

Patents and Trust

From Traditional to Online Environments

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Introduction

The patent system is effectively regarded as “a contract between the invention and society at large.” In other words, the patent set out to grant the inventor exclusive rights for limited time in return for the disclosure of invention in order to stimulate innovation and contribute economic growth. While the use of information technology has certainly promoted the realization of such goal, e.g. facilitating processing patent application, enhancing patent dissemination, etc., it’s not clear how this will influence the presentation of patent information, further, potential users’ perception of the trustworthiness of patents presented to them.

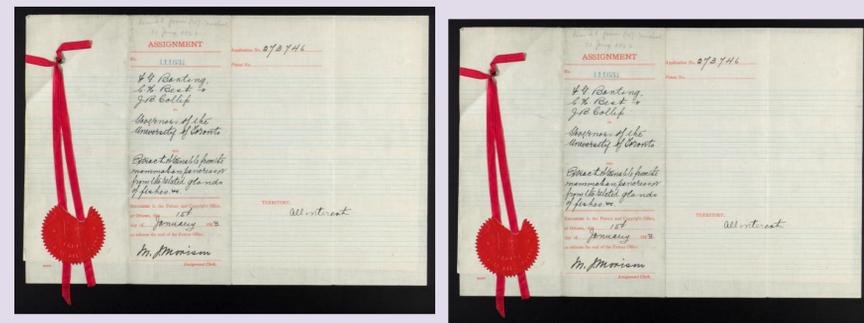
Insulin Patents at the University of Toronto

The collections of the Discovery of Insulin at the University of Toronto are reliable archival evidence of the discovery and development of insulin, one of the most significant medical discoveries of the 20th century. In light of its global significance, the collections were inscribed into UNESCO’s Memory of the World Register in 2013. The collections have been digitalized recently in order to enhance access. In addition to medical significance, the collections are invaluable resources for study of the world’s patent systems in early 20th century thanks to the international scope of the insulin patents obtained. The present research has utilized these resources to explore the presentation of paper, digitalized, and born-digital patents in the online environments.

More specifically, this poster aims to answer the following three questions,

1. How did the patent laws and practice prescribe the form of Letter Patents in the United States and Canada in the early 20th century?
2. How are digitalized Letter Patents presented online?
3. How are born-digital Letter Patents presented online?

In light of the extended international user group, it’s expected that how users from different cultures will perceive the patent is also a potential issue. By virtue of this, we conducted a comparative study of United States and Canadian patent system.



The Forms of the Letter Patents in US and Canada

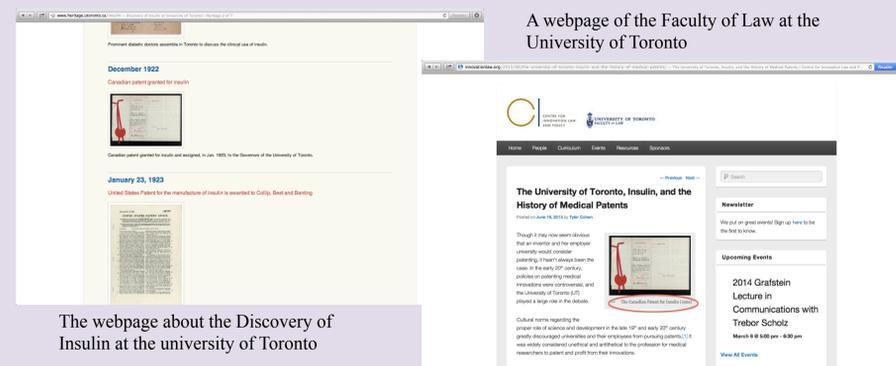
- The first American insulin patent 1,469,994 was issued on Oct. 9th, 1923, when the United States’ patent system was governed by the Patent Act of 1870.
- The first Canadian insulin patent CA 234336 was granted on Sep. 18th, 1923, when Canadian’s patent system was under the transition from the R.S.C. 1906, Chap. 69 to the Patent Act of 1923. However, since there is no significant difference between the R.S.C. 1906, Chap. 69 and the Patent Act of 1923 on the patent application form. This issue is

not relevant here.

- The Letters Patent basically has incorporated the content of the specification with a protocol (in the sense of Diplomats).
- We were not able to identify any source concerning the forms of the Letters Patents, but by virtue of the relationship between the specification and the Letter Patents. The form of the specification could give us a sense of the Letter Patents.
- As shown from the above two pictures, essentially the forms of the specifications are the same.

How Are Digitalized Letter Patents Presented on the Discovery of Insulin Websites?

We couldn’t find in the collections of the Discovery of Insulin either the original Letter Patents 1,469,994 or the original Letter Patents CA 234336. While the digitalized version of 1,469,994 is available online, there is simply no display of CA 234336 on the Discovery of Insulin website. As shown in the following screenshots, when they introduce the grant of Canadian patent, what they use for illustration is actually the assignment of the patent. Moreover, the second case even identifies the assignment as “the Canadian Patent”.

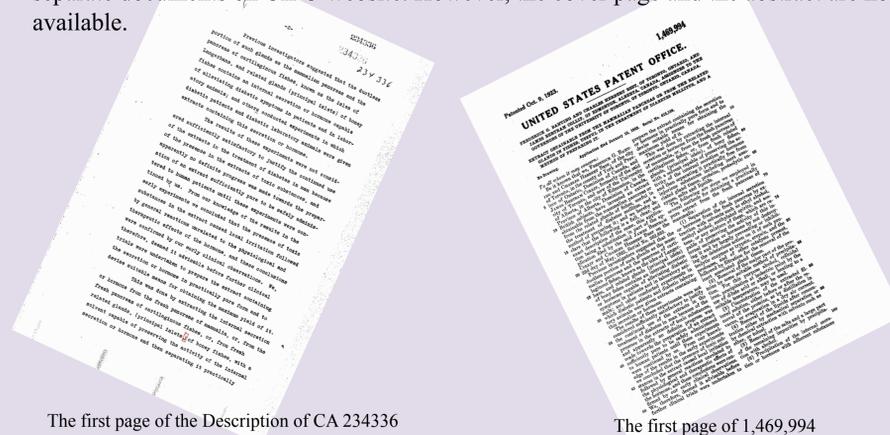


The webpage about the Discovery of Insulin at the university of Toronto

A webpage of the Faculty of Law at the University of Toronto

How Are Digitalized Letter Patents Presented on the USPTO and CIPO Websites?

- For 1,469,994, the one offered in USPTO website is the same as the digitalized one displayed on the Discovery of Insulin website.
- For CA 234336, its description, claims, and drawings of the Letters Patent are available as separate documents on CIPO website. However, the cover page and the abstract are not available.

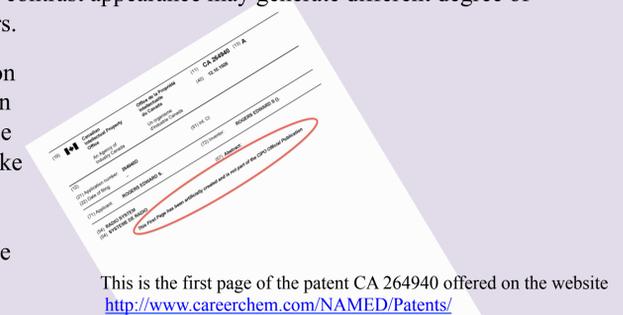


The first page of the Description of CA 234336

The first page of 1,469,994

- Moreover, while CIPO describes that CA 234336 was granted on Sep. 18th, 1923, the Discovery of Insulin websites states that the patent was obtained in December, 1922.
- Actually, the description and drawing of CA 234336 are identical to the counterpart of 1,469,994. However, their contrast appearance may generate different degree of trustworthiness to the users.

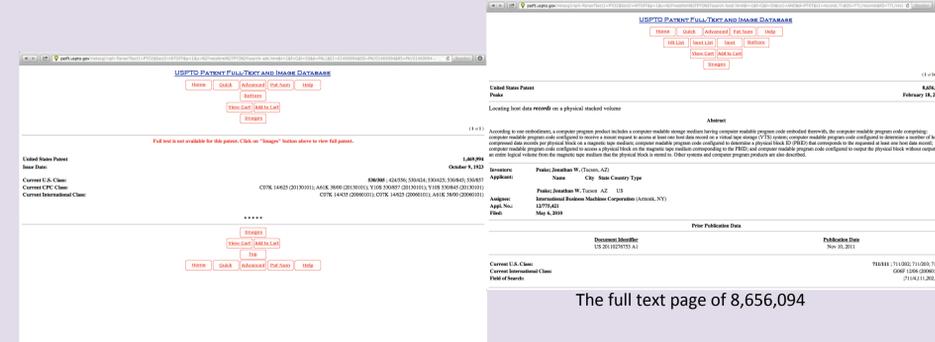
However, due to the omission of cover page and abstract on CIPO’s website, some people create artificial ones and make them available online. The trustworthiness of these “recreated” patents cannot be guaranteed.



This is the first page of the patent CA 264940 offered on the website <http://www.careerchem.com/NAMED/Patents/>

How Are Born Digital Letter Patents Presented On The USPTO Websites?

The following two are screenshots of the full text page of 1,469,994, and 8,656,094, a randomly selected born-digital Letter Patents. Apparently, the description of 1,469,994 is very limited in relation to that of born-digital patents. Moreover, we found some inconsistencies between the classification number and the classification schedule.



The full text page of 1,469,994

The full text page of 8,656,094

Conclusion

Though known as one of the notable chemical patents of the 19th and 20th centuries, the dissemination of CA 234336 seems doesn’t match such significance. The original Letter Patent of CA 234336 can not be found in the collections of Discovery of Insulin. No digitalized version is on display on the website. The one offered by CIPO is not complete. The description of 1,469,994 on USPTO website is very limited. Moreover, effort from unknown parties to create artificial first page can be discerned. All these will influence users’ perception of the trustworthiness of Letter Patents presented to them.

Acknowledgement

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