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FREDERICK LAIST
VICE-PRESIDENT

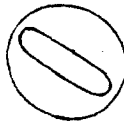
May 31, 1938.

Mr. G. E. Johnson, Manager,
International Smelting and Refining Company,
Lead Refining Department,
East Chicago, Indiana.

Re: U.S. Patent Application of
Messrs. Johnson, Bowman & Knox
Serial Number 178,352
Filed December 8, 1937
For: Method of Producing White
Lead

Dear Mr. Johnson:

I am sending you herewith copy of letter received from Mr. McCarthy with attached copy of an Office action dated May 12, 1938 in the above noted case, together with one copy each of the references cited by the Examiner with the exception of the British patent to Sperry No. 144,819, which I believe was forwarded to you in connection with patent application Serial No. 134,520.

Yours very truly,

FL/FH
cc - Mr. Case
Enc.

G


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PENNIE, DAVIS, MARVIN AND EDMONDS

COUNSELLORS AT LAW

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May 28, 1938.

D4947

Mr. Frederick Laist, Vice President
International Smelting & Refining Co.,
25 Broadway, Room 1720,
New York, New York.

Re: U. S. Patent Application of
Messrs. Johnson, Bowman and Knox
Serial Number 178,352
Filed December 6, 1937
For: Method of Producing White Lead

Dear Mr. Laist:

We are enclosing herewith two copies of an Office
action dated May 12, 1938 in the above case together with one
copy each of the references cited by the Examiner with the excep-
tion of the British patent to Sperry No. 144,819. A copy of
the aforementioned British patent to Sperry is available in your
file of Application Serial No. 134,520.

Very truly yours,

Donald J. McCarthy

Enclosures.

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DEPARTMENT OF COMMERCE
United States Patent Office
WASHINGTON

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

May 12, 1938.

CONWAY P. COE,
Commissioner of Patents.

Applicants: G. E. Johnson and
R. G. Bowman and
Wm. J. Knox, Jr.
Serial No. 178,352
Filed December 3, 1930
For: Method of Producing White
Lead.

AMENDMENT DUE November 12, 1938

References:

Brown et al	555,232	Feb. 25, 1896	204-61.1
Sem	1,382,808	June 28, 1921	204-9.142
Fireman	1,490,372	Apr. 15, 1924	204-61
Rosenstein	1,832,325	Nov. 17, 1931	204-9.142
Johnson et al	1,845,713	Feb. 16, 1932	204-61
Udy	1,878,918	Sep. 20, 1932	204-9.144
Sperry (British)	144,819	June 21, 1920	204-6.11
(1 sht. dwg. 4 pp. spec.)			

Claims 1, 8, 12 and 16 are rejected as being obviously fully
met by Johnson et al.

Claims 20 and 22 are rejected as being fully met by Browne
et al. It is to be noted that a part of the catholyte is added
to the anolyte in the process of this patent, page 2, lines 15
to 31.

Claims 20 and 21 are rejected as being fully met by Sem,
Fireman and Udy, each taken separately. Portions of the ano-
lyte are added to the catholyte in the processes of each of
these patents.

Claims 2 to 7, 9 to 11, 13 to 15, and 17 to 19 are rejected
as being substantially met by Johnson et al. It is obvious that
an excess of carbonate may be employed in the catholyte and the
excess in the anolyte in a reduced conventional manner instead
of providing a deficiency and making up the difference accord-
ing to Jackson et al. Each method is an obvious one for the
control of the bicarbonate concentration of the anolyte.

The conversion of bicarbonate to carbonate, by adding of
an alkali is a well known expedient and as described by the pat-
ent to Rosenstein, page 2, lines 3 to 6.

Claims 1 to 19 are rejected as being substantially met by

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the patent to Sperry. The patentee controls the acidity of the anolyte and it is obvious that this may be accomplished by the addition of alkali. Excess bicarbonate is merely a question of excess acidity.

After consideration of the disclosure herein and the above-cited art, it is held that no more than five claims are necessary to cover the patentable novelty. Since that number is exceeded herein, all the claims are rejected for undue multiplicity. Ex parte Schwartz 1935 C.D. 23.

Applicant may response to this rejection in one of three ways: (a) cancel all but the number set; (b) select for further prosecution a number not exceeding that set, without cancelling the remaining ones, or (c) point out how a larger number is not unduly multiplied. If applicant elects (c) a final rejection on the ground of undue multiplicity may follow, if his showing is not persuasive. If applicant elects (b) the remaining claims may then be retained during prosecution before Primary Examiner of the selected claims; but before appeal from the rejection of the entire set of claims can be prosecuted, the applicant must point out wherein the entire number is free from multiplicity.

EXAMINER.