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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* SUSHANT TRIVEDI and JACQUELINE AMOS GAGAS

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Appeal 2020-002676  
Application 15/922,120  
Technology Center 3700

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Before MICHAEL C. ASTORINO, KENNETH G. SCHOPFER, and  
TARA L. HUTCHINGS *Administrative Patent Judges*.

SCHOPFER, *Administrative Patent Judge*.

DECISION ON APPEAL

Pursuant to 35 U.S.C. § 134(a), Appellant<sup>1</sup> appeals from the  
Examiner’s decision to reject claims 1 and 5–8. We have jurisdiction under  
35 U.S.C. § 6(b).

We AFFIRM.

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<sup>1</sup> We use the word “Appellant” to refer to “applicant” as defined in 37  
C.F.R. § 1.42. Appellant identifies the real party in interest as The Gillette  
Company LLC. Appeal Br. 1.

## BACKGROUND

The Specification discloses that “[t]he present invention relates to a method for the selection of a shaving product.” Spec. 1, l. 5.

## ILLUSTRATIVE CLAIM

Claim 1 is the only independent claim on appeal and recites:

1. A system of shaving products, the system comprising:

a first razor handle, the first razor handle being enclosed in a first single use disposable blister package, the first single use disposable blister package enclosing only the first razor handle; the first razor handle is configured to provide heating during use, the first razor handle being connectable in use with a designated razor blade cartridge;

a second razor handle, the second razor handle being enclosed in a second single use disposable blister package, the second single use disposable blister package enclosing only the second razor handle; the second razor handle is configured to provide dispensing of fluid during use, the second razor handle being connectable in use with the designated razor blade cartridge.

Appeal Br. 4.

## REJECTION

The Examiner rejects claims 1 and 5–8 under 35 U.S.C. § 103 as unpatentable over Iten<sup>2</sup> in view of Szczepanowski.<sup>3</sup>

## DISCUSSION

With respect to claim 1, the Examiner finds that Iten teaches a system of shaving products including a first razor handle enclosed in a single use blister package and connectable to a designated razor blade cartridge. Final

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<sup>2</sup> Iten, US 3,970,194, iss. July 20, 1976.

<sup>3</sup> Szczepanowski et al., US 2007/0084058 A1, pub. Apr. 19, 2007.

Act. 2–3 (citing Iten Figs. 1, 2, 5; col. 2, ll. 38–66). The Examiner acknowledges that Iten does not disclose a second razor handle in a second packages, but the Examiner determines that providing such would have been obvious as a mere duplication of parts that would provide a plurality of replacement parts to the user. *Id.* at 3.

The Examiner further acknowledges that Iten does not teach a first handle that provides heating during use or a second handle that provides dispensing of fluid during use. *Id.* The Examiner finds that Szczepanowski teaches a razor handle that provides heating and dispensing of fluid during use, and that providing heated fluid during use provides for a more comfortable shave. *Id.* at 4 (citing Szczepanowski ¶¶ 2, 19, 21). The Examiner determines that it would have been obvious to modify Iten to include razor handles that provide for heating and dispensing fluid as taught by Szczepanowski in order to provide the user with a more comfortable shave. *Id.*

We agree with and adopt the Examiner’s findings and determinations with respect to the rejection of claim 1. *See* Final Act. 3–4; *see also* Ans.<sup>4</sup> 5–7. As discussed below, we are not persuaded of error by Appellant’s arguments.

Appellant first argues that the combination proposed would not result in the invention of claim 1. Appeal Br. 2. Specifically, Appellant asserts: “[w]hat the combination . . . misses and fails to address is that the handle of Iten and the handle of Szczepanowski would each need to be able to connect

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<sup>4</sup> Second or Subsequent Examiner’s Answer to Appeal Brief, mailed Dec. 18, 2019.

to the same razor cartridge,” and that “[e]ach [reference] contemplate[s] only connecting their respective handle with their respective razor cartridge.” *Id.* at 2–3. We are not persuaded for the reasons provided by the Examiner. *See* Ans. 5–6. Specifically, the Examiner makes clear that the rejection relies on a modification of Iten’s handle to include the heating and dispensing fluid functionality taught by Szczepanowski and that the razor cartridges of Szczepanowski are not utilized in the combination. *Id.* at 6. Thus, we agree with the Examiner that this argument fails to explain any specific deficiency in the rejection before us. *Id.*

Appellant also argues that the prior art does not “contemplate the concept or provide a motivation of having two unique handles providing two distinct benefits and each handle being able to connect with the same razor cartridge no matter how they are packaged.” Appeal Br. 3. We are not persuaded of error. As the Examiner notes, as presently worded, claim 1 does not require the first and second handles to provide distinct benefits. Ans. 6. Rather, the claim merely requires that the first handle provide heating and the second handle provide dispensing of fluid. The claim language neither precludes both handles from providing both of these functions nor otherwise requires the handles to have different functionality. Thus, we agree with the Examiner that the claim reads on the proposed combination in which two handles are provided, both with heating and fluid dispensing capabilities. *See id.* at 7.

Based on the foregoing, we are not persuaded of error in the rejection of claim 1. We are also not persuaded of any error in the rejection of the dependent claims, for which Appellant does not present any separate arguments. Accordingly, we sustain the rejection of claims 1 and 5–8.

DECISION SUMMARY

We AFFIRM the rejection of claims 1 and 5–8.

In summary:

<b>Claims Rejected</b>	<b>35 U.S.C. §</b>	<b>Basis</b>	<b>Affirmed</b>	<b>Reversed</b>
1, 5–8	103	Iten, Szczepanowski	1, 5–8	

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136 (a). *See* 37 C.F.R. § 1.136 (a)(1)(iv).

AFFIRMED