

**HANDBOOK OF
PATENT LAW OF
ALL COUNTRIES**

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Handbook of Patent Law of All Countries by W. P. Thompson

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W. P. THOMPSON

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OF ALL COUNTRIES

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HANDBOOK OF PATENT LAW.

GREAT BRITAIN AND IRELAND.

(Population, 42,000,000.)

KINDS OF PROTECTION.

There are four species of industrial protection :—

1. Patents for invention for fourteen years.
2. Registration of designs for five years.
3. Registration of trade marks for fourteen years, renewable again and again, for fourteen years, and "Patent Medicines."
4. Copyright of books and plays, works of art, musical productions, and photographs.

PATENTS OF INVENTION.

A Patent, or exclusive privilege, to an inventor for a limited period, is, in reality, a contract between the Crown, on behalf of the nation at large, and the inventor. The latter gives to the public what it did not possess before—the full details of a new invention; the Crown, in return, gives the inventor the exclusive right, subject to certain conditions, of working that invention for a limited period, at the end of which time the full benefit of the discovery passes to the public.

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OF ALL COUNTRIES.

abroad have taken out patents in their own names, and the office freely grants such and so far their legality has not been questioned. For the above and for other reasons, however, it is safer and better for foreigners residing abroad to apply for patents through a resident in this country as communications. An exception to this is made expressly when the inventor is a citizen of or resident in one of the countries forming the Union for the Protection of Industrial Property (see page 29), and the patent is applied for within twelve months of the date of the earliest foreign patent and under the rules of the Convention. It must then be taken out in the name of the foreign patentee.

Where, however, a patent has been applied for by a resident in this country as a communication from a foreigner resident abroad, and that patent is afterwards assigned to a foreigner, there is no doubt that the latter can legally hold such patent, and carry on actions for infringement thereof.

In case of a patent being lost or destroyed, a duplicate will be issued to the inventor or owner on his proving the facts of the case to the satisfaction of the Comptroller, and paying the prescribed fees.

JOINT INVENTION.

When an invention is the joint production of two minds, it should be patented in their joint names; for should it be proved that the patentee obtained from another individual a material part of the invention, the patent will be invalid.

Should, however, an inventor employ another individual to perform experiments with a view to making a specific discovery, the discovery so made is in the eye of the law made by the employer, and can be patented by him without using the name of the afore-