

## As Time Goes By – Patent Office is Saved and an Association Born

The logo on the first page of each NYIPLA Bulletin attests to the NYIPLA's birth in 1922. Perhaps you may wonder why it happened then, and not at some earlier or later time.

By way of contrast, Chicago's sister organization, the Intellectual Property Law Association of Chicago, was founded almost four decades sooner in 1884. Its founding was so early, in fact, that, at its inception, it was simply named the "Patent Law Association" – the first of its kind in the nation.

As it turns out, the idea of creating our Association went hand-in-hand with a need to urgently organize and mobilize patent attorneys in the New York region to respond to a patent crisis. The crisis concerned lack of adequate United States Patent Office funding that hampered the Office's operations and ability to provide adequate pay to its employees.

Things were so bad that, in his annual report of September 8, 1921, the Commissioner of Patents succinctly stated: "Sir: I have the honor to submit herewith the following report of the business of the United States Patent Office for the fiscal year ended June 30, 1921: The Patent Office is in a deplorable condition."

Since no patent law association existed in the New York region, the Commissioner of Patents reached out to general bar associations for help. It was the New York County Lawyers Association ("NYCLA"), which had been established a decade earlier in 1908, that took up the gauntlet to save the day. From its inception, that organization prided itself as being both democratic and activist. The Chair of the NYCLA's Committee on Patents and Trademarks in 1921 was William Houston Kenyon, who was destined to serve as NYIPLA President from 1922-25. Mr. Kenyon held a meeting of interested persons on November 29, 1921 at the NYCLA offices, located at the time at 165 Broadway.



The meeting had a short-term goal and a longer-term one. The short-term goal was to help save the Patent Office by lobbying federal legislators, particularly those from

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New York, to pass a pending bill to enhance Patent Office funding. In order to accomplish that goal, a committee was established. It was called the "Committee of the New York Patent Bar on Relief of the Patent Office." In December of 1921 the Committee sent a delegation to Washington, D.C. to lobby New York members of Congress in what became a successful effort to get the bill passed.

The longer-term goal related to establishing a permanent organization devoted to patent law. Richard Eyre, who was destined to become NYIPLA President in 1930-31, explained the concept as follows: "there has been suggested that a . . . committee be asked to perfect plans for a permanent organization in this city for persons professionally interested [in] patents whether as lawyers, solicitors only or as experts so that we can get [such] quick action (on patent-related issues). This difficulty of getting everybody together and find[ing] who to get is avoided and can perhaps be somewhat approaching the organization that exists in Chicago and the other states [sic-cities?] in the power that we can exert and also in becoming known to each other and so I have [as] a suggestion . . . for this meeting that can serve at least for the present."

And so it was that, on November 29, 1921, the idea for the NYIPLA was verbalized and a resolution adopted that would enable our Association to become a reality. To that end, another committee was established, this one chaired by William H. Davis, and having as additional members William R. Kennedy, Oscar Jeffery, Edwin M. Bentley and Albert F. Nathan. Mr. Davis went on to become NYIPLA President in 1932-33, and Mr. Jeffery in 1933-34.

Early in 1922, the NYIPLA was founded. At a meeting held on March 7, 1922 at NYCLA offices a constitution and by-laws for our Association were adopted. Later that year, on December 6, 1922, a total of 252 persons attended the first NYIPLA Dinner in Honor of the Judiciary at the Waldorf Astoria. In addition to Judges Learned and Augustus Hand, the attendees included nine other judges, the Commissioner of Patents, and the presidents of the Chicago, Cleveland, Pittsburg and American patent law associations. Happily, the tradition continues!

With kind regards,

Dale Carlson