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# Kluwer Patent Blog

## Where are the roots of Patent Law?

Miquel Montaña (Clifford Chance) · Wednesday, June 20th, 2012

Today it seems to be commonplace that without a patent system people would be less motivated to invest time and resources into making inventions that may foster technological progress. What is less clear is where the origins of this concept should be traced. Ancient Greece, which made so many contributions to knowledge, neglected the practical application of knowledge. As regards Rome, which laid the foundations of civil law systems, the concept of “intellectual” property was unknown. This is quite amazing, taking into account the vast contributions that the Roman civilization left us in so many different fields.

Patent law did not see the light in the Middle Ages, either, which is not surprising, taking into account that the Middle Ages are normally regarded as an age of darkness. The patent system finally found its roots in the Italian Renaissance. The first patent is reported to have been granted by the Republic of Florence in 1421 to the architect Filippo Brunelleschi for his ship Il Badalone (“the Monster”), which was meant to transport the Carraran marble used to build the dome of the Florence cathedral. It is doubtful whether the Monster would have met today’s patentability requirements, as it sadly sank in the Arno River near Empoli: not a good start for the patent system!

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