To: USPTOmail@beyerlaw.com,,
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 58766

Feb 06, 2020 03:43:47 AM

Dear PAIR Customer:

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

The following USPTO patent application(s) associated with your Customer Number, 58766 , have new outgoing correspondence. This correspondence is now available for viewing in Private PAIR.

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Application	Document	Mailroom Date	Attorney Docket No.
16213536	ISSUE.NTF	02/05/2020	HMG1P008D3

To view your correspondence online or update your email addresses, please visit us anytime at https://sportal.uspto.gov/secure/myportal/privatepair.

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PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

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.
16/213,536	02/25/2020	10568447	HMG1P008D3	8074

58766 7590 02/05/2020

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;

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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.
16/213,536	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D3	8074

58766 7590 01/13/2020

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
01/13/2020	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

UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR/ PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
16/213,536	12/07/2018	MIKSOVSKY et al.	HMG1P008D3

	EXAMINER	
Beyer Law Group LLP **P. O. Box 51887** **Palo Alto, CA 94303-1887**	JASON D PRONE	
	ART UNIT	**PAPER**
	3724	20200106

DATE MAILED: _____

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

Commissioner for Patents

The I.D.S. received 11-22-19 has been considered.

/Jason Daniel Prone/
Primary Examiner, Art Unit 3724

PTO-90C (Rev.04-03)

Response to Rule 312 Communication	Application No.	Applicant(s)	
	16/213,536	MIKSOVSKY et al.	
	Examiner	Art Unit	AIA (FITF) Status
	JASON D PRONE	3724	Yes

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

1. ☑ The amendment filed on 27 November 2019 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☑ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

/Jason Daniel Prone/
Primary Examiner, Art Unit 3724

OK TO ENTER: /JDP/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D3
Application No.: 16/213,536	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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 27, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

AMENDMENT AFTER ALLOWANCE, BEFORE OR WITH PAYMENT OF ISSUE FEE PURSUANT to 37 C.F.R. §1.312

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

Dear Commissioner:

Prior to the issuance of the above-identified application as a patent, please amend the 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.

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty Docket No.	HMG1P008D3
	Application No.:	16/213,536
	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.						
	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	01/06/2020

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/

To: USPTOmail@beyerlaw.com,,
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 58766

Jan 13, 2020 03:40:00 AM

Dear PAIR Customer:

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

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Application	Document	Mailroom Date	Attorney Docket No.
16213536	N271	01/13/2020	HMG1P008D3
	1449	01/13/2020	HMG1P008D3

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Thank you for prompt attention to this notice,

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PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D3
Application No.: 16/213,536	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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Signed: _____/Cara Hedin/_____
Cara Hedin

AMENDMENT AFTER ALLOWANCE, BEFORE OR WITH PAYMENT OF ISSUE FEE PURSUANT to 37 C.F.R. §1.312

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

Dear Commissioner:

Prior to the issuance of the above-identified application as a patent, please amend the 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.

Humangear, Inc. Ex. 2007, Page 9

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

Listing of Claims:

1. (Previously Presented) A combination fork and spoon system, comprising:

a fork including a fork head and a fork handle, the fork head end including a plurality of tines, the fork handle having a pair of spaced apart fork catch features and a guide portion, wherein a first one of the fork catch features is closer to a proximal end of the fork handle than a second one of the fork catch features; and

a spoon including a spoon head and a spoon handle, the spoon head including a bowl portion and the spoon handle including a spoon catch feature, wherein the spoon handle is configured to interlock with the fork handle in two distinct orientations with the spoon handle inserted into the guide portion of the fork in two different ways, the two distinct orientations including a nested orientation and an extended orientation, wherein,

in the nested orientation, the fork head and the spoon head are nested together, with the spoon catch feature engaging the first one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the nested orientation, and

in an extended orientation, the fork head and the spoon head extend in opposite directions with the spoon catch feature engaging the second one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the extended orientation.

2. (Original) A combination fork and spoon system as recited in claim 1, wherein the fork and spoon are formed from a thermoplastic material.

3. (Original) A combination fork and spoon system as recited in claim 2, wherein the thermoplastic material is a glass filled nylon.

4. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein:

the first one of the fork catch features is arranged to engage the spoon catch feature when the spoon and fork are coupled in the nested orientation, but not when the spoon and fork are coupled in the extended orientation; and

the second one of the fork catch features is arranged to engage the spoon catch feature when the spoon and fork are coupled in the extended orientation, but not when the spoon and fork are coupled in the nested orientation.

5. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein the fork head includes a concave bowl portion, wherein the spoon head bowl portion and the fork head concave bowl portions both face in a same direction in the nested orientation.

6. (Original) A combination fork and spoon system as recited in claim 1, wherein at least one of the tines on an outer edge of the fork head has a splitting feature.

7. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein none of distal tips of the tines extends longitudinally beyond a distal tip of an outer edge of the spoon head bowl portion when the fork and spoon are in the nested orientation.

8. (Previously Presented) A combination fork and spoon system as recited in claim 7, wherein the spoon head bowl portion is wider than the fork head such that outer edges of outer ones of the tines do not extend beyond the spoon head bowl portion in the nested orientation.

9. (Original) A combination fork and spoon system as recited in claim 1, wherein the bowl portion of the spoon has a plurality of substantially flat side edges.

10. (Previously Presented) A combination fork and spoon system as recited in claim 9, wherein the plurality of substantially flat side edges comprises at least three substantially flat side edges with rounded corners therebetween.

11. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein a distal tip of the bowl portion of the spoon is positioned at an angle relative to the handle of the spoon.

12. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein:

the plurality of tines includes four tines including two inner tines and two outer tines;

the inner tines each have a pair of substantially straight and substantially parallel side edges and a pointed distal tip; and

the outer tines each include a curved outer edge and a pointed distal tip.

13. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein the tines include a pair of outer tines, wherein at least one of the outer tines has a chamfered outer edge.

14. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein the spoon handle is configured to be a splitter or a cutter.

15. (Original) A combination fork and spoon system as recited in claim 1, wherein the spoon handle is configured to be slid longitudinally through the fork guide portion with the spoon handle extending in parallel with the fork handle.

16. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein the fork guide portion comprises a pair of rails arranged to extend around at least a portion of opposing side edges of the spoon handle to help maintain alignment of the spoon and fork handles in both the nested and extended orientations.

17. (Original) A combination fork and spoon system as recited in claim 1, wherein opposing side edges of the spoon handle key into the fork guide portion to help maintain alignment of the spoon and fork handles in both the nested and extended orientations.

18. (Currently Amended) A combination fork and spoon system, comprising:

a fork including a fork head and a fork handle, the fork head end including a concave bowl portion, and a plurality of tines that include a pair of outer tines, each tine having a proximal base and a distal tip, wherein outer edge portions of the fork head are curved longitudinally wherein each outer edge portion of the fork head comprises an outer edge of a respective one of the outer tines such that the outer tines get progressively narrower towards their respective distal tips, the fork handle having a pair of spaced apart fork catch features and a guide portion, wherein a first one of the fork catch features is closer to a proximal end of the fork handle than a second one of the fork catch features; and

a spoon including a spoon head and a spoon handle, the spoon head including a concave bowl portion and the spoon handle including a spoon catch feature, wherein the spoon is configured to interlock with the fork in a nested orientation by sliding the spoon handle into the guide portion of the fork in a first direction, and wherein the spoon is configured to interlock with the fork in an extended orientation by sliding the spoon handle into the guide portion of the fork in a second direction, wherein the nested orientation and the extended orientation are two distinct orientations, wherein,

(i) in the nested orientation, the fork head and the spoon head are nested together, with the spoon catch feature engaging the first one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the nested orientation, and

(ii) in the extended orientation, the fork head and the spoon head extend in opposite directions with the spoon catch feature engaging the second one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the extended orientation; and**[[;]]**

wherein the spoon catch feature is configured to engage one of the fork catch features to help align the spoon and fork in a selected one of the orientations; and

wherein the fork and spoon are formed from a glass reinforced thermoplastic material.

19. (Previously Presented) A combination fork and spoon system as recited in claim 18, wherein a distal tip of the bowl portion of the spoon head is tilted at a first angle relative to the spoon handle, and a distal tip of the bowl portion of the fork head is tilted at a second angle relative to the fork handle.

20. (Previously Presented) A combination fork and spoon system as recited in claim 18, wherein:

the plurality of tines further include two inner tines each having a pair of substantially straight side edges;

an inner edge of each of the outer tines is substantially straight; and

the distal tip of each of the plurality of tines is pointed.

21. (Previously Presented) A combination fork and spoon system as recited in claim 18, wherein the spoon handle has a chamfered outer edge.

REMARKS

Claim 18

Claim 18 is amended to correct a typographical error.

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

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
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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.

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58766 7590 11/26/2019

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.
16/213,536	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D3	8074

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	02/26/2020

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)*

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☒ 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 November 27, 2019

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

Electronic Patent Application Fee Transmittal

Application Number:	16213536
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:	HMG1P008D3

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:	37875567
Application Number:	16213536
International Application Number:	
Confirmation Number:	8074
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:	HMG1P008D3
Receipt Date:	27-NOV-2019
Filing Date:	07-DEC-2018
Time Stamp:	11:09:38
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	E2019AQB10292700
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	HMG1P008D3_312_Amendment_Transmittal.pdf	21273 32c591168c3f01044bc8340ff75988e855d91f12	no	1
Warnings:					
Information:					
2		HMG1P008D3_312_Amendment.pdf	44571 9e5e8aa7eae3f82e0c1632acc02f00422714c8f0	yes	8

Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment after Notice of Allowance (Rule 312)	1	1
Claims	2	7
Applicant Arguments/Remarks Made in an Amendment	8	8

Warnings:					
Information:					
3	Issue Fee Payment (PTO-85B)	HMG1P008D3_IF_Pmt.pdf	91358 0f836f400184d0045a3f9ce5a903cb7948e498d3	no	1
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	31923 917010c9d79527cf9a2ea043cc4118b5a60f123e	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	189125		

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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.: HMG1P008D3
Application No.: 16/213,536	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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 27, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

AMENDMENT TRANSMITTAL

Mail Stop Issue Fee
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	21	MINUS	21	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. HMG1P008D3).

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

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 11/26/2019

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

EXAMINER
PRONE, JASON D

ART UNIT	PAPER NUMBER
3724	

DATE MAILED: 11/26/2019

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,536	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D3	8074

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	02/26/2020

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 11/26/2019

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.
16/213,536	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D3	8074

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	02/26/2020

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. _____

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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,536	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D3	8074

58766 7590 11/26/2019

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

EXAMINER	
PRONE, JASON D	

ART UNIT	PAPER NUMBER
3724	

DATE MAILED: 11/26/2019

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. 16/213,536	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 11-8-19.
   ☐ 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 1-21 . 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

Examiner-Initiated Interview Summary	Application No. 16/213,536	Applicant(s) MIKSOVSKY et al.	
	Examiner JASON D PRONE	Art Unit 3724	AIA (FITF) Status Yes

All participants (applicant, applicant's representative, PTO personnel):

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

(2) TINA CHEN. (4) _____.

Date of Interview: 20 November 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: 18.

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 language of claim 18. It was agreed that the current language is proper.

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of 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	

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,536	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

CPC - Searched*		
Symbol	Date	Examiner
A47G 21/06, 065, 04, 023	05/02/2019	/JP/

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
30	147-150, 322-328		
D7	643, 644, 653	05/02/2019	/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 CPC and USPC		
inventor search		
consulted parent cases. ODP not proper at this time	05/02/2019	/JP/
updated search	11/20/2019	/JP/

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
	entire listed search		
	EAST claim search	11/20/2019	

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,536	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)	21	
/Jason Daniel Prone/ Primary Examiner, Art Unit 3724	20 November 2019	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	4G and 5A

U.S. Patent and Trademark Office

Part of Paper No.: 20191120

Humangear, Inc. Ex. 2007, Page 31

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,536	MIKSOVSKY et al.
	Examiner	**Art Unit**
	JASON D PRONE	3724

INTERNATIONAL CLASSIFICATION				
CLAIMED				
A47G	/	21	/	06
A47G	/	21	/	02
A47G	/	21	/	04

NON-CLAIMED				
	/		/	

US ORIGINAL CLASSIFICATION	
CLASS	**SUBCLASS**

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

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	21	
/Jason Daniel Prone/ Primary Examiner, Art Unit 3724	20 November 2019	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	4G and 5A

U.S. Patent and Trademark Office — Part of Paper No.: 20191120

Humangear, Inc. Ex. 2007, Page 32

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,536	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		10		19										
	2		11		20										
	3		12		21										
	4		13												
	5		14												
	6		15												
	7		16												
	8		17												
	9		18												

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	21	
/Jason Daniel Prone/ Primary Examiner, Art Unit 3724	20 November 2019	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	4G and 5A

U.S. Patent and Trademark Office

Part of Paper No.: 20191120

Humangear, Inc. Ex. 2007, Page 33

AFCP 2.0 Decision	Application No.	Applicant(s)	
	16/213,536	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 08 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.

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,536	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	05/02/2019	09/11/2019	11/20/2019					
	1	÷	✓	=	=					
	2	÷	✓	=	=					
	3	÷	✓	=	=					
	4	÷	✓	=	=					
	5	÷	✓	✓	=					
	6	÷	✓	=	=					
	7	÷	✓	=	=					
	8	÷	✓	✓	=					
	9	÷	✓	=	=					
	10	÷	✓	=	=					
	11	÷	✓	=	=					
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	13	÷	✓	=	=					
	14	÷	✓	=	=					
	15	÷	✓	=	=					
	16	÷	✓	=	=					
	17	÷	✓	✓	=					
	18	÷	✓	✓	=					
	19	÷	✓	✓	=					
	20	÷	✓	✓	=					
	21	÷	✓	✓	=					

OK TO ENTER: /JDP/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D3
Application No.: 16/213,536	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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 8, 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 September 16, 2019, please amend the above-identified patent application as set 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.

Bibliographic Data

Application No: 16/213,536

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	HMG1P008D3
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

$2,905

Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D3
	Application No.:	16/213,536
	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
		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.						
	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 / No
	13.	102068177	05/25/11	CN			Abstract
	14.	2373000	04/12/00	CN			Abstract
	15.	2231889	07/31/96	CN			Abstract

Other Documents

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

Examiner	/Jason Daniel Prone/	Date Considered	11/20/2019

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/

To: USPTOmail@beyerlaw.com,,
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 58766

Nov 26, 2019 03:33:23 AM

Dear PAIR Customer:

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

The following USPTO patent application(s) associated with your Customer Number, 58766 , have new outgoing correspondence. This correspondence is now available for viewing in Private PAIR.

The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

Disclaimer:
The list of documents shown below is provided as a courtesy and is not part of the official file wrapper. The content of the images shown in PAIR is the official record.

Application	Document	Mailroom Date	Attorney Docket No.
16213536	NOA	11/26/2019	HMG1P008D3
	INTV.SUM.EX	11/26/2019	HMG1P008D3
	A.NE.AFCP.D	11/26/2019	HMG1P008D3
	1449	11/26/2019	HMG1P008D3

To view your correspondence online or update your email addresses, please visit us anytime at https://sportal.uspto.gov/secure/myportal/privatepair.

If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov with 'e-Office Action' on the subject line or call 1-866-217-9197 during the following hours:

Monday - Friday 6:00 a.m. to 12:00 a.m.

Thank you for prompt attention to this notice,

UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

Form 1449 (Modified)	Atty Docket No.	HMG1P008D3
	Application No.:	16/213,536
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	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.

Europäisches Patentamt
European Patent Office
Office européen des brevets

European Patent Office
80298 MUNICH
GERMANY

Questions about this communication ?
Contact Customer Services at www.epo.org/contact

Dehns
St. Bride's House
10 Salisbury Square
London EC4Y 8JD
ROYAUME UNI

Date
22.10.19

Reference	Application No./Patent No.
496.130244/03	18208165.3 - 1011 / 3488740
Applicant/Proprietor	
Humangear, Inc.	

Communication

The extended European search report is enclosed.

The extended European search report includes, pursuant to Rule 62 EPC, the European search report (R. 61 EPC) or the partial European search report/ declaration of no search (R. 63 EPC) and the European search opinion.

Copies of documents cited in the European search report are attached.

☑ 0 additional set(s) of copies of such documents is (are) enclosed as well.

The following have been approved:

☑ Abstract ☑ Title

☐ The Abstract was modified and the definitive text is attached to this communication.

The following figure(s) will be published together with the abstract: 6c

Refund of search fee
If applicable under Article 9 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.

Should you wish to further prosecute this application in the examination phase, your attention is drawn to the provisions of Rule 70a EPC. An invitation to respond to the extended European search report will be issued once the date of publication of the European search report has been mentioned in the European Patent Bulletin (R. 69(1), R. 70(2) EPC).

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Europäisches Patentamt
European Patent Office
Office européen des brevets

EUROPEAN SEARCH REPORT

Application Number
EP 18 20 8165

DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (IPC)
X Y	GB 22788 A A.D. 1914 (SYMMONDS ARTHUR EDWIN) 2 September 1915 (1915-09-02) * page 3, paragraph 7 - page 4, paragraph 1; figures *	1,2,4,5, 7-10 3,6	INV. A47G21/06
Y	WO 2013/095407 A1 (GADSDEN COFFEE COMPANY INC [US]; MCFARLAND DAVID B [US]) 27 June 2013 (2013-06-27) * paragraph [0057]; figure 16 *	3,13,14	
Y	US 5 904 250 A (DE SCHUTTER JEF [BE]) 18 May 1999 (1999-05-18) * page 2, lines 19-67; figures 8,9 *	6	
X	US 2 470 492 A (JENKINS ALBERT W) 17 May 1949 (1949-05-17) * column 2, line 11 - column 3, line 24; figures *	1-10	
X	WO 2005/030016 A1 (ROYAL COLLEGE OF ART [GB]; LAGO-ARENAS MARTA [GB]) 7 April 2005 (2005-04-07) * page 8, line 23 - page 13; figure 2 *	1-10	TECHNICAL FIELDS SEARCHED (IPC) A47G
X	US D 530 985 A (EVANS LYLE K [US]) 31 October 2006 (2006-10-31) * column 1; figures *	11-19	
X Y	US D 535 857 A (BRISTOW MICHAEL M [US]) 30 January 2007 (2007-01-30) * the whole document *	11,12, 16-19 13,14	
X	US 849 098 A (AUFRICHTIG CHARLES G [US]) 2 April 1907 (1907-04-02) * figures *	11-19	
X	US D 633 344 A (NORDWALL JOACHIM [SE]) 1 March 2011 (2011-03-01) * the whole document *	11-19	

The present search report has been drawn up for all claims

Place of search	Date of completion of the search	Examiner
The Hague	6 September 2019	Van Bastelaere, Tiny

CATEGORY OF CITED DOCUMENTS

X : particularly relevant if taken alone
Y : particularly relevant if combined with another document of the same category
A : technological background
O : non-written disclosure
P : intermediate document

T : theory or principle underlying the invention
E : earlier patent document, but published on, or after the filing date
D : document cited in the application
L : document cited for other reasons

& : member of the same patent family, corresponding document

EPO FORM 1503 03.82 (P04C01)

CLAIMS INCURRING FEES

The present European patent application comprised at the time of filing claims for which payment was due.

☐ Only part of the claims have been paid within the prescribed time limit. The present European search report has been drawn up for those claims for which no payment was due and for those claims for which claims fees have been paid, namely claim(s):

☐ No claims fees have been paid within the prescribed time limit. The present European search report has been drawn up for those claims for which no payment was due.

LACK OF UNITY OF INVENTION

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

see sheet B

☒ All further search fees have been paid within the fixed time limit. The present European search report has been drawn up for all claims.

☐ As all searchable claims could be searched without effort justifying an additional fee, the Search Division did not invite payment of any additional fee.

☐ Only part of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the inventions in respect of which search fees have been paid, namely claims:

☐ None of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the invention first mentioned in the claims, namely claims:

☐ The present supplementary European search report has been drawn up for those parts of the European patent application which relate to the invention first mentioned in the claims (Rule 164 (1) EPC).

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

1. claims: 1-10

An eating utensil with a spoon and a fork bowl extending in the same direction

---

2. claims: 11-19

An eating utensil comprising a handle with a fork head at a first end and a spoon head at a second end.

ANNEX TO THE EUROPEAN SEARCH REPORT ON EUROPEAN PATENT APPLICATION NO. EP 18 20 8165

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

06-09-2019

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
GB 191422788 A	02-09-1915	NONE	
WO 2013095407 A1	27-06-2013	NONE	
US 5904250 A	18-05-1999	AT 159847 T	15-11-1997
		CA 2175357 A1	04-05-1995
		DE 9316566 U1	27-01-1994
		EP 0725586 A1	14-08-1996
		ES 2110778 T3	16-02-1998
		HU 214461 B	30-03-1998
		PL 314130 A1	19-08-1996
		US 5904250 A	18-05-1999
		WO 9511609 A1	04-05-1995
US 2470492 A	17-05-1949	NONE	
WO 2005030016 A1	07-04-2005	AT 362338 T	15-06-2007
		AU 2004275568 A1	07-04-2005
		CN 1856267 A	01-11-2006
		DE 602004006524 T2	27-12-2007
		EP 1670341 A1	21-06-2006
		US 2007079513 A1	12-04-2007
		WO 2005030016 A1	07-04-2005
US D530985 A	31-10-2006	----------	
US D535857 A	30-01-2007	----------	
US 849098 A	02-04-1907	NONE	
US D633344 A	01-03-2011	----------	

For more details about this annex : see Official Journal of the European Patent Office, No. 12/82

The examination is being carried out on the **following application documents**

Description, Pages

1-18 as originally filed

Claims, Numbers

1-19 as originally filed

Drawings, Sheets

1/24-24/24 as originally filed

0. Reference is made to the following documents; the numbering will be adhered to in the rest of the procedure.

D1 GB 22788 A A.D. 1914 (SYMMONDS ARTHUR EDWIN) 2 September 1915 (1915-09-02)

D2 WO 2013/095407 A1 (GADSDEN COFFEE COMPANY INC [US]; MCFARLAND DAVID B [US]) 27 June 2013 (2013-06-27)

D3 US 5 904 250 A (DE SCHUTTER JEF [BE]) 18 May 1999 (1999-05-18)

****

1. The application lacks unity within the meaning of Article 82 EPC for the following reasons:

There are 2 inventions claimed in the present international application, covered by the following groups of claims:

Group 1: Independent claim 1 and dependent claims 2-10: An eating utensil with a spoon and a fork bowl extending in the same direction

Group 2: Independent claims 11 and dependent claims 12-19: An eating utensil comprising a handle with a fork head at a first end and a spoon head at a second end.

It is considered that the application does not comply with the requirement of unity of invention (Art. 82 EPC) for the reasons indicated below.

The definitions of the different (groups of) claimed inventions are only intended to identify said inventions in a concise manner. They may well, as such, comprise terms or generalisations which upon a close analysis could be found to extend the defined subject-matter beyond the contents of the applications as filed.

The common features of the independent claims are

An eating utensil comprising

*a spoon head including a bowl portion

*a fork head including a plurality of tines, of which the outer edges of the outer tines are curved

*a handle

The special technical features of the first group of claims are thus the handle connecting the fork head with the spoon head and the fork head comprising a fork bowl portion and the spoon and fork bowl are extending in the same direction.

The special technical features of the second group of claims are thus that the handle is integrally formed with the fork head at a first end and a spoon head at a second end.

The reasons for which the inventions are not so linked as to form a single general inventive concept, as required by The EPC, are as follows:

The first group of claims tries to solve a problem of connecting in a space efficient way a separate fork and a separate spoon together.

The special technical features solving this first problem define the first invention.

The second group of claims tries to solve a problem of integrating in one handle of cutlery a spoon and a fork.

The special technical features solving this second problem define the first invention.

The two groups of claims exist independently of each other, one invention without the corresponding technical features of the other invention and vice versa, meaning there are no same or corresponding special technical features in the two inventions.

Furthermore, since the subject-matter of claim 1 lacks novelty with respect to D1 (see below), there cannot be same or corresponding technical features.

Since no same or corresponding special technical features can be found in the two groups of claims, therefore, no technical relationship can be found between the inventions based on same or corresponding special technical features.The groups of claims define different inventions not linked by a single general inventive concept.

The application, hence does not meet the requirements of unity of invention.

2. **Amendments Divisional Application, Article 76 (1) EPC.**

2.1 A European divisional application shall be filed directly with the European Patent Office in accordance with the Implementing Regulations. It may be filed only in respect of subject-matter which does not extend beyond the content of the earlier application as filed

2.2 The claims filed with the current application introduce subject-matter which extends beyond the content of the earlier (parent) application EP15710387, as filed, contrary to Article 76 (1) EPC.

Examples of subject-matter extending beyond are the following:

The features

'outer tines get progressively narrower',

'the concave bowl portion of the spoon facing in the same direction as the concave bowl portion of the fork head'

'the fork head includes a concave fork bowl portion'

are features that where not originally disclosed.

2.3 Intermediate Generalisation (Guidelines H-V 3.2.1)

Extracting a specific feature in isolation from an originally disclosed combination of features and using it to delimit claimed subject-matter may be allowed only if there is no structural and functional relationship between the features.

Certain features are presented as linked or related and as such essential in the disclosure of the invention and indispensable as such for the function of the invention in the light of the technical problem which it seeks to solve. Deletion of these features introduces subject-matter which extends beyond the content of the application as filed, contrary to Article 76 (1) EPC.

The features of the current claim 1 of the current application are considered to be an intermediate generalisation.

E.g. in the parent application, the following related or functionally linked features are essential and missing:

*how this concave fork bowl portion is to be made *('the curved edges 145 follow the curvature of a curved container, such as a bowl (§39)'....*

*how this cutting feature is to be achieved *'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 (§73)' wherein 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 tapering to a point where the handle is connected to the head portion (claim 14).*

*different essential features relating to the connection of the handle to the spoon head and the fork head are essential and missing, since a connection can be interpreted in many other ways then those disclosed by the parent application.

etcetera

In the current claim these related, linked features are not comprised, so that many other embodiments, extending beyond the original scope are included in the scope of the current application.

The general support of the drawings and description has not been found to be a sufficient basis for these amendments.

1.4 At least some of the objections raised above are such thatif no amendments are made to clearly differentiate claim 1 from the prior art, **refusal of the application under Article 97(1) EPC is to be expected.**

2. Due to the above objections, no final opinion can be given with respect to novelty or inventive step of the whole of the inventive subject-matter.

However, we draw your attention to the comments here below, given, without prejudice, on the claims as far as they could be interpreted.

******

INVENTION 1: Independent claim 1 and dependent claims 2-10

3. The present application does not meet the requirements of Article 52(1) EPC because the subject-matter of **claims 1, 2, 4-9** is **not new** within the meaning of Article 54(1) and (2) EPC.

3.1 Independent claim 1:

D1, which is considered to represent the closest prior art, discloses (see figures) an eating utensil comprising a spoon head (C), a fork head (B) and a handle (handle 2-6) that connects the spoon head to the fork head (see figure 4), 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 (see figure 5);
at least one of the outer tines has a cutting feature along at least a portion of its outer edge (the thickness of the tine can be regarded as a cutting feature, e,g. suitable for cutting soft food like a piece of cake); 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 (see figure 4).

Hence the subject-matter of **claim 1 isnot novel** in the sense of Article 54 EPC.

3.2 Dependent claims 2, 4, 5, 7-9:

D1 even so discloses the features of:

Claims 2,4: see figures 1 and 4

Claims 5,7: see figure 4, in which the continuous side edge of the spoon can be regarded as a endless amount of flat side edges with rounded corners there between.

Claims 8,9: see figure 5

4. The present application does not meet the requirements of Article 52(1) EPC, because the subject-matter of **claims 3, 6 and 10** does **not** involve an **inventive** step in the sense of Article 56 EPC.

4.1 Claim 3: The features of this claim have already been employed for the same purpose in an eating utensil, see document D2, §57, figure 16. It would therefore be obvious to the person skilled in the art, to apply these features with corresponding effect to an eating utensil according to document D1, thus arriving at an eating utensil according to claim 3.

4.2 Claim 6: The features of this claim have already been employed for the same purpose in an eating utensil, see document D3, figures 7 and 8 and column 2, lines 19-67. It would therefore be obvious to the person skilled in the art, to apply these features with corresponding effect to an eating utensil according to document D1, thus arriving at an eating utensil according to claim 6.

4.3 Dependent **claim 10** does not seem to involve an inventive step because it refers to features which are generally known or which come within the scope of customary practice of a person skilled in the art.

5. It is not at present apparent which part of the application could serve as a basis for a new, allowable claim.

6. Should the applicant nevertheless regard some particular matter as patentable, an independent claim should be filed in the two-part form in accordance with Rule 43(1) EPC, with those features known in combination from the prior art D1 being placed in the preamble (Rule 43(1)(a) EPC). D1 and D2 should be identified in the description and the document which discloses the preamble of claim 1 should be identified.

7. The features of the claims should be provided with reference signs placed in parentheses to increase the intelligibility of the claims (Rule 43(7) EPC).

8. Care should be taken during revision, especially of the introductory portion and any statements of problem or advantage, not to add subject-matter which extends beyond the content of the application as originally filed (Article 123(2) EPC).

9. D1 should be identified in the description and the document which discloses the preamble of claim 1 should be identified and the invention as claimed should be disclosed in the description (Rule 42 EPC).

10. In order to comply with the requirements of Rule 137(4) EPC, the applicant should clearly identify the amendments made, irrespective of whether they concern amendments by addition, replacement or deletion, and indicate the passages of the application as filed on which these amendments are based (see Guidelines H III 2.2).

These indications could be submitted in handwritten form on a copy of the relevant parts of the application as filed.

****

INVENTION 2: Independent claims 11 and dependent claims 12-19

00. Reference is made to the following documents; the numbering will be adhered to in the rest of the procedure.

D4: USD530985S

11. Amendments Divisional Application, Article 76 (1) EPC.

11.1 A European divisional application shall be filed directly with the European Patent Office in accordance with the Implementing Regulations. It may be filed only in respect of subject-matter which does not extend beyond the content of the earlier application as filed.

11.2 The claims filed with the current application introduce subject-matter which extends beyond the content of the earlier (parent) application EP15710387, as filed, contrary to Article 76 (1) EPC.

Examples of subject-matter extending beyond are the following:

The features

"the spoon head portion has a substantially five-sided bowl portion"

are features that where not originally disclosed.

11.3 Intermediate Generalisation (Guidelines H-V 3.2.1)

Extracting a specific feature in isolation from an originally disclosed combination of features and using it to delimit claimed subject-matter may be allowed only if there is no structural and functional relationship between the features.

Certain features are presented as linked or related and as such essential in the disclosure of the invention and indispensable as such for the function of the invention in the light of the technical problem which it seeks to solve. Deletion of these features introduces subject-matter which extends beyond the content of the application as filed, contrary to Article 76 (1) EPC.

The features of the current **claim 11** of the current application are considered to be an intermediate generalisation.

E.g. in the parent application, the following related or functionally linked features:

* *"The handle 210 is positioned laterally between a spoon 220 on one end and a fork 240 on the other end"*

* *"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" (§75)

etcetera

are essential and missing, since the as currently claimed *'handle portion integrally formed with..'* can be interpreted in many other ways then as disclosed by the parent application.

In the current claim these related, linked features are not comprised, so that many other embodiments, extending beyond the original scope are included in the scope of the current application.

The general support of the drawings and description has not been found to be a sufficient basis for these amendments.

At least some of the objections raised above are such that if no amendments are made to clearly differentiate claim 1 from the prior art, **refusal of the application under Article 97(1) EPC is to be expected.**

Due to the above objections, no final opinion can be given with respect to novelty or inventive step of the whole of the inventive subject-matter.

However, we draw your attention to the comments here below, given, without prejudice, on the claims as far as they could be interpreted.

12. The present application does not meet the requirements of Article 52(1) EPC because the subject-matter of **claims 11,16-19** is **not new** within the meaning of Article 54(1) and (2) EPC.

12.1 Independent claim 11:

D4, which is considered to represent the closest prior art, discloses (see figures) 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.

Hence the subject-matter of **claim 11 is not novel** in the sense of Article 54 EPC.

12.2 Dependent claims 11,12 and 16-19:

D1 even so discloses the features of:

Claim 12: the thickness of the tine can be regarded as a cutting feature, e,g. suitable for cutting soft food like a piece of cake

Claims 16-19: see figures, in which the continuous side of the spoon can be regarded as a endless amount (and thus 5or more) of flat side edges with rounded corners there between.

13. The present application does not meet the requirements of Article 52(1) EPC, because the subject-matter of **claims 13-15** does **not** involve an **inventive** step in the sense of Article 56 EPC.

13.1 Claim 13: The features of this claim have already been employed for the same purpose in an eating utensil, see document D2, §57, figure 16. It would therefore be obvious to the person skilled in the art, to apply these features with corresponding effect to an eating utensil according to document D1, thus arriving at an eating utensil according to claim 13.

13.2 Dependent **claim 14 and 15** does not seem to involve an inventive step because it refers to features which are generally known or which come within the scope of customary practice of a person skilled in the art.

14. It is not at present apparent which part of the application could serve as a basis for a new, allowable claim.

15. Should the applicant nevertheless regard some particular matter as patentable, an independent claim should be filed in the two-part form in accordance with Rule 43(1) EPC, with those features known in combination from the prior art D1 being placed in the preamble (Rule 43(1)(a) EPC). D1 and D2 should be identified in the description and the document which discloses the preamble of claim 1 should be identified.

16. The features of the claims should be provided with reference signs placed in parentheses to increase the intelligibility of the claims (Rule 43(7) EPC).

17. Care should be taken during revision, especially of the introductory portion and any statements of problem or advantage, not to add subject-matter which extends beyond the content of the application as originally filed (Article 123(2) EPC).

18. D1 should be identified in the description and the document which discloses the preamble of claim 1 should be identified and the invention as claimed should be disclosed in the description (Rule 42 EPC).

19. In order to comply with the requirements of Rule 137(4) EPC, the applicant should clearly identify the amendments made, irrespective of whether they concern amendments by addition, replacement or deletion, and indicate the passages of the application as filed on which these amendments are based (see Guidelines H III 2.2).

These indications could be submitted in handwritten form on a copy of the relevant parts of the application as filed.

Information on Search Strategy - Pilot phase (see OJ 2015, A86)
The type of information contained in this sheet may change during the pilot for improving the usefulness of this new service.

Application Number
EP 18 20 8165

TITLE: EATING UTENSIL SYSTEM

APPLICANT: Humangear, Inc.

IPC CLASSIFICATION: A47G21/06

EXAMINER: Van Bastelaere, Tiny

CONSULTED DATABASES: WPI

CLASSIFICATION SYMBOLS DEFINING EXTENT OF THE SEARCH:

IPC:

CPC: A47G21/06

FI/F-TERMS:

KEYWORDS OR OTHER ELEMENTS FEATURING THE INVENTION:

EPO FORM P04A42

Electronic Patent Application Fee Transmittal

Application Number:	16213536
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:	HMG1P008D3

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:	37830494
Application Number:	16213536
International Application Number:	
Confirmation Number:	8074
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:	HMG1P008D3
Receipt Date:	22-NOV-2019
Filing Date:	07-DEC-2018
Time Stamp:	13:47:33
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	E2019ALD47537898
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	HMG1P008D3_IDS_6.pdf	26810 6792294269 65b1da209b9fa6368d1a6b619f0e5d	no	2
Warnings:					
Information:					
2	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D3_1449_6.pdf	23697 ed339150aac9fb51c982b2ac70c266d1e305f589	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
3	Non Patent Literature	HMG1P008EPD3_ESSR_102219.pdf	1643922 e437e18f3f555b1462929f3cd461caf60e233d56	no	17
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30261 ecd282683baff7cc497847019736d51f0015af72	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1724690		

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.: HMG1P008D3
Application No.: 16/213,536	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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.

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. HMG1P008D3).

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
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,536	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D3	8074

58766 7590 11/14/2019

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
11/14/2019	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.** 16/213,536	**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: 08 November 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: 17-18.

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 language to overcome the rejections.

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.

To: USPTOmail@beyerlaw.com,,
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 58766

Nov 14, 2019 03:39:07 AM

Dear PAIR Customer:

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

The following USPTO patent application(s) associated with your Customer Number, 58766 , have new outgoing correspondence. This correspondence is now available for viewing in Private PAIR.

The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

Disclaimer:
The list of documents shown below is provided as a courtesy and is not part of the official file wrapper. The content of the images shown in PAIR is the official record.

Application	Document	Mailroom Date	Attorney Docket No.
16213536	INTV.SUM.APP	11/14/2019	HMG1P008D3

To view your correspondence online or update your email addresses, please visit us anytime at https://sportal.uspto.gov/secure/myportal/privatepair.

If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov with 'e-Office Action' on the subject line or call 1-866-217-9197 during the following hours:

Monday - Friday 6:00 a.m. to 12:00 a.m.

Thank you for prompt attention to this notice,

UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D3
Application No.: 16/213,536	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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 8, 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 September 16, 2019, please amend the above-identified patent application as set 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.

Humangear, Inc. Ex. 2007, Page 70

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

Listing of Claims:

1. (Previously Presented) A combination fork and spoon system, comprising:

a fork including a fork head and a fork handle, the fork head end including a plurality of tines, the fork handle having a pair of spaced apart fork catch features and a guide portion, wherein a first one of the fork catch features is closer to a proximal end of the fork handle than a second one of the fork catch features; and

a spoon including a spoon head and a spoon handle, the spoon head including a bowl portion and the spoon handle including a spoon catch feature, wherein the spoon handle is configured to interlock with the fork handle in two distinct orientations with the spoon handle inserted into the guide portion of the fork in two different ways, the two distinct orientations including a nested orientation and an extended orientation, wherein,

in the nested orientation, the fork head and the spoon head are nested together, with the spoon catch feature engaging the first one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the nested orientation, and

in an extended orientation, the fork head and the spoon head extend in opposite directions with the spoon catch feature engaging the second one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the extended orientation.

2. (Original) A combination fork and spoon system as recited in claim 1, wherein the fork and spoon are formed from a thermoplastic material.

3. (Original) A combination fork and spoon system as recited in claim 2, wherein the thermoplastic material is a glass filled nylon.

4. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein:

the first one of the fork catch features is arranged to engage the spoon catch feature when the spoon and fork are coupled in the nested orientation, but not when the spoon and fork are coupled in the extended orientation; and

the second one of the fork catch features is arranged to engage the spoon catch feature when the spoon and fork are coupled in the extended orientation, but not when the spoon and fork are coupled in the nested orientation.

5. (Currently Amended) A combination fork and spoon system as recited in claim 1, wherein the fork head includes a concave bowl portion, wherein the spoon head ~~concave~~ bowl portion and the fork head concave bowl portion~~s~~ both face in a same direction in the nested orientation.

6. (Original) A combination fork and spoon system as recited in claim 1, wherein at least one of the tines on an outer edge of the fork head has a splitting feature.

7. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein none of distal tips of the tines extends longitudinally beyond a distal tip of an outer edge of the spoon head bowl portion when the fork and spoon are in the nested orientation.

8. (Currently Amended) A combination fork and spoon system as recited in claim 7, wherein the spoon head bowl portion is wider than the fork head such that outer edges of outer **ones of the** tines do not extend beyond the spoon head bowl portion in the nested orientation.

9. (Original) A combination fork and spoon system as recited in claim 1, wherein the bowl portion of the spoon has a plurality of substantially flat side edges.

10. (Previously Presented) A combination fork and spoon system as recited in claim 9, wherein the plurality of substantially flat side edges comprises at least three substantially flat side edges with rounded corners therebetween.

11. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein a distal tip of the bowl portion of the spoon is positioned at an angle relative to the handle of the spoon.

12. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein:

the plurality of tines includes four tines including two inner tines and two outer tines;

the inner tines each have a pair of substantially straight and substantially parallel side edges and a pointed distal tip; and

the outer tines each include a curved outer edge and a pointed distal tip.

13. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein the tines include a pair of outer tines, wherein at least one of the outer tines has a chamfered outer edge.

14. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein the spoon handle is configured to be a splitter or a cutter.

15. (Original) A combination fork and spoon system as recited in claim 1, wherein the spoon handle is configured to be slid longitudinally through the fork guide portion with the spoon handle extending in parallel with the fork handle.

16. (Previously Presented) A combination fork and spoon system as recited in claim 1, wherein the fork guide portion comprises a pair of rails arranged to extend around at least a portion of opposing side edges of the spoon handle to help maintain alignment of the spoon and fork handles in both the nested and extended orientations.

17. (Original) A combination fork and spoon system as recited in claim 1, wherein opposing side edges of the spoon handle key into the fork guide portion to help maintain alignment of the spoon and fork handles in both the nested and extended orientations.

18. (Currently Amended) A combination fork and spoon system, comprising:

a fork including a fork head and a fork handle, the fork head end including a concave bowl portion, and a plurality of tines that include a pair of outer tines, each tine having a proximal base and a distal tip, wherein outer edge portions of the fork head are curved longitudinally**[[.]]** wherein each outer edge portion of the fork head comprises an outer edge of ~~**an**~~ **a respective one of the** outer tine**s** such that the outer tines get progressively narrower towards their respective distal tips, the fork handle having a pair of spaced apart fork catch features and a guide portion, wherein a first one of the fork catch features is closer to a proximal end of the fork handle than a second one of the fork catch features; and

a spoon including a spoon head and a spoon handle, the spoon head including a concave bowl portion and the spoon handle including a spoon catch feature, wherein the spoon is configured to interlock with the fork in a nested orientation by sliding the spoon handle into the guide portion of the fork in a first direction, and wherein the spoon is configured to interlock with the fork in an extended orientation by sliding the spoon handle into the guide portion of the fork in a second direction, wherein the nested orientation and the extended orientation are two distinct orientations, wherein,

(i) in the nested orientation, the fork head and the spoon head are nested together, with the spoon catch feature engaging the first one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the nested orientation, and

(ii) in the extended orientation, the fork head and the spoon head extend in opposite directions with the spoon catch feature engaging the second one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the extended orientation; and;

~~**wherein either the fork handle catch features comprise two detents and the spoon handle catch feature comprises a projection or the fork handle catch features comprise two projections and the spoon handle catch feature comprises a detent,**~~ wherein **[[a]]** **the** ~~**projection**~~ **spoon catch feature** is configured to engage ~~**a detent**~~ **one of the fork catch features** to help align the spoon and fork in a selected one of the orientations; and

wherein the fork and spoon are formed from a glass reinforced thermoplastic material.

19. (Previously Presented) A combination fork and spoon system as recited in claim 18, wherein a distal tip of the bowl portion of the spoon head is tilted at a first angle relative to the

spoon handle, and a distal tip of the bowl portion of the fork head is tilted at a second angle relative to the fork handle.

20. (Currently Amended) A combination fork and spoon system as recited in claim 18, wherein:

the plurality of tines further include two inner tines each having a pair of **substantially** straight ~~**and parallel**~~ side edges;

an inner edge of each of the outer tines is **substantially** straight ~~**and parallel to the side edges of the inner tines**~~; and

the distal tip of each of the plurality of tines is pointed.

21. (Previously Presented) A combination fork and spoon system as recited in claim 18, wherein the spoon handle has a chamfered outer edge.

REMARKS

A telephone interview was held on October 29, 2019 between Examiner Jason Prone and Applicant's Representative, Tina Chen. The Section 112 rejections were discussed and the Examiner provided suggested amendments to overcome the rejections. Applicant's Representative agreed to file a response with the suggested amendments.

Allowable Subject Matter

Applicant notes with appreciation that Claims 1-4, 6, 7, and 9-16 are allowed, and that Claims 5, 8, and 17 would be allowable if rewritten to overcome the Section 112 rejections and to include all of the limitations of the base claim and any intervening claims.

Drawings

Claim 18 has been amended to delete the recitation of the fork handle with two projections and the spoon handle with a detent. With this amendment, the objection to the drawings is now moot.

Rejections Under 35 U.S.C. §112

Claims 18-21 are rejected under 35 U.S.C. §112(a) as failing to comply with the written description requirement. Claims 5, 8, and 17-21 are rejected under 35 U.S.C. §112(b) as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor regards as the invention.

Claim 17 has not been amended in accordance with the Examiner's suggestions because Claim 17 depends from Claim 1, which does not recite a pair or rails but rather a fork guide feature. Applicants note that the claims, as amended, are now allowable as the other claims have all been amended in accordance with the Examiner's suggestions to overcome the Section 112 rejections.

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

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:
HMG1P008D3	16/213,536	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 8, 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.

Electronic Acknowledgement Receipt

EFS ID:	37699058
Application Number:	16213536
International Application Number:	
Confirmation Number:	8074
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:	HMG1P008D3
Receipt Date:	08-NOV-2019
Filing Date:	07-DEC-2018
Time Stamp:	14:08:40
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	HMG1P008D3_Amendment_B_Transmittal.pdf	21372 051e4bcca5159dea9d5125c4cdecdf6198c5bf8d	no	1

Warnings:

Information:					
2		HMG1P008D3_Amendment_B_FINAL.pdf	51496 a4415fc06e9592c6fd83d94fe1f59462606e1c86	yes	9
	Multipart Description/PDF files in .zip description				
	Document Description		**Start**	**End**	
	Response After Final Action		1	1	
	Claims		2	7	
	Applicant Arguments/Remarks Made in an Amendment		8	9	
Warnings:					
Information:					
3	After Final Consideration Program Request	HMG1P008D3_AFCP_Pilot_Program_Form.pdf	226645 96cf1f272fadcf8c9ef86c619421beb2645ba74a	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	299513		

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.: HMG1P008D3
Application No.: 16/213,536	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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 8, 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	21	MINUS	21	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. HMG1P008D3).

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

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.
16/213,536	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D3	8074

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.** 16/213,536	**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: 18.

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 language to overcome the rejection..

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.

To: USPTOmail@beyerlaw.com,,
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 58766

Nov 04, 2019 03:48:51 AM

Dear PAIR Customer:

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

The following USPTO patent application(s) associated with your Customer Number, 58766 , have new outgoing correspondence. This correspondence is now available for viewing in Private PAIR.

The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

Disclaimer:
The list of documents shown below is provided as a courtesy and is not part of the official file wrapper. The content of the images shown in PAIR is the official record.

Application	Document	Mailroom Date	Attorney Docket No.
16213536	INTV.SUM.APP	11/04/2019	HMG1P008D3

To view your correspondence online or update your email addresses, please visit us anytime at https://sportal.uspto.gov/secure/myportal/privatepair.

If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov with 'e-Office Action' on the subject line or call 1-866-217-9197 during the following hours:

Monday - Friday 6:00 a.m. to 12:00 a.m.

Thank you for prompt attention to this notice,

UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D3
	Application No.:	16/213,536
	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
		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.						
	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 / No
	13.	102068177	05/25/11	CN			Abstract
	14.	2373000	04/12/00	CN			Abstract
	15.	2231889	07/31/96	CN			Abstract

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	16.	Chinese Office Action dated August 2, 2019 from Chinese Application No. 201810024557.7.
	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:	16213536
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:	HMG1P008D3

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:	37213973
Application Number:	16213536
International Application Number:	
Confirmation Number:	8074
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:	HMG1P008D3
Receipt Date:	19-SEP-2019
Filing Date:	07-DEC-2018
Time Stamp:	16:54:13
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	E20199IG55373172
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	Foreign Reference	CN_2231889Y.pdf	691200 aa8eef5b8055a370cd25a7516523bb669a48d6d8	no	7
Warnings:					
Information:					
2	Foreign Reference	CN_2373000Y.pdf	430612 2ffebb805fdc83f2d1662714ce894b8311567a54	no	6
Warnings:					
Information:					
3	Foreign Reference	CN_102068177A.pdf	265376 4a247580b079947f7f5d529829b294034bcd5d69	no	5
Warnings:					
Information:					
4	Non Patent Literature	HMG1P008CND2_OA_8_2_19.pdf	1023595 ebfb99c041ab61ebc4b850e59be231d171a64276	no	12
Warnings:					
Information:					
5	Transmittal Letter	HMG1P008D3_IDS_5.pdf	25888 eb76697ceef16f50b6c4cd25612679bee946c296	no	2
Warnings:					
Information:					
6	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D3_1449_5.pdf	23503 73b30ce01d1f2361a88734cf3f2b191be2ad7d55	no	1
Warnings:					
Information:					

This is not an USPTO supplied IDS fillable form					
7	Fee Worksheet (SB06)	fee-info.pdf	30261 abba40dbc68416dbc0563edb6520fe505a483418	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	2490435	

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

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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.

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]

[45]授权公告日 1996 年 7 月 31 日

A47G 21/06

[22]申请日 95.2.13 [24]颁证日 96.6.2

[21]申请号 95203024.1

[73]专利权人 赵义雄

地址 台湾省桃园市镇四街38之3号

[72]设计人 赵义雄

[74]专利代理机构 厦门市专利事务所

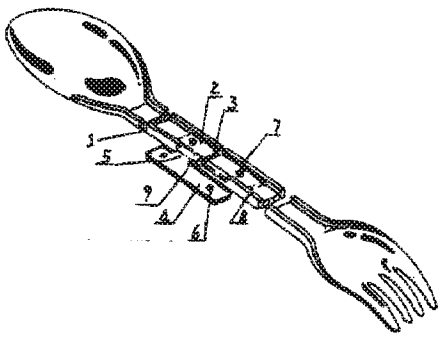
代理人 黄一敏

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６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１５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

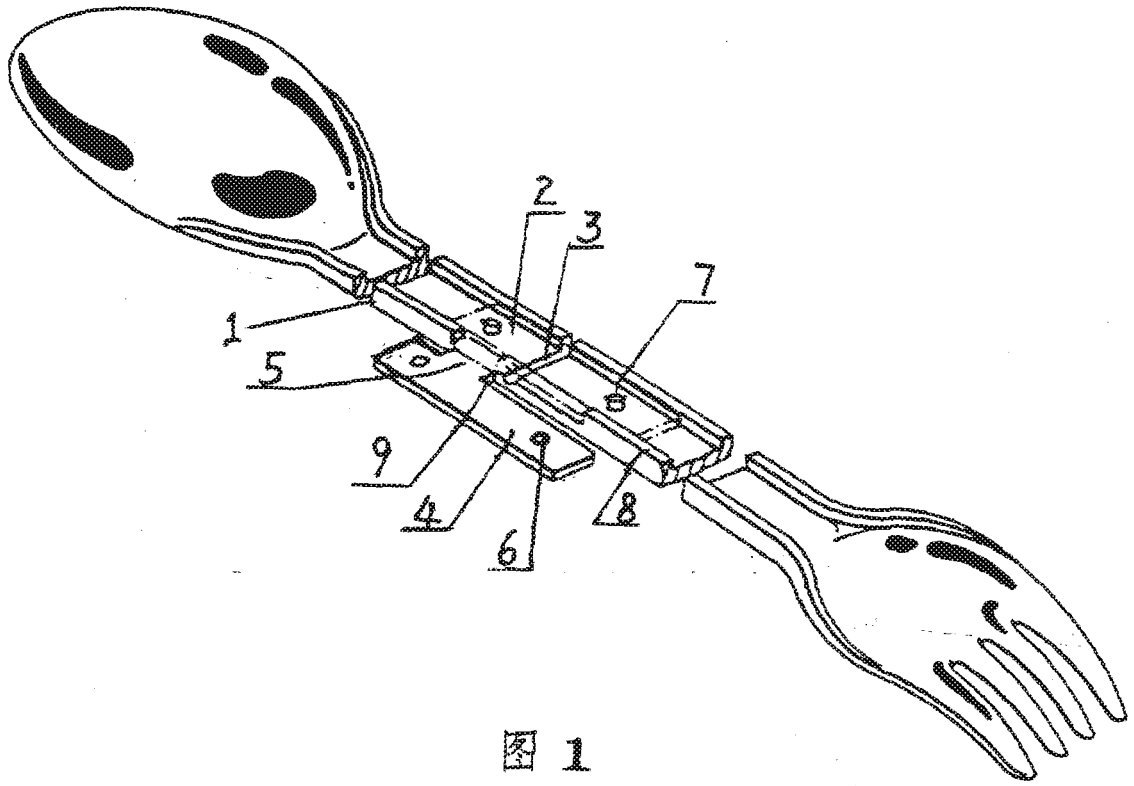


图 1

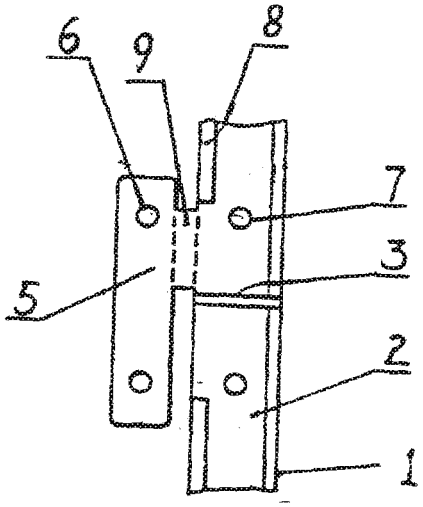


图 2

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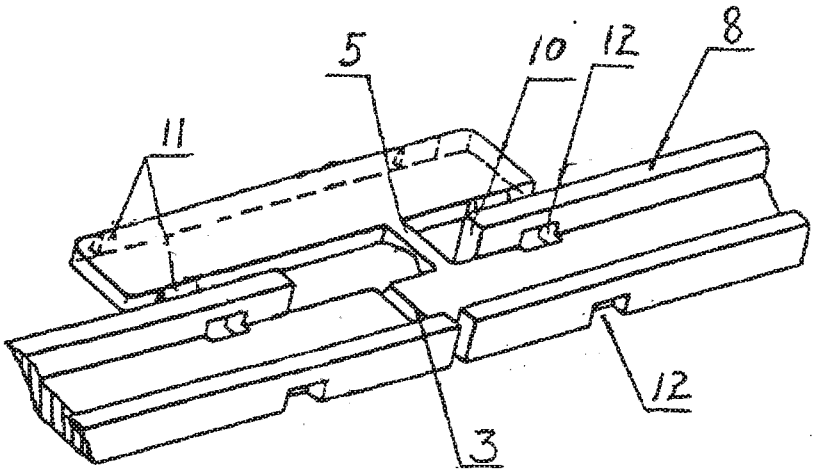


图 3

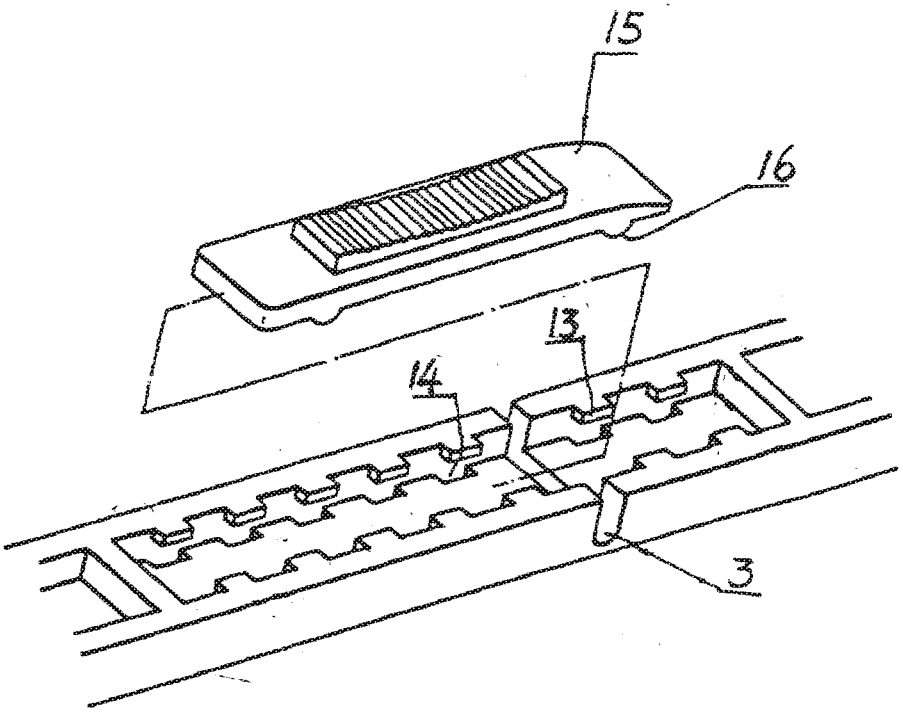


图 4

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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

[21]申请号 99212592.8

[73]专利权人 马艳艳

地址 450003 河南省郑州市纬五路 47 号石磊转

共同专利权人 石 磊 黄江平 詹 瑄
张旭东

[72]设计人 马艳艳 黄江平 詹 瑄
张旭东 石 磊 朱子信

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。



ISSN1008-4274

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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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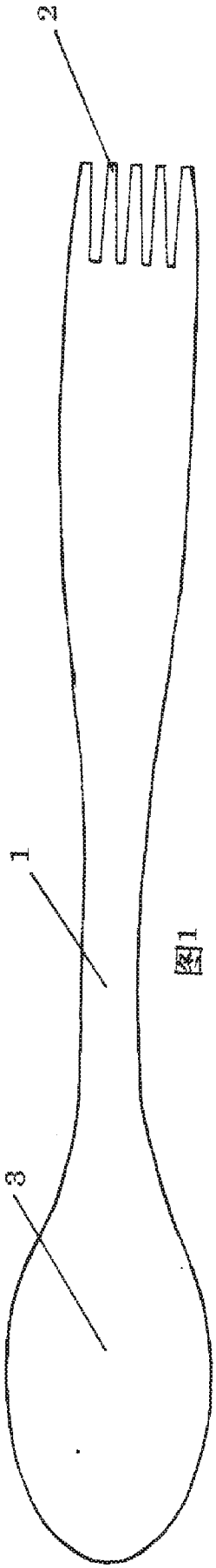


图1

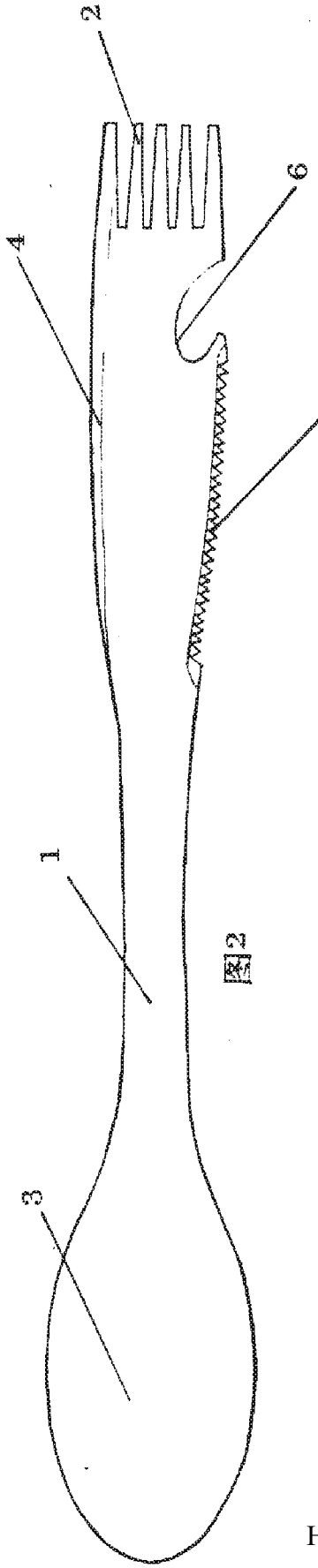


图2

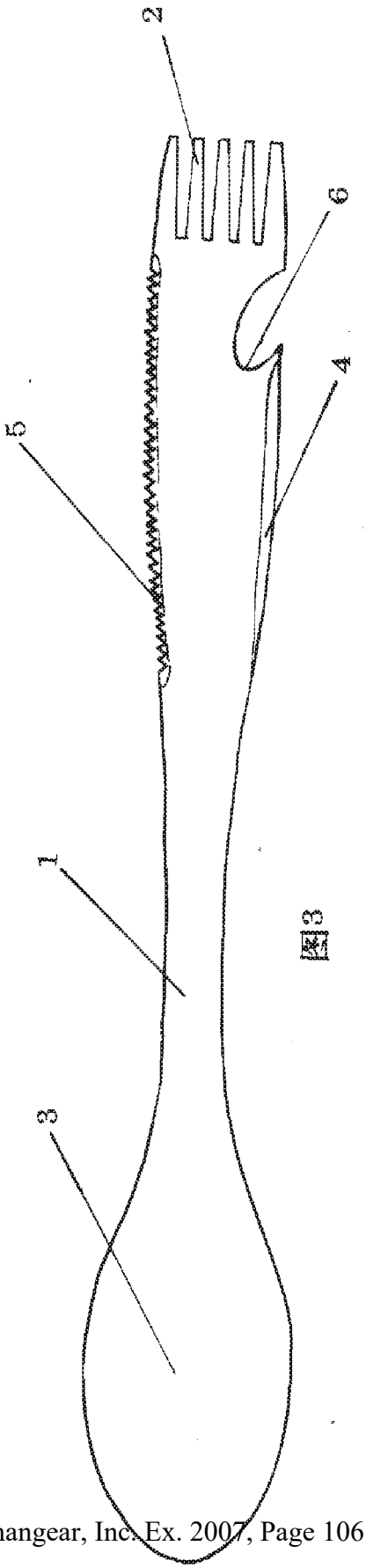


图3

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

(10)申请公布号 CN 102068177 A
(43)申请公布日 2011.05.25

(21)申请号 200910225112.6

(22)申请日 2009.11.23

(71)申请人 赵广山
地址 452370 河南省新密市溱水路文物保管所

(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。

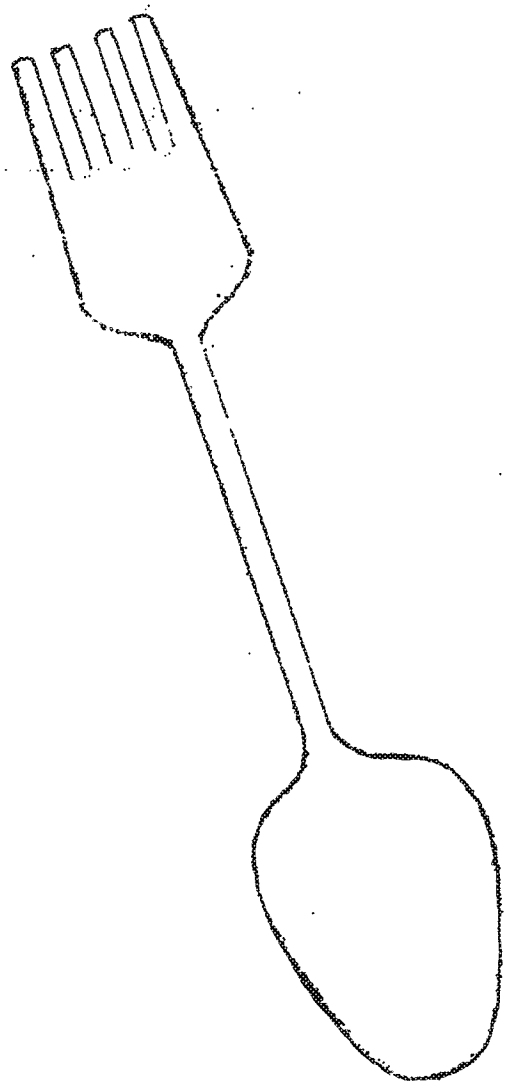
[0002] 技术背景 社会上流行的叉子和勺是两件不同的个体餐具。其柄部除手握外没有其他的功能性作用，如出外携带需同时两件，不够方便且浪费材料。

[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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CHINA NATIONAL INTELLECTUAL PROPERTY ADMINISTRATION

CCPIT Patent and Trademark Law Office 8th Floor, 2 Fuchengmenwai Street, Beijing 100037, China LIN ZHENBO	Date of Notification: Day: 02 Month: 08 Year: 2019
Application No. or Patent No.:	201810024557.7
Applicant or Patentee:	HUMANGEAR, INC.
Title of the Invention-Creation:	EATING UTENSIL SYSTEM

Notification of the First Office Action

1. ☑ The CNIPA conducts substantive examination on the application upon request of the applicant according to the provision of Article 35 paragraph 1 of the Patent Law.
   ☐ The CNIPA has decided to examine the application on its own initiative under Article 35 paragraph 2 of the Patent Law.
2. ☑ The applicant claimed priority/priorities based on the application(s):
   filed in US on Mar. 11, 2014, filed in _____ on _____,
   filed in _____ on _____, filed in _____ on _____,
   filed in _____ on _____, filed in _____ on _____,
   ☑ The applicant has provided the priority documents certified by the Patent Office where the priority application(s) was/were filed.
   ☐ The applicant has not provided the priority documents certified by the Patent Office where the priority application(s) was/were filed and therefore the priority claim(s) is/are deemed not to have been made under Article 30 of the Patent Law.
3. ☐ After examination, the amended documents submitted on do not comply with Rule 51 paragraph 1 of the Implementing Regulations of the Patent Law, and thus cannot be accepted.
4. Examination as to substance was directed to:
   ☐ the initial application documents as filed.
   ☑ the documents filed on the date of submitting the divisional application.
   ☐ the documents as specified below:

5. ☐ This Notification is issued without search reports.
   ☑ This Notification is issued with consideration of the search results.
   ☑ Below is/are the reference document(s) cited in this Office Action (the reference number(s) will be used throughout the examination procedure):

No.	Number(s) or Title(s) of Reference(s)	Date of Publication (or the filing date of conflicting application)
1	CN102068177A	May. 25, 2011

6. Conclusions of the Action:
   ☐ On the Description:
   ☐ The subject matter contained in the application is not patentable under Article 5 of the Patent Law.
   ☐ The description does not comply with Article 26 paragraph 3 of the Patent Law.
   ☐ The description does not comply with Article 33 of the Patent Law.
   ☐ The draft of the description does not comply with Rule 17 of the Implementing Regulations.
   ☐
   ☑ On the Claims:
   ☐ Claim(s) does/do not comply with Article 2 paragraph 2 of the Patent Law.
   ☐ Claim(s) does/do not comply with Article 9 paragraph 1 of the Patent Law.
   ☑ Claim(s) 17, 18 does/do not possess the novelty as required by Article 22 paragraph 2 of the Patent Law.

☑ Claim(s) 19, 20 does/do not possess the inventiveness as required by Article 22 paragraph 3 of the Patent Law.
☐ Claim(s) does/do not possess the practical applicability as required by Article 22 paragraph 4 of the Patent Law.
☐ Claim(s) is/are not patentable under Article 25 of the Patent Law.
☐ Claim(s) does/do not comply with Article 26 paragraph 4 of the Patent Law.
☐ Claim(s) does/do not comply with Article 31 paragraph 1 of the Patent Law.
☐ Claim(s) does/do not comply with Article 33 of the Patent Law.
☐ Claim(s) does/do not comply with the provisions of Rule 19 of the Implementing Regulations.
☐ Claim(s) does/do not comply with the provisions of Rule 20 of the Implementing Regulations.
☐ Claim(s) does/do not comply with the provisions of Rule 21 of the Implementing Regulations.
☐ Claim(s) does/do not comply with the provisions of Rule 22 of the Implementing Regulations.
☐

☐ The application does not comply with Article 26 paragraph 5 of the Patent Law or Rule 26 of the Implementing Regulations.
☐ The application does not comply with Article 20 paragraph 1 of the Patent Law.
☐ The divisional application does/do not comply with Rule 43 paragraph 1 of the Implementing Regulations.

Please refer to the text portion of the Office Action for details.

7. In view of the conclusions set forth above, the Examiner is of the opinion that:
☐ The applicant should make amendments as directed in the text portion of the Notification.
☑ The applicant should expound in the response reasons why the application is patentable and make amendments to the application where there are deficiencies as pointed out in the text portion of the Notification, otherwise, the application will not be allowed.
☐ The application contains no allowable invention, and therefore, if the applicant fails to submit sufficient reasons to prove that the application does have merits, it will be rejected.
☐

8. The followings should be taken into consideration by the applicant in making the response:
(1) Under Article 37 of the Patent Law, the applicant should respond to the office action within 4 months counting from the date of receipt of the Notification. If, without any justified reason, the time limit is not met, the application shall be deemed to have been withdrawn.
(2) Any amendments to the application may not go beyond the scope of the disclosure contained in the initial description and claims, as prescribed by Article 33 of the Patent Law, and should be made as required by the Notification, as prescribed by Rule 51 paragraph 3 of the Implementing Regulations.
(3) The response to the Notification and/or revision of the application should be mailed to or handed over to the "Reception Division" of the Patent Office, and documents not mailed or handed over to the Reception Divisions have no legal effect.
(4) Without an appointment, the applicant and/or his agent shall not interview with the Examiner in the Patent Office.

9. This Notification contains a text portion of 1 page and the following attachments:
☐ 0 cited reference(s), totaling 0 pages.
☐

Examiner: —
Telephone No.:

Examination Dept. —

Seal of the Examination Department

210401 For application in written form, the corresponding documents shall be sent to: the Receiving Division of the Patent Office of CNIPA, 6 Xi Tu Cheng Lu, Haidian, Beijing, 100088

2010.2 For application in electronic form, the corresponding documents shall be submitted in the form of electronic documents through the electronic patent application system. The corresponding documents submitted in other form than electronic documents shall be deemed not to have been submitted unless otherwise provided.

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Text Portion of the Notification of the First Office Action

The present application relates to an eating utensil system. After making examination, the examiner issues the following comments:

1. Claim 17 seeks protection for an eating utensil.

D1 (CN102068177A) discloses a fork spoon (see the description paragraphs 0003-0005 and Fig. 1): the invention provides a fork spoon in which a fork and a spoon are combined together, and a handle thereof is changed into an utensil with a different use so as to improve the usability; as can be seen clearly in Fig. 1, a fork having a handle connected to a head portion including plurality of tines, wherein the handle of the fork has a proximal end and a distal end connected to the head portion of the fork, the head portion of the fork has at least one tine on a curved outer edge; and a spoon having a bowl portion having substantially flat side and end edges, the spoon having a handle with a proximal end, wherein the proximal end of the handle of the spoon can be connected to the proximal end of the handle of the fork and a distal end of the handle of the spoon is connected to the bowl portion, and wherein the handle of the spoon and the handle of the fork are positioned between the head portion of the fork and the bowl portion of the spoon.

Thus, it can be seen that D1 discloses all the technical features of claim 1. Moreover, D1 and claim 1 fall within the same technical field, and can produce the same technical effect. Therefore, claim 17 does not possess the novelty as prescribed in Art. 22 (2) of the Chinese Patent Law.

2. Claim 18:

As can be seen clearly from Fig. 1 of D1, the fork and spoon are integrally formed.

Thus, claim 18 does not possess the novelty as prescribed in Art. 22 (2) of the Chinese Patent Law.

3. Claim 19:

Claim 19 differs from D1 in the additional features of claim 19. Thus, it can be determined that the technical problem to be solved is how to facilitate holding the handle. However, it would be considered as a normal option that the handle of the fork and the handle of the spoon form a single handle having a diagonal ridge.

Therefore, claim 19 does not possess the inventiveness as prescribed in Art. 22 (3) of the Chinese Patent Law.

4. Claim 20:

Claim 20 differs from D1 in the additional features of claim 20. Thus, it can be determined that the technical problem to be solved is how to facilitate cutting food. However, in order to facilitate cutting the food, it would be considered as customary practice that the handle of the fork and the handle of the spoon form a single handle having at least one chamfered side edge.

Therefore, claim 20 does not possess the inventiveness as prescribed in Art. 22 (3) of the Chinese Patent Law.

The applicant should submit a response within the time limit as prescribed in this notification and make necessary amendments to the present application. Otherwise, the present application will not be granted. However, any amendment to the application should comply with the provisions of Art. 33 of the Chinese Patent Law, i.e. the amendment should not go beyond the scope of the original description and claims.

The examiner

Code:

Humangear, Inc. Ex. 2007, Page 115

State Intellectual Property Office of the People's Republic of China

Search Report

Application No.: 201810024557.7	Filing Date: 20150305	First Search
Applicant: HUMANGEAR, INC.	Earliest Priority Date: 20140311	
Number of Claims: 20	Number of Paragraphs of Description: 81+24	

IPC Classification Determined by the Examiner: A47G21/06

Search Record Information:

CN102068177A、CN2373000Y: 801 CNABS,(pd〈20150305) and (A47G21+/ic and 勺 and 叉)

US2009172949A1, USD633344S1, USD535857S1, USD530985S1, US854745A, USD362160S1, US3014277A, US2003110644A1, USD536222S1, US2470492A, US2012036724A1: obtained from the search report for the US counter-part application

GB191422788A: obtained from the international search report for the parental application

CN2231889Y: 232 CNABS,卡 and (A47G21/06/ic)

EP0129495A2、CN1856267A: obtained from the search report for the counter-part application issued by the European bureau

CN2673224Y: obtained from the international search report for the parental application

Related Patent Documents

Type	Country & Document No,. Provided by code [11]	Date Provided by Code [43] or [45]	IPC Classification	Related Paragraphs and/or Figure(s) No(s).	Involved Claim(s)
X	CN102068177A	20110525	A47G21/02	the description paragraphs 0003-0005 and Fig. 1	17-20
X	CN2373000Y	20000412	A47G21/00	the description page 2 and Figs. 1-3	17-20
X	US2009172949A1	20090709	A47J43/28	the description paragraph 0012 and Figs. 1-2	17-20
X	USD633344S1	20110301		Figs. 1-4	17-20
X	USD535857S1	20070130		Figs. 1-5	17-20
X	USD530985S1	20061031		Figs. 1-18	17-20

A	US854745A	19070528		Full text	1-20
A	GB191422788A	19150902	A47G21/06	Full text	1-20
A	CN2231889Y	19960731	A47G21/06	Full text	1-20
A	USD362160S1	19950912		Full text	1-20
A	US3014277A	19611226	A47G21/04	Full text	1-20
A	US2003110644A1	20030619	A47J43/28	Full text	1-20
A	EP0129495A2	19841227	A47G21/06	Full text	1-20
A	CN2673224Y	20050126	A47G21/00	Full text	1-20
A	USD536222S1	20070206		Full text	1-20
A	US2470492A	19490517	A47G21/06	Full text	1-20
A	CN1856267A	20061101	A47G21/06	Full text	1-20
A	US2012036724A1	20120216	A47G21/06	Full text	1-20

Related Non-patent Documents

Type	Book Title. (including edition No. & volume No.)	Publishing Date	Name of Author & Name of Publisher	Related Page(s)	Involved Claim(s)
Type	Journal or Digest Title (including volume No. & issue No.)	Issuing Date	Name of Author & Heading of Article	Related Page(s)	Involved Claim(s)

Notes for filling the form:

1. The IPC classification of the actual search field(s) determined by the examiner should be filled in the classification positions where a major group and/or a subgroup are/is situated.
2. An abbreviated title that conforms to generally accepted international practice maybe used as the title of journals or other regular publications.
3. Explanations for types of related documents:

   X: The document that when taken alone, prejudices the novelty or the inventiveness;

   Y: The document that when combined with other document(s) of Y type cited in this report, prejudices the inventiveness;

   A: The background art document;

   R: The patent or patent application document submitted by any entity or individual to the Patent Office on the filing date which pertains to identical invention-creation;

   P: The intermediate document that is the document published on date falling between the filing date of the application and the claimed priority date;

   E: The conflicting application document.

Examiner: Examination Dept.:

Humangear, Inc. Ex. 2007, Page 117

国 家 知 识 产 权 局

100037

北京市阜成门外大街2号八层 中国国际贸易促进委员会专利商标事务所

林振波(68516688)

发文日：

2019年08月02日

申请号或专利号：201810024557.7　　发文序号：2019073002028760

申请人或专利权人：胡曼吉尔股份有限公司

发明创造名称：一种餐具系统

第 一 次 审 查 意 见 通 知 书

1. ☒应申请人提出的实质审查请求，根据专利法第35条第1款的规定，国家知识产权局对上述发明专利申请进行实质审查。

☐根据专利法第35条第2款的规定，国家知识产权局决定自行对上述发明专利申请进行审查。

2. ☒申请人要求以其在：

US专利局的申请日2014年03月11日为优先权日。

☒申请人已经提交了经原受理机构证明的第一次提出的在先申请文件的副本。

☐申请人尚未提交经原受理机构证明的第一次提出的在先申请文件的副本，根据专利法第30条的规定视为未要求优先权要求。

3. ☐经审查，申请人于_____提交的修改文件，不符合专利法实施细则第51条第1款的规定，不予接受。

4. 审查针对的申请文件：

☐原始申请文件。☒分案申请递交日提交的文件。☐下列申请文件：

5. ☐本通知书是在未进行检索的情况下作出的。

☒本通知书是在进行了检索的情况下作出的。

☒本通知书引用下列对比文件(其编号在今后的审查过程中继续沿用)：

编号	文 件 号 或 名 称	公开日期（或抵触申请的申请日）
1	CN 102068177A	20110525

6. 审查的结论性意见：

关于说明书：

☐申请的内容属于专利法第5条规定的不授予专利权的范围。

☐说明书不符合专利法第26条第3款的规定。

☐说明书不符合专利法第33条的规定。

☐说明书的撰写不符合专利法实施细则第17条的规定。

☐_____

关于权利要求：

☐权利要求_____不符合专利法第 2 条第 2 款的规定。
☐权利要求_____不符合专利法第 9 条第 1 款的规定。
☒权利要求 17、18 不具备专利法第 22 条第 2 款规定的新颖性。
☒权利要求 19、20 不具备专利法第 22 条第 3 款规定的创造性。
☐权利要求_____不具备专利法第 22 条第 4 款规定的实用性。
☐权利要求_____属于专利法第 25 条规定的不授予专利权的范围。
☐权利要求_____不符合专利法第 26 条第 4 款的规定。
☐权利要求_____不符合专利法第 31 条第 1 款的规定。
☐权利要求_____不符合专利法第 33 条的规定。
☐权利要求_____不符合专利法实施细则第 19 条的规定。
☐权利要求_____不符合专利法实施细则第 20 条的规定。
☐权利要求_____不符合专利法实施细则第 21 条的规定。
☐权利要求_____不符合专利法实施细则第 22 条的规定。
☐_____

☐申请不符合专利法第 26 条第 5 款或者实施细则第 26 条的规定。
☐申请不符合专利法第 20 条第 1 款的规定。
☐分案申请不符合专利法实施细则第 43 条第 1 款的规定。

上述结论性意见的具体分析见本通知书的正文部分。

7. 基于上述结论性意见，审查员认为：

☐申请人应当按照通知书正文部分提出的要求，对申请文件进行修改。
☒申请人应当在意见陈述书中论述其专利申请可以被授予专利权的理由，并对通知书正文部分中指出的不符合规定之处进行修改，否则将不能授予专利权。
☐专利申请中没有可以被授予专利权的实质性内容，如果申请人没有陈述理由或者陈述理由不充分，其申请将被驳回。
☐_____

8. 申请人应注意下列事项：

（1）根据专利法第 37 条的规定，申请人应在收到本通知书之日起的 4 个月内陈述意见，如果申请人无正当理由逾期不答复，其申请被视为撤回。

（2）申请人对其申请的修改应当符合专利法第 33 条的规定，不得超出原说明书和权利要求书记载的范围，同时申请人对专利申请文件进行的修改应当符合专利法实施细则第 51 条第 3 款的规定，按照本通知书的要求进行修改。

（3）申请人的意见陈述书和/或修改文本应邮寄或递交国家知识产权局专利局受理处，凡未邮寄或递交给受理处的文件不具备法律效力。

（4）未经预约，申请人和/或代理人不得前来国家知识产权局专利局与审查员举行会晤。

（5）对进入实质审查阶段的发明专利申请，在第一次审查意见通知书答复期限届满前（已提交答复意见的除外），主动申请撤回的，可以请求退还 50%的专利申请实质审查费。

9. 本通知书正文部分共有 1 页，并附有下述附件：

☐引用的对比文件的复印件共_____份_____页。
☐_____

审查员：刘敬坤　　联系电话：0371-87791916;0371-87792282　　审查部门：专利审查协作河南中心光电技术发明审查部

国家知识产权局

第一次审查意见通知书

申请号:2018100245577

本申请涉及一种餐具系统，经审查，现提出如下审查意见：

1. 权利要求 17 请求保护一种餐具。对比文件 1（CN102068177A）公开了一种叉子勺，并具体公开了如下技术特征（参见说明书第 0003-0005 段及附图 1）：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；从附图 1 可以明显看出，叉柄连接到包括多个叉尖的头部上，叉柄具有近端和连接到叉头部的远端，叉头部的弯曲外缘上具有至少一个叉尖；和勺，其具有碗状部，碗状部具有大体平坦侧和端缘，勺柄具有近端，勺柄近端可连接到叉柄近端，勺柄远端连接到碗状部，勺柄和叉柄位于叉头部和勺的碗状部之间。由此可见，对比文件 1 已经公开了该权利要求的全部技术特征，且对比文件 1 所公开的技术方案与该权利要求所要求保护的技术方案属于同一技术领域，并能产生相同的技术效果，因此该权利要求所要求保护的技术方案不具备新颖性，不符合专利法第二十二条第二款的规定。

2. 权利要求 18 对权利要求 17 进行了限定。从对比文件 1 附图 1 可以明显看出，叉和勺是一体形成的。因此，在其引用的权利要求不具备新颖性的基础上，该从属权利要求也不具备专利法第二十二条第二款规定的新颖性。

3. 权利要求 19 对权利要求 18 进行了限定。该从属权利要求的附加技术特征构成了与对比文件 1 的区别技术特征，基于上述区别，该权利要求实际解决的技术问题是：如何方便抓握柄，然而叉柄和勺柄形成具有斜线脊的单个柄，这是本领域的常规选择。因此，在对比文件 1 的基础上结合本领域的公知常识得到该权利要求的技术方案对本领域技术人员是显而易见的，该权利要求所要求保护的技术方案不具备突出的实质性特点和显著的进步，因而不具备专利法第二十二条第三款规定的创造性。

4. 权利要求 20 对权利要求 18 进行了限定。该从属权利要求的附加技术特征构成了与对比文件 1 的区别技术特征，基于上述区别，该权利要求实际解决的技术问题是：如何方便切割食物，为了方便切割食物，叉柄和勺柄形成具有至少一个倒角侧缘的单个柄，这是本领域的常用技术手段。因此，在对比文件 1 的基础上结合本领域的公知常识得到该权利要求的技术方案对本领域技术人员是显而易见的，该权利要求所要求保护的技术方案不具备突出的实质性特点和显著的进步，因而不具备专利法第二十二条第三款规定的创造性。

申请人应当在本通知书指定的答复期限内对本通知书提出的问题逐一进行答复，必要时应修改专利申请文件，否则本申请将难以获得批准。申请人对申请文件的修改应当符合专利法第三十三条的规定，不得超出原说明书和权利要求书记载的范围。

审查员电话 0371-87791916，或审查值班电话 0371-87792282 代为转达。

审查员姓名:刘敬坤

审查员代码:482359

纸件申请，回函请寄：100088 北京市海淀区蓟门桥西土城路 6 号 国家知识产权局专利局受理处收
电子申请，应当通过电子专利申请系统以电子文件形式提交相关文件。除另有规定外，以纸件等其他形式提交的文件视为未提交。

国家知识产权局

检索报告

申请号：2018100245577	申请日：20150305	首次检索
申请人：胡曼吉尔股份有限公司	最早的优先权日：20140311	
权利要求项数：20	说明书段数：81+24	

审查员确定的 IPC 分类号：A47G21/06

检索记录信息：CN102068177A、CN2373000Y: 801 CNABS, (pd（20150305) and (A47G21+/ic and 勺 and 叉)

US2009172949A1、USD633344S1、USD535857S1、USD530985S1、US854745A、USD362160S1、US3014277A、US2003110644A1、USD536222S1、US2470492A、US2012036724A1: 获自美国同族检索报告

GB191422788A: 获自母案国际检索报告

CN2231889Y: 232 CNABS, 卡 and (A47G21/06/ic)

EP0129495A2、CN1856267A:获自欧局同族检索报告

CN2673224Y: 获自母案检索报告

相关专利文献

类型	国别以及代码[11]给出的文献号	代码[43]或[45]给出的日期	IPC 分类号	相关的段落和/或图号	涉及的权利要求
X	CN102068177A	20110525	A47G21/02	说明书第0003-0005段及附图1	17-20
X	CN2373000Y	20000412	A47G21/00	说明书第2页及附图1-3	17-20
X	US2009172949A1	20090709	A47J43/28	说明书第0012段及附图1-2	17-20
X	USD633344S1	20110301		图1-4	17-20
X	USD535857S1	20070130		图1-5	17-20
X	USD530985S1	20061031		图1-18	17-20
A	US854745A	19070528		全文	1-20

A	GB191422788A	19150902	A47G21/06	全文	1-20
A	CN2231889Y	19960731	A47G21/06	全文	1-20
A	USD362160S1	19950912		全文	1-20
A	US3014277A	19611226	A47G21/04	全文	1-20
A	US2003110644A1	20030619	A47J43/28	全文	1-20
A	EP0129495A2	19841227	A47G21/06	全文	1-20
A	CN2673224Y	20050126	A47G21/00	全文	1-20
A	USD536222S1	20070206		全文	1-20
A	US2470492A	19490517	A47G21/06	全文	1-20
A	CN1856267A	20061101	A47G21/06	全文	1-20
A	US2012036724A1	20120216	A47G21/06	全文	1-20

国家知识产权局

相关非专利文献					
类型	书名（包括版本号和卷号）	出版日期	作者姓名和出版者名称	相关页数	涉及的权利要求
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表格填写说明事项：

1. 审查员实际检索领域的 IPC 分类号应当填写到大组和 / 或小组所在的分类位置。
2. 期刊或其它定期出版物的名称可以使用符合一般公认的国际惯例的缩写名称。
3. 相关文件的类型说明：

   X：一篇文件影响新颖性或创造性；

   Y：与本报告中的另外的 Y 类文件组合而影响创造性；

   A：背景技术文件；

   R：任何单位或个人在申请日向专利局提交的、属于同样的发明创造的专利或专利申请文件。

   P：中间文件，其公开日在申请的申请日与所要求的优先权日之间的文件；

   E：抵触申请。

审 查 员：刘敬坤　　审查部门：专利审查协作河南中心光电技术发明审查部

2019 年 07 月 25 日

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D3
Application No.: 16/213,536	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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 19, 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.

Humangear, Inc. Ex. 2007, Page 124

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))

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. HMG1P008D3).

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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,536	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D3	8074

58766 7590 09/16/2019

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
09/16/2019	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. 16/213,536	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 7-8-19.

☐ 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) 1-21 is/are pending in the application.

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

6) ☑ Claim(s) 1-4,6-7 and 9-16 is/are allowed.

7) ☑ Claim(s) 5,8 and 17-21 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.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore:

- The fork handle with two projections and the spoon handle with a detent, of claim 18;

must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112(a):

> (a) IN GENERAL.—The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor or joint inventor of carrying out the invention.

The following is a quotation of the first paragraph of pre-AIA 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 18-21 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor or a joint inventor, or for pre-AIA the inventor(s), at the time the application was filed, had possession of the claimed invention.

With regards to claim 18, the phrase "or the fork handle catch features comprise two projections and the spoon handle catch feature comprises a detent" is not understood and is considered new matter at this time. It is unclear what structure represents the projections on the fork handle and what structure represents the detent on the spoon handle. The specification does not appear to support this limitation.

With regards to claim 20, the phrase “pair of straight and parallel side edges” is new matter. There is only support for “substantially” straight edges. Substantially straight and straight are not the same thing.

With regards to claim 20, the phrase “each of the tines is straight and parallel” is new matter. There is only support for “substantially” straight edges. Substantially straight and straight are not the same thing.

5. 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.

6. Claims 5, 8, and 17-21 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.

Claim 5 recites the limitation "the spoon head concave bowl portion". There is insufficient antecedent basis for this limitation in the claim. The phrase should be replaced with "the spoon head bowl portion".

With regards to claim 8, the phrase “outer edges of outer tines” is unclear. As written, the outer tines are in addition to the previously disclosed plurality of tines in claim 1 which is not supported. The phrase should be replaced with “outer edges of outer ones of the tines”.

With regards to claim 17, the phrase “key into the fork guide portion” is unclear. As written, the handle is keyed into the guide portion in a way that does not involve the

pair of rails which is not supported. The phrase should be replaced with “keyed into the pair of rails”.

With regards to claim 18 line 5, the phrase “longitudinally._wherein each” needs to be amended to remove the “.”.

With regards to claim 18 line 6, the phrase “outer edges of an outer tine” is unclear. As written, these outer tines are in addition to the outer tines disclosed on line 3 of claim 18 which is not supported. The phrase should be replaced with “outer edges of a respective one of the outer tines”.

A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. See MPEP § 2173.05(c). Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949). In the present instance, claim 18 recites the broad recitation catch features, and the claim also recites detents and projections and detent and projections which is the narrower statement of the range/limitation. Since

the narrow structure has been disclosed, use of the broad terms are unnecessary and are confusing.

With regards to claim 18, paragraphs (i) and (ii) are confusing in light of the fork handle having two detents and the spoon handle having a projection. As written, the catch features interact in a way that does not involve the detents and projection which is not supported. It is the detents interacting with the projection that allows for the orientations to exist. As disclosed above, the broad catch feature language should be replaced with the narrow detents and projections language.

With regards to claim 18, the phrase "or the fork handle catch features comprise two projections and the spoon handle catch feature comprises a detent" is unclear. It is unclear what structure represents the projections on the fork handle and what structure represents the detent on the spoon handle. If these structures are supposed to represent the same structure as the two detents and the projection disclosed earlier, the phrase is confusing in that this phrase is merely changing the name of the earlier disclosed structures.

With regards to claim 18, the phrase "a projection is configured to engage a detent to help align the spoon and fork in a selected one of the orientations" is very confusing. First it is unclear which of the 3 projections is being referenced and which of the three detents is being referenced. Also, is this engagement between the projection and detent the same or a different function than the engaging functions between catch features in paragraphs I and ii?

Allowable Subject Matter

7. Claims 1-4, 6, 7, and 9-16 are allowed.

8. Claims 5, 8, and 17 would be allowable if rewritten 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 and to include all of the limitations of the base claim and any intervening claims.

Claims

9. It is to be noted that claims 18-21 have not been rejected over prior art. It may or may not be readable over the prior art but allowability cannot be determined at this time in view of the issues under 35 USC § 112.

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.

11 September 2019

/Jason Daniel Prone/

Primary Examiner, Art Unit 3724

Notice of References Cited	Application/Control No. 16/213,536	Applicant(s)/Patent Under Reexamination MIKSOVSKY et al.	
	Examiner JASON D PRONE	Art Unit 3724	Page 1 of 3

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-0032916-A	07-1861	Richards	A47G21/06	30/147
*	B	US-0033703-A	11-1861	Hardie	A47G21/06	30/147
*	C	US-0034712-A	03-1862	Cables	B26B11/00	30/147
*	D	US-0046832-A	03-1865	Thorne	B26B11/00	30/148
*	E	US-0398264-A	02-1889	Kisner	A47G21/06	30/150
*	F	US-0854745-A	05-1907	King	A47G21/02	30/150
*	G	US-0870413-A	11-1907	Brown	B26B11/00	30/148
*	H	US-0972777-A	10-1910	Richardson	A47G21/06	30/147
*	I	US-1053387-A	02-1913	Hawley	A47G21/06	30/147
*	J	US-1229696-A	06-1917	Woods	B26B11/00	30/147
*	K	US-1337174-A	04-1920	Whyte	A47G21/06	30/150
*	L	US-1425750-A	08-1922	Crawford	A47G21/06	30/148
*	M	US-2318129-A	05-1943	Torode	A47G21/06	30/147

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	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.

Notice of References Cited	Application/Control No. 16/213,536	Applicant(s)/Patent Under Reexamination MIKSOVSKY et al.	
	Examiner JASON D PRONE	Art Unit 3724	Page 2 of 3

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-2470492-A	05-1949	Jenkins	A47G21/06	30/147
*	B	US-2752678-A	07-1956	Welch	A47G21/04	30/324
*	C	US-3771224-A	11-1973	Bono, Jr.; Thomas F.	A47G21/02	30/148
*	D	US-4317284-A	03-1982	Prindle; William A.	A47G21/06	30/147
*	E	US-4377035-A	03-1983	Dalichow; Ernst-Wilhelm F.	A47G21/06	30/147
*	F	US-4995154-A	02-1991	Bamber; David J.	A47G21/06	30/147
*	G	US-D318600-S	07-1991	Lillelund; Stig		D7/643
*	H	US-D342422-S	12-1993	Sanford; Harry W.		D7/643
*	I	US-5327650-A	07-1994	Rojas; Gilbert R.	A47G21/06	30/147
*	J	US-5845403-A	12-1998	Nivin; Eli	A47G21/06	30/147
*	K	US-D414988-S	10-1999	Santini; Luis A.		30/150
*	L	US-20030110644-A1	06-2003	Miller, Michael D.	A47G21/02	30/322
*	M	US-D509708-S	09-2005	Schmidt; George		D7/645

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

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Notice of References Cited	Application/Control No. 16/213,536	Applicant(s)/Patent Under Reexamination MIKSOVSKY et al.	
	Examiner JASON D PRONE	Art Unit 3724	Page 3 of 3

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-7013568-B2	03-2006	Schmidt; George	A47G21/06	30/147
*	B	US-D530986-S	10-2006	Lago-Arenas; Marta		D7/645
*	C	US-D533034-S	12-2006	Wasserman; Adina		D7/653
*	D	US-D536222-S	02-2007	Heiberg; Jakob		D7/645
*	E	US-D575593-S	08-2008	Svartstrom; Eric		D7/644
*	F	US-D608602-S	01-2010	Davies; James		D7/644
*	G	US-D625153-S	10-2010	Gallop; William A.		D7/642
*	H	US-7856722-B2	12-2010	Lago-Arenas; Marta	A47G21/06	30/147
*	I	US-8839522-B2	09-2014	Walters; Richard S.	A47G21/06	30/322
*	J	US-D722837-S	02-2015	Miksovsky; Christopher A.		D7/643
*	K	US-D739685-S	09-2015	Miksovsky; Christopher A.		D7/653
*	L	US-D747159-S	01-2016	Frost; Martin		D7/643
*	M	US-D758808-S	06-2016	Gatewood; Michael D.		D7/643

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
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Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,536	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	05/02/2019	09/11/2019						
	1	÷	✓	=						
	2	÷	✓	=						
	3	÷	✓	=						
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	19	÷	✓	✓						
	20	÷	✓	✓						
	21	÷	✓	✓						

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,536	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

CPC - Searched*		
Symbol	Date	Examiner
A47G 21/06, 065, 04, 023	05/02/2019	/JP/

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
30	147-150, 322-328		
D7	643, 644, 653	05/02/2019	/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 CPC and USPC		
inventor search		
consulted parent cases. ODP not proper at this time	05/02/2019	/JP/
updated search	09/11/2019	/JP/

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

Form 1449 (Modified)	Atty Docket No.	HMG1P008D3
	Application No.:	16/213,536
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 /Jason Daniel Prone/	Date Considered 09/11/2019

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.	HMG1P008D3
	Application No.:	16/213,536
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	Group	3724
		Page 1 of 2
	Date Submitted	July 8, 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

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
	14.	GB 1337613	11/14/73	GB				

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	15.	MSR Folding Camp Utensils, https://www.msrgear.com/cookware/folding-utensils, downloaded on September 20, 2018.
	16.	GSI Outdoors, Telescoping Foon, http://www.gsioutdoors.com/telescoping-foon.html, downloaded on September 20, 2018.
	17.	GSI Outdoors, Pivot Spatula, http://www.gsioutdoors.com/pivot-spatula.html, downloaded on September 20, 2018.
	~~18.~~	~~Miksovsky et al., U.S. Application No. 29/653,612, filed on June 16, 2018.~~
	~~19.~~	~~Miksovsky et al., U.S. Application No. 29/653,595, filed on June 15, 2018.~~

Examiner	/Jason Daniel Prone/	Date Considered	09/11/2019

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.**	HMG1P008D3
	Application No.:	16/213,536
	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
		Page 2 of 2
	Date Submitted	July 8, 2019

	20.	~~Miksovsky et al., U.S. Application No. 16/439,425 filed on June 12, 2019.~~
	21.	U.S. Office Action dated April 19, 2019 from U.S. Application No. 16/213,466

Examiner /Jason Daniel Prone/	**Date Considered** 09/11/2019

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/

To: USPTOmail@beyerlaw.com,,
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 58766

Sep 16, 2019 03:36:56 AM

Dear PAIR Customer:

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

The following USPTO patent application(s) associated with your Customer Number, 58766 , have new outgoing correspondence. This correspondence is now available for viewing in Private PAIR.

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Application	Document	Mailroom Date	Attorney Docket No.
16213536	CTFR	09/16/2019	HMG1P008D3
	892	09/16/2019	HMG1P008D3
	1449	09/16/2019	HMG1P008D3
	1449	09/16/2019	HMG1P008D3

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Thank you for prompt attention to this notice,

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PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D3
	Application No.:	16/213,536
	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
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		Page 1 of 1
	Date Submitted	August 13, 2019

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Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
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	2.	5,735,050	04/07/98	Hsieh			04/14/97
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	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
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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
	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:	16213536
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:	HMG1P008D3

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:	36863644
Application Number:	16213536
International Application Number:	
Confirmation Number:	8074
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:	HMG1P008D3
Receipt Date:	13-AUG-2019
Filing Date:	07-DEC-2018
Time Stamp:	17:16:35
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	E20198CH17043161
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	HMG1P008D3_IDS_4.pdf	25335 c740aadf84251804805de154e2e6c4826d4ff5e9	no	2
Warnings:					
Information:					
2	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D3_1449_4.pdf	23105 30ffaa969f5f674081a37b784f7d9d236616cee4	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
3	Fee Worksheet (SB06)	fee-info.pdf	30328 f3c42ff7c186c2e3860f3a9233da23e882fbb5e9	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	78768		

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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.: HMG1P008D3
Application No.: 16/213,536	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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:

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.

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. HMG1P008D3) 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. HMG1P008D3).

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D3
Application No.: 16/213,536	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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 8, 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 May 7, 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 4 of this paper.

Remarks/Arguments begin on page 10 of this paper.

Humangear, Inc. Ex. 2007, Page 151

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D3
Application No.: 16/213,536	Examiner: Unassigned
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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 8, 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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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.

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

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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

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty Docket No.	HMG1P008D3
	Application No.:	16/213,536
	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
		Page 1 of 2
	Date Submitted	July 8, 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

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.	GB 1337613	11/14/73	GB			

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	15.	MSR Folding Camp Utensils, https://www.msrgear.com/cookware/folding-utensils, downloaded on September 20, 2018.
	16.	GSI Outdoors, Telescoping Foon, http://www.gsioutdoors.com/telescoping-foon.html, downloaded on September 20, 2018.
	17.	GSI Outdoors, Pivot Spatula, http://www.gsioutdoors.com/pivot-spatula.html, downloaded on September 20, 2018.
	18.	Miksovsky et al., U.S. Application No. 29/653,612, filed on June 16, 2018.
	19.	Miksovsky et al., U.S. Application No. 29/653,595, filed on June 15, 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.

Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D3
	Application No.:	16/213,536
	Applicant	MIKSOVSKY et al.
	Filing Date	December 7, 2018
	Group	3724
		Page 2 of 2
	Date Submitted	July 8, 2019

	20.	Miksovsky et al., U.S. Application No. 16/439,425 filed on June 12, 2019.
	21.	U.S. Office Action dated April 19, 2019 from U.S. Application No. 16/213,466.

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.

PATENT SPECIFICATION (11) 1 337 613

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

(19)

(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

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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.

Agents for the Applicants,
SYDNEY E. M'CAW & CO.,
Chartered Patent Agents,
Saxone House,
52—56 Market Street,
Manchester M1 1PP.

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Published by the Patent Office, 25 Southampton Buildings, London, WC2A 1AY, from which copies may be obtained

FIG. 1

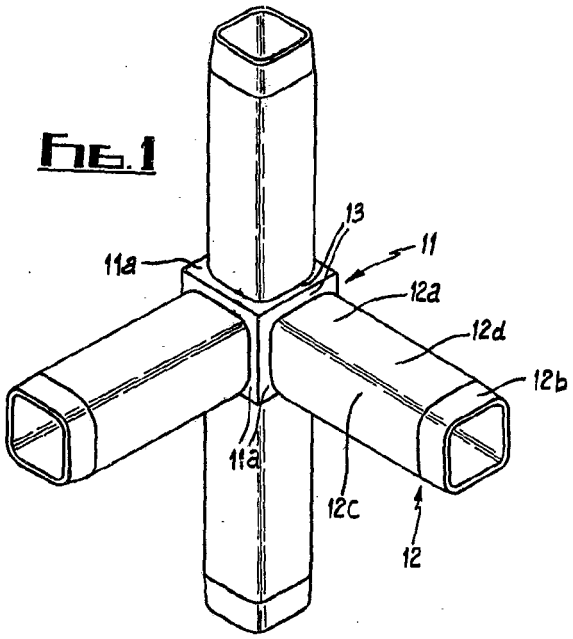
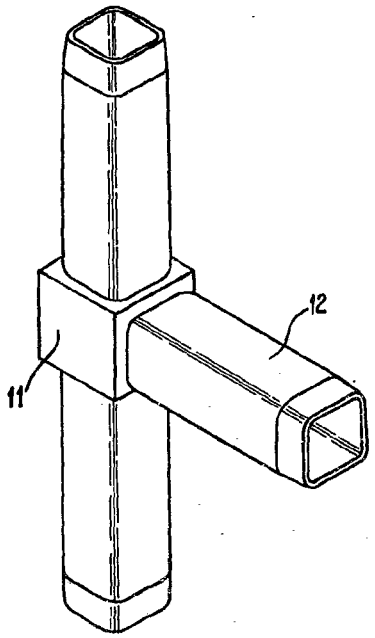


FIG. 2



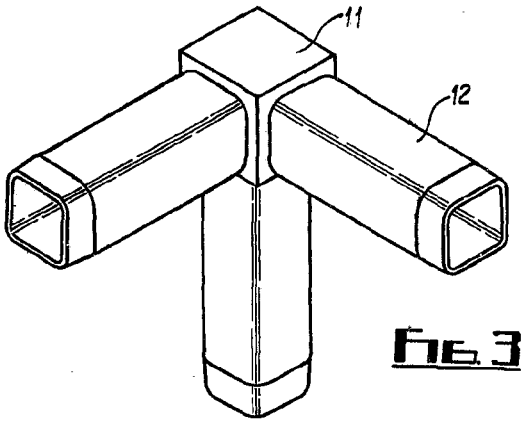


FIG. 3

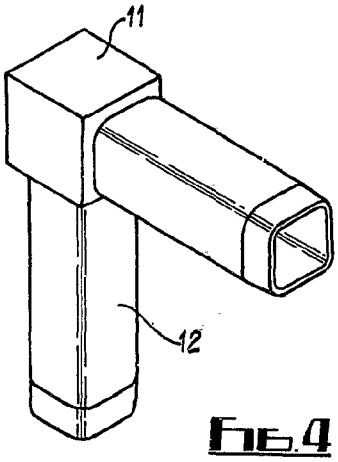


FIG. 4

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.

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FOLDING UTENSILS



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Light, collapsible eating utensils.

MSR® Folding Utensils are constructed with BPA-free materials and collapse to fit inside MSR Insulated mugs for efficient packing. Different color options coordinate with our Mugs and DeepDish™-ware so you can keep track of your own set. Each is approximately 8 inches (20cm) open and 4.5 inches (11.5cm) closed.

$3.95 - $12.95

Color

Choose an Option...

Size

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Product Details

MSR® Folding Utensils are constructed with BPA-free materials and collapse to fit inside MSR Insulated mugs for efficient packing. Different color options coordinate with our Mugs and DeepDish™-ware so you can keep track of your own set. Each is approximately 8 inches (20cm) open and 4.5 inches (11.5cm) closed.

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Plan it Like a Pro: Strengthening Your Pre-Season Backcountry Brain

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September 16, 2018

This spicy samosa filling will warm you up after a long day of outdoor adventure.

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Why does my fuel canister turn cold when I run my stove?

(https://thesummitregister.com/why-does-my-fuel-canister-turn-cold-when-i-run-my-stove/)

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A look at what's happening inside your canister during stove use.

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Product Reviews

4.8 **(based on 13 reviews)** **100%** of respondents would recommend this to a friend.

Write a Review
(https://www.msrgear.com/review?pr_page_id=Folding-Utensils)

Reviewed by 13 customers **Sort by** Newest

By Chris
from undisclosed

5.0 12/22/2017

well built, light and do the job.

Useful on the trail and my go to utensils for my work lunchbag - light, durable and get food where it needs to go.

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Was this review helpful? Yes / No

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By Asif
from undisclosed

5.0 9/21/2017

Cute and functional!

Staff

Love the colors and function. Fold feature allows you to put the spoons inside the cookware when traveling. The fork folds perfectly. The spoon however, does not flush. Not a big deal though.

Was this review helpful? Yes / No
You may also flag this review

By Zeus C' Adle
from Seattle

VERIFIED BUYER

5.0

9/14/2017

Very well built. Thought through design. Practical. Sturdy

We used these spoons when traveling and or camping. We had Light My Fire spoons and forks before but they broke. And to our surprise, rather easily.
MSR spoons are very well built. Excellent, thought through folding design. Practical. Sturdy. Just one thing though- when folded, the two ends of the spoon are flush, whereas the form doesn't flush well.

Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

By Nigel
from Seattle, WA

VERIFIED BUYER

5.0

7/17/2017

Maximize your loadout

The folding spork is a must have piece of gear. The materials are of good quality, not cheap of flimsy feeling like some other brands. The Spork is easy to clean in the field and the hinge mechanism is not a trap for food particles like other sliding type mechanisms. The spork is compact when folded and negligible in weight, the perfect addition to an ultralight kit.
When unfolded the spork is long enough to stir or scrape the bottom of narrow cooking vessels thereby serving double duty in the meal prep and eating. Inexpensive, lightweight, multifunctional and quality construction equals a no brained for me

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Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

By Mo.
from Bend

VERIFIED BUYER

5.0

5/19/2017

Everyday use

Love these! Size, texture, and functionality! I carry a spoon and fork with me everywhere I go.
Good stuff - would recommend

Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

By Bbao200905
from New Mexico, USA

VERIFIED BUYER

(9 of 9 customers found this review helpful)

5.0

7/27/2016

Convenient and light

I have had this for aver a year on at least 2 dozen meals. It is small folded so it fits inside my cup and it is sturdy while eating. What else could you ask from a spork.

Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

By
thefallsmenomenee
from new berlin wi

VERIFIED BUYER

(3 of 3 customers found this review helpful)

5.0

1/23/2016

fold away nicely,nice balance of sturdy and light

I bought the set of folding utensils for car camping but i now find myself using it for a more sturdy, reusable utensil for lunch or anytime I'm eating away from him

Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

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By TonyS
from Torrance, CA, USA

VERIFIED BUYER

5.0

1/21/2016

Perfect take along eating gear.

Compact, full sized and highly portable. Great for throwing in the backpack, bug out bag or lunch box.

Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

By TonyS
from Torrance, Ca.

(6 of 6 customers found this review helpful)

8/1/2015

5.0

VERIFIED BUYER

Excellent quality!!

I have been using these for almost a year, now. And I haven't been able to destroy them. Very light weight and compact, yet unfold them and they are easy to use in a normal fashion.

Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

By Tablet
from England, United Kingdom

5.0

6/12/2015

Compact

Used those with extra guests and easy to store away

Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

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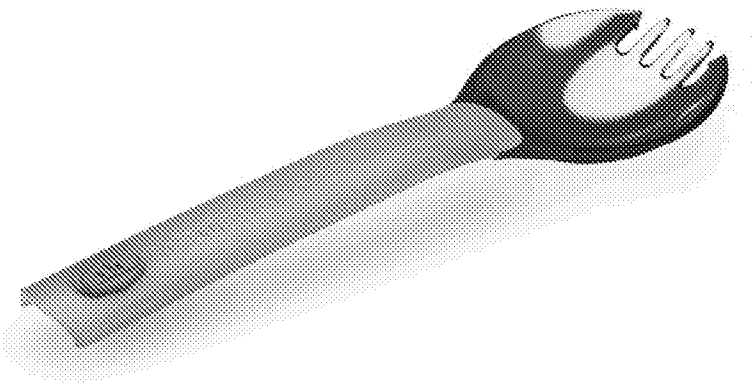
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TELESCOPING FOON

ULTIMATE COMPACT UTENSIL





TELESCOPING FOON

ULTIMATE COMPACT UTENSIL

ITEM# 72103

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PRICE $3.95

COLORS AVAILABLE:

QTY: 1

ADD TO CART

The telescoping mechanism shortens the Foon from six inches in use, to less than four inches for storage. We know you care about every last ounce, and at a miniscule 0.3 oz, you won't even notice it when it's tucked neatly inside your cook kit.

READ MORE

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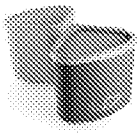


STACKING CUTLERY SET

(1)
Stacking, Packable Cutlery

VIEW DETAILS

PRICE: $4.95



GOURMET NESTING MUG + BOWL

(1)
Compact, personal food + drink solution

VIEW DETAILS

PRICE: $7.95



ULTRALIGHT NESTING BOWL + MUG

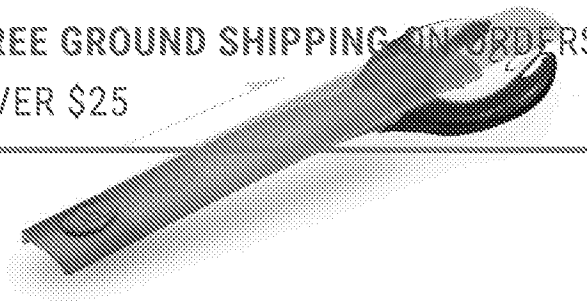
(1)
Ultra-stable, personal food + drink solution

VIEW DETAILS

PRICE: $7.95

FEATURES & SPECS

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Functions as both a fork and spoon.

Telescoping design compacts to 3.9 in long.

Color-coded to coordinate with other nFORM Ultralight and Crossover items.

Rugged heat resistant Nylon6-6.

PRODUCT SPECIFICATIONS

MAJOR DIMENSION: 6" (collapses to 3.9")

WEIGHT: .3 oz.

DIMENSIONS: 3.90" x 1.50" x 0.80"

MATERIAL: Copolyester and Acetal

PRODUCT USE: Ultralight Backpacking

INCLUDES:
Foon Head, Sliding Handle, Rubber Stop

CUSTOMER REVIEWS

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SUPPORT & WARRANTY

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CAUTION

CAUTION: Keep fingers clear when collapsing handle.

WARRANTY

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Normal wear and tear, which includes, but is not limited to, scuffs, dust, dirt, abrasion, etc., is not a valid reason for a warranty return. Repairs due to accident, improper care, or negligence will be performed at a reasonable charge.

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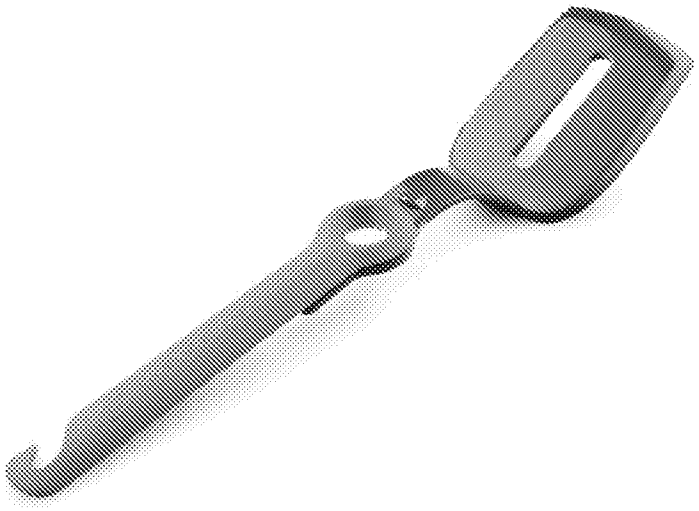
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PIVOT SPATULA

BACKCOUNTRY UTENSILS TAKE A TURN FOR THE BEST



PIVOT SPATULA

BACKCOUNTRY UTENSILS TAKE A TURN FOR THE BEST

ITEM# 74320

BE THE FIRST TO REVIEW THIS PRODUCT

PRICE $5.95

QTY: 1

ADD TO CART

The GSI Pivot Spatula, a different breed of backcountry utensils have emerged and taken a turn for the better. This 10.5 inch long fill size spatula efficiently collapses down to 6.50 inches for efficient storage.

READ MORE

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Humangear, Inc. Ex. 2007, Page 176

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PIVOT SPOON

Backcountry utensils take a turn for the best

ADD TO CART

PRICE: $5.95



PIVOT TONGS

Backcountry utensils take a turn for the best

ADD TO CART

PRICE: $6.95

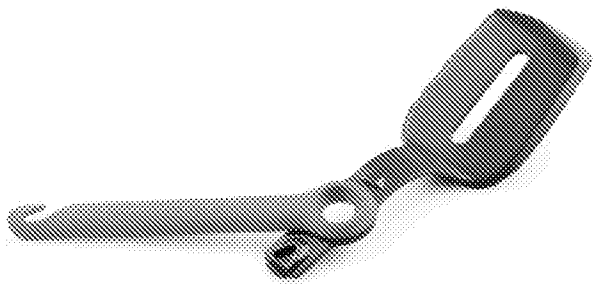


CROSSOVER KITCHEN KIT

Everything you need to cook, clean, spice + stow

ADD TO CART

PRICE: $34.95



FEATURES & SPECS

Handles easily pivot from stored to working position.

Made with durable, high-temperature Nylon 6-6 construction.

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MY ACCOUNT FIND A STORE

Reinforced handles give the rigidity needed for heavy items.

PRODUCT SPECIFICATIONS

MAJOR DIMENSION: (collapses to 6.8")

WEIGHT: 1.4 oz.

DIMENSIONS: 6.80" x 2.30" x 1.20"

MATERIAL: Nylon 6-6

PRODUCT USE: Car Camping, Gourmet Backpacking

INCLUDES:
Spatula

CUSTOMER REVIEWS

BE THE FIRST TO REVIEW THIS PRODUCT

SUPPORT & WARRANTY

WARRANTY

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Electronic Patent Application Fee Transmittal

Application Number:	16213536
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:	HMG1P008D3

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**

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EFS ID:	36519690
Application Number:	16213536
International Application Number:	
Confirmation Number:	8074
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:	HMG1P008D3
Receipt Date:	08-JUL-2019
Filing Date:	07-DEC-2018
Time Stamp:	17:09:43
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	070919INTEFSW00004992504481
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	HMG1P008D3_Amendment_A_Transmittal.pdf	21250 4fe627f45e554074e8b8084ed100ef6ad61a8296	no	1
Warnings:					
Information:					
2		HMG1P008D3_Amendment_A_FINAL.pdf	65898 afc201856ec179c802142183e547dd95dc07270d	yes	11

Multipart Description/PDF files in .zip description

Document Description	Start	End
Applicant Arguments/Remarks Made in an Amendment	10	11
Claims	4	9
Specification	2	3
Amendment/Req. Reconsideration-After Non-Final Reject	1	1

Warnings:					
Information:					
3	Transmittal Letter	HMG1P008D3_IDS_3.pdf	25321 9350c314408c280c01ee836f33f9b19d9c46debc	no	2
Warnings:					
Information:					
4	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D3_1449_3.pdf	28972 b11a41d970f98ad7d73aad9dac1566d48100aaa9	no	2
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					

5	Foreign Reference	GB_1337613.pdf	225002 e88a5009403bf98c1f17edc5e192ec7378b12f32	no	5
Warnings:					
Information:					
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	30261 80f75c524fed2d00a258d494f75ce09626f7dafa	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	1483293	

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.: HMG1P008D3
Application No.: 16/213,536	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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 8, 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	21	MINUS	21	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. HMG1P008D3).

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

Specification and Drawings

Reference numerals 151 and 157 for the grooves have been added to the specification. Paragraph [0060] is also amended to correct a typographical error. No new matter is added by these amendments.

Allowable Subject Matter

Applicant notes with appreciation that Claims 16 and 17 would be allowable if rewritten to overcome the Section 112 rejections and to include all of the limitations of the base claim and any intervening claims, and that Claims 18-21 would be allowable if rewritten to overcome the Section 112 rejections. As noted below, the claims are amended to overcome the Section 112 rejections. As discussed in more detail below, the amended claims are now allowable over the cited references.

Rejections Under 35 U.S.C. §112

Claims 4, 5, 7, 8, 10-14, and 18-21 are rejected under 35 U.S.C. §112(b) 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 Section 112 rejections in accordance with the Examiner's suggestions.

Rejections Under 35 U.S.C. §102 and §103

Claims 1, 4, 5, 11, 14, and 15 are rejected under 35 U.S.C. §102(a)(1) as being anticipated by Brabeck et al. (D362,160). Claims 2 and 3 are rejected under 35 U.S.C. §103 as being unpatentable over Brabeck et al. in view of Eklind, U.S. Patent No. 6,151,999. Claim 6 is rejected under 35 U.S.C. §103 as being unpatentable over Brabeck et al. in view of Cox, U.S. Patent No. 88,370. Claims 7 and 8 are rejected under 35 U.S.C. §103 as being unpatentable over Brabeck et al. in view of Prindle, U.S. Patent No. 4,317,284. Claims 9 and 10 are rejected under 35 U.S.C. §103 as being unpatentable over Brabeck et al. in view of Geckler, U.S. Patent No. 3,014,277. Claim 12 is rejected under 35 U.S.C. §103 as being unpatentable over Brabeck et al. in view of Tang, U.S, Patent No. 4,835,864. Claim 13 is rejected under 35 U.S.C. §103 as being unpatentable over Brabeck et al. in view of Light My Fire Spork (LMFS).

Independents Claim 1 and 18 are amended to recite that a first one of the fork catch features is closer to a proximal end of the fork handle than a second one of the fork catch

features. These amendments are fully supported by the specification and claims, as originally filed, at, for example, paragraphs [0048], [0059], [0060], [0067], and [0069] and corresponding drawings.

Brabeck et al. do not disclose or suggest spaced apart fork catch features, wherein one of the fork catch features is closer to a proximal end of the fork handle than a second one of the fork catch features. In Brabeck et al., the fork catch features, as noted by the Examiner, are the "upper surface outer two handle protrusions" shown in Fig. 8. As shown in Fig. 8 of Brabeck et al., both of these fork catch features extend longitudinally along almost the entire length of the fork handle, and neither of the fork catch features is closer to a proximal end of the fork handle than the other of the fork catch features. Amended independent Claim 1 is therefore not anticipated by nor obvious in view of Brabeck et al. None of the other cited references supplies the deficiencies of Brabeck et al discussed above.

Thus, for at least the reasons discussed above, amended independent Claim 1 is patentable over the cited references, either alone or in combination. Claims 2-17, and 19-21, which depend from and include all of the limitations of Claim 1 or 18, are also patentable over the cited references. Furthermore, each of the dependent claims recited 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
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) A combination fork and spoon system, comprising:

a fork including a fork head and a fork handle, the fork head end including a plurality of tines, the fork handle having a pair of spaced apart fork catch features and a guide portion**, wherein a first one of the fork catch features is closer to a proximal end of the fork handle than a second one of the fork catch features**; and

a spoon including a spoon head and a spoon handle, the spoon head including a bowl portion and the spoon handle including a spoon catch feature, wherein the spoon handle is configured to interlock with the fork handle in two distinct orientations with the spoon handle inserted into the guide portion of the fork in two different ways, the two distinct orientations including a nested orientation and an extended orientation, wherein,

in the nested orientation, the fork head and the spoon head are nested together, with the spoon catch feature engaging **the** **[[a]]** first one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the nested orientation, and

in an extended orientation, the fork head and the spoon head extend in opposite directions with the spoon catch feature engaging **the** **[[a]]** second one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the extended orientation.

2. (Original) A combination fork and spoon system as recited in claim 1, wherein the fork and spoon are formed from a thermoplastic material.

3. (Original) A combination fork and spoon system as recited in claim 2, wherein the thermoplastic material is a glass filled nylon.

4. (Currently Amended) A combination fork and spoon system as recited in claim 1, wherein:

the **[[a]]** first one of the fork catch features is arranged to engage the spoon catch feature when the spoon and fork are coupled in **the nested orientation** ~~**a first one of the orientations,**~~ **but not when the spoon and fork are coupled in the extended orientation**; and

the second one of the fork catch features is arranged to engage the spoon catch feature when the spoon and fork are coupled in **[[a]]** **the extended orientation** ~~**second one of the orientations**~~**, but not when the spoon and fork are coupled in the nested orientation.**

5. (Currently Amended) A combination fork and spoon system as recited in claim 1, wherein ~~**the spoon head and**~~ the fork head ~~**each**~~ includes a concave bowl portion, wherein the **spoon head concave bowl portion and the fork head** concave bowl portion~~s~~ both face in a same direction in the nested orientation.

6. (Original) A combination fork and spoon system as recited in claim 1, wherein at least one of the tines on an outer edge of the fork head has a splitting feature.

7. (Curently Amended) A combination fork and spoon system as recited in claim 1, wherein none of distal tips of the tines extends longitudinally beyond a distal tip of an outer edge of the spoon head **bowl portion** when the fork and spoon are in the nested orientation.

8. (Currently Amended) A combination fork and spoon system as recited in claim 7, wherein the spoon head **bowl portion** is wider than the fork head such that **outer edges of outer tines do** ~~**the outer edge of the fork head does**~~ not extend beyond the spoon head **bowl portion** in the nested orientation.

9. (Original) A combination fork and spoon system as recited in claim 1, wherein the bowl portion of the spoon has a plurality of substantially flat side edges.

10. (Currently Amended) A combination fork and spoon system as recited in claim 9, wherein the **plurality of substantially flat side edges comprises** ~~**bowl portion of the spoon has**~~ at least three substantially flat side edges with rounded corners therebetween.

11. (Currently Amended) A combination fork and spoon system as recited in claim 1, wherein **a distal tip of** the bowl portion of the spoon is positioned at an angle relative to the handle of the spoon.

12. (Currently Amended) A combination fork and spoon system as recited in claim 1, wherein:

the **plurality of tines** ~~**fork head**~~ includes four tines including two inner tines and two outer tines;

the inner tines each have a pair of substantially straight and **substantially** parallel side edges and a pointed distal tip; and

the outer tines each include a curved outer edge and a pointed distal tip.

13. (Currently Amended) A combination fork and spoon system as recited in claim 1, wherein the tines include a pair of outer tines ~~on opposing outer edges of the fork head~~, wherein at least one of the outer tines has a chamfered outer edge.

14. (Currently Amended) A combination fork and spoon system as recited in claim 1, wherein the spoon handle **is configured to be a splitter or a cutter** ~~has a cutting surface~~.

15. (Original) A combination fork and spoon system as recited in claim 1, wherein the spoon handle is configured to be slid longitudinally through the fork guide portion with the spoon handle extending in parallel with the fork handle.

16. (Currently Amended) A combination fork and spoon system as recited in claim 1, wherein the fork guide portion ~~is~~ **comprises a pair of rails** arranged to extend around at least a portion of opposing side edges of the spoon handle to help maintain alignment of the spoon and fork handles in both the nested and extended orientations.

17. (Original) A combination fork and spoon system as recited in claim 1, wherein opposing side edges of the spoon handle key into the fork guide portion to help maintain alignment of the spoon and fork handles in both the nested and extended orientations.

18. (Currently Amended) A combination fork and spoon system, comprising:

a fork including a fork head and a fork handle, the fork head end including a concave bowl portion, and a plurality of tines that include a pair of outer tines, each tine having a proximal base and a distal tip, wherein outer edge portions of the fork head are curved longitudinally**. wherein each outer edge portion of the fork head comprises an** ~~including~~

outer **edge** ~~edges~~ of ~~the~~ **an** outer ~~tines~~ **tine** such that the outer tines get progressively narrower towards their respective distal tips, the fork handle having a pair of spaced apart fork catch features and a guide portion**, wherein a first one of the fork catch features is closer to a proximal end of the fork handle than a second one of the fork catch features**; and

a spoon including a spoon head and a spoon handle, the spoon head including a concave bowl portion and the spoon handle including a spoon catch feature, wherein the spoon is configured to interlock with the fork in **a nested orientation** ~~two distinct orientations~~ by sliding the spoon handle into the guide portion of the fork in **a first direction** ~~two different directions~~, **and wherein the spoon is configured to interlock with the fork in an extended orientation by sliding the spoon handle into the guide portion of the fork in a second direction, wherein** the **nested orientation and the extended orientation are** two distinct orientations ~~including a nested orientation and an extended orientation~~, wherein,

(i) in the nested orientation, the fork head and the spoon head are nested together, with the spoon catch feature engaging **the [[a]]** first one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the nested orientation, and

(ii) in the extended orientation, the fork head and the spoon head extend in opposite directions with the spoon catch feature engaging **the [[a]]** second one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the extended orientation; and

~~wherein the fork handle guide portion is arranged to extend around at least a portion of opposing side edges of the spoon handle to help maintain alignment of the spoon and fork handles in both the nested and extended orientations~~;

wherein either the fork handle catch features comprise two detents and the spoon handle catch feature comprises a projection or the fork handle catch features comprise two

projections and the spoon handle catch feature comprises a detent, wherein ~~**one of the spoon handle and fork handle catch features includes a detent and the other of the spoon handle and the fork handle catch feature includes**~~ a projection **is** configured to engage **a** ~~**the**~~ detent to help align the spoon and fork in a selected one of the orientations; and

wherein the fork and spoon are formed from a glass reinforced thermoplastic material.

19. (Currently Amended) A combination fork and spoon system as recited in claim 18, wherein **a distal tip of** the bowl portion of the spoon head is tilted at a first angle relative to the spoon handle, and **a distal tip of** the bowl portion of the fork head is tilted at a second angle relative to the fork handle.

20. (Currently Amended) A combination fork and spoon system as recited in claim 18, wherein:

the plurality of tines further include two inner tines each having a pair of ~~**substantially**~~ straight and parallel side edges;

an inner edge of each of the outer tines is ~~**substantially**~~ straight and parallel to the side edges of the inner tines; and

the distal tip of each of the plurality of tines is pointed.

21. (Previously Presented) A combination fork and spoon system as recited in claim 18, wherein the spoon handle has a chamfered outer edge.

Amendments to the Specification:

Please replace paragraph [0059] with the following amended paragraph:

[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 **151** 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.

Please replace paragraph [0060] with the following amended paragraph:

[0060] With the **raised edge 116** ~~**detent 152**~~ snapped in the groove **151** 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.

Please replace paragraph [0062] with the following amended paragraph:

[0062] As shown in Figs. 4F and 4G, there are two detents 152, 153 **and there is a groove 151 between detent 152 and end wall 162 and there is also a groove 157 between detent 153 and end wall 163**. 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.

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 16/213,536	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	07/08/2019	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 21	Minus	** 21	= 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".	/MOLIKI I MAY/
*** 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.**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,536	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D3	8074

58766 7590 05/07/2019

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
05/07/2019	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. 16/213,536	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 2-11-19.

☐ 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) 1-21 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) 1-21 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.

Election/Restrictions

2. Applicant's election without traverse of Species A in the reply filed on 2-11-19 is acknowledged.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- Item 151 in Figures 4E, 4F, and 4G.
- Item 157 in Figures 4F and 4G.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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 4, 5, 7, 8, 10-14, and 18-21 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.

With regards to claim 4, the subject matter does not appear to further limit claim 1 in that claim 1 already discloses what claim 4 is claiming.

With regards to claim 5, the disclosure that the spoon head includes a concave bowl portion is unclear in that claim 1 already discloses the spoon head has a bowl portion. As written, the spoon head has two separate bowl portions which is not supported.

With regards to claims 7 and 8, the phrase “an outer edge of the spoon head” and “the spoon head” are unclear. Claim 1 discloses the spoon head has a bowl portion. As written, a part of the spoon head that is not the bowl portion is larger/wider than the fork head which is not supported.

With regards to claim 8, the phrase “the outer edge of the fork head” is unclear. As written, this edge is part of the fork head in a way that does not include at least one tine which is not supported. This edge is as much of the previously disclosed tine as it is the fork head.

With regards to claim 10, as written, the at least three flat edges do not further limit the side edges of claim 9 from which claim 10 depends. Therefore, the three flat edges are in addition to the edges of claim 9 which is not supported.

With regards to claim 11, it is unclear how the angle between the bowl portion and the handle is defined. The bowl and handle have many different features that each would define a different angle. Since what is and is not considered part of the bowl portion is up to the reader and could be different each time, the limitation is indefinite. Claim 19 has the same issues.

With regards to claim 12, the tines limitation do not further limit the tine limitation of claim 1. Therefore, the four tines are in addition to the claim 1 tines which is not supported. Claim 12 needs to further limit what has already been disclosed in claim 1.

With regards to claim 12, the phrase "substantially straight" is unclear. If lines are substantially straight, they are not straight. If the lines are not straight, how can they be parallel? The phrase parallel should be relaced with "substantially parallel" to correspond with the phrase in question. Claim 20 has the same issues.

With regards to claim 13, the phrase "chamfered outer edge" is unclear in that this edge is written in a way that allows for the chamfered edge to be a different structure than the outer edge of the fork head which is not supported. The outer edge of the fork head is the chamfered outer edge.

With regards to claim 14, it is unclear what is meant by cutting surface. Any surface is capable of being cut upon and there is a cutting surface similar to a cutting board. The specification discloses the chamfered surface of the spoon handle as being a splitter or a cutter. Is this what is meant by cutting surface?

With regards to claims 16, 17, and 18, the phrase "fork guide portion" is unclear. This singular portion is supposed to represent both 148 structures. It is unclear in how they make up a single portion that can interact with both side of the spoon handle at the same time. There should be two fork guide portions. Without further guidance, it is unclear how a singular portion can perform the fork guide portion functions with the edges of the spoon handle.

With regards to claim 18, the phrase "wherein outer edge portions of the fork head are curved longitudinally including outer edges of the other tines" is unclear. As written, there are four edges and not just two edges. The outer edges of the tines and the respective one of the outer edge portions of the fork head are one-in-the-same.

With regards to claim 18, the phrase "the spoon is configured to interlock with the fork in two distinct orientations by sliding the spoon handle into the guide portion of the fork in two different direction" is unclear. The sliding back and forth motion of the spoon handle relative to the fork does not have anything to do with the different orientations of the spoon. For example, when in the nested orientation, sliding the spoon will never allow for the extended orientation to be achieved.

With regards to claim 18 3rd-to-last paragraph, as written, the guide portion extends around the spoon handle side edge in a way that does not involve either orientation which is not supported. The orientations should be included in this description.

With regards to claim 18 2nd-to-last paragraph, what structure allows for the spoon to incorporate the detent and what structure allows for the fork to include a projection. Also, it is unclear which of the 2 catch features of the fork is the detent.

A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. See MPEP § 2173.05(c). Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949). In the present instance, claim 18 recites the broad recitation catch features, and the claim also recites detent and projection which is the narrower statement of the range/limitation. Since the narrow structure has been disclosed, use of the broad terms are unnecessary and are confusing. The detent and projection limitations should replace the catch feature limitations recited earlier in the claim.

Claim Rejections - 35 USC § 102

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 the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a)(1) the claimed invention was patented, described in a printed publication, or in public use, on sale or otherwise available to the public before the effective filing date of the claimed invention.

7. Claims 1, 4, 5, 11, 14, and 15 are rejected under 35 U.S.C. 102(a)(1) as being anticipated by Brabeck et al. (D362,160).

With regards to claims 1 and 4, Brabeck et al. disclose the same invention including a combination fork and spoon system (Figs. 1 and 11) having a fork including a fork head and a fork handle (Figs. 8-10), the fork head having a plurality of tines (Figs. 8-10), the fork handle having a pair of spaced apart catch features (Fig. 8, upper surface outer two handle protrusions) and a guide portion (Fig. 8, upper surface inner two handle protrusions), a spoon including a spoon head and spoon handle (Figs. 5-7), the spoon head including a bowl portion (Figs. 5-7), the spoon handle including a spoon catch feature (Fig. 7, lower surface outer handle protrusion), the spoon handle is configured to interlock with the fork handle (Fig. 15) capable of two distinct orientations with the spoon handle inserted into the guide portion of the fork capable of two different ways (Fig. 15), the two distinct orientations include a nest orientation (Fig. 12) and an extended orientation (the fork and spoon are capable of the orientation shown in Figure 12 and perfectly capable of rotating the spoon relative to the fork so that the heads of the spoon and fork are at opposite sides), in the nest orientation, the fork head and the spoon head are nested together (Fig. 12) with the spoon catch feature engaging a first one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the nested orientation (the lower surface outer handle protrusion of the spoon

would engages one of the upper surface outer two handle protrusions of the fork while the upper surface inner two handle protrusions of the fork receive portion of the spoon handle), and in an extended orientation, the fork head and the spoon head extend in opposite directions with eh spoon catch feature engaging a second one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the extended orientation (the spoon handle is rotated relative to the fork so that the lower surface outer handle protrusion of the spoon would now engage the other one of the upper surface outer two handle protrusions of the fork while the upper surface inner two handle protrusions of the fork still receive the same portion of the spoon handle just in a reverse orientation).

With regards to claims 5, 11, 14, and 15 Brabeck et al. disclose the spoon head and the fork head each include a concave bowl portion (Fig. 1), the bowl portions face in a same direction in the nested orientation (Fig. 12), the bowl portion of the spoon is positioned at an angle relative to the handle of the spoon (Fig. 6), the spoon has a cutting surface (Fig. 7 end surface opposite the bowl; any surface is capable of being cut upon and being a cutting surface), and the spoon handle is capable of sliding longitudinally through the fork guide portion with the spoon handle extended in parallel with the fork handle (Fig. 15, a user could is perfectly capable of slide the spoon relative to the fork).

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.

8. 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.

9. Claims 2 and 3 are rejected under 35 U.S.C. 103 as being unpatentable over Brabeck et al. (D362,160) in view of Eklind (6,151,999). Brabeck et al. disclose the invention but fail to disclose the fork and spoon 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 fork and spoon 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 Brabeck et al. 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.

10. Claim 6 is rejected under 35 U.S.C. 103 as being unpatentable over Brabeck et al. (D362,160) in view of Cox (88,370). Brabeck et al. disclose the invention but fail to disclose at least one of the tines on an outer edge of the fork head has a splitting feature, the fork head has four tines including two inner and outer tines.

Cox teaches it is old and well known in the art of fork tines to incorporate at least one of the tines on an outer edge of the fork head has a splitting feature (6th paragraph line 5). Such a modification adds another use to the system. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Brabeck et al. with the splitting feature, as taught by Cox, 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.

11. Claims 7 and 8 are rejected under 35 U.S.C. 103 as being unpatentable over Brabeck et al. (D362,160) in view of Prindle (4,317,284). Brabeck et al. disclose the invention but fail to disclose none of the tine distal tips extend longitudinally beyond a distal tip of an outer edge of the spoon head when in the nested orientation and the spoon head is wider than the fork head such that the outer edge of the fork head does not extend beyond the spoon head when in the nested orientation.

Prindle teaches it is old and well known in the art of spoon and fork nesting sytems to incorporate none of the tine distal tips extend longitudinally beyond a distal tip of an outer edge of the spoon head when in the nested orientation (Fig. 2) and the spoon head is wider than the fork head such that the outer edge of the fork head does not extend beyond the spoon head when in the nested orientation (Fig. 2). Such a

modification prevents unwanted contact with the tines. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Brabeck et al. with the nesting shapes, as taught by Prindle, 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. Claims 9 and 10 are rejected under 35 U.S.C. 103 as being unpatentable over Brabeck et al. (D362,160) in view of Geckler (3,014,277). Brabeck et al. disclose the invention but fail to disclose the 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 bowl portions to incorporate bowl portion 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 Brabeck et al. with the bowl shape, as taught by Geckler, 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.

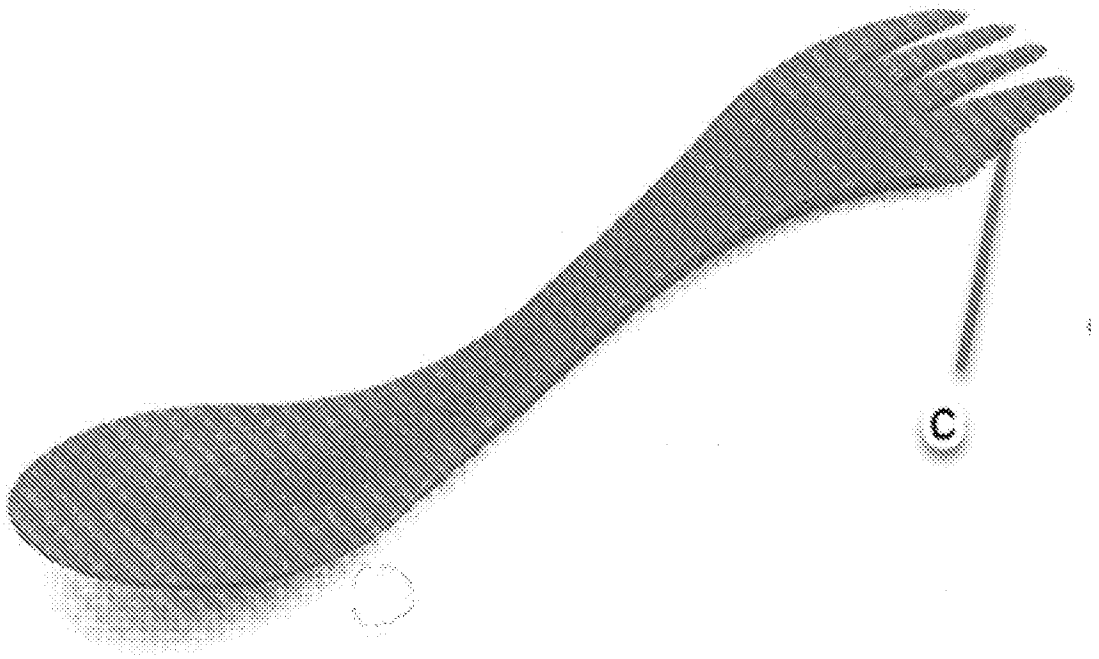
13. Claim 12 is rejected under 35 U.S.C. 103 as being unpatentable over Brabeck et al. (D362,160) in view of Tang (4,835,864). Brabeck et al. disclose the invention but fail to disclose four tines including two inner and two outer tines, the inner tines each have a pair of substantially straight and parallel side edges and a pointed distal tip and the outer tines each has a curved outer edge and pointed distal tip.

Tang teaches it is old and well known in the art of fork tines to incorporate four tines including two inner and two outer tines (Figs. 1 and 2), the inner tines each have a pair of substantially straight and parallel side edges and a pointed distal tip (Figs. 1 and 2), and the outer tines each has a curved outer edge and pointed distal tip (Fig. 2). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Brabeck et al. with the tine shapes, as taught by Tang, 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. Claim 13 is rejected under 35 U.S.C. 103 as being unpatentable over Brabeck et al. (D362,160) in view of Light My Fire Spork (LMFS). See Figure below for Examiner added reference labels in LMFS. Brabeck et al. disclose the invention including the tines include a pair of outer tines on opposing edges of the fork head (Fig. 8)

However, Brabeck et al. fail to disclose at least one of the outer tines has a chamfered outer edge.

LMFS teaches it is old and well known in the art of fork tines to incorporate an outer one of the tines with a chamfered edge (c). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Brabeck et al. with the chamfered tine edge, as taught by LMFS, 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.



Allowable Subject Matter

15. Claims 16 and 17 would be allowable if rewritten 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 and to include all of the limitations of the base claim and any intervening claims.

16. Claims 18-21 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.

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.

02 May 2019

/Jason Daniel Prone/

Primary Examiner, Art Unit 3724

Notice of References Cited	Application/Control No. 16/213,536	Applicant(s)/Patent Under Reexamination MIKSOVSKY et al.	
	Examiner JASON D PRONE	Art Unit 3724	Page 1 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-0088370-A	03-1869	Cox	A47G21/08	30/148
*	B	US-20190110620-A1	04-2019	MIKSOVSKY; Christopher A.	A47G21/06	1/1
*	C	US-1452337-A	04-1923	EDWARD BRECEL	A47G21/06	30/147
*	D	US-3014277-A	12-1961	GECKLER CAROLYN S	A47G21/04	30/324
*	E	US-D842662-S	03-2019	Bloch; David R.		D7/643
*	F	US-20090293283-A1	12-2009	Hsu; Wen-Hsiung	A47G21/02	30/149
*	G	US-9061429-B2	06-2015	Barber; Tom	A47J43/288	1/1
*	H	US-D753447-S	04-2016	Busboom; Jeffrey K.		D7/642
*	I	US-D756172-S	05-2016	Mou; Lee Ching		D7/653
*	J	US-D756171-S	05-2016	Mou; Lee Ching		D7/653
*	K	US-9434590-B2	09-2016	Miksovsky; Christopher A.	B67B7/44	1/1
*	L	US-9468321-B2	10-2016	Miksovsky; Christopher A.	A47G21/06	1/1
*	M	US-20170000276-A1	01-2017	MIKSOVSKY; Christopher A.	A47G21/06	1/1

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Light My Fire Spork Medium BPA-Free Tritan Spork with Full-Sized Spoon, Fork and Serrated Knife Edge, December, 2 2009; https://www.amazon.com/Light-Fire-BPA-Free-Full-Sized-Serrated/dp/B00B5A2YX0/ref=sr_1_2_sspa?ie=UTF8&qid=1544804816&sr=8-2-spons&keywords=light+my+fire+spork&psc=1
	V	
	W	
	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.

Notice of References Cited	Application/Control No. 16/213,536	Applicant(s)/Patent Under Reexamination MIKSOVSKY et al.	
	Examiner JASON D PRONE	Art Unit 3724	Page 2 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-D794400-S	08-2017	Young; Kenneth D.		D7/643
*	B	US-D807127-S	01-2018	Levi; Camille Almeida		D7/644
*	C	US-D813616-S	03-2018	Mundhra; Sudhir		D7/643
*	D	US-6151999-A	11-2000	Eklind; Howard A.	B25B13/56	7/138
	E					
	F					
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FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
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	W	
	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.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,536	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

CPC - Searched*		
Symbol	Date	Examiner
A47G 21/06, 065, 04, 023	05/02/2019	/JP/

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
30	147-150, 322-328		
D7	643, 644, 653	05/02/2019	/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 CPC and USPC		
inventor search		
consulted parent cases. ODP not proper at this time	05/02/2019	/JP/

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

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/213,536	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	05/02/2019							
	1	÷	✓							
	2	÷	✓							
	3	÷	✓							
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	20	÷	✓							
	21	÷	✓							

Form 1449 (Modified)	Atty Docket No.	HMG1P008D3
	Application No.:	16/213,536
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

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	/Jason Daniel Prone/	Date Considered	05/02/2019

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/

Humangear, Inc. Ex. 2007, Page 217

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	8	"9468321"	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2019/05/02 14:25
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			EPO; JPO			
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5/ 2/ 2019 2:29:23 PM
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Humangear, Inc. Ex. 2007, Page 221

All light my fire spork

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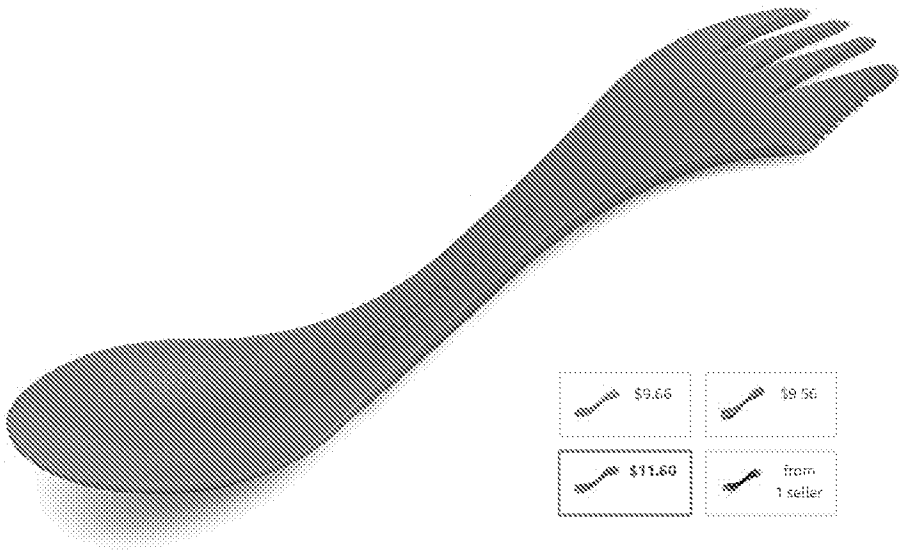
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Sold by Our Pampered Home and Fulfilled by Amazon. Gift-wrap available.

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Total price: $36.54

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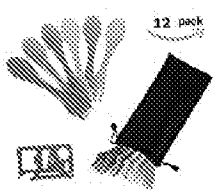
These items are shipped from and sold by different sellers. Show details

- **This item:** Light My Fire Spork Medium BPA-Free Tritan Spork with Full-Sized Spoon, Fork and Serrated Knife Edge $11.60
- Light my Fire Titanium Spork $14.99
- GSI Outdoors Infinity Backpacker Mug $9.95

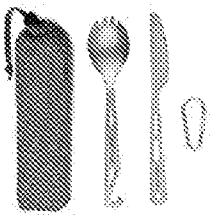
Sponsored products related to this item (What's this?)

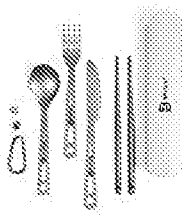
Page 1 of 19

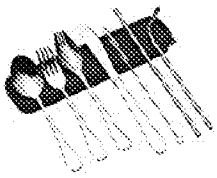


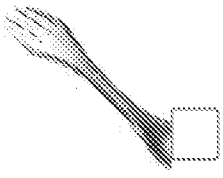


12 Pack Sporks,Durable & BPA Free Tritan Sporks,Spoon Fork & Knife Combo Utensils,6...
26
$10.99


KUCHYNEE Titanium Spork Knife Camping Utensils Portable Flatware Ultra Lightweight ...
2
$16.99


Titanium Utility Professional Cutlery 4 Piece Set: Fork, Spoon, Knife, Chopsticks +...
70
$29.88


ArderLive 7 Piece Stainless Steel Flatware Set, Healthy & Eco-Friendly utensils Wit...
17
$8.99


Outsmart 3 in 1 Ultral Titanium Spork | Port and Reusable Multi To for Ba...
174
$14.95

Ad feedback

Customers also shopped for

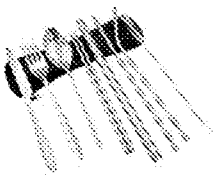
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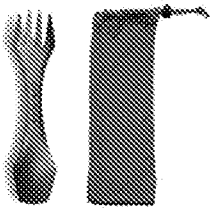
Light my Fire Original BPA-Free Tritan Spork with Full-Sized Spoon,



SSAWcase 4 Pack Sporks Camping,Stainless Steel Flatware Set with Travel



VICSOME 8Pcs Camping Flatware Set, Portable Stainless Steel Utensils



Valtcan Titanium Spork for Hiking Camping Outdoor Lunch Home Office Meals



Esbit Ultra Lightweight Titanium Cutlery 3 Piece Set with Fork, Spoon and

Special offers and product promotions

Color: Orange

Save 20% on Hallmark Giftwrap this holiday season when you join Amazon Family

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Boy or girl: Select | Arrival date or birthdate: Month / Day / Year | Child's name (optional) | Submit

Have a question?

Find answers in product info, Q&As, reviews

Product description

Product Description

Some committed outdoor folks wanted something a bit longer than the Spork original for those deep, freeze-dried food pouches that are just a little too deep. So we added a slightly larger model (extra medium) to our assortment with the same features as our Spork original, only slightly longer and wider. The Spork extra-medium is perfect for stirring the ingredients at the bottom of that bag without putting your hand in your food. And just like the Spork original, the Spork extra-medium is perfect for your backpack, boat, picnic basket, lunchbox, purse, or briefcase.

From the Manufacturer

The Spork XM is a larger version of the spoon-fork-knife combo.

Product details

Color: Orange

Product Dimensions: 8 x 1.6 x 1 inches

Shipping Weight: 0.3 ounces (View shipping rates and policies)

Domestic Shipping: Item can be shipped within U.S.

International Shipping: This item can be shipped to select countries outside of the U.S. Learn More

ASIN: B00B5A2YX0

Item model number: S-SP-XM-BULK-T Orange

Average Customer Review: 92 customer reviews

Amazon Best Sellers Rank: #267,999 in Sports & Outdoors (See Top 100 in Sports & Outdoors)
#129 in Sports & Outdoors > Outdoor Recreation > Camping & Hiking > Camp Kitchen > **Cooking Utensils**
#168 in Sports & Outdoors > Outdoor Recreation > Camping & Hiking > Camp Kitchen > Dishes & Utensils > **Flatware**

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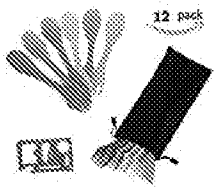


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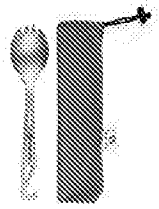
Page 1 of 10



12 Pack Sporks,Durable & BPA Free Tritan Sporks,Spoon Fork & Knife Combo Utensils,6...

26

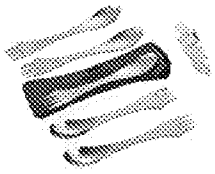
$10.99



Spork 1 Unit, Titanium Spork (Spoon Fork) With Bottle Opener Extra Strong Ultra Lig...

205

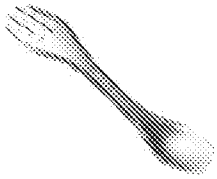
$10.99



Tapirus 5 Spork of Steel Utensils Set | Durable & Rust Proof Stainless Steel | Spoo...

266

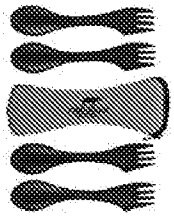
$13.99



Outsmart 3 in 1 Ultralight Titanium Spork | Portable and Reusable Multi Tool for Ba...

174

$14.95



Tapirus 4 Blue Spork To Go Set | Durable & BPA Free Tritan Sporks | Spoon, Fork & K...

163

$9.95

Ad feedback



Ad feedback

Customer questions & answers

Have a question? Search for answers

0 votes

Question: Is the metirial top seacret ???

Answer: The material is Tritan- A BPA free plastic.
By Customer IR MANUFACTURER on October 28, 2018

See more answers (2)

0 votes

Question: Has anyone used it with a child? I'm wondering if the knife that is blended with the fork could hurt a 5 year old.

Answer: I don't think the child could cut them self with it. I have found that these can snap in half fairly easy.
By Cornice on May 26, 2015

See more answers (5)

92 customer reviews

3.7 out of 5 stars

Read reviews that mention

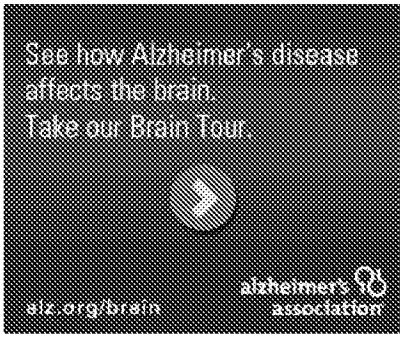
5 star 41%

4 star	24%
3 star	21%
2 star	8%
1 star	6%

Review this product

Share your thoughts with other customers

Write a customer review



Ad feedback

light my fire | sea to summit | fire spork | broke in half | long enough

Showing 1-8 of 92 reviews

Top Reviews

Ezra

Great camping utensil at an awesome price!

June 30, 2015

Color: Navy Blue Verified Purchase

I love backpacking and I really love to eat. Over the past few months of almost-weekly backpacking trips, I've found that the Light My Fire Spork meets 100 percent of my criteria: it scoops food and it's light and durable. I love that the fork and spoon are separate (combining them into a spork makes both the spoon and the fork worse). The knife edge on the fork is pretty much useless, but I take this camping and there's no food I need to cut (and if i did, I always have at least 1 real knife with me).

This is their newest model, which is pretty long (good for reaching the bottom of a freeze-dried meal pouch or stirring a hot pot). I like the size, and I always chuckle when I see that the big utensil makes my hand seem tiny!

Helpful Comment Report abuse

Portista

Spoon-Fork Combo for Camping

August 18, 2015

Color: Cyan Verified Purchase

Larger than I expected (and brighter blue), this is not a classic spork, in that the spoon and fork aren't combined-- rather there's one at each end. As an additional benefit, the fork-end has a serrated edge is supposed to serve as a knife as well. Unfortunately, you can't hold the food down with the fork while you cut it with the knife, as silverware is normally used-- since the fork IS the knife, you'll end up holding down whatever you're cutting with your fingers anyway. Still, most campers have a separate knife anyway.

One person found this helpful

Helpful Comment Report abuse

williamsr81

Fairly well executed Spork

February 21, 2013

Color: Navy Blue Verified Purchase

I took this ice fishing with me the other day, as sort of a trial run for my outdoor backpacking cooking system. I was impressed with the functionality of the Light my Fire XM Spork, it makes eating far easier and is certainly a lot lighter than your traditional fork, knife and spoon set. While it worked fairly effectively, I was disappointed at how bendable it was. Under normal eating conditions I don't see this being a problem, however if you had to stab into something thick or have ever had one of the plastic forks break in your hands be aware that this is going to feel more durable but still a little flimsy compared to your standard metal alloys. This spork also comes in a smaller model, but with my large hands, I wear a XXL mechanics glove, this one was a perfect fit for me.

Helpful Comment Report abuse

Danislav

I needed this

October 5, 2015

Color: Green Verified Purchase

As a chronic resistor to getting new gear that replaces working gear I already have, I needed to get this. I have been using the same mess-kit metalware since the 1980s and I finally upgraded. I love this thing. It is all-in-one and the light green makes it easy to find without being garish. The spoon and fork sides are a bit larger than your average spoon and fork, but the size makes it, especially the spoon side, much more useful. I don't use the "knife" part very much since I use my pocket knife. Lightweight, great shape, and super easy to clean.

Helpful Comment Report abuse

Christopher S. Cornette

AWESOME product

December 2, 2009

Verified Purchase

I recently saw someone using one of these, and knew I had to have one. The best, simplest utensil option for camping, or just to have around the office when you want a snack.

This version is heat-resistant and large, for scooping out of the deep bags that camping food can come in, which is great, but the spoon may be a bit too big for those with a small mouth.

Other versions include the smaller and more durable Light My Fire Titanium Spork and the Light My Fire Spork which is available in different colors, individually, or in packs.

10 people found this helpful

Helpful Comment Report abuse

Nobody Special

Not perfect

April 13, 2014

Color: Navy Blue Verified Purchase

Great size for a big eater (and those camping / freeze-dried food pouches). Lightweight and useful, but too flexible for me. I'll keep it for an emergency (if I "forget" to do the dishes), but I think I'll go for a titanium or stainless spork instead. Now if I can find one that is the size of this XM.

I'm also concerned if I were to keep this in winter camping kit that the cold weather would cause it to become overly brittle - but I have no data/experience on it's flexibility/usability in cold weather.

Helpful Comment Report abuse

Amazon Customer

Cool idea, sturdy, works well, lightweight. Bends but doesn't break.

November 18, 2013

Color: Green Verified Purchase

Cool idea, works well. Easy to wash, hasn't stained, bends but is sturdy and doesn't break.
Definitely a Big spoon and Big fork.
The only thing I'm not crazy about is my own personal issue - that I have a small mouth - so I have to be careful when using the fork end, because the knife ridges on one edge of the fork can tear up the corner of my mouth.
I still use it and like it a lot.

3 people found this helpful

Helpful Comment Report abuse

Cletus Furple

A bit flimsy for my liking

June 15, 2014

Color: Orange Verified Purchase

I got two of these for college as I didn't want to have to take full silverware sets with me and for a while they worked fine. While I was eating ice cream with one of them though the spoon end snapped off which I found a bit annoying. I can't remember what happened to the other one, but it ended up snapping as well. I like the design, but I'd recommend upgrading to the titanium version of this spoon instead.

Helpful Comment Report abuse

See all 92 reviews

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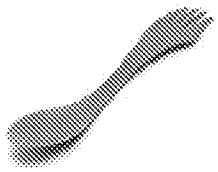
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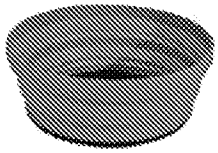
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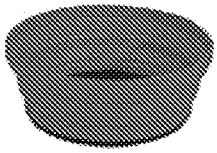
Light my Fire Original BPA-Free Tritan Spork with Full-Sized Spoon, Fork and Serrated Knife...
510
$1.99



Light my Fire Titanium Spork
1,885
$14.99



Sea to Summit X-Bowl
28
$15.95



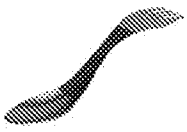
Sea to Summit X Bowl
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259
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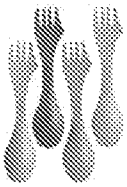
Light my Fire Titanium Spork
1,885
$14.99



Light my Fire Original BPA-Free Tritan Spork with Full-Sized Spoon, Fork and Serrated Knife...
510
$1.99

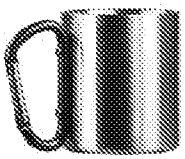


Light My Fire Swedish FireSteel 2.0 Army 12,000 Strike Fire Starter with Emergency Whistle
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Statement By Applicant	Filing Date	December 7, 2018
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Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes	Translation No
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Examiner	/Jason Daniel Prone/	Date Considered	05/02/2019

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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Examiner	/Jason Daniel Prone/	Date Considered	05/02/2019

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Examiner	/Jason Daniel Prone/	Date Considered	05/02/2019

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Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes	Translation No
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	144.	Guyot, Utensils, https://www.guyotdesigns.com/utensils/, downloaded on March 6, 2014.
	145.	International Search Report dated July 8, 2015 from International Application No. PCT/US2015/019017.
	146.	Written Opinion dated July 8, 2015 from International Application No. PCT/US2015/019017.
	147.	Chinese Office Action dated April 27, 2017 from Chinese Application No. 201580022197.1.
	148.	Chinese Office Action dated August 1, 2017 from Chinese Application No. 201611163525.2.
	149.	European Search Report dated June 16, 2017 from European Application No. 16202786.3-1653.
	150.	European Office Action dated October 17, 2018 from European Patent Application No. 16 202 786.6 - 1011.

Examiner	/Jason Daniel Prone/	Date Considered	05/02/2019

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/

To: USPTOmail@beyerlaw.com,,
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 58766

May 07, 2019 03:37:26 AM

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Application	Document	Mailroom Date	Attorney Docket No.
16213536	CTNF	05/07/2019	HMG1P008D3
	892	05/07/2019	HMG1P008D3
	1449	05/07/2019	HMG1P008D3
	1449	05/07/2019	HMG1P008D3
	1449	05/07/2019	HMG1P008D3

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Apr 12, 2019 05:15:45 AM

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Application	Document	Mailroom Date	Attorney Docket No.
16213536	NTC.PUB	04/11/2019	HMG1P008D3

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United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
16/213,536	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D3

CONFIRMATION NO. 8074

58766
Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

PUBLICATION NOTICE

OC000000107335734

Title:EATING UTENSIL SYSTEM

Publication No.US-2019-0104873-A1
Publication Date:04/11/2019

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.

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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.: HMG1P008D3
Application No.: 16/213,536	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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 hereby provisionally elects Species A (Figures 1-6D). All of the pending claims are 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 8 of this paper.

Humangear, Inc. Ex. 2007, Page 240

Electronic Acknowledgement Receipt

EFS ID:	35117288
Application Number:	16213536
International Application Number:	
Confirmation Number:	8074
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:	HMG1P008D3
Receipt Date:	11-FEB-2019
Filing Date:	07-DEC-2018
Time Stamp:	17:11:30
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	HMG1P008D3_Amendment_Transmittal.pdf	21234 13b5a9d64560edb178d601c82d4c0d9dc71f0d71	no	1

Warnings:

Information:					
2		HMG1P008D3_Response_to_RR.pdf	45162 0250ab9ce5305feca1d3ae84275c3be41a26d81e	yes	8

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Applicant Arguments/Remarks Made in an Amendment	8	8
	Claims	2	7
	Response to Election / Restriction Filed	1	1

Warnings:	
Information:	
Total Files Size (in bytes):	66396

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.: HMG1P008D3
Application No.: 16/213,536	Examiner: PRONE, JASON D.
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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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	21	MINUS	21	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. HMG1P008D3).

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 / Election of Species dated January 30, 2019, Applicant provisionally elects Species A – Figures 1-6D. All of the elected claims are believed to read on the elected species. Accordingly, it is believe that all of the pending claims should be examined at this stage.

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) A combination fork and spoon system, comprising:

a fork including a fork head and a fork handle, the fork head end including a plurality of tines, the fork handle having a pair of spaced apart fork catch features and a guide portion; and

a spoon including a spoon head and a spoon handle, the spoon head including a bowl portion and the spoon handle including a spoon catch feature, wherein the spoon handle is configured to interlock with the fork handle in two distinct orientations ~~by sliding an entire width of~~ with the spoon handle inserted into ~~through~~ the guide portion of the fork in two different ways, the two distinct orientations including a nested orientation and an extended orientation, wherein,

in the nested orientation, the fork head and the spoon head are nested together, with the spoon catch feature engaging a first one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the nested orientation, and

in an extended orientation, the fork head and the spoon head extend in opposite directions with the spoon catch feature engaging a second one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the extended orientation.

2. (Original) A combination fork and spoon system as recited in claim 1, wherein the fork and spoon are formed from a thermoplastic material.

3. (Original) A combination fork and spoon system as recited in claim 2, wherein the thermoplastic material is a glass filled nylon.

4. (Original) A combination fork and spoon system as recited in claim 1, wherein a first one of the fork catch features is arranged to engage the spoon catch feature when the spoon and fork are coupled in a first one of the orientations and the second one of the fork catch features is arranged to engage the spoon catch feature when the spoon and fork are coupled in a second one of the orientations.

5. (Currently Amended) A combination fork and spoon system as recited in claim 1, wherein the spoon head and the fork head each includes a concave bowl portion, wherein the concave bowl portions both face in a same direction in ~~both~~ the nested ~~and extended orientations~~ orientation.

6. (Original) A combination fork and spoon system as recited in claim 1, wherein at least one of the tines on an outer edge of the fork head has a splitting feature.

7. (Original) A combination fork and spoon system as recited in claim 1, wherein none of distal tips of the tines extends longitudinally beyond a distal tip of an outer edge of the spoon head when the fork and spoon are in the nested orientation.

8. (Original) A combination fork and spoon system as recited in claim 7, wherein the spoon head is wider than the fork head such that the outer edge of the fork head does not extend beyond the spoon head in the nested orientation.

9. (Original) A combination fork and spoon system as recited in claim 1, wherein the bowl portion of the spoon has a plurality of substantially flat side edges.

10. (Original) A combination fork and spoon system as recited in claim 9, wherein the bowl portion of the spoon has at least three substantially flat side edges with rounded corners therebetween.

11. (Original) A combination fork and spoon system as recited in claim 1, wherein the bowl portion of the spoon is positioned at an angle relative to the handle of the spoon.

12. (Original) A combination fork and spoon system as recited in claim 1, wherein:

the fork head includes four tines including two inner tines and two outer tines;

the inner tines each have a pair of substantially straight and parallel side edges and a pointed distal tip; and

the outer tines each include a curved outer edge and a pointed distal tip.

13. (Original) A combination fork and spoon system as recited in claim 1, wherein the tines include a pair of outer tines on opposing outer edges of the fork head, wherein at least one of the outer tines has a chamfered outer edge.

14. (Original) A combination fork and spoon system as recited in claim 1, wherein the spoon handle has a cutting surface.

15. (Original) A combination fork and spoon system as recited in claim 1, wherein the spoon handle is configured to be slid longitudinally through the fork guide portion with the spoon handle extending in parallel with the fork handle.

16. (Original) A combination fork and spoon system as recited in claim 1, wherein the fork guide portion is arranged to extend around at least a portion of opposing side edges of the spoon

handle to help maintain alignment of the spoon and fork handles in both the nested and extended orientations.

17. (Original) A combination fork and spoon system as recited in claim 1, wherein opposing side edges of the spoon handle key into the fork guide portion to help maintain alignment of the spoon and fork handles in both the nested and extended orientations.

18. (Currently Amended) A combination fork and spoon system, comprising:

a fork including a fork head and a fork handle, the fork head end including a concave bowl portion, and a plurality of tines that include a pair of outer tines, each tine having a proximal base and a distal tip, wherein 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, ~~and wherein at least a selected one of the outer tines has a cutting feature on an outer edge of the selected outer tine,~~ the fork handle having a pair of spaced apart fork catch features and a guide portion; and

a spoon including a spoon head and a spoon handle, the spoon head including a concave bowl portion and the spoon handle including a spoon catch feature, wherein the spoon is configured to interlock with the fork in two distinct orientations by sliding ~~the entire width of~~ the spoon handle <u>into</u> ~~through~~ the guide portion of the fork in two different directions, the two distinct orientations including a nested orientation and an extended orientation, wherein,

(i) in the nested orientation, the fork head and the spoon head are nested together, with the spoon catch feature engaging a first one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the nested orientation, and

(ii) in [[an]] the extended orientation, the fork head and the spoon head extend in opposite directions with the spoon catch feature engaging a second one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the extended orientation; and

~~wherein the concave bowl portion of the spoon head faces in a same direction as the concave bowl portion of the fork head in both the nested and extended orientations;~~

wherein the fork handle guide portion is arranged to extend around at least a portion of opposing side edges of the spoon handle to help maintain alignment of the spoon and fork handles in both the nested and extended orientations;

wherein one of the spoon handle and fork handle catch features includes a detent and the other of the spoon handle and the fork handle catch feature includes a projection configured to engage the detent to help align ~~hold~~ the spoon and fork ~~together~~ in a selected one of the orientations; and

wherein the fork and spoon are formed from a glass reinforced thermoplastic material.

19. (Currently Amended) A combination fork and spoon system as recited in claim 18, wherein the bowl portion of the spoon head is tilted at a first angle relative to the spoon handle, and the bowl portion of the fork head is tilted at a second angle relative to the fork 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~~.

20. (Original) A combination fork and spoon system as recited in claim 18, wherein:

the plurality of tines further include two inner tines each having a pair of substantially straight and parallel side edges;

an inner edge of each of the outer tines is substantially straight and parallel to the side edges of the inner tines; and

the distal tip of each of the plurality of tines is pointed.

21. (Currently Amended) A combination fork and spoon system as recited in claim 18, wherein ~~: at least one of the outer tines has a chamfered outer edge; and~~ the spoon handle has a chamfered outer edge.

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/213,536	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))	* 21	Minus	** 21	= 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.**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,536	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D3	8074

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. 16/213,536	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) 1-21 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) 1-21 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

1. 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
	16/213,536	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	÷								
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	21	÷								

To: USPTOmail@beyerlaw.com,,
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 58766

Jan 30, 2019 03:31:26 AM

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Palo Alto, CA 94303-1887
UNITED STATES

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Application	Document	Mailroom Date	Attorney Docket No.
16213536	CTRS	01/30/2019	HMG1P008D3

To view your correspondence online or update your email addresses, please visit us anytime at https://sportal.uspto.gov/secure/myportal/privatepair.

If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov with 'e-Office Action' on the subject line or call 1-866-217-9197 during the following hours:

Monday - Friday 6:00 a.m. to 12:00 a.m.

Thank you for prompt attention to this notice,

UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

Form 1449 (Modified)	Atty Docket No.	HMG1P008D3
	Application No.:	16/213,536
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:	34883858
Application Number:	16213536
International Application Number:	
Confirmation Number:	8074
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:	HMG1P008D3
Receipt Date:	17-JAN-2019
Filing Date:	07-DEC-2018
Time Stamp:	16:33:23
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	HMG1P008D3_IDS_2.pdf	23180 9af04bdd13d821a215908ebf6ff6cea1e1e95b60	no	2

Warnings:

Information:					
2	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D3_1449_2.pdf	24710 3300ddb26d43e0eca7fadd40724dfcf28dc85b4b	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
			Total Files Size (in bytes):	47890	

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.: HMG1P008D3
Application No.: 16/213,536	Examiner: Unassigned
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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

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. HMG1P008D3).

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

To: USPTOmail@beyerlaw.com,,
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 58766

Jan 11, 2019 07:52:32 AM

Dear PAIR Customer:

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

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Application	Document	Mailroom Date	Attorney Docket No.
16213536	TRACK1.GRANT	01/10/2019	HMG1P008D3

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PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/213,536	12/07/2018	Christopher A. MIKSOVSKY	HMG1P008D3	8074

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.** 16/213,536	**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
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
16/213,536	12/07/2018	3724	835	HMG1P008D3	21	2

CONFIRMATION NO. 8074

58766
Beyer Law Group LLP
P. O. Box 51887
Palo Alto, CA 94303-1887

FILING RECEIPT



Date Mailed: 01/02/2019

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 16/213,536**

Projected Publication Date: 04/11/2019

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

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NOT GRANTED

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Humangear, Inc. Ex. 2007, Page 270

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 16/213,536

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))	21 minus 20 =	* 1	x 50 =	50	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2 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	835		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	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
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.

To: USPTOmail@beyerlaw.com,,
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 58766

Jan 02, 2019 03:44:56 AM

Dear PAIR Customer:

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Application	Document	Mailroom Date	Attorney Docket No.
16213536	APP.FILE.REC	01/02/2019	HMG1P008D3

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PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

Form 1449 (Modified)	Atty Docket No.	HMG1P008D3
	Application No.:	16/213,536
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.**	HMG1P008D3
	Application No.:	16/213,536
	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. 16/213,466, filed on December 7, 2018.

Examiner	**Date Considered**

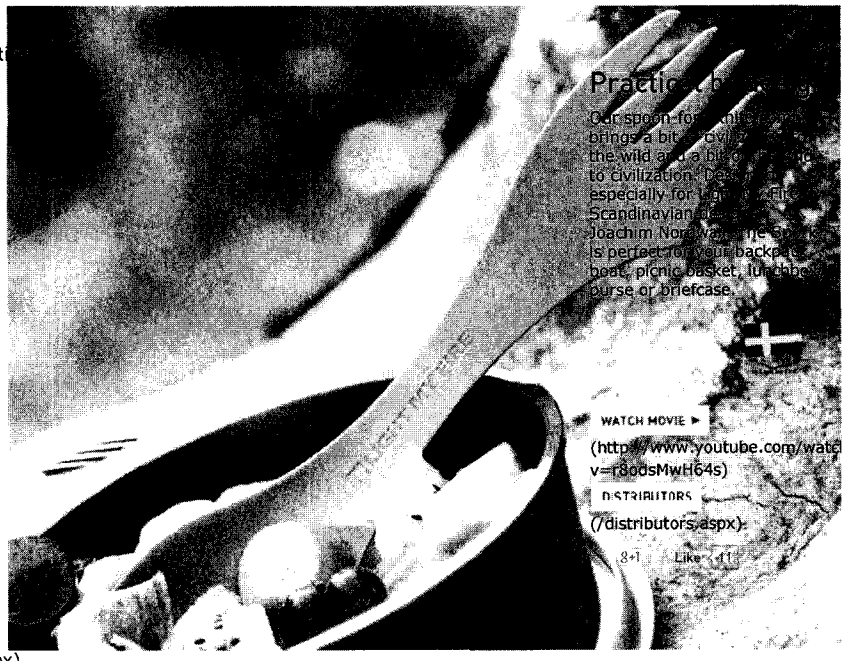
Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Spork original

Design by Joachim Nordwall

ProductKits (/products/productkits/firelight...-kit.aspx)

Products (/products/products/swedish-firesteel-20.aspx)
Swedish FireSteel 2.0® (/products/products/swedish-firesteel-20.aspx)
Swedish FireKnife® (/products/products/swedish-fireknife.aspx)
Tinder selection (/products/products/tinder-selection/tinder-on-a-rope.aspx)
Grandpa's FireFork™ (/products/products/grandpas-firefork.aspx)
Grandpa's FireGrill™ (/products/products/grandpas-firegrill.aspx)
Salt&Pepper Plus™ (/products/products/saltpepper-plus.aspx)
Harness (/products/products/harness.aspx)
MealKit 2.0™ (/products/products/mealkit-20.aspx)
LunchKit™ (/products/products/lunchkit.aspx)
SnapBox (/products/products/snapbox/snapbox-original.aspx)
Pack-up-Bottle™ (/products/products/pack-up-bottle.aspx)
Pack-up-Cup™ (/products/products/pack-up-cup.aspx)
Spork (/products/products/spork/spork-original.aspx)
Spork original (/products/products/spork/spork-original.aspx)
Spork extra-medium (/products/products/spork/spork-extra-medium.aspx)
Spork large (/products/products/spork/spork-large.aspx)
Spork little (/products/products/spork/spork-little.aspx)
Spork titanium (/products/products/spork/spork-titanium.aspx)
Spork lefty (/products/products/spork/spork-lefty.aspx)





FEATURES SPECIFICATIONS LANGUAGES

- Dishwasher safe.
- Extremely durable.
- Lightweight.
- Safe for non stick cookware
- Heat-resistant.

Sporks´n Case™ (/products/products/sporks%C2%B4n-case.aspx)

Promotions (/products/promotions/cookn-fire-kit.aspx)

Store Support (/products/store-support/selling-ideas.aspx)

Customized (/products/customized/print-color.aspx)

Broschure 2013 (http://dl.dropbox.com/u/16739067/Broschure%202013.pdf?dl=1)

(http://www.instagram.com/pages/Light-My-Fire/291244944237278) (/sponsorship.aspx)

PRODUCTS

- ProductKits (/products/productkits/firelighting-kit.aspx)
- FireLighting Kit™ (/products/productkits/firelighting-kit.aspx)
- Pack´n Eat Kit™ (/products/productkits/pack%C2%B4n-eat-kit.aspx)
- Pack-up Drink Kit™ (/products/productkits/pack-up-drink-kit.aspx)
- Products (/products/products/swedish-firesteel-20.aspx)
- Swedish FireSteel 2.0® (/products/products/swedish-firesteel-20.aspx)
- Swedish FireKnife® (/products/products/swedish-fireknife.aspx)
- Tinder-on-a-Rope™ (/products/products/tinder-selection/tinder-on-a-rope.aspx)
- TinderSticks™ (/products/products/tinder-selection/tindersticks.aspx)
- TinderDust™ (/products/products/tinder-selection/tinderdust.aspx)
- Grandpa's FireFork™ (/products/products/grandpas-firefork.aspx)
- Grandpa's FireGrill™ (/products/products/grandpas-firegrill.aspx)
- Salt&Pepper Plus™ (/products/products/saltpepper-plus.aspx)
- Harness (/products/products/harness.aspx)
- MealKit 2.0™ (/products/products/mealkit-20.aspx)
- LunchKit™ (/products/products/lunchkit.aspx)
- SnapBox (/products/products/snapbox/snapbox-original.aspx)
- SnapBox original™ (/products/products/snapbox/snapbox-original.aspx)
- SnapBox oval™ (/products/products/snapbox/snapbox-oval.aspx)
- Pack-up-Bottle™ (/products/products/pack-up-bottle.aspx)
- Pack-up-Cup™ (/products/products/pack-up-cup.aspx)
- Spork original (/products/products/spork/spork-original.aspx)
- Spork extra-medium (/products/products/spork/spork-extra-medium.aspx)
- Spork large (/products/products/spork/spork-large.aspx)
- Spork little (/products/products/spork/spork-little.aspx)
- Spork titanium (/products/products/spork/spork-titanium.aspx)
- Spork lefty (/products/products/spork/spork-lefty.aspx)
- Sporks´n Case™ (/products/products/sporks%C2%B4n-case.aspx)
- Promotions (/products/promotions/cookn-fire-kit.aspx)
- Cook'n Fire Kit™ (/products/promotions/cookn-fire-kit.aspx)
- Broschure 2013 (http://dl.dropbox.com/u/16739067/Broschure/Broschure%202013.pdf?dl=1)

PROMOTIONS (/PRODUCTS/PROMOTIONS/COOKN-FIRE-KIT.ASPX)

- Cook'n Fire Kit™ (/products/promotions/cookn-fire-kit.aspx)

STORE SUPPORT (/PRODUCTS/STORE-SUPPORT/SELLING-IDEAS.ASPX)

- Selling Ideas (/products/store-support/selling-ideas/cross-selling.aspx)
- Sales Promotion Material (/products/store-support/sales-promotion-material/counter-displays.aspx)

CUSTOMIZED (/PRODUCTS/CUSTOMIZED/PRINT-COLOR.ASPX)

- Print & Color (/products/customized/print-color.aspx)
- Print Manual (/products/customized/print-manual.aspx)

BROSCHURE 2013 (HTTP://DL.DROPBOX.COM/U/16739067/BROSCHURE/BROSCHURE%202013.PDF?DL=1)

DOWNLOAD (HTTP://DOWNLOAD.LIGHTMYFIRE.COM)

WORLD OF FIRE (/WORLD-OF-FIRE.ASPX)

OUR STORY (/OUR-STORY.ASPX)

CONTACT (/CONTACT.ASPX)

ADVENTURE BLOG (/ADVENTURE-BLOG.ASPX)

DISTRIBUTORS (/DISTRIBUTORS.ASPX)

FAQ (/FAQ.ASPX)

(/summer-sale)
Free shipping on all orders over $100 (excludes AK & HI). Select FedEx Home Delivery at checkout.

(HTTPS://WWW.MSRGEAR.COM/SIMPLECHECKOUT/CART/)

IN (HTTPS://WWW.MSRGEAR.COM/CUSTOMER/ACCOUNT/LOGIN/)

FOLDING UTENSILS



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Folding Utensils

4.8 (13 reviews)

Read 13 Reviews Write a Review (https://www.msrgear.com/review?pr_page_id=Folding-Utensils)

Light, collapsible eating utensils.

MSR® Folding Utensils are constructed with BPA-free materials and collapse to fit inside MSR Insulated mugs for efficient packing. Different color options coordinate with our Mugs and DeepDish™-ware so you can keep track of your own set. Each is approximately 8 inches (20cm) open and 4.5 inches (11.5cm) closed.

$3.95 - $12.95

Color

Choose an Option...

Size

Select an option

Quantity:

1

Add to Cart

In stock

Find Online **Find A Store (/Retail-Store-Locator)**

Product Details

MSR® Folding Utensils are constructed with BPA-free materials and collapse to fit inside MSR Insulated mugs for efficient packing. Different color options coordinate with our Mugs and DeepDish™-ware so you can keep track of your own set. Each is approximately 8 inches (20cm) open and 4.5 inches (11.5cm) closed.

Made in Ireland

Product Specs

Product Support & FAQs

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(https://thesummitregister.com/plan-like-pro-strengthening-pre-season-backcountry-brain/)

Plan it Like a Pro: Strengthening Your Pre-Season Backcountry Brain

(https://thesummitregister.com/plan-like-pro-strengthening-pre-season-backcountry-brain/)

September 20, 2018

An educated mind is the most important tool in your backcountry kit.

Read More

(https://thesummitregister.com/warm-and-spicy-samosa-filling/)

Camp Recipes: Warm and Spicy Samosa Filling

(https://thesummitregister.com/warm-and-spicy-samosa-filling/)

September 16, 2018

This spicy samosa filling will warm you up after a long day of outdoor adventure.

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(https://thesummitregister.com/why-does-my-fuel-canister-turn-cold-when-i-run-my-stove/)

Why does my fuel canister turn cold when I run my stove?

(https://thesummitregister.com/why-does-my-fuel-canister-turn-cold-when-i-run-my-stove/)

September 11, 2018

A look at what's happening inside your canister during stove use.

Read More

Product Reviews

4.8 **(based on 13 reviews)** **100%** of respondents would recommend this to a friend.

Write a Review
(https://www.msrgear.com/review?pr_page_id=Folding-Utensils)

Reviewed by 13 customers **Sort by** Newest

By Chris
from undisclosed

5.0 12/22/2017

well built, light and do the job.

Useful on the trail and my go to utensils for my work lunchbag - light, durable and get food where it needs to go.

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Was this review helpful? Yes / No

You may also flag this review

By Asif
from undisclosed

5.0 9/21/2017

Cute and functional!

Staff

Love the colors and function. Fold feature allows you to put the spoons inside the cookware when traveling. The fork folds perfectly. The spoon however, does not flush. Not a big deal though.

Was this review helpful? Yes / No
You may also flag this review

By Zeus C' Adle
from Seattle

VERIFIED BUYER

5.0

9/14/2017

Very well built. Thought through design. Practical. Sturdy

We used these spoons when traveling and or camping. We had Light My Fire spoons and forks before but they broke. And to our surprise, rather easily.
MSR spoons are very well built. Excellent, thought through folding design. Practical. Sturdy. Just one thing though- when folded, the two ends of the spoon are flush, whereas the form doesn't flush well.

Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

By Nigel
from Seattle, WA

VERIFIED BUYER

5.0

7/17/2017

Maximize your loadout

The folding spork is a must have piece of gear. The materials are of good quality, not cheap of flimsy feeling like some other brands. The Spork is easy to clean in the field and the hinge mechanism is not a trap for food particles like other sliding type mechanisms. The spork is compact when folded and negligible in weight, the perfect addition to an ultralight kit.
When unfolded the spork is long enough to stir or scrape the bottom of narrow cooking vessels thereby serving double duty in the meal prep and eating. Inexpensive, lightweight, multifunctional and quality construction equals a no brained for me

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Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

By Mo.
from Bend

VERIFIED BUYER

5.0

5/19/2017

Everyday use

Love these! Size, texture, and functionality! I carry a spoon and fork with me everywhere I go.
Good stuff - would recommend

Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

By Bbao200905
from New Mexico, USA

VERIFIED BUYER

(9 of 9 customers found this review helpful)

5.0

7/27/2016

Convenient and light

I have had this for aver a year on at least 2 dozen meals. It is small folded so it fits inside my cup and it is sturdy while eating. What else could you ask from a spork.

Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

By
thefallsmenomenee
from new berlin wi

VERIFIED BUYER

(3 of 3 customers found this review helpful)

5.0

1/23/2016

fold away nicely,nice balance of sturdy and light

I bought the set of folding utensils for car camping but i now find myself using it for a more sturdy, reusable utensil for lunch or anytime I'm eating away from him

Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

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By TonyS
from Torrance, CA, USA

VERIFIED BUYER

5.0

1/21/2016

Perfect take along eating gear.

Compact, full sized and highly portable. Great for throwing in the backpack, bug out bag or lunch box.

Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

By TonyS
from Torrance, Ca.

(6 of 6 customers found this review helpful)

8/1/2015

5.0

VERIFIED BUYER

Excellent quality!!

I have been using these for almost a year, now. And I haven't been able to destroy them. Very light weight and compact, yet unfold them and they are easy to use in a normal fashion.

Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

By Tablet
from England, United Kingdom

5.0

6/12/2015

Compact

Used those with extra guests and easy to store away

Bottom Line Yes, I would recommend this to a friend

Was this review helpful? Yes / No
You may also flag this review

Displaying reviews 1-10 Back to top « Previous | Next »

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Product Categories

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Water Treatment (https://www.msrgear.com/water)
Cookware (https://www.msrgear.com/cookware)
Snowshoes (https://www.msrgear.com/snowshoes)
Snow Tools (https://www.msrgear.com/snow-tools)
Poles (https://www.msrgear.com/poles)
Wearables (https://www.msrgear.com/wearables)
Global Health (https://www.msrgear.com/global-health)

Product Support

Our History (https://www.msrgear.com/about/history)
About Us (https://www.msrgear.com/about)
Timeline (http://www.aspdotnetstorefront.cascadedesigns.com/msr/timeline)
[illegible]65 (https://www.msrgear.com/faq?category=4)
Tents FAQ (https://www.msrgear.com/faq?category=4)
Stoves FAQ (https://www.msrgear.com/faq?category=5)
Cookware FAQ (https://www.msrgear.com/faq?category=6)
Water Treatments FAQ (https://www.msrgear.com/faq?category=7)
Snowshoes FAQ (https://www.msrgear.com/faq?category=9)
MSR Blog (http://www.thesummitregister.com)
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Product Services

Warranty & Repair (https://www.msrgear.com/en/warranty)
Online Sales Returns (https://www.cascadedesigns.com/en/service/online-sales-return-exchange?webSyncID=0c51bba6-e929-6751-e01a-aa3398cdd529&sessionGUID=c0ba0c8c-eec1-5808-3c7e-b62997ac16aa)

Pro Sales (https://www.cascadedesigns.com/en/service/pro?webSyncID=0c51bba6-e929-6751-e01a-aa3398cdd529&sessionGUID=c0ba0c8c-eec1-5808-3c7e-b62997ac16aa)
Government Sales (https://www.cascadedesigns.com/en/service/gov?webSyncID=0c51bba6-e929-6751-e01a-aa3398cdd529&sessionGUID=c0ba0c8c-eec1-5808-3c7e-b62997ac16aa)
International Distributors (https://www.cascadedesigns.com/en/service/international-distributors?webSyncID=0c51bba6-e929-6751-e01a-aa3398cdd529&sessionGUID=c0ba0c8c-eec1-5808-3c7e-b62997ac16aa)

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Sponsorship
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Employment
(https://www.cascadedesigns.com/en/employment?webSyncID=0c51bba6-e929-6751-e01a-aa3398cdd529&sessionGUID=c0ba0c8c-eec1-5808-3c7e-b62997ac16aa)

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Privacy Policy
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Our Story
(https://www.cascadedesigns.com/en/our

Site Map
(https://www.cascadedesigns.com/en/site-

story?webSyncID=0c51bba6-e929-6751-e01a-aa3398cdd529&sessionGUID=c0ba0c8c-eec1-5808-3c7e-b62997ac16aa}

map?webSyncID=0c51bba6-e929-6751-e01a-aa3398cdd529&sessionGUID=c0ba0c8c-eec1-5808-3c7e-b62997ac16aa}

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PRIMUS FOLDING SPORK (BLACK) (P-734011)

Price: $3.00

Quantity: 1 ADD TO CART (#)

Share (http://www.addthis.com/bookmark.php?v=250&username=xa-4cb8b396453cff29)



Lightweight spork made of PC-plastic in folding design. An all-around eating utensil that is compact, ultralight, and easy to carry anywhere. Perfect for backpackers, adventurers, and anyone who needs lightweight utensils.

FEATURES

- BLACK
- Dimensions: 4.1" x 1.6" x 0.9"
- Weight: 10.5 g - 0.35 oz.

Reviews (#reviews) Videos (#videos) Downloads (#downloads)

There are no reviews for this product.

Products You May Like

Product ID	Product Name	Price
P-731760	PRIMUS Pot Gripper (http://store.primuscamping.com/cookware/utensils-and-accessories/primus-pot-gripper/)	$7.00
733320	PRIMUS Suspension Kit (http://store.primuscamping.com/cookware/utensils-and-accessories/primus-suspension-kit/)	$36.00
P-734750	PRIMUS Cooking Utensils (http://store.primuscamping.com/cookware/utensils-and-accessories/primus-cooking-utensils/)	$14.00

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EFS ID:	34596134
Application Number:	16213536
International Application Number:	
Confirmation Number:	8074
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:	HMG1P008D3
Receipt Date:	14-DEC-2018
Filing Date:	
Time Stamp:	18:52:00
Application Type:	Utility under 35 USC 111(a)

Payment information:

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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	HMG1P008D3_IDS.pdf	23090 3f6142c57cbe7b4ea97bc8d8185452116abe3a63	no	2

Warnings:

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2	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D3_1449.pdf	29718 7a784b77bccca99410c482775c9bd157ace09e85	no	2
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3	Non Patent Literature	LMF_Spork.pdf	239253 e6e13d6eb3437ef8337dd11668a58452626a1dd8	no	2
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4	Non Patent Literature	MSR_Ref.pdf	700179 c5ca1c1db783c24e4d889fae977cdd3c3f997e5c	no	10
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5	Non Patent Literature	Primus_Spork.pdf	45251 8284ac80fa5bb48ae57d895576d05dd5a763d1e3	no	1
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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.

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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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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D3
Application No.: 16/213,536	Examiner: Unassigned
Filed: December 7, 2018	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 8074

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

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. HMG1P008D3).

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

PTO/AIA/82B(07-12)
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POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in the attached transmittal letter.

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I am the Applicant:

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■ Assignee or Person to Whom the Inventor is Under an Obligation to Assign

☐ Person Who Otherwise Shows Sufficient Proprietary Interest (*e.g.*, a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document)

SIGNATURE of Applicant for Patent

Signature		Date	2013.01.07
Name	Christopher A. MIKSOVSKY	Telephone	415-830-6321
Title and Company	President, Humangear, Inc.		

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms for more than one signature, see below *.

☐ *Total of _____ 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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Doc Code: TRACK1.REQ
Document Description: TrackOne Request

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.

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.
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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.

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.

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. A combination fork and spoon system, comprising:

a fork including a fork head and a fork handle, the fork head end including a plurality of tines, the fork handle having a pair of spaced apart fork catch features and a guide portion; and

a spoon including a spoon head and a spoon handle, the spoon head including a bowl portion and the spoon handle including a spoon catch feature, wherein the spoon is configured to interlock with the fork in two distinct orientations by sliding an entire width of the spoon handle through the guide portion of the fork in two different ways, the two distinct orientations including a nested orientation and an extended orientation, wherein,

in the nested orientation, the fork head and the spoon head are nested together, with the spoon catch feature engaging a first one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the nested orientation, and

in an extended orientation, the fork head and the spoon head extend in opposite directions with the spoon catch feature engaging a second one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the extended orientation.

2. A combination fork and spoon system as recited in claim 1, wherein the fork and spoon are formed from a thermoplastic material.

3. A combination fork and spoon system as recited in claim 2, wherein the thermoplastic material is a glass filled nylon.

4. A combination fork and spoon system as recited in claim 1, wherein a first one of the fork catch features is arranged to engage the spoon catch feature when the spoon and fork are coupled in a first one of the orientations and the second one of the fork catch features is arranged to engage the spoon catch feature when the spoon and fork are coupled in a second one of the orientations.

5. A combination fork and spoon system as recited in claim 1, wherein the spoon head and the fork head each includes a concave bowl portion, wherein the concave bowl portions both face in a same direction in both the nested and extended orientations.

6. A combination fork and spoon system as recited in claim 1, wherein at least one of the tines on an outer edge of the fork head has a splitting feature.

7. A combination fork and spoon system as recited in claim 1, wherein none of distal tips of the tines extends longitudinally beyond a distal tip of an outer edge of the spoon head when the fork and spoon are in the nested orientation.

8. A combination fork and spoon system as recited in claim 7, wherein the spoon head is wider than the fork head such that the outer edge of the fork head does not extend beyond the spoon head in the nested orientation.

9. A combination fork and spoon system as recited in claim 1, wherein the bowl portion of the spoon has a plurality of substantially flat side edges.

10. A combination fork and spoon system as recited in claim 9, wherein the bowl portion of the spoon has at least three substantially flat side edges with rounded corners therebetween.

11. A combination fork and spoon system as recited in claim 1, wherein the bowl portion of the spoon is positioned at an angle relative to the handle of the spoon.

12. A combination fork and spoon system as recited in claim 1, wherein:

the fork head includes four tines including two inner tines and two outer tines;

the inner tines each have a pair of substantially straight and parallel side edges and a pointed distal tip; and

the outer tines each include a curved outer edge and a pointed distal tip.

13. A combination fork and spoon system as recited in claim 1, wherein the tines include a pair of outer tines on opposing outer edges of the fork head, wherein at least one of the outer tines has a chamfered outer edge.

14. A combination fork and spoon system as recited in claim 1, wherein the spoon handle has a cutting surface.

15. A combination fork and spoon system as recited in claim 1, wherein the spoon handle is configured to be slid longitudinally through the fork guide portion with the spoon handle extending in parallel with the fork handle.

16. A combination fork and spoon system as recited in claim 1, wherein the fork guide portion is arranged to extend around at least a portion of opposing side edges of

the spoon handle to help maintain alignment of the spoon and fork handles in both the nested and extended orientations.

17. A combination fork and spoon system as recited in claim 1, wherein opposing side edges of the spoon handle key into the fork guide portion to help maintain alignment of the spoon and fork handles in both the nested and extended orientations.

18. A combination fork and spoon system, comprising:

a fork including a fork head and a fork handle, the fork head end including a concave bowl portion, and a plurality of tines that include a pair of outer tines, each tine having a proximal base and a distal tip, wherein 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, and wherein at least a selected one of the outer tines has a cutting feature on an outer edge of the selected outer tine, the fork handle having a pair of spaced apart fork catch features and a guide portion; and

a spoon including a spoon head and a spoon handle, the spoon head including a concave bowl portion and the spoon handle including a spoon catch feature, wherein the spoon is configured to interlock with the fork in two distinct orientations by sliding the entire width of the spoon handle through the guide portion of the fork in two different directions, the two distinct orientations including a nested orientation and an extended orientation, wherein,

(i) in the nested orientation, the fork head and the spoon head are nested together, with the spoon catch feature engaging a first one of the fork catch features and the fork guide portion receiving the spoon handle to help

hold the spoon and fork in the nested orientation, and

(ii) in an extended orientation, the fork head and the spoon head extend in opposite directions with the spoon catch feature engaging a second one of the fork catch features and the fork guide portion receiving the spoon handle to help hold the spoon and fork in the extended orientation;

wherein the concave bowl portion of the spoon head faces in a same direction as the concave bowl portion of the fork head in both the nested and extended orientations;

wherein the fork handle guide portion is arranged to extend around at least a portion of opposing side edges of the spoon handle to help maintain alignment of the spoon and fork handles in both the nested and extended orientations;

wherein one of the spoon handle and fork handle catch features includes a detent and the other of the spoon handle and the fork handle catch feature includes a projection configured to engage the detent to help hold the spoon and fork together in a selected one of the orientations; and

wherein the fork and spoon are formed from a glass reinforced thermoplastic material.

19. A combination fork and spoon system as recited in claim 18, 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.

20. A combination fork and spoon system as recited in claim 18, wherein:

the plurality of tines further include two inner tines each having a pair of substantially straight and parallel side edges;

an inner edge of each of the outer tines is substantially straight and parallel to the side edges of the inner tines; and

the distal tip of each of the plurality of tines is pointed.

21. A combination fork and spoon system as recited in claim 18, wherein:

at least one of the outer tines has a chamfered outer edge; and

the spoon handle has a chamfered outer edge.

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.

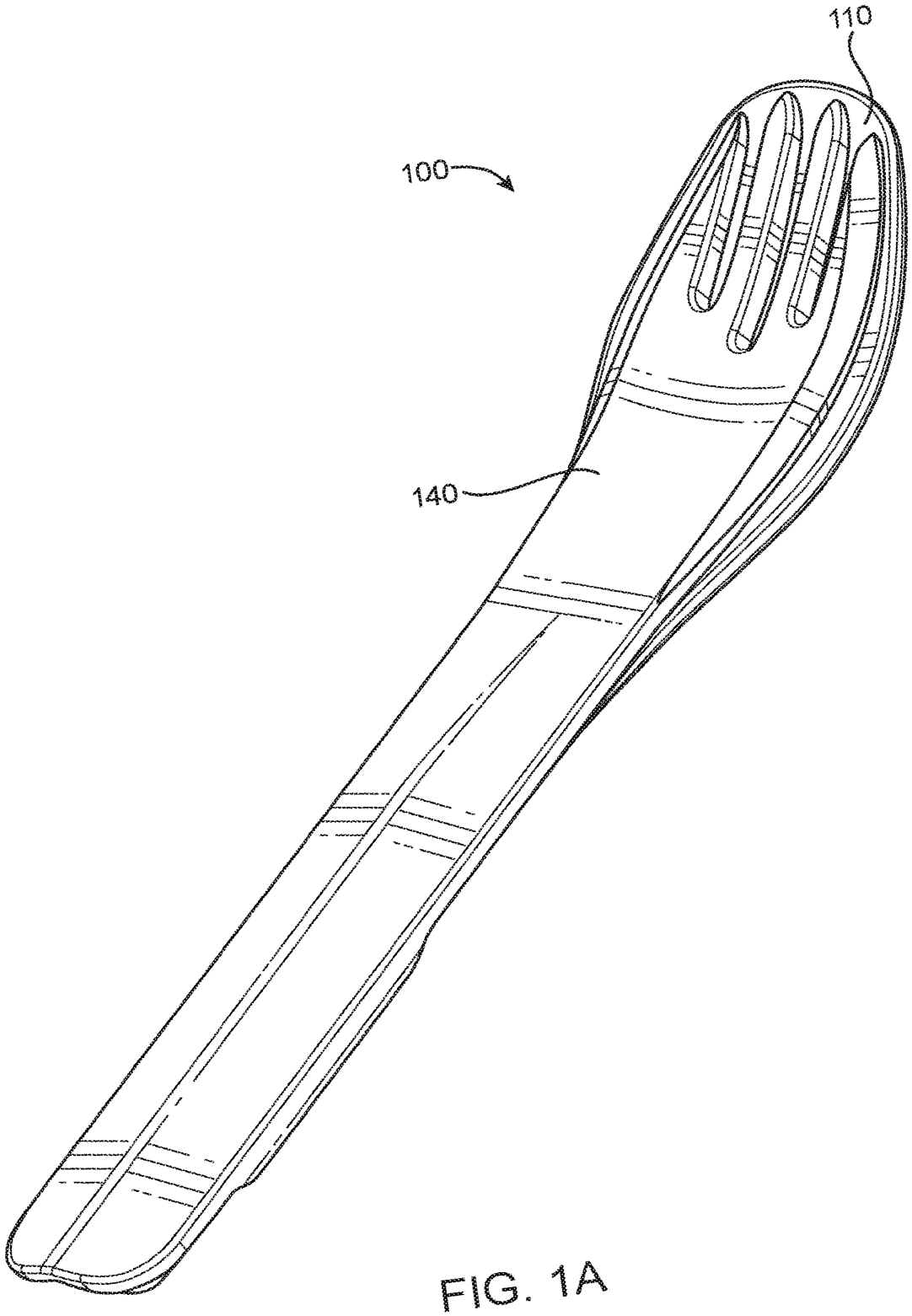


FIG. 1A

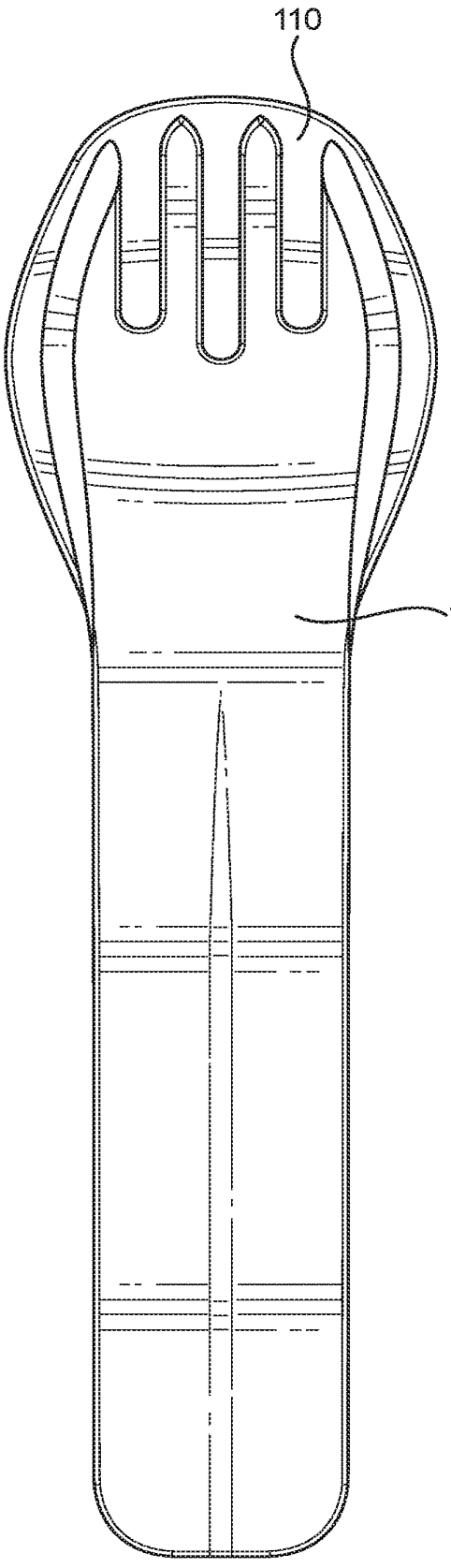


FIG. 1B

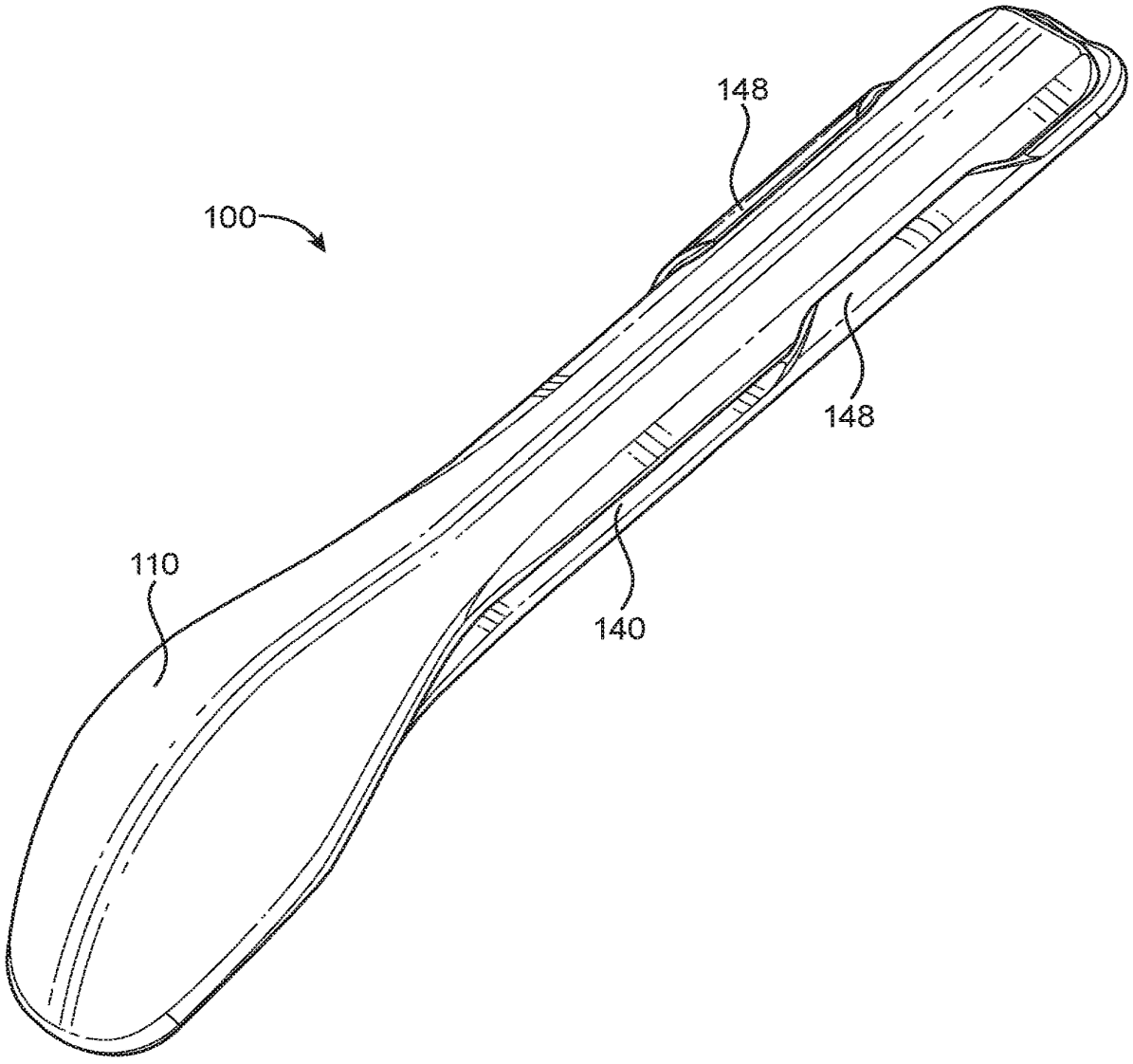


FIG. 2A

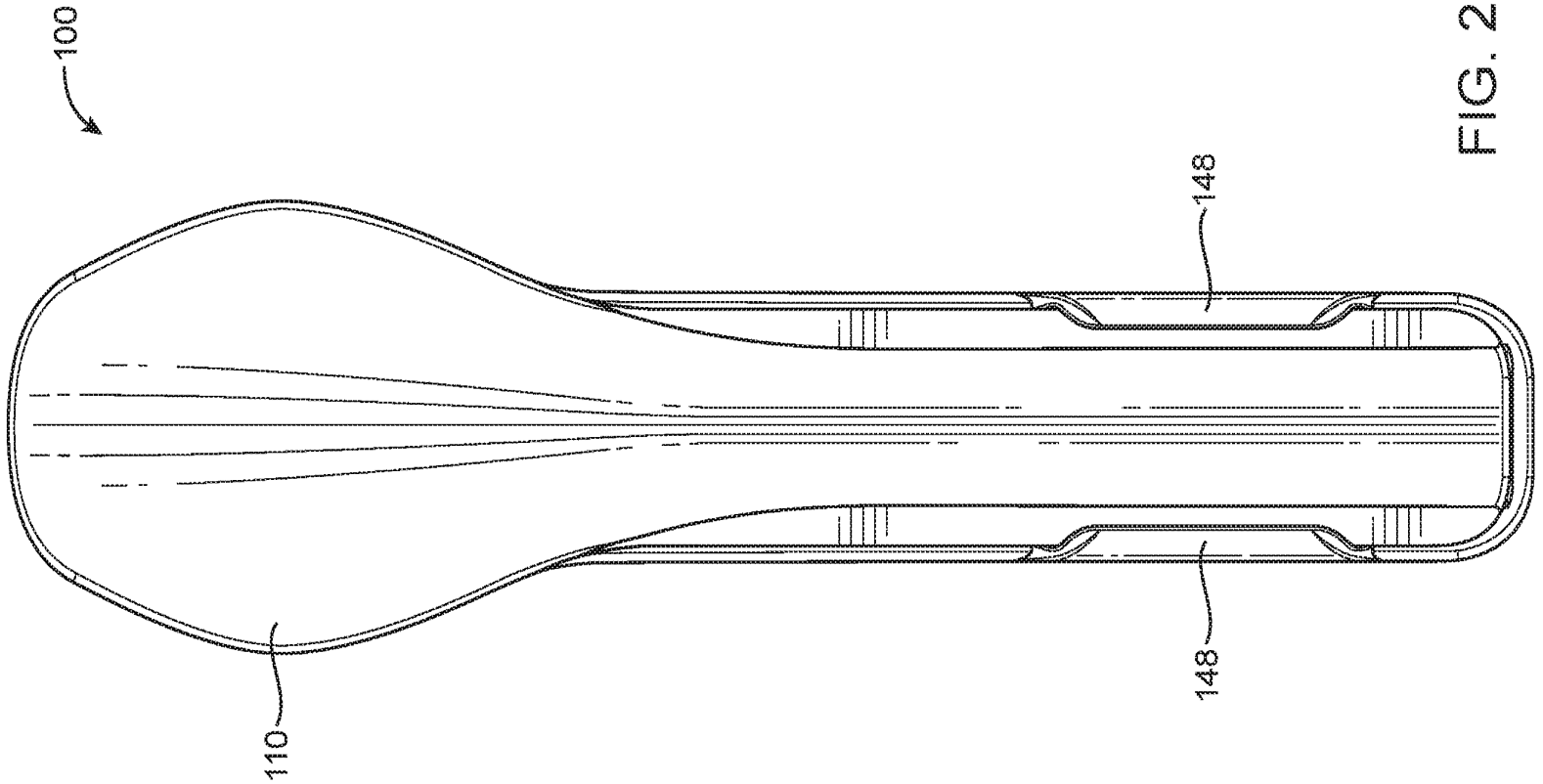


FIG. 2B

FIG. 3

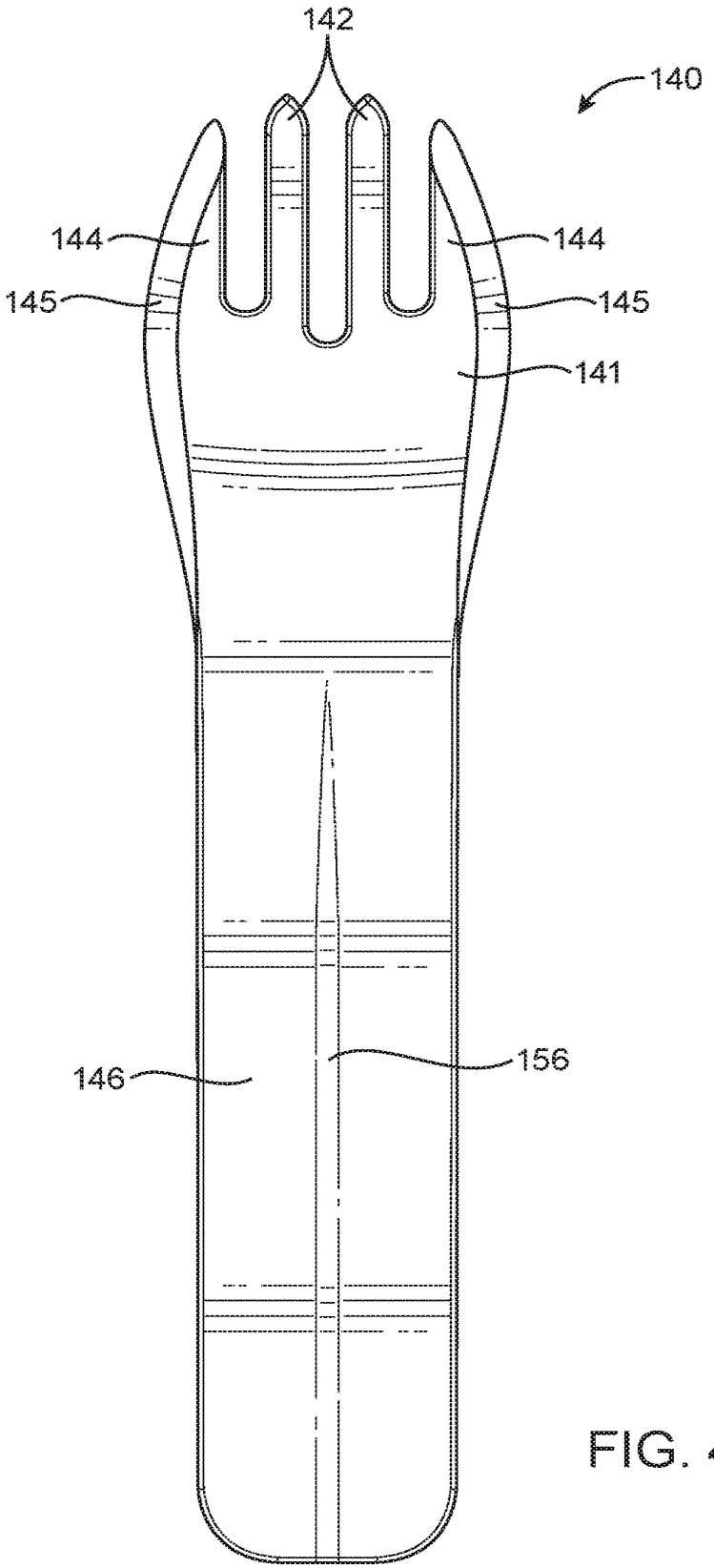


FIG. 4A

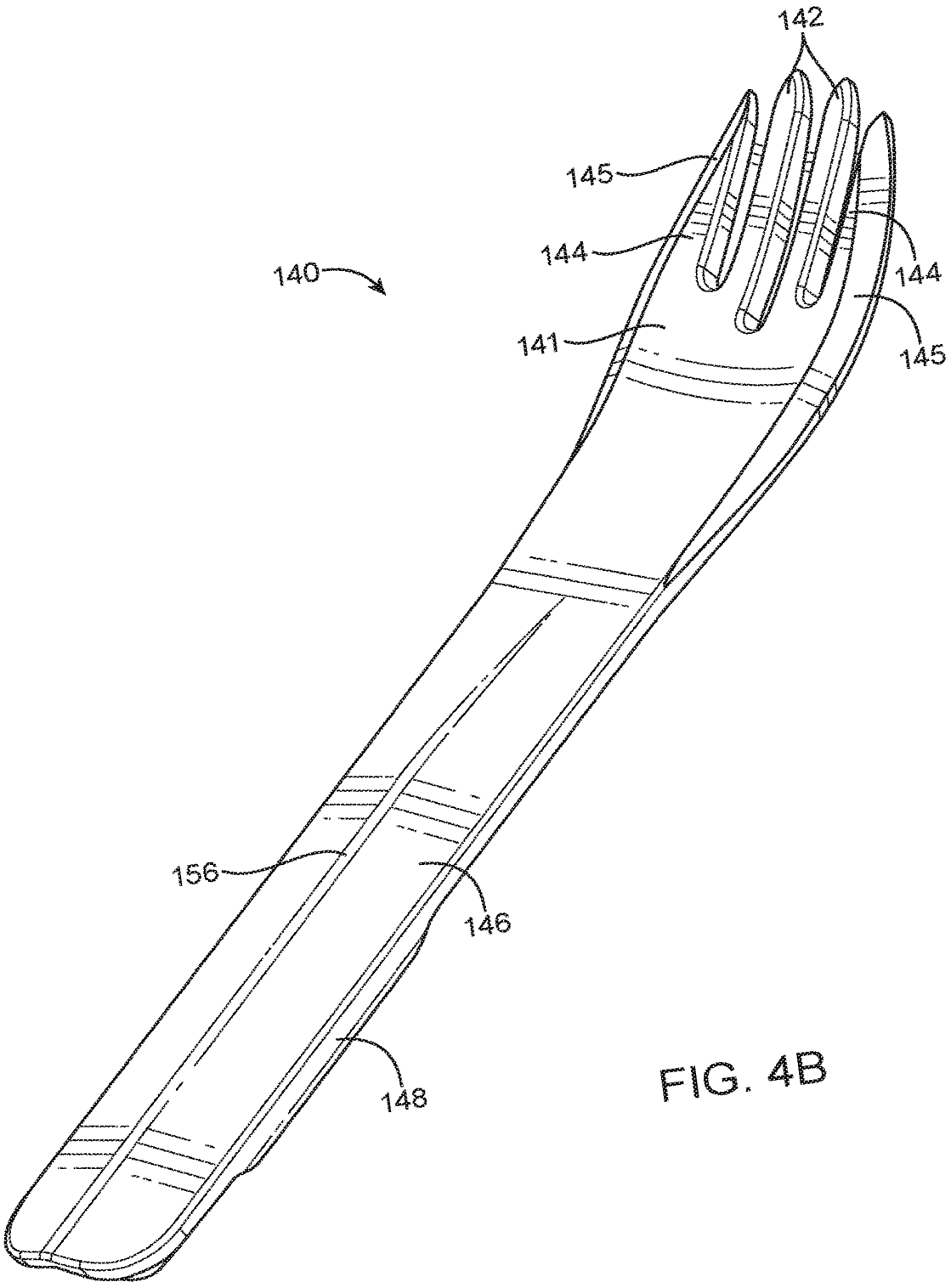


FIG. 4B

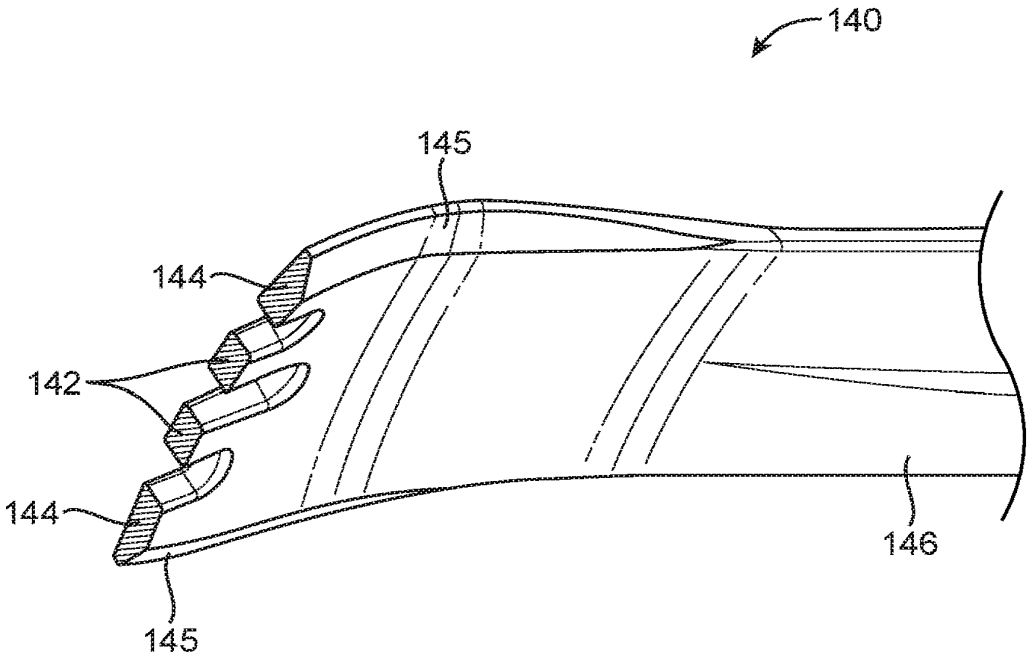


FIG. 4C

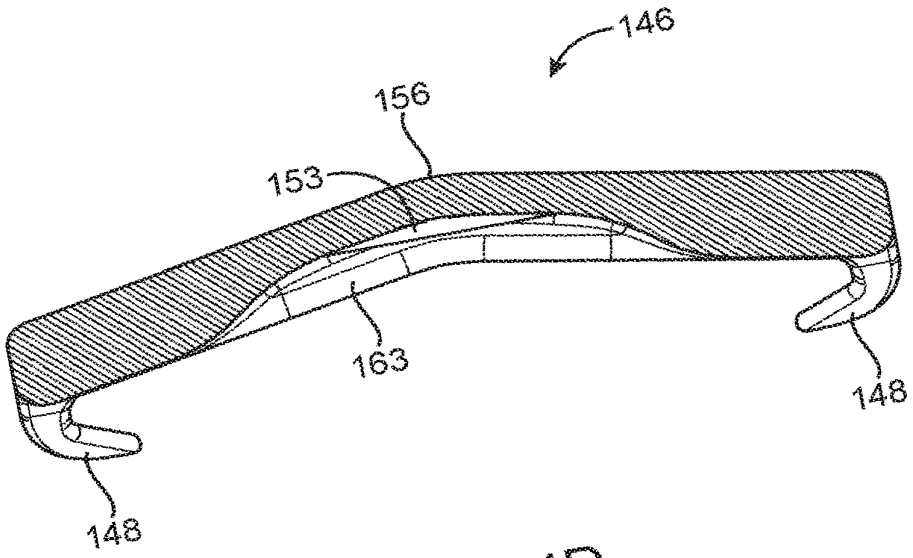


FIG. 4D

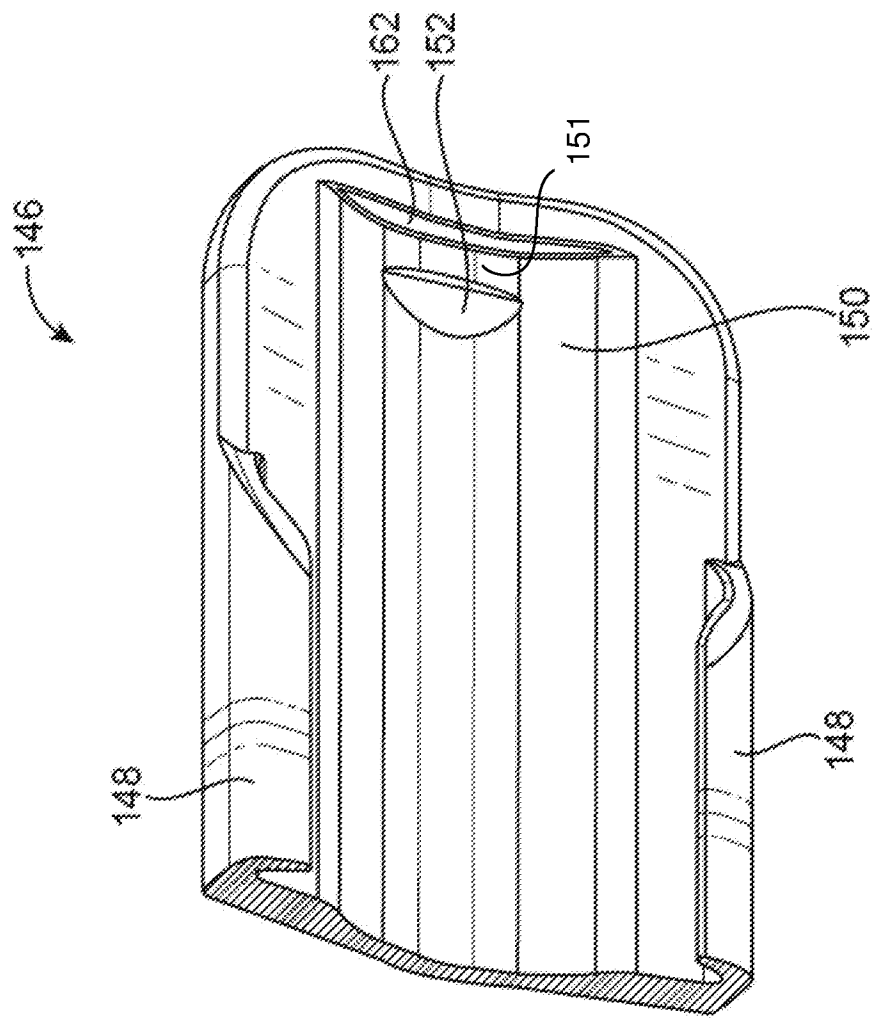


FIG. 4E

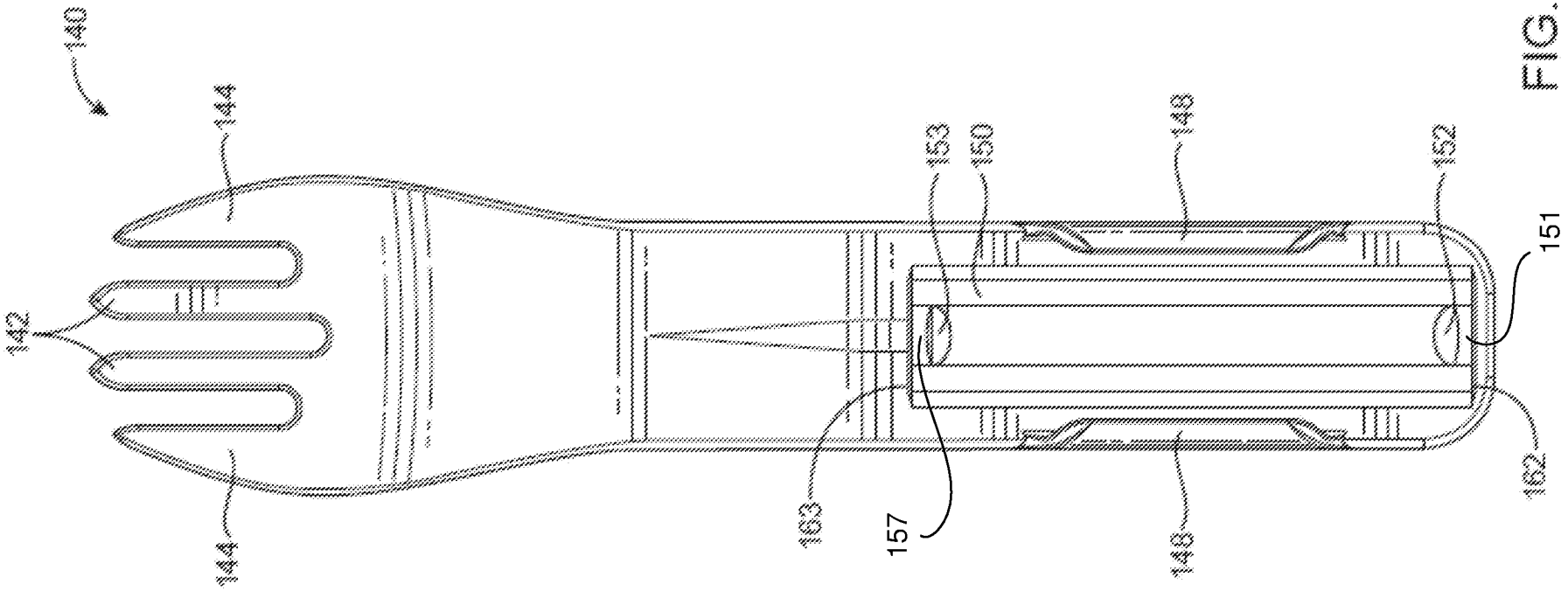


FIG. 4F

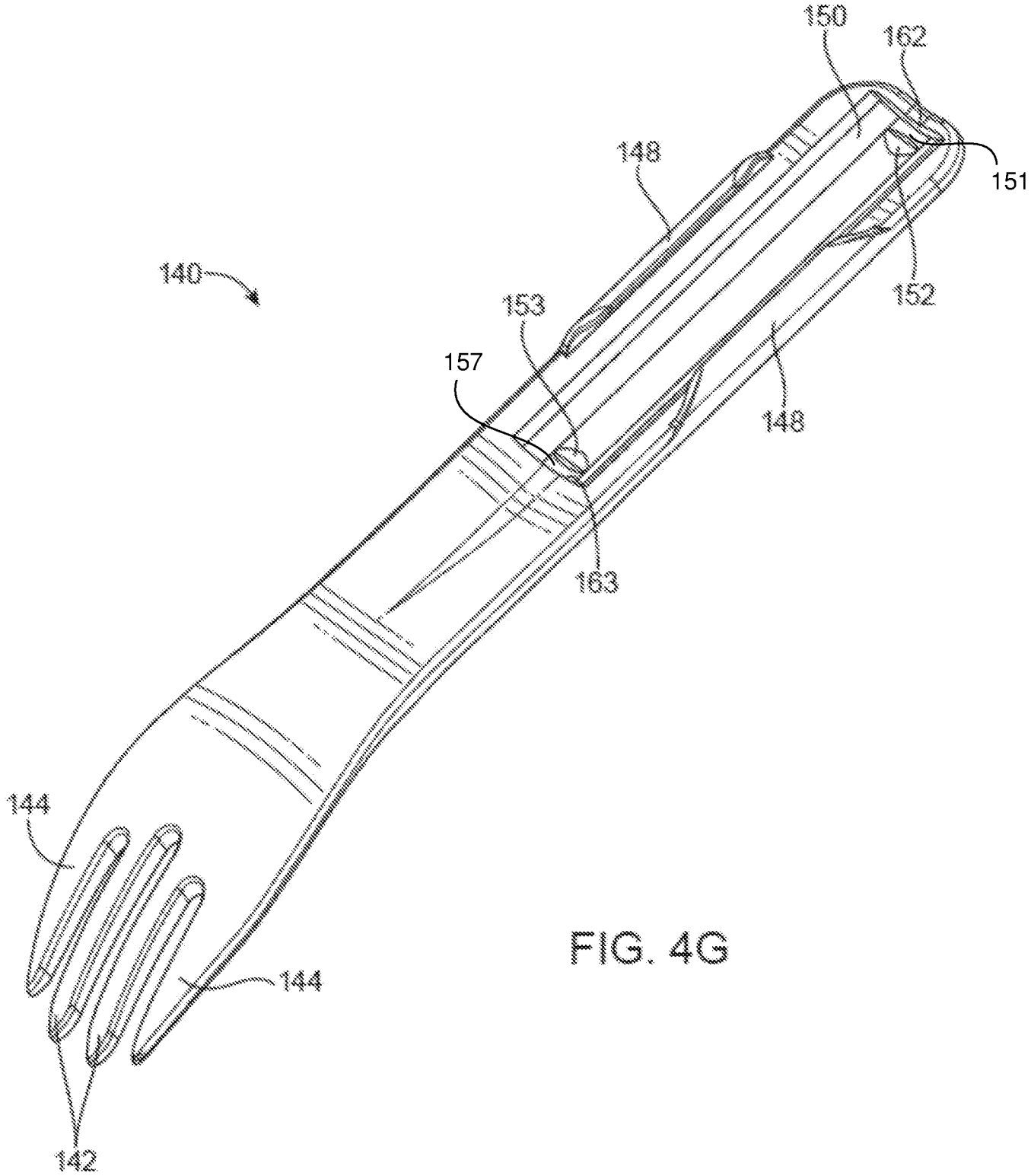


FIG. 4G

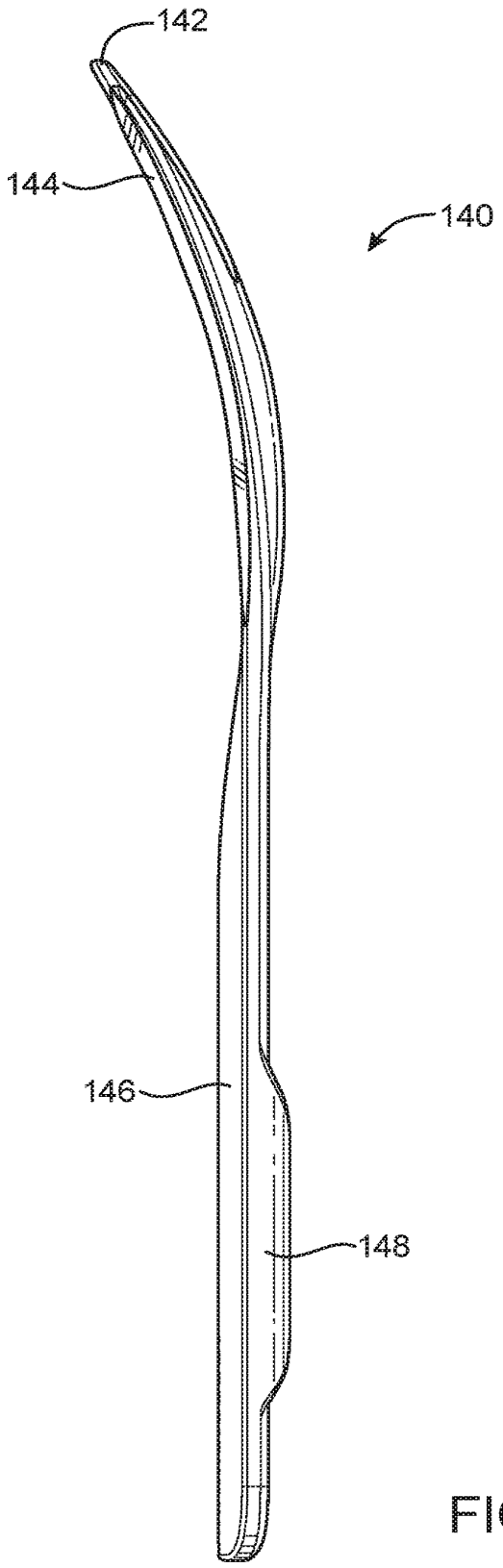


FIG. 4H

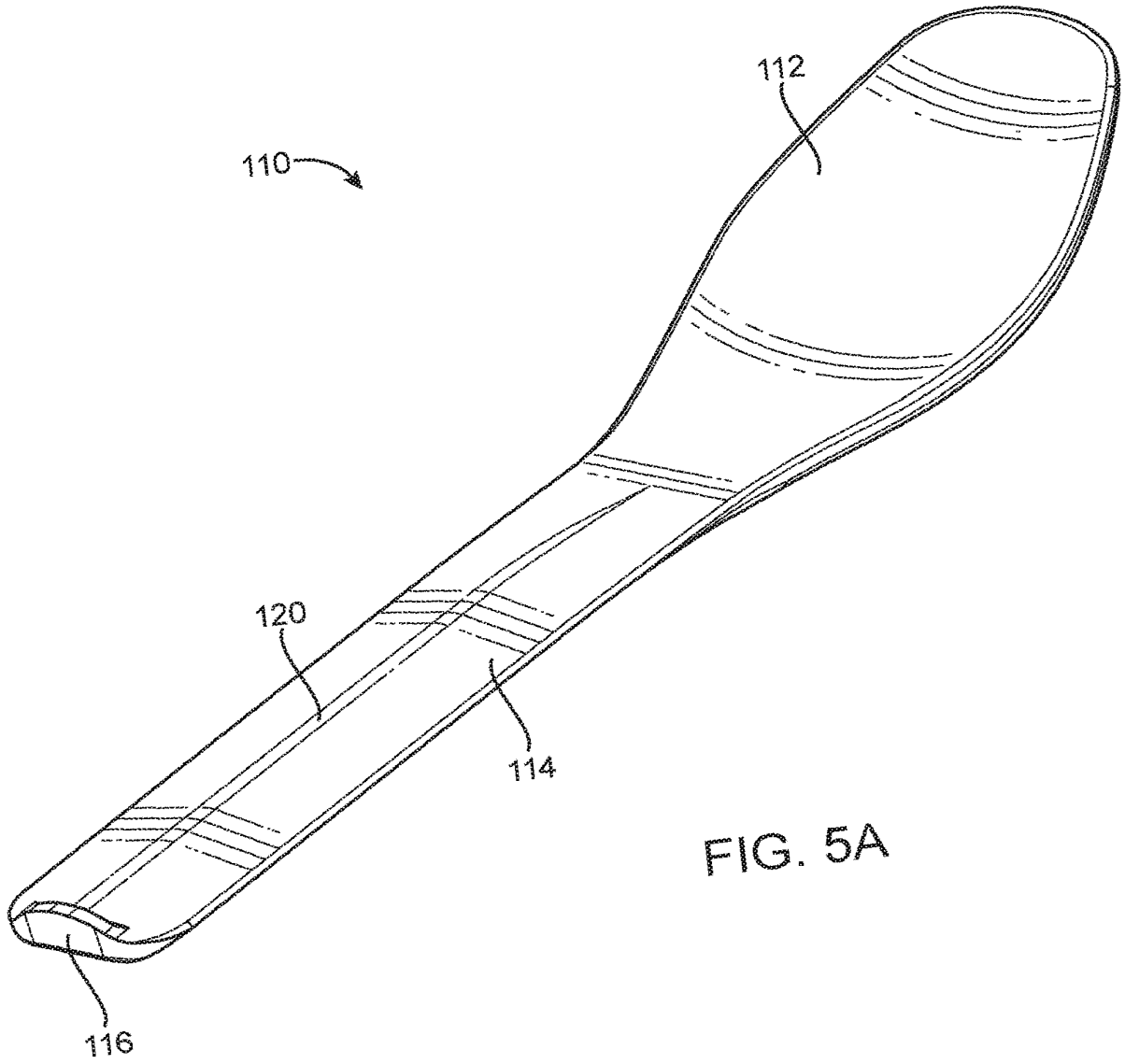


FIG. 5A

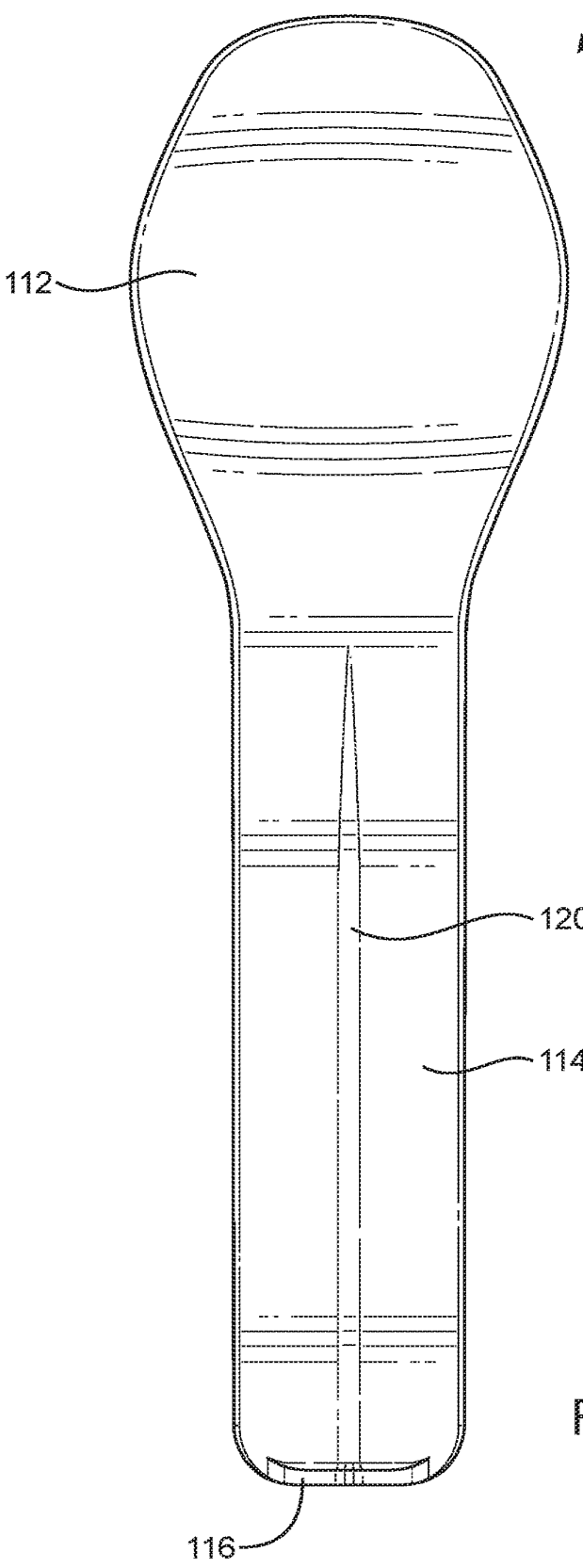


FIG. 5B

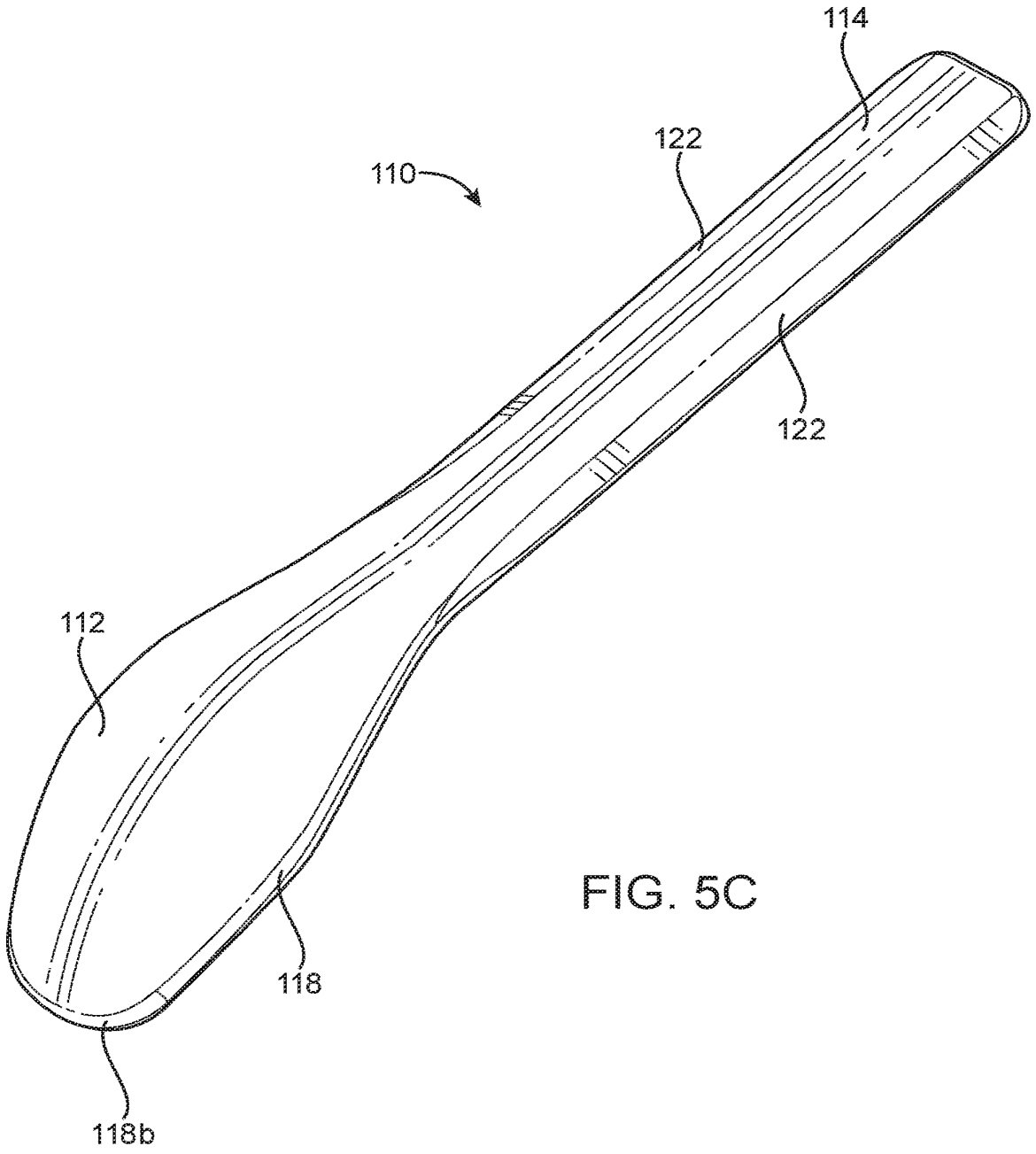


FIG. 5C

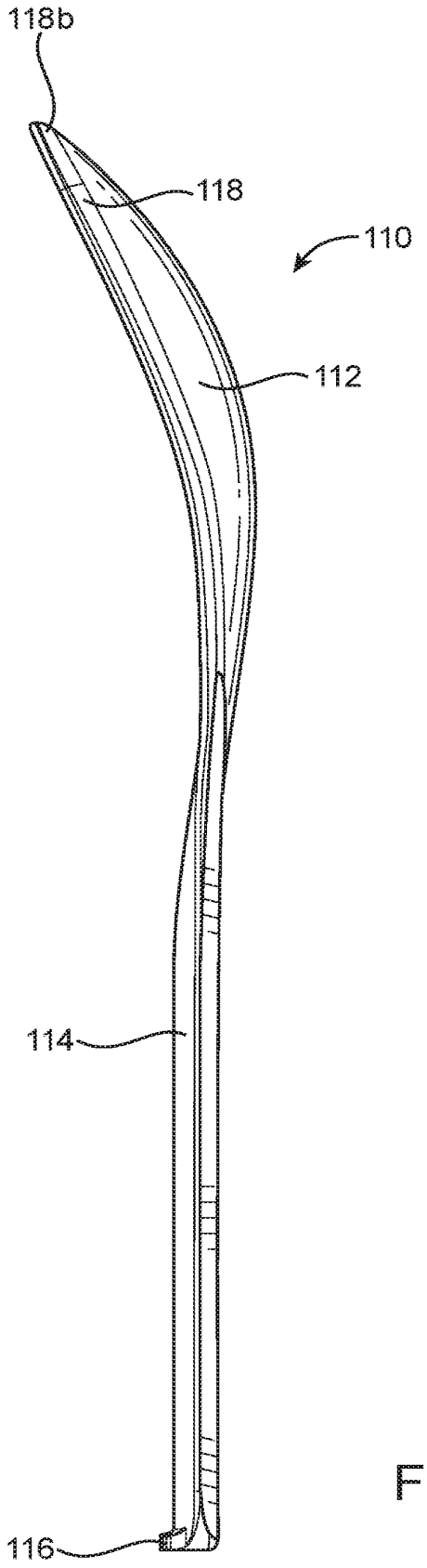


FIG. 5D

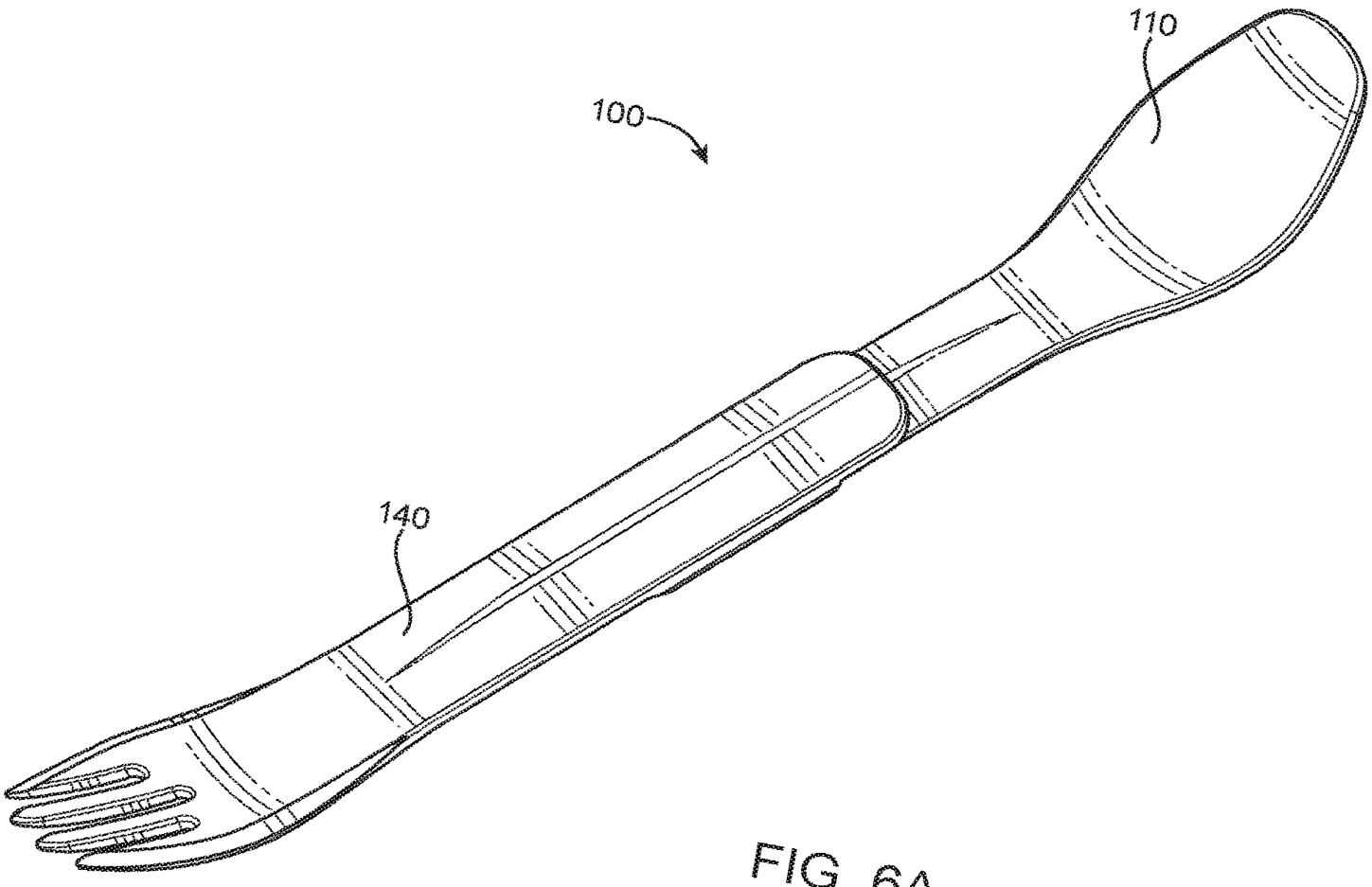


FIG. 6A

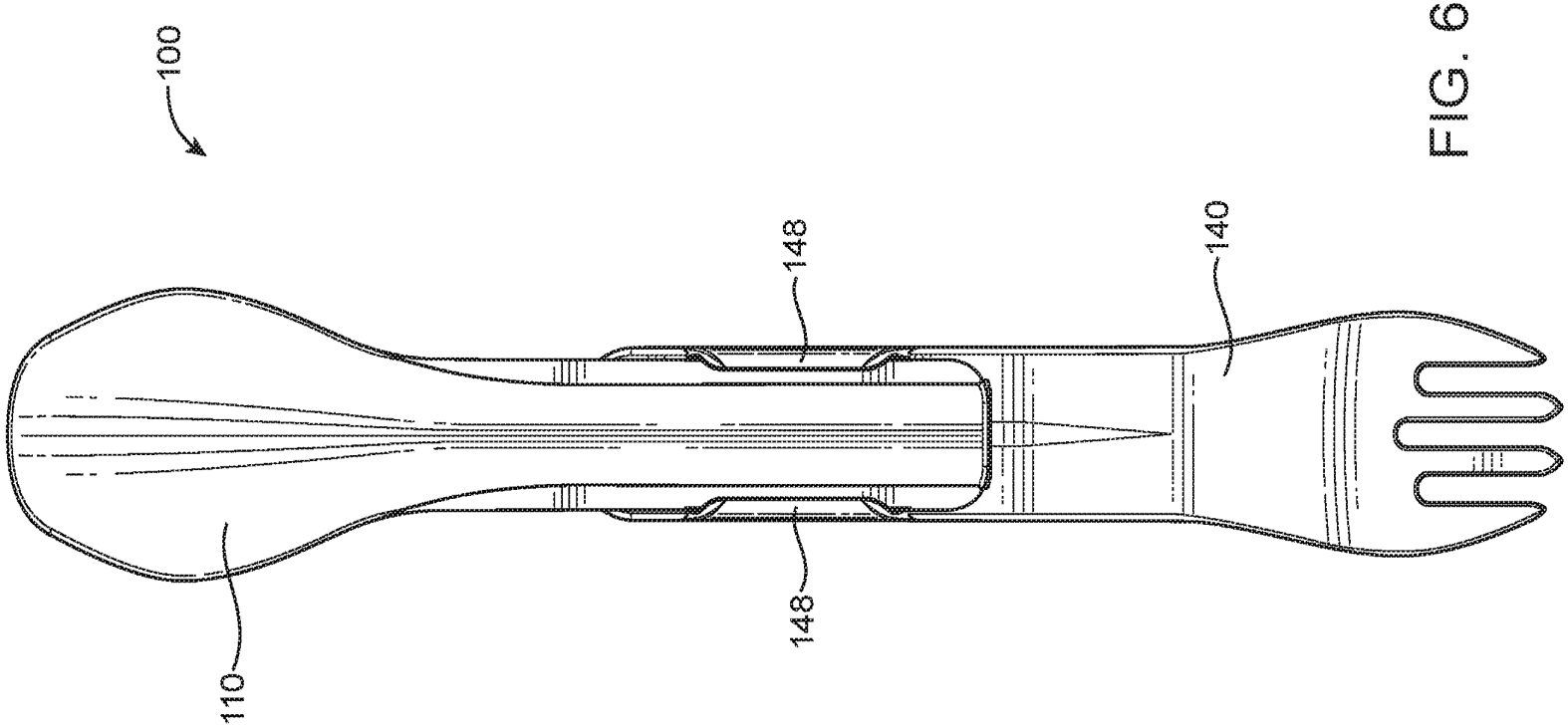


FIG. 6B

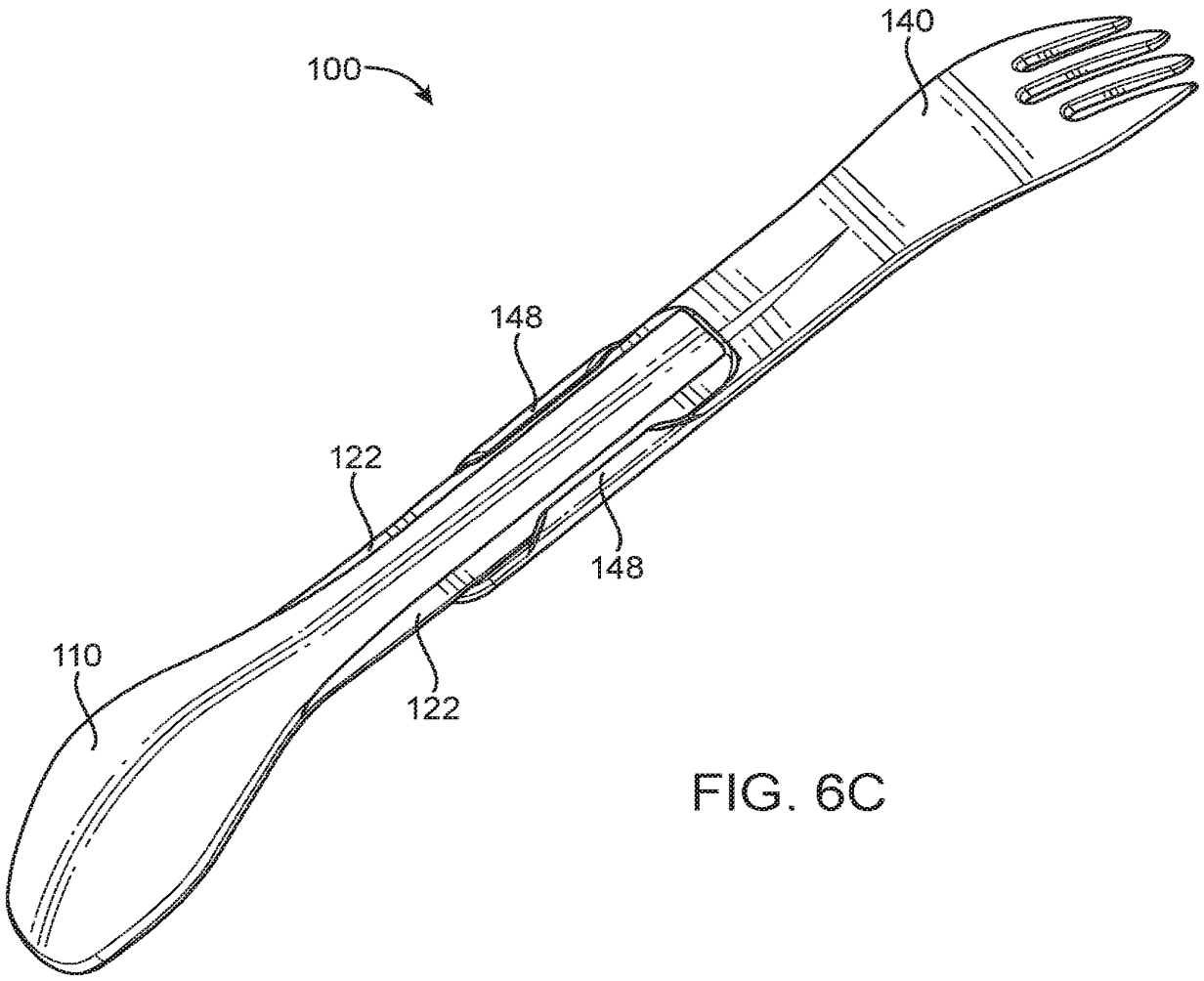


FIG. 6C

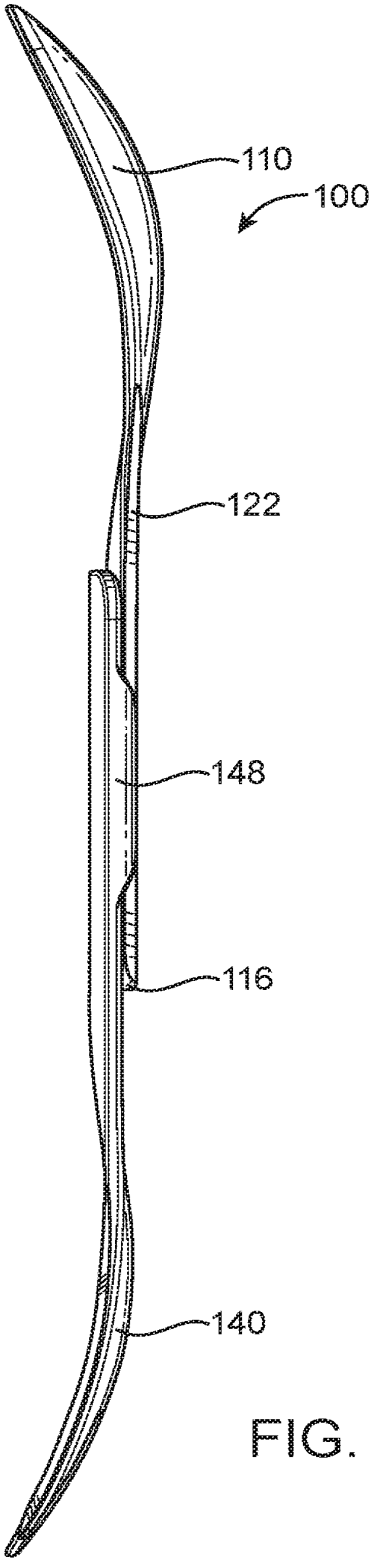


FIG. 6D

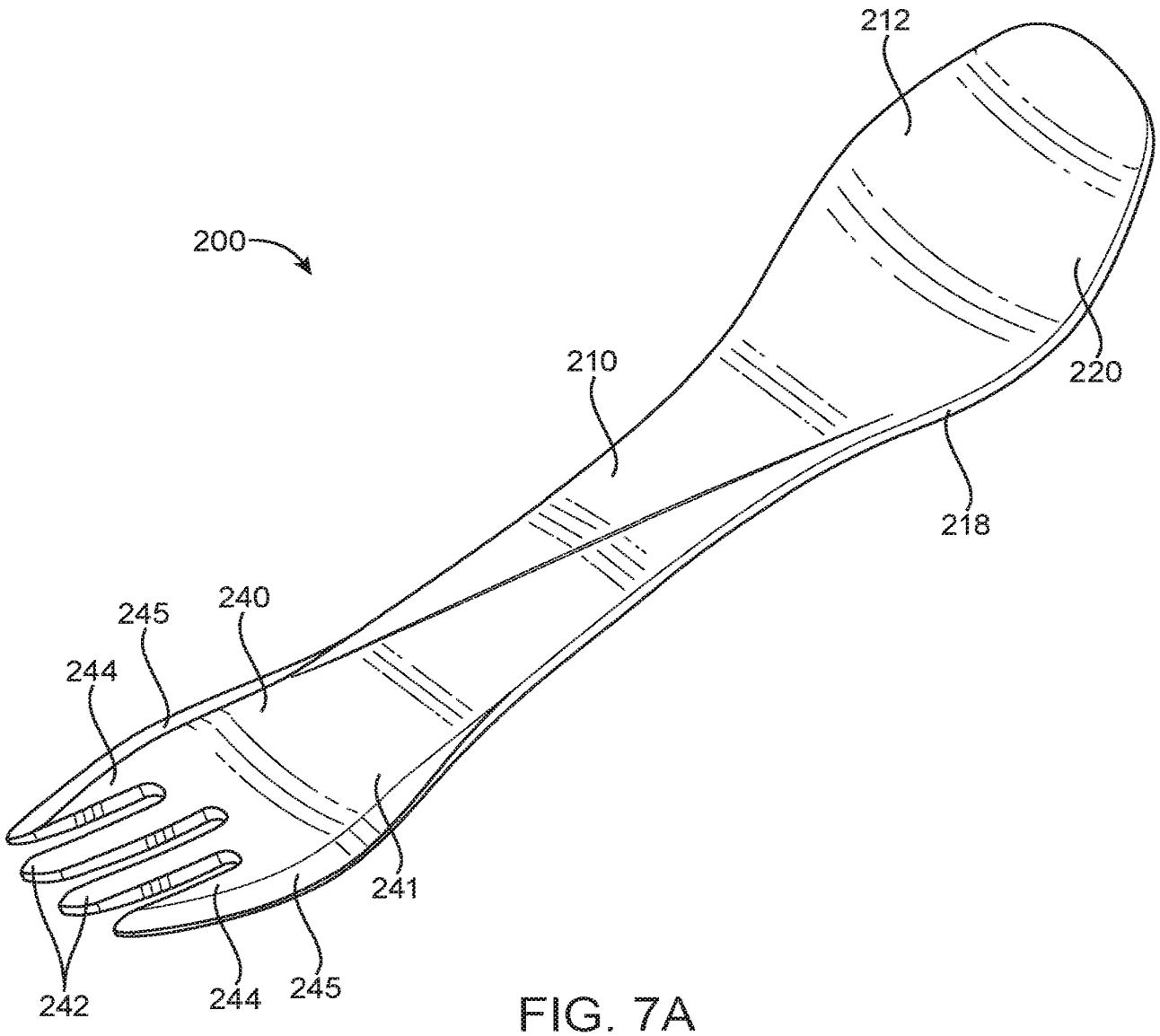


FIG. 7A

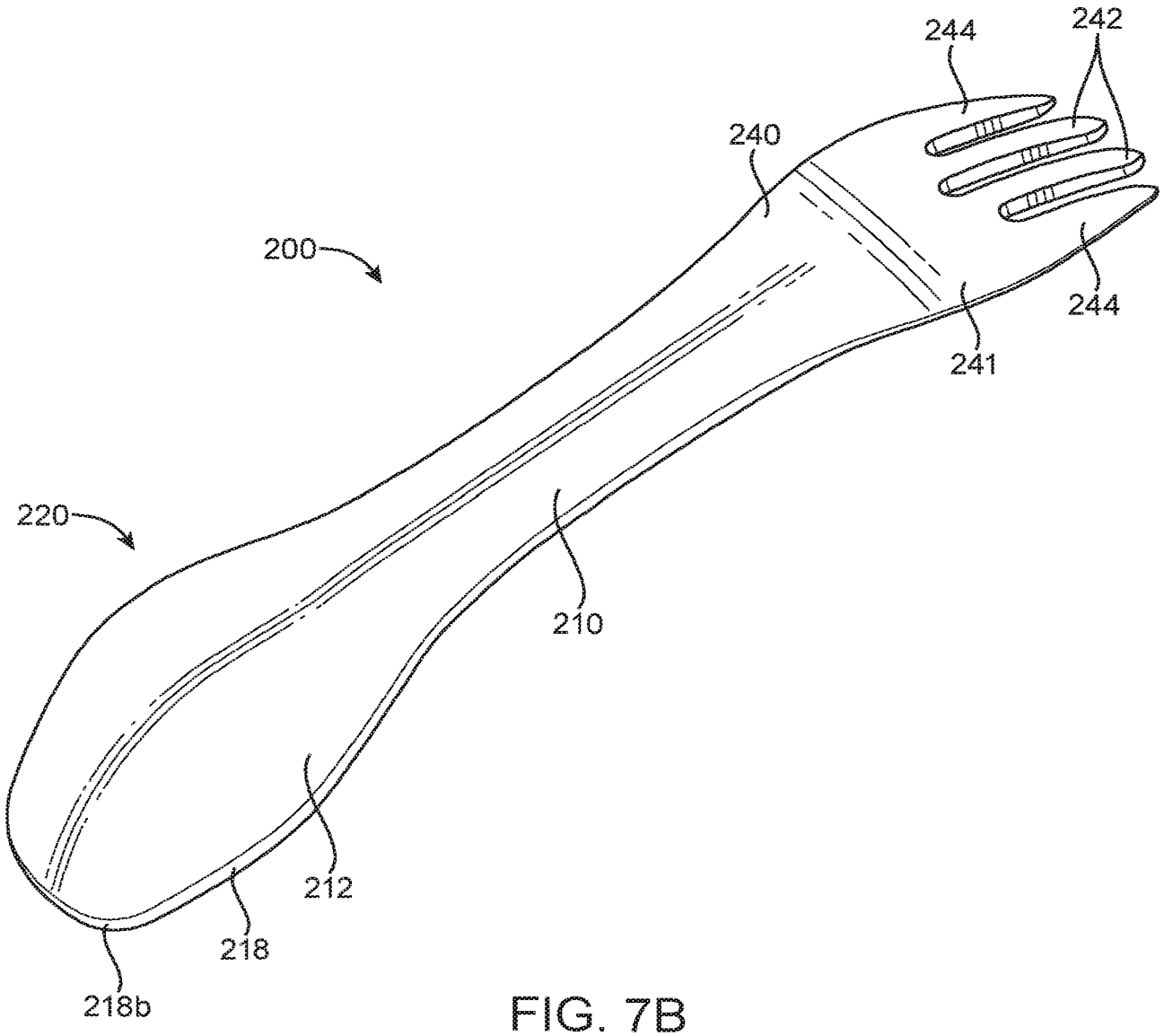


FIG. 7B

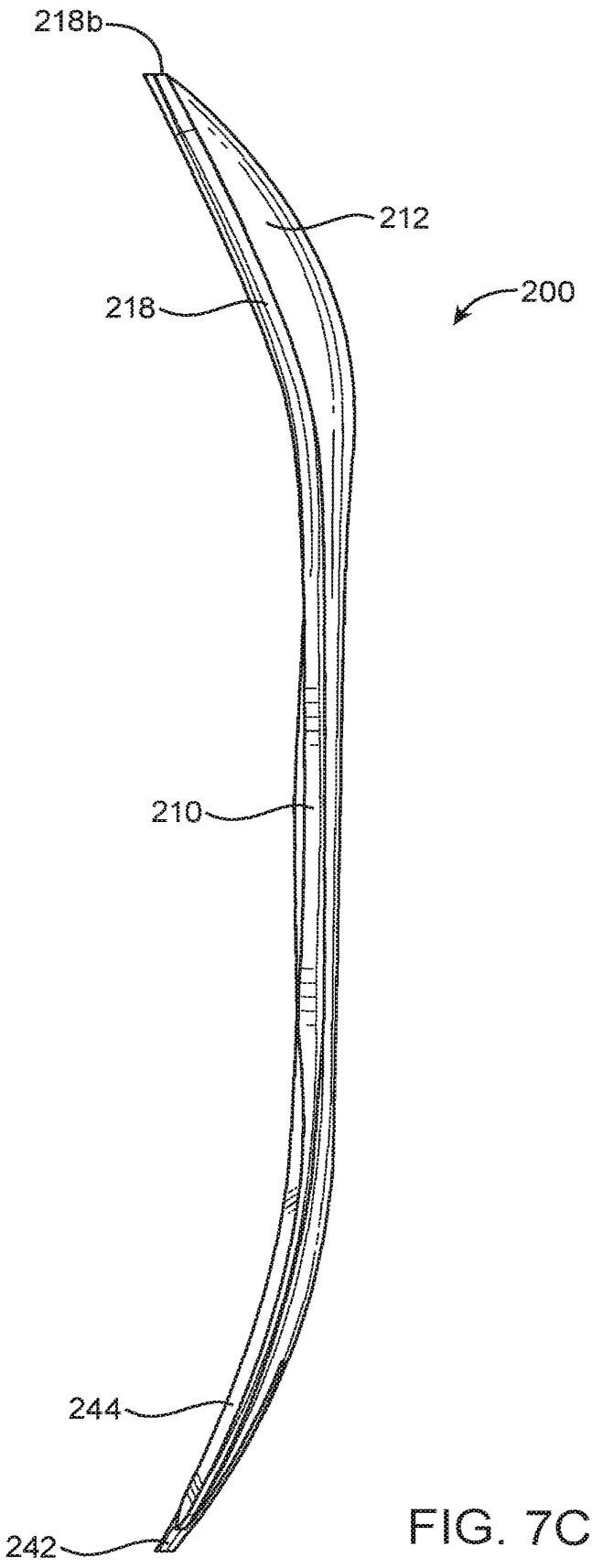


FIG. 7C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D3
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

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. HMG1P008D3).

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.**	HMG1P008D3
	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 Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
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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.**	HMG1P008D3
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	Filing Date	Herewith
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	Date Submitted	12/7/2018

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Examiner	**Date Considered**

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	Filing Date	Herewith
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Examiner	**Date Considered**

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Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D3
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
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	Date Submitted	12/7/2018

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Examiner	**Date Considered**

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Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D3
	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 Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes / No
	130.	WO 2013/095407	06/27/13	PCT			
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Examiner	Date Considered

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Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D3
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	Group	Unassigned
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	Date Submitted	12/7/2018

	136.	CN 200945058	09/12/07	CN			Abstract
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PTO/AIA/14 (11-15)
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D3
	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

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	Application Number	
Title of Invention	EATING UTENSIL SYSTEM	

City	San Francisco	State/Province	CA	Country of Residence	US

Mailing Address of Inventor:

Address 1	31 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	Larkspur	State/Province	CA	Country of Residence	US

Mailing Address of Inventor:

Address 1	116 Ward Street, #8		
Address 2			
City	Larkspur	State/Province	CA
Postal Code	94939	Country	US

Inventor 6 — Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Jonathan	Paul	DOWNING	

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City	Belmont	State/Province	CA	Country of Residence	US

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D3
	Application Number	
Title of Invention	EATING UTENSIL SYSTEM	

Mailing Address of Inventor:

Address 1	2010 Monroe Avenue		
Address 2			
City	Belmont	**State/Province**	CA
Postal Code	94002	**Country** i	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.**

Customer Number	58766		
Email Address		Add Email	Remove Email

Application Information:

Title of the Invention	EATING UTENSIL SYSTEM		
Attorney Docket Number	HMG1P008D3	**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 i

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.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D3
	Application Number	
Title of Invention	EATING UTENSIL SYSTEM	

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		

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)

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D3
	Application Number	
Title of Invention	EATING UTENSIL SYSTEM	

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	HMG1P008D3
	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	HMG1P008D3
	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	HMG1P008D3
	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	HMG1P008D3
	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.

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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.

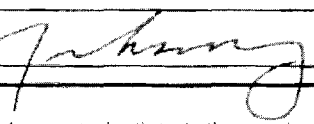
I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

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: Christopher A. MIKSOVSKY Date (Optional): 3/18/2014

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.

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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: Clint N. SLONE Date (Optional): 3/18/2014

Signature: Clint Slone

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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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:

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LEGAL NAME OF INVENTOR

Inventor: Evelyne CHAUBERT Date (Optional): 3/13/2014

Signature: [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.**

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☑ 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:

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LEGAL NAME OF INVENTOR

Inventor: Charlie NGHIEM Date (Optional): 3/13/2014

Signature: Charlie

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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PTO/AIA/01 (06-12)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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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.

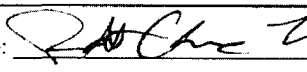
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LEGAL NAME OF INVENTOR

Inventor: Robert Charles LANE Date (Optional): 3/13/2014

Signature: 

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☐ The attached application, or

☑ United States application or PCT international application number 14/204,497 filed on March 11, 2014.

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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.

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

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:	HMG1P008D3

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:				
CLAIMS IN EXCESS OF 20	2202	1	50	50
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 ($)	**2905**

Electronic Acknowledgement Receipt

EFS ID:	34520559
Application Number:	16213536
International Application Number:	
Confirmation Number:	8074
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:	HMG1P008D3
Receipt Date:	07-DEC-2018
Filing Date:	
Time Stamp:	16:29:37
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$2905
RAM confirmation Number	121018INTEFSW00003350504481
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	HMG1P008D3_Transmittal_POA_by_Applicant.pdf	153778 3b42e91f623a81496cdedf1c6d6833f7f06605e4	no	1
Warnings:					
Information:					
2	Power of Attorney	HMG1_POA_Applicant.pdf	522554 a91fe80cef0e166151097e763854b279f15c87d2	no	1
Warnings:					
Information:					
3	TrackOne Request	HMG1P008D3_Track_One_Request.pdf	129957 8942a4e73f4219ea9d6f0b9c176f06215aeca887	no	2
Warnings:					
Information:					
4		HMG1P008D3_Application_FINAL.pdf	124602 26cec3273f74e01c2a254eb18aa6ce5805236175	yes	26

Multipart Description/PDF files in .zip description

Document Description	Start	End
Specification	1	19
Claims	20	25
Abstract	26	26

Warnings:					
Information:					
5	Drawings-only black and white line drawings	HMG1P008_figs_as_filed.pdf	1085252 4b5a294756a954adf3b3538cc1e197fda50dacff	no	24

Warnings:					
Information:					
6	Transmittal Letter	HMG1P008D3_IDS.pdf	23743 3afa530a8c1ce0c6dd6429c3b36a0c1987cab0ef	no	2
Warnings:					
Information:					
7	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D3_1449.pdf	68172 37f97c256974d290664ec53ad9206f3f58a9b193	no	6
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
8	Application Data Sheet	HMG1P008D3_ADS.pdf	1823570 d53eff13aad3c972cfc166e6f76e2db5e9f40b38	no	10
Warnings:					
Information:					
9	Oath or Declaration filed	HMG1P008_Decs_as_filed.pdf	520379 c305dd47ab97a9fa944b45ec1d46de3c1c842f6f	no	6
Warnings:					
Information:					
10	Fee Worksheet (SB06)	fee-info.pdf	41468 53ac661ee800dc1ae0f85f2072788526338b5c44	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	4493475		

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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.

PTO/AIA/82A (07-12)
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TRANSMITTAL FOR POWER OF ATTORNEY TO ONE OR MORE REGISTERED PRACTITIONERS

NOTE: This form is to be submitted with the Power of Attorney by Applicant form (PTO/AIA/82B or equivalent) to identify the application to which the Power of Attorney is directed, in accordance with 37 CFR 1.5. If the Power of Attorney by Applicant form is not accompanied by this transmittal form or an equivalent, the Power of Attorney will not be recognized in the application.

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	HMG1P008D3

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.

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