

they may deem fit upon the use of articles covered by such patents or applications. The dissenting opinion rendered by Mr. Chief Justice White and concurred in by Mr. Justice Hughes and Mr. Justice Lamar condemns in no uncertain terms the doctrine thus laid down, chiefly on grounds of general public policy. This decision was not rendered by a full bench, Mr. Justice Day taking no part in the decision, while the vacancy caused by the death of Mr. Justice Harlan remained still unfilled. Hence as being a four to three decision it was really a minority decision. Petitions for a rehearing have been filed and there is a chance that these may be granted. Unfortunate as the decision appears it may nevertheless have in it the germs of much good. This arises through the fact that one of the most needed things at the present time to check the tendency toward monopoly is a radical reform of the Patent Laws. The first step in this direction was taken by President Taft on May 10, 1912 in sending to Congress a message asking for legislation to authorize him to appoint a commission to investigate the Patent laws and report changes necessary—Ed.

## EXHIBIT I

LEASE AND LICENSE AGREEMENT OF THE UNITED SHOE MACHINERY COMPANY FOR CERTAIN MACHINES<sup>1</sup>

Goodyear Department.

[Form M. G. J., 6-806.]

LEASE AND LICENSE AGREEMENT NUMBER——.

## SEWING AND STITCHING MACHINES.

This agreement made at Boston, in the State of Massachusetts, this —— day of ——, 19——, between the United Shoe Machinery Company, a corporation organized under the laws of the State of Maine, having an office in said Boston, hereinafter referred to as the lessor of the one part, and ——, of ——, in the State of ——, hereinafter referred to as the lessee, of the other part:

Witnesseth that the lessor, in consideration of the covenants and agreements on the part of the lessee herein contained, does

<sup>1</sup> *United States of America v. United Shoe Machinery Company* and others. Petition, In the Circuit Court of the United States for the District of Massachusetts, Exhibit 5, pp. 113-120.