

Patent Database opens door to weirdness

IP column published in *The Lawyer Weekly Magazine*

January 22, 1999

Edward Hore
Hazard & Hore
141 Adelaide Street West, Suite 1002
Toronto, ON M5H 3L5
(416) 868-1340
edhore@hazardandhore.com

Canada's new patent database went on line at the end of November (<http://patents1.ic.gc.ca/intro-e.html>). You can look at any Canadian patent or application granted since 1920, including the disclosure, the claims and the drawings. Previously, you could get only limited information the patent number, date of application and issue, and the abstract, a kind of quickie summary.

There's an easy-to-use search engine. Searching the database cannot replace a full search by an experienced searcher at the patent office, but it's quick and easy to do a preliminary search, or just surf around for fun.

The database will be a great tool for patent lawyers and patent agents, of course. It's also likely to be helpful for people trying to solve technical problems because can go on the database, and tinker, seeking inspiration.

This goes a long way to remedying an old problem with patents; the disclosures are supposed to help everyone, but have previously been too inaccessible to be of much use to most people. The idea that patents should disclose how technology works to the public at large is key to the whole idea behind patents. In return for getting exclusive rights on the inventor for seventeen or twenty years, the inventor explains to the public how the new technology works. The inventor must disclose his or her invention fully in the patent document in language understandable to persons skilled in the art. Once the patent expires, anyone is entitled to use the invention.

In practice, this benefit has been more theoretical than real because the patent office is not accessible for most people, and doing a search in the patent office takes expertise that most people do not have.

But now anyone can go on the database, and just fiddle around, looking for weird and wonderful new technology. Surfing the database is an entertaining way to explore the ingenuity, industriousness and sheer wackiness of inventors.

Here are some patent documents I found:

No. 00540795 for a Motorized Pogo Stick, issued May 14, 1957. Pogo your brains out!

No. 01087052 for a flyswatter pistol, issued October 27, 1980. No more swatting flies manually. Instead, you aim and shoot from the comfort and safety of your armchair. Whap! The fly won't know what hit it.

No. 02055475 for a Collapsible Hula Hoop, issued Mar. 31, 1998. Hula hoop just too darn big for the dune buggy? Finally, someone has solved this age-old problem. Now you can even keep your hula hoop in your briefcase. Perfect for livening up dull meetings.

No. 02166728 for a Convertible Hat and Catching Glove, laid open January 19, 1995. For years baseball players had to wear a cap, while also lugging around a separate baseball glove. No more! With this nifty invention, your baseball glove serves a stylish and practical hat when no flyballs are coming.

No. 02144998, laid open September 18, 1996. A major breakthrough in scarecrow technology. Instead of just standing out in your cornfield, this smart scarecrow detects the approach of crows electronically, and scares them using appropriate stimuli, such as spraying or flapping its arms. But can it sing, "If I only had a brain"?

No. 02175413, laid open November 2, 1996 for a Water Pistol and Puppet Assembly. This nice friendly-looking puppet contains a hidden squirt gun! Your kids will love it. Can also be adapted for use by bankrobbers.

No. 02201525 for a Snow Vehicle with Pedal Propulsion, laid open October 3, 1997, and No. 02051316 for a Snow Cycle Attachment for Bicycle Frame, laid open March 18, 1992. Who would have thought two inventors on one planet could both invent bikes on skis. Both will be great for your next biking holiday on Ellesmere Island.

No. 02123542, entitled METHOD OF MANAGING OBESITY IN DOMESTIC ANIMALS, laid open November 14, 1994. Is your cat too fat? This application by Ralston Purina discloses an allegedly novel solution: put the cat on a diet. Claim 1, in its entirety, reads as follows:

1. A method of reducing the body weight of a domestic animal comprising the steps of:
 - performing a semi-quantitative [sic] assessment of body composition of such domestic animal;
 - weighing such domestic animal; determining an appropriate amount of a food to feed such animal, said food having a predetermined fat, fiber and caloric content;
 - feeding such animal said pet food having a predetermined fat, fiber, and caloric content; and

reassessing said animal at a regular interval to determine such animal's response to said feeding.

If this application ever issues, prudent pet-owners will be well advised to ensure their cats and dogs remain obese at all times. Any pet weight loss could result in complex patent infringement problems.

Since we're talking about Canadian patents here, it seemed patriotic to search the database to determine many patents or application claim new inventions relating to hockey sticks or pucks. The answer: 72 patents or laid-open applications for hockey pucks, and 173 for hockey sticks.

Happy surfing!