

REMARKS/ARGUMENTS

After the foregoing Amendment, claims 1-18, 28, 29, 32-33, 37-38 and 40-42 are currently pending in this application. Claims 1 - 3, 5 - 7, 11, 13, 16, 28 and 32 are amended. Claims 19-27, 30, 34, and 35 were previously withdrawn. Support for the amendments is found in the figures (in particular Figs. 2 - 8 and 10 - 15) and in paragraphs: [0006], [0026], [0033], [0041], [0042] [0067] and [0115] of the originally filed specification. No new matter is added.

Telephonic Interview

The Examiner is thanked for granting a telephonic interview with the Applicant's representative on June 5, 2014.

Allowable Subject Matter

The Examiner is thanked for indicating that claims 5, 8 - 10, 37 and 38 contain allowable subject matter.

Claim Rejections - 35 USC §112

Claims 1-28, 28, 29, 32, 33, 37, 38 and 40-42 were rejected under 35 USC § 112, second paragraph, as being indefinite. Applicant has amended claim 1 to fully

address the rejection. Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejections - 35 USC § 102

Claims 1-4, 7, 11-18, 28, 29, 32, 33 and 40 - 42 were rejected in the Action under 35 USC § 102(b) as anticipated by U.S. Patent Application Publication No. 2003/0167871 to Irie.

Specifically, the Examiner states on page 4: “As noted, claim 1 and other claims below do not require the lever directly hinged to the front portion of the first body. Further, the term ‘*associated*’ broadly covers both physical and nonphysical attachment.”

Applicant respectfully traverses the rejection.

Applicant has amended claim 1, which currently recites a control device for a bicycle, comprising:

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 connected to a bicycle handlebar, and an upper transversal surface that defines an upper transversal wall of the control device;

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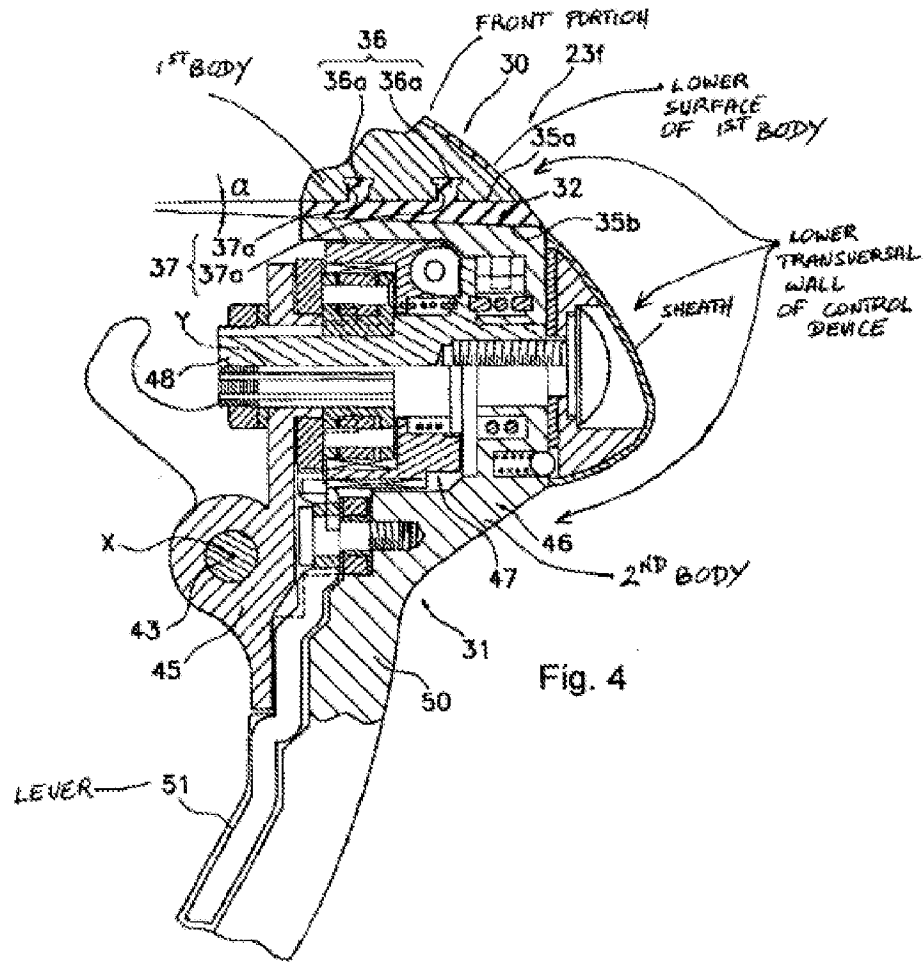
at least one lever that controls at least one bicycle component and that is directly hinged to the front portion of the first body; and

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 and includes a lower transversal surface, opposite the upper transversal surface, that at least partially defines a lower transversal wall of the control device, the second body having a dimension that is selectable to allow variation of the second grip portion's size;

wherein the upper transversal surface of the first body is configured as a palm rest.

Applicant has amended claim 1 to specifically recite “connected to” instead of “associated with”. Claim 1 is also amended to recite that the at least one lever is directly hinged to the front portion of the front body.

In the Action, the Examiner interpreted Irie to show the claimed “first body” (*see* hatched portion Appendix 3/5 reproduced below) and the claimed “at least one lever” (lever 51 of Irie).



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However, it is respectfully noted that lever 51 of Irie is not **directly** hinged to the front portion of the first body as currently claimed. Therefore, the present amendment to claim 1 obviates the §102(b) rejection over Irie.

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Moreover, claim 1 requires that the second body be **distinct** from the at least one lever. In the Action, the Examiner asserted that second body (operation member 46 of Irie) is distinct from lever 51. Applicant respectfully notes that this is not true. Irie actually discloses that lever 51 **is part of** the second body 46. Irie states in paragraph [0024]:

The operation member 46 has a first lever 50 and a second lever 51. First lever 50 performs braking as well as gear shifting of the derailleur 21f or 21r to a higher gear, and second lever 51 performs gear shifting of the derailleur 21f or 21r to a lower gear.

It is clear that Irie discloses a lever 51 which is part of the second body 46. Accordingly, Irie fails to show that the second body be **distinct** from the at least one lever as currently claimed.

Since Irie fails to show or suggest all of the features currently recited in claim 1, the rejection under 35 U.S.C. § 102(b) should be withdrawn.

Claims 2-4, 7, 11-18, 28, 29, 32, 33 and 40 - 42 depend from claim 1 and are believed to be allowable for the same reasons set forth above.

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Based on the amendments and arguments presented above, withdrawal of the §102(b) rejection of claims 1-4, 7, 11-18, 28, 29, 32, 33 and 40 - 42 is respectfully requested.

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Conclusion

If the Examiner believes that any additional formal matters need to be addressed in order to place this application in condition for allowance, or that another telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1-18, 28, 29, 32-33, 37-38 and 40-42, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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