

CHAPTER XVI.

PATENT LAW AND COPYRIGHT.

PROPERTY IN IDEAS.—INVENTIONS MIGHT BE VERY EASILY COPIED.—PATENT LAW GIVES THE INVENTOR EXCLUSIVE RIGHT TO HIS INVENTION FOR FOURTEEN YEARS.—PATENT RIGHT MAY BE SOLD.—ANY ONE INFRINGING ON IT MAY BE PROSECUTED.—MANY USELESS PATENTS TAKEN OUT.—ONE REASON WHY ENGLAND IS SO RICH.—SOUTH AUSTRALIA HAS BENEFITED BY ENGLISH CAPITAL AND ENGLISH INGENUITY.—WHAT WORK STEAM-ENGINES DO FOR THE WORLD.

ALL good government aims at allowing all its subjects the peaceable possession of the fruits of their own industry. There is a kind of property which is not so easily kept as houses, or land, or goods. This may be called the **property in ideas**. A man after many years of thought and planning, after making several attempts and trying new methods, contrives a machine. This may be good for spinning or weaving, for reaping or threshing, for sewing or for working with metals, and it may make some desirable thing cheaper and better than can be done without its help. The inventor does not want it merely for his own use, but to sell a great many of such machines to other people to help them with their work.

Now, any tolerably clever person who saw this machine working could make one exactly like it, and sell it for a little profit, so that the inventor could not get the reward which he deserved. And if the inventors of successful machines did not get a considerable benefit from them very few people would take the trouble of contriving them. The inventor therefore pays a sum of money, and obtains from government what is called a **patent**. This patent gives him the exclusive right to make and sell his

machine for fourteen years after he takes out the patent. Sometimes he sells this right to some person with money and a good business connection, who can make and sell a great many of the machines at a good profit during the fourteen years. Anyone making and selling the machine without permission of the holder of the patent is liable to an action at law before the civil court, and can be compelled to cease to do so, as well as to pay damages for his illegal interference with the rights of the patentee.

If the invention is very useful the inventor may make a good deal of money by it, but after the time has expired anyone who pleases may make and sell it. There are an enormous number of patents taken out that are not worth the expense, because most inventors think too hopefully of their own plans. It is because English people have been so clever in finding out new and cheap methods of working, and because they have made good use of the coal and iron they had in such abundance, that England is now the richest country in the world. The coal and iron would only have warmed the houses of Englishmen and made their tools, if it had not been for the brains of inventors and the money of capitalists. By means of steam-engines and steamships, and railways and telegraphs, England sends over all the world the comforts and conveniences of life. The reason why South Australia has made more progress in forty years than America did in one hundred years after it was colonised is because we have had more English capital and more English invention to help us. With steamships our letters take less time for the longer voyage, and the telegraph gives us news every day. If all the men and women in the world were working to the full amount of their strength they could not do the tenth part of what the steam-engines in England alone do. This means that these engines are producing good things for our use far cheaper than hand labor could do. The Americans are quite as ingenious as the

English, and their patents are cheaper to take out. Wages are higher than in England, and this fact spurs the American on to devise all sorts of machinery to save labor.

COPYRIGHT FOR BOOKS.—BEST BOOKS NOT ALWAYS THE MOST RUN AFTER.—NO COPYRIGHT IN PAINTINGS AND SCULPTURE, BECAUSE THEY CANNOT BE COPIED.—COPYRIGHT IN ENGRAVINGS.

There is another kind of **property in ideas**—that of **books**, which is protected not by patent law, but by what is called **copyright law**. A clever man may write a book, which like an invention has cost a great deal of time and thought. It may be so wise, or so beautiful, or so amusing that no one in the world could have written it but himself. When once it is printed, however, any one might copy all the words of which it was composed and sell it for a little profit, and the poor author would get no benefit. So the law gives the author a right to his books for a number of years, and he is not required to pay anything for this protection. Sometimes a poor author has nothing to leave to his children but his copyright in the books he has written. Sometimes the best books are not the most thought of at the time. The copyright law gives him the right to his books for his lifetime, and to his heirs for seven years after his death; and it cannot be printed or sold without consent of the holder of the copyright.

There is another kind of property in ideas—**painting and sculpture**. These, however, are not protected in the same way, because they cannot be copied by any one. It takes nearly as much genius to copy exactly a fine painting or a beautiful statue so that no difference can be detected, as to make the original works of art. These things can be **engraved** by much less clever people, so the original artist has his copyright in the work for fourteen years, and any one who wishes to sell an engraving of it must get the artist's permission.