

VICTORIA.



ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

By His Excellency SIR CHARLES HOTHAM, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Colony of Victoria, &c., &c., &c.

No. I.

An Act to protect the rights of Inventors of articles at the Exhibition in Victoria of One thousand eight hundred and fifty-four. [Assented to 6th October, 1854.]

WHEREAS an exhibition is about to be held in Melbourne of various works of agricultural and industrial produce pursuant to a Proclamation dated the eighteenth day of May One thousand eight hundred and fifty-four and under the direction of certain Commissioners therein named And whereas it is expedient that such protection as hereinafter mentioned should be afforded to persons desirous of exhibiting new inventions or improvements in the said exhibition Be it therefore enacted by His Excellency the Lieutenant Governor of Victoria by and with the advice and consent of the Legislative Council thereof as follows:—

Preamble.

I. Any new invention or improvement for which Letters Patent might lawfully be granted under an Act of the Lieutenant Governor and Legislative Council of Victoria passed in the seventeenth year of the reign of Her present Majesty Queen Victoria intituled "*An Act to regulate grants of Patents for inventions in the colony of Victoria*" or any model plan or design of such new invention or improvement may at any time during the year One thousand eight hundred and fifty-four but not afterwards be publicly exhibited at the said intended exhibition in Melbourne without prejudice to the validity of any Letters Patent to be thereafter during the term of the provisional registration hereinafter mentioned granted for such invention and improvement to the true and first originator or discoverer thereof Provided that such invention or improvement have previously to such public exhibition thereof been provisionally registered in manner hereinafter mentioned and provided also that the same be not otherwise publicly exhibited or used by or with the consent of the originator or discoverer prior to the granting of any such Letters Patent as aforesaid except as hereinafter mentioned Provided also that no sale or transfer or contract for sale or transfer of the right to or benefit of any invention or improvement so provisionally registered or of the rights acquired under this Act or to be acquired under any Letters Patent to be granted for such invention or improvement shall be deemed a use of such invention or

Proprietors of new inventions allowed to exhibit them without prejudice to Letters Patent to be subsequently granted.

Act to protect the Rights of Inventors.

or improvement and the publication of any account or description of such invention or improvement in any catalogue paper newspaper periodical or otherwise shall not affect the validity of any Letters Patent to be during such term granted as aforesaid.

Public trial of invention or improvement under direction of Commissioners not to prejudice Letters Patent.

II. The public trial or exhibition of any such invention or improvement as aforesaid which shall be certified by any three of the said Commissioners named in the said proclamation to have taken place under the direction of the said Commissioners for purposes connected with the said exhibition thereof whether such trial or exhibition take place before or after the passing of this Act shall not prevent the provisional registration of such invention or improvement under this Act nor prejudice or affect the validity of any Letters Patent to be granted for such invention or improvement during such term as aforesaid.

Certificate of invention or improvement to be registered.

III. The Registrar General of Victoria on being furnished with a description in writing signed by or on behalf of the person claiming to be the true and first originator or discoverer of any new invention or improvement intended to be exhibited as aforesaid (such description containing the name and place of address of such person) and on being satisfied that such invention or improvement is proper to be so exhibited and that the description in writing so furnished describes the nature of the said invention or improvement so intended to be exhibited and in what manner the same is to be performed shall make and enter a provisional registration of such invention or improvement which shall continue in force for the term of six months from the time of the same being so registered and the said Registrar General shall certify under his hand that such invention or improvement has been provisionally registered and the date of such registration and the name and place of address of the person by or on whose behalf the registration was effected. Provided that if any invention or improvement so provisionally registered be not actually exhibited at the said intended exhibition as aforesaid or if the same invention or improvement be in use by others at the time of the said registration or if the person by or on whose behalf the said registration has been effected be not the first and true originator or discoverer thereof such registration shall be absolutely void.

Description to be preserved invention to be marked with words "provisionally registered."

IV. The description in writing of any invention or improvement so provisionally registered shall be preserved in such manner and subject to such regulations as the said Registrar General shall direct and any invention or improvement so provisionally registered or any model plan or design thereof which shall be exhibited at the said intended exhibition as aforesaid shall have the words "provisionally registered" marked thereon or attached thereto with the date of the said registration.

Letters Patent afterwards granted to be as valid as if invention were not exhibited or registered.

V. All Letters Patent to be, during the term of any such provisional registration granted in respect of any invention or improvement so provisionally registered shall notwithstanding the registration and notwithstanding the exhibition thereof as aforesaid be of the same validity as if such invention or improvement had not been registered or exhibited and it shall be lawful for the Colonial Secretary or other proper officer on the grant of any Letters Patent to any originator or discoverer in respect of any invention or improvement provisionally registered under this Act to cause such Letters Patent to be signed and sealed as of the day of such provisional registration and to bear date the day of such provisional registration any law to the contrary notwithstanding.