

meaning of the term "aeroplane" if we employ it, we should not object to this, but, unless it is absolutely called for, we think it undesirable, because some infringer might manage to evade the definition and thus escape the charge of infringing the claims.

The law requires that the specification of the patent shall be couched in such clear, concise and exact terms, as will enable one skilled in the art to make, construct and use the device. Now, we will venture the assertion that there is not a flying machine man in the world who would not call your machine an "aeroplane", and who could not, from the description which is embodied in the specification submitted, construct and use the machine, and who would not perfectly understand the term "aeroplane" as employed therein.

Mr. Cameron carefully considered this very question when drawing the specification and deliberately adopted the term "aeroplane" because, in his judgment, there was no other expression known to the art which would as fully and completely describe the structure to one skilled in the art as the term "aeroplane".

The term "aero-surface" suggested by you does not appear to us to be as apt as the term "aeroplane". It is a coined word, it has no known and well defined meaning in the art, and would necessarily require definition in the specification in order to fix accurately the meaning which was to be given to it in the specification. On the other hand, "aeroplane" has a well defined fixed meaning in the art, as is readily understood by all.