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COMPLAINTS AGAINST THE PATENT OFFICE.

A series of articles was lately published in the New York World, containing a long string of complaints and charges against the employees of the Patent Office. They were accused by inference, if not directly, of carelessness, neglect of duty, favoritism, corruption, fraud, bribery, deceit, malice, injustice, systematic efforts to swindle, persecute, and defeat inventors in their endeavors to secure patents; together with other irregularities. But no individual names were mentioned. These revelations were backed up by a curious and interesting collection of letters, opinions, and criticisms given by inventors, patent solicitors, and patent lawyers; some of whom delivered bitter complaints, because the Patent Office had been stupid or failed to do or grant what they wanted; nearly all expressed a belief in the necessity for reform in the management of the bureau. The published matter formed a grand howl, or newspaper earthquake of the most sensational kind.

We are glad to be able to say, however, the Patent Office has survived the shock; the officials are still at their posts; they are not even begrimed with the smoke; and the grand old machine continues to grind out every week its immense quota of five or six hundred patents for new inventions; in reward for the genius of inventors, by which the industries of the country are so constantly diversified, increased, improved, and maintained.

But are there no difficulties at the Patent Office, no opportunities and no practice of knavery, as the World has described? Do the officials never act in bad faith toward inventors? Are they always pure and faithful? Do they never purposely delay business, abridge claims, or give real cause for complaint?

It would be strange if they did not. They have great power. They are, for the inventor, his judges and his jury. Moreover, they are mortals, made of clay like the rest of us. They are hunted, badgered, and tempted, from morning till night, by a crowd of anxious applicants or hungry agents, asking for decisions or complaining of those already made. Each wants his case taken up at once, ahead of all others. Many are suspicious persons, who imagine the examiner is trying to steal his invention or defraud him of his rights. There is no end to the mean and irritating things such individuals will say or do. Some agents are so self-sufficient they consider themselves insulted if an examiner calls attention to gross blunders in their papers. In short, the time, patience, and skill of examining officers are often subjected to the severest trials, under which, and the lack of proper facilities for making accurate searches, and the pressure of accumulated work, it is no wonder if many errors, wrong decisions, and irregularities should take place.

Yet, as a whole, it is doubtful if any branch of the public service is so well conducted or shows such splendid results as the Patent Office. The examining officers, as a general rule, are faithful and exemplary men, able, intelligent, and as careful as the circumstances in which they are placed will allow. They do the best they can. But the system under which they labor is defective and leads to endless troubles.

The present law, which aims to provide for a thorough scientific and legal examination of each application for a patent, was passed more than half a century ago, when the sciences and mechanic industries were in their infancy, when inventors were few, patents and new inventions scarce.

More patents are now solicited in a week than were then granted during a year. It was then possible for the government to examine and decide each case with care and deliberation. To do so now is almost out of the question. More than thirty-five thousand applications for patents were made last year. The number steadily increases with the growth of population. Already there are three thousand seven hundred classifications of inventions, sub and general, in the Patent Office.

The duty of examiners is first to see that the patent papers are correct in form, clearly illustrate, describe, and claim the invention; and, second, to make sure that the device claimed has not previously been patented here or abroad, nor described in any printed publication in any part of the world. If the invention has been previously patented or described, then the patent must be denied, for it would be invalid if granted. It is obviously impossible, with the meager force of examiners now employed, to make a legal and scientific examination of thirty-five thousand applications a year. Even the classification and printing of our home patents is so very defective, and the knowledge of them so incomplete, that the examiner cannot be certain of the correctness of his searches among them; while as to foreign patents and other publications, only a superficial glance is, in some cases, attempted. This poor, shadowy, imperfect, and almost useless business of official examination grows necessarily worse and worse every year, and tends toward self-destruction. Would it not be an improvement to sweep it away altogether? Would it not be a simpler and better method to let each inventor become his own examiner? If, after examination, he asks a patent, let it be forth-

with granted. Relieve the present examining force from the duty of determining whether it is best to grant a patent or not, and let the inventor examine and decide the matter for himself. It is just as practicable for him to do this as to search the records when buying a piece of real estate.

Let the cost of patent copies be greatly reduced. Let the present examining force be employed to see that the applicant's papers are in proper form, and the records of all previous patents and descriptions of inventions kept well classified and easily accessible. This will occupy their time to the best advantage; and enable them to perform their duties with satisfaction to themselves and all concerned. A modification of the law appears to be imperative, and if made in the direction we have indicated, the delays, litigations, and other hardships to which inventors are now subjected before the Patent Office probably could never occur.

AN IMPORTANT SUPREME COURT DECISION.

A decision of some importance, as affecting the bearing upon American patents of foreign patents for the same invention awarded to the American patentee, was rendered in the United States Supreme Court on January 21. It was in a somewhat celebrated suit, entitled the Bate Refrigerating Co. vs. George H. Hammond & Co. A United States patent had been awarded to John J. Bate for a process of preserving meat during transportation and storage. A Canadian patent for five years had been taken out by him previous to the issue of the United States patent. Before the expiration of the Canadian patent it had been extended on payment of the statutory fees for five years, and before the termination of the extension had in like manner been extended for five years more. The law of Canada authorizing these extensions as a matter of right was in force at the time the original patent was granted. The Circuit Court had held, notwithstanding this state of things, that the American patent was limited in term by the original Canadian patent of five years. The Supreme Court disposes of this view, and decides that the fifteen years, although composed in part of extensions, is for the purposes of statute 4,887 to be considered as the integral term of a foreign patent, and declares the Bate patent unaffected as yet by the Canadian term, which does not terminate until 1892. Much comment was made upon this decision by the press, but it will be seen that it is not so broad in its effects as stated by many of our contemporaries. The decision was delivered orally by Judge Blatchford.

Removal of a Hotel at Coney Island.

Our readers will doubtless remember the description we published about a year ago, concerning the moving of the Hotel Brighton, one of the largest hotels at Coney Island.

Another neat piece of work has just been accomplished in the removal of the Ocean House at the same place. This large hotel, 42 x 55, two stories high, with large piazza, was erected twenty years ago, and at that time stood about 600 feet back from the surf. The many changes in the beach since then have washed all this land away. The hotel was placed upon piles two years since, as the indications were that at any time the foundations might be washed away. This proved true, for last year the ocean had reached the hotel, but no immediate danger was feared, as the piles were 20 feet long and firmly bedded in the sand. The owners of the hotel thought it safe, and expected, from its situation over the ocean, the attractiveness of the site would benefit the business. This was the fact, but this winter, during a heavy easterly storm, another slice of the beach was removed, and when the storm had subsided, the hotel was left quite alone in the Atlantic, some 50 feet from shore, standing on piles. There was a probability of the sand cutting away and leaving no support for the piles, and also the danger of floating logs or ice battering them down, and it was decided to remove the building. The contract was awarded to Messrs. Louis Heineman & Sons, of Brooklyn, and they have just successfully removed the building to the solid ground, and it now stands some 300 feet back from the beach. The plan of operations was as follows: Rows of piles were sunk by water pressure under the hotel, reaching to the shore; these were capped, and upon them were laid heavy yellow pine sliding ways. Upon these ways the hotel was raised, the old piles being left standing. By crabs on the shore the building was pulled and slid from its position over the ocean to the bank. It is now securely located on terra firma, and has been preserved from being completely washed away, as the piles upon which it rested were undermined and carried out to sea almost before the hotel had reached its new home.

THE late Benjamin B. Hotchkiss, of Bridgeport, inventor of the well known quick-firing cannons, now used in the military and naval services of nearly all nations, acquired an immense fortune as the result of his ingenious devices. He left an estate valued at over twelve millions of dollars. His heirs are now litigating about the disposal of these millions, and the lawyers are likely to reap a harvest.