

## Why Basel?

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Several factors explain why the chemical industry developed in Basel. The first was the silk industry. As Part C showed, the ribbon manufacturers of Basel needed dyes in large quantities and of high quality, in a city that had a long tradition of silk dyeing and of trade in dyestuffs. The dyers of Basel knew the market, understood the technical requirements of dyeing silk and had relationships with the customers who would buy synthetic dyes. The capital accumulated in the ribbon industry was available to finance new enterprises.

The second factor was the location. Basel lay on the Rhine, whose water was needed in large quantities for chemical production and into which the factories discharged their waste. It was close to the coal mines of the Saar and the Ruhr, from which coal and coal tar could be brought by rail and later by river. And it was close to Alsace, where Mulhouse had a highly developed textile printing and dyeing industry, with a chemical school and experienced chemists.<sup>1</sup>

The third factor was the law. Switzerland had no patent law until 1888. Even its first patent law did not protect chemical processes until 1907. In France, the fuchsine patent held by Renard frères gave them a monopoly over the production of the dye in France, which drove other French dye makers to look for places where they could produce fuchsine freely. Switzerland, without patents, offered such a place. Several of the founders of the Basel dye industry came from Lyon and other French centres, attracted by the freedom to produce dyes that were patented in France.<sup>2</sup>

The absence of patent protection allowed Basel firms to copy processes developed in Germany, France and Britain, to improve them and to sell the products at competitive prices. This practice, which German competitors denounced as piracy, was entirely lawful under Swiss law. It gave the young Basel industry a crucial advantage in its early years, until its own research capacity allowed it to compete on innovation. The history of the Basel

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chemical industry thus begins with a lesson that runs against the modern defence of intellectual property: an industry that today depends on the strongest possible patent protection owed its birth in part to the absence of such protection.

### 1 Notes

1. On the factors favouring the establishment of the chemical industry in Basel (silk dyeing tradition, capital, the Rhine, proximity to coal and to the Mulhouse textile industry), see the literature on the history of the Basel chemical industry. To be verified. ↩
2. On the effect of the French fuchsine patent of Renard frères (1859) in driving dye producers to Switzerland, and on the absence of patent protection for chemical processes in Switzerland until 1907, see the literature on the history of the Basel chemical industry and of Swiss patent law. To be verified. ↩

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