

~~CONFIDENTIAL~~C  
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Y,  
OCSigO-311.5-(M-134)

eve/gab

April 12, 1933.

Convertor, type M-134.

Officer in Charge, Signal Corps Laboratories,  
Fort Monmouth, N. J.

1. There is attached a copy of the military characteristics for a cipher machine for use in Message Centers of Divisions and Higher Headquarters, which your Laboratory is now working on.

2. These characteristics have not been submitted to the Signal Corps Technical Committee, inasmuch as it is for sole use by the Signal Corps, and in view of the fact that the project is considered as confidential. However, these projects have been approved by this office and should govern you in the development.

By order of the Chief Signal Officer:

HUGH MITCHELL,  
Major, Signal Corps.

Incl.  
characteristics.

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## IN THE UNITED STATES PATENT OFFICE

September 26, 1932

In re application of  
 William F. Friedman, et al  
 Filed January 22, 1932,  
 Ser. No. 588,344  
 Cryptographic System

Div. 16, Room 5612

Hon. Commissioner of Patents,

Sir:

Responsive to Patent Office Action dated April 9, 1932.

By separate communication the Official Draftsman has been requested to apply the reference numeral 1 to Fig. 1 of the Drawing to designate the keyboard, as indicated in the print filed therewith.

In the specification, page 12, line 19, change "35" to

- - 33 - -

Claims 18 and 24 are cancelled without prejudice.

Claim 48, line 6, cancel "said method consisting" and substitute

- - which consists - -

Claim 49, lines 6 and 7, cancel "said method consisting" and

substitute - - which consists - -

Claim 50, line 9, cancel "said method consisting" and substitute

- - which consists - -

## REMARKS

Reconsideration is requested of claims 1 to 3 inclusive and claim 33. Referring to Hovland cited against these claims, attention is

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called to the fact that according to the patented disclosure, the electrical condition representing a character is composed of the permutation of signaling units and these units are put through segments of a commutator device. In applicants' system the electrical condition representing a character consists simply in the setting up of a single circuit, part of which traverses a conductor in a cipher wheel. This cipher wheel is not of the nature of a commutator built up of segments as in Howland. Moreover, the series circuit disclosed in the present application has nothing to do with the electrical condition representing the message character, but is simply a part of the mechanism for controlling the displacements of the cipher wheel. The counterpart is not found in Howland and it is believed that this group of claims is clear of Howland's disclosure.

Referring now to method claims 40 to 50 inclusive, it is contended that the system here disclosed involves certain steps or operations which are something more than the mere function of the apparatus here shown by way of example and that method claims are tenable. It is true that structure has been included in the preambles of this group of method claims, but the recital of structure is required to make the claims intelligible and to support the method steps. That true method claims may be predicated upon a recital of structure in the preambles sufficient to properly define and give meaning to the method steps, is understood to be well established by the practice. The present method is one which appears to require a certain introductory or antecedent recital of

structure and in principle, this is thought to be quite as true in this case as in the instance of Verman, Patent No. 1,416,766.

) Favorable reconsideration of claims 40 to 50 is courteously requested.

Respectfully submitted,

William F. Friedman, et al

By:

F.H. Vanderwerker and  
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Attorneys.