

1915.
NEW ZEALAND.

PATENTS, DESIGNS, AND TRADE-MARKS.

TWENTY-SIXTH ANNUAL REPORT OF THE REGISTRAR.

Presented to both Houses of the General Assembly pursuant to Section 113 of the Patents, Designs, and Trade-marks Act, 1911.

IN pursuance of the requirements of the Patents, Designs, and Trade-marks Act I have the honour to submit my report on the proceedings thereunder during the year.

The number of applications during the year was 2,316, 311 less than in the previous year. The revenue, £7,572, exceeded that for 1913 by £458 13s., and the expenditure was £564 15s. higher than in that year. The increase in the latter was due chiefly to the appointment of a Deputy Registrar, a position provided for by the Act, but not filled since 1907, on the promotion of the officer then holding it to the Registrarship. Ordinary additions to salaries according to scale, and the somewhat larger amount than usual spent in binding specifications, also served to increase the amount. Some items of expenditure are included which do not appear in previous years' totals. In accordance with the Act, the Court, in a proceeding for infringement, may call in the aid of an assessor, whose remuneration shall be paid as part of the expenses of administering the Act, and £43 3s. 4d. was incurred in the one case in which such assistance was employed.

Furniture, stores, &c., are also charged, thus accounting for the first time for all expenditure in connection with the Office. It will be noticed that £1,129 2s. 4d., or 32 per cent., was in respect of work done and stationery supplied by the Government Printing Office.

The total amount received in fees since the foundation of the Office is approximately £89,785, and the amount received over that expended since the 1st January, 1890, is £67,327.

THE WAR AND LEGISLATION.

The effect of the war has been felt by the Office in the fewer applications recorded, the number for the last four months amounting to only 20·33 per cent. of the year's total. While this has involved a falling-off in the fees payable on filing, it is noteworthy that the payments for the renewal of existing patents has been fully maintained.

Under the special legislation passed last session rules have been made enabling the Governor in Council to order the avoidance or suspension of patents or trade-marks of subjects of a State at war with His Majesty. No application has so far been received for the avoidance or suspension of any patent or the grant of a license thereunder, but applications have been made for the avoidance or suspension of the registration in New Zealand of two trade-marks of German proprietary. In each case suspension in favour of the applicants has been approved, subject to certain conditions. The Act has also enabled rules to be made for the suspension of proceedings in respect of applications for patents or registration of trade-marks of enemy subjects. No such applications are accepted or patents issued, but a special license permits the payment of renewal fees, and in these cases they are accordingly received and recorded.

The regulations under the Act further enable the time for filing any document or paying any fee to be extended where a person has been prevented from doing so by reason of active service, enforced absence from the country, or from any other circumstances arising from the present state of war. An extension may also be granted for any act the doing of which would by reason of the circumstances arising from the present state of war be prejudicial to the rights or interests of any applicant or proprietor. Copies of the regulations and of the license referred to will be found in the appendix.

The legislation on the subject corresponds to that in force in Great Britain, where it may be mentioned 172 applications for licenses of patents have been granted and 20 applications have been refused.