

Case No. 13,367.

STEPHENS v. CALDWELL.

PENAL ACTION—AFFIXING WORD “PATENT” TO
UNPATENTED
ARTICLES—MAKING—APPLICATION—FOR—PATENT—PURPOSE.

1. The penalty specified in section 5 of the act of 1842 [5 Stat 544] for affixing the word “Patent” to an unpatented article is incurred as to all articles made and having such word affixed with a guilty purpose; and this is not changed by the party making application for a patent during such manufacture, at least as to such as were made or ordered to be made and so stamped before his application.

[Cited in *Oliphant v. Salem Flouring Mills*, Case No. 10,486.]

2. The penalty mentioned in this section is incurred as to all articles made, and having the word “Patent” affixed, with a guilty purpose.

[Nowhere reported; opinion not now accessible. Cited in Law’s Pat Dig. 585, to points as above stated.]

This volume of American Law was transcribed for use
on the Internet

through a contribution from [Google](#). 