

### MINERALS SEPARATION PATENTS

In the matter of the Minerals Separation controversy which began in Cobalt, Sept. 10, and which has since spread to all parts of the continent, there is at present a lull. The matter is now receiving the attention of the patent office of the Department of Agriculture. The mine operators have submitted evidence which they believe sufficient to convict the M.S.N.A. Corporation of being under German influence, while the M.S.N.A. Corporation officials have furnished the department with evidence which they claim will clear them of the charges made.

In a free country such as Canada, an individual who makes a discovery which is patentable, is entitled to protection. If the idea is of commercial value, the revenue rightly belongs to the inventor. This is what encourages inventive genius. Yet, that is precisely what the M.S.N.A. Corporation is endeavoring to rob the world of. The proof is this: Any one who subscribes to the license of the M.S.N.A. Corporation thereby enters into a binding contract to not only pay the prescribed terms of royalty, but also to hand over to the licensors all improvements, additions and modifications which may be patentable, and such to automatically become the property of the M.S.N.A. Corporation.

The M. S. N. A. Corporation owns certain patents pertaining to the recovery of mineral from ore by use of the flotation process. Other concerns such as Elmore, and Callow own somewhat similar patents. However, the M.S.N.A. Corporation appears to think all others than their own are infringements. Granting, for the moment and only for simplifying discussion, that this last named corporation does own the rights to the process and that all others are infringers, then the Corporation is entitled to royalty from anyone who wishes to use the process. If the terms of royalty are excessive and tend to burden the mining industry it is for the Government to step in and protect the industry. In arriving at this conclusion however, we also arrive at another. The Corporation can license what it controls but cannot by any stretch of imagination lay claim to any discovery, addition, modification, or improvement made by other individuals while using the process. Because Tom invented a pump he cannot accuse Dick and Harry of infringing when they invent a wind-mill.

In support of their scheming paragraph 3, the M.S.N.A. Corporation has drawn up paragraphs 5 and 6 wherein it is pointed out that anyone who once becomes their licensee must not while using the process nor any time after a discontinuance of the contract dispute or even object to the validity of the M.S. patents. It is doubtful if this latter attempt to silence mining men and metallurgists could be legally enforced, but any one who should be compelled to subscribe to the present form of license would feel more or less bound in honor to live up to the conditions outlined.

Thus, it is plainly up to the Government to first investigate the charges of German control; secondly, to find out what would be reasonable terms of royalty; thirdly, to confine the M.S.N.A. Corporation to the licensing of the patents owned by that corporation.

The writer has been informed by a gentleman who has for several years been in the service of the M.S.N.A. Corporation, that of all the ideas reported to that corporation by their licensees, in no case has the licensee received any material sum for the discovery, or discoveries.

Another matter which stands out as a possible menace to the progress of metallurgy, and which would tend to indicate that possibly an attempt is being made to evade the patent laws of the country in which they operate, is this: By taking out patents for improvements, additions and modifications, a portion or perhaps all of which are the results of the intellect of their (M. S. N. A. Corporation) licensees, that corporation is constantly coming into possession of a veritable sheaf of legal documents which will possibly be held as a weapon, for many years to come, over the science of flotation. Under cover of meaningless, but confusing legal wrangle the patents of 1916 might well be employed as a means of carrying the monopoly on for another dozen years or more. By the end of that time, if such practice were not squelched, there is no telling but that new and later patents would be taken out which would again carry the monopoly forward for another term of years.

A sense of common justice will bid the Government to free the mining industry from the shackles of the existing monopoly. Accredited representatives of the Government deliberately fix the price of wheat, of potatoes, of coal, and of copper, and now contemplate the fixing of the price of silver. They should not hesitate to fix reasonable terms of royalty for use of a process which is of great benefit to the mining industry and which is being held at exorbitant ransom to any one who wishes to use it.

As stated not long ago, the fruits of the intellectual energy directed along this one particular highway of science should be the reward of the discoverer. Screened behind the shield of science which has ever shrouded the inner workings of the M. S. N. A. Corporation, may be considerable intellect or may be profound ignorance in wily retreat feasting upon the brains of the world. The M. S. N. A. Corporation, whether bursting with energy or wallowing in a slough of inertia, by the enforcing of its license in its present form would have an endless chain of useful ideas flowing to its bosom, and to be held at exorbitant ransom to the very men through whose combined energy the complete idea was evolved.

It is from that menace to the mining men and metallurgists of Canada demand protection. The writer is not speaking without authority in stating the mine managers, as a body, of the largest precious metal mining camp in the Dominion will refuse to subscribe to any such contract as that embodied in the license of the patent exploiting firm of Minerals Separation North American Corporation. Truly, the situation warrants immediate action by the Canadian Government, not only in the matter of nationality, but also in the matter of terms of royalty and conditions imposed upon the licensees.

The belief is growing, especially in the Cobalt camp, that the terms of royalty will shortly be fixed and the royalty be paid to the Canadian Government to remain in escrow until such time as the stability of the Minerals Separation master patents is proven, and also until such time as that concern is proven free of German influence.