

Date of Patent to be affixed to each patented article.

Special pleas prohibited; special matter may be given in evidence under general issue; provisions as to costs.

Quakers may affirm.  
Before whom oath or affirmation may be taken.

Fees established as in Schedule annexed.

Letters Patent null and void, if manufacture not established, nor article introduced within three years.

Interpretation clause.

4 W. 4, c. 27,

6 V. c. 34,

14 V. c. 35, repealed.

29. Patentees and their representatives are hereby required to stamp or affix on each patented article offered for sale, or on the vessel or package containing the same, the date of the patent, and every party offending shall for each offence be liable to a penalty of five pounds, to be recovered and applied as provided in the preceding section.

30. In actions brought under this Act no special plea shall be allowed; but every defendant may plead the general issue and give this Act in evidence, and also any special matter of which he shall have given notice in writing at the time of delivering the general issue; and whenever a defendant relies on a previous invention, knowledge or use of the thing patented, he shall state in his notice of special matter to be given in evidence the names and places of residence of those by whom he intends to prove the same; and if a verdict and judgment shall pass for the defendant, the patent under which the plaintiff claims shall thenceforth be void and of no effect; and whenever a plaintiff fails to sustain his action on the ground that in his specification or claim for a patent is embraced more than that of which he is the first inventor, and it shall appear that the defendant had used any part of the invention justly and truly specified and claimed as new, the Court may make such order as to costs as shall be just and equitable, but no action shall be sustained for an offence committed under the provisions of this Act, unless the same shall be commenced within six months next after the knowledge of the offence committed.

31. Quakers may affirm in all cases where an oath is required by this Act; and all oaths or affirmations under this Act, unless otherwise provided, may be taken in this Province before a Judge of the Supreme Court, or a Commissioner for taking affidavits in the same, or in Great Britain or Ireland before the Mayor of a City or Borough, the depositions being certified under the Corporate Seal; or in a Foreign Country before a British Consul or Vice Consul, and certified by his Seal of Office.

32. The fees to be demanded and received under this Act shall be as stated in the Schedule annexed.

33. All Letters Patent granted under this Act shall become utterly null and void, if within three years after the granting thereof the patentee shall not establish in this Province the manufacture of, or in case the materials for manufacturing the same are not here to be had, introduce into this Province the article, improvement or composition for which the same were issued.

34. Throughout this Act, wheresoever words are used importing the singular number or the masculine gender only, yet they may be understood to include several matters as well as one matter, and several persons as well as one person, and females as well as males; and wheresoever words are used denoting the plural number, yet they may be understood to apply to one matter as well as more than one, and to one person as well as more than one, unless it be otherwise provided, or there be something in the subject or context repugnant to such construction; and the word "Patent" shall be deemed synonymous with the words "Letters Patent."

35. An Act passed in the fourth year of the Reign of His late Majesty William the Fourth, intituled *An Act for granting Patents for useful inventions*; also an Act passed in the sixth year of the Reign of Her present Majesty, intituled *An Act to amend an Act for granting Patents for useful inventions*; also an Act made and passed in the fourteenth year of the Reign of Her present Majesty, intituled *An Act in further amendment of an Act intituled 'An Act for granting Patents for useful inventions'*; and all other Acts and parts of Acts repugnant to this Act, shall be and the same are hereby repealed, so far as relates to all Patents that shall be granted after the passing of this Act.

SCHEDULE.

TABLE OF FEES.

If a British subject, whether original inventor or assignee of an invention in the Province or of any Letters Patent from abroad, in full for obtaining Letters Patent, exclusive of recording assignment, ....	£5	7	6
If a Foreigner, whether original inventor or assignee, ....	50	0	0
Fee on entering a Caveat, ....	5	0	0
Fee to be paid by applicant under the 14th Section of this Act; surplus, if any remaining after paying compensation fees and expenses, to be returned to applicant, ....	25	0	0
Ditto under 15th Section, ....	20	0	0