

H. C. OF A.
1913.
COLLITT
v.
BORSALINO
GUISEPPE E
FRATELLO
SOCIETA
ANONIMA.

that the word “Borsalino,” which, at first, was naturally used as a surname, acquired and retained, at all events in Victoria, a secondary meaning denoting the hats manufactured by the plaintiffs.

For these reasons we are of opinion that the orders made by the learned Judge are right, and this appeal fails.

Appeal dismissed with costs.

Solicitors, for the appellants, *Moule, Hamilton & Kiddle.*
Solicitor, for the respondents, *F. B. Waters.*

B. L.

[HIGH COURT OF AUSTRALIA.]

NORTHWAY APPELLANT;
DEFENDANT,

AND

COULTHARD RESPONDENT.
PLAINTIFF,

ON APPEAL FROM THE SUPREME COURT OF
SOUTH AUSTRALIA.

H. C. OF A.
1913.
ADELAIDE,
May 27, 28

THE case turned solely on questions of fact.
The judgment of the Supreme Court of South Australia
(*Buchanan A.J.*) was affirmed.

Appeal dismissed with costs.

Barton A.C.J.,
Gavan Duffy
and Rich JJ.

Solicitor, for the appellant, *George McEwin.*
Solicitor, for the respondent, *Robert Homburg, Jun.*

B. L.