

International Society for the History and Theory of Intellectual Property

9th Annual Workshop

CILP & the Faculty of Information, University of Toronto, Canada

July 12-14, 2017

‘Intellectual Property as Circulation and Control’

Proposal

**Controlling IP at War:
the US Alien Property Custodian and the German Patents during WWII**

Gabriel Galvez-Behar

Even when intellectual property is not disputed in principle, it does not take place in a uniform manner over time and the control mechanisms which it requires are implemented in a variable way. Wars constitute a very special context insofar as they lead not only to a break-up of normal economic circulation but also to a redefinition of their regulations once the conflict is over.

Intellectual property is not spared by this. Such a process of suspension and redefinition of intellectual property has already taken place during the First World War. The Versailles Treaty dealt with the industrial property system and confirmed the measures, which the US and British governments had taken against German IP during the war. In the United States, the role of the Alien Property Custodian (APC) was particularly important, as shown by the work of Mira Wilkins or Kathryn Steen. The Great War thus was the occasion of an expropriation of US patents held by Germans in the field of chemistry in particular.

This paper intends to extend the analysis to the Second World War. With the beginning of the new conflict, the APC came into force again, whereas several aspects of intellectual property - and in particular the patent system - had been challenged since the 1930s. Nevertheless, the APC policy on intellectual property was then much more intense than in the previous conflict. It allowed the control or even the dispossession of German IP assets thanks to a well organized administration.

Thanks to the APC archives and to Fritz Machlup's ones, we will describe the APC controlling structure and we will analyze its role in the attempt to reframe the US patent system just after the war.

Bio

As a senior lecturer at the University of Lille (France), I am particularly interested in the history of innovation, more generally in the economic history and in the history of science and technology. Without being limited to the history of patents in France, my research focuses on the definition and uses of different kinds of intellectual property (IP). In fact, I consider that studying intellectual property is a good way to catch practices, norms and values related to innovation. My main current project deals with the history of the scientific property and analyzes the relationship between scientific institutions and IP in the long run

I am member the Institut universitaire de France and also member of the Institut de recherches historiques du Septentrion (UMR CNRS - Lille 3 8529).

Gabriel GALVEZ-BEHAR

Associate Professor in History, University of Lille 3, IRHiS (UMR CNRS 8529)

Member of the *Institut universitaire de France*

Office Contact Information

Université de Lille 3 – IRHiS - BP 60149 – 59653 VILLENEUVE D’ASCQ CEDEX – FRANCE

Tél : +33320416796 – Mail : gabriel.galvez-behar <at> univ-lille3.fr

Professional career

- 2012. Member of the *Institut universitaire de France*
- 2012-2013. Director of the European Institute of Social Sciences and Humanities in Lille (MESHS – USR CNRS 3185).
- 2008-2012. Assistant-director of the European Institute of Social Sciences and Humanities in Lille (MESHS – USR CNRS 3185).
- 2005-present. Associate Professor in History, University of Lille 3.
- 2003-2005. Instructor. University of Lille 3.
- 2000-2003. Doctoral Fellow.
- 1996-2000. Student of the *École Normale Supérieure de Cachan* (Department of Social Sciences).

Diploma and professional qualifications

- 2004. PhD in History. University of Lille 3. Title : “Pour la fortune et pour la gloire. Inventeurs, propriété industrielle et organisation de l’invention en France, 1870-1922” [“For Fortune and Glory. Inventors, industrial property and organization of invention, France 1870-1922”]. Summa cum laude.
- 2000. *Diplôme d’études approfondies* (5-year degree) in History. École des hautes études en sciences sociales. Summa cum laude.
- 1999. *Agrégation d’histoire*.
- 1998. *Maîtrise* in Econometrics (4-year university degree), University Paris X.
- 1997. *Maîtrise* in History (4-year university degree), University of Paris I. Summa cum laude – Bachelor's degree in economics, University Paris X.

Five most significant publications

- Co-edited with Shigehiro Nishimura, « Le management de la propriété industrielle », *Entreprises et histoire*, special issue, n° 82, avril 2016.
- « Managing scientific patenting in French research organizations (1916-1951) », *Entreprises et Histoire*, n° 82, avril 2016, p. 89-102. [<http://dx.doi.org/10.3917/eh.082.0089>].
- « The Propertisation of Science : Suggestions for an Historical Investigation », in Isabella Löhr, Hannes Siegrist (eds.), « Intellectual Property Rights and Globalization », Special Issue, *Comparativ. Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung*, vol. 21, n° 2, 2011, p. 80-97. [<https://halshs.archives-ouvertes.fr/halshs-00633786>]
- *La République des inventeurs. Propriété et organisation de l’innovation en France (1791-1922)*, Rennes, PUR, coll. Carnot, 2008.
- with Alain Beltran and Sophie Chauveau, *Des brevets et des marques. Une histoire de la propriété industrielle*, Paris, Fayard, 2001.