

Alleged combination in which one element is novel.

Where it was old in a time-recording mechanism to provide a revolving drum operated by clockwork, a record-sheet to be wound thereon as the drum revolved, and a marking-point which made a mark on the record-sheet when placed in contact therewith, and it was also old to make a record on a lamp-black surface by the removal of a portion of such surface by means of a coating stylus, it does not involve invention to use in a time-recording mechanism a record-sheet having a removable surface in combination with a stylus which removes a portion of said surface, although the record-sheet itself may be novel (See card 3660 S-3) In re Hawley, 121 O.G. 691 (1905). S

Substitution of new element in old combination.

The substitution for an old element in a combination of an element performing a similar function, but constructed in a different way, does not render the combination itself patentable where there is no resultant change in the operation. In such a case, although the substituted element may be superior, the invention lies in the element and not in the combination. Id. 3660-S (5896)