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Table with columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO., EXAMINER, ART UNIT, PAPER NUMBER, NOTIFICATION DATE, DELIVERY MODE. Includes application details for William Finegan and examiner TRAIL, ALLYSON NEEL.

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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DETAILED ACTION

1. The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

Continuation Data

2. This application claims priority to Provisional application 62/113,482 filed February 8, 2015.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a)(1) the claimed invention was patented, described in a printed publication, or in public use, on sale or otherwise available to the public before the effective filing date of the claimed invention.

4. Claims 1-7, 10, and 12 are rejected under 35 U.S.C. 102(a)(1) as being anticipated by Desai (2013/0140111).

With respect to claim 1, Desai illustrates in figure 5, a lighted ladder which comprises rungs and siderails. The ladder includes a light source (shown as 5) engaged to the ladder. Paragraph 0031 discloses the light source comprising light emitting diodes (LEDs). Settle

With respect to claim 2, figure 5 illustrates the light source (5) is connected to the rung (paragraph 0031).

With respect to claim 3, figure 5 illustrates the light source (5) including a base that is engaged to a wire (21), and the wire forms the connection to the rung.

With respect to claims 4 and 7, figure 5 illustrates the wires (21) having two ends, wherein each end connects to the base (20 - also see figure 4) and wherein the LED is connected to the base (20).

With respect to claim 5, figure 5 illustrate the end of the base being secured using a set screws that thread through the base.

With respect to claim 6, figure 5 and paragraph 0025 disclose the wire encircles a rung (shown with the dashed lines).

With respect to claims 10 and 12, figure 5 illustrates the LED being connected to the base (20) via an LED housing.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8, 9, and 13-15 are rejected under 35 U.S.C. 103 as being unpatentable over Desai in view of Bergholz et al (2011/0254450), hereinafter Bergholz.

Desai's teachings are discussed above (including claims 9, 14, and 15 – see paragraphs 0025 and 0032). Desai however fails to teach the specific type of LED recited in claims 8 and 13, wherein the LED comprises two portions, a star board end portion that engages the base, and a lens portion that emits light.

With respect to claims 8 and 13, Bergholz teaches in paragraph 0053 that in order to provide a more intense LED output light, collimating lenses are typically used.

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Specifically using a collimating lens which fits right over the Luxeon Star LED and causes the light output angle to be reduced from about 120 degrees down to about 30 degrees. Bergholz further discloses that such a narrow light beam output from the LED offers several advantages, including less electrical power required for high visibility.

In view of Bergholz's teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to use an LED star board type LED, which includes a lens on one end as the LED set forth in Desai. As is discussed above, Bergholz suggests that one would be motivated to use such an LED in order require less electrical power for high visibility.

7. Claims 11, 16, and 17 are rejected under 35 U.S.C. 103 as being unpatentable over Desai in view of Ziolkowski (5,954,154).

Desai's teachings are discussed above (including the limitation of claim 17). With respect to claims 11 and 16, Desai discloses in paragraph 0025, the bulb being mounted to the rung of the ladder. Desai however fails to specifically teach the light source comprises a base that clamps to a rung.

With respect to claims 11 and 16, Ziolkowski illustrates in figures 1 and 2 the light source 18 being detachably attached to a rung using clamp 19.

In view of Ziolkowski's teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to have an option for attaching use an LED to the ladder rather than having the LED screwed on. One would be motivated to use a clamp to attach an LED to the ladder so that LEDs can be added to the ladder if an increase in lighting is desired.

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8. Claims 18-20 are rejected under 35 U.S.C. 103 as being unpatentable over Desai in combination with Ziolkowski and in further view of Bergholz.

Desai's teachings in combination with the teachings of Ziolkowski are taught above (including claims 19 and 20 – see paragraphs 0025 and 0032). The combination however fails to teach the specific type of LED, wherein the LED comprises two portions, a star board end portion that engages the base, and a lens portion that emits light.

With respect to claim 18, Bergholz teaches in paragraph 0053 that in order to provide a more intense LED output light, collimating lenses are typically used. Specifically using a collimating lens which fits right over the Luxeon Star LED and causes the light output angle to be reduced from about 120 degrees down to about 30 degrees. Bergholz further discloses that such a narrow light beam output from the LED offers several advantages, including less electrical power required for high visibility.

In view of Bergholz's teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to use an LED star board type LED, which includes a lens on one end as the LED set forth in Desai. As is discussed above, Bergholz suggests that one would be motivated to use such an LED in order require less electrical power for high visibility.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Coffield et al (7,174,994), Gebhard (2014/0177258), New, SR. et al (2007/0221802), and Laug (2001/0015303).

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Allyson N. Trail* whose telephone number is (571) 272-2406. The examiner can normally be reached between the hours of 7:30AM to 4:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571) 272-2398. The fax phone number for this Group is (571) 273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [**allyson.trail@uspto.gov**].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

/Allyson N. Trail/
Allyson N. Trail
Primary Examiner
Art Unit 2876

March 27, 2017