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this application should give the
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Please find below a communication from the EXAMINER
in charge of this application.

Lawrence B. Kingland
Commissioner of Patents

RIT:ab b7D V. AUNL E'D

NOV 4 1949

Henry B. Stauffer
Army Security Agency
The Pentagon Bldg.
Washington 25, D.C.

gpo 16-57318-7

Division. 23 - Room 3624
Applicant William F. Friedman
Ser No. 551,172
Filed Aug. 25, 1944
For AUTHENTICATING DEVICE

Responsive to amendment filed Oct. 23, 1949.

Claims 2 and 3 are again rejected as presenting no patentable distinction over the 1937 patent to Friedman. This patent discloses a conventional current source, cryptographic switches and rotors in Figure 7 which provide a plurality of variable electrical paths, and contacts at 171 and 331, another switch at 10 for selecting a contact such as 28 at one end of the series, a signalling device in the form of a register at 13 associated at 14 with each of the contacts at the top end of the series, and means shown in Figure 5 for varying the significance of the energization of the signaling device 13. If the operator desired to use the patented apparatus only as an authenticator as applicant does, he would need to use only a portion of the ten keys 11. Also, he could disconnect or incapacitate some of the keys or connections. This is all that applicant appears to have done in this respect because all plugs and jacks 99" and 99" are available in the present device if one desired to make use of them. Therefore, the selection of only some of the contacts in the patent by using only part of the available contacts 11 of the switch 10 would not amount to patentable invention. In the absence of any structure recited in the claims which is specific to applicant's particular apparatus, the claims are clearly anticipated by the Friedman patent.

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Claim 5 is rejected on the 1937 patent to Friedman in view of the 1938 patent to Friedman. The use of a two position switch to cause current to flow in separate lines according to the position of the switch is such common practice as not to be considered inventive. Also, such an idea is shown at 11 in the 1938 patent and 67 in the 1937 patent.

In line 7 of claim 2, the word --- the --- should appear before "contacts".

Claim 5 is objected to as containing no antecedent basis for "another switch" in line 5 and for "said rotor stepping device" in line 9.

Claims 2, 3 and 5 stand rejected. Claim 6 appears allowable.

The above rejected is hereby made FINAL.

With reference to any further action that may be taken in this case attention is directed to new Rules 116 and 191-195 now in force.



Examiner