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Role of Individual in Patenting Slips

AN editorial in *Agrichemical Age* magazine asserts that "all the major discoveries, all of the big thinking, even all of the management and development that has made our progress possible" has been done by five per cent of all the people who ever lived.

The writer implies that the same proportion may yet prevail when he alleges that the other 95 per cent of the people who walk the earth "are about the same as they were 10,000 years ago."

This debatable observation is frightening when placed in context with the comment of a leading authority on patents. He is Jacob Rabinow, who invented and patented a disc memory and a mail sorting machine. He is chief of the Office of Invention and Innovation of the National Bureau of Standards.

When asked whether the American inventor is a "dying breed," Rabinow replied: "I don't know if he's a dying breed, but it's getting more difficult for him to stay alive. He's being stillborn in the United States."

Rabinow then commented that the United States is declining as a world innovator, adding that "it's hard to restart once you lose the drive to invent, because the drive is kind of an emotional national state of mind. When it dies, it dies."

Lack of profit opportunity was blamed, because venture capital needed to put new inventions on the market is less readily available to individuals. Rabinow favors government subsidies for research and development, citing examples of success with space and energy in an interview published by *U.S. News & World Report*. However, he pointed out that with subsidized research, the patent usually is taken over by the government.

"If a patent is free to everybody, it

is not a patent any more. By definition, a patent is a monopoly given to an inventor for a relatively short time so he can try to market a product. If the government takes a patent and makes it freely available to everybody, that ruins incentive."

Another slant on inventing is reported in *Nation's Business* magazine. Last year, the U.S. Patent and Trademark Office received 79,878 devices which were patentable, 12,000 more than the year before. That would seem to refute previous statements cited.

Perhaps it does, in a way, but not insofar as private inventors are concerned. In the past four years, 77 per cent of the patents granted went to corporations and other organizations.

General Electric had over 5,000 patents on the list. DuPont, IBM and Bell Laboratories each were in the 3,000 patent range. Phillips Petroleum had about 2,000 to run ahead of Shell and Exxon in petroleum-related patents.

Inventions by corporate employees usually are patented by the corporation which hired them to do the research, as would be expected. But that emphasizes the first statement quoted.

An individual, no matter how many bright ideas for new devices he may have, will have a hard time staying alive until he can get them marketed. And if only five per cent of the population are doing all the inventing, the rest of us are going to miss them.