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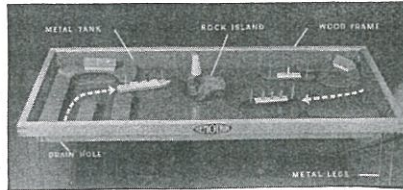
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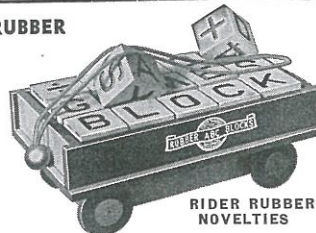
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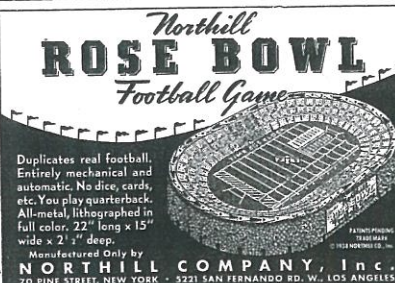
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The Mengel Co., 1900 Market St., St. Louis, Mo.

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Expert Doll & Toy Co., 56-58 W. 22nd St., N.Y.C.
Ralph A. Freundlich, Inc., 200 Fifth Ave., N.Y.C.
Gay Stuffed Toy & Nov. Co., 43 W. 24th St., N.Y.C.
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Knickerbocker Toy Co., 200 Fifth Ave., N. Y. C.
Knight Stuffed Toy Co., Inc., 124 W. 18 St., N.Y.
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F. W. Woolnough Co., Inc., 200 Fifth Ave., N. Y. C.
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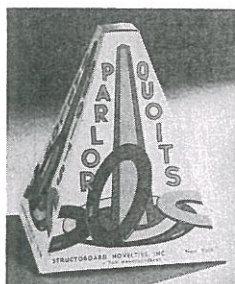
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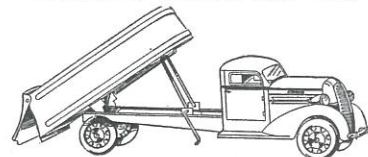
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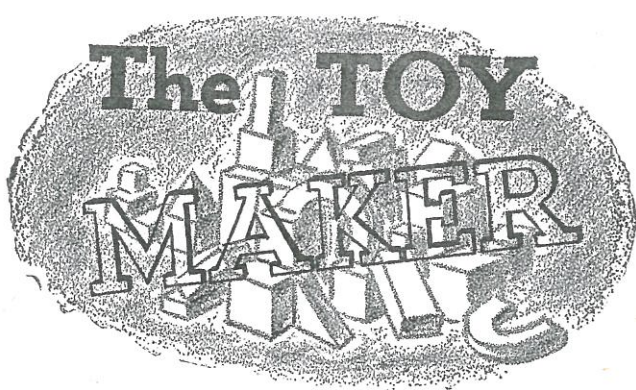
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MAURICE BLOCK



LEGAL TOPICS

COMPULSORY PATENT LICENSES

By MAURICE BLOCK

Patent Attorney

Congress has again been asked to amend our Patent Laws so as to provide for the compulsory licensing of patents. This proposition is not new and from time to time during the past years, such amendments have been proposed. In Great Britain, a compulsory license law has been in effect for some years, but so far as the writer is aware, it has not proved to be of any real value either to the inventor or to the public in general.

A recent editorial in the *New York Times* discusses this subject succinctly. It is quoted here in full:

"It dies hard—this notion that inventions are willfully suppressed by wicked corporations. Here comes Representative W. D. McFarlane of Texas with a bill (H. R. 9259) 'to provide for the compulsory licensing of patents.' If Representative McFarlane has his way, anybody may apply to the Commissioner of Patents for a license to make, sell and use an invention disclosed in a patent during the first three years of its life.

"Suppose that \$500,000, no unreasonable sum, is spent in devising a machine to sew buttons on coats. Ten are patented; the simplest and most efficient is marketed; the other nine are discarded. According to H. R. 9259 the Commissioner of Patents should be empowered to grant a license under any of the nine unworked patents on terms offered by the applicant. As the result of all his ingenuity the inventor has created not only a machine but competition from a business rival who has contributed nothing to advance the industry affected. What becomes of the intention of those who framed our patent laws to encourage invention?

"The injustice of any compulsory license law is revealed in its true light when we consider what happens to the inventor whose patented machine or process can be used by only one corporation, not necessarily a trust. After three years the inventor's one customer may ask for a license and receive on his own terms what he could not

otherwise obtain at all. The argument that the public is deprived of something to which it has a right will hardly stand examination. For the public has not been deprived of anything that it did not have before.

"It profits no inventor or research laboratory to take out patents if compulsory licenses can be obtained almost for the asking. The life of a patent is seventeen years, a period usually insufficient for the introduction of an invention of major importance. By that time the patent is already public property. As for suppression, the evidence for it is none too good. No doubt patents are bought because they have a nuisance value in an infringement suit or because they enable a patent pool to perpetuate the monopoly of a whole art. The purchase of a patent to strengthen a legal position is not in itself reprehensible. Pooling of patents has its evil aspects. A compulsory license law is exactly what any patent pool would like to have. It may be taken as axiomatic that it is just as hard to kill a good invention as it is to kill any good idea."

Think First

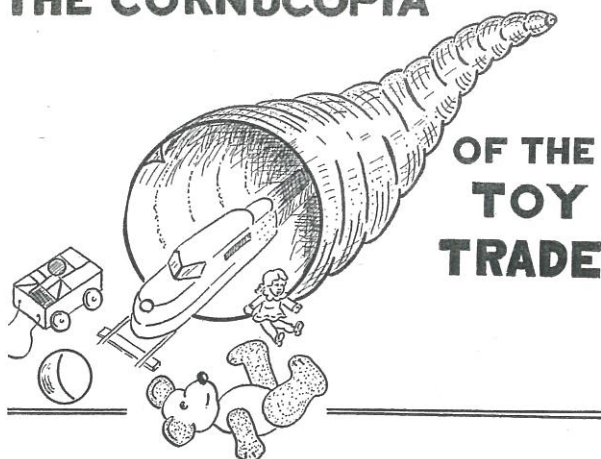
THE BEST DESIGNED package, the most perfectly constructed, is worthless if Uncle Sam says it cannot be used. Increasing governmental supervision affects every item on the market. Have a competent Washington lawyer experienced in departmental procedure, check over every package design and every line of copy before art work and plates are prepared. It may be heartbreaking to tear apart a good design, but it is far less expensive than to dump hundreds of dollars in plates and electros, or burn thousands of labels and cartons or have merchandise confiscated and interstate shipments stopped. Be sure you are right before you start.

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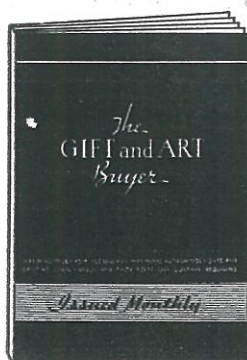
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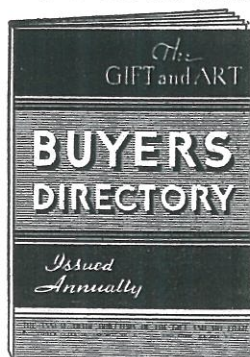
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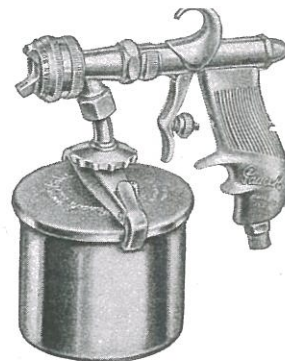
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THE PAASCHE AIRBRUSH CO., 1909 Diversey Parkway, Chicago, has introduced a new airbrush which should be interesting to toy manufacturers. It is a new type BU High Production Airbrush with Snaplock Cup. This new cup is fast and easy to handle. With one downward motion of the snaplock cover the cup is gripped instantly, a one hand operation. The cup can be cleaned easily because a simple one hand operation also removes the cover. The makers state that this is the only cup which has an interchangeable cover for pint and quart sizes, and both the pint and quart cups have a wide opening for easy cleaning.

As soon as the snaplock cover is placed over the cup there is a click and the cover is on and remains on, even if the operator fails to tighten the knurled grip nut. After this nut is turned down the cover cannot leak. It is said that this take-up feature eliminates worry over thin gaskets. Less than a second is required to detach or attach the cup. A continuous rim provides a positive seating, with no pegs to work loose or replace. The clamps will not chew or cause low spots, and there are no projections to pick up lint or threads when cleaning the cup.

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Gummed Industries Establishes Products Bureau

THE GUMMED INDUSTRIES ASSOCIATION, 19 W. 44th St., New York, has established an independent Certified Products Bureau designed permanently to insure the maintenance of quality standards in the industry and effectively to combat the manufacturing and distributing of sub-standard sealing tape products under misleading quality endorsements. The services of the Bureau will be available to all subscribers. It will maintain an extensive laboratory where standards not only will be determined and regulated, but where consumers and distributors may send products received for quality verifications, assuring the preservation of standards once set. To members whose products conform with Bureau standards, the Bureau will offer the use of a new copyrighted label which is to be a hall-mark of quality for all products consistently meeting specifications. When the standards of any endorsed product drop below these specifications the Bureau shall, through a suitable procedure wherein the manufacturer will be allowed to present extenuating circumstances, deny the use of the label to the product.

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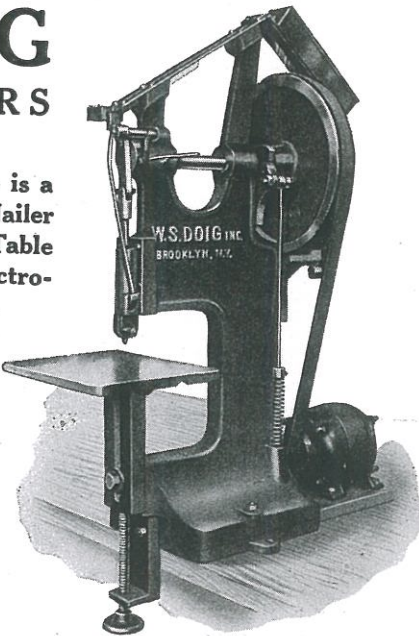
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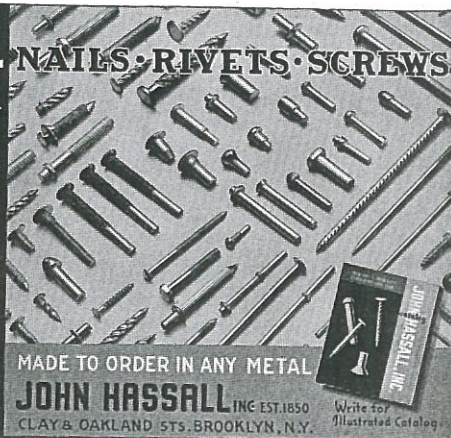
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