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

Dec 15, 2022 03:25:16 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.
16725397	ISSUE.NTF	12/14/2022	HMG1P008D2D1

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

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.
16/725,397	01/03/2023	11540654	HMG1P008D2D1	9049

58766 7590 12/14/2022

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 Patents Stakeholder Experience (OPSE), Stakeholder Support Division (SSD) at (571)-272-4200.

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

Christopher A. MIKSOVSKY, San Francisco, CA;
Clint N. SLONE, San Francisco, CA;
Evelyne CHAUBERT, San Francisco, CA;
Charlie NGHIEM, Oakland, CA;
Robert Charles LANE, Belmont, CA;

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

humangear, Inc., San Francisco, CA;

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

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2D1
	Application No.:	16/725,397
Information Disclosure Statement By Applicant	Applicant	humangear, Inc.
	Filing Date	December 23, 2019
	Group	3724
(Use Several Sheets if Necessary)		Page 1 of 1
	Date Submitted	November 8, 2022

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	2021/0022531	01/28/21	FORKAN			07/23/20
	2.	2021/0045555	02/18/21	Green			08/16/19
	3.	2020/0022674	~~01/27/22~~ 1/2020	~~CHUANG~~ Egorov			11/02/20
	4.						
	5.						

Change(s) applied to document, /K.D.D./ 12/8/2022

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
	6.							

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	7.	Office Action from U.S. Application No. 17/844,634 dated September 7, 2022.
	8.	Notice of Allowance from U.S. Application No. 17/844,634 dated October 3, 2022.
	9.	
	10.	

Examiner	/Jason Daniel Prone/	Date Considered	11/21/2022

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/

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.
16/725,397	12/23/2019	Christopher A. MIKSOVSKY	HMG1P008D2D1	9049

58766 7590 11/28/2022

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
11/28/2022	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

Response to Rule 312 Communication	Application No.	Applicant(s)	
	16/725,397	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 21 November 2022 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.

f) ☐ not entered because the supplemental or corrected Application Data sheet (ADS)

☐ was not accompanied by a petition to accept an unintentionally delayed claim under 37 CFR 1.55 or 27 CFR 1.78;

☐ did not identify the information being changed in accordance with 37 CFR 1.76(c)(2);

☐ was not properly signed in accordance with 37 CFR 1.76(e) (or 37 CFR 1.33(b) for applications filed prior to September 16, 2012).

/Jason Daniel Prone/
Primary Examiner, Art Unit 3724

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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, 2022.

Signed: _____/Erin Saito/_____
Erin Saito

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.**	HMG1P008D2D1
	Application No.:	16/725,397
	Applicant	humangear, Inc.
	Filing Date	December 23, 2019
	Group	3724
		Page 1 of 1
	Date Submitted	November 8, 2022

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	2021/0022531	01/28/21	FORKAN			07/23/20
	2.	2021/0045555	02/18/21	Green			08/16/19
	3.	2020/0022674	01/27/22	CHUANG			11/02/20
	4.						
	5.						

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
	6.							

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	7.	Office Action from U.S. Application No. 17/844,634 dated September 7, 2022.
	8.	Notice of Allowance from U.S. Application No. 17/844,634 dated October 3, 2022.
	9.	
	10.	

Examiner	/Jason Daniel Prone/	Date Considered	11/21/2022

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 28, 2022 03:24:19 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.
16725397	N271	11/28/2022	HMG1P008D2D1
	1449	11/28/2022	HMG1P008D2D1

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.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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, 2022.

Signed: _____/Erin Saito/_____
Erin Saito

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.

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

Listing of Claims:

1.-9. (Cancelled)

10. (Previously Presented) An eating utensil, comprising:

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines include two outer tines, each outer tine having (i) a proximal base (ii) a corresponding curved outer tine edge that is part of a corresponding outer edge of the fork head, and (iii) a corresponding chamfered surface extending laterally inward from the corresponding outer edge of the fork head;

a spoon head having a concave spoon bowl portion;

a handle integrally formed with the fork head at a first end of the handle and with the spoon head at a second end of the handle, wherein a front surface of the eating utensil includes a concave surface of the concave fork bowl portion, a concave surface of the concave spoon bowl portion and a front surface of the handle; and

wherein the chamfered surfaces are on the front surface of the eating utensil and each chamfered surface extends along the corresponding outer edge of the fork head proximally towards the handle beyond the proximal base such that the curved outer tine edge acts as a splitting feature.

11. (Previously Presented) The eating utensil as recited in claim 10, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

12. (Previously Presented) The eating utensil as recited in claim 11 wherein the eating utensil is formed from a glass filled nylon.

13. (Previously Presented) The eating utensil as recited in claim 10 wherein an outer edge of the spoon head is substantially five-sided.

14. (Previously Presented) The eating utensil as recited in claim 10, wherein each side edge of the spoon head is substantially flat and substantially rounded corners connect adjacent side edges.

15. (Previously Presented) The eating utensil as recited in claim 10, wherein each chamfered outer edge tapers to a corresponding point where the handle portion meets the fork head portion.

16. (Currently Amended) The eating utensil as recited in claim 10, wherein the plurality of tines includes the two outer and two inner tines, each of the inner tines having a proximal base end and a distal tip, the base ends of outer tines being wider than the base ends of inner tines.

17. (Previously Presented) The eating utensil as recited in claim 10, wherein the handle has side edges that connect the front surface of the handle to a back surface of the handle and the side edges of the handle are substantially parallel over a majority of a length of the handle.

18. (Previously Presented) The eating utensil as recited in claim 10, wherein each chamfered surface extends along the corresponding outer edge of the fork head from a tip of the outer tine to a location proximal to a widest portion of the fork head.

19. (Previously Presented) The eating utensil as recited in claim 10 wherein when the eating utensil is viewed from a side with the concave spoon bowl portion and the concave fork bowl portion facing up and a visible side edge of the handle extending horizontally, a visible one of the outer edges of the fork head does not dip below the visible side edge of the handle.

20. (Previously Presented) The eating utensil as recited in claim 10 wherein the chamfered surfaces each have a chamfer angle in the range of about 20-25 degrees.

Humangear, Inc. Ex. 2009, Page 11

21. (Previously Presented) The eating utensil as recited in claim 10 wherein the outer tine edges of the outer tines each have a width of about 1 millimeter.

22. (Currently Amended) An eating utensil formed from a glass reinforced thermoplastic material, the eating utensil further comprising:

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines include two outer and two inner tines, each of the tines having a proximal base end and a distal tip, the proximal base ends of the outer tines being wider than the proximal base ends of the inner tines and wherein each of the two outer tines ~~has (i) a proximal base, (ii)~~ further includes (i) a corresponding curved outer tine edge that is part of a corresponding outer edge of the fork head, and ~~(iii)~~ (ii) a corresponding chamfered surface extending laterally inward from the corresponding outer edge of the fork head;

a spoon head having a concave spoon bowl portion wherein an outer edge of the spoon head is substantially five-sided;

a handle integrally formed with the fork head at a first end of the handle and with the spoon head at a second end of the handle, wherein a front surface of the eating utensil includes a concave surface of the concave fork bowl portion, a concave surface of the concave spoon bowl portion and a front surface of the handle; and

wherein the chamfered surfaces are on the front surface of the eating utensil and each chamfered surface extends along a corresponding one of the outer edges of the fork head proximally towards the handle beyond the proximal base such that the curved outer tine edge acts as a splitting feature.

23. (Previously Presented) The eating utensil as recited in claim 22 wherein the eating utensil is formed from a glass filled nylon.

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

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines includes a first outer tine having (i) a proximal base, (ii) a

curved first outer tine edge that is part of a first outer edge of the fork head, and (iii) a chamfered surface extending laterally inward from the first outer tine edge of the first outer tine;

a handle integrally formed with the fork head at a first end of the handle, wherein a front surface of the eating utensil includes a concave surface of the concave fork bowl portion, and a front surface of the handle;

a spoon head having a concave spoon bowl portion, wherein the spoon head is integrally formed with the handle at a second end of the handle; and

wherein the chamfered surface is on the front surface of the eating utensil and extends along the first outer edge of the fork head proximally towards the handle beyond the proximal base such that the curved first outer tine edge acts as a splitting feature.

25. (Cancelled)

26. (Currently Amended) The eating utensil as recited in claim [[25]] 24 wherein the front surface of the eating utensil further includes a concave surface of the concave spoon bowl portion.

27. (Previously Presented) The eating utensil as recited in claim 24 wherein the plurality of tines include a second outer tine, the second outer tine having (iv) a proximal base, (v) a curved second outer tine edge that is part of a second outer edge of the fork head and (vi) a second chamfered surface extending laterally inward from the second outer tine edge of the second outer tine, wherein the second chamfered surface is on the front surface of the eating utensil and extends along the second outer edge of the fork head proximally towards the handle beyond the proximal base such that the curved second outer tine edge acts as a splitting feature.

28. (Previously Presented) The eating utensil as recited in claim 24, wherein the chamfered surface extends along the first outer edge of the fork head from a tip of the first outer tine to the handle and tapers to a point where the handle meets the fork head, whereby the chamfered surface extends proximally beyond a widest portion of the fork head.

29. (Previously Presented) The eating utensil as recited in claim 24, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

30. (Previously Presented) An eating utensil, comprising:

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines includes a first outer tine having a curved first outer tine edge, wherein a top surface of the curved first outer tine edge is tapered to allow the curved first outer tine edge to act as a splitting feature;

a spoon head having a spoon bowl portion; and

a handle integrally formed with the fork head at a first end of the handle and with the spoon head at a second end of the handle, wherein a top surface of the eating utensil includes a concave surface of the fork bowl portion, a concave surface of the spoon bowl portion and a top surface of the handle.

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

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines includes a first outer tine having (i) a proximal base (ii) a curved first outer tine edge that is part of a first outer edge of the fork head, and (iii) a tapered surface on a front surface of the eating utensil, the tapered surface extending laterally inward from the first outer tine edge of the first outer tine;

a handle integrally formed with the fork head at a first end of the handle, wherein the front surface of the eating utensil includes a concave surface of the concave fork bowl portion, and a front surface of the handle;

a spoon head having a concave spoon bowl portion, wherein the spoon head is integrally formed with the handle at a second end of the handle; and

wherein the tapered surface extends along the first outer edge of the fork head proximally towards the handle beyond the proximal base such that the curved first outer tine edge acts as a splitting feature.

32. (Previously Presented) The eating utensil as recited in claim 31, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

33. (Cancelled)

34. (Currently Amended) The eating utensil as recited in claim [[33]] 31 wherein the front surface of the eating utensil further includes a concave surface of the concave spoon bowl portion.

35. (Currently Amended) The eating utensil as recited in claim 31 wherein the plurality of tines include a second outer tine, the second outer tine having ~~(iii)~~ (iv) a curved second outer tine edge that is part of a second outer edge of the fork head and ~~(iv)~~ (v) a second tapered surface extending laterally inward from the second outer tine edge of the second outer tine, wherein the second tapered surface is on the front surface of the eating utensil and extends along the second outer edge of the fork head proximally towards the handle beyond a proximal base of the second outer tine to help define a second curved splitting feature.

36. (Previously Presented) The eating utensil as recited in claim 31, wherein the tapered surface extends along the first outer edge of the fork head from a tip of the first outer tine to the handle and tapers to a point where the handle meets the fork head, whereby the tapered surface extends proximally beyond a widest portion of the fork head.

REMARKS

Examiner Prone is thanked for the Notice of Allowance.

Upon reviewing the allowed claim set (as amended), it appeared that a few of the claims had minor inconsistencies which have been addressed in the amendments set forth above. For example, the amended claim 22 added element "a proximal base", to the definition of the outer tines. However, the proximal base was previously recited in the claim and the proposed amendments are believed to address that inconsistency. In another example, claim 31 was amended by the Examiner's amendments such that it includes sub-elements (i), (ii) and (iii). As such, claim 35 (which depends from claim 31) has been amended to relabel the further sub-elements recited therein as sub-elements (iv) and (v) [rather than (iii) and (iv)].

Further, it is noted that independent claim 24 has been amended to include the limitations of former dependent claim 25 and independent claim 31 has been amended to include the limitations of former dependent claim 33. This is done so that all pending claim are directed at utensils having both fork and spoon heads. Claims directed at utensils having the fork head alone will be pursued in a separate application. Pursuant to the amendments to claims 24 and 31, former dependent claims 25 and 33 have been cancelled.

If the Office has any questions or concerns regarding the 312 amendments set forth above, Examiner Prone is encouraged to contact the undersigned or Tina Chen at the number set forth below.

Respectfully submitted,

BEYER LAW GROUP LLP

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

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

Electronic Patent Application Fee Transmittal

Application Number:	16725397
Filing Date:	23-Dec-2019
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Filer:	Steve D. Beyer/Erin Saito
Attorney Docket Number:	HMG1P008D2D1

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	600	600

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
SUBMISSION- INFORMATION DISCLOSURE STMT	2806	1	130	130
PRINTED COPY OF PATENT - NO COLOR	8001	3	3	9
		Total in USD ($)		**739**

Electronic Acknowledgement Receipt

EFS ID:	46985015
Application Number:	16725397
International Application Number:	
Confirmation Number:	9049
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Steve D. Beyer/Erin Saito
Filer Authorized By:	Steve D. Beyer
Attorney Docket Number:	HMG1P008D2D1
Receipt Date:	08-NOV-2022
Filing Date:	23-DEC-2019
Time Stamp:	17:59:55
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$739
RAM confirmation Number	E2022A8I00553732
Deposit Account	504481
Authorized User	Erin Saito

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

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

37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	HMG1P008D2D1_312_Amendment_Transmittal.pdf	21776 0c6bce029704fb3c9df033c4a80a183231bf9aa0	no	1
Warnings:					
Information:					
2	Issue Fee Payment (PTO-85B)	HMG1P008D2D1_Issue_Fee.pdf	203012 0836bf7791362261932747 4d955575bab58ddb48e	no	1
Warnings:					
Information:					
3	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D2D1_1449_3.pdf	22335 2e9e021752919c13cff310d199911acb4fd47fd9	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
4	Non Patent Literature	HMG1P008D4_Non_Final_Rejection_09072022.pdf	1212357 cce4ca6d0d4d0a106bef7314cf477c625b9fe152	no	18
Warnings:					
Information:					
5	Non Patent Literature	HMG1P008D4_Notice_of_Allowance_10032022.pdf	619209 77ef4982d235e58bd25f711dfbae2ce951695098	no	7
Warnings:					
Information:					
6	Transmittal Letter	HMG1P008D2D1_IDS_Issue_Fee.pdf	26302 56e54cc370212ed4ae7720ffbc3768482248672a	no	2
Warnings:					

Information:					
7		HMG1P008D2D1_Rule_312_Amendment.pdf	51491 28dc8052e7b20d00dd06add0e05c313442172a47	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:					
8	Fee Worksheet (SB06)	fee-info.pdf	42324 a40c9d5191afc4291cb272cffe3f7b0533cdb823	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	2198806		

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.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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, 2022.

Signed: _____/Erin Saito/_____
Erin Saito

RULE 312 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	25	MINUS	36	0	x 50 = $0.00	x 100 = $0.00
Independent Claims	05	MINUS	05	0	x 240 = $0.00	x 480 = $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. HMG1P008D2D1).

Respectfully submitted,
BEYER LAW GROUP LLP

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

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
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 11/07/2022

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.

Erin Saito	(Typed or printed name)
/Erin Saito/	(Signature)
November 8, 2022	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/725,397	12/23/2019	Christopher A. MIKSOVSKY	HMG1P008D2D1	9049

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	$600	$0.00	$0.00	$600	02/07/2023

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/AIA/122 or PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/AIA/47 or PTO/SB/47; Rev 03-02 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 03

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

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

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

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

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

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

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

Authorized Signature /Steve D Beyer/ Date November 8, 2022

Typed or printed name Steve D Beyer Registration No. 31,234

Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D2D1
	Application No.:	16/725,397
	Applicant	humangear, Inc.
	Filing Date	December 23, 2019
	Group	3724
		Page 1 of 1
	Date Submitted	November 8, 2022

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	2021/0022531	01/28/21	FORKAN			07/23/20
	2.	2021/0045555	02/18/21	Green			08/16/19
	3.	2020/0022674	01/27/22	CHUANG			11/02/20
	4.						
	5.						

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
	6.							

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	7.	Office Action from U.S. Application No. 17/844,634 dated September 7, 2022.
	8.	Notice of Allowance from U.S. Application No. 17/844,634 dated October 3, 2022.
	9.	
	10.	

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.

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.
17/844,634	06/20/2022	Christopher A. MIKSOVSKY	HMG1P008D4	1717

58766 7590 09/07/2022

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
09/07/2022	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. 17/844,634	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 8-5-22.

☐ 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) 1-27 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) 1-17 and 21-24 is/are rejected.

8) ☑ Claim(s) 18-20 and 25-27 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 6-20-22 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 8-5-22 is acknowledged.

Double Patenting

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting provided the reference application or patent either is shown to be

commonly owned with the examined application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. See MPEP § 717.02 for applications subject to examination under the first inventor to file provisions of the AIA as explained in MPEP § 2159. See MPEP §§ 706.02(l)(1) - 706.02(l)(3) for applications not subject to examination under the first inventor to file provisions of the AIA. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

The USPTO Internet website contains terminal disclaimer forms which may be used. Please visit www.uspto.gov/patent/patents-forms. The filing date of the application in which the form is filed determines what form (e.g., PTO/SB/25, PTO/SB/26, PTO/AIA/25, or PTO/AIA/26) should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all requirements is auto-processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to www.uspto.gov/patents/process/file/efs/guidance/eTD-info-I.jsp.

4. Claims 1-17 and 21-24 are rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-21 of patent 10,568,447. Although the conflicting claims are not identical, they are not patentably distinct from each other because it is clear that all elements of claims 1-17 and 21-24 of the instant invention 17/844,634 are found in claims 1-21 of patent 10,568,447. The differences between claims 1-17 and 21-24 of 17/844,634 and claims 1-21 of patent 10,568,447 lies in the fact that patent 10,568,447 claims include more features and is thus much more specific (for example, claims 1 and 18 require a first one of the fork catch features being

closer to a proximal end of the fork handle than a second one of the fork catch features). Thus claims 1-17 and 21-24 of 17/844,634 are in effect a "species" of the "generic" invention of claims 1-21 of patent 10,568,447. It has been held that the generic invention is "anticipated" by the "species". See In re Goodman, 29 USPQ2d 2010 (Fed. Cir. 1993). Since claims 1-17 and 21-24 of 17/844,634 is anticipated by claims 1-21 of patent 10,568,447, it is not patentably distinct from claims 1-21. In claims 1 and 18 of patent 10,568,447, it is noted that in order for the one catch feature to be closer to the proximal end than the other catch feature in combination with each of the catch features roles in defining the nested and extended orientations, the fork catch features are spaced in a way that can be considered longitudinally.

Allowable Subject Matter

5. Claims 18-20 and 25-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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, Sean M Michalski can be reached on (571)272-6752. 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.

30 August 2022

/Jason Daniel Prone/

Primary Examiner, Art Unit 3724

Notice of References Cited	Application/Control No. 17/844,634	Applicant(s)/Patent Under Reexamination MIKSOVSKY et al.	
	Examiner JASON D PRONE	Art Unit 3724	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20210022531-A1	01-2021	FORKAN; Conor	A47G21/06	1/1
*	B	US-20210045555-A1	02-2021	Green; Stephanie Ann	A47G21/04	1/1
*	C	US-20220022674-A1	01-2022	CHUANG; MING-HAN	A47G21/04	1/1
	D					
	E					
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					

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.

Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)		
	Atty Docket No.	HMG1P008D4
	Application No.:	Unassigned
	Applicant	Humangear, Inc.
	Filing Date	Herewith
	Group	Unassigned
		Page 1 of 10
	Date Submitted	June 20, 2022

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	1,053,387	02/18/1913	Hawley			01/09/1912
	2.	1,229,696	06/12/1917	Woods			08/23/1916
	3.	1,271,679	07/09/1918	Duckett			01/17/1918
	4.	1,277,205	08/27/1918	Evans			04/09/1917
	5.	1,337,174	04/13/1920	Whyte			09/26/1919
	6.	1,348,762	08/03/1920	Suzuki			03/12/1919
	7.	1,372,325	03/22/1921	Willemin			04/09/1919
	8.	1,425,750	08/15/1922	Crawford			12/20/1920
	9.	1,452,337	04/17/1923	Brecel			11/16/21
	10.	1,699,248	01/15/1929	Pasal			11/19/1923
	11.	1,868,289	07/19/1932	Leidel			05/22/1930
	12.	1,984,081	12/11/1934	Pisculli			03/30/1934
	13.	10,518,402	12/31/19	Polen			01/20/16
	14.	10,568,447	02/25/20	Miksovsky et al.			12/07/18
	15.	10,857,661	12/08/20	Miksovsky et al.			06/12/19
	16.	2,010,074	08/06/35	Fuerst			04/16/35
	17.	2,109,016	02/22/1938	Ringer			01/23/1937
	18.	2,251,842	08/05/1941	Hill			06/02/39
	19.	2,318,129	05/04/1943	Torode			06/02/1941
	20.	2,439,882	04/20/1948	Beddow			04/01/1946
	21.	2,470,492	05/17/1949	Jenkins			01/30/1946
	22.	2,505,122	04/25/1950	Krieger, Jr.			05/26/1947
	23.	2,542,600	02/20/1951	Vaccarezza			07/15/1948
	24.	2,610,400	09/16/1952	Wendling			06/05/50
	25.	2,752,678	07/03/1956	Welch			12/24/1954
	26.	2003/0024126	02/06/03	Liu			08/03/01

Examiner /Jason Daniel Prone/	**Date Considered** 08/30/2022

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.	HMG1P008D4
	Application No.:	Unassigned
	Applicant	Humangear, Inc.
	Filing Date	Herewith
	Group	Unassigned
		Page 2 of 10
	Date Submitted	June 20, 2022

	27.	2003/0029044	02/13/03	Mattson et al.			08/10/01
	28.	2003/0110644	06/19/03	Miller			12/18/01
	29.	2005/0066531	03/31/05	Hougland			09/25/03
	30.	2005/0155229	07/21/05	Lee			07/28/04
	31.	2006/0248732	11/09/06	Straube			05/04/05
	32.	2007/0084063	04/19/07	Hughes			11/09/06
	33.	2007/0124943	06/07/07	Hougland			10/11/06
	34.	2007/0251103	11/01/07	Rhodes III			05/01/06
	35.	2008/0000092	01/03/08	Vanguard			06/30/06
	36.	2008/0016698	01/24/08	Simpson			07/21/06
	37.	2008/0148575	06/26/08	Chan			12/22/06
	38.	2008/0256807	10/23/08	Kirkup			04/12/08
	39.	2009/0172949	07/09/09	Watts			07/16/07
	40.	2009/0178284	07/16/09	Lane			01/11/08
	41.	2009/0205209	08/20/09	Tovar			02/16/08
	42.	2009/0293283	12/03/09	Hsu			05/30/08
	43.	2010/0206885	08/19/10	Bowden et al.			02/19/10
	44.	2010/0218382	09/02/10	Scott			03/02/09
	45.	2011/0091521	04/21/11	Omelchenko			04/12/10
	46.	2012/0036724	02/16/12	Walters			07/22/11
	47.	2012/0297628	11/29/12	Rayko et al.			05/23/11
	48.	2013/0152406	06/20/13	McFarland			12/20/11
	49.	2014/0026425	01/30/14	Kim			03/11/13
	50.	2015/0014329	01/15/15	Konopatsky			07/09/13
	51.	2015/0257562	09/17/15	Miksovsky et al.			03/11/14
	52.	2017/0000276	01/05/17	Miksovsky et al.			09/16/16
	53.	2019/0104873	04/11/19	Miksovsky et al.			12/07/18
	54.	2019/0381651	12/19/19	Miksovsky et al.			06/12/19
	55.	3,014,277	12/26/1961	Geckler			06/23/60

Examiner /Jason Daniel Prone/	**Date Considered** 08/30/2022

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.**	HMG1P008D4
	Application No.:	Unassigned
	Applicant	Humangear, Inc.
	Filing Date	Herewith
	Group	Unassigned
		Page 3 of 10
	Date Submitted	June 20, 2022

	56.	3,121,951	02/25/1964	Green			12/12/60
	57.	3,138,871	06/30/1964	Sears			10/21/63
	58.	3,586,161	06/22/1971	Fong et al.			07/10/69
	59.	3,596,965	08/03/1971	Woofter			10/22/1968
	60.	3,630,249	12/28/1971	Brunwin			02/20/70
	61.	3,771,224	11/13/1973	Bono, Jr.			02/03/1972
	62.	3,967,376	07/06/1976	Foley			02/05/1974
	63.	3,991,466	11/16/1976	Smith			02/09/76
	64.	32,916	07/23/1861	Richards			
	65.	33,703	11/12/1861	Hardie			
	66.	34,069	01/07/1862	Neill			
	67.	34,098	01/07/1862	Hardie et al.			
	68.	34,712	03/18/1862	Cables			
	69.	398,264	02/19/1889	Kisner			12/3/1888
	70.	4,317,284	03/02/1982	Prindle			03/21/1980
	71.	4,377,035	03/22/83	Dalichow			03/12/81
	72.	4,425,711	01/17/84	Wood et al.			11/12/80
	73.	4,524,512	06/25/85	Formo et al.			04/25/83
	74.	4,615,120	10/07/86	Newman			12/21/84
	75.	4,625,404	12/02/86	Valente et al.			02/19/85
	76.	4,771,541	09/20/88	Bouchakian			07/13/87
	77.	4,835,864	06/06/89	Tang			02/22/88
	78.	4,984,367	01/15/91	Albanese			01/08/90
	79.	4,995,154	02/26/91	Bamber			08/16/89
	80.	46,832	03/14/1865	Thorne			
	81.	5,197,623	03/30/93	Wang			09/18/92
	82.	5,327,650	06/12/94	Rojas			10/14/93
	83.	5,542,181	08/06/96	Gaylord			07/31/95
	84.	5,735,050	04/07/98	Hsieh			04/14/97

Examiner /Jason Daniel Prone/	**Date Considered** 08/30/2022

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.**	HMG1P008D4
	Application No.:	Unassigned
	Applicant	Humangear, Inc.
	Filing Date	Herewith
	Group	Unassigned
		Page 4 of 10
	Date Submitted	June 20, 2022

	85.	5,845,403	12/08/98	Nivin			09/13/95
	86.	5,904,250	05/18/99	De Schutter			09/02/94
	87.	5,940,974	08/24/99	Lee			06/15/98
	88.	6,055,733	05/02/00	Chen			05/03/99
	89.	6,145,204	11/14/00	Cash			10/15/99
	90.	6,151,999	11/28/00	Eklind			07/06/99
	91.	6,374,500	04/23/02	Stein et al.			05/02/01
	92.	6,463,662	10/15/02	Coscia et al.			04/09/01
	93.	6,647,828	11/18/03	Hakim			09/23/02
	94.	671,740	04/09/1901	Wattne			12/10/1900
	95.	675,475	06/04/1901	Glover			10/08/1900
	96.	7,013,568	03/21/06	Schmidt			09/08/04
	97.	7,816,634	10/19/10	Guide, Jr. et al.			03/22/06
	98.	7,856,722	12/28/10	Lago-Arenas			09/27/04
	99.	8,296,957	10/30/12	Muehlemann			03/06/07
	100.	8,635,780	01/28/14	Abul			06/17/13
	101.	8,689,453	04/08/14	Vogan			05/24/12
	102.	8,726,525	05/20/14	Bagley et al.			01/13/11
	103.	8,839,522	09/23/14	Walters			07/22/11
	104.	812,424	02/13/1906	Hellmuth			08/26/1905
	105.	849,098	04/02/1907	Aufrichtig			03/08/1906
	106.	854,745	05/28/1907	King			03/15/1906
	107.	870,413	11/05/1907	Brown			06/25/1907
	108.	88,370	03/30/1869	Cox			
	109.	9,061,429	06/23/15	Barber			03/15/13
	110.	9,434,590	09/06/16	Miksovsky et al.			03/11/14
	111.	9,468,321	10/18/16	Miksovsky et al.			03/11/14
	112.	9,549,626	01/24/17	Truog et al.			11/13/14
	113.	972,777	10/11/1910	Richardson			03/11/1909

Examiner /Jason Daniel Prone/	**Date Considered** 08/30/2022

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.**	HMG1P008D4
	Application No.:	Unassigned
	Applicant	Humangear, Inc.
	Filing Date	Herewith
	Group	Unassigned
		Page 5 of 10
	Date Submitted	June 20, 2022

	114.	D143,431	01/01/1946	Lapin			10/16/45
	115.	D149,920	08/29/1950	Pavlinetz			11/28/1947
	116.	D184,317	01/27/1959	McArthur			07/25/57
	117.	D199,630	11/24/1964	Dedic, Sr.			02/17/64
	118.	D209,704	12/26/1967	Siune et al.			01/24/1967
	119.	D210,549	03/19/1968	O'Brien			01/23/1967
	120.	D241,302	09/07/1976	Scigliano			12/17/1974
	121.	D249,926	10/17/1978	Wong			01/14/77
	122.	D269,060	05/24/83	Creamer			09/05/80
	123.	D284,442	07/01/86	Chan			03/06/84
	124.	D30,129	02/07/1899	Whitcomb et al.			12/24/1898
	125.	D31,575	10/03/1899	Phillips et al.			08/25/1899
	126.	D318,600	07/30/91	Lillelund et al.			05/10/88
	127.	D318,600	07/30/91	Lillelund et al.			05/10/88
	128.	D325,855	05/05/92	Rea, Sr.			09/18/91
	129.	D342,422	12/21/93	Sanford			02/08/90
	130.	D347,975	06/21/94	Zeller			08/27/93
	131.	D362,160	09/12/95	Brabeck et al.			07/02/93
	132.	D376,514	12/17/96	Torkelson			04/08/96
	133.	D388,664	01/06/98	Gagnon et al.			12/09/96
	134.	D391,123	02/24/98	Rey et al.			02/19/97
	135.	D396,613	08/04/1998	Cousins			06/30/1997
	136.	D401,481	11/24/98	Boilard et al.			11/25/97
	137.	D412,813	08/17/99	Roskind et al.			10/13/98
	138.	D414,988	10/12/99	Santini			01/04/99
	139.	D414,988	10/12/99	Santini			01/04/99
	140.	D491,419	06/15/04	White et al.			05/02/03
	141.	D509,708	09/20/05	Schmidt			06/18/04
	142.	D53,165	04/01/1919	Janosik			01/23/1919

Examiner /Jason Daniel Prone/	**Date Considered** 08/30/2022

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.**	HMG1P008D4
	Application No.:	Unassigned
	Applicant	Humangear, Inc.
	Filing Date	Herewith
	Group	Unassigned
		Page 6 of 10
	Date Submitted	June 20, 2022

	143.	D530,985	10/31/06	Evans			10/11/05
	144.	D530,986	10/31/06	Lago-Arenas			10/01/04
	145.	D533,034	12/05/06	Wasserman			08/11/04
	146.	D535,857	01/30/07	Bristow			12/22/05
	147.	D536,221	02/06/07	Kamins			10/06/04
	148.	D536,222	02/06/07	Heiberg et al.			06/08/05
	149.	D537,302	02/27/07	Vrhovski			01/17/06
	150.	D554,951	11/13/2007	McGrath			01/25/07
	151.	D563,737	03/11/08	Shane-Schuldt			10/03/07
	152.	D575,593	08/26/08	Svartström			12/05/07
	153.	D587,075	02/24/09	Dibnah et al.			04/25/08
	154.	D59,869	11/29/1921	Quandee et al.			12/22/1920
	155.	D60,369	02/07/1922	Quandee et al.			12/22/1920
	156.	D608,602	01/26/10	Davies et al.			06/01/09
	157.	D609,060	02/02/10	Pallotto			03/31/09
	158.	D612,692	03/30/10	Menceles			08/11/09
	159.	D617,156	06/08/10	Griffith			10/08/09
	160.	D618,070	06/22/10	Jalet et al.			06/29/09
	161.	D625,153	10/12/10	Gallop et al.			09/25/08
	162.	D63,047	09/25/1923	Adler			03/19/1923
	163.	D633,344	03/01/11	Nordwall			06/10/10
	164.	D637,309	05/03/11	Park			08/18/10
	165.	D656,799	04/03/12	Lebeau			03/28/11
	166.	D673,431	01/01/13	Glavin et al.			07/18/12
	167.	D676,286	02/19/13	Lion et al.			06/07/12
	168.	D686,045	07/16/13	Stewart et al.			03/07/12
	169.	D690,156	09/24/13	Apple et al.			03/04/13
	170.	D705,020	05/20/14	Fraser et al.			05/07/13
	171.	D706,586	06/10/14	Kestenbaum			04/22/13

Examiner /Jason Daniel Prone/	**Date Considered** 08/30/2022

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.	HMG1P008D4
	Application No.:	Unassigned
	Applicant	Humangear, Inc.
	Filing Date	Herewith
	Group	Unassigned
		Page 7 of 10
	Date Submitted	June 20, 2022

	172.	D718,093	11/25/14	Miksovsky et al.			03/11/14
	173.	D722,837	02/24/15	Miksovsky et al.			03/10/14
	174.	D730,049	05/26/15	Miksovsky et al.			03/10/14
	175.	D739,685	09/29/15	Miksovsky et al.			11/24/14
	176.	D740,079	10/06/15	Miksovsky et al.			11/24/14
	177.	D745,339	12/15/15	Cetti			06/18/14
	178.	D746,644	01/05/16	Cai			09/26/14
	179.	D747,159	01/12/16	Frost			05/22/14
	180.	D752,918	04/05/16	Katopis			10/27/14
	181.	D753,447	04/12/16	Busboom			12/15/14
	182.	D756,171	05/17/16	Mou			12/09/13
	183.	D756,172	05/17/16	Mou			12/09/13
	184.	D758,808	06/14/16	Gatewood			03/18/15
	185.	D782,254	03/28/17	Joseph			09/29/15
	186.	D794,400	08/15/17	Young			02/26/16
	187.	D807,127	01/09/18	Levi			08/02/16
	188.	D812,994	03/20/18	Mundhra			07/28/17
	189.	D812,995	03/20/18	Mundhra			07/28/17
	190.	D813,616	03/27/18	Mundhra			07/28/17
	191.	D816,432	05/01/18	Huang			05/15/17
	192.	D825,104	08/07/18	Simard et al.			12/31/15
	193.	D828,730	09/18/18	Gauss et al.			08/03/17
	194.	D834,887	12/04/18	Miksovsky et al.			03/29/18
	195.	D842,662	03/12/19	Bloch et al.			10/11/17
	196.	D862,996	10/15/19	Miksovsky et al.			06/15/18
	197.	D862,997	10/15/19	Miksovsky et al.			06/16/18
	198.	D93,956	11/27/1934	Wilson			05/01/1934
	199.	RE7,925	10/23/1877	Ulmer			
	200.	RE9,687	05/03/1881	Cox			

Examiner /Jason Daniel Prone/	**Date Considered** 08/30/2022

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.	HMG1P008D4
	Application No.:	Unassigned
	Applicant	Humangear, Inc.
	Filing Date	Herewith
	Group	Unassigned
		Page 8 of 10
	Date Submitted	June 20, 2022

	201.	10,555,629	02/11/20	Miksovsky et al.			12/07/18
	202.	D873,094	01/21/20	Bloch			07/18/18
	203.	D910,386	02/16/21	Pontano et al.			06/14/19
	204.	D909,821	02/09/21	Frazee et al.			06/14/19
	205.	D882,350	04/28/20	Rubenson et al.			05/15/18
	206.	2020/0383506	12/10/20	Rubenson et al.			11/16/18
	207.	2017/0208976	07/27/17	Muise et al.			01/04/17
	208.	D845,085	04/09/19	Miksovsky et al.			09/21/18

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes | No
	209.	WO 2013/095407	06/27/13	PCT			
	210.	0 129 495	12/27/84	EP			
	211.	DE 44 17 037	12/03/98	DE			Abstract
	212.	22,788	09/02/1915	GB			
	213.	CN 202874843	04/17/13	CN			Abstract
	214.	CN 200945058	09/12/07	CN			Abstract
	215.	CN201691585	01/05/11	CN			Abstract
	216.	CN202234496	05/30/12	CN			Abstract
	217.	203424719	02/12/14	CN			Abstract
	218.	WO 2015/138218	09/17/15	PCT			
	219.	GB 1337613	11/14/73	GB			
	220.	102068177	05/25/11	CN			Abstract
	221.	2373000	04/12/00	CN			Abstract
	222.	2231889	07/31/96	CN			Abstract
	223.	2006-247086	09/21/06	JP			Abstract

Examiner	/Jason Daniel Prone/	Date Considered	08/30/2022

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.	HMG1P008D4
	Application No.:	Unassigned
	Applicant	Humangear, Inc.
	Filing Date	Herewith
	Group	Unassigned
		Page 9 of 10
	Date Submitted	June 20, 2022

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	224.	Alite, Cloverware Lite, http://shop.alitedesigns.com/cloverware-lite.html, downloaded on March 6, 2014.
	225.	Alite, Cloverware 2.0, http://shop.alitedesigns.com/cloverware-538.html, downloaded on March 6, 2014.
	226.	Guyot, Microbites ™, https://www.guyotdesigns.com/product-microbites/, downloaded on March 6, 2014.
	227.	Guyot, Utensils, https://www.guyotdesigns.com/utensils/, downloaded on March 6, 2014.
	228.	International Search Report dated July 8, 2015 from International Application No. PCT/US2015/019017.
	229.	Written Opinion dated July 8, 2015 from International Application No. PCT/US2015/019017.
	230.	Chinese Office Action dated April 27, 2017 from Chinese Application No. 201580022197.1.
	231.	Chinese Office Action dated August 1, 2017 from Chinese Application No. 201611163525.2.
	232.	European Search Report dated June 16, 2017 from European Application No. 16202786.3-1653.
	233.	European Office Action dated October 17, 2018 from European Patent Application No. 16 202 786.6 - 1011.
	234.	Light My Fire, Spork original, http://www.lightmyfire.com/products/products/spork/spork-original.aspx, downloaded on March 6, 2014.
	235.	Primus, Folding Spork, http://store.primuscamping.com/cookware/utensils-and-accessories/primus-folding-spork-black/, downloaded on March 6, 2014.
	236.	DCI, Swivel Spork & Knife Set, http://shop.dcigift.com/p/swivel-spork-knife-set, downloaded on March 6, 2014.
	237.	MSR Folding Camp Utensils, https://www.msrgear.com/cookware/folding-utensils, downloaded on September 20, 2018.
	238.	GSI Outdoors, Telescoping Foon, http://www.gsioutdoors.com/telescoping-foon.html, downloaded on September 20, 2018.
	239.	GSI Outdoors, Pivot Spatula, http://www.gsioutdoors.com/pivot-spatula.html, downloaded on September 20, 2018.
	240.	Chinese Office Action dated August 2, 2019 from Chinese Application No. 201810024557.7.

Examiner	/Jason Daniel Prone/	Date Considered	08/30/2022

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.**	HMG1P008D4
	Application No.:	Unassigned
	Applicant	Humangear, Inc.
	Filing Date	Herewith
	Group	Unassigned
		Page 10 of 10
	Date Submitted	June 20, 2022

	241.	Extended European Search Report dated October 22, 2019 from European Application No. 18208165.3-1011/3488740.
	242.	European Office Action dated March 5, 2020 from European Application No. 16 202 786.6 – 1011.

Examiner /Jason Daniel Prone/	**Date Considered** 08/30/2022

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDP/

Form 1449 (Modified)	Atty Docket No.	HMG1P008D4
	Application No.:	17/844,634
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	June 20, 2022
	Group	3724
(Use Several Sheets if Necessary)		Page 1 of 1
	Date Submitted	August 15, 2022

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.						

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
	2.							

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	3.	Screenshot of Wildo product from the Internet Archive dated February 24, 2012 and downloaded from the internet on July 13, 2022, https://web.archive.org/web/20120224230642/http:/www.wildo.se:80/.
	4.	

Examiner	/Jason Daniel Prone/	Date Considered	08/30/2022

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/

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 10/03/2022

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

EXAMINER
PRONE, JASON D

ART UNIT	PAPER NUMBER
3724	

DATE MAILED: 10/03/2022

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/844,634	06/20/2022	Christopher A. MIKSOVSKY	HMG1P008D4	1717

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	$600	$0.00	$0.00	$600	01/03/2023

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. 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 10/03/2022

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.
17/844,634	06/20/2022	Christopher A. MIKSOVSKY	HMG1P008D4	1717

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	$600	$0.00	$0.00	$600	01/03/2023

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/AIA/122 or PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/AIA/47 or PTO/SB/47; Rev 03-02 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
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/844,634	06/20/2022	Christopher A. MIKSOVSKY	HMG1P008D4	1717

58766 7590 10/03/2022

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

EXAMINER	
PRONE, JASON D	
ART UNIT	PAPER NUMBER
3724	

DATE MAILED: 10/03/2022

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. 17/844,634	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 recevied 9-12-22.
   ☐ 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 1-30 . 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 _____.

/Jason Daniel Prone/
Primary Examiner, Art Unit 3724

Reasons for Allowance

1. The following is an examiner's statement of reasons for allowance: none of the prior art incorporates a system incorporating a fork catch features and a guide portion cooperating with a spoon with a catch feature to define the specifics of the nested and extended orientations in combination with the remaining limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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 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, Sean M Michalski can be reached on (571)272-6752. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of published or unpublished applications may be obtained from Patent Center. Unpublished application information in Patent Center is available to registered users. To file and manage patent submissions in Patent Center, visit: https://patentcenter.uspto.gov. Visit https://www.uspto.gov/patents/apply/patent-center for more information about Patent Center and https://www.uspto.gov/patents/docx for information about filing in DOCX format. For additional questions, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

22 September 2022

/Jason Daniel Prone/

Primary Examiner, Art Unit 3724

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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, 2022.

Signed: /Erin Saito/
Erin Saito

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

Mail Stop Issue Fee
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 a 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 no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months 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 $130.00 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. HMG1P008D2D1).

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

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 11/07/2022

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

EXAMINER
PRONE, JASON D

ART UNIT	PAPER NUMBER
3724	

DATE MAILED: 11/07/2022

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/725,397	12/23/2019	Christopher A. MIKSOVSKY	HMG1P008D2D1	9049

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	$600	$0.00	$0.00	$600	02/07/2023

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. 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 11/07/2022

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.
16/725,397	12/23/2019	Christopher A. MIKSOVSKY	HMG1P008D2D1	9049

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	$600	$0.00	$0.00	$600	02/07/2023

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/AIA/122 or PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/AIA/47 or PTO/SB/47; Rev 03-02 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
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/725,397	12/23/2019	Christopher A. MIKSOVSKY	HMG1P008D2D1	9049

58766 7590 11/07/2022

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

EXAMINER	
PRONE, JASON D	

ART UNIT	PAPER NUMBER
3724	

DATE MAILED: 11/07/2022

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. 16/725,397	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 10-17-22.
   ☐ 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 10-36 . 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'S AMENDMENT

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

Authorization for this examiner's amendment was given in an interview with Steve D. Beyer on 10-28-22.

The application has been amended as follows:

- In Claim 10 lines 3-4, the phrase "having (i) a corresponding curved" has been replaced with --having (i) a proximal base, (ii) a corresponding curved--.
- In Claim 10 line 5, the phrase "and (ii) a corresponding chamfered" has been replaced with --and (iii) a corresponding chamfered--.
- In Claim 10 lines 14-15, the phrase "beyond a proximal base of such chamfered surface's corresponding outer tine and helps define a corresponding curved chamfered splitting feature" has been replaced with --beyond the proximal base such that the curved outer tine edge acts as a splitting feature--.
- In Claim 22 line 6, the phrase "has (i) a corresponding curved" has been replaced with --has (i) a proximal base, (ii) a corresponding curved--.
- In Claim 22 lines 7-8, the phrase "and (ii) a corresponding chamfered" has been replaced with --and (iii) a corresponding chamfered--.

- In Claim 22 lines 18-19, the phrase "beyond a proximal base of corresponding one of the outer tines and helps define a corresponding curved chamfered splitting feature" has been replaced with --beyond the proximal base such that the curved outer tine edge acts as a splitting feature--.
- In Claim 24 line 3, the phrase "having (i) a curved first" has been replaced with --having (i) a proximal base, (ii) a curved first--.
- In Claim 24 line 4, the phrase "and (ii) a chamfered" has been replaced with --and (iii) a chamfered--.
- In Claim 24 lines 10-11, the phrase "beyond a proximal base of the first outer tine and helps define a curved chamfered splitting feature" has been replaced with --beyond the proximal base such that the curved first outer tine edge acts as a splitting feature--.
- In Claim 27 line 2, the phrase "having (iii) a curved second" has been replaced with --having (iv) a proximal base, (v) a curved second--.
- In Claim 27 line 3, the phrase "and (iv) a second chamfered" has been replaced with --and (vi) a second chamfered--.
- In Claim 27 lines 6-7, the phrase "beyond a proximal base of the second outer tine and helps define a second curved chamfered splitting feature" has been replaced with --beyond the proximal base such that the curved second outer tine edge acts as a splitting feature--.

- In Claim 30 lines 4-5, the phrase "tapered to help define a curved splitting feature" has been replaced with --tapered to allow the curved first outer tine edge to act as a splitting feature--.
- In Claim 31 line 3, the phrase "having (i) a curved first" has been replaced with --having (i) a proximal base, (ii) a curved first--.
- In Claim 31 line 4, the phrase "and (ii) a tapered" has been replaced with --and (iii) a tapered--.
- In Claim 31 lines 11-12, the phrase "beyond a proximal base of the first outer tine and help define a curved splitting feature" has been replaced with --beyond the proximal base such that the curved first outer tine edge acts as a splitting feature--.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: none of the prior art a utensil having a fork with an outer tine having a chamfered surface on the front surface of the utensil in combination with the remaining limitations. Light My Fire Spork (NPL 5-7-21) incorporates such a surface but fails to include the chamfered surface on the front surface as defined by the claim There appears to be no justification to modify the above mentioned references, in any combination to meet the requirements of the claimed invention as set forth in the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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 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, Sean M Michalski can be reached on (571)272-6752. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of published or unpublished applications may be obtained from Patent Center. Unpublished application information in Patent Center is available to registered users. To file and manage patent submissions in Patent Center, visit: https://patentcenter.uspto.gov. Visit https://www.uspto.gov/patents/apply/patent-center for more information about Patent Center and https://www.uspto.gov/patents/docx for information about filing in DOCX format. For additional questions, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

28 October 2022

/Jason Daniel Prone/

Primary Examiner, Art Unit 3724

Examiner-Initiated Interview Summary	**Application No.** 16/725,397	**Applicant(s)** MIKSOVSKY et al.		
	Examiner JASON D PRONE	**Art Unit** 3724	**AIA (First Inventor to File) Status** Yes	**Page** 1 of 1

All Participants (applicant, applicants representative, PTO personnel)	**Title**	**Type**
JASON D PRONE	Primary Examiner	Telephonic
STEVE D BEYER	Attorney	

Date of Interview: 28 October 2022

Issues Discussed:

Proposed Amendment(s)

Examiner received permission to use the attached amendments via an Examiner amendment.

/Jason Daniel Prone/ Primary Examiner, Art Unit 3724	

Applicant is reminded that a complete written statement as to the substance of the interview must be made of record in the application file. It is the applicants responsibility to provide the written statement, unless the interview was initiated by the Examiner and the Examiner has indicated that a written summary will be provided. See MPEP 713.04
Please further see:
MPEP 713.04
Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews, paragraph (b)
37 CFR § 1.2 Business to be transacted in writing

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.

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	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	02/08/2021	05/04/2021	09/20/2021	04/11/2022	10/06/2022	10/28/2022			
	1	÷	✓	✓	-	-	-			
	2	÷	✓	-	-	-	-			
	3	÷	✓	-	-	-	-			
	4	÷	✓	✓	-	-	-			
	5	÷	✓	✓	-	-	-			
	6	÷	✓	✓	-	-	-			
	7	÷	✓	✓	-	-	-			
	8	÷	✓	✓	-	-	-			
	9	÷	✓	✓	-	-	-			
1	10				✓	✓	=			
2	11				✓	✓	=			
3	12				✓	✓	=			
4	13				✓	✓	=			
5	14				✓	✓	=			
6	15				✓	✓	=			
7	16				✓	✓	=			
8	17				✓	✓	=			
9	18				✓	✓	=			
10	19				✓	✓	=			
11	20				✓	✓	=			
12	21				✓	✓	=			
13	22				✓	✓	=			
14	23				✓	✓	=			
15	24				✓	✓	=			
16	25				✓	✓	=			
17	26				✓	✓	=			
18	27				✓	✓	=			
19	28				✓	✓	=			
20	29				✓	✓	=			
21	30					✓	=			
22	31					✓	=			
23	32					✓	=			
24	33					✓	=			
25	34					✓	=			
26	35					✓	=			
27	36					✓	=			

AFCP 2.0 Decision	Application No.	Applicant(s)	
	16/725,397	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 17 October 2022.

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

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

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

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

   ☐ Other: _____

2. **Proper Request**

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

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

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

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

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

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

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

   ☐ 5. Other: _____

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

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

CPC - Searched*		
Symbol	Date	Examiner
A47G 21/02, 023, 04, 06, 08		
A47J 43/28-282	05/04/2021	/JP/

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
30	147-150, 322-328		
D7	643, 644, 653	05/04/2021	/JP/

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

Search Notes		
Search Notes	Date	Examiner
consulted USPC and CPC		
inventor search	05/04/2021	/JP/
consulted parent cases 14/204497, 15/268175, 16/213466. No ODP at this time.		
updated search	10/28/2022	/JP/

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
	entire listed search		
	claim search in Pe2E	10/28/2022	/JP/

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	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)	27	
/Jason Daniel Prone/ Primary Examiner, Art Unit 3724	28 October 2022	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	7A and 7B

U.S. Patent and Trademark Office

Part of Paper No.: 20221028

Humangear, Inc. Ex. 2009, Page 67

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	MIKSOVSKY et al.
	Examiner	**Art Unit**
	JASON D PRONE	3724

INTERNATIONAL CLASSIFICATION					
CLAIMED					
A47G	/	21	/	06	

NON-CLAIMED					
	/		/		

US ORIGINAL CLASSIFICATION	
CLASS	**SUBCLASS**

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

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	27	
/Jason Daniel Prone/ Primary Examiner, Art Unit 3724	28 October 2022	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	7A and 7B

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	MIKSOVSKY et al.
	Examiner	**Art Unit**
	JASON D PRONE	3724

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

CLAIMS

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

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	27	
/Jason Daniel Prone/ Primary Examiner, Art Unit 3724	28 October 2022	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	7A and 7B

U.S. Patent and Trademark Office

Part of Paper No.: 20221028

Humangear, Inc. Ex. 2009, Page 69

Bibliographic Data

Application No: 16/725,397

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.
12/23/2019	030	3724	HMG1P008D2D1
RULE			

APPLICANTS

humangear, Inc., San Francisco, CA, UNITED STATES

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, Belmont, CA, UNITED STATES

Jonathan Paul DOWNING, Belmont, CA, UNITED STATES

CONTINUING DATA

This application is a DIV of 16213466 12/07/2018 PAT 10555629

16213466 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**

01/15/2020

**** 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

$785

OK TO ENTER: /JDP/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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 October 17, 2022.

Signed: _____/Kellianne Bartlett/_____
Kellianne Bartlett

AMENDMENT D

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

Dear Commissioner:

In response to the Final Office Action dated October 13, 2022, 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.

PE2E SEARCH - Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	British Equivalents	Time Stamp
L1	10	("10555629"|"20170208976"|"20200383506"|"D845085"|"D862996"|"D862997"|"D873094"|"D882350"|"D909821"|"D910386").PN.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:43 AM
L2	10	(6055733|6374500|10518402|20030024126|20090178284).PN.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:44 AM
L3	184	(US-0000092-$ | US-0000276-$ | US-0014329-$ | US-0016698-$ | US-0026425-$ | US-0029044-$ | US-0036724-$ | US-0066531-$ | US-0084063-$ | US-0091521-$ | US-0104873-$ | US-0110620-$ | US-0110644-$ | US-0124943-$ | US-0129495-$ | US-0148575-$ | US-0152406-$ | US-0155229-$ | US-0172949-$ | US-0205209-$ | US-0206885-$ | US-0218382-$ | US-0248732-$ | US-0251103-$ | US-0256807-$ | US-0257562-$ | US-0293283-$ | US-0297628-$ | US-1053387-$ | US-1229696-$ | US-1271679-$ | US-1277205-$ | US-1337174-$ | US-1348762-$ | US-1372325-$ | US-1425750-$ | US-1452337-$ | US-1699248-$ | US-1868289-$ | US-1984081-$ | US-14771541-$ | US-15542181-$ | US-16202786-$ | US-	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:47 AM

		18208165-$ | US- 2010074-$ | US- 2109016-$ | US- 2251842-$ | US- 2318129-$ | US- 2439882-$ | US- 2470492-$ | US- 2505122-$ | US- 2542600-$ | US- 2610400-$ | US- 2752678-$ | US- 20030029044-$ | US- 20030110644-$ | US- 20050066531-$ | US- 20050155229-$ | US- 20060248732-$ | US- 20070084063-$ | US- 20070124943-$ | US- 20070251103-$ | US- 20080000092-$ | US- 20080016698-$ | US- 20080148575-$ | US- 20080256807-$ | US- 20090172949-$ | US- 20090205209-$ | US- 20090293283-$ | US- 20100206885-$ | US- 20100218382-$ | US- 20110091521-$ | US- 20120036724-$ | US- 20120297628-$ | US- 20130152406-$ | US- 20140026425-$ | US- 20150014329-$ | US- 20150257562-$ | US- 20170000276-$ | US- 20190104873-$ | US- 20190110620-$ | US- 2231889-$ | US- 2373000-$ | US- 3014277-$ | US- 3121951-$ | US- 3138871-$ | US- 3586161-$ | US- 3596965-$ | US- 3630249-$ | US- 3771224-$ | US- 3967376-$ | US- 3991466-$ | US- 3488740-$ | US- 4317284-$ | US- 4377035-$ | US- 4425711-$ | US- 4524512-$ | US- 4615120-$ | US- 4625404-$ | US- 4835864-$ | US- 4984367-$ | US-					

		4995154-$ | US- 5197623-$ | US- 5327650-$ | US- 5735050-$ | US- 5845403-$ | US- 5904250-$ | US- 5940974-$ | US- 6145204-$ | US- 6151999-$ | US- 6463662-$ | US- 6647828-$ | US- 7013568-$ | US- 7816634-$ | US- 7856722-$ | US- 8296957-$ | US- 8635780-$ | US- 8689453-$ | US- 8726525-$ | US- 8839522-$ | US- 9061429-$ | US- 9434590-$ | US- 9468321-$ | US- 9549626-$ | US- D143431-$ | US- D149920-$ | US- D184317-$ | US- D199630-$ | US- D209704-$ | US- D210549-$ | US- D241302-$ | US- D249926-$ | US- D269060-$ | US- D284442-$ | US- D318600-$ | US- D325855-$ | US- D342422-$ | US- D347975-$ | US- D362160-$ | US- D376514-$ | US- D388664-$ | US- D391123-$ | US- D396613-$ | US- D401481-$ | US- D412813-$ | US- D414988-$ | US- D491419-$ | US- D509708-$ | US- D530985-$ | US- D530986-$ | US- D533034-$ | US- D535857-$ | US- D536221-$ | US- D536222-$ | US- D537302-$ | US- D554951-$ | US- D563737-$ | US- D575593-$ | US- D587075-$ | US-					

		D608602-$ | US-D609060-$ | US-D612692-$ | US-D617156-$ | US-D618070-$ | US-D625153-$ | US-D633344-$ | US-D637309-$ | US-D656799-$ | US-D673431-$ | US-D676286-$ | US-D686045-$ | US-D690156-$ | US-D705020-$ | US-D706586-$ | US-D718093-$ | US-D722837-$ | US-D730049-$ | US-D739685-$ | US-D740079-$ | US-D745339-$ | US-D746644-$ | US-D747159-$ | US-D752918-$ | US-D753447-$ | US-D756171-$ | US-D756172-$ | US-D758808-$ | US-D782254-$).DID.					
L4	5380	a47g21/02,023,04,06,08.cpc.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:51 AM
L5	2827	a47j43/28-282.cpc.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:51 AM
L6	1749	30/147-150,322-328.ccls.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:51 AM
L8	2352	d7/643,644,653.ccls.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:52 AM
L9	758	MIKSOVSKY WITH Christopher.in. OR SLONE WITH Clint.in. OR CHAUBERT WITH Evelyne.in. OR NGHIEM WITH Charlie.in. OR LANE WITH Robert.in. OR DOWNING WITH Jonathan.in.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:53 AM
L10	36	9 AND (spoon OR fork)	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:54 AM
L11	226	("0032916" | "0033703" | "0034069" | "0034098" | "0034712" | "0046832" | "0088370" | "0RE7925" | "0RE9687" | "0398264" | "0D30129" | "0D31575" | "0671740"	(US-PGPUB; USPAT; USOCR)	OR	ON	ON	2022/10/06 08:58 AM

		| "0675475" | "0812424" | "0849098" | "0854745" | "0870413" | "0972777" | "1053387" | "1229696" | "1271679" | "1277205" | "0D53165" | "1337174" | "1348762" | "1372325" | "0D59869" | "0D60369" | "1425750" | "1452337" | "0D63047" | "1699248" | "1868289" | "0D93956" | "1984081" | "2010074" | "2109016" | "2251842" | "2318129" | "D143431" | "2439882" | "2470492" | "2505122" | "D149920" | "2542600" | "2610400" | "2752678" | "D184317" | "3014277" | "3121951" | "3138871" | "D199630" | "D209704" | "D210549" | "3586161" | "3596965" | "3630249" | "3771224" | "3967376" | "D241302" | "3991466" | "D249926" | "4317284" | "4377035" | "D269060" | "4425711" | "4524512" | "D284442" | "4615120" | "4625404" | "4771541" | "4835864" | "4984367" | "4995154" | "D318300" | "D318600" | "D325855" | "5197623" | "D342422" | "D347975" | "5327650" | "D362160" | "5542181" | "D376514" | "D388664" | "D391123" | "5735050" | "D396613" | "D401481" | "5845403" | "5904250" | "D412813" | "5940974" | "D414988" | "6145204" | "6151999" | "6463662" | "6647828" | "D491419" | "D509708" | "7013568" | "D530985" | "D530986" | "D533034" | "D535857" | "D536221" | "D536222" | "D537302" | "D554951" | "D563737" | "D575593" | "D587075" | "D608602" | "D609060" | "D612692" | "D617156" | "D618070" | "D625153" | "7816634" |				

		"7856722" | "D633344" | "D637309" | "D656799" | "8296957" | "D673431" | "D676286" | "D686045" | "D690156" | "8635780" | "8689453" | "D705020" | "8726525" | "D706586" | "8839522" | "D718093" | "D722837" | "D730049" | "9061429" | "D739685" | "D740079" | "D745339" | "D746644" | "D747159" | "D752918" | "D753447" | "D756171" | "D756172" | "D758808" | "9434590" | "9468321" | "9549626" | "D782254" | "D794400" | "D807127" | "D812994" | "D812995" | "D813616" | "D816432" | "D825104" | "D828730" | "D834887" | "D842662" | "20030029044" | "20030110644" | "20050066531" | "20050155229" | "20060248732" | "20070084063" | "20070124943" | "20070251103" | "20080000092" | "20080016698" | "20080148575" | "20080256807" | "20090172949" | "20090205209" | "20090293283" | "20100206885" | "20100218382" | "20110091521" | "20120036724" | "20120297628" | "20130152406" | "20140026425" | "20150014329" | "20150257562" | "20170000276").pn. OR ("10555629").urpn. AND (PGPB | USPT | USOC).dbnm.					
L14	291	(fork AND (chamfer OR chamfered)).clm.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/28 10:31 AM
L15	28	(fork AND tine AND	(US-PGPUB; USPAT;	OR	ON	ON	2022/10/28

		(chamfer OR chamfered)).clm.	FPRS; EPO; JPO)				10:32 AM
L16	4	"16213466"	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/28 12:20 PM

PE2E SEARCH - Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	British Equivalents	Time Stamp
N1	311	MIKSOVSKY WITH Christopher.in. OR SLONE WITH Clint.in. OR CHAUBERT WITH Evelyne.in. OR NGHIEM WITH Charlie.in. OR LANE WITH Robert.in. OR DOWNING WITH Jonathan.in.	(US-PGPUB; USPAT)	OR	ON	ON	2022/10/28 10:30 AM
N2	1025	a47j43/28-282.cpc.	(US-PGPUB; USPAT)	OR	ON	ON	2022/10/28 10:30 AM
N3	1614	a47g21/02,023,04,06,08.cpc.	(US-PGPUB; USPAT)	OR	ON	ON	2022/10/28 10:30 AM

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

Nov 07, 2022 03:24:07 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.
16725397	NOA	11/07/2022	HMG1P008D2D1
	EXIN	11/07/2022	HMG1P008D2D1
	A.NE.AFCP.D	11/07/2022	HMG1P008D2D1

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.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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 October 17, 2022.

Signed: _____/Kellianne Bartlett/_____
Kellianne Bartlett

AMENDMENT D

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

Dear Commissioner:

In response to the Final Office Action dated October 13, 2022, 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.

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

Listing of Claims:

1.-9. (Cancelled)

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

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines include two outer tines, each outer tine having (i) a corresponding curved outer tine edge that is part of a corresponding outer edge of the fork head, and (ii) a corresponding chamfered surface extending laterally inward from the corresponding outer edge of the fork head; ~~that corresponds to the corresponding outer tine;~~

a spoon head having a concave spoon bowl portion;

a handle integrally formed with the fork head at a first end of the handle and with the spoon head at a second end of the handle, wherein a front surface of the eating utensil includes a concave surface of the concave fork bowl portion, a concave surface of the concave spoon bowl portion and a front surface of the handle; and

wherein the chamfered surfaces are on the front surface of the eating utensil and each chamfered surface extends along the corresponding outer edge of the fork head proximally towards the handle beyond a proximal base of [[the]] such chamfered surface's corresponding outer tine ~~to form~~ and helps define a corresponding curved chamfered splitting feature.

11. (Previously Presented) The eating utensil as recited in claim 10, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

12. (Previously Presented) The eating utensil as recited in claim 11 wherein the eating utensil is formed from a glass filled nylon.

13. (Previously Presented) The eating utensil as recited in claim 10 wherein an outer edge of the spoon head is substantially five-sided.

Humangear, Inc. Ex. 2009, Page 82

14. (Previously Presented) The eating utensil as recited in claim 10, wherein each side edge of the spoon head is substantially flat and substantially rounded corners connect adjacent side edges.

15. (Previously Presented) The eating utensil as recited in claim 10, wherein each chamfered outer edge tapers to a corresponding point where the handle portion meets the fork head portion.

16. (Previously Presented) The eating utensil as recited in claim 10, wherein the plurality of tines includes the two outer and two inner tines, each of the tines having a proximal base end and a distal tip, the base ends of outer tines being wider than the base ends of inner tines.

17. (Previously Presented) The eating utensil as recited in claim 10, wherein the handle has side edges that connect the front surface of the handle to a back surface of the handle and the side edges of the handle are substantially parallel over a majority of a length of the handle.

18. (Previously Presented) The eating utensil as recited in claim 10, wherein each chamfered surface extends along the corresponding outer edge of the fork head from a tip of the outer tine to a location proximal to a widest portion of the fork head.

19. (Currently Amended) The eating utensil as recited in claim 10 wherein when the eating utensil is viewed from a side with the concave spoon bowl portion and the concave fork bowl portion facing up and a visible side edge of the handle extending horizontally, a visible one of the outer edges of the fork head does not dip below the visible side edge of the handle. [[:]]

~~the handle has side edges that connect the front surface of the handle to a back surface of the handle;~~

~~the fork head has a fork side profile that includes one of the outer edges of the fork head and a first one of the side edges of the handle; and~~

~~an upper extent of the fork side profile does not dip below an upper extent of the first side edge of the handle at which the upper extent of the first side edge meets the front surface of the handle; and~~

~~wherein the chamfered surfaces are on the front surface of the eating utensil.~~

20. (Previously Presented) The eating utensil as recited in claim 10 wherein the chamfered surfaces each have a chamfer angle in the range of about 20-25 degrees.

21. (Previously Presented) The eating utensil as recited in claim 10 wherein the outer tine edges of the outer tines each have a width of about 1 millimeter.

22. (Currently Amended) An eating utensil formed from a glass reinforced thermoplastic material, the eating utensil further comprising:

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines include two outer and two inner tines, each of the tines having a proximal base end and a distal tip, the base ends of outer tines being wider than the base ends of inner tines and wherein each of the two outer tines has (i) a corresponding curved outer tine edge that is part of a corresponding outer edge of the fork head, and (ii) a corresponding chamfered surface extending laterally inward from the corresponding outer edge of the fork head;

a spoon head having a concave spoon bowl portion wherein an outer edge of the spoon head is substantially five-sided;

a handle integrally formed with the fork head at a first end of the handle and with the spoon head at a second end of the handle, wherein a front surface of the eating utensil includes a concave surface of the concave fork bowl portion, a concave surface of the concave spoon bowl portion and a front surface of the handle; and

wherein the chamfered surfaces are on the front surface of the eating utensil and each chamfered surface extends along a corresponding one of the outer edges of the fork head proximally towards the handle beyond a proximal base of the corresponding one of the outer tines ~~to form~~ and helps define a corresponding curved chamfered splitting feature.

23. (Previously Presented) The eating utensil as recited in claim 22 wherein the eating utensil is formed from a glass filled nylon.

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

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines includes a first outer tine having (i) a curved first outer tine edge that is part of a first outer edge of the fork head, and (ii) a chamfered surface extending laterally inward from the first outer tine edge of the first outer tine;

a handle integrally formed with the fork head at a first end of the handle, wherein a front surface of the eating utensil includes a concave surface of the concave fork bowl portion, and a front surface of the handle; and

wherein the chamfered surface is on the front surface of the eating utensil and extends along the first outer edge of the fork head proximally towards the handle beyond a proximal base of the first outer tine ~~to form~~ and helps define a curved chamfered splitting feature.

25. (Previously Presented) The eating utensil as recited in claim 24 further comprising a spoon head having a concave spoon bowl portion, wherein the spoon head is integrally formed with the handle at a second end of the handle.

26. (Previously Presented) The eating utensil as recited in claim 25 wherein the front surface of the eating utensil further includes a concave surface of the concave spoon bowl portion.

27. (Currently Amended) The eating utensil as recited in claim 24 wherein the plurality of tines include a second outer tine, the second outer tine having (iii) a curved second outer tine edge that is part of a second outer edge of the fork head and (iv) a second chamfered surface extending laterally inward from the second outer tine edge of the second outer tine, wherein the second chamfered surface is on the front surface of the eating utensil and extends along the second outer edge of the fork head proximally towards the handle beyond a proximal base of the second outer tine and helps define ~~to form~~ a second curved chamfered splitting feature.

28. (Previously Presented) The eating utensil as recited in claim 24, wherein the chamfered surface extends along the first outer edge of the fork head from a tip of the first outer tine to the handle and tapers to a point where the handle meets the fork head, whereby the chamfered surface extends proximally beyond a widest portion of the fork head.

29. (Previously Presented) The eating utensil as recited in claim 24, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

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

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines includes a first outer tine having a curved first outer tine edge, wherein a top surface of the curved first outer tine edge is tapered to ~~form~~ help define a curved splitting feature;

a spoon head having a spoon bowl portion; and

a handle integrally formed with the fork head at a first end of the handle and with the spoon head at a second end of the handle, wherein a top surface of the eating utensil includes a concave surface of the fork bowl portion, a concave surface of the spoon bowl portion and a top surface of the handle.

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

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines includes a first outer tine having (i) a curved first outer tine edge that is part of a first outer edge of the fork head, and (ii) a tapered surface on a front surface of the eating utensil, the tapered surface extending laterally inward from the first outer tine edge of the first outer tine;

a handle integrally formed with the fork head at a first end of the handle, wherein the front surface of the eating utensil includes a concave surface of the concave fork bowl portion, and a front surface of the handle; and

wherein the tapered surface extends along the first outer edge of the fork head proximally towards the handle beyond a proximal base of the first outer tine to ~~form~~ help define a curved splitting feature.

32. (Previously Presented) The eating utensil as recited in claim 31, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

33. (Previously Presented) The eating utensil as recited in claim 31 further comprising a spoon head having a concave spoon bowl portion, wherein the spoon head is integrally formed with the handle at a second end of the handle.

34. (Previously Presented) The eating utensil as recited in claim 33 wherein the front surface of the eating utensil further includes a concave surface of the concave spoon bowl portion.

35. (Currently Amended) The eating utensil as recited in claim 31 wherein the plurality of tines include a second outer tine, the second outer tine having (iii) a curved second outer tine edge that is part of a second outer edge of the fork head and (iv) a second tapered surface extending laterally inward from the second outer tine edge of the second outer tine, wherein the second tapered surface is on the front surface of the eating utensil and extends along the second outer edge of the fork head proximally towards the handle beyond a proximal base of the second outer tine to ~~form~~ help define a second curved splitting feature.

36. (Previously Presented) The eating utensil as recited in claim 31, wherein the tapered surface extends along the first outer edge of the fork head from a tip of the first outer tine to the handle and tapers to a point where the handle meets the fork head, whereby the tapered surface extends proximally beyond a widest portion of the fork head.

REMARKS

Examiner Prone is thanked for the indication of allowable subject matter.

The amendments set forth above are believed to address the claim objections/rejections set forth in the final office action.

With respect to claim 1, the language "that corresponds to the corresponding outer tine" has been deleted as suggested in the Office Action. There was a following note in the Office Action that indicated that "if this phrase is deleted there will be an issue with 'the corresponding outer tine" limitation on line 14." After review, it is respectfully submitted that the later referenced clause is both definite and clear. To that end, it is pointed out that there is antecedent basis for the corresponding outer tine language in lines 3-5 of claim 1 which requires that each outer tine have a corresponding chamfered surface. Nevertheless, the claim has been amended in an effort to make the claim even clearer.

Dependent claim 19 has been amended to eliminate the language relating to the side profile. It is believed that the newly proposed language is both definite and clear. It is noted that Fig. 7C is a side view of an embodiment of the claimed eating utensil showing this feature. See, e.g., [0033] in the brief description of the drawings and [0074] in the detailed description – both of which describe Fig. 7C as a side view.

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

Respectfully submitted,
BEYER LAW GROUP LLP

/Steve D Beyer/

Steve D Beyer
Reg. 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.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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 October 17, 2022.

Signed: _____/Kellianne Bartlett/_____
Kellianne Bartlett

AMENDMENT D 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	27	MINUS	36	0	x 50 = $0.00	x 100 = $0.00
Independent Claims	05	MINUS	05	0	x 240 = $0.00	x 480 = $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. HMG1P008D2D1).

Respectfully submitted,
BEYER LAW GROUP LLP

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

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:
HMG1P008D2D1	16/725,397	December 23, 2019
First Named Inventor:	**Title:**	
MIKSOVSKY et al.	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
/Steve D Beyer/	October 17, 2022
Name (Print/Typed)	**Practitioner Registration No.**
Steve D Beyer	31,234

***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:	46831273
Application Number:	16725397
International Application Number:	
Confirmation Number:	9049
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Steve D. Beyer/Kellianne Bartlett
Filer Authorized By:	Steve D. Beyer
Attorney Docket Number:	HMG1P008D2D1
Receipt Date:	17-OCT-2022
Filing Date:	23-DEC-2019
Time Stamp:	17:04:55
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		HMG1P008D2D1_Amendment_D_FINAL.pdf	51636 61578bf73d11d754bf4267f0373da71665a55e42	yes	8

	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	8

Warnings:					
Information:					
2	Transmittal Letter	HMG1P008D2D1_Amendment_D_Transmittal.pdf	21291 ab321cc901357ddca03a4189b1e9ae08f33e07d2	no	1
Warnings:					
Information:					
3	After Final Consideration Program Request	HMG1P008D2D1_After_Final_Consideration_Pilot_Program.pdf	226679 8059dd87ecb4f4258d550906fcfd47b1f103979c	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	299606		

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.

<u>New Applications Under 35 U.S.C. 111</u>
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.
<u>National Stage of an International Application under 35 U.S.C. 371</u>
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.
<u>New International Application Filed with the USPTO as a Receiving Office</u>
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/725,397	Filing Date 12/23/2019	☐ 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	10/17/2022	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 27	Minus	** 27	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 5	Minus	*** 5	= 0		x $240 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/725,397	12/23/2019	Christopher A. MIKSOVSKY	HMG1P008D2D1	9049

58766 7590 10/13/2022

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

EXAMINER	
PRONE, JASON D	

ART UNIT	PAPER NUMBER
3724	

NOTIFICATION DATE	DELIVERY MODE
10/13/2022	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. 16/725,397	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 7-14-22.

☐ 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) 10-36 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) 10-36 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 7-14-22 is/are: a)☑ accepted or b)☐ objected to by the Examiner.

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

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

Priority under 35 U.S.C. § 119

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

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

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

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

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

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

Attachment(s)

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

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

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

4) ☐ Other: _____.

DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

Claim Rejections - 35 USC § 112

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

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

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

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

3. Claims 10-36 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 10 line 6, the phrase “corresponding outer edge of the fork head that correspond to the corresponding outer tine” is confusing. The underlined portion should be deleted. It is noted that if this phrase is deleted there will be an issue with the “the corresponding outer tine” limitation on line 14.

Claim 10 recites the limitation "the corresponding outer tine" on line. There is insufficient antecedent basis for this limitation in the claim.

With regards to claim 10 lines 14-15, the phrase “form a curved chamfered splitting feature” is unclear. It is unclear chamfer surfaces form a splitting feature structure? There is not a splitting feature structure that is formed in addition to the chamfer surface and the curved outer tine edge. The curved outer tine edge and the

chamfer surface are together configured to perform a splitting function. Claims 22, 24, 27, 30, and 31 have the same issues.

With regards to claim 19, the profile disclosures are very confusing. It is unclear what defines the fork profile or what the profile is. How can the fork head or its profile have a side edge of the handle? The side edge of the handle cannot make up part of the fork profile. Only fork structures can be part of the fork profile. The fork profile introduces an upper extent. It is unclear what structures represent this upper extent in relation to what has already been claimed in claim 10. It is unclear why an upper extent is introduced when a claim 10 limitation or a part of the limitation appears to represent the same structure as the upper extent. Basically, there is no upper extent structure that is in addition to what has been claimed in claim 10.

With regards to claim 19 line 9, claim 10 already discloses the chamfered surfaces are on the front surface.

Allowable Subject Matter

4. Claims 10-36 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.

Response to Arguments

5. Applicant's arguments filed 7-14-22 have been fully considered but they are not persuasive. The remaining rejections have not been overcome.

Conclusion

6. 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, Sean M Michalski can be reached on (571)272-6752. 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.

06 October 2022

/Jason Daniel Prone/

Primary Examiner, Art Unit 3724

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

CPC - Searched*		
Symbol	Date	Examiner
A47G 21/02, 023, 04, 06, 08		
A47J 43/28-282	05/04/2021	/JP/

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
30	147-150, 322-328		
D7	643, 644, 653	05/04/2021	/JP/

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

Search Notes		
Search Notes	Date	Examiner
consulted USPC and CPC		
inventor search	05/04/2021	/JP/
consulted parent cases 14/204497, 15/268175, 16/213466. No ODP at this time.		
updated search	10/06/2022	/JP/

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

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

Humangear, Inc. Ex. 2009, Page 102

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	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	02/08/2021	05/04/2021	09/20/2021	04/11/2022	10/06/2022				
	1	÷	✓	✓	-	-				
	2	÷	✓	-	-	-				
	3	÷	✓	-	-	-				
	4	÷	✓	✓	-	-				
	5	÷	✓	✓	-	-				
	6	÷	✓	✓	-	-				
	7	÷	✓	✓	-	-				
	8	÷	✓	✓	-	-				
	9	÷	✓	✓	-	-				
	10				✓	✓				
	11				✓	✓				
	12				✓	✓				
	13				✓	✓				
	14				✓	✓				
	15				✓	✓				
	16				✓	✓				
	17				✓	✓				
	18				✓	✓				
	19				✓	✓				
	20				✓	✓				
	21				✓	✓				
	22				✓	✓				
	23				✓	✓				
	24				✓	✓				
	25				✓	✓				
	26				✓	✓				
	27				✓	✓				
	28				✓	✓				
	29				✓	✓				
	30					✓				
	31					✓				
	32					✓				
	33					✓				
	34					✓				
	35					✓				
	36					✓				

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2D1
	Application No.:	16/725,397
Information Disclosure Statement By Applicant	Applicant	humangear, Inc.
	Filing Date	December 23, 2019
	Group	3724
(Use Several Sheets if Necessary)		Page 1 of 1
	Date Submitted	July 14, 2022

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	6,055,733	05/02/00	Chen			05/03/99
	2.	6,374,500	04/23/02	Stein et al.			05/02/01
	3.	10,518,402	12/31/19	Polen			01/20/16
	4.	2003/0024126	02/06/03	Liu			08/03/01
	5.	2009/0178284	07/16/09	Lane			01/11/08
	6.						
	7.						
	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 / No
	11.	103504965	01/15/14	CN			Machine
	12.						

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	13.	Screenshot of Wildo product from the Internet Archive dated February 24, 2012 and downloaded from the internet on July 13, 2022, https://web.archive.org/web/20120224230642/http:/www.wildo.se:80/.
	14.	
	15.	
	16.	

Examiner	/Jason Daniel Prone/	Date Considered	10/06/2022

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/

PE2E SEARCH - Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	British Equivalents	Time Stamp
L1	10	("10555629"|"20170208976"|"20200383506"|"D845085"|"D862996"|"D862997"|"D873094"|"D882350"|"D909821"|"D910386").PN.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:43 AM
L2	10	(6055733|6374500|10518402|20030024126|20090178284).PN.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:44 AM
L3	184	(US-0000092-$ | US-0000276-$ | US-0014329-$ | US-0016698-$ | US-0026425-$ | US-0029044-$ | US-0036724-$ | US-0066531-$ | US-0084063-$ | US-0091521-$ | US-0104873-$ | US-0110620-$ | US-0110644-$ | US-0124943-$ | US-0129495-$ | US-0148575-$ | US-0152406-$ | US-0155229-$ | US-0172949-$ | US-0205209-$ | US-0206885-$ | US-0218382-$ | US-0248732-$ | US-0251103-$ | US-0256807-$ | US-0257562-$ | US-0293283-$ | US-0297628-$ | US-1053387-$ | US-1229696-$ | US-1271679-$ | US-1277205-$ | US-1337174-$ | US-1348762-$ | US-1372325-$ | US-1425750-$ | US-1452337-$ | US-1699248-$ | US-1868289-$ | US-1984081-$ | US-14771541-$ | US-15542181-$ | US-16202786-$ | US-	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:47 AM

		18208165-$ | US- 2010074-$ | US- 2109016-$ | US- 2251842-$ | US- 2318129-$ | US- 2439882-$ | US- 2470492-$ | US- 2505122-$ | US- 2542600-$ | US- 2610400-$ | US- 2752678-$ | US- 20030029044-$ | US- 20030110644-$ | US- 20050066531-$ | US- 20050155229-$ | US- 20060248732-$ | US- 20070084063-$ | US- 20070124943-$ | US- 20070251103-$ | US- 20080000092-$ | US- 20080016698-$ | US- 20080148575-$ | US- 20080256807-$ | US- 20090172949-$ | US- 20090205209-$ | US- 20090293283-$ | US- 20100206885-$ | US- 20100218382-$ | US- 20110091521-$ | US- 20120036724-$ | US- 20120297628-$ | US- 20130152406-$ | US- 20140026425-$ | US- 20150014329-$ | US- 20150257562-$ | US- 20170000276-$ | US- 20190104873-$ | US- 20190110620-$ | US- 2231889-$ | US- 2373000-$ | US- 3014277-$ | US- 3121951-$ | US- 3138871-$ | US- 3586161-$ | US- 3596965-$ | US- 3630249-$ | US- 3771224-$ | US- 3967376-$ | US- 3991466-$ | US- 3488740-$ | US- 4317284-$ | US- 4377035-$ | US- 4425711-$ | US- 4524512-$ | US- 4615120-$ | US- 4625404-$ | US- 4835864-$ | US- 4984367-$ | US-					

		4995154-$ | US- 5197623-$ | US- 5327650-$ | US- 5735050-$ | US- 5845403-$ | US- 5904250-$ | US- 5940974-$ | US- 6145204-$ | US- 6151999-$ | US- 6463662-$ | US- 6647828-$ | US- 7013568-$ | US- 7816634-$ | US- 7856722-$ | US- 8296957-$ | US- 8635780-$ | US- 8689453-$ | US- 8726525-$ | US- 8839522-$ | US- 9061429-$ | US- 9434590-$ | US- 9468321-$ | US- 9549626-$ | US- D143431-$ | US- D149920-$ | US- D184317-$ | US- D199630-$ | US- D209704-$ | US- D210549-$ | US- D241302-$ | US- D249926-$ | US- D269060-$ | US- D284442-$ | US- D318600-$ | US- D325855-$ | US- D342422-$ | US- D347975-$ | US- D362160-$ | US- D376514-$ | US- D388664-$ | US- D391123-$ | US- D396613-$ | US- D401481-$ | US- D412813-$ | US- D414988-$ | US- D491419-$ | US- D509708-$ | US- D530985-$ | US- D530986-$ | US- D533034-$ | US- D535857-$ | US- D536221-$ | US- D536222-$ | US- D537302-$ | US- D554951-$ | US- D563737-$ | US- D575593-$ | US- D587075-$ | US-					

		D608602-$ | US-D609060-$ | US-D612692-$ | US-D617156-$ | US-D618070-$ | US-D625153-$ | US-D633344-$ | US-D637309-$ | US-D656799-$ | US-D673431-$ | US-D676286-$ | US-D686045-$ | US-D690156-$ | US-D705020-$ | US-D706586-$ | US-D718093-$ | US-D722837-$ | US-D730049-$ | US-D739685-$ | US-D740079-$ | US-D745339-$ | US-D746644-$ | US-D747159-$ | US-D752918-$ | US-D753447-$ | US-D756171-$ | US-D756172-$ | US-D758808-$ | US-D782254-$).DID.					
L4	5380	a47g21/02,023,04,06,08.cpc.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:51 AM
L5	2827	a47j43/28-282.cpc.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:51 AM
L6	1749	30/147-150,322-328.ccls.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:51 AM
L8	2352	d7/643,644,653.ccls.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:52 AM
L9	758	MIKSOVSKY WITH Christopher.in. OR SLONE WITH Clint.in. OR CHAUBERT WITH Evelyne.in. OR NGHIEM WITH Charlie.in. OR LANE WITH Robert.in. OR DOWNING WITH Jonathan.in.	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:53 AM
L10	36	9 AND (spoon OR fork)	(US-PGPUB; USPAT; FPRS; EPO; JPO)	OR	ON	ON	2022/10/06 08:54 AM
L11	226	("0032916" | "0033703" | "0034069" | "0034098" | "0034712" | "0046832" | "0088370" | "0RE7925" | "0RE9687" | "0398264" | "0D30129"	(US-PGPUB; USPAT; USOCR)	OR	ON	ON	2022/10/06 08:58 AM

		| "0D31575" | "0671740" | "0675475" | "0812424" | "0849098" | "0854745" | "0870413" | "0972777" | "1053387" | "1229696" | "1271679" | "1277205" | "0D53165" | "1337174" | "1348762" | "1372325" | "0D59869" | "0D60369" | "1425750" | "1452337" | "0D63047" | "1699248" | "1868289" | "0D93956" | "1984081" | "2010074" | "2109016" | "2251842" | "2318129" | "D143431" | "2439882" | "2470492" | "2505122" | "D149920" | "2542600" | "2610400" | "2752678" | "D184317" | "3014277" | "3121951" | "3138871" | "D199630" | "D209704" | "D210549" | "3586161" | "3596965" | "3630249" | "3771224" | "3967376" | "D241302" | "3991466" | "D249926" | "4317284" | "4377035" | "D269060" | "4425711" | "4524512" | "D284442" | "4615120" | "4625404" | "4771541" | "4835864" | "4984367" | "4995154" | "D318300" | "D318600" | "D325855" | "5197623" | "D342422" | "D347975" | "5327650" | "D362160" | "5542181" | "D376514" | "D388664" | "D391123" | "5735050" | "D396613" | "D401481" | "5845403" | "5904250" | "D412813" | "5940974" | "D414988" | "6145204" | "6151999" | "6463662" | "6647828" | "D491419" | "D509708" | "7013568" | "D530985" | "D530986" | "D533034" | "D535857" | "D536221" | "D536222" | "D537302" | "D554951" | "D563737" | "D575593" | "D587075" | "D608602" | "D609060" | "D612692" | "D617156" | "D618070" |						

		"D625153" | "7816634" | "7856722" | "D633344" | "D637309" | "D656799" | "8296957" | "D673431" | "D676286" | "D686045" | "D690156" | "8635780" | "8689453" | "D705020" | "8726525" | "D706586" | "8839522" | "D718093" | "D722837" | "D730049" | "9061429" | "D739685" | "D740079" | "D745339" | "D746644" | "D747159" | "D752918" | "D753447" | "D756171" | "D756172" | "D758808" | "9434590" | "9468321" | "9549626" | "D782254" | "D794400" | "D807127" | "D812994" | "D812995" | "D813616" | "D816432" | "D825104" | "D828730" | "D834887" | "D842662" | "20030029044" | "20030110644" | "20050066531" | "20050155229" | "20060248732" | "20070084063" | "20070124943" | "20070251103" | "20080000092" | "20080016698" | "20080148575" | "20080256807" | "20090172949" | "20090205209" | "20090293283" | "20100206885" | "20100218382" | "20110091521" | "20120036724" | "20120297628" | "20130152406" | "20140026425" | "20150014329" | "20150257562" | "20170000276").pn. OR ("10555629").urpn. AND (PGPB | USPT | USOC).dbnm.					

PE2E SEARCH - Search History (Interference)

There are no Interference searches to show.

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

Oct 13, 2022 04:37:56 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.

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.
16725397	CTFR	10/13/2022	HMG1P008D2D1
	1449	10/13/2022	HMG1P008D2D1

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.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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 14, 2022.

Signed: /Erin Saito/
Erin Saito

AMENDMENT C

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

Dear Commissioner:

In response to the non-final Office Action dated April 15, 2022, 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 6 of this paper.

Amendments to the Drawings begin on page 12 of this paper.

Remarks/Arguments begin on page 13 of this paper.

Humangear, Inc. Ex. 2009, Page 113

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.

Please replace paragraph [0072] with the following amended paragraph:

[0072] The fork 240 has a **concave** 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 **tine** edge ~~245~~ **246**. The curvature of the outer edges ~~245~~ **246** can also be used for scraping food from a container, as the curved edges ~~245~~ **246** 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.

Please replace paragraph [0073] with the following amended paragraph:

[0073] In addition to being curved, the outer edges ~~245~~ **246** of the two outer tines 244 also have tapered or chamfered **surfaces 245 that function as curved splitting features** 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 **tine** edges ~~245~~ **246** is tapered or chamfered. As illustrated, each **tapered or** chamfered **surface** ~~edge~~ 245 **is curved and** 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 **surface** ~~edge~~ 245 spans the entire width of the outer tine 244 at the pointed tip. As the chamfered **surface** ~~edge~~ 245 extends down along the curved outer edge of the outer tine 244, the width of the chamfered **surface** ~~edge 145~~ **245** remains substantially the same until it begins to taper toward the end of the fork head 241. In the illustrated embodiment, the chamfered **surface** ~~edge~~ 245 tapers and ends in a point **243** 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~~ **246** of both outer tines 244 are chamfered so that both outer edges ~~245~~ **246** 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.

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

[0074] The spoon 220 has a head portion or bowl 212 on its distal end. The **concave** bowl 212 of the spoon 220 has a substantially flat side edge 218 and end edge 218b, which allows for "scraping" food from of a container (e.g., a yogurt container) or a bowl. As shown in the side

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

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

Listing of Claims:

1.-9. (Cancelled)

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

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines include two outer tines, each **outer tine** having **(i) a** corresponding curved outer tine edge **that is part of a corresponding outer edge of the fork head,** and **(ii)** a **corresponding** chamfered surface extending laterally inward from **[[an]] the corresponding** outer edge of the **fork head that corresponds to the** corresponding outer tine;

a spoon head having a concave spoon bowl portion;

a handle integrally formed with the fork head at a first end of the handle and with the spoon head at a second end of the handle, wherein a front surface of the eating utensil includes a concave surface of the concave fork bowl portion, a concave surface of the concave spoon bowl portion and a front surface of the handle; and

wherein the chamfered surfaces are on the front surface of the eating utensil and each chamfered surface extends along **[[a]] the** corresponding outer edge of the fork head proximally towards the handle beyond a proximal base of the corresponding outer tine to form a curved chamfered ~~**outer edge for**~~ splitting **feature**.

11. (Previously Presented) The eating utensil as recited in claim 10, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

12. (Previously Presented) The eating utensil as recited in claim 11 wherein the eating utensil is formed from a glass filled nylon.

13. (Previously Presented) The eating utensil as recited in claim 10 wherein an outer edge of the spoon head is substantially five-sided.

14. (Previously Presented) The eating utensil as recited in claim 10, wherein each side edge of the spoon head is substantially flat and substantially rounded corners connect adjacent side edges.

15. (Currently Amended) The eating utensil as recited in claim 10, wherein **[[the]]** **each** chamfered outer edge tapers to a **corresponding** point where the handle portion meets the fork head portion.

16. (Previously Presented) The eating utensil as recited in claim 10, wherein the plurality of tines includes the two outer and two inner tines, each of the tines having a proximal base end and a distal tip, the base ends of outer tines being wider than the base ends of inner tines.

17. (Previously Presented) The eating utensil as recited in claim 10, wherein the handle has side edges that connect the front surface of the handle to a back surface of the handle and the side edges of the handle are substantially parallel over a majority of a length of the handle.

18. (Currently Amended) The eating utensil as recited in claim 10, wherein **[[the]]** **each** chamfered surface extends along the corresponding outer edge of the fork head from a tip of the outer tine to a location proximal to a widest portion of the fork head.

19. (Currently Amended) The eating utensil as recited in claim 10 wherein:

the handle has side edges that connect the front surface of the handle to a back surface of the handle;

the fork head has a fork side profile that includes~~, but is not limited to~~ one of the outer edges of the fork head **and a first one of the side edges of the handle**; and

an upper ~~edge~~ **extent** of the fork side profile does not dip below an upper **extent** ~~edge of a corresponding one~~ of the **first** side **edge** ~~edges~~ of the handle at which the ~~corresponding~~ **upper extent of the first** side edge meets the front surface of the handle**; and** **[[.]]**

wherein the chamfered surfaces are on the front surface of the eating utensil**.** ~~**and each chamfered surface extends along a corresponding outer edge of the fork head proximally towards the handle beyond a proximal base of the corresponding outer tine to form a curved chamfered outer edge for splitting.**~~

20. (Previously Presented) The eating utensil as recited in claim 10 wherein the chamfered surfaces each have a chamfer angle in the range of about 20-25 degrees.

21. (Currently Amended) The eating utensil as recited in claim 10 wherein the outer **tine** edges of the outer tines each have a width of about 1 millimeter.

22. (Currently Amended) An eating utensil formed from a glass reinforced thermoplastic material, the eating utensil further comprising:

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines include two outer and two inner tines, each of the tines having a proximal base end and a distal tip, the base ends of outer tines being wider than the base ends of inner tines and wherein **each of** the two outer tines **has (i)** ~~**each having**~~ a **corresponding** curved outer tine edge **that is part of a corresponding outer edge of the fork head,** and **(ii)** a **corresponding** chamfered surface extending laterally inward from **the [[an]] corresponding** outer edge of the **fork head;** ~~**corresponding outer tine;**~~

a spoon head having a concave spoon bowl portion wherein an outer edge of the spoon head is substantially five-sided;

a handle integrally formed with the fork head at a first end of the handle and with the spoon head at a second end of the handle, wherein a front surface of the eating utensil includes a concave surface of the concave fork bowl portion, a concave surface of the concave spoon bowl portion and a front surface of the handle; and

wherein the chamfered surfaces are on the front surface of the eating utensil and each chamfered surface extends along a corresponding **one of the** outer edges of the fork head proximally towards the handle beyond a proximal base of the corresponding **one of the** outer tines to form a curved chamfered ~~**outer edge for**~~ splitting **feature**.

23. (Previously Presented) The eating utensil as recited in claim 22 wherein the eating utensil is formed from a glass filled nylon.

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

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines includes a first outer tine having **(i)** a curved **first** outer tine edge **that is part of a first outer edge of the fork head,** and **(ii)** a chamfered surface extending laterally inward from **[[an]] the first** outer **tine** edge of the first outer tine;

a handle integrally formed with the fork head at a first end of the handle, wherein a front surface of the eating utensil includes a concave surface of the concave fork bowl portion, and a front surface of the handle; and

wherein the chamfered surface is on the front surface of the eating utensil and extends along **[[a]] the ~~corresponding~~ first** outer edge of the fork head proximally towards the handle beyond a proximal base of the first outer tine to form a curved chamfered **~~outer edge for~~** splitting **feature**.

25. (Previously Presented) The eating utensil as recited in claim 24 further comprising a spoon head having a concave spoon bowl portion, wherein the spoon head is integrally formed with the handle at a second end of the handle.

26. (Previously Presented) The eating utensil as recited in claim 25 wherein the front surface of the eating utensil further includes a concave surface of the concave spoon bowl portion.

27. (Currently Amended) The eating utensil as recited in claim 24 wherein the plurality of tines include a second outer tine, the second outer tine having **(iii)** a curved second outer tine edge **that is part of a second outer edge of the fork head** and **(iv)** a second chamfered surface extending laterally inward from **[[an]] the second** outer **tine** edge of the second outer tine, wherein the second chamfered surface is on the front surface of the eating utensil and extends along **~~a~~ ~~corresponding~~ the** second outer edge of the fork head proximally towards the handle beyond a

proximal base of the second outer tine to form a second curved chamfered ~~outer edge for~~ splitting **feature**.

~~e eating utensil and extends along a corresponding outer edge of the fork head proximally towards the handle beyond a proximal base of the first outer tine to form a curved chamfered outer edge for splitting.~~

28. (Currently Amended) The eating utensil as recited in claim 24, wherein the chamfered surface extends along the ~~corresponding~~ **first** outer edge of the fork head from a tip of the **first** outer tine to the handle and tapers to a point where the handle meets the fork head, whereby the ~~chamber~~ **chamfered surface** extends proximally beyond a widest portion of the fork head.

29. (Previously Presented) The eating utensil as recited in claim 24, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

30. (New) An eating utensil, comprising:

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines includes a first outer tine having a curved first outer tine edge, wherein a top surface of the curved first outer tine edge is tapered to form a curved splitting feature;

a spoon head having a spoon bowl portion; and

a handle integrally formed with the fork head at a first end of the handle and with the spoon head at a second end of the handle, wherein a top surface of the eating utensil includes a concave surface of the fork bowl portion, a concave surface of the spoon bowl portion and a top surface of the handle.

31. (New) An eating utensil, comprising:

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines includes a first outer tine having (i) a curved first outer tine edge that is part of a first outer edge of the fork head, and (ii) a tapered surface on a front surface

of the eating utensil, the tapered surface extending laterally inward from the first outer tine edge of the first outer tine;

a handle integrally formed with the fork head at a first end of the handle, wherein the front surface of the eating utensil includes a concave surface of the concave fork bowl portion, and a front surface of the handle; and

wherein the tapered surface extends along the first outer edge of the fork head proximally towards the handle beyond a proximal base of the first outer tine to form a curved splitting feature.

32. (New) The eating utensil as recited in claim 31, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

33. (New) The eating utensil as recited in claim 31 further comprising a spoon head having a concave spoon bowl portion, wherein the spoon head is integrally formed with the handle at a second end of the handle.

34. (New) The eating utensil as recited in claim 33 wherein the front surface of the eating utensil further includes a concave surface of the concave spoon bowl portion.

35. (New) The eating utensil as recited in claim 31 wherein the plurality of tines include a second outer tine, the second outer tine having (iii) a curved second outer tine edge that is part of a second outer edge of the fork head and (iv) a second tapered surface extending laterally inward from the second outer tine edge of the second outer tine, wherein the second tapered surface is on the front surface of the eating utensil and extends along the second outer edge of the fork head proximally towards the handle beyond a proximal base of the second outer tine to form a second curved splitting feature.

36. (New) The eating utensil as recited in claim 31, wherein the tapered surface extends along the first outer edge of the fork head from a tip of the first outer tine to the handle and tapers to a point where the handle meets the fork head, whereby the tapered surface extends proximally beyond a widest portion of the fork head.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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 14, 2022.

Signed: _____/Erin Saito/_____
Erin Saito

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.

1. Chinese Publication No. 103504965 – an English machine translation of which is 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 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. HMG1P008D2D1) for $130.00 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. HMG1P008D2D1).

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.**	HMG1P008D2D1
	Application No.:	16/725,397
	Applicant	humangear, Inc.
	Filing Date	December 23, 2019
	Group	3724
		Page 1 of 1
	Date Submitted	July 14, 2022

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	6,055,733	05/02/00	Chen			05/03/99
	2.	6,374,500	04/23/02	Stein et al.			05/02/01
	3.	10,518,402	12/31/19	Polen			01/20/16
	4.	2003/0024126	02/06/03	Liu			08/03/01
	5.	2009/0178284	07/16/09	Lane			01/11/08
	6.						
	7.						
	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 / No
	11.	103504965	01/15/14	CN			Machine
	12.						

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	13.	Screenshot of Wildo product from the Internet Archive dated February 24, 2012 and downloaded from the internet on July 13, 2022, https://web.archive.org/web/20120224230642/http:/www.wildo.se:80/.
	14.	
	15.	
	16.	

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 Translate
Powered by EPO and Google

Notice

This translation is machine-generated. It cannot be guaranteed that it is intelligible, accurate, complete, reliable or fit for specific purposes. Critical decisions, such as commercially relevant or financial decisions, should not be based on machine-translation output.

DESCRIPTION CN103504965A

10 multifunctional spoon

---

12 多功能勺子

[0001]

18 technical field

---

20 技术领域

[0002]

26 The invention relates to a soup spoon, in particular to a multifunctional soup spoon, and belongs to the technical field of daily necessities.

---

29 本发明涉及一种汤勺，尤其是一种多功能汤勺，属于日常生活用品技术领域。

[0004]

35 Background technique

---

37 背景技术

[0005]

43 With the increasing improvement of people's living standards, people's diet has also been greatly improved, a diversified diet structure is loved by more people, and it is also the pursuit of people who advocate health.

---

46 随着人们生活水平的日益提高，人们的饮食也有了较大的改善，多元化的饮食结构受到更多人的喜爱，也是崇尚健康的人们的追求目标。

50 Therefore, the combination of food used for each meal is very critical. There are not only staple foods, but also some foods rich in vitamins, proteins, etc., and soups, so that various nutrients in the human body can be supplemented.

---

54 因此每餐的用的食物的搭配非常关键，既要有主食，也要搭配一些富含维生素、蛋白质等的食物，还要有汤料，才能使人体中各种营养元素得到补充。

58 Therefore, in order to be more convenient, some utensils, such as spoons, forks, etc., need to be configured accordingly.

---

61 因此，在用餐时，为了更加方便，相应的也需要配置一些餐具，如勺子、叉子等。

64 However, since the existing tableware usually has a single structure, it is not only troublesome to place a variety of tableware, but also takes up a lot of space, which also brings certain troubles to people's meals.

---

67 但是，由于现有的餐具通常都是单一的结构，要放置多种餐具不仅麻烦，而且比较占用空间，这也给人们的用餐带来了一定的困扰。

[0007]

74 SUMMARY OF THE INVENTION

---

76 发明内容

[0008]

82 In view of the above deficiencies in the prior art, the main purpose of the present invention is to provide a multifunctional spoon that is convenient to use and does not take up space.

---

85 针对现有技术中的上述不足，本发明的主要目的在于提供一种使用方便、不占用空间的多功能勺子。

[0009]

92 The technical solution of the present invention: a multifunctional spoon, which is characterized in that it includes a handle, a spoon head is arranged at one end of the handle, and a fork is arranged at the other end of the handle, and the spoon head and the fork are integrally formed with the handle. .

---

96 本发明的技术方案：多功能勺子，其特征在于，包括勺柄，在勺柄的一端设有勺头，在勺柄的另一端设有叉子，所述勺头和叉子均与勺柄一体成型。

[0010]

103 In a further technical solution, a toothed knife is also provided on one side of the fork.

---

105 进一步的技术方案，在所述叉子的一侧还设有齿刀。

[0011]

111 Compared with the prior art, the present invention has the following beneficial effects:

---

113 相对于现有技术，本发明具有以下有益效果：

[0012]

119 1、It has multiple functions: the spoon of the present invention also has the functions of a fork and a toothed knife, which can not only use the fork to fork food, but also use the toothed knife to cut meat food, and can also use the spoon to drink soup, with powerful functions.

123 1、具有多种功能：本发明的勺子上同时还具有叉子和齿刀的功能，既能用叉子叉食物，又可以用齿刀切割肉类食物，还可以用勺子喝汤，功能强大。

[0013]

130 2、Small footprint and easy to use: Since only one spoon can complete various operations, the number of tableware during meals is greatly reduced, and there is no need to frequently change different tableware, making people more comfortable when dining.

134 2、占用空间小，使用方便：由于只需一个勺子即可完成多种操作，因此大大的减少了用餐时的餐具数量，也不用频繁的去更换不同的餐具，让人用餐时更舒适。

[0014]

141 3、The structure is simple, the manufacture is convenient, and the cost is low.

143 3、结构简单，制作方便，成本也较低。

[0016]

149 Description of drawings

151 附图说明

[0017]

157 FIG. 1 is a schematic structural diagram of the multifunctional spoon of the present invention.

159 图1为本发明多功能勺子的结构示意图。

[0018]

165 In the picture, 1 - spoon handle, 2 - spoon head, 3 - fork, 4 - tooth knife.

---

167 图中，1—勺柄，2—勺头，3—叉子，4—齿刀。

[0020]

173 Detailed ways

---

175 具体实施方式

[0021]

181 The present invention will be further described below with reference to the accompanying drawings and specific embodiments.

---

184 下面结合附图和具体实施方式对本发明作进一步说明。

[0022]

190 As shown in FIG. 1, a multifunctional spoon includes a handle 1, a spoon head 2 is arranged at one end of the spoon handle 1, and a fork 3 is arranged at the other end of the spoon handle 1, and the spoon head 2 and the fork 3 are both It is integrally formed with the spoon handle 1.

---

194 如图1所示，一种多功能勺子，包括勺柄1，在勺柄1的一端设有勺头2，在勺柄1的另一端设有叉子3，所述勺头2和叉子3均与勺柄1一体成型。

198 When in use, the spoon head 2 is used for scooping soup, and the fork 3 is used to fork meat or lumpy food. When you want to change it, you just need to turn the spoon upside down, which is very convenient.

---

201 使用时，勺头2用于舀汤，叉子3用于叉食肉类或块状的食物，要换用时只需将勺子倒过来即可，非常方便。

[0023]

208 Referring to FIG. 1 , a toothed knife 4 is also provided on one side of the fork 3 in order to conveniently cut some meat food.

---

211 参见图1，为了方便切割一些肉类的食物，在所述叉子3的一侧还设有齿刀4。

214 Some large pieces of food can be divided by the toothed knife 4, and then eaten with the fork 3.

---

216 通过齿刀4可以将一些大块的食物分割开，然后再用叉子3叉起食用即可。

[0024]

222 The multi-functional spoon of the present invention can be integrally formed by a mold during production, so the structural strength can be guaranteed, and breakage is not easy to occur, and there is no connection trace between the spoon head, the fork and the spoon handle, and the overall effect is not good. beautiful.

---

226 本发明的多功能勺子在制作时可以通过模具整体成型，因此结构强度能够得到保障，不容易出现断裂等情况，而且勺头、叉子与勺柄的结合部均无连接痕迹，整体效果也不叫美观。

[0025]

233 It should be noted that the above embodiments are only used to illustrate the technical solutions of the present invention and not to limit the technical solutions. Although the applicant has described the present invention in detail with reference to the preferred embodiments, those of ordinary skill in the art should Modifications or equivalent replacements made by the solution cannot depart from the purpose and scope of the technical solution, and should be included in the scope of the claims of the present invention.

---

239 需要说明的是，以上实施例仅用以说明本发明技术方案而非限制技术方案，尽管申请人参照较佳实施例对本发明作了详细说明，本领域的普通技术人员应当理解，那些对本发明技术方案进行的修改或者等同替换，不能脱离本技术方案的宗旨和范围，均应涵盖在本发明权利要求范围当中。

(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 103504965 A
(43)申请公布日 2014.01.15

(21)申请号 201210212719.2

(22)申请日 2012.06.26

(71)申请人 文波
地址 400000 重庆市北碚区嘉陵风情街16号附4号

(72)发明人 文波

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

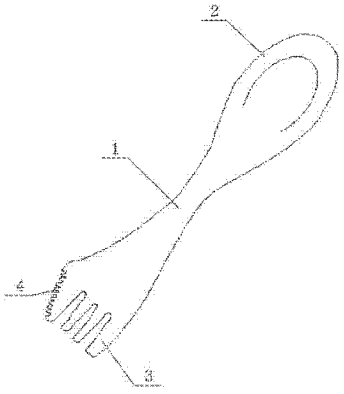
权利要求书1页 说明书2页 附图1页

(54)发明名称

多功能勺子

(57)摘要

本发明介绍了一种多功能勺子，它包括勺柄，在勺柄的一端设有勺头，在勺柄的另一端设有叉子，所述勺头和叉子均与勺柄一体成型。在所述叉子的一侧还设有齿刀。本发明的勺子上同时还具有叉子和齿刀的功能，既能用叉子叉食物，又可以用齿刀切割肉类食物，还可以用勺子喝汤，功能强大。而且其占用空间小，使用方便，结构简单，制作方便，成本也较低。



CN 103504965 A

1. 多功能勺子，其特征在于，包括勺柄（1），在勺柄（1）的一端设有勺头（2），在勺柄（1）的另一端设有叉子（3），所述勺头（2）和叉子（3）均与勺柄（1）一体成型。

2. 根据权利要求 1 所述的多功能勺子，其特征在于，在所述叉子（3）的一侧还设有齿刀（4）。

Humangear, Inc. Ex. 2009, Page 134

多功能勺子

技术领域

[0001] 本发明涉及一种汤勺，尤其是一种多功能汤勺，属于日常生活用品技术领域。

[0002]

背景技术

[0003] 随着人们生活水平的日益提高，人们的饮食也有了较大的改善，多元化的饮食结构受到更多人的喜爱，也是崇尚健康的人们的追求目标。因此每餐的用的食物的搭配非常关键，既要有主食，也要搭配一些富含维生素、蛋白质等的食物，还要有汤料，才能使人体中各种营养元素得到补充。因此，在用餐时，为了更加方便，相应的也需要配置一些餐具，如勺子、叉子等。但是，由于现有的餐具通常都是单一的结构，要放置多种餐具不仅麻烦，而且比较占用空间，这也给人们的用餐带来了一定的困扰。

[0004]

发明内容

[0005] 针对现有技术中的上述不足，本发明的主要目的在于提供一种使用方便、不占用空间的多功能勺子。

[0006] 本发明的技术方案：多功能勺子，其特征在于，包括勺柄，在勺柄的一端设有勺头，在勺柄的另一端设有叉子，所述勺头和叉子均与勺柄一体成型。

[0007] 进一步的技术方案，在所述叉子的一侧还设有齿刀。

[0008] 相对于现有技术，本发明具有以下有益效果：

1、具有多种功能：本发明的勺子上同时还具有叉子和齿刀的功能，既能用叉子叉食物，又可以用齿刀切割肉类食物，还可以用勺子喝汤，功能强大。

[0009] 2、占用空间小，使用方便：由于只需一个勺子即可完成多种操作，因此大大的减少了用餐时的餐具数量，也不用频繁的去更换不同的餐具，让人用餐时更舒适。

[0010] 3、结构简单，制作方便，成本也较低。

[0011]

附图说明

[0012] 图 1 为本发明多功能勺子的结构示意图。

[0013] 图中，1—勺柄，2—勺头，3—叉子，4—齿刀。

[0014]

具体实施方式

[0015] 下面结合附图和具体实施方式对本发明作进一步说明。

[0016] 如图 1 所示，一种多功能勺子，包括勺柄 1，在勺柄 1 的一端设有勺头 2，在勺柄 1 的另一端设有叉子 3，所述勺头 2 和叉子 3 均与勺柄 1 一体成型。使用时，勺头 2 用于舀汤，

Humangear, Inc. Ex. 2009, Page 135

叉子 3 用于叉食肉类或块状的食物，要换用时只需将勺子倒过来即可，非常方便。

[0017] 参见图 1，为了方便切割一些肉类的食物，在所述叉子 3 的一侧还设有齿刀 4。通过齿刀 4 可以将一些大块的食物分割开，然后再用叉子 3 叉起食用即可。

[0018] 本发明的多功能勺子在制作时可以通过模具整体成型，因此结构强度能够得到保障，不容易出现断裂等情况，而且勺头、叉子与勺柄的结合部均无连接痕迹，整体效果也不叫美观。

[0019] 需要说明的是，以上实施例仅用以说明本发明技术方案而非限制技术方案，尽管申请人参照较佳实施例对本发明作了详细说明，本领域的普通技术人员应当理解，那些对本发明技术方案进行的修改或者等同替换，不能脱离本技术方案的宗旨和范围，均应涵盖在本发明权利要求范围当中。

Humangear, Inc. Ex. 2009, Page 136

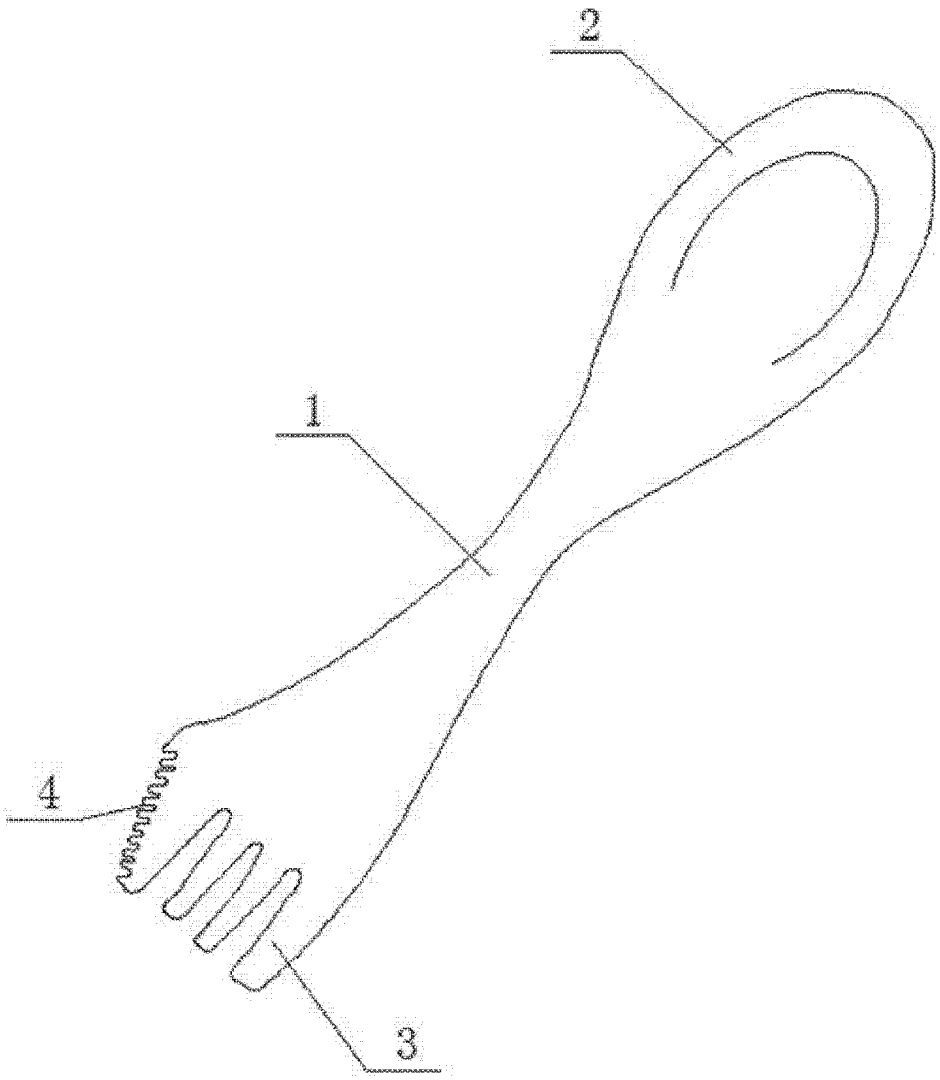
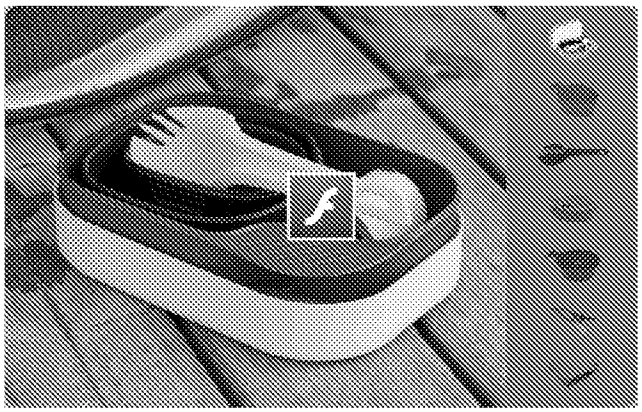


图 1

Humangear, Inc. Ex. 2009, Page 137

Favorites ADP Workfor... Login MyUSPTO USPTO Patent Database Se... USPTO EPAS WIPO - Search Inter... Certified Copy Center Patent Database Se... USPTO Systems Sta...
Go DEC FEB JUN 24 2010 2012 2013

WILDO





We are driven by the conviction that all people need more nature

More green moss, more rocky beaches, snowy arable earth, deep forests, barren moors

and friendly meadows. More nightlife simply. Anywhere and anywhere.

Our outdoor products are made to accompany you on all big and small adventures

Welcome to Wildo.

Print | © 2012 Wildo Sweden AB | Produced by Vivab | Sitemap

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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 14, 2022.

Signed: /Erin Saito/
Erin Saito

AMENDMENT C TRANSMITTAL

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

Commissioner:

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

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	27	MINUS	20	7	7x 50 = $350	x 100 = $0.00
Independent Claims	05	MINUS	03	2	2x 240 = $480	x 480 = $0.00
Multiple Dependent Claim Present and Fee Not Previously Paid						
				Total	$830	$0.00

☐ Applicant(s) hereby petitions for a month extension(s) of time to respond to the aforementioned Office Action.

☒ 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. HMG1P008D2D1).

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

Electronic Patent Application Fee Transmittal

Application Number:	16725397
Filing Date:	23-Dec-2019
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Filer:	Tina Chen/Erin Saito
Attorney Docket Number:	HMG1P008D2D1

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
CLAIMS IN EXCESS OF 20	2202	7	50	350
INDEPENDENT CLAIMS IN EXCESS OF 3	2201	2	240	480
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
SUBMISSION- INFORMATION DISCLOSURE STMT	2806	1	130	130
		Total in USD ($)		**960**

Electronic Acknowledgement Receipt

EFS ID:	46190807
Application Number:	16725397
International Application Number:	
Confirmation Number:	9049
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Tina Chen/Erin Saito
Filer Authorized By:	Tina Chen
Attorney Docket Number:	HMG1P008D2D1
Receipt Date:	14-JUL-2022
Filing Date:	23-DEC-2019
Time Stamp:	15:08:50
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$960
RAM confirmation Number	E20227DF09254069
Deposit Account	504481
Authorized User	Erin Saito

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

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

37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		HMG1P008D2D1_Amendment_C_Final.pdf	1188892 3e6b8de62e8509286e8ccd215fff221961df4e54	yes	19

Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment/Request for Reconsideration-After Non-Final Rejection	1	1
Specification	2	5
Claims	6	11
Drawings-only black and white line drawings	12	12
Applicant Arguments/Remarks Made in an Amendment	13	19

Warnings:

Information:

2	Transmittal Letter	HMG1P008D2D1_IDS_2.pdf	25486 6dac42a54299568ca70e921b6470bcdad16a0661	no	2

Warnings:

Information:

3	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D2D1_1449_2.pdf	23508 1887565dbd399d8c8d4cb1c21078c53c4c44cb2a	no	1

Warnings:

Information:

This is not an USPTO supplied IDS fillable form

4	Foreign Reference	CN103504965A.pdf	570137 9a488fbc0ae2541ac65d0baa68d2c62269b3778d	no	11

Warnings:

Information:					
5	Non Patent Literature	Wildo_Ref.pdf	368858 9182625ce0cf6750ffe47bfb502b3fff2764b1f8	no	2
Warnings:					
Information:					
6	Miscellaneous Incoming Letter	HMG1P008D2D1_Amendment_C_Transmittal.pdf	21628 ba76cc85ce3ac7113de132a7af8f061a7e841055	no	1
Warnings:					
Information:					
7	Fee Worksheet (SB06)	fee-info.pdf	42598 b9b82eb354ba3a2f9f81cfd7bcdf2f7e1bf3946a	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	2241107		

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.

Amendments to the Drawings:

The attached sheets of drawings include changes to Figs. 4E, 4F, and 4G. These sheets replace original sheets including Figs. 4E, 4F, and 4G. Reference numerals 151 and 157 are added.

The attached sheets of drawings include changes to Figs. 7A-7C. These sheets, which include Figs. 7A-7C, replace the original sheets including Figs. 7A-7C. In Fig. 7A, previously omitted reference numerals 243 and 246 have been added. In Figs. 7A-7C, previously omitted reference numeral "217" denoting the side surface of the utensil has been added.

Attachments: Replacement Sheets

REMARKS

Specification and Drawings

The specification and drawings are amended to include the terminology used in the currently pending claims in the specification and to label claimed features in the drawings. No new matter is added by these amendments.

Rejections Under 35 U.S.C. §112

Applicant notes with appreciation that Claims 10-29 would be allowable is amended to overcome the Section 112 rejections. Claims 10-29 are now allowable, as the claims are amended to clarify the claimed invention and to overcome the rejections under Section 112.

New Claims

New Claims 30-37 are added. The new claims are fully supported by the specification and claims, as originally filed. No new matter is added by the new claims.

Conclusion

Should the Office have any questions or concerns related to the present application, Examiner Prone 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

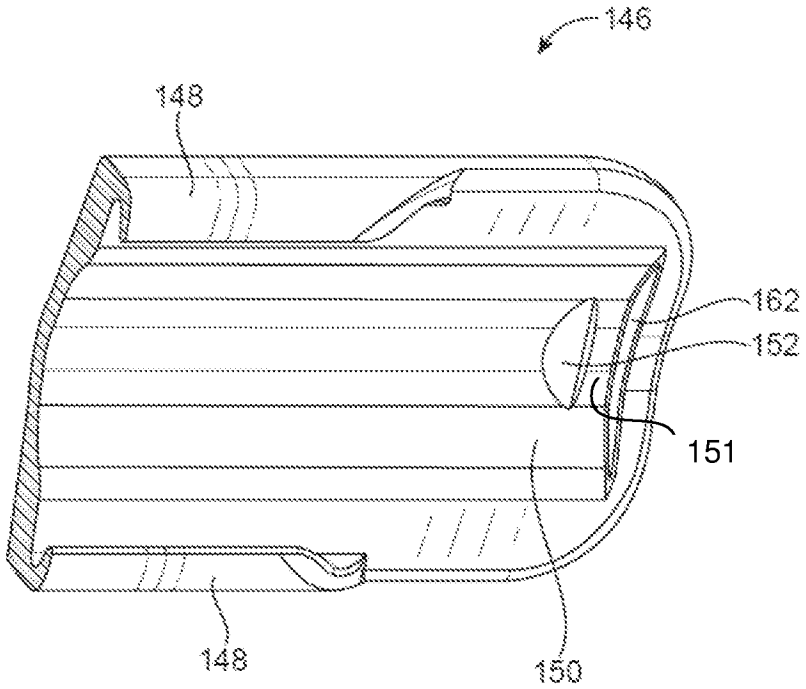


FIG. 4E

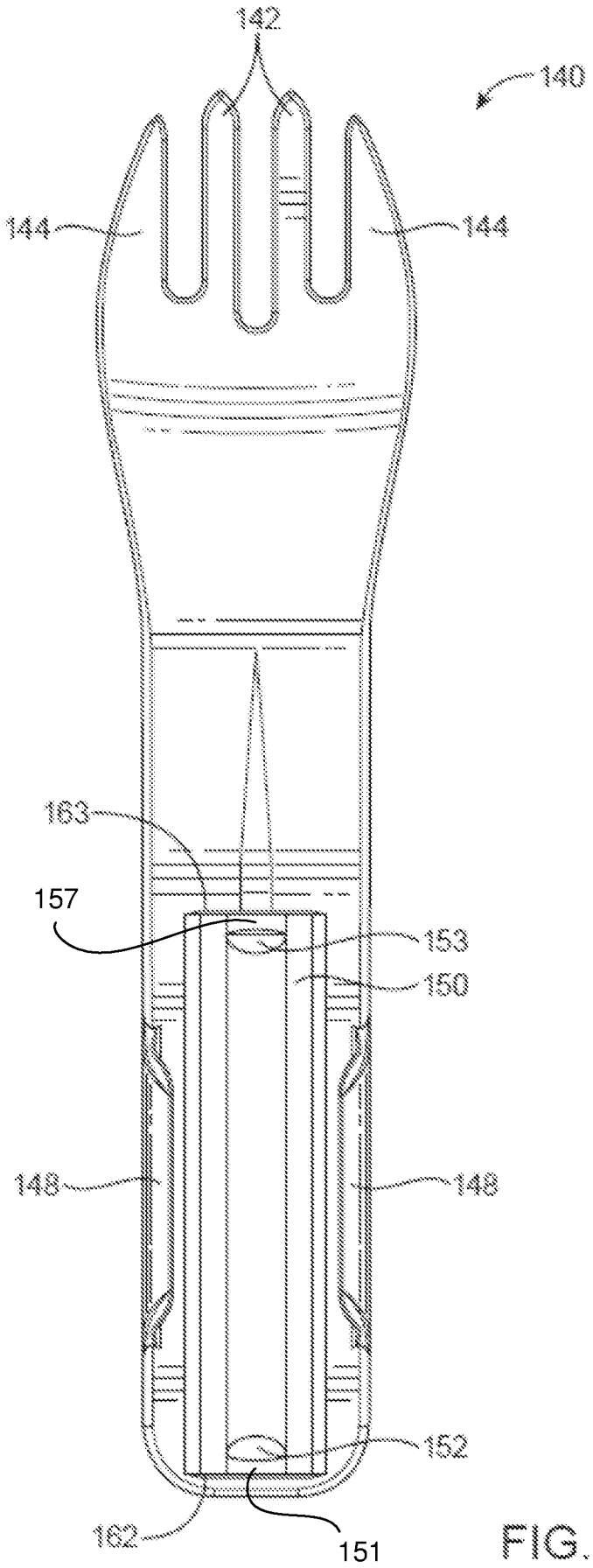


FIG. 4F

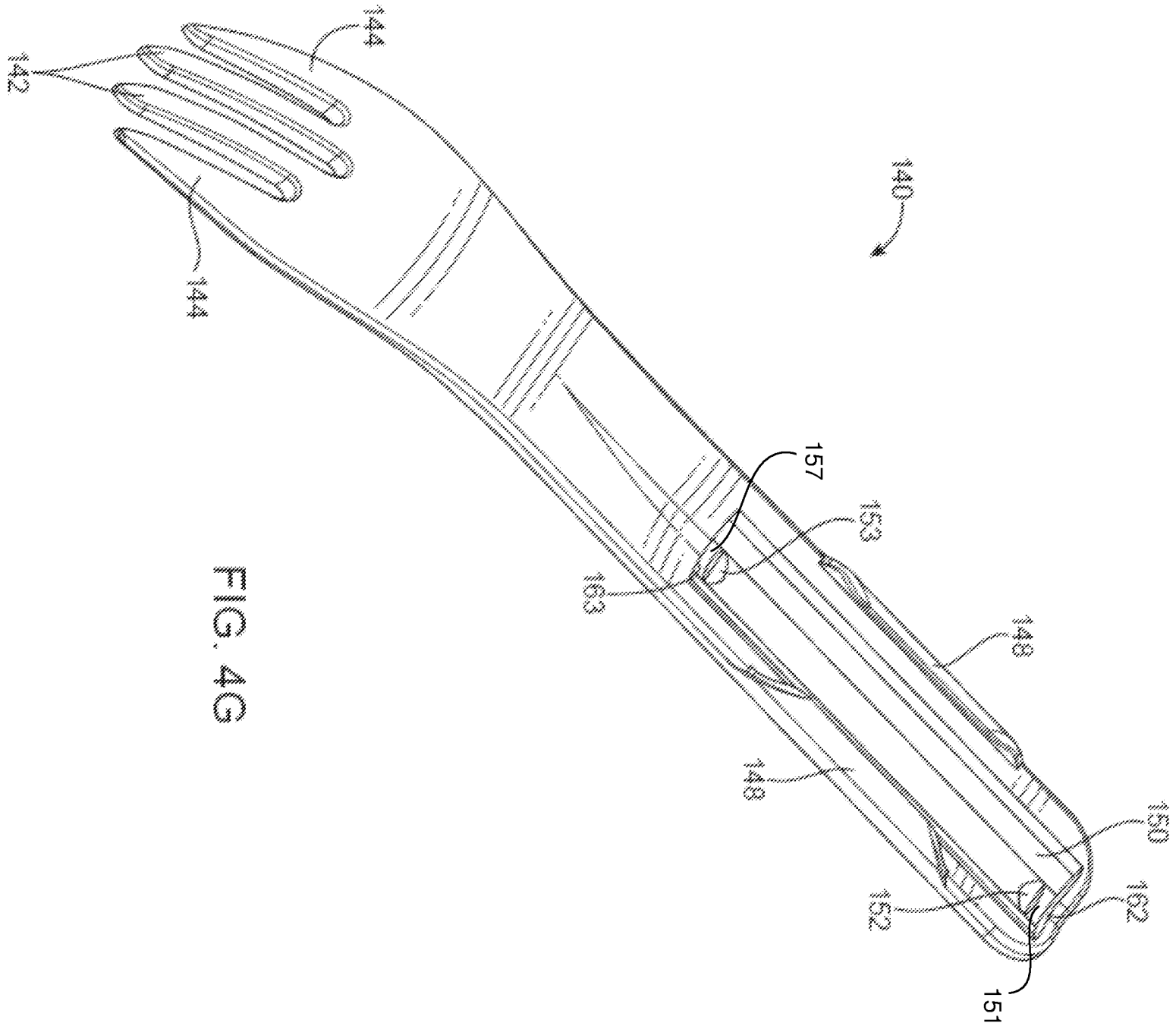


FIG. 4G

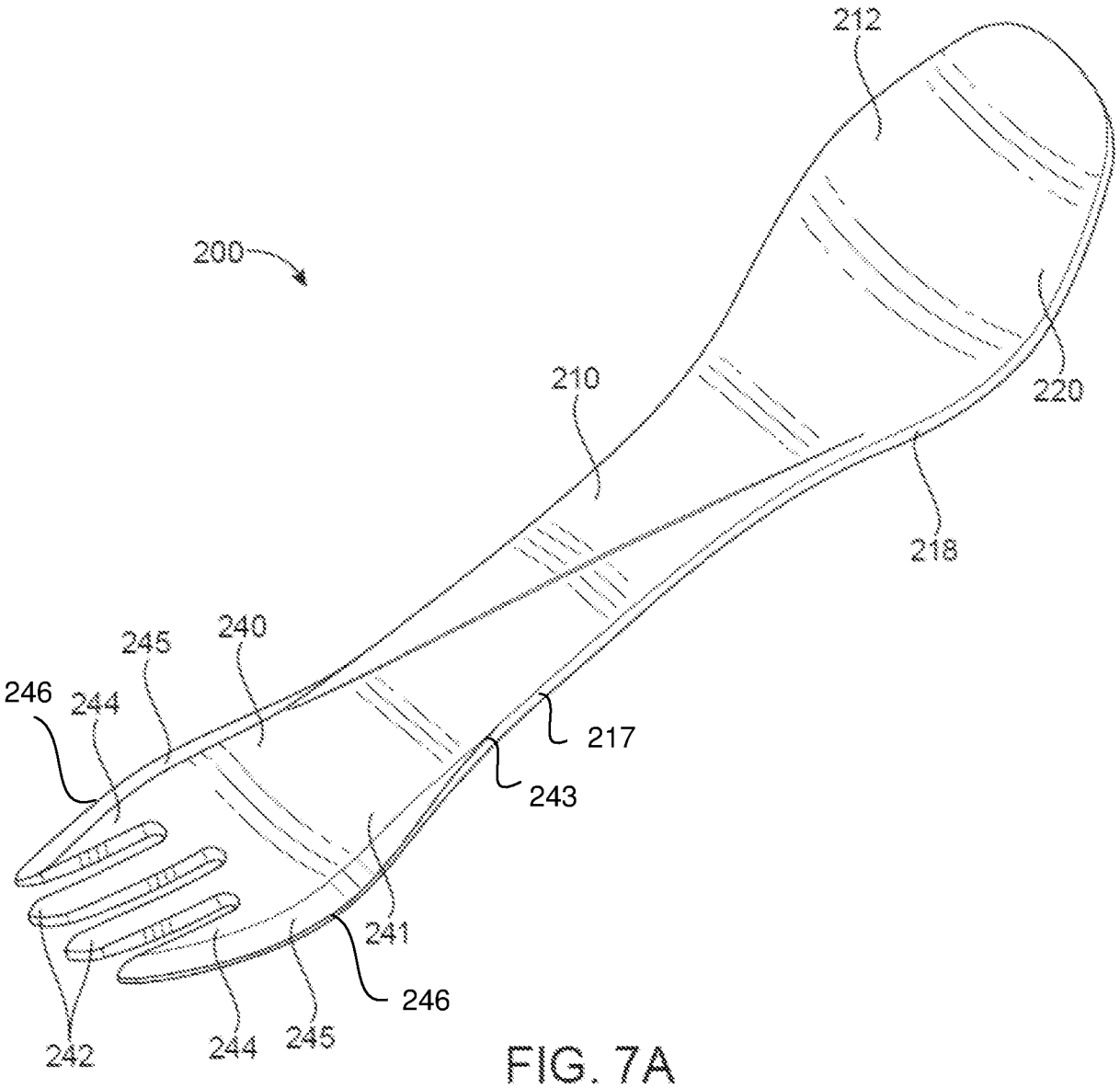


FIG. 7A

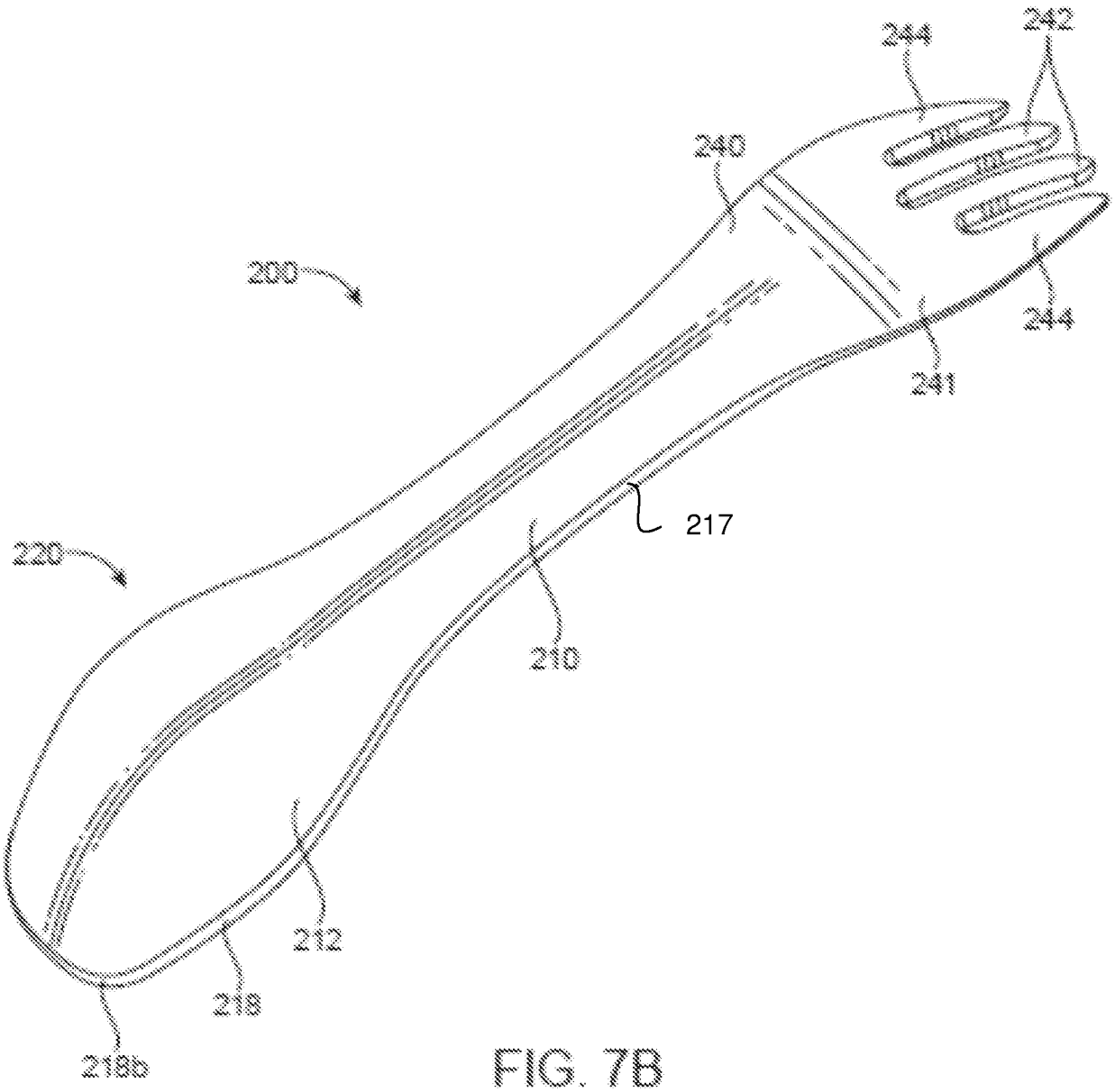


FIG. 7B

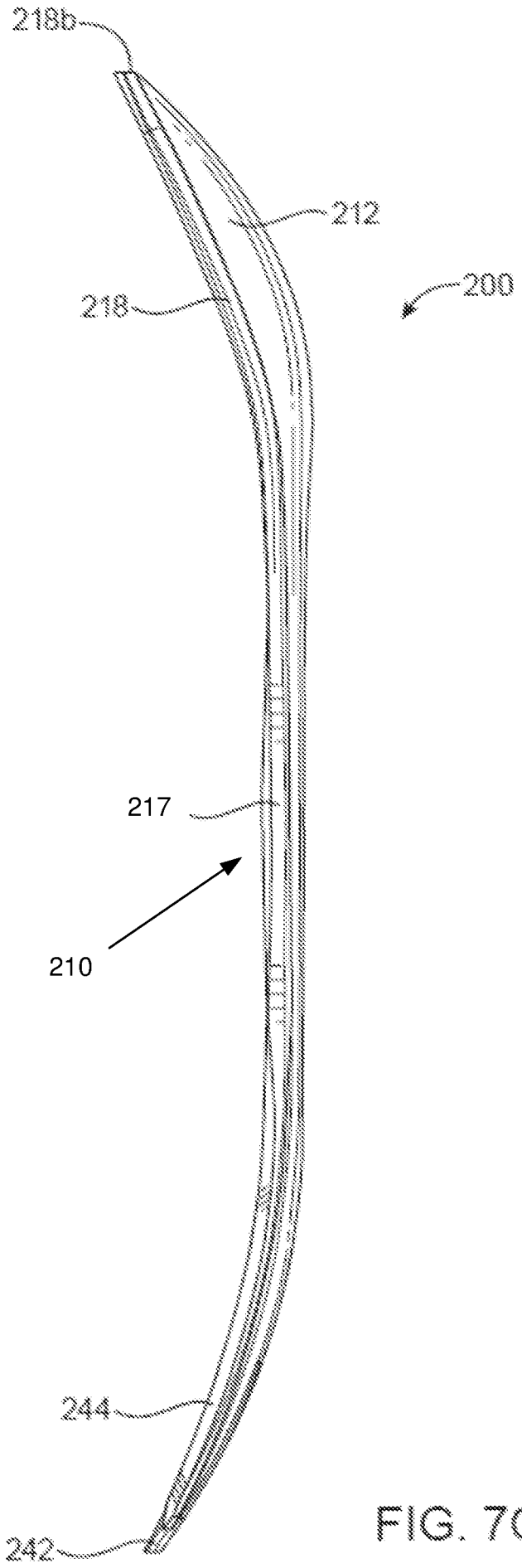


FIG. 7C

Humangear, Inc. Ex. 2009, Page 153

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/725,397	Filing Date 12/23/2019	☐ 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	07/14/2022	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 27	Minus	** 20	= 7		x $50 =	350
	Independent (37 CFR 1.16(h))	* 5	Minus	*** 3	= 2		x $240 =	480
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	830

		(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".	/DEBORAH A POLLARD/
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".	
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.	

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/725,397	12/23/2019	Christopher A. MIKSOVSKY	HMG1P008D2D1	9049

58766 7590 04/15/2022

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

EXAMINER	
PRONE, JASON D	

ART UNIT	PAPER NUMBER
3724	

NOTIFICATION DATE	DELIVERY MODE
04/15/2022	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. 16/725,397	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 3-21-22.

☐ 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) 10-29 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) 10-29 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 12-23-19 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 because:

- all of the newly claimed edges, portions, and surfaces are not labeled in the Figures (which may be adding to confusing below in the 112 rejections). If an item is important enough to claim, it is important enough to be labeled in the Figures and discussed in the Detailed Description.

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.

Specification

3. The disclosure is objected to because of the following informalities:

- The new claims utilize new terminology not utilized in the specification which is believed to be the reason for most of the 112 issues below. All of the new terminology must be amended into the specification so it is clear which new name belongs to which structure. Figures 7A-7C along with the associated portion of the Detailed Description needs to incorporate a description about each of these structures (i.e. curved outer tine edge, outer edge, etc.)

Appropriate correction is required.

Claim Rejections - 35 USC § 112

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

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

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

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

5. Claims 10-29 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 10 lines 3-5, the phrase “two outer tines having a curved outer tine edge and a chamfered surface extending laterally inward from an outer edge

of the corresponding outer tine" is unclear. As written, each outer tine has a curved outer tine edge and an outer edge and it is unclear what structures represent each edge. Figure 7A only has one edge labeled as 245 and it is unclear which of the edges in the phrase above it is referencing. Claims 22, 24, and 27 have the same issues.

Claim 10 recites the limitation "the corresponding outer tine" on lines 4-5. There is insufficient antecedent basis for this limitation in the claim. The claims are replete with using the phrase "the corresponding" without first designating a corresponding "structure". All occurrences should be replaced with "a corresponding one of "structure".

With regards to claim 10 lines 11-12, the phrase "each chamfered surface extends along a corresponding outer edge" is unclear. It is unclear if the "corresponding outer edge" represents the same or different structure than either of the edges on lines 3-5. As written, there are 3 different edges and the specification and Figures do not provide any insight on which structures represent which edges. As written, this outer edge is being introduced as a new limitation which does not appear to be supported. Claims 22, 24, and 27 have the same issues.

With regards to claim 10 lines 13-14, the phrase "form a curved chamfered outer edge" is unclear. It is unclear how this edge is formed. What structure represents the curved chamfered outer edge in addition to the previously disclosed 3 edges? As written, each tine has 4 edges which is not supported. Claims 22, 24, and 27 have the same issues.

With regards to claim 15, it is unclear which of the chamfered outer edges is being referenced. Claim 10 discloses two of these edges and it is unclear if the claim 15 limitation was supposed to further limit one or both of the chamfered outer edges.

Claims 20 and 21 properly acknowledge that there are two surfaces/edges. Claim 18 has the same issue with "chamfered surface".

With regards to claim 19, the phrase "but is not limited to". This phrase should be deleted.

With regards to claim 19, the fork profile is very confusing and unclear. It is unclear what defines the fork profile or what the profile is. Claim 10 discloses the fork has tines, a concave fork bowl portion, and a concave surface. It is unclear how these items are to be interpreted with regards to the profile since claim 19 does not include them in the profile.

With regards to claim 19, what structure represents the upper edge of the fork side profile? There are now 5 claimed edges associated with the fork which is not supported. It is unclear how this upper edge can be disclosed as not dipping below an upper edge of the handle when the utensil can have an orientation where the upper edge is below the entire handle.

The last paragraph of claim 19 appears to be the same as the last paragraph of claim 10.

With regards to claim 28, the phrase "the chamber" is unclear. It is unclear what structure represents a chamber.

Allowable Subject Matter

6. Claims 10-29 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.

Response to Arguments

7. Applicant's arguments with respect to the claims have been considered but are moot because the arguments are not directed at the new grounds of rejection.

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, Sean M Michalski can be reached on (571)272-6752. 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 April 2022

/Jason Daniel Prone/

Primary Examiner, Art Unit 3724

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	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	02/08/2021	05/04/2021	09/20/2021	04/11/2022					
	1	÷	✓	✓	-					
	2	÷	✓	-	-					
	3	÷	✓	-	-					
	4	÷	✓	✓	-					
	5	÷	✓	✓	-					
	6	÷	✓	✓	-					
	7	÷	✓	✓	-					
	8	÷	✓	✓	-					
	9	÷	✓	✓	-					
	10				✓					
	11				✓					
	12				✓					
	13				✓					
	14				✓					
	15				✓					
	16				✓					
	17				✓					
	18				✓					
	19				✓					
	20				✓					
	21				✓					
	22				✓					
	23				✓					
	24				✓					
	25				✓					
	26				✓					
	27				✓					
	28				✓					
	29				✓					

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

CPC - Searched*		
Symbol	Date	Examiner
A47G 21/02, 023, 04, 06, 08		
A47J 43/28-282	05/04/2021	/JP/

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
30	147-150, 322-328		
D7	643, 644, 653	05/04/2021	/JP/

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

Search Notes		
Search Notes	Date	Examiner
consulted USPC and CPC		
inventor search	05/04/2021	/JP/
consulted parent cases 14/204497, 15/268175, 16/213466. No ODP at this time.		
updated search	04/11/2022	/JP/

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

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

Humangear, Inc. Ex. 2009, Page 165

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	4,374	a47g21/02,023,04,06,08.cpc.	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2022/04/11 12:32
L2	2,339	a47j43/28-282.cpc.	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2022/04/11 12:32
L3	1,749	30/147-150,322-328.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2022/04/11 12:32
L4	2,332	d7/643,644,653.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2022/04/11 12:32
L5	735	MIKSOVSKY with Christopher.in. or SLONE with Clint.in. or CHAUBERT with Evelyne.in. or NGHIEM with Charlie.in. or LANE with Robert.in. or DOWNING with Jonathan.in.	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2022/04/11 12:32
L6	10	("10555629" | "20170208976" | "20200383506" | "D845085" | "D862996" | "D862997" | "D873094" | "D882350" | "D909821" | "D910386").PN.	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2022/04/11 12:32
L7	244	("0032916" | "0033703" | "0034069" | "0034098" | "0034712" | "0046832" | "0088370" | "0398264" | "0671740" | "0675475" | "0812424" | "0849098" | "0854745" | "0870413" | "0972777" | "1053387" | "1229696" | "1271679" | "1277205" | "1337174" | "1348762" |	US-PGPUB; USPAT; USOCR	OR	OFF	2022/04/11 12:32

"1372325" | "1425750" | "1452337" |
"1699248" | "1868289" | "1984081" |
"20030029044" | "20030110644" |
"20050066531" | "20050155229" |
"20060248732" | "20070084063" |
"20070124943" | "20070251103" |
"20080000092" | "20080016698" |
"20080148575" | "20080256807" |
"20090172949" | "20090205209" |
"20090293283" | "20100206885" |
"20100218382" | "2010074" | "20110091521"
| "20120036724" | "20120297628" |
"20130152406" | "20140026425" |
"20150014329" | "20150257562" |
"20170000276" | "2109016" | "2251842" |
"2318129" | "2439882" | "2470492" |
"2505122" | "2542600" | "2610400" |
"2752678" | "3014277" | "3121951" |
"3138871" | "3586161" | "3596965" |
"3630249" | "3771224" | "3967376" |
"3991466" | "4317284" | "4377035" |
"4425711" | "4524512" | "4615120" |
"4625404" | "4771541" | "4835864" |
"4984367" | "4995154" | "5197623" |
"5327650" | "5542181" | "5735050" |
"5845403" | "5904250" | "5940974" |
"6145204" | "6151999" | "6463662" |
"6647828" | "7013568" | "7816634" |
"7856722" | "8296957" | "8635780" |
"8689453" | "8726525" | "8839522" |
"9061429" | "9434590" | "9468321" |
"9549626" | "D030129" | "D031575" |
"D053165" | "D059869" | "D060369" |
"D063047" | "D093956" | "D143431" |
"D149920" | "D184317" | "D199630" |
"D209704").PN. OR ("D210549" | "D241302" |
"D249926" | "D269060" | "D284442" |
"D318300" | "D318600" | "D325855" |
"D342422" | "D347975" | "D362160" |
"D376514" | "D388664" | "D391123" |
"D396613" | "D401481" | "D412813" |
"D414988" | "D491419" | "D509708" |
"D530985" | "D530986" | "D533034" |
"D535857" | "D536221" | "D536222" |
"D537302" | "D554951" | "D563737" |
"D575593" | "D587075" | "D608602" |
"D609060" | "D612692" | "D617156" |
"D618070" | "D625153" | "D633344" |
"D637309" | "D656799" | "D673431" |
"D676286" | "D686045" | "D690156" |
"D705020" | "D706586" | "D718093" |
"D722837" | "D730049" | "D739685" |
"D740079" | "D745339" | "D746644" |

		"D747159" | "D752918" | "D753447" | "D756171" | "D756172" | "D758808" | "D782254" | "D794400" | "D807127" | "D812994" | "D812995" | "D813616" | "D816432" | "D825104" | "D828730" | "D834887" | "D842662" | "RE07925" | "RE09687").PN. OR ("10555629").URPN.				
L8	34	d535857	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2022/04/11 12:32

4/11/2022 12:33:26 PM
C:\Users\jprone\Documents\EAST\Workspaces\EASTDEFAULT2018.wsp

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

Apr 15, 2022 05:54:09 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.
16725397	CTNF	04/15/2022	HMG1P008D2D1

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

PTO/SB/30EFS (02-18)
Approved for use through 11/30/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	16/725,397	Filing Date	2019-12-23	Docket Number (if applicable)	HMG1P008D2D1	Art Unit	3724
First Named Inventor	Chris MIKSOVSKY			Examiner Name	PRONE, JASON D.		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other _____

☒ Enclosed

- ☒ Amendment/Reply
- ☐ Information Disclosure Statement (IDS)
- ☐ Affidavit(s)/ Declaration(s)
- ☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____ (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☒ Other Applicant hereby petitions for a 3 month extension to respond.

FEES

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

☒ The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 504481

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

X Patent Practitioner Signature

Applicant Signature

PTO/SB/30EFS (02-18)
Approved for use through 11/30/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Signature of Registered U.S. Patent Practitioner			
Signature	/Steve D Beyer/	Date (YYYY-MM-DD)	2022-03-21
Name	Steve D Beyer	Registration Number	31234

This collection of information is required by 37 CFR 1.114. 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 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.

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

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 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 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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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 March 21, 2022.

Signed: /Erin Saito/
Erin Saito

AMENDMENT B

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

Dear Commissioner:

In response to the Final Office Action dated September 23, 2021, 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 7 of this paper.

Humangear, Inc. Ex. 2009, Page 173

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

Listing of Claims:

1-9. (Cancelled)

10. (New) An eating utensil, comprising:

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines include two outer tines each having a curved outer tine edge and a chamfered surface extending laterally inward from an outer edge of the corresponding outer tine;

a spoon head having a concave spoon bowl portion;

a handle integrally formed with the fork head at a first end of the handle and with the spoon head at a second end of the handle, wherein a front surface of the eating utensil includes a concave surface of the concave fork bowl portion, a concave surface of the concave spoon bowl portion and a front surface of the handle; and

wherein the chamfered surfaces are on the front surface of the eating utensil and each chamfered surface extends along a corresponding outer edge of the fork head proximally towards the handle beyond a proximal base of the corresponding outer tine to form a curved chamfered outer edge for splitting.

11. (New) The eating utensil as recited in claim 10, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

12. (New) The eating utensil as recited in claim 11 wherein the eating utensil is formed from a glass filled nylon.

13. (New) The eating utensil as recited in claim 10 wherein an outer edge of the spoon head is substantially five-sided.

14. (New) The eating utensil as recited in claim 10, wherein each side edge of the spoon head is substantially flat and substantially rounded corners connect adjacent side edges.

15. (New) The eating utensil as recited in claim 10, wherein the chamfered outer edge tapers to a point where the handle portion meets the fork head portion.

16. (New) The eating utensil as recited in claim 10, wherein the plurality of tines includes the two outer and two inner tines, each of the tines having a proximal base end and a distal tip, the base ends of outer tines being wider than the base ends of inner tines.

17. (New) The eating utensil as recited in claim 10, wherein the handle has side edges that connect the front surface of the handle to a back surface of the handle and the side edges of the handle are substantially parallel over a majority of a length of the handle.

18. (New) The eating utensil as recited in claim 10, wherein the chamfered surface extends along the corresponding outer edge of the fork head from a tip of the outer tine to a location proximal to a widest portion of the fork head.

19. (New) The eating utensil as recited in claim 10 wherein:

the handle has side edges that connect the front surface of the handle to a back surface of the handle;

the fork head has a fork side profile that includes, but is not limited to one of the outer edges of the fork head; and

an upper edge of the fork side profile does not dip below an upper edge of a corresponding one of the side edges of the handle at which the corresponding side edge meets the front surface of the handle.

wherein the chamfered surfaces are on the front surface of the eating utensil and each chamfered surface extends along a corresponding outer edge of the fork head proximally towards the handle beyond a proximal base of the corresponding outer tine to form a curved chamfered outer edge for splitting.

20. (New) The eating utensil as recited in claim 10 wherein the chamfered surfaces each have a chamfer angle in the range of about 20-25 degrees.

21. (New) The eating utensil as recited in claim 10 wherein the outer edges of the outer tines each have a width of about 1 millimeter.

22. (New) An eating utensil formed from a glass reinforced thermoplastic material, the eating utensil further comprising:

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines include two outer and two inner tines, each of the tines having a proximal base end and a distal tip, the base ends of outer tines being wider than the base ends of inner tines and wherein the two outer tines each having a curved outer tine edge and a chamfered surface extending laterally inward from an outer edge of the corresponding outer tine;

a spoon head having a concave spoon bowl portion wherein an outer edge of the spoon head is substantially five-sided;

a handle integrally formed with the fork head at a first end of the handle and with the spoon head at a second end of the handle, wherein a front surface of the eating utensil includes a concave

surface of the concave fork bowl portion, a concave surface of the concave spoon bowl portion and a front surface of the handle; and

wherein the chamfered surfaces are on the front surface of the eating utensil and each chamfered surface extends along a corresponding outer edge of the fork head proximally towards the handle beyond a proximal base of the corresponding outer tine to form a curved chamfered outer edge for splitting.

23. (New) The eating utensil as recited in claim 22 wherein the eating utensil is formed from a glass filled nylon.

24. (New) An eating utensil, comprising:

a fork head including a plurality of tines, wherein the fork head includes a concave fork bowl portion and the plurality of tines includes a first outer tine having a curved outer tine edge and a chamfered surface extending laterally inward from an outer edge of the first outer tine;

a handle integrally formed with the fork head at a first end of the handle, wherein a front surface of the eating utensil includes a concave surface of the concave fork bowl portion, and a front surface of the handle; and

wherein the chamfered surface is on the front surface of the eating utensil and extends along a corresponding outer edge of the fork head proximally towards the handle beyond a proximal base of the first outer tine to form a curved chamfered outer edge for splitting.

25. (New) The eating utensil as recited in claim 24 further comprising a spoon head having a concave spoon bowl portion, wherein the spoon head is integrally formed with the handle at a second end of the handle.

26. (New) The eating utensil as recited in claim 25 wherein the front surface of the eating utensil further includes a concave surface of the concave spoon bowl portion.

27. (New) The eating utensil as recited in claim 24 wherein the plurality of tines include a second outer tine, the second outer tine having a curved second outer tine edge and a second chamfered surface extending laterally inward from an outer edge of the second outer tine, wherein the second chamfered surface is on the front surface of the eating utensil and extends along a corresponding second outer edge of the fork head proximally towards the handle beyond a proximal base of the second outer tine to form a second curved chamfered outer edge for splitting e eating utensil and extends along a corresponding outer edge of the fork head proximally towards the handle beyond a proximal base of the first outer tine to form a curved chamfered outer edge for splitting.

28. (New) The eating utensil as recited in claim 24, wherein the chamfered surface extends along the corresponding outer edge of the fork head from a tip of the outer tine to the handle and tapers to a point where the handle meets the fork head, whereby the chamber extends proximally beyond a widest portion of the fork head.

29. (New) The eating utensil as recited in claim 24, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

REMARKS

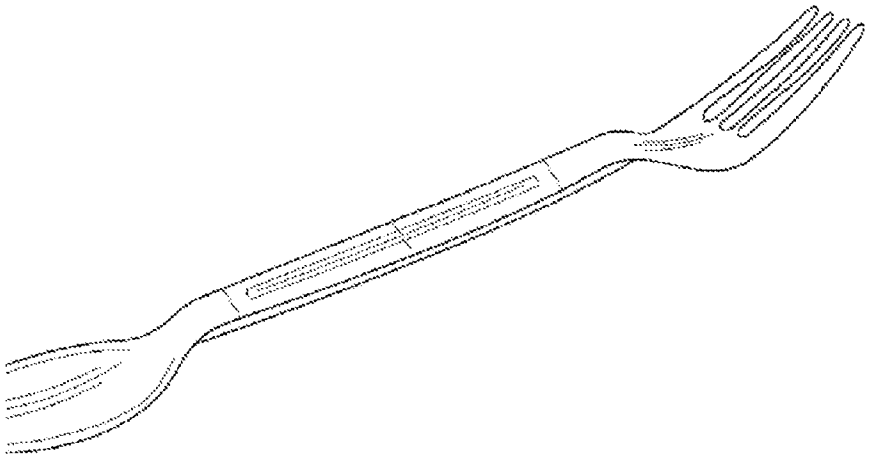
A new claim set is presented with the RCE. It is respectfully submitted that the combinations of the various new claims all patentably distinguish the art of record.

For example, none of the references alone or in combination disclose or reasonably suggest a fork head having a chamfered splitting feature that extends along a curved outer edge of the fork head on the front side of the fork head that extends along the outer edge of the outer tine proximally beyond the base of the fork head in the context of the combinations recited in the various independent claims (i.e., claims 10, 22 and 24). Claim 10 requires such chamfered splitting features on both sides of the fork head, which further distinguishes that art of record. Claim 10 further requires that the utensil have a spoon head on the opposite end of the handle that faces in the same direction as the fork head.

Independent claim 22 (and some of the dependent claims) further requires that the utensil be formed from a glass reinforced thermoplastic material. Although it is acknowledged that glass reinforce thermoplastics themselves are not new, it is respectfully submitted that there is nothing in Eklind or any of the other art of record that would reasonably motivate a maker of eating utensils of the nature claimed out the materials used in a Allen head wrench (key) set. As such, it is respectfully submitted that claim 22, as well as claims 11, 12, 23 and 29 further patentably distinguish the applied art for at least this reason. Claims 22 and 13 further require that the spoon head be 5-sided. Although it is acknowledged that 5-sided spoon heads have been used before, again, there is no motivation in any of the art to utilize such a spoon head in a utensil having the claimed structure.

The various dependent claims require additional elements that when considered in the context of the claimed invention, further patentably distinguish the art of record.

Dependent claim 17 requires that the handle has side edges that are substantially parallel over a majority of a length of the handle. In the rejection of former claim 9, Bristol was cited as teaching a handle between a fork head and a spoon head that has parallel side edges. It is pointed out that the side edges of Bristol do not appear to be parallel as can be seen in the figure below in which the three red lines are each the same length.



Regardless, it is respectfully submitted that the specific combination of claim 17 is not suggested by any reasonable combination of the applied art.

Should the Office have any questions or concerns related to the present application, Examiner Prone 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

/Steve D Beyer/
Steve D Beyer
Reg. 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.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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 March 21, 2022.

Signed: /Erin Saito/
Erin Saito

AMENDMENT B TRANSMITTAL

Mail Stop RCE
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	20	MINUS	20	0	x 50 = $0.00	x 100 = $0.00
Independent Claims	03	MINUS	03	0	x 240 = $0.00	x 480 = $0.00
Multiple Dependent Claim Present and Fee Not Previously Paid						
				Total	$0.00	$0.00

☒ Applicant(s) hereby petitions for a 3 month extension(s) of time to respond to the aforementioned Office Action.

☒ 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. HMG1P008D2D1).

Respectfully submitted,
BEYER LAW GROUP LLP

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

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

Electronic Patent Application Fee Transmittal

Application Number:	16725397
Filing Date:	23-Dec-2019
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Filer:	Steve D. Beyer/Erin Saito
Attorney Docket Number:	HMG1P008D2D1

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 3 months with $0 paid	1253	1	1480	1480
Miscellaneous:				
RCE- 1ST REQUEST	1801	1	1360	1360
		Total in USD ($)		**2840**

Electronic Acknowledgement Receipt

EFS ID:	45278401
Application Number:	16725397
International Application Number:	
Confirmation Number:	9049
Title of Invention:	EATING UTENSIL SYSTEM
First Named Inventor/Applicant Name:	Christopher A. MIKSOVSKY
Customer Number:	58766
Filer:	Steve D. Beyer/Erin Saito
Filer Authorized By:	Steve D. Beyer
Attorney Docket Number:	HMG1P008D2D1
Receipt Date:	21-MAR-2022
Filing Date:	23-DEC-2019
Time Stamp:	17:11:07
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$2840
RAM confirmation Number	E20223KH11431500
Deposit Account	504481
Authorized User	Erin Saito

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

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

37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	RCE_Transmittal.pdf	1350184 b4e59443a0060e4b5b54f4e2f9c22937311b5793	no	3
Warnings:					
Information:					
2		HMG1P008D2D1_Amendment_B.pdf	142495 ad2c5c87aaa9cd956fd0237bfb5a2a8e65a99d2a	yes	8

Multipart Description/PDF files in .zip description

Document Description	Start	End
Request for Continued Examination (RCE)	1	1
Claims	2	6
Applicant Arguments/Remarks Made in an Amendment	7	8

Warnings:					
Information:					
3	Miscellaneous Incoming Letter	HMG1P008D2D1_Amendment_B_Transmittal.pdf	21662 95ed57a0f860ca60b00540c4fde0dc461fc6791a	no	1
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	40991 bddbb3d5155bf4f9e9a8006eae57ebedae2128d3	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1555332		

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/725,397	Filing Date 12/23/2019	☐ 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	03/21/2022	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $240 =	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".	/GLORIA J NORRIS/
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".	
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.	

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/725,397	12/23/2019	Christopher A. MIKSOVSKY	HMG1P008D2D1	9049

58766 7590 09/23/2021

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
09/23/2021	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. 16/725,397	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 8-9-21.

☐ 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 and 4-9 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 and 4-9 is/are rejected.

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

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

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

Application Papers

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

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

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

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

Priority under 35 U.S.C. § 119

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

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

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

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

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

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

Attachment(s)

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

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

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

4) ☐ Other: _____.

DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

Non-Patent Literature

2. Light My Fire Spork", on Page 6 of 8 there is a review dated December 2, 2009. This is the date utilized for this reference.

Claim Objections

3. Claims 6 and 7 are objected to because of the following informalities:

- In claim 6, the phrase "each side of the bowl" should be replaced with "each of the sides of the bowl".
- In claim 7, the phrase "wherein a corner connects two of the substantially flat edges" should be replaced with "wherein each of the corners respectively connects adjacent ones of the substantially flat edges".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

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

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

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

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

5. Claims 1 and 4-9 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 applications subject to pre-AIA 35 U.S.C. 112, the applicant), regards as the invention.

In claim 1, the phrase "a curved chamfered outer edge having a splitting feature" is unclear. There is not a sub-structure of the curved chamfered outer edge to represent a cutting feature. Therefore, the curved chamfered outer edge does not have a splitting feature. The edge is a splitting feature. The phrase should be replaced with "a curved chamfered outer edge for splitting".

Claim Rejections - 35 USC § 103

In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

6. The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this Office action:

> A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 4, and 6-8 are rejected under 35 U.S.C. 103 as being unpatentable over Light My Fire Spork (hereafter LMFS) in view of Miller (2003/0110644) and Geckler (3,014,277). Please see the Figure below with Examiner added reference labels to LMFS.

With regards to claims 1, 4, and 8, LMFS discloses an eating utensil (a) with a handle portion (b) integrally formed with a fork head portion at a first end (c) and a

spoon head portion at a second end (d), the handle portion has a handle side portion (e), the fork head portion has a fork side surface (f), the spoon head portion having a spoon side surface (g), the side surfaces collectively define a continuous single side surface of the utensil (e, f, g), the fork head portion has a plurality of tines (h), at least one of the tines has a chamfered outer edge having a splitting feature (i), the chamfered outer edge is chamfered at an angle from the fork side surface (i, f), the spoon head portion has a bowl portion (j), the chamfered outer edge tapers to a point where the handle portion meets the fork head portion (k), and the plurality of tines include two outer and two inners tines each having a proximal base end and a distal tip (h).

However, with regards to claims 1 and 8, LMFS fails to disclose the chamfered outer edge is curved and the base ends of the outer tines being wider than base ends of the inner tines.

Miller teaches it is known in the art of fork head portions to incorporate an outer serrated edge with a splitting feature being curved (37) and the base ends of the outer tines being wider than base ends of the inner tines (Fig. 4). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided LMFS with the curved outer splitting edge and base ends, as taught by Miller, 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.

However, with regards to claims 1, 6, and 7, LMFS fails to disclose the spoon bowl portion is substantially five-sided, each of the sides of the bowl portion has a

substantially flat edge, and the five-side bowl portion has rounded corners connecting the substantially flat edges.

Geckler teaches it is known in the art of spoon bowl portions to incorporate a spoon bowl portion that is substantially five-sided (24, 28, 26, and the two sides engaging 22), each of the sides of the bowl portion has a substantially flat edge (Fig. 1), and and the five-side bowl portion has rounded corners connecting the substantially flat edges (40 and Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided LMFS with the spoon bowl portion specifics, as taught by Geckler, because the substitution of one known element for another would have yielded predictable results and all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

8. Claim 5 is rejected under 35 U.S.C. 103 as being unpatentable over LMFS in view Miller (2003/0110644) and Geckler (3,014,277) as applied to claim 1 above, and further in view of Eklind (6,151,999). LMFS in view of Miller and Geckler disclose the invention but fail to disclose the utensil is formed of a glass reinforced thermoplastic material.

Eklind teaches it is old and well known in the art of hand tools to incorporate glass reinforced thermoplastic material (column 3 line 11). In light of Eklind, it would have been obvious to one having ordinary skill in the art at the time the invention was made to formed the utensil out of any reasonable material including glass reinforced thermoplastic, since it has been held to be within the general skill of a worker in the art

to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided LMFS in view of Miller and Geckler with the glass reinforced thermoplastic 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.

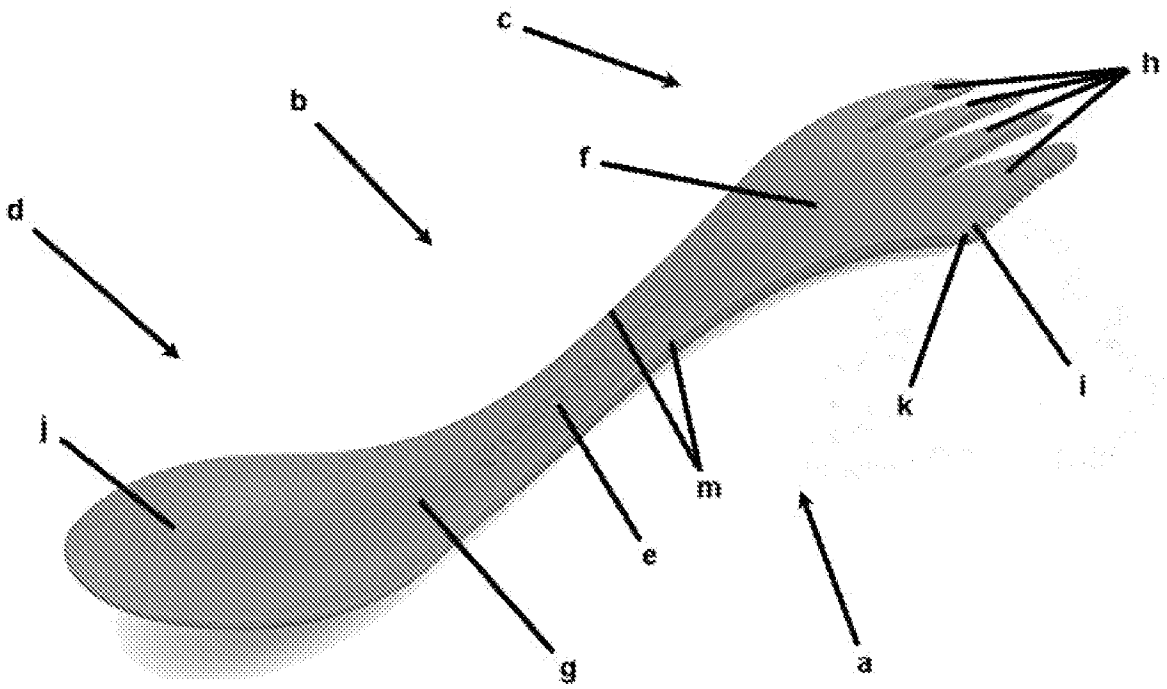
9. Claim 9 is rejected under 35 U.S.C. 103 as being unpatentable over LMFS in view Miller (2003/0110644) and Geckler (3,014,277) as applied to claim 1 above, and further in view of Bristow (D535,857). Please see the Figure below with Examiner added reference labels to LMFS.

LMFS in view Miller and Geckler disclose the invention including the handle side surface has side edges over a majority of a handle length (m in LMFS).

However, LMFS in view Miller and Geckler fail to disclose the side edges of the handle side surface are substantially parallel lateral sides edges over a majority of a handle length.

Bristow teaches it is known in the art of utensils with a handle connecting a fork head with a spoon head to incorporate side edges of the handle side surface are substantially parallel lateral sides edges over a majority of a handle length (Fig. 2). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided LMFS with the parallel sides of the handle side surface, as taught by Bristow, because the substitution of one known element for another would have yielded predictable results and all claimed elements were known in the prior art

and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.



Response to Arguments

10. Applicant's arguments filed 8-9-21 have been fully considered but they are not persuasive. The new rejection applied uses LMFS to disclose the chamfered outer edge with splitting feature capabilities in view of Miller to cover the curved portion of the limitation. Miller teaches that it is known for serrated edges on fork tines to be serrated and curved. A serrated cutting edge is perfectly capable of performing a splitting function. For example, the Modified LMFS edge is perfectly capable of splitting a stick of butter into parts. In addition, just because an item may be bad at performing a particular function does not disqualify it from being capable of performing the function.

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.

20 September 2021

/Jason Daniel Prone/

Primary Examiner, Art Unit 3724

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

CPC - Searched*		
Symbol	Date	Examiner
A47G 21/02, 023, 04, 06, 08		
A47J 43/28-282	05/04/2021	/JP/

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
30	147-150, 322-328		
D7	643, 644, 653	05/04/2021	/JP/

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

Search Notes		
Search Notes	Date	Examiner
consulted USPC and CPC		
inventor search	05/04/2021	/JP/
consulted parent cases 14/204497, 15/268175, 16/213466. No ODP at this time but further review will be done if necessary.		
updated search	09/20/2021	/JP/

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

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

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	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	02/08/2021	05/04/2021	09/20/2021						
	1	÷	✓	✓						
	2	÷	✓	-						
	3	÷	✓	-						
	4	÷	✓	✓						
	5	÷	✓	✓						
	6	÷	✓	✓						
	7	÷	✓	✓						
	8	÷	✓	✓						
	9	÷	✓	✓						

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	4,291	a47g21/02,023,04,06,08.cpc.	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2021/09/20 12:08
L2	2,299	a47j43/28-282.cpc.	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2021/09/20 12:08
L3	1,748	30/147-150,322-328.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2021/09/20 12:08
L4	2,306	d7/643,644,653.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2021/09/20 12:08
L5	712	MIKSOVSKY with Christopher.in. or SLONE with Clint.in. or CHAUBERT with Evelyne.in. or NGHIEM with Charlie.in. or LANE with Robert.in. or DOWNING with Jonathan.in.	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2021/09/20 12:08
L6	35	L5 and (spoon or fork)	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2021/09/20 12:08

9/20/2021 12:09:20 PM
C:\Users\jprone\Documents\EAST\Workspaces\EASTDEFAULT2018.wsp

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

Sep 23, 2021 04:49:00 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.
16725397	CTFR	09/23/2021	HMG1P008D2D1

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.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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 9, 2021.

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, 2021, please amend the above-identified patent application as follows:

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

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

Remarks/Arguments begin on page 5 of this paper.

Humangear, Inc. Ex. 2009, Page 203

Amendments to the Specification:

Please amend the specification as follows:

[0001] This application is a Divisional of U.S. Application No. 16/213,466 **(now U.S. Patent No. 10,555,629)**, filed on December 7, 2018, which 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.

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

Listing of Claims:

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

a handle portion integrally formed with a fork head portion at a first end and a spoon head portion at a second end, wherein:

the handle portion has a handle side surface, the fork head portion has a fork side surface, and the spoon head portion has a spoon side surface, the fork side surface, the spoon side surface, and the handle side surface collectively defining a continuous single side surface of the utensil;

the fork head portion includes plurality of tines, wherein at least one of the tines has a curved **chamfered** outer edge **having a splitting feature, wherein the chamfered outer edge is chamfered at an angle from the fork side surface**; and

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

2. (Canceled)

3. (Canceled)

4. (Currently Amended) The eating utensil as recited in claim **1** ~~3~~, wherein the chamfered **outer** edge tapers to a point where the handle portion meets the fork head portion.

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

6. (Currently Amended) The eating utensil as recited in claim 1, wherein ~~**the five-sided bowl portion bowl portion has five sides and**~~ each **side** of the **bowl portion** ~~**five sides**~~ has a substantially flat edge.

7. (Currently Amended) The eating utensil as recited in claim 6, wherein the five-sided bowl portion has substantially rounded corners**, wherein a corner connects two of the substantially flat edges**.

8. (Currently Amended) The eating utensil as recited in claim 1, wherein the plurality of tines includes ~~**four**~~ **two outer and two inner** tines, each ~~**tine**~~ **of the tines** having a proximal base end and a distal tip, ~~**with**~~ **the** base ends of outer tines being wider than **the** base ends of inner tines.

9. (Currently Amended) The eating utensil as recited in claim 1, wherein the handle **side surface** has substantially parallel lateral side edges over a majority of a length of the handle.

REMARKS

Specification

Paragraph [0001] is amended in accordance with the Examiner's suggestions.

Rejections Under 35 U.S.C. §112

Claims 3, 4, and 6-9 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. Claim 3 is now canceled, and the other rejected claims are amended in accordance with the Examiner's suggestions to overcome the §112 rejection.

Rejections Under 35 U.S.C. §103

Claims 1, 2, and 6-9 are rejected under 35 U.S.C. §103 as being unpatentable over Bristow (D535,857) in view of Miller (2003/0110644) and Geckler (3,014,277). Claims 3 and 4 are rejected under 35 U.S.C. §103 as being unpatentable over Bristow in view of Miller and Geckler, and further in view of Light My Fire Spork (LMFS). Claim 5 is rejected under 35 U.S.C. §103 as being unpatentable over Bristow in view of Miller and Geckler, and further in view of Eklind (6,151,999).

Independent Claim 1 is amended to recite that the handle portion has a handle side surface, the fork head portion has a fork side surface, and the spoon head portion has a spoon side surface, the fork side surface, the spoon side surface, and the handle side surface collectively defining a continuous single side surface of the utensil, and at least one of the tines has a curved chamfered outer edge having a splitting feature, wherein the chamfered outer edge is chamfered at an angle from the fork side surface. This amendment is fully supported by the specification and claims, as originally filed, by, for example, Figs. 7A-7C.

The cited references do not disclose or suggest an eating utensil that has a fork head having at least one of the tines having a curved chamfered outer edge having a splitting feature, wherein the chamfered outer edge is chamfered at an angle from the fork side surface nor do the cited references disclose or suggest a handle portion has a handle side surface, the fork head portion has a fork side surface, and the spoon head portion has a spoon side surface, the fork side surface, the spoon side surface, and the handle side surface collectively defining a continuous single side surface of the utensil.

As noted by the Examiner, "Bristow fails to disclose at least one of the tines has a curved outer edge with a cutting feature." Miller is cited for disclosing one of the tines having a curved

outer edge with a cutting feature. However, Miller does not disclose a curved chamfered outer edge.

The LMFS does not disclose or suggest a curved outer chamfered surface either. The LMFS "chamfered surface" is along a substantially straight edge, not a curved edge, and the LMFS "chamfered surface" is also serrated. Serrated edges are typically provided to aid in a sawing action by providing many small splits in the surface of the material that is being sawed. The substantially straight serrated edge (as opposed to a curved edge) of the LMFS allows the teeth of the serrated edge to cut through food using a "sawing action."

In contrast, the claimed invention has a ***curved*** outer chamfered surface. The curved outer chamfered surface of the claimed invention is better suited for "splitting" foods using a back and forth rocking motion. If the LMFS serrated edge were curved, it would be much less effective; there would be a much smaller length of the edge "sawing" the food at any given time. The other cited references do not supply the deficiencies of the references 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. Dependent Claims 4-9, which depend from and include all of the limitations of amended independent Claim 1, are therefore also patentable. Furthermore, each of the dependent claims recites additional features of advantage and utility.

Conclusion

Should the Office have any continuing questions or concerns related to the present application, the Examiner 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

Electronic Acknowledgement Receipt

EFS ID:	43455688
Application Number:	16725397
International Application Number:	
Confirmation Number:	9049
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:	HMG1P008D2D1
Receipt Date:	09-AUG-2021
Filing Date:	23-DEC-2019
Time Stamp:	11:29:38
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	HMG1P008D2D1_Amendment_A_Transmittal.pdf	21285 15feb2a91660090b04cf07d48f2f13c5a61e73de	no	1

Warnings:

Information:					
2		HMG1P008D2D1_Amendment_A_FINAL.pdf	44683 285e74c9f58b0b861f41f4a66c6aa2080a203d72	yes	6

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Amendment/Req. Reconsideration-After Non-Final Reject	1	1
Specification	2	2
Claims	3	4
Applicant Arguments/Remarks Made in an Amendment	5	6

Warnings:	
Information:	
Total Files Size (in bytes):	65968

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.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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 9, 2021.

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	07	MINUS	20	0	x 50 = $0.00	x 100 = $0.00
Independent Claims	01	MINUS	03	0	x 240 = $0.00	x 480 = $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. HMG1P008D2D1).

Respectfully submitted,
BEYER LAW GROUP LLP

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

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

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/725,397	Filing Date 12/23/2019	☐ 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	08/09/2021	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 7	Minus	** 20	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 1	Minus	*** 3	= 0		x $240 =	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".	/JAMES W TUNSTALL/
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".	
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.	

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/725,397	12/23/2019	Christopher A. MIKSOVSKY	HMG1P008D2D1	9049

58766 7590 05/07/2021

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
05/07/2021	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. 16/725,397	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 3-4-21.

☐ 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) 1-9 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) 1-9 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 12-23-19 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 B (Figs. 7A-C) in the reply filed on 3-4-21 is acknowledged.

Non-Patent Literature

3. In the "Light My Fire Spork", on Page 6 of 8 there is a review dated December 2, 2009. This is the date utilized for this reference.

Specification

4. The disclosure is objected to because of the following informalities:

- In paragraph [0001], the phrase (now U.S. Patent No. 10,555,629) should be added after "16/213,466".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

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 3, 4, and 6-9 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 3 recites the limitation "the cutting feature" on line 1. There is insufficient antecedent basis for this limitation in the claim. Claim 3 depends from claim 1 and the cutting feature is not introduced until claim 2.

With regards to claim 6, the disclosure that the five-sided bowl portion has five sides is redundant. In order to be a five-sided portion, there is inherently five sides.

With regards to claim 7, the corners and the flat edges are unrelated which is not supported. The corners connect the five flat edges and the claim needs to acknowledge this relationship because this is the only way it is supported.

Claim 8 is replete with the limitations that do not properly reference back to previously disclosed limitations. The body of the claim should be replaced with “wherein the plurality of tines includes two outer tines and two inner tines, each of the tines having a proximal base end and a distal tip, the base ends of the outer tines being wider than the base ends of the inner tines”.

Claim 9 recites the limitation "the handle" on line 1 and line 2. There is insufficient antecedent basis for this limitation in the claim. Claim 1 discloses a “handle portion” and not a “handle”.

Claim Rejections - 35 USC § 103

In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of

rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

7. 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.

8. Claims 1, 2, and 6-9 are rejected under 35 U.S.C. 103 as being unpatentable over Bristow (D535,857) in view of Miller (2003/0110644) and Geckler (3,014,277). With regards to claims 1, 8, and 9, Bristow discloses an eating utensil (title) with a handle portion integrally formed with a fork head portion at a first end and a spoon head portion at a second end (Fig. 1), the fork head portion has a plurality of tines (Fig. 2), the spoon head portion has a bowl portion (Fig. 1), the plurality of tines includes four tines each with a proximal base end and a distal tip (Fig. 2), and the handle has substantially parallel lateral sides edges over a majority of a handle length (Fig. 2).

However, with regards to claims 1, 2, and 8, Bristow fails to disclose at least one of the tines has a curved outer edge with a cutting feature and the base ends of the outer tines being wider than base ends of the inner tines.

Miller teaches it is known in the art of fork head portions to incorporate at least one of the tines has a curved outer edge with a cutting feature (36) and the base ends of the outer tines being wider than base ends of the inner tines (Fig. 4). Such a modification allows for the fork to have an additional function. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Bristow with the curved edge cutting feature and base ends, as taught by Miller,

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.

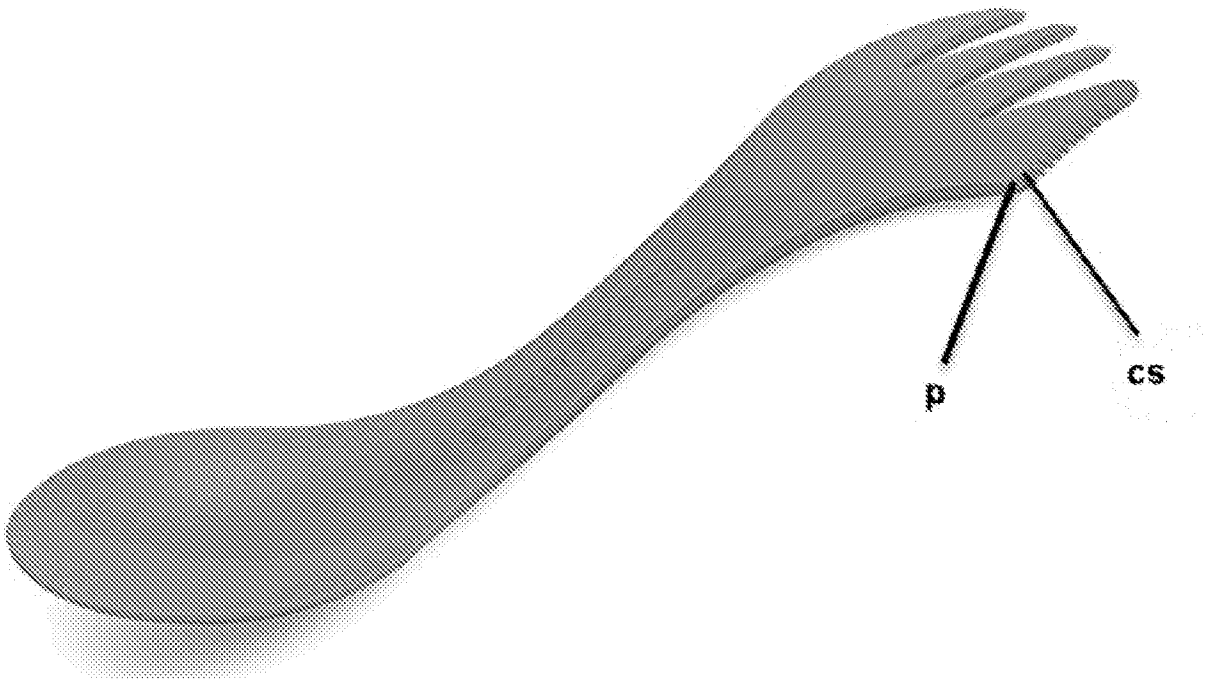
However, with regards to claims 1, 6, and 7, Bristow fails to disclose the spoon bowl portion is substantially five-sided, the five-sided bowl portion has five sides each with a substantially flat edge, and five-side bowl portion has rounded corners.

Geckler teaches it is known in the art of spoon bowl portions to incorporate a spoon bowl portion that is substantially five-sided (24, 28, 26, and the two sides engaging 22), the five-sided bowl portion has five sides each with a substantially flat edge (Fig. 1), and five-side bowl portion has rounded corners (40 and Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Bristow with the spoon bowl portion specifics, as taught by Geckler, because the substitution of one known element for another would have yielded predictable results and all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

9. Claims 3 and 4 are rejected under 35 U.S.C. 103 as being unpatentable over Bristow (D535,857) in view Miller (2003/0110644) and Geckler (3,014,277) of as applied to claim 1 (and claim 2 in light of the antecedent basis issue above) above, and further in view of Light My Fire Spork (hereafter LMFS). Please see the Figure below with Examiner added reference labels to LMFS. Bristow in view of Miller and Geckler disclose the invention but fail to disclose the cutting feature is a chamfered edge and

the chamfered edge tapers to a point where the handle portion meets the fork head portion.

LMFS teaches it is known in the art of fork tines with a cutting feature to incorporate a chamfered outer edge (cs) and the chamfered edge tapers to a point where the handle portion meets the fork head portion (p). It would have been well within one's technical skill to have defined the cutting edge in any reasonable known way to define a cutting edge including utilizing a chamfered edge. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Bristow in view of Miller and Geckler with a chamfered edged cutting feature, as taught by LMFS, because the substitution of one known element for another would have yielded predictable results and all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.



10. Claim 5 is rejected under 35 U.S.C. 103 as being unpatentable over Bristow (D535,857) in view Miller (2003/0110644) and Geckler (3,014,277) as applied to claim 1 above, and further in view of Eklind (6,151,999). Bristow in view of Miller and Geckler disclose the invention but fail to disclose the utensil is formed of a glass reinforced thermoplastic material.

Eklind teaches it is old and well known in the art of hand tools to incorporate glass reinforced thermoplastic material (column 3 line 11). In light of Eklind, it would have been obvious to one having ordinary skill in the art at the time the invention was made to formed the utensil out of any reasonable material including glass reinforced thermoplastic, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of filing, to have provided Bristow in view of Miller and Geckler with the glass reinforced thermoplastic material, as taught by Eklind, because all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective function and the combination would have yielded predictable results.

Conclusion

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

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

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

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

04 May 2021

/Jason Daniel Prone/

Primary Examiner, Art Unit 3724

Notice of References Cited	Application/Control No. 16/725,397	Applicant(s)/Patent Under Reexamination MIKSOVSKY et al.	
	Examiner JASON D PRONE	Art Unit 3724	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20170208976-A1	07-2017	Muise; David	A47G21/04	1/1
*	B	US-D845085-S	04-2019	Miksovsky; Christopher A.	A47G21/06	D7/643
*	C	US-D862996-S	10-2019	Miksovsky; Christopher A.	A47G21/04	D7/643
*	D	US-D862997-S	10-2019	Miksovsky; Christopher A.		D7/643
*	E	US-D873094-S	01-2020	Bloch; David R.		D7/643
*	F	US-10555629-B2	02-2020	Miksovsky; Christopher A.	A47G21/04	D7/644
*	G	US-D882350-S	04-2020	Rubenson; Zachary		D7/644
*	H	US-20200383506-A1	12-2020	RUBENSON; Zachary	A47G21/06	1/1
*	I	US-D910386-S	02-2021	Pontano; Peter		D7/644
*	J	US-D909821-S	02-2021	Frazee; Craig	A47G21/06	D7/644
	K					
	L					
	M					

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 (Year: 2009)
	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.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

CPC - Searched*		
Symbol	Date	Examiner
A47G 21/02, 023, 04, 06, 08		
A47J 43/28-282	05/04/2021	/JP/

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
30	147-150, 322-328		
D7	643, 644, 653	05/04/2021	/JP/

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

Search Notes		
Search Notes	Date	Examiner
consulted USPC and CPC		
inventor search		
consulted parent cases 14/204497, 15/268175, 16/213466. No ODP at this time but further review will be done if necessary.	05/04/2021	/JP/

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

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

Humangear, Inc. Ex. 2009, Page 224

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	MIKSOVSKY et al.
	Examiner	Art Unit
	JASON D PRONE	3724

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

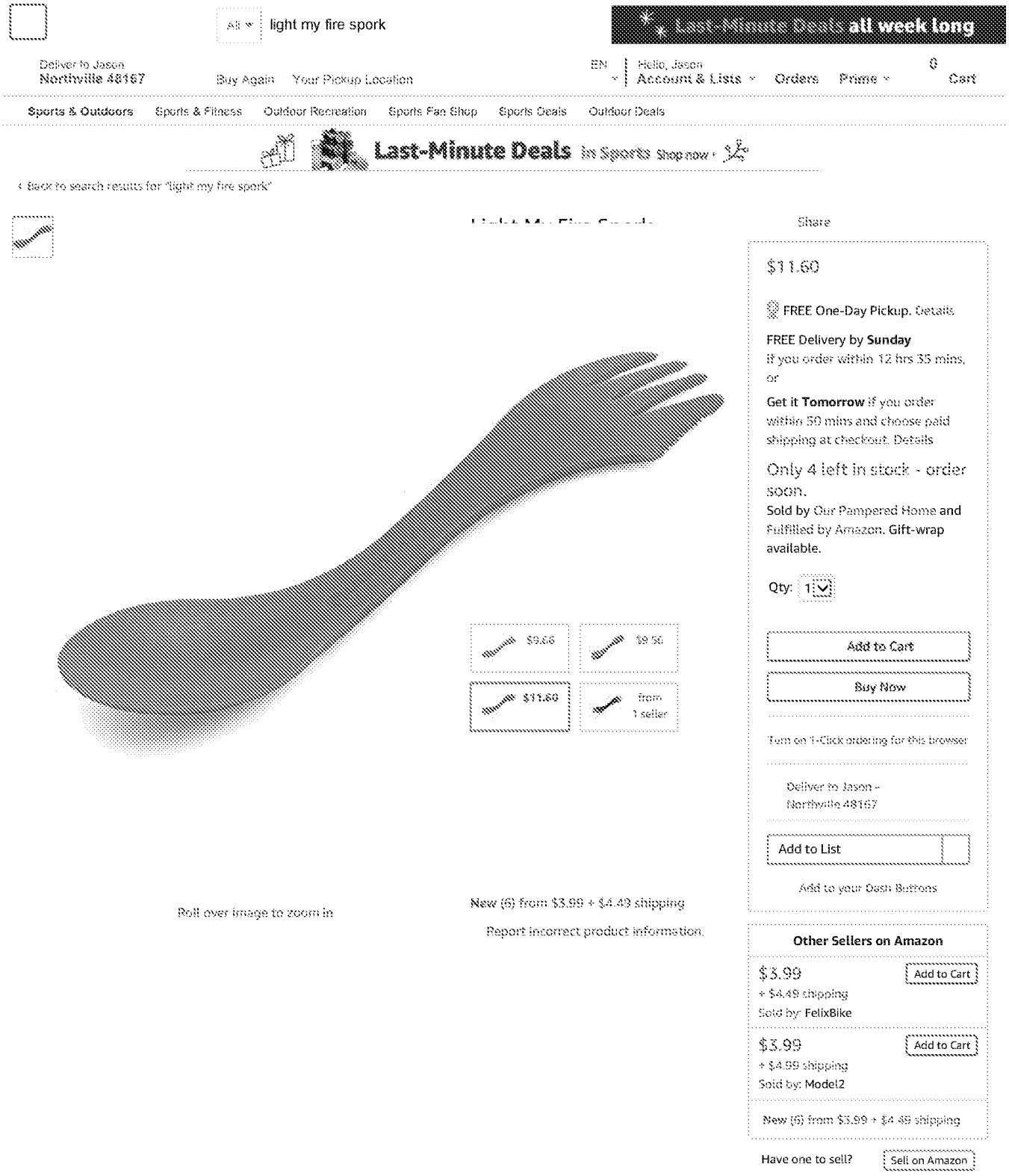
CLAIMS

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

CLAIM		DATE								
Final	Original	02/08/2021	05/04/2021							
	1	÷	✓							
	2	÷	✓							
	3	÷	✓							
	4	÷	✓							
	5	÷	✓							
	6	÷	✓							
	7	÷	✓							
	8	÷	✓							
	9	÷	✓							

Humangear, Inc. Ex. 2009, Page 225

Humangear, Inc. Ex. 2009, Page 226





TITAN Emergency Sleeping Bag / Thermal Bivy | WOODLAND CAMO | P...
252
$20.95 vprime

Ad feedback

amazon Prime FREE One-Day pickup. FREE returns.

Holiday Toy List: Our favorite toys for everyone on your list


Top 100


Kid Picks

Frequently bought together



Total price: $36.54

Add all three to Cart

Add all three to List

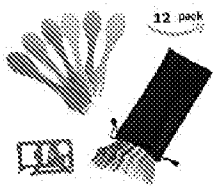
These items are shipped from and sold by different sellers. Show details

- **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

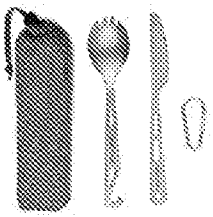
Sponsored products related to this item (What's this?)

Page 1 of 19

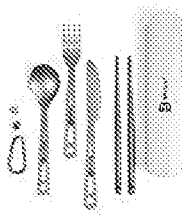




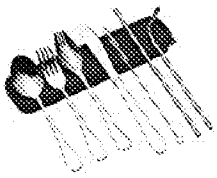
12 Pack Sporks,Durable & BPA Free Tritan Sporks,Spoon Fork & Knife Combo Utensils,6...
26
$10.99



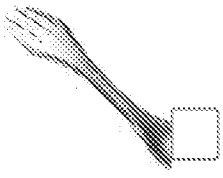
KUCHYNEE Titanium Spork Knife Camping Utensils Portable Flatware Ultra Lightweight ...
2
$16.99



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

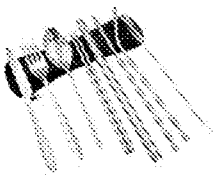
Page 1 of 3



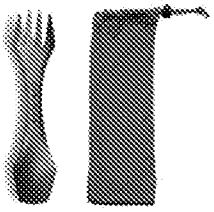
Light my Fire Original BPA-Free Tritan Spork with Full-Sized Spoon,



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

1. Share your kid's age or arrival date
   The information you share will be treated in accordance with our Privacy Notice.
2. Get 20% off Hallmark giftwrap for the holidays
   After you click 'Submit' you'll be taken to a wide selection of Hallmark products to choose from. 20% off coupons for each item are visible on the product pages!
3. Access other exclusive benefits for parents
   Explore other benefits on www.amazon.com/family. We'll periodically email you exclusive discounts, parenting tips, and much more - handpicked just for your family.

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**

Would you like to tell us about a lower price?

Related Video Shorts (0) Upload your video

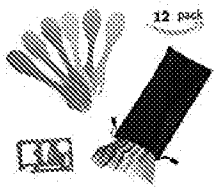


Be the first video

Your name here

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

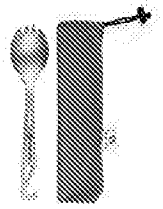
Page 1 of 10



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

26

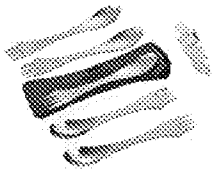
$10.99



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

205

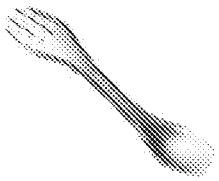
$10.99



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

266

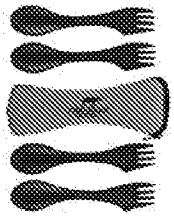
$13.99



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

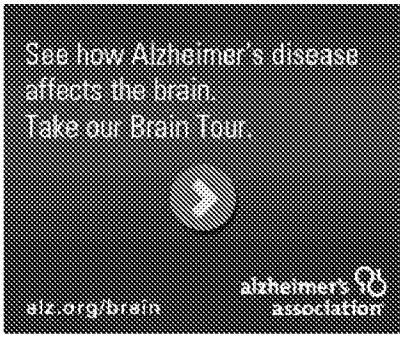
5 star 41%

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

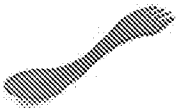
I got two of these for college as I didn't want to have to take full silverware sets with me and for a while they worked fine. While I was eating ice cream with one of them though the spoon end snapped off which I found a bit annoying. I can't remember what happened to the other one, but it ended up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

Write a customer review

Set up an Amazon Giveaway



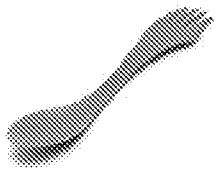
Amazon Giveaway allows you to run promotional giveaways in order to create buzz, reward your audience, and attract new followers and customers. Learn more about Amazon Giveaway

This item: Light my Fire Spork Extra Medium BPA-Free Tritan Spork with Full-Sized Spoon, Fork and Serrated Knife Edge

Set up a giveaway

Customers who bought this item also bought

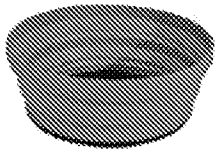
Page 1 of 3



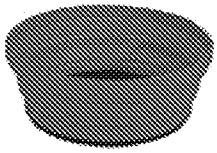
Light my Fire Original BPA-Free Tritan Spork with Full-Sized Spoon, Fork and Serrated Knife...
510
$1.99



Light my Fire Titanium Spork
1,885
$14.99



Sea to Summit X-Bowl
28
$15.95



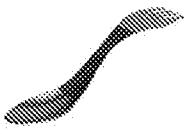
Sea to Summit X Bowl
112
$14.96



GSI Outdoors Infinity Backpacker Mug
259
$9.95

Your recently viewed items and featured recommendations

Best Sellers based on your browsing history



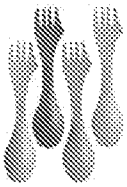
Light my Fire Titanium Spork
1,885
$14.99



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
842
$16.76



Light My Fire Original BPA-Free Tritan Spork Multi-Color 4-Pack
609
$9.97

Inspired by your browsing history



Life Gear Stainless Steel Double Walled Mug with Carabiner Handle - Portable Rockclimbing,...
100
$8.49



PackTowl Luxe Microfiber Towel
42
$29.95



GSI Outdoors Infinity Backpacker Mug
259
$9.95



AZCAMP Collapsible Silicone Camping Bowl, Food-Grade and BPA-Free, Pack of 2
57
$9.97

› View or edit your browsing history

Back to top

Get to Know Us
Careers
Blog
About Amazon
Press Center
Investor Relations
Amazon Devices

Make Money with Us
Sell on Amazon
Sell Under Private Brands
Sell on Amazon Handmade
Sell Your Services on Amazon
Sell on Amazon Business
Sell Your Apps on Amazon
Become an Affiliate
Advertise Your Products
Self-Publish with Us
› See all

Amazon Payment Products
Amazon Rewards Visa Signature Cards
Amazon.com Store Card
Amazon Business Card
Amazon.com Corporate Credit Line
Shop with Points
Credit Card Marketplace
Reload Your Balance
Amazon Currency Converter

Let Us Help You
Your Account
Your Orders
Shipping Rates & Policies
Amazon Prime
Returns & Replacements
Manage Your Content and Devices
Amazon Assistant
Help

English | United States

Amazon Music
Stream millions of songs

Amazon Advertising
Find, attract, and engage customers

Amazon Drive
Cloud storage from Amazon

6pm
Score deals on fashion brands

AbeBooks
Books, art & collectibles

ACX
Audiobook Publishing Made Easy

Alexa
Actionable Analytics for the Web

Amazon Business
Everything For Your Business

AmazonFresh
Groceries & More Right To Your Door

AmazonGlobal
Ship Orders Internationally

Home Services
Handpicked Pros Happiness Guaranteed

Amazon Inspire
Digital Educational Resources

Amazon Rapids
Fun stories for kids on the go

Amazon Restaurants
Food delivery from local restaurants

Amazon Web Services
Scalable Cloud Computing Services

Audible
Download Audiobooks

Book Depository
Books With Free Delivery Worldwide

Box Office Mojo
Find Movie Box Office Data

ComiXology
Thousands of Digital Comics

CreateSpace
Indie Print Publishing Made Easy

DPReview
Digital Photography

East Dane
Designer Men's Fashion

Fabric
Sewing, Quilting & Knitting

Goodreads
Book reviews & recommendations

IMDb
Movies, TV & Celebrities

IMDbPro
Get Info Entertainment Professionals Need

Junglee.com
Shop Online in India

Kindle Direct Publishing
Indie Digital Publishing Made Easy

Prime Now
FREE 2-hour Delivery on Everyday Items

Amazon Photos
Unlimited Photo Storage Free With Prime

Prime Video Direct
Video Distribution Made Easy

Shopbop
Designer Fashion Brands

Amazon Warehouse
Great Deals on Quality Used Products

Whole Foods Market
America's Healthiest Grocery Store

Withoutabox
Submit to Film Festivals

Woot!
Deals and Shenanigans

Zappos
Shoes & Clothing

Souq.com
Shop Online in the Middle East

Subscribe with Amazon
Discover & try subscription services

PillPack
Pharmacy Simplified

Amazon Renewed
Refurbished products with a warranty

Amazon Second Chance
Pass it on, trade it in, give it a second life

Conditions of Use Privacy Notice Interest-Based Ads © 1996-2018, Amazon.com, Inc. or its affiliates

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty Docket No.	HMG1P008D2D1
	Application No.:	16/725,397
	Applicant	MIKSOVSKY et al.
	Filing Date	December 23, 2019
	Group	3724
		Page 1 of 1
	Date Submitted	March 20, 2020

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.						

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.	2006-247086	09/21/06	JP			Abstract
	12.						

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	13.	European Office Action dated March 5, 2020 from European Application No. 16 202 786.6 – 1011.
	14.	
	15.	
	16.	

Examiner	/Jason Daniel Prone/	Date Considered	05/04/2021

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.	HMG1P008D2D1
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 1 of 9
	Date Submitted	December 23, 2019

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	32,916	07/23/1861	Richards			
	2.	33,703	11/12/1861	Hardie			
	3.	34,098	01/07/1862	Hardie et al.			
	4.	34,069	01/07/1862	Neill			
	5.	34,712	03/18/1862	Cables			
	6.	46,832	03/14/1865	Thorne			
	7.	88,370	03/30/1869	Cox			
	8.	RE7,925	10/23/1877	Ulmer			
	9.	RE9,687	05/03/1881	Cox			
	10.	398,264	02/19/1889	Kisner			12/3/1888
	11.	D30,129	02/07/1899	Whitcomb et al.			12/24/1898
	12.	D31,575	10/03/1899	Phillips et al.			08/25/1899
	13.	671,740	04/09/1901	Wattne			12/10/1900
	14.	675,475	06/04/1901	Glover			10/08/1900
	15.	812,424	02/13/1906	Hellmuth			08/26/1905
	16.	849,098	04/02/1907	Aufrichtig			03/08/1906
	17.	854,745	05/28/1907	King			03/15/1906
	18.	870,413	11/05/1907	Brown			06/25/1907
	19.	972,777	10/11/1910	Richardson			03/11/1909
	20.	1,053,387	02/18/1913	Hawley			01/09/1912
	21.	1,229,696	06/12/1917	Woods			08/23/1916
	22.	1,271,679	07/09/1918	Duckett			01/17/1918
	23.	1,277,205	08/27/1918	Evans			04/09/1917
	24.	D53,165	04/01/1919	Janosik			01/23/1919
	25.	1,337,174	04/13/1920	Whyte			09/26/1919
	26.	1,348,762	08/03/1920	Suzuki			03/12/1919

Examiner /Jason Daniel Prone/	Date Considered 05/04/2021

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDP/

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2D1
	Application No.:	Unassigned
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
(Use Several Sheets if Necessary)		Page 2 of 9
	Date Submitted	December 23, 2019

	27.	1,372,325	03/22/1921	Willemin			04/09/1919
	28.	D59,869	11/29/1921	Quandee et al.			12/22/1920
	29.	D60,369	02/07/1922	Quandee et al.			12/22/1920
	30.	1,425,750	08/15/1922	Crawford			12/20/1920
	31.	1,452,337	04/17/1923	Brecel			11/16/21
	32.	D63,047	09/25/1923	Adler			03/19/1923
	33.	1,699,248	01/15/1929	Pasal			11/19/1923
	34.	1,868,289	07/19/1932	Leidel			05/22/1930
	35.	D93,956	11/27/1934	Wilson			05/01/1934
	36.	1,984,081	12/11/1934	Pisculli			03/30/1934
	37.	2,010,074	08/06/35	Fuerst			04/16/35
	38.	2,109,016	02/22/1938	Ringer			01/23/1937
	39.	2,251,842	08/05/1941	Hill			06/02/39
	40.	2,318,129	05/04/1943	Torode			06/02/1941
	41.	D143,431	01/01/1946	Lapin			10/16/45
	42.	2,439,882	04/20/1948	Beddow			04/01/1946
	43.	2,470,492	05/17/1949	Jenkins			01/30/1946
	44.	2,505,122	04/25/1950	Krieger, Jr.			05/26/1947
	45.	D149,920	08/29/1950	Pavlinetz			11/28/1947
	46.	2,542,600	02/20/1951	Vaccarezza			07/15/1948
	47.	2,610,400	09/16/1952	Wendling			06/05/50
	48.	2,752,678	07/03/1956	Welch			12/24/1954
	49.	D184,317	01/27/1959	McArthur			07/25/57
	50.	3,014,277	12/26/1961	Geckler			06/23/60
	51.	3,121,951	02/25/1964	Green			12/12/60
	52.	3,138,871	06/30/1964	Sears			10/21/63
	53.	D199,630	11/24/1964	Dedic, Sr.			02/17/64
	54.	D209,704	12/26/1967	Siune et al.			01/24/1967

Examiner	/Jason Daniel Prone/	Date Considered	05/04/2021

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.	HMG1P008D2D1
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 3 of 9
	Date Submitted	December 23, 2019

	55.	D210,549	03/19/1968	O'Brien			01/23/1967
	56.	3,586,161	06/22/1971	Fong et al.			07/10/69
	57.	3,596,965	08/03/1971	Woofter			10/22/1968
	58.	3,630,249	12/28/1971	Brunwin			02/20/70
	59.	3,771,224	11/13/1973	Bono, Jr.			02/03/1972
	60.	3,967,376	07/06/1976	Foley			02/05/1974
	61.	D241,302	09/07/1976	Scigliano			12/17/1974
	62.	3,991,466	11/16/1976	Smith			02/09/76
	63.	D249,926	10/17/1978	Wong			01/14/77
	64.	4,317,284	03/02/1982	Prindle			03/21/1980
	65.	4,377,035	03/22/83	Dalichow			03/12/81
	66.	D269,060	05/24/83	Creamer			09/05/80
	67.	4,425,711	01/17/84	Wood et al.			11/12/80
	68.	4,524,512	06/25/85	Formo et al.			04/25/83
	69.	D284,442	07/01/86	Chan			03/06/84
	70.	4,615,120	10/07/86	Newman			12/21/84
	71.	4,625,404	12/02/86	Valente et al.			02/19/85
	72.	4,771,541	09/20/88	Bouchakian			07/13/87
	73.	4,835,864	06/06/89	Tang			02/22/88
	74.	4,984,367	01/15/91	Albanese			01/08/90
	75.	4,995,154	02/26/91	Bamber			08/16/89
	76.	D318,600	07/30/91	Lillelund et al.			05/10/88
	77.	D318,600	07/30/91	Lillelund et al.			05/10/88
	78.	D325,855	05/05/92	Rea, Sr.			09/18/91
	79.	5,197,623	03/30/93	Wang			09/18/92
	80.	D342,422	12/21/93	Sanford			02/08/90
	81.	5,327,650	06/12/94	Rojas			10/14/93
	82.	D347,975	06/21/94	Zeller			08/27/93

Examiner /Jason Daniel Prone/	**Date Considered** 05/04/2021

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDP/

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2D1
	Application No.:	Unassigned
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
(Use Several Sheets if Necessary)		Page 4 of 9
	Date Submitted	December 23, 2019

	83.	D362,160	09/12/95	Brabeck et al.			07/02/93
	84.	5,542,181	08/06/96	Gaylord			07/31/95
	85.	D376,514	12/17/96	Torkelson			04/08/96
	86.	D388,664	01/06/98	Gagnon et al.			12/09/96
	87.	D391,123	02/24/98	Rey et al.			02/19/97
	88.	5,735,050	04/07/98	Hsieh			04/14/97
	89.	D396,613	08/04/1998	Cousins			06/30/1997
	90.	D401,481	11/24/98	Boilard et al.			11/25/97
	91.	5,845,403	12/08/98	Nivin			09/13/95
	92.	D412,813	08/17/99	Roskind et al.			10/13/98
	93.	5,940,974	08/24/99	Lee			06/15/98
	94.	D414,988	10/12/99	Santini			01/04/99
	95.	D414,988	10/12/99	Santini			01/04/99
	96.	6,145,204	11/14/00	Cash			10/15/99
	97.	6,151,999	11/28/00	Eklind			07/06/99
	98.	6,463,662	10/15/02	Coscia et al.			04/09/01
	99.	2003/0029044	02/13/03	Mattson et al.			08/10/01
	100.	2003/0110644	06/19/03	Miller			12/18/01
	101.	6,647,828	11/18/03	Hakim			09/23/02
	102.	D491,419	06/15/04	White et al.			05/02/03
	103.	2005/0066531	03/31/05	Hougland			09/25/03
	104.	2005/0155229	07/21/05	Lee			07/28/04
	105.	D509,708	09/20/05	Schmidt			06/18/04
	106.	7,013,568	03/21/06	Schmidt			09/08/04
	107.	D530,986	10/31/06	Lago-Arenas			10/01/04
	108.	D530,985	10/31/06	Evans			10/11/05
	109.	2006/0248732	11/09/06	Straube			05/04/05
	110.	D533,034	12/05/06	Wasserman			08/11/04

Examiner	/Jason Daniel Prone/	Date Considered	05/04/2021

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDP/

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2D1
	Application No.:	Unassigned
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
(Use Several Sheets if Necessary)		Page 5 of 9
	Date Submitted	December 23, 2019

	111.	D535,857	01/30/07	Bristow			12/22/05
	112.	D536,222	02/06/07	Heiberg et al.			06/08/05
	113.	D536,221	02/06/07	Kamins			10/06/04
	114.	D537,302	02/27/07	Vrhovski			01/17/06
	115.	2007/0084063	04/19/07	Hughes			11/09/06
	116.	2007/0124943	06/07/07	Hougland			10/11/06
	117.	2007/0251103	11/01/07	Rhodes III			05/01/06
	118.	D554,951	11/13/2007	McGrath			01/25/07
	119.	2008/0000092	01/03/08	Vanguard			06/30/06
	120.	2008/0016698	01/24/08	Simpson			07/21/06
	121.	D563,737	03/11/08	Shane-Schuldt			10/03/07
	122.	2008/0148575	06/26/08	Chan			12/22/06
	123.	D575,593	08/26/08	Svartström			12/05/07
	124.	2008/0256807	10/23/08	Kirkup			04/12/08
	125.	D587,075	02/24/09	Dibnah et al.			04/25/08
	126.	2009/0172949	07/09/09	Watts			07/16/07
	127.	2009/0205209	08/20/09	Tovar			02/16/08
	128.	2009/0293283	12/03/09	Hsu			05/30/08
	129.	D608,602	01/26/10	Davies et al.			06/01/09
	130.	D609,060	02/02/10	Pallotto			03/31/09
	131.	D612,692	03/30/10	Menceles			08/11/09
	132.	D617,156	06/08/10	Griffith			10/08/09
	133.	D618,070	06/22/10	Jalet et al.			06/29/09
	134.	2010/0206885	08/19/10	Bowden et al.			02/19/10
	135.	2010/0218382	09/02/10	Scott			03/02/09
	136.	D625,153	10/12/10	Gallop et al.			09/25/08
	137.	7,816,634	10/19/10	Guide, Jr. et al.			03/22/06
	138.	7,856,722	12/28/10	Lago-Arenas			09/27/04

Examiner /Jason Daniel Prone/	Date Considered 05/04/2021

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDP/

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2D1
	Application No.:	Unassigned
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
(Use Several Sheets if Necessary)		Page 6 of 9
	Date Submitted	December 23, 2019

	139.	D633,344	03/01/11	Nordwall			06/10/10
	140.	2011/0091521	04/21/11	Omelchenko			04/12/10
	141.	D637,309	05/03/11	Park			08/18/10
	142.	2012/0036724	02/16/12	Walters			07/22/11
	143.	D656,799	04/03/12	Lebeau			03/28/11
	144.	8,296,957	10/30/12	Muehlemann			03/06/07
	145.	2012/0297628	11/29/12	Rayko et al.			05/23/11
	146.	D673,431	01/01/13	Glavin et al.			07/18/12
	147.	D676,286	02/19/13	Lion et al.			06/07/12
	148.	2013/0152406	06/20/13	McFarland			12/20/11
	149.	D686,045	07/16/13	Stewart et al.			03/07/12
	150.	D690,156	09/24/13	Apple et al.			03/04/13
	151.	8,635,780	01/28/14	Abul			06/17/13
	152.	2014/0026425	01/30/14	Kim			03/11/13
	153.	8,689,453	04/08/14	Vogan			05/24/12
	154.	8,726,525	05/20/14	Bagley et al.			01/13/11
	155.	D705,020	05/20/14	Fraser et al.			05/07/13
	156.	D706,586	06/10/14	Kestenbaum			04/22/13
	157.	8,839,522	09/23/14	Walters			07/22/11
	158.	D718,093	11/25/14	Miksovsky et al.			03/11/14
	159.	2015/0014329	01/15/15	Konopatsky			07/09/13
	160.	D722,837	02/24/15	Miksovsky et al.			03/10/14
	161.	D730,049	05/26/15	Miksovsky et al.			03/10/14
	162.	9,061,429	06/23/15	Barber			03/15/13
	163.	2015/0257562	09/17/15	Miksovsky et al.			03/11/14
	164.	D739,685	09/29/15	Miksovsky et al.			11/24/14
	165.	D740,079	10/06/15	Miksovsky et al.			11/24/14
	166.	D745,339	12/15/15	Cetti			06/18/14

Examiner	/Jason Daniel Prone/	Date Considered	05/04/2021

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDP/

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2D1
	Application No.:	Unassigned
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
(Use Several Sheets if Necessary)		Page 7 of 9
	Date Submitted	December 23, 2019

	167.	D746,644	01/05/16	Cai			09/26/14
	168.	D747,159	01/12/16	Frost			05/22/14
	169.	D752,918	04/05/16	Katopis			10/27/14
	170.	D753,447	04/12/16	Busboom			12/15/14
	171.	D756,171	05/17/16	Mou			12/09/13
	172.	D756,172	05/17/16	Mou			12/09/13
	173.	D758,808	06/14/16	Gatewood			03/18/15
	174.	9,434,590	09/06/16	Miksovsky et al.			03/11/14
	175.	9,468,321	10/18/16	Miksovsky et al.			03/11/14
	176.	2017/0000276	01/05/17	Miksovsky et al.			09/16/16
	177.	9,549,626	01/24/17	Truog et al.			11/13/14
	178.	D782,254	03/28/17	Joseph			09/29/15
	179.	D794,400	08/15/17	Young			02/26/16
	180.	D807,127	01/09/18	Levi			08/02/16
	181.	D812,994	03/20/18	Mundhra			07/28/17
	182.	D812,995	03/20/18	Mundhra			07/28/17
	183.	D813,616	03/27/18	Mundhra			07/28/17
	184.	D816,432	05/01/18	Huang			05/15/17
	185.	D825,104	08/07/18	Simard et al.			12/31/15
	186.	D828,730	09/18/18	Gauss et al.			08/03/17
	187.	D834,887	12/04/18	Miksovsky et al.			03/29/18
	188.	D842,662	03/12/19	Bloch et al.			10/11/17
	189.	2019/0104873	04/11/19	Miksovsky et al.			12/07/18
	190.	2019/0110620	04/18/19	Miksovsky et al.			12/07/18
	191.	5,904,250	05/18/99	De Schutter			09/02/94

Examiner	/Jason Daniel Prone/	Date Considered	05/04/2021

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDP/

Form 1449 (Modified)	Atty Docket No.	HMG1P008D2D1
	Application No.:	Unassigned
Information Disclosure Statement By Applicant	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
(Use Several Sheets if Necessary)		Page 8 of 9
	Date Submitted	December 23, 2019

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
	192.	WO 2013/095407	06/27/13	PCT				
	193.	0 129 495	12/27/84	EP				
	194.	DE 44 17 037	12/03/98	DE				Abstract
	195.	22,788	09/02/1915	GB				
	196.	CN 202874843	04/17/13	CN				Abstract
	197.	CN 200945058	09/12/07	CN				Abstract
	198.	CN201691585	01/05/11	CN				Abstract
	199.	CN202234496	05/30/12	CN				Abstract
	200.	203424719	02/12/14	CN				Abstract
	201.	WO 2015/138218	09/17/15	PCT				
	202.	GB 1337613	11/14/73	GB				
	203.	102068177	05/25/11	CN				Abstract
	204.	2373000	04/12/00	CN				Abstract
	205.	2231889	07/31/96	CN				Abstract

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	206.	Alite, Cloverware Lite, http://shop.alitedesigns.com/cloverware-lite.html, downloaded on March 6, 2014.
	207.	Alite, Cloverware 2.0, http://shop.alitedesigns.com/cloverware-538.html, downloaded on March 6, 2014.
	208.	Guyot, Microbites ™, https://www.guyotdesigns.com/product-microbites/, downloaded on March 6, 2014.
	209.	Guyot, Utensils, https://www.guyotdesigns.com/utensils/, downloaded on March 6, 2014.
	210.	International Search Report dated July 8, 2015 from International Application No. PCT/US2015/019017.
	211.	Written Opinion dated July 8, 2015 from International Application No. PCT/US2015/019017.
	212.	Chinese Office Action dated April 27, 2017 from Chinese Application No. 201580022197.1.

Examiner	/Jason Daniel Prone/	Date Considered	05/04/2021

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.	HMG1P008D2D1
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 9 of 9
	Date Submitted	December 23, 2019

	213.	Chinese Office Action dated August 1, 2017 from Chinese Application No. 201611163525.2.
	214.	European Search Report dated June 16, 2017 from European Application No. 16202786.3-1653.
	215.	European Office Action dated October 17, 2018 from European Patent Application No. 16 202 786.6 - 1011.
	216.	Light My Fire, Spork original, http://www.lightmyfire.com/products/products/spork/spork-original.aspx, downloaded on March 6, 2014.
	217.	Primus, Folding Spork, http://store.primuscamping.com/cookware/utensils-and-accessories/primus-folding-spork-black/, downloaded on March 6, 2014.
	218.	DCI, Swivel Spork & Knife Set, http://shop.dcigift.com/p/swivel-spork-knife-set, downloaded on March 6, 2014.
	219.	U.S. Office Action dated April 19, 2019 from U.S. Application No. 16/213,466.
	220.	U.S. Office Action dated May 7, 2019 from U.S. Application No. 16/213,536.
	221.	MSR Folding Camp Utensils, https://www.msrgear.com/cookware/folding-utensils, downloaded on September 20, 2018.
	222.	GSI Outdoors, Telescoping Foon, http://www.gsioutdoors.com/telescoping-foon.html, downloaded on September 20, 2018.
	223.	GSI Outdoors, Pivot Spatula, http://www.gsioutdoors.com/pivot-spatula.html, downloaded on September 20, 2018.
	224.	Miksovsky et al., U.S. Application No. 29/653,612, filed on June 16, 2018.
	225.	Miksovsky et al., U.S. Application No. 29/653,595, filed on June 15, 2018.
	226.	Miksovsky et al., U.S. Application No. 16/439,425 filed on June 12, 2019.
	227.	U.S. Final Office Action dated September 16, 2019 from U.S. Application No. 16/213,536.
	228.	Chinese Office Action dated August 2, 2019 from Chinese Application No. 201810024557.7.
	229.	U.S. Final Office Action dated October 9, 2019 from U.S. Application No. 16/213,466.
	230.	Extended European Search Report dated October 22, 2019 from European Application No. 18208165.3-1011/3488740.

Examiner	/Jason Daniel Prone/	Date Considered	05/04/2021

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/

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	2	"16528978"	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2021/05/04 11:13
L2	3	"16213466"	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2021/05/04 11:13
L3	244	("0032916" | "0033703" | "0034069" | "0034098" | "0034712" | "0046832" | "0088370" | "0398264" | "0671740" | "0675475" | "0812424" | "0849098" | "0854745" | "0870413" | "0972777" | "1053387" | "1229696" | "1271679" | "1277205" | "1337174" | "1348762" | "1372325" | "1425750" | "1452337" | "1699248" | "1868289" | "1984081" | "20030029044" | "20030110644" | "20050066531" | "20050155229" | "20060248732" | "20070084063" | "20070124943" | "20070251103" | "20080000092" | "20080016698" | "20080148575" | "20080256807" | "20090172949" | "20090205209" | "20090293283" | "20100206885" | "20100218382" | "2010074" | "20110091521" | "20120036724" | "20120297628" | "20130152406" | "20140026425" | "20150014329" | "20150257562" | "20170000276" | "2109016" | "2251842" | "2318129" | "2439882" | "2470492" | "2505122" | "2542600" | "2610400" | "2752678" | "3014277" | "3121951" | "3138871" | "3586161" | "3596965" | "3630249" | "3771224" | "3967376" | "3991466" | "4317284" | "4377035" | "4425711" | "4524512" | "4615120" | "4625404" | "4771541" | "4835864" | "4984367" | "4995154" | "5197623" | "5327650" | "5542181" | "5735050" | "5845403" | "5904250" | "5940974" |	US-PGPUB; USPAT; USOCR	OR	OFF	2021/05/04 11:13

		"6145204" | "6151999" | "6463662" | "6647828" | "7013568" | "7816634" | "7856722" | "8296957" | "8635780" | "8689453" | "8726525" | "8839522" | "9061429" | "9434590" | "9468321" | "9549626" | "D030129" | "D031575" | "D053165" | "D059869" | "D060369" | "D063047" | "D093956" | "D143431" | "D149920" | "D184317" | "D199630" | "D209704").PN. OR ("D210549" | "D241302" | "D249926" | "D269060" | "D284442" | "D318300" | "D318600" | "D325855" | "D342422" | "D347975" | "D362160" | "D376514" | "D388664" | "D391123" | "D396613" | "D401481" | "D412813" | "D414988" | "D491419" | "D509708" | "D530985" | "D530986" | "D533034" | "D535857" | "D536221" | "D536222" | "D537302" | "D554951" | "D563737" | "D575593" | "D587075" | "D608602" | "D609060" | "D612692" | "D617156" | "D618070" | "D625153" | "D633344" | "D637309" | "D656799" | "D673431" | "D676286" | "D686045" | "D690156" | "D705020" | "D706586" | "D718093" | "D722837" | "D730049" | "D739685" | "D740079" | "D745339" | "D746644" | "D747159" | "D752918" | "D753447" | "D756171" | "D756172" | "D758808" | "D782254" | "D794400" | "D807127" | "D812994" | "D812995" | "D813616" | "D816432" | "D825104" | "D828730" | "D834887" | "D842662" | "RE07925" | "RE09687").PN. OR ("10555629").URPN.				
L4	2,126	A47g21/02,023,04,06,08.cpc.	US-PGPUB; USPAT; USOCR	OR	OFF	2021/05/04 11:13
L5	1,443	A47j43/28-282.cpc.	US-PGPUB; USPAT; USOCR	OR	OFF	2021/05/04 11:13
L6	2,789	30/147-150,322-328.ccls.	US-PGPUB; USPAT; USOCR	OR	OFF	2021/05/04 11:13
L7	3,610	d7/643,644,653.ccls.	US-PGPUB; USPAT; USOCR	OR	OFF	2021/05/04 11:13

L8	696	MIKSOVSKY with Christopher.in. or SLONE with Clint.in. or CHAUBERT with Evelyne.in. or NGHIEM with Charlie.in. or LANE with Robert.in. or DOWNING with Jonathan.in.	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2021/05/04 11:13
L9	35	L8 and (spoon or fork or eating)	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2021/05/04 11:13
L10	9	"15268175"	US-PGPUB; USPAT; FPRS; EPO; JPO	OR	OFF	2021/05/04 11:13

5/4/2021 11:14:24 AM
C:\Users\jprone\Documents\EAST\Workspaces\EASTDEFAULT2018.wsp

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, 2021 04:15:47 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.

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.
16725397	CTNF	05/07/2021	HMG1P008D2D1
	892	05/07/2021	HMG1P008D2D1
	1449	05/07/2021	HMG1P008D2D1
	1449	05/07/2021	HMG1P008D2D1

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.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: PRONE, JASON D.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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 March 4, 2021.

Signed: _____/Cara Hedin/_____
Cara Hedin

RESPONSE TO RESTRICTION REQUIREMENT

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

Dear Commissioner:

In response to the Restriction Requirement dated February 11, 2021, Applicant hereby elects, without traverse, Species B, Figs 7A-C, claims 1-9 to prosecute in the above-identified patent application.

If any fees are due in connection with the filing of this Response to Restriction Requirement, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-4481 (Order No. HMG1P008D2D1).

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

Electronic Acknowledgement Receipt

EFS ID:	42090679
Application Number:	16725397
International Application Number:	
Confirmation Number:	9049
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:	HMG1P008D2D1
Receipt Date:	04-MAR-2021
Filing Date:	23-DEC-2019
Time Stamp:	16:05:53
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	Response to Election / Restriction Filed	HMG1P008D2D1_Response_to_RR.pdf	18876 e4531163cf0ee10ed5cfdf90e972d10119ccae06	no	1

Warnings:

Information:	
Total Files Size (in bytes):	18876

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/725,397	12/23/2019	Christopher A. MIKSOVSKY	HMG1P008D2D1	9049

58766 7590 02/11/2021

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
02/11/2021	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. 16/725,397	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 2 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

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

Status

1)☐ Responsive to communication(s) filed on _____.

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

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

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

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

Disposition of Claims*

5) ☑ Claim(s) 1-20 is/are pending in the application.

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

6) ☐ Claim(s) _____ is/are allowed.

7) ☐ Claim(s) _____ is/are rejected.

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

9) ☑ Claim(s) 1-20 are subject to restriction and/or election requirement

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

Application Papers

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

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

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

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

Priority under 35 U.S.C. § 119

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

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

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

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

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

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

Attachment(s)

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

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

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

4) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

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.

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.

08 February 2021

/Jason Daniel Prone/

Primary Examiner, Art Unit 3724

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/725,397	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	02/08/2021								
	1	÷								
	2	÷								
	3	÷								
	4	÷								
	5	÷								
	6	÷								
	7	÷								
	8	÷								
	9	÷								

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

Feb 11, 2021 04:09:36 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.
16725397	CTRS	02/11/2021	HMG1P008D2D1

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

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

May 01, 2020 04:07:05 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.
16725397	NTC.PUB	04/30/2020	HMG1P008D2D1

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

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	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
16/725,397	12/23/2019	Christopher A. MIKSOVSKY	HMG1P008D2D1

CONFIRMATION NO. 9049

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

PUBLICATION NOTICE

OC000000116634182

Title:EATING UTENSIL SYSTEM

Publication No.US-2020-0128984-A1
Publication Date:04/30/2020

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Public Records Division. The Public Records Division can be reached by telephone at (571) 272-3150 or (800) 972-6382, by facsimile at (571) 273-3250, by mail addressed to the United States Patent and Trademark Office, Public Records Division, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently https://portal.uspto.gov/pair/PublicPair. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Office of Data Managment, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

Form 1449 (Modified) **Information Disclosure Statement By Applicant** (Use Several Sheets if Necessary)	**Atty Docket No.**	HMG1P008D2D1
	Application No.:	16/725,397
	Applicant	MIKSOVSKY et al.
	Filing Date	December 23, 2019
	Group	3724
		Page 1 of 1
	Date Submitted	March 20, 2020

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.						

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.	2006-247086	09/21/06	JP			Abstract
	12.						

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	13.	European Office Action dated March 5, 2020 from European Application No. 16 202 786.6 – 1011.
	14.	
	15.	
	16.	

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
Postbus 5818
2280 HV Rijswijk
NETHERLANDS
Tel: +31 70 340 2040
Fax: +31 70 340 3016

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

Formalities Officer
Name: Madeira, João Luis
Tel: +31 70 340 - 9879
or call
+31 (0)70 340 45 00

Substantive Examiner
Name: Van Bastelaere, Tiny
Tel: +31 70 340 - 4602

Application No.	Ref.	Date
16 202 786.6 - 1011	496.130244/01	05.03.2020
Applicant Humangear, Inc.		

Communication pursuant to Article 94(3) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(2) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 126(2) and 131(2) and (4) EPC. One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (R. 50(1) EPC).

If filing amendments, you must identify them and indicate the basis for them in the application as filed. Failure to meet either requirement may lead to a communication from the Examining Division requesting that you correct this deficiency (R. 137(4) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Art. 94(4) EPC).

Van Bastelaere, Tiny
Primary Examiner
For the Examining Division

Enclosure(s): 4 page/s reasons (Form 2906)
US-D0535857-S, JP-2006247086-A & PAJ abstract

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

Description, Pages

5-15	as originally filed	
1-4	filed in electronic form on	27-02-2019

Claims, Numbers

1-6	filed in electronic form on	19-01-2018

Drawings, Sheets

1/24-3/24	filed in electronic form on	19-01-2018

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

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

D2 US 2005/155229 A1 (LEE CHING M [CN]) 21 July 2005 (2005-07-21)

D6 US 2013/152406 A1 (MCFARLAND DAVID B [US]) 20 June 2013 (2013-06-20)

The following documents are cited by the Examiner. A copy of the documents is annexed to the communication and the numbering will be adhered to in the rest of the procedure.

D11 US D 535 857 S (BRISTOW MICHAEL M [US]) 30 January 2007 (2007-01-30)

D12 JP 2006 247086 A (KATAOKA SHUNPEI) 21 September 2006 (2006-09-21)

****

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

1.1 D6 discloses (see figure 16 and §58)

An eating utensil (fork 100), comprising:
a handle having a first end and a second end;
a first head portion attached to the first end of the handle, wherein the first head portion comprises a plurality of tines, whereby
at least one of the plurality of tines has a chamfered curved outer edge (thinned cutting edge, see figure 16, where it is visible that this is achieved by a chamfer along the whole length) along substantially its entire length;

from which the subject-matter of claim 1 differs in that the eating utensil further comprises:

a second head portion attached to the second end of the handle, wherein the second head portion comprises a bowl of a spoon.

The result is that the fork which due to the chamfered edge has already a cutting function of a knife, can also be used as a spoon, and the objective problem can therefore be regarded as how to add this spoon function to the fork.

The solution proposed in claim 1 of the present application cannot be considered to involve an inventive step (Articles 52(1) and 56 EPC). These features have already been employed for the same purpose in a similar fork (see e.g. D11). It would be obvious to the person skilled in the art, namely when the same result is to be achieved, to apply these features with corresponding effect to a fork according to D6, thereby arriving at an eating utensil according to claim 1.

The subject-matter of claim 1 does not therefore involve an inventive step (Articles 52(1) and 56 EPC).

The examiner also refers to document D12, which discloses the same features of claim 1 as D6 does, and furthermore spefically mentions a chamfer (see figure 5, §9, chamfer 8).

1.2 The features of claims 2-6 are even so considered not to involve an inventive step for the following reasons:

* D6 furthermore discloses the features of claims 3 (see e.g. figures 16, 22...)

* D12 furthermore discloses the features of claims 2 (see figures)

* Claims 4,5: it needs to be mentioned that these features are as such not clear (Article 84 EPC), since the figures of the current application show a fork that is made in a plane which is curved, so that the central tines are also curved in that plane.

In the following these features are interpreted in such a way, that the outer side edges of a central tine fall in a flat ("straight") orthogonal plane that intersects the curved plane of the fork end of the utensil. Hence this intersecting line is not straight as such.

D11 discloses, see figures, at least one central tine that is substantially straight (claim 4), in a similar interpretation as the features of the current application, and so is also its inner edge substantially straight (claim 5).

* Claim 6: The use of a glass reinforced thermoplastic material is considered to be an obvious choice.

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

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).

3. 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).

4. D1 should be identified in the description and the invention as claimed should be disclosed in the description (Rule 42 EPC).

5. 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.

Espacenet

Bibliographic data: JP2006247086 (A) — 2006-09-21

FORK FOR EATING AND DRINKING

Inventor(s): KATAOKA SHUNPEI ± (KATAOKA SHUNPEI)

Applicant(s): KATAOKA SHUNPEI ± (KATAOKA SHUNPEI)

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

Application number: JP20050066687 20050310 Global Dossier

Priority number(s): JP20050066687 20050310

Abstract of JP2006247086 (A)

PROBLEM TO BE SOLVED: To provide a fork which facilitates the scooping of a sauce attached to a dish when a cuisine on which the liquid sauce or the like is poured is eaten using a knife and the fork, and has an appearance not much different from the conventional fork. ;SOLUTION: The fork for eating and drinking is so constituted that a side face outside of at least one outermost tine forms a sharp angle to the upper face of the tine and a recess to keep the food and drink is disposed in the upper face of the outermost tine. ;COPYRIGHT: (C)2006,JPO&NCIPI

(19)日本国特許庁(JP)　(12)公開特許公報(A)　(11)特許出願公開番号
特開2006-247086
(P2006-247086A)
(43)公開日　平成18年9月21日(2006.9.21)

(51)Int.Cl.	F I		テーマコード（参考）
A47G 21/02 (2006.01)	A47G 21/02	C	3B115

審査請求 未請求　請求項の数 2　OL　（全 4 頁）

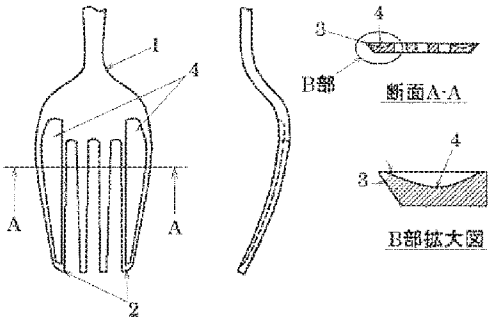
(21)出願番号　特願2005-66687(P2005-66687)
(22)出願日　平成17年3月10日(2005.3.10)

(71)出願人　300089116
片岡　俊平
神奈川県厚木市森の里４丁目３６番地５号
(72)発明者　片岡　俊平
神奈川県厚木市森の里４丁目３６番地５号

Ｆターム(参考)　3B115 AA20　BA12

(54)【発明の名称】飲食用フォーク

(57)【要約】
【課題】液体ソースなどのかかった料理をナイフとフォークを使用して食べる場合に、皿に付着したソースを容易に掬うことができ、しかも外観は従来のフォークと大差のない形状を有するフォークを提供することを課題とする。
【解決手段】少なくとも１つの最外側の歯の外側の側面が歯の上面に対し鋭角をなし、前記最外側の歯の上面に飲食物を保持することのできる凹みを有することを特徴とする飲食用フォークとしている。
【選択図】　図1



【特許請求の範囲】
【請求項1】
飲食に使用するフォークであって、少なくとも１つの最外側の歯の外側の側面が歯の上面に対し鋭角をなし、前記最外側の歯の上面に飲食物を保持することのできる凹みを有することを特徴とする飲食用フォーク。
【請求項2】
前記凹みを両方の最外側の歯の上面に有し、前記凹みが歯の根元部分で連結している請求項１に記載する飲食用フォーク。

【発明の詳細な説明】
【技術分野】
【0001】
本発明は、飲食に使用するフォークに関するものである。
【背景技術】
【0002】
従来の飲食用フォークにあっては、図２に示すように最外側の歯の外側側面および上面は平面であり、かつ最外側の歯の外側側面は歯の上面に対して直角をなしているため、図３に示すように最外側の歯で皿に付着したソース等の液体を掬い取るのが困難である。
【発明の開示】
【発明が解決しようとする課題】
【0003】
液体ソースなどのかかった料理をナイフとフォークのみを使用して食べる場合、皿に付着したソースをフォークで掬いたい場合がある。この場合、従来のフォークでは、前記従来の技術に述べたフォークの歯の構造上、皿に付着したソースを掬うことは著しく困難であった。
そこで、本発明は、皿に付着したソースを容易に掬うことができ、しかも外観は従来のフォークと大差のない形状を有するフォークを提供することを課題とする。
【課題を解決するための手段】
【0004】
以上の課題を解決するために、第一発明は、飲食に使用するフォークであって、少なくとも１つの最外側の歯の外側の側面が歯の上面に対し鋭角をなし、前記最外側の歯の上面に飲食物を保持することのできる凹みを有することを特徴とする飲食用フォークである。
また、第二発明は、第一発明の飲食用フォークであって、前記凹みを2本の最外側の歯の上面に有し、前記凹みが歯の根元部分で連結していることを特徴とする飲食用フォークである。
「発明の効果」
【0005】
図３は従来のフォークで皿に付着した液体（ソース等）を掬おうとする場合を示す。図３から明らかなように、従来のフォークを用いた場合、最外側の歯の外側の側面は歯の上面に対して直角をなしているために上側の角を皿に当接させることができず、液体を掬うことが困難である。
図４は第一発明、第二発明のフォークで皿に付着した液体を掬おうとする場合を示す。図４に示すように第一発明、第二発明によれば、最外側の歯の外側の側面が歯の上面に対し鋭角３をなしており、さらに上面に凹み４を設けたことにより、上側の角（鋭角３）を皿に当接させて液体をかき上げ、上面の凹み４に流し込んで液体を容易に掬うことができ、更に、前記凹みが歯の根元部分で連結していることにより、一方の最外側の歯で掬った液体を、フォーク本体を他方の側に傾けることで、他方の最外側の歯の側に寄せて飲むことも可能となる。
【発明を実施するための最良の形態】
【0006】
第一発明の一実施形態を図１に示す。

本体１に4本の歯を設けたフォークにおいて、前記4本の歯の内、最外側の歯２（本実施形態の場合、２本）の側面は歯の上面に対し鋭角３をなし、歯の上面には凹み４が設けられている。

【0007】

第二発明の実施形態を図２に示す。

第一発明の実施形態に対し、最外側の歯の凹み同士を連結する凹み５が歯の根元に設けられている。

【0008】

「実施形態の効果」

第一発明の実施形態によれば、皿に付着したソースを容易に掬うことができ、しかも従来のフォークと大差のない外観形状を有するフォークを提供することができる。

また、第二発明の実施形態によれば、第一発明の実施形態の効果に加え、一方の最外側の歯で掬った液体を他方の最外側の歯の側に寄せて飲むことが可能となる。

【0009】

「他の実施形態」

他の実施形態を図５に示す。

図１の実施形態においては、最外側の歯の外側の側面が歯の上面に対し鋭角３をなしていたが、図５の実施形態のように鋭角の先端に平面または曲面で構成される若干の面取り８を設けてもよい。これにより、口当たりの感触を柔らかくすることができる。

【図面の簡単な説明】

【0010】

【図1】第一発明の一実施形態を示す正面図、側面図、断面図および断面の一部拡大図である。

【図2】第二発明の一実施形態を示す正面図および断面図である。

【図3】従来のフォークで皿に付着した液体を掬う状態を示した図である。

【図4】本発明の図１の一実施形態で皿に付着した液体を掬う状態を示した図である。

【図5】本発明の他の実施形態を示す断面図である。

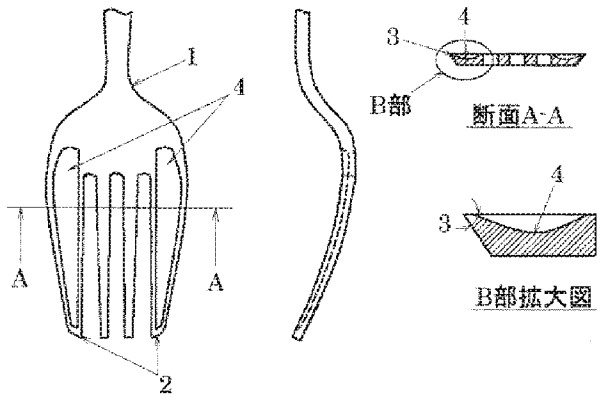
【図6】従来のフォークの正面図、側面図および断面図である。

【符号の説明】

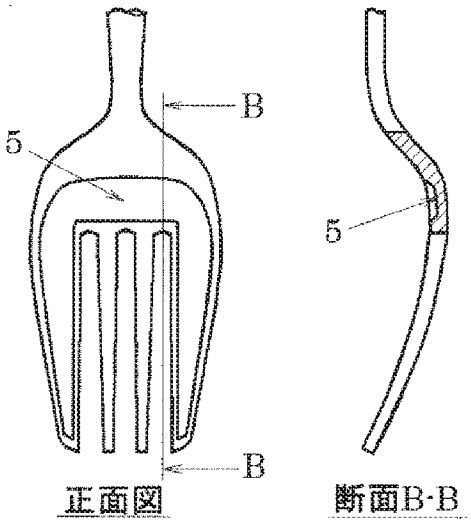
【0011】

１　フォーク本体
２　最外側の歯
３　鋭角
４　凹み
５　両側の凹みを連結する凹み
６　液体（ソース等）
７　皿
８　面取り

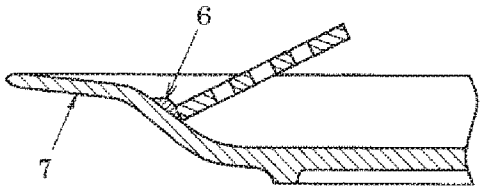
【図1】



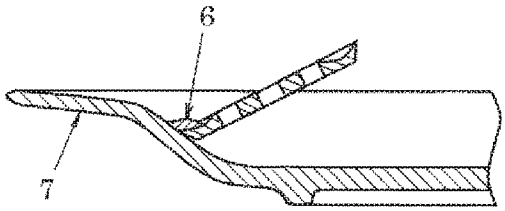
【図2】



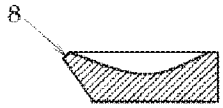
【図3】



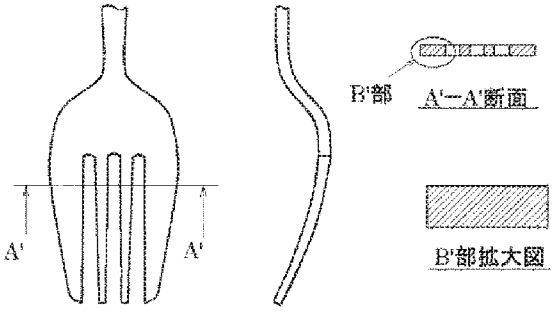
【図4】



【図5】



【図6】



Electronic Acknowledgement Receipt

EFS ID:	38925729
Application Number:	16725397
International Application Number:	
Confirmation Number:	9049
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:	HMG1P008D2D1
Receipt Date:	20-MAR-2020
Filing Date:	23-DEC-2019
Time Stamp:	14:28:06
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	HMG1P008D2D21_IDS.pdf	23132 968454bb655814c0bbab7b53433a8bfa2c29e2c3	no	2

Warnings:

Information:					
2	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D2D1_1449.pdf	23047 c5440141fcaa63a121d36554c3fe9e9304fa0292	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
3	Non Patent Literature	HMG1P008EPD1_OA_3520.pdf	469628 f4ddc05ffd346849b515d9657c54d26d318a1092	no	6
Warnings:					
Information:					
4	Foreign Reference	JP2006_247086.pdf	360216 78026f01e60a475d8cfb1a6057c49d6599ca1056	no	6
Warnings:					
Information:					
		Total Files Size (in bytes):	876023		

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.: HMG1P008D2D1
Application No.: 16/725,397	Examiner: WELLINGTON, ANDREA L.
Filed: December 23, 2019	Group: 3724
Title: EATING UTENSIL SYSTEM	Confirmation No.: 9049

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 March 20, 2020.

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. HMG1P008D2D1).

Respectfully submitted,
BEYER LAW GROUP LLP

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
16/725,397	12/23/2019	3724	785	HMG1P008D2D1	9	1

CONFIRMATION NO. 9049

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

FILING RECEIPT

OC000000114004573

Date Mailed: 01/21/2020

Receipt is acknowledged of this non-provisional utility 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 FIRST INVENTOR, 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 corrected Filing Receipt, including a properly marked-up ADS showing the changes with strike-through for deletions and underlining for additions. If you received a "Notice to File Missing Parts" or other Notice requiring a response for this application, please submit any request for correction 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 provided that the request is grantable.

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, Belmont, 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 16/213,466 12/07/2018
which is a DIV of 15/268,175 09/16/2016 ABN
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: 01/15/2020
The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 16/725,397**
Projected Publication Date: 04/30/2020
Non-Publication Request: No
Early Publication Request: No
**** SMALL ENTITY ****
Title

EATING UTENSIL SYSTEM

Preliminary Class

030

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative,

this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

SelectUSA

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop

technology, manufacture products, deliver services, and grow your business, visit http://www.SelectUSA.gov or call +1-202-482-6800.

Humangear, Inc. Ex. 2009, Page 280

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 16/725,397

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))	9 minus 20 =	*	x 50 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1 minus 3 =	*	x 230 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	785		TOTAL	

APPLICATION AS AMENDED - PART II

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

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	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 21, 2020 03:39:20 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.
16725397	APP.FILE.REC	01/21/2020	HMG1P008D2D1

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

PTO/AIA/82A (07-12)
Approved for use through 11/30/2014. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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	HMG1P008D2D1

SIGNATURE of Applicant or Patent Practitioner

Signature	/Tina Chen/	Date	December 23, 2019
Name	Tina Chen	Telephone	650-842-1300
Registration Number	44,606		

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

■ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PTO/AIA/82B(07-12)
Approved for use through 11/30/2014. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in the attached transmittal letter.

■ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A or equivalent):

58766

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A or equivalent):

Name	Registration Number	Name	Registration Number

Please recognize or change the correspondence address for the application identified in the attached transmittal letter to:

■ The address associated with the above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the Applicant:

☐ Inventor or Joint Inventor

☐ Legal Representative of a Deceased or Legally Incapacitated Inventor

■ 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.**

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

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2D1
	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

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2D1
	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	Belmont	State/Province	CA	Country of Residence	US

Mailing Address of Inventor:

Address 1	2010 Monroe Avenue		
Address 2			
City	Belmont	State/Province	CA
Postal Code	94002	Country	US

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

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2D1
	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	HMG1P008D2D1	**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.

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2D1
	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	16213466	2018-12-07
Prior Application Status	Abandoned		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
16213466	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).

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2D1
	Application Number	
Title of Invention	EATING UTENSIL SYSTEM	

Application Number	Country[i]	Filing Date (YYYY-MM-DD)	Access Code[i] (if applicable)

Remove

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.

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2D1
	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.

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2D1
	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.

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2D1
	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)	2019-12-23
First Name	Tina	Last Name	Chen	Registration Number	44606

Additional Signature may be generated within this form by selecting the Add button. Add

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	HMG1P008D2D1
	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.

PTO/AIA/01 (06-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	EATING UTENSIL SYSTEM

As the below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

☑ United States application or PCT international application number 14/204,497 filed on March 11, 2014.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

LEGAL NAME OF INVENTOR

Inventor: Christopher A. MIKSOVSKY Date (Optional): 3/18/2014

Signature: Chr Miksovsky

Note: An application data sheet (PTO/AIA/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/SB/AIA01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PTO/AIA/01 (06-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	EATING UTENSIL SYSTEM

As the below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

☑ United States application or PCT international application number 14/204,497 filed on March 11, 2014.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

LEGAL NAME OF INVENTOR

Inventor: 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.**

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

PTO/AIA/01 (06-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	EATING UTENSIL SYSTEM

As the below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

☑ United States application or PCT international application number 14/204,497 filed on March 11, 2014.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

LEGAL NAME OF INVENTOR

Inventor: 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.**

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

PTO/AIA/01 (06-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	EATING UTENSIL SYSTEM

As the below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

☑ United States application or PCT international application number 14/204,497 filed on March 11, 2014.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

LEGAL NAME OF INVENTOR

Inventor: 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.**

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

PTO/AIA/01 (06-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	EATING UTENSIL SYSTEM

As the below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

☑ United States application or PCT international application number 14/204,497 filed on March 11, 2014.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

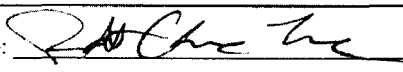
I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

LEGAL NAME OF INVENTOR

Inventor: Robert Charles LANE Date (Optional): 3/13/2014

Signature: 

Note: An application data sheet (PTO/AIA/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/SB/AIA01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PTO/AIA/01 (06-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	EATING UTENSIL SYSTEM

As the below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

☑ United States application or PCT international application number 14/204,497 filed on March 11, 2014.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

LEGAL NAME OF INVENTOR

Inventor: Jonathan Paul DOWNING Date (Optional): 03/13/14

Signature: _____

Note: An application data sheet (PTO/AIA/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/SB/AIA01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

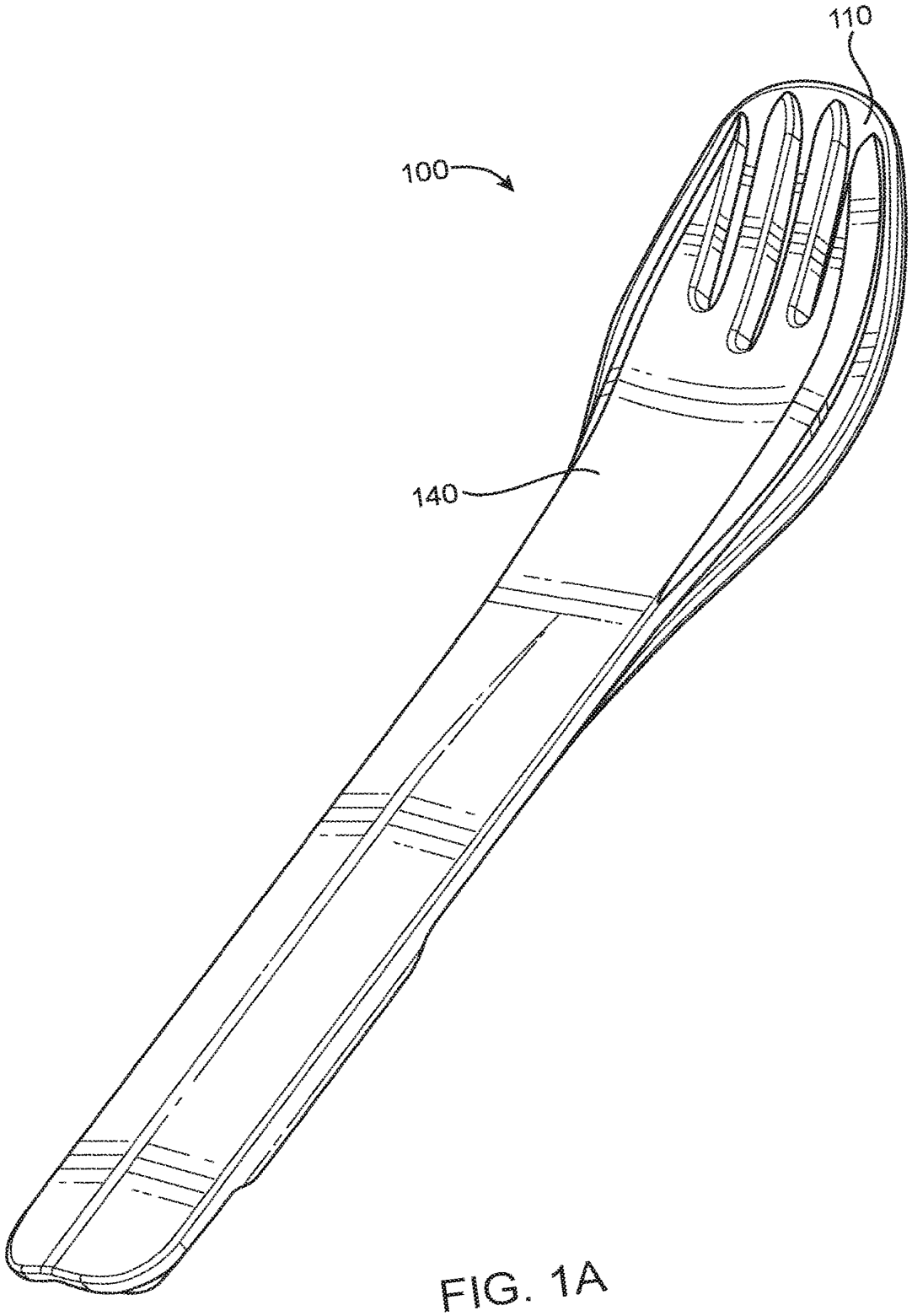


FIG. 1A

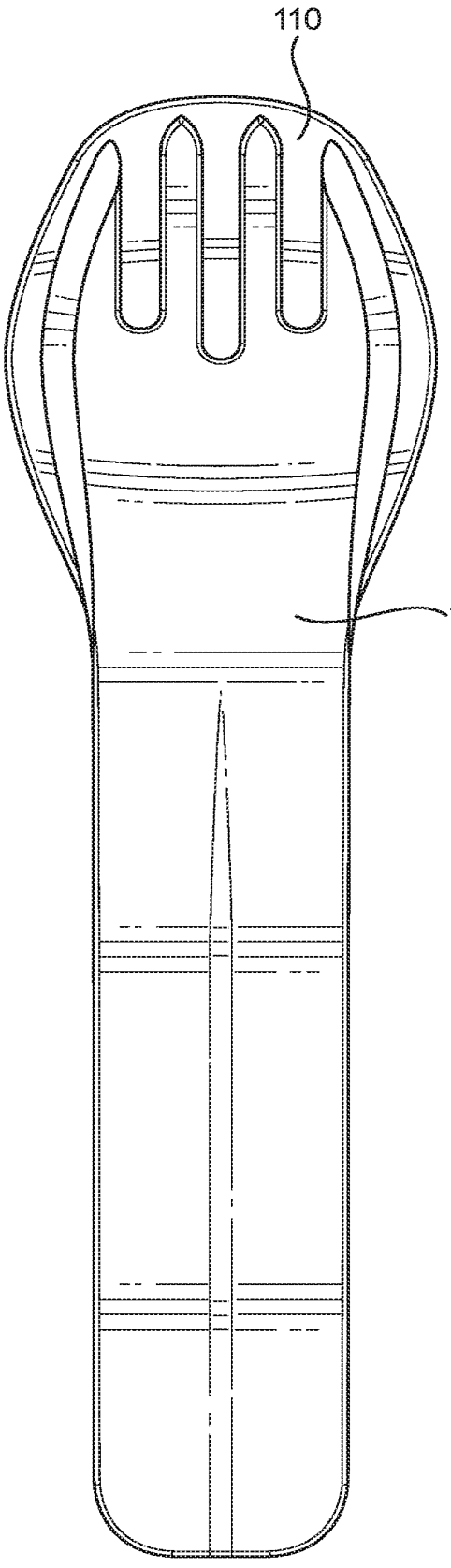


FIG. 1B

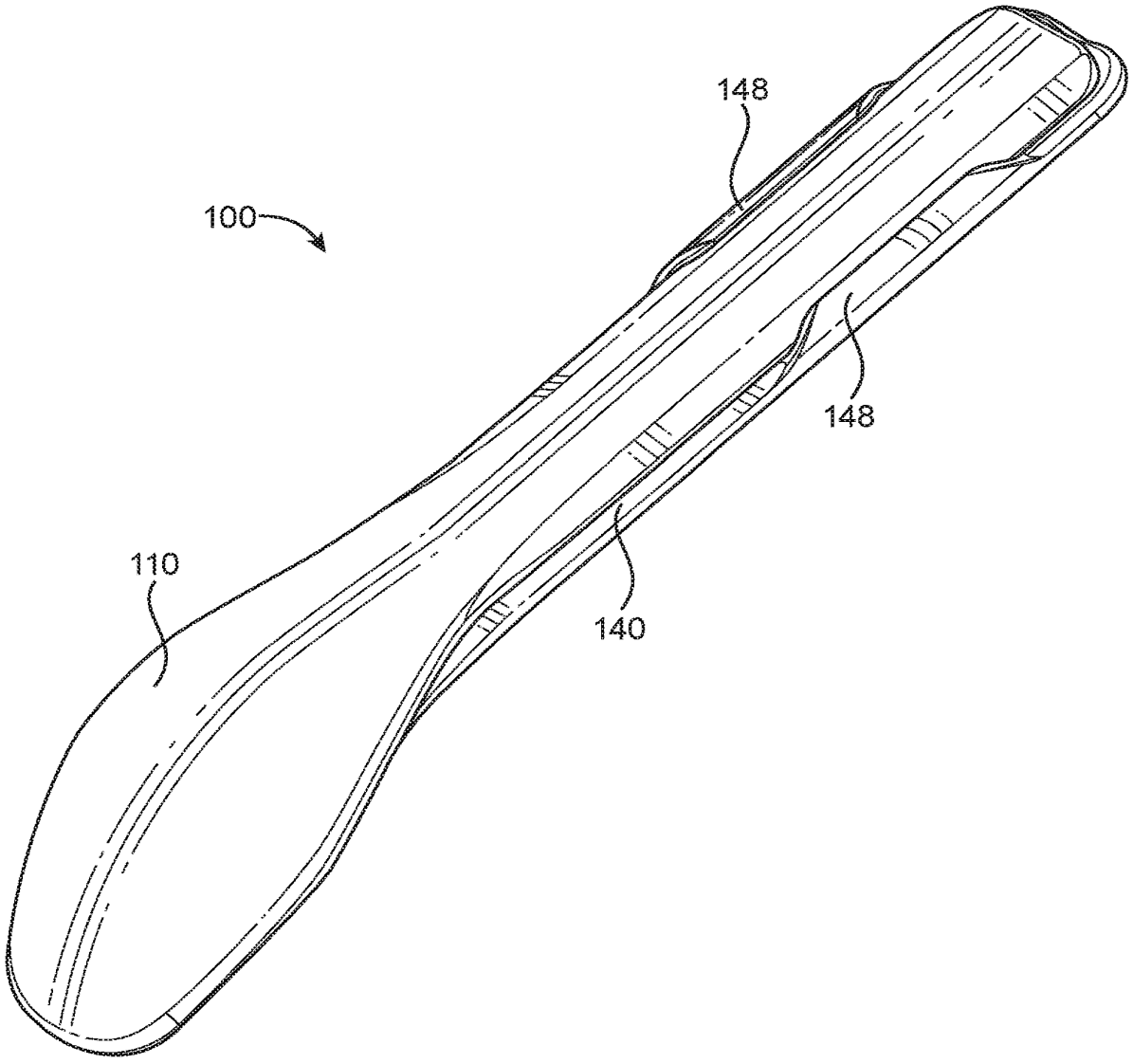


FIG. 2A

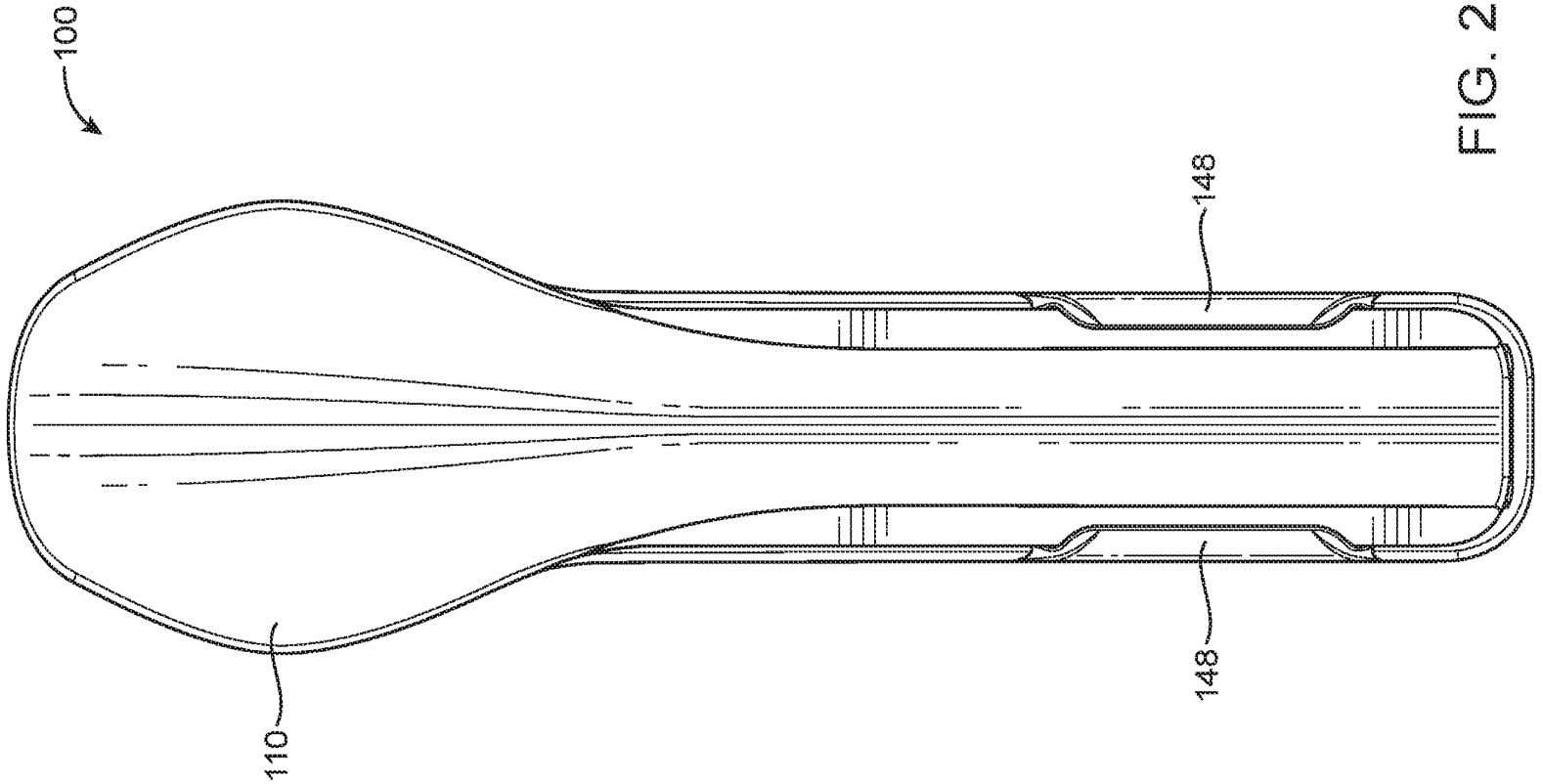


FIG. 2B

FIG. 3

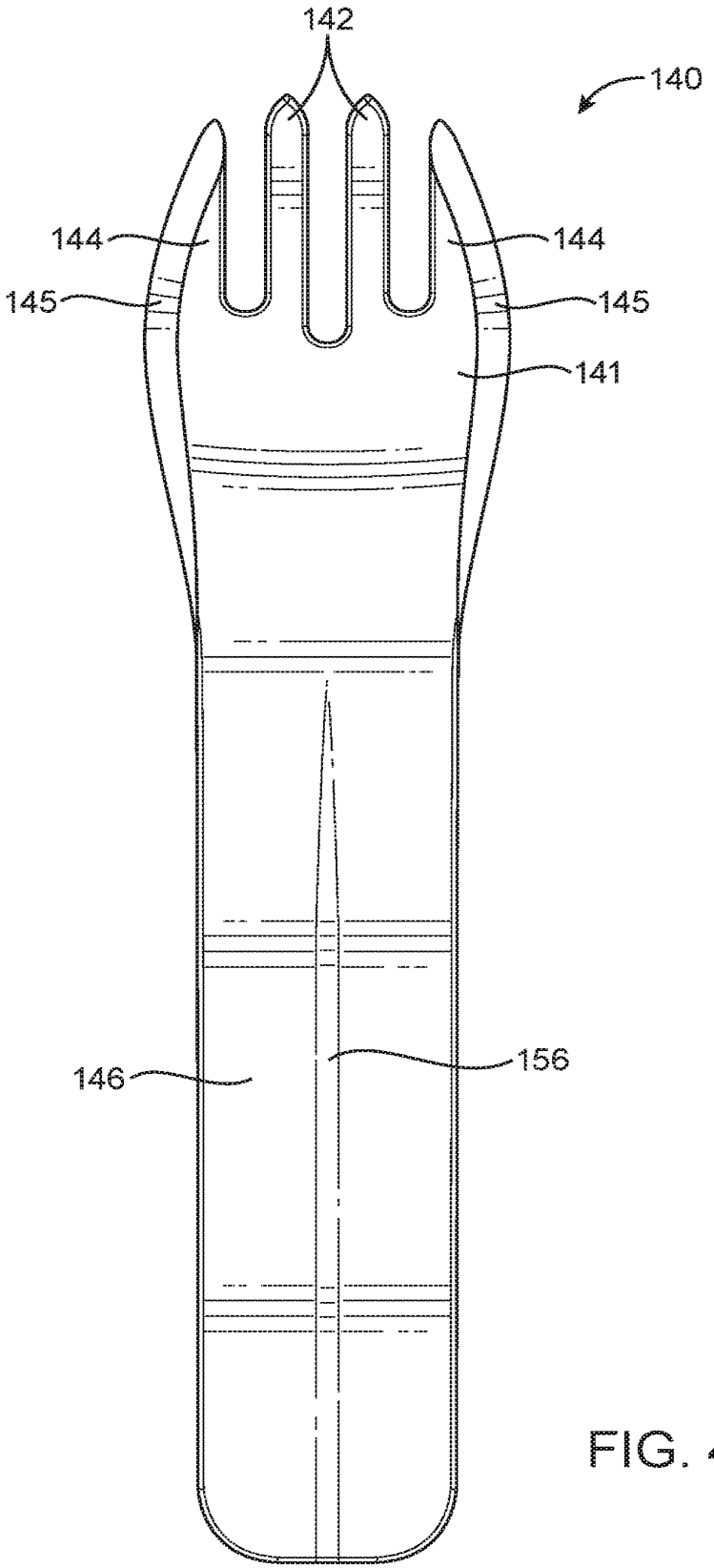


FIG. 4A

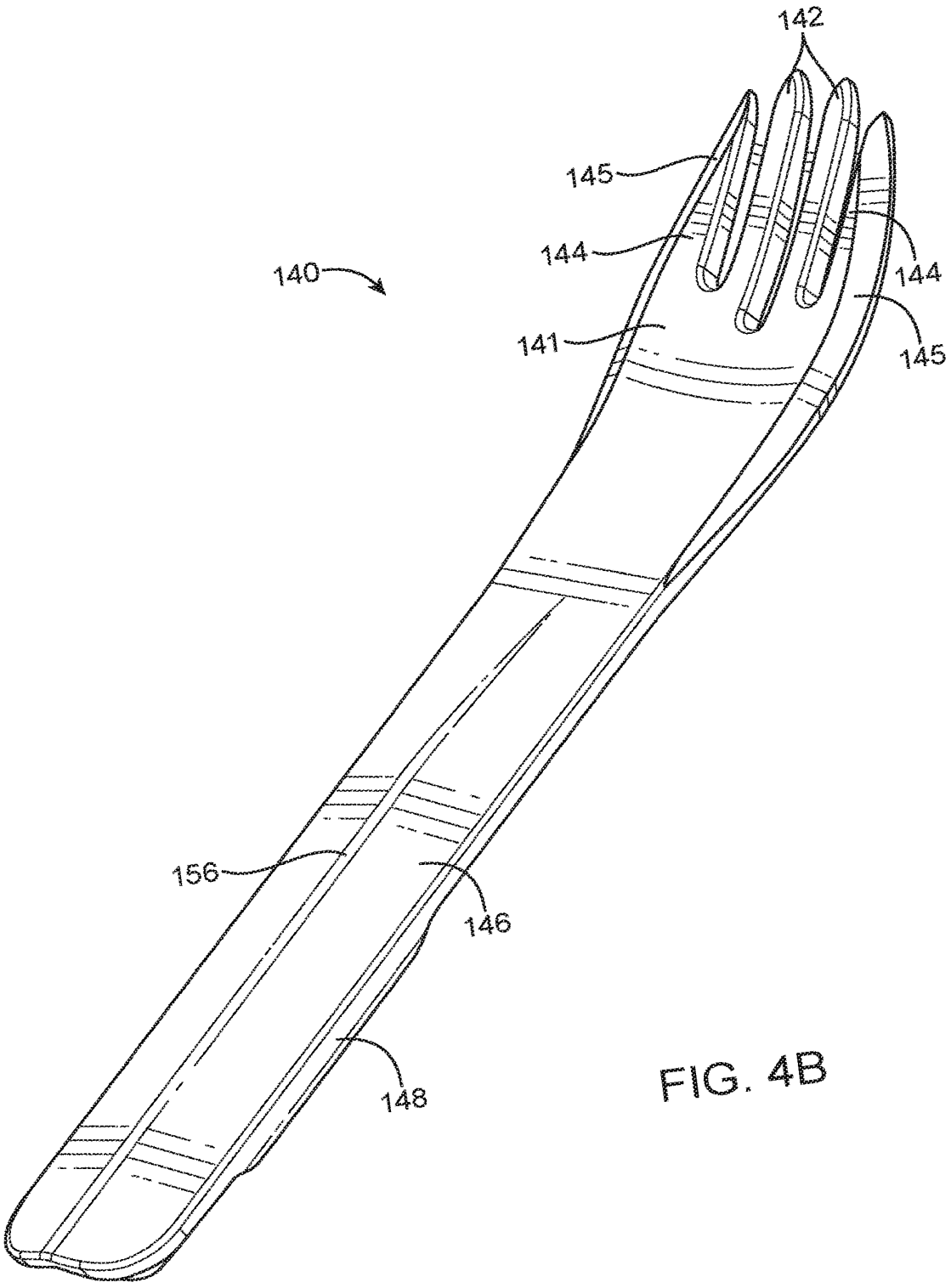


FIG. 4B

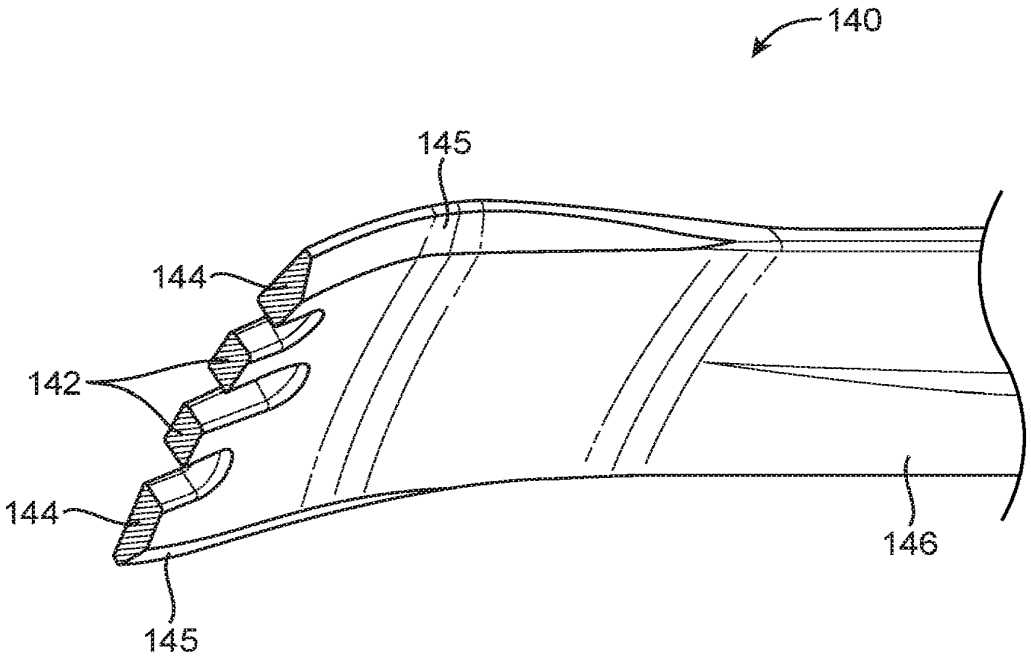


FIG. 4C

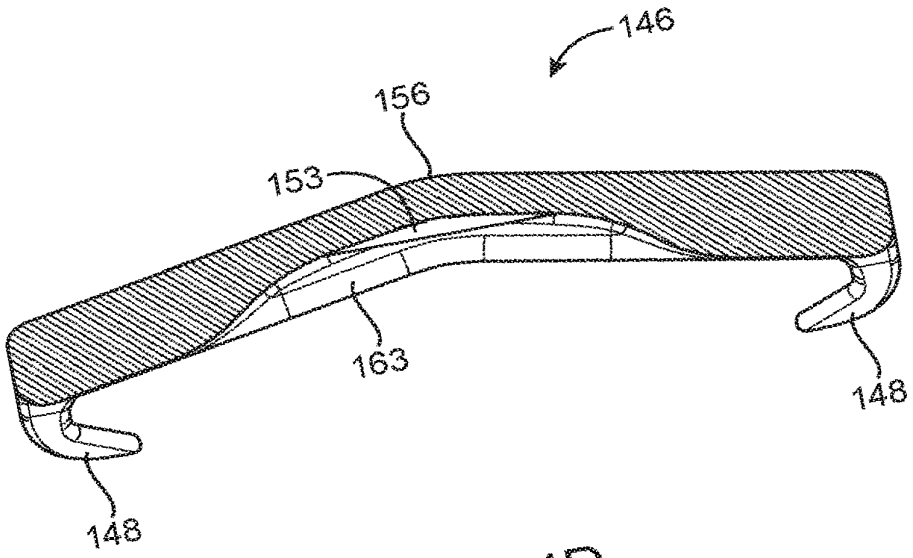


FIG. 4D

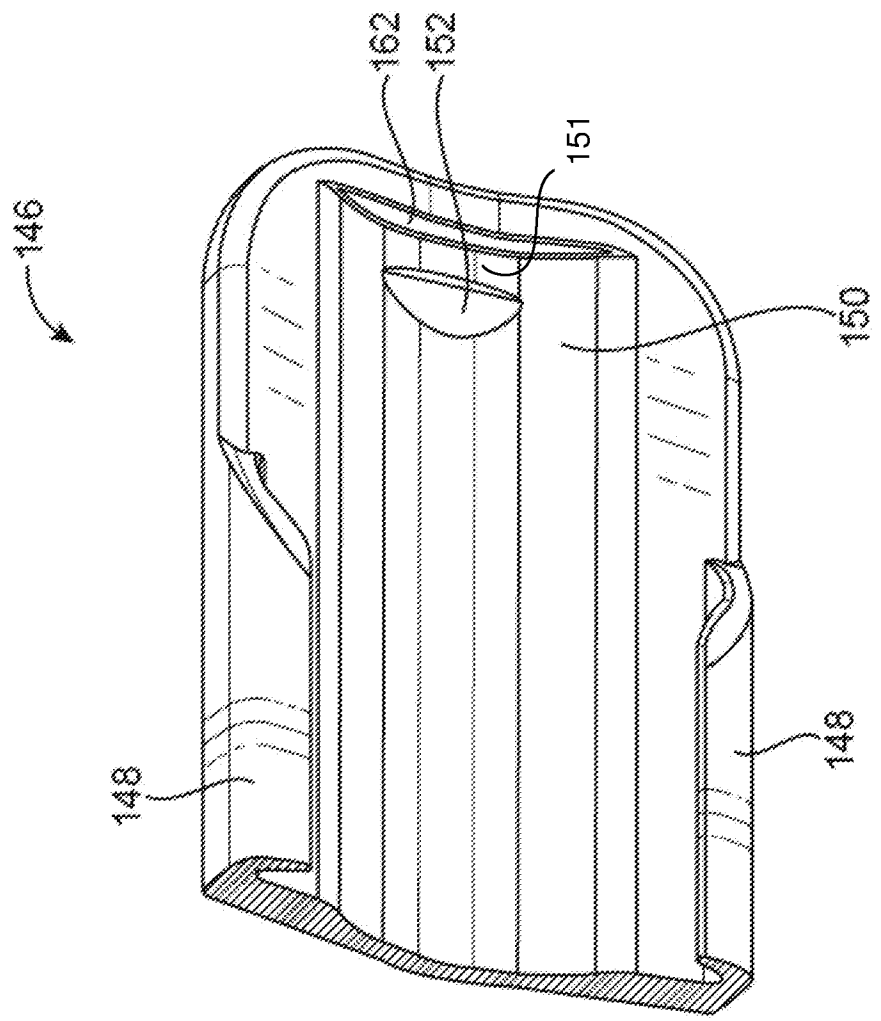


FIG. 4E

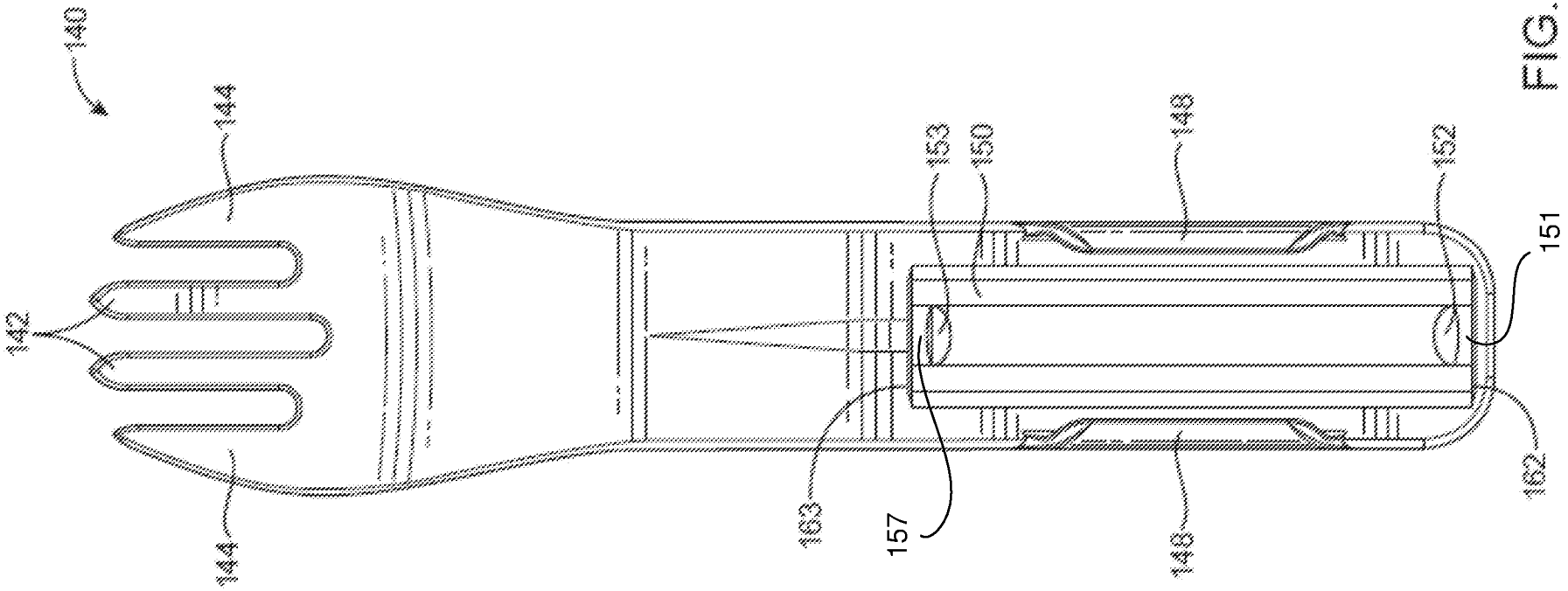


FIG. 4F

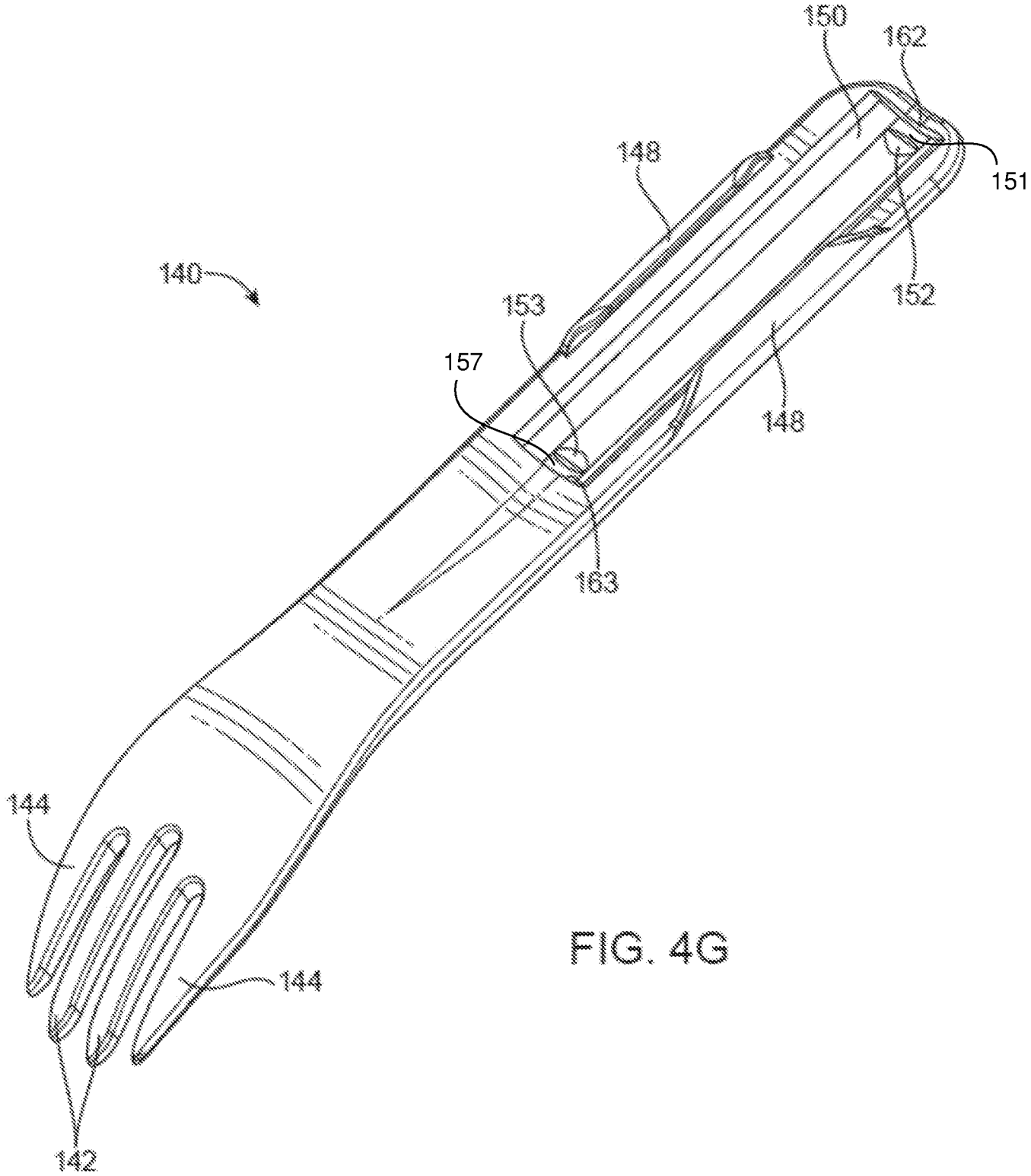


FIG. 4G

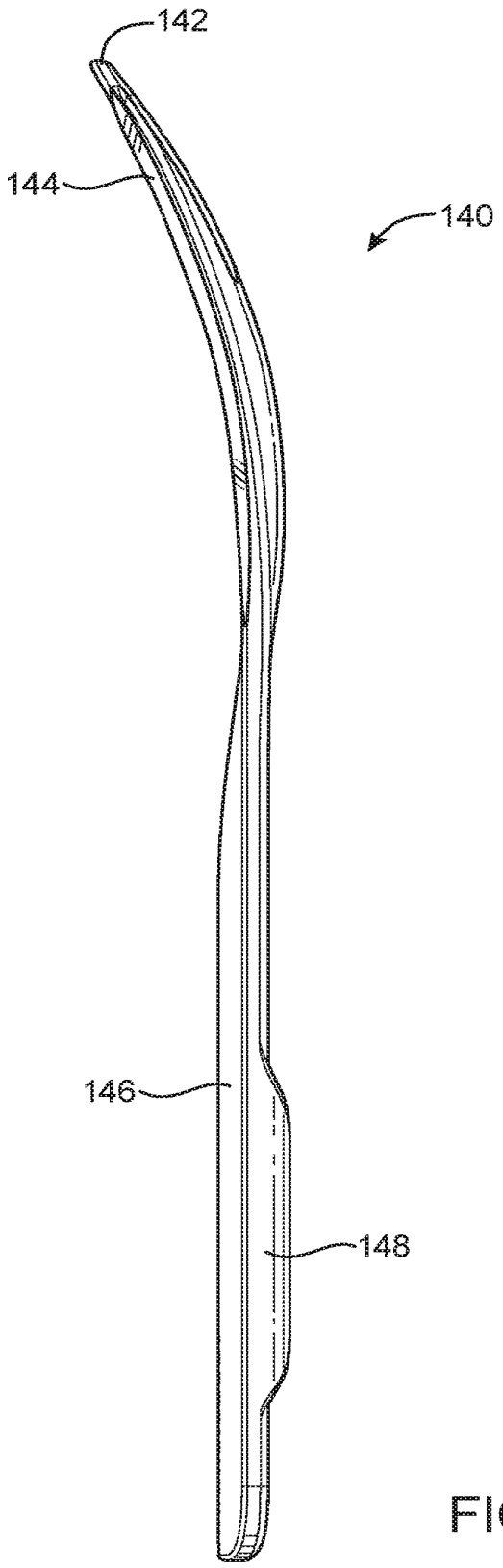


FIG. 4H

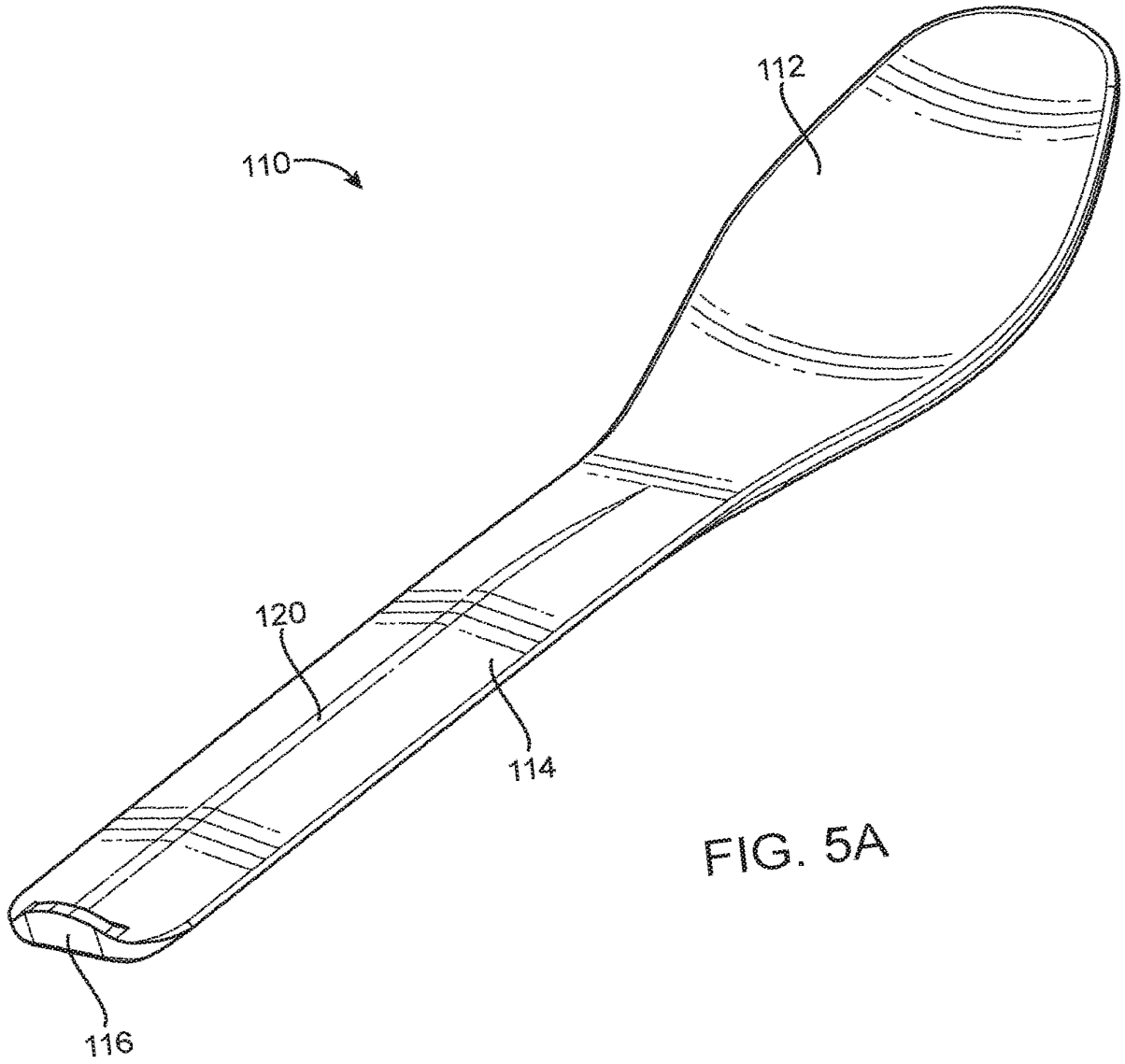


FIG. 5A

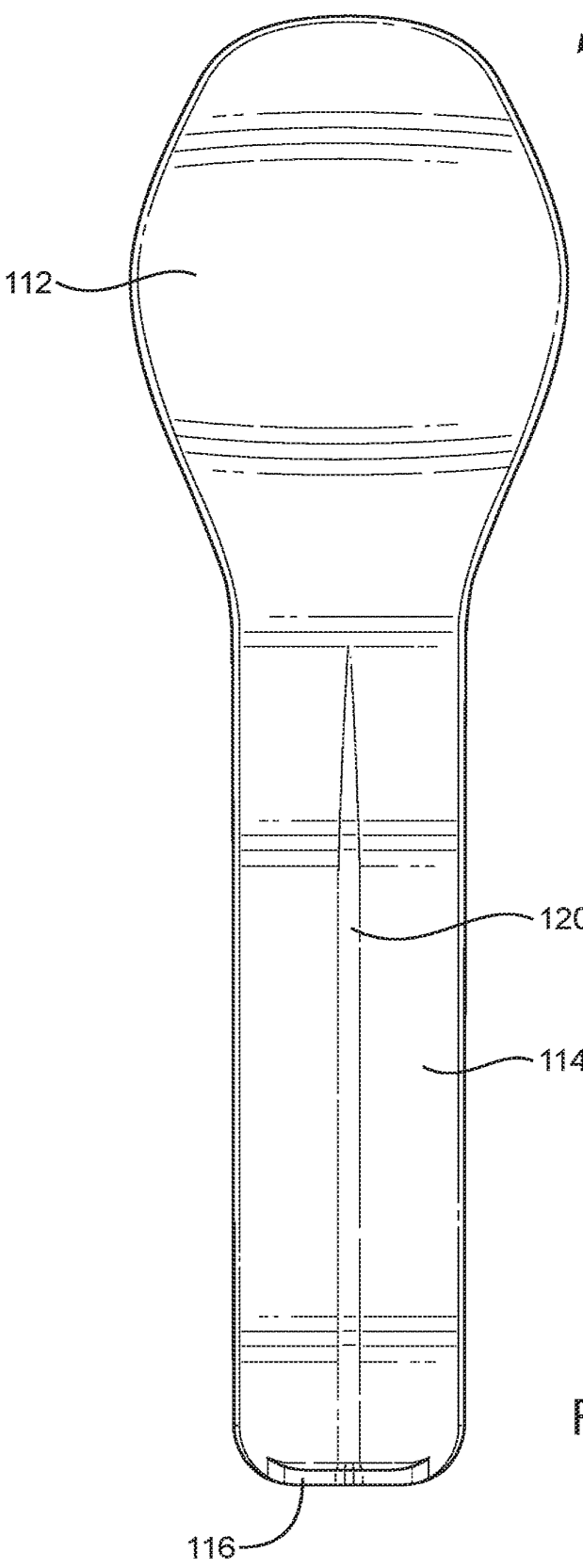


FIG. 5B

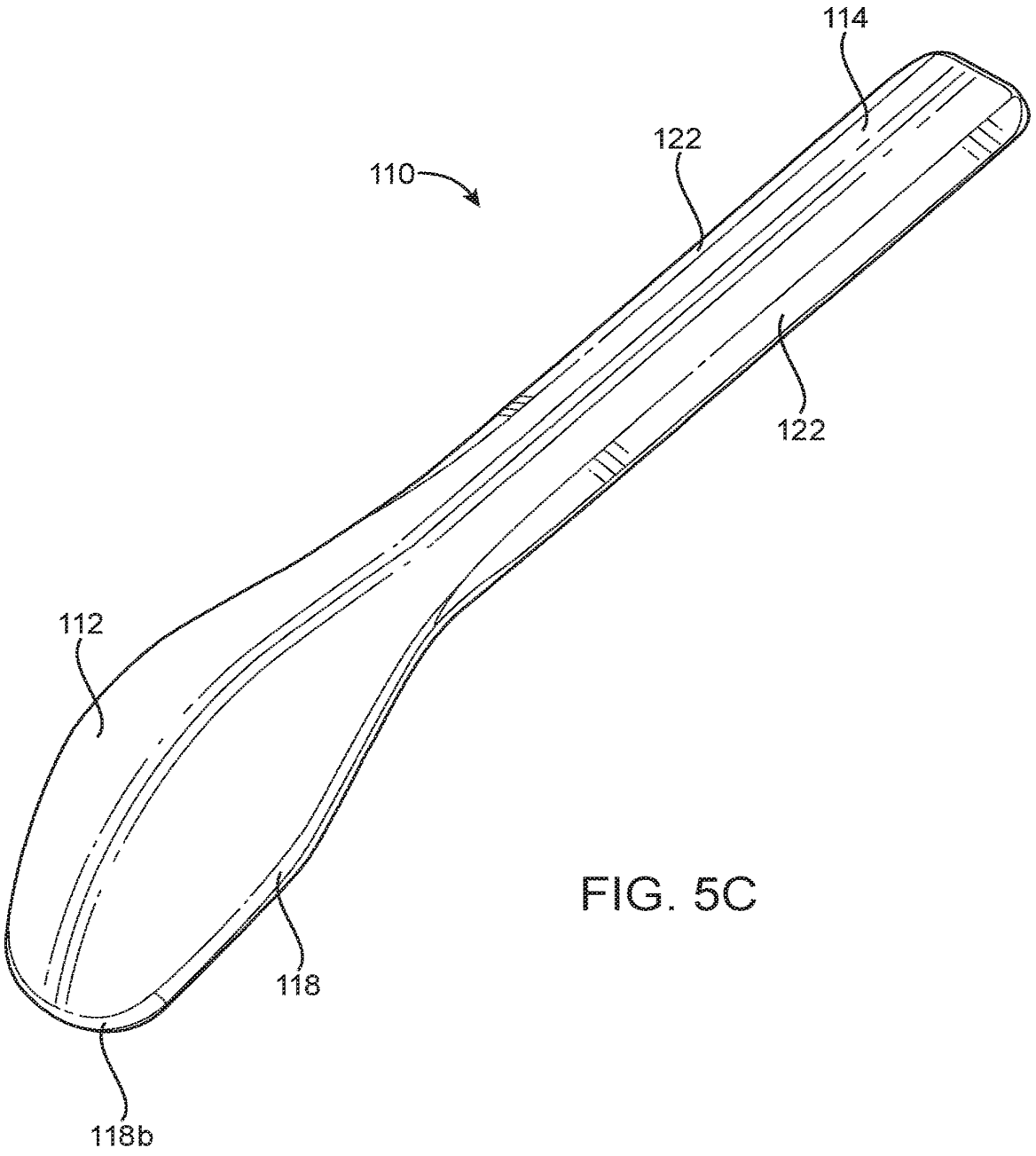


FIG. 5C

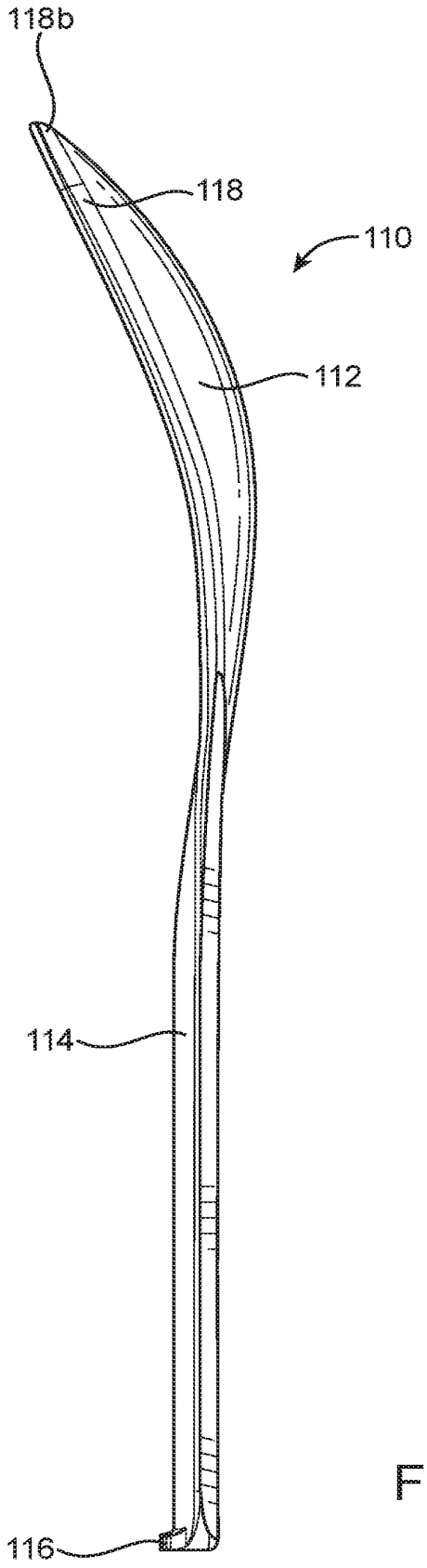


FIG. 5D

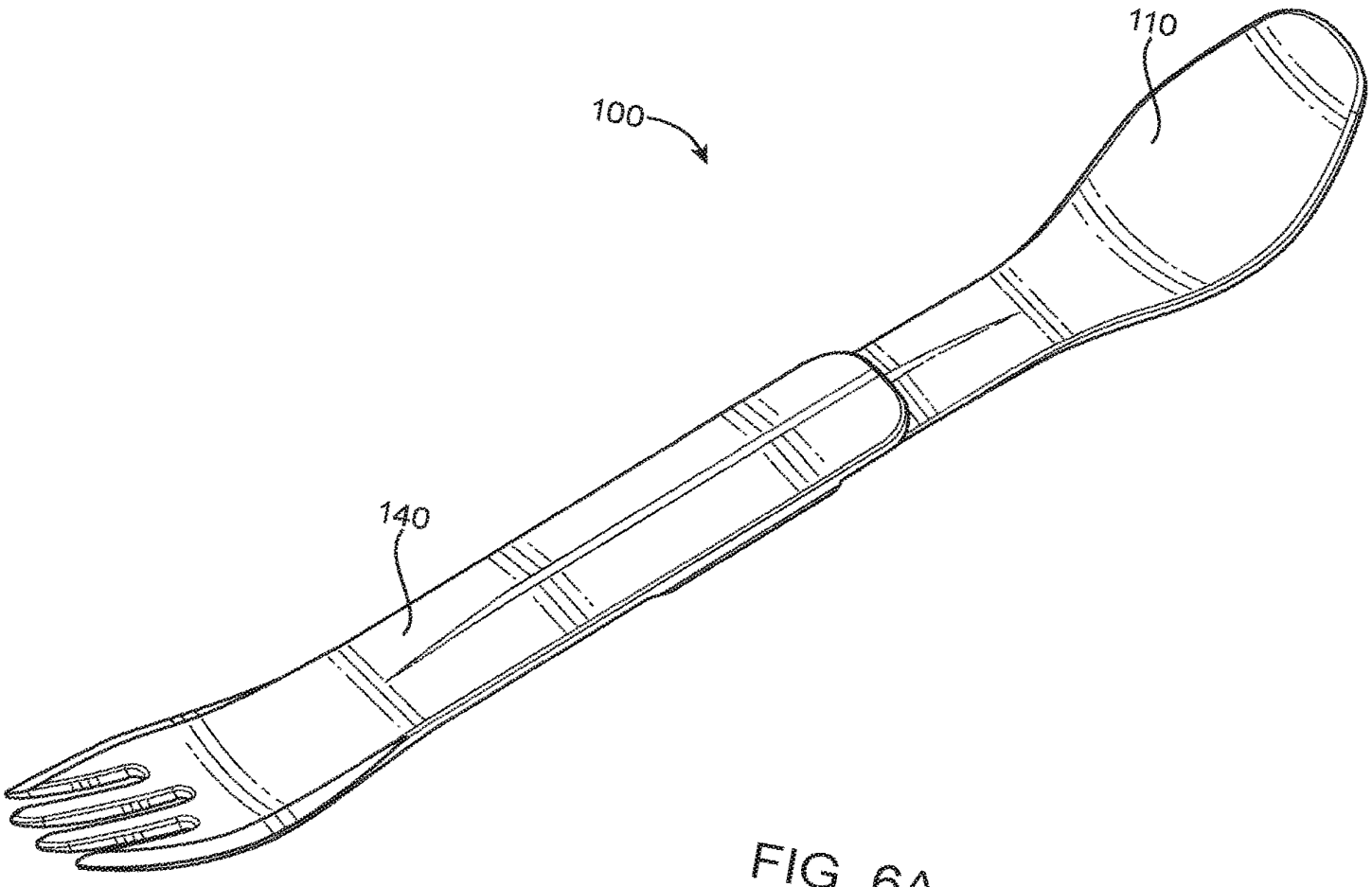


FIG. 6A

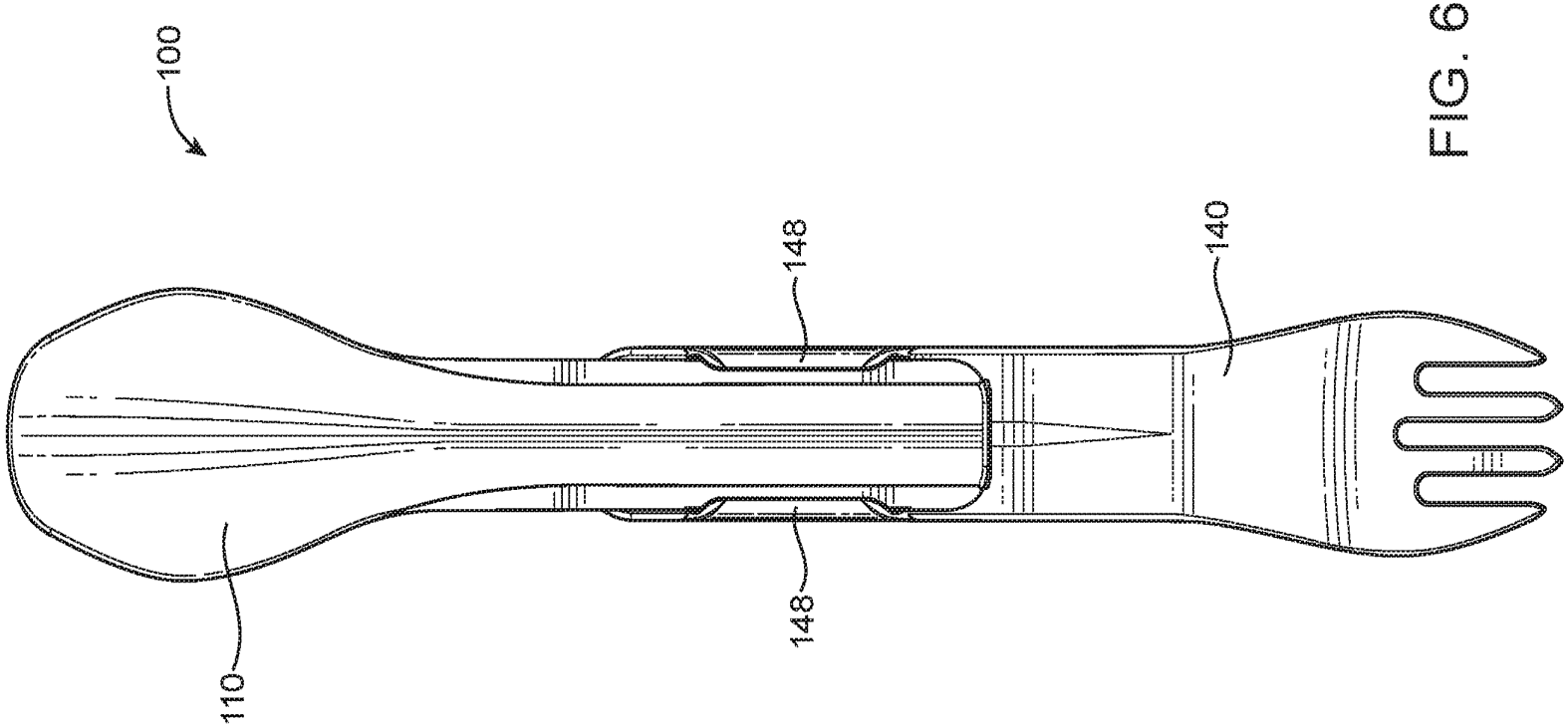


FIG. 6B

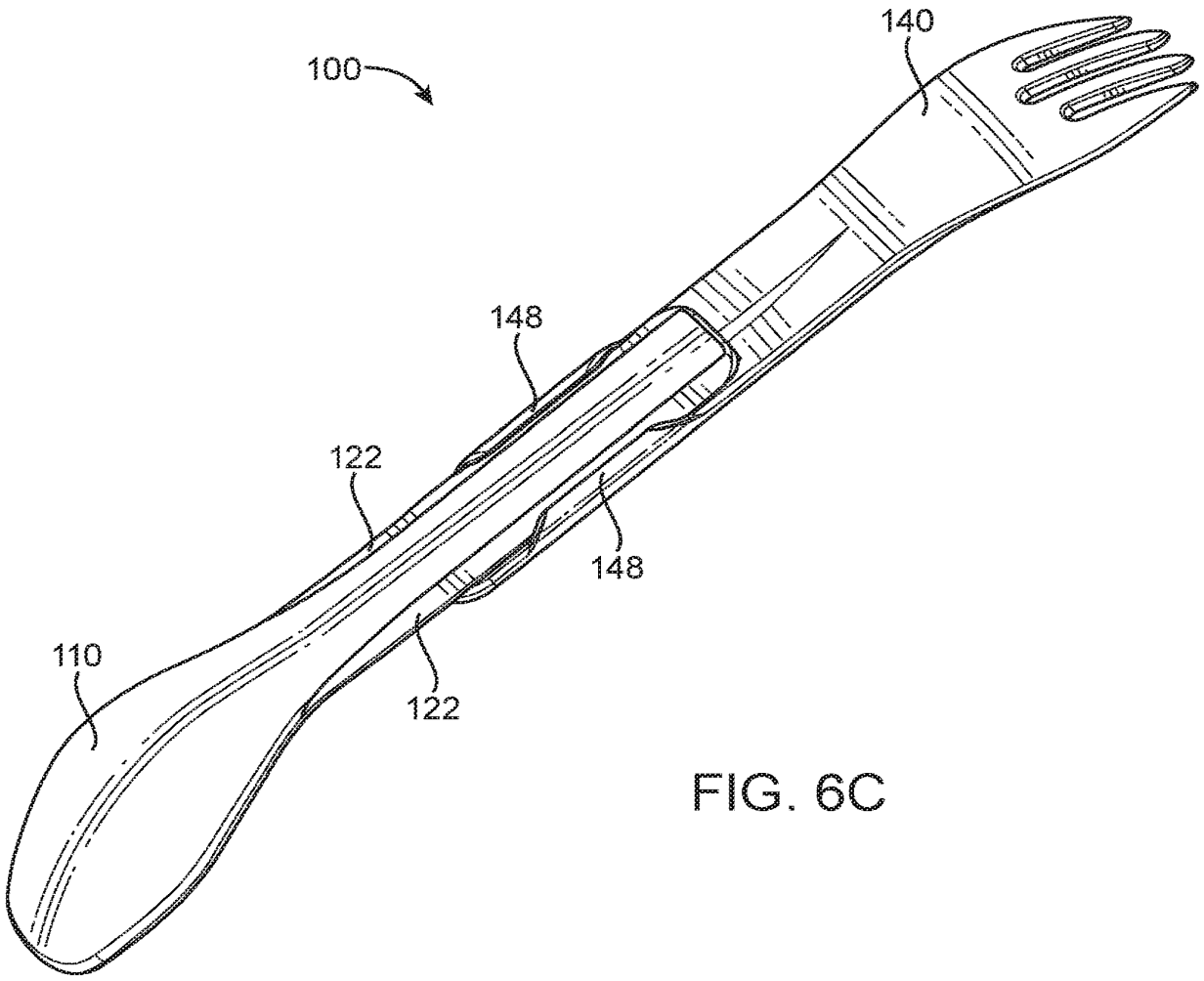


FIG. 6C

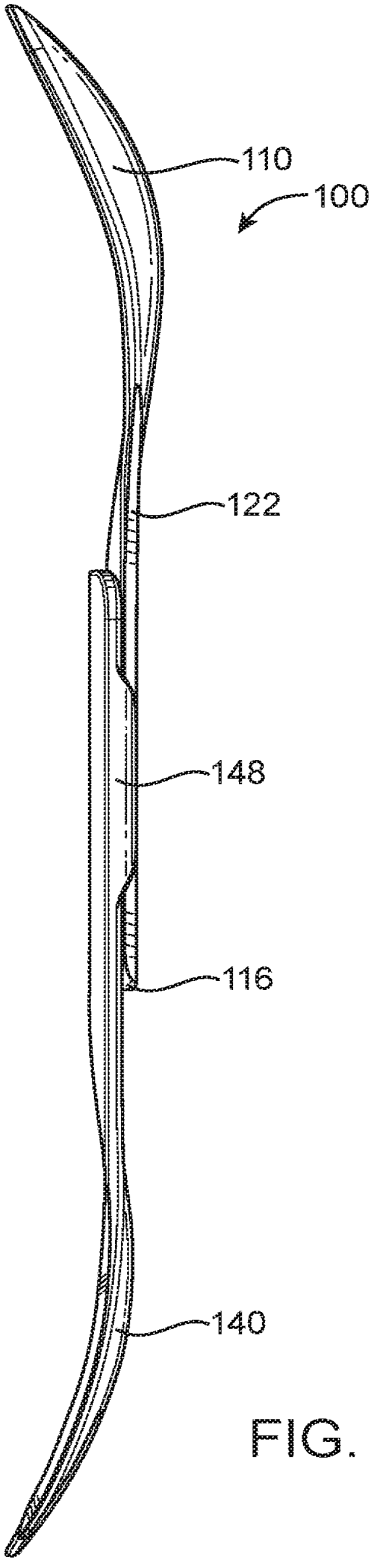


FIG. 6D

FIG. 7A

FIG. 7B
218b
218
212
210
217
220
200
241
244
240
242
244

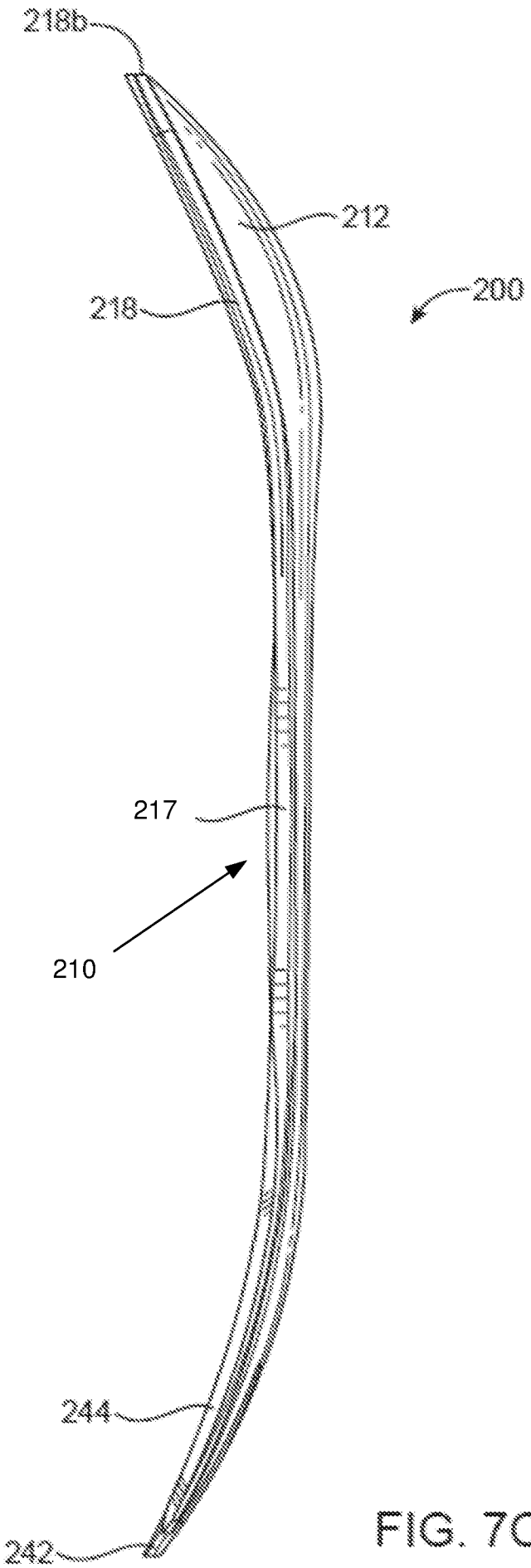


FIG. 7C

Humangear, Inc. Ex. 2009, Page 324

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIKSOVSKY et al.	Attorney Docket No.: HMG1P008D2D1
Application No.: Unassigned	Examiner: Unassigned
Filed: Herewith	Group: Unassigned
Title: EATING UTENSIL SYSTEM	Confirmation No.: Unassigned

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 23, 2019.

Signed: _____/Cara Hedin/_____
Cara Hedin

INFORMATION DISCLOSURE STATEMENT
37 CFR §§1.56 AND 1.97(b)

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. 16/213,466. 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. HMG1P008D2D1).

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.**	HMG1P008D2D1
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 1 of 9
	Date Submitted	December 23, 2019

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	32,916	07/23/1861	Richards			
	2.	33,703	11/12/1861	Hardie			
	3.	34,098	01/07/1862	Hardie et al.			
	4.	34,069	01/07/1862	Neill			
	5.	34,712	03/18/1862	Cables			
	6.	46,832	03/14/1865	Thorne			
	7.	88,370	03/30/1869	Cox			
	8.	RE7,925	10/23/1877	Ulmer			
	9.	RE9,687	05/03/1881	Cox			
	10.	398,264	02/19/1889	Kisner			12/3/1888
	11.	D30,129	02/07/1899	Whitcomb et al.			12/24/1898
	12.	D31,575	10/03/1899	Phillips et al.			08/25/1899
	13.	671,740	04/09/1901	Wattne			12/10/1900
	14.	675,475	06/04/1901	Glover			10/08/1900
	15.	812,424	02/13/1906	Hellmuth			08/26/1905
	16.	849,098	04/02/1907	Aufrichtig			03/08/1906
	17.	854,745	05/28/1907	King			03/15/1906
	18.	870,413	11/05/1907	Brown			06/25/1907
	19.	972,777	10/11/1910	Richardson			03/11/1909
	20.	1,053,387	02/18/1913	Hawley			01/09/1912
	21.	1,229,696	06/12/1917	Woods			08/23/1916
	22.	1,271,679	07/09/1918	Duckett			01/17/1918
	23.	1,277,205	08/27/1918	Evans			04/09/1917
	24.	D53,165	04/01/1919	Janosik			01/23/1919
	25.	1,337,174	04/13/1920	Whyte			09/26/1919
	26.	1,348,762	08/03/1920	Suzuki			03/12/1919

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.**	HMG1P008D2D1
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 2 of 9
	Date Submitted	December 23, 2019

	27.	1,372,325	03/22/1921	Willemin			04/09/1919
	28.	D59,869	11/29/1921	Quandee et al.			12/22/1920
	29.	D60,369	02/07/1922	Quandee et al.			12/22/1920
	30.	1,425,750	08/15/1922	Crawford			12/20/1920
	31.	1,452,337	04/17/1923	Brecel			11/16/21
	32.	D63,047	09/25/1923	Adler			03/19/1923
	33.	1,699,248	01/15/1929	Pasal			11/19/1923
	34.	1,868,289	07/19/1932	Leidel			05/22/1930
	35.	D93,956	11/27/1934	Wilson			05/01/1934
	36.	1,984,081	12/11/1934	Pisculli			03/30/1934
	37.	2,010,074	08/06/35	Fuerst			04/16/35
	38.	2,109,016	02/22/1938	Ringer			01/23/1937
	39.	2,251,842	08/05/1941	Hill			06/02/39
	40.	2,318,129	05/04/1943	Torode			06/02/1941
	41.	D143,431	01/01/1946	Lapin			10/16/45
	42.	2,439,882	04/20/1948	Beddow			04/01/1946
	43.	2,470,492	05/17/1949	Jenkins			01/30/1946
	44.	2,505,122	04/25/1950	Krieger, Jr.			05/26/1947
	45.	D149,920	08/29/1950	Pavlinetz			11/28/1947
	46.	2,542,600	02/20/1951	Vaccarezza			07/15/1948
	47.	2,610,400	09/16/1952	Wendling			06/05/50
	48.	2,752,678	07/03/1956	Welch			12/24/1954
	49.	D184,317	01/27/1959	McArthur			07/25/57
	50.	3,014,277	12/26/1961	Geckler			06/23/60
	51.	3,121,951	02/25/1964	Green			12/12/60
	52.	3,138,871	06/30/1964	Sears			10/21/63
	53.	D199,630	11/24/1964	Dedic, Sr.			02/17/64
	54.	D209,704	12/26/1967	Siune et al.			01/24/1967

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.**	HMG1P008D2D1
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 3 of 9
	Date Submitted	December 23, 2019

	55.	D210,549	03/19/1968	O'Brien			01/23/1967
	56.	3,586,161	06/22/1971	Fong et al.			07/10/69
	57.	3,596,965	08/03/1971	Woofter			10/22/1968
	58.	3,630,249	12/28/1971	Brunwin			02/20/70
	59.	3,771,224	11/13/1973	Bono, Jr.			02/03/1972
	60.	3,967,376	07/06/1976	Foley			02/05/1974
	61.	D241,302	09/07/1976	Scigliano			12/17/1974
	62.	3,991,466	11/16/1976	Smith			02/09/76
	63.	D249,926	10/17/1978	Wong			01/14/77
	64.	4,317,284	03/02/1982	Prindle			03/21/1980
	65.	4,377,035	03/22/83	Dalichow			03/12/81
	66.	D269,060	05/24/83	Creamer			09/05/80
	67.	4,425,711	01/17/84	Wood et al.			11/12/80
	68.	4,524,512	06/25/85	Formo et al.			04/25/83
	69.	D284,442	07/01/86	Chan			03/06/84
	70.	4,615,120	10/07/86	Newman			12/21/84
	71.	4,625,404	12/02/86	Valente et al.			02/19/85
	72.	4,771,541	09/20/88	Bouchakian			07/13/87
	73.	4,835,864	06/06/89	Tang			02/22/88
	74.	4,984,367	01/15/91	Albanese			01/08/90
	75.	4,995,154	02/26/91	Bamber			08/16/89
	76.	D318,600	07/30/91	Lillelund et al.			05/10/88
	77.	D318,600	07/30/91	Lillelund et al.			05/10/88
	78.	D325,855	05/05/92	Rea, Sr.			09/18/91
	79.	5,197,623	03/30/93	Wang			09/18/92
	80.	D342,422	12/21/93	Sanford			02/08/90
	81.	5,327,650	06/12/94	Rojas			10/14/93
	82.	D347,975	06/21/94	Zeller			08/27/93

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.**	HMG1P008D2D1
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 4 of 9
	Date Submitted	December 23, 2019

	83.	D362,160	09/12/95	Brabeck et al.			07/02/93
	84.	5,542,181	08/06/96	Gaylord			07/31/95
	85.	D376,514	12/17/96	Torkelson			04/08/96
	86.	D388,664	01/06/98	Gagnon et al.			12/09/96
	87.	D391,123	02/24/98	Rey et al.			02/19/97
	88.	5,735,050	04/07/98	Hsieh			04/14/97
	89.	D396,613	08/04/1998	Cousins			06/30/1997
	90.	D401,481	11/24/98	Boilard et al.			11/25/97
	91.	5,845,403	12/08/98	Nivin			09/13/95
	92.	D412,813	08/17/99	Roskind et al.			10/13/98
	93.	5,940,974	08/24/99	Lee			06/15/98
	94.	D414,988	10/12/99	Santini			01/04/99
	95.	D414,988	10/12/99	Santini			01/04/99
	96.	6,145,204	11/14/00	Cash			10/15/99
	97.	6,151,999	11/28/00	Eklind			07/06/99
	98.	6,463,662	10/15/02	Coscia et al.			04/09/01
	99.	2003/0029044	02/13/03	Mattson et al.			08/10/01
	100.	2003/0110644	06/19/03	Miller			12/18/01
	101.	6,647,828	11/18/03	Hakim			09/23/02
	102.	D491,419	06/15/04	White et al.			05/02/03
	103.	2005/0066531	03/31/05	Hougland			09/25/03
	104.	2005/0155229	07/21/05	Lee			07/28/04
	105.	D509,708	09/20/05	Schmidt			06/18/04
	106.	7,013,568	03/21/06	Schmidt			09/08/04
	107.	D530,986	10/31/06	Lago-Arenas			10/01/04
	108.	D530,985	10/31/06	Evans			10/11/05
	109.	2006/0248732	11/09/06	Straube			05/04/05
	110.	D533,034	12/05/06	Wasserman			08/11/04

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.**	HMG1P008D2D1
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 5 of 9
	Date Submitted	December 23, 2019

	111.	D535,857	01/30/07	Bristow			12/22/05
	112.	D536,222	02/06/07	Heiberg et al.			06/08/05
	113.	D536,221	02/06/07	Kamins			10/06/04
	114.	D537,302	02/27/07	Vrhovski			01/17/06
	115.	2007/0084063	04/19/07	Hughes			11/09/06
	116.	2007/0124943	06/07/07	Hougland			10/11/06
	117.	2007/0251103	11/01/07	Rhodes III			05/01/06
	118.	D554,951	11/13/2007	McGrath			01/25/07
	119.	2008/0000092	01/03/08	Vanguard			06/30/06
	120.	2008/0016698	01/24/08	Simpson			07/21/06
	121.	D563,737	03/11/08	Shane-Schuldt			10/03/07
	122.	2008/0148575	06/26/08	Chan			12/22/06
	123.	D575,593	08/26/08	Svartström			12/05/07
	124.	2008/0256807	10/23/08	Kirkup			04/12/08
	125.	D587,075	02/24/09	Dibnah et al.			04/25/08
	126.	2009/0172949	07/09/09	Watts			07/16/07
	127.	2009/0205209	08/20/09	Tovar			02/16/08
	128.	2009/0293283	12/03/09	Hsu			05/30/08
	129.	D608,602	01/26/10	Davies et al.			06/01/09
	130.	D609,060	02/02/10	Pallotto			03/31/09
	131.	D612,692	03/30/10	Menceles			08/11/09
	132.	D617,156	06/08/10	Griffith			10/08/09
	133.	D618,070	06/22/10	Jalet et al.			06/29/09
	134.	2010/0206885	08/19/10	Bowden et al.			02/19/10
	135.	2010/0218382	09/02/10	Scott			03/02/09
	136.	D625,153	10/12/10	Gallop et al.			09/25/08
	137.	7,816,634	10/19/10	Guide, Jr. et al.			03/22/06
	138.	7,856,722	12/28/10	Lago-Arenas			09/27/04

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.**	HMG1P008D2D1
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 6 of 9
	Date Submitted	December 23, 2019

	139.	D633,344	03/01/11	Nordwall			06/10/10
	140.	2011/0091521	04/21/11	Omelchenko			04/12/10
	141.	D637,309	05/03/11	Park			08/18/10
	142.	2012/0036724	02/16/12	Walters			07/22/11
	143.	D656,799	04/03/12	Lebeau			03/28/11
	144.	8,296,957	10/30/12	Muehlemann			03/06/07
	145.	2012/0297628	11/29/12	Rayko et al.			05/23/11
	146.	D673,431	01/01/13	Glavin et al.			07/18/12
	147.	D676,286	02/19/13	Lion et al.			06/07/12
	148.	2013/0152406	06/20/13	McFarland			12/20/11
	149.	D686,045	07/16/13	Stewart et al.			03/07/12
	150.	D690,156	09/24/13	Apple et al.			03/04/13
	151.	8,635,780	01/28/14	Abul			06/17/13
	152.	2014/0026425	01/30/14	Kim			03/11/13
	153.	8,689,453	04/08/14	Vogan			05/24/12
	154.	8,726,525	05/20/14	Bagley et al.			01/13/11
	155.	D705,020	05/20/14	Fraser et al.			05/07/13
	156.	D706,586	06/10/14	Kestenbaum			04/22/13
	157.	8,839,522	09/23/14	Walters			07/22/11
	158.	D718,093	11/25/14	Miksovsky et al.			03/11/14
	159.	2015/0014329	01/15/15	Konopatsky			07/09/13
	160.	D722,837	02/24/15	Miksovsky et al.			03/10/14
	161.	D730,049	05/26/15	Miksovsky et al.			03/10/14
	162.	9,061,429	06/23/15	Barber			03/15/13
	163.	2015/0257562	09/17/15	Miksovsky et al.			03/11/14
	164.	D739,685	09/29/15	Miksovsky et al.			11/24/14
	165.	D740,079	10/06/15	Miksovsky et al.			11/24/14
	166.	D745,339	12/15/15	Cetti			06/18/14

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.**	HMG1P008D2D1
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 7 of 9
	Date Submitted	December 23, 2019

	167.	D746,644	01/05/16	Cai			09/26/14
	168.	D747,159	01/12/16	Frost			05/22/14
	169.	D752,918	04/05/16	Katopis			10/27/14
	170.	D753,447	04/12/16	Busboom			12/15/14
	171.	D756,171	05/17/16	Mou			12/09/13
	172.	D756,172	05/17/16	Mou			12/09/13
	173.	D758,808	06/14/16	Gatewood			03/18/15
	174.	9,434,590	09/06/16	Miksovsky et al.			03/11/14
	175.	9,468,321	10/18/16	Miksovsky et al.			03/11/14
	176.	2017/0000276	01/05/17	Miksovsky et al.			09/16/16
	177.	9,549,626	01/24/17	Truog et al.			11/13/14
	178.	D782,254	03/28/17	Joseph			09/29/15
	179.	D794,400	08/15/17	Young			02/26/16
	180.	D807,127	01/09/18	Levi			08/02/16
	181.	D812,994	03/20/18	Mundhra			07/28/17
	182.	D812,995	03/20/18	Mundhra			07/28/17
	183.	D813,616	03/27/18	Mundhra			07/28/17
	184.	D816,432	05/01/18	Huang			05/15/17
	185.	D825,104	08/07/18	Simard et al.			12/31/15
	186.	D828,730	09/18/18	Gauss et al.			08/03/17
	187.	D834,887	12/04/18	Miksovsky et al.			03/29/18
	188.	D842,662	03/12/19	Bloch et al.			10/11/17
	189.	2019/0104873	04/11/19	Miksovsky et al.			12/07/18
	190.	2019/0110620	04/18/19	Miksovsky et al.			12/07/18
	191.	5,904,250	05/18/99	De Schutter			09/02/94

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.**	HMG1P008D2D1
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 8 of 9
	Date Submitted	December 23, 2019

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-Class	Translation Yes / No
	192.	WO 2013/095407	06/27/13	PCT			
	193.	0 129 495	12/27/84	EP			
	194.	DE 44 17 037	12/03/98	DE			Abstract
	195.	22,788	09/02/1915	GB			
	196.	CN 202874843	04/17/13	CN			Abstract
	197.	CN 200945058	09/12/07	CN			Abstract
	198.	CN201691585	01/05/11	CN			Abstract
	199.	CN202234496	05/30/12	CN			Abstract
	200.	203424719	02/12/14	CN			Abstract
	201.	WO 2015/138218	09/17/15	PCT			
	202.	GB 1337613	11/14/73	GB			
	203.	102068177	05/25/11	CN			Abstract
	204.	2373000	04/12/00	CN			Abstract
	205.	2231889	07/31/96	CN			Abstract

Other Documents

Examiner Initial	No.	Author, Title, Place (e.g. Journal) of Publication, Date
	206.	Alite, Cloverware Lite, http://shop.alitedesigns.com/cloverware-lite.html, downloaded on March 6, 2014.
	207.	Alite, Cloverware 2.0, http://shop.alitedesigns.com/cloverware-538.html, downloaded on March 6, 2014.
	208.	Guyot, Microbites ™, https://www.guyotdesigns.com/product-microbites/, downloaded on March 6, 2014.
	209.	Guyot, Utensils, https://www.guyotdesigns.com/utensils/, downloaded on March 6, 2014.
	210.	International Search Report dated July 8, 2015 from International Application No. PCT/US2015/019017.
	211.	Written Opinion dated July 8, 2015 from International Application No. PCT/US2015/019017.
	212.	Chinese Office Action dated April 27, 2017 from Chinese Application No. 201580022197.1.

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.**	HMG1P008D2D1
	Application No.:	Unassigned
	Applicant	MIKSOVSKY et al.
	Filing Date	Herewith
	Group	Unassigned
		Page 9 of 9
	Date Submitted	December 23, 2019

	213.	Chinese Office Action dated August 1, 2017 from Chinese Application No. 201611163525.2.
	214.	European Search Report dated June 16, 2017 from European Application No. 16202786.3-1653.
	215.	European Office Action dated October 17, 2018 from European Patent Application No. 16 202 786.6 - 1011.
	216.	Light My Fire, Spork original, http://www.lightmyfire.com/products/products/spork/spork-original.aspx, downloaded on March 6, 2014.
	217.	Primus, Folding Spork, http://store.primuscamping.com/cookware/utensils-and-accessories/primus-folding-spork-black/, downloaded on March 6, 2014.
	218.	DCI, Swivel Spork & Knife Set, http://shop.dcigift.com/p/swivel-spork-knife-set, downloaded on March 6, 2014.
	219.	U.S. Office Action dated April 19, 2019 from U.S. Application No. 16/213,466.
	220.	U.S. Office Action dated May 7, 2019 from U.S. Application No. 16/213,536.
	221.	MSR Folding Camp Utensils, https://www.msrgear.com/cookware/folding-utensils, downloaded on September 20, 2018.
	222.	GSI Outdoors, Telescoping Foon, http://www.gsioutdoors.com/telescoping-foon.html, downloaded on September 20, 2018.
	223.	GSI Outdoors, Pivot Spatula, http://www.gsioutdoors.com/pivot-spatula.html, downloaded on September 20, 2018.
	224.	Miksovsky et al., U.S. Application No. 29/653,612, filed on June 16, 2018.
	225.	Miksovsky et al., U.S. Application No. 29/653,595, filed on June 15, 2018.
	226.	Miksovsky et al., U.S. Application No. 16/439,425 filed on June 12, 2019.
	227.	U.S. Final Office Action dated September 16, 2019 from U.S. Application No. 16/213,536.
	228.	Chinese Office Action dated August 2, 2019 from Chinese Application No. 201810024557.7.
	229.	U.S. Final Office Action dated October 9, 2019 from U.S. Application No. 16/213,466.
	230.	Extended European Search Report dated October 22, 2019 from European Application No. 18208165.3-1011/3488740.

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.

EATING UTENSIL SYSTEM

CROSS-REFERENCE TO RELATED APPLICATIONS

[0001] This application is a Divisional of U.S. Application No. 16/213,466, filed on December 7, 2018, which 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. 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.

2. The eating utensil as recited in claim 1, wherein the curved outer edge has a cutting feature.

3. The eating utensil as recited in claim 1, wherein the cutting feature is a chamfered edge.

4. The eating utensil as recited in claim 3, wherein the chamfered edge tapers to a point where the handle portion meets the fork head portion.

5. The eating utensil as recited in claim 1, wherein the eating utensil is formed of a glass reinforced thermoplastic material.

6. The eating utensil as recited in claim 1, wherein the five-sided bowl portion bowl portion has five sides and each of the five sides has a substantially flat edge.

7. The eating utensil as recited in claim 6, wherein the five-sided bowl portion

has substantially rounded corners.

8. The eating utensil as recited in claim 1, wherein the plurality of tines includes four tines, each tine having a proximal base end and a distal tip, with base ends of outer tines being wider than base ends of inner tines.

9. The eating utensil as recited in claim 1, wherein the handle has substantially parallel lateral side edges over a majority of a length of the handle.

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.

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:	HMG1P008D2D1

Filed as Small Entity

Filing Fees for Utility 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
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**785**

Electronic Acknowledgement Receipt

EFS ID:	38122518
Application Number:	16725397
International Application Number:	
Confirmation Number:	9049
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:	HMG1P008D2D1
Receipt Date:	23-DEC-2019
Filing Date:	
Time Stamp:	15:58:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$785
RAM confirmation Number	E2019BMF58448503
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	Power of Attorney	HMG1P008D2D1_Transmittal_POA_by_Applicant.pdf	159165 5344773e585d707f00fcacde46a12006955c7d95	no	1
Warnings:					
Information:					
2	Power of Attorney	HMG1_POA_Applicant.pdf	522554 a91fe80cef0e166151097e763854b279f15c87d2	no	1
Warnings:					
Information:					
3	Application Data Sheet	HMG1P008D2D1_ADS.pdf	1823727 b65fdbed2fb9063a5a6e829157651abbed50e566	no	10
Warnings:					
Information:					
4	Oath or Declaration filed	HMG1P008_Decs_as_filed.pdf	523769 9a2c32cd61019c6d392a7b180f5995031afb3fde	no	6
Warnings:					
Information:					
5	Drawings-only black and white line drawings	HMG1P008_figs_as_filed.pdf	1591731 ef9f57fab7bd015a727a8b201f1b07b464788df2	no	24
Warnings:					
Information:					
6	Transmittal Letter	HMG1P008D2D1_IDS.pdf	23724 542dc245f2c12a764537042dab1421d1f8b685b9	no	2
Warnings:					
Information:					

7	Information Disclosure Statement (IDS) Form (SB08)	HMG1P008D2D1_1449.pdf	91954 cd2cbe74b0bdd9e712f2967940473bdfa1c5cb29	no	9
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
8		HMG1P008D2D1_Application_FINAL.pdf	110126 e796a4d2c5eeb5ec405a93b47d35f76cfdbf7ed6	yes	22

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Specification	1	19
Claims	20	21
Abstract	22	22

Warnings:					
Information:					
9	Fee Worksheet (SB06)	fee-info.pdf	34766 ad627a2594fabf8d06ca5f77f8fa6ca19896cc03	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	4881516	

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.