

23. If an original patentee shall be desirous of adding a description and specification of an improvement upon his original invention or discovery, made or discovered by him subsequent to the date of his patent, he may upon the like proceedings being had in all respects as in the case of an original application, have the same annexed to his original description and specification; and the Provincial Secretary shall certify upon such annexed description and specification, the time of its being annexed and recorded, and thereafter it shall have the same effect in law as if it had been embraced in the original description and specification, and had been recorded therewith.

Original Patentee may secure improvement made by him.

24. Any person in this Province who may have invented or produced any new or original design for a manufacture of whatsoever material, or any new or original design for the printing of woollen, silk, cotton or other fabrics, paper or other material, or any new or original design of art or ornament not previously known or used by others, shall be entitled to a patent granting him the exclusive right and property therein, to make, use, and vend the same for a term not exceeding seven years, upon such proceedings being had thereon in every respect as provided by this Act with reference to other patents.

Patents may issue for new and original designs in any art or manufacture.

25. No patent for any invention or discovery granted in England subsequent to this Act coming into operation, and extending to the Colonies, shall be of force and effect in this Province, until copies of the original specification and drawings filed or duplicate of the models lodged in England, upon which such patent was there obtained, shall be filed or lodged in the Office of the Provincial Secretary, who shall grant a certificate of the lodging or filing of the same.

English Patents not to be in force in this Province, until copies of drawings and specifications, and duplicate of models shall be lodged.

26. If a patentee shall desire an extension of his patent beyond the term to which it is limited, he shall apply in writing to the Lieutenant Governor in Council, setting forth the grounds of his application, and shall deposit with the Provincial Secretary the sum of twenty pounds to defray expenses; the Provincial Secretary shall thereupon cause to be published in the Royal Gazette, and also in at least one newspaper in every County of the Province in which a newspaper is published, a notice of such application, and of the time and place that the same will be considered, which time shall not be sooner than sixty days after publication of the notice; the Lieutenant Governor in Council shall appoint three fit and proper persons, who shall constitute a Board to hear and decide upon such application, they shall meet at the time and place appointed, and shall hear any person who may appear to shew cause why such extension should not be granted; the patentee shall furnish to the Board a statement in writing, under oath, of the ascertained value of his invention, and of its receipts and expenditures, sufficiently in detail to ascertain the amount of profit or loss from the same.

The term of a Patent may be extended.

27. If upon the hearing it shall appear to the satisfaction of the Board, having due regard to the public interest, that the term of the patent should be extended, by reason of the patentee, without default or neglect on his part, having failed to obtain from the sale of his invention a reasonable remuneration for the time, ingenuity and expense bestowed upon the same, and its introduction into use, they shall certify the same to the Lieutenant Governor, who shall thereupon direct the Provincial Secretary to endorse upon the Letters Patent a certificate that the same has been extended for a further term of seven years from and after the expiration of the original term; the certificate of the Board to the Lieutenant Governor, and his order thereupon for an extension of the term of the patent, with a copy of the certificate endorsed on the patent, shall be recorded in the Provincial Secretary's Office, and thereupon the said patent shall have the same legal effect as if the additional term so added had been included in the term originally granted, and the benefit of such extension of term shall extend to all grantees and assignees of the original patentee to the extent of their respective interests in the patent; provided always, that no extension of a patent shall be granted after the expiration of the term for which it was originally granted.

Proceedings in order to obtain that extension.

28. If any person shall affix to any thing made, used or sold by him, the name or imitation of, or a fraudulent similarity to the name of any other person who shall have obtained Letters Patent for the sole making or vending of such thing, without consent of the patentee or his legal representatives, or shall affix the words "Patent," "Patentee," or "Letters Patent," or other words of the same meaning or import on any unpatented article for the purpose of deceiving the public, the person so offending shall be liable for each offence to a penalty of twenty five pounds with costs, to be recovered by action in the Supreme Court of this Province; one half of such penalty when recovered to be paid into the Provincial Treasury, and the other half to the party who shall sue for the same.

Penalties for falsely marking patented articles, or vending unpatented articles as being Patent.