

JOURNAL OF THE  
LETTER TO THE EDITOR.

DEAR SIR:

I have read with interest your editorial in the February number of the JOURNAL in which you favorably comment on the papers presented by Messrs. F. E. Stewart and J. W. England at the meeting of the Philadelphia branch, January 17, 1917, on the subject of the revision of the United States Patent Laws and urge your readers to correspond or confer with their senators and representatives for the purpose of securing their support in the effort to do away with the product patent in medicinals.

It seems to me that the small group of men in the drug and chemical trade who are striving with might and main to keep this subject alive permit their hunger for a share of the business controlled by a few foreign owners of product patents in this country to blind their eyes to the needs of our American chemical and pharmaceutical manufacturers.

Without the product patent there would be no further development of American chemical or pharmaceutical industry. What concern would be willing to invest thousands—yes, hundreds of thousands—of dollars in research work if they could not secure full protection for at least a limited period of time on the occasional product of this expensive research?

There is no protection whatever in a process patent only because only through a spy system in your competitor's factory or laboratory could you possibly tell whether your process was being infringed upon or not, and what decent self-respecting American manufacturer wants to do business that way?

The kind of American industry which the present product patent law very wisely and properly discourages is that of the pirate variety, which you can be certain would flourish abundantly under the process patent only. Immediately a valuable discovery was made public under a process patent dozens of concerns would begin tearing it to pieces seeking a way to get around the patent in order to obtain profit for themselves out of the other fellow's brain and initiative. The result would be that men would not take out patents but would strive to practice their invention in secret, and if successful would have for themselves a perpetual instead of only a seventeen-year franchise, as the present product patent contract with the government provides, and the public would be the loser.

I cannot in this letter undertake to answer all the arguments advanced by Messrs. Stewart and England, but they can be easily controverted and in due time will be.

The purpose of this letter, which I ask you to be good enough to publish in the April JOURNAL, is simply to let your readers know that there are two sides to this product patent question and that those who favor the product patent expect to make themselves heard. I am sure you will give us the same prompt publicity given those who oppose it.

In closing I wish to give for the information of your readers the following resolution adopted by the American Drug Manufacturers' Association (then the National Association of Manufacturers of Medicinal Products) at its annual meeting in New York in February, 1916:

"WHEREAS, The Constitution of the United States of America gives Congress the power 'to promote the progress of science and useful arts by securing for a limited time to authors and inventors the exclusive right to their writings and discoveries,' and

"WHEREAS, In no field is discovery of greater importance to the welfare and health of the people of the United States than in the field of medicine, pharmacy and surgery, therefore be it

"Resolved, That this Association is opposed to any amendment of the Patent, Trade-mark and Copyright Laws of the United States of America that shall directly or indirectly effect discrimination against inventions and discoveries in chemistry, pharmacy, medicine or surgery; fully believing that the undue exploitation of the American public by foreign inventors can be remedied by measures that will not discourage American chemical, pharmaceutical and biological research workers from endeavoring to discover products that will take the place of products that America must now depend upon Europe for; and processes for making other substances we are now obliged to do without because of conditions we cannot control."

This Association numbers in its membership all the important medicinal, chemical, pharmaceutical, biological and surgical dressing and plaster manufacturers of the country.

Very truly yours,

CHAS. J. LYNN, *President.*

AMERICAN DRUG MANUFACTURERS' ASSOCIATION.

Indianapolis, March 20, 1917.