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DEPARTMENT OF COMMERCE
UNITED STATES PATENT OFFICE
WASHINGTON

All communications respecting
this application should give the
serial number, date of filing,
name of the applicant, and
appeal number.

In re application of

William F. Friedman

Ser. No. 478,193

Filed Mar. 6, 1943

For SYSTEM FOR ENCIPHERING
FACSIMILE

Appeal No.

Before the Board of Appeals

Henry B. Stauffer for Appellant.

U. S. PATENT OFFICE

SEP 18 1950

Examiner's Reply
Examiner's Statement

MAILED

Applicant argues that a telegraph system does not transmit "graphic information."

It is submitted that this position is untenable. Vernam states on page 1, col. 1, lines 10 to 14 inclusive:

"Its object is to insure secrecy in the transmission of messages and further, to provide a system in which messages may be transmitted and received in plain characters." (underlining added),

and lines 18 to 20 inclusive,

"The invention is here illustrated as applied to a well-known form of printing telegraph systems ***."

Cartier refers on page 1, col. 1, line 16 to "the Baudot five-unit code system" which is normally used in printing telegraph systems.

It is not apparent how a system which transmits and receives a printed message, is not a system for "transmitting graphic information."

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It is noted further that applicant in his brief at page 3, line 2 includes a "printed text" as an example of the graphic information intended.

Secondly applicant argues that a telegraph "tape transmitter" cannot be termed a "device for scanning" and cites dictionary definitions.

It is submitted that the term scan does not have the specific meaning applicant wishes to ascribe to it.

Attention is directed to the following exemplary patent from the telegraph art.

Carpenter

2,496,150

Jan. 31, 1950

The title of this patent is:

Record Scanner With Means
To Prevent False Operation

The first line of the specification of this patent states:

"This invention relates to record scanning devices particularly to devices for transmitting intelligence recorded by perforations on a tape." Underlining supplied.

Note also col. 1, lines 18 to 22 and col. 2, lines 24 to 27 inclusive.

It is additionally noted that although applicant selected a definition of a term which is specific to facsimile or television, there is no apparatus set forth in the claim specific to such system.

The remaining point in the brief relative to the term non-synchronous is believed adequately covered in the examiner's statement.

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

Respectfully,

SWC:mh

Examiner, Div. 16