UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : 10,555,629 B2
APPLICATION NO. : 16/213466
DATED : February 11, 2020
INVENTOR(S) : Miksovsky et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Claims

1. In Line 12 of Claim 1 (Column 11, Line 13) remove "of".

2. In Line 19 of Claim 9 (Column 12, Line 61) change "spoon" to --second--.

3. In Line 19 of Claim 9 (Column 12, Line 61) change "fork" to --first--.

4. In Line 3 of Claim 18 (Column 14, Line 24) change "edges" to --edge--.

Signed and Sealed this
Thirteenth Day of September, 2022

Katherine Kelly Vidal

Katherine Kelly Vidal
Director of the United States Patent and Trademark Office

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al. Attorney Docket No.: HMG1P008D2

Patent No.: 10,555,629 Issued: February 11, 2020

Title: EATING UTENSIL SYSTEM

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on August 12, 2022.

Signed: _____/Erin Saito/_____
Erin Saito

REQUEST FOR CERTIFICATE OF CORRECTION OF APPLICANT'S MISTAKE (35 U.S.C §255, 37 C.F.R. §1.323)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Certificate of Correction

Dear Commissioner:

Attached is Form PTO-1050 (Certificate of Correction) at least one copy of which is suitable for printing.

A mistake of a clerical or typographical nature, or minor in character appears in the above-referenced patent; however, the mistake occurred in good faith. The correction introduces no new matter nor requires reexamination.

The errors together with the exact page and line number where the errors appear in the application file are as follows:

CLAIMS:

1. In line 12 of claim 1 (column 11, line 13) remove "of"--.
2. In line 19 of claim 9 (column 12, line 61) change "spoon" to --second--.
3. In line 19 of claim 9 (column 12, line 61) change "fork" to --first--.

Ex. 1003, Page 2
Industrial Revolution Inc.

4. In line 3 of claim 18 (column 14, line 24) change "edges" to –edge--

The Commissioner is hereby authorized to charge the amount of $160.00 to deposit Account 50-4481 (Order No. HMG1P008D2) in accordance with 37 CFR § 1.20(a). If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-4481 (Order No. HMG1P008D2).

Respectfully submitted,
BEYER LAW GROUP LLP

/Steve D Beyer/

Steve D Beyer
Registration No. 31,234

P. O. Box 51887
Palo Alto, CA 94303-1887
650-842-1300

Ex. 1003, Page 3
Industrial Revolution Inc.

PTO/SB/44 (10-96)
Approved for use through 6/30/99. OMB 0651-0033
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB Control number
(Also Form PT-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 10,555,629

APPLICATION NO. : 16/213,466

ISSUE DATE : February 11, 2020

INVENTOR(S) : MIKSOVSKY et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

CLAIMS:

1. In line 12 of claim 1 (column 11, line 13) remove “of”.

2. In line 19 of claim 9 (column 12, line 61) change “spoon” to --second--.

3. In line 19 of claim 9 (column 12, line 61) change “fork” to --first--.

4. In line 3 of claim 18 (column 14, line 24) change “edges” to –edge--

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Steve D Beyer
BEYER LAW GROUP LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Electronic Patent Application Fee Transmittal

Application Number:	16213466
Filing Date:	07-Dec-2018
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Filer:	Steve D. Beyer/Erin Saito
Attorney Docket Number:	HMG1P008D2

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
CERTIFICATE OF CORRECTION	1811	1	160	160

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**160**

Electronic Acknowledgement Receipt

EFS ID:	46401996
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Steve D. Beyer/Erin Saito
Filer Authorized By:	Steve D. Beyer
Attorney Docket Number:	HMG1P008D2
Receipt Date:	12-AUG-2022
Filing Date:	07-DEC-2018
Time Stamp:	14:56:05
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$160
RAM confirmation Number	E20228BE57311320
Deposit Account	504481
Authorized User	Erin Saito

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Certificate of Correction	HMG1P008D2_Certificate_of_Correction_Final.pdf	48241 5d7ed55b36efa35339bce5440fe952cee8293666	no	3
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	37903 b04eab7941001815fc7f66acfd73993f50e8c5d1	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	86144		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,466	02/11/2020	10555629	HMG1P008D2	9726

58766 7590 01/22/2020

Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

humangear, Inc., San Francisco, CA;
Christopher A. MIKSOVSKY, San Francisco, CA;
Clint N. SLONE, San Francisco, CA;
Evelyne CHAUBERT, San Francisco, CA;
Charlie NGHIEM, Oakland, CA;
Robert Charles LANE, Larkspur, CA;
Jonathan Paul DOWNING, Belmont, CA;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

58766 7590 12/16/2019

Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being transmitted to the USPTO via EFS-Web or by facsimile to (571) 273-2885, on the date below.

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,466	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D2	9726

TITLE OF INVENTION: EATING UTENSIL SYSTEM

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$500	$0.00	$0.00	$500	03/16/2020

EXAMINER	ART UNIT	CLASS-SUBCLASS
PRONE, JASON D	3724	030-150000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-09 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list
(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Beyer Law Group LLP
2
3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: humangear, Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY): San Francisco, CA

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. Fees submitted: ☒ Issue Fee ☒ Publication Fee (if required) ☒ Advance Order - # of Copies 3

4b. Method of Payment: *(Please first reapply any previously paid fee shown above)*

☒ Electronic Payment via EFS-Web ☐ Enclosed check ☐ Non-electronic payment by credit card (Attach form PTO-2038)

☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. 504481

5. **Change in Entity Status** (from status indicated above)

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature /Tina Chen/ Date December 23, 2019

Typed or printed name Tina Chen Registration No. 44,606

Ex. 1003, Page 10
Industrial Revolution Inc.

Electronic Patent Application Fee Transmittal

Application Number:	16213466
Filing Date:	07-Dec-2018
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Filer:	Tina Chen/Cara Hedin
Attorney Docket Number:	HMG1P008D2

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
UTILITY APPL ISSUE FEE	2501	1	500	500

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
PRINTED COPY OF PATENT - NO COLOR	8001	3	3	9
		Total in USD ($)		**509**

Electronic Acknowledgement Receipt

EFS ID:	38121278
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Tina Chen/Cara Hedin
Filer Authorized By:	Tina Chen
Attorney Docket Number:	HMG1P008D2
Receipt Date:	23-DEC-2019
Filing Date:	07-DEC-2018
Time Stamp:	15:21:20
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$509
RAM confirmation Number	E2019BMF22147507
Deposit Account	504481
Authorized User	Cara Hedin

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	HMG1P008D2_IF_Pmt.pdf	1235402 5367f54184a04ef0630128e2d29986b9a1e7a81f	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	31983 eacc11f303b4ae7aab1e2825ffa30b15a37f449a	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1267385		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

58766 7590 12/16/2019

Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

EXAMINER
PRONE, JASON D

ART UNIT	PAPER NUMBER
3724	

DATE MAILED: 12/16/2019

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,466	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D2	9726

TITLE OF INVENTION: EATING UTENSIL SYSTEM

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$500	$0.00	$0.00	$500	03/16/2020

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Maintenance fees are due in utility patents issuing on applications filed on or after Dec. 12, 1980. It is patentee's responsibility to ensure timely payment of maintenance fees when due. More information is available at www.uspto.gov/PatentMaintenanceFees.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

58766 7590 12/16/2019

Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being transmitted to the USPTO via EFS-Web or by facsimile to (571) 273-2885, on the date below.

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,466	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D2	9726

TITLE OF INVENTION: EATING UTENSIL SYSTEM

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$500	$0.00	$0.00	$500	03/16/2020

EXAMINER	ART UNIT	CLASS-SUBCLASS
PRONE, JASON D	3724	030-150000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-09 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list
(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ❑ Individual ❑ Corporation or other private group entity ❑ Government

4a. Fees submitted: ❑ Issue Fee ❑ Publication Fee (if required) ❑ Advance Order - # of Copies _____

4b. Method of Payment: *(Please first reapply any previously paid fee shown above)*

❑ Electronic Payment via EFS-Web ❑ Enclosed check ❑ Non-electronic payment by credit card (Attach form PTO-2038)

❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

5. **Change in Entity Status** (from status indicated above)

❑ Applicant certifying micro entity status. See 37 CFR 1.29

❑ Applicant asserting small entity status. See 37 CFR 1.27

❑ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

Ex. 1003, Page 16
Industrial Revolution Inc.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,466	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D2	9726

58766 7590 12/16/2019

Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

EXAMINER	
PRONE, JASON D	
ART UNIT	PAPER NUMBER
3724	

DATE MAILED: 12/16/2019

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability	Application No. 16/213,466	Applicant(s) MIKSOVSKY et al.	
	Examiner JASON D PRONE	Art Unit 3724	AIA (FITF) Status Yes

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☑ This communication is responsive to the amendment after final received 11-21-19.
   ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

3. ☑ The allowed claim(s) is/are See Continuation Sheet . As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see **http://www.uspto.gov/patents/init_events/pph/index.jsp** or send an inquiry to **PPHfeedback@uspto.gov.**

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   Certified copies:

   a) ☐ All b) ☐ Some *c) ☐ None of the:

   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
   3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☑ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____.
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material _____.
4. ☐ Interview Summary (PTO-413), Paper No./Mail Date. _____.
5. ☑ Examiner's Amendment/Comment
6. ☐ Examiner's Statement of Reasons for Allowance
7. ☑ Other PTO 2323.

/Jason Daniel Prone/
Primary Examiner, Art Unit 3724

Continuation of 3. The allowed claim(s) is/are: 1-2,5-7,9-10,22-25 and 28-39

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in an interview with Tina Chen on 12-5-19.

The application has been amended as follows:

Claim 2 has been replaced with --An eating utensil as recited in claim 1, wherein inner ones of the plurality of tines each has a pair of substantially straight side edges and a pointed distal tip.--.

Claims 4, 8, and 27 have been cancelled.

Claim 5 has been replaced with --An eating utensil as recited in claim 1, wherein the concave spoon bowl portion is further defined by at least three substantially flat side edges with rounded corners connecting the flat side edges, wherein one of the flat side edges further defines the single side surface of the utensil.--.

Claim 6 has been replaced with --An eating utensil as recited in claim 1, wherein the concave spoon bowl portion is tilted at a first angle relative to the handle front surface and the concave fork bowl portion is tilted at a second angle relative to the handle front surface such that at least a portion of each of the bowl portions extend forward from the handle front surface.--.

Claim 7 has been replaced with --An eating utensil as recited in claim 1, wherein the concave spoon bowl portion is further defined by a plurality of substantially flat side

edges, wherein one of the substantially flat side edges further defines the single side surface of the utensil.--.

Claim 9 has been replaced with --An eating utensil as recited in claim 2, wherein the outer one of the tines has a wider base end than the inner ones of the tines.--.

Claim 22 has been replaced with --The eating utensil as recited in claim 37, wherein the handle, the first head, and the second head are integrally formed.--.

Claim 23 has been replaced with --The eating utensil as recited in claim 37, wherein an inner one of the tines is substantially straight.--.

Claim 24 has been replaced with --The eating utensil as recited in claim 37, wherein the outer one of the tines is further defined by a substantially straight inner edge.--.

Claim 28 has been replaced with --The eating utensil as recited in claim 38, further comprising a spoon head coupled to the handle on an opposite side from where the fork head is coupled to the handle,

the spoon head having a spoon front surface, a spoon back surface, and a spoon side surface coupling the spoon front surface with the spoon back surface, wherein the spoon front surface, the spoon back surface, and the spoon side surface defining a concave spoon bowl portion;

the spoon front surface further defining the single front surface of the utensil;

the spoon back surface further defining the single back surface of the utensil; and

the spoon side surface further defining the single side surface of the utensil.--.

Claim 29 has been replaced with --The eating utensil as recited in claim 28, wherein the concave spoon bowl portion is tilted in relation to the handle front surface at an angle of about 20-25 degrees.--.

Claim 30 has been replaced with --The eating utensil as recited in claim 28, wherein the concave spoon bowl portion is further defined by a substantially flat side edge, wherein the substantially flat side edges further defines the single side surface of the utensil.--.

Claim 31 has been replaced with --The eating utensil as recited in claim 28, wherein the concave spoon bowl portion is further defined by a substantially flat end edge.--.

Claim 32 has been replaced with --The eating utensil as recited in claim 28, wherein the concave spoon bowl portion has a substantially pentagonal shape.--.

Claim 33 has been replaced with --The eating utensil as recited in claim 28, wherein the concave spoon bowl portion is further defined by at least three substantially flat side edges with rounded corners connecting the flat side edges, wherein one of the flat side edges further defines the single side surface of the utensil.--.

Claim 34 has been replaced with --The eating utensil as recited in claim 38, wherein the handle front surface has a diagonal ridge.--.

Claim 36 has been replaced with:

--An eating utensil formed from a glass filled nylon thermoplastic material, the eating utensil comprising:

a fork head having a fork front surface and a fork back surface both partially defining a plurality of tines and a concave fork bowl portion, a first outer one of the tines

and the concave fork bowl portion being further defined by a first chamfer and a first curved side surface coupled to the first chamfer, the first chamfer coupling the fork front surface with the first curved side surface, the first curved side surface coupling the first chamfer with the fork back surface, the first chamfer is oblique in relation to the first curved side surface and the coupling between the first chamfer and the first curved side surface defines a first curved splitting feature, a second outer one of the tines and the concave fork bowl portion being further defined by a second chamfer and a second curved side surface coupled to the second chamfer, the second chamfer coupling the fork front surface with the second curved side surface, the second curved side surface coupling the second chamfer with the fork back surface, the second chamfer is oblique in relation to the second curved side surface and the coupling between the second chamfer and the second curved side surface defines a second curved splitting feature;

a spoon head having a spoon front surface, a spoon back surface, and first and second spoon side surfaces coupling the spoon front surface with the spoon back surface, wherein the spoon front surface, the spoon back surface, and the first and second spoon side surfaces defining a concave spoon bowl portion, the spoon bowl portion faces the same way as the concave fork bowl portion;

a handle that couples the spoon head to the fork head, the handle having a handle front surface, a handle back surface, and a first and second handle side surface coupling the handle front surface to the handle back surface;

the fork front surface, the spoon front surface, and the handle front surface collectively defining a single front surface of the utensil;

the fork back surface, the spoon back surface, and the handle back surface collectively defining a single back surface of the utensil;

the first fork side surface, the first spoon side surface, and the first handle side surface collectively defining a single first side surface of the utensil; and

the second fork side surface, the second spoon side surface, and the second handle side surface collectively defining a single second side surface of the utensil.--.

Claim 37 has been replaced with:

--An eating utensil comprising:

a first head having a first front surface and a first back surface both partially defining a plurality of tines and a first concave bowl portion, an outer one of the tines and the first concave bowl portion being further defined by a chamfer and a first curved side surface coupled to the chamfer, the chamfer coupling the first front surface with the first curved side surface, the first curved side surface coupling the chamfer with the first back surface, and the chamfer is oblique in relation to the first curved side surface;

a second head having a second front surface, a second back surface, and a second side surface coupling the second front surface with the second back surface, the second front surface, the second back surface, the second side surface partially defining a second concave bowl portion, the second concave bowl portion faces the same way as the first concave bowl portion;

a handle that couples the spoon head to the fork head, the handle having a handle front surface, a handle back surface, and a handle side surface coupling the handle front surface to the handle back surface;

the first front surface, the second front surface, and the handle front surface collectively defining a single front surface of the utensil;

the first back surface, the second back surface, and the handle back surface collectively defining a single back surface of the utensil; and

the first side surface, the second side surface, and the handle side surface collectively defining a single side surface of the utensil.--.

Claim 38 has been replaced with:

--An eating utensil comprising:

a fork head having a fork front surface and a fork back surface both partially defining a plurality of tines and a concave fork bowl portion, an outer one of the tines and the concave fork bowl portion being further defined by a chamfer and a curved side surface coupled to the chamfer, the chamfer coupling the fork front surface with the curved side surface, the curved side surface coupling the chamfer with the fork back surface, the chamfer is oblique in relation to the curved side surface and the coupling between the chamfer and the curved side surface defines a curved splitting feature;

a handle coupled to the fork head, the handle having a handle front surface, a handle back surface, and a handle side surface coupling the handle front surface to the handle back surface;

the fork front surface and the handle front surface defining a single front surface of the utensil;

the fork back surface and the handle back surface defining a single back surface of the utensil; and

the fork side surface and the handle side surface defining a single side surface of

the utensil.--.

The following has been added as new claim 39: --The eating utensil as recited in claim 37, wherein the second concave bowl portion is further defined by a plurality of substantially flat side edges, wherein one of the substantially flat side edges further defines the single side surface of the utensil.--.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON DANIEL PRONE whose telephone number is (571)272-4513. The examiner can normally be reached on Monday-Friday: 7:30 am-3:30 pm.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at http://www.uspto.gov/interviewpractice.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on (571)272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

05 December 2019

/Jason Daniel Prone/

Primary Examiner, Art Unit 3724

AFCP 2.0 Decision	Application No.	Applicant(s)	
	16/213,466	MIKSOVSKY et al.	
	Examiner	Art Unit	AIA (FITF) Status
	JASON D PRONE	3724	Yes

This is in response to the After Final Consideration Pilot request filed 21 November 2019.

1. **Improper Request** – The AFCP 2.0 request is improper for the following reason(s) and the after final amendment submitted with the request will be treated under pre-pilot procedure.

   ☐ An AFCP 2.0 request form PTO/SB/434 (or equivalent document) was not submitted.

   ☐ A non-broadening amendment to at least one independent claim was not submitted.

   ☐ The request is not the first proper AFCP 2.0 request submitted in response to the most recent final rejection.

   ☐ Other: _____

2. **Proper Request**

   A. After final amendment submitted with the request will not be treated under AFCP 2.0.
   The after final amendment cannot be reviewed and a search conducted within the guidelines of the pilot program.

   ☐ The after final amendment will be treated under pre-pilot procedure.

   B. Updated search and/or completed additional consideration.
   The examiner performed an updated search and/or completed additional consideration of the after final amendment within the time authorized for the pilot program. The result(s) of the updated search and/or completed additional consideration are:

   ☑ 1. All of the rejections in the most recent final Office action are overcome and a Notice of Allowance is issued herewith.

   ☐ 2. The after final amendment would not overcome all of the rejections in the most recent final Office action . See attached interview summary for further details.

   ☐ 3. The after final amendment was reviewed, and it raises a new issue(s). See attached interview summary for further details.

   ☐ 4. The after final amendment raises new issues, but would overcome all of the rejections in the most recent final Office action. A decision on determining allowability could not be made within the guidelines of the pilot. See attached interview summary for further details, including any newly discovered prior art.

   ☐ 5. Other: _____

   Examiner Note: Please attach an interview summary when necessary as described above.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,466	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

CPC - Searched*		
Symbol	Date	Examiner
A47G 21/02, 023, 04, 06, 08		
A47J 43/28-282	04/15/2019	/JP/

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
30	147-150, 322-328		
D7	643, 644, 653	04/15/2019	/JP/

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	Date	Examiner
consulted USPC and CPC		
inventor search		
consulted parent cases 14/204497, 15/268175. No ODP at this time but further review will be done if necessary.	04/15/2019	/JP/
updated search	12/05/2019	/JP/

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,466	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
	entire listed search		
	EAST claim search	12/05/2019	/JP/

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Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
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✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	01/24/2019	04/15/2019	10/03/2019	12/05/2019					
1	1	÷	✓	✓	=					
2	2	÷	✓	✓	=					
	3	÷	✓	-	-					
	4	÷	✓	✓	-					
4	5	÷	✓	✓	=					
5	6	÷	✓	✓	=					
6	7	÷	✓	✓	=					
	8	÷	✓	✓	-					
3	9	÷	✓	✓	=					
7	10	÷	✓	✓	=					
	11	÷	-	-	-					
	12	÷	-	-	-					
	13	÷	-	-	-					
	14	÷	-	-	-					
	15	÷	-	-	-					
	16	÷	-	-	-					
	17	÷	-	-	-					
	18	÷	-	-	-					
	19	÷	✓	-	-					
	20	÷	✓	✓	-					
	21		✓	✓	-					
10	22		✓	✓	=					
11	23		✓	✓	=					
12	24		✓	✓	=					
13	25		✓	✓	=					
	26		✓	✓	-					
	27		✓	✓	-					
16	28		✓	✓	=					
17	29		✓	✓	=					
18	30		✓	✓	=					
19	31		✓	✓	=					
20	32		✓	✓	=					
21	33		✓	✓	=					
22	34		✓	✓	=					
23	35		✓	✓	=					
8	36				=					
9	37				=					
15	38				=					
14	39				=					

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,466	MIKSOVSKY et al.
	Examiner	**Art Unit**
	JASON D PRONE	3724

CPC							
Symbol						**Type**	**Version**
A47G	/	21	/	06		F	2013-01-01
A47G	/	21	/	023		I	2013-01-01
A47G	/	21	/	04		I	2013-01-01

CPC Combination Sets								
Symbol					**Type**	**Set**	**Ranking**	**Version**
	/		/					

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	23	
/Jason Daniel Prone/ Primary Examiner, Art Unit 3724	05 December 2019	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	7A

U.S. Patent and Trademark Office

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Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,466	MIKSOVSKY et al.
	Examiner	**Art Unit**
	JASON D PRONE	3724

INTERNATIONAL CLASSIFICATION				
CLAIMED				
A47G	/	21	/	06

NON-CLAIMED				
	/		/	

US ORIGINAL CLASSIFICATION	
CLASS	**SUBCLASS**

CROSS REFERENCES(S)						
CLASS	**SUBCLASS (ONE SUBCLASS PER BLOCK)**					

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	23	
/Jason Daniel Prone/ Primary Examiner, Art Unit 3724	05 December 2019	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	7A

U.S. Patent and Trademark Office

Part of Paper No.: 20191204

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Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,466	MIKSOVSKY et al.
	Examiner	**Art Unit**
	JASON D PRONE	3724

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIMS

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	7	10		19	16	28	9	37						
2	2		11		20	17	29	15	38						
	3		12		21	18	30	14	39						
	4		13	10	22	19	31								
4	5		14	11	23	20	32								
5	6		15	12	24	21	33								
6	7		16	13	25	22	34								
	8		17		26	23	35								
3	9		18		27	8	36								

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	23	
/Jason Daniel Prone/ Primary Examiner, Art Unit 3724	05 December 2019	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	7A

U.S. Patent and Trademark Office

Part of Paper No.: 20191204

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Industrial Revolution Inc.

OK TO ENTER: /JDP/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on November 21, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

AMENDMENT B; REQUEST FOR RECONSIDERATION UNDER AFCP 2.0

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the Final Office Action dated October 9, 2019, please amend the above-identified patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.

Ex. 1003, Page 36
Industrial Revolution Inc.

Bibliographic Data

Application No: 16/213,466

Foreign Priority claimed: ○ Yes ◉ No

35 USC 119 (a-d) conditions met: ☐ Yes ☑ No ☐ Met After Allowance

Verified and Acknowledged: /Jason Daniel Prone/ Examiner's Signature | Initials

Title: EATING UTENSIL SYSTEM

FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
12/07/2018	030	3724	HMG1P008D2
RULE			

APPLICANTS

humangear, Inc., San Francisco, CA,

INVENTORS

Christopher A. MIKSOVSKY San Francisco, CA, UNITED STATES

Clint N. SLONE San Francisco, CA, UNITED STATES

Evelyne CHAUBERT San Francisco, CA, UNITED STATES

Charlie NGHIEM Oakland, CA, UNITED STATES

Robert Charles LANE Larkspur, CA, UNITED STATES

Jonathan Paul DOWNING Belmont, CA, UNITED STATES

CONTINUING DATA

This application is a DIV of 15268175 09/16/2016ABN

15268175 is a DIV of 14204497 03/11/2014 PAT 9468321

FOREIGN APPLICATIONS

IF REQUIRED, FOREIGN LICENSE GRANTED**

12/31/2018

**** SMALL ENTITY ****

STATE OR COUNTRY

UNITED STATES

ADDRESS

Beyer Law Group LLP

P. O. Box 51887

Palo Alto, CA 94303-1887

UNITED STATES

FILING FEE RECEIVED

$2,855

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2
	Application No.:	16/213,466
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
(Use Several Sheets if Necessary)		Page 1 of 1
	Date Submitted	November 22, 2019

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	5,904,250	05/18/99	De Schutter			09/02/94
	2.						
	3.						
	4.						
	5.						
	6.						
	7.						
	8.						
	9.						
	10.						
	11.						
	12.						

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes	Translation No
	13.							
	14.							
	15.							

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	16.	Extended European Search Report dated October 22, 2019 from European Application No. 18208165.3-1011/3488740.
	17.	
	18.	

Examiner	/Jason Daniel Prone/	Date Considered	12/05/2019

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDP/

Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D2
	Application No.:	16/213,466
	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
		Page 1 of 1
	Date Submitted	November 22, 2019

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	5,904,250	05/18/99	De Schutter			09/02/94
	2.						
	3.						
	4.						
	5.						
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	9.						
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	11.						
	12.						

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes	Translation No
	13.							
	14.							
	15.							

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	16.	Extended European Search Report dated October 22, 2019 from European Application No. 18208165.3-1011/3488740.
	17.	
	18.	

Examiner	Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Electronic Patent Application Fee Transmittal

Application Number:	16213466
Filing Date:	07-Dec-2018
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Filer:	Tina Chen/Cara Hedin
Attorney Docket Number:	HMG1P008D2

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
SUBMISSION- INFORMATION DISCLOSURE STMT	2806	1	120	120
		Total in USD ($)		**120**

Electronic Acknowledgement Receipt

EFS ID:	37830731
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Tina Chen/Cara Hedin
Filer Authorized By:	Tina Chen
Attorney Docket Number:	HMG1P008D2
Receipt Date:	22-NOV-2019
Filing Date:	07-DEC-2018
Time Stamp:	13:45:29
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$120
RAM confirmation Number	E2019ALD46017860
Deposit Account	504481
Authorized User	Cara Hedin

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	HMG1P008D2_IDS_7.pdf	26813 375b3e6ee6c1aa590752da6b90137300821 80c98	no	2
Warnings:					
Information:					
2	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D2_1449_7.pdf	23705 aaeb84869f7f6d468967a83e23b82bdbd0d 2467c	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
3	Non Patent Literature	HMG1P008EPD3_ESSR_102219.pdf	1643922 e437e18f3f555b1462929f3cd461caf60e23 3d56	no	17
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30234 1e49119c9f0effe92138a01e15b2b6fb3d07 7d5f	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1724674		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on November 22, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

INFORMATION DISCLOSURE STATEMENT AFTER FINAL ACTION OR NOTICE OF ALLOWANCE (37 CFR §§ 1.56 AND 1.97(d))

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

The reference(s) identified in the attached PTO Form 1449, (copies of non-U.S. references are attached), may be material to examination of the above-identified patent application. Applicants submit the reference(s) in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make the identified reference(s) of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that the reference(s) indeed constitutes prior art.

This Information Disclosure Statement is being filed after the mailing date of final action under §1.113 or a notice of allowance under §1.311, but before or with payment of the issue fee.

Ex. 1003, Page 46
Industrial Revolution Inc.

Accompanying this Information Disclosure Statement is the fee set forth in 37 CFR 1.17(p) **and** the Statement under 37 CFR § 1.97(e).

Statement under 37 CFR § 1.97(e)

The undersigned hereby states that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. (37 CFR 1.97(e)(1))

Statement under 37 CFR § 1.704(d)

Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application; this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Authorization for Deposit Account

The Commissioner is hereby authorized to charge Deposit Account 50-4481 for $120.00 in payment of the Information Disclosure Statement Fee. If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-4481 (Order No. HMG1P008D2).

Respectfully submitted,
BEYER LAW GROUP LLP

/Tina Chen/
Tina Chen
Registration No.: 44,606

P. O. Box 51887
Palo Alto, CA 94303-1887
650-842-1300

Ex. 1003, Page 47
Industrial Revolution Inc.

Doc Code: A.NE.AFCP
Document Description: After Final Consideration Pilot Program Request

PTO/SB/434 (05-13)

CERTIFICATION AND REQUEST FOR CONSIDERATION UNDER THE AFTER FINAL CONSIDERATION PILOT PROGRAM 2.0

Practitioner Docket No.:	Application No.:	Filing Date:
HMG1P008D2	16/213,466	December 7, 2018
First Named Inventor:	**Title:**	
Christopher A. MIKSOVSKY	EATING UTENSIL SYSTEM	

APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS CONSIDERATION UNDER THE AFTER FINAL CONSIDERATION PILOT PROGRAM 2.0 (AFCP 2.0) OF THE ACCOMPANYING RESPONSE UNDER 37 CFR 1.116.

1. The above-identified application is (i) an original utility, plant, or design nonprovisional application filed under 35 U.S.C. 111(a) [a continuing application (*e.g.*, a continuation or divisional application) is filed under 35 U.S.C. 111(a) and is eligible under (i)], or (ii) an international application that has entered the national stage in compliance with 35 U.S.C. 371(c).
2. The above-identified application contains an outstanding final rejection.
3. Submitted herewith is a response under 37 CFR 1.116 to the outstanding final rejection. The response includes an amendment to at least one independent claim, and the amendment does not broaden the scope of the independent claim in any aspect.
4. This certification and request for consideration under AFCP 2.0 is the only AFCP 2.0 certification and request filed in response to the outstanding final rejection.
5. Applicant is willing and available to participate in any interview requested by the examiner concerning the present response.
6. This certification and request is being filed electronically using the Office's electronic filing system (EFS-Web).
7. Any fees that would be necessary consistent with current practice concerning responses after final rejection under 37 CFR 1.116, *e.g.*, extension of time fees, are being concurrently filed herewith. [There is no additional fee required to request consideration under AFCP 2.0.]
8. By filing this certification and request, applicant acknowledges the following:
    - Reissue applications and reexamination proceedings are not eligible to participate in AFCP 2.0.
    - The examiner will verify that the AFCP 2.0 submission is compliant, *i.e.*, that the requirements of the program have been met (see items 1 to 7 above). For compliant submissions:
        - The examiner will review the response under 37 CFR 1.116 to determine if additional search and/or consideration (i) is necessitated by the amendment and (ii) could be completed within the time allotted under AFCP 2.0. If additional search and/or consideration is required but cannot be completed within the allotted time, the examiner will process the submission consistent with current practice concerning responses after final rejection under 37 CFR 1.116, *e.g.*, by mailing an advisory action.
        - If the examiner determines that the amendment does not necessitate additional search and/or consideration, or if the examiner determines that additional search and/or consideration is required and could be completed within the allotted time, then the examiner will consider whether the amendment places the application in condition for allowance (after completing the additional search and/or consideration, if required). If the examiner determines that the amendment does not place the application in condition for allowance, then the examiner will contact the applicant and request an interview.
            - The interview will be conducted by the examiner, and if the examiner does not have negotiation authority, a primary examiner and/or supervisory patent examiner will also participate.
            - If the applicant declines the interview, or if the interview cannot be scheduled within ten (10) calendar days from the date that the examiner first contacts the applicant, then the examiner will proceed consistent with current practice concerning responses after final rejection under 37 CFR 1.116.

Signature	Date
/Tina Chen/	November 21, 2019
Name (Print/Typed) Tina Chen	Practitioner Registration No. 44,606

***Note**: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.*

[✓] * Total of 1 forms are submitted.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on November 21, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

AMENDMENT B TRANSMITTAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	25	MINUS	27	00	x 50 = $0.00	x 100 = $0.00
Independent Claims	04	MINUS	04	00	x 230 = $0.00	x 460 = $0.00
Multiple Dependent Claim Present and Fee Not Previously Paid						
				Total	$0.00	$0.00

☒ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-4481.

☒ Please charge the required fees, or any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 50-4481 (Order No. HMG1P008D2).

Respectfully submitted,
BEYER LAW GROUP LLP

/Tina Chen/
Tina Chen
Reg. No. 44,606

P. O. Box 51887
Palo Alto, CA 94303-1887
650-842-1300

REMARKS

A telephone interview was held on November 8, 2019 between Examiner Jason Prone and Applicant's representative, Tina Chen. Language to overcome the rejections was discussed. Applicant's representative agreed to file a response with the Examiner's suggested language.

Allowable Subject Matter/ Rejections Under 35 U.S.C. §112

Applicant notes with appreciation that Claims 1, 2, 4-10, and 19-35 would be allowable if rewritten to overcome the Section 112 rejections. In the Final Office Action, the Examiner proposed a version of Claim 1 that would overcome the Section 112 rejections. Claim 1 is amended to reflect the Examiner's proposed version of Claim 1. Independent Claims 20, 21, and 26 are cancelled, and replaced with new claims 36-38, which address the Section 112 rejections. No new matter is added in the new claims, which are fully supported by the specification and claims as originally filed. The dependent claims are also amended accordingly.

Conclusion

Should the Examiner have any questions or concerns related to the present application, he is encouraged to contact the undersigned at the telephone number set out below in an effort to quickly and efficiently address such questions/concerns.

Respectfully submitted,
BEYER LAW GROUP LLP

/Tina Chen/

Tina Chen
Reg. No. 44,606

P. O. Box 51887
Palo Alto, CA 94303-1887
650-842-1300

The listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) An eating utensil comprising**:** ~~**a spoon head,**~~

a fork head **having a fork front surface and a fork back surface both partially defining a plurality of tines** and ~~**a handle that connects the spoon head to the fork head, the eating utensil further including a front surface and a back surface, wherein:**~~

~~**the fork head includes**~~ a concave fork bowl portion**, an outer one of the tines and the concave fork bowl portion being further defined by** ~~**on the front surface and a plurality of tines including two inner tines and two outer tines, each of the tines having a proximal base end and a distal tip, wherein each of the outer tines has a curved outer edge;**~~

a chamfer **and a curved side surface coupled to the chamfer, the chamfer coupling the fork** ~~**on the**~~ front surface **with the curved side surface, the curved side surface coupling the chamfer with the fork back surface, the chamfer is oblique in relation to the curved side surface and the coupling between the chamfer and the curved side surface defines** of ~~**the fork head that forms**~~ a curved splitting feature ~~**along at least a portion of the curved outer edge of a first one of the outer tines**~~; ~~**and**~~

~~**the**~~ **a** spoon head **having a spoon front surface, a spoon back surface, and a spoon side surface coupling the spoon front surface with the spoon back surface, the spoon front surface, the spoon back surface, and the spoon side surface partially defining** ~~**includes**~~ a concave spoon bowl portion**, the** ~~**on the front surface such that the concave**~~ spoon bowl portion **facing a same way as** ~~**and**~~ the concave fork bowl portion**;** ~~**are both formed on the front surface of the eating utensil, wherein a side surface of the eating utensil extends continuously along an entire length of the eating utensil from the distal tip of on outer tine to a distal tip of the spoon bowl, wherein the chamfer is chamfered at an angle from the side surface**~~

a handle that couples the spoon head to the fork head, the handle having a handle front surface, a handle back surface, and a handle side surface coupling the handle front surface to the handle back surface;

the fork front surface, the spoon front surface, and the handle front surface collectively defining a single front surface of the utensil;

the fork back surface, the spoon surface, and the handle back surface collectively defining a single back surface of the utensil; and

the fork side surface, the spoon side surface, and the handle side surface collectively defining a single side surface of the utensil.

2. (Currently Amended) An eating utensil as recited in claim 1, wherein:

the plurality of tines comprises two inner tines and two outer tines, wherein each of the inner tines has a pair of substantially straight side edges and the distal tip of each of the inner tines is pointed; and

~~the~~ **a** distal tip of each of the outer tines is pointed.

3. (Canceled)

4. (Currently Amended) An eating utensil as recited in claim ~~1~~ **2** wherein **each of the outer tines has a curved outer edge and** each of the curved outer edges is curved over an entire distance between the distal tip of the outer tine and **a** ~~the~~ proximal base end of the outer tine.

5. (Currently Amended) An eating utensil as recited in claim 1, wherein the **concave spoon** bowl portion ~~of the spoon~~ has at least three substantially flat side edges with rounded corners therebetween.

6. (Currently Amended) An eating utensil as recited in claim 1, wherein the **concave spoon** bowl portion ~~**of the spoon head**~~ is tilted at a first angle relative to the handle, and the **concave fork** bowl portion ~~**of the fork head**~~ is tilted at a second angle relative to the handle such that the distal tips of the tines and a distal end of the spoon head extend above the front surface of the handle.

7. (Currently Amended) An eating utensil as recited in claim 1, wherein the **concave spoon** bowl portion ~~**of the spoon head**~~ has a plurality of substantially flat side edges.

8. (Original) An eating utensil as recited in claim 1, wherein the handle has substantially parallel lateral side edges over a majority of a length of the handle.

9. (Currently Amended) An eating utensil as recited in claim ~~1~~ **2**, wherein the outer tines each have a wider base end than the inner tines.

10. (Original) An eating utensil as recited in claim 1, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

11. - 21. (Canceled)

22. (Currently Amended) The eating utensil as recited in claim ~~21~~ **37**, wherein the handle, the first head portion, and the second head portion are integrally formed.

23. (Currently Amended) The eating utensil as recited in claim ~~21~~ **37**, wherein the plurality of tines includes at least one central tine that is substantially straight.

24. (Currently Amended) The eating utensil as recited in claim ~~21~~ 37, wherein each of the outer tines has a substantially straight inner edge.

25. (Currently Amended) The eating utensil as recited in claim ~~21~~ 37, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

26. (Canceled)

27. (Currently Amended) The eating utensil as recited in claim ~~26~~ 38, wherein each of the chamfered surfaces spans an entire width of a respective one of the outer tines at the distal tip of the outer tine.

28. (Currently Amended) The eating utensil as recited in claim ~~26~~ 38, further comprising a spoon bowl integrally formed with the handle portion, wherein the spoon bowl extends from an end of the handle portion opposite an end from which handle portion meets the head portion.

29. (Previously Presented) The eating utensil as recited in claim 28, wherein the spoon bowl is angled from the handle portion at an angle of about 20-25 degrees.

30. (Previously Presented) The eating utensil as recited in claim 28, wherein the spoon bowl has a substantially flat side edge.

31. (Previously Presented) The eating utensil as recited in claim 28, wherein the bowl has a substantially flat end edge.

32. (Previously Presented) The eating utensil as recited in claim 28, wherein the spoon bowl has a substantially pentagonal shape.

33. (Previously Presented) The eating utensil as recited in claim 32, wherein the spoon bowl has substantially rounded corners.

34. (Previously Presented) The eating utensil as recited in claim 28, wherein the handle comprises a diagonal ridge.

35. (Currently Amended) The eating utensil as recited in claim ~~26~~ **38**, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

36. (New) An eating utensil formed from a glass filled nylon thermoplastic material, the eating utensil comprising a spoon head, a fork head and a handle that couples the spoon head to the fork head, wherein:

the fork head includes a fork front surface and a fork back surface both partially defining a plurality of tines and a concave fork bowl portion, and four tines including two inner tines and two outer tines, each of the tines having a proximal base end and a distal tip, each of the outer tine base ends being wider than the base ends of the inner tines, wherein:

a first one of the outer tines is defined by a first chamfer and a curved side surface coupled to the first chamfer; the first chamfer coupling the fork front surface with the curved side surface, the curved side surface coupling the first chamfer with the fork back surface, the first chamfer is oblique in relation to the curved side surface and the coupling between the first chamfer and the curved side surface defines of a first curved splitting feature; and

a second one of the outer tines is defined by a second chamfer and a curved side surface coupled to the second chamfer; the second chamfer coupling the fork front surface with the curved side surface, the curved side surface coupling the second chamfer with the fork back surface, the first chamfer is oblique in relation to the curved side surface and the coupling between the second chamfer and the curved side surface defines of a second curved splitting feature;

the handle has a handle front surface, a handle back surface, and a handle side surface coupling the handle front surface to the handle back surface;

the spoon head includes a spoon front surface, a spoon back surface, and a spoon side surface coupling the spoon front surface with the spoon back surface, the spoon front surface, the spoon back surface, and the spoon side surface partially defining a concave spoon bowl portion, the concave spoon bowl portion facing in a same direction as the concave fork bowl portion; and

the concave spoon bowl portion is positioned at a first angle relative to the handle, and the concave fork bowl portion is positioned at a second angle relative to the handle such that the distal tips of the tines and a distal end of the spoon head both extend above the handle front surface, the curved side surface, the spoon side surface, and the handle side surface collectively defining a single side surface of the utensil that extends continuously along an entire length of the utensil from the distal tip of on outer tine to a distal tip of the spoon bowl portion.

37. (New) An eating utensil, comprising:

first and second head portions; and

a handle portion extending between the first and second head portions, the handle portion having a handle front surface and a handle back surface, and a handle side surface coupling the handle front surface with the handle back surface, wherein:

the first head portion comprises a plurality of tines, wherein the first head portion including the plurality of tines defines a first head concave surface, wherein each of two outer tines of the plurality of tines has a distal tip, and wherein at least one of the two outer tines is defined by a curved outer chamfered surface extending from the distal tip of one of the two outer tines and tapering to a point adjacent the handle portion, the chamfered surface extending obliquely from the first head concave surface, and wherein the chamfered surface couples the first head concave surface with a curved first head side surface, wherein the chamfered surface is chamfered at an angle from the curved first head side surface;

the second head portion comprising a second head concave front surface, a second head back surface, and a second head side surface coupling the second head front surface with the second head back surface defines a bowl portion with multiple sides being connected via substantially rounded corners; and

a side surface of the eating utensil defined by the curved first head side surface, the second head side surface, and the handle side surface, wherein the side surface of the eating utensil extends continuously along an entire length of the eating utensil from the distal tip of an outer tine to a distal tip of the second head portion.

38. (New) An eating utensil, comprising:

a head portion having a head font surface and a head back surface both partially defining a plurality of tines, wherein each of two outer tines of the plurality of tines has a distal tip, the head portion being partially defined by two curved outer chamfered surfaces, each of the chamfered surfaces extending from the distal tip and tapering to a point adjacent the handle portion, and each of the chamfered surfaces extending obliquely from a curved head side surface coupling the head back surface with the chamfered surface; and

a handle portion connected to the head portion, the handle portion having a handle front surface and a handle back surface, and a handle side surface coupling the handle front surface with the handle back surface, wherein the handle side surface and curved head side surface collectively define a side surface of the eating utensil that extends continuously along an entire length of the eating utensil.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on November 21, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

AMENDMENT B; REQUEST FOR RECONSIDERATION UNDER AFCP 2.0

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the Final Office Action dated October 9, 2019, please amend the above-identified patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.

Ex. 1003, Page 60
Industrial Revolution Inc.

Electronic Acknowledgement Receipt

EFS ID:	37818610
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Tina Chen/Cara Hedin
Filer Authorized By:	Tina Chen
Attorney Docket Number:	HMG1P008D2
Receipt Date:	21-NOV-2019
Filing Date:	07-DEC-2018
Time Stamp:	16:19:27
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	After Final Consideration Program Request	HMG1P008D2_AFCP_Pilot_Program_Form.pdf	226648 dd06b58c58ebc1012357ead3070d173950613641	no	2

Warnings:

Information:					
2	Miscellaneous Incoming Letter	HMG1P008D2_Amendment_B_Transmittal.pdf	21379 2a0ed86fdf99e27c304131838855655f255da569	no	1
Warnings:					
Information:					
3		HMG1P008D2_Amendment_B_FINAL.pdf	58140 6bedbbda1f3eae0d89646305205370bbb65fdc5b	yes	10

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Applicant Arguments/Remarks Made in an Amendment	10	10
Claims	2	9
Response After Final Action	1	1

Warnings:	
Information:	
Total Files Size (in bytes):	306167

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/213,466	Filing Date 12/07/2018	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $50 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $230 =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	11/21/2019	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 25	Minus	** 27	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 4	Minus	*** 4	= 0		x $230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	LIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/ANNETTE COWAN/
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".	
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.	

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,466	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D2	9726

58766 7590 11/04/2019

Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

EXAMINER	
PRONE, JASON D	

ART UNIT	PAPER NUMBER
3724	

NOTIFICATION DATE	DELIVERY MODE
11/04/2019	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTOmail@beyerlaw.com

Applicant-Initiated Interview Summary	**Application No.** 16/213,466	**Applicant(s)** MIKSOVSKY et al.	
	Examiner JASON D PRONE	**Art Unit** 3724	**AIA (FITF) Status** Yes

All participants (applicant, applicants representative, PTO personnel):

(1) JASON DANIEL. PRONE. (3) _____.

(2) TINA CHEN. (4) _____.

Date of Interview: 29 October 2019.

Type: ☑ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☑ No.
If Yes, brief description: _____.

Issues Discussed ☐101 ☑112 ☐102 ☐103 ☐Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: all independant claims.

Identification of prior art discussed: N/A.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Discussed claim language and the best way to proceed.

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/Jason Daniel Prone/ Primary Examiner, Art Unit 3724	

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) 1.133 Interviews
Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiners responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicants correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:
- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:
1) A brief description of the nature of any exhibit shown or any demonstration conducted,-
2) an identification of the claims discussed,
3) an identification of the specific prior art discussed,
4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6) a general indication of any other pertinent matters discussed, and
7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicants record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiners version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, Interview Record OK on the paper recording the substance of the interview along with the date and the examiners initials.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,466	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D2	9726

58766 7590 10/09/2019

Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

EXAMINER	
PRONE, JASON D	

ART UNIT	PAPER NUMBER
3724	

NOTIFICATION DATE	DELIVERY MODE
10/09/2019	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTOmail@beyerlaw.com

Office Action Summary	Application No. 16/213,466	Applicant(s) MIKSOVSKY et al.	
	Examiner JASON D PRONE	Art Unit 3724	AIA (FITF) Status Yes

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☑ Responsive to communication(s) filed on 7-18-19.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☑ This action is **FINAL.** 2b) ☐ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5) ☑ Claim(s) 1-2,4-10 and 20-35 is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6) ☐ Claim(s) _____ is/are allowed.

7) ☑ Claim(s) 1-2,4-10 and 20-35 is/are rejected.

8) ☐ Claim(s) _____ is/are objected to.

9) ☐ Claim(s) _____ are subject to restriction and/or election requirement

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to **PPHfeedback@uspto.gov.**

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☑ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

4) ☐ Other: _____.

DETAILED ACTION

Notice of Pre-AIA or AIA Status

1. The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

Claim Rejections - 35 USC § 112

2. The following is a quotation of 35 U.S.C. 112(b):

> (b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 2, 4-10, and 19-35 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.

The claims are replete with disclosing structures as separate items when the structures actually make up different portions of the same structure. Two items cannot be discloses as independent when there is never a case where these two items do not touch or are not parts of the same structure.

With regards to claim 1, the phrase "utensil further including a front surface and a back surface" is unclear. As written, the utensil front and back surfaces are part of the utensil that is spate from the spoon head, the fork head, and the handle which is not supported. The spoon head, the fork head, and the handle are all defined by the front and back utensil surfaces. Claim 20 has the same issue.

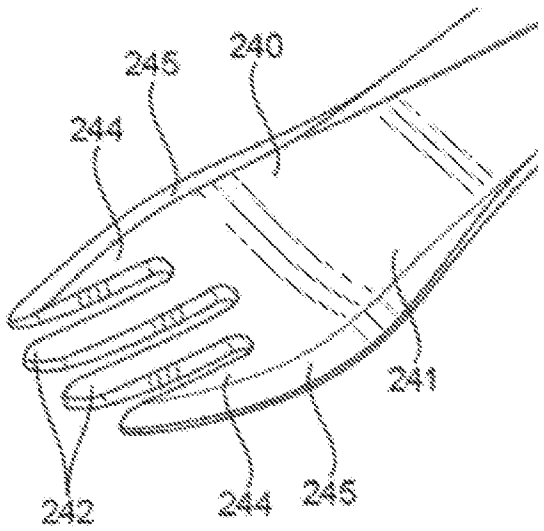
With regards to claim 1, the phrase "the fork head includes a concave fork bowl portion on the front surface. It is unclear how this bowl portion is on the front surface. It is the same structure as the front surface. An item cannot be on itself. Also, the bowl portion is unrelated to the back surface which is not supported. There is never a time where the bowl portion is not defined by the front and back surfaces and the claim needs to acknowledge this relationship because this is the only way it is supported. Claim 20 has the same issue.

With regards to claim 1, the tines disclosures is unclear in that the bowl portion has a relationship with the front surface but the tines do not. The tines are just as much a part of this front surface and back surface as the bowl portion. There is never a time where the tines are not defined by the front and back surfaces and the claim needs to acknowledge this relationship because this is the only way it is supported. Claim 20 has the same issue.

With regards to claim 1, the phrase "each of the outer tines has a curved outer edge" is unclear. As written, the curved outer edge is part of the utensil in way that it is independent from the utensil front and back surfaces which is not supported. There is never a time where this edge is not coupled to the utensil surfaces and the claim needs to acknowledge this relationship because this is the only way it is supported.

With regards to claim 1, the phrase "each of the tines having a proximal base and a distal tip" is very confusing in that the tips of the outer tines are independent from the side surface and the chamfer which does not appear to be supported. As clearly shown in the Figure below, the chamfer 245 and the side surface 217 (number not shown) define the tips of the outer tines. There is never a time where chamfer and the side

surface do not define the tips of the outer tine and the claim needs to acknowledge this relationship because this is the only way it is supported. Claims 20, 21, and 26 all have the same issue.



With regards to claim 1, the phrase "a chamfer on the front surface that forms a curved splitting feature along at least a portion of the curved outer edge of a first one of the outer tines" is unclear. It is unclear what structure allows for the chamfer to be considered on the front surface. The chamfer is coupled with the front surface but is not one the front surface. Also, as written, the chamfer is part of the utensil in a way that is independent from an outer one of the tines which is not supported. The splitting feature is also disclosed as being independent from the curved outer edge which is not supported. An item may be along another item and not engage that another item. The chamfer partially defines the outer tine and the splitting feature is defined by the coupling of the chamfer and the curved side surface. The claim needs to acknowledge these relationships because this is the only way it is supported. Claims 20 has the same issues. Claims 21 and 26 have some of the same issues.

With regards to claim 1, the phrase "a concave spoon bowl portion on the front surface" is unclear. It is unclear how this bowl portion is on the front surface. It is the same structure as the front surface. An item cannot be on itself. Also, the bowl portion is unrelated to the back surface which is not supported. There is never a time where the bowl portion is not defined by the front and back surfaces and the claim needs to acknowledge this relationship because this is the only way it is supported.

With regards to claim 1, the phrase "the concave spoon bowl portion and the concave fork bowl portion are both formed on the front surface" is unclear. This limitation is restating what has already been disclosed.

With regards to claim 1, the phrase "wherein a side surface of the eating utensil extends continuously along an entire length of the eating utensil from the distal tip of on outer tine to a distal tip of the spoon bowl" is unclear. As written, this side surface is part of the utensil that is independent from the heads, handle, and the front and back utensil surfaces which is not supported. There is never a time where the side surface does not engage or define the heads, handle, and the front and back utensil surfaces and the claim needs to acknowledge this relationship because this is the only way it is supported. Claims 20, 21, and 26 all have the same issue.

With regards to claim 1, the phrase "wherein a side surface of the eating utensil extends continuously along an entire length of the eating utensil from the distal tip of on outer tine to a distal tip of the spoon bowl" is unclear. As written, this side surface is part of the utensil that is independent from the curved outer edge of the tine which is not supported. The side surface would define the curved outer edge of the tine.

With regards to claim 1, the phrase "wherein a side surface of the eating utensil extends continuously along an entire length of the eating utensil from the distal tip of on outer tine to a distal tip of the spoon bowl" is unclear. As written, this side surface is part of the utensil that is independent from the chamfer and more importantly the splitting feature which is not supported. There is never a time where the side surface does not engage the chamfer to define the splitting feature. Claims 20, 21, and 26 all have the same issue.

With regards to claim 4, as disclosed above, it is unclear what structure defines the curved outer edge in a way that the curved outer edge is not defined by the side surface and the chamfer. Claims 21, 30, and 32 have the same issue.

With regards to claim 5, it is unclear if the flat side edges represent the same or a different structure than the utensil side surface of claim 1. As written, the side surface extends to the distal tip of the spoon bowl and is in addition to at least one of the flat side edges which is not supported. One of these flat side edge is the same structure as the side surface. Claim 7 appears to be proper because the flat sides edge can be interpreted as in addition to the side surface.

With regards to claim 6, the term "above" is indefinite in that the tool is a handheld and is capable of achieving an infinite amount of orientations including ones that would not allow for the tips and end to be above the handle.

With regards to claim 6, the phrase "extend above the front surface" is unclear. The bowl portions are disclosed as being on the front surface. How can the bowl portions be above the front surface when it is on the front surface. Also, the front surface defines both bowl portions so the bowl portions could never be above itself.

With regards to claim 8, it is unclear if the handle side edges represent the same or different structure than the utensil side surface of claim 1. These side edges would be the same structure as the utensil side surface.

With regards to claim 20, the second chamfer has the same issues as the chamfer of claim 1.

With regards to claim 20, the concave bowl portion of the spoon is part of the utensil in a way where the bowl portion is independent from the front surface, back surface, and opposing side edges of the utensil which is not supported. These items all define the bowl portion.

Allowable Subject Matter

4. Claims 1, 2, 4-10, and 19-35 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), 2nd paragraph, set forth in this Office action.

5. The following is a statement of reasons for the indication of allowable subject matter: with regards to the proposed claim below, the prior art fails to disclose a fork head with front and back surfaces defining the tines and bowl portion and an outer one of the tines and the bowl portions being further defined by a chamfer and a curved side surface which together define a splitting feature in combination with the remaining limitations.

6. The following claim drafted by the examiner and considered to distinguish patentably over the art of record in this application, is presented to applicant for consideration:

An eating utensil comprising:

a fork head having a fork front surface and a fork back surface both partially defining a plurality of tines and a concave fork bowl portion, an outer one of the tines and the concave fork bowl portion being further defined by a chamfer and a curved side surface coupled to the chamfer, the chamfer coupling the fork front surface with the curved side surface, the curved side surface coupling the chamfer with the fork back surface, the chamfer is oblique in relation to the curved side surface and the coupling between the chamfer and the curved side surface defines a curved splitting feature;

a spoon head having a spoon front surface, a spoon back surface, and a spoon side surface coupling the spoon front surface with the spoon back surface, the spoon front surface, the spoon back surface and, the spoon side surface partially defining a concave spoon bowl portion, the spoon bowl portion faces the same way as the concave fork bowl portion;

a handle that couples the spoon head to the fork head, the handle having a handle front surface, a handle back surface, and a handle side surface coupling the handle front surface to the handle back surface;

the fork front surface, the spoon front surface, and the handle front surface collectively defining a single front surface of the utensil;

the fork back surface, the spoon back surface, and the handle back surface collectively defining a single back surface of the utensil; and

the fork side surface, the spoon side surface, and the handle side surface collectively defining a single side surface of the utensil.

Response to Arguments

7. Applicant's arguments with respect to claims have been considered but are moot because the arguments do not apply to the current rejection. The claims are replete with disclosing structures as separate items when the structures actually make up different portions of the same structure. Two items cannot be discloses as independent when there is never a case where these two items do not touch or are not parts of the same structure. The Examiner has proposed a version of claim 1 that overcomes the 112 rejections. It is recommended that claims 2, 6, 7, 9, and 10 be amended to match to the language is the proposed claim is adopted. It is recommended that claims 4, 5, and 8 be cancelled. With regards to claim 20, the proposed claim should be amended to introduce the second side surface of each head and handle and the second chamfer in the same way the side surface and the chamfer is currently introduced if the proposed language is adopted. With regards to claims 21 and 26, the handle limitations and the spoon limitations respectively should be removed and then reintroduced in the same way in the proposal but in the dependent claims when appropriate if the proposed language is adopted.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON DANIEL PRONE whose telephone number is (571)272-4513. The examiner can normally be reached on Monday-Friday: 7:30 am-3:30 pm.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at http://www.uspto.gov/interviewpractice.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on (571)272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

03 October 2019

/Jason Daniel Prone/

Primary Examiner, Art Unit 3724

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,466	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	01/24/2019	04/15/2019	10/03/2019						
	1	÷	✓	✓						
	2	÷	✓	✓						
	3	÷	✓	-						
	4	÷	✓	✓						
	5	÷	✓	✓						
	6	÷	✓	✓						
	7	÷	✓	✓						
	8	÷	✓	✓						
	9	÷	✓	✓						
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	32		✓	✓						
	33		✓	✓						
	34		✓	✓						
	35		✓	✓						

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,466	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

CPC - Searched*		
Symbol	Date	Examiner
A47G 21/02, 023, 04, 06, 08		
A47J 43/28-282	04/15/2019	/JP/

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
30	147-150, 322-328		
D7	643, 644, 653	04/15/2019	/JP/

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	Date	Examiner
consulted USPC and CPC		
inventor search		
consulted parent cases 14/204497, 15/268175. No ODP at this time but further review will be done if necessary.	04/15/2019	/JP/
updated search	10/03/2019	/JP/

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2
	Application No.:	16/213,466
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
(Use Several Sheets if Necessary)		Page 1 of 1
	Date Submitted	September 19, 2019

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.						
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Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes / No
	14.	102068177	05/25/11	CN			Abstract
	15.	2373000	04/12/00	CN			Abstract
	16.	2231889	07/31/96	CN			Abstract

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	17.	Chinese Office Action dated August 2, 2019 from Chinese Application No. 201810024557.7.
	18.	
	19.	

Examiner	/Jason Daniel Prone/	Date Considered	10/03/2019

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDP/

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2
	Application No.:	16/213,466
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
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	Date Submitted	July 18, 2019

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	34,098	01/07/1862	Hardie et al.			
	2.	D209,704	12/26/1967	Siune et al.			01/24/1967
	3.	D396,613	08/04/1998	Cousins			06/30/1997
	4.	D491,419	06/15/04	White et al.			05/02/03
	5.	D554,951	11/13/2007	McGrath			01/25/07
	6.	D563,737	03/11/08	Shane-Schuldt			10/03/07
	7.	D587,075	02/24/09	Dibnah et al.			04/25/08
	8.	D612,692	03/30/10	Menceles			08/11/09
	9.	D617,156	06/08/10	Griffith			10/08/09
	10.	D618,070	06/22/10	Jalet et al.			06/29/09
	11.	D676,286	02/19/13	Lion et al.			06/07/12
	12.	D706,586	06/10/14	Kestenbaum			04/22/13
	13.	D730,049	05/26/15	Miksovsky et al.			03/10/14
	14.	2009/0293283	12/03/09	Hsu			05/30/08
	15.	9,061,429	06/23/15	Barber			03/15/13
	16.	D756,171	05/17/16	Mou			12/09/13
	17.	D756,172	05/17/16	Mou			12/09/13
	18.	D807,127	01/09/18	Levi			08/02/16
	19.	D813,616	03/27/18	Mundhra			07/28/17
	20.	D842,662	03/12/19	Bloch et al.			10/11/17
	21.	1,452,337	04/17/1923	Brecel			11/16/21

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes	Translation No
	22.							
	23.							

Examiner	/Jason Daniel Prone/	Date Considered	10/03/2019

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty Docket No.	HMG1P008D2
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	Date Submitted	July 18, 2019

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	24.	U.S. Office Action dated May 7, 2019 from U.S. Application No. 16/213,536.
	25.	MSR Folding Camp Utensils, https://www.msrgear.com/cookware/folding-utensils, downloaded on September 20, 2018.
	26.	GSI Outdoors, Telescoping Foon, http://www.gsioutdoors.com/telescoping-foon.html, downloaded on September 20, 2018.
	27.	GSI Outdoors, Pivot Spatula, http://www.gsioutdoors.com/pivot-spatula.html, downloaded on September 20, 2018.
	28.	Miksovsky et al., U.S. Application No. 29/653,612, filed on June 16, 2018.
	29.	Miksovsky et al., U.S. Application No. 29/653,595, filed on June 15, 2018.
	30.	Miksovsky et al., U.S. Application No. 16/439,425 filed on June 12, 2019.

Examiner /Jason Daniel Prone/	Date Considered 10/03/2019

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form 1449 (Modified)	Atty Docket No.	HMG1P008D2
	Application No.:	16/213,466
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
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	Date Submitted	August 13, 2019

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	4,615,120	10/07/86	Newman			12/21/84
	2.	5,735,050	04/07/98	Hsieh			04/14/97
	3.	2003/0029044	02/13/03	Mattson et al.			08/10/01
	4.	D536,221	02/06/07	Kamins			10/06/04
	5.	D673,431	01/01/13	Glavin et al.			07/18/12
	6.	D812,995	03/20/18	Mundhra			07/28/17
	7.	D828,730	09/18/18	Gauss et al.			08/03/17
	8.						
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	11.							
	12.							

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	13.	
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Examiner	/Jason Daniel Prone/	Date Considered	10/03/2019

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	Date Submitted	September 17, 2019

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	4,377,035	03/22/83	Dalichow			03/12/81
	2.	D318,600	07/30/91	Lillelund et al.			05/10/88
	3.	D530,986	10/31/06	Lago-Arenas			10/01/04
	4.	D533,034	12/05/06	Wasserman			08/11/04
	5.	D625,153	10/12/10	Gallop et al.			09/25/08
	6.	8,839,522	09/23/14	Walters			07/22/11
	7.	D747,159	01/12/16	Frost			05/22/14
	8.	D758,808	06/14/16	Gatewood			03/18/15
	9.						
	10.						

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	11.							
	12.							

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	13.	U.S. Final Office Action dated September 16, 2019 from U.S. Application No. 16/213,536.
	14.	
	15.	

Examiner	/Jason Daniel Prone/	Date Considered	10/03/2019

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Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D2
	Application No.:	16/213,466
	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
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	Date Submitted	September 19, 2019

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.						
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Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes / No
	14.	102068177	05/25/11	CN			Abstract
	15.	2373000	04/12/00	CN			Abstract
	16.	2231889	07/31/96	CN			Abstract

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	17.	Chinese Office Action dated August 2, 2019 from Chinese Application No. 201810024557.7.
	18.	
	19.	

Examiner	Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Espacenet

Bibliographic data: CN2231889 (Y) — 1996-07-31

Combined tableware

Inventor(s): YIXIONG ZHAO [CN] ± (ZHAO YIXIONG)

Applicant(s): ZHAO YIXIONG [CN] ± (ZHAO YIXIONG)

Classification: **- international:** ***A47G21/06;*** (IPC1-7): A47G21/06
- cooperative:

Application number: CN19952003024U 19950213

Priority number(s): CN19952003024U 19950213

Abstract of CN2231889 (Y)

The utility model discloses a combined tableware. Both ends of a tableware handle are provided with tableware, the handle forms a concave shape, and the handle is provided with a lateral arc trench. Thus, the individual tableware can have two functions, and the combined tableware can be folded and placed or be used for holding food along the arc trench. The point of the handle, near one side of the arc trench, is provided with a fixing apparatus which flattens and fixes the tableware on the two ends. The combined tableware is convenient in use and favorable to fold, so the utility model offers multiple choices for customers, and saves partial making materials.

[19]中华人民共和国专利局

[11] 授权公告号 CN 2231889Y

[12] 实用新型专利说明书

[21] ZL 专利号 95203024.1

[51]Int.Cl[6]

A47G 21/06

[45]授权公告日 1996 年 7 月 31 日

[22]申请日 95.2.13 [24]颁证日 96.6.2

[21]申请号 95203024.1

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[72]设计人 赵义雄

[74]专利代理机构 厦门市专利事务所

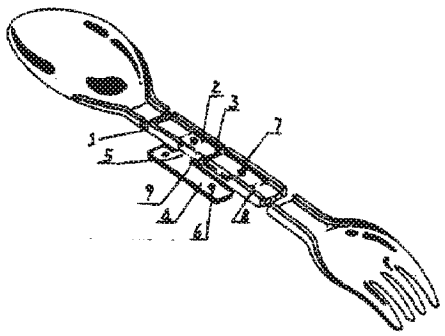
代理人 黄一敏

权利要求书 1 页 说明书 2 页 附图页数 2 页

[54]实用新型名称 一种组合餐具

[57]摘要

本实用新型公开了一种组合餐具，它是在餐具持柄两端均设有餐具，持柄为凹形，在持柄上设一横向的弧沟，这样单个餐具可以有两种功能，又可使组合餐具沿弧沟对折收置或夹持餐物，在弧沟一侧的持柄处设置固定装置，使两端餐具摊平固定，这种组合餐具便于使用，利于收放，给顾客提供多种选择，又节约了部分制作材料。



权 利 要 求 书

1、一种组合餐具，其特征是：在餐具持柄（1）两端均设有餐具，持柄为凹形，包含持柄底层（2）和持柄肋板（8），在持柄底层（2）设一横向弧沟（3），在弧沟一侧的持柄处设置固定装置（4）。

2、根据权利要求1所述的一种组合餐具，其特征是：其固定装置（4）是在持柄底部凸伸连设一结合片（5），结合片与持柄连接处为一与持柄平行的角沟（9），结合片（5）上开数个穿孔（6），在持柄底层（2）设数个与穿孔（6）对应的凸柱（7）。

3、根据权利要求1所述的一种组合餐具，其特征是：其固定装置（4）是在一侧持柄肋板（8）开设一缺口（10），在缺口处延设一结合片（5），在结合片两侧设置若干卡制凸块（11），在持柄肋板处开设若干与卡制凸块对应的卡制槽孔（12）。

4、根据权利要求1所述的一种组合餐具，其特征是：其固定装置（4）是在弧沟（3）为分距点的两侧持柄肋板（8）上设置相对置的数个凸块（13），在持柄底层（2）上设与凸块对应的孔洞（14），在凸块与持柄底层间放置一滑块（15），滑块底面设有弧凸块（16）。

说　明　书

一种组合餐具

本实用新型涉及一种组合餐具。

通常使用的餐具，如刀、叉、勺、筷等均是以单一个体出现，因为不同的餐物需用不同的餐具以利进食，在提供餐物时，如果附带的餐具只有一种，顾客会因进食不便而不满意，若附带的餐具一一具全，又会给经营者带来成本过高或管理不便的问题。

本实用新型旨在提出一种组合餐具，使一种餐具有多种功能又能节省材料。

本实用新型提出的组合餐具，其特征是两端均设有餐具，持柄由持柄底层和持柄肋板形成凹状，在持柄上设一横向弧沟，在弧沟一侧的持柄处设置固定装置，使两端餐具摊平固定。

可把固定装置作在持柄底部凸伸连设一结合片，结合片与持柄连接处为一与持柄平行的角沟，结合片上开数个穿孔，在持柄底层设数个与穿孔对应的凸柱；也可为固定装置是在一侧持柄肋板开设一缺口，在缺口处延设一结合片，在结合片两侧设置若干卡制凸块，在持柄肋板处开设若干与卡制凸块对应的卡制槽孔；还可把该固定装置做成在两边持柄肋板上设置相对置的数个凸块，在持柄底层上设与凸块对应的孔洞，在凸块与持柄底层间放置一滑块，滑块底面设有弧凸块。

由于本实用新型提出的一种组合餐具在两端均设有餐具，这样单个餐具可以有两种用途，如既可当叉用，另一端作刀用，又在持柄上设一横向弧沟，可使多用餐具沿弧沟对折以夹持餐物或收置，在弧沟一侧的持柄处设置固定装置，使两端餐具摊平固定，这种组合餐具便于使用，利于收放，给顾客提供多种选择，又节约了部分制作材料。

以下结合附图及实施例对本实用新型作进一步描述。

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图１是本实用新型实施例的立体示意图。

图２是本实用新型实施例的固定装置平面示意图。

图３是本实用新型又一实施例固定装置的立体示意图。

图４是本实用新型另一实施例固定装置的立体示意图。

参照图１、图２，在餐具持柄１两端均设有餐具，持柄为四形，包含持柄底层２和持柄肋板８，在持柄上设一横向弧沟３，这样单个餐具可以有两种用途，亦可使组合餐具沿弧沟对折收置或夹持餐物，在弧沟一侧的持柄处设置固定装置４，使两端餐具摊平固定，该固定装置４是在持柄底部凸伸连设一结合片５，结合片与持柄连接处为一与持柄平行的角沟９，结合片５上开数个穿孔６，在持柄底层２设数个与穿孔对应的凸柱７，当两端餐具持柄摊平时，结合片５沿角沟向持柄翻折，使穿孔６与凸柱７套合，起到持柄摊平的固定支撑作用。

参照图３，餐具的固定装置４是在一侧持柄肋板８开设一缺口１０，在缺口处延设一结合片５，在结合片两侧设置若干卡制凸块１１，该结合片与持柄底层的连接处为锥状，在持柄肋板处开设若干与卡制凸块对应的卡制槽孔１１，结合片５沿连接处向持柄翻折，使卡制凸块与卡制槽孔１２卡合，起到持柄摊平的固定支撑作用。。

参照图４，组合餐具的固定装置４是在弧沟３为分距点的两侧持柄肋板８上设置相对置的数个凸块１３，在持柄底层２上设与凸块对应的孔洞１４，在凸块与持柄底层间放置一滑块１５，滑块底面设有弧凸块１６，当滑块１６穿入持柄底层２时与孔洞１４相配合，可以自由滑动，当滑块移动至弧沟上端时则不能滑动，使两端餐具摊平固定。

选用一般材料，如塑料，按照上述描述及附图，即可制得本实用新型提出的一种组合餐具。

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说 明 书 附 图

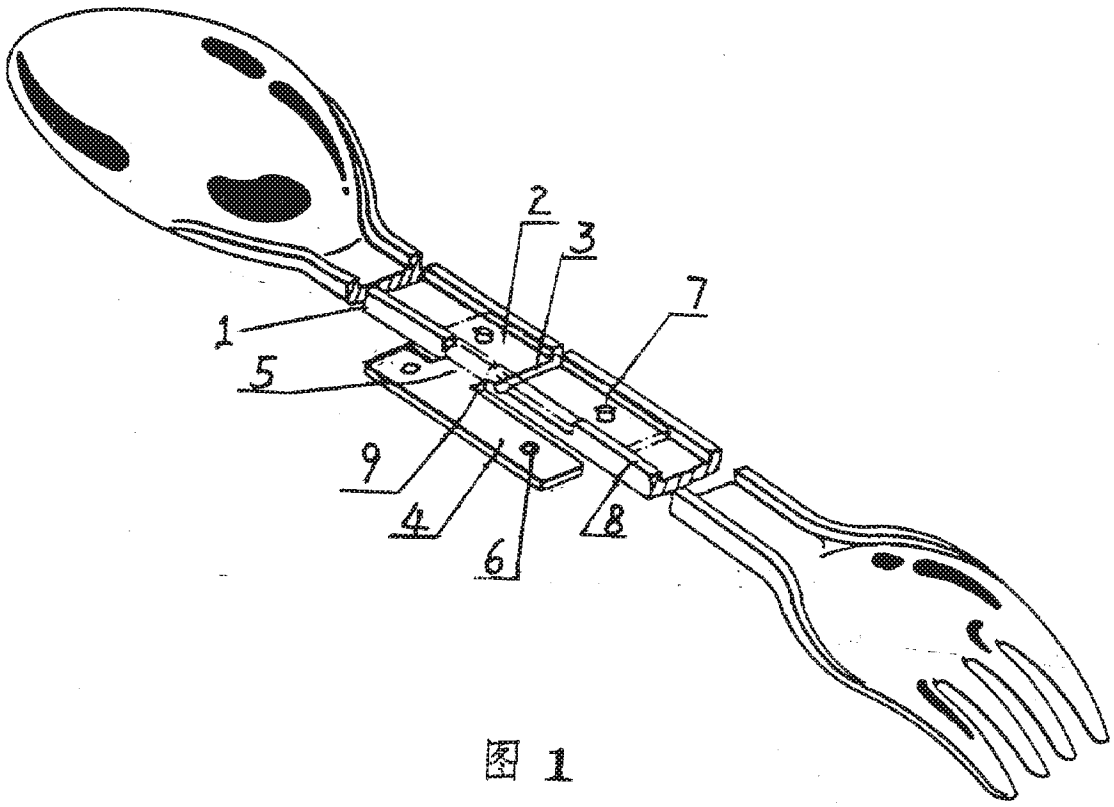


图 1

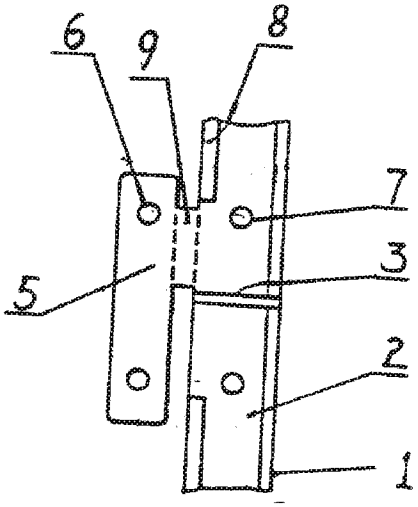


图 2

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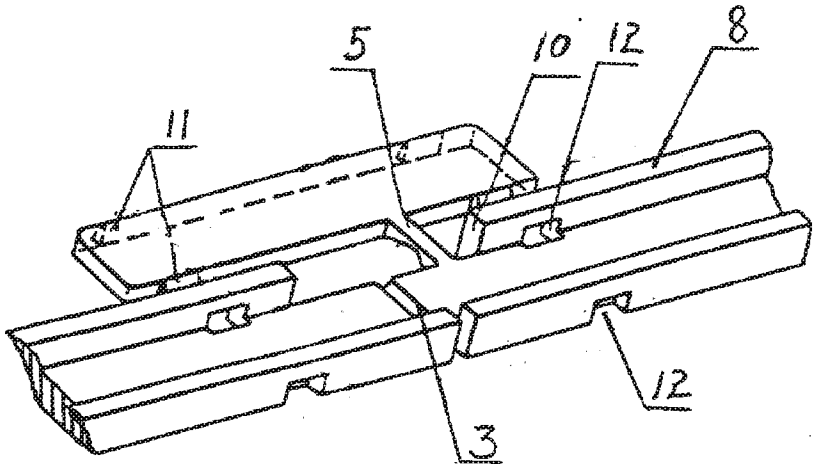


图 3

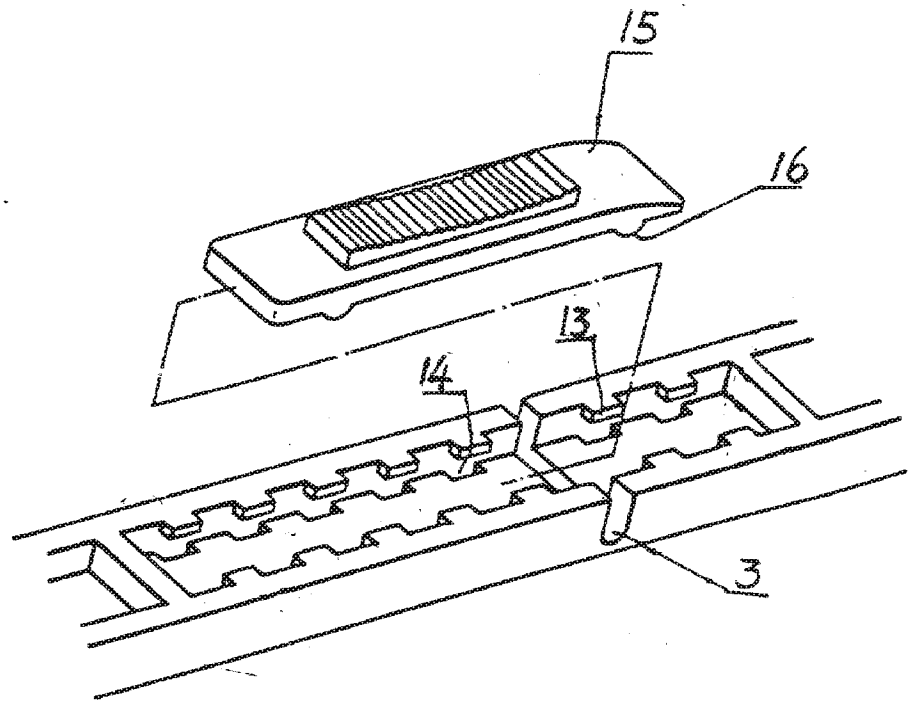


图 4

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Espacenet

Bibliographic data: CN2373000 (Y) — 2000-04-12

Multipurpose tableware

Inventor(s): MA YANYAN [CN]; HUANG JIANGPING [CN]; ZHAN XUAN [CN] ± (YANYAN MA, ; JIANGPING HUANG, ; XUAN ZHAN)

Applicant(s): MA YANYAN [CN] ± (MA YANYAN)

Classification: **- international:*A47G21/00; A47G21/02;*** (IPC1-7): A47G21/00; A47G21/02

- cooperative:

Application number: CN19992012592U 19990527

Priority number (s): CN19992012592U 19990527

Abstract of CN2373000 (Y)

The utility model relates to multipurpose tableware which is characterized in that the multipurpose tableware is composed of a grab handle on a middle part, a spoon, a fork, and combined parts of a knife, a saw and a bottle opener. The spoon and the fork are arranged on end parts on both sides. The combined parts are arranged on edges of both sides of one end with the fork. The utility model integrates the knife, the fork, the spoon, the saw and the bottle opener and overcomes inconvenience and the waste of raw material due to the single manufacture and the single use of the existing knife, the existing fork, the existing spoon, the existing saw and the existing bottle opener. The utility model can be widely used in daily life for people.

[19]中华人民共和国国家知识产权局

[51]Int. Cl[7]
A47G 21/00
A47G 21/02

[12]实用新型专利说明书

[21] ZL 专利号 99212592.8

[45]授权公告日 2000 年 4 月 12 日

[11]授权公告号 CN 2373000Y

[22]申请日 1999.5.27 [24]颁证日 2000.4.14

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张旭东 石 磊 朱子信

[21]申请号 99212592.8

权利要求书 1 页 说明书 2 页 附图页数 1 页

[54]实用新型名称 一种多用餐具

[57]摘要

本实用新型涉及一种多用餐具，该餐具的结构特点是其由中部的握柄和两侧端部的勺和叉，以及在带叉的一端的两侧边缘设置的刀、锯、瓶启组合部组成。本实用新型集刀、叉、勺、锯、瓶启于一身，克服了现有的刀、叉、勺、锯、瓶启单独制造、单独使用带来的诸多不便和对原材料的浪费，可在人们日常生活中广泛使用。



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权 · 利 要 求 书

1、一种多用餐具，其特征在于其握柄(1)的一侧端部为勺(3)，另一侧端部为叉(2)。

2、根据权利要求1所述的多用餐具，其特征在于所述的握柄(1)的另一侧叉(2)的两侧边缘还可以设置一刀、锯、瓶启组合部。

3、根据权利要求2所述的多用餐具，其特征在于所述的刀、锯、瓶启组合部的刀(4)、锯(5)及瓶启(6)分别设置于该部位的两侧边缘，其中刀(4)在一侧边缘，锯(5)及瓶启(6)同在另一侧边缘。

4、根据权利要求2所述的多用餐具，其特征在于所述的锯、刀、瓶启组合部的锯(5)、刀(4)及瓶启(6)分别设置于该部位的两侧边缘，其中锯(5)在一侧边缘，刀(4)及瓶启(6)同在另一侧边缘。

一种多用餐具

本实用新型涉及一种日常生活使用的多用餐具。

日常生活中人们所用的刀、叉、勺、锯、瓶启等餐具均是单独制造、单独使用的，就餐时人们需分别找来放在一起拿起使用，就餐后又需一个个分别洗刷，使用起来较为不便。

针对上述现有技术的不足，本实用新型的目的在于提供一种多种用途集于一身的多用餐具。

为了达到上述目的，一种多用餐具，其握柄的一侧端部为勺，另一侧端部为叉。

所述的握柄的另一侧端部两侧边缘还可以设置一刀、锯、瓶启的组合部。

所述的刀、锯、瓶启组合部的刀、锯及瓶启分别设置于该部位的两侧边缘，其中刀在一侧边缘，锯及瓶启同在另一侧边缘。

所述的刀、锯、瓶启组合部的锯、刀及瓶启分别设置于该部位的两侧边缘，其中锯在一侧边缘，刀及瓶启同在另一侧边缘。

从上述技术方案可以看出，本实用新型具有以下优点：a、 集刀、叉、锯、勺、瓶启于一身，功能多样，使用起来方便、省事；b、 多种功能用途集合一体，相对而言，可以节约大量的原材料，降低了制作成本。

下面结合附图和实施例对本实用新型作进一步的解释和说明：

图1为本实用新型的实施例1的结构示意图；

图2为本实用新型的实施例2的结构示意图；

图3为本实用新型的实施例3的结构示意图。

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实施例1如图1所示，由叉2、勺3和握柄1组成。其握柄1的一端是勺3，另一端为叉2。

实施例2如图2所示，实施例2是在实施例1的结构的基础上，在握柄1的另一端叉2的两侧边缘设置了刀、锯及瓶启组合部，该组合部的一侧边缘为刀4，另一侧边缘为锯5及瓶启6。

实施例3如图3所示，实施例3是在实施例1的结构的基础上，在握柄1的另一端叉2的两侧边缘设置了锯、刀及瓶启组合部，该组合部的一侧边缘为锯5，另一侧边缘为刀4及瓶启6。

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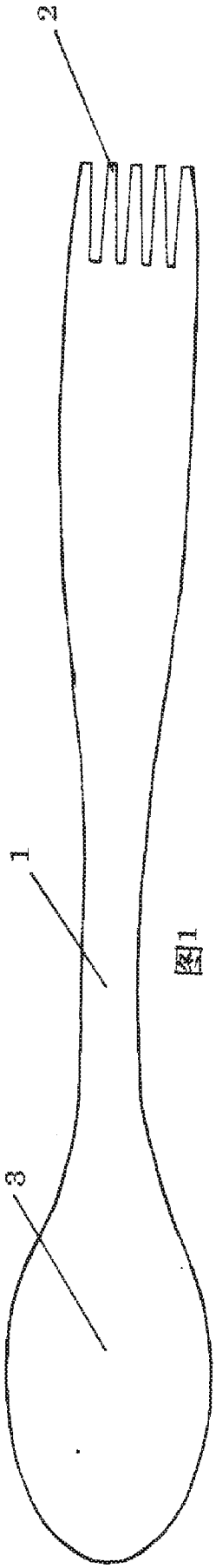


图1

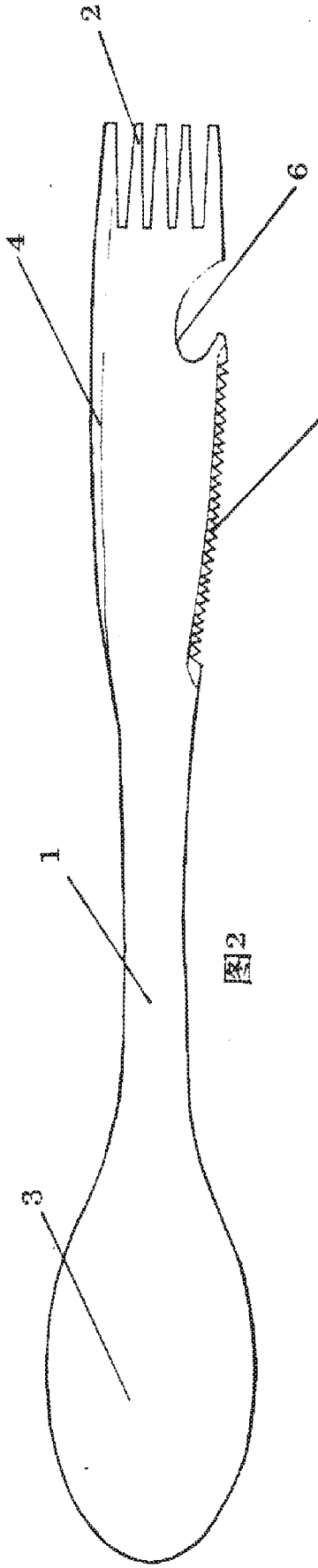


图2

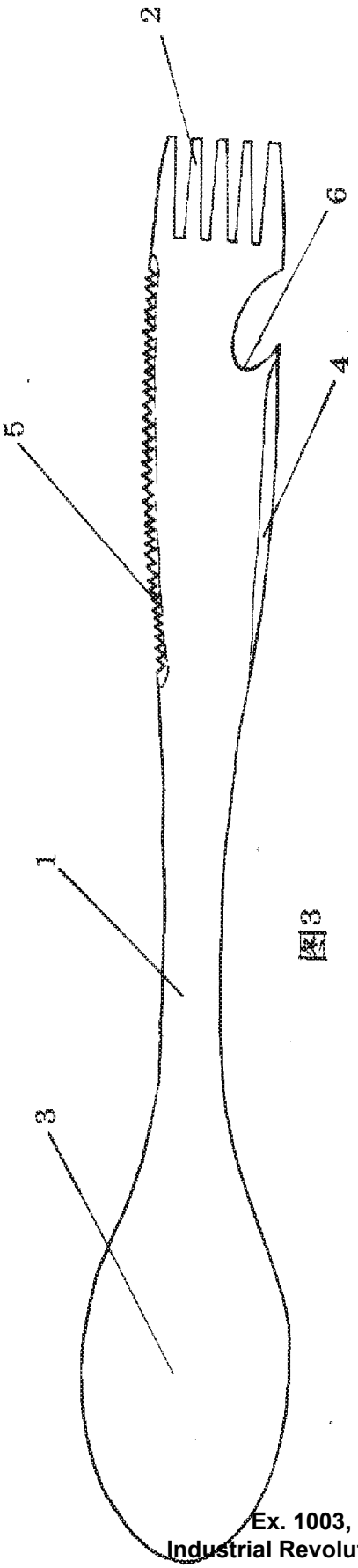


图3

Espacenet

Bibliographic data: CN102068177 (A) — 2011-05-25

Fork spoon

Inventor(s): GUANGSHAN ZHAO ± (ZHAO GUANGSHAN)

Applicant(s): GUANGSHAN ZHAO ± (ZHAO GUANGSHAN)

Classification: **- international:** ***A47G21/02***
- cooperative:

Application number: CN200910225112 20091123

Priority number(s): CN200910225112 20091123

Abstract of CN102068177 (A)

The invention discloses a fork spoon which combines a fork and a spoon and provides a piece of dual-purpose tableware. The fork and the spoon are combined together, and a handle is changed into the tableware with different purposes, thereby improving utilization ratio, avoiding wasting material and bringing convenience for carrying and using.

(19)中华人民共和国国家知识产权局

(12)发明专利申请

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(43)申请公布日 2011.05.25

(21)申请号 200910225112.6

(22)申请日 2009.11.23

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(72)发明人 赵广山

(51)Int.Cl.
A47G 21/02(2006.01)

权利要求书 1 页 说明书 1 页 附图 1 页

(54)发明名称

叉子勺

(57)摘要

本发明将叉子和勺两件餐具合而为一，提供了一种两用餐具。本发明将叉子和勺两件餐具合而为一，将柄部改造为不同用途的餐具，从而提高利用率，不浪费材料且携带、使用方便。

CN 102068177 A

1. 叉子勺的特征是由叉子和勺两件不同的个体餐具合而为一以方便使用携带。

2. 根据权利要求 1 所述，将勺柄改造为叉子，从而提高利用率。

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叉子勺

[0001] 技术领域 本发明涉及一种餐具，特别是涉及一种叉子勺。

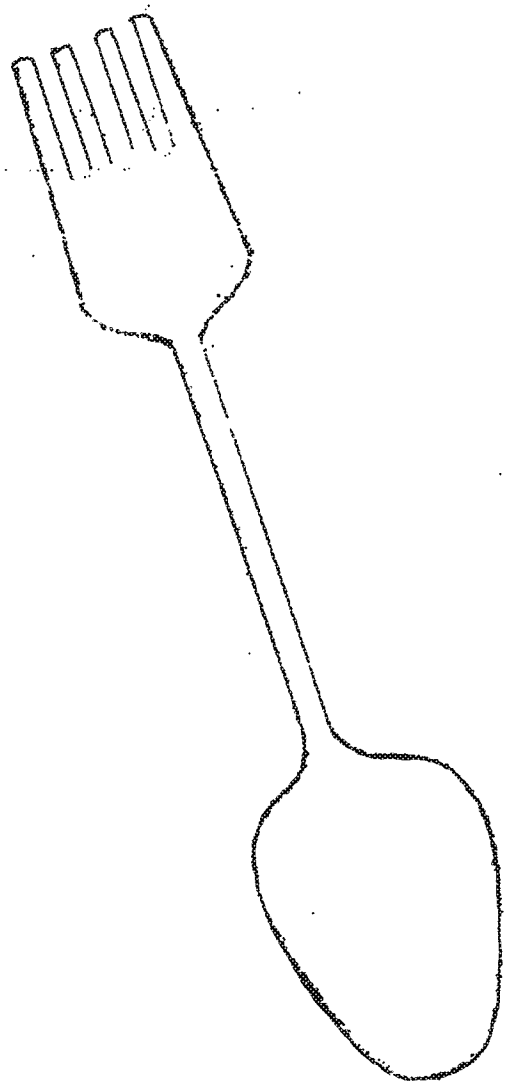
[0002] 技术背景 社会上流行的叉子和勺是两件不同的个体餐具。其柄部除手握外没有其他的功能性作用，如出外携带需同时两件，不够方便且浪费材料。

[0003] 发明内容 本发明将叉子和勺两件餐具合而为一，将柄部改造为不同用途的餐具，从而提高利用率。

[0004] 附图说明 本发明附图为主视图。

[0005] 具体实施方式将叉子和勺的柄部分别改造为勺和叉子。

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Electronic Acknowledgement Receipt

EFS ID:	37213862
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Tina Chen/Cara Hedin
Filer Authorized By:	Tina Chen
Attorney Docket Number:	HMG1P008D2
Receipt Date:	19-SEP-2019
Filing Date:	07-DEC-2018
Time Stamp:	16:57:42
Application Type:	Utility under 35 USC 111(a)

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Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	HMG1P008D2_IDS_6.pdf	26306 d6416ab9ac0e0d125a467d4422f11c1eefd5d1af	no	2

Warnings:

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2	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D2_1449_6.pdf	23647 f0f5e79bcc55ac4bccdf1a60ce4cabc068582b29	no	1
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3	Foreign Reference	CN_2231889Y.pdf	691200 aa8eef5b8055a370cd25a7516523bb669a48d6d8	no	7
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If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

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Signed: _____/Cara Hedin/_____
Cara Hedin

INFORMATION DISCLOSURE STATEMENT BEFORE FINAL ACTION OR NOTICE OF ALLOWANCE (37 CFR §§ 1.56 AND 1.97(c))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

The reference(s) identified in the attached PTO Form 1449, (copies of non-U.S. references are attached), may be material to examination of the above-identified patent application. Applicants identify the reference(s) in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make the identified reference(s) of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that the reference(s) indeed constitutes prior art.

This Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits, or after three months from the filing date of this application, whichever event occurred last, but it is believed before the mailing date of either: (i) a final action under §1.113 or (ii) a notice of allowance under §1.311, whichever occurs first.

Ex. 1003, Page 108
Industrial Revolution Inc.

Accompanying this Information Disclosure Statement is the Statement under 37 CFR § 1.97(e).

Statement under 37 CFR § 1.97(e)

The undersigned hereby states that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. (37 CFR 1.97(e)(1))

Authorization for Deposit Account

In view of the foregoing, it is respectfully submitted that no fee is due in conjunction with the filing of this Information Disclosure Statement. However, should the Commissioner determine that additional fees are required for filing the present Information Disclosure Statement, the Commissioner is hereby authorized to charge any such fees to our Deposit Account Number 50-4481 (Order No. HMG1P008D2).

Respectfully submitted,
BEYER LAW GROUP LLP

/Tina Chen/
Tina Chen
Registration No. 44,606

P. O. Box 51887
Palo Alto, CA 94303-1887
650-842-1300

Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D2
	Application No.:	16/213,466
	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
		Page 1 of 1
	Date Submitted	September 17, 2019

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	4,377,035	03/22/83	Dalichow			03/12/81
	2.	D318,600	07/30/91	Lillelund et al.			05/10/88
	3.	D530,986	10/31/06	Lago-Arenas			10/01/04
	4.	D533,034	12/05/06	Wasserman			08/11/04
	5.	D625,153	10/12/10	Gallop et al.			09/25/08
	6.	8,839,522	09/23/14	Walters			07/22/11
	7.	D747,159	01/12/16	Frost			05/22/14
	8.	D758,808	06/14/16	Gatewood			03/18/15
	9.						
	10.						

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes / No
	11.						
	12.						

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	13.	U.S. Final Office Action dated September 16, 2019 from U.S. Application No. 16/213,536.
	14.	
	15.	

Examiner	Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Electronic Patent Application Fee Transmittal

Application Number:	16213466
Filing Date:	07-Dec-2018
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Filer:	Steve D. Beyer/Cara Hedin
Attorney Docket Number:	HMG1P008D2

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
SUBMISSION- INFORMATION DISCLOSURE STMT	2806	1	120	120
		Total in USD ($)		**120**

Electronic Acknowledgement Receipt

EFS ID:	37188553
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Steve D. Beyer/Cara Hedin
Filer Authorized By:	Steve D. Beyer
Attorney Docket Number:	HMG1P008D2
Receipt Date:	17-SEP-2019
Filing Date:	07-DEC-2018
Time Stamp:	15:56:55
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$120
RAM confirmation Number	E20199GF57442695
Deposit Account	504481
Authorized User	Cara Hedin

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	HMG1P008D2_IDS_5.pdf	25321 152b4feb8054eceab8235fc17cf6db6ed979eb2c	no	2
Warnings:					
Information:					
2	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D2_1449_5.pdf	23663 b4e21fe71ce1f88b371281c8a370d9c0124cd7ea	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
3	Fee Worksheet (SB06)	fee-info.pdf	30307 7971b72585d1342e15e01fadea9913115f0ffb7b	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	79291		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on September 17, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

INFORMATION DISCLOSURE STATEMENT BEFORE FINAL ACTION OR NOTICE OF ALLOWANCE (37 CFR §§ 1.56 AND 1.97(c))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

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Ex. 1003, Page 115
Industrial Revolution Inc.

Accompanying this Information Disclosure Statement is the fee set forth in 37 CFR 1.17(p).

Authorization for Deposit Account

The Commissioner is hereby authorized to charge Deposit Account 50-4481 (Order No. HMG1P008D2) for $120.00 in payment of the Information Disclosure Statement Fee. If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-4481 (Order No. HMG1P008D2).

Respectfully submitted,
BEYER LAW GROUP LLP

/Steve D Beyer/
Steve D Beyer
Registration No. 31,234

P. O. Box 51887
Palo Alto, CA 94303-1887
650-842-1300

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2
	Application No.:	16/213,466
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
(Use Several Sheets if Necessary)		Page 1 of 1
	Date Submitted	August 13, 2019

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	4,615,120	10/07/86	Newman			12/21/84
	2.	5,735,050	04/07/98	Hsieh			04/14/97
	3.	2003/0029044	02/13/03	Mattson et al.			08/10/01
	4.	D536,221	02/06/07	Kamins			10/06/04
	5.	D673,431	01/01/13	Glavin et al.			07/18/12
	6.	D812,995	03/20/18	Mundhra			07/28/17
	7.	D828,730	09/18/18	Gauss et al.			08/03/17
	8.						
	9.						
	10.						

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes	Translation No
	11.							
	12.							

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	13.	
	14.	
	15.	

Examiner	Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Electronic Patent Application Fee Transmittal

Application Number:	16213466
Filing Date:	07-Dec-2018
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Filer:	Steve D. Beyer/Cara Hedin
Attorney Docket Number:	HMG1P008D2

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
SUBMISSION- INFORMATION DISCLOSURE STMT	2806	1	120	120
		Total in USD ($)		**120**

Electronic Acknowledgement Receipt

EFS ID:	36863267
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Steve D. Beyer/Cara Hedin
Filer Authorized By:	Steve D. Beyer
Attorney Docket Number:	HMG1P008D2
Receipt Date:	13-AUG-2019
Filing Date:	07-DEC-2018
Time Stamp:	17:18:45
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$120
RAM confirmation Number	E20198CH19123200
Deposit Account	504481
Authorized User	Cara Hedin

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	HMG1P008D2_IDS_4.pdf	25348 0b15320a3ea1df1475a1ccacc4aa1785da4ff70d	no	2
Warnings:					
Information:					
2	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D2_1449_4.pdf	23040 696d291eb0f414aef260ed245b9c5593585da619	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
3	Fee Worksheet (SB06)	fee-info.pdf	30306 4336e2adb7465945c52c2abaa2c8d35320fa0c65	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	78694		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

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New International Application Filed with the USPTO as a Receiving Office

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on August 13, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

INFORMATION DISCLOSURE STATEMENT BEFORE FINAL ACTION OR NOTICE OF ALLOWANCE (37 CFR §§ 1.56 AND 1.97(c))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

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Ex. 1003, Page 122
Industrial Revolution Inc.

Accompanying this Information Disclosure Statement is the fee set forth in 37 CFR 1.17(p).

Authorization for Deposit Account

The Commissioner is hereby authorized to charge Deposit Account 50-4481 (Order No. HMG1P008D2) for $120.00 in payment of the Information Disclosure Statement Fee. If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-4481 (Order No. HMG1P008D2).

Respectfully submitted,
BEYER LAW GROUP LLP

/Steve D Beyer/
Steve D Beyer
Registration No. 31,234

P. O. Box 51887
Palo Alto, CA 94303-1887
650-842-1300

Ex. 1003, Page 123
Industrial Revolution Inc.

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/213,466	Filing Date 12/07/2018	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $50 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $230 =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	07/18/2019	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 25	Minus	** 27	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 4	Minus	*** 4	= 0		x $230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	SLIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/KIMBERLY D WILLIAMS/
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".	
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.	

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on July 18, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

AMENDMENT A

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the non-final Office Action dated April 19, 2019, please amend the above-identified patent application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begin on page 3 of this paper.

Amendments to the Drawings being on page 10 of this paper.

Remarks/Arguments begin on page 11 of this paper.

Ex. 1003, Page 125
Industrial Revolution Inc.

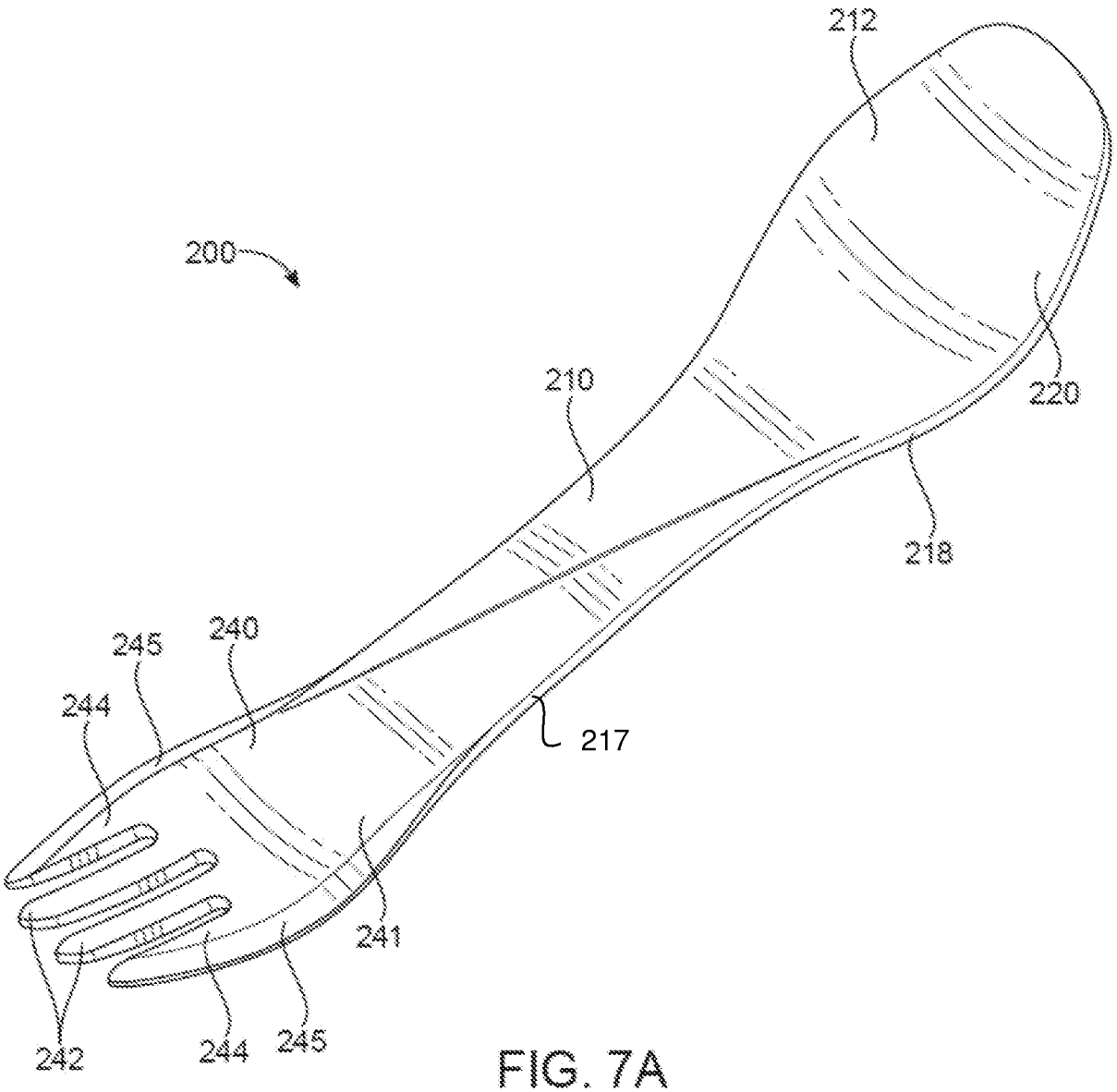


FIG. 7A

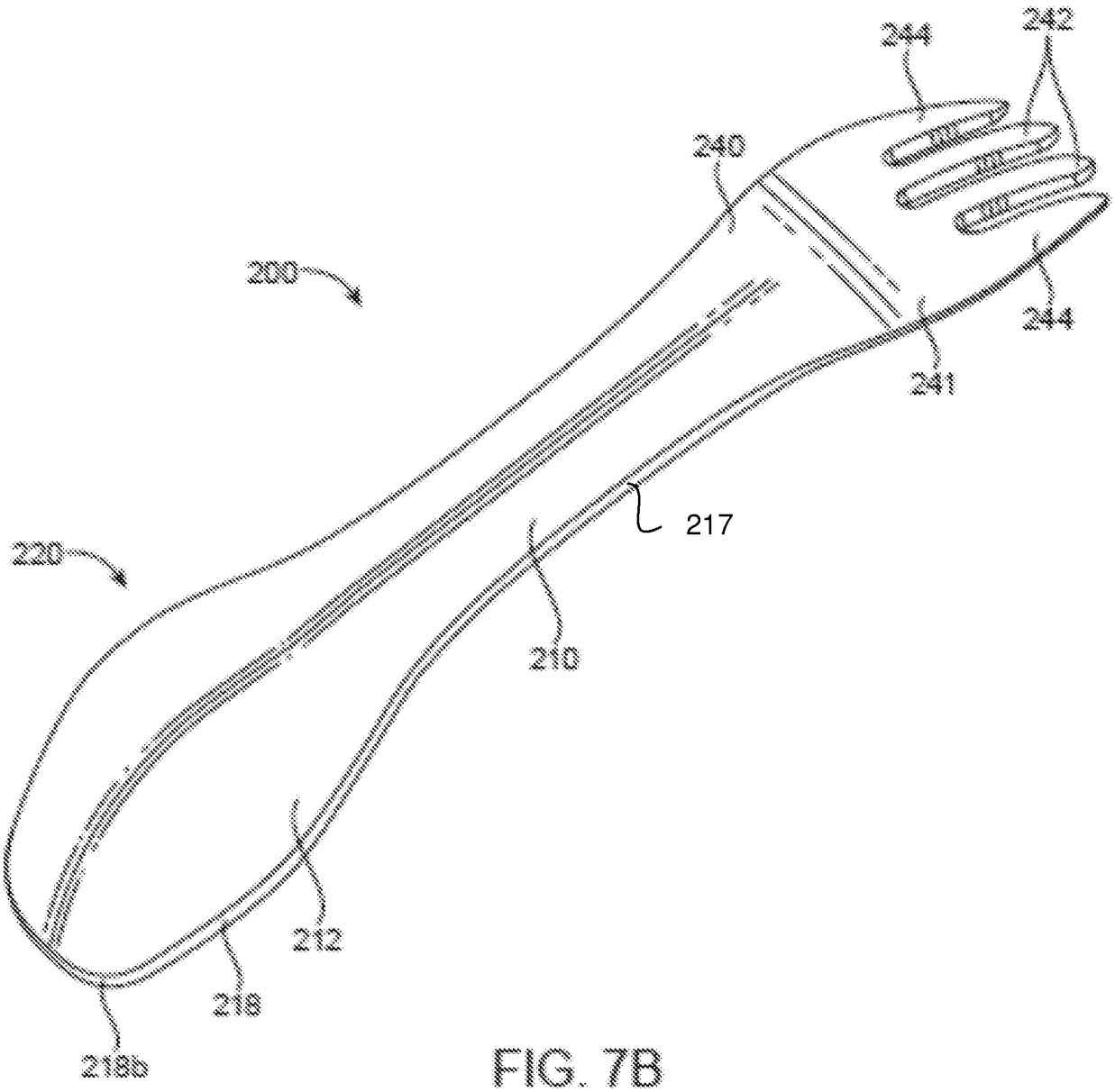


FIG. 7B

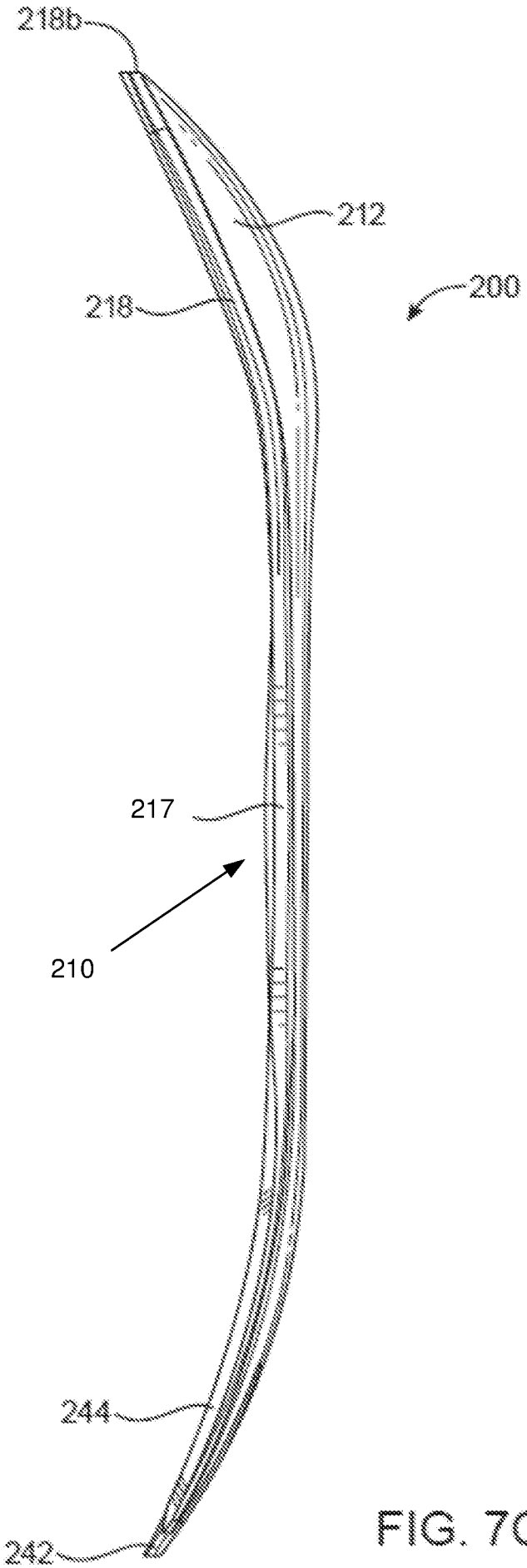


FIG. 7C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

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Signed: _____/Cara Hedin/_____
Cara Hedin

INFORMATION DISCLOSURE STATEMENT BEFORE FINAL ACTION OR NOTICE OF ALLOWANCE (37 CFR §§ 1.56 AND 1.97(c))

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Ex. 1003, Page 129
Industrial Revolution Inc.

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Respectfully submitted,
BEYER LAW GROUP LLP

/Tina Chen/
Tina Chen
Registration No. 44,606

P. O. Box 51887
Palo Alto, CA 94303-1887
650-842-1300

Ex. 1003, Page 130
Industrial Revolution Inc.

Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D2
	Application No.:	16/213,466
	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
		Page 1 of 2
	Date Submitted	July 18, 2019

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	34,098	01/07/1862	Hardie et al.			
	2.	D209,704	12/26/1967	Siune et al.			01/24/1967
	3.	D396,613	08/04/1998	Cousins			06/30/1997
	4.	D491,419	06/15/04	White et al.			05/02/03
	5.	D554,951	11/13/2007	McGrath			01/25/07
	6.	D563,737	03/11/08	Shane-Schuldt			10/03/07
	7.	D587,075	02/24/09	Dibnah et al.			04/25/08
	8.	D612,692	03/30/10	Menceles			08/11/09
	9.	D617,156	06/08/10	Griffith			10/08/09
	10.	D618,070	06/22/10	Jalet et al.			06/29/09
	11.	D676,286	02/19/13	Lion et al.			06/07/12
	12.	D706,586	06/10/14	Kestenbaum			04/22/13
	13.	D730,049	05/26/15	Miksovsky et al.			03/10/14
	14.	2009/0293283	12/03/09	Hsu			05/30/08
	15.	9,061,429	06/23/15	Barber			03/15/13
	16.	D756,171	05/17/16	Mou			12/09/13
	17.	D756,172	05/17/16	Mou			12/09/13
	18.	D807,127	01/09/18	Levi			08/02/16
	19.	D813,616	03/27/18	Mundhra			07/28/17
	20.	D842,662	03/12/19	Bloch et al.			10/11/17
	21.	1,452,337	04/17/1923	Brecel			11/16/21

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes	Translation No
	22.							
	23.							

Examiner	Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2
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(Use Several Sheets if Necessary)		Page 2 of 2
	Date Submitted	July 18, 2019

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	24.	U.S. Office Action dated May 7, 2019 from U.S. Application No. 16/213,536.
	25.	MSR Folding Camp Utensils, https://www.msrgear.com/cookware/folding-utensils, downloaded on September 20, 2018.
	26.	GSI Outdoors, Telescoping Foon, http://www.gsioutdoors.com/telescoping-foon.html, downloaded on September 20, 2018.
	27.	GSI Outdoors, Pivot Spatula, http://www.gsioutdoors.com/pivot-spatula.html, downloaded on September 20, 2018.
	28.	Miksovsky et al., U.S. Application No. 29/653,612, filed on June 16, 2018.
	29.	Miksovsky et al., U.S. Application No. 29/653,595, filed on June 15, 2018.
	30.	Miksovsky et al., U.S. Application No. 16/439,425 filed on June 12, 2019.

Examiner	Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Electronic Patent Application Fee Transmittal

Application Number:	16213466
Filing Date:	07-Dec-2018
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Filer:	Tina Chen/Cara Hedin
Attorney Docket Number:	HMG1P008D2

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
SUBMISSION- INFORMATION DISCLOSURE STMT	2806	1	120	120
		Total in USD ($)		**120**

Electronic Acknowledgement Receipt

EFS ID:	36621953
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Tina Chen/Cara Hedin
Filer Authorized By:	Tina Chen
Attorney Docket Number:	HMG1P008D2
Receipt Date:	18-JUL-2019
Filing Date:	07-DEC-2018
Time Stamp:	12:17:16
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$120
RAM confirmation Number	071819INTEFSW00013061504481
Deposit Account	504481
Authorized User	Cara Hedin

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	HMG1P008D2_Amendment_A_Transmittal.pdf	21265 a1f0714c52a61e6af42a10d23d60fe5a21be11b1	no	1
Warnings:					
Information:					
2		HMG1P008D2_Amendment.pdf	69889 6561013d1960bfe21d0ee1e8902116a0e93b60e7	yes	13

Multipart Description/PDF files in .zip description

Document Description	Start	End
Applicant Arguments/Remarks Made in an Amendment	11	13
Drawings-only black and white line drawings	10	10
Claims	3	9
Specification	2	2
Amendment/Req. Reconsideration-After Non-Final Reject	1	1

Warnings:					
Information:					
3	Drawings-only black and white line drawings	HMG1P008D2_REP_FIGS.pdf	1225907 194ae899a66b8fc7aadde9a85278cbc0ee9df6be	no	3
Warnings:					
Information:					
4	Transmittal Letter	HMG1P008D2_IDS_3.pdf	25338 47a0876e057d530b05870f5ecd20d2337bb7ca91	no	2
Warnings:					
Information:					

5	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D2_1449_3.pdf	30633 c464332ba0f1a3baa809520c3666bac24e83cb0c	no	2
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
6	Non Patent Literature	MSR_Ref.pdf	700179 c5ca1c1db783c24e4d889fae977cdd3c3f997e5c	no	10
Warnings:					
Information:					
7	Non Patent Literature	GSI_Ref.pdf	174787 1a57f46c823583db32125fc4fe90e194af063bef	no	4
Warnings:					
Information:					
8	Non Patent Literature	GSI_Ref_2.pdf	211623 596fea870ab7a686d388f767beecd8711ba2f2fd	no	4
Warnings:					
Information:					
9	Fee Worksheet (SB06)	fee-info.pdf	30235 d7658da3dd799a41c38846b5159eac9859126a6b	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	2489856		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on July 18, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

AMENDMENT A TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	25	MINUS	27	00	x 50 = $0.00	x 100 = $0.00
Independent Claims	04	MINUS	04	00	x 230 = $0.00	x 460 = $0.00
Multiple Dependent Claim Present and Fee Not Previously Paid						
				Total	$0.00	$0.00

☒ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-4481.

☒ Please charge the required fees, or any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 50-4481 (Order No. HMG1P008D2).

Respectfully submitted,
BEYER LAW GROUP LLP

/Tina Chen/
Tina Chen
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The listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) An eating utensil comprising a spoon head, a fork head and a handle that connects the spoon head to the fork head, **the eating utensil further including a front surface and a back surface,** wherein:

the fork head includes a concave fork bowl portion **on the front surface** and ~~has four~~ **a plurality of** tines including two inner tines and two outer tines, each **of the** tine**s** having a proximal base end and a distal tip**, wherein each of the outer tines has a curved outer edge;**

~~outer edge portions of the fork head are curved longitudinally including outer edges of the outer tines and the outer tines get progressively narrower towards their respective distal tips;~~

a chamfer on the front surface of the fork head that forms ~~a first one of the outer tines has~~ a curved ~~cutting~~ **splitting** feature along at least a portion of the ~~first one of the outer tine's~~ curved outer edge **of a first one of the outer tines**; and

the spoon head includes a concave spoon bowl **portion on the front surface such that [[,]]** the concave spoon bowl portion and the concave fork bowl portion **are** both ~~being~~ formed on **[[a]] the** front surface of the eating utensil**, wherein a side surface of the eating utensil extends continuously along an entire length of the eating utensil from the distal tip of on outer tine to a distal tip of the spoon bowl, wherein the chamfer is chamfered at an angle from the side surface**.

2. (Currently Amended) An eating utensil as recited in claim 1, wherein:

each **of the** inner tine**s** has a pair of substantially straight side edges and the distal tip of each **of the** inner tine**s** is pointed; and

the distal tip of each **of the** outer tines is pointed.

3. (Canceled)

4. (Currently Amended) An eating utensil as recited in claim 1 wherein **each of** the **curved** outer edge**s** ~~**each outer tine of the fork head**~~ is curved over an entire distance between the distal tip of the outer tine and the proximal base **end** of the outer tine.

5. (Original) An eating utensil as recited in claim 1, wherein the bowl portion of the spoon has at least three substantially flat side edges with rounded corners therebetween.

6. (Currently Amended) An eating utensil as recited in claim 1, wherein the bowl portion of the spoon head is tilted at a first angle relative to the handle, and the bowl portion of the fork head is tilted at a second angle relative to the handle such that the distal tips of the tines and a distal end of the spoon head extend above the **front surface of the** handle**.** ~~**on a front side of the handle.**~~

7. (Original) An eating utensil as recited in claim 1, wherein the bowl portion of the spoon head has a plurality of substantially flat side edges.

8. (Original) An eating utensil as recited in claim 1, wherein the handle has substantially parallel lateral side edges over a majority of a length of the handle.

9. (Original) An eating utensil as recited in claim 1, wherein the outer tines each have a wider base end than the inner tines.

10. (Original) An eating utensil as recited in claim 1, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

11. - 19. (Canceled)

20. (Currently Amended) ~~A spork~~ **An eating utensil** formed from a glass ~~filed~~ **filled** nylon thermoplastic material, the ~~spork~~ **eating utensil** comprising a spoon head, a fork head and a handle that connects the spoon head to the fork head, **the eating utensil further including a front surface, a back surface and opposing side edges,** wherein:

the fork head includes a concave fork bowl portion on **[[a]] the** front surface of **the** ~~fork head~~ **eating utensil** and has four tines including two inner tines and two outer tines, each **of the** tine**s** having a proximal base end and a distal tip, **each of** the outer tine base ends being wider than the base ends of the inner tines**;**

~~outer edge portions of the fork head are curved longitudinally including outer edges of the outer tines such that the outer tines get progressively narrower towards their respective distal tips;~~

a first chamfer on the front surface of the eating utensil forms ~~at least a first one of the outer tines has~~ a curved **splitting** ~~cutting~~ feature along at least a portion of **a first** ~~the~~ curved outer edge of ~~the~~ **a** first one of the outer tines**;** **[[and]]**

a second chamfer on the front surface of the eating utensil forms a curved splitting feature along at least a portion of a second curved outer edge of a second one of the outer tines;

the spoon head includes a concave bowl portion, the concave bowl portion of the spoon head facing in a same direction as the concave fork bowl portion of the fork head;

~~the handle has substantially parallel lateral side edges over a majority of a length of the handle;~~ and

the bowl portion of the spoon head is positioned at a first angle relative to the handle, and the bowl portion of the fork head is positioned at a second angle relative to the handle such that the distal tips of the tines and a distal end of the spoon head both extend above the **front surface of the** handle**, wherein each of the opposing side edges of the eating utensil extends continuously along an entire length of the eating utensil from the distal tip of on outer tine to a distal tip of the spoon bowl, wherein each of the first and second chamfers is chamfered at an angle from one of the opposing side edges.** ~~on a front side of the handle.~~

21. (Currently Amended) An eating utensil, comprising:

first and second head portions;

a handle portion extending between the first and second head portions, wherein:

the first head portion comprises a plurality of tines, wherein the first head portion including the plurality of tines defines a concave surface, wherein each of ~~the~~ two outer tines of the plurality of tines has a distal tip, and wherein the first head portion including the two outer tines defines two curved outer chamfered surfaces, each of the curved outer chamfered surfaces extending from the distal tip of one of the two outer tines and tapering to a point adjacent the handle portion, the chamfered surface extending obliquely from the concave surface; and

the second head portion comprises a spoon bowl with multiple sides being connected via substantially rounded corners**, wherein a side surface of the eating utensil extends continuously along an entire length of the eating utensil from the distal tip of on outer tine to a distal tip of the spoon bowl, wherein the chamfered surface is chamfered at an angle from the side surface**.

22. (Previously Presented) The eating utensil as recited in claim 21, wherein the handle, the first head portion, and the second head portion are integrally formed.

23. (Previously Presented) The eating utensil as recited in claim 21, wherein the plurality of tines includes at least one central tine that is substantially straight.

24. (Previously Presented) The eating utensil as recited in claim 21, wherein each of the outer tines has a substantially straight inner edge.

25. (Previously Presented) The eating utensil as recited in claim 21, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

26. (Currently Amended) An eating utensil, comprising:

a head portion;

a handle portion connected to the head portion, wherein:

the head portion comprises a plurality of tines, wherein the head portion including the plurality of tines defines a concave surface, wherein each of ~~the~~ two outer tines of the plurality of tines has a distal tip, the head portion including the two outer tines defines two curved outer chamfered surfaces, each of the chamfered surfaces extending from the distal tip and tapering to a point adjacent the handle portion, and each of the chamfered surfaces extending obliquely from the concave surface**, wherein a side surface of the eating utensil extends continuously along an entire length of the eating utensil, wherein each of the chamfered surfaces is chamfered at an angle from the side surface**.

27. (Currently Amended) The eating utensil as recited in claim 26, wherein each of the chamfered surfaces spans an entire width of **a respective** one of the outer tines at **the** **[[a]]** distal tip of the outer tine.

28. (Previously Presented) The eating utensil as recited in claim 26, further comprising a spoon bowl integrally formed with the handle portion, wherein the spoon bowl extends from an end of the handle portion opposite an end from which handle portion meets the head portion.

29. (Previously Presented) The eating utensil as recited in claim 28, wherein the spoon bowl is angled from the handle portion at an angle of about 20-25 degrees.

30. (Previously Presented) The eating utensil as recited in claim 28, wherein the spoon bowl has a substantially flat side edge.

31. (Previously Presented) The eating utensil as recited in claim 28, wherein the bowl has a substantially flat end edge.

32. (Previously Presented) The eating utensil as recited in claim 28, wherein the spoon bowl has a substantially pentagonal shape.

33. (Previously Presented) The eating utensil as recited in claim 32, wherein the spoon bowl has substantially rounded corners.

34. (Previously Presented) The eating utensil as recited in claim 28, wherein the handle comprises a diagonal ridge.

35. (Previously Presented) The eating utensil as recited in claim 26, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

Amendments to the Specification:

Please replace paragraph [0074] with the following amended paragraph:

[0074] The spoon 220 has a head portion or bowl 212 on its distal end. The bowl 212 of the spoon 220 has a substantially flat side edge 218 and end edge 218b, which allows for "scraping" food from of a container (e.g., a yogurt container) or a bowl. As shown in the side view of Fig. 7C, the bowl 212 is angled upward to form a deeper bowl, which can be more efficient when scooping liquids, such as soups. In a particular embodiment, the bowl 212 is angled upward at an angle of about 20-25 degrees, and preferably about 23 degrees. In the illustrated embodiment, the bowl 212 has a substantially elongated pentagonal shape with rounded corners. **The substantially flat side edge 218 of the bowl 212 forms a portion of a side surface 217 or edge of the utensil 200. As shown in Figs. 7A-7C, the side surface 217 of the utensil 200 extends continuously along the entire length of the utensil 200, from the distal tip of an outer tine 244 to the distal tip or end of the spoon bowl 212. As shown in Fig. 7A, the chamfered outer edge 245 is chamfered at an angle from the side surface 217.**

Amendments to the Drawings:

The attached sheets of drawings include changes to Figs. 7A-7C. These sheets, which include Figs. 7A-7C, replace the original sheets including Figs. 7A-7C. In Figs. 7A-7C, previously omitted reference numeral "217" denoting the side surface of the utensil has been added.

Attachments: Replacement Sheets

REMARKS

A video interview was held on May 22, 2019 between Examiner Jason Prone and inventor Chris Miksovsky and Applicant's Representatives, Steve Beyer and Tina Chen. The differences between the cited references and the invention were discussed. The inventor discussed how difficult it is to improve a simple device, such as an eating utensil, and also discussed how the current invention is not obvious in view of prior art eating utensils. The Examiner suggested an amendment that would overcome the current Section 103 rejections, and Applicant agreed to file a response with such an amendment (which is set forth herein).

Specification and Drawings

The specification is amended to discuss the side surface of the utensil and how it extends continuously along the entire length of the utensil and how the chamfered surface is chamfered at an angle from this side surface, as shown in the drawings as originally filed. The drawings (Figs. 7A-7C) are amended to properly label this side surface with a reference numeral. No new matter is added by these amendments.

Claim Objections

To overcome the claim objections, the claims are amended in accordance with the Examiner's suggestions.

Rejections Under 35 U.S.C. §112

Claims 1-10 and 19-35 are rejected under 35 U.S.C. §112(b) or 35 U.S.C. §112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or joint inventor regards as the invention. The claims are amended to overcome the numerous Section 112 rejections. If the Examiner has any further Section 112 rejections or suggestion for overcoming such rejections, the Examiner is asked to contact the undersigned at the telephone number set out below.

Rejections Under 35 U.S.C. §103

Claims 1, 4, 8, 9, and 19 are rejected under 35 U.S.C. §103 as being unpatentable over Miller (2003/0110644) in view of Bristow (D535,857). Claim 2 is rejected under 35 U.S.C. §103 as being unpatentable over Miller in view of Bristow, and further in view of Cox (88,370). Claim 3 is rejected under 35 U.S.C. §103 as being unpatentable over Miller and Bristow, and

further in view of Light My Fire Spork (LMFS). Claims 5 and 7 are rejected under 35 U.S.C. §103 as being unpatentable over Miller and Bristow, and further in view of Geckler (3,014,277). Claim 6 is rejected under 35 U.S.C. §103 as being unpatentable over Miller and Bristow, and further in view of Whitcomb (D30,129). Claim 10 is rejected 35 U.S.C. §103 as being unpatentable over Miller in view of Bristow, and further in view of Eklind (6,151,999). Claim 20 is rejected under 35 U.S.C. §103 as being unpatentable over Miller in view of Bristow, LMFS, and Whitcomb. Claims 21-24 are rejected under 35 U.S.C. §103 as being unpatentable over Miller, Bristow, LMFS, and Geckler. Claim 25 is rejected under 35 U.S.C. §103 as being unpatentable over Miller, Bristow, LMFS, Geckler, and Eklind. Claims 26 and 27 are rejected under 35 U.S.C. §103 as being unpatentable over Miller in view of LMFS. Claim 28 is rejected under 35 U.S.C. §103 as being unpatentable over Miller in view of LMFS, and further in view of Bristow. Claim 29 is rejected under 35 U.S.C. §103 as being unpatentable over Miller in view of LMFS, and further in view of Bristow, and further in view of Whitcomb. Claims 30-33 are rejected under 35 U.S.C. §103 as being unpatentable over Miller in view of LMFS further in view of Bristow, and further in view of Geckler. Claim 34 is rejected under 35 U.S.C. §103 as being unpatentable over Miller in view of LMFS further in view of Bristow, and further in view of Hougland (2005/0066531). Claim 35 is rejected under 35 U.S.C. §103 as being unpatentable over Miller in view of LMFS, and further in view of Bristow.

Independent Claim 1 is amended to recite that a side surface of the eating utensil extends continuously along an entire length of the eating utensil from the distal tip of on outer tine to a distal tip of the spoon bowl, wherein the chamfer is chamfered at an angle from the side surface. Independent Claims 20, 21, and 26 are similarly amended. These amendments are fully supported by the specification and claims, as originally filed.

The cited references, either alone or in combination, do not disclose or suggest an eating utensil that has a fork head having a chamfer on the front surface of the fork head that forms a **curved** splitting feature along at least a portion of the curved outer edge of one of the outer tines and wherein a side surface of the eating utensil extends continuously along an entire length of the eating utensil from the distal tip of on outer tine to a distal tip of the spoon bowl, wherein the chamfer is chamfered at an angle from the side surface.

Thus, for at least the reasons discussed above, amended independent Claims 1, 20, 21, and 26 are patentable over the cited references, either alone or in combination. Dependent Claims 2, 4-10, 22-25, and 27-35, which depend from and include all of the limitations of amended independent Claim 1, 21, or 26, are therefore also patentable. Furthermore, each of the dependent claims recites additional features of advantage and utility.

Conclusion

Should the Examiner have any questions or concerns related to the present application, he is encouraged to contact the undersigned at the telephone number set out below in an effort to quickly and efficiently address such questions/concerns.

Respectfully submitted,
BEYER LAW GROUP LLP

/Tina Chen/

Tina Chen
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OPAP AKIMA-15
JUN 04 2019
PATENT & TRADEMARK OFFICE

Beyer Law Group LLP
Intellectual Property Law

May 30, 2019

U.S. Patent and Trademark Office
Attn: Examiner Andrea Wellington
Art Unit 3724
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application Entitled: EATING UTENSIL SYSTEM
Inventor(s): MIKSOVSKY et al.
Application No.: 16/213,466
Filing Date: December 7, 2018
Our File No.: HMG1P008D2

Dear Examiner Wellington:

This sample is for the case identified above. Would you be able to forward this to Examiner Jason Prone in Detroit on behalf of the responsible attorney, Tina Chen? Please feel free to contact us if there are any questions. Tina Chen can be reached at (650) 842-1300 or via email at tchen@beyerlaw.com.

Best regards,
BEYER LAW GROUP LLP
CHedin
Cara Hedin
for Tina Chen

/clh
Enclosures

ARTIFACT SHEET

Enter artifact number below. Artifact number is application number + artifact type code (see list below) + sequential letter (A, B, C …). The first artifact folder for an artifact type receives the letter A, the second B, etc..
Examples: 59123456PA, 59123456PB, 59123456ZA, 59123456ZB

16213466MA

Indicate quantity of a single type of artifact received but not scanned. Create individual artifact folder/box and artifact number for each Artifact Type.

☐ CD(s) containing:
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☐ Video tape(s)
Doc Code: Artifact Artifact Type Code: V

☒ 1 Model(s)
Doc Code: Artifact Artifact Type Code: M

☐ Bound Document(s)
Doc Code: Artifact Artifact Type Code: B

☐ Confidential Information Disclosure Statement or Other Documents marked Proprietary, Trade Secrets, Subject to Protective Order, Material Submitted under MPEP 724.02, etc.
Doc Code: Artifact Artifact Type Code X

☐ Other, description: _____
Doc Code: Artifact Artifact Type Code: Z

August 31, 2016

Doc Code: ECOMM.AUTH/ECOMM.WTDW
Doc Description: Internet Communications Authorized/Internet Communications Authorization Withdrawn

PTO/SB/439 (11-15)

AUTHORIZATION FOR INTERNET COMMUNICATIONS IN A PATENT APPLICATION OR REQUEST TO WITHDRAW AUTHORIZATION FOR INTERNET COMMUNICATIONS		
	Application No.	16/213,466
	Filing Date	December 7, 2018
	First Named Inventor	Christopher A. MIKSOVSKY
	Art Unit	3724
	Examiner Name	PRONE, JASON D.
	Practitioner Docket No.	HMG1P008D2

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I. To authorize permission for Internet Communications.

☑ Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with the undersigned and practitioners in accordance with 37 CFR 1.33 and 37 CFR 1.34 concerning any subject matter of this application via video conferencing, instant messaging, or electronic mail. I understand that a copy of these communications will be made of record in the application file. (MPEP 502.03)

II. To withdraw authorization for Internet Communications.

☐ The authorization given on _____, to the USPTO to communicate with the undersigned and any practitioner in accordance with 37 CFR 1.33 and 37 CFR 1.34 concerning any subject matter of this application via Internet communications such as video conferencing, instant messaging, or electronic mail is hereby withdrawn. I understand that the withdrawal is effective when approved rather than when received.

I am the

☐ applicant.

☑ attorney or agent of record. Registration number 44,606.

☐ attorney or agent acting under 37 CFR 1.34. Registration number _____.

/Tina Chen/ — Signature

May 15, 2019 — Date

Tina Chen — Typed or printed name

650-842-1300 — Telephone Number

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Juristic entities must be represented by a patent practitioner (see 37 CFR 1.31, which is applicable to any paper filed on or after September 16, 2012, that is presented on behalf of a juristic entity, regardless of application filing date). Submit multiple forms if more than one signature is required, see below*.

☑ * Total of 1 forms are submitted.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	36021177
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Tina Chen/Cara Hedin
Filer Authorized By:	Tina Chen
Attorney Docket Number:	HMG1P008D2
Receipt Date:	15-MAY-2019
Filing Date:	07-DEC-2018
Time Stamp:	14:58:36
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Internet Communications Authorized	HMG1P008D2_Electronic_Communications_Authorization.pdf	100292 437e4fae16514c2b4261af765979938309d7d728	no	2

Warnings:

Information:	
Total Files Size (in bytes):	100292

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,466	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D2	9726

58766 7590 04/19/2019

Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

EXAMINER	
PRONE, JASON D	

ART UNIT	PAPER NUMBER
3724	

NOTIFICATION DATE	DELIVERY MODE
04/19/2019	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTOmail@beyerlaw.com

Office Action Summary	Application No. 16/213,466	Applicant(s) MIKSOVSKY et al.	
	Examiner JASON D PRONE	Art Unit 3724	AIA (FITF) Status Yes

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☑ Responsive to communication(s) filed on 4-8-19.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☐ This action is **FINAL.** 2b) ☑ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5) ☑ Claim(s) 1-10 and 19-35 is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6) ☐ Claim(s) _____ is/are allowed.

7) ☑ Claim(s) 1-10 and 19-35 is/are rejected.

8) ☐ Claim(s) _____ is/are objected to.

9) ☐ Claim(s) _____ are subject to restriction and/or election requirement

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to **PPHfeedback@uspto.gov.**

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☑ The drawing(s) filed on 12-7-18 is/are: a)☑ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☑ Notice of References Cited (PTO-892)

2) ☑ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

4) ☐ Other: _____.

DETAILED ACTION

Notice of Pre-AIA or AIA Status

1. The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

Non-Patent Literature

2. On Page 6 of 8 there is a review dated December 2, 2009 in the Light My Fire Spork. This is the date utilized for this reference.

Claim Objections

3. Claims are objected to because of the following informalities:

- On line 4 of claim 1, the phrase "each tine" should be replaced with "each of the tines". The claims are replete with this issue and each occurrence should be amended in the example above.
- On line 1 of claim 20, the word "filed" should be replaced with "filled".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of 35 U.S.C. 112(b):

> (b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-10, and 19-35 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.

All of the edge disclosures in all of the claims are confusing. In that the edge portions of the fork head, the outer edges of the outer tines, the edges of the spoon, the edges of the handle are all disclosed in a way that they are separate structurally from the other edges which does not appear to be supported. There appears to be two side edges that extend from tips of the outer tines all the way to the flat end edge of the spoon and all of the disclosed edges and edge portions all make up different portions of these two side edges. The claims must be amended to link the limitations because that is the only way it is supported.

With regards to claim 1, the phrase "a curved cutting feature along at least a portion of the first one of the outer tine's curved outer edge" is very confusing. If an item is along another item it does not have to make up the another item. Here the phrase is unclear in that the cutting feature only is along outer tine curve which is not supported in that the curved edge is the cutting feature.

With regards to claim 1, the phrase "a front surface of the eating utensil" is unclear. It is unclear what structure represents this front surface. As written, the surface is part of the utensil in a way that is independent from the heads and the handle. This surface must be defined utilizing existing structure.

With regards to claim 3, what structure allows for the claim 3 edge to be a different structure than any of the previously disclosed edges.

With regards to claim 6, the term "above" is indefinite in that the tool is a handheld and is capable of achieving an infinite amount of orientations including ones that would not allow for the tips and end to be above the handle.

As written, claim 6 does not appear to further limit the front surface limitation on the last line of claim 1. As written, claim 6 is in addition to this claim 1 limitation which makes claim 6 confusing.

Claim 19 appears to be a duplicate of claim 8.

Claim 20 has the same issues as claims 1 and 6.

With regards to claim 20, the phrase "an outer side edge of the chamfer is curved and follows the curved side edge of the fork head" is unclear. As written, the chamfer edge and the fork head edge are separate structures which does not appear to be supported. These limitations make up different portions of the same edge.

Claim 21 recites the limitation "the two outer tines" on line 5. There is insufficient antecedent basis for this limitation in the claim. Claim 26 has the same issue.

With regards to claim 21, the phrase "extending from the distal tip of one of the two outer tines" is unclear. As written, it seems as if both chamfered surfaces extend from the same distal tip which is not the case. The phrase should be replaced with "extending from a respective one of the distal tips". Claim 26 has the same issue.

With regards to claim 27, the phrase "a distal tip of the outer tine" is unclear. It is unclear if this tip represents the same or a different structure than the previously disclosed distal tip. As written, the claim 27 tip is in addition to the previously disclosed tips. This claim should also utilize the term "respective" in that both chamfered surfaces are not on the same tine.

With regards to claim 29, it is unclear how the angle is measured. Different portions of the bowl would define a different angle with regards to different portions of the handle.

Claim Rejections - 35 USC § 103

In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

6. The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this Office action:

> A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 4, 8, 9, and 19 are rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of Bristow (D535,857). With regards to claims 1, 4, and 9, Cox discloses an eating utensil (10) having a fork head (14) and a handle (11), the fork head has a concave fork bowl portion (Fig. 2) and four tines including two inner (30, 30') and two outer tines (32, 32'), each of the tines having a proximal base and a distal tip (Fig. 9), outer edge portions of the fork head are curved longitudinally including outer edges of the outer tines (35, 35'), the outer tines get progressively narrower towards their tips (Fig. 9), a first one of the outer tines has a curved cutting feature along at least a portion of the first one of the outer tine's curved outer edge (36 in Fig. 6), the outer edge of each of the other tines is curved over an entire distance between the distal tip and the proximal base of the outer tines (Fig. 1), the outer tines each have a wider base end than the inner tines (Fig. 1).

However, with regards to claims 1, 8, and 19, Miller fails to disclose the utensil has a spoon head, the handle connects the fork head to the spoon head, the spoon head has a concave spoon bowl portion, the spoon and fork bowl portions being formed on a front surface of the utensil, and the handle has substantially parallel lateral sides edges over a majority of a handle length.

Bristow teaches it is old and well known in the art of eating utensils to incorporate a spoon head (Fig. 1), the handle connects the fork head to the spoon head (Fig. 1), the spoon head has a concave spoon bowl portion (Fig. 1), the spoon and fork bowl portions being formed on a front surface of the utensil (Fig. 4), and the handle has substantially parallel lateral sides edges over a majority of a handle length (Fig. 2). Such a modification allows for the utensil to be multifunctional. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller with the spoon, as taught by Bristow, because all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

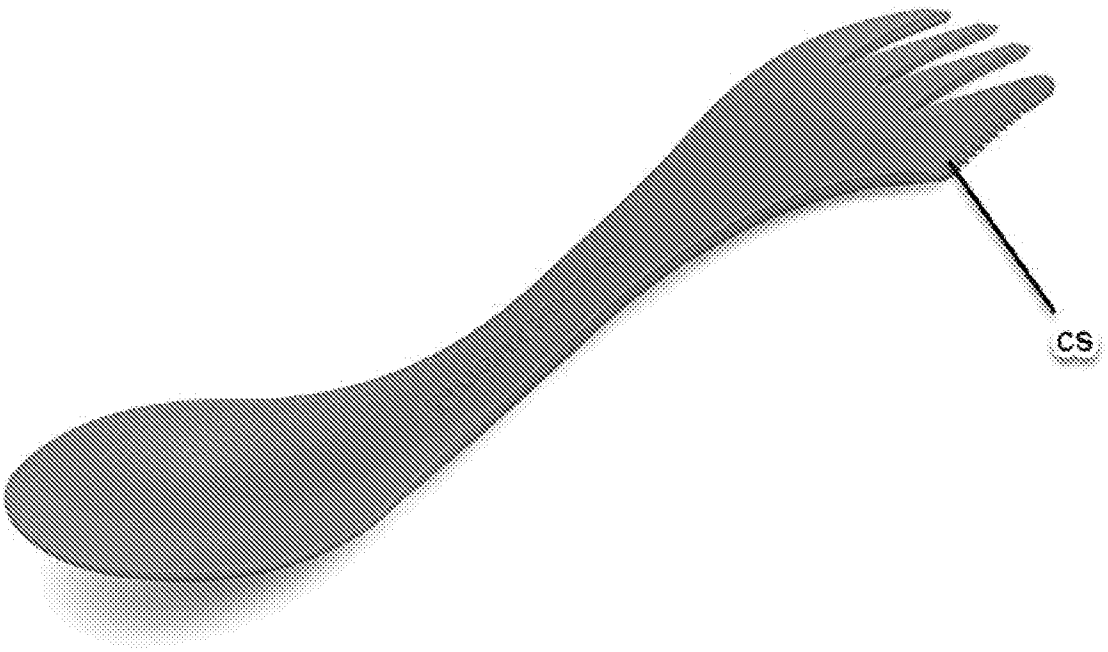
8. Claim 2 is rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of Bristow (D535,857) as applied to claim 1 above, and further in view of Cox (88,370). Miller in view of Bristow disclose the invention including that each inner tine has a pair of substantially straight side edges (Fig. 1 in Miller).

However, Miller in view of Bristow fail to disclose the distal tips of the tines are pointed.

Cox teaches it is old and well known in the art of fork tines to incorporate pointed tips (Fig. 1). It is noted that both of the tip shapes are known and would function the same. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller in view of Bristow with pointed tips, as taught by Cox, because the substitution of one known element for another would have yielded predictable results and all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

9. Claim 3 is rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of Bristow (D535,857) as applied to claim 1 above, and further in view of Light My Fire Spork (hereafter LMFS). Please see the Figure below with Examiner added reference labels to LMFS. Miller in view of Bristow disclose the invention but fail to disclose the cutting feature is a chamfered outer edge.

LMFS teaches it is old and well known in the art of fork tines with a cutting feature to incorporate a chamfered outer edge (cs). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller in view of Bristow with a chamfered edge, as taught by LMFS, because the substitution of one known element for another would have yielded predictable results and all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.



10. Claims 5 and 7 are rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of Bristow (D535,857) as applied to claim 1 above, and further in view of Geckler (3,014,277). Miller in view of Bristow disclose the invention but fail to disclose the spoon bowl portion has at least three substantially flat side edges with rounded corners therebetween.

Geckler teaches it is old and well known in the art of spoon bowls to incorporate a spoon bowl portion with at least three substantially flat side edges (24, 26, 28) with rounded corners therebetween (40). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller in view of Bristow with the spoon bowl portion specifics, as taught by Geckler, because the substitution of one known element for another would have yielded predictable results and all claimed elements were known in the prior art and one skilled in the art could have combined the

elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

11. Claim 6 is rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of Bristow (D535,857) as applied to claim 1 above, and further in view of Whitcomb et al. (D30,129). Miller in view of Bristow disclose the invention including bowl portion of the fork is tilted at a second angle relative to the handle such that the tips of the tines extend above the handle on a front side of the handle (Fig. 2 in Miller).

However, Miller in view of Bristow fail to disclose the spoon head being tilted at a first angle relative to the handle such that a distal end of the spoon head extends above the handle on a front side.

Whitcomb et al. teaches it is old and well known in the art of eating utensils with a spoon head to incorporate the spoon head tilted at a first angle relative to the handle such that a distal end of the spoon head extends above the handle on a front side (Fig. 2). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller in view of Bristow with a tilted spoon head, as taught by Whitcomb et al., because all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

12. Claim 10 is rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of Bristow (D535,857) as applied to claim 1 above, and further

in view of Eklind (6,151,999). Miller in view of Bristow disclose the invention but fail to disclose the utensil is formed of a glass reinforced thermoplastic material.

Eklind teaches it is old and well known in the art of hand tools to incorporate glass reinforced thermoplastic material (column 3 line 11). In light of Eklind, it would have been obvious to one having ordinary skill in the art at the time the invention was made to formed the utensil out of any reasonable material including glass reinforced thermoplastic, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller in view of Bristow with the specific material, as taught by Eklind, because all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

13. Claim 20 is rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of Bristow (D535,857), LMFS, and Whitcomb et al. (D30,129). For paragraphs 1, 2, 3, 5, 6, and 7 please see rejections to claims 1, 6, 8, and 19 above in that these paragraphs share the same subject matter in these claims. Please see the Figure above with Examiner added reference labels to LMFS.

With regards to the 4th paragraph, Miller discloses at least a first one of the outer tines has a curved cutting feature along at least a portion of the curved outer edge of the first one of the outer tines (36 in Fig. 6).

However, with regards to claim 1 paragraph 4, Miller fails to disclose at least a second one of the outer tines has a chamfer that extends laterally inward from the curved outer edge of the second tine such that an outer side edge of the chamfer is curved and follows the curved side edge of the fork head. It is noted that Miller does disclose in paragraph [0041] that both outer tines can be cutting edges.

In light of paragraph [0041], LMFS teaches it is old and well known in the art of fork tines to incorporate at least a second one of the outer tines has a chamfer that extends laterally inward from the curved outer edge of the second tine (cs). It is noted that Miller discloses the curve and therefore Modified Miller will incorporate an outer side edge of the chamfer is curved and follows the curved side edge of the fork head. Basically, paragraph [0041] discloses that both outer tines can have cutting edges and it would have been obvious to have defined each cutting edge via a chamfered surface as taught by LMFS. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller with the chamfer, as taught by LMFS, because the substitution of one known element for another would have yielded predictable results and all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

With regards to claim 20, Modified Miller fails to disclose the spork is formed from glass filed nylon thermoplastic.

GB1337613 provides evidence that glass filed nylon thermoplastic is a known material (page 2 lines 38-41).

In light of GB1337613, it would have been obvious to one having ordinary skill in the art at the time the invention was made to formed the utensil out of any reasonable material including glass filled nylon thermoplastic, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Modified Miller with the specific material, as taught by GB1337613, because all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

14. Claims 21-24 are rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of Bristow (D535,857), LMFS, and Geckler (3,014,277). Please see the Figure above with Examiner added reference labels to LMFS. With regards to claims 21, 23, and 24, Miller discloses an eating utensil (10) with a first head portion (14), a handle portion (11), the first head portion has a plurality of tines (30, 30', 32, 32') defining a concave surface (Fig. 2), two outer tines of the tines has a distal tip (Fig. 1), two outer tines define two curved outer surfaces (35, 35'), the tines includes at least one central tine that is substantially straight (30), and each of the outer tines has a substantially straight inner edge (Fig. 1).

With regards to claims 21 and 22, Miller fails to disclose a second head portion, the handle connects the first and second head portions, the second head portion has a spoon bowl, and the handle and head portions are integrally formed.

Bristow teaches it is old and well known in the art of eating utensils to incorporate a second head portion (Fig. 1), the handle connects the first and second head portions (Fig. 1), the second head portion has a spoon bowl (Fig. 1), and the handle and head portions are integrally formed (Fig. 1). Such a modification allows for the utensil to be multifunctional. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller with the spoon, as taught by Bristow, because all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

With regards to claim 21, Miller in view of Bristow fail to disclose the spoon bowl having multiple sides being connected via substantially rounded corners.

Geckler teaches it is old and well known in the art of spoon bowls to incorporate a spoon bowl portion with multiple sides (24, 26, 28) being connected via rounded corners (40). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller in view of Bristow with the spoon bowl portion specifics, as taught by Geckler, because the substitution of one known element for another would have yielded predictable results and all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

With regards to claim 21, Miller fails to disclose the two outer tines define two outer chamfered surface each extending from the distal tip of one of the outer tines and

tapering to a point adjacent the handle portion, the chamfered surface extending obliquely from the concave surface.

LMFS teaches it is old and well known in the art of outer fork tines with a cutting feature to incorporate an outer chamfered surface extending from the distal tip of one of the outer tines and tapering to a point adjacent the handle portion (cs). Modified Miller defines the concave surface and the chamfered surface (cs) does extend obliquely therefrom. It is noted that paragraph [0041] of Miller discloses that each side edge can be a cutting edge and it would have been obvious to have modified each to incorporate the old and well known chamfered surface to define the cutting edges. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller with the chamfered edges, as taught by LMFS, because the substitution of one known element for another would have yielded predictable results and all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

15. Claim 25 is rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of Bristow (D535,857), LMFS, and Geckler (3,014,277) as applied to claim 21 above, and further in view of Eklind (6,151,999). Miller in view of Bristow, LMFS, and Geckler disclose the invention but fail to disclose the utensil is formed of a glass reinforced thermoplastic material.

Eklind teaches it is old and well known in the art of hand tools to incorporate glass reinforced thermoplastic material (column 3 line 11). In light of Eklind, it would have been obvious to one having ordinary skill in the art at the time the invention was

made to formed the utensil out of any reasonable material including glass reinforced thermoplastic, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller in view of Bristow, LMFS, and Geckler with the specific material, as taught by Eklind, because all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

16. Claims 26 and 27 are rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of LMFS. Please see the Figure above with Examiner added reference labels to LMFS. With regards to claim 26, Miller discloses an eating utensil (10) with a head portion (14), a handle portion connected to the head portion (11), the first head portion has a plurality of tines (30, 30', 32, 32') defining a concave surface (Fig. 2), two outer tines of the tines has a distal tip (Fig. 1), two outer tines define two curved outer surfaces (35, 35').

With regards to claim 21, Miller fails to disclose the two outer tines define two outer chamfered surface each extending from the distal tip of one of the outer tines and tapering to a point adjacent the handle portion, the chamfered surface extending obliquely from the concave surface, and each of the chamfered surfaces spans an entire width of one of the outer tines at a distal tip.

LMFS teaches it is old and well known in the art of outer fork tines with a cutting feature to incorporate an outer chamfered surface extending from the distal tip of one of

the outer tines and tapering to a point adjacent the handle portion (cs), and each of the chamfered surfaces spans an entire width of one of the outer tines at a distal tip (cs). Modified Miller defines the concave surface and the chamfered surface (cs) does extend obliquely therefrom. It is noted that paragraph [0041] of Miller discloses that each side edge can be a cutting edge and it would have been obvious to have modified each to incorporate the old and well known chamfered surface to define the cutting edges. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller with the chamfered edges, as taught by LMFS, because the substitution of one known element for another would have yielded predictable results and all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

17. Claim 28 is rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of LMFS as applied to claim 26 above, and further in view of Bristow (D535,857). Miller in view of LMFS fails to disclose a spoon bowl integrally formed with the handle portion and the spoon bowl extends from an end of the handle portion opposite an end from which the handle portion meets the head portion.

Bristow teaches it is old and well known in the art of eating utensils to incorporate a spoon bowl integrally formed with the handle portion (Fig. 1) and the spoon bowl extends from an end of the handle portion opposite an end from which the handle portion meets the head portion (Fig. 1). Such a modification allows for the utensil to be multifunctional. Therefore, it would have been obvious to one of ordinary skill in the art,

at the time of filing, to have provided Miller with the spoon, as taught by Bristow, because all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

18. Claim 29 is rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of LMFS further in view of Bristow (D535,857) as applied to claims 26 and 28 above, and further in view of Whitcomb et al. (D30,129). Miller in view of LMFS further in view of Bristow fail to disclose the spoon bowl is angled from the handle portion.

Whitcomb et al. teaches it is old and well known in the art of eating utensils with a spoon bowl to incorporate the spoon bowl being angled from the handle portion (Fig. 2). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller in view of LMFS further in view of Bristow with an angled spoon bowl, as taught by Whitcomb et al., because all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

Miller in view of LMFS further in view of Bristow further in view of Whitcomb et al. fail to disclose the angle range.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have made the angle of any reasonable angle since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re*

Aller, 105 USPQ 233. Therefore, it would have been an obvious matter of design choice to modify the device of Heller to obtain the invention as specified in claim 29. The claim would have been obvious because a person of ordinary skill has good reason to pursue the known options within technical grasp. If this leads to the anticipated success, it is likely the product is not of innovation but of ordinary skill and common sense.

19. Claims 30-33 are rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of LMFS further in view of Bristow (D535,857) as applied to claims 26 and 28 above, and further in view of Geckler (3,014,277). Miller in view of LMFS further in view of Bristow fail to disclose the spoon bowl having has a substantially flat side edge, the bowl has a substantially flat end edge, the bowl has a substantially pentagonal shape, and the bowl has substantially rounded corners.

Geckler teaches it is old and well known in the art of spoon bowls to incorporate a spoon bowl portion with a substantially flat side edge (26), the bowl has a substantially flat end edge (28), the bowl has a substantially pentagonal shape (Fig. 1), and the bowl has substantially rounded corners corners (40). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller in view of LMFS further in view of Bristow with the spoon bowl portion specifics, as taught by Geckler, because the substitution of one known element for another would have yielded predictable results and all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

20. Claim 34 is rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of LMFS further in view of Bristow (D535,857) as applied to claims 26 and 28 above, and further in view of Hougland (2005/0066531). Miller in view of LMFS further in view of Bristow fail to disclose the handle has a diagonal ridge.

Hougland teaches it is old and well known in the art of eating utensils to incorporate a diagonal ridge (11). Such a modifiaction would allow for a better handling of the utensil. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller in view of LMFS further in view of Bristow with a ridge, as taught by Hougland, because all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

21. Claim 35 is rejected under 35 U.S.C. 103 as being unpatentable over Miller (2003/0110644) in view of LMFS as applied to claim 26 above, and further in view of Bristow (D535,857). Miller in view of LMFS fails to disclose the utensil is formed of a glass reinforced thermoplastic material.

Eklind teaches it is old and well known in the art of hand tools to incorporate glass reinforced thermoplastic material (column 3 line 11). In light of Eklind, it would have been obvious to one having ordinary skill in the art at the time the invention was made to formed the utensil out of any reasonable material including glass reinforced thermoplastic, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416. Therefore, it would have been

obvious to one of ordinary skill in the art, at the time of filing, to have provided Miller in view of LMFS with the specific material, as taught by Eklind, because all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON DANIEL PRONE whose telephone number is (571)272-4513. The examiner can normally be reached on Monday-Friday: 7:30 am-3:30 pm.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at http://www.uspto.gov/interviewpractice.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on (571)272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

15 April 2019

/Jason Daniel Prone/

Primary Examiner, Art Unit 3724

Notice of References Cited	Application/Control No. 16/213,466	Applicant(s)/Patent Under Reexamination MIKSOVSKY et al.	
	Examiner JASON D PRONE	Art Unit 3724	Page 1 of 1

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
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	D					
	E					
	F					
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	I					
	J					
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	L					
	M					

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NON-PATENT DOCUMENTS

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	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,466	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	01/24/2019	04/15/2019							
	1	÷	✓							
	2	÷	✓							
	3	÷	✓							
	4	÷	✓							
	5	÷	✓							
	6	÷	✓							
	7	÷	✓							
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	32		✓							
	33		✓							
	34		✓							
	35		✓							

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,466	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

CPC - Searched*		
Symbol	Date	Examiner
A47G 21/02, 023, 04, 06, 08		
A47J 43/28-282	04/15/2019	/JP/

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
30	147-150, 322-328		
D7	643, 644, 653	04/15/2019	/JP/

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	Date	Examiner
consulted USPC and CPC		
inventor search		
consulted parent cases 14/204497, 15/268175. No ODP at this time but further review will be done if necessary.	04/15/2019	/JP/

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner

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Industrial Revolution Inc.

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2
	Application No.:	16/213,466
Information Disclosure	Applicant	MIKSOVSKY et al.
Statement By Applicant	Filing Date	December 7, 2018
	Group	3724
(Use Several Sheets if Necessary)		Page 1 of 1

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	9.						
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Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes	Translation No
	15.							
	16.							

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	17.	
	18.	

Examiner	/Jason Daniel Prone/	Date Considered	04/15/2019

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDP/

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)		
	Atty Docket No.	HMG1P008D2
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 1 of 6
	Date Submitted	12/7/2018

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Examiner	/Jason Daniel Prone/	Date Considered	04/15/2019

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDP/

Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)		
	Atty Docket No.	HMG1P008D2
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 2 of 6
	Date Submitted	12/7/2018

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Examiner /Jason Daniel Prone/	**Date Considered** 04/15/2019

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)		
	Atty Docket No.	HMG1P008D2
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 3 of 6
	Date Submitted	12/7/2018

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Examiner	/Jason Daniel Prone/	**Date Considered**	04/15/2019

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDP/

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)		
	Atty Docket No.	HMG1P008D2
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 4 of 6
	Date Submitted	12/7/2018

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Examiner	/Jason Daniel Prone/	Date Considered	04/15/2019

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)		
	Atty Docket No.	HMG1P008D2
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 5 of 6
	Date Submitted	12/7/2018

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Examiner	/Jason Daniel Prone/	Date Considered	04/15/2019

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Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)		
	Atty Docket No.	HMG1P008D2
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 6 of 6
	Date Submitted	12/7/2018

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Examiner	/Jason Daniel Prone/	Date Considered	04/15/2019

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDP/

1 337 613

PATENT SPECIFICATION (11) 1 337 613

DRAWINGS ATTACHED

(21) Application No. 13128/71 (22) Filed 5 May 1971
(23) Complete Specification filed 15 Feb. 1972
(44) Complete Specification published 14 Nov. 1973
(51) International Classification F16B 7/00
(52) Index at acceptance
F2G 24A1 35 R
E1K 3C

(72) Inventors EDWARD JAMES GIBSON and BRYAN WILLIAM BURCHELL

(54) A FRAMEWORK JOINT

(71) We, PORTA SHOWERS LIMITED, a British Company of 70-72 Hospital Street, Nantwich, Cheshire, do hereby declare the invention, for which we pray that a Patent may be granted to us, and the method by which it is to be performed, to be particularly described in and by the following statement:—

The invention concerns framework joints between tubular frame members and a jointing piece.

It is known in the art to join together tubular elements by means of a jointing piece comprising a generally rectangular body having pegs or the like extending from the surfaces thereof the said pegs each being intended for engagement with a respective end of a tubular element. The pegs may be of circular or rectangular transverse cross-section according, for example, to the internal cross-section of the tubular element and/or the need to prevent relative rotation between the peg and element about the common axis thereof.

Difficulty is experienced in connection with conventional jointing pieces as regards obtaining a positive connection in that too loose a fit of a peg with a tube end gives rise to an insecure connection, whilst too tight a fit may well give rise to difficulty in engagement or to an unsightly deformation of the tube in the end region thereof.

The primary object of the present invention is to provide a framework joint between tubular frame members and a jointing piece of a character such as will accommodate normal manufacturing tolerances in the internal dimensions of the end of the tubular frame members and will allow of the attainment of a secure connection between such tubular members.

The present invention provides a framework joint between tubular frame members and a jointing piece, the jointing piece comprising a body part having a plurality of tube-engaging limbs extending outwardly therefrom, the limbs being themselves tubular and of generally rectangular cross-section with radiussed corners, and the walls of the limbs being outwardly concave by virtue of their being press-inserted into the tubular frame members.

The invention also includes a framework of tubular frame members joined together by framework joints as aforestated.

The invention will now be described further, by way of example only, with reference to the drawings filed with the Provisional Specification illustrating several embodiments thereof, each in perspective view.

In Fig. 1 there is shown an injection moulded jointing piece comprising a rectangular body part 11 having a respective tube-engaging limb 12 extending outwardly from each of four adjacent faces 11*a* thereof, the body part 11 being a regular cube each edge of which is approximately three-quarters of an inch long and each limb 12 being of generally square transverse cross-section and one and three-quarter inches long.

The body part 11 may be solid or hollow, as preferred, and in the latter case may be provided with diagonal internal walls for strengthening purposes.

The tube-engaging limbs 12 are themselves tubular, and the outside dimensions of such limbs at the root regions 12*a* thereof are less than the corresponding dimensions of the respective faces 11*a* of the body part from which they extend to define a shoulder 13 for abutment with the end of the tubular element (not shown, to limit the extent of engagement therewith, the dimensions of the faces 11*a* of the body part corresponding to the outside dimensions of the tubular elements. The remote end 12*b* of each limb is chamfered to facilitate entry into the tube-end.

The longitudinal edges of the limbs are

radiussed, as at 12*c*, the radius of such edges preferably being relatively large to provide for a positive clearance, in the direction of a diagonal of the limb cross-section, between such edge and the corresponding edge of a tubular element with which such limb is engaged and which is of square cross-section of a nominal internal dimension equal to the outside dimension of the limb.

If desired, strengthening webs (not shown) are provided internally of the limbs, the said webs lying in planes appropriate to strengthen the limbs against bending.

In use, a tube-engaging limb 12 is engaged with a tube-end as a press fit therein, initial insertion being facilitated by the chamfered end 12*b* and the planar walls 12*d* of the limb becoming outwardly concave about respective axes directed longitudinally of the walls as the insertion continues, the degree of concavity increasing with increase in cross-sectional dimensions of the limb relative to the internal dimensions of the tubular element.

During the final stages of insertion, a sliver of material may be shaved from the outer surface of the limb, such sliver being readily removable with a suitable tool from the finished joint.

The jointing pieces shown in Figs. 2 to 4 differ from that shown in Fig. 1 only as regards the number of limbs, the number of limbs provided being determined by the nature of the joint to be formed, and jointing pieces differing from those shown as regards the number and disposition of the limbs are possible.

A variety of synthetic thermo-plastics materials may be used for moulding the jointing pieces, but we have found glass-filled nylon to be particularly suitable. However, other synthetic thermo-plastic materials may be used if preferred.

WHAT WE CLAIM IS:—

1. A framework joint between tubular frame members and a jointing piece, the jointing piece comprising a body part having a plurality of tube-engaging limbs extending outwardly therefrom, the limbs being themselves tubular and of generally rectangular cross-section with radiussed corners, and the walls of the limbs being outwardly concave by virtue of their being press-inserted into the tubular frame members.

2. A joint as claimed in claim 1 in which said body part is of rectangular form.

3. A joint as claimed in claim 1 or 2 in which the transverse cross-sectional dimensions of each tube-engaging limb, at the root thereof, are less than the corresponding dimensions of the face of the body part from which the tube-engaging limb extends to define a shoulder about the periphery of the limb.

4. A joint as claimed in any one of the preceding claims in which the end of each tube-engaging limb is chamfered.

5. A joint as claimed in any one of the preceding claims in which said body part is hollow and includes strengthening walls therein extending diagonally thereof.

6. A joint as claimed in any one of the preceding claims, in which a respective strengthening web or webs is or are provided within each of the tube-engaging limbs, each said web being so disposed as to strengthen the limb against bending.

7. A joint as claimed in any one of the preceding claims, in which said jointing piece is moulded from a synthetic plastics material.

8. A joint as claimed in claim 7, in which said jointing piece is moulded from glass-reinforced nylon.

9. A framework joint according to claim 1 having jointing pieces substantially as hereinbefore described with reference to the various figures of the drawings filed with the Provisional Specification.

10. A framework of tubular frame members joined together by framework joints as claimed in any preceding claim.

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Published by the Patent Office, 25 Southampton Buildings, London, WC2A 1AY, from which copies may be obtained

Ex. 1003, Page 191
Industrial Revolution Inc.

FIG.1

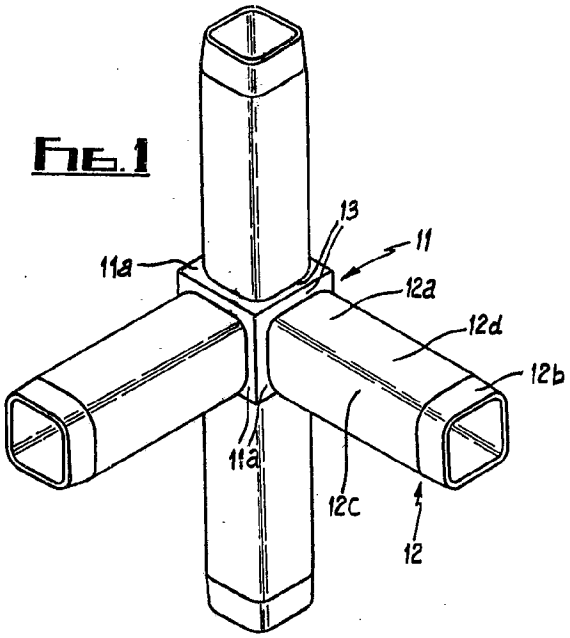
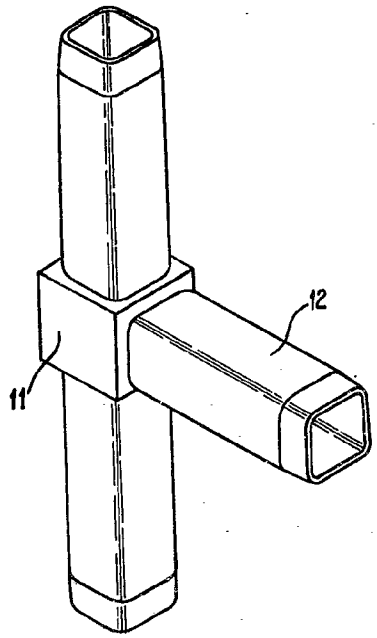


FIG.2



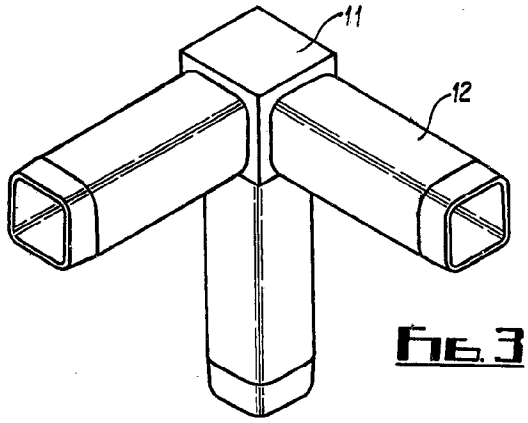


FIG. 3

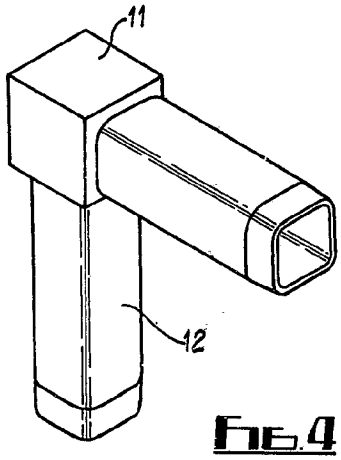


FIG. 4

PUB-NO: GB001337613A
DOCUMENT-IDENTIFIER: GB 1337613 A
TITLE: FRAMEWORK JOINT
PUBN-DATE: November 14, 1973
PATENT-FAMILY-ID: 10017346

APPLICANT:

NAME	COUNTRY
PORTA SHOWERS LTD	

APPL-NO: GB 1337613D A
APPL-DATE: February 15, 1972

PRIORITY-DATA:

PRIORITY-NO	PRIORITY-APPL-DATE
GB 1312871 A	19720215

CPC-CURRENT:

TYPE	CPC/DATE
CPCI	F16B7/0446 20130101

INT-CL-CURRENT:

TYPE	IPC/DATE
IPCP	F16B7/04 20060101

ABSTRACT:

1337613 Structural joints PORTA SHOWERS Ltd 15 Feb 1972 [5 May 1971] 13128/71 Heading E1K [Also in Division F2] In an element for connecting tubes to form a tubular framework, tube-engaging limbs 12 are of rectangular cross-section, with radiussed corners. On telescoping tubes of rectangular cross-section over the limbs, the flat sides 12c and 12d, of the rectangle, become externally concave. The body part 11 may be solid or hollow, optionally with diagonal reinforcing walls. Strengthening webs may be provided internally of the limbs, which may be chamfered at 12b. The connecting elements may be injection moulded of glass filled nylon or other thermoplastic material.

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2
	Application No.:	16/213,466
Information Disclosure	Applicant	MIKSOVSKY et al.
Statement By Applicant	Filing Date	December 7, 2018
	Group	3724
(Use Several Sheets if Necessary)		Page 1 of 2

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Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes	Translation No
	15.							
	16.							

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Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
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Examiner	/Jason Daniel Prone/	Date Considered	04/15/2019

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDP/

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2
	Application No.:	16/213,466
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
(Use Several Sheets if Necessary)		Page 2 of 2

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Examiner	/Jason Daniel Prone/	Date Considered	04/15/2019

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
16/213,466	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D2

CONFIRMATION NO. 9726

58766
Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

PUBLICATION NOTICE

OC00000107507837

Title:EATING UTENSIL SYSTEM

Publication No.US-2019-0110620-A1
Publication Date:04/18/2019

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Public Records Division. The Public Records Division can be reached by telephone at (571) 272-3150 or (800) 972-6382, by facsimile at (571) 273-3250, by mail addressed to the United States Patent and Trademark Office, Public Records Division, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently https://portal.uspto.gov/pair/PublicPair. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Office of Data Managment, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on April 8, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

SUPPLEMENTAL AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Please amend the above-identified patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

Ex. 1003, Page 198
Industrial Revolution Inc.

The listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Previously Presented) An eating utensil comprising a spoon head, a fork head and a handle that connects the spoon head to the fork head, wherein:

the fork head includes a concave fork bowl portion and has four tines including two inner tines and two outer tines, each tine having a proximal base end and a distal tip;

outer edge portions of the fork head are curved longitudinally including outer edges of the outer tines and the outer tines get progressively narrower towards their respective distal tips;

a first one of the outer tines has a curved cutting feature along at least a portion of the first one of the outer tine's curved outer edge; and

the spoon head includes a concave spoon bowl portion, the concave spoon bowl portion and the concave fork bowl portion both being formed on a front surface of the eating utensil.

2. (Previously Presented) An eating utensil as recited in claim 1, wherein:

each inner tine has a pair of substantially straight side edges and the distal tip of each inner tine is pointed; and

the distal tip of each outer tines is pointed.

3. (Original) An eating utensil as recited in claim 1, wherein the cutting feature is a chamfered outer edge.

4. (Previously Presented) An eating utensil as recited in claim 1 wherein the outer edge each outer tine of the fork head is curved over an entire distance between the distal tip of the outer tine and the proximal base of the outer tine.

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Industrial Revolution Inc.

5. (Original) An eating utensil as recited in claim 1, wherein the bowl portion of the spoon has at least three substantially flat side edges with rounded corners therebetween.

6. (Original) An eating utensil as recited in claim 1, wherein the bowl portion of the spoon head is tilted at a first angle relative to the handle, and the bowl portion of the fork head is tilted at a second angle relative to the handle such that the distal tips of the tines and a distal end of the spoon head extend above the handle on a front side of the handle.

7. (Original) An eating utensil as recited in claim 1, wherein the bowl portion of the spoon head has a plurality of substantially flat side edges.

8. (Original) An eating utensil as recited in claim 1, wherein the handle has substantially parallel lateral side edges over a majority of a length of the handle.

9. (Original) An eating utensil as recited in claim 1, wherein the outer tines each have a wider base end than the inner tines.

10. (Original) An eating utensil as recited in claim 1, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

11. - 18. (Canceled)

19. (Previously Presented) The eating utensil as recited in claim 1, wherein the handle has substantially parallel lateral side edges over a majority of a length of the handle.

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Industrial Revolution Inc.

20. (Previously Presented) A spork formed from a glass filed nylon thermoplastic material, the spork comprising a spoon head, a fork head and a handle that connects the spoon head to the fork head, wherein:

the fork head includes a concave fork bowl portion on a front surface of the fork head and has four tines including two inner tines and two outer tines, each tine having a proximal base end and a distal tip, the outer tine base ends being wider than the base ends of the inner tines;

outer edge portions of the fork head are curved longitudinally including curved outer edges of the outer tines such that the outer tines get progressively narrower towards their respective distal tips;

at least a first one of the outer tines has a curved cutting feature along at least a portion of the curved outer edge of the first one of the outer tines and at least a second one of the outer tines has a chamfer that extends laterally inward from the curved outer edge of the second tine such that an outer side edge of the chamfer is curved and follows the curved side edge of the fork head;

the spoon head includes a concave bowl portion, the concave bowl portion of the spoon head facing in a same direction as the concave fork bowl portion of the fork head;

the handle has substantially parallel lateral side edges over a majority of a length of the handle; and

the bowl portion of the spoon head is positioned at a first angle relative to the handle, and the bowl portion of the fork head is positioned at a second angle relative to the handle such that the distal tips of the tines and a distal end of the spoon head both extend above the handle on a front side of the handle.

21. (New) An eating utensil, comprising:

first and second head portions;

a handle portion extending between the first and second head portions, wherein:

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the first head portion comprises a plurality of tines, wherein the first head portion including the plurality of tines defines a concave surface, wherein each of the two outer tines of the plurality of tines has a distal tip, and wherein the first head portion including the two outer tines defines two curved outer chamfered surfaces, each of the curved outer chamfered surfaces extending from the distal tip of one of the two outer tines and tapering to a point adjacent the handle portion, the chamfered surface extending obliquely from the concave surface; and

the second head portion comprises a spoon bowl with multiple sides being connected via substantially rounded corners.

22. (New) The eating utensil as recited in claim 21, wherein the handle, the first head portion, and the second head portion are integrally formed.

23. (New) The eating utensil as recited in claim 21, wherein the plurality of tines includes at least one central tine that is substantially straight.

24. (New) The eating utensil as recited in claim 21, wherein each of the outer tines has a substantially straight inner edge.

25. (New) The eating utensil as recited in claim 21, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

26. (New) An eating utensil, comprising:

a head portion;

a handle portion connected to the head portion, wherein:

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Industrial Revolution Inc.

the head portion comprises a plurality of tines, wherein the head portion including the plurality of tines defines a concave surface, wherein each of the two outer tines of the plurality of tines has a distal tip, the head portion including the two outer tines defines two curved outer chamfered surfaces, each of the chamfered surfaces extending from the distal tip and tapering to a point adjacent the handle portion, and each of the chamfered surfaces extending obliquely from the concave surface.

27. (New) The eating utensil as recited in claim 26, wherein each of the chamfered surfaces spans an entire width of one of the outer tines at a distal tip of the outer tine.

28. (New) The eating utensil as recited in claim 26, further comprising a spoon bowl integrally formed with the handle portion, wherein the spoon bowl extends from an end of the handle portion opposite an end from which handle portion meets the head portion.

29. (New) The eating utensil as recited in claim 28, wherein the spoon bowl is angled from the handle portion at an angle of about 20-25 degrees.

30. (New) The eating utensil as recited in claim 28, wherein the spoon bowl has a substantially flat side edge.

31. (New) The eating utensil as recited in claim 28, wherein the bowl has a substantially flat end edge.

32. (New) The eating utensil as recited in claim 28, wherein the spoon bowl has a substantially pentagonal shape.

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33. (New) The eating utensil as recited in claim 32, wherein the spoon bowl has substantially rounded corners.

34. (New) The eating utensil as recited in claim 28, wherein the handle comprises a diagonal ridge.

35. (New) The eating utensil as recited in claim 26, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

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Industrial Revolution Inc.

REMARKS

New Claims

New Claims 21-35 are added. New Claims 21-35 are fully supported by the specification and claims, as originally filed. No new matter is added by Claims 21-35.

Should the Examiner have any questions or concerns related to the present application, he is encouraged to contact the undersigned at the telephone number set out below in an effort to quickly and efficiently address such questions/concerns.

Respectfully submitted,
BEYER LAW GROUP LLP

/Tina Chen/

Tina Chen
Reg. No. 44,606

P. O. Box 51887
Palo Alto, CA 94303-1887
650-842-1300

Ex. 1003, Page 205
Industrial Revolution Inc.

Electronic Patent Application Fee Transmittal

Application Number:	16213466
Filing Date:	07-Dec-2018
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Filer:	Tina Chen/Cara Hedin
Attorney Docket Number:	HMG1P008D2

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
CLAIMS IN EXCESS OF 20	2202	7	50	350
INDEPENDENT CLAIMS IN EXCESS OF 3	2201	1	230	230
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**580**

Electronic Acknowledgement Receipt

EFS ID:	35660619
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Tina Chen/Cara Hedin
Filer Authorized By:	Tina Chen
Attorney Docket Number:	HMG1P008D2
Receipt Date:	08-APR-2019
Filing Date:	07-DEC-2018
Time Stamp:	17:04:05
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$580
RAM confirmation Number	040919INTEFSW00004303504481
Deposit Account	504481
Authorized User	Cara Hedin

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	HMG1P008D2_Amendment_Transmittal_2.pdf	21367 2fedb2a1d0e1a42ddbc94605affcdf23a7d3862d	no	1
Warnings:					
Information:					
2		HMG1P008D2_Supplemental_Amendment.pdf	42316 dab17b7f90809aaa8e8c394f221381d8d94576c7	yes	8

Multipart Description/PDF files in .zip description

Document Description	Start	End
Supplemental Response or Supplemental Amendment	1	1
Claims	2	7
Applicant Arguments/Remarks Made in an Amendment	8	8

Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	31725 dc766f4b17d67f0c29b6611665906 68f5866228b	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	95408		

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on April 8, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	27	MINUS	20	07	x 50 = $350.00	x 100 = $0.00
Independent Claims	04	MINUS	03	01	x 230 = $230.00	x 460 = $0.00
Multiple Dependent Claim Present and Fee Not Previously Paid						
				Total	$580.00	$0.00

☒ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-4481.

☒ Please charge the required fees, or any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 50-4481 (Order No. HMG1P008D2).

Respectfully submitted,
BEYER LAW GROUP LLP

/Tina Chen/
Tina Chen
Reg. No. 44,606

P. O. Box 51887
Palo Alto, CA 94303-1887
650-842-1300

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/213,466	Filing Date 12/07/2018	☑ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $50 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $230 =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	02/11/2019	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 12	Minus	** 20	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0		x $230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	LIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/KATRINA L HARLING/
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".	
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.	

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on February 11, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the Restriction Requirement dated January 30, 2019, Applicant provisionally elects Group I, claims 1-10 and 20. The Restriction Requirement further required an election of species. In response thereto, Applicant provisionally elects Species B – Figures 7A-7C. Retained claims 1-10 and 19-20 are all believed to read on the elected species.

Additionally, please amend the above-identified patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

Ex. 1003, Page 213
Industrial Revolution Inc.

Electronic Acknowledgement Receipt

EFS ID:	35117067
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Tina Chen/Cara Hedin
Filer Authorized By:	Tina Chen
Attorney Docket Number:	HMG1P008D2
Receipt Date:	11-FEB-2019
Filing Date:	07-DEC-2018
Time Stamp:	17:07:31
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	HMG1P008D2_Amendment_Transmittal.pdf	21271 f3a4b35d3a2b58c5b06c10f92808f3a62b4bfbfb	no	1

Warnings:

Information:					
2		HMG1P008D2_Response_to_RR.pdf	37529 f99bd1e7b1afcf95dd6760f25b8f0880de7b94c6	yes	6

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Applicant Arguments/Remarks Made in an Amendment	6	6
Claims	2	5
Response to Election / Restriction Filed	1	1

Warnings:	
Information:	
Total Files Size (in bytes):	58800

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on February 11, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	12	MINUS	20	0	x 50 = $0.00	x 100 = $0.00
Independent Claims	02	MINUS	03	0	x 230 = $0.00	x 460 = $0.00
Multiple Dependent Claim Present and Fee Not Previously Paid						
				Total	$0.00	$0.00

☒ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-4481.

☒ Please charge the required fees, or any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 50-4481 (Order No. HMG1P008D2).

Respectfully submitted,
BEYER LAW GROUP LLP

/Tina Chen/
Tina Chen
Reg. No. 44,606

P. O. Box 51887
Palo Alto, CA 94303-1887
650-842-1300

REMARKS

In response to the Restriction Requirement dated January 30, 2019, Applicant provisionally elects Group I, claims 1-10 and 20. The Restriction Requirement further required an election of species. In response thereto, Applicant provisionally elects Species B – Figures 7A-7C. All of the claims in the elected Group I are believed to read on the elected species. Accordingly, it is believed that all of the active claims should be examined at this stage. It is noted that dependent claim 19 has been amended to depend from claim 1 and is therefore believed to be properly considered together with the elected claims.

Should the Examiner have any questions or concerns related to the present application, he is encouraged to contact the undersigned at the telephone number set out below in an effort to quickly and efficiently address such questions/concerns.

Respectfully submitted,
BEYER LAW GROUP LLP

/Tina Chen/

Tina Chen
Reg. No. 44,606

P. O. Box 51887
Palo Alto, CA 94303-1887
650-842-1300

Ex. 1003, Page 217
Industrial Revolution Inc.

The listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) An eating utensil comprising a spoon head, a fork head and a handle that connects the spoon head to the fork head, wherein:

the fork head includes a concave fork bowl portion and has four tines including two inner tines and two outer tines, each tine having a proximal base end and a distal tip;

outer edge portions of the fork head are curved longitudinally including outer edges of the outer tines ~~such that~~ and the outer tines get progressively narrower towards their respective distal tips;

~~at least~~ a first one of the outer tines has a curved cutting feature along at least a portion of ~~its~~ the first one of the outer tine's curved outer edge; and

the spoon head includes a concave spoon bowl portion, the concave spoon bowl portion ~~of the spoon head facing in a same direction as~~ and the concave fork bowl portion ~~of the fork head~~ both being formed on a front surface of the eating utensil.

2. (Currently Amended) An eating utensil as recited in claim 1, wherein:

each inner tine has a pair of substantially straight ~~and parallel~~ side edges and the distal tip of each inner tine is pointed; and

the distal tip of each outer tines is pointed.

3. (Original) An eating utensil as recited in claim 1, wherein the cutting feature is a chamfered outer edge.

4. (Currently Amended) An eating utensil as recited in claim 1 wherein the outer edge each outer tine of the fork head is curved over an entire distance between the distal tip of the outer tine

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Industrial Revolution Inc.

and the proximal base of the outer tine. ~~a junction where the outer edge of the fork head merges with an associated outer edge of the fork handle.~~

5. (Original) An eating utensil as recited in claim 1, wherein the bowl portion of the spoon has at least three substantially flat side edges with rounded corners therebetween.

6. (Original) An eating utensil as recited in claim 1, wherein the bowl portion of the spoon head is tilted at a first angle relative to the handle, and the bowl portion of the fork head is tilted at a second angle relative to the handle such that the distal tips of the tines and a distal end of the spoon head extend above the handle on a front side of the handle.

7. (Original) An eating utensil as recited in claim 1, wherein the bowl portion of the spoon head has a plurality of substantially flat side edges.

8. (Original) An eating utensil as recited in claim 1, wherein the handle has substantially parallel lateral side edges over a majority of a length of the handle.

9. (Original) An eating utensil as recited in claim 1, wherein the outer tines each have a wider base end than the inner tines.

10. (Original) An eating utensil as recited in claim 1, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

11. - 18. (Canceled)

Ex. 1003, Page 219
Industrial Revolution Inc.

19. (Currently Amended) The eating utensil as recited in claim [[11]] 1, wherein the handle has substantially parallel lateral side edges over a majority of a length of the handle.

20. (Currently Amended) A spork formed from a glass filed nylon thermoplastic material, the spork comprising a spoon head, a fork head and a handle that connects the spoon head to the fork head, wherein:

the fork head includes a concave fork bowl portion on a front surface of the fork head and has four tines including two inner tines and two outer tines, each tine having a proximal base end and a distal tip, ~~with~~ the outer ~~tines~~ tine base ends being wider than the base ends of the inner tines;

outer edge portions of the fork head are curved longitudinally including curved outer edges of the outer tines such that the outer tines get progressively narrower towards their respective distal tips;

at least a first one of the outer tines has a curved cutting feature along at least a portion of ~~its~~ the curved outer edge of the first one of the outer tines and at ~~lease~~ least a second one of the outer tines has a ~~chamfered outer edge;~~ chamfer that extends laterally inward from the curved outer edge of the second tine such that an outer side edge of the chamfer is curved and follows the curved side edge of the fork head;

the spoon head includes a concave bowl portion, the concave bowl portion of the spoon head facing in a same direction as the concave fork bowl portion of the fork head;

the handle has substantially parallel lateral side edges over a majority of a length of the handle; and

the bowl portion of the spoon head is positioned at a first angle relative to the handle, and the bowl portion of the fork head is positioned at a second angle relative to the handle such that

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Industrial Revolution Inc.

the distal tips of the tines and a distal end of the spoon head both extend above the handle on a front side of the handle.

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Industrial Revolution Inc.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,466	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D2	9726

58766 7590 01/30/2019

Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

EXAMINER	
PRONE, JASON D	

ART UNIT	PAPER NUMBER
3724	

NOTIFICATION DATE	DELIVERY MODE
01/30/2019	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTOmail@beyerlaw.com

Office Action Summary	Application No. 16/213,466	Applicant(s) MIKSOVSKY et al.	
	Examiner JASON D PRONE	Art Unit 3724	AIA Status Yes

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☐ This action is **FINAL.** 2b) ☐ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5) ☑ Claim(s) 1-20 is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6) ☐ Claim(s) _____ is/are allowed.

7) ☐ Claim(s) _____ is/are rejected.

8) ☐ Claim(s) _____ is/are objected to.

9) ☑ Claim(s) 1-20 are subject to restriction and/or election requirement

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to **PPHfeedback@uspto.gov.**

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

4) ☐ Other: _____.

DETAILED ACTION

It is noted that this Office action features multiple restrictions and a proper response will have an election for each.

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

    I. Claims 1-10 and 20, drawn to an eating utensil/spork with a cutting feature on an outer tine.

    II. Claims 11-19, drawn to a utensil with a five-sided bowl portion.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. For example, the eating utensil/spork with the cutting feature could be employed without a five-sided bowl portion of group II, and conversely the utensil with the five-sided bowl portion could be employed without a cutting feature of group I. See MPEP § 806.05(d).

The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to

provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Restriction for examination purposes as indicated is proper because all these inventions listed in this action are independent or distinct for the reasons given above and there would be a serious search and/or examination burden if restriction were not required because at least the following reason(s) apply:

- the inventions require a different field of search (e.g., searching different classes /subclasses or electronic resources, or employing different search strategies or search queries).

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a invention to be examined even though the requirement may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing the elected invention**.

The election of an invention may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable upon the elected invention.

Should applicant traverse on the ground that the inventions are not patentably distinct, applicant should submit evidence or identify such evidence now of record

showing the inventions to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

2. This application contains claims directed to the following patentably distinct species:

- Species A: Figures 1-6D
- Species B: Figures 7A-7C

The species are independent or distinct because each species incorporates structure not incorporated by the other species. In addition, these species are not obvious variants of each other based on the current record.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, or a single grouping of patentably indistinct species, for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, some claims may be generic.

There is a search and/or examination burden for the patentably distinct species as set forth above because at least the following reason(s) apply:

- the species or groupings of patentably indistinct species require a different field of search (e.g., searching different classes /subclasses or electronic resources, or employing different search strategies or search queries).

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species to be examined even though the requirement may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing the elected species or grouping of patentably indistinct species**, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

The election may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the election of species requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected species or grouping of patentably indistinct species.

Should applicant traverse on the ground that the species, or groupings of patentably indistinct species from which election is required, are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing them to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the species unpatentable over the prior art, the

evidence or admission may be used in a rejection under 35 U.S.C. 103 or pre-AIA 35 U.S.C. 103(a) of the other species.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141.

The present application is being examined under the pre-AIA first to invent provisions.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON DANIEL PRONE whose telephone number is (571)272-4513. The examiner can normally be reached on Monday-Friday: 7:30 am-3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on (571)272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

24 January 2019

/Jason Daniel Prone/

Primary Examiner, Art Unit 3724

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,466	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS										
☐ Claims renumbered in the same order as presented by applicant						☐ CPA		☐ T.D.		☐ R.1.47
CLAIM		DATE								
Final	Original	01/24/2019								
	1	÷								
	2	÷								
	3	÷								
	4	÷								
	5	÷								
	6	÷								
	7	÷								
	8	÷								
	9	÷								
	10	÷								
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	14	÷								
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	16	÷								
	17	÷								
	18	÷								
	19	÷								
	20	÷								

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2
	Application No.:	16/213,466
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
(Use Several Sheets if Necessary)		Page 1 of 1

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	D149,920	08/29/1950	Pavlinetz			11/28/1947
	2.	D782,254	03/28/17	Joseph			09/29/15
	3.	D401,481	11/24/98	Boilard et al.			11/25/97
	4.	2011/0091521	04/21/11	Omelchenko			04/12/10
	5.	D745,339	12/15/15	Cetti			06/18/14
	6.	D705,020	05/20/14	Fraser et al.			05/07/13
	7.	D690,156	09/24/13	Apple et al.			03/04/13
	8.	D637,309	05/03/11	Park			08/18/10
	9.						
	10.						
	11.						
	12.						
	13.						
	14.						

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes	Translation No
	15.							
	16.							

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	17.	
	18.	

Examiner	Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Electronic Acknowledgement Receipt

EFS ID:	34883745
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Tina Chen/Cara Hedin
Filer Authorized By:	Tina Chen
Attorney Docket Number:	HMG1P008D2
Receipt Date:	17-JAN-2019
Filing Date:	07-DEC-2018
Time Stamp:	16:23:10
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	HMG1P008D2_IDS_2.pdf	23169 e6f6f828559176ca332cb995ed648b1cec183538	no	2

Warnings:

Information:					
2	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D2_1449_2.pdf	24691 2eefab9457e0b76449d80c33f0da22061c5234a6	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
			Total Files Size (in bytes):	47860	

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: Unassigned
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on January 17, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

INFORMATION DISCLOSURE STATEMENT
37 CFR §§1.56 AND 1.97(b)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

The reference(s) identified in the attached PTO Form 1449, (copies of non-U.S. references are attached), may be material to examination of the above-identified patent application. Applicants identify the reference(s) in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make the identified reference(s) of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that the identified reference(s) indeed constitute prior art.

This Information Disclosure Statement is: (i) filed within three (3) months of the filing date of the above-referenced application, (ii) believed to be filed before the mailing date of a first Office Action on the merits, or (iii) believed to be filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under §1.114. Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure

Ex. 1003, Page 234
Industrial Revolution Inc.

Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-4481 (Order No. HMG1P008D2).

Respectfully submitted,
BEYER LAW GROUP LLP

/Tina Chen/
Tina Chen
Registration No. 44,606

P. O. Box 51887
Palo Alto, CA 94303-1887
650-842-1300

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,466	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D2	9726

58766 7590 01/10/2019

Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

EXAMINER	

ART UNIT	PAPER NUMBER
3724	

NOTIFICATION DATE	DELIVERY MODE
01/10/2019	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTOmail@beyerlaw.com

Decision Granting Request for Prioritized Examination (Track I)	**Application No.** 16/213,466	**Applicant(s)** MIKSOVSKY et al.	
	Examiner BRIAN W BROWN	**Art Unit** OPET	**AIA (First Inventor to File) Status** Yes

1. THE REQUEST FILED 07 December 2018 IS **GRANTED** .

The above-identified application has met the requirements for prioritized examination

A. ☑ for an original nonprovisional application (Track I).
B. ☐ for an application undergoing continued examination (RCE).

2. **The above-identified application will undergo prioritized examination**. The application will be accorded special status throughout its entire course of prosecution until one of the following occurs:

A. filing a **petition for extension of time** to extend the time period for filing a reply;

B. filing an **amendment to amend the application to contain more than four independent claims, more than thirty total claims** , or a multiple dependent claim;

C. filing a **request for continued examination** ;

D. filing a notice of appeal;

E. filing a request for suspension of action;

F. mailing of a notice of allowance;

G. mailing of a final Office action;

H. completion of examination as defined in 37 CFR 41.102; or

I. abandonment of the application.

Telephone inquiries with regard to this decision should be directed to BRIAN BROWN at (571)272-5338.

In his/her absence, calls may be directed to Petition Help Desk at (571) 272-3282.

/BRIAN W BROWN/ Petitions Examiner, OPET	

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
16/213,466	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D2

CONFIRMATION NO. 9726

58766
Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

37 CFR 1.48 ACKNOWLEDGEMENT LETTER

OC000000104792136

Date Mailed: 01/07/2019

NOTICE OF ACCEPTANCE OF REQUEST UNDER 37 CFR 1.48(a)

This is in response to the applicant's request under 37 CFR 1.48(a) submitted on 12/07/2018.

The request under 37 CFR 1.48(a) to correct the inventorship, to correct or update the name of an inventor, or to correct the order of names of joint inventors is accepted.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at **(571) 272-4000** or **(571) 272-4200** or **1-888-786-0101**.

/sgorems/

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 16/213,466

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	75		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	330		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	380		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	20 minus 20 =	*	x 50 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3 minus 3 =	*	x 230 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	785		TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
AMENDMENT A	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE($)	ADDITIONAL FEE($)		RATE($)	ADDITIONAL FEE($)
AMENDMENT B	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
16/213,466	12/07/2018	3724	785	HMG1P008D2	20	3

CONFIRMATION NO. 9726

58766
Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

FILING RECEIPT

OC000000104807312

Date Mailed: 01/07/2019

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Christopher A. MIKSOVSKY, San Francisco, CA;
Clint N. SLONE, San Francisco, CA;
Evelyne CHAUBERT, San Francisco, CA;
Charlie NGHIEM, Oakland, CA;
Robert Charles LANE, Larkspur, CA;
Jonathan Paul DOWNING, Belmont, CA;

Applicant(s)

humangear, Inc., San Francisco, CA;

Power of Attorney: The patent practitioners associated with Customer Number 58766

Domestic Priority data as claimed by applicant

This application is a DIV of 15/268,175 09/16/2016
which is a DIV of 14/204,497 03/11/2014 PAT 9468321

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: Yes

Permission to Access Search Results: Yes

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

If Required, Foreign Filing License Granted: 12/31/2018

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 16/213,466**

Projected Publication Date: 04/18/2019

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

EATING UTENSIL SYSTEM

Preliminary Class

030

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific

countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

SelectUSA

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop

technology, manufacture products, deliver services, and grow your business, visit http://www.SelectUSA.gov or call +1-202-482-6800.

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2
	Application No.:	16/213,466
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
(Use Several Sheets if Necessary)		Page 1 of 2

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	2,505,122	04/25/1950	Krieger, Jr.			05/26/1947
	2.	2008/0256807	10/23/08	Kirkup			04/12/08
	3.	2010/0218382	09/02/10	Scott			03/02/09
	4.	671,740	04/09/1901	Wattne			12/10/1900
	5.	9,549,626	01/24/17	Truog et al.			11/13/14
	6.	D53,165	04/01/1919	Janosik			01/23/1919
	7.	D609,060	02/02/10	Pallotto			03/31/09
	8.	D746,644	01/05/16	Cai			09/26/14
	9.	D753,447	04/12/16	Busboom			12/15/14
	10.	D794,400	08/15/17	Young			02/26/16
	11.	D812,994	03/20/18	Mundhra			07/28/17
	12.	D816,432	05/01/18	Huang			05/15/17
	13.	D825,104	08/07/18	Simard et al.			12/31/15
	14.	D834,887	12/04/18	Miksovsky et al.			03/29/18

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes	Translation No
	15.							
	16.							

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	17.	Light My Fire, Spork original, http://www.lightmyfire.com/products/products/spork/spork-original.aspx, downloaded on March 6, 2014.
	18.	Primus, Folding Spork, http://store.primuscamping.com/cookware/utensils-and-accessories/primus-folding-spork-black/, downloaded on March 6, 2014.

Examiner	Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D2
	Application No.:	16/213,466
	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
		Page 2 of 2

	19.	DCI, Swivel Spork & Knife Set, http://shop.dcigift.com/p/swivel-spork-knife-set, downloaded on March 6, 2014.
	20.	Miksovsky et al., U.S. Application No. 16/213,536, filed on December 7, 2018.

Examiner	**Date Considered**

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Electronic Acknowledgement Receipt

EFS ID:	34596069
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Tina Chen/Cara Hedin
Filer Authorized By:	Tina Chen
Attorney Docket Number:	HMG1P008D2
Receipt Date:	14-DEC-2018
Filing Date:	
Time Stamp:	18:53:08
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	HMG1P008D2_IDS.pdf	23077 da8a31f013a061740d492aef7c4b30bca0d0adaf	no	2

Warnings:

Information:					
2	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D2_1449.pdf	29667 98a9fdeda4d5c192a1539d0c9a3e0572f1f5c98c	no	2
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
3	Non Patent Literature	LMF_Spork.pdf	239253 e6e13d6eb3437ef8337dd11668a58452626a1dd8	no	2
Warnings:					
Information:					
4	Non Patent Literature	MSR_Ref.pdf	700179 c5ca1c1db783c24e4d889fae977cdd3c3f997e5c	no	10
Warnings:					
Information:					
5	Non Patent Literature	Primus_Spork.pdf	45251 8284ac80fa5bb48ae57d895576d05dd5a763d1e3	no	1
Warnings:					
Information:					
		Total Files Size (in bytes):	1037427		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: 16/213,466	Examiner: Unassigned
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9726

CERTIFICATE OF EFS-WEB TRANSMISSION
I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on December 14, 2018.

Signed: _____/Cara Hedin/_____
Cara Hedin

INFORMATION DISCLOSURE STATEMENT
37 CFR §§1.56 AND 1.97(b)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

The reference(s) identified in the attached PTO Form 1449, (copies of non-U.S. references are attached), may be material to examination of the above-identified patent application. Applicants identify the reference(s) in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make the identified reference(s) of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that the identified reference(s) indeed constitute prior art.

This Information Disclosure Statement is: (i) filed within three (3) months of the filing date of the above-referenced application, (ii) believed to be filed before the mailing date of a first Office Action on the merits, or (iii) believed to be filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under §1.114. Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure

Ex. 1003, Page 248
Industrial Revolution Inc.

Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-4481 (Order No. HMG1P008D2).

Respectfully submitted,
BEYER LAW GROUP LLP

/Tina Chen/
Tina Chen
Registration No. 44,606

P. O. Box 51887
Palo Alto, CA 94303-1887
650-842-1300

Document Description: Application Data Sheet to update/correct info
Doc Code: ADS.CORR

CORRECTED ADS FORM

Application Number	16213466
Title of Invention	EATING UTENSIL SYSTEM

Inventor Information

****If no data is shown, no data has been corrected****

	Data of Record	Updated Data
Order Number	1	
Name	Christopher A. MIKSOVSKY	
Residence Information		
Residency	us-residency	
City	San Francisco	
State	CA	
Country of Residence	US	
Mailing Address of Inventor		
Address 1	2140 Fell Street, #202	
Address 2		
City,State/Province, Postal Code	San Francisco CA 94117	
Country	US	

	Data of Record	Updated Data
Order Number	2	
Name	Clint N. SLONE	
Residence Information		
Residency	us-residency	
City	San Francisco	
State	CA	
Country of Residence	US	
Mailing Address of Inventor		
Address 1	703 Douglass Street	
Address 2		
City,State/Province, Postal Code	San Francisco CA 94114	
Country	US	

	Data of Record	Updated Data
Order Number	3	
Name	Evelyne CHAUBERT	
Residence Information		
Residency	us-residency	
City	San Francisco	
State	CA	
Country of Residence	US	
Mailing Address of Inventor		
Address 1	81 Landers Street, #1	
Address 2		
City,State/Province, Postal Code	San Francisco CA 94114	
Country	US	

	Data of Record	Updated Data
Order Number	4	
Name	Charlie NGHIEM	
Residence Information		
Residency	us-residency	
City	Oakland	
State	CA	
Country of Residence	US	
Mailing Address of Inventor		
Address 1	1940 Irving Avenue	
Address 2		
City,State/Province, Postal Code	Oakland CA 94601	
Country	US	

	Data of Record	Updated Data
Order Number	5	
Name	Robert Charles LANE	
Residence Information		
Residency	us-residency	
City	~~Belmont~~	Larkspur
State	CA	
Country of Residence	US	
Mailing Address of Inventor		
Address 1	~~2010 Monroe Avenue~~	116 Ward Street, #8
Address 2		
City,State/Province, Postal Code	~~Belmont CA 94002~~	Larkspur CA 94939
Country	US	

	Data of Record	Updated Data
Order Number		6
Name		Jonathan Paul DOWNING
Residence Information		
Residency		us-residency
City		Belmont
State		CA
Country of Residence		US
Mailing Address of Inventor		
Address 1		2010 Monroe Avenue
Address 2		
City,State/Province, Postal Code		Belmont CA 94002
Country		US

Application Information

	Data of Record	Updated Data
Title of Invention	EATING UTENSIL SYSTEM	
Attorney Docket Number	HMG1P008D2	
Entity Type	~~Regular Undiscounted~~	Small

Domestic Benefit/National Stage Information

****If no data is shown, no data has been corrected****

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121,365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S. C. 119(e) or 120, and 37 CFR 1.78(a).

		Data of Record	Updated Data
	Prior Application Status		
	Application Number		
	Continuity Type		
	Prior Application Number		
	Filing Date (YYYY-MM-DD)		
	Patent Number		
	Issue Date (YYYY-MM-DD)		

Foreign Priority Information

****If no data is shown, no data has been corrected****

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55. When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX) the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(i)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

		Data of Record	Updated Data
	Application Number		
	Country		
	Filing Date		
	Access Code		

Applicant Information

****If no data is shown, no data has been corrected****
Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

	Data of Record	Updated Data
Applicant Type		

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is		
Name of the Deceased or Legally Incapacitated Inventor		
Applicant is an Organization		
Name		
Organization Name		
Address 1		
Address 2		
City,State/Province,Postal Code		
Country		
Phone Number		
Fax Number		
Email Address		

Assignee Information including Non-Applicant Assignee Information

****If no data is shown, no data has been corrected****
Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of Title 37 of the CFR to have an assignment recorded in the Office

	Data of Record	Updated Data
Order		
Applicant is an Organization		
Name		

Organization Name		

Mailing Address

Address 1		
Address 2		
City,State/Province,Postal Code		
Country		
Phone Number		
Fax Number		
Email Address		

Signature

NOTE: This Application Data Sheet must be signed in accordance with 37 CFR 1.33(b).

This Application Data Sheet **must** be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, **all** joint inventors who are the applicant, or one or more joint inventor-applicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/81) on behalf of **all** joint inventor-applicants.

See 37 CFR 1.4(d) for the manner of making signatures and certifications.

Signature	/Tina Chen/	Registration Number	44606
First Name	Tina	Last Name	Chen

Electronic Acknowledgement Receipt

EFS ID:	34523772
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	
Customer Number:	58766
Filer:	Tina Chen/Cara Hedin
Filer Authorized By:	Tina Chen
Attorney Docket Number:	HMG1P008D2
Receipt Date:	07-DEC-2018
Filing Date:	
Time Stamp:	16:59:03
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Oath or Declaration filed	HMG1P008_DOWNING_Dec_as_filed.pdf	85394 96fd5a1496242fe30b4ffca79aeddc84e55900f5	no	1

Warnings:

Information:					
2	Application Data Sheet to update/ correct info	CorrectedADS.pdf	107426 7512d694d72eef26bc02e719a1a64260d3bba0ee	no	9
Warnings:					
Information:					
			Total Files Size (in bytes):	192820	

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

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National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PTO/AIA/01 (06-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	EATING UTENSIL SYSTEM

As the below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

☑ United States application or PCT international application number 14/204,497 filed on March 11, 2014.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

LEGAL NAME OF INVENTOR

Inventor: Jonathan Paul DOWNING Date (Optional): 03/13/14

Signature: _____

Note: An application data sheet (PTO/AIA/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/SB/AIA01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D2
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 1 of 6
	Date Submitted	12/7/2018

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	1,053,387	02/18/1913	Hawley			01/09/1912
	2.	1,229,696	06/12/1917	Woods			08/23/1916
	3.	1,271,679	07/09/1918	Duckett			01/17/1918
	4.	1,277,205	08/27/1918	Evans			04/09/1917
	5.	1,337,174	04/13/1920	Whyte			09/26/1919
	6.	1,348,762	08/03/1920	Suzuki			03/12/1919
	7.	1,372,325	03/22/1921	Willemin			04/09/1919
	8.	1,425,750	08/15/1922	Crawford			12/20/1920
	9.	1,699,248	01/15/1929	Pasal			11/19/1923
	10.	1,868,289	07/19/1932	Leidel			05/22/1930
	11.	1,984,081	12/11/1934	Pisculli			03/30/1934
	12.	2,010,074	08/06/35	Fuerst			04/16/35
	13.	2,109,016	02/22/1938	Ringer			01/23/1937
	14.	2,251,842	08/05/1941	Hill			06/02/39
	15.	2,318,129	05/04/1943	Torode			06/02/1941
	16.	2,439,882	04/20/1948	Beddow			04/01/1946
	17.	2,470,492	05/17/1949	Jenkins			01/30/1946
	18.	2,542,600	02/20/1951	Vaccarezza			07/15/1948
	19.	2,610,400	09/16/1952	Wendling			06/05/50
	20.	2,752,678	07/03/1956	Welch			12/24/1954
	21.	2003/0110644	06/19/03	Miller			12/18/01
	22.	2005/0066531	03/31/05	Hougland			09/25/03
	23.	2005/0155229	07/21/05	Lee			07/28/04
	24.	2006/0248732	11/09/06	Straube			05/04/05
	25.	2007/0084063	04/19/07	Hughes			11/09/06
	26.	2007/0124943	06/07/07	Hougland			10/11/06

Examiner	**Date Considered**

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D2
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 2 of 6
	Date Submitted	12/7/2018

	27.	2007/0251103	11/01/07	Rhodes III			05/01/06
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	30.	2008/0148575	06/26/08	Chan			12/22/06
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	38.	2015/0014329	01/15/15	Konopatsky			07/09/13
	39.	2015/0257562	09/17/15	Miksovsky et al.			03/11/14
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	42.	3,121,951	02/25/1964	Green			12/12/60
	43.	3,138,871	06/30/1964	Sears			10/21/63
	44.	3,586,161	06/22/1971	Fong et al.			07/10/69
	45.	3,596,965	08/03/1971	Woofter			10/22/1968
	46.	3,630,249	12/28/1971	Brunwin			02/20/70
	47.	3,771,224	11/13/1973	Bono, Jr.			02/03/1972
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	49.	3,991,466	11/16/176	Smith			02/09/76
	50.	32,916	07/23/1861	Richards			
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	52.	34,069	01/07/1862	Neill			
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Examiner	**Date Considered**

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	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 3 of 6
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	56.	4,425,711	01/17/84	Wood et al.			11/12/80
	57.	4,524,512	06/25/85	Formo et al.			04/25/83
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	59.	4,771,541	09/20/88	Bouchakian			07/13/87
	60.	4,835,864	06/06/89	Tang			02/22/88
	61.	4,984,367	01/15/91	Albanese			01/08/90
	62.	4,995,154	02/26/91	Bamber			08/16/89
	63.	46,832	03/14/1865	Thorne			
	64.	5,197,623	03/30/93	Wang			09/18/92
	65.	5,327,650	06/12/94	Rojas			10/14/93
	66.	5,542,181	08/06/96	Gaylord			07/31/95
	67.	5,845,403	12/08/98	Nivin			09/13/95
	68.	5,940,974	08/24/99	Lee			06/15/98
	69.	6,145,204	11/14/00	Cash			10/15/99
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	74.	7,816,634	10/19/10	Guide, Jr. et al.			03/22/06
	75.	7,856,722	12/28/10	Lago-Arenas			09/27/04
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	85.	9,434,590	09/06/16	Miksovsky et al.			03/11/14
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	93.	D249,926	10/17/1978	Wong			01/14/77
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		Page 5 of 6
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Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes / No
	130.	WO 2013/095407	06/27/13	PCT			
	131.	0 129 495	12/27/84	EP			
	132.	DE 44 17 037	12/03/98	DE			Yes
	133.	22,788	09/02/1915	GB			
	134.	WO 2013/095407	06/27/13	PCT			
	135.	CN 202874843	04/17/13	CN			Abstract

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	136.	CN 200945058	09/12/07	CN			Abstract
	137.	CN201691585	01/05/11	CN			Abstract
	138.	CN202234496	05/30/12	CN			Abstract
	139.	203424719	02/12/14	CN			Abstract
	140.	WO 2015/138218	09/17/15	PCT			

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	141.	Alite, Cloverware Lite, http://shop.alitedesigns.com/cloverware-lite.html, downloaded on March 6, 2014.
	142.	Alite, Cloverware 2.0, http://shop.alitedesigns.com/cloverware-538.html, downloaded on March 6, 2014.
	143.	Guyot, Microbites ™, https://www.guyotdesigns.com/product-microbites/, downloaded on March 6, 2014.
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	147.	Chinese Office Action dated April 27, 2017 from Chinese Application No. 201580022197.1.
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Examiner	Date Considered

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	EATING UTENSIL SYSTEM

As the below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

☑ United States application or PCT international application number 14/204,497 filed on March 11, 2014.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

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LEGAL NAME OF INVENTOR

Inventor: Christopher A. MIKSOVSKY Date (Optional): 3/18/2014

Signature: Christopher A. Miksovsky

Note: An application data sheet (PTO/AIA/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/SB/AIA01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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LEGAL NAME OF INVENTOR

Inventor: Clint N. SLONE Date (Optional): 3/18/2014

Signature: Clint Slone

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LEGAL NAME OF INVENTOR

Inventor: Evelyne CHAUBERT Date (Optional): 3/3/2014

Signature: [signature]

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LEGAL NAME OF INVENTOR

Inventor: Charlie NGHIEM Date (Optional): 3/13/2014

Signature: Charlie

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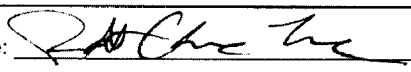
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WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

LEGAL NAME OF INVENTOR

Inventor: Robert Charles LANE Date (Optional): 3/13/2014

Signature: 

Note: An application data sheet (PTO/AIA/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/SB/AIA01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/AIA/14 (11-15)
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2
	Application Number	
Title of Invention	EATING UTENSIL SYSTEM	

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2:

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information:

Inventor 1 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Christopher	A.	MIKSOVSKY	

Residence Information (Select One) ● US Residency Non US Residency Active US Military Service

City	State/Province	Country of Residence
San Francisco	CA	US

Mailing Address of Inventor:

Address 1	2140 Fell Street, #202
Address 2	
City	San Francisco
State/Province	CA
Postal Code	94117
Country	US

Inventor 2 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Clint	N.	SLONE	

Residence Information (Select One) ◉ US Residency Non US Residency Active US Military Service

City	State/Province	Country of Residence
San Francisco	CA	US

Mailing Address of Inventor:

Address 1	703 Douglass Street
Address 2	
City	San Francisco
State/Province	CA
Postal Code	94114
Country	US

Inventor 3 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Evelyne		CHAUBERT	

Residence Information (Select One) ◉ US Residency Non US Residency Active US Military Service

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2
	Application Number	
Title of Invention	EATING UTENSIL SYSTEM	

City	San Francisco	State/Province	CA	Country of Residence	US

Mailing Address of Inventor:

Address 1	81 Landers Street, #1		
Address 2			
City	San Francisco	State/Province	CA
Postal Code	94114	Country	US

Inventor 4 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Charlie		NGHIEM	

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City	Oakland	State/Province	CA	Country of Residence	US

Mailing Address of Inventor:

Address 1	1940 Irving Avenue		
Address 2			
City	Oakland	State/Province	CA
Postal Code	94601	Country	US

Inventor 5 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Robert	Charles	LANE	

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City	Belmont	State/Province	CA	Country of Residence	US

Mailing Address of Inventor:

Address 1	2010 Monroe Avenue		
Address 2			
City	Belmont	State/Province	CA
Postal Code	94002	Country	US

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☐ **An Address is being provided for the correspondence Information of this application.**

Ex. 1003, Page 274
Industrial Revolution Inc.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2
	Application Number	
Title of Invention	EATING UTENSIL SYSTEM	

Customer Number	58766		
Email Address		Add Email	Remove Email

Application Information:

Title of the Invention	EATING UTENSIL SYSTEM		
Attorney Docket Number	HMG1P008D2	**Small Entity Status Claimed**	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	24	**Suggested Figure for Publication (if any)**	

Filing By Reference:

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

Publication Information:

☐ Request Early Publication (Fee required at time of Request 37 CFR 1.219)

☐ **Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32).
Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

Please Select One:	● Customer Number	US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number	58766		

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2
	Application Number	
Title of Invention	EATING UTENSIL SYSTEM	

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.
When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	Division of	15268175	2016-09-16
Prior Application Status	Patented		Remove

Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
15268175	Division of	14204497	2014-03-11	9468321	2016-10-18

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button. Add

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55. When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)[i] the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(i)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

Remove

Application Number	Country[i]	Filing Date (YYYY-MM-DD)	Access Code[i] (if applicable)

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button. Add

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.
NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2
	Application Number	
Title of Invention	EATING UTENSIL SYSTEM	

Authorization or Opt-Out of Authorization to Permit Access:

When this Application Data Sheet is properly signed and filed with the application, applicant has provided written authority to permit a participating foreign intellectual property (IP) office access to the instant application-as-filed (see paragraph A in subsection 1 below) and the European Patent Office (EPO) access to any search results from the instant application (see paragraph B in subsection 1 below).

Should applicant choose not to provide an authorization identified in subsection 1 below, applicant **must opt-out** of the authorization by checking the corresponding box A or B or both in subsection 2 below.

NOTE: This section of the Application Data Sheet is **ONLY** reviewed and processed with the **INITIAL** filing of an application. After the initial filing of an application, an Application Data Sheet cannot be used to provide or rescind authorization for access by a foreign IP office(s). Instead, Form PTO/SB/39 or PTO/SB/69 must be used as appropriate.

1. Authorization to Permit Access by a Foreign Intellectual Property Office(s)

A. Priority Document Exchange (PDX) - Unless box A in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO), the World Intellectual Property Organization (WIPO), and any other foreign intellectual property office participating with the USPTO in a bilateral or multilateral priority document exchange agreement in which a foreign application claiming priority to the instant patent application is filed, access to: (1) the instant patent application-as-filed and its related bibliographic data, (2) any foreign or domestic application to which priority or benefit is claimed by the instant application and its related bibliographic data, and (3) the date of filing of this Authorization. See 37 CFR 1.14(h)(1).

B. Search Results from U.S. Application to EPO - Unless box B in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the EPO access to the bibliographic data and search results from the instant patent application when a European patent application claiming priority to the instant patent application is filed. See 37 CFR 1.14(h)(2).

The applicant is reminded that the EPO's Rule 141(1) EPC (European Patent Convention) requires applicants to submit a copy of search results from the instant application without delay in a European patent application that claims priority to the instant application.

2. Opt-Out of Authorizations to Permit Access by a Foreign Intellectual Property Office(s)

☐ A. Applicant **DOES NOT** authorize the USPTO to permit a participating foreign IP office access to the instant application-as-filed. If this box is checked, the USPTO will not be providing a participating foreign IP office with any documents and information identified in subsection 1A above.

☐ B. Applicant **DOES NOT** authorize the USPTO to transmit to the EPO any search results from the instant patent application. If this box is checked, the USPTO will not be providing the EPO with search results from the instant application.

NOTE: Once the application has published or is otherwise publicly available, the USPTO may provide access to the application in accordance with 37 CFR 1.14.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2
	Application Number	
Title of Invention	EATING UTENSIL SYSTEM	

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Applicant 1 — Remove

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Clear

● Assignee	Legal Representative under 35 U.S.C. 117	Joint Inventor
Person to whom the inventor is obligated to assign.	Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor:

If the Applicant is an Organization check here. ☒

Organization Name	humangear, Inc.		
Mailing Address Information For Applicant:			
Address 1	636 Shrader Street		
Address 2			
City	San Francisco	**State/Province**	CA
Country	US	Postal Code	94117
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button. Add

Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2
	Application Number	
Title of Invention	EATING UTENSIL SYSTEM	

Assignee 1

Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.

Remove

If the Assignee or Non-Applicant Assignee is an Organization check here. ☐

Prefix	**Given Name**	Middle Name	**Family Name**	Suffix

Mailing Address Information For Assignee including Non-Applicant Assignee:

Address 1			
Address 2			
City		**State/Province**	
Country i		Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button. Add

Signature:

Remove

NOTE: This Application Data Sheet must be signed in accordance with 37 CFR 1.33(b). **However, if this Application Data Sheet is submitted with the INITIAL filing of the application and either box A or B is not checked in subsection 2 of the "Authorization or Opt-Out of Authorization to Permit Access" section, then this form must also be signed in accordance with 37 CFR 1.14(c).**

This Application Data Sheet **must** be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, **all** joint inventors who are the applicant, or one or more joint inventor-applicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/81) on behalf of **all** joint inventor-applicants.

See 37 CFR 1.4(d) for the manner of making signatures and certifications.

Signature	/Tina Chen/			Date (YYYY-MM-DD)	2018-12-07
First Name	Tina	Last Name	Chen	Registration Number	44606

Additional Signature may be generated within this form by selecting the Add button. Add

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2
	Application Number	
Title of Invention	EATING UTENSIL SYSTEM	

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1 The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3 A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent CooperationTreaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal

Application Number:	
Filing Date:	
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Filer:	Tina Chen/Cara Hedin
Attorney Docket Number:	HMG1P008D2

Filed as Small Entity

Filing Fees for Track I Prioritized Examination - Nonprovisional Application under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
UTILITY FILING FEE (ELECTRONIC FILING)	4011	1	75	75
UTILITY SEARCH FEE	2111	1	330	330
UTILITY EXAMINATION FEE	2311	1	380	380
REQUEST FOR PRIORITIZED EXAMINATION	2817	1	2000	2000
Pages:				
Claims:				
Miscellaneous-Filing:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
PUBL. FEE- EARLY, VOLUNTARY, OR NORMAL	1504	1	0	0
PROCESSING FEE, EXCEPT PROV. APPLS.	2830	1	70	70

Petition:	
Patent-Appeals-and-Interference:	
Post-Allowance-and-Post-Issuance:	
Extension-of-Time:	
Miscellaneous:	
Total in USD ($)	**2855**

Electronic Acknowledgement Receipt

EFS ID:	34519557
Application Number:	16213466
International Application Number:	
Confirmation Number:	9726
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Tina Chen/Cara Hedin
Filer Authorized By:	Tina Chen
Attorney Docket Number:	HMG1P008D2
Receipt Date:	07-DEC-2018
Filing Date:	
Time Stamp:	15:59:32
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$2855
RAM confirmation Number	121018INTEFSW00002741504481
Deposit Account	504481
Authorized User	Cara Hedin

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	HMG1P008D2_Transmittal_POA_by_Applicant.pdf	148911 5d720fdd06dfbdf164800e37287cd573565c9892	no	1
Warnings:					
Information:					
2	Power of Attorney	HMG1_POA_Applicant.pdf	522554 a91fe80cef0e166151097e763854b279f15c87d2	no	1
Warnings:					
Information:					
3	TrackOne Request	HMG1P008D2_Track_One_Request.pdf	129956 034fb565e31d9addcd29fe0f52cff46441e77ea8	no	2
Warnings:					
Information:					
4		HMG1P008D2_Application_FINAL.pdf	119004 6ab86e5cf70fd94098e73d4f9ce9bb3552bd4112	yes	25

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Specification	1	19
	Claims	20	24
	Abstract	25	25

Warnings:					
Information:					
5	Drawings-only black and white line drawings	HMG1P008_figs_as_filed.pdf	1085252 4b5a294756a954adf3b3538cc1e197fda50dacff	no	24

Warnings:					
Information:					
6	Transmittal Letter	HMG1P008D2_IDS.pdf	23737 bec49efd5f4680ea1ac4a95601b862c4053ee5bb	no	2
Warnings:					
Information:					
7	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D2_1449.pdf	68152 c3efe349ce6779fe2d89c046f8300adb76b54bba	no	6
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
8	Oath or Declaration filed	HMG1P008_Decs_as_filed.pdf	438512 9d3312ab682bb8845a4e8bc543945364c9d3799c	no	5
Warnings:					
Information:					
9	Application Data Sheet	HMG1P008D2_ADS.pdf	1823481 852ff330dc505ad916df4cee6e946b3c4f4ecd86	no	9
Warnings:					
Information:					
10	Fee Worksheet (SB06)	fee-info.pdf	39876 478430ba2006215ec96eaf2583e1666be100043a	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	4399435		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

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Application Number	Unassigned
Filing Date	Herewith
First Named Inventor	Christopher A. MIKSOVSKY
Title	EATING UTENSIL SYSTEM
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	HMG1P008D2

SIGNATURE of Applicant or Patent Practitioner

Signature	/Tina Chen/	Date	December 7, 2018
Name	Tina Chen	Telephone	650-842-1300
Registration Number	44,606		

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications.

■ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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PTO/AIA/424 (04-14)

CERTIFICATION AND REQUEST FOR PRIORITIZED EXAMINATION UNDER 37 CFR 1.102(e) (Page 1 of 1)

First Named Inventor:	Christopher A. MIKSOVSKY	Nonprovisional Application Number (if known):	
Title of Invention:	EATING UTENSIL SYSTEM		

APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS PRIORITIZED EXAMINATION FOR THE ABOVE-IDENTIFIED APPLICATION.

1. The processing fee set forth in 37 CFR 1.17(i)(1) and the prioritized examination fee set forth in 37 CFR 1.17(c) have been filed with the request. The publication fee requirement is met because that fee, set forth in 37 CFR 1.18(d), is currently $0. The basic filing fee, search fee, and examination fee are filed with the request or have been already been paid. I understand that any required excess claims fees or application size fee must be paid for the application.

2. I understand that the application may not contain, or be amended to contain, more than four independent claims, more than thirty total claims, or any multiple dependent claims, and that any request for an extension of time will cause an outstanding Track I request to be dismissed.

3. The applicable box is checked below:

I. ☑ Original Application (Track One) - Prioritized Examination under § 1.102(e)(1)

i. (a) The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a). This certification and request is being filed with the utility application via EFS-Web.

---OR---

(b) The application is an original nonprovisional plant application filed under 35 U.S.C. 111(a). This certification and request is being filed with the plant application in paper.

ii. An executed inventor's oath or declaration under 37 CFR 1.63 or 37 CFR 1.64 for each inventor, **or** the application data sheet meeting the conditions specified in 37 CFR 1.53(f)(3)(i) is filed with the application.

II. ☐ Request for Continued Examination - Prioritized Examination under § 1.102(e)(2)

i. A request for continued examination has been filed with, or prior to, this form.
ii. If the application is a utility application, this certification and request is being filed via EFS-Web.
iii. The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a), or is a national stage entry under 35 U.S.C. 371.
iv. This certification and request is being filed prior to the mailing of a first Office action responsive to the request for continued examination.
v. No prior request for continued examination has been granted prioritized examination status under 37 CFR 1.102(e)(2).

Signature /Tina Chen/	Date December 7, 2018
Name (Print/Typed) Tina Chen	Practitioner Registration Number 44,606

Note: *This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required.**

☑ *Total of 1 forms are submitted.

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The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

EATING UTENSIL SYSTEM

CROSS-REFERENCE TO RELATED APPLICATIONS

[0001] This application is a Divisional of U.S. Application No. 15/268,175, filed on September 16, 2016. U.S. Application No. 15/268,175 is a Divisional of U.S. Application No. 14/204,497, filed on March 11, 2014 (now U.S. Patent No. 9,468,321), which is related to U.S. Design Application No. 29/484,447, filed on March 10, 2014, all of which are incorporated herein by reference in their entirety.

BACKGROUND OF THE INVENTION

[0002] The present invention relates generally to eating utensils. More particularly, the invention relates to combination eating utensils that may be suitable for transport.

[0003] Eating utensils are used by people all over the world to bring food to their mouths. Sometimes, eating utensils, such as knives, are used to cut food to a size and shape suitable for placing in a person's mouth. In some Asian countries, chopsticks are typically the only eating utensils used although spoons are also used for soups in Asia. In Western countries, forks, knives, and spoons are typically used as eating utensils. In still other countries, such as India and Ethiopia, hands are often used in place of utensils.

[0004] Although these existing utensils work quite well, there are continuing efforts to develop new hybrid combinations of utensils that provide not only improved function and convenience but can also reduce the need for separate utensils. Such combination utensils are also more easily transported, as they take up less space.

SUMMARY OF THE INVENTION

[0005] In accordance with an embodiment, a combination fork and spoon system is provided. The combination fork and spoon system includes a fork and a spoon. The fork includes a recess in a bottom surface and a pair of rails. Each rail is positioned along a portion of an outer edge of the bottom surface of a handle. The spoon is configured to interlock with the fork either in a nested position or in an end to end configuration to form a mmthe rails.

[0006] In accordance with another embodiment, a combination eating utensil is provided. The combination eating utensil includes a fork and a spoon. The fork has a handle connected to a head portion including a plurality of tines. At least one tine on a curved outer edge of the head portion has a chamfered outer edge along substantially its entire length. The chamfered edge tapers to a point where the handle is connected to the head portion. The spoon has a substantially pentagonal bowl portion having substantially flat side and end edges. The spoon and fork can be connected at their proximal ends.

[0007] In accordance with yet another embodiment, a combination fork and spoon system is provided. The combination fork and spoon system includes a fork, a spoon, and an interlocking mechanism. The fork has a handle with a pair of rails along a portion of its side edges. The spoon has a handle slidable along the handle of the fork and the handle of the spoon is slidable between the rails of the fork. The interlocking mechanism is for interlocking the spoon and the fork either in a nested position or in an end to end position.

[0008] According to yet another embodiment, a fork is provided. The fork includes a head portion connected to a handle portion. The head portion includes a plurality of tines. An outer tine has a curved chamfered outer edge that extends along substantially an entire length of the head portion. The chamfered edge tapers to a point where the handle portion meets the head portion.

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Industrial Revolution Inc.

BRIEF DESCRIPTION OF THE DRAWINGS

[0009] The invention, together with further objects and advantages thereof, may best be understood by reference to the following description taken in conjunction with the accompanying drawings in which:

[0010] FIG. 1A is a top perspective of a combination spoon and fork system in its nested position in accordance with an embodiment.

[0011] FIG. 1B is a top plan view of the combination spoon and fork system shown in FIG. 1A in its nested position.

[0012] FIG. 2A is a bottom perspective view of the embodiment shown in FIG. 1 in its nested position.

[0013] FIG. 2B is a bottom plan view of the embodiment shown in FIG.1 in its nested position.

[0014] FIG. 3 is a side view of the embodiment shown in FIGS. 1 and 2.

[0015] FIG. 4A is a top plan view of the fork separated from the spoon of the embodiment shown in FIGS. 1-3.

[0016] FIG. 4B is a top perspective view of the fork separated from the spoon of the embodiment shown in FIGS. 1-3.

[0017] FIG. 4C is a cross-sectional perspective view of the fork shown in FIGS. 4A and 4B.

[0018] FIG. 4D is a cross-sectional end view of the handle portion of the fork shown in FIGS. 4A-4C.

[0019] FIG. 4E is a detailed cut-away view of the handle portion of the fork shown in FIGS 4A-4D.

[0020] FIG. 4F is a bottom plan view of the fork shown in FIGS. 4A-4E

[0021] FIG. 4G is a bottom perspective view of the fork shown in FIGS. 4A-4F.

[0022] FIG. 4H is a side view of the fork shown in FIGS. 4A-4G.

[0023] FIG. 5A is a top perspective view of the spoon separated from the fork of the embodiment shown in FIGS. 1-3.

[0024] FIG. 5B is a top plan view of the spoon shown in FIG. 5A.

[0025] FIG. 5C is a bottom perspective view of the spoon shown in FIGS. 5A and 5B.

[0026] FIG. 5D is a side view of the spoon shown in FIGS. 5A-5C.

[0027] FIG. 6A is a perspective view of the combination spoon and fork system in the elongated combination utensil position in accordance with an embodiment.

[0028] FIG. 6B is a bottom plan view of the embodiment shown in FIG. 6A.

[0029] FIG. 6C is a bottom perspective view of the embodiment shown in FIGS. 6A and 6B.

[0030] FIG. 6D is a side view of the embodiment shown in FIGS. 6A-6C.

[0031] FIG. 7A is a top perspective view of an integral combination utensil in accordance with an embodiment.

[0032] FIG. 7B is a bottom perspective view of the integral combination utensil shown in FIG. 7A.

[0033] FIG. 7C is a side view of the integral combination utensil shown in FIGS. 7A and 7B.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

[0034] The present invention relates generally to combination eating utensils.

[0035] Referring to Figs. 1-6, a combination spoon and fork system in accordance with one embodiment of the invention will be described. In the illustrated embodiment, the combination spoon and fork system 100 includes a spoon 110 and a fork 140 that can nest together for storage and transport. To form a single, longer combination utensil with a spoon on one end and a fork on the other end, the proximal ends of the spoon 110 and fork 140 can slide together and lock in place. A low profile interlocking mechanism is used to interlock the spoon 110 and the fork 140 in both the nested position and in the combination utensil mode. The spoon 110 and fork 140 can also be separated completely and used separately.

[0036] Figs. 1A and 1B are top perspective and top plan views, respectively, of the combination spoon and fork system 100 in its nested position, in accordance with an embodiment. Figs. 2A and 2B are bottom perspective and bottom plan views, respectively, of the spoon and fork system 100 in its nested position.

[0037] As shown in Figs. 1-3, the spoon 110 and fork 140 can be nested together in a low profile manner for convenient storage and transport. Fig. 3 is a side view of the combination spoon and fork system 100, which illustrates the low profile nature of the spoon and fork system 100 nested position. In the illustrated embodiment, the fork 140 is nested over the spoon 110.

[0038] As discussed above, the spoon 110 and the fork 140 can be separated from one another and used separately. The geometries of the fork 140 and the spoon 110 will be described below. Figs. 4A and 4B are top plan and perspective views, respectively, of the fork 140 separated from the spoon 110. In the illustrated embodiment, the fork 140 has four tines 142, 144. It will be understood that, in other embodiments, the fork can have more or

fewer tines. The fork 140 has a head portion 141, which includes the tines, that is connected to a handle 146.

[0039] Each tine 142, 144 has a sharp crest, which aids in spearing or piercing pieces of food so that the food can be picked up by the fork 140. In the illustrated embodiment, the two center tines 142 are straight and the two outer tines 144 each have a straight inner edge and a curved outer edge 145. The curved outer edges 145 of the outer tines 144 and the ends of the tines 142, 144 do not extend beyond the outer edges of the bowl portion of the spoon 110, as shown in Figs. 1A and 1B. The curvature of the outer edges 145 can also be used for scraping food, as the curved edges 145 follow the curvature of a curved container, such as a bowl, better than the straight tines of many conventional forks.

[0040] In addition to being curved, the outer edges 145 of the outer tines 144 are also tapered or chamfered such that the fork 140 can be used to cut through or separate foods that do not require a knife. The tapered or chamfered outer edges 145 are shown in the cross-sectional perspective view of Fig. 4C. As illustrated in Fig. 4C, the top surface of each of the outer edges 145 is tapered or chamfered. As illustrated, each chamfered edge 145 has one end at the tip of the outer tine 144 and extends along the outer curved edge of the outer tine 144 to the position where the fork head 141 meets the handle 146. As shown in Figs. 4A-4C, the chamfered edge 145 spans the entire width of the outer tine 144 at the tip. As the chamfered edge 145 extends down along the curved outer edge of the outer tine 144, the width of the chamfered edge 145 remains substantially the same until it begins to taper toward the end of the fork head 141. In the illustrated embodiment, the chamfered edge 145 tapers and ends in a point where the fork head 141 meets the handle 146. Although the fork head 141 is described above as being connected to or meeting the handle 146, it will be understood that the fork is formed as an integral piece in this embodiment.

[0041] In a particular embodiment, the outer edges 145 are chamfered at an angle of about 20-25 degrees, and preferably at an angle of about 23 degrees. The outer edges 145 have an edge width of about 1 mm at its widest point. In the illustrated embodiment, the outer edges 145 of both outer tines 144 are chamfered so that both outer edges 145 can easily be used to cut or separate food regardless of whether the user is right-handed or left-handed.

[0042] In the illustrated embodiment, as shown in Figs. 1A and 1B, a safety feature is that when the spoon 110 and fork 140 are nested, the tines 142, 144 of the fork 140 do not extend as far as the end of the spoon 110 such that the tips of the tines 142, 144 cannot poke or stab someone or something when the fork 140 and spoon 110 are in the nested position.

[0043] As shown in Figs. 1A and 4A, the center tines 142 have a longer length than the outer tines 144 and therefore extend farther distally than the outer tines 144, thereby forming a curve at the distal end of the fork 140. The curvature of the distal end of the fork 140 can match the curvature of the distal end of the spoon 110, but as noted above, the tips of the tines 142, 144 do not extend beyond the end edge of the spoon 110 when nested. As shown in Fig 1A, the bowl portion of the spoon 110 is slightly wider and longer than the corresponding portion of the fork 140 in the illustrated embodiment.

[0044] The handle 146 of the fork 140 will be described with reference to Figs. 4D-4H. The handle 146 has a pair of rails 148 that extend downward from the bottom side of its two outer edges. The rails 148 aid in guiding the handle 146 of the fork 150 over the handle 114 of the spoon 110 when the spoon handle 114 is slid between the rails 148 to either place the spoon 110 and fork 140 in the nested position or slid end over end to form an elongated combination eating utensil, as will be described in more detail below. The rails 148 also secure the spoon handle 114 to the handle 146 of the fork 140, as will be explained in more detail below. As shown in the side view of Figs. 3 and 6D, the rails 148 are very low profile, as they do not extend below the lowest bottom surface of the spoon handle 114 when the fork

140 and spoon 110 are either nested together or slid end over end to form the elongated combination eating utensil. Figs. 2A, 2B, 6B and 6C show that, in the illustrated embodiment, the rails 148 extend only to about halfway across the width of the chamfered edge 122 of the spoon 110. The low profile nature of the rails 148 allow more efficient stacking of the fork and spoon systems 100.

[0045] The outer edge of each rails 148 is aligned and continuous with the outer edge of the rest of the fork handle 146. Further, the rails 148 taper inward so that the portion of the handle 146 with the rails 148 does not feel different from the rest of handle 146 when the fork 140 is held in a user's hand. The inward tapering as well as the low profile nature of the rails 148 reduce the tactile impact they have on a user's hand holding the fork. That is, the handle with low profile rails 148 feels better to hold than a handle having big protuberances, edges, etc.

[0046] As shown in Fig. 4D, the handle portion 146 of the fork 140 has a slight upside down V-shape with a ridge 156 in the center when viewed from an end. The center ridge 156 is the highest point of the handle 146 and runs down the center along substantially the entire length of the handle 146. Each side of the handle 146 angles downward from the center line to the edge at an angle of about 75-80 degrees, and preferably about 79 degrees.

[0047] The bottom of the fork handle 146 also includes a recess 150 that accommodates the contour of the top surface of the handle 114 of the spoon 110 as well as a crescent-shaped raised edge 116 on the proximal end of the spoon 110. As shown in Figs. 4F and 4G, the recess 150 has two straight end walls 162, 163, each acting as a hard stop when the raised edge 116 of the spoon 110 abuts the end wall.

[0048] The recess 150 also includes two detents 152, 153, one near each end of the recess 150. As will be explained in more detail below, the detents 152, 153 serve to snap and lock the spoon handle 114 in place relative to the handle 146 of the fork when the spoon 110 and

fork 140 are in the nested position as well as when the spoon 110 and fork 140 are attached end to end to form an elongated eating utensil, as shown in Figs. 6A-6D.

[0049] The spoon 110 will be described below with reference to Figs. 5A-5D. Fig. 5A is a top perspective view of the spoon 110. The spoon 110 includes a head portion or bowl 112 and a handle 114. The proximal end of the spoon handle 114 includes a crescent-shaped raised edge 116. As shown in the side view of Fig. 5D, the raised edge 116 protrudes above the top surface of the spoon handle 114.

[0050] The spoon handle 114 and the fork handle 146 are contoured similarly. As shown in Fig. 5A, the spoon handle 114 has a ridge 120 in the center. The center ridge 120 is the highest point of the handle body (excluding the raised edge 116) and runs down the center along substantially the entire length of the handle 114. Each side of the handle 114 angles downward from the center line 118 to the edge at an angle of about 75-80 degrees, and preferably about 79 degrees.

[0051] The bowl 112 of the spoon 110 has a substantially flat side edge 118, which allows for "scraping" food from of a container (e.g., a yogurt container) or a bowl. A conventional spoon typically has a rounded edge that is not particularly effective for scraping. As illustrated, the side edge 118 and front edge 118b of the bowl 112 of the spoon 110 is substantially flat, thus providing an effective surface for scraping. In the illustrated embodiment, as shown in Fig. 5B, the bowl 112 has a substantially elongated pentagonal shape with rounded corners.

[0052] Also, as shown in the side view of Fig. 5D, the bowl 112 is angled upward to form a deeper bowl, which can be more efficient when scooping liquids, such as soups. In a particular embodiment, the bowl is angled upward at an angle of about 20-25 degrees, and preferably about 23 degrees. It will be noted that the spoon 110 has a deeper bowl 112 than

the corresponding head portion 141 of the fork 140 so that the fork 140 can be nested on top of the spoon 110 in the nested position.

[0053] In the illustrated embodiment, the bottom surface of each of the edges 122 of the handle 114 of the spoon 110 is tapered or chamfered so that the edge 122 can be used as a splitter or cutter, similar to the outer tines 144 of the fork 140. In the illustrated embodiment as shown in Fig. 5C, the chamfered edge 122 starts at the proximal end of the spoon 110 and extends along the entire length of the spoon handle 114. In a particular embodiment, the edges 122 are chamfered at an angle of about 65-70 degrees, and preferably about 67 degrees, and each edge 122 has a width of about 0.7 mm at its widest point. The width remains substantially the same along the length of the chamfered edge 122 but tapers to end in a point where the spoon handle 114 meets the head portion or bowl 112, as shown in Fig. 5C. Although the spoon head portion or bowl 112 is described above as being connected to or meeting the spoon handle 114, it will be understood that the spoon is formed as an integral piece in this embodiment. In the illustrated embodiment, both edges 122 are chamfered so that both edges 122 can easily be used to cut or separate food regardless of whether the user is right-handed or left-handed.

[0054] The taper of the bottom surface edges 122 of the spoon handle 114 also allows for low profile rails 148 on the fork 140, as the edges 122 of the spoon 140 are configured to slide under and between the rails 148 of the fork 140 to either nest the spoon 110 and fork 140 together or to form a longer combination eating utensil. That is, the bottom edges 122 are chamfered at an angle that corresponds to the angle of the bottom surface of the rails 148 on the fork 140. According to an embodiment, the height of the rails is about 1.5-3 mm and the height of the edges 122 is about 0.5 – 1.75 mm.

[0055] The rails 148 are so low profile that when the spoon 110 and fork 140 are interlocked (whether in the nested position or connected in the elongated combination utensil

position), the bottom of the spoon bowl 112 actually extends below the bottom of the rails 148, as shown in the side view of Figs. 3 and 6D.

[0056] The spoon 110 and fork 140 are formed of a plastic material, such as a glass reinforced thermoplastic, that is suitable for food contact. A particularly suitable reinforced thermoplastic for forming the spoon 110 and fork 140 is glass filled nylon. Compared with unreinforced nylon, glass filled nylon has increased structural strength and stiffness.

Nested Position

[0057] As shown in Figs. 1-3, the spoon 110 and fork 140 can be nested together for storage and/or transport. In the nested position, the spoon 110 and fork 140 are interlocked with the spoon head 112 and the fork head 141 oriented the same way. An interlocking mechanism can lock the spoon 110 in place relative to the fork 140, as will be described in more detail below.

[0058] As described above, there is a recess 150 in the bottom surface of the fork 140 that is configured to receive the top surface spoon handle 114 and its crescent-shaped raised edge 116. To nest the spoon 110 and fork 140 together, the spoon 110 is first positioned underneath the fork 140 in the same orientation (the spoon 110 and fork 140 are both facing up or both facing down) and both pointed in the same direction (the bowl and tines pointed in the same direction), with the raised edge 116 at the proximal end of the spoon positioned in the recess 150 of the fork 140 laterally between the rails 148 and the detent 153 closer to the distal end of the fork 140. The curvature of the crescent-shaped raised edge 116 corresponds to the curvature of the recess 150 such that the raised edge 116 fits nicely in the recess 150.

[0059] The raised edge 116 at proximal end of the spoon 110 is then slid laterally along the recess 150 toward the proximal end of the fork 140 while guiding the outer edges of the spoon handle 114 between the rails 148 until the raised edge 116 abuts the gradually sloped

face of the detent 152 closer to the proximal end of the fork 140. A greater force is then applied in the same direction to push the raised edge 116 over the gradually sloped face of the detent 152 and over the top of the detent 152 to engage the groove between the detent 152 and the proximal end wall 162 of the recess 150. As the raised edge 116 is pushed over the gradually sloped face of the detent 152, the handle-ends of the spoon 110 and fork 140 are bent away from each other. This bending allows the crescent of the raised edge 116 to ride up and over the detent 152. The distance between the ends of the rails 148 and the detent 152 effectively creates beams in the spoon and fork ends that are made to bend through the pressing or pulling action. It will be appreciated that the snapping force can be tuned by such things as changing the length of the rails and/or the size of the detent. That is, longer rails results in shorter beams making it more difficult to deflect and snap. Conversely, shorter rails result in longer beams making it easier to deflect and snap.

[0060] With the detent 152 snapped in the groove between the detent 152 and the proximal end wall 162 of the recess 150, the spoon 110 and fork 140 are interlocked. The end wall 162 acts as a hard stop and prevents the spoon 110 from moving beyond the locked position and the detent 152 prevents the spoon 110 from moving back in the opposite direction to disengage the fork 140. The rails 148 prevent the fork 140 and spoon 110 from being separated in the z-direction.

[0061] It will be noted that the crescent shape of the raised edge 116 provides additional surface area to abut the end wall 162 to prevent the spoon 110 from sliding past the locked position. When the raised edge 116 engages the space between the detent 152 and the end wall 162, the spoon 110 and fork 140 are interlocked in the nested position and fairly significant force is required to disengage the spoon 110 and fork 140 from the nested position because the raised edge 116 must move over the top of the detent 152 without the benefit of a gradually sloped face of the detent 152. It will be understood that greater force is necessary

to disengage the spoon from the fork than is required to interlock the utensils in the nested position because the detent 152 is gradually sloped leading to the top of the detent 152 from the center of the distal end of the fork 140 whereas the opposite side of the detent 152 opposite the end wall 162 is more steeply angled, as illustrated. The more gradually sloped face of the detent 152 makes it easier for the raised edge 116 to slide up to the top of the detent 152. According to an embodiment, the slope of the gradually sloped face of the detent is at an angle of about 15 degrees. The gradually sloped face can also be formed as a curved surface of about 4mm radius.

[0062] As shown in Figs. 4F and 4G, there are two detents 152, 153. Each detent has an angled face on both sides. The sides facing together or inward are more gradually sloped, and the sides facing away from each other are steeply sloped. The inward-facing detent angles are more gradually sloped to permit easier nesting of the fork and spoon (as explained above) or extension to form the elongated combination utensil (as explained in more detail below). The outward-facing detent angles are steeper making it more difficult to "un-snap" or disengage the spoon and fork from each configuration.

[0063] To disengage the spoon 110 and fork 140 from the interlocked nested position, the spoon 110 and fork 140 can simply be pulled apart from one another in the lateral direction. A particularly convenient way to disengage the spoon 110 and fork 140 from the interlocked nested position is to start with the nested spoon and fork system 100 upside down. Thus, with the bottom of the spoon 110 facing up, a user can hold the handles with a conventional grip while using a thumb to push the bowl 112 toward the distal end to disengage the spoon 110 and fork 140. With enough force applied, the raised edge 116 of the spoon 110 will move over the nub 152 and the raised edge 116 of the spoon 110 can slide along the recess 150 and the spoon handle 114 can slide between the rails 148 until the raised edge 116 is once again between the rails 148 and the nub 152 closer to the distal portion of the fork 140.

When the raised edge 116 has moved past the rails 148, the spoon 110 can be disengaged from the fork 140 and separated.

[0064] The rails 148 are centered laterally between the detents 152, 153, as shown in Figs. 4F and 4G. In the illustrated embodiment, the rails 148 are approximately half the length of the recess 150. The length as well as the position of the rails 148 along the handle 146 are important for a properly functioning interlocking mechanism. It will be appreciated that the rails 148 need to have a certain length in order to adequately secure the handles 114, 146 together when the spoon and fork are interlocked. The centering of the rails 148 laterally with respect to the length of the recess 150 and the positioning of the detents 152, 153 is important to allow for the raised edge 116 of the spoon handle 114 to engage the recess 150 at one end of the recess and also for the raised edge 116 to engage the detent on the other end of the recess 150 to snap the spoon and fork in the interlocked position (whether nested or connected end to end to form a combination utensil).

Elongated Combination Utensil

[0065] As mentioned above, the spoon 110 and fork 140 can be connected end to end to form an elongated combination utensil having a fork 140 on one end and a spoon 110 on the other end, with an elongated handle in between. Such an elongated utensil can be useful in certain situations, such as stirring food in a pot or eating out of deep containers or bagged foods.

[0066] The elongated combination utensil will be described with reference to Figs. 6A-6D, which represent various views of the spoon 110 and fork 140 connected end to end to form the elongated combination utensil. The interlocking mechanism for forming the elongated combination utensil is the same as that for the nested position except that it operates in the opposite direction, as explained in more detail below.

[0067] To assemble the combination utensil, the fork 140 and spoon 110 are positioned facing opposite directions (with the spoon 110 on one end and the fork 140 on the other end) but with the same orientation (both facing up or both facing down). The raised edge 116 of the spoon 110 is then positioned in the recess 150 between the rails 148 and the detent 152 closer to the proximal end of the fork 140. The spoon 110 is then slid toward the distal end of the fork 140, with the crescent-shaped raised edge 116 sliding along the correspondingly shaped recess 150 and the outer edges of the spoon handle 114 between the rails 148. Once the raised edge 116 abuts the gradually sloped face of the detent 153 closer to the distal end of the fork 140, additional force is necessary to push the raised edge 116 up along the angled portion of the detent 153 and over the top of the detent 153 until the raised edge 116 engages the groove between the detent 153 and the distal end wall 163 of the recess 150. With the raised edge 116 engaged in the groove between the detent 153 and the end wall 163, the spoon 110 and fork 140 are interlocked in the elongated combination utensil position.

[0068] It will be understood that the end wall 163 acts as a hard stop, preventing the spoon 110 from being slid further. The end wall 163 prevents the spoon 110 from moving beyond the locked position and the detent 153 prevents the spoon 110 from moving back in the opposite direction to disengage the fork 140. The rails 148 not only prevent the fork 140 and spoon 110 from being separated in the z-direction, but also prevent the fork and spoon from being separated by bending (both side-to-side and top-to-bottom bending) as well by torsion or twisting forces.

[0069] When the raised edge 116 engages the groove between the detent 153 and the distal end wall 163 of the recess 150, the spoon 110 and fork 140 are interlocked in the combination utensil position and fairly significant force is required to disengage the spoon 110 and fork 140 from this position. To disengage the spoon 110 and fork 140, with the spoon 110 and fork 140 are simply pulled apart in the lateral direction. With enough force

applied, the gradually sloped face of the detent 153 exerts a normal force on the ends of the handles 114, 146, thereby bending them and allowing the raised edge 116 of the spoon 110 to move over the top of the detent 153. The spoon 110 can then slide along the recess 150 between the rails 148 until the raised edge 116 is once again positioned laterally between the rails 148 and the detent 152 closer to the proximal portion of the fork 140. When the raised edge 116 has moved laterally past the rails 148, the spoon 110 can be disengaged from the fork 140 and separated. It will be understood that greater force is necessary to disengage the spoon from the fork than is required to interlock the utensils because the detent 153 is more gradually sloped leading to the top of the detent 153 from the center of the proximal end of the fork 140 whereas the opposite face of the detent 153 opposite the end wall 163 is more steeply sloped. According to an embodiment, the gradually sloped face of the detent is at an angle of about 15 degrees.

[0070] As noted above, the spoon 110 and fork 140 are oriented in the same direction (with both heads 141, 112 facing up or both facing down) when connected end to end such that the combination spoon and fork system 100 has a substantially wide U-shaped configuration, as shown in Fig. 6D. It will be appreciated that the U-shaped configuration is comfortable for a user to hold and manipulate. With the spoon head 112 and the fork head 141 oriented the same way, the fork head 141 does not get in the way of the user's hand when the combination utensil is being used as a spoon and when the combination utensil is being used as a fork, the spoon head 112 does not get in the way of the user's hand.

Integral Combination Utensil

[0071] According to another embodiment, an integral combination fork and spoon utensil 200 is shown in Figs. 7A-7C. This embodiment is related to concurrently filed U.S. Design Application No. 29/484,553, which is incorporated herein by reference. This embodiment is

similar to the elongated combination utensil shown in Figs. 6A-6D except that this embodiment is formed as a single integral unit. The handle 210 is positioned laterally between a spoon 220 on one end and a fork 240 on the other end.

[0072] The fork 240 has a head portion 241, which includes the tines, that is connected to handle 210. In the illustrated embodiment, the fork 240 has two substantially straight center tines 242. The two outer tines 244 each have a substantially straight inner edge and a curved outer edge 245. The curvature of the outer edges 245 can also be used for scraping food from a container, as the curved edges 245 follow the curvature of a curved container, such as a bowl, better than the straight tines of many conventional forks. In the illustrated embodiment, the fork 240 has four tines 242, 244. It will be understood that, in other embodiments, the fork can have more or fewer tines. Each tine 242, 244 has a pointed tip, which aids in spearing or piercing pieces of food so that the food can be picked up by the fork 240.

[0073] In addition to being curved, the outer edges 245 of the two outer tines 244 are also tapered or chamfered such that the fork 240 can be used to cut through or separate foods that do not require a knife. As illustrated in Fig. 7A, the top surface of each of the outer edges 245 is tapered or chamfered. As illustrated in Fig. 7A, the top surface of each of the curved outer edges 245 is tapered or chamfered. As illustrated, each chamfered edge 245 has one end at the pointed tip of the outer tine 244 and extends along the outer curved edge of the outer tine 244 to the position where the fork head 241 meets the handle 210. As shown in Fig. 7A, the chamfered edge 245 spans the entire width of the outer tine 244 at the pointed tip. As the chamfered edge 245 extends down along the curved outer edge of the outer tine 244, the width of the chamfered edge 145 remains substantially the same until it begins to taper toward the end of the fork head 241. In the illustrated embodiment, the chamfered edge 245 tapers and ends in a point where the fork head 241 meets the handle 210. In a particular

embodiment, the outer edges 245 are chamfered at an angle of about 20-25 degrees, and preferably about 23 degrees, and the chamfered edge has a width of about 1mm. In the illustrated embodiment, the outer edges 245 of both outer tines 244 are chamfered so that both outer edges 245 can easily be used to cut or separate food regardless of whether the user is right-handed or left-handed. In the illustrated embodiment, the center tines 242 are longer than and extend further distally than the outer tines 244, thereby forming a curve at the distal end of the fork 240 when viewed from the top.

[0074] The spoon 220 has a head portion or bowl 212 on its distal end. The bowl 212 of the spoon 220 has a substantially flat side edge 218 and end edge 218b, which allows for "scraping" food from of a container (e.g., a yogurt container) or a bowl. As shown in the side view of Fig. 7C, the bowl 212 is angled upward to form a deeper bowl, which can be more efficient when scooping liquids, such as soups. In a particular embodiment, the bowl 212 is angled upward at an angle of about 20-25 degrees, and preferably about 23 degrees. In the illustrated embodiment, the bowl 212 has a substantially elongated pentagonal shape with rounded corners.

[0075] It will be noted that the integral combination fork and spoon utensil 200 can be formed with a handle of any desired length. That is, the handle can be a standard length, or if desired, the handle can be shorter or elongated. In a particular embodiment, the handle has a length of about 165mm. Similar to the elongated combination utensil described above, the integral combination utensil also has a substantially wide U-shaped configuration with the spoon 210 and fork 240 are oriented in the same direction (with both heads 241, 212 facing up or both facing down) when connected end to end such that the integral combination spoon and fork system 200 has a substantially wide U-shaped configuration, as shown in Fig. 7C. As noted above, the substantially U-shaped configuration is comfortable for a user to hold and manipulate. With the spoon head 212 and the fork head 241 oriented the same way, the

fork head 241 does not get in the way of the user's hand when the integral combination utensil is being used as a spoon. When the integral combination utensil is being used as a fork, the spoon head 212 does not get in the way of the user's hand.

[0076] Although only a few embodiments of the invention have been described in detail, it should be appreciated that the invention may be implemented in many other forms without departing from the spirit or scope of the invention. In view of all of the foregoing, it should be apparent that the present embodiments are illustrative and not restrictive and the invention is not limited to the details given herein, but may be modified within the scope and equivalents of the appended claims.

CLAIMS

What is claimed is:

1. An eating utensil comprising a spoon head, a fork head and a handle that connects the spoon head to the fork head, wherein:

the fork head includes a concave fork bowl portion and has four tines including two inner tines and two outer tines, each tine having a proximal base end and a distal tip;

outer edge portions of the fork head are curved longitudinally including outer edges of the outer tines such that the outer tines get progressively narrower towards their respective distal tips;

at least one of the outer tines has a cutting feature along at least a portion of its outer edge; and

the spoon head includes a concave bowl portion, the concave bowl portion of the spoon head facing in a same direction as the concave bowl portion of the fork head.

2. An eating utensil as recited in claim 1, wherein:

each inner tine has a pair of substantially straight and parallel side edges and the distal tip of each inner tine is pointed; and

the distal tip of each outer tines is pointed.

3. An eating utensil as recited in claim 1, wherein the cutting feature is a chamfered outer edge.

4. An eating utensil as recited in claim 1 wherein the outer edge each outer tine of the fork head is curved over an entire distance between the distal tip of the outer

tine and a junction where the outer edge of the fork head merges with an associated outer edge of the fork handle.

5. An eating utensil as recited in claim 1, wherein the bowl portion of the spoon has at least three substantially flat side edges with rounded corners therebetween.

6. An eating utensil as recited in claim 1, wherein the bowl portion of the spoon head is tilted at a first angle relative to the handle, and the bowl portion of the fork head is tilted at a second angle relative to the handle such that the distal tips of the tines and a distal end of the spoon head extend above the handle on a front side of the handle.

7. An eating utensil as recited in claim 1, wherein the bowl portion of the spoon head has a plurality of substantially flat side edges.

8. An eating utensil as recited in claim 1, wherein the handle has substantially parallel lateral side edges over a majority of a length of the handle.

9. An eating utensil as recited in claim 1, wherein the outer tines each have a wider base end than the inner tines.

10. An eating utensil as recited in claim 1, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

11. An eating utensil, comprising:

a handle portion integrally formed with a fork head portion at a first end and a spoon head portion at a second end, wherein:

the fork head portion includes plurality of tines, wherein at least one of the tines has a curved outer edge; and

the spoon head portion has a substantially five-sided bowl portion.

12. The eating utensil as recited in claim 11, wherein the curved outer edge has a cutting feature.

13. The eating utensil as recited in claim 11, wherein the cutting feature is a chamfered edge.

14. The eating utensil as recited in claim 13, wherein the chamfered edge tapers to a point where the handle portion meets the fork head portion.

15. The eating utensil as recited in claim 11, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

16. The eating utensil as recited in claim 11, wherein the five-sided bowl portion bowl portion has five sides and each of the five sides has a substantially flat edge.

17. The eating utensil as recited in claim 16, wherein the five-sided bowl portion has substantially rounded corners.

18. The eating utensil as recited in claim 11, wherein the plurality of tines

includes four tines, each tine having a proximal base end and a distal tip, with base ends of outer tines being wider than base ends of inner tines.

19. The eating utensil as recited in claim 11, wherein the handle has substantially parallel lateral side edges over a majority of a length of the handle.

20. A spork formed from a glass filed nylon thermoplastic material, the spork comprising a spoon head, a fork head and a handle that connects the spoon head to the fork head, wherein:

the fork head includes a concave fork bowl portion and has four tines including two inner tines and two outer tines, each tine having a proximal base end and a distal tip, with the outer tines base ends being wider than the base ends of the inner tines;

outer edge portions of the fork head are curved longitudinally including outer edges of the outer tines such that the outer tines get progressively narrower towards their respective distal tips;

at least a first one of the outer tines has a cutting feature along at least a portion of its outer edge and at lease a second one of the outer tines has a chamfered outer edge;

the spoon head includes a concave bowl portion, the concave bowl portion of the spoon head facing in a same direction as the concave bowl portion of the fork head;

the handle has substantially parallel lateral side edges over a majority of a length of the handle; and

the bowl portion of the spoon head is positioned at a first angle relative to the

handle, and the bowl portion of the fork head is positioned at a second angle relative to the handle such that the distal tips of the tines and a distal end of the spoon head both extend above the handle on a front side of the handle.

EATING UTENSIL SYSTEM

ABSTRACT OF THE DISCLOSURE

A combination spoon and fork system capable of being stored in a nested configuration or used as a combination eating utensil with the spoon and fork connected end to end. An interlocking mechanism can interlock the spoon and fork in either the nested position or in the end to end configuration. The interlocking system allows the handle of the spoon to slide between rails on the handle of the fork and to snap and lock the spoon in place either nested with the fork or end to end with the fork to form an elongated combination eating utensil. The spoon and fork of the system can also be used separately from one another.

Ex. 1003, Page 315
Industrial Revolution Inc.

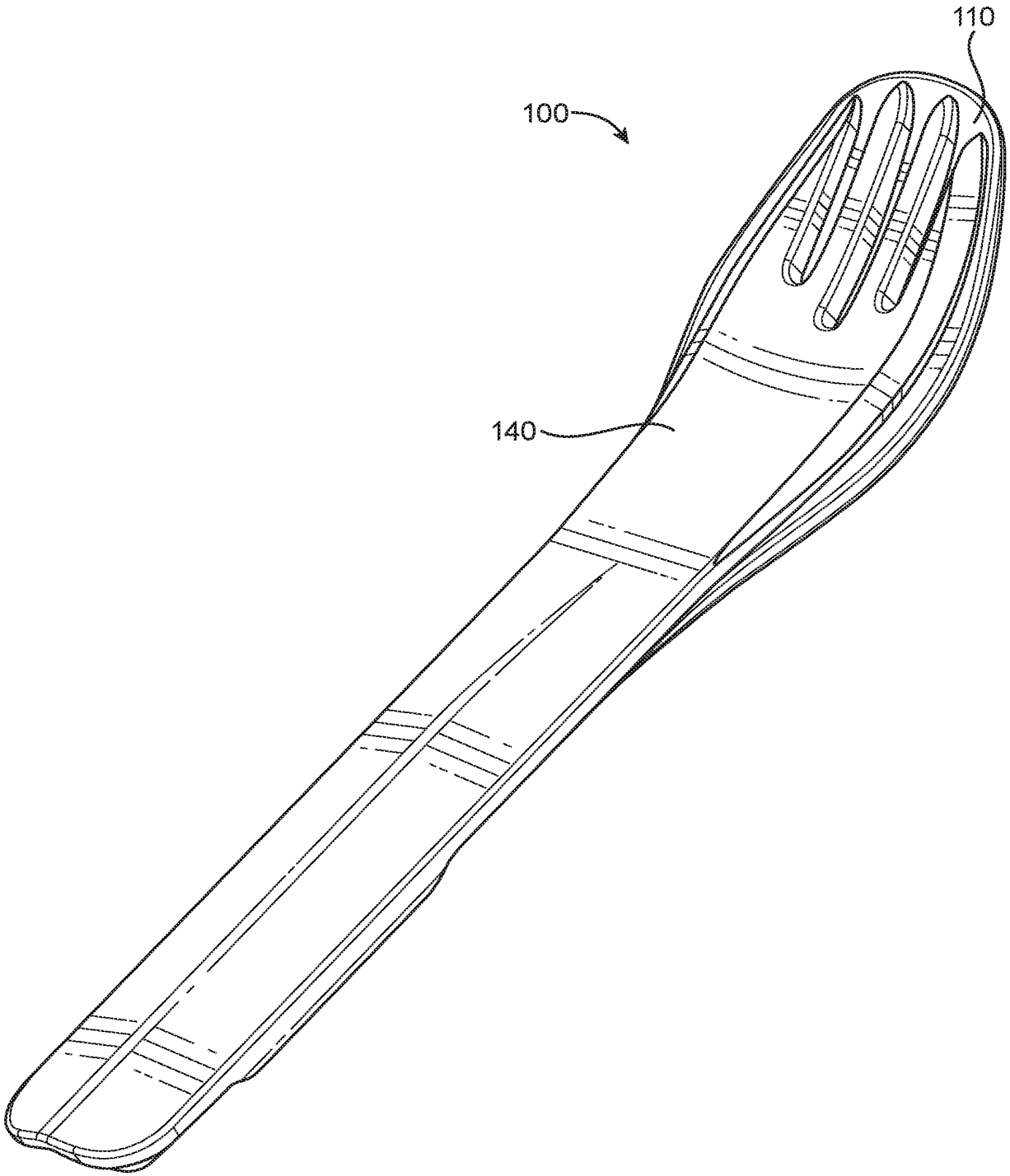


FIG. 1A

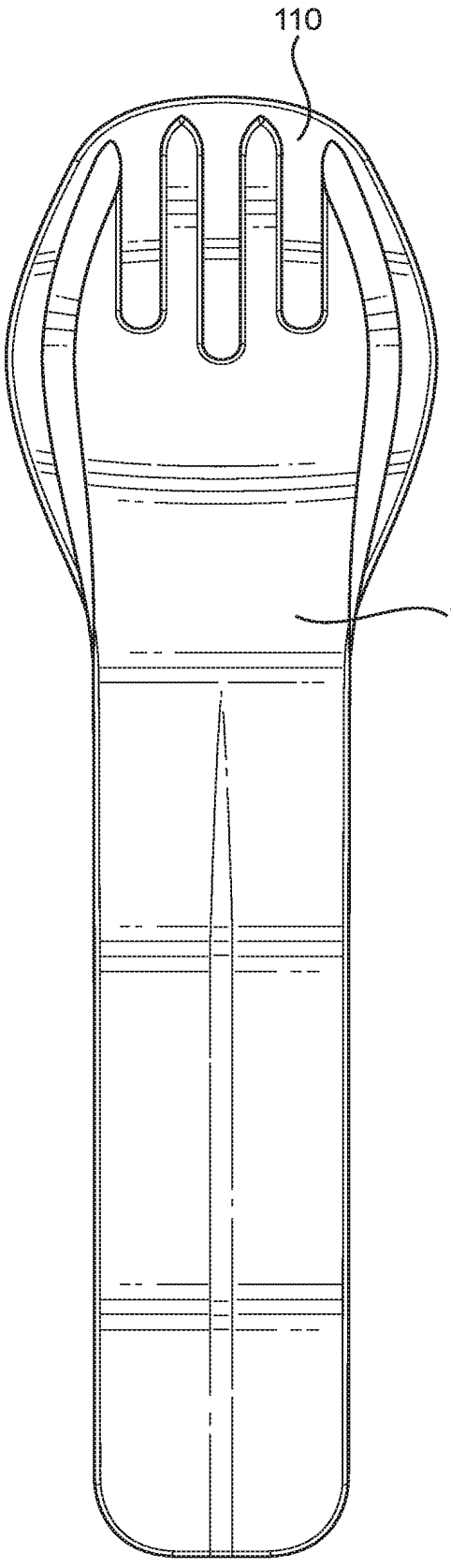


FIG. 1B

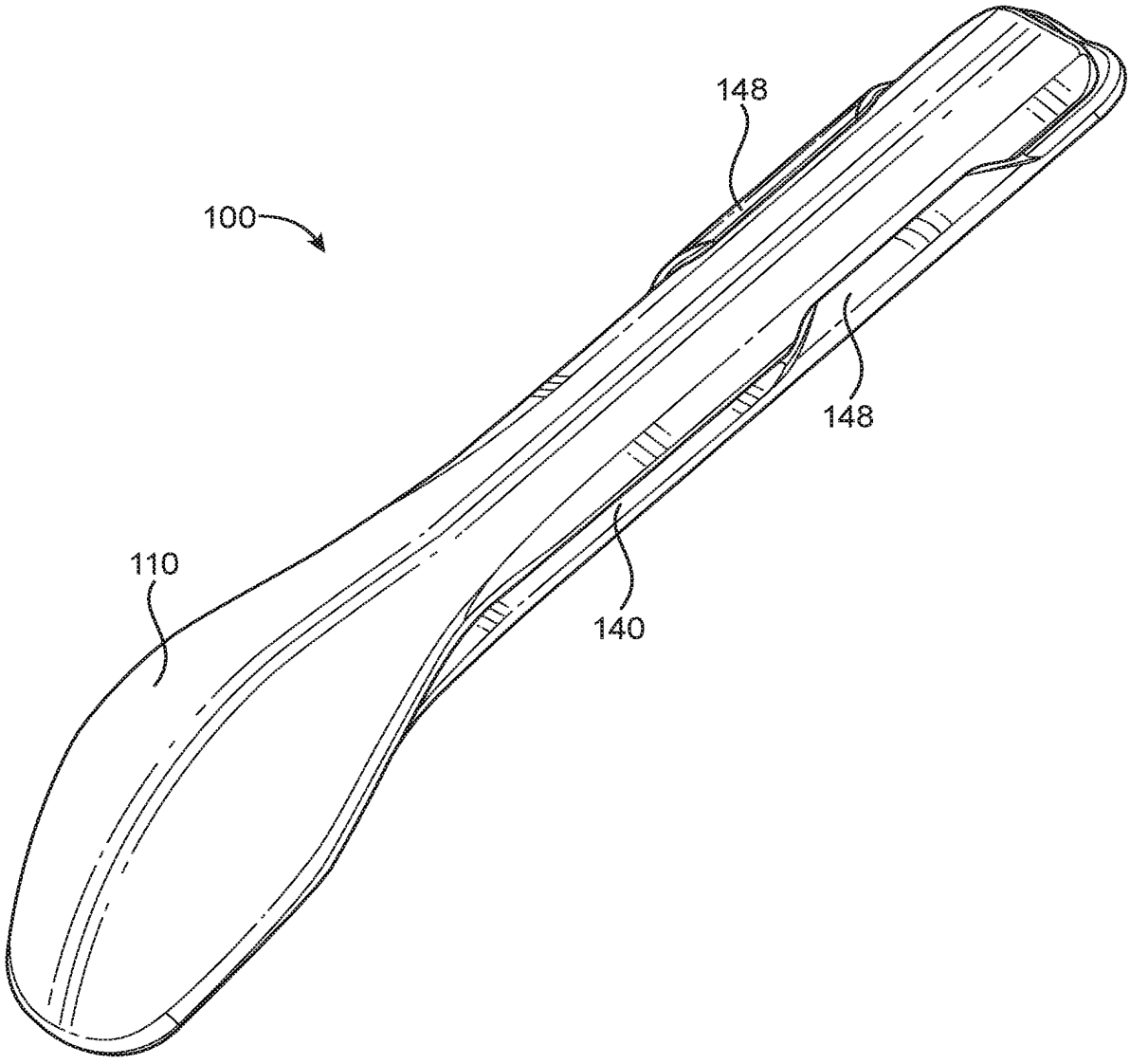


FIG. 2A

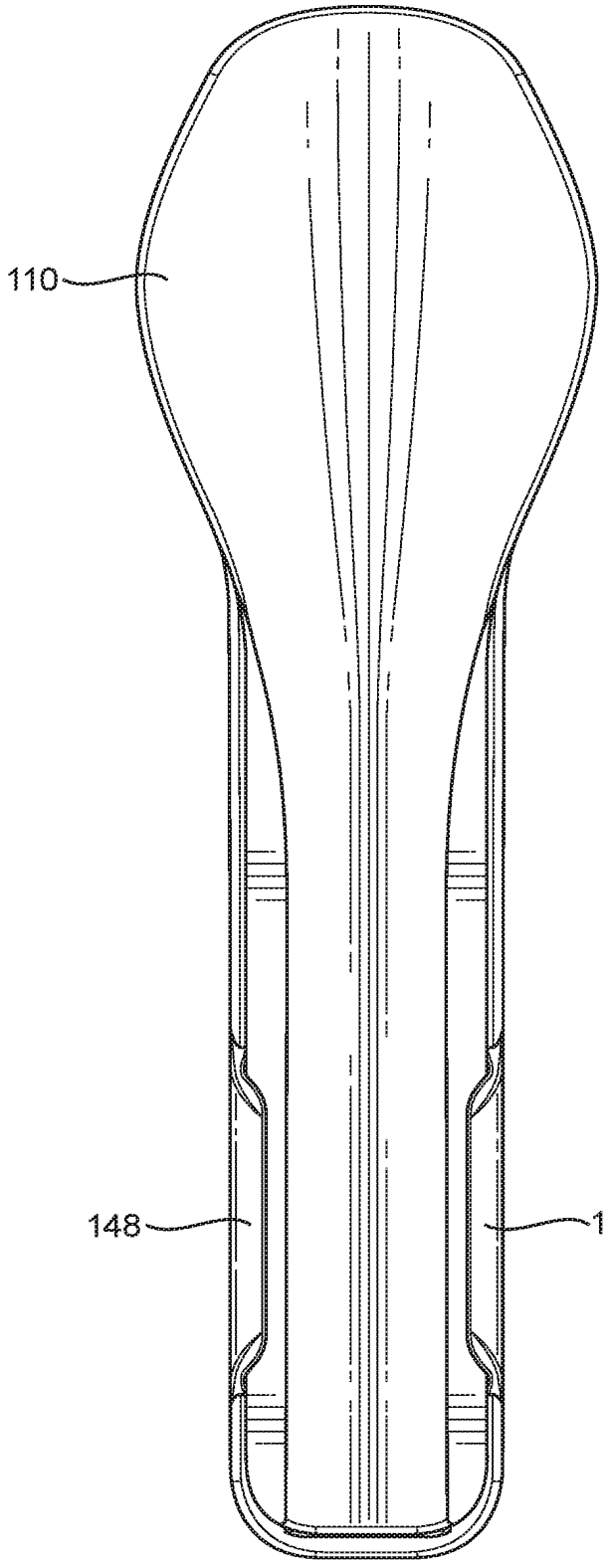


FIG. 2B

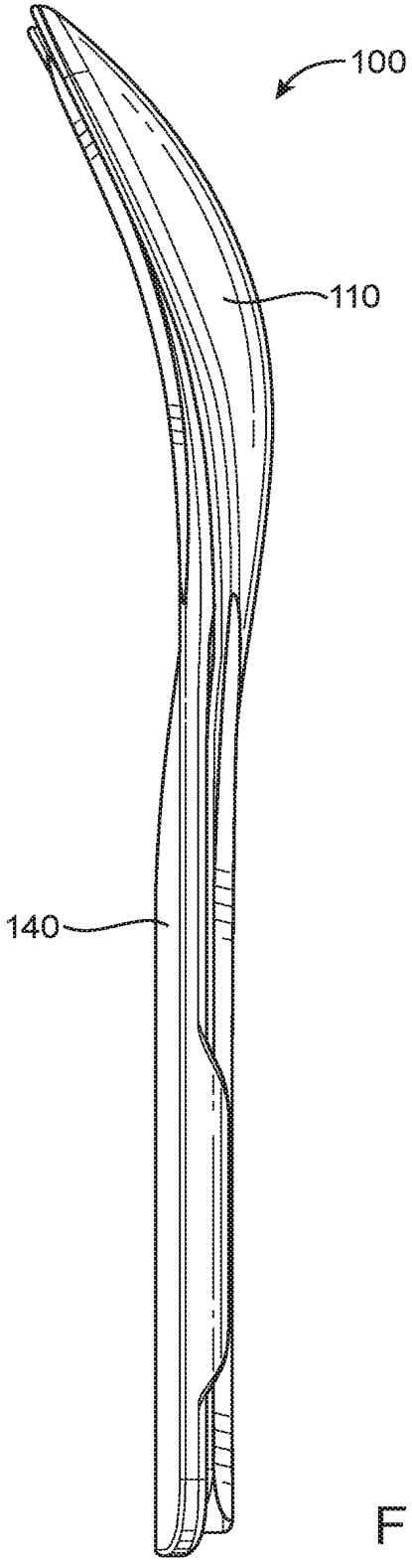


FIG. 3

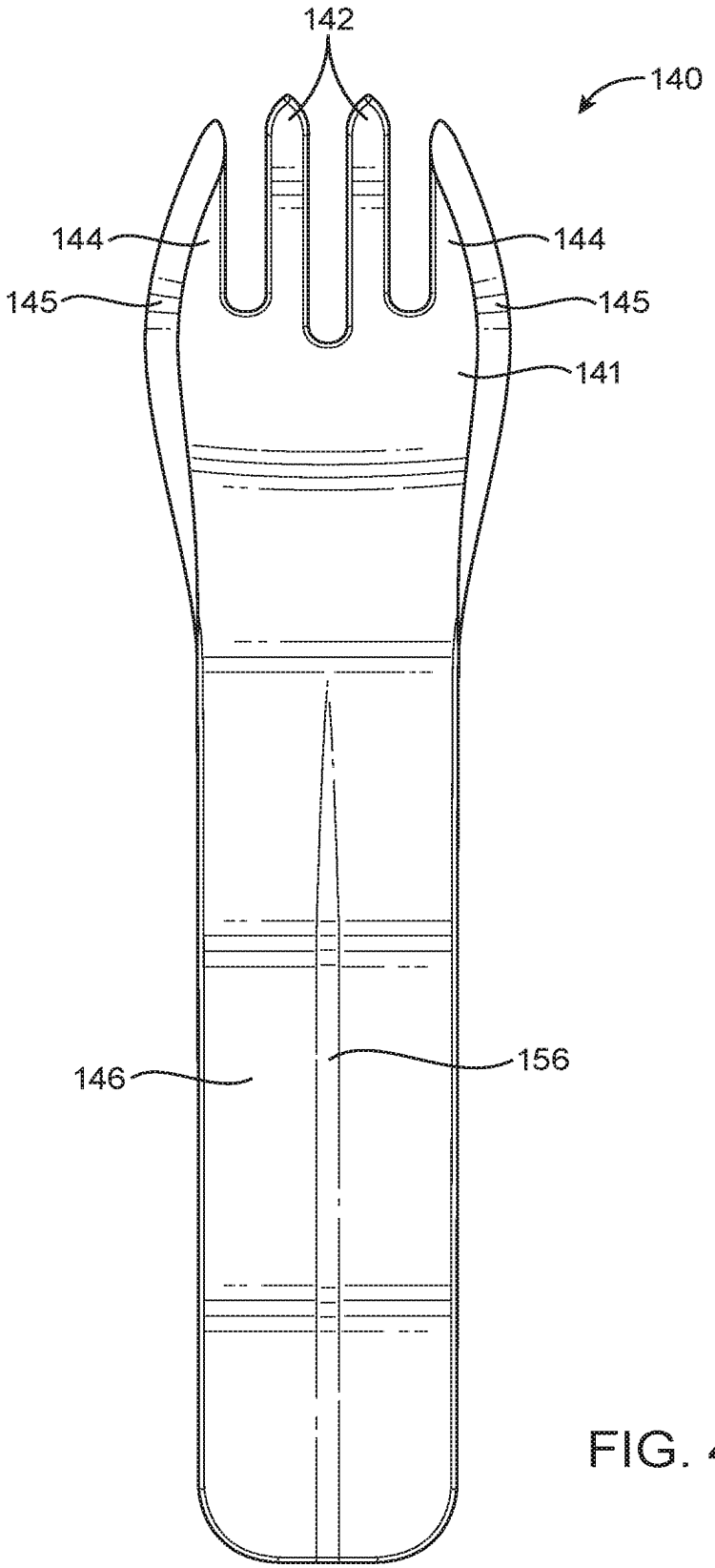


FIG. 4A

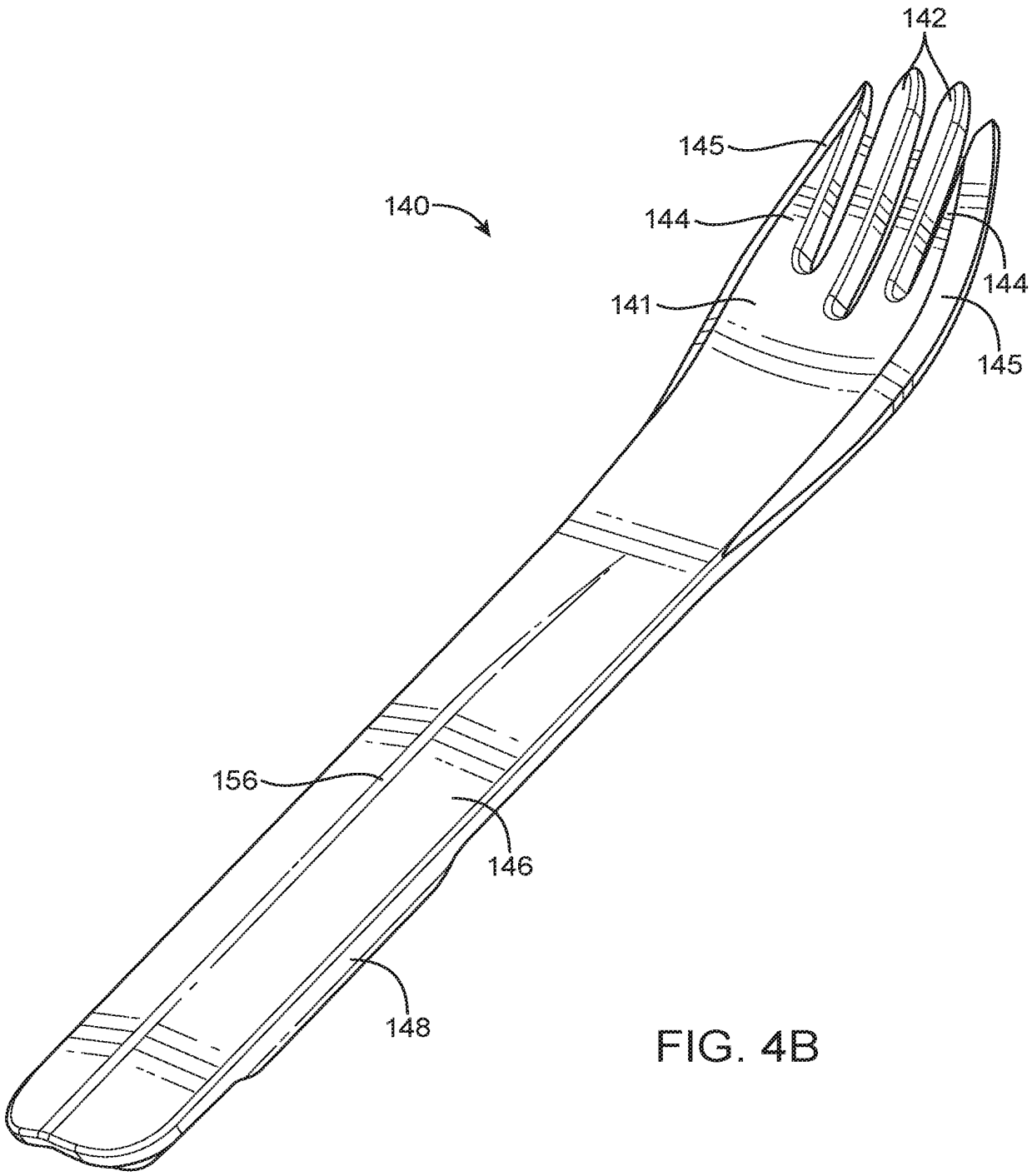


FIG. 4B

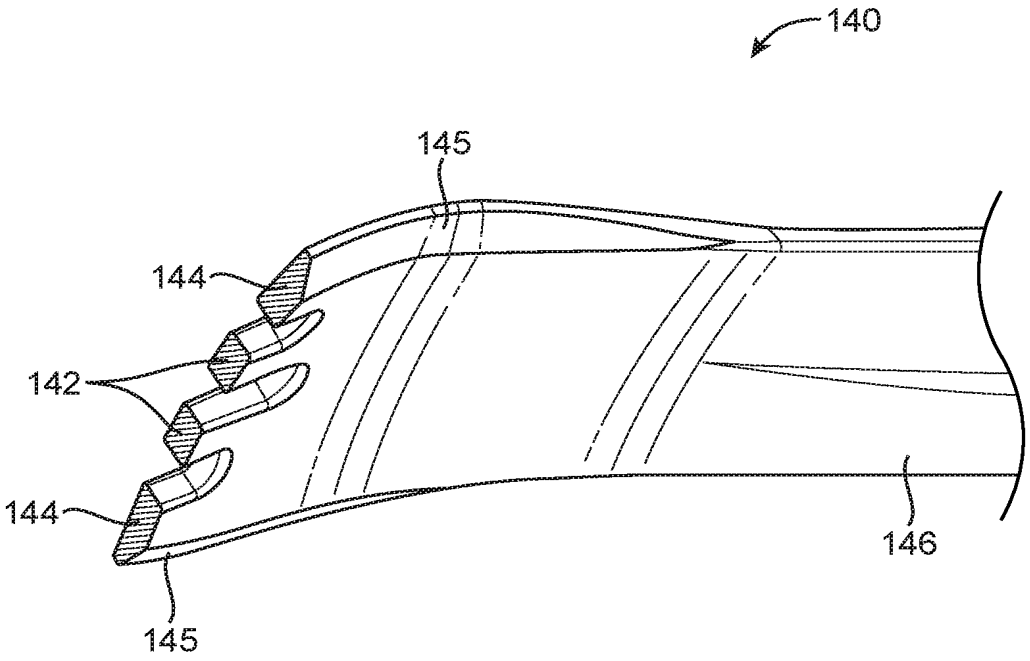


FIG. 4C

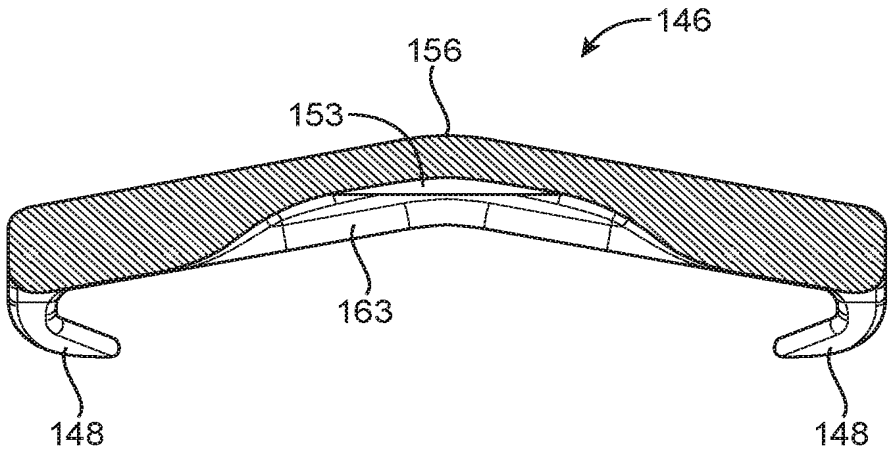


FIG. 4D

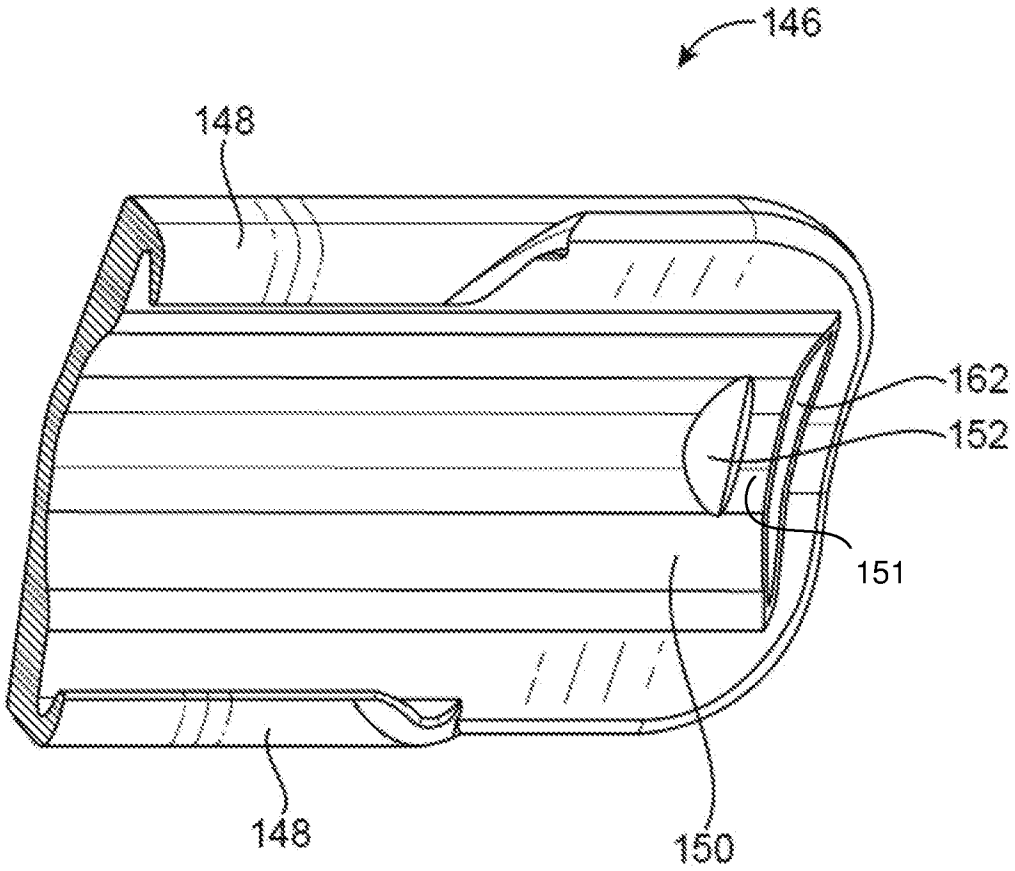


FIG. 4E

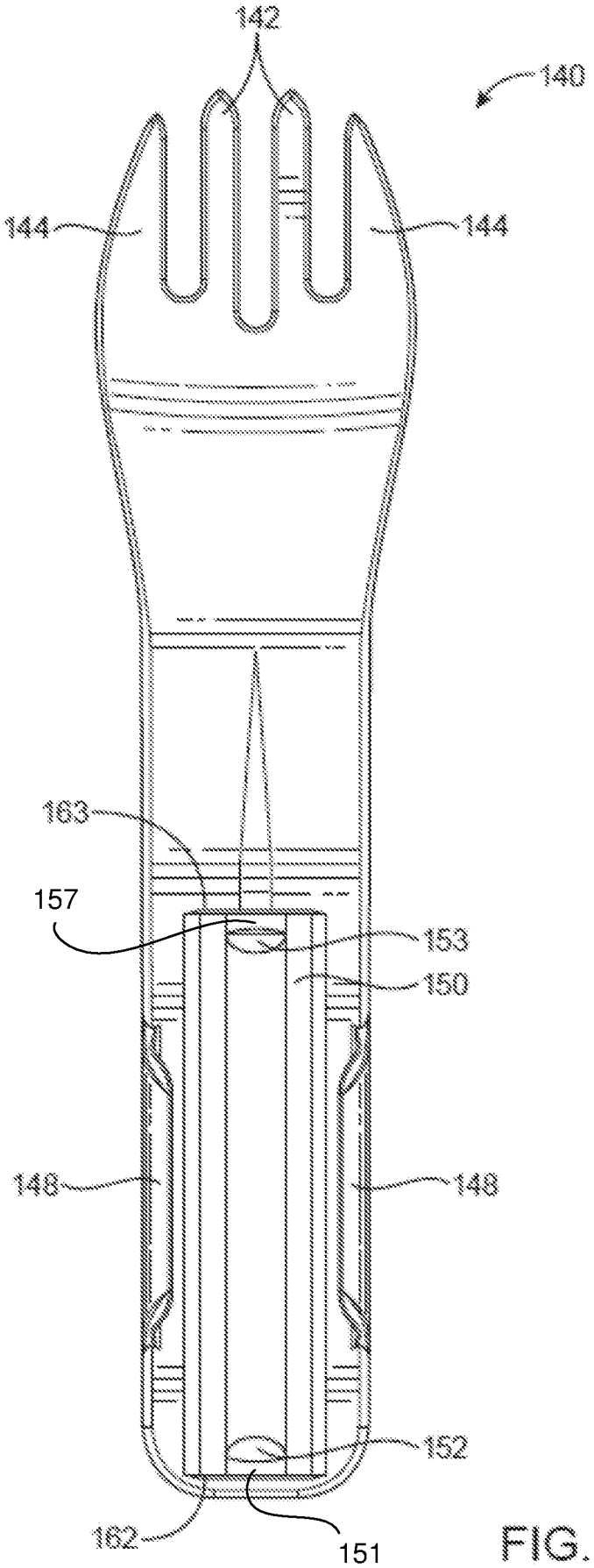


FIG. 4F

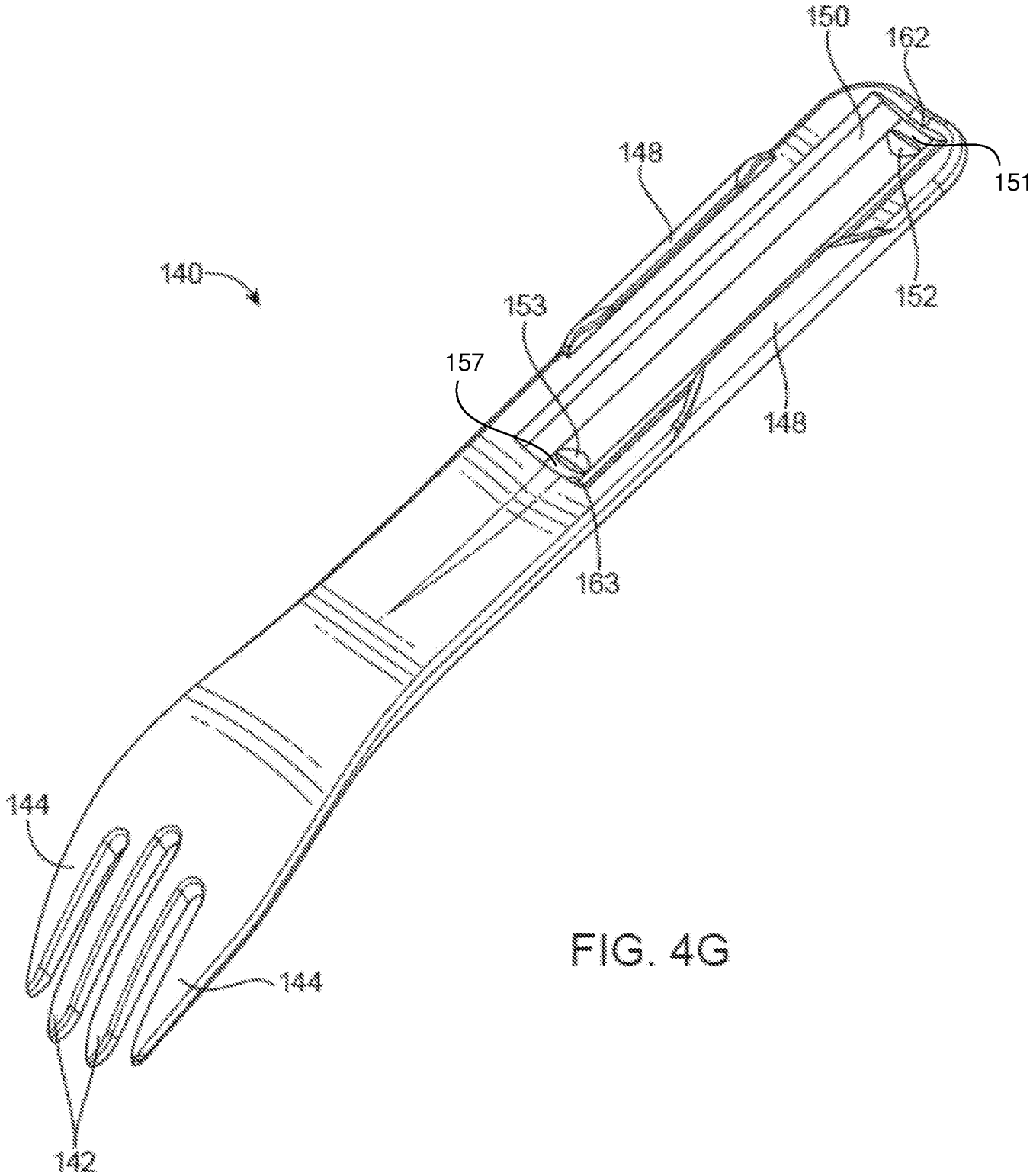


FIG. 4G

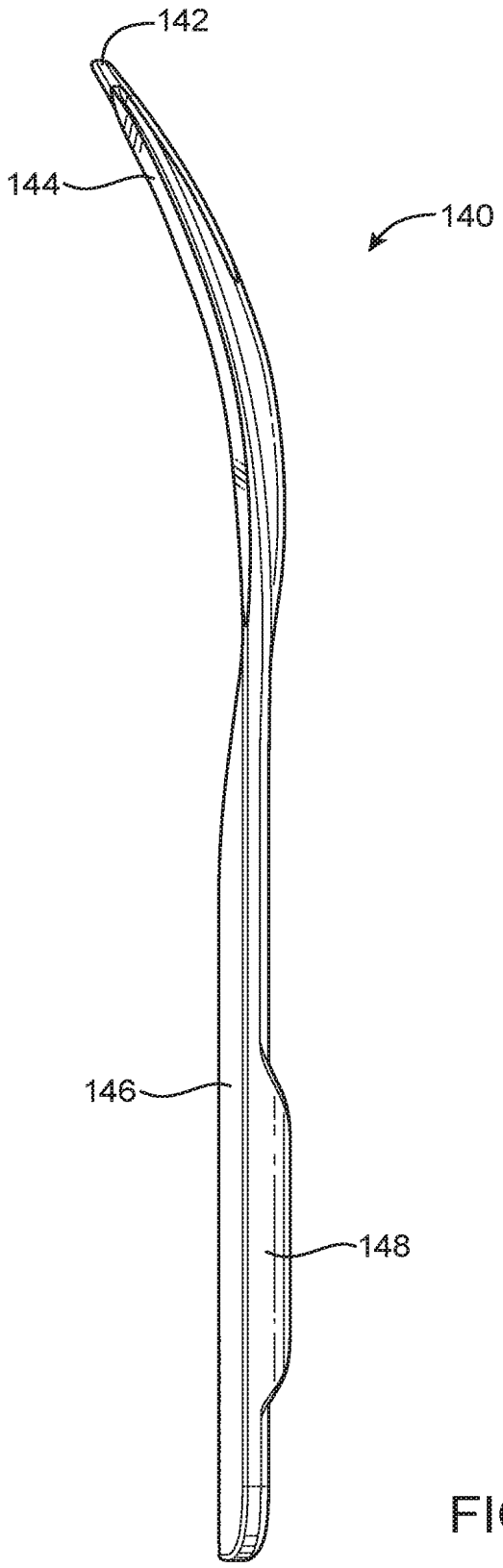


FIG. 4H

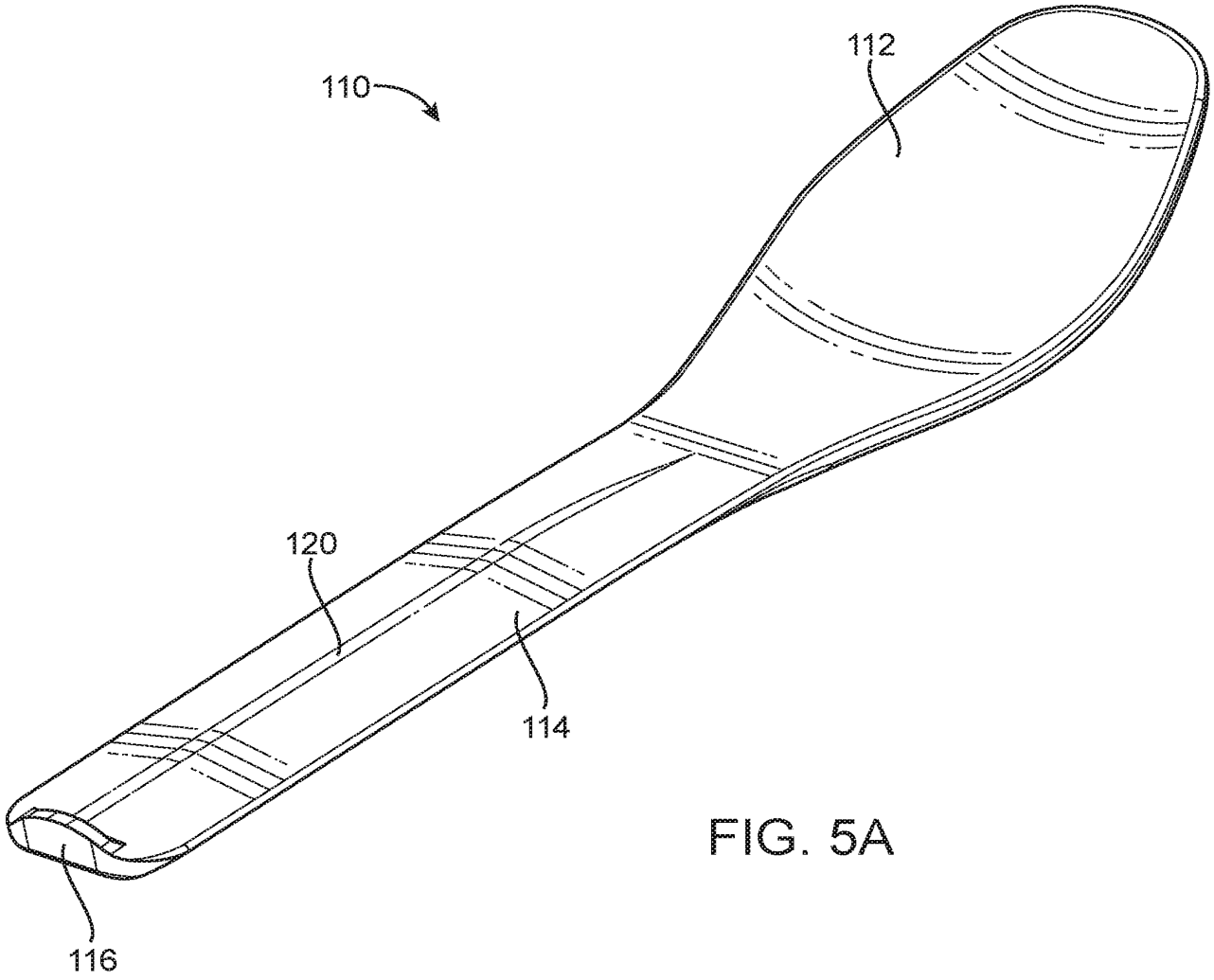


FIG. 5A

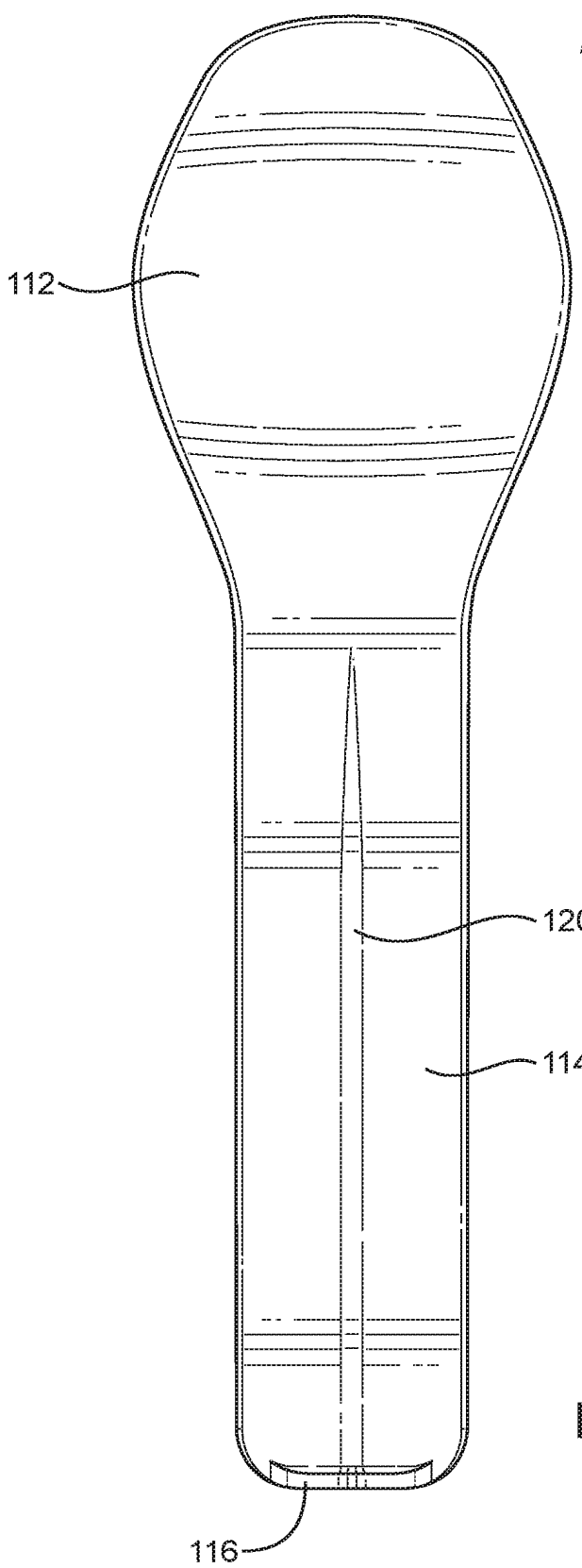


FIG. 5B

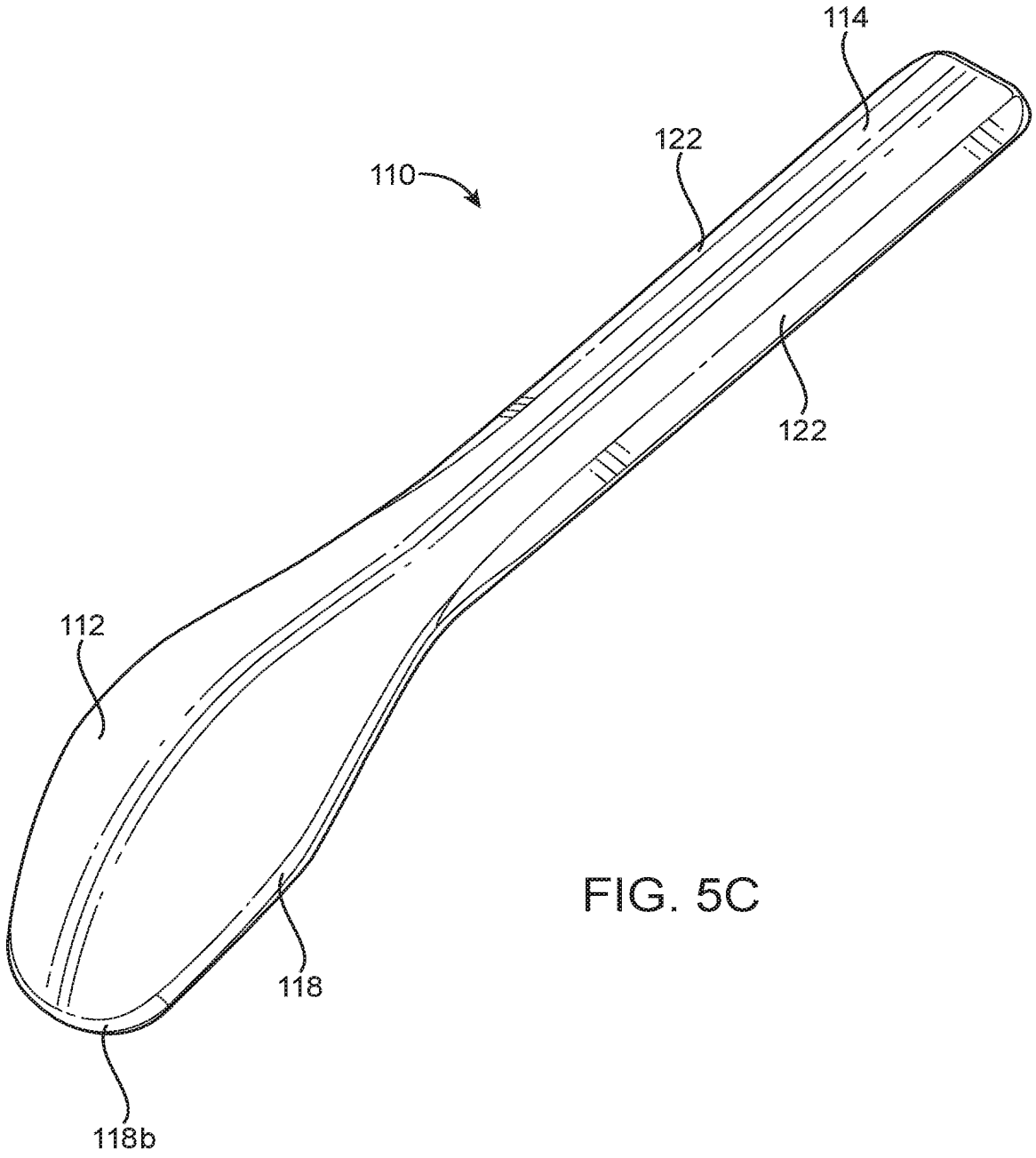


FIG. 5C

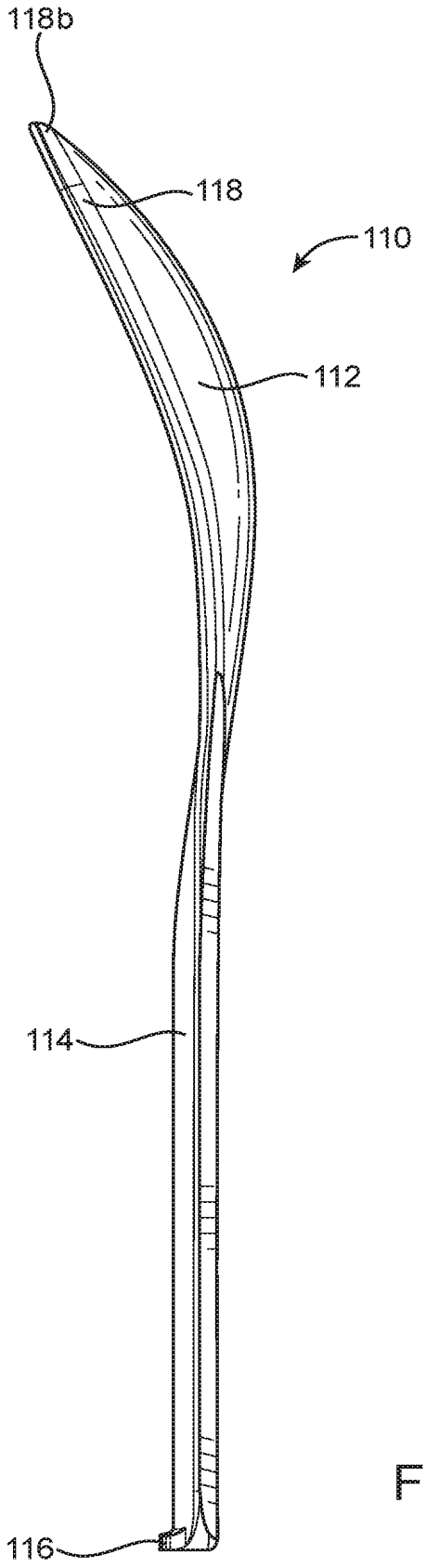


FIG. 5D

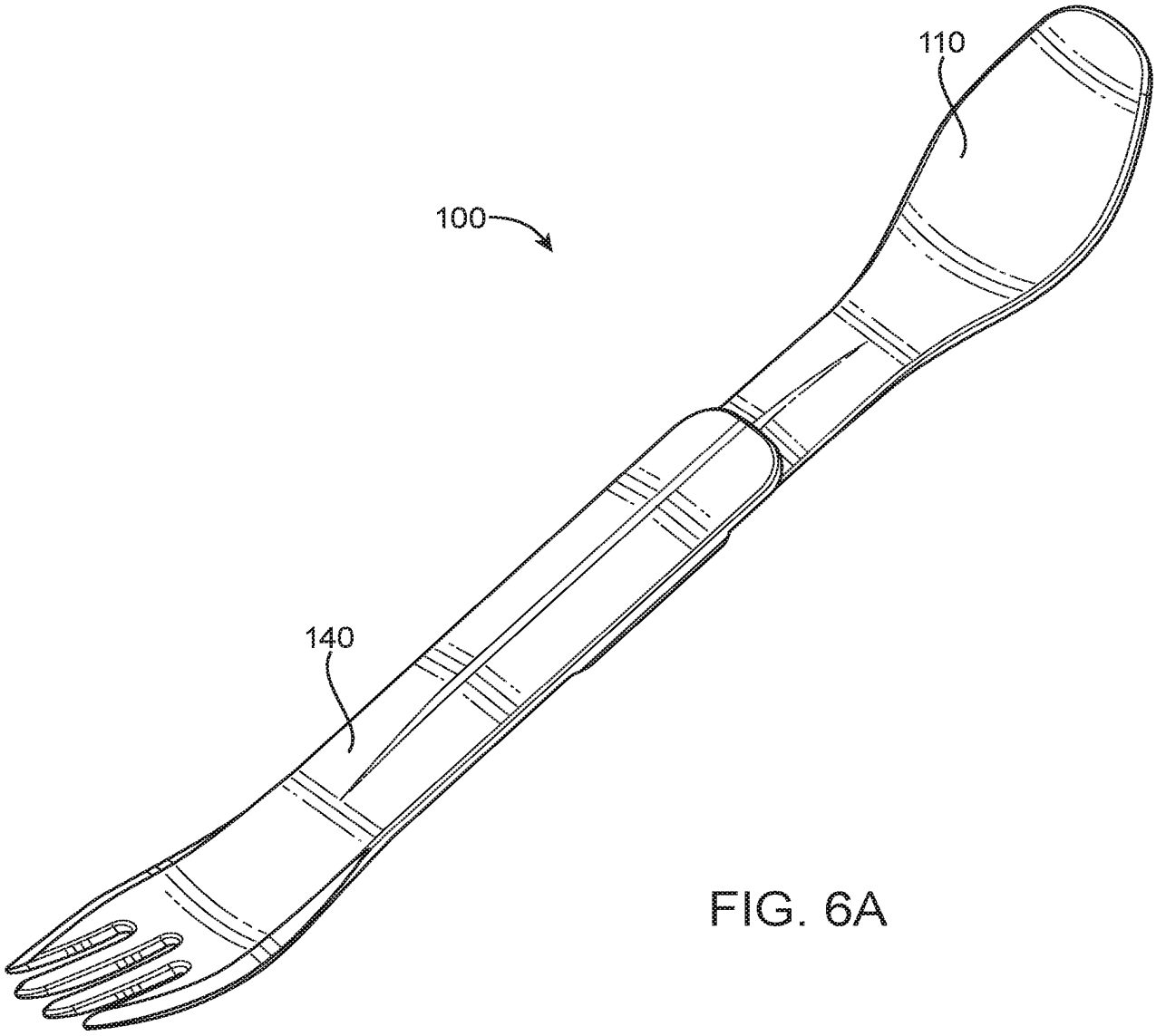


FIG. 6A

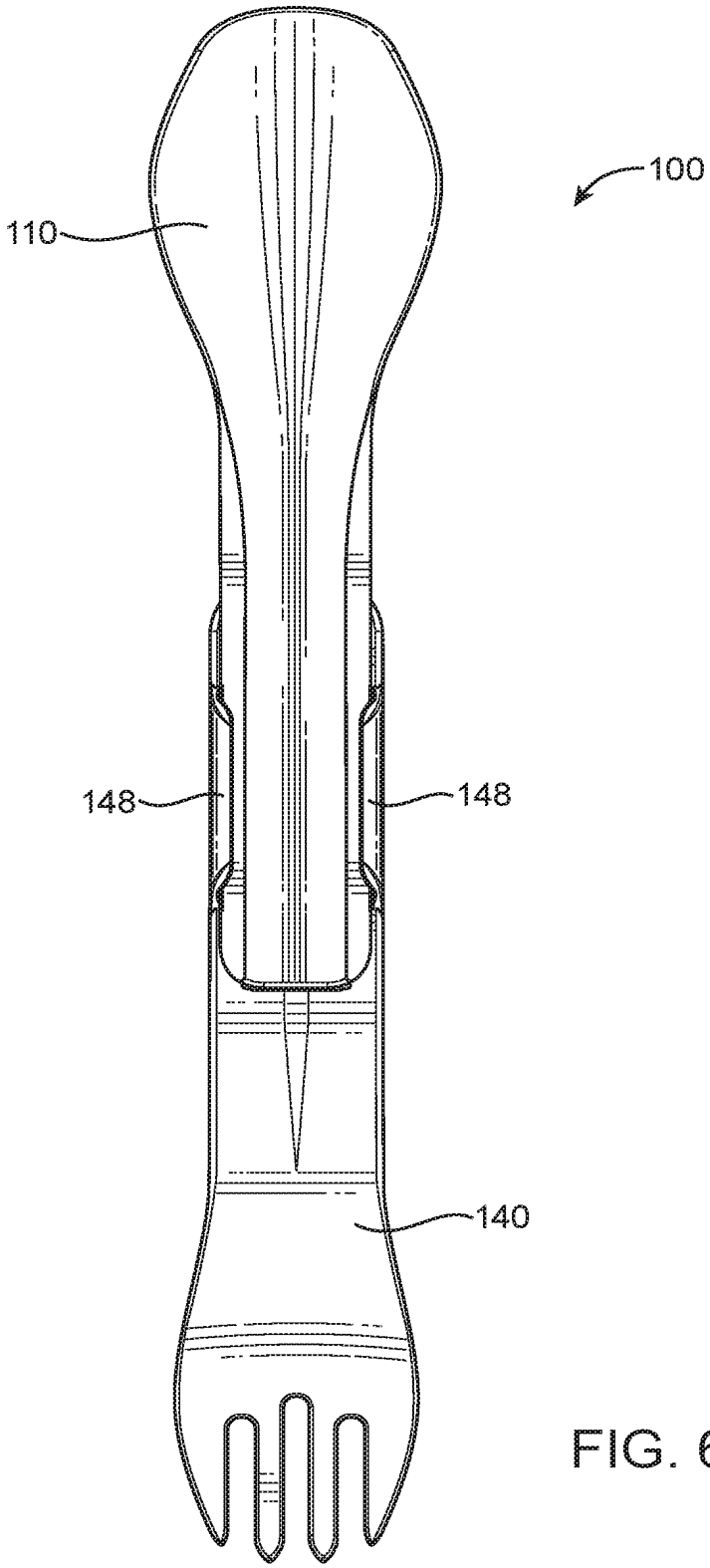


FIG. 6B

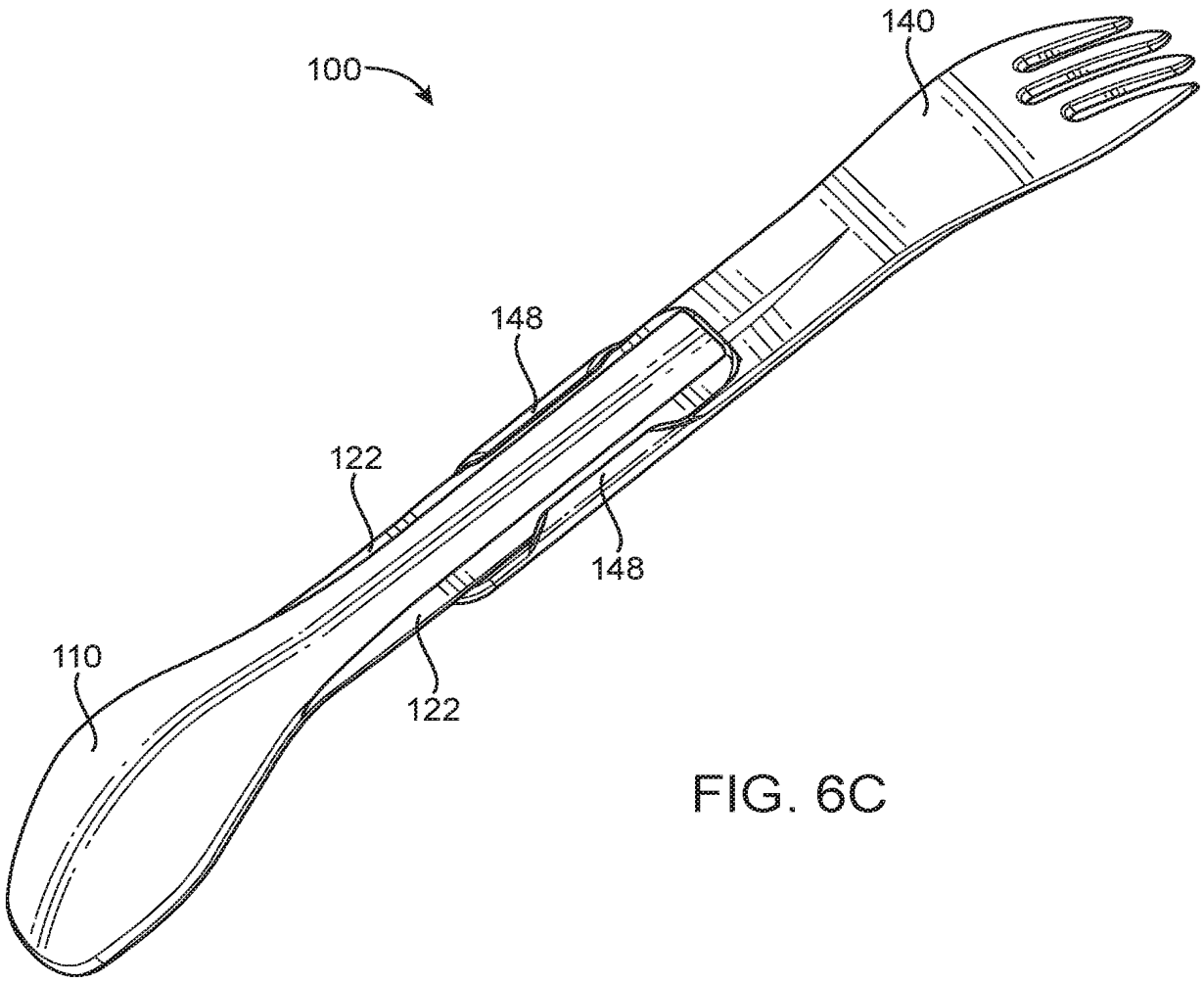


FIG. 6C

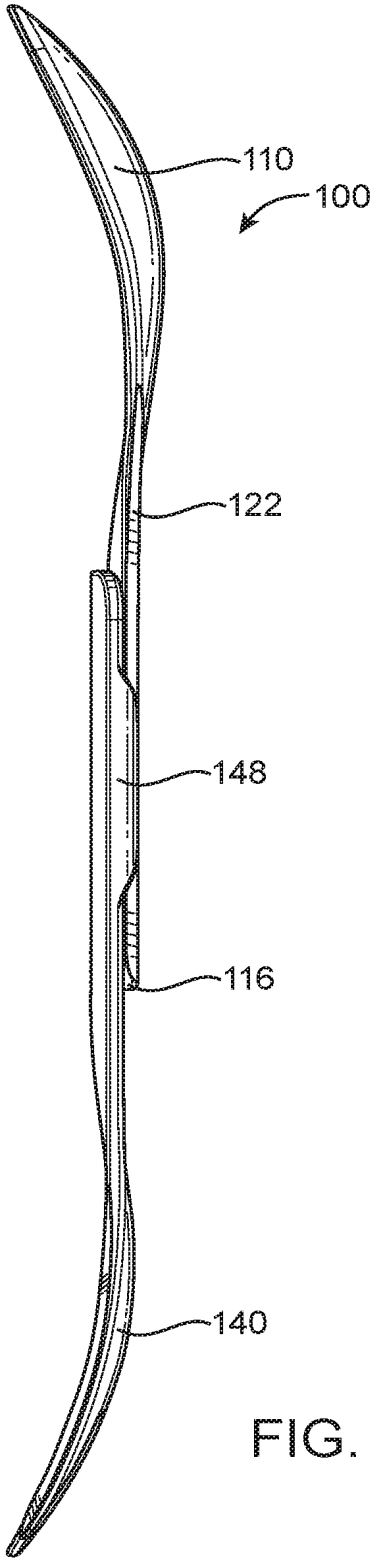


FIG. 6D

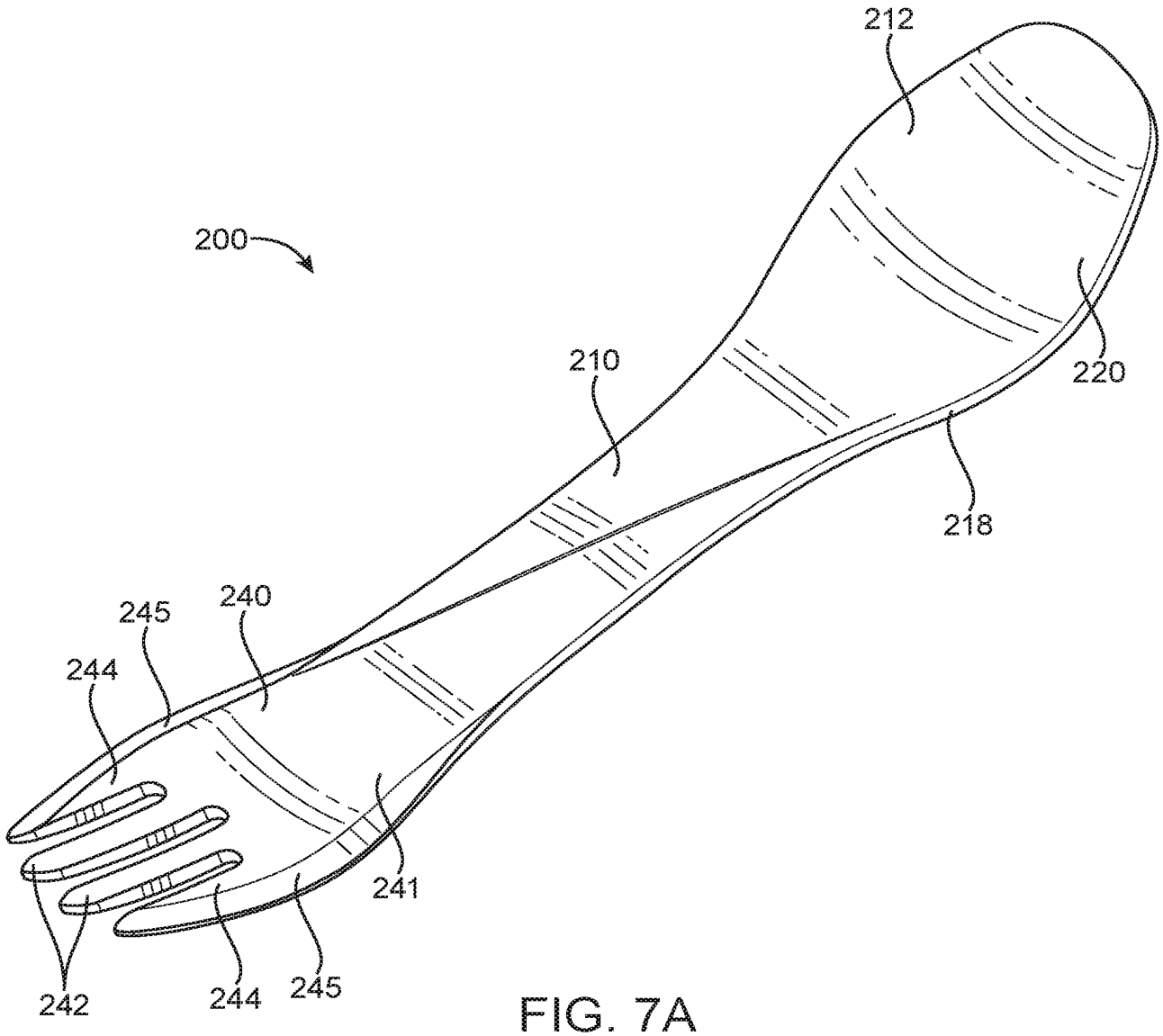


FIG. 7A

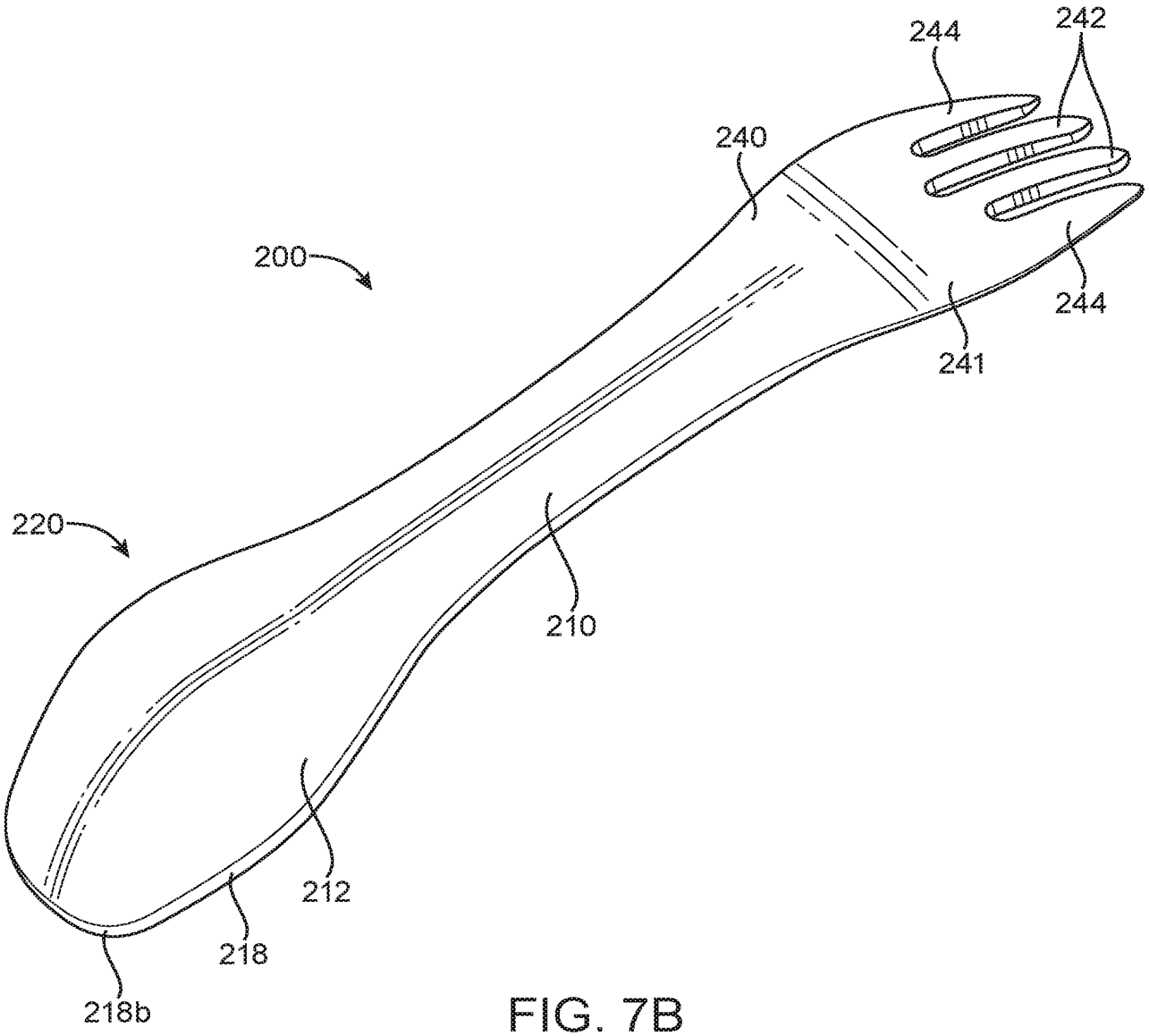


FIG. 7B

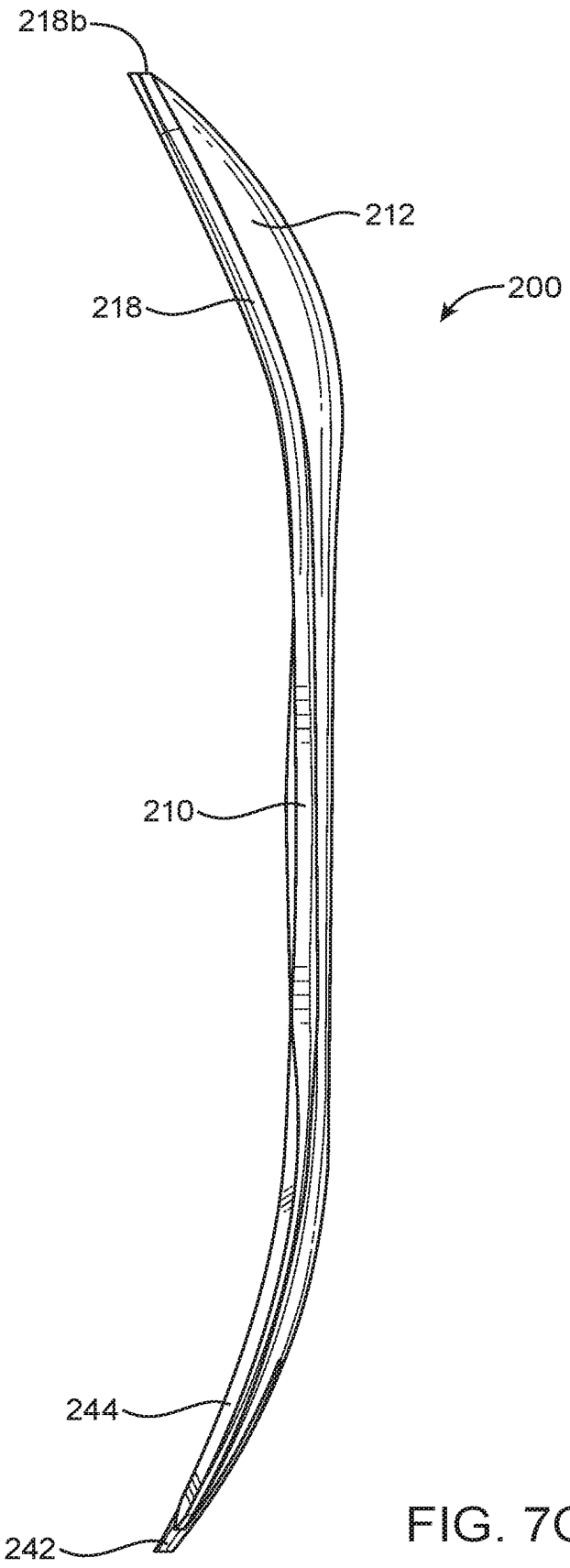


FIG. 7C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2
Application No.: Unassigned	Examiner: Unassigned
Filed: Herewith	Group: Unassigned
Title: EATING UTENSIL SYSTEM	Confirmation No.: Unassigned

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I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on December 7, 2018.

Signed: _____/Cara Hedin/_____
Cara Hedin

INFORMATION DISCLOSURE STATEMENT
37 CFR §§1.56 AND 1.97(b)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

The reference(s) listed in the attached PTO Form 1449 may be material to examination of the above-identified patent application. Applicants submit a list of the identified reference(s) in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make the identified reference(s) of official record in this application. The above-identified application is a Divisional of prior application U.S. Patent Application No. 15/268,175. This prior application is being relied upon for an earlier filing date under 35 U.S.C. § 120. Because the listed reference(s) were either cited by the PTO, or submitted to the PTO in the prior application, under 37 CFR § 1.98(d) Applicants submit that copies need not be provided.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that the identified reference(s) indeed constitute prior art.

This Information Disclosure Statement is: (i) filed within three (3) months of the filing date of the above-referenced application, (ii) believed to be filed before the mailing date of a first Office Action on the merits, or (iii) believed to be filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under §1.114. Accordingly, it is

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Industrial Revolution Inc.

believed that no fees are due in connection with the filing of this Information Disclosure Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-4481 (Order No. HMG1P008D2).

Respectfully submitted,
BEYER LAW GROUP LLP

/Tina Chen/
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SIGNATURE of Applicant for Patent

Signature		Date	2013.01.07
Name	Christopher A. MIKSOVSKY	Telephone	415-830-6321
Title and Company	President, Humangear, Inc.		

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