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[Despatch Abstract.]

Forwarding to the Chamber
of Commerce referred to, for
their views, Resolutions from
the Govt of India re a proposed
Scheme for giving Imperial
protection to Patents, Designs
& Trade Marks in the
United Kingdom &c.

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1910-06

READ AGAIN ORDER OF GOVERNMENT, DATED
188 , No. , MISCELLANEOUS.

ENCLOSURES.

CURRENT No. 908

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

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Circular No. 532 P.
72-2

Extract from the Proceedings of the Government of India, Revenue and Agricultural Department (Patents), dated Calcutta, the 13th March 1890.

PATENTS.

THE following Despatch from Her Majesty's Secretary of State for India relative to a proposed scheme for giving Imperial protection to Patents, Designs, and Trade-marks in the United Kingdom, India, and the Colonies, is published for general information :—

No. 10 (Statistics), dated India Office, London, the 23rd January 1890.

From—The RIGHT HON'BLE VISCOUNT CROSS, G.C.B., Her Majesty's Secretary of State for India,

To—The Government of India.

I FORWARD, for the consideration of Your Excellency's Government, a copy of a memorial from the Associated Chambers of Commerce, and of the reply which I have caused to be sent thereto, upon the subject of a scheme for giving Imperial protection to patents, designs, and trade-marks in the United Kingdom, India, and the Colonies.

2. The patent business of India has increased very little since 1859; the latest return received from your Government shows 30 patents filed in the year 1880 and only 217 in 1886; while the same return shows no design registered under Act XIII of 1872. In the United Kingdom there were 9,226 patents sealed, 26,165 designs registered, and 5,520 trade-marks registered for the year 1887. If a practicable scheme is suggested for realizing the objects supported by the Associated Chambers, and if such scheme should be accepted by Great Britain and the Colonies, then it might be for the advantage of India to come under such a scheme, provided that no share in the patents charges of other countries fell upon India, and provided that no increase in expense was caused to inventors or designers seeking protection in India only.

3. I shall keep your Government informed if anything further comes of the suggestions now put forward by the Associated Chambers. Meanwhile I suggest that Your Excellency should take steps for ascertaining the views of commercial bodies in India, and of other persons who may be interested upon the matter. And I shall be glad to learn hereafter what views your Government may form of the probable advantages, disadvantages, and difficulties of the scheme which has been put forward.

To—The RIGHT HON'BLE VISCOUNT CROSS, G.C.B., Her Majesty's Secretary of State for India.

The humble memorial of the Associated Chambers of Commerce of the United Kingdom.

SHEWETH—

1. That much inconvenience is at the present time caused to traders having interests in patents, designs, and trade-marks by the necessity which exists for separate grants and registrations of such patents, designs and trade marks in the United Kingdom and in the various colonies and dependencies of the Empire.

2. That in many instances, especially with regard to trade-marks, conditions are laid down in the colonies which preclude the attainment by traders there of the privileges which, in respect of the same premises, they have been able to obtain in the United Kingdom.

3. That a desire exists in the colonies for a scheme of Imperial protection of patents, designs, and trade-marks upon application made in the applicant's place of origin, and that such desire was pointedly expressed at the Colonial Conference held at the Foreign Office in 1887 by the representatives of the colonies.

4. That the Association are fully aware of the practical difficulties which stand in the way of the realization of a scheme of Imperial protection for patents, designs, and trade-marks, but they believe that these difficulties in no way affect the principle of such a scheme but relate only to its details, and are, moreover, such as by mutual concessions between the colonies and the mother country may be readily removed.

5. That any difficulties which at present exist to the realization of a scheme of Imperial protection of patents, designs, and trade-marks must of necessity be increased by lapse of time, inasmuch as interests adverse to those of existing patentees and owners of registered designs and trade-marks may grow up in the various colonies and dependencies of the Empire until they in themselves create a formidable obstacle to the realization of the project, the subject of this memorial, and for this reason it is the opinion of the Associated Chambers of Commerce that it is a matter of great regret that no steps have been taken in this direction since the subject was mooted at the Colonial Conference in 1887, and it appears to the Association that the matter is one of urgency which should be taken in hand without any further delay.

6. And lastly, the Association is of opinion that the realization of a scheme of this description whereby the mother country and her colonies and dependencies will be welded together for a practical purpose, namely, the protection of their common interests in industrial property of great value and importance, would be, if only a partial, yet at the same time a most practical realization of the general aspirations of men of all parties in the Empire in the direction of Imperial Federation.

Given under the common seal of this Association the first day of January 1890.

No. R. & S. 9, dated India Office, the 23rd January, 1890.

From—SIR HORACE WALPOLE, Under-Secretary of State for India,
To—The President of the Associated Chambers of Commerce.

I AM directed by the Secretary of State for India in Council to acknowledge the receipt of a memorial in which the Associated Chambers of Commerce of the United Kingdom remark upon the inconvenience caused by the existence of different Patent and Designs laws in India and other parts of the British Empire, and urge the adoption of some scheme whereby Imperial protection, over the whole of Great Britain and the Colonial and Indian possessions of Her Majesty, might be given to patents, designs, and trade-marks.

In reply, I am directed to say that your representation will be forwarded for the consideration of the Government of India.

ORDER.—Ordered, that the foregoing despatch, with enclosures, be published in the Supplement to the *Gazette of India* for general information, and that copies be forwarded to the Governments of Madras, Bombay, Bengal, and the North-Western Provinces and Oudh, and the Chief Commissioner of Burma, with the request that the views of the Chambers of Commerce and other persons interested in the matter may be obtained and communicated to the Government of India.

(True Extract.)

Edw

Secretary to the Government of India.

Pub. Ch 908

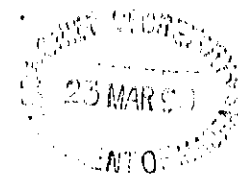
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REVENUE AND AGRICULTURAL DEPARTMENT.

PATENTS.



RESOLUTION.

Circular No. 532 P.

Order 3rd April 1890. No. 262. 21 new

Copies of the foregoing papers will be forwarded to the Chambers of Commerce, Madras, Ceylon, and the Madras Trades Association for perusal and expression of their views.

Dated Calcutta, the 13th March 1890.

Recd 23-3-90

Recd for Regy. 24-3-90

Enc 10 S. C.

SUBJECT.

SCHEME for giving Imperial protection to Patents, Designs, and Trade Marks in the United Kingdom, India, and the Colonies.

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27.3.90.*

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Government of India Central Printing Office.—No. 40 B. & A.—16-3-90.—110.—G. B.

*The Chambers of Commerce Madras
Ceylon
Cochin*

Madras Trades Association

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