

Passed in Council this first day of July, in the year of our Lord one thousand eight hundred and sixty-seven.

R. LECHMERE GUPPY,
Clerk of Council.

No. 25.—1867.

2nd September.

AN ORDINANCE for amending the Law for granting Patents for Inventions.

(L.S.) ARTHUR GORDON.

BE it enacted by His Excellency the Governor with the advice and consent of the Legislative Council as follows :

1. The Registrar General on an application by or on behalf of any person claiming to be the inventor within this colony of any invention, and on the delivery to such Registrar General of a declaration in writing according to the form in the schedule to this Ordinance together with a specification signed by the applicant or his agent, particularly describing and ascertaining the nature of the invention and in what manner the same is to be performed, shall deliver to such person or his agent a certificate according to the form in the schedule to this Ordinance, and a copy of such certificate shall be inserted by the Registrar General in the *Royal Gazette*.

On delivery of declaration and specification the Registrar-General to issue certificate to inventor.

2. Any specification of an invention may be delivered to the Registrar General, open or closed in an envelope with a note of the name of the invention to which the specification refers endorsed on such envelope and signed by the applicant or his agent, and where any such specification shall be so delivered closed, the Registrar General shall, on the expiration of six calendar months from the day of granting the certificate or at any earlier day, on the request of the applicant, his executors,

Specification may be open or closed, and if closed, to be opened in six months.

administrators or assigns, break the seal of such envelope and enregister the specification.

Inventions to be duly recorded and specifications numbered.

3. The Registrar General shall number with a distinguishing number, and shall, in a book to be kept by him for that purpose, to be called "The Book of Inventions," enter and record in its chronological order every such invention and the christian and surnames of the inventor, and the day of the date of the certificate of such invention, and shall cause every specification to be marked with the distinguishing number of the invention to which the specification refers, and such Book of Inventions and such specifications shall be open to the inspection of the public.

Certificate to vest exclusive right for fourteen years.

4. Every certificate granted under this Ordinance shall vest in the applicant, his executors, administrators or assigns the sole right and benefit of using within this Island the invention mentioned in such certificate for and during the space of fourteen years next after the granting of such certificate.

Disclaimer may be entered.

5. Any person who as grantee, assignee or otherwise, shall obtain a certificate under this Ordinance, may if he think fit enter with the Registrar General a disclaimer or disclaimers of any part or parts of either the title of the invention or of the specification, stating the reason for such disclaimer, or may enter a memorandum of any alteration in such title or specification, not being such disclaimer or such alteration as shall extend the exclusive right vested by such certificate; and such disclaimer or memorandum of alteration being filed by the said Registrar General shall be deemed and taken to be part of such specification in all courts whatever: Provided always that no action shall be brought on any certificate in any case where any disclaimer or memorandum shall have been filed in respect of any infringement committed prior to the filing of such disclaimer or memorandum of alteration.

Where the invention assigned, who may enter disclaimer.

6. In case any person obtaining such certificate shall part with his or their whole or any part of his or their interest by assignment to any other person or persons, it shall be lawful for the person obtaining such certificate, together with such assignee or assignees, if part only hath been assigned, and for the assignee

or assignees if the whole hath been assigned, to enter a disclaimer and memorandum of alteration under the powers of this Ordinance; and such disclaimer and memorandum of such alteration having been so entered and registered, as in this Ordinance mentioned, shall be valid and effectual in favour of any person or persons in whom the rights under the said certificate may then be or thereafter become legally vested; and no objection shall be made in any proceeding whatsoever on the ground that the party making such disclaimer or memorandum of such alteration had not sufficient authority in that behalf.

7. The Registrar General shall cause every such disclaimer and memorandum to be entered in a book to be kept by him for that purpose, and to be marked with the distinguishing number of the invention and specification to which such disclaimer or memorandum shall refer, and shall endorse on the declaration and specification to which such disclaimer or memorandum shall refer a memorandum in writing of the date and entry of every such memorandum and disclaimer.

Disclaimer to be recorded and a note thereof to be endorsed on the specification.

8. If any person shall during the said term of fourteen years from the granting of a certificate for an invention, directly or indirectly, make, use, or put in practice the said invention or any part of the same, or in anywise counterfeit or imitate the same, or make or cause to be made any addition or subtraction from the same whereby to pretend himself the inventor thereof without the license in writing of the inventor, his executors, administrators or assigns, the inventor, his executors, administrators or assigns shall have and be entitled to such and the like remedies against such person both in law and in equity as the grantee of any letters patent for any invention would be entitled to in the like case by the Law of England.

Penalties for infringement of exclusive right.

9. Provided always, That if at any time during the said term of fourteen years it shall be made to appear that the said invention is not a new invention as to the public use and exercise thereof in this colony, or that the said invention is prejudicial or inconvenient to the subjects of our Lady the Queen in general, then all privileges and advantages hereby granted to the

Exclusive right to cease in certain cases.

inventor, his executors, administrators and assigns in respect of such invention shall utterly cease, determine and become void anything hereinbefore contained to the contrary in anywise notwithstanding.

Fees to be
paid.

10. There shall be paid to the Registrar General the several fees mentioned in the schedule to this Ordinance, and such fees shall be paid over monthly by the Registrar General to the Receiver General for the use of the Colony.

Passed in Council this second day of September, in the year of our Lord one thousand eight hundred and sixty-seven.

R. LECHMERE GUPPY,
Clerk of the Council.

FORM OF DECLARATION.

I, _____, of _____, declare that I am in possession of an invention for _____ (*state the title of the invention*), which invention I believe will be of great public utility, and that the same is not in use by any person or persons in the Island of Trinidad to the best of my knowledge and belief, and that the instrument in writing under my hand herewith delivered particularly describes and ascertains the nature of the said invention, and the manner in which the same is to be performed.

Signature _____

FORM OF CERTIFICATE.

I, I. B., Registrar General of the Island of Trinidad, do hereby certify that on the _____ day of _____ has been delivered to me by (*or on behalf of* _____, *the name and place of abode of the inventor*) a declaration in writing signed by the said _____, of a certain invention, whereof the said _____ claims to be the inventor in this Island, being an invention (*state the name of the invention*) together with a specification (*open or under seal, as the case may be*) describing the nature of the said invention and the manner in which the same is to be performed.

In witness whereof I have hereunto put my hand at Port of Spain in the Island of Trinidad this _____ day of _____ in the year one thousand eight hundred and sixty-

FEES TO BE PAID TO THE REGISTRAR GENERAL.

	£	s.	d.
On leaving any Declaration of Invention and Specification	10	0	0
Every Disclaimer	2	0	0
Publication in the <i>Royal Gazette</i> of any Declaration, Disclaimer, or Memorandum of Alteration	0	10	0
Every Search or Inspection of the Book of Inventions	0	1	0
Every Inspection of any Specification.	0	2	0
For every Copy of any Specification—for every 120 words	0	1	0

No. 26.—1867.

2nd September.

AN ORDINANCE with regard to the Imprisonment of Misdemeanants.

(L. S.) ARTHUR GORDON.

WHEREAS it is expedient to make provision for the imprisonment in places other than the Royal Gaol of persons sentenced on summary conviction: Be it enacted by His Excellency the Governor with the advice and consent of the Legislative Council as follows:

1. Where any person, being convicted of any offence before any Justice of the Peace, shall be sentenced to imprisonment for any time not exceeding fourteen days, such person may be imprisoned in the Royal Gaol or at such station licensed by the Governor as a prison, as may be nearest to the police office at which such person shall have been convicted.

Offenders sentenced to imprisonment for less than fourteen days may be imprisoned in the gaol or at any station licensed as a prison.

2. Where any person, being convicted before any Justice of the Peace, shall be sentenced to imprisonment for any time exceeding fourteen days, such person shall be imprisoned at such penal establishment as the Governor may from time to time license as a place of imprisonment: And until such person can be removed to such penal establishment he shall be detained and

Offenders sentenced for more than fourteen days may be imprisoned at a licensed penal establishment