

A WORD

To those interested in the

Defense of the Rights of the Public, Science and Medicine.

Since the year 1877 we have lost no opportunity to place before the professions of Medicine and Pharmacy the injury which was resulting to public, professional, and scientific interests, through the abuse of the laws relative to patents and trade-marks, by certain manufacturing pharmacists, or patent medicine dealers, working under the title of "Manufacturing Pharmacists." We have sought and expected a reply to, or counter-attack upon, our efforts, without satisfaction, until recently one Horatio R. Bigelow, M.D., has appeared as the mouth-piece of the patent medicine ring.

A recent and specially enlarged edition of a journal published in Sandyhook, Conn., the *New England Medical Monthly*, contains an article in the interests of the ring, by the above named physician, severely attacking the reputation and policy of our house. We understand that pecuniary aid has been given to this undertaking by those interested. As this article seems to be the concentrated and final effort of our opposers we desire to call the attention of physicians and pharmacists to the fact, and to our expressed willingness to send, *post-paid on application, a printed copy of this article and other printed matter bearing upon the subject*, which we are sure will prove instructive to all who have the interests of the public, the profession of medicine, or science, at heart. The personal attack upon ourselves is beneath our notice. The principle at stake is worthy the attention of every one, and this fact is our only apology for giving the above advice.

Through limited space we will here call attention but to one fact—that Dr. Bigelow would convey the idea that we were seeking to destroy that just protection given to inventors by the patent law and to manufacturers by the law of trade-marks. We tell Dr. Bigelow, and the whole fraternity of quacks, that this is a wilful perversion of our position. The patent law secures to an inventor any new and useful composition of matter; but *he must disclose the secret of his invention and show that it is new and useful*. The trade-mark law is only to secure to the maker of a known article of the benefit of any peculiar skill which he has brought to the making of the article. Hence he may adopt and own *any arbitrary sign to indicate his own manufacture*: this is the whole scope and end of the law of trade marks.

Our war is against the abuse of these laws; against the practices of those spurious pharmacists who seek to draw the protection of these laws *over secret and unknown preparations*. We also denounce that kindred abuse where the *common or only name of an article* is claimed as a trade-mark. To allow this would be to allow the most odious form of monopoly; a monopoly of an article *the composition of which is kept secret and unknown*. Such a monopoly the patent law will not permit. Sound medical science will not permit it. It belongs to the domain of quackery pure and simple.

PARKE, DAVIS & CO.

DETROIT, MICH., March 1, 1882.

Send for "printed matter relative to the abuse of the patent and trade-marks."