IN THE UNITED STATES PATENT OFFICE

Application of
WILLIAM F. FRIEDMAN

Serial Number
551,172

Filed
25 August 1944

For
AUTENTICATING DEVICE

18 August 1948
Division 53

The Honorable Commissioner of Patents
Washington 25, D. C.

Sir:

Now comes Henry B. Stauffer, attorney for William F. Friedman, applicant in the above-identified application for patent which became abandoned 3 February 1948 for failure to prosecute, and aver that:

(1) When the application was filed, the applicant was, and he now is an employee of the United States Government (Signal Corps), and that Mr. William D. Ball, Office of the Chief Signal Officer, was the attorney of record.

(2) The application was filed under the provisions of the Act of 3 March 1883, as amended.

(3) A first Patent Office action rejecting the claims was given 3 February 1945.
And your Petitioner further avers that:

(1) In May and June, 1948, it was decided to transfer from the Signal Corps to the Army Security Agency, now a separate entity, the Signal Corps files of certain applications for patent, and that this said application, serial number 551,172, was one of these so transferred.

(2) The physical transfer was accomplished on 25 June 1948.

(3) Within a few days thereafter, while the Signal Corps files were being assimilated with Army Security Agency files, the unfiled amendment of 25 July 1945 was discovered.

And your Petitioner is informed and believes and, therefore, avers that it is Signal Corps practice to deposit "three-year" applications for patent within a special vault apart from other cases and to prepare amendments thereafter after being notified by the Patent Office that the extensions therein are about to expire; that a single tickler system was maintained for applications; that no separate tickler system is maintained for applications that are kept in the special vault; and that some person, not known, apparently placed the amendment of 25 July 1945 within the file folder of application serial number 551,172 just before the folder was deposited in the said vault instead of forwarding the same to the Patent Office for filing. The allegations of this paragraph will be verified by Mr. Henry M. Sarajevita, successor to Mr. William D. Hall, who left the Signal Corps on or about 20 June 1947.

And your Petitioner further avers that he, Petitioner, was unaware of the aforesaid Signal Corps policy and, moreover, believed, as
above averred, that the amendment of 25 July 1945 had already
been filed and did not advise the Signal Corps of the receipt
of the aforementioned Patent Office notice of the expiration of
the extension of time in application serial number 551,172.

Petitioner submits that, under the circumstances above set forth,
the delay in prosecuting the above-identified application for
patent was unavoidable and requests that the said application be
revised, and that the previously unfiled amendment of 25 July 1945,
hereto attached, which is believed to be completely responsive to
the Patent Office action of 3 February 1945, be entered. The
"Remarks" of this amendment have been slightly expanded from their
original form.

Respectfully,

Henry B. Steufer
Attorney for Applicant

STATE OF VIRGINIA

County of Arlington

On this 18th day of August, A. D. 1948, before me, a Notary Public in
and for the County of Arlington and State of Virginia, appeared the
above-named petitioner, Henry B. Steufer, personally known to me
who in my presence executed the foregoing petition and acknowledged
that the same is true to the best of his knowledge and belief,

Notary Public, Arlington County, Va.
Commission expires: 20 November 1950
STATE OF ____________
County of ____________

I, Harry N. Saragovits, being first duly sworn, depose and say:

(1) That I have been employed in the Legal Division, Office of the Chief Signal Officer, since prior to the filing date of application for patent serial number 501,172;

(2) That I succeeded William D. Hall as attorney in the above-identified application for patent; and

(3) That the facts contained in Paragraph Two (2), lines 11 through 23, Page 3, of the foregoing Petition to Revive are true.

[Signature]
Harry N. Saragovits

Subscribed and sworn to before me this 31st day of August, 1948.

[Seal]
Notary Public, Dist. Ct., Va.