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July 7, 1944

Mr. James P. Burns
809 Munsey Building
E Street and Pennsylvania
Washington, D. C.

BEST COPY AVAILABLE

Dear Mr. Burns:

I am enclosing the action of the examiner on No. 437916, which we just received. I cannot tell from the wording used by the examiner whether or not there is any hope in this application. However, he at least does not make it final as he did with the former one. Perhaps this means that something will be allowed. In any case I have made some notes on the margins which may be helpful to you. I would appreciate very much your opinion as to what to do with this application.

With respect to the application concerning the liquid systems, at the moment I must admit that its value does not seem very great. However, it appears to me from what little experience I have had with these things that it is very difficult to tell precisely what point in a patent application will provide the controlling factors. Therefore I would suggest that you weigh the cost to yourself against the possible accrued value that this may have and decide whether to pursue it any further.

However, the other two applications, namely 417732 and 437916, are important, and no possible claim which might be allowed should be neglected. As I said in my earlier letter it appears to me that the examiner reporting on 417732 has completely ignored our arguments whereas the one reporting on 437916 has done only a little better. Neither one of them seems to have any fundamental knowledge of chemistry. However, this does not mitigate our circumstance any. It appears that 437916 may have a number of allowable claims and if we can get them I suspect that they will protect our interests in the matter fairly adequately.

Very truly yours

CLASSIFICATION CANCELLED OR
CHANGED TO Unclassified

M. Calvin

BY AUTH. CE DAR-1 43.1
BY St. B. A. ADD DATE 4/3/96
By 743/Edward ADD 3/13/96encl.
mc/jd

P.S. I have just received word that our contract will be terminated as of August 31. The navy as you know has one unit in operation but has given no definitive report as to whether it wants more. If such information is forthcoming I shall transmit it to you immediately.

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~~CONFIDENTIAL~~

Mr. J. P. Burns

Page 2

July 7, 1944

I am also enclosing a copy of the letter I received from Rushton, which states the case fairly completely. There is one question which has arisen in my mind and which you could perhaps advise us on. When we no longer have official connections with the NDRC presumably we will have no official call on information relating to the uses to which the navy may put the present unit, hence changes may take place which we should know about but which we will be unable to discover through the channels previously used, namely, the committee of the NDRC headed by E. P. Stevenson who is also president of the Arthur D. Little Company, which built the unit now in use in the navy. We have reason to believe that the Arthur D. Little Company will not be particularly anxious to cooperate with us with respect to this information. I am therefore wondering if it might not be possible or at least advisable to make a direct contact with the navy and so be independent of the manner in which the interests of the Arthur D. Little Company influence the decisions of Mr. Stevenson as a member of the NDRC.

M.C.

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