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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		16/030,769
	Filing Date		July 9, 2018
	First Named Inventor	Dustin Douglas Bigney	
	Art Unit	3765	
	Examiner Name		
	Attorney Docket Number	098622-1095233	

U.S. PATENTS						
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

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NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
	1.	YOUTUBE, "AC Demo ShowIt by Andrew Christian" Available online at: https://youtu.be/N6NU61GZEK8 , April 30, 2020, pulled from the internet on May 8, 2020, 3 pages.	
	2.	YOUTUBE, "AC Photos ShowIt by Andrew Christian" Available online at: https://youtu.be/NTSERBfM9NM , April 30, 2020, pulled from the internet on May 8, 2020, 3 pages.	
	3.	ANDREW CHRISTIAN "Andrew Christian Underwear 2009 Collection 1-Immediates, Show-It 2009 Line Sheet ("Show-It 2009 Line Sheet"), allegedly available 2009, 2 pages	

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	Art Unit	3765
	Examiner Name	
	Attorney Docket Number	098622-1095233

EXAMINER SIGNATURE			
Examiner Signature		Date Considered	
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Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):			
☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e) (1).			
OR			
☐ 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 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e) (2).			
☐ See attached certification statement.			
☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.			
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A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.			
Signature	/Kelvin B. Catmull/	Date (YYYY-MM-DD)	2020-05-08
Name/Print	Kelvin B. Catmull	Registration Number	57,535
This collection of information is required by 37 CFR 1.97 and 1.98. 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			

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CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**



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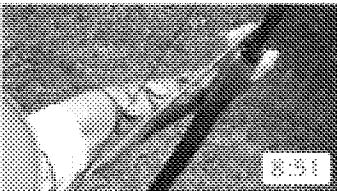


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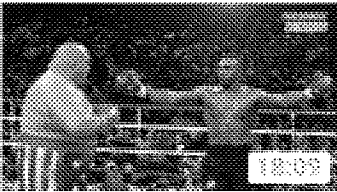
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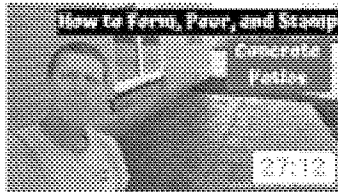
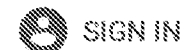
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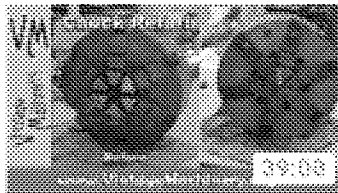
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SKIP NAVIGATION



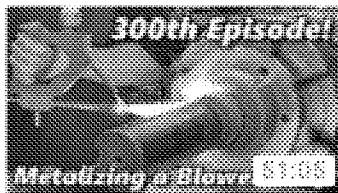
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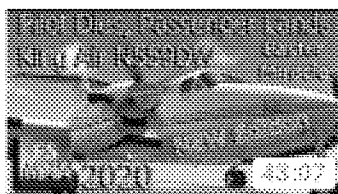
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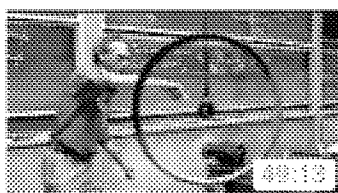
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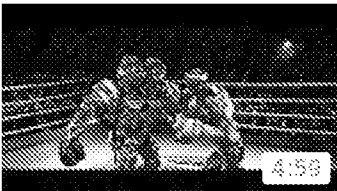


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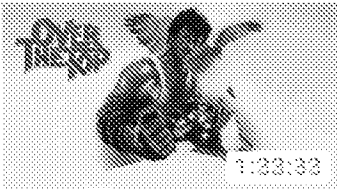
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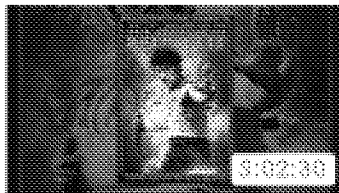
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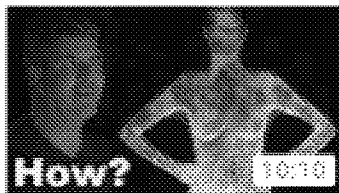
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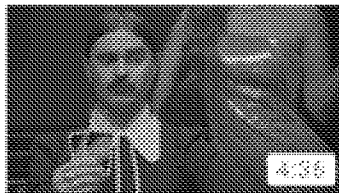
46
40:59**TOP 4 Best *LIGHT SHOWS EVER* on Got Talent World!**

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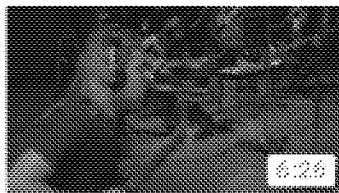
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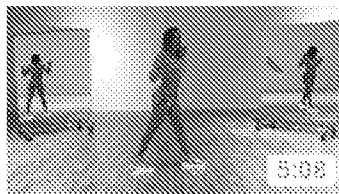
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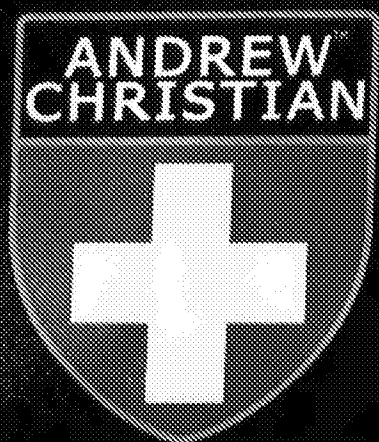
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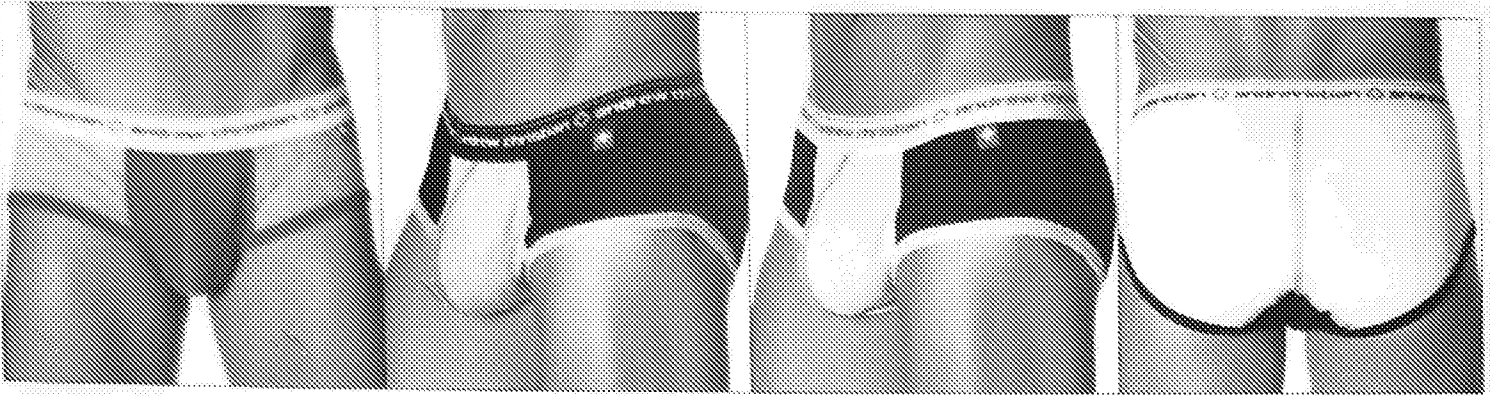
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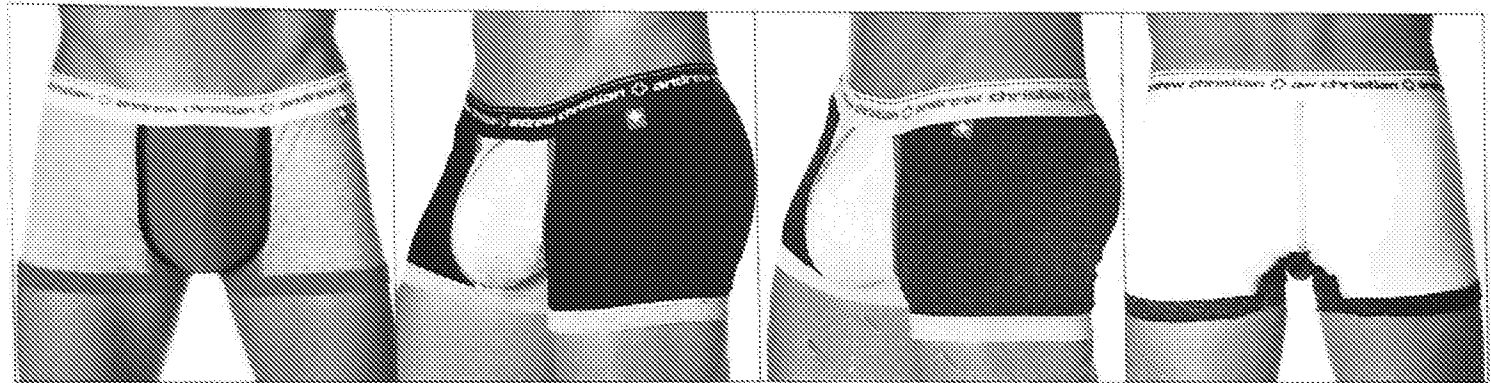
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 Colors: Heather, Black, Navy, White
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- The biggest and best "PACKAGE" enhancer of any underwear.
- Our Comfy Cup cradles and lifts to make you look HUGE.
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EFS ID:	39393640
Application Number:	16030769
International Application Number:	
Confirmation Number:	7100
Title of Invention:	GARMENTS FOR MEN
First Named Inventor/Applicant Name:	Dustin Douglas BIGNEY
Customer Number:	20350
Filer:	Kelvin B. Catmull/Marcos Vera
Filer Authorized By:	Kelvin B. Catmull
Attorney Docket Number:	098622-1095233-000120US
Receipt Date:	08-MAY-2020
Filing Date:	09-JUL-2018
Time Stamp:	16:21:49
Application Type:	Utility under 35 USC 111(a)

Payment information:					
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Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		098622-1095233_IDS.pdf	173095	yes	5
			23a746194e835df9bc662ef243785839970dc981		

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Document Description			Start	End	
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on May 8, 2020

PATENT
Attorney Docket No.: 098622-1095233-000120USUS
Client Ref. No.: V812072USCON1

KILPATRICK TOWNSEND & STOCKTON LLP

By: /Marcos Vera/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dustin Douglas Bigney

Application No.: 16/030,769

Filed: July 9, 2018

For: GARMENTS FOR MEN

Customer No.: 20350

Confirmation No.: 7100

Examiner:

Technology Center/Art Unit: 3765

SUPPLEMENTAL INFORMATION

DISCLOSURE STATEMENT

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P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. In accordance with the provisions of 37 CFR §1.98(a)(2), copies of any cited U.S. Patents and U.S. Patent Application Publications are not provided. Copies of the remaining cited references are provided.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the “references cited” on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits.

Applicant believes that no fee is required for submission of this statement. However, if any additional fees are due for the submission of this Information Disclosure Statement, please deduct those fees from Deposit Account No. 20-1430.

Respectfully submitted,

/Kelvin B. Catmull/

Kelvin B. Catmull
Registration No. 57,535

KILPATRICK TOWNSEND & STOCKTON LLP

Attachment



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/030,769	07/09/2018	Dustin Douglas BIGNEY	098622-1095233-000120US	7100
20350	7590	06/26/2020	EXAMINER	
KILPATRICK TOWNSEND & STOCKTON LLP			MORAN, KATHERINE M	
Mailstop: IP Docketing - 22			ART UNIT	
1100 Peachtree Street			PAPER NUMBER	
Suite 2800			3732	
Atlanta, GA 30309			NOTIFICATION DATE	
			DELIVERY MODE	
			06/26/2020	
			ELECTRONIC	

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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):

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ipefiling@kilpatricktownsend.com

DETAILED ACTION

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

The pre-amendment of 7/9/2018 has been received. Claims 1, 5, and 12 are amended, claims 16 and 17 are new, and claims 1-18 are pending.

Double Patenting

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(I)(1) - 706.02(I)(3) for

Art Unit: 3732

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-l.jsp.

Claims 1-15 are rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-15 of U.S. Patent No. 10,034,496. Although the claims at issue are not identical, they are not patentably distinct from each other because the scope of claims 1-15 of the present application is encompassed by claims 1-15 of '496.

Claim Objections

Claims 2-17 are objected to because of the following informalities: claims 9, 12, and 15- these claims should recite "the wearer" for consistency with "a wearer" previously recited in claim 1. Appropriate correction is required. Also, the preambles of claims 2-17 should be revised for consistency with the preamble of claim 1 to recite "A male garment".

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 15 recites the pouch comprises a dart seam stitched along a bottom portion of the pouch and substantially centrally to provide extra volume in front of and underneath the genitals of a wearer.

The specification should be amended to indicate that the parent applications are now patented as follows: "14/798,332, filed on July 2015, and entitled GARMENTS FOR MEN, now U.S. Patent No. 10,034,496" and "13/193,584, filed on 28 July 2011 and entitled GARMENTS FOR MEN, now U.S. Patent No. 9,687,030".

Claim Rejections - 35 USC § 112

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.

Claim 15 is rejected under 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 15 recites the pouch comprises a dart seam stitched along a bottom portion of the pouch and substantially centrally to provide extra volume...". It's not clear what "substantially centrally" means. To what degree should the dart seam be stitched along a bottom portion of the pouch centrally in order to be considered as "substantially centrally"?

Conclusion

Any inquiry concerning this communication or earlier communications should be directed to Primary Examiner Katherine Moran at (571) 272-4990 (phone) and/or (571) 273-4990 (fax). Please note that internet communication (i.e. email) requires submission of an Authorization for Internet Communications form (PTO/SB/439). The examiner can be reached on Monday-Thursday from 9:00 am to 6:00 pm, and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoa

Art Unit: 3732

Huynh, may be reached at (571) 272-4888. The official and after final fax number for the organization where this application is assigned is (571) 273-8300. General information regarding this application and questions directed to matters of form and procedures may be directed to the PTO Contact Center/Inventors Assistance Center at (800) 786-9199/571-272-1000. 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 questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/KATHERINE M MORAN/
Primary Examiner, Art Unit 3732

Notice of References Cited	Application/Control No. 16/030,769		Applicant(s)/Patent Under Reexamination BIGNEY et al.	
	Examiner KATHERINE M MORAN		Art Unit 3732	Page 1 of 1

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	C					
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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
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*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
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*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. 16/030,769	Applicant(s)/Patent Under Reexamination BIGNEY et al.
	Examiner KATHERINE M MORAN	Art Unit 3732

CPC - Searched*		
Symbol	Date	Examiner
A41B9/02,023,026, A61F5/40	06/21/2020	KM

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
2	400-405,78.1	06/21/2020	KM

* 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
EAST search, inventorship searched	06/21/2020	KM

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

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Doc code: IDS

PTO/SB/08a (01-10)

Doc description: Information Disclosure Statement (IDS) Field

Approved for use through 07/31/2012. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		16/030,769
	Filing Date		July 9, 2018
	First Named Inventor	Dustin Douglas Bigney	
	Art Unit	3765	
	Examiner Name	Anna Kathryn Kinsaul	
	Attorney Docket Number	098622-1095233	

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Examiner Initial*	Cite No	Patent Number	Kind Code 1	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	Examiner Name	Anna Kathryn Kinsaul	
	Attorney Docket Number	098622-1095233	

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	Art Unit	3765	
	Examiner Name	Anna Kathryn Kinsaul	
	Attorney Docket Number	098622-1095233	

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ^s
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	Art Unit	3765
	Examiner Name	Anna Kathryn Kinsaul
	Attorney Docket Number	098622-1095233

EXAMINER SIGNATURE			
Examiner Signature	/KATHERINE M MORAN/	Date Considered	06/21/2020
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			
¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.			

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	First Named Inventor	Dustin Douglas Bigney
	Art Unit	3765
	Examiner Name	Anna Kathryn Kinsaul
	Attorney Docket Number	098622-1095233

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

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

OR

☐ 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 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e) (2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Stephen A. Mao/	Date (YYYY-MM-DD)	2018-08-08
Name/Print	Stephen A. Mao	Registration Number	73,418

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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	Art Unit		3765	
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	Attorney Docket Number		098622-1095233	

U.S. PATENTS						
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

U.S. PATENT APPLICATION PUBLICATIONS						
Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS								
Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ²	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
	1.	YOUTUBE, "AC Demo ShowIt by Andrew Christian" Available online at: https://youtu.be/N6NU61GZEK8 , April 30, 2020, pulled from the internet on May 8, 2020, 3 pages.	
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Doc code: IDS

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	Examiner Name	
	Attorney Docket Number	098622-1095233

EXAMINER SIGNATURE

Examiner Signature /KATHERINE M MORAN/	Date Considered 06/21/2020
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

CERTIFICATION STATEMENT

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☐ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Kelvin B. Catmull/	Date (YYYY-MM-DD)	2020-05-08
Name/Print	Kelvin B. Catmull	Registration Number	57,535

This collection of information is required by 37 CFR 1.97 and 1.98. 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

Doc code: IDS

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Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ²	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
/K.M.M/	8.	01/37687	WO	A1	May 31, 2001	Mauricio Galiana Carrillo		
/K.M.M/	9.	98/39981	WO		Sept 17, 1998	Kevin Hartley		
/K.M.M/	10.	EP 0 476 818	EP	A1	March 25, 1992	Robert William Arthur Dagg et al.		
/K.M.M/	11.	133058	CA		June 17, 2010	KE Imports	Abstract Only	

Doc code: IDS

PTO/SB/08a (01-10)

Doc description: Information Disclosure Statement (IDS) Field

Approved for use through 07/31/2012. 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.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		16/030,769
	Filing Date		July 9, 2018
	First Named Inventor	Dustin Douglas Bigney	
	Art Unit	3765	
	Examiner Name		
	Attorney Docket Number	098622-1095233	

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
/K.M.M/			
/K.M.M/	12.	United States District Court for the Western District of Washington at Seattle "DECLARATION OF ERIN C. KOLTER IN SUPPORT OF MOTION FOR LEAVE TO AMEND with Exhibits" Civil Action No. 2:18-cv-1464-JLR, 0912139 B.C. LTD., a Canadian corporation and PAKAGE APPAREL INC., a Canadian corporation, Plaintiffs, v. RAMPION USA INC., a Washington corporation, and RAMPION ENTERPRISES LTD., a Canadian corporation, Defendants., Filed August 15, 2019, 1457 pages.	
/K.M.M/	13.	ANDREW CHRISTIAN" 2009-2010 Collection Show-It with Show-IT Technology 2.0 for Maximum Front Enhancement ("Show-It 2009-2010 Catalog"). allegedly available 2009-2010, 9 pages.	
/K.M.M/	14.	ANDREW CHRISTIAN, 9132 Show it brief.jpg - allegedly metadata document properties show that the created date and last modified date are both February 6, 2009, 1 page	
/K.M.M/	15.	ANDREW CHRISTIAN, 9133 Show it Boxer F & B.jpg - allegedly metadata document properties show that the created date and last modified date are both February 6, 2009, 1 page.	
/K.M.M/	16.	UNDERWEAR NEWS BRIEFS, A MEN'S UNDERWEAR BLOG, "Andrew Christian- Show-It Technology Brief Advertisement" products in Style No. 9132 and Style No. 9133., pulled from the internet on April 21, 2020 https://www.underwearnewsbriefs.com/2009/03/andrew-christian-show-it-technology-bri ,Allegedly on sale and/or publicly used or known at least as early as March 6, 2009, 4 pages.	
/K.M.M/	17.	UNDERWEAR NEWS BRIEFS, A MEN'S UNDERWEAR BLOG, "Andrew Christian- Underwear of the Week- Andrew Christian "Show-IT" Line" Press Release – pulled from the internet on April 21, 2020 https://www.underwearnewsbriefs.com/2009/03/underwear-of-the-week-andrew-christian-show-it-line/ ,Allegedly on sale and/or publicly used or known at least as early as March 11, 2009, 4 pages.	

Doc code: IDS

PTO/SB/08a (01-10)

Doc description: Information Disclosure Statement (IDS) Field

Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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	Filing Date		July 9, 2018
	First Named Inventor	Dustin Douglas Bigney	
	Art Unit	3765	
	Examiner Name		
	Attorney Docket Number	098622-1095233	

/K.M.M/	18.	ANDREW CHRISTIAN "Andrew Christian Underwear 2009 Collection 1-Immediates, products in Style No. 9132 and Style No. 9133". Allegedly on sale and/or publicly used or known at least as early as March 6, 2009, 2 pages	
/K.M.M/	19.	ANDREW CHRISTIAN "ANDREW CHRISTIAN THE PANTY-CHRIST GETS DEVILISH ... AND IS READY TO "SHOW-IT!"-- CELEBRITY FASHION DESIGNER ANDREW CHRISTIAN BRINGS YOU "SHOW-IT" HIS NEW ENHANCING UNDERWEAR FEATURING SHOW-IT TECHNOLOGY 2.0 Show-IT-2.0" Press Release – allegedly dated "March 2009" on its face, 1 page	

EXAMINER SIGNATURE			
Examiner Signature /KATHERINE M MORAN/		Date Considered 06/22/2020	
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			
¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.			

CERTIFICATION STATEMENT	
Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):	
☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e) (1).	
OR	
☐ 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 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e) (2).	
☐ See attached certification statement.	

Doc code: IDS

PTO/SB/08a (01-10)

Doc description: Information Disclosure Statement (IDS) Field

Approved for use through 07/31/2012. 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.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	16/030,769
	Filing Date	July 9, 2018
	First Named Inventor	Dustin Douglas Bigney
	Art Unit	3765
	Examiner Name	
	Attorney Docket Number	098622-1095233

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.
SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Kelvin B. Catmull/	Date (YYYY-MM-DD)	2020-04-27
Name/Print	Kelvin B. Catmull	Registration Number	57,535

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

To: ipefiling@kilpatricktownsend.com,KTSDocketing2@kilpatrick.foundationip.com,
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 20350

Jun 26, 2020 03:44:29 AM

Dear PAIR Customer:

KILPATRICK TOWNSEND & STOCKTON LLP
Mailstop: IP Docketing - 22
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309
UNITED STATES

The following USPTO patent application(s) associated with your Customer Number, 20350 , 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.

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Application	Document	Mailroom Date	Attorney Docket No.
16030769	CTNF	06/26/2020	098622-1095233-000120US
	892	06/26/2020	098622-1095233-000120US
	1449	06/26/2020	098622-1095233-000120US
	1449	06/26/2020	098622-1095233-000120US
	1449	06/26/2020	098622-1095233-000120US

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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.

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UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

Doc Code: DIST.E.FILE Document Description: Electronic Terminal Disclaimer - Filed		PTO/SB/26 U.S. Patent and Trademark Office Department of Commerce	
Electronic Petition Request	TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT		
Application Number	16030769		
Filing Date	09-Jul-2018		
First Named Inventor	Dustin BIGNEY		
Attorney Docket Number	098622-1095233-000120US		
Title of Invention	GARMENTS FOR MEN		
☒ Filing of terminal disclaimer does not obviate requirement for response under 37 CFR 1.111 to outstanding Office Action ☒ This electronic Terminal Disclaimer is not being used for a Joint Research Agreement.			
Owner		Percent Interest	
0912139 B.C. LTD.		100%	
The owner(s) with percent interest listed above in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent number(s) 10034496 as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: - expires for failure to pay a maintenance fee; - is held unenforceable; - is found invalid by a court of competent jurisdiction; - is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; - has all claims canceled by a reexamination certificate; - is reissued; or - is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included with Electronic Terminal Disclaimer request.			

☐ I certify, in accordance with 37 CFR 1.4(d)(4), that the terminal disclaimer fee under 37 CFR 1.20(d) required for this terminal disclaimer has already been paid in the above-identified application.	
Applicant claims the following fee status: ☒ Small Entity ☐ Micro Entity ☐ Regular Undiscounted	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.	
THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES I certify, in accordance with 37 CFR 1.4(d)(4) that I am: ☒ An attorney or agent registered to practice before the Patent and Trademark Office who is of record in this application Registration Number <u>57535</u> ☐ A sole inventor ☐ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors as evidenced by the power of attorney in the application ☐ A joint inventor; all of whom are signing this request	
Signature	/Kelvin B. Catmull/
Name	Kelvin B. Catmull

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
 Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Electronic Patent Application Fee Transmittal				
Application Number:		16030769		
Filing Date:		09-Jul-2018		
Title of Invention:		GARMENTS FOR MEN		
First Named Inventor/Applicant Name:		Dustin Douglas BIGNEY		
Filer:		Kelvin B. Catmull		
Attorney Docket Number:		098622-1095233-000120US		
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
STATUTORY OR TERMINAL DISCLAIMER	2814	1	160	160
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

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

Doc Code: DISQ.E.FILE

Document Description: Electronic Terminal Disclaimer – Approved

Application No.: 16030769

Filing Date: 09-Jul-2018

Applicant/Patent under Reexamination: BIGNEY

Electronic Terminal Disclaimer filed on September 22, 2020

☒ APPROVED

This patent is subject to a terminal disclaimer

☐ DISAPPROVED

Approved/Disapproved by: Electronic Terminal Disclaimer automatically approved by EFS-Web

U.S. Patent and Trademark Office

Electronic Acknowledgement Receipt

EFS ID:	40631981
Application Number:	16030769
International Application Number:	
Confirmation Number:	7100
Title of Invention:	GARMENTS FOR MEN
First Named Inventor/Applicant Name:	Dustin Douglas BIGNEY
Customer Number:	20350
Filer:	Kelvin B. Catmull
Filer Authorized By:	
Attorney Docket Number:	098622-1095233-000120US
Receipt Date:	22-SEP-2020
Filing Date:	09-JUL-2018
Time Stamp:	16:18:36
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$ 160
RAM confirmation Number	E20209LG18330425
Deposit Account	201430
Authorized User	Kelvin Catmull

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)

Package Apparel EX2001

Page 1638 of 1677

IPR2024-01163

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	Terminal Disclaimer-Filed (Electronic)	eTerminal-Disclaimer.pdf	33382	no	2
			83201b0b917d9bf25cdee123251165263bd12410		

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	30298	no	2
			4e5358754cc33e7dededcdd2d16919cdcd852fa		

Warnings:

Information:

Total Files Size (in bytes):	63680
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New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

I hereby certify that this correspondence is being filed via
EFS-Web with the United States Patent and Trademark Office
on September 22, 2020.

PATENT
Attorney Docket No.: 098622-000120US-1095233
Client Ref. No.: V812072USCON1

KILPATRICK TOWNSEND & STOCKTON LLP

By: /Marcos Vera/
Marcos Vera

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dustin Douglas Bigney et al.

Application No.: 16/030,769

Filed: July 9, 2018

For: GARMENTS FOR MEN

Customer No.: 20350

Confirmation No.: 7100

Examiner: Katherine M. Moran

Technology Center/Art Unit: 3732

AMENDMENT / RESPONSE TO OFFICE ACTION

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

Commissioner:

In response to the Office Action mailed June 26, 2020, please enter the following
amendments and consider the following remarks:

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

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

Remarks/Arguments begin on page 6 of this paper.

AMENDMENTS TO THE SPECIFICATION

Please replace the paragraph starting at page 1, line 4 with the following amended paragraph:

This application is a continuation of United States Patent Application Serial No. 14/798,332, filed on 13 July 2015, and entitled GARMENTS FOR MEN, now U.S. Patent No. 10,034,496; which is a continuation of United States Patent Application Serial No. 13/193,584, filed on 28 July 2011, and entitled GARMENTS FOR MEN, now U.S. Patent No. 9,687,030; which claims the benefit under 35 U.S.C. § 119 of United States Patent Application No. 61/429,065, filed on 31 December 2010, and entitled MEN'S GARMENT WITH POUCH AND SUPPORTING FLAP, each of which is incorporated hereby by reference.

Please replace the paragraph starting at page 3, line 10 with the following amended paragraph:

Figure 1 shows undershorts **10** according to an example embodiment. Undershorts **10** have an elastic waist band **12** supporting a fabric body **14**. Body **14** extends to leg openings **15R** and **15L** (collectively openings **15**). A front portion **18** of body **14** is shaped to include extra fabric so that front portion **18** is not pulled tightly against a wearer's body. As described below, front portion **18** forms the front part of a three-dimensional pouch **20** that receives and gently supports a wearer's genitalia. In the illustrated embodiment, front portion **18** includes a front seam or 'dart seam' **19** that is stitched along a bottom portion of the pouch and that extends centrally and part way along front portion **18** from the crotch of undershorts **10** toward waistband **12** thereby providing extra fabric in front portion **18**. This adds volume to pouch **20**. A tunnel opening or other suitable opening may optionally be provided in front portion **18** to permit the wearer to urinate conveniently.

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

1. (Previously Presented) A male garment comprising:
a body including a front portion and having leg openings for a wearer's legs;
a waistband attached by a waistband seam at an upper edge of the body;
a stretch panel attached to the body inside the front portion, the stretch panel comprising a sheet of elastically resilient four-way stretch material having a top edge attached to the body at a top location, a bottom edge attached to the body at a bottom location, side edges attached to the body at side seams extending substantially continuously along either side of the front portion and an opening for receiving a wearer's genitals;
the stretch panel being resiliently elastic both in a direction between the top edge and the bottom edge and in a direction between the side edges, the stretch panel having a length when unstretched smaller than a length measured along the front portion between the top and bottom locations and a width when unstretched smaller than a width measured along the front portion between the side seams such that the front portion is gathered from side-to-side and top-to-bottom by the stretch panel and defines a three-dimensional pouch between the stretch panel and the front portion for receiving the wearer's genitals and holding the wearer's genitals while the garment is being worn.
2. (Currently Amended) A male garment according to claim 1 wherein the stretch panel has asymmetrical stretch characteristics such that the stretch panel stretches more easily in a direction parallel to the waistband and less easily in a direction at right angles to the waistband.
3. (Currently Amended) A male garment according to claim 1 wherein the stretch panel is rectangular and the opening is U-shaped.

4. (Currently Amended) A male garment according to claim 3 wherein the stretch panel comprises a fabric having a stretch of at least 30%.

5. (Currently Amended) A male garment according to claim 1 wherein the top location is the waistband seam and the bottom location is the first seam, and a length measured along material of the front portion from the first seam to the waistband seam exceeds a length measured along the fabric of the stretch panel, when unstretched, by at least 30%.

6. (Currently Amended) A male garment according to claim 1 wherein the garment is a pair of undershorts.

7. (Currently Amended) A male garment according to claim 1 wherein the stretch panel comprises a fabric different from a fabric of the body.

8. (Currently Amended) A male garment according to claim 1 wherein the opening has a width in excess of 2 cm.

9. (Currently Amended) A male garment according to claim 1 wherein:
the front portion depends downwardly from the waistband and the front portion is formed to provide the pouch at a mid-section thereof; the stretch panel is positioned to be disposed forward of [[a]] the wearer's perineum when the garment is worn, whereby, in use, a scrotum of [[a]] the wearer of the garment is supported underneath by the stretch panel to contain [[a]] the wearer's penis and scrotum in the pouch.

10. (Currently Amended) A male garment according to claim 1, wherein the elastically resilient four-way stretch material is comprised of a spandex blend.

11. (Currently Amended) A male garment according to claim 1, wherein the stretch panel is fastened to the front portion while in a pre-stretched condition while the front portion is less stretched, whereby the stretch panel is biased to hold the opening open while the garment is held in position to be put on.

12. (Currently Amended) A male garment according to claim 11, wherein the front portion is attached to a rear portion of the body that depends from the waistband at a seam disposed forward of the perineum region of ~~[[a]]~~ the wearer, and wherein a bottom edge of the stretch panel is fastened to the seam.

13. (Currently Amended) A male garment according to claim 1 wherein the opening has a U-shape when the stretch panel is in a relaxed state.

14. (Currently Amended) A male garment according to claim 1 wherein the stretch panel is formed from a single unitary piece of woven fabric.

15. (Currently Amended) A male garment according to claim 1 wherein the pouch comprises a dart seam stitched along a bottom portion of the pouch and ~~substantially~~ centrally to provide extra volume in front of and underneath the genitals of ~~[[a]]~~ the wearer.

16. (Currently Amended) A male garment according to claim 1 wherein the stretch panel is rectangular and the opening has a rounded bottom edge and opposing side edges that are spaced apart from one another on either side of the opening.

17. (Currently Amended) A male garment according to claim 1, wherein the body includes a crotch panel extending between the leg openings and joined to the front portion along a first seam.

REMARKS/ARGUMENTS

Claims 1-17 are pending in this application. Claims 2-17 have been amended. No new matter is added.

Based on the following remarks, Applicant respectfully requests reconsideration and allowance of the pending claims.

Double Patenting

Claims 1-15 are rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-15 of U.S. Patent No. 10,034,496.

Without acquiescing to the propriety of the Double Patenting rejections, an electronic Terminal Disclaimer (eTD) has been filed to overcome the rejections and expedite prosecution of the present application.

Claim Objections

Claims 2-17 are objected to for informalities.

Claims 2-17 have been amended to address the informalities identified in the Office Action. Applicant thanks the Examiner for her careful attention to detail.

Specification Objection

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter.

The Specification has been amended to address the issues identified in the Office Action. Support for the amendments can be found, for example, in original claim 15. Applicant thanks the Examiner for her careful attention to detail.

Claim Rejections – 35 U.S.C. §112

Claim 15 is rejected under 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite.

Claim 15 has been amended to delete the term “substantially”. Applicant respectfully submits that amended claim 15 is definite.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Except for the issue fees payable under 37 C.F.R. § 1.18, the Director is authorized to charge any additional fees during pendency of this application, including any required extension of time fees, or credit any overpayment to Deposit Account Number 20-1430. This paragraph is intended to be a constructive petition for extension of time in accordance with 37 C.F.R. § 1.136(a)(3).

If the Examiner believes a telephone conference would expedite prosecution of this application, please contact the undersigned at (650) 326-2400 or kcatmull@kilpatricktownsend.com.

Respectfully submitted,

/Kelvin B. Catmull/
Kelvin B. Catmull
Registration No. 57,535

KILPATRICK TOWNSEND & STOCKTON LLP
KBC/mco/mav

Electronic Acknowledgement Receipt

EFS ID:	40633814
Application Number:	16030769
International Application Number:	
Confirmation Number:	7100
Title of Invention:	GARMENTS FOR MEN
First Named Inventor/Applicant Name:	Dustin Douglas BIGNEY
Customer Number:	20350
Filer:	Kelvin B. Catmull
Filer Authorized By:	
Attorney Docket Number:	098622-1095233-000120US
Receipt Date:	22-SEP-2020
Filing Date:	09-JUL-2018
Time Stamp:	18:31:39
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		098622-000120US-1095233_A mendment.pdf	119547	yes	7
			d182da1b879afa6097d4d05d47c8832761d e83e2		

	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	5
	Applicant Arguments/Remarks Made in an Amendment	6	7

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

NOTICE OF ALLOWANCE AND FEE(S) DUE

20350 7590 10/05/2020
KILPATRICK TOWNSEND & STOCKTON LLP
Mailstop: IP Docketing - 22
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309

EXAMINER

MORAN, KATHERINE M

ART UNIT

PAPER NUMBER

3732

DATE MAILED: 10/05/2020

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/030,769	07/09/2018	Dustin Douglas BIGNEY	098622-1095233-000120US	7100

TITLE OF INVENTION: GARMENTS FOR MEN

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	01/05/2021

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

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

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

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

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

PART B - FEE(S) TRANSMITTAL

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

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

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

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

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

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)

20350 7590 10/05/2020
KILPATRICK TOWNSEND & STOCKTON LLP
Mailstop: IP Docketing - 22
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/030,769	07/09/2018	Dustin Douglas BIGNEY	098622-1095233-000120US	7100

TITLE OF INVENTION: GARMENTS FOR MEN

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	01/05/2021

EXAMINER	ART UNIT	CLASS-SUBCLASS
MORAN, KATHERINE M	3732	002-423000

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

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

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

2. For printing on the patent front page, list

(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,

1 _____

(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.

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 ☐ Government4a. 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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/030,769	07/09/2018	Dustin Douglas BIGNEY	098622-1095233-000120US	7100
20350	7590	10/05/2020	EXAMINER	
KILPATRICK TOWNSEND & STOCKTON LLP			MORAN, KATHERINE M	
Mailstop: IP Docketing - 22			ART UNIT	
1100 Peachtree Street			PAPER NUMBER	
Suite 2800			3732	
Atlanta, GA 30309			DATE MAILED: 10/05/2020	

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 a patent. **Package Appeal EX2001**
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. **Page 1677 of 1677**
PR-2024-01163

Notice of Allowability	Application No. 16/030,769	Applicant(s) BIGNEY et al.	
	Examiner KATHERINE M MORAN	Art Unit 3732	AIA (FITF) Status No

-- 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 9/22/2020.
☐ 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 1-17. 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)	5. ☐ Examiner's Amendment/Comment
2. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>4/27/2020</u> .	6. ☐ Examiner's Statement of Reasons for Allowance
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material _____.	7. ☐ Other _____.
4. ☐ Interview Summary (PTO-413), Paper No./Mail Date. _____.	

/KATHERINE M MORAN/ Primary Examiner, Art Unit 3732	
--	--

<i>Search Notes</i> 	Application/Control No. 16/030,769	Applicant(s)/Patent Under Reexamination BIGNEY et al.
	Examiner KATHERINE M MORAN	Art Unit 3732

CPC - Searched*		
Symbol	Date	Examiner
A41B9/02,023,026, A61F5/40	06/21/2020	KM

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
2	400-405,78.1	06/21/2020	KM

* 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
EAST search, inventorship searched	06/21/2020	KM

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
see attached		09/23/2020	KM

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Issue Classification 	Application/Control No. 16/030,769	Applicant(s)/Patent Under Reexamination BIGNEY et al.
	Examiner KATHERINE M MORAN	Art Unit 3732

CPC						
Symbol					Type	Version
A41B	/	9	/	02	F	2013-01-01
A41B	/	9	/	023	I	2013-01-01

CPC Combination Sets						
Symbol				Type	Set	Ranking
	/		/			

NONE	Total Claims Allowed:	
(Assistant Examiner)	(Date)	17
/KATHERINE M MORAN/ Primary Examiner, Art Unit 3732	23 September 2020	O.G. Print Claim(s)
(Primary Examiner)	(Date)	1
		O.G. Print Figure
		2,5

Issue Classification 	Application/Control No. 16/030,769	Applicant(s)/Patent Under Reexamination BIGNEY et al.
	Examiner KATHERINE M MORAN	Art Unit 3732

INTERNATIONAL CLASSIFICATION			
CLAIMED			
A41B9/02	/	9	/ 02
NON-CLAIMED			
	/		/

US ORIGINAL CLASSIFICATION	
CLASS	SUBCLASS
2	403

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

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	17	
/KATHERINE M MORAN/ Primary Examiner, Art Unit 3732 (Primary Examiner)	23 September 2020 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 2,5

Issue Classification 	Application/Control No. 16/030,769	Applicant(s)/Patent Under Reexamination BIGNEY et al.
	Examiner KATHERINE M MORAN	Art Unit 3732

☒ 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												
2	2	11	11												
3	3	12	12												
4	4	13	13												
5	5	14	14												
6	6	15	15												
7	7	16	16												
8	8	17	17												
9	9														

NONE	Total Claims Allowed:	
(Assistant Examiner)	(Date)	17
/KATHERINE M MORAN/ Primary Examiner, Art Unit 3732	23 September 2020	O.G. Print Claim(s)
(Primary Examiner)	(Date)	1
		O.G. Print Figure
		2,5

Doc code: IDS

PTO/SB/08a (01-10)

Doc description: Information Disclosure Statement (IDS) Field

Approved for use through 07/31/2012. 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.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		16/030,769	
	Filing Date		July 9, 2018	
	First Named Inventor		Dustin Douglas Bigney	
	Art Unit		3765	
	Examiner Name			
	Attorney Docket Number		098622-1095233	

U.S. PATENTS						
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	7,958,571	B2	2011-06-14	William Trent Kitsch et al.	
	2.	7,631,369	B2	2009-12-15	Paul Urban Geiwald et al.	

U.S. PATENT APPLICATION PUBLICATIONS						
Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	3.	2004/0025218	A1	Feb 12, 2004	De-Li Huang	
	4.	2008/0178369	A1	July 31, 2008	William Trent Kitsch	
	5.	2007/0277285	A1	Dec 6, 2007	Eugene S. Gravette et al.	
	6.	2009/0106874	A1	April 30, 2009	Jacob Shlush	
	7.	2007/0220660	A1	Sept 27 2007	Martin Roesch et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ²	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
/K.M.M./	8.	01/37687	WO	A1	May 31, 2001	Mauricio Galiana Carrillo		
/K.M.M./	9.	98/39981	WO		Sept 17, 1998	Kevin Hartley		
/K.M.M./	10.	EP 0 476 818	EP	A1	March 25, 1992	Robert William Arthur Dagg et al.		
/K.M.M./	11.	133058	CA		June 17, 2010	KE Imports	Abstract Only	

Doc code: IDS

PTO/SB/08a (01-10)

Doc description: Information Disclosure Statement (IDS) Field

Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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	Filing Date		July 9, 2018
	First Named Inventor	Dustin Douglas Bigney	
	Art Unit	3765	
	Examiner Name		
	Attorney Docket Number	098622-1095233	

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
/K.M.M/	12.	United States District Court for the Western District of Washington at Seattle "DECLARATION OF ERIN C. KOLTER IN SUPPORT OF MOTION FOR LEAVE TO AMEND with Exhibits" Civil Action No. 2:18-cv-1464-JLR, 0912139 B.C. LTD., a Canadian corporation and PAKAGE APPAREL INC., a Canadian corporation, Plaintiffs, v. RAMPION USA INC., a Washington corporation, and RAMPION ENTERPRISES LTD., a Canadian corporation, Defendants., Filed August 15, 2019, 1457 pages.	
/K.M.M/	13.	ANDREW CHRISTIAN" 2009-2010 Collection Show-It with Show-IT Technology 2.0 for Maximum Front Enhancement ("Show-It 2009-2010 Catalog"). allegedly available 2009-2010, 9 pages.	
/K.M.M/	14.	ANDREW CHRISTIAN, 9132 Show it brief.jpg - allegedly metadata document properties show that the created date and last modified date are both February 6, 2009, 1 page	
/K.M.M/	15.	ANDREW CHRISTIAN, 9133 Show it Boxer F & B.jpg - allegedly metadata document properties show that the created date and last modified date are both February 6, 2009, 1 page.	
/K.M.M/	16.	UNDERWEAR NEWS BRIEFS, A MEN'S UNDERWEAR BLOG, "Andrew Christian- Show-It Technology Brief Advertisement" products in Style No. 9132 and Style No. 9133., pulled from the internet on April 21, 2020 https://www.underwearnewsbriefs.com/2009/03/andrew-christian-show-it-technology-bri ,Allegedly on sale and/or publicly used or known at least as early as March 6, 2009, 4 pages.	
/K.M.M/	17.	UNDERWEAR NEWS BRIEFS, A MEN'S UNDERWEAR BLOG, "Andrew Christian- Underwear of the Week- Andrew Christian "Show-IT" Line" Press Release – pulled from the internet on April 21, 2020 https://www.underwearnewsbriefs.com/2009/03/underwear-of-the-week-andrew-christian-show-it-line/ ,Allegedly on sale and/or publicly used or known at least as early as March 11, 2009, 4 pages.	

Doc code: IDS

PTO/SB/08a (01-10)

Doc description: Information Disclosure Statement (IDS) Field

Approved for use through 07/31/2012. 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.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		16/030,769
	Filing Date		July 9, 2018
	First Named Inventor	Dustin Douglas Bigney	
	Art Unit	3765	
	Examiner Name		
	Attorney Docket Number	098622-1095233	

/K.M.M/	18.	ANDREW CHRISTIAN "Andrew Christian Underwear 2009 Collection 1-Immediates, products in Style No. 9132 and Style No. 9133". Allegedly on sale and/or publicly used or known at least as early as March 6, 2009, 2 pages	
/K.M.M/	19.	ANDREW CHRISTIAN "ANDREW CHRISTIAN THE PANTY-CHRIST GETS DEVILISH ... AND IS READY TO "SHOW-IT!"-- CELEBRITY FASHION DESIGNER ANDREW CHRISTIAN BRINGS YOU "SHOW-IT" HIS NEW ENHANCING UNDERWEAR FEATURING SHOW-IT TECHNOLOGY 2.0 Show-IT-2.0" Press Release – allegedly dated "March 2009" on its face, 1 page	

EXAMINER SIGNATURE			
Examiner Signature	/KATHERINE M MORAN/	Date Considered	09/24/2020
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			
¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.			

CERTIFICATION STATEMENT
Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):
☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e) (1).
OR
☐ 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 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e) (2).
☐ See attached certification statement.

Doc code: IDS

PTO/SB/08a (01-10)

Doc description: Information Disclosure Statement (IDS) Field

Approved for use through 07/31/2012. 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.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	16/030,769
	Filing Date	July 9, 2018
	First Named Inventor	Dustin Douglas Bigney
	Art Unit	3765
	Examiner Name	
	Attorney Docket Number	098622-1095233

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.☒ A certification statement is not submitted herewith.**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Kelvin B. Catmull/	Date (YYYY-MM-DD)	2020-04-27
Name/Print	Kelvin B. Catmull	Registration Number	57,535

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Bibliographic Data

Application No: 16/030,769

Foreign Priority claimed: ☐ Yes ☒ No

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

Verified and Acknowledged: /KATHERINE M MORAN/

Examiner's Signature

Initials

Title: GARMENTS FOR MEN

FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
07/09/2018	002	3732	098622-1095233-000120US
RULE			

APPLICANTS

0912139 B.C. LTD., Kelowna, CANADA

INVENTORS

Dustin Douglas BIGNEY, West Vancouver, CANADA

Shawn Robert ELLIS, Kelowna, CANADA

CONTINUING DATA

This application is a CON of 14798332 07/13/2015 PAT 10034496

14798332 is a CON of 13193584 07/28/2011 PAT 9687030

13193584 has PRO of 61429065 12/31/2010

FOREIGN APPLICATIONS

IF REQUIRED, FOREIGN LICENSE GRANTED**

07/25/2018

** SMALL ENTITY **

STATE OR COUNTRY

CANADA

ADDRESS

KILPATRICK TOWNSEND & STOCKTON LLP

Mailstop: IP Docketing - 22

1100 Peachtree Street

Suite 2800

Atlanta, GA 30309

UNITED STATES

FILING FEE RECEIVED

\$785

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	7	("20040025218" "20070220660" "20070277285" "20080178369" "20090106874" "7631369" "7958571").PN.	US-PGPUB; USPAT	OR	OFF	2020/09/23 21:29
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S2	7	((("10034496") or ("9687030"))).PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2020/06/20 14:41
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S8	28	(S3 or S4 or S5 or S6) and (four or S6) and way	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2020/06/21 21:06

			DERWENT; IBM_TDB			
S9	3,045	A41B9/02,023.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2020/06/21 22:49
S10	468	S9 and (gather\$3 or pouch)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/06/21 22:50
S11	182	S10 and stretch\$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/06/21 22:50
S12	3,201	A41B9/023,02,026.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/06/21 23:34
S13	592	S12 and genital	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/06/21 23:34
S14	1,090	S12 and (elastic\$4 or stretch\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/06/21 23:35
S15	316	S13 and (elastic\$4 or stretch\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2020/06/21 23:35

			DERWENT; IBM_TDB			
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EAST Search History (Interference)

<This search history is empty>

9/23/2020 9:35:43 PM

C:\Users\kmoran\Documents\EAST\Workspaces\16030769.wsp

To: ipefiling@kilpatricktownsend.com,KTSDocketing2@kilpatrick.foundationip.com,
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 20350

Oct 05, 2020 03:39:02 AM

Dear PAIR Customer:

KILPATRICK TOWNSEND & STOCKTON LLP
Mailstop: IP Docketing - 22
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309
UNITED STATES

The following USPTO patent application(s) associated with your Customer Number, 20350 , 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.

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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.
16030769	NOA	10/05/2020	098622-1095233-000120US
	1449	10/05/2020	098622-1095233-000120US

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

Document Description: Issue Fee Payment (PTO-85B)

Issue Fee Transmittal Form

Application Number	Filing Date	First Named Inventor	Atty. Docket No.	Confirmation No.
16030769	09-Jul-2018	Dustin BIGNEY	098622-1095233-000120US	7100

TITLE OF INVENTION :

GARMENTS FOR MEN

Entity Status	Application Type	Art Unit	Class - Subclass	EXAMINER
Small	Utility under 35 USC 111(a)	3732	423000	KATHERINE MORAN
Issue Fee Due	Publication Due	Total Fee(s) Due	Date Due	Prev. Paid Fee
\$600	\$0	\$600	05-Jan-2021	\$0

1.Change of Correspondence Address and/or Indication Of Fee Address (37 CFR 1.33 & 1.363)

Current Correspondence Address:	Current Indicated Fee Address :
20350 KILPATRICK TOWNSEND & STOCKTON LLP Mailstop: IP Docketing - 22 1100 Peachtree Street Suite 2800 Atlanta GA 30309 UNITED STATES 415-576-0200 ~~KTSDocketing2@kilpatrick.foundationip.com~~	
☐ Change of correspondence address requested, system generated AIA/122-EFS form attached	☐ Fee Address indication requested, system generated SB/47-EFS form attached

2.Entity Status

Change in Entity Status

- ☐ Applicant certifying micro entity status; system generated Micro Entity certification form attached. See 37 CFR 1.29.
Note: Absent a valid certification of micro entity status, issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
If this box is checked, you will be prompted to choose a micro entity status on the gross income basis (37 CFR 1.29(a)) or the institution of higher education basis (37 CFR 1.29(d)), and make the applicable certification online.
- ☒ Applicant asserting small entity status. See 37 CFR 1.27.
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.
- ☐ Applicant changing to regular undiscounted fee status.
Note: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

Document Description: Issue Fee Payment (PTO-85B)

3.The Following Fee(s) Are Submitted:

☒ Issue Fee

☐ I authorize USPTO to apply my previously paid issue fee to the current fees due

☐ Publication Fee

☐ The Director is hereby authorized to apply my previously paid issue fee to the current fee due and to charge deficient fees to Deposit Account Number _____

☐ Advance Order - # of copies _____

☒ If in **addition** to the payment of the issue fee amount submitted with this form, there are any discrepancies in any amount(s) due, the Director is authorized to charge any deficiency, or credit any overpayment, to Deposit Account Number 201430.
The **issue fee must be submitted** with this form. **If payment of the issue fee does not accompany this form, checking this box and providing a deposit account number will NOT be effective to satisfy full payment of the fee(s) due.**

4.Firm and/or Attorney Names To Be Printed

NOTE: If no name is listed, no name will be printed
For printing on the patent front page, list to be displayed as entered

1. KILPATRICK TOWNSEND & STOCKTON LLP
2.
3.

5.Assignee Name(s) and Residence Data To Be Printed

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

Name	City	State	Country	Category
0912139 B.C. LTD.	Kelowna		canada	corporation

6.Signature

I certify, in accordance with 37 CFR 1.4(d)(4) that I am an attorney or agent registered to practice before the Patent and Trademark Office who has filed and has been granted power of attorney in this application. I also certify that this Fee(s) Transmittal form is being transmitted to the USPTO via EFS-WEB on the date indicated below.

Signature	/Kelvin B. Catmull/	Date	10-08-2020
Name	Kelvin B. Catmull	Registration Number	57535

Electronic Patent Application Fee Transmittal

Application Number:	16030769			
Filing Date:	09-Jul-2018			
Title of Invention:	GARMENTS FOR MEN			
First Named Inventor/Applicant Name:	Dustin Douglas BIGNEY			
Filer:	Kelvin B. Catmull			
Attorney Docket Number:	098622-1095233-000120US			
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 APPL ISSUE FEE	2501	1	600	600
PUBL. FEE- EARLY, VOLUNTARY, OR NORMAL	1504	1	0	0
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 (\$)				600

Electronic Acknowledgement Receipt

EFS ID:	40798110
Application Number:	16030769
International Application Number:	
Confirmation Number:	7100
Title of Invention:	GARMENTS FOR MEN
First Named Inventor/Applicant Name:	Dustin Douglas BIGNEY
Customer Number:	20350
Filer:	Kelvin B. Catmull
Filer Authorized By:	
Attorney Docket Number:	098622-1095233-000120US
Receipt Date:	08-OCT-2020
Filing Date:	09-JUL-2018
Time Stamp:	17:48:02
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$ 600
RAM confirmation Number	E202008H48007462
Deposit Account	201430
Authorized User	Kelvin Catmull

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

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

Package Apparel EX2001

Page 1674 of 1677

IPR2024-01163

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	Web85b.pdf	46114	no	2
			0d351893bed9090970724c1a5d28a8f1ae847fdb		
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	31960	no	2
			d3d74fd507dab038745dc4369005b020e32390c2		
Warnings:					
Information:					
Total Files Size (in bytes):			78074		
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.					



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Alexandria, Virginia 22313-1450
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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/030,769	11/17/2020	10834974	098622-1095233-000120US	7100

20350 7590 10/28/2020

KILPATRICK TOWNSEND & STOCKTON LLP
Mailstop: IP Docketing - 22
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309

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 291 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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

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

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

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

Dustin Douglas BIGNEY, West Vancouver, CANADA;
0912139 B.C. LTD., Kelowna, CANADA;
Shawn Robert ELLIS, Kelowna, CANADA;

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.

To: ipefiling@kilpatricktownsend.com,KTSDocketing2@kilpatrick.foundationip.com,
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 20350

Oct 29, 2020 03:56:29 AM

Dear PAIR Customer:

KILPATRICK TOWNSEND & STOCKTON LLP
Mailstop: IP Docketing - 22
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309
UNITED STATES

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Application	Document	Mailroom Date	Attorney Docket No.
16030769	ISSUE.NTF	10/28/2020	098622-1095233-000120US

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