INDEX.

A COMPENDIUM

OF THE

LAWS AND PRACTICE

Relating to the Procurement of

LETTERS PATENT

IN THE

UNITED STATES

AND

FOREIGN COUNTRIES.

CONNOLLY BROS., Philadelphia.

Solicitors of U. S. and Foreign Patents,

AND

Attorneys at Law in Patent Causes.

OFFICES:

WASHINGTON, D. C., - - Sixth and F Streets.

PHILADELPHIA, Pa., - - Tenth and Chestnut Sts.

NEW YORK CITY, Morse Building, Nassau & Beekman Sts.

PITTSBURG, Pa., Corner of Smithfield Street & Sixth Ave.

Press of McIlroy & Emmet,
36 Cortlandt Street, N. Y.

OFFICES OF

CONNOLLY BROS.

PATENT ATTORNEYS AND SOLICITORS.

After a successful practice for many years, as Attorneys and Solicitors for inventors and others interested in Patents, we have found it expedient to re-organize our offices in order to increase and improve our facilities for the representation of the important interests placed in our care, and to meet the demands of an expanded and constantly increasing clientage.

The firm of Connolly Bros. was established in 1873, with offices in Philadelphia and Washington. Shortly after that, increase of business warranted opening and equipping offices in Pittsburg, Pa., and this year the growth and importance of our clientage in New York, the New England States, and the European countries, has justified us in establishing offices in New York City.

Our several offices are under our direct personal control, and are managed according to a system conducing to the best interest and advantage of our patrons.

It has been and is our object to provide for such personal intercourse and direct conference with our clients as may be expedient or necessary; such a provision being highly advantageous to ourselves, as well as to our patrons, enabling us to perform our duties in the most satisfactory manner, and our clients to avail themselves of the advice and suggestions which our knowledge and experience enables us to impart.

Our offices are all conveniently located, and are equipped with thoroughly skillful and reliable service, and we are prepared to meet the most urgent demands upon our assistance, special care being taken to avoid risks of delay or in any way to jeopardize the very important interests of our clients.

All applications for patents and all business with the United States Patent Office passes through our Washington office, which is ever diligent and watchful, and prepared to respond without delay to every reasonable and urgent call made through our other offices or from any quarter.

Our charges are moderate, and except as to legitimate retaining fees in contested cases or litigation, for actual service rendered.

We do not solicit business under any such inducements as low fees or contingent service, which are advertised by so many unqualified "patent agents," who are forced through necessity and lack of professional reputation to resort to any plan which will secure them fees, without consideration as regards the service to be rendered.

Our charges for other and incidental service to be rendered vary according to the time and labor involved and the responsibility to be assumed.

For the benefit and information of such of our readers as we may not have already represented in Patent Matters, we beg to state that our prominent and essential qualifications for the profession in which we are engaged are,

1st.—Our firm comprises regularly educated lawyers, practising before the courts as well as in the Patent Office.

2nd.—We are specially skilled in Patent law and practice, having devoted ourselves exclusively to this branch of practice.

3rd.—We have had a very extensive experience in connection with inventions, and are qualified as experts in the various mechanical and scientific subjects they involve.

4th.—We have been accustomed, through long experience, necessity and habit, to devote the very strictest attention and care to all matters submitted for our consideration, and to neglect no point or detail worthy of attention.

5th.—We have our business organized according to a system which ensures promptness and certainty in all matters in which we represent the interests of our patrons.

6th.—We bear an excellent professional reputation, and as regards our standing and liability, can refer to the U. S. Patent Office, and the record therein of our career for many years, as well as to the many clients whom we have represented.

THE OBJECT OF A PATENT.

A patent is a provision of the law made for the benefit of meritorious inventors to secure to them for a definite period

the *absolute monopoly* of the *manufacture, use,* and *sale* of their inventions

Patents in the United States are granted for a term of seventeen years, (except in new designs of purely ornamental character,) and are not extensible.

Any person making, using, or selling an invention in violation of a patentee's claims, is an infringer, and may be estopped from infringing as well as compelled to pay damages for the act of infringement.

WHAT MAY BE PATENTED.

A patent for seventeen years is granted for any new and useful art, machine, manufacture or composition of matter, or any new and useful improvement thereof, not known or used by others in this country, and not patented or described in any printed publication in this or any foreign country before the invention or discovery thereof by the applicant, and not in public use or on sale for more than two years prior to the application for letters patent, unless the same is proved to be abandoned.

DESIGN PATENTS.

A Design Patent for $3\frac{1}{2}$, 7, or 14 years, is granted to any person who, by his own industry, genius, efforts, and expense, has invented and produced any new and ingenious design for

a manufacture, bust, statue—alto relievo, or bas relief; any new and original design for the printing of woolen, silk, cotton, or other fabric; any new and original impression ornament, pattern, print or picture, to be printed, painted, cast, or otherwise placed on or worked into any article of manufacture; or any new and original shape or configuration of any article of manufacture; the same not having been known or used by others before his invention thereof, nor patented, nor described in any printed publication.

APPLICATIONS FOR PATENTS.

In order to obtain a patent, a formal application, signed and sworn to by the inventor, must be filed in the Patent Office, where it is examined and passed upon by the examiners in charge of the respective claims. The preparation and prosecution of an application is a matter which involves a knowledge of the patent law and practice, and in most cases a very extensive familiarity with technicalities of other industrial arts and science. Comparatively few lawyers in general practice are in any degree competent to act as patent solicitors, not only on account of their unfamiliarity with the law and practice relating to patents, but also of their ignorance of mechanical and scientific principles which patentable inventions involve.

To comprehend, for instance, an elaborate electrical invention requires a knowledge of electrical principles which not one in ten thousand lawyers, and but a few regular patent

solicitors can grasp. It is the same with many improvements in the line of industrial chemistry, steam engineering, metallurgy, etc.

They are all branches with which a competent Patent Attorney must be to a considerable extent familiar in order to appreciate an improvement on pre-existing inventions, and properly submit the same to the Patent Office.

All applications are subject to rejection, and the majority of cases are rejected. A rejection, however, does not mean an absolute refusal to allow a patent, but may, and in most cases does amount to merely an objection to the application as presented. The principal objection is want of novelty, and this objection is urged wherever a claim is expressed in broader terms than the state of art warrants.

Applications may be amended after rejection, and it is seldom that a patent is issued upon the application, as originally filed.

After a final rejection by any of the primary examiners, an appeal may be taken to the Board of Examiners-in-Chief, and from the adverse decision of this tribunal an appeal lies to the Commissioner in person.

Finally, should the Commissioner in person decide adversely, an applicant may appeal to the Supreme Court of the District of Columbia.

So that there is little danger that a meritorious inventor will be utterly deprived of his rights by any adverse action of the Patent Office.

INTERFERENCES.

When two or more applicants claim the same invention, the Patent Office resorts to a proceeding to determine to whom the patent shall issue, as the law does not allow the issue of separate patents for the one invention to different applicants. An interference proceeding is analogous to a law suit. Testimony is taken and submitted with argument to the proper tribunal, and the case decided in accordance with the evidence.

The ordinary "Patent Agent," being no lawyer or having no legal training, is incompetent to undertake an interference case. Our practice as lawyers, and our large experience as counsel in interference controversies, and in connection with litigated patents, specially qualifies us to act as attorneys and counsel in interference suits through every stage of procedure.

Our knowledge of the law and practice enables us to deal properly with all the intricate problems that arise in interference cases, and to bring issues to a speedy determination, to the best possible advantage of our clients.

CAVEATS.

A Caveat (which signifies "a warning") is a notice given to the Patent Office of the Caveator's claim as inventor in order to prevent the grant of a patent to another for the same invention upon an application filed during the term of the

caveat. A caveat extends for one year from the date of filing, but may be continued from year to year upon payments of the prescribed fees.

Only a citizen of the United States may file a caveat.

A caveat takes the form of a documentary application, and should be carefully drawn, with a full understanding of the law and official practice.

Caveats afford no protection *whatever against infringement*, as they do not secure to the caveator any monopoly under the law; nor have they any of the characteristics of a patent.

DISCLAIMERS.

A disclaimer is a formal document filed in the Patent Office whenever, through inadvertance, accident or mistake, and without any fraudulent or deceptive intention, a patentee has claimed more than he was entitled to, and such disclaimer has the effect of limiting the scope of a patent which, under certain conditions might be invalid without said correcting disclaimer.

Disclaimers are seldom necessary or expedient.

REISSUES.

It frequently happens that a patent is issued with an insufficient or defective specification whereby its validity or value is greatly impaired.

In such cases, when it is shown that the error has arisen from inadvertance, accident or mistake, and without any fraudulent or deceptive intention, the original patent may be surrendered within a reasonable time, and a new patent taken for the remainder of the term for which the original patent was granted.

A number of important decisions have been recently rendered in the United States Supreme Court, and in the United States Circuit Courts upon the subject of reissues, which may materially limit their application and effect, so that additional caution has to be exercised in applying for them, in order that the reissued patents may not be totally invalid or ineffective.

SEARCHES.

Though the medium of, and facilities afforded by our offices in Washington, we are prepared to make examinations upon any and all points concerning, which data and information are obtainable in the U. S. Patent Office. Our services are continually brought into requisition by inventors, manufac turers and capitalists, in making these examinations, and in furnishing abstracts, reports and opinions, respecting title, scope, and validity of patents.

Any information that is accessible we are able to obtain promptly, and to render advice upon or determine such questions as do or can arise in the progress of our investigation.

ASSIGNMENTS, CONTRACTS, ETC.

All documents evidencing the sale or transfer of patents, interests, and all agreements, trusts, and other legal papers, are drawn by us with great care and circumspection, so as to express the intentions of the parties thereto concisely, clearly, and with due consideration of the questions of law and equity involved.

As trustees, referees, or arbitrators, we perform our duties with scrupulous regard for the interest of all concerned.

PATENTABLE INVENTION.

A subject matter t. be patentable must require invention, but is not necessarily the result of long and painful study, or embodied alone in complex mechanism. A single flash of thought may reveal to the mind of the inventor the new idea, and a frail and simple contrivance may embody it. Some inventions are the result of long and weary years of study and labor, pursued in the face of abortive experiment and baffled attempts, and finally reached at the severest struggles, while others are the fruit of a single happy thought.

With regard to the degree of mental labor and inventive skill required in the work of invention, the law has no rigid standard. There must be some inventive skill exercised, but the degree of that skill is not material. It not unfrequently happens in the progress of the mechanical arts that the time arrives when the whole atmosphere of inventive thought is quickened with the life of an approaching discov-

ery; that many lines of investigation and experiment converging for a long time toward the point almost, but not quite reach it, when at last some mind by a happy thought supplies some new element or instrument, or mode of organization, and instantly gives birth to the organized idea.

The simplicity of ar. invention, so far from being an objection to it, may constitute its great excellence and value. Indeed, to produce a great result by very simple means before unknown or unthought of, is not unfrequently the peculiar characteristic of the very highest class of minds.

It is not necessary that an invention should be of general ability in order to be patentable. The word "useful" is applied to inventions in contradistinction to mischievous or immoral. For instance, a new invention to poison people or to promote debauchery, or to facilitate private assassination, is not a patentable invention. But if the invention steers wide of these objections, whether it be more or less useful, is a circumstance very material to the patentee, but not affecting its patentability. All that the law requires is, that the invention shall not be frivolous or injurious to the well-being, good policy, or sound morals of society.

A principle is not patentable, but a patent may be obtained for the method or the means whereby such principle is usefully applied. For example, to transmit sound by means of an electrical current is not a patentable invention, but the telephone, the means whereby the transmission is effected, is the subject of a patent.

To roughen glass is an art that has been practiced from time immemorial, yet an existing patent was granted for a

new way, an improvement in the art which consisted in projecting a blast of sand against the surface to be roughened.

A new article of manufacture, such, for example, as rubber, was, when first produced, a patentable invention. A new or improved way of producing any article of manufacture, is a patentable invention. For example, the addition of a new ingredient, or the leaving out of an old one, in a chemical composition, would be a patentable invention if any beneficial effect resulted from the change. Such an effect might be the lessening the cost or quickening the time of production, or an improvement in the quality of the article produced.

In all the arts, such as tanning, dyeing, brewing, electroplating, distillation, treatment of ore and of metals, manufacture of paper, photographing, etc., inventions are constantly being made, and these deserve and receive the protection of patents quite as readily and justly as improvements relating to the construction of machines or mechanical appliances.

Many of these inventions, though valuable and frequently highly remunerative to their inventors, are seemingly slight in conception. Sometimes the invention consists merely in the application of heat to a particular stage of the process—as working "hot" where "cold" had before been practised —or in the addition of a new ingredient.

Patentable inventions pertaining to machines may be divided into four classes: first, entire machines; second, separate parts of a machine; third, new devices or parts of a

machine added to old parts ; fourth, new combinations of old parts.

By far the largest part of patents granted are for new combinations of old parts. Such a thing as a new machine, new in all its parts, is never produced in these days. Not unfrequently the invention consists in a remodeling of the whole or a part of an old machine, and this is patentable if a new or improved result is effected by the change.

What is meant by a new combination of parts is an assemblage or bringing together in a novel manner of old devices or elements which covet to produce a certain result. The parts in themselves may be individually, or even in some cases, collectively old, but if they have never before been combined in the same manner, and the combination produces a useful result, it is patentable.

Under the head of machine patents or subjects of invention, come tools and utensils of the workshop or factory as well as domestic or household appliances. Pertaining to these the invention may be either the production of a wholly new device or some useful modification in the construction of an old one.

Or these subjects may come under the head of articles of manufacture, which include, besides, chemical compositions, wearing apparel, toys, etc.

A pin is as much the subject of a patent as a sewing-machine, and the terms of the law are wide enough to include a pill, no less than a blasting powder. as a patentable invention.

Nor does the value of an invention depend upon its being complex or extraordinary in its character. Some of the simplest inventions have been among the most remunerative. The eye in the point of the needle, as applied to sewing-machines, the application of the gimlet-point to screws, the substitution of india-rubber for metal in the bases of artificial teeth, are familiar instances showing that a slight change may produce great results or result in a fortune for the happy man who conceives and makes it.

HOW TO ESTIMATE THE VALUE OF A PATENT.

It is no part of our business to sell patents, but we are frequently consulted by inventors as to what price they should ask for their inventions, so that we consider it not amiss to state some rules by which values may be estimated. In the first place it should be considered that an invention is property, as much as a house, a farm, a stock of goods, bonds, mortgages or money. The value of a house or farm depends largely upon its location and productiveness. In like manner the value of an invention depends largely upon the area of country in which it is available and the extent of the demand. A sewing-machine, for example, is an invention that is salable everywhere, and is an article which it is safe to assume is desirable in every well-regulated family in all parts of this and every other civilized country.

Hence an important improvement in sewing machines would have a value that could perhaps only be estimated in millions. As an illustration of this, may be cited the instance

of Singer, the inventor of certain improvements in sewing machines, and who, it is reputed, left at his death an estate valued at $13,000,000.

On the other hand, an invention for picking cotton would necessarily be confined in its use to a part of the Southern States, while a machine for cutting ice on lakes or ponds would have a demand only in the Northern section of the Union. A machine for sawing down trees might be an excellent device for Maine or for Wisconsin, but would not be wanted on the Western prairies.

The first rule, therefore, for estimating the value of a patent has reference to the probable demand for the article, and this depends upon the population, etc., of the place where its use is needed. Having these facts to begin with, the number of patented articles that can probably be sold during the lifetime of the patent may be estimated. We next count the profit on the articles expected to be sold. This profit is the measure of value of the patent, or in other words, an invention is worth as much as it will produce in profits.

It does not follow, of course, that an invention has value only in the place where it is used, for a patented article may be made in one place and sold for use wholly in another. A very large proportion of the ready made shoes manufactured and worn in this country are produced in the State of Massachusetts, and much of the machinery employed in mining in the Western territories is produced in the Eastern States. Hence the locality where an article can be manufactured to the best advantage must be considered in estimating the value of a patent, and it not unfrequently happens that the

exclusive right to manufacture in some particular city is the chief consideration governing the value of a patent.

TRADE MARKS.

By special act of Congress, approved March 3, 1881, it is provided, That owners of trade-marks used in commerce with foreign nations or with the Indian tribes, provided such owners shall be domiciled in the United States or located in any foreign country or tribes, which, by treaty, convention, or law, affords similar privileges to citizens of the United States, may obtain registration of such trade-marks by complying with the following requirements :

First. By causing to be recorded in the Patent Office a statement specifying name, domicile, location, and citizenship of the party applying ; the class of merchandise, and the particular description of goods comprised in such class to which the particular trade-mark has been appropriated ; a description of the trade-mark itself, with fac-similes thereof, and a statement of the mode in which the same is applied and affixed to goods, and the length of time during which the trade-mark has been used.

Second. By paying into the Treasury of the United States the sum of twenty-five dollars, and complying with such regulations as may be prescribed by the Commissioners of Patents.

SEC. 2. That the application prescribed in the foregoing section must, in order to create any right whatever in favor

of the party filing it, be accompanied by a written declaration verified by the person, or by a member of a firm, or by an officer of a corporation applying, to the effect that such party has at the time a right to the use of the trade-mark sought to be registered, and that no other person, firm, or corporation has the right to such use, either in the identical form or in any such near resemblance thereto as might be calculated to deceive; that such trade-mark is used in commerce with foreign nations or Indian tribes, as above indicated; and that the description and fac-similes presented for registry truly represent the trade-mark sought to be registered.

SEC. 3. That the time of the receipt of any such application shall be noted and recorded. But no alleged trade-mark shall be registered unless the same appear to be lawfully used as such by the applicant in foreign commerce or commerce with Indian tribes, as above mentioned, as is within the provision of a treaty, convention, or declaration with a foreign power; nor which is merely the name of the applicant; nor which is identical with a registered or known trade-mark owned by another, and appropriate to the same class of merchandise, or which so nearly resembles some other person's lawful trade-mark as to be likely to cause confusion or mistake in the mind of the public, or to deceive purchasers. In an application for registration the Commissioner of Patents shall decide the presumptive lawfulness of claim to the alleged trade-mark; and in any dispute between an applicant and a previous registrant, or between applicants, he shall follow, so far as the same may be applicable, the practice of courts of equity of the United States in analogous cases.

SEC. 4. That certificates of registry of trade-marks shall be issued in the name of the United States of America, under the seal of the Department of the Interior, and shall be signed by the Commissioner of Patents, and a record thereof, together with printed copies of the specifications, shall be kept in books for that purpose. Copies of trade-marks and of statements and declarations filed therewith, and certificates of registry so signed and sealed shall be evidence in any suit in which such trade-marks shall be brought in controversy.

SEC. 5. That a certificate of registry shall remain in force for thirty years from this date, except in cases where the trade-mark is claimed for and applied to articles not manufactured in this country, and in which it receives protection under the laws of a foreign country for a shorter period, in which case it shall cease to have any force in this country by virtue of this act at the time that such trade-mark ceases to be exclusive property elsewhere. At any time during the six months prior to the expiration of the term of thirty years such registration may be renewed on the same terms and for a like period.

SEC. 6. That applicants for registration under this act shall be credited for any fee or part of a fee heretofore paid into the Treasury of the United States with intent to procure protection for the same trade-mark.

SEC. 7. That registration of a trade-mark shall be *prima facie* evidence of ownership. Any person who shall reproduce, counterfeit, copy, or colorably imitate any trade-mark registered under this act and affix the same to merchandise of substantially the same descriptive properties as those des-

cribed in the registration shall be liable to an action on the case for damages for the wrongful use of said trade-mark at the suit of the owner thereof: and the party aggrieved shall also have his remedy according to the course of equity to enjoin the wrongful use of such trade-mark used in foreign commerce or commerce with Indian tribes, as aforesaid, and to recover compensation therefor in any court having jurisdiction over the person guilty of such wrongful act; and courts of the United States shall have original and appellate jurisdiction in such cases without regard to the amount in controversy.

SEC. 8. That no action or suit shall be maintained under the provisions of this act in any case when the trade-mark is used in any unlawful business or upon any article injurious in itself, or which mark has been used with the design of deceiving the public in the purchase of merchandise, or under any certificate of registry fraudulently obtained.

SEC. 9. That any person who shall procure the registry of a trade-mark, or of himself as the owner of a trade-mark, or an entry respecting a trade-mark, in the office of the Commissioner of Patents, by a false or fraudulent representation or declaration, orally or in writing, or by any fraudulent means, shall be liable to pay any damages sustained in consequence thereof to the injured party, to be recovered in an action on the case.

SEC. 10. That nothing in this act shall prevent, lessen, impeach, or avoid any remedy at law or in equity which any party aggrieved by any wrongful use of any trade-mark might have had if the provisions of this act had not been passed.

SEC. 11. That nothing in this act shall be construed as unfavorably affecting a claim to a trade-mark after the term of registration shall have expired; nor to give cognizance to any court of the United States in an action or suit between citizens of the same State, unless the trade-mark in controversy is used on goods intended to be transported to a foreign country, or in lawful commercial intercourse with an Indian tribe.

SEC. 12. That the Commissioner of Patents is authorized to make rules and regulations and prescribe forms for the transfer of the right to use trade-marks and for recording such transfers in his office.

SEC. 13. That citizens and residents of this country wishing the protection of trade-marks in any foreign country the laws of which require registration here as a condition precedent to getting such protection there may register their trade-marks for that purpose as is above allowed to foreigners, and have certificate thereof from the Patent Office.

The rules prescribed and adopted in the U. S. Patent Office for the registration of trade-marks require to be observed with great care and strict attention to details in view of the interpretation placed by the Courts upon the statute. The formalities laid down by law must be complied with. In the prosecution of a trade-mark application many interlocutory questions arise, and it becomes our duty and task to promote a speedy settlement of the same.

Trade-marks, when properly registered, become to their owners valuable properties and establish a monopoly which can not be secured in any other way.

Invention is not required to be exercised in appropriating a trade-mark, so that any one to whom a trade-mark may be useful or profitable may adopt a suitable design, symbol word, or mark from any source whatever, and by registration make it his own.

We have secured registration for many trade-marks, and have been engaged in proceedings involving questions of their validity and proper application. Hence our services will be found very advantageous in the interest of manufacturers or dealers in securing protection through trade-mark registration.

LABELS.

The law in regard to Trade-marks authorizes registration only of such devices, marks, or symbols as may lawfully be considered trade-marks. Thus the name of a person, firm or corporation unaccompanied by a mark sufficient to distinguish it from the same name when used by other persons, and which is identical with a trade-mark appropriate to the same class of merchandise and belonging to a different owner and already registered or secured for registration, or which so nearly resembles said last mentioned trade-mark as to be likely to deceive the public.

It is not, therefore, every advertisement of ownership, or matter of identification that can be registered as a trade-mark.

But prints, labels and other mediums of similar nature ap-

plied to articles of merchandise and not properly trade-marks may be registered in the Patent Office in conformity with the law in such cases made and provided.

The entire cost of procuring registration of a label through our office is $15, which secures you the certificate in evidence of such registration.

COPYRIGHT.

Copyright registration for any matter coming within the provision of the Copyright law may be procured through our offices in a few days. Our charge for procuring such registration and obtaining the Certificate of the Librarian of Congress is $5.

FOREIGN PATENTS.

A very large proportion of the inventions patented in the United States are patented also abroad, where the products of American skill and genius find ready approval and speedy adoption.

As we represent, in our professional capacity, a great many European inventors seeking protection in the United States and Canada, so too ε strikingly large number of European patents are taken out through our offices.

We have secured the most reliable and skilful representa-

tion in the principal cities of Europe to personally submit, urge, and procure favorable recognition of the petitions of our clients. There is usually but very little risk in applying for European patents through our offices, as our experience and familiarity with the laws and practices in the different countries enables us to anticipate and guard against every emergency.

In the year 1878, various countries appointed delegates to an International Conference held in Paris, for the protection of Industrial Property. Since then, the Conference has created an International Convention, signed March 20, 1883.

The countries that were represented at the deliberation are: the Argentine Republic, Belgium, Brazils, England, France, Guatemala, Holland, Italy, Luxemburg, Norway, Portugal, Roumania, Russia, Salvador, Servia, Spain, Sweden, Switzerland, U. S. America and Uruguay.

The countries that have finally adhered to the Convention are: Belgium, Brazils, France, Guatemala, Holland, Italy, Portugal, Salvador, Servia, Spain and Switzerland.

The object of the Conference has been to create international laws for a complete and efficient protection of industrial property in its various forms, to wit: Patents of invention, designs and models, commercial names, trade-marks and labels.

The Convention was adopted some little time ago by the Senate in the first instance, and remains to be ratified by the Chamber of Deputies before it comes in force in France. And before it can have legal effect in the other countries of

the Union, it must be adopted by the Parliament of each separate country.

The Convention has to be assented to by the Chamber of Deputies not later than March 20, 1884; until then the French laws on industrial property remain unchanged.

As there is, however, every reason to foresee that the Convention will become a law, we may now already state its particular features.

1. Temporary protection shall be secured to patentable inventions, designs, models, trade-marks and labels, for products which appear in official or officially recognized Exhibitions.

2. Commercial names shall be protected in all the countries of the Union without the obligation of any application for protection, whether such name forms a part of a trade-mark or not.

3. An invention, design, model, trade-mark or label patented or registered in any one of the countries comprised in the Union, shall have the priority of being validly patented or registered in any other country of the Union, within *six* months for patents, and *three* months for designs, models, trade-marks and labels. For ultramarine countries, these delays shall each be increased *one* month.

4. A subsequent application for a patent or for registration of designs, trade-marks and labels shall not be affected, if made in any of the other countries of the Union within the said terms, by the prior publication of the invention or its "exploitation" by third parties; nor by the prior sale of the design or model; nor by the prior use of the mark.

5. The introduction, by the patentee, into the country of the Union in which the patent has been granted, of articles manufactured in either one of the countries comprised in the Union, shall not be a cause of invalidation; the patentee shall, however, remain under the obligation of working his patent in accordance with the laws of the country into which the patented articles shall have been introduced.

The next meeting of the Conference is to be held in Rome in 1885, but it is expected that, before then, a number of other countries, including England and the United States, will be included in the Union, the representatives of these two latter countries having adhered thereto, subject, however, to the approbation of the respective authorities of their country.

The principal countries in which patents are sought by American inventors in Europe and elsewhere, are as follows:

GREAT BRITAIN.

A new law came into force the 1st of January, 1884, greatly reducing the expenses, which heretofore were notably high, and offering many special advantages to inventors—simplifying procedure, lessening its cost and increasing the protection afforded.

The duration of a patent in Great Britain is fourteen years.

Our charge for obtaining a British patent is usually $125 to $150.

FRANCE.

Practically any one, be he the inventor or not, may obtain a patent in France, but in view of Art. 29, providing that the author of an invention already patented abroad may obtain a patent in France, it is advisable that the French patent should be taken out in the same name as that in which the foreign patent was obtained.

Owing to apparently conflicting provisions of the French and United States laws, much caution and foresight must be exercised in applying for French patents, as a misstep or non-observance of the law may lead to disastrous effects either in the validity of the French or the duration of the United States patent.

The cost of a French patent through our offices is $100.

BELGIUM.

Patents are easily obtained in Belgium, and are very profitable to the owners. The Belgians are quick to appreciate and adopt new inventions.

The cost of a Belgian patent through our offices is $50.

GERMANY.

In Germany applications for patents are subject to examination, and are not granted as a matter of course and upon simple compliance with the forms.

Rejection for cause frequently occurs, and urgent and skillful prosecution of an application is then required.

Our representatives in Germany are responsible for the interests of our clients to the full extent required, and we are advised as to all objections or obstacles so that we may be enabled to promptly suggest proper courses of procedure and co-operate in removing difficulties.

The cost of a German patent through our offices is usually $100.

AUSTRIA-HUNGARY.

We obtain many patents in Austria, and are represented in Vienna by the most reliable and skillful service. There is little or no risk encountered in applying for patents in Austria, unless publicity has been given to the invention by prints, newspapers, or otherwise.

The usual cost of a patent obtained by us is $100.

ITALY.

Patents may be obtained in Italy regardless of prior publication, or patenting in another country.

The cost of an Italian patent taken by us is $100.

RUSSIA.

The wide extent of territory and the enormous population of Russia make it a valuable field for the introduction of

American inventions, notwithstanding the comparatively high expense entailed.

Our charge for a Russian patent is usually $500.

SPAIN AND ITS COLONIES.

As Spain is not very progressive, it is not advisable to undertake the expense of a patent there in all cases, but inventions of special importance should be patented in Spain as well as in other countries. A Spanish patent may include the adjacent islands, also Cuba, Porto Rico, and the Phillipine Islands.

Our charge for a Spanish patent is usually $175.

NORWAY.

Previous publicity in the country or abroad, prior to the application, is a cause of invalidation of the patent.

Our charge for a patent in Norway is usally $100.

SWEDEN.

A patent in Sweden grants the patentee a monopoly against third parties; yet the law tolerates the importation of the patented articles from abroad. Such importation however being inconvenient and expensive, the patent is well worth securing.

Our charge is usally $175.

DENMARK.

No laws have been enacted in Denmark on the subject of patents, but inventors are protected by Royal grant, and patents are readily obtainable.

Our charge is usually $125.

CANADA.

It is safe to say that nearly every invention worthy of patenting in the United States, should be patented in Canada. Patents may be applied for within one year from the grant of the United States patent, and may be secured for five, ten or fifteen years. Our facilities for procuring Canadian patents are excellent, and our intercourse is direct with the Canadian Patent Office.

Our charges for Canadian patents are—according to the term chosen—usually, $50, $70 and $90.

AUSTRALIAN COLONIES.

Patents on mining implements and methods, agricultural machinery, and in various other industries have a special value in Australia.

The cost of a patent in all the principal Australian colonies is from $1,000 to $1,200, but separate patents may be secured in the different colonies.

INDIA.

We frequently secure patents in India, and they are, when properly managed, sources of large income.

Our charge is usually $200.

We will be pleased to offer any special suggestions and furnish information in regard to the foregoing countries, as well as to others of lesser importance, in which it is unusual to obtain patents.

Respectfully,

CONNOLLY BROS.