

one interested, may appear at the hearing in opposition to the application, provided that notice of his intention so to appear be given in writing to the Registrar at the Patent Office before the date of the hearing.*

Nos. 7 and 8.

1. During the continuance of the war no patent will be sealed, and no registration of a trade-mark will be granted, to a subject of any State at war with His Majesty (hereinafter called "such subject").

The term "such subject" will be taken to include (a) a firm which by reason of its constitution may be considered as managed or controlled by such subjects, or the business whereof is wholly or mainly carried on on behalf of such subjects; (b) a company which has received its constitution in an enemy's State; (c) a company registered in His Majesty's dominions the business whereof is managed or controlled by such subjects, or is carried on wholly or mainly on behalf of such subjects.

2. As regards applications for patents or trade-marks, no distinction will in the first place be drawn between those made by such subjects and those made by other persons. All proceedings thereunder will be carried on as usual down to the time of acceptance, but in the case of applications by such subjects formal acceptance will not be issued.

3. Applicants who fail to conform to the provisions of the Patents, Designs, and Trade-marks Act, 1911, and the rules made thereunder, will run the risk of losing their rights, unless they are able to bring themselves under the provisions of Rule 8 of the rules set out above. Applications under Rule 8 (a) should be made and will be considered at such time as the applicant, patentee, or proprietor of a design or trade-mark, as the case may be, is in a position to do the said act or file the said document as aforesaid. Applications under Rule 8 (b) should be made before the date for the doing of any such act.

4. As regards oppositions to the grant of patents and the registration of trade-marks, arising after the commencement of war, (a) opposition by such subjects where the grant or registration opposed is one to a British citizen or alien friend will not be entertained; (b) in the case where the grant or registration opposed is a grant or registration to any such subject, the notice of opposition will be accepted, but all further proceedings will be suspended until the end of the war.

5. As regards inventions for which patents are applied for by the nominee or assignee of the inventor, or some person deriving the invention from such actual inventor, these will be treated in the same manner as if made directly by the inventor.

PATENTS (TEMPORARY) REGULATIONS, 1914.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House at Wellington, this fourteenth day of December, 1914. Present: His Excellency the Governor in Council.

IN pursuance and exercise of the power and authority conferred upon him by the Patents, Designs, and Trade-marks Amendment Act, 1914, and of all other powers enabling him in that behalf, His Excellency the Governor of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the following temporary regulations relating to patents; and doth declare that this Order shall come into force on the seventeenth day of December, one thousand nine hundred and fourteen.

REGULATIONS.

1. The Governor-General may, on the application of any person, and subject to such terms and conditions, if any, as he may think fit, order the avoidance or suspension, in whole or in part, of any patent or license granted to a subject of any State at war with His Majesty; and the Governor in Council, before granting any such application, may require to be satisfied on the following heads:—

- (a.) That the patentee or licensee is the subject of a State at war with His Majesty;
- (b.) That the person applying intends to manufacture, or cause to be manufactured, the patented article, or to carry on, or cause to be carried on, the patented process;
- (c.) That it is in the general interests of the country or of a section of the community or of a trade that such article should be manufactured or such process carried on as aforesaid.

2. The fee to be paid on any such application shall be that specified in the First Schedule to these rules, and the fee payable on depositing foreign documents or other papers for the purpose of a record not already provided for under the Patents, Designs, and Trade-marks Act, 1911, shall be that specified in the First Schedule to these rules.

3. An application under this section must be made on Patents Form No. 22 contained in the Second Schedule to these rules, and shall be filed at the Patent Office.

4. The Governor in Council may at any time, in his absolute discretion, revoke any avoidance or suspension of any patent or license ordered by him. Such revocation may be subject to the right of any person or persons manufacturing the invention to continue to do so on the payment by the patentee to such person or persons of compensation for the stoppage of such manufacture.

* Provisional only—subject to confirmation.