

ADDENDUM

House Report No. 1129, Seventy-first Congress second session

PLANT PATENTS

APRIL 10, 1930.—Referred to the House Calendar and ordered to be printed

Mr. VESTAL, from the Committee on Patents, submitted the following

REPORT

[To accompany H. R. 11372]

The Committee on Patents, to whom was referred the bill (H. R. 11372) to provide for plant patents, have considered the same and report thereon with amendments, and, as so amended, recommend that the bill do pass.

As to the two committee amendments, one adds to the bill the usual separability clause and the other eliminates from the scope of the bill patents for varieties of plants which were introduced to the public prior to the approval of the Act.

I. PURPOSES OF THE BILL

The purpose of the bill is to afford agriculture, so far as practicable, the same opportunity to participate in the benefits of the patent system as has been given industry, and thus assist in placing agriculture on a basis of economic equality with industry. The bill will remove the existing discrimination between plant developers and industrial inventors. To these ends the bill provides that any person who invents or discovers a new and distinct variety of plant shall be given by patent an exclusive right to propagate that plant by asexual reproduction; that is, by grafting, budding, cuttings, layering, division, and the like, but not by seeds. The bill does not provide for patents upon varieties of plants newly found by plant explorers or others, growing in an uncultivated or wild state.

STIMULATION OF PLANT BREEDING

To-day the plant breeder has no adequate financial incentive to enter upon his work. A new variety once it has left the hands of the breeder may be reproduced in unlimited quantity by all. The originator's only hope of financial reimbursement is through high prices for the comparatively few reproductions that he may dispose

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of during the first two or three years. After that time, depending upon the speed with which the plant may be asexually reproduced, the breeder loses all control of his discovery. Under the bill the originator will have control of his discovery during a period of 17 years, the same term as under industrial patents. If the new variety is successful, the breeder or discoverer can expect an adequate financial reward. To-day plant breeding and research is dependent, in large part, upon Government funds to Government experiment stations, or the limited endeavors of the amateur breeder. It is hoped that the bill will afford a sound basis for investing capital in plant breeding and consequently stimulate plant development through private funds.

In addition, the breeder to-day must make excessive charges for specimens of the new variety disposed of by him at the start in order to avail himself of his only opportunity for financial reimbursement. Under the bill the breeder may give the public immediate advantage of the new varieties at a low price with the knowledge that the success of the variety will enable him to recompense himself through wide public distribution by him during the life of the patent. The farmers and general public that buy plants will be able promptly to obtain new improved plants at a more moderate cost.

No one has advanced a just and logical reason why reward for service to the public should be extended to the inventor of a mechanical toy and denied to the genius whose patience, foresight, and effort have given a valuable new variety of fruit or other plant to mankind.

This bill is intended not only to correct such discrimination, but in doing so it is hoped the genius of young agriculturists of America will be enlisted in a profitable work of invention and discovery of new plants that will revolutionize agriculture as inventions in steam, electricity, and chemistry have revolutionized those fields and advanced our civilization.

On this point the late Luther Burbank has said:

I have been for years in correspondence with leading breeders, nurserymen, and Federal officials and I despair of anything being done at present to secure to the plant breeder any adequate returns for his enormous outlays of energy and money. A man can patent a mousetrap or copyright a nasty song, but if he gives to the world a new fruit that will add millions to the value of earth's annual harvests he will be fortunate if he is rewarded by so much as having his name connected with the result. Though the surface of plant experimentation has thus far been only scratched and there is so much immeasurably important work waiting to be done in this line I would hesitate to advise a young man, no matter how gifted or devoted, to adopt plant breeding as a life work until America takes some action to protect his unquestioned rights to some benefit from his achievements.

The only possible objection to such a measure as the present bill might come from a few propagators who would wish to continue their custom of unfairly appropriating the life work of the plant developers who have contributed their time and funds but have been helpless against this form of piracy under existing laws. The history of the men who have originated, developed, and introduced new plants of inestimable value to humanity and have died in poverty, amply demonstrates that this practice should be outlawed.

The committee fully concurs in the statements of leaders of agriculture who have expressed the opinion that this is one of the most constructive measures ever proposed for the permanent benefit of agriculture.

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ECONOMIC BENEFIT TO AGRICULTURE AND THE PUBLIC

The food and timber supply of the Nation for the future is dependent upon the introduction of new varieties. Many millions of Federal and private funds are annually spent in combating disease through plant quarantines, disinfection, spraying, and other methods. The phony peach disease has threatened the important peach supply of Georgia and the welfare of one of the most important industries of that State. The chestnut blight has wiped the eastern forests clean of the valuable chestnut tree. The white-pine blister rust threatens the white-pine forests. The plant pathologist has through his experiments attempted with but slight success to combat these plant diseases. But an equally valuable means of combating plant disease is the development of new disease-resistant varieties by the plant breeder. The bill proposes to give the breeder the incentive to develop such varieties without the aid of Federal funds.

Similarly, the development of drought-resistant and cold-resistant varieties of plants is of great importance to agriculture. An apple with greater resistance to cold is one of the demands of the northern portion of the country. We must look to the plant breeder for an acceptable substitute for rubber. The improvement of medicinal plants is an unexplored field. The spectacular development of new classes of plants, such as the loganberry and many of Burbank's products, is only a small part of the economic benefit to the country afforded by successful plant breeding.

No one will question the fact that new varieties of food, medicinal, and other economic plants may be an important factor in maintaining public health and in promoting public safety and national defense. Thus the food supply of the Nation, both from the viewpoint of the producer and the user, is of vital importance, and insurance against failure in that supply is necessary to public safety and national prosperity. Plant breeding and discovery, while in its infancy, is fundamentally connected with the Nation's food supply, and will, if encouraged and developed, be of incalculable value in maintaining public health and prosperity, and in promoting public safety and the national defense. Finally, plant patents will mean better agricultural products that will give the public more actual value for its dollar.

II. BILL GENERALLY ADVOCATED

The proposed legislation has been generally advocated. The Secretary of Agriculture, whose letter appears in full in Appendix A to this report, states that—

The proposed legislation would appear to be desirable and to lend far-reaching encouragement to agriculture and benefit to the general public.

Mr. Thomas A. Edison states that—

Nothing that Congress could do to help farming would be of greater value and permanence than to give to the plant breeder the same status as the mechanical and chemical inventors now have through the patent law. There are but few plant breeders. This [the bill] will, I feel sure, give us many Burbanks.

Mrs. Luther Burbank has telegraphed as follows:

Informed that Congress is considering bill to protect through patent machinery the rights of plant breeders and experimenters to a share in the commercial returns of their discoveries in fruits and flowers. I hasten to acquaint you

with Luther Burbank's work with plants. I have been discouraged to have been unable to read his writings and I that most plant breeders are losing their extra revenues and that would be in the long run giving them

The proposed bill of Agriculture, American Federation of Agriculture, nurserymen amended by:

New and hybrid results from distinct varieties. In the results from varieties of distinct identity or self-pollinated character. These are the bill. The exclusive is in no sense followed agricultural

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with Luther Burbank's very strong feeling in this connection. He said repeatedly that until Government made some such provision the incentive to creative work with plants was slight and independent research and breeding would be discouraged to the great detriment of horticulture. Mr. Burbank would have been unable to do what he did with plants had it not been for royalties from his writings and from other by-product lines of activity, but it must be remembered that most plant breeders and experimenters do not reach posts where any such revenues are available to them until too late in their lives to help them in financing their extremely expensive work. If Mr. Burbank were living I know he would be in forefront of the campaign to secure protection for other devoted men giving their lives to this service to mankind.

The proposed legislation has been indorsed by former Secretary of Agriculture Jardine, the National Horticultural Council, the American Association of Nurserymen, the American Farm Bureau Federation, the National Grange, and many State commissioners of agriculture, experiment station officials, and individual growers and nurserymen. The Commissioner of Patents approves the bill as amended by the committee.

III. EXPLANATION OF PROVISIONS OF BILL

CLASSES OF NEW VARIETIES

New and distinct varieties fall into three classes—sports, mutants, and hybrids.

In the first class of cases, the sports, the new and distinct variety results from bud variation and not seed variation. A plant or portion of a plant may suddenly assume an appearance or character distinct from that which normally characterizes the variety or species.

In the second class of cases, the mutants, the new and distinct variety results from seedling variation by self pollenization of species.

In the third class of cases, the hybrids, the new and distinct variety results from seedlings of cross pollenization of two species, two varieties, or of a species and a variety. In this case the word "hybrid" is used in its broadest sense.

All such plants must be asexually reproduced in order to have their identity preserved. This is necessary since seedlings either of chance or self-pollenization from any of these would not preserve the character of the individual.

These cultivated sports, mutants, and hybrids are all included in the bill, and probably embrace every new variety that is included. The exclusion of a wild variety, the chance find of the plant explorer, is in no sense a limitation on the usefulness of the bill to those who follow agriculture or horticulture as a livelihood and who are permitted under the bill to patent their discoveries.

PATENT GRANTS RIGHT OF ASEXUAL REPRODUCTION ONLY

Whether the new variety is a sport, mutant, or hybrid, the patent right granted is a right to propagate the new variety by asexual reproduction. It does not include the right to propagate by seeds. This limitation in the right granted recognizes a practical situation and greatly narrows the scope of the bill. Whether the new variety is a hybrid, mutant or sport, there is never more than one specimen of it produced except through asexual reproduction. For example, without asexual reproduction there would have been but one true McIntosh or Greening apple tree.

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These varieties of apples could not have been preserved had it not been through human effort in the asexual reproduction of the two original trees. They could not have been reproduced true to the type by nature through seedlings. The bill, therefore, proposes to afford through patent protection an incentive to asexually reproduce new varieties. Many varieties of apples equally as valuable as the McIntosh or Greening have undoubtedly been created and disappeared beyond human power of recovery because no attempt was made to asexually reproduce the new varieties. The present bill by its patent protection proposes to give the necessary incentive to preserve new varieties. On the other hand, it does not give any patent protection to the right of propagation of the new variety by seed, irrespective of the degree to which the seedlings come true to type.

DISTINCT VARIETIES

On the other hand, in order for the new variety to be distinct it must have characteristics clearly distinguishable from those of existing varieties, and it is immaterial whether in the judgment of the Patent Office the new characteristics are inferior or superior to those of existing varieties. Experience has shown the absurdity of many views held as to the value of new varieties at the time of their creation.

The bill authorizes the grant of a patent only in case the new variety is distinct. In order for a variety of plant to be distinct it is not necessary that it be a variety of a new species. A variety of plant may be patented if it is a new and distinct variety either of an existing or of a new species, or if it is an entirely new species of plant.

The characteristics that may distinguish a new variety would include, among others, those of habit; immunity from disease; resistance to cold, drought, heat, wind, or soil conditions; color of flower, leaf, fruit, or stems; flavor; productivity, including ever-bearing qualities in case of fruits; storage qualities; perfume; form; and ease of asexual reproduction. Within any one of the above or other classes of characteristics the differences which would suffice to make the variety a distinct variety, will necessarily be differences of degree. While the degree of difference sufficient for patentability will undoubtedly be a difficult administrative question in some instances, the situation does not present greater difficulties than many that arise in the case of industrial patents.

In specifying the differences in characteristics the Patent Office will undoubtedly follow the practice among botanists in making use of verbal descriptions and photographic and other reproductions, taking some known plant as a basis of comparison. Modern methods of identification, together with such amplification thereof as may reasonably be expected, will render it possible and practicable to describe clearly and precisely the characteristics of a particular variety. When this can not be done by an applicant for a patent, the variety is not clearly distinguishable as a distinct variety, and no patent would issue.

Of course, allowance must be made for those minor differences in characteristics, commonly called fluctuations, which follow from variations in methods of cultivation or environment and are temporary rather than permanent characteristics of the plant.

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EXCEPTION OF TUBER-PROPAGATED PLANTS

The bill excepts from the right to a patent the invention or discovery of a distinct and new variety of a tuber-propagated plant. The term "tuber" is used in its narrow horticultural sense as meaning a short, thickened portion of an underground branch. It does not cover, for instance, bulbs, corms, stolons, and rhizomes. Substantially, the only plants covered by the term "tuber-propagated" would be the Irish potato and the Jerusalem artichoke. This exception is made because this group alone, among asexually reproduced plants, is propagated by the same part of the plant that is sold as food.

THE PREREQUISITE OF ASEXUAL REPRODUCTION

It is not only necessary that the new and distinct variety of plant shall have been invented or discovered, but it is also necessary that it shall have been asexually reproduced prior to the application for patent. A plant patent covers only the exclusive right of asexual reproduction, and obviously it would be futile to grant a patent for a new and distinct variety unless the variety had been demonstrated to be susceptible of asexual reproduction. Of course, theoretically under laboratory conditions it is probable that all plants can be asexually reproduced, but it is hardly to be expected that a patent will be applied for unless at the time of application the plant can be asexually reproduced upon a commercial scale or else there is reasonable expectation that it can be so reproduced in the near future.

COOPERATION WITH DEPARTMENT OF AGRICULTURE

The bill proposes that the President may facilitate the administration of its provisions by the Patent Office through requiring the Secretary of Agriculture, to furnish the Commissioner of Patents with available information in the department, to conduct necessary research, and to detail to the Patent Office technical employees of the department. As to this feature the Secretary of Agriculture states in his letter set forth in Appendix A to this report that—

As determinations of the newness of varieties could not be made solely upon the basis of descriptive matter and drawings, it is evident that the specimens, photographs, paintings, descriptions, etc., of existing plants, already available in various forms in the Department of Agriculture and elsewhere, will be of great value, increased in due time by extension of such collections of plants and data.

The effective administration of such legislation would require expert personnel, comparable in their lines, with the specialists now employed by the Patent Office. The technical personnel of the Department of Agriculture, although possibly inadequate to meet future demands, would be available in making such determinations as would be necessary in carrying out the purposes of such a law.

APPLICATION TO EXISTING PLANTS

The bill does not permit the patenting of plants that have been in public use or on sale for more than two years prior to application for patent, or (under the committee amendment) that have been offered generally for sale, prior to the approval of the Act. Furthermore, it was considered unnecessary to provide specifically that the bill shall permit the patenting of plants now in process of creation, under observation, under test, or in existence but not yet given to the public,



as that appears to the committee to be covered adequately by the existing provisions of section 4886 of the Revised Statutes. With reference to plants, the words "in public use or on sale" would apply to the period during which the new variety is asexually reproduced for sale.

IV. LEGAL PHASES OF THE BILL

The committee is of the opinion after careful consideration that the amendments to the patent laws proposed by the bill fall within the legislative power of Congress under Article I, section 8, of the Constitution—

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Present patent laws apply to—

any person who has invented or discovered any new and useful art, machine, manufacture, or composition of matter, or any new and useful improvement thereof * * *

It will be noted that the laws apply both to the acts of inventing and discovery and this alternative application has been true of the patent laws from their beginning. See, for instance, the patent Act of 1790 (1 Stat. 109). The amendment proposed by the pending bill to care for plant patents likewise applies to "any person who has invented or discovered" the particular variety of plant.

There can be no doubt that the grant of plant patents constitutes a promotion of "the progress of science and useful arts" within the meaning of the constitutional provision. The only question is, Is the new variety a discovery and is the originator or discoverer an inventor?

There is a clear and logical distinction between the discovery of a new variety of plant and of certain inanimate things, such, for example, as a new and useful natural mineral. The mineral is created wholly by nature unassisted by man and is likely to be discovered in various parts of the country; and, being the property of all those on whose land it may be found, its free use by the respective owners should of course be permitted. On the other hand, a plant discovery resulting from cultivation is unique, isolated, and is not repeated by nature, nor can it be reproduced by nature unaided by man, and such discoveries can only be made available to the public by encouraging those who own the single specimen to reproduce it asexually and thus create an adequate supply.

It is obvious that nature originally creates plants but it can not be denied that man often controls and directs the natural processes and produces a desired result. In such cases the part played by nature and man can not be completely separated or weighed or credited to one or the other. Nature in such instances, unaided by man, does not reproduce the new variety true to type.

Furthermore, there is no apparent difference, for instance, between the part played by the plant originator in the development of new plants and the part played by the chemist in the development of new compositions of matter which are patentable under existing law. Obviously, these new compositions of matter do not come into being solely by act of man. The chemist who invents the composition of matter must avail himself of the physical and chemical qualities inherent in the materials used and of the natural principles

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applicable to matter. Whether or not he is aware of these principles does not affect the question of patentability. The inventor of the composition of matter may have definitely in mind the new product and definitely worked toward it. On the other hand, as is true of many of the most important inventions, he may accidentally discover the product, perhaps in the course of the regular routine of his work. He does not have to show, for instance, that he mixed the elements and expected them to produce the particular composition of matter. He may simply find the resulting product and have the foresight and ability to see and appreciate its possibilities and to take steps to preserve its existence.

The same considerations are true of the plant breeder. He avails himself of the natural principles of genetics and of seed and bud variations. He cultivates the plants in his own laboratory under his own eye. He may test and experiment with them on a variety of proving grounds. He may promote natural cross-pollination by growing the parent plants in juxtaposition. For instance, because of manual difficulties artificial hand pollination is impracticable in the production of seed of the genus compositae, including such species as dahlias, chrysanthemums, asters, daisies, and the like, and also in the case of many of the small fruits. In other cases hand pollination is unnecessary; natural pollination does equally well. On the other hand, if the periods of the bloom of the two parent plants differ, hand pollination and the camel's-hair brush must be used. Again, orchids, avocados, grapes, and most orchard fruits are subjected to hand pollination. In the case of sports, the plant breeder not only cultivates the plants but may subject them to various conditions of cultivation to encourage variation, as, for example, in some recent developments, the subsection of the plants to the effects of X rays or to abnormal fertilization. Finally, the plant originator must recognize the new and appreciate its possibilities either for public use or as a basis for further exercise of the art of selection. Moreover, it is to be noted that those wild varieties discovered by the plant explorer or other person who has in no way engaged either in plant cultivation or care and who has in no other way facilitated nature in the creation of a new and desirable variety are not within the scope of the bill.

But even were the plant developer's contributions in aid of nature less creative in character than those of the chemist in aiding nature to develop a composition of matter which has theretofore been non-existent (an assumption which the committee does not believe to have basis in fact and which is here made solely for purposes of argument), nevertheless the protection by patents of those engaged in plant research and discovery would not be beyond the constitutional power of the Congress.

At the time of the adoption of the Constitution the term "inventor" was used in two senses. In the first place the inventor was a discoverer, one who finds or finds out. In the second place an inventor was one who created something new. All the dictionaries at the time of the framing of the Constitution recognized that "inventor" included the finder out or discoverer as well as the creator of something new. Thus Sheridan in 1790 defined "inventor" as "A finder out of something new," and "invention" as "discovery." Kersey in 1708 defined "invention" as "the act of inventing, or finding," and Martin in 1754 defined "to invent" as "to find out or discover."

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The word "discover" or "discovery" is given as an equivalent by Cocker in 1715 and 1724, Ash in 1775, Perry in 1795, Entick in 1786, Fenning in 1771, and Barclay in 1841. "To find" or "find out" or "finding" as a synonym of invent or inventor, was noted by Rider in 1617, Holy-oke in 1649, Coles in 1724, Johnson in 1824, Kendrick in 1773, Martin in 1754, Kersey in 1708, Sheridan in 1790, Ash in 1775, Cocker in 1715 and 1724, Entick in 1786 and 1791, Fenning in 1771, and Coxe in 1813.

The distinction between discovering or finding out on the one hand and creating or producing on the other hand, being recognized in the dictionaries current at the time of the framing of the Constitution, it is reasonable to suppose the framers of the Constitution attributed to the term "inventor" the then customary meaning. That they did not ignore the meaning of inventor as "a discoverer or finder out" is furthermore indicated by the fact that in the Constitution itself the framers referred to the productions of inventors as "discoveries."

With the development of the patent laws and modern industry the meaning of the word "inventor" as a creator of something new became the prevailing use and, while both meanings of inventor are still recognized in such modern dictionaries as Murray's New English Dictionary, Webster's New International Dictionary, and the Century Dictionary and Encyclopedia, the meaning of inventor as "a finder out or discoverer" is now considered obsolete or archaic. However, it seems to the committee that the meaning to be attached to the term "inventor" as used in the Constitution must be the meaning in general use at the time of the framing of the Constitution rather than the meaning prevailing in present-day usage.

Furthermore, there are many instances where the provisions of the Constitution have been held to embrace affairs which, while literally within the meaning of a constitutional phrase, were not conceived of by the framers at the time that the Constitution was written. For example, the power to regulate interstate commerce, which was then mainly by horse or by rowboat or sailboat, is now held by the courts to cover regulation of steam transportation, telegraphic communication, and even radio communication, matters beyond the wildest dreams of the framers of the Constitution.

An indication of the construction that the courts are likely to place on the word "inventor" in the constitutional provision can be found in their construction of the words "author" and "writer" in the same paragraph. The Constitution gives Congress power—

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.

Under this provision the original Act of May 31, 1790 (1 Stat. 124), allowed copyright of maps and charts as well as books. By successive legislation this right was extended to include photographs, statues, models, and designs. (See, for instance, 35 Stat. 1075.) It might well be doubted whether map makers, chart makers, photographers, sculptors, modelers, and designers were "authors," and whether maps, charts, photographs, statues, models, and designs were "writings," but the constitutionality of this legislation has been sustained from the beginning. Thus in *Lithographic Co. v. Sarony* (1883, 111 U. S. 53) it was contended that a photograph was not a

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writing nor the production of an author, but the Supreme Court sustained the statute allowing a copyright for photographs.

As to copyrights there was doubt on two words, "authors" and "writings," which certainly do not have in ordinary speech such broad meanings as Congress and the Supreme Court have given them. But the court had no difficulty in sustaining a sufficiently liberal construction. As to patents the doubt is only as to the one word, "inventors." The word "discovery" aptly describes the situation when a new and distinct variety of plant is found and "inventors" is certainly as elastic a word as "authors." It is not to be expected that the courts would place themselves in the position of impeding the progress of the science and useful art of agriculture by holding to so narrow a definition of the word "inventor" as to find that the proposed legislation was undoubtedly beyond the power of the Congress.

APPENDIX A. LETTER OF SECRETARY OF AGRICULTURE

(NOTE.—The letter of the Secretary of Agriculture is addressed to the proposed legislation as originally introduced as H. R. 9765 of the present session. There are, however, only minor differences between that bill and the bill reported by the committee.)

DEPARTMENT OF AGRICULTURE,
Washington, D. C., March 17, 1930.

Hon. A. H. VESTAL,
House of Representatives, Washington, D. C.

DEAR MR. VESTAL: I acknowledge your letter of March 12, asking for our opinion regarding H. R. 9765, to amend section 4886, of the Revised Statutes, introduced by Congressman Furnell.

The evident purpose of this bill is to encourage the improvement of some kinds of cultivated plants, both through breeding and discovery of better varieties, by granting to the breeders or finders of new and distinct varieties of such plants the exclusive control over the reproduction of their creations and discoveries, presumably for the same period of years now covered by patents on inventions. This purpose is sought to be accomplished by bringing the reproduction of such newly bred or found plants under the patent laws which at the present time are understood to cover only inventions or discoveries in the field of inanimate nature. This it is proposed to accomplish by amending section 4886 of the Revised Statutes so as to make it possible to patent "any new and distinct variety of an asexually reproduced plant other than a tuber-propagated plant or a plant which reproduces itself without human aid." The operation of the present law is understood to rest upon the filing by the inventor of such properly authenticated verbal descriptions, designs, drawings, or other descriptive matter as will fully disclose the nature of his invention or discovery, thereby enabling one skilled in the art to which it relates to make effective practical application of the invention or discovery.

Bill H. R. 9765 proposes in effect to authorize the patenting of certain distinguishable forms of plants which are capable of reproduction and multiplication through the operation of physiological processes with human aid.

Page 2, lines 8 to 13, which in the bill read as follows, "Provided, That the words 'invented' and 'discovered' as used in this section, in regard to asexually reproduced plants, shall be interpreted to include invention and discovery in the sense of finding a thing already existing and reproducing the same as well as in the sense of creating," interpreted in the light of agricultural and horticultural experience and history, would appear to make possible the patenting of the reproduction of any new and distinct variety wherever discovered, provided it meets the other specifications of the bill.

This possibility of reward would undoubtedly influence the public to be more observant of plants and thus tend to prevent the waste of many valuable new varieties which occur naturally but are now lost to mankind through neglect or lack of appreciation of their value.

As determinations of the newness of varieties could not be made solely upon the basis of descriptive matter and drawings, it is evident that the specimens, photographs, paintings, descriptions, etc., of existing plants, already available in various forms in the Department of Agriculture and elsewhere, will be of great value, increased in due time by extension of such collections of plants and data.