

IN REPLY REFER TO

WAR DEPARTMENT  
OFFICE OF THE CHIEF SIGNAL OFFICER  
WASHINGTON

Subject.

Patent Application, Ser. No. 36,868  
Electrical Switching Mechanism

May 12, 1938.

To:

Mr. William F. Friedman and  
Mr. Frank B. Rowlett,  
Intelligence Section,  
War Plans and Training Division,  
Office of the Chief Signal Officer.

1. This will report a further action in this case and there is enclosed a copy of the Examiner's letter of April 18, 1938, together with copies of the newly cited reference patents.

2. In view of the general attitude of the Examiner at this stage of the prosecution, it seems desirable that a formal response be deferred until shortly before the expiration of the time limit. It will then be time enough to discuss the validity of the Examiner's contentions. The criticism found in the marked paragraph on page 1, speaks for itself. The field of argument appears to be pretty well exhausted on this point, but whatever may be said about the alleged insufficiency of the specification, it is believed that the drawing can always be relied upon to support the theory of operation and we have the right to amend and amplify the specification to cure whatever may be lacking just as long as we can rely upon the showing itself.

3. This case is still open to prosecution and surely there is patentable subject matter as admitted by the Examiner. The prosecution of this case has been rendered more difficult by the piecemeal citation of art. In any event, all grounds of objection can be discussed at length in connection with the preparation of the next response and, if necessary, the case may be taken up with the Examiner on personal interview prior to the actual filing of the next amendment.

*Chas. A. Rowe*

Charles A. Rowe,  
Patents Section, Signal Corps

Encl.