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Claim 20. We do not think your first criticism of this claim is well founded. It simply amounts to a statement of the fact that there may be other rudders on horizontal axes than the ones you employ. Nevertheless, your rudders do turn on approximately horizontal axes, as shown in the drawings. Possibly we might adopt Mr. McCurdy's suggestion and insert the word "approximately" before "horizontal", though beyond all question, the claims would be so construed any way.

Generally speaking, and in its normal operation, the machine as a whole is intended to be approximately horizontal. Whether the machine is moving straight forward or whether it is rising, or whether it is descending, the medial line extending from side to side of the machine would be approximately horizontal, and in fact, the aim would be to so maintain it at all times. In any event, when the machine is standing on the ground preparatory to a flight, it is undoubtedly the intention to have the medial line of the machine extending from side to side horizontal, and in this case the axes of the balancing rudders are approximately horizontal, as shown in the drawings.

Replying to the suggestion contained in the last paragraph of page 4, we feel that if claim 20 were amended as suggested, it would be responded to by a vertical rudder, since the axis of the vertical rudder would be vertical, and such axis would be "at right angles to the said fore and aft medial line of the structure, and substantially radial thereto".