

MELLON *v.* SMITH-DAVIS MANUF'G CO. AND  
OTHERS.<sup>1</sup>

*Circuit Court, E. D. Missouri.* March 2, 1885.

PATENTS—METALLIC SPRING-BEDS.

Letters patent No. 238, 703, granted to Peter A. Mellon for an improvement in "metallic spring-beds," *held* void for want of novelty.

In Equity.

Suit for the infringement of letters patent No. 238,703, granted to Peter H. Mellon for an improvement in metallic spring-beds. The improvement relates, as the specifications state, "to a spring-bed made entirely of metal, and it consists in duplicate iron frames, to which the bottoms and tops of the outer row of the double spiral springs are secured by wire; the inner rows of springs being connected to each other and to the outer row by means of open-wire links." The inventor claims as his invention "the combination in a spring-bed of the frames, A, A<sup>1</sup>, braces, D, and double spiral springs, C, connected to each other and to the frames substantially as and for the purpose set forth."

*W. M. Eccles*, for complainant.

*Finkelburg, Rassieur & Dexter Tiffany*, for defendants.

TREAT, J. The several claims in plaintiff's patent are for the combinations therein respectively named. As to some of such combinations, obviously there is no infringement. From the state of the art at the date of said patent, no novelty as to the alleged invention is discernible. The court can detect no exercise of inventive faculty where-from the mechanical arrangements named are patentable, within the purview of the patent law. There is no suggestion

in the patent as to adjustability, and indeed the specifications show that the opposite was in the mind of the patentee. Soldering, welding, or the use of reversely screw-threaded couplings would make the connection of the two parts fixedly rigid. Such, also, would be the effect of a collar as in the patent described. The court, therefore, is of the opinion that the patent is void for want of novelty. *Morris v. McMillin*, 5 Sup. Ct. Rep. 218.

Bill dismissed, with costs.

<sup>1</sup> Reported by Benj. F. Rex, Esq., of the St. Louis bar.

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