

SHEEDER *v.* SHANNON.¹
SHEEDER *v.* BICKING.

Circuit Court, E. D. Pennsylvania. October 10, 1885.

PATENTS FOR INVENTIONS—INFRINGEMENT.

Letters patent 210,714 were granted to complainant for a combination of heating pipes, and metallic plates applied thereto, constructed with flexible tubes, gum tubing, or suitable rock-joints, so as to permit the elevation or lowering of the pipes without interfering with the circulation of the steam through them. *Held*, that these flexible joints must be regarded as distinguishing and essential features of the construction of the pipes, and that a machine of which hinge-joints are not a constituent is not an infringement of said combination.

In Equity.

S. W. Pennypacker, for complainant.

H. M. Dechert, for respondent.

PER CURIAM. The second claim of the complainant's patent is the only one in controversy here. It is for a combination of heating pipes, D, and metallic plates, E, "applied thereto, forming rests for the boards to be dried, and causing the heat from said pipes to be distributed uniformly over said boards, as set forth." Referring to the body of the specifications, the pipes, D, are "set forth" as constructed with flexible tubes, gum tubing, or suitable rock-joints, so as to permit the elevation and lowering of the pipes, D, without interfering with the circulation of the steam through them. These flexible joints must be regarded as distinguishing and essential features of the construction of the pipes, D; and, in view of the prior state of the art, must be held to be the specific pipes designated in the second claim of the patent. Hinge-joints are not a constituent of the machine 825 used by the defendant, and hence are not an infringement of the patented combination.

The bill must therefore be dismissed, with costs.

A similar decree will be entered in the case of *Sheeder v. Bicking*.

¹ Reported by C. B. Taylor, Esq., of the Philadelphia bar.

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

through a contribution from [Google](#). 