REMARKS/ARGUMENTS

Claims 1 – 30, 32 – 35, 37, 38, and 40 – 42 are currently pending. Claims 1, 32, 34, 37, 38 and 40 are presently amended and claims 31, 36, and 39 are canceled. Claims 19 – 27, 30, 34, and 35 were previously withdrawn.

Allowable Subject Matter

Applicant thanks the Examiner for stating that claim 37 would be allowable if written in independent form to include the limitations of the base claim and any intervening claims.

Claim Rejections – 35 U.S.C. §112

Claims 1 – 18, 28, 29, 31 – 33, and 36 -42 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In response, claim 1 is amended to address the issues noted and now states that "the first and second grip portions are arranged so that when a cyclist engages the at least one lever with the fingers of a hand, the remainder of the hand is positioned above the upper transversal surface of the first body." Claims 2 – 18, 28, 29, 32, 33, 37, 38, and 40 – 42 depend from claim 1 and were only rejected as depending on an indefinite claim. Claims 31, 36, and 39 were canceled.

In view of the amendments noted above, withdrawal of the 35 U.S.C. §112 rejection is respectfully requested.

Claim Rejections - 35 U.S.C. § 102

Claims 1 – 4, 7, 11 – 18, 28, 29, 31 – 33, and 39 – 42 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pub. 2003/0167871 ("Irie '871"). Applicant respectfully traverses this rejection.

Claim 1, as amended, relates to a control device for a bicycle. The control device comprises: a first body that defines a first grip portion of the control device; at least one lever that controls at least one bicycle component and that is hinged to a front portion of the first body; and a second body that is distinct from the first body and from the at least one lever and that defines a second grip portion of the control device. The first body includes a front portion, a rear surface shaped to be associated with a bicycle handlebar, and an upper transversal surface that defines an upper transversal wall of the control device. The second body includes a lower transversal surface that at least partially defines a lower transversal wall of the control device. The first and second grip portions of the first and second bodies are arranged so that when a cyclist engages the at least one lever with the fingers of a hand, the remainder of the hand is positioned above the upper transversal surface of the first body.

Irie '871 discloses an adjusting apparatus for a bicycle brake control device. The adjusting apparatus comprises: a brake control member bracket 30 that is adapted to be mounted to a handlebar; and, a lever member 31 that is mounted to the bracket 30 so that it can move from a brake release position toward a brake operating position. *See* Irie '871, Abstract; paragraph [0019].

The Action compares Irie '871's bracket 30 and operation member 46 to the respective first and second body of claim 1. As shown in Irie 871's FIGS. 2 – 4, the first body 30 has a mounting piece 40 that is coupled via a band 42 to the curved part 15b of the handlebar 15. A lever member 31, e.g., a hand-operated brake control member, is mounted to the first body 30 so that it can move from a brake release position toward the curved part 15b of the handlebar 15. The operation member 46 is part of Irie '871's lever member 31 and is movably mounted to the base 45 of the lever member 31 so that it can be pivoted about an axis that runs in a direction of travel. *See,* Irie '871, paragraphs [0023], [0024]; FIGS. 2 and 4. An adjustment member 32, made of a synthetic rubber, is mounted between first body 30 and lever member 31 and produces a gap between them. As shown in Irie '871's FIGS. 4 – 8, the adjustment member 32 adjusts the orientation of the lever member 31 relative to the bracket 30 when the lever member 31 is in the brake release position. *See also,* Irie '871, Abstract and paragraph [0019]. The operation member 46 of Irie '871 is not distinct from the lever member 31. Since Irie '871's operation member 46 is formed as part of the lever member 31, it could not define at least a second grip portion of the control device since Irie '871's operation member 46 pivots when the lever member 31 is actuated.

In the present application, the second body of claim 1 defines an additional grip portion for the cyclist by defining an extension of the gripping portion of the first body. This allows the hand of the cyclist to grip both the first and second bodies when riding the bicycle so that when the fingers of a hand of the cyclist engages the actuation lever, the remainder of the hand rests on the upper transversal surface of the first body. As

noted above, this feature is not disclosed or suggested by Irie '871's clamping element 42 or operation member 46 since the clamping element 42 and operation member 46 are not gripped by the cyclist when he rides the bicycle by gripping the bracket 30. Further, Irie '871's clamping element 42, operation member 46, and bracket 30 cannot be adapted so that the hands rest on the upper transversal surface of the first body while the fingers engage the actuation lever, as required by claim 1.

In view of the above, withdrawal of the 35 U.S.C. §102(b) rejection of claim 1 is respectfully requested.

Claims 2 – 4, 7, 11 – 18, 28, 29, 32, 33, and 40 – 42 depend from claim 1 and should be patentable for at least the reasons noted above in connection with claim 1.

Claim Rejections - 35 U.S.C. § 103

Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Irie '871 in view of U.S. 6,546,827 ("Irie '827").

Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Irie '871.

Applicant respectfully traverses each of these rejections.

Claims 5 and 6 depend from claim 1 and are patentable for at least the reasons noted above in connection with claim 1. Further, the Action admits that Irie '871 does not teach "the second body being associated with the first body through screws," but cites Irie '827 as curing this deficiency. *See* July 24, 2013 Office Action, page 8. Irie '827's first body 52a and second body 50a are coupled by a protrusion in recess

arrangement via a threaded bolt 64a. *See* Irie '827, FIGS. 7 and 8. Since Irie '827's threaded bolt 64a fixedly couples the first body 52a to the second body 50a, it could not be used to position the second body 50a with respect to the first body 52a. Thus, the combination of Irie '871 and Irie '827 does not teach or suggest claims 5 or 6 since neither Irie '871 nor Irie '827 discloses a control device for a bicycle that has a second body that is positioned with respect to and associated with the first body through screws and/or glue.

In view of the above, withdrawal of the 35 U.S.C. §103(a) rejection of claims 5 and 6 is respectfully requested.

Claims 8 – 10, 36, and 38 were rejected under 35 U.S.C. §103(a) as being unpatentable over Irie '871 in view of U.S. 4,945,785 ("Romano"). Applicant respectfully traverses this rejection.

Claims 8 – 10 and 38 depend from claim 1 and are patentable for at least the reasons noted above in connection with claim 1. Claim 36 was canceled. Further, the Action admits that Irie '871 does not teach "the at least one adjustment screw element comprising a screw/female screw coupling operatively arranged between the first body and the second body for adjusting the position of the second body with respect to the first body," but cites Romano as curing this deficiency.

Romano's FIG. 1 shows the grub screw 12 engaging a projection of the second body 3b so that the second body 3b can be adjusted relative to the first body 3a. The distance between the lever 5 and grip 2 is varied by acting on grub screws 12 that face each other and that are fixed into threaded holes 10, 11 of the first body 3a. In contrast

to Romano's grub screw 12, the adjustment screw of claims 8 – 10 and 38 is associated at one end with the second body and at the opposite end with a female screw that is fixedly connected to the first body. Even if Romano were combinable with Irie '871, the present claims are not taught or suggested by the combination.

In view of the above, withdrawal of the 35 U.S.C. §103(a) rejection of claims 8 – 10 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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