

INTERNATIONAL SMELTING & REFINING COMPANY

25 BROADWAY

NEW YORK

FREDERICK LAIST
VICE-PRESIDENT

July 16, 1938

Mr. Donal McCarthy
Pennie, Davis, Marvin & Edmonds
165 Broadway
New York City

Re: U. S. Patent Application
of Messrs. Johnson, Bowman
and Knox, Ser. No. 178,352,
filed December 6, 1937, for:
METHOD OF PRODUCING WHITE LEAD

Dear Mr. McCarthy:

I am sending you herewith copy of letter
received from Mr. Case dated July 14th with encl-
sures relative to the above noted patent application,
which is self-explanatory.

Yours very truly

R
enc

PNYC00008503

INTERNATIONAL SMELTING AND REFINING COMPANY

F. O. CASE
MANAGER OF MIDWEST DISTRICT



20 N. WACKER DRIVE
CHICAGO, ILLINOIS

July 14, 1938.

Mr. Frederick Laist,
Vice President,
International Smelting and Refining Company,
35 Broadway,
New York, N. Y.

Dear Mr. Laist:

I am attaching hereto two copies of a letter from Mr. Johnson and a memo from Mr. Knox. Both of these refer to U. S. Patent Application of Messrs. Johnson, Bowman & Knox, Serial No. 178,352, filed December 6, 1937, For: Method of Producing White Lead.

Mr. Knox's suggestions embody the best opinion of our group and I would appreciate Mr. McCarthy's approval or further suggestions.

Very truly yours,

FOC:ajd

Encls.

cc:

Mr. G. E. Johnson

PNYC00008504

N11454.01

July 13th, 1938

Mr. F. O. Case,
Manager of Midwest District,
International Smeltg. and Refg. Co.,
20 North Wacker Drive,
Chicago, Illinois.

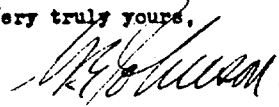
Re: U.S. Patent Application of
Messrs. Johnson, Bowman & Knox
Serial Number 178,352
Filed December 6, 1937
For: Method of Producing White
Lead

Dear Mr. Case:-

Attached please find three copies of a memorandum of June 9th prepared by Mr. Knox regarding the U.S. Patent Application, Serial No. 178,352 for Method of Producing White Lead. This memorandum was prepared by Mr. Knox after Mr. Bowman and he had carefully studied the Patent Office Action as forwarded with Mr. Laist's letter of May 31st, attached to which was Mr. Donal McCarthy's letter of May 28th, and the Patent Office Action of May 12th, 1938.

You will note that Mr. Knox has suggested that Mr. McCarthy select one group of five claims which, in his opinion, would be the most satisfactory claims for further prosecution. As soon as Mr. McCarthy has given us his opinion, then we would prepare a suitable discussion for Mr. McCarthy to present in prosecution of the selected five claims.

Very truly yours,



GEJ/s
encl.

PNYCOC008505

N11454.02

MEMORANDUM

TO Mr. R. G. Bowman, Superintendent

DATE June 9th, 1938

SUBJECT:

U. S. PATENT APPLICATION OF MESSRS. JOHNSON, BOWMAN
AND KNOX SERIAL No. 178,352. FILED DEC. 6th, 1937
FOR: METHOD OF PRODUCING WHITE LEAD

Relative to Patent Office action dated May 12th in the above noted case which was forwarded by Mr. Laist on May 31st, together with Mr. McCarthy's letter of transmittal of May 28th:-

The Patent Office communication covers two distinct actions, (1) "All claims rejected for undue multiplicity"--- "no more than five claims are necessary"--- (2) "Rejections of individual claims as having been fully met in references cited by the Examiner.

In order to simplify the correspondence in reference to the application, I believe that the selection should first be made of the five claims for further prosecution, and that the discussion of the references to the conflicting patents should be covered in a separate letter to be forwarded after receiving Mr. McCarthy's approval of the selected claims.

The response to this rejection for undue multiplicity would seem to be best made on the basis of the Patent Office's proposal (b)--- "select for further prosecution a number not exceeding that set, without cancelling the remaining ones"

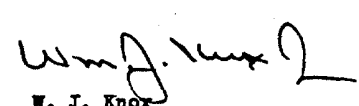
The 22 claims of the original application filed December 6th, 1937 fall in five groups as follows:

Claim 1 to 7
" 8 to 11
" 12 to 15
" 16 to 19
" 20 to 22

Based on this grouping there seems to be two choices in selecting five claims from the 22, (1) Claims 1, 8, 12, 16 and 20. (2) Claims 8, 9, 10, 11, and 20.

I wish to propose for Mr. McCarthy's consideration, that claims 8, 9, 10, 11, and 20 be selected as the most suitable. This grouping of claims includes claims 8 and 20, which are the most inclusive of all the claims, and, if allowed, all features of the application will be covered. If this group is rejected by the Primary Examiner, other groups of claims could be brought before him before appeal from rejections.

WJK/dm


W. J. Knox
White Lead Plant Superintendent

PNYC00008506

N11454.03