



Western Australia.

ANNO QUINQUAGESIMO QUINTO

VICTORIÆ REGINÆ.

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No. XV.

AN ACT to amend "The Patent Act, 1888."

[Assented to, 18th March, 1892.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Preamble.

1. THE forty-ninth section of "The Patent Act, 1888," is hereby repealed.

Repeal.

2. (1.) THE Governor in Council, on the application of any person being the holder or assignee of any Letters Patent granted or issued in Great Britain or any other country or colony for any new invention or discovery, and upon such proof as he may by regulations require, and until such regulations shall be made as he may deem sufficient, that such person is the *bonâ fide* holder or assignee thereof, and that the same are in full force, and upon payment of the sum of Ten pounds may grant Letters of Registration under the Seal of the Colony of Western Australia to such applicant.

Holder or assignee of patent obtained in other countries may obtain Letters of Registration.

(2.) Such Letters of Registration shall be in the form contained in the Schedule to this Act or to the like effect, and shall

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## *The Patent Act (Amendment), 1892.*

have the same force and effect as Letters Patent granted under "The Patent Act, 1888," and shall enure to the benefit of the grantee thereof, his executors, administrators, and assigns, during the continuance of the original Letters Patent in the country or colony where the same were granted or issued, and no longer; and all the provisions of "The Patent Act, 1888," shall apply to such Letters of Registration in the same way, *mutatis mutandis*, and as fully as to Letters Patent granted under the said Act.

(3.) A copy of all such Letters of Registration shall be filed in the Patent Office.

Foreign vessels in  
Colonial waters.

3. (1.) A PATENT shall not prevent the use of an invention for the purposes of the navigation of a foreign vessel within the jurisdiction of the Supreme Court of Western Australia, or the use of an invention in a foreign vessel within that jurisdiction, provided it is not used therein for or in connection with the manufacture or preparation of anything intended to be sold in or exported from Western Australia.

(2.) But this section shall not extend to vessels of any foreign state of which the laws authorise subjects of such foreign state having patents or like privileges for the exclusive use or exercise of inventions within its territories to prevent or interfere with the use of such inventions in British vessels while in the ports of such foreign state or in the waters within the jurisdiction of its courts, when such inventions are not so used for the manufacture or preparation of anything intended to be sold in or exported from the territories of such foreign state.

Pending applications  
subject to fee of £15.

4. LETTERS of Registration granted after the passing of this Act upon an application pending at the time of the passing of this Act shall be subject to the fee prescribed by the forty-ninth section of "The Patent Act, 1888," hereby repealed.

Incorporation.

5. THIS Act and "The Patent Act, 1888," shall be read together as one Act.

Short title.

6. THIS Act may be cited as "The Patent Act (Amendment), 1892."

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

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## SCHEDULE.

WESTERN AUSTRALIA.

No.

### LETTERS OF REGISTRATION.

*Granted under the provisions of "The Patent Act (Amendment), 1892."*

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith. To all to whom these presents shall come, GREETING:

WHEREAS

hereinafter called the Petitioner humbly represented unto Us that the holder of certain Letters Patent granted or issued in for a certain new discovery or invention, to wit which said letters bear date the day of One thousand eight hundred and and that such patent right is now the exclusive property of the said Petitioner And whereas the said Petitioner deposited in the Patent Office of Western Australia a certified copy of the said Letters and of the specification or drawings therein referred to more particularly describing the nature of the said invention And whereas the said Petitioner furnished Us with such proof as We have deemed sufficient that the said Petitioner the *bonâ fide* holder of the said Letters and that the same are in full force in

for the term of years from the date of the said Letters and paid into the Patent Office the sum of Ten Pounds And whereas the said Petitioner by petition humbly prayed that We would grant Letters of Registration for the said invention, and We have acceded to the Petitioners request; KNOW YE therefore that We, in pursuance of the powers conferred upon Us by an Act of the Parliament of the said Colony of Western Australia in that behalf made and provided, Have given and granted, and by these presents DO give and grant unto the said Petitioner the sole privileges and especial license full power and authority that the said Petitioner Executors, Administrators, and Assigns from time to time and at all times hereinafter during the period hereinafter set forth, shall and lawfully may make use of, and exercise, and vend the said invention within the said Colony of Western Australia To have, and to hold, exercise, and enjoy the said licenses, powers, privileges, and advantages hereinbefore granted unto the said Petitioner

Executors, Administrators, and Assigns, during the continuance of the said Letters Patent, and according to the Law in such case made and provided. PROVIDED ALWAYS, and these Letters are and shall be upon this condition, that if at any time during the said term hereinbefore expressed it shall be made to appear to Her Majesty Queen Victoria, Her Heirs or Successors, or to the Governor of the said Colony, that this grant is contrary to law, or that the said invention is not a new invention as to the public use and exercise thereof, or that the said Petitioner not the *bonâ fide* holder of the said Letters Patent or not accurately described and represented the nature of the said invention or shall not supply or cause to be supplied for the service of Her said Majesty, Her Heirs or Successors, in the said Colony, all such articles of

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the said invention as shall be required for the use of Her said Majesty in the said Colony in such manner, at such times, and at and upon such reasonable prices and terms as shall be settled for that purpose by the Governor of the said Colony, that then, and in any of the said cases, these Letters and all liberties and advantages whatsoever hereby granted shall utterly cease and determine, and become void ; And lastly, We do by these presents grant that these Letters shall be in and by all things good, firm, valid, sufficient and effectual in the law according to the true intent and meaning thereof. IN WITNESS whereof We have caused these Letters to be sealed with the seal of the Colony of Western Australia, this            day of            in the year of Our Lord One thousand eight hundred and ninety

Governor, etc., of Western Australia.