

DECISIONS OF THE COURTS.

United States Circuit Court--District of Massachusetts.

BENJAMIN J. GREZLEY, COMPLAINANT IN EQUITY.

In the matter of Benjamin J. Grezley, for patent for IMPROVEMENT IN SUSPENDER STRAPS.—Decided December 14, 1873.

In two devices—each being a combined button hole and link—where the same elements, in the same relations, enter into the same combination, and operate in the same way separately, and as a combined device, the devices are the same.

Where the opening for receiving the button in each device was longer than the diameter of the button, the fact that in one the opening was elongated in a direction at right angles with the link, and in the other in a direction parallel with the link, was held to be a mere structural change.

Structural changes of form and proportion, although they improve the operation and produce a much better result, yet one of the same kind, are only different and better forms of embodying the same idea, and illustrate the difference between mechanical skill and inventive genius.

SHEPLEY, J.

This is an application for a patent for an alleged improvement in suspender straps. The application was filed in the Patent Office September 13, 1869, with two claims, which were rejected. On December 16 they were withdrawn and two others presented in lieu of them. These were rejected and drawn, and on the 23d of February, 1870, the present claims were presented. These claims were rejected by the Examiner February 28, and on appeal, by the Board of Examiners April 27, and by the Commissioner on appeal from the Board, September 17, 1870, and by the Supreme Court of the District of Columbia, on appeal from the Commissioner May 3, 1871.

The bill in equity in this case is filed under the provisions of the fifty-second section of the act of July 8, 1870, and is virtually an appeal from the decree of the Supreme Court of the District of Columbia rejecting the application for the patent.

The English patent of R. A. Brooman, granted in 1861, was cited in the record on the record.

The device of Grezley has, first, a link for attachment to the web; second, an enlarged body of the device for the insertion of the button; third, the loop at the bottom for retaining the button. Each one of these brands in the same relation to the others and performs the same function in Grezley's as in Brooman's device. The same elements enter in the same relations into the same combination, and they operate in the same way, separately, and as a combined device.

The Court held that the differences between the two devices are merely structural changes. Such structural changes of form and proportion, although they improve the operation without changing the mode of operation, and produce a much better result, but one of the same kind, are only different and better forms of embodying the same idea, and illustrate the difference between mechanical skill and inventive genius.

As compared with Brooman's invention, the complainant's device as a combined device is not a novel one, but possesses the same elements operating in the same way to produce the same result, and is not patentable. Bill dismissed.

[J. E. Maynard, for complainant. Marcus S. Hopkins, for Commissioner of Patents.]

NEW BOOKS AND PUBLICATIONS.

THE WORKSHOP for December contains a continuation of the paper on the "Vienna Exhibition in Connection with Art Industry." There are a number of fine wood engravings, of original designs in silver ware, frescoing, etc., together with hints and short paragraphs useful to the decorative artist. This magazine deserves much praise for its excellent typography and the constant variety of beautiful representations of the best productions of European industrial artists which it sets before its readers. Each number contains a large sheet of working drawings, from which many of the handsomest designs may be reproduced. Published by E. Steiger, Nos. 22 and 24 Frankfort street, New York. Subscription price, \$5.40 per year.

PURIFYING MIDDINGS is a subject which is now attracting considerable attention among millers in this country. Mr. Allen, an acting assistant examiner in the Patent Office, has published a small book, giving photo engravings, and the claims of existing United States patents and a brief digest of some foreign patents. Price \$25. Address all communications to DeWitt C. Allen, Room 97, Patent Office, Washington, D. C.

Inventions Patented in England by Americans.

[Compiled from the Commissioners of Patents' Journals.]

From November 28 to December 8, 1873, inclusive.

- FINISHING FELTS.—J. F. Greene, Brooklyn, N. Y.
- FLASH LIGHT SIGNAL.—Rev. J. C. Nobles, Elmira, N. Y., et al.
- FORMING PIPE COUPLINGS.—M. Blakey, Etna, Pa.
- GRINDING CYLINDERS, ETC.—J. M. Poole, Wilmington, Del.
- HORSE COLLAR.—J. Heywood, Michigan.
- HULLING MILL.—V. Winters, Dayton, Ohio, et al.
- LAWN MOWER.—W. Sellers, Haverhill, Mass.
- MEN'S DRAWERS.—J. J. Fitz Patrick, Philadelphia, Pa.
- PRESERVING WOOD.—C. P. N. Weatherby (of New York city), London, Eng.
- PRINTING PRESS.—J. T. Ashley, Brooklyn, N. Y.
- PRINTING PRESS FEED.—J. T. Ashley, Brooklyn, N. Y.
- ROLLING MACHINERY.—J. J. Williams, Pittsburgh, Pa.
- SHIP'S ARMOR.—J. T. Parlour (of Brooklyn, N. Y.), London, England.
- STITCHING BOOKS.—E. D. Averell, New York city.
- STRETCHING HAT TIPS.—J. Sheldon (of N. Y. city), Edgley, Cheshire, Eng.
- TUCKER.—E. Bouillon, New Orleans, La.
- WELDING IRON, ETC.—J. Popping, New York city.

Value of Patents, AND HOW TO OBTAIN THEM.

Practical Hints to Inventors.

PROBABLY no investment of a small sum of money brings a greater return than the expense incurred in obtaining a patent even when the invention is but a small one. Larger inventions are found to pay correspondingly well. The names of Blanchard, Morse, Bigelow, Colt, Ericsson, Howe, McCormick, Hoe, and others, who have amassed immense fortunes from their inventions, are well known. And there are thousands of others who have realized large sums from their patents.

More than FIFTY THOUSAND inventors have availed themselves of the services of MUNN & Co. during the TWENTY-SIX years they have acted as solicitors and Publishers of the SCIENTIFIC AMERICAN. They stand at the head in this class of business; and their large corps of assistants, mostly selected from the ranks of the Patent Office: men capable of rendering the best service to the inventor, from the experience practically obtained while examiners in the Patent Office: enables MUNN & Co. to do everything appertaining to patents BETTER and CHEAPER than any other reliable agency.

HOW TO OBTAIN Patents

This is the closing inquiry in nearly every letter, describing some invention which comes to this office. A positive answer can only be had by presenting a complete application for a patent to the Commissioner of Patents. An application consists of a Model, Drawing, Petition, Oath, and full Specification. Various official rules and formalities must also be observed. The efforts of the inventor to do all this business himself are generally without success. After great perplexity and delay, he is usually glad to seek the aid of persons experienced in patent business, and have all the work done over again. The best plan is to solicit proper advice at the beginning. If the parties consulted are honorable men, the inventor may safely confide his ideas to them, they will advise whether the improvement is probably patentable, and will give him all the directions needful to protect his rights.

How Can I Best Secure my Invention?

This is an inquiry which one inventor naturally asks another, who has had some experience in obtaining patents. His answer generally is as follows:—and correct

Construct a neat model, not over a foot in any dimension—smaller if possible—and send by express, prepaid, addressed to MUNN & Co., 37 Park Row New York, together with a description of its operation and merits. On receipt thereof, they will examine the invention carefully, and advise you as to its patentability, free of charge. Or, if you have not time, or the means at hand, to construct a model, make as good a pen and ink sketch of the improvement as possible and send by mail. An answer as to the prospect of a patent will be received, usually, by return of mail. It is sometimes best to have a search made at the Patent Office. Such a measure often saves the cost of an application for a patent.

Preliminary Examination.

In order to have such search, make out a written description of the invention, in your own words, and a pencil, or pen and ink, sketch. Send these with the fee of \$5, by mail, addressed to MUNN & Co., 37 Park Row, and in due time you will receive an acknowledgment thereof, followed by a written report in regard to the patentability of your improvement. This special search is made with great care, among the models and patents at Washington, to ascertain whether the improvement presented is patentable.

Rejected Cases.

Rejected cases, or defective papers, remodeled for parties who have made applications for themselves, or through other agents. Terms moderate. Address MUNN & Co., stating particulars.

Caveats.

Persons desiring to file a caveat can have the papers prepared in the shortest time, by sending a sketch and description of the invention. The Government fee for a caveat is \$10. A pamphlet of advice regarding applications for patents and caveats is furnished gratis, on application by mail. Address MUNN & Co., 37 Park Row, New York.

Trademarks.

Any person or firm domiciled in the United States, or any firm or corporation residing in any foreign country where similar privileges are extended to citizens of the United States, may register their designs and obtain protection. This is very important to manufacturers in this country, and equally so to foreigners. For full particulars address MUNN & Co., 37 Park Row, New York.

To Make an Application for a Patent.

The applicant for a patent should furnish a model of his invention if susceptible of one, although sometimes it may be dispensed with; or if the invention be a chemical production, he must furnish samples of the ingredients of which his composition consists. These should be securely packed, the inventor's name marked on them, and sent by express, prepaid. Small models, from a distance, can often be sent cheaper by mail. The safest way to remit money is by a draft, or postal order, on New York, payable to the order of MUNN & Co. Persons who live in remote parts of the country can usually purchase drafts from their merchants on their New York correspondents.

Reissues.

A reissue is granted to the original patentee, his heirs, or the assignees of the entire interest, when, by reason of an insufficient or defective specification, the original patent is invalid, provided the error has arisen from inadvertence, accident, or mistake, without any fraudulent or deceptive intention.

A patentee may, at his option, have in his reissue separate patent for each distinct part of the invention comprehended in his original application by paying the required fee in each case, and complying with the other requirements of the law, as in original applications. Address MUNN & Co., 37 Park Row, for full particulars.

Design Patents.

Foreign designers and manufacturers, who send goods to this country may secure patents here upon their new patterns, and thus prevent others from fabricating or selling the same goods in this market.

A patent for a design may be granted to any person, whether citizen or alien, for any new and original design for a manufacture, bust, statue, alto relievo, or bas relief; any new and original design for the printing of woolen, silk, cotton, or other fabrics; any new and original impression, ornament, pattern, print, or picture, to be printed, painted, cast, or otherwise placed on or worked into any article of manufacture.

Design patents are equally as important to citizens as to foreigners. For full particulars send for pamphlet to MUNN & Co., 37 Park Row, New York.

Foreign Patents.

The population of Great Britain is 31,000,000; of France, 37,000,000; Belgium, 5,000,000; Austria, 36,000,000; Prussia, 40,000,000; and Russia, 70,000,000. Patents may be secured by American citizens in all of these countries. Now is the time, while business is dull at home, to take advantage of these immense foreign fields. Mechanical improvements of all kinds are always in demand in Europe. There will never be a better time than the present to take patents abroad. We have reliable business connections with the principal capitals of Europe. A large share of all the patents secured in foreign countries by Americans are obtained through our Agency. Address MUNN & Co., 37 Park Row, New York. Circulars with full information of foreign patents, furnished free.

Value of Extended Patents.

Did patentees realize the fact that their inventions are likely to be more productive of profit during the seven years of extension than the first full term for which their patents were granted, we think more would avail themselves of the extension privilege. Patents granted prior to 1861 may be extended for seven years, for the benefit of the inventor, or of his heirs in case of the decease of the former, by due application to the Patent Office, ninety days before the termination of the patent. The extended time inures to the benefit of the inventor, the assignees under the first term having no rights under the extension, except by special agreement. The Government fee for an extension is \$100, and it is necessary that good professional service be obtained to conduct the business before the Patent Office. Full information as to extensions may be had by addressing MUNN & Co., 37 Park Row.

Copies of Patents.

Persons desiring any patent issued from 1836 to November 26, 1867, can be supplied with official copies at a reasonable cost, the price depending upon the extent of drawings and length of specification.

Any patent issued since November 27, 1867, at which time the Patent Office commenced printing the drawings and specifications, may be had by remitting to this office \$1.

A copy of the claims of any patent issued since 1836 will be furnished for \$1.

When ordering copies, please remit for the same as above, and state name of patentee, title of invention, and date of patent. Address MUNN & Co., Patent Solicitors, 37 Park Row, New York city.

MUNN & Co. will be happy to see inventors in person, at their office, or to advise them by letter. In all cases, they may expect an honest opinion. For such consultations, opinions, and advice, no charge is made. Write plainly: do not use pencil, or pale ink: be brief.

All business committed to our care, and all consultations are kept secret and strictly confidential.

In all matters pertaining to patents, such as conducting interferences, procuring extensions, drawing assignments, examinations into the validity of patents, etc., special care and attention is given. For information, and for pamphlets of instruction and advice

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OFFICE IN WASHINGTON—Corner of F and 7th streets, opposite Patent Office.

Recent American and Foreign Patents.

Improved Extensible Brace for Supporting Trenches.
William Reilly, Newark, N. J.—This brace is designed as a substitute for the wood braces now used to stay the banks of deep cuts for sewers and the like; and it consists of a couple of strong screws screwed into a center piece from opposite directions, and having a large head, which are screwed in opposite directions against the sides of the bank so as to be adjusted, as to length, for ditches differing considerably in width.

Improved Package for Granulated Tobacco.
Goldsborough Robinson, Louisville, Ky.—This invention relates to the material which is employed to form wrappers for smoking tobacco, and consists in the application of the leaves of corn shucks for that purpose. Around the usual jacket or packet in which the cut tobacco is placed, a series of leaves are wrapped spirally, the second binding the first and the third the second. They are folded over at the ends, provided with a tie ribbon, and then sealed at each end. The leaves of the corn shuck possess a water-repellent property and a flexibility which make them even preferable to paper, foil or cotton.

Improved Gas Cock.

Eugene M. Morris, Baltimore, Md.—This invention relates to the gas cock which conjoins the meter and service pipe of a building, and consists in novel means of insuring a perfect drip of the water which remains after the gas is shut off and which results from condensation of aqueous vapor. As soon as the valve is closed in order to shut off the gas, any liquid in the valve chamber immediately descends through a tube into the drip vessel, whence it can be drawn off at suitable intervals by the removal of the screw. By this device there is no opportunity afforded, to the matters held in solution by water, to remain in the valve chamber and make a deposit which will work in between the tube and bottom, or for the water in the bottom of the valve chamber to freeze about the tube.

Improved Plastering Machine.

Gustavus Stevens and James H. Watson, Tawas City, Mich.—This invention relates to plastering the walls of buildings, and consists in a machine so constructed and organized as to lay on and spread the mortar at one operation, thereby greatly economizing time, doing the work uniformly well, and greatly lessening the ordinary cost.

Improved Grain Cleaver.

William Houghton, Great Grimsby, England.—The grain is supplied to a first separator sieve, which retains all stones or matters larger than the grain, whence it passes on to the second separator, which removes loose dust and small seeds, both separators being mounted and operated from a crank, in the ordinary manner. The grain passing over the second separator is delivered through a chute into a spout, whence it meets an upward current of air, which, passing through it as it falls, removes any loose smut balls and other light impurities before the grain enters the scourer. The air current carries the impurities into the upper exhaust box, in which a curtain is placed, together with a damper, which may be closed, more or less, as required, to cause the heavier particles to be deposited in a box, while only the very light dust is carried on to the fan. The grain being fed to the scourer is subjected to the action of the beaters, which throw it off against the steel clothing of the cylinder, whereby the adhering smut is detached, the resulting dust being carried away by the air draft through the perforations in the cylinder to the fan by side passages. The grain gradually passes down through the scourer to the bottom, whence it escapes by the exit, which carries it into a second exhaust spout, where, as it falls, it is again subjected to a current of air, whereby the remaining impurities are separated and carried upward into a second exhaust box, in which the heavier particles, consisting principally of unsound grain, are deposited, the remainder passing on to the fan. There is a spout through which the grain is passed directly into the exit when it is desired only to separate and clean it without subjecting it to the action of the scourer, and a valve which closes the passage to the scourer and opens said spout.

Improved Machine for Riving Shingles.

Charles Shelmandine, Jefferson, N. Y.—The object of this invention is to provide a machine by which shingle, stave, and heading bolts can be rapidly and economically rived into blanks; and it consists of two or more sets of movable knives or blades, a set of stationary ones, and a movable table, and operating devices for the table and the movable knives, all combined and arranged so that a bolt put on the table under the knives will be forced against the stationary knives and split on the sides to remove the spalt; then a set of movable knives will move down and split the block into two or more pieces; and then the next set will operate in the same way, and complete the operation by successive actions, which are necessary in order that the knives will not bind in the block, as they would if the whole gang were forced through it simultaneously.

Improved Harvester Rake.

Edward Lippoldt, Brighton, Ill.—The main features of the rake, its form and manner of operation, do not differ from rakes already in use, and the invention applies exclusively to the rake arm, which is made to sweep over the apron of the machine in the usual manner. The common rake arm is ordinarily so rigid that it is very liable to be broken, and thereby occasion trouble and delay. This difficulty is remedied by making it in two parts, and connecting the parts together by a hinge, a wing being attached to one part. A spring bar bears against the wing, and a bow spring rests against a projection in the hinge. When the arm is forced back by the strain upon it, it is forced against the power of the spring, and the back motion ceases when the spring becomes straightened, so that its center strikes the spring bar. When the pressure against the arm ceases, the spring bar throws it to its normal position.

Improved Safety Pocket Attachment.

Richard L. Russell, Brooklyn, N. Y., assignor to Joseph W. Robbins, who may be addressed for information concerning the purchase of rights, P. O. Box 830, New York city.—This invention consists of a little spring-actuated hook combined with thin plates of metal, having a round notch in the edge so that a watch chain, dropping into the notch when the book is pushed back, will be confined in said notch by the hook when let go. The plates are adapted to be sewn or otherwise fastened to the pocket lid of a vest or other side pocket, so that the chain will naturally drop into the notch when the watch is put in the pocket, and thus be secured. The watch cannot then be pulled out without attracting the notice of the owner. Any other object—say, a pocket book—may be secured the same way by being attached to the chain. The device is also useful for fastening the pantaloons pocket in connection with a short chain, the latter being connected to the pantaloons, by one end, at the top of the pocket, and the end with the button being fastened in the notch of the plate by the hook, said plate and hook being fastened in or on the lid of the pocket. A little projection of the hook rises up through or above the pocket lid sufficiently to apply the thumb or finger so as to push it back readily when it is desirable to release the chain to get the watch or to open the pocket.

Improved Fire Extinguishing Water Pipe Attachment.

Thomas Miller, New York city.—This invention consists in attaching climbing pins to the standing pipe of a building so as to make it available for a fire escape. They may either be tapped directly into the pipe, or into collars, clamped on.

Improved Refrigerator.

Erastus S. Root, Providence, R. I.—This invention is an improvement in the class of domestic refrigerators in which the food chambers are arranged around a central ice or cooling chamber. The improvement consists in the construction of the cooler, to be placed within the ordinary rectangular tin lined box, and which has a central space provided with shelves and surrounded by a concentric chamber which is filled with small lumps of ice. This chamber is partly surrounded at its upper half by the other segmental concentric chambers, which are also filled with lumps of ice. The inner chamber serves mainly to keep the central space cool, besides cooling with its lower surface the outer box, while the upper segmental chambers are more especially designed to keep the box at the required temperature.

Improved Railway Switch.

William A. Slingerland, New York city.—One pair of short tracks has switch rails pivoted at one end, and frogs placed at the other; and another pair of tracks has the switch rails at one end, and the frog rails at the other; while a third pair of tracks has switch rails at one end, and turned frog rails at the other. These three switch rails are all pivoted on the same stationary plate and a movable one in the usual manner. By placing these parts in this relation to each other, every train moving one way is compelled to take the middle rails, which always connect with the main or side track while a train moving in the opposite direction from either track will pass to frog rails or the turn-in rails; hence, under no circumstances can a train be derailed, or be accidently thrown from the track by the carelessness of the switch tender.