

after this wrote to the solicitor saying that all the other bills were agreed to, and paid, so that this was the only bill outstanding. The solicitor moved to discharge the order for irregularity. It was contended on his behalf that the bills were in substance one bill, and that it was not open to the client to obtain an order of course for the taxation of part of a bill: *In re Byrch*, 8 Beav. 124; *In re Johnson*, 37 Ch. D. 433; *In re Law*, 21 Beav. 481; *In re Worrell*, 22 Beav. 634 and *Re Yelts*, 33 Beav. 412, were relied on; but North, J., held that as the solicitor admitted there was nothing due to him and it was a simple question whether or not he had been overpaid, the order was regular; though he conceded that it would have been irregular, if anything could have been found due to the solicitor, to obtain an order of course containing a direction than on the taxation of one bill all the clients' documents should be given up to them. His decision was affirmed by the Court of Appeal (Lindley, Lopes and Kay, L.JJ.) who proceeded on the ground that there were seven bills and not one, and that after the letter written by the new solicitor, none of the other bills could be taxed.

DESIGN—REGISTRATION—NOVELTY.

In *Re Clarke's Design*, (1896) 2 Ch. 38, the Court of Appeal (Lindley, Lopes and Kay, L.JJ.) disagreed with North, J., and held that a design for an electric lamp shade, which differed only from shades previously used for gas lamps, in the omission of a chimney, had no such novelty or originality in the design as to entitle it to registration under the Patents, Designs and Trades Marks Acts.

TRADE MARK—TRADE NAME—NON-DESCRIPTIVE TRADE MARK—"YORKSHIRE RELISH"—USE OF NAME FOR SIMILAR ARTICLE—MISLEADING ORDINARY BUYER—INJUNCTION.

In *Powell v. Birmingham Vinegar Brewing Co.*, (1896) 2 Ch. 54, the plaintiff succeeded in vindicating his right to the exclusive use of the name of "Yorkshire Relish" for a certain sauce manufactured by him, and to restrain the defendants from applying the same name to a sauce manufactured by them. The trade of the plaintiff was large and profitable,