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OFFICE OF THE CHIEF SIGNAL OFFICER

Washington 25, D C

SPSLG-3

10 June 1946

Mr William F Friedman
Army Security Agency
Washington, D C

Dear Mr Friedman

*See Friedman Patent
Oct 4 - 710*

In response to your oral request, there are transmitted herewith excerpts from the minutes of the Signal Corps Patent Board, Meeting No 32, September 23, 1941, forming part of the record of your cryptographic invention, Serial Number 443,320, filed May 16, 1942, in the names of William F Friedman and Frank B Rowlett

You have also asked for my opinion, as the patent attorney for the Signal Corps at the time this application was filed, as to the rights of the two joint inventors in this application

AR 850-50, as it existed at the time the invention was made and also at the time the application for patent was filed, established three categories. The regulation provided that inventions made as a result of specific assignments to invent became the property of the Government. That this was not the case in regard to your invention is indicated in Paragraph 3 b of the Patent Board's action, which states that "there was no specific designation to invent the things described." Pursuant to this finding of the Patent Board, which was approved by the Acting Chief Signal Officer, you and Mr Rowlett were not asked to assign the entire right to the invention, but were asked to give the so-called reversionary assignment. The latter provides that the application is the property of the Government for procedural purposes until a notice of allowance is issued by the Patent Office, at which time the entire right, title and interest reverts to the inventors subject to a non-exclusive license to the Government. This is believed to be in accordance not only with the Army Regulation AR 850-50, but also with the patent agreement which you signed in April 1936, which merely provided for reversionary assignments in cases where there was no specific assignment to invent the specific device in question and where the invention was to be kept secret.

Yours very truly,

/s/ William D Hall
WILLIAM D HALL
Patents & Inventions Counsel
Legal Division

Approved for Release by NSA on 08-30-2013 pursuant to E.O. 13526

1 Incl
Excerpts of Meeting No 32