

# BOOKS and STATIONERY NOTIONS

— ORGAN OF THE —

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### PROTECT YOUR TRADE MARKS.

In deciding a case recently, in which the exclusive property of an individual in a device used as a trade mark came into question, Judge Lawrence of the Supreme Court said: "The true doctrine in cases of this character is, I think, that no one should be permitted to so dress his goods or wares as to induce purchasers to believe that they are the goods of another."

The Justice further decided that it was not necessary that the device made use of by the imitator of a trade mark should be an exact copy of the genuine to enable the proprietor of such trade mark to a perpetual injunction, restraining the counterfeiter from using his device, but if the imitation resembles the original so closely as to deceive the public, the proprietor of the counterfeited trade mark is entitled to receive such protection from the Courts.

This doctrine, it seems to us, is sound and founded upon principles of equity and justice. If every unscrupulous dealer by slightly altering a trade mark, so slight indeed that it would require a very close inspection to determine it from the original, could place upon the market goods of an inferior quality to those which the genuine trade mark represents, all business would soon become demoralized, and the non-expert purchaser would have no guarantee of the quality of the goods he was buying.

But, of course, this counterfeiting goes on and will continue to go on until the proprietors of the imitated trade marks take measures to assert their rights in a court of law, which is a duty they owe not only to themselves but to the public as well.

If a firm or individual that has placed upon the market a commodity, which, through its general excellency has become popular, and is meeting with a ready sale simply upon the faith placed in its trade mark, either through indifference or a senseless reluctance to undergo the imaginary evils of a law suit, passively permits a rival house to bring out an inferior article bearing a device so near in appearance to their trade mark as to readily deceive an ordinary purchaser, such firm or individual does the purchasing public a grave injustice. Buyers recognize in a trade mark not only a guarantee of the excellent qualities of the goods covered by the trade mark, but an undertaking as well

upon the part of the manufacturers to protect them from goods of an inferior quality bearing their trade marks or almost exact imitations thereof and they naturally expect the manufacturers to fulfil such undertaking. Then again neglect on the part of proprietors of copy-righted articles to protect their trade marks greatly injures their trade and soon brings their goods into such disrepute that buyers will handle with suspicion any article with their trade mark or any semblance to it. There is no reason whatever why anyone's trade mark should be counterfeited or imitated. The decisions on this question both in this country and England are of a sufficient number and certainty to place this question beyond the bounds of dubiousity, and since this recent clear and emphatic opinion of Judge Lawrence in the premises, no one should hesitate for a moment to protect their rights through any fear of the result.—*American Stationer.*

**THE NIMBLE PENNY.**—Well, customers as a rule do not regard so small an expenditure when they see anything in a shop window which is useful and attractive, but very often the penny expended upon some trifling article leads to business of a more important character. To provincial stationers this is more especially important. We know of an instance where the penny packet of steel pens attracted the attention of a passer by in a local town. He paid his penny. The pens were good. He patronized that stationer, and instead of sending for numerous articles in London, he gave his orders to this local stationer, to the amount of perhaps twenty pounds in the year, and that tradesman still rejoices in a customer whom he purchased with a good pennyworth. \* \* \* Now, in stationery articles there are pennyworths—and what may be said to be good pennyworths. The pennyworth that is pure and genuine, and seems beyond its value, gives reputation to a local stationer. The pennyworth which is taken home and is a shoddy article gives ill-repute to the tradesman, and the purchaser avoids that shop in the future. \* \* \* What, it may be suggested, should a provincial stationer do to secure a reputation? The penny article will certainly bring other customers if he hits the right nail on the head. The mere half dozen envelopes for a penny, and those of the most flimsy form, won't do. The better class note