

DEDERICK *v.* WILLSON.

*Circuit Court, E. D. Pennsylvania.*

April 28, 1890.

PATENTS FOR INVENTIONS—PRIOR STATE OF THE ART—INFRINGEMENT.

The first claim of letters patent No. 170,997, to Peter K. Dederick, dated December 14, 1875, reading as follows: "In a bailing-press, the combination of the beater or feeder, E, with the lever, L, and the rod, e-2, for the purposes herein set forth,"—is not invalid in view of the prior state of the art.

This was a bill in equity to recover for the infringement of letters patent No. 170,997, granted to Peter K. Dederick, the complainant, dated December 14, 1875, for improvements in bailing-presses. The first claim Only Of the patent, covering a peculiar kind of automatic feeding appliance was put in issue. It reads as follows: "In a bailing-press, the combination of the beater or feeder, E, with the lever, L, and rod e-2, for the purposes herein set forth." The defense relied upon was want of invention, in view of the following patents: Walker, No. 27,584; Moore, No, 83,080; Cooper, No. 28,970; and Dederick, No. 152,084.

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*Church & Church*, for complainant.

*George H. Knight* and *Lysander Hill*, for defendant.

Before MCKENNAN and BUTLER, JJ.

PER CURIAM. We do not find anything in the state of the art that would justify us in declaring the patent in suit invalid. It is therefore sustained. The infringement is clear. A decree will therefore be entered for the complainant, with costs.