

Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 1 and 5. Figure 1 has been amended to add the legend "Prior Art" and Figure 5 has been amended to show the adjustment screw 32.

REMARKS

After the foregoing Amendment, claims 1-18, 28, 29, 31-33, and 36-42 are currently pending in this application. Claims 1, 2, 14, 15, 30, 31, and 38-40 have been amended. Claims 19-27, 30, 34, and 35 were previously withdrawn. Figures 1 and 5 have been amended. Claim 5 was withdrawn by the Examiner as being not readable upon the elected species of FIGS. 2-5. Claim 5 recites a screw, which is shown by amended Figure 5, and should not be withdrawn.

Objections to the Drawings

The Action objected to the drawings under 37 C.F.R. §§ 1.121(f), 1.84(h)(3), and MPEP § 608.02(g).

The drawings were objected to because Figure 1 lacks a prior art label. Figure 1 has been amended to overcome this objection. The sectional planes of the Figures were previously amended in the drawings submitted with the June 11, 2012 Reply.

The drawings were objected to as failing to show every feature specified in the claims. Figure 5 has been amended to show the adjustment screw.

Accordingly, the withdrawal of the objections to the drawings is respectfully requested.

Objections to the Specification

The Specification was objected to as failing to provide proper antecedent basis for the claimed subject matter, such as “a control lever” in amended claims 1, 2, 30, 31,

and 38-40. The claims have been amended to remove the term “control lever” and withdrawal of the objection to the specification is respectfully requested.

Claim Rejections - 35 U.S.C. § 102

Claims 1-4, 6, 8, 11-18, 28, 29, 31-33, 39, and 40 were rejected under 35 U.S.C. § 102(b) as anticipated by Irie et al. (U.S. 2003/0167871) (hereinafter “Irie”). Applicant respectfully traverses this rejection.

Claims 1 recites:

a first body that defines a first grip portion of the control device and includes a front portion and a rear surface that is shaped to be associated with a bicycle handlebar, and an upper transverse surface that defines an upper transversal wall of the control device;

at least one lever that controls at least one bicycle component and that is hinged to the front portion of the first body; and

a second body that is distinct from the first body and defines a second grip portion of the control device and includes a lower transverse surface that at least partially defines a lower transversal wall of the control device.

Claim 31 recites:

a first body that defines a first grip portion of the control device and includes a front portion and a rear surface that is shaped to be mounted on a bicycle handlebar, and an upper transverse surface that defines an upper transversal wall of the control device;

at least one lever that controls a bicycle component and that is hinged to the front portion of the first body; and

a second body associated with the first body that defines a second grip portion of the control device and includes a lower transverse surface that at least partially defines a lower transversal wall of the control device.

Claim 39 recites:

a first body that defines a first grip portion of the control device and includes a front portion and a rear surface that is shaped to be associated with a bicycle handlebar, and an upper transverse surface that defines an upper transversal wall of the control device;

at least one lever that controls at least one bicycle component and that is hinged to the front portion of the first body; and

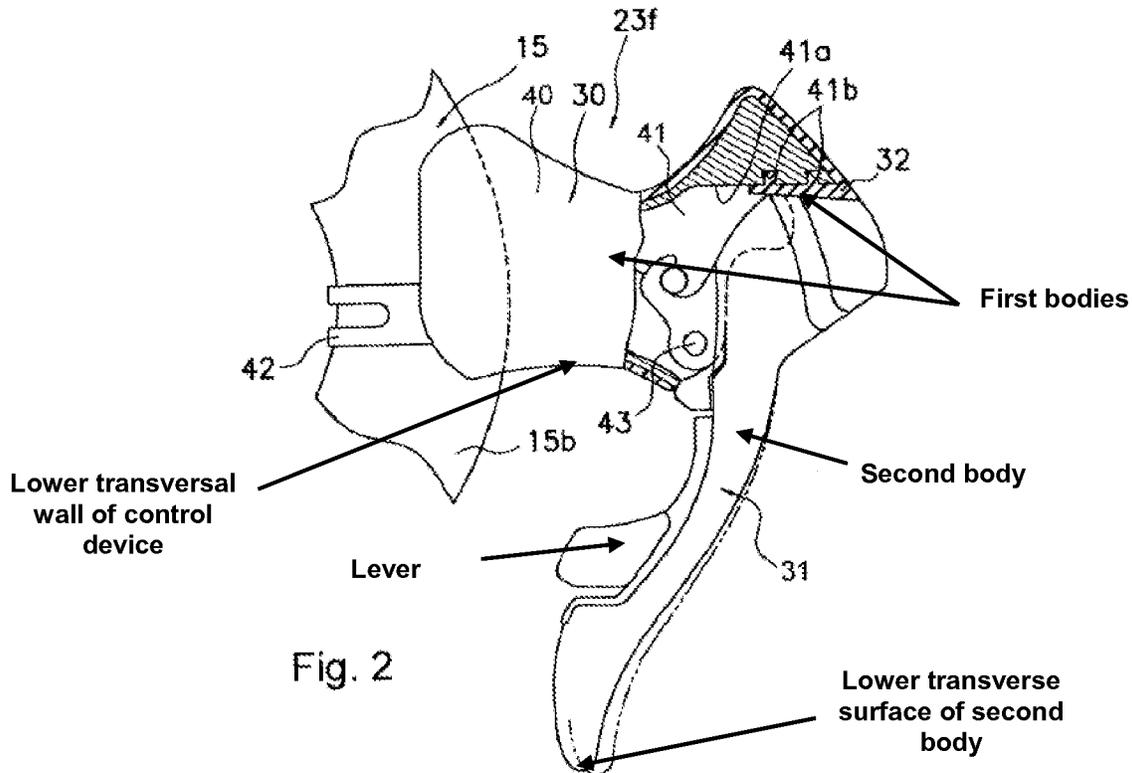
a second body that is distinct from the first body and defines a second grip portion of the control device and includes a lower transverse surface that at least partially defines a lower transversal wall of the control device.

Irie discloses a handlebar (15) connected to a bracket (30) and a lever (31) connected to the bracket (30). The Examiner cited the bracket (30) and an adjustment member (32) as the first body; the lever member (31) as the second body; and a first lever (50) and second lever (51) as the lever. As an initial matter, the Examiner cited two separate and distinct bodies as the first body. The bracket (30) is mounted to the curved portion of the handlebar (15); adjustment member (32), which adjusts the position of the lever member (31), is a separate element that is mounted between the bracket (30) and the lever member (31).

As shown in the annotated Figure below, Irie fails to disclose a lower transversal wall of the control device is partially defined by the lower transverse surface of the second body. The Examiner identified the lever member (31) as the second body. In contrast to the independent claims, Irie's lower transversal wall of the control device is entirely defined by the lower transverse surface of the first body, i.e. the lower transverse surface of the bracket (30). The lower transverse surface of Irie's second body (lever member (31)) does not define any portion of the lower transversal wall of the control device. The Action included annotated cross-sectional views of the Irie's

Figures but failed to identify the lower transversal wall of the control device. Irie's lower transversal wall of the control device and lower transverse surface of the second body are indicated below in annotated Figure 2. Irie fails to disclose a lower transversal wall of the control device that is at least partially defined by the lower transverse surface of the second body as recited by claims 1, 31, and 39. Withdrawal of the section 102 rejection of claims 1, 31, and 39 is respectfully requested.

Claims 2-4, 6, 11-18, 28, 29, 32, 33, and 40 depend from claims 1, 31, and 39 and are patentable over Irie for the reasons stated above. Accordingly, withdrawal of the § 102(b) rejection of claims 1-4, 6, 8, 11-18, 28, 29, 31-33, 39, and 40 is respectfully requested.

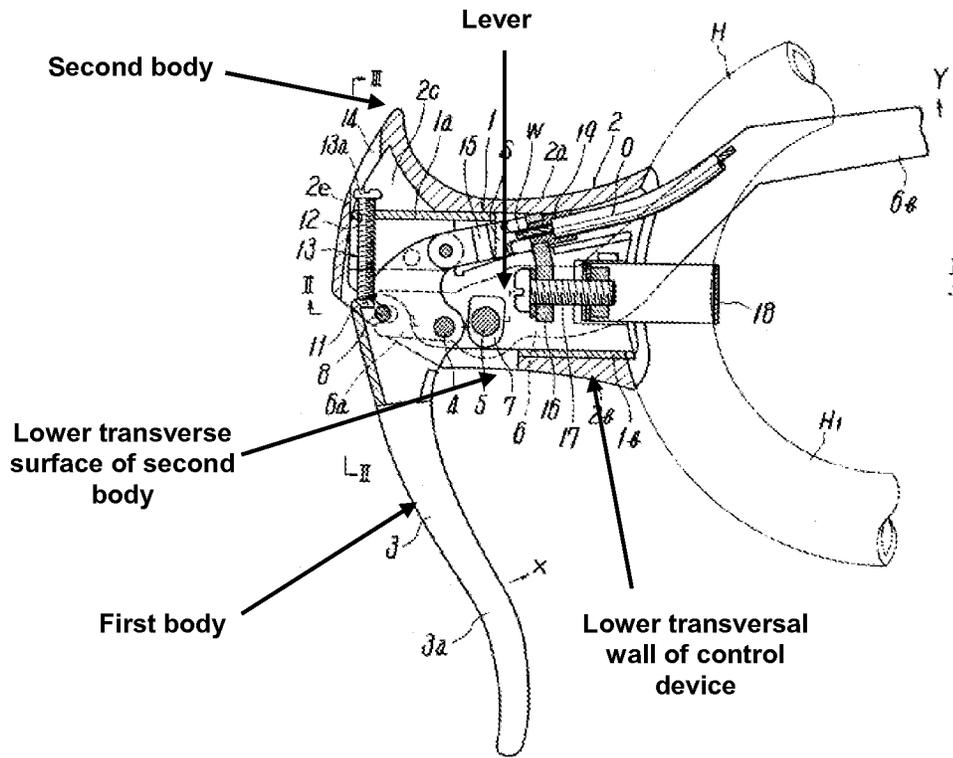


Irie – Figure 2 (annotated)

Claims 1, 4, 7-10, 31, and 36-42 were rejected under 35 U.S.C. § 102(b) as anticipated by Shimano (U.S. 4,459,871). Applicant respectfully traverses this rejection.

The Examiner cited Shimano's first lever (3) as the first body; a second lever (6) as the lever; and a cover (2) as the second body. The cover (2) extends around the entire bracket member (1). The first lever (3) extends along a bent portion of the handlebar and the second lever (6) extends along a straight portion of the handlebar. The second lever (6) projects from a side wall (1c) of the bracket member (1).

Shimano's first body (first lever (3)) does not include a rear surface that is shaped to be associated with a bicycle handlebar as recited by the independent claims. The first lever (3) has an end housed within the bracket member (1); Shimano's first body (first lever (3)) does not include an upper transverse surface that defines an upper transversal wall of the control device as recited by the independent claims. Shimano fails to disclose the lever (second lever (6)) is hinged to the front portion of the first body (first lever (3)) as recited by the independent claims.



Shimano – Figure 1 (annotated)

Claims 4, 7-10, 31, 36-38, and 40-42 depend from claims 1, 31, and 39 and are similarly patentable over Shimano for the reasons stated above. Accordingly, withdrawal of the § 102(b) rejection of claims 31 and 39-42 is respectfully requested.

Claim Rejections - 35 U.S.C. § 103

Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Irie. Applicant respectfully traverses this rejection.

Claim 6 depends from claim 1 and is similarly patentable over Irie for the reasons stated above. Accordingly, withdrawal of the § 103 rejection of claim 6 is respectfully requested.

Claims 8-10, 36, and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Romano (U.S. 4,945,785). Applicant respectfully traverses this rejection.

Claims 8-10, 36, and 38 depend from independent claims 1 and 31, which were not rejected in view of Romano. Claims 1 and 31 are patentable over Romano and

Accordingly, withdrawal of the § 103 rejection of claims 8-10, 36, and 38 is respectfully requested.

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, 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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