

July 11, 1979

Sin & McBurney  
330 University Ave., Suite 701,  
Toronto, Ont.  
MSG 1R7

Dear Mr. McBurney:

Re: Patent Application 236591  
Ford Motor Company  
Water-Based Paint With  
Corrosion Inhibitor I

Thank you for your letter of June 4, 1979. From the explanation provided, it is evident that the Canadian applicant was not aware at the time that the statement made in his letter of August 18, 1978, about there being no corresponding foreign patent was in error.

I note from Mr. Ross's letter of May 10, 1979, that steps are being taken to avoid repetitions. In the present case it seems no harm has resulted from the mistake. However it could well be that in other instances the Office might well be misled and its work more seriously affected. I would consequently trust that greater care will be exercised in future.

You have questioned why the Canadian examiner applied Rule 39(2) when he "apparently was aware of the grant of the British patent on May 10, 1978..." In fact he was not aware of the British patent when Rule 39 was applied. It was only recently that he discovered it. You are consequently in error in assuming the Office requested information already available to it.

I am returning the application to the Examiner to resume normal prosecution.

Yours respectfully,

J.H.A. Gariepy  
Commissioner of Patents

