

**SECRET**

## ROUTING AND WORK SHEET

576

(Par. 41.6 b O. R.)

Subject Patent Application No. 682,096 - William F. Friedman - Cryptographic System.

NUMBER EACH ACTION	TO-	MEMORANDUM	NAME, DIVISION OR BRANCH, AND DATE
1	SIS Att.: Mr. F. Friedman	<p>1. Your Patent Application S.N. 682,096, filed July 25, 1933, for a Cryptographic System, was prosecuted up to and including an appeal, at which time Mr. Howe withdrew the appeal and began prosecuting the case under the three year rule.</p> <p>2. In order to secure a three year delay period, an amendment was filed on August 29, 1941, a copy of which is enclosed.</p> <p>3. The Patent Office, on July 31, 1942, repented its previous holding.</p> <p>4. On February 14, 1942, the Secretary of War requested that this application be continued for an additional three year period. This request was granted on February 24, 1942.</p> <p>5. Copies of the correspondence described above are enclosed herewith.</p>	<p><i>D. H. G.</i> Donald H. Lippincott, Major Legal Div., Pats. &amp; Inv. Sect. ID 3/1/42</p>
		<p>Enclosures: Amendment dated Aug. 29, 1941 (copy) Ltr. from Secret. of War to Comm. of Pats. (copy) Ltr. from Comm. of Patents to this office (copy) Patent Office Action, dated 1/31/42 (copy)</p>	

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ADDRESS ONLY  
THE COMMISSIONER OF PATENTS  
WASHINGTON, D. C.

R03

LETTER No.

## DEPARTMENT OF COMMERCE

UNITED STATES PATENT OFFICE

WASHINGTON

February 24, 1942

Ex parte William F. Friedman  
Serial No. 632,096  
Filed July 25, 1933  
For: Cryptographic System

In compliance with the request in the letter of the Secretary of War, dated February 14, 1942, this application is continued under the provisions of U.S. Code, Title 35, Section 37.

This application will not become abandoned prior to the expiration of three years from the date of the last Office action. That is not before January 31, 1945.

  
Commissioner

William D. Hall

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

FEB 14 1942

The Honorable,

The Commissioner of Patents.

Dear Mr. Commissioner:

It is requested that the patent application of William F. Friedman, an employee of the Signal Corps, War Department, relating to an improvement in Cryptographic System, Serial No. 482,056, filed July 29, 1935, be continued under the provisions of Section 4894, Revised Statutes, as amended, U.S.C., title 35, section 87. The title in and to this invention has been assigned to the United States, as represented by the Secretary of War by assignment executed by said Friedman under date of September 10, 1935, recorded September 17, 1936, U.S. 308-309.

It has been determined that the invention is important to the armament and defense of the United States, and it is therefore desired that the application be continued under Section 4894, Revised Statutes, as amended, to avail the War Department of a further period of three years in which to make response to the Patent Office as provided by the said statute.

Sincerely yours,

HENRY L. STINSON

Secretary of War.

Inventor  
Copy for The ~~Chief Signal Officer~~

IN THE UNITED STATES PATENT OFFICE

Filed  
Aug 29, 1941.

In Re application of,  
William F. Friedman  
Serial No. 692,096  
Filed July 25, 1938  
CRYPTOGRAPHIC SYSTEMS

Div. 53  
Room 6577

AMENDMENT

Hon. Commissioner of Patents

Washington, D. C.

Sir:

In response to the official letter of November 2,  
1938 amendment is made as follows:

Add the claim:

35. The apparatus is a cryptographic machine for  
encrypting and deciphering messages comprising a series of  
tape wheels for writing on a tape and an alphabet keyboard  
whereby wheels operate to encipher and for decipher messages  
so a plain language comes out scrambled and when the scrambled  
message is repeated back into the machine it comes out un-  
scrambled.

REMARKS

This application is being prosecuted under the three-  
year rule, hence this response is reasonable.

There are two grounds of objection, the first of  
which is undue multiplicity. The examiner has admitted that  
all of the apparatus claims heretofore submitted are allowable  
and allowable. There are twenty-nine apparatus claims and  
only nine method claims. Certainly some method claims are  
permissible when there are twenty-eight allowable apparatus

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claims. It goes without saying that method and apparatus claims are in different statutory classes and one does not affect the other.

Hence, it is simply necessary to review the method claims. In this connection, the examiner is requested to reconsider his rejection in the light of the following decision:

Ex parte Barrett and Udell 26 USPQ 150.

New claim 35 is submitted for the same reasons as the allowed claims.

Respectfully

William D. Hall  
Associate Attorney for Applicant

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Div. 53

Room 6897

260

Paper No. 25

DEPARTMENT OF COMMERCE  
United States Patent Office  
Washington

Please find below a communication from the EXAMINER in  
charge of this application

TODD/A

Conway F. Coe  
Commissioner of Patents

William D. Hall  
Patents Section  
Signal Corps  
Exhibitions Bldg.  
War Dept., Wash., D.C.

Mailed Jan. 31, 1942  
Applicant: William F. Friedman  
Ser. No. 682,096  
Filed July 25, 1933  
For CRYPTOGRAPHIC SYSTEM

responsive to amendment of Aug. 29, 1941.

Claims in the case are 1-19, 12, 14-40. The  
status of claims 1-10, 12, 14-39 is that given in the  
action of Nov. 1, 1938.

The amendment filed Aug. 29, 1941 wherein claim  
40 (renumbered from 35 so that the numbering may  
comply with Rule 73) is non-responsive since the remarks,  
required by Order 2801, Feb. 20, 1923, as applied  
to said claim 40 are wholly inadequate. The pertinent  
part of the order reads:

"If new claims are inserted without argument-----  
the claims will not be allowed. The reasons must be of  
record."

Examiner.