

Patenting pan postures

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THAT PARLIAMENT could actually spend time arguing about which government should have patented pan is at best one clear demonstration of the uninformed level of exchange that sometimes passes for intellectual debate in the highest forum of this land.

Last Tuesday, during the debate on a bill entitled "An Act to make provision in respect of future patents and applications for patents; for the protection of inventions, to give effect to certain international conventions on patents and for connected purposes", cross-talk ensued when Eulalie James, Member of Parliament for Laventille West, rose to chide the government for not making enough of an attempt to patent pan.

For Ms James, who comes from an area where pan is said to have been invented, to embarrass herself in this fashion is bad enough. She is no legal luminary. But for the Minister of Legal Affairs, Senator Kamla Persad-Bissessar, to have argued that the previous government was equally delinquent in not patenting the pan is even worse.

The ladies should be made aware that no matter how emotional we may wax on this issue (and we have waxed for decades) nobody can patent a pan.

Disappointing as it may seem to the uninformed among us, who normally pilot such emotional crusades, we simply cannot patent pan. At the outside limit, we may be able to patent some particular design of a special version of some

particular instrument, but ladies, please, you are only practising patently political postures by arguing about which government should have done the impossible.

What you may be able to say is that there have been certain designs which the inventors can patent, if they have the time and money to waste. The design of a particular placement of notes is all that can be patented. Surely, Rudolph Charles could have patented the design of the Rocket Pan (not the pan itself, but the design thereof), or Tony Williams could have prevented unauthorised duplication of his Spiderweb Pan design, but anyone simply changing the shape of two or three notes on such an instrument can run off to the patent office and have them busy with what

he/she could rightly claim to be a brand new design.

It is perhaps the reason why no one has ever bothered to patent the piano or violin (a Stradivarius is a brand, not a violin patent) or even the alpenhorn, but politicians clearly do not wish to be confused with mere facts when they have the opportunity to become television stars, albeit spreading incorrect information.

INCIDENTALLY, the harmonium, commonly thought of as an Indian instrument, is really from the other side of the Alps (Bavaria) but no one there has ever argued about its patent either. The Bavarians had, for years, approached the problem quite maturely, by mass-producing the instruments and selling them to

musicians in India. Perhaps our politicians might wish to examine that possibility?

But who can resist the lure? It always sounds so identifiably patriotic to trumpet (oops!) what we have (equally foolishly) called the national musical instrument of Trinidad and Tobago—the pan—that even pannists themselves have come to believe that it is possible to warn away the rest of the world from tuning pans that look like ours.

No politician ever misses a photographic opportunity to stand behind a tenor pan or to grandstand in any matter where it appears that the pannist is being oppressed.

It must be patently more difficult in the present dispensation, for a largely Indian Trinidadian government to say "that is rubbish" to any proposal by Opposition parliamentarians that the pan should be patented.

Mark you, we are not even certain about who invented the pan, so even if it could have been patented, the Lord alone knows in whose name the patent would be listed. What is worse is that Ellie Mannette, one of the inventors of the tenor pan as we know it (from the 55 gallon drum), will in exactly 14 days' time unveil a brand new design.

Mannette's new design, let me tell the Honourable Members, is likely to be the one that is mass-produced, so, madam, go ahead, if you will, and patent the one here and see exactly where it gets us.

Perhaps we should consider instead patenting the political propaganda that sometimes passes for intellectual debate in Parliament. No one, we are sure, would want to risk copying that.



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