IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	B. Scott Maxfield		
Appln. No.:	18/490,715	Confirmation No.:	5970
Filing Date:	19 October 2023	Examiner:	Shiref M Mekhaeil
Title:	MULTIFUNCTION BUTTON FOR LADDER ADJUSTMENT	Group Art Unit:	3634

DECLARATION UNDER 37 C.F.R. §1.132

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

I, N. Ryan Moss, declare that:

1. I reaffirm and reincorporate my previous declaration filed 25 July 2024 in the present application.

2. There has been a long-felt but unmet need for the invention claimed in the present application. As I explained in my previous declaration, the industry has long failed to meet the need of providing storage solutions for ladder users at the top ends or hinge areas of multi-position/articulating ladders.

3. I am one of the inventors named in the present application and in U.S. Patent Application Publication No. 2009/0229918 to Moss, which has now been cited in a rejection of the present application by the Examiner. As such, I have personal knowledge of the setting and circumstances of the inventions in each of these patent applications.

4. The magnetic hinge buttons described in the Moss reference did not

effectively address the long-felt need for storage options in articulating ladders. The magnetic buttons were implemented in ladders for many years, but users were not satisfied with and did not highly value the magnetic button features. Since the magnetic buttons were more costly to manufacture than buttons without magnetic features, we discontinued offering magnetic buttons on ladders in the mid 2010s. The need for effective ways to support tools at the top of an articulating ladder remained unmet, despite the existence of the magnetic buttons disclosed in the Moss reference and sold to customers.

5. I am not aware of any devices from competitors that included hinge button support features, including magnetic buttons, even after we were offering magnetic buttons for sale. The magnetic buttons disclosed in the Moss reference were publicly known for over 10 years before we developed the invention of the present application. During that time, no competitor devices were produced with magnetic buttons like the Moss reference, nor were brackets like the Ng reference added to buttons. The work and time required to design and implement the hinge button assemblies of the present application was considerable, but that time is only a fraction of a decade. The ladder industry is very competitive, and our competitors keep watch over our intellectual property, including patent filings. If it had been obvious to modify the magnetic button of the Moss reference in view of Ng, they likely would have seen the Moss reference. Yet, no competitor modified the buttons of Moss (or any hinge buttons for that matter) to include brackets such as those in Ng until we developed and implemented it in 2022. The long-felt need for effective support at the top end of an articulating ladder remained unsatisfied before the invention of the current application.

6. In my professional opinion, the absence of any solutions for hinge button tool hanging, followed by immediate copying of the idea by a Little Giant competitor upon apparently receiving access to our concept, as I explained in my previous declaration and as explained in connection with the Declaration of Brian B. Russell, filed herewith, shows without question that the inventions of our claims were not obvious at the time the application was filed.

7. I further 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 above-referenced application or any patent issuing thereon.

Date: 1/25/2024

N. Ryan Moss
CEO
Little Giant Ladder Systems, LLC

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