

manufacturing or distribution. Business combinations and associations for most other purposes are not contrary to public policy, including associations to assemble and supply information on trade operations or to effect useful standardization or simplification of products or services.

Court proceedings following investigations under this Statute, completed since the commencement of the War, have included prosecutions of alleged combines of manufacturers and wholesalers of tobacco products, and manufacturers of corrugated and solid fibreboard shipping containers and materials for the manufacture of such containers. In the shipping container cases a total of 21 companies and one individual were sentenced at Toronto to pay fines amounting in all to \$176,000. All 22 accused were found guilty of 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 by the Supreme Court of Canada in 1942.

Thirty-six companies and individuals engaged in the tobacco business, including wholesalers and 7 manufacturers, were convicted by a jury at Edmonton in 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 allegedly controlling tobacco distribution through 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 1942 on the ground that certain of the accused had been previously charged under Sect. 498 of the Criminal Code and on other grounds of procedure at the trial. Reductions of some 10 p.c. in prices of a number of leading brands of tobacco products, exclusive of tax changes, have been effective since institution of these proceedings.

Fields of industry and trade to which the Combines Investigation Act is applicable have been placed during the War under direct price and supply controls of the Wartime Prices and Trade Board, the Department of Munitions and Supply and other Government war-time agencies. Accordingly, matters which in time of peace would have been subjects for investigation under the Combines Investigation Act have been commonly referred to and dealt with by the various appropriate war-time authorities.

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.

* 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.