

PARTNERSHIP—RECEIVER—INTERFERENCE WITH RECEIVER.

In *Dixon v. Dixon* (1904), 1 Ch. 161, the action was brought to wind up a partnership, and a receiver and manager of the business had been appointed with a view to its sale as a going concern. The defendant had, pending the suit, joined a rival business and had informed some of the old employees of the old firm that the business was to be sold and had invited them to give notice to terminate their employment and join the new business in which he was engaged. Three of the most important employees in consequence left the old and joined the new business after giving the requisite notice. The defendant had also endeavoured to secure for himself a lease of a field which had been in the occupation of the old firm. The plaintiff moved for an injunction to restrain the defendant from interfering with the receiver's management of the old business. Eady, J., held that the acts complained of were an interference with the receiver and granted an injunction, which looks like shutting the stable door after the horse is stolen. One would have thought the plaintiff's proper remedy would have been a motion to commit the defendant for contempt of court.

PATENT — INFRINGEMENT — COMBINATION — COMPONENT PART OF PATENTED ARTICLE—SALE—INTENTION.

Dunlop Pneumatic Tyre Co. v. Moseley (1904), 1 Ch. 164, was an action to restrain an alleged infringement of a patent. The patent was for a combination and the defendants were manufacturers of one article which constituted one of the component parts of the patented combination. The plaintiff claimed that the defendants sold them to persons who used them for the purpose of combining them with other parts so as to infringe the plaintiff's patent, and that the defendant intended that they should be so used, and they claimed an injunction. Eady, J., dismissed the action on the ground that the manufacture and sale of the part in question was no infringement of the patent, and the fact that purchasers might possibly use them for the purpose of infringing the patent gave the plaintiffs no ground of action against the defendants.