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Australia's Patent Fee Revenue Adhesives

Dave Elsmore

The time has come to update information known on the somewhat scarce to rare Commonwealth of Australia Patent Fee stamps, issued between 1954-1965 prior to decimalisation.

In this paper I will be dealing with Patents, Patent Fee revenue stamps and associated Patentee's costs. Trade Marks, Designs and Copyrights may be dealt with later, which incidentally also used Commonwealth of Australia Patent Fee stamps to lodge instruments.

Over the 12 years pre-decimal Patent Fee stamps were used, 12 separate values were issued. The Key Plate die was engraved in steel by G. Lissenden [Die No. 6156]. At right is a set of the 12 values issued and used 1954-65. Four different value plate designs were used.

Patent Fee stamps were printed in sheets of 60 (12x5) on gummed water-marked multiple Crown/CofA (sideways) stamp paper (SG 15) comb perf 13³/₄x14¹/₂. From mid-1959, the stamps were printed on Samuel Jones multiple Crown/CofA wmkd paper, and from mid-1961, they were printed on Wiggins Teape multiple Crown/CofA wmkd paper.

The EKD for the £12 Patent Fee stamp is 2 October 1961.

Check out Dave Elsmore's web site: www.ozrevenues.com for a Specialised listing of Australian Commonwealth Patent Fee stamps and Patent & Trade Mark Sub Office cancels.

Continued Page 87



INSIDE THIS ISSUE:

<i>Australia's Patent Fee Revenues</i>	85, 87-90	<i>Fiji Government Savings Stamps</i>	99
<i>New Tatts Covers and Perfin "A"</i>	91	<i>Articles & Web Sites of Interest</i>	101
<i>Cook Islands Official H/S</i>	92	<i>Members' Bulletin Board & Awards</i>	102
<i>Hutt River Locals — Part 3</i>	94-95	<i>SAS/O Roster & Pres Msg</i>	103
<i>Key Dates for the Marshall Islands</i>	96	<i>The Australian Flag on Stamps II</i>	104-105
<i>From to Boer War to Mossman River</i>	98	<i>The De La Rue Collection</i>	106

FORM 1

LODGE

COMMONWEALTH OF AUSTRALIA
PATENTS ACT 1952-53

COMMONWEALTH AUSTRALIA PATENT OFFICE
27 SEP 1961

Application for a Patent

I, JOHN ELLIS RASMUSSEN
We-

of 198 Eastern Valley Way, Willoughby, New South Wales,
Australia

hereby apply for the grant of a Patent for an invention entitled

"IMPROVED DISCRIMINATING MEANS
FOR BILLIARD BALLS"

which is described in the accompanying provisional complete specification.

My address for service is:

Care: SPRUSON & FERGUSON
PATENT ATTORNEYS
CALTEX HOUSE, 167 KENT STREET
SYDNEY, NEW SOUTH WALES,
AUSTRALIA.

Dated this TWENTY-SIXTH day of SEPTEMBER 1961

J. Rasmussen
Signature of Applicant.

RECEIVED
27 SEP 1961
9665
Patent

Fig. 1

The Process of Patenting

To give you a simplified version as to how Patent fees were spread over the process of a Patent grant, there were several steps to work through.

This fee structure is taken from 1955:

Before you begin the process, you must of course have an idea that you want to patent, then search to see if it already exists. If not, lodge your application accompanied by your Provisional Specification a £2 fee (Figure 1), or complete specification for a £6 fee; on lodging a complete specification before expiration of 9 months there is a £4 fee, but after 9 months it is a £5 fee. Any amendments to the filing is a £1 fee per occasion. If you need an extension of time it will attract a £2 fee per month.

Then await your advertisement of acceptance accompanied by a £4 fee. Once the Specification has been advertised, you need to await objections; if none, you need to Seal your patent which is a £7/10/- fee (Figure 2, next page), and if you need to make an amendment, that is another £2 fee. You may then need to extend the time to seal for a £4 per month fee. You may also want a duplicate which is a £4 fee.

You may further need to amend something prior to the patent office's examination of your patent which runs from £2 to £7 in fees. After this you will need to lodge your application in the register, and if this is done within 6 months after acquisition of a proprietorship there is a £2 fee, or a £5 fee after 12 months. If you then decide to lodge an extension term of your patent to the Commissioner submit it with a £5 fee.

Then of course you have your Patent Attorney to pay!

The Process of Payment

It is unknown why Patent Fee stamps were ever issued. My only thought is that it was to save the Patent staff from handling cash money. The burden was passed to Patent Attorneys, who had to have a stamp book on hand

A History of Patenting. . .

Patent: "Old French from Latin *patere* to lie open; *n* use, short for letters patent, from Medieval Latin *litterae patentes* letters lying open (to public inspection)."

A patent is a government grant to an inventor of the right to exclude others from making, using, or selling an invention, usually for a limited period. Patents are granted for new and useful machines, manufactured products, and industrial processes and for significant improvements of existing ones. Patents also are granted for new chemical compounds, foods, and medicinal products, as well as for the processes used to produce them. The first recorded patent

for an industrial invention was granted in 1421 in Florence Italy.

. . .and the Introduction of Patent Fee Stamps in Australia

Australian Commonwealth Patent Fee stamps were first introduced in 'Official Notices' of "The Australian Official Journal of Patents, Trade Marks, and Designs" on 17 June 1954. Where it was announced: "Payment of Fees. It is notified for public information that on and after Thursday 1 July 1954, payment of fees under the Patents, Trade Marks, Designs and Copyright Acts shall be made by affixing to the relevant document to be lodged a Patent Office fee stamp to the value of the prescribed fee. Fee stamps will be on sale at the Patent Office and at Trade Marks sub-offices".

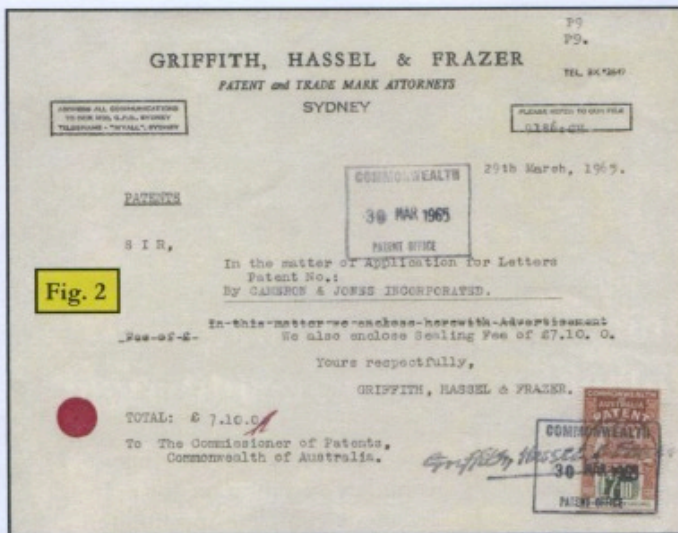


Fig. 2

with a stock of Patent Fee stamps in order to send in instruments pre-stamped with the correct fee to the relevant Patent Office in Canberra. Instruments also could be lodged at any State capital Trade Mark Sub-Office, which were then forwarded to the head office in Canberra. I am unaware of any other Commonwealth country that used specific-purpose Patent Fee adhesive stamps to lodge Patents, except the Cape of Good Hope 1909-10 issues.

Table 1: Patent Fee Pre-decimal Stamps Printings¹

Fee Stamp Value	Number of Printings	Date of Printing	Quantity Printed
2/-	1	24/5/54	13,500
2/6d	6	11/6/54	87,500
6/8d	1	12/8/54	9,000
10/-	5	24/5/54	43,500
£1	6	24/5/54	228,000
£2	6	24/5/54	161,000
£4	5	24/5/54	116,000
£5	4	24/5/54	115,000
£6	4	24/5/54	142,000
£7/10/-	4	25/5/54	62,000
£10	2	25/5/54	64,000
£12	2	24/8/61	27,000

The Process of Acquisition

The acquisition of Australian Patent fee stamps has been a difficult one for the revenue collector. All Patents were held in house by the Government, and the only option open to collectors of the time to add some Patent fee stamps to their collections was to buy mint copies over the counter at any Patent or Trade Mark sub-office. I clearly remember the look on the face of the employee at the local Patent Office here in Brisbane when I asked to purchase some decimal Patent Fee stamps back in the 1970s! Hence, mint copies are rare. Collectors have shunned this area, as you had to have deep pockets to purchase full mint sets at face value.

Only in very recent times have revenue collectors been able to add used copies to collections. Firstly from a Canberra dealer from a few years ago who had a chap visit his shop with a small bag of torn off Patent stamps he apparently 'found' at the local rubbish dump. There was a bit of collector frenzy when this dealer first offered these, with 100% finding their way into collector's hands within a few weeks.

Secondly, a Patent worker was tasked with the job of destroying some Patent files. Fortunately for the collector, the stamps were torn off prior to the furnace. These also made their way into collector's hands. This second 'batch' were 90% post-1966 decimal currency, which swamped the decimal market (accept the rare 20c and 25c). Some of these decimal stamps can be seen in a one frame exhibit on Patent Stamps, viewed from the UK Revenue Society website (www.revenuesociety.org.uk) accessed from the "Invited Displays" tab. Unfortunately this one frame exhibit contains many important errors of information including the date of issue. It is all this incorrect information that has spurred me to write this update.

As you have read in 'The Process of Payment' above, fee structures were complex. In 1954 there were 72 separate fee structures, and by 1965 this grew to 78. Some values like the £7/10/- issued 1 January 1955 due to an increase from £5 were purpose values used for 'Sealing a Patent'. Others like the 6/8d value was not a purpose value within the fee structure and was purely used as a make up value for and when an 'Enlargement of Time' was requested as follows: 4 months enlargement £2/13/4d, 5 months enlargement £3/6/8d, 7 months enlargement £4/13/4d, 8 months enlargement £5/6/8d, 10 months enlargement £6/13/4d and 11 months enlargement £7/6/8d. Thus the 6/8d was in use for just 4 months before the fee structure was adjusted making that value defunct. The few surviving copies in collector's hands have been gleaned from usage pieces showing triple x 6/8d values equalling £1, so used by Patent Attorneys to exhaust their supply.

It should be noted that in the 12-year span this series of fee stamps was in use, there were 5 fee structures where no single value fee stamp was available. Regulation 14 - Restoration of lapsed Patent £20. Regulation 30 - photographic copies of out-of-print Commonwealth printed specifications were 5/- per copy; Regulation 33b - photographic copies, more than 4 pages were 1/6d per page thereafter. Regulation 38 - transcripts per 72 words 5d, and Regulation 44 - if no fee prescribed, per document 5/- (Figure 3). It is still unclear how Patent Attorneys paid for Regulation 33b and 38 because the regulations state it must be by 'adhesive stamp' and none were printed for those lower values. The three other regulations apparently could be discharged with a mix of values in spite of the official regulations specifying "stamp" in the singular.

Remembering that it was the Attorneys responsibility to attach the uncanceled fee stamps, it appears to have been

WATERS & SONS
PATENT ATTORNEYS
MELBOURNE, C.1

JEROME, COUNTY,
VICTORIA, COLLINGWOOD OFFICE
MELBOURNE, C.1 12/2/62 19 62

REFERENCE
FILE NO. 142,89/62

To the Commissioner of Patents
Commonwealth of Australia

Sir,

In re Application for Patent No. 142,89/62
(J. G. W. Karachuk)

Section 64 Assignment to:-
J. G. Karachuk

If and when Letters Patent issues to the above application we should be obliged if it may issue as above.

The original and an attested copy of an Assignment Deed made between the above parties in support of this request, are lodged herewith.

A five shilling fee stamp is affixed hereto.

Yours respectfully,
Edna Karachuk

APPROVED
SEE LIST No. 193 DATED 18 APR 1962

Fig. 3

Attorney adhering to the regulations: "A 5/- fee stamp affixed..." However, no 5/- adhesive was ever printed.

accepted that this could be done using any make up of values that they had in their office at the time. It was not unusual to pay the £7/10/- Sealing Fee using a £5, £2 & 10/- but in the regulations the fee stamp was always referred to as singular, as shown above with the 5/- fee statement.. Some Attorneys chose to cancel their stamps with company names (as shown in Figure 2 "Sealing Fee Payment") prior to lodgement.

Convention Patents

Overseas patentees who wished to apply for an Australian Patent could submit an application by virtue of the Paris convention (Figure 4). If it was filed within 12 months of the

FORM 4
257973
COMMONWEALTH OF AUSTRALIA
PATENTS ACT 1954-60

WESTERN ELECTRIC COMPANY, INCORPORATED
of 195 Broadway, New York 7, New York, United States of America

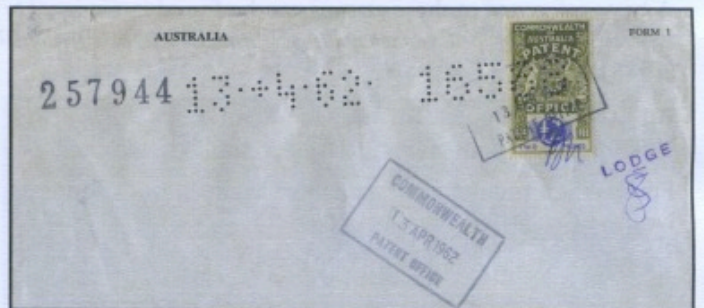
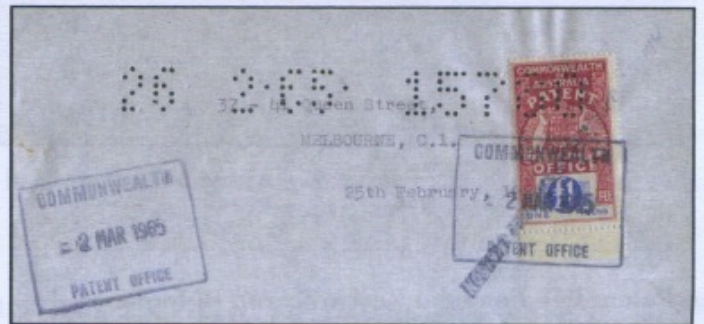
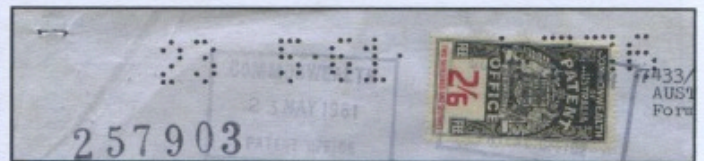
hereby apply for the grant of a Patent for an invention entitled
"TRANSMISSION SYSTEM BRANCHING CIRCUIT"

Fig. 4

patent application filed in a foreign country that is a member of the Paris convention, it benefited from the filing date of that foreign patent application. Figure 4 is a portion of an Application filed under the Paris Convention with a £12 Patent Fee adhesive attached.

Patent Fee Stamps and Perfins

Illustrated below are several examples of Patent Fee stamps canceled by a numeric perforator that shows date and file number, creating perfin Patent Fee stamps. Some of the stamps have been canceled multiple ways: manuscript, hand stamp, date stamp, and perforator! The 2/6, £1 and £2 values are shown (tops of forms).



The Future

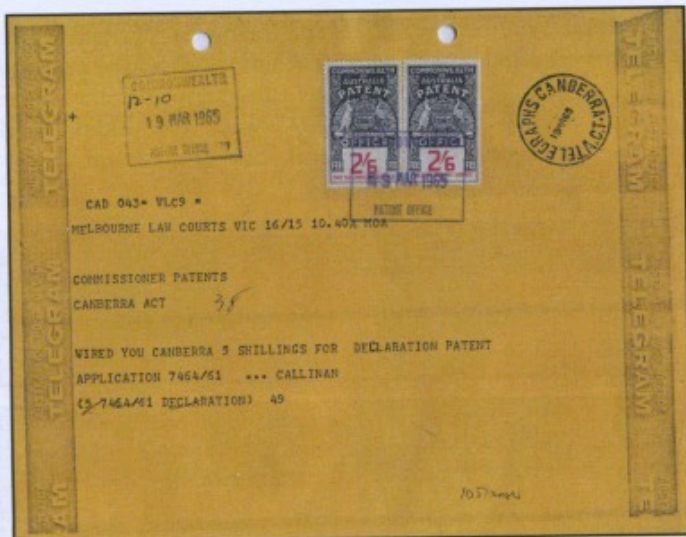
One final note: in recent months the total 5 kilometers in length of Patent Office files held in the main Canberra Patent Office have been sent to the furnace with no chance of any more stamps or documents leaking into collectors hands. So what is out there is it! Note: the perforated application number and date in the Convention Application, 50% of stamps in collector's hands were 'caught' by this cancelling devise.

Notes

¹ Printing records in Table 1 courtesy of SAS/O Member Geoff Kellow, RDP.

Fees Paid by Telegram

A single instance has been found in the records where the attorneys paid the fee by wiring the money to the Patent Office in Canberra from the Law Courts in Melbourne, presumably in the midst of a patent problem ending up in court requiring filing an immediate Declaration.



The Patent Office apparently affixed the stamps and canceled them.

Patent Fee Personal Research and References

A basic reference to these stamps can be found in Craig, *The Revenue Stamps of the Commonwealth of Australia and its Territories* (1988).

An overview announcement is in *Stamp News Australasia*, Vol. 61 No. 9 (September 2014), pp. 42-43.

Further information is available from these Commonwealth of Australia documents:

Trade Marks Act 1905.

The Australian Official Journal of Trade Marks – 1906.

Patents Act 1952.

Regulations under the *Patents, Trade Marks, Designs and Copyright Act 1930-1953*.

Patent, Trade Marks, Designs and Copyright Act 1953

An Act to amend the Patent, Trade Marks Designs and Copyright (War Power) Act 1939-1946 Assented 28 March 1953.

Further amendments to the *Patent, Trade Marks, Designs and Copyright Act 1954-1966*.

As well as *The Official Journal of Patents, Trade Marks and Designs* 1931-1966.

and Dave Elsmore's web site www.ozrevenues.com SAS/O

Letter to the Editor

WWII Australian Press Censorship

Whilst looking through some of my file copies of *The Informer* recently, I came across a most interesting article by George Branham, Vol. 60 No. 4 (Fall 1996). The subject was a query as to why a letter from New Zealand containing press information, postmarked Wellington 16 March 1942 and addressed to a newspaper editor in New York had been sent to Australia for censorship. The assumption being that this was a delaying tactic.

I was not able to respond at that time, and I do not recall any other response. There is no evidence that the cover which was illustrated had ever been seen by a censor in New Zealand. Also there is no record that New Zealand ever established a Press Censorship unit within their censorship organisation. The late Robin Startup who wrote the section on WWII censorship in New Zealand within the handbook published by the Civil Censorship Study Group (edited by John Little, 2008) made no mention of Press Censorship at all. On the other hand Australia had established two special Press Censorship units, one in Sydney and one in Melbourne.

The cover in question was sent to Melbourne where it was censored and passed to the Press Censor for an opinion which was written on the cover front: "Contents approved for transmission to addressee by mail." A rectangular cachet VPC 16 manuscript dated 30/3/42 was applied to the obverse. The cover was then resealed by the censor. The word "Cable" was written boldly in the centre front and this would have been a query by the ordinary censor to the Press Censor as to whether this method of transmission should be used. The VPC (Victoria Press Censor) mark is an exceedingly scarce one despite the fact that this one indicates that there were at least 16 Press Censors operating in Melbourne. It is listed and illustrated as MP-1 on page 49 of the handbook and a second cachet MP-2 is also shown for rejected items.

THE INFORMER CLOSING DATES FOR ADVERTISING AND ARTICLES:



DEC 1 for the JANUARY Issue

MAR 1 for the APRIL Issue

JUN 1 for the JULY Issue

SEP 1 for the OCTOBER Issue

Late items will be held for the next issue