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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
29/822,973	01/13/2022	Elizabeth Bogert	6936-00397	1012
26753 7590 06/24/2025 ANDRUS INTELLECTUAL PROPERTY LAW, LLP 790 NORTH WATER STREET SUITE 2200 MILWAUKEE, WI 53202			EXAMINER SHIN, WOOSUK KEVIN	
			ART UNIT 2935	PAPER NUMBER
			NOTIFICATION DATE 06/24/2025	DELIVERY MODE ELECTRONIC

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

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

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

patentdocketing@andruslaw.com



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APPLICATION NO.	ISSUE DATE	PATENT NO.
29/822,973	24-Jun-2025	D1080391

ANDRUS INTELLECTUAL PROPERTY LAW, LLP
790 NORTH WATER STREET
MILWAUKEE, WI 53202

EGRANT NOTIFICATION

Your electronic patent grant (eGrant) is now available, which can be accessed via Patent Center at <https://patentcenter.uspto.gov>

The electronic patent grant is the official patent grant under 35 U.S.C. 153. For more information, please visit <https://www.uspto.gov/electronicgrants>

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via the USPTO patent electronic filing system.

By mail, send to: Mail Stop ISSUE FEE
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By fax, send to: (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence 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. **Because electronic patent issuance may occur shortly after issue fee payment, any desired continuing application should preferably be filed prior to payment of this issue fee in order not to jeopardize dependency.**

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.

26753 7590 03/18/2025
ANDRUS INTELLECTUAL PROPERTY LAW, LLP
790 NORTH WATER STREET
SUITE 2200
MILWAUKEE, WI 53202

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 the USPTO patent electronic filing system or by facsimile to (571) 273-2885, on the date below.

Dawn Burian	(Typed or printed name)
/Dawn Burian/	(Signature)
May 20, 2025	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
29/822,973	01/13/2022	Elizabeth Bogert	6936-00397	1012

TITLE OF INVENTION: BOTTLE

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$1300	\$0.00	\$0.00	\$1300	06/18/2025

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHIN, WOOSUK KEVIN	2935	D09-569000

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

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

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/AIA/47 or PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

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

1 Andrus Intellectual Property Law, LLP

(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)

Bath & Body Works Brand Management, Inc. Reynoldsburg, Ohio

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

4a. Fees submitted: ☒ Issue Fee ☐ Publication Fee (if required)

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

☒ Electronic Payment via the USPTO patent electronic filing system ☐ 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. 01-2000

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 /Emily M. Chilson/

Date May 20, 2025

Typed or printed name Emily M. Chilson

Registration No. 69,966



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NOTICE OF ALLOWANCE AND FEE(S) DUE

26753 7590 03/18/2025
ANDRUS INTELLECTUAL PROPERTY LAW, LLP
790 NORTH WATER STREET
SUITE 2200
MILWAUKEE, WI 53202

EXAMINER	
SHIN, WOOSUK KEVIN	
ART UNIT	PAPER NUMBER
2935	

DATE MAILED: 03/18/2025

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nonprovisional	UNDISCOUNTED	\$1300	\$0.00	\$0.00	\$1300	06/18/2025

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 40% the amount of undiscounted fees, and micro entity fees are 20% the amount of undiscounted fees.

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

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

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

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26753 7590 03/18/2025
ANDRUS INTELLECTUAL PROPERTY LAW, LLP
790 NORTH WATER STREET
SUITE 2200
MILWAUKEE, WI 53202

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
29/822,973	01/13/2022	Elizabeth Bogert	6936-00397	1012

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EXAMINER	ART UNIT	CLASS-SUBCLASS
SHIN, WOOSUK KEVIN	2935	D09-569000

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Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
29/822,973	01/13/2022	Elizabeth Bogert	6936-00397	1012
26753	7590	03/18/2025	EXAMINER	
ANDRUS INTELLECTUAL PROPERTY LAW, LLP			SHIN, WOOSUK KEVIN	
790 NORTH WATER STREET				
SUITE 2200			ART UNIT	
MILWAUKEE, WI 53202			PAPER NUMBER	
			2935	
DATE MAILED: 03/18/2025				

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. The United States Patent and Trademark Office (USPTO) collects the information in this record under authority of 35 U.S.C. 2. The USPTO's system of records is used to manage all applicant and owner information including name, citizenship, residence, post office address, and other information with respect to inventors and their legal representatives pertaining to the applicant's/owner's activities in connection with the invention for which a patent is sought or has been granted. The applicable Privacy Act System of Records Notice for the information collected in this form is COMMERCE/PAT-TM-7 Patent Application Files, available in the Federal Register at 78 FR 19243 (March 29, 2013).

<https://www.govinfo.gov/content/pkg/FR-2013-03-29/pdf/2013-07341.pdf>

Routine uses of the information in this record may include disclosure to:

- 1) law enforcement, in the event that the system of records indicates a violation or potential violation of law;
- 2) a federal, state, local, or international agency, in response to its request;
- 3) a contractor of the USPTO having need for the information in order to perform a contract;
- 4) the Department of Justice for determination of whether the Freedom of Information Act (FOIA) requires disclosure of the record;
- 5) a Member of Congress submitting a request involving an individual to whom the record pertains, when the individual has requested the Member's assistance with respect to the subject matter of the record;
- 6) a court, magistrate, or administrative tribunal, in the course of presenting evidence, including disclosures to opposing counsel in the course of settlement negotiations;
- 7) the Administrator, General Services Administration (GSA), or their designee, during an inspection of records conducted by GSA under authority of 44 U.S.C. 2904 and 2906, in accordance with the GSA regulations and any other relevant (i.e., GSA or Commerce) directive, where such disclosure shall not be used to make determinations about individuals;
- 8) 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));
- 9) the Office of Personnel Management (OPM) for personnel research purposes; and
- 10) the Office of Management and Budget (OMB) for legislative coordination and clearance.

If you do not furnish the information requested on this form, the USPTO may not be able to process and/or examine your submission, which may result in termination of proceedings, abandonment of the application, and/or expiration of the patent.

Notice of Allowability For A Design Application	Application No. 29/822,973	Applicant(s) Bogert et al.	
	Examiner WOOSUK K SHIN	Art Unit 2935	AIA (FITF) Status Yes

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. This notice does not set or reset the time period for paying the issue fee. The issue fee must be paid within THREE MONTHS FROM THE MAILING DATE of the Notice of Allowance (PTOL-85) or this application shall be regarded as ABANDONED. This statutory period cannot be extended. See 35 U.S.C.151.

1. ☒ This communication is responsive to Applicant Arguments/Remarks recieved 02/14/25 .
- ☐ 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 claim is allowed.
4. ☒ Acceptable drawings:
- (a) ☒ The drawings filed on 01/13/22 are accepted by the Examiner.
- (b) ☐ Drawing Figures filed on ____ and drawing Figures filed on ____ are accepted by the Examiner.
5. ☐ The claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f) is acknowledged.

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 requirement for corrected drawings noted in item 6 below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.** See 37 CFR 1.85(c). **NOTE: This notice does not set or reset the time period for paying the issue fee.**

6. ☐ 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).

Attachment(s)

- | | |
|---|---|
| 1. ☒ Notice of References Cited (PTO-892) | 4. ☒ Examiner's Amendment/Comment |
| 2. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Receipt Date ____ | 5. ☐ Examiner's Statement of Reasons for Allowance |
| 3. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____ | 6. ☐ Other ____ . |

NOTE: ____

/W.K.S./
Examiner, Art Unit 2935

/KEVIN K RUDZINSKI/
Primary Examiner, Art Unit 2911

Notice of Allowability

Examiner Comment

The applicant's remarks/arguments received 02/14/25 has been acknowledged. The applicant specifically points out the diagonally ribbed lines of the claimed design "are formed with peaks at their center points", whereas the diagonally ribbed lines depicted in secondary reference US Patent D700,842 S ("Lo") are dissimilarly "flattened". Thus, the applicant claims the secondary reference does not properly teach the diagonally ribbed lines of the claimed design and it would not be obvious for an ordinary designer to arrive at the "peaked diagonally ribbed lines" when combining the primary and secondary references. After careful consideration, the examiner is in agreeance that the peaked aspect of the diagonally ribbed lines is a distinct detailed feature that is not accurately taught in *Lo* and would not be obvious to an ordinary designer. As the peaked diagonally ribbed lines are patentably significant to the overall claimed design and is not obviously taught in analogous prior art references cited, the rejection under *35 U.S.C. 103* has been withdrawn.

Conclusion

The claimed design is patentable over the references cited.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WOOSUK K SHIN whose telephone number is (703)756-1166. The examiner can normally be reached Mon-Fri, 8:30am-5pm.

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

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Arminio can be reached on (571)270-0221. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of published or unpublished applications may be obtained from Patent Center. Unpublished application information in Patent Center is available to registered

users. To file and manage patent submissions in Patent Center, visit:

<https://patentcenter.uspto.gov>. Visit <https://www.uspto.gov/patents/apply/patent-center> for more information about Patent Center and <https://www.uspto.gov/patents/docx> for information about filing in DOCX format. For additional questions, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/W.K.S./
Examiner, Art Unit 2935

/KEVIN K RUDZINSKI/
Primary Examiner, Art Unit 2911

REMARKS/ARGUMENTS

This paper responds to the Non-Final Office Action dated November 14, 2024. Reconsideration and allowance of the presently pending claim in view of the below remarks is respectfully requested.

Claim Rejections - 35 U.S.C. § 103

The claim has been rejected under 35 U.S.C. § 103 as being unpatentable over O'Donahue, U.S. Patent No. D730,738 in view of Lo et al., U.S. Patent No. D700,842.

According to *LKQ Corporation v. GM Global Technology Operations LLC*, 102 F.4th 1280, 1295 (Fed. Cir. 2024), whether a claimed design is obvious is based on “factual criteria similar to those that have been developed as analytical tools for reviewing the validity of a utility patent under § 103, that is, on application of the *Graham* factors” (*citing Hupp v. Siroflex of Am., Inc.*, 122 F.3d 1456, 1462 (Fed. Cir. 1997)). Thus, the fact finder should consider the scope and content of the prior art, determine the differences between the prior art and the claimed design, and ascertain the knowledge of an ordinary designer in the relevant field. *See id.* at 1295-1299. “Where a primary reference alone does not render the claimed design obvious, secondary references may be considered.” *Id.* at 1299. “[T]here must be some record-supported reason (without hindsight) that an ordinary designer in the field of the article of manufacture would have modified the primary reference with the feature(s) from the secondary reference(s) to create the same overall appearance as the claimed design.” *Id.* (emphasis added).

As pertains to the secondary reference, MPEP § 1504.03 (II)(A) states:

A rejection under 35 U.S.C. 103 would be appropriate if a designer of ordinary skill would have been motivated to modify a primary reference by deleting features thereof or by interchanging with or adding features from pertinent secondary references.

(Emphasis added.) Of note in both *LKQ Corp.* and the above-quoted section of the MPEP is that the primary reference needs to be modified with features from the secondary reference in order for a claimed design to be obvious.

In the present case, the Examiner believes that the claimed design is obvious over the primary O'Donahue reference as modified by features of the secondary Lo reference. However, as discussed in detail below, adding the features of the Lo secondary reference to the O'Donahue primary reference would not lead to the claimed design because what the Examiner has characterized as the "diagonally ribbed lines" of Lo are not the same as the corresponding features of the claimed design. As such, adding the diagonally ribbed lines of Lo to the bottle of O'Donahue would not arrive at the claimed design.

As shown by the annotated screen shots below, the diagonally ribbed lines of the present design are formed with peaks at their center points, examples of which peaks are called out by the red arrows. In contrast, the diagonally ribbed lines of the design shown in Lo are markedly flattened, as shown by the blue arrows. Therefore, if an ordinary designer was to modify the design of O'Donahue with the diagonally ribbed lines shown in Lo, they would arrive at a design with flattened diagonally ribbed lines, not peaked diagonally ribbed lines. The combination of O'Donahue with Lo therefore does not render the claimed design obvious.

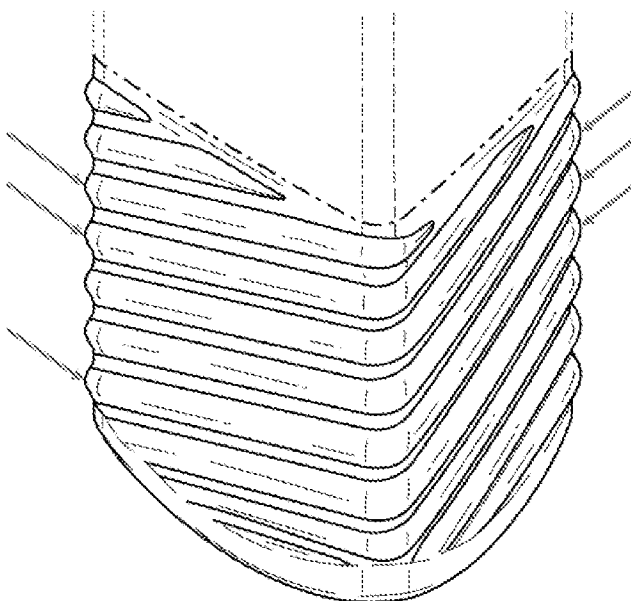


FIG. 1 of Claimed Design

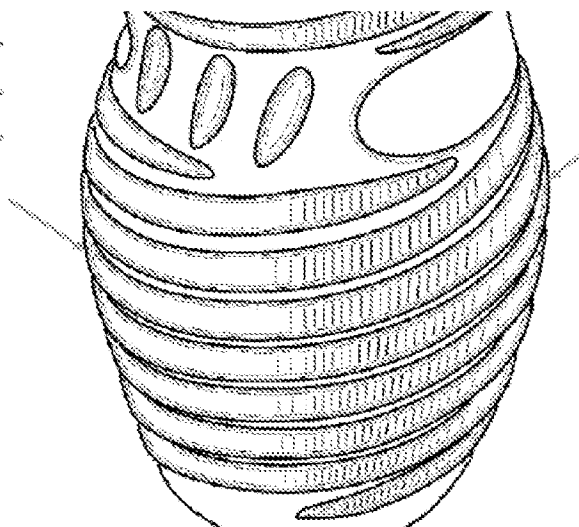


FIG. 1 of Lo

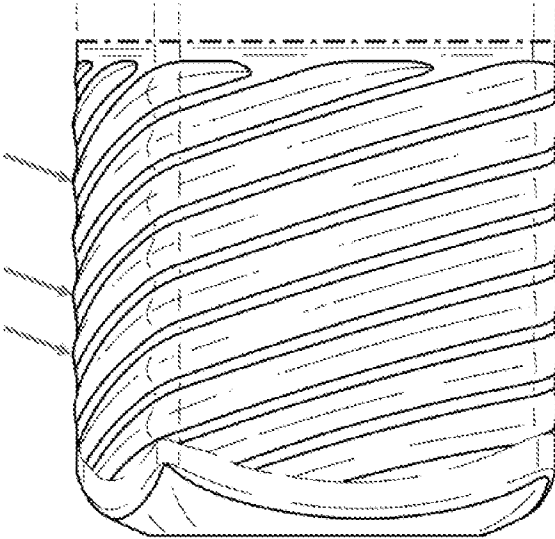


FIG. 2 of Claimed Design

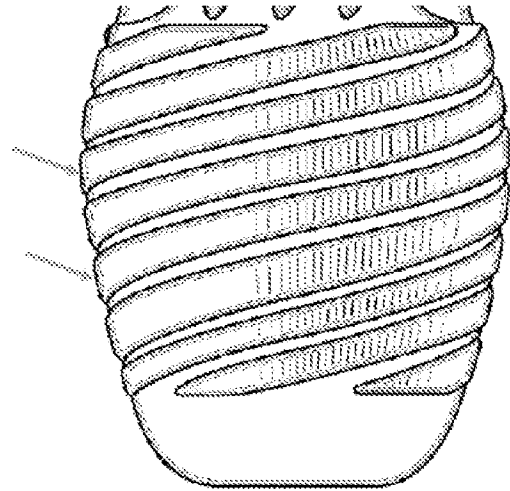


FIG. 2 of Lo

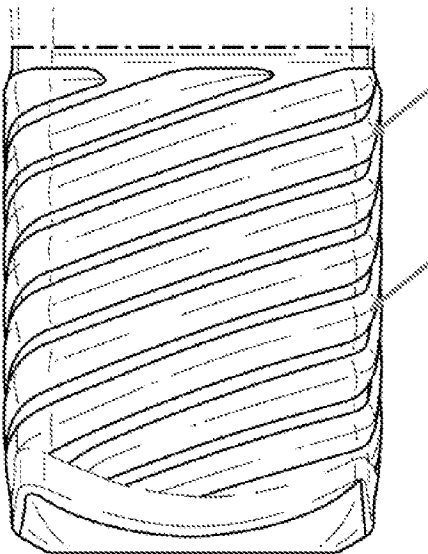


FIG. 4 of Claimed Design

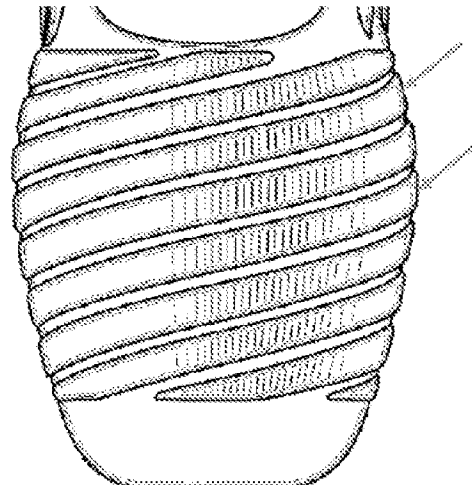


FIG. 3 of Lo

Application No. 29/822,973
Attorney Docket No. 6936-00397
Response to Nonfinal Office Action dated February 14, 2025
Reply to Office Action of November 14, 2024

Conclusion

Allowance of the pending claim is respectfully requested.

No fee is believed due with this submission. However, the Director is hereby authorized to withdraw any fees due from Deposit Account No. 01-2000.

Respectfully submitted,
ANDRUS INTELLECTUAL PROPERTY LAW, LLP

By /Emily M. Chilson/
Emily M. Chilson
Reg. No. 69,966

790 North Water Street, Suite 2200
Milwaukee, Wisconsin 53202
Telephone: (414) 271-7590
Facsimile: (414) 271-5770

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.	:	29/822,973	)	CERTIFICATE OF ELECTRONIC
Inventors	:	Elizabeth Bogert et al.	)	FILING
			)	
Filed	:	January 13, 2022	)	I hereby certify that this correspondence is
			)	being electronically filed with the U.S.
Title	:	Bottle	)	Patent Office on this 14 th day of February,
			)	2025.
TC/A.U.	:	2935	)	
Examiner	:	Woosuk Kevin Shin	)	
			)	
Conf. No.	:	1012	)	/ Dawn Burian / 02/14/2025
Docket No.	:	6936-00397	)	Dawn Burian Date

RESPONSE TO NONFINAL REJECTION

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

Dear Commissioner:

This paper responds to the Non-Final Office Action dated November 14, 2024.

Remarks/Arguments begin on page 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
29/822,973	01/13/2022	Elizabeth Bogert	6936-00397	1012

26753 7590 11/14/2024
ANDRUS INTELLECTUAL PROPERTY LAW, LLP
790 NORTH WATER STREET
SUITE 2200
MILWAUKEE, WI 53202

EXAMINER

SHIN, WOOSUK KEVIN

ART UNIT	PAPER NUMBER
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2935

NOTIFICATION DATE	DELIVERY MODE
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11/14/2024

ELECTRONIC

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

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

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

patentdocketing@andruslaw.com

Detailed Action

Notice of Pre-AIA or AIA Status

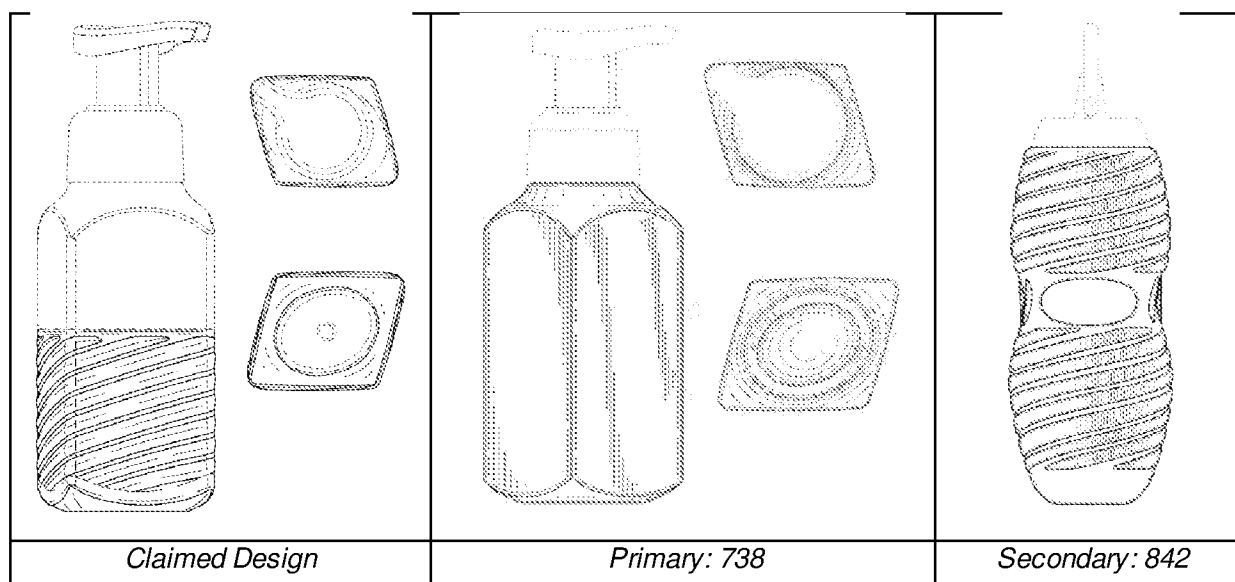
The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

35 U.S.C. 103 Rejection

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

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

The claim is rejected under 35 U.S.C. 103 as being unpatentable over US Patent D730,738 S (hereinafter "738") in view of the prior art demonstrated by US patent D700,842 S (hereinafter "842").



Although the invention is not identically disclosed or described as set forth in 35 U.S.C. 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a designer having ordinary skill in the art to which the claimed invention pertains, the invention is not patentable.

The '738 patent has an overall appearance with design characteristics that are visually similar to those of the claimed design, in showing:

- A rhombus body where two parallel sides are identically longer than the other two parallel sides
- Rounded vertical edges at the corners
- A curved bottom edge with higher points at the corners
- Oval on the bottom

The claimed design differs from '738 in that there are repeating diagonally ribbed lines running across the body, covering the bottom half of the bottle.

The '842 patent teaches repeating diagonally ribbed lines running across the body and covering the bottom half of the bottle.

It would have been obvious to a designer of ordinary skill in the art before the effective filing date of the claimed invention to modify '738 by placing repeating diagonally ribbed lines running across the body as taught by '842 since '842 demonstrates that the ornamental feature of the repeating diagonal lines is commonplace in the field of bottles and would therefore have been an obvious design choice.

Conclusion

The claim is rejected under 35 U.S.C. 103.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WOOSUK K SHIN whose telephone number is (703)756-1166. The examiner can normally be reached Mon-Fri, 8:30am-5pm.

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

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Arminio can be reached on (571)270-0221. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of published or unpublished applications may be obtained from Patent Center. Unpublished application information in Patent Center is available to registered users. To file and manage patent submissions in Patent Center, visit:

<https://patentcenter.uspto.gov>. Visit <https://www.uspto.gov/patents/apply/patent-center> for more information about Patent Center and <https://www.uspto.gov/patents/docx> for information about filing in DOCX format. For additional questions, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/W.K.S./

Examiner, Art Unit 2935

/KEVIN K RUDZINSKI/

Primary Examiner, Art Unit 2911



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
29/822,973	01/13/2022	Elizabeth Bogert	6936-00397

CONFIRMATION NO. 1012

INFORMAL NOTICE



OC000000131143151

26753
ANDRUS INTELLECTUAL PROPERTY LAW, LLP
790 NORTH WATER STREET
SUITE 2200
MILWAUKEE, WI 53202

Date Mailed: 01/19/2022

INFORMATIONAL NOTICE TO APPLICANT

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A properly executed inventor's oath or declaration has not been received for the following inventor(s):
Elizabeth Bogert
Andrew Michael Lanza

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at (571) 272-4000 or (571) 272-4200 or 1-888-786-0101.

/ambalinang/

APPLICATION FOR DESIGN PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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

Dear Commissioner:

Your Petitioners **Elizabeth Bogert** and **Andrew Michael Lanza** request that Letters Patent may be granted to them for their new and original design for:

BOTTLE

DESCRIPTION OF THE FIGURES OF THE DRAWINGS

FIG. 1 is a perspective view of a bottle according to our new and ornamental design;

FIG. 2 is a front elevation view thereof;

FIG. 3 is a rear elevation view thereof;

FIG. 4 is a left side elevation view thereof;

FIG. 5 is a right side elevation view thereof;

FIG. 6 is a top plan view thereof; and

FIG. 7 is a bottom plan view thereof.

The dash-dot broken lines show the boundaries of the claimed design and form no part of the claim. The evenly dashed broken lines show portions of the bottle that form no part of the claim.

CLAIM

We claim:

The ornamental design for a bottle, as shown and described.

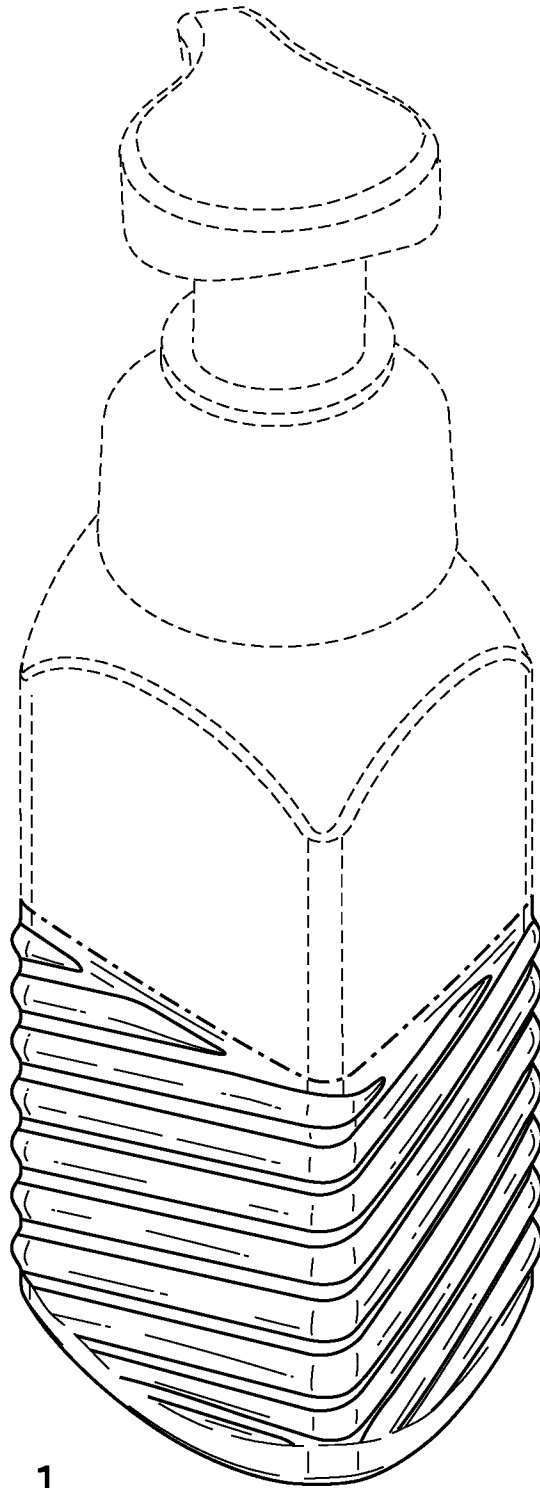


FIG. 1

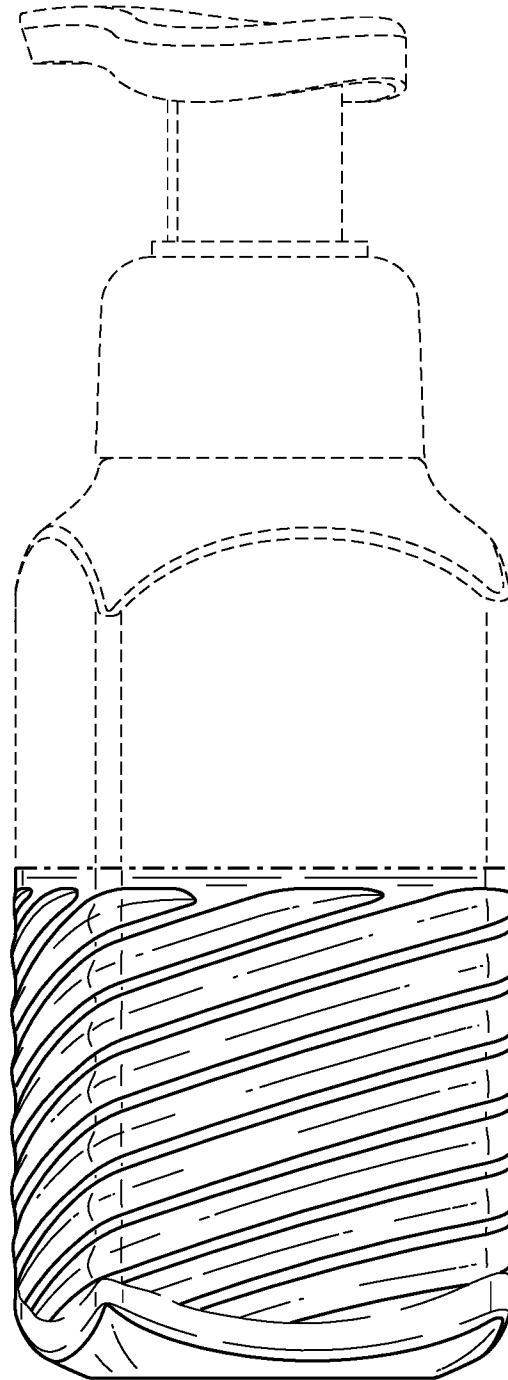


FIG. 2

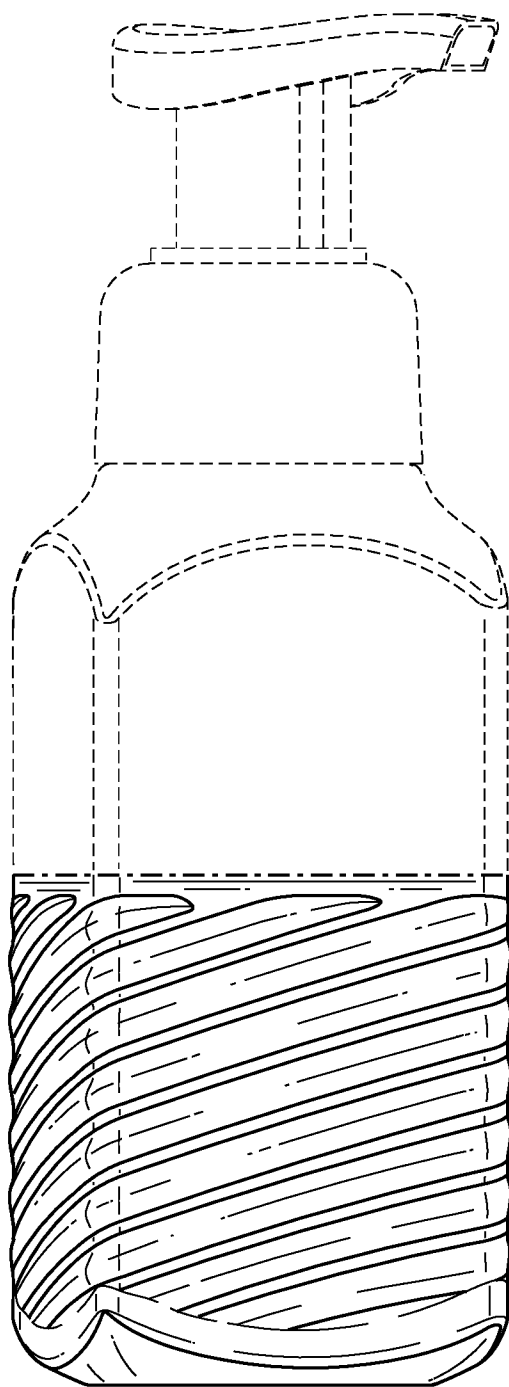


FIG. 3

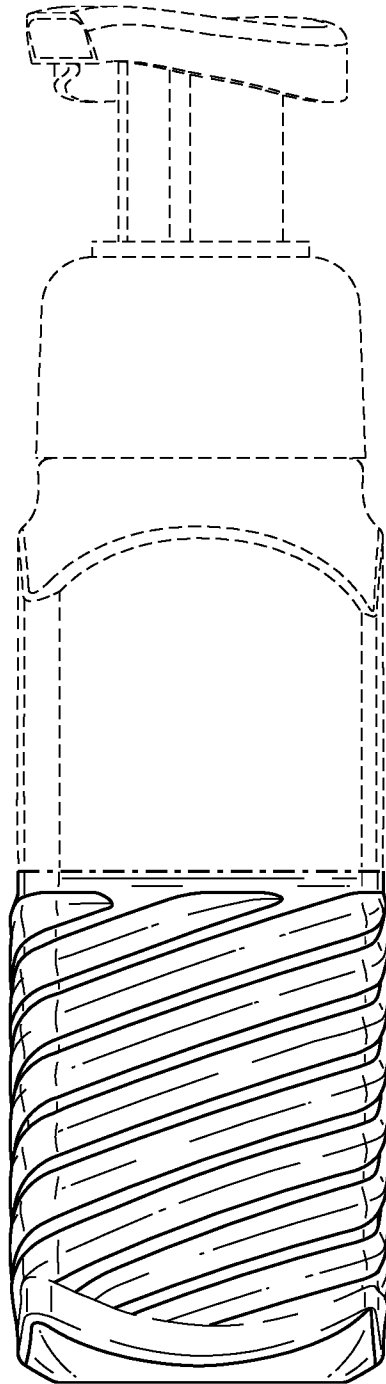


FIG. 4

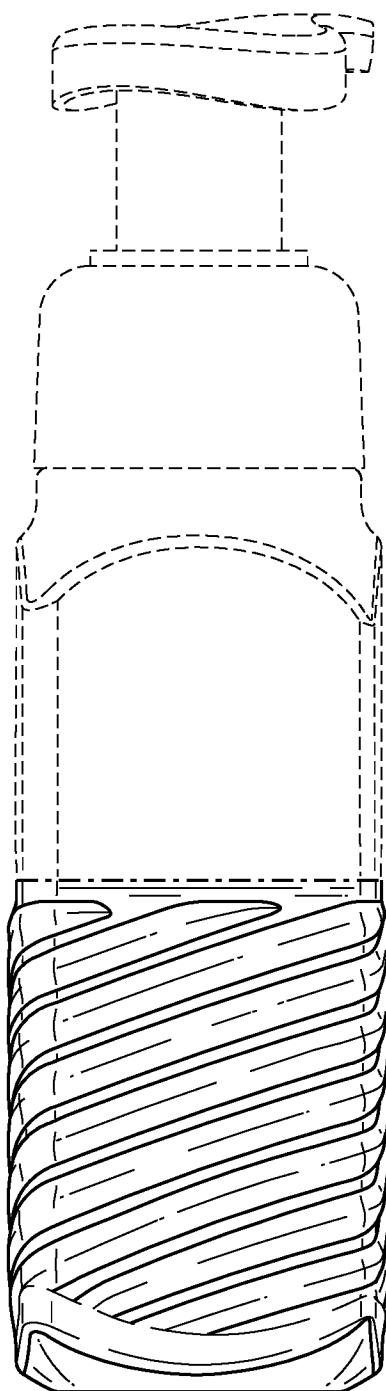


FIG. 5

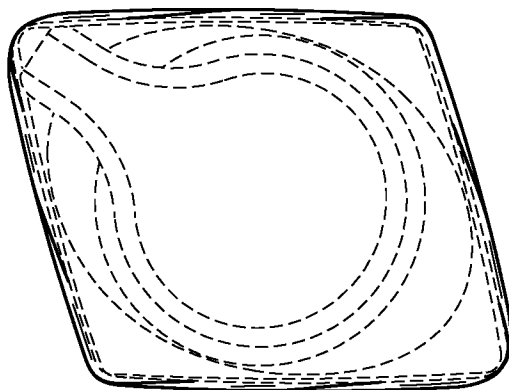


FIG. 6

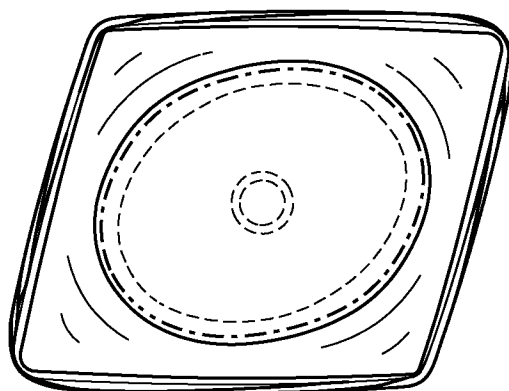


FIG. 7