

and phytosanitary measures and *codex alimentarius* standards. There is also need for launching a Jal Swaraj and Water Literacy Movement. Above all, there is need for a paradigm shift from jobless to job-led growth in order to ensure that every poor person is enabled to earn his or her daily bread.

In a predominantly rural and agricultural country like India, agricultural progress (i.e. crop and animal husbandry, fisheries, forestry and agro-forestry and agro-processing) will be the most effective social safety net against hunger and poverty. Hence, the ongoing fatigue of the green revolution in wheat, rice and

other major crops should be converted into an evergreen revolution designed to promote productivity improvement in perpetuity without associated ecological harm. Agricultural and rural development, if given adequate and appropriate attention, will help the country to take to the path of job-led economic growth.

Our substantial grain and foreign exchange reserves and the three million elected women and men members of local bodies have provided us with an uncommon opportunity for launching a frontal attack on hunger and poverty. It will be a tragedy if we do not act, when we are in a position to act.

To conclude, the 'Agenda 2007: Hunger-Free Area Programme' should keep in mind the following advice of Gandhiji given before his death.

'Forget the past. Remember every day dawns for us from the moment we wake up. Let us all, every one, wake up now'.

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FROM THE ARCHIVES



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Research Workers and the Patent System*

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The first question which arises before the mind of a person who has made an invention is whether it is desirable for him to protect it by means of a patent. Presuming that the inventor can take out a patent for his invention, this question can be considered either from the standpoint of an inventor who from purely altruistic motives wants to make his invention freely available to the public so that they may enjoy its full benefits, or from the point of view of an inventor who has the motive of enjoying as many of the benefits of his invention as possible. To decide whether it will be worth the inventor's while to take out a patent

in order to achieve either of the two above-mentioned objects, a thorough estimate of the assets and liabilities which will accrue to the inventor by taking out a patent for his invention must be made.

Before trying to analyse what will be on the credit and the debit sides if a person takes out a patent, it will not be out of place here to refer to a few misconceptions about the patent system, which are prevalent in the minds of many people.

There is a class of people who seem to think that a patent is akin to a certificate of merit whereby the utility claimed for the inventions is endorsed by the Government. This is not so. By the grant of the Patent rights, the Patent Office does not in any way vouch for all that is expounded or claimed by the patentee.

Another misconception is, that by possessing a patent a person would be able to manufacture an article by a slight alteration of a manufactured article based on an existing patent, so that the new article produced embodies all the essential features of the old one in addition to slight variations in non-essential details. This also is not true, as a later patent can in no circumstances prejudice the rights of an earlier patentee.

Now, a patent is a privilege or a right conferred by the Government by which the patentee can enjoy the exclusive right of working the patented invention, or authorising others to do so, as long as the patent right is in force. This right, how-

ever, is conferred on him subject to the condition that he makes a complete disclosure of his invention so that after the termination of the patent, the public would be able to make a free use of his invention. Other conditions which are imposed on him are, that he would not exercise his patent injuriously to the public, or in restraint of trade, or for illegal or immoral purposes, and that he would continue to pay an annual fee to keep the patent in force for the period for which the patent has been granted.

Let us now examine how an inventor who decides to take out a patent for his invention benefits himself under the Patent System. As already pointed out, a patent gives an inventor the right whereby he can enjoy the exclusive privilege of working his invention. Hence, with a patent for an invention in his possession, even the most impecunious inventor can approach a financier on terms of equality and arrive at a satisfactory financial agreement with him with regard to the exploitation of his invention. The prospect of a monopoly will also induce the financier to undertake the exploitation of the invention. Hence there is no danger of any useful inventions going waste or of their being exploited by others without an adequate and equitable reward. This will facilitate the progress of negotiations between inventors and manufacturers for the purpose of commercially developing the inventions to their mutual benefit.

*The views contained in this article reflect the views of the author only and do not represent those of the Government and should not be taken as committing the Government in any way.