

GANDY *v.* MAIN BELTING CO.¹

Circuit Court, E. D. Pennsylvania. June 29, 1886.

PATENTS FOR INVENTIONS—NOVELTY—PATENT
NO. 269,519.

Letters patent No. 269,519 were granted. December 26, 1882, to Maurice Gandy for improvement in stretching by means of an apparatus consisting of a frame work on the ends of which is a series of rollers free to revolve upon their axis. The belts are placed upon the rollers, and the ends are fastened with a taking-up device. Pressure is then applied, and the belt is submitted to a continuous strain as if in actual use until all the elasticity in the belt is killed. The taking-up device serves to keep the belt taut throughout the entire proceeding. *Held*, that the process and apparatus possessed novelty, and that the patent was therefore valid.

In Equity.

Amos Broadnax, for complainant.

E. Cooper Shapley, for respondent.

BUTLER, J. Starting with the usual presumption in favor of the plaintiff's patent, (269,519,) we do not find anything in the state of the art that would justify us in deciding it to be invalid. Each of the claims should receive a strict construction. Even in this view we think both of them are infringed by the defendant's device. As respects the first, infringement is scarcely denied; and as respects the second, we think it is plainly shown. A decree must be entered in the plaintiff's favor.

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

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