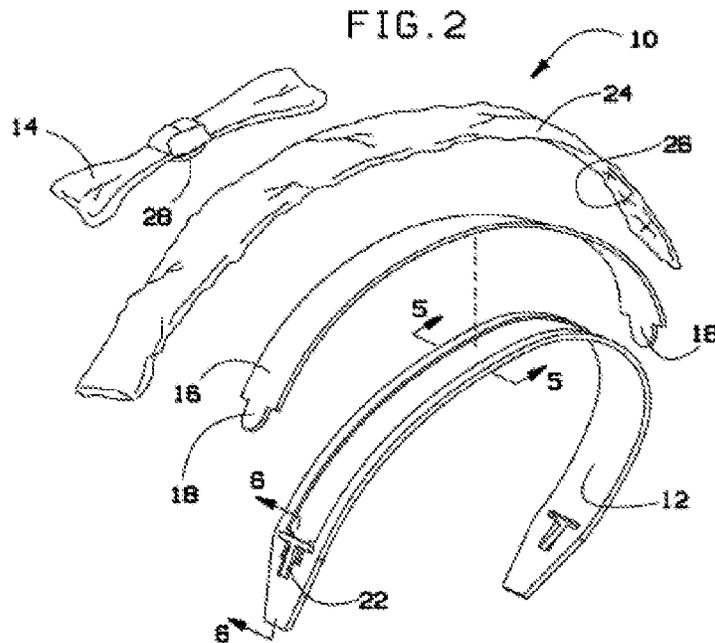


REMARKS

The action objected to claims 6 and 8. The amendment above cancels those claims.

Claims 9 and 10, the subject matter of which has now been added to claim 1, stand rejected over 6 references: Chou (US 5,826,597) in view of Liao (US 2011/0315160), Miller (US 3,211,160), Hill et al. (US 2012/0125360), Klug (US 6,688,316), and Porter (USD 603,584). Previously claims 9 and 10 did not depend on each other so this is the first appearance of Porter and Klug together.

Hill does not teach or suggest “magnets are located only at proximal ends of the base body and transparent cover” as amended in claim 1. Hill (FIG. 2 below) shows a headband that includes a metal ferromagnetic strip 18. Because the strip 18 is ferromagnetic, magnetic ornaments 14 and 24 may attach to the strip 18.



Contrasting Hill with what is claimed, Neither Hill nor the other references teach or suggest “wherein the magnets are located only at proximal ends of the base body and transparent cover” as recited in claim 1. Specifically, Hill does not teach permanent attachment of any magnetic material to its equivalent base (12)—Hill shows its magnetic strip along the base 12’s entire length.

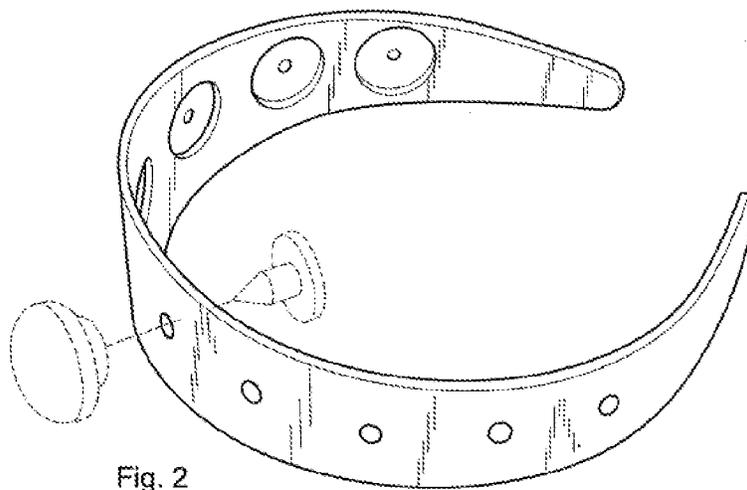
Hill’s design is disadvantageous over the current design. Hill requires its entire strip

along its length—this makes sense because Hill seeks to allow ornament placement via magnetic attachment along its length. But at the same time, Hill’s design introduces a problem in that Hill requires a headband with a strip of metal in it. This adds to cost of production and weight in the headband, neither of which are desirable in a product that is usually low cost and meant for comfortable wear.

Hill does not teach or suggest “magnets permanently attached to the base body that are attracted to a ferromagnetic material permanently attached to the transparent cover” as recited in claim 1. Hill’s ferromagnetic strip 18 is removable—another piece to lose or misplace, which is different than the claimed permanent attachment of the magnets.

Porter does not show a or suggest a “decorative item [that] comprises a shaft that engages the hole” as amended in claim 1. Porter, shown below, shows a bead or some similar item that engages a fastener in a two-piece combination. The Porter bead has no shaft and thus does not show what is claimed.

The Porter fastener, however, includes a head and post. The post extends from below the Porter headband through a hole to apparently engage the bead. This is an undesirable design compared to what is claimed for at least two reasons: First, there are two pieces and one or the other may be lost, which renders the decoration useless. Second, it will be more costly to produce Porter’s two-piece combination.



Klug and Porter are improperly combined and/or only combined as a result of impermissible hindsight. Klug teaches a hook and loop fastening for “easily interchanged” ornaments. Col. 3, line 45. Thus while Klug shows something that is easily removable, even during wearing, Porter’s decoration can only be secured by removing the headband. These are different approaches and in a 6-reference combination, such a combination suggests impermissible hindsight.

Based on the foregoing and because there are already 6 references being combined to form this rejection, the undersigned requests a notice of allowance.

Sincerely,

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