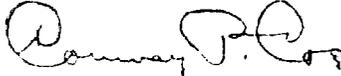


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DEPARTMENT OF COMMERCE  
UNITED STATES PATENT OFFICE  
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All communications respecting this  
application should give the serial number,  
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the applicant

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



Commissioner of Patents.

Applicant **William F. Friedman,  
et al.**

**F.H. Vanderwerker & C.A. Rowe  
c/o Chief of The Air Corps  
Munitions Building  
Washington, D. C.**

Ser. No: 588,344  
Filed January 23, 1932  
For **Cryptographic System.**

MAILED  
SEP 7 1934

Responsive to amendment filed July 31, 1934.

Claims 3-17, 19-23, 25-32, 34-50 are the claims  
in the case.

Claims 3-17, 19-23, 25-32, 38 and 39 appear  
allowable.

Claim 34 would appear allowable if there were  
antecedent basis for "connections" in line 3, and if the  
kind of signals and connections used were set forth. In  
line 3, "switching" refers possibly to electrical connections  
but not necessarily so and the signals may be electric lights  
or possibly mechanically operated slides, to mention a few  
possibilities.

Claim 35 is subject to similar criticism. In line 6,  
"key" is so broad as to apply to a great many mechanical de-  
vices, even more aptly than to the tape. "key" is applied  
very frequently to intangibles such as a pass word. The  
significance of "external" is not apparent. The tape appears  
to be part of the mechanism. It seems immaterial, however,  
where or how it is arranged, since the impulses occasioned  
by it are carried by electrical connections. The claim appears  
allowable subject to amendment.

Claim 36 is subject to criticism above noted, in "con-  
nections", line 3. Line 7, "sequence" has previously been

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criticized. The criticism is repeated. "key" has also been criticized above. The key is in fact a tape with perforations arranged in random order. This perforated tape operating through the associated mechanism produces applicant's results. For aught the claim states to the contrary the key may be no more tangible than the well known "open sesame" of Arabian Nights fame. A different sequence of sounds in the tale was related to produce no results. The letters making up "open sesame" are all cryptographic characters if used for cryptographic purposes. It is evident that applicant's device requires something more substantial than words repeated orally however efficacious a correct sequence was related to be in opening the door to the cave in the tale. The purpose in making this allusion is to make the examiner's position clearer to the applicant in rejecting the claims as intangible and therefore indefinite. Any good dictionary, for example, the 1924 Webster's Unabridged in Division 53, will indicate the great number of meanings given to "key" and the necessity therefore of more accurately setting forth the structure in the claim where the tape mechanism is referred to.

The claim appears allowable subject to amendment along lines suggested.

Claim 37 is subject to the same criticisms and would appear allowable under the same circumstances.

In their present form claims 34 to 37 inclusive, are rejected as failing to define the invention.

Claims 40 to 50 are again rejected as unpatentable under the decisions cited. Nothing can be added to the remarks in the previous office action, further than to say that after the apparatus has been operated it is the same as it was before.

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It is noted further that claims 41, 42, 43, 44 and 45 use the expression "the step of external control involving", etc. The term "involving" indicates that in practice, the step takes in more than the claim recites. These claims are therefore rejected as misleading.

Claims 40-47 "external" was criticized in treating claim 35. The criticism is applicable to these claims and "internal" is subject to similar criticism. These claims are further rejected as failing to define.

Claims 48, 49 are rejected as apparently incomplete in line 1, "employing as one of its keying elements". This expression implies other "keying elements" not mentioned.

Examiner.