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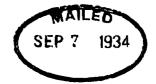
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Applicant **William F. Friedman,**
et al.
Ser. No: **588,344**
Filed   **January 23, 1932**
For **Cryptographic System.**

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Responsive to amendment filed July 31, 1934.

Claims 3-17, 19-23, 25-32, 34-50 are the claims in the case.

Claims 3-17, 19-23, 25-32, 38 and 39 appear allowable.

Claim 34 would appear allowable if there were antecedent basis for "connections" in line 3, and if the kind of signals and connections used were set forth. In line 3, "switching" refers possibly to electrical connections but not necessarily so and the signals may be electric lights or possibly mechanically operated slides, to mention a few possibilities.

Claim 35 is subject to similar criticism. In line 6, "key" is so broad as to apply to a great many mechanical devices, even more aptly than to the tape. "key" is applied very frequently to intangibles such as a pass word. The significance of "external" is not apparent. The tape appears to be part of the mechanism. It seems immaterial, however, where or how it is arranged, since the impulses occasioned by it are carried by electrical connections. The claim appears allowable subject to amendment.

Claim 36 is subject to criticism above noted, in "connections", line 3. Line 7, "sequence" has previously been

criticized. The criticism is repeated. "key" has also
been criticized above. The key is in fact a tape with
perforations arranged in random order. This perforated
tape operating through the associated mechanism produces appli-
cant's results. For aught the claim states to the contrary
the key may be no more tangible than the well known "open
sesame" of Arabian Nights fame. A different sequence of sounds
in the tale was related to produce no results. The letters
making up "open sesame" are all cryptographic characters if
used for cryptographic purposes. It is evident that applicant's
device requires something more substantial than words repeated
orally however efficacious a correct sequence was related to
be in opening the door to the cave in the tale. The purpose
in making this allusion is to make the examiner's position
clearer to the applicant in rejecting the claims as intangible
and therefore indefinite. Any good dictionary, for example,
the 1924 Webster's Unabridged in Division 53, will indicate
the great number of meanings given to "key" and the necessity
therefore of more accurately setting forth the structure in
the claim where the tape mechanism is referred to.

The claim appears allowable subject to amendment along
lines suggested.

Claim 37 is subject to the same criticisms and would
appear allowable under the same circumstances.

In their present form claims 34 to 37 inclusive, are
rejected as failing to define the invention.

Claims 40 to 50 are again rejected as unpatentable
under the decisions cited. Nothing can be added to the remarks
in the previous office action, further than to say that after
the apparatus has been operated it is the same as it was before.

It is noted further that claims 41, 42, 43, 44 and 45 use the expression "the step of external control involving", etc. The term "involving" indicates that in practice, the step takes in more than the claim recites. These claims are therefore rejected as misleading.

Claims 40-47 "external" was criticized in treating claim 35. The criticism is applicable to these claims and "internal" is subject to similar criticism. These claims are further rejected as failing to define.

Claims 48, 49 are rejected as apparently incomplete in line 1, "employing as one of its keying elements". This expression implies other "keying elements" not mentioned.

Examiner.