

Case study

Business



J. M. SMUCKER PATENT RIGHT CASE STUDY Affiliate) J. M. Smucker is a USA based company and deals with processing of various products natural peanut butter, fruit spreads, beverages, shortening, ice cream toppings and Jelly sandwich. The company has a patent right for the production and sale of peanuts butter and jelly sandwich. J. M. Smucker petitioned the court to prevent Albie's foods, which also manufactures and sells their sandwich to school going children. The aim of the J. M. Smucker was to acquire an absolute right to manufacture and sell Uncrustables, which they claimed that they used a unique production method that required protection by the law. According to this company, their peanuts butter and jelly pockets are enclosed using crimping method and they do not include the outer hard part of the bread. However, the U. S. Patent and Trademark office rejected the company's request by claiming that the same method was being for making pie crust, which has been use since 1980s.

The Smucker's argument is unjustifiable because they bought the idea from other people and other producers of similar products had already established their companies in the same industry. According to Greenhalgh & Rogers, (2010), since the company already has an exclusive authority to produce peanut butter and Jelly sandwich, it would be unfair for them to protect the method they use to produce their own products.

The U. S. patent system claims that granting Smucker company absolute right to process and sell the Uncrustables will disadvantage the buyers because it will create monopoly in the sale of those products (Matthew, 2011). This is true because these are essential commodities and Smucker already has patent for production of peanut butter and jelly sandwich. By limiting the processes used in manufacturing will discourage other interested

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investors from exploiting the available opportunities in the market.

According to those who were in favor of Smucker idea to acquire protection against duplication of the production of Uncrustables, exclusive right encourages inventions and economic advancement. This is because it offers incentives to those people with unique ideas. However, the patenting department of United States claimed that most of the ideas are not inventive but just modifications of the existing ideas (Matthew, 2011). It is obvious that even the J. M. Smucker had purchased the idea from Len Kretchman and David Geske who were the initial owners of the invention. Therefore, this argument is somewhat invalid because such a move will limit economic advancement.

According to the court rulings, J. M. Smucker was denied the right of production of Uncrustables and prevention of Albie's foods from selling their peanuts to students. The court claimed that issuing of patent right to Smucker would be unfair because it would bar others who are in the same business to continue with their activities (Greenhalgh & Rogers, 2010). Therefore, they did not succeed in what they had applied for since their claim was considered invalid.

In conclusion, the J. M. Smucker Company did not have exclusive power over the production of Uncrustables because the same method was already in use by other producers. Though protection of the genuine idea encourages economic advancement by motivating more investors, it also encourages consumer mistreatment by the producers by limiting competition. Rivalry among the producers results to products of superior quality and fair prices.

References

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