

# EXCHEQUER COURT OF CANADA

**SIMPSON, HALL, MILLER & CO.,**

PLAINTIFF

— VS. —

**TORONTO SILVER PLATING COMPANY,**

DEFENDANT

In February, 1892, having learned that our registered trade mark was being infringed by the Defendant Company, we instructed our Counsel, Messrs. Macmaster & McGibbon, to take legal proceedings to restrain further violation of our rights.

Suit was instituted and with the result that the following undertaking has been given us by the Defendant:—

IN THE EXCHEQUER COURT OF CANADA,

SIMPSON, HALL, MILLER & CO.

AND

THE TORONTO SILVER PLATE COMPANY

The Solicitors for the parties to this action, having settled the same and agreed that all proceedings therein shall be henceforth stayed, and part of the terms of settlement being that the Defendants should give this undertaking, the said Defendants hereby undertake and agree with the Plaintiffs that they will not henceforth infringe upon the trade mark of the Plaintiff referred to in the pleadings by using the name and address complained of, or the name of "ROGERS," or any other name which would infringe upon said trade mark.

Dated March 21st, 1892.

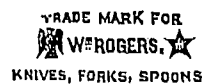
FOR THE TORONTO SILVER PLATE COMPANY,

(Signed)

W. H. BEATTY, President.  
JOHN C. COPP, Sec.-Treasurer.

We beg to acknowledge the fair spirit in which Mr. Beatty, Defendants' President, has acted in the matter.

WE ARE RESOLVED TO PROTECT OUR TRADE MARK, which is as follows:—



**SIMPSON, HALL, MILLER & Co.**

**A. J. WHIMBEY,**

Manager for Canada.