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## Cleveland State Law Review

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Volume 9  
Issue 1 *Intellectual Property (A Symposium)*

Book Review

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1960

### Book Review

Rathuel L. McCollum

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#### Recommended Citation

Rathuel L. McCollum, Book Review, 9 Clev.-Marshall L. Rev. 190 (1960)

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states, Puerto Rico, the District of Columbia, the two new states (Alaska and Hawaii), and the provinces of Canada. In addition the author has reserved some sections for the future. Approximately one-third of this volume is devoted to valuable resumes of the statutes in the various jurisdictions. These include Statutes as to Shares (Stock) (Chapter 46), Statutes as to Stockholders (Chapter 47), Statutes as to Amendments (Chapter 52), Statutes as to Dividends (Chapter 54), Statutes as to Voting Rights (Chapter 57) and Statutes as to Books, Records and Reports (Chapter 60). Subsequent chapters explain these subjects in an easy-reading, text book style. Each group of statutes is followed by chapters of discussion of the subjects of the statutes, and the case law and practice.

The material in this volume figuratively follows Mr. John Q. Public from the moment he becomes a subscriber to the time when he sells his shares, with many of the intermittent problems dealing with taxes, shareholder agreements, restrictions on transfer, proxies, methods of vote control, stockholders' rights and duties and actions, and so on.

Three very interesting chapters concern the problems of Treasury Stock (Chapter 64), the ever-growing Investment Clubs (Chapter 65), and the who and why of Torts and Crimes in corporations (Chapter 66). The shareholder, his friends, and third parties, are covered from every conceivable angle. The index is detailed and complete.

If the other, forthcoming volumes are on a par with Volume 3 of *Modern Corporation Law*, both the general practitioner and the corporate specialist would do well to reserve 10 inches of library shelf space for this unparalleled source of corporate knowledge.

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*Reviewed by Rathuel L. McCollum\**

INVENTIONS, PATENTS, AND THEIR MANAGEMENT, by Alf K. Berle and L. Sprague de Camp. Published by D. Van Nostrand Co., Inc., Princeton, N. J.; ix and 602 pp. (1959).

The works of inventors, authors, composers, designers and other artists enhance man's culture and economy. Commercial

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exploitation of these works makes it necessary to give consideration to certain legal rights that are involved. The protection of such intellectual property rights is of prime importance. (See the Symposium in this issue of this Law Review.) *Inventions, Patents, and Their Management* is intended to serve laymen as a guide to the legal and commercial procedures involved in translating creations of the mind into profitable ventures.

This book contains a wealth of information for the inventor, creative artist, business man, research director, and laymen in any field. The first twenty-one chapters are devoted to matters pertaining to inventions and patents. Chapter 22 discusses the nature, purpose, ownership and use of trademarks. Chapter 23 embraces both the national and international aspects of copyright. The final chapter deals with industrial research and reform of the patent system of the United States. The bibliography covers the subject matter well. A glossary defines numerous words and phrases used in inventing, patenting and other associated branches of intellectual achievement. The index is well done; and finally there is a list of cases cited in the text.

The reader's understanding would have been aided if more attention had been given to the organization of the textual material in some places. On page 60 the authors state: "The things being known or used in a foreign country, provided no patent or printed description of it existed does not bar patentability in *this* country." However, the reader does not learn until page 79 that actual knowledge of the use of a device in a foreign country, prior to the date when he is alleged to have made such an invention, would be a bar to the applicant for a United States patent on it. The authors' proclivity for terminating sentences with prepositions causes a rather abrupt end to some of their prose. Thus, in some instances, it is necessary to reread certain passages in order that their meaning may be assimilated fully.

In a few instances the authors delved into aspects of the law that the layman would not appreciate. At the same time they reveal a lack of comprehension of the proper technical meaning of certain legal terms. (The biographies on the book cover do not list any legal training for either author.)

While discussing searches on the validity of patents, the authors state (on page 147): "If the search discloses that any requisites of patentability were lacking or that any bars to patentability existed when the patent was granted, it follows that the patent was mistakenly granted and is void." Such a patent has a

legal existence upon issuance by the Patent Office and, though it is *voidable*, it is not *void* until so decreed by a court in an action contesting its validity.

This reviewer is of the opinion that the layman who is seeking to learn how to take the necessary steps to protect his intellectual property rights would do well to read this book. Then he will be able to seek legal advice from the attorney-at-law of his choice, having avoided pitfalls that the authors have enumerated. To the extent that this book is intended to guide the layman, the authors have achieved a measure of success.

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*Reviewed by Theodore Samore\**

INTRODUCTION TO THE NEW ECONOMICS, by Bernard L. Cohen. Published by the Philosophical Library, New York, 176 pp.; 1959.

In this modest work of fewer than 200 pages, the reader is furnished not only with a scheme of economics but the application of this scheme to a resolution of the world's aches and pains. The author (a Montreal lawyer and businessman) claims to offer new insights into the study of economics by applying the "cellular" theory borrowed from the biological sciences. This attempt at cross-fertilization leads—like most such matings—to sterility. It would be bootless to comment on empty generalizations. One example will do:

I have tried to point out how this web is made up of an unspeakable (sic!) number of cells, whose invariable function it is to provide for the physical, emotional and spiritual needs of mankind; and that this tapestry of cells, whose outline coincides approximately with the contours of the inhabitable globe, is fastened into an imperfect whole by innumerable lines of communication. Along these channels, great and small, commodities emanating from the cells, restlessly circulate, be it a load of cement seething inside a mixer, and rolling on its way to some new housing project, or a dozen eggs purchased at a grocery store and being carried home in triumph by mother's little girl (p. 62).

In a word, his theory is as nebulous as the proverbial London fog.

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