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which was not new or original, or not a proper subject for registration under sect. 60 (*ante*, p. 110).

- (2.) Where a design has been registered by a person other than the true proprietor thereof.

And, generally, with regard to all the registers, the section applies in cases where any entry has been wrongly made or refused.

Power for
comptroller to
correct clerical
errors.

91. The comptroller may, on request in writing accompanied by the prescribed fee,—

- (a) Correct any clerical error in or in connection with an application for a patent, or for registration of a design or trade mark; or
- (b) Correct any clerical error in the name style or address of the registered proprietor of a patent, design, or trade mark.
- (c) Cancel the entry or part of the entry of a trade mark on the register; Provided that the applicant accompanies his request by a statutory declaration made by himself, stating his name, address, and calling, and that he is the person whose name appears on the register as the proprietor of the said trade mark.

Alteration of
registered
mark.

92.—(1.) The registered proprietor of any registered trade mark may apply to the Court for leave to add to or alter such mark in any particular, not being an essential particular within the meaning of this Act, and the Court may refuse or grant leave on such terms as it may think fit.

(2.) Notice of any intended application to the Court under this section shall be given to the comptroller by the applicant; and the comptroller shall be entitled to be heard on the application.

(3.) If the Court grants leave, the comptroller shall, on proof thereof and on payment of the prescribed fee, cause the register to be altered in conformity with the order of leave.

The following rule refers to this section :—

T.M.R. 48.—“ Whenever the registered proprietor of any trade mark intends to apply for the leave of the Court to add to or to alter such trade mark, under section 92 of the said Act, the notice to be given to the comptroller shall be given fourteen days at least before such application. If leave be granted on such application, the applicant shall forthwith supply to the comptroller such a number of representations of the trade mark, as altered, as he may deem sufficient.”

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93. If any person makes or causes to be made a false entry in any register kept under this Act, or a writing falsely purporting to be a copy of an entry in any such register, or produces or tenders or causes to be produced or tendered in evidence any such writing, knowing the entry or writing to be false, he shall be guilty of a misdemeanor.

Falsification of entries in registers. [1862, s. 37.]

94. Where any discretionary power is by this Act given to the comptroller, he shall not exercise that power adversely to the applicant for a patent, or for amendment of a specification, or for registration of a trade mark or design, without (if so required within the prescribed time by the applicant) giving the applicant an opportunity of being heard personally or by his agent.

Exercise of discretionary power by comptroller.

95. The comptroller may, in any case of doubt or difficulty arising in the administration of any of the provisions of this Act, apply to either of the law officers for directions in the matter.

Power of comptroller to take directions of law officers.

96. A certificate purporting to be under the hand of the comptroller as to any entry, matter, or thing which he is authorized by this Act, or any general rules made thereunder, to make or do, shall be *primâ facie* evidence of the entry having been made, and of the contents thereof, and of the matter or thing having been done or left undone.

Certificate of comptroller to be evidence. [1852, s. 38; 1875, c. 91, s. 5.]

97.—(1.) Any application, notice, or other document authorized or required to be left made or given at the Patent Office or to the comptroller, or

Applications and notices by post.

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to any other person under this Act, may be sent by a prepaid letter through the post; and if so sent shall be deemed to have been left made or given respectively at the time when the letter containing the same would be delivered in the ordinary course of post.

(2.) In proving such service or sending, it shall be sufficient to prove that the letter was properly addressed and put into the post.

Provision as to days for leaving documents at office.

98. Whenever the last day fixed by this Act, or by any rule for the time being in force, for leaving any document or paying any fee at the patent office shall fall on Christmas Day, Good Friday, or on a Saturday or Sunday, or any day observed as a holiday at the Bank of England, or any day observed as a day of public fast or thanksgiving, herein referred to as excluded days, it shall be lawful to leave such document or to pay such fee on the day next following such excluded day, or days if two or more of them occur consecutively.

Declaration by infant, lunatic, &c.

99. If any person is, by reason of infancy lunacy or other inability, incapable of making any declaration or doing anything required or permitted by this Act or by any rules made under the authority of this Act, then the guardian or committee (if any) of such incapable person, or if there be none, any person appointed by any Court or judge possessing jurisdiction in respect of the property of incapable persons, upon the petition of any person on behalf of such incapable person, or of any other person interested in the making such declaration or doing such thing, may make such declaration or a declaration as nearly corresponding thereto as circumstances permit, and do such thing in the name and on behalf of such incapable person, and all acts done by such substitute shall for the purposes of this Act be as

effectual as if done by the person for whom he is substituted.

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100. Copies of all specifications, drawings, and amendments left at the Patent Office after the commencement of this Act, printed for and sealed with the seal of the Patent Office, shall be transmitted to the Edinburgh Museum of Science and Art, and to the Enrolments Office of the Chancery Division in Ireland, and to the Rolls Office in the Isle of Man, within twenty-one days after the same shall respectively have been accepted or allowed at the Patent Office; and certified copies of or extracts from any such document shall be given to any person requiring the same on payment of the prescribed fee; and any such copy or extract shall be admitted in evidence in all courts in Scotland and Ireland and in the Isle of Man without further proof or production of the originals.

Transmission of certified printed copies of specifications, &c.

101.—(1.) The Board of Trade may from time to time make such general rules and do such things as they think expedient, subject to the provisions of this Act—

Power for Board of Trade to make general rules for classifying goods and regulating business of Patent Office.

(a) For regulating the practice of registration under this Act :

(b) For classifying goods for the purposes of designs and trade marks :

[See 1852, s. 3.]
[1852, ss. 29, 30.]

(c) For making or requiring duplicates of specifications, amendment, drawings, and other documents :

(d) For securing and regulating the publishing and selling of copies, at such prices and in such manner as the Board of Trade think fit, of specifications drawings amendments and other documents :

(e) For securing and regulating the making printing publishing and selling of indexes to, and abridgments of, specifications and other documents in the Patent Office; and

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providing for the inspection of indexes and abridgments and other documents :

(*f*) For regulating (with the approval of the Treasury) the presentation of copies of Patent Office publications to patentees and to public authorities, bodies, and institutions at home and abroad :

(*g*) Generally for regulating the business of the Patent Office, and all things by this Act placed under the direction or control of the comptroller, or of the Board of Trade.

(2.) Any of the forms in the First Schedule to this Act may be altered or amended by rules made by the Board as aforesaid.

(3.) General rules may be made under this section at any time after the passing of this Act, but not so as to take effect before the commencement of this Act, and shall (subject as hereinafter mentioned) be of the same effect as if they were contained in this Act, and shall be judicially noticed.

(4.) Any rules made in pursuance of this section shall be laid before both Houses of Parliament, if Parliament be in session at the time of making thereof, or, if not, then as soon as practicable after the beginning of the then next session of Parliament, and they shall also be advertised twice in the official journal to be issued by the comptroller.

(5.) If either House of Parliament, within the next forty days after any rules have been so laid before such House, resolve that such rules or any of them ought to be annulled, the same shall after the date of such resolution be of no effect, without prejudice to the validity of anything done in the meantime under such rules or rule or to the making of any new rules or rule.

Three sets of Rules have been made under this section for patents, designs and trade marks respectively, all dated 21st December, 1883 (see *post*, pp. 157, 174, 183).

102. The comptroller shall, before the first day of June in every year, cause a report respecting the execution by or under him of this Act to be laid before both Houses of Parliament, and therein shall include for the year to which each report relates all general rules made in that year under or for the purposes of this Act, and an account of all fees, salaries, and allowances, and other money received and paid under this Act.

Annual reports of comptroller. [1852, ss. 3, 51.]

International and Colonial Arrangements.

103.—(1.) If her Majesty is pleased to make any arrangement with the government or governments of any foreign state or states for mutual protection of inventions, designs, and trade marks, or any of them, then any person who has applied for protection for any invention, design, or trade mark in any such state, shall be entitled to a patent for his invention or to registration of his design or trade mark (as the case may be) under this Act, in priority to other applicants; and such patent or registration shall have the same date as the date of the protection obtained in such foreign state.

International arrangements for protection of inventions, designs, and trade marks.

Provided that his application is made, in the case of a patent within seven months, and in the case of a design or trade mark within four months, from his applying for protection in the foreign state with which the arrangement is in force.

Provided that nothing in this section contained shall entitle the patentee or proprietor of the design or trade mark to recover damages for infringements happening prior to the date of the actual acceptance of his complete specification, or the actual registration of his design or trade mark in this country, as the case may be.

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(2.) The publication in the United Kingdom, or the Isle of Man during the respective periods aforesaid of any description of the invention, or the use therein during such periods of the invention, or the exhibition or use therein during such periods of the design, or the publication therein during such periods of a description or representation of the design, or the use therein during such periods of the trade mark, shall not invalidate the patent which may be granted for the invention, or the registration of the design or trade mark :

(3.) The application for the grant of a patent, or the registration of a design, or the registration of a trade mark under this section, must be made in the same manner as an ordinary application under this Act: Provided that, in the case of trade marks, any trade mark the registration of which has been duly applied for in the country of origin may be registered under this Act :

(4.) The provisions of this section shall apply only in the case of those foreign states with respect to which her Majesty shall from time to time by Order in Council declare them to be applicable, and so long only in the case of each state as the Order in Council shall continue in force with respect to that state.

Provision for
Colonies and
India.

104.—(1.) Where it is made to appear to her Majesty that the legislature of any British possession has made satisfactory provision for the protection of inventions, designs, and trade marks, patented or registered in this country, it shall be lawful for her Majesty from time to time, by Order in Council, to apply the provisions of the last preceding section, with such variations or additions, if any, as to her Majesty in Council may seem fit, to such British possession.

(2.) An Order in Council under this Act shall,

from a date to be mentioned for the purpose in the Order, take effect as if its provisions had been contained in this Act; but it shall be lawful for her Majesty in Council to revoke any Order in Council made under this Act.

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Offences.

105.—(1.) Any person who represents that any article sold by him is a patented article, when no patent has been granted for the same, or describes any design or trade mark applied to any article sold by him as registered which is not so, shall be liable for every offence on summary conviction to a fine not exceeding five pounds.

Penalty on falsely representing articles to be patented.

(2.) A person shall be deemed, for the purposes of this enactment, to represent that an article is patented or a design or a trade mark is registered, if he sells the article with the word “patent,” “patented,” “registered,” or any word or words expressing or implying that a patent or registration has been obtained for the article stamped, engraved, or impressed on, or otherwise applied to, the article.

106. Any person who, without the authority of her Majesty, or any of the Royal Family, or of any Government Department, assumes or uses in connection with any trade, business, calling, or profession, the Royal arms, or arms so nearly resembling the same as to be calculated to deceive, in such a manner as to be calculated to lead other persons to believe that he is carrying on his trade, business, calling, or profession by or under such authority as aforesaid, shall be liable on summary conviction to a fine not exceeding twenty pounds.

Penalty on unauthorized assumption of Royal arms.

Scotland; Ireland; &c.

Saving for
Courts in
Scotland.
[1852, s. 43.]

107. In any action for infringement of a patent in Scotland the provisions of this Act, with respect to calling in the aid of an assessor, shall apply, and the action shall be tried without a jury, unless the Court shall otherwise direct, but otherwise nothing shall affect the jurisdiction and forms of process of the courts in Scotland in such an action or in any action or proceeding respecting a patent hitherto competent to those courts.

For the purposes of this section "Court of Appeal" shall mean any court to which such action is appealed.

Summary
proceedings
in Scotland.

108. In Scotland any offence under this Act declared to be punishable on summary conviction may be prosecuted in the Sheriff Court.

Proceedings
for revocation
of patent in
Scotland.

109.—(1.) Proceedings in Scotland for revocation of a patent shall be in the form of an action of reduction at the instance of the Lord Advocate, or at the instance of a party having interest with his concurrence, which concurrence may be given on just cause shown only.

[1852, ss. 35,
43.]

(2.) Service of all writs and summonses in that action shall be made according to the forms and practice existing at the commencement of this Act.

Reservation of
remedies in
Ireland.

[1852, s. 29.]

110. All parties shall, notwithstanding anything in this Act, have in Ireland their remedies under or in respect of a patent as if the same had been granted to extend to Ireland only.

General
saving for
jurisdiction of
Courts.

[1875, c. 91,
s. 10.]

111.—(1.) The provisions of this Act conferring a special jurisdiction on the court as defined by this Act, shall not, except so far as the jurisdiction extends, affect the jurisdiction of any court in Scotland or Ireland in any proceedings relating to patents or to designs or to trade marks; and with reference to any such proceedings in Scot-

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land, the term "the Court" shall mean any Lord Ordinary of the Court of Session, and the term "Court of Appeal" shall mean either Division of the said Court; and with reference to any such proceedings in Ireland, the terms "the Court" and "the Court of Appeal" respectively mean the High Court of Justice in Ireland and her Majesty's Court of Appeal in Ireland.

(2.) If any rectification of a register under this Act is required in pursuance of any proceeding in a court in Scotland or Ireland, a copy of the order, decree, or other authority for the rectification, shall be served on the comptroller, and he shall rectify the register accordingly.

112. This Act shall extend to the Isle of Man, Isle of Man.
and—

- (1.) Nothing in this Act shall affect the jurisdiction of the courts in the Isle of Man, in proceedings for infringement or in any action or proceeding respecting a patent, design, or trade mark competent to those courts;
- (2.) The punishment for a misdemeanor under this Act in the Isle of Man shall be imprisonment for any term not exceeding two years, with or without hard labour, and with or without a fine not exceeding one hundred pounds, at the discretion of the Court;
- (3.) Any offence under this Act committed in the Isle of Man which would in England be punishable on summary conviction may be prosecuted, and any fine in respect thereof recovered at the instance of any person aggrieved, in the manner in which offences punishable on summary conviction may for the time being be prosecuted.

Repeal ; Transitional Provisions ; Savings.

Repeal and saving for past operation of repealed enactments, &c.

113. The enactments described in the Third Schedule to this Act are hereby repealed. But this repeal of enactments shall not—

- (a) Affect the past operation of any of those enactments, or any patent or copyright or right to use a trade mark granted or acquired, or application pending, or appointment made, or compensation granted, or order or direction made or given, or right, privilege, obligation, or liability acquired, accrued, or incurred, or anything duly done or suffered under or by any of those enactments before or at the commencement of this Act ; or
- (b) Interfere with the institution or prosecution of any action or proceeding, civil or criminal, in respect thereof, and any such proceeding may be carried on as if this Act had not been passed ; or
- (c) Take away or abridge any protection or benefit in relation to any such action or proceeding.

Former registers to be deemed continued.

114.—(1.) The registers of patents and of proprietors kept under any enactment repealed by this Act shall respectively be deemed parts of the same book as the Register of Patents kept under this Act.

(2.) The registers of designs and of trade marks kept under any enactment repealed by this Act shall respectively be deemed parts of the same book as the Register of Designs and the Register of Trade Marks kept under this Act.

Saving for existing rules.

115. All general rules made by the Lord Chancellor or by any other authority under any enactment repealed by this Act, and in force at

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the commencement of this Act, may at any time after the passing of this Act be repealed altered or amended by the Board of Trade, as if they had been made by the Board under this Act, but so that no such repeal alteration or amendment shall take effect before the commencement of this Act; and, subject as aforesaid, such general rules shall, so far as they are consistent with and are not superseded by this Act, continue in force as if they had been made by the Board of Trade under this Act.

All such Rules, except the Rules of Procedure on Applications for Extensions of Patents to the Judicial Committee of the Privy Council, have been repealed (see P.R. 78, *post*, p. 168; T.M.R. 60, *post*, p. 193; and D.R. 37, *post*, p. 179).

116. Nothing in this Act shall take away abridge or prejudicially affect the prerogative of the Crown in relation to the granting of any letters patent or to the withholding of a grant thereof. Saving for prerogative. [1852, s. 16.]

General Definitions.

117.—(1.) In and for the purposes of this Act, unless the context otherwise requires,— General definitions.

“Person” includes a corporate body:

“The Court” means (subject to the provisions for Scotland, Ireland, and the Isle of Man) her Majesty’s High Court of Justice in England:

“Law officer” means her Majesty’s Attorney-General or Solicitor-General for England:

“The Treasury” means the Commissioners of her Majesty’s Treasury:

“Comptroller” means the Comptroller-General of Patents, Designs, and Trade Marks:

“Prescribed” means prescribed by any of the

§ 117. Schedules to this Act, or by general rules under or within the meaning of this Act:

“British possession” means any territory or place situate within her Majesty’s dominions, and not being or forming part of the United Kingdom, or of the Channel Islands or of the Isle of Man, and all territories and places under one legislature, as hereinafter defined, are deemed to be one British possession for the purposes of this Act:

“Legislature” includes any person or persons who exercise legislative authority in the British possession; and where there are local legislatures as well as a central legislature, means the central legislature only.

In the application of this Act to Ireland, “summary conviction” means a conviction under the Summary Jurisdiction Acts, that is to say, with reference to the Dublin Metropolitan Police District the Acts regulating the duties of justices of the peace and of the police for such district, and elsewhere in Ireland the Petty Sessions (Ireland) Act, 1851, and any Act amending it.

SCHEDULES.

THE FIRST SCHEDULE.

Forms A, B and C have been replaced by Forms A, A1, B and C (*post*, pp. 218—220), by P.R. 5 (*post*, p. 157).

FORM D.

Form of Patent.

VICTORIA, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith: To all to whom these presents shall come greeting:

Whereas *John Smith*, of 29, *Perry Street*, *Birmingham*, in the county of *Warwick*, *Engineer*, hath by his solemn declaration represented unto us that he is in possession of an invention for "*Improvements in Sewing Machines*," that he is the true and first inventor thereof, and that the same is not in use by any other person to the best of his knowledge and belief:

And whereas the said inventor hath humbly prayed that we would be graciously pleased to grant unto him (hereinafter together with his executors, administrators, and assigns, or any of them, referred to as the said patentee) our Royal Letters Patent for the sole use and advantage of his said invention:

And whereas the said inventor hath by and in his complete specification particularly described the nature of his invention:

And whereas we being willing to encourage all inventions which may be for the public good, are graciously pleased to condescend to his request:

Know ye, therefore, that We, of our especial grace, certain knowledge, and mere motion do by these presents, for us, our heirs and successors, give and grant unto the said patentee our especial license, full power, sole privilege, and authority, that the said patentee by himself, his agents,

or licensees, and no others, may at all times hereafter during the term of years herein mentioned, make, use, exercise, and vend the said invention within our United Kingdom of Great Britain and Ireland, and Isle of Man, in such manner as to him or them may seem meet, and that the said patentee shall have and enjoy the whole profit and advantage from time to time accruing by reason of the said invention, during the term of fourteen years from the date hereunder written of these presents: And to the end that the said patentee may have and enjoy the sole use and exercise and the full benefit of the said invention, We do by these presents for us our heirs and successors, strictly command all our subjects whatsoever within our United Kingdom of Great Britain and Ireland, and the Isle of Man, that they do not at any time during the continuance of the said term of fourteen years either directly or indirectly make use of or put in practice the said invention, or any part of the same, nor in anywise imitate the same, nor make or cause to be made any addition thereto or subtraction therefrom, whereby to pretend themselves the inventors thereof, without the consent licence or agreement of the said patentee in writing under his hand and seal, on pain of incurring such penalties as may be justly inflicted on such offenders for their contempt of this our Royal command, and of being answerable to the patentee according to law for his damages thereby occasioned: Provided that these our letters patent are on this condition, that, if at any time during the said term it be made to appear to us, our heirs, or successors, or any six or more of our Privy Council, that this our grant is contrary to law, or prejudicial or inconvenient to our subjects in general, or that the said invention is not a new invention as to the public use and exercise thereof within our United Kingdom of Great Britain and Ireland, and Isle of Man, or that the said patentee is not the first and true inventor thereof within this realm as aforesaid, these our letters patent shall forthwith determine, and be void to all intents and purposes, notwithstanding anything hereinbefore contained: Provided also, that if the said patentee shall not pay all fees by law required to be paid in respect of the grant of these letters patent, or in respect of any matter relating thereto at the time or times, and in manner for the time being by law provided; and also if the said patentee shall not supply

or cause to be supplied, for our service all such articles of the said invention as may be required by the officers or commissioners administering any department of our service in such manner, at such times, and at and upon such reasonable prices and terms as shall be settled in manner for the time being by law provided, then, and in any of the said cases, these our letters patent, and all privileges and advantages whatever hereby granted shall determine and become void notwithstanding anything hereinbefore contained: Provided also that nothing herein contained shall prevent the granting of licences in such manner and for such considerations as they may by law be granted: And lastly, we do by these presents for us, our heirs and successors, grant unto the said patentee that these our letters patent shall be construed in the most beneficial sense for the advantage of the said patentee. In witness whereof we have caused these our letters to be made patent this one thousand eight hundred and
and to be sealed as of the one thousand
eight hundred and

(Seal of
Patent Office.)

FORM E.

See Form E. (*post*, p. 230), which is prescribed by D.R. 4 (*post*, p. 174).

FORM F

has been replaced by Form F (*post*, p. 235) by T.M.R. 4 (*post*, p. 183).

THE SECOND SCHEDULE.

FEES ON INSTRUMENTS FOR OBTAINING PATENTS, AND RENEWAL.

(a) Up to sealing.

	£	s.	d.		£	s.	d.
On application for provisional protection	-	1	0	0			
On filing complete specification	-	3	0	0			
					4	0	0
				<i>or</i>			
On filing complete specification with first application	-				4	0	0

(b) Further before end of four years from date of patent.

On certificate of renewal	-	-	-	-	-	-	-	50	0	0
								50	0	0

*(c) Further before end of seven years, or in the case of
patents granted after the commencement of this Act,
before the end of eight years from date of patent.*

On certificate of renewal	-	-	-	-	-	-	-	100	0	0
								100	0	0

Or in lieu of the fees of 50l. and 100l. the following annual fees:—

Before the expiration of the fourth year from the date										
				of the patent				10	0	0
"	"	fifth	"	"				10	0	0
"	"	sixth	"	"				10	0	0
"	"	seventh	"	"				10	0	0
"	"	eighth	"	"				15	0	0
"	"	ninth	"	"				15	0	0
"	"	tenth	"	"				20	0	0
"	"	eleventh	"	"				20	0	0
"	"	twelfth	"	"				20	0	0
"	"	thirteenth	"	"				20	0	0

THE THIRD SCHEDULE.

Enactments repealed.

21 James 1, c. 3 - - [1623.]	The Statute of Monopolies. In part; namely,— Sections ten, eleven, and twelve.
5 & 6 Will. 4, c. 62 [1835.] In part.	The Statutory Declarations Act, 1835. In part; namely,— Section eleven.
5 & 6 Will. 4, c. 83 [1835.]	An Act to amend the law touching letters patent for inventions.
2 & 3 Vict. c. 67 - - [1839.]	An Act to amend an Act of the fifth and sixth years of the reign of King William the Fourth, intituled "An Act to amend the law "touching letters patent for inventions."
5 & 6 Vict. c. 100 - [1842.]	An Act to consolidate and amend the laws relating to the copyright of designs for ornamenting articles of manufacture.
6 & 7 Vict. c. 65 - - [1843.]	An Act to amend the laws relating to the copyright of designs.
7 & 8 Vict. c. 69 (a) [1844.] In part.	An Act for amending an Act passed in the fourth year of the reign of his late Majesty, intituled "An Act for the better administration of justice in his Majesty's Privy Council, and to extend its jurisdiction "and powers." In part; namely,— Sections two to five, both included.
13 & 14 Vict. c. 104 [1850.]	An Act to extend and amend the Acts relating to the copyright of designs.
15 & 16 Vict. c. 83 - [1852.]	The Patent Law Amendment Act, 1852.
16 & 17 Vict. c. 5 - [1853.]	An Act to substitute stamp duties for fees on passing letters patent for inventions, and to provide for the purchase for the public use of certain indexes of specifications.
16 & 17 Vict. c. 115 [1853.]	An Act to amend certain provisions of the Patent Law Amendment Act, 1852, in respect of the transmission of certified copies of letters patent and specifications to certain offices in Edinburgh and Dublin, and otherwise to amend the said Act.

(a) *Note.*—Sects. 6 and 7 of this Act are repealed by the Statute Law Revision (No. 2) Act, 1874.

THE THIRD SCHEDULE.—*Enactments repealed*—continued.

21 & 22 Vict. c. 70 [1858.]	An Act to amend the Act of the fifth and sixth years of her present Majesty, to consolidate and amend the laws relating to the copyright of designs for ornamenting articles of manufacture.
22 Vict. c. 13 - - - [1859.]	An Act to amend the law concerning patents for inventions with respect to inventions for improvements in instruments and munitions of war.
24 & 25 Vict. c. 73 [1861.]	An Act to amend the law relating to the copyright of designs.
28 & 29 Vict. c. 3 [1865.]	The Industrial Exhibitions Act, 1865.
33 & 34 Vict. c. 27 [1870.]	The Protection of Inventions Act, 1870.
33 & 34 Vict. c. 97 [1870.]	The Stamp Act, 1870. In part; namely,— Section sixty-five, and in the schedule the words and figures. “Certificate of the registration of a design, 5l. And see section 65.”
38 & 39 Vict. c. 91 [1875.]	The Trade Marks Registration Act, 1875.
38 & 39 Vict. c. 93 [1875.]	The Copyright of Designs Act, 1875.
39 & 40 Vict. c. 33 [1876.]	The Trade Marks Registration Amendment Act, 1876.
40 & 41 Vict. c. 37 [1877.]	The Trade Marks Registration Extension Act, 1877.
43 & 44 Vict. c. 10 [1880.]	The Great Seal Act, 1880. In part; namely,— Section five.
45 & 46 Vict. c. 72 [1882.]	The Revenue, Friendly Societies, and National Debt Act, 1882. In part; namely,— Section sixteen.

APPENDIX.

PATENTS RULES.

By virtue of the provisions of the Patents Designs and Trade Marks Act, 1883, the Board of Trade do hereby make the following Rules:—

SHORT TITLE.

1. These Rules may be cited as the Patents Rules, 1883. Short title.

COMMENCEMENT.

2. These Rules shall come into operation from and immediately after the 31st day of December, 1883. Commencement.

INTERPRETATION.

3. In the construction of these Rules, any words herein used defined by the said Act shall have the meanings thereby assigned to them respectively. Interpretation.

FEEES.

4. The fees to be paid under the above-mentioned Act, in addition to the fees mentioned in the Second Schedule thereto, so far as it relates to patents, shall be those specified in the list of fees in the First Schedule to these Rules (*post*, p. 203). Fees.

FORMS.

5. The Forms A, B and C in the First Schedule to the said Act shall be altered or amended by the substitution therefor respectively of the Forms A, A1, B and C in the Second Schedule hereto (*post*, pp. 218—220). Forms.
Alterations.

- 6.—(1.) An application for a patent shall be made either in the Form A or the Form A1 set forth in the Second Schedule hereto, as the case may be (*post*, p. 218). Application.

- (2.) The Form B in such Schedule of provisional specification and the Form C of complete specification shall respectively be used (*post*, pp. 219, 220). Specification.

Other forms. (3.) The remaining forms set forth in such Schedule may, as far as they are applicable, be used in any proceedings under these Rules. (See list of forms, *post*, p. 217.)

GENERAL.

Hours of business. 7. The Patent Office shall be open to the public every week-day during the hours of ten and four, except on the days and times following:—

Christmas Day.

Good Friday.

The day observed as Her Majesty's birthday.

The days observed as days of public fast or thanksgiving, or as holidays at the Bank of England.

Agency. 8. An application for a patent must be signed by the applicant, but all other communications between the applicant and the comptroller and all attendances by the applicant upon the comptroller may be made by or through an agent duly authorized to the satisfaction of the comptroller, and if he so require resident in the United Kingdom.

Statement of address. 9. The application shall be accompanied by a statement of an address to which all notices, requisitions, and communications of every kind may be made by the comptroller or by the Board of Trade, and such statement shall thereafter be binding upon the applicant unless and until a substituted statement of address shall be furnished by him to the comptroller. He may in any particular case require that the address mentioned in this rule be in the United Kingdom.

Size, &c., of documents. 10. All documents and copies of documents sent to or left at the Patent Office or otherwise furnished to the comptroller or to the Board of Trade shall be written or printed in large and legible characters in the English language upon strong wide ruled paper (on one side only), of a size of 13 inches by 8 inches, leaving a margin of two inches on the left-hand part thereof, and the signature of the applicants or agents thereto must be written in a large and legible hand. Duplicate documents shall at any time be left, if required by the comptroller.

Exercise of discretionary power by comptroller. Notice of hearing. 11. Before exercising any discretionary power given to the comptroller by the said Act adversely to the applicant for a patent or for amendment of a specification, the comptroller shall give ten days' notice, or such longer notice as he may think fit, to the applicant of the time when he may be heard personally or by his agent before the comptroller.

Notice by applicant. 12. Within five days from the date when such notice would be delivered in the ordinary course of post, or such longer time as the comptroller may appoint in such notice, the applicant

shall notify to the comptroller whether or not he intends to be heard upon the matter. (See Form E, *post*, p. 221.)

13. Whether the applicant desires to be heard or not, the comptroller may at any time require him to submit a statement in writing within a time to be notified by the comptroller, or to attend before him and make oral explanations with respect to such matters as the comptroller may require. Comptroller may require statement, &c.

14. The decision or determination of the comptroller in the exercise of any such discretionary power as aforesaid shall be notified by him to the applicant, and any other person affected thereby. Decision to be notified to parties.

15. The term "applicant" in Rules 11, 12, and 13 shall include an applicant whose specification bears a title the same as or similar to that of the specification of a prior applicant, and has been reported on by the examiner. Definition of "applicant."

16. Such prior and second applicant respectively may attend the hearing of the question whether the invention comprised in both applications is the same, but neither party shall be at liberty to inspect the specification of the other. Prior and second applicant may attend hearing.

17. Any person desirous of exhibiting an invention at an industrial or international exhibition, or of publishing any description of the invention during the period of the holding of the exhibition, or of using the invention for the purpose of the exhibition in the place where the exhibition is held, shall, after having obtained from the Board of Trade a certificate that the exhibition is an industrial or international one, give to the comptroller seven days' notice of his intention to exhibit, publish, or use the invention, as the case may be. Industrial or international exhibitions.

For the purpose of identifying the invention in the event of an application for a patent being subsequently made the applicant shall furnish to the comptroller a brief description of his invention accompanied, if necessary, by drawings, and such other information as the comptroller may in each case require. (See Form O, *post*, p. 226.)

18. Any document for the amending of which no special provision is made by the said Act may be amended, and any irregularity in procedure, which in the opinion of the comptroller may be obviated without detriment to the interests of any person, may be corrected, if and on such terms as the comptroller may think fit. Power of amendment, &c.

19. Any application, notice, or other document authorized or required to be left, made, or given at the Patent Office or to the comptroller or to any other person under these Rules may be sent by a prepaid letter through the post, and if so sent shall be deemed to have been left, made, or given respectively Documents by post.

at the time when the letter containing the same would be delivered in the ordinary course of post.

In proving such service or sending it shall be sufficient to prove that the letter was properly addressed and put into the post.

Affidavits.

20. Affidavits may, except where otherwise prescribed by these Rules, be used as evidence in any proceedings thereunder when sworn to in any of the following ways, viz. :—

- (1.) In the United Kingdom before any person authorized to administer oaths in the Supreme Court of Judicature or before a justice of the peace for the county or place where it is sworn or made.
- (2.) In any place in the British dominions out of the United Kingdom before any court, judge, or justice of the peace or any person authorized to administer oaths there in any court.
- (3.) In any place out of the British dominions before a British minister, or person exercising the functions of a British minister, or a British consul, vice-consul, or other person exercising the functions of a British consul, or a notary public, or before a judge or magistrate.

Statutory declarations.

21. Where any statutory declaration prescribed by these Rules, or used in any proceedings thereunder, is made out of the United Kingdom, the words, "and by virtue of the Statutory Declarations Act, 1835," must be omitted, and the declaration shall (unless the context otherwise requires) be made in the manner prescribed in Rule 20, sub-section (3).

APPLICATION WITH PROVISIONAL OR COMPLETE SPECIFICATION.

Order of recording applications.

22. Applications for a patent sent by prepaid letter through the post shall, as far as may be practicable, be opened and numbered in the order in which the letters containing the same have been respectively delivered in the ordinary course of post.

Applications left at the Patent Office otherwise than through the post shall be in like manner numbered in the order of their receipt at the Patent Office.

Application for separate patents by way of amendment.

23. Where a person making application for a patent includes therein by mistake, inadvertence, or otherwise, more than one invention, he may, after the refusal of the comptroller to accept such application, amend the same so as to apply to one invention only, and may make application for separate patents for each such invention accordingly.

Every such application shall bear the date of the first appli-

cation, and shall, together therewith, be proceeded with in the manner prescribed by the said Act and by these Rules as if every such application had been originally made on that date for one invention only.

24. An application for a patent by the legal representative of a person who has died possessed of an invention shall be accompanied by an official copy of or extract from his will or the letters of administration granted of his estate and effects in proof of the applicant's title as such legal representative. Application by representative of deceased inventor.

25. On the acceptance of an application with a provisional or complete specification the comptroller shall give notice thereof to the applicant, and shall advertise such acceptance in the official journal of the Patent Office. Notice and advertisement of acceptance.

26. Upon the publication of such advertisement of acceptance in the case of an application with a complete specification, the application and specification or specifications with the drawings (if any) may be inspected at the Patent Office upon payment of the prescribed fee. Inspection on acceptance of complete specification.

APPLICATION ON COMMUNICATION FROM ABROAD.

27. An application for a patent for an invention communicated from abroad shall be made in the Form A 1 set forth in the Second Schedule hereto (*post*, p. 218). Communication from abroad.

SIZES AND METHODS OF PREPARING DRAWINGS ACCOMPANYING PROVISIONAL OR COMPLETE SPECIFICATIONS.

28. The drawings accompanying provisional or complete specifications shall be made upon half-sheets or sheets of imperial drawing paper, to be within a border line of 19 inches by 12 inches, or 27 inches by 19 inches, with a margin of half an inch all round. Size of drawings.

29. A copy of the drawings will be required upon *rolled* imperial drawing paper or upon thin Bristol board of the same dimensions as the original drawing or drawings. All the lines must be absolutely black, Indian ink of the best quality to be used, and the same strength or colour of the ink maintained throughout the drawing. Any shading must be in lines clearly and distinctly drawn and as open as is consistent with the required effect. Section lines should not be too closely drawn. No colour must be used for any purpose upon the copy of the drawings. All letters and figures of reference must be bold and distinct. The border line should be one fine line only. The drawings must not be folded, but must be delivered at the Patent Office either in a perfectly

flat state, or rolled upon a roller so as to be free from creases or breaks.*

30. Where a complete specification is left at the Patent Office after a provisional specification has been accepted the complete specification and drawing or drawings accompanying the same, as well as the copy thereof, must be prepared in accordance with Rules 10, 28, and 29.

ILLUSTRATED JOURNAL.

Additional drawing to be furnished.

31. Every applicant for the grant of a patent shall, in addition to the drawings to be furnished with his complete specification, furnish the comptroller with a drawing illustrative of the feature or features of novelty constituting his invention. Such drawing must be prepared in the manner prescribed for the copy of the original drawing or drawings accompanying the specification, but must not cover a space exceeding sixteen square inches. The drawing must be accompanied by a concise explanatory statement on foolscap paper and legibly written or printed.

OPPOSITION TO GRANTS OF PATENTS.

Notice of opposition.

32. A notice of opposition to the grant of a patent shall state the ground or grounds on which the person giving such notice (hereinafter called the opponent) intends to oppose the grant, and shall be signed by him. Such notice shall state his address for service in the United Kingdom.

Copy for applicant.

33. On receipt of such notice a copy thereof shall be furnished by the comptroller to the applicant.

Particulars of prior patent.

34. Where the ground or one of the grounds of opposition is that the invention has been patented in this country on an application of prior date, the title, number, and date of the patent granted in such prior application shall be specified in the notice.

Opponent's evidence.

35. Within fourteen days after the expiration of two months from the date of the advertisement of the acceptance of a complete specification, the opponent shall leave at the Patent Office statutory declarations in support of his opposition, and deliver to the applicant a list thereof.

Applicant's evidence.

36. Within fourteen days from the delivery of such list the applicant shall leave at the Patent Office statutory declara-

* As the drawings accompanying the provisional and complete specification respectively are copied at the Patent Office for publication by the process of photo-lithography, this rule must be strictly observed in order that correct copies may be made.

tions in answer, and deliver to the opponent a list thereof, and within seven days from such delivery the opponent shall leave at the Patent Office his statutory declarations in reply, and deliver to the applicant a list thereof. Such last-mentioned declarations shall be confined to matters strictly in reply. Evidence in reply.

Copies of the declarations mentioned in this and the last preceding Rule may be obtained either from the Patent Office or from the opposite party.

37. No further evidence shall be left on either side except by leave of the comptroller upon the written consent of the parties duly notified to him, or by special leave of the comptroller on application made to him for that purpose. Closing of evidence.

38. Either party making such application shall give notice thereof to the opposite party, who shall be entitled to oppose the application.

39. On the completion of the evidence the comptroller shall appoint a time for the hearing of the case, and shall give to the parties seven days' notice at the least of such appointment. Notice of hearing.

40. On the hearing of the case no opposition shall be allowed in respect of any ground not stated in the notice of opposition, and where the ground or one of the grounds is that the invention has been patented in this country or an application of prior date, the opposition shall not be allowed upon such ground unless the title, number, and date of the patent granted on such prior application shall have been duly specified in the notice of opposition. Disallowance of opposition in certain cases.

41. The decision of the comptroller in the case shall be notified by him to the parties. Decision to be notified to parties.

CERTIFICATES OF PAYMENT OR RENEWAL.

42. If a patentee intends at the expiration of the fourth or eighth year from the date of his patent to make the prescribed payment for keeping the same in force, he shall seven days at least before such expiration give notice to the comptroller of such intention, and shall, before the expiration of such fourth or eighth year, as the case may be, leave at the Patent Office a form of certificate of payment, duly stamped, subject as hereinafter provided, with the prescribed fee of 50% or 100%, as the case may be. Payment of fees of 50% and 100% for continuance of patent.

43. In the case of patents granted before the commencement of the said Act, the above Rule shall be read as if the words "seventh year" were therein written instead of the words "eighth year." As to patents granted before commencement of Act.

Payment of annual fees in lieu of 50% and 100%.

44. If the patentee intends to pay annual fees in lieu of the above-mentioned fees of 50% and 100%, he shall seven days at least before the expiration of the fourth and each succeeding year during the term of the patent, until and inclusive of the 13th year thereof, give notice to the comptroller of such intention, and shall, before the expiration of such respective periods as aforesaid, leave at the Patent Office a form of certificate of payment, duly stamped with the fee prescribed to be paid at such periods respectively.

Certificate of payment.

45. On due compliance with these Rules, and as soon as may be after such respective period as aforesaid, or any enlargement thereof respectively duly granted, the comptroller shall give to the patentee a certificate that the prescribed payment has been duly made.

ENLARGEMENT OF TIME.

Enlargement of time for payments.

46. An application for an enlargement of the time for making a prescribed payment shall state in detail the circumstances in which the patentee by accident, mistake, or inadvertence has failed to make such payment, and the comptroller may require the patentee to substantiate by such proof as he may think necessary the allegations contained in the application for enlargement.

In other cases.

47. The time prescribed by these Rules for doing any act, or taking any proceeding thereunder, may be enlarged by the comptroller if he think fit, and upon such notice to other parties, and proceedings thereon, and upon such terms, as he may direct.

AMENDMENT OF SPECIFICATION.

Request for leave to amend.

48. A request for leave to amend a specification shall be signed by the applicant or patentee and accompanied by a copy of the original specifications and drawings, showing in red ink the proposed amendment, and shall be advertised by publication of the request and the nature of the proposed amendment in the official journal of the Patent Office, and in such other manner (if any) as the comptroller may in each case direct.

Advertisement.

Notice of opposition.

49. A notice of opposition to the amendment shall state the ground or grounds on which the person giving such notice (hereinafter called the opponent) intends to oppose the amendment, and shall be signed by him. Such notice shall state his address for service in the United Kingdom.

Copy for the applicant.

50. On receipt of such notice a copy thereof shall be furnished by the comptroller to the applicant or patentee, as the case may be (hereinafter called the applicant).

51. Within fourteen days after the expiration of one month from the first advertisement of the application for leave to amend, the opponent shall leave at the Patent Office statutory declarations in support of his opposition and deliver to the applicant a list thereof. Opponent's evidence.

52. Upon such declarations being left, and such list being delivered, the provisions of Rules 36, 37, 38, and 39, shall apply to the case, and the further proceedings therein shall be regulated in accordance with such provisions as if they were here repeated. Further proceedings.

53. The decision of the comptroller in the case shall be notified by him to the parties. Decision to be notified to parties.

54. Where leave to amend is given the applicant shall, if the comptroller so require, and within a time to be limited by him, leave at the Patent Office a new specification and drawings as amended, to be prepared in accordance with Rules 10, 28, and 29. Requirements thereon.

55. Where a request for leave to amend is made by or in pursuance of an order of the Court or a judge, an official or verified copy of the order shall be left with the request at the Patent Office. Leave by order of Court.

56. Every amendment of a specification shall be forthwith advertised by the comptroller in the official journal of the Patent Office, and in such other manner (if any) as the comptroller may direct. Advertisement of amendment

COMPULSORY LICENSES.

57. A petition to the Board of Trade for an order upon a patentee to grant a license shall show clearly the nature of the petitioner's interest, and the ground or grounds upon which he claims to be entitled to relief, and shall state in detail the circumstances of the case, the terms upon which he asks that an order may be made, and the purport of such order. Petition for compulsory grant of licenses.

58. The petition and an examined copy thereof shall be left at the Patent Office, accompanied by the affidavits, or statutory declarations, and other documentary evidence (if any) tendered by the petitioner in proof of the alleged default of the patentee. To be left with evidence at Patent Office.

59. Upon perusing the petition and evidence, unless the Board of Trade shall be of opinion that the order should be at once refused, they may require the petitioner to attend before the comptroller, or other person or persons appointed by them, to receive his or their directions as to further proceedings upon the petition. Directions as to further proceedings unless petition refused.

60. If and when a *prima facie* case for relief has been made out to the satisfaction of the Board of Trade, the petitioner Procedure.

Petitioner's evidence. shall upon their requisition, and on or before a day to be named by them, deliver to the patentee copies of the petition and of the affidavits or statutory declarations and other documentary evidence (if any) tendered in support thereof.

Patentee's evidence. 61. Within 14 days after the day of such delivery the patentee shall leave at the Patent Office his affidavits or statutory declarations in opposition to the petition, and deliver copies thereof to the petitioner.

Evidence in reply. 62. The petitioner within 14 days from such delivery shall leave at the Patent Office his affidavits, or statutory declarations in reply, and deliver copies thereof to the petitioner; such last-mentioned affidavits or declarations shall be confined to matters strictly in reply.

Further proceedings. 63. Subject to any further directions which the Board of Trade may give, the parties shall then be heard at such time, before such person or persons, in such manner, and in accordance with such procedure as the Board of Trade may, in the circumstances of the case, direct, but so that full opportunity shall be given to the patentee to show cause against the petition.

REGISTER OF PATENTS.

Entry of grant. 64. Upon the sealing of a patent the comptroller shall cause to be entered in the register of patents the name, address, and description of the patentee as the grantee thereof, and the title of the invention.

Request for entry of subsequent proprietorship. 65. Where a person becomes entitled to a patent or to any share or interest therein, by assignment either throughout the United Kingdom and the Isle of Man, or for any place or places therein, or by transmission or other operation of law, a request for the entry of his name in the register as such complete or partial proprietor of the patent, or of such share or interest therein, as the case may be, shall be addressed to the comptroller, and left at the Patent Office.

Signature of request. 66. Such request shall in the case of individuals be made and signed by the person requiring to be registered as proprietor, or by his agent duly authorized, to the satisfaction of the comptroller, and in the case of a body corporate by their agent authorized in like manner.

Particulars to be stated in request. 67. Every such request shall state the name, address, and description of the person claiming to be entitled to the patent, or to any share or interest therein, as the case may be (hereinafter called the claimant), and the particulars of the assignment, transmission, or other operation of law, by virtue of which he requires to be entered in the register as proprietor, so as to show the manner in which, and the person or persons

to whom, the patent, or such share or interest therein as aforesaid, has been assigned or transmitted.

68. Every assignment and every other document containing, giving effect to, or being evidence of, the transmission of a patent or affecting the proprietorship thereof as claimed by such request, except such documents as are matters of record, shall be produced to the comptroller, together with the request above prescribed, and such other proof of title as he may require for his satisfaction.

Production of documents of title and other proof.

As to a document which is a matter of record, an official or certified copy thereof shall in like manner be produced to the comptroller.

69. There shall also be left with the request an examined copy of the assignment or other document above required to be produced.

Copies for Patent Office.

As to a document which is a matter of record, an official or certified copy shall be left with the request in lieu of an examined copy.

70. A body corporate may be registered as proprietor by its corporate name.

Body corporate.

71. Where an order has been made by her Majesty in Council for the extension of a patent for a further term or for the grant of a new patent, or where an order has been made by the Court for the revocation of a patent or the rectification of the register under sect. 90 of the said Act or otherwise affecting the validity or proprietorship of the patent, the person in whose favour such order has been made shall forthwith leave at the Patent Office an office copy of such order. The register shall thereupon be rectified or the purport of such order shall otherwise be duly entered in the register, as the case may be.

Entry of orders of the Privy Council or of the Court.

72. Upon the issue of a certificate of payment under Rule 45, the comptroller shall cause to be entered in the Register of Patents a record of the amount and date of payment of the fee on such certificate.

Entry of payment of fees on issue of certificate.

73. If a patentee fails to make any prescribed payment within the prescribed time or any enlargement thereof duly granted, such failure shall be duly entered in the register.

Entry of failure to pay fees.

74. An examined copy of every license granted under a patent shall be left at the Patent Office by the licensee, with a request that a notification thereof may be entered in the register. The licensee shall cause the accuracy of such copy to be certified as the comptroller may direct, and the original license shall at the same time be produced and left at the Patent Office if required for further verification.

Entry of licenses.

Hours of
inspection of
register.

75. The register of patents shall be open to the inspection of the public on every week day between the hours of ten and four, except on the days and at the times following:—

- (a) Christmas Day, Good Friday, the day observed as Her Majesty's birthday, days observed as days of public fast or thanksgiving, and days observed as holidays at the Bank of England; or
- (b) Days which may from time to time be notified by a placard posted in a conspicuous place at the Patent Office;
- (c) Times when the register is required for any purpose of official use.

Certified
copies of
documents.

76. Certified copies of any entry in the register, or certified copies of, or extracts from, patents, specifications, disclaimers, affidavits, statutory declarations, and other public documents in the Patent Office, or of or from registers and other books kept there, may be furnished by the comptroller on payment of the prescribed fee.

POWER TO DISPENSE WITH EVIDENCE, &c.

77. Where, under these Rules, any person is required to do any act or thing, or to sign any document, or to make any declaration on behalf of himself or of any body corporate, or any document or evidence is required to be produced to or left with the comptroller, or at the Patent Office, and it is shown to the satisfaction of the comptroller that from any reasonable cause such person is unable to do such act or thing, or to sign such document, or make such declaration, or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the comptroller, with the sanction of the Board of Trade, and upon the production of such other evidence, and subject to such terms as they may think fit, to dispense with any such act or thing, document, declaration, or evidence.

REPEAL.

Repeal.

78. All General Rules made by the Lord Chancellor, or by any other authority, under the Patent Law Amendment Acts, and in force on the 31st day of December, 1883, shall be and they are hereby repealed as from that date, without prejudice, nevertheless, to any application then pending.

Dated the 21st day of December 1883.

(Signed) J. CHAMBERLAIN,
President of the Board of Trade.

RULES REGULATING THE PRACTICE AND PROCEDURE ON APPEALS TO THE LAW OFFICERS.

I. When any person intends to appeal to the law officer from a decision of the comptroller in any case in which such appeal is given by the Act, he shall within 14 days from the date of the decision appealed against file in the Patent Office a notice of such his intention.

II. Such notice shall state the nature of the decision appealed against, and whether the appeal is from the whole, or part only, and if so, what part of such decision.

III. A copy of such notice of intention to appeal shall be sent by the party so intending to appeal to the law officers' clerk at Room 549, Royal Courts of Justice, London; and when there has been an opposition before the comptroller, to the opponent or opponents; and when the comptroller has refused to seal a patent on the ground that a previous application for a patent for the same invention is pending, to the prior applicant.

IV. Upon notice of appeal being filed, the comptroller shall forthwith transmit to the law officers' clerk all the papers relating to the matter of the application in respect of which such appeal is made.

V. No appeal shall be entertained of which notice is not given within 14 days from the date of the decision appealed against, or such further time as the comptroller may allow, except by special leave upon application to the law officer.

VI. Seven days' notice, at least, of the time and place appointed for the hearing of any appeal, shall be given by the law officers' clerk, unless special leave be given by the law officer that any shorter notice be given.

VII. Such notice shall in all cases be given to the comptroller and the appellant; and, when there has been an opposition before the comptroller, to the opponent or opponents; and, when the comptroller has refused to seal a patent on the ground that an application for a patent for the same invention is pending, to the prior applicant.

VIII. The evidence used on appeal to the law officer shall be the same as that used at the hearing before the comptroller; and no further evidence shall be given, save as to

matters which have occurred or come to the knowledge of either party, after the date of the decision appealed against, except with the leave of the law officer upon application for that purpose.

IX. The law officer shall, at the request of either party, order the attendance at the hearing on appeal, for the purpose of being cross-examined, of any person who has made a declaration in the matter to which the appeal relates, unless in the opinion of the law officer, there is good ground for not making such order.

X. Any person requiring the attendance of a witness for cross-examination shall tender to the witness whose attendance is required a reasonable sum for conduct money.

XI. Where the law officer orders that costs shall be paid by any party to another, he may fix the amount of such costs, and if he shall not think fit to fix the amount thereof, he shall direct by whom and in what manner the amount of such costs shall be ascertained.

XII. If any costs so ordered to be paid be not paid within fourteen days after the amount thereof has been so fixed or ascertained, or such shorter period as shall be directed by the law officer, the party to whom such costs are to be paid may apply to the law officer for an order for payment under the provisions of sect. 38 of the Act.

XIII. All documentary evidence required, or allowed by the law officer to be filed, shall be subject to the same regulations, in all respects, as apply to the procedure before the comptroller, and shall be filed in the Patent Office, unless the law officer shall order to the contrary.

XIV. Any notice or other document required to be given to the law officers' clerk, under these Rules, may be sent by a prepaid letter through the post.

HENRY JAMES, A.G.
FARRER HERSCHELL, S.G.

PRIVY COUNCIL RULES.

RULES TO BE OBSERVED IN PROCEEDINGS BEFORE THE JUDICIAL COMMITTEE OF THE PRIVY COUNCIL UNDER THE ACT OF THE 5TH AND 6TH WILL. IV., INTITULED "AN ACT TO AMEND THE LAW TOUCHING LETTERS PATENT FOR INVENTIONS" (CAP. 83).

RULE I.

A party intending to apply by petition, under sect. 2 of the said act, shall give public notice by advertising in the London Gazette three times, and in three London papers, and three times in some country paper published in the town where or near to which he carries on any manufacture of anything made according to his specification, or near to or in which he resides, in case he carries on no such manufacture, or published in the county where he carries on such manufacture, or where he lives, in case there shall not be any paper published in such town, that he intends to petition his Majesty under the said section, and shall in such advertisements state the object of such petition, and give notice of the day on which he intends to apply for a time to be fixed for hearing the matter of his petition (which day shall not be less than four weeks from the date of the publication of the last of the advertisements to be inserted in the London Gazette), and that on or before such day, notice must be given of any opposition intended to be made to the petition; and any person intending to oppose the said application shall lodge notice to that effect at the Council Office, on or before such day so named in the said advertisements, and having lodged such notice shall be entitled to have from the petitioner four weeks' notice of the time appointed for the hearing.

RULE II.

A party intending to apply by petition, under sect. 4 of the said act, shall in the advertisements directed to be published by the said section, give notice of the day on which he intends to apply for a time to be fixed for hearing the matter of his petition (which day shall not be less than four weeks from the date of the publication of the last of the advertisements to be

inserted in the London Gazette), and that on or before such day caveats must be entered; and any person intending to enter a caveat shall enter the same at the Council Office, on or before such day so named in the said advertisements; and having entered such caveat, shall be entitled to have from the petitioner four weeks' notice of the time appointed for the hearing.

RULE III.

Petitions under sects. 2 and 4 of the said act must be presented within one week from the insertion of the last of the advertisements required to be published in the London Gazette.

RULE IV.

All petitions must be accompanied with affidavits of advertisements having been inserted according to the provisions of sect. 4 of the said act, and the 1st and 2nd of these rules, and the matters in such affidavits may be disputed by the parties opposing upon the hearing of the petitions.

RULE V.

All persons entering caveats under sect. 4 of the said act, and all parties to any former suit or action touching letters patent, in respect of which petitions shall have been presented under sect. 2 of the said act, and all persons lodging notices of opposition under the 1st of these rules, shall respectively be entitled to be served with copies of petitions presented under the said sections, and no application to fix a time for hearing shall be made without affidavit of such service.

RULE VI.

All parties served with petitions shall lodge at the Council Office, within a fortnight after such service, notice of the grounds of their objections to the granting of the prayers of such petitions.

RULE VII.

Parties may have copies of all papers lodged in respect of any application under the said act, at their own expense.

RULE VIII.

The registrar of the Privy Council, or other officer to whom it may be referred to tax the costs incurred in the matter of any petition presented under the said act, shall allow or disallow in his discretion all payments made to persons of science or skill examined as witnesses to matters of opinion chiefly.

RULE IX.

A party applying for an extension of a patent, under sect. 4 of the said act, must lodge at the Council Office six printed copies of the specification, and also four copies of the balance sheet of expenditure and receipts relating to the patent in question, which accounts are to be proved on oath before the lords of the committee at the hearing. In the event of the applicant's specification not having been printed, and if the expense of making six copies or any drawing therein contained or referred to would be considerable, the lodging of two copies only of such specification and drawing will be deemed sufficient.

All copies mentioned in this rule must be lodged not less than one week before the day fixed for hearing the application.

The Judicial Committee will hear the Attorney-General, or other counsel, on behalf of the Crown, against granting any application made under either the 2nd or 4th section of the said act; in case it shall be thought fit to oppose the same on such behalf.

DESIGNS RULES.

By virtue of the provisions of the Patents, Designs, and Trade Marks Act, 1883, the Board of Trade do hereby make the following Rules:—

COMMENCEMENT.

1. These Rules may be cited as the Designs Rules, 1883, and shall come into operation from and immediately after the 31st day of December, 1883.

INTERPRETATION.

Interpreta-
tion.

2. In the construction of these Rules any words herein used defined by the said Act shall have the meanings thereby assigned to them respectively.

FEEES.

Fees.

3. The fees to be paid under the said Act, so far as it relates to applications for and registration of designs, shall be the fees specified in the First Schedule hereto (*post*, p. 205).

FORMS.

Forms.

4. An application for the registration of a design shall be made in the Form E. in the Second Schedule hereto (*post*, p. 230). The remaining forms in such Schedule may be used in all cases to which they are applicable.

CLASSIFICATION OF GOODS.

Classification
of goods.

5. For the purposes of the registration of designs and of these Rules, goods are classified in the manner appearing in the Third Schedule hereto. (See Table of Classes, *post*, p. 208.)

APPLICATION FOR REGISTRATION.

Agents.

6. All communications between an applicant for the registration of a design and the comptroller or the Board of Trade, as the case may be, may be made by or through an agent duly authorized to the satisfaction of the comptroller.

7. An application for the registration of a design shall, with the prescribed fee, be left at the Patent Office, Designs Branch, or be sent prepaid by post, addressed to the comptroller at the Patent Office (Designs Branch), 25, Southampton Buildings, Chancery Lane, London. Address of
comptroller.

8. An application for the registration of a design, and all drawings, sketches, photographs, or tracings of a design, and all other documents sent to or left at the Patent Office (Designs Branch), or otherwise furnished to the comptroller or to the Board of Trade, shall be written, printed, copied, or drawn upon strong wide-ruled foolscap paper (on one side only), of the size of 13 inches by 8 inches, leaving a margin of not less than one inch and a half on the left-hand part thereof, and the signature of the applicants or agents thereto must be written in a large and legible hand. Size of papers.

The comptroller may in any particular case vary the requirements of this Rule as he may think fit.

9. An application for the registration of a design shall be accompanied by a sketch or drawing, or by three exactly similar drawings, photographs, or tracings of the design, or by three specimens of the design, and shall, in describing the nature of the design, state whether it is applicable for the pattern or for the shape or configuration of the design, and the means by which it is applicable. (See Designs Instructions 4, *post*, p. 180.) Sketches and
drawings.
Nature of
design.

When sketches, drawings, or tracings are furnished they must be fixed.

When the articles to which designs are applied are not of a kind which can be pasted into books, drawings, photographs, or tracings of such designs shall be furnished.

10. On receipt of an application for registration the comptroller shall send to the applicant an acknowledgment thereof. Acknowledg-
ment to
applicant.

11. If the comptroller determines to register a design, he shall as soon as may be send to the applicant a certificate of such registration in the prescribed form, sealed with the seal of the Patent Office. Notice of
registration.

12. Any application, notice, or other document authorized or required to be left, made, or given at the Patent Office or to the comptroller or to any other person under these Rules may be sent by a prepaid letter through the post, and if so sent shall be deemed to have been left, made, or given respectively at the time when the letter containing the same would be delivered in the ordinary course of post. Applications
may be sent
by post.

In proving such service or sending it shall be sufficient to prove that the letter was properly addressed and put into the post.

Hearing by
comptroller.

13. Before exercising any discretionary power given to the comptroller by the said Act adversely to an applicant for registration of a design the comptroller shall give him ten days' notice of the time when he may be heard personally or by his agent before the comptroller.

Hearing by
comptroller.

14. Within five days from the date when such notice would be delivered in the ordinary course of post, the applicant shall notify to the comptroller whether or not he intends to be heard upon the matter.

Notification of
comptroller's
decision.

15. The decision or determination of the comptroller in the exercise of any such discretionary power as aforesaid shall be notified to the applicant.

APPEAL TO THE BOARD OF TRADE.

Notice of
appeal to
Board of
Trade.

16. Where the comptroller refuses to register a design, and the applicant intends to appeal to the Board of Trade from such refusal, he shall, within one month from the date of the decision appealed against, leave at the Patent Office, Designs Branch, a notice of such his intention.

Statement on
appeal.

17. Such notice shall be accompanied by a statement of the grounds of appeal, and of the applicant's case in support thereof.

Notice to
Secretary of
Board of
Trade.

18. The applicant shall forthwith on leaving such notice send a copy thereof to the Secretary of the Board of Trade, No. 7, Whitehall Gardens, London.

Directions by
Board of
Trade.

19. The Board of Trade may thereupon give such directions (if any) as they may think fit for the purpose of the hearing of the appeal for the Board of Trade.

Notice of time
of hearing.

20. Seven days' notice, or such shorter notice as the Board of Trade may in any particular case direct, of the time and place appointed for the hearing of the appeal shall be given to the comptroller and the applicant.

REGISTER OF DESIGNS.

Registering
design.

21. Upon the sealing of a certificate of registration the comptroller shall cause to be entered in the register of designs the name, address, and description of the registered proprietor, and the date upon which the application for registration was received by the comptroller, which day shall be deemed to be the date of the registration.

Subsequent
proprietors.

22. Where a person becomes entitled to the copyright in a registered design, or to any share or interest therein, by assignment, transmission, or other operation of law, or where a person acquires any right to apply the design either ex-

clusively or otherwise, a request for the entry of his name in the register as such proprietor of the design, or as having acquired such right, as the case may be (hereinafter called the claimant), shall be addressed to the comptroller, and left at the Patent Office, Designs Branch.

23. Every such request shall, in the case of an individual, be made and signed by the person requiring to be registered as proprietor; and in the case of a firm or partnership, by some one or more members of such firm or partnership, or, in either case, by his or their agent respectively duly authorized to the satisfaction of the comptroller; and in the case of a body corporate, by their agent authorized in like manner.

Signature to request.

24. Every such request shall state the name, address, and description of the claimant, and the particulars of the assignment, transmission, or other operation of law by virtue of which the request is made, so as to show the manner in which and the person or persons to whom the design has been assigned or transmitted, or the person or persons who has or have acquired such right as aforesaid, as the case may be.

Particulars in request.

25. Every such request shall be accompanied by a statutory declaration to be thereunder written verifying the several statements therein, and declaring that the particulars above described comprise every material fact and document affecting the proprietorship of the design or the right to apply the same, as the case may be, as claimed by such request.

Statutory declaration with request.

26. The claimant shall furnish to the comptroller such other proof of title as he may require for his satisfaction.

Proof of title if required.

27. A body corporate may be registered as proprietor by its corporate name.

Corporate name.

28. Where an order has been made by the Court, under section 90 of the said Act, the person in whose favour such order has been made shall forthwith leave at the Patent Office an office copy of such order. The register shall thereupon be rectified, or the purport of such order shall otherwise be duly entered in the register, as the case may be.

Notice of order of Court.

POWER TO DISPENSE WITH EVIDENCE.

29. Where under these Rules any person is required to do any act or thing, or to sign any document, or make any declaration on behalf of himself or of any body corporate, or any document or evidence is required to be produced to or left with the comptroller or at the Patent Office, and it is shown to the satisfaction of the comptroller that from any reasonable cause such person is unable to do such act or thing, or to sign such document, or make such declaration,

Comptroller's discretion as to evidence.

or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the comptroller, with the sanction of the Board of Trade, and upon the production of such other evidence and subject to such terms as they may think fit, to dispense with any such act or thing, document, declaration, or evidence.

AMENDMENTS.

Amendments. 30. Any document, drawings, sketches, or tracings for the amending of which no special provision is made by the said Act may be amended, and any irregularity in procedure which, in the opinion of the comptroller, may be obviated without detriment to the interests of any person may be corrected if the comptroller think fit, and upon such terms as he may direct.

ENLARGEMENT OF TIME.

Enlargement of time. 31. The time prescribed by these Rules for doing any act or taking any proceeding thereunder may be enlarged by the comptroller, if he think fit, and upon such terms as he may direct.

MARKING GOODS.

Registration mark. 32. Before the delivery on sale of any article to which a registered design has been applied, the proprietor of such design shall, if such article is included in any of the classes one to twelve in the Third Schedule hereto, cause each such article to be marked with the abbreviation "RD" and the number appearing on the certificate of registration, and shall, if such article is included in the classes thirteen or fourteen in the Third Schedule hereto, cause each such article to be marked with the abbreviation "REGD".

INSPECTION.

Office hours. 33. On such days and during such hours as the comptroller shall from time to time determine and notify by a placard posted at the Patent Office any person paying the prescribed fee may, on production of the number of any design of which the copyright has ceased, inspect such design, and any person paying the prescribed fee may take a copy or copies of such design.

CERTIFICATE BY COMPTROLLER.

Certificate in legal proceeding. 34. Where a certificate is required for the purpose of any legal proceeding or other special purpose as to any entry, matter, or thing which the comptroller is authorized by the said Act or these Rules to make or do, the comptroller may,

on a request in writing and on payment of the prescribed fee, give such certificate, which shall also specify on the face of it the purpose for which it has been requested as aforesaid.

SEARCHES ON PRODUCTION OF SKETCH OF DESIGN.

35. The comptroller may, on receipt of the prescribed fee, make searches among the designs registered at the Patent Office after the commencement of the Act, and inform any person requesting him so to do whether a particular design produced by such person, and to be applied to goods in any particular class, is or is not identical with or an obvious imitation of any design applied to such goods and registered since the commencement of the Act. Search.

INDUSTRIAL AND INTERNATIONAL EXHIBITIONS.

36. Any person desirous of exhibiting a design, or any article to which a design has been applied, at an industrial or international exhibition, or of publishing a description of a design during the period of the holding of the exhibition, shall, after having obtained from the Board of Trade a certificate that the exhibition is an industrial or international one, give to the comptroller seven days' notice in writing of his intention to exhibit the design or article, or to publish a description of the design, as the case may be. Notice of exhibition.

For the purpose of identifying the design in the event of an application to register the same being subsequently made, the applicant shall furnish to the comptroller a brief description of the nature of the design, accompanied by a sketch or drawing thereof, and such other information as the comptroller may in each case require.

REPEAL.

37. All general rules and regulations made by any authority under the Acts relating to the Copyright of Designs, and in force on the 31st December, 1883, shall be, and they are hereby repealed as from that date without prejudice nevertheless to any application then pending. Repeal of previous Rules.

J. CHAMBERLAIN,
President of the Board of Trade.

21st December, 1883.

PATENT OFFICE, DESIGNS BRANCH.

INSTRUCTIONS TO PERSONS WHO WISH TO REGISTER DESIGNS UNDER THE PATENTS, DESIGNS, AND TRADE MARKS ACT, 1883.

(Issued by the Comptroller in January, 1884.)

PRELIMINARY.

1. The Patents, Designs, and Trade Marks Act, 1883, and the Rules published in pursuance of that Act for the Registration of Designs, should be carefully studied.

Copies of the Rules, together with the Act, may be obtained on payment of 2s. for each copy at the Patent Office, Sale Branch, 38, Cursitor Street, London, E.C.

Copies will also be sent by post, on a prepaid application to that address, accompanied by a Post Office Order for the amount payable to H. Reader Lack, at the Chancery Lane Post Office, London, W.C.

2. In order to obtain registration application must be made to the comptroller in pursuance of Rules Nos. 6—12.

APPLICATIONS.

3. Stamped forms of application to register have been issued, and can be obtained at the principal agencies in the United Kingdom, hereinafter mentioned (see list of post offices at which forms may be obtained, *post*, p. 215).

Applications sent by post should be addressed—

The Comptroller,
Patent Office,
Designs Branch,
25, Southampton Buildings,
London, W.C.

4. An application consists of the following:—

- (1.) The form of application, Form E (*post*, p. 230), properly filled up, and such evidence as will enable the comptroller to identify the design.
 - (a) If it is desired to secure a date of registration at once, one sketch of the design may be sent with the appli-

cation form. In this case the design, if accepted, will be registered as of the date on which it was received; but no certificate will be issued until three exact drawings or specimens have been sent in substitution for the sketch. Or,

- (b) The application may be complete in the first instance if applicant sends three exactly similar drawings, photographs, or specimens.

THE DRAWINGS OR PHOTOGRAPHS.

5. The drawings, &c. accompanying an application must be sent in triplicate, each representation of each design upon strong foolscap paper (on one side only) of the size of 13 in. by 8 in.

6. When sketches, drawings, or tracings are furnished, they must be fixed. Drawings on tracing paper cannot be received. If tracings are supplied they must be done on tracing cloth or mounted on thick paper.

7. Rough sketches cannot be accepted.

8. When the design is to be applied to a set, each of the drawings accompanying the application, or the sketch, if a sketch is sent, should show the various arrangements in which it is proposed to apply the design to the articles included in the set.

9. When specimens of the design are furnished in lieu of drawings, &c., they must be of such a nature as can be pasted into books, and the dimensions of each such specimen must not exceed 12 in. by 21 in.

10. The representations of a design should not be accompanied by any lengthened explanatory statement.

11. Only two views of the same design can be accepted, unless in the case of a design for a set.

12. All goods to which registered designs are applied—Classes 1 to 12—should during the period of copyright bear the abbreviation “R^d.” and the number given on registration.

All goods to which registered designs are applied—Classes 13 and 14—should during the period of copyright bear the abbreviation “Reg^d.”

13. The following is a list of the stamped forms to be had at the places mentioned in paragraph 3 :—

DESIGNS.

Letter.	Title of Form.	Fee.		
		£	s.	d.
E	Application for Registration of Design in Classes 1 to 12	0	10	0
E	Application for Registration of Design in Classes 13 and 14 (woven and printed textiles)	0	1	0
F	Appeal to Board of Trade on Refusal of Comptroller to Register a Design	1	0	0
H	Application for Copy of Certificate of Registration of Design	0	1	0
I	Request for Certificate for use in Legal Proceedings.	0	5	0
K	Request to enter Name of subsequent Proprietor of Design, with Declaration in support thereof :—			
	In Classes 1 to 12	0	10	0
K	" 13 and 14 (woven and printed textiles)	0	1	0
L	Notice of intended Exhibition of an Unregistered Design	0	5	0
M	Request for Correction of Clerical Error or Address..	0	5	0
N	Request for Search under Section 53	0	5	0
O	Application to Register Design for "Set" of Articles	1	0	0

N.B.—Forms E. classes 1 to 12, E. classes 13 and 14, and O. are kept on sale at the places named in paragraph 3. The other forms must be bespoken of the Postmasters at those places.

The Patent Office, Designs Branch, is open from 10 a.m. to 4 p.m.

H. READER LACK,
Comptroller.

Patent Office, Designs Branch,
London,
1st January, 1884.

TRADE MARKS RULES.



By virtue of the provisions of the Patents, Designs, and Trade Marks Act, 1883, the Board of Trade do hereby make the following Rules:—

PRELIMINARY.

1. These Rules may be cited as the Trade Marks Rules, 1883, and shall come into operation from and immediately after the 31st day of December, 1883.

INTERPRETATION.

2. In the construction of these Rules any words herein used defined by the said Act shall have the meanings thereby assigned to them respectively. Interpretation.

FEEs.

3. The fees to be paid in pursuance of the said Act, so far as it relates to trade marks, shall be the fees specified in the First Schedule hereto (*post*, p. 206). Fees.

FORMS.

4. The Form F in the First Schedule to the said Act shall be altered or amended by the substitution therefor of the Form F in the Second Schedule to these Rules (*post*, p. 235). Forms.

5.—(1) An application for registration of a trade mark shall be made in the Form F in the Second Schedule to these Rules; (2) The remaining forms in such Schedule may be used in all cases to which they are applicable.

CLASSIFICATION OF GOODS.

6. For the purposes of trade marks registration and of these Rules goods are classified in the manner appearing in the Third Schedule hereto (*post*, p. 209). Classification of goods.

If any doubt arises as to what class any particular description of goods belongs to, the doubt shall be determined by the comptroller.

APPLICATION FOR REGISTRATION.

Application by firm.

7. An application for registration of a trade mark, if made by any firm or partnership, may be signed by some one or more members of such firm or partnership, as the case may be.

If the application be made by a body corporate it may be signed by the Secretary or other principal officer of such body corporate.

Agency.

8. An application for registration and all other communications between the applicant and the comptroller may be made by or through an agent duly authorized to the satisfaction of the comptroller.

Acknowledgment of application.

9. On receipt of the application the comptroller shall furnish the applicant with an acknowledgment thereof.

Contents of form of application.

10. Where application is made to register a trade mark which was used by the applicant or his predecessors in business before the 13th of August, 1875, the application shall contain a statement of the time during which, and of the person by whom, it has been so used in respect of the goods mentioned in the application.

Size, &c. of documents.

11. Subject to any other directions that may be given by the comptroller, all applications, notices, counter-statements, representations of marks, papers having representations affixed, or other documents required by the said Act or by these Rules to be left with or sent to the comptroller or to the Cutlers' Company, shall be upon foolscap paper of a size of 13 inches by 8 inches, and shall have on the left-hand part thereof a margin of not less than one inch and a half.

Qualification of metal goods.

12. In the case of an application for the registration of a trade mark used on any metal goods, other than cutlery, edge tools, and raw steel, the applicant shall state in the specification of goods in the form of application of what metal or metals the goods in respect to which he applies are made.

Representations of trade mark.

13. Subject to any other directions that may be given by the comptroller, three representations of each trade mark, except in the case of marks applied for in classes 23 to 35 inclusive, must be supplied upon paper of the size aforesaid, and must be of a durable nature. One of such representations must be made upon or affixed to the form of application, the others upon separate half-sheets. In the case of trade marks exceeding the limits of the foolscap paper of the size aforesaid, such marks may be pasted and folded upon the sheets of foolscap.

In the case of marks applied for in classes 23 to 35 inclusive, the applicant shall supply four representations of each mark for each class. (See Table of Classes, *post*, p. 209.)

Where a drawing or other representation or specimen cannot be given in manner aforesaid, a specimen or copy of the trade mark may be sent either of full size or on a reduced scale, and in such form as the comptroller may think most convenient.

The comptroller may, if dissatisfied with the representation of a trade mark, require a fresh representation, either before he proceeds with the application or before he registers the trade mark.

The comptroller may also, in exceptional cases, deposit in the Patent Office a specimen or copy of any trade mark which cannot conveniently be shown by a representation, and may refer thereto in the register in such manner as he may think fit.

14. When an application relates to a series of trade marks differing from one another in respect of the particulars mentioned in section 66 of the said Act, a representation of each trade mark of the series shall be made or affixed upon the form of application and also upon each of the separate half-sheets of paper aforesaid.

Representations of a series of trade marks.

15. Wherever a mark consists of or includes words printed in other than Roman character, there shall be given at the foot or on the back of each representation a translation of such words, signed by the applicant or his agent.

Translation of foreign characters.

16. Any application, statement, notice, or other document authorized or required to be left, made, or given at the Patent Office, or to the comptroller, or to any other person under these Rules, may be sent by a prepaid letter through the post, and if so sent shall be deemed to have been left, made, or given respectively at the time when the letter containing the same would be delivered in the ordinary course of post.

Mode of sending notices, &c.

In proving such service or sending, it shall be sufficient to prove that the letter was properly addressed and put into the post.

EXERCISE OF DISCRETIONARY POWERS.

17. Before exercising any discretionary power given to the comptroller by the said Act adversely to the applicant for registration of a trade mark, the comptroller shall give him ten days' notice of the time when he may be heard personally or by his agent before the comptroller.

Hearing by comptroller.

18. Within five days from the date when such notice would be delivered in the ordinary course of post, the applicant shall notify to the comptroller whether or not he intends to be heard upon the matter.

Notice of wish to be heard before comptroller.

19. The decision of the comptroller in the exercise of any such discretionary power as aforesaid shall be notified to the applicant.

Notification of decision.

APPEAL TO THE BOARD OF TRADE.

Appeal to Board of Trade.

20. Where the comptroller refuses to register a trade mark, and the applicant intends to appeal to the Board of Trade from such refusal, he shall within one month from the date of the decision appealed against, leave at the Patent Office, Trade Marks Branch, a notice of such his intention.

Statement of grounds of appeal.

21. Such notice shall be accompanied by a statement of the grounds of appeal, and of the applicant's case in support thereof.

Copy of notice to Board of Trade.

22. The applicant shall forthwith on leaving such notice send a copy thereof to the Secretary of the Board of Trade, No. 7, Whitehall Gardens, London.

Directions by Board.

23. The Board of Trade may thereupon give such directions (if any) as they may think fit with respect to evidence, or otherwise, for the purpose of the hearing of the appeal by the Board of Trade, or for the purpose of their referring the appeal to the Court to hear and determine the same.

Notice of time of hearing.

24. Where the Board of Trade intend to hear the appeal, seven days' notice, or such shorter notice as the Board of Trade may in any particular case direct, of the time and place appointed for the hearing, shall be given to the comptroller and the applicant.

ADVERTISEMENT OF APPLICATION.

Advertisement of application.

25. Every application shall be advertised by the comptroller in the official paper, during such times, and in such manner as the comptroller may direct.

If no representation of the trade mark be inserted in the official paper in connection with the advertisement of an application, the comptroller shall refer in such advertisement to the place or places where a specimen or representation of the trade mark is deposited for exhibition.

Definition of official paper.

26. The official paper for the purposes of these Rules shall be some paper published under the direction of the Board of Trade, or such other paper as such Board may from time to time direct.

Means of advertising trade mark to be supplied to official paper.

27. For the purposes of such advertisement the applicant may be required to furnish a wood block or electrotype (or more than one, if necessary) of the trade mark, of such dimensions as may from time to time be directed by the comptroller, or with such other information or means of advertising the trade mark as may be required by the comptroller; and the comptroller, if dissatisfied with the block or electrotype furnished by the applicant or his agent, may require a fresh

block or electrotype before proceeding with the advertisement.

28. When an application relates to a series of trade marks differing from one another in respect of the particulars mentioned in section 66 of the said Act, the applicant may be required to furnish a wood block or electrotype (or more than one, if necessary) of any or of each of the trade marks constituting the series; and the comptroller may, if he thinks fit, insert with the advertisement of the application a statement of the manner in respect of which the several trade marks differ from one another. Advertisement of series.

OPPOSITION TO REGISTRATION.

29.—(1.) Where a case stands for the determination of the Court, under the provisions of section 69 of the said Act, the comptroller shall require the applicant within one month, or such further time as the comptroller may allow, to issue a summons in the chambers of a judge of her Majesty's High Court of Justice for an order that notwithstanding the opposition of which notice has been given the registration of the trade mark be proceeded with by the comptroller, or to take such other proceedings as may be proper and necessary for the determination of the case by the Court. Manner of bringing case before Court.

(2.) The applicant shall thereupon issue such summons, or take such other proceedings as aforesaid, within the period of one month above named, or such further time as the comptroller may allow, and shall also within the like period give notice thereof to the comptroller.

(3.) If the applicant shall fail to issue such summons, or to take such other proceedings, of which failure the non-receipt by the comptroller of the said notice shall be sufficient proof, the applicant shall be deemed to have abandoned his application.

(4.) Such notice to the comptroller shall be given by delivering at or sending to the Patent Office a copy of the summons or other initiatory proceeding bearing an endorsement of service signed by the applicant or his solicitor, or an endorsement of acceptance of service signed by the opponent or his solicitor. Mode of giving notice that the matter has been brought before the Court.

REGISTER OF TRADE MARKS.

30. As soon as may be after the expiration of two months from the date of the first advertisement of the application, the comptroller shall, subject to any such summons or other proceeding as aforesaid and the determination of the Court thereon, if he is satisfied that the applicant is entitled to Time of registration of trade marks.

registration, and on payment of the prescribed fee, enter the name, address, and description of the applicant in the register of trade marks as the registered proprietor of the trade mark in respect of the particular goods or classes of goods described in his application.

Where applicant dies before registration, the trade mark may be registered for successor to goodwill of business.

31. In case of the death of any applicant for a trade mark after the date of his application, and before the trade mark applied for has been entered on the register, the comptroller, after the expiration of the prescribed period of advertisement, may, on being satisfied of the applicant's death, enter on the register, in place of the name of such deceased applicant, the name, address, and description of the person owning the goodwill of the business, if such ownership be proved to the satisfaction of the comptroller.

Entries to be made in register.

32. Upon registering any trade mark the comptroller shall enter in the register the date on which the application for registration was received by the comptroller (which day shall be deemed to be the date of the registration) and such other particulars as he may think necessary.

Notice of registration.

33. The comptroller shall send notice to the applicant of the registration of his trade mark, together with a reference to the advertisement of such trade mark in the official paper.

Request by subsequent proprietor.

34. Where a person becomes entitled to a registered trade mark by assignment, transmission, or other operation of law, a request for the entry of his name in the register as proprietor of the trade mark shall be addressed to the comptroller, and left at the Patent Office.

Signature of request.

35. Such request shall in the case of an individual be made and signed by the person requiring to be registered as proprietor, and in the case of a firm or partnership by some one or more members of such firm or partnership, or in either case by his or their agent respectively duly authorized to the satisfaction of the comptroller, and in the case of a body corporate by their agent, authorized in like manner.

Contents of request.

36. Every such request shall state the name, address, and description of the person claiming to be entitled to the trade mark (hereinafter called the claimant), and the particulars of the assignment, transmission, or other operation of law, by virtue of which he requires to be entered in the register as proprietor, so as to show the manner in which, and the person or persons to whom, the trade mark has been assigned or transmitted, and so as to show further that it has been so assigned or transmitted in connection with the goodwill of the business concerned in the particular goods or classes of goods for which the trade mark has been registered.

37. Every such request shall be accompanied by a statutory declaration to be thereunder written, verifying the several statements therein, and declaring that the particulars above described comprise every material fact and document affecting the proprietorship of the trade mark as claimed by such request.

Declaration to accompany request.

38. The claimant shall furnish to the comptroller such other proof of title and of the existence and ownership of such goodwill as aforesaid as he may require for his satisfaction.

Further proof of title if required.

39. A body corporate may be registered as proprietor by its corporate name.

Body corporate.

40. The term "applicant" in Rules 17, 18, and 19 shall include each of several persons claiming to be registered as proprietor of the same trade mark.

Definition of applicant.

41. Whether all of such persons so claiming require to be heard before the comptroller or not, he may, before exercising the discretion vested in him by section 71 of the said Act, require such persons, or any or either of them, to submit a statement in writing within a time to be notified by him, or to attend before him and make oral explanations with respect to such matters as the comptroller may require.

Comptroller may require statement from rival claimants.

42. Where each of several persons claims to be registered as proprietor of the same trade mark, and the comptroller refuses to register any of them until their rights have been determined according to law, the manner in which the rights of such claimants may be submitted to the Court by the comptroller or if the comptroller so require, by the claimants, shall, unless the Court otherwise order, be by a special case; and such special case shall be filed and proceeded with in like manner as any other special case submitted to the Court, or in such other manner as the Court may direct.

Submission to Court of conflicting claims.

43. Where the special case is to be submitted to the parties it may be agreed to by them, or if they differ, may be settled by the comptroller on payment of the prescribed fees.

Settlement of special case.

44. Where an order has been made by the Court in either of the following cases, viz. :—

- (a) allowing an appeal under section 62 of the said Act;
- (b) disallowing an opposition to registration under section 69; or,
- (c) under the provisions of sections 72, 90, or 92 of the said Act,

the person in whose favour such order has been made, or such one of them, if more than one, as the comptroller may direct, shall forthwith leave at the Patent Office an office copy of such order. The register shall thereupon be rectified or

altered, or the purport of such order shall otherwise be duly entered in the register, as the case may be.

Removal of mark from register.

45. Where a trade mark has been removed from the register for nonpayment of the prescribed fee or otherwise, under the provisions of section 79 of the said Act, the comptroller shall cause to be entered in the register a record of such removal and the cause thereof.

Alteration of address in register.

46. If the registered proprietor of a trade mark send to the comptroller, together with the prescribed fee, notice of an alteration in his address, the comptroller shall alter the register accordingly.

Publication of rectification or variation of register.

47. Whenever an order is made by the Court for making, expunging, or varying an entry from or in the register, the comptroller shall, if he thinks that such rectification or variation should be made public, and at the expense of the person applying for the same, publish, by advertisement or otherwise, and in such manner as he thinks just, the circumstances attending the rectification or variation in the register.

Notice to comptroller of order of Court for alteration of trade mark under sect. 92 of Act.

48. Whenever the registered proprietor of any trade mark intends to apply for the leave of the Court to add to or to alter such trade mark, under section 92 of the said Act, the notice to be given to the comptroller shall be given fourteen days at least before such application. If leave be granted on such application the applicant shall forthwith supply to the comptroller such a number of representations of the trade mark as altered as he may deem sufficient.

INSPECTION OF REGISTER.

Hours of inspection.

49. The Register of Trade Marks shall be open to the inspection of the public, on payment of the prescribed fee, on every weekday between the hours of ten and four, except on the days and at the times following:—

- (a) Christmas Day, Good Friday, the day observed as her Majesty's birthday, days observed as days of public fast or thanksgiving, and days observed as holidays at the Bank of England; or
- (b) Days which may from time to time be notified by a placard posted in a conspicuous place at the Patent Office;
- (c) Times when the register is required for any purpose of official use.

POWER TO DISPENSE WITH EVIDENCE.

Dispensing with evidence.

50. Where under these Rules any person is required to do any act or thing, or to sign any document, or to make any declaration on behalf of himself or of any body corporate, or

any document or evidence is required to be produced to or left with the comptroller, or at the Patent Office, and it is shown to the satisfaction of the comptroller that from any reasonable cause such person is unable to do such act or thing, or to sign such document, or make such declaration, or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the comptroller, with the sanction of the Board of Trade, and upon the production of such other evidence, and subject to such terms as they may think fit, to dispense with any such act or thing, document, declaration, or evidence.

AMENDMENTS.

51. Any document or drawing or other representation of a trade mark for the amending of which no special provision is made by the said Act may be amended, and any irregularity in procedure which in the opinion of the comptroller may be obviated without detriment to the interests of any person may be corrected, if the comptroller think fit, and on such terms as he may direct. Amendment of documents.

ENLARGEMENT OF TIME.

52. The time prescribed by these Rules for doing any act, or taking any proceeding thereunder, may be enlarged by the comptroller, if he think fit, and upon such notice to other parties, and proceedings thereon, and upon such terms, as he may direct. Comptroller may enlarge time.

CUTLERS' COMPANY.

53. All applications to the Cutlers' Company for registration of a trade mark, under section 81 of the said Act, shall be in duplicate, accompanied by the prescribed fees and representations. Sheffield applications in duplicate.

54. The Cutlers' Company shall within seven days of the receipt by them of an application to register a trade mark, send the comptroller one copy of such application, by way of notice thereof, together with two representations of the mark for each class for which the applicant seeks registration. Notice to comptroller.

55.—(1.) The time within which the comptroller shall give notice to the Cutlers' Company of any objection he may have to the acceptance of an application for registration made to the said company shall be one month from the date of the receipt by the comptroller of the notice from the said company of the making of the application. Time within which comptroller may object to application made at Sheffield.

(2.) If no such objection is made by the comptroller, the Cutlers' Company shall require the applicant to send the comptroller a wood block or electrotype as the comptroller Advertisement of application made at Sheffield.

may direct, and the comptroller shall, if satisfied with such wood block or electrotype, advertise the application in the same manner as an application made to him at the Patent Office.

Manner of notifying to Cutlers' Company application received by comptroller.

(3.) The manner in which the comptroller shall notify to the Cutlers' Company an application and proceedings thereon made as mentioned in sub-section (8) of section 81 of the said Act shall be by sending to the Cutlers' Company a copy of the official paper containing the application of which notice is required to be given, with a note distinguishing such application.

Similarity of proceedings at London and at Sheffield.

56. The provisions of these Rules as to forms, representations, the proceedings on opposition to registration, registration, and all subsequent proceedings shall, as far as the circumstances allow, apply to all applications to register made to the Cutlers' Company, and to all proceedings consequent thereon.

CERTIFICATES

Certificate by comptroller.

57. The comptroller, when required for the purpose of any legal proceedings or other special purpose, to give a certificate as to any entry, matter, or thing which he is authorized by the said Act or any of these Rules to make or do, may, on receipt of a request in writing, and on payment of the prescribed fee, give such certificate, and shall specify on the face of it the legal proceeding or other purpose for which such certificate is granted.

DECLARATIONS.

Manner in which, and persons before whom, declaration is to be taken.

58. The statutory declarations required by the said Act and these Rules, or used in any proceedings thereunder, shall be made and subscribed as follows:—

- (a) In the United Kingdom, before any justice of the peace, or any commissioner or other officer authorized by law in any part of the United Kingdom to administer an oath for the purpose of any legal proceeding;
- (b) In any other part of her Majesty's dominions, before any Court, judge, justice of the peace, or any officer authorized by law to administer an oath there for the purpose of a legal proceeding; and
- (c) If made out of her Majesty's dominions, before a British minister, or person exercising the functions of a British minister, or a consul, vice-consul, or other person exercising the functions of a British consul, or a notary public, or before a judge or magistrate.

59. Any document purporting to have affixed, impressed, or subscribed thereto or thereon the seal or signature of any person hereby authorized to take such declaration in testimony of such declaration having been made and subscribed before him, may be admitted by the comptroller without proof of the genuineness of any such seal or signature, or of the official character of such person or his authority to take such declaration.

Notice of seal
of officer
taking de-
claration to
prove itself.

REPEAL.

60. All general rules as to the registration of trade marks heretofore made by the Lord Chancellor under the Trade Marks Registration Act, 1875, and in force on the 31st day of December, 1883, shall be, and they are hereby repealed, as from that date, without prejudice, nevertheless, to any proceedings which may have been taken under such Rules.

Previous rules
repealed.

J. CHAMBERLAIN,
President of the Board of Trade.

21st December, 1883.

PATENT OFFICE, TRADE MARKS BRANCH.

INSTRUCTIONS TO PERSONS WHO WISH TO REGISTER TRADE MARKS.

(Issued by the Comptroller in January, 1884.)

PRELIMINARY.

1. All communications relating to Trade Marks, not being Sheffield marks, should be addressed to the comptroller, Patent Office, Trade Marks Branch. All applications should be in the English language.

They may be made by post, or left at the Patent Office, Trade Marks Branch, 25, Southampton Buildings, Chancery Lane, London, W.C.

2. The fees in relation to Trade Marks Registration cannot be received at the Patent Office. They should be paid in exchange for the stamped forms required, which may be obtained at the following places (see list of Post Offices at which forms may be obtained, *post*, p. 215).

3. The following is a list of the stamped forms under the Patents, Designs and Trade Marks Act, 1883, which relate to trade marks, and which may be obtained at the places mentioned above:—

TRADE MARKS.

Letter.	Title of Form.	Fee.
		£ s. d.
F	Application for Registration of Trade Mark	0 5 0
G	Additional Representation Form	No stamp.
H	Appeal to Board of Trade on Refusal of Comptroller to Register a Trade Mark	1 0 0
I	Registration Fee	1 0 0
J	Notice of Opposition to Application for Registration	1 0 0
K	Request to enter Name of subsequent Proprietor, with Declaration in support thereof	1 0 0
L	Request for Certificate of Refusal to Register a Trade Mark	1 0 0
M	Notice of Application for Alteration of Address	0 5 0
N	Notice of Application for Alteration or Rectification of Register	0 10 0
O	Application to Cancel Entry of Mark on Register ..	0 5 0

Letter.	Title of Form.	Fee.
		£ s. d.
Q	Request for Correction of Clerical Error.....	0 5 0
R	Request for Certificate of Registration for use Abroad	0 5 0
S	Request for Certificate of Registration for use in Legal Proceedings	0 10 0
T	Application for Settlement of a Special Case.....	2 0 0
T 1	Request for General Certificate of Comptroller	0 5 0
V	Request for Copy of Official Notification	0 2 0
W	Appeal from Cutlers' Company at Sheffield to Comptroller.....	1 0 0

Of the above forms those bearing the letters "F," "G," and "I" are kept in stock at the various offices named in paragraph 2. Any of the others when required must be bespoke.

SALE OF OFFICIAL PUBLICATIONS.

4. The Patents, Designs, and Trade Marks Act, 1883, and the Rules thereunder in relation to the registration of trade marks should be carefully studied. Copies of the Act and the Trade Marks Rules can be had on payment of 2s. 2d. for each copy, at 38, Cursitor Street, Chancery Lane, London, E.C.

Post Office Orders, sent in payment for the Act and Rules, should be for the sum of 2s. 2d., made payable to H. Reader Lack, at the Chancery Lane Post Office.

5. The Act and the Trade Marks Rules may also be obtained for the above sum from any of the following publishers:—

- Knight & Co., 90, Fleet Street;
- Stevens & Sons, 119, Chancery Lane;
- E. Stanford, 55, Charing Cross;
- Shaw & Sons, Fetter Lane;
- Butterworths, 7, Fleet Street;
- G. Downing, 8, Quality Court, Chancery Lane;
- Trübner & Co., 57 and 59, Ludgate Hill;
- Waterlow & Sons, Limited, 25, 26, and 27, Great Winchester Street; 95 and 96, London Wall;
- Finsbury Stationery Works; and 49, Parliament Street;
- J. M. Johnson & Sons, Limited, 1, Castle Street, Holborn;
- Waterlow Bros. & Layton, 23, 24, and 25, Birchin Lane; and 28, 29, and 30, Lime Street;
- Palmer & Howe, 73, 75, and 77, Princess Street, Manchester;
- A. Thom & Co., 87 and 88, Abbey Street, Dublin;
- A. & C. Black, Edinburgh.

Copies will also be sent by post by any of the above publishers on a prepaid application, containing the name and address of the sender, and accompanied by a Post Office Order for the amount due in respect of the copies required, together with 1½d. postage for each copy of the Act and Rules.

6. Copies of the *Trade Marks Journal* may be obtained from any of the publishers named in para. 5. Price 1s. a number.

DEFINITION OF A TRADE MARK.

7. The definition of a trade mark (not used prior to the 13th August, 1875) is given in the 64th section of the Patents, Designs, and Trade Marks Act, 1883, as follows:—

“For the purposes of this Act, a trade mark must consist of or contain at least one of the following essential particulars:

“A name of an individual or firm printed, impressed or woven in some particular and distinctive manner; or

“A written signature or copy of a written signature of the individual or firm applying for registration thereof as a trade mark; or

“A distinctive device, mark, brand, heading, label, ticket, or fancy word or words not in common use.”

All new marks, therefore, which it is desired to register *must include one or more of the above essential particulars.*

The 64th section goes on—“There may be added to any one or more of these particulars any letters, words or figures, or combination of letters, words or figures, or any of them.”

In addition to the above—

“Any special and distinctive word or words, letter, figure, or combination of letters or figures or of letters and figures used as a trade mark before the thirteenth day of August one thousand eight hundred and seventy-five may be registered as a trade mark under this part of this Act.”

A person wishing to adopt a trade mark should, before engraving a block and circulating impressions of the mark among his customers, make a search or a formal application at the Trade Marks Branch of the Patent Office with the view of ascertaining whether his proposed mark is already registered, or whether, from its being calculated to deceive by a resemblance to other marks already on record, it would be refused registration under the 72nd section of the Patents, Designs, and Trade Marks Act, 1883.

The fee for making a search amongst the classified representations of trade marks is 1s. for every quarter of an hour. The fee for a formal application is 5s.

The comptroller does not undertake to make searches amongst the trade marks recorded at his office, except in connexion with formal applications for registration.

APPLICATIONS FOR REGISTRATION.

8. Applications sent by post should be addressed to—

The Comptroller,
Patent Office,
Trade Marks Branch,
25, Southampton Buildings,
London, W.C.

Agents and other persons who may be interested in more than one application are particularly requested to make communications relating to different applications in *separate* letters.

9. An application for the registration of a trade mark consists of:—

(a) An application form (Form "F." in the Second Schedule to the Trade Marks Rules, 1883), giving certain particulars (specified in the form), and bearing an impressed stamp of 5s.

(The applicant should before filling up the form carefully read the marginal notes.)

(b) Certain additional representations of the trade mark, mounted on forms (Form "G.").

10. A *separate* application form is required for *each* class.

11. If the mark be the property of a firm, it should be signed by a member of the firm, who should add after his signature "A member of the firm;" if of a company, by the secretary or other principal officer, who should add after his signature and designation, "for the company."

12. Applications may be made by agents in the names of and on behalf of the owners of trade marks. The agent must be duly authorized by the owner or owners; the necessary authority should be signed by the owner or owners.

Applications made by agents should have after the name of the agent the description "Agent."

13. A representation of the trade mark should be placed in the centre of the application form.

14. When an application is made for a trade mark used on any metal goods other than cutlery, edge tools, and raw steel, it should be stated in the application form of what metal or

metals the goods are made. See sect. 81 of the Act as to Sheffield marks.

15. When the mark consists of or includes words printed in other than Roman characters, there should be given at the back of or at the foot of the application form and of each of the additional representations a translation of such words, signed by the applicant or his agent.

In the case of marks claimed in Classes 23, 24, or 25, the applicant should state by what name the particular mark claimed would be referred to in the invoices of his house.

Additional Representations of Mark.

16. Each of the additional representations should be placed in the centre of a separate form (Form "G.").

In the case of a trade mark which is not claimed in Classes 23 to 35, *two* additional representations are required for *each* class claimed.

In the case of a trade mark claimed in any one or more of the Classes 23 to 35, *three* additional representations should be sent for *each* of such classes.

The representations of the mark on the Form "G." must agree *in every respect* with each other, and with that on the Form "F."

17. Representations of a mark of a large size may be folded. In that case they must, however, be backed with linen and firmly affixed to the forms. Representations must in no case be executed *in pencil*. They should be not only of a durable nature, but of such a kind as will admit of their being preserved and bound together in volumes as records of the property of the owners.

SERIES OF TRADE MARKS.

18. By section 66 of the Patents, Designs, and Trade Marks Act, 1883, the comptroller is empowered to register under one registration a series of trade marks which, whilst they resemble each other in the material particulars, differ from each other in respect of the statements of the goods for which they are used, of the statements of numbers, of the statements of price, of the statements of quality, or of the statements of names of places. When an application is made for such a series, a representation of each of the marks included in the series must be affixed to the Form "F.," and also to each of the Forms "G."

COMMON OR OPEN MARKS.

19. In the case of a trade mark used before the 13th August, 1875, common or open marks of any kind may be registered in connection with it, but in the case of a trade mark not so used, common or open marks consisting of *a word or combination of words only* can be registered as part of the mark.

In each case, the applicant for entry of such common particular or particulars must disclaim the right to the exclusive use of the same in a note at the back of or at the foot of the application form and of each of the additional representations, such note to be signed by the applicant or his agent.

See section 74 of the Act, sub-section 3, for definition of common marks.

CLASSIFICATION OF GOODS.

20. A guide to the classification of goods under the Trade Marks Rules, 1883, can be obtained on application at the Patent Office, Trade Marks Branch, and should be asked for if the applicant feels any difficulty in determining to which of the classes set out in the Third Schedule to the Rules the goods for which he uses his mark belong.

ADVERTISEMENT IN THE TRADE MARKS JOURNAL.

21. A trade mark cannot in any case be entered upon the Register until two months after its advertisement in the official paper.

22. A wood-block or electrotype must be furnished for each mark in each class claimed (except in the case of classes 23, 24, and 25, for which no blocks or electrotypes are required), but no block or electrotype should be forwarded until a formal demand for it is sent by the comptroller.

23. In the case of a series of trade marks differing only in respect of the particulars mentioned in section 66 of the Patents, Designs, and Trade Marks Act, 1883, a wood-block or electrotype must be furnished for each mark in the series for each class claimed.

24. The wood-blocks or electrotypes furnished must correspond *exactly* with the representations, must afford *perfectly distinct* impressions of the marks, and must be upon a scale sufficiently large to reproduce the marks faithfully. Worn or mutilated blocks or electrotypes cannot be accepted.

25. The largest space available for the insertion of any single block or electrotype is eight and a-half inches broad by ten inches deep.

When a block or electrotype *exceeds two inches in depth*, a charge for additional space is made, at the rate of two shillings for every inch or part of an inch beyond the two inches.

26. The number given by the comptroller should *not* be cut on the face of the block or electrotype, but should be *marked upon the side* in such a manner as to secure its identification.

27. All blocks or electrotypes should be sent to the Patent Office, Trade Marks Branch, together with the papers marked "Form 2," and with the representation of the mark sent for the guidance of the applicant in preparing the blocks or electrotypes.

28. The blocks or electrotypes supplied for the advertisement of trade marks cannot in any case be returned to applicants.

RESTRICTIONS ON REGISTRATION.

29. Ornamental or coloured groundwork, such as tartans or checks, cannot be claimed as part of a mark unless such groundwork be included within the mark by some border or lines.

30. The Royal Arms, or arms so nearly resembling them as to be calculated to deceive, and the words "registered," "registered design," "copyright," "entered at Stationers' Hall," "to counterfeit this is forgery," "patent," "patented," will not be registered under the Patents, Designs, and Trade Marks Act, 1883, and should not, therefore appear upon the representations of trade marks forming part of an application.

31. The following will not be registered as trade marks, or as prominent parts of trade marks, unless the marks have been used before 13th August, 1875:—

Representations of her Majesty the Queen, or of any member of the Royal family.

Representations of the Royal Crown.

National arms or flags.

Prize or exhibition medals.

32. When there appears on the face of a trade mark an indication of the goods to which the mark is applied, the claim for its registration must be in respect of those goods only.

FORMS OF COUNTER-STATEMENT AND BOND.

33. For these forms, see *post*, pp. 237, 244.

34. Before he is required to bring an opposition matter before the Court under Rule 29, the Applicant is afforded an opportunity of objecting, if he think fit, to the solvency of the security for the costs which may be awarded in respect of the opposition.

FEEES.

35. See the First Schedule to the Trade Mark Rules, 1883, and the List of Forms, para. 3, of these Instructions.

36. *An application for the registration of a trade mark will not be entered by the comptroller unless it be accompanied by the proper fees in impressed stamps.*

CUTLERS' COMPANY.

37. By section 81, sub-section (3) of the Patents, Designs, and Trade Marks Act, 1883, application for the registration of trade marks used on cutlery, edge tools, or on raw steel, or on goods made of steel, or of steel and iron combined, whether with or without a cutting edge, shall, if made by a person carrying on business in Hallamshire, or within six miles thereof, be made to the Cutlers' Company.

See Rules 53 to 56 and para. 14 of these Instructions.

Applications made to the Cutlers' Company in pursuance of section 81 of the Patents, Designs, and Trade Marks Act, 1883, should be made on Form F, the address in the left-hand corner to be, "To the Cutlers' Company, Sheffield," instead of "To the Comptroller," and should be left at, or sent by post to, the Cutlers' Hall, Sheffield.

Each application should be accompanied by an unstamped copy on foolscap paper. See Rule 53.

Applications sent by post should be addressed—

CHAS. MACRO WILSON, Esq.,
The Law Clerk,
The Cutlers' Hall,
Sheffield.

MANCHESTER OFFICE.

38. For the convenience of merchants and manufacturers engaged in the cotton trade, and for the purpose of facilitating the recording of trade marks used in respect of cotton goods, an office will be opened at 48, Royal Exchange, Manchester, where searches can be made on payment of 1s. for each quarter of an hour for all marks in classes of textiles from Class 23 to Class 35.

CERTIFICATES.

39. The comptroller's certificate in relation to a trade mark is of four kinds, viz. :—

(i.) For use in legal proceedings.

- (ii.) For use in applying for registration in foreign countries.
- (iii.) Of any application made and of proceedings thereon.
- (iv.) A certificate of refusal of a mark in use before 13th August, 1875, and not registerable.

40. A person desirous of obtaining any of the above certificates should forward Form R, Form S, Form T 1, or Form L (see para. 3), as the case may be, to the comptroller, giving the comptroller's official number of the mark, and stating whether the certificate is required for use in legal proceedings, or for use in applying for the registration of the mark in a foreign country, or for what other purpose.

The form should be accompanied by two unmounted copies of each mark for which a certificate is required.

41. In every case where a certificate is required in respect of a cotton mark, or in respect of any trade mark of which the representations or specimens forming part of the application for registration are *coloured*, two unmounted copies of the mark must be supplied, agreeing *in every respect* with the representations forming part of the application for registration. Special attention should be paid to this requirement, as the certificate cannot in any such case be prepared until these unmounted copies are received by the comptroller.

REGISTRATION OF SUBSEQUENT PROPRIETORS OF REGISTERED TRADE MARKS.

42. The request and declaration to be made by a subsequent proprietor on application for the registration in his name of a registered trade mark must be made on Form K (see para. 3).

H. READER LACK,
Comptroller.

Patent Office, Trade Marks Branch,
London,

January, 1884.

PATENTS FEES.

(First Schedule to Patents Rules.)

LIST OF FEES PAYABLE ON AND IN CONNEXION WITH LETTERS PATENT.

Up to Sealing.

	£	s.	d.	£	s.	d.
1. On application for provisional protection	1	0	0			
2. On filing complete specification	3	0	0			
	_____			4	0	0
	or					
3. On filing complete specification with first application				4	0	0
4. On appeal from comptroller to law officer. By appellant				3	0	0

5. On notice of opposition to grant of patent. By opponent.				0	10	0
6. On hearing by comptroller. By applicant and by opponent respectively				1	0	0

7. On application to amend specification :—						
Up to sealing. By applicant				1	10	0
8. After sealing. By patentee				3	0	0
9. On notice of opposition to amendment. By opponent				0	10	0
10. On hearing by comptroller. By applicant and by opponent respectively				1	0	0
11. On application to amend specification during action or proceeding. By patentee				3	0	0

12. On application to the Board of Trade for a compulsory license. By person applying.				5	0	0
13. On opposition to grant of compulsory license. By patentee				5	0	0
14. On certificate of renewal :—						
Before end of 4 years from date of patent				50	0	0
15. Before end of 7 years, or in the case of patents granted under the Patents, Designs, and Trade Marks Act, 1883, before the end of 8 years from date of patent				100	0	0
or in lieu of the fees of 50% and 100%, the following annual fees :—						
16. Before the expiration of the 4th year from the date of the patent	10	0	0			
17. " " 5th " "	10	0	0			
18. " " 6th " "	10	0	0			
19. " " 7th " "	10	0	0			
20. " " 8th " "	15	0	0			
21. " " 9th " "	15	0	0			

	£	s.	d.
22. Before the expiration of 10th year from the date of the patent	20	0	0
23. " " 11th " "	20	0	0
24. " " 12th " "	20	0	0
25. " " 13th " "	20	0	0
On enlargement of time for payment of renewal fees:—			
26. Not exceeding 1 month	3	0	0
27. " 2 months	7	0	0
28. " 3 months	10	0	0
29. For every entry of an assignment, transmission, agreement, license or extension of patent	0	10	0
30. For duplicate of letters patent each	2	0	0
31. On notice to comptroller of intended exhibition of a patent under section 39	0	10	0
32. Search or inspection fee each	0	1	0
33. For office copies every 100 words (but never less than one shilling)	0	0	4
34. " of drawings, cost according to agreement.			
35. For certifying office copies, MSS. or printed each	0	1	0
36. On request to comptroller to correct a clerical error	0	5	0
37. For certificate of comptroller under section 96	0	5	0
38. For altering address in register	0	5	0

(Signed) J. CHAMBERLAIN,
President of the Board of Trade.

21st December, 1883.

Approved:

(Signed) CHARLES C. COTES,
HERBERT J. GLADSTONE,
Lords Commissioners of
Her Majesty's Treasury.

4th December, 1883.

DESIGNS FEES.

(First Schedule to Designs Rules.)

FEES.

	£	s.	d.
1. On application to register one design to be applied to single articles in each class except classes 13 and 14 - - - -	0	10	0
2. On application to register one design to be applied to single articles in classes 13 and 14 - - - -	0	1	0
3. On application to register one design to be applied to a set of articles for each class of registration - - - -	1	0	0
4. On notice of appeal to Board of Trade against refusal of comptroller to register - - - -	1	0	0
5. Copy of certificate of registration, each copy - - - -	0	1	0
6. On request for certificate of comptroller for legal proceedings or other special purpose - - - -	0	5	0
7. On request to enter name of subsequent proprietor	(same as registration fee.		
8. On notice to comptroller of intended exhibition of an un-registered design - - - -	0	5	0
9. Inspection of design of which the copyright has expired, for each quarter of an hour - - - -	0	1	0
10. Copy of one such design - - - -	(cost according to agree-ment.		
11. On request to correct clerical error - - - -	0	5	0
12. On request for search under section 53 - - - -	0	5	0
13. On request to enter new address - - - -	0	5	0
14. For office copy, every 100 words - - - -	0	0	4
	(but never less than 1s.)		
15. For certifying office copies, MSS. or printed - - - -	0	1	0

NOTE.—The term “set” to include any number of articles ordinarily on sale together irrespective of the varieties of size and arrangement in which the particular design may be shown on each separate article.

J. CHAMBERLAIN,
President of the Board of Trade.

Approved,
CHARLES C. COTES,
HERBERT J. GLADSTONE,
Lords Commissioners of Her Majesty's Treasury.

4th December, 1883.

TRADE MARKS FEES.

(First Schedule to Trade Marks Rules.)

FEES.	£	s.	d.
1. On application to register a trade mark for one or more articles included in one class - - - - -	0	5	0
2. On appeal to Board of Trade on refusal of comptroller to register - - - - -	1	0	0
3. For registration of a trade mark for one or more articles included in one class - - - - -	1	0	0
4. For registering a series of trade marks, for every additional representation after the first in each class - - - - -	0	5	0
5. For entering notice of opposition, for each trade mark, whether in one or more classes - - - - -	1	0	0
6. On application to register a subsequent proprietor in cases of assignment or transmission, the first mark - - - - -	1	0	0
7. For every additional mark assigned or transmitted at the same time - - - - -	0	2	0
8. For certificate of refusal to register a trade mark under section 77 - - - - -	1	0	0
9. For certificate of refusal at the same time for more than one trade mark, for each additional trade mark after the first -	0	10	0
10. For continuance of mark at expiration of fourteen years -	1	0	0
11. Additional fee where fee is paid within three months after expiration of fourteen years - - - - -	0	10	0
12. Additional fee for restoration of trade mark where removed for nonpayment of fee - - - - -	1	0	0
13. For altering address on the register, for every mark - - - - -	0	5	0
14. For every entry in the register of a rectification thereof or an alteration therein, not otherwise charged - - - - -	0	10	0
15. For cancelling the entry or part of the entry of a trade mark upon the register, on the application of the owner of such trade mark - - - - -	0	5	0
16. On request to comptroller to correct a clerical error - - - - -	0	5	0
17. For certificate of registration to be used in legal proceedings -	0	10	0
18. For certificate of registration to be used for the purpose of obtaining registration in foreign countries - - - - -	0	5	0
19. For copy of notification of registration - - - - -	0	2	0
20. Settling a special case by comptroller - - - - -	2	0	0
21. For inspecting register, for every quarter of an hour - - - - -	0	1	0
22. For making a search amongst the classified representations of trade marks, for every quarter of an hour - - - - -	0	1	0

	£	s.	d.
23. For office copy of documents, for every 100 words (but never less than one shilling)	-	-	0 0 4
24. For certifying office copies, MS. or printed -	-	-	0 1 0
25. For certificate of comptroller under section 96 -	-	-	0 5 0
26. In cases where a trade mark requires a greater space than two inches of the depth of the page of the <i>Trade Marks Journal</i> , for each additional inch or part of an inch -	-	-	0 2 0
27. Manchester Trade Marks Office -	-	-	Same as above
28. Sheffield Marks -	-	-	Same as above
29. On appeal from Cutlers' Company, Sheffield, to comptroller -	1	0	0

J. CHAMBERLAIN,
President of the Board of Trade.

Approved,
CHARLES C. COTES,
HERBERT J. GLADSTONE,
Lords Commissioners of
Her Majesty's Treasury.

4th December, 1883.

CLASSIFICATION OF GOODS FOR REGISTRATION OF DESIGNS.



(Third Schedule to Designs Rules.)

CLASSIFICATION OF ARTICLES OF MANUFACTURE AND SUBSTANCES.

Classes.

1. Articles composed wholly or partly of metal, not included in Class 2.
2. Jewellery.
3. Articles composed wholly or partly of wood, bone, ivory, papier mâché, or other solid substances not included in other classes.
4. Articles composed wholly or partly of glass, earthenware or porcelain, bricks, tiles, or cement.
5. Articles composed wholly or partly of paper (except hangings).
6. Articles composed wholly or partly of leather, including book-binding, of all materials.
7. Paper hangings.
8. Carpets and rugs in all materials, floorcloths, and oilcloths.
9. Lace, hosiery.
10. Millinery and wearing apparel, including boots and shoes.
11. Ornamental needlework on muslin or other textile fabrics.
12. Goods not included in other classes.
13. Printed or woven designs on textile piece goods.
14. Printed or woven designs on handkerchiefs and shawls.

CLASSIFICATION OF GOODS FOR REGISTRATION OF TRADE MARKS.

(Third Schedule to Trade Marks Rules.)

GENERAL NOTE.

Any wares made of mixed materials (for example, of both cotton and silk) shall be included in such one of the classes appropriated to those materials as the registrar may desire.

CLASSIFICATION OF GOODS.

Illustrations.

Note.—Goods are mentioned in this column by way of illustration, and not as an exhaustive list of the contents of a class.

CLASS 1.

Chemical substances used in manufactures, photography, or philosophical research, and anti-corrosives.

Such as—Acids, including vegetable acids; alkalies; artists' colours; pigments; mineral dyes.

CLASS 2.

Chemical substances used for agricultural, horticultural, veterinary, and sanitary purposes.

Such as—Artificial manure; cattle medicines; deodorisers; vermin destroyers.

CLASS 3.

Chemical substances prepared for use in medicine and pharmacy.

Such as—Cod liver oil; medicated articles; patent medicines; plasters; rhubarb.

CLASS 4.

Raw or partly prepared vegetable, animal, and mineral substances used in manufactures, not included in other classes.

Such as—Resins; oils used in manufactures and not included in other classes; dyes, other than mineral; tanning substances; fibrous substances (*e. g.*, cotton, hemp, flax, jute); wool; silk; bristles; hair; feathers; cork; seeds; coal; coke; bone; sponge.

	<i>Illustrations.</i>
<p style="text-align: center;">CLASS 5.</p> <p>Unwrought and partly wrought metals used in manufacture.</p>	<p>Such as—Iron and steel, pig or cast; iron, rough; iron, bar and rail, including rails for railways; iron, bolt and rod; iron, sheet, and boiler and armour plates; iron, hoop; lead, pig; lead, rolled; lead, sheet; wire; copper; zinc; gold, in ingots.</p>
<p style="text-align: center;">CLASS 6.</p> <p>Machinery of all kinds, and parts of machinery, except agricultural and horticultural machines included in Class 7.</p>	<p>Such as—Steam engines; boilers; pneumatic machines; hydraulic machines; locomotives; sewing machines; weighing machines; machine tools; mining machinery; fire engines.</p>
<p style="text-align: center;">CLASS 7.</p> <p>Agricultural and horticultural machinery, and parts of such machinery.</p>	<p>Such as—Ploughs; drilling machines; reaping machines; thrashing machines; churns; cyder presses; chaff cutters.</p>
<p style="text-align: center;">CLASS 8.</p> <p>Philosophical instruments, scientific instruments, and apparatus for useful purposes. Instruments and apparatus for teaching.</p>	<p>Such as—Mathematical instruments; gauges; logs; spectacles; educational appliances.</p>
<p style="text-align: center;">CLASS 9.</p> <p>Musical instruments.</p>	
<p style="text-align: center;">CLASS 10.</p> <p>Horological instruments.</p>	
<p style="text-align: center;">CLASS 11.</p> <p>Instruments, apparatus, and contrivances, not medicated, for surgical or curative purposes, or in relation to the health of men or animals.</p>	<p>Such as—Bandages; friction gloves; lancets; fleams; enemas.</p>
<p style="text-align: center;">CLASS 12.</p> <p>Cutlery and edge tools.</p>	<p>Such as—Knives; forks; scissors; shears; files; saws.</p>
<p style="text-align: center;">CLASS 13.</p> <p>Metal goods not included in other classes.</p>	<p>Such as—Anvils; keys; basins (metal); needles; hoes; shovels; corkscrews.</p>
<p style="text-align: center;">CLASS 14.</p> <p>Goods of precious metals (including aluminium, nickel, Britannia metal, &c.) and jewellery, and imitations of such goods and jewellery.</p>	<p>Such as—Plate; clock cases and pencil cases of such metals; Sheffield and other plated goods; gilt and ormolu work.</p>

	<i>Illustrations.</i>
<p style="text-align: center;">CLASS 15.</p> <p>Glass.</p>	<p>Such as—Window and plate glass; painted glass; glass mosaic; glass beads.</p>
<p style="text-align: center;">CLASS 16.</p> <p>Porcelain and earthenware.</p>	<p>Such as—China; stoneware; terracotta; statuary porcelain; tiles; bricks.</p>
<p style="text-align: center;">CLASS 17.</p> <p>Manufactures from mineral and other substances for building or decoration.</p>	<p>Such as—Cement; plaster; imitation marble; asphalt.</p>
<p style="text-align: center;">CLASS 18.</p> <p>Engineering, architectural, and building contrivances.</p>	<p>Such as—Diving apparatus; warming apparatus; ventilating apparatus; filtering apparatus; lighting contrivances; drainage contrivances; electric and pneumatic bells.</p>
<p style="text-align: center;">CLASS 19.</p> <p>Arms, ammunition, and stores not included in Class 20.</p>	<p>Such as—Cannon; small-arms; fowling-pieces; swords; shot and other projectiles; camp equipage; equipments.</p>
<p style="text-align: center;">CLASS 20.</p> <p>Explosive substances.</p>	<p>Such as—Gunpowder; gun-cotton; dynamite; fog-signals; percussion caps; fireworks; cartridges.</p>
<p style="text-align: center;">CLASS 21.</p> <p>Naval architectural contrivances and naval equipments not included in Classes 19 and 20.</p>	<p>Such as—Boats; anchors; chain cables; rigging.</p>
<p style="text-align: center;">CLASS 22.</p> <p>Carriages.</p>	<p>Such as—Railway carriages; wagons; railway trucks; bicycles; bath chairs.</p>
<p style="text-align: center;">CLASS 23.</p> <p>Cotton yarn and thread.</p>	<p>Such as—Sewing cotton on spools or reels; sewing cotton not on spools or reels; dyed cotton yarns.</p>
<p style="text-align: center;">CLASS 24.</p> <p>Cotton piece goods of all kinds.</p>	<p>Such as—Cotton shirtings; long cloth.</p>
<p style="text-align: center;">CLASS 25.</p> <p>Cotton goods not included in Classes 23, 24, or 38.</p>	<p>Such as—Cotton lace; cotton braids; cotton tapes.</p>

CLASS 26.

Linen and hemp yarn and thread.

CLASS 27.

Linen and hemp piece goods.

CLASS 28.

Linen and hemp goods not included
in Classes 26, 27, and 50.

CLASS 29.

Jute yarns and tissues, and other
articles made of jute not included
in Class 50.

CLASS 30.

Silk, spun, thrown, or sewing.

CLASS 31.

Silk piece goods.

CLASS 32.

Other silk goods not included in
Classes 30 and 31.

CLASS 33.

Yarns of wool, worsted, or hair.

CLASS 34.

Cloths and stuffs of wool, worsted,
or hair.

CLASS 35.

Woollen and worsted and hair
goods not included in Classes 33
and 34.

CLASS 36.

Carpets, floor-cloth, and oil-cloth.

Such as—Drugget; mats and mat-
ting; rugs.

CLASS 37.

Leather, skins unwrought and
wrought, and articles made of
leather not included in other
classes.Such as—Saddlery; harness; whips;
portmanteaus; furs.

CLASS 38.

Articles of clothing.

Such as—Hats of all kinds; caps
and bonnets; hosiery; gloves;
boots and shoes; other ready-
made clothing.

CLASS 39.

Paper (except paper-hangings), stationery, and book-binding.

Illustrations.

Such as—Envelopes; sealing-wax; pens (except gold pens); ink; playing cards; blotting cases; copying presses.

CLASS 40.

Goods manufactured from india-rubber and gutta-percha not included in other classes.

CLASS 41.

Furniture and upholstery.

Such as—Paper hangings; papier-mâché; mirrors; mattresses.

CLASS 42.

Substances used as food, or as ingredients in food.

Such as—Cereals; pulses; olive oil; hops; malt; dried fruits; tea; sago; salt; sugar; preserved meats; confectionery; oil cakes; pickles; vinegar; beer clarifiers.

CLASS 43.

Fermented liquors and spirits.

Such as—Beer; cyder; wine; whisky; liqueurs.

CLASS 44.

Mineral and aërated waters, natural and artificial, including ginger-beer.

CLASS 45.

Tobacco, whether manufactured or unmanufactured.

CLASS 46.

Seeds for agricultural and horticultural purposes.

CLASS 47.

Candles, common soap, detergents; illuminating, heating, or lubricating oils; matches; and starch, blue, and other preparations for laundry purposes.

Such as—Washing powders; benzino collas.

CLASS 48.

Perfumery (including toilet articles, preparations for the teeth and hair, and perfumed soap).

CLASS 49.

Games of all kinds and sporting articles not included in other classes.

Illustrations.

Such as—Billiard tables; roller skates; fishing nets and lines; toys.

CLASS 50.

Miscellaneous, including—

- (1) Goods manufactured from ivory, bone, or wood, not included in other classes.
- (2) Goods manufactured from straw or grass, not included in other classes.
- (3) Goods manufactured from animal and vegetable substances, not included in other classes.
- (4) Tobacco pipes.
- (5) Umbrellas, walking sticks, brushes and combs.
- (6) Furniture cream, plate powder.
- (7) Tarpaulins, tents, rick-cloths, rope, twine.
- (8) Buttons of all kinds, other than of precious metal or imitations thereof.
- (9) Packing and hose of all kinds.
- (10) Goods not included in the foregoing classes.

Such as—Coopers' wares.

FORMS

RELATING TO

PATENTS, DESIGNS AND TRADE MARKS.

LIST OF PLACES

At which Stamped Forms under the Patents, Designs and Trade Marks Act, 1883, may be obtained.

The Inland Revenue Office, Royal Courts of Justice.

The following Post Offices in London :—

London General Post Office, E.C.

District Post Office, 226, Commercial Road, E.

„ 9, Blackman Street, Borough, S.E.

„ Charing Cross, W.C.

„ 28, Eversholt Street, Camden Town, N.W.

Post Office, 12, Parliament Street, S.W.

The chief Post Offices of the following towns :—

ENGLAND AND WALES.

Accrington	Doncaster	Middlesborough
Altrincham	Dorchester	Nantwich
Ashton-under-Lyne	Driffield	Newcastle
Barnsley	Droitwich	Newport (Mon.)
Barrow-in-Furness	Dudley	Northallerton
Bedford	Durham	Northampton
Beverley	Exeter	Nottingham
Birkenhead	Gateshead	Nuneaton
Birmingham	Goole	Oldbury
Blackburn	Greenwich	Oldham
Bolton	Guildford	Pattingham
Bradford	Halifax	Plymouth
Brighton	Hartlepool	Pontefract
Bristol	Huddersfield	Portsmouth
Bromsgrove	Hull	Prescot
Burnley	Ipswich	Preston
Burslem	Keighley	Reading
Burton-on-Trent	Kendal	Redditch
Bury	Kidderminster	Richmond (Yorks.)
Cambridge	Knaresbro'	Ripon
Carlisle	Knutsford	Rochdale
Chatham	Lancaster	Rotherham
Chester	Leamington	Rugby
Clitheroe	Leeds	Salford
Congleton	Leicester	St. Helen's
Coventry	Lichfield	Scarborough
Crewe	Lincoln	Sedgley
Darlaston	Liverpool	Sheffield
Derby	Macclesfield	Southampton
Dewsbury	Manchester	Stafford

ENGLAND AND WALES—*continued.*

Stalybridge
 Stockport
 Stoke-on-Trent
 Stourbridge
 Stourport
 Sunderland
 Swansea
 Tamworth

Truro
 Tunstall
 Wakefield
 Walsall
 Warrington
 Wednesbury
 West Bromwich

Whitby
 Widnes
 Wigan
 Wolverhampton
 Wolverton
 Woolwich
 York

SCOTLAND.

Aberdeen
 Dumbarton
 Dundee
 Edinburgh

Glasgow
 Greenock
 Inverness
 Lanark

Paisley
 Perth
 Renfrew

IRELAND.

Belfast
 Cork

Dublin
 Dundalk

Galway
 Wexford

PATENTS FORMS.

(Second Schedule to Patents Rules.)

FORMS.

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Patents, Designs, and Trade Marks Act, 1883.

[Patent Stamp.]

FORM A.

Application for Patent.

(a) _____, do solemnly and sincerely declare that _____ in possession of an invention for (b) _____ that _____ the true and first inventor thereof; and that the same is not in use by any other person or persons to the best of _____ knowledge and belief; and _____ humbly pray that a patent may be granted _____ for the said invention.

And _____ make the above solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

Declared at (d) _____, in the _____, this _____ (c) _____ day of _____, 18—.
Before me (e) _____.

[Declared at (d) _____, in the _____, this _____ day of _____, 18—.
Before me (e) _____.
_____ (f).]

NOTE.—Where the above declaration is made out of the United Kingdom, the words “and by virtue of the Statutory Declarations Act, 1835,” must be omitted, and the declaration must be made before a British Consular Officer, or, where it is not reasonably practicable to make it before such officer, then before a public officer duly authorized in that behalf.

- (a) Here insert name, full address, and calling of applicant or applicants.
- (b) Here insert title of invention.
- (c) Signature of applicant or applicants.
- (d) If declared by more than one applicant, and at different times or places, insert after “Declared” the words “by the above-named.”
- (e) Signature and title of the person before whom the declaration is made.
- (f) If not required as in note (d), strike out part within brackets.

Patents, Designs, and Trade Marks Act, 1883.

[Patent Stamp.]

FORM A1.

Application for Patent for Inventions Communicated from Abroad.

I (a) _____, of _____, in the county of _____, do solemnly and sincerely declare that I am in possession of an invention for (b) _____, which invention has been communicated to me from abroad by (c) _____, that I claim to be the true and first inventor thereof; and that the same is not in use within this realm by any other person or persons to the best of my knowledge and belief; and I humbly pray that a patent may be granted to me for the said invention.

And I make the above solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

Declared at _____, in the county of _____, this _____ day of _____, 18—.

Before me, (e) _____.

NOTE.—Where the above declaration is made out of the United Kingdom the words, “and by virtue of the Statutory Declarations Act, 1835,” must be omitted, and the declaration must be made before a British Consular Officer, or, where it is not reasonably practicable to make it before such officer, then before a public officer duly authorized in that behalf.

- (a) Here insert name, full address, and calling of applicant.
- (b) Here insert title of invention.
- (c) Here insert name, address, and calling of communicant.
- (d) Signature of applicant.
- (e) Signature and title of the officer before whom the declaration is made.

To be issued with Form A or A1.

Patents, Designs, and Trade Marks Act, 1883.

FORM B.

Provisional Specification.

(To be furnished in Duplicate.)

(a) _____, (b) _____, do hereby declare the nature of said invention for _____ to be as follows (c): _____.

NOTE.—No stamp is required on this document, which must form the commencement of the Provisional Specification; the continuation to be upon wide-ruled foolscap paper (but on one side only), with a margin of two inches on left hand of paper. The Provisional Specification and the “Duplicate” thereof must be signed by the applicant or his agent on the last sheet, the date being first inserted as follows:—

“Dated this _____ day of _____, 18—.”

- (a) Here insert title, as in declaration.
 - (b) Here insert name, full address, and calling of applicant or applicants, as in declaration.
 - (c) Here insert short description of invention.
-

Patents, Designs, and Trade Marks Act, 1883.

[*Patent Stamp.*]

FORM C.

Complete Specification.

(To be furnished in Duplicate—one unstamped.)

(a) ———. (b) ———, do hereby declare the nature of ——— invention for ——— and in what manner the same is to be performed, to be particularly described and ascertained in and by the following statement: (c) ———

NOTE.—This document must form the commencement of the complete Specification; the continuation to be upon wide-ruled foolscap paper (but on one side only) with a margin of two inches on left hand of paper. The complete Specification and the “Duplicate” thereof must be signed by the applicant or his agent on the last sheet, the date being first inserted as follows:—

“Dated this ——— day of ———, 18—.”

(a) Here insert title, as in declaration.

(b) Here insert name, full address, and calling of applicant or applicants, as in declaration.

(c) Here insert full description of invention, *which must end with a distinct statement of claim or claims, in the following form:*

“Having now particularly described and ascertained the nature of my said invention, and in what manner the same is to be performed, I declare that what I claim is—

“ (1)

“ (2)

“ (3)

.”

Here state distinctly the features of novelty claimed.

Patents, Designs, and Trade Marks Act, 1883.

[*Patent Stamp.*]

FORM D.

Form of Opposition to grant of Patent.[*To be accompanied by an unstamped copy.*]

*I ——— hereby give notice of my intention to oppose the grant of letters patent upon application No. ——— of ———, applied for by ——— upon the ground† ———.

(Signed)‡ ———.

To the Comptroller,
Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

* Here state name and full address.

† Here state upon which of the grounds of opposition permitted by section 11 of the Act the grant is opposed.

‡ Here insert signature of opponent or agent.

Patents, Designs, and Trade Marks Act, 1883.

[Patent Stamp.]

FORM E.

Form of Application for Hearing by the Comptroller.*In Cases of Refusal to Accept, Opposition, or Applications for Amendments, &c.*

SIR,

_____ of (a) _____ hereby apply to be heard in reference to _____ and request that I may receive due notice of the day fixed for the hearing.

Sir,
Your obedient Servant,

To the Comptroller,
Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

(a) Here insert full address.

Patents, Designs, and Trade Marks Act, 1883.

[Patent Stamp.]

FORM F.

Form of Application for Amendment of Specification or Drawings.

* _____ seek leave to amend the specification of Letters Patent No. _____ of 188—, as shown in red ink in the copy of the original specification hereunto annexed _____.

My reasons for making this amendment are as follows † _____.
(Signed) _____.

To the Comptroller,
Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

* Here state name and full address of applicant or patentee.

† Here state reasons for seeking amendment; and where the applicant is not the patentee, state what interest he possesses in the letters patent.

Patents, Designs, and Trade Marks Act, 1883.

[Patent Stamp.]

FORM G.

Form of Opposition to Amendment of Specification or Drawings.*[To be accompanied by an unstamped copy.]*

* _____ hereby give notice of objection to the proposed amendment of the specification or drawings of Letters Patent No. _____ of 188— for the following reason: † _____.

(Signed) _____.

To the Comptroller,
Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

* Here state name and full address of opponent.

† Here state reason of opposition.

Patents, Designs, and Trade Marks Act, 1883.

[Patent Stamp.]

FORM H.

Form of Application for Compulsory Grant of License.

[To be accompanied by an unstamped copy.]

*—— hereby request you to bring to the notice of the Board of Trade the accompanying petition for the grant of a license to me by †——.

(Signed) ——.

NOTE.—The petition must clearly set forth the facts of the case and be accompanied by an examined copy thereof. See Form below.

To the Comptroller,

Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

* Here state name and full address of applicant.

† Here state name and address of patentee, and number and date of his patent.

Patents, Designs, and Trade Marks Act, 1883.

FORM H1.

Form of Petition for Compulsory Grant of Licenses.

To the LORDS of the COMMITTEE of PRIVY COUNCIL for TRADE.

THE PETITION of (a) —— of —— in the county of ——, being a person interested in the matter of this petition as hereinafter described:—

SHEWETH as follows:—

1. A patent dated —— No. —— was duly granted to —— for an invention of (b) ——.

2. The nature of my interest in the matter of this petition is as follows:—(c)

3. (d)

Having regard to the circumstances above stated, the petitioner alleges that by reason of the aforesaid default of the patentee to grant licenses on reasonable terms (e)

Your petitioner therefore prays that an order may be made by the Board of Trade (f)

or that the petitioner may have such other relief in the premises as the Board of Trade may deem just.

(a) Here insert name, full address, and description.

(b) Here insert title of invention.

(c) Here state fully the nature of petitioner's interest.

(d) Here state in detail the circumstances of the case under section 22 of the said Act, and show that it arises by reason of the default of the patentee to grant licenses on reasonable terms. The statement of the case should also show as far as possible that the terms of the proposed order are just and reasonable. The paragraphs should be numbered consecutively.

(e) Here state the ground or grounds on which relief is claimed in the language of section 22, sub-sections (a), (b), or (c), as the case may be.

(f) Here state the purport and effect of the proposed order and the terms as to the amount of royalties, security for payment, or otherwise, upon which the petitioner claims to be entitled to the relief in question.

Patents, Designs, and Trade Marks Act, 1883.

[*Patent Stamp.*]

FORM I.

Form of Opposition to Compulsory Grant of License.

* ——— hereby give notice of objection to the application of ——— for the compulsory grant of a license under Patent No. ——— of 188 .
(Signed) ———.

To the Comptroller,
Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

* Here state name and full address.

Patents, Designs, and Trade Marks Act, 1883.

FORM J.

Application for Certificate of Payment or Renewal.

————— hereby transmit the fee prescribed for the continuation in force of ——— Patent No. ———, of 18 , for a further period of ———.
Name* ———.
Address ———.

To the Comptroller,
Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

* Here insert name and full address of patentee or his agent.

Certificate of Payment or Renewal.

[*Patent Stamp.*]

Letters Patent No. ——— of 188 .

————— 18 .
This is to certify that ——— did this ——— day of ——— 18 , make the prescribed payment of £——— in respect of a period of ——— from ———, and that by virtue of such payment the rights of ——— remain in force.*

(Seal.)

Patent Office, London.

* See section 17 of the Patents, Designs, and Trade Marks Act, 1883.

Patents, Designs, and Trade Marks Act, 1883.

[*Patent Stamp.*]

FORM K.

**Form of Application for Enlargement of Time for Payment of
Renewal Fee.**

SIR,

I HEREBY apply for an enlargement of time for ——— month— in which to make the ——— payment of £—— upon my Patent; No. ——— of 188—.

I am,
Sir,
Your obedient Servant,

(a) ———.

To the Comptroller,
Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

(a) Here insert full address to which receipt is to be sent.

Patents, Designs, and Trade Marks Act, 1883.

[*Patent Stamp.*]

FORM L.

**Form of Request to enter Name upon the Register of Patents, and
of Declarations in support thereof.**

I (a), ——— hereby request that you will enter (b) ——— name (c) in the Register of Patents:—

(d) ——— claim to be entitled (e) ——— of the Patent No. ——— of 188—, granted to (f) ——— for (g) ——— by virtue of (h) ———.

And in proof whereof I transmit the accompanying (i) ——— with an examined copy thereof (j).

I am,
Sir,
Your obedient Servant,

To the Comptroller,
Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

- (a) Or We. Here insert name, full address, and description.
 (b) My or our.
 (c) Or names.
 (d) I or We.
 (e) Here insert the nature of the claim.
 (f) Here give name and address, &c. of patentee or patentees.
 (g) Here insert title of the invention.
 (h) Here specify the particulars of such document, giving its date, and the parties to the same, and showing how the claim here made is substantiated.
 (i) Here insert the nature of the document.
 (j) Where any document which is a matter of record is required to be left, a certified or official copy in lieu of an examined copy must be left.

Patents, Designs, and Trade Marks Act, 1883.

[Patent Stamp.]

FORM M.

Form of Request to enter Notification of License in the Register of Patents.

SIR,

I HEREBY transmit an examined copy of a license granted to me by ———, under Patent No. ——— of 188—, as well as the original license for verification, and I have to request that a notification thereof may be entered in the Register.

(a) ———.

I am,
Sir,
Your obedient Servant,

To the Comptroller,
Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

(a) Here insert full address.

Patents, Designs, and Trade Marks Act, 1883.

[Patent Stamp.]

FORM N.

Application for Duplicate of Patent.

Date.

SIR,

I REGRET to have to inform you that the Letters Patent, dated * ———, No. ———, granted to ———, for an invention of † ———, have been ‡ ———.

I beg therefore to apply for the issue of a duplicate of such Letters Patent.§

[Signature of Applicant.]

To the Comptroller,
Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

* Here insert date, No., name, and full address of patentee.

† Here insert title of invention.

‡ Here insert the word "destroyed" or "lost," as the case may be.

§ Here state interest possessed by applicant in the letters patent.

Patents, Designs, and Trade Marks Act, 1883.

[Patent Stamp.]

FORM O.

Notice of Intended Exhibition of an Unpatented Invention.

* ——— hereby give notice of my intention to exhibit a ——— of ——— at the ——— Exhibition, which † ——— of ——— 18—, under the provisions of the Patents, Designs, and Trade Marks Act of 1883.

‡ ——— herewith enclose ———.

(Signed) ———.

To the Comptroller,
Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

* Here state name and full address of applicant.

† State "opened" or "is to open."

‡ Insert brief description of invention, with drawings, if necessary.

Patents, Designs, and Trade Marks Act, 1883.

[Patent Stamp.]

FORM P.

Form of Request for Correction of Clerical Error.

SIR,

I HEREBY request that the following clerical error (a) may be corrected in (b).

Signature ———.

Full Address ———.

To the Comptroller,
Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

(a) Or errors.

(b) Here state whether in application, specification, or register.

Patents, Designs, and Trade Marks Act, 1883.

[Patent Stamp.]

FORM Q.

Certificate of Comptroller-General.

Patent Office,
London,

——— 188—.

I, ———, Comptroller-General of Patents, Designs, and Trade Marks, hereby certify

Patents, Designs, and Trade Marks Act, 1883.

[Patent Stamp.]

FORM R.

Form of Notice for Alteration of an Address in Register.

SIR,

(a) — — hereby request that ——— address now upon the Register may be altered as follows:—

(b) —————.

—————,
Sir,
Your obedient Servant,

To the Comptroller,
Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

- (a) Here state name or names and full address of applicant or applicants.
(b) Here insert full address.

Patents, Designs, and Trade Marks Act, 1883.

[Patent Stamp.]

FORM S.

Form of Application for Entry of Order of Privy Council in Register.

(a) ——— hereby transmit an office copy of an Order in Council with reference to (b).

—————,
Sir,
Your obedient Servant,

To the Comptroller,
Patent Office, 25, Southampton Buildings,
Chancery Lane, London, W.C.

- (a) Here state name and full address of applicant.
(b) Here state the purport of the order.

Patents, Designs, and Trade Marks Act, 1883.

[*Patent Stamp.*]

FORM T.

Form of Appeal to Law Officer.

I, (a) _____ of (a) _____ hereby give notice of my intention to appeal to the Law Officer from (b) _____ of the Comptroller of the _____ day of _____ 188—, whereby he (c) _____ No. (d) _____ of the year 188— (d).

Signature _____.

Date _____.

N.B.—This notice has to be sent to the Comptroller-General at the Patent Office, London, W.C., and a copy of same to the Law Officer's Clerk, at Room 549, Royal Courts of Justice, London.

(a) Here insert name and full address of appellant.

(b) Here insert "the decision" or "that part of the decision," as the case may be.

(c) Here insert "refused [*or* allowed] application for patent," or "refused [*or* allowed] application for leave to amend patent," or otherwise, as the case may be.

(d) Insert number and year.

DESIGNS FORMS.



(Second Schedule to Designs Rules.)

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Patents, Designs, and Trade Marks Act, 1883.

[*Designs Stamp.*]

FORM E.

Application for Registration of Design in Classes——.

You are hereby requested to register the accompanying design in Class ——, in the name of (a) ——, of ——, who claims to be the proprietor thereof, and to return the same to ——.

Statement of nature of design (b).

(Signed) —— (c).

Dated the —— day of ——, 188—.

*To the Comptroller,
Patent Office, Designs Branch,
25, Southampton Buildings,
Chancery Lane, London, W.C.*

(a) Here insert legibly the name, address, and description of the individual or firm.

(b) Such as whether it is applicable for the pattern or for the shape.

(c) To be signed by the applicant.

Patents, Designs, and Trade Marks Act, 1883.

[*Designs Stamp.*]

FORM F.

Appeal to Board of Trade on Refusal of Comptroller to register a Design.

[*To be accompanied by an unstamped copy.*]

SIR,—I hereby appeal against your decision upon my application to register ——, and beg to submit my case (a) for the decision of the the Board of Trade.

I am, Sir, your obedient Servant,

*The Comptroller,
Patent Office, Designs Branch,
25, Southampton Buildings,
Chancery Lane, London, W.C.*

(a) The statement of the case to be written upon foolscap paper (on one side only), with a margin of two inches on the left-hand side thereof.

Patents, Designs, and Trade Marks Act, 1883.

[*Seal of Patent Office.*] FORM G.

Certificate of Registration of Design.

(R^D No. ———.)

Patent Office, Designs Branch,
25, Southampton Buildings,
Chancery Lane, London, W.C.

THIS is to certify that the design of which this is a copy was registered this ——— day of ——— 188—, in pursuance of the Patents, Designs, and Trade Marks Act, 1883, in respect of the application of such design to articles in Class ———, for which a copyright of five years is granted.

Patents, Designs, and Trade Marks Act, 1883.

[*Designs Stamp.*] FORM H.

Application for Copy of Certificate of Registration of Design.

SIR,—I hereby request you to furnish me with a Copy Certificate of Registration of Design No. ——— in Class ———.

(Signed) ———.

Dated the ——— day of ——— 188—.

To the Comptroller,
Patent Office, Designs Branch,
25, Southampton Buildings,
Chancery Lane, London, W.C.

Patents, Designs, and Trade Marks Act, 1883.

[*Designs Stamp.*] FORM I.

Request for Certificate for use in Legal Proceedings.

SIR,—I hereby request you to send me for the purposes of use in the suit of (a) ——— a certificate that the design, of which a copy is herein enclosed, was (b) ———.

(Signed) ———.
——— day of ——— 188—.

To the Comptroller,
Patent Office, Designs Branch,
25, Southampton Buildings,
Chancery Lane, London, W.C.

(a) Here state the title of the legal proceeding or the other purpose for which the certificate is required.

(b) Here state the entry, matter, or thing which the writer wishes certified.

Patents, Designs, and Trade Marks Act, 1883.

FORM J.

Certificate for use in Legal Proceedings.

In the matter of ———.

No. ———.

I, ———, Comptroller-General of Patents, Designs, and Trade Marks, hereby certify that ———.

Witness my hand and seal this ——— day of ——— 188—.

—————,
Comptroller.

(Seal.)

*Patent Office, Designs Branch,
25, Southampton Buildings, London.*

Patents, Designs, and Trade Marks Act, 1883.

[*Designs Stamp.*]

FORM K.

Request to enter Name of Subsequent Proprietor of Design, with Declaration in support thereof.

I, [a] ——— hereby request that you will enter [b] ——— name [c] ——— in the Register of Designs as proprietor ——— of the Design No. ——— in Class ———.

[d] ——— entitled as to the said Design ——— [e] ———.

[f] And I do solemnly and sincerely declare that the above several statements are true, and the particulars above set out comprise every material fact and document affecting the proprietorship of the said design as above claimed.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

Declared at ——— this ——— day of ——— 188— [g] ———.

Before me, ——— [h].

*To the Comptroller,
Patent Office, Designs Branch,
25, Southampton Buildings,
Chancery Lane, London, W.C.*

[a] Or We. Here insert name, full address, and description.

[b] My or our.

[c] Or names.

[d] I am, or We are.

[e] Here state whether design transmitted by death, marriage, bankruptcy, or other operation of law, and if entitled by assignment state the particulars thereof, as, *e. g.*, "by deed dated the ——— day of ———, 188—, made between so-and-so of the one part."

[f] This paragraph is not required when the declaration is made out of the United Kingdom.

[g] To be signed here by the person making the declaration.

[h] Signature and title of the authority before whom the declaration is made.

Patents, Designs, and Trade Marks Act, 1883.

[*Designs Stamp.*]

FORM L.

Notice of Intended Exhibition of an Unregistered Design.

(a) ——— hereby give notice of my intention to exhibit a ——— of ——— at the ——— Exhibition, which (b) ——— of ——— 188—, under the provisions of the Patents, Designs, and Trade Marks Act of 1883 (c) ——— herewith enclose a ———.

(Signed) ———.

Dated the ——— day of ——— 188—.

To the Comptroller,

*Patent Office, Designs Branch,
25, Southampton Buildings,
Chancery Lane, London, W.C.*

- (a) Here state name and address of applicant.
(b) State "opened" or "is to open."
(c) Insert brief description of design, with drawing.

Patents, Designs, and Trade Marks Act, 1883.

[*Designs Stamp.*]

FORM M.

Request for Correction of Clerical Error or for Entry of New Address.

SIR,—I hereby request that

(Signed) ———.

Dated the ——— day of ——— 188—.

To the Comptroller,

*Patent Office, Designs Branch,
25, Southampton Buildings,
Chancery Lane, London, W.C.*

TRADE MARKS FORMS.

(Second Schedule to Trade Marks Rules.)

FORMS.

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Patents, Designs, and Trade Marks Act, 1883.

[*Trade Marks Stamp.*] FORM F.**Application for Registration of Trade Mark.**

One representation to be fixed within this square, and two others to be sent on separate sheets of foolscap.

Representations of a larger size may be folded, but must be mounted upon linen and affixed hereto.

You are hereby requested to register the accompanying Trade Mark in Class ———, in respect of (a) ——— in the name of (b) ——— who claims to be the proprietor thereof (c).

To the Comptroller,
Patent Office, Trade Marks Branch,
25, Southampton Buildings, London.

(Signed) ———(d).

Dated this ——— day of ———, 1883.

NOTE.—If the Trade Mark has been in use in respect of the goods since before August 13, 1875, state length of such user.

(a) Only goods contained in one and the same class should be set out here. A separate application form is required for each separate class.

(b) Here insert legibly the full name, address, and business of the individual, firm, or company. In the case of an individual, add trading style (if any).

(c) Alter to "claim to be the proprietors thereof" in the case of a firm or company.

(d) To be signed by the applicant; or, in the case of a firm, by a partner, adding, "A member of the firm," or, in the case of a company, by the secretary or other principal officer, adding, "For the Company." Or, in any case, an agent may sign, adding "Agent."

Patents, Designs, and Trade Marks Act, 1883.

FORM G.

Additional Representation of Trade Mark, to accompany Application for Registration.

One representation of the Trade Mark to be affixed within this square.

It must correspond *exactly*, in all respects, with the representation affixed to the Application Form.

Any representation of a larger size than foolscap may be folded, but must then be mounted upon linen and affixed hereto.

Two of these additional representations of the Trade Mark must accompany *each* form of application.

In the case of a Trade Mark claimed in one of the Classes 23 to 35, three of these additional representations of the mark must accompany the form of application.

Patents, Designs, and Trade Marks Act, 1883.

[*Trade Marks Stamp.*] FORM II.

Form of Appeal to Board of Trade on Refusal of Comptroller to register a Trade Mark.

SIR,

I HEREBY give notice of my intention to appeal against your decision upon my application to register a Trade Mark No. _____ in Class _____ for _____, and I beg to submit my case* for the decision of the Board of Trade.

I am, Sir,

Your obedient Servant,

*To the Comptroller,
Patent Office, Trade Marks Branch,
25, Southampton Buildings,
London.*

* The statement of the case to be written upon foolscap paper (on one side only), with a margin of two inches on the left-hand side thereof.

Patents, Designs, and Trade Marks Act, 1883.

[*Trade Marks Stamp.*] FORM I.

Fee for Registration of a Trade Mark.

SIR,

In reply to your request I hereby transmit the prescribed fee for the registration of the Trade Mark No. _____, in Class _____.

I am,

Sir,

Your obedient Servant,

To the Comptroller,

Patent Office, Trade Marks Branch,

25, Southampton Buildings,

London.

Patents, Designs, and Trade Marks Act, 1883.

[*Trade Marks Stamp.*] FORM J.

Notice of Opposition to Application for Registration.

[To be accompanied by an unstamped duplicate.]

In the matter of an Application,
No. _____, by _____, of _____.

SIR,

Notice is hereby given that I _____, of _____, oppose the Registration of the Trade Mark advertised under the above number for Class _____ in the "*Trade Marks Journal*" of the _____ day of _____ 188—, No. _____, page _____.

The grounds of opposition are as follows:—

• _____.

To the Comptroller,

Patent Office, Trade Marks Branch,

25, Southampton Buildings,

London.

* To be dated and signed at the end by the opponent or his solicitor.

[*The following Form of Counter-statement is given by the Trade Marks Instructions, No. 33, ante, p. 200.*]

Patents, Designs, and Trade Marks Act, 1883.

Form of Counter-statement in reply to Notice of Opposition.

In the Matter of an Application No. _____,
and of the Opposition thereto No. _____.

In reply to the Notice of Opposition in this matter by _____ of _____,

I give notice by way of Counter-statement that I rely for my Application on the following grounds:—

(To be dated and signed by the Applicant or his Solicitor.)

To the Comptroller,
Patent Office, Trade Marks Branch,
25, Southampton Buildings,
London.

Patents, Designs, and Trade Marks Act, 1883.

[Trade Marks Stamp.] FORM K.

Request to enter Name of subsequent Proprietor of Trade Mark upon the Register, with Declaration in support thereof.

I, (a) ——— hereby request that you will enter (b) ——— name (c) in the Register of Trade Marks as proprietor ——— of the Trade Mark No. ——— in Class ———.

(d) ——— entitled to the said trade mark and to the goodwill of the business concerned in the goods with respect to which the said trade mark is registered.

(e) ———.

And I do solemnly and sincerely declare that the above several statements are true, and the particulars above set out comprise every material fact and document affecting the proprietorship of the said trade mark as above claimed.

(f) And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

Declared at ——— this ——— day of ——— 188 —.

Before me ———,

(h) ———.

To the Comptroller,
Patent Office, Trade Marks Branch,
25, Southampton Buildings, London.

(a) Or We. Here insert name, full address, and description.

(b) My or our.

(c) Or names.

(d) I am, or We are.

(e) Here state whether trade mark transmitted by death, marriage, bankruptcy, or other operation of law, and if entitled by assignment state the particulars thereof, as, *e.g.* "by deed dated the ——— day of ——— 188—, made between so-and-so of the one part."

(f) This paragraph is not required when the declaration is made out of the United Kingdom.

(g) To be signed here by the person making the declaration.

(h) Signature and title of the authority before whom the declaration is made.

Patents, Designs, and Trade Marks Act, 1883.

[Trade Marks Stamp.] FORM L.

Request for Certificate of Refusal to register a Trade Mark in use before 13th August, 1875.

In the matter of an Application for registration of an old Trade Mark, No. ——— in Class ———.

SIR,—I, ———, of ———, the applicant in the above matter, hereby request you to furnish me with your certificate of refusal to register the said trade mark.

Dated this ——— day of ——— 188—.

To the Comptroller,
Patent Office, Trade Marks Branch,
25, Southampton Buildings, London.

* Signature of applicant.

Patents, Designs, and Trade Marks Act, 1883.

[Trade Marks Stamp.] FORM M.

Notice of Application for Alteration of Address on Register of Trade Marks.

In the matter of the Trade Mark, No. ———, registered in Class ———.

SIR,—Notice is hereby given that I ——— of ——— the registered proprietor of the trade mark numbered as above, desire that my address on the Register of Trade Marks be altered to ———.

Dated this ——— day of ——— 188—.

To the Comptroller,
Patent Office, Trade Marks Branch,
25, Southampton Buildings, London.

* Signature of proprietor.

Patents, Designs, and Trade Marks Act, 1883.

[Trade Marks Stamp.] FORM N.

Notice of Application for Alteration or Rectification of Register of Trade Marks.

In the matter of the Trade Mark, No. ———, registered in Class ——— in the name of ———.

SIR,—Notice is hereby given, that by an order of the Court, made on the ——— day of ——— 188—, it was directed that the entry on the

Register of Trade Marks, in respect of the Trade Mark numbered as above, should be rectified in the manner therein specified.

An office copy of the order of the Court is enclosed herewith.

Dated this _____ day of _____ 188—.

*To the Comptroller,
Patent Office, Trade Marks Branch,
25, Southampton Buildings, London.*

* To be signed by the person interested or his agent.

Patents, Designs, and Trade Marks Act, 1883.

[*Trade Marks Stamp.*] FORM O.

**Form of Application by Proprietor of Registered Trade Mark to
Cancel Entry on Register.**

Trade Mark, No. _____ Class _____ advertised in "Trade Marks Journal," No. _____, page _____.

Name of registered proprietor or firm _____ Place of business _____.

I, the undersigned _____, of _____ [or I, the undersigned _____, a member of the firm of _____, of _____, on behalf of my said firm] _____, apply that the entry upon the Register of the Trade Marks in Class _____ of the Trade Mark No. _____ may be cancelled.

The _____ day of _____ 188—.

(Signed) _____.

This is the statement marked "O" referred to in the declaration of _____, made before me the _____ of _____, 188—.

Patents, Designs, and Trade Marks Act, 1883.

FORM P.

**Form of Declaration in Support of Application for Cancellation of
Trade Mark by Owner.**

I, _____ of _____ [or I, _____, a member of the firm of _____, of _____], do hereby solemnly and sincerely declare, to the best of my knowledge and belief, as follows:—

(1) The application signed by me, and dated the _____ day of _____, 188—, and marked with the letter "O," and shown to me at the time of making this declaration, is true.

(2) I am the person whose name appears on the Register of Trade Marks as the proprietor of the trade mark referred to in the said application marked with the letter "O."

[or My said firm is the firm whose name appears on the Register of Trade Marks as the proprietor of the trade mark referred to in the said application marked with the letter "O."]

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

(Signed) _____

Declared at _____ this _____
day of _____, 188—.

Before me, _____.

If the declaration be made before a commissioner to administer oaths it will require to be stamped with a 2s. 6d. impressed inland revenue stamp.

Patents, Designs, and Trade Marks Act, 1883.

[*Trade Marks Stamp.*] FORM Q.

Form of Request for Correction of Clerical Error in regard to a Trade Mark.

SIR,

I hereby request that

*To the Comptroller,
Patent Office, Trade Marks Branch,
25, Southampton Buildings,
London.*

Patents, Designs, and Trade Marks Act, 1883.

[*Trade Marks Stamp.*] FORM R.

Request for Certificate of Registration of Trade Mark for use in obtaining Registration Abroad.

In the matter of the Trade Mark, No. _____, registered in Class _____, in the name of _____.

SIR,

I _____, of _____, the registered proprietor of the above Trade Mark hereby request you to furnish me with your certificate of registration for use in obtaining registration of the same in* _____.

Dated this _____ day of _____, 188—.

† _____

*To the Comptroller,
Patent Office, Trade Marks Branch,
25, Southampton Buildings,
London.*

* Here state name of country in which registration is to be sought.

† Signature.

Patents, Designs, and Trade Marks Act, 1883.

[*Trade Marks Stamp.*] FORM S.**Request for Certificate of Registration of Trade Mark for use in
Legal Proceedings.**In the matter of the Trade Mark, No. ———, registered
in Class ———, in the name of ———.

SIR,

I, ———, of ———, the registered proprietor of the above Trade
Mark hereby request you to furnish me with your certificate of registration
for use in the following legal proceedings* ———.

Dated this ——— day of ———, 188—.

† ———

*To the Comptroller,
Patent Office, Trade Marks Branch,
25, Southampton Buildings,
London.*

* Here state exact title of legal proceedings.

† Signature.

Patents, Designs, and Trade Marks Act, 1883.

[*Trade Marks Stamp.*] FORM T.**Application for Settlement of a Special Case on Application to
register a Trade Mark.**In the matter of the Application of ——— and of the
Application of ———.

SIR,

Notice is hereby given that I, ———, of ———, and I, ———, are
unable to agree upon the facts on which the opinion of the Court is to be
taken, and that we request you to fix a day on which we may attend
before you and obtain your finding on the matters of fact to be submitted
to the Court as settled.

Dated this ——— day of ———, 188—.

* ———
* ———*To the Comptroller,
Patent Office, Trade Marks Branch,
25, Southampton Buildings,
London.*

* To be signed by both parties.

Patents, Designs, and Trade Marks Act, 1883.

[*Trade Marks Stamp.*] FORM U.

**General Certificate of Comptroller-General as to Application for or
Registration of a Trade Mark.**

Patent Office, Trade Marks Branch,
London,

_____ 188—.

I, _____, Comptroller-General of Patents, Designs, and Trade Marks,
hereby certify

Patents, Designs, and Trade Marks Act, 1883.

[*Trade Marks Stamp.*] FORM V.

**Request for Copy of Official Notification of Registration of Trade
Mark.**

In the matter of the Trade Mark, No. _____, registered
in Class _____.

SIR,—I, _____, of _____, the registered proprietor of the trade mark
above named hereby request that you will furnish me with a copy of the
official notification of the registration of the same.

* _____

Dated this _____ day of _____ 188—.

To the Comptroller,
Patent Office, Trade Marks Branch,
25, Southampton Buildings, London.

* Signature.

Patents, Designs, and Trade Marks Act, 1883.

[*Trade Marks Stamp.*] FORM W.

Form of Appeal from Cutlers' Company at Sheffield to Comptroller.

[To be accompanied by an unstamped duplicate.]

SIR,—I hereby give notice of appeal against the decision of the Cutlers'
Company, of Sheffield, in regard to my application for registration of a
Trade Mark, No. _____ in Class _____ for _____, and I beg to submit
my case* for your decision accordingly.

† _____

Dated this _____ day of _____ 188—.

To the Comptroller,
Patent Office, Trade Marks Branch,
25, Southampton Buildings, London.

* The statement of the case to be written upon foolscap paper (on one side
only), with a margin of two inches on the left-hand side thereof.

† Signature.

[*The following Form of Bond which the Comptroller is able to accept from persons opposing Applications, and who have been required to give security for costs, is given by the Trade Marks Instructions, No. 33, ante, p. 200.*]

Form of Bond.

Patents, Designs, and Trade Marks Act, 1883.

Trade Marks.

In the Matter of an Application No. _____
and of the Opposition thereto No. _____.

Know all men by these presents that we _____ of _____ and _____ of _____ are jointly and severally hold and firmly bound to Henry Reader Lack the Comptroller-General of Patents Designs and Trade Marks in the penal sum of _____ pounds of good and lawful money of Great Britain to be paid to the said Henry Reader Lack or to other the Comptroller-General of Patents Designs and Trade Marks for the time being for which payment to be well and faithfully made we bind ourselves and each of us our and each of our heirs executors and administrators firmly by these presents sealed with our Seals.

Dated this _____ day of _____ 18 _____.

Whereas pursuant to the provisions of the Patents Designs and Trade Marks Act 1883 and of the Trade Marks Rules 1883 an application (No. _____) has been made by _____ of _____ to the Comptroller-General of Patents Designs and Trade Marks for the registration of a certain Trade Mark And whereas the above-bounden _____ have delivered a notice of opposition to such registration and the said _____ have sent to the said Comptroller-General a counter-statement of the grounds on which they rely for their application And whereas the said Comptroller-General pursuant to the terms of the said Act hath required the said _____ to enter into the above-written obligation (subject to the condition hereinafter contained) as security for such costs as may be awarded in respect of such opposition

Now the condition of the above-written obligation is such that if the said _____ or either of them their or either of their heirs executors or administrators do and shall well and truly pay or cause to be paid to all such costs as the High Court of Justice shall think fit to award to the said _____ in respect of the said opposition then the above-written obligation is to be void or else to remain in full force and virtue.

Signed sealed and delivered by the above-bounden _____ and _____ in the presence of _____.

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