

Applicant: Giuseppe Dal Prà
Application No.: 12/029,047

REMARKS

Claims 1-8 and 10-51 are currently pending in this application. Claims 1, 14, 19, 46, 47, and 49-51 are amended. Claim 9 was previously canceled.

Priority

The Office Action Summary page states that none of the certified copies of the priority documents have been received. The certified copy of the priority document was submitted on April 23, 2012. Accordingly, no further action is required.

Allowable Subject Matter

The Applicant thanks the Examiner for indicating that claims 11-25 contain allowable subject matter and would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. As discussed below in detail, the references of record fail to disclose or suggest every element of independent claim 1. Claims 11-25 are dependent upon claim 1 and are similarly allowable over the references of record.

Claim Rejections - 35 U.S.C. §112

Claims 1-8, 10-25, and 46-51 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Applicant respectfully traverses this rejection.

Claims 1, 46, and 49-51 are amended to overcome these rejections. Claims 1, 46 and 49-51 are amended to recite an intermediate body, and a derailleur shifting mechanism including a driven arm, rocker arm, and a cable-winding bush. The claims clearly recite how these components interact during movement of the lever in a first and second direction, and during movement for a first and second distance in the second direction. Accordingly, withdrawal of the §112, second paragraph, rejection of claims 1-8, 10-25, and 46-51 is respectfully requested.

Claim Rejections - 35 U.S.C. §103

Claims 1-8, 10, and 46-51 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tsumiyama et al. (U.S. 2002/0139218) (“Tsumiyama”) in view of Jordan et al. (U.S. 2006/0207375) (“Jordan”). The Applicant respectfully traverses this rejection.

Claim 1 has been amended to recite a derailleur shifting mechanism including a driven arm, a rocker arm, and a cable-winding bush. These elements are recited in claim 19, which is allowable, and claim 1 is believed to be allowable at least for this reason. Tsumiyama and Jordan both fail to disclose a derailleur shifting mechanism including (1) a driven arm that is pivotally connected to the single lever at one end and has a first ratchet at another, (2) a rocker arm that slidingly engages the driven arm and has a second ratchet at an end thereof that is biased by a

compression spring supported on the intermediate body, and (3) a cable-winding bush that is fixed to a toothed gear wheel positioned to engage the first and second ratchets, and is biased in a first rotational direction. Tsumiyama and Jordan also fail to disclose the corresponding mechanical conditions that the shifting mechanism experiences during movement of a lever in a variety of directions and distances as recited in claim 1. Claim 1 recites when the single lever is moved in a first direction, the single lever operates the brake by rotating the intermediate body about a pivot and pulling a head of a brake cable away from the handlebar in a direction parallel to movement of the bicycle. The single lever operates the derailleur in a first shift direction when moved in a second direction by a first distance by pivoting the driven arm into contact with the driving arm of the rocker arm such that the rocker arm pivots and forces the second ratchet against the compression spring to disengage from the teeth on the gear wheel and allow the cable-winding bush to rotate in the first rotational direction. The single lever operates the derailleur in a second shift direction when moved in the second direction by a second distance by engaging the first ratchet with the teeth on the gear wheel in a direction opposite to the first rotational direction and forcing the driven arm out of engagement with the driving arm of the rocker arm such that the second ratchet slides to an adjacent tooth on the gear wheel.

The Action admits that Tsumiyama fails to disclose the movement of a single lever from a rest position in a second direction operates the derailleur and movement of the lever by a first and second distance determines whether the derailleur is driven in a first or second shift direction. The Action relies on Jordan as remedying these deficiencies of Tsumiyama. As shown in Jordan's Figures 3a-3f and 4a-4h, Jordan fails to disclose the derailleur shifting mechanism components recited by claim 1. Jordan is completely silent regarding the three movement conditions of the lever recited by claim 1, and the corresponding effect of these movements on the derailleur shifting mechanism components as recited by claim 1. Further, Applicant maintains that the combination of Tsumiyama and Jordan fail to disclose a single lever with two distinct directions of movement, wherein movement of the single lever in a first direction operates only the brake, movement of the single lever in a second direction by a first distance operates a derailleur in a first shift direction, and movement of the single lever in the second direction by a second distance operates the derailleur opposite to the first shift direction as required by claim 1. These three movements of the lever and the corresponding braking or shifting conditions are not taught by any combination of the teachings of these references. The Examiner states the substitution of one known mechanism for another known mechanism would have been obvious because they would provide

the same predictable result of allowing the shifting and releasing of the bicycle derailleur. The Examiner erroneously relies on obviousness for this rejection, and even if Tsumiyama and Jordan are combined, this combination fails to disclose the limitations of claim 1. Accordingly, withdrawal of the §103 rejection of claim 1 in view of Tsumiyama and Jordan is respectfully requested.

Claims 46 and 49-51 recite similar features as claim 1 and are patentable over Tsumiyama and Jordan for the reasons stated above. Claims 2-8, 10, 47, and 48 depend from claims 1 and 46 and are similarly patentable.

Claims 1-8, 10, and 46-51 were rejected under 35 U.S.C. §103(a) as being unpatentable over Dal Pra' (EP 1739001A) in view of Jordan. The Applicant respectfully traverses this rejection.

Dal Pra' fails to remedy the deficiencies of Tsumiyama and Jordan noted above. The Action states Dal Pra' fails to disclose movement of a single lever by a first and second distance determines whether the derailleur is driven in a first or second shift direction. Dal Pra' also fails to disclose the amended limitations of claim 1, including: (1) a driven arm that is pivotally connected to the single lever at one end and has a first ratchet at another, (2) a rocker arm that slidingly engages the driven arm and has a second ratchet at an end thereof that is biased by a compression spring supported on the intermediate body, and (3) a cable-winding

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bush that is fixed to a toothed gear wheel positioned to engage the first and second ratchets, and is biased in a first rotational direction. Accordingly, withdrawal of the §103 rejection of claim 1 in view of Dal Pra' and Jordan is respectfully requested.

Claims 46 and 49-51 recite similar features as claim 1 and are patentable over Dal Pra' and Jordan for the reasons stated above. Claims 2-8, 10, 47, and 48 depend from claims 1 and 46, and are similarly patentable.

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Conclusion

If the Examiner believes that an interview will advance the prosecution of this application, the Examiner is invited to contact the undersigned at the Examiner's convenience to arrange the same.

In view of the foregoing amendment and remarks, the Applicant respectfully submits that the present application, including all of the pending claims, is allowable. Reconsideration and a notice of allowance are respectfully requested.

Respectfully submitted,

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