

## UNITED STATES PATENTS AND TRADE-MARKS.

During 1916-17, 39 United States letters patent and 23 United States trade-marks were registered. Such registration is made under the provisions of sections 58 and 59 of the Political Code, through the filing in this office of certified copies of the registrations made in the office of the Commissioner of Patents, at Washington, D. C.

It is understood that the registration of said patents and trade-marks in this island is only for the purpose of giving their owners the facility of having a public record thereof in Porto Rico for judicial use in necessary cases, and that said registration does not afford the owners any more protection than that secured by the original registration.

Several United States trade-marks so registered have also been registered as domestic trade-marks in accordance with the provisions of the local laws, so as to obtain full protection thereunder, as some doubt exists in regard to the scope of the protection given to them by being registered only in the United States Patent Office.

The question as to whether a United States trade-mark registered for use in inter-state commerce or in commerce with foreign nations is protected in Porto Rico against a domestic trade-mark only used in the internal commerce of this island, has been the subject of many inquiries from interested persons in the United States, but this office has been unable to give a definite answer on that matter as it has never been submitted to judicial determination, and only the courts have jurisdiction to settle a question of this nature.

## DOMESTIC TRADE-MARKS.

Seventy domestic trade-marks were also registered in the same fiscal year, and 2 were denied registration on account of similarity with other marks already in use.

Our local law for the registration of trade-marks used in commerce in Porto Rico does not provide any procedure for publication of the applications, and for objection by any person who may believe that he is going to suffer damage by the registration of any trade-mark.

However, this deficiency of the law has been remedied in part by the adoption lately in this office of the practice of giving to the daily press for publication, a notice of all the applications received, thus affording an opportunity to every interested person to file his opposition to the registration sought, and enabling this office to make a better and more just decision as to the presumptive lawfulness of claim to the trade-mark concerned.

## OLD SPANISH ARCHIVES.

During the fiscal year 1916-17 the work of classifying and indexing the documents of the archives belonging to Spanish times has been continued without interruption, although very slowly as only two employees are specially devoted to such a work, and the amount of the business of this office has so largely increased that it has been necessary to assign frequently one of them to other work of a more urgent nature.

In spite of this handicap of lack of personnel, 4,400 expedientes were carefully examined in the twelve months of the fiscal year, and 13 files were formed containing 1,606 classified expedientes, the remaining 2,800 having been set aside as unworthy of classification, due to their little importance.

The total number of the new files of the Spanish archives is now 324, containing 26,260 expedientes. As these archives are composed of about 8,400 bundles of paper, which include more than 400,000 expedientes and more than 2,200 books and registers, the work of classification and indexing is going to last, at the present annual rate, about 80 years. Of course, it is possible that at the end of that period, or much before, nothing may be left of those archives, due to the rapid destructive work thereon of moths and the "comejen."

This office has been constantly urging, year after year, the adoption of the necessary measures to remedy this lamentable situation, but all our efforts have been of no avail.

I think I should quote here what I said in my annual report for the year 1913-14: "Several rooms of the ground floor of the executive mansion were assigned for the keeping of said books and documents, and some wooden shelves were erected therein, for the purpose, but those rooms are really inadequate for the preservation of papers. They are not sufficient in size to have all the books and documents properly accommodated, and the darkness and dampness make them a very suitable place for the breeding of destructive insects, such as the moth and the "comejen," which multiply themselves with a marvelous fecundity and rapidly destroy every kind of paper and soft wood found within their reach. Unless a proper remedy is promptly applied to avoid such a peril the books and documents of the old archives will be all destroyed in a

relatively short time, which will constitute a great loss, taking into account that many of said books and documents are of considerable value, at least for the history of the events which happened in this island during the last centuries of the Spanish sovereignty, and for all comparative statistical works that may be made in the future.

"In 1913 a last attempt was made to secure from the legislature a remedy by the creation of a bureau of archives, with sufficient and competent personnel to go ahead with the work of classification and indexing up to its completion, and by the making of an appropriation large enough to put the quarters where the archives are now stored in the necessary condition to make them completely free from insects and adequate to preserve such valuable public records; but the bill introduced to that effect did not become a law, and the lamentable condition in which these important documents are still continues."

It is the opinion of the undersigned that these old archives should properly belong to the insular library, and that a suitable place should be assigned in any government building to keep and preserve them in good condition.

Therefore, I would recommend as a measure absolutely necessary to prevent the total loss of those valuable old records, that legislation be enacted for their removal to another building, and their being placed under the custody of the board of trustees of the insular library; also, that a sufficient appropriation be made for said removal, for the keeping and preservation of such books and documents and for bringing to a prompt termination the work of classifying and indexing them.

#### NEW FILES.

The general files of this office, since the year 1898 up to date, are composed of 44,276 cases and 256,875 index cards. In these files are included the records of the United States military government, the executive mansion, secretary's office, and some records of municipalities relative to annual reports, budgets, insular advances and loans, etc.

The files for corporations, trade-marks, franchises, and pardons are each kept separately, and papers in reference to these matters are not included in the figures above inserted.

According to the report of the record clerk about 28,000 documents were received during 1916-17 and about 9,300 index cards made to cover such documents.

#### HUNTING LICENSES.

The legislature of 1916 enacted and the governor approved a game law, which imposed upon this office the duty of issuing hunting licenses upon the payment of a fee of \$10 each, and seeing that the closed seasons were amply advertised, both through the newspapers of larger circulation and by means of posters and placards posted by order of the mayors, in the cities, towns, and barrios of the island.

The adoption of that measure was absolutely necessary to prevent our stock of wild birds from total extinction, due to the ever increasing killing and destruction of them by a number of amateurs in this field game, even in the periods of the year in which the young are produced and bred.

Due notification as to the closed seasons was given through the daily press, and a circular letter was addressed to all the alcaldes, reminding them of the duty imposed upon them by law to bring to the knowledge of their respective communities the seasons of the year in which the game is prohibited.

Seventy-five hunting licenses were issued during the year, yielding to the government an amount of \$750, and this number was not larger due to the fact that some of the hunters were not willing at first to recognize the necessity of securing them, so long have they been accustomed to pursue the wild birds without any permit and at any time.

This office, however, with the valuable cooperation of the insular police force, is always trying to secure a strict compliance with the provisions of the game law, and it is expected not only that the number of licenses will increase in 1917-18, but that no killing of wild birds will be made during the closed seasons and that no person without a hunting permit will be found hunting in future.

#### ELECTIONS.

The new organic act provided for the holding of an election in Porto Rico upon the 16th day of July, 1917, at which senators, representatives, a Resident Commissioner to the United States, and two public service commissioners were to be elected for the purpose of fully establishing the reforms made in our system of government by the above mentioned act.