From the judgment of the Court of Appeal in that case, it would seem to be sufficient to entitle the plaintiff to an injunction if, without any intention to deceive, the use of his name by the defendant is, in fact, calculated to deceive; and that this rule applies whether the name used is a mere fancy name or the defendant's own name, or the name which would be naturally used to describe his firm. The effect of that authority was, however, explained in the very recent case of *Turton* v. *Turton*, to which we shall presently refer.

The principles governing this branch of the law are, perhaps, best attainable from the well known case of *Burgess* v. *Burgess*, 22 Law J. Rep. Chanc. 675; 3 De G. M. & G. 896, where they are very clearly laid down. The "epigrammatic judgment," as it has frequently been termed, there given by Lord Justice Knight-Bruce is one that is always referred to in cases of this description, although the observations of Lord Justice Turner are generally regarded as furnishing a more accurate statement of the law. A somewhat similar authority is the decision of the Court of Appeal in *Massam* v. *Thorley's Cattle Food Company*, 46 Law J. Rep. Chanc. 707; L. R. 14 Chanc. Div. 748. The long line of decisions on this subject has been considerably added to during the past few years; and as illustrating how the well-established principles are applied, an examination of some of the more recent cases may not be without interest to our readers.

Taking the reported cases in their chronological order, *Franke* v. *Chappell*, 57 L. T. Rep. (N.S.) 141, decided by Mr. Justice Chitty in March, 1887, has first to be mentioned. There the plaintiff had originated a series of concerts, conducted by Dr. Richter, under the name of the "Richter Concerts." Mr. Justice Chitty refused to grant an injunction to restrain the defendant from using that name and advertising a series of "Richter Concerts," Dr. Richter having transferred his services to the defendant. The learned Judge was of opinion that it required a strong case to be made out to sustain a claim to the exclusive use of another person's name as a trade name; that no such case had been established in the present instance; and that there was no ground for saying that the term "Richter Concerts" had become dissociated from Dr. Richter himself, who was at liberty to carry his services to any market he chose.

Two further cases decided in 1887 were *The Marquis of Londonderry* v. *Russell*, 3 Times Rep. 360, and *Goodfellow* v. *Prince*, 56 Law J. Rep. Chanc. 545; L. R. 35 Chanc. Div. 360. *Bumsted* v. *The General Reversionary Company (Lim.)*, 4 Times Rep. 621, which came before Mr. Justice Stirling, was another case where the plaintiffs failed to obtain relief. His Lordship refused to grant an interlocutory injunction to restrain the defendant company, whose registered office was in Liverpool, from carrying on business under the style of "The General Reversionary Company (Lim.)," the plaintiffs being the General Reversionary and Investment Company, carrying on business in London. The learned Judge observed that it was not sufficient to show that there was a similarity of names, but it must also be shown that there was a reasonable probability that the use of the name would result in the defendants appropriating a material part of the plaintiffs' business, as to which, upon the evidence, his Lordship was not satisfied would be the case. But in *The Birmingham Vinegar*