other description of cooler. The law respecting joint inventions and patents need not be discussed. Some pretty nice distinctions have been drawn by the courts in this regard, and a little confusion and uncertainty created. The facts involved here, however, seem to remove all doubt.

The Lawrence patent of 1876, and the Chambers patent of 1874, also, we think, suggest quite plainly all the plaintiffs have done.

The bill must be dismissed.

RODWELL MANUF'G CO. v. HOUSMAN.

(Circuit Court, E. D. New York. November 21, 1893.)

PATENTS—SUIT FOR INFRINGEMENT—DEMURRER.

A demurrer to a bill for infringement must be overruled unless the patent is so void on its face as to require no defense.

In Equity. Suit by the Rodwell Manufacturing Company against Moses Housman for infringement of a patent. Heard on demurrer to the bill. Overruled.

C. H. Duell, for plaintiff.

H. A. West, for defendant.

WHEELER, District Judge. This suit, brought upon letters patent No. 477,429, dated June 21, 1892, and granted to Arthur Martyn, for a method of making advertising signs by molding or stamping the letters or symbols in plastic or ductile material, and placing them under glass, the field of which is covered, leaving a similar pattern, has been heard on demurrer to the bill. Unless the patent is so void on its face as to require no defense to a suit upon it, the demurrer must be overruled, and the defendant left to make his defense according to the provisions of the statute governing such defenses and the principles of procedure. Rev. St. U. S. § 4920; New York, etc., Co. v. New Jersey, etc., Co., 137 U. S. 445, 11 Sup. Ct. 193; Blessing v. Copper Works, 34 Fed. 753; Indurated, etc., Co. v. Grace, 52 Fed. 124; Goebel v. Supply Co., 55 Fed. 825. The specification contains a disclaimer of similar signs, but not of this method of making them, which, as an art, is patentable separately from the signs themselves, if sufficiently new and useful. The several steps of the method are said to be and are old, but the combination of them producing this result is not known to be, nor even said to be. The disclaimer of signs made by carving is said to be a disclaimer of every obvious method of making similar signs, but the court cannot say that the method of this patent was so obvious before Martyn made it so.

Demurrer overruled; bill to be answered by December rule day.

FORGIE v. OIL-WELL SUPPLY CO., Limited.

(Circuit Court of Appeals, Third Circuit. November 21, 1893.)

No. 24.

1. PATENTS—WHO ENTITLED—INVENTION—WRENCH FOR OIL-WELL TOOLS.
Plaintiff, being interested in oil-well machinery, applied to an inventor and manufacturer of a patented lifting jack for information respecting the application of the principles of the jack to a wrench for oil-well tools. As the result, a modified jack was made by such inventor, stamped as patented by him, and introduced and sold by plaintiff, who thereafter surreptitiously obtained a patent on specifications embodying exactly the principles of the mechanism of the jack manufactured. During the sales by plaintiff, he effaced the patent stamp from the tools, and substituted his own, but on protest desisted, and agreed not to again offend. *Held*, that plaintiff was not the original inventor.

2. SAME.
Patent No. 422,879, granted March 4, 1890, to William Forgie, for a wrench for oil-well tools, is void, because the improvement covered by it is not the invention of the patentee.

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

In Equity. Suit by William Forgie against the Oil-Well Supply Company, Limited, for infringement of a patent. Decree dismissing bill. 57 Fed. Rep. 742. Plaintiff appeals. Affirmed.

William L. Pierce, (Joseph R. Edson, on the brief,) for appellant.
James I. Kay, (Robert D. Totten, on the brief,) for appellee.

Before DALLAS, Circuit Judge, and BUTLER and GREEN, District Judges.

GREEN, District Judge. The bill of complaint in this case was filed to restrain the appellee, the defendant below, from infringing certain letters patent numbered 422,879, granted to the appellant on the 4th day of March, 1890, for certain new and useful improvements in wrenches for oil-well tools. In the specification of the letters patent, it was stated that the invention related to an automatic wrench for coupling and uncoupling the sections of a drill rod for a well boring or drilling apparatus. The coupling for which the invention was especially adapted for use consisted of a tapering or conical screw, the sockets of which were fitted tightly and securely together.

The drilling of oil wells, especially in the state of Pennsylvania, has become an art, well defined, and perhaps unique. Originally, oil wells were drilled only two or three hundred feet deep; but, since the flow of oil has lessened from these comparatively shallow reservoirs, wells are now more commonly sunk to a much greater depth,—in not a few instances, to the depth of three thousand feet; and, as the depth has increased, so has it been found necessary to increase the diameter of the well. The earlier wells were not more than 4 inches in diameter. Now, they are scarcely less than 12 to 16 or 18 inches. It followed, of course, that in the drilling of these larger and deeper wells the tools commonly used would nec-