

ably needing a course of sprouts. We told in ¶ 35-7ff. how the patent system of 1474 was an ill-adapted and essentially unsuccessful institution for its first two or three centuries; then flourished for a century or two in the age of small, entrepreneur capitalists, of *laissez-faire*, and invention by rather specialized technologist inventors, not much guided by science, nor ever organized in laboratories. But since 1885 in America (chart 1) and elsewhere the patent system has fallen into a steep and profound decline relative to inventing, in this new age of laboratories and science, big business, big government and big wars. Perhaps patents are not so well adapted to all these, as to the small capitalism and elementary science of the previous age.

[323] Reviewing this chapter 7, on the Basic Merits and Faults of the Patent System, we conclude that its various merits are still cogent, but for a declining proportion of invention. Its defects however are ever more felt, as the natures of invention, business, and Government change—the defects of uniformity, unadaptability, dislocations of inventive and economic effort, doubtful and delayed remuneration, *penalization of novelty*, fostering industrial monopoly, excessive and insufficient rewards, the direct costs of operating the patent system, encouragement more than obviation of secrecy, the mutual obstruction of patents, and invalid and improper patents, unavoidable under our system of granting patents with so brief consideration, with an average of 24 hours consideration, and yet with years of delay.