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ARE PATENTS INJURIOUS?

"Another difficulty in the way of securing proper appropriations has been a prejudice in the minds of many people of this country against patents and the patent system. It has been, certainly until very recently, a very common belief that the whole system was a humbug; that it was in fact an amiable way of permitting cranks to indulge their humors in regard to perpetual motion, &c., an inventive genius being regarded as one who was more or less erratic; and, as stated, there was and is to-day throughout the country an impression that the patent system in its practical operation levies a burdensome tax upon the people. It is also believed by a great many artisans, mechanics, and laborers that the system tends to abridge the opportunities for securing employment, and that it reduces wages.

"Touching the first objection, I submit that careful investigation will show that the patent system is the foundation upon which the industrial interests of this country are based. We are, in fact, indebted for our unequalled growth and prosperity as a manufacturing people to its influence. Nor is its healthful influence confined to the shops and factories, but extends to the fields, mines, and forests. The mere desire which all our people naturally feel to secure increased comforts and improved methods would never have resulted in even a distant approach to our present condition as a productive nation but for the great incentive found in securing to the inventor for a term of years the absolute ownership of the improved machine, method, process, or discovery which is the result of his efforts. It has been urged that the inventive genius of our people would have given to the world substantially all the improvements we have now without this incentive. Such a proposition seems so unreasonable that it is hardly worth while to combat it by argument. We sow not only to reap, but in the expectation of reaping an adequate harvest. No one would devote years of patient study, careful and profound thought and investigation, based on experiments, merely to produce a machine for his own individual use. The British Parliament a few years since appointed a committee to take testimony and to make full reports as to the influence of and necessity for a patent system. That investigation settled beyond all controversy, at least so far as the English nation is concerned, that without the patent

system the inventive genius of that people would have remained inactive, and little progress would have been made during several centuries in the direction of developing the great industries which are now the source of English wealth and power.

"While preparing the exhibits for the World's Industrial and Cotton Centennial Exposition at New Orleans, I endeavored by correspondence to gather what information I could touching the relation our patent system sustains to the growth of our own industries, and from the investigations I have made, I feel safe in saying that to this system we are chiefly indebted for our present great industrial prosperity. The percentage of manufacturing establishments in this country which have not utilized the patent system in one way or another, as a means either of founding a business or building up and extending it, is very small. But as suggested before, it is urged that this exclusive property in a patent imposes burdens upon our people. The exact reverse is true. In this connection one important fact in the matter of using articles or machines which have been patented seems to be generally overlooked, and that is that no one is compelled to use any patented invention. The blessed privilege of sticking to the old way abides with all of us, notwithstanding the patent system. Farmers are under no obligations whatever to lay aside the sickle, scythe or cradle, and use the reaper and mower. There does not rest upon them the slightest obligation to use a thrasher or separator, since they are at perfect liberty to swing the flail or use the tramping-floor. The hand-loom may still be used, notwithstanding the inventions of Jacquard and Arkwright, supplemented and improved by modern inventions. The old spinning wheel need not be thrown aside because the inventive genius of man has given us the spinning-jenny and its kindred aids in that art. There rests no obligation upon any of us to use the telephone, the telegraph, the locomotive or the engine. In fact, in all things we may stick absolutely to the old way, and submit ourselves to all the inconveniences and discomforts of the olden time. Every farmer may continue to build a worm or post-and rail or stone fence, instead of using barbed wire. In this connection it is proper to remark that he pays for his barbed-wire fence but little, if any, more than fifty per cent of the cost of the old board or post-and-rail fence, and it has been demonstrated that the farmers of the country have, in the last few years,