

1905.

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

No. 7.

WEEKLY REPORT OF DIVISIONS IN COMMITTEE.

WEEK ENDED 1ST DECEMBER, 1905.

TUESDAY, 28TH NOVEMBER, 1905.

No. 24.—*Trade Marks Bill*—Clause 4 (*amended*).

4. In this Act, except where otherwise clearly intended—

“The Court” means the High Court or the Supreme Court of the State in which the Trade Marks Office is situate or a Justice or Judge thereof.

“The Law Officer” means the Attorney-General or Crown Solicitor of the Commonwealth.

“Person” and “Applicant” includes a body corporate and a firm.

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—(*The Attorney-General.*)

Further amendment proposed, That the following definition be inserted in the clause after the definition of “Person” :—

“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.”

—(*Mr. Glynn.*)

Question—That the definition proposed to be inserted be so inserted—put.

The Committee divided—

Ayes, 14.

Mr. Joseph Cook,	Mr. Phillips,
Mr. G. B. Edwards,	Mr. Skene,
Mr. Fuller,	Mr. Willis,
Mr. Glynn,	Mr. Wilson.
Mr. Kelly,	
Mr. Knox,	<i>Tellers.</i>
Mr. Lee,	Mr. Conroy,
Mr. Lonsdale,	Mr. McCay.

Noes, 29.

Mr. Batchelor,	Mr. McDonald,
Sir Langdon Bonython,	Mr. Page,
Mr. Carpenter,	Mr. Ronald,
Mr. Chanter,	Mr. Spence,
Mr. Chapman,	Mr. Storrer,
Mr. Crouch,	Mr. David Thomson,
Mr. Deakin,	Mr. Tudor,
Mr. Ewing,	Mr. Watkins,
Sir John Forrest,	Mr. Watson,
Mr. Frazer,	Mr. Webster,
Mr. Groom,	Mr. Wilkinson.
Mr. Isaacs,	
Mr. Kennedy,	
Mr. Mahon,	<i>Tellers.</i>
Mr. Maloney,	Mr. Hume Cook,
Mr. Mauger,	Mr. Hutchison.

And so it passed in the negative.

WEDNESDAY, 29TH NOVEMBER, 1905.

No. 25.—*Trade Marks Bill (continued)*—Clause 66.

66. No person shall wilfully—

- (a) Make any false entry in the register ; or
 (b) Make any writing falsely purporting to be a copy of an entry in the register ; or
 (c) Produce or tender in evidence any writing falsely purporting to be a copy of an entry in the register.

Penalty : [Three] years imprisonment.

—(*The Attorney-General.*)

Amendment proposed—That the word “ Three ” in the last line of the clause be omitted with a view to the insertion of the word “ Five ” in place thereof.

—(*Mr. Kelly.*)Question—That the word proposed to be omitted stand part of the clause—put.
The Committee divided—

Ayes, 35.		Noes, 12.	
Mr. Batchelor,	Mr. Mahon,	Mr. Cameron,	Mr. Skene,
Sir Langdon Bonython,	Mr. Maloney,	Mr. Joseph Cook,	Mr. Sydney Smith,
Mr. Carpenter,	Mr. Mauger,	Mr. Gibb,	Mr. Willis.
Mr. Chanter,	Mr. McDonald,	Mr. Lee,	
Mr. Chapman,	Mr. Phillips,	Mr. Lonsdale,	<i>Tellers.</i>
Mr. Conroy,	Mr. Poynton,	Mr. McCay,	Mr. Kelly,
Mr. Crouch,	Mr. Ronald,	Mr. Page,	Mr. Wilson.
Mr. Deakin,	Mr. Spence,		
Mr. G. B. Edwards,	Mr. Storrer,		
Mr. Fisher,	Mr. David Thomson,		
Sir John Forrest,	Mr. Tudor,		
Mr. Frazer,	Mr. Watson,		
Mr. Glynn,	Mr. Webster,		
Mr. Groom,	Mr. Wilkinson.		
Mr. Harper,			
Mr. Higgins,			
Mr. Hutchison,	<i>Tellers.</i>		
Mr. Isaacs,	Mr. Hume Cook,		
Mr. Kennedy,	Mr. Watkins.		

And so it was resolved in the affirmative.

FRIDAY (MORNING), 1ST DECEMBER, 1905.

No. 26.—*Trade Marks Bill (continued)*.—Proposed New Clause 73—

73.—(1.) No person shall—

(a) falsely apply to any goods for the purpose of trade or sale ; or

* * * * *

(2.) The workers' trade mark * * * * *

* * * * *

—(*The Attorney-General.*)

Motion made and question put—That the Chairman do report progress and ask leave to sit again.

—(*Mr. Joseph Cook.*)

The Committee divided—

Ayes, 7.		Noes, 29.	
Mr. Joseph Cook,		Mr. Batchelor,	Mr. O'Malley,
Mr. Fuller,		Mr. Carpenter,	Mr. Poynton,
Mr. Johnson,		Mr. Chanter,	Mr. Ronald,
Mr. Liddell,		Mr. Chapman,	Mr. Spence,
Mr. Lonsdale.		Mr. Ewing,	Mr. Storrer,
		Mr. Fisher,	Mr. Thomas,
<i>Tellers.</i>		Sir John Forrest,	Mr. David Thomson,
		Mr. Frazer,	Mr. Tudor,
Mr. McCay,		Mr. Groom,	Mr. Watson,
Mr. McColl.		Mr. Hutchison,	Mr. Webster,
		Mr. Isaacs,	Mr. Wilkinson.
		Mr. Kennedy,	
		Sir William Lyne,	<i>Tellers.</i>
		Mr. Mahon,	
		Mr. Maloney,	Mr. Hume Cook,
		Mr. Mauger,	Mr. Watkins.

And so it passed in the negative.