

DESIGNS.

Fewer applications than ever were recorded last year—21, as compared with 46 in 1910, 51 in 1909, and 79 in 1908. The registration of designs, which is extensively effected in the United Kingdom, is certainly not availed of here to a sufficient extent to make it worth while keeping the records, and, unless the lengthening of the term and the lowering of the fees provided for under the new Act bring this form of protection into greater use, the adoption, instead, of the grant of petty patents, as in certain countries, for minor inventions, ideas, and designs may be worth consideration.

TRADE-MARKS.

There has been a steady increase in the number of applications for registration of trade-marks. Prior to the commencement of the present Act there were only 1,213 applications for registration, while since then there have been 10,150, the number—160—applied for in 1890, the year the present Act first came into force, having risen year by year, till for last year it was 861, the highest recorded.

A corresponding increase is noticeable in the revenue from this source, which amounted to £1,208 ls. 9d., £116 6s. 10d. more than in the preceding year.

COUNTRIES FROM WHICH APPLICATIONS RECEIVED.

Applications from New Zealand number 378, as compared with 335 in 1910. From the United Kingdom 268 applications were received; from Australia, 69; from United States America, 68; and from Germany, 57.

GOODS FOR WHICH TRADE-MARKS REGISTERED.

As is usually the case, the largest number of applications in any one class is in respect of food substances (Class 42)—*i.e.*, 125. In Class 38 (articles of clothing) 84 applications were received, in Class 50 (miscellaneous) 66, and in Class 47 (candles, soap, &c.) 58. Applications in Class 4 (raw or partly prepared vegetable, animal, &c., substances) increased from 4 to 17, chiefly on account of wool-marks; those in Class 25 (cotton goods) from 1 to 11; and those in Class 30 (silk goods) from 1 to 9; while those in Class 40 (rubber goods) fell from 23 in 1910 to 6 in 1911.

GENERAL.

OPPOSITION.

Notice of opposition was given in 22 cases, and no decision was appealed against. An appeal from the Supreme Court upholding a decision of the Office was heard by the Court of Appeal during the year and dismissed.

PATENT AGENTS.

As a result of examination (paper appended) one name was added to the Register of Patent Agents during the year, bringing the total on the register to 78.

NEW ACT.

The new Act commencing next month closely follows the English statute, but there are some material differences, the most important being—

(a.) Definition of "inventor": The retention of the present definition of an inventor, excluding the first importer, who may apply in England.

(b.) Examination into novelty: The Registrar is authorized, but not required, as is the Comptroller in England, to investigate the novelty of inventions, and the ground of the inquiry is not restricted, instead of, as in England, being confined to specifications of own country for the past fifty years. Not only novelty, but subject-matter, as apart from novelty, may be inquired into by the Registrar, and inventions rejected on account of want of it as well as for lack of novelty. Otherwise, the procedure under this section is the same as the English statute.

(c.) Grounds of opposition: The grounds of opposition at present unrestricted are prescribed as in the Imperial Act, with an additional ground "that the invention claimed is not new, or is for any other reason not a proper subject-matter for a patent."

(d.) Working of patents: The remedy for non-working or inadequate working in New Zealand is not revocation as in the United Kingdom, but an order of the Court which, while making the patent ineffective as regards manufacture and use of the invention by any one else in New Zealand, leaves it in force as regards imported infringements.

Compulsory Licenses and Revocation.

There is no such preliminary investigation provided for as in England, the Act requiring that the petition be to the Court direct. The procedure otherwise corresponds to that laid down by the English statute.

Marking as Notice of Existence of Patent of Infringement Proceedings.

Similar provision as in the English statute, but the New Zealand Act requires the words "Patent" or "Patented," or any words implying that a patent has been obtained for the article, to be accompanied by the words "New Zealand" or letters "N.Z.," and by the number (but not necessarily the year) of the patent.