

25 Broadway, New York

OFFICE OF THE VICE-PRESIDENT

November 13, 1959.

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

Re: Johnson et al Application,
Serial No. 178,352, For: METHOD
OR PRODUCING WHITE LEAD

Dear Frank:

Referring to your letter of November 6th, I am sending
you herewith copy of letter dated November 10th, received from
Mr. James W. Laist, relative to the above noted patent application,
which is self-explanatory.

Yours very truly,

G
Enc.

CC - Mr. G. E. Johnson

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November 10, 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,
Ser. No. 178,352, For: Method
of Producing White Lead

I have carefully reviewed Mr. Knox' letter of November 2nd, transmitted with your letter of November 8, 1939, in which it is suggested that claims 2, 4 and 5 of the above-mentioned application be cancelled, and that claim 11 be amended to point out that a portion of the catholyte is subjected to excess carbonation and that the remaining uncarbonated portion of the catholyte is added to the anolyte. I doubt if amendment in the claims in the manner suggested would result in allowance of the application. The Examiner has recognized the distinction between the claimed method and the methods shown in the various references, but he is not convinced that the differences constitute a patentable invention. The best way of convincing him that they do is to show that the new process possesses marked advantages over the old processes of the references. Since the Examiner's suggestion is not based upon a contention that the claims do not define a novel procedure, but rather

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is based upon the ground of lack of invention, changes in the claims which further distinguish the new process from the old ones probably do not suffice to have the claim allowed. Even with the proposed amendments, it would probably still be necessary to have the affidavit in order to secure allowance.

Even though the proposed amendments probably would not alone suffice to place the case in condition for allowance, I believe it would be a good idea to amend claim 11 as suggested, and I will bear this in mind at the time the proposed affidavit is filed.

Very truly yours,

James W. Laist