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Consumer and
Corporate Affairs Canada

Consommation
et Corporations Canada

Patents: an introduction

Montreal, Quebec
5th Dec 1852

Sir,
Mr. Helyar is anxious to apply for a
Patent for an improvement in the
drawings for which he has prepared
Helyar has been employed in the
of Valuing which he has employed
Machinist has made the application for a Patent for
the same.

I have no objection to believe that Helyar
is the author of the invention, and it would be well to express
this fact in a declaration of the invention being his,
as it is a matter of fact and not a matter of opinion.
I have no objection to the application for a Patent
being made by Helyar, and I have no objection to the Patent
being granted to him.

Any information as to facts if necessary
will be provided and forwarded by me to you, should
you desire it.

I am Sir
Your Most Obedt. Servt.
William P. Phipps,
Notary Public

J. D. Harrington Esq.
London

Patents: an introduction



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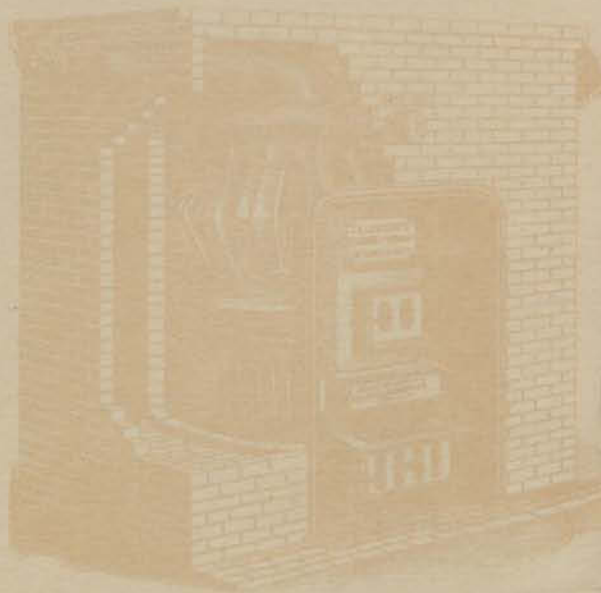
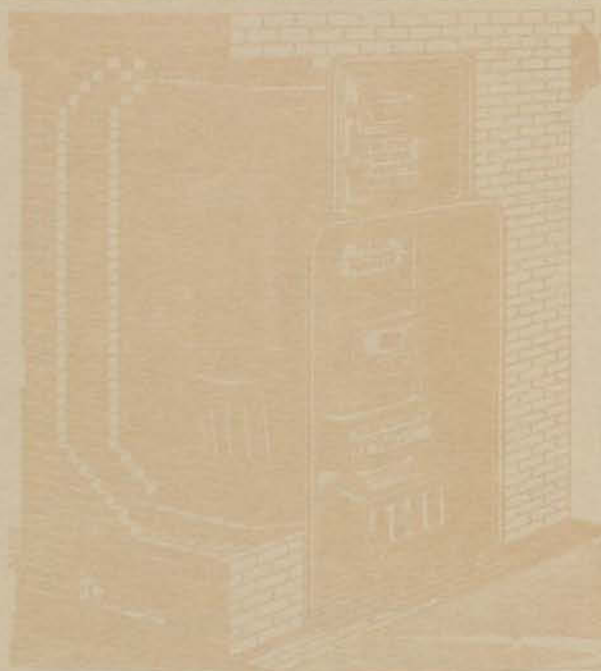
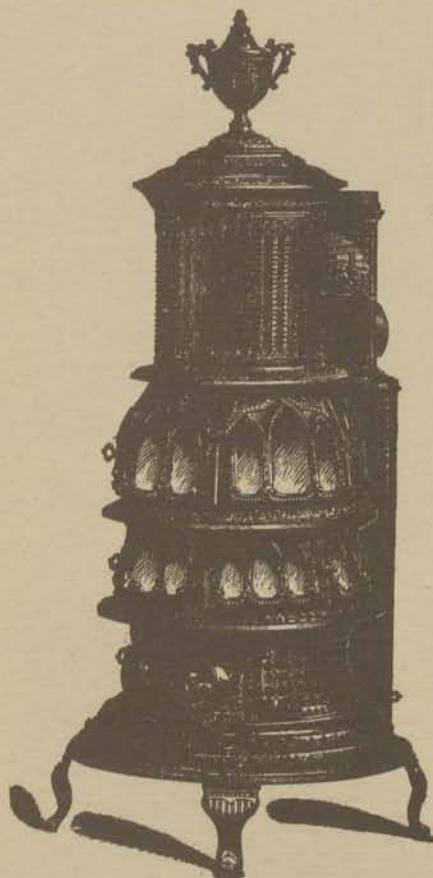
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The purpose of this booklet

The purpose of this booklet is to provide some general information on patents and patenting procedures in Canada, and the Canadian Patent Office.

This booklet is not intended to be a comprehensive text on patent law; such texts are available at many public libraries. Nor is it intended to be a substitute for the kind of detailed professional advice you will need from a registered patent agent (referred to on page 9) on particular problems relating to your invention. The purpose of this booklet is to answer some of the general questions commonly asked by students, applicants for patents, and others interested in patents.

More detailed information on patenting procedures may be found in the "Patent Rules" and "Manual of Patent Office Practice" (referred to on page 23).



PATENT SAFETY COUPLING.

The Canadian Patent Office

The Canadian Patent Office is part of Consumer and Corporate Affairs Canada, the federal department responsible for formulating and enforcing laws to ensure fairness in the marketplace for all Canadians who participate in it. Within this department the Patent Office is part of a larger agency called the "Bureau of Intellectual Property" which is responsible not only for patent rights, but all intellectual property rights including copyright, industrial designs, trade marks, and timber marks.

The primary role of the Patent Office is to secure the rights of inventors by granting patents for the protection of their inventions.

The Patent Office examines applications for patent and grants patents for inventions if, in law, the applicants are entitled to them; it publishes and disseminates patent information; records assignments of patents; maintains search files of Canadian and foreign patents and a search room for public use in researching issued patents and records; and offers copies of patents for sale to the public.

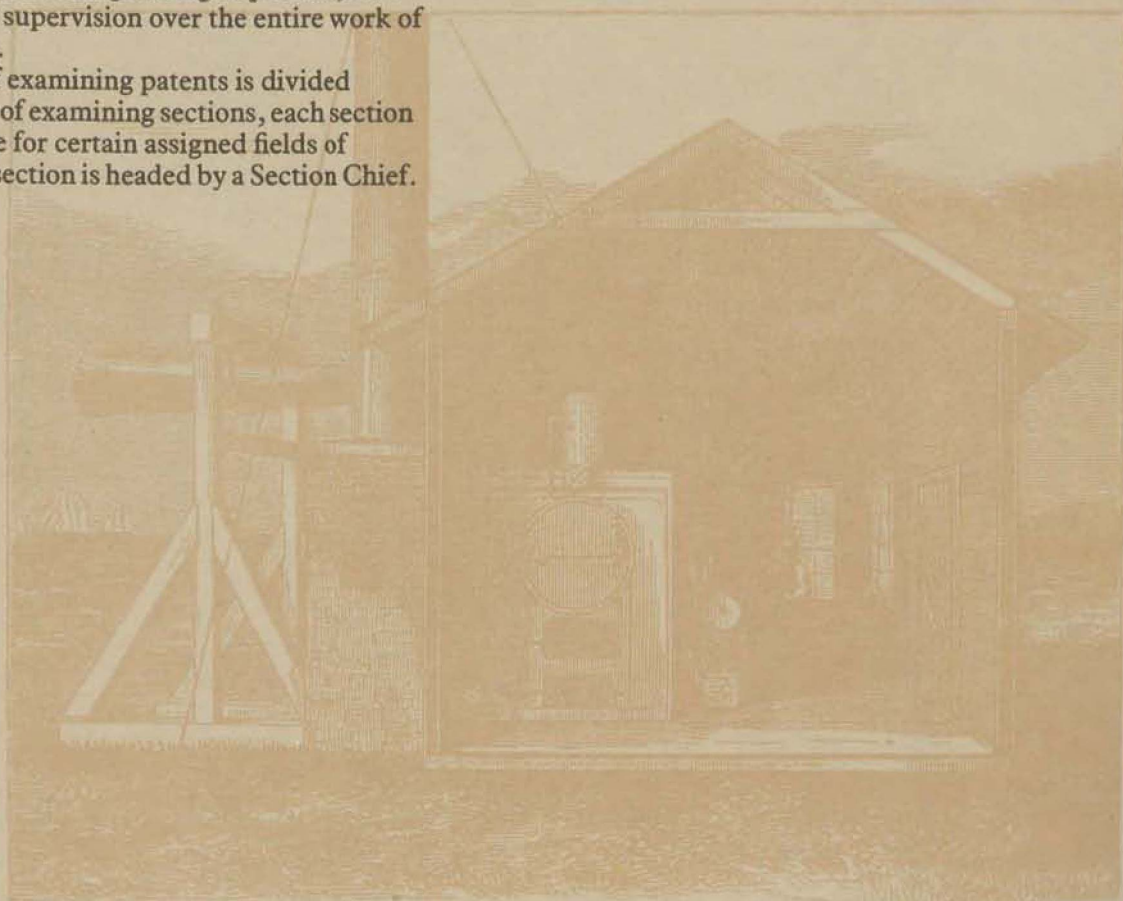
The Patent Office functions under the direction of the Commissioner of Patents, who superintends all activities related to the granting of patents, and exercises general supervision over the entire work of the Patent Office.

The work of examining patents is divided among a number of examining sections, each section being responsible for certain assigned fields of invention. Each section is headed by a Section Chief.

The examiners examine the applications for patent by studying the inventions to see if they are new, useful and inventive, in order to determine whether a patent should be granted. The applicant for a patent may appeal an examiner's final decision by asking for a review by the Commissioner of Patents, and the case is then reviewed by the Patent Appeal Board. The examiners also determine whether conflict exists between two or more applications, and institute conflict proceedings when conflict exists.

In addition to the examining sections, the Patent Office has a number of sections which perform various services such as receiving new applications, inspecting drawings, receiving and distributing mail, handling sales of printed copies of patents, and recording assignments.

At the present time the Patent Office has about 350 employees, of whom about half are examiners with extensive technical and legal training. Patent applications are received at the rate of about 25,000 per year.



Correspondence with the Patent Office

Business with the Patent Office should normally be done in writing. All correspondence should be addressed to: The Commissioner of Patents, Consumer and Corporate Affairs Canada, Ottawa, Ontario, K1A 0C9.

When enquiring as to the status of a pending application, the applicant should give the serial number of the application, the applicant's name, and the title of the invention.

If a patent agent has been hired, all correspondence on the patent application will be conducted through the agent.

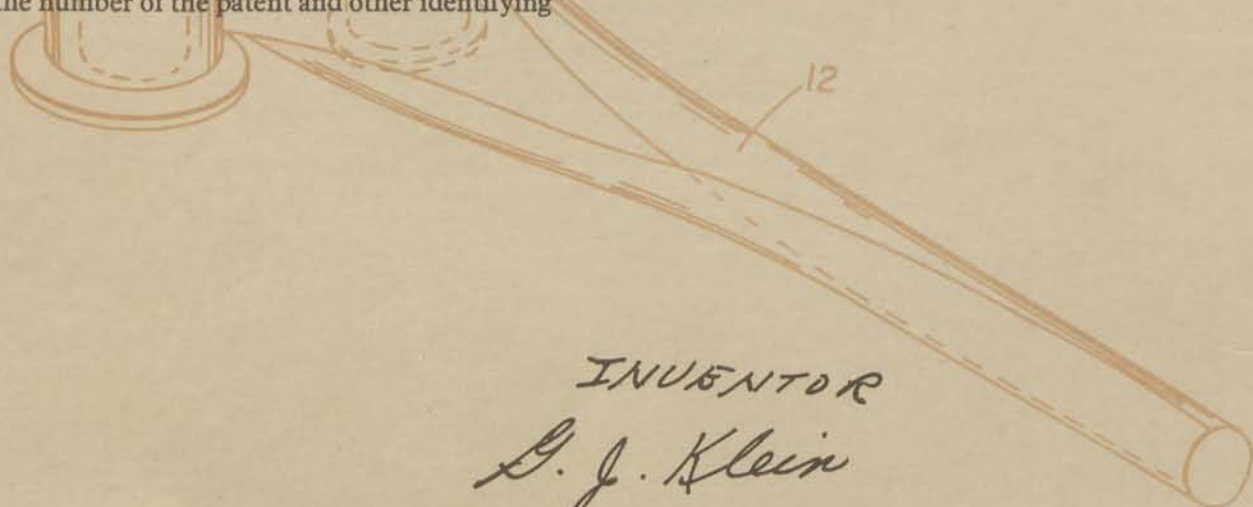
Personal interviews with patent examiners, to discuss applications for patent, should normally be pre-arranged by appointment to enable the examiner to review the application prior to the interview.

An application for a patent is held in strict confidence by the Patent Office, and is available to no one other than the applicant or his agent.

Once the application has issued to patent, it and related records, including records of any decisions, the records of assignments other than those relating to assignments of patent application, and other records and papers in the Patent Office are open to the public. They may be inspected in the Patent Office and copies may be ordered. Copies of Canadian patents and some foreign patents may be ordered from the Patent Office. When ordering copies of patents cited in an examiner's report, state the number of the patent and other identifying

information given in the report. The cost is one dollar (\$1) per printed copy of any Canadian patent having a number higher than 445,930, and 25 cents per page for other patents.

The Office will respond to all enquiries requesting information of a general nature. The Office however cannot advise whether a patent application should be filed; give advice as to the novelty and patentability of an invention prior to the filing of the application; provide information as to whether or to whom a patent for any alleged invention has been granted; give advice as to possible infringement of a patent; or act in any way as an interpreter of the patent law or as a counselor for individuals, other than in matters relating to the prosecution of regularly filed applications for patent.



INVENTOR

G. J. Klein

PATENT AGENTS

Smart & Biggar

What is a patent?

A patent is a grant by the Canadian government giving the patentee the sole right to make, use and sell the invention for a period of 17 years. The patent holder is thus the owner of an "intellectual property" conceived by the exercise of intellectual creativity. The right conferred by a Canadian patent extends throughout Canada, but not to foreign countries. Patent rights in other countries must be applied for separately. Conversely, foreign patents do not protect an invention in Canada.

After the 17 year term has expired, anyone may make, use or sell the invention.

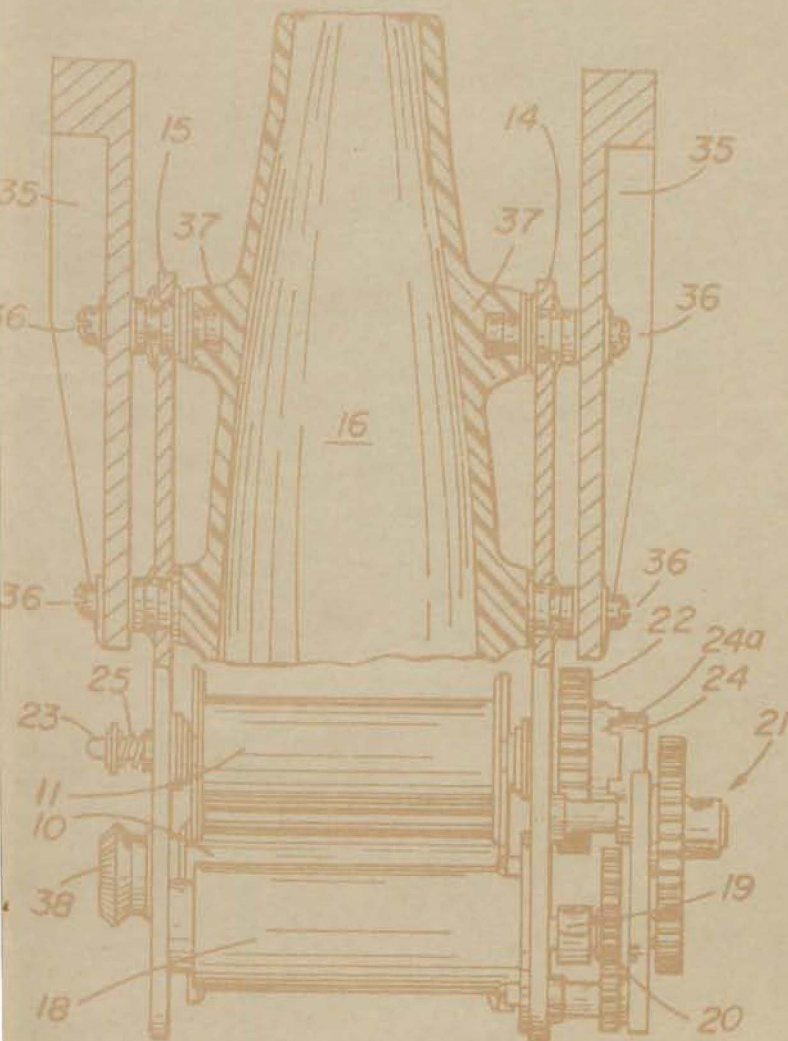


FIG. 3

What can be patented?

Patents are granted for products, compositions, apparatuses and processes that are: a) *new* (first in the world) ("novelty"); b) *useful* (functional and operative) ("utility"); c) *inventive* (unobvious relative to what was previously known) ("inventive ingenuity").

A patent is granted only for the physical embodiment of an idea, or for a process that produces something saleable or concrete. *Not* patentable are scientific principles, abstract theorems, mere ideas, methods of doing business, a computer program per se, and medical methods for treating the human body. Also unpatentable are inventions having illicit or immoral purposes.

Patents are occasionally confused with copyright, industrial designs, and trade marks which, like patents, are rights granted for intellectual creativity and are also forms of "intellectual property." *Patents* are for structure and function, whereas: *Copyright* is for literary, artistic, dramatic, and musical works; *Industrial Designs* are for the shape, pattern or ornamentation of an industrially produced object (called "Design Patents" in the U.S.); and a *Trade mark* is a word, symbol, or picture or a combination of these used to distinguish goods or services of a person or organization from the goods or services of others in the market place.

a) Novelty

The applicant for a patent must be an original inventor (or assignee of the inventor). He cannot obtain a valid patent if a prior inventor has previously disclosed the invention anywhere in the world.

The invention must not have been used publicly in Canada more than two years before the patent application is filed.

Publication of the invention more than two years before the patent application is filed, whether in patents, periodicals, technical articles or elsewhere, is an absolute bar to obtaining a valid patent in Canada.

b) Utility

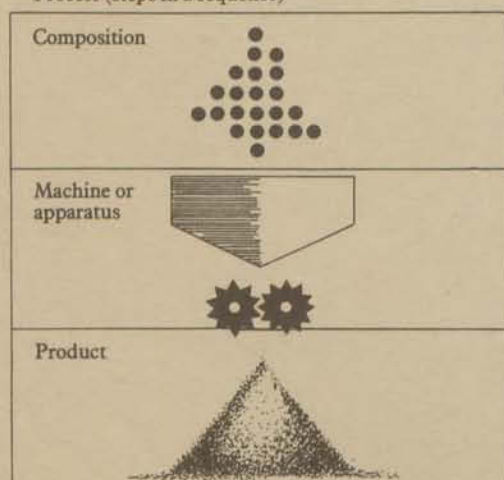
The Patent Office will not issue a patent on something that doesn't work, or to which no use is either disclosed or inherent. For example, if it seems to the patent examiner that the invention is a perpetual motion machine, the examiner will ask for a working model to demonstrate that the machine really works.

c) Inventive Ingenuity

To be patentable, an invention must be a development or improvement that would not have been obvious beforehand to workers of average skill in the technology involved.

Routine workshop changes, normally expected from people of average skill in the subject, are not patentable. However when, for example, the Canadian inventors Banting and Best discovered insulin, it was considered patentable because of the unobvious and unexpected properties the insulin possessed for treating diabetes.

Process (steps in a sequence)



Registered patent agents

The preparation and prosecution of patent applications require an extensive knowledge of patent law and Patent Office practice, and it is recommended that inventors engage a registered patent agent to handle such matters. The inventor is permitted to prepare and prosecute his own application for a patent if he wishes, but unless he is familiar with patent law and practice, he may run into difficulties. Furthermore, even if he gets a patent, if it has not been drafted with skill it may not protect the invention adequately.

Most inventors do, in fact, employ registered patent agents to obtain their patents. Registered patent agents must pass an examination in patent law and practice before they are permitted to represent inventors before the Patent Office.

Some individuals or organizations advertise their services in the field of patent searching and patent promotion, while not being registered as

patent agents. Such individuals and organizations cannot prosecute patent applications before the Patent Office, they are not subject to Patent Office regulations, and the Patent Office has no control over them.

The Office cannot recommend any particular registered patent agent to the inventor. A list of registered patent agents may be obtained from the Patent Office; also, the Yellow Pages in telephone directories in larger cities indicate who are registered patent agents in that locality.

After a patent agent has been appointed by the inventor, the Office corresponds only with the patent agent with respect to the prosecution of the application.

The Commissioner of Patents has the right to remove from the register the name of any patent agent for reasons of misconduct.

The fees of patent agents are not regulated by the Patent Office and should be agreed upon by the agent and the inventor beforehand.

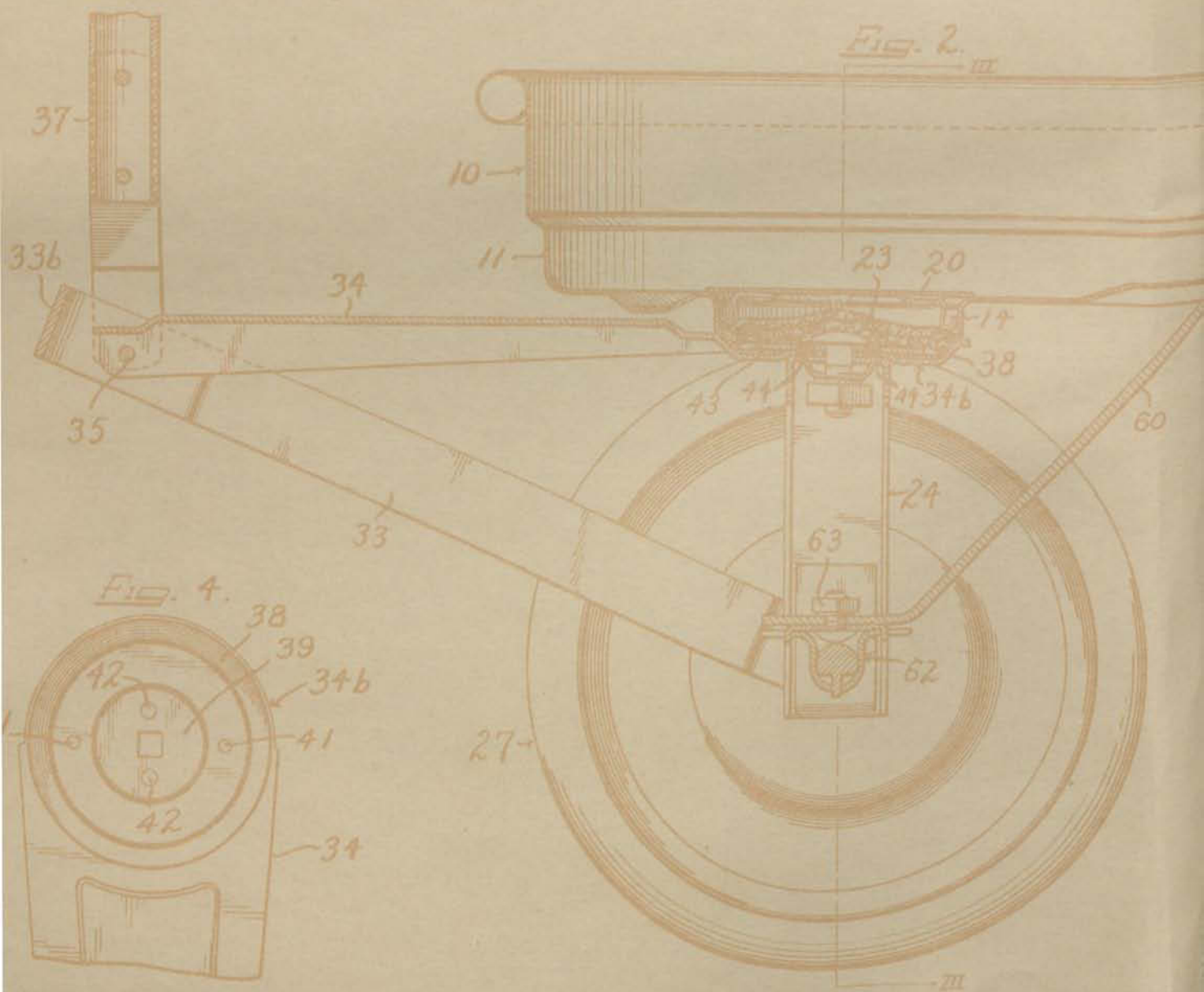


The preliminary search

After explaining your invention to your patent agent, he will normally recommend a preliminary patent search. The search may reveal that the invention cannot be patented, thus saving cost of preparing and filing a patent application.

You can do the preliminary search yourself — the Patent Office is open to the public — but you will likely need professional help in determining if your invention is patentable over related patents located in the search.

A preliminary search in any event is not necessarily conclusive as to the patentability of an invention. The Patent Office examiner may reject claims in an application on the basis of prior patents or literature not found in the preliminary search.



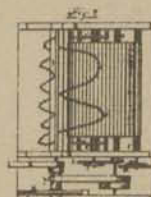
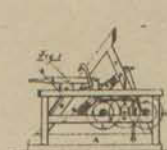
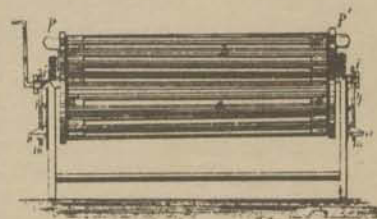
Searching at the Patent Office

The Patent Office at Place du Portage, Victoria Street, Hull, has available for public use copies of over one million Canadian patents. The patents are arranged according to the Patent Office classification system of over 300 subject matter classes, which are further subdivided into over 30,000 sub-classes.

For the first-time visitor to the Patent Office who finds so many patents on file, the search may seem an awesome task. However, you may obtain expert advice on where to find patents related to your invention by visiting the Classification and Search Systems Division on the 10th Floor in Place du Portage. Although they are not permitted to do the search for you, the Classification examiners will assist you in deciding which classes and sub-classes should be searched.

Also available to the public in the Patent Office Search Room (11th Floor) are about four million United States patents.

The Patent Office is open from 8:30 a.m. until 4:45 p.m. Monday through Friday except on legal holidays.



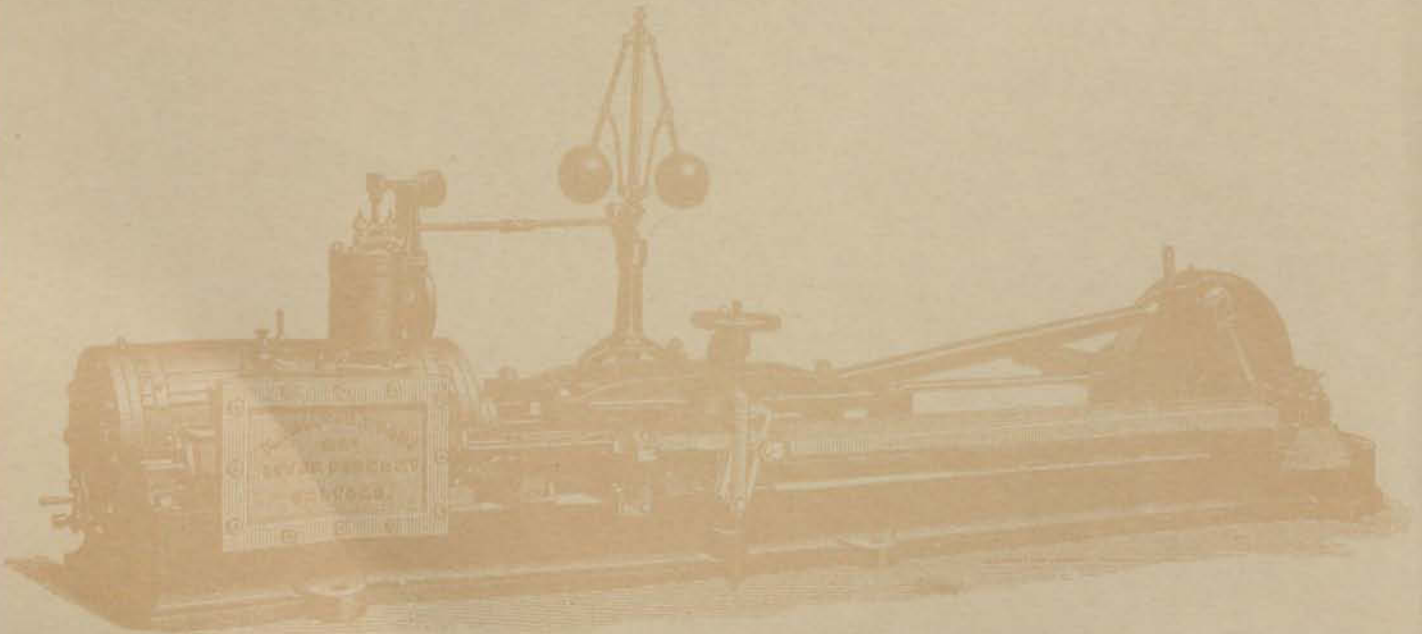
When to apply for a patent

In Canada a patent application must be filed within two years after the invention has been published or used publicly. U.S. patent law requires filing there within one year of sale or publication in that country. In some other countries the application must be filed before use or written disclosure anywhere. Care must be taken then, to ensure that applications in Canada and other countries are not filed too late.

On the other hand, filing too soon, when the invention is still being developed, may mean that the application may not include essential features which may be difficult to add to the application later. In that event it may be necessary to abandon the application in favor of a new one, thus adding to the expense.

It is the responsibility of the applicant to decide when to apply to the Patent Office for a patent (called "filing the application" by patent practitioners), taking into account the factors mentioned above.

SIR WILLIAM LOGAN, LL.D., F.R.S., F.G.S.



Preparing a patent application

A patent application consists of an abstract, a specification and drawings.

The *abstract* is a brief summary indicating the utility of the invention and the manner in which it is distinguished from other inventions.

The *specification* comprises: a) a clear and complete written *description* of the invention and the manner in which it is useful; and, b) *claims* which define in a precise manner the exact boundary of the intellectual property which the applicant claims to own.

The patent law requires that the specification be so clear and complete that any person with average skill in that technology may make and use the invention.¹

The claims are the most important part of the patent. They define the boundaries of the patent protection and, as such, fix the amount of protection granted to you by the patent. The difficult job in drafting the claim is to find the features that distinguish your invention from earlier ones, and then to prepare claims which define the invention in terms broad enough to provide proper protection while still

including at least one feature to distinguish the invention from earlier ones.

a) The Format of the Application

Since a patent itself is merely a printout of the application allowed by the Patent Office, you may see from an issued Canadian patent the general layout required for the application.

The form of the application is prescribed by the patent law. Form 22 of the Patent Rules is reproduced below.

Form 22

Abstract

In a tool for driving posts, it is known to have a guide depending from the hammer to freely embrace the post and slide longitudinally on it. In this invention, handles are secured to the guide such that they extend lengthwise along the outside of it. The tool with the handles may have a lighter hammer and thus may be manually operated since the handles enable the operator to use his own strength to bring the hammer down on the post and hold it against rebound. The guide may have filling pieces secured to the inside to adapt its cross section to the cross section of the post being driven.

Specification

The specification shall begin immediately following the abstract or at the top of a new page and shall consist of unnumbered paragraphs in which the following matters shall be dealt with in approximately the following order:

1) The general character of the class of article or the kind of process to which the invention (i.e. the inventive idea) relates.

"This invention relates to a manually operable tool for driving posts into the ground."

2) The nature in general terms of the articles or processes previously known or used which are intended to be improved or replaced by resort to the invention and of the difficulties and inconveniences which they involve.

"It is common in devices for driving piles and posts to pull up a weight or hammer, e.g. by a cable and overhead pulley arrangement, and drop it onto the end of the pile or post. It is, of course, necessary that the hammer strike the pile or post squarely, and it has been proposed to provide the hammer with a depending guide which freely embraces and may slide up and down on the post to be driven. Tools of this type are, however, inefficient because the rebound of the hammer results in a loss of energy and a tendency to split the end of the post. They are, moreover,

unsatisfactory for manual operation, because the hammer must be heavy to be effective, and the power of the operator is used only in raising the heavy hammer."

3) The inventive idea which the new article or process embodies, and the way in which resort to it overcomes the difficulties and inconveniences of previous practices or proposals.

"I have found that these disadvantages may be overcome by providing a number of handles secured to the guide and extending lengthwise along the outside of it. Such handles permit the use of a lighter hammer and the elimination of the overhead arrangement, secure a greater effect for the same amount of energy, and reduce splitting of the post, since the power of the operator of the device is used not only to raise the hammer but also to bring it down on the post and hold it against rebound."

4) A full description of the best way of using or putting into operation the inventive idea. If there are drawings, the description should be preceded by a list of these drawings and should be related to them by the use of the numerals which appear upon them. The form of the list and of the description is illustrated by the following:

"In drawings which illustrate embodiments of the invention,

Figure 1 is an elevation partly in section of one embodiment,

Figure 2 is a top view of this embodiment,

Figure 3 is a section of the line III-III of Figure 1, and

Figure 4 is a plan view of another embodiment having only two handles.

The tool illustrated comprises a guide 1 which is adapted freely to embrace and slide up and down on a post A which is to be driven. It may be of any suitable cross section, but, in the form shown, is a cylinder open at the bottom and closed by a plug 2 at the top which may be the top of the device. The plug 2, which acts as a hammer, fits within the cylinder 1 and flanged at its edge so as to lie flush with the outer wall of the cylinder. Extending lengthwise of the guide 1 are handles 3 which may be formed

b) Drawings

The application must include a drawing whenever the invention can be shown by one. This would include almost all inventions except compositions of matter or processes, but a drawing may also be useful in the case of a process.

The drawing must show every feature of the invention defined by the claims. Very specific, detailed, uniform standards are required as to page size, quality of paper etc., so that issued patents may be of uniform style to be easily read and understood.

Drawings must meet the following requirements:

- 1) *a)* every sheet shall be eight inches wide and thirteen inches long and shall have a clear margin of at least one inch on all sides; *(b)* every drawing shall be prepared with clear, permanent black lines, and India or carbon ink of good quality shall be used for pen drawings; *(c)* all views on the same sheet shall stand in the same direction and, if possible, stand so that a shorter side of the sheet is the bottom; if a view longer than the width of a sheet is necessary it may stand so that the right-hand longer side of the sheet becomes the bottom, and if a view longer than the length of a sheet is necessary it may be divided between two or more sheets; *(d)* all views shall be on a sufficiently large scale to be easily read and shall be separated by sufficient spaces to keep them distinct, but shall not be on a larger scale or separated by greater spaces than is necessary for such purposes; there shall be no more views than are necessary to illustrate the invention adequately; *(e)* section lines, lines for effect and shading lines shall be as few as possible and shall not be closely drawn; sections and shadings shall not be represented by solid black or washes; *(f)* reference characters shall be clear and

from metal tubes, as shown or may, if desired, be made from rods or bars covered with wood facings.

The handles 3 are secured at their upper ends to bridge pieces 4, e.g. by welding, and the bridge pieces 4 are secured as by welding to the plug 2. At their lower ends the handles 3 are flattened for engagement between two arms of a sectional clamping ring 5 fitting around the guide 1 and clamped to it by bolts 6. The lower ends of the handles are extended below the clamping ring, as indicated at 7, for the attachment of extension members (not shown) and, for this purpose, bolt holes 8 are provided in the extensions 7.

In order to adapt a guide of circular internal cross section to a square post, segmental filling pieces 9 having their flat faces facing inwards may be secured inside it, the distance between opposed flat faces being slightly greater than the thickness of the post. Two filling pieces may be used as shown in Figure 3, but four may be used if desired.

In the embodiment shown in Figure 4 there are only two lateral extending handles instead of four as in Figures 1-3, but otherwise the construction may be the same as that described above."

5) If desired, other ways in which the inventive idea may be used or put into operation.

There should then follow an introduction to the claims in these words appearing at the top of a new page:—

"The embodiments of the invention in which an exclusive property or privilege is claimed are defined as follows:"

The claims should begin on the same page immediately following this introduction.

The following examples illustrate the general form which the claims should take:

(a) In the case of an apparatus —

1. A manually operable tool for driving posts into the ground, comprising a hammer, a depending guide adapted freely to embrace and slide up and down on the post to be driven, and handles extending

lengthwise outside of the guide and rigidly secured thereto.

2. A tool as defined in claim 1, in which the guide is a cylinder closed at the top by the hammer.

3. A tool as defined in claim 1 or claim 2, in which the guide has filling pieces secured to it in order to adapt its internal cross section to the cross section of the post to be driven into the ground.

(b) In the case of a process —

1. A process for cleaning the surface of a metal, which comprises converting contaminating matter by chemical attack to a residual film which is readily removable by anodic treatment, and removing the formed film by connecting the metal as an anode in an electrolytic system.
2. A process as defined in claim 1, in which the metal to be cleaned is iron or steel and the chemical attack consists of treatment of the metal surface with a strongly oxidizing acid.
3. A process as claimed in claim 2, in which the residual film is removed in an electrolyte comprising one or more acids or salts thereof.

(c) In the case of an article —

1. An insulated electric conductor comprising a metal sheath, at least one conducting core and, between the core and the sheath, highly compacted mineral insulation constituted by a mixture of two or more pulverulent mineral insulating materials at least one of which will, on exposure to the atmosphere, cause the formation, over the exposed area, of a skin or layer which is substantially impermeable to moisture.
2. An insulated electric conductor as defined in claim 1, in which the insulating materials are calcium oxide and magnesia.
3. An insulated electric conductor as claimed in claim 2, in which the proportion of calcium oxide in the mixture is between 25 per cent and 40 per cent.
4. An insulated electric conductor as defined in claim 1, 2, or 3, in which the insulation resistance is not less than 250,000 ohms for an insulation thickness of 1.5 millimetres.

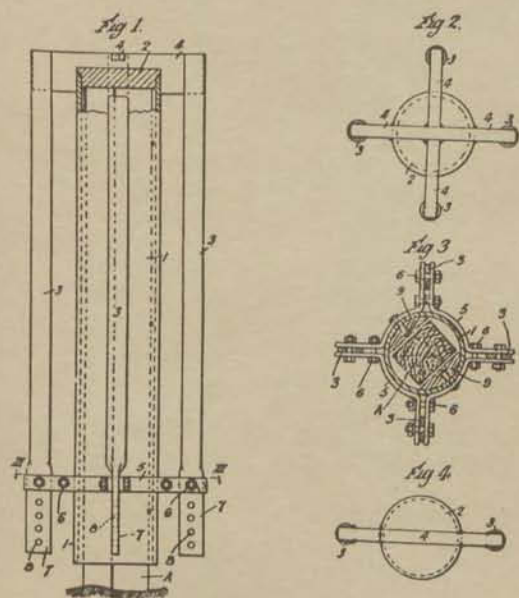
distinct and not less than one-eighth of an inch in height; the same character shall be used for the same part in different views and shall not be used to designate different parts; a character shall be connected by a fine line to the part of the view that it designates; a reference character should not be placed on a shaded surface, but if it is so placed a blank space shall be left in the shading where it appears; (g) the views shall be numbered consecutively throughout without regard to the number of sheets; (h) two copies of each sheet of drawings shall be filed in the Office as follows: (i) one copy shall be on tracing cloth or on strong, pure white paper, and

- 2) Drawings should sufficiently illustrate the invention to be accepted for filing
- 3) Drawings shall be delivered at the Office free of folds, breaks, creases or other imperfections.
- 4) Drawings sent by mail shall be transmitted flat and protected by a sheet of binders board.

c) Assisting the Patent Agent

Inventors may prepare their own applications and apply for patent — but they should know how to define their invention so as to encompass all its aspects. They must be ready to convince the patent examiner that it meets all requirements, and is patentable. As a patent is a legal tool to be used later against people who infringe invention rights, it is important that the patent be written well. As mentioned earlier, it is recommended that inventors use the services of a registered patent agent.

To assist his agent in obtaining the strongest possible patent, inventors should submit to him a carefully prepared statement covering all the following points: 1) Subject matter of the invention; 2) A broad statement of the invention — a single sentence covering the whole range to which it relates; 3) Objects of the invention — the principal practical advantages which it provides over existing practices or products; 4) Preferred practice of the invention, comprising in full detail at least one practical application, and normal variations to be expected. This involves a full statement of materials used, conditions of use or manufacture, and nature and properties of the product; 5) Features of the invention that are new and distinguish it in relation to what was known before, regardless of whether these new features appear to be patentable; 6) The scope of the invention — materials, compositions, conditions, etc., with which good results are obtained; 7) Limitations — a statement indicating whether the results obtained are satisfactory throughout the given range of the invention, or if there are exceptions; 8) Results of laboratory or commercial tests — illustrating both preferred practice (Item 4) and extremes (Item 6), and the unfavorable results outside the range of Item 6, and why the limits given are critical; 9) Lists of patents or technical articles found in any literature search already made, including full details such as name of inventor, number of patent, country and date of issue or name of periodical and date. Indicate the essential similarities and differences of practices or products close to that of your invention; 10) Name, address and citizenship of the inventor; 11) Countries in which applications are to be or have been placed.



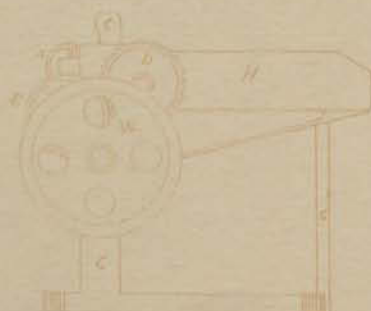
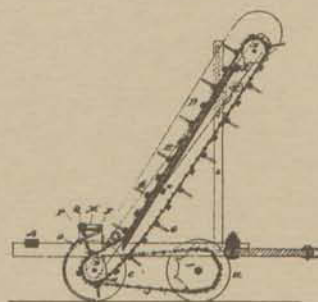
Filing a patent application

If you decide to get a patent, it will be necessary for you to send to the Patent Office a formal application in writing together with a petition requesting the Commissioner of Patents to grant you a patent. This is called *filing* the patent application.

To be accepted for filing the prescribed filing fee must be paid (see page 27), and the following documents filed: a) A petition executed by the applicant or a patent agent on his behalf, (see page 24); b) A specification, including claims (see page 13); c) The drawing or drawings referred to in the specification. Although the requirements for drawings are strictly enforced, a drawing not complying with all of the regulations (on page 14) is accepted provisionally for examination, and formal drawing may be furnished later; and, d) An abstract of the disclosure inserted at the beginning of the specification (see page 13).

Models or specimens of the invention are not to be submitted, unless they are required by the Commissioner.

If the application is accepted for filing, the applicant is advised as to the assigned application number, and the filing date given to it. This is no guaranty that a patent will be granted. It merely indicates that the application is now pending, and at some point the examiner will determine if the patent should be granted.



Prosecution of an application

In patent practice, the term "prosecute" means conducting correspondence with the Patent Office and making amendments to the application to convince the patent examiner that a patent should be granted, and to fix, as a result, the legal scope of patent protection.

An inventor is usually anxious to obtain a patent quickly and may be disturbed by inevitable delay. It must be remembered however that the Patent Office receives about 25,000 applications for patent each year, and the examiner considers cases in the order received. There is always a large number of applications in process. It is not unusual for one and a half to two years to elapse before the Office can examine the application, and two to three years to pass before the patent is granted. In exceptional cases applicants may ask for advanced examination by means of a "Special Order" request, accompanied by an affidavit, outlining sufficiently valid reasons for advancing prosecution. (See fee required on page 27).

The Patent Examiner's Task

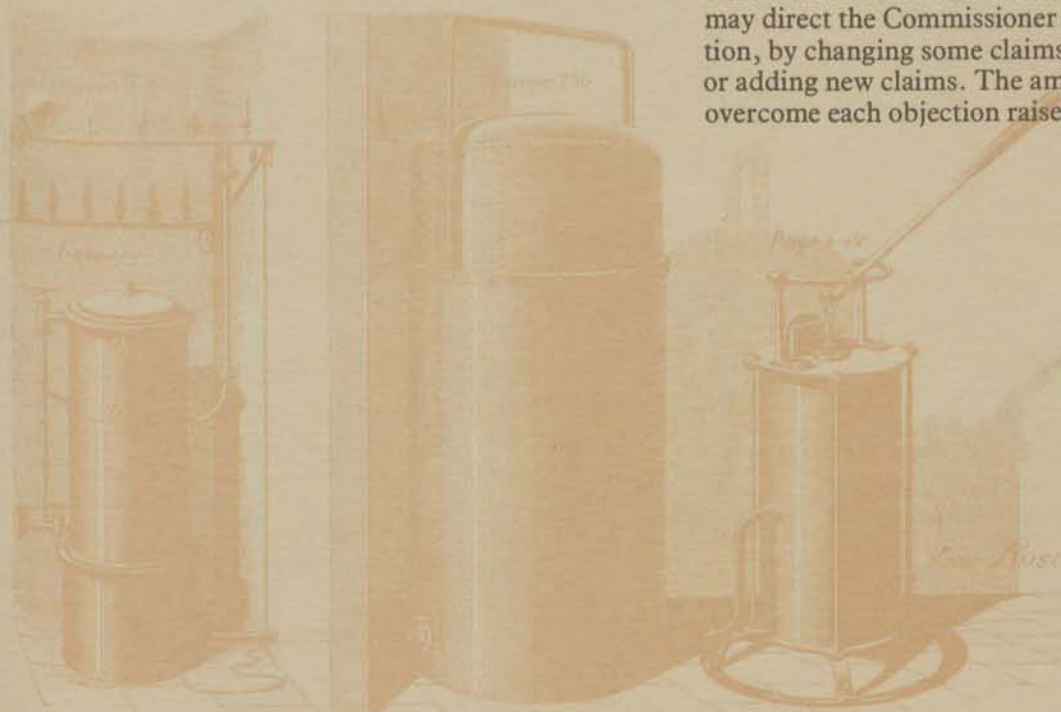
The examiner will assess your application to determine if it is written in proper form, and will then study the claims and make a search among prior patents to find those most closely related to the features covered in the claims. He will then report to the applicant indicating what he finds objectionable.

Patent Office Letter of Rejection

To obtain the fullest possible patent protection, the patent agent may draft claims that are so broad that the patent examiner will hold them to be unpatentable. In the "prior art search" the examiner may locate patents or publications which show every feature of one or more of the claims. Other claims may include some new features which the examiner considers obvious to a person having ordinary skill in the field of invention. The examiner's search often results in the rejection of some claims, while other claims may be found allowable. The examiner's aim in rejecting claims is to improve the resulting patent. The examiner's rejection will be in a letter, or "Patent Office Action."

Avoiding or Overcoming Rejection

Response to the Patent Office Action must be within the time period set by the examiner to avoid abandonment. This response called the "amendment letter" is addressed to the Commissioner of Patents. In this amendment letter, your patent agent may direct the Commissioner to amend the application, by changing some claims or cancelling others, or adding new claims. The amendment letter must overcome each objection raised by the examiner.



Help your Patent Agent in the Prosecution

Your patent agent will make a careful study of patents cited in the Office Action to help you decide whether you should abandon your patent application and avoid further expense or whether you should continue with the prosecution. Should you decide to continue, by your own study and knowledge of the practical details you may be able to help your patent agent in preparing the amendment letter, by pointing out to the agent the novel features and advantages of your invention in relation to the cited patents.

Tell your Patent Agent Promptly about Changes

You should keep your patent agent fully and promptly informed of any changes in your invention, so that he can do everything possible to fully protect your interests. Some improvements may be protected by the addition of a "Supplementary Disclosure" to the application already on file in the Patent Office. For more major changes, your patent agent may recommend that, in accordance with Patent Office rules, a new application be filed in order to obtain the full protection you may need.

Reconsideration by Examiner

After the examiner receives the response, he will study the application and any amendments and take a second Office Action. This may be a notice of allowance telling you that you will be granted a patent, or another Office Action calling for further amendment. This exchange of Office Actions and responses may be repeated until the application is allowed by the examiner, or until the examiner states that the action is *final*.

Appeals

Inventors have the right to appeal to the Commissioner of Patents when the patent examiner makes a final rejection. The appeal is made by requesting a review by the Commissioner. At the same time the applicant may request an oral hearing before the Patent Appeal Board, a special committee of senior officials in the Patent Office. If applicants are rejected by the Commissioner they may appeal further to the Federal Court of Canada, and from there to the Supreme Court.

Conflicts

If the applications of two or more different inventors deal with substantially the same subject matter, "conflict" may be declared by the examiner and "conflict proceedings" instituted to determine by the examiner who made the invention first. Each party may submit evidence, including affidavits, proving when they first made and disclosed the invention. If a party to a conflict is unable to submit evidence and affidavits, the applicant is restricted to the application filing date as his earliest date.

It is therefore very important to preserve records, preferably signed and witnessed by at least one other person for each stage in the development of the invention.

Division of Applications

The examiner may determine that the claims in the applications are directed to more than one invention. Inventors are entitled to claim only one invention in one application. One invention may be retained and the others removed. The other inventions may, however, be filed in additional applications, which, if filed while the first application is still pending, will be entitled to retain the filing date of the first application. Such additional applications are called "divisional" applications.

Allowance of Application and Grant of a Patent

When the examiner considers your application allowable, he authorizes its allowance, and a "Notice of Allowance" is mailed. You then have six months to pay the "final fee" (page 27). The official date of the patent is the date on which it is issued and sent to you, about eight to twelve weeks after you pay the "final fee." Your patent right, the right to exclude others from making, using and selling the invention in Canada, begins on that date.



Fig. 1

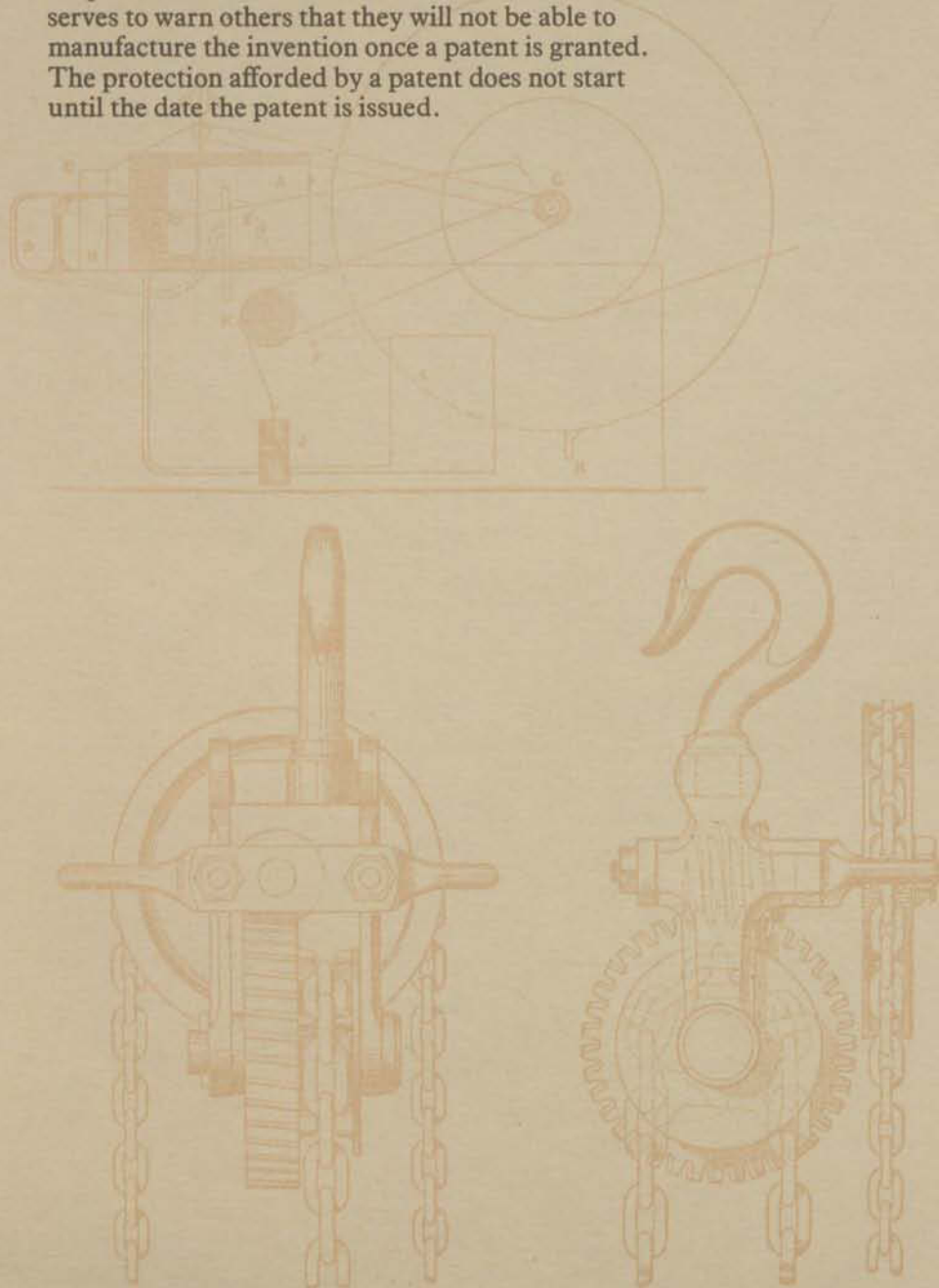


Patent marking and "Patent Pending"

A patentee who makes or sells articles covered by a patent, or a person who does so under license, is required to mark the articles with the word "patent" and the year of the patent. The penalty for failure to do so is a fine or imprisonment.

Marking an article as patented when it is not patented is against the law.

Some persons mark articles "Patent Applied for" or "Patent Pending." These phrases have no legal effect, but give information that an application for patent has been filed in the Patent Office. This serves to warn others that they will not be able to manufacture the invention once a patent is granted. The protection afforded by a patent does not start until the date the patent is issued.



Marketing the invention

The Patent Office does not assist inventors in marketing an invention. However some provincial agencies (usually the department responsible for industrial or consumer affairs) do provide limited marketing assistance. The Federal Department of Industry, Trade and Commerce will also provide some assistance in promoting inventions.

If an applicant states when paying the fee on the grant of his patent, that he wishes to make it available for sale or license, this fact will be noted in the *Patent Office Record* free of charge when the patent issues. At any other time during the life of the patent, if the patentee wishes to make it available for license or sale, a notice to that effect will be published in the *Patent Office Record* for a \$5 fee.

Names of Canadian manufacturers who might be interested in a new invention are available from two main sources: *The Canadian Trade Index*, issued by the Canadian Manufacturers Association, Toronto; and *Frazer's Canadian Trade Directory*, Toronto and Montreal. Both of these publications are available in public libraries.

Canadians who own patents in foreign countries and who wish to license their patents in these countries, may obtain assistance from the Canadian Trade Commissions there. Enquiries should be addressed to: Industrial and Trade Enquiries Division, Department of Industry, Trade and Commerce, 112 Kent Street, Ottawa, K1A 0H5.

The Patent Office has no control over private organizations which promote inventions and cannot

provide information as to their reliability and trustworthiness. It is suggested that you look for this type of information from the Better Business Bureau of the city in which the organization is located. You may also ask your registered patent agent whether he has knowledge of such organizations. In some provinces the provincial department responsible for industry or consumer affairs may have the information you require.

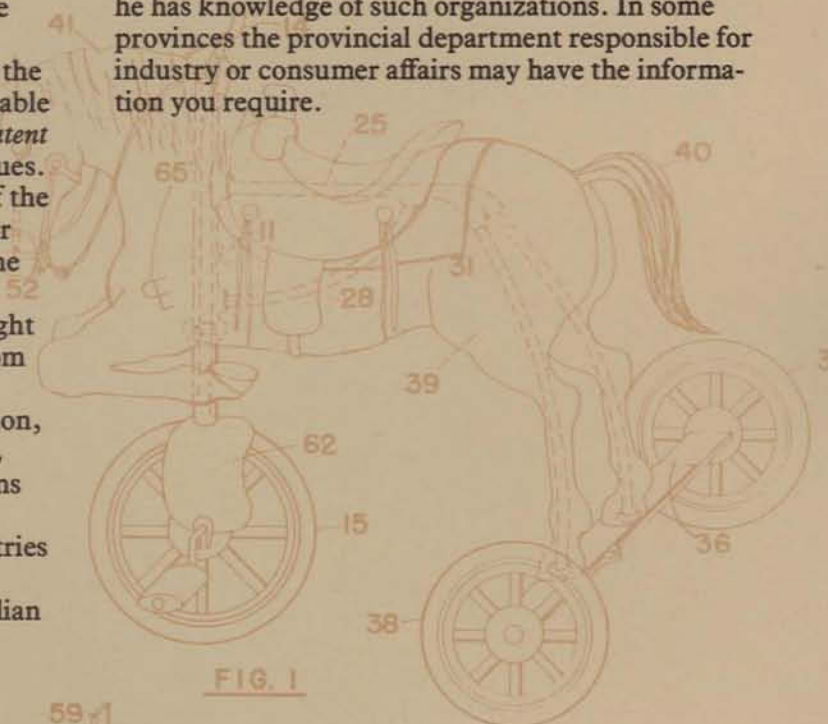


FIG. 1

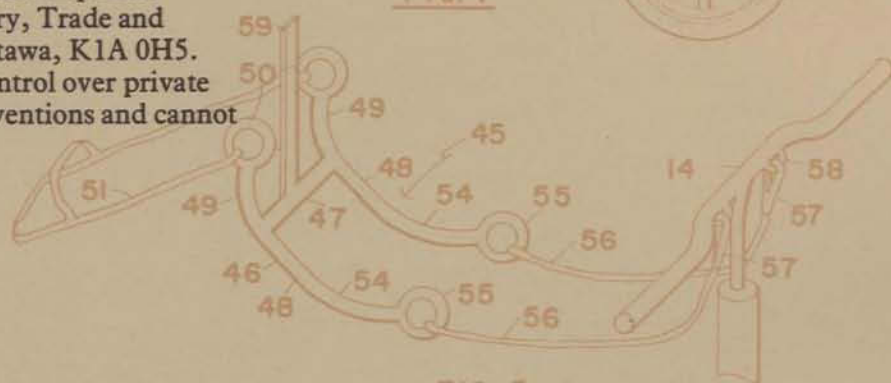


FIG. 3

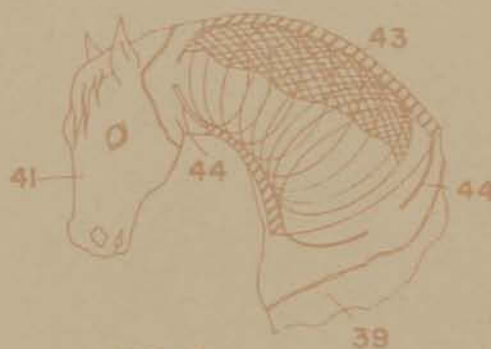


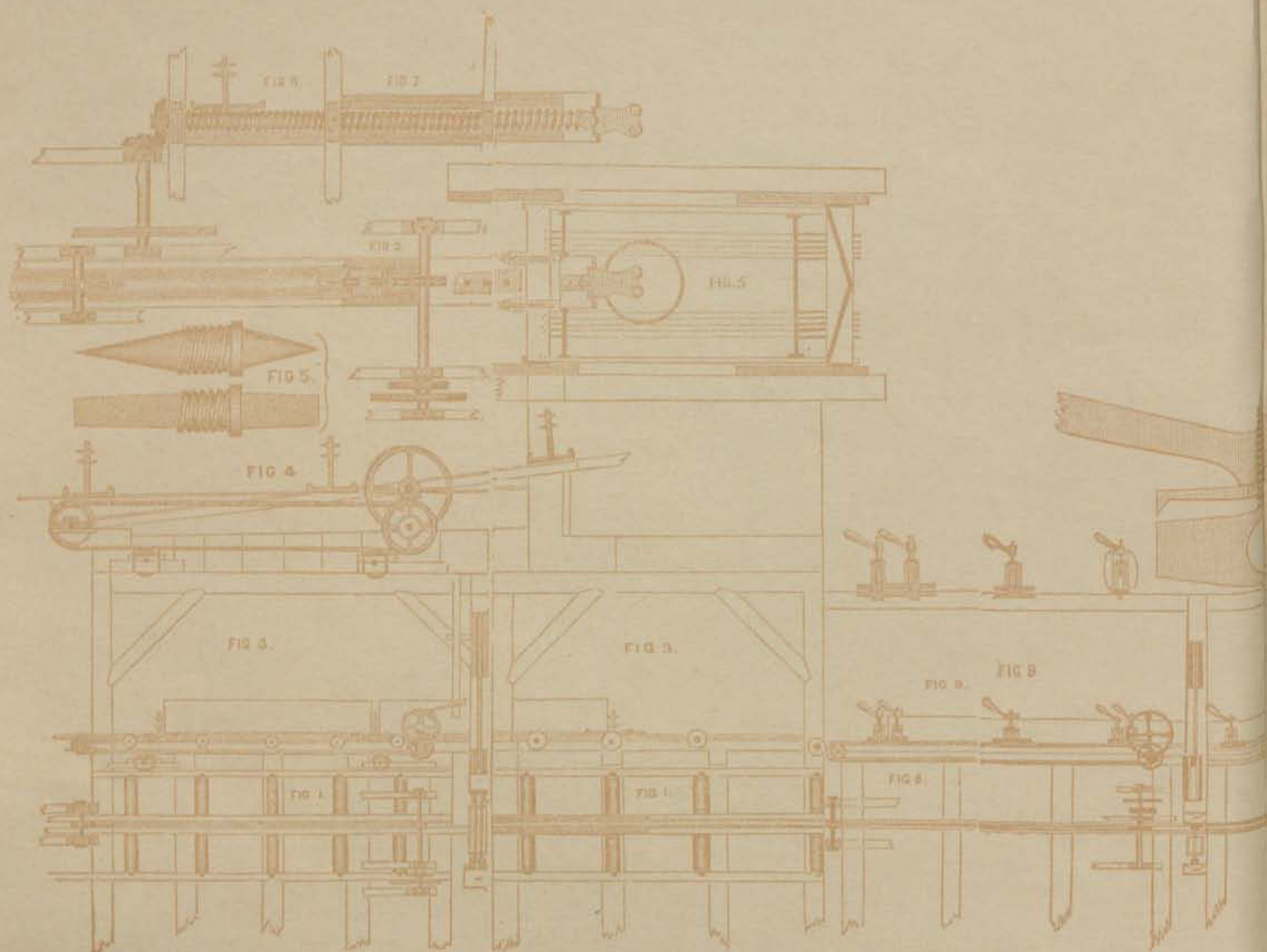
FIG. 2

Patent infringement



A patent infringement is the unauthorized making, using or selling of the patented invention within the territory of the granting country during the term of the patent. If your patent is infringed, you may sue for damages in the appropriate court. In such an infringement suit, the defendant may argue that he is not infringing, or may attack the validity of the patent, which is then decided by the court.

Infringement is largely determined by the language of the claims, and if what the defendant is doing does not fall within the language of any of the claims of the patent, he is not infringing.



Publications concerning patents

Published information on patents may be obtained by writing to the address indicated below. Cheques should be made payable to "The Receiver-General of Canada." (Prices and information are valid as of January 1977; prices are subject to change without notice).

a) From the Patent Office

Obtainable by writing to the Commissioner of Patents, Consumer and Corporate Affairs Canada, Ottawa, Ontario, K1A 0C9

1) "Patents Questions and Answers"

Booklet. No charge

2) Copies of Patents

The charge is \$1 for a paper copy of any Canadian patent subsequent to patent number 445,930. Other patents cost 25 cents per page.

For a charge of 25 cents you can obtain a copy of 98 frame microfiche (105 mm) of any Canadian patent.

Subscriptions to microfiche sets of abstracts of Canadian patents beginning with patent number 986,651 of April 6, 1976 or any patent subsequent thereto are available for \$20 per annum.

Subscriptions of microfiche sets of claims and drawings of Canadian patents beginning with patent number 986,651 of April 6, 1976 or any patent number subsequent thereto are available at \$150 per annum.

3) Patents by Class or Sub-Class

A listing of all patents issued in any particular class or sub-class may be ordered for 25 cents per page. You should provide the Patent Office with the class or sub-class number, or with complete and sufficient technical detail or subject area from which the sub-class number may be determined by the Patent Office.

The Canadian Patent Office will also fill standing orders for all patents issued in any class or sub-class, including the patents issued at the date of the order. A charge of one dollar (\$1) per paper copy, or 25 cents per microfiche copy will apply. For this service a deposit account should be opened with the Patent Office (minimum deposit \$100).

4) General Deposit Account

A general account for copies of patent, trade mark, industrial design and copyright documents, and related services, may be opened with the Finance, Personnel and Administrative Branch of Consumer and Corporate Affairs Canada. A minimum deposit of \$25 is required.

5) Lists of Registered Patent Agents

Obtainable from the Patent Office. (First copy for one city, free).

6) The Index to the Patent Act and Rules.

No charge.

b) Publications Available from the Department of Supply and Services

The publications below are obtainable by writing to: The Publishing Centre, Department of Supply and Services, 270 Albert Street, Ottawa, K1A 0S9.

1) The Patent Act

\$2.20

2) The Patent Rules

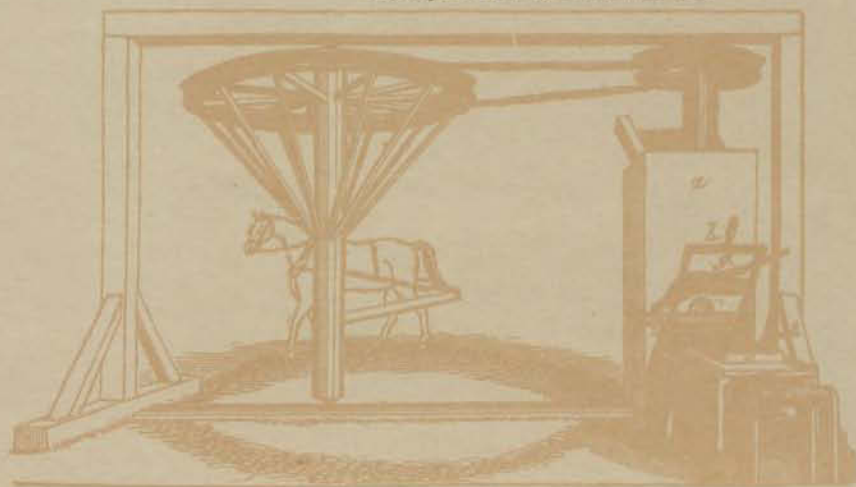
\$2.25

3) The Manual of Patent Office Practice

\$35. It provides a detailed compendium of Patent Office practice and procedures. Revisionary updates are provided free.

4) The Patent Office Record

\$1 per copy, or \$26 per year. A weekly record of issued patents, practice notes, Commissioner's decisions, and other information.



Forms

The Patent Office does not have blank forms for distribution. However any forms that may be required under the Patent Rules should be prepared according to the samples shown in Schedule A of the Patent Rules. Reproduced from the Patent Rules and shown below are the forms most frequently required by applicants for patent.

Prescribed Forms

Form 1

PETITION BY INVENTOR(S)

The Petition of
(Full name of inventor (s))
whose full post office address(es) is (are)

SHEWETH:
(1) THAT Your Petitioner(s) made the invention entitled
which is described and claimed in the specification submitted herewith.

(2) THAT Your Petitioner(s) verily believe(s) that he (they) is (are) entitled to a patent for the said invention having regard to the provisions of the Patent Act.

(3) YOUR Petitioner(s) request(s) that this application be treated as entitled to the rights accorded by section 29 of the said Act having regard to the application(s) of which particulars are set out below, and represents that the said invention filed in any country which by treaty, convention or law affords similar rights to citizens of Canada by the inventor or any one claiming under him. (Give particulars here ONLY of the application or applications upon which the claim for priority is based).

This above paragraph should be omitted if there is no request for priority.

(4) THAT Your Petitioner(s) hereby nominate(s)
(Name in full)who

resides or carries on business in Canada at the following address
to be his (their) representative for the service of any proceedings taken under the Act.

This above paragraph should be omitted if all the applicants reside in Canada.

(5) THAT Your Petitioner(s) hereby appoint(s)
Name of patent agentwhose full post office

address isas his agent, with full power to appoint an associate agent when required to do so by section 131 of the Patent Rules and to revoke such appointment, to sign the petition and drawings, to amend the specification and drawings, to prosecute the application, and to receive the patent granted on the said application; and ratify(ies) any act done by the said appointee in respect of the said application.

This above paragraph should be omitted if the applicant himself intends to prosecute the application.

(6) YOUR Petitioner(s) therefore pray(s) that a patent may be granted to him (them) for the said invention.

Signed at
City or town Country
thisday of19....
.....
Signature
.....
Signature

Form 2

PETITION BY INVENTOR AND ASSIGNEE OF PART INTEREST

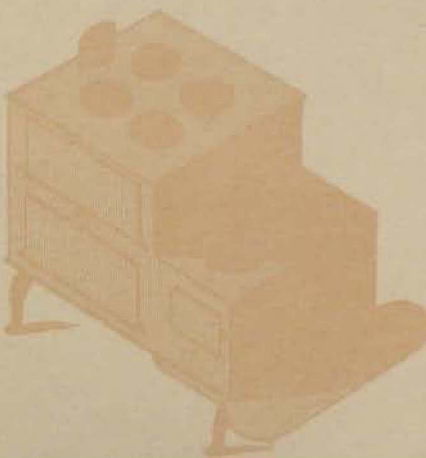
The Petition of
Full name of inventor
whose full post office address is
andwhose full post office
Full name of assignee
address is

SHEWETH:
(1) THATAforesaid, made the
Name of inventor
invention entitled
which is described and claimed in the specification submitted herewith.

(1a) THAT the right to obtain a patent for the said invention has been assigned in part to the said

.....
Name of assignee

Continue with paragraphs 2, (3-5 if applicable), 6 and the execution of Form 1.



Form 3

PETITION BY A JOINT INVENTOR AND THE LEGAL REPRESENTATIVE OF ANOTHER JOINT INVENTOR

The Petition ofwhose
Full name of joint inventor
full post office address isand
.....whose full post office
Full name of legal representative
address is

SHWETH:

(1) THATof
Full name of all inventors
.....made the invention entitled
Full post office addresses
.....
which is described and claimed in the specification submitted herewith.

Continue with paragraphs 2, (3-5 if applicable), 6 and the execution of Form 1.
See section 2(e) of the Act, and insert here appropriate capacity.

(1a) THAT the right of the said
Name of other joint inventor
to obtain a patent for the invention is vested in the said
.....
Name of legal representative
as theof the last named
Capacity of legal representative
inventor.

Continue with paragraphs 2, (3-5 if applicable), 6 and the execution of Form 1.

Form 4

PETITION BY ASSIGNEE OF ALL INTEREST

The Petition of
Full name of applicant
whose full post office address is

SHWETH:

(1) THAT
Full name(s) of inventor(s)
whose full post office address(es) is (are)
made the invention entitled
which is described and claimed in the specification submitted herewith.

(1a) THAT the entire right to obtain a patent for the said invention has been assigned to Your Petitioner.

Continue with paragraphs 2, (3-5 if applicable), 6 and the execution of Form 1.

Form 5

PETITION BY LEGAL REPRESENTATIVE OTHER THAN ASSIGNEE

The Petition of
Full name of applicant
whose full post office address is

SHWETH:

(1) THAT(1) deceased
Full name of inventor
(1) Omit the word "deceased" and "was" if the inventor is living.

whose full post office address was (is)
made the invention entitled
which is described and claimed in the specification submitted herewith.

(1a) THAT the entire right to obtain a patent for the said invention is vested in Your Petitioner, as the

.....
Capacity of legal representative
See section 2(e) of the Act and insert here appropriate capacity.

of the said inventor.

Continue with paragraphs 2, (3-5 if applicable), 6 and the execution of Form 1.



Form 8

PETITION UNDER SECTION 33(1) OF THE ACT BY ONE OF TWO OR MORE JOINT INVENTORS

The Petition of
Full name of applicant
 whose full post office address is

SHEWETH:
 (1) THAT Your Petitioner and
Full name of other joint inventor(s)

whose address is
Full post office address if known, if not, last known address
 made the invention entitled
 which is described and claimed in the specification submitted herewith.

(1a) THAT the said
Name of other joint inventor

refuses to make application for a patent for the said invention (or his whereabouts cannot be ascertained after diligent enquiry).

Continue with paragraphs 2, (3-5 if applicable), 6 and the execution as prescribed in Form 1.

Form 11

APPOINTMENT OF AGENT

The undersigned
Full name of applicant

whose full post office address is
 hereby appoints whose full post office address is

as his agent, with full power to appoint an associate agent when required to do so by section 131 of the Patent Rules and to revoke such appointment, in respect of an application for a patent for an invention entitled

(filed under Serial Number on the day of 19....) and empowers the said appointee to sign the petition and drawings, to amend the specification and drawings, to prosecute the application, and to receive the patent granted on the said application; and ratifies any act done by the said appointee in respect of the said application.

Signed at
City or town Country
 this day of 19....

Omit (...) if application not yet filed.

Form 13

REVOCATION OF APPOINTMENT OF AGENT AND APPOINTMENT OF ANOTHER AGENT

The undersigned
Full name of applicant
 whose full post office address is
 having on or about the day of 19....
 appointed whose
Full name of patent agent

full post office address is
 as his agent in respect of an application for a patent for an invention entitled filed under
 Serial Number on the day of 19...., hereby revokes the said appointment, and appoints
Name of patent agent

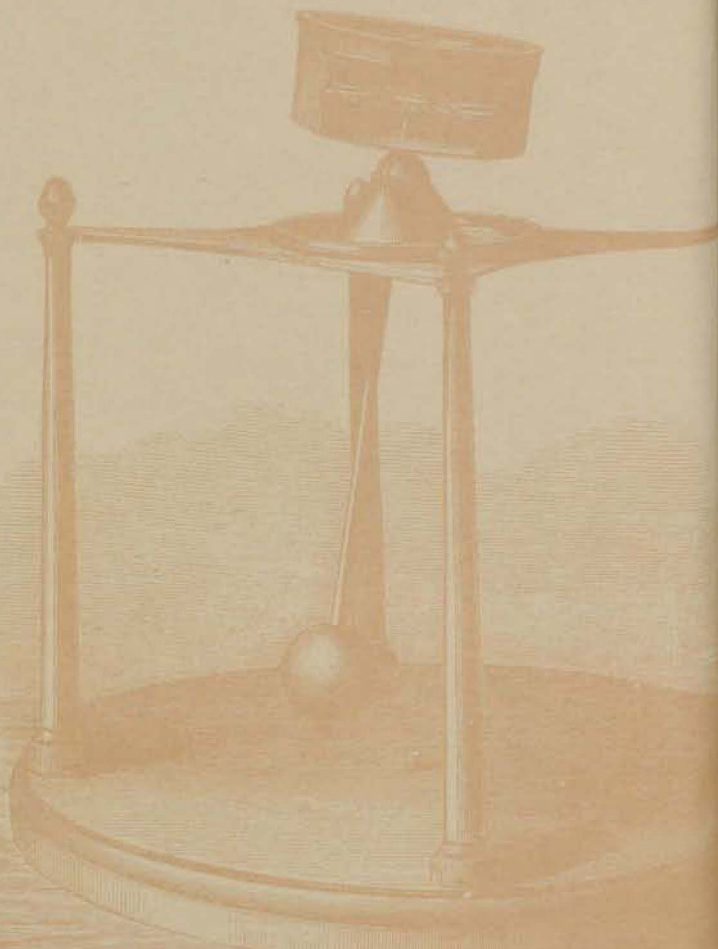
whose full post office address is
 as his agent in respect of the said application, with full power to appoint an associate agent when required to do so by section 131 of the Patent Rules and to revoke such appointment, to sign the petition and drawings, to amend the specification and drawings, to prosecute the application, and to receive the patent granted thereon; and ratifies any act done by the said last named appointee in respect of the said application.

Signed at
City or town Country
 this day of 19....
Signature

Patent Office fees

1. On filing an application for patent, \$50.
2. For each claim in independent form in excess of two, other than a conflicting claim inserted in an application in accordance with the opportunity given by the Commissioner pursuant to subsection 45(2) of the Act, \$10.
- 2A. For each claim in independent form in excess of two retained in an application after the conclusion of conflict proceedings under section 45 of the Act for which a fee has not been paid under item 2, \$10.
3. For each claim in excess of ten, other than a conflicting claim inserted in an application in accordance with the opportunity given by the Commissioner pursuant to subsection 45(2) of the Act, \$2.
- 3A. For each claim in excess of ten retained in an application after the conclusion of conflict proceedings under section 45 of the Act for which a fee has not been paid under item 3, \$2.
4. For grant of a patent, \$80 for printing the first 25 pages of specification and drawings or any part thereof, \$20 for printing each page of specification and drawings in excess of 25, \$1.
5. On filing each application to reissue a patent, \$100.
6. On filing an amendment after allowance of an application for patent, \$25.
7. On asking that an amendment, whenever filed, be made the subject matter of a supplementary disclosure under section 53 of the Rules, \$50.
8. On asking for reinstatement of an abandoned application, \$40.
9. On asking for restoration of a forfeited application under subsection 75(2) of the Act, \$40.
10. On completing an application not completed on its filing date, \$15.
11. On asking for a special order under section 38 of the Rules, \$25.
12. On asking for the postponement of the issue of a patent under subsection 80(2) of the Rules, \$50.
13. On asking for an extension of time under section 126 of the Rules, \$25.
14. On asking for a correction under section 8 of the Act of a clerical error made by the applicant, \$30.
15. On lodging a caveat, \$25.
16. On asking for information in respect of a pending application referred to in section 11 of the Act, \$20.
17. On asking to attach a disclaimer to a patent, \$5.
18. On asking to register an assignment or any other document affecting or relating to patents or applications, (a) for the first patent or application referred to in the assignment or document, \$10 (b) for each patent or application referred to in the assignment or document in excess of one, \$5.
19. On asking entry of appointment of representative under subsection 31(3) of the Act, \$5.
20. On asking to register a judgment *pro tanto*, \$4.

21. On filing an application or petition under section 41, 47, or 67 of the Act, (a) for the first patent referred to in the application or petition, \$175 (b) for each patent referred to in the application or petition in excess of one, \$25.
22. For advertising an application or petition under section 41, 47 or 67 of the Act in the *Patent Office Record* \$10.
23. On asking for information whether or not a Canadian application identified by serial number has issued to patent and the patent number if it has issued, \$5.
24. On applying for registration under section 140 of the Rules, \$10.
25. On notifying the Commissioner in accordance with section 143 of the Rules of the desire of a candidate to take an examination, \$25.
26. For maintaining the name of a patent agent on the Register as a resident of Canada under paragraph 144(1)(a) of the Rules, \$10.
27. For notice under subsection 144(2) of the Rules, \$2.
28. On reinstating the name on the Register under section 144(6) of the Rules, \$10.
29. For each printed copy of a Canadian patent, \$1.
30. On asking for a certified copy of any document, for the certificate, \$5.
31. On asking for a typewritten copy of any document, for each sheet in the document, \$2.
32. On asking for a photocopy of any document, for each sheet in the document, 25 cents.
33. For trimming to size each application of less than 25 pages, \$1.
34. For trimming to size each application of 25 pages or more, \$2.
35. For numbering of lines, per page, 25 cents.
36. For making minor changes to a drawing when in the opinion of the Commissioner such changes can be made within the Office, \$3.
37. For publication in the *Canadian Patent Office Record* of a notice listing the patent numbers of patents available for licence or sale, other than an indication in the Record at the time of issuance of the patent that it is available for licence or sale, for each patent number listed, \$5.
38. For a list of patents in a subclass, for each sheet in the list, 25 cents.



Miscellaneous questions & answers

1. **Once a patent has been issued, are any further fees required to keep it in force?**

No. Once a patent has been issued, it remains in effect for 17 years without the payment of any additional fees.

2. **May the term of a patent be extended?**

No. There is no provision in the Patent Act to extend patents beyond the seventeen year term.

3. **When is a representative for service required?**

An applicant for patent who is not a resident in Canada, or does not maintain an address in Canada must at the time of filing his application, nominate a Canadian resident to act as his representative for service. This representative is the person upon whom notice of proceedings will be served when the patent issues. The representative for service does not act as agent for the prosecution of the application before the Patent Office unless he is also a Registered Canadian Patent Agent, appointed to act as a patent agent for the application. If the representative is not the person filing the nomination, there must be a signed statement from him accepting his nomination as representative.

4. **Can anyone make a search of the Patent Office records for research or purposes other than patenting?**

Yes. The Canadian and foreign patents stored in the Patent Office are available for searching by the public for any purpose.

5. **What is a Caveat?**

If an inventor has not yet completed his invention, and is concerned that others might patent it, he may file with the Patent Office a description of the invention in so far as it has been developed. The document filed is known as a caveat. The caveator will be informed if any one else files an application to patent the same invention in the year immediately following the filing of the caveat. The caveat may also have some value in proving when the invention was made. However a caveat does not give the inventor any right to exclude others from using the invention. It is not until the inventor has filed an application for patent and been granted a patent that he is entitled to any exclusive rights to the invention. A caveat is not an application for patent, and its value is limited.

6. **If two or more inventors work together to make an invention, to whom will the patent be granted?**

If each had a share in the ideas forming the invention, they are joint inventors and should file a joint application. The patent will issue to them jointly.

7. If one person furnishes all of the ideas to make an invention, and another person employs him or finances the building and testing of the invention, should they file a joint application?

No. The application must be filed giving the name of the inventor. That is the person who furnished the ideas. However it may be filed by the employer as assignee of the inventor if accompanied by evidence of assignment. The employer would own the invention if the inventor was engaged by him to make inventions, or had agreed in his contract of employment to assign his inventions to his employer.

8. If an inventor wished to obtain a patent in a foreign country, must he apply for a patent in Canada first?

No. He may apply in any country unless, as in the case of war inventions, he contravenes the Official Secrets Act. Also Public Servants may not file without official consent. If an inventor wants to obtain a patent in Canada, he must apply in Canada before any foreign patent is granted to him, or within one year of the first application for patent made by him anywhere, whichever comes first.

9. May a patent be granted if the inventor dies before filing an application?

Yes. The application may be filed by the inventor's personal representatives, e.g. his executor or heir.

10. May an inventor sell or transfer his right to his patent or application to someone else?

Yes. He may sell all or any part of his interest in his patent or application by assignment. The application must give the name of the inventor and include the document assigning the invention to the new owner. Examples of assignment forms are shown in forms 23 to 27 of the Patent Rules.

11. May Canadian patents owned by foreigners be licensed to Canadian manufacturers?

Yes. Canadian manufacturers may obtain information on patents available for license by writing to Industrial and Trade Enquiries Division, Dept. of Industry, Trade and Commerce, 112 Kent St., Ottawa, K1A 0H5 or to the patentee.

GAZETTE.

THURSDAY, JUNE 23, 1901.

QUEBEC.

JEUDI, le 23 JUIN, 1901.

Anno Tricesimo Primo GEORGETT Tertii REGIS.

CHAP. VII.

AN ACT

Or Ordinance en regard Samuel Hopkins, and Son, qui Macmillan and others, for their Inventions of new and improved Methods of making Pot and Pearl Ashes.

PASSÉ
23rd April, 1901.
J. WILLIAMS,
G. C. L.

Possible.



HEREAS Samuel Hopkins hath invented an improved process for the making of Pot and Pearl Ashes, and made discovery of the same to the Government by a writing under his hand lodged in the Council-Office toward the reward of his Invention, and to encourage useful Inventions, Be it therefore enacted by His Excellency the Governor and the Legislative Council, and it is accordingly enacted by the authority of the same, That no person whomsoever shall before the first day of May in the year of our Lord one thousand seven hundred and ninety-seven, manufacture Pot or Pearl Ashes within this province in the manner used by the said Samuel Hopkins, and described in the writing afore-mentioned, without a written licence therefor under his hand and seal attested by two credible witnesses, and whoever shall offend in the premises, shall for every pound weight of such Pot or Pearl Ashes forfeit the penal sum of ten shillings with costs of suit, and moiety whereof shall belong to His Majesty and be paid to the Receiver General, and the other moiety thereof to such person as shall sue for the same, and be recoverable by action of debt, bill, plaint, information otherwise, before any Court, Judge or Justice having cognizance of crimes and contraventions in the amount of the penalty or penalties in demand.

As witness
my hand
this 23rd day of April, 1901.
J. Williams,
G. C. L.

Anno Tricesimo Primo GEORGETT Tertii REGIS.

CHAP. VII.

ACTE

Or Ordinance qui concerne Samuel Hopkins et Angus M. Macmillan et autres, pour leurs inventions de leur nouvelle Manière qui est servie au Manufacture de la Potasse.

PASSÉ
23rd April, 1901.
J. WILLIAMS,
G. C. L.

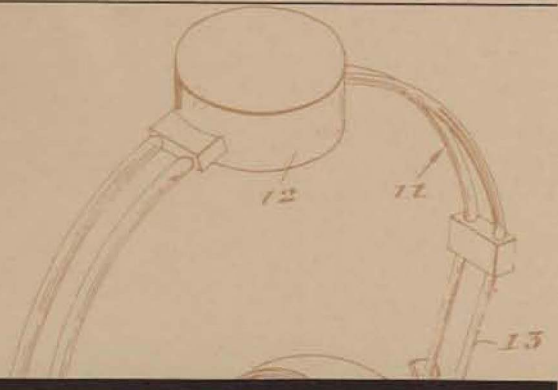
Possible.



AMUPL HOPKINS a fait inventé un procédé qui améliore la manufacture de la Potasse, et a fait découvrir le dit Procédé au Gouvernement, par un écrit sous son sceau, déposé dans l'Office du Conseil, afin de le récompenser en conséquence, et pour encourager les Inventions utiles. Ce qui a été en conséquence approuvé par le Gouvernement et le Conseil Législatif, et il est par conséquent Statué par la dite autorité, qu'aucune personne quelconque, avant le premier jour de Mai dans l'année de notre Seigneur mil sept cent quatre-vingt-neuf, ne manufacturera la potasse dans cette Province, de la manière autre par le dit Samuel Hopkins et déignée dans l'écrit ci-dessus mentionné, sans en avoir eu une permission de lui par écrit sous son sceau et Seal, attestée par deux témoins dignes de foi, et quiconque y contreviendra, paiera par chaque livre de poids de telle Potasse, et encourra la somme pécuniaire de dix Shillings avec les frais de l'action, dont moitié d'icelle appartiendra à Sa Majesté et sera payée au Receveur Général et l'autre moitié d'icelle appartiendra à celui qui aura poursuivi telle contrevention, qui sera recouvrée par action de dette, Bill, Plainte, Information ou autrement, devant aucun Court ou les Juges, prendront connaissance des Crimes et contraventions au montant de l'amende ou Amendes pour la même.

Usages
des
M. Macmillan
Hopkins.

Et Qu'il soit ainsi Statué par la dite Assemblée que la potasse



12. After an application is filed, may changes be made to it?

Errors may be corrected but no new matter may be introduced. The claims can be altered any time before allowance so long as they are supported by the original description of the invention.

13. If a patentee has a patent for a new product and a new process for making the product, would this prevent another person who invented a new and different process for making the product from obtaining a patent?

No. The other person may obtain a patent for his new process. He will not however obtain a patent for the product and cannot use his invention to make the product without a license to do so.

14. Can a patentee withhold his invention from the market?

A patentee need not market his invention in Canada, but if he fails to do so, or abuses his patent rights, others may apply to the Commissioner of Patents for a compulsory license to use the patent, or the patent may in some circumstances be revoked.

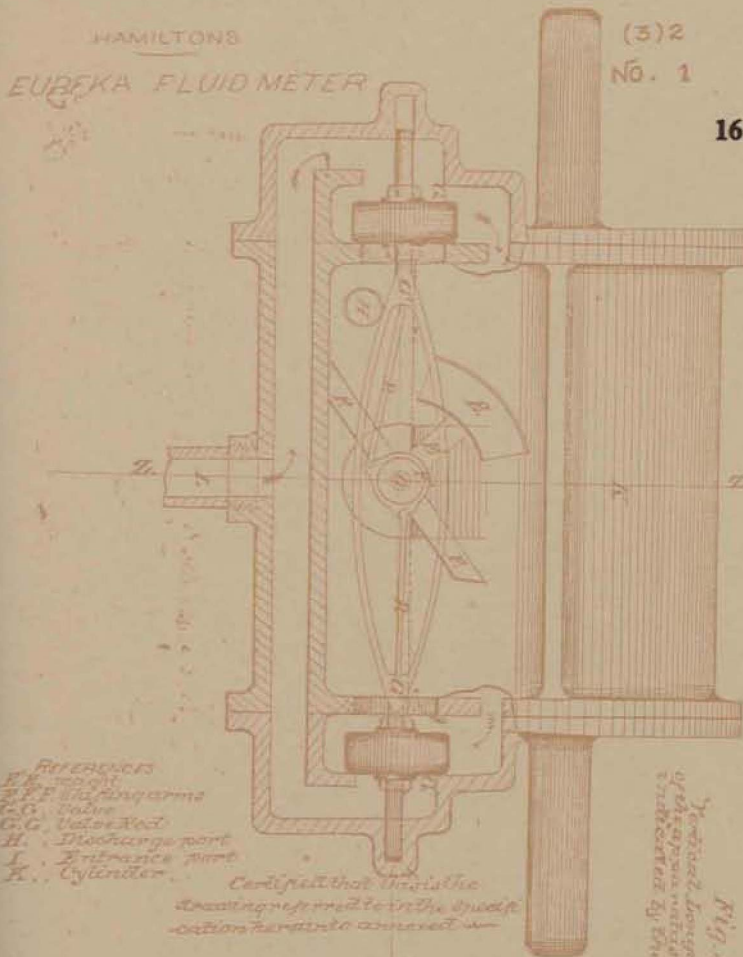
A compulsory license may be granted to import or sell medicines manufactured abroad, in the production of which the invention has been used. A compulsory license may also be granted to use a patent for an invention capable of being used in the production or preparation of food.

15. How can I obtain the addresses of foreign Patent Offices?

If you write to the Commissioner of Patents, the addresses will be supplied if they are available.

16. How may I telephone the Patent Office?

The Patent Office telephone number is (819) 997-1936. After business hours telephone messages may be left at (613) 996-5133.



REFERENCES
A. A. Inlet
B. B. Outlet
C. C. Valve
D. D. Valve Rod
E. E. Discharge port
F. F. Entrance port
G. G. Cylinder

Certified that this is the
drawing referred to in the application
for a patent in connection with

Fig. 8.
Vertical longitudinal section
of the apparatus in the application
submitted by the name of the
applicant.

Toronto July 30th 1869

William Hamilton

Donald C. Ridout

...the art of manufacturing sugar and spirit out of the juice or liquor of Bulb
converting a residue of the distillation into potash.

...same not being known or used in Our said Province by others, before his ——— Discovery thereof; and not at the time of his application for a Patent in Public use
his consent or allowance, and desiring to obtain an exclusive property therein, which said Invention or Discovery may be shortly described as follows, that is to say:

reference first being had to the hereto annexed specification which forms part of these presents.

bulbs are to be washed by passing through a machine resembling a squirrel's cage, with an
its axle similar to one of the ordinary screw, and made to rotate by tooth and pinion work
tanks containing water, for the purposes of removing all earthy or other extraneous matter,
or otherwise reduced to a pulp against a cylinder or drums, faced with saw blades and half the
part, made to rotate as above, having a small jet of water made to trickle over the tooth, in order
bed with fibres. The pulp being put into bags, the juice is first generally expressed and then pressed
press, so as to extract more effectually. A residue of the distillation is converted into potash by
therwise. Steam or any other power may be employed to drive the



Les brevets: une introduction