ORDINARY. PRINTED

Public DEPARTMENT.
G.O., dated 17-7-90
No. 522/3.

First copy sent to Press.

Returned for signature. 28/7

Despatched in print. 28/7

22/7

Despatch Abstract.

Patents, Designs and Trade Marks

Forwarding to the Govt of India the views of the Chambers of Commerce re the proposed scheme for giving Imperial protection to ——— in the United Kingdom &c.

F. 42 Pub.
14-1-06

14-10-05

18-4-98

20/11/23 BV

Back Paper, No. of 1[illegible]

Further Paper, No. of 1[illegible]

Read again Order of Government, dated 188 , No.

Enclosures.

Current No. Proof

Statement with Memo.

Orders, &c., of Government—A.

Papers sent out of File for despatch in original (not paged).

Number of copies required. Order complete. 80 / Letter only. / Order complete with Letter.

N.B.—
A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.
R = Print, but not for monthly volume.

16 – Collte

C. No. 1189 /[illegible]

Chamber of Commerce
Cochin 18th April 189[illegible]

From
The Honorary Secretary
Chamber of Commerce
Cochin.

To
The Chief Secretary
to the Government of Madras
Madras.

Sir,

In acknowledging receipt of copies of correspondence between the Associated Chambers of Commerce of the United Kingdom and the Secretary of State for India, I am directed to inform you, that this Chamber unanimously supports the proposed scheme for giving Imperial protection to Patents, Designs and Trade Marks in the United Kingdom, India and the Colonies.

I have the honor to be
Sir
Your obedient Servant

Ernest W. Black

Actg. Hony Secretary

Public C. No 1189.

From
The Hony Secretary
Madras Chamber of Comm.

No.

Date 18th
Recd 22nd } April 1890.

Regarding the proposed scheme for giving Imperial protection to Patents, Designs & Trade mark

C Cir 166.

The Madras Chamber of Commerce.

Madras, 2nd June 1890.

FROM The Honble J. A. Bozon.
CHAIRMAN, CHAMBER OF COMMERCE,
MADRAS.

TO The Chief Secretary to Government,
Public Department
Ootacamund.

SECRETARIAT
24 JUN 90
INDIA

Sir,

I have the honor to acknowledge receipt of the G. O. of the Madras Government, dated the 3rd April, No 262, forwarding for an expression of the Chamber's views, copy of the despatch from the Secretary of State to the Government of India, dated the 28 January, together with the memorial of the Associated Chambers of Commerce of the United Kingdom, relative to a proposed scheme for giving Imperial protection to Patents, Designs and Trade-marks in the United Kingdom, India and the Colonies.

I am desired to state that after due consideration of the memorial, this Chamber regrets its inability to approve of the scheme therein set forth. And the scheme in question been

confined to Patents and Designs it would perhaps be more or less practicable; the inclusion, however, of Trade Marks is a grave objection to the scheme owing to the practical obstacles which would have to be surmounted and which, in this Chamber's opinion, are insuperable. For example, one person may have a true claim to a trade-mark in India, another an equally good right to the same in England and a third in one of the Colonies. The Imperial scheme conferring, if the Chamber rightly interprets the intention of the Associated Chambers, would wide protection to each would only complicate the situation and intensify rather than moderate the already sufficiently serious difficulties that have to be confronted to check fraudulent imitations. It is, moreover, felt that the more extensive interests of the mother country and the Empire that is invariably advised to regard those interests as paramount would lead to subordination of Indian interests in any question of mutual concession. So far, therefore, as India is concerned this Chamber submits that Trade-marks are sufficiently protected by the Merchandise Marks Act and the Penal Code, and that any scheme similar to that proposed would not only prove prejudicial but also impracticable. The application of the scheme to Patents and Designs would, as is stated above, perhaps be more practicable, but the necessity for the step has not, in the opinion of this Chamber, yet arisen. While, therefore, the Chamber sympathises with the lofty aspirations of the Associated Chambers of Commerce it does not consider that the interests of India at present demand any change in the existing arrangements for registration of Patents and Designs.

I have the honor to be,

Sir,

Your most obed.t Servant,

J. Walmsley

Chairman

3/4/90 2002 62 Pub

CURRENT 1661

[9]

Public Department.

From

The Chamber of Commerce
Madras

No.

Dated 2nd
Received 5th } June 1890
Enclosures

SUBJECT.

Scheme for giving Imperial Protection to Patents, Designs & Trade marks in the U. Kingdom India & the Colonies.

Copy
Two more Copies will follow

Cuo 1877

CHAMBER OF COMMERCE OFFICE.

Cocanada 19th June 1890.

From

The Chairman,

Chamber of Commerce,

Cocanada

To

A. Butterworth Esq.

Ag. Under Secretary to Government,

Public Department,

Cotacamund.

Sir,

I have the honor to acknowledge receipt of your official Memorandum of the 12th instant, and regret to find that G.O. No 252 dated the 3rd April 1890 has remained unanswered owing to its having been mislaid in this Chamber's office.

The Scheme proposed by the Associated Chambers of Commerce of the United Kingdom for giving Imperial protection to Patents, Designs, and Trade Marks in the United Kingdom, India, and the Colonies, is one of which the principle has the entire approval of this Chamber, although I regret that I am unable to offer any suggestions bearing upon the removal of the practical difficulties which obstruct it.

I have the honor to be
Your most obedient Servant
[illegible]
Chairman

1877

[9] Public Department.

From

The Chamber of Commerce
Cocanada.

No.

Dated 19th June 1890
Received 26th June 1890
Enclosures

SUBJECT.

Grant of imperial protection to patents, trade marks, &c.

Public Dec 1896

Revenue and Agricultural Department.
Patents.
Calcutta, the 21st June 1890

1262 P
72-KW

To

The Secretary to the Government of Madras.

SIR,

SUBJECT

Requesting to submit the views of the Chamber of Commerce on the subject of a scheme for giving Imperial protection to Patents, Designs, and Trade Marks in the United Kingdom, India, and the Colonies.

I am directed to invite attention to the communication marginally noted,* and to request the favour of an early reply thereto.

I have the honour to be,
SIR,
Your most obedient Servant,

W. Pinney Lieut.-Col. R.E.

For Secretary to the Government of India.

Cir. 532 P. 72-2 13th March 1890

Pub 5322/3 17.7.90

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following papers :—

From E. H. BLACK, Esq., Acting Honorary Secretary, Chamber of Commerce, Cochin, to the Chief Secretary to Government, dated Cochin, 18th April 1890.

In acknowledging receipt of copies of correspondence between the Associated Chambers of Commerce of the United Kingdom and the Secretary of State for India, I am directed to inform you that this Chamber unanimously supports the proposed scheme for giving Imperial protection to patents, designs and trade-marks in the United Kingdom, India and the Colonies.

From the Honorable J. A. BOYSON, Chairman, Chamber of Commerce, Madras, to the Chief Secretary to Government, dated Madras, 2nd June 1890.

I have the honor to acknowledge receipt of the G.O. of the Madras Government, dated the 3rd April, No. 262, forwarding, for an expression of the Chamber's views, copy of the despatch from the Secretary of State to the Government of India, dated the 23rd January, together with the memorial of the Associated Chambers of Commerce of the United Kingdom, relative to a proposed scheme for giving Imperial protection to patents, designs and trade-marks in the United Kingdom, India and the Colonies.

2. I am desired to state that, after due consideration of the memorial, this Chamber regrets its inability to approve of the scheme therein set forth. Had the scheme in question been confined to patents and designs, it would perhaps be more or less practicable; the inclusion, however, of trade-marks is a grave objection to the scheme owing to the practical obstacles which would have to be surmounted; and which, in this Chamber's opinion, are insuperable. For example, one person may have a true claim to a trade-mark in India, another an equally good right to the same in England, and a third in one of the Colonies. The Imperial scheme conferring—if the Chamber rightly interprets the intention of the Associated Chambers—world-wide protection to each, would only complicate the situation, and intensify, rather than moderate, the already sufficiently serious difficulties that have to be confronted to check fraudulent imitations. It is, moreover, felt that the more extensive interests of the mother country, and the tendency that is invariably evinced to regard those interests as paramount, would lead to subordination of India's interests in any question of mutual concession. As far, therefore, as India is concerned, this Chamber submits that trade-marks are sufficiently protected by the Merchandise Marks Act and the Penal Code, and that any scheme similar to that proposed would not only prove prejudicial, but also impracticable. The application of the scheme to patents and designs would, as is stated above, perhaps be more practicable, but the necessity for the step has not, in the opinion of this Chamber, yet arisen. While, therefore, the Chamber sympathises with the lofty aspirations of the Associated Chambers of Commerce, it does not consider that the interests of India at present demand any change in the existing arrangements for registration of patents and designs.

From C. W. SIMSON, Esq., Chairman, Chamber of Commerce, Cocanada, to the Acting Under Secretary to Government, dated Cocanada, 19th June 1890.

I have the honor to acknowledge receipt of your official memorandum of the 12th instant, and regret to find that G.O., dated the 3rd April 1890, No. 262, has remained unanswered owing to its having been mislaid in this Chamber's office.

2. The scheme proposed by the Associated Chambers of Commerce of the United Kingdom for giving Imperial protection to patents, designs and trade-marks in the United Kingdom, India and the Colonies, is one of which the principle has the entire approval of this Chamber, although I regret that I am unable to offer any suggestions bearing upon the removal of the practical difficulties which obstruct it.

Exd. A. Raitt.

I 1712

dc. 1189, 1661, 1877.

17 July/90 No 522

Ordered to be

Forwarded to the Govt

of India. 11 July

DESPATCHED

28 JUL 90

No 523

Copy to the Govt of India

Rev. Agric. Dept.

(with 50 spare copies)

48

8/7

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following papers :—

From E. H. BLACK, Esq., Acting Honorary Secretary, Chamber of Commerce, Cochin, to the Chief Secretary to Government, dated Cochin, 18th April 1890.

In acknowledging receipt of copies of correspondence between the Associated Chambers of Commerce of the United Kingdom and the Secretary of State for India, I am directed to inform you that this Chamber unanimously supports the proposed scheme for giving Imperial protection to patents, designs and trade-marks in the United Kingdom, India and the Colonies.

From the Honorable J. A. BOYSON, Chairman, Chamber of Commerce, Madras, to the Chief Secretary to Government, dated Madras, 2nd June 1890.

I have the honor to acknowledge receipt of the G.O. of the Madras Government, dated the 3rd April, No. 262, forwarding, for an expression of the Chamber's views, copy of the despatch from the Secretary of State to the Government of India, dated the 23rd January, together with the memorial of the Associated Chambers of Commerce of the United Kingdom, relative to a proposed scheme for giving Imperial protection to patents, designs and trade-marks in the United Kingdom, India and the Colonies.

2. I am desired to state that, after due consideration of the memorial, this Chamber regrets its inability to approve of the scheme therein set forth. Had the scheme in question been confined to patents and designs, it would perhaps be more or less practicable; the inclusion, however, of trade-marks is a grave objection to the scheme owing to the practical obstacles which would have to be surmounted; and which, in this Chamber's opinion, are insuperable. For example, one person may have a true claim to a trade-mark in India, another an equally good right to the same in England, and a third in one of the Colonies. The Imperial scheme conferring—if the Chamber rightly interprets the intention of the Associated Chambers—world-wide protection to each, would only complicate the situation, and intensify, rather than moderate, the already sufficiently serious difficulties that have to be confronted to check fraudulent imitations. It is, moreover, felt that the more extensive interests of the mother country, and the tendency that is invariably evinced to regard those interests as paramount, would lead to subordination of India's interests in any question of mutual concession. As far, therefore, as India is concerned, this Chamber submits that trade-marks are sufficiently protected by the Merchandise Marks Act and the Penal Code, and that any scheme similar to that proposed would not only prove prejudicial, but also impracticable. The application of the scheme to patents and designs would, as is stated above, perhaps be more practicable, but the necessity for the step has not, in the opinion of this Chamber, yet arisen. While, therefore, the Chamber sympathises with the lofty aspirations of the Associated Chambers of Commerce, it does not consider that the interests of India at present demand any change in the existing arrangements for registration of patents and designs.

From C. W. SIMSON, Esq., Chairman, Chamber of Commerce, Cocanada, to the Acting Under Secretary to Government, dated Cocanada, 19th June 1890.

I have the honor to acknowledge receipt of your official memorandum of the 12th instant, and regret to find that G.O., dated the 3rd April 1890, No. 262, has remained unanswered owing to its having been mislaid in this Chamber's office.

2. The scheme proposed by the Associated Chambers of Commerce of the United Kingdom for giving Imperial protection to patents, designs and trade-marks in the United Kingdom, India and the Colonies, is one of which the principle has the entire approval of this Chamber, although I regret that I am unable to offer any suggestions bearing upon the removal of the practical difficulties which obstruct it.

ORDER—dated 17th July 1890, No. 522, Public.

Ordered to be forwarded to the Government of India.

(True Extract.)

J. F. PRICE,
Chief Secretary.

ENDORSEMENT—dated 17th July 1890, No. 523, Public.

Copy to the Government of India, Revenue and Agricultural Department.

Chief Secretary.

Exd. J. Henricus.

Govt. of {1890} Madras.

PUBLIC.

Issued

Read. *Encl.*

G.O., &c., 17th July 1890,
Nos. 522, 523.

JULY.

Patents, Designs and Trade-marks.

Forwarding to the Government of India the views of the Chambers of Commerce regarding the proposed scheme for giving Imperial protection to — in the United Kingdom, &c.