

Patents.—Letters patent, which in England have been in the gift of the Crown from the time of the Statute of Monopolies and earlier, are a purely statutory grant in Canada and have always been so. The earliest Act was one of Lower Canada, passed in 1824, wherein provision was made for the granting of patent rights to inventors who were British subjects and inhabitants of the province. Upper Canada passed its Act in 1826, and Nova Scotia and New Brunswick passed theirs at later dates. In 1849, after the Union, a consolidating Act was passed applying to both Upper and Lower Canada, and the B.N.A. Act assigned the granting of patents exclusively to the Parliament of Canada. The Dominion Patent Act of 1869 repealed the provincial Acts and has formed the basis of all succeeding Acts.

The first Canadian patent was issued under the Lower Canada Act of 1824 to Noah Cushing of Quebec; 165 patents were granted under the Acts of Upper and Lower Canada, and, under the consolidating and later Acts of the provinces 3,160 patents were granted.

Letters patent are now issued subject to the provisions of Chapter 150, R.S.C., 1927, and application for protection relating to the same should be addressed to The Commissioner of Patents, Ottawa, Canada.

Invention means any new and useful art, process, machine, manufacture or composition of matter or any new and useful improvement in any art, process, machine, manufacture or composition of matter.

The growth of Canadian inventions is shown by the fact that an average of 1,422 patents was issued annually to Canadians during the decade 1920-29. The business of the Office has gradually continued to expand and the number of applications and total fees increased each year without a break from the beginning of the present century until the fiscal year ended Mar. 31, 1913, when 8,681 applications were received and the total fees amounted to \$218,125. In the fiscal year ended Mar. 31, 1932, there were 11,940 applications, with fees amounting to \$444,110, as compared with 13,229 and \$472,636 respectively in 1931. For the fiscal year ended Mar. 31, 1932, the number of patents granted was 11,124 as compared with 11,262 in 1931, a decrease of 138. Of the patents of 1932, 7,465 or 67 p.c. were issued to United States inventors, 1,084 to Canadians and 921 to residents of Great Britain and Ireland, while Germany with 719, France with 247 and Sweden with 101, came next in the number of inventors to whom patents were issued. Table 21 shows the distribution of the Canadian patentees for the years 1921 to 1932 by province of residence.

21.—Number of Canadian Patentees, by Province of Residence, for the fiscal years ended Mar. 31, 1921-32.

| Province. | 1921. | 1922. | 1923. | 1924. | 1925. | 1926. | 1927. | 1928. | 1929. | 1930. | 1931. | 1932. |
|---------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| No. | No. | No. | No. | No. | No. | No. | No. | No. | No. | No. | No. | No. |
| Prince Edward Island..... | 2 | 4 | 9 | 7 | 2 | 2 | 5 | 3 | 1 | 3 | 3 | 2 |
| Nova Scotia..... | 29 | 23 | 35 | 41 | 26 | 30 | 19 | 24 | 16 | 17 | 14 | 18 |
| New Brunswick..... | 33 | 14 | 21 | 14 | 24 | 24 | 21 | 12 | 17 | 16 | 18 | 6 |
| Quebec..... | 331 | 276 | 430 | 312 | 302 | 273 | 320 | 298 | 298 | 282 | 265 | 272 |
| Ontario..... | 705 | 508 | 845 | 673 | 559 | 561 | 499 | 537 | 538 | 500 | 491 | 504 |
| Manitoba..... | 118 | 75 | 158 | 83 | 66 | 68 | 89 | 71 | 61 | 72 | 74 | 47 |
| Saskatchewan..... | 119 | 101 | 166 | 106 | 101 | 90 | 68 | 100 | 98 | 81 | 66 | 55 |
| Alberta..... | 127 | 96 | 155 | 123 | 95 | 95 | 82 | 88 | 98 | 71 | 76 | 63 |
| British Columbia..... | 177 | 103 | 202 | 174 | 127 | 150 | 129 | 152 | 148 | 126 | 101 | 117 |
| Yukon and N.W.T..... | 1 | - | - | - | - | - | - | - | - | 1 | 1 | - |
| Totals..... | 1,645 | 1,199 | 2,021 | 1,533 | 1,302 | 1,292 | 1,232 | 1,285 | 1,265 | 1,169 | 1,109 | 1,064 |