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Commy

DEC 14 1944

GPO 16-27315-2

Commissioner of Patents

Applicant. William F. Friedman

William D. Hall
c/o Chief Signal Officer
Pentagon Bldg.
Washington, D.C.

Ser No. 549,086
Filed Aug. 11, 1944
For ELECTRICAL SYSTEM

References:

bern	1,096,168	May 12, 1914	35-4
orn	1,938,028	Dec. 5, 1933	"
orn	1,733,886	Oct. 29, 1929	"
orn	1,705,641	Mar. 19, 1929	"
eborn	1,683,072	Sept. 4, 1928	"
cherbius	1,657,411	Jan. 24, 1928	"

Characters are lacking for articles that resemble screw heads in figures 2 and 8 26A and 26B should be added to figure 2. Two hasps in this figure have no characters. A shaft near the top of figure 6 has no character. A part adjacent "36" has no character. Two parts to the right of "34" in figure 5 have no characters. The part 26A in this figure should be more fully shown. The same is true of parts 26 and adjacent 38 and 39 in figure 6. The lines indicating these parts should be extended and broken away, whereby any flat surfaces concerned will be indicated. If the examiner's meaning is not clear he will send sketches showing how figures 5 and 6 should be changed. The parts in figure 5 are ⁱⁿ especial need of change since this structure is not very well shown in figure 2.

Claims 1, 7, 18, 22 and 23 line 2, claims 17 and 19 line 3; and claims 8-10 line 4 the expression "or the like" following the recitation of a member such as "plunger" renders these claims indefinite and they are therefore rejected under Haasz 1873 C.D. 170 or Phillips 1908 C.D. 195.

Claim 1 line 8, what does "predetermined" signify? If the apparatus concerned is the part 38 to 40 the term seems unnecessary since as the device is understood the plunger 38 has to go clear down to do any good and the user cannot select any other angular

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movement. There is little use in reciting that he can predetermine an angular position when the only operative position has been set when the machine was constructed.

Claim 2 would appear allowable as now advised if the specification and drawing were amended to show the structure clearly.

Claims 3 and 4 are rejected as adding nothing to claim 2 not found in the switches and rotors of the patents.

Claims 5-7 are rejected as unpatentable over Korn 1,705,651 the end contacts of which operate as claimed. The rotors are stepped and operated by means of a plunger. Again in view of Hebern of 1928 there is no invention in the plunger claimed for operating the rotors of Korn.

Claim 8 as now advised would be rendered allowable if amended to avoid the alternativeness in line 4 and if the specification and drawing were suitably amended or explained.

Claim 9 is rejected as unpatentable over the matter to which claim 8 is directed since the contacts of claim 9 are not patentably distinguishable from switch of claim 8. A normally open circuit of claim 9 is not patentably distinguishable from the circuits including switch of claim 8 since in a cryptographic device it is to be presumed that none of the circuits is closed excepting when the apparatus is being operated.

Claim 10 would be allowed if amended and the drawing and specification were amended as above suggested.

Claim 11 is rejected since any of the apparatus cited can be used as an authenticator, see particularly Scherbius lines 51-80 of page 1.

Claim 12 is rejected on Scherbius which discloses an authenticator means and a counter at 39.

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Claims 13, 14 are rejected as drawn merely to the steps of using the apparatus concerned as it was intended to be used, under Foreman 1924 C.D. 47. These claims are further rejected as patentably indefinite in "utilizing". These steps do not state what applicant does after he has made a record. The Scherbius apparatus has a recorder. The user makes the record and utilizes the indications given by the signal lamps. These claims are rejected since when the steps are followed no change in the character or condition of any thing is made, under Jochrane v. Deener 94 U.S. 780.

Claim 15 is rejected on Korn 1,705,641 or Scherbius each of which has a means for pushing the rotors together or releasing them, in parts 28 and 27 respectively; the full equivalent of applicant's claimed cam. Notice that Korn's apparatus works with a cam.

Claims 16 and 17 are rejected as obviously unpatentable over the references.

Claim 18 is rejected as unpatentable over the reference and as containing useless matter in the last line. The claim should make it plain why any other indicator requires to be energized.

Claims 19, 22 and 23 as advised would be rendered allowable by the amendments suggested.

Claim 20 is rejected since there is no invention in the manually operable plunger over the handle of Korn or the electrically operated member of Scherbius at 27.

Claim 21 is rejected on the same ground as claim 20 the handle of Korn and the article 27 of Scherbius are means for restoring the stirrup of claim 20.

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Claim 24 is rejected as unpatentable under R.S. 4886.

In the event applicant acquiesces in the rejection of the method claims page 2 lines 17, 18.

Page 5 line 17 "26A" is not found.

Page 7 line 3. Figure 5 does not show the apparatus described. Line 15 "17E" is not found in figure 6.

Page 10 line 24 change "consisting" to consist.

How the parts at 55-59 etc. are operated is not sufficiently disclosed. All claims, including those considered otherwise directed to patentable matter, are therefore rejected.

Examiner:

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