

Ice Hockey

and Intellectual Property

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A modern-day goaltender is well protected to withstand the blasts of speeding pucks, straying sticks and player collisions. The evolution of equipment has come a long way from when magazines were strapped on to protect the shins and blades were clamped on to boots. Goalie equipment offers a good example of **progressive inventive ingenuity**. In the early days of hockey, goalies wore little protective equipment. The need for better armor grew as hockey players mastered the art of shooting the puck.

Avid hockey fans could probably contribute to the lengthy list of improvements over the years.

Here's another slant on protection! Whatever **YOU invent, write, design or draw** is considered to be "Intellectual Property" (IP) and can be protected!!!

Patents relate to structure and **Industrial Design** to the look of an article. The goalie depicted here is a true illustration of these two forms of IP.

- **Goalie Pants:** Towards the end of the 1920s, goalies started to drop to the ice to stop the puck, so padding was added along the hip and tailbone. Pants were made from reinforced canvas and the padding was sponge rubber covered with felt.
- **Gloves (Blocker and Trapper):** Additional padding was added to goalie gloves around 1915. But in

the hockey scene. Later on, replaceable blades were **patented**. Frank Bassett was granted patent # 847193 for such an invention in 1970.

- **Goalie's Mask:** It would appear that **protection** evolved from the skates up! In the 1930s, Clint Benedict had resorted to a leather mask to protect his broken nose. But it was Jacques Plante

tin can, a pine knot, or even a 'road apple'!

Trade-marks™: Look closely at the crest on our goalie. You will see the letters **TM**. You can be assured that the crest of your favourite hockey team is protected by a trade-mark. Furthermore every t-shirt, sweat band and bumper sticker bearing that symbol would be protected as well.

Copyrights: Thinking of copying a Hockey Heros video, hockey cards or a newspaper sports story? That would be pirating unless of course you obtained permission.

Integrated Circuit Topographies: The sensor in the net contains microchips which would be protected under this awesome sounding title. And how about that comet-like puck that flashes across your TV screen?

Special thanks to Dan Diamond and Associates who provided CIPO with historical information. Reference: Dan Diamond & Associates, *The Spirit of the Game*, Random House, Canada, 1995.



- **The Net:** Its predecessor was a set of poles bored into the ice. Around the turn of the century, Francis Nelson came up with the idea of setting a net between the two goalposts—the goalie's cage was born. There are even **patents** for the various types of attachments which hold the posts in place.
- **Skates:** The invention of spring skates in 1854 by John Forbes led to the development of modern skating and hockey. One small step for **invention**, one great leap for hockey was realized!
- **Goal Pads:** Originated from leg protectors for cricket. It was in the 1920s that Emil "Pop" Kenesky (born Knischewoky) modified them to what is essentially their present **design**. He flattened and widened the exterior of the pads to reduce the rebound of the puck. He received a patent (#294435) on November 5, 1929.

1944, Emile Francis came up with a modified first baseman's glove by adding a cuff to the mitt, thereby **creating** the goaltender's trapper. Around the same time, an American, Frank Brimsek, invented the blocker by taping a piece of plywood to the exterior of his glove.

- **Arm and Chest Protectors:** Are **designed** from baseball catcher and umpire pads.

- **Hockey Sticks:** Were made in one piece out of elm and sold for 25 cents around the turn of the century. The goaltender's stick was already in use at that time. In the 1940s sticks made of two sections appeared on

who, in 1959, established the practice of wearing a mask. Plante had defied the thinking of the time, which did not favour this protection. But the introduction of curved hockey sticks made this additional protection essential for goalies.

- **Helmet:** Modern-day helmets are a combination of **industrial design** and **patentable** material. In the 1930s G.Owen had sported a football helmet, partly for protection.
- **Puck:** Initially, players used a lacrosse ball. It was in the 1890s that a round rubber puck, one inch thick and three inches in diameter was first used. The puck had originally been made of two layers of rubber glued together. Often during a game, the puck would break in half. For most kids who first played hockey, their puck was a

Hockey Trivia

1. Which two Canadian cities fight for the honour of being the birthplace of modern hockey?

2. In which Canadian city was the first game of hockey played according to rules?
3. If a hockey player shoots a puck which breaks, and only half the puck goes in the net can it be counted as a goal?

Answers:

1. Kingston and Halifax
2. Montreal
3. No. To score a goal the rule states that the puck must go entirely over the red line. A puck has to be by official standard, a certain size. A piece of puck is not a puck, therefore no goal. (Waghorne's decision—hockey referee.)

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