

# STATUTORY RULES.

1904. No. 70.

## REGULATIONS UNDER THE PATENTS ACT 1903.

I, THE Governor-General in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Patents Act* 1903, to come into operation forthwith.

Dated this second day of November, One thousand nine hundred and four.

NORTHCOTE,  
Governor-General.

By His Excellency's Command,

A. McLEAN,  
Minister of State for Trade and Customs.

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### SHORT TITLE.

1. These Regulations may be cited as "The Patents Regulations, Short title. 1904."

### INTERPRETATION.

2. In these Regulations—

Interpretation.

"The Act" means the *Patents Act* 1903.

"Justice of the Peace" means a Justice of the Peace of the Commonwealth, or part of the Commonwealth, or of a State or part of a State.

### FEEES.

3. The fees to be paid under the Act and these Regulations shall be those fees specified in the First Schedule, and shall be paid in cash at the Patent Office.

Where any fee is payable in respect of any act or document, the Commissioner may refuse to permit or perform the act, or to receive or issue the document as the case requires until the fee payable is paid.

The prescribed fee for preparation of the patent for sealing shall be paid within the time allowed for the sealing of the patent, and if not so paid, the application for the patent shall become abandoned.

## FORMS.

Second  
Schedule.

4. The forms contained in the Second Schedule may, as far as they are applicable, be used in any proceeding under the Act or these Regulations to which they are appropriate.

## HOURS OF BUSINESS.

Hours of  
Business.

5. Except in the case of holidays observed under the *Commonwealth Public Service Act* 1902, the Patent Office shall be open to the public on week days (other than Saturdays) from 10 a.m. to 4 p.m., and on Saturdays from 10 a.m. to noon.

## PRIORITY OF APPLICATIONS UNDER SECTION 29.

Priority of  
applications  
lodged before  
commencement  
of Act.

6. Applications for patents lodged at the Patent Office under section 29 of the Act shall have priority according to the time when they were received at the Patent Office.

All applications lodged by being left with the principal officer at the Customs House in a State shall be deemed to have been received at the Patent Office at the time when they were so lodged.

For the purposes of this regulation time shall be reckoned according to the standard time in force in the State of Victoria.

## APPLICATIONS.

Manner of  
lodging  
applications.

7. Every application for a patent must be left at or sent to the Patent Office, and may be sent by prepaid letter through the post, and must in every case be accompanied by the prescribed fee.

Manner of  
recording  
applications.

8. Every application for a patent left at the Patent Office shall be numbered in the order of its receipt.

Every application for a patent sent by prepaid letter through the post shall, as far as practicable, be opened and numbered in the order in which the letter containing it was delivered at the Patent Office.

Address for  
service.

9. Every application for a patent shall be accompanied by a statement of an address for service to which all notices, requisitions, and communications of every kind may be sent by the Commissioner. The address for service shall be within the Commonwealth, and, if the Commissioner so requires, in or near to the city in which the Patent Office is situate.

Certificate of  
correctness as  
to documents.

10. All documents and copies thereof accompanying an application for a patent shall, by indorsement on the back thereof, be certified to be correct as to number and contents for the purposes of the Act, by one or more applicants, or by his or their agent.

Signature of  
applicant and  
witness.

11. Every application must be signed by all the applicants, each of whose signatures must be attested by a witness.

Application by  
body corporate.

12. An application by a body corporate shall be signed or executed in such a manner as to bind the corporation, and shall be signed by some person who shall be personally responsible for the truth of the statements therein contained.

Application  
after revocation  
of patent  
obtained by  
fraud.

13. Where the applicant applies as the actual inventor after the revocation of a patent obtained in fraud of his rights, the application may be in the Form A10 in the Second Schedule.

Application for  
separate patent  
by way of  
amendment.

14. Where a person making application for a patent includes in his specification more than one invention he may, with the consent of the Commissioner, before acceptance, amend his complete specification, so as to apply to one invention only, and may make application for separate patents for each of the other inventions.

Where a person making application for a patent includes therein more than one invention, he may, after the refusal of the Commissioner to accept the application, amend it so as to apply to one invention only, and may make application for separate patents for each of the other inventions.

In either case every such new application shall, if the applicant notify his desire to that effect to the Commissioner, bear the date of the first application, and shall, together therewith, be proceeded with in the manner prescribed as if it had been originally made on that date.

15. Every application for an extension of time for lodging a complete specification shall be made in the Form C1 in the Second Schedule, and shall state in detail the circumstances and grounds in and upon which the extension is applied for, and the Commissioner may require the applicant to substantiate such allegations by such proof as the Commissioner thinks necessary.

Extension of time for leaving and accepting complete specifications.

16. Every complete specification must be accepted within twelve months from the date of application, or within such extended period, not exceeding three months, as the Commissioner, on application within such twelve months, and on payment of the prescribed fee, allows. But in the case of complete specifications lodged under section 29 of the Act the Commissioner may extend the period for such acceptance to six months without the payment of a fee.

Time limit for acceptance of complete specification.

17. On acceptance of an application and a complete specification, the Commissioner shall notify the applicant of the acceptance and require him to pay the acceptance fee and to lodge five additional copies of the complete specification. After receipt of the fee and the additional copies of the specification the Commissioner shall advertise the acceptance in the *Gazette* or the official journal of the Patent Office.

Notice and advertisement of acceptance.

18. After the advertisement of acceptance, the application and specification, with the drawings (if any), may be inspected at the Patent Office upon the payment of the prescribed fee.

Inspection of specification.

19. When the Commissioner refuses to accept an application accompanied by either a provisional or complete specification, he shall notify the refusal to the applicant, and such notification may be in the Form F in the Second Schedule.

Refusal to accept by Commissioner.

20. All advertisements, notices, or documents, which by the Act or by these Regulations are required to be published, shall be advertised in the *Gazette*, or in the official journal of the Patent Office, or in such daily newspaper as the Commissioner directs.

Advertisement of other proceedings.

21. Where the Commissioner has allowed an extension of time for the acceptance of a complete specification, he may allow an extension, for the same period, of the time for the sealing of the patent.

Date of sealing of Patents where time for acceptance has been extended.

### APPLICATIONS UNDER SECTION 7 OF THE ACT.

22. An application made under section 7 of the Act may be in the Form A8 or A9 in the Second Schedule.

Application for a patent under section 7.

23. The Commissioner may, if he thinks fit, direct that the State patent be produced for his inspection.

Production of State patent.

24. The application must be signed by the applicant and attested by a witness, and, in addition to the specifications left therewith, be accompanied by a copy of the complete specification and drawings upon which the State patent was granted.

State specifications to accompany application.

25. The applicant must state whether any amendment has been made in any document subsequent to the grant of the patent in the State, and the reason for, and the nature of, the amendment.

Amendment subsequent to grant of State patent.

Amendments  
and objections  
to State or  
States patents.

26. If a patent for the invention has been refused in any State or States, the applicant, when lodging his application, must state in writing the ground thereof. If any objection has been raised to the acceptance of his application in any State or States, he shall, when lodging his application, state in writing the nature of the objections, and the grounds upon which they were overcome.

Fee.

27. The payment of the prescribed renewal fee on an application under section 7 shall be reckoned as from the date of the application.

Further  
proceedings.

28. Save as aforesaid, all proceedings in connexion with an application under section 7 shall be taken within the times and in the manner prescribed for ordinary applications.

### APPLICATION FOR ADDITIONAL PATENT.

Application for  
additional  
patent.

29. An application for an additional patent in respect of an improvement on an invention may be in the Form A7.

Application to  
be signed by  
applicant.

30. The application shall be signed by the applicant in the presence of a witness.

Fee.

31. The time for payment of the prescribed renewal fee on an additional patent shall be reckoned as from the date of the additional patent.

Further  
proceedings.

32. Save as aforesaid, all proceedings in connexion with an application for an additional patent shall be taken within the times and in the manner prescribed for ordinary applications.

### SIZE, ETC., OF DOCUMENTS.

Size of  
documents.

33. Subject to any directions given by the Commissioner, all documents and copies of documents sent to or left at the Patent Office, or furnished to the Commissioner or to the Court or the Law Officer, shall be written or printed in the English language on tough white paper of good quality, not thinner than 300 sheets to the inch. The sheets shall be 13 inches by 8 inches, with a margin of not less than 2 inches at the left side, and one-half inch elsewhere.

Specifications.

34. The top half of the first sheet of specifications shall be left blank, and the writing or printing shall be on one side only. The contents shall be written or printed in carbonaceous or other permanent ink, not affected by bleaching agents. If written, the writing shall be large and legible, not more than ten letters per inch, and with not more than two line spaces per inch. If printed, the type shall not be less than pica, and there shall not be more than three line spaces per inch. The date and the signature shall be on the last page, which shall, in the case of the complete specification, also contain the conclusion of the claims, and, in the case of the provisional specification, the conclusion of the description of the nature of the invention.

Signatures.

35. The signatures to all documents must be written in full in a large and legible hand.

Copies of  
specifications.

36. A copy of every provisional or complete specification shall be lodged at the Patent Office at the same time as the original. The copy shall be marked "True Copy," and shall be signed by the applicant or his agent.

Copies of other  
documents.

37. Copies of all other documents required by the Commissioner shall be left as directed by him.

## SIZES AND METHODS OF PREPARING DRAWINGS ACCOMPANYING PROVISIONAL OR COMPLETE SPECIFICATIONS.

38. The provisional or complete specification need not be accompanied Drawings. by drawings if the specification sufficiently describes the invention without them; but if drawings are furnished they should accompany the provisional or complete specification to which they refer, unless the applicant desires to adopt the drawings lodged with the provisional specification as the drawings for the complete specification, when they must be referred to as those "left with the provisional specification."

The drawings must show every feature of the invention covered by the specification.

When the invention consists of an improvement upon an old machine, the drawing must exhibit the invention disconnected from the old structure, and also, in another view, the specific improvement and such parts of the old structure as necessarily co-operate with it.

Drawings must be delivered at the Patent Office either flat or on rollers, so as to be free from creases, folds, or breaks.

39. They must be made on pure white tough drawing paper, not thinner Requirements as to paper, &c. than 100 sheets to the inch, of smooth surface and good quality, and without colour or Indian ink washes.

40. They must be on sheets 13 inches at the sides by 8 inches at the top and bottom. The illustrations shall be inside a border rectangle Size of drawings. 12 inches by 7 inches, leaving a margin half-an-inch wide. When an exceptionally large drawing is essential, it may be drawn in sections on several detached sheets. There is no limit to the number of sheets. The illustrations should be numbered consecutively throughout.

41. To insure their satisfactory reproduction on a reduced scale, all Quality of ink &c. lines shall be in absolutely black Indian ink, and shall be uniform in thickness or gradation.

Section and shade lines shall not be closer than 30 per inch, and shading lines shall preferably be avoided.

Sections of plates and small pieces may be in solid black.

Reference letters and figures must be bold, distinct, not less than one-eighth of an inch in height, and should be placed in an upright position, and the same letters and figures must be used in different views of the same parts. Reference letters or figures shall be placed upon the larger parts, and to one side of the drawing, connected by a fine line to the smaller parts.

When the character of the drawings permits, such words as "plan," "elevation," and brief descriptive names of parts, such as "generator," "dipping tank," "high pressure cylinder," may be added; but no connected description, phrase, or sentence, shall appear on the drawings.

42. The scale adopted shall be large enough to show clearly wherein Scale of drawings. the invention consists, and only so much of the apparatus, machine, &c., need be shown as effects this purpose.

When the scale is shown on the drawing, it should be denoted, not by words, but by a divided line. Related drawings, such as "plan" and "elevation," shall be drawn to the same scale, and be arranged in proper relative positions, where practicable.

43. Each sheet of the drawings shall be signed by the applicant or Drawings to bear name of applicant, &c. his agent, as near the lower right-hand corner inside the border line as may be convenient.

In the case of drawings left with a complete specification after a provisional specification, the number and date of the application shall be

given in the lower left-hand corner, outside the border line. The total number of sheets, and the number of each sheet, shall be stated on each sheet in the top right-hand corner, outside the border line.

No professional designation, or advertisements, or addresses, will be permitted upon the face of the drawings nor anywhere upon the tracings.

Duplicates of drawings.

44. A fac-simile of the original drawings prepared strictly in accordance with the regulations governing original drawings must be lodged with the original drawings.

Tracing.

45. A fac-simile prepared on tracing cloth must also be lodged.

Marking of original and copies.

46. The words "Original" or "True Copy," as the case requires, must, in each case, be placed in the centre at the top of each sheet, outside the border line.

### DECLARATIONS AND AFFIDAVITS.

Form, &c., of statutory declaration and affidavit.

47. The declarations and the affidavits required by these Regulations, or used in any proceeding thereunder, shall be headed in the matter or matters to which they relate, and shall be in the first person, and shall be divided into paragraphs consecutively numbered, and each paragraph shall, so far as possible, be confined to one subject. Every declaration or affidavit shall state the description and true place of abode of the person making it, and shall be written or printed bookwise, and shall bear the name and address of the person leaving it, and the name of the person on whose behalf it is left.

Manner in which, and persons before whom, declaration or affidavit is to be taken.

48. The declarations and affidavits required by the Act and these Regulations, or used in any proceedings thereunder, shall be made and subscribed as follows:—

- (1) In Australia, before any Justice of the Peace, Notary Public, or any Commissioner or other officer authorized by the law of the Commonwealth or of a State, to administer an oath or take a declaration, as the case may be, for the purpose of any legal proceeding.
- (2) In any place in the British Dominions, out of Australia, before any Court, Judge, Justice of the Peace, or Notary Public, or any officer authorized by law to administer an oath for the purpose of a legal proceeding.
- (3) In any place out of the British Dominions, before a British Minister or person exercising the functions of a British Minister, or a British Consul, Vice-Consul, or other person exercising the functions of a British Consul, or before a Notary Public, or before a Judge or Magistrate.

Declarations admissible without proof of signatures.

49. Any document purporting to be a declaration or affidavit and purporting to have been made by the declarant or deponent before a person hereby authorized to take a declaration or affidavit may be received as evidence by the Commissioner without proof of the signatures thereto, or of the official character of the person before whom the document purports to have been made.

### EXERCISE OF DISCRETIONARY POWERS BY THE COMMISSIONER.

Exercise of discretionary power by Commissioner.

50. The Commissioner before exercising any discretionary power given to him by the Act adversely to an applicant for a patent or for amendment of a specification, shall give him ten days' notice at least of the time when he may be heard personally, or by his patent attorney, solicitor, or person authorized on his behalf, before the Commissioner.

51. Within five days from the date when such notice would be delivered in the ordinary course of post, or such longer time as the Commissioner appoints in the notice, the applicant shall notify to the Commissioner whether he desires to be heard in the matter. Notice to applicant.

52. If the applicant fails to notify the Commissioner that he desires to be heard in the matter, the application shall be deemed to be abandoned. Notice by applicant.

53. After hearing the matter, the decision or determination of the Commissioner, together with the reasons therefor, shall be notified, in writing, to the applicant and any other person affected thereby. Notification of decision after hearing.

## OPPOSITION TO GRANT OF PATENTS.

54. A notice of opposition to the grant of a patent may be in the Form G in the Second Schedule, and shall state the grounds on which the person giving the notice (hereinafter called the opponent) intends to oppose the grant. Such notice must be signed by him or his patent attorney, solicitor, or agent, and must contain an address for service in the Commonwealth, or, if the Commissioner so requires, in or near to the city in which the Patent Office is situate, and shall be accompanied by a "true copy." Notice of opposition.

55. Forthwith after the receipt of the notice of opposition the copy shall be transmitted by the Commissioner to the applicant. Copy of notice for applicant.

56. Where the ground or one of the grounds of opposition is that the invention has been patented in the Commonwealth or in a State on an application of prior date, the number, date, and title of the prior patent shall be specified in the notice. Particulars of prior patent.

57. Within fourteen days after the lodging of the notice of opposition or within such further time, not exceeding one month, as the Commissioner within such fourteen days allows, the opponent shall leave at the Patent Office declarations in support of his opposition, and deliver to the applicant copies thereof. Opponent's evidence.

58. Within fourteen days from the receipt of such copies, or such further time as the Commissioner, at a hearing for the purpose, or on proof of the consent of the parties engaged, allows, the applicant shall leave at the Patent Office declarations in answer, and deliver to the opponent copies thereof. Applicant's evidence.

59. Within fourteen days of the delivery of the declarations in answer, or such further time as the Commissioner at a hearing for the purpose, or on proof of the consent of the parties engaged, allows, the opponent shall leave at the Patent Office declarations in reply, and deliver to the applicant copies thereof. Such last-mentioned declarations shall be confined to matters strictly in reply. Opponent's evidence in reply.

60. No further evidence shall be left on either side, except by leave of the Commissioner upon the written consent of the parties duly notified to him, or by special leave of the Commissioner on application made to him for that purpose. Closing of evidence.

Either party making such application shall give three days' notice thereof to the opposite party, who shall be entitled to oppose the application.

61. Applications for leave to lodge further evidence shall be accompanied by the prescribed fee. Fee on application to leave further evidence.

62. On the completion of the evidence, or at such other time as he sees fit, the Commissioner shall appoint a time for the hearing of the case, and shall give the parties at least seven days' notice of such appointment. Appointment of time for leaving.

Application for  
hearing.

63. If either party desires to be heard, he shall, prior to the date fixed for the hearing, leave at the Patent Office an application in the Form H in the Second Schedule, together with the prescribed fee.

The Commissioner may refuse to hear either party who has not left such application prior to the date of hearing.

Failure by  
opponent to  
lodge  
declarations.

64. If the opponent fails to leave, within the time allowed, declarations in support of his opposition, the opposition shall be deemed to have been abandoned.

Failure by  
applicant to  
lodge  
declarations.

65. If the applicant fails to lodge, within the time allowed, declarations in answer to opponent's declarations in support of the opposition, or to state that he intends to rely upon the documents lodged with his application, the application shall be deemed to have been abandoned.

Disallowance  
of opposition  
in certain  
cases.

66. On the hearing of the case, no opposition shall be allowed in respect of any ground not stated in the notice of opposition, and where the ground or one of the grounds is that the invention has been patented in the Commonwealth or a State on an application of prior date, the opposition shall not be allowed upon such ground, unless the number, title, and date of such prior application has been duly specified in the notice of opposition.

Notification of  
decision.

67. The decision of the Commissioner in the case shall be notified to the parties in writing.

Security for  
costs.

68. The Commissioner may require any opponent who does not reside in Australia to give security for costs to his satisfaction within such time as he allows, and if the security is not so given the opposition shall be dismissed.

Date of sealing  
of patent when  
delayed by  
opposition, &c.

69. Where the sealing is delayed by opposition to the grant of a patent or by an appeal to the High Court or the Supreme Court, the patent may be sealed at such time as the Commissioner directs or as the High Court or the Supreme Court allows.

### APPEAL TO THE LAW OFFICER.

Notice of  
appeal.

70. When any person intends to appeal to the law officer from a direction of the Commissioner under section 43 of the Act, he shall, within 30 days from the date of the direction appealed against, leave at the Patent Office a notice of appeal, accompanied by the prescribed fee.

Statement of  
grounds of  
appeal.

71. Such notice shall state the grounds of appeal, and whether the appeal is from the whole of the direction or part only, and, if so, what part of the direction, and be accompanied by a statement of the appellant's case.

Notice to  
law officer.

72. Upon notice of appeal being filed, the Commissioner shall forthwith transmit to the law officer all the matters relating to the application in respect of which the appeal is made.

Notice of  
hearing.

73. Seven clear days' notice at least of the time and place appointed for the hearing of the appeal shall be given to the appellant and the Commissioner by the law officer.

Evidence.

74. The evidence used on appeal to the law officer shall be the same as that used at the hearing before the Commissioner, and no further evidence shall be given, save as to matters which have occurred or come to the knowledge of the appellant or the Commissioner after the date of the direction appealed against.

Hearing.

75. At the time and place appointed, the law officer shall hear the appellant and the Commissioner, and may adjourn or postpone the hearing, and shall at the hearing, or some adjournment or postponement thereof, decide whether, and subject to what conditions, if any, the application and specification shall be accepted, and shall notify his decision in writing to the appellant and the Commissioner.



## APPEAL TO THE HIGH COURT OR TO THE SUPREME COURT.

76. When any person intends to appeal to the High Court or to the Supreme Court from a decision of the Commissioner, he shall, within 30, Notice of appeal. days from the date of the decision, or such further time as the Court, by special leave on application made within such 30 days, allows, leave at the Patent Office, and with the opposite party, if any, a notice in the Form Z in the Second Schedule, and file a copy of the notice in the Court.

77. The notice shall be accompanied by a statement, in writing, of the Statement of grounds of appeal. grounds of appeal, and by the prescribed fee.

78. The Commissioner shall forward to the proper officer of the Court Transmission of documents. office copies of all documents and evidence used on the hearing before him.

79. The appellant shall pay to the Commissioner the cost of preparing Cost of copies. the office copies of the documents and evidence.

80. The procedure in the Court in relation to the appeal shall be as Procedure in Court. directed by Rules of Court, or as the Court, or a Justice thereof, in each case, directs.

81. If the appellant fails to prosecute the appeal with due diligence, Dismissal for want of prosecution. the Court, or a Justice thereof, may order it to be dismissed.

82. Subject to the direction and leave of the Court, or a Justice Evidence. thereof, the evidence to be used on appeal from a decision of the Commissioner shall be the same as that used at the hearing before him.

## AMENDMENT OF DOCUMENTS IN ACCORDANCE WITH OFFICIAL REQUIREMENTS.

83. The deletion of any matter in the application or specification Application and specification. shall be made by a fine-ruled red line. Insertions shall be made in red ink in the margin on the left-hand side, and their places in the body of the documents indicated by a letter or figure. If the amendments are, in the opinion of the Commissioner, of sufficient extent to warrant the lodging of fresh pages or the complete documents, the applicant shall, within a time to be fixed by the Commissioner, supply them. All amendments must be initialled and dated by the person authorized so to do.

84. The deletion of an illustration or portion thereof shall be effected Drawings. by the placing thereon of a red cross embracing the whole or the portion to be so deleted, and the word "cancelled" shall be written across the illustration or the portion thereof, at the intersection of the cross lines, and near thereto shall be placed the initials of the applicant or the person authorized to act for him, together with the date.

85. If an applicant fails to amend the application or complete specification or the drawings within one month of the date of notice by the Commissioner, requiring him to do so, or such further time as the Commissioner on application allows, then, save in the case of an appeal being lodged in the prescribed manner from the Commissioner's direction or decision, the application shall be deemed to have been abandoned. Application to become abandoned if not amended.

## AMENDMENT OF SPECIFICATION BY REQUEST.

86. The request for leave to amend a complete specification shall be Request for leave to amend. prepared and signed in the manner prescribed by section 71 of the Act, and must be accompanied by the prescribed fee.

It must also be accompanied by a certified copy of the original specification and drawings (if any), showing in red ink the proposed amendment, and, if the complete specification has been accepted, shall be

advertised, by publication of the request and the nature of the proposed amendment, in such *Gazette*, official journal of the Patent Office, or daily newspaper, as the Commissioner directs.

When not made in pursuance of an order of a Court, or a Justice or Judge thereof, the request must, where a patent has been sealed, contain a statement that no action for infringement, nor proceeding for revocation, of the patent, is pending.

Leave by  
Order of the  
Court.

87. Where a request for leave to amend is made in pursuance of an order of a Court, or a Justice or Judge thereof, an official copy of the order shall be left, with the request, at the Patent Office.

Notice of  
opposition.

88. A notice of opposition to the amendment may be in the Form K in the Second Schedule, and shall state the ground or grounds on which the person giving the notice (hereinafter called the opponent) intends to oppose the amendment, and shall be signed by him and be accompanied by the prescribed fee.

Such notice shall state his address for service in the Commonwealth, or, if the Commissioner requires, in or near the city in which the Patent Office is situate, and shall be accompanied by a true copy.

Copy for  
applicant.

89. On receipt of such notice, the true copy shall be sent by the Commissioner to the applicant or patentee, as the case may be (hereinafter called the applicant).

Opponent's  
evidence.

90. Within fourteen days after the expiration of one month from the date of the advertisement of the request for leave to amend, the opponent shall leave at the Patent Office declarations in support of his opposition, and shall deliver to the applicant copies thereof.

Applicant's  
evidence.

91. Within one month from the receipt of such copies, or such further time as the Commissioner, at a hearing for the purpose, or on proof of the consent of the parties engaged, allows, the applicant shall leave at the Patent Office declarations in answer, and deliver to the opponent copies thereof.

Opponent's  
evidence in  
reply.

92. Within fourteen days of the delivery of the declarations in answer, or such further time as the Commissioner, at a hearing for the purpose, or on proof of the consent of the parties engaged, allows, the opponent shall leave at the Patent Office declarations in reply, and deliver to the applicant copies thereof. Such last-mentioned declarations shall be confined to matters strictly in reply.

Closing of  
evidence.

93. No further evidence shall be left on either side, except by leave of the Commissioner, upon the written consent of the parties, duly notified to him, or by special leave of the Commissioner on application made to him for that purpose.

Either party making such application shall give three days' notice thereof to the opposite party, who shall be entitled to oppose the application.

Application to  
lodge further  
evidence.

94. Applications for leave to lodge further evidence shall be accompanied by the prescribed fee.

Appointment of  
time for  
hearing.

95. On the completion of the evidence, or at such other time as he sees fit, the Commissioner shall appoint a time for the hearing of the case, and shall give the parties at least seven days' notice of such appointment.

Application for  
hearing.

96. If either party desires to be heard, he shall, prior to the date fixed for the hearing, leave at the Patent Office an application in the Form H in the Second Schedule, together with the prescribed fee.

The Commissioner may refuse to hear either party who has not left such application prior to the date of hearing.

97. If the opponent fails to leave, within the time allowed, declarations in support of his opposition, the opposition shall be deemed to have been abandoned. Failure by opponent to lodge declarations.

98. If the applicant fails to lodge, within the time allowed, declarations in answer to opponent's declarations in support of the opposition, then unless he states that he intends to rely upon the specification as proposed to be amended, the application for leave to amend the specification shall be deemed to have been abandoned. Failure by applicant to lodge declarations.

99. On the hearing of the case, no opposition shall be allowed on any other grounds than that the specification, if amended as desired, would make the specification claim an invention substantially larger than or substantially different from the invention claimed by the specification before amendment. Ground of appeal.

100. Where a request for leave to amend is granted, the applicant shall, if the Commissioner so requires, and within a time to be fixed by him, leave at the Patent Office a new specification and drawings as amended, to be prepared in accordance with the Regulations relating thereto. Fresh documents required on leave to amend being granted.

101. Every amendment of a complete specification made under Division 4 of Part IV. of the Act shall be advertised by the Commissioner in the *Gazette*, or in the official journal of the Patent Office, and in such other manner (if any) as the Commissioner directs. Advertisement of the amendment.

#### REGISTER OF PATENTS.

102. Upon the sealing of every patent, or additional patent, the Commissioner shall cause to be entered in the Register of Patents the name, address, and description of the patentee as the grantee thereof, and the title of the invention. Entry of grant.

103. There shall be also entered in the Register, in the case of an additional patent, the number and date of the original patent, and the title of the original invention. Additional patents.

104. Where a person becomes entitled to a patent, or to any share or interest therein, or licence thereunder, by assignment, transmission, or other operation of law, either throughout the Commonwealth, or a State or States, or for any place or places therein, a request for the entry of his name in the Register, as such complete or partial proprietor or licensee of the patent, or of such share or interest therein, as the case may be, shall be addressed to the Commissioner, and left at the Patent Office. Request for entry of subsequent proprietorship.

105. Such request may be in the Form Q or in the Form R, in the Second Schedule, as the case requires, and shall be made and signed by the person requiring to be registered as proprietor or licensee, or by his agent. Form and signature of request.

106. Every such request shall state the name, address, and description of the person claiming to be entitled to the patent, or to any share or interest therein or licence thereunder, and the particulars of the assignment, transmission, or other operation of law, by virtue of which he claims to be entered in the Register as proprietor or licensee, so as to show the manner in which, and the person or persons to whom, the patent, or licence thereunder, or the share or interest therein, has been assigned or transmitted. Contents of request.

107. Every assignment of a patent, or of any licence, or of any share or interest therein, shall be by deed, and shall be under the hand and seal of the assignor and transferee, and be attested; provided that any assignment of a patent may be indorsed on the back of the patent in the Form T in the Second Schedule, under the hand and seal of the proprietor of the patent and the transferee. Transfer of deed.

Production of documents of title and other proof.

108. Every assignment and every other deed and document containing, giving effect to, or being evidence of, the transmission of a patent, or affecting the proprietorship thereof, including every patent indorsed as provided by section 21 of the Act, but excepting such documents as are matters of record, shall, before any entry is made pursuant to a request, unless the Commissioner in his discretion otherwise directs, be produced to him, together with the request, and such other proof of title as he requires for his satisfaction.

As to a document which is a matter of record, an official or certified copy thereof shall be produced to the Commissioner.

Copies for Patent Office.

109. An attested copy of every deed and document affecting the proprietorship of any patent, or of any share or interest or licence thereunder, shall be left with the request.

Entry of Orders of the Court.

110. When an order has been made by the High Court, or the Supreme Court, or a Justice thereof, for the extension of a patent or part of a patent for a further term, or for the grant of a new patent, or for the revocation of a patent, or for the rectification of the Register, or otherwise affecting the validity or proprietorship of a patent, the person in whose favour such order has been made shall forthwith leave at the Patent Office an office copy of the order. The Register shall thereupon be rectified, or the purport of the order shall be entered in the Register, as the case requires.

Entry of date of payment of renewal fees.

111. Upon the issue of a certificate of payment of any renewal fee, the Commissioner shall cause to be entered in the Register a record of the amount and date of payment of the fee.

Entry of failure to pay fees.

112. If a patentee fails to make any prescribed payment within the prescribed time, a notification of the fact shall be entered in the Register.

Entry of licences and other documents.

113. A copy of every licence granted under a patent, or of any other document purporting to affect the proprietorship of a patent, shall be left at the Patent Office, with a request in the Form R in the Second Schedule that a notification thereof may be entered in the Register. The accuracy of such copy shall be certified in such manner as the Commissioner directs, and the original document shall, at the same time, be produced and left at the Patent Office, if required, for further verification.

Hours of inspection of Register.

114. The Register of Patents shall be open to the inspection of the public during office hours on every day during which the Patent Office is open, except on the days and at the times following:—

(a) Days which are from time to time notified by a placard posted in a conspicuous place at the Patent Office.

(b) Times when the Register is required for any purpose of official use.

Certified copies of documents.

115. Certified copies of any entry in the Register, or certified copies of, or extracts from, patents, specifications, disclaimers, affidavits, declarations, and other public documents in the Patent Office, or of or from Registers and other books kept there, may be furnished by the Commissioner, on payment of the prescribed fee.

#### PAYMENT OF RENEWAL FEE FOR CONTINUANCE OF PATENT.

Payment of fees.

116. If a patentee intends to keep his patent in force after the expiration of the seventh year from the date thereof, he shall, before the expiration of that year, pay the renewal fee.

117. An application for enlargement of the time for making the prescribed payment may be in the Form P in the Second Schedule, and shall be accompanied by the prescribed fee for such enlargement. The application shall state in detail the circumstances in which the patentee by accident, mistake, or inadvertence, failed to make such payment, and the Commissioner may require the patentee to substantiate, by such proof as he thinks necessary, the allegations contained in the application for enlargement.

Enlargement  
of time for  
payment of  
fees.

118. The Commissioner shall give to the patentee paying the renewal fee a certificate that it has been paid.

Certificate of  
payment.

## COMPULSORY LICENCES AND REVOCATION OF PATENTS.

119. A petition to the Commissioner for an order under section 87 of the Act may be in Form L in the Second Schedule, and shall clearly show the nature of the petitioner's interest, and the grounds upon which he claims to be entitled to relief; and shall state in detail the circumstances of the case, the terms upon which he asks that an order be made, and the purport of the order asked for, and the name and address of the patentee, and of every other person against whom the order is sought.

Petition for  
compulsory  
licences or  
revocation of  
patent.

120. The petition, and an examined copy thereof, shall be left at the Patent Office, accompanied by affidavits or declarations in proof of the allegations contained in the petition, together with any other documentary evidence in support; and the petitioner shall deliver copies of the petition and documents accompanying it to each respondent.

To be left  
with evidence  
at the Patent  
Office.

121. The persons to whom such copies are delivered by the petitioner may, within fourteen days after being invited to do so by the Commissioner, leave at the Patent Office affidavits or declarations in answer to the petition, and, if they do so, shall deliver copies thereof to the petitioner.

Evidence of  
patentee or  
other person  
against whom  
default is  
alleged.

122. The petitioner may, within fourteen days after the leaving of the respondent's affidavits or declarations, leave at the Patent Office his affidavits or declarations in reply, and deliver copies thereof to the respondents. Such last-mentioned affidavits or declarations shall be confined to matters strictly in reply.

Petitioner's  
evidence in  
reply.

123. No further evidence shall be left on either side, except by leave of the Commissioner upon the written consent of the parties duly notified to him, or by special leave of the Commissioner, on application made to him for that purpose.

Closing of  
evidence.

124. The Commissioner shall, if the petition is not abandoned, hear the parties and deal with the petition as directed by section 87 (2) of the Act.

Further  
proceedings.

## GENERAL.

125. Any application, statement, notice, or other document, authorized or required to be left, made, or given at the Patent Office, or to the Commissioner, or to any other person, under these Regulations, may be sent by a prepaid letter through the post, and, if so sent, shall be deemed to have been left, made, or given, at the time when the letter containing it would be delivered in the ordinary course of post.

Manner of  
sending notices,  
&c.

126. Any document, for the amending of which no special provision is made by the Act, may be amended, and any irregularity in procedure, which in the opinion of the Commissioner may be obviated without detriment to the interests of any person, may be corrected, if, and on such terms as, the Commissioner thinks fit.

Amendment of  
documents.

Enlargement of  
time for  
leaving or  
accepting  
complete  
specification.

127. An application for enlargement of the time for leaving or accepting a complete specification shall be lodged in the Patent Office seven clear days before the original time for leaving or acceptance expires, and shall state in detail the circumstances and grounds in and upon which the enlargement is applied for; and the Commissioner may require the applicant to substantiate such allegations by such proof as the Commissioner thinks necessary.

Commissioner  
may enlarge  
time.

128. The time prescribed by these Regulations for doing any Act, or taking any proceeding thereunder, may be enlarged by the Commissioner if he thinks fit, and upon such notice to other parties and proceedings thereon, and upon such terms, as he directs.

Notice to  
Commissioner  
of application  
for rectification  
of Register.

129. Four clear days' notice of every application to the Supreme Court for rectification of the Register of Patents shall be given to the Commissioner.

Power of  
Commissioner  
to dispense  
with evidence,  
&c.

130. Where, under these Regulations, any person is required to do any act or thing, or to sign any document, or to make any declaration or any document or evidence is required to be produced to, or left with, the Commissioner, or at the Patent Office, and it is shown, to the satisfaction of the Commissioner, that, from any reasonable cause, such person is unable to do such act or thing, or to sign such document, or make such declaration, or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the Commissioner, and upon the production of such other evidence, and subject to such terms as he thinks fit, to dispense with any such act or thing, document, declaration, or evidence.

Agency.

131. All documents, with the exception of the documents required by the Act or Regulations to be signed by the applicant, may be signed by, and all attendances upon the Commissioner may be made by or through a patent attorney, solicitor, or other person duly authorized to the satisfaction of the Commissioner and resident in the Commonwealth, and, if the Commissioner so requires, in or near the city in which the Patent Office is established.

Commissioner's  
discretion as to  
agents.

132. The Commissioner shall not be bound to recognise as an agent any person whose name has been removed from the Register of Patent Attorneys kept under the provisions of this Act and has not been restored. The Commissioner may in his discretion refuse to recognise any patent attorney or solicitor whose conduct, in the Commissioner's opinion, is calculated to prejudice the applicant's interest, and may call on the applicant to appoint some other patent attorney or solicitor, or to communicate himself direct with the Commissioner. In any particular case the Commissioner may, if he thinks fit, require the personal signature or presence of an applicant, opponent, or other person.

Address for  
service and  
appointment of  
agent.

133. Any notice of address for service or appointment of agent left at or sent to the Patent Office shall be binding on the person giving the notice until notice of revocation or of the appointment of some other address for service or of some other agent has been furnished by him to the Commissioner.

## REGISTRATION OF PATENT ATTORNEYS.

Register of  
patent  
attorneys.

134. A<sup>\*</sup> Register shall be kept by the Commissioner for the registration of patent attorneys.

135. Patent attorneys shall be entitled to prepare all documents and deeds and transact all business and proceedings for the purposes of the Act and these Regulations, and the State Patent Acts, and communications between patent attorneys and their clients shall be privileged to the same extent as communications between solicitor and client. Duties, &c., of patent attorneys.

136. The Register shall contain the names of all the patent attorneys who are registered under the Act and these Regulations, and shall be made out alphabetically according to the surnames of the registered persons, and shall contain the full name of each registered person, together with his designation, address, and the date of his registration. Contents of Register.

The Register shall be in the Form AA in the Second Schedule.

137. The Commissioner shall publish in the *Gazette* or official journal of the Patent Office in the month of January in each year a list of all patent attorneys whose names are on the Register. The list so published shall be admissible as evidence. Printed copies to be published.

138. Any person entitled to be registered as a patent attorney may lodge at the Patent Office a declaration in the Form BB or CC in the Second Schedule, as the case requires, and such further or other proof of the allegations as the Commissioner requires. Registration of attorneys.

Upon receipt of such declaration, or of such further or other proof to his satisfaction, and upon payment of the prescribed fee of £5, the Commissioner shall register such person as a patent attorney, and shall issue to him a certificate under the hand of the Commissioner and the seal of the Patent Office in the Form DD in the Second Schedule.

139. Except as provided in the Act, no person shall be entitled to be registered as a patent attorney unless he has passed, and produces or transmits to the Commissioner a certificate in the Form EE in the Second Schedule that he has passed the patent attorneys' examination. Certificate of Board.

140. The Commissioner shall insert in the Register any alteration which is notified to him in writing, or which comes to his knowledge, in the address of any patent attorney, and shall remove from the Register the name of any person whom he knows to be dead, and may correct any entry in the Register which is proved to his satisfaction to have been incorrectly made. Correction of Register.

141. The Commissioner may at the request of any patent attorney remove his name from the Register and thereupon he shall cease to be a patent attorney. The Commissioner may, at the request of any person whose name has been removed from the Register under this Regulation, restore his name to the Register on payment of such fee and subject to such conditions as the Commissioner thinks fit. Removal of name by consent.

142. Every patent attorney shall pay the prescribed annual fee payable by a patent attorney, which shall become due in advance on the 1st day of July in each year, but when a patent attorney is registered in any year after that date the first annual fee shall become due on the date of registration, but shall be for the portion of the year expiring on the 30th day of June then next, and the amount shall be proportionately reduced. Annual fee.

143. If any patent attorney fails to pay the annual fee specified in the First Schedule within one month from the day on which it becomes payable, the Commissioner shall send, by post or otherwise, to his registered address a notice requiring him to pay the fee on or before a day to be named in Removal of name for non-payment of fee.

the notice, and if he does not, within one month from the day mentioned in such notice, pay the fee, the Commissioner may remove his name from the Register. Provided that the name so removed may on payment of the prescribed fee, be restored by the Commissioner on such grounds and subject to such conditions as the Commissioner thinks fit.

Removal of names of persons convicted of crime, and persons guilty of disgraceful conduct.

144. (1) The Commissioner may remove from the Register the name of a person who has been proved to his satisfaction—

- (a) to have been convicted of a crime involving fraud or dishonesty, or of a disgraceful crime; or
- (b) to have been guilty of disgraceful professional conduct in his practice as a patent attorney; or
- (c) to have procured the entry of his name in the Register by fraud.

(2) No person whose name has been erased from the Register under this Regulation shall have his name restored to the Register except by order of the Minister, and subject to such conditions as he sees fit to impose.

Notice of removal of name.

145. Notice of the removal of his name from the Register shall forthwith after the removal be given to the person whose name has been so removed.

Appeal to Minister.

146. Any person aggrieved by the decision of the Commissioner as to the removal of his name from the Register may within 30 days after the receipt of the notice of removal appeal to the Minister, whose decision shall be final.

## EXAMINATION OF CANDIDATES FOR REGISTRATION AS PATENT ATTORNEYS.

Board of Examiners.

147. There shall be a Board of Examiners, consisting of the Commissioner and two or more competent persons appointed by the Minister, to be members of the Board.

Chairman of Board of Examiners.

148. The Commissioner shall be chairman of the board; but, in the absence of the chairman from any meeting of the board, the other members of the Board may appoint one of their number to be chairman for that meeting.

In the case of an equality of votes, the chairman for the time being shall have a casting as well as a deliberative vote.

Quorum.

149. Two members shall form a quorum of the Board for the transaction of business.

Secretary.

150. The Board may appoint some officer of the Patent Office to be secretary to the Board.

Duties of Secretary.

The secretary shall keep a minute book and record therein all business transacted by the board at their meetings, and such minutes shall be confirmed at the subsequent meeting, and shall be signed by the member for the time being in the chair.

Examination by Board.

151. The Board shall, if necessary, hold in every year an examination of candidates in the months of February and July.

Application by candidates.

152. Every candidate for admission to practise as a patent attorney shall, at least 30 days before the date appointed for holding any examination, lodge with the secretary an application in Form FF, a declaration in Form GG, and a certificate in Form HH, in the Second Schedule, and pay the examination fee.



153. The secretary shall summon the candidates to be present at the time and place fixed by the Board for the examination, and the candidates shall, in the presence of the Board, or an examiner, give answers to the papers prepared by the Board. Secretary to summon applicants.

154. The members of the Board shall act as examiners of candidates, but they may appoint examiners to assist in the conduct of examinations of candidates. Board to be examiners.

155. Three hours shall be allowed the candidate to answer the questions on the paper relating to each subject. Time limit for each paper.

### EXAMINATION.

156. The examination shall be on Patent and Trade Marks Law and Practice and the duties of a Patent Attorney, including— Subjects for examination.

(1) Patent and trade marks law of the Commonwealth, and the practice of the Patent Office.

(2) The preparation of a provisional and complete specification to be attached to an application for any kind of invention named by the Board.

(3) Patent and trade marks case law.

(4) The patent and trade marks law and practice of England and other countries.

157. The Board may from time to time specify the books of reference to be studied by candidates for examination, but six months' notice shall be given before any alteration in the books so specified is made. Books of reference.

158. The examination shall be by papers prepared on each subject, on each of which shall not be more than ten questions, and a member of the Board, or an examiner appointed by the Board, shall be present during the whole time of the examination. Examination papers.

159. If the Board are satisfied as to the proficiency and fitness of a candidate at an examination, it shall issue to him a certificate in the Form EE in the Second Schedule. Certificate of Board.

160. If any candidate does not present himself at, or fails to pass, any examination at which he has given notice of his intention to present himself, he shall be entitled, upon giving at least 30 days' notice in writing to the secretary, and otherwise complying with the requirements of these Regulations, to present himself at any subsequent examination. Candidate may present himself at subsequent examinations.

161. The Board may make any inquiries they deem necessary and proper as to the moral fitness of any person applying to be examined as a candidate for admission to practise as a patent attorney, and if, in consequence of such inquiries, the Board are of opinion that the candidate is unfit to be admitted to practise as a patent attorney, they may, in their discretion, refuse to grant a certificate to the candidate. Board may make inquiries as to the moral fitness of candidates.

### MISCELLANEOUS.

162. No person other than the Commissioner shall use or advertise the words "Patent Office" or "Office for obtaining Patents," or words of similar import in connexion with his office or business, or shall place them on any building in such a manner as to be likely to deceive or mislead; and every person guilty of a contravention of this Regulation shall be liable to a penalty of Ten pounds. Use of words "Patent Office," &c.

163. All Regulations heretofore made under the Act are hereby repealed as from the date of the coming into operation of these Regulations, save as to anything lawfully done, or any right, privilege, obligation, or liability acquired, accrued, or incurred thereunder. Repeal of previous regulations.

## FIRST SCHEDULE.

## FEES.

## AS SET OUT IN THE SECOND SCHEDULE TO THE ACT.

	£	s.	d.
On filing application for patent .. .. .	1	0	0
On acceptance of complete specification .. .. .	2	0	0
For preparation of patent for sealing .. .. .	5	0	0
On the expiration of the seventh year of the period of the patent .. .. .	5	0	0
On filing notice of opposition .. .. .	2	0	0

FEES PAYABLE ON AND IN CONNEXION WITH LETTERS PATENT IN ADDITION TO  
THOSE SET OUT IN THE SECOND SCHEDULE TO THE ACT.

1. On filing application for an additional patent with provisional specification .. .. .	0	10	0
2. On filing complete specification after provisional specification for an additional patent .. .. .	1	0	0
<i>or</i>			
3. On filing application for additional patent accompanied by a complete specification .. .. .	1	10	0
4. For preparation of additional patent for sealing .. .. .	2	10	0
5. Renewal fee for additional patent .. .. .	2	10	0
6. On appeal from Commissioner to Law Officer .. .. .	3	0	0
7. On appeal from Commissioner to the Court .. .. .	3	0	0
8. On hearing by Commissioner in opposition cases. By applicant and opponent respectively .. .. .	1	0	0
9. Application to amend specification. Before sealing .. .. .	2	0	0
10. Application to amend specification. After sealing .. .. .	3	0	0
11. On lodging notice of opposition to amendment .. .. .	2	0	0
12. On hearing by Commissioner of application to amend. By applicant and by opponent respectively .. .. .	1	0	0
13. On application to amend specification during action or proceeding .. .. .	3	0	0
14. On Enlargement of time for Payment of Renewal Fees—			
Not exceeding three months .. .. .	2	0	0
" " four " .. .. .	2	13	4
" " five " .. .. .	3	6	8
" " six " .. .. .	4	0	0
" " seven " .. .. .	4	13	4
" " eight " .. .. .	5	6	8
" " nine " .. .. .	6	0	0
" " ten " .. .. .	6	13	4
" " eleven " .. .. .	7	6	8
" " twelve " .. .. .	8	0	0
15. For every entry of an assignment, Transmission, Agreement, Licence, or Extension of Patent .. .. .	1	0	0
16. For duplicate of Letters Patent .. .. . each	2	0	0
17. Search or inspection fee .. .. . each	0	1	0
18. Annual search fee .. .. .	5	0	0
19. Office copies of documents, for every 100 words, but never less than one shilling .. .. .	0	0	6
20. For office copies of drawings, sun prints .. .. . per sheet	0	1	0
21. For certifying office copies, MSS or printed .. .. . each	0	5	0
22. For certificate of Commissioner under section 28 .. .. .	0	10	0
23. For altering address in Register .. .. .	0	10	0
24. For correction of clerical error, before sealing .. .. .	0	5	0

FIRST SCHEDULE—*continued.*

	£	s.	d.
25. For correction of clerical error, after sealing .. .. .	0	10	0
26. For correction of clerical error in Register .. .. .	0	10	0
27. For enlargement of time for lodging Complete Specification ..	1	0	0
28. For enlargement of time for acceptance of Complete Specification—			
Not exceeding one month .. .. .	1	0	0
Not exceeding two months .. .. .	2	0	0
Not exceeding three months .. .. .	3	0	0
29. On application to lodge further evidence in Opposition Cases by person making application .. .. .	2	0	0
30. On hearing by Commissioner. By applicant and opponent respec- tively .. .. .	1	0	0
31. On appeal from Commissioner to the High Court.. .. .	5	0	0
32. On application to Court for extension of Patent .. .. .	10	0	0
33. On entering caveat .. .. .	5	0	0
34. On application for a compulsory licence. By person applying ..	5	0	0
35. On opposition to grant of compulsory licence. By opponent ..	3	0	0
36. Fee for registration as a Patent Attorney .. .. .	5	0	0
37. Annual fee payable by a Patent Attorney .. .. .	2	0	0
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## THE SECOND SCHEDULE.

FORM A.

(To be accompanied by  
2 copies of Form B or  
of Form C.)

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## APPLICATION FOR A PATENT.

(By an Actual Inventor or two or more Actual Inventors, or his or their Assignee,  
Agent, Attorney, or Nominee.)

1) Here insert I, (1)  
(in full) Name  
of Applicant  
or Applicants.  
WE,

(2) Here insert of, (2)  
(in full)  
Address or  
Addresses.

(3) Here insert (3)  
Occupation or  
Occupations.

(4) Here insert hereby apply that a Patent may be granted to <sup>me</sup><sub>us</sub> for an invention entitled (4)  
Title of  
Invention.

(5) The Actual and I do hereby declare that I am  
Inventor or we we are (5) \*  
Inventors ; or

the Assignee,  
Agent,  
Attorney, or  
Nominee of  
the Actual  
Inventor or  
Inventors.

the actual inventor of the said invention, and I we verily believe that I am we are  
entitled to such Patent under the provisions of the *Patents Act* 1903. And I we  
further declare that I am we are in possession of the said invention, and that it is not in  
use within the Commonwealth of Australia by any person or persons to the best of  
my knowledge and belief.

And I we make this declaration, conscientiously believing it to be true.

Dated this day of A.D. 190

(6) Name or Signature of Witness—(6) Signature of Applicant—(6)  
Names in full To the Commissioner of Patents,  
Commonwealth of Australia.

\* Where the applicant is not the actual inventor, insert particulars set forth in section 32.  
In every instance the name of the actual inventor must be disclosed.

Who may apply SECTION 32.—(1) Any person, whether a British subject or not, may make an application for a  
for a Patent. Patent.

(2) Two or more persons may make joint application for a Patent, and a Patent may be granted  
to them jointly.

(3) Any of the following persons may make application for a Patent :—

- (a) The actual inventor ; or
- (b) his assignee, agent, attorney, or nominee ; or
- (c) the actual inventor or his nominee jointly with the assignee of a part interest in the  
invention ; or
- (d) the legal representative of a deceased actual inventor or of his assignee ; or
- (e) any person to whom the invention has been communicated by the actual inventor,  
his legal representative, or assignee (if the actual inventor, his legal representative,  
or assignee is not resident in the Commonwealth).

FORM A1.  
(To be accompanied by  
2 copies of Form B or  
of Form C.)

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## APPLICATION FOR A PATENT.

(By the Actual Inventor jointly with the Assignee of a part interest in the Invention.)

WE, (1)

(1) Here insert  
(in full)  
Names,  
Addresses, and  
Occupations of  
Applicants.

hereby apply that a Patent may be granted to us for an invention entitled (2)

(2) Here insert  
Title of  
Invention.

and I hereby declare that I (3)

am the actual inventor (3) Here insert  
are (in full) Name  
of Actual  
Inventor or  
Inventors.

thereof, and that I (4)

(4) Here insert  
(in full) Name  
of Assignee  
or Assignees.

am the Assignee of a part interest in the said invention  
are

And we further declare that we are in possession of the said invention, and that it  
is not in use within the Commonwealth of Australia by any other person or persons,  
to the best of our knowledge and belief.

And we make this declaration, conscientiously believing it to be true.

Dated this day of A.D. 190 .

Signature of Witnesses—(5)

Signature of Applicants—(5)

(5) Name or  
Names in full.

FORM A2.  
(To be accompanied by  
2 copies of Form B or  
of Form C.)

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## APPLICATION FOR A PATENT.

(By the Nominee of the Actual Inventor jointly with the Assignee of a part interest in the Invention.)

1) Here insert We, (1)  
(in full)  
Names,  
Addresses,  
and  
Occupations  
of Applicants.

(2) Here insert hereby apply that a Patent may be granted to us for an Invention entitled (2)  
Title of  
Invention.

(3) Here insert We declare that (3) is the actual inventor thereof,  
(in full)  
Name of  
Actual  
Inventor or  
Inventors.

(4) Here insert and I, (4)  
(in full)  
Name of  
Nominee of  
Actual  
Inventor or  
Inventors.

hereby declare that I am the Nominee of the Actual Inventor  
we are

(5) Here insert And I, (5)  
(in full)  
Name of  
Assignee or  
Assignees of  
Actual  
Inventor or  
Inventors.

hereby declare that I am the Assignee of a part interest in the said  
Invention from (3)  
we are

And we further declare that we are in possession of the said invention, and that  
it is not in use within the Commonwealth of Australia by any other person or persons,  
to the best of our knowledge and belief.

And we make this declaration, conscientiously believing it to be true.

Dated this

day of

A.D., 190 .

(6) Names in] Signature of Witnesses—(6)  
full.

Signature of Applicants—(6)



FORM A3.  
(To be accompanied by  
2 copies of Form B or  
of Form C.)

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## APPLICATION FOR A PATENT.

(By the Legal Representative or Assignee of a Deceased Actual Inventor or Inventors.)

I,  
WE, (1)

(1) Here insert  
(in full)  
Name,  
Address, and  
Occupation of  
Applicant or  
Applicants.

do hereby apply that a Patent may be granted to <sup>me</sup><sub>us</sub> for an invention entitled (2) (2) Here insert  
Title of  
Invention.

And I  
we declare that (3)

(3) Here insert  
(in full) Name  
of Deceased  
Actual  
Inventor or  
Inventors.

who died at                      on the                      day of                      was the

actual inventor thereof, and I am  
we are the (4)

(4) Here insert  
whether  
Legal Repre-  
sentative or  
Assignee of  
the Deceased  
Actual  
Inventor  
or Inventors.

and I do hereby declare that I am  
we we are in possession of the said invention, and that it  
is not in use within the Commonwealth of Australia by any other person or persons  
to the best of my  
our knowledge and belief.

And I  
we make this declaration, conscientiously believing it to be true.

Dated this                      day of                      A.D. 190 .

Signature of Witness—(5)

Signature of Applicant—(5)

(5) Name or  
Names in full.

FORM A4.  
(To be accompanied by  
2 copies of Form B or  
of Form C.)

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.APPLICATION FOR A PATENT FOR AN INVENTION COMMUNICATED  
FROM ABROAD.

(By any person to whom the invention has been Communicated by the Actual  
Inventor, his Legal Representative, or Assignee.)

1) Here insert I, (1)  
(in full)  
Name of  
Applicant.

(2) Here insert of (2)  
full Address.

(3) Here insert in the Commonwealth of Australia (3)  
Occupation of  
Applicant.

(4) Here insert hereby apply that a Patent may be granted to me for an invention entitled (4)  
Title of  
Invention.

(5) Here insert and I declare that (5)  
(in full)  
Name of  
Actual  
Inventor.

(6) Here insert is the actual inventor thereof, and that the said invention has been communicated  
Name and full Address to me by (6) (7)  
of Communicator. (8)

(7) Here insert  
Occupation of  
Communicator.

(8) State  
whether  
Actual  
Inventor, or  
Legal Representative, or  
Assignee of  
the Actual  
Inventor.

And I declare that I am in possession of the said invention and that it is not in use  
within the Commonwealth of Australia by any other person or persons, to the best  
of my knowledge and belief; and I further declare that the said (9)

(9) Here insert name of Communicator.  
is not resident within the Commonwealth of Australia.

And I make this declaration, conscientiously believing it to be true.

Dated this                      day of                      A.D. 190 .

(10) Name in full.      *Signature of Witness—(10)*                      *Signature of Applicant—(10)*

Where the Communicator is the legal representative or assignee of the actual inventor, the  
name of the latter must be disclosed.

## FORM A5.

(To be accompanied by  
2 copies of Form B or  
of Form C.)

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

APPLICATION FOR A PATENT ON BEHALF OF A COMPANY AS ASSIGNEE  
OF THE ACTUAL INVENTOR.

THE (1)

(1) Here insert  
(in full)  
Name of  
Company.

carrying on business as (2)

(2) State  
business of  
Company.

at (3)

(3) Here insert  
Address of  
Company.

hereby applies for a Patent for an invention entitled (4)

(4) Here insert  
Title of  
Invention.

and I  
we (5)

on behalf of the (5) Here insert  
Name,  
Address, and  
Description  
of person  
authorized  
to make  
declaration.

said company declare that (6)

is the actual inventor of the said invention, and that the said company is the  
assignee of the said invention from the said (6)

(6) Here insert  
(in full)  
Name of  
Actual  
Inventor or  
Inventors.

And I further declare that the said company are in possession of the said  
invention, and that it is not in use within the Commonwealth of Australia by any  
other person or persons, to the best of our knowledge and belief, and I  
we further declare that we are authorized to make this declaration on behalf of the said  
company.

And I make this declaration, conscientiously believing it to be true.  
we

Dated this

day of

A.D. 190 .

*Signature of Witnesses—**Execution by Company.**Signature of declarants.*

FORM A7.  
(To be accompanied by  
2 copies of Form B or  
of Form C.)

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## APPLICATION FOR AN ADDITIONAL PATENT.

(By a Patentee or Patentees.)

(1) Here insert I,  
(in full) WE, (1)  
Name,  
Address, and  
Occupation of  
Applicant or  
Applicants.

(2) Here insert hereby apply for an "Additional Patent" in respect of an invention entitled (2)  
Title of  
Invention.

(3) Here insert which invention is an improvement on an invention entitled (3)  
title of  
original  
Invention.

(4) Here insert of which I am the patentee by virtue of Letters Patent Number (4)  
Number of  
Patent.

(5) Here insert dated the (5) day of A.D. 190 ,  
Date of  
Patent.

(6) Here insert granted to (6),  
in full name  
of Grantee  
or Grantees.  
which Letters Patent are in full force.

(7) Here insert And I declare that (7) is the actual inventor of the  
Name in full we are the actual inventor of the  
of actual  
Inventor. invention for which I apply for an "Additional Patent"

I,  
We, further declare that the said invention for which I apply for  
an "Additional Patent," is not in use within the Commonwealth of Aus-  
tralia by any other person or persons to the best of my knowledge and belief.  
our

And I make this declaration, conscientiously believing it to be true  
we

Dated this day of A.D. 190 .

(8) Name or Signature of Witness—(8)  
Names in full.

Signature of Applicant—(8)

## FORM A8.

(To be accompanied by  
2 copies of Form C,  
and 1 copy of the  
specification and  
drawings upon which  
the State Patent was  
granted.)

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## APPLICATION FOR A PATENT UNDER SECTION 7 OF THE ACT.

(By the Patentee of an invention patented in one State.)

I,  
We, (1)

(1) Here insert  
(in full)  
Name,  
Address, and  
Occupation of  
Applicant or  
Applicants.

do declare that I am  
we are the Patentee in the State of (2)

of (2) Here insert  
name of State  
in which  
Patent was  
granted.

an invention entitled (3)

(3) Here insert  
Title of  
Invention.

or which Letters Patent No.                      dated the                      day of

A.D. 190    , have been granted and are in full force.

And I do hereby apply that a Patent may be granted to <sup>me</sup><sub>us</sub> for the said inven-

tion; and I do further declare that to the best of <sup>my</sup><sub>our</sub> knowledge and belief the  
said invention is novel and has not been published or made the subject of a  
pending application in any other State.

And I make this declaration conscientiously believing it to be true.

Dated this                      day of                      A.D. 190    .

*Signature of Witness—(4)*

*Signature of Applicant—(4)*

(4) Name or  
Names in full.

## FORM A9.

(To be accompanied by  
2 copies of Form C,  
and 1 copy of the  
specification and  
drawings upon which  
the State Patent was  
granted.)

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## APPLICATION FOR A PATENT UNDER SECTION 7 OF THE ACT.

(By the Patentee of an invention patented in more than one State.)

(1) Here insert  
(in full) I  
We, (1)  
Name,  
Address, and  
Occupation of  
Applicant or  
Applicants.

(2) Here insert Name of State in which earliest Patent was granted. hereby declare that I am the Patentee in the State of (2)  
we are

(3) Here insert Title of Invention. of an invention entitled (3) for which Letters Patent No. , dated A.D. 190 , have been granted and are in full force:  
the day of

And I hereby apply that a Patent may be granted to me for the said invention:  
we

And I declare that the said invention has been patented or made the subject of  
we  
pending applications as follows (4):

(4) Here insert Name of each State, followed by particulars giving the Official Number and Date of the Patent or application in each respectively. And I further declare that to the best of my knowledge and belief the said invention  
we has not been patented or made the subject of a pending application in any other State.

And I make this declaration, conscientiously believing it to be true.  
we

Dated this day of

A.D. 190 .

(5) Name or Names in full. *Signature of Witness—* (5)

*Signature of Applicant—* (5)

FORM A10.

(To be accompanied by  
2 copies of Form B or  
of Form C.)

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

APPLICATION FOR A PATENT AFTER REVOCATION OF A PATENT  
OBTAINED IN FRAUD.

I,  
We, (1)

(1) Here insert  
(in full)  
Name,  
Address, and  
Occupation of  
Applicant or  
Applicants.

hereby apply for a Patent for an invention entitled (2)

(2) Here insert  
Title of  
Invention.

and I do declare that I am (3) \*  
we we are

(3) The actual  
inventor or  
inventors, or  
the assignee,  
agent,  
attorney, or  
nominee of  
the actual  
inventor or  
inventors.

the Actual Inventor thereof, and that the Patent, Number  
dated the day of A.D. 190 obtained for the said  
invention in fraud of my rights, has been revoked by an Order of the  
(4) dated the day of A.D. 190 .

(4) Here insert  
name of Court  
such as the  
High Court,

And I request that any Patent for the said invention that may be granted to me  
we upon this Application shall bear date as of the date of revocation of the Patent so  
revoked and shall be for the remainder of the term for which the revoked Patent  
was originally granted.

And I make this declaration, conscientiously believing it to be true.  
we

Dated this day of A.D. 190 .

Signature of Witness—(5)

Signature of Applicant—(5)

(5) Name or  
Names in full.

\* Where the Applicant is not the actual inventor, insert particulars set forth in Section 32. In every instance the name of the actual inventor must be disclosed.

SECTION 32.—(1) Any person, whether a British subject or not, may make an application for a Patent. Who may apply for a Patent.

(2) Two or more persons may make joint application for a Patent, and a Patent may be granted to them jointly.

(3) Any of the following persons may make application for a Patent:—

- (a) The actual inventor; or
- (b) his assignee, agent, attorney, or nominee; or
- (c) the actual inventor or his nominee jointly with the assignee of a part interest in the invention; or
- (d) the legal representative of a deceased actual inventor or of his assignee; or
- (e) any person to whom the invention has been communicated by the actual inventor his legal representative, or assignee (if the actual inventor, his legal representative, or assignee is not resident in the Commonwealth).

FORM B.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## PROVISIONAL SPECIFICATION.

(1) Here insert (1)  
Title of  
Invention as  
in Application  
Form.

(2) Here insert I,  
(in full) WE, (2)

Name,  
Address, and  
Occupation of  
Applicant or  
Applicants as  
in Applica-  
tion Form.

hereby declare the nature of <sup>my</sup> invention entitled (1)  
<sub>our</sub>

to be as follows :—

Dated this

day of

A.D. 190

(4) Name or *Signature of Witness—(4)*  
Names in full,

*Signature of Applicant—(4)*

N.B.—PATENTS REGULATIONS 33-37—SIZE, ETC., OF DOCUMENTS.—Subject to any directions given by the Commissioner, all documents and copies of documents sent to or left at the Patent Office, or furnished to the Commissioner or to the Court or the Law Officers shall be written or printed in the English language, on *tough white paper of good quality, not thinner than 300 sheets to the inch*. The sheets shall be *thirteen (13) inches by eight (8) inches*, with a margin of not less than *two inches at the left side, and one-half inch elsewhere*.

The top half of the first sheet of a specification shall be left blank, and the writing or printing shall be on one side only.

The contents shall be written or printed in carbonaceous or other permanent ink not affected by bleaching agents. If written, the writing shall be large and legible, not more than ten (10) letters per inch, and with not more than two line-spaces per inch. If printed, the type shall not be less than pica, and there shall not be more than three line-spaces per inch.

The date and the signature shall be on the last page, which shall, in the case of the complete specification, also contain the conclusion of the claims, and in the case of the provisional specification, the conclusion of the description of the nature of the invention.

The signatures to all documents must be written *in full* in a large and legible hand.

A copy of each provisional or complete specification shall be lodged at the Patent Office at the same time as the original.

The copy shall be marked "true copy," and shall be signed by the applicant or his agent.

Copies of all other documents required by the Commissioner shall be left as directed by him.



FORM C.

PATENTS.]

COMMONWEALTH OF AUSTRALIA.

When provisional specification has been left, quote No. and date.

The Patents Act 1903.

No.  
Date

## COMPLETE SPECIFICATION.

(1)

(1) Here insert Title of Invention as in Application Form.

I,  
WE, (2)

(2) Here insert (in full) Name, Address, and Occupation of Applicant or Applicants.

hereby declare this invention, and the manner in which it is to be performed, to be fully described and ascertained in and by the following Statement (3)

(3) Here describe the Invention at length.

Having now fully described and ascertained <sup>my</sup><sub>our</sub> said invention and the manner in which it is to be performed, I <sup>we</sup> declare that what I <sup>we</sup> claim is :—

1. (4)

(4) Here state distinctly the Invention claimed. There is no limit to the number of claims.

2.

3.

4.

5.

Dated this

day of

A.D. 190

Signature of Witness—(5)

Signature of Applicant—(5)

(5) Name or Names in full.

NOTE.—If a Specification be accompanied by drawings, these must be prepared in accordance with the Patents Regulations 1904.

PATENT REGULATIONS 33-37—SIZE, ETC., OF DOCUMENTS.—Subject to any directions given by the Commissioner, all documents and copies of documents sent to or left at the Patent Office or furnished to the Commissioner or to the Court or the Law Officer shall be written or printed in the English language, on *tough white paper, of good quality, not thinner than 300 sheets to the inch*. The sheets shall be *thirteen (13) inches by eight (8) inches, with a margin of not less than two inches at the left side, and one-half inch elsewhere*.

The top half of the first sheet of a specification shall be left blank, and the writing or printing shall be on one side only.

The contents shall be written or printed in carbonaceous or other permanent ink not affected by bleaching agents. If written, the writing shall be large and legible, not more than ten (10) letters per inch, and with not more than two line-spaces per inch. If printed, the type shall not be less than pica, and there shall not be more than three line-spaces per inch.

The date and the signature shall be on the last page, which shall, in the case of the complete specification also contain the conclusion of the claims, and in the case of the provisional specification the conclusion of the description of the nature of the invention.

The signatures to all documents must be written *in full* in a large and legible hand.

A copy of each provisional or complete specification shall be lodged at the Patent Office at the same time as the original. The copy shall be marked "true copy," and shall be signed by the applicant or his agent,

Copies of all other documents required by the Commissioner shall be left as directed by him.

FORM C 1.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

*The Patents Act 1903.*APPLICATION FOR EXTENSION OF TIME FOR LEAVING A COMPLETE  
SPECIFICATION.

IN the matter of Application No.

by

for a Patent for an invention entitled

(Place)—

(Date)—

I  
WE hereby apply for an extension of time for one month within which to  
leave a complete specification upon Application No.                      dated the  
day of                      A.D. 190 .

The circumstances in and grounds upon which this extension is applied for are  
as follow:—(1)

(1) The  
circumstances  
and grounds  
must be  
stated in  
detail.

(2) Signature of  
Applicant or  
Agent.

(2)

To the Commissioner of Patents,  
Commonwealth of Australia.

FORM C 2.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

APPLICATION FOR EXTENSION OF TIME FOR ACCEPTANCE OF A  
COMPLETE SPECIFICATION.

(Place)—

(Date)—

I  
WE hereby apply for extension of time for                      month  
for the acceptance of the complete specification upon Application No.  
dated the                      day of                      A.D. 190 .

The circumstances in and the grounds upon which this extension is applied for are as follow :—(1) (1) The  
circumstance  
and grounds  
must be  
stated in  
detail.

(2)

(2) Signature of  
Applicant or  
Agent.

To the Commissioner of Patents,  
Commonwealth of Australia.

FORM D.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## STATEMENT OF ADDRESS FOR SERVICE.

(Where application is made without an Agent.)

SIR,

I  
WE hereby authorize and request you to send all notices, requisitions, and  
communications in connexion with my  
our application for Letters Patent for my  
our  
invention entitled (1)

(1) Here insert  
Title of  
Invention.

(2) Here insert to (2)  
full Address.

Dated this

day of

A.D. 190 .

(3) Name or  
Names in full.

*Signature of Applicant—(3)*

NOTE.—A particular address must be given. An address such as "General Post Office, Melbourne," will not be accepted.

To the Commissioner of Patents,  
Commonwealth of Australia.

FORM E.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## APPOINTMENT OF AGENT AND OF ADDRESS FOR SERVICE.

Know you that <sup>I</sup>  
we (1)

hereby nominate, constitute, and appoint (2)

of (3)

in the Commonwealth of Australia (4)

my agent (5)  
our

to obtain Letters Patent

(1) Here insert  
(in full) Name,  
Address and  
Occupation of  
Principal,(2) Here insert  
(in full)  
Name of  
Agent.(3) Here insert  
full Address  
of Agent.(4) Here insert  
Occupation of  
Agent.(5) Applicant  
may here  
insert the  
words "with  
full powers of  
substitution  
and revoca-  
tion."

in the Commonwealth of Australia in <sup>my</sup>  
<sup>our</sup> favour for <sup>my</sup>  
<sup>our</sup> invention entitled (6)

and for that purpose to sign <sup>my</sup>  
<sup>our</sup> name and as <sup>my</sup>  
<sup>our</sup> act and deed to seal and deliver  
all documents (except such as are required by the Patents Act 1903 and Regulations  
to be executed by <sup>me</sup>  
<sup>us</sup>) that <sup>my</sup>  
<sup>our</sup> said agent may think necessary or desirable, and <sup>I</sup>  
<sup>we</sup>

further empower <sup>my</sup>  
<sup>our</sup> said agent to alter and amend such documents, whether  
originally executed by <sup>me</sup>  
<sup>us</sup> or otherwise, in any manner which may be necessary, and

(6) Here insert  
Title of  
Invention.

<sup>I</sup>  
<sup>we</sup> authorize and request you to send all notices, requisitions, and communications  
in connexion with <sup>my</sup>  
<sup>our</sup> said application to him at his address as above given.

Dated this

day of

A.D. 190

Signed, sealed, and delivered by the  
said

(L.S.)

in the presence of—

To the Commissioner of Patents,  
Commonwealth of Australia.

FORM F.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

NOTICE BY COMMISSIONER OF HIS REFUSAL TO ACCEPT.

IN the matter of the Application, No. \_\_\_\_\_ of  
for a Patent for an Invention entitled \_\_\_\_\_

SIR,

I,

Commissioner of Patents,

hereby give you notice that, in accordance with the provisions of Section 46 of the *Patents Act* 1903, I refuse to accept the

or the above-mentioned invention for the following reasons:—

Given under my hand at the Patent Office this                      day of                      A.D. 190 .

*Commissioner of Patents.*

FORM G.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## OPPOSITION TO GRANT OF PATENT.

(To be furnished in duplicate.)

(Place)—

(Date)—

I, (1)

hereby give notice of my intention to oppose the grant of Patent upon Application  
 No.                      of                      A.D. 190   , applied for by  
 upon the ground (2)

(1) Here insert  
 (in full)  
 Name and  
 Address of  
 Opponent.

(2) Here state  
 upon which of  
 the grounds  
 of opposition  
 permitted by  
 Section 56 of  
 the Act the  
 Grant is  
 opposed.

My address for service in the Commonwealth is (3)

(3) Here state  
 Address in the  
 Common-  
 wealth for  
 service of  
 Declarations.

(4)

(4) Name (in  
 full) of  
 Opponent or  
 Authorized  
 Agent.

To the Commissioner of Patents,  
 Commonwealth of Australia.

---

NOTE.—Particular attention is directed to Patents Regulations governing oppositions to the  
 grant of Letters Patent.

FORM H.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

APPLICATION FOR HEARING BY THE COMMISSIONER IN CASES OF  
REFUSAL TO ACCEPT, OPPOSITION, OR APPLICATIONS FOR AMEND-  
MENT, ETC.

Place—

Date—

SIR,

(1) Here insert  
(in full)  
Name and  
Address.

I, (1)

hereby apply to be heard in reference to Application No.  
dated the                      day of  
made by

A.D. 190

and request that I may receive due notice of the day fixed for the hearing.

I have the honour to be,

Sir,

Your obedient Servant,

(2) Name (in  
full) of  
Applicant,  
Opponent, or  
Authorized  
Agent.

(2)

To the Commissioner of Patents,  
Commonwealth of Australia.



FORM I.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.FORM OF NOTICE THAT HEARING BEFORE COMMISSIONER WILL BE  
ATTENDED.

SIR,

I, (1)

(1) Insert Name.

of (2)

(2) Insert  
Address.

hereby give notice that the hearing in reference to Application No.

dated

the                      day of                      A.D.    190    , made by

will be attended by myself or by some person on my behalf.

I have the honour to be,

Sir,

Your obedient Servant,

(3)

(3) Signature  
of Applicant  
or person  
authorized on  
his behalf.To the Commissioner of Patents,  
Commonwealth of Australia.

FORM J.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## APPLICATION TO AMEND SPECIFICATION OR DRAWINGS.

Place—

Date—

I, (1)  
 WE, (1)  
 (1) Here insert  
 (in full)  
 Name and  
 Address of  
 Applicant or  
 Applicants. seek leave to amend the  
 of Application No. dated the day of A.D. 190  
 Patent  
 as shown in red ink in the copy of the original  
 duly certified hereunto annexed.

\* These words  
 to be struck  
 out when  
 Letters  
 Patent not  
 sealed, or, if  
 sealed, the  
 Application is  
 made in  
 pursuance of  
 an Order of  
 the Court, or  
 a Justice or  
 Judge  
 thereof.  
 \*I  
 We declare that no action for infringement or proceeding for revocation of the  
 Letters Patent in question is pending.

(2) Here state reasons for seeking Amendment. (2)  
 My reasons for making this amendment are as follow :—

(3) Name (in full) of Applicant or Applicants. (3)  
 To the Commissioner of Patents,  
 Commonwealth of Australia.

SECTION 78.—No amendment shall be allowed that would make the specification as amended claim an invention substantially larger than or substantially different from the invention claimed by the specification before amendment.

REGULATION 86.—Where a request for leave to amend is made in pursuance of an Order of the Court or a Justice or Judge thereof, an official copy of the Order shall be left, with the request, at the Patent Office.

FORM K.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## OPPOSITION TO AMENDMENT OF SPECIFICATION OR DRAWINGS.

{To be furnished in duplicate.}

Place—

Date—

I, (1)

hereby give notice of my intention to oppose the Application to Amend the Specification (or Drawings) of Application No.                      dated the                      day of                      Patent

A.D. 190    , upon the ground

(1) Here insert  
(in full)  
Name and  
Address of  
Opponent.

(2)

(2) Here state  
Ground of  
Opposition.

My address for service in the Commonwealth is (3)

(3) Here state  
Address in  
the Common-  
wealth for  
Service of  
Declaration.

(4)

(4) Name (in  
full) of  
Opponent.

To the Commissioner of Patents,  
Commonwealth of Australia.

---

REGULATION 99.—On the hearing of the case no Opposition shall be allowed on any other grounds than that the specification if amended as desired would make the specification claim an invention substantially larger than or substantially different from the invention claimed by the specification before amendment.

FORM L.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

*The Patents Act 1903.*PETITION FOR GRANT OF COMPULSORY LICENCE, OR REVOCATION  
OF PATENT.To the Commissioner of Patents,  
Commonwealth of Australia.

THE Petition of

of

in the State of

being a person interested in the matter of this Petition as hereinafter described :—

Showeth as follows :—

(1) Here insert      A Patent No. (1)      dated the      day of      A.D.

Number and  
Date of  
Patent.

(2) Here insert 190      , was granted to (2)

Name of  
Patentee or  
Patentees.

(3) Here insert for an invention entitled (3)

Title of  
Invention.

(4) State fully      The grounds on which the prayer of this Petition is founded are, as follow :—(4)

in numbered  
paragraphs  
the grounds  
on which the  
petitioner  
relies to  
support his  
prayer.

Having regard to the circumstances above stated, the Petitioner alleges that the reasonable requirements of the public with respect to the patented invention have not been satisfied.

(5) State nature      Your Petitioner therefore prays for the grant of a compulsory licence to him (5)

of licence  
asked for by  
petitioner.      or in the alternative for the revocation of the patent.

Dated this      day of      A.D. 190

(6) Name or  
Names in full.

*Signature of Petitioner—(6)*

FORM M.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.OPPOSITION TO PETITION FOR GRANT OF COMPULSORY LICENCE OR  
REVOCATION OF PATENT.

Place—

Date—

I,  
We,

hereby give notice of Opposition to the Petition of

in regard to Patent No.  
A.D. 190 .

dated the

day of

The grounds upon which <sup>I</sup><sub>we</sub> oppose the said Petition are as follow :—(1)(1) Here state  
fully the  
grounds of  
Opposition:*Signature of Patentee* (2)(2) Name or  
Names in full.To the Commissioner of Patents,  
Commonwealth of Australia.

FORM N.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

*The Patents Act 1903.*APPLICATION FOR CERTIFICATE THAT THE RENEWAL FEE HAS  
BEEN PAID.

Place—

Date—

(1) Here insert I, (1)  
(in full)  
Name and  
Address of  
Patentee or  
his Agent.

hereby apply for a Certificate that the Renewal Fee has been paid in respect of  
Patent No. , dated the day of A.D. 190 ,

2) Here insert granted to (2)  
Name of and hereby transmit the sum of £5 in  
Patentee. payment therefor.

(3) Name (in  
full) of  
Patentee or  
his Agent.

*Signature—(3)*

To the Commissioner of Patents,  
Commonwealth of Australia.

FORM O.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

CERTIFICATE OF RENEWAL.

LETTERS PATENT No. , DATED THE DAY OF , A.D. 190 .

Patent Office,

190 .

THIS is to certify that  
did on the day of 190 , pay the Renewal fee  
of £5 in respect of the above-mentioned Patent and that by virtue of such payment  
the rights of the Patentee remain in force until the day of  
A.D. 190 .

(SEAL)

*Commissioner of Patents.*

FORM P.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

APPLICATION FOR ENLARGEMENT OF TIME FOR PAYMENT OF  
RENEWAL FEE.

Place—

Date—

(1) Here insert (in full) Name and Address to which reply is to be sent. I, We, (1) hereby

hereby apply for an enlargement of time for \_\_\_\_\_ month in which to

2) Here insert Name of Patentee. pay the Renewal fee of £5 in respect of (2) , Patent No

, dated the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 190\_\_\_\_, and I  
 we

transmit herewith the sum of £ : : in payment for such enlargement.

3) The circumstances must be stated in detail.

4) Signature of Applicant. (4)

To the Commissioner of Patents,  
Commonwealth of Australia.



FORM Q.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## REQUEST TO ENTER NAME UPON THE REGISTER OF PATENTS.

Place—

Date—

I,  
We, (1)

hereby request that you will enter <sup>my</sup><sub>our</sub> name in the Register of Patents. I <sup>claim</sup><sub>claim</sub> <sup>We</sup><sub>We</sub> to be entitled (2)

of the Patent No.  
granted to (3)

dated the

day of

A.D. 190

for (4)

by virtue of (5)

(1) Here insert  
(in full)  
Name,  
Address, and  
Occupation of  
Applicant or  
Applicants.  
(2) Here insert  
the Nature of  
the Claim  
(e.g., as  
Assignee.)

(3) Here insert  
(in full)  
Name,  
Address, and  
Occupation of  
Patentee or  
Patentees.

(4) Here insert  
Title of  
Invention.

(5) Here specify  
the particu-  
lars of such  
Document,  
giving the  
Date and the  
Parties to the  
same, and  
showing how  
the Claim  
here made is  
substantiated.

And in proof whereof I <sup>transmit</sup><sub>we</sub> the accompanying (6)

(6) Here insert  
the Nature of  
the document.

with an attested copy thereof.

Signature of Witness (7)

Signature of Applicant (7)

(7) Name or  
Names in full.

To the Commissioner of Patents,  
Commonwealth of Australia.

FORM R.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.REQUEST TO ENTER NOTIFICATION OF LICENCE OR OTHER DOCUMENT  
IN THE REGISTER OF PATENTS.

Place—

Date—

(1) Here insert <sup>I,</sup>  
(in full) We, (1)  
Name and  
Address.

(2) Here insert hereby transmit an attested copy of (2)  
a Description  
of the Nature  
of the  
Document.

under Patent No.                      dated the                      day of                      A.D. 190  
as well as the original document for verification, and <sup>I</sup>  
we have to request that a  
notification thereof may be entered in the Register.

(Signature)

To the Commissioner of Patents,  
Commonwealth of Australia.

FORM S.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## APPLICATION FOR DUPLICATE OF PATENT.

Place—

Date—

SIR,

I  
We hereby inform you that the Patent dated (1)

(1) Here insert  
(in full)  
Date, Num-  
ber, Name,  
and Address  
of Grantee.

No. (1) granted to (1)

for an invention entitled (2)

(2) Here insert  
Title of  
Invention.

has been (3)

(3) Here insert  
the word  
"destroyed"  
or "lost," as  
the case may  
be, and state  
in full the  
circumstances  
of the case,  
which must  
be verified by  
statutory  
declaration.

I  
We beg therefore to apply for the issue of a duplicate of such Patent.

*Signature of Witness—*

*Signature of Patentee—*

To the Commissioner of Patents,  
Commonwealth of Australia.

FORM T.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.INDORSEMENT OF ASSIGNMENT UPON LETTERS PATENT UNDER  
SECTION 21.I,  
We,

of

(the transferror), in consideration of the sum of £ : : ., paid to <sup>me</sup><sub>us</sub> by

of

(the transferee) hereby assign and transfer to the said

all <sup>my</sup><sub>our</sub> right title and interest in and to the said Letters Patent numbered

To hold unto the said

<sup>his</sup>  
their executors, administrators, and assigns, subject to the several conditions on which<sup>I</sup>  
we hold the same, and <sup>I</sup><sub>we</sub>, the said

hereby accept the said Letters Patent subject to the same conditions.

In witness whereof <sup>I</sup>  
we have hereunto affixed <sup>my</sup><sub>our</sub> hands and seals this

day of                      A.D. 190

Signed, sealed, and delivered by the said }  
Transferror in the presence of— } (L.S.)Signed, sealed, and delivered by the said }  
Transferee in the presence of— } (L.S.)

FORM U.

PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## REQUEST FOR CORRECTION OF CLERICAL ERROR.

Place—

Date—

SIR,

I,  
We, (1)(1) Here insert  
(in full)  
Name and  
Address.

hereby request that the following Clerical Error (or Errors) may be corrected in the manner shown in red ink in the certified copy of the original (2)

(2) Here state  
whether in  
Application,  
Specification,  
or Register.

hereunto annexed.

(3)

To the Commissioner of Patents,  
Commonwealth of Australia.

(3) Signature of  
Applicant or  
Patentee.

FORM V.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

*The Patents Act 1903.*

CERTIFICATE OF COMMISSIONER.

Patent Office,

190 .

I,

Commissioner of Patents, hereby certify that

(SEAL)

*Commissioner of Patents.*

To

FORM W.

## THE SECOND SCHEDULE.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

## REQUEST FOR ALTERATION OF AN ADDRESS IN REGISTER.

Place—

Date—

SIR,

Patent No.

I,  
We, (1)(1) Here insert  
(in full)  
Name and  
Address of  
Applicant.

hereby request that <sup>my</sup><sub>our</sub> address now upon the Register of Patents may be  
altered as follows :—(2)

(2) Here insert  
full Address  
to be entered  
upon the  
Register.

(3)

(3) Signature of  
Applicant.

To the Commissioner of Patents,  
Commonwealth of Australia.

FORM X.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903APPLICATION FOR ENTRY OF ORDER OF THE HIGH COURT OR THE  
SUPREME COURT IN THE REGISTER.

Place—

Date—

(1) Here insert I,  
(in full) We, (1)Name and  
Address of  
Applicant.

(2) The High hereby transmit an office copy of an Order of (2).

Court,  
Supreme  
Court, or a  
Justice or  
Judge  
thereof.(3) Here state with reference to (3)  
the purport  
of the Order.

and request you to rectify the Register of Patents accordingly.

*Signature—*To the Commissioner of Patents,  
Commonwealth of Australia.



FORM Y.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

APPEAL TO LAW OFFICER.

Place—

Date—

I,  
We, (1)(1) Here insert  
(in full)  
Name and  
Address of  
Applicant.

hereby give notice of <sup>my</sup><sub>our</sub> intention to appeal to the Law Officer from the direction  
of the Commissioner of Patents of the                      day of                      A.D.  
190   , whereby he (2)

(2) Here insert  
terms of the  
Direction.

Application No.                      dated the                      day of                      A.D. 190   ,

*Signature of Applicant—*

To the Commissioner of Patents,  
Commonwealth of Australia.

FORM Z.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.

APPEAL TO THE HIGH COURT OR TO THE SUPREME COURT.

Place—

Date—

(1) Here insert  
(in full)  
Name and  
Address of  
Applicant.

I,  
We, (1)

hereby give notice of my intention to appeal to the High Court from the  
our decision of the Commissioner of Patents of the Supreme day of A.D. 190

(2) Here insert whereby he (2)

"refused to  
accept Appli-  
cation for  
Patent,"

"Application  
for Amend-  
ment," or  
otherwise, as  
the case may  
be.

State also the  
terms of such  
refusal.

Application No.  
Patent

dated the

day of

A.D. 190 .

*Signature of Applicant—*

To the Commissioner of Patents,  
Commonwealth of Australia.

FORM AA.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

*The Patents Act 1903.*

## REGISTER OF PATENT ATTORNEYS.

Official No.	Date of Registration.	Name.	Designation.	Address.	Memorandum of any proceeding after Registra- tion is made.

FORM BB.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.FORM OF DECLARATION TO BE MADE BY A PERSON APPLYING  
FOR REGISTRATION AS A PATENT ATTORNEY.

(1) Here insert I, (1)  
Names in full,  
and, in case of  
a firm, add  
"Member of  
the firm of."

(2) Here insert of (2)  
Address.

(3) Here insert in the state of (3) , Commonwealth of Australia,  
Name of  
State.

Patent Agent, do solemnly and sincerely declare that I was at the commencement of  
the *Patents Act* 1903, *bonâ fide* practising as a Patent Agent at in the

(4) Here state State of , and had been so practising for (4)  
length of  
time Appli-  
cant has  
practised (not  
being less than  
six months). prior to the first day of June, A.D. 1904, the date of such commence-  
ment, and in the course of my practice I acted as Agent in relation to the  
See Section 105.

(5) Insert particulars of following matters, namely:—(5)  
matters.

in the Patent Office of the State of , and that I desire to have  
my name registered as a Patent Attorney, in pursuance of the *Patents Act* 1903.  
And I make this solemn declaration, conscientiously believing it to be true.

Declared by the said Declarant at

this day of A.D. 190

Before me—

To the Commissioner of Patents,  
Commonwealth of Australia.

## COMMONWEALTH OF AUSTRALIA.

[PATENTS.]

The *Patents Act* 1903.FORM OF DECLARATION TO BE MADE BY A PERSON FORMERLY  
EMPLOYED AS AN OFFICER IN THE PATENT OFFICE OF A  
STATE APPLYING FOR REGISTRATION AS A PATENT ATTORNEY.

I, (1)  
of (2)  
in the State of \_\_\_\_\_, Commonwealth of Australia, do  
solemnly and sincerely declare that I was an officer in the Patent Office of the State  
of \_\_\_\_\_ for the period of \_\_\_\_\_, and was employed in  
the capacity of (3) \_\_\_\_\_, and that  
during the period in which I was so employed I gained a sufficient knowledge of  
patent law and practice to enable me to practise the profession of a Patent  
Attorney, and that I desire to have my name registered as a Patent Attorney in  
pursuance of the provisions of the *Patents Act* 1903.

(1) Here insert

Name in full.

(2) Here insert

Address.

(3) Here insert  
particulars of  
office held by  
Applicant.

And I make this solemn declaration, conscientiously believing it to be true.

Declared by the said Declarant at

this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 190

Before me—

To the Commissioner of Patents,  
Commonwealth of Australia.

FORM DD.

## COMMONWEALTH OF AUSTRALIA.

[PATENTS ]

The *Patents Act* 1903.COMMISSIONER'S CERTIFICATE OF REGISTRATION OF A PATENT  
ATTORNEY.

I, \_\_\_\_\_ Commissioner of Patents, hereby  
certify that  
of \_\_\_\_\_ in the  
State of \_\_\_\_\_, Commonwealth of Australia, was on the \_\_\_\_\_ day of  
A.D. 190 \_\_\_\_\_ registered as a Patent Attorney, and that he is authorized to practise  
as a Patent Attorney in any part of the Commonwealth of Australia, so long as his  
name remains on the Register of Patent Attorneys.

Given under my hand and the seal of the Patent Office at

this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 190 .

(L.S.)

Commissioner of Patents.

FORM EE.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.BOARD OF EXAMINERS' CERTIFICATE THAT CANDIDATE HAS  
PASSED THE PATENT ATTORNEY'S EXAMINATION.

The Board appointed for the purpose of examining candidates for registration as Patent Attorneys, hereby certifies that  
 , of , having been  
 duly examined by it as to his knowledge of Patent Law and practice and the duties  
 of a Patent Attorney, has passed the examination and satisfied the Board that he  
 is qualified to practise as a Patent Attorney.

Given under

hand at  
day ofthis  
A.D. 190 .

*Signature of Chairman of Board  
 or the Authorized Member or  
 Members thereof.*

FORM FF.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.FORM OF NOTICE OF INTENTION TO BECOME A CANDIDATE FOR  
THE PATENT ATTORNEY'S EXAMINATION.

Place—

Date—

To the Secretary to the Board of Examiners  
 for Patent Attorneys.

SIR,

I hereby give you notice that I am a Candidate for registration as a Patent Attorney and that I intend to present myself for examination by the Board at the Patent Attorney's Examination, to be held at on

The above address is that to which I desire that all notices or communications to me may be sent.

(Signature) —

FORM GG.

[PATENTS.]

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.FORM OF DECLARATION BY CANDIDATE FOR PATENT ATTORNEY'S  
EXAMINATION.

I, (1)  
of  
in the State of \_\_\_\_\_, Commonwealth of Australia, do solemnly  
and sincerely declare as follows :—

(1) Name in full,  
with present  
Address,  
Occupation,  
or Designa-  
tion (if any).

I am \_\_\_\_\_ years of age.

I was educated at (2)

(2) State  
Name of  
Educational  
Establish-  
ment and in  
what Country  
situated.

I (3)

(3) State if  
holding any  
Academical or  
Certificated  
Degree, and  
describe  
Academy or  
College.

I (4)

(4) If lately  
employed,  
state where  
and at what  
Profession,  
Trade, or  
Business.

And I further declare that I am of good fame and character, and that I have not done or committed any act or thing which would make me an improper person to be registered as a Patent Attorney; and I further declare that the Certificate annexed hereto is true and correct in every particular, and that I was well known to the persons who subscribed it for the period therein stated.

And I make this declaration, conscientiously believing it to be true.

*Signature of Declarant—*

Declared at \_\_\_\_\_ in the State of \_\_\_\_\_ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. 190\_\_\_\_  
Before me—

To the Secretary to the Board of Examiners  
for Patent Attorneys.

FORM HH.

[PATENTS].

COMMONWEALTH OF AUSTRALIA.

The *Patents Act* 1903.FORM OF CERTIFICATE TO BE LODGED BY CANDIDATE FOR PATENT  
ATTORNEY'S EXAMINATION.To the Chairman of the Board of Examiners  
for Patent Attorneys.

We, the undersigned, hereby certify that we have known and have been acquainted with \_\_\_\_\_ for the period of twelve months at least immediately before the date of this certificate, and that we believe him to be a person of good fame and character, and fitted to be admitted to practise as a Patent Attorney in the Commonwealth of Australia.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 190 .

Signed by the said \_\_\_\_\_  
in my presence—

J.F.

N.B.—This certificate is to be signed by three adult persons in the presence of and be attested by a Justice of the Peace. It is not necessary that the same Justice should attest each signature.