

A codicil, so far as it may be inconsistent with the will, works as a revocation.

A subsequent will, duly executed, revokes all former wills, though no words to that effect may be used.

Property cannot be devised to corporations, unless such corporations are expressly authorized to receive bequests by its charter.

A will should not be written by a legatee or devisee, nor should either of them, or an executor, or any one interested in the will be called upon to witness such will.

Aliens not authorized by law to hold property cannot receive bequests.

All debts and incumbrances must be settled before the bequests shall be distributed.

A codicil, that is an addition or supplement to a will, must be executed with the same formalities as the will itself. The witnesses may be the same or different ones. When there are several codicils, the later operate to revive and republish the earlier ones.

A Synopsis of the Rules of Practice in the United States Patent Office.

CORRESPONDENCE.



ALL business with the office should be transacted in writing.

All office letters must be sent in the name of the "Commissioner of Patents."

Express charges, freight, postage, and all other charges on matter sent to the patent office must be prepaid in full; otherwise it will not be received.

The personal attendance of applicants at the patent office is unnecessary.

When a letter concerns an application, it should state the name of the applicant, the title of the invention, the serial number of the application, and the date of filing the same.

When the letter concerns a patent, it should state the name of the patentee, the title of the invention, and the number and date of the patent.

Letters received at the office will be answered, and orders for printed copies filled, without unnecessary delay. Telegrams, if not received before 3 o'clock p.m., cannot ordinarily be answered until the following day.

ATTORNEYS.

Any person of intelligence and good moral character may appear as the agent or the attorney in fact of an applicant, upon filing a proper power of attorney.

Before any attorney, original or associate, will be

allowed to inspect papers or take action of any kind his power of attorney must be filed.

APPLICANTS.

A patent may be obtained by any person who has invented or discovered any new and useful art, machine, manufacture, or composition of matter, or any new and useful improvement thereof, not known or used by others in this country, and not patented or described in any printed publication in this or any foreign country, before his invention or discovery thereof, and not in public use or on sale for more than two years prior to his application, unless the same is proved to have been abandoned; and by any person who, by his own industry, genius, efforts, and expense, has invented and produced any new and original design for a manufacture, bust, statute, alto-relievo, or bas-relief, any new and original design for the printing of woolen, silk, cotton, or other fabrics; any new and original impression, ornament, pattern, print, or picture to be printed, painted, cast, or otherwise placed on or worked into any article of manufacture; or any new, useful, and original shape or configuration of any article of manufacture, the same not having been known or used by others before his invention or production thereof, nor patented or described in any printed publication, upon payment of the fees required by law and other due proceedings had.

In case of the death of the inventor, the application may be made by, and the patent will issue to, his executor or administrator. In such case the oath will be made by the executor or administrator.

In case of an assignment of the whole interest in the invention, or of the whole interest in the patent to be granted, the patent will, upon request of the

applicant or assignee, issue to the assignee; and if the assignee hold an undivided part interest, the patent will, upon like request, issue jointly to the inventor and the assignee; but the assignment in either case must first have been entered of record, and at a day not later than the date of the payment of the final fee. The application and oath must be made by the actual inventor, if alive, even if the patent is to issue to an assignee. If the inventor be dead it may be made by the executor or administrator, or by the assignee of the entire interest.

THE APPLICATION.

Applications for letters patent of the United States must be made to the Commissioner of Patents. A complete application comprises the petition, specification, oath, and drawings, and the model or specimen when required.

No application for a patent will be placed upon the files for examination until all its parts, except the model or specimen, are received.

THE SPECIFICATION.

The specification is a written description of the invention or discovery, and of the manner and process of making, constructing, compounding, and using the same, and is required to be in such full, clear, concise, and exact terms as to enable any person skilled in the art or science to which it appertains, or with which it is most nearly connected, to make, construct, compound, and use the same. It must conclude with a specific and distinct claim or claims of the part, improvement, or combination which the applicant regards as his invention or discovery.

The following order of arrangement should be observed, when convenient, in framing the specification, such portions as refer to drawings being omitted when the invention does not admit of representation by drawings.

- (1.) Preamble giving the name and residence of the applicant, and the title of the invention;
- (2.) General statement of the object and nature of the invention;
- (3.) Brief description of the drawings, showing what each view represents;
- (4.) Detailed description, explaining fully the alleged invention, and the manner of constructing, practicing, operating, and using it;

- (5.) Claim, or claims.
- (6.) Signature of inventor.
- (7.) Signatures of two witnesses.

In every original application the applicant must distinctly state, under oath, whether the invention has been patented to himself or to others with his consent or knowledge in any country.

THE OATH.

The applicant, if the inventor, must make oath or affirmation that he does verily believe himself to be the original and first inventor or discoverer of the art, machine, manufacture, composition, or improvement for which he solicits a patent, and that he does not know and does not believe that the same was ever before known or used; and shall state of what country he is a citizen, and where he resides.

If the application be made by an executor or administrator, the form of the oath will be correspondingly changed.

THE DRAWINGS.

The applicant for a patent is required by law to furnish a drawing of his invention, where the nature of the case admits of it.

(1.) Drawings must be made upon pure white paper of a thickness corresponding to three-sheet Bristol board. The surface of the paper must be calendered and smooth. India ink alone must be used, to secure perfectly black and solid lines.

(2.) The size of a sheet on which a drawing is made must be exactly 10 by 15 inches. One inch from its edges a single marginal line is to be drawn, leaving the "sight" precisely 8 by 13 inches. Within this margin all work and signatures must be included.

(3.) All drawings must be made with the pen only.

(4.) Drawings should be made with the fewest lines possible consistent with clearness.

(5.) Letters and figures of reference must be carefully formed. They must never appear upon shaded surfaces, and, when it is difficult to avoid this, a blank space must be left in the shading where the letter occurs, so that it shall appear perfectly distinct and separate from the work. If the same part of an invention appear in more than one view of the drawing it must always be repre-

sented by the same character, and the same character must never be used to designate different parts.

(6.) The signature of the inventor is to be placed at the lower right-hand corner of the sheet, and the signatures of the witnesses at the lower left-hand corner, all within the marginal line.

(7.) Drawings should be rolled for transmission to the office, not folded.

Applicants are advised to employ competent artists to make their drawings. The office will furnish the drawings at cost, as promptly as its draughtsmen can make them, for applicants who cannot otherwise conveniently procure them.

THE MODEL.

The model must clearly exhibit every feature of the machine which forms the subject of a claim of invention, but should not include other matter than that covered by the actual invention or improvement, unless it is necessary to the exhibition of the invention in a working model.

A working model is often desirable, in order to enable the office fully and readily to understand the precise operation of the machine.

THE EXAMINATION.

All cases in the patent office are classified and taken up for examination in regular order, those in the same class being examined and disposed of, as far as practicable, in the order in which the respective applications are completed.

AMENDMENTS AND ACTIONS BY APPLICANTS.

The applicant has a right to amend before or after the first rejection; and he may amend as often as the examiner presents any new references or reasons for rejection.

When an original or reissue application is rejected on reference to an expired or unexpired domestic patent, which substantially shows or describes but does not claim the rejected invention, or to a foreign patent, or to a printed publication, and the applicant shall make oath to facts showing a completion of the invention before the filing of the application for the domestic patent, or before the date of the foreign patent, or before the date at which the printed pub-

lication was made, and shall also make oath that he does not know and does not believe that the invention has been in public use or on sale in this country for more than two years prior to his application, and that he has never abandoned the invention, then the patent or publication cited will not bar the grant of a patent to the applicant, *except upon interference.*

When an application is rejected on reference to an expired or unexpired domestic patent which shows or describes, but does not claim, the rejected invention, or to a foreign patent, or to a printed publication, or to facts within the personal knowledge of an employé of the office, set forth in an affidavit of such employé, or on the ground of public use or sale, or upon a mode or capability of operation attributed to a reference, or because the alleged invention is held to be inoperative, or frivolous, or injurious to public health or morals, affidavits or depositions supporting or traversing these references or objections may be received; but they will be received in no other cases, without special permission of the Commissioner.

If an applicant neglect to prosecute his application for two years after the date when the last official notice of any action by the office was mailed to him, the application will be held to be abandoned.

DESIGNS.

Patents for designs are granted for the term of three and one-half years, or for seven years, or for fourteen years, as the applicant may, in his application, elect.

When the design can be sufficiently represented by drawings or photographs; a model will not be required.

Whenever a photograph or an engraving is employed to illustrate the design it must be mounted upon Bristol-board, 10 by 15 inches in size, and properly signed and witnessed. The applicant will be required to furnish ten extra copies of such photograph or engraving (not mounted), of a size not exceeding $7\frac{1}{2}$ inches by 11.

REISSUES.

A reissue is granted to the original patentee, his legal representatives, or the assignees of the entire interest, when, by reason of a defective or insufficient specification, or by reason of the patentee claim-

ing as his invention or discovery more than he had a right to claim as new, the original patent is inoperative or invalid, provided the error has arisen from inadvertence, accident, or mistake, and without any fraudulent or deceptive intention.

INTERFERENCES.

An interference is a proceeding instituted for the purpose of determining the question of priority of invention between two or more parties claiming substantially the same patentable invention. The fact that one of the parties has already obtained a patent will not prevent an interference; for, although the Commissioner has no power to cancel a patent, he may grant a patent for the same invention to another person who proves to be the prior inventor.

Interferences will be declared in certain cases, when all the parties claim substantially the same patentable invention.

APPEALS.

Every applicant for a patent or the reissue of a patent, any of the claims of whose application have been twice rejected upon grounds involving the merits of the invention, such as lack of novelty or utility, abandonment, public use, or want of identity of invention, either in amended or in reissue applications, may appeal from the decision of the primary examiner to the board of examiners-in-chief, having once paid a fee of ten dollars. The appeal must be made in writing, signed by the party, or his duly authorized agent or attorney, setting forth the points of the decision upon which the appeal is taken and duly filed.

HEARINGS AND INTERVIEWS.

Hearings will be had by the Commissioner at 10 o'clock a.m., and by the board of examiners-in-chief and the examiner of interferences at 1 o'clock p.m., on the day appointed, unless some other hour be specially designated.

DATE, DURATION, AND FORM OF PATENTS.

Every patent will bear date as of a day not later than six months from the time at which the application was passed and allowed and notice thereof was mailed to the applicant or his agent, if within that period the final fee be paid to the Commissioner of

Patents, or if it be paid to the treasurer, or any of the assistant treasurers or designated depositaries of the United States, and the certificate promptly forwarded to the Commissioner of Patents; and if the final fee be not paid within that period, the patent will be withheld.

A patent will not be antedated.

Every patent will contain a short title of the invention or discovery, indicating its nature and object, and a grant to the patentee, his heirs and assigns, for the term of seventeen years, of the exclusive right to make, use, and vend the invention or discovery throughout the United States and Territories thereof.

EXTENSIONS.

No patent granted since March 2, 1861, can be extended, except by act of Congress.

CAVEATS.

A caveat, under the patent law, is a notice given to the office of the caveator's claim as inventor, in order to prevent the grant of a patent to another for the same alleged invention upon an application filed during the life of the caveat without notice to the caveator.

Any citizen of the United States who has made a new invention or discovery and desires further time to mature the same, may, on payment of a fee of ten dollars, file in the patent office a caveat setting forth the object and the distinguishing characteristics of the invention, and praying protection of his right until he shall have matured his invention. Such caveat shall be filed in the confidential archives of the office and preserved in secrecy, and shall be operative for the term of one year from the filing thereof.

ASSIGNMENTS.

Every patent or any interest therein shall be assignable in law by an instrument in writing; and the patentee or his assigns or legal representatives may, in like manner, grant and convey an exclusive right under his patent to the whole or any specified part of the United States.

OFFICE FEES.

Nearly all the fees payable to the patent office are positively required by law to be paid in advance—

that is, upon making application for any action by the office for which a fee is payable. For the sake of uniformity and convenience, the remaining fees will be required to be paid in the same manner.

The following is the schedule of fees :—

On filing every application for a design patent.....	\$10 00
On issuing a design patent for three years and six months no further charge.	
On issuing a design patent for seven years.	5 00
On issuing a design patent for fourteen years.....	20 00
On filing every caveat.....	10 00
On filing every application for a patent for an invention or discovery.....	15 00
On issuing each original patent for an invention or discovery.....	20 00
On filing a disclaimer.....	10 00
On filing every application for a reissue....	30 00
On filing every application for a division of a reissue.....	30 00
On filing every application for an extension.	50 00
On the grant of every extension.....	50 00
On filing an appeal from a primary examiner to the examiners-in-chief.....	10 00
On filing an appeal to the Commissioner from the examiners-in-chief.....	20 00
For certified copies of patents or other instruments, except copies of printed patents sold by the office, for every 100 words...	10
For certified copies of printed patents sold by the office, 10 cents for every 100 words, less the price actually paid for such copies without certification.	
For certified copies of drawings, the reasonable cost of making them.	
For recording an assignment of 300 words or less.....	1 00
For recording an assignment of more than 300 and not more than 1,000 words....	2 00
For recording every assignment of more than 1,000 words.....	3 00
For uncertified copies of the specifications and accompanying drawings of all patents which are in print :—	
Single copies.....	25
Twenty copies or more, whether of one or several patents, per copy.....	10
For uncertified copies of the specifications	

and drawings of patents not in print, the reasonable cost of making the same.	
For copies of matter in any foreign language, per 100 words.....	\$0 20
For translations, per 100 words.....	50
For assistance to attorneys in examination of records, one hour or less.....	50
Each additional hour.....	50
For assistance to attorneys in examination of patents and other works in the Scientific Library, one hour or less.....	1 00
Each additional hour.....	1 00

No person will be allowed to make copies or tracings from the files or records of the office. Such copies will be furnished, when ordered, at the rates already specified.

The money required for office fees may be paid to the Commissioner, or to the treasurer, or any of the assistant treasurers of the United States, or to any of the designated depositaries, national banks, or receivers of public money, designated by the secretary of the treasury for that purpose, who shall give the depositor a receipt or certificate of deposit therefor, which shall be transmitted to the patent office. When this cannot be done without much inconvenience, the money may be remitted by mail, and in every such case the letter should state the exact amount inclosed. Letters containing money may be registered. Post-office money-orders now afford a safe and convenient mode of transmitting fees. All such orders should be made payable to the "Commissioner of Patents."

All money sent by mail, either to or from the patent office, will be at the risk of the sender.

REPAYMENT OF MONEY.

Money paid by actual mistake, such as a payment in excess, or when not required by law, or by neglect or misinformation on the part of the office, will be refunded.

PUBLICATIONS.

The "Official Gazette," a weekly publication which has been issued since 1872, takes the place of the old "Patent-Office Report." It contains the claims of all patents issued, including reissues, with portions of the drawings selected to illustrate the claims, and also lists of design patents, together with decisions of the courts and of the Commissioner, and other special matters of interest to inventors.