under the Act, candidates are now examined by the Registrar and two other examiners appointed by the Minister. The Office is indebted to those gentlemen who formerly conducted the examination, as well as to those who have since kindly consented to act with the Registrar in the matter.

PROCEEDINGS DURING THE YEAR.

The total number of applications in respect of patents, designs, and trade-marks was 2,560, of which 1,303 were received in the first half of the year, and 1,257 since the present Act came into force on the 1st July last. No appreciable difference is shown in the number of applications in the past three years, 2,695 being received in 1910, and 2,622 in 1911, as compared with 2,560 in 1912.

The revenue, chiefly as the result of a slight increase in the initial fees, amounted to £6,756 7s. 11d. in 1912, being an increase of £221 1s. 11d., or 3 per cent. on the total for the previous year. Of the past year's total £3,249 1s. 8d. was received up to the 30th June, and £3,507 6s. 3d. since the commencement of the new Act on the 1st July. The expenditure, £2,989 3s. (of which £1,050 5s. 8d. was in respect of work by the Government Printing Office) exceeded the previous year's by £548 4s. 5d., the increase being chiefly due to printing, &c., in connection with the new Act, which is not recurring, to the unusually large number of English and other specifications bound during the year, and to extra clerical assistance.

Details of the expenditure are given in Table A in the Appendix, and a summary of the revenue and expenditure for the last eight years in Table B.

PATENTS.

The number of applications for patents was 1,737, as compared with 1,740 for 1911; 972 (1,061)* being lodged with provisional specifications and 765 (679) with complete specifications, while 309 (346) complete specifications were lodged during the year for applications with which provisional specifications had already been filed.

The total number of specifications for the year was 2,046 or 40 less than for 1911, a decrease of 1·9 per cent.

Little variation is shown in the number of applications received during recent years, and this has also been the case in England, Australia, and some other countries.

* Where figures are followed by others in parentheses the latter are those for the previous year (1911) throughout this report.