

PAPER No. 26

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

Robert Chilton
Commissioner of Patents.

Applicant: William F. Friedman		MAILED APR 13 1956 PAT DIV 44 <small>16-38457-2 GPO</small>
Ser. No.	549,086	
Filed	Aug. 11, 1944	
For	ELECTRICAL SYSTEM	

Responsive to the letter filed February 23, 1956.

Claims now active in this case are 1, 2, 5-8, 10, 11, 18, 19, 22 and 23.

Claim 2, previously indicated to be allowable, after careful reconsideration, must be rejected as vague, incomplete and indefinite, since the structure that is recited by the claim cannot be understood to define any complete and operative device, and further as misleading since it does not appear to be readable on applicant's disclosed apparatus. The source of current, line 1, is in no way recited as connected to any of the remaining structure. Just what is meant by a circuit between some one point of electrical connection and some other point of electrical connection is not clear, since the term circuit, as customarily used in the art refers to a closed loop. Thus it cannot be determined which of the recited electrical components other than the switch, if any, are included in the several recited circuits. Do the input and output contacts contact each other? If not, just what do they contact? On what basis are they characterized as "input" or "output"? When one attempts to read this claim on the disclosure, the plurality

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of contacts evidently must refer to the contacts 19' to which the leads 20, 20B etc connect. However it would appear that any such contact would be in one circumstance an input contact, and in another an output contact. (e.g., assuming the rotor position described, the contact connected to lead 20B is an input one, receiving input voltage from lead 11D when switch 17Z is closed, and an output one, applying voltage to 13Z when switch 17E is closed.). Thus it is not clear how any selected ones thereof may accurately be termed input contacts and the remaining as output contacts. Further it is not seen where there is found in the disclosure, a circuit between a selected lamp and every output contact.

Claim 5 is rejected as misleading and indefinite. The claim is misleading in the recitation of "input and output contacts", like claim 2. The recitation "associated" is indefinite since it appears that more than physical proximity of the switch to the indicator, or a mental grouping of the two together is required. Rather it appears that some specific arrangement of electrical connections, not recited, is essential to the desired operation of applicants device.

Claim 5 is, insofar as it is complete and definite, is again rejected as unpatentable over Korn, 1,705,641 who discloses a plurality of cryptographic rotors with input and output contacts connected variably in pairs, and indicates lines 1 to 60 that his device is to be used in "assoc-

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iation" with a source of electric current, indicating means (such as glow lamps, line 7), and switch means. Applicant's novelty, if any, appears to reside in the precise circuit connections he discloses for interconnecting these elements, and since as noted above these are not clearly recited in or inferable from the claims the claim fails to patentably distinguish over the reference.

Claim 5 is further rejected as unpatentable over either of Korn 1,733,886, Fig. 2, or Hebern 1,683,072, Fig. 7, in like manner as over Korn '641.

Claims 6 and 7 are rejected like claim 5, since both references to Korn, and the reference to Hebern all show means for rotating or "stepping" the rotors, which means may include a reciprocating member, denominated as a "plunger".

Claim 10, previously indicated to be allowable, must be rejected as indefinite like claim 2. Further the phrase "additional normally open switch" last line, should read "further normally open switch", if that is its intended antecedent so that the antecedent therefor is clear.

Claim 11 is again rejected as incomplete and indefinite, and accordingly as unpatentable over either of Korn '886 or Hebern '072. It is not altogether clear whether applicant is intending to positively claim only the "authenticator", with recitation in the preamble of the claim merely a possible environment, in which case the claim amounts to a single means claim, and not a claim to a combination within the third paragraph of 35 U.S.C. (1952 Ed) 112,

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and objectionable under Ex parte Bullock 1907 C.D. 93 (See Manual of Patent Examining Procedure, Section 706.03(c); or whether the claim is intended to recite the combination of the cryptographic device and the authenticator in which case no adequate structure of either device is recited as to make clear the cooperation between the two. Does the "authenticator" somehow respond to one set of indicator actuating signals to provide a second duplicate indication of one of the indications of the cryptographic device, or is it a means to somehow modify the operation or effect of the device? In the Hebern and Korn references the keys bear indicia which indicate the plain text signals applied to the cryptographic device while the lamps 61 in Korn, 35 in Hebern indicate the enciphered text. It appears that the key indicia are quite as effective to indicate the plain text as would be an auxiliary lamp since in any case the lamp will be lit only while the finger engages the key, and less confusing since there is no ambiguity as to which is the plain text and which the cipher. The Hebern and Korn devices are considered to include authenticator means within the vague recitation of the claim, since the lamps 61 of Korn, 35 in Hebern indicate the cipher output associated with any predetermined input character, and only that output. If the claim is read to mean that applicant provides a second indicator providing duplicate indication, it would not be invention to duplicate Hebern or Korn's lamp indicator. If the claim is intended to mean that the authenticator somehow

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modifies the operation of the cryptographic device to afford only this indication, it would not be invention to provide means to obscure the indicia on the keys and thus eliminate such indication, neither is there seen any unobvious result just from obscuring such indication.

Claims 2, 5-7, 10 and 11 are rejected.

Claims 1, 8, 18, 19, 22 and 23 have been indicated to be allowable.

Since an issue appears to have been reached in this case, this rejection is made FINAL.

LNDavis/gj

Examiner