PUBLISHERS' BOOKSELLERS & EXPORTERS
STEVENS & HAYNES
BELL YARD, TEMPLE BAR,
LONDON.

1906.

# VALUABLE LAW WORKS

PUBLISHED BY

# STEVENS AND SONS,

LIMITED,

119 & 120, CHANCERY LANE, LONDON, W.C.

---

**Hart's Law of Banking.**—*Second Edition.* With a New Appendix on the Law of Stock Exchange Transactions. By HEBER HART, LL.D., Barrister-at-Law. *Royal* 8vo. 1906. *Price* 1*l.* 10*s. cloth.*

"This is an excellent book in every respect, and will be found most useful by persons engaged in the business of banking and their advisers. It is lucid in its arrangement, concise and accurate in expression, and deals with all the subjects which the title implies in a very complete and exhaustive manner."—*Law Quarterly Review.*

**Leake's Principles of the Law of Contracts.**—*Fifth Edit.* By A. E. RANDALL, Barrister-at-Law. *Royal* 8vo. 1906. *Price* 1*l.* 12*s. cloth.*

**Bullen and Leake's Precedents of Pleadings in Actions** in the King's Bench Division of the High Court of Justice. With Notes. *Sixth Edition.* By CYRIL DODD, K.C., and T. WILLES CHITTY, Barrister-at-Law, a Master of the Supreme Court. *Royal* 8vo. 1905. *Price* 1*l.* 18*s. cloth.*

**Smith's Compendium of Mercantile Law.**—*Eleventh Edit.* By EDWARD LOUIS DE HART and RALPH ILIFF SIMEY, Barristers-at-Law. *Two Vols. Royal* 8vo. 1905. *Price* 2*l.* 2*s. cloth.*

**Russell's Treatise on the Power and Duty of an Arbitrator,** and the Law of Submissions and Awards. *Ninth Edition.* By EDWARD POLLOCK, an Official Referee of the Supreme Court, and H. W. POLLOCK, Barrister-at-Law. *Royal* 8vo. 1906. *Price* 1*l.* 10*s. cloth.*

**Williams' Law of Executors and Administrators.**—*Tenth Edition.* By the RIGHT HON. SIR ROLAND VAUGHAN WILLIAMS, a Lord Justice of Appeal, and ARTHUR ROBERT INGPEN, K.C. *Two Vols. Royal* 8vo. 1905. *Price* 4*l. cloth.*

**Dart's Vendors and Purchasers.**—*Seventh Edition.* By BENJAMIN L. CHERRY, one of the Editors of "Prideaux's Precedents in Conveyancing," G. E. TYRRELL, ARTHUR DICKSON and ISAAC MARSHALL, assisted by L. H. ELPHINSTONE, Barristers-at-Law. *Two Vols. Royal* 8vo. 1905. *Price* 3*l.* 15*s. cloth.*

**Prideaux's Precedents in Conveyancing.**—With Dissertations on its Law and Practice. *Nineteenth Edition.* By JOHN WHITCOMBE and BENJAMIN LENNARD CHERRY, Barristers-at-Law. *Two Vols. Royal* 8vo. 1904. *Price* 3*l.* 10*s. cloth.*

**Brickdale and Sheldon's Land Transfer Acts.**—By C. FORTESCUE BRICKDALE, Registrar at the Land Registry, and W. R. SHELDON, Barristers-at-Law. *Second Edition. Royal* 8vo. 1905. *Price* 25*s. cloth.*

**Theobald's Concise Treatise on the Law of Wills.**—*Sixth Edition.* By H. S. THEOBALD, K.C. *Royal* 8vo. 1905. *Price* 1*l.* 15*s. cloth.*

**Odgers on Libel and Slander.**—*Fourth Edition.* By W. BLAKE ODGERS, LL.D., K.C., and J. BROMLEY EAMES, Barrister-at-Law. *Royal* 8vo. 1905. *Price* 1*l.* 12*s. cloth.*

**Cripps' Treatise on the Principles of the Law of Compensation.** By C. A. CRIPPS, K.C. *Fifth Edition.* By the AUTHOR, assisted by A. T. LAWRENCE, Barrister-at-Law. *Royal* 8vo. 1905. *Price* 1*l.* 6*s. cloth.*

**Registration Cases, 1905.**—By C. LACEY SMITH, Barrister-at-Law. *Royal* 8vo. 1906. *Price* 7*s.* 6*d. sewed.*

---

*** A Catalogue of New Law Works post free on application.*

**Archbold's Pleading, Evidence and Practice in Criminal** Cases.—With the Statutes, Precedents of Indictments, &c. *Twenty-third Edition.* By WILLIAM F. CRAIES and GUY STEPHENSON, Barristers-at-Law. *Demy* 8vo. 1905. *Price* 1*l.* 15*s.* *half morocco.*

**Cohen's London Building Acts, 1894 to 1905.**—With Introductions and Notes, and the Bye-Laws, Regulations and Standing Orders of the Council, &c., &c. By E. ARAKIE COHEN, Barrister-at-Law. *Royal* 8vo. 1906. *Price* 25*s.* *cloth.*

**Pollock's Digest of the Law of Partnership.**—*Eighth Edition.* With an Appendix of Forms. By Sir FREDERICK POLLOCK, Bart., Barrister-at-Law, Author of "Principles of Contract," "The Law of Torts," &c. *Demy* 8vo. 1905. *Price* 10*s.* *cloth.*

**Williams' Law and Practice in Bankruptcy.**—By the Right Hon. Sir ROLAND L. VAUGHAN WILLIAMS, a Lord Justice of Appeal. *Eighth Edition.* By EDWARD WM. HANSELL, assisted by R. E. L. VAUGHAN WILLIAMS and D. H. CROMPTON, Barristers-at-Law. *Royal* 8vo. 1904. *Price* 1*l.* 10*s.* *cloth.*

**Coote's Treatise on the Law of Mortgages.**—*Seventh Edition.* By SYDNEY EDWARD WILLIAMS, Barrister-at-Law, Author of "The Law Relating to Legal Representatives," &c. *Two Vols. Roy.* 8vo. 1904. *Price* 3*l.* 3*s.* *cloth.*

**Bonner & Farrant's Law of Motor Cars, Hackney and** other Carriages.—*Second Edition.* By G. A. BONNER and H. G. FARRANT, Barristers-at-Law. *Demy* 8vo. 1904. *Price* 12*s.* 6*d.* *cloth.*

**Bowen-Rowlands on Criminal Proceedings on Indict-** ment and Information.—By E. BOWEN-ROWLANDS, Barrister-at-Law. *Demy* 8vo. 1904. *Price* 12*s.* 6*d.* *cloth.*

**Talbot's Law and Practice of Licensing.**—*Second Edition.* By GEORGE JOHN TALBOT, Barrister-at-Law. *Royal* 12*mo.* 1905. *Price* 10*s.* 6*d.* *cloth.*

**Heywood & Massey's Lunacy Practice.**—*Second Edition.* By ARTHUR HEYWOOD and ARNOLD MASSEY, Solicitors, with the assistance of CHARLES GARNETT, Barrister-at-Law. *Demy* 8vo. 1905. *Price* 9*s.* *cloth.*

**Hall's Law relating to Children.**—*Second Edition.* By W. CLARKE HALL and CECIL W. LILLEY, Barristers-at-Law. *Demy* 8vo. 1905. *Price* 10*s.* 6*d.* *cloth.*

**Pritchard's Quarter Sessions.**—*Second Edition.* By JOSEPH B. MATTHEWS and V. GRAHAM MILWARD, Barristers-at-Law. 8vo. 1904. *Price* 1*l.* 11*s.* 6*d.* *cloth.*

**Carver's Treatise on the Law relating to the Carriage of** Goods by Sea.—*Fourth Edition.* By THOMAS GILBERT CARVER, K.C. *Royal* 8vo. 1905. *Price* 1*l.* 16*s.* *cloth.*

**Schwabe & Branson's Treatise on the Laws of the Stock** Exchange.—By WALTER S. SCHWABE and G. A. H. BRANSON, Barristers-at-Law. *Demy* 8vo. 1905. *Price* 12*s.* 6*d.* *cloth.*

**Addison on Contracts.**—A Treatise on the Law of Contracts. *Tenth Edition.* By A. P. PERCEVAL KEEP and WILLIAM E. GORDON, Barristers-at-Law. *Royal* 8vo. 1903. *Price* 2*l.* 2*s.* *cloth.*

**Buchan's Law relating to the Taxation of Foreign** Income. By JOHN BUCHAN, Barrister-at-Law. With Preface by the Right Hon. R. B. HALDANE, K.C., M.P. *Demy* 8vo. 1905. *Price* 10*s.* 6*d.* *cloth.*

**Deans' Student's Legal History.**—*Second Edition.* By R. STORRY DEANS, Barrister-at-Law. *Demy* 8vo. 1905. *Price* 6*s.* *cloth.*

**Ridges' Constitutional Law of England.**—By E. WAVELL RIDGES, Barrister-at-Law. *Demy* 8vo. 1905. *Price* 12*s.* 6*d.* *cloth.*

**Spencer's Agricultural Holdings (England) Acts, 1883—** 1900, with Explanatory Notes. *Third Edition* By AUBREY J. SPENCER, Barrister-at-Law. *Demy* 8vo. 1906. *Price* 7*s.* 6*d.* *cloth.*

*** A large Stock of Second-hand Law Reports and Text-books on Sale.*

THE UNIVERSITY OF GEORGIA

LAW LIBRARY

LAW LIBRARY
UNIVERSITY OF GEORGIA

# THE LAW

OF

# TRADE MARK REGISTRATION

UNDER

# THE TRADE MARKS ACT, 1905.

BY

**LEWIS BOYD SEBASTIAN, B.C.L., M.A.,**

OF LINCOLN'S INN, ESQ., BARRISTER-AT-LAW,

*Author of "The Law of Trade Marks," "A Digest of Trade Mark Cases," &c., &c.*

LONDON:

STEVENS AND SONS, LIMITED,

119 & 120, CHANCERY LANE,

Law Publishers.

1906.

RECEIVED 56

DEC 17 19[illegible]

FROM

Adams & Adams



# INTRODUCTION.

The history of the Acts for regulating the registration of trade marks is the history of a continued struggle on the part of the mercantile community to bring about a state of the law suited to their practical requirements, of repeated attempts on the part of the Legislature to comply with those requirements, and of a succession of discoveries of the failure of the language employed, when submitted to judicial decision, to carry out the objects arrived at.

The most familiar example of this is in connection with the provisions relating to the registration of words as trade marks. When the original Act of 1875 was passed it was thought that the difficulties affecting this subject were insurmountable, and the registration of words was simply dismissed from consideration, except in cases of old user, to which a concession was made by permitting the registration of any "special and distinctive word" used as a trade mark before the passing of the Act. This did not meet the needs of commerce, so in the Act of 1883 provision was made for the registration of words as new marks; but unfortunately, instead of allowing the registration of a "special and distinctive word" as a trade mark, the phrase "fancy word not in common use," which had previously been in fairly general use with much the same meaning as that attached to the phrase "special and distinctive word,"

was introduced, and before long it was discovered that the true signification of the term employed was so restricted that practically every word which came into question was ruled out for one reason or another. Then came Lord Herschell's Committee and the Act of 1888, which introduced two alternatives, the one being "an invented word" and the other "a word having no reference to the character or quality of the goods." Here, again, the Courts at first considered it necessary to examine the words submitted to them with the same rigidity as before; but the decision of the House of Lords in the "Solio" case did much to relax the tension in the case of "invented words," while remote allusions to character or quality continued to exclude large classes of words. Unfortunately, too, the decision in the "Solio" case was accompanied by *dicta* of a somewhat ambiguous kind, which have been gradually leading to the whole weary round being begun anew. The true question, when the registrability of a word has to be considered, ought to be, as the learned Registrar stated in his evidence before the late Select Committee of the House of Commons: "Is this a word that may or may not be wanted and reasonably wanted for use in trade," *i.e.*, by traders other than the particular trader applying for registration? If yes, registration should be refused, otherwise it should be allowed, and this is the standard to which the definition in the Act of Parliament should be made to conform. Whether the definition in the new Act does so or not will no doubt be decided before long by the Courts; but if it does not there can be little doubt that the present Act will not be the last attempt to deal with the question of trade mark registration.

Another instance which may be given has reference to the necessity felt by traders for the use and registration of a number of marks substantially identical, while differing in minor respects. Such registrations have frequently been permitted, but in other instances the Courts have objected to the registration of a mark very similar to one already standing in the same name, on the ground that the existing registration afforded sufficient protection for both variations, and that to allow what was considered to be in substance a re-registration of the same mark would be to cumber the register unnecessarily. Now that the number of marks brought under the Acts approximates to three hundred thousand, this objection is hardly one of substance, and it makes no allowance for trading requirements or foreign registrations. The point is successfully dealt with by the new Act.

A number of these defects in the former Acts were brought to light from time to time, and for some years past attempts have been made by representatives of commerce to obtain desired improvements. At last, in 1905, a Bill was introduced into the House of Commons by Mr. J. Fletcher Moulton, K.C., M.P. (now Lord Justice Moulton), which was the outcome of a combination of two drafts, one prepared by Mr. Moulton and the other by the London Chamber of Commerce. The Bill was sent to a Select Committee, composed of Mr. Cripps, K.C. (Chairman), Mr. Moulton, K.C., Mr. Butcher, K.C., Mr. Eve, K.C., Sir F. Fison, Sir W. Palmer, Sir C. Renshaw, Mr. Blake and Mr. Tillett. The Committee sat on fifteen

days, and heard fifteen witnesses—Mr. Moulton (the introducer of the Bill), Mr. C. N. Dalton, C.B. (Comptroller), Mr. R. Griffin (Registrar), Sir F. Hopwood, K.C.B., C.M.G. (Board of Trade), Messrs. J. E. Evans-Jackson, T. McKenna and E. J. Trustram (London Chamber of Commerce), Messrs. C. Bailey, F. Ashworth and M. J. Riley (Manchester Chamber of Commerce), Mr. T. R. Ferens (Hull Chamber of Commerce), Mr. A. Ashworth (Bury Chamber of Commerce), Mr. W. H. Coats (J. & P. Coats, Ltd.), Mr. J. McMurray (United Turkey Red Co., Ltd.), and Mr. S. K. Holman (Royal Warrant Holders' Association, Ltd.). The Bill settled by the Committee received some amendments in the House of Lords, but was passed through both Houses with unexampled rapidity, and became law on the 11th August, 1905. It forms a separate and distinct code of the law regulating the registration of trade marks, the only exception consisting of the provision for international and colonial arrangements, which continues to form a part of the Patents Acts.

It has not been thought necessary, in this treatise on the new Act of Parliament, to encumber the work with many authorities, or to deal with all the points affecting the law of trade marks. For these reference may be made to the author's Law of Trade Marks (4th ed. 1899), where the cross-references in the present work between the new Act and the old will facilitate inquiry.

# TABLE OF CONTENTS.

PAGE

TABLE OF CASES ..... ix

THE LAW OF TRADE MARK REGISTRATION ..... 1

APPENDIX A.

THE TRADE MARKS ACT, 1905, AND THE RULES THEREUNDER, WITH THE COMPTROLLER-GENERAL'S GUIDE TO THE CLASSIFICATION OF GOODS AND INSTRUCTIONS FOR REGISTRATION OF TRADE MARKS ..... 17

APPENDIX B.

INTERNATIONAL ARRANGEMENTS ..... 153

APPENDIX C.

THE TRADE MARKS REGISTRATION ACTS, 1875—1877, WITH THE ORDERS IN COUNCIL THEREUNDER, ALL REPEALED ..... 166

APPENDIX D.

THE PATENTS, DESIGNS, AND TRADE MARKS ACTS, 1883—1902, CONSOLIDATED—REPEALED, EXCEPT AS TO INTERNATIONAL ARRANGEMENTS ..... 173

APPENDIX E.

THE INTERPRETATION ACT, 1889 ..... 194

INDEX ..... 201

# TABLE OF CASES.


PAGE

Apollinaris Co., In re, (1891) 2 Ch. 186 ..... .....13, 14
Baird, Bayer *v.* *See* Bayer *v.* Baird ..... ..... 25
Baker *v.* Rawson, 45 Ch. D. 519 ..... 26
Batt & Co., In re, (1898) 2 Ch. 432; (1899) A. C. 428.....14, 27, 33, 34
Bayer *v.* Baird, 15 P. R. 615..... ..... 25
Bayer *v.* Connell (1897), 1 Ir. R. 544 ..... ..... 49
Birmingham Vinegar Brewery Co., Ltd., Powell *v.* *See* Powell *v.* Birmingham, &c..... ..... 1, 2
Britten, Son-Son Co. *v.* *See* Son-Son Co. *v.* Britten ..... 48
Californian Fig Syrup Co., In re, 40 Ch. D. 620 ..... ... ..... 155
Carter Medicine Co., In re, (1892) 3 Ch. 472..... ..... 155
Connell, Bayer *v.* *See* Bayer *v.* Connell ..... .... ..... 49
Cowie *v.* Herbert, 14 P. R. 436..... .. .. ..... 49
Dennis, Edwards *v.* *See* Edwards *v.* Dennis... ..... 1
Dewar *v.* Dewar, 17 P. R. 341 ..... ..... ..... 49
Dewhurst & Sons, Ltd., In re, (1896) 2 Ch. 137 ... .... ... ..... .. 22
Dunn, Eno *v.* *See* Eno *v.* Dunn ..... .....21, 36
Eastman Photographic Materials Co., Ltd., (1898) A. C. 571 .....iv, 3, 20
Edwards *v.* Dennis, 30 Ch. D. 454 ..... .. ..... .... 1
Ehrmann, In re, (1897) 2 Ch. 495 ..... . ... . ..... ... 27
Eno *v.* Dunn, 15 A. C. 252 .... ..... ..... . ..... . ...21, 36
Hanson, In re, 37 Ch. D. 112 ..... .. .. .. . . . . . 21
Harbord, Perry Davis & Son *v.* *See* Perry Davis & Son *v.* Harbord .. 21
Hart, In re, (1902) 2 Ch. 621 ..... ..... 14
Herbert, Cowie *v.* *See* Cowie *v.* Herbert ... .. ... ..... ..... 49
King & Co., In re, (1892) 2 Ch. 462 ..... . ..... . ... ..... . 49
Kingsford & Sons, In re, 15 P. R. 197..... . . ..... . 21, 39
Lambert, Wood *v.* *See* Wood *v.* Lambert..... .. . ..... ... . 21
Linotype Co., Ltd., In re, (1900) 2 Ch. 258 .. .. ... . ... ..... ... 3
Loftus, In re, (1894) 1 Ch. 193..... .. . .... 25
Magnolia Metal Co., In re, (1897) 2 Ch. 385 .... ..... ..... . ..... .. 20
Montgomery, Thompson *v.* *See* Thompson *v.* Montgomery .. . . 1, 5
New Ormonde Cycle Co., Ltd., In re, (1896) 2 Ch. 520 ..... . . ..12, 31
Normal Co., Ltd., In re, 35 Ch. D. 231..... . ..... . . ...13, 33, 42

PAGE

Perry Davis & Son *v.* Harbord, 15 A. C. 316 ..... 21
Player, In re, (1901) 1 Ch. 382 ..... 23, 26
Powell, In re, (1893) 2 Ch. 388; (1894) A. C. 8 ..... 1, 13
Powell *v.* Birmingham Vinegar Brewery Co., Ltd., (1896) 2 Ch. 54; (1897) A. C. 70 ..... 1, 2
Rawson, Baker *v.* *See* Baker *v.* Rawson ..... 26
Reid *v.* Thomson, 22 P. R. 250 ..... 49
Reynolds, Rosenthal *v.* *See* Rosenthal *v.* Reynolds ..... 25
Rivière & Co., In re, 26 Ch. D. 48; 53 L. T. N. S. 237 ..... 13
Rosenthal *v.* Reynolds, (1892) 2 Ch. 301 ..... 25
Royal Baking Powder Co. *v.* Wright, Crossley & Co., 18 P. R. 95 ... 48
Sen-Sen Co. *v.* Britten, (1899) 1 Ch. 692 ..... 48
Stewart, Dawson *v.* *See* Dawson *v.* Stewart ..... 49
Suter Hartmann and Rahtjen's Composition Co., In re, 19 P. R. 42... 14
Thompson *v.* Montgomery, 41 Ch. D. 35; (1891) A. C. 217 ..... 1, 5
Thomson, Reid *v.* *See* Reid *v.* Thomson ..... 49
Verschure, In re, 22 P. R. 569 ..... 39
Wood *v.* Lambert, 32 Ch. D. 24 ..... 21
Wright, Crossley & Co., In re, 15 P. R. 131, 377... ..... 13
Wright, Crossley & Co., Royal Baking Powder Co. *v.* *See* Royal, &c. Co. *v.* Wright, Crossley & Co. ..... 48
Zwack & Co., Ex parte, 76 U. S. Pat. Gaz. 1855 ..... 155

# THE LAW

OF

# TRADE MARK REGISTRATION.

Registration of trade marks.

THE law of trade mark registration is not equivalent to the law of trade marks. That which is used as a trade mark is still a trade mark, registered or unregistered. But unless that which is used as a trade mark is registered as a trade mark it cannot be protected as a trade mark, except in one case only, which will be explained presently. The difference is, that a trade mark which is entitled to protection as a trade mark cannot be imitated without infringement, whereas a trade mark which is not entitled to protection as a trade mark can only be protected in a passing-off action, in which the plaintiff has to prove, not merely that the mark has been copied, but that the mark in fact identifies his goods. Further than this, he must satisfy the Court that the defendant's conduct is calculated to deceive. It is no doubt true that even in an action for infringement of a trade mark this must be made out; but if the identical trade mark has been taken, and not merely a mark having a resemblance to it, infringement requires no further proof (*a*). Sect. 45 of the present Act expressly lays down that the passing-off action is unaffected by the provisions as to registration; but this has been already recognized by the Courts, *e.g.*, in the "Stone Ales" case (*b*), in which the words were removed from the register but protected by injunction simultaneously, and the "Yorkshire Relish" case, in which the words were similarly expunged (*c*), but were nevertheless protected

(*a*) See *Edwards* v. *Dennis*, 30 Ch. D. 454.

(*b*) *Thompson* v. *Montgomery*, 41 Ch. D. 35; (1891) A. C. 217.

(*c*) *Re Powell*, (1893) 2 Ch. 388; (1894) A. C. 8.

in a passing-off action (*d*). Now for a trade mark to be protected as a trade mark it must be registered (sect. 42), with the one exception, that if the mark was in use before the 13th August, 1875 (the date of the first Trade Marks Registration Act), the proprietor can place himself in a position to have it protected as a trade mark if he applies for registration under the present Act and, failing to obtain registration, obtains a certificate of refusal. (Sect. 42.) It must be noticed that for this purpose it is not sufficient to have applied unsuccessfully for registration under one of the repealed Acts. The latitude provided by the present Act is greater than previously prevailed, and it is made an express condition of protection that an application shall have been made under the more generous conditions. Trade marks may therefore be summed up under three heads: (a) registrable trade marks, which must be registered if they are to be protected as trade marks; (b) non-registrable trade marks used before the 13th August, 1875, which can be protected as trade marks if tendered for registration and refused; (c) non-registrable trade marks not used before the 13th August, 1875, which can only be protected in a passing-off action, this mode of protection being also open to marks falling within classes (a) or (b), but which have not been registered or tendered for registration.

**What can be registered.**

The advantage of being able to rely on registration, without the necessity of having to prove a case of common law fraud, is so obvious that all marks should be tendered for registration and, if possible, registered. Moreover, it is plainly of the first importance that any trader who is desirous of adopting a trade mark for his goods should adopt one which is capable of registration, and that he should put this to the test by applying for and obtaining registration before he risks his capital in building up a business in reliance on his right to protection for the mark on which it is to depend. For this purpose the first section of the Act which has to be considered is sect. 3, which contains the definitions of the expressions "mark," "trade mark," "registrable trade mark," and "registered trade mark." These definitions are as follows:—

"A 'mark' shall include a device, brand, heading, label, ticket, name, signature, word, letter, numeral, or any combination thereof."

(*d*) *Powell* v. *Birmingham Vinegar Brewery Co., Ltd.*, (1896) 2 Ch. 54; (1897) A. C. 710.

"A 'trade mark' shall mean a mark used or proposed to be used upon or in connection with goods, for the purpose of indicating that they are the goods of the proprietor of such trade mark by virtue of manufacture, selection, certification, dealing with, or offering for sale."

"A 'registrable trade mark' shall mean a trade mark which is capable of registration under the provisions of this Act."

"A 'registered trade mark' shall mean a trade mark which is actually upon the register."

The effect of this is that for the purposes of the Act a "mark" may be any of the various matters specified, and that to constitute such a mark a "trade mark" it must be used or intended to be used in trade in one or more of the modes specified, which include not merely marks indicative of manufacture, but also marks indicative of trading, wholesale or retail, and, further, marks indicative of certification, as provided by sect. 62. The definitions of "registrable" and "registered" trade marks call for no comment.

The next point is as to the conditions which entitle a mark to be regarded as a "registrable trade mark." These conditions are laid down by sect. 9, by which such a mark "must contain or consist of at least one of the following essential particulars:—

"(1.) The name of a company, individual, or firm represented in a special or particular manner;

"(2.) The signature of the applicant for registration or some predecessor in his business;

"(3.) An invented word or invented words." As to this reference should be made to the "Solio" case (*e*) and the "Tachytype" case (*f*).

"(4.) A word or words having no direct reference to the character or quality of the goods, and not being according to its ordinary signification a geographical name or a surname;

"(5.) Any other distinctive mark, but a name, signature, or word or words, other than such as fall within the descriptions in the above paragraphs (1), (2), (3) and (4), shall not, except by order of the Board of Trade or the Court, be deemed a distinctive mark;

"Provided always that any special or distinctive word or words, letter, numeral, or combination of letters or numerals, used as a

(*e*) *Re Eastman Photographic Materials Co., Ltd.*, (1898) A. C. 571.
(*f*) *Re Linotype Co., Ltd.*, (1900) 2 Ch. 258.

trade mark by the applicant or his predecessors in business before the thirteenth day of August, one thousand eight hundred and seventy-five, which has continued to be used (either in its original form or with additions or alterations not substantially affecting the identity of the same) down to the date of the application for registration, shall be registrable as a trade mark under this Act.

"For the purposes of this section 'distinctive' shall mean adapted to distinguish the goods of the proprietor of the trade mark from those of other persons.

"In determining whether a trade mark is so adapted, the tribunal may, in the case of a trade mark in actual use, take into consideration the extent to which such user has rendered such trade mark in fact distinctive for the goods with respect to which it is registered or proposed to be registered."

The effect of this section is that a mark which falls within any of the first four sub-sections, or any other distinctive mark, not being a name, signature, or word or words, can be registered without more, as can an old mark which falls within the proviso which follows sub-sect. (5), but other marks consisting of a name, signature, or word or words, can only be registered by utilizing the special provisions of sub-sect. (5).

Names and words.

The first sub-section is not of much importance, as it only protects a particular manner of representation of a particular name, and not the name itself; and the same remark applies to sub-sect. (2). Sub-sects. (3) and (4) applying to words, and sub-sect. (5) so far as it relates to devices, labels, tickets and the like, are of greatly more consequence. But the really new provision, round which controversy is likely to centre, is that contained in the latter part of sub-sect. (5), by which a name, signature, or word or words, which do not fall within any of the earlier sub-sections, can still be registered if an order can be obtained from the Board of Trade or the Court. The applicant has the advantage of being able to select which tribunal he prefers (though if he selects the Board of Trade there is always the possibility that the case may be referred to the Court under sect. 59), but if he selects the Board of Trade, and they hear the case, their decision will be final; whereas if he selects the Court, and the decision is unfavourable, he will be able to appeal up to the House of Lords, if he thinks fit so to do. He will further have the very great advantage, whichever tribunal he selects, of being able to produce evidence of the

extent to which actual user has rendered his mark in fact distinctive for the particular goods. In this respect the new Act is greatly to be preferred to those which went before it, which, except in case of marks used before the 13th August, 1875, paid no attention whatever to actual user or its result. As matters have hitherto stood, words which did not fall within a strict construction of the words of the Acts, even though they were absolutely distinctive of the products of particular traders, could not obtain registration unless they had been used alone as trade marks on the goods before the 13th August, 1875 (*e.g.*, "Stone Ales," "Yorkshire Relish"). Now such words can be registered by leave of the Board of Trade or the Court.

Cotton marks.

It should here be noted that the provisions which apply to trade marks generally are somewhat modified in the case of cotton marks, which will henceforth be governed by sect. 64, by sub-sect. (10) of which section no words, standing alone, are to be registered for cotton piece goods or cotton yarn; no line heading, standing alone, is to be registered for cotton piece goods; and no registration of a cotton mark is to give any exclusive right to the use of any word, letter, numeral, line heading, or any combination thereof.

Colour.

Reverting to trade marks generally, sect. 10 enables trade marks to be limited in whole or in part to one or more specified colours. This has been desired by traders, but except in rare cases not much use is likely to be made of it, seeing that it does not apply to word-marks, and that ordinary devices would be of little value if the same devices could be adopted by other traders if coloured differently.

Restrictions on registration.

Certain restrictions upon registration are imposed by sect. 11, which prohibits the registration as a trade mark, or part of a trade mark, of matter which is open to objection for the reasons therein stated, and Rules 11—16 authorize the registrar to refuse registration for various further reasons. (See p. 54, *post*.) In certain cases there defined the registrar may require consents to be furnished. Further objections arise where marks tendered for registration contain matter which invades the rights of other traders, but it will be more convenient to deal with this topic later on.

Classification of goods.

Under the new Act, as under all that have preceded it, a trade mark must be registered in respect of particular goods or classes of goods (sect. 8), but there is nothing to prevent the registration of

the same mark for a variety of goods, or classes of goods, in which the applicant is trading or intending to trade. For the purpose of registration, goods are classified in fifty classes (Rule 5). The third schedule to the Rules sets out these classes, and the Guide to the classification (p. 106, *post*) serves as an index to them. Rule 16 contains special provision for cases in which the name or a description of any goods appears on a trade mark, in which cases the registrar may refuse to register the mark for any other goods unless the application states that the name or description varies.

Application for registration.

When a person claiming to be the proprietor of a trade mark is desirous of obtaining registration, he must make an application under sect. 12 (1). Such applications (except in the case of Sheffield marks and cotton marks, under sects. 63 and 64) have to be made to the registrar at the Trade Marks Office, and the manner of application is laid down by Rules 17—28.

Procedure on application.

The procedure on receipt of the application is laid down by Rules 29—34. The registrar may refuse the application, or may accept it absolutely, or subject to conditions, amendments, or modifications. (Sect. 12 (2).) Such conditions may include the entry of disclaimers (sect. 15, Rule 34), but such disclaimers are now expressly limited, so as not to affect any rights of the proprietor of the mark except such as arise from the registration. (Sect. 15.) If the applicant desires to appeal against such refusal, or against the imposition of such conditions, amendments, or modifications, he may require the registrar to state in writing the grounds of his decision and the materials used by him. (Sect. 12 (3), Rule 33.) He may appeal either to the Board of Trade or to the Court at his option (sect. 12 (3)), but if he appeals to the Board of Trade the appeal may be referred to the Court. (Sect. 59.) If the Board of Trade hears the appeal, the decision will be final (sect. 59), but if the appeal is heard by the Court the usual opportunities for further appeals will be available. The appellate tribunal has the same power as the registrar to impose conditions, amendments, or modifications (sect. 12 (4)), and the appeal is to be heard on the materials stated by the registrar. (Sect. 12 (5).) If special leave is given to take further grounds of objection the applicant may withdraw his application without payment of costs. (Sect. 12 (5), Rule 128.) Sect. 12 (6) provides for the correction of errors in applications or amendments thereof at any time. Appeals to the Court are brought by way of motion. (Rule 121.) Appeals

to the Board of Trade are in the manner provided for by Rules 122—7. All appeals must be brought within one month.

Special provision is made by Rules 35—41 for applications for the registration of a name, signature, or word or words, under sect. 9 (5).

Special provision is also made by Rules 42—46 for applications for the registration of certification marks under sect. 62.

Advertisement.

When an application has been accepted the registrar is required to cause it to be advertised, together with all the conditions to which it is subject. (Sect. 13.) Such advertisement is in the *Trade Marks Journal*, and the manner of advertisement is defined by Rules 47—50. If no representation of the mark is inserted in the Journal, as, *e.g.*, in the case of colour marks or cotton marks, a reference is to be given to the place where a specimen is deposited for exhibition. (Rule 47.)

Opposition.

So far the only cases which have been dealt with have been cases in which the applicant has simply had to satisfy the registrar or the appellate tribunal that his proposed mark complied with the conditions of the Act. But the rights of third parties also have to be considered, and provision for opposition by such third parties is made by sect. 14 and Rules 51—61. Any person may give notice of opposition within one month from the date of advertisement. (Rule 51.) Such notice is to be in writing, in the prescribed form, and is to state the grounds of opposition. There is no limitation of persons who may oppose, or of grounds of opposition (except in sect. 41). If it is intended to rely on registered marks, the numbers of such marks and the numbers of the Journals containing the advertisements are to be set out. (Sect. 14 (2), Rule 52.) The registrar sends a duplicate of the notice of opposition (furnished by the opponent) to the applicant, who is to send to the registrar within one month a written counter-statement of the grounds on which he relies. (Sect. 14 (3), Rule 53.) The registrar then sends a duplicate of the counter-statement (furnished by the applicant) to the opponent (sect. 14 (4)), who is to put in his evidence in chief by way of statutory declaration within one month. (Rule 54.) The applicant is to put in his evidence in answer by way of statutory declaration within one month (Rule 55), and the opponent then has fourteen days within which to put in his evidence in reply. (Rule 56.) The registrar has power at any time to give leave to file evidence upon

terms (Rule 57), and he has, by Rule 99, general power to enlarge any time prescribed by the Rules. (See also Rule 60.) When the evidence is completed a date is fixed for the hearing. (Rule 59.) The hearing then takes place and the decision is given. (Sect. 14 (4).) The decision is subject to appeal to the Court or, with the consent of the parties, to the Board of Trade. (Sect. 14 (5).) The Board of Trade may hear the appeal or may refer it to the Court. (Sect. 59.) If it hears the appeal its decision is final. (Sect. 59.) If the appeal is heard by the Court further appeals are possible. The appellate tribunal has the same power as the registrar to impose conditions on registration. (Sect. 14 (6).) Further material may be introduced on appeal by special leave (sect. 14 (7)), but if further grounds of objection are introduced by special leave of the appellate tribunal the applicant may withdraw his application without payment of costs. (Sect. 14 (8), Rule 128.) In any appeal the appellate tribunal may permit the mark to be modified in any manner not substantially affecting its identity. (Sect. 14 (9).) Power is now given to the registrar or the Board of Trade to make an order for costs. (Sect. 14 (10).) If an opponent or appellant, as the case may be, neither resides nor carries on business in the United Kingdom, the registrar or the appellate tribunal, as the case may be, may require him to give security for costs. (Sect. 14 (11), Rule 61.)

**Registration.** When an application for registration has been accepted and has not been opposed, and the time for opposition has expired, or when there has been an opposition which has been decided in favour of the applicant, the registrar is (upon payment of the prescribed fee) to register the mark, and such registration is to date as of the date of the application. (Sect. 16, Rule 64.) But if a mark has been accepted in error, the acceptance may be withdrawn. (Rule 63.) On registration a certificate is to be issued. (Sect. 17, Rule 67.) If the applicant dies before registration, the successor to his business may be substituted for him. (Rule 66.)

**Abandonment.** If registration of a trade mark is not completed within twelve months from the date of the application by reason of default on the part of the applicant, notice is to be given to the applicant and his agent, if he has one, and if, after fourteen days or such longer time as the registrar may allow, the registration is still not completed, the application is to be deemed to be abandoned. (Sect. 18, Rules 62, 99.)

Conflicting marks.

The registration of a trade mark which is identical with one already on the register in respect of the same goods, or which so nearly resembles such trade mark as to be calculated to deceive, is prohibited (sect. 19, but see sect. 41), and in such cases the mark ought to be rejected in the office without putting the previously registered proprietor to the trouble and expense of an opposition. It is of course impossible for the registrar to be fully informed as to the details of all trades, so that in many cases marks will be passed for advertisement which ought to have been stopped, but there will then be an opportunity for opposition in the usual way. Where there is any serious doubt as to the two marks conflicting, it is thought that the applicant ought to have the benefit of the doubt, leaving it to the owner of the other mark to oppose if he thinks fit. In any case the Court can direct registration of identical or similar marks if it thinks fit to do so. The new law differs from the old in one important respect, viz., that for a mark to be stopped because of the presence of a similar mark on the register, it is now expressly provided that such stoppage is only to take place when the earlier mark belongs to a different proprietor. Consequently there is now nothing to prevent the same proprietor from registering any number of marks with the same essential particular, and in fact it is often convenient that this should be so. Another point to be noted is that in the case of an old mark, claimed as having been in use before the 13th August, 1875, there is no prohibition of registration on the ground of an identical or similar mark being on the register. Hitherto, similar old marks have been allowed to be registered up to three, after which the mark became common. It remains to be seen whether any such limit will be imposed in future, but it seems unlikely that many marks will be tendered for registration in the future with a claim of user for more than thirty years. The Court has now power (sect. 21) to provide for cases of honest concurrent user, *e.g.*, in different localities, by allowing registration of similar marks by different proprietors, subject to limitations in respect of mode or place of user or otherwise. This power was exercised by the Court in the early years of trade mark registration, without any precise legislative authority, but only in the case of old marks. Now it has become general. The case of each of several persons claiming to be the proprietor of the same mark, or similar marks, is provided for by sect. 20; but such cases can seldom arise, as the

claims would have to be made practically simultaneously, otherwise one mark would be on the register and the later applications would in ordinary cases be refused.

Associated trade marks.

A group of sections which is substantially new consists of sects. 24—27, dealing with what the Act describes as "associated trade marks." The central idea is that while it is possible for the same proprietor to own a number of different registered marks, unlike one another, round each of which a distinct goodwill may quite possibly have grown up, it is also possible, and even probable, that the same proprietor may own a number of registered marks which, while differing in various respects, may yet contain the same distinctive elements, so that any goodwill which attaches to one of them must necessarily attach, in some degree at all events, to all, so that it would be contrary to the whole spirit of the law of trade marks for such marks to change ownership except as a group. Suppose, for example, that a brewer had a number of different labels each containing the representation of a tiger and the words "Tiger Brand," but with different accompaniments, and also a number of other labels each containing the representation of a unicorn and the words "Unicorn Brand," there would be no harm in the "Tiger Brand" labels passing to A. and the "Unicorn Brand" labels to B., but it would never do to allow some of the tiger labels to go to A. and the rest to B. If that were to be so no one would be able to tell whose beer was indicated by the "Tiger Brand." The sections of the Act now under consideration provide that where marks are applied for which are so similar to one another that if used by different persons for the same goods deception would arise, such marks shall be treated as associated marks, and shall be assignable or transmissible only as a whole. (Sect. 27.) This same principle is applied whether the same person registers one mark first and applies afterwards to register another which is essentially the same (sect. 24), or if he registers a particular trade mark and also a more extended trade mark in which the first is included (sect. 25), or if he registers a series of trade marks which agree in the material particulars, while differing in other matters which do not substantially affect the identity of the mark. (Sect. 26.) This last provision appeared in a slightly different form in the Act of 1883, but in other respects this group of sections is new. Rule 65 gives practical effect to the principle laid down by requiring the registrar to note the number of each

associated mark against the registration of each mark associated with it.

Sheffield marks.

The special provisions with regard to Sheffield marks for metal goods which were contained in the earlier Acts are repeated, with slight alterations, in sect. 63 of the new Act, and worked out by Rules 107—112. The general effect of the section and Rules is that for persons carrying on business in metal goods in Hallamshire, or within six miles thereof, the Cutlers' Company of Sheffield is substituted for the Registrar of Trade Marks, and provision is made for an interchange of information with regard to applications in respect of metal goods between the company and the registrar.

Cotton marks.

Somewhat similar provisions with regard to cotton marks are made by sect. 64 of the Act and Rules 113—120. In this case applications with respect to cotton marks are to be made to the Manchester Branch Office, superintended by the Keeper of Cotton Marks, who is to give all necessary information to the registrar. Cotton marks are defined by sect. 64 (1), (2) as trade marks for cotton goods, which have hitherto constituted classes 23, 24 and 25, "except such as may be prescribed." The Rules do not prescribe any exceptions, so that it may be taken that marks for any goods in any of the three classes named are cotton marks. It may be noted that sect. 64 (9) contains a provision to the effect that where a cotton mark tendered for registration has been used, the length of such user shall be stated in the application. No reason has been assigned why this useful stipulation has not been made to apply generally.

Certification marks.

A new and useful provision is made by sect. 62 for the admission to registration, by leave of the Board of Trade, of what are called in the heading to the section "Special Trade Marks," in the side-note to the section "Standardization, &c. Trade Marks," but better in sect. 3, "Certification Trade Marks." Such marks are marks used for the purpose of conveying to those who see it, not that the goods marked therewith are goods made or sold by the owner of the mark, but that the owner of the mark has examined the goods, and has affixed the mark for the purpose of certifying the result of such examination, in respect of the origin, material, mode of manufacture, quality, accuracy, or any other characteristic of the goods. Such marks would be the standard hall marks on plate. In such cases the marks may be registered, though there

may be no goodwill attached to them, but they cannot be assigned or transmitted without the leave of the Board of Trade.

This concludes all that it seems necessary to say with respect to getting trade marks on the register. What remains is to consider what may be done in respect of them while they are there, how they are to be kept there, and how they are to be removed.

Assignment and devolution.

The new Act repeals the provision which has appeared in all Acts relating to trade mark registration, that a registered trade mark can be assigned and transmitted only in connection with the goodwill. (Sect. 22.) But express authority is given for the first time for the goodwill for different countries to be split up, and for the right of user in any British possession or protectorate, or foreign country, to be assigned together with the goodwill of the business therein. Assignments and devolutions are to be entered in the register. (Sect. 33, Rules 76—81.) An assignor and assignee may apply jointly, or the assignee may apply alone. (Rules 76, 77.) On a goodwill becoming divided, by dissolution of partnership or otherwise, an apportionment of the registered trade marks may be sanctioned by the registrar, subject to the provisions of the Act as to associated trade marks. (Sect. 23, Rules 87—89.) The registrar's decision is subject to appeal to the Board of Trade (sect. 23), who may, if they think fit, refer it to the Court. (Sect. 59.)

Rights of registered proprietor.

The registered proprietor of a trade mark has the exclusive right to the use of the mark for the specified goods. (Sect. 39.) But where the same, or substantially the same, trade mark is registered for the same goods by different persons, neither of them is to have any exclusive rights against the other or others, except so far as their respective rights may have been defined by the Court (sect. 39), and no registration is to interfere with the *bonâ fide* use by any person of his own name or place of business, or of that of any of his predecessors in business, or of any *bonâ fide* description of the character or quality of his goods. (Sect. 44.)

Duration of registration.

The registration of a trade mark lasts for fourteen years, at the end of which time it comes to an end, unless it is duly renewed for another period of fourteen years. The procedure for obtaining renewal is set out in sects. 28—30 and Rules 68—75. If a registration is not renewed, and the mark is consequently removed from the register, marks similar to it are still not allowed to be registered for a year unless it is made out that the *bonâ fide* user of the

removed mark had ceased for the two years immediately preceding the removal. (Sect. 31.)

Alteration by registrar.

The registrar has power, on application by the registered proprietor, to alter the registration of a trade mark in various respects, *i.e.*, by correcting an error in the name or address of the registered proprietor, by entering any change in the name or address of the registered proprietor (this meets the difficulty raised in *Re New Ormonde Cycle Co., Ltd.* (*g*)), by cancelling the registration, by narrowing the goods for which the registration exists, by entering any disclaimer or memorandum which does not extend the registration rights. (Sect. 32, Rules 90—92, 82.) He may also allow the alteration of the mark itself in any respect which does not substantially affect its identity (sect. 34, Rules 93, 94)—a power which has hitherto been reserved for the Court. Any decision under either of these sections is subject to appeal to the Board of Trade, who may refer the appeal to the Court. (Sect. 59.)

Rectification by Court.

The Court may, under sect. 35, correct the register on the application of any person aggrieved in any of the following respects:—(a) by the non-insertion in or omission from the register of any entry (this does not extend to directing the registration of a mark, which must be obtained by means of the procedure provided for application and, if necessary, appeal) (*h*); (b) by any entry made in the register without sufficient cause; (c) by any entry wrongly remaining on the register; (d) by any error or defect in any entry in the register. The question who is a "person aggrieved" has been repeatedly considered by the Court, and reference may be made to *Re Riviere & Co.* (*i*), *Re Apollinaris Co.* (*k*), *Re Powell* (*l*), *Re Wright, Crossley & Co.* (*m*). The effect of these decisions is that a common informer is not a person aggrieved, but that any one is so who may possibly be injured by the continuance of the mark on the register. One way in which a mark is wrongly registered is where a mark is registered for goods on which there is no present intention of using it, such absence of intention being proved by failure for a substantial time

(*g*) (1896) 2 Ch. 520.
(*h*) See *Re Normal Co., Ltd.*, 35 Ch. D. 231.
(*i*) 26 Ch. D. 48; and on further hearing, 53 L. T. N. S. 237.
(*k*) (1891) 2 Ch. 186.
(*l*) (1893) 2 Ch. 388; (1894) A. C. 8.
(*m*) 15 P. R. 131, 377.

to use it. This case was held to fall within sect. 90 of the old Acts, in *Re Ball & Co.* (*n*), *Re Suter Hartmann and Rahtjen's Composition Co.* (*o*), and *Re Hart* (*p*), and it is now expressly provided for by the introduction into sect. 35 of the words "any entry wrongly remaining on the register," and also by sect. 37, which is specially directed to this case. A new provision is that the registrar himself may apply for rectification in case of fraud in the registration or transmission of a registered trade mark. (Sect. 35 (3).) What is to be considered as "fraud" remains to be decided. An order for rectification is to be served upon the registrar, who is thereupon to rectify the register, and if he thinks the order should be made public, is to publish it in the *Trade Marks Journal*. (Sect. 35 (4), Rules 129, 130.) Another new provision is that a mark registered under an earlier Act is not to be removed from the register on the ground that it was not registrable under that Act if it would be registrable under the new Act. (Sect. 36.) This overrules one of the points decided in *Re Apollinaris Co.* (*q*). Again, it is provided (and in this respect the policy of the new Act is open to very grave question) that the original registration of a trade mark is after the expiration of seven years from the date of such original registration (or seven years from the passing of the new Act, whichever shall last happen), be taken to be valid in all respects unless the original registration was obtained by fraud, or unless the mark is objectionable for special grounds under sect. 11. (Sect. 41.) It will be observed that this provision only applies to the "original registration," so that it would still appear to be possible to obtain rectification on the ground that the entry is wrongly remaining on the register (sect. 35 (1)), as in the case of non-user for five years. (Sect. 37.) There is the further proviso that registration is not to entitle the registered proprietor to interfere with the use of a trade mark which was in use by others before his own registration. (Sect. 41.)

**Remaining provisions.**

The remaining provisions of the new Act and Rules deal chiefly with matters of practice and procedure, and need not be specially noticed here. It is, however, to be observed that in proceedings

(*n*) (1898) 2 Ch. 432; (1899) A. C. 428.
(*o*) 19 P. R. 42.
(*p*) (1902) 2 Ch. 621.
(*q*) (1891) 2 Ch. 186, 231.

before the Court the registrar is no longer to be entitled to an order for his costs, which are to be in the discretion of the Court, though he is not to be liable to have to pay costs. (Sect. 48.)

International arrangements.

The sections of the Patents Acts, 1883—1902, relating to international and colonial arrangements (sects. 103, 104) are left standing, so that for those matters reference must still be made to the old Acts. (See p. 188, *post*.)

Royal Arms.

The use of the Royal Arms is dealt with by sect. 68 of the new Act, which enables the improper use of such arms to be restrained by injunction. This is in addition to the provisions of sect. 106 of the Patents Acts, which is unrepealed.

# APPENDIX A.

## THE TRADE MARKS ACT, 1905, AND THE RULES AND INSTRUCTIONS THEREUNDER.

### THE TRADE MARKS ACT, 1905.

5 EDW. VII. c. 15.

*An Act to consolidate and amend the Law relating to Trade Marks.*

[11th August, 1905.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the Trade Marks Act, 1905. Short title.

2. This Act shall, save as otherwise expressly provided, come into operation on the first day of April one thousand nine hundred and six. Commencement of Act.

#### PART I.

*Definitions.*

3. In and for the purposes of this Act (unless the context otherwise requires) :— Definitions.

A "mark" shall include a device, brand, heading, label, ticket, name, signature, word, letter, numeral, or any combination thereof (*a*) :

A "trade mark" shall mean a mark used or proposed to be used upon or in connexion with goods for the purpose of indicating that they are the goods of the proprietor of such trade mark by virtue of manufacture, selection, certification, dealing with, or offering for sale (*b*) :

A "registrable trade mark" shall mean a trade mark which is capable of registration under the provisions of this Act :

"The register" shall mean the register of trade marks kept under the provisions of this Act:

A "registered trade mark" shall mean a trade mark which is actually upon the register:

"Prescribed" shall mean, in relation to proceedings before the Court, prescribed by rules of court, and, in other cases, prescribed by this Act or the Rules thereunder:

"The Court" shall mean (subject to the provisions for Scotland, Ireland, and the Isle of Man) His Majesty's High Court of Justice in England.

(*a*) This definition is new. It corresponds to some extent with the definition contained in sect. 64 of the previous Acts, and has to be taken in conjunction with sect. 9, by which a name or signature or word which complies with the provisions of sub-sects. 1, 2, 3 or 4, constitutes an essential particular. By sub-sect. 5 of that section any other distinctive mark constitutes an essential particular, thus including such names, signatures and words as do not come within the earlier sub-sections, provided that an order of the Board of Trade or of the Court can be obtained. A letter, numeral (in former Acts called "figure"), or any combination thereof is now introduced for the first time into the class of marks which may be registrable though not used before August 13th, 1875, but it is hardly to be expected that much use will be made of their introduction.

(*b*) This definition is also new, but, except in one respect, it does not materially differ from previous practice. Ever since the first Trade Marks Act was passed, not only manufacturers' marks, but also marks used by merchants and dealers for the purpose of indicating that the goods to which the marks are attached have passed through their hands and are guaranteed by them, have been recognized as constituting registrable trade marks, and this is substantially the meaning of the word "selection" as here used—*i.e.*, it means that the goods on which the mark is placed are goods which have been selected by a trader as approved by him for sale in the course of his business. In all the instances above mentioned the goods pass through the hands of the person marking them for the purpose of sale, but "certification" introduces a new principle, which is explained in sect. 62. In this case the mark is not a trade mark in the strict sense—*i.e.*, it is not a mark used for the purpose of indicating that the goods are the manufacture or merchandise of a particular person, but it means that the marked goods have been examined, and are certified by the person whose mark they bear as being of a particular origin, &c., as specified in sect. 62.

*Register of Trade Marks.*

**Register of trade marks.**

4. There shall be kept at the Patent Office for the purposes of this Act a book called the Register of Trade Marks, wherein shall be entered all registered trade marks with the names and addresses of their proprietors, notifications of assignments and transmissions, disclaimers, conditions, limitations, and such other matters relating to such trade marks as may from time to time be prescribed. The register shall be kept under the control and management of the Comptroller-General of Patents, Designs, and Trade Marks, who is in this Act referred to as the Registrar.

This section comes from sect. 78 of the Act of 1883.

**Trust not to be entered on register.**

5. There shall not be entered in the register any notice of any trust expressed, implied, or constructive, nor shall any such notice be receivable by the Registrar.

This section comes from sect. 85 of the Act of 1883.

6. The register of trade marks existing at the date of the commencement of this Act, and all registers of trade marks kept under previous Acts, which are deemed part of the same book as such register, shall be incorporated with and form part of the register (*a*). Subject to the provisions of sections thirty-six and forty-one of this Act the validity of the original entry of any trade mark upon the registers so incorporated shall be determined in accordance with the statutes in force at the date of such entry, and such trade mark shall retain its original date, but for all other purposes it shall be deemed to be a trade mark registered under this Act (*b*). Incorporation of existing register.

(*a*) This comes from sect. 114 (2) of the Act of 1883.

(*b*) Except for its being made subject to the provisions of sects. 36 and 41 of this Act, this branch of the section is in accordance with the law which previously existed, by which the validity of a registered trade mark has always had to depend upon its compliance with the provisions of the Act in force at the date of its registration; *e.g.*, a word registered as a trade mark prior to the Act of 1883 was bad unless it could be shown to have been used *per se* as a trade mark prior to the 13th August, 1875. Similarly, a word registered under the Act of 1883, which was not an old mark, had to be justified as a fancy word; and a word registered under the Act of 1888, which was not an old mark, had to be justified as an invented word, or a word having no reference to the character or quality of the goods. Inasmuch as by sect. 36 a trade mark registered prior to the commencement of this Act is not to be removed from the register on the ground that it was not registrable under the Act under which it was registered, there does not seem to be much value in this part of sect. 6.

7. The register kept under this Act shall at all convenient times be open to the inspection of the public, subject to such regulations as may be prescribed; and certified copies, sealed with the seal of the Patent Office, of any entry in any such register shall be given to any person requiring the same on payment of the prescribed fee. Inspection of and extract from register.

This comes from sect. 88 of the Act of 1883.

*Registrable Trade Marks.*

8. A trade mark must be registered in respect of particular goods or classes of goods. Trade mark must be for particular goods.

This comes from sect. 65 of the Act of 1883. See classification of goods in Third Schedule to Rules.

9. A registrable trade mark (*a*) must contain or consist of at least one of the following essential particulars:— Registrable trade marks.

(1) The name of a company, individual, or firm represented in a special or particular manner;

(2) The signature of the applicant for registration or some predecessor in his business (*b*);

(3) An invented word or invented words (*c*);

(4) A word or words having no direct reference to the character or quality of the goods (*d*), and not being according to its ordinary signification a geographical name or a surname (*e*);

(5) Any other distinctive mark (*f*), but a name, signature, or word or words, other than such as fall within the descriptions in the above paragraphs (1), (2), (3), and (4), shall not, except by order of the Board of Trade or the Court, be deemed a distinctive mark:

Provided always that any special or distinctive word or words, letter, numeral, or combination of letters or numerals used as a trade mark by the applicant or his predecessors in business before the thirteenth day of August one thousand eight hundred and seventy-five, which has continued to be used (either in its original form or with additions or alterations not substantially affecting the identity of the same) down to the date of the application for registration shall be registrable as a trade mark under this Act (*g*).

For the purposes of this section "distinctive" shall mean adapted to distinguish the goods of the proprietor of the trade mark from those of other persons (*h*).

In determining whether a trade mark is so adapted, the tribunal may, in the case of a trade mark in actual use, take into consideration the extent to which such user has rendered such trade mark in fact distinctive for the goods with respect to which it is registered or proposed to be registered (*i*).

(*a*) This section comes, with very important modifications, from sect. 64 of the Act of 1883 and the amended form of the same section contained in sect. 10 of the Act of 1888. It will be necessary to bear in mind that in the case of cotton marks the provisions of this section are varied by sect. 64 (10).

(*b*) This sub-section for the first time recognizes the signature of a former proprietor of the applicant's business as an essential particular. Hitherto only the signature of the person applying was so recognized.

(*c*) These words come from sect. 64 of the Act of 1888, and are governed by the decision in the "Solio" case—*In re Eastman Photographic Materials Co., Limtd.*, (1898) A. C. 571. Prior to that decision many words capable of registration under that decision had been rejected on grounds derived from the rules previously laid down with regard to fancy words under the Act of 1883, and since that decision many words have been rejected on grounds based on some *dicta* of the Lords therein, but which it is thought might fairly have been sanctioned. Until those *dicta* have been further explained by the House of Lords, it is probable that the same effect will continue to be given to them, but applicants whose marks are rejected on such grounds will in future have the opportunity of endeavouring to satisfy the Board of Trade or the Court, under sub-sect. 5 of this section, that their words are really capable of constituting a distinctive mark, and, if so, registration will be conceded notwithstanding those *dicta*.

(*d*) These words come from sect. 64 of the Act of 1888, except that the word "direct" is now introduced for the purpose of rendering registrable words which, though they may contain some indirect allusion to character or quality, are nevertheless capable of being regarded as distinctive.

(*e*) This provision contains a very liberal modification of the corresponding prohibition in sect. 64 (1) (*c*) of the Act of 1888. By that sub-section a geographical name was rendered incapable of registration, and difficulties often arose in the case of words which did not suggest to ordinary observers a geographical origin, although in fact they had been used to define particular geographical spots in remote parts of the world. The decision of the Court of Appeal in the "Magnolia" case (*In re Magnolia Metal Co.*, (1897) 2 Ch. 385) in effect interpreted the old prohibition in the sense which now becomes statutory by means of the introduction of the words "according to its ordinary signification." The provision as to a surname is new, and will apply to such instances as "Swan," "Pears," and the like, which have in point of fact constituted the surnames of occasional families, though not suggesting that as their primary meaning. See sect. 44.

(*f*) This is an important provision, enabling, as it does, any mark falling within the definition in sect. 3 to be registered so long as it is distinctive, subject to the provision requiring an order of the Board of Trade or the Court in the particular cases specified.

(*g*) This proviso is derived from sect. 64 (3), (ii), of the Act of 1888, which has appeared with various modifications in all the Acts regulating the registration of trade marks. The previous proviso is, however, now considerably varied in its

language in several material respects. The expression "special and distinctive" now becomes "special or distinctive," so that either the one or the other condition has to be fulfilled instead of both, as hitherto. The word "numeral" is substituted for "figure," thus expressing in terms the interpretation which has always been placed upon the earlier word. It is now stated (as had previously been understood to be implied, that the user as a trade mark must have been by the applicant or his predecessors in business. Continued user is now made expressly necessary, though this also had previously been regarded as implied. The most important alteration is contained in the provision that the user may have been "either in its original form or with additions or alterations not substantially affecting the identity of the same." It has constantly happened that in the course of years various trifling alterations have been introduced into an old mark which yet remained for all purposes of distinction the same. The proprietor was naturally desirous of registering it in the form in which he was actually using it, but was unable to allege that the mark had been used in that form prior to 1875, and was, on the other hand, unable to allege that the identical mark used before 1875 had been continued to be used down to the date of the application. Now it will be possible for him to bring such a mark within the precise language of the present section.

(b) This is a legislative recognition of the interpretation which had previously been placed upon the word "distinctive" (*e.g.*, *Wood* v. *Lambert*, 32 Ch. Div. 247; *Perry, Davis & Son* v. *Harbord*, 16 App. Cas. 316).

(c) This provision is new and useful. In the leading cases on the subject of fancy names under the Act of 1883, the Court of Appeal laid down that evidence as to the practical distinctiveness of words claimed as fancy words was to be excluded, and although since the disappearance of the term "fancy word" from the definition section this rule has not been so rigidly adhered to, it was very desirable that statutory authority should be given to the practice of having regard to the teaching of experience.

See Rules 11 - 16 for further regulations as to registrable trade marks.

Coloured trade marks.

10. A trade mark may be limited in whole or in part to one or more specified colours, and in such case the fact that it is so limited shall be taken into consideration by any tribunal having to decide on the distinctive character of such trade mark (*a*). If and so far as a trade mark is registered without limitation of colour it shall be deemed to be registered for all colours.

(*a*) The previous provisions as to registration in colour or colours are to be found in sect. 67 of the Act of 1883, as amended by sect. 11 of the Act of 1888. That section, however, did not contain any provision as to the limitation of a trade mark to any specified colour or colours, and this is now for the first time made possible. The object is to enable a trade mark in distinctive colouring to be registered by virtue of such colouring. An instance of an application for such purpose will be found in the case of *In re Hanson* (37 Ch. Div. 112), where the mark tendered consisted of a well-known red, white and blue label for coffee, which was refused registration because of the want of a provision enabling distinctiveness to consist in colour. Under the present section such an application might probably succeed, especially if the circumstances allowed advantage to be taken of the authority given by the concluding paragraph of sect. 9 for the admission of evidence as to practical distinctiveness.

Restriction on registration.

11. It shall not be lawful to register as a trade mark or part of a trade mark any matter, the use of which would by reason of its being calculated to deceive (*a*) or otherwise be disentitled to protection in a Court of justice, or would be contrary to law or morality, or any scandalous design.

(*a*) This comes from sects. 73 and 86 of the Act of 1883. From the decision of the House of Lords in *Eno* v. *Dunn* (15 App. Cas. 252), it seems that the words "calculated to deceive" must be taken as extending to cases in which the deception would result from similarity to marks previously in use by a different trader.

*Registration of Trade Marks.*

Application for registration.

12.—(1) Any person claiming to be the proprietor of a trade mark who is desirous of registering the same must apply in writing to the registrar in the prescribed manner.

(2) Subject to the provisions of this Act the registrar may refuse such application, or may accept it absolutely or subject to conditions, amendments, or modifications (*a*).

(3) In case of any such refusal or conditional acceptance the registrar shall, if required by the applicant, state in writing the grounds of his decision and the materials used by him in arriving at the same (*b*), and such decision shall be subject to appeal to the Board of Trade or to the Court at the option of the applicant (*c*).

(4) An appeal under this section shall be made in the prescribed manner, and on such appeal the Board of Trade or the Court, as the case may be, shall, if required, hear the applicant and the registrar, and shall make an order determining whether, and subject to what conditions, amendments, or modifications, if any, the application is to be accepted.

(5) Appeals under this section shall be heard on the materials so stated by the registrar to have been used by him in arriving at his decision, and no further grounds of objection to the acceptance of the application shall be allowed to be taken by the registrar, other than those stated by him, except by leave of the tribunal hearing the appeal. Where any further grounds of objection are taken the applicant shall be entitled to withdraw his application without payment of costs on giving notice as prescribed (*d*).

(6) The registrar or the Board of Trade or the Court, as the case may be, may at any time, whether before or after acceptance, correct any error in or in connection with the application, or may permit the applicant to amend his application upon such terms as they may think fit (*e*).

This section comes from sect. 62 of the Act of 1883, as modified by sect. 8 of the Act of 1888.

See Rules 17—41 for regulations as to applications and subsequent procedure.

(*a*) The only point to which it seems necessary to refer here is that relating to the condition which has frequently been imposed by the authorities at the Patent Office of the obtaining the consent of the proprietor of a previously registered mark. In the case of *In re Dearhurst & Sons, Limtd.* (1896, 2 Ch. 137), the Court of Appeal refused to accept the consent of the proprietor of such a mark as conclusive; but in case of doubt there seems no reason why such consents should not continue to be accepted, as they have in fact been in the past, as a sufficient justification for allowing registration to proceed.

(*b*) Up to the present time it has not been the usual practice for anything in the nature of a written judgment to be given in such cases, nor for the materials used to be stated, although this has occasionally been done. The result was that an appellant against a refusal to register had to go to the Board of Trade without any accurate knowledge as to the grounds of the refusal. Now, if he desires to appeal, he will have an opportunity of knowing exactly what he has to meet.

(*c*) Hitherto an unsuccessful applicant has had to appeal to the Board of Trade by whom the appeal might or might not be referred to the Court. Usually, appeals against refusals to register not resulting from oppositions were heard by the Board of Trade, but occasionally they were referred to the Court against the wish of the appellant, who preferred to abandon his appeal rather than incur the expense of a proceeding in Court. On the other hand, it occasionally happened that the Board

themselves decided a case which the appellant would have preferred to be disposed of before the Court. Where the Board heard the case their decision was final. Where it was heard by the Court the decision was open to the usual possibilities of appeal. Now the applicant will have his option. If he desires to go to the Court he can do so; if, on the other hand, he prefers to go to the Board of Trade, and the appeal is heard by the Board, their decision will be final, but they will still be at liberty to refer the appeal to the Court, under sect. 59, if they so think fit. Where the appeal is taken into Court the appellant may or may not be ordered to pay the costs of the registrar, according to the discretion of the Court, but he will not in any event be able to obtain an order for costs against the registrar. (See sect. 48.)

Appeals to the Court are to be by motion (Rule 121). As to appeals to the Board of Trade, see Rules 122—7.

(*d*) The object of this provision is to enable a mark which is shown to be objectionable, though not on grounds originally taken, to be excluded from the register without exposing the applicant to the risk of having to pay costs incurred in reliance upon the insufficiency of the original objections.

See Rule 128.

(*e*) This provision disposes satisfactorily of the question which has sometimes been raised as to the date up to which amendments might be introduced into applications, *e.g.*, by the introduction of disclaimers. It is thought that the correct view is that applications have always remained applications, whether accepted or not, up to complete registration, and that throughout this inchoate state amendments were permissible. This has not, however always been the view taken by the Court, *e.g.*, *In re Player*, (1901) 1 Ch. 382.

Advertisement of application

13. When an application for registration of a trade mark has been accepted, whether absolutely or subject to conditions, the registrar shall, as soon as may be after such acceptance, cause the application as accepted to be advertised in the prescribed manner. Such advertisement shall set forth all conditions subject to which the application has been accepted.

This section comes from sect. 68 of the Act of 1883, as amended by sect. 12 of the Act of 1888. The language is somewhat altered, but the substance remains the same. It has been the practice for a number of years past to set forth any disclaimers in the advertisement in the *Trade Marks Journal*. This practice is now to be extended to any conditions imposed under the new Act.

See Rules 47—50.

Opposition to registration.

14.—(1) Any person may, within the prescribed time from the date of the advertisement of an application for the registration of a trade mark, give notice to the registrar of opposition to such registration.

(2) Such notice shall be given in writing in the prescribed manner, and shall include a statement of the grounds of opposition.

(3) The registrar shall send a copy of such notice to the applicant, and within the prescribed time after the receipt of such notice, the applicant shall send to the registrar, in the prescribed manner, a counter-statement of the grounds on which he relies for his application, and, if he does not do so, he shall be deemed to have abandoned his application.

(4) If the applicant sends such counter-statement, the registrar shall furnish a copy thereof to the persons giving notice of opposition, and shall, after hearing the parties, if so required, and considering the evidence (*a*), decide whether, and subject to what conditions, registration is to be permitted.

(5) The decision of the registrar shall be subject to appeal to the Court or, with the consent of the parties, to the Board of Trade (*b*).

(6) An appeal under this section shall be made in the prescribed manner, and on such appeal the Board of Trade or the Court, as the case may be, shall, if required, hear the parties and the registrar, and shall make an order determining whether, and subject to what conditions, if any, registration is to be permitted.

(7) On the hearing of any such appeal any party may either in the manner prescribed or by special leave of the tribunal bring forward further material for the consideration of the tribunal.

(8) In proceedings under this section no further grounds of objection to the registration of a trade mark shall be allowed to be taken by the opponent or the registrar other than those stated by the opponent as herein-above provided except by leave of the tribunal hearing the appeal. Where any further grounds of objection are taken the applicant shall be entitled to withdraw his application without payment of the costs of the opponent on giving notice as prescribed (*c*).

(9) In any appeal under this section, the tribunal may, after hearing the registrar, permit the trade mark proposed to be registered to be modified in any manner not substantially affecting the identity of such trade mark, but in such case the trade mark as so modified shall be advertised in the prescribed manner before being registered (*d*).

(10) The registrar, or in the case of an appeal to the Board of Trade the Board of Trade, shall have power in proceedings under this section to award to any party such costs as they may consider reasonable, and to direct how and by what parties they are to be paid (*e*).

(11) If a party giving notice of opposition or of appeal neither resides nor carries on business in the United Kingdom, the tribunal may require such party to give security for costs of the proceedings before it relative to such opposition or appeal, and in default of such security being duly given may treat the opposition or appeal as abandoned (*f*).

This section is founded on sect. 69 of the Act of 1883, as altered by sect. 13 of the Act of 1888.

See Rules 51—61.

(*a*) Hitherto the evidence on an opposed application has taken the form of statutory declarations. In future, the practice will be governed by sect. 49 of the Act, by which evidence will ordinarily be taken in the form of statutory declaration as before; but *viva voce* evidence may, by consent of the parties, be taken in lieu of, or in addition to, evidence by declaration. Hitherto the statutory declarations used in the Registry Office have not been able to be used before the Court without verification by affidavit (see *Re Kingsford & Sons*, 15 P. R. 197); but now, by sect. 49, the declarations may be used before the Court in case of appeal in place of affidavits.

(*b*) Hitherto the appeal from the registrar has been to the Board of Trade, which in opposition cases has almost invariably referred the appeal to the Court. Now the parties may agree for the appeal to be heard by the Board of Trade, whose decision will be final; but the Board may, if it thinks fit, refer the appeal to the Court under sect. 59. But unless the appeal is taken to the Board of Trade by consent it will have to be made to the Court, and whether the appeal is taken to the Court direct, or is referred to the Court by the Board of Trade, there will be the usual opportunities of further appeal.

Appeals to the Court are to be by motion. (Rule 121.) As to appeals to the Board of Trade, see Rules 122—7.

(*c*) Under Rule 31 (8) of the Rules of 1890, an opponent has been strictly confined to grounds of objection taken by his notice of opposition. Now the ordinary rule will remain the same, but the tribunal hearing an appeal may permit further grounds to be introduced; but if this is done the applicant will be entitled to withdraw his application without paying the opponent's costs. He will probably be

required to pay the costs of the registrar, if any, but the Court will have a discretion under sect. 48.

See Rule 128.

(*d*) The requirement of re-advertisement in case of modification of the trade mark is new as a statutory provision, but the practice thus recognized has been followed in the Registry Office for some years past.

(*e*) The power of giving costs is new, except in cases taken to the Court, and except that the registrar had power to allow reasonable costs if an application were abandoned after notice of opposition.

(*f*) This is in substance a re-enactment in the case of opponents or appellants residing and trading outside the United Kingdom of the provisions of sect. 69 of the Act of 1883 as it stood before the alteration introduced by the Act of 1888.

Disclaimers.

15. If a trade mark contains parts not separately registered by the proprietor as trade marks, or if it contains matter common to the trade or otherwise of a non-distinctive character, the registrar or the Board of Trade or the Court, in deciding whether such trade mark shall be entered or shall remain upon the register, may require, as a condition of its being upon the register, that the proprietor shall disclaim any right to the exclusive use of any part or parts of such trade mark, or of all or any portion of such matter, to the exclusive use of which they hold him not to be entitled, or that he shall make such other disclaimer as they may consider needful for the purpose of defining his rights under such registration (*a*): Provided always that no disclaimer upon the register shall affect any rights of the proprietor of a trade mark except such as arise out of the registration of the trade mark in respect of which the disclaimer is made (*b*).

This section comes from sects. 64 and 74 of the Act of 1883, as altered by sects. 10 and 16 of the Act of 1888, but important alterations are introduced.

(*a*) Under the former Acts it was made a condition of registration that an applicant should in his application state the essential particulars of his trade mark and disclaim any right to the exclusive use of the added matter. Now there is substituted for this a power given to the tribunal to require a disclaimer if it thinks fit. The disclaimer need not be made at the time of application, but may be subsequently introduced by direction of the tribunal.

(*b*) This is a very important provision, as it clears away for the future any such difficulty as was raised in the case of *Rosenthal* v. *Reynolds* (1892, 2 Ch. 301), and recognizes the view taken by the Scotch Court in *Bayer* v. *Baird* (15 P. R. 615). An applicant who is willing to forego any registration rights in respect of matter included in his trade mark may now safely disclaim it without apprehending danger to any common law rights he may possess. The decision in *Re Laffan* (1891, 1 Ch. 193) may possibly still hold good in cases in which matter disclaimed on one registration appears in another mark tendered for registration.

Date of registration.

16. When an application for registration of a trade mark has been accepted and has not been opposed, and the time for notice of opposition has expired, or having been opposed the opposition has been decided in favour of the applicant, the registrar shall, unless the Board of Trade otherwise direct, register the said trade mark, and the trade mark, when registered, shall be registered as of the date of the application for registration, and such date shall be deemed for the purposes of this Act to be the date of registration.

The latter part of this section comes from sect. 17 of the Act of 1888. The earlier part of the section reproduces the old practice.

See Rules 63—66.

Certificate of registration.

17. On the registration of a trade mark the registrar shall issue to the applicant a certificate in the prescribed form of the registration of such trade mark under the hand of the registrar, and sealed with the seal of the Patent Office.

This section is new. The former practice was to issue a notification of registration when the registration was completed. If the registered proprietor desired a certificate he had to make application for it and pay a special fee.
See Rule 67.

Non-completion of registration.

18. Where registration of a trade mark is not completed within twelve months from the date of the application by reason of default on the part of the applicant, the registrar may, after giving notice of the non-completion to the applicant in writing in the prescribed manner, treat the application as abandoned unless it is completed within the time specified in that behalf in such notice.

This section comes from sect. 63 of the Act of 1883, as amended by the Act of 1888. See Rule 62.

*Identical Trade Marks.*

Identical marks.

19. Except by order of the Court or in the case of trade marks in use before the thirteenth day of August one thousand eight hundred and seventy-five (*a*), no trade mark shall be registered in respect of any goods or description of goods which is identical with one belonging to a different proprietor (*b*) which is already on the register with respect to such goods or description of goods, or so nearly resembling such a trade mark as to be calculated to deceive (*c*).

This comes from sect. 72 of the Act of 1883, as amended by sect. 14 of the Act of 1888.

(*a*) The exception made in the case of "old marks," *i.e.*, marks used before the date of the first Trade Marks Registration Act, seems to allow the registration of such marks although similar marks are standing on the register in other names, but it would appear that if such marks are common to the trade registration would be refused.

(*b*) The introduction of the words "belonging to a different proprietor" are intended to do away with the rule laid down in *Baker* v. *Bacon* (45 Ch. D. 619) and in *Re Player* (1901, 1 Ch. 382), to the effect that a mark ought not to be registered if the same proprietor had a mark substantially the same already on the register. The theory was that such a registration was a needless cumbering of the register, but this theory entirely disregarded the fact that the proprietor might have thoroughly good reasons for desiring a fresh registration in a slightly altered form; *e.g.*, if he were in fact using or desiring to use a mark which only differed slightly from his previous mark, and he wished to obtain registration of this in a country in which a British certificate of registration of the identical mark used was required as a condition of registration. In view of the enormous number of trade marks already registered, the presence on the register of a few more on payment of the prescribed fees could not really be objectionable, and now objections based on previous registrations by the same proprietor are excluded.

(*c*) Where similar, though not identical, trade marks are registered by the same proprietor, the provisions of sects. 24—27 as to associated trade marks appear to be applicable.

Rival claims to identical marks.

20. Where each of several persons claims to be proprietor of the same trade mark, or of nearly identical trade marks in respect of the same goods or description of goods, and to be registered as such

proprietor, the registrar may refuse to register any of them until their rights have been determined by the Court, or have been settled by agreement in a manner approved by him or (on appeal) by the Board of Trade (*a*).

This comes from sect. 71 of the Act of 1883.

(*a*) The provision with respect to agreements between parties claiming similar marks is new, and the wording of the section is otherwise altered. The old section seems rather to be aimed at trade marks of which the ownership was disputed between different claimants, but the present section appears to contemplate rival applications for competing marks being made practically simultaneously. Very little use was made of the old section, and it seems unlikely that the present one will often be put into force. It will, however, apparently meet such cases as *In re Ehrmann* (1897, 2 Ch. 495), in which two persons who had dissolved partnership were both refused registration, although each consented to the other's application. The Board of Trade may refer any appeal to the Court under sect. 59.

Concurrent user.

21. In case of honest concurrent user or of other special circumstances which, in the opinion of the Court, make it proper so to do, the Court may permit the registration of the same trade mark, or of nearly identical trade marks, for the same goods or description of goods by more than one proprietor, subject to such conditions and limitations, if any, as to mode or place of user or otherwise, as it may think it right to impose.

*This is a new section. Sect. 74 of the old Act recognized the registration of similar old marks by three, but not more different proprietors. Now there is no limitation to old marks, and the limitation in respect of number has also disappeared, but it seems probable that a mark will be held to be common to the trade if it has been used by more than three proprietors. On the other hand, the section now contemplates the registration of similar marks, even though now, subject to conditions in respect of the mode or place of user, or otherwise. Such restrictions were not infrequently imposed in the early years of trade mark registration, chiefly for the purpose of avoiding conflicts between persons who had used similar marks in different ways or in different parts of the country or world, but more recently such limitations have not been favoured. Now their practicability is recognized and sanctioned.*

*Assignment.*

Assignment and transmission of trade marks.

22. A trade mark when registered shall be assigned and transmitted only in connection with the goodwill of the business concerned in the goods for which it has been registered and shall be determinable with that goodwill (*a*). But nothing in this section contained shall be deemed to affect the right of the proprietor of a registered trade mark to assign the right to use the same in any British possession or protectorate or foreign country in connection with any goods for which it is registered together with the goodwill of the business therein in such goods (*b*).

This comes from sect. 70 of the Act of 1883. See Rules 76—81.

(*a*) The indissoluble character of the connection between the trade mark and goodwill has always been recognized. The provision, however, that the trade mark shall be determinable with the goodwill has not, so far as is known, been put into force in connection with registration. The old rectification section, in fact, did not contain any words directly applicable to the case of a mark which was on the register, but which had ceased to be connected with an existing goodwill. The decision in *In re Batt* (1898, 2 Ch. 432; 1899, A. C. 428), however, met this difficulty to some extent, and sect. 35 (1) of the present Act expressly provides

for rectification at the instance of a person aggrieved by any entry wrongly remaining on the register.

(*b*) The latter part of this section is in harmony with the provisions of sect. 21, and recognizes the possibility of the same mark belonging to and being used by different persons in different countries, even though they may have been originally in the same ownership.

Apportionment of marks on dissolution of partnership.

23. *In any case where from any cause, whether by reason of dissolution of partnership or otherwise, a person ceases to carry on business,* and the goodwill of such person does not pass to one successor but is divided, the registrar may (subject to the provisions of this Act as to associated trade marks), on the application of the parties interested, permit an apportionment of the registered trade marks of the person among the persons in fact continuing the business, subject to such conditions and modifications, if any, as he may think necessary in the *public interest. Any decision of the registrar under this section shall* be subject to appeal to the Board of Trade.

This is a new section. The intention seems to be to do away with any supposed indivisibility of goodwill, and where the marks are sufficiently distinct from one another to allow them to be apportioned and placed in different names. The provision as to associated trade marks (see sects. 24—27) prevents any apportionment which might create confusion arising from the similarity *inter se* of marks apportioned to different proprietors. The Board of Trade may refer any appeal to the Court under sect. 69.

See Rules 87—89.

*Associated Trade Marks.*

Associated trade marks.

24. If application be made for the registration of a trade mark so closely resembling a trade mark of the applicant already on the register for the same goods or description of goods as to be calculated to deceive or cause confusion if used by a person other than the applicant, the tribunal hearing the application may require as a condition of registration that such trade marks shall be entered on the register as associated trade marks.

This is a new section. The central idea of this group of sects. 24—27, of which 26 alone appeared in a somewhat more limited form in the earlier Acts, seems to be that trade marks are to be allowed to be placed on the register by the same proprietor which resemble one another in their distinctive characteristics, but which are to be treated as independent marks, except that they may not devolve on different proprietors so as to bring about the existence on the register, in different names, of marks which would conflict with one another in material respects if they were not the property of the same owner. Sect. 24 deals with the case of an application by a person already on the register for a particular trade mark to register a new trade mark bearing such a similarity to the first that it would be disallowed if applied for by a different applicant. Sect. 25 deals with the case in which the proprietor of a registrable trade mark, which contains within itself something which by itself would be a registrable trade mark, desires to obtain protection over the part in addition to the protection which he desires to acquire over the whole. Sect. 26 deals with the case in which a person desires to register several trade marks at the same time, which agree in essentials but differ in non-essentials. Sect. 27 relates to the transmissibility of associated trade marks and the effects of their registration. Sect. 24 is in substance the same as sect. 26, except that the latter section has to do with cases in which several marks are applied for at the same time, and the earlier section with the case in which the applications are made successively. It will be noticed that under sect. 24 the mark previously registered has to be entered on the register as associated with the later mark besides a corresponding entry as to the later mark.

See Rule 65.

Combined trade marks.

25. If the proprietor of a trade mark claims to be entitled to the exclusive use of any portion of such trade mark separately he may apply to register the same as separate trade marks (*a*). Each such separate trade mark must satisfy all the conditions and shall have all the incidents of an independent trade mark, except that when registered it and the trade mark of which it forms a part shall be deemed to be associated trade marks (*b*) and shall be entered on the register as such, but the user of the whole trade mark shall for the purposes of this Act be deemed to be also a user of such registered trade marks belonging to the same proprietor as it contains (*c*).

This section is new.

(*a*) The ordinary case would probably be that of the registration of a distinctive label containing within itself some distinctive device or word; in other cases the presumption is that the marks would be registered separately.

(*b*) The result of associating trade marks as provided by this section may apparently lead to a device becoming inseparable from any one of the labels in which it appears, however numerous they may be; but this seems only reasonable as the device will still be infringed by the use of a similar device notwithstanding that no two of the labels are similar in other respects, seeing that the user of the whole label is by this section to be deemed to be user of the device, and that by sect. 27 the device is, except for the purposes of transmission, to be deemed to have been registered separately.

(*c*) The provision contained in the last portion of this section is useful as removing any doubt, though it could hardly be asserted with success that a device or word was not being used when it was in fact used as part of a larger mark.

Series of trade marks.

26. When a person claiming to be the proprietor of several trade marks for the same description of goods which, while resembling each other in the material particulars thereof, yet differ in respect of—

(a) Statements of the goods for which they are respectively used or proposed to be used; or
(b) statements of number, price, quality, or names of places; or
(c) other matter of a non-distinctive character which does not substantially affect the identity of the trade mark (*a*); or
(d) colour (*b*);

seeks to register such trade marks, they may be registered as a series in one registration. All the trade marks in a series of trade marks so registered shall be deemed to be, and shall be registered as, associated trade marks.

This section is founded upon sect. 66 of the Act of 1883.

(*a*) This is a provision which did not appear in the earlier section. It would probably meet such cases as where there is some difference in non-distinctive decoration or the like.

(*b*) This is also new. It cannot apply in cases in which colour is made essential under sect. 10, and in other cases it seems scarcely of much importance in view of the fact that by sect. 10 registration in one colour is to be deemed registration for all colours unless colour is specially claimed.

Assignment and user of associated trade marks.

27. Associated trade marks shall be assignable or transmissible only as a whole and not separately, but they shall for all other purposes be deemed to have been registered as separate trade marks (*a*). Provided that where under the provisions of this Act user of a registered trade mark is required to be proved for any purpose, the tribunal may if

and so far as it shall think right accept user of an associated registered trade mark, or of the trade mark with additions or alterations not substantially affecting its identity, as an equivalent for such user (*b*).

This section is new.

(*a*) The provision that a trade mark associated with other trade marks is, except for purposes of transmission, to be deemed to have been registered separately, seems to involve the possibility of obtaining a separate certificate of registration in respect of it.

(*b*) The material part of a registered trade mark is the essential particular of which it consists or which it contains, and so long as the essential particular is used it is only reasonable to provide that the additions are to be treated as immaterial, *and to allow user of the essential particular in combination with certain non-essentials* to be equivalent to its user in combination with different non-essentials. It will be observed, however, that this principle is not to be pressed farther than the tribunal dealing with the matter may consider to be reasonable.

### *Renewal of Registration.*

Duration of registration.

28. The registration of a trade mark shall be for a period of fourteen years, but may be renewed from time to time in accordance with the provisions of this Act.

This comes from sect. 79 of the Act of 1883.
See Rules 68—75 with reference to this group of sections.

Renewal of registration.

29. The registrar shall, on application made by the registered proprietor of a trade mark in the prescribed manner and within the prescribed period, renew the registration of such trade mark for a period of fourteen years from the expiration of the original registration or of the last renewal of registration, as the case may be, which date is herein termed "the expiration of the last registration."

This comes from sect. 79 of the Act of 1883.

Procedure on expiry of period of registration.

30. At the prescribed time before the expiration of the last registration of a trade mark, the registrar shall send notice in the prescribed manner to the registered proprietor at his registered address of the date at which the existing registration will expire and the conditions as to payment of fees and otherwise upon which a renewal of such registration may be obtained, and if at the expiration of the time prescribed in that behalf such conditions have not been duly complied with, the registrar may remove such trade mark from the register, subject to such conditions (if any) as to its restoration to the register as may be prescribed.

This comes from sect. 79 of the Act of 1883. It does not at present appear what conditions may be imposed upon renewal other than the payment of a renewal fee. Possibly, however, some requirement may be made for furnishing evidence of user or the like.

Status of unrenewed trade mark.

31. Where a trade mark has been removed from the register for nonpayment of the fee for renewal, such trade mark shall, nevertheless, for the purpose of any application for registration during one year next after the date of such removal, be deemed to be a trade mark

which is already registered, unless it is shown to the satisfaction of the registrar that there had been no *bond fide* trade user of such trade mark during the two years immediately preceding such removal (*a*).

This comes from sect. 79 of the Act of 1883, as altered by sect. 19 of the Act of 1888.

(*a*) This varies the provision of the older section, and substitutes proof of non-user for two years for proof that the non-payment of the renewal fee is due to the death or bankruptcy of the registered proprietor, or to his retirement from business, and that no person claiming under him is using the mark.

*Correction and Rectification of the Register.*

Correction of register.

32. The registrar may, on request made in the prescribed manner by the registered proprietor or by some person entitled by law to act in his name,—

(1) Correct any error in the name or address of the registered proprietor of a trade mark (*a*); or
(2) Enter any change in the name or address of the person who is registered as proprietor of a trade mark (*b*); or
(3) Cancel the entry of a trade mark on the register (*c*); or
(4) Strike out any goods or classes of goods from those for which a trade mark is registered (*d*); or
(5) Enter a disclaimer or memorandum relating to a trade mark which does not in any way extend the rights given by the existing registration of such trade mark (*e*).

Any decision of the registrar under this section shall be subject to appeal to the Board of Trade (*f*).

This comes from sect. 91 of the Act of 1883; but the first sub-division of that section is provided for by sect. 12 (6) of the present Act, by which errors in or in connection with the application may be corrected.

See Rules 90—92.

(*a*) This is not confined to clerical errors, as was the case with the old sect. 91 (b).

(*b*) This is new, and meets such cases as that of *In re New Ormonde Cycle Co.* (1896, 2 Ch. 520), in which a difficulty was disclosed in meeting the case of a change of name on the part of the proprietor.

See Rule 82 as to alterations of address.

(*c*) This corresponds with the old sect. 91 (c), except that the power to cancel part of the entry is now omitted. This is, however, sufficiently provided for by the following sub-section.

(*d*) This provides for the only case in which it is to be anticipated that a cancellation of a part of the entry is likely to be desired. There have been many cases in which marks have been registered for too wide a description of goods, and in which the mark has consequently been exposed to compulsory rectification.

(*e*) This enables the proprietor of a registered trade mark to put his registration in order by introducing a limitation which ought to have been provided for in the first instance.

(*f*) The Board of Trade may refer any appeal to the Court under sect. 59, if it thinks fit.

See Rules 122–7.

Registration of assignments, &c.

33. Subject to the provisions of this Act where a person becomes entitled to a registered trade mark by assignment, transmission, or other operation of law, the registrar shall, on request made in the

prescribed manner, and on proof of title to his satisfaction, cause the name and address of such person to be entered on the register as proprietor of the trade mark. Any decision of the registrar under this section shall be subject to appeal to the Court or, with the consent of the parties, to the Board of Trade.

This comes from sect. 87 of the Act of 1883; but the provision as to licences is omitted, that being obviously inappropriate to the case of trade marks, the whole object of which is to indicate the goods of a particular firm and of no one else. The provision of the old section as to the enforcement of equities in respect of trade marks is omitted, apparently as being unnecessary. (See sect. 38.) Appeals under this section are placed on the same footing as appeals from decisions under sect. 14 in cases of oppositions to registration.

See Rules 121–7.

Alteration of registered trade mark.

34. The registered proprietor of any trade mark may apply in the prescribed manner to the registrar for leave to add to or alter such trade mark in any manner not substantially affecting the identity of the same, and the registrar may refuse such leave or may grant the same on such terms as he may think fit, but any such refusal or conditional permission shall be subject to appeal to the Board of Trade (*a*). If leave be granted, the trade mark as altered shall be advertised in the prescribed manner (*b*).

This section corresponds with sect. 92 of the Act of 1883, except that the application is now to be made to the registrar instead of to the Court as has previously been the rule.

See Rules 93, 94; and as to appeals, Rules 122—7.

(*a*) The Board of Trade may refer the appeal to the Court under sect. 59, if it thinks fit.

(*b*) This carries out the previous practice by which it has been usual to re-advertise an altered mark, though express provision was not made for this being done.

Rectification of register.

35. Subject to the provisions of this Act (*a*)—

(1) The Court may on the application in the prescribed manner of any person aggrieved by the non-insertion in or omission from the register of any entry (*b*), or by any entry made in the register without sufficient cause (*c*), or by any entry wrongly remaining on the register (*d*), or by any error or defect in any entry in the register (*e*), make such order for making, expunging, or varying such entry, as it may think fit:

(2) The Court may in any proceeding under this section decide any question that it may be necessary or expedient to decide in connection with the rectification of the register (*f*):

(3) In case of fraud in the registration or transmission of a registered trade mark, the registrar may himself apply to the Court under the provisions of this section (*g*):

(4) Any order of the Court rectifying the register shall direct that notice of the rectification shall be served upon the registrar in the prescribed manner who shall upon receipt of such notice rectify the register accordingly (*h*).

This comes from sect. 90 of the Act of 1883.

(*a*) These words introduce two very important limitations on the power to rectify,

which are imported for the first time into the present Act. These are to be found in sects. 36 and 41, by the first of which sections a mark which was wrongly registered at the time of its registration is not to be expunged if it complies with the conditions qualifying for registration under the present Act; while by the later section a mark is not to be expunged at all after the specified period unless the original registration was obtained by fraud, or unless the mark offends against sect. 11 of this Act. As to "person aggrieved," see *ante*, p. 13.

(*b*) The word "non-insertion" now appears for the first time. It would seem that this provision does not entitle an applicant whose application has been refused to proceed under this section instead of appealing in the prescribed manner. (See *In re Normal Co., Ltd.*, 35 Ch. Div. 231.)

(*c*) These words cover any registration of a trade mark which does not comply with the conditions qualifying for registration.

(*d*) These words did not occur in the old sect. 90. In *In re Batt* (1898, 2 Ch. 432; 1899, A. C. 428), it was contended that if a mark had been justifiably placed on the register there was no provision for removing it by reason of non-user, unless, at all events, it was possible to treat the fact of non-user as showing that the registration had been made without any *bonâ fide* intention of using. The Court of Appeal, however, in that case treated the words of the section then in existence as extending to any registration existing on the register without sufficient cause, irrespective of what might have been the state of things at the date of the actual registration. It will now be possible to deal with such cases without any straining of the words of the Act of Parliament. It provides incidentally for the case of a registered trade mark having determined with the goodwill under sect. 22 (sect. 70 of the Act of 1883), for which formerly no express provision was made.

(*e*) These words are new. They seem to be intended to lead up rather to the variation or correction of an entry than to its entire removal from the register.

(*f*) It will be noticed that the power given to the Court by the old Act to direct an issue to be tried for the decision of any question of fact, and to award damages to the party aggrieved, is now omitted. It is believed that this power was never exercised.

(*g*) Power is now for the first time given to the registrar to apply to the Court for rectification. Such power is, however, limited to the case of fraud. What interpretation is in this connection to be placed on this expression remains to be decided.

(*h*) See Rules 129, 130.

Trade marks registered under previous Acts.

**36. No trade mark which is upon the register at the commencement of this Act, and which under this Act is a registrable trade mark, shall be removed from the register on the ground that it was not registrable under the Acts in force at the date of its registration (*a*). But nothing in this section contained shall subject any person to any liability in respect of any act or thing done before the commencement of this Act to which he would not have been subject under the Acts then in force (*b*).**

This is a new section.

(*a*) Up to the present time the validity of a registered trade mark, so far as its composition is concerned, has had to be determined by examining its compliance or non-compliance with the definition contained in the Act under which it was registered. Thus a new mark consisting of a word or words which was registered under the Act of 1883 has had to be proved to consist of a fancy word or words, whereas if registered under the Act of 1888 it has had to be proved to consist of an invented word or words, or of a word or words having no reference to the character or quality of the goods, and not being a geographical name. For the future the question as to the inherent registrability of a mark will have to be determined by an examination of the provisions of the present Act, and of its compliance or non-compliance with them. It has hitherto been thought that if it were sought to justify the registration of a trade mark under an Act different from that under which it was actually registered, the proper manner of dealing with the question was to submit the trade mark afresh to the ordeal of advertisement, and possible

opposition, thus placing possible opponents in the position of being able to resist the placing of the mark on the register instead of in the less advantageous position of having to seek to remove it after registration. This being now altered, persons desiring to question the registrability of an actually registered mark will have to show that it falls outside the wider definition provided by the present Act, and will be deprived of the opportunity of resisting registration before such registration has been actually completed.

(*b*) It will be observed that the exoneration from liability is confined to acts done before the commencement of this Act, so that a person attacked for infringement, who wishes to escape liability for such past acts by establishing the invalidity of the mark relied on, will apparently have to show that the mark was not registrable under the Act under which it was in fact registered, and will further, if he desires to continue the acts complained of, have to show that the mark does not come within the provisions of the present Act, unless, that is, he is able to make out that what he is doing is no infringement at all.

Non-user of trade mark.

37. A registered trade mark may, on the application to the Court of any person aggrieved, be taken off the register in respect of any of the goods for which it is registered, on the ground that it was registered by the proprietor or a predecessor in title without any *bonâ fide* intention to use the same in connection with such goods, and there has in fact been no *bonâ fide* user of the same in connection therewith, or on the ground that there has been no *bonâ fide* user of such trade mark in connection with such goods during the five years immediately preceding the application, unless in either case such non-user is shown to be due to special circumstances in the trade, and not to any intention not to use or to abandon such trade mark in respect of such goods.

This is a new section. Under the old sect. 90 it was held in *In re Batt* (*ante*, p. 33) that a trade mark had been registered without sufficient cause if it had been registered without a *bonâ fide* intention of user. If such absence of intention to use the mark in connection with any goods was proved, the mark would be removed from the register entirely; whereas, if the registration were only in respect of too wide a description of goods, the registration would be cut down so far as the registration exceeded the intention of user. Absence of a *bonâ fide* intention of user would be considered to have been made out if the registration had continued for a substantial period without actual user, but no rule has hitherto been laid down as to the length of registration without user, which would justify an application to rectify. Under the present section non-user for five years immediately preceding the application (except under special circumstances) will now be sufficient to warrant rectification, whether the mark was originally intended to be used or not. On the other hand, if absence of a *bonâ fide* intention to use the mark is made out, and this has been followed by non-user, it is apparently not essential to show that such non-user has continued for as long as five years. It is not very easy to say what special circumstances would justify non-user, and it will be difficult to apply the saving clause to the first branch of the section, viz., to cases in which there was no *bonâ fide* intention of using, inasmuch as in such cases it cannot be made out that there was any intention to use, and abandonment of the mark can hardly be said to exist where the mark has never been used at all.

## *Effect of Registration.*

Powers of registered proprietor.

38. Subject to the provisions of this Act—

(1) The person for the time being entered in the register as proprietor of a trade mark shall, subject to any rights appearing from such register to be vested in any other person, have power to assign the same, and to give effectual receipts for any consideration for such assignment (*a*):

(2) Any equities in respect of a trade mark may be enforced in like manner as in respect of any other personal property (*b*).

This comes from sect. 87 of the Act of 1883 (and see sect. 33, *ante*).

(*a*) This provision is subject to the conditions of sect. 22, by which a registered trade mark can only be assigned or transmitted in connection with the goodwill of the business, and to those of sect. 27, by which an associated trade mark can only be assigned or transmitted in conjunction with the other trade marks associated with it.

(*b*) By sect. 5 notice of any trust is not to be entered on the register or received by the registrar, but if a trust in fact exists, the beneficial owner is given an opportunity of enforcing his rights as against the trustee.

Rights of proprietor of trade mark.

39. Subject to the provisions of section forty-one of this Act (*a*) and to any limitations and conditions entered upon the register (*b*), the registration of a person as proprietor of a trade mark shall, if valid, give to such person the exclusive right to the use of such trade mark upon or in connection with the goods in respect of which it is registered: Provided always that where two or more persons are registered proprietors of the same (or substantially the same) trade mark in respect of the same goods no rights of exclusive user of such trade mark shall (except so far as their respective rights shall have been defined by the Court) be acquired by any one of such persons as against any other by the registration thereof, but each of such persons shall otherwise have the same rights as if he were the sole registered proprietor thereof (*c*).

This is a modification of sect. 76 of the Act of 1883.

(*a*) This appears to refer to the proviso in favour of a person who has used a mark prior to the user of the same or a similar mark which is registered by a different proprietor.

(*b*) See sect. 12 (2), (4), sect. 14 (4), (6), and sect. 21.

(*c*) This proviso is new. It gives effect to what has hitherto been understood to be the rule with regard to similar old marks registered by virtue of what was known as the Three Marks Rule, but now for the first time similar new marks are, by sect. 21, allowed to be registered under special circumstances, and subject to special conditions.

Registration to be *primâ facie* evidence of validity.

40. In all legal proceedings relating to a registered trade mark (including applications under section thirty-five of this Act) the fact that a person is registered as proprietor of such trade mark shall be *primâ facie* evidence of the validity of the original registration of such trade mark and of all subsequent assignments and transmissions of the same.

This is a new section, though founded in part upon sect. 76 of the Act of 1883. By that section registration was made *primâ facie* evidence of the right of the registered proprietor to the exclusive use of the mark. Now registration is to be *primâ facie* evidence of the validity of the registration, not only in actions brought to restrain infringements, but also in proceedings for rectification. As to rectification, however, very little practical difference seems to exist, inasmuch as the mark would always have been assumed to have been rightly registered until the contrary was made out, and if the contrary is made out under the present Act rectification will follow, subject, of course, to the provisions of sect. 41.

Registration to be conclusive after seven years.

41. In all legal proceedings relating to a registered trade mark (including applications under section thirty-five of this Act) the original registration of such trade mark shall after the expiration of seven years from the date of such original registration (or seven years from the passing of this Act, whichever shall last happen) be taken to be valid in all respects (*a*) unless such original registration was obtained by fraud (*b*), or unless the trade mark offends against the provisions of section eleven of this Act (*c*):

Provided that nothing in this Act shall entitle the proprietor of a registered trade mark to interfere with or restrain the user by any person of a similar trade mark upon or in connection with goods upon or in connection with which such person has, by himself or his predecessors in business, continuously used such trade mark from a date anterior to the user of the first-mentioned trade mark by the proprietor thereof or his predecessors in business, or to object (on such user being proved) to such person being put upon the register for such similar trade mark in respect of such goods under the provisions of section twenty-one of this Act (*d*).

This is a new section.

(*a*) This is a very important alteration of the law. It has hitherto been considered that if a trade mark was registered, which was not entitled to registration, such registration was wrongful as against any person who might be affected by it, and the wrong so inflicted was open to correction at any time at the instance of the person improperly interfered with. In future, if a person has had for seven years a registration which never ought to have been effected at all, he will be entitled to retain it for all time subject to the usual periodical renewals. It is apparently intended that persons affected by a wrongful registration shall for seven years have an opportunity of correcting the registration, but shall after the termination of that period be deprived of their right to do so. As a matter of fact, experience has shown that when a mark is once on the register persons affected by it, but who are not sued in respect of it, either never discover the registration at all or, if they do, do not consider it incumbent on them to provoke litigation for the purpose of rectifying until it is sought to make the registration operative as against them by taking proceedings for infringement. Now that rectification must be effected within seven years, if it is to be effected at all, it may be anticipated that persons who are alive to their own interests will seek to purge the register of improper registrations without waiting to be attacked. All registrations existing at the date of the Act will be open to attack for seven years, after which they will become conclusive. Future registrations will similarly be open to attack for seven years, but such seven years will date from the date of registration.

(*b*) What effect will be given to this provision remains to be seen. Registrations which are wrongful, only because the mark does not comply with the definition section, will be protected; but what will be regarded as amounting to fraud cannot be defined with any certainty.

(*c*) This proviso excludes from protection marks which are inherently immoral or offensive, and if the reasoning of the House of Lords, in *Eno* v. *Dunn* (15 App. Cas. 252), is applied, as may be expected, it will also exclude from protection marks which, though registered, are calculated to deceive by reason of their similarity to marks previously in use by other firms.

(*d*) If, as is suggested above, a registration will, even after the lapse of seven years, be open to rectification at the instance of a person who had previously used the mark, there does not seem to be much advantage in this proviso; but if that suggestion should turn out to be ill-founded, the proviso, at all events, protects the earlier user against interference. It would appear that cases might well arise in which protection would be necessary, not only for anterior users, but also for *persons* who *had* subsequently used similar marks *bonâ fide* and without interference. In some of such instances laches might possibly be implied with success, but it must be anticipated that hard cases will sometimes arise under the altered state of the law which will be without remedy, and a greater burden will certainly be cast

upon traders for the future of watching the register, and purging it without delay, than has hitherto been the case.

Unregistered trade mark.

42. No person shall be entitled to institute any proceeding to prevent or to recover damages for the infringement of an unregistered trade mark unless such trade mark was in use before the thirteenth of August one thousand eight hundred and seventy-five, and has been refused registration under this Act (*a*). The registrar may, on request, grant a certificate that such registration has been refused.

This section comes from sect. 77 of the Act of 1883, with material alterations.

(*a*) In order for an action to be brought for infringement of trade mark, the mark must either be registered, or, if unregistered, it must be shown that such mark is an old mark which was in use before the 13th August, 1875, and has been refused registration under *this* Act. Hitherto the refusal of an application under any Act to register an old mark has been sufficient to entitle the proprietor to sue for infringement. Now it will apparently be necessary for old marks, which have been already refused, to be tendered afresh for registration, and for a fresh certificate of refusal under the present Act to be obtained. In the case of a mark not used before the 13th August, 1875, registration is made a *sine quâ non*. It will, however, still be open to the proprietor of an unregistered mark to bring an action for passing off. (See sect. 45.)

Infringement.

43. In an action for the infringement of a trade mark the Court trying the question of infringement shall admit evidence of the usages of the trade in respect to the get-up of the goods for which the trade mark is registered, and of any trade marks or get-up legitimately used in connection with such goods by other persons.

This is a new section. Trade evidence was formerly admitted much more freely than has recently been the case, and it may be hoped that a large interpretation will be placed upon the language of the section, as it is manifestly unsatisfactory that judges, who cannot themselves be familiar with all the details of trade, should be debarred from having recourse to the assistance of those who spend their lives in commerce. Reference may be made in this connection to the concluding paragraph of sect. 9, which introduces evidence as to the effects of user of a trade mark.

User of name, address, or description of goods.

44. No registration under this Act shall interfere with any *bonâ fide* use by a person of his own name or place of business or that of any of his predecessors in business, or the use by any person of any *bonâ fide* description of the character or quality of his goods.

This is a new section, and makes it easy to place a liberal construction upon the provisions of sect. 9 (4). Thus, if it is desired to register a word such as "Swan," although it is occasionally used as a surname, no injustice will be done to any person whose surname it is. Again, if such a word as "Absorbine" is tendered for registration, there will be no reason for refusing to register on the ground that such registration might interfere with the *bonâ fide* use of the word "Absorbing" to describe the nature of another firm's goods.

"Passing-off" action.

45. Nothing in this Act contained shall be deemed to affect rights of action against any person for passing off goods as those of another person or the remedies in respect thereof.

This is a new section, and sets at rest any doubt which might have arisen under the provisions of sect. 12, making registration a condition precedent to an infringement action.

*Legal Proceedings.*

Certificate of validity.

46. In any legal proceeding in which the validity of the registration of a registered trade mark comes into question and is decided in favour of the proprietor of such trade mark, the Court may certify the same, and if it so certifies then in any subsequent legal proceeding in which such validity comes into question the proprietor of the said trade mark on obtaining a final order or judgment in his favour shall have his full costs, charges, and expenses as between solicitor and client, unless in such subsequent proceeding the Court certifies that he ought not to have the same.

This comes from sect. 18 of the Act of 1888, introduced into the Act of 1883 as sect. 77 (a). It will be observed that it is not confined to an action for infringement, but is extended to any legal proceeding in which the validity of a registration comes into question, *e.g.*, a motion to rectify.

Registrar to have notice of proceeding for rectification.

47. In any legal proceeding in which the relief sought includes alteration or rectification of the register, the registrar shall have the right to appear and be heard, and shall appear if so directed by the Court (*a*). Unless otherwise directed by the Court, the registrar in lieu of appearing and being heard may submit to the Court a statement in writing signed by him, giving particulars of the proceedings before him in relation to the matter in issue or of the grounds of any decision given by him affecting the same or of the practice of the office in like cases, or of such other matters relevant to the issues, and within his knowledge as such registrar, as he shall think fit, and such statement shall be deemed to form part of the evidence in the proceeding (*b*).

This is a new section.

(*a*) Under the Trade Marks Rules of 1890 four days' notice of any application to the Court to rectify the register had to be given to the comptroller (Rule 49), and fourteen days' notice had to be given him of any application to the Court for leave to add to or alter a trade mark. (Rule 51.) Applications for the alteration of trade marks are now to be made to the registrar under sect. 31, but a refusal or conditional permission may come before the Court on appeal by way of reference by the Board of Trade.

(*b*) This provision is a new one. Hitherto the registrar has, when necessary, given his evidence in the ordinary manner. Apparently it will be open to parties desirous of showing that the practice of the registry office, as stated by the registrar, is inaccurate or incomplete, to give evidence impugning his statement; but such cases are not likely to arise frequently.

*Costs.*

Costs of proceedings before the Court.

48. In all proceedings before the Court under this Act the costs of the registrar shall be in the discretion of the Court, but the registrar shall not be ordered to pay the costs of any other of the parties.

This is a new section. It has been the practice to assume, without any statutory provision to that effect, that the registrar was entitled to his costs, even on an appeal against a decision which was overruled. There were cases to the contrary in the early years of trade mark registration, but those cases have been regarded as no longer effective. Now the registrar will still be free from any liability to pay costs, but the Court will be at liberty to refrain from giving him costs without it being possible to allege that any rule of law or practice is being infringed by its so doing.

*Evidence.*

Mode of giving evidence.

49. In any proceeding under this Act before the Board of Trade or the registrar, the evidence shall be given by statutory declaration in the absence of directions to the contrary, but, in any case in which it shall think it right so to do, the tribunal may (with the consent of the parties) take evidence *viva voce* in lieu of or in addition to evidence by declaration. Any such statutory declaration may in the case of appeal be used before the Court in lieu of evidence by affidavit, but if so used shall have all the incidents and consequences of evidence by affidavit.

In case any part of the evidence is taken *viva voce* the Board of Trade or the registrar shall in respect of requiring the attendance of witnesses and taking evidence on oath be in the same position in all respects as an official referee of the Supreme Court.

This is a new section. Hitherto the practice has been as follows:—In cases in which an application has been objected to by the registrar, evidence in the strict sense has usually been required, either before the registrar or before the Board of Trade on appeal from him. When the Board of Trade has referred such appeals to the Court, *e.g.*, *Re Verschure*, 22 P. R. 569, the party appealing against the registrar's refusal has brought his evidence before the Court by way of affidavits sworn on his behalf, after delivering his notice of motion, and the matter has been dealt with on such evidence and on any evidence given by the registrar in the same manner in answer thereto. In cases in which the application has been advertised and opposed by some other person or firm, the evidence before the registrar has been given in the form of statutory declarations. The Board of Trade has invariably, or almost so, referred an appeal against the registrar's decision in an opposition case to the Court without itself dealing with it, and before the Court evidence on both sides has been given by way of affidavit. A party desirous of using the declarations filed on his behalf in the Patent Office has been required to verify such declarations by the affidavits of the declarants before such declarations could be used, *e.g.*, *In re Kingsford*, 15 P. R. 197. In future, evidence may, by consent of the parties, be taken *viva voce*, in lieu of or in addition to evidence by declaration. This section does not appear to provide for cross-examination on the declarations before the registrar, or the Board of Trade, in the absence of consent. Now the declarations are made available for use before the Court without verification by affidavit, but evidence so given will be dealt with in the same manner as evidence in the form of affidavits. The exact effect of these new provisions remains to be seen, but the introduction of *viva voce* evidence will much increase the cost of proceedings in the Patent Office, and it seems probable that it will only be in cases of some importance that such evidence will be consented to.

See Rules 105, 106 as to declarations.

Sealed copies to be evidence.

50. Printed or written copies or extracts of or from the register, purporting to be certified by the registrar and sealed with the seal of the Patent Office, shall be admitted in evidence in all Courts in His Majesty's dominions, and in all proceedings, without further proof or production of the originals.

This comes from sect. 89 of the Act of 1883.

Certificate of registrar to be evidence.

51. A certificate purporting to be under the hand of the registrar as to any entry, matter, or thing which he is authorised by this Act, or rules made thereunder, to make or do, shall be *primâ facie* evidence of

the entry having been made, and of the contents thereof, and of the matter or thing having been done or not done.

This comes from sect. 90 of the Act of 1883.
See Rules 102—104.

Certificate of Board of Trade to be evidence.

52.—(1) All documents purporting to be orders made by the Board of Trade and to be sealed with the seal of the Board, or to be signed by a secretary or assistant secretary of the Board, or by any person authorised in that behalf by the President of the Board, shall be received in evidence, and shall be deemed to be such orders without further proof, unless the contrary is shown.

(2) A certificate, signed by the President of the Board of Trade, that any order made or act done is the order or act of the Board, shall be conclusive evidence of the fact so certified.

This comes from sect. 25 of the Act of 1888, also numbered as 102 (a) of the Act of 1883.

## PART II.

### *Powers and Duties of Registrar of Trade Marks.*

Exercise of discretionary power by registrar.

53. Where any discretionary or other power is given to the registrar by this Act or rules made thereunder he shall not exercise that power adversely to the applicant for registration or the registered proprietor of the trade mark in question without (if duly required so to do within the prescribed time) giving such applicant or registered proprietor an opportunity of being heard.

This comes from sect. 94 of the Act of 1883.
See Rules 83—86. Also 95—104.

Appeal from registrar.

54. Except where expressly given by the provisions of this Act or rules made thereunder there shall be no appeal from a decision of the registrar otherwise than to the Board of Trade, but the Court in dealing with any question of the rectification of the register (including all applications under the provisions of section thirty-five of this Act), shall have power to review any decision of the registrar relating to the entry in question or the correction sought to be made.

*This is a new section. Hitherto all appeals from the registrar have been to the* Board of Trade, with power, however, to the Board of Trade in cases of refusal to register (sect. 62 of the Act of 1883), or in cases of opposition (sect. 69 of the Act of 1883, as modified by sect. 13 of the Act of 1888), to refer the appeal to the Court. By the present Act an appellant against a refusal (before advertisement) to register a trade mark may elect to appeal direct to the Court. (Sect. 12 (3).) And an appellant against a decision of the registrar in an opposition case must appeal direct to the Court, unless both parties consent to the appeal being brought to the Board of Trade. (Sect. 11 (5).) *Again, by sect. 33 an appeal against a refusal of the* registrar to register an assignment has to be taken to the Court, unless the parties consent to the appeal going to the Board of Trade. In certain special cases the

registrar cannot act without an order of the Court, *e.g.*, sects. 19, 20, 21. Any appeal to the Board of Trade may be referred by the Board of Trade to the Court under sect. 60. By that section a decision of the Board is to be final, but when the appeal is brought or referred to the Court an unsuccessful party is left at liberty to appeal from the decision of the Court in the usual way.

Recognition of agents.

55. Where by this Act any act has to be done by or to any person in connection with a trade mark or proposed trade mark or any procedure relating thereto, such act may under and in accordance with rules made under this Act or in particular cases by special leave of the Board of Trade be done by or to an agent of such party duly authorised in the prescribed manner.

This is a new section.

Registrar may take directions of law officers.

56. The registrar may, in any case of doubt or difficulty arising in the administration of any of the provisions of this Act, apply to His Majesty's Attorney-General or Solicitor-General for England for directions in the matter.

This comes from sect. 95 of the Act of 1883. It is understood that the registrar has not unfrequently applied for and obtained the directions of the law officers under that section, though no public announcement has been made of such directions.

Annual reports of comptroller. 46 & 47 Vict. c. 57.

57. The Comptroller General of Patents, Designs, and Trade Marks shall in his yearly report on the execution by or under him of the Patents, Designs, and Trade Marks Act, 1883, and Acts amending the same, include a report respecting the execution by or under him of this Act as though it formed a part of or was included in such Acts.

This comes from sect. 102 of the Act of 1883. It serves to continue the inclusion in one report of all matters relating to patents, designs and trade marks, although the provisions as to trade marks are now contained in a separate Act of Parliament.

*Powers and Duties of the Board of Trade.*

Proceedings before Board of Trade.

58. All things required or authorised under this Act to be done by to or before the Board of Trade may be done by to or before the President or a secretary or an assistant secretary of the Board or any person authorised in that behalf by the President of the Board.

This comes from sect. 25 of the Act of 1888, also numbered sect. 102 (a) of the Act of 1883. Power is now given to the President of the Board of Trade to authorise any person to act on behalf of the Board, although such person is neither the President, nor a secretary, nor an assistant secretary of the Board.

Appeals to Board of Trade.

59. Where under this Act an appeal is made to the Board of Trade, the Board of Trade may, if they think fit, refer any such appeal to the Court in lieu of hearing and deciding it themselves, but, unless the Board so refer the appeal, it shall be heard and decided by the Board, and the decision of the Board shall be final.

This is new as a separate section. By sects. 62 and 69 of the Act of 1883 the

Board of Trade had power to refer an appeal, under either of those sections, to the Court, but now they may refer any appeal. There has hitherto been no express provision that a decision of the Board of Trade on a matter dealt with by them was to be final; but this has been understood to be the rule, and in *In re Normal Co., Ltd.* (35 Ch. Div. 231), it was held that the Court had no jurisdiction to deal with an application refused by the comptroller, except upon a reference of an appeal to the Court by the Board of Trade.

Power of Board of Trade to make rules.

60.—(1) Subject to the provisions of this Act the Board of Trade may from time to time make such rules, prescribe such forms, and generally do such things as they think expedient—

(a) For regulating the practice under this Act:
(b) For classifying goods for the purposes of registration of trade marks:
(c) For making or requiring duplicates of trade marks and other documents:
(d) For securing and regulating the publishing and selling or distributing in such manner as the Board of Trade think fit, of copies of trade marks and other documents:
(e) Generally, for regulating the business of the office in relation to trade marks and all things by this Act placed under the direction or control of the registrar, or of the Board of Trade.

(2) Rules made under this section shall, whilst in force, be of the same effect as if they were contained in this Act.

(3) Before making any rules under this section the Board of Trade shall publish notice of their intention to make the rules and of the place where copies of the draft rules may be obtained in such manner as the Board consider most expedient, so as to enable persons affected to make representations to the Board before the rules are finally settled (*a*).

(4) Any rules made in pursuance of this section shall be forthwith advertised twice in the *Trade Marks Journal*, and shall be laid before both Houses of Parliament, if Parliament be in session at the time of making thereof, or, if not, then as soon as practicable after the beginning of the then next session of Parliament.

(5) If either House of Parliament within the next forty days after any rules have been so laid before such House, resolve that such rules or any of them ought to be annulled, the same shall after the date of such resolution be of no effect, without prejudice to the validity of anything done in the meantime under such rules or rule or to the making of any new rules or rule.

This comes from sect. 101 of the Act of 1883. See Rules, *post*. For forms, see Second Schedule to Rules. For classification of goods, see Third Schedule to Rules. As to documents, see Rules 6—9. As to agents, see Rule 10.

(*a*) This provision is new, and will probably be found useful, as it will give an opportunity to persons likely to be affected by new rules to lay their views before the Board of Trade before such rules are made. It is understood that the views of bodies representing the mercantile community have sometimes been unofficially elicited before rules have been made, but in future an opportunity will be afforded to any person desiring to make representations on the subject.

*Fees.*

61. There shall be paid in respect of applications and registration and other matters under this Act, such fees as may be, with the sanction of the Treasury, prescribed by the Board of Trade. Fees.

This comes from sect. 80 of the Act of 1883.
See Rule 3, and First Schedule to Rules.

*Special Trade Marks.*

62. Where any association or person undertakes the examination of any goods in respect of origin, material, mode of manufacture, quality, accuracy, or other characteristic, and certifies the result of such examination by mark used upon or in connection with such goods, the Board of Trade may, if they shall judge it to be to the public advantage, permit such association or person to register such mark as a trade mark in respect of such goods, whether or not such association or person be a trading association or trader or possessed of a goodwill in connection with such examination and certifying. When so registered such trade mark shall be deemed in all respects to be a registered trade mark, and such association or person to be the proprietor thereof, save that such trade mark shall be transmissible or assignable only by permission of the Board of Trade. Standardization, &c., trade marks.

This is a new section, and one likely to prove useful. A mark not used, or intended to be used, by a person in trade for the purposes of such trade is unconnected with any goodwill, and cannot be regarded as a trade mark in the true legal sense, and it has hitherto been difficult to devise a suitable means for protecting marks used for the purpose of indicating that the goods to which they are applied are not the goods of the person applying the mark, but goods certified by him to possess certain characteristics. The registration and transmission of such marks are now rendered possible, but only with the permission of the Board of Trade, and the Board of Trade will have authority to permit or refuse registration according as they consider it to be, or not to be, to the public advantage. When registration has been permitted the registered proprietors will be able to suppress imitations just as if such marks were trade marks in the proper sense.

For regulations as to certification marks, see Rules 42—46.

*Sheffield Marks.*

63. With respect to the master, wardens, searchers, assistants, and commonalty of the Company of Cutlers in Hallamshire, in the county of York (in this Act called the Cutlers' Company), and the marks or devices (in this Act called Sheffield marks) assigned or registered by the master, wardens, searchers, and assistants of that company, the following provisions shall have effect:— Sheffield marks.

(1) The Cutlers' Company shall continue to keep at Sheffield the register of trade marks (in this Act called the Sheffield register) kept by them at the date of the commencement of this Act, and, save as otherwise provided by this Act, such register shall for all purposes form part of the register:

(2) The Cutlers' Company shall, on request made in the prescribed manner, enter in the Sheffield register, in respect of metal

goods as defined in this section, all the trade marks which shall have been assigned by the Cutlers' Company and actually used before the first day of January one thousand eight hundred and eighty-four, but which have not been entered in such register before the passing of this Act:

(3) An application for registration of a trade mark used on metal goods shall, if made after the commencement of this Act by a person carrying on business in Hallamshire, or within six miles thereof, be made to the Cutlers' Company:

(4) Every application so made to the Cutlers' Company shall be notified to the registrar in the prescribed manner, and, unless the registrar within the prescribed time gives notice to the Cutlers' Company of any objection to the acceptance of the application, it shall be proceeded with by the Cutlers' Company in the prescribed manner:

(5) If the registrar gives notice of an objection as aforesaid, the application shall not be proceeded with by the Cutlers' Company, but any person aggrieved may in the prescribed manner appeal to the Court:

(6) Upon the registration of a trade mark in the Sheffield register the Cutlers' Company shall give notice thereof to the registrar, who shall thereupon enter the mark in the register of trade marks; and such registration shall bear date as of the day of application to the Cutlers' Company, and have the same effect as if the application had been made to the registrar on that day:

(7) The provisions of this Act, and of any rules made under this Act with respect to the registration of trade marks, and all matters relating thereto, shall, subject to the provisions of this section (*and notwithstanding anything in any* Act relating to the Cutlers' Company), apply to the registration of trade marks on metal goods by the Cutlers' Company, and to all matters relating thereto; and this Act and any such rules shall, so far as applicable, be construed accordingly with the substitution of the Cutlers' Company, the office of the Cutlers' Company, and the Sheffield register, for the registrar, the Patent Office, and the Register of Trade Marks respectively; and notice of every entry, cancellation, or correction made in the Sheffield register shall be given to the registrar by the Cutlers' Company:

(8) When the registrar receives from any person not carrying on business in Hallamshire or within six miles thereof an application for registration of a trade mark used on metal goods, he shall in the prescribed manner notify the application and proceedings thereon to the Cutlers' Company:

(9) Any person aggrieved by a decision of the Cutlers' Company in respect of anything done or omitted under this Act may, in the prescribed manner, appeal to the Court (*a*):

(10) For the purposes of this section the expression "metal goods" means all metals, whether wrought, unwrought, or partly wrought, and all goods composed wholly or partly of any metal:

(11) For the purpose of legal proceedings in relation to trade marks entered in the Sheffield register a certificate under the hand of the Master of the Cutlers' Company shall have the same effect as the certificate of the registrar.

This comes from sect. 81 of the Act of 1883, as amended by sect. 20 of the Act of 1888.

See Rules 107—112.

(*a*) It will be observed that an appeal against a decision of the Cutlers' Company is now to be brought direct to the Court. Hitherto such appeals have had to be brought to the comptroller in the first instance, his decision being subject to a further appeal to the Court. (Sect. 81 (12) of the Act of 1883, as amended by the Act of 1888.)

*Cotton Marks.*

Cotton marks.

64.—(1) The Manchester Branch of the Trade Marks Registry of the Patent Office (herein-after called "the Manchester Branch") shall be continued according to its present constitution. A chief officer of the Manchester Branch shall be appointed who shall be styled "the Keeper of cotton marks," and shall act under the direction of the registrar. The present keeper of the Manchester Branch shall be the first Keeper of cotton marks.

(2) As regards cotton goods which have hitherto constituted classes 23, 24, and 25, under the classification of goods under the Patents, Designs, and Trade Marks Acts, 1883 to 1902, the Register of Trade Marks for all such goods, except such as may be prescribed (*a*), shall be called "the Manchester Register," and a duplicate thereof shall be kept at the Manchester Branch.

(3) All applications for registration of trade marks for such cotton goods in the said classes (herein-after referred to as "cotton marks") shall be made to the Manchester Branch (*b*).

(4) Every application so made to the Manchester Branch shall be notified to the registrar in the prescribed manner together with the report of the Keeper of cotton marks thereon, and unless the registrar, after considering the report and hearing, if so required, the applicant, within the prescribed time gives notice to the Keeper of cotton marks of objection to the acceptance of the application, it shall be advertised by the Manchester Branch and shall be proceeded with in the prescribed manner.

(5) If the registrar gives notice of objection as aforesaid the application shall not be proceeded with, but any person aggrieved may in the prescribed manner appeal to the Court or the Board of Trade, at the option of the applicant (*c*).

(6) Upon the registration of a trade mark in the Manchester Register the Keeper of cotton marks shall upon notice thereof from the registrar thereupon enter the mark in the duplicate of the Manchester Register, and such registration shall bear date as of the day of application to the Manchester Branch, and shall have the same effect as if the application had been made to the registrar on that day.

(7) When any mark is removed from or any cancellation or correction made in the Manchester Register notice thereof shall be given by the registrar to the Keeper of cotton marks, who shall alter the duplicate register accordingly.

(8) For the purpose of all proceedings in relation to trade marks entered in the Manchester Register a certificate under the hand of the Keeper of cotton marks shall have the same effect as a certificate of the registrar (*d*).

(9) In every application for registration of a cotton mark, if such mark has been used by the applicant or his predecessors in business prior to the date of application, the length of time of such user shall be stated on the application (*e*).

(10) As from the passing of this Act (*f*)—

(a) In respect of cotton piece goods and cotton yarn no mark consisting of a word or words alone (whether invented or otherwise) shall be registered, and no word or words shall be deemed to be distinctive in respect of such goods (*g*):

(b) In respect of cotton piece goods no mark consisting of a line heading alone shall be registered, and no line heading shall be deemed to be distinctive in respect of such goods (*h*):

(c) No registration of a cotton mark shall give any exclusive right to the use of any word, letter, numeral, line heading, or any combination thereof (*i*).

(11) The right of inspection of the Manchester Register shall extend to and include the right to inspect all applications whatsoever that have been since the passing of the Trade Marks Registration Act, 1875, and hereafter shall have been made to the Manchester Branch in respect of cotton goods in classes 23, 24, and 25, whether registered, refused, lapsed, expired, withdrawn, abandoned, cancelled, or pending (*j*).

39 & 40 Vict. c. 33.

(12) The Keeper of cotton marks shall, on request, and on production of a facsimile of the mark, and on payment of the prescribed fee, issue a certified copy of the application for registration of any cotton mark, setting forth in such certificate the length of time of user (if any) of such mark as stated on the application, and any other particulars he may deem necessary (*k*).

(13) As regards any rules or forms affecting cotton marks which are proposed by the Board of Trade to be made, the draft of the same shall be sent to the Keeper of cotton marks and also to the Manchester Chamber of Commerce. And the said Keeper, and also the said Chamber, shall, if they or either of them so request, be entitled to be heard by the Board of Trade upon such proposed rules before the same are carried into effect (*l*).

(14) The existing practice whereby the keeper of the Manchester Branch consults the Trade and Merchandise Marks Committee appointed by the Manchester Chamber of Commerce upon questions of novelty or difficulty arising on applications to register cotton marks shall be continued by the Keeper of cotton marks (*m*).

This is a new section, inserted at the instance of the Manchester Chamber of Commerce for the purpose of giving legislative sanction to the practice already obtaining with regard to the Manchester Branch of the Trade Marks Registry, and modifying the general provisions of this Act in certain directions desired by the Manchester trade. It is largely based upon the provisions relating to Sheffield marks now contained in sect. 63, *ante*.

See Rules 113—120.

(*a*) No distinction appears to be drawn by the Rules between the goods comprised in the three cotton classes, so that all would seem to be subject to the provisions of this section.

(*b*) By this sub-section all applications for registration of cotton marks are to be made at Manchester, whether the applicants carry on their business at Manchester or elsewhere. This is convenient, as enabling all cotton marks to be compared, whether Manchester marks or not. Under the previous sub-section existing registrations of cotton marks are to be recorded at Manchester.

(*c*) By this sub-section an applicant has his option of appealing either to the Court or to the Board of Trade in the same way as an applicant for the registration of any other trade mark has under sect. 12 (3).

(*d*) This is new, and corresponds with sect. 63 (11) relating to Sheffield marks.

(*e*) This is a new and useful provision, and it is difficult to understand why a similar provision was not introduced with regard to trade marks generally. So far as appears from the register, a trade mark used since the 14th August, 1875, is indistinguishable from a trade mark first used on the 14th August, 1905, both being technically new marks, but the one having in fact thirty years' user as against none. In any amendment of the Act it may be hoped that this provision of the Manchester section may be made generally applicable, so as to form some guide to those who have to deal with such matters of the strength of the case which can be set up.

(*f*) The provisions of this sub-section are entirely new, but in substance they are a statutory recognition of the rules which have hitherto been enforced with respect to cotton marks, and which have been considered to give effect to the special requirements of the cotton trade.

(*g*) According to the evidence given before the Parliamentary Committee, it has been the practice at Manchester for many years to reject all word marks which any plausible excuse could be found for rejecting, with the result that it has only been in the rarest cases that word marks have been registered for cotton goods. There was no authority to be found in the Act of Parliament for this distinction between cotton marks and other trade marks, but it was considered to be necessary in the interests of the cotton trade, and no objection seems to have been taken to it, so it may be assumed to have been recognized as reasonable. The sub-section does not appear to control the provisions contained in sect. 45 as to passing-off actions; but this is a point which will, no doubt, some day have to be considered by the Court.

(*h*) The number of line headings used on Manchester goods has been so vast, and the differences between them have been so trifling, that it has been the rule at Manchester not to regard such headings as distinctive, although the word "heading" has appeared in the definition section of the Act. Having regard to this sub section, little effect is likely to be given to the fact that the word "heading" is still included in the definition of a mark in sect. 3. The same remark with respect to passing-off actions applies as with respect to words.

(*i*) This clause introduces letters and numerals, and extends to combinations of words, letters, numerals and line headings. It does not, however, appear to prevent such matters from being considered when comparing combination marks used by different traders.

(*j*) This is a new provision, but it continues the practice at the Manchester Office. It would be useful if made applicable generally, but it is more especially needed for the purposes of the cotton trade on account of the large proportion of applications which have had to be rejected for various reasons, all of which are capable of being regarded as anticipations of later marks whether they have been followed by registration or not.

(*k*) This is a new provision, and enables unsuccessful applicants for registration to obtain official evidence of the fact that their applications have been made.

(*l*) This affords special opportunities for the Keeper of cotton marks and the Manchester Chamber of Commerce to represent their views to the Board of Trade with respect to proposed new rules before such rules are made. (Compare sect. 60 (3).)

(*m*) The practice here recognized was recommended by the Departmental Committee presided over by Lord Herschell in 1887, and has prevailed ever since.

*International and Colonial Arrangements.*

International and Colonial arrangements. 48 & 49 Vict. c. 63.

65. The provisions of sections one hundred and three and one hundred and four of the Patents, Designs, and Trade Marks Act, 1883 (as amended by the Patents, Designs, and Trade Marks (Amendment) Act, 1885) (*a*), relating to the registration of trade marks both as enacted in such Acts and as applied by any Order in Council made thereunder (*b*), shall be construed as applying to trade marks registrable under this Act.

(*a*) See *post*, p. 188.
(*b*) See list of Orders in Council, *post*, p. 161.

*Offences.*

Falsification of entries in register.

66. If any person makes or causes to be made a false entry in the register kept under this Act, or a writing falsely purporting to be a copy of an entry in any such register, or produces or tenders or causes to be produced or tendered in evidence any such writing, knowing the entry or writing to be false, he shall be guilty of a misdemeanor.

This comes from sect. 93 of the Act of 1883.

Penalty on falsely representing a trade mark as registered.

67.—(1) Any person who represents a trade mark as registered which is not so, shall be liable for every offence on summary conviction to a fine not exceeding five pounds.

(2) A person shall be deemed, for the purposes of this enactment, to represent that a trade mark is registered, if he uses in connection with the trade mark the word "registered," or any words expressing or implying that registration has been obtained for the trade mark (*a*).

This comes from sect. 105 of the Act of 1883.

(*a*) An indication of origin may be a trade mark, though unregistered, and the mere use of the words "trade mark" in connection with an unregistered mark does not imply, and is not punishable as implying, that such trade mark is registered. (See *Sen-Sen Co.* v. *Britten*, (1893) 1 Ch. 692; *Royal Baking Powder Co.* v. *Wright, Crossley & Co.*, 18 P. R. 95.)

*Royal Arms.*

Unauthorised assumption of Royal Arms.

68. If any person, without the authority of His Majesty, uses in connection with any trade, business, calling, or profession, the Royal Arms (or arms so closely resembling the same as to be calculated to deceive) in such manner as to be calculated to lead to the belief that he is duly authorised so to use the Royal Arms, or if any person without the authority of His Majesty or of a member of the Royal Family, uses in connection with any trade, business, calling, or profession any device, emblem, or title in such manner as to be calculated to lead to the belief that he is employed by or supplies goods to His Majesty or such member of the Royal Family, he may, at the suit of any person who is authorised to use such arms or such device, emblem, or title, or is authorised by the Lord Chamberlain to take proceedings in that behalf,

be restrained by injunction or interdict from continuing so to use the same: Provided that nothing in this section shall be construed as affecting the right, if any, of the proprietor of a trade mark containing any such arms, device, emblem or title to continue to use such trade mark (*a*).

This is a new section, extending the provisions of sect. 106 of the Act of 1883, which remains unrepealed. The language of that section, if strictly construed, would seldom be applicable to such cases as actually arise. As a matter of fact, the police magistrates have usually disregarded the actual language of the section, and have given effect to what was understood to be its intention. The object of the present section is to get over this difficulty, and to provide a more suitable remedy by enabling persons likely to be aggrieved to proceed by way of injunction instead of in the police court. Under this section it is not necessary to show that the effect of the user of the Royal Arms is calculated to lead to the belief that the person using them is carrying on his business under the authority of the Sovereign or of a member of the Royal Family or of a Government department. No mention is made of any Government department, and it is sufficient to show that the user of the Arms is calculated to lead to the belief that they are being used by the authority of His Majesty, or that the person using them is employed by or supplies goods to His Majesty or a member of the Royal Family. In such a case a person entitled to take proceedings as provided by this section is enabled to obtain an injunction in England or Ireland or an interdict in Scotland to prevent the continuance of the wrongful practice.

(*a*) It has always been the practice under the Acts regulating the registration of trade marks to refuse to allow the Royal Arms to appear in trade marks admitted to registration, unless such marks were already in use at the date of the passing of the first Trade Marks Registration Act—*i.e.*, before 13th August, 1875. Consequently, the proviso with which the present section concludes can hardly apply to any marks introduced since that date. The proviso, however, is not limited to cases of registered trade marks, and until the Act of 1883 was passed there seems to have been no legal authority for saying that the unauthorized use of the Royal Arms was contrary to any statutory enactment. It will be observed that neither the present section nor sect. 106 of the Act of 1883 extends to the use of any arms other than the Royal Arms of the United Kingdom or arms which might be supposed to be such arms. See, however, Rules 12—14, *post*.

*Courts.*

General saving for jurisdiction of Courts.

69. The provisions of this Act conferring a special jurisdiction on the Court as defined by this Act shall not, except so far as the jurisdiction extends, affect the jurisdiction of any Court in Scotland or Ireland in any proceedings relating to trade marks; and with reference to any such proceedings in Scotland the term "the Court" shall mean the Court of Session; and with reference to any such proceedings in Ireland the term "the Court" shall mean the High Court of Justice in Ireland.

This section comes from sect. 111 of the Act of 1883. Under that section it was held, in *In re King & Co.* (1892, 2 Ch. 462), that the High Court of Justice in England (see sect. 3, *ante*) had jurisdiction to expunge a mark registered in the name of a domiciled Scotchman or Irishman. The question whether the Scotch and Irish Courts had concurrent jurisdiction was there left open, and those Courts have since differed on the subject, the Court of Session having held, in *Coicie* v. *Herbert* (14 P. R. 436), that it had authority to rectify the register (but see *Deuar* v. *Deuar*, 17 P. R. 311; *Dawson* v. *Stewart*, 22 P. R. 250; *Reid* v. *Thomson*, *ib.* 376); while the Irish Master of the Rolls held, in *Bayer* v. *Connell* (1897, 1 Ir. R. 544), that he had no such jurisdiction. Even if such a jurisdiction exists, it would seem well that it should not be exercised, having regard to the obvious inconvenience of the same register being controlled by different Courts, which might well take different views as to the principles to be applied.

Isle of Man.

70. This Act shall extend to the Isle of Man, and—

(1) Nothing in this Act shall affect the jurisdiction of the Courts in the Isle of Man in proceedings for infringement or in any action or proceeding respecting a trade mark competent to those Courts:

(2) The punishment for a misdemeanor under this Act in the Isle of Man shall be imprisonment for any term not exceeding two years, with or without hard labour and with or without a fine not exceeding one hundred pounds, at the discretion of the Court:

(3) Any offence under this Act committed in the Isle of Man which would in England be punishable on summary conviction may be prosecuted, and any fine in respect thereof recovered at the instance of any person aggrieved, in the manner in which offences punishable on summary conviction may for the time being be prosecuted.

This comes from sect. 112 of the Act of 1883.

Jurisdiction of Lancashire Palatine Court.

71. The Court of Chancery of the County Palatine of Lancaster shall, with respect to any action or other proceeding in relation to trade marks, the registration whereof is applied for in the Manchester Branch, have the like jurisdiction under this Act as His Majesty's High Court of Justice in England, and the expression "the Court" in this Act shall be construed and have effect accordingly:

Provided that every decision of the Court of Chancery of the County Palatine of Lancaster in pursuance of this section shall be subject to the like appeal as decisions of that Court in other cases.

This section comes from sect. 26 of the Act of 1888, introduced into the Act of 1883 as sect. 112 (a).

Offences in Scotland.

72. In Scotland any offence under this Act declared to be punishable on summary conviction may be prosecuted in the Sheriff Court.

This comes from sect. 108 of the Act of 1883.

*Repeal; Savings.*

Repeal and saving for rules, &c.

73. The enactments described in the schedule to this Act are repealed to the extent mentioned in the third column, but this repeal shall not affect any rule, table of fees, or classification of goods made under any enactment so repealed, but every such rule, table of fees, or classification of goods shall continue in force as if made under this Act until superseded by rules, tables of fees, or classification under this Act.

This comes from sects. 113 and 115 of the Act of 1883. The effect of this repeal is that the whole of the Trade Marks Part of the Act of 1883, comprising sects. 62 to 81, is repealed, and that of the General Part of that Act, comprising sects. 82 to 117, the only sections which are left unrepealed with respect to trade marks are sects. 82 to 84, relating to the administration of the Patent Office (see sect. 71, *post*); sects. 103 and 104, relating to International and Colonial arrangements (see

sect. 65, *ante*); and sect. 106, relating to the Royal Arms. With respect to the Act of 1888, the Trade Marks Part of this Act, comprising sects. 8 to 20, is repealed, and the remainder of the Act is also repealed, so far as it relates to trade marks.

Application of 46 & 47 Vict. c. 57, ss. 82—84.

74. The provisions of sections eighty-two to eighty-four of the Patents, Designs, and Trade Marks Act, 1883, as amended by any subsequent enactment, shall continue to apply with respect to the administration at the Patent Office of the Law relating to the registration of trade marks, and shall accordingly be construed as if this Act formed part of that Act.

## SCHEDULE. Sect. 73.

### Enactments repealed.

| Session and Chapter. | Short Title. | Extent of Repeal. |
|---|---|---|
| 46 & 47 Vict. c. 57. | The Patents, Designs, and Trade Marks Act, 1883. | Sections sixty-two to eighty-one, and, so far as they respectively relate to trade marks, sections eighty-five to ninety-nine, one hundred and one, one hundred and two, one hundred and five, one hundred and eight, and one hundred and eleven to one hundred and seventeen. |
| 51 & 52 Vict. c. 50. | The Patents, Designs, and Trade Marks Act, 1888. | Sections eight to twenty, and, so far as they respectively relate to trade marks, sections twenty-one to twenty-six. |

# THE TRADE MARKS RULES, 1906.

*Dated March 24th*, 1906.

By virtue of the provisions of the Trade Marks Act, 1905, the Board of Trade do hereby make the following rules :—

## Preliminary.

1. These rules may be cited as the Trade Marks Rules, 1906, and shall come into operation from and immediately after the 31st day of March, 1906.

## Interpretation.

Interpretation.

2. In the construction of these rules any words herein used the meaning of which is defined by the said Act or the Interpretation Act, 1889,* shall have the meanings thereby assigned to them respectively.

"Agent" means an agent duly authorized to the satisfaction of the registrar.

"Office" means Patent Office, Trade Marks Branch, 25, Southampton Buildings, London, W.C.

"Journal" means "*Trade Marks Journal.*"

## Fees.

Fees.

3. The fees to be paid in pursuance of the said Act shall be the fees specified in the First Schedule to these rules.

## Forms.

Forms.

4. The forms herein referred to are the forms contained in the Second Schedule to these rules, and such forms shall be used in all cases to which they are applicable, and shall be modified as directed by the registrar to meet other cases.

---

* Note.—The more material definitions of the Interpretation Act are :—

"Statutory Declaration" means a declaration made by virtue of the Statutory Declarations Act, 1835.

"Month" means calendar month.

"Person," unless the contrary intention appears, includes any body of persons corporate or unincorporate.

Words in the singular shall include the plural and words in the plural shall include the singular.

See this Act, p. 194, *post*.

## Classification of Goods.

5. For the purposes of trade marks registration and of these rules goods are classified in the manner appearing in the Third Schedule hereto. Classification of goods.

If any doubt arises as to what class any particular description of goods belongs to, the doubt shall be determined by the registrar.

## Documents.

6. Subject to any other directions that may be given by the registrar, all applications, notices, counter-statements, papers having representations affixed, or other documents required by the said Act or by these rules to be left with or sent to the registrar or to the keeper of cotton marks or to the Cutlers' Company, shall be upon foolscap paper of a size of approximately 13 inches by 8 inches, and shall have on the left-hand part thereof a margin of not less than one inch and a half. Size, &c. of documents.

7. Any application, statement, notice, or other document authorized or required to be left, made, or given at the Office, or to or with the registrar, or with or to any other person may be sent through the post by a prepaid or official-paid letter; any document so sent shall be deemed to have been delivered at the time when the letter containing the same would be delivered in the ordinary course of post, and in proving such service or sending, it shall be sufficient to prove that the letter was properly addressed and put into the post. A letter addressed to a registered proprietor of a trade mark at his address as it appears on the register, or address for service, or to any applicant for or person opposing the registration of a trade mark at the address appearing in the application or notice of opposition or given for service as hereinafter provided shall be deemed to be sufficiently addressed. Service of documents.

8. Where any person is by the said Act or these rules bound to furnish the registrar with an address the following provisions shall apply:— Address.

The address given shall in all cases be as full as possible, for the purpose of enabling any person easily to find the place of business of the person whose address is given.

When a person does not reside in a town with streets, the registrar may require the address to include all indications which he thinks necessary for such purpose so far as it can be attained.

When an applicant resides in a town where there are streets, the address given shall include the name of the street, and the number in the street or name of premises, if any.

9. Every applicant for the registration of any trade mark, and every opponent to such registration, and every agent, who does not reside or carry on business in the United Kingdom, shall, if so required, give an address for service in the United Kingdom, and such address may be treated as the actual address of such applicant, opponent, or agent for all purposes connected with such application for registration or the opposition thereto. Address for service.

The registrar may require the proprietor of a registered trade mark who does not reside or carry on business within the United Kingdom to give an address for service within the United Kingdom, and such

address may be treated as the actual address of the proprietor for all purposes connected with such trade mark.

### AGENTS.

Agency.

10. An application for registration and an opposition to registration and all other communications between an applicant, an opponent and the registrar, or the Board of Trade, and between the proprietor of a registered trade mark and the registrar, or the Board of Trade, or any other person, may be made by or through an agent.

Any such applicant, opponent, or proprietor may appoint an agent to represent him in the matter of the trade mark by signing and sending to the registrar an authority in writing to that effect in the Form TM No. 1, or in such other form as the registrar may deem sufficient. In case any proprietor of a registered trade mark shall appoint such an agent, service upon such agent of any document relating to such trade mark shall be deemed to be service upon the person so appointing him, and all communications directed to be made to such person in respect of such trade mark may be addressed to such agent.

The registrar shall not be bound to recognise as such agent any person who has been convicted criminally or struck off the Roll of Solicitors, or whose name, by reason of his having been adjudged guilty of disgraceful professional conduct, has been erased from the Register of Patent Agents, kept under the provisions of the Patents, Designs, and Trade Marks Act, 1888, relating to the registration of Patent Agents, and not since restored.

### REGISTRABLE TRADE MARKS.

Registrable trade marks.

11. The registrar may refuse to accept any application upon which the following appear:—

(a) The words "Patent," "Patented," or "By Royal Letters Patent," "Registered," "Registered Design," "Copyright," "Entered at Stationers' Hall," "To counterfeit this is forgery," or words to like effect.

(b) Representations of their Majesties or of any member of the Royal Family.

Royal Arms.

12. Representations of the Royal Arms or Royal crests, or arms or crests so nearly resembling them as to lead to mistake, or of British Royal crowns, or of the British national flags, or the word Royal or any other words, letters, or devices calculated to lead persons to think that the applicant has Royal patronage or authorization, may not appear on trade marks the registration of which is applied for. Provided always that nothing contained in this rule shall preclude the registrar from allowing the registration as an "old mark," that is as a mark which was used by the applicant or his predecessors in business before the 13th August, 1875, of any mark which was capable of being so registered before the Trade Marks Act, 1905, came into operation.

Arms of foreign State.

13. Where representations of the arms of a foreign State or place appear on a mark the registrar may call for such justification as he may deem necessary for their use.

14. Where a representation of the arms or emblems of any city, borough, town, place, society, body corporate, or institution appears on a mark, the applicant shall, if so required, furnish the registrar with a consent from such official as the registrar may consider entitled to give consent to the use of such arms or emblems. Arms of city, &c.

15. Where the names or representations of living persons appear on a trade mark, the registrar shall, if he so require, be furnished with consents from such persons before proceeding to register the mark. In the case of persons recently dead the registrar may call for consents from their legal representatives before proceeding with registration of a trade mark on which their names or representations appear. Representations of living person or persons recently dead.

16. Where the name or a description of any goods appears on a trade mark the registrar may refuse to register such mark in respect of any goods other than the goods so named or described. Name or description of goods.

Where the name or description of any goods appears on a trade mark which name or description in use varies, the registrar may permit the registration of the mark with the name or description upon it for goods other than those named or described, the applicant stating in his application that the name or description varies.

## Application for Registration.

17. If application for registration of a trade mark be made by a firm or partnership it may be signed in the name or for and on behalf of the firm or partnership by any one or more members thereof. Application by firm.

If the application be made by a body corporate it may be signed by a director or by the secretary or other principal officer of such body corporate.

Any application may be signed by an agent.

18. Where application is made for registration of a cotton mark the applicant shall address and send his application to the keeper of cotton marks at the Manchester Branch, 48, Royal Exchange, Manchester. Other applications (except applications which under sect. 63 of the said Act should be made to the Cutlers' Company) shall be addressed and sent to the registrar at the office. Address of application.

19. On or after receipt of the application the registrar shall furnish the applicant with an acknowledgment thereof. Acknowledgment of application.

20. Where application is made to register a trade mark which was used by the applicant or his predecessors in business before the 13th of August, 1875, the application shall contain a statement of the time during which and by whom it has been used in respect of the goods mentioned in the application. The registrar may require a statutory declaration verifying such user with exhibits showing the mark as used. Application for old mark.

21. Every application for registration of a trade mark shall contain a representation of the mark affixed to it in the square which the Form TM No. 2 contains for that purpose. Contents of form of application.

Where the representation exceeds such square in size the representation shall be mounted upon linen, tracing cloth or other material that the registrar may consider suitable. Part of the mounting shall be affixed in the space aforesaid, and the rest may be folded over.

22. There shall be sent with every application for registration of Additional

representations. a trade mark four additional representations of such mark on the Form TM No. 3, exactly corresponding to that affixed to the application Form TM No. 2, and noted with all such particulars as may from time to time be required by the registrar or by the keeper of cotton marks. Such particulars shall, if required, be signed by the applicant or his agent.

Representations to be durable. 23. All representations of marks must be of a durable nature, but the applicant may in case of need supply in place of representations on the Form TM No. 3, half sheets of strong foolscap of the size aforesaid with the representations affixed thereon and noted as aforesaid.

Separate applications. 24. Applications for the registration of the same mark in different classes shall be treated as separate and distinct applications, and in all cases where a trade mark is registered under the same official number for goods in more than one class, the registration shall henceforth for the purpose of fees and otherwise be deemed to have been made on separate and distinct applications in respect of the goods included in each class.

Representations to be satisfactory. 25. The registrar, if dissatisfied with any representation of a mark, may at any time require another representation satisfactory to him to be substituted before proceeding with the application.

Specimens of trade marks in exceptional cases. 26. Where a drawing or other representation or specimen cannot be given in manner aforesaid, a specimen or copy of the trade mark may be sent either of full size or on a reduced scale, and in such form as the registrar may think most convenient.

The registrar may also, in exceptional cases, deposit in the office a specimen or copy of any trade mark which cannot conveniently be shown by a representation, and may refer thereto in the register in such manner as he may think fit.

Series of trade marks. 27. When application is made for the registration of a series of trade marks under sect. 26 of the said Act, a representation of each trade mark of the series shall be affixed, as aforesaid, to the application upon Form TM No. 2, and to each of the accompanying Forms TM No. 3.

Transliteration and translation. 28. When a trade mark contains a word or words in other than Roman characters, there shall be indorsed on the application in Form TM No. 2, and on each of the accompanying representations in Form TM No. 3, a sufficient transliteration and translation to the satisfaction of the registrar of each of such words, and every such indorsement shall be signed by the applicant or his agent.

Where a trade mark contains a word or words in a language other than English, the registrar may ask for an exact translation thereof, and if he so requires such translation shall be indorsed and signed as aforesaid.

## Procedure on Receipt of Application.

Search. 29. Subject to the provisions for special applications under para. 5 of sect. 9 of the said Act, upon receipt of an application for registration the registrar shall cause a search to be made amongst the registered marks and pending applications for the purpose of ascertaining whether there are on record any marks for the same goods or

description of goods identical with the mark applied for or so nearly resembling it as to be calculated to deceive.

Acceptance.

30. If after such search and a consideration of the application the registrar thinks there is no objection to the mark being registered, he may accept it absolutely or subject to conditions, amendments, and modifications which he shall communicate to the applicant in writing.

Objections.

31. If after such search and consideration of the application any objections appear, a statement of those objections shall be sent to the applicant in writing, and unless within one month the applicant applies for a hearing, he shall be deemed to have withdrawn his application.

Hearings.

32. If the registrar accepts an application subject to any conditions, amendments, or modifications, and the applicant objects to such conditions, amendments, or modifications, he shall within one month from the date of the communication notifying such acceptance apply for a hearing, and if he does not do so he shall be deemed to have withdrawn his application. If the applicant does not object to such conditions, amendments, or modifications, he shall forthwith notify the registrar in writing.

Decision of registrar.

33. The decision of the registrar at such hearing as aforesaid shall be communicated to the applicant in writing, and if he objects to such decision, he may within one month apply upon Form TM No. 4, requiring the registrar to state in writing the grounds of his decision and the materials used by him in arriving at the same.

Upon receipt of such form the registrar shall send to the applicant such statement as aforesaid in writing, and the date when such statement is sent shall be deemed to be the date of the registrar's decision for the purpose of appeal.

Disclaimers.

34. The registrar may call on an applicant to insert in his application such disclaimer as the registrar may think fit, in order that the public generally may understand what the applicant's rights, if his mark is registered, will be.

## Special Applications under Paragraph 5 of Section 9.

Special applications under sect. 9, para. 5.

35. An application to register a name, signature, or word or words under paragraph 5 of section 9 of the said Act shall be made on the Form TM No. 5, and not otherwise.

Search.

36. Upon receipt of such an application the registrar shall cause a search to be made amongst the registered marks and pending applications for the purpose of ascertaining whether there are on record any marks for the same goods or description of goods identical with the mark applied for or so nearly resembling it as to be calculated to deceive.

Result of search.

37. If after such search the registrar thinks there are no such marks, he shall notify the applicant accordingly, but if after such search any such marks appear, he shall notify to the applicant the numbers of those marks and the journals (if any) in which they have been advertised.

Appeal by applicant.

38. Within one month from the receipt of such notification the applicant shall send to the registrar in writing a case in duplicate

stating at length the grounds upon which he relies in support of his application, and whether he desires to be heard by the Board of Trade or by the Court. If he fails to do so his application shall be deemed to be withdrawn. If he desires to be heard by the Board of Trade, he shall send with his case Form TM No. 10. If the Board think fit to refer the appeal to the Court, the registrar may certify the spoilt fee on such form for allowance.

Upon receipt of such case the registrar shall send the same to the Board of Trade for their information, together with a copy of all communications that have passed between the registrar and the applicant.

Hearing.

39. Upon receipt of such case the Board of Trade shall if the applicant desires to be heard by them fix a day for such hearing at which the applicant and the registrar may attend and be heard, and the Board shall make an order determining whether and subject to what conditions, amendments, or modifications, if any, the application is to be accepted, or may require the applicant to apply to the Court and limit a time for that purpose.

Order of the Court.

40. If the applicant desires to obtain an order of the Court he shall within one month from sending to the registrar his case as aforesaid bring the matter before the Court by motion, and if he does not do so he shall be deemed to have withdrawn his application.

Advertisement, &c. of application.

41. If the application is accepted either by the Board of Trade or the Court it shall be advertised and proceedings thereafter shall be had in respect of it as if it had been accepted by the registrar in the ordinary course.

## Special Trade Marks under Section 62.

Application under sect. 62.

42. Where an association or person desires to register a mark under sect. 62 of the said Act they shall apply to the registrar in writing upon the Form TM No. 6.

Mode of application.

43. Such application shall be in duplicate and shall be accompanied by six copies of the mark applied for.

Report by registrar.

44. Upon the receipt of such application the registrar shall as soon as may be notify the same to the Board of Trade together with his report upon the application, and shall at the same time send a copy of the application together with three copies of the mark applied for to the Board. The registrar shall also send the applicants a copy of his report, and within one month from the receipt of such report the applicants shall send the Board in duplicate a case setting out the grounds upon which they rely in support of their application, and if they fail so to do their application shall be deemed to be abandoned.

Hearing.

45. Upon receipt of such case the Board may call for such evidence, if any, as they think fit and shall, if necessary, hear the applicants and the registrar, and make an order determining whether and subject to what conditions, amendments, or modifications, if any, the application may be permitted to proceed.

Advertisement, &c.

46. If such application is permitted to proceed the mark shall be advertised and the application shall be treated in all respects as if it were an ordinary application, and it shall be open to opposition in the

same way and all such proceedings shall be had thereon as if it were an application under sect. 12 of the said Act.

## Advertisement of Application.

Advertisement of application.

47. Every application when accepted shall be advertised by the registrar in the Journal during such times and in such manner as the registrar may direct.

If no representation of the trade mark be inserted in connection with the advertisement of an application, the registrar shall refer in such advertisement to the place or places where a specimen or representation of the trade mark is deposited for exhibition.

Wood block or electrotype.

48. For the purposes of such advertisement the applicant may be required to furnish a wood block or electrotype (or more than one, if necessary) of the trade mark, of such dimensions as may from time to time be directed by the registrar, or such other information or means of advertising the trade mark as may be required by the registrar; and the registrar, if dissatisfied with the block or electrotype furnished by the applicant or his agent, may require a fresh block or electrotype before proceeding with the advertisement.

Advertisement of series.

49. When an application relates to a series of trade marks differing from one another in respect of the particulars mentioned in sect. 26 of the said Act, the applicant may be required to furnish a wood block or electrotype (or more than one, if necessary) of any or of each of the trade marks constituting the series; or the registrar may, if he thinks fit, insert with the advertisement of the application a statement of the manner in respect of which the several trade marks differ from one another.

Advertisement under sect. 14 (9).

50. Advertisements under sect. 14 (9) of the said Act shall *mutatis mutandis* be made in the same manner as advertisements relating to an application for registration.

## Opposition to Registration.

Opposition.

51. Any person may within one month from the date of any advertisement in the Journal of an application for registration of a trade mark give notice in writing at the Office of opposition to the registration.

Notice of opposition.

52. Such notice shall be in Form TM No. 7, and shall contain a statement of the grounds upon which the opponent objects to the registration. If registration is opposed on the ground that the mark resembles marks already on the register, the numbers of such marks and the numbers of the Journals in which they have been advertised shall be set out. Such notice shall be accompanied by a duplicate which the registrar will forthwith send to the applicant.

Counter-statement.

53. Within one month from the receipt of such duplicate the applicant shall send to the registrar a counter-statement (Form TM No. 8) in writing setting out the grounds on which he relies as supporting his application. The applicant shall also set out what facts, if any, alleged in the Notice of Opposition he admits. Such counter-statement shall be accompanied by a duplicate in writing.

Evidence in support of opposition.

54. Upon receipt of such counter-statement and duplicate the registrar will forthwith send the duplicate to the opponent and within one month from the receipt of the duplicate the opponent shall leave at the Office such evidence by way of statutory declaration as he may desire to adduce in support of his opposition and shall deliver to the applicant copies thereof.

Evidence in support of application.

55. If an opponent leaves no evidence, he shall be deemed to have abandoned his opposition, but if he does then within one month from the receipt of the copies of declarations, the applicant shall leave at the Office such evidence by way of statutory declaration as he desires to adduce in support of his application and shall deliver to the opponent copies thereof.

Evidence in reply by opponent.

56. Within fourteen days from the receipt by the opponent of the copies of the applicant's declarations the opponent may leave at the Office evidence by statutory declaration in reply, and shall deliver to the applicant copies thereof. Such evidence shall be confined to matters strictly in reply.

Further evidence.

57. In any proceedings before the registrar, he may at any time, if he thinks fit, give leave to either the applicant or the opponent to file any evidence upon such terms as to costs or otherwise as the registrar may think fit.

Exhibits.

58. Where there are exhibits to declarations filed in an opposition, copies or impressions of such exhibits shall be sent to the other party on his request, or, if such copies or impressions cannot conveniently be furnished, the originals shall be sent to the Office, so that they may be open to inspection. The original exhibits shall be produced at the hearing unless the registrar otherwise directs.

Hearing.

59. Upon completion of the evidence the registrar shall give notice to the parties of a date when he will hear the arguments in the case. Such appointment shall be for a date at least fourteen days after the date of the notice, unless the parties consent to a shorter notice. Within seven days from the receipt of such notice both parties shall file Form TM No. 9. A party who receives such notice and who does not, within seven days from the receipt thereof, give notice on Form TM No. 9 that he intends to appear, may be treated as not desiring to be heard and the registrar may act accordingly.

Extension of time.

60. Where in opposition proceedings any extension of time is granted to any party, the registrar may thereafter, if he thinks fit, without giving the said party a hearing, grant any reasonable extension of time to the other party in which to take any subsequent step.

Security for costs.

61. Where a party giving notice of opposition neither resides nor carries on business in the United Kingdom, the registrar may call upon him to give a security in such form as the registrar may deem sufficient for the costs of the proceedings before the registrar, for such amount as to the registrar may seem fit, and at any stage in such opposition may require further security to be given at any time before giving his decision in the case.

## Non-Completion.

Non-completion within

62. Where registration of a trade mark is not completed within twelve months from the date of the application by reason of default

on the part of the applicant, the registrar shall give notice to the applicant in writing in the Form O No. 1 of such non-completion, and if the applicant has an agent, shall send a duplicate of such notice to such agent. If after fourteen days from the date when such notice was sent the registration is not completed, the application shall be deemed to be abandoned, but the registrar may with such notice, where the applicant lives at a distance, give a further time after such fourteen days for the completion of such application. twelve months.

## Refusal after Acceptance.

63. In pursuance of sect. 16 of the said Act the Board of Trade hereby direct that in cases where a mark has been accepted by error, the registrar need not register the mark but may withdraw his acceptance and refuse to register, but any such refusal shall be deemed to be a refusal under sub-sect. 2 of sect. 12 of the said Act, and an applicant shall have thereafter the same right of being heard, and of appealing, as he would have had if the mark had been refused immediately upon its receipt. In any other case the Board, having regard to any special facts, will give special directions under sect. 16 of the said Act. Refusal after acceptance.

## Entry on the Register.

64. As soon as may be after the expiration of one month from the date of the advertisement in the Journal of any application, the registrar shall, subject to any opposition and the determination thereof, and subject to the provisions of Rule 63, and upon payment of the prescribed fee, on Form TM No. 11, enter the trade mark on the register. The entry of a trade mark on the register shall give the date of the registration, the goods in respect of which it is registered, and all particulars named in sect. 4 of the Act, together with particulars of the trade, business, profession, or occupation, if any, of the proprietor, and such other particulars as the registrar may deem necessary. Entry on register.

65. Where a mark is registered as associated with any other mark or marks the registrar shall note upon the register in connection with such mark the numbers of the marks with which it is associated and shall also note upon the register in connection with each of the associated marks the number of the newly registered mark as being an associated mark with each of them. Associated marks.

66. In case of the death of any applicant for a trade mark after the date of his application, and before the trade mark applied for has been entered on the register, the registrar, after the expiration of the prescribed period of advertisement, may, on being satisfied of the applicant's death, enter on the register, in place of the name of such deceased applicant, the name, address, and description of the person owning the goodwill of the business, on such ownership being proved to the satisfaction of the registrar. Death of applicant before registration.

67. Upon the registration of a trade mark the registrar shall issue to the applicant a certificate in the Form O No. 2. Certificate of registration.

## Renewal.

Renewal of registration.

68. At any time not less than two months and not more than three months before the expiration of the last registration of a trade mark any person may leave at the Office a fee for the renewal of the registration of the mark upon Form TM No. 12. Such person shall indorse upon such form his name and address, and before taking any further step the registrar may require such person to furnish within five days an authority to pay such fee signed by the registered proprietor, and if such person does not furnish such authority, may return such fee and treat it as not received.

Notification of receipt of renewal fee.

69. When he does not require such authority, the registrar shall upon receipt of such fee communicate with the registered proprietor at his registered address, stating that the fee has been received and that the registration will in due course be renewed.

Notice before removal of trade mark from register.

70. At a date not less than one month and not more than two months before the expiration of the last registration of a mark, if no fee upon the Form TM No. 12 has been received, the registrar shall send to the registered proprietor at his registered address a notice in the Form O No. 3.

Second notice before removal of trade mark from register.

71. At a time not less than fourteen days and not more than twenty-eight days before the expiration of the last registration of a mark, the registrar shall, if no renewal fee has been received, send a notice to the registered proprietor at his registered address in the Form O No. 4.

Advertisement of non-payment.

72. If at the date of the expiration of the last registration of a mark the renewal fee has not been paid, the registrar shall advertise the fact forthwith in the Journal, and if within one month of such advertisement the renewal fee upon Form TM No. 13, together with an additional fee upon Form TM No. 14, is received, he may renew the registration without removing the mark from the register.

Removal of trade mark from register.

73. Where after one month from such advertisement such fees have not been paid, the registrar may remove the mark from the register as of the date of the expiration of the last registration, but may upon payment of the renewal fee upon Form TM No. 13, together with the additional fee upon the form TM No. 15, restore the mark to the register if satisfied that it is just so to do, and upon such conditions as he may think fit to impose.

Removal of mark from register.

74. Where a trade mark has been removed from the register, the registrar shall cause to be entered in the register a record of such removal and of the cause thereof.

Notice and advertisement of renewal.

75. Upon the renewal of a registration a notice to that effect shall be sent to the registered proprietor at his registered address and the renewal shall be advertised in the Journal.

## Assignment.

Joint request for entry of assignment.

76. The registrar may on request made jointly by a registered proprietor of a mark and the person to whom he has assigned such mark, together with the goodwill of the business concerned in the goods for which it has been registered, register the assignee as proprietor of the mark. Such application shall be in the Form TM

No. 16. If the registrar so require, the assignee shall furnish a declaration in Form TM No. 17.

Request for entry of assignment by subsequent proprietor.

77. Where no such joint request is made, any person who has become entitled to a registered trade mark by assignment, transmission, or other operation of law, may leave a request at the Office for the entry of his name in the register as proprietor of such trade mark. The request shall be on the Form TM No. 18, and such request shall contain the name, address, and description of the person claiming to be entitled to the trade mark, hereinafter called the claimant.

Case accompanying request.

78. Together with such request the claimant shall leave a case stating full particulars of the assignment, transmission, or other operation of law by virtue of which he claims to be entitled to be entered in the register as proprietor of the trade mark, so as to show the manner in which and the person or persons to whom the trade mark has been assigned or transmitted, and so as to show further that it has been so assigned or transmitted in connection with the goodwill of the business concerned in the goods for which the trade mark has been registered.

Signature of request.

79. Such request shall in the case of an individual be made and signed by the claimant, and in the case of a firm or partnership by one or more members of such firm or partnership, and in the case of a body corporate shall be signed by a director or by the secretary or other principal officer of such body corporate.

Statutory declaration in support of request.

80. Where the registrar shall determine that the case sets out particulars such as entitle the claimant to be registered as proprietor of such trade mark, he shall call upon the claimant to furnish a statutory declaration (Form TM No. 19) verifying the several statements in the case and declaring that the particulars given comprise every material fact and document affecting the proprietorship of the trade mark claimed by such request.

Proof of title.

81. In any case, the registrar may call on any person who desires to be registered as proprietor of a trade mark for such proof or additional proof of title and of the existence and ownership of such goodwill as aforesaid as the registrar may require for his satisfaction.

## Alteration of Address.

Alteration of address in register.

82. Every registered proprietor of a trade mark who alters his address shall forthwith apply to the registrar on the Form TM No. 20 to insert the new address on the register, and the registrar shall alter the register accordingly.

## Discretionary Power.

Hearing.

83. Before exercising any discretionary power given to the registrar by the said Act adversely to any person, the registrar shall, if so required, hear the person who will be affected by the exercise of such power.

Application for hearing.

84. An application for a hearing shall be made within one month from the date when the matter on which the registrar is called on to exercise discretionary power has arisen.

Notice of hearing.

85. Upon receiving such application the registrar shall give the person applying ten days' notice of a time when he may be heard by himself or his agent.

Within five days from the date when such notice would be delivered in the ordinary course of post the person applying shall notify the registrar whether or not he intends to be heard on the matter.

Notification of decision.

86. The decision of the registrar in the exercise of any such discretionary power as aforesaid shall be notified to the person affected.

## Applications under Section 23.

Application under sect. 23.

87. All applications to the registrar under section 23 of the said Act shall be upon the form TM No. 21. Such application shall be accompanied by a case setting out fully the facts relating to the marks which the registrar is requested to permit an apportionment of.

Registrar to enquire and decide.

88. Upon receipt of such request and of such case the registrar shall enquire into the facts and call for such evidence as he may deem necessary upon the subject of such application. Before giving his decision the registrar shall, if necessary, give the parties an opportunity of attending before him at a hearing either by themselves or by their agents.

The decision of the registrar shall be in writing.

Note in register.

89. Upon any apportionment of marks under this section the registrar shall insert in the register a note in connection with each of the registered trade marks of the fact of such apportionment, and shall in such note refer to the date of the decision under which such apportionment has taken place.

## Applications under Section 32.

Application under sect. 32.

90. Applications under section 32 to the registrar may be made by the registered proprietor, or by the trustee in bankruptcy of the registered proprietor, or where the registered proprietor is a company in liquidation by the liquidator, and in other cases by such person as the registrar may decide to be entitled to act in the name of the registered proprietor.

Evidence.

91. Where such application is made the registrar may require such evidence by statutory declaration or otherwise as he may think fit as to the circumstances in which the application is made.

Advertisement of application.

92. Where application is made, on Form TM No. 26, to enter a disclaimer or memorandum relating to a trade mark, the registrar, before deciding upon such application, shall advertise the application in the Journal for one month in order to enable any person desiring so to do to state any reasons in writing against the applicant being allowed to make such disclaimer or enter such memorandum.

## Applications under Section 34.

Alteration of trade mark.

93. Where a person desires to apply under section 34 to alter a trade mark he shall make his application in writing on Form TM No. 27, and shall furnish the registrar with six copies of the mark as it will appear when altered.

94. Before proceeding with such application the registrar may call on the applicant to furnish a block suitable to advertise in the Journal the fact that such application has been made, or, if he think fit, the registrar, without calling for a block, may insert an advertisement describing the alteration proposed in words so that it can be understood by persons interested in the matter. Advertisement of alteration.

Where leave is granted the registrar may, if he is not already in possession of a block showing the trade mark as altered, cause the applicant to furnish a block showing the trade mark as altered for advertisement in the Journal, and upon receipt of such block shall forthwith advertise the mark as altered in the Journal.

## Search.

95. The registrar, if requested so to do in writing upon a Form TM No. 28, may cause a search to be made in any class to ascertain whether any marks are on record at the date of such search which may resemble any mark sent in duplicate to him by the person requesting such search and may cause that person to be informed of the result of such search. Searches.

## Hours of Inspection.

96. The office shall be open to the public every weekday, except Saturday, between the hours of ten and four, and on Saturday between the hours of ten and one, except on the days following:— Hours of inspection.

Christmas Day; Good Friday; the day observed as His Majesty's birthday; the days observed as days of public fast or thanksgiving, or as holidays at the Bank of England; and days which may from time to time be notified by a placard posted in a conspicuous place at the office.

## Power to Dispense with Evidence.

97. Where under these rules any person is required to do any act or thing, or to sign any document, or to make any declaration on behalf of himself or of any body corporate, or any document or evidence is required to be produced to or left with the registrar, or at the office, and it is shown to the satisfaction of the registrar 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 registrar, and upon the production of such other evidence, and subject to such terms as he may think fit, to dispense with any such act or thing, document, declaration, or evidence. Dispensing with evidence.

## Amendments.

98. Any document or drawing or other representation of a trade mark may be amended, and any irregularity in procedure which in the opinion of the registrar may be obviated without detriment to the Amendment of documents.

interests of any person may be corrected, if the registrar think fit, and on such terms as he may direct.

## Enlargement of Time.

Enlargement of time.

99. The time prescribed by these rules for doing any act, or taking any proceeding thereunder, may be enlarged by the registrar, if he think fit, and upon such notice to other parties, and proceedings thereon, and upon such terms, as he may direct, and such enlargement may be granted though the time has expired for doing such act or taking such proceeding.

Excluded days.

100. Whenever the last day fixed by the said Act, or by these rules, for leaving any document or paying any fee at the office shall fall on Christmas Day, Good Friday, or on a Saturday or Sunday, or any day observed as a holiday at the Bank of England, or any day observed as a day of public fast or thanksgiving, herein referred to as excluded days, it shall be lawful to leave such document or to pay such fee on the day next following such excluded day or days if two or more of them occur consecutively.

Fees paid late by persons living at distances from office.

101. Where a time for paying a fee is limited by these rules and the person who is bound to pay such fee resides at such distance from the office that he cannot reasonably be expected to pay the fee on the date limited by the rule, the registrar, if satisfied that the omission to pay the fee has not been from any want of diligence on the part of the person whose business it is to pay it, may accept the fee even though the date for paying the fee has passed, and treat it as if received on the correct date, provided always that the fee is actually paid with such promptitude as can be expected in the circumstances.

## Certificates.

Certificates by registrar.

102. The registrar, when required otherwise than under section 17 of the said Act to give a certificate as to any entry, matter, or thing which he is authorised by the said Act or any of these rules to make or do, may, on receipt of a request in writing, and on payment of the prescribed fee, give such certificate, but every certificate of registration so given shall have specified on the face thereof, whether the same is to be used in legal proceedings, or for the purpose of obtaining registration abroad, or for purposes other than use in legal proceedings or obtaining registration abroad.

Marks registered without limitation of colour.

103. Where a mark is registered without limitation of colour it shall be lawful for the registrar to grant a certificate of its registration for the purpose of obtaining registration abroad either in the colour in which it appears upon the register or in any other colour or colours.

Certificates for use in obtaining registration abroad.

104. Where a certificate of registration is desired for use in obtaining registration abroad, the registrar shall affix to the said certificate a copy of the mark, and shall state in such certificate such particulars concerning the registration of the mark as to him may seem fit, and may omit therefrom reference to any disclaimers appearing on the register.

## Declarations.

Manner in which, and person before whom, declaration is to be taken.

105. The statutory declarations required by the said Act and these rules, or used in any proceedings thereunder, shall be made and subscribed as follows:—

(a) In the United Kingdom, before any justice of the peace, or any commissioner or other officer authorised by law in any part of the United Kingdom to administer an oath for the purpose of any legal proceeding;

(b) In any other part of His Majesty's dominions, before any Court, judge, justice of the peace, or any officer authorised by law to administer an oath there for the purpose of a legal proceeding; and

(c) If made out of His Majesty's dominions, before a British Minister, or person exercising the functions of a British Minister, or a Consul, Vice-Consul, or other person exercising the functions of a British Consul, or a notary public, or before a judge or magistrate.

Notice of seal of officer taking declaration to prove itself.

106. Any document purporting to have affixed, impressed, or subscribed thereto or thereon the seal or signature of any person hereby authorised to take such declaration in testimony of such declaration having been made and subscribed before him, may be admitted by the registrar without proof of the genuineness of any such seal or signature, or of the official character of such person or his authority to take such declarations.

## Cutlers' Company.

Applications.

107. All applications to the Cutlers' Company for registration of a trade mark, under section 63 of the said Act, shall be in duplicate, accompanied by the prescribed fees and representations. Requests to enter old corporate marks on the Sheffield Register, under section 63 (2), should be made on Form Sheffield No. 1.

Notice to registrar.

108. The Cutlers' Company shall, within seven days of the receipt by them of an application to register a trade mark, send the registrar one copy of such application, by way of notice thereof, together with two representations of the mark for each class for which the applicant seeks registration.

Objections by registrar to acceptance.

109. The time within which the registrar shall give notice to the Cutlers' Company of any objection he may have to the acceptance of an application for registration made to the said Company shall be one month from the date of the receipt by the registrar of the notice from the said Company of the making of the application.

Advertisement of application.

110. If no such objection is made by the registrar, the Cutlers' Company shall require the applicant to send the registrar a wood block or electrotype as the registrar may direct, and the registrar shall, if satisfied with such wood block or electrotype, advertise the application in the same manner as an application made to him at the office.

Notification to Cutlers'

111. The manner in which the registrar shall notify to the Cutlers' Company an application and proceedings thereon made as mentioned

Company of application.

in sub-section 8 of section 63 of the said Act shall be by sending to the Cutlers' Company a copy of the Journal containing the application of which notice is required to be given, with a note distinguishing such application.

Similarity of proceedings in London and Sheffield.

112. The provisions of those rules as to forms, representations, the proceedings on opposition to registration, registration, and all subsequent proceedings, shall, as far as the circumstances allow, apply to all applications to register made to the Cutlers' Company, and to all proceedings consequent thereon.

## Cotton Marks.

Application.

113. An application to the Manchester Branch for registration of a trade mark under section 64 of the said Act shall be in duplicate. The special forms for cotton marks contained in the Second Schedule to these rules shall be used. One of the forms of application shall be stamped and the other unstamped.

One representation to be sent to registrar.

114. The Keeper of Cotton Marks shall forthwith, on receipt of such application, send the registrar one representation of the mark applied for.

Search.

115. As soon as may be after receiving any application the Keeper of Cotton Marks shall make a search amongst the marks on the Manchester register, in the B list, and those which have been refused and those which are pending, and shall notify to the registrar the application and the marks, if any, which he has found so nearly resembling the mark applied for as to be calculated to deceive, and together with such notification shall send a report upon the application.

Hearings.

116. Upon considering such report, if the registrar thinks it will be necessary to object to the acceptance of the application, he shall give notice to the applicant of a time when he can be heard, and, within one month after hearing the applicant, may give notice to the Keeper of Cotton Marks of objection to the acceptance of the application, or that he has no objection, as the case may be. If no notice of objection, or if notice of no objection is received from the registrar, the application shall be advertised in the Journal by the Manchester Branch.

If the applicant, being notified as aforesaid of a time for hearing, does not attend, his application shall be deemed to be refused.

Registration.

117. If the mark is advertised by the Manchester Branch and is not opposed, the Keeper of Cotton Marks may call upon the applicant for the prescribed fee for the registration of such trade mark, and upon receipt thereof shall report to the registrar, who shall forthwith, if he think fit, register the same.

Procedure.

118. Where under the said Act or these rules an application has to be made to the Keeper of Cotton Marks, such application shall be made and such proceedings shall be had thereon as if in these rules the expression "Manchester Branch, 48, Royal Exchange, Manchester," were substituted for the word "office," and the expression "Keeper of Cotton Marks" were substituted for the word "registrar."

Service of documents.

119. Where any document is by these rules directed to be served upon the registrar it shall, in respect of cotton marks, be served in duplicate upon the Keeper of Cotton Marks, who shall forthwith transmit one copy to the registrar.

120. Where under rule 95 a search has to be made by the Keeper of Cotton Marks, such search shall cover all marks of which there is a right of inspection under section 34 (11) of the said Act. Search under Rule 95.

## Appeals to the Court.

121. When any person intends to appeal to the Court, such appeal shall be made by motion in the usual way, and no such appeal shall be entertained unless notice of motion be given within one month from the date of the decision appealed against or within such further time as the registrar shall allow. Appeal to Court.

## Appeals to Board of Trade.

122. When any person intends to appeal to the Board of Trade he shall, before doing so, apply to the registrar for a hearing and obtain a decision from him upon the point raised. Within one month from the date of such decision he shall, if he is advised to appeal to the Board of Trade in any case in which an appeal is given by the said Act, leave at the office a notice of such his intention, on Form TM No. 29. Appeal to Board of Trade.

Such notice shall be accompanied—

(1) In case the appeal concerns an application not yet advertised, by a copy of the form of application and six representations of the mark applied for and a copy of the grounds of the registrar's decision.

(2) In case of an opposition by a copy of the decision of the registrar, and if the appeal is by the applicant also by a copy of the form of application and six representations of the mark opposed.

(3) In other cases by a copy of the decision of the registrar and a statement of the date of the hearing before him.

123. Such notice shall also be accompanied by a statement in writing of the grounds of appeal, and of the appellant's case in support thereof. Grounds of appeal to be stated.

124. A copy of the notice and all the accompanying documents shall also be forthwith sent by the appellant to the Secretary of the Board of Trade, No. 7, Whitehall Gardens, London; and where there has been an opposition before the registrar to the opponent or applicant as the case may be. Transmission of notice.

125. The Board of Trade may thereupon give such directions (if any) as they may think fit with respect to parties and evidence, or otherwise, for the purpose of the hearing of the appeal by the Board of Trade, or for the purpose of their referring the appeal to the Court to hear and determine the same. Directions by Board.

126. Where the Board of Trade intend to hear the appeal, seven days' notice, or such shorter notice as the Board of Trade may in any particular case direct, of the time and place appointed for the hearing, shall be given to the registrar and to the appellant, and where there has been an opposition before the registrar to the opponent or applicant as the case may be. Hearing of appeal.

No appeal unless notice duly given.

127. No appeal shall be entertained of which notice has not been given within one month from the date of the decision appealed against, or such further time as the registrar may allow, except by special leave of the Board of Trade.

### Withdrawal of Appeals.

Withdrawal of appeal.

128. Where under section 12 (5) or section 14 (8) of the said Act an appellant is entitled to withdraw his appeal, such withdrawal shall be effected by notice given to the registrar and to the other parties, if any, to such appeal within seven days after the leave referred to in such sections has been obtained.

### Applications to and Orders of the Court.

Order of Court.

129. Where an order has been made by the Court in any case under the said Act, the person in whose favour such order has been made, or such one of them, if more than one, as the registrar may direct, shall forthwith leave at the office an office copy of such order, together with Form TM No. 30 if required. The register may, if necessary, thereupon be rectified or altered by the registrar.

Every application to the Court under the said Act shall be served on the registrar.

Publication of order of Court.

130. Whenever an order is made by the Court under the said Act, the registrar may, if he thinks that such order should be made public, publish it in the Journal.

Dated this 24th day of March, 1906.

(Signed) D. Lloyd-George,
President of the Board of Trade.

# SCHEDULES.

## FIRST SCHEDULE.

### Fees.

The following fees shall be paid in connection with applications, registrations, and other matters under the Act. Such fees must in all cases be paid before or at the time of the doing of the matter in respect of which they are to be paid :—

| | £ s. d. | Corresponding Form. |
|---|---|---|
| 1. On application not otherwise charged to register a trade mark for one or more articles included in one class | 0 10 0 | T.M. No. 2 or 5, Cotton No. 1. |
| 1*a*. On application not otherwise charged to register a *series of trade marks for one or more articles* included in one class | 0 10 0 | T.M. No. 2 or 5, Cotton No. 1. |
| 1*b*. On request to the Cutlers' Company to enter a mark on the Sheffield Register under sect. 63, sub-sect. (2) | 5 0 0 | Sheffield No. 1. |
| 1*c*. On application to the Board of Trade under sect. 62 for leave to register a mark for goods in one class | 0 10 0 | T.M. No. 6. |
| 1*d*. On application to the Board of Trade under sect. 62 for leave to register a mark for goods in more than one class— | | |
| In respect of every class | 0 10 0 | T.M. No. 6. |
| Total fee in no case to exceed £10 for any number of classes. | | |
| 2. On an application to registrar to state grounds of decision and materials used under sect. 12, sub-sect. (3) | 0 10 0 | T.M. No. 1. |
| 3. On request to be heard by the Board of Trade on application to register a name, signature, word or words under sect. 9, para. (5) | 1 0 0 | T.M. No. 10. |
| 4. On notice of opposition for each application opposed, by opponent | 1 0 0 | T.M. No. 7. |
| 4*a*. On filing a counter-statement in answer to a notice of opposition, by the applicant for each application opposed | 0 10 0 | T.M. No. 8. |
| 4*b*. On the hearing of each opposition, by applicant and by opponent respectively | 1 0 0 | T.M. No. 9. |
| 5. For registration of a trade mark for one or more articles included in one class | 1 0 0 | T.M. No. 11. |
| 5*a*. For registration of a series of marks for one or more articles included in one class— | | |
| For the first mark | 1 0 0 | T.M. No. 11. |
| And for every other mark of the series | 0 5 0 | |
| 5*b*. For registration under sect. 62 of a mark for goods in more than one class— | | |
| In respect of every class | 1 0 0 | T.M. No. 11. |
| Total fee in no case to exceed £20 for any number of classes. | | |

| | £ | s. | d. | Corresponding Form. |
|---|---|---|---|---|
| 6. Upon each entry in the register of a mark of a note that the mark is associated with a newly registered mark | 0 | 1 | 0 | — |
| 7. On application to register a subsequent proprietor in cases of assignment or transmission of a single mark | 1 | 0 | 0 | T.M. No. 16 or 18. |
| 7*a*. On application to register a subsequent proprietor of more than one mark standing in the same name, the devolution of title being identical in each case— | | | | |
| For the first mark | 1 | 0 | 0 | T.M. No. 16 |
| And for every other mark | 0 | 2 | 0 | or 18. |
| 8. On application to change the name of a proprietor of a single mark where there has been no alteration in the proprietorship | 0 | 5 | 0 | T.M. No. 23. |
| 8*a*. On application to change the name of a proprietor of more than one mark standing in the same name, the change being the same in each case— | | | | |
| For the first mark | 0 | 5 | 0 | T.M. No. 23. |
| And for every other mark | 0 | 1 | 0 | |
| 9. For renewal of registration of a mark at expiration of last registration | 1 | 0 | 0 | T.M. No. 12 or 13. |
| 9*a*. For renewal of registration of a series of marks at the expiration of last registration— | | | | |
| For the first mark of the series | 1 | 0 | 0 | T.M. No. 12 |
| And for every other mark of the series | 0 | 2 | 0 | or 13. |
| 9*b*. For renewal of a mark registered under sect. 62 for goods in more than one class— | | | | |
| In respect of every class | 1 | 0 | 0 | T.M. No. 12 or 13. |
| Total fee in no case to exceed £20 for any number of classes. | | | | |
| 10. Additional fee under Rule 72 | 0 | 10 | 0 | T.M. No. 14. |
| 11. Additional fee under Rule 73 | 1 | 0 | 0 | T.M. No. 15. |
| 12. For altering a single entry of the address of a registered proprietor | 0 | 5 | 0 | T.M. No. 20. |
| 12*a*. For altering more than one entry of the address of a registered proprietor where the address in each case is the same and is altered in the same way— | | | | |
| For the first entry | 0 | 5 | 0 | T.M. No. 20. |
| And for every other entry | 0 | 1 | 0 | |
| 13. For every entry in the register of a rectification thereof or an alteration therein, not otherwise charged | 0 | 10 | 0 | T.M. No. 30. |
| 14. For cancelling the entry or part of the entry of a trade mark upon the register on the application of the owner of such trade mark | 0 | 5 | 0 | T.M. No. 21 or 25. |
| 15. On request, not otherwise charged, under sect. 12 (6) or under sect. 32 | 0 | 5 | 0 | T.M. No. 22 or 26. |
| 16. For a search under Rule 95 | 0 | 10 | 0 | T.M. No. 28. |
| 17. For certificate of registrar of registration to be used in legal proceedings | 1 | 0 | 0 | T.M. No. 34. |
| 18. For certificate of registrar of the registration of a trade mark to be used for the purpose of obtaining registration abroad | 0 | 5 | 0 | T.M. No. 33. |
| 18*a*. For certificate of registrar of the registration of a series of marks for the purpose of obtaining registration abroad | 0 | 10 | 0 | T.M. No. 33. |

| | £ | s. | d. | Corresponding Form. |
|---|---|---|---|---|
| 19. For certificate of registrar other than certificate under sect. 17 or certificate of registration to be used in legal proceedings, or for the purpose of obtaining registration abroad | 1 | 0 | 0 | T.M. No. 31 or 32. |
| 20. For certificate of Keeper of Cotton Marks | 0 | 5 | 0 | Cotton No. 3 or 4. |
| 21. On appeal from registrar to Board of Trade in respect of each decision appealed against by appellant | 1 | 0 | 0 | T.M. No. 20. |
| 22. On an application to the registrar under sect. 23 | 5 | 0 | 0 | T.M. No. 21. |
| 23. On an application to the registrar for leave to add to or alter a single mark | 1 | 0 | 0 | T.M. No. 27. |
| 23*a*. On an application to the registrar for leave to add to or alter more than one mark of the same proprietor, the addition or alteration to be made, in each case being the same— | | | | |
| For the first mark | 1 | 0 | 0 | T.M. No. 27. |
| And for every other mark | 0 | 10 | 0 | |
| 24. For inspecting register in connection with any particular trade mark, for every quarter of an hour | 0 | 1 | 0 | — |
| 25. For making a search amongst the classified representations of trade marks, for every quarter of an hour | 0 | 1 | 0 | — |
| 26. For office copy of documents for every 100 words (but never less than 1s.) | 0 | 0 | 1 | — |
| 27. For certifying office copies MS. or printed matter | 0 | 10 | 0 | — |
| 28. In cases where the wood block or electrotype of the trade mark exceeds two inches in breadth or depth, or in breadth and depth— | | | | |
| For every inch or part of an inch over two inches in breadth | 0 | 2 | 0 | — |
| For every inch or part of an inch over two inches in depth | 0 | 2 | 0 | — |

The fees to be paid on any proceeding at the Manchester Branch and at Sheffield (except as specially provided above) shall be the same as for the similar proceeding at the London office.

For the purpose of these fees (except as specially provided above) every mark of a series under sect. 66 of the Patents Designs and Trade Marks Act, 1883, or sect. 26 of this Act, shall be deemed to be a mark separately registered.

Dated this 24th day of March, 1906.

(Sd.) D. Lloyd-George,
President of the Board of Trade.

Approved

(Sd.) J. Herbert Lewis,
Cecil Norton,
Lords Commissioners
of His Majesty's Treasury.

# APPENDIX A.

## SECOND SCHEDULE.

### Forms.

| | Page. | Corresponding Fee. |
|---|---|---|
| | | No. |
| Authorisation | 76 | — |
| Application for registration of trade mark | 76 | 1, 1*a* |
| Additional representation of trade mark | 77 | — |
| Request for statement of grounds of decision under sect. 12 (3) | 77 | 2 |
| Application for registration of trade mark under sect. 9 (5) | 78 | 1 |
| Application for registration of trade mark under sect. 62 | 79 | 1*c* or 1*d* |
| Opposition to application for registration | 80 | 4 |
| Counter-statement to opposition to application for registration | 80 | 4*a* |
| Application for hearing in cases of opposition | 81 | 4*b* |
| Application for hearing by the Board of Trade under sect. 9 (5) | 81 | 3 |
| Notice of non-completion of registration | 81 | — |
| For registration of a trade mark | 82 | 5, 5*a*, or 5*b* |
| Certificate of registration under sect. 17 | 82 | — |
| Renewal of registration | 82 | 9, 9*a*, or 9*b* |
| First notice before removal of mark from register, under sect. 30 | 83 | — |
| Second notice before removal of mark from register, under sect. 30 | 83 | — |
| Renewal of registration after notice has been given by registrar | 84 | 9, 9*a*, or 9*b* |
| Additional fee to accompany renewal fee within one month after advertisement of non-payment of renewal fee | 84 | 10 |
| Restoration of trade mark where removed for non-payment of fee | 84 | 11 |
| Request by registered proprietor and assignee to register assignee as subsequent proprietor | 85 | 7, 7*a* |
| Declaration by assignee in support of request by registered proprietor and assignee to register assignee as subsequent proprietor | 85 | — |
| Request to enter name of subsequent proprietor | 86 | 7, 7*a* |
| Declaration in support of request to enter name of subsequent proprietor | 86 | — |
| Application for alteration of address on register | 87 | 12, 12*a* |
| Application for apportionment of trade marks | 87 | 22 |
| Correction of clerical error or amendment of application. | 87 | 15 |

| | Page. | Corresponding Fee. |
|---|---|---|
| | | No. |
| Request to enter change of name of registered proprietor | 88 | 8, 8*a* |
| Application to cancel entry on register | 88 | 14 |
| Request to strike out goods from those for which a mark is registered | 89 | 14 |
| Request to enter disclaimer, &c. | 89 | 15 |
| Application to add to or alter a trade mark | 89 | 23 or 23*a* |
| Request for search under Rule 95 | 90 | 16 |
| Request to enter a mark on the Sheffield Register under sect. 63 (2) | 90 | 16 |
| Application for registration of cotton mark | 91 | 1 |
| Additional representation of cotton mark | 92 | — |
| Request for certificate under sect. 64 (12) | 93 | 20 |
| Request for certificate of Keeper of Cotton Marks | 93 | 20 |
| Certificate under sect. 64 (12) | 94 | — |
| General certificate (cotton marks) other than under sect. 64 (12) | 94 | — |
| Appeal from registrar to Board of Trade | 95 | 21 |
| Notice of order of Court for alteration of register | 95 | 13 |
| Request for general certificate | 96 | 19 |
| Request for certificate of refusal to register | 96 | 19 |
| Request for certificate of registration for use in obtaining registration abroad | 97 | 18 or 18*a* |
| Request for certificate of registration for use in legal proceedings | 97 | 17 |

Form TM No. 1.

## TRADE MARKS ACT, 1905.

### Form of Authorisation.

Sir,

I beg to inform you that I have appointed (*a*)
of
to act as my agent for (*b*)

I am, Sir,
Your obedient Servant,
(*c*)
Address

Dated the day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

(*a*) Here insert name and address of agent.

(*b*) Here state the particular purpose for which the agent is appointed.

(*c*) To be signed by the person appointing the agent.

---

Form TM No. 2.

[TRADE MARKS. 10*s*.]

## TRADE MARKS ACT, 1905.

### Application for Registration of Trade Mark (other than Cotton Mark).

One representation to be fixed within this square, and four others to be sent on separate Forms TM No. 3.

Representations of a larger size may be folded, but must then be mounted upon linen and affixed hereto.

Application is hereby made for registration of the accompanying Trade Mark in Class in respect of (*a*)

in the name of (*b*) of

[*Address and description*]
trading as

who claims to be the proprietor thereof (*c*).
do not claim the registration of this Trade Mark under the special provisions of paragraph 5 of section 9 of the Trade Marks Act, 1905, in regard to names, signatures, or words.

(Signed)

Dated the day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

(*a*) Only goods contained in one and the same class should be set out here. A separate application form is required for each separate class.

(*b*) Here insert legibly the full name, address and description of the individual, firm, or company. Add trading style (if any).

(*c*) Alter to "claim to be the proprietors thereof" in the case of a firm or company.

FORM TM No. 3.

## TRADE MARKS ACT, 1905.

ADDITIONAL REPRESENTATION OF TRADE MARK, TO ACCOMPANY APPLICATION FOR REGISTRATION (other than Cotton Mark).

One representation of the trade mark to be affixed within this square.

It must correspond *exactly*, in all respects with the representation affixed to the Application Form.

Any representation of a larger size than foolscap may be folded, but must then be mounted upon linen and affixed hereto.

**Four of these Additional Representations of the Trade Mark must accompany *each* Form of Application.**

---

FORM TM No. 4.

## TRADE MARKS ACT, 1905.

[TRADE MARKS. 10s.]

REQUEST FOR STATEMENT OF GROUNDS OF DECISION UNDER SECTION 12 (3).

**You are hereby requested under sub-section 3 of section 12 of the Trade Marks Act, 1905, and Rule 33 made thereunder to state in writing the grounds of your decision, dated the day of 19 , after the hearing on the day of 19 , and the materials used by you in arriving at such decision.**

(Signed)

**Dated the day of , 19 .**

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

---

## APPENDIX A.

### FORM TM No. 5.

[TRADE MARKS. 10s.]

### TRADE MARKS ACT, 1905.

SPECIAL APPLICATION FOR REGISTRATION OF TRADE MARK UNDER PARAGRAPH 5 OF SECTION 9.

One representation to be fixed within this square, and four others to be sent on separate Forms TM No. 8.

Application is hereby made for registration of the accompanying Trade Mark in Class , in respect of (*a*)

(*a*) Only goods contained in one and the same class should be set out here. A separate application form is required for each separate class.

in the name of (*b*) of

[*address and description*]

(*b*) Here insert legibly the full name, address and description of the individual, firm, or company. Add trading style (if any).

trading as

who claims to be the proprietor thereof (*c*) and desires an order of the Board of Trade or the Court directing registration of the same.

(*c*) Alter to "claim to be the proprietors thereof" in the case of a firm or company.

(Signed)

Dated the day of , 19 .

*To the Registrar,*

*Patent Office, Trade Marks Branch,*

*25, Southampton Buildings, Chancery Lane, London, W.C.*

FORM TM No. 6.

[TRADE MARKS. Fee 1*l* or 1*s*.]

# TRADE MARKS ACT, 1905.

## SPECIAL APPLICATION FOR REGISTRATION OF TRADE MARK UNDER SECTION 62.

*(To be accompanied by an unstamped duplicate.)*

One representation to be fixed within this square, and six others to be sent on separate half-sheets of foolscap.

Representations of a larger size may be folded, but must then be mounted upon linen and affixed hereto.

Application is hereby made for registration of the accompanying trade mark in Class , in respect of (*a*)
in the name of
of
[*address and description*]
who desire the Board of Trade under section 62 of the said Act to permit the registration thereof.

(*a*) Only goods contained in one and the same class should be set out here. A separate application form is required for each separate class.

(Signed)

Dated the day of , 19 .

*To the Registrar,*

*Patent Office, Trade Marks Branch,*

*25, Southampton Buildings, Chancery Lane, London, W.C.*

## APPENDIX A.

### FORM TM No. 7.

[TRADE MARKS. £1.]

### TRADE MARKS ACT, 1905.

NOTICE OF OPPOSITION TO APPLICATION FOR REGISTRATION.

[*To be accompanied by an unstamped duplicate.*]

In the matter of an application, No. by of

* Here state full name and address.

* I,
hereby give notice of my intention to oppose the registration of the trade mark advertised under the above number for Class in the *Trade Marks Journal* of the day of , 19 , No. , page

The grounds of opposition are as follows :—

(Signed)

Dated the day of , 19 .

Address for Service :—

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

---

### FORM TM No. 8.

[TRADE MARKS. 10*s.*]

### TRADE MARKS ACT, 1905.

FORM OF COUNTER-STATEMENT.

[*To be accompanied by an unstamped duplicate.*]

In the matter of an Opposition, No. , to Application No. .

I,
the applicant for the above Trade Mark, hereby give notice that the following are the grounds on which I rely as supporting my application :—

I admit the following allegations in the notice of Opposition :—

Signature

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

FORM TM No. 9.

## TRADE MARKS ACT, 1905.

[TRADE MARKS. 21.]

### FORM OF APPLICATION FOR HEARING BY THE REGISTRAR IN CASES OF OPPOSITION.

SIR,

In reply to your Notice dated the giving of (*a*)

(*a*) Here insert address.

a date on which you will hear the arguments in the case of Opposition No. to Application No. , I beg to say that I intend to appear before you on the date you have fixed, namely the day of , 19 .

I am,
Sir,
Your obedient Servant,

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

---

FORM TM No. 10.

## TRADE MARKS ACT, 1905.

[TRADE MARKS. 21.]

Application is hereby made to the Board of Trade to hear the matter of the Application No. under Rule 38.

* Signature.

*

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

---

FORM O No. 1.

### NOTICE OF NON-COMPLETION OF REGISTRATION.

No.

The Registrar has to call your attention to Section 18 of the Trade Marks Act, 1905, and to Rule 62 of the Trade Marks Rules made thereunder. The section and the rule are printed on the back hereof.

Your application numbered as above was made on the day of 19 . Registration has not been completed by reason of your default. Unless it is completed within days from this date the application will be treated as abandoned.

Dated this day of , 19 .

*To*

*The Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

FORM TM No. 11.

[TRADE MARKS. Fee 5 or 5a.]

TRADE MARKS ACT, 1905.

FEE FOR REGISTRATION OF A TRADE MARK.

SIR,

In reply to your request I hereby transmit the prescribed fee for the registration of the Trade Mark No. in Class .

I am,
Sir,
Your obedient Servant,

* Signature. *

Dated the day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
25, *Southampton Buildings, Chancery Lane, London, W.C.*

---

FORM O No. 2.

TRADE MARKS ACT, 1905.

CERTIFICATE OF REGISTRATION UNDER SECTION 17.

To

I hereby certify, pursuant to Rule 67 of the Rules under the above Act, that the Trade Mark in your application No. was duly advertised in the *Trade Marks Journal* and has been registered in your name in Class , in respect of the goods specified by you.

Witness my hand this day of , 19 .

(Seal of Patent Office.)

Registrar.

*The Patent Office, Trade Marks Branch,*
25, *Southampton Buildings, Chancery Lane, London, W.C.*

---

FORM TM No. 12.

[TRADE MARKS. Fee 9 or 9a.]

TRADE MARKS ACT, 1905.

RENEWAL OF REGISTRATION BEFORE NOTICE GIVEN.

I hereby leave the prescribed fee of for the renewal of the registration of the Trade Mark No. , in Class .

Dated the day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
25, *Southampton Buildings, Chancery Lane, London, W.C.*

N.B.—This Form must be indorsed with the name and address of the person leaving the same.

FORM O No. 3.

## TRADE MARKS ACT, 1905.

### NOTICE BEFORE REMOVAL OF TRADE MARK FROM THE REGISTER, UNDER SECTION 30.

The Registrar hereby gives you notice that in conformity with the provisions of section 30 of the above Act (printed at back hereof), your Trade Mark No. , registered in Class , will be removed from the Trade Marks Register, unless the prescribed fee of (payable by Form TM No. 13) be received at this Office *before* the day of , 19 , on which date the existing registration will expire.

A stamped Form TM No. 13, for payment of the fee, may be obtained as directed at the back of this Notice, *but cannot be obtained from this Office.*

Dated this day of , 19 .

*To*

*The Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

Cheques, money orders, or cash cannot be accepted in payment of fees.

---

FORM O No. 4.

## TRADE MARKS ACT, 1905.

### SECOND NOTICE.

### NOTICE BEFORE REMOVAL OF TRADE MARK FROM THE REGISTER, UNDER SECTION 30.

The Registrar hereby gives you notice that, in conformity with the provisions of section 30 of the above Act (printed at back hereof), your Trade Mark No. , registered in Class , will be removed from the Trade Marks Register, unless the prescribed fee of (payable by Form TM No. 13) be received at this Office *before* the *day of* , 19 , on which date the existing registration will expire.

If the above fee be not paid *before* the date above named, the Trade Mark will, after the end of one month from the date on which the omission to pay the fee has been advertised in the *Trade Marks Journal*, be removed from the Trade Marks Register, unless an *additional* fee of 10s. (payable by Form TM No. 14) be remitted.

Stamped Forms for payment of renewal fees may be obtained as directed at the back of this Notice, *but cannot be obtained from this Office.*

Dated this day of , 19 .

*To*

*The Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

Cheques, money orders, or cash cannot be accepted in payment of fees.

[TRADE MARKS. Fee 9 or 9a.]

FORM TM No. 13.

## TRADE MARKS ACT, 1905.

RENEWAL OF REGISTRATION OF MARK AFTER NOTICE.

SIR,

In pursuance of the notice received from you, I hereby transmit the prescribed fee of for Renewal of Registration of the Trade Mark No. , in Class .

Dated the day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

N.B.—This Form must be indorsed with the name and address of the person transmitting the same.

---

[TRADE MARKS. 10s.]

FORM TM No. 14.

## TRADE MARKS ACT, 1905.

ADDITIONAL FEE OF 10s. TO ACCOMPANY RENEWAL FEE (FORM TM No. 13), WITHIN ONE MONTH AFTER ADVERTISEMENT OF NON-PAYMENT OF RENEWAL FEE.

SIR,

In pursuance of the notices issued by you, I hereby transmit the additional fee of 10s. (along with Form TM No. 13) for the Renewal of the Registration of the Trade Mark No. in Class .

Dated the day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

N.B.—This Form must be indorsed with the name and address of the person transmitting the same.

---

[TRADE MARKS. £1.]

FORM TM No. 15.

## TRADE MARKS ACT, 1905.

RESTORATION OF TRADE MARK WHERE REMOVED FOR NON-PAYMENT OF FEE.

[*To accompany Form TM No.* 13.]

SIR,

In pursuance of the notices issued by you, I hereby transmit the additional fee of £1 (along with Form TM No. 13) for restoration to the Trade Marks Register of the Trade Mark No. in Class .

Dated the day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

N.B.—This Form must be indorsed with the name and address of the person transmitting the same.

FORM TM No. 16.

## TRADE MARKS ACT, 1905.

[TRADE MARKS. FEE 7 or 7a.]

JOINT REQUEST BY REGISTERED PROPRIETOR AND ASSIGNEE TO REGISTER THE ASSIGNEE AS SUBSEQUENT PROPRIETOR OF A TRADE MARK.

We, (a)
of (b)
and (c)
of (d)
hereby request, under Rule 76, that the name of (e)
, carrying on business as (f)
at (g) , may be entered in the Register of Trade Marks as proprietor of the Trade Mark No.
in Class .

(h)
(i)

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

(a) Name of Registered Proprietor.
(b) Address of Registered Proprietor.
(c) Name of Assignee.
(d) Address of Assignee.
(e) Name of Assignee.
(f) Trade or business of Assignee.
(g) Address of Assignee.
(h) Signature of Registered Proprietor.
(i) Signature of Assignee.

---

FORM TM No. 17.

## TRADE MARKS ACT, 1905.

FORM OF DECLARATION (ONLY TO BE FURNISHED WHEN REQUESTED BY REGISTRAR) BY ASSIGNEE IN SUPPORT OF FORM TM No. 16.

I (a)
of (b)
do hereby solemnly and sincerely declare that the Trade Mark No.
in Class has been assigned to me by (c)
of (d) together with the goodwill of the business concerned in the goods for which it has been registered, and that I have accepted such Assignment.

(a) Name of Assignee.
(b) Address of Assignee.
(c) Name of Assignor.
(d) Address of Assignor.

(e) And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act, 1835.

(e) This paragraph is not required when the declaration is made out of the United Kingdom.

(f)
Declared at
this day of , 19 .
Before me (g)
(h)

(f) Signature of Assignee.
(g) Signature of Authority.
(h) Title of Authority.

[If the declaration be made before any authority other than a Justice of the Peace, it will require to be stamped with a 2*s.* 6*d.* impressed Inland Revenue Stamp.]

[TRADE MARKS. Fee 7 or 7a.]

FORM TM No. 18.

## TRADE MARKS ACT, 1905.

REQUEST TO ENTER NAME OF SUBSEQUENT PROPRIETOR OF TRADE MARK UPON THE REGISTER.

(a) *Or* We. Here insert name, address, and description. I, (a)

(b) My *or* our. (c) *Or* names. hereby request that you will enter (b) name (c) in the Register of Trade Marks as proprietor of the Trade Mark No. in Class .

(d) I am *or* We are. (d) entitled to the said Trade Mark and to the goodwill of the business concerned in the goods with respect to which the said Trade Mark is registered.

(e) My *or* Our. Accompanying this Request is a statement of (e) case.

* Signature. *

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

---

FORM TM No. 19.

## TRADE MARKS ACT, 1905.

FORM OF DECLARATION (ONLY TO BE FURNISHED WHEN REQUESTED BY REGISTRAR) IN SUPPORT OF STATEMENT OF CASE ACCOMPANYING FORM TM No. 18.

I, of ,
do hereby solemnly and sincerely declare that the particulars set out in the statement of case, exhibit marked and left by me in connection with my request to be registered as subsequent proprietor of the Trade Mark, No. , in Class , are true and comprise every material fact and document affecting the proprietorship of the said Trade Mark as above claimed.

(a) This paragraph is not required when the declaration is made out of the United Kingdom. (a) And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

(b) To be signed here by the person making the declaration. (b)

Declared at

this day of , 19 .

Before me,

(c) Signature and title of the authority before whom the declaration is made. (c)

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

[If the declaration be made before any authority other than a Justice of the Peace it will require to be stamped with a 2*s.* 6*d.* impressed Inland Revenue Stamp.]

FORM TM No. 20.

## TRADE MARKS ACT, 1905.

[TRADE MARKS, Fee 12 or 12*a*.]

NOTICE OF APPLICATION FOR ALTERATION OF ADDRESS ON REGISTER OF TRADE MARKS.

In the matter of the Trade Mark,
No. registered in Class .

I , of , the registered proprietor of the Trade Mark numbered as above desire that my address on the Register of Trade Marks be altered to .

Dated this day of , 19 .

* Signature of Proprietor.

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
25, *Southampton Buildings, Chancery Lane, London, W.C.*

---

FORM TM No. 21.

## TRADE MARKS ACT, 1905.

[TRADE MARKS, 25.]

APPLICATION TO PERMIT AN APPORTIONMENT OF TRADE MARKS.

In the matter of the Registered Trade Marks Nos. .

We, being the parties interested within the meaning of section 23 of the Trade Marks Act, 1905, in certain marks of , who has ceased to carry on business, request you to permit an apportionment of those marks amongst the persons in fact continuing the business. With this application we send a case in pursuance of Rule 87.

(Signed) .
(Signed) .

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
25, *Southampton Buildings, Chancery Lane, London, W.C.*

---

FORM TM No. 22.

## TRADE MARKS ACT, 1905.

[TRADE MARKS, 5s.]

FORM OF REQUEST FOR CORRECTION OF CLERICAL ERROR OR FOR PERMISSION TO AMEND APPLICATION UNDER SECTION 12 (6) OR SECTION 32 (1).

SIR,

I hereby request that

*

Dated this day of , 19 .

* Signature.

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
25, *Southampton Buildings, Chancery Lane, London, W.C.*

FORM TM No. 23.

[TRADE MARKS. Fee 8 or 8*a*.]

## TRADE MARKS ACT, 1905.

REQUEST TO ENTER CHANGE OF NAME OF REGISTERED PROPRIETOR OF TRADE MARK UPON THE REGISTER.

(*a*) *Or* We. Here insert name, address, and description.

I, (*a*)

(*b*) My *or* Our.

(*c*) *Or* Names.

hereby request that you will enter (*b*) name (*c*) in the Register of Trade Marks as proprietor of the Trade Mark No. in Class .

(*d*) I am *or* We are.

(*d*) entitled to the said Trade Mark and to the goodwill of the business concerned in the goods with respect to which the said Trade Mark is registered.

There has been no change in the actual proprietorship of the said Trade Mark, but (*e*)

(*e*) Here state the circumstances under which the change of name took place.

*

* Signature.

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

---

FORM TM No. 24.

[TRADE MARKS. 5*s*.]

## TRADE MARKS ACT, 1905.

FORM OF APPLICATION BY PROPRIETOR OF REGISTERED TRADE MARK TO CANCEL ENTRY ON REGISTER.

Trade Mark No. , Class , advertised in *Trade Marks Journal*, No. , page .

Name of registered proprietor

Place of business

Description

I, the undersigned of [*or* I, the undersigned a member of the firm of of on behalf of my said firm] apply that the entry upon the Register of Trade Marks of the Trade Mark No. in Class may be cancelled.

*

* Signature.

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

FORM TM No. 25.

## TRADE MARKS ACT, 1905.

[TRADE MARKS 65.]

REQUEST TO STRIKE OUT GOODS FROM THOSE FOR WHICH A TRADE MARK IS REGISTERED.

I, of , hereby request that you will strike out from the goods for which the Trade Mark No. is registered in Class .

Signature.

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

---

FORM TM No. 26.

## TRADE MARKS ACT, 1905.

[TRADE MARKS. 65.]

REQUEST TO ENTER DISCLAIMER OR MEMORANDUM RELATING TO A TRADE MARK.

I, , of , hereby request that you will enter in the Register in connection with Trade Mark No. , in Class , the following , namely—

* Signature.

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

---

FORM TM No. 27.

## TRADE MARKS ACT, 1905.

[TRADE MARKS. Fee 23 or 23*a*.]

APPLICATION UNDER SECTION 34 TO ADD TO OR ALTER A TRADE MARK.

In the matter of the Trade Mark No. , in Class .

Application is hereby made on behalf of the registered proprietor of the Trade Mark numbered as above to alter it in the following particulars, that is to say—

(Here fill in full particulars.)

Six copies of the mark as it will appear when so altered are filed herewith.

Signed .

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

FORM TM No. 28.

[TRADE MARKS. 10s.]

## TRADE MARKS ACT, 1905.

REQUEST FOR SEARCH UNDER RULE 95.

You are hereby requested to search under Rule 95 in Class to ascertain whether any Trade Marks are on record which resemble the Trade Mark sent herewith in duplicate each mounted on a half-sheet of foolscap.

* Signature.
† Address.

*
†

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

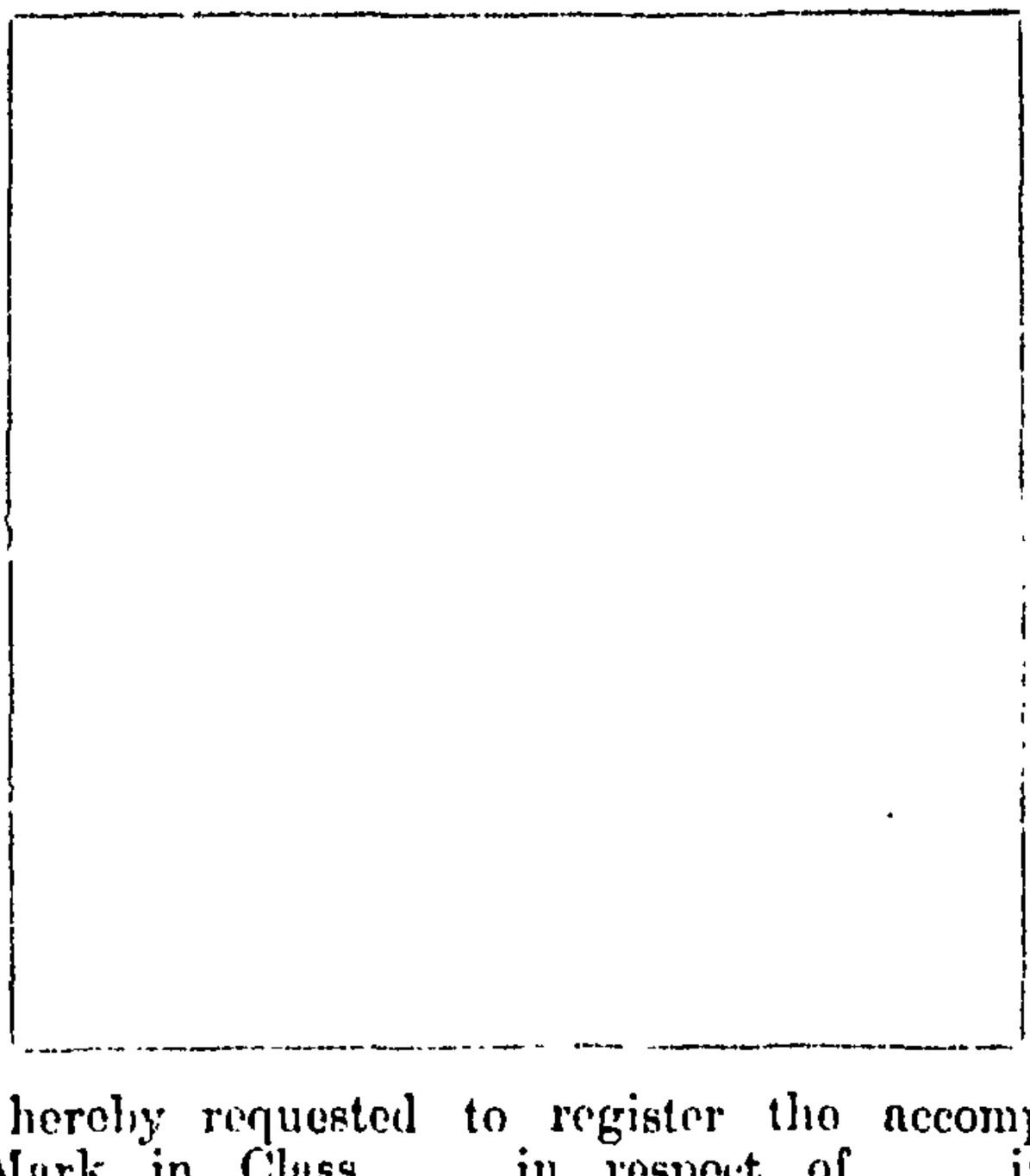
---

FORM SHEFFIELD No. 1.

[CORPORATE MARK. £5.]

## TRADE MARKS ACT, 1905.

REQUEST TO ENTER A MARK UNDER SECTION 63, SUB-SECTION (2).



You are hereby requested to register the accompanying Old Corporate Mark in Class in respect of in the name of , who claims to be the proprietor thereof.

(Signed)

Dated this day of , 19 .

*To the Cutlers' Company,*
*Cutlers' Hall,*
*Sheffield.*

COTTON No. 1.

# TRADE MARKS ACT, 1905.

[STAMP. 10*s.*]

## COTTON MARKS.

### APPLICATION FOR REGISTRATION OF TRADE MARK.

*(See the annexed Extracts from the Trade Marks Act.)*

*(To be accompanied by an unstamped duplicate of this Form, and also by four Additional Representations on Form Cotton No. 2.)*

One representation to be fixed within the square.

Representations of a larger size may be folded, but must then be mounted upon cloth and affixed hereto.

Application is hereby made for registration of the accompanying Trade Mark in Class (*a*)
in respect of (*b*) , in the Name of ,
Address and description (*c*) ,
Trading as , who claim to be the proprietor thereof.

No claim of exclusive right is made to any of the letterpress appearing on the said Trade Mark, except in so far as it consists of the applicant's own name and address, or the foreign equivalent thereof.

The said Trade Mark has not hitherto been used by the applicant upon or in connection with the above-mentioned goods, but is proposed to be so used [*or* (*d*) The said Trade Mark has been used by the applicant (and/or by the predecessors in business of the applicant ) upon or in connection with the above-mentioned goods since the , 19 ].

(Signed) .

Dated the day of , 19 .

*To the Keeper of Cotton Marks,*
*Manchester Branch of the Trade Marks Registry,*
48, *Royal Exchange, Manchester.*

(*a*) Insert the class.

(*b*) Insert "all goods included in this class" or, if it is not desired that the registration should cover the whole class, the description of the goods.

Only goods contained in one and the same class may be set out here. A separate application form is required for each separate class.

(*c*) If the applicant is outside the U.K. an address for service in the U.K. must be given before the application can be proceeded with.

(*d*) Strike out the alternative paragraph which does not apply to the case.

COTTON No. 2.

# TRADE MARKS ACT, 1905.

## COTTON MARKS.

### ADDITIONAL REPRESENTATION OF TRADE MARK TO ACCOMPANY APPLICATION FOR REGISTRATION.

One representation of the Trade Mark to be affixed within this square.

It must correspond *exactly*, in all respects, with the representation affixed to the application on "Form Cotton No. 1."

Any representation of a larger size than foolscap may be folded, but must then be mounted upon cloth and affixed hereto.

Class .

Description of Goods .

Length of User (if any) .

Name of Applicant .

Address .

Description .

No claim of exclusive right is made to any of the letterpress appearing on the mark except in so far as it consists of the applicant's own name and address, or the foreign equivalent thereof.

Four of these additional representations of the Trade Mark must accompany *each* form of application.

COTTON No. 3.

## TRADE MARKS ACT, 1905.

[STAMP. 5s.]

### COTTON MARKS.

REQUEST FOR CERTIFICATE UNDER SUB-SECTION (12) OF SECTION 64.

SIR,

You are hereby requested to issue a certified copy of the application numbered and dated the day of , 19 , for registration in Class of the Cotton Mark of which a fac-simile is sent herewith, setting forth in such certificate the length of time of user (if any) of such mark as stated on the application, and any other particulars you may deem necessary.

Dated this day of , 19 .

(Signed)

Address

*To the Keeper of Cotton Marks,*
*Manchester Branch of the Trade Marks Registry,*
48, *Royal Exchange, Manchester.*

---

COTTON No. 4.

## TRADE MARKS ACT, 1905.

[STAMP. 5s.]

### COTTON MARKS.

REQUEST FOR CERTIFICATE OF KEEPER OF COTTON MARKS AS TO A TRADE MARK ENTERED IN THE MANCHESTER REGISTER.

In the matter of the Trade Mark No. in Class .

SIR,

I hereby request you to furnish me with your Certificate of Registration of the mark numbered as above for use*

Dated this day of , 19 .

(Signed)

Address

* Here state the purpose for which the certificate is required, i.e., whether for use in legal proceedings, or for obtaining registration abroad, or for what other purpose.

*To the Keeper of Cotton Marks,*
*Manchester Branch of the Trade Marks Registry,*
48, *Royal Exchange, Manchester.*

MB No. 1.

## TRADE MARKS ACT, 1905.

### Cotton Marks.

### Certificate under Sub-Section (12) of Section 64.

Manchester Branch of the Trade Marks Registry,
48, Royal Exchange,
Manchester.

It is hereby certified by the Keeper of Cotton Marks, that a true copy of the application numbered and dated the day of , 19 , for registration in Class of the Cotton Mark therein referred to is contained in the paper hereto annexed and that a fac-simile of the said mark is attached thereto, and that the length of time of user of such mark as stated on the application is and that the said mark is on deposit at this office.

Space for any other particulars the Keeper may deem necessary.

Witness my hand this day of , 19 .

(Seal of Patent Office.)

Keeper of Cotton Marks.

---

MB No. 2.

## TRADE MARKS ACT, 1905.

### Cotton Marks.

### General Certificate.

Manchester Branch of the Trade Marks Registry,
48, Royal Exchange,
Manchester.

It is hereby certified by the Keeper of Cotton Marks that .

Representation of Trade Mark.

Witness my hand this day of , 19 .

(Seal of Patent Office.)

Keeper of Cotton Marks.

FORM TM No. 29.

## TRADE MARKS ACT, 1905.

[TRADE MARKS. £1.]

FORM OF APPEAL FROM THE REGISTRAR TO THE BOARD OF TRADE.

I, (*a*) , of (*a*) , hereby give notice of my intention to appeal to the Board of Trade from (*b*) , of the registrar of the day of , 19 , whereby he (*c*)

(*a*) Here insert full name and address of appellant.
(*b*) Here insert "the decision" or "that part of the decision" as the case may be.
(*c*) Here insert the decision complained of.

Accompanying this notice is a statement of my case for the decision of the Board of Trade.

(Signed)

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
25, *Southampton Buildings, Chancery Lane, London, W.C.*
*and to*
[*Name of Opponent, if any*].

---

FORM TM No. 30.

## TRADE MARKS ACT, 1905.

[TRADE MARKS. 10s.]

NOTICE OF ORDER OF COURT FOR ALTERATION OR RECTIFICATION OF REGISTER OF TRADE MARKS.

In the matter of the Trade Mark, No. , registered in Class in the name of

SIR,

Notice is hereby given that by an order of the Court made on the day of , 19 , it was directed that

An office copy of the order of the Court is enclosed herewith.

Dated this day of , 19 .

*

* To be signed by the person interested or his agent.

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
25, *Southampton Buildings, Chancery Lane, London, W.C.*

FORM TM No. 31.

[TRADE MARKS. £1.]

## TRADE MARKS ACT, 1905.

REQUEST FOR GENERAL CERTIFICATE OF REGISTRAR (OTHER THAN CERTIFICATE FOR USE IN LEGAL PROCEEDINGS OR FOR USE IN OBTAINING REGISTRATION ABROAD).

In the Matter of the Trade Mark No.
in Class .

SIR,

I,
of
hereby request you to furnish me with your Certificate that (*a*)

(*a*) Here set out the particulars which the registrar is requested to certify.

(*b*)

(*b*) Signature.

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

---

FORM TM No. 32.

[TRADE MARKS. £1.]

## TRADE MARKS ACT, 1905.

REQUEST FOR CERTIFICATE OF REFUSAL TO REGISTER A TRADE MARK.

In the matter of an Application for registration of a Trade Mark, No. in Class .

SIR,

I,
of
the Applicant in the above matter, hereby request you to furnish me with your Certificate of Refusal to register the said Trade Mark.

*

* Signature of applicant.

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

FORM TM No. 33.

## TRADE MARKS ACT, 1905.

[TRADE MARKS. Fee 18 or 18*a*.]

REQUEST FOR CERTIFICATE OF REGISTRATION OF TRADE MARK FOR USE IN OBTAINING REGISTRATION ABROAD.

In the matter of the Trade Mark,
No. , registered
in Class in the name
of .

SIR,

I, , of , the registered proprietor of the above Trade Mark hereby request you to furnish me with your Certificate of Registration for use in obtaining registration of the same in* .

* Here state name of country in which registration is to be sought.

† Signature.

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

---

FORM TM No. 34.

## TRADE MARKS ACT, 1905.

[TRADE MARKS. £1.]

REQUEST FOR CERTIFICATE OF REGISTRATION OF TRADE MARK TO BE USED IN LEGAL PROCEEDINGS.

In the matter of the Trade Mark,
No. , registered
in Class in the name
of .

SIR,

I, , of , the registered proprietor of the above Trade Mark, hereby request you to furnish me with your Certificate of Registration to be used in legal proceedings.

* Signature.

Dated this day of , 19 .

*To the Registrar,*
*Patent Office, Trade Marks Branch,*
*25, Southampton Buildings, Chancery Lane, London, W.C.*

Dated this 24th day of March, 1906.

(Sd.) *D. Lloyd-George,*
President of the Board of Trade.

## THIRD SCHEDULE.

### CLASSIFICATION OF GOODS.

| | *Illustrations.* |
|---|---|
| | *Note.*—Goods are mentioned in this column by way of illustration, and not as an exhaustive list of the contents of a class. |
| *Class* 1. | |
| Chemical substances used in manufactures, photography, or philosophical research, and anti-corrosives. | Such as—<br>Acids, including vegetable acids.<br>Alkalis.<br>Artists' colours.<br>Pigments.<br>Mineral dyes. |
| *Class* 2. | |
| Chemical substances used for agricultural, horticultural, veterinary, and sanitary purposes. | Such as—<br>Artificial manure.<br>Cattle medicines.<br>Deodorisers.<br>Vermin destroyers. |
| *Class* 3. | |
| Chemical substances prepared for use in medicine and pharmacy. | Such as—<br>Cod liver oil.<br>Medicated articles.<br>Patent medicines.<br>Plasters.<br>Rhubarb. |
| *Class* 4. | |
| Raw or partly prepared vegetable, animal, and mineral substances used in manufactures, not included in other classes. | Such as—<br>Resins.<br>Oils used in manufactures and not included in other classes.<br>Dyes, other than mineral.<br>Tanning substances.<br>Fibrous substances (*e.g.*, cotton, hemp, flax, jute).<br>Wool.<br>Silk.<br>Bristles.<br>Hair.<br>Feathers.<br>Cork.<br>Seeds.<br>Coal.<br>Coke.<br>Bone.<br>Sponge. |

*Class* 5.

| | |
|---|---|
| Unwrought and partly wrought metals used in manufacture. | Such as—<br>Iron and steel, pig or cast.<br>Iron, rough.<br>,, bar and rail, including rails for railways.<br>,, bolt and rod.<br>,, sheet, and boiler and armour plates.<br>,, hoop.<br>Lead, pig.<br>,, rolled.<br>,, sheet.<br>Wire.<br>Copper.<br>Zinc.<br>Gold, in ingots. |

*Class* 6.

| | |
|---|---|
| Machinery of all kinds, and parts of machinery, except agricultural and horticultural machines included in Class 7. | Such as—<br>Steam engines.<br>Boilers.<br>Pneumatic machines.<br>Hydraulic machines.<br>Locomotives.<br>Sewing machines.<br>Weighing machines.<br>Machine tools.<br>Mining machinery.<br>Fire engines. |

*Class* 7.

| | |
|---|---|
| Agricultural and horticultural machinery, and parts of such machinery. | Such as—<br>Ploughs.<br>Drilling machines.<br>Reaping machines.<br>Thrashing machines.<br>Churns.<br>Cyder presses.<br>Chaff cutters. |

*Class* 8.

| | |
|---|---|
| Philosophical instruments, scientific instruments, and apparatus for useful purposes. Instruments and apparatus for teaching. | Such as—<br>Mathematical instruments.<br>Gauges.<br>Logs.<br>Spectacles.<br>Educational appliances. |

*Class* 9.

**Musical instruments.**

*Class* 10.

**Horological instruments.**

*Class* 11.

| | |
|---|---|
| Instruments, apparatus, and contrivances, not medicated, for surgical or curative purposes, or in relation to the health of men or animals. | Such as—<br>Bandages.<br>Friction gloves.<br>Lancets.<br>Fleams.<br>Enemas. |

*Class* 12.

| | |
|---|---|
| Cutlery and edge tools. | Such as—<br>Knives.<br>Forks.<br>Scissors.<br>Shears.<br>Files.<br>Saws. |

*Class* 13.

| | |
|---|---|
| Metal goods not included in other classes. | Such as—<br>Anvils.<br>Keys.<br>Basins (metal).<br>Needles.<br>Hoes.<br>Shovels.<br>Corkscrews. |

*Class* 14.

| | |
|---|---|
| Goods of precious metals (including aluminium, nickel, Britannia metal, &c.) and jewellery, and imitations of such goods and jewellery. | Such as—<br>Plate.<br>Clock cases and pencil cases of such metals.<br>Sheffield and other plated goods.<br>Gilt and ormolu work. |

*Class* 15.

| | |
|---|---|
| Glass. | Such as—<br>Window and plate glass.<br>Painted glass.<br>Glass mosaic.<br>Glass beads. |

| | |
|---|---|
| *Class* 16. | |
| Porcelain and earthenware. | Such as—<br>China.<br>Stoneware.<br>Terra Cotta.<br>Statuary porcelain.<br>Tiles.<br>Bricks. |
| *Class* 17. | |
| Manufactures from mineral and other substances for building or decoration. | Such as—<br>Cement.<br>Plaster.<br>Imitation marble.<br>Asphalt. |
| *Class* 18. | |
| Engineering, architectural, and building contrivances. | Such as—<br>Diving apparatus.<br>Warming apparatus.<br>Ventilating apparatus.<br>Filtering apparatus.<br>Lighting contrivances.<br>Drainage contrivances.<br>Electric and pneumatic bells. |
| *Class* 19. | |
| Arms, ammunition, and stores not included in Class 20. | Such as—<br>Cannon.<br>Small-arms.<br>Fowling pieces.<br>Swords.<br>Shot and other projectiles.<br>Camp equipage.<br>Equipments. |
| *Class* 20. | |
| Explosive substances. | Such as—<br>Gunpowder.<br>Gun-cotton.<br>Dynamite.<br>Fog-signals.<br>Percussion caps.<br>Fireworks.<br>Cartridges. |
| *Class* 21. | |
| Naval architectural contrivances and naval equipments not included in Classes 19 and 20. | Such as—<br>Boats.<br>Anchors.<br>Chain cables.<br>Rigging. |

*Class* 22.

| | |
|---|---|
| **Carriages.** | Such as—<br>Railway carriages.<br>Waggons.<br>Railway trucks.<br>Bicycles.<br>Bath chairs. |

*Class* 23.

(*a*) Cotton yarn.
(*b*) Sowing cotton.

*Class* 24.

| | |
|---|---|
| Cotton piece goods of all kinds. | Such as—<br>Cotton shirtings.<br>Long cloth. |

*Class* 25.

| | |
|---|---|
| Cotton goods not included in Classes 23, 24, or 38. | Such as—<br>Cotton lace.<br>Cotton braids.<br>Cotton tapes. |

*Class* 26.

Linen and hemp yarn and thread.

*Class* 27.

Linen and hemp piece goods.

*Class* 28.

Linen and hemp goods not included in Classes 26, 27 and 50.

*Class* 29.

Jute yarns and tissues, and other articles made of jute not included in Class 50.

*Class* 30.

Silk, spun, thrown, or sowing.

*Class* 31.

Silk piece goods.

| | |
|---|---|
| *Class* 32. | |
| Other silk goods not included in Classes 30 and 31. | |
| *Class* 33. | |
| Yarns of wool, worsted, or hair. | |
| *Class* 34. | |
| Cloths and stuffs of wool, worsted, or hair. | |
| *Class* 35. | |
| Woollen and worsted and hair goods not included in Classes 33 and 34. | |
| *Class* 36. | |
| Carpets, floor-cloth, and oil-cloth. | Such as—<br>Druggot.<br>Mats and matting.<br>Rugs. |
| *Class* 37. | |
| Leather, skins unwrought and wrought, and articles made of leather not included in other classes. | Such as—<br>Saddlery.<br>Harness.<br>Whips.<br>Portmanteaus.<br>Furs. |
| *Class* 38. | |
| Articles of clothing. | Such as—<br>Hats of all kinds.<br>Caps and bonnets.<br>Hosiery.<br>Gloves.<br>Boots and shoes.<br>Other ready-made clothing. |
| *Class* 39. | |
| Paper (except paperhangings), stationery, and bookbinding. | Such as—<br>Envelopes.<br>Sealing wax.<br>Pens (except gold pens).<br>Ink.<br>Playing cards.<br>Blotting cases.<br>Copying presses. |

| | |
|---|---|
| *Class* 40. | |
| Goods manufactured from india-rubber and gutta-percha not included in other classes. | |
| *Class* 41. | |
| Furniture and upholstery. | Such as—<br>Paper hangings.<br>Papier mâché.<br>Mirrors.<br>Mattresses. |
| *Class* 42. | |
| Substances used as food, or as ingredients in food. | Such as—<br>Cereals.<br>Pulses.<br>Olive oil.<br>Hops.<br>Malt.<br>Dried fruits.<br>Tea.<br>Sago.<br>Salt.<br>Sugar.<br>Preserved meats.<br>Confectionery.<br>Oil cakes.<br>Pickles.<br>Vinegar.<br>Beer clarifiers. |
| *Class* 43. | |
| Fermented liquors and spirits. | Such as—<br>Beer.<br>Cyder.<br>Wine.<br>Whisky.<br>Liqueurs. |
| *Class* 44. | |
| Mineral and aerated waters, natural and artificial, including ginger beer. | |
| *Class* 45. | |
| Tobacco, whether manufactured or unmanufactured. | |
| *Class* 46. | |
| Seeds for agricultural and horticultural purposes. | |

*Class* 47.

| | |
|---|---|
| Candles, common soap, detergents; illuminating, heating, or lubricating oils; matches, and starch, blue, and other preparations for laundry purposes. | Such as—<br>Washing powders.<br>Benzine collas. |

*Class* 48.

| | |
|---|---|
| Perfumery (including toilet articles, preparations for the teeth and hair, and perfumed soap). | |

*Class* 49.

| | |
|---|---|
| Games of all kinds and sporting articles not included in other classes. | Such as—<br>Billiard tables.<br>Roller skates.<br>Fishing nets and lines.<br>Toys. |

*Class* 50.

| | |
|---|---|
| Miscellaneous—<br>(1.) Goods manufactured from ivory, bone or wood, not included in other classes.<br>(2.) Goods manufactured from straw or grass, not included in other classes.<br>(3.) Goods manufactured from animal and vegetable substances, not included in other classes.<br>(4.) Tobacco pipes.<br>(5.) Umbrellas, walking sticks, brushes and combs.<br>(6.) Furniture cream, plate powder.<br>(7.) Tarpaulins, tents, rick-cloths, rope, twine.<br>(8.) Buttons of all kinds other than of precious metal or imitations thereof.<br>(9.) Packing and hose of all kinds.<br>(10.) Goods not included in the foregoing classes. | Such as—<br>Coopers' wares. |

Dated this 24th day of March, 1906.

(Sd.) D. Lloyd-George,
President of the Board of Trade.

# GUIDE

## TO THE CLASSIFICATION OF GOODS.

*Printed by Order of the Comptroller-General.*

### CLASSES OF GOODS.

(*See Third Schedule to Rules, ante.*)

The numbers in the following list refer to the Class in which the particular goods named have been placed for the purpose of Trade Marks Registration.

If any person intending to apply for registration of a trade mark is, on examining the following enumeration of goods, uncertain as to the Class to which his goods belong, he should send to the Comptroller-General a letter addressed—

The Comptroller-General,
The Patent Office, Trade Marks Branch,
25, Southampton Buildings,
Chancery Lane,
London, W.C.

giving a full description of the goods and of the purposes for which they are used. He will then be informed by the Comptroller-General what Class he should name in his application.

N.B.—For *metal* read *metal other than precious metal or imitation of the same.*

Abdominal supporters. 11.
Absinthe. 43.
Accordions. 9.
Account books. 39.
Accoutrements, Military and Naval (except clothing, saddlery, knapsacks, and belts). 19.
Acetic acid for use in manufactures and philosophical research. 1.
——— prepared for use in medicine and pharmacy. 3.
Acid, Carbolic (prepared for sanitary purposes). 2.
——— use in medicine and pharmacy. 3.
Acid, Cresylic (prepared for use in medicine and pharmacy). 3.
Acids for use in manufactures, photography, or philosophical research. 1.
——— prepared for use in medicine and pharmacy. 3.
Actinometers. 8.
Adzes. 12.
Aerated beverages. 44.
——— coffee. 44.
——— tea. 44.
——— waters (natural and artificial, including ginger beer). 44.
Aerometers. 8.

Agricultural and horticultural implements of the smaller kind (metal) without a cutting edge. 13.
——— implements of the smaller kind (metal), with a cutting edge. 12.
——— machinery, and implements of the larger kind, and parts thereof. 7.
Agriculture, Chemical substances used in. 2.
Ague pads. 11.
Air beds and pillows (india-rubber or gutta-percha). 40.
— compressing engines. 6.
— guns. 19.
Air-proof cushions (india-rubber). 40.
Air-pumps (for steam-engines, and for supplying air). 6.
——— (philosophical). 8.
Air saddles for bicycles (india-rubber). 40.
Alarum clocks. 10.
Alarums (electric). 18.
Albumenized paper. 39.
Albums. 39.
Alcohol. 43.
Alcoholometers. 8.
Ale, Ginger (an aerated water). 41.
Ales. 43.
Alizarine artificial. 1.
Alkalis. 1.
——— prepared for use in pharmacy. 3.
Alloys (unwrought or partly wrought). 5.
Almanacs, Desk. 39.
Alpaca, in the piece. 34.
Aluminium wares. 14.
Aluminous cake. 1.
Amber. 4.
——— goods. 50.
Ambulances. 22.
American leather cloth. 36.
Ammunition (explosive). 20.
——— (not explosive). 18.
Anchors. 21.
Angle iron. 5.
Aniline dyes (mineral). 1.
——— not mineral. 4
Animal and vegetable oils used in manufactures (and not included in other classes). 4.
——— substances, Goods manufactured from (not included in other classes). 50.
——— (raw or partly prepared) used in manufactures and not included in other classes. 4.
Animals, Chemical preparations for destroying noxious. 2.
Anklets for curative purposes. 11.
Annatto. 42.
———, Fluid. 42.
Anthracene dyes. 1.
Anti-asthmatic cigarettes (not containing tobacco). 3.
Anti-corrosives. 1.
Anti-friction grease. 47.
Anti-incrustation composition. 1.
Antimacassars (cotton). 25.
——— (silk). 32.
——— (woollen). 35.
Antiseptics. 2.
Anvils. 13.
Apparatus, Autotype. 8.
———, Baking. 18.
———, Ball trap. 49.
———, Cheese making. 7.
———, Chemical. 8.
———, Cooking. 18.
———, Diving. 18.
———, Draining. 18.
———, Filtering. 18.
———, Hatching. 50.
———, Heat utilizing. 18.
———, Hot water. 18.
———, Irrigation. 7.
———, Lighting. 18.
———, Magnetic (for medical purposes). 11.
———, Measuring. 8.
———, Microscopic. 8.
———, Photographic. 8.
———, Soda-water. 6.
———, Sounding. 8.
———, Surgical. 11.
———, Ventilating. 18.
———, Warming. 18.
Apparel, Wearing. 38.
Apple wine (an aerated water). 41.
Appliances, Educational. 8.
———, Surgical. 11.
——— (wood) for shops and shop windows. 50.
Applications, Medicinal; for human use. 3.
———, Veterinary and sanitary. 2.
Aprons, Carriage (wholly or principally of india-rubber). 40.
——— (wearing apparel). 38.
Archery, Implements for. 49.
Architectural contrivances. 18.
Argentine wares. 14.
Armour plates. 5.
Arms (in the nature of weapons). 19.
Arrowroot. 42.
Artificial butter. 42.
——— flowers. 50.
——— fuel. 50.
——— limbs. 11.
——— manure. 2.
——— stone. 17.
——— teeth. 11.
Artists' brushes. 39.
——— canvas. 39.
——— colours. 1.

Artists' materials (except colours). 39.
Asbestos. 4.
——— packing. 50.
——— prepared for preventing the radiation of heat. 1.
Ash soda. 1
Ash-pans (metal). 13.
Asphalt. 17.
Attachments or fastenings of metal for neckties, scarves, and similar articles. 13.
Autotype apparatus. 8.
Aviaries. 18.
Awnings. 50.
Axes. 12.
Axle plates, Grinders'. 13.
Axles, Grinders'. 13.
——— for locomotives and for machines (not being agricultural machines) along with locomotives in Class 6.
——— (metal) for railway waggons and common roads. 13.
——— (wood). 50.

Baby carriages. 22.
—— linen. 38.
Back protectors. 11.
Bacon. 42.
Badminton sets. 49.
Bags, Carpet. 50.
——, Leather. 37.
—— of textile material. 50.
——, Paper. 39.
—— (wholly or principally of india-rubber). 40.
Baize (woollen). 31.
Baking apparatus. 16.
——— powder. 42.
Balances (except letter and postal balances). 6.
———, Letter. 39.
———, Postal. 39.
Bale studs (metal). 13.
Ball, Fake. 50.
——, Heel. 50.
—— trap apparatus. 49.
Balls, Billiard. 49.
——, Foot. 49.
—— for games. 49.
Balsam for toilet purposes. 48.
——— use in pharmacy. 3.
Balusters (metal). 13.
Bandages (medical and surgical). 11.
———, Winders for. 11.
Bandboxes. 50.
Bands, Elastic, along with stationery in Class 39.
———, Galvanic. 11.
———. Machine (india-rubber or gutta-percha). 40.
——— (leather). 37.
Bangles. 14.

Banjoes. 9.
Barges. 21.
Bar iron. 5.
Bark, Extract of (for tanning purposes). 4.
Barks (medicinal). 3.
Barometers. 8.
Barrels (rifle and pistol). 19.
——— (wood). 50.
Bars, Furnace. 6.
——, Refreshment. 18.
——, Tee. 5.
Basins (metal). 13.
——— (potterywares). 16.
Baskets (iron). 13.
——— (wicker), being room furniture. 41.
——— ———, not being room furniture. 50.
Bassinettes. 41.
Bate for tanning purposes. 4.
Bath chairs. 22.
—— gloves. 11.
—— mineral waters. 44.
Baths (india-rubber and gutta-percha). 40.
——— (metal). 13.
Batteries (medical). 11.
——— (not for medical purposes). 8.
Batting gloves. 49.
Bats for cricket. 49.
Bay-leaf water. 48.
Bayonets. 19.
Bay rum. 48.
Beads (glass). 15.
—— (ivory, wood, bone, horn, vegetable ivory, or mother-o'-pearl). 50.
—— (metal). 13.
—— (precious metal or imitations thereof). 11.
Beams, being parts of machinery other than agricultural machinery. 6.
——— (metal), not being parts of machinery. 13.
———, Plough. 7.
——— (wood). 50.
Bearings, Machine. 6.
Bears' grease for toilet purposes. 48.
Beaters, Egg. 6.
Bed-coverlets (paper). 41.
——— (textile), as small-wares, according to the class of the material.
—— tables. 41.
Bedding, not being bed clothing. 41.
Beds, Air (india-rubber or gutta-percha). 40.
——, Feather. 41.
Bedsteads. 41.
Beehives. 7.
Beer. 43.
——, Botanic. 44.
—— engines. 6.
——, Ginger. 44.
—— preservatives and finings. 42.

Beeswax for use in manufactures. 4.
Bellows. 50.
Bells. 13.
——, Call. 13.
——, Dumb. 49.
——, Electric and pneumatic. 18.
——, Exhausting. 11.
Belt clasps (jet or imitation jet). 50.
———— metal. 13.
———— precious metal or imitation thereof). 14.
—— composition. 50.
Belting, Machine (india-rubber or gutta-percha). 40.
———— leather). 37.
Belts, Electric (being for medical purposes). 11.
—— for wear. 38.
——, Medical or surgical. 11.
——, Swimming. 21.
Bench screws (metal). 13.
Benches, Saw. 6.
———, Vice. 6.
Benzine collas. 47.
Benzoline. 47.
Berlin black for stoves and grates. 50.
——— wool. 33.
Bessemer steel plates. 5.
———— twyers (earthenware or porcelain). 16.
Bevels, Workmen's (metal). 13.
———— (wood). 50.
Beverages, Aerated. 44.
———, Alcoholic. 43.
——, Medicated. 3.
———— (not alcoholic, not medicated, and not aerated). 42.
———, Preparations for. 42.
Bezique markers. 49.
Biarritz reps. 31
Bicycles. 22.
Billets (steel). 5.
Bill files. 39.
—— hooks. 12.
Billiard balls. 49.
——— cues. 49.
——— markers. 49.
——— table cushions (india-rubber). 40.
—— tables. 49.
Bills with a cutting edge. 12.
—— without a cutting edge. 13.
Binder belts. 11.
Bindings (cotton). 25.
———— (linen). 28.
———— (silk). 32.
———— (woollen, worsted, and hair). 35.
Binocular field glasses. 8.
Bins, Cabinet wine. 41.
——, Corn and wine (metal). 13.
Bird cages (wood). 50.
———— (wood and metal combined). 13.
—— food. 42.
Bird medicine. 2.
Biscuits. 42.
———, Dog. 42.
Bits, Kitchen and furnace pan. 13.
—— with a cutting edge. 12.
—— without a cutting edge. 13.
Bitter alcohol. 43.
Bitters. 43.
——— (aerated). 44.
Bitts, Paddle. 13.
Blacking. 50.
———, Harness. 50.
Black-lead (for polishing). 50.
———— points, along with pencils in Class 30.
Black plates. 5.
—— triggers. 5.
Blades, Sword. 12.
Blankets (woollen). 35.
Blanks (brass). 6.
——— for cartridges. 5.
———— coins. 5.
Blasting compounds. 20.
Bleaching powder. 47.
Blending glasses (graduated). 8.
Blinds (metal). 13.
——, Tumbler action for (metal). 13.
Blister steel. 5.
Blisters for human use. 3.
——— horse, cattle, &c.). 2.
Blocked fronts (shoe leather). 37.
Blocks, Furnace. 16.
———, Paving (metal). 13.
———, Pulley (metal). 13.
———— —— (wood). 50.
Blotting cases. 39.
Blouses. 38.
Blowers. 6.
Blowing engines. 6.
Blue, Washing. 47.
Boards, Chess. 49.
—— —, Drawing. 39.
———, Knife. 50.
———, Smoke (metal). 13.
——, Washing (wood). 50.
—— —— (wood). 50.
Boats. 21.
Bobbins of wood. 50.
Bog oak articles (not included in other classes). 50.
Boiler composition to prevent radiation of heat. 1.
—— plates. 5.
—— rivets. 13.
—— scale, Fluid for the prevention of. 1.
—— tubes. 6.
Boilers, Steam, for agricultural purposes. 7.
————————, not for agricultural purposes. 6.
—— —— (stove). 18.
Bolt iron. 5.
Bolts and nuts. 13.

Bolts for doors. 13.
Bonbons. 42.
Bono. 4.
——, Fancy small wares of. 50.
—— manure. 2.
—— mills (portable). 7.
Bonnets. 38.
Book-binding. 39.
—— cases. 41.
—— markers (silk). 32.
—— slides. 39.
Books (parchment slate). 39.
Boot and shoe linings (linen), in the piece. 27.
—— hooks. 13.
—— top powder. 50.
—— uppers (leather). 37.
Boots. 38.
Borax. 1.
——— extract (a detergent). 47.
——————— perfumed. 48.
——— glycerine. 47.
———————, perfumed. 48.
——— mineral waters. 44.
Borderings, as small wares, according to the class of the material.
Botanic beer. 44.
Bottle brushes. 50.
—— envelopes (grass or straw). 50.
—— washing machines. 6.
Bottles (except feeding bottles or bottles of, or mounted in, precious metal or imitation thereof), in the class of the substance of which they are made.
———, Feeding. 50.
——— of precious metal, or mounted in precious metal or imitation thereof. 14.
Bottling gloves. 38.
——— machines. 6.
——— trays (wood). 50.
Bougies. 11.
Bowls, Hand (earthenware). 16.
——————— (metal). 13.
———, Playing. 49.
Bows for archery. 49.
——————— wear. 38.
Boxes, Despatch. 39.
——— (india-rubber). 40.
——— (leather). 47.
——— (metal). 13.
———, Musical. 9.
——— (wood, ivory, wicker-work, bone, straw, pasteboard or cardboard). 50.
Brace-bits, with a cutting edge. 12.
———, without a cutting edge. 13.
Braces, Drill. 13.
——— for wear. 38.
———, Ratchet and crank. 13.
Brackets (metal). 13.
——— (wood). 50.
Bradawls. 13.
Brads. 13.
Braid, Cotton. 25.
—— (gold and silver). 14.
Braid (linen and hemp). 28.
——, Silk. 32.
—— (woollen, worsted, mohair, alpaca). 35.
Brakes, Vacuum. 6.
Branding stoves. 18.
Brandy. 43.
Brass cups, blanks, discs. 5.
—— foundry. 13.
—— sheets. 5.
Brattice cloth. 50.
Bread. 42.
——— cutters, along with knives in Class 12.
—— platters. 50.
Breast-exhausters. 11.
Breasts, Plough. 7.
Breeches paste. 50.
Bricks. 16.
Bridges (iron). 18.
Bridles. 37.
Brimstone roll. 1.
Bristles. 4.
Britannia metal wares. 14.
Broad cloths. 34.
Brocade powder. 1.
Bronze (ingot and wire). 5.
——— powder. 1.
——— work and imitation bronze work. 14.
Bronzes. 14.
Brooches (ivory, wood, bone, horn, vegetable ivory, or mother of pearl). 50.
——————— (jet or imitation jet). 50.
——————— (precious metal or imitation of same). 14.
Brooms. 50.
Bruisers, Oat. 7.
Brushes, Artists'. 39.
———, except artists' brushes and brushes of metal. 50.
———, Gilders'. 50.
———, Wire. 13.
Brushware. 50.
Brussels carpets. 36.
Buckets, leather. 37.
——— (metal). 13.
——— (wood). 50.
Buckles (metal). 13.
——— (precious metal or imitation thereof). 14.
Buffalo hides. 37.
Buffers (india-rubber). 40.
Building contrivances. 18.
Bulls. 46.
Bullet moulds. 19.
Bullion fringe (gold and silver). 14.
Bung bushes (metal). 13.
Bunting, Flags of. 35.
Burners, Gas and lamp (metal). 13.
Burrs, Fire (of clay). 16.
Bushes, Bung (metal). 13.
Busks (metal). 13.
Bustles. 38.

Butter. 42.
———, Artificial. 42.
——— colouring. 42.
——— coolers (wood). 50.
——— workers. 7.
Butterine. 42.
Button hooks. 13.
——— plates. 5.
Buttons of all kinds (other than of precious metal or imitations thereof). 50.
——— (precious metal or imitations thereof). 14.
Butts (leather). 37.
—— (metal). 13.

Cables, Chain. 21.
———, Telegraph. 8.
Cabs. 22.
Caddies (wood). 50.
Cages, Bird (wood). 50.
——— (metal and wood combined). 13.
Cake, Aluminous. 1.
—— crushers. 7.
——, Hempseed; along with cattle food. 42.
Cakes. 42.
——, Compound linseed. 42.
Calcium, Chloride of. 1.
Calf skins. 37.
Callipers. 8.
Calomel. 3.
Cambooses. 18.
Cambric in the piece (cotton). 24.
——— (linen). 27.
——— smallwares. 28.
Camlets. 31.
Camp equipage. 19.
—— ovens. 18.
Camphor prepared for use in pharmacy. 3.
Camphorated chalk for toilet purposes. 48.
Canada plates. 5.
Candles. 47.
Candlesticks (metal). 13.
——— (precious metal or imitations thereof). 14.
——— (wood). 50.
Candy for food. 42.
——— (medicinal). 3.
Cane bills. 12.
Cannon. 19.
Canoes. 21.
Can openers having a cutting edge. 12.
——— without a cutting edge. 12.
Cans. 13.
——, Milk. 13.
Canvas, Artists'. 39.
———, Flags of. 28.
——— (flax, linen, hemp, and tow), in the piece. 27.
Canvas (flax, linen, hemp, and tow), not in the piece. 28.
———, Jute (small wares not included in other classes). 29.
Capers. 42.
Capes. 38.
Caps, Chimney (metal). 13.
——, Detonating. 20.
—— for wear. 38.
——, Knee. 11.
Capstans for use on land. 6.
———, Ships'. 21.
Capsules (medicated). 3.
——— (metal). 13.
——— of gelatine, for containing medicine. 50.
——— (paper). 39.
Carbolic acid prepared for sanitary purposes. 2.
——— use in medicine and pharmacy. 3.
Card-board. 39.
Card-racks. 39.
—— suspenders. 39.
Cards, Christmas, Sentiment, Menu and Programme. 39.
—— (machine). 6.
——, Pattern. 39.
——, Playing. 39.
Cargo gins. 6.
Carpet bags. 50.
——— bindings (woollen). 35.
——— sweepers. 6.
Carpets. 36.
——— (moquette). 36.
Carriage and waggon metal work. 13.
——— aprons (wholly or principally of india-rubber). 40.
Carriages. 22.
———, Gun. 19.
Cars. 22.
Cart covers. 50.
Cartonnage. 39.
Cartridge cases. 19.
——— dies. 19.
——— fillers. 19.
——— pouches. 19.
Cartridges. 20.
———, Blanks for. 5.
Carts. 22.
Carving tools. 12.
Casements (metal). 13.
Cases, Cigar (leather). 37.
——, Clock (plate and precious metal). 14.
——— (wood). 50.
—— for cartridges. 19.
——, Gun. 19.
——, Music. 39.
——, Packing and store (wood). 50.
——, Paper and Blotting. 39.
——, Pipe. 50.
——, Pistol. 19.

LAW LIBRARY
UNIVERSITY OF GEORGIA

Cases, Pencil (not precious metal or imitation thereof). 39.
——————— (precious metal or imitation thereof). 14.
——, Stationery. 39.
Casks (glass). 15.
—— (metal). 13.
—— (pottery ware). 16.
—— (wood). 50.
Cask-stands (metal). 13.
——————— (wood). 50.
Cassada plates (cooking, heating, and baking apparatus). 18.
Cassia, not for medical purposes. 42.
Cassimeres. 31.
Cassophy. 42.
Castor oil. 3.
Castors (metal). 13.
Cast steel. 5.
Cattle food. 42.
—— medicines. 2.
—— troughs and pans (metal). 13.
Caulking irons. 13.
Caustic soda. 1.
Cement, Diamond (for mending china). 50.
——— for preventing the radiation of heat. 1.
——— for tipping billiard cues. 50.
———, Portland, and other calcareous. 17.
Cerates prepared for use in pharmacy. 3.
Cereals for use as food. 42.
——————— seed. 46.
Chaff cutters. 7.
—— knives (parts of agricultural machines). 7.
Chain cables. 21.
Chains. 13.
———, Galvanic (for curative purposes). 11.
———, Measuring. 8.
Chairs, Bath. 22.
———, Dentists' and Invalids'; along with furniture in Class 41.
——— (furniture). 41.
———, Garden; in the class of the material: either 13 or 50, according as they are made of metal or wood.
Chalk, Camphorated, for toilet purposes. 48.
——— (for drawing). 39.
———, Tailors'. 50.
Champagne. 43.
——————— nippers. 13.
Chandeliers (glass). 15.
——————— (metal). 13.
Chapels (iron). 18.
Charcoal. 4.
Chasing machines. 6.
Checks (woollen). 31.
Cheese. 42.
——— making apparatus. 7.
——— tasters. 42.
Cheese tubs. 50.
Chemical apparatus. 8.
——————— substances crude, or prepared, for use in manufactures, photography, or philosophical research. 1.
——————————————— prepared for agricultural, horticultural, veterinary, and sanitary purposes. 2.
——————————————— prepared for use in medicine and pharmacy. 3.
Chemises. 38.
Chenille silk. 32.
Cherry brandy. 43.
Chess boards. 49.
—— tables. 41.
Chest expanders. 49.
—— protectors. 11.
Chests (metal). 13.
——— (wood). 50.
Chicory. 42.
Chignons. 50.
Chillies. 42.
Chimney caps, cowls, and tops (metal). 13.
Chimneys, Lamp. 15.
China. 16.
——— crape (wool or worsted). 34.
Chisels. 12.
Chloride of calcium. 1.
——————— gold. 1.
——————— lime for disinfecting purposes. 2.
——————— zinc. 1.
Chlorodyne. 3.
Chloroform. 3.
Chocolate. 42.
Cholera belts. 11.
Choppers. 12.
Chrome ores. 5.
——— salts. 1.
Chronometers. 10.
Churches (iron). 18.
Churns. 7.
Chutney. 42.
Cider. 43.
—— machines. 7.
Cigar holders and tubes (not of precious metal or of imitation precious metal). 50.
Cigarette papers. 39.
Cigarettes. 45.
———, Anti-asthmatic (not containing tobacco). 3.
Cigars. 45.
Cinder sifters for household use. 13.
——————— (machines). 6.
Cinnamon. 42.
Cisterns (metal). 13.
——————— (slate and stone). 50.
Citrate of magnesia. 3.
Clamps. 13.
Claret. 43.
Clarifiers for articles of food. 42.
Clarionettes. 9.

Clasps (jet or imitation jet). 50.
——— (metal). 13.
——— (precious metal or imitations thereof). 11.
Clay, Goods made of Fire. 16.
—— pipes (tobacco). 50.
Cleaning furniture, leather, metals, jewellery, Preparations for. 50.
Cleansing fabrics, Preparations for. 17.
Cleavers. 12.
Clinical thermometers. 11.
Clippers, Horse. 12.
Clips, Letter. 39.
Cloaks. 38.
Clock and watch springs. 10.
—— gongs. 13.
—— weights. 13.
Clocks. 10.
———, Electric. 10.
Clogs. 38.
Closets, Water. 18.
Cloth, American. 36.
——, Battice. 50.
—— (cotton). 24.
——, Emery. 50.
——, Enamelled leather. 36.
——, India-rubber. 40.
—— (jute). 29.
—— (linen). 27.
——, Oil. 36.
——, Sand. 50.
—— (wool, worsted, or hair). 34.
Clothes horses. 41.
——— lines. 50.
Clothing, Articles of. 38.
———, Horse. 37.
——— manufactured wholly or in part from india-rubber, gutta-percha, or their compounds. 38.
——— (waterproof). 38.
Cloths (polishing). 50.
——— (rick). 50.
——— (saddle). 37.
Clouts, Waggon and Cart (metal). 13.
Cloves. 42.
Coach ironmongery. 13.
Coaguline. 50.
Coal. 4.
—— scuttles (metal). 13.
—— tar fluid, along with detergents in Class 47.
Coatings (woollen and worsted). 34.
Coat rails. 41.
Coats. 38.
Cobblers' wax. 50.
Coburgs. 31.
Cocks (earthenware). 16.
—— (metal). 13.
—— (wood). 50.
Cocoa. 42.
Cocoa-nut fibre. 4.
——— oil for illuminating purposes. 47.
Cod-liver oil. 3.
Coffee. 42.
—— — (aërated). 44.
——— mills. 6.
——— roasters. 6.
Coffins. 50.
Coils, Steam (apparatus for heating). 18.
Coke. 4.
Cold cream. 3.
—— sales. 13.
Collars for wear. 38.
———, Horse. 37.
Collas, Benzine. 47.
Collodion. 1.
——— articles not included in other classes. 50.
Colophony. 4.
Colouring, Butter. 42.
——— — matters for use in manufactures (mineral). 1.
——— — matters for use in manufactures (other than mineral). 4.
Colours. 1.
———, Artists'. 1.
——— for making liqueurs (containing alcohol). 43.
Combs, Currying (metal). 13.
——— for the hair. 50.
———, Graining. 13.
———, Machine. 6.
Comforters. 38.
Compasses (cutting). 12.
——— (drawing). 8.
——— — (needle). 8.
——— (workmen's metal). 13.
Composition, Anti-incrustation. 1.
———, Belt. 50.
———, Harness. 50.
Compositions for cementing broken articles. 50.
——— for coating submerged structures. 1.
——— for covering steam boilers. 1.
——— for extinguishing and preventing fire. 50.
——— for indurating leather. 50.
——— for lubricating purposes. 47.
——— for preventing corrosion. 1.
——— ships' bottoms from fouling. 1.
——— the formation of scale in steam boilers. 1.
——— for ship and house painting. 1.
——— for tipping billiard cues. 50.
Compounds, Blasting. 20.
Concertinas. 9.
Condensed milk. 42.
Condensing machines. 6.
Condiments. 42.
Condition powder. 2.

Confectionery. 42.
Connecting links. 13.
Conservatories. 18.
Contrivances, Building, Drainage, Engineering. 18.
——————(not medicated) for surgical and for curative purposes. 11.
Cooking apparatus. 18.
——— ranges. 18.
Coolers for wine, water, &c. (glass). 15.
——————————— (metal). 13.
——————————— (pottery-ware). 16.
——————————— (precious metal or imitation thereof). 14.
Cooper. 43.
Coopers' wares. 50.
Copper. 5.
——— wire. 5.
——— regulus. 5.
——— tubes. 13.
Copperas. 1.
Copying paper. 39.
——— presses. 39.
Cord (elastic). 40.
——, Blind (not metal). 50.
—— for trimming (cotton). 25.
——————— (linen). 28.
——————— (silk). 32.
——————— (woollen, worsted, and mohair). 35.
Cordage. 50.
Cordials (alcoholic). 43.
——— (non-alcoholic). 42.
Cork. 4.
—— drawing stands (wood). 50.
—— gripes (wood). 50.
—— soles. 38.
Corking machines. 6.
Corks. 50.
Corkscrews. 13.
Corn-bins (metal). 13.
—— drills. 7.
—— flour. 42.
—— meters. 8.
—— plasters. 3.
—— rubbers. 11.
Cornets. 9.
Cornices (metal). 13.
——— (wood). 50.
Corrosion, Composition for preventing. 1.
Corsets. 38.
——— for curative purposes. 11.
Cosaques. 42.
Cosmetics. 48.
Costumes. 38.
Cots. 41.
Cotter-pins. 13.
Cotton, Flags of. 25.
———, Gun. 20.
——— piece goods of all kinds. 24.
——— (raw or partly-prepared). 4.
Cotton, Sewing, and other thread not wound on reels or spools. 23.
———, sewing thread wound on reels or spools. 23.
——— smallwares (not included in other classes. Including trimmings, cords for trimming, bindings, galloons, lace). 25.
——— wool (medicated). 3.
——————— not prepared for curative purposes. 25.
——————prepared for surgical use. 11.
——— yarn of all kinds. 23.
Cotton-seed cake. 42.
——————— oil, raw or partly prepared for use in manufactures. 4.
——————————, refined for edible purposes. 42.
Couches. 41.
Counters for shops. 41.
Counter-top metal. 5.
Couplings (railway), sold separately. 13.
Court markers. 49.
Coverlets, Bed (textile), as smallwares according to the class of the material.
——————————— (paper). 41.
Coverings (wall). 41.
Covers, Van, Rick, and Cart. 50.
Cowls, Chimney (metal). 13.
Crabs. 6.
Cramps. 6.
——— for guns. 19.
Cranes. 6.
Crank braces. 13.
Crape, China (wool or worsted). 34.
——— (silk). 31.
Crates (wood). 50.
Cravats. 38.
Crayons. 39.
——— holders (not of precious metal or of imitation precious metal). 39.
——————— of precious metal or of imitation precious metal. 14.
Cream. 42.
———, Cold. 3.
——— for toilet use. 48.
———, Furniture. 50.
———, Salad. 42.
Creamometers. 8.
Cresylic acid, prepared for use in medicine and pharmacy. 3.
Cribs (furniture). 41.
Cricketing articles. 49.
Crinolettes. 38.
Crochet cotton. 23.
Croquet sets. 49.
Crossings, Railway, with rails in Class 5.
Crowbars. 13.
Crucibles (clay). 16.
Cruets (electro-plated). 14.
Crumb cloths (cotton), not in the piece. 25.
——————————— (linen), not in the piece. 28.

Crushers, Grain. 7.
Crutches. 11.
Crystal, Cleansing and Washing. 47.
Cues, Billiard. 49.
Cuffs. 38.
Culinary utensils (metal). 13.
Cultivators. 7.
Cups (brass). 5.
Curaçoa. 43.
Curative purposes, Contrivances for. 11.
——— corsets. 11.
Currie powder and paste. 42.
Currying and tanning oils. 4.
Curtain rings and hooks (metal). 13.
——————— (wood). 50.
Curtains, as smallwares, according to the class of the material or predominating material.
Cushions (india-rubber and gutta-percha). 40.
——— (leather). 37.
Cutch. 4.
Cutlasses. 19.
Cutlery. 12.
——— (electro-plated). 14.
——— (surgical). 11.
Cut nails. 13.
Cutters, Bread. 2.
———, Chaff. 7.
———, Tobacco. 12.
———, Wad. 19.
Cutting-out presses. 6.
Cyanide of potash. 1.
Cymbals. 9.

Dairy implements of the larger kind. 7.
Damask (linen). 27.
——— (silk). 1.
——— (woollen and worsted). 31.
Dandruff eradicator. 48.
Dates. 42.
Dauphines. 34.
Deals. 50.
Decanters. 15.
Decoctions (pharmaceutical). 3.
Denims, being cotton piece goods. 24.
Dental plates. 1.
Dentifrices. 48.
Deodorisers. 2.
Derricks. 6.
Desks, Office. 41.
———, School. 8.
———, Writing. 39.
Despatch boxes. 39.
Destruction of insects, Preparations for. 2.
Detergents. 47.
Detonating caps. 20.
Dhooties, being cotton piece goods. 21.
Dials (watch). 10.
Diamond cement. 50.
——————— powder. 50.
Diapers (linen) in the piece. 27.
——————— not in the piece. 28.
Diaries. 39.
Dies, Cartridge. 19.
——— (metal). 13.
———, Screw-cutting. 12,
Differential pulleys. 6.
Digesters (metal hollow-ware). 13.
Dill water. 3.
Dipping powder. 2.
Dips, Sheep. 2.
Discs (brass). 5.
——— (cartridge). 5.
Disincrustants. 1.
Disinfectants. 2.
Disinfecting soap. 2.
Displacers. 8.
Distemper powder. 2.
Diving apparatus. 18.
——— dresses. 18.
Dog biscuits. 42.
——— calls (metal). 13.
——— kennels (structures of metal). 18.
——— medicines. 2.
——— soap and washers. 2.
Dolls. 49.
Domestic labour-saving machines. 6.
Domets. 34.
Door-fittings of metal. 13.
——— knockers. 13.
——— mats. 36.
——— pulls (metal). 13.
——— scrapers (metal). 13.
——— springs made wholly or principally of india-rubber. 40.
——————— (metal). 13.
——— straps (leather). 37.
Doors (iron). 13.
——— (wood). 50.
Dowlas. 27.
Down. 4.
Doyleys (cotton) 25.
Drainage contrivances. 18.
——————— implements (of the larger kind). 7.
Draining apparatus. 18.
Draught excluders (india-rubber). 40.
Drawers for wear. 38.
——— (furniture). 41.
Drawing boards. 39.
Drawings (pencil, water-colour, &c.). 39.
Draw-pulls (metal). 13.
Dresses. 38.
Dressing-cases (principally or wholly of leather). 37.
——————— (wood). 50.
Dressing, Leather. 50.
——————— machines, Grain. 7.
———, Seed. 2.
———, Sheep. 2.
Dress-preservers (india-rubber). 40.
——— suspenders (metal). 13.
Drill braces. 13.

Drilling machines (agricultural). 7.
——————— (other than agricultural). 6.
Drills. 12.
——— (agricultural machines). 7.
——— (corn). 7.
——— (equilibrium). 6.
——— (linen). 27.
——— (rock). 6.
——— (shoe). 27.
Drinking flasks (not precious metal or imitation thereof). 50.
——————— (precious metal or imitation thereof). 14.
——————— horns. 50.
Drinks (alcoholic). 13.
Drops (medicated). 3.
Drugget. 36.
Drugs. 3.
Drums (metal), for holding oil and pigments. 13.
——— (musical). 9.
——— (parts of machines). 6.
——— (porcelain or earthenware). 16.
Dry plates, chemically prepared, for use in photography. 1.
—— soap. 47.
Dumb bells. 49.
Dusters (cotton), not in the piece. 25.
——— (silk noils) sold separately, not in the piece. 32.
Dutch camlets. 34.
——— stoves. 18.
Dyes for the hair. 48.
——, Mineral. 1.
——, not mineral, and not for toilet purposes. 4.
Dyewood extracts. 4.
Dynamite. 20.

Earthenware. 16.
Easels. 39.
Eau de Cologne. 48.
Ebonite. 40.
Edge tools. 12.
Educational appliances. 8.
Egg beaters. 6.
—— flour. 42.
—— powder. 42.
Eggs. 42.
Ejectors. 6.
Elastic bands. 39.
——— sandallings. 40.
——— webs and cords (india-rubber). 40.
——————————— (not of india-rubber) in the class of the material.
Electric bells, along with architectural contrivances and apparatus in Class 18.
——— belts, being medical belts. 11.
——— clocks. 10.
Electric fittings of metal. 13.
——— insulators or fittings of india-rubber. 10.
——————————— (porcelain and earthenware). 16.
——— lamps (philosophical). 8.
——————— of precious metals. 14.
——————— (ordinary). 13.
Electrical machines (medical). 11.
——————— (philosophical). 8.
Electro-plate. 11.
Elevators, Grain. 7.
———, Straw. 7.
Ells, Long. 31.
Embrocations for horses and cattle. 2.
——————— human use. 3.
Embroidery (linen). 28.
——————— (silk). 32.
——————— (woollen or worsted). 35.
Emery. 50.
——— cloth. 50.
——— powder. 50.
——— wheels. 50.
Emulsions. 3.
Enamel (decorative). 17.
——— for coating metal. 1.
——————— stopping teeth. 11.
Enamelled articles of metal. 13.
——————— leather cloth. 36.
Enemas. 11.
Engineering contrivances. 18.
Engine packing. 50.
Engines for agricultural purposes, as traction, watering, hop-washing, &c. 7.
——— of all kinds other than agricultural. 6.
Engravings. 39.
Envelopes. 39.
Epsom salts. 3.
Equilibrium drills. 6.
Equipage, Camp. 19.
Equipments for ships (except nautical instruments). 21.
———————, Military (except explosives, clothing, saddlery, knapsacks, and belts). 19.
Eradicator, Dandruff. 18.
Eraser, Ink. 39.
Essences (alcoholic). 43.
——————— and essential oils (medical). 3.
——————— (non-alcoholic) for use as food. 12.
Estament. 31.
Etchings. 39.
Ethers, prepared for use in pharmacy. 3.
Ewers (porcelain or earthenware). 16.
Excluders, Draught (india-rubber). 10.
Exhausters, Breast. 11.
Exhausting bells. 11.
Expanders, Chest. 49.
——————— Tube. 13.
Explosive substances. 20.
Extinguishing compounds, Fire. 50.

Extract of bark, for tanning purposes. 4.
———— limes (for toilet purposes). 48.
———— logwood, being a vegetable dye. 4.
———— meat. 42.
Extractor, Ink (for fabrics). 47.
Extracts (alcoholic). 13.
———— (medical and pharmaceutical). 3.
Eye glasses. 8.
—— salve. 3.
Eyelets (metal). 13.
Eyeletting presses. 6.
Eyes, Hooks and. 13.

Fabrics (textile or elastic), according to the material or the predominating material, in Classes 24, 27, 29, 31, 31, and 40.
Face powder. 48.
Facings, as smallwares, according to the class of the material or predominating material.
Faience. 16.
Fake ball. 50.
Fancy smallwares in wood, bone, ivory, or mother of pearl. 50.
Fans for personal use. 50.
—— (parts of machinery). 6.
Farina (preparation for stiffening calico or thread). 1.
Farls. 42.
Fasteners, Dress casement (metal). 13.
———————————— (precious metal or imitations thereof). 11.
————, Paper. 39.
Fat for culinary purposes. 42.
———— manufacturing purposes. 4.
Feather beds. 11.
—— pillows. 41.
———— trimmings (made up). 50.
Feathers. 4.
Feeders, Oil. 13.
Feeding bottles. 50.
Feed pumps. 6.
—— water heaters. 6.
Fellies or rims (wood). 50.
Felt in the piece (woollen). 31.
——, Roofing. 50.
—— table covers. 35.
Fencing foils. 49.
———— gauntlets. 49.
———— (metal). 13.
———— wire. 5.
Fenders (metal). 13.
Fermented liquors and spirits. 43.
Fertilisers. 2.
Fever pads. 11.
Fibre, Cocoa-nut. 4.
Fibres. 4.
Fibrous substances, raw or partly prepared, for use in manufactures, as cotton, hemp, flax, jute. 1.

Fichus. 38.
Field glasses (binocular). 8.
Files. 12.
——, Bill. 39.
Fillers, Cartridge. 19.
Filletings (cotton). 25.
Filling for teeth (of precious metal). 11.
———————— (not of precious metal). 11.
———— machines. 6.
Filtering apparatus and materials. 18.
Filters. 18.
Finings (for coffee, beer, wine). 42.
Fire bricks. 16.
—— clay, Articles of. 16.
—— engines. 6.
—— extinguishing compounds. 50.
—— irons. 13.
—— lighters. 50.
———————— (peat). 50.
—— places. 18.
—— screens (furniture). 41.
———————— (metal). 13.
—— wood. 50.
Fireworks. 20.
Fish (dried). 42.
Fishing boots. 38.
———— hooks. 13.
———— tackle, except fishing hooks. 49.
Fittings, Bath, Lavatory, Gas, Stable, &c. (of metal). 13.
————, Door (metal). 13.
————, Electric (metal). 13.
————, Furnace (silica and clay). 16.
————, Machine. 6.
Fives balls. 49.
—— shoes. 38.
Flags of bunting. 35.
———— canvas. 28.
———— cotton. 25.
———— silk. 32.
Flamers. 47.
Flannel. 34.
————, Medicated. 3.
Flasks, Drinking (not precious metal or imitation thereof). 50.
———————————— (precious metal or imitation thereof). 11.
————, Powder. 19.
Flavourings (drink). 42.
Flax (raw or partly prepared). 4.
—— yarn and thread. 26.
Fleams. 11.
Flesh gloves. 11.
Flint paper. 50.
Floats, Lamp. 47.
Flocks, Absorbent paper (for medical purposes). 11.
Floggers (wood). 50.
Floor-cloth. 36.
Flour. 42.
————, Egg. 42.
———— of sulphur. 1.
Flowers, Artificial. 50.

Fluid annatto. 42.
Flutes. 9.
Fly gum. 2.
—— paper. 2.
—— powder for sheep. 2.
Fog-signals (explosive). 20.
Foil (metallic). 5.
Foils (fencing). 49.
Food, Game. 42.
—— for man and animals. 42.
Foot balls. 49.
—— warmers (metal). 13.
———— (wholly or principally of india-rubber). 40.
Forges (portable). 6.
Forgings, Rough. 5.
Forks (agricultural and horticultural). 13.
——— (brass and tin). 13.
——— for table use (steel). 12.
———— (wholly or partly of precious metal or of imitation of the same). 14.
———, Tuning. 8.
Founders' powder. 4.
Fowling pieces. 19.
Frames (metal). 13.
——— (precious metal or imitation thereof). 14.
——— (wood). 50.
Freezing machines. 6.
French varnish. 60.
Fret shelves (metal). 13.
Friction gloves. 11.
Friezes, Irish, being woollen piece goods. 34.
Frillings (cambric). 28.
——— (cotton). 25.
——— (silk). 32.
Frills for wear. 38.
Fringe (gold and silver bullion). 14.
Fringes (cotton). 25.
——— (linen or hemp). 28.
——— (silk). 32.
——— (worsted or woollen). 35.
Front, Blocked (shoe leather). 37.
———, Shirt. 38.
Frothing preparations. 42.
Fruit essences (alcoholic). 43.
———— (non-alcoholic). 42.
———— prepared for use as medicine. 3.
Fruits. 42.
Fuel, Artificial. 50.
—— economizing plant. 18.
——, Patent. 50.
Fullers' earth for toilet purposes. 48.
———— use in manufactures. 4.
Fumigating paper. 2.
Funnels (glass). 15.
——— (gutta-percha). 40.
——— (metal). 13.
——— (porcelain or earthenware). 16.
Funnels (wood). 50.
Furnace bars. 6.
——— blocks and fittings of silica or clay. 16.
——— grates, not being parts of machinery. 18.
Furnaces (experimental). 8.
Furniture. 41.
——— cream. 50.
——— polish. 50.
———, Umbrella (metal). 13.
Furs. 37.
Fuses. 47.
Fuses. 20.

Gaiters. 38.
Galloons (cotton). 25.
——— (silk). 32.
——— (woollen). 35.
Galvanic bands, belts, and chains, for curative purposes. 11.
Galvanized iron. 5.
Game food. 42.
Games of all kinds. 49.
Garden chairs (metal). 13.
———— (wood). 50.
——— engines. 7.
——— implements of the larger kind. 7.
———— smaller kind, with a cutting edge. 12.
———— smaller kind, without a cutting edge (metal). 13.
——— pumps. 7.
——— rollers. 7.
——— sofas (metal). 13.
——— tents. 50.
Garments. 38.
———, Life-saving (for use on water). 21.
Garters. 38.
Gas brackets (metal). 13.
—— burners (metal). 13.
—— engines. 6.
—— generators. 18.
—— holders (scientific). 8.
——, Instruments for testing. 8.
—— meters. 8.
—— purifying apparatus. 6.
—— regulators. 8.
—— standards (metal). 13.
—— stoves. 18.
Gasogenes. 8.
Gates (metal). 13.
——— (wood). 50.
Gauges. 8.
Gauntlets, Fencing. 49.
Gauzes (silk). 31.
Gear, Winding. 6.
Gelatine. 52.
——— capsules for containing medicine. 50.
——— glues. 1.

Gelatine powder (for use in manufactures). 4.
Genappe yarns. 33.
Generators, Gas. 18.
Geneva. 43.
German dried yeast. 42.
——— paste (birds' food). 12.
——— silver in sheets, bars, and ingots. 5.
——————— wire. 5.
——————— wares. 14.
Gilders' brushes. 50.
Gills (machine). 6.
Gilt thread. 14.
Gimlets. 13.
Gimps, as small wares, according to the class of the material or the predominating material.
Gin. 43.
Ginger. 42.
——— ale (an aërated water). 44.
——— beer. 44.
———, Preparations for making. 42.
——— brandy. 43.
——— bread. 42.
——— gin. 43.
Gingerade. 44.
Gingham (cotton). 24.
——— (linen). 27.
Gins, Cargo. 6.
Girths (leather). 37.
Glass. 15.
—— cloths (linen) in the piece. 27.
——————— not in the piece. 28.
—— drinking flasks. 50.
—— lustres, no part of metal. 15.
—— paper. 50.
Glasses, Blending (graduated). 8.
———, Eye. 8.
———, Field (binocular). 8.
———, Magnifying. 8.
———, Opera. 8.
Glauber salts. 3.
Globes (glass). 15.
———, Terrestrial and celestial. 8.
Gloves. 38.
———, Bath, Flesh, and Friction. 11.
———, Batting. 49.
———, Bottling. 38.
Glucose. 42.
Glue. 1.
Glues (gelatine). 1.
Glycerine (crude or prepared) for use in manufactures. 4.
——————— prepared for toilet purposes. 48.
——————— prepared for use in medicine. 3.
——————— soap powder. 47.
Gold. 5.
—— beaters' moulds. 50.
——————— skin. 50.
——, Chloride of. 1.
Gold leaf. 5.
—— paper. 39.
—— thread. 14.
Goloshes. 38.
Gouges. 13.
———, Clock. 13.
Gouges. 12.
Gout mixture. 3.
Governors (parts of machinery). 6.
Grafting tools (metal) with a cutting edge. 12.
——————————— without a cutting edge. 13.
Grain crushers. 7.
—— dressing machines. 7.
—— elevators. 7.
—— separating machines. 7.
Grains. 42.
Granderelle yarn. 23.
Grape Sugar. 42.
Grapnels (for use on board ship only). 21.
Grass hooks. 12.
—— seeds. 46.
Grates, Furnace (not for machinery). 18.
Grease, Bears', for toilet purposes. 48.
——— for lubricating purposes. 47.
——————— use in manufactures. 4.
——————————— medicine. 3.
Greenhouses. 18.
Grindstones. 50.
Gripes, Cork (wood). 50.
Groats. 42.
Grubbers. 7.
Gualtheria oil for toilet purposes. 48.
Guano. 2.
Guards, Leg (cricketing). 49.
Guitars. 9.
Gum, Fly. 2.
—— prepared as an article of stationery. 39.
Gums for use in manufactures. 4.
—— prepared for use in pharmacy. 3.
Gun barrels. 19.
—— carriages. 19.
—— cotton. 20.
—— implements. 19.
—— locks. 19.
—— powder. 20.
Guns and parts thereof (metal). 19.
——, Harpoon. 19.
Gutters (metal). 13.

Hacking knives. 12.
Hackles (machine). 6.
Hair. 4.
—— brushes. 50.
—— cloths and fabrics. 34.
—— pins (metal). 13.
—— plaits. 50.
—— seating for chairs and sofas. 34.
—— stuffing for furniture. 35.
—— washes and preparations for the hair. 48.

Hair, Yarns of. 33.
Halters. 37.
Hames, Harness (metal). 13.
———————— (wood). 50.
Hammers. 13.
————, Steam. 6.
Hammocks. 50.
Hampers. 50.
Hams. 42.
Hand-barrows (metal). 13.
———————— (wood). 50.
Hand facings (silk). 32.
Handkerchiefs (cotton), in the piece. 24.
———————— not in the piece. 25.
———————— (linen and cambric), in the piece. 27.
———————— not in the piece. 28.
———————— (silk), in the piece. 31.
———————— not in the piece. 32.
Handles (metal). 13.
———— (precious metal or imitation of the same). 14.
———— (vulcanite). 40.
———— (wood, ivory, bone, mother-o'-pearl. 50.
Hangers (parts of machinery). 6.
Hangings, Paper. 41.
Hansom cabs. 22.
Harmonicas. 9.
Harmoniflutes. 9.
Harmoniums. 9.
Harness. 37.
———— liquid. 50.
Harpoon guns. 19.
Harps. 9.
Harrows. 7.
Harvesting machines. 7.
Hatchets. 12.
Hatching apparatus. 50.
Hat stands. 41.
Hats. 38.
Hatters' furs. 37.
Hay forks. 13.
—— makers. 7.
—— racks (metal). 13.
Headsquares (for children). 38.
Head-stalls. 37.
Hearth brick. 50.
Hearths of porcelain or earthenware. 16.
Heater irons. 13.
Heaters, Feed-water. 6.
Heat-utilizing apparatus. 18.
Heel-ball. 50.
—— tips (metal). 13.
Helmets. 38.
Hemp lace. 28.
———— piece goods. 27.
———— (raw or partly prepared). 4.
———— yarn and thread. 26.
Hempseed cake. 42.
Herbs for food. 42.
Herbs used in medicine and pharmacy. 3.
Hessians (jute). 29.
———— (tow). 27.
Hides. 37.
Hildegarde (a game). 49.
Hinges. 13.
Hoes. 13.
——, Horse. 7.
Hog products. 42.
Hoists. 6.
Holders, Cigar (not of precious metal or of imitation precious metal). 50.
———— Gas (scientific). 8.
Holdfasts. 13.
Hollands (linen). 27.
———— (spirits). 43.
Hollowware (metal). 13.
Hominy. 42.
Hones. 50.
Honey. 42.
Hooks and eyes. 13.
———— for cutting, as billhooks. 12.
———— hanging or holding, as ship-hooks, curtain-hooks. 13.
Hoop iron. 5.
Hop presses. 7.
—— substitute. 42.
Hops. 42.
Horehound honey (for use in medicine and pharmacy). 3.
Horns, Drinking. 50.
———— (musical). 9.
————, Shoe (bone, ivory, wood). 50.
———————— (metal). 13.
Horological instruments. 10.
Horse and cattle food. 42.
—— blisters and medicine. 2.
—— clippers. 12.
—— clothing. 37.
—— collars. 37.
—— hair. 4.
—— singers. 13.
Horses, Clothes. 41.
————, Slaters'. 12.
Horseshoes (metal). 13.
———————— (vulcanised indiarubber). 40.
Horticultural implements of the larger kind. 7.
———————— of the smaller kind, with a cutting edge. 12.
———————— of the smaller kind, without a cutting edge (metal). 13.
Hose. 50.
——, Linen. 50.
Hosiery. 38.
Hot-air (or caloric) engines for agricultural purposes. 7.
————————, not for agricultural purposes. 6.
Hot-water apparatus. 18.
Houses (iron). 18.
Hubs (metal). 13.

Hubs (wood). 50.
Huckaback towellings. 27.
Hurdles (metal). 13.
Hydrants. 13.
Hydrate of magnesia (for medicinal purposes). 3.
Hydraulic packing. 50.
——— scrubber for cleaning ships' bottoms when afloat. 21.
Hydrochloric acid. 1.
Hydrometers. 8.
Hydropults. 7.

Ice. 42.
—— houses, Portable. 50.
— pails (glass). 15.
— —— (wood). 50.
—— safes. 50.
—— skates. 12.
Icing frames (metal). 13.
Imitation jewellery. 14.
Implements, Agricultural and Horticultural, of the larger kind. 7.
——— Agricultural and Horticultural, of the smaller kind, with a cutting edge. 12.
——— Agricultural and Horticultural, of the smaller kind, without a cutting edge (metal). 13.
——— Drainage (of the larger kind). 7.
——— for archery. 19.
———, Gun. 19.
Incrustations in steam boilers, Composition for the prevention of. 1.
Incubators. 50.
Indiarubber cloth. 40.
——— elastic webs and cords. 40.
——— goods, not included in other classes. 40.
——— horseshoes (vulcanized). 40.
——— shoes and clothing. 38.
Indicators (pressure and speed). 8.
Indigo dye. 4.
Infants' and invalids' food. 12.
Infusions used in pharmacy. 3.
Ingots, Metal in. 5.
Inhalers (medical). 11.
Injectors. 6.
Ink. 39.
—— extractor for fabrics. 47.
Inkstands. 39.
Insect-destroying preparations. 2.
Instruments, Educational and Scientific. 8.
———, Electrical (philosophical). 8.
——— for testing gas. 8.
———, Horological. 10.
———, Measuring. 8.
———, Medical and Surgical. 11.
Instruments, Musical. 9.
———, Nautical. 8.
———, Surveying. 8.
Insulators, Electric (or fittings), porcelain and earthenware. 16.
——— of indiarubber. 40.
Ipecacuanha wine. 3.
Irish friezes, being woollen piece goods. 31.
Iron (angle). 5.
—— (galvanised). 5.
—— (pig, cast, rough, bar, rail, bolt, rod, sheet, oval, or hoop). 5.
—— structures. 18.
Ironmongery, Coach. 13.
Irons, Branding. 13.
——, Caulking. 13.
——, Fire. 13.
—— (for planes). 12.
——, Goffering. 13.
——, Grass edging and turfing. 13.
——, Machine moulding. 6.
——, Smoothing. 13.
Irrigation apparatus. 7.
Isinglass. 42.
Italian cloths. 31.
——— paste. 42.
Ivory markers. 49.
—— wares not included in other classes. 50.

Jackets (wearing apparel). 38.
———, Swimming. 21.
Jacks, Lifting. 6.
———, Roasting. 6.
Jacquards (parts of machinery). 6.
Jam. 42.
Japanese lanterns (no part being of metal). 49.
Japanned metal goods. 13.
Japans. 1.
Jars (glass). 15.
—— (pottery ware). 16.
Jellies for food. 42.
Jerseys. 38.
Jet or imitation jet wares. 50.
Jets (metal). 13.
Jettine (dressing for leather). 50.
Jewellers' rouge. 50.
Jewellery and imitation jewellery. 14.
Jewels for wire drawing, and for horological, telegraphic and other instruments. 50.
Jews' harps. 9.
Joinery of all descriptions (wood). 50.
Joints, Union (metal). 13.
Jugs (glass). 15.
—— (pottery ware). 16.
Juices, Fruit (alcoholic). 43.
——— (non-alcoholic). 42.
Jujubes (medicated). 3.

Jute bags and sacks. 50.
—— carpets and mats. 36.
—— piece goods (except carpets and mats). 29.
—— (raw or partly prepared). 4.
—— small wares, not included in other classes. 29.
—— yarns. 29.

Kamptulicon. 36.
Kali, Lemon (in powder). 42.
Kegs (metal). 13.
—— (wood). 50.
Kennels (structures of iron). 18.
Kersey cheeks. 34.
Ketchup. 42.
Kettles. 13.
Key rings. 13.
Keyed musical instruments. 9.
Keys. 13.
Kid gloves. 38.
—— reviver. 50.
Kit tools (with a cutting edge). 12.
———— (without a cutting edge). 13.
Kitchen ranges. 18.
Kites made of paper. 49.
Kitool. 4.
Knapsacks. 50.
Knee caps. 11.
Knife boards. 50.
—— cleaning machines. 6.
—— polishing powder. 50.
—— sharpening machines. 6.
Knitting machines. 6.
———— pins of bone or wood. 50.
———— yarns (cotton). 23.
———————— (silk). 30.
———————— (woollen and worsted). 33.
Knives (metal, table, pocket, and hand). 12.
——— of precious metal or imitation of same. 14.
———, Paper. 39.
——— (parts of agricultural machinery). 7.
——— (parts of general machinery). 6.
——— (surgical). 11.
Knobs (metal). 13.
——— (porcelain). 16.
Knockers, Door. 13.
Knotter plates. 6.

Labels (metal). 13.
——— (paper). 39.
——— (pottery ware). 16.
——— (wood). 50.
Lace and laces as smallwares, according to the class of the material or the predominating material.
Laces (leather). 37.
Lacquered leather and skins. 37.
Lacquers. 1.
Lactometers. 8.
Ladles (metal). 13.
——— (precious metal or imitation thereof). 14.
Lager beer. 43.
Lametta. 5.
Lamp black (for use in manufactures). 1.
——— burners (metal). 13.
——— chimneys. 15.
——— wicks and floats. 47.
Lamps. 13.
———, Electric (philosophical). 8.
———————— (ordinary). 13.
Lancashire tools with a cutting edge. 12.
———————— without a cutting edge. 13.
Lancets. 11.
Land rollers. 7.
Lanterns, metal or partly metal. 13.
———— (paper), no part being of metal. 49.
Lard, for food. 42.
—— used for lubricating purposes. 47.
———— in manufactures. 4.
Larries (metal). 13.
Lastings (wool, worsted, or hair). 31.
Lasts (wood). 50.
Latches. 13.
Lathes. 6.
Laths. 50.
Launches. 21.
Laundry purposes, Preparations for. 47.
Lavatories. 18.
Lavatory basins (china, stoneware, and earthenware). 16.
———— fittings (metal). 13.
Lavender water. 48.
Lawn. 27.
——— mowers. 7.
——— tennis poles. 49.
———————— sets. 49.
———————— shoes. 38.
Lead, Black. 50.
——— pencils. 39.
——— (pig, rolled, or sheet). 5.
———, Red. 1.
———, White. 1.
Leaf, Gold. 5.
Leather. 37.
——— cloth. 36.
———, Dressing for articles of. 50.
Leatheretto (of paper). 39.
Leatherine. 36.
Leathers, Pump. 37.
Leeches. 11.
Legee twist. 30.
Leggings. 38.
Leg guards (cricketing). 49.
Lemon juice. 42.
——— kali (in powder). 42.

Lemon squeezers. 6.
Lemonade. 44.
———— syrup. 42.
Lentils. 42.
Letter balances. 39.
——— clips. 39.
Levels. 8.
———, Workmen's (wood). 50.
Levers (wood). 50.
Life-saving garments for use on water. 21.
Lifting jacks. 6.
Lifts. 6.
Lighters, Cigar; along with matches in Class 47.
———, Fire; along with artificial fuel in Class 50.
Lighting Apparatus. 18.
Lights, Night. 47.
——— of glass, with metal frames. 13.
Limbs, Artificial. 11.
Lime. 17.
——, Chloride of (for disinfecting purposes). 2.
—— juice (aerated). 44.
———— cordial (free from spirit). 42.
———— for medicinal purposes. 3.
Limestone. 4.
Linchpins. 13.
Linen, Baby. 38.
——— bindings, braids, and other small wares not included in other classes. 28.
——— buttons. 50.
——— cords for trimming. 28.
——— hose. 50.
——— piece goods. 27.
——— stretchers (bone, wood, or ivory). 50.
———, Tracing. 39.
——— yarn and thread. 26.
Lines, Fishing. 49.
——— for sounding and measuring. 8.
——— Sash, Blind, Picture and Clothes (not of metal). 50.
Liniments. 3.
Linings, Boot and Shoe (linen), in the piece. 27.
Links, Connecting. 13.
Linoleum. 36.
Linseed-oil cake. 42.
——— oils (used in manufactures). 4.
Lint. 11.
Lintels (iron). 13.
Liqueur colours (alcoholic). 43.
Liqueurs. 43.
Liquor essences (alcoholic). 43.
Liquorice. 42.
———— prepared for use in pharmacy. 3.
Liquors (fermented). 43.
——— prepared for use in medicine and pharmacy. 3.
Litter peat moss. 50.
Lithia water. 44.
Lithofracteur. 20.
Lithographs. 39.
Liver pads. 11.
Liveries. 38.
Locks. 13.
———, Rifle and pistol. 19.
Locomotives. 6.
Logs and log lines. 8.
Logwood, Extract of (a vegetable dye). 4.
Long ells (woollen and worsted). 34.
Looking glasses. 41.
Lotions for toilet use. 48.
——— (medical). 3.
Lozenges (medicated). 3.
———— (not medicated). 42.
————, Voice. 42.
Lubricators, not for attachment to machinery. 13.
———— (self-acting). 6.
Lubricating preparations. 47.
Lung protectors. 11.
Lustre yarns. 33.
Lustres (glass), no part of metal. 15.
——— (woollen and worsted). 34.

Maccaroni. 42.
Mace. 42.
Machine guns. 19.
———— irons (plane, moulding and grooving). 6.
———— tools. 6.
Machinery, Agricultural; and parts of such machinery. 7.
————, Colliery. 6.
————, Emery wheel. 6.
————, Mining. 6.
———— of all kinds, and parts of such machinery (except machinery for agricultural purposes). 6.
————, Puddling. 6.
————, Rock-drilling. 6.
Machines, Bottle-washing. 6.
————, Bottling. 6.
————, Chasing. 6.
————, Cider. 7.
————, Cork-drawing. 6.
————, Corking. 6.
————, Cutting. 6.
————, Domestic labour-saving, of all kinds. 6.
————, Drilling (for agricultural purposes). 7.
———————(not for agricultural purposes). 6.
————, Electrical (medical). 11.
———————(philosophical). 8.
————, Freezing. 6.

Machines, Hydraulic. 6.
———, Meat salting. 6.
———, Mincing. 6.
———, Mortising. 6.
———, Planing. 6.
———, Pneumatic. 6.
———, Printing. 6.
———, Puddling. 6.
———, Punching. 6.
———, Quill-pen cutting. 12.
———, Riveting. 6.
———, Rolling. 6.
———, Sausage. 6.
———, Sawing. 6.
———, Screwing. 6.
———, Separating (not for agricultural purposes). 6.
———, Sewing. 6.
———, Shaping. 6.
———, Shearing. 6.
——————— (for sheep). 7.
———, Slotting. 6.
———, Soda water. 6.
———, Sounding. 8.
———, Stone-breaking. 6.
———, Weighing. 6.
———, Winnowing. 7.
———, Wiring. 6.
———, Wood-working. 6.
Magnesia, Citrate of. 3.
——— prepared for use in medicine. 3.
——— water. 41.
Magnet for curative purposes. 11.
Magnetic apparatus for medical purposes. 11.
Magnifying glasses. 8.
Majolica. 16.
Mallets. 50.
Malt. 42.
—— liquors. 43.
—— vinegar. 42.
Manganese. 1.
——— bronze. 5.
Mangles. 6.
Mangling machines. 6.
Mantle cloth (woollen or worsted). 31.
Mantles. 38.
Manumotive vehicles. 22.
Manure. 2.
——— pumps. 7.
Marble imitation. 17.
Marine engines. 6.
——— glasses. 8.
——— or ships' chronometers. 10.
Markers, Billiard. 49.
———, Court. 49.
———, Ivory. 49.
———, Whist and Bezique. 49.
Marking gauges. 8.
——— ink. 39.
——— presses or stamps for linen. 39.
Marline spikes. 13.
Marmalade. 42.
Maroes. 34.
Marrow. 42.
Marquees. 50.
Maslins. 13.
Match-boxes (metal). 13.
Matches. 47.
Matchets. 12.
Mathematical instruments. 8.
Mats of all kinds. 36.
Mattocks. 13.
Mattrasses. 41.
———, Spring. 41.
Mauds. 35.
Meal. 42.
Measures, not being workmen's ordinary measures. 8.
———, Workmen's (metal). 13.
——————— (wood). 50.
Measuring apparatus. 8.
——— tapes (for workmen's use). 50.
Meat, Extract of. 42.
——, Preserved. 42.
—— safes. 50.
Medical batteries. 11.
Medicated articles for human use, as wool, paper, soap, &c. in class. 3.
——— beverages. 3.
Medicines for horses, cattle, or birds. 2.
——— man. 3.
Melodeons. 9.
Meltons (woollen piece goods). 31.
Memorandum books. 39.
Menu cards. 39.
Merchant iron. 5.
Merino shawls. 35.
——— yarns. 33.
Merinos. 31.
Mesh pins (metal). 13.
Metal-work (carriage and wagon). 13.
Metallic ship's berth. 41.
Metals of all kinds used in manufactures (unwrought and partly wrought). 5.
Meteorological instruments. 8.
Meters, Corn. 8.
Mexican fibre. 4.
Microscopes. 8.
Microscopic apparatus. 8.
Military accoutrements and equipments, except clothing, explosives, saddlery, knapsacks, and belts. 19.
Milk. 42.
—— cans. 13.
——, Condensed. 42.
—— ferment (prepared for use in medicine). 3.
Millinery. 38.
Mills, Coffee. 6.
Millboard. 39.
Mincing machines. 6.
Mineral dyes. 1.
—— oils for lighting, heating, and lubricating. 17.

Mineral oils not included in other classes. 1.
——— substances used in manufactures (raw or partly prepared), not included in other classes. 4.
——— waters, natural and artificial. 11.
Minnows, Artificial. 49.
Mirrors. 11.
Mitres (metal). 13.
Models (educational). 8.
Mohair cloth. 31.
——— smallwares (not included in other classes) including laces, manufactured tresses, braids and bindings. 35.
Molasses. 42.
Moleskins (cotton pile). 24.
——— japanned. 36.
——— (woollen). 31.
Mops. 50.
Moquette carpets. 36.
Mordants. 1.
Mortar mills. 6.
Mortars (earthenware or china). 16.
——— (glass). 15.
——— (metal). 13.
Mortising machines. 6.
Mosaic (glass). 15.
Mosquito powder. 2.
Mother-o'-pearl ornaments. 50.
Moulding irons (machine). 6.
Moulds, Bullet. 19.
———, Gold-beaters'. 50.
——— (metal), not for bullets. 13.
Moustache wash. 48.
Mouth protectors. 11.
——— wash. 48.
Movements, Watch. 10
Mowing machines. 7.
Mule twist. 23.
Mungo piece goods. 31.
——— yarns. 33.
Music cases. 39.
Musical boxes. 9.
——— instruments. 9.
Muslin (cotton). 24.
——— (wool). 31.
Mustard. 42.
——— leaves (for use in medicine). 3.
Muzzle stoppers. 19.
Muzzles (leather). 37.
——— (wire). 13.

Nail brushes. 50.
—— kegs (metal). 13.
—— rods. 5.
Nails. 13.
Name plates (metal). 13.
Naphthaline dyes. 1.
Napkin rings (electroplate and precious metal). 11.
——— (ivory, wood, bone). 50.
Napkins (cotton), in the piece. 24.
——— not in the piece. 25.
——— (linen), in the piece. 27.
——— not in the piece. 28.
Nautical instruments. 8.
Naval accoutrements, except clothing, knapsacks, and belts. 21.
Necklets of precious metal or of imitations thereof. 11.
Necktics. 38.
———. Metal fastenings and attachments for. 13.
Needle books. 39.
Needles. 13.
Nets, Fishing. 49.
Netting pins of wood. 50.
———, Wire. 13.
Nickel silver. 5.
——— wares. 14.
Night lights. 47.
Nippers with a cutting edge. 12.
——— without a cutting edge. 13.
Nipple shields. 11.
Nipples. 19.
Non-intoxicating aerated drinks. 44.
Numnahs, along with saddlery in Class 37.
Nursing aprons. 38.
Nuts and bolts. 13.

Oakum. 4.
Oars. 21.
Oat bruisers. 7.
—— cakes. 42.
—— meal. 42.
Ochre. 1.
Office desks. 11.
Oil cake. 42.
— cans. 13.
— cloth. 36.
— feeders. 13.
— paintings. 39.
— skin. 36.
— stones. 50.
— tanks of metal. 13.
— varnishes of all kinds. 1.
Oiled silk. 11.
Oils for heating, lighting, and lubricating. 17.
——— toilet purposes. 48.
——— use as food. 42.
—— (mineral and vegetable, not included in other classes. 1.
—— prepared for use in medicine and pharmacy. 3.
———————veterinary purposes. 2.

Oils, Rangoon. 47.
——, Rosin, for use in manufactures. 4.
Ointment for human use. 3.
————, Veterinary. 2.
Oleographs. 39.
Olive oil. 42.
Olives. 42.
Openers, Can (having a cutting edge). 12.
———— (without a cutting edge). 13.
Opera glasses. 8.
Opium. 3.
Opodeldocs. 3.
Optical instruments. 8.
Orange quinine wine. 3.
——— wine. 43.
Orangeade. 44.
Ores. 5.
Organs. 9.
Orleans. 34.
Ormolu wares. 14.
Ornaments (bronze). 14.
———— (china) not being jewellery. 16.
———— (ivory, wood, bone, horn, vegetable ivory, mother-o'-pearl, jet, and imitation jet), not being jewellery. 50.
———— (paper). 39.
———— (precious metals and imitations thereof). 14.
Orsedew. 6.
Osnaburghs (flax and linen). 27.
Ostrich feathers (made up). 50.
———— (not made up). 4.
Oval iron. 5
Ovens. 18.
Overcoats. 38.
Oysters. 42.

Packing, Steam, of all materials. 50.
Paddle bits. 13.
Padlocks. 13.
Pads (ague, fever, and liver). 11.
—— (stamp inking). 39.
Pails (glass). 15.
—— (metal). 13.
—— (wood). 50.
Paintings, Oil. 39.
————, Water-colour. 39.
Paints. 1.
Paletots. 38.
Palettes. 39.
Palisading (metal). 13.
Palliasses. 11.
Palms, Sailmakers'. 13.
Pans (glass). 16.
—— (metal). 13.
—— (pottery ware). 16.
Paper bags. 39.
—— bed-coverlets. 41.
—— cases. 39.
——, Chemical test. 39.
——, Cigarette. 39.
—— collars. 38.
——, Emery, Sand, and Glass. 50.
—— fasteners. 39.
—— for destroying insects. 2.
———— writing, wrapping, drawing, and printing. 39.
——, Fumigating. 2.
——, Gold and Silver. 39.
—— hangings. 11.
—— knives. 39.
—— ornaments. 39.
——, Photographic. 39.
—— prepared for medical and pharmaceutical purposes. 3.
—— rosettes. 39.
——, Tracing. 39.
—— weights. 39.
Papier-mâché goods (being articles of furniture). 11.
Paraffin candles. 47.
———— oil (for illuminating purposes). 47.
———— wax for use in manufactures. 4.
Parasols. 50.
Parchment. 39.
———— slate books. 39.
Paris blue. 47.
Parquetry of wood. 50.
Paste, being an article of stationery. 39.
—— for cleaning and polishing. 50.
———— food. 42.
———— toilet use. 48.
——, Phosphor (for destroying insects). 2.
——, Razor. 50.
Pasteboard. 39.
————, Roofing. 50.
Pastilles (medical). 3.
——— for destroying mosquitoes. 2.
———— toilet purposes. 48.
Patent fuel. 50.
——— medicines for man. 3.
————————veterinary purposes. 2.
Pattern cards. 39.
Paving blocks of metal. 13.
——— (mineral and other substances, not being metal. 17.
Peat fire-lighters. 50.
—— moss litter. 50.
Pelisses. 38.
Pencil cases (not of precious metal or imitation thereof), along with pencils in Class 39.
———— (precious metal or imitation thereof). 14.
——— protectors. 39.
Pencils. 39.

Penholders of all kinds (except of precious metal or imitation thereof). 39.
——————— (precious metal or imitation thereof). 14.
Penknives. 12.
Pen-making machines, Quill. 12.
Pens (not of precious metal or of imitation thereof). 39.
—— (gold and silver). 14.
Pepper. 42.
Perambulators. 22.
Percussion caps. 20.
Perforating presses, being articles of stationery. 39.
Perfumery. 48.
Perfumed soap. 48.
Perry. 43.
Pessaries. 11.
——— (medicated). 3.
Petrifying liquids. 1.
Petroleum for illuminating, heating, or lubricating purposes. 47.
Phosphor-bronze. 6.
——— paste for destroying insects. 2.
Phosphorus. 1.
Photographic apparatus. 8.
——— ——— chemicals. 1.
——— glass. 15.
——— paper. 39.
*Photographs.* 39.
Photometers. 8.
Pianinos. 9.
Pianofortes. 9.
Piassava fibre. 4.
Pickaxes. 13.
Pickers (hide). 37.
Pickles. 42.
Picks. 13.
Piece goods in the class of the material or predominating material, according as they are made of cotton, linen, silk, wool, jute.
Pieces, Fowling. 19.
———, Trunnion (ordnance). 19.
Pig medicines. 2.
Pigments. 1.
Pillars, Gas (metal). 13.
Pillows, Feather. 41.
——— (india-rubber and gutta-percha). 40.
Pills for man. 3.
——— veterinary purposes. 2.
Pimento. 42.
Pinafores. 38.
Pincers with a cutting edge. 12.
——— without a cutting edge. 13.
Pins. 1.
——, Cotter and Linch. 13.
——, Knitting (bone, ivory, or wood). 50.
——, Netting (wood). 50.
Pinoleum. 50.
Pipe organs. 9.
Pipes, Clay tobacco. 50.
Pipes (glass). 5.
——— (metal). 13.
———, Pitch. 8.
——— (potterywaro). 16.
Pistol cases. 19.
Pistols, and parts thereof (metal). 19.
Piston rings. 6.
Pitch. 4.
——— pipes. 8.
Places, Fire. 18.
Plaits, Hair. 50.
Plane irons. 12.
Planes. 12.
Planing machines. 6.
Planks (wood). 50.
Plaster. 17.
—— of Paris. 17.
Plasters (surgical and medical). 3.
Plate. 11.
—— glass. 15.
—— powder. 50.
Plated goods. 11.
Plates, Axle (Grinders'). 13.
———, Black. 5.
———, Boiler and Armour. 5.
———, Canada. 5.
———, Cassada (a cooking, heating and baking apparatus). 18.
———, Cooking. 18.
———, Dental. 11.
———, Dry (chemically prepared, for use in photography). 1.
———, Engravers' steel and copper. 13.
———, Knotter. 6.
———, Name (metal). 13.
———, Shovel, Spade, and Bowl. 13.
———, Side, for ploughs. 7.
———, Sole, for ploughs. 7.
———, Stencil. 39.
——— and dishes (metal). 13.
——————— (precious metal and imitations thereof). 14.
Platinum. 5.
——— articles. 11.
Platters, Bread. 50.
Playing balls. 49.
——— cards. 39.
Pliers with a cutting edge. 12.
—— without a cutting edge. 13.
*Plough bits, for planing and grooving.* 12.
——— breasts. 7.
Ploughs and parts of ploughs (agricultural). 7.
——— for woodworkers and bookbinders. 12.
———, Steam. 7.
Plumb bobs. 8.
——— levels, Workmen's (wood). 50.
Plumbago (blacklead). 50.
Plumbers' knives, with a cutting edge. 12.
—— ——————— without a cutting edge. 13.

Pneumatic bells, along with architectural contrivances in Class 18.
——————— machines. 6.
Pocket books. 39.
Points, Black-lead (for pencil cases). 39.
———, Railway. 6.
Poison, Insect. 2.
Poleaxes. 12.
Poles, Lawn Tennis. 49.
—— (wood). 50.
Polish powder. 50.
Polishing cloths. 50.
——————— preparations and materials. 50.
Pomade for medical purposes. 3.
——————— toilet purposes. 48.
Pontoons. 19.
Poplins. 31.
Porcelain. 16.
Portable bone mills. 7.
——— forges. 6.
Porter. 43.
Portfolios. 39.
Portland cement. 17.
Portmanteaus. 37.
Postal balances. 39.
Pot stretchers (wood). 50.
Potash and its preparations, for use in manufactures. 1.
——— water. 44.
Potassium, Iodide of; prepared for use in pharmacy. 3.
Potatoes. 42.
Pots (earthenware and china). 16.
—— (metal). 13.
Pottery. 16.
Pouches, Cartridge or shot. 19.
——————— other than cartridge or shot pouches, in the class of the material, as leather pouches in Class 37.
Poultry food. 42.
——— medicine. 2.
Powder and shot measures. 19.
———, Bleaching. 47.
——— blue for washing. 47.
———, Boot-top. 50.
———, Broeade. 1.
———, Bronze. 1.
———, Currie. 42.
———, Diamond. 50.
———, Egg. 42.
———, Face. 48.
——— flasks. 19.
——— for destroying insects and for veterinary purposes. 2.
———, Founders'. 4.
———, Ginger beer. 42.
———, Knife. 50.
———, Plate. 50.
———, Polish. 50.
———, Sharpening. 50.
———, Toilet. 48.
———, Violet. 48.
Powders for veterinary purposes. 2.
———————(medicinal) for human use. 3.
Precious metals and imitations thereof, Wares of. 14.
Preparations for agricultural and veterinary purposes. 2.
——————— beverages. 42.
——————— toilet purposes. 48.
———————, Frothing. 42.
Preserves. 42.
Presses, Cheese. 7.
———, Copying. 39.
———, Cutting-out. 6.
———, Cider. 7.
———, Eyeletting. 6.
———, Hand (for marking linen and paper). 39.
———, Hop. 7.
———, Perforating (articles of stationery). 39.
———, Printing. 6.
———, Screw. 6.
Pressure gauges and indicators. 8.
Prince's checks (woollen). 34.
Printers' rollers. 39.
——————— (parts of machines). 6.
Printing inks. 39.
———, Letter-press. 39.
——— presses. 6.
——— slabs, not parts of printing machines. 39.
Prints and engravings. 39.
Programmes (paper or card). 39.
Projectiles (explosive). 20.
——————— (non-explosive). 19.
Protectors, Back, Mouth, Chest, &c. 11.
———————, Sight (for guns). 19.
Prunellas (wool, worsted, or hair). 34.
Pruners, Tree. 12.
Puffs, Powder. 48.
Pulley blocks (metal). 13.
——————— (wood). 50.
Pulleys, Differential. 6.
Pulna water. 44.
Pulls, Drawer and Door (metal). 13.
Pulp, Wood. 50.
Pulses. 42.
Pump leathers. 37.
Pumping engines. 6.
Pumps. 6.
———, Air (philosophical). 8.
——————— (steam engine, and for supplying air). 6.
———, Garden. 7.
———, Manure. 7.
———, Stomach. 11.
Punch, an alcoholic liquor. 43.
Punches (metal). 13.
———, Saddlers', with a cutting edge. 12.
Punching machines. 6.
Punt guns. 19.
Purifying apparatus (gas). 6.
Purses in the class of the material.
Putty. 50.
——— knives. 13.

Pyretic saline. 3.
Pyrometers. 8.

Quarries. 16.
Quarrying tools without a cutting edge. 13.
Quill pen cutters. 12.
—— pens. 39.
Quilts (textile) as small wares in the class of the material or predominating material of the covering.
Quinine. 3.
———— (aerated). 44.
———— wine. 3.
Quoits. 49.

Racket balls. 49.
——— bats. 49.
Racks, Card. 39.
———, Hay (metal). 13.
Rag knives, not parts of machinery. 12.
————, parts of machinery. 6.
Railings (metal). 13.
Rails, Coat. 41.
—— for railways. 5.
Railway carriages and trucks. 22.
——— couplings (sold separately). 13.
——— crossings, with rails in Class 5.
——— points. 6.
——— wrappers and rugs. 50.
Rakes (garden). 13.
—— (horse). 7.
Ramps. 13.
Ranges, Kitchen. 18.
Rangoon oil. 47.
Rape cake and meal. 42.
—— oil, for use in manufactures. 4.
Raspberry vinegar. 42.
Rasps. 12.
Ratchet-braces. 13.
Ratchets. 13.
Rattans. 50.
Razor paste. 50.
—— strops. 50.
Razors. 12.
Reamers. 12.
Reaping hooks. 12.
——— machines. 7.
Ready-made clothing. 38.
Reappers. 19.
Red lead. 1.
—— ochre. 1.
Reed instruments. 9.
Reflectors (metal). 13.

Refreshment bars. 18.
Refrigerators. 50.
Regulators, Gas. 8.
Regulus, Copper. 5.
Rennet. 42.
Reps, Biarritz. 34.
Resins. 4.
Respirators. 11.
Retorts (earthenware). 16.
Revolvers. 19.
Ribbons (silk and silk velvet). 32.
————, Velvet (silk and cotton, silk predominating). 32.
———————— (wool, worsted, or mohair predominating). 35.
Ribs, Umbrella (cane). 50.
———————— (metal). 13.
Rice. 42.
Rick covers. 50.
Riddles (wire). 13.
——— (wood). 50.
Rifles and parts thereof (metal). 19.
Rigging. 21.
Rims or fellies (metal). 13.
——— ——— (wood). 50.
Ringflyers. 6.
Rings, Curtain (metal). 13.
———————— (wood). 50.
——— (india-rubber), for umbrellas. 40.
——— (metal). 13.
———, Napkin (electroplate and precious metal). 14.
———————— (bone, ivory, wood). 50.
Ripes or scythe-sharpening sticks (metal). 13.
Rippers, Slaters'. 12.
Rivet iron. 5.
Riveting machines. 6.
Rivets. 13.
Roasters (coffee). 6.
Roasting jacks. 6.
Rock drills. 6.
Rod iron and steel. 5.
Rods, Fishing. 49.
——, Gauge. 8.
——, Stair (metal). 13.
Rolled tombac. 5.
Roller skates. 49.
Rollers for sashes (metal). 13.
———, Garden. 7.
———, Printers'. 39.
———————— (parts of machinery). 6.
Roofing felt. 50.
——— (metal). 13.
——— (pasteboard). 50.
Root-cutting machines. 7.
Roots for food. 42.
———— use in medicine and pharmacy. 3.
Rope (jute or hemp). 50.
—— (leather). 37.
—— (wire). 13.
Rosettes, Paper. 39.
————, Silk. 32.

Rosin oil, for use in manufactures. 4.
Rotten stone. 50.
Rouge for toilet purposes. 48.
——— Jewellers'. 50.
——— not for toilet purposes. 50.
Roughs (linen). 27.
Rubbers. 50.
Ruffles. 38.
Rugs for personal use. 50.
—— in the nature of carpets. 36.
Rulers. 39.
Rules, Workmen's (metal). 13.
——————— (wood). 50.
Rum. 43.
——, Bay. 48.
Rusting, Compound to prevent. 1.

Saccharometers. 8.
Sacking (jute). 29.
Sacks. 50.
Saddlery. 37.
Saddle cloths. 37.
——— paste. 50.
Saddles, Air; for bicycles (india-rubber). 40.
Saddlers' ironmongery. 13.
Sad-irons. 13.
Safes, Ice. 50.
——, Meat. 50.
—— (metal) for money and valuables. 13.
Sago. 42.
Saileloth (flax and hemp). 27.
Salad cream. 42.
—— oil. 42.
Saline, Pyretic. 3.
Salt for bathing. 3.
——— food. 42.
Saltpetre. 1.
Salts, Smelling. 3.
—— used in pharmacy. 3.
Salve. 3.
——, Eye. 3.
Sand cloth. 50.
—— paper. 50.
——, Silver. 50.
Sandallings, Elastic. 40.
Sanitary contrivances and appliances. 18.
——————— preparations. 2.
Sardines. 42.
Sarsaparilla. 3.
Sash iron. 5.
Satchels. 50.
Sates, Cold. 13.
Satins in the piece. 31.
Sauce. 42.
Saucepans. 13.
Sausage machines. 6.
Sausages. 42.
Saw benches. 6.
—— sets. 13.
—— tables. 6.
Sawing machines. 6.
Saws. 12.
—— (surgical). 11.
Saxes, Slaters'. 12.
Scale, Fluid for the prevention and removal of boiler. 1.
Scales. 6.
Scantling (wood). 50.
Scarves. 38.
Scents. 48.
Schiedam. 43.
School desks. 8.
Scissors. 12.
——— (surgical). 11.
Scoops (imitation of precious metal). 14.
——— (metal). 13.
Scrap-books. 39.
Scouring liquids for fabrics. 47.
Scrapers, Door (metal). 13.
———— (india-rubber). 40.
———— with a cutting edge. 12.
———— without a cutting edge (metal). 13.
Screens, Fire (metal). 13.
———————— (furniture). 41.
——— (wire). 13.
Screw-drivers. 13.
——— jacks. 6.
——— machines. 6.
——— presses. 6.
Screwing tackle. 12.
Screws. 13.
Scrubbers, Hydraulic (for cleaning ships' bottoms when afloat). 21.
Scuttles, Coal. 13.
Scythe sneads (metal). 13.
——— stones. 50.
——— strickles. 50.
Scythes. 12.
Sealing wax. 39.
Seals. 39.
Sea-water for bathing and other purposes. 50.
Seed-drills. 7.
Seeds for agricultural and horticultural purposes. 46.
—— used as food. 42.
————— in manufactures. 4.
————— medicine and pharmacy. 3.
Seidlitz powders. 3.
Seltzer water. 44.
Seltzogenes. 8.
Semolina. 42.
Separating machines (grain). 7.
Seraphines. 9.
Serges. 31.
Serviers, Plasterers'. 13.

Sewing machine needles. 13.
——— machines and parts of sewing machines. 6.
——— needles. 13.
——— silk. 30.
——— thread (cotton) not wound on spools or reels. 23.
——————— wound on spools or reels. 23.
——————— (flax and linen). 26.
Sextants. 8.
Shafts (parts of machines). 6.
——— (wood). 50.
Shalloons. 31.
Shaping machines. 6.
Sharpening powder. 50.
——————— sticks (metal). 13.
——————— stones. 50.
Shave hooks, Plumbers' (without a cutting edge). 13.
Shaves. 12.
Shaving brushes. 50.
———paste. 48.
———soap. 48.
Shawls (cotton). 25.
——— (linen). 28.
——— (silk). 32.
——— (woollen and worsted) in the piece. 31.
——————————— not in the piece. 35.
Shear steel. 5.
Shearing machines (for sheep). 7.
——————————— (not for agricultural purposes). 6.
Shears. 12.
Sheathing metal. 5.
Sheep, Medicine and Dressings for. 2.
——— shearing machines. 7.
——— shears. 12.
——— washes. 2.
Sheet-metal. 5.
Sheetings (cotton) in the piece. 24.
——————— (linen and hemp) in the piece. 27.
Sheets (cotton) not in the piece. 25.
——— (india rubber). 40.
——— (linen) not in the piece. 23.
Sheffield and other plated goods. 14.
Shell, Articles of (not included in other classes). 50.
Shells (explosive). 20.
Shelves, Fret (metal). 13.
——— (wood). 50.
Sherbet. 42.
Sherry. 43.
Shields, Nipple. 11.
Ships' berths (metallic). 41.
——, Compositions for the bottoms of. 1.
—— equipments (except nautical instruments). 21.
—— logs. 8.
Shirt fronts. 38.
—— studs (not of precious metal or imitation of the same). 50.
——————— (precious metal or imitation of the same). 14.
Shirtings (cotton). 21.
——————— (linen). 27.
——————— (woollen). 31.
Shirts. 38.
Shives and spiles (wood). 50.
Shoddy piece goods. 31.
Shoe bills. 13.
—— drills. 27.
—— hides (calf and kid). 37.
—— horns (bone, ivory, wood). 50.
——————— (metal). 13.
—— thread (linen). 26.
Shoes. 38.
Shop counters. 41.
Shot. 19.
—— belts. 19.
—— pouches. 19.
Shovels (metal). 13.
Shutters (revolving). 18.
——————— (wood). 50.
Shuttlecocks. 49.
Shuttles of bone, ivory, and wood. 50.
——————— metal. 13.
Sickles. 12.
Side plates for ploughs. 7.
Sieves (wire). 13.
———(wood). 50.
Sifters, Cinder (being machines). 6.
———————————, for household use. 13.
——— (imitation of precious metal). 14.
Sight adjusters. 8.
—— protectors for guns. 19.
Signals, Fog (explosive). 20.
Silica furnace fittings. 16.
Silk antimacassars. 32.
—— braids, bindings, galloons, ribbons, webbing, and other silk smallwares (not included in other classes). 32.
——, Flags of. 32.
——, Oiled. 11.
—— piece goods. 31.
—— (raw or partly prepared). 4.
—— (spun, thrown, sewing, or knitting: twist, yarn, and thread). 30.
Silver and imitations of silver. 5.
———————————————, Wares of. 14.
——, German (in sheets, bars, and ingots). 5.
———————(wire). 5.
—— leaf. 5.
——, Nitrate of. 1.
—— paper. 39.
—— sand. 50.
—— thread. 14.
—— wire. 5.
Silversmiths' soap. 50.
Singeing lamps. 13.
Singers, Horse. 13.

Sinks (metal). 13.
—— (slate and stone). 50.
Size along with paints and varnishes in Class 1.
Sizing machines. 6.
Skates. 12.
——, Roller. 49.
Skins, wrought and unwrought. 37.
Skirts. 38.
Skylights (metal). 13.
Slate. 4. *See* Slates.
Slaters' rippers, saxes, and horses. 12.
Slates (roofing and building). 17.
—— (writing). 39.
Slide rests. 6.
—— rules. 8.
Slippers for wear. 38.
Slotting machines. 6.
Small-arms. 19.
Small wares not included in other classes (metal) in Class 13.
———— not included in other classes (precious metal or imitation thereof). 14.
———— not included in other classes (textile) according to the material or the predominating material. 25, 28, 29, 32, and 35.
———— not included in other classes (wood, ivory, bone, jet). 50.
Smelling bottles mounted in precious metals or imitations of them. 14.
———— salts. 3.
Smiths' bellows. 50.
Smoke boards (metal). 13.
Snap caps. 19.
Sneads, Scythe (metal). 13.
Snuff. 45.
Snuffers. 13.
Soap, Common. 47.
——, Disinfecting. 2.
——, Extract of. 47.
—— (medicated), for human use. 3.
—— for dogs, cattle, &c. 2.
——, Perfumed. 48.
——, Shaving. 48.
——, Silversmiths'. 50.
Socks for curative purposes. 11.
———— wear. 38.
Soda and its preparations (for use in manufactures). 1.
—— water. 44.
———— apparatus and machines. 6.
———— bottles. 16.
Sofas (furniture). 41.
——, Garden (metal). 13.
Solder. 5.
Sole plates for ploughs. 7.
Soles (cork). 38.
Sounding machines and apparatus. 8.
Soups. 42.
Spades. 13.
Spangles of gold. 14.
Spanish stripes. 31.
Spanners. 13.
Spars for ships. 21.
Spectacles. 8.
Speed indicators and gauges. 8.
Spelter. 5.
Spice extracts (alcoholic). 43.
Spices. 42.
Spikes (marline). 13.
Spiles (wood). 50.
Spills (wood). 50.
Spirit indicators. 8.
—— levels. 8.
Spirits (beverages). 43.
———— of camphor. 3.
———— (perfumed). 48.
Spittoons (metal). 13.
———— (porcelain or earthenware). 16.
Spokeshaves. 12.
Spokes (metal). 13.
———— (wood). 50.
Sponges. 4.
———— (india-rubber). 40.
Spoons (brass and tin). 13.
———— (precious metal and imitations thereof). 14.
Spouting (metal). 13.
Spreaders (wood). 50.
Sprigs (flax and linen). 27.
Spring balances. 6.
———— mattresses. 41.
———— steel. 5.
Springs (bell). 13.
———— (door, railway waggon and carriage, butting or buffer). 13.
———— (machine). 6.
———— (watches and clocks). 10.
Spuds. 13.
Spurs (iron or steel). 13.
Squares, Workmen's (metal). 13.
———————— (wood). 50.
Squeegees (india-rubber). 40.
Squeezers, Lemon. 6.
Stain powders. 1.
Stains, Wood. 1.
Stair cases (metal). 18.
—— rods (metal). 13.
Stakes (metal). 13.
Stamps, Hand (for marking linen and paper). 39.
Standard gauges. 8.
Standards, Gas (metal). 13.
Stands for casks, sewing machines, and similar articles, in the class of the material.
———, Umbrella, with furniture in Class 41.
Staples (metal). 13.
Starch, for laundry purposes. 47.
———————— use as food. 42.
Stationery. 39.
———————— cases. 39.
Statuary (porcelain). 16.
Stay busks (metal). 13.

Stays. 38.
Steam boilers, Composition for preventing and removing scale in. 1.
———————, Composition for preventing radiation of heat from. 1.
——————— for agricultural purposes. 7.
——————— not for agricultural purposes. 6.
——— coils. 18.
——— engines, for agricultural purposes. 7.
——————— not for agricultural purposes. 6.
——— gauges. 8.
——— hammers. 6.
——— packing. 50.
——— pumps. 6.
——— traps. 6.
Stearine. 4.
——————— candles. 47.
Steatite articles. 50.
Steel. 5.
—— carboniser, for use in manufactures. 4.
—— pens. 39.
—— toys. 13.
—— wire ropes. 13.
Steels, Butchers'. 13.
Steelyards. 6.
Steering engines. 6.
——————— gear. 21.
Stencil plates. 39.
Stereotyping paper. 39.
Sticks, Walking (wood). 50.
———, Whip. 50.
Stills (experimental). 8.
Stirrups. 13.
Stockings. 38.
——————— (surgical). 11.
Stocks and dies. 12.
——— (being parts of guns). 19.
Stomach pumps. 11.
Stone, Artificial. 17.
—— blue (for laundry purposes). 17.
—— breaking machines. 6.
——, Rotten. 50.
Stones, Sharpening. 50.
Stoneware. 16.
Stopping for teeth, of precious metal. 14.
————————————, not of precious metal. 11.
Stops for organs. 9.
Stout. 43.
Stove boilers. 18.
—— ranges. 18.
Stoves. 18.
Strainer plates. 6.
Strainers (wire). 13.
Straps (leather). 37.
Straw boards and straw paper. 39.
—— elevators. 7.
—— envelopes (for bottles). 50.
Straw, Goods manufactured from (not included in other classes). 50.
—— hats and bonnets. 38.
Straws for sherry-cobblers. 50.
Stretchers, Linen (bone, wood, or ivory). 50.
———, Pot (wood). 50.
Stricklos, Scythe. 50.
String. 50.
Strings for musical instruments. 9.
Strip iron. 6.
Stripes (woollen). 34.
Strong rooms. 18.
Strops, Razor. 50.
Structures (iron). 18.
Strychnine. 3.
Studs, Bale (metal). 13.
———, Shirt (precious metal or imitation thereof). 14.
——————— (not of precious metal or imitation thereof). 50.
Stuffing (woollen, worsted, or hair). 35.
Stuffs and cloths of wool, worsted, or hair. 34.
Submerged structures, Composition for coating. 1.
Sugar. 42.
——, Black (prepared for medicinal purposes). 3.
—— candy. 42.
Sugar-cane bills. 12.
Sulphur, Precipitated (for use in manufactures). 1.
Sun-burners. 13.
—— shades. 50.
Supporters, Abdominal. 11.
Suppositories (medical). 3.
Surgical instruments, apparatus, and contrivances. 11.
Surveying instruments. 8.
Suspenders, Card. 39.
———————, Dress (metal). 13.
Suspensory bandages. 11.
Sweepers, Carpet. 6.
Sweetmeats. 42.
Swimming belts. 21.
Swivels. 13.
Sword bayonets. 19.
——— blades. 12.
Swords. 19.
Syphons. 6.
Syringes (surgical). 11.
Syrups (medicinal). 3.
——— (not medicinal). 42.

Table cloths and covers (cotton), in the piece. 24.
——————————————————— not in the piece. 25.

Table cloths and covers (linen), in the piece. 27.
——————————— not in the piece. 28.
——————————— (union, linen predominating) in the piece. 27.
——————————— (union, linen predominating) not in the piece. 28.
——————————— (woollen and worsted), in the piece. 34.
——————————— (woollen and worsted), not in the piece. 35.
——————————— (oil cloth). 36.
Tables, Billiard. 49.
———, Chess. 41.
——— (furniture). 41.
———, Saw. 6.
Tablets, Worm (for human use). 3.
Tackle, Fishing. 49.
Tacks. 13.
Taggers, Black. 5.
Tailors' Chalk. 50.
Tallow (edible). 42.
——— for use in manufactures. 4.
——— used for heating, illuminating, or lubricating. 47.
Tambourines. 9.
Tanks (metal). 13.
——— (slate and stone). 50.
Tanning substances. 4.
Tape (cotton). 25.
—— (linen). 28.
Tapers (wax). 47.
Tapes, Workmen's measuring. 50.
Tapioca. 42.
Taps (metal). 13.
—— (porcelain or earthenware). 16.
——, Screw-cutting. 12.
—— (wood). 50.
Tar. 4.
Targets for archery. 49.
——————— guns. 19.
Tarpaulins. 50.
Tassels (gold and silver bullion). 14.
——— (not of gold and silver bullion) as smallwares according to the class of the material or predominating material.
Tasters, Cheese. 12.
Tatting cotton. 23.
——— shuttles (bone, ivory, wood). 50.
Tea. 42.
—— (aerated). 44.
—— caddies (wood). 50.
Tea cloths (linen) in the piece. 27.
——————— not in the piece. 28.
Teaching instruments and apparatus. 8.
Tee-iron. 5.
Teeth, Artificial. 11.
———, Preparations for the. 48.
———, Stopping for (of precious metal). 14.
——————— (not of precious metal). 11.
Teething bandages. 11.
——— pads for infants. 11.
——— powders. 3.
Telegraph wire. 6.
Telegraphic instruments. 8.
Telephonic instruments. 8.
Telescopes. 8.
Tennis, Lawn, poles. 49.
——— sets. 49.
——— shoes. 38.
Tent wine. 43.
Tents. 50.
Tern plates. 5.
Terra-cotta. 16.
Test paper (chemical). 39.
Testing gas, Instruments for. 8.
Thermometers (clinical). 11.
——————— (not clinical). 8.
Thibet. 31.
Thimbles for sewing (metal). 13.
——————— (precious metal or imitations thereof). 14.
———, Ship. 13.
Thread (cotton). 23.
——— (flax, hemp, tow, and china grass). 26.
——— (gold and silver). 14.
——— (india-rubber). 40.
———, Sewing and other cotton not wound on spools or reels. 23.
——————————— wound on spools or reels. 23.
——— (silk). 30.
Threshing machines. 7.
Thrown silk. 30.
Ticks (cotton piece goods). 24.
Ties for wear. 38.
Tiles. 16.
—— (iron). 13.
Timber. 50.
Time-keepers. 10.
Tinctures (medicinal). 3.
——————— for toilet purposes. 48.
Tin. 5.
—— plates. 5.
Tins. 13.
Tips, Heel (metal). 13.
Tobacco cutters. 12.
——————— pipes. 50.
——————— pouches (india-rubber). 40.
——————————— (leather). 37.
———————, manufactured and unmanufactured. 45.
Toe-tips (metal). 13.
Toilet powder. 48.
—— preparations. 48.
—— vinegar. 48.
Tombac. 5.
Tongs. 13.
Tongues. 42.
Tonics. 3.
Tools, Handles for (wood, ivory, bone). 50.
———, Machine. 6.

Tools (metal), without a cutting edge. 13.
——— with a cutting edge. 12.
——— (wood). 50.
Tooth brushes. 50.
——— picks, not of metal. 50.
——— powder and paste. 48.
——— wash. 48.
Tops (woollen). 4.
Tow. 4.
—— hessians. 27.
Towels (cotton), in the piece. 24.
——————— not in the piece. 25.
——— (linen), in the piece. 27.
——————— not in the piece. 28.
Toys. 49.
——, Steel. 13.
Traces (leather). 37.
——— (metal). 13.
Tracing cloth. 39.
——— paper. 39.
Traction engines, not for agricultural purposes. 6.
Tramcars. 22.
Transfer picture albums. 39.
Transparent paint. 1.
Traps for animals (wire or wire and wood). 13.
——————— drains (earthenware). 16.
——————— (metal). 13.
———, Steam. 6.
Traversing jacks. 6.
Trays (metal). 13.
——— (wood). 50.
Treacle. 42.
Tree pruners. 12.
Tresses (mohair). 35.
——— (spun silk). 32.
Trestle fire lighters. 50.
Tricycles. 22.
Trimmings (cotton). 25.
——————— (feather), made up. 50.
——————— (ivory, jet, pebble, mother-o'-pearl). 50.
——————— (linen). 28.
——————— (silk). 32.
——————— (woollen and worsted). 35.
Tripe. 42.
Troches. 3.
Troughs (metal). 13.
Trousers. 38.
Trowels (metal). 13.
Trucks. 22.
Truffles. 42.
Trumpets. 9.
Trunnion pieces (ordnance). 19.
Trusses. 11.
Tube expanders. 13.
—— wells. 18.
Tubes, Cigar and Cigarette (not of precious metal or of imitation precious metal). 50.
——— Copper. 13.
——— for medical purposes. 11.
Tubes, Glass. 15.
——— (metal), not parts of machines. 13.
——————— parts of machines. 6.
Tubs. 50.
Tulle (silk). 31.
Tumbler action for blinds (metal). 13.
Tuning forks. 8.
Turbines. 6.
Turkey carpets. 36.
Turnery (wood). 50.
Turns (metal). 13.
Turnscrews. 13.
Turnstiles. 6.
Turpentine. 4.
Tussores (linen). 27.
——————— (silk). 31.
Tuyeres (pottery ware). 16.
Tweeds. 31.
Tweezers. 13.
Twill (cotton). 24.
—— (woollen or worsted). 3.
Twine. 50.
Twist (cotton). 24.
—— (leather). 37.
—— (linen). 26.
—— (silk). 30.
Type metal. 5.
Tyre steel. 5.
Tyres for machinery. 6.
——————— waggons and carriages. 13.

Ulsters. 38.
Umbrella furniture (metal). 13.
——————— ribs (cane). 50.
——————— (metal). 13.
——————— rings (india-rubber). 40.
——————— stands. 41.
Umbrellas. 50.
Underclothing. 38.
Unguents for medical purposes. 3.
Uniforms. 38.
Union goods (not being piece goods), wool or worsted predominating. 35.
——————— (not in the piece), linen predominating. 28.
——— joints (metal). 13.
——— piece goods (cotton predominating). 24.
——————— (linen predominating). 27.
——————— (wool or worsted predominating). 34.
Upholstery. 41.
Uppers, Boot. 37.
Urinal Basins (pottery ware). 16.
Urinals. 18.
——— for travellers and invalids. 11.

Utensils, Domestic, Culinary, Garden, and Stable (metal). 13.
——— Domestic, Culinary, Garden, and Stable (wood). 50.

Vacuum brakes. 6.
——— gauges. 8.
Valentines. 39.
Valves (metal), not parts of machines. 13.
———, parts of agricultural machines. 7.
——— machines other than agricultural machines. 6.
Van covers. 50.
Vans. 22.
Varnish for polishing purposes. 50.
Varnishes and paints. 1.
Vaseline for use in manufactures. 4.
——— prepared for use in medicine and pharmacy. 3.
Vases (porcelain or earthenware). 16.
——— (wood). 50.
Vegetable substances, Goods manufactured from (not included in other classes). 50.
——— raw or partly prepared, used in manufactures, and not included in other classes. 4.
Vegetables. 42.
Veils for wear. 38.
Velocipedes. 22.
Velvet, in the piece (silk). 31.
——— (wool, worsted, or mohair predominating). 31.
——— ribbons (silk and cotton, silk predominating). 32.
——— (wool, worsted, or mohair predominating). 35.
Velveteens in the piece (cotton). 21.
Venetian blinds (metal). 13.
——— (wood). 50.
Ventilating apparatus. 18.
Ventilators (metal). 13.
Verandahs. 18.
Vermicelli. 42.
Vermin-destroying preparations. 2.
——— traps (of metal). 13.
Verniers, Steel and iron. 8.
Vesicant or blistering preparations for veterinary purposes. 2.
Vestas. 47.
Vests. 38.
Vesuvians. 47.
Veterinary preparations. 2.
Vice benches. 6.
Vices. 13.
Vichy water. 44.
Vinegar. 42.
——— (medicated). 3.
Vinegar, Toilet. 48.
Violet powder. 48.
Violins. 9.
Violinas. 9.
Virginian silver wares. 14.
Vitrified porcelain enamel, a coating for metal. 1.
Voice lozenges. 42.
Vulcanite goods not included in other classes. 40.
Vulcanized india-rubber horse-shoes. 40.

Wad cutters. 19.
Wadding and stuffing (cotton). 25.
——— (woollen or worsted). 35.
Wads. 19.
Wafers. 39.
Waggon and carriage metal-work. 13.
——— covers. 50.
Waggons. 22.
Waistcoats. 38.
Walking-sticks (wood). 50.
Wall coverings. 41.
Wares, Small, not included in other classes (metal). 13.
——— not included in other classes (textile), according to the material or the predominating material, in Classes 25, 28, 29, 32, and 35.
——— (precious metal or imitation thereof). 14.
——— (wood, ivory, bone, jet). 50.
Warmers, Foot (metal). 13.
Warming apparatus. 18.
Washers (gutta-percha and india-rubber). 40.
——— (leather). 37.
——— (metal). 13.
Washes for toilet purposes. 48.
——— veterinary purposes. 2.
———, Medicated, for human use. 3.
———, Sheep. 2.
Washing boards (wood). 50.
——— machines for linen and other fabrics. 6.
——— powders and preparations for laundry use. 47.
Waste silk yarn. 30.
Watch cases (metal). 13.
——— (precious metal or imitation thereof). 14.
Watches, and parts thereof (except cases sold separately). 10.
Water-bars (metal). 13.
———, Bayleaf. 48.
——— beds (india-rubber or gutta-percha). 40.

Water-colours. 1.
——— coolers in the class of the material of which they are made.
——— for bathing and other purposes. 50.
——— gauges. 8.
———, Lavender. 48.
———, Lithia. 44.
———, Magnesia. 44.
———, Pullna. 44.
——— purifying apparatus. 18.
———, Seltzer. 44.
——— stains. 1.
———, Vichy. 44.
Watercloset basins (earthenware). 16.
——— — paper (medicated). 3.
Waterclosets. 18.
Waterproofing compounds for textile goods. 50.
Waters (distilled for medical purposes. 3.
——— mineral and aerated. 44.
——— (perfumed for toilet purposes. 48.
Wax, Bees', for use in manufactures. 4.
—— candles. 17.
——, Paraffin, for use in manufactures. 4.
—— raw. 4.
——, Sealing. 39.
—— vestas. 47.
Wearing apparel. 38.
Webbing (india-rubber). 40.
——— linen). 28.
——— silk). 32.
——— woollen or worsted). 35.
Webs, Elastic not of india-rubber, in the class of the material.
Wedges metal). 13.
Weighing machines. 6.
Weights (bar, ring, and other), metal. 13.
———, Clock. 13.
———, Paper. 39.
Wells, Tube. 18.
Whalebone. 4.
Wheat. 42.
—— — meal. 42.
Wheel-barrows (metal). 13.
——————— (wood). 50.
——— hubs of wood. 50.
——— rims of wood. 50.
——— spokes of wood. 50.
Wheels, being parts of agricultural machinery. 7.
——— ——— ——— machinery other than agricultural machinery. 6.
———, Grinding. 50.
— — (metal), not being parts of machinery. 13.
——— (wood). 50.
Whipcord. 50.
Whip sticks. 50.
Whips. 37.
Whisk fibre. 4.
Whiskey. 43.
Whist counters. 49.
Whistles, Steam (parts of machinery). 6.
White lead. 1.
— —, Zinc. 1.
Whitewashes. 17.
Whiting. 17.
Wickerwork not included in other classes. 50.
Wicks, Lamp. 47.
Wigs. 50.
Winches. 6.
— — (for use on board ship only). 21.
Wind gauges. 8.
Winding gear. 6.
Windlasses for use on board ship only). 21.
Wind-mills. 6.
Window frames metal). 13.
——— ——— wood). 50.
Window hollands (linen). 27.
Wine. 43.
—— bins, Cabinet. 41.
— — — metal). 13.
—— coolers, according to the material.
— —, Ipecacuanha. 3.
—— medicated). 3.
——, Tent. 43.
Winnowing machines. 7.
Winters (metal). 13.
Wire. 5.
— —, Copper. 5.
— — covered with silk, cotton, &c., in the class of the covering material.
—— drawing, Jewels for. 50.
—— fencing. 5.
— — — gauze, Articles of. 13.
— —, German silver. 5.
netting and fencing. 13.
— — ropes. 13.
— —, Telegraph. 5.
woven mattresses (spiral spring). 41.
Wiring machines. 6.
Wood bird-cages. 50.
——— cocks. 50.
——— gates. 50.
— — —, Goods manufactured from (not included in other classes). 50.
— — — parquetry. 50.
— — — pencil cases. 39.
— — — pulp. 50.
— — — spirit. 1.
— — — stains. 1.
working machinery. 6.
Wooden tools. 50.
Wool, Berlin (fleecy and embroidering). 33.
—— (medicated). 3.
— — (raw or partly prepared). 4.
Woollen antimacassars. 35.
——— bindings and other smallwares not in the piece. 35.
——— cloths in the piece. 34.
——— yarns and thread. 33.

Worm powder (for veterinary purposes). 2.
——— tablets (for human use). 3.
Worms (metal). 13.
Worsted braids and other smallwares, not in the piece. 35.
——— stuffs in the piece. 34.
——— yarns and thread. 33.
Wrappers, Railway. 50.
Wrenches. 13.
Wringing machines. 6.
Wristbands. 38.
Writing desks and cases. 39.
——— fluids. 30.
——— paper. 39.
——— slates. 39.

Yachts. 21.
Yaktails (furs). 37.
Yarns, Bagging (jute). 29.
———, China grass. 26.
———, Cotton. 23.
———, Genappe. 33.
———, Granderelle. 23.
———, Jute. 29.
———, Linen, Hemp, and Flax. 26.
———, Silk. 30.
——— (worsted, merino, woollen, hair, mungo, and shoddy). 33.
Yeast. 42.
Yellow metal. 5.
——— ochre. 1.

Zephyrs (cotton piece goods). 24.
Zinc. 5.
—— nails. 13.
—— white. 1.
Zithers. 9.
Zoedone. 44.

# INSTRUCTIONS TO PERSONS WHO WISH TO REGISTER TRADE MARKS.

LIST OF CONTENTS.


| | | PAGE |
|---|---|---|
| 1. | General | 139 |
| 2. | *Who may Apply for Registration of a Trade Mark* | 139 |
| 3. | What may be Registered as a Trade Mark | 140 |
| 4. | Manner of Applying for Registration of a Trade Mark | 140 |
| 5. | Trade Mark Forms and Fees | 140 |
| 6. | Documents, &c. required on Application for Registration | 143 |
| 7. | Word Marks | 144 |
| 8. | Search | 144 |
| 9. | Series of Trade Marks | 145 |
| 10. | Old Marks | 145 |
| 11. | Procedure on Receipt of Application | 145 |
| 12. | Non-completion of Registration of a Trade Mark | 145 |
| 13. | Duration of Registration and Payment of Renewal Fees | 146 |
| 14. | Classification of Goods | 146 |
| 15. | Advertisement in the Trade Marks Journal | 146 |
| 16. | Restrictions on Registration | 147 |
| 17. | Oppositions | 148 |
| 18. | Cutlers' Company | 148 |
| 19. | Manchester Branch | 148 |
| 20. | Certificates | 149 |
| 21. | Inspection of Register and Copies of Entries | 149 |
| 22. | Registration of Subsequent Proprietors of Registered Trade Marks | 149 |
| 23. | Miscellaneous Matters relating to Trade Marks, &c. | 150 |
| 24. | International and Colonial Arrangements | 151 |
| 25. | Application for the Registration of Trade Marks in the British Colonies and Foreign States | 151 |
| 26. | *Sale of Official Publications* | 151 |
| 27. | Patent Office Library | 152 |


## 1. General.

It is advisable in the first instance for a person who desires to register a trade mark to buy a copy of the Trade Marks Rules, 1906, and of the Trade Marks Act of 1905 now governing the registration of trade marks. For information as to obtaining copies of the rules and Act, *see* paragraph 26.

## 2. Who may Apply for Registration of a Trade Mark.

Any person claiming to be the proprietor of a trade mark, whether a British subject or not, may make an application for the registration of a trade mark in the United Kingdom.

The term "person" includes firm, partnership, and body corporate.

Any person who has made a previous application for registration of a trade mark, which is registrable under the Trade Marks Act, 1905, either in any of the Foreign States or in any of the British Possessions (*see* paragraph 24) with which certain arrangements for mutual protection of trade marks have been made, may obtain priority of date

in the United Kingdom, provided that the application is made within four months from the date of the application in such Foreign State or British Possession.

### 3. What may be Registered as a Trade Mark.

(*This paragraph is a reprint of Section 9 of the Trade Marks Act*, 1905.)

### 4. Manner of Applying for Registration of a Trade Mark.

All applications and communications must be made in the English language.

Applications relating to marks not being cotton marks or Sheffield marks must be left at the Patent Office by hand or sent by post addressed to the Registrar, The Patent Office, Trade Marks Branch, 25, Southampton Buildings, London, W.C.

In the case of cotton marks, applications should be addressed to the Keeper of Cotton Marks, Manchester Branch of the Trade Marks Registry, 48, Royal Exchange, Manchester. (*See* paragraph 19.)

In the case of Sheffield marks, applications should be addressed to the Law Clerk to the Cutlers' Company, The Cutlers' Hall, Sheffield. (*See* paragraph 18.)

Applicants must use the appropriate stamped forms (*see* paragraph 5), as fees cannot be received by cheque or money order or in cash at the Patent Office.

### 5. Trade Mark Forms and Fees.

The following is a list of the forms under the Trade Marks Act, 1905, and of the principal fees :—

| Number of Form. | Title of Form. | Fee. |
|---|---|---|
| | | £ s. d. |
| TM No. 1 | Form of authorisation of agent ..... | — |
| TM No. 2 | Application for registration of trade mark ..... | 0 10 0 |
| TM No. 3 | Additional representation of trade mark ..... | No stamp. |
| TM No. 4 | Request for statement of grounds of decision under sect. 12 (3) ..... | 0 10 0 |
| TM No. 5 | Application for registration of trade mark under sect. 9 (5) ..... | 0 10 0 |
| TM No. 6 | Application for registration of special trade mark under sect. 62 ..... | 0 10 0 |
| TM No. 7 | Notice of opposition to application for registration ..... | 1 0 0 |
| TM No. 8 | Counter-statement to opposition to application for registration ..... | 0 10 0 |
| TM No. 9 | Application for hearing in cases of opposition ..... | 1 0 0 |
| TM No. 10 | Application to the Board of Trade for hearing under Rule 38 ..... | 1 0 0 |

| Number of Form. | Title of Form. | Fee. |
|---|---|---|
| | | £ s. d. |
| TM No. 11 | Fee for registration of a trade mark ..... | 1 0 0 |
| TM No. 12 | Renewal of registration before notice has been given by registrar ..... | 1 0 0 |
| TM No. 13 | Renewal of registration after notice has been given by registrar ..... | 1 0 0 |
| TM No. 14 | Additional fee to accompany renewal fee within one month after advertisement of non-payment of renewal fee ..... | 0 10 0 |
| TM No. 15 | Restoration of trade mark where removed for non-payment of fee ..... | 1 0 0 |
| TM No. 16 | Joint request by registered proprietor and assignee to register assignee as subsequent proprietor..... | 1 0 0 |
| TM No. 17 | Form of declaration (only to be furnished when requested by registrar) by assignee in support of Form TM No. 16 | — |
| TM No. 18 | Request to enter name of subsequent proprietor upon register ..... | 1 0 0 |
| TM No. 19 | Form of declaration (only to be furnished when requested by registrar) in support of statement of case accompanying Form TM No. 18 ..... | — |
| TM No. 20 | Application for alteration of address on register ..... | 0 5 0 |
| TM No. 21 | Application to permit an apportionment of trade marks | 5 0 0 |
| TM No. 22 | Request for correction of clerical error or amendment of application ..... | 0 5 0 |
| TM No. 23 | Request to enter change of name of registered proprietor | 0 5 0 |
| TM No. 24 | Application to cancel entry on register ..... | 0 5 0 |
| TM No. 25 | Request to strike out goods from those for which a mark is registered ..... | 0 5 0 |
| TM No. 26 | Request to enter disclaimer or memorandum ..... | 0 5 0 |
| TM No. 27 | Application to add to or alter a trade mark ..... | 1 0 0 |
| TM No. 28 | Request for search under Rule 95 ..... | 0 10 0 |
| TM No. 29 | Appeal from registrar to Board of Trade ..... | 1 0 0 |
| TM No. 30 | Notice of Order of Court for alteration of register ..... | 0 10 0 |
| TM No. 31 | Request for general certificate ..... | 1 0 0 |
| TM No. 32 | Request for certificate of refusal to register ..... | 1 0 0 |
| TM No. 33 | Request for certificate of registration for use in obtaining registration abroad..... | 0 5 0 |
| TM No. 34 | Request for certificate of registration for use in legal proceedings ..... | 1 0 0 |
| | For office copies every 100 words, but never less than one shilling ..... | 0 0 4 |
| | For certifying office copies MS. or printed matter ..... | 0 10 0 |
| | An additional stamp duty of one shilling is also charged under the Stamp Act upon certified copies of certain documents. | |

These stamped forms are not supplied by the Patent Office, but can be purchased on personal application at the Inland Revenue Office, Royal Courts of Justice (Room No. 6), Strand, London, W.C., or, at a few days' notice and upon pre-payment of the value of the stamp, at any money order office in the United Kingdom.

If it should not be convenient to apply in either of the ways above specified, the stamped forms can be ordered by post from the Controller of Stamps (Room No. 5), Inland Revenue Office, Somerset House, London, W.C. In this case a bankers' draft or a money or postal order payable to the Commissioners of Inland Revenue and crossed Bank of England, to cover the value of the stamp and the cost of transmitting the form in a registered envelope by post, must be forwarded to Somerset House with the application for the form. Cheques will not be accepted.

Forms bearing the numbers TM No. 2, TM No. 3, and TM No. 11 are kept in stock at the following post offices in London :—

The General Post Office, E.C.
District Post Office, Lombard Street, E.C.
,, 195, Whitechapel Road, E.
,, 239, Borough High Street, S.E.
,, Charing Cross, W.C.
,, 28, Eversholt Street, Camden Town, N.W.
Post Office, 12, Parliament Street, S.W., and

The chief post office of the undermentioned cities and towns :—

In England and Wales.

Accrington.
Altrincham.
Ashton-under-Lyne.
Barnsley.
Barrow-in-Furness.
Bath.
Belford.
Beverley.
Birkenhead.
Birmingham.
Blackburn.
Bolton.
Bradford.
Brighton.
Bristol.
Bromsgrove.
Burnley.
Burslem.
Burton-on-Trent.
Bury.
Cambridge.
Cardiff.
Carlisle.
Chatham.
Chester.
Clitheroe.
Congleton.
Coventry.
Crewe.
Croydon.
Darlaston.
Derby.
Dewsbury.
Doncaster.
Dorchester.
Driffield.
Droitwich.
Dudley.
Durham.
Exeter.
Gateshead.
Goole.
Greenwich.
Guildford.
Halifax.
Hartlepool.
Huddersfield.
Hull.
Ipswich.
Keighley.
Kendal.
Kidderminster.
Knaresbro'.
Knutsford.
Lancaster.
Leamington.
Leeds.
Leicester.
Lichfield.
Lincoln.
Liverpool.
Macclesfield.
Manchester.
Middlesbrough.
Nantwich.
Newcastle.
Newport (Mon.).
Northallerton.
Northampton.
Nottingham.
Nuneaton.
Oldbury.
Oldham.
Patrington.
Plymouth.
Pontefract.
Portsmouth.
Prescot.
Preston.
Reading.
Redditch.
Richmond (Yorks.).
Ripon.
Rochdale.
Rotherham.
Rugby.
St. Helen's.
Salford.
Scarborough.
Selgley.
Sheffield.
Southampton.
Stafford.
Stalybridge.
Stockport.
Stoke-on-Trent.
Stourbridge.
Stourport.
Sunderland.
Swansea.
Tamworth.
Truro.
Tunstall.
Wakefield.
Walsall.
Warrington.
Wednesbury.
West Bromwich.
Whitby.
Widnes.
Wigan.
Wolverhampton.
Wolverton.
Woolwich.
York.

| In Scotland. | | In Ireland. | |
|---|---|---|---|
| Aberdeen. | Inverness. | Belfast. | Limerick. |
| Dumbarton. | Lanark. | Cork. | Londonderry. |
| Dundee. | Leith. | Dublin. | Waterford. |
| Edinburgh. | Paisley. | Dundalk. | Wexford. |
| Glasgow. | Perth. | Galway. | |
| Greenock. | Renfrew. | | |

## 6. Documents, &c. Required on Application for Registration of a Trade Mark.

An application for the registration of a trade mark, under Section 9 (*see* paragraph 3), must be made on an application form (Form TM No. 2) bearing an impressed stamp of 10*s*. (*See* paragraph 5.) In the case of a special application under Section 9 (5), Form TM No. 5 must be used.

(The applicant should, before filling up the form, carefully read the marginal notes.)

Four additional representations of the trade mark, each mounted on Form TM No. 3, should accompany every application on TM No. 2. (*See* paragraph 5.)

A *separate* application form is required for *each* class in cases where the same trade mark is claimed in more than one class of goods.

If the mark be the property of a firm or partnership, the Form TM No. 2 should be signed by some one or more members of such firm or partnership, who should add, after his or their signature, "A member of the firm" or "Members of the firm" (as the case may be); if of a body corporate, by a director or by the secretary or other principal officer, who should add, after his signature and designation, "For the Company."

Applications may be made by agents in the names of and on behalf of the owners of trade marks. The agent must be duly authorised in writing, in the Form TM No. 1, by the owner or owners; the authority to an agent should be signed by the owner or owners; in the case of a firm, partnership, or body corporate, the authority should be signed in the same manner as indicated in the paragraph next above.

Each application made by an agent should have, after the signature of the agent, the description "agent."

When an applicant, or his authorised agent, for the registration of a trade mark, otherwise than under an international convention, resides out of the United Kingdom at the time of making the application, an address for service in the United Kingdom must be given in the application.

When the mark consists of or includes words printed in other than Roman characters, there should be given upon the forms a translation and a transliteration of such words, signed by the applicant or his agent.

In the case of marks claimed in the cotton classes and Class 34, the applicant should state by what name the particular mark claimed would be referred to in the invoices of his house.

The representations of the mark on the Form TM No. 3 must agree *in every respect* with each other, and with that on the Form TM No. 2.

Representations of a mark of a large size may be folded. In that case they must, however, be backed with linen, tracing cloth, or other suitable material, and firmly affixed to the forms. Representations must in no case be executed *in pencil*. They should be not only of a durable nature, but of such a kind as will admit of their being preserved and bound together in volumes as records of the property of the owners. Photographs are not, as a rule, therefore, acceptable.

### 7. Word Marks.

In most of the classes, except the cotton classes, word marks are very popular. Speaking broadly, the Act debars from registration three kinds of words: (1) Geographical names; (2) surnames; (3) descriptive words; and it is frequently difficult to decide whether any given word falls under any of these heads. Cases often happen in which a person thinks he has invented a word, and yet on investigation it is found that such a word already exists, and falls under one of the heads above mentioned.

Again, though a given word may, after argument, be decided not to fall under one of the forbidden heads, yet the matter is so much on the border line that much discussion can be raised before a final decision is reached.

It is very greatly to the advantage of a person adopting a new word mark—it being immaterial to him what word he adopts—to choose a word open to little or no discussion, and which clearly falls within paragraphs 3 or 4 of the ninth section of the Act. The registrar will give what assistance he can on this subject, and it is suggested that an applicant desirous of adopting a new word mark should, before doing so, submit by letter a word, such as he thinks will suit his purpose, for the registrar's consideration. The registrar will of course only express an opinion as to how far a word submitted is within the section, and will make no search for the purpose of ascertaining whether any other person has a similar registered mark, unless a search fee is paid.

### 8. Search.

A person wishing to adopt a trade mark may make application to the registrar in writing upon a Form TM No. 28, to cause a search to be made to ascertain whether any marks are on record at the date of such search which may resemble the proposed mark, and the applicant will be informed of the result of such search. The request on Form TM No. 28 should be accompanied by two representations of the proposed mark, each mounted on a half-sheet of foolscap.

A person may, however, search amongst the classified representations of trade marks at the Trade Marks Branch of the Patent Office, if he so desire. The index includes a general collection of marks, a divisional index of devices, and an alphabetically arranged index of words appearing as parts of trade marks or alone. It must not be assumed, however, that all words contained in this index are protected by registration.

The fee payable by a person making a search is 1s. for every quarter of an hour.

Complete searches amongst classified collections of marks in the *cotton classes* (Classes 23, 24 and 25) can only be made at the Manchester Branch Office, 48, Royal Exchange, Manchester. (*See* paragraph 19.)

## 9. Series of Trade Marks.

By sect. 26 of the Act, when a person claiming to be the proprietor of several trade marks for the same description of goods which, while resembling each other in the material particulars thereof, yet differ in respect of—

(a) statements of the goods for which they are respectively used or proposed to be used; or
(b) statements of number, price, quality, or names of places; or
(c) other matter of a non-distinctive character which does not substantially affect the identity of the trade mark; or
(d) colour;

seeks to register such trade marks, they may be registered as a series in one registration.

When an application is made for a series, a representation of each of the marks of the series must be affixed to Form TM No. 2, and also to each of the Forms TM No. 3.

## 10. Old Marks.

In order that an application for an "old mark" may be treated as such, there must have been continuous user since before the date mentioned in paragraph 3, in the United Kingdom and in connexion with the goods stated in the application. An applicant for such a mark should state how, *i.e.*, whether as a label, by branding or embossing or in any other manner, the mark has been so used. The registrar may require a declaration verifying the statements made in such an application.

## 11. Procedure on Receipt of Application.

As soon as may be following the receipt of an application and after due consideration and search, the registrar will communicate the result to the applicant in writing.

## 12. Non-completion of Registration of a Trade Mark.

When registration is not completed within twelve months from the date of the application by reason of default on the part of the applicant, the application may, after notice duly given, be treated as abandoned, unless it be completed within the time specified in such notice.

### 13. Duration of Registration and Payment of Renewal Fees.

Registration of a trade mark is for a period of fourteen years from the date of the original application, but may be renewed from time to time on payment of the prescribed fee.

Each renewal is for fourteen years.

The fee for renewal should be paid in due time by lodging the proper form as directed by the rules.

If the renewal fee is not paid in due time, extra cost is incurred, and, possibly, the registration may entirely lapse.

### 14. Classification of Goods.

A guide to the classification of goods under the Trade Marks Rules can be obtained on application at the Patent Office, Trade Marks Branch, and should be asked for if the applicant feels any difficulty in determining to which of the classes set out in the third schedule to the Rules the goods for which he uses his mark belong.

### 15. Advertisement in the "Trade Marks Journal."

A trade mark cannot in any case be entered upon the register until after the expiration of one month from the date of its advertisement in the *Journal*.

A wood-block or electrotype must be furnished for each mark (even though the mark consists only of a word or words) in each class claimed, except in the case of the cotton classes, for which no blocks are required.

No block or electrotype should be forwarded until a formal demand for it is sent by the registrar.

In the case of a "series" of trade marks differing only in respect of the particulars mentioned in sect. 26 of the Act, a wood-block or electrotype must, if the registrar so require, be furnished for each mark in the series.

The wood-blocks or electrotypes furnished must correspond *exactly* with the representations, must afford *perfectly distinct* impressions of the marks, and must be upon a scale sufficiently large to reproduce the marks faithfully. Worn or mutilated blocks or electrotypes cannot be accepted. It is found in practice that zincotypes or process blocks do not, as a rule, yield impressions distinct enough for the purposes of this *Journal*, and a great number of such blocks have to be returned as unsuitable. It is generally found that the most suitable blocks are wood-blocks or electrotypes.

In the case of word marks the words on the block should be in plain block type.

The largest space available for the insertion of any single block or electrotype is five and a half inches broad by seven and a half inches deep.

When a block or electrotype *exceeds two inches in breadth or depth, or in breadth and depth*, a charge for additional space is made, at the rate of two shillings for every inch or part of an inch over two inches

in breadth, and for every inch or part of an inch over two inches in depth.

The official number given by the registrar to a mark should *not* be cut on the face of the block or electrotype, but should be *marked upon the side in such a manner as to secure identification.*

All blocks or electrotypes should be sent to the Patent Office, Trade Marks Branch, together with the paper marked "Form R. Adv. 3," and with the representation of the mark sent for the guidance of the applicant in preparing the block or electrotype.

After the advertisement of a trade mark the block or electrotype supplied for such advertisement cannot in any case be returned to applicants, even for temporary use.

### 16. Restrictions on Registration.

Ornamental or coloured groundwork, such as tartans or checks, cannot be claimed as part of a mark unless such groundwork be included within the mark by some border or lines.

Applications may be refused in cases where the following appear upon the representations of trade marks forming part of an application:—

(a) The words "Patent," "Patented," "By Royal Letters Patent," "Registered," "Registered Design," "Copyright," "Entered at Stationers' Hall," "To counterfeit this is Forgery," or words to like effect.
(b) Representations of their Majesties or of any member of the Royal Family.

The following also may not appear on trade marks, the registration of which is applied for, unless the marks have been used since before 13th August, 1875:—

(a) The Royal arms or Royal crests, or arms or crests so nearly resembling them as to lead to mistake.
(b) British Royal crowns.
(c) British national flags.
(d) The word "Royal" or any other words, letters or devices calculated to lead persons to think that the applicant has Royal patronage or authorisation.

In cases where the following appear on a mark, the registrar may call for such justification as he may deem necessary for their use:—

Representation of the arms of a foreign state or place.

In cases where the following appear on a mark, the registrar may require to be furnished with consents from such officials, persons, or their legal representatives as he may consider necessary:—

(a) Representations of the arms or emblems of any city, borough, town, place, society, body corporate, or institution.
(b) Names or representations of living persons or persons recently dead.

Where there appears on the face of a trade mark the name or a description of the goods to which the mark is applied, the registrar may refuse to register such mark in respect of any goods other than

the goods so named or described. Where the name or description of any goods appears on a trade mark, which name or description in use varies, the applicant should state in his application that the name or description varies.

### 17. Oppositions.

Notice of opposition to the registration of a trade mark (*see* Rules, Form TM No. 7) must be filed within one month from the date of advertisement of the mark in the *Journal*, accompanied by an unstamped duplicate.

The applicant's counter-statement, Form TM No. 8, accompanied by an unstamped duplicate, must be filed within one month from the date of receipt by him of the duplicate notice of opposition.

The opponent's evidence, in support of the opposition, must be filed within one month from the date of receipt by him of the duplicate counter-statement, and copy of such evidence must be forthwith sent to the applicant.

The applicant's evidence must be filed within one month from the receipt of the copies of the applicant's evidence, and a copy of such evidence must be forthwith sent to the opponent.

The opponent's evidence in reply must be filed within fourteen days from the receipt of the copies of the applicant's evidence, and a copy of such evidence must be forthwith sent to the applicant.

On the completion of the evidence, a hearing is appointed by the registrar. Each party attending the hearing must lodge the hearing fee form (Form TM No. 9, with £1 stamp).

### 18. Cutlers' Company.

By section 63 of the Act, application for the registration of trade marks used on metal goods shall, if made by a person carrying on business in Hallamshire or within six miles thereof, be made to the Cutlers' Company of Sheffield. (*See* Rules 107 to 112.)

Applications made to the Cutlers' Company in pursuance of section 63 of the Act should be made on Form TM No. 2, the address in the left-hand corner to be "To the Cutlers' Company, Sheffield," instead of "To the Registrar," and should be left at, or sent by post to, the Cutlers' Hall, Sheffield.

Each application should be accompanied by an unstamped copy on an application Form TM No. 2. (*See* rule 107.)

Requests to enter old corporate marks on the Sheffield register, under section 63 (2), should be made on Form Sheffield No. 1.

Applications sent by post should be addressed—

The Law Clerk to the Cutlers' Company,
The Cutlers' Hall,
Sheffield.

### 19. Manchester Branch.

By section 64 of the Act, application for the registration of cotton marks should be made to the Manchester Branch on Form Cotton No. 1.

It should be accompanied by an unstamped duplicate of the form, and also by four additional representations on Form Cotton No. 2.

These forms can be obtained at the Chief Post Office, Manchester, and at the Inland Revenue Office, Royal Courts of Justice, London, Room No. 6.

*Applications sent by post should be addressed*—

The Keeper of Cotton Marks,
Manchester Branch of the Trade Marks Registry,
48, Royal Exchange, Manchester.

Searches can be made at the Manchester Branch on payment of 1*s.* for each quarter of an hour for marks in the cotton classes.

### 20. Certificates.

*The registrar's certificate in relation to a trade mark is of four kinds,* viz. :—

(i.) Of registration for use in legal proceedings.
(ii.) Of registration for use in obtaining registration abroad.
(iii.) Of any application made and of proceedings thereon.
(iv.) Of refusal to register a mark in use since before 13th August, 1875, and not registrable.

A person desirous of obtaining any of the above certificates should forward Form TM No. 34, Form TM No. 33, Form TM No. 31, or Form TM No. 32 (*see* paragraph 5), as the case may be, to the registrar, giving the registrar's official number of the mark and the class, and stating whether the certificate is required for use in legal proceedings, or for use in applying for the registration of the mark abroad, or for what other purpose.

In every case where a certificate is required in respect of a cotton mark, or in respect of any trade mark of which the representations or specimens forming part of the application for registration are *coloured*, or in respect of an application made, or in respect of an application refused, two unmounted copies of the mark must be supplied, agreeing *in every respect* with the representations forming part of the application for registration. Special attention should be paid to this requirement, as the certificate cannot in any such case be prepared until these unmounted copies are received.

### 21. Inspection of Register and Copies of Entries.

The fee payable by a person inspecting the register in connection with any particular trade mark is 1*s.* for every quarter of an hour.

Copies of any entry in the register can be supplied at the rate of 4*d.* for every 100 words, with a minimum charge of 1*s.*

### 22. Registration of Subsequent Proprietors of Registered Trade Marks.

The request to be made by a subsequent proprietor on application for the registration in his name of a registered trade mark must be

made on Form TM No. 16 or Form TM No. 18 (*see* paragraph 5), as the case may be. In the case of a firm or partnership the declaration may be made by one member of the firm or partnership. In the case of a body corporate the declaration should be made by a director, or by the secretary, or a principal officer of such body corporate.

If the registrar considers it necessary he may require a declaration on Form TM No. 17 or Form TM No. 19 to be furnished in support of the request.

Where a person becomes entitled to the goodwill of a business, he should forthwith ascertain what registered marks have been in use in that business, and at the earliest possible moment get those marks transferred into his name on the register. The mere possession of the certificates of registration is quite insufficient.

## 23. Miscellaneous Matters relating to Trade Marks and the Patent Office.

(a.) *Advice on Trade Mark Matters, &c.*—The Patent Office does not undertake to give legal advice or opinions on questions of infringement or on any subject connected with trade mark law which, like other laws, is left to the interpretation of professional men.

(b.) The registrar cannot recommend any particular agent for employment by applicants. A list of registered patent agents who, as a rule, also transact trade mark business, may be obtained from Messrs. Eyre and Spottiswoode, East Harding Street, Fleet Street, London, E.C., and 32, Abingdon Street, Westminster, London, S.W., or through any bookseller. Price (including postage), 1*s.* 1*d.*

(c.) *Application for Reduction of Fees.*—It is not within the power of the registrar to comply with any request for the reduction or remission of any of the fees required by the trade mark law.

(d.) *Use of the word "Registered."*—Any person who represents that a trade mark is registered which is not so is liable for every offence on summary conviction to a fine not exceeding five pounds.

A person is deemed, for the purposes of the Trade Marks Act, 1905, to represent that a trade mark is registered if he uses in connection with the trade mark the word "registered" or any words expressing or implying that registration has been obtained for the trade mark. (*See* sect. 67 of the Trade Marks Act, 1905.)

(e.) *Patent Medicines.*—Communications with respect to the preparation and supply of medicine stamps appropriated to a particular medicine, or as to the liability to stamp duty of so-called "patent medicines," should be addressed to the Secretary (Stamps and Taxes), Inland Revenue, Somerset House, London, W.C.

(f.) *Mere Trading Names.*—Mere trading names or names given to business premises cannot be registered at the Patent Office.

## 24. International and Colonial Arrangements.

An international convention for the protection of industrial property exists between the following states :—

Belgium.
Brazil.
Cuba.
Denmark, with the Faröe Islands.
France, with Algeria and colonies.
Germany.
Great Britain, with New Zealand and Queensland.
Italy.
Japan.
Mexico.
Netherlands, with the Dutch East Indies, Surinam, and Curaçoa.
Norway.
Portugal, with the Azores and Madeira.
Santo Domingo.
Servia.
Spain.
Sweden.
Switzerland.
Tunis.
United States of America.

Copies of the text of the convention, and of the additional Act modifying the convention, may be purchased for *2d.* and *1d.*, respectively, from Messrs. Eyre and Spottiswoode, East Harding Street, Fleet Street, London, E.C., and 32, Abingdon Street, Westminster, London, S.W., or through any bookseller.

Under this convention, an applicant for a trade mark in any one of the contracting states may obtain priority of date in any of the other states.

Similar arrangements, for the mutual protection of trade marks, have been made between Great Britain on the one side, and each of the following states and colonies on the other :—

Ecuador.
Greece.
Honduras.
Paraguay.
Roumania.
Tasmania.
Uruguay.
Western Australia.

The above list may of course be varied from time to time.

## 25. Applications for the Registration of Trade Marks in the British Colonies and Foreign States.

Applications for the registration of trade marks in the colonies and foreign states must be made to the Government of the colony or foreign state in which protection is desired. A collection of colonial and foreign trade mark laws and rules may be seen in the free library of the Patent Office.

## 26. Sale of Official Publications.

Copies of the Act and of the Rules can be purchased at the Sale Branch of the Patent Office. The price of the Act and Rules together is 8*d.*, postage 2½*d.*; of the Act alone, 3*d.*, postage, 1*d.*; and of the

Rules alone, 5*d.*, postage, 1½*d.* Sums exceeding 5*d.* should be remitted by postal order or post office order.

Copies of the *Trade Marks Journal* may also be obtained from the Sale Branch of the Patent Office.

The price of the *Trade Marks Journal* is :—

| | Per No. |
|---|---|
| Nos. 1 to 509 (years, 1876 to 1887) ..... | 1 0 |
| Nos. 510 to 561 (year, 1888) ..... | 1 6 |
| No. 562 and following numbers from 1st January, 1889 .. | 0 6 |

## 27. Patent Office Library.

The free public library of the Patent Office, 25, Southampton Buildings, Chancery Lane London, W.C., is open daily, from 10 a.m. to 10 p.m., except on Sundays, Christmas Day, Good Friday, and Bank Holidays. On the day observed as his Majesty's birthday, Christmas Eve, Easter Eve, and Whitsun Eve, the library is closed at 4 p.m.

C. N. Dalton,
Registrar.

*April*, 1906.

# APPENDIX B.

## INTERNATIONAL ARRANGEMENTS.

(*See Patents, &c. Acts*, 1883—1902, § 103.)

## I.

### International Convention for the Protection of Industrial Property.

*Signed at Paris, March 20th*, 1883.

[*Ratifications exchanged at Paris, June 6th*, 1884.]

*Official Translation.*

His Majesty the King of the Belgians, His Majesty the Emperor of Brazil, His Majesty the King of Spain, the President of the French Republic, the President of the Republic of Guatemala, His Majesty the King of Italy, His Majesty the King of the Netherlands, His Majesty the King of Portugal and the Algarves, the President of the Republic of Salvador, His Majesty the King of Servia, and the Federal Council of the Swiss Confederation,

Being equally animated with the desire to secure by mutual agreement, complete and effectual protection for the industry and commerce of their respective subjects and citizens, and to provide a guarantee for the rights of inventors, and for the loyalty of commercial transactions, have resolved to conclude a convention to that effect, and have named as their plenipotentiaries, that is to say :—

(*Here follow the appointments of the plenipotentiaries.*)

Who, having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles :—

#### Article 1.

The Governments of Belgium, Brazil, Spain, France, Guatemala, Italy, Holland, Portugal, Salvador, Servia, and Switzerland constitute themselves into a union for the protection of industrial property.

### Article II.

The subjects or citizens of each of the contracting states shall, in all the other states of the union, as regards patents, industrial designs or models, trade marks and trade names, enjoy the advantages that their respective laws now grant, or shall hereafter grant, to their own subjects or citizens.

Consequently they shall have the same protection as the latter, and the same legal remedy against any infringement of their rights, provided they observe the formalities and conditions imposed on subjects or citizens by the internal legislation of each state.

### Article III.

*Subjects or citizens of states not forming part of the union, who are domiciled, or have industrial or commercial establishments in the territory of any of the states of the union, shall be assimilated to the subjects or citizens of the contracting states* (*a*).

(*a*) New Art. III. substituted for this in 1900. See *post*, p. 162.

### Article IV.

*Any person who has duly applied for a patent, industrial design or model, or trade mark in one of the contracting states, shall enjoy, as regards registration in the other states, and reserving the rights of third parties, a right of priority during the periods hereinafter stated.*

*Consequently, subsequent registration in any of the other states of the union before expiry of these periods shall not be invalidated through any acts accomplished in the interval: either, for instance, by another registration, by publication of the invention, or by the working of it by a third party, by the sale of copies of the design or model, or by use of the trade mark.*

*The above-mentioned terms of priority shall be six months for patents, and three months for industrial designs and models and trade marks. A month longer is allowed for countries beyond sea* (*a*).

(*a*) New Art. IV. substituted for this in 1900, and Art. IV. *bis* added. See *post*, p. 162.

### Article V.

(Relates only to patents.)

### Article VI.

Every trade mark duly registered in the country of origin shall be admitted for registration, and protected in the form originally registered, in all the other countries of the union (*a*).

That country shall be deemed the country of origin where the applicant has his chief seat of business.

If this chief seat of business is not situated in one of the countries of the union, the country to which the applicant belongs shall be deemed the country of origin.

Registration may be refused if the object for which it is solicited is considered contrary to morality or public order.

(*a*) No effect can be given to this or any other article of the convention by the Courts of the United Kingdom, except so far as it is embodied in sect. 103 of the Patents Act, 1883: *In re Californian Fig Syrup Co.*, 40 Ch. D. 620. And it seems that, to entitle a foreign mark to protection in the United Kingdom, it must comply with the requirements of the Act in force: *In re Carter Medicine Co.*, (1892) 3 Ch. 472. And similarly in the United States legislation is necessary to enable effect to be given to it. See opinion of the Attorney-General of the United States, 47 U. S. Pat. Gaz. 397; and *Ex parte Zrack & Co.*, 76 U. S. Pat. Gaz. 1855.

### Article VII.

The nature of the goods on which the trade mark is to be used can, in no case, be an obstacle to the registration of the trade mark.

### Article VIII.

A trade name shall be protected in all the countries of the union, without necessity of registration, whether it form part or not of a trade mark.

### Article IX.

*All goods illegally bearing a trade mark or trade name may be* seized on importation into those states of the union where this mark or name has a right to legal protection.

The seizure shall be effected at the request of either the proper public department or of the interested party, pursuant to the internal legislation of each country (*a*).

(*a*) See additions made to this article in 1900, *post*, p. 162.

### Article X.

*The provisions of the preceding article shall apply to all goods falsely bearing the name of any locality as indication of the place of origin, when such indication is associated with a trade name of a fictitious character or assumed with a fraudulent intention.*

*Any manufacturer of, or trader in, such goods, established in the locality falsely designated as the place of origin, shall be deemed an interested party* (*a*).

(*a*) New Art. X. substituted for this in 1900, and Art. X. *bis* added. See *post*, p. 163.

### Article XI.

*The high contracting parties agree to grant temporary protection to patentable inventions, to industrial designs or models, and trade marks, for articles exhibited at official or officially recognised international exhibitions* (*a*).

(*a*) New Art. XI. substituted for this in 1900. See *post*, p. 163.

### Article XII.

Each of the high contracting parties agrees to establish a special government department for industrial property, and a central office for communication to the public of patents, industrial designs or models, and trade marks.

### Article XIII.

An international office shall be organised under the name of "Bureau International de l'Union pour la Protection de la Propriété Industrielle" (International Office of the Union for the Protection of Industrial Property).

This office, the expense of which shall be defrayed by the Governments of all the contracting states, shall be placed under the high authority of the Central Administration of the Swiss Confederation, and shall work under its supervision. Its functions shall be determined by agreement between the states of the union.

### Article XIV.

*The present convention shall be submitted to periodical revisions, with a view to introducing improvements calculated to perfect the system of the union.*

*To this end conferences shall be successively held in one of the contracting states by delegates of the said states. The next meeting shall take place in* 1885 *at Rome* (*a*).

(*a*) New Art. XIV. substituted for this in 1900. See *post*, p. 163.

### Article XV.

It is agreed that the high contracting parties respectively reserve to themselves the right to make separately, as between themselves, special arrangements for the protection of industrial property, in so far as such arrangements do not contravene the provisions of the present convention.

### Article XVI.

*States which have not taken part in the present convention shall be permitted to adhere to it at their request.*

*Such adhesion shall be notified officially through the diplomatic channel to the Government of the Swiss Confederation, and by the latter to all the others. It shall imply complete accession to all the clauses and admission to all the advantages stipulated by the present convention* (*a*).

(*a*) New Art. XVI. substituted for this in 1900. See *post*, p. 163.

### Article XVII.

The execution of the reciprocal engagements contained in the present convention is subordinated, in so far as necessary, to the observance of the formalities and rules established by the constitutional laws of those of the high contracting parties who are bound to procure the application of the same, which they engage to do with as little delay as possible.

### Article XVIII.

The present convention shall come into operation one month after the exchange of ratifications, and shall remain in force for an unlimited

time, till the expiry of one year from the date of its denunciation. This denunciation shall be addressed to the Government commissioned to receive adhesions. It shall only affect the denouncing state, the convention remaining in operation as regards the other contracting parties.

ARTICLE XIX.

The present convention shall be ratified, and the ratifications exchanged in Paris, within one year at the latest.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto their seals.

Dated at Paris the 20th March, 1883.

(*Signed by the Plenipotentiaries.*)

---

## II.

### FINAL PROTOCOL.

(*Official Translation.*)

On proceeding to the signature of the convention concluded this day between the Governments of Belgium, Brazil, Spain, France, Guatemala, Italy, the Netherlands, Portugal, Salvador, Servia, and Switzerland, for the protection of industrial property, the undersigned plenipotentiaries have agreed as follows:

1. The words "industrial property" are to be understood in their broadest sense; they are not to apply simply to industrial products properly so called, but also to agricultural products (wines, corn, fruits, cattle, &c.), and to mineral products employed in commerce (mineral waters, &c.).

2. (Relates only to patents.)

3. The last paragraph of Article II. does not affect the legislation of *each of the contracting states as regards the procedure* to be followed before the tribunals, and the competence of those tribunals (*a*).

(*a*) See par. 3 *bis* introduced here in 1900, *post*, p. 163.

4. Paragraph 1 of Article VI. is to be understood as meaning that no trade mark shall be excluded from protection in any state of the union, from the fact alone that it does not satisfy, in regard to the signs composing it, the conditions of the legislation of that state; provided that on this point it comply with the legislation of the country of origin, and that it had been properly registered in said country of origin. With this exception, which relates only to the form of the mark, and under reserve of the provisions of the other articles of the convention, the internal legislation of each state remains in force.

To avoid misconstruction, it is agreed that the use of public armorial bearings and decorations may be considered as being contrary to public order in the sense of the last paragraph of Article VI.

5. The organisation of the special department for industrial property mentioned in Article XII. shall comprise, so far as possible, the publication in each state of a periodical official paper.

6. (After providing for the common expenses of the international office, continues:—)

The Swiss Government will superintend the expenses of the international office, advance the necessary funds, and render an annual account, which will be communicated to all the other administrations.

The international office will centralise information of every kind relating to the protection of industrial property, and will bring it together in the form of a general statistical statement which will be distributed to all the administrations. It will interest itself in all matters of common utility to the union, and will edit, with the help of the documents supplied to it by the various administrations, a periodical paper in the French language dealing with questions regarding the object of the union.

The numbers of this paper, as well as all the documents published by the international office, will be circulated among the administrations of the states of the union in the proportion of the number of contributing units as mentioned above. Such further copies as may be desired either by the said administrations, or by societies or private persons, will be paid for separately.

The international office shall at all times hold itself at the service of members of the union, in order to supply them with any special information they may need on questions relating to the international system of industrial property.

The administration of the country in which the next conference is to be held will make preparation for the transactions of that conference, with the assistance of the international office.

The director of the international office will be present at the meetings of the conferences, and will take part in the discussions, but without the privilege of voting.

He will furnish an annual report upon his administration of the office, which shall be communicated to all the members of the union.

The official language of the international office will be French.

7. The present final protocol, which shall be ratified together with the convention concluded this day, shall be considered as forming an integral part of, and shall have the same force, validity, and duration as the said convention.

In witness whereof the undersigned plenipotentiaries have drawn up the present protocol.

(*Signed by the Plenipotentiaries.*)

---

## III.

### Accession of Her Majesty's Government to the Convention.

The undersigned, ambassador extraordinary and plenipotentiary of her Majesty the Queen of the United Kingdom of Great Britain and Ireland to the French Republic, declares that her Britannic Majesty, having had the International Convention for the Protection of Indus-

trial Property, concluded at Paris on the 20th March, 1883, and the protocol relating thereto, signed on the same date, laid before her, and availing herself of the right reserved by Article XVI. of that convention to states not parties to the original convention, accedes, on behalf of the United Kingdom of Great Britain and Ireland, to the said international convention for the protection of industrial property, and to the said protocol, which are to be considered as inserted word for word in the present declaration, and formally engages, as far as regards the President of the French Republic and the other high contracting parties, to co-operate on her part in the execution of the stipulations contained in the convention and protocol aforesaid.

The undersigned makes this declaration on the part of her Britannic Majesty, with the express understanding that power is reserved to her Britannic Majesty to accede to the Convention on behalf of the Isle of Man and the Channel Islands, and any of her Majesty's possessions, on due notice to that effect being given through her Majesty's Government.

In witness whereof the undersigned, duly authorised, has signed the present declaration of accession, and has affixed thereto the seal of his arms.

Done at Paris, on the 17th day of March, 1884.

(L.S.) (Signed) LYONS.

---

## IV.

### DECLARATION OF ACCEPTANCE OF ACCESSION.

(*Official Translation.*)

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland having acceded to the International Convention relative to the protection of industrial property, concluded at Paris, March 20th, 1883, together with a protocol dated the same day, by the declaration of accession delivered by her Ambassador Extraordinary and Plenipotentiary to the Government of the French Republic; the text of which declaration is word for word as follows:—

(*Here is inserted the text of No. III. in English.*)

The President of the French Republic has authorised the undersigned, President of the Council, Minister for Foreign Affairs, to formally accept the said accession, together with the reserves which are contained in it concerning the Isle of Man, the Channel Islands, and all other possessions of her Britannic Majesty, engaging as well in his own name as in that of the other high contracting parties to assist in the accomplishment of the obligations stipulated in the convention and the protocol thereto annexed, which may concern the United Kingdom of Great Britain and Ireland.

In witness whereof the undersigned, duly authorised, has drawn up the present Declaration of Acceptance and has affixed thereto his seal.

Done at Paris, the 2nd April, 1884.

(L.S.) (Signed) JULES FERRY.

## V.

### Order in Council.

(*The Patents Act*, 1883.)

At the Court at Windsor, the 26th of June, 1884. Present, the Queen's Most Excellent Majesty in Council.

Whereas by the provisions of the Patents, Designs, and Trade Marks Act, 1883, it is, amongst other things, provided:—

That if her Majesty is pleased to make any arrangement with the Government or Governments of any foreign State or States for mutual protection of inventions, designs, and trade marks, or any of them, then any person who has applied for protection for any invention, design or trade mark in any such State shall, subject to the conditions further provided and set forth in the said Act, be entitled to a patent for his invention, or to registration of his design or trade mark (as the case may be) under the said Act in priority to other applicants, and such patent or registration shall have the same date as the date of the protection obtained in such foreign State:

And whereas it has pleased her Majesty to make an arrangement of the nature contemplated by the said Act by and in virtue of a declaration signed and sealed by her Majesty's Ambassador at Paris on the 17th of March, 1884, duly conveying the accession of Great Britain to the International Convention and Protocol for the Protection of Industrial Property, signed by representatives of certain powers on the 20th of March, 1883, and duly ratified on the 6th of June, 1884, power being reserved to her Majesty to hereafter accede to the provisions of the said convention and protocol on behalf of the Isle of Man, the Channel Islands, and any of her Majesty's possessions, which declaration of accession was duly accepted by the French Government on behalf of the signatory powers by and in virtue of a declaration dated the 2nd of April, 1884:

Now, therefore, her Majesty, by and with the advice and consent of her Privy Council, and by virtue of the authority committed to her by the said Act, doth declare, and it is hereby declared, that the provisions of the said Act hereinbefore specified shall apply to the following countries, viz.:—Belgium, Brazil, France, Guatemala, Italy, Netherlands, Portugal, Salvador, Servia, Spain, Switzerland, Ecuador,* and Tunis.*

And it is hereby further ordered and declared that this order shall take effect from the 7th of July, 1884.

C. L. Peel.

* These States had acceded to the Convention and Protocol.

## VI.

### SUBSEQUENT ORDERS IN COUNCIL.

*Orders in Council under* § 103 *making that Section applicable.*

| | Date of Order. | To take effect from— | "London Gazette." |
|---|---|---|---|
| Santo Domingo | Jan. 27th, 1885 .. | Jan. 27th, 1885 .. | 1885, p. 418. |
| Sweden and Norway | July 9th, 1885 .. | July 1st, 1885 .. | 1885, p. 3173. |
| Paraguay and Uruguay | Sept. 24th, 1886 .. | Sept. 24th, 1886 .. | 1886, p. 4725. |
| United States of America | July 12th, 1887 .. | July 12th, 1887 .. | 1887, p. 3827. |
| Netherlands East Indies | Nov. 17th, 1888 .. | Mar. 17th, 1889 .. | 1888, p. 6412. |
| Mexico | May 28th, 1889 .. | Sept. 28th, 1889 .. | 1889, p. 2954. |
| Curaçao and Surinam | May 17th, 1890 .. | Sept. 17th, 1890 .. | 1890, p. 2891. |
| Santo Domingo | Oct. 21st, 1890 .. | Feb. 21 1891 .. | 1890, p. 5661. |
| Roumania | Aug. 5th, 1892 .. | Dec. 5th, 1892 .. | 1892, p. 4551. |
| Ecuador | May 16th, 1893 .. | Sept. 16th, 1893 .. | 1893, p. 2899. |
| Greece | Oct. 15th, 1891 .. | Feb. 15th, 1895 .. | 1891, p. 5918. |
| Denmark | Nov. 20th, 1891 .. | Mar. 20th, 1895 .. | 1891, p. 6879. |
| Japan | Oct. 7th, 1899 .. | Oct. 7th, 1899 .. | 1899, p. 6211. |
| Honduras | Sept. 26th, 1901 .. | Sept. 25th, 1901 .. | 1901, p. 6383. |
| Germany | Oct. 9th, 1903 .. | May 1st, 1903 .. | 1903, p. 6220. |
| Cuba | Jan. 12th, 1905 .. | Nov. 17th, 1904 .. | 1905, p. 321. |

*Orders in Council under* § 104 *making* § 103 *applicable.*

| | | | |
|---|---|---|---|
| Queensland | Sept. 17th, 1885 .. | Sept. 17th, 1885 .. | 1885, p. 4429. |
| New Zealand | Feb. 8th, 1890 .. | June 8th, 1890 .. | 1890, p. 727. |
| Tasmania | April 30th, 1894 .. | Aug. 30th, 1894 .. | 1894, p. 2578. |
| Western Australia | May 13th, 1895 .. | Sept. 11th, 1895 .. | 1895, p. 2818. |
| Ceylon | Aug. 7th, 1905 .. | June 10th, 1905 .. | 1905, p. 5459. |

*Orders in Council making* § 103 *cease to be applicable.*

| | | | |
|---|---|---|---|
| Ecuador | April 16th, 1886 .. | Dec. 26th, 1886 .. | 1886, p. 1894. |
| Salvador | Sept. 24th, 1886 .. | Aug. 17th, 1887 .. | 1886, p. 4726. |
| Santo Domingo | May 28th, 1889 .. | May 28th, 1889 .. | 1889, p. 3035. |
| Guatemala | Feb. 2nd, 1895 .. | Nov. 8th, 1895 .. | 1895, p. 754. |

---

## VII.

### ADDITIONAL ACT MODIFYING THE INDUSTRIAL PROPERTY CONVENTION OF MARCH 20, 1883.

*Signed at Brussels, December 14th,* 1900.

*Official Translation.*

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India; His Majesty the King of the Belgians; the President of the United States of Brazil; His Majesty the King of Denmark; the President of the Dominican Republic; Her Majesty the Queen-Regent of Spain, in the name of His Majesty the

King of Spain; the President of the United States of America; the President of the French Republic; His Majesty the King of Italy; His Majesty the Emperor of Japan; Her Majesty the Queen of the Netherlands; His Majesty the King of Portugal and the Algarves; His Majesty the King of Servia; His Majesty the King of Sweden and Norway; the Federal Council of the Swiss Confederation; and the Tunisian Government, having deemed it expedient to make certain modifications in, and additions to, the International Convention of the 20th March, 1883, and also as regards the Final Protocol annexed to the said convention, have named as their plenipotentiaries, that is to say:

(*Here follow the appointments of the plenipotentiaries.*)

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE 1.

The International Convention of the 20th March, 1883, shall be modified as follows:—

1. Article III. of the convention shall run as follows:—

"Art. III. The subjects or citizens of states which are not parties to the union shall be assimilated to the subjects or citizens of the contracting states, provided that they are domiciled in, or have industrial or commercial establishments, real and effective, in the territory of one of the states of the union."

2. Article IV. shall run as follows:—

"Art. IV. Any person who shall have duly applied for a patent, industrial design, or model or trade mark in one of the contracting states, shall enjoy, in order to admit of such request being lodged in the other states, during the periods of time mentioned below, a right of priority, the rights of third parties being reserved.

"Consequently, subsequent registration in one of the other states of the union, before the expiration of such periods of time, shall not be invalidated by any acts accomplished in the interval—either, for instance, by another registration, by the publication of the invention, or by the working of it, by the sale of patterns of the design or model, or by the use of the trade mark.

"The above-mentioned periods of time during which priority is guaranteed shall be twelve months for patents with respect to inventions, and four months for patents for industrial designs or models, as well as for trade or merchandize marks."

3. There shall be inserted in the convention an Article IV.*bis* in the following terms:—

"Art. IV.*bis*." (Relates only to patents.)

4. The two following paragraphs shall be added to Article IX.:—

"In states the laws of which do not admit of seizure upon importation, prohibition of importation may take the place of such seizure.

"The authorities shall not be compelled to effect the seizure in the case of goods in transit."

5. *Article X. shall run as follows* :—

"Art. X. The stipulations of the preceding Article shall be applicable to every production which may falsely bear as indication of origin the name of a specified locality, when such indication shall be joined to a trade name of a fictitious character or used with intent to defraud.

"Any producer, manufacturer, or trader engaged in the production, manufacture, or trade of such goods, and established either in the locality falsely designated as the place of origin, or in the district where the locality is situated, is to be deemed a party concerned."

6. There shall be inserted in the convention an Article X.*bis* in the terms following :—

"Art. X.*bis*. Persons resorting to the countries referred to in the convention (Articles II. and III.) shall enjoy in all the states of the union the protection accorded to nationals against dishonest competition."

7. Article XI. shall run as follows :—

"Art. XI. The high contracting parties shall, in conformity with the legislation of each country, accord temporary protection to inventions susceptible of being patented, and to industrial designs or models, as well as to trade marks or merchandize marks, in respect of products which shall be exhibited at official or officially recognized international exhibitions held in the territory of one of them."

8. Article XIV. shall run as follows :—

"Art. XIV. The present convention shall be submitted to periodical revisions with a view to the introduction of amendments calculated to improve the system of the union.

"For this purpose, conferences shall be held successively, in one of the contracting states, between the delegates of the said states."

9. Article XVI. shall run as follows :—

"Art. XVI. States which are not parties to the present convention shall be allowed to accede to it upon their request.

"The accession shall be notified through the diplomatic channel to the Government of the Swiss Confederation, and by the latter to all the other states.

"It shall entail, as a matter of right, accession to all the clauses, as well as admission to all the advantages stipulated in the present convention, and shall take effect one month after the dispatch of the notification by the Swiss Government to the other states of the union, unless a subsequent date have been indicated by the acceding state."

## Article II.

The final protocol annexed to the International Convention of the 20th March, 1883, shall be completed by the addition of No. 3*bis* in the following terms :—

"3*bis*." (Relates only to patents.)

ARTICLE III.

The present additional Act shall have the same value and duration as the convention of the 20th March, 1883.

It shall be ratified, and the ratifications shall be deposited at the Ministry for Foreign Affairs, Brussels, as soon as possible, and at the latest within a period of eighteen months from the date of signature.

It shall come into force three months after the protocol of deposit shall have been closed.

In witness whereof the respective plenipotentiaries have signed the present *additional Act*.

Done at Brussels, in a single copy, the 14th December, 1900.

(*Signed by the Plenipotentiaries.*)

*Procès-Verbal.*

The contracting parties having unanimously agreed that the exchange of the ratifications of the additional Act to the Convention of the 20th March, 1883, signed at Brussels on the 14th December, 1900, shall be effected by means of the deposit of the respective instruments in the archives of the Belgian Ministry for Foreign Affairs, the present protocol recording the deposit has been, for this purpose, drawn up at the Ministry for Foreign Affairs this 3rd day of May, 1901.

(*Then follow the dates of ratification, as follows* :—

United States of America, May 3rd, 1901.
Switzerland, August 5th, 1901.
Denmark, October 10th, 1901.
Portugal, November 5th, 1901.
United Kingdom, December 6th, 1901.
Belgium, December 10th, 1901.
Italy, December 12th, 1901.
Japan, April 21st, 1902.
France, May 23rd, 1902.
Tunis, May 23rd, 1902.
Sweden, June 5th, 1902.
Norway, June 5th, 1902.
Netherlands, June 10th, 1902.)

In conformity with Article 3 of the additional Act of the 14th December, 1900, the present protocol has been closed on this date.

The Belgian Minister for Foreign Affairs,

(Signed) P. DE FAVEREAU.

*Brussels, June* 14, 1902.

It not having been possible to deposit the ratifications of the President of the United States of Brazil, the President of the Dominican Republic, His Majesty the King of Spain, and His Majesty the King of Servia, within the stipulated period, the Governments of Belgium, Denmark, the United States of America, France, Great Britain, Italy, Japan, Norway, the Netherlands, Portugal, Sweden, Switzerland, and Tunis have unanimously agreed that the additional Act of the 14th December, 1900, shall, from the 14th September, 1902, take effect as regards themselves, and also as regards those of the other four signatory States whose ratifications may in the interval have been deposited.

Certified copy :
The Secretary-General of
the Belgian Ministry for Foreign Affairs,
(Signed) BARON LAMBERMONT.

# APPENDIX C.

## THE TRADE MARKS REGISTRATION ACTS, 1875—1877, WITH THE ORDERS IN COUNCIL THEREUNDER.

[*All repealed.*]

### THE TRADE MARKS REGISTRATION ACT, 1875.

38 & 39 Vict. c. 91 (*a*).

*An Act to establish a Register of Trade Marks.*

[13th August, 1875.

BE it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**Registration of trade marks.**

1. A register of trade marks as defined by this Act, and of the proprietors thereof, shall be established under the superintendence of the Commissioners of Patents, and from and after the first day of July one thousand eight hundred and seventy-six a person shall not be entitled to institute any proceeding to prevent the infringement of any trade mark as defined by this Act until and unless such trade mark is registered in pursuance of this Act.

**Characteristics of registered trade mark.**

2. A trade mark must be registered as belonging to particular goods, or classes of goods; and when registered shall be assigned and transmitted only in connection with the goodwill of the business concerned in such particular goods or classes of goods, and shall be determinable with such goodwill; but subject as aforesaid, registration of a trade mark shall be deemed to be equivalent to public use of such mark.

**Title of first proprietor of a trade mark.**

3. The registration of a person as first proprietor of a trade mark shall be *primâ facie* evidence of his right to the exclusive use of such trade mark, and shall, after the expiration of five years from the date of such registration, be conclusive evidence of his right to the exclusive use of such trade mark, subject to the provisions of this Act as to its connection with the goodwill of a business.

---

(*a*) It is frequently necessary to refer to these Acts, though repealed, and they are consequently printed here, for facility of reference.

4. Every proprietor registered in respect to a trade mark subsequently to the first registered proprietor shall, as respects his title to that trade mark, stand in the same position as if his title were a continuation of the title of the first registered proprietor. Title of proprietor claiming by transmitted proprietorship.

5. If the name of any person who is not for the time being entitled to the exclusive use of a trade mark in accordance with this Act, or otherwise in accordance with law, is entered on the register of trade marks as a proprietor of such trade mark, or if the registrar refuses to enter on the register as proprietor of a trade mark the name of any person who is for the time being entitled to the exclusive use of such trade mark in accordance with this Act, or otherwise in accordance with law, or if any mark is registered as a trade mark which is not authorised to be so registered under this Act, any person aggrieved may apply in the prescribed manner for an order of the Court that the register may be rectified: and the Court may either refuse such application, or it may, if satisfied of the justice of the case, make an order for the rectification of the register, and may award damages to the party aggrieved. Rectification of register.

Where each of several persons claims to be registered as proprietor of the same trade mark, the registrar may refuse to comply with the claims of any of such persons until their rights have been determined by the Court, and the registrar may himself submit or require the claimants to submit in the prescribed manner their rights to the Court.

The Court may, in any proceeding under this section, decide any question as to whether a mark is or is not such a trade mark as is authorised to be registered under this Act, also any question relating to the right of any person who is party to such proceeding to have his name entered on the register of trade marks, or to have the name of some other person removed from such register, also any other question that it may be necessary or expedient to decide for the rectification of the register.

The Court may direct an issue to be tried for the decision of any question of fact which may require to be decided for the purposes of this section.

Whenever any order has been made rectifying the register the Court shall by its order direct that due notice of such rectification be given to the registrar.

6. The registrar shall not, without the special leave of the Court, to be given in the prescribed manner, register in respect of the same goods or classes of goods a trade mark identical with one which is already registered with respect to such goods or classes of goods, and the registrar shall not register with respect to the same goods or classes of goods a trade mark so nearly resembling a trade mark already on the register with respect to such goods or classes of goods as to be calculated to deceive. Restrictions on registry of trade marks.

It shall not be lawful to register as part of or in combination with a trade mark any words the exclusive use of which would not, by reason of their being calculated to deceive or otherwise, be deemed entitled to protection in a court of equity; or any scandalous designs.

7. Subject as aforesaid, a register office shall be established from and after such time (not being later than the first day of January one thousand eight hundred and seventy-six), in such manner, and with Establishment of registry and general rules.

such officers, and at such salaries, to be paid out of moneys provided by Parliament, as the Lord Chancellor may, with the consent of the Treasury, direct; and the Lord Chancellor may, from time to time, with the assent of the Treasury as to fees, make, and when made, alter, annul, or vary, such general rules as to the registry of trade marks, and as to notices to be given by advertisement before the registration of trade marks, and as to the classification of goods for the purposes of this Act, and as to the registration of first and subsequent proprietors of trade marks, and as to the fees to be charged for registration, and also for the continuance of a trade mark on the register or otherwise, and as to the removal from the register of any trade mark, as to notices, and as to the persons entitled to inspect the register, and as to any proceedings to be taken to obtain the judgment or leave of the Court in any matter in which the judgment or leave of the Court is required to be obtained under this Act, and generally for the purpose of carrying into effect this Act, as he may deem expedient.

Any rules made in pursuance of this section shall be laid before both Houses of Parliament if Parliament be then sitting, or if not then sitting, then within ten days from the then next assembling of Parliament, and shall be of the same validity as if they had been enacted by Parliament; provided that if either House of Parliament resolve, within one month after such rules have been laid before such House, that any of such rules ought not to continue in force, any rule in respect of which such resolution has been passed shall, after the date of such resolution, cease to be of any force, without prejudice, nevertheless, to the making of any other rule in its place, or to anything done in pursuance of any such rules before the date of such resolution.

Certificate of registrar to be evidence.

8. The certificate of the registrar as to any entry, matter, or thing which he is authorised by this Act, or any general rules made thereunder, to make or do, shall be evidence of such entry having been made, and of the contents thereof, and of such matters and things having been done or left undone.

Provision as to Cutlers' Company and Sheffield corporate marks.

9. With respect to the master, wardens, searchers, assistants, and commonalty of the Company of Cutlers in Hallamshire, in the County of York (in this Act called "the Cutlers' Company"), and the marks or devices (in this Act called "Sheffield corporate marks") assigned or to be assigned by the master, wardens, searchers, and assistants of that company, be it enacted as follows:—

(1.) Within the prescribed time and in the prescribed manner the Cutlers' Company shall at their own expense deliver to the registrar under this Act copies of all Sheffield corporate marks in force at the time of such delivery:

(2.) When any person, after the passing of this Act, applies to the said master, wardens, searchers, and assistants to assign to him any mark or device, notice of such application, with a copy of such mark or device, shall, within the prescribed time and in the prescribed manner, be delivered to the registrar under this Act; and such mark or device shall not be assigned until after the expiration of the prescribed period from the giving of such notice. In like manner, when any person applies for the registration under this Act of a trade

mark as belonging to any goods or class of goods specified in § 2 of the Cutlers' Company's Act of 1860, notice of such application, with a copy of such trade mark, shall, within the prescribed time and in the prescribed manner, be delivered to the Cutlers' Company; and such trade mark shall not be registered until after the expiration of the prescribed period from the giving of the last-mentioned notice:

(3.) Upon the assigning of any such mark or device, or the registration of any such trade mark as aforesaid, notice of the assignment or registration shall, within the prescribed time and in the prescribed manner, be given to the registrar under this Act, or to the Cutlers' Company, as the case may be:

(4.) The registrar under this Act, without the special leave of the Court, to be given only in cases where the applicant proves his right, shall not in respect of any goods or classes of goods with respect to which a Sheffield corporate mark shall have been assigned and actually used, and of which mark a copy or description or notice of the assigning thereof shall have been delivered or given to the registrar as aforesaid, register a trade mark identical with such Sheffield corporate mark, or so nearly resembling the same as to be calculated to deceive:

(5.) The master, wardens, searchers, and assistants of the Cutlers' Company shall not assign to any person a mark or device identical with any trade mark registered under this Act, and notice of the registration whereof shall have been given to the Cutlers' Company as aforesaid, or so nearly resembling the same as to be calculated to deceive:

(6.) Any person to whom a Sheffield corporate mark legally belongs shall be entitled to have the same mark registered also as a trade mark under this Act, in respect of any particular goods or classes of goods, in the same manner and upon the same terms and conditions in and upon which he might have registered the same if it were not a Sheffield corporate mark:

(7.) Nothing in this Act shall prejudice or affect the rights and privileges of the Cutlers' Company, nor, save as is otherwise in this Act expressly provided, shall any of the provisions of this Act apply to or in the case of any Sheffield corporate mark.

10. For the purposes of this Act: Definitions.

A trade mark consists of one or more of the following essential particulars; that is to say:

A name of an individual or firm printed, impressed, or woven in some particular and distinctive manner; or

A written signature or copy of a written signature of an individual or firm; or

A distinctive device, mark, heading, label, or ticket;

and there may be added to any one or more of the said particulars any letters, words, or figures, or combination of letters, words, or figures; also

Any special and distinctive word or words or combination of figures

or letters used as a trade mark before the passing of this Act may be registered as such under this Act.

"Prescribed" means prescribed by general rules made in pursuance of this Act; and

"Court" means any of her Majesty's superior courts of law or equity at Westminster, or any court to which the jurisdiction of such courts may be transferred, or any one or more of such courts which may be declared to be the court for the purposes of this Act by such general rules as aforesaid; but the provisions of this Act conferring a special jurisdiction on the court as above defined shall not, excepting so far as such jurisdiction extends, affect the jurisdiction of any court in Scotland or Ireland in causes, actions, suits, or proceedings relating to trade marks; and if the register requires to be rectified in consequence of any proceedings in any such court in Scotland or Ireland, due notice of such requirements shall be given to the registrar, and he shall rectify the register accordingly.

Short title of Act.

11. This Act may be cited for all purposes as the Trade Marks Registration Act, 1875.

---

## THE TRADE MARKS REGISTRATION AMENDMENT ACT, 1876.

### 39 & 40 Vict. c. 33.

*An Act for the Amendment of the Trade Marks Registration Act, 1875.* [*24th July*, 1876.]

Whereas by the Trade Marks Registration Act, 1875, in this Act referred to as the principal Act, it is provided that from and after the first day of July one thousand eight hundred and seventy-six, a person shall not be entitled to prevent the infringement of any trade mark as defined by the principal Act until and unless such trade mark is registered in pursuance of that Act:

And whereas by reason of the number of trade marks, and especially by reason of the difficulties attending the registration of trade marks in relation to textile fabrics, it has been found impossible to complete the registration of existing trade marks within the time specified by the said section; and it is therefore expedient to prolong the time for the completion of such registration as aforesaid, and otherwise to amend the principal Act:

Be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of sect. 1 of

1. There shall be repealed so much of § 1 of the principal Act as provides that from and after the first day of July one thousand eight

hundred and seventy-six, a person shall not be entitled to institute any proceeding to prevent the infringement of any trade mark as defined by that Act until and unless such trade mark is registered in pursuance of that Act; and in place thereof be it enacted that— the principal Act.

From and after the first day of July one thousand eight hundred and seventy-seven, a person shall not be entitled to institute any proceeding to prevent or to recover damages for the infringement of any trade mark as defined by the principal Act, until and unless such trade mark is registered in pursuance of that Act, or until and unless, with respect to any device, mark, name, combination of words, or other matter or thing in use as a trade mark before the passing of the principal Act, registration thereof as a trade mark under the principal Act shall have been refused as hereinafter is mentioned.

2. When an application by any person to register as a trade mark a device, mark, name, word, combination of words, or other matter or thing proposed for registration as a trade mark, which has been in use as a trade mark before the passing of the recited Act, has been refused, it shall be the duty of the registrar, on request, and on payment of the prescribed fee, to give to the applicant a certificate of such refusal, and a certificate so granted shall be conclusive evidence of such refusal. Saving of marks and devices not capable of being registered under Act.

3. This Act may be cited for all purposes as the Trade Marks Registration Amendment Act, 1876. Short title.

---

## THE TRADE MARKS REGISTRATION EXTENSION ACT, 1877.

40 & 41 Vict. c. 37.

*An Act for extending the Time for the Registration of Trade Marks, in so far as relates to Trade Marks used in Textile Industries.*

[6th August, 1877.]

Whereas by § 1 of the Trade Marks Registration Amendment Act, 1876, it is provided that from and after the first day of July one thousand eight hundred and seventy-seven, a person shall not be entitled to institute any proceeding to prevent or to recover damages for the infringement of any trade mark as defined by the Trade Marks Registration Act, 1875 (referred to in such Amendment Act and in this Act as the principal Act), until and unless such trade mark is registered in pursuance of the principal Act, or until and unless, with respect to any device, mark, name, combination of words, or other matter or thing in use as a trade mark before the passing of the principal Act, registration thereof as a trade mark under the principal Act shall have been refused, as is in the said Act thereafter mentioned: 39 & 40 Vict. c. 33. 38 & 39 Vict. c. 91.

And whereas by reason of the difficulties attending the registration of trade marks used in the textile industries it has been found impossible to complete the registration of such trade marks within the time specified by the said section, and it is therefore expedient to prolong such time as aforesaid:

Be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of time for registration of trade marks used in textile industries.

1. In so far as relates to the registration of trade marks used in the textile industries, but not further or otherwise, § 1 of the Trade Marks Registration Amendment Act, 1876, shall be construed as if for the words "from and after the first day of July one thousand eight hundred and seventy-seven" there were substituted the words "from and after the first day of January one thousand eight hundred and seventy-eight, or such further time as her Majesty may by Order in Council determine."

Definition of "trade marks used in the textile industries."

2. The expression in this Act "Trade marks used in the textile industries" means the trade marks relating to goods comprised in Classes 23 to 35, both inclusive, of the First Schedule to the Rules under the Trade Marks Registration Acts, 1875, 1876, dated September, 1876.

Short title of Act.

3. This Act may be cited for all purposes as the Trade Marks Registration Extension Act, 1877; and this Act and the Trade Marks Registration Amendment Act, 1876, and the Trade Marks Registration Act, 1875, may be cited together as the Trade Marks Registration Acts, 1875—1877.

---

# ORDERS IN COUNCIL

## EXTENDING THE TIME FOR REGISTRATION.

| | | | |
|---|---|---|---|
| Dec. 12th, 1877, | extension till | June 30th, 1878 | (*a*). |
| June 29th, 1878, | ,, | ,, Dec. 31st, 1878 | (*a*). |
| Nov. 27th, 1878, | ,, | ,, May 31st, 1879 | (*b*). |
| May 17th, 1879, | ,, | ,, July 31st, 1879 | (*b*). |

(*a*) These orders related only to trade marks used in the textile industries.
(*b*) These orders related only to trade marks used for cotton piece goods.

# APPENDIX D.

## THE PATENTS, DESIGNS, AND TRADE MARKS ACTS, 1883—1902 (SO FAR AS RELATES TO TRADE MARKS), CONSOLIDATED.

(*Nearly all repealed. See Schedule to T. M. A.* 1905, *p.* 51.)

---

## THE PATENTS, DESIGNS, AND TRADE MARKS ACT, 1883 (*a*).

46 & 47 Vict. c. 57.

*An Act to amend and consolidate the Law relating to Patents for Inventions, Registration of Designs, and of Trade Marks.*

[25th August, 1883.]

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

(*a*) The amending Acts are as follows:—
The Patents, Designs, and Trade Marks (Amendment) Act, 1885 (48 & 49 Vict. c. 63).
The Patents Act, 1886 (49 & 50 Vict. c. 37).
The Patents, Designs, and Trade Marks Act, 1888 (51 & 52 Vict. c. 50).
The Patents Act, 1901 (1 Edw. VII. c. 48).
The Patents Act, 1902 (2 Edw. VII. c. 34).
Of such Acts those passed in 1886 and 1901 do not affect trade marks at all, and those of 1885 and 1902 only do so in one or two small details.
The parts of the principal Act which have been expunged by the later Acts are printed in italics, and the provisions which have been introduced are printed in brackets.

---

### PART I.

### Preliminary.

Part I. Preliminary.

1. This Act may be cited as the Patents, Designs, and Trade Marks Act, 1883. Short title.

2. This Act is divided into parts, as follows:— Division of Act into parts.
Part I.—Preliminary.
Part II.—Patents.
Part III.—Designs.
Part IV.—Trade Marks.
Part V.—General.

Commencement of Act.

3. This Act, except where it is otherwise expressed, shall commence from and immediately after the thirty-first day of December, one thousand eight hundred and eighty-three (*a*).

(*a*) The Act of 1883, except where otherwise provided, commenced on the 1st January, 1884 (§ 28).

## PART II. (Sects. 4—46.)

### Patents.

## PART III. (Sects. 47—61.)

### Designs.

## PART IV.

### Trade Marks.

#### *Registration of Trade Marks.*

Application for registration.

See T. M. A. 1905, ss. 12, 59.

62.—(1.) The comptroller may, on application by or on behalf of any person claiming to be the proprietor of a trade mark, register the trade mark.

(2.) The application must be made in the form set forth in the first schedule to this Act, or in such other form as may be from time to time prescribed, and must be left at, or sent by post to *the Patent Office in the prescribed manner* [such place and in such manner as may be prescribed].

(3.) The application must be accompanied by the prescribed number of representations of the trade mark, and must state the particular goods or classes of goods in connection with which the applicant desires the trade mark to be registered.

(4.) The comptroller may, if he thinks fit, refuse to register a trade mark; but any such refusal shall be subject to appeal to the Board of Trade, who shall, if required, hear the applicant and the comptroller, and may make an order determining whether, and subject to what conditions, if any, registration is to be permitted.

(5.) The Board of Trade may, however, if it appears expedient, refer the appeal to the Court; and in that event the Court shall have jurisdiction to hear and determine the appeal, and may make such order as aforesaid.

[(6.) Where an applicant for the registration of a trade mark otherwise than under an International Convention is out of the United Kingdom at the time of making the application, he shall give the comptroller an address for service in the United Kingdom, and if he

fails to do so the application shall not be proceeded with until the address has been given.]

The amendments in this section were made by § 8 of the Act of 1888.

Limit of time for proceeding with application. **See T. M. A. 1905, s. 18.**

63. Where registration of a trade mark has not been or shall not be completed within twelve months from the date of the application, by reason of default on the part of the applicant, *the application shall be deemed to be abandoned* (*a*) [the comptroller shall give notice of the non-completion to the agent employed on behalf of the applicant, and if at the expiration of fourteen days from that notice the registration is not completed, shall give the like notice to the applicant, and if at the expiration of the latter fourteen days, or such further time as the comptroller may in special cases permit, the registration is not completed, the application shall be deemed to be abandoned].

(*a*) This provision was first made by the edition of March, 1883, of the Rules under the old Acts. The amendments in this section were made by § 9 of the Act of 1888.

Conditions of registration of trade mark. **See T. M. A. 1905, ss. 9, 15.**

64.—(1.) *For the purposes of this Act, a trade mark must consist of or contain at least one of the following essential particulars:*

(a.) *A name of an individual or firm printed, impressed, or woven in some particular and distinctive manner; or*

(b.) *A written signature or copy of a written signature of the individual or firm applying for registration thereof as a trade mark; or*

(c.) *A distinctive device, mark, brand, heading, label, ticket, or fancy word or words not in common use.*

(2.) *There may be added to any one or more of these particulars any letters, words or figures, or combination of letters, words or figures, or of any of them.*

(3.) *Provided that any special and distinctive word or words, letter, figure, or combination of letters or figures or of letters and figures used as a trade mark before the thirteenth day of August, one thousand eight hundred and seventy-five, may be registered as a trade mark under this part of this Act.*

[64.—(1.) For the purposes of this Act, a trade mark must consist of or contain at least one of the following essential particulars:

(a.) A name of an individual or firm printed, impressed, or woven in some particular and distinctive manner; or

(b.) A written signature or copy of a written signature of the individual or firm applying for registration thereof as a trade mark; or

(c.) A distinctive device, mark, brand, heading, label, or ticket; or

(d.) An invented word or invented words; or

(e.) A word or words having no reference to the character or quality of the goods, and not being a geographical name.

(2.) There may be added to any one or more of the essential particulars mentioned in this section any letters, words, or figures, or combination of letters, words, or figures, or of any of them; but the

applicant for registration of any such additional matter must state in his application the essential particulars of the trade mark, and must disclaim in his application any right to the exclusive use of the added matter, and a copy of the statement and disclaimer shall be entered on the register.

(3.) Provided as follows:

(i.) A person need not under this section disclaim his own name or the foreign equivalent thereof, or his place of business; but no entry of any such name shall affect the right of any owner of the same name to use that name or the foreign equivalent thereof:

(ii.) Any special and distinctive word or words, letter, figure, or combination of letters or figures, or of letters and figures, used as a trade mark before the thirteenth day of August, one thousand eight hundred and seventy-five, may be registered as a trade mark under this part of this Act.]

This section is enlarged from § 10 of the Act of 1875. The amendments in this section were made by § 10 of the Act of 1888.

Connection of trade mark with goods.

**See T. M. A. 1905, s. 8.**

65. A trade mark must be registered for particular goods or classes of goods.

This came from § 2 of the Trade Marks Registration Act, 1875.

Registration of a series of marks.

**See T. M. A. 1905, s. 26.**

66. When a person claiming to be the proprietor of several trade marks which, while resembling each other in the material particulars thereof, yet differ in respect of (a) the statement of the goods for which they are respectively used or proposed to be used, or (b) statements of numbers, or (c) statements of price, or (d) statements of quality, or (e) statements of names of places, seeks to register such trade marks, they may be registered as a series in one registration. A series of trade marks shall be assignable and transmissible only as a whole, but for all other purposes each of the trade marks composing a series shall be deemed and treated as registered separately.

This section was entirely new.

Trade marks may be registered in any colour.

**See T. M. A. 1905, s. 10.**

67. A trade mark may be registered in any colour [or colours], and such registration shall (subject to the provisions of this Act) confer on the registered owner the exclusive right to use the same in that or any other colour [or colours].

The amendments in this section were made by § 11 of the Act of 1888.

Advertisement of application.

**See T. M. A. 1905, s. 13.**

68. Every application for registration of a trade mark under this part of this Act shall as soon as may be after its receipt be advertised by the comptroller, [unless the comptroller refuse to entertain the application].

The amendments in this section were made by § 12 of the Act of 1888.

69.—(1.) Any person may within *two months* [one month or such further time, not exceeding three months, as the comptroller may allow] of the *first* advertisement of the application, give notice in duplicate at the Patent Office of opposition to registration of the trade mark, and the comptroller shall send one copy of such notice to the applicant. Opposition to registration. See T. M. A. 1905, ss. 14, 59.

(2.) Within *two months* [one month] after receipt of such notice or such further time as the comptroller may allow, the applicant may send to the comptroller a counter-statement in duplicate of the grounds on which he relies for his application, and if he does not do so, shall be deemed to have abandoned his application.

(3.) *If the applicant sends such counter-statement, the comptroller shall furnish a copy thereof to the person who gave notice of opposition, and shall require him to give security in such manner and to such amount as the comptroller may require for such costs as may be awarded in respect of such opposition; and if such security is not given within fourteen days after such requirement was made or such further time as the comptroller may allow, the opposition shall be deemed to be withdrawn.*

(4.) *If the person who gave notice of opposition duly gives such security as aforesaid, the comptroller shall inform the applicant thereof in writing, and thereupon the case shall be deemed to stand for the determination of the Court.*

[(3.) If the applicant sends such counter-statement, the comptroller shall furnish a copy thereof to the person who gave notice of opposition, and shall, after hearing the applicant and the opponent, if so required, decide whether the trade mark is to be registered; but his decision shall be subject to appeal to the Board of Trade, who shall, if required, hear the applicant and the opponent and the comptroller, and may make an order determining whether, and subject to what conditions (*if any*), registration is to be permitted.

(4.) The Board of Trade may, however, if it appears expedient, refer the appeal to the Court, and in that event the Court shall have jurisdiction to hear and determine the appeal, and may make such order as aforesaid.

(5.) If the applicant abandons his application after notice of opposition in pursuance of this section, he shall be liable to pay to the opponent such costs in respects of the opposition as the comptroller may determine to be reasonable.

(6.) Where the opponent is out of the United Kingdom he shall give the comptroller an address for service in the United Kingdom.]

This section came from the old rules. The amendments were made by § 13 of the Act of 1888.

70. A trade mark, when registered, shall be assigned and transmitted only in connection with the goodwill of the business concerned in the particular goods or classes of goods for which it has been registered, and shall be determinable with that goodwill. Assignment and transmission of trade mark. See T. M. A. 1905, s. 22.

This section came from § 2 of the Act of 1875.

71. Where each of several persons claims to be registered as proprietor of the same trade mark, the comptroller may refuse to register Conflicting claims to registration.

See T. M. A. 1905, s. 20.

any of them until their rights have been determined according to law, and the comptroller may himself submit or require the claimants to submit their rights to the Court.

This section came from § 5 of the Act of 1875.

Restrictions on registration.

See T. M. A. 1905, s. 19.

72.—(1.) Except where the Court has decided that two or more persons are entitled to be registered as proprietors of the same trade mark, the comptroller shall not register in respect of the same goods or description of goods a trade mark identical with one already on the register with respect to such goods or description of goods.

(2.) [Except as aforesaid] the comptroller shall not register with respect to the same goods or description of goods a trade mark *so nearly resembling* [having such resemblance to] a trade mark already on the register with respect to such goods or description of goods as to be calculated to deceive.

This section came from § 6 of the Act of 1875. The amendments in this section were made by § 14 of the Act of 1888.

Further restriction on registration.

See T. M. A. 1905, s. 11.

73. It shall not be lawful to register as part of or in combination with a trade mark any words the *exclusive* use of which would, by reason of their being calculated to deceive or otherwise, be deemed disentitled to protection in a Court of Justice, or any scandalous design.

This section was taken from § 6 of the Act of 1875, and was amended by § 15 of the Act of 1888.

Saving for power to provide for entry on register of common marks as additions to trade marks.

See T. M. A. 1905, s. 15.

74.—(1.) Nothing in this Act shall be construed to prevent the comptroller entering on the register, in the prescribed manner, and subject to the prescribed conditions, as an addition to any trade mark—

(a.) In the case of an application for registration of a trade mark used before the thirteenth day of August one thousand eight hundred and seventy-five—

Any distinctive device, mark, brand, heading, label, ticket, letter, word, or figure, or combination of letters, words, or figures, though the same is common to the trade in the goods with respect to which the application is made;

(b.) In the case of an application for registration of a trade mark not used before the thirteenth day of August one thousand eight hundred and seventy-five—

Any distinctive word or combination of words, though the same is common to the trade in the goods with respect to which the application is made;

(2.) *The applicant for entry of any such common particular or particulars must, however, disclaim in his application any right to the exclusive use of the same, and a copy of the disclaimer shall be entered on the register.*

[(2.) The applicant for registration of any such addition must, however, state in his application the essential particulars of the trade mark, and must disclaim in his application any right to the exclusive use of the added matter, and a copy of the statement and disclaimer shall be entered on the register.

Provided that a person need not, under this section, disclaim his own name or the foreign equivalent thereof, or his place of business; but no entry of any such name shall affect the right of any owner of the same name to use that name or the foreign equivalent thereof.]

(3.) Any device, mark, brand, heading, label, ticket, letter, word, figure, or combination of letters, words or figures, which was, or were, before the thirteenth day of August, one thousand eight hundred and seventy-five, publicly used by more than three persons on the same or a similar description of goods shall, for the purposes of this section, be deemed common to the trade in such goods.

The amendments in this section were made by § 16 of the Act of 1888.

*Effect of Registration.*

*75. Registration of a trade mark shall be deemed to be equivalent to public use of the trade mark.*

Registration equivalent to public use.
**See T. M. A. 1905, s. 16.**

[Application for registration of a trade mark shall be deemed to be equivalent to public use of the trade mark, and the date of the application shall for the purposes of this Act be deemed to be, and as from the first day of January one thousand eight hundred and seventy-six to have been, the date of the registration.]

The original § 75, for which this section was sub-stituted by § 17 of the Act of 1888, came from § 2 of the Act of 1875.

The last part of this section, as altered, came from Rule 32 of the Rules of 1883, and originally from the old rules.

76. The registration of a person as proprietor of a trade mark shall be *primâ facie* evidence of his right to the exclusive use of the trade mark, and shall, after the expiration of five years from the date of the registration, be conclusive evidence of his right to the exclusive use of the trade mark, subject to the provisions of this Act.

Right of first proprietor to exclusive use of trade mark.
**See T. M. A. 1905, ss. 39, 40.**

This section came from § 3 of the Act of 1875.

77. A person shall not be entitled to institute any proceeding to prevent or to recover damages for the infringement of a trade mark unless, in the case of a trade mark capable of being registered under this Act, it has been registered in pursuance of this Act, or of an enactment repealed by this Act, or, in the case of any other trade mark in use before the thirteenth of August one thousand eight hundred and seventy-five, registration thereof under this part of this Act, or of an enactment repealed by this Act, has been refused. The comptroller may, on request, and on payment of the prescribed fee, grant a certificate that such registration has been refused.

Restrictions on actions for infringement, and on defence to action in certain cases.
**See T. M. A. 1905, s. 42.**

This section came from § 1 of the Act of 1876.

Certificate as to exclusive use and costs thereon.

See T. M. A. 1905, s. 46.

[77A. In an action for infringement of a registered trade mark the Court or a judge may certify that the right to the exclusive use of the trade mark came in question; and if the Court or a judge so certifies, then in any subsequent action for infringement the plaintiff in that action, on obtaining a final order or judgment in his favour, shall have his full costs, charges, and expenses as between solicitor and client, unless the Court or judge trying the subsequent action certifies that he ought not to have the same.]

This section was introduced by § 18 of the Act of 1883.

*Register of Trade Marks.*

Register of trade marks.

See T. M. A. 1905, s. 4.

78. There shall be kept at the Patent Office a book called the Register of Trade Marks, wherein shall be entered the names and addresses of proprietors of registered trade marks, notifications of assignments and of transmissions of trade marks, and such other matters as may be from time to time prescribed.

Removal of trade mark after fourteen years unless fee paid.

See T. M. A. 1905, ss. 28—31.

79.—(1.) At a time not being less than two months nor more than three months before the expiration of fourteen years from the date of the registration of a trade mark, the comptroller shall send notice to the registered proprietor that the trade mark will be removed from the register unless the proprietor pays to the comptroller before the expiration of such fourteen years (naming the date at which the same will expire) the prescribed fee; and if such fee be not previously paid, he shall at the expiration of one month from the date of the giving of the first notice send a second notice to the same effect.

(2.) If such fee be not paid before the expiration of such fourteen years the comptroller may after the end of three months from the expiration of such fourteen years remove the mark from the register, and so from time to time at the expiration of every period of fourteen years.

(3.) If before the expiration of the said three months the registered proprietor pays the said fee together with the additional prescribed fee, the comptroller may, without removing such trade mark from the register, accept the said fee as if it had been paid before the expiration of the said fourteen years.

(4.) Where after the said three months a trade mark has been removed from the register for non-payment of the prescribed fee, the comptroller may, if satisfied that it is just so to do, restore such trade mark to the register on payment of the prescribed additional fee.

(5.) Where a trade mark has been removed from the register for non-payment of the fee or otherwise, such trade mark shall nevertheless, for the purpose of any application for registration during *the five years* [one year] next after the date of such removal, be deemed to be a trade mark which is already registered [unless it is shown to the satisfaction of the comptroller that the non-payment of the fee arises from the death or bankruptcy of the registered proprietor, or from his having ceased to carry on business, and that no person claiming under that proprietor or under his bankruptcy is using the trade mark].

This section came from the old rules. The amendments were made by § 19 of the Act of 1888.

*Fees.*

Fees for registration, &c. **See T. M. A. 1905, s. 61.**

80. There shall be paid in respect of applications and registration and other matters under this part of this Act, such fees as may be from time to time, with the sanction of the Treasury, prescribed by the Board of Trade; and such fees shall be levied and paid to the account of her Majesty's Exchequer in such manner as the Treasury may from time to time direct.

*Sheffield Marks.*

Registration by Cutlers' Company of Sheffield marks. **See T. M. A. 1905, s. 63.**

81. With respect to the Master, wardens, searchers, assistants, and commonalty of the Company of Cutlers in Hallamshire, in the county of York (in this Act called the Cutlers' Company), and the marks or devices (in this Act called Sheffield marks) assigned or registered by the Master, wardens, searchers, and assistants of that Company, the following provisions shall have effect:—

(1.) The Cutlers' Company shall establish and keep at Sheffield a new register of trade marks (in this Act called the Sheffield register):

(2.) *The Cutlers' Company shall enter in the Sheffield register, in respect of cutlery, edge tools, or raw steel, and the goods mentioned in the next sub section, all the trade marks entered before the commencement of this Act in respect of cutlery, edge tools, or raw steel and such goods in the register established under the Trade Marks Registration Act, 1875, belonging to persons carrying on business in Hallamshire, or within six miles thereof, and shall also enter in such register, in respect of the same goods, all the trade marks which shall have been assigned by the Cutlers' Company and actually used before the commencement of this Act, but which have not been entered in the register established under the Trade Marks Registration Act, 1875.*

[(2.) The Cutlers' Company shall enter in the Sheffield register, in respect of metal goods as defined in this section, all the trade marks entered before the first day of January one thousand eight hundred and eighty-nine, in respect of metal goods, either in the register established under the Trade Marks Registration Act, 1875, or in the register of trade marks under this Act, belonging to persons carrying on business in Hallamshire or within six miles thereof. The Cutlers' Company shall also, on request made in the prescribed manner, enter in the Sheffield register, in respect of metal goods, all the trade marks which shall have been assigned by the Cutlers' Company and actually used before the first day of January one thousand eight hundred and eighty-four, but which have not been entered in either of the said registers.]

(3.) An application for registration of a trade mark used *on cutlery, edge tools, or on raw steel, or on goods made of steel, or of steel and iron combined, whether with or without a cutting edge,* [on metal goods] shall, if made after the commencement of this Act by a person carrying on business in Hallamshire, or within six miles thereof, be made to the Cutlers' Company.

(4.) Every application so made to the Cutlers' Company shall be notified to the comptroller in the prescribed manner, and unless the comptroller within the prescribed time gives notice to the Cutlers' Company that he objects to the acceptance of the application, it shall be proceeded with by the Cutlers' Company in the prescribed manner:

(5.) If the comptroller gives notice of objection as aforesaid, the application shall not be proceeded with by the Cutlers' Company, but any person aggrieved may appeal to the Court:

(6.) Upon the registration of a trade mark in the Sheffield register the Cutlers' Company shall give notice thereof to the comptroller, who shall thereupon enter the mark in the register of trade marks; and such registration shall bear date as of the day of application to the Cutlers' Company, and have the same effect as if the application had been made to the comptroller on that day:

(7.) *The provisions of this Act, and of any general rules made under this Act, with respect to application for registration in the register of trade marks, the effect of such registration, and the assignment and transmission of rights in a registered trade mark, shall apply in the case of applications and registration in the Sheffield register; and notice of every entry made in the Sheffield register must be given to the comptroller by the Cutlers' Company, save and except that the provisions of this sub-section shall not prejudice or affect any life estate and interest of a widow of the holder of any Sheffield mark which may be in force in respect of such mark at the time when it shall be placed upon the Sheffield register:*

[(7.) The provisions of this Act, and of any general rules made under this Act, with respect to the registration of trade marks, and all matters relating thereto, shall, subject to the provisions of this section, apply to the registration of trade marks on metal goods by the Cutlers' Company, and to all matters relating thereto; and this Act, and any such general rules shall, so far as applicable, be construed accordingly, with the substitution of the Cutlers' Company, the office of the Cutlers' Company, and the Sheffield register, for the comptroller, the Patent Office, and the register of trade marks respectively; and notice of every entry, cancellation, or correction made in the Sheffield register shall be given to the comptroller by the Cutlers' Company: provided that this section shall not affect any life estate and interest of a widow of the holder of any Sheffield mark which may be in force in respect of such mark at the time when it shall be placed upon the Sheffield register.]

(8.) Where the comptroller receives from any person not carrying on business in Hallamshire or within six miles thereof an application for registration of a trade mark used on *cutlery, edge tools, or on raw steel, or on goods made of steel, or of steel and iron combined, whether with or without cutting edge*, [on metal goods] he shall in the prescribed manner notify the application and proceedings thereon to the Cutlers' Company:

(9.) At the expiration of five years from the commencement of this Act the Cutlers' Company shall close the Cutlers' register of corporate trade marks, and thereupon all marks entered therein shall, unless entered in the Sheffield register, be deemed to have been abandoned:

(10.) A person may (notwithstanding anything in any Act relating to the Cutlers' Company) be registered in the Sheffield register as proprietor of two or more trade marks:

(11.) A body of persons, corporate or not corporate, may (notwithstanding anything in any Act relating to the Cutlers' Company) be registered in the Sheffield register as proprietor of a trade mark or trade marks:

(12.) Any person aggrieved by a decision of the Cutlers' Company in respect of anything done or omitted under this Act may, in the prescribed manner appeal to the comptroller, who shall have power to confirm, reverse, or modify the decision, but the decision of the comptroller shall be subject to a further appeal to the Court:

(13.) So much of the Cutlers' Company's Acts as applies to the summary punishment of persons counterfeiting Sheffield corporate marks, that is to say, the fifth section of the Cutlers' Company's Act of 1814, and the provisions in relation to the recovery and application of the penalty imposed by such last-mentioned section contained in the Cutlers' Company's Act of 1791, shall apply to any mark entered in the Sheffield register.

[(14.) For the purposes of this section, the expression "metal goods" means all metals whether wrought, unwrought, or partly wrought, and all goods composed wholly or partly of any metal.

(15.) For the purpose of legal proceedings in relation to trade marks entered in the Sheffield register a certificate under the hand of the Master of the Cutlers' Company shall have the same effect as the certificate of the comptroller.]

The amendments in this section were made by § 20 of the Act of 1888.

---

## PART V.

### GENERAL.

### *Patent Office and Proceedings thereat.*

Patent Office. (*Unrepealed.*)

82.—(1.) The Treasury may provide for the purposes of this Act an office with all requisite buildings and conveniences, which shall be called, and is in this Act referred to as, the Patent Office:

(2.) Until a new Patent Office is provided, the offices of the Commissioners of Patents of inventions and for the registration of designs and trade marks existing at the commencement of this Act shall be the Patent Office within the meaning of this Act.

(3.) The Patent Office shall be under the immediate control of an officer called the comptroller general of patents, designs, and trade marks, who shall act under the superintendence and direction of the Board of Trade.

(4.) Any act or thing directed to be done by or to the comptroller may, *in his absence*, be done by or to any officer for the time being in that behalf authorised by the Board of Trade.

The words in *italics* were expunged by the Act of 1902, s. 1.

Officers and clerks. (*Unrepealed.*)

83.—(1.) The Board of Trade may at any time after the passing of this Act, and from time to time, subject to the approval of the Treasury, appoint the comptroller-general of patents, designs, and trade marks, and so many examiners and other officers and clerks, with such designations and duties as the Board of Trade think fit, and may from time to time remove any of those officers and clerks.

(2.) The salaries of those officers and clerks shall be appointed by the Board of Trade, with the concurrence of the Treasury, and the same and the other expenses of the execution of this Act shall be paid out of money provided by Parliament.

Seal of Patent Office. (*Unrepealed.*)

84. There shall be a seal for the Patent Office, and impressions thereof shall be judicially noticed and admitted in evidence.

Trust not to be entered in registers.

85. There shall not be entered in any register kept under this Act, or be receivable by the comptroller, any notice of any trust expressed, implied or constructive.

**See T. M. A. 1905, s. 5.**

This section, so far as it relates to trade marks, came from the old rules.

Refusal to grant patent, &c. in certain cases.

86. The comptroller may refuse to grant a patent for an invention, or to register a design or trade mark, of which the use would, in his opinion, be contrary to law or morality.

**See T. M. A. 1905, s. 11.**

Entry of assignments and transmissions in registers.

**See T. M. A. 1905, ss. 33, 38.**

87. Where a person becomes entitled by assignment, transmission, or other operation of law to a patent, or to the copyright in a registered design, or to a registered trade mark, the comptroller shall on request, and on proof of title to his satisfaction, cause the name of such person to be entered as proprietor of the patent, copyright in the design, or trade mark, in the register of patents, designs, or trade marks, as the case may be. The person for the time being entered in the register of patents, designs, or trade marks, as proprietor of a patent, copyright in a design, or trade mark, as the case may be, shall, subject to [the provisions of this Act and to] any rights appearing from such register to be vested in any other person, have power absolutely to assign, grant licences as to, or otherwise deal with, the same, and to give effectual receipts for any consideration for such assignment, licence, or dealing. *Provided that* any equities in respect of such patent, design, or trade mark may be enforced in like manner as in respect of any other personal property.

The amendment in this section was made by § 21 of the Act of 1888.

Inspection of and extracts from registers.

88. Every register kept under this Act shall at all convenient times be open to the inspection of the public, subject to [the provisions of

this Act and to] such regulations as may be prescribed; and certified copies, sealed with the seal of the Patent Office, of any entry in any such register shall be given to any person requiring the same on payment of the prescribed fee.

See T. M. A. 1905, s. 7.

This section came from the old rules.
The amendment in this section was made by § 22 of the Act of 1888.

Sealed copies to be received in evidence.

89. Printed or written copies or extracts, purporting to be certified by the comptroller and sealed with the seal of the Patent Office, of or from patents, specifications, disclaimers and other documents in the Patent Office, and of or from registers and other books kept there, shall be admitted in evidence in all courts in her Majesty's dominions, and in all proceedings, without further proof or production of the originals.

See T. M. A. 1905, s. 50.

Rectification of registers by Court.

90.—(1.) The Court may on the application of any person aggrieved by the omission without sufficient cause of the name of any person [or of any other particulars] from any register kept under this Act, or by any entry made without sufficient cause in any such register, make such order for making, expunging, or varying the entry, as the Court thinks fit; or the Court may refuse the application; and in either case may make such order with respect to the costs of the proceedings as the Court thinks fit.

See T. M. A. 1905, ss. 35, 37.

(2.) The Court may, in any proceeding under this section, decide any question that it may be necessary or expedient to decide for the rectification of a register, and may direct an issue to be tried for the decision of any question of fact, and may award damages to the party aggrieved.

(3.) Any order of the Court rectifying a register shall direct that due notice of the rectification be given to the comptroller.

This section came from § 5 of the Act of 1875. The amendment was made by § 23 of the Act of 1888.

Power for comptroller to correct clerical errors.

91. The comptroller may, on request in writing, accompanied by the prescribed fee,—

See T. M. A. 1905, s. 32.

(a.) Correct any clerical error in or in connection with an application for a patent, or for registration of a design or trade mark; or

(b.) Correct any clerical error in the name, style or address of the registered proprietor of a patent, design, or trade mark.

(c.) Cancel the entry or part of the entry of a trade mark on the register: Provided that the applicant accompanies his request by a statutory declaration made by himself, stating his name, address, and calling, and that he is the person whose name appears on the register as the proprietor of the said trade mark.

[(d.) Permit an applicant for registration of a design or trade mark to amend his application by omitting any particular goods or classes of goods in connection with which he has desired the design or trade mark to be registered.]

The amendment in this section was made by § 21 of the Act of 1888.

Alteration of registered mark.

See T. M. A. 1905, s. 34.

92.—(1.) The registered proprietor of any registered trade mark may apply to the Court for leave to add to or alter such mark in any particular, not being an essential particular within the meaning of this Act, and the Court may refuse or grant leave on such terms as it may think fit.

(2.) Notice of any intended application to the Court under this section shall be given to the comptroller by the applicant; and the comptroller shall be entitled to be heard on the application.

(3.) If the Court grants leave, the comptroller shall, on proof thereof and on payment of the prescribed fee, cause the register to be altered in conformity with the order of leave.

This section was taken from the old rules.

Falsification of entries in registers.

See T. M. A. 1905, s. 66.

93. If any person makes or causes to be made a false entry in any register kept under this Act, or a writing falsely purporting to be a copy of an entry in any such register, or produces or tenders, or causes to be produced or tendered, in evidence any such writing, knowing the entry or writing to be false, he shall be guilty of a misdemeanour.

Exercise of discretionary power by comptroller.

See T. M. A. 1905, s. 53.

94. Where any discretionary power is by this Act given to the comptroller, he shall not exercise that power adversely to the applicant for a patent, or for amendment of a specification, or for registration of a trade mark or design, without (if so required within the prescribed time by the applicant) giving the applicant an opportunity of being heard personally or by his agent.

Power of comptroller to take directions of law officers.

See T. M. A. 1905, s. 56.

95. The comptroller may, in any case of doubt or difficulty arising in the administration of any of the provisions of this Act, apply to either of the law officers for directions in the matter.

Certificate of comptroller to be evidence.

See T. M. A. 1905, s. 51.

96. A certificate purporting to be under the hand of the comptroller as to any entry, matter, or thing which he is authorised by this Act, or any general rules made thereunder, to make or do, shall be *primâ facie* evidence of the entry having been made, and of the contents thereof, and of the matter or thing having been done or left undone.

This section was somewhat modified from § 8 of the Act of 1875.

Applications and notices by post.

97.—(1.) Any application, notice or other document authorised or required to be left, made, or given at the Patent Office or to the comptroller, or to any other person under this Act, may be sent by a prepaid letter through the post; and if so sent shall be deemed to have been left, made, or given respectively at the time when the letter containing the same would be delivered in the ordinary course of post.

(2.) In proving such service or sending, it shall be sufficient to prove that the letter was properly addressed and put into the post.

Provision as to days for leaving documents at office.

98. Whenever the last day fixed by this Act, or by any rule for the time being in force, for leaving any document or paying any fee at the Patent Office, shall fall on Christmas Day, Good Friday, or on a Saturday or Sunday, or any day observed as a holiday at the Bank of England, or any day observed as a day of public fast or thanksgiving, herein referred to as excluded days, it shall be lawful to leave such document or to pay such fee on the day next following such excluded day, or days if two or more of them occur consecutively.

Declaration by infant, lunatic, &c.

99. If any person is, by reason of infancy, lunacy or other inability, incapable of making any declaration or doing anything required or permitted by this Act or by any rules made under the authority of this Act, then the guardian or committee (if any) of such incapable person, or if there be none, any person appointed by any court or judge possessing jurisdiction in respect of the property of incapable persons, upon the petition of any person on behalf of such incapable person, or of any other person interested in the making such declaration or doing such thing, may make such declaration or a declaration as nearly corresponding thereto as circumstances permit, and do such thing in the name and on behalf of such incapable person, and all acts done by such substitute shall for the purposes of this Act be as effectual as if done by the person for whom he is substituted.

This section, so far as it relates to trade marks, came from the old rules.

Transmission of certified printed copies of specifications, &c. *(Unrepealed.)*

100. Copies of all specifications, drawings, and amendments left at the Patent Office after the commencement of this Act, printed for and sealed with the seal of the Patent Office, shall be transmitted to the Edinburgh Museum of Science and Art, and to the Enrolments Office of the Chancery Division in Ireland, and to the Rolls Office in the Isle of Man, within twenty-one days after the same shall respectively have been accepted or allowed at the Patent Office; and certified copies of or extracts from any such documents shall be given to any person requiring the same on payment of the prescribed fee; and any such copy or extract shall be admitted in evidence in all courts in Scotland and Ireland and in the Isle of Man without further proof or production of the originals.

Power for Board of Trade to make general rules for classifying goods and regulating business of Patent Office. **See T. M. A. 1905, s. 60.**

101.—(1.) The Board of Trade may from time to time make such general rules and do such things as they think expedient, subject to the provisions of this Act—

(a.) For regulating the practice of registration under this Act:

(b.) For classifying goods for the purposes of designs and trade marks:

(c.) For making or requiring duplicates of specifications, amendments, drawings, and other documents:

(d.) For securing and regulating the publishing and selling of copies, at such prices and in such manner as the Board of Trade think fit, of specifications, drawings, amendments, and other documents:

(e.) For securing and regulating the making, printing, publishing, and selling of indexes to, and abridgments of, specifications and other documents in the Patent Office; and providing for the inspection of indexes and abridgments and other documents:

(f.) For regulating (with the approval of the Treasury) the presentation of copies of Patent Office publications to patentees and to public authorities, bodies, and institutions at home and abroad:

(g.) Generally for regulating the business of the Patent Office, and all things by this Act placed under the direction or control of the comptroller or of the Board of Trade.

(2.) Any of the forms in the First Schedule to this Act may be altered or amended by the rules made by the Board as aforesaid.

(3.) General rules may be made under this section at any time after the passing of this Act, but not so as to take effect before the commencement of this Act, and shall (subject as hereinafter mentioned) be of the same effect as if they were contained in this Act, and shall be judicially noticed.

(4.) Any rules made in pursuance of this section shall be laid before both Houses of Parliament, if Parliament be in session at the time of making thereof, or, if not, then as soon as practicable after the beginning of the then next session of Parliament, and they shall also be advertised twice in the official journal to be issued by the comptroller.

(5.) If either House of Parliament, within the next forty days after any rules have been so laid before such House, resolve that such rules or any of them ought to be annulled, the same shall after the date of such resolution be of no effect, without prejudice to the validity of anything done in the meantime under such rules or rule or to the making of any new rules or rule.

Annual reports of comptroller.

**See T. M. A. 1905, s. 57.**

102. The comptroller shall, before the first day of June in every year, cause a report respecting the execution by or under him of this Act to be laid before both Houses of Parliament, and therein shall include for the year to which each report relates all general rules made in that year under or for the purposes of this Act, and an account of all fees, salaries and allowances, and other money received and paid under this Act.

Proceedings of Board of Trade.

**See T. M. A. 1905, ss. 52, 58.**

[102A.—(1.) All things required or authorised under this Act to be done by, to, or before the Board of Trade, may be done by, to, or before the President or a secretary or an assistant secretary of the Board.

(2.) All documents purporting to be orders made by the Board of Trade and to be sealed with the seal of the Board, or to be signed by a secretary or assistant secretary of the Board, or by any person authorised in that behalf by the President of the Board, shall be received in evidence, and shall be deemed to be such orders without further proof, unless the contrary is shown.

(3.) A certificate signed by the President of the Board of Trade, that any order made or act done is the order or act of the Board, shall be conclusive evidence of the fact so certified.]

This section was introduced by § 25 of the Act of 1888.

*International and Colonial Arrangements.*

International arrangements for protection of inventions, designs, and trade marks.

(*Unrepealed.*)

**See T. M. A. 1905, s. 65.**

103.—(1.) If her Majesty is pleased to make any arrangement with the government or governments of any foreign state or states for mutual protection of inventions, designs, and trade marks, or any of them, then any person who has applied for protection for any invention, design, or trade mark in any such state, shall be entitled to a patent for his invention or to registration of his design or trade mark (as the case may be) under this Act, in priority to other applicants; and such patent or registration shall have the same date as the *date of the protection obtained* [date of the application] in such foreign state.

Provided that his application is made, in the case of a patent within seven months, and in the case of a design or trade mark within four months, from his applying for protection in the foreign state with which the arrangement is in force.

Provided that nothing in this section contained shall entitle the patentee or proprietor of the design or trade mark to recover damages for infringements happening prior to the date of the actual acceptance of his complete specification, or the actual registration of his design or trade mark in this country, as the case may be.

(2.) The publication in the United Kingdom or the Isle of Man during the respective periods aforesaid of any description of the invention, or the use therein during such periods of the invention, or the exhibition or use therein during such periods of the design, or the publication therein during such periods of a description or representation of the design, or the use therein during such periods of the trade mark, shall not invalidate the patent which may be granted for the invention, or the registration of the design or trade mark:

(3.) The application for the grant of a patent, or the registration of a design, or the registration of a trade mark under this section, must be made in the same manner as an ordinary application under this Act: Provided that, in the case of trade marks, any trade mark the registration of which has been duly applied for in the country of origin may be registered under this Act:

(4.) The provisions of this section shall apply only in the case of those foreign states with respect to which her Majesty shall from time to time by Order in Council declare them to be applicable, and so long only in the case of each state as the Order in Council shall continue in force with respect to that state.

This section was new. The amendment in it was made by § 6 of the Act of 1885. For list of Orders in Council, see Appendix B., p. 161.

Provision for Colonies and India. (*Unrepealed.*) **See T. M. A. 1905, s. 65.**

104.—(1.) Where it is made to appear to her Majesty that the legislature of any British possession has made satisfactory provision for the protection of inventions, designs, and trade marks, patented or registered in this country, it shall be lawful for her Majesty from time to time, by Order in Council, to apply the provisions of the last preceding section, with such variations or additions, if any, as to her Majesty in Council may seem fit, to such British possession.

(2.) An Order in Council under this Act shall, from a date to be mentioned for the purpose in the Order, take effect as if its provisions had been contained in this Act: but it shall be lawful for her Majesty in Council to revoke any Order in Council made under this Act.

For list of Orders in Council, see Appendix B., p. 161.

*Offences.*

Penalty on falsely representing

105.—(1.) Any person who represents that any article sold by him is a patented article, when no patent has been granted for the same, or describes any design or trade mark applied to any article sold by

articles to be patented.

him as registered which is not so, shall be liable for every offence on summary conviction to a fine not exceeding five pounds.

**See T. M. A. 1905, s. 67.**

(2.) A person shall be deemed, for the purposes of this enactment, to represent that an article is patented or a design or a trade mark is registered, if he sells the article with the word "patent," "patented," "registered," or any word or words expressing or implying that a patent or registration has been obtained for the article stamped, engraved, or impressed on, or otherwise applied to, the article.

Penalty on unauthorised assumption of Royal Arms. (*Unrepealed.*)

**See T. M. A. 1905, s. 68.**

106. Any person who, without the authority of His Majesty, or any of the Royal Family, or of any Government department, assumes or uses in connection with any trade, business, calling, or profession, the Royal Arms, or arms so nearly resembling the same as to be calculated to deceive, in such a manner as to be calculated to lead other persons to believe that he is carrying on his trade, business, calling, or profession by or under such authority as aforesaid, shall be liable on summary conviction to a fine not exceeding twenty pounds.

This section was new.

*Scotland, Ireland, &c.*

Saving for Courts in Scotland.

107. In any action for infringement of a patent in Scotland the provisions of this Act, with respect to calling in the aid of an assessor, shall apply, and the action shall be tried without a jury, unless the Court shall otherwise direct, but otherwise nothing shall affect the jurisdiction and forms of process of the Courts in Scotland in such an action or in any action or proceeding respecting a patent hitherto competent to those Courts. For the purposes of this section "Court of Appeal" shall mean any Court to which such action is appealed.

Summary proceedings in Scotland.

**See T. M. A. 1905, s. 72.**

108. In Scotland any offence under this Act declared to be punishable on summary conviction may be prosecuted in the Sheriff Court.

Proceedings for revocation of patent in Scotland.

109.—(1.) Proceedings in Scotland for revocation of a patent shall be in the form of an action of reduction at the instance of the Lord Advocate, or at the instance of a party having interest with his concurrence, which concurrence may be given on just cause shown only.

(2.) Service of all writs and summonses in that action shall be made according to the forms and practice existing at the commencement of this Act

Reservation of remedies in Ireland.

110. All parties shall, notwithstanding anything in this Act, have in Ireland their remedies under or in respect of a patent as if the same had been granted to extend to Ireland only.

General saving for jurisdiction of Courts.

**See T. M. A. 1905, s. 69.**

111.—(1.) The provisions of this Act conferring a special jurisdiction on the Court as defined by this Act, shall not, except so far as the jurisdiction extends, affect the jurisdiction of any Court in Scotland or Ireland in any proceedings relating to patents or to designs or to trade marks: and with reference to any such proceedings in Scotland, the term "the Court" shall mean any Lord Ordinary of the Court of Session, and the term "Court of Appeal" shall mean either Division of the said Court; and with reference to any such proceedings in Ireland, the terms "the Court" and "Court of Appeal" respectively mean the High Court of Justice in Ireland and her Majesty's Court of Appeal in Ireland.

(2.) If any rectification of a register under this Act is required in pursuance of any proceeding in a Court in Scotland or Ireland, a copy of the order, decree, or other authority for the rectification, shall be served on the comptroller, and he shall rectify the register accordingly.

112. This Act shall extend to the Isle of Man, and—

Isle of Man. See T. M. A. 1905. s. 70.

(1.) Nothing in this Act shall affect the jurisdiction of the Courts in the Isle of Man, in proceedings for infringement or in any action or proceeding respecting a patent, design, or trade mark competent to those Courts;

(2.) The punishment for a misdemeanour under this Act in the Isle of Man shall be imprisonment for any term not exceeding two years, with or without hard labour, and with or without a fine not exceeding one hundred pounds, at the discretion of the Court;

(3.) Any offence under this Act committed in the Isle of Man which would in England be punishable on summary conviction may be prosecuted, and any fine in respect thereof recovered at the instance of any person aggrieved, in the manner in which offences punishable on summary conviction may for the time being be prosecuted.

Jurisdiction of Lancashire Palatine Court. See T. M. A. 1905. s. 71.

[112A. The Court of Chancery of the County Palatine of Lancaster shall, with respect to any action or other proceeding in relation to trade marks, the registration whereof is applied for in the Manchester Office, have the like jurisdiction under this Act as her Majesty's High Court of Justice in England, and the expression "the Court" in this Act shall be construed and have effect accordingly.

Provided that every decision of the Court of Chancery of the County Palatine of Lancaster, in pursuance of this section, shall be subject to the like appeal as decisions of that Court in other cases.]

*This section was introduced by sect. 26 of the Act of 1888.*

*Repeal; Transitional Provisions; Savings.*

Repeal and saving for past operation of repealed enactments, &c. See T. M. A. 1905. s. 73.

113. The enactments described in the Third Schedule to this Act are hereby repealed. But this repeal of enactments shall not—

(a.) Affect the past operation of any of those enactments, or any patent or copyright or right to use a trade mark granted or acquired, or application pending, or appointment made, or compensation granted, or order or direction made or given, or right, privilege, obligation, or liability acquired, accrued, or incurred, or anything duly done or suffered under or by any of those enactments before or at the commencement of this Act; or

(b.) Interfere with the institution or prosecution of any action or proceeding, civil or criminal, in respect thereof, and any such proceeding may be carried on as if this Act had not been passed; or

(c.) Take away or abridge any protection or benefit in relation to any such action or proceeding.

Former registers to be deemed continued.

**See T. M. A. 1905, s. 6.**

114.—(1.) The registers of patents and of proprietors kept under any enactment repealed by this Act shall respectively be deemed parts of the same book as the register of patents kept under this Act.

(2.) The registers of designs and of trade marks kept under any enactment repealed by this Act shall respectively be deemed parts of the same book as the register of designs and the register of trade marks kept under this Act.

Saving for existing rules.

**See T. M. A. 1905, s. 73.**

115. All general rules made by the Lord Chancellor or by any other authority under any enactment repealed by this Act, and in force at the commencement of this Act, may at any time after the passing of this Act be repealed, altered, or amended by the Board of Trade, as if they had been made by the Board under this Act, but so that no such repeal, alteration, or amendment shall take effect before the commencement of this Act; and, subject as aforesaid, such general rules shall, so far as they are consistent with and are not superseded by this Act, continue in force as if they had been made by the Board of Trade under this Act.

Saving for prerogative.

116. Nothing in this Act shall take away, abridge, or prejudicially affect the prerogative of the Crown in relation to the granting of any letters patent or to the withholding of a grant thereof.

*General Definitions.*

General definitions.

**See T. M. A. 1905, s. 3.**

117. In and for the purposes of this Act, unless the context otherwise requires,—

"Person" includes a body corporate;

"The Court" means (subject to the provisions for Scotland, Ireland, and the Isle of Man) her Majesty's High Court of Justice in England:

"Law Officer" means her Majesty's Attorney-General or Solicitor-General for England:

"The Treasury" means the Commissioners of her Majesty's Treasury:

"Comptroller" means the Comptroller-General of Patents, Designs, and Trade Marks:

"Prescribed" means prescribed by any of the schedules to this Act, or by general rules under or within the meaning of this Act:

"British possession" means any territory or place situate within her Majesty's dominions, and not being or forming part of the United Kingdom, or of the Channel Islands, or of the Isle of Man; and all territories and places under one legislature, as hereinafter defined, are deemed to be one British possession for the purposes of this Act:

"Legislature" includes any person or persons who exercise legislative authority in the British possession; and where there are local legislatures as well as a central legislature, means the central legislature only.

In the application of this Act to Ireland "summary conviction" means a conviction under the Summary Jurisdiction Acts, that is to say, with reference to the Dublin Metropolitan Police District the Acts regulating the duties of justices of the peace and of the police for such district, and elsewhere in Ireland the Petty Sessions (Ireland) Act, 1851, and any Act amending it.

## SCHEDULES.

### THE FIRST SCHEDULE.

*Forms.*

---

### THE SECOND SCHEDULE.

*Fees on Instruments for obtaining Patents and Renewal.*

---

### THE THIRD SCHEDULE.

*Enactments Repealed.*

| | | | | |
|---|---|---|---|---|
| • | • | • | • | • |

38 & 39 Vict. c. 91 (1875).—The Trade Marks Registration Act, 1875.

39 & 40 Vict. c. 33 (1876).—The Trade Marks Registration Amendment Act, 1876.

40 & 41 Vict. c. 37 (1877).—The Trade Marks Registration Extension Act, 1877.

# APPENDIX E.

## THE INTERPRETATION ACT, 1889.

52 & 53 Vict. c. 63.

*An Act for consolidating enactments relating to the Construction of Acts of Parliament and for further shortening the Language used in Acts of Parliament.* [30th August, 1889.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

*Re-enactment of existing Rules.*

Rules as to gender and number.

1.—(1.) In this Act and in every Act passed after the year one thousand eight hundred and fifty, whether before or after the commencement of this Act, unless the contrary intention appears,—

(a.) words importing the masculine gender shall include females; and

(b.) words in the singular shall include the plural, and words in the plural shall include the singular.

(2.) The same rules shall be observed in the construction of every enactment relating to an offence punishable on indictment or on summary conviction, when the enactment is contained in an Act passed in or before the year one thousand eight hundred and fifty.

Application of penal Acts to bodies corporate.

2.—(1.) In the construction of every enactment relating to an offence punishable on indictment or on summary conviction, whether contained in an Act passed before or after the commencement of this Act, the expression "person" shall, unless the contrary intention appears, include a body corporate.

(2.) Where under any Act, whether passed before or after the commencement of this Act, any forfeiture or penalty is payable to a party aggrieved, it shall be payable to a body corporate in every case where that body is the party aggrieved.

Meanings of certain words

3. In every Act passed after the year one thousand eight hundred and fifty, whether before or after the commencement of this Act, the

following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them; namely,— in Acts since 1850.

The expression "month" shall mean calendar month:

* * * * *

The expressions "oath" and "affidavit" shall, in the case of persons for the time being allowed by law to affirm or declare instead of swearing, include affirmation and declaration, and the expression "swear" shall, in the like case, include affirm and declare.

4. [Meaning of "county" in past Acts.]

5. [Meaning of "parish."]

6. [Meaning of "county court."]

7. [Meaning of "sheriff clerk," &c. in Scottish Acts.]

Sections to be substantive enactments.

8. Every section of an Act shall have effect as a substantive enactment without introductory words.

Acts to be public Acts.

9. Every Act passed after the year one thousand eight hundred and fifty, whether before or after the commencement of this Act, shall be a public Act and shall be judicially noticed as such, unless the contrary is expressly provided by the Act.

Amendment or repeal of Acts in same session.

10. Any Act may be altered, amended, or repealed in the same session of Parliament.

Effect of repeal in Acts passed since 1850.

11.—(1.) Where an Act passed after the year one thousand eight hundred and fifty, whether before or after the commencement of this Act, repeals a repealing enactment, it shall not be construed as reviving any enactment previously repealed, unless words are added reviving that enactment.

(2.) Where an Act passed after the year one thousand eight hundred and fifty, whether before or after the commencement of this Act, repeals wholly or partially any former enactment and substitutes provisions for the enactment repealed, the repealed enactment shall remain in force until the substituted provisions come into operation.

*New General Rules of Construction.*

Official definitions in past and future Acts.

12. In this Act, and in every other Act whether passed before or after the commencement of this Act, the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, namely:—

(1.) The expression "the Lord Chancellor" shall, except when used with reference to Ireland only, mean the Lord High Chancellor of Great Britain for the time being, and when used with reference to Ireland only, shall mean the Lord Chancellor of Ireland for the time being.

(2.) The expression "the Treasury" shall mean the Lord High Treasurer for the time being or the Commissioners for the time being of Her Majesty's Treasury.

(3.) The expression "Secretary of State" shall mean one of Her Majesty's Principal Secretaries of State for the time being.

* * * * *

(5.) The expression "the Privy Council" shall, except when used with reference to Ireland only, mean the Lords and others

for the time being of Her Majesty's Most Honourable Privy Council, and when used with reference to Ireland only, shall mean the Privy Council of Ireland for the time being.

* * * * *

(8.) The expression "the Board of Trade" shall mean the Lords of the Committee for the time being of the Privy Council appointed for the consideration of matters relating to trade and foreign plantations.

* * * * *

(18.) The expression "the Bank of England" shall mean, as circumstances require, the Governor and Company of the Bank of England or the bank of the Governor and Company of the Bank of England.

* * * * *

13. [Judicial definitions in past and future Acts.]

Meaning of "rules of Court."

14. In every Act passed after the commencement of this Act, unless the contrary intention appears, the expression "rules of Court" when used in relation to any Court shall mean rules made by the authority having for the time being power to make rules or orders regulating the practice and procedure of such Court, and as regards Scotland shall include acts of adjournal and acts of sederunt.

The power of the said authority to make rules of Court as above defined shall include a power to make rules of Court for the purpose of any Act passed after the commencement of this Act, and directing or authorising anything to be done by rules of Court.

15. [Meaning of "borough."]

16. [Meaning of "guardians" and "union."]

17. [Definitions relating to elections.]

Geographical and colonial definitions in future Acts.

18. In this Act, and in every Act passed after the commencement of this Act, the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, namely:—

(1.) The expression "British Islands" shall mean the United Kingdom, the Channel Islands, and the Isle of Man.

(2.) The expression "British possession" shall mean any part of her Majesty's dominions exclusive of the United Kingdom, and where parts of such dominions are under both a central and a local legislature, all parts under the central legislature shall, for the purposes of this definition, be deemed to be one British possession.

(3.) The expression "colony" shall mean any part of her Majesty's dominions exclusive of the British Islands, and of British India, and where parts of such dominions are under both a central and a local legislature, all parts under the central legislature shall, for the purposes of this definition, be deemed to be one colony.

(4.) The expression "British India" shall mean all territories and places within her Majesty's dominions which are for the time being governed by her Majesty through the Governor-General of India or through any governor or other officer subordinate to the Governor-General of India.

(5.) The expression "India" shall mean British India together with any territories of any native prince or chief under the suzerainty of her Majesty exercised through the Governor-General of India, or through any governor or other officer subordinate to the Governor-General of India.

(6.) The expression "governor" shall, as respects Canada and India, mean the Governor-General, and include any person who for the time being has the powers of the Governor-General, and as respects any other British possession, shall include the officer for the time being administering the government of that possession.

(7.) The expression "colonial legislature" and the expression "legislature," when used with reference to a British possession, shall respectively mean the authority, other than the Imperial Parliament or her Majesty the Queen in Council, competent to make laws for a British possession.

Meaning of "person" in future Acts.

19. In this Act and in every Act passed after the commencement of this Act the expression "person" shall, unless the contrary intention appears, include any body of persons corporate or unincorporate.

Meaning of "writing" in past and future Acts.

20. In this Act and in every other Act whether passed before or after the commencement of this Act expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in a visible form.

Meaning of "statutory declaration" in past and future Acts. 5 & 6 Will. 4, c. 62.

21. In this Act, and in every other Act, whether passed before or after the commencement of this Act, the expression "statutory declaration" shall, unless the contrary intention appears, mean a declaration made by virtue of the Statutory Declarations Act, 1835.

22. [Meaning of "financial year" in future Acts.]

23. [Definition of "Lands Clauses Acts."]

24. [Meaning of "Irish Valuation Acts."]

25. [Meaning of "ordnance map."]

Meaning of "service by post."

26. Where an Act passed after the commencement of this Act authorises or requires any document to be served by post, whether the expression "serve," or the expression "give" or "send," or any other expression is used, then, unless the contrary intention appears, the service shall be deemed to be effected by properly addressing, prepaying, and posting a letter containing the document, and unless the contrary is proved to have been effected at the time at which the letter would be delivered in the ordinary course of post.

27. [Meaning of "committed for trial."]

28. [Meanings of "sheriff," "felony," and "misdemeanour" in future Scotch Acts.]

29. [Meaning of "county court" in future Irish Acts.]

References to the Crown.

30. In this Act and in every other Act, whether passed before or after the commencement of this Act, references to the Sovereign reigning at the time of the passing of the Act or to the Crown shall, unless the contrary intention appears, be construed as references to the Sovereign for the time being, and this Act shall be binding on the Crown.

Construction of statutory rules, &c.

31. Where any Act, whether passed before or after the commencement of this Act, confers power to make, grant, or issue any instru-

ment, that is to say, any Order in Council, order, warrant, scheme, letters patent, rules, regulations, or byelaws, expressions used in the instrument, if it is made after the commencement of this Act, shall, unless the contrary intention appears, have the same respective meanings as in the Act conferring the power.

Construction of provisions as to exercise of powers and duties.

32.—(1.) Where an Act passed after the commencement of this Act confers a power or imposes a duty, then, unless the contrary intention appears, the power may be exercised and the duty shall be performed from time to time as occasion requires.

(2.) Where an Act passed after the commencement of this Act confers a power or imposes a duty on the holder of an office, as such, then, unless the contrary intention appears, the power may be exercised and the duty shall be performed by the holder for the time being of the office.

(3.) Where an Act passed after the commencement of this Act confers a power to make any rules, regulations, or byelaws, the power shall, unless the contrary intention appears, be construed as including a power, exercisable in the like manner and subject to the like consent and conditions, if any, to rescind, revoke, amend, or vary the rules, regulations, or byelaws.

33. [Provisions as to offences under two or more laws.]

34. [Measurement of distances.]

Citation of Acts.

35.—(1.) In any Act, instrument, or document, an Act may be cited by reference to the short title, if any, of the Act, either with or without a reference to the chapter, or by reference to the regnal year in which the Act was passed, and where there are more statutes or sessions than one in the same regnal year, by reference to the statute or the session, as the case may require, and where there are more chapters than one, by reference to the chapter, and any enactment may be cited by reference to the section or sub-section of the Act in which the enactment is contained.

(2.) Where any Act passed after the commencement of this Act contains such reference as aforesaid, the reference shall, unless a contrary intention appears, be read as referring, in the case of statutes included in any revised edition of the statutes purporting to be printed by authority, to that edition, and in the case of statutes not so included, and passed before the reign of King George the First, to the edition prepared under the direction of the Record Commission: and in other cases to the copies of the statutes purporting to be printed by the Queen's Printer, or under the superintendence or authority of Her Majesty's Stationery Office.

(3.) In any Act passed after the commencement of this Act a description or citation of a portion of another Act shall, unless the contrary intention appears, be construed as including the word, section, or other part mentioned or referred to as forming the beginning and as forming the end of the portion comprised in the description or citation.

"Commencement."

36.—(1.) In this Act, and in every Act passed either before or after the commencement of this Act, the expression "commencement," when used with reference to an Act, shall mean the time at which the Act comes into operation.

(2.) Where an Act passed after the commencement of this Act, or any Order in Council, order, warrant, scheme, letters patent, rules,

regulations, or byelaws made, granted, or issued, under a power conferred by any such Act, is expressed to come into operation on a particular day, the same shall be construed as coming into operation immediately on the expiration of the previous day.

Exercise of statutory powers between passing and commencement of Act.

37. Where an Act passed after the commencement of this Act is not to come into operation immediately on the passing thereof, and confers power to make any appointment, to make, grant, or issue any instrument, that is to say, any Order in Council, order, warrant, scheme, letters patent, rules, regulations, or byelaws, to give notices, to prescribe forms, or to do any other thing for the purposes of the Act, that power may, unless the contrary intention appears, be exercised at any time after the passing of the Act, so far as may be necessary or expedient for the purpose of bringing the Act into operation at the date of the commencement thereof, subject to this restriction, that any instrument made under the power shall not, unless the contrary intention appears in the Act, or the contrary is necessary for bringing the Act into operation, come into operation until the Act comes into operation.

Effect of repeal in future Acts.

38.—(1.) Where this Act or any Act passed after the commencement of this Act repeals and re-enacts, with or without modification, any provisions of a former Act, references in any other Act to the provisions so repealed, shall, unless the contrary intention appears, be construed as references to the provisions so re-enacted.

(2.) Where this Act or any Act passed after the commencement of this Act repeals any other enactment, then, unless the contrary intention appears, the repeal shall not—

(a.) revive anything not in force or existing at the time at which the repeal takes effect; or,

(b.) affect the previous operation of any enactment so repealed or anything duly done or suffered under any enactment so repealed; or

(c.) affect any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment so repealed; or

(d.) affect any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment so repealed; or

(e.) affect any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid;

and any such investigation, legal proceeding, or remedy may be instituted, continued, or enforced, and any such penalty, forfeiture, or punishment may be imposed, as if the repealing Act had not been passed.

*Supplemental.*

Definition of "Act" in this Act.

39. In this Act the expression "Act" shall include a local and personal Act and a private Act.

Saving for past Acts.

40. The provisions of this Act respecting the construction of Acts passed after the commencement of this Act shall not affect the construction of any Act passed before the commencement of this Act,

although it is continued or amended by an Act passed after such commencement.

Repeal. 41. The Acts described in the Schedule to this Act are hereby repealed to the extent appearing in the third column of the Schedule.

Commencement of Act. 42. This Act shall come into operation on the first day of January one thousand eight hundred and ninety.

Short title. 43. This Act may be cited as the Interpretation Act, 1889.

## SCHEDULE.

Sect. 41.

### Enactments Repealed.

| Session and Chapter. | Title or Short Title. | Extent of Repeal. |
|---|---|---|
| 7 & 8 Geo. 4, c. 28. | An Act for further improving the administration of justice in criminal cases in England. | Section fourteen. |
| 9 Geo. 4, c. 54 | An Act for improving the administration of justice in criminal cases in Ireland. | Section thirty-five. |
| 7 Will. 4 & 1 Vict. c. 39. | An Act to interpret the word "sheriff," "sheriff clerk," "shire," "sheriffdom," and "county," occurring in Acts of Parliament relating to Scotland. | The whole Act. |
| 13 & 14 Vict. c. 21. | An Act for shortening the language used in Acts of Parliament. | The whole Act. |
| 29 & 30 Vict. c. 113. | The Poor Law Amendment Act of 1866. | Section eighteen, from the beginning to "can be appointed, and." |
| 42 & 43 Vict. c. 49. | The Summary Jurisdiction Act, 1879.. | In section twenty the subsections numbered (3) and (6).<br>Section fifty. |
| 47 & 48 Vict. c. 43. | The Summary Jurisdiction Act, 1884.. | Section seven. |
| 51 & 52 Vict. c. 43. | The County Courts Act, 1888..... | Section one hundred and eighty-seven, from the beginning to "is meant, and." |

# INDEX.

ABANDONED TRADE MARK,
when deemed to be on register, 30.

ABANDONMENT OF APPLICATION FOR REGISTRATION, 24, 57, 58.
upon introduction of new grounds of opposition, 24.
by non-completion, 8, 26, 60.

ABANDONMENT OF TRADE MARK
by non-renewal, 8, 30.

ABROAD,
service on resident, 53, 54.
certificate for obtaining registration, 66.
form of certificate, 97.
See *International Arrangements* and *Costs*.

ABSORBINE, 37.

ACCEPTANCE OF TRADE MARK,
conditional, 6, 8, 22, 24.
power of Board of Trade to refuse, 25.

ACTION
when maintainable for unregistered mark, 2, 37.
passing-off, 1, 37.
See *Infringement*.

ADDITIONS,
disclaimer of, 25.
mark may contain, besides essentials, 25.
not substantially affecting identity, 20.
See *Disclaimer*.

ADDRESS
of proprietor to be on register, 18.
rules as to entry on register, 53.
correction of, on register, 31, 32, 63.
form of application for correction, 87.
of persons abroad, 53.
for service, 53.

ADVERTISEMENT in "Trade Marks Journal"
of application for registration, 7, 23, 38.
of acceptance subject to condition, 23.
of altered mark, 32, 65.
of accepted mark, 7, 23.
of renewal of mark, 62.
of non-payment of renewal fee, 62.
of disclaimer or memorandum, 64.
of order of Court, 14, 70.
necessity to watch for, 37.
instructions as to, 146.

ADVICE,
Patent Office will not give legal, 150.

AFFIDAVIT,
statutory interpretation of, 195.
verifications of declarations by, not necessary, 24, 39.

AGENT,
meaning of, 52.
recognized by Act, 41.
rules relating to, 54.
applications and oppositions by, 54.
to give address within United Kingdom, 53.
list of registered patent agents, how obtained, 150.
authorization of, 52.
And see *Table of Forms*, 74.

AGREEMENT
where rival claims to identical marks, 26, 27.
for apportionment on dissolution, 28.

ALTERATION ON REGISTER
of name or address of proprietor, 12, 31, 63, 87.
on assignment of mark, 12, 31, 62.
of registered mark, 12, 32.
of entry on register, 12, 32.
position of registrar in proceedings claiming, 38.
See *Table of Forms*, 74.

AMENDMENT
of application to register, 22, 23.
objection to, by applicant, 57.
of documents, 65.
of grounds of opposition, 14.
power of registrar to make, 22, 57.

APOLLINARIS, 13.

APPEAL
from registrar only to Board of Trade unless so provided, 40.
from registrar to Board of Trade—
as to apportionment, 28.
as to rectification of register, 31.
as to alteration of registered mark, 32.
rules as to, 69.
notice of, 70.
may be referred to Court, 28, 31, 32.

APPEAL,—*continued.*
from registrar to Board of Trade or Court—
on application, 6, 8, 22.
on opposition to application, 8, 23, 24.
on refusal *after acceptance*, 61.
on refusal to register assignment, 32, 40.
as to cotton marks, 45, 47.
to Court from Cutlers' Company, 44, 45.
to Court to be by motion, 23, 69.
withdrawal of, 22, 24, 70.
time for, to Board of Trade, 69.
— —— to Court, 69.
disclaimer required on, 25.
See *Costs*.

APPLICANT,
who may be, 139.
must claim to be proprietor of mark, 22.
right of, to be heard by registrar, 40, 63.
residing at a distance, 66.
address of, 53.
may appoint agent, 54.
association may be, for certification marks, 43.
may obtain priority abroad, 151.

APPLICATION
to register, 6.
procedure on, 22, 23, 56.
special, under sect. 9 (5), 3, 4, 57.
certification marks, 11, 43, 58.
Sheffield marks, 44, 67.
cotton marks, 45, 68.
by agent, 54, 55.
by company, 55.
by firm, 55.
non-completion of, 26, 61.
withdrawal of, 22, 24, 57, 58.
series of marks, 10, 29, 56.
entry of date of, 25, 61.
forms, 76, 78, 79, 87, 91.
instructions, 140, 143.
for registration abroad, 151.
for reduction of fees, 150.
See *Table of Forms*, 74.

APPORTIONMENT
of marks permissive, 28, 64.
to be noted in register, 64.
form of application to permit, 87.

ARMS,
unauthorized assumption of Royal, 48, 190.
Royal, not registrable, 15, 49, 54, 147.
practice in regard to, 49.
of foreign state, 54, 147.
of city, &c., 55, 147.

ASSIGNMENT
of trade mark, 27.
of associated marks, 28, 29.
notification of, to be entered on register, 18.
registration of, 18, 31.
appeal from registrar as to, 32.
rules in relation to, 62, 63.
declaration in support of application for, 63.
only in connection with goodwill, 27.
of certification marks, 11, 43.
by registered proprietor, 34, 35.
registration evidence of validity of, 35.

ASSOCIATED MARKS, 10, 28, 29, 30.
definition of, 28, 29.
similar marks, 28.
series of marks, 29.
registration of device forming part of, 29.
assignable as a whole only, 10, 29.
how entered on register, 61.

ASSOCIATION
may register certification marks, 43, 58.

AUTHORIZATION,
form of, 76. See *Agent*.

BANKRUPTCY,
trustee in, may apply to alter mark, 64.

BELGIUM, 151, 153.

BLOCK
for advertisement of mark, 59, 67, 146.
directions in regard to, 146.

BOARD OF TRADE,
definition of, 196.
appeal from registrar, 28, 31, 32, 69, 70.
——————— Manchester Branch, 45.
power to make rules, 42.
may prescribe forms, 104.
powers and duties of, 41.
power to refer appeal to Court, 41.
evidence before, 39.
certificate of, to be evidence, 40.
proceedings before, 41, 69.
directions given by, on appeal, 69.
hear Manchester Chamber and keeper on new cotton rules, 46.
may direct registrar not to register, 25.
may sanction agreement as to rival marks, 27.
may permit certification marks to be registered, 43.
no appeal to, from Cutlers' Company, 44.

BODY CORPORATE
included in "person," 194.

BORDER
or lines, when necessary round mark, 147.

BRAND
within definition of mark, 17.

BRAZIL, 151, 153.

BRITISH FLAGS
may not now be registered, 147.

BRITISH POSSESSION,
registration in, 151.
priority of registration in, how obtained, 139.
separate assignment of right to use mark in, 27.
arrangements with, not affected by Act, 48.

BRITISH ROYAL CROWNS
may not be registered, 147.

"CALCULATED TO DECEIVE," 21, 26—30.
when proof necessary, 1.
matter, may not be registered, 21, 26.
marks, may be registered as associated, 28.
See *Resemblance calculated to Deceive*.

CANCELLATION
of registration, 13.
by party aggrieved, 32.
on ground of non-user, 34.
at request of proprietor, 31.
on expiry of registration, 30, 62.

CERTIFICATE
given on registration of mark, 26, 149.
of registrar on request, 66.
———— is evidence, 39.
———— to state purpose for which required, 66.
———— without limitation of colour, 66.
———— for use in obtaining registration abroad, 66.
———— directions for obtaining, 149.
of Board of Trade is evidence, 40.
of refusal of old mark, 37.
by keeper of cotton marks, 46.
of application for cotton mark, 46.
by Cutlers' Company, 44.
of validity, 38.
See *Table of Forms*, 75.

CERTIFICATION MARK
may be registered by permission, 11, 43, 58.
mode of application for, 58, 79.
only assignable by permission, 43.
applied for by association, 43.

CEYLON, 161.

CHARACTER OF GOODS. See *Words having Reference*, &c.

CLASSIFICATION
of goods, 98—105.
guide to, 105—138.
registration for particular class, 19.
separate application for each class, 143.
index of classified representations, 144.
———————————— in cotton classes, 145.
cotton classes, 45—47.

CLERICAL ERROR
in name or address on register, 31.
in application, 22.
general power of amendment of, 65.
form of request to amend, 87.

COLONY. See *British Possession*.

COLOUR, 5.
trade mark may be limited as to, 21.
series of marks differing as to, 29.
mark registered without limitation of, 66.
certificate for registration abroad, 66.
ornamental groundwork, how claimed, 147.

COMBINATION
of marks is a mark, 17.
of letters and numerals used before 1875...20.

COMBINED TRADE MARKS,
separate marks comprised in, 29.
parts of, deemed to be associated, 29.

COMMENCEMENT OF ACT, 17.
in relation to cotton marks, 46.

COMMITTEE
of Manchester Chamber of Commerce, 46.

COMMON LAW RIGHTS. See *Passing-off*.

COMMON TO THE TRADE,
disclaimer may be required of matter, 25.
effect of concurrent user of same mark, 27.

COMPANY
included in "person," 194.
application for registration by, 55.
name of, may be registered as mark, 19.
application for rectification by liquidator, 64.

COMPROMISE
of rival claims to registration, 26, 27.

COMPTROLLER
of Patents, Designs, and Trade Marks,
referred to in Act as registrar, 18.
annual reports of, 41.
See *Registrar*.

CONCURRENT USER,
power of Court to sanction honest, 9, 27.
claims as to, 26.
in different countries, 27, 28.
in different parts of country, 9.
from date anterior to user of registered mark, 36.
in case of two registered proprietors, 35.
allowed in case of names and addresses, 37.
See *Three Marks Rule.*

CONDITION
on registration of mark, 6, 8, 22—24, 57.
advertisement of application accepted subject to, 23.
that marks shall be associated, 28.
on apportionment, 28.
on alteration of mark, 32.
on restoration to register, 30.
in cases of concurrent user, 9, 27.

CONFLICTING CLAIMS
to mark, 26, 27.

CONNECTION
of mark with goodwill, 27.

CONSENT
to registration of similar marks, 27.
registration conditional on obtaining, 22.
to apportionment of marks, 28.
of Board of Trade to assignment of standardization marks, 43.
of proprietor of registered mark not conclusive, 22.
to use name or representation of person on mark, 55.
not required for use of own name, 37.

COPIES
of extracts from register are evidence, 39.
of representation of mark to accompany application, 143.
of Act and Rules, how obtained, 151.
of notice of opposition sent to applicant, 23.
of counter-statement sent to opponent, 23.
of documents to accompany appeal, 69.

"COPYRIGHT,"
not allowed as part of mark, 54, 147.

CORPORATE MARKS. See *Sheffield.*

CORPORATION
included in person, 194.

CORRECTION,
powers of registrar as to, 12, 31, 64.
of register. See *Alteration* and *Amendment.*
of error. See *Clerical Error.*

Costs, 8.
of registration proceedings, 26.
of proceedings before Court, 38.
withdrawal of application without payment of, 26.
of registrar, 15, 38.
security for, 24, 60.
where certificate of validity granted, 38.

COTTON MARKS, Manchester Branch, 11, 45—47, 68, 69.
application for, 45, 68.
——————— length of user to be stated in, 46.
restrictions in cotton registrations, 46, 47.
Manchester Chamber of Commerce consulted, 46.
inspection of, 46.
——————— includes lapsed and refused applications, 46, 47.
hearings, 68.
service of documents, 68.
certificate of application for, 46.
See *Table of Forms*, 74.

COUNCIL, Orders in. See *International Arrangements*.

COUNTER-STATEMENT
of grounds of application, 23, 59.
copy to be given to opponent, 23.
form of, 80.
time of filing, 148.

COURT,
meaning of, 8, 18, 49.
rectification of register by, 13, 32.
applications to, and orders of, 70.
registrar may apply to, in case of fraud, 32.
leave of, to take further grounds of objection, 22, 24.
may permit modification of mark, 24.
may correct errors, 22.
distinctive mark registered by order of, 4, 19, 57, 58.
may permit registration of identical marks, 9, 27.
may determine rights before registration, 26.
in rectification proceedings may review decision of registrar, 40.
may give certificate of validity, 38.
appeal to, 8, 40.
parties may elect to, 40.
to be by motion, 23, 69.
time for, 69.
And see *Appeal*.
Scotch and Irish, 49.
Palatine of Lancaster for Manchester Branch, 50.
summary conviction in Scotland, 50.
Isle of Man, 50.

CREST,
Royal, may not appear on marks, 54, 147.

CROWN,
British Royal, may not appear on marks, 54, 147.

CUBA, 151, 161.

CUMBERING THE REGISTER, 26.

CUTLERS' COMPANY,
duties of, 43, 44, 67.
proceedings before, 68.
appeal from, 44, 45.
certificate of master of, 45.
See *Sheffield*.

DAMAGES.
power of Court to award, now omitted, 33.
——————— never exercised, 33.

DATE OF REGISTRATION.
trade marks to retain original, 19.
to be as of date of application, 25.
entry on register to give, 61.

DEATH
of applicant before registration, 61.

DECEPTION
from similarity to mark of another trader, 21.
trade evidence as to, 37.
by representing mark to be registered, 48.

DECEPTIVE MARK
not to be registered, 21.
registration of, not conclusive after seven years, 36.
See "*Calculated to Deceive*."

DECLARATION.
statutory, evidence by, 7, 39.
need not be verified by affidavit on appeal, 39.
manner in which taken, 67.
notice of seal of officer taking, 67.
when included in "affidavit," 195.

DEFENCE in action for infringement.
of prior user, 36.
of fraud in obtaining registration, 36.
evidence of trade user, 37.
of *bonâ fide* use of own name or address, 37.
——————— ——————— description of goods, 37.
successful defence of mark, 38.
See *Infringement*.

DEFINITION
of words in Act, 17, 18.
of mark, 17.
of trade mark, 17.
registrable trade mark, 19.
in Interpretation Act, 194—200.

DENMARK, 151, 161.

DESCRIPTION
of goods on marks, how registered, 55, 147.
of goods, *bonâ fide* user of, permitted, 37.
varying in use, how registered, 55, 147.

DESCRIPTIVE
mark not distinctive, 19.
matter may be disclaimed, 25.
matter in associated marks, 29.
word not registrable, 19, 114.
See *Words having reference to Character or Quality*.

DETERMINATION
of registration
on separation from goodwill, 27, 63.
on non-user, 34.
on loss of distinctiveness, 20, 21, 36.
on non-renewal, 30.
on request of proprietor, 31.
by registrar in case of fraud, 32.

DEVICE
included in "mark," 17.
forming part of associated series, 29.
royal, calculated to mislead, 48, 51.
proprietor of registered, excepted, 49, 54.

DEVOLUTION
of mark to be registered, 31.
entered on request, 31.
equities in respect of, 35.
of goodwill divided, 27, 28.
See *Assignment*.

DISCLAIMER, 25, 57.
does not affect common law rights, 25, 37.
registration of, 18, 31.
introduced on appeal, 22, 23.
purpose of, 57.
in form of application for cotton mark, 91, 92.
may be omitted from certificate for use abroad, 66.

DISCRETIONARY POWER
of registrar to refuse registration, 22.
registrar must hear applicant before exercising, 40, 63.
of Court as to rectification, 32.
of Court as to evidence, 39.
of Board of Trade to refer, 41.

"DISENTITLED TO PROTECTION."
matter, may not be registered, 21.

DISSOLUTION. See *Partnership*.

DISTINCTIVE,
meaning of, 20.
marks may be registered, 3, 19, 20.
special marks under sect. 9 (5) 19.
words, letters or numerals used before 1875. 20.
user to be considered, 4, 5, 20, 21.
colour to be considered, 21.
for cotton goods certain marks are not, 46.

DOCUMENTS,
rules regarding, 53, 143.
amendment of, 65.
required on application for registration, 143.
See *Table of Forms*, 74.

DUPLICATE MARKS,
when registrable, 26.
not belonging to rival proprietors, 26.
honest concurrent user of, 27.
differing in non-essentials, 29.

DURATION
of registration, 30.

ECUADOR, 151, 160, 161.

"ENTERED AT STATIONERS' HALL"
may not appear on mark, 54.

EQUITY
may be enforced, 35.
not to appear on register, 18.

ERROR
in application, 22.
in register, 31.
who may apply to correct, 61.
generally may be amended, 65.
mark accepted by, 61.

ESSENTIAL PARTICULARS,
what are, for registration, 19.
need not be stated in disclaimer, 25.
may not be altered, 32.

EVIDENCE, 39.
on opposed application, 24, 25, 60.
power to dispense with, 65.
copies of register and certificate to be, 39, 40.
certificate of Board of Trade, 40.
before registrar and Board of Trade, 39.
when taken *viva voce*, 39.
of usages of trade, 37.
of use of old mark, 55.
of validity, registration is, 35.

EXCLUSIVE USE,
registration gives right to, 35.
when not given, 37.
registration as cotton mark does not ensure, for certain marks, 47.

EXHIBITS
to statutory declaration, 60.
how inspected, 60.

FALSIFICATION
of entries in register, 48.

FANCY WORD
under old Act, 20, 21.

FEES
to be prescribed by Board of Trade, 13.
schedule of, 71, 72, 73.
on renewal of registration, 30.
acceptance of, when paid late, 66.

FIRM,
name of, as mark, 19.
application for registration by, 55.

FLAGS,
British national, not registrable, 51, 117.

FOREIGN
arms, 51, 117.
trade marks. *See International Arrangements.*
words included in mark, 143.
country, user of mark in, may be assigned separately, 12, 27.

"FORGERY, TO COUNTERFEIT THIS IS," 51, 117.

FORMS,
Board of Trade to prescribe, 12.
prescribed by rules, 52.
second schedule to rules, 74—97.
Table of, 74, 75.
how obtainable, 142.

FRANCE, 151, 153.

FRAUD,
registrar may move to rectify in case of, 32.
registration obtained by, invalid, 36.

GEOGRAPHICAL
name may not be registered, 19.
——, where ordinary signification is not, 20.
restrictions as to user entered on register, 12, 27, 28.
definitions in Acts of Parliament, 196.

GERMANY, 151, 161.

GET-UP,
evidence as to, admissible, 37, 20.

GOODS,
mark must be used on or in connection with, 17.
—— for particular, 19.
identical marks not registered for same, 26.
statements of, in series of marks, 29.
non-user in respect of particular, 31.
series of marks for different, 29.
what dealings with, indicated by mark, 17.
similar marks for same, to be associated, 28.
struck out from entry of mark, 31.
classification of. *See Classification.*
character or quality of. *See Words having Reference, &c.*
certification of. *See Certification Mark.*

GOODWILL
connection with trade mark, 27.
not necessary for certification marks, 43.
abroad assigned separately, 27.
apportionment of marks on division of, 28.
of associated marks indivisible, 29.
divisible on dissolution of partnership, 28.
owner of, may register if applicant dead, 61.
duty of owner of, to secure transfer of marks, 150.

GREECE, 151, 161.

GROUNDWORK,
ornamental, how claimed, 147.

GUATEMALA, 161.

HALLAMSHIRE. See *Sheffield Marks*.

HEADING,
mark includes, 17.
See *Line heading*.

HEARING
by registrar, 57, 61, 68.
by keeper of cotton marks, 45.
before exercise of discretionary power by registrar, 40, 63, 64.
before Board of Trade, 41.
——————————— of appeal, 69.
——————————— of special application under sect. 9 (5), 58.
——————————— of application for certification mark, 58.
forms of application for, 71.

HOLIDAYS,
register may not be inspected on, 65.
library closed on, 152.
when last day for act falls on, 66.

HOLLAND
and colonies, 151, 153.

HONDURAS, 151, 161.

IDENTICAL MARKS
may be registered by same proprietor, 26.
registered by order of Court, 26.
rival claims to, 26, 27.
honest concurrent user of, 27.
must be associated, 28.
separate application in each class, 56.

INDEX
of fees, 71.
of forms, 71.
of trade marks, 114.
of classified representations, 141.

INDUSTRIAL PROPERTY. See *International Arrangements.*

INFRINGEMENT, ACTION FOR,
registration necessary, 37.
of old mark, 37.
not maintainable in certain cases, 37.
common law rights unaffected by, 37.
evidence in, 37, 39.
costs in, where certificate of validity given, 38.
acts done before commencement of Act, 33.
limitation in colour to be considered, 21.

INJUNCTION
restraining unauthorized assumption of Royal Arms, 48.

INSPECTION
of register, 65, 144.
of Manchester register, 46.

INTERNATIONAL ARRANGEMENTS,
sections 103 and 104 of Patents Act, 1883, still apply, 48.
power to make international arrangements, 188.
——————— colonial arrangements, 189.
conventions concluded, 151.
text of conventions, 153—165.
Orders in Council, 161.

INTERPRETATION ACT, 1889...194—200.

INVENTED WORD, 3.
registrable trade mark, 19.
governed by "Solio" case, 3, 20.
"Tachytype" case, 3.
connection with "fancy word," 20.
may be submitted to registrar, 144.

IRELAND,
jurisdiction of Courts in, 49.

ITALY, 151, 153.

JAPAN, 151, 161.

JOURNAL
means "Trade Marks Journal," 52.

JURISDICTION,
Ireland, 49.
Lancashire (Manchester Branch), 50.
Man, 50.
Scotland, 49.
offences in Scotland, 50.
"The Court" in Act, 18.
See *Appeal.*

KEEPER OF COTTON MARKS, 45, 68.
to notify applications to registrar, 45.
to enter marks in duplicate, 45.
notice to, of marks removed, 45.
to issue certificates, 46.
may consult Manchester Chamber, 46.
entitled to be heard by Board of Trade, 46, 47.
substituted for registrar, 68.
search under rule 95, 69.

LABEL,
"mark" includes, 17.
applicant for "old mark" should state use as, 145.

LANCASHIRE,
jurisdiction of Palatine Court, 50.

LAW OFFICER,
registrar may take directions of, 41.

LETTER,
"mark" includes, 17.
if used as trade mark before 1875 may be registered, 20, 21.
exclusive use not given by registration of cotton mark, 46, 47.

LIBRARY
of Patent Office, 152.

LIMITATION
of mark as to colour, 21.
——— entered on register, 18.
acceptance subject to, 22, 24.
by disclaimer, 25.
as to mode and place of user of identical marks, 27.

LINE HEADING
not distinctive for cotton piece goods, 46, 47.

LOCAL USE
of mark, when allowed, 27.

"MAGNOLIA," 20.

MANCHESTER BRANCH. *See Cotton Marks.*

MANCHESTER CHAMBER OF COMMERCE,
keeper of cotton marks may consult, 46.
Board of Trade must consult, as to new cotton rules, 46.

MARK,
definition, 17.
distinctive, may be registered, 19, 20.
*See Trade Mark.*

MATERIAL,
particulars in a series of marks, 29.
particulars may not be altered, 32.

MEMORANDUM
may be entered on register, 31.
advertisement of, 64.

METAL
goods, 43, 44.
meaning of, in register classes, 106.
See *Sheffield* and *Classification*.

MEXICO, 151, 161.

MISREPRESENTATION
of unregistered mark as registered, 48.
mere use of words "trade mark" is not, 48.
by use of Royal Arms, 48, 49.

MODIFICATION
in application for registration, 22.
of mark allowed on hearing of appeal, 24.
——— to be advertised, 24.

MONTH, 52.

MORALITY,
mark contrary to, not registrable, 21.

MOTION,
appeal to Court to be by, 69.
application under sect. 9 (5) to be by, 58.

NAME
of proprietor entered on register, 18.
of company, individual or firm as mark, 19.
as special mark under sect. 9 (5)...19, 57.
*bonâ fide* user of own, no infringement, 37.
geographical, 19, 20.
of place differentiating marks in series, 29.
of contemporary person, 55.
of goods on mark, 55.
represented in particular manner, 19.
of proprietor, correction of, on register, 31, 64.
entry of change in, 31, 64.
surname, 19, 20.

NATIONAL
flags not now registrable, 54, 147.

NEW ZEALAND, 151, 161.

NON-COMPLETION
of registration, 8, 26, 60.

NON-USER. See *User*.

NORWAY, 151, 161.

NOTE ON REGISTER
as to colour, 21.
of disclaimer, 25.
of association of marks, 28, 61.
not extending rights may be entered, 31.
of assignment, 63.
of apportionment, 64.
See *Limitation* and *Memorandum*.

NOTICE
of application for hearing, 57.
of acceptance of conditions imposed, 57.
of opposition, 59, 64.
of hearing of application, 60.
of expiry of period of registration, 30, 62.
of receipt of renewal fee, 62.
of hearing by registrar, 64.
of application from Cutlers' Company to registrar, 67.
of objection from registrar to Cutlers' Company, 67.
in regard to cotton marks, 68.
of motion of appeal to Court, 69.
of appeal to Board of Trade, 69.
of withdrawal of appeal, 70.
of special application under section 62 ..58.
may be left at office or sent by post, 53.
of seal on declaration, 67.
See *Table of Forms*, 74.

NUMBER,
series of marks may differ in statements of, 29.

NUMERAL,
"mark" includes, 17.
used as "old mark," 20.
no exclusive right to, as cotton mark, 46, 47.

OATH,
meaning of, 195.

OBJECTION
by registrar to application, 22, 57.
——— on appeal, 24.
further grounds of, terms as to, 24.
notice of, by registrar to Cutlers' Company, 44.
notice of, by registrar to keeper of cotton marks, 45.

OFFENCES,
falsification of entry in register, 48.
representing trade mark as registered, 48.
unauthorized assumption of Royal Arms, 48, 49, 190.
in Scotland, 50.

OLD MARK, 4, 9.
if distinctive may be registered, 20.
continued user necessary, 20, 21.
alterations allowed in, 20, 21.
may be registered though identical with another, 9, 26.
concurrent user of, 26, 27.
certificate of refusal to register, 37.
user to be considered in application for, 20.
user of, in special colours, 21.
Three Mark rule, 9, 27.
application for registration, to state user, 55.
not interfered with by registration of new mark, 36.

OPPOSITION TO REGISTRATION, 7, 8, 23—25.
notice of, 23.
grounds of, 23.
appeal to Court or Board of Trade, 23.
further grounds introduced on appeal, 24.
terms as to introduction of further grounds, 24, 25.
rules as to procedure, 59, 60.
evidence, 60.
security for costs, 60.
appointment of agent, 51.
forms, 74.

ORDER
of Court served on registrar, 70.
——— published in Journal, 70.
of Board of Trade or Court, under section 9 (5)...19, 57, 58.

PALATINE COURT,
jurisdiction of, 50.

PARAGUAY, 151, 161.

PART
of mark may be disclaimed, 25.
——— may be separately registered, 29.
——— common to series, 29.
——— alteration of, 32.
of class, cancellation of registration for, 31, 34.
of goodwill separately assigned, 27.

"PARTICULAR MANNER,"
name, &c. represented in, 19.

PARTICULARS. See *Essential Particulars*.

PARTNERSHIP,
application for registration by, 55.
name of, when registrable, 19.
included in "person," 197.
apportionment of marks on dissolution, 28.
procedure in regard to apportionment, 64.

PASSING-OFF,
action not affected by Act, 37.
——— by disclaimer, 25.

PATENT
medicines, 150.
words implying, not registrable as part of mark, 54, 147.
See *Comptroller*.

PATENT OFFICE, 183, 184.
register to be kept at, 18.
statement of registrar is evidence of practice of, 38.
provisions in old Acts as to, continued, 51.
seal of, to be evidence, 39, 184.
sects. 82—84 of Patents, &c. Act, 1883, still apply to, 51.

PATENTS, DESIGNS AND TRADE MARKS ACTS, 1883—1902 ..173—193.
repeal of, as to trade marks, of Acts of 1883 and 1888...50, 51.
savings from repeal, 50, 51.
history of, iii—vi.
text of, 173—193.

PERIOD OF REGISTRATION
without renewal, 30.
after which registration conclusive, 36.

PERSON,
definition of, 52, 197.
aggrieved, 32, 33.
no damages to person aggrieved on trial of issue of fact, 33.
representation of contemporary, on mark, 55.
name of, on mark, 19, 20, 55.
living at distance from Office, 66.

PLACE
of business appearing on mark is no infringement, 37.
of user, registration limited in regard to, 12, 27, 28.
statements of, differing in series, 29.

PORTUGAL, 151, 153.

POST,
documents may be sent by, 53, 140.

PREDECESSOR
in business, signature of, 19.
———— use of old mark by, 20, 21.

"PRESCRIBED," 18.

PRICE,
differing statements of, in series, 29.
of official publications, 151.

PRINTING
included in "writing," 197.

PRIOR USER,
registration of mark does not avail against, 35, 36
proprietor may not interfere with, 36.
rectification at instance of person claiming, 36.

PROCEEDINGS,
registration a condition precedent to, 37.

PROCEDURE,
application to register, 22, 55—60.
——————— mark under sect. 9 (5) ..57.
——————— certification mark, 58.
——————— Sheffield mark, 67.
——————— cotton mark, 68.
——————— opposition to, 59, 60.
appeal to Court, 69.
appeal to Board of Trade, 69.
application for apportionment, 64.
——————— for alteration, 64, 65.
——————— for correction, 64.
amendment of irregularity in, 65.
See *Table of Forms*, 74.

PROPRIETOR,
entry of name of, on register, 18.
person claiming to be, may apply, 22.
identical marks not registrable unless belonging to same, 26.
rival claims to be, 26, 27.
concurrent user by more than one, 27.
right to assign, 27, 31.
right to apportionment, 28.
right to alter mark, 32.
register corrected at request of, 31.
rights of, 34, 35.
must be heard by registrar, 40.
out of United Kingdom must give address for service, 53.
may appoint agent, 54.

PUBLICATION,
official, how obtained, 151.
of order of Court, 70.

QUALITY,
statements of, in series of marks, 29.
See *Words having Reference, &c.*

QUEENSLAND, 161.

RECTIFICATION
of register, 31—34.
——————— at request of registered proprietor, 31.
——————— by alteration of mark, 32.
——————— by person aggrieved, 32, 33.
——————— on ground of non-user, 34.
——————— after seven years, 36.
——————— in case of fraud, 32.
——————— notice of, served on registrar, 32.
——————— notice of proceedings for, served on registrar, 38.
——————— none on ground of previous Acts, 33.
——————— certificate of validity in action for, 38.
——————— decision of registrar may be reviewed, 40.
of Manchester register, 45.
costs, 38.

REDUCTION OF FEES
not in power of registrar, 150.

REFERENCE
on face of mark to certain goods, 147, 148.
of appeal by Board of Trade to Court, 41.
of rival claims to Court, 26, 27.
See *Words having Reference*, &c.

REFUSAL TO REGISTER
by registrar, 22.
grounds of, to be stated by registrar, 22.
assignment, 27, 28.
in case of rival claims, 27.
unless mark associated, 28.
unless matter disclaimed, 25.
by direction of Board of Trade after acceptance, 25, 61.
old mark, certificate of, 37.
refused applications for cotton marks may be inspected, 46.

REGISTER.
definition of, 18.
of trade marks, what contained in, 18.
incorporation of existing, 19.
trusts not to be entered on, 18.
inspection, 19, 65, 149.
search, 56, 65, 114.
copies of entries, how obtained, 149.
——————— are evidence, 39.
Manchester, 45, 46.
Sheffield, 43, 44.
falsification of entries in, 48.
See *Note on Register* and *Rectification*.

REGISTERED,
meaning of, 3, 18.
"registered" and "registered design," 51, 147.
falsely representing mark as, 48.
——————————— on summary conviction, 150.
See *Unregistered Mark*.

REGISTRABLE MARK.
definition of, 3, 19.
essential particulars of, 3, 19, 20.
old mark may be, 4, 20.
in cotton classes, 5, 46.
old Acts no longer applicable, 33.

REGISTRAR,
definition of, 18.
discretion to refuse application, 22, 27, 57.
must hear applicant or proprietor, 40.
discretion to correct error, 22.
sends notice of opposition to applicant, 23.
decision subject to appeal, 22, 24.
may require disclaimer, 25, 57.
issues certificates, 26, 39, 61, 66.
may apportion marks, 28.

REGISTRAR—*continued.*
may require entry as associated mark, 28.
may renew registration, 30, 62.
may correct register, 31—34.
may move to rectify in case of fraud, 32.
may award costs, 24.
does not pay costs, 38.
may take or allow new objection on terms, 24.
must have notice of proceedings, 38.
may take direction of law officers, 41.
annual report by, 41.
may object to Sheffield marks, 44.
——— ——— cotton marks, 45.
search by, 56, 57, 65.
objections by, 22, 57.
report on special marks, 58.
refusal by, where acceptance in error, 61.
may require proof of title on assignment, 63.
may amend document, 65.
may dispense with evidence, 65.
may enlarge time, 66.
notice of withdrawal of appeal to be to, 70.

REGISTRATION OF TRADE MARKS, 1—15.
application for, 22, 23.
opposition to, 23, 24.
renewal of, 30.
under previous Acts, 33.
evidence of validity, 35.
in Sheffield register, 43, 44.
in cotton classes, 45—47.
abroad. See *International Arrangements.*
rules, 55, 56, 61.
forms, 74.
instructions, 139—152.

REMOVAL OF MARK,
unless part disclaimed, 25.
on determination of goodwill, 27.
on expiry of period of registration, 30.
status of mark removed, 30.
at request of registered proprietor, 31.
on application of person aggrieved, 32.
in case of fraud, 32.
not to be under old Acts in force when registered, 33.
on ground of non-user, 34.
not after seven years, 36.

RENEWAL OF REGISTRATION, 30, 31, 62.
notice given to proprietor, 30.
after removal for non-payment of fee, 62.
fees, 72.
forms, 74.

REPEAL
of Patents, &c. Acts relating to trade marks, 50.
saving for rules, &c., 51.

REPORT
of comptroller annual, 41.
by registrar as to application for certification mark, 58.

REPRESENTATION
of mark on application, 55, 56, 67, 68, 143.
— — on appeal to Board of Trade, 69.
of members of Royal family not registrable, 54.
of Royal arms, &c. not registrable, 54.
of arms of city, &c., consents may be required, 55, 147.
of arms of foreign state may require justification, 54.
of contemporary persons, consents may be required, 55, 147.
of unregistered mark as registered, 48.

REQUEST,
for statement of grounds of refusal to register, 22.
to enter change of name or address, 31.
— — — disclaimer, 31.
to register assignee, 62, 63.
for search, 65.
for certificate that registration is refused, 37.
for certificate of cotton mark, 46.
for entry of corporate marks in Sheffield register, 43.
to registrar, forms of. See *Table of Forms*, 74.

RESEMBLANCE CALCULATED TO DECEIVE, 21, 26—30.
colour to be considered, 21.
from similarity to mark of another trader, 21.
*bonâ fide* user of name, address, &c., 37.
evidence of, in infringement action, 37.
See *Deceptive* and "*Calculated to Deceive*."

RESIDENT ABROAD,
address for service of opponent, applicant, or agent, 53.
— — — — of proprietor, to be treated as actual address, 53, 54.
security for costs, 21, 60.
late payment of fees by, 66.

RESTORATION TO REGISTER, 30, 62.
See *Table of Forms*, 74.

RESTRICTION ON REGISTRATION,
deceptive or scandalous mark, 21.
disclaimers, 25.
identical marks, 26.
rival claims to mark, 27.
association of marks, 28.
unrenewed mark may be, 30, 31.
in cotton classes, 46.
what may not appear on marks, 54, 55, 147, 148.
removed in case of similar marks by same owner, 28.

ROUMANIA, 151, 161.

ROYAL,
"Royal Letters Patent" not registrable, 54, 147.
arms, crests, crowns, not now registrable, 54, 147.
word "royal" not now registrable, 54, 147.
family, representations of, 54, 147.
arms, unauthorized assumption of, 48, 49, 190.

RULES,
Trade Marks, 1906...52—70.
saving as to existing, 50.
power of Board of Trade to make, 42.
notice of, to be published, 42.
to be advertised in Journal, 42.
to be laid before both Houses, 42.
application of, to Cutlers' Company, 44, 68.
as to cotton marks, how made, 46.
application of, to cotton marks, 68.

SALVADOR, 153, 161.

SANTO DOMINGO, 161.

SCANDALOUS DESIGN,
not registrable, 21.

SCOTLAND,
Courts in, jurisdiction of, 49.
mark registered by proprietor domiciled in, 49.
offences in, 50.

SEAL
of Patent Office, 39, 184.
of officer taking declaration, 67.

SEARCH,
in register on request, 65, 144.
by registrar on application to register, 56.
on application for certification marks, 57.
among pending applications, 56.
by keeper of cotton marks, 68.
See *Table of Forms*, 74.

SECURITY FOR COSTS, 24, 60.

SELECTION,
trade mark may indicate, 17, 18.

SERIES OF MARKS, 10, 29.
are registered as associated, 29.
transmissible only as whole, 29.
user of one may be user of series, 30.
application for, 56.
advertisement of, 59.
mark where description of goods varies, 148.

SERVIA, 151, 153.

SERVICE,
address for, 53, 54.
of documents, 53.
of notice of rectification on registrar, 32.
of order of Court on registrar, 70.
upon agent for principal, 54.
on keeper of cotton marks, 68.

SEVEN YEARS,
registration generally conclusive after, 14, 36.

SHEFFIELD
marks, provisions as to, 11, 43—45, 67, 68.
registor, 43.
——— old corporate marks to be entered on, 43, 44.
appeal against Cutlers' Company, 44, 45.
procedure, 67, 148.
address for applications, 140, 148.
See *Table of Forms*, 75.

SIGNATURE,
"mark" includes, 17, 18.
may be registered, of applicant or predecessor, 19.
——— any other, if distinctive, 19, 20, 57.

SIMILARITY
to mark of same trader, 28.
See *Distinctive* and *Resemblance calculated to deceive*.

SIZE
of documents, 53.
of representation of mark, 55, 56.
of blocks for advertisement in Journal, 146.

"SOLIO," 3, 20.

SPAIN, 151, 153.

"SPECIAL OR DISTINCTIVE,"
words, &c. as old mark, 20, 21.

"SPECIAL OR PARTICULAR"
manner, name, &c. represented in, 19.

SPECIAL REGISTRATION
under sect. 9 (5), 4, 5, 19, 20, 57.
choice of tribunal, 4, 58.
procedure, 57, 58.
See *Table of Forms*, 74.

SPECIAL TRADE MARK. See *Certification Mark*.

STANDARDIZATION MARK. See *Certification Mark*.

"STATIONERS' HALL, ENTERED AT,"
not registrable, 54, 117.

STATUTES,
Trade Marks Act, 1905...17—51.
Trade Marks Registration Act, 1875 166 170.
——— ——— Amendment Act, 1876 170, 171.
——— ——— Extension Act, 1877 ..171, 172.
Patents, Designs and Trade Marks Acts, 1883—1902 173 193.
Interpretation Act, 1889 191—200.

STATUTORY DECLARATION. See *Declaration*.

"STONE ALES," 1, 5.

SUBSEQUENT PROPRIETOR,
registration of, 31, 32, 62, 63.
is *primâ facie* evidence, 35.

SURNAME,
word not ordinarily a, is registrable, 19, 20.
registration does not stop *bonâ fide* use of, 37.

SWEDEN, 151, 161.

SWITZERLAND, 151, 153.

"TACHYTYPE," 3.

TARTAN
groundwork how claimed, 147.

TASMANIA, 153, 161.

THREE MARKS RULE, 9, 27.
honest concurrent user provided for, 26, 27, 35.

TICKET,
"mark" includes, 17.

TIME,
application for hearing by registrar, 57.
appeal under sect. 9 (5)...57.
application for certification mark, 58.
opposition, 59.
counter-statement, 59.
hearing of opposed application, 60.
completion of registration, 60.
renewal of registration, 62.
enlargement by registrar, 66.
payment of fees, 66.
excluded days, 66.
appeals, 69.
withdrawal of appeal, 70.

TITLE,
effect of registration, 34, 35.
disputed, 26, 27.
concurrent user, 27.
assignment, 27.
short, of Act, 17.

TRADE,
matter common to, disclaimer of, 25.

TRADE MARK,
definition, 17.
registered, 2, 18.
registrable, 19.
law of, not equivalent to law of registration of, 1.
distinctive old mark used as, 20.
connection with goodwill, 27.
See *Unregistered Trade Mark*.

TRADE MARKS ACT, 1905...17–51.

TRADE MARKS REGISTRATION ACTS, 1875—1877...166—172.

TRADE MARK RULES, 1906. See *Rules*.

TRADE MARKS JOURNAL. See *Advertisement*.

TRADE USAGE,
evidence of, 37.

TRADER
should watch register, 36, 37.

TRADING NAME,
mere, cannot be registered at Patent Office, 150.

TRANSLATION
of foreign words in marks, 56.

TRANSLITERATION
of words not in Roman characters, 56.

TRUSTS
not to be entered on register, 18.

TUNIS, 151, 160.

UNITED STATES OF AMERICA, 151, 161.

UNREGISTERED TRADE MARK, 1.
rival claims to place on register, 27.
concurrent user, 27.
connection with goodwill, 27.
old mark may be registered, 20, 21.
rights acquired by user of, 36.
no action ordinarily for infringement of, 37.
certificate of refusal to register, 37.
passing-off action unaffected, 37.
what matter in, may not be registered, 54, 147.

URUGUAY, 151, 161.

USER
of old mark, 20, 37, 55.
effect of, in rendering mark distinctive, 20, 21.
calculated to deceive not allowed, 21.
exclusive, of added matter, 25.
honest concurrent, 27.
restrictions as to place or mode of, 27.
abroad, right of, 27, 151.
of associated marks, 29.
non-user for two years of unrenewed mark, 31.
———— a ground for removal, 34.
registered proprietor has exclusive right of, 35.
Three Marks rule, 9, 27, 35.
prior, rights acquired by, 36.
evidence of, in infringement action, 37.
of name, address or description of goods, 37.
length of, stated in cotton application, 46, 47.

VALIDITY
of registered mark, how determined, 19, 33, 36.
registration *prima facie* evidence of, 35.
effect of registration for seven years as to, 36.
certificate of, 38.

VARIATION
of mark, 32.
what, allowed in series, 29.
of name or description of goods, 55, 148.
of old mark in non-substantial detail, 20.

WESTERN AUSTRALIA, 151, 161.

WITHDRAWAL
of application, 22, 24, 57.
of special application, 58.
of opposition, 60.
of appeal, 70.
of acceptance of application, 61.

WORD,
"mark" includes, 17.
as trade mark, 19, 20.
as old mark, 20, 57.
restrictions in cotton classes, 46, 47.
foreign, to be translated, 56.
registrar will express opinion on, 144.
See *Invented Word*.

"WORD HAVING REFERENCE TO CHARACTER OR QUALITY," 3.
not ordinarily registrable, 19, 20.

"YORKSHIRE RELISH," 1, 5.

PRINTED BY C. F. ROWORTH, GREAT NEW STREET, FETTER LANE—E.C.

TELEGRAPHIC ADDRESS—
"RHODRONS, LONDON."

**May, 1906.**

TELEPHONE—
No. 1386 (HOLBORN).

# CATALOGUE
OF
# LAW WORKS
PUBLISHED BY

## STEVENS AND SONS, LTD.

*119 & 120, Chancery Lane, London.*

---

**A Catalogue of Modern Law Works,** *together with a complete Chronological List of all the English, Irish, and Scotch Reports, an Alphabetical Table of Abbreviations used in reference to Law Reports and Text Books, and an Index of Subjects.* *Demy* 8vo. (120 *pp.*), *limp binding, post free.* (1906.) 6*d.*

**Acts of Parliament.**—*Public and Local Acts from an early date may be had of the Publishers of this Catalogue, who have also on sale the largest collection of Private Acts, relating to Estates, Enclosures, Railways, Roads, &c., &c.*

A. B. C. (The) GUIDE TO THE PRACTICE OF THE SUPREME COURT, 1906, to which is added a Diary with spaces for Appointments, &c.—By FRANCIS A. STRINGER, Esq., of the Central Office of the Supreme Court. Roy. 12mo. *Net*, 5*s.*

*** Tells the Legal Practitioner clearly and in few words *how*, *when* and *where* he may take such step in procedure as he may decide to take, and defines the mode, time and place with precision.

"A useful companion."—*Law Journal.*

"A book which will be of great service to the profession."—*Solicitors' Journal.*

ACCOUNT.—Williams' Law of Account.—Being a concise Treatise on the Right and Liability to Account, the taking of Accounts, and Accountants' Charges. By SYDNEY E. WILLIAMS, Esq., Author of "Law relating to Legal Representatives," &c. Demy 8vo. 1899. 10*s.*

"A well-arranged book, which should be very useful to receivers and accountants generally, as well as to both branches of the legal profession."—*Law Journal.*

ADMIRALTY.—Roscoe's Admiralty Practice.—A Treatise on the Admiralty Jurisdiction and Practice of the High Court of Justice and on the Vice-Admiralty Courts and the Cinque Ports, &c., with an Appendix containing Statutes, Rules as to Fees and Costs, Forms, Precedents of Pleadings and of Bills of Costs. Third Edition. By E. S. ROSCOE, Registrar, Admiralty Court, and T. LAMBERT MEARS, Esqrs., Barristers-at-Law. Demy 8vo. 1903. 1*l.* 5*s.*

"We find little to criticise and much to praise in this edition. . . . We can unhesitatingly recommend it as a reliable guide to the practice of the High Court in Admiralty matters."—*Law Journal.*

ADULTERATION.—Bartley's Adulteration of Food.—Statutes and Cases dealing with Coffee, Tea, Bread, Seeds, Food and Drugs, Margarine, Fertilisers and Feeding Stuffs, &c., &c., including the Food and Drugs Act, 1899. Second Edition. By DOUGLAS C. BARTLEY, Esq., Barrister-at-Law. Roy. 12mo. 1899. 8*s.*

"Not only concise but precise."—*Law Times.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**ADVOCACY.**—Harris' Hints on Advocacy.—Conduct of Cases, Civil and Criminal. Classes of Witnesses and Suggestions for Cross-examining them, &c., &c. By RICHARD HARRIS, K.C. Thirteenth Edition, with an Introduction. Royal 12mo. 1906. 7s. 6d.

"A very complete Manual of the Advocate's art in Trial by Jury."—*Sol. Jour.*

"Deserves to be carefully read by the young barrister whose career is yet before him."—*Law Magazine.*

"The advice is practical and shrewd, the illustrations are apt, and the whole work is written with a lucidity and lightness of touch which makes it very excellent reading."—*Law Journal.*

**AFFILIATION.**—Bott's Manual of the Law and Practice in Affiliation Proceedings, with Statutes and Forms, Table of Gestation, Forms of Agreement, &c. By W. HOLLOWAY BOTT, Solicitor. Demy 12mo. 1894. 6s.

**AGRICULTURAL LAW.**—Dixon.—*Vide* "Farm."

Spencer's Agricultural Holdings (England) Acts, 1883—1900, with Explanatory Notes.—Third Edition. By AUBREY J. SPENCER, Esq., Barrister-at-Law. Demy 8vo. 1906. 7s. 6d.

"We do not hesitate to recommend this book. The value of the book is enhanced by the addition of a large number of useful forms."—*Law Journal.*

**ANNUAL COUNTY COURTS PRACTICE.**—The Annual County Courts Practice, 1906.—By His Honour Judge SMYLY, K.C., assisted by W. J. BROOKS, Esq., Barrister-at-Law. 2 vols. Demy 8vo. 1*l.* 5s.

*** A thin paper edition *in* 1 *Vol.* may be had, price 25s.; or, on Oxford India paper, 3s. 6d. extra.

"The profession generally have gratefully recognized the very great value of this book. It admirably fulfils the essential requisites of a practice book. It is complete without being discursive or of unwieldy bulk; it is accurate and easy of reference, and throughout bears the stamp of having been compiled by a man who is thoroughly acquainted with his subject."—*Law Times.*

**ANNUAL DIGEST.**—Mews'.—*Vide* "Digest."

**ANNUAL LIBRARY, THE LAWYER'S:**—

(1) The Annual Practice.—SNOW, BURNEY, and STRINGER.
(2) The A. B. C. Guide to the Practice.—STRINGER.
(3) The Annual Digest.—MEWS. (*Also issued Quarterly.*)
(4) The Annual Statutes.—LELY.
(5) The Annual County Court Practice.—SMYLY.

☞ *Annual Subscriptions.* (*a*) *For* Complete Series, as above, delivered on the day of publication, *net*, 2*l.* 8s. (*b*) NOS. 1, 2, 3, and 4 only, *net*, 1*l.* 18s. (*If* A. B. C. GUIDE *is not wanted* 2s. 6d. *may be deducted for subscription to Series* (*a*) *or* (*b*).) (*c*) NOS. 3, 4, and 5 only, *net*, 1*l.* 15s. (*Carriage extra*, 2s.)

**ANNUAL PRACTICE.**—The Annual Practice. 1906. Edited by T. SNOW, Barrister-at-Law; C. BURNEY, a Master of the Supreme Court; and F. A. STRINGER, of the Central Office. 2 vols. 8vo. (A thin paper edition *in* 1 *Vol.* may be had, price 25s. *net*; on Oxford India paper, 3s. 6d. extra.) *Net*, 1*l.* 5s.

"A book which every practising English lawyer must have."—*Law Quarterly.*

"Every member of the bar, in practice, and every London solicitor, at all events, finds the last edition of the Annual Practice a necessity."—*Solicitors' Journal.*

**ANNUAL STATUTES.**—Lely.—*Vide* "Statutes."

**ARBITRATION.**—Russell's Treatise on the Power and Duty of an Arbitrator, and the Law of Submissions and Awards; with an Appendix of Forms, and of the Statutes relating to Arbitration. Ninth Edition. By EDWARD POLLOCK, Esq., an Official Referee of the Supreme Court of Judicature, and HAROLD WARREN POLLOCK, Esq., Barrister-at-Law. Royal 8vo. 1906. 1*l.* 10s.

"Every matter likely to arise is here dealt with, and the book deservedly maintains its position as the leading authority on arbitration."—*Law Times.*

"After a careful examination of the way in which the work has been done, we may say that nothing which the practitioner will want to know seems to have been omitted."—*Law Journal.*

**ARGENTINE REPUBLIC, Code of Commerce.**—Translated by G. WILSON-RAE and BERNARDO DE SPELUZZI. Demy 8vo. 1904. *Net*, 1*l.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**AUCTIONEERS.—Hart's Law relating to Auctioneers, House Agents and Valuers, and to Commission.**—By HERBERT HART, Esq., LL.D., Barrister-at-Law. Second Edition. Demy 8vo. 1903. 16s.

"The book can be recommended not only to lawyers, but also to auctioneers and property agents who wish to inform themselves as to their legal position."—*Law Journal.*

**AVERAGE.—Hopkins' Hand-Book of Average.**—Fourth Edition. By MANLEY HOPKINS, Esq. Demy 8vo. 1884. 1*l.* 1*s.*

**Lowndes' Law of General Average.**—English and Foreign. Fourth Edition. By RICHARD LOWNDES, Average Adjuster. Author of "The Law of Marine Insurance," &c. Royal 8vo. 1888. 1*l.* 10*s.*

**BANKING.—Hart's Law of Banking.**—By HERBERT HART, LL.D., Barrister-at-Law. Second Edit. Royal 8vo. 1906. (*In the press.*)

"The work is well arranged and clearly written, and its value is enhanced by an excellent index. We have no doubt that it will be of great use both to the lawyer and to the banker."—*Law Journal.*

"The book is characterised at once by clearness and fulness . . . . The work is likely to prove very useful in all matters affecting banks and their customers."—*Solicitors' Journal.*

**Walker's Treatise on Banking Law.**—Second Edition. By J. D. WALKER, Esq., K.C. Demy 8vo. 1885. 15*s.*

**BANKRUPTCY.—Lawrance's Precedents of Deeds of Arrangement between Debtors and their Creditors;** including Forms, with Introductory Chapters, also the Deeds of Arrangement Acts, 1887 and 1890, with Notes. Fifth Edition. By ARTHUR LAWRENCE, Esq., Barrister-at-Law. Demy 8vo. 1900. 7*s.* 6*d.*

"Concise, practical, and reliable."—*Law Times.*

**Williams' Law and Practice in Bankruptcy.**—Comprising the Bankruptcy Acts, 1883 to 1890, the Bankruptcy Rules and Forms, &c. By the Right Hon. Sir ROLAND L. VAUGHAN WILLIAMS, a Lord Justice of Appeal. Eighth Edition. By EDWARD WM. HANSELL, assisted by R. E. L. VAUGHAN WILLIAMS and D. H. CROMPTON, Esqrs., Barristers-at-Law. Roy. 8vo. 1901. 1*l.* 10*s.*

"The leading text-book on bankruptcy."—*Law Journal.*

**BILLS OF EXCHANGE.—Chalmers' Digest of the Law of Bills of Exchange, Promissory Notes, Cheques and Negotiable Securities.** Sixth Edition. By M. D. CHALMERS, C. S. I., Draughtsman of the Bills of Exchange Act. Demy 8vo. 1903. 1*l.*

"The leading book on bills of exchange."—*Law Journal.*

"An indispensable guide to the Bills of Exchange Act."—*Solicitors' Journal.*

**BILLS OF LADING.—Pollock's Bill of Lading Exceptions.**—By HENRY E. POLLOCK. Second Edition. Demy 8vo. 1896. 10*s.* 6*d.*

**BUILDING ACTS (London).**—Cohen.—*Vide* "London Building Acts."

**BUILDING SOCIETIES.—Wurtzburg on Building Societies.**—The Law relating to Building Societies, with Appendices containing the Statutes, Regulations, Act of Sederunt, Forms of Annual Account and Statement, and Precedents of Rules and Assurances. Fourth Edit. By E. A. WURTZBURG, Esq., Barrister-at-Law. Demy 8vo. 1902. 16*s.*

"A carefully arranged and carefully written book."—*Law Times.*

**CARRIERS.—Carver's Treatise on the Law relating to the Carriage of Goods by Sea.**—Fourth Edition. By THOMAS GILBERT CARVER, Esq., K.C. Royal 8vo. 1905. 36*s.*

"An able and practical statement of an extremely important branch of the law."—*Solicitors' Journal.*

"It is a standard work in universal use, and it is too well known to require more than a welcome to the new edition."—*Law Quarterly Review.*

"The law of common carriers is nowhere better explained."—*Law Times.*

**Disney's Law of Carriage by Railway.**—By HENRY W. DISNEY, Esq., Barrister-at-Law. Demy 8vo. 1905. 7*s.* 6*d.*

"Will be found a real assistance to any person suddenly confronted with a knotty question on the carriage of goods or of persons . . . can be cordially recommended to the lawyer."—*Law Times.*

"Very interesting and useful."—*Solicitors' Journal.*

**Macnamara's Digest of the Law of Carriers of Goods and Passengers by Land and Internal Navigation.**—By WALTER HENRY MACNAMARA, Esq., Barrister-at-Law. Royal 8vo. 1888. 1*l.* 8*s.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**CHANCERY**, *and Vide* "Equity."

**Daniell's Chancery Practice.**—The Practice of the Chancery Division of the High Court of Justice and on appeal therefrom. Seventh Edition, with references to the companion volume of Forms. By CECIL C. M. DALE, CHARLES W. GREENWOOD, SYDNEY E. WILLIAMS, Esqrs., Barristers-at-Law, and FRANCIS A. STRINGER, Esq., of the Central Office. 2 vols. Royal 8vo. 1901. 6*l.* 6*s.*

"With Daniell the practitioner is 'personally conducted,' and there are very few lawyers who will not be grateful for such guidance, carried out as it is by the collaboration of the most competent hands."—*Law Journal.*

**Daniell's Forms and Precedents of Proceedings in the Chancery Division of the High Court of Justice and on Appeal therefrom.** Fifth Edition, with summaries of the Rules of the Supreme Court; Practical Notes; and references to the Seventh Edition of Daniell's Chancery Practice. By CHARLES BURNEY, Esq., a Master of the Supreme Court. Royal 8vo. 1901. 2*l.* 10*s.*

"The book is too well-established in professional favour to stand in need of commendation, but its reputation is likely to be enhanced by the present edition."—*Solicitors' Journal.*

**CHILDREN.—Hall's Law Relating to Children.**—A Short Treatise on the Personal Status of Children, including the complete text of the Prevention of Cruelty to Children Act, 1904, and of all Statutes or Sections of Statutes relating to the Protection of Children, with Notes and Forms. Second Edition. By W. CLARKE HALL and CECIL W. LILLEY, Esqs., Barristers-at-Law. Demy 8vo. 1905. 10*s.* 6*d.*

"A complete treatise on the personal status of children."—*Law Times.*
"A practical and reliable treatise on the law relating to children."—*Law Jour.*
"A full and useful guide in questions relating to children."—*Solicitors' Journal.*
"Every solicitor should have a copy."—*Law Notes.*

**CHURCH LAW.—Whitehead's Church Law.**—Being a Concise Dictionary of Statutes, Canons, Regulations, and Decided Cases affecting the Clergy and Laity. Second Edition. By BENJAMIN WHITEHEAD, Esq., Barrister-at-Law. Demy 8vo. 1899. 10*s.* 6*d.*

"A perfect mine of learning on all topics ecclesiastical."—*Daily Telegraph.*

**CIVIL ENGINEERS.—Macassey and Strahan's Law relating to Civil Engineers, Architects and Contractors.**—With a Chapter on Arbitrations. Second Edition. By L. LIVINGSTON MACASSEY and J. A. STRAHAN, Esqrs., Barristers-at-Law. Demy 8vo. 1897. 12*s.* 6*d.*

**COAL.—Cockburn's Law of Coal, Coal Mining, and the Coal Trade, and of the Holding, Working, and Trading with Minerals generally.**—By JOHN HENRY COCKBURN, Solicitor. Royal 8vo. 1902. 1*l.* 16*s.*

"A book in which the whole law of mines and minerals is discussed fully and with considerable ability."—*Law Journal.*

**COLLIERIES: (Management and Rating of).—Hans Hamilton and Forbes.**—*Vide* "Mines and Rating."

**COLLISIONS.—Marsden's Treatise on the Law of Collisions at Sea.**—Fifth Edition. By REGINALD G. MARSDEN, Esq., Barrister-at-Law. Royal 8vo. 1901. 1*l.* 10*s.*

"The work constitutes a valuable and complete guide to the law of collisions at sea."—*Solicitors' Journal.*

**COLONIAL LAW.—Burge's Colonial Law: Commentaries on Colonial and Foreign Law generally and in their Conflict with each other and with the Law of England.**—A new Edition. By A. Wood RENTON, Esq., Puisne Judge, Ceylon, and C. G. PHILLIMORE, Esq., Barrister-at-Law. In 4 vols. royal 8vo. (*Vol. I. in the press.*)

**COMMISSION.—Hart.**—*Vide* "Auctioneers."

**COMMON LAW.—Chitty's Forms.**—*Vide* "Forms."

**Elliott's Outlines of Common Law.**—By MARTIN ELLIOTT, Esq., Barrister-at-Law. Demy 8vo. 1898. *Reduced to Net*, 5*s.*

**Pollock's The Expansion of the Common Law.**—By Sir FREDK. POLLOCK, Bart., D.C.L., Barrister-at-Law. Demy 8vo. 1904. 6*s.*

"Every student should read this last valuable addition to legal literature."—*Law Times.*

"The lectures treat of the progress of the common law from early times with an eloquence and a wealth of illustration which alone would make them fascinating reading for the student of law or history."—*Law Journal.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

COMMON LAW—*continued.*

Shirley.—*Vide* "Leading Cases."

Smith's Manual of Common Law.—For Practitioners and Students. Comprising the Fundamental Principles, with useful Practical Rules and Decisions. Twelfth Edition. By C. Sprling, Esq., Barrister-at-Law. Demy 8vo. 1905. 15*s.*

"The student might use this work as a first book with considerable advantage. The practitioner too might do worse than give the work a position on his shelves."—*Law Students' Journal.*

"The arrangement is clear and methodical, and will increase the usefulness of the work, not only for elementary study, but as a handy book of reference."—*Law Quarterly Review.*

COMPANY LAW.—Goirand.—*Vide* "French Law."

Hamilton's Manual of Company Law. By W. F. Hamilton, Esq., LL.D., K.C. Second Edition. By the Author, assisted by Percy Tindal-Robertson, Esq., Barrister-at-Law. Demy 8vo. 1901. 1*l.* 1*s.*

"A sound and eminently useful manual of company law."—*Solicitors' Journal.*

Palmer's Company Law.—A Practical Handbook for Lawyers and Business Men. With an Appendix containing the Companies Acts, 1862 to 1900, and Rules. Fifth Edition. By Francis Beaufort Palmer, Esq., Barrister-at-Law. Royal 8vo. 1905. 12*s.* 6*d.*

"For the purposes of the ordinary lawyer or business man there is no book on this very complex subject which we can more confidently recommend."—*Law Journal*, Aug. 12, 1905.

"Whatever Mr. Palmer says on Company Law comes stamped with an authority which few would dare dispute."—*Law Notes.*

"Palmer's 'Company Law' is one of the most useful and convenient text-books on the practitioner's bookshelf."—*Law Times.*

"The subject is dealt with in a clear and comprehensive manner, and in such a way as to be intelligible not only to lawyers but to others to whom a knowledge of Company Law may be essential."—*Law Students' Journal.*

"All the principal topics of company are dealt with in a substantial manner, and the whole of the Statute Law—an indispensable adjunct—is collected in an appendix. **Perhaps what practising lawyers and business men will value most is the precious quality of practicality.**"—*Law Quarterly Review.*

**Palmer's Company Precedents.—**

**Part I. GENERAL FORMS.**

Promoters, Prospectuses, Underwriting, Agreements, Memoranda and Articles of Association, Private Companies, Employés' Benefits, Resolutions, Notices, Certificates, Powers of Attorney, Banking and Advance Securities, Petitions, Writs, Pleadings, Judgments and Orders, Reconstruction, Amalgamation, Special Acts. With Copious Notes and an Appendix containing the Acts and Rules. Ninth Edition. By Francis Beaufort Palmer, Esq., Barrister-at-Law, assisted by the Hon. Charles Macnaghten, K.C., and Frank Evans, Esq., Barrister-at-Law. Royal 8vo. 1906. 1*l.* 16*s.*

"Despite his many competitors, Mr. Palmer
'Holds solely sovereign sway and masterdom.'"—*Law Quarterly Review.*

"Mr. Palmer's works on Company Law are all beyond criticism. He knows more of the subject than, perhaps, any other member of the legal profession."—*Law Magazine.*

"No company lawyer can afford to be without it."—*Law Journal.*

**Part II. WINDING-UP FORMS AND PRACTICE.**

Compulsory Winding-Up, Voluntary Winding-Up, Winding-Up under Supervision, Arrangements and Compromises, with Copious Notes, and an Appendix of Acts and Rules. Ninth Edition. By Francis Beaufort Palmer, assisted by Frank Evans, Esqrs., Barristers-at-Law. Royal 8vo. 1904. 1*l.* 12*s.*

"The book *par excellence* for practitioners. There is nothing we can think of which should be within the covers which we do not find."—*Law Journal.*

**Part III. DEBENTURES AND DEBENTURE STOCK.**

Debentures, Trust Deeds, Stock Certificates, Resolutions, Prospectuses, Writs, Pleadings, Judgments, Orders, Receiverships, Notices, Miscellaneous. With Copious Notes. Ninth Edition. By Francis Beaufort Palmer, Esq., Barrister-at-Law. Royal 8vo. 1903. 25*s.*

"The result of much careful study. . . . . Simply invaluable to debenture-holders and to the legal advisers of such investors."—*Financial News.*

". . . . Must take front rank among the works on the subject."—*Law Times.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**COMPANY LAW**—*continued.*

**Palmer's Companies Act, 1900, with Explanatory Notes, and** Appendix containing Prescribed and other Forms, together with Addenda to "Company Precedents." Second Edition. By FRANCIS BEAUFORT PALMER, Esq., Barrister-at-Law. Royal 8vo. 1901. 7*s.* 6*d.*

"It is essentially a book that all interested in companies or company law should procure."—*Law Times.*

**Palmer's Private Companies, their Formation and Advantages;** being a Concise Popular Statement of the Mode of Converting a Business into a Private Company. Twenty-first Edition. By F. B. PALMER, Esq., Barrister-at-Law. 12mo. 1900. *Net*, 1*s.*

**Palmer's Shareholders, Directors, and Voluntary Liquidators' Legal Companion.**—A Manual of Every-day Law and Practice for Promoters, Shareholders, Directors, Secretaries, Creditors, Solicitors, and Voluntary Liquidators of Companies under the Companies Acts, 1862 to 1900, with Appendix of useful Forms. Twenty-third Edit. By F. B. PALMER, Esq., Barrister-at-Law. 12mo. 1905. *Net*, 2*s.* 6*d.*

**COMPENSATION.**—**Cripps' Treatise on the Principles of the Law of Compensation.** By C. A. CRIPPS, Esq., K.C. Fifth Edition. By the Author, assisted by A. T. LAWRENCE, Esq., Barrister-at-Law. Royal 8vo. 1905. 1*l.* 6*s.*

"Mr. Cripps' work on Compensation has established a reputation for itself as a clear and practical exposition of this branch of the law."—*Solicitors' Journal.*

"Mr. Cripps' book is recognized as one of the best. . . . There are few men whose practical knowledge of the subject exceeds that of the learned author."—*Law Quarterly Review.*

**COMPOSITION DEEDS.**—Lawrance.—*Vide* "Bankruptcy."

**CONDITIONS OF SALE.**—Farrer.—*Vide* "Vendors & Purchasers."
Webster.—*Vide* "Vendors and Purchasers."

**CONFLICT OF LAWS.**—**Dicey's Digest of the Law of England with reference to the Conflict of Laws.**—By A. V. DICEY, Esq., K.C., B.C.L. With Notes of American Cases, by Professor MOORE. Royal 8vo. 1896. 1*l.* 10*s.*

**CONSTITUTION.**—**Anson's Law and Custom of the Constitution.** By Sir WILLIAM R. ANSON, Bart., Barrister-at-Law. Demy 8vo.
Part I. Parliament. Third Edition. 1897. 12*s.* 6*d.*

**CONSTITUTIONAL LAW.**—**Ridges' Constitutional Law of England.**—By E. WAVELL RIDGES, Esq., Barrister-at-Law. Demy 8vo. 1905. 12*s.* 6*d.*

". . . We think this book will be found a very useful compendium of constitutional law. The more especially as it enables the student to obtain a **completer view of the whole field than is obtainable from any other book with which we are acquainted.**"—*Law Notes.*

"Mr. Ridges has produced a book which will rank high as a practical guide on matters constitutional and political . . . the book is an able and practical contribution to the study of constitutional law."—*Solicitors' Journal.*

**CONTRACT OF SALE.**—Blackburn.—*Vide* "Sales."

**Moyle's Contract of Sale in the Civil Law.**—By J. B. MOYLE, Esq., Barrister-at-Law. 8vo. 1892. 10*s.* 6*d.*

**CONTRACTS.**—**Addison on Contracts.**—A Treatise on the Law of Contracts. Tenth Edition. By A. P. PERCIVAL KEEP and WILLIAM E. GORDON, Esqrs., Barristers-at-Law. Royal 8vo. 1903. 2*l.* 2*s.*

"Essentially *the* practitioner's text-book."—*Law Journal.*

"Among all the works on Contracts, there is none more useful to the practitioner than Addison."—*Law Times.*

**Anson's Principles of the English Law of Contract.**—By Sir W. R. ANSON, Bart., Barrister-at-Law. Tenth Edit. 1903. 10*s.* 6*d.*

Fry.—*Vide* "Specific Performance."

**Leake's Law of Contracts.**—Principles of the Law of Contracts. By the late S. MARTIN LEAKE. Fifth Edition. By A. E. RANDALL, Esq., Barrister-at-Law. Royal 8vo. 1906. 32*s.*

"The high standard attained in the former issues has been well sustained, and the work carefully revised and brought well up to date."—*Law Times.*

"A full and reliable guide to the principles of the English Law of Contract."—*Law Journal.*

"Admirably suited to serve the purpose of the practitioner . . . . the work is complete, accurate, and easy of reference."—*Solicitors' Journal.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

CONTRACTS—*continued.*

**Pollock's Principles of Contract.**—A Treatise on the General Principles concerning the Validity of Agreements in the Law of England. Seventh Edition. By Sir FREDERICK POLLOCK, Bart., Barrister-at-Law, Author of "The Law of Torts," "Digest of the Law of Partnership," &c. Demy 8vo. 1902. 1*l.* 8*s.*

"A work which, in our opinion, shows great ability, a discerning intellect, a comprehensive mind, and painstaking industry."—*Law Journal.*

CONVEYANCING.—Brickdale & Sheldon.—*Vide* "Land Transfer."

**Dickins' Precedents of General Requisitions on Title,** with Explanatory Notes and Observations. Second Edition. By HERBERT A. DICKINS, Esq., Solicitor. Royal 12mo. 1898. 5*s.*

"We cannot do better than advise every lawyer with a conveyancing practice to purchase the little book and place it on his shelves forthwith."—*Law Notes.*

Farrer.—*Vide* "Vendors and Purchasers."

**Greenwood's Manual of the Practice of Conveyancing.** To which are added Concise Common Forms in Conveyancing.—Ninth Edition. Edited by HARRY GREENWOOD, M.A., LL.D., Esq., Barrister-at-Law. Roy. 8vo. 1897. 1*l.*

"We should like to see it placed by his principal in the hands of every articled clerk. One of the most useful practical works we have ever seen."—*Law Stu. Jo.*

**Hood and Challis' Conveyancing, Settled Land, and Trustee Acts,** and other recent Acts affecting Conveyancing. With Commentaries. Sixth Edition. By PERCY F. WHEELER, assisted by J. I. STIRLING, Esqrs., Barristers-at-Law. Royal 8vo. 1901. 1*l.*

"This is the best collection of conveyancing statutes with which we are acquainted. . . . The excellence of the commentaries which form part of this book is so well known that it needs no recommendation from us."—*Law Journal.*

**Jackson and Gosset's Precedents of Purchase and Mortgage Deeds.**—By W. HOWLAND JACKSON and THOROLD GOSSET, Esqrs., Barristers-at-Law. Demy 8vo. 1899. 7*s.* 6*d.*

"Not the least merit of the collection is that each Precedent is complete in itself, so that no dipping about and adaptation from other parts of the book are necessary."—*Law Journal.*

**Prideaux's Precedents in Conveyancing—With Dissertations on its Law and Practice.** 19th Edition. By JOHN WHITCOMBE and BENJAMIN LENNARD CHERRY, Esqrs., Barristers-at-Law. 2 vols. Royal 8vo. (*October*) 1904. 3*l.* 10*s.*

"'Prideaux' is the best work on Conveyancing."—*Law Journal.*

"Accurate, concise, clear, and comprehensive in scope, and we know of no treatise upon Conveyancing which is so generally useful to the practitioner."—*Law Times.*

"The dissertations will retain their time-honoured reputation."—*Law Journal.*

**Strachan's Practical Conveyancing.** By WALTER STRACHAN, Esq., Barrister-at-Law. Royal 12mo. 1901. 8*s.* 6*d.*

Webster.—*Vide* "Vendors and Purchasers."

Wolstenholme.—*Vide* "Forms."

CORONERS.—**Jervis on Coroners.**—With Forms and Precedents. Sixth Edition. By R. E. MELSHEIMER, Esq., Barrister-at-Law. Post 8vo. 1898. 10*s.* 6*d.*

COSTS.—**Johnson's Bills of Costs.**—With Orders and Rules as to Costs and Court Fees, and Notes and Decisions relating thereto. By HORACE MAXWELL JOHNSON, Esq., Barrister-at-Law. Second Edition. Royal 8vo. 1901. 1*l.* 15*s.*

**Webster's Parliamentary Costs.**—Private Bills, Election Petitions, Appeals, House of Lords. Fourth Edition. By C. CAVANAGH, Esq., Barrister-at-Law. Post 8vo. 1881. 1*l.*

COUNTY COURTS.—**The Annual County Courts Practice, 1906.** By His Honour Judge SMYLY, K.C., assisted by W. J. BROOKS, Esq., Barrister-at-Law. 2 vols. Demy 8vo. 1*l.* 5*s.*

*** A thin paper edition *in* 1 *Vol.* may be had, price 25*s.*; or, on Oxford Indian paper, 3*s.* 6*d.* extra.

"Invaluable to the County Court practitioner."—*Law Journal.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**COVENANTS.**—Hamilton's Concise Treatise on the Law of Covenants.—Second Edition. By G. BALDWIN HAMILTON, Esq., Barrister-at-Law. Demy 8vo. 1901. 10s. 6d.

"We welcome the second edition of a very useful book."—*Law Journal.*

**CRIMINAL LAW.**—Archbold's Pleading, Evidence and Practice in Criminal Cases.—With the Statutes, Precedents of Indictments, &c. Twenty-third Edition. By WILLIAM F. CRAIES and GUY STEPHENSON, Esqrs., Barristers-at-Law. Demy 8vo. 1905. 1*l.* 15*s.*

"The criminal lawyer's indispensable."—*Law Journal.*

"This book is quite indispensable to everyone engaged in the practice of the Criminal Law."—*Solicitors' Journal.*

"An edition which bears every evidence of a most thorough and painstaking care to bring it down to date, and to render it as indispensable and reliable as it has been in the past. The index is more complete than ever."—*Law Times.*

Bowen-Rowlands on Criminal Proceedings on Indictment and Information (in England and Wales).—By E. BOWEN-ROWLANDS, Esq., Barrister-at-Law. Demy 8vo. 1901. 12*s.* 6*d.*

"An invaluable source of information and a safe guide."—*Pall Mall Gazette.*

Chitty's Collection of Statutes relating to Criminal Law.—(Reprinted from "Chitty's Statutes.") With an Introduction and Index. By W. F. CRAIES, Esq., Barrister-at-Law. Royal 8vo. 1894. 10*s.*

Disney and Gundry's Criminal Law.—A Sketch of its Principles and Practice. By HENRY W. DISNEY and HAROLD GUNDRY, Esqrs., Barristers-at-Law. Demy 8vo. 1895. 7*s.* 6*d.*

Kenny's Outlines of Criminal Law. 2nd Ed. Demy 8vo. 1904. 10*s.*

Kenny's Selection of Cases Illustrative of English Criminal Law.—Demy 8vo. 1901. 12*s.* 6*d.*

Kershaw's Brief Aids to Criminal Law.—With Notes on the Procedure and Evidence. By HILTON KERSHAW, Esq., Barrister-at-Law. Royal 12mo. 1897. 3*s.*

Roscoe's Digest of the Law of Evidence in Criminal Cases.—Twelfth Edition. By A. P. PERCEVAL KEEP, Esq., Barrister-at-Law. Demy 8vo. 1898. 1*l.* 11*s.* 6*d.*

Russell's Treatise on Crimes and Misdemeanors.—Sixth Edit. By HORACE SMITH, Esq., Metropolitan Police Magistrate, and A. P. PERCEVAL KEEP, Esq. 3 vols. Roy. 8vo. 1896. 6*l.* 16*s.* 6*d.*

"No library can be said to be complete without Russell on Crimes."—*Law Times.*

"Indispensable in every Court of criminal justice."—*The Times.*

Shirley's Sketch of the Criminal Law.—Second Edition. By CHARLES STEPHEN HUNTER, Esq., Barrister-at-Law. Demy 8vo. 1889. 7*s.* 6*d.*

Warburton.—*Vide* "Leading Cases."

**CUSTOMS.**—Highmore's Customs Laws; including the Customs Consolidation Act, 1876, with the Enactments amending and extending that Act, and the present Customs Tariff for Great Britain and Ireland; also the Customs Laws and Tariff for the Isle of Man; with other Enactments affecting the Customs, and Notes of the Decided Cases. By NATHANIEL J. HIGHMORE, Esq., of the Middle Temple, Barrister-at-Law, Solicitor for His Majesty's Customs. Demy 8vo. 1906. 6*s.*

**DEATH DUTIES.**—Freeth's Acts relating to the Estate Duty and other Death Duties, with an Appendix containing the Rules Regulating Proceedings in England, Scotland and Ireland in Appeals under the Acts and a List of the Estate Duty Forms, with copies of some which are only issued on Special Application. Third Edition. By EVELYN FREETH, Esq., Registrar of Estate Duties for Ireland. Demy 8vo. 1901. 12*s.* 6*d.*

"The official position of the Author renders his opinion on questions of procedure of great value, and we think that this book will be found very useful to solicitors who have to prepare accounts for [illegible]."—*Solicitors' Journal.*

Harman's Finance Act, 1894, and the Acts amending the same so far as they relate to the Death Duties, and more especially to Estate Duty and Settlement Estate Duty. With an Introduction and Notes, and an Appendix. By J. E. HARMAN, Esq., Barrister-at-Law. Second Edition. Roy. 12mo. 1903. 6*s.*

"Can be recommended as a reliable guide."—*Law Quarterly Review.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

DEBENTURES AND DEBENTURE STOCK.—Palmer.—*Vide* "Company Law."

DECISIONS OF SIR GEORGE JESSEL.—Peter's Analysis and Digest of the Decisions of Sir George Jessel; with Notes, &c. By Arbuky Peter Peter, Solicitor. Demy 8vo. 1883. 16*s.*

DIARY.—Lawyers' Companion (The) and Diary, and London and Provincial Law Directory for 1906.—For the use of the Legal Profession, Public Companies, Justices, Merchants, Estate Agents, Auctioneers, &c., &c. Edited by Edwin Layman, Esq., Barrister-at-Law; and contains Tables of Costs in the High Court of Judicature and County Court, &c.; Monthly Diary of County, Local Government, and Parish Business; Oaths in Supreme Court; Summary of Statutes of 1905; Alphabetical Index to the Practical Statutes since 1820; Schedule of Stamp Duties; Legal Time, Interest, Discount, Income, Wages and other Tables; the New Death Duties; and a variety of matters of practical utility: together with a complete List of the English Bar, and London and Country Solicitors, with date of admission and appointments. Published Annually. Sixtieth Issue. 1906.

Issued in the following forms, octavo size, strongly bound in cloth:—

| | | |
|---|---|---|
| 1. | Two days on a page, plain | 5*s.* 0*d.* |
| 2. | The above, interleaved with plain paper | 7 0 |
| 3. | Two days on a page, ruled, with or without money columns | 5 6 |
| 4. | The above, with money columns, interleaved with plain paper | 8 0 |
| 5. | Whole page for each day, plain | 7 6 |
| 6. | The above, interleaved with plain paper | 9 6 |
| 7. | Whole page for each day, ruled, with or without money columns | 8 6 |
| 8. | The above, interleaved with plain paper | 10 6 |
| 9. | Three days on a page, ruled blue lines, without money columns | 3 6 |

*The Diary contains memoranda of Legal Business throughout the Year, with an Index for ready reference.*

**"The legal Whitaker."**—*Saturday Review.*

"The amount of information packed within the covers of this well-known book of reference is almost incredible. In addition to the Diary, it contains nearly 800 pages of closely printed matter, none of which could be omitted without, perhaps, detracting from the usefulness of the book. The publishers seem to have made it their aim to include in the Companion every item of information which the most exacting lawyer could reasonably expect to find in its pages, and it may safely be said that no practising solicitor, who has experienced the luxury of having it at his elbow, will ever be likely to try to do without it."—*Law Journal.*

DICTIONARY.—Stroud's Judicial Dictionary, or Interpreter of Words and Phrases by the British Judges and Parliament.—Second Edition. By F. Stroud, Esq., Barrister-at-Law. 3 vols. Roy. 8vo. 1903. 4*l.* 4*s.*

"Must find a place in every law library. It is difficult to exaggerate its usefulness. . . . is invaluable, not only as a labour-saving machine, but as a real contribution to legal literature. . . . a standard classic of the law."—*Law Journal.*

"An authoritative dictionary of the English language."—*Law Times.*

"This judicial dictionary is pre-eminently a ground from which may be extracted suggestions of the greatest utility, not merely for the advocate in court, but also for the practitioner who has to advise."—*Solicitors' Journal.*

The Pocket Law Lexicon.—Explaining Technical Words, Phrases and Maxims of the English, Scotch and Roman Law. Fourth Edition. By Joseph E. Morris, Esq., Barrister-at-Law. 1905. 6*s.* 6*d.*

"A wonderful little legal Dictionary."—*Indermaur's Law Students' Journal.*

Wharton's Law Lexicon.—Forming an Epitome of the Law of England, and containing full Explanations of Technical Terms and Phrases, both Ancient and Modern, and Commercial, with selected Titles from the Civil, Scots and Indian Law. Tenth Edition. With a New Treatment of the Maxims. By J. M. Lely, Esq., Barrister-at-Law. Super-royal 8vo. 1902. 1*l.* 18*s.*

**"An encyclopædia of the law."**

"The new edition seems to us to be very complete and perfect, and a copy of it should be procured by every practising solicitor without delay. A better value for his money in the law book market a practitioner could not, we are sure, get. Of the many books we have to refer to in our work no volume is, we believe, more often taken down from the shelf than 'Wharton.'"—*Law Notes.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

## DIGESTS.

**MEWS' DIGEST OF ENGLISH CASE LAW.**—Containing the Reported Decisions of the Superior Courts, and a Selection from those of the Irish Courts, to the end of 1897. (Being a New Edition of "Fisher's Common Law Digest and Chitty's Equity Index.") Under the general Editorship of JOHN MEWS, Barrister-at-Law. 16 vols. Roy. 8vo. £20

(*Bound in half calf, gilt top, £3 net extra.*)

"A vast undertaking. . . . We have tested several parts of the work, with the result of confirming our impression as to the accuracy of a work which is indispensable to lawyers."—*The Times.*

**The Annual Digest from 1898 to 1905.**—By JOHN MEWS, Esq., Barrister-at-Law. Royal 8vo. each 15*s.*

*** This Digest is also issued quarterly, each part being cumulative. Price to Subscribers, for the four parts *payable in advance, net* 17*s.*

"The practice of the law without Mews' Annual would be almost an impossibility."—*Law Times.*

**Mews' Digest of Cases relating to Criminal Law down to the end of 1897.**—By JOHN MEWS, Esq., Barrister-at-Law. Royal 8vo. 1898. 1*l.* 5*s.*

**Law Journal Quinquennial Digest, 1896-1900.**—An Analytical Digest of Cases Published in the Law Journal Reports, and the Law Reports, during the years 1896-1900, with references to the Statutes passed during the same period. By JAMES S. HENDERSON, Esq., Barrister-at-Law. 1901. 1*l.* 10*s.*

**Woods and Ritchie's Digest of Cases, Overruled, Approved, or otherwise specially considered in the English Courts to the end of 1902:** with Extracts from the Judgments dealing with the same. By W. A. G. WOODS and J. RITCHIE, Esqrs., Barristers-at-Law.—Being a New Edition of "Dale and Lehmann's Digest." 3 Vols. Royal 8vo. (*In the press.*)

**DISCOVERY.—Bray's Digest of the Law of Discovery, with Practice Notes.**—By EDWARD BRAY, Esq., Barrister-at-Law. Demy 8vo. 1904. *Net*, 3*s.*

**DISTRESS.—Oldham and Foster on the Law of Distress.**—A Treatise on the Law of Distress, with an Appendix of Forms, Table of Statutes, &c. Second Edition. By ARTHUR OLDHAM and A. LA TROBE FOSTER, Esqrs., Barristers-at-Law. Demy 8vo. 1899. 18*s.*

**DISTRICT COUNCILS.—Chambers' Digest of the Law relating to District Councils,** so far as regards the Constitution, Powers and Duties of such Councils (including Municipal Corporations) in the matter of Public Health and Local Government. Ninth Edition.—By G. F. CHAMBERS, Esq., Barrister-at-Law. Royal 8vo. 1895. 10*s.*

**DIVORCE.—Browne and Powles' Law and Practice in Divorce and Matrimonial Causes.**—Seventh Edition. By L. D. POWLES, Esq., Barrister-at-Law, Probate Registrar, Norwich. Demy 8vo. 1905. 1*l.* 5*s.*

"The practitioner's standard work on divorce practice."—*Law Quar. Rev.*

**DOMESDAY BOOK AND BEYOND.—Three Essays in the Early History of England.**—By Professor MAITLAND. 1897. 8vo. 16*s.*

**EASEMENTS.—Goddard's Treatise on the Law of Easements.**—By JOHN LEYBOURN GODDARD, Esq., Barrister-at-Law. Sixth Edition. Demy 8vo. 1904. 1*l.* 5*s.*

"We can cordially recommend the work to those of our readers in search of an up-to-date authority."—*Law Students' Journal.*

"Nowhere has the subject been treated so exhaustively, and, we may add, so scientifically, as by Mr. Goddard. We recommend it to the most careful study of the law student, as well as to the library of the practitioner."—*Law Times.*

**Innes' Digest of the Law of Easements.**—Seventh Edition. By L. C. INNES, lately one of the Judges of Her Majesty's High Court of Judicature, Madras. Royal 12mo. 1903. 7*s.* 6*d.*

"An accurate and compendious statement of the law of easements, and will consequently be of much use to students."—*Law Notes.*

"This presents the law in a series of clearly enunciated propositions, which are supported by examples taken in general from decided cases. The subject is one that readily lends itself to such treatment, and in Mr. Innes' hands it is skilfully developed."—*Solicitors' Journal.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

EASEMENTS—*continued.*

Roscoe's Easement of Light.—A Digest of the Law relating to the Easement of Light.—With an Historical Introduction, and an Appendix containing Practical Hints for Architects and Surveyors, Observations on the Right to Air, Statutes, Forms and Plans. Fourth Edition. By EDWARD STANLEY ROSCOE, Esq., Barrister-at-Law, Admiralty Registrar of the Supreme Court, Author of "A Digest of Building Cases," "Admiralty Practice," &c. Demy 8vo. 1901. 7s. 6d.

"A most useful little work."—*Law Journal.*

"A clear and practical digest of the law."—*Law Times.*

"An accurate digest of the law."—*Law Notes.*

ECCLESIASTICAL LAW.—Phillimore's Ecclesiastical Law of the Church of England. By the late Sir ROBERT PHILLIMORE, Bart. Second Edition, by his son Sir W. G. F. PHILLIMORE, Bart., assisted by C. F. JEMMETT, Barrister-at-Law. 2 vols. Royal 8vo. 1895. *Published at 3l. 3s., reduced to, net, 1l. 5s.*

"The task of re-editing Phillimore's 'Ecclesiastical Law' was not an easy one. Sir Walter Phillimore has executed it with brilliant success. He has brought to the work all his father's subdued enthusiasm for the Church, he has omitted nothing that lent value to the original treatise, he has expunged from it what could be spared, and has added to it everything that the ecclesiastical lawyer can possibly need to know."—*Law Journal.*

Whitehead's Church Law.—Being a Concise Dictionary of Statutes, Canons, Regulations, and Decided Cases affecting the Clergy and Laity. Second Edition. By BENJAMIN WHITEHEAD, Esq., Barrister-at-Law. Demy 8vo. 1899 10s. 6d.

"A perfect mine of learning on all topics ecclesiastical."—*Daily Telegraph.*

"Mr. Whitehead has amassed a great deal of information which it would be very difficult to find in any other book, and he has presented it in a clear and concise form. It is a book which will be useful to lawyers and laymen."—*Law Times.*

ELECTIONS.—Day's Election Cases in 1892 and 1893.—Being a Collection of the Points of Law and Practice, together with Reports of the Judgments. By S. H. DAY, Esq., Barrister-at-Law, Editor of "Rogers on Elections." Royal 12mo. 1894. 7s. 6d.

Hedderwick's Parliamentary Election Manual: A Practical Handbook on the Law and Conduct of Parliamentary Elections in Great Britain and Ireland, designed for the Instruction and Guidance of Candidates, Agents, Canvassers, Volunteer Assistants, &c. Second Edition. By T. C. H. HEDDERWICK, Esq., Barrister-at-Law. Demy 12mo. 1900. 10s. 6d.

"The work is pre-eminently practical, concise and clear."—*Solicitors' Journal.*

"One of the best books of the kind that we are acquainted with."—*Law Journal.*

Hunt's Metropolitan Borough Councils Elections: A Guide to the Election of the Mayor, Aldermen, and Councillors of Metropolitan Boroughs. By JOHN HUNT, Esq., Bar.-at-Law. Demy 8vo. 1900. 3s. 6d.

Rogers' Law and Practice of Elections.—

Vol. I. REGISTRATION, including the Practice in Registration Appeals; Parliamentary, Municipal, and Local Government; with Appendices of Statutes, Orders in Council, and Forms. Sixteenth Edition; with Addenda of Statutes to 1900. By MAURICE POWELL, Esq., Barrister-at-Law. Royal 12mo. 1897. 1l. 1s.

"The practitioner will find within these covers everything which he can be expected to know, well arranged and carefully stated."—*Law Times.*

Vol. II. PARLIAMENTARY ELECTIONS AND PETITIONS; with Appendices of Statutes, Rules and Forms, and a Precedent of a Bill of Costs. Eighteenth Edition. By C. WILLOUGHBY WILLIAMS, Esq., Barrister-at-Law. Royal 12mo. 1900. 1l. 1s.

"The acknowledged authority on election law."—*Law Journal.*

"The leading book on the difficult subjects of elections and election petitions."—*Law Times.*

"We have nothing but praise for this work as a trustworthy guide for candidates and agents."—*Solicitors' Journal.*

Vol. III. MUNICIPAL AND OTHER ELECTIONS AND PETITIONS, with Appendices of Statutes, Rules, and Forms. Eighteenth Edit. By C. WILLOUGHBY WILLIAMS, Esq., Barrister-at-Law. Royal 12mo. (*In preparation.*) 1l. 1s.

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**EMPLOYERS' LIABILITY.**—Mozley-Stark.—*Vide* "Arbitration."

Robinson's Employers' Liability. By ARTHUR ROBINSON, Esq., Barrister-at-Law. Second Edition. Including Precedents of Schemes of Compensation. By the Author and J. D. STUART SIM, Esq., Barrister-at-Law. Royal 12mo. 1898. 7*s.* 6*d.*

**ENGLISH LAW.**—Pollock and Maitland's History of English Law before the time of Edward I. By Sir FREDERICK POLLOCK, Bart., and FRED. W. MAITLAND, Esq., Barristers-at-Law. Second Edition. 2 vols. roy. 8vo. 1898. 2*l.*

**ENGLISH REPORTS.** Re-issue of all Decisions prior to 1866. To be completed in about 150 Volumes. Royal 8vo. Issued monthly.

NOW ISSUED.

HOUSE OF LORDS (1694 to 1866). 11 Vols. Half-bound. *Net*, 22*l.*

PRIVY COUNCIL (Including Indian Appeals) (1809 to 1872). 9 Vols. Half-bound. *Net*, 13*l.* 10*s.*

CHANCERY (Including Collateral Reports) (1557 to 1866). 27 Vols. Half-bound. *Net*, 40*l.* 10*s.*

ROLLS COURT (1829 to 1866). 8 Vols. Half-bound. *Net*, 12*l.*

NOW PUBLISHING.

VICE-CHANCELLORS' COURTS (1815—1865). Complete in about 11 vols. Half-bound. *Net*, per vol., 30*s.*

*** The Volumes are not sold separately. Prospectus on application.

"We can speak unhesitatingly of the advantage to the lawyer of the possession of this excellent reprint of all the English reports."—*Solicitors' Journal.*

**EQUITY**, *and Vide* **CHANCERY.**

Seton's Forms of Judgments and Orders in the High Court of Justice and in the Court of Appeal, having especial reference to the Chancery Division, with Practical Notes. Sixth Edition. By CECIL C. M. DALE, Esq., Barrister-at-Law, W. TINDAL KING, Esq., a Registrar of the Supreme Court, and W. O. GOLDSCHMIDT, Esq., of the Registrars' Office. In 3 vols. Royal 8vo. 1901. 6*l.* 6*s.*

"A monument of learned and laborious accuracy."—*Law Quarterly Review.*

"The new edition of 'Seton' is from every point of view, indeed, a most valuable and indispensable work, and well worthy of the book's high reputation."—*Law Journal.*

Smith's Manual of Equity Jurisprudence.—A Manual of Equity Jurisprudence for Practitioners and Students, founded on the Works of Story and other writers, comprising the Fundamental Principles and the points of Equity usually occurring in General Practice. Fifteenth Edition. By SYDNEY E. WILLIAMS, Esq., Barrister-at-Law. Demy 8vo. 1900. 12*s.* 6*d.*

"We can safely recommend 'Smith's Equity' in its new clothes to the attention of students reading for their Examinations."—*Law Notes.*

Smith's Practical Exposition of the Principles of Equity, illustrated by the Leading Decisions thereon. For the use of Students and Practitioners. Third Edition. By H. ARTHUR SMITH, M.A., LL.B., Esq., Barrister-at-Law. Demy 8vo. 1902. 21*s.*

"This well-known text-book maintains its high reputation. . . . This third edition has been brought up to date in a way which should also make it useful to practitioners in search of the latest authorities on any given point. . . . The additional cases referred to in the text and notes amount to many hundreds."—*Law Journal.*

Williams' Outlines of Equity.—A Concise View of the Principles of Modern Equity. By SYDNEY E. WILLIAMS, Esq., Barrister-at-Law, Author of "The Law relating to Legal Representatives," &c. Royal 12mo. 1900. 6*s.*

"The accuracy it combines with conciseness is remarkable."—*Law Magazine.*

**ESTATE DUTIES.**—Freeth.—*Vide* "Death Duties."

**ESTOPPEL.**—Everest and Strode's Law of Estoppel. By LANCELOT FIELDING EVEREST, and EDMUND STRODE, Esqrs., Barristers-at-Law. Demy 8vo. 1884. 18*s.*

Ewart's Exposition of the Principles of Estoppel by Misrepresentation.—By JOHN S. EWART, Esq., K.C. of the Canadian Bar. Demy 8vo. 1900. 1*l.* 5*s.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**EVIDENCE.**—Bodington.—*Vide* "French Law."

Wills' Theory and Practice of the Law of Evidence.—By Wm. Wills, Esq., Barrister-at-Law. Demy 8vo. 1894. 10s. 6d.

"It contains a large amount of valuable information, very tersely and accurately conveyed."—*Law Times.*

**EVIDENCE ON COMMISSION.**—Hume-Williams and Macklin's Taking of Evidence on Commission: including therein Special Examinations, Letters of Request, Mandamus and Examinations before an Examiner of the Court. Second Edition. By W. E. Hume-Williams, Esq., K.C., and A. Romer Macklin, Esq., Barrister-at-Law. Demy 8vo. 1903. 12s. 6d.

"We have tested it carefully, and have no hesitation in commending it to the profession as an accurate and complete manual on this important branch of the law. Every point that is likely to occur in practice has been noted, and there are appendices of statutes, rules, orders, precedents; and—which is, so far as we are aware, a novel feature—principles of our law of evidence for the guidance of foreign advocates, in English, French, and German, and a good index." *Law Times.*

**EXAMINATION GUIDES.**—Bar Examination Guide. By H. D. Woolcock, and R. C. Maxwell, Esqrs., Barristers-at-Law.

Vols. I. to V. (1895—1899). *Each, net* 7s. 6d.

Barham's Students' Text-Book of Roman Law. By C. Nicolas Barham, Esq., Barrister-at-Law. Demy 12mo. 1903. *Net*, 2s. 6d.

"This is a first primer of Roman Law for the beginner. It is plain and clear, is well arranged, and so simply put that any student can follow it.—*Law Student's Journal.*

**EXECUTIONS.**—Edwards' Law of Execution upon Judgments and Orders of the Chancery and Queen's Bench Divisions. By C. J. Edwards, Esq., Barrister-at-Law. Demy 8vo. 1888. 16s.

**EXECUTORS.**—Goffin's Testamentary Executor in England and Elsewhere. By R. J. R. Goffin, Esq., Barrister-at-Law. Demy 8vo. 1901. 5s.

Macaskie's Treatise on the Law of Executors and Administrators. By S. C. Macaskie, Esq., Barrister-at-Law. 8vo. 1881. 10s. 6d.

Williams' Law of Executors and Administrators.—Tenth Edition. By the Right Hon. Sir Roland Vaughan Williams, a Lord Justice of Appeal, and Arthur Robert Ingpen, Esq., one of His Majesty's Counsel. 2 vols. Roy. 8vo. 1905. 4*l.*

"We cannot call to mind any work of recent times of greater authority than 'Williams on Executors.' It is one of our legal classics, and is unrivalled in the width of its range, the accuracy of its statements, and the soundness of its law. The new edition is worthy of the great reputation of the work, and every prudent practitioner will do well to possess himself of a copy."—*Law Times.*

"This book—the standard work on its subject—is a storehouse of learning on every point of administration law, and has been completely brought up to date."—*Law Journal.*

"It is *facile princeps* the leading authority on the subjects with which it deals, and is a work which every practitioner should possess and no library should be without."—*Law Quarterly Review.*

Williams' Law relating to Legal Representatives.—Real and Personal. By Sydney E. Williams, Esq., Author of "Law of Account," "Outlines of Equity," &c. Demy 8vo. 1899. 10s.

"We can commend to both branches of the profession, and more especially to solicitors."—*Law Times.*

**EXECUTORS (Corporate).**—Allen's Law of Corporate Executors and Trustees. By Ernest Kiso Allen, Esq., Barrister-at-Law. Demy 8vo. 1906. 6s.

**EXTRADITION.**—Biron and Chalmers' Law and Practice of Extradition. By H. C. Biron and Kenneth E. Chalmers, Esqrs., Barristers-at-Law. Demy 8vo. 1903. 20s.

"A convenient store of information upon all matters connected with extradition."—*Solicitors' Journal.*

"The whole book is eminently practical, and the practice and procedure are clearly and ably discussed."—*Law Times.*

"A very satisfactory and practical collection of the treaties and statutes relating to extradition and fugitive offenders, with an interesting introduction, a commentary on the text of the statutes and treaties, and a valuable alphabetical list showing what crimes are comprised in the particular treaties."—*Law Journal.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

FACTORIES AND WORKSHOPS.—Ruegg and Mossop's Law of Factories and Workshops. By A. H. Ruegg, Esq., K.C., and L. Mossop, Esq., Barrister-at-Law. Demy 8vo. 1902. 12s. 6d.
"One of the best treatises on the law of factories."—*Law Journal.*

FARM, LAW OF.—Dixon's Law of the Farm: including the Cases and Statutes relating to the subject; and the Agricultural Customs of England and Wales. Sixth Edition. By Aubrey J. Spencer, Esq., Barrister-at-Law. Demy 8vo. 1901. 1*l.* 6s.
"A complete modern compendium on agricultural matters."—*Law Times.*

FIXTURES.—Amos and Ferard on the Law of Fixtures. Third Edition. By C. A. Ferard and W. Howland Roberts, Esqrs., Barristers-at-Law. Demy 8vo. 1883. 18s.

FORMS.—Chitty's Forms of Civil Proceedings in the King's Bench Division of the High Court of Justice, and on Appeal therefrom to the Court of Appeal and the House of Lords.—Thirteenth Edition. By T. W. Chitty, Esq., a Master of the Supreme Court, Herbert Chitty, Esq., Barrister-at-Law, and P. E. Vizard, Esq., of the Central Office. Royal 8vo. 1902. 1*l.* 16s.
"The book is accurate, reliable and exhaustive."—*Solicitors' Journal.*
"The forms are practically exhaustive, and the notes very good, so that this edition will be invaluable to practitioners whose work is of a litigious kind."—*Law Journal.*

Daniell's Forms and Precedents of Proceedings in the Chancery Division of the High Court of Justice and on Appeal therefrom.—Fifth Edition, with summaries of the Rules of the Supreme Court; Practical Notes; and references to the Seventh Edition of Daniell's Chancery Practice. By Charles Burney, B.A., a Master of the Supreme Court. Royal 8vo. 1901. 2*l.* 10s.
"The standard work on Chancery Procedure."—*Law Quarterly Review.*

Seton.—*Vide* "Equity."

Wolstenholme's Forms and Precedents.—Adapted for use under the Conveyancing Acts and Settled Land Acts, 1881 to 1890. Sixth Edition. Royal 8vo. 1902. 1*l.* 1s.

FRENCH LAW.—Bodington's Outline of the French Law of Evidence.—By Oliver E. Bodington, Esq., Barrister-at-Law. Demy 8vo. 1901. 5s.

Cachard's French Civil Code.—By Henry Cachard, B.A., Counsellor-at-Law of the New York Bar, Licencié en Droit de la Faculté de Paris. Demy 8vo. 1895. 1*l.*

Goirand's Treatise upon French Commercial Law and the Practice of all the Courts.—With a Dictionary of French Judicial Terms. Second Edition. By Leopold Goirand, Licencié en Droit. Demy 8vo. 1898. 1*l.*

Goirand's Treatise upon the French Law relating to English Companies carrying on Business in France.—By Leopold Goirand, French Solicitor. Crown 8vo. 1902. *Net*, 2s. 6d.

Kelly.—*Vide* "Marriage."

Sewell's Outline of French Law as affecting British Subjects.—By J. T. B. Sewell, LL.D., Solicitor. Demy 8vo. 1897. 10s. 6d.

GAMBIA.—Ordinances of the Colony of the Gambia. With Index. 2 Vols. Folio. 1900. *Net*, 3*l.*

GAME LAWS.—Warry's Game Laws of England. With an Appendix of the Statutes relating to Game. By C. Taylor Warry, Esq., Barrister-at-Law. Royal 12mo. 1896. 10s. 6d.

GOLD COAST.—Ordinances of the Gold Coast Colony and the Rules and Orders thereunder. 2 vols. Royal 8vo. 1903. 3*l.* 10s.

GOODWILL.—Allan's Law relating to Goodwill.—By Charles E. Allan, M.A., LL.B., Esq., Barrister-at-Law. Demy 8vo. 1889. 7s. 6d.

Sebastian.—*Vide* "Trade Marks."

HACKNEY CARRIAGES.—Bonner & Farrant.—*Vide* "Motor Cars."

HOUSE TAX.—Ellis' Guide to the House Tax Acts, for the use of the Payer of Inhabited House Duty in England.—By Arthur M. Ellis, LL.B. (Lond.), Solicitor. Royal 12mo. 1885. 6s.
"Accurate, complete and very clearly expressed."—*Solicitors' Journal.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

HUSBAND AND WIFE.—Lush's Law of Husband and Wife, within the jurisdiction of the Queen's Bench and Chancery Divisions. By C. MONTAGUE LUSH, Esq., Barrister-at-Law. Second Edition. By the Author and W. H. GRIFFITH, Esq., Barrister-at-Law. Demy 8vo. 1896. *1l. 5s.*

"To the practising lawyer the work will be of the utmost importance."—*Law Times.*
"This book will certainly be consulted when difficulties arise relative to the position of married women."—*Law Journal.*

INCOME TAX.—Buchan's Law relating to the Taxation of Foreign Income.—By JOHN BUCHAN, Esq., Barrister-at-Law, with Preface by the Right Hon. R. B. HALDANE, K.C., M.P. Demy 8vo. 1905. *6l.*

"A learned and able treatise."—*Solicitors' Journal.*
"A text book of great value."—*Law Journal.*

Ellis' Guide to the Income Tax Acts.—For the use of the English Income Tax Payer. Third Edition. By ARTHUR M. ELLIS, LL.B. (Lond.), Solicitor. Royal 12mo. 1893. *7s. 6d.*

Robinson's Law relating to Income Tax; with the Statutes, Forms, and Decided Cases in the Courts of England, Scotland, and Ireland.—By ARTHUR ROBINSON, Esq., Barrister-at-Law. Royal 8vo. 1895. *1l. 1s.*

Whybrow's Income Tax Tables.—By G. H. WHYBROW, Esq., of the Income Tax Repayment Branch, Somerset House. Demy 8vo. 1905. *5s.*

"This is a very useful book, and will be found of exceptional value to bankers, solicitors, officials of public companies and other professional men."—*Financial Times.*

INDIA.—Ilbert's Government of India.—Being a Digest of the Statute Law relating thereto, with Historical Introduction and Illustrative Documents. By Sir COURTENAY ILBERT, K.C.S.I. Demy 8vo. 1898. *1l. 1s.*

INDICTMENTS.—Bowen-Rowlands.—*Vide* "Criminal Law."

INLAND REVENUE.—Highmore's Summary Proceedings in Inland Revenue Cases in England and Wales. Including Appeals to Quarter Sessions and by Special Case, and Proceedings by Collector's Warrants for Recovery of Duties of Excise and Taxes. Third Edition. By N. J. HIGHMORE, Esq., Barrister-at-Law, Assistant Solicitor of Inland Revenue. Roy. 12mo. 1901. *7s. 6d.*

Highmore's Inland Revenue Regulation Act, 1890, as amended by the Public Accounts and Charges Act, 1891, and the Finance Act, 1896, with other Acts; with Notes, Table of Cases, &c. By NATHANIEL J. HIGHMORE, Esq., Barrister-at-Law, Assistant Solicitor of Inland Revenue. Demy 8vo. 1896. *7s. 6d.*

INSURANCE.—Arnould on the Law of Marine Insurance.—Seventh Edition. By EDWARD LOUIS DE HART and RALPH ILIFF SIMES, Esqrs., Barristers-at-Law. 2 vols. Royal 8vo. 1901. *3l. 3s.*

"The authors have availed themselves of the advice and assistance of men of practical experience in marine insurance, so that the book may be relied on as accurate from a business as well as from a legal point of view. The book can best be described by the one word 'excellent.'"—*Law Journal.*

Tyser's Law relating to Losses under a Policy of Marine Insurance.—By CHARLES ROBERT TYSER, Esq., Barrister-at-Law. Demy 8vo. 1894. *10s. 6d.*

INTERNATIONAL LAW.—Bate's Notes on the Doctrine of Renvoi in Private International Law.—By JOHN PAWLEY BATE, Esq., Reader of International Law, &c., in the Inns of Court. 8vo. 1904. *Net 2s. 6d.*

Dicey.—*Vide* "Conflict of Laws."

Hall's International Law.—Fifth Edition. By J. B. ATLAY, Esq., Barrister-at-Law. Demy 8vo. 1901. *Net, 1l. 1s.*

Hall's Treatise on the Foreign Powers and Jurisdiction of the British Crown. By W. E. HALL, Esq., Barrister-at-Law. Demy 8vo. 1894. *10s. 6d.*

Higgins' The Hague Conference and other International Conferences concerning the Laws and Usages of War—Texts of Conventions, with Notes.—By A. PEARCE HIGGINS, M.A., LL.D., sometime Scholar of Downing College. Royal 8vo. 1904. *Net, 3s.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

INTERNATIONAL LAW—*continued.*

Holland's Studies in International Law.—By THOMAS ERSKINE HOLLAND, D.C.L., Barrister-at-Law. Demy 8vo. 1898. 10s. 6d.

Nelson's Private International Law.—By HORACE NELSON, Esq., Barrister-at-Law. Roy. 8vo. 1889. 1l. 1s.

Rattigan's Private International Law.—By Sir WILLIAM HENRY RATTIGAN, LL.D., K.C. Demy 8vo. 1895. 10s. 6d.

"Written with admirable clearness."—*Law Journal.*

Walker's Manual of Public International Law.—By T. A. WALKER, M.A., LL.D., Esq., Barrister-at-Law. Demy 8vo. 1895. 9s.

Walker's History of the Law of Nations.—Vol. I., from the Earliest Times to the Peace of Westphalia, 1648. By T. A. WALKER, M.A., LL.D., Esq., Barrister-at-Law. Demy 8vo. 1899. *Net*, 10s.

Westlake's International Law.—Chapters on the Principles of International Law. By J. WESTLAKE, K.C., LL.D. Demy 8vo. 1894. 10s.

Westlake's International Law.—Part I. Peace. By J. WESTLAKE, K.C., LL.D. Demy 8vo. 1904. *Net*, 9s.

Wheaton's Elements of International Law; Fourth English Edition. Including a translation of the Anglo-French Agreement. By J. B. ATLAY, M.A., Barrister-at-Law. Royal 8vo. 1904. 1l. 12s.

**The leading American and English work on International Law.**

"Wheaton stands too high for criticism."—*Law Times.*

"We congratulate Mr. Atlay on the skill and discretion with which he has performed the task of editing a standard treatise on international law."—*Law Journal.*

INVESTIGATION OF TITLE.—Jackson and Gosset's Investigation of Title.—Being a Practical Treatise and Alphabetical Digest of the Law connected with the Title to Land, with Precedents of Requisitions. Second Edition. By W. HOWLAND JACKSON and THOROLD GOSSET, Barristers-at-Law. Demy 8vo. 1899. 12s. 6d.

"The new edition contains the following additional subjects—namely, boundaries, compromise, corporations, glebe lands, parcels, quit-rents and recitals; and the changes effected by the statute law of 1899 are noticed in their proper places. . . . Jackson and Gosset's book is well worth having."—*Law Times.*

"Will be of real help to the busy conveyancer."—*Law Notes.*

*** See "Conveyancing" (p. 7), for companion volume, "Precedents of Purchase and Mortgage Deeds," by the same Authors.

JUDGMENTS AND ORDERS.—Seton.—*Vide* "Equity."

JURISPRUDENCE.—Holland's Elements of Jurisprudence.—Ninth Edition. By T. E. HOLLAND, K.C., D.C.L. 8vo. 1900. 10s. 6d.

Markby's Elements of Law. Sixth Edition. By Sir WILLIAM MARKBY, D.C.L. Demy 8vo. 1905. 12s. 6d.

JURY LAWS.—Huband's Practical Treatise on the Law relating to the Grand Jury in Criminal Cases, the Coroner's Jury, and the Petty Jury in Ireland.—By WM. G. HUBAND, Esq., Barrister-at-Law. Royal 8vo. 1896. *Net*, 1l. 5s.

JUSTICE OF THE PEACE.—Magistrates' Cases, 1894 to 1905.—Cases relating to the Poor Law, the Criminal Law, Licensing, and other subjects chiefly connected with the duties and office of Magistrates. 1894—1905. *Each, net* 1l.

*** These Reports, published as part of the Law Journal Reports, are issued Quarterly. *Each Part, net* 5s.

*Annual Subscription, payable in advance,* 16s. *post free.*

Shirley's Magisterial Law.—An Elementary Treatise on Magisterial Law, and on the Practice of Magistrates' Courts. Second Edition. By LEONARD H. WEST, LL.D., Solicitor. Demy 8vo. 1896. 7s. 6d.

Wigram's Justice's Note-Book.—Containing a short account of the Jurisdiction and Duties of Justices, and an Epitome of Criminal Law. Seventh Edition. By HENRY WARBURTON and LEONARD W. KERSHAW, Esqrs., Barristers-at-Law. Royal 12mo. 1900. 10s. 6d.

"The information given is complete and accurate."—*Law Journal.*

"Contains a great deal of valuable information in a small compass."—*Law Times.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

LAND CHARGES ACTS.—Eaton and Purcell's Land Charges Acts, 1888 and 1900.—A Practical Guide to Registration and Searches. By Ernest W. Eaton, Esq., Senior Clerk, Land Charges Department, Land Registry, and J. Poyntz Purcell, Esq., of the same Department, Barrister-at-Law. Royal 12mo. 1901. *Net*, 2*s*. 6*d*.

LAND LAW.—Jenks' Modern Land Law. By Edward Jenks, Esq., Barrister-at-Law. Demy 8vo. 1899. 15*s*.

LAND TAX.—Bourdin's Land Tax.—An Exposition of the Land Tax, Including the Latest Judicial Decisions, and the Changes in the Law effected by the Taxes Management Act, &c. Fourth Edition. By the late Frederick Humphreys, Deputy Registrar of Land Tax; and Digests of Cases decided in the Courts by Charles C. Atchison, Deputy Registrar of Land Tax. Royal 12mo. 1894. 7*s*. 6*d*.

Atchison's Land Tax.—Changes Effected in the Processes of Assessment and Redemption by Part VI. of the Finance Act, 1896 (59 & 60 Vict. c. 28). By Charles C. Atchison, Deputy Registrar of Land Tax. Royal 12mo. 1897. (*A Supplement to above.*) *Net*, 2*s*. 6*d*.

LAND TRANSFER.—Brickdale and Sheldon's Land Transfer Acts, 1875 and 1897.—With a Commentary on the Sections of the Acts, and Introductory Chapters explanatory of the Acts, and the Conveyancing Practice thereunder; also the Land Registry Rules, Forms, and Fee Order, Orders in Council for Compulsory Registration, &c., together with Forms of Precedents and Model Registers, &c. By C. Fortescue Brickdale, Registrar at the Land Registry, and W. R. Sheldon, Esqrs., Barristers-at-Law. Second Edition. By C. Fortescue Brickdale, Esq., Barrister-at-Law. Royal 8vo. 1905. 1*l*. 5*s*.

"The second edition of this book will be welcomed by the practitioner who has to do with registered land, or with conveyancing of any kind in London, where registration on sale is now compulsory."—*Law Quarterly Review.*

"Contains not only lengthy and valuable notes and annotations on the Land Transfer Acts and Rules, but also full and separate dissertations on the law, procedure, and practice thereunder."—*Law Times.*

Jennings and Kindersley's Principles and Practice of Land Registration under the Land Transfer Acts, 1875 and 1897: with the text of the Acts and the Rules and Fee Order of 1903. By A. R. C. Jennings, LL.B., and G. M. Kindersley, Esqrs., Barristers-at-Law, and of the Land Registry. Roy. 8vo. 1904. 12*s*. 6*d*.

"The principles and practice of land registration are set forth in a clear and concise manner by the authors in their dissertations and notes."—*Law Times.*

LANDLORD and TENANT.—Rodman's Law of Landlord and Tenant.—Including the Practice of Ejectment. Fifth Edition. By Joseph H. Redman, Esq., Barrister-at-Law. 8vo. 1901. 1*l*. 5*s*.

"We can confidently recommend the present edition."—*Law Journal.*

Woodfall's Law of Landlord and Tenant.—With a full Collection of Precedents and Forms of Procedure; containing also a collection of Leading Propositions. Seventeenth Edition. By J. M. Lely, Esq., Barrister-at-Law. Roy. 8vo. 1902. 1*l*. 18*s*.

"Woodfall is really indispensable to the practising lawyer, of whatever degree he may be."—*Law Journal.*

LANDS CLAUSES ACTS.—Jepson's Lands Clauses Acts; with Decisions, Forms, and Tables of Costs. Second Edition. By J. M. Lightwood, Esq., Barrister-at-Law. Demy 8vo. 1900. 1*l*. 1*s*.

"This work, in its new and practically re-written form, may be described as a handy and well-arranged treatise on the Lands Clauses Acts."—*Solicitors' Journal.*

LAW JOURNAL REPORTS.—Edited by John Mews, Esq., Barrister-at-Law. Published monthly. *Annual Subscription:*—

| | |
|---|---|
| Reports and Public General Statutes | *Net*, 3*l*. 4*s*. |
| Reps. Stats. & Mews' Annual Digest (*Issued Quarterly*) | *Net*, 3*l*. 10*s*. |
| *Thin paper Edition*, forming one handy Vol. for the year | *Net*, 3*l*. 4*s*. |
| *Or*, without the Statutes | *Net*, 3*l*. |
| The Law Journal weekly, 1*l*. extra. | |
| Synopsis of Contemporary Reports, 1832 to 1905. | *Net*, 5*s*. |

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**LAW LIST.—Law List (The).**—Comprising the Judges and Officers of the Courts of Justice, Counsel, Special Pleaders, Conveyancers, Solicitors, Proctors, Notaries, &c., in England and Wales; the Circuits, Judges, Treasurers, Registrars, and High Bailiffs of the County Courts; Metropolitan and Stipendiary Magistrates, Official Receivers under the Bankruptcy Act, Law and Public Officers in England, Colonial and Foreign Lawyers with their English Agents, Clerks of the Peace, Town Clerks, Coroners, Commissioners for taking Oaths, Conveyancers Practising in England under Certificates obtained in Scotland, &c., &c. Compiled, so far as relates to Special Pleaders, Conveyancers, Solicitors, Proctors and Notaries, by H. F. BARTLETT, I.S.O., Controller of Stamps, and Registrar of Joint Stock Companies, and Published by the Authority of the Commissioners of Inland Revenue and of the Law Society. 1906. *Net*, 10*s*. 6*d*.

**LAW QUARTERLY REVIEW**—Edited by Sir FREDERICK POLLOCK, Bart., D.C.L., LL.D. Vols. I.—XXI. (with General Indices to Vols. I. to XX.) Royal 8vo. 1885-1905. *Each*, 12*s*.

☞ *Annual Subscription post free* 12*s*. 6*d*., *net*. *Single numbers, each* 5*s*.

"A little criticism, a few quotations, and a batch of anecdotes, afford a sauce that makes even a quarter's law reporting amusing reading."—*Law Journal*.

"The greatest of legal quarterly reviews . . . the series of 'Notes' always so entertaining and illustrative, not merely of the learning of the accomplished jurist (the Editor) but of the grace of language with which such learning can be unfolded."—*Law Jour*.

**LAWYER'S ANNUAL LIBRARY—**

(1) **The Annual Practice.**—SNOW, BURNEY, and STRINGER.
(2) **The A. B. C. Guide to the Practice.**—STRINGER.
(3) **The Annual Digest.**—MEWS. (*Also Issued Quarterly.*)
(4) **The Annual Statutes.**—LELY.
(5) **The Annual County Court Practice.**—SMYLY.

☞ *Annual Subscriptions.* (*a*) *For* Complete Series, as above, delivered on the day of publication, *net*, 2*l*. 8*s*. (*b*) Nos. 1, 2, 3, and 4 only, *net*, 1*l*. 18*s*. (*If* A. B. C. GUIDE *is not wanted* 2*s*. 6*d*. *may be deducted from subscription to series* (*a*) *or* (*b*).) (*c*) Nos. 3, 4, and 5 only, *net*, 1*l*. 15*s*. (*Carriage extra*, 2*s*.) *Full prospectus forwarded on application.*

**LAWYER'S COMPANION.**—*Vide* "Diary."

**LAWYER'S OFFICE.—The Modern Lawyer's Office:** being Suggestions for Improvements in the Organization of Law Offices and for the adoption of certain American Appliances and Business Methods. By A SOLICITOR OF THE SUPREME COURT. Royal 12mo. 1902. 6*s*.

**LEADING CASES.—Ball's Leading Cases.** *Vide* "Torts."

**Shirley's Selection of Leading Cases in the Common Law.** With Notes. By W. S. SHIRLEY, Esq., Barrister-at-Law. Seventh Edition. By RICHARD WATSON, Esq., Barrister-at-Law. Demy 8vo. 1901. 16*s*.

"The selection is very large, though all are distinctly 'Leading Cases,' and the notes are by no means the least meritorious part of the work."—*Law Journal*.

**Warburton's Selection of Leading Cases in the Criminal Law.** With Notes. By HENRY WARBURTON, Esq., Barrister-at-Law. [Founded on "Shirley's Leading Cases."] Third Edition. Demy 8vo. 1903. 12*s*. 6*d*.

"The cases have been well selected, and arranged. . . . We consider that it will amply repay the student or the practitioner to read both the cases and the notes."—*Justice of the Peace*.

**LEGAL HISTORY.—Deans' Student's Legal History.**—Second Edit. By R. STORRY DEANS, Esq., Barrister-at-Law. Demy 8vo. 1905. 6*s*.

**LEGAL INTERPRETATION.—Beal's Cardinal Rules of Legal Interpretation.**—Collected and Arranged by EDWARD BEAL, Esq., Barrister-at-Law. Royal 8vo. 1896. 12*s*. 6*d*.

**LEGISLATIVE METHODS.—Ilbert's Legislative Methods and Forms.**—By Sir COURTENAY ILBERT, K.C.S.I., C.I.E., Parliamentary Counsel to the Treasury. Demy 8vo. 1901. 16*s*.

**LEXICON.**—*Vide* "Dictionary."

•*•* *All standard Law Works are kept in Stock, in law calf and other bindings.*

**LIBEL AND SLANDER.—Odgers on Libel and Slander.—A** Digest of the Law of Libel and Slander: and of Actions on the Case for Words causing Damage, with the Evidence, Procedure, Practice, and Precedents of Pleadings, both in Civil and Criminal Cases. Fourth Edition. By W. BLAKE ODGERS, LL.D., one of His Majesty's Counsel, and J. BROMLEY EAMES, Esq., Barrister-at-Law. Royal 8vo. 1905. 1*l.* 12*s.*

"A standard and exhaustive treatise on the law of defamation and allied topics."—*Law Quarterly Review.*

"The most scientific of all our law books. . . . . In its new dress this volume is secure of an appreciative professional welcome."—*Law Times.*

"The general opinion of the profession has always accorded a high place to Mr. Blake Odgers' learned work."—*Law Journal.*

**LICENSING.—Slocombe's Licensing Act, 1904, Simply Stated.—** Second Edition. By ALFRED J. SLOCOMBE, County Borough Police Court, Huddersfield. Demy 8vo. 1905. *Net*, 2*s.*

**Talbot's Law and Practice of Licensing.—Being a Digest of the** Law regulating the Sale by Retail of Intoxicating Liquor. With a full Appendix of Statutes, Rules and Forms. Second Edition. By GEORGE JOHN TALBOT, Esq., Barrister-at-Law. Royal 12mo. 1905. 10*s.* 6*d.*

"His method gives professional men a guide to the legislation afforded by no other book."—*Law Journal.*

"The distinctive feature of it is that the exposition of the law is arranged in the form of a code. It is an undoubted advantage to have such a chaos as the Licensing Acts reduced to the form of a code, and as far as we have tested them, the statements of the law are accurate."—*Law Quarterly Review.*

**LIGHT.**—*Vide* "Easements."

**LIGHT RAILWAYS.**—*Vide* "Tramways."

**LOCAL AND MUNICIPAL GOVERNMENT.—Bazalgette and** Humphreys' Law relating to County Councils.—Third Edition. By GEORGE HUMPHREYS, Esq. Royal 8vo. 1889. 7*s.* 6*d.*

**Bazalgette and Humphreys' Law relating to Local and Municipal Government.** By C. NORMAN BAZALGETTE and G. HUMPHREYS, Esqrs., Barristers-at-Law. Sup. royal 8vo. 1888. 3*l.* 3*s.*

**Humphreys.**—*Vide* "Parish Law."

**LONDON BUILDING ACTS.—Cohen's London Building Acts,** 1894 to 1905. With Introductions and Notes, and the Bye-Laws, Regulations and Standing Orders of the Council, &c., &c. By E. ARAKIE COHEN, Esq., Barrister-at-Law. Royal 8vo. 1906. 25*s.*

"These important statutes (the London Building Acts) are here collected in one useful volume, which includes the Act of 1905. The notes to the various sections are carefully written, and afford valuable assistance to the practitioner. The work is a decided acquisition to the library of the local government lawyer, and may be safely recommended as a guide to the difficulties of the Building Acts."—*Law Times*, March 24th, 1906.

**LONDON LOCAL GOVERNMENT. — Hunt's London Local** Government. The Law relating to the London County Council, the Vestries and District Boards elected under the Metropolis Management Acts, and other Local Authorities. By JOHN HUNT, Esq., Barrister-at-Law. 2 vols. Royal 8vo. 1897. 3*l.* 3*s.*

"This very comprehensive and well-arranged code of London Local Government will be invaluable to local authorities, the legal profession and others directly interested in the subject."—*London.*

**LUNACY.—Heywood and Massey's Lunacy Practice.—By ARTHUR** HEYWOOD and ARNOLD MASSEY, Esqrs., Solicitors. Second Edition. By the Authors, with the assistance of CHARLES GARNETT, Esq., Barrister-at-Law. Demy 8vo. 1905. 9*s.*

"An exceedingly useful handbook on lunacy practice."—*Law Notes.*

"A clear and able handbook. . . . A feature of the work are the precedents given, which have nearly all stood the test of actual practice."—*Law Times.*

**MAGISTRATES' PRACTICE and MAGISTERIAL LAW.**—*Vide* "Justice of the Peace."

**MARINE INSURANCE.**—*Vide* "Insurance."

**MARITIME DECISIONS.—Douglas' Maritime Law Decisions.—** Compiled by ROBT. R. DOUGLAS. Demy 8vo. 1888. 7*s.* 6*d.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**MARRIAGE.**—Kelly's French Law of Marriage, Marriage Contracts, and Divorce, and the Conflict of Laws arising therefrom. Second Edition. By OLIVER E. BODINGTON, Esq., Barrister-at-Law, Licencié en Droit de la Faculté de Paris. Roy. 8vo. 1895. 1*l.* 1*s.*

**MARRIED WOMEN'S PROPERTY.**—Lush's Married Women's Rights and Liabilities in relation to Contracts, Torts, and Trusts. By MONTAGUE LUSH, Esq., Barrister-at-Law, Author of "The Law of Husband and Wife." Royal 12mo. 1887. 6*s.*

**MEDICAL PARTNERSHIPS.**—Barnard and Stocker's Medical Partnerships, Transfers, and Assistantships.—By WILLIAM BARNARD, Esq., Barrister-at-Law, and G. BERTRAM STOCKER, Esq., Managing Director of the Scholastic, Clerical and Medical Association (Limited). Demy 8vo. 1895. 10*s.* 6*d.*

**MERCANTILE LAW.**—Smith's Compendium of Mercantile Law. —Eleventh Edition. By EDWARD LOUIS DE HART, M.A., LL.B., and RALPH LIEF SIMEY, B.A., Esqrs., Barristers-at-Law. 2 vols. Royal 8vo. 1905. 2*l.* 2*s.*

"Of the greatest value to the mercantile lawyer."—*Law Times.*

"One of the most scientific treatises extant on mercantile law."—*Sol. Jl.*

**Tudor's Selection of Leading Cases on Mercantile and Maritime Law.**—With Notes. By O. D. TUDOR, Esq., Barrister-at-Law. Third Edition. Royal 8vo. 1884. 2*l.* 2*s.*

**MERCHANDISE MARKS ACT.**—Payn's Merchandise Marks Act, 1887.—By H. PAYN, Barrister-at-Law. Royal 12mo. 1888. 3*s.* 6*d.*

"A safe guide to all who are interested in the Act."—*Law Times.*

**METROPOLIS BUILDING ACTS.**—Craies' London Building Act, 1894; with Introduction, Notes, and Index, and a Table showing how the Former Enactments relating to Buildings have been dealt with.—By W. F. CRAIES, Esq., Barrister-at-Law. Royal 8vo. 1894. 5*s.*

**MINES AND MINING.**—Cockburn.—*Vide* "Coal."

**MORALS AND LEGISLATION.**—Bentham's Introduction to the Principles of Morals and Legislation.—By JEREMY BENTHAM, M.A., Bencher of Lincoln's Inn. Crown 8vo. 1879. 6*s.* 6*d.*

**MORTGAGE.**—Beddoes' Concise Treatise on the Law of Mortgage.—By W. F. BEDDOES, Esq., Barrister-at-Law. 8vo. 1893. 10*s.*

"We commend the work as a reliable and useful little manual."—*Law Students' Journal.*

"We can cordially recommend this work to a practitioner who likes to have small compact books at hand on all subjects."—*Law Notes*

**Coote's Treatise on the Law of Mortgages.**—By the late RICHARD HOLMES COOTE, Esq., Barrister-at-Law. Seventh Edition. By SYDNEY EDWARD WILLIAMS, Esq., Barrister-at-Law, Author of "The Law relating to Legal Representatives," "The Law of Account," &c. 2 vols. Royal 8vo. 1901. 3*l.* 3*s.*

"The work is very complete, and as a standard book is one to which the lawyer may turn for almost any point he needs in connection with its subject."—*Law Students' Journal.*

"Every conveyancer will feel happier from the possession of this fine work on that all-important branch of his work—the Law of Mortgages. . . . . It is essentially a practitioner's book, and we pronounce it 'one of the best.'"—*Law Notes.*

**MOTOR CARS.**—Bonner and Farrant's Law of Motor Cars, Hackney and other Carriages.—An Epitome of the Law, Statutes, and Regulations. Second Edition. By G. A. BONNER and H. G. FARRANT, Esqrs., Barristers-at-Law. Demy 8vo. 1901. 12*s.* 6*d.*

"Carefully revised and brought up to date."—*Law Times.*

**NAVY.**—Manual of Naval Law and Court Martial Procedure; in which is embodied Thring's Criminal Law of the Navy, together with the Naval Discipline Act and an Appendix of Practical Forms.—By J. E. R. STEPHENS, Esq., Barrister-at-Law, C. E. GIFFORD, Esq., C.B., Fleet Paymaster, Royal Navy, and F. HARRISON SMITH, Esq., Staff Paymaster, Royal Navy. Demy 8vo. 1901. 15*s.*

"Well written, excellently arranged, and fully comprehensive."—*Law Journal.*

"May be thoroughly relied upon."—*Law Times.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**NEGLIGENCE.**—Smith's Treatise on the Law of Negligence. Second Edition. By HORACE SMITH, Esq. 8vo. 1884. 12*s.* 6*d.*

**NISI PRIUS.**—Roscoe's Digest of the Law of Evidence on the Trial of Actions at Nisi Prius.—Seventeenth Edition. By MAURICE POWELL, Esq., Barrister-at-Law. 2 vols. Demy 8vo. 1900. 2*l.* 2*s.*

"Continues to be a vast and closely packed storehouse of information on practice at Nisi Prius."—*Law Journal.*

"Almost invaluable to a Nisi Prius practitioner. . . . We have nothing but praise for the new edition."—*Law Quarterly Review.*

**NORTHERN NIGERIA LAWS.**—Gollan's Northern Nigeria Law. Royal 8vo. 1905. 2*l.* 2*s.*

**NOTARY.**—Brooke's Treatise on the Office and Practice of a Notary of England.—With a full collection of Precedents. Sixth Edition. By JAMES CRANSTOUN, Esq., Barrister-at-Law. Demy 8vo. 1901. 1*l.* 5*s.*

"The book is an eminently practical one, and contains a very complete collection of notarial precedents. The editor is to be congratulated upon the execution of a very thorough piece of work."—*Law Journal.*

**OATHS.**—Stringer's Oaths and Affirmations in Great Britain and Ireland; being a Collection of Statutes, Canon, and Forms, with Notes and Practical Directions for the use of Commissioners for Oaths, and of all Courts of Civil Procedure and Offices attached thereto. By FRANCIS A. STRINGER, of the Central Office, Royal Courts of Justice, one of the Editors of the "Annual Practice." Second Edition. Crown 8vo. 1893. 4*s.*

"Indispensable to all commissioners."—*Solicitors' Journal.*

**ORANGE RIVER.**—The Statute Law of the Orange River Colony. —Translated. Royal 8vo. 1901. 2*l.* 2*s.*

**OTTOMAN CIVIL LAW.**—Grigsby's Medjellé, or Ottoman Civil Law.—Translated into English. By W. E. GRIGSBY, LL.D., Esq., Barrister-at-Law. Demy 8vo. 1895. 1*l.* 1*s.*

**PARISH LAW.**—Humphreys' Parish Councils.—The Law relating to Parish Councils, being the Local Government Act, 1894; with an Appendix of Statutes, together with an Introduction, Notes, and a Copious Index. Second Edition. By GEORGE HUMPHREYS, Esq., Barrister-at-Law. Royal 8vo. 1895. 10*s.*

Steer's Parish Law. Being a Digest of the Law relating to the Civil and Ecclesiastical Government of Parishes and the Relief of the Poor. Sixth Edition. By W. H. MACNAMARA, Esq., Assistant Master of the Supreme Court, Registrar of the Court constituted under the Benefices Act, 1898. Demy 8vo. 1899. 1*l.*

"Of great service both to lawyers and to parochial officers."—*Solicitors' Jour.*

"A most useful book of reference on all matters connected with the parish, both civil and ecclesiastical."—*Law Journal.*

**PARTNERSHIP.**—Pollock's Digest of the Law of Partnership. Eighth Edition. With an Appendix of Forms. By Sir FREDERICK POLLOCK, Bart., Barrister-at-Law, Author of "Principles of Contract," "The Law of Torts," &c. Demy 8vo. 1905. 10*s.*

"Practitioners and students alike will welcome a new edition of this work."—*Law Journal.*

"Of the execution of the work we can speak in terms of the highest praise. The language is simple, concise, and clear."—*Law Magazine.*

"Praiseworthy in design, scholarly and complete in execution."—*Sat. Review.*

**PATENTS.**—Edmunds on Patents.—The Law and Practice of Letters Patent for Inventions. By LEWIS EDMUNDS, Esq., K.C. Second Edition. By T. M. STEVENS, Esq., Barrister-at-Law. Roy. 8vo. 1897. 1*l.* 12*s.*

"We have nothing but commendation for the book."—*Solicitors' Journal.*

"It would be difficult to make it more complete."—*Law Times.*

Edmunds' Patents, Designs and Trade Marks Acts, 1883 to 1888, Consolidated with an Index. Second Edition. By LEWIS EDMUNDS, Esq., K.C., D.Sc., LL.B. Imp. 8vo. 1895. *Net* 2*s.* 6*d.*

Johnson's Patentees' Manual.—A Treatise on the Law and Practice of Patents for Inventions. Sixth Edition. By JAMES JOHNSON, Esq., Barrister-at-Law; and J. HENRY JOHNSON, Solicitor and Patent Agent. Demy 8vo. 1890. 10*s.* 6*d.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**PATENTS**—*continued.*

**Johnson's Epitome of Patent Laws and Practice.** Third Edition. Crown 8vo. 1900. *Net*, 2*s.* 6*d.*

**Morris's Patents Conveyancing.**—Being a Collection of Precedents in Conveyancing in relation to Letters Patent for Inventions. With Dissertations and Copious Notes on the Law and Practice. By ROBERT MORRIS, Esq., Barrister-at-Law. Royal 8vo. 1887. 1*l.* 5*s.*

**Thompson's Handbook of Patent Law of all Countries.**—By WM. P. THOMPSON. Thirteenth Edition. 12mo. 1905. *Net*, 2*s.* 6*d.*

**Thompson's Handbook of British Patent Law.** Thirteenth Edition. 12mo. 1905. *Net*, 6*d.*

**PAWNBROKING.**—**Attenborough's Law of Pawnbroking, with the Pawnbrokers Act, 1872, and the Factors Act, 1889, and Notes thereon.** By CHARLES L. ATTENBOROUGH, Esq., Barrister-at-Law. Post 8vo. 1897. *Net*, 3*s.*

**PLEADING.**—**Bullen and Leake's Precedents of Pleadings in Actions in the King's Bench Division of the High Court of Justice, with Notes.** Sixth Edition. By CYRIL DODD, Esq., K.C., and T. WILLES CHITTY, Esq., Barrister-at-Law, a Master of the Supreme Court. Royal 8vo. 1905. 1*l.* 18*s.*

"The standard work on modern pleading."—*Law Journal.*

**Odgers' Principles of Procedure, Pleading and Practice in Civil Actions in the High Court of Justice.**—Fifth Edition. By W. BLAKE ODGERS, LL.D., K.C., Recorder of Plymouth, Author of "A Digest of the Law of Libel and Slander." Demy 8vo. 1903. 12*s.* 6*d.*

"The student or practitioner who desires instruction and practical guidance in our modern system of pleading cannot do better than possess himself of Mr. Odgers' book."—*Law Journal.*

"An invaluable book."—*Law Notes.*

"Terse, clear and pointed."—*Law Quarterly Review.*

**POISONS.—Reports of Trials for Murder by Poisoning.**—With Chemical Introductions and Notes. By G. LATHAM BROWNE, Esq., Barrister-at-Law, and C. G. STEWART, Senior Assistant in the Laboratory of St. Thomas's Hospital, &c. Demy 8vo. 1883. 12*s.* 6*d.*

**POLICIES.**—Farrer.—*Vide* "Vendors and Purchasers."

**POWERS.**—**Farwell on Powers.**—A Concise Treatise on Powers. Second Edition. By GEORGE FARWELL, Esq., Q.C. (now a Justice of the High Court), assisted by W. R. SHELDON, Esq., Barrister-at-Law. Royal 8vo. 1893. 1*l.* 5*s.*

**PRINCIPAL AND AGENT.**—**Wright's Law of Principal and Agent.** By E. BLACKWOOD WRIGHT, Esq., Barrister-at-Law. Second Edition. Demy 8vo. 1901. 18*s.*

"Clearly arranged and clearly written."—*Law Times.*

"May with confidence be recommended to all legal practitioners as an accurate and handy text book on the subjects comprised in it."—*Solicitors' Journal.*

"An excellent book."—*Law Quarterly Review.*

**PRIVY COUNCIL LAW.**—**Wheeler's Privy Council Law: A Synopsis of all the Appeals decided by the Judicial Committee (including Indian Appeals) from 1876 to 1891. Together with a précis of the Cases from the Supreme Court of Canada.** By GEORGE WHEELER, Esq., Barrister-at-Law, and of the Judicial Department of the Privy Council. Royal 8vo. 1893. 1*l.* 11*s.* 6*d.*

**PRIZE CASES.**—**Reports of Prize Cases determined in the High Court of Admiralty, before the Lords Commissioners of Appeals in Prize Causes, and before the Judicial Committee of the Privy Council, from 1745 to 1859.**—Edited by E. S. ROSCOE, Esq., Barrister-at-Law and Admiralty Registrar. 2 Vols. Royal 8vo. 1905. *Net*, 2*l.* 10*s.*

"Mr. Roscoe has evidently edited these volumes with much care, and every student of international law, here and elsewhere, will be grateful to him."—*The Times.*

"We gladly acknowledge the excellent judgment with which Mr. Roscoe has performed his task. The English Prize Cases will be a boon to the student of international law, and in times of naval warfare to the practitioner."—*Law Journal.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**PROBATE.**—Nelson's Handbook on Probate Practice (Non-Contentious), (Ireland).—By HOWARD A. NELSON, Esq., Barrister-at-Law. Demy 8vo. 1901. 12s. 6d.

Powles and Oakley's Law and Practice relating to Probate and Administration. By L. D. POWLES, Barrister-at-Law, and T. W. H. OAKLEY, of the Probate Registry. (Being a Third Edition of "Browne on Probate.") Demy 8vo. 1892. 1l. 10s.

**PROPERTY.**—*See also* "Real Property."

Raleigh's Outline of the Law of Property.—Demy 8vo. 1890. 7s. 6d.

Strahan's General View of the Law of Property.—Fourth Edition. By J. A. STRAHAN, assisted by J. SINCLAIR BAXTER, Esqrs., Barristers-at-Law. Demy 8vo. 1905. 12s. 6d.

"The student will not easily find a better general view of the law of property than that which is contained in this book."—*Solicitors' Journal.*

"We know of no better book for the class-room."—*Law Times.*

**PUBLIC MEETINGS.**—Chambers' Handbook for Public Meetings.—Second Edition. By GEORGE F. CHAMBERS, Esq., Barrister-at-Law. Demy 8vo. 1888. *Net*, 2s. 6d.

**QUARTER SESSIONS.**—*See also* "Criminal Law."

Pritchard's Quarter Sessions.—The Jurisdiction, Practice, and Procedure of the Quarter Sessions in Judicial Matters, Criminal, Civil, and Appellate. Second Edition. By JOSEPH B. MATTHEWS and V. GRAHAM MILWARD, Esqrs., Barristers-at-Law. Demy 8vo. 1904. 1l. 11s. 6d.

"A most useful and comprehensive guide to Quarter Sessions practice."—*Law Journal.*

**RAILWAY RATES.**—Darlington's Railway Rates and the Carriage of Merchandise by Railway.—By H. R. DARLINGTON, Esq., Barrister-at-Law. Demy 8vo. 1893. 1l. 5s.

**RAILWAYS.**—Browne and Theobald's Law of Railway Companies.—Being a Collection of the Acts and Orders relating to Railway Companies in Great Britain and Ireland, with Notes of all the Cases decided thereon. Third Edition. By J. H. BALFOUR BROWNE, Esq., one of His Majesty's Counsel, and FRANK BALFOUR BROWNE, Esq., Barrister-at-Law. Royal 8vo. 1899. 2l. 2s.

"Contains in a very concise form the whole law of railways."—*The Times.*

"It is difficult to find in this work any subject in connection with railways which is not dealt with."—*Law Times.*

"Practitioners who require a comprehensive treatise on railway law will find it indispensable."—*Law Journal.*

Disney's Law of Carriage by Railway.—By HENRY W. DISNEY, Esq., Barrister-at-Law. Demy 8vo. 1905. 7s. 6d.

"Contains much useful information, and can be cordially recommended to the lawyer."—*Law Times.*

"Very interesting and useful."—*Solicitors' Journal.*

Powell's Relation of Property to Tube Railways.—By MAURICE POWELL, Esq., Barrister-at-Law. Demy 8vo. 1903. *Net* 1s. 6d.

**RATES AND RATING.**—Castle's Law and Practice of Rating.—Fourth Edition. By EDWARD JAMES CASTLE, Esq., one of His Majesty's Counsel, &c. Royal 8vo. 1903. 1l. 5s.

"A sure and safe guide."—*Law Magazine.*

"A compendious treatise, which has earned the goodwill of the Profession on account of its conciseness, its lucidity, and its accuracy."—*Law Times.*

Hamilton and Forbes' Digest of the Statutory Law relating to the Management and Rating of Collieries.—For the use of Colliery Owners, Viewers and Inspectors. By H. B. HANS HAMILTON and URQUHART A. FORBES, Esqrs., Barristers-at-Law. Demy 8vo. 1902. *Net*, 17s. 6d.

"An eminently practical work."—*Law Times.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**REAL PROPERTY.—Carson's Real Property Statutes,** comprising, among others, the Statutes relating to Prescription, Limitation of Actions, Married Women's Property, Payment of Debts out of Real Estate, Wills, Judgments, Conveyancing, Settled Land, Partition, Trustees. Being a Tenth Edition of Shelford's Real Property Statutes. By T. H. Carson, Esq., K.C., and H. B. Bompas, Esq., Barrister-at-Law. Royal 8vo. 1902. 35*s.*

"Absolutely indispensable to conveyancing and equity lawyers."

"The labours of the editor and assistant-editor must have been immense, and the congratulations of both branches of the profession on the production of such a useful work, so skilfully prepared, are earned by both editors and publishers."—*Law Notes.*

**De Villier's History of the Legislation concerning Real and Personal Property in England during the Reign of Queen Victoria.**—Crown 8vo. 1901. 3*s.* 6*d.*

**Digby's History of the Law of Real Property.** Fifth Edition. Demy 8vo. 1897. 12*s.* 6*d.*

**Lightwood's Treatise on Possession of Land:** with a chapter on the Real Property Limitation Acts, 1833 and 1874.—By John M. Lightwood, Esq., Barrister-at-Law. Demy 8vo. 1894. 15*s.*

**Maclaurin's Nature and Evidence of Title to Realty.** A Historical Sketch. By Richard C. Maclaurin, Esq., of Lincoln's Inn. Demy 8vo. 1901. 10*s.* 6*d.*

**Shelford's Real Property Statutes.**—*Vide* "Carson."

**Smith's Real and Personal Property.**—A Compendium of the Law of Real and Personal Property, primarily connected with Conveyancing. Designed as a Second Book for Students, and as a Digest of the most useful learning for Practitioners. Sixth Edition. By the Author and J. Trustram, LL.M., Barrister-at-Law. 2 vols. Demy 8vo. 1884. 2*l.* 2*s.*

"A book which he (the student) may read over and over again with profit and pleasure."—*Law Times.*

"Will be found of very great service to the practitioner."—*Solicitors' Journal.*

"A really useful and valuable work on our system of Conveyancing."—*Law Students' Journal.*

**Strahan.**—*Vide* "Property."

**REGISTRATION.—Rogers.**—*Vide* "Elections."

**Fox and Smith's Registration Cases.** (1886—1895). Royal 8vo. *Calf, net,* 2*l.* 10*s.*

**Smith's (C. Lacey) Registration Cases.** Part I. (1895-96). *Net,* 6*s.* 6*d.* Part II. (1896), 5*s.* Part III. (1897), 4*s.* Part IV. (1898-9), 6*s.* Part V. (1899-1900), 4*s.* Part VI. (1900-1901), 4*s.* 6*d.* Part VII. (1902), 4*s.* Part VIII. (1903), 4*s.* Part IX. (1904), 5*s.*

**REPORTS.**—*Vide* "English Reports."

**REQUISITIONS ON TITLE.—Dickins.**—*Vide* "Conveyancing."

**REVERSIONS.—Farrer.**—*Vide* "Vendors and Purchasers."

**RIVERS POLLUTION.—Haworth's Rivers Pollution.**—The Statute Law relating to Rivers Pollution, containing the Rivers Pollution Prevention Acts, 1876 and 1893, together with the Special Acts in force in the West Riding of Yorkshire and the County of Lancaster. By Charles Joseph Haworth, Solicitor, B.A. (Cantab.), LL.B. (London). Royal 12mo. 1897. 6*s.*

**ROMAN LAW.—Abdy and Walker's Institutes of Justinian,** Translated, with Notes, by J. T. Abdy, LL.D., and the late Bryan Walker, M.A., LL.D. Crown 8vo. 1876. 16*s.*

**Abdy and Walker's Commentaries of Gaius and Rules of Ulpian.** With a Translation and Notes, by J. T. Abdy, LL.D., late Regius Professor of Laws in the University of Cambridge, and the late Bryan Walker, M.A., LL.D. New Edition by Bryan Walker. Crown 8vo. 1885. 16*s.*

**Barham's Students' Text-Book of Roman Law.**—By C. Nicolas Barham, Esq., Barrister-at-Law. Demy 12mo. 1903. *Net,* 2*s.* 6*d.*

"This little work, consisting of 119 pages, is a collection of notes, clearly and simply expressed, upon the principal topics of Roman Law as they are stated in the Institutes of Gaius and Justinian. It is neatly arranged, and forms a complete outline of the subject."—*Law Notes.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**ROMAN LAW**—*continued.*

**Goodwin's XII. Tables.**—By FREDERICK GOODWIN, LL.D. London. Royal 12mo. 1886. 3s. 6d.

**Greene's Outlines of Roman Law.**—Consisting chiefly of an Analysis and Summary of the Institutes. For the use of Students. By T. WHITCOMBE GREENE, Barrister-at-Law. Fourth Edition. Foolscap 8vo. 1884. 7s. 6d.

**Grueber's Lex Aquilia.**—The Roman Law of Damage to Property: being a Commentary on the Title of the Digest "Ad Legem Aquiliam" (ix. 2). With an Introduction to the Study of the Corpus Juris Civilis. By ERWIN GRUEBER, Dr. Jur., M.A. 8vo. 1886. 10s. 6d.

**Holland's Institutes of Justinian.**—Second Edition. Extra fcap. 8vo. 1881. 6s.

**Holland and Shadwell's Select Titles from the Digest of Justinian.**—Demy 8vo. 1881. 14s.

**Holland's Gentilis Alberici, I.C.D., I.C.P.R., de Jure Belli Libri Tres.**—Edidit T. E. HOLLAND, I.C.D. Small 4to., half-morocco. 1*l.* 1s.

**Monro's Digest of Justinian.**—Translated. By C. H. MONRO, M.A. Vol. I. Royal 8vo. 1901. *Net*, 12s.

**Monro's Digest IX. 2. Lex Aquilia.** Translated, with Notes, by C. H. MONRO, M.A. Crown 8vo. 1898. 5s.

**Monro's Digest XIX. 2, Locati Conducti.** Translated, with Notes, by C. H. MONRO, M.A. Crown 8vo. 1891. 6s.

**Monro's Digest XLVII. 2, De Furtis.** Translated, with Notes, by C. H. MONRO, M.A. Crown 8vo. 1893. 6s.

**Monro's Digest XLI. 1, De Adquirendo Rerum Dominio.** Translated, with Notes, by C. H. MONRO, M.A. Crown 8vo. 1900. 5s.

**Moyle's Imperatoris Iustiniani Institutionum Libri Quattuor.**—Fourth Edition. Demy 8vo. 1903. 16s.

**Moyle's Institutes of Justinian.** Translated into English.—Fourth Edition. Demy 8vo. 1906. 6s.

**Poste's Elements of Roman Law.**—By Gaius. With a Translation and Commentary. Fourth Edition. Demy 8vo. 1901. *Net*, 16s.

**Roby's Introduction to the Study of Justinian's Digest,** containing an account of its composition and of the Jurists used or referred to therein. By H. J. ROBY, M.A. Demy 8vo. 1886. 9s.

**Roby's Justinian's Digest.**—Lib. VII., Tit. I. De Usufructu, with a Legal and Philological Commentary. By H. J. ROBY, M.A. Demy 8vo. 1884. 9s.

Or the Two Parts complete in One Volume. Demy 8vo. 18s.

**Roby's Roman Private Law in the Times of Cicero and of the Antonines.**—By H. J. ROBY, M.A. 2 vols. Demy 8vo. 1902. *Net*, 30s.

**Sohm's Institutes of Roman Law.**—Second Edition. Demy 8vo. 1901. 18s.

**Walker's Selected Titles from Justinian's Digest.**—Annotated by the late BRYAN WALKER, M.A., LL.D.

Part I. Mandati vel Contra. Digest XVII. I. Crown 8vo. 1879. 5s.

Part III. De Condictionibus. Digest XII. 1 and 4—7, and Digest XIII. 1—3. Crown 8vo. 1881. 6s.

**Walker's Fragments of the Perpetual Edict of Salvius Julianus.** Collected and annotated by BRYAN WALKER, M.A., LL.D. Crown 8vo. 1877. 6s.

**Whewell's Grotius de Jure Belli et Pacis,** with the Notes of Barbeyrac and others; accompanied by an abridged Translation of the Text, by W. WHEWELL, D.D. 3 vols. Demy 8vo. 1853. 12s.

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**RULING CASES.**—Campbell's Ruling Cases.—Arranged, Annotated, and Edited by ROBERT CAMPBELL, of Lincoln's Inn, Esq., Barrister-at-Law, Advocate of the Scotch Bar, assisted by other Members of the Bar. With American Notes by IRVING BROWNE, formerly Editor of the American Reports, and the Hon. LEONARD A. JONES, A.B., LL.B. (Harv.). Royal 8vo. 1894-1902. *Half vellum, gilt top.* Complete in XXVI. Volumes. Price for the set, *net*, 25*l.*

*** The Volumes sold separately, *net*, *each* 1*l.* 5*s.*

I.—Abandonment—Action.
II.—Action—Amendment.
III.—Ancient Light—Banker.
IV.—Bankruptcy—Bill of Lading.
V.—Bill of Sale—Conflict of Laws.
VI.—Contract.
VII.—Conversion—Counsel.
VIII.—Criminal Law—Deed.
IX.—Defamation — Dramatic and Musical Copyright.
X.—Easement—Estate.
XI.—Estoppel—Execution.
XII.—Executor—Indemnity.
XIII.—Infant—Insurance.
XIV.—Insurance—Interpretation.
XV.—Judge—Landlord and Tenant.
XVI.—Larceny—Mandate.
XVII.—Manorial Right—Mistake.
XVIII.—Mortgage—Negligence.
XIX.—Negligence—Partnership.
XX.—Patent.
XXI.—Payment—Purchase for Value without Notice.
XXII.—Quo Warranto—Release.
XXIII.—Relief—Sea.
XXIV.—Search Warrant—Telegraph.
XXV.—Tenant—Wills.
XXVI.—Table of Cases; Index.

**THIS SERIES PRESENTS—**

The best English Decisions (in full),
From the earlier Reports to the present time,
Grouped under topics alphabetically arranged.

**UNDER EACH TOPIC IS GIVEN—**

A "Rule" of law deduced from the cases;
The early or "leading" case (in full);
English notes abstracting collateral cases;
American notes.

**THE OBJECT OF THE SERIES IS—**

To state legal principles clearly,
Through cases of accepted authority,
With sufficient annotation
To aid the application of these principles
to any given state of facts.

EXTRACTS FROM PRESS NOTICES.

"A Cyclopædia of law . . . . most ably executed, learned, accurate, clear, concise; but perhaps its chief merit is that it impresses on us what the practising English lawyer is too apt to forget—that English law really is a body of principles."—*The British Review.*

"One of the most ambitious, and ought to be, when it is complete, one of the most generally useful legal works which the present century has produced."—*Literature.*

"A perfect storehouse of the principles established and illustrated by our case law and that of the United States."—*Law Times.*

"The general scheme appears to be excellent, and its execution reflects the greatest credit on everybody concerned. It may, indeed, be said to constitute, for the present, the high-water mark of the science of book-making."—*Sat. Rev.*

"A work of unusual value and interest. . . . Each leading case or group of cases is preceded by a statement in bold type of the rule which they are quoted as establishing. The work is happy in conception, and this first volume shows that it will be adequately and successfully carried out."—*Solicitors' Journal.*

"The English Ruling Cases seem generally to have been well and carefully chosen, and a great amount of work has been expended. . . . Great accuracy and care are shown in the preparation of the Notes."—*Law Quarterly Review.*

**"The Series has been maintained at a high level of excellence."—***The Times.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**SALES.**—Blackburn on Sales. A Treatise on the Effect of the Contract of Sale on the Legal Rights of Property and Possession in Goods, Wares, and Merchandise. By Lord BLACKBURN. 2nd Edit. By J. C. GRAHAM, Esq., Barrister-at-Law. Royal 8vo. 1885. *1l. 1s.*

**SALVAGE.**—Kennedy's Treatise on the Law of Civil Salvage.—By WILLIAM R. KENNEDY, Esq., Q.C. (now a Justice of the High Court). Royal 8vo. 1891. *12s.*

**SHERIFF LAW.**—Mather's Compendium of Sheriff and Execution Law. Second Edition. By PHILIP E. MATHER, Solicitor and Notary, formerly Under-Sheriff of Newcastle-on-Tyne. Royal 8vo. 1903. *1l. 10s.*

"We think that this book will be of very great assistance to any persons who may fill the positions of high sheriff and under-sheriff from this time forth. The whole of the legal profession will derive great advantage from having this volume to consult."—*Law Times.*

"The subject is one of great practical importance, and this edition will be most valuable in the office of sheriffs and solicitors."—*Law Journal.*

**SHIPPING.**—Carver.—*Vide* "Carriers."

Marsden's Digest of Cases relating to Shipping, Admiralty, and Insurance Law, down to the end of 1897.—By REGINALD G. MARSDEN, Esq., Barrister-at-Law, Author of "The Law of Collisions at Sea." Royal 8vo. 1899. *1l. 10s.*

Pulling's Merchant Shipping Act, 1894.—With Introduction, Notes, and Index. By ALEXANDER PULLING, Esq., Barrister-at-Law. Royal 8vo. 1894. *Net, 6s.*

Pulling's Shipping Code; being the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60). With Introduction, Notes, Tables, Rules, Orders, Forms, and a Full Index.—By ALEXANDER PULLING, Esq., Barrister-at-Law. Royal 8vo. 1894. *Net, 7s. 6d.*

Temperley's Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60). With an Introduction; Notes, including all Cases decided under the former enactments consolidated in this Act; a Comparative Table of Sections of the Former and Present Acts; an Appendix of Rules, Regulations, Forms, etc., and a Copious Index.—By ROBERT TEMPERLEY, Esq., Barrister-at-Law. Royal 8vo. 1895. *1l. 5s.*

"A full, complete, and most satisfactory work."—*Law Quarterly Review.*

"A monument of well-directed industry and knowledge directed to the elucidation of the most comprehensive and complicated Act."—*Law Journal.*

**SLANDER.**—Odgers.—*Vide* "Libel and Slander."

**SOLICITORS.**—Cordery's Law relating to Solicitors of the Supreme Court of Judicature. With an Appendix of Statutes and Rules, the Colonial Attornies Relief Acts, and Notes on Appointments open to Solicitors, and the Right to Admission to the Colonies, to which is added an Appendix of Precedents. Third Edition. By A. CORDERY, Esq., Barrister-at-Law. Demy 8vo. 1899. *1l. 1s.*

"The leading authority on the law relating to solicitors."—*Law Journal.*

"A complete compendium of the law."—*Law Times.*

"Thoroughly up to date in every respect."—*Law Quarterly Review.*

**SPECIFIC PERFORMANCE.**—Fry's Treatise on the Specific Performance of Contracts. By the Right Hon. Sir EDWARD FRY. Fourth Edition. By W. D. RAWLINS, Esq., K.C. Royal 8vo. 1903. *1l. 16s.*

"The leading authority on its subject."—*Law Journal.*

"We think we may say, as a result of our investigation of this edition, that no pains have been spared by Mr. Rawlins to incorporate all the new matter which has arisen during the ten years which have elapsed since the issue of the third edition, and that he has added it with accuracy and neatness."—*Solicitors' Journal.*

"Mr. Rawlins has acquitted himself of his responsible task with signal ability."—*Law Times.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**STAMP LAWS.—Highmore's Stamp Laws.**—Being the Stamp Acts of 1891: with the Acts amending and extending the same, including the Finance Act, 1902, together with other Acts imposing or relating to Stamp Duties, and Notes of Decided Cases; also an Introduction, and an Appendix containing Tables showing the comparison with the antecedent Law. Second Edition. By NATHANIEL JOSEPH HIGHMORE, Assistant-Solicitor of the Inland Revenue. Demy 8vo. 1902. 10*s.* 6*d.*

"The recognized work on the subject."—*Law Quarterly Review.*

"Mr. Highmore has incorporated in the new edition of this work the legislation of the last three years, so far as it affects the Stamp Laws, including the Finance Act, 1902. He has revised the text, added the new authorities, and increased the notes upon departmental practice, a subject which he is peculiarly qualified to discuss. This edition, like the former one, will be found of the greatest use by solicitors, officers of companies, and men of business."—*Law Journal.*

"A very comprehensive volume, fulfilling every requirement. . . . The various notes to the sections of the several Acts incorporated in the volume are fully and accurately set out, the points of the decided cases clearly expressed, and the effect and object of the enactment indicated; and what must be of especial value to the practitioner, the practice at Somerset House with regard to all matters coming before that institution is stated."—*Justice of the Peace.*

"Mr. Highmore's 'Stamp Laws' leaves nothing undone."—*The Civilian.*

**STATUTES, and *vide* "Acts of Parliament."**

**Chitty's Statutes.—The Statutes of Practical Utility, from the earliest times to 1894, with Supplemental Volume to 1901 inclusive. Arranged in Alphabetical and Chronological Order; with Notes and Indexes. Fifth Edition. By J. M. LELY, Esq., Barrister-at-Law. Royal 8vo. *Complete with Index. In 14 Volumes.* 1894–1902. 15*l.* 15*s.***

☛ **The Supplementary Volume, 1895 to 1901. Consolidated with Index. By J. M. LELY, Esq. May be had separately. 2*l.* 2*s.***

"To those who already possess 'Chitty's Statutes' this new volume is indispensable."—*Law Notes.*

**The Annual Supplements. Separately:**—1895, 5*s.* 1896, 10*s.* 1897, 5*s.* 1898, 7*s.* 6*d.* 1899, 7*s.* 6*d.* 1900, 7*s.* 6*d.* 1901, 7*s.* 6*d.* 1902, 7*s.* 6*d.* 1903, 7*s.* 6*d.* 1904, 7*s.* 6*d.* 1905, 7*s.* 6*d.*

**"It is a book which no public library should be without."**—*Spectator.*

**"A work of permanent value to the practising lawyer."**—*Solicitors' Journal.*

**"The profession will feel grateful both to the editor and the publishers of a work which will be found of the highest value."**—*Law Journal.*

**"A legal work of the very highest importance. . . . Few besides lawyers will, we suspect, realise the amount of work which such an undertaking involves to the editor, who appears to have spared no pains to give a clear, orderly, and methodical character to the compilation."**—*Daily News.*

**"This collection has fulfilled a purpose of usefulness only to be understood by those who are acquainted with the amazing complexity of English statute law, with its bewildering incoherence and painful heterogeneity."**—*Pall Mall Gazette.*

**"Indispensable in the library of every lawyer."**—*Saturday Review.*

**"To all concerned with the laws of England, Chitty's Statutes of Practical Utility are of essential importance, whilst to the practising lawyer they are an absolute necessity."**—*Law Times.*

**"It is apparently the belief of some popular novelists that lawyers in their difficulties still uniformly consult daily Coke upon Littleton and Blackstone. Those who know better are aware that the lawyer's Bible is the 'Statutes of Practical Utility'—that they are his working tools, even more than accredited text-books or 'authorised reports.' More than one judge has been heard to say that with the 'Statutes of Practical Utility' at his elbow on the bench he was apprehensive of no difficulties which might arise."**—*The Times.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**STATUTE LAW.**—Wilberforce on Statute Law. The Principles which govern the Construction and Operation of Statutes. By E. WILBERFORCE, Esq., a Master of the Supreme Court. 1881. 18*s.*

**STOCK EXCHANGE.**—Schwabe and Branson's Treatise on the Laws of the Stock Exchange.—By WALTER S. SCHWABE and G. A. H. BRANSON, Esqrs., Barristers-at-Law. Demy 8vo. 1905. 12*s.* 6*d.*

"This book gives a clear and comprehensive account of the constitution of the London Stock Exchange and of the nature of Stock Exchange transactions, as well as of the legal rules applicable in respect thereof."—*Law Quarterly Review.*

"This is a clear and practical account of the method in which the business of the Stock Exchange is conducted, and of the law relating thereto. The course of business, and the Stock Exchange and the public, are the subjects of the two most important chapters, and the authors may be congratulated in having treated, to use their own words, 'of the business somewhat from the point of view of a lawyer, and of the law somewhat from the point of view of a business man,' with a marked degree of success."—*Law Times.*

"The best guide we know to the nature of Stock Exchange transactions."—*The Spectator.*

"That the treatise will be acceptable to lawyers and laymen alike we have no doubt. We have satisfied ourselves that the legal portion is a sound, and in all respects satisfactory, piece of work."—*Law Journal.*

**SUCCESSION.**—Holdsworth and Vickers' Law of Succession, Testamentary and Intestate. Demy 8vo. 1899. 10*s.* 6*d.*

**SUMMARY CONVICTIONS.**—Paley's Law and Practice of Summary Convictions under the Summary Jurisdiction Acts, 1848—1899; including Proceedings Preliminary and Subsequent to Convictions, and the Responsibility of Convicting Magistrates and their Officers, with the Summary Jurisdiction Rules, 1886, and Forms.—Eighth Edition. By W. H. MACNAMARA, Esq., a Master of the Supreme Court, and RALPH NEVILLE, Esq., Barrister-at-Law. Demy 8vo. 1904. 1*l.* 5*s.*

**TAXPAYERS' GUIDES.**—*Vide* "House," "Income," & "Land Tax."

**THEATRES AND MUSIC HALLS.**—Geary's Law of Theatres and Music Halls, including Contracts and Precedents of Contracts.—By W. N. M. GEARY, J.P. With Historical Introduction. By JAMES WILLIAMS, Esq., Barrister-at-Law. 8vo. 1885. 5*s.*

**TITLE.**—Jackson and Gosset.—*Vide* "Investigation of Title."

**TORTS.**—Addison on Torts.—A Treatise on the Law of Torts; or Wrongs and their Remedies. Seventh Edition. By HORACE SMITH, Esq., Bencher of the Inner Temple, Metropolitan Magistrate, and A. P. PERCEVAL KEEP, Esq., Barrister-at-Law. Royal 8vo. 1893. 1*l.* 18*s.*

"As an exhaustive digest of all the cases which are likely to be cited in practice it stands without a rival."—*Law Journal.*

"As now presented, this valuable treatise must prove highly acceptable to judges and the profession."—*Law Times.*

"An indispensable addition to every lawyer's library."—*Law Magazine.*

Bigelow's Law of Torts.—By MELVILLE M. BIGELOW, Ph.D. Harvard. Second Edition. Demy 8vo. 1903. 12*s.* 6*d.*

Innes' Principles of the Law of Torts.—By L. C. INNES, lately one of the Judges of the High Court, Madras, Author of "A Digest of the Law of Easements." Demy 8vo. 1891. 10*s.* 6*d.*

Kenny's Selection of Cases Illustrative of the English Law of Torts.—By C. S. KENNY, LL.D., Barrister-at-Law. Demy 8vo. 1904. *Net*, 12*s.* 6*d.*

Pollock's Law of Torts: a Treatise on the Principles of Obligations arising from Civil Wrongs in the Common Law. Seventh Edition. By Sir FREDERICK POLLOCK, Bart., Barrister-at-Law. Author of "Principles of Contract," "A Digest of the Law of Partnership," &c. Demy 8vo. 1904. 1*l.* 5*s.*

"Concise, logically arranged, and accurate."—*Law Times.*

"Incomparably the best work that has been written on the subject."—*Literature.*

"A book which is well worthy to stand beside the companion volume on 'Contracts.' Unlike so many law-books, especially on this subject, it is no mere digest of cases, but bears the impress of the mind of the writer from beginning to end."—*Law Journal.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**TORTS**—*continued.*

**Radcliffe and Miles' Cases Illustrating the Principles of the Law of Torts.**—By FRANCIS R. Y. RADCLIFFE, Esq., K.C., and J. C. MILES, Esq., Barrister-at-Law. Demy 8vo. 1901. *Net*, 12*s.* 6*d.*

**TRADE MARKS.—Sebastian on the Law of Trade Marks and their Registration**, and matters connected therewith, including a chapter on Goodwill; the Patents, Designs and Trade Marks Acts, 1883-8, and the Trade Marks Rules and Instructions thereunder; with Forms and Precedents; the Merchandize Marks Acts, 1887-94, and other Statutory Enactments; the United States Statutes, 1870-82, and the Rules and Forms thereunder; and the Treaty with the United States, 1877. By LEWIS BOYD SEBASTIAN, Esq., Barrister-at-Law. Fourth Edition. By the Author and HARRY BAIRD HEMMING, Esq., Barrister-at-Law. Royal 8vo. 1899. 1*l.* 10*s.*

"Stands alone as an authority upon the law of trade-marks and their registration."—*Law Journal.*

"It is rarely we come across a law book which embodies the results of years of careful investigation and practical experience in a branch of law, or that can be unhesitatingly appealed to as a standard authority. This is what can be said of Mr. Sebastian's book."—*Solicitors' Journal.*

**Sebastian's Digest of Cases of Trade Mark, Trade Name, Trade Secret, Goodwill, &c.**, decided in the Courts of the United Kingdom, India, the Colonies, and the United States of America. By LEWIS BOYD SEBASTIAN, Esq., Barrister-at-Law. 8vo. 1879. 1*l.* 1*s.*

"Will be of very great value to all practitioners who have to advise on matters connected with trade marks."—*Solicitors' Journal.*

**TRADE UNIONS.—Assinder's Legal Position of Trade Unions.** By G. F. ASSINDER, Esq., Barrister-at-Law. Demy 12mo. 1905. *Net*, 2*s.* 6*d.*

"In this little work Mr. Assinder has with great clearness and ability sketched the legal position of trade unions."—*Law Journal.*

**Draper's Trade Unions and the Law.**—By WARWICK H. DRAPER, Esq., Barrister-at-Law. Demy 8vo. 1906. *Net*, 6*d.*

**Pennant's Trade Unions and the Law.**—By D. F. PENNANT, Esq., Barrister-at-Law. Royal 12mo. 1905. 5*s.*

**TRAMWAYS.—Robertson's Law of Tramways and Light Railways in Great Britain** (3rd Edition of Sutton's "Tramway Acts of the United Kingdom"): comprising the Statutes relating to Tramways and Light Railways in England and Scotland, with full Notes; the Tramways and Light Railways Rules; the Regulations, By-Laws and Memoranda issued by the Board of Trade; the Standing Orders of Parliament; the General Orders under the Private Legislation Procedure (Scotland) Act, 1899; and Dissertations on Locus Standi and Rating. By GEORGE S. ROBERTSON, M.A., Esq., Barrister-at-Law. Royal 8vo. 1903. 1*l.* 5*s.*

"A very complete work. . . . The main Acts are annotated with care, and, so far as we can judge, with accuracy. . . . The book is well indexed."—*Solicitors' Journal.*

**TRANSVAAL.—The Statute Law of the Transvaal.** Translated. Royal 8vo. 1901. 2*l.* 2*s.*

**Transvaal Proclamations, 1900—1902.** Revised. 1904. 8vo. 25*s.*

**TRUSTEES (Corporate).—Allen's Law of Corporate Executors and Trustees.** By ERNEST KING ALLEN, Esq., Barrister-at-Law. Demy 8vo. 1906. 6*s.*

**TRUSTS AND TRUSTEES.—Ellis' Trustee Acts**, including a Guide for Trustees to Investments. By ARTHUR LEE ELLIS, Esq., Barrister-at-Law. Sixth Edition. By L. W. BYRNE, Esq., Barrister-at-Law. Roy. 12mo. 1903. 6*s.*

**Godefroi's Law Relating to Trusts and Trustees.**—Second Edit. By HENRY GODEFROI, of Lincoln's Inn, Esq., Barrister-at-Law. Royal 8vo. 1891. 1*l.* 12*s.*

"The second edition of this work is a model of what a legal text-book ought to be. It is clear in style and clear in arrangement, and we can have little doubt that it will soon take the foremost place among text-books dealing with trusts."—*Law Times.*

*** *All standard Law Works are kept in Stock, in law calf and other bindings.*

**VENDORS AND PURCHASERS.—Dart's Vendors and Purchasers.**—A Treatise on the Law and Practice relating to Vendors and Purchasers of Real Estate. By the late J. Henry Dart, Esq. Seventh Edition. By Benjamin L. Cherry, one of the Editors of "Prideaux's Precedents in Conveyancing," C. E. Tyrrell, Arthur Dickson and Isaac Marshall, assisted by L. H. Elphinstone, Esqrs., Barristers-at-Law. 2 vols. Royal 8vo. 1905. 3*l.* 16*s.*

"Much skill and learning have been expended on this edition, and the work remains a great conveyancing classic."—*Law Journal.*

"To the young and to the staid practitioner having any pretensions to conveyancing work, we unhesitatingly say, Procure a copy at once."—*Law Students' Journal.*

"This work is a classic, and quite beyond our criticism. All we can do is to let our readers know that the late Mr. Dart's work is once more brought up to date, and to advise them to put a copy on their shelves without delay."—*Law Notes.*

"There are traces throughout the book of an unstinted expenditure of skill and labour in the preparation of this edition which will maintain the position of the book as the foremost authority on an extensive subject of paramount importance to lawyers whose business is concerned with the sale and transfer of property."—*Law Quarterly Review.*

**Farrer's Precedents of Conditions of Sale of Real Estate, Reversions, Policies, &c.; with exhaustive Footnotes, Introductory Chapters, and Appendices.**—By Frederick Edward Farrer, Esq., Barrister-at-Law. Royal 8vo. 1902. 16*s.*

"Mr. Farrer has written a rare thing—a new book which will be of real value in a conveyancer's library."—*Law Journal.*

"The notes are essentially practical and are evidently largely derived from experience, and the forms are adapted to recent decisions."—*Law Times.*

**Turner's Duties of Solicitor to Client as to Sales, Purchases, and Mortgages of Land.**—Second Edition. By W. L. Hacon, Esq., Barrister-at-Law. Demy 8vo. 1893. 10*s.* 6*d.*

**Webster's Law Relating to Particulars and Conditions of Sale on a Sale of Land.**—With Appendix of Forms. Second Edition. By W. F. Webster, Esq., Barrister-at-Law. Roy. 8vo. 1896. 1*l.* 5*s.*

**Webster's Conditions of Sale under the Land Transfer Acts.** Being a Supplement to above. Royal 8vo. 1899. *Net*, 2*s.*

**WAR, DECLARATION OF.—Owen's Declaration of War.**—A Survey of the Position of Belligerents and Neutrals, with relative considerations of Shipping and Marine Insurance during War. By Douglas Owen, Esq., Barrister-at-Law. Demy 8vo. 1889. 1*l.* 1*s.*

**Owen's Maritime Warfare and Merchant Shipping.**—A Summary of the Rights of Capture at Sea. By Douglas Owen, Esq., Barrister-at-Law. Demy 8vo. 1898. *Net*, 2*s.*

**WATER.—Bartley's Metropolis Water Act, 1902.**—By Douglas C. Bartley, Esq., Barrister-at-Law, Author of "Adulteration of Food." Royal 12mo. 1903. 6*s.*

**WILLS.—Theobald's Concise Treatise on the Law of Wills.**—Sixth Edition. By H. S. Theobald, Esq., one of His Majesty's Counsel. Royal 8vo. 1905. 1*l.* 15*s.*

"Throughout the book we find paragraphs rewritten and alterations and corrections made, and we congratulate the author on the present as the best and most trustworthy issue of his work which has yet appeared."—*Solicitors' Journal.*

"Comprehensive though easy to use, and we advise all conveyancers to get a copy of it without loss of time."—*Law Journal.*

"Of great ability and value. It bears on every page traces of care and sound judgment."—*Solicitors' Journal.*

**Weaver's Precedents of Wills.**—A Collection of Concise Precedents of Wills, with Introduction and Notes. Second Edition. By Charles Weaver, B.A., Solicitor. Demy 8vo. 1901. 5*s.*

"The notes, like the forms, are clear and, so far as we have tested them, accurate, and the book cannot fail to be of service to the young practitioner."—*Law Times.*

**WINDING UP.**—Palmer's.—*Vide* "Company Law."

**WORKMEN'S COMPENSATION.**—*Vide* "Employers' Liability."

Robertson and Glegg's Digest of Cases under the Workmen's Compensation Acts. Royal 8vo. 1902. *Net*, 10*s.*

**WRONGS.**—Addison, Bigelow, Kenny, Pollock.—*Vide* "Torts."

# *PREPARING FOR PUBLICATION.*

**Addison's Treatise on the Law of Torts**; or Wrongs and their Remedies.—Eighth Edition. By WILLIAM EDWARD GORDON and WALTER HUSSEY GRIFFITH, Esqrs., Barristers-at-Law. (*In the press.*)

**Burge's Colonial Law**: Commentaries on Colonial and Foreign Law generally and in their Conflict with each other and with the Law of England.—A new Edition. By A. WOOD RENTON, Esq., Puisne Judge, Ceylon, and G. G. PHILLIMORE, Esq., Barrister-at-Law. In 4 vols. Royal 8vo. (*Vol. I. in the press.*)

**Dicey's Digest of the Law of England with reference to the Conflict of Laws.**—Second Edition. By A. V. DICEY, Esq., K.C., B.C.L. (*In preparation.*)

**Digest of Cases, Overruled, Approved, or otherwise specially considered in the English Courts.**—With extracts from the Judgments. By W. A. G. WOODS and J. RITCHIE, Esqrs., Barristers-at-Law. (*In the press.*)

**English Reports.**—A complete Re-issue of all the Decisions prior to 1866 in about 150 Volumes. Fifth Series. Vice-Chancellors' Courts. (*Now publishing.*)

*** *Full prospectus on application.*

**Everest and Strode's Law of Estoppel.**—Second Edition. By LANCELOT FIELDING EVEREST, Esq., Barrister-at-Law. (*In preparation.*)

**Godefroi's Law relating to Trusts and Trustees.**—Third Edition. By WHITMORE L. RICHARDS and JAMES I. STIRLING, Esqrs., Barristers-at-Law. (*In the press.*)

**Hart's Law of Banking.**—Second Edition. By HEBER HART, LL.D., Barrister-at-Law. (*In the press.*)

**Law Journal Analytical Digest of Cases, 1901-1905.**—By JAMES S. HENDERSON, Esq., Barrister-at-Law. (*In the press.*)

**Powles and Oakley's Law and Practice relating to Probate and Administration.**—Part I. The Law. By L. D. POWLES, Esq., Barrister-at-Law, District Probate Registrar, Norwich. Part II. The Practice, Contentious and Non-Contentious. By W. M. F. WATERTON and E. LOVELL MANSBRIDGE, Esqrs., of the Probate Registry, Somerset House. (*In the press.*)

**Rogers' Law and Practice of Elections.**—Vol. III. Municipal and other Elections and Petitions, with Appendices of Statutes, Rules, and Forms. Eighteenth Edition. By C. WILLOUGHBY WILLIAMS, Esq., Barrister-at-Law. (*In preparation.*)

**Sebastian's Trade Marks Act, 1905, and Rules, with Notes.**—By LEWIS BOYD SEBASTIAN, Esq., Barrister-at-Law, Author of "The Law of Trade Marks," &c. (*In preparation.*)

**Talbot and Fort's Index of Cases Judicially noticed, 1865 to 1905.**—Second Edition. By M. R. MEHTA, Esq., Barrister-at-Law. (*In the press.*)

**Wills' Theory and Practice of the Law of Evidence.**—Second Edition. By WM. WILLS, Esq., Barrister-at-Law. (*In preparation.*)

---

**STEVENS AND SONS, LD., 119 & 120, CHANCERY LANE, LONDON.**