

**PATENT LAW AND PRACTICE:
SHOWING THE MODE OF OBTAINING
AND OPPOSING GRANTS,
DISCLAIMERS, CONFIRMATIONS,
AND EXTENSIONS OF PATENTS**

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Patent Law and Practice: Showing the Mode of Obtaining and Opposing Grants, Disclaimers, Confirmations, and Extensions of patents by Alfred V. Newton

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ALFRED V. NEWTON

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PATENT LAW

AND

PRACTICE:

SHOWING THE MODE OF OBTAINING AND OPPOSING
GRANTS, DISCLAIMERS, CONFIRMATIONS, AND
EXTENSIONS OF PATENTS.

With a Chapter on Patent Agents.

BY

A PRACTITIONER.

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P R E F A C E.

IN preparing this little work, I have had chiefly in mind the requirements of inventors and patentees who, without possessing either the wish to make, or the opportunity for making, a study of patent law, nevertheless desire to know somewhat of its nature,—not so much for their own guidance, as to prevent them from having to trust ignorantly to the guidance of those to whom they may be led to confide their patent business, and to enable them to appreciate at its just value the advice that may be offered for their acceptance. The work is also designed for the use of such solicitors as may, although unfamiliar with the principles and practice of patent law, be suddenly called on, in the course of a very miscellaneous business, to advise on some point connected with this speciality of the law.

To facilitate reference to any single point on which information is sought, the work is divided into chapters, which severally treat of one subject, indicated by the heading; and the chapters are sub-divided into numbered paragraphs, the subject-matter of each of which is notified at the head of the chapter. This arrangement necessitated a style of writing which, however familiar to Parliamentary Bill draughtsmen, entailed upon me, from its inherent difficulty, a labour which I can only hope will find its equivalent in the advantage thereby afforded to my readers of readily selecting such paragraphs as will afford them the information they are in search of.

This work not being intended as an exhaustive treatise on patent law—which would be very unacceptable to inventors generally, and has moreover been attempted by abler hands than mine—I have not touched upon purely legal matters relating to the infringement of patent rights and the repeal of patents, but have confined my remarks to those subjects which should be within a patentee's own cognisance; it being, as I think, *beyond his province* to master the intricate pro-

ceedings of law suits. Moreover, I am sanguine enough to hope that these intricacies, and the evils attendant thereon, will soon be of the past, and that the statement of a great legist, that "such litigation had acquired a reputation infamous beyond any other," will be no longer applicable to patent suits. If this my hope should be realised, I shall only be too happy to add a supplementary chapter, with this heading, "*Mode of testing the merits of allegations of infringement, and of the defence set up thereto, preparatory to resort being had to any of the Courts of Law.*" Such a scrutiny as these proceedings imply is, in my judgment, the only means for giving security to patentees and the public in the enjoyment of their respective rights and privileges.

In order not to encumber the text with details of the cost of patents, disclaimers, &c., I have thrown into an Appendix the schedule of stamp duties payable on patents, and the fees due to the law officers and their clerks on hearings and oppositions to the grant of letters patent and disclaimers; and as these are of themselves imperfect guides to the costs incurred by inventors when employing

professional assistance, I have added a group of accounts which represent the average charges for work performed by a competent patent agent. These accounts, which fairly represent the customary charges of the profession, will, it is hoped, enable patentees who are lured by tempting offers of cheap agency, to judge how far their actual disbursements have exceeded the fair rate of remuneration, and teach them circumspection for the future.

A Chapter on "Patent Agents" is given, with the view of still further impressing on the novice in patent matters the lesson of prudence.

A. V. N.

April, 1871.

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