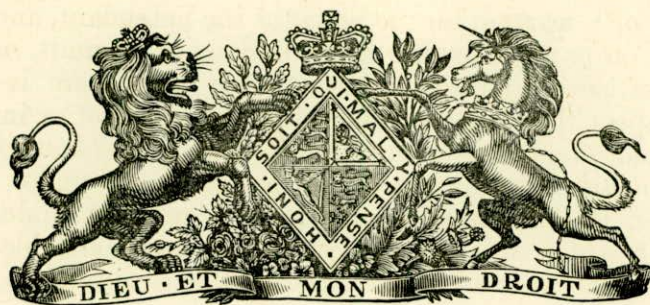


New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. XIII.

An Act to amend the "Trade Marks Act, 1865," and the law relating to Trade Marks. [Assented to, 17th April, 1893.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Trade Marks Act Amend-
ment Act" and shall be incorporated and read with the "Trade Marks Act, 1865," hereinafter called the "Principal Act."

Act incorporated.
Short title.

2. At the trial of any person charged with an offence under sections eight, nine, or thirteen of the Principal Act, it shall not be necessary to prove that the said person did the acts complained of with intent to defraud or to enable another to defraud, but the burden of proving that he did the acts complained of without intent to defraud or to enable another to defraud shall be on the person so charged, anything in section eighteen of the said Act to the contrary notwithstanding.

Burden of proof
under ss. 8, 9, and 13
of 28 Vic. No. 9.

3. At the trial of any person charged with an offence under section ten of the Principal Act, it shall not be necessary to prove that the said person knew that the trade mark was forged or counterfeited,

Burden of proof
under s. 10 of
28 Vic. No. 9.

or

Trade Marks Act Amendment.

or knew that the trade mark of another person had been applied or used falsely or wrongfully, or without lawful authority or excuse, as the case may be, but the burden of proving the absence of such knowledge shall be on the person so charged.

Burden of proof
under s. 14 of
28 Vic. No. 9.

4. At the trial of any person charged with an offence under section fourteen of the Principal Act it shall not be necessary to prove that the said person knew that any false description, statement, or other indication of or respecting any of the matters mentioned in the said section had been put upon any of the chattels, articles, or things in the said section mentioned, but the burden of proving the absence of such knowledge shall be on the person so charged.

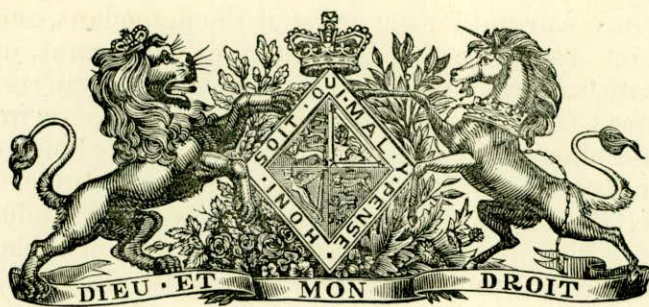
Search warrants.

5. Where, upon information of an offence against this or the Principal Act, a Justice of the Peace has issued either a summons requiring the defendant charged by the information to appear to answer to the same, or a warrant for the arrest of the defendant, and either the said Justice, on or after issuing the summons or warrant, or any other Justice is satisfied by information on oath that there is reasonable cause to suspect that any goods or things by means of or in relation to which the said offence has been committed are in any house or premises of the defendant, or otherwise in his possession or under his control in any place, the said Justice may issue a warrant under his hand, by virtue of which it shall be lawful for any constable named or referred to in the warrant to enter the said house, premises, or place at any reasonable time by day, and to search there for and seize and take away those goods and things. And any goods or things seized under any such warrant as aforesaid shall be brought before a Justice of the Peace for the purpose of its being determined whether the same are or are not liable to forfeiture under this or the Principal Act.

By Authority : CHARLES POTTER, Government Printer, Sydney, 1893.

[3d.]

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. XIII.

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1. This Act may be cited as the "Trade Marks Act Amend-
ment Act" and shall be incorporated and read with the "Trade Marks Act, 1865," hereinafter called the "Principal Act."

Act incorporated.
Short title.

2. At the trial of any person charged with an offence under sections eight, nine, or thirteen of the Principal Act, it shall not be necessary to prove that the said person did the acts complained of with intent to defraud or to enable another to defraud, but the burden of proving that he did the acts complained of without intent to defraud or to enable another to defraud shall be on the person so charged, anything in section eighteen of the said Act to the contrary notwithstanding.

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under ss. 8, 9, and 13
of 28 Vic. No. 9.

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28 Vic. No. 9.

or

Trade Marks Act Amendment.

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Search warrants.

5. Where, upon information of an offence against this or the Principal Act, a Justice of the Peace has issued either a summons requiring the defendant charged by the information to appear to answer to the same, or a warrant for the arrest of the defendant, and either the said Justice, on or after issuing the summons or warrant, or any other Justice is satisfied by information on oath that there is reasonable cause to suspect that any goods or things by means of or in relation to which the said offence has been committed are in any house or premises of the defendant, or otherwise in his possession or under his control in any place, the said Justice may issue a warrant under his hand, by virtue of which it shall be lawful for any constable named or referred to in the warrant to enter the said house, premises, or place at any reasonable time by day, and to search there for and seize and take away those goods and things. And any goods or things seized under any such warrant as aforesaid shall be brought before a Justice of the Peace for the purpose of its being determined whether the same are or are not liable to forfeiture under this or the Principal Act.

By Authority : CHARLES POTTER, Government Printer, Sydney, 1893.

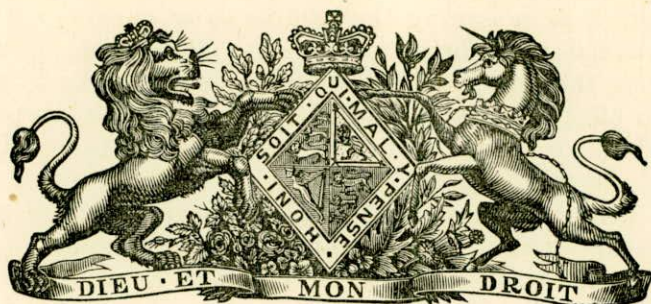
[3d.]

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Council Chamber,
Sydney, 12th April, 1893. }*

*ADOLPHUS P. CLAPIN,
Acting Clerk of the Parliaments.*

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. XIII.

An Act to amend the "Trade Marks Act, 1865," and the law relating to Trade Marks. [Assented to, 17th April, 1893.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Trade Marks Act Amendment Act" and shall be incorporated and read with the "Trade Marks Act, 1865," hereinafter called the "Principal Act."

Act incorporated.
Short title.

2. At the trial of any person charged with an offence under sections eight, nine, or thirteen of the Principal Act, it shall not be necessary to prove that the said person did the acts complained of with intent to defraud or to enable another to defraud, but the burden of proving that he did the acts complained of without intent to defraud or to enable another to defraud shall be on the person so charged, anything in section eighteen of the said Act to the contrary notwithstanding.

Burden of proof
under ss. 8, 9, and 13
of 28 Vic. No. 9.

3. At the trial of any person charged with an offence under section ten of the Principal Act, it shall not be necessary to prove that the said person knew that the trade mark was forged or counterfeited,

Burden of proof
under s. 10 of
28 Vic. No. 9.

or

Trade Marks Act Amendment.

or knew that the trade mark of another person had been applied or used falsely or wrongfully, or without lawful authority or excuse, as the case may be, but the burden of proving the absence of such knowledge shall be on the person so charged.

Burden of proof
under s. 14 of
28 Vic. No. 9.

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Search warrants.

5. Where, upon information of an offence against this or the Principal Act, a Justice of the Peace has issued either a summons requiring the defendant charged by the information to appear to answer to the same, or a warrant for the arrest of the defendant, and either the said Justice, on or after issuing the summons or warrant, or any other Justice is satisfied by information on oath that there is reasonable cause to suspect that any goods or things by means of or in relation to which the said offence has been committed are in any house or premises of the defendant, or otherwise in his possession or under his control in any place, the said Justice may issue a warrant under his hand, by virtue of which it shall be lawful for any constable named or referred to in the warrant to enter the said house, premises, or place at any reasonable time by day, and to search there for and seize and take away those goods and things. And any goods or things seized under any such warrant as aforesaid shall be brought before a Justice of the Peace for the purpose of its being determined whether the same are or are not liable to forfeiture under this or the Principal Act.

In the name and on the behalf of Her Majesty I assent to this Act.

*Government House,
Sydney, 17th April, 1893.*

FREDK. M. DARLEY,
Lieutenant-Governor.

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Council Chamber,
Sydney, 12th April, 1893. }*

*ADOLPHUS P. CLAPIN,
Acting Clerk of the Parliaments.*

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. XIII.

An Act to amend the "Trade Marks Act, 1865," and the law relating to Trade Marks. [Assented to, 17th April, 1893.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Trade Marks Act Amendment Act" and shall be incorporated and read with the "Trade Marks Act, 1865," hereinafter called the "Principal Act."

Act incorporated.
Short title.

2. At the trial of any person charged with an offence under sections eight, nine, or thirteen of the Principal Act, it shall not be necessary to prove that the said person did the acts complained of with intent to defraud or to enable another to defraud, but the burden of proving that he did the acts complained of without intent to defraud or to enable another to defraud shall be on the person so charged, anything in section eighteen of the said Act to the contrary notwithstanding.

Burden of proof
under ss. 8, 9, and 13
of 28 Vic. No. 9.

3. At the trial of any person charged with an offence under section ten of the Principal Act, it shall not be necessary to prove that the said person knew that the trade mark was forged or counterfeited,

Burden of proof
under s. 10 of
28 Vic. No. 9.

or

Trade Marks Act Amendment.

or knew that the trade mark of another person had been applied or used falsely or wrongfully, or without lawful authority or excuse, as the case may be, but the burden of proving the absence of such knowledge shall be on the person so charged.

Burden of proof
under s. 14 of
28 Vic. No. 9.

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Search warrants.

5. Where, upon information of an offence against this or the Principal Act, a Justice of the Peace has issued either a summons requiring the defendant charged by the information to appear to answer to the same, or a warrant for the arrest of the defendant, and either the said Justice, on or after issuing the summons or warrant, or any other Justice is satisfied by information on oath that there is reasonable cause to suspect that any goods or things by means of or in relation to which the said offence has been committed are in any house or premises of the defendant, or otherwise in his possession or under his control in any place, the said Justice may issue a warrant under his hand, by virtue of which it shall be lawful for any constable named or referred to in the warrant to enter the said house, premises, or place at any reasonable time by day, and to search there for and seize and take away those goods and things. And any goods or things seized under any such warrant as aforesaid shall be brought before a Justice of the Peace for the purpose of its being determined whether the same are or are not liable to forfeiture under this or the Principal Act.

In the name and on the behalf of Her Majesty I assent to this Act.

*Government House,
Sydney, 17th April, 1893.*

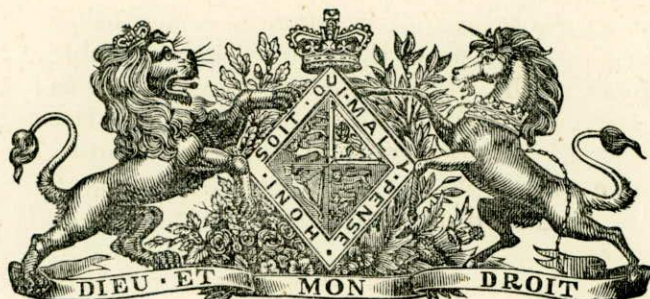
FREDK. M. DARLEY,
Lieutenant-Governor.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

*Legislative Council Chamber,
Sydney, 15th March, 1893.* }

ADOLPHUS P. CLAPIN,
Acting Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. .

An Act to amend the "Trade Marks Act, 1865," and the law relating to Trade Marks.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

- 5** 1. This Act may be cited as the "Trade Marks Act Amend-
ment Act" and shall be incorporated and read with the "Trade Marks Act, 1865," hereinafter called the "Principal Act." Act incorporated.
Short title.
- 10** 2. At the trial of any person charged with an offence under sections eight, nine, or thirteen of the Principal Act, it shall not be necessary to prove that the said person did the acts complained of with intent to defraud or to enable another to defraud, but the burden of proving that he did the acts complained of without intent to defraud or to enable another to defraud shall be on the person so charged, anything in section eighteen of the said Act to the contrary notwithstanding. Burden of proof
under ss. 8, 9, and 13
of 28 Vic. No. 9.
- 15** 3. At the trial of any person charged with an offence under section ten of the Principal Act, it shall not be necessary to prove that the said person knew that the trade mark was forged or counterfeited, Burden of proof
under s. 10 of
28 Vic. No. 9.

Trade Marks Act Amendment.

or knew that the trade mark of another person had been applied or used falsely or wrongfully, or without lawful authority or excuse, as the case may be, but the burden of proving the absence of such knowledge shall be on the person so charged.

5 4. At the trial of any person charged with an offence under section fourteen of the Principal Act it shall not be necessary to prove that the said person knew that any false description, statement, or other indication of or respecting any of the matters mentioned in the said section had been put upon any of the chattels, articles, or things
10 in the said section mentioned, but the burden of proving the absence of such knowledge shall be on the person so charged.

Burden of proof
under s. 14 of
28 Vic. No. 9.

5. Where, upon information of an offence against this or the Principal Act, a Justice of the Peace has issued either a summons requiring the defendant charged by the information to appear to answer
15 to the same, or a warrant for the arrest of the defendant, and either the said Justice, on or after issuing the summons or warrant, or any other Justice is satisfied by information on oath that there is reasonable cause to suspect that any goods or things by means of or in relation to which the said offence has been committed are in any house or premises
20 of the defendant, or otherwise in his possession or under his control in any place, the said Justice may issue a warrant under his hand, by virtue of which it shall be lawful for any constable named or referred to in the warrant to enter the said house, premises, or place at any reasonable time by day, and to search there for and seize and take
25 away those goods and things. And any goods or things seized under any such warrant as aforesaid shall be brought before a Justice of the Peace for the purpose of its being determined whether the same are or are not liable to forfeiture under this or the Principal Act.

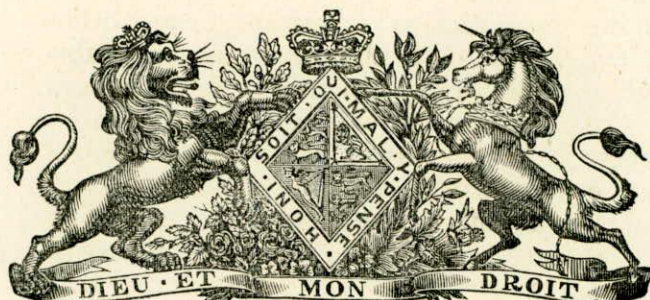
Search warrants.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

*Legislative Council Chamber,
Sydney, 15th March, 1893. }*

*ADOLPHUS P. CLAPIN,
Acting Clerk of the Parliaments.*

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

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An Act to amend the "Trade Marks Act, 1865," and the law relating to Trade Marks.

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Act, 1865," hereinafter called the "Principal Act."

Act incorporated.
Short title.

10 2. At the trial of any person charged with an offence under
sections eight, nine, or thirteen of the Principal Act, it shall not be
necessary to prove that the said person did the acts complained of
with intent to defraud or to enable another to defraud, but the burden
of proving that he did the acts complained of without intent to defraud
or to enable another to defraud shall be on the person so charged,
anything in section eighteen of the said Act to the contrary notwith-
15 standing.

Burden of proof
under ss. 8, 9, and 13
of 28 Vic. No. 9.

3. At the trial of any person charged with an offence under
section ten of the Principal Act, it shall not be necessary to prove that
the said person knew that the trade mark was forged or counterfeited,

Burden of proof
under s. 10 of
28 Vic. No. 9.

Trade Marks Act Amendment.

or knew that the trade mark of another person had been applied or used falsely or wrongfully, or without lawful authority or excuse, as the case may be, but the burden of proving the absence of such knowledge shall be on the person so charged.

5 4. At the trial of any person charged with an offence under section fourteen of the Principal Act it shall not be necessary to prove that the said person knew that any false description, statement, or other indication of or respecting any of the matters mentioned in the said section had been put upon any of the chattels, articles, or things
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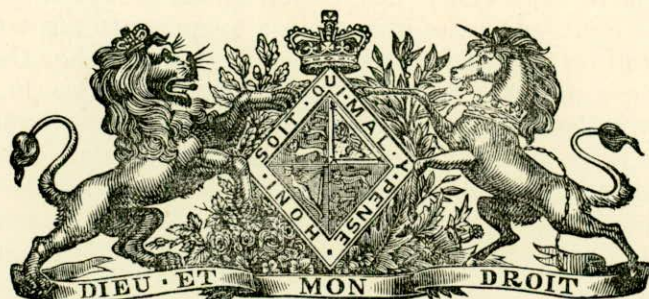
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20 of the defendant, or otherwise in his possession or under his control in any place, the said Justice may issue a warrant under his hand, by virtue of which it shall be lawful for any constable named or referred to in the warrant to enter the said house, premises, or place at any reasonable time by day, and to search there for and seize and take
25 away those goods and things. And any goods or things seized under any such warrant as aforesaid shall be brought before a Justice of the Peace for the purpose of its being determined whether the same are or are not liable to forfeiture under this or the Principal Act.

Search warrants.

Legislative Council Chamber,
Sydney, March, 1893. }

New South Wales.



VICTORIÆ REGINÆ.

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Trade Marks Act Amendment.

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Burden of proof
under s. 14 of
28 Vic. No. 9.

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25 away those goods and things. And any goods or things seized under any such warrant as aforesaid shall be brought before a Justice of the Peace for the purpose of its being determined whether the same are or are not liable to forfeiture under this or the Principal Act.

Search warrants.

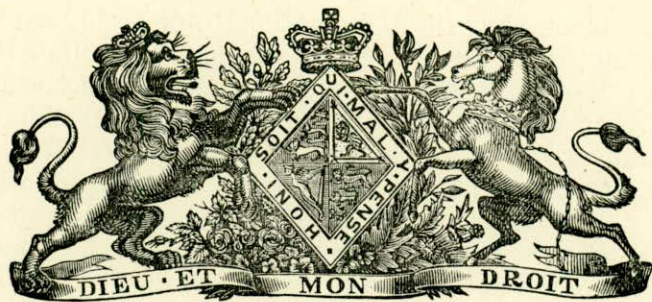
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Legislative Council Chamber,
Sydney,

}
March, 1893.

Acting Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. .

An Act to amend the “Trade Marks Act, 1865,” and the law relating to Trade Marks.

BE it enacted by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

- 5

1. This Act may be cited as the “Trade Marks Act Amendment Act” and shall be incorporated and read with the “Trade Marks Act, 1865,” hereinafter called the “Principal Act.”

Act incorporated.
Short title.
- 10

2. At the trial of any person charged with an offence under sections eight, nine, or thirteen of the Principal Act, it shall not be necessary to prove that the said person did the acts complained of with intent to defraud or to enable another to defraud, but the burden of proving that he did the acts complained of without intent to defraud or to enable another to defraud shall be on the person so charged, anything in section eighteen of the said Act to the contrary notwithstanding.

Burden of proof
under ss. 8, 9, and 13
of 28 Vic. No. 9.
- 15

3. At the trial of any person charged with an offence under section ten of the Principal Act, it shall not be necessary to prove that the said person knew that the trade mark was forged or counterfeited,

Burden of proof
under s. 10 of
28 Vic. No. 9.

Trade Marks Act Amendment.

or knew that the trade mark of another person had been applied or used falsely or wrongfully, or without lawful authority or excuse, as the case may be, but the burden of proving the absence of such knowledge shall be on the person so charged.

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Burden of proof
under s. 14 of
28 Vic. No. 9.

5. Where, upon information of an offence against this or the Principal Act, a Justice of the Peace has issued either a summons requiring the defendant charged by the information to appear to answer
 15 to the same, or a warrant for the arrest of the defendant, and either the said Justice, on or after issuing the summons or warrant, or any other Justice is satisfied by information on oath that there is reasonable cause to suspect that any goods or things by means of or in relation to which the said offence has been committed are in any house or premises
 20 of the defendant, or otherwise in his possession or under his control in any place, the said Justice may issue a warrant under his hand, by virtue of which it shall be lawful for any constable named or referred to in the warrant to enter the said house, premises, or place at any reasonable time by day, and to search there for and seize and take
 25 away those goods and things. And any goods or things seized under any such warrant as aforesaid shall be brought before a Justice of the Peace for the purpose of its being determined whether the same are or are not liable to forfeiture under this or the Principal Act.

Search warrants.

A BILL

To amend the "Trade Marks Act, 1865," and the law relating to Trade Marks.

[MR. R. E. O'CONNOR;—14 *February*, 1893.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 1. This Act may be cited as the "Trade Marks Act Amend- Act incorporated.
ment Act" and shall be incorporated and read with the "Trade Marks Short title.
Act, 1865," hereinafter called the "Principal Act."

2. At the trial of any person charged with an offence under Burden of proof
sections eight, nine, or thirteen of the Principal Act, it shall not be under ss. 8, 9, and 13
10 necessary to prove that the said person did the acts complained of of 28 Vic. No. 9.
with intent to defraud or to enable another to defraud, but the burden
of proving that he did the acts complained of without intent to defraud
or to enable another to defraud shall be on the person so charged,
15 anything in section eighteen of the said Act to the contrary notwith-
standing.

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the said person knew that the trade mark was forged or counterfeited, 28 Vic. No. 9.
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20 used falsely or wrongfully, or without lawful authority or excuse, as
the case may be, but the burden of proving the absence of such
knowledge shall be on the person so charged.

4. At the trial of any person charged with an offence under Burden of proof
section fourteen of the Principal Act it shall not be necessary to prove under s. 14 of
25 that the said person knew that any false description, statement, or 28 Vic. No. 9.
other indication of or respecting any of the matters mentioned in the
said section had been put upon any of the chattels, articles, or things
in the said section mentioned, but the burden of proving the absence
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A BILL

To amend the "Trade Marks Act, 1865," and the law relating to Trade Marks.

[MR. R. E. O'CONNOR;—14 *February*, 1893.]

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Act, 1865," hereinafter called the "Principal Act."

10 2. At the trial of any person charged with an offence under Burden of proof
sections eight, nine, or thirteen of the Principal Act, it shall not be under ss. 8, 9, and 13
necessary to prove that the said person did the acts complained of of 28 Vic. No. 9.
with intent to defraud or to enable another to defraud, but the burden
of proving that he did the acts complained of without intent to defraud
or to enable another to defraud shall be on the person so charged,
15 anything in section eighteen of the said Act to the contrary notwith-
standing.

20 3. At the trial of any person charged with an offence under Burden of proof
section ten of the Principal Act, it shall not be necessary to prove that under s. 10 of
the said person knew that the trade mark was forged or counterfeited, 28 Vic. No. 9.
or knew that the trade mark of another person had been applied or
used falsely or wrongfully, or without lawful authority or excuse, as
the case may be, but the burden of proving the absence of such
knowledge shall be on the person so charged.

25 4. At the trial of any person charged with an offence under Burden of proof
section fourteen of the Principal Act it shall not be necessary to prove under s. 14 of
that the said person knew that any false description, statement, or 28 Vic. No. 9.
other indication of or respecting any of the matters mentioned in the
said section had been put upon any of the chattels, articles, or things
in the said section mentioned, but the burden of proving the absence
of such knowledge shall be on the person so charged.

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