

himself of the mechanical skill of those whom he employs to put his invention into practical form. If the inventor-employer gives general directions to his workmen to produce a certain machine, the combination or parts or arrangements produced belong exclusively to the inventor-employer, and the workman has no patentable right therein. An inventor who may employ a skilled laborer to assist him in carrying out and perfecting his invention, is considered the sole inventor even if in the course of experiments arising from that employment the skilled laborer makes discoveries auxiliary to the plan and preconceived mind of the employer. But where the workman himself suggests and invents an improvement, without previous directions from his employer, the invention belongs to the workman; he can patent it and the employer has no claim thereon, although the device may have been made in the shop of the employer, with his tools and during the time belonging to him.

Executors.

In case of the death of the inventor the patent may be applied for by, and will be issued to his executors and administrators. In case of an assignment of the whole interest in the invention, or of the whole interest in the patent if granted, the patent will issue to the assignee upon the request of the executor or administrator; and if an assignee holds an undivided part interest, the patent will, upon a similar request, issue jointly to him and the inventor, but the assignment or instrument must first have been entered of record. The application and oath must be made by the actual inventor, if alive, even if the patent is issued to a legal representative; but where the inventor is dead the application and oath must be made by his executor or administrator.