

SHICKLE, HARRISON & HOWARD IRON CO. v. SOUTH ST. LOUIS  
FOUNDRY CO. AND OTHERS.<sup>1</sup>

*Circuit Court, E. D. Missouri.*

February 7, 1887.

1. PATENTS FOR INVENTIONS—BROADENED REISSUES—DELAY.

A broadened reissue should not be granted after a delay of four years in making application therefor.

2. SAME—INFRINGEMENT.

Letters patent No. 209,428, granted to Frederick Shickle for an improvement in pipe-moulding machines, *held* not infringed by a yoke having its arms connected at their lower ends by means of a rod, and provided at their extreme ends with clips to connect them to the ends of the patterns.

3. SAME—INVENTION.

Letters patent No. 295,205, granted to Frederick Shickle for an improvement in pipe-moulding apparatus, are void for want of patentability.

In Equity.

This is a suit for the infringement of three letters patent granted to Frederick Shickle, viz.: (1) Reissued letters patent No. 8,562, granted January 28, 1879, for an Improvement in Moulding Pipes; (2) letters patent No. 209,428, granted October 29, 1878, for an “Improvement in Pipe-moulding Machines;” (3) letters patent No. 295,205, granted March 18, 1884, for an “Improvement in Pipe-moulding Apparatus.”

The claims of letters patent No. 209,428 are as follows:

“(1) The combination of the flask, B, having the compartments, B', B', and the pattern, D, having the parts, *d, d*, united at or near their tops by a yoke, *d'*, consisting of two rings, and a connecting bar, substantially as described.

“(2) The combination of the flask, B, having the compartments, B, B, and the pattern, D, having the parts, *d, d*, and the yoke, *d'*, substantially, as described.”

The yoke which the complainants contended infringed letters patent No. 209,428 is a bar, bent somewhat in the shape of an inverted “U,” strengthened by a cross-bar, and having the ends of its arms provided with clips, to connect each of them with the ends of a pattern to be lifted.

*Robert S. Parkinson, E. J. O'Brien, and T. A. Post*, for complainant.

*Geo. H. Knight and H. D. Wood*, for defendants.

TREAT, J. Reissue patent No. 8,562, dated January 28, 1879, of patent No. 148,094, dated March 3, 1874, being more than four years thereafter, said reissue, under the recent decisions of United States supreme court, is null and void. As to patent No. 209,428, dated October 29, 1878, there is no infringement. As to patent No. 295,205; dated March 18, 1884, said patent is null and void for want of patentability.

Bill dismissed, with costs.

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