INTERNATIONAL SMELTING AND REFINING COMPANY

25 Broadway, New York

OFFICE OF THE VICE-PRESIDENT

October 17, 1939.

Mr. F. O. Case, Manager of Midwest District,
International Smelting and Refining Company,
20 North Wacker Drive,
Chicago, Illinois.

Johnson et al. Application
Serial #178,352, For: METHOD
OF PRODUCING WHITE LEAD

Dear Mr. Case:

I am sending you herewith copy of letter dated October 16th from Pennie, Davis, Marvin and Edmonds, relative to the above noted patent application, which is self-explanatory.

Will you kindly advise in detail, the nature of the improvements made in this application, as noted in the second paragraph of this letter, in order that an affidavit may be filed in this connection at an early date.

Yours very truly,

G
Enc.

CC-Mr. G. E. Johnson

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D4947

October 16, 1939

Mr. Frederick Laist, Vice-President
International Smelting & Refining Co.
25 Broadway, (Room 1720)
New York, N. Y.

Dear Sir: Re: Johnson et al. Application, Serial No. 178,352, For: Method of Producing White Lead

Last week I discussed the above-mentioned application with the Examiner who is handling it in the Patent Office, and pointed out to him that the method claimed for controlling the bicarbonate ion concentration in the electrolyte is different from that described in the references and possesses marked advantages thereover. The Examiner appreciated the difference between the claimed method and the method shown in the references, but expressed the view that the claimed method (involving excess carbonation of the catholyte with compensating additions of sodium hydroxide to the anolyte) does not amount to a patentable improvement over the methods of the references (involving deficient carbonation of the catholyte with compensating additions of carbonate salts to the anolyte. The Examiner suggested that the difference between the two methods is substantially the same as the difference in an analytical procedure between adding an excess of a titrating agent and then back-

titrating, and titrating direct to the end point. I explained to the Examiner that however obvious this procedure might seem to be, the fact remains that it was not obvious to those who have had many years experience in the production of white lead, and that when it was first conceived and tried it was found to result in substantial operating improvements. The Examiner stated, however, that these improvements were not apparent from the record and indicated that the case would receive more favorable consideration if we could establish that unexpected results were obtained by use of the claimed method.

This suggestion of the Examiners may be met by filing an affidavit setting forth the nature of the improvements made possible by the method described and claimed in the application. I will appreciate it, therefore, if you will ask Mr. Johnson to advise in detail the nature of the improvements made. As I understand it, these improvements fall into two categories, (1) simplification of control over the bicarbonate concentration in the anolyte, and (2) more accurate control of bicarbonate ion concentration. The affidavit should state exactly how control of the anolyte composition was simplified (are fewer control analysis necessary, and if so how many; is operation of the carbonation tower simplified, and if so in what manner and to what extent; is excess carbonation with addition of caustic to the anolyte simpler or otherwise better than deficient carbonation and addition of sodium carbonate to the anolyte,

and if so in what manner) and how such control was made more precise (how would anolyte composition fluctuate from time to time under the old procedure as compared with similar fluctuations under the improved procedure).

I believe it would be advantageous to file the affidavit referred to above at as early a date as possible.

Very truly yours,

James W. Laist