

5 June 1945

Mr. Friedman-

The inclosed
TIS and action in your
application # 682 096
have just been
received.

You may keep
or return the papers, as
you wish. - We have
a partial file on the
case.

Henry B. Stauffer

Application of William F.
Friedman, for CRYPTOGRAPHIC SYSTEM

Signal Security Agency
Room 3C 340
Attn: Lt. Stauffer

Legal Division DATE 4 June 1945

Mr. Saragovitz/72416

Forwarded herewith is a copy of United States Patent Office action 30 May 1945, regarding the patent application of William F. Friedman, Serial Number 682,096. Since this application is under the three year rule an amendment will not become due until 30 May 1948.

FOR THE DIRECTOR:

D. K. C.

DONALD K. LIPPINCOTE, Lt. Col., Sig C
Pats. and Invs. Counsel, Legal Division

1 Incl.
Cy U.S. Pat action
dtd 30 May 45

REF ID: A27268
Department of Commerce
United States Patent Office
Richmond 20, Virginia

May 30, 1945

William D. Hall
Patents Section
Signal Corps
Munitions Bldg., War Dept.
Washington, D. C.

Applicant: William F. Friedman
Ser. No. 682,096
Filed July 25, 1933
For CRYPTOGRAPHIC SYSTEM

Responsive to letter filed December 6, 1944.

The claims in the case are 1-10, 12, 14-40.

Claims 1-10, 12, 14-25, 35-39 stands allowed.

Claims 26-34 are again rejected as unpatentable methods. Nothing can be added.

Claim 40 is rejected. The only structure recited is (1) a series of tape wheels and (2) an alphabet keyboard. There is nothing to indicate (1) how many tape wheels there may be, (2) how the tape is related to the wheels, (3) how the keyboard is related to the wheels, (4) how the keyboard is related to the wheels or the tape. Obviously, it would seem, a keyboard and a series of tape wheels does not necessarily describe a cryptographic machine or any other kind of machine. In this regard the claim sets out a mere suggestion of elements. For aught the claim sets out these parts might be loose in a box or laid out on a table. It is submitted that enough wheels or more than enough wheels, and a keyboard required to make a cryptographic instrument are not a cryptographic machine. In view of all the known cryptographic devices, discs, perforated plates, slides, telegraphic printing press, and typewriter, the claim has failed to define the invention in the recitations of structure even though qualified by the statement that plain language comes out

scrambled and when the scrambled language is repeated back it comes out unscrambled. Such a result is naturally to be expected of any device even invented for cryptographic purpose if it is to have any use.

Examiner.