

20 Nov 24/11/05

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Señores

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

DIVISION DE NUEVAS CREACIONES

E S D

SUPERINDUSTRIA Y COMERCIO

Radicacion : 04123623 00000003 Folios: 57
Fecha (IND) 2005 12-21 17 01 45
Tramite : 011 PCT-PATENT 379 FASE NACI 229 COMPLEMEN
Dependencia: 2020 DIVISION DE NUEVAS CREACIONES

REF Expediente No 04 123 623 - Solicitud de Patente FASE NACIONAL

Corresp a la Solicitud Internacional PCT/US03/16324

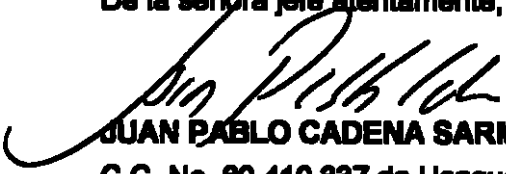
a favor de BRISTOL - MYERS SQUIBB COMPANY

Titulada BIBERÓN

JUAN PABLO CADENA SARMIENTO, vecino de Bogotá, portador de la tarjeta profesional No 57482, obrando como apoderado sustituto de la Sociedad BRISTOL - MYERS SQUIBB COMPANY, según lo acredita el documento de sustrucción de Poder anexo, dando alcance a nuestro escrito radicado el 14 de Marzo de 2005, me permito allegar

- 1 Reporte de Examen Preliminar Internacional (formas PCT/IPEA/416 y PCT/IPEA/409), junto con su correspondiente traducción
- 2 Copias certificadas por la Oficina de Patentes de los Estados Unidos de las dos primeras solicitudes presentadas para la misma invención, de las cuales REIVINDICAMOS PRIORIDAD

De la señora jefa atentamente,


JUAN PABLO CADENA SARMIENTO

C C No 80 410 337 de Usaquén

Cra 7a No 18-56 Piso 9

Bogotá, 19 de Diciembre, 2005

CHP/MEV/hsr

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SEÑORES
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
DIVISIÓN DE NUEVAS CREACIONES
E S D.

Ref Expediente No 04 123 623

HECTOR GOMEZ MEJIA, mayor de edad y vecino de esta ciudad, identificado como aparece al pie de mi firma, en mi calidad de Apoderado General de BRISTOL - MYERS SQUIBB COMPANY, manifiesto por el presente que SUSTITUYO el Poder conferido en el abogado JUAN PABLO CADENA SARMIENTO, también mayor de edad y vecino de esta ciudad, identificado como aparece al pie de su firma, para que actúe ante esa División en las diligencias que se adelantan dentro del expediente de la referencia

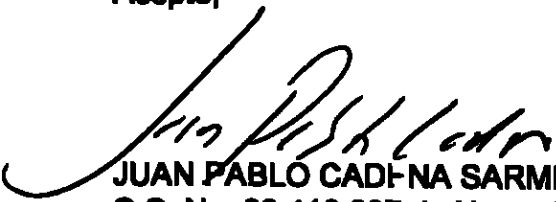
El apoderado sustituto queda ampliamente facultado para intervenir ante esa División, presentar solicitudes, modificaciones, y afectaciones, presentar oposiciones, presentar objeciones, presentar demandas de cancelación, interponer y presentar recursos, pagar, notificarse, desistir, conciliar y transigir, renunciar, sustituir y reasumir este Poder, y en general adelantar todas las actuaciones requeridas para la defensa y efectividad de los intereses de mi representada

Ruego se le reconozca personería en los términos de esta sustitución

Respetuosamente,


HECTOR GOMEZ MEJIA
C C No 22 720 de Bogotá
T P No 19 436 del C S J

Acepto,


JUAN PABLO CADENA SARMIENTO
C C No 80 410 337 de Usaquén
T P No 57 492 del C S J

MINISTERIO DE PRESENTACION PERSONAL
RECONOCIMIENTO DE CONTENIDO Y FIRMA

El anterior escrito dirigido al Legislación
de industria y comercio

Fue presentado personalmente ante el suscrito
Votado Cuarenta y Seis de Bogotá por

Hector Gomez Lopez
quien se identificó con la C. C. 22730.

Bogotá y T. P. 19426

ch y además declaró que el contenido
del anterior documento es cierto y que la firma

que lo autoriza fue puesta por él, en consecuencia
se firma en Bogotá, 05 ENE 2005

Victor J. J. J.
Firma



PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To
NEIL C. JONES
NELSON MULLINS RILEY & SCARBOROUGH, L.P.
KEENAN BUILDING THIRD FLOOR
P.O. BOX 11070
COLUMBIA, SC 29211

RECEIVED

JUN 06 2005

PCT

NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Rule 71.1)

Date of mailing
(day/month/year)

01 JUN 2005

Applicant's or agent's file reference

1940059130

NP-ESC

NELSON MULLINS
COLUMBIA OFFICE

IMPORTANT NOTIFICATION

International application No.

PCT/US03/16324

International filing date (day/month/year)

23 May 2003 (23.05.2003)

Priority date (day/month/year)

10 June 2002 (10.06.2002)

Applicant

BRISTOL-MYERS SQUIBB COMPANY

- 1 The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.
- 2 A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
- 3 Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the *PCT Applicant's Guide*.

The applicant's attention is drawn to Article 33(5) which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether in that State the claimed invention is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the IPEA/US

Mail Stop PCT Am. IPEA/US

Commissioner for Patents

P.O. Box 1430

Alexandria, Virginia 22313-1430

Facsimile No. (703) 305-3230

Form PCT/IPEA/416 (January 2004)

Authorized officer

Sue A. Weaver

Telephone No. (703) 308-1148

Diane Smith

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 19400/09130		FOR FURTHER ACTION		See Form PCT/IPBA/416
International application No. PCT/US03/16324		International filing date (day/month/year) 23 May 2003 (23 05 2003)	Priority date (day/month/year) 10 June 2002 (10.06 2002)	
International Patent Classification (IPC) or national classification and IPC IPC(7) A 61J 9/00 and US CL. 215/111, 384, 426/117				
Applicant BRISTOL-MYERS SQUIBB COMPANY				
1 This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36 2 This REPORT consists of a total of <u>3</u> sheets including this cover sheet. 3 This report is also accompanied by ANNEXES, comprising: a ☐ (sent to the applicant and to the International Bureau) a total of ___ sheets, as follows: ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). ☐ sheets which supersede earlier sheets but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed as indicated in item 4 of Box No. I and the Supplemental Box b ☐ (sent to the International Bureau only) a total of ___ (indicate type and number of electronic carrier(s)) ___, containing a sequence listing and/or tables related thereto in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions)				
4 This report contains indications relating to the following items: ☒ Box No. I Basis of the report ☐ Box No. II Priority ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability ☐ Box No. IV Lack of unity of invention ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability, objections and explanations supporting such statement ☐ Box No. VI Certain documents cited ☐ Box No. VII Certain defects in the international application ☐ Box No. VIII Certain observations on the international application				
Date of submission of the demand 14 November 2003 (14 11 2003)		Date of completion of this report 22 April 2005 (22 04 2005)		
Name and mailing address of the IPTA, US Mail Stop PCT Am. IPBA/US Commissioner for Patent P.O. Box 1450 Arlington Virginia 22211 1450 Facsimile No. (703) 305-3230		Authorized officer Sue A. Warner <i>[Signature]</i> Telephone No. (703) 308-1148		

Form PCT/IPBA/409 (cover sheet) (January 2004)

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/US03/16324

Box No 1 Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed unless otherwise indicated under this item
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *replacement sheets* which have been furnished to the receiving Office in response to an indication under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)
- ☒ the international application as originally filed/furnished
- ☒ the description.
- pages 1-12 as originally filed/furnished
- pages* NONE received by this Authority on _____
- pages* NONE received by this Authority on _____
- ☒ the claims
- pages 13-20 as originally filed/furnished
- pages* NONE as amended (together with any statement) under Article 19
- pages* NONE received by this Authority on _____
- pages* NONE received by this Authority on _____
- ☒ the drawings
- pages 1-4 as originally filed/furnished
- pages* NONE received by this Authority on _____
- pages* NONE received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of
- ☐ the description, pages _____
- ☐ the claims Nos _____
- ☐ the drawings sheets/figs _____
- ☐ the sequence listing (specify) _____
- ☐ any table(s) related to the sequence listing (specify) _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(e))
- ☐ the description, pages _____
- ☐ the claims Nos _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify) _____
- ☐ any table(s) related to the sequence listing (specify) _____

* If item 4 applies, some or all of these sheets may be marked "superseded"

Form PCT/IFA/409 (Box No 1) (January 2004)

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No
PCT/US03/16324**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1 Statement**

Novelty (N)	Claims 1-21	YES
	Claims NONE	NO
Inventive Step (IS)	Claims 1-26	YES
	Claims NONE	NO
Industrial Applicability (IA)	Claims 1-26	YES
	Claims NONE	NO

2 Citations and Explanations (Rule 70.7)

Claims 1-26 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest a baby bottle with a circular shaped cylindrical upper body portion having a first radius a circular shaped cylindrical lower body portion having a second radius and an elliptical shaped cylindrical body portion intermediate the upper and lower body portion with a minor axis radius and major axis radius wherein at least the minor axis radius is smaller than the first radius as claimed in independent claims 1 11 16 and 23 The remaining dependent claims 2-10 12-15 17-22 and 24-26 are novel and inventive along with the independent claims

Claims 1 26 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry

NEW CITATIONS

TRATADO DE COOPERACIÓN DE PATENTES

147

Remitente

OFICINA ENCARGADA DEL EXAMEN PRELIMINAR INTERNACIONAL

A
NEIL C JONES
NELSON MULLINS RILEY & SCARBOROUGH, LLP
KEENAN BUILDING, THIRD FLOOR
P O BOX 11070
COLUMBIA, SC 29211

PCT

NOTIFICACION DE TRANSMISION DEL INFORME DEL EXAMEN PRELIMINAR INTERNACIONAL

(Regla 71.1 PCT)

Fecha de envío
(Día/Mes/Año)

01 JUN 2005

No de Expediente del Solicitante o Apoderado

19400/09130

COMUNICACIÓN IMPORTANTE

No de Solicitud Internacional

PCT/US03/16324

Fecha Internacional de Presentación
(día/mes/año)

23 de mayo de 2003 (23.05.2003)

Fecha de Prioridad (día/mes/año)

10 de junio de 2002 (10.06.2002)

Solicitante

BRISTOL-MYERS SQUIBB COMPANY

1. Se comunica al solicitante que la oficina encargada del examen preliminar internacional le envía con el presente el informe de examen preliminar internacional, elaborado para la solicitud internacional, en caso dado con los anexos correspondientes.
2. Una copia del informe, en caso dado con los anexos correspondientes, se hace llegar a la Oficina Internacional para su envío posterior a todas las oficinas seleccionadas.
3. A solicitud de una oficina seleccionada, la Oficina Internacional preparará una traducción del informe (pero no de los anexos) al inglés y la remitirá a esta oficina.
4. **RECORDATORIO**
Para ingresar en la fase nacional el solicitante, dentro de los 30 meses a partir de la fecha de prioridad (o en algunas oficinas incluso después) tiene que realizar ante cada oficina seleccionada ciertas acciones (entrega de traducciones y desembolso de honorarios nacionales) (Artículo 39 (1)) (véase también la información remitida por la Oficina Internacional en el Formulario PCT/IB/301).

Si se tiene que enviar a una oficina seleccionada una traducción de la solicitud internacional, entonces esta traducción tiene que incluir traducciones de todos los anexos al informe de examen preliminar internacional. Es obligación del solicitante elaborar dichas traducciones y hacerlas llegar directamente a las oficinas seleccionadas respectivas.

Mayores detalles en cuanto a los plazos normativos y los requisitos de las oficinas seleccionadas se desprenden del Volumen II de la guía PCT para solicitantes.

Nombre y dirección postal de la IPEA7US:

Parada de correo PCT, Attn: IPEA/US
Comisionado para patentes
Casilla postal 1450
Alexandria, Virginia 22313-1450
Facsimile No. (703) 305-3230

Funcionario Autorizado

Sue A. Waver

Teléfono No. (703) 308-1148

Formulario PCT/IPEA/416 (Enero 2004)

7 148

**TRATADO SOBRE COOPERACIÓN INTERNACIONAL
EN MATERIA DE PATENTES**

PCT

**INFORME DE EXAMEN PRELIMINAR INTERNACIONAL
(Artículo 38 y Regla 70 PCT)**

No. de Expediente del Solicitante o Apoderado 19400/09130	PROCEDIMIENTO POSTERIOR Véase Formulario PCT/IPEA418
No. Solicitud Internacional PCT/US03/16324	Fecha Internacional de Presentación (día/mes/año) 23 de mayo de 2003 (23.05.2003) Fecha de Prioridad (día/mes/año) 10 de junio de 2002 (10.06.2002)
Clasificación Internacional de Patente (IPC) o Clasificación Nacional e IPC PCT(7) A61J 9/00 y US Cl. 215/11.1, 384, 426/117	
Solicitante BRISTOL-MYERS SQUIBB COMPANY	

1	Este informe de examen preliminar internacional fue elaborado por la Oficina Encargada del Examen Preliminar Internacional y se envía al solicitante según Artículo 38
2	Este INFORME comprende un total de <u>3</u> hojas incluyendo esta portada
3	Este INFORME también viene acompañado de ANEXOS que comprenden a ☐ (enviados al solicitante y a la Oficina Internacional) un total de _____ hojas como sigue ☐ hojas de la descripción reivindicaciones y/o dibujos que han sido corregidos y son la base para este informe y/o hojas que contienen rectificaciones autorizadas por esta Autoridad (ver regla 70.16 y Sección 807 de las Instrucciones Administrativas) ☐ hojas que sustituyen hojas anteriores pero las cuales esta Autoridad considera contienen una corrección que va más allá de lo divulgado en la solicitud internacional como se presentó, según se indica en el ítem 4 de la casilla I y la Casilla Suplementaria. b ☐ (enviados solamente a la Oficina Internacional) un total de (indique tipo y número de portador(es) electrónico(s)) _____ que contienen un listado de una secuencia y/o tablas relacionadas con el mismo solo en forma legible por computador como se indica en la casilla suplementaria Relacionada con el Listado de la Secuencia (ver Sección 802 de las Instrucciones Administrativas).
4	Este informe contiene datos con respecto a los siguientes puntos. ☒ Casilla No. I Base del informe ☐ Casilla No. II Prioridad ☐ Casilla No. III Sin elaboración de un dictamen sobre novedad actividad inventiva y posibilidad de aplicación industrial ☐ Casilla No. IV Uniformidad deficiente de la invención ☒ Casilla No. V Declaración justificada según Artículo 35(2) con respecto a la novedad la actividad inventiva y la posibilidad de aplicación industrial documentos y explicaciones que sustentan esta declaración ☐ Casilla No. VI Ciertos documentos enumerados ☐ Casilla No. VII Ciertas deficiencias del registro internacional ☐ Casilla No. VIII Ciertas observaciones relacionadas con la solicitud internacional

Fecha de presentación de la petición 14 DE NOVIEMBRE DE 2003 (14.11.2003)	Fecha de la preparación de este informe 22 DE ABRIL DE 2005 (22.04.2005)
Nombre y dirección postal de la IPEA/US: Parada de correo PCT Attn IPEA/US Comisionado para patentes Casilla postal 1450 Alexandria, Virginia 22313-1450 Facsimile No (703) 305-3230	Funcionario Autorizado Sue A. Waver Teléfono No (703) 308-1148

Formulario PCT/IPEA/408 (hoja de portada) (Enero 2004)

INFORME DEL EXAMEN PRELIMINAR INTERNACIONAL

Solicitud Internacional No
PCT/US03/16324

Casilla No 1 Bases para este informe

- 1 Respecto al idioma este informe se basa en la solicitud internacional en el idioma en que fue presentada a menos que se indique lo contrario bajo este ítem.
 - ☐ Este informe se basa en la traducción del idioma original al siguiente idioma _____ que es el idioma de la traducción preparada con el propósito de:
 - ☐ búsqueda internacional (bajo las Reglas 12.3 y 23.1(b))
 - ☐ publicación de la solicitud internacional (bajo la Regla 12.4)
 - ☐ examen preliminar internacional (bajo las Reglas 55.2 y/o 55.3)
- 2 Respecto a los elementos de la solicitud internacional este informe se basa en (las hojas de reemplazo que han sido presentadas a la Oficina receptora en respuesta a una invitación bajo el Artículo 14 se refieren en este informe como "presentadas originalmente" y no se anexan a este informe)
 - ☒ La solicitud internacional como se presentó originalmente
 - ☒ la descripción.
 - páginas 1 - 12 _____ como se presentaron originalmente
 - páginas* NINGUNA _____ recibidas por esta autoridad el _____
 - páginas* NINGUNA _____ recibidas por esta autoridad el _____
 - ☒ las reivindicaciones
 - páginas 13 - 20 _____ como se presentaron originalmente
 - páginas* NINGUNA _____ recibidas por esta autoridad el _____
 - páginas* NINGUNA _____ recibidas por esta autoridad el _____
 - páginas* NINGUNA _____ recibidas por esta autoridad el _____
 - ☒ Los dibujos.
 - páginas 1 - 4 _____ como se presentaron originalmente
 - páginas* NINGUNA _____ recibidas por esta autoridad el _____
 - páginas* NINGUNA _____ recibidas por esta autoridad el _____
 - ☐ Un listado de una secuencia y/o cualquier tabla relacionada - Ver Casilla Suplementaria relacionada con el Listado de la Secuencia.
- 3 ☐ Las correcciones han dado como resultado la cancelación de
 - ☐ la descripción páginas _____
 - ☐ las reivindicaciones Nos. _____
 - ☐ los dibujos, hojas/figuras _____
 - ☐ el listado de la secuencia _____
 - ☐ cualquier tabla relacionada con el listado de la secuencia (especifique) _____
- 4 ☐ Este informe se ha establecido como si (algunas de) las correcciones anexas a este informe y enumeradas debajo no se hubieran hecho, ya que se consideran como que van más allá de la divulgación según se indica en la casilla Suplementaria (Regla 70.2(c))
 - ☐ la descripción, páginas _____
 - ☐ las reivindicaciones Nos. _____
 - ☐ los dibujos, hojas/figuras _____
 - ☐ el listado de la secuencia _____
 - ☐ cualquier tabla relacionada con el listado de la secuencia (especifique) _____

* Si el ítem 4 aplica, alguna de estas hojas pueden marcarse "sobresalidas"

2 150

INFORME DEL EXAMEN PRELIMINAR INTERNACIONAL

No de Solicitud Internacional
PCT/US03/18324

Casilla No V **Declaración concluyente de acuerdo a el Artículo 32(2) con relación a la novedad, el nivel inventivo o la aplicabilidad industrial, citas y explicaciones que soportan tal declaración**

1 DECLARACIÓN			
Novedad (N)	Reivindicaciones	<u>1 - 26</u>	<u>SI</u>
	Reivindicaciones	<u>NINGUNA</u>	<u>NO</u>
Nivel inventivo (IS)	Reivindicaciones	<u>1 - 26</u>	<u>SI</u>
	Reivindicaciones	<u>NINGUNA</u>	<u>NO</u>
Aplicabilidad Industrial (IA)	Reivindicaciones	<u>1 - 26</u>	<u>SI</u>
	Reivindicaciones	<u>NINGUNA</u>	<u>NO</u>

2 CITAS Y EXPLICACIONES (Regla 70.7)
Las reivindicaciones 1 - 26 cumplen los criterios establecidos en el artículo 33(2) - (3) del PCT, porque el arte previo no enseña o sugiere un biberón con una porción del cuerpo superior de forma circular que tiene un primer radio, una porción baja cilíndrica del cuerpo de forma circular que tiene un segundo radio y una porción cilíndrica del cuerpo de forma elíptica intermedia entre las porciones superior y baja del cuerpo con un radio de eje menor y un radio de eje mayor, en donde al menos el radio del eje menor es más pequeño que el primer radio como se reivindica en las reivindicaciones independientes 1, 11, 16 y 23. Las reivindicaciones dependientes restantes 2 - 10, 12 - 15, 17 - 22 y 24 - 26 son novedosas e inventivas junto con las reivindicaciones independientes.

Las reivindicaciones 1 - 26 cumplen los criterios establecidos en el Artículo 33(4) del PCT, y por lo tanto tienen aplicabilidad industrial porque la materia reivindicada puede hacerse o usarse industrialmente.

_____ CITAS NUEVAS _____

2 151



PA 1283702

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

November 30, 2004

THIS IS TO CERTIFY THAT ANNEXED HERETO IS A TRUE COPY FROM THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE OF THOSE PAPERS OF THE BELOW IDENTIFIED PATENT APPLICATION THAT MET THE REQUIREMENTS TO BE GRANTED A FILING DATE UNDER 35 USC 111

APPLICATION NUMBER 29/162,124

FILING DATE June 10, 2002

By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS



P. Swain

P SWAIN
Certifying Officer

06-11-02

AIDES

152

PTO/SB/18 (03-07)

Approved for use through 10/31/2002. OMB 0551-0002

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DESIGN PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 19400/09011

First Named Inventor Stuart R. Kipperman

Title Baby Bottle

Express Mail Label No. EL 830880080US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

ADDRESS TO:

Assistant Commissioner for Patents
Box Design
Washington, DC 20231

DESIGN VS. UTILITY: A "design patent" protects an article's ornamental appearance (e.g., the way an article looks) (35 U.S.C. 171), while a "utility patent" protects the way an article is used and works (35 U.S.C. 101). The ornamental appearance of an article includes its shape/configuration or surface ornamentation upon the article, or both. Both a design and a utility patent may be obtained on an article if invention resides both in its ornamental appearance and its utility. For more information see MPEP 1802.01.

APPLICATION ELEMENTS

See MPEP chapter 1800 concerning design patent application contents.

ACCOMPANYING APPLICATION PARTS

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27
3. ☒ Specification [Total Pages 3]
(preferred arrangement set forth below, MPEP 1803.01)
Preamble
Cross References to Related Applications
Statement Regarding Fed sponsored R & D
Description of the figure(s) of the drawings
- Feature description
- Claim (only one (1) claim permitted, MPEP 1503.03)
☒ Drawing(s) (37 CFR 1.182) [Total Sheets 3]
4. ☐ Oath or Declaration [Total Pages 3]
a. ☒ Newly executed (original or copy)
b. ☐ Copy from a prior application (37 CFR 1.83 (d))
(for continuations/divisions with Box 16 completed)
c. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting
inventor(s) named in the prior application, see
37 CFR 1.83(d)(2) and 1.83(h)
5. ☐ Application Data Sheet. See 37 CFR 1.78

7. ☒ Assignment Papers (cover sheet & document(s))
8. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 603)
(Should be specifically detailed)
13. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
14. ☐ Request for Expedited Examination of a Design Application (37 CFR 1.155)
(NOTE: Substitute "Box Expedited Design" for "Box Design" in the address indicated above.)
15. ☐ Other _____

If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.78:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. _____
Prior application information: Examiner _____ Group Art Unit: _____

For CONTINUATION or DIVISIONAL APPLICATIONS: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17 CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label  or ☒ Correspondence address below

Name Kyle M. Globberman

Address Nelson Mullins Riley & Scarborough, LLP

P O Box 11070

City Columbia

State SC

Zip Code

29211

Country US

Telephone

(404) 817-8204

Fax

(404) 817-8031

Name (Print/Type) Kyle M. Globberman

Registration No. (Attorney/Agent)

48,730

Signature 

Date

6/10/02

Burden Hour Statement: This form is estimated to take 15 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are requested to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Design, Washington, DC 20231

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.

**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

Complete if Known

Application Number	Unknown
Filing Date	Filed Herewith
First Named Inventor	Stuart R. Kipperman
Examiner Name	Unknown
Group Art Unit	Unknown
Attorney Docket No.	19400/09011

TOTAL AMOUNT OF PAYMENT (\$)**370 00****METHOD OF PAYMENT****FEE CALCULATION (continued)**

- 1 ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-1198**
Deposit Account Name **Nelson Mullins LLP et al**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.95 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.37.

- 2 ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1 BASIC FILING FEE**

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
101 740 201 370		Utility filing fee	
106 330 206 165		Design filing fee	330.00
107 690 207 345		Plant filing fee	
108 740 208 370		Release filing fee	
114 180 214 90		Provisional filing fee	

SUBTOTAL (1) (\$)**330 00****2 EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from Table	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent Claims	-3** =	X	

Large Entity Fee Code	Small Entity Fee Code	Fee Description
103 18 203 9		Claims in excess of 20
102 84 202 42		Independent claims in excess of 3
104 280 204 140		Multiple dependent claims, if not paid
109 84 209 42		** Release independent claims over original patent
110 18 210 9		** Release claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0 00**

**or number previously paid, if greater. For Releases, see above.

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
105 130 205 65		Surcharge late filing fee or oath	
127 80 227 25		Surcharge late provisional filing fee or cover sheet	
139 130 239 130		Non-English specification	
147 2,820 247 2,820		For filing a request for ex parte reconsideration	
112 820* 212 820*		Requesting publication of BIR prior to Examiner action	
113 1,840* 213 1,840*		Requesting publication of BIR after Examiner action	
116 110 216 55		Extension for reply within first month	
118 400 218 200		Extension for reply within second month	
117 820 217 410		Extension for reply within third month	
116 1,440 216 720		Extension for reply within fourth month	
128 1,980 228 990		Extension for reply within 8th month	
119 320 219 160		Notice of Appeal	
120 320 220 160		Filing a brief in support of an appeal	
121 280 221 140		Request for oral hearing	
138 1,810 238 1,810		Petition to institute a public use proceeding	
140 110 240 55		Petition to revive unavoidable	
141 1,280 241 640		Petition to revive unintentional	
142 1,280 242 640		Utility issue fee (or release)	
143 480 243 240		Design issue fee	
144 620 244 310		Plant issue fee	
122 130 222 130		Petitions to the Commissioner	
123 50 223 25		Processing fee under 37 CFR 1.17(e)	
128 180 228 180		Submission of Information Disclosure Sheet	
881 40 881 40		Recording each patent assignment per property (times number of properties)	40 00
146 740 246 370		Filing a submission after final rejection (37 CFR § 1.128(a))	
149 740 249 370		For each additional invention to be examined (37 CFR § 1.128(b))	
179 740 279 370		Request for Continued Examination (RCE)	
189 900 289 900		Request for expedited examination of a design application	

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**40 00****SUBMITTED BY****Complete if applicable**

Name (Print/Type)	Kyle M. Globertman	Registration No. (Attorney/Agent)	48,730	Telephone	(404) 817-8204
Signature		Date	6/19/02		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

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LAW OFFICES

NELSON MULLINS RILEY & SCARBOROUGH, L L P

A REGISTERED LIMITED LIABILITY PARTNERSHIP

KYLE M. GLOBERMAN
REGISTERED PATENT ATTORNEY
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June 10, 2002

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CHARLOTTE, NORTH CAROLINA
COLUMBIA SOUTH CAROLINA
GREENVILLE SOUTH CAROLINA
MYRTLE BEACH SOUTH CAROLINA

MUNICH GERMANY

Box - New Patent Application
U S Patent and Trademark Office
Assistant Commissioner for Patents
Washington, DC 20231

RE U S Design Patent Application of Stuart R. Kipperman, et al
Entitled. "Baby Bottle"
Our Ref 19400/09011

Dear Sir

The following are being transmitted herewith

- 1 Transmittal letter with Express Mailing Certificate (original plus 1 copy (2 sheets))
- 2 Fee transmittal sheet (1 sheet)
- 3 Design Patent Application cover sheet (1 sheet)
- 4 Drawings (3 sheets)
- 5 Design Patent Application (3 sheets)
- 6 Combined Declaration and Power of Attorney (3 sheets)
- 7 Assignment Recordation Cover Sheet and Assignment (5 sheets)
- 8 Check in the amount of \$370 00
- 9 Return Postcard

Please charge any deficiency or credit any overpayment required by this action to our deposit account no 50-1196, for which purpose an extra copy of this transmittal letter is attached

Very truly yours,

Kyle M. Globerman
Reg No 46,730

I hereby certify that this paper and any referenced attachment and/or fee are being deposited with the U S. Postal Service as Express Mail in an envelope addressed to: Box New Patent Application, U.S Patent and Trademark Office, Assistant Commissioner for Patents, Washington, DC 20231
Date of Deposit June 10, 2002

Jennifer Falcone

Express Mail No EL930580586US

Typed name of person mailing paper or fee

Signature

155

DESIGN PATENT

ATTORNEY DOCKET NO 19400/09011

UNITED STATES DESIGN PATENT APPLICATION

OF

STUART R. KIPPERMAN

AND

DAVID SCHWETZTER

AND

CATHERINE O SMAY

FOR

BABY BOTTLE

200190-42125162

DESIGN PATENT

ATTORNEY DOCKET NO 19400/09011

TITLE Baby Bottle

PETITION

20151214-061002

Your petitioners, Stuart R Kipperman, a citizen of the United States, and a resident of the State of Indiana, whose address is 4212 Jennings Lane, Evansville, IN 47720, David Schweitzer, a citizen of the United States, and a resident of the State of Connecticut, whose address is 259A Newtown Turnpike, Weston, CT 06883, and Catherine O Smay, a citizen of the United States, and a resident of the State of Indiana, whose address is 11 Old Orchard Road, Newburgh, IN 47630, pray that Letters Patent be granted to them for the term of fourteen (14) years for the new and original design for Baby Bottle set forth in the following specification.

SPECIFICATION

Be it known that we, Stuart R Kipperman, David Schweitzer and Catherine O Smay, have invented a new, original, and ornamental design for a Baby Bottle of which the following is a specification, reference being had to the accompanying drawings, forming a part thereof

Figure 1 is a perspective view of a baby bottle embodying the design of the present invention, including a threaded top, a nipple, and a cap each being shown in broken lines for illustrative purposes only and forming no part of the claimed design,

Figure 2A is a front elevational view of the baby bottle illustrated in Figure 1,

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Figure 2B is a front elevational view of the baby bottle illustrated in Figure 2, including the nipple and cap secured on the threaded top, and each being shown in broken lines for illustrative purposes only and forming no part of the claimed design,

Figure 3 is a rear elevational view of the baby bottle shown in Figure 1,

Figure 4 is a right side elevational view of the baby bottle shown in Figure 1,

Figure 5 is a left side elevational view of the baby bottle shown in Figure 1,

Figure 6 is a top plan view of the baby bottle illustrated in Figure 1, and

Figure 7 is a bottom view of the baby bottle illustrated in Figure 1

We claim:

The ornamental design of a Baby Bottle substantially as shown and described

29162124-051002

WA 158

COMBINED DECLARATION AND POWER OF ATTORNEY

**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)**

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for a design application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

BABY BOTTLE

SPECIFICATION IDENTIFICATION

The specification for which a design patent application executed on even date is about to be filed with the United States Patent and Trademark Office.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56.

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. Section 119(e))**

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

PROVISIONAL APPLICATION NUMBER

FILING DATE

(Declaration and Power of Attorney—page 1 of 3)

20162124-061003

25 159

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)	REGISTRATION NUMBER(S)
Mark C. Duke	32,343
Neil C. Jones	35,561
Craig N. Killen	35,218
Lloyd G. Farr	38,446
Charles E. Dunlap	35,124
Michael E. Wever	43,984
Luis E. Arn	47,393
Kyle M. Globerman	46,730

SEND CORRESPONDENCE TO:
Kyle M. Globerman
Nelson Mullins Riley & Scarborough, LLP
Keenan Building, Third Floor
1330 Lady Street
Columbia, SC 29201-3332

DIRECT TELEPHONE CALLS TO:
Kyle M. Globerman
(404) 817-6204

DECLARATION

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.

2015-12-24 - 06:10:03

7x 160

SIGNATURE(S)

□□□□□□

Stuart R. Kupperman

(Full name of sole or first inventor)

Inventor's Signature

Date

5/30/02

Residence: Evansville, Indiana

Citizenship: United States

Post Office Address 4212 Jennings Lane, Evansville, Indiana 47720

David Schweritzer

(Full name of second inventor)

Inventor's Signature

Date

June 7/02

Residence: Weston, Connecticut

Citizenship: United States

Post Office Address 259A Newtown Turnpike, Weston, Connecticut 06883

Catherine O Smay

(Full name of third inventor)

Inventor's Signature

Date

5/30/02

Residence: Newburgh, Indiana

Citizenship: United States

Post Office Address 11 Old Orchard Road, Newburgh, Indiana 47630

(Declaration and Power of Attorney—page 3 of 3)

161

1/3

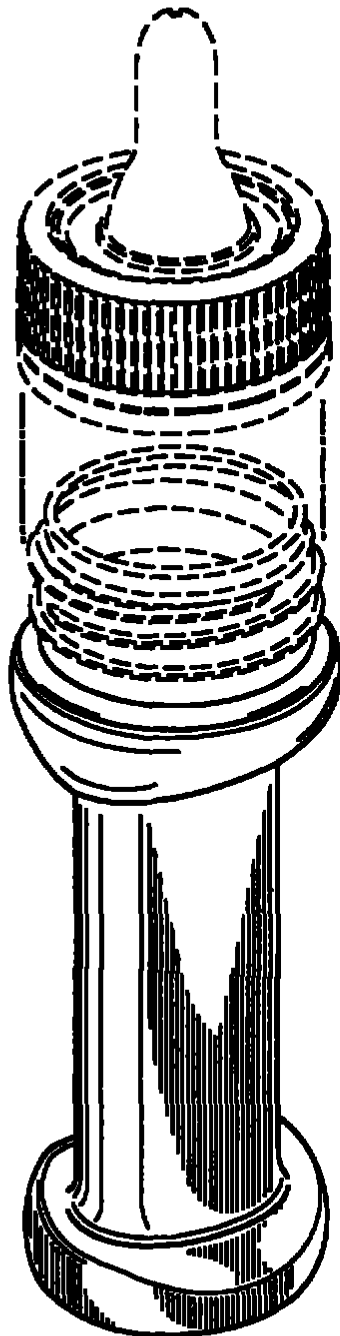


Fig. 1

23 162

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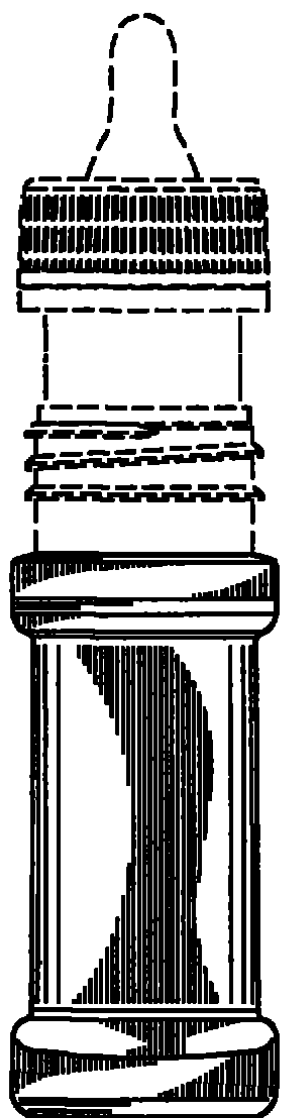


Fig. 2A

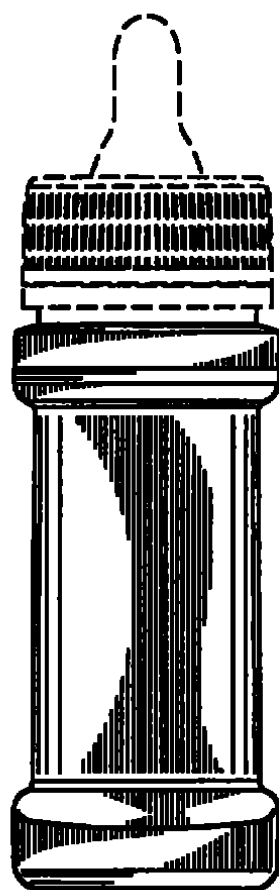


Fig. 2B

163

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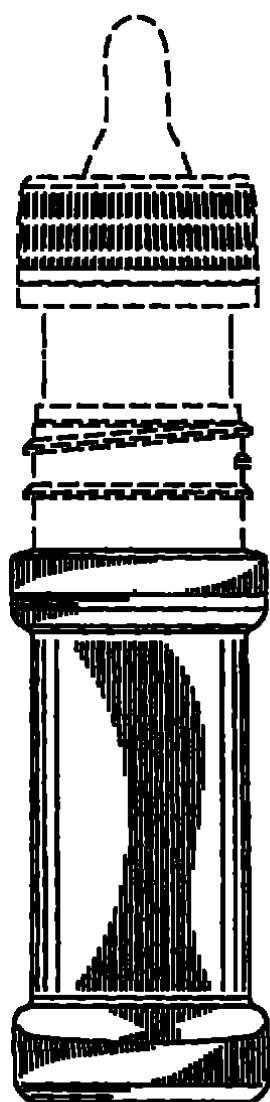


Fig. 3

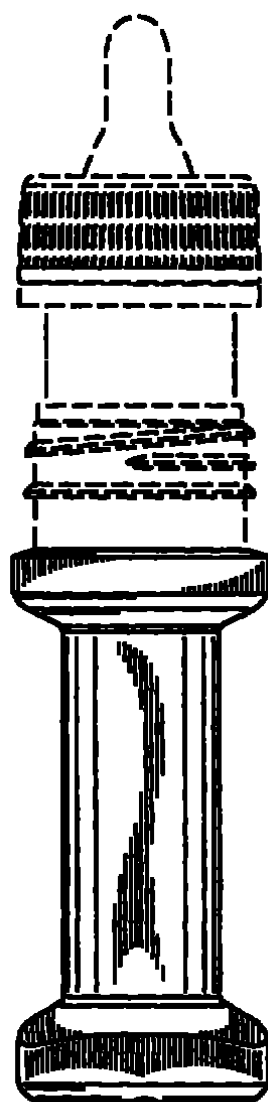


Fig. 4

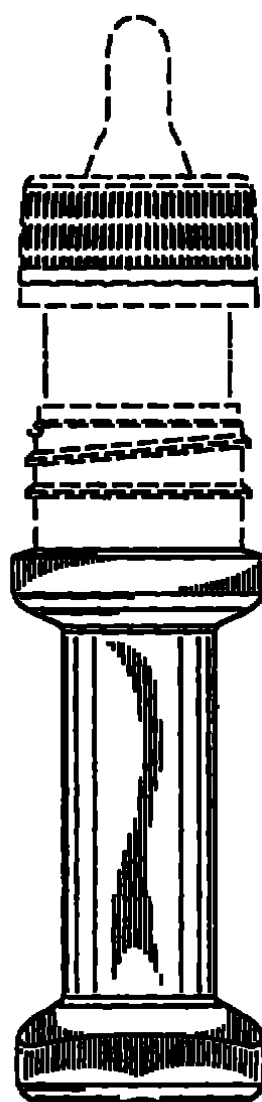


Fig. 5

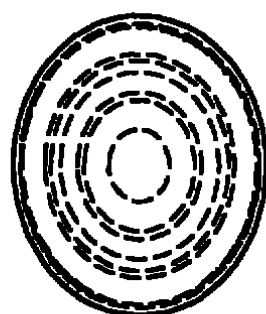


Fig. 6

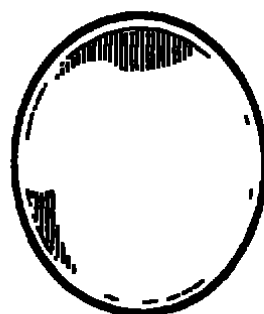


Fig. 7

13:95882

2X 164

PA 1252708



UNITED STATES DEPARTMENT OF COMMERCE

TO ALL TO WHOM THESE PRESENTS SHALL COME

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

November 30, 2004

THIS IS TO CERTIFY THAT ANNEXED HERETO IS A TRUE COPY FROM
THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK
OFFICE OF THOSE PAPERS OF THE BELOW IDENTIFIED PATENT
APPLICATION THAT MET THE REQUIREMENTS TO BE GRANTED A
FILING DATE UNDER 35 USC 111

APPLICATION NUMBER. 10/217,685

FILING DATE. August 13, 2002

By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS



P. SWAIN
Certifying Officer

10217685.081302

PTO/BB/03-011

Approved for use through 10/31/2002. OMB #091-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.83(b))

Attorney Docket No.	19400/09010-CIP
First Inventor	Stuart R. Kipperman, et al
Title	Baby Bottle
Express Mail Label No.	EL930580857US

10/21/98

08/13/02

APPLICATION ELEMENTS

See MPEP chapter 800 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/BB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27
3. ☒ Specification [Total Pages 19]
(prepared in accordance with 37 CFR 1.83(b))
Descriptive title of the invention
- Cross Reference to Related Applications
Statement Regarding Fed sponsored R & D
Reference to sequence listing, a table
or a computer program listing appendix
Background of the invention
- Brief Summary of the invention
- Brief Description of the Drawings (if filed)
Detailed Description
Claim(s)
Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 4]
5. Oath or Declaration [Total Pages 3]
a. ☒ Newly executed (original or copy)
Copy from a prior application (37 CFR 1.83 (d))
(for continuation/divisional with Box 18 completed)
b. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.83(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TOAssistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
B. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ paper
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/BB/38
or its equivalent.
17. ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

of prior application No. 28,182,124

Prior application information

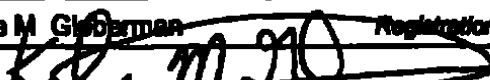
Examiner: Unknown

Group Art Unit 2900

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☐ Customer Number or Bar Code Labelor ☒ Correspondence address below

Name	Kyle M. Globberman				
Address	Nelson Mullins Riley & Scarborough LLP				
City	Columbia	State	SC	Zip Code	29211
Country	US	Telephone	(404) 817-6204	Fax	(404) 817-6031

Name (Print/Type)	Kyle M. Globberman	Registration No. (Attorney/Agent)	46,730
Signature		Date	8/13/02

Burden Hour Statement: This form is estimated to take 62 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

10217685 .081302

PTO/RSW17 (10-01)

Approved for use through 10/31/2002. OMB 0891-0002
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)**972.00****Complete if Known**

Application Number	Unknown
Filing Date	
First Named Inventor	Stuart R Kipperman, et al
Examiner Name	Unknown
Group Art Unit	
Attorney Docket No.	19400/09010-CIP

METHOD OF PAYMENT

- 1 ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number **50-1198**
- Deposit Account Name **Nelson Mullins LLP, et al**
- ☒ Charge Any Additional Fee Requested Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims credit entry status See 37 CFR 1.17
- 2 ☒ Payment Enclosed:
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1 BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	740.00
108 330	208 185	Design filing fee	
107 810	207 285	Plant filing fee	
108 740	208 370	Release filing fee	
114 180	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)**740.00****2. EXTRA CLAIM FEES**

Total Claims Independent Claims Multiple Dependent

Extra Claims 20 30 40

Fee from Table 18.00 108.00 84.00

Fee Paid 108.00 84.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 8	Claims, in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
108 84	208 42	** Release independent claims over original patent
110 18	210 8	** Release claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**192.00**

*or number previously paid, if greater; For Release, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge late filing fee or oath	
127 80	227 28	Surcharge late provisional filing fee or cover sheet	
128 130	138 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of BRI prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of BRI after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
126 1,880	226 940	Extension for reply within 8th month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
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136 1,510	136 1,510	Petition to institute a patent use proceeding	
140 110	240 55	Petition to revive unavailability	
141 1,280	241 640	Petition to revive unintentional	
142 1,280	242 640	Utility issue fee (or remission)	
143 480	243 240	Design issue fee	
144 630	244 315	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(a)	
125 180	125 180	Submission of Information Disclosure Sheet	
581 40	581 40	Recording each patent assignment per property (three number of properties)	40.00
145 740	245 370	Filing a submission after final rejection (37 CFR § 1.128(a))	
146 740	246 370	For each additional invention to be examined (37 CFR § 1.128(b))	
179 740	279 370	Request for Continued Examination (RCE)	
188 900	188 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**40.00****SUBMITTED BY****Complete if applicable**

Name (Print/Type)	Kyle M. Globerman	Registration No. (Attorney/Agent)	46,730	Telephone	(404) 817-8204
Signature		Date	9/13/02		

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August 13, 2002

Box - New Patent Application
Assistant Commissioner for Patents
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RE U S Patent Application of Stuart R. Kipperman, et al
Entitled "Baby Bottle"
Our Ref 19400/09010-CIP

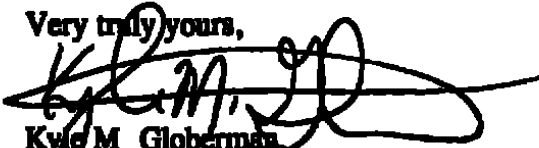
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- 1 Transmittal letter with Express Mailing Certificate (original plus 1 copy (2 sheets))
- 2 Fee transmittal sheet (1 sheet)
- 3 Utility Patent Application transmittal sheet (1 sheet)
- 4 Drawings (4 sheets)
- 5 Continuation-in-part patent application (19 sheets)
- 6 Combined Declaration and Power of Attorney (3 sheets)
- 7 Assignment Recordation Cover Sheet and Assignment (5 sheets)
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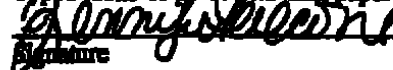

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DOCKET NO 19400/09010-CIP

UNITED STATES PATENT APPLICATION

OF

STUART R. KIPPERMAN

AND

DAVID SCHWETZER

AND

CATHERINE O SMAY

FOR

BABY BOTTLE

CLAIM OF PRIORITY

This application is a continuation-in-part of U S Design Application 29/162,124, filed with the U S Patent Office on June 10, 2002

FIELD OF THE INVENTION

5 The present invention relates to the field of baby bottle constructions in general, and more particularly to an ergonomically designed baby bottle

BACKGROUND OF THE INVENTION

As can be seen by reference to the following U S Pat Nos D356,160, D337,271, D335,450, D420,448, D423,107, 3,145,867, 4,676,387, 4,703,863, 5,263,599, 5,316,160, 10 5,531,338, and 5,807,156, the prior art is replete with varying baby bottle sizes and constructions. Some of these are configured to facilitate washing, with little or no consideration given to the need for the caregiver to hold the bottle. Still others appear to be configured to facilitate holding of the bottle by an infant. Most, if not all, bottles neglect the special needs that arise when feeding premature infants.

15 While the prior art constructions may be adequate for the basic purpose and function for which they have been specifically designed, they are uniformly deficient with respect to their failure to provide a simple, efficient, and practical premature infant feeding bottle. In particular, the prior art fails to disclose a bottle sized and constructed to (1) allow a care giver to hold the infant and bottle in the same hand during the feeding process, (2) enhance a 20 caregiver's grasp of the bottle and comfort while gripping the bottle, (3) increase control during the feeding process, and (4) simplify the feeding process.

Moreover, given the recent increase in multiple birth events attributable to both fertility drugs and in vitro techniques, a problem has arisen for those parents who are faced with

feeding multiple newborns at regular intervals. As a consequence of the foregoing situation, a need has arisen for a new and improved ergonomically designed baby bottle construction that will simplify the feeding process and substantially reduce the wrist fatigue experienced by parents and caregivers who spend hours a day coping with multiple infant feedings or the

5 feeding of premature infants

SUMMARY OF THE INVENTION

The present invention recognizes and addresses disadvantages of prior art constructions and methods, and it is an object of the present invention to provide an improved baby bottle

This and other objects may be achieved by a baby formula bottle including an upper

10 and lower circular shaped cylindrical body portion having a first radius, and a central elliptical shaped cylindrical body portion intermediate the circular shaped cylindrical upper and lower body portions, where the center portion has a minor axis and a major axis radius that are each smaller than the first radius. The bottle also includes a cylindrical top portion located proximate the upper body portion and that is adapted to receive a removable closure. The

15 cylindrical top portion further includes a first helical thread formed on its outer circumference, a top rim surface, and an annular flange on the outer circumference and axially located below the first helical thread. A plurality of frangible breakaway tongues may removably attach an anti-tamper ring to the bottom rim of the closure. The ring also has radially inwardly extending ridges for engaging a bottom surface of the annular flange, whereby the ring

20 removably secures the closure to the cylindrical top portion.

The closure includes an annular cap and an annular end wall defining an aperture therein. A nipple having a radially extending annular flange with a maximum outer radius substantially equal to the inner radius of the annular cap is press fit into the under side of the

annular cap. A second helical thread formed on the inner circumference of the annular cap receives the first thread for removably securing the annular cap to the cylindrical top portion. Compressing the outer edge portion of the nipple flange between the bottom surface of the annular end wall and the top rim portion forms a liquid-tight seal as the closure is screwed onto the cylindrical top portion.

BRIEF DESCRIPTION OF THE DRAWINGS

A full and enabling disclosure of the present invention, including the best mode thereof directed to one of ordinary skill in the art, is set forth in the specification, which refers to the appended Figures, in which.

Figure 1 is a perspective view of a baby bottle embodying the design of the present invention,

Figure 2 is a front elevational view of the baby bottle illustrated in Figure 1, the back elevational view being a mirror image of the front,

Figure 3 is a front cross-sectional view along line 3—3 of the baby bottle shown in Figure 2, the back cross-sectional view being a mirror image of the front,

Figure 4 is a right side cross-sectional view along line 4—4 of the baby bottle shown in Figure 5, the left side cross-sectional view being a mirror image of the right side,

Figure 5 is a right side elevational view of the baby bottle shown in Figure 1, the left side elevational view being a mirror image of the right side,

Figure 6 is a top plan view of the baby bottle illustrated in Figure 1,

Figure 7 is a bottom view of the baby bottle illustrated in Figure 1,

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Figure 8 is a perspective view of a caregiver illustrating the feeding of an infant while holding the bottle of Figure 1 in the same hand as the infant, and

Figure 9 is a cross-sectional view of the bottle in Figure 2 looking down the central body portion

DETAILED DESCRIPTION OF THE INVENTION

One of ordinary skill in the art will understand that the present discussion is a description of exemplary embodiments only, and is not intended as limiting the broader aspects of the present invention, which broader aspects are embodied in the exemplary construction. A repeat use of reference characters in the present specification and drawings represents the same or analogous features or elements of the invention

With reference now to the drawings, and in particular to Figure 1, an embodiment of the new and improved infant feeding bottle generally designated by the reference numeral 10 will be described. Bottle 10 includes a cylindrical top portion designated generally by the numeral 12, a body portion designated generally by the numeral 14, and a closure designated generally by the numeral 16. Cylindrical top portion 12 and body 14 may be integrally molded of a suitable plastic material, which may be blow molded, by extrusion or injection, so that it is a unitary member of uniform wall thickness. A suitable transparent plastic for forming the bottle includes, but is not limited to, polystyrene, polystyrene-acrylonitrile, acrylonitrile-butadiene-styrene, styrene-maleicanhydride, polycarbonate, polyethylene terephthalate, polyvinylcyclohexane, and blends thereof.

Referring to Figures 1 to 5, threaded cylindrical top portion 12 includes a cylindrical portion 18 having an outer circumference 22. As shown in Figures 3 and 4, radius R1 defines

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an inner circumference 20 of cylindrical portion 18. A mouth 24 and a rim 26 are integrally formed on cylindrical portion 18. Mouth 24 defines an aperture 28 in fluid communication with an inner chamber 30 of body 14. The mouth end is adapted for the removable receipt of closure 16. A helical thread 32 is integrally formed on outer circumference 22 of cylindrical portion 18 for removably securing closure 16 to cylindrical top portion 12. Helical thread 32 begins at a point where mouth 24 connects to cylindrical portion 18 and terminates proximate a flange 34.

As shown in Figure 1, closure 16 includes an annular cap 36 having a helical thread (not shown) on its inner circumference for removably securing cap 36 to the externally threaded cylindrical top portion 12. Outer circumference 40 of annular cap 36 may contain ribs or knurling 38. Ribs 38 allow the caregiver to more easily grip closure 16 to remove it from or fit it on top portion 12. In addition to its internally threaded cylindrical wall, cap 36 includes an annular end wall 42 having an interior peripheral rim 44 dimensioned to fit into a groove (not shown) in a nipple 46. Nipple 46 and annular cap 36 can thus be press fit together to form closure 16.

Nipple 46 has a nearly flat or very shallowly curved surface 48 at the end of a mouthpiece 50. Nipple 46 widens out to a frustoconical section 52 located intermediate an annular flange 54 and mouthpiece 50. Annular flange 54 is dimensioned to seat on rim 26 of mouth 24, and it defines a central aperture, which is in fluid communication with aperture 28 and chamber 30. The aperture defined by annular flange 54 allows fluid to flow from body 14 into and through nipple 46. A soft pliable material such as conventional or silicone rubber may be used to form nipple 46.

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Nipple 46 is press fit into annular cap 36 so that peripheral rim 44 engages the external annular groove in nipple 46. Thus, mouthpiece 50 and frustoconical portion 52 extend upward through annular cap 36 so that annular flange 54 engages a rearward surface of annular end wall 42. In this configuration, an outer most edge portion of annular flange 54 is in abutting
5 contact with the inner circumference of annular cap 36. Thus, threadably securing closure 16 onto threaded cylindrical portion 12 causes the rearward surface of annular end wall 42 to compress annular flange 54 against rim 26 to form a liquid-tight seal.

A releasable seal attached to rim 26 over mouth 24 allows for vacuum packaging of the infant formula in bottle 10. One skilled in the art of baby formula or food packaging will be
10 familiar with such releasably attached seals for vacuum packaging. Specifically, adhesive or heat attaches a seal formed of polyvinyl chloride, polystyrene, or other suitable material to mouth 24 to form an airtight seal. Therefore, removal of closure 16 will not disturb the vacuum seal unless the seal is cut or removed.

Formula may be prepackaged in bottle 10 with liquid or powdered infant formula, in
15 particular, formula for premature babies. The packaged infant formula would be pre-measured and vacuum sealed to prevent spoilage. If bottle 10 is packaged with powdered formula, the user would add the specified amount of water as a diluter. Bottle 10 may also contain infant or toddler formula depending on the intended target market, and it may be sold individually or in a multiple bottle pack.

20 In addition to the releasably attached seal, bottle 10 and enclosure 16 may also include an anti-tamper ring 56. Anti-tamper ring 56 connects to a lower edge 58 of annular cap 36 by a plurality of relatively thin and frangible breakaway tongues or webs 60. Internally, radially

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67

inwardly projecting and angularly extending ridges (not shown) are formed on an inner circumference of ring 56 which engage an under surface 61 of radially outwardly projecting flange 34. Thus, tensile forces rotationally fix anti-tamper ring 56 to flange 34 as annular cap 38 is unthreaded off bottle 10. As annular cap 38 is rotationally removed, both tensile and torsional forces acting on webs 60 cause the webs to sever allowing annular cap 38 and the vacuum seal to be completely removed.

Referring to Figures 2 and 5, body 14 comprises a generally cylindrical upper portion 62, a generally cylindrical lower portion 64, and a tubular body midsection 66 having a substantially elliptical cross-section as shown in Figure 9. As clearly shown in Figures 3 and 4, the body is a tubular member that defines chamber 30 and has a central longitudinal axis 67.

Upper body portion 62 is located intermediate threaded cylindrical top portion 12 and body midsection 66, and it is in fluid communication with aperture 28 and chamber 30. Upper body portion 62 is tubular in shape and connects to top portion 12 by an inwardly sloping shoulder 68 and to central portion 66 by an outwardly sloping shoulder 70. A length of, for example, approximately $\frac{1}{4}$ inch and a radius R2 define cylindrical upper portion 62. Radius R2 is larger than radius R1 and may vary depending on the application of the bottle. The length of upper portion 62 may be larger or smaller depending on the volume of liquid held by bottle 10.

Lower body portion 64 connects to body midsection 66 and defines a chamber 72, which is in fluid communication with chamber 30. Lower portion 64 has an axial length of, for example, approximately $\frac{1}{4}$ inch and a radius R5. As shown in Figure 7, lower body portion 64 terminates in a circular base 76. Circular base 76 may be flat, or it may have a

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concave center portion allowing bottle 10 to stand upright. Lower portion 64 connects to body midsection 66 by an inwardly sloping shoulder 74. The length of lower portion 64 may be larger or smaller, but radius R5 is substantially equal to upper body portion radius R2. As will be appreciated by those skilled in the art, the fact that upper 62 and lower 64 portion each include a circular sidewall of substantially the same radius and centered about central longitudinal axis 67 enables bottle 10 to be readily molded and removed from the molding machine.

As shown in Figure 8, midsection 66 is constructed and sized to be held within the crook between fingers, such as the index and middle finger, of a person holding bottle 10 when feeding an infant 75. To that end, body midsection 66 is elliptical in shape (Figure 9) and has a major axis radius of R3 and a minor axis radius of R4. The axial length of midsection 66 is approximately 2 1/4 inches and may vary depending on the volume of liquid to be carried in bottle 10. Major axis radius R3 is substantially equal to threaded top portion radius R1, but it is smaller than upper body portion radius R2 and lower body portion radius R5. Minor axis radius R4 is substantially smaller than radii R1, R2, R3, and R5.

An elliptical shaped midsection is advantageous over a circular shaped midsection. First, it ensures that midsection 66 is sufficiently narrow enabling a caregiver to comfortably hold bottle 10. Furthermore, an elliptical cylindrical midsection holds a larger quantity of formula than a bottle having a circular cylindrical midsection having a radius substantially equal to the minor axis radius R4. In addition, an elliptical shaped midsection provides a larger area for labeling the bottle.

Turning to Figure 2, it can be seen that front surface 77 of body midsection 66 may be provided with indicia 78, wherein indicia 78 register the fluid content of bottle 10 in an upright position. A second set of indicia 80 may be included on the front surface of body midsection 66. Indicia 80 register the remaining fluid content in the inverted feeding position so that these visual indicia will be readily available to the caregiver during feedings. One of ordinary skill in the art would understand that the range of measurements differ between the upright and inverted positions due to the volume of liquid held in threaded cylindrical top portion 12.

In a second embodiment, bottle 10 does not include nipple 46 press fit into annular cap 38 as described above. Instead, a substantially flat circular disc (not shown) located proximate the under surface of annular end wall 42 forms a liquid-tight seal when closure 16 is removably secured to threaded cylindrical portion 12. The disc should have an outer radius substantially equal to an inner radius of annular cap 38. Therefore, as the caregiver tightens annular cap 38 on cylindrical portion 12, rim 26 and the bottom surface of annular end wall 44 compress the disc to establish the liquid-tight seal. The disc may comprise aluminum annular shaped material bonded to a compressible annular shaped material formed, for example, from conventional rubber, silicone rubber, or other suitable compositions. In this embodiment, use of the compressible disc eliminates the need for a separate removable vacuum seal. However, for safety concerns, bottle 10 can be packaged using an independent safety seal and anti-tampering ring in addition to the compressible disc.

These and other modifications and variations to the present invention may be practiced by those of ordinary skill in the art, without departing from the spirit and scope of the present invention, which is more particularly set forth in the appended claims. In addition, it should be understood that aspects of the various embodiments may be interchanged both in whole or

in part Furthermore, those of ordinary skill in the art will appreciate that the foregoing description is by way of example only, and is not intended to limit the invention so further described in such appended claims Therefore, the spirit and scope of the appended claims should not be limited to the description of the preferred versions contained therein

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What we claim is

- 1 1 A baby bottle comprising
- 2 a a circular shaped cylindrical upper body portion having a first radius
- 3 perpendicular to a central longitudinal axis,
- 4 b a circular shaped cylindrical lower body portion having a second radius
- 5 perpendicular to said central longitudinal axis, an open top, and a circular base, and
- 6 c an elliptical shaped cylindrical body portion intermediate said circular shaped
- 7 cylindrical upper and lower body portions, said elliptical body portion including a
- 8 minor axis radius and a major axis radius each perpendicular to said central longitudinal
- 9 axis,
- 10 wherein said major and minor axis radii are smaller than said first and said second
- 11 radius
- 1 2 The baby bottle in claim 1, said bottle further comprising a cylindrical top portion
- 2 adapted to removably receive a closure
- 1 3 The baby bottle in claim 2, said bottle further comprising a closure
- 1 4 The baby bottle in claim 3, said cylindrical top portion further comprising
- 2 a a first helical thread formed on an outer circumference of said cylindrical top
- 3 portion,
- 4 b a top rim portion, and
- 5 c an annular flange formed on said outer circumference of said cylindrical top
- 6 portion and located axially below said first helical thread

1 5 The baby bottle in claim 4, said bottle further comprising an anti-tamper ring, said ring
2 being removably attached by a plurality of frangible breakaway tongues to a bottom rim
3 of said closure

1 6 The baby bottle in claim 5, said ring further comprising radially inwardly extending
2 ridges for engaging a bottom surface of said annular flange, wherein said ring
3 removably secures said closure to said cylindrical top portion

1 7 The baby bottle in claim 6, said closure further comprising

2 a. an annular cap, said cap comprising,

an annular end wall defining an aperture therein, and

4 a second helical thread formed on an inner circumference of said annular
5 cap, and

6 b a nipple press fitable to a bottom surface of said annular end wall and extending
7 through said aperture,

8 wherein said second thread is adapted to receive said first thread for removably
9 receiving said annular cap onto said cylindrical top portion

1 8 The baby bottle in claim 7, said nipple further comprising a radially extending annular
2 flange having an outer radius substantially equal to the inner radius of said annular cap,
3 wherein said radially extending annular flange is compressible between the bottom
4 surface of said annular end wall and said top rim portion as said annular cap is
5 threadably received by said cylindrical top portion to form a liquid-tight seal

1 9 The baby bottle in claim 1, wherein said first radius and said second radius are
2 substantially equal

1 10 The baby bottle in claim 6, said closure further comprising

F3

- 2 a. an annular cap, said cap comprising,
3 an annular end wall defining an aperture therein, and
4 a second helical thread formed on an inner circumference of said annular
5 cap, and
6 b. an annular disc press fitable to a bottom surface of said annular end wall,
7 wherein the radius of said disc is substantially equal to an inner radius of said
8 annular cap, and wherein an outer edge portion of said disc is compressible
9 between a bottom surface of said annular end wall and said top rim portion as
10 said annular cap is threadably received by said cylindrical top portion to form a
11 liquid-tight seal

1 11 A baby bottle comprising

- 2 a. a cylindrical top portion adapted to removably receive a closure, said top
3 portion having a circular upper rim portion defining a mouth,
4 b. a circular shaped cylindrical upper body portion having a first radius, said
5 circular shaped cylindrical upper body portion integrally formed with said cylindrical
6 threaded top portion,
7 c. a circular shaped cylindrical lower body portion having a second radius,
8 d. an elliptical shaped cylindrical body portion intermediate said circular shaped
9 cylindrical upper and lower body portions and in fluid communication with said mouth,
10 said elliptical shaped body portion including a minor axis and a major axis radius,
11 wherein said minor axis radius is smaller than said first radius, and
12 e. a closure removably received on said cylindrical top portion

1 12. The baby bottle in claim 11, said bottle further comprising a removably attached safety
2 seal over said mouth and to said circular upper rim portion

1 13 The baby bottle in claim 12, said cylindrical top portion further comprising

2 a. a first helical thread formed on an outer circumference of said cylindrical top
3 portion, and

4 b an annular flange formed on said outer circumference of said cylindrical top
5 portion and located axially below said first helical thread

1 14 The baby bottle in claim 13, said closure further comprising

2 a an annular cap, said cap comprising,

3 an annular end wall defining an aperture therein, and

4 a second helical thread formed on an inner circumference of said annular cap,
5 and

6 b a disc press fitable to the bottom surface of said annular end wall,

7 wherein the radius of said disc is substantially equal to an inner radius of said annular
8 cap, and wherein an outer edge portion of said disc is compressible between a bottom
9 surface of said annular end wall and said top rim portion as said annular cap is
10 threadably received by said cylindrical top portion to form a liquid-tight seal

1 15 The baby bottle in claim 14, said bottle further comprising a nipple having a radially
2 extending annular flange with an outer radius substantially equal to the inner radius of
3 said annular cap, wherein said disc is removable from said annular cap and said nipple
4 is press fitable into said annular cap, whereby said annular flange is compressible
5 between the bottom surface of said annular end wall and said upper rim portion as said

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annular cap is threadably received by said cylindrical top portion to form a liquid-tight seal

16 A baby bottle comprising

a a cylindrical top portion adapted to receive a closure and comprising

a first helical thread formed on an outer circumference,

an annular flange located proximate said threads, and

a circular upper rim defining a mouth,

b a circular shaped cylindrical upper body portion having a first radius,

c a circular shaped cylindrical lower body portion having a second radius,

d an elliptical shaped cylindrical body portion intermediate said circular shaped cylindrical upper and lower body portions, said elliptical shaped body portion including a minor axis and a major axis radius, wherein said minor axis radius is smaller than said first and said second radius

17 The baby bottle in claim 16, said bottle further comprising a closure removably received on said cylindrical top portion

18 The baby bottle in claim 17, said bottle further comprising an anti-tamper ring, said ring being removably attached to a bottom rim of said closure by a plurality of frangible breakaway tongues

19 The baby bottle in claim 18, said ring further comprising radially inwardly extending ridges for engaging a bottom surface of said annular flange, wherein said ring removably secures said closure to said bottle

20 The baby bottle in claim 17, said closure further comprising

a an annular cap, said cap comprising,

3 an annular end wall defining an aperture therein, and

4 a second helical thread formed on an inner circumference of said annular cap,

5 and

6 b a nipple press fitable to the bottom surface of said annular end wall and
7 extending through said aperture,

8 wherein said second thread is adapted to receive said first thread for removably
9 receiving said annular cap onto said cylindrical top portion

1 21 The baby bottle in claim 20, said closure further including an annular cap including,

2 a a cylindrical side wall, and

3 b a circular top portion,

4 wherein a helical thread is formed on an inner circumference of said cylindrical wall

1 22 The baby bottle in claim 21, said bottle further comprising a removably attached safety
2 seal attached over said mouth to said upper rim portion

1 23. A baby bottle comprising

2 a a cylindrical top portion adapted to removably receive a closure, said top
3 portion having a circular upper rim portion defining a mouth,

4 b a circular shaped cylindrical upper body portion having a first radius, said
5 circular shaped cylindrical upper body portion integrally formed with said cylindrical
6 threaded top portion,

7 c a circular shaped cylindrical lower body portion having a second radius,

8 d an elliptical shaped cylindrical body portion intermediate said circular shaped
9 cylindrical upper and lower body portions and in fluid communication with said mouth,

10 said elliptical shaped body portion including a minor axis and a major axis radius,
11 wherein said minor axis radius is smaller than said first radius, and

12 c formula contained within the bottle

1 24 The baby bottle in claim 23, said bottle further comprising a removably attached safety
2 seal over said mouth and to said circular upper rim portion

1 25 The baby bottle in claim 24, said cylindrical top portion further comprising

2 a a first helical thread formed on an outer circumference of said cylindrical top
3 portion, and

4 b an annular flange formed on said outer circumference of said cylindrical top
5 portion and located axially below said first helical thread

1 26 The baby bottle in claim 25, said closure further comprising an annular cap adapted to
2 be received by said cylindrical top portion

ABSTRACT

A baby bottle including an upper and lower circular shaped cylindrical body portion having a first radius, a elliptical shaped cylindrical body portion intermediate the cylindrical upper and lower body portions, where the center portion has a minor axis radius and a major axis radius that are each smaller than the first radius, and a cylindrical top portion located proximate the upper body portion and adapted to receive a removable closure

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Practitioner's Docket No. 12400/09010-CIP

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)**

As a below named inventor, I hereby declare that.

TYPE OF DECLARATION

This declaration is for a continuation-in-part application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled

TITLE OF INVENTION**BABY BOTTLE****SPECIFICATION IDENTIFICATION**

The specification for which a continuation-in-part patent application executed on even date is about to be filed with the United States Patent and Trademark Office

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56.

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. Section 119(e))**

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

PROVISIONAL APPLICATION NUMBER**FILING DATE**

(Declaration and Power of Attorney—page 1 of 3)

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)	REGISTRATION NUMBER(S)
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Craig N. Killen	35,218
Lloyd G. Farr	38,446
Charles E. Dunlap	35,124
Michael E. Wever	43,984
Luis E. Arri	47,393
Kyle M. Globerman	46,730

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DECLARATION

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.

SIGNATURE(S)

□□□□□□

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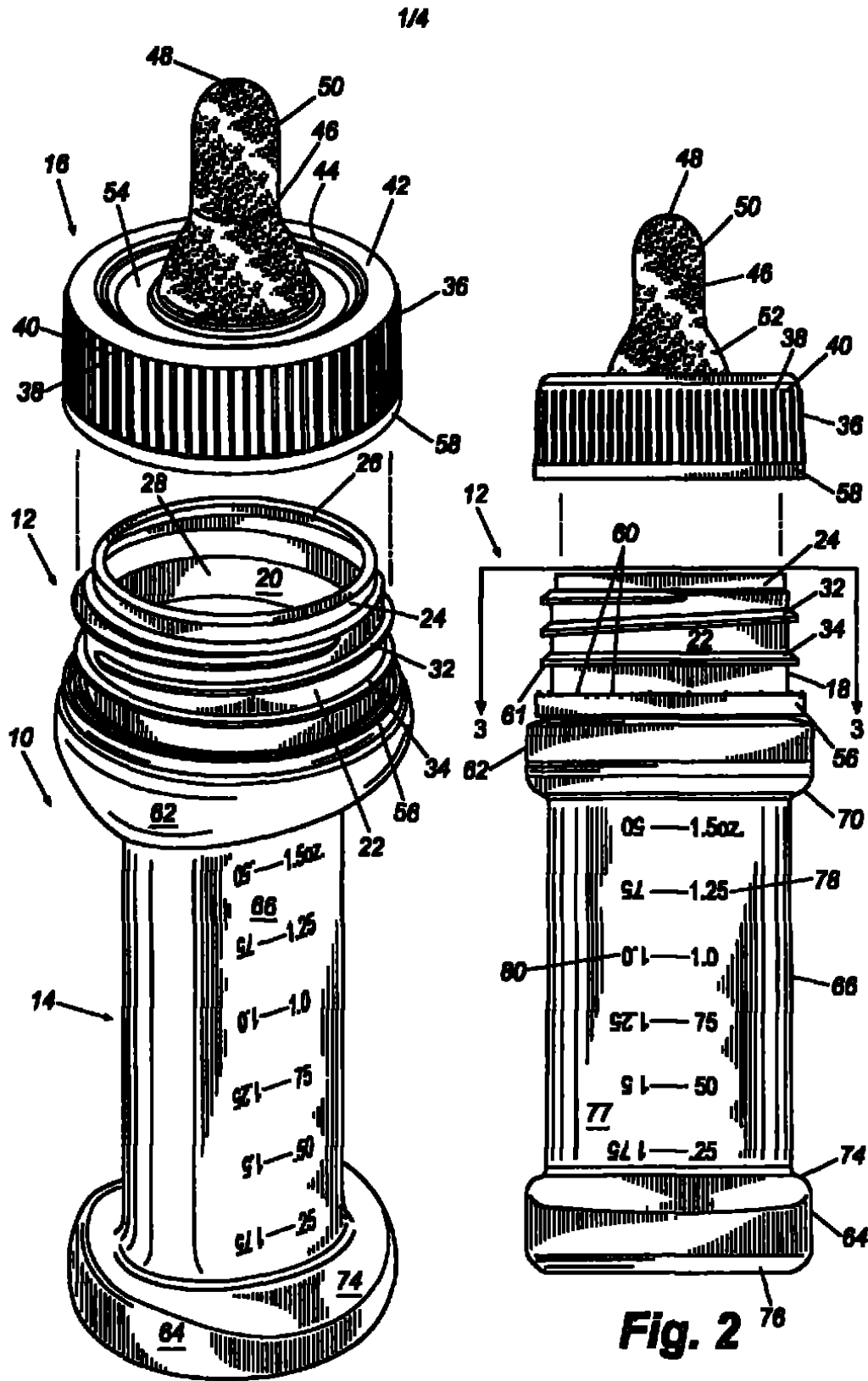
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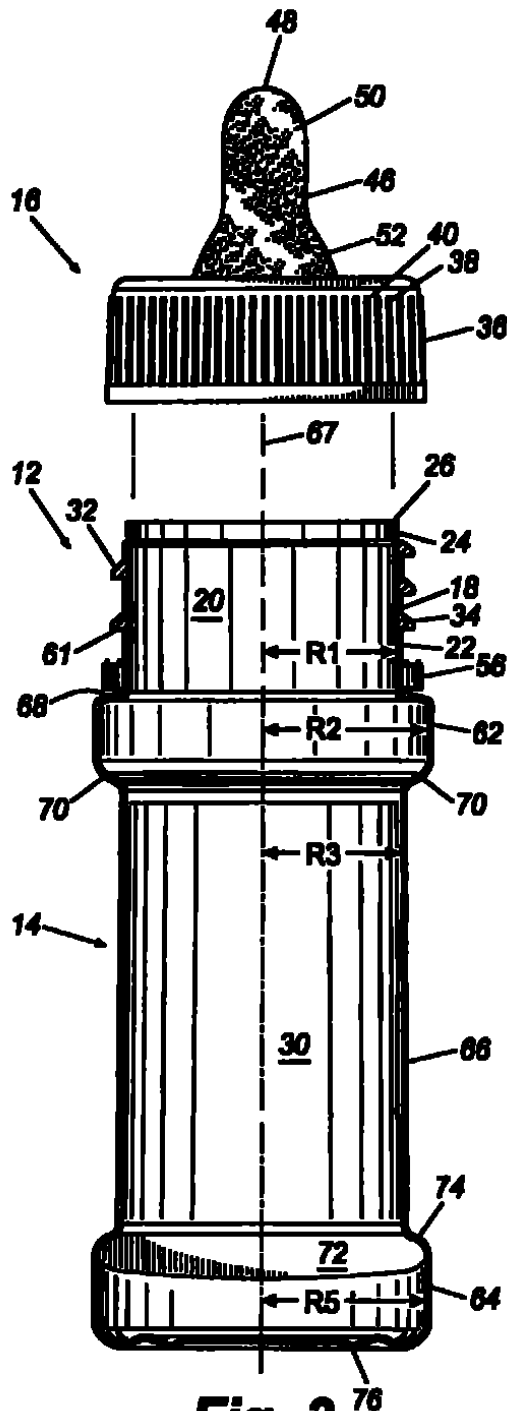


Fig. 3

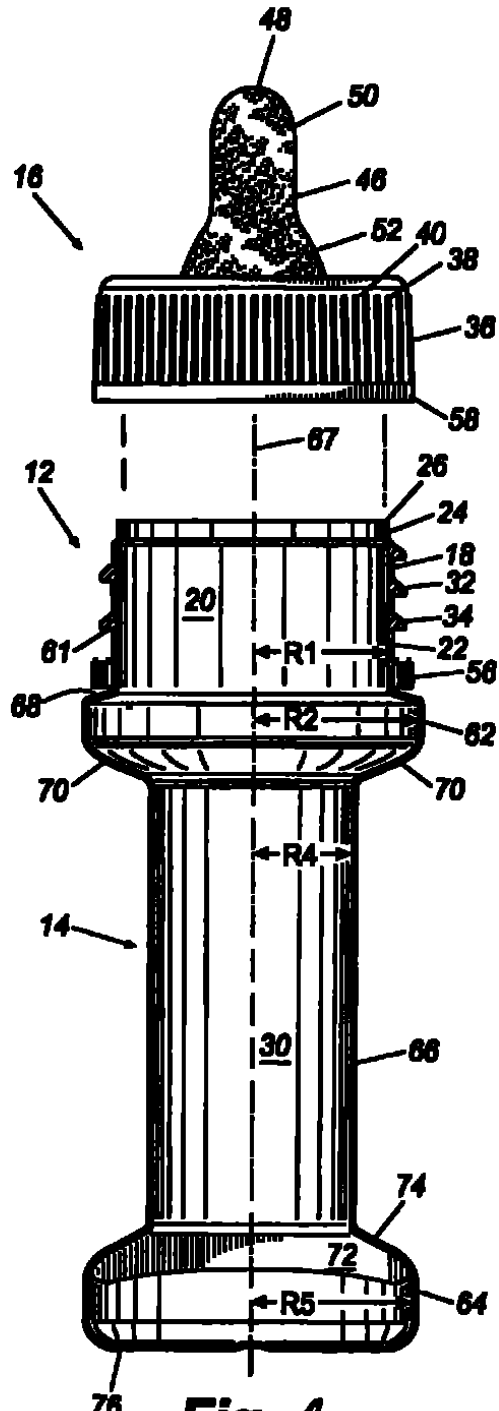


Fig. 4

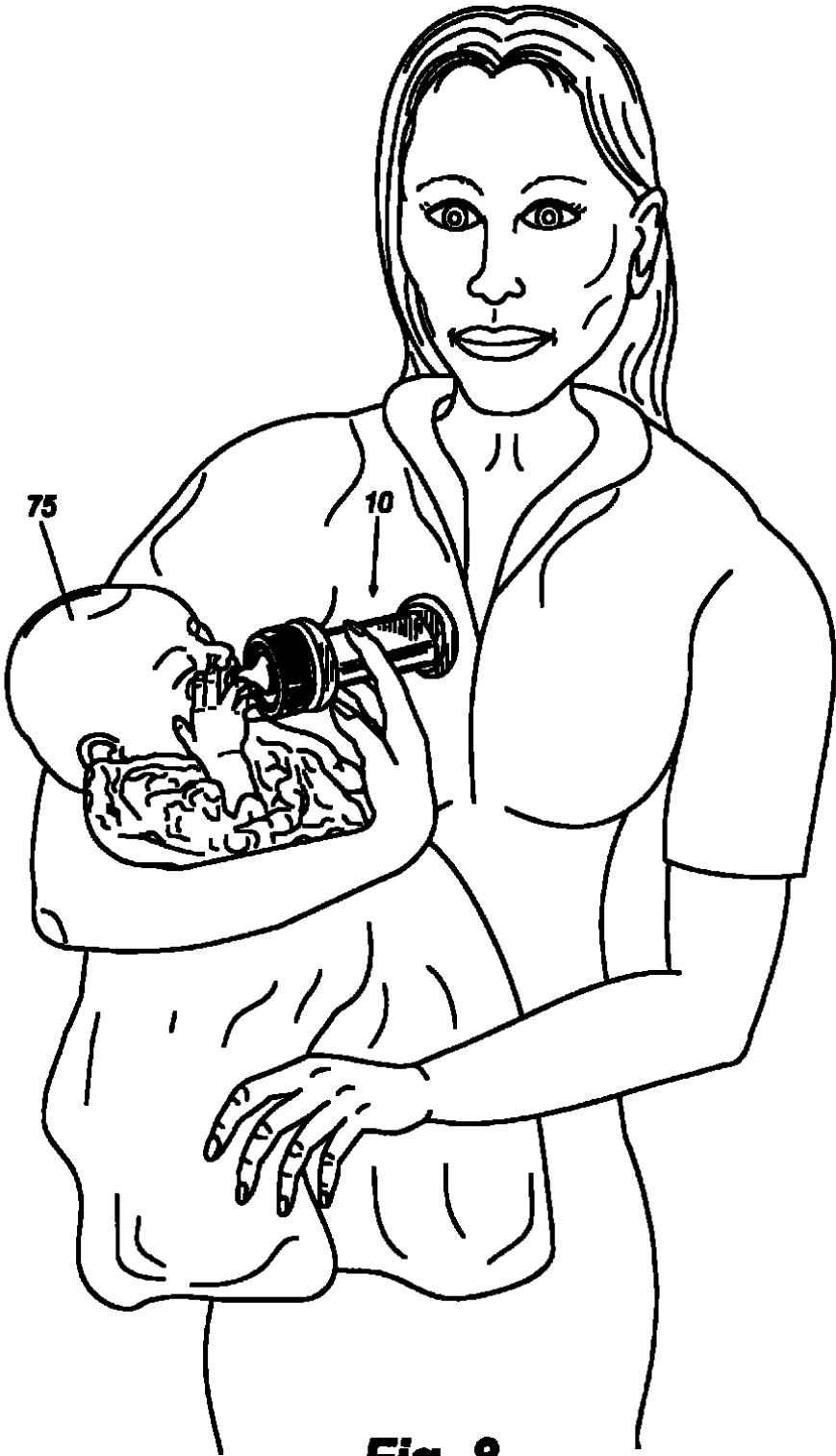


Fig. 8