



[CIRCULAR.]

DOWNING STREET, *December 2nd, 1876.*

SIR,—I have the honor to transmit to you, for information in the Colony under your Government, a copy of a Letter from the Commissioners of Patents, enclosing Amended Rules under the Trade Marks Registration Acts, and of a Notice as to Registration of Trade Marks for Cotton Goods.

2. The Commissioners draw attention to Rule 5, under which Foreigners resident in the Colonies are admitted to Registration in this Country upon the same terms as British subjects. They also point out that prior Registration in the Colony where a Colonial Trade Mark owner is resident is not necessary before Registration in this Country.

I have the honor to be, Sir, your most obedient humble servant,

CARNARVON.

The Officer Administering the Government of New Brunswick.

Commissioners of Patents to Colonial Office.

(Copy.)

Office of Commissioners of Patents, November 27th, 1876.

SIR,—I am directed by the Commissioners of Patents to acknowledge the receipt of your Letter of the 17th instant, and to send herewith, in accordance with the wish of the Earl of Carnarvon, 200 copies of the Amended Rules under the Trade Marks Registration Acts, and of the Notice as to Registration of Trade Marks for Cotton Goods.

In transmitting these documents I am directed to draw attention to Rule 5, under which Foreigners resident in the Colonies are admitted to registration in this Country upon the same terms as British subjects. It may also be useful to point out that prior registration in the Colony where a Colonial Trade Mark owner is resident, is not necessary before registration in this Country.

I have, &c.

H. READER LACK.

W. R. Malcolm, Esq., &c. &c. &c.

Notice as to Registration of Trade Marks for Cotton Goods.

As numerous marks used in the Cotton Trade at the date of the passing of the Trade Marks Registration Acts (38 & 39 Vict. c. 91, and 39 & 40 Vict. c. 33), are, by reason of their common usage, excluded from the scope of that Act, the following Rules have been made for the guidance of persons desirous of registering Trade Marks for Cotton Goods:—

“57. For the purpose of facilitating the granting of Trade Marks in respect of Cotton Goods in Classes 23, 24, and 25, there shall be established by the Commissioners of Patents, and subject to their control, an Office at Manchester for the exhibition of all devices, marks, headings, labels, tickets, letters, words, or figures, or combinations of letters, words, or figures, used in the Cotton Trade, and in these Rules included under the expression ‘Cotton Marks.’

Establishment of office for exhibition of cotton trade marks at Manchester.

“58. Every person who at the date of the passing of the Act (August 13, 1875), used any cotton mark, shall, on or before the first day of December one thousand eight hundred and seventy six, send to the Manchester Office three representations of such cotton mark, in such form and with such a description as may be from time to time required by the Commissioners of Patents.

Representations of cotton marks to be sent to Manchester office on or before Dec. 1st, 1876.

“59. A committee of persons versed in the usages of the cotton trade shall be appointed by the Commissioners of Patents, consisting of such number of persons as may from time to time be determined by them, and it shall be the duty of such committee, on or before a time to be named by the Commissioners of Patents, to divide the cotton marks, representations of which have been so sent in to the Manchester office, into two classes, the first class consisting of such of the said cotton marks as are, in the opinion of the committee, trade marks within the meaning of the Act, and the second class consisting of such of the said cotton marks as are not, in the opinion of the committee, trade marks within the meaning of the Act.

Committee of experts to be appointed, and to divide cotton marks into two classes.

“60. The said committee shall form a list of the cotton marks sent to the Manchester office in each of the aforesaid classes, and shall transmit such lists to the Commissioners of Patents, accompanied by two representations of each of the marks specified in the second class in such list.

Committee to form list of marks sent in to Manchester office.

“The third representation of each of the marks in the second class in such list shall be retained for reference in the Manchester office.