

3
4 ACTIVATED SLUDGE, INC.,
5 Plaintiff,
6 vs.
7 CITY OF MILWAUKEE,
8 Defendant.

EQUITY NO. 2323.

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10 D E C R E E
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12 This cause having come on to be heard before the Court at
13 final hearing upon the record and proceedings herein, counsel hav-
14 ing been heard and the Court being fully advised in the premises,
15 an opinion having been rendered by the Court and Findings of Fact
16 and Conclusions of Law having been filed, it is now

17 ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

18 (1) That the plaintiff, Activated Sludge, Inc., is the
19 owner of United States Letters Patent granted to Walter P. Jones,
20 for Purification of Sewage and Analogous Liquids, No. 1,247,540,
21 on November 20, 1917, No. 1,282,587, on October 22, 1918, Reissue
22 No. 15,140, on July 5, 1921, and No. 1,247,542, on November 20,
23 1917, the inventions disclosed therein and of all rights and
24 privileges under the said Letters Patent.

25 (2) That the said Jones patents Nos. 1,247,540,
26 1,282,587, Reissue 15,140, and 1,247,542, are good and valid in
27 law.

28 (3) That the defendant, the City of Milwaukee, has
29 infringed claims 2, 3, 7, 11 and 13 of Patent No. 1,247,540,
30 claims 2 and 8 of Patent No. 1,282,587, claims 3, 7, 8, 9 and 10
31 of Reissue Patent No. 15,140, and claims 5, 8 and 9 of Patent
32 No. 1,247,542, by the construction and operation of the Jones

2 tiff's Exhibit 220, "Description of Milwaukee's Activated Sludge
3 Sewage Disposal Project", and Plaintiff's Exhibit 226, "Jones
4 Island", and thereby violated the rights of the plaintiff under
5 the said Letters Patent.

6 (4) That a writ of permanent injunction issue forthwith
7 against the defendant, the City of Milwaukee, its officers, agents,
8 employees, associates and confederates, enjoining them and each
9 of them from using the Jones Island Activated Sludge Sewage Dis-
10 posal Plant identified in Plaintiff's Exhibit 220, "Description
11 of Milwaukee's Activated Sludge Sewage Disposal Project", and
12 Plaintiff's Exhibit 226, "Jones Island", or any other apparatus,
13 plant, equipment, method or system embodying the inventions of
14 claims 2, 3, 7, 11 and/or 13 of Patent No. 1,247,540, claims 2
15 and/or 8 of Patent No. 1,282,587, claims 3, 7, 8, 9 and/or 10 of
16 Reissue patent No. 15,140, and/or claims 5, 8 and/or 9 of Patent No.
17 1,247,542, and from aiding or abetting or in any way contributing
18 to the infringement of any of said claims of said patents.

19 (5) That plaintiff recover from the defendant, the City
20 of Milwaukee, the damages which plaintiff has suffered and the
21 profits which the said defendant has made by reason of the defen-
22 dant's infringement of the Letters Patent in suit, and that this
23 cause be referred to a master to be appointed, as Special
24 Master of this Court, to take and report an account of such damages
25 and profits and include therein a finding of a reasonable royalty
26 in order that the Court may apply that measure of recovery if it
27 should be finally thought appropriate, and that the said defendant
28 and its officers, agents, clerks and employees, are required to
29 attend before said Master from time to time as he shall direct and
30 to produce before him all such books, papers, vouchers, documents
31 and devices and to submit to such oral examination as he may
32 direct.

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3 iff.

4 (7) That the plaintiff is entitled to recover its costs
5 and disbursements of this suit, to be taxed by the clerk, and that
6 plaintiff have execution therefor against the said defendant.

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9 *Adkins*

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11 United States District Judge.
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