

7/26/35

Memorandum for

Mr. Wm. F. Friedman  
OCSIG  
W. P. & T. Div.

re Patent of Mr.  
Ser. No. 682,096

1. Copy for yr. file of  
Amendment 7/24/35  
which filed in Patent  
Office in this case.
2. Also copies of drawings  
in connection with  
the two new cases.

Chas. A. Rowe  
Pat. Sec. 82

~~Confidential~~

CHAS. A. ROWE  
Patents Section, S. C.  
Room 1054 1713 Branch 1313

Patent app  
1134 T 2

IN THE UNITED STATES PATENT OFFICE

In re application of  
William F. Friedman,  
Serial No. 682,096,  
Filed July 25, 1933,  
Cryptographic System

Div. 55, Room 6897  
July 24, 1935.

Hon. Commissioner of Patents,

Sir:

Responsive to Patent Office Action dated January 30, 1935.

In the specification, page 2, line 1, cancel "cryptographs"  
and substitute - - cryptographic systems - -

Page 3, lines 3 and 4 cancel "take the form of a set of"  
and substitute - - comprise translating devices such as the - -  
Line 4 after "or" insert - - the translating devices may take the form of - -

Page 3, line 15 before "one" insert - - a sensing mechanism  
such as - -

It is desired to incorporate the following additional claims:

35. In combination a set of character elements constituting a  
keyboard; a switch individual to each element and operable thereby; a cor-  
responding number of translating devices operable by said elements; a wiring  
system interposed between said switches and said translating devices rendering

available a multiplicity of electrical paths between said switches and said devices ; and means operable in response to each key operation for selecting a group of said paths, said last named means comprising a variably operable sensing mechanism.

36. In combination a set of character elements constituting a keyboard; a switch individual to each element and operable thereby; a corresponding number of translating devices operable by said elements; a wiring system interposed between said switches and said translating devices rendering available a multiplicity of electrical paths between said switches and said devices whereby each switch may become associated with any one of a plurality of said translating devices, said system comprising adjustably movable connectors whereby the wiring system may be given an initial setting providing one electrical path for each switch; and means operable in response to each key operation for changing such setting.

37. The combination set forth in claim 36, in which the last named means comprises a sensing mechanism operable by a perforated element.

38. The combination set forth in claim 36, in which the last named means comprises a plurality of relays corresponding in number to the number of movable connectors; and a sensing mechanism operable by an element perforated in accordance with a plural unit character code.

39. In combination a set of character elements constituting a keyboard; a switch individual to each element and operable thereby; a corresponding number of translating devices operable by said elements; a wiring system interposed between said switches and said translating devices

rendering available a multiplicity of electrical paths between said switches and said devices whereby each switch may become associated with any one of a plurality of said translating devices, said system comprising a plurality of stationary annular commutator elements and rotatable annular commutator members interposed between each pair of fixed commutator elements, said members having a set of contacts on each face thereof, cooperating with the contacts of the adjacent stationary element, said members also having random cross connections between the contacts on the opposing faces thereof, whereby the wiring system may be given an initial setting at will ; and means operable in response to each key operation for changing such setting.

#### R E M A R K S

Applicant's file record is in agreement with the Patent Office file as to the claims remaining in this case.

As to claims 11 and 13, the Examiner is correct in noting that both of said claims were cancelled, these two claims having been included in the request for reconsideration through inadvertence.

A group of additional claims Numbers 35 to 39 inclusive are submitted for action and in support of the terminology of said claims, amendments have been directed on page 3 of the specification to establish the identity of the elements recited in said claims under the terms translating devices and sensing mechanism . The bank of indicating or signalling elements shown

in Fig. 1 and generally designated by the numeral 2 answers the term translating devices and corresponds in number to the character elements of the key board generally designated by the numeral 1. The term sensing mechanism is answered by the tape transmitter 5 and in the form shown in Figs. 2 and 3, the sensing mechanism comprehends a multiple arrangement of tape transmitters. As to the other elements of the new claims 35 to 39, it is believed that there will be no difficulty in clearly reading said claims on the disclosure, so that it is thought unnecessary to apply each of the elements, since the structure will be fully understood by the Examiner, and the operation as well as the structure as defined in said claims, may be clearly apprehended by reference to the description beginning on page 7, last paragraph of said page and continuing through to the end of page 8.

The new claims are thought to be patentably clear of the art for reasons brought out in previous arguments and particularly in that each of said claims recites translating devices for which no corresponding elements will be found in the art of record.

It is noted that the Examiner adheres to his rejection of method claims 26 to 34, inclusive. Referring in this connection to the criticism found in the last paragraph, page 2 of the official letter, the word, system, as found in claim 26 as well as in other method claims was used to comprehend both the terms method and apparatus.

As previously pointed out, it was considered necessary in drafting these claims to set forth in the preambles thereof an antecedent recital of structure in the interest of clearness and intelligibility, but without denying the proposition that the instrumentalities would be susceptible of considerable variation, since it cannot be conceded that in the present instance the method steps recited in said claims are merely the obvious and intended function of the apparatus covered in said claims.

In requesting reconsideration of the method claims in this case Numbers 26 to 34, applicant can only confirm his position and reiterate the arguments previously submitted in his behalf. It is desired to add to the record another decision of the Supreme Court of the United States dated January 7, 1935 which is cited as follows: Smith vs. Snow et al 451 O.G. No. 3, 487 (1935).

It is noted that claims 1 - 10, 12, and 14 - 25 are considered allowable.

Favorable consideration is requested of the new claims Numbers 35 to 39 inclusive in the light of the foregoing.

Respectfully submitted,

William F. Friedman,

By:

Attorneys