

Div. 53

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Paper No. 3

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**TWO CARBONS SENT.**

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

Date

June 24 1936

11-0023

*Commy P. Co.*  
Commissioner of Patents

Applicant: W.P. FRIEDMAN ET AL,

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Ser. No. 70,412,  
Filed March 23, 1936,  
For CRYPTOGRAPHS.

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**CITED TO INDICATE THE STATE OF THE ART:**

Morris	1,953,829	April 3, 1934	35-4
Korn	1,753,886	Oct. 29, 1929	"
Scherbins	1,657,411	Jan. 24, 1928	"
Korn	1,703,641	March 19, 1929	"

The claims are all rejected as drawn to matter in-  
sufficiently disclosed in structure and function of the uni-  
versal bar.

Claims 1, 2 are rejected as functional and therefore  
indefinite in the "means to cause said commutators to perform",  
etc.

Claims 9, 10 are rejected as failing to define be-  
cause it sets forth only a result and not sufficient structure  
to warrant the same in the "electrical means" of line 5.  
Obviously the mere fact that the means is conductive and current  
is supplied is not sufficient structural recitation of what causes  
the commutators to do substitution and control functions.

Claim 12 is rejected as failing to define the means  
of line 5 sufficiently in the electrical conductors since  
mere associating electric conductors with the commutator  
bodies will not necessarily produce the result claimed.

Claim 13 is rejected as inaccurate in "self-con-  
trolled". Claims 14 and 15, based on 13, are rejected.  
The commutators are operated by mechanism connected to the  
keys.

Claim 16 is rejected as inaccurate as just explained,  
and as failing to define in "permit". The device not only

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Ser. No. 70,412 -2-

permits but by its use positively causes the commutators to act as claimed. "Permit the same commutators to function alternately", etc., is a statement of result without sufficient basis in structural statement.

Claim 18 is inaptly worded in line 7 "means to provide" the means is the "channels" themselves and might just as well be called electrical conductors. The means as set forth is functional and indefinite since even if electrical channels are provided this structure does not necessarily mean that "substitution" will be performed by one series and control by the other.

Claims 19 and 20 dependent thereon are rejected as inaccurate, as above noted, in self-controlled.

Claims 21-23 having expressions above criticized, are rejected.

Claim 27, line 8, "electrical instrumentalities", etc., is functional and indefinite, since as above intimated, "electrical" is of no especial significance and "control" may be exercised without causing the same commutator to perform two different functions.

The claims are grouped as follows:

- I. Generic claims.
- II. Specific to some or all of Figs. 3, 5, 6, 7.  
Claims 2, 9-12, 16-28.
- III. Specific to Fig. 1. Claims 3-8, 13-15, 29-33.

Since the generic claim is rejected, DIVISION AND ELECTION are required under Rule 41 between the claims of groups II and III, and all claims are further rejected because of this requirement.

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Ser. No. 70,412 -3-

In various views, an article which occurs but once in the respective views is shown twice, for example, number 304 in Figure 1. In every instance, the informality should be avoided by suitable amendment. These and other informalities may await allowance of any claim under Order 2749.

All claims are rejected.

EXAMINER.

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