

Certain wholesalers and shippers of fruits and vegetables in Western Canada, charged with violations of the Combines Investigation Act at the instance of the Attorney General of British Columbia, following an investigation made in 1939, were found not guilty in a judgment delivered at Vancouver on May 20, 1940, by the Supreme Court of British Columbia.

At the outbreak of war on Sept. 3, 1939, the Wartime Prices and Trade Board was established and the Commissioner of the Combines Investigation Act was appointed to act also as a member of this Board. Under the regulations of the Wartime Prices and Trade Board it has been made an offence for anyone to unduly prevent, limit or lessen the manufacture, production, transportation, sale, supply or distribution of any defined necessity of life. The fullest co-operation of the Combines Investigation Commission has been given to the Wartime Prices and Trade Board in the endeavour to prevent undue increases in the prices of necessities of life, particularly increases that may be due to the operations of trade combinations. The effective collaboration of these two agencies is illustrated by an investigation that was made of coal prices at Fort William and Port Arthur, as a result of which, price agreements were abandoned and substantial reductions in prices became effective.

Other inquiries, some extensive in character, have been made during 1940, arising from complaints alleging the existence of injurious restraints of trade relating to a wide range of commodities. Modifications or abandonment of trade practices to the benefit of the public have followed certain of the inquiries made during the year.

Section 2.—Patents, Copyrights and Trade Marks*

Patents.—Letters patent, which in England have been in the gift of the Crown from the time of the Statute of Monopolies (1624) and earlier, are a statutory grant in Canada and have always been so. An Act was passed in Lower Canada 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 The Dominion Patent Act of 1869 repealed the provincial Acts and has formed the basis of all succeeding legislation.

Letters patent are now issued subject to the provisions of c. 150, R.S.C., 1927, as consolidated in c. 32, 1935, and application for protection relating to patents should be addressed to the Commissioner of Patents, Ottawa, Canada.

The Patents, Designs, Copyright and Trade Mark (Emergency) Order, 1939, was passed to deal with conditions arising out of the present War. The Order confers on the Commissioner of Patents power to extend the time for doing any thing prescribed by the Patent Act, the Design Act and the Copyright Act; to grant licences to manufacture under enemy-owned patents, designs and copyrights; to vary existing agreements; to hold secret or to withhold from publication any disclosure that might be of service to the enemy; and to grant permission to file patent applications abroad. The main object of the licensing provisions under the Order is

* The material relating to patents and copyrights has been revised by J. T. Mitchell, Commissioner of Patents, and that relating to trade marks by D. D. Ryan, Registrar of Trade Marks.