

THOMPSON ET AL. V. BARRY ET AL.  
 {2 Wkly. Notes, Cas. 100.}

Circuit Court, E. D. Pennsylvania. Oct. 27, 1875.

PATENTS—PRELIMINARY  
 INJUNCTION—ASSIGNMENT—MOTION TO  
 DISSOLVE.

Assignment by a complainant, after preliminary injunction granted, no ground on which to dissolve the injunction.

BY THE COURT. Motion to dissolve preliminary injunction. A bill was filed by complainants to restrain infringements of the reissued and extended letters patent Nos. 2,569, 2,570, and 2,571 and to obtain an account of profits and assessment of damages arising from said infringement. A preliminary injunction was granted on October 19, 1871. In June, 1874, complainants amended their bill, setting forth an assignment, dated after the granting of injunction, by the complainant, Thompson, of all his interest in said letters patent to the Pennsylvania <sup>1024</sup> Salt Company. An answer was filed by defendants in July, 1874. In October, 1875, and before the taking of any proofs in the cause by either party, the defendant obtained leave to file a supplemental answer, in which he set up that, at the time of granting the injunction, the complainant, the Pennsylvania Salt Company, had no interest in said letters patent, and that the complainant, Thompson, by the aforesaid assignment, had, since the injunction, parted with all his right under the patents. The facts were not denied.

Mr. Baldwin, for the motion, cited *Wheeler v. McCormick* [Case No. 17,499].

Mr. Harding, contra.

C. A. V. Motion overruled.

{For other cases involving this patent, see note to  
Pennsylvania Salt Manuf'g Co. v. Gugenheim, Case  
No. 10,954.}

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