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TO WHOM IT MAY CONCERN.

Hampden Watch Company Wins.

THE HAMPDEN WATCH CO., after a long litigation in the Patent Office with the American Waltham Watch Co. and Webster C. Ball over the right to the word "Railway" as a trade-mark, has obtained a final decision in its favor, and a certificate of registration has been issued to it, confirming its right to this trade-mark which rests upon its use by it and its predecessors in business for over a quarter of a century.

The American Waltham Watch Co. has registered the words "Railroad Regulator," claiming the right to use the word "Railroad" either with or without the word "Regulator," and Webster C. Ball has registered the mark "Railway Queen." Thereupon the Hampden Watch Co., claiming priority of right in respect to the word "Railway," made its application for registration, asserting that its use preceded that of either of these parties. The Patent Office held that the several marks so interfered with each other that only one party was entitled to the registration, and declared an interference to enable the several parties to contest the right to the use of this word "Railway" as a trade-mark, whether with or without accompanying words. Much evidence was taken on the part of the Hampden Watch Co. to establish its priority of right as dating from about the first of the year 1875. A large amount of evidence was taken on the part of the American Waltham Watch Co. in opposition, and an elaborate effort was made in its behalf to defeat the claim of the Hampden Company to this word as a lawful trade-mark. The case was fully argued in the Patent Office and taken under advisement.

After full consideration the questions both of fact and of law were decided in favor of the Hampden Watch Co., the opinion concluding with the finding that—

"THE RIGHT OF THE HAMPDEN COMPANY TO THE TRADE-MARK IN ISSUE HAS BEEN THOROUGHLY ESTABLISHED, AND CANNOT BE OVERTHROWN BY ANY FACT DEVELOPED BY THE RECORD.

"JUDGMENT OF PRIORITY OF ADOPTION AND USE OF THE TRADE-MARK IN ISSUE IS AWARDED TO THE HAMPDEN WATCH CO."

This decision not having been appealed from, and the time for appeal having expired, a certificate of registration was issued to the Hampden Watch Co., as above stated.

Having thus litigated its right and obtained judgment in its favor, the Hampden Watch Co. is entitled to have its exclusive right to the use of this word as a trade-mark on watches and watch movements fully respected.

It therefore notifies all manufacturers and dealers who have used this word, either alone or in connection with other words, to desist therefrom, warning them that by either making or selling watches or watch movements bearing such mark, they incur liability to prosecution for infringement.

HAMPDEN WATCH CO.

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