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Letter to William Meserole, Esq. from Hugh Drake Re: Blackwell Application Serial No. 720,745

Statitrol Corporation

Hugh Drake

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February 26, 1977

William H. Meserole, Esq.
Dennison, Dennison, Meserole & Pollack
1000 Crystal Mall
1911 Jefferson Davis Highway
Arlington, Virginia 22202

RE: Blackwell Application
Serial No. 720,745

Dear Bill:

Enclosed is a copy of the Office Action and of my proposed amendment, with an extra copy of the latter, that I propose be filed in the referenced application.

This is the case on which Burt Scheiner did an extensive novelty search in 1975. As a result of that and other studies we conducted, we think that we have a truly new discovery. In itself, the Office Action is clearly off base and, actually, falls apart in its reasoning at the very same point that Burt initially missed the gist of the thing when he did the preliminary part of the search. One basic difference is that of providing an electron-emitting filament while at the same time so biasing the combination that that filament is dissuaded from letting its emitted electrons go anywhere. The end result is that we get a whole new ballgame.

I am sure that the examiner has not yet appreciated the difference in our approach. Because the difference is so great, I am definitely seeking rather broad claim coverage. If the examiner could, in fact, meet the terms of my pending broad claims, I would, of course, be very happy to know that.

Meanwhile, this is considered by the client to be an extremely important case. Therefore, I don't want simply to file the enclosed amendment and put myself under the possible onus of having broad claim language that inadvertently reads upon something which really isn't pertinent. For this reason, I would like to have you contact the examiner, perhaps offer a copy of the proposed amendment, file the original

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if he says it has to be done, but in any event sound out the desirability of an interview. I would, of course, rather have the interview before the entry of a final rejection.

Having explained the circumstances, I will leave it to your best judgment as to how best to proceed. I am willing to come down on short notice for an interview, if that should seem to be desirable.

Sincerely,

Hugh H. Drake

HHD:ml

Enclosure