

STATUTORY RULES.

1910. No. 43.

PROVISIONAL REGULATION UNDER THE PATENTS ACT 1903-1909.

I THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby certify that, on account of urgency, the following Regulation under the *Patents Act* 1903-1909 should come into immediate operation, and make the Regulation to come into operation forthwith as a Provisional Regulation.

Dated this twenty-seventh day of April, One thousand nine hundred and ten.

DUDLEY,
Governor-General.

By His Excellency's Command,
R. W. BEST,
Minister of State for Trade and Customs.

The Patents Regulations 1909 (Statutory Rules 1909, No. 96) are amended by inserting therein, after regulation 133, the following heading and regulations:—

EXTENSION OF PATENT UNDER SECTION 84 OF THE ACT.

133A.—(1) A patentee (hereinafter called the petitioner) intending to apply by petition to the High Court or the Supreme Court for an extension of the term of his patent under section 84 of the Act shall give public notice by advertising three times in the *Australian Official Journal of Patents*, once in the *Commonwealth of Australia Gazette*, and once at least in the capital city of each State in a daily newspaper published in that city.

Advertisement of Petition for Extension of Patent.

- (2) The petitioner shall state in each advertisement—
- (a) an address for service within the Commonwealth;
 - (b) a time, not being more than three months or less than one month, within which the petition is to be filed, and
 - (c) whether the petition is to be filed in the High Court or in the Supreme Court, and, if in the former, the name of the registry in which it is to be filed.

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Officer to whom Caveat may be Addressed.

133B.—The prescribed officer to whom a caveat against the extension of the term of a patent may be addressed shall be—

- (a) in the case of a petition to the High Court, if the petition is or is to be filed in the Principal Registry, the Principal Registrar; and if the petition is or is to be filed in a District Registry, the District Registrar of the Registry in which the petition is or is to be filed; and
- (b) in the case of a petition to the Supreme Court, the Prothonotary.

Procedure on Petition.

133C.—Subject to the Act, the proceedings in relation to the petition shall be as directed by Rules of Court, or as the Court or a Justice or Judge thereof in each case directs.