

OLENDORF AND ANOTHER V. ECKLER.

Circuit Court, N. D. New York. May 24, 1880.

PATENT—PRIOR USE.

H. Striyes, for plaintiffs.

L. I. Burnett, for defendant.

BLATCHFORD, C. J. The testimony satisfactorily establishes that the invention claimed in the plaintiffs' patent was known to and used by Lewis Perkins before it was made by the plaintiffs. The bill must, therefore, be dismissed, with costs.

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