



The Lighter Side of Patents

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In the business of personal care we face a variety of different variables that may have an effect on the product that we bring to market, often the most frustrating of which is the patent. Patents, although sometimes annoying, are an essential and ever more important part of business. The seven million patents issued by the United States patent office since it's beginning have changed the world in many different ways. In fact the majority of patents do not relate to our business. Some patents hold great historical significance, some effected the world socially, and some can be seen as obscure or even comical.

The patent system in the United States has its roots in the Constitution. The basic concept is that technology as a whole advances if individual inventors disclose their new technology in return for exclusive use for a specific period of time. Consequently, the patent office has not only made protecting people's ideas possible, it also provides a means to spread the very ideas it protects all over the United States and throughout the world. The patent has revolutionized the way businesses are run around the world, and has made a man's mind and ideas a very valuable corporate asset.

In the not so distant past of cosmetic chemistry, a "patent" was seen largely as a foreign concept, something of interest only to the legal department. Unfortunately, for

those of us who don't speak the often obscure language spoken by patent lawyers, today's patents are often seen not as another step in the scientific process, but as unrelated to and often controlling of science. It seems virtually every project that comes into the lab requires a tedious patent search that often lasts for days followed by a rigorous review of information that confuses even the best of scientific minds. And during this mind-numbing task the scientist finds himself sitting at his computer, or behind his desk not researching or expanding his idea but fumbling to understand the legal mumbo-jumbo behind someone else's idea with the hope that his idea is not ended before he can begin his work on it. This monotonous routine has left the poor scientist with a negative attitude, or even hatred of the confusing web of information that surrounds patents today. Although many people find it tough to see the patent as a positive thing in the world of science, we must remember what the patent has offered to the people of America. Throughout the existence of the United States patent office there has been over seven million patents issued all of which represent an idea that has fixed a problem, and helped to better America.

Classified by topic, patents cover what is of interest to us. Therefore it is not surprising that some 7,629 patents have been issued for use in the control of pain (Americans hate pain), some 550 patents are directed toward tomato sauce (Americans love to eat), and an amazing 776 patents directed toward toilet seats (a necessary part of life). It may however be surprising that a number of patents dating back as far as 1937¹⁻⁴, cover the synthesis and use of the drug LSD and Barbituric acid derivatives to treat headaches. It was only thirty years later that the full potential of the use and abuse of

these drugs were ultimately understood. Needless to say, these patents were not practiced to any great extent.

Some of the concepts protected by patents have truly changed the way that the world functions. Inventions like Dynamite - U.S. Patent 78,317 – Alfred Nobel – May 26, 1868, and Barbed Wire – U.S. Patent 157,124 – Joseph Glidden – November 24, 1874 had a major impact on the way that the west United States was formed. Other inventions like Aspirin - U.S. Patent 644,077 – Felix Hoffman – February 27, 1900, and Penicillin – U.S. Patent 2,442,141 – Andrew Moyer – May 25, 1948 changed the way the American people look at medicine. Inventions like the Air Bag – U.S. Patent 5,071,161 – Geoffrey Mahon – December 10, 1991, the Seat Belt – U.S. Patent 312,85 – Edward Claghorn – February 10, 1885, and the Smoke Detector – U.S. Patent 3,460,124 – Randolph Smith - August 5, 1969 made the world a little safer. Some inventions like the Light Bulb - U.S. Patent 223,898 –Thomas Edison – January 27, 1880, the Flush Toilet - U.S. Patent 1,107,515 Phillip Haas August 18, 1914, changed the world by giving people a little more luxury in their daily lives.

Others patents cover technology that represents true technological breakthrough, changing the way we live. Inventions like Air Conditioning – U.S. Patent 808,897 – Willis Carrier – January 2, 1906, the Airplane – U.S. Patent 821,393 – Orville and Wilbur Wright – May 22, 1906, Transistor – U.S. Patent 2,502,488 – William Shockley – April 4, 1950, Artificial Heart – U.S. Patent 3,641,591 – Willem Kolff – February 15, 1972, DNA Fingerprint – U.S. Patent 5,175,082 – Alec Jeffreys – December 29, 1992.

Another group of patents represent “Americana Patents”, something we all know and have grown up with. Inventions like the Ouija Board - U.S. Patent 446,054 – Elijah Bond- November 10, 1891, the Slinky- U.S. Patent 2,415,012 Richard James January 28, 1949, the Pez Dispenser – U.S. Patent 2,620,061 Oskar Uxa December 2, 1949, the Etch A Sketch- U.S. Patent 3,055,113 Arthur Grandjean July 23, 1959, the Lava Lamp- U.S. Patent 3,570,156 Edward Walker – March 16, 1971, the Chia Pet – U.S. Patent 5,549,500 Ron Manoah – February 24, 1994 have not really changed our world but have provided maybe just a little fun to it.

With the wide range of patents that exist, it is not surprising to find some patents that are more amusing than others. Some require a description, and others even after a description remain obscure. One such invention is the Chicken Goggles – U.S. Patent 730,918 - Andrew Jackson, Jr. June 16, 1903. This amusing patent is for chicken goggles. The purpose is to protect chickens from each other and also from themselves. Chickens, believe it or not, are very blood thirsty animals. When a chicken receives an injury that involves bleeding the worst thing it can do is hang around the other chickens, because the other chickens will go into a frenzy pecking at the wound many times killing or maiming the hurt chicken. The goggles were given rose tinted lenses to camouflage the sight of blood from the chicken so they don’t attack other chickens that are bleeding. Not only do the lenses help prevent these frenzies they also protect the chickens eyes from injury. Another obscure invention is the Escapable Coffin – 81,437 - Franz Vester August 25, 1868. This patent addresses one that by today’s standards is very unusual. In the 1860’s doctors could incorrectly declared a person dead. The patients would be buried alive and might eventually wake up inside their coffin alive and buried. This was

understandably a mistake that needed to be rectified. Seeing this problem Franz Vester of Newark New Jersey came up with a solution to this fatal problem. The idea was the escapable coffin. Some patents do not cover tangible things for instance the System for measuring metabolic gas emissions from animals United States Patent 5,265,618 issued November 30, 1993. This patent discloses a system is disclosed which measures the flux of metabolic gas emissions from cattle or other animals The system does not require that the animals be confined to a chamber or stall. Another weird invention is a Collar apparatus enabling secure handling of a snake by tether United States Patent 6,490,999 issued December 10, 2002. This patent discloses a collar for a snake which when wrapped around the body portion of the snake would allow one to control the snake's motion. Another invention that does not involve a tangible thing is a method of exercising a cat United States Patent 5,443,036 August 22, 1995. This patent discloses a method for inducing cats to exercise consists of directing a beam of laser light produced by a hand-held laser apparatus onto the floor or wall or other opaque surface in the vicinity of the cat, then moving the laser so as to cause the bright pattern of light to move in an irregular way fascinating to cats, and to any other animal with a chase instinct. Another example of the patent office's open-mindedness is the Toilet tank aquarium United States Patent 5,983,411 November 16, 1999. This patent discloses a new toilet tank assembly aquarium for housing aquatic creatures. The assembly includes a toilet bowl assembly with a toilet tank assembly coupled to the toilet bowl assembly. One of the best, and most weird, patent that is on file today is the Flatulence deodorizer United States Patent 6,313,371 issued November 6, 2001. This patent discloses a pad to be worn

by a user for absorbing gas due to flatulence thereby avoiding social embarrassment in public.

If you wish to see any of these patents for further review or if you want to see new patents issued each Tuesday these be viewed without charge on www.uspto.gov. Hopefully, we appreciate that in addition to the very serious patents that effect our lives, there are a number of important, interesting and somewhat sublime patents that are not obstacles for the development of cosmetic products, and can in fact make us smile.

References

1. U.S. Patent 2,090,430 to Stroll Arthur et al, entitled *Lysergic Acid Amides and Process for Their Manufacture* issued August 17, 1937.
2. U.S. Patent 2,359,588 Issued October 3, 1944 to Stroll Arthur et al, Entitled: *Hydrazides of Dihydro Lysergic Acid and Dihydro Iso-lysergic Acid and a Process for their Manufacture.*
3. U.S. Patent 2,736,728 Issued February 28, 1956 to Pioch entitled *Preparation of Lysergic Acid Amides.*
4. U.S. Patent 3,169,907 issued February 6, 1965 to Heusser Jean et al, Entitled *Method of Relieving Migraine with 5 allyl-5(hydroxy propyl) Barbituric Acid,.*