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PATENT LAWS.

The justice and propriety of granting exclusive rights to inventors in their discoveries, for a limited time, has been viewed differently by various writers upon the subject, according as their several personal interests appear to have influenced them.

At the annual meetings of the Social Science Congress, and also of the British Association, in England, a party led by Sir Wm. Armstrong, who has profited perhaps more than almost any other man by patent rights, proposes to abolish such rights altogether; and urges the adoption of their suggestions through a professed regard for the interests of inventors, manufacturers, and the public, who, it is said, are "allured by a false hope of reward by means of the monopoly obtained," that "by the operation of the patent laws many useful inventions are kept from general employment, and a temptation is held out to persons to take out patents for merely speculative purposes;" and maintaining that "the tendency of these laws, as a whole, is to discourage inventions." A writer in the *Exchange* well remarks in regard to Sir Wm. Armstrong, that "such a proposition comes with a bad grace from one who is himself the owner of many patents, and who is chiefly known to the world as the inventor of a new machine, not patentable as an ordinary invention, but for which he has received a large sum of money, a lucrative appointment, a title, and last, but not least, a very extensive and profitable contract." Mr. Hawes, Vice-President of the Society of Arts, in a paper upon the subject read before the Social Science Congress, and Mr. Bright, M.P., through the columns of the *Times*, have recently been enunciating similar views, maintaining that the granting of patents is "inimical to universal free trade," and "injurious to industry;" but, with all due deference to the opinion of such celebrated authorities, we cannot see the honesty of appropriating to our own use or profit an invention or discovery originating in the brain of another individual, and which has cost him much time and labour, and probably much expense also, to bring to perfection. As well may we dispute

the right of an author to the copyright of his book, as the inventor of a useful machine to a monopoly of its use or profit for a certain limited time. John Stuart Mill, the eminent political economist, has designated this species of "free trade" as nothing else than "free stealing." A writer in the *Builder* says, "as to the right of a man requiring remuneration for a new invention, we consider that it is out of the pale of discussion, and we hold that a man has as much right to his own idea as to the shirt on his back, very often more."

It is often argued that patent rights are granted for trifling improvements. Michel Angelo was accustomed to say that "perfection consisted in trifles." Numberless cases of apparently trifling improvements in the mechanical arts and sciences are recorded, that have been the means of bringing about great changes in trade and manufactures; almost revolutionising some departments of a nation's commerce. Abolish patent rights, and what will be the inevitable results? Every one who has made a discovery or invention likely to be of profit to himself, will conceal the fact as long as possible. The effect of such a course would be that important discoveries, which under our patent laws are given to the public, and are of so much commercial value to the country, would remain entirely unknown, unless the inventor should be—which is rarely the case—a man of means sufficient to enable him at once to put his discovery into practice, and profit thereby before other parties have time or opportunities for doing so; but even under such circumstances success would seldom be attainable, as the most valuable mechanical discoveries generally require from two to seven years ere they are appreciated by the public, so as to be remunerative to the inventor.

An English cotemporary instances the first important working patent power loom, invented or perfected by a gentleman who spent many years time and all his means in doing so, and reduced himself and family to the verge of starvation. He held on, however, through years of the greatest discouragement from the leading manufacturers, until, in the end, first one, and then another, took out a license under him, and he became wealthy, and finally represented his native town in Parliament. The advantages on the side of the public were, that the goods manufactured were not only improved in quality but reduced in price, and a great impetus was given to trade.

The London *Times*, now in favour of free trade in inventions, in the year 1852, while the English Patent Law Amendment Bill was under discussion, truthfully wrote as follows:—