

**PLAINTIFF'S
EXHIBIT**

JM 1122

Research Center
February 25, 1952
436-R4e - /

MEMORANDUM FOR FILE

Donald A. Simpson, formerly employed
by Glasfloss, is now employed by The
Mengel Company, Louisville, Ky.

VCK:pm

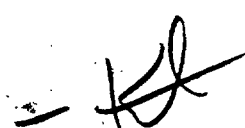
- V.C.K.

MTC 017406

Research Center

May 22, 1951

436-R4e-1



V. C. Kline

Glasfloss Air Filters

This matter was discussed with Sid Speil, and the sample air filter was inspected.

Apparently, the glasfloss air filter is substantially the same thing as the article disclosed in Modigliani patent, No. 2,546,230.

The product claims 12, 13, and 14 are considered clearly infringed, these claims covering the combination of the mat formed of superposed layers of glass filaments with contiguous undulations projecting above and below the median plane of the mat layers. The glasfloss mat has the same superposed layers of glass filaments, and it has the undulations as called for in the claims.

In regard to the method claims, claims 1, 2, and 3 are considered clearly infringed, these claims calling for the steps of applying an unset binder to the mat, drawing the mat at right angles to the general lay of the filaments until the layers become corrugated and then setting the binder. In accordance with Sid Speil's advices, it appears clear that the glasfloss product was made using the method as stated in the claims. In regard to claims 4, 5, 6, 8, 9, and 10, infringement is questionable. Claim 4 calls for applying binder softener to the mat, and it cannot be determined whether or not this step was utilized in the glasfloss product.

Claim 5 calls for applying additional binder to the mat and this claim is probably infringed, but not conclusively so. The same applies to claim 6.

Claim 8 calls for applying the binder softener and additional binder and may be infringed, but this cannot be conclusively determined from an inspection of the product. The same applies to claim 9.

Claim 11 calls for applying a binder softener, and it is not conclusively infringed.

Claim 7 is limited to a dried but unset acrylic resin distributed within the mat and applying a urea-formaldehyde resin, and it is considered that this claim is not infringed.

Claim 10 is limited to applying a finely divided filler, and it is considered that this claim is not infringed.

Product claim 15 is limited to the finely divided filler and is not infringed.

Claim 16 is a product claim limited to another modification in which the product is compressed and held in compressed condition by the binder. This claim is not infringed.

In conclusion, it is considered that the Modigliani patent, No. 2,546,230, is clearly infringed by the glasfloss product and appropriate action should be taken.

E. C. Walsh

E. C. Walsh

ECW/lat

436-442-1

PATENT DEPARTMENT	
Research Center	
May 21, 1951	FILE
File: 436-412a	
MAY 21 1951	
NOTE	

V. C. Kline

The following item is quoted from Chemical and Engineering News, May 21, 1951, page 2080.

DISPOSABLE AIR FILTER MEDIA - According to Glasfloss, their glass fiber air filter media is now available to industrial users, office buildings, and apartment houses--or any place where standard disposable air filter units are used. The product, called the Glasfloss Roll-Pak, is the same basic media made up of long, fine glass fibers with low air resistance, high filtering efficiency, moistureproof and fire-resistant, as used in their regular line of standard filter units. The advantage of Glasfloss Roll-Pak will be found in its important money saving feature, the company says.

H. T. Coss

H. T. Coss

jbo

CC - E. R. Williams
S. Speil
file

MTC 017409

Research Center
May 1, 1951
436-R4e-1

E.C. Walsh

I hand you our file on Glasfloss Air Filters. You are acquainted with the recently issued Modigliani patent, #2,545,230, covering the air filters as manufactured by American Air Filter Company, Inc. at Louisville, Ky.

Will you please examine a sample and discuss the subject with Sid Speil and let me know whether, in your opinion, the Modigliani patent is infringed by the Glasfloss product which we recently forwarded to Sid Speil.

VCK:pm
attach.

OK,
V.C.K.

*filed
inferred (?)*

MTC 017410

Research Center
April 30, 1951
~~436-R42~~

J.L. Wood - GHQ

Glasfloss Corporation

We were advised informally that Glasfloss Corporation of Hicksville, Long Island, N.Y. had been purchased from the original owners (J. Giles - Tilo Roofing Company) by Philip Carey Manufacturing Company, six or eight months ago. We question the accuracy of the above statement and are writing to ask if you can advise us as to the ownership of this relatively small Hicksville company.

VCK:pm

V.C. Kline

MTC 017411

436-12-1

PATENT DEPARTMENT	
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APR 19 1951	
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Research Center
April 18, 1951
File: 436

V. C. Kline

Glasfloss Air Filters

The Glasfloss air filter submitted by Dr. P. Modigliani was evidently made by some modification of our patented process.

A thermoplastic resin was applied to the condensed mat before expanding as shown by the many fiber clumps. After stretching, some secondary stiffening binder was sprayed on top of the mat.

The low corrugations indicate that after expansion the mat was probably pulled slightly normal to the direction of stretching so as to give a more diffuse and less corrugated structure. This method of making a less corrugated structure was disclosed in Mr. H. E. Holcomb's report, No. 436-38 - dated September 19, 1949.

SS
S. Speil

ao

Copy to:
E. R. Williams
H. T. Coss
W. M. MacAlpine
H. E. Holcomb

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MTC 017412

Research Center
April 17, 1951
436-R4a

H.T. Coss

The attached letter was received from Dr. Modigliani, and the samples to which he refers were received under separate cover. The samples are handed to you herewith.

Can you tell from these samples whether Glasfloss is using our process in the same way as American Air Filter used it? If so, we shall have to seek clearance either to bring suit or license Glasfloss.

VCK:pm
attach.

V.C. Kline

cc: E.R. Williams (with attach.)
S. Speil (with attach.)

MTC 017413

April 5, 1951

Dr. Piero Modigliani
Modigliani Glass Fibers, Inc.
36-40 Vernon Boulevard
Long Island City 1, N.Y.

Dear Dr. Modigliani:

The Modigliani patent on Puffed Glass, Product and Method, U.S. Pat. No. 2,546,230, has now been received. Printed copies of the patent have been ordered and one will be mailed to you as soon as received from the Patent Office.

The patent seems to be of reasonable scope. We shall be pleased to discuss it with you at the time of our next meeting.

Very truly yours,

VCK:pm

Virgil C. Kline
Patent Attorney

MTC 017414

April 5, 1951

Dr. Piero Modigliani
Modigliani Glass Fibers, Inc.
36-40 Vernon Boulevard
Long Island City 1, N.Y.

Dear Dr. Modigliani:

This will acknowledge and thank you for your letter of March 21st and the samples which are now under study here at the laboratory. I hope that we can determine how these products were made from the samples, but if we have any trouble, we may call upon you to help us.

Very truly yours,

VCK:pm

Virgil C. Kline
Patent Attorney

MTC 017415

MODIGLIANI *Glass Fibers, Inc.*

36-40 VERNON BOULEVARD
LONG ISLAND CITY 1, N. Y.

INVENTOR'S SIGNATURE
DATE
FILED
MAR 27 1951
U.S. PATENT OFFICE

March 21, 1951

Mr. Virgil C. Kline
Johns-Manville Research Laboratories
Manville, N. J.

Dear Mr. Kline:

With reference to our last telephone conversation,
I have been able to secure a Glasfloss filter which I have
sent to you via parcel post.

I sincerely hope that you can go after them
with your patent.

Very truly yours,

Piero Modigliani

Piero Modigliani

PM/ab

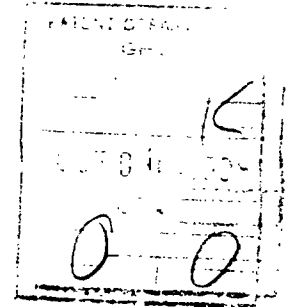
P. S.: Please don't forget to send me a copy of the Puffglass
patent issued when you have it available. I also enclosed
in the same parcel a panel of Puffglass from our own recent
production.

MTC 017416

MODIGLIANI *Glass Fibers, Inc.*

36-40 VERNON BOULEVARD
LONG ISLAND CITY 1, N. Y.

October 27, 1950



Mr. Virgil C. Kline
Johns-Manville Research Center
Manville, New Jersey

Dear Mr. Kline:

For your information, enclosed please find
copy of a letter received from Mr. John W. Hoag
relative to the questions submitted to Mr. Briley to
be used by him when he commences examination of the
Glasfloss people.

Very truly yours,

Piero Modigliani

PM/ab

MTC 017417

HOAG, KILBURN & CARLSON

Councillors at Law

155 East 44th Street

New York 17, N. Y.

October 26, 1950

Mr. Piero Modigliani
Modigliani Glass Fibers, Inc.
36-40 Vernon Blvd.
Long Island City 1, N. Y.

Dear Piero:

I sent Mr. Kline's questions to Mr. Briley and he has acknowledged their receipt and stated that he "will be glad to work in those questions when I examine the Glasfloss people. The examinations are now set to commence November 20."

Sincerely yours,

John W. Hoag

JWH:DC

MTC 017418

October 17, 1950

Dr. Piero Modigliani
Modigliani Glass Fibers, Inc.
36-40 Vernon Boulevard
Long Island City 1, New York

Dear Dr. Modigliani:

Referring to your letter of October 10, I have asked E. S. Olson for a few questions, the answers to which would be of interest in connection with our pending patent application on elastic and flexible glass mats.

The list is attached in duplicate as you may want to forward one copy to Mr. Hoag.

It may well be that they will decline to answer many of these questions, but if the answers are forthcoming they should be of interest.

The Examiner requested division in the patent application between the article and the method claims (Modigliani Case 859). We elected to prosecute the article claims and held in abeyance the question of filing a divisional method case.

In view of the interest in this subject at this time, we intend to prepare and file a divisional case drawn to the method of forming these mats.

Very truly yours,

Virgil C. Kline
Patent Attorney

VCK:dp

Enc.

MTC 017419

Research Center
October 13, 1950
436-R4e -/

V.C. Kline

Glasfloss - J.W. Hoag's Letter
of October 9th

Attached is a list of proposed questions to be asked Glasfloss. The answers to these questions will establish whether their process is equivalent to that of the Modigliani application, Case 859.

ESO:pm
attach.


E.S. Olson

MTC 017420

Research Center
October 13, 1950

436-1242

MEMORANDUM ~~FOR FILE~~

Proposed Questions on Glasfloss Method of
 Making Pipe Wrapping Material

1. Is a condensed mat of glass fibers formed on a drawing drum? If not, how was the starting mat prepared?
2. Is a treating material, such as a binder or adhesive, hereinafter referred to as a "binder", applied to the mat?
- 3. Is the application of the binder made during the formation of the mat or afterwards?
4. What is the specific binder and how is it applied?
5. Is the binder a thermosetting or thermoplastic material?
6. What is the proportion of binder by weight of the mat?
7. Is the binder dried or allowed to dry either before or after removal of the mat from the drawing drum?
8. What further operations are performed on the mat, particularly:
 - a. Is the mat stretched, and if so, how and to what extent?
 - b. Does the stretching take place in a direction approximately at right angles to the direction of the filaments in the original unstretched mat?
 - c. Is the mat treated to soften the binder before stretching?
 - d. How is this treatment performed, and what treating material is used?
 - e. Does the treating material serve only to soften the binder, or does it also exert a bonding function of itself?
 - f. Is the mat dried or heat-treated after stretching?
 - g. How is the drying or heat-treating operation performed?

MTC 017421

9. What other operations are employed in the process of making the pipe wrapping material, other than packaging operations?

ESO:pm

MTC 017422

MODIGLIANI *Glass Fibers, Inc.*
36-40 VERNON BOULEVARD
LONG ISLAND CITY 1, N. Y.

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October 10, 1950

Mr. Virgil C. Kline
Johns-Manville Research Center
Manville, New Jersey

Dear Mr. Kline:

We enclose a copy of a letter received today
from our attorney and would appreciate having your
reaction on the subject.

Very truly yours

Piero Modigliani
Piero Modigliani *per AB*

PM/ab

Enclosure: Letter from Mr. J. W. Hoag dated 10/9/50

MTC 017423

HOAG, KILBURN & CARLSON

Counsellors at Law

155 East 44th Street
New York 17, N. Y.

22-100-100

PATENT DEPARTMENT
SEARCHED
SERIALIZED
INDEXED
FILED
OCT 10 1950
FBI - NEW YORK

102

October 9, 1950

Mr. Piero Modigliani
Modigliani Glass Fibers, Inc.
36-40 Vernon Blvd.
Long Island City 1, N. Y.

Dear Piero:

I told Mr. Briley, who as you remember represents Owens-Corning in the suit which Glasfloss has brought against that company, that you had told me that the Glasfloss Company had been purchased by Phillip Carey Roofing Company. He was interested of course, and especially since the Phillip Carey Company came to Owens-Corning about two ago to discuss a license and ended up by saying they were not at all interested. At that time their chief interest was in making insulators.

Mr. Briley has not yet had the examination before trial since it has been successively postponed on motion of Silver and Saperstein who are representing Glasfloss. Therefore Briley still has an opportunity, and has expressed himself as willing, to ask Giles and the others representing Glasfloss any questions we would like to have asked them. It seems to me that this is a fine opportunity to direct some questions to Giles et al to find out if they are using a method of applying plastic to pipe wrap while it is on the drums etc. which infringes* the allowed claims of the two pending patent applications being prosecuted in your name by Johns-Manville. I should think if you explained the situation that Mr. Kline would welcome this opportunity to get some information along these lines. I suggest that you explain this possibility to Mr. Kline, and then, if he cares to frame any questions I will be glad to relay them to Mr. Briley so that he can direct them to the Glasfloss witnesses when he has his examination before trial.

Sincerely yours,

John W. Hoag

JWH;DC

*according to your statements to me.

MTC 017424