

1941.

NEW ZEALAND.

PATENTS, DESIGNS, AND TRADE-MARKS.

FIFTY-SECOND ANNUAL REPORT OF THE COMMISSIONER.

Presented to both Houses of the General Assembly pursuant to Section 128 of the Patents, Designs, and Trade-marks Act, 1921-22.

REPORT.

I HAVE the honour, in accordance with section 128, to submit my report on the administration of the Act during the year 1940.

The proceedings instituted during the year for the grant of letters patent and for the registration of designs and trade-marks reached a total of 2,011. This figure shows a continuation of the disturbing effects that the war, and the prevailing uncertainty in regard to commercial activities, have had in relation to industrial property. The falling-off in the number of Patent Office proceedings in New Zealand is, of course, not an isolated movement. Corresponding decreases are to be found overseas.

For example, in the United Kingdom and the Commonwealth of Australia proceedings relating to the grant of letters patent and the registration of trade-marks show decreases of 45.6 per cent. and 21.7 per cent. respectively for the year 1940 as compared with 1939. These figures afford a comparison favourable to New Zealand, where the decrease is only 24.3 per cent., though this country is proportionately less attractive for commercial and patenting activity than are the other countries referred to.

In this country the total number of proceedings for 1940 constitutes, as might be expected, the lowest level since the previous Great War, when the figures were 1,953 for 1915, 2,040 for 1916, and 2,031 for 1917. As was pointed out, however, in my report last year in respect of 1939 a just appreciation of the volume of work in a Patent Office in any one year cannot be arrived at merely from a consideration of the number of proceedings commenced in that year.

This applies particularly to Patent Offices, such as the New Zealand Patent Office, that are a considerable distance from the larger industrial and commercial centres of the world, from which so many Patent Office proceedings emanate. Owing to the length of time involved in the exchange of postal communications between New Zealand and the older countries many applications take long periods before they are in order for proceeding with.

Apart from this, it is by no means an uncommon procedure for requests to be made to the New Zealand Patent Office to defer acceptance of cases until the results of the investigations in other Patent Offices have been received by the applicant or his Patent Attorney. The adoption of this course enables specifications to be amended wherever desirable, even though in certain countries the particular Patent Offices concerned may not have cited the cases as a result of which such amendments are being effected.

For these reasons proceedings may, at the applicants' request, remain pending or dormant for one or two years, and later increase the volume of work in a year other than the year of commencement.

This aspect of the matter is exemplified by the figures showing the numbers of letters patent sealed and trade-marks registered for the six-year period from 1935 to 1940 inclusive, which indicate that the combined total in 1935 was 1,699, in 1936 was 1,728, in 1937 was 1,660, in 1938 was 1,315, in 1939 was 1,778, and in 1940 was 1,907.

From these figures it will be seen that though the total number of proceedings commenced in 1939 and 1940 was lower than in any two consecutive years since 1917 and 1918, the total number of cases brought to finality by being placed on the Register was higher in 1940 than in any of the preceding five years, the next highest figure being in the previous year, 1939.

In addition to the above factors, when the volume of work in any particular year is under consideration account must also be taken of the inevitable snowball effect which occurs in Patent Offices, due to the periodic renewal of grants and registrations and to the fact that so many cases remain relevant to subsequent cases, each new case thus potentially increasing the time that may be involved in disposing of subsequent cases.

The total fees which were received by the Patent Office in respect of proceedings relating to patents, designs, and trade-marks amounted to £12,240 16s. The corresponding figure for 1939 was £14,134 6s. 6d., but this sum constituted the third largest amount of revenue received in any one year since the inception of the New Zealand Patent Office.

It is satisfactory to note that though the number of proceedings instituted in 1940 showed a reduction of 24·2 per cent. as compared with those in 1939, the amount of fees received did not suffer to the same extent, having been only 13 per cent. less than the total received in 1939 and only 10·5 per cent. less than the average receipts for the last five years.

When it is taken into consideration that the five-year period selected includes the record year (1938) since the establishment of the Patent Office and also the third highest year (1939), it will be seen that the drop in 1940 of only 10·5 per cent. on the average receipts for the prior five years is a matter for satisfaction.

In regard to expenditure, which totalled £6,075 12s. for the year 1940, it will be noted that as a result of economies and a decrease in salary-outgoings owing to continued staff losses mainly due to enlistments in the armed forces, the payments are down by 11 per cent. on the previous year 1939. The balance between receipts and payments has accordingly remained at substantially the same ratio as in the previous year.

Seeing that economy had already been strictly practiced before the war period commenced, the reduction in expenditure for 1940 is satisfactory from a financial point of view, though the further loss of officers in 1940 in addition to those lost in 1939 has necessarily been a great handicap and imposed a heavy strain on the depleted staff.

Among the economies put into operation during the year was a reduction in the size and illustration of the *New Zealand Patent Office Journal*, which is published fortnightly, and is the official organ of the Patent Office for the publication of information relating to patents, designs, and trade-marks.

It is regretted that as a result of this reduction the *Journal* has inevitably become of considerably less use than heretofore to subscribers, libraries, and the public in New Zealand, and in the numerous overseas countries to which the *Journal* is despatched. A return to a normal publication as soon as the financial and general situation will allow is accordingly very desirable. In the meantime the cost has been reduced from £1,046 5s. 10d. in 1939, to £591 13s. 3d. in 1940.

The receipts for the period under review exceeded the expenditure by the sum of £6,165 4s., thus increasing the surplus of the Patent Office since 1st January, 1890, to the grand total of £242,392 14s. 11d.

PATENTS.

The influence of war conditions on Patent Office activity has been more markedly felt in the Patents Division than in the Trade-marks Division, the figures in the two divisions having been 1,277 proceedings for the grant of letters patent in 1940, as against 1,821 in 1939, and 626 proceedings for the registration of trade-marks in 1940, as against 694 in 1939.

There was also a decline during 1940 in the number of cases in connection with which a complete specification was filed in the first instance at the commencement of the proceedings. The number of applications in respect of which the complete specification was so lodged was 636 in 1940, as against 1,131 in the previous year.

In regard, however, to the complete specifications that have been lodged in proceedings for which a provisional specification only had been filed when the proceedings were commenced, the number of such complete specifications has kept up to a remarkable extent. In 1940 these specifications totalled 182, as against 191 in the preceding year, the decline having been only 9 for the period under review.

The total number of proceedings for the grant of letters patent instituted up to 31st December, 1940, was 84,131, and the number of patents in force at that date was 8,768, made up as follows: Patents sealed and third-year fees paid from 31st December, 1937, to 31st December, 1940, 2,387 and 2,516 respectively; sixth-year fees paid from 31st December, 1930, to 31st December, 1940, 3,863, and two patents in respect of which an extension of term has been granted by order of the Supreme Court under the special procedure laid down in that behalf.

TREND OF INVENTION.

So far as New Zealand is concerned, the truth of the old saying that necessity is the mother of invention was well illustrated last year by the stimulating effect that was produced in one of the many branches of inventive activity as a result of the rationing of fuel for motor-vehicles. In view of this rationing, a number of inventors have turned their attention to the problems of vehicle-propulsion by means of internal-combustion engines utilizing fuel other than petrol.

The efforts of these inventors have been mainly responsible for the marked increase that has occurred during the year in the number of inventions in class *Gas-manufacture for lighting, heating, or power purposes*. The average number of proceedings coming within this class during the ten years up to and inclusive of 1939 was 7·4. During 1940 the total in the class rose to the high figure of 60, and the prospects are that the current year will see a continuation of interest by inventors in this important subject.

In my report presented last year I drew attention to the reputation that certain New Zealand inventors have acquired overseas, and to the pronounced effect that such inventors have had on the economic and social development of this country. My remarks were prompted by an increased activity with reference to inventions in class *Milking-machines*, in respect of which New Zealand has so often given the world a lead.

This marked activity has been maintained in 1940, the number of proceedings relating to milking machinery having been 59. Adding this figure to the 83 cases instituted in 1939 and the 71 cases in 1938, brings the total proceedings for the last three years to more than double the total for the prior three years.

Class *Explosives, firearms, &c.*, constitutes another group of inventions in which an unusual degree of interest has been manifested since the commencement of the war, the numbers received having risen in 1939 to over three times the total in the previous year (1938) and in 1940 to over five times that total.

There has also been an increase in the class *Aeronautics*, in which the figures rose from 15 in 1939 to 19 last year. Other classes in which increases occurred are *Drying*, 20 (15); *Medicines and surgical appliances (including ear-instruments, dental work, &c.)*, 30 (26); *Printing and photography*, 16 (10); *Sewing and knitting*, 30 (27); *Washing and cleansing*, 32 (29).

A heavy increase in the cases coming within class *Engines (air, gas, and oil)* also occurred in 1940, the figures having risen to 58, as against 22 in 1939.

Considering that the total number of cases for the year was, as indicated, less than the total for 1939, it is all the more remarkable that the above classes should have shown not only a relative increase, but a positive increase in the figures for the previous year.

In view of this, a number of classes are necessarily reduced in a greater degree than would have otherwise have been expected.

Among the classes in which a falling-off has occurred is *Telephony and telegraphy*, which showed 223 cases in 1940, as against 512 in 1939. This class includes inventions relating to radio, and is one of the groups in connection with which extraordinary activity has been shown over a considerable period. It was pointed out in my report presented in 1938 that the high numerical level in the class was not likely to be maintained, and the figures have in fact fallen from 578 in 1938 to 512 in 1939 and 223 in 1940.

Even at this figure, however, the radio group is easily the largest in the Patent Classification, the next largest being *Illuminating (except gas-manufacture)*, which comprised 81 cases as against 86 in 1939.

Decreases also occurred in the number of proceedings relating to classes *Electricity and magnetism*, 64 (106); *Amusements, music, exercises, games, &c.*, 27 (47); *Dairying*, 22 (31); and *Vehicles*, 27 (52).

DESIGNS.

As in the period covered by my last report, there has been a further decrease in the number of proceedings instituted for the registration of designs. The figure for 1940 is 108, as against 137 in 1939 and 160 in 1938. The number received last year is in fact the lowest since 1920, but is greater than the number received in any one year during the 1914-18 war, with the exception of 1916, when the proceedings instituted were 113. The total number of design proceedings commenced at the Patent Office as at the 31st December, 1940, is 4,502. In regard to the number of design registrations in force as at that date the total is now 987, the number of cases registered during the year being 103. Design registrations which became void during the year owing to the non-payment of renewal fees numbered 144. The term of copyright for the second term of five years was renewed in 43 cases, and renewal for the third term of five years was effected in 5 cases.

In regard to the countries from which applications for registration were received, the greatest number were received from persons resident in New Zealand 88 (91). Next in numerical order were applications received from persons in Great Britain and the Commonwealth of Australia, the number received from these two countries being equal.

Turning to the question as to the classes in which design proceedings were instituted during the year, Class 1 (*Articles composed wholly of metal or in which metal predominates, and jewellery*) again heads the list with a total of 52, as against 65 in 1936 and 70 in 1938. The next highest class is Class 3 (*Articles composed wholly of wood, bone, ivory, papier-maché, or other solid substances not included in other classes, or of materials in which such substances predominate*), in which 32 applications were received, as against 44 in the prior year. Then follow Class 4 (*Articles composed wholly of glass, earthenware, or porcelain, clay (burnt or baked), or cement, or in which such materials predominate*), 14 (11), and Class 5 (*Articles composed wholly of paper, cardboard, millboard, or strawboard (except articles included in Class 2, and paperhangings), or in which such materials predominate*), 5 (6).

TRADE-MARKS.

As was indicated earlier in this report, the number of proceedings instituted in respect of the registration of trade-marks kept up very well during 1940 as compared with the proceedings instituted in the Patents Division. This is all the more satisfactory in view of existing world conditions, and appears to indicate a degree of commercial activity greater than might have been expected in the circumstances.

The highest number of applications received from any one country were those from persons resident in New Zealand, the total being 287, as against 334 in 1939. As in the year 1939 Great Britain was next highest, the total being 128 (155). After this comes New South Wales, which shows an increase of 11 on 1939, the total for 1940 having been 52. The next highest is United States of America 47 (76), followed by Victoria, from which 28 applications were received, as against 43 in 1939.

The fees received in respect of trade-mark proceedings amounted to £2,662 9s. 8d., as against £3,386 14s. 11d. for 1939. While the amount received in 1940 thus represents a substantial falling-off as compared with the amount received in 1939 it is interesting to note that in 1915, being the first complete year of hostilities in the 1914-18 war, the total fees received in respect of trade-mark proceedings was £1,101 3s. 9d.

Usually the greatest number of proceedings in any one class is in Class 42 (*Substances used as food or as ingredients in food*). This was not so, however, during the year under review, when the highest number of cases was in Class 3 (*Chemical substances prepared for use in medicine and pharmacy*), in which 103 proceedings were commenced, being an increase of 30 on the previous year. In Class 42 there are 73, being 4 fewer than in 1939. Next in order of the number of proceedings are: Class 38 (*Articles of clothing*), 48 (65); Class 2 (*Chemical substances used for agricultural, horticultural, veterinary, and sanitary purposes*), 43 (27); Class 48 (*Perfumery, including toilet articles, preparations for the teeth and hair, and perfumed soap*), 36 (50). Class 1 (*Chemical substances used in manufactures, photography, or philosophical research and anti-corrosives*) and Class 8 (*Philosophical instruments, scientific instruments, and apparatus for useful purposes; instruments and apparatus for teaching*) are equal with 29 (31 and 42 respectively in the previous year).

GENERAL.

As in the case of the 1914-18 war, it has become necessary during the present war to introduce special provisions in regard to patents, designs, trade-marks, and copyright to enable proceedings before the Patent and Copyright Offices to be dealt with most satisfactorily and with a minimum of hardship or inconvenience to the persons concerned in the unusual circumstances created by hostilities.

Seeing that the branches of law affecting patents, designs, trade-marks, and copyright are of a specialized nature, and are more closely related to each other than to other branches of law, it was deemed expedient that a separate set of emergency regulations with reference to these four types of subject-matter should be issued. The Patents, Designs, Trade-marks, and Copyright Emergency Regulations 1940 were accordingly prepared and passed in the early part of the year.

These regulations are largely based on, and incorporate, a number of provisions in Great Britain, some of which had been brought into operation there by statute, some by regulations, and some by way of license.

One of the most important of these New Zealand regulations deals with inventions, &c., in relation to defence. In this connection it may be noted that the United Kingdom has been in touch with the New Zealand Government with reference to safeguarding such inventions, and a number of suggestions made by this country are being incorporated in a reciprocal arrangement which is being made between England and New Zealand. Efforts are also being made to extend this arrangement so as to cover the other Dominions as well.

As a result of the regulations it is necessary for any person who desires to apply for the grant of a patent, or the registration of a design or copyright, in any foreign country to apply for a written permit from the Commissioner. In dealing with these applications care is being taken to ensure that subject-matter likely to be of assistance to the enemy is not permitted to leave the country. In appropriate cases directions are also given prohibiting or restricting the publication of such information or the communication of such information to any particular persons or classes of persons.

The regulations also deal with the question of contracts with enemies and enemy subjects relating to patents, &c., with the grant of licenses under patents, &c., of enemies and enemy subjects, and with the suspension of trade-mark rights of enemies or enemy subjects.

In this latter connection it is of interest to note that in the 1914-18 war power was vested in the Commissioner of Patents enabling him, in suitable cases, not only to suspend the registration of the trade-mark, but to cancel it.

Where proceedings for the grant of letters patent, or the registration of designs, trade-marks, or copyright have been commenced on the application of enemies, subject to due consideration of the public interest, provision is made for the safeguarding of rights in appropriate circumstances.

The regulations also deal with the effect of the war on international arrangements as to patents, designs, trade-marks, and copyright, and the Commissioner is given wide powers to extend time-limits. Certain facilities in regard to the payment of fees in enemy territory, or on behalf of enemies, are also provided.

In the administration of the regulations, where the matters under consideration involve a community of interest, the Patent Office functions in close collaboration with any other Government Departments that may be concerned.

In addition to the Emergency Regulations referred to above, a considerable amount of work has been done in connection with a complete revision of the regulations relating to trade-marks, and it is anticipated that the necessary Order in Council will be gazetted at an early date.

The Patents, Designs, and Trade-marks Amendment Act, 1939, was in operation throughout the whole year under review, having come into force on 1st January, 1940.

It has long been the policy of the Government that the New Zealand Patent Office, and its practice and procedure, should conform closely to the lines adopted in England, subject, however, to such modifications as are rendered desirable by local conditions, including finance. The above Act of 1939, which is accordingly broadly based on corresponding provisions in Great Britain, embodies many improvements formulated in that country as a result of experience and research, and should prove beneficial to New Zealand inventors, trade-mark owners, and the public.

At the best of times the law relating to the subject-matter covered by the Act is regarded by the legal profession as not easy. In order to achieve the results aimed at it was inevitable that the new Act should introduce additional and more difficult provisions, which have been referred to by two well-known legal text-book writers as "a complicated piece of legislation abounding in cross-references, provisoes, and exceptions."

As was anticipated, therefore, the administration of the new Act has involved a considerable increase in the work of the Office, and many matters which, as the result of long years of experience and interpretation, could previously be dealt with safely and expeditiously in accordance with well-established principles have required the closest scrutiny during the year under review.

Having passed the retiring-age in 1940, and been engaged on legal and patent work for over forty years, I have sought and obtained permission to retire from the Office I have occupied since 1925. I have, however, indicated to the Hon. the Minister my willingness to assist in a consultative or similar capacity at any time I may be called on.

PATENT AGENTS.

It is regretted having to report the death by accident of Mr. J. Campbell Peacock, of Wellington, a well-known barrister and solicitor, who had been a registered Patent Agent in practice before this Office for close on thirty-two years. The removal of Mr. Peacock's name from the register reduces the number of Patent Agents on the register as at 31st December, 1940, from 16 in 1939 to 15 in 1940.

CONCLUSION.

The appendix hereto contains the following tables, lists, &c., viz. :—

- A. Receipts and Payments Account for the Year ended 31st December, 1940.
- B. Table showing Receipts and Payments for each of the Last Ten Years.
- C. Particulars of Fees received from 1st January to 31st December, 1940, together with the Corresponding Figures for the Years 1938 and 1939.
- D. Total Number of Applications for Patents and for Registration of Designs and Trade-marks recorded for the Years 1916 to 1940 (inclusive).
- E. Number of Provisional and Complete Specifications received, &c.
- F. Number of Applications for Patents from Persons residing in New Zealand or Dependencies, &c., and in other Countries in each of the Years 1939 and 1940, together with the Average for the Years 1934-38 (inclusive).
- G. Number of Applications for Patents for the Different Classes of Inventions in each of the Years 1939 and 1940, together with the Average for the Years 1934-38 (inclusive).
- H. Total Number of Applications for Patents, Letters Patent sealed, and Letters Patent in force for Full Term under the Different Patents Acts, up to 31st December, 1940 (inclusive).
- I. Number of Applications for Registration of Designs in each of the Fifteen Classes in each of the Years 1938, 1939, and 1940.
- J. Number of Applications for Registration of Trade-marks from Persons residing in New Zealand or Dependencies, &c., and in other Countries in each of the Years 1939 and 1940, together with the Average for the Years 1934-38 (inclusive).
- K. Number of Applications to register Trade-marks in the Fifty Different Classes in each of the Years 1939 and 1940, together with the Average for the Years 1934-38 (inclusive).

H. T. ATKINSON,
Commissioner of Patents, Designs, and Trade-marks.

The Patent Office, Wellington, 30th May, 1941.

APPENDIX.

PATENT OFFICE.

A.—RECEIPTS AND PAYMENTS ACCOUNT FOR THE YEAR ENDED 31ST DECEMBER, 1940.

<i>Receipts.</i>			£	s.	d.	<i>Payments.</i>			£	s.	d.
Patent fees			9,388	5	2	Salaries			4,700	13	4
Design fees			136	6	0	Fuel, light, power, and water			39	5	1
Trade-mark fees			2,662	9	8	Rent of offices			340	10	0
Sales of Acts, <i>Journals</i> &c.—	£	s.				<i>Patent Office Journal</i>			591	13	3
At the Government Printing Office ..	46	7				Postage, telegrams, and telephones			147	14	0
At the Patent Office	7	7				Printing and stationery, &c.			231	11	4
						Refunds			24	5	0
			53	15	2	Balance: Cash in Public Account			6,165	4	0
			£12,240	16	0				£12,240	16	0

H. T. ATKINSON,
Commissioner of Patents.

I hereby certify that the Statement of Receipts and Payments has been duly examined and compared with the relative books and documents submitted for audit, and correctly states the position as disclosed thereby. Copyright fees are not included. CYRIL COLLINS, Controller and Auditor-General.

B.—TABLE SHOWING RECEIPTS AND PAYMENTS FOR EACH OF THE LAST TEN YEARS.

Year.	Receipts.			Payments.			Surplus.		
	£	s.	d.	£	s.	d.	£	s.	d.
1931	13,390	11	6	5,466	7	8	7,924	3	10
1932	12,034	19	4	4,782	7	0	7,252	12	4
1933	11,694	11	10	4,378	18	10	7,315	13	0
1934	12,376	5	11	4,709	6	9	7,666	19	2
1935	12,868	19	4	4,476	13	3	8,392	6	1
1936	13,276	1	4	5,221	19	1	8,054	2	3
1937	13,407	3	7	5,623	9	1	7,783	14	6
1938	14,754	2	8	6,790	8	3	7,963	14	5
1939	14,134	6	6	6,846	1	4	7,288	5	2
1940	12,240	16	0	6,075	12	0	6,165	4	0

C.—PARTICULARS OF FEES RECEIVED FROM 1ST JANUARY TO 31ST DECEMBER, 1940, TOGETHER WITH THE CORRESPONDING FIGURES FOR THE YEARS 1938 AND 1939.

	1938.*		1939.*		1940.	
<i>Patents.</i>	£	s. d.	£	s. d.	£	s. d.
Applications for patents with provisional specifications	677	0 6	705	10 0	648	16 6
Applications for patents with complete specifications	2,546	0 0	2,162	0 6	1,279	0 0
Complete specifications left after provisional specifications	436	0 0	383	10 0	308	0 0
Applications for extension of time	164	15 0	158	17 0	113	0 9
On giving notice of opposition	3	15 0	5	0 0	2	0 0
On hearing opposition	1,111	11 0	1,216	19 10	1,372	9 0
On request for sealing letters patent	3	0 0	..	..	3	0 0
On request for duplicate deeds of letters patent	15	0 0	..	..	..	..
On request for sealing letters patent after prescribed time	2,597	2 3	2,703	0 0	2,793	0 0
On sealing letters patent after prescribed time	2,848	0 0	2,898	0 0	2,514	7 9
Renewal fees paid before end of third year	6	0 0	18	0 0	14	0 0
Renewal fees paid before end of sixth year	127	10 0	83	10 0	18	0 0
Applications for restoration of lapsed patents	61	7 0	69	12 0	79	5 0
On restoration of letters patent	1	10 0	0	15 0	0	15 0
On request to enter name of subsequent proprietor, &c., on register	31	7 0	34	10 6	22	6 9
On request to correct clerical errors	44	19 1	100	9 7	126	3 8
Certificates of Commissioner	31	10 0	33	12 0	2	2 0
Copies of specifications and drawings	27	16 6	32	15 6	30	14 8
Application for registration as patent agent	11	0 0	6	0 0	5	0 0
Patent agents' fees	1	5 0	1	5 0	..	..
Patent agents' examination fees	6	12 0	0	5 0	34	8 0
Searches .. .. .	..	..	2	0 0	..	..
Amendment of letters patent	4	16 0	4	0 0	5	4 0
Request to enter change of name	13	0 3	27	6 3	16	12 1
Request to enter change of address						
Application for endorsement of letters patent "Licenses of Right"						
Advertising in <i>Journal</i> , &c., under Supreme Court Rules						
Application for entry of order of Supreme Court in register						
Weekly lists						
Miscellaneous						
					9,388	5 2

* For a complete analysis of fees received in 1938 and 1939, see reports for those years respectively.

C.—PARTICULARS OF FEES RECEIVED FROM 1ST JANUARY TO 31ST DECEMBER, 1940, TOGETHER WITH THE CORRESPONDING FIGURES FOR THE YEARS 1938 AND 1939—*continued*.

	1938.*		1939.*		1940.	
<i>Designs.</i>						
Application for registration of designs	£	s. d.	£	s. d.	£	s. d.
On extension of period of copyright under section 56 (2)	68	1 0	68	9 0	52	1 6
On extension of period of copyright under section 56 (3)	35	19 6	44	19 6	52	0 0
Searches (Regulation 42)	30	0 0	38	0 0	22	0 0
Searches (Office) .. .. .	..	..	0	5 0	0	7 6
Certificates of Commissioner	1	16 0	2	2 0	1	13 0
Assignment of designs .. .. .	..	..	1	10 0	4	0 0
Copies of drawings	1	0 0	1	5 0	3	10 0
Change of name	0	3 0	0	8 6	0	4 0
Change of address .. .. .	..	..	..	..	..	..
Applications for extension of time .. .. .	..	..	0	10 0	0	10 0
Miscellaneous	1	15 0	1	5 0	..	..
					136	6 0
<i>Trade-marks.</i>						
Application for registration	631	5 0	512	8 8	472	14 0
On registration	1,184	15 6	1,102	19 6	709	11 11
On association	14	7 0	11	6 0	7	19 0
On renewal of registration	1,638	18 4	1,377	19 7	1,175	4 6
Application for extension of time	33	12 4	23	11 0	19	15 0
On giving notice of opposition	8	5 0	2	0 0	2	0 0
On application for rectification of register .. .. .	..	..	..	..	1	0 0
On assignment of trade-marks	133	1 6	107	8 9	88	18 6
Amendment of trade-marks	5	5 0	5	5 0	..	..
On cancellation	3	10 0	11	15 0	3	0 0
On request under section 73 (6)	0	10 0	0	9 0	0	10 0
Extra space in <i>Journal</i>	12	5 0	14	4 0	5	6 0
Copies of trade-mark certificates	0	18 6	0	1 0	0	6 0
On request to enter change of address	6	7 11	11	0 0	9	14 0
On request to enter change of name	10	7 0	6	13 0	4	5 0
On request under section 99	2	0 0	4	12 0	2	0 0
Certificates of Commissioner	11	0 0	7	8 0	7	5 0
Searches (Regulation 84)	18	5 0	16	10 3	12	2 6
Searches (Office)	31	7 0	27	11 0	27	12 0
On request to correct clerical errors	1	15 0	1	0 0	2	0 0
Additional fee under Rule 62	4	0 0	2	0 0	5	0 0
Request to strike out goods	3	15 0	1	5 0	0	10 0
On restoration of trade-mark	12	3 0	2	0 0	6	0 0
Application for order for suspension of rights (Patents, Designs, Trade-marks, and Copyright Emergency Regulations 1940) .. .. .	..	..	..	..	1	10 0
Miscellaneous	4	18 9	5	7 6	98	6 3
					2,662	9 8

* For a complete analysis of fees received in 1937 and 1938 see reports for those years respectively.

D.—TOTAL NUMBER OF APPLICATIONS FOR PATENTS AND FOR REGISTRATION OF DESIGNS AND TRADE-MARKS RECORDED FOR THE YEARS 1914 TO 1940 (INCLUSIVE).

Year.	Patents.	Designs.	Trade-marks.	Total.	Year.	Patents.	Designs.	Trade-marks.	Total.
1914	1,574	55	687	2,316	1928	2,070	163	1,201	3,434
1915	1,299	89	565	1,953	1929	2,251	125	1,359	3,735
1916	1,261	113	666	2,040	1930	2,103	169	1,265	3,537
1917	1,329	83	619	2,031	1931	2,065	151	999	3,215
1918	1,386	53	695	2,134	1932	1,845	164	925	2,934
1919	1,880	74	1,272	3,226	1933	1,761	143	814	2,718
1920	2,193	109	1,391	3,693	1934	1,766	146	915	2,827
1921	2,115	141	994	3,250	1935	1,730	185	943	2,858
1922	2,183	214	1,103	3,500	1936	1,836	124	1,096	3,056
1923	2,075	183	1,163	3,421	1937	1,832	193	889	2,914
1924	2,085	185	1,338	3,608	1938	1,960	160	860	2,980
1925	2,046	203	1,332	3,581	1939	1,821	137	694	2,652
1926	2,137	204	1,143	3,484	1940	1,277	108	626	2,011
1927	2,052	145	1,325	3,522					

E.—NUMBER OF PROVISIONAL AND COMPLETE SPECIFICATIONS RECEIVED, ETC.

Year.	Applications with which Complete Specifications lodged.		Applications with which Provisional Specifications lodged.		Applications for which Complete Specifications subsequently lodged.		Applications abandoned, lapsed, or refused.		Patents sealed.		Total Number of Applications.
	New Zealand or Dependencies, &c.	Other Countries.	New Zealand or Dependencies, &c.	Other Countries.	New Zealand or Dependencies, &c.	Other Countries.	New Zealand or Dependencies, &c.	Other Countries.	New Zealand or Dependencies, &c.	Other Countries.	
1910 ..	250	443	990	148	254	75	925	125	306	475	1,831
1911 ..	245	434	935	126	258	59	849	86	323	482	1,740
1912 ..	258	507	877	95	275	35	817	78	334	508	1,737
1913 ..	217	467	965	126	249	58	910	94	272	499	1,775
1914 ..	177	426	868	103	228	45	782	96	273	423	1,574
1915 ..	140	286	787	86	322	46	669	78	266	288	1,299
1916 ..	178	297	699	87	194	38	630	67	245	319	1,261
1917 ..	183	360	708	84	203	41	580	57	249	385	1,329
1918 ..	143	454	704	88	245	39	540	72	284	442	1,389
1919 ..	200	685	906	91	279	42	707	77	321	689	1,880
1920 ..	250	890	949	110	249	37	725	123	330	1,030	2,199
1921 ..	194	722	1,080	119	310	42	890	107	398	730	2,115
1922 ..	203	686	1,190	104	328	38	992	92	406	693	2,183
1923 ..	221	701	1,041	112	256	57	933	73	341	728	2,075
1924 ..	190	752	1,032	111	304	35	882	89	356	758	2,085
1925 ..	177	764	1,007	98	324	41	831	99	356	756	2,046
1926 ..	180	804	1,058	95	283	41	917	78	347	795	2,137
1927 ..	153	752	1,028	119	284	49	841	95	330	793	2,052
1928 ..	127	912	905	128	240	44	753	98	291	932	2,072
1929 ..	141	1,118	867	125	216	40	753	114	266	1,118	2,251
1930 ..	120	905	984	94	241	32	828	90	275	910	2,103
1931 ..	117	649	1,213	87	255	32	1,056	78	276	655	2,065
1932 ..	95	559	1,120	71	265	27	951	61	263	570	1,845
1933 ..	96	688	909	69	217	24	751	87	250	674	1,762
1934 ..	86	752	857	71	210	23	720	75	217	754	1,766
1935 ..	91	755	805	83	225	36	660	59	230	781	1,730
1936 ..	92	988	678	79	189	40	591	85	208	958	1,837
1937 ..	81	1,040	632	80	170	35	511	141	213	968	1,833
1938 ..	70	1,215	598	77	155	36	..	..	..	..	1,960
1939 ..	78	1,043	628	72	153	29	..	..	..	..	1,821
1940 ..	78	558	600	41	..	..	..	..	..	..	1,277

NOTE.— Applications are sometimes received from joint applicants resident in different countries, and from applicants giving two addresses; the figures may therefore total more than the actual number of applications received.

F.—NUMBER OF APPLICATIONS FOR PATENTS FROM PERSONS RESIDING IN NEW ZEALAND OR DEPENDENCIES, ETC., AND IN OTHER COUNTRIES IN EACH OF THE YEARS 1939 AND 1940, TOGETHER WITH THE AVERAGE FOR THE YEARS 1934-38 (INCLUSIVE).

—	1934-38.	1939.	1940.	—	1934-38.	1939.	1940.
New Zealand ..	799.4	704	684	Latvia ..	0.2	..	..
Argentine Republic ..	0.2	..	..	Lichtenstein ..	0.6	..	..
Austria ..	2.6	1	..	Luxembourg ..	0.6	1	..
Australia ..	234.0	266	151	Mexico ..	0.2	..	..
Bahama Islands ..	0.2	..	..	Netherlands ..	45.0	48	1
Belgium ..	3.4	3	..	New South Wales ..	125.4	171	81
British Solomon Islands ..	0.2	..	..	North Nigeria ..	..	..	..
Canada ..	9.2	13	3	Norway ..	1.2	2	1
Canberra F.C.T. ..	1.0	..	..	Philippine Islands ..	..	..	..
Czechoslovakia ..	1.0	3	..	Queensland ..	11.4	9	8
Denmark ..	5.6	6	..	Roumania ..	0.4	1	..
Dutch East Indies ..	..	..	..	South Australia ..	10.8	11	3
Eire ..	1.0	..	..	South West Africa ..	..	..	..
Estonia ..	..	..	..	Southern Rhodesia ..	..	..	..
Federated Malay States ..	0.4	5	2	Spain ..	0.2	..	..
Finland ..	0.2	..	..	Straits Settlements ..	..	..	..
France ..	16.8	19	6	Sweden ..	4.0	12	4
Germany ..	134.4	81	..	Switzerland ..	4.2	7	3
Greece ..	0.2	1	..	Tasmania ..	1.6	4	..
Guatemala ..	..	..	..	Thailand ..	0.4	1	..
Great Britain ..	425.2	454	304	Union of South Africa ..	3.0	7	5
Hungary ..	1.0	1	4	United States of America ..	129.6	182	105
India ..	1.2	..	..	Victoria ..	80.0	63	54
Italy ..	2.2	3	5	Western Australia ..	3.8	8	5
Japan ..	..	..	..	Western Samoa ..	0.2	..	..
Kenya ..	0.6	..	..		

G.—NUMBER OF APPLICATIONS FOR PATENTS FOR THE DIFFERENT CLASSES OF INVENTIONS IN EACH OF THE YEARS 1939 AND 1940, TOGETHER WITH THE AVERAGE FOR THE YEARS 1934-38 (INCLUSIVE).

Class.	1934-38.	1939.	1940.	Class.	1934-38.	1939.	1940.
Advertising and displaying signs, &c.	18.4	8	3	Illuminating (except gas-manufacture)	87.4	86	81
Aeronautics	11.8	15	19	Indicating, calculating, and measuring (including moisture-testers)	48.8	39	35
Amusements, music, exercisers, games, &c.	39.4	47	27	Kitchen utensils and cooking appliances (including ovens)	42.4	25	19
Attaching and securing (including bolts, ties, &c.)	18.0	19	14	Lifting, hauling, and loading ..	20.4	20	11
Boilers (steam)	3.0	..	4	Locks, latches, and hinges ..	20.6	20	11
Boots and shoes	17.8	17	12	Marine and sub-marine (including lake and river engineering)	15.4	21	12
Bottles, bottling, and glass-working	34.0	30	16	Marking (tickets, labels, &c.) ..	6.2	6	4
Boxes, cans, and casks	55.4	45	34	Medicines and surgical appliances (including ear-instruments, dental work, &c.)	30.8	26	30
Brewing, distilling, &c.	10.4	1	2	Metal-working (including welding, stamping, and plating)	27.8	28	21
Brooms and brushes (including mops)	11.0	8	6	Milking-machines*	43.8	83	59
Building-construction	28.8	25	15	Minerals (including filtration, lixiviation, screens, &c.)	16.0	12	7
Building-construction (brick and cement compositions and moulding)	27.6	32	28	Minerals (magnetic separators) ..	0.4	..	..
Building-construction (windows and doors)	14.2	20	8	Minerals (stampers and pulverizers)	3.0	3	1
Chemicals	13.0	19	13	Oils and lubricators	25.0	23	14
Cleaning, polishing, &c.	20.2	9	8	Paints and painting (including kauri-gum)	8.8	5	5
Closets and urinals	18.8	19	18	Pipes, tubes, and hose	20.2	21	10
Coin-free mechanism	8.8	5	2	Preserving	13.0	10	9
Cooling and freezing	18.6	19	9	Presses	5.2	5	11
Cultivating and tilling	36.0	21	27	Printing and photography	20.0	10	16
Cutting and sawing, and tools ..	41.8	28	26	Pumps and sprayers (except rotary pumps)	19.4	18	17
Dairying*	35.8	31	22	Railways and tramways	15.6	17	6
Drains and sewers	3.8	5	5	Roads and ways (including road watering)	15.2	11	8
Dredging and excavating (including rock drills)	6.6	8	11	Seed-dressing, chaff-cutting, and threshing	4.4	4	4
Dyeing	14.0	15	20	Seed-sowers	15.4	13	12
Electricity and magnetism	75.2	106	64	Sewing and knitting	21.4	27	30
Engines (air, gas, and oil)	40.6	22	58	Sheep and cattle (including veterinary appliances)	25.6	11	11
Engines (steam), including rotary pumps	10.8	6	3	Sheep shearing and clipping	3.8	4	1
Engines (miscellaneous and engine accessories), including current motors, solar motors, tide motors, wave motors, windmills, miscellaneous motors	26.2	21	15	Shop and hotel fittings	21.6	11	11
Explosives, firearms, and targets ..	6.2	17	26	Stationery and paper	33.2	28	26
Exterminating (including trapping animals)	21.4	16	12	Telephony and telegraphy (including phonographs, &c.)	444.2	512	223
Fencing	14.0	20	12	Tobacco	12.0	4	2
Fencing (strainers)	2.2	2	..	Valves and cocks	17.8	12	10
Fibre-dressing (including rope-making)	18.8	5	11	Vehicles	58.8	52	27
Filters	4.2	9	5	Vehicles (velocipedes)	16.6	12	11
Fire alarms, escapes, ladders, and extinguishers	10.8	14	2	Ventilating	8.6	5	6
Food	15.0	23	11	Washing and cleansing	23.6	29	32
Furnaces and kilns (including smoke-consumers)	18.2	20	9	Water-supplying	6.0	5	2
Furniture and upholstery, desks, blinds, curtains, &c.	34.8	46	44	Wearing-apparel	49.8	42	25
Gas-manufacture for lighting, heating, or power purposes	8.0	9	60	Wools and hides	8.6	2	10
Harness (including horse, &c., covers)	4.4	3	2	Miscellaneous inventions not in other classes, as india-rubber-manufacture, fishing-appliances, &c.	18.0	18	19
Harvesting and grading	21.4	29	23				
Heating, and fuel-manufacture	42.8	28	19				

* Prior to 1911 milking-machines were included in class "Dairying," but are now a separate class.

NOTE.—Owing to some inventions being classified under more than one heading, the figures will total more than the number of applications received.

H.—TOTAL NUMBER OF APPLICATIONS FOR PATENTS, LETTERS PATENT SEALED, AND LETTERS PATENT IN FORCE FOR FULL TERM UNDER THE DIFFERENT PATENTS ACTS, UP TO 31ST DECEMBER, 1940 (INCLUSIVE).

		Total Number of Applications.	Number on which Letters Patent have been sealed.	Number of Patents on which Final Fee paid.
Act of 1860	1861 to 1870	109	109	109
„ 1870	1871 to 1883	881	687	465
„ 1883	1884 to 1889	3,170	1,757	368
Acts of 1889 and 1908	1890 to 30th June, 1912	27,419	12,711	2,591
Act of 1911	1st July, 1912, to 30th June, 1922	16,750	7,773	1,660
„ 1921-22	1st July, 1922, to 31st Dec., 1940	33,967	20,023	4,771
Grand totals .. ..	.. ..	84,131	43,060	9,964

I.—NUMBER OF APPLICATIONS FOR REGISTRATION OF DESIGNS IN EACH OF THE FIFTEEN CLASSES IN EACH OF THE YEARS 1938, 1939, AND 1940.

	1938.	1939.	1940.
<i>Class 1.</i> —Articles composed wholly of metal or in which metal predominates, and jewellery	70	65	52
<i>Class 2.</i> —Books and bookbinding of all materials .. .. .	..	1	..
<i>Class 3.</i> —Articles composed wholly of wood, bone, ivory, papier maché, or other solid substances not included in other classes, or of materials in which such substances predominate	37	44	32
<i>Class 4.</i> —Articles composed wholly of glass, earthenware, or porcelain, clay (burnt or baked), or cement, or in which such materials predominate	37	11	14
<i>Class 5.</i> —Articles composed wholly of paper, cardboard, millboard, or strawboard (except articles included in Class 2, and paperhangings), or in which such materials predominate	5	6	4
<i>Class 6.</i> —Articles composed wholly of leather or in which leather predominates, not included in other classes	..	..	2
<i>Class 7.</i> —Paperhangings .. .. .	..	..	..
<i>Class 8.</i> —Carpets, rugs, and floor-coverings in all materials .. .. .	..	..	..
<i>Class 9.</i> —Lace .. .. .	..	..	..
<i>Class 10.</i> —Boots and shoes	1	1	..
<i>Class 11.</i> —Millinery and wearing-apparel (except boots and shoes)	2	..	4
<i>Class 12.</i> —Goods not included in other classes	6	8	..
<i>Class 13.</i> —Printed or woven designs on textile piece-goods (other than checks or stripes)	1	1	..
<i>Class 14.</i> —Printed or woven designs on handkerchiefs and shawls (other than checks or stripes)	..	..	..
<i>Class 15.</i> —Printed or woven designs on textile piece-goods or on handkerchiefs or shawls being checks or stripes	1	..	..
	160	137	108

J.—NUMBER OF APPLICATIONS FOR REGISTRATION OF TRADE-MARKS FROM PERSONS RESIDING IN NEW ZEALAND OR DEPENDENCIES, ETC., AND IN OTHER COUNTRIES IN EACH OF THE YEARS 1939 AND 1940, TOGETHER WITH THE AVERAGE FOR THE YEARS 1934-38 (INCLUSIVE).

—	Average for 1934-38.	1939.	1940.	—	Average for 1934-38.	1939.	1940.
New Zealand	405·8	334	287	Iraq	0·2	..	..
Australia	131·4	86	86	Italy	1·6	..	..
Austria	0·2	..	..	Japan	2·0	..	..
Bahama Islands ..	0·4	..	..	Netherlands ..	0·2	..	..
Belgium	1·8	4	..	New South Wales ..	78·8	41	52
Canada	2·4	13	7	Northern Ireland ..	1·6	..	..
Canberra	0·2	1	..	Portugal	0·2	..	..
Columbia	0·2	..	..	Queensland	1·8	1	..
Cuba	0·4	1	..	South Australia ..	1·0	..	4
Czechoslovakia ..	1·4	..	1	Sweden	2·2	7	..
Denmark	0·4	1	..	Switzerland	1·8	1	21
Finland	1·2	..	..	Tasmania	0·6	..	..
France	10·4	8	2	United States of Amer- ica	74·8	76	47
Germany	25·6	31	..	Victoria	47·6	43	28
Great Britain ..	256·0	128	177	Western Australia ..	0·2	..	2
Hawaii .. ..	..	1	..	Western Samoa ..	0·2	..	..
Holland	2·6	2	..	Singapore	0·8	..	..
Hungary	0·2	..	..		
India	2·8	..	..		

K.—NUMBER OF APPLICATIONS TO REGISTER TRADE-MARKS IN THE FIFTY DIFFERENT CLASSES IN EACH OF THE YEARS 1939 AND 1940, TOGETHER WITH THE AVERAGE FOR THE YEARS 1934-38 (INCLUSIVE).

Class.	Classification of Goods.	Average for 1934-38.	1939.	1940.
1	Chemical substances used in manufactures, photography, or philosophical research, and anti-corrosives	46.6	31	29
2	Chemical substances used for agricultural, horticultural, veterinary, and sanitary purposes	35.6	27	43
3	Chemical substances prepared for use in medicine and pharmacy	111.8	72	103
4	Raw or partly prepared vegetable, animal, and mineral substances used in manufactures not included in other classes	7.0	9	8
5	Unwrought and partly wrought metals used in manufacture	5.8	3	7
6	Machinery of all kinds, and parts of machinery, except agricultural and horticultural machines included in Class 7	27.2	32	27
7	Agricultural and horticultural machinery, and parts of such machinery	6.6	15	2
8	Philosophical instruments, scientific instruments, and apparatus for useful purposes; instruments and apparatus for teaching	44.4	42	29
9	Musical instruments	5.6	2	3
10	Horological instruments	2.0	1	2
11	Instruments, apparatus, and contrivances, not medicated, for surgical or curative purposes, or in relation to the health of men or animals	12.8	11	12
12	Cutlery and edge tools	9.2	10	1
13	Metal goods not included in other classes	33.4	36	17
14	Goods of precious metals (including aluminium, nickel, Britannia-metal, &c.), and jewellery, and imitations of such goods and jewellery	2.4	3	6
15	Glass	4.6	3	1
16	Porcelain and earthenware	3.6	3	10
17	Manufactures from mineral and other substances for building or decoration ..	10.8	11	16
18	Engineering, architectural, and building contrivances	12.2	13	14
19	Arms, ammunition, and stores not included in Class 20	0.4	..	..
20	Explosive substances	1.2	..	..
21	Naval architectural contrivances and naval equipment not included in Classes 19 and 20	0.4	..	..
22	Carriages	8.2	1	3
23	(a) Cotton-yarn; (b) sewing cotton	5.8	1	1
24	Cotton piece-goods of all kinds	18.8	11	14
25	Cotton goods not included in Classes 23, 24, and 38	5.2	3	2
26	Linen and hemp yarn and thread	0.4	..	..
27	Linen and hemp piece-goods	1.4	..	1
28	Linen and hemp goods not included in Classes 26, 27, and 50	1.6	..	..
29	Jute yarns and tissues, and other articles made of jute not included in Class 50	0.2	..	..
30	Silk, spun, thrown, or sewing	1.6	..	..
31	Silk piece-goods	1.6	..	..
32	Other silk goods not included in Classes 30 and 31	1.0	1	..
33	Yarns of wool, worsted, or hair	3.4	1	1
34	Cloths and stuffs of wool, worsted, or hair	5.6	3	1
35	Woollen and worsted and hair goods not included in Classes 33 and 34	0.8	2	1
36	Carpets, floorecloths, and oilcloth	2.0	2	1
37	Leather, skins (unwrought and wrought), and articles made of leather not included in other classes	4.2	2	1
38	Articles of clothing	84.6	65	48
39	Paper (except paperhangings), stationery, and bookbinding	32.4	18	15
40	Goods manufactured from indiarubber and guttapercha not included in other classes	11.6	14	10
41	Furniture and upholstery	4.2	6	1
42	Substances used as food or as ingredients in food	143.6	77	73
43	Fermented liquors and spirits	24.4	16	8
44	Mineral and aerated waters (natural and artificial), including ginger-beer ..	6.4	2	3
45	Tobacco, whether manufactured or unmanufactured	14.0	8	2
46	Seeds for agricultural and horticultural purposes	1.4	2	1
47	Candles, common soap, detergents; illuminating, heating, or lubricating oils; matches; and starch, blue, and other preparations for laundry purposes	40.0	21	14
48	Perfumery (including toilet articles, preparations for the teeth and hair, and perfumed soap)	67.8	50	36
49	Games of all kinds, and sporting articles not included in other classes ..	11.2	5	15
50	Miscellaneous	56.0	59	43

Approximate Cost of Paper.—Preparation, not given; printing (505 copies), £22 10s.

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