

accused were convicted or pleaded guilty to offences relating to undue lessening or prevention of competition in the manufacture and sale of corrugated and solid fibreboard boxes or shipping containers, or of liner board and other materials used in the manufacture of shipping containers. Appeals against a number of these convictions were dismissed in the case of *The King v. Container Materials Limited* by the Supreme Court of Canada in February, 1942.

Thirty-six companies and individuals engaged in the tobacco business, including wholesalers and 7 manufacturers, were convicted by a jury at Edmonton in July, 1941, of offences of participation in a combination to fix and enhance prices of tobacco products and in operations of a merger, trust or monopoly substantially controlling tobacco distribution throughout Canada to the detriment of the public. Fines imposed by the Alberta Supreme Court totalled \$221,500 and ranged in individual amounts from \$250 to \$25,000. Appeals against conviction by 35 of these accused were allowed by four members of the Alberta Court of Appeals in February, 1942, on the ground that certain of the accused had been previously charged under Sect. 498 of the Criminal Code and on other technical grounds of procedure at the trial. Reductions of some 10 p.c. in prices of leading brands of tobacco products exclusive of tax changes have been effective since institution of these proceedings.

In December, 1941, the Maximum Prices Regulations became effective. These regulations provide that, apart from certain exemptions, no person may charge more for goods and services than the maximum prices charged by him for similar goods and services during the basic period, Sept. 15 to Oct. 11, 1941. Adoption of these regulations led to the extension of widespread measures of direct control by the Wartime Prices and Trade Board over practically all civilian industries and trades in Canada, with appointment of co-ordinators or administrators in each field. The Commissioner of the Combines Investigation Act now acts also as a member of the Wartime Prices and Trade Board and as Enforcement Administrator for the Board. Inquiries and proceedings under the Combines Investigation Act have been directed to conform during the war period with the extension of war-time measures of control over prices and supply.

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

* 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.