

Patent records held in Canberra

A patent is a right that is granted for any device, substance, method or process that is new, inventive, and useful. A patent is legally enforceable and gives the owner exclusive rights to commercially exploit the invention for the life of the patent.

Following Federation in 1901, the matters of patents were brought together under the new *Commonwealth Patents Act 1903* and one office, the Commonwealth Patent Office. The Act was implemented on 1 June 1904. All patents that had been previously registered under colonial Acts remained in force until they expired (the usual period was 14 years), and could be re-registered under the new Commonwealth system.

The application process

An applicant would apply for letters patent by lodging a specification describing the complete working of an invention. If the Patent Office considered that this specification was incomplete or if the specification did not differ sufficiently from an invention already patented, then the specification was considered provisional. Applicants were then asked to provide further details to address the Patent Office's concerns. If these details were provided and the Office approved, then the specification was considered complete and could progress to the next stage of the process. If no more details were provided, or the Office's concerns were not met, then the patent application would lapse.

When a complete specification was received and accepted, the Patent Office would grant letters patent for that invention. The invention was given a patent number, and all new patents were advertised in the *Journal of Australian Patents* (and its successors). Once letters patent were granted, the owner was given exclusive legal rights to commercially exploit that invention for the term of the patent (usually 20 years).

How patent records are organised

In the period 1904–35 a single number system was used to identify patents. For each five-year period, a cycle of numbers was used. When that period ended, the numbers be would reset and a new cycle began.

Applications were allocated the next number in the cycle and given a year suffix to indicate the year of lodgement. A complete patent number from this period would appear in the 'number/year' format. For example, application number 20337 lodged in 1911 would appear as '20337/1911'. However, the year suffix was often not cited, unless there was risk of confusion with a similar patent. The allocated number was retained throughout the life of an application or patent if accepted. Patent applications from 1904 onwards are held in series A627.

From 1935, once a patent had been accepted and letters patent granted, a separate patent file was created and assigned a patent number. Patent files are held in series A661.

Record holdings of patents and letters patent

The National Archives holds records of Commonwealth patents lodged from 1904 onwards. It also holds some pre-1904 patent records for various states. Registers for these records are listed below.

Patent application files may include correspondence between the inventor and the patent office, as well as technical specifications, drawings, and diagrams of an invention. Patent files contain application forms, declaration forms, examiners' reports and correspondence.

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Commonwealth

Title or description of record	Date range	Series number
Applications for patents	1904–	A627
Registers of Commonwealth patents	1904–	A3918
Patent files	1937–	A661

All States

Title or description of record	Date range	Series number
Printed specifications of letters of registration granted for inventions (with index)	1877–86	A1151

New South Wales

Title or description of record	Date range	Series number
Register of applications for provisional certificates and letters patent	1887–1905	A1077

Victoria

Title or description of record	Date range	Series number
Registers of patents granted and issued	1854–1904	A1172
Registers of patents	1890–1904	A1159

Queensland

Title or description of record	Date range	Series number
<u>Register of patents granted</u>	1885–91	A1124
<u>(1) Register of applications for letters patent (2) Register of letters patent (from 1891)</u>	1885–1904	A1122

Western Australia

Title or description of record	Date range	Series number
<u>Registers of patents</u>	1876–1904	A1109

South Australia

Title or description of record	Date range	Series number
<u>Register of colonial patents</u>	1877–99	A1148
<u>Registers of deeds of letters patent granted</u>	1877–1903	A1149

Tasmania

Title or description of record	Date range	Series number
<u>Register of patents</u>	1858–1904	A1095
<u>Register of proprietors to letters patent</u>	1859–94	A1097

Finding records

You can [search the collection](#) using keywords from the title of the patent or the applicant's name. As only a portion of the records in the series have been listed on our database, for assistance please ask us.