



ANNO SECUNDO

# EDWARDI VII REGIS.

A.D. 1902.

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## No. 785.

An Act to Extend the Time for making Payment of Fees in respect of Patents, and for other purposes.

[Assented to, October 1st, 1902.]

**B**E it Enacted by the Governor, with the advice and consent of the Parliament of South Australia, as follows:

**1.** This Act may be cited as "The Patent Act Amendment Act, 1902," and shall be read and incorporated with "The Patent Act, 1877," and all Acts amending the same. Short title and incorporation.

**2.** Where a patentee through accident or inadvertence fails to make any prescribed payment within the prescribed time he may, notwithstanding the provisions of "The Patent Act, 1877," apply to the Commissioner for an extension of the time for making such payment. Patentee failing to pay fees within the prescribed time may apply for extension of time. 1123 Vict., sec. 22.

**3.** The Commissioner shall, if satisfied upon receipt of any such application that the failure has arisen from any of the above-mentioned causes, and on receipt of a fee of Five Pounds, together with all other fees due thereunder for renewal, extend the time accordingly, subject to the following conditions:-- Commissioner may thereupon extend the time. Ibid., sec. 22, sub-sec. 4.

(a) The time for making any payment shall not in any case be extended for more than six months: Not to be extended more than six months.

(b) If

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*The Patent Act Amendment Act.—1902.*

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Where proceedings taken after failure of payment and before extension Court may refuse to award damages.

(b) If any proceeding be taken in respect of an infringement of the patent committed after a failure to make any payment within the prescribed time and before the extension thereof, the Court before which proceedings are taken shall not award or give any damages in respect of such infringement.

Act retrospective.

4. This Act shall be retrospective.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

S. J. WAY, Lieutenant-Governor.