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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/986,919	09/08/2015	9125530	VGA100A	7390

25222 7590 08/19/2015
WEINER & BURT, PC.
POB 186
HARRISVILLE, MI 48740

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment is 97 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

Gregory Vargo, Harper Woods, MI;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

IFW



PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

25223 7590 07/29/2015 WEINER & BURT, PC. POB 186 HARRISVILLE, MI 48740

Certificate of Mailing or Transmission I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

IRVING M WEINER (Depositor's name) Irving M. Weiner (Signature) 7/30/2015 (Date)

07/31/2015 CCHAU2 00000010 12986919 01 FC:3501 246.00 OP

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Values: 12/986,919, 01/07/2011, Gregory Vargo, VQA100A, 7390

TITLE OF INVENTION: Portable Foot Shower

Table with 7 columns: APPLN. TYPE, ENTITY STATUS, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE. Values: nonprovisional, MICRO, 5240, \$0, \$0, \$240, 10/29/2015

Table with 3 columns: EXAMINER, ART UNIT, CLASS-SUBCLASS. Values: CRANE, LAUREN ASHLEY, 3754, 004-615000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). [] Change of correspondence address... [] "Fee Address" indication...

2. For printing on the patent front page, list (1) The names of up to 3 registered patent attorneys or agents OR, alternatively, (2) The name of a single firm...

1. WEINER & BURT, P.C. 2. IRVING M. WEINER 3. PAMELA S. BURT

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): [] Individual [] Corporation or other private group entity [] Government

4a. The following fee(s) are submitted: [x] Issue Fee [] Publication Fee [] Advance Order... 4b. Payment of Fee(s): [] A check is enclosed. [x] Payment by credit card... [] The director is hereby authorized to charge the required fee(s)...

5. Change in Entity Status: [] Applicant certifying micro entity status... [] Applicant asserting small entity status... [] Applicant changing to regular undiscounted fee status. NOTE: Absent a valid certification of Micro Entity Status... NOTE: If the application was previously under micro entity status... NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications. Authorized Signature: IRVING M WEINER Date: 7/30/2015 Registration No.: 22168



NOTICE OF ALLOWANCE AND FEE(S) DUE

25222 7590 07/29/2015
WEINER & BURT, PC.
POB 186
HARRISVILLE, MI 48740

Table with 2 columns: EXAMINER (CRANE, LAUREN ASHLEY), ART UNIT (3754), PAPER NUMBER

DATE MAILED: 07/29/2015

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

TITLE OF INVENTION: Portable Foot Shower

Table with 7 columns: APPLN. TYPE, ENTITY STATUS, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

25222 7590 07/29/2015
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HARRISVILLE, MI 48740

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Form with fields for (Depositor's name), (Signature), and (Date)

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

TITLE OF INVENTION: Portable Foot Shower

Table with 7 columns: APPLN. TYPE, ENTITY STATUS, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

Table with 3 columns: EXAMINER, ART UNIT, CLASS-SUBCLASS

Form sections 1 and 2: 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list

Section 3: ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

Please check the appropriate assignee category or categories (will not be printed on the patent): [] Individual [] Corporation or other private group entity [] Government

Form sections 4a and 4b: 4a. The following fee(s) are submitted: 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

Section 5: Change in Entity Status (from status indicated above)

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____ Date _____
Typed or printed name _____ Registration No. _____



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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
12/986,919 01/07/2011 Gregory Vargo VGA100A 7390

25222 7590 07/29/2015
WEINER & BURT, PC.
POB 186
HARRISVILLE, MI 48740

Table with 1 column: EXAMINER
CRANE, LAUREN ASHLEY

Table with 2 columns: ART UNIT, PAPER NUMBER
3754

DATE MAILED: 07/29/2015

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability	Application No. 12/986,919	Applicant(s) VARGO, GREGORY	
	Examiner LAUREN CRANE	Art Unit 3754	AIA (First Inventor to File) Status No

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 4/6/2015.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. The allowed claim(s) is/are 13. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/oph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) All b) Some *c) None of the:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 2. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 7. <input type="checkbox"/> Other _____. |
| 4. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20150722</u> . | |

/LAUREN CRANE/
Primary Examiner, Art Unit 3754

Art Unit: 3754

1. The present application is being examined under the pre-AIA first to invent provisions.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Irving Weiner on 7/22/2015.

The application has been amended as follows:

Claim 13 line 16 "said one and only fixed" has been changed to "said one and only one fixed".

Claim 13 line 17 "operated only by toes" has been changed to "operated by toes".

Allowable Subject Matter

3. The following is an examiner's statement of reasons for allowance: Regarding claim 13, the combination including limitation one and only one vertical shower structure, one and only one horizontal base, dual push actuators, non-slip tape strips, leg supports, a modified leg support, rubber bumper feet, push bar bracket, spring assisted adjustable water regulator, the push actuators being embedded into the push

Art Unit: 3754

bar, on and only one swivel shower head, and a protective housing in the invention as claimed is neither disclosed nor rendered obvious by the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAUREN CRANE whose telephone number is (571)270-5198. The examiner can normally be reached on 9:30 am - 5:00 pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Durand can be reached on (571) 272-4459. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 12/986,919
Art Unit: 3754

Page 4

/LAUREN CRANE/
Primary Examiner, Art Unit 3754

Examiner-Initiated Interview Summary	Application No. 12/986,919	Applicant(s) VARGO, GREGORY	
	Examiner LAUREN CRANE	Art Unit 3754	

All participants (applicant, applicant's representative, PTO personnel):

- (1) LAUREN CRANE. (3)_____.
- (2) Irving Weiner. (4)_____.

Date of Interview: 22 July 2015.

Type: Telephonic Video Conference
 Personal [copy given to: applicant applicant's representative]

Exhibit shown or demonstration conducted: Yes No.
If Yes, brief description: _____.

Issues Discussed 101 112 102 103 Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 13.

Identification of prior art discussed: Prior art of record.

Substance of Interview

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)


The examiner suggested removing the word "only" from the limitation "operated only by toes" and to include the word "one" in the limitation "said one and only fixed". The applicant agreed to the changes. .

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Attachment

/LAUREN CRANE/
Primary Examiner, Art Unit 3754

Search Notes 	Application/Control No. 12986919	Applicant(s)/Patent Under Reexamination VARGO, GREGORY
	Examiner LAUREN HEITZER	Art Unit 3751

CPC- SEARCHED		
Symbol	Date	Examiner


CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
4	615, 622, 602, 605 , 616	11/2/2012	Lauren Heitzer
	updated search listed above	8/9/2013	LH
	Updated search listed above	1/11/2015	LC

SEARCH NOTES		
Search Notes	Date	Examiner
Keyword Search	11/2/2012	Lauren Heitzer

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
	Keyword search	7/22/2015	LC


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Issue Classification 	Application/Control No. 12986919	Applicant(s)/Patent Under Reexamination VARGO, GREGORY	
	Examiner LAUREN CRANE	Art Unit 3754	

CPC						
Symbol					Type	Version
A47K		3		325	F	2013-01-01
A47K		7		026	I	2013-01-01


CPC Combination Sets							
Symbol				Type	Set	Ranking	Version

NONE		Total Claims Allowed:	
		1	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/LAUREN CRANE/ Primary Examiner. Art Unit 3754	7/22/2015	13	1
(Primary Examiner)	(Date)		

Issue Classification 	Application/Control No. 12986919	Applicant(s)/Patent Under Reexamination VARGO, GREGORY
	Examiner LAUREN CRANE	Art Unit 3754

US ORIGINAL CLASSIFICATION					INTERNATIONAL CLASSIFICATION														
CLASS		SUBCLASS			CLAIMED					NON-CLAIMED									
4		622			A	4	7	K	3 / 022 (2006.01.01)										
CROSS REFERENCE(S)																			
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																		

NONE		Total Claims Allowed:	
		1	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/LAUREN CRANE/ Primary Examiner. Art Unit 3754	7/22/2015	13	1
(Primary Examiner)	(Date)		

Issue Classification 	Application/Control No. 12986919	Applicant(s)/Patent Under Reexamination VARGO, GREGORY
	Examiner LAUREN CRANE	Art Unit 3754

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant																<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47	
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original						
	1																				
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	11																				
	12																				
1	13																				

NONE		Total Claims Allowed:	
		1	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/LAUREN CRANE/ Primary Examiner. Art Unit 3754	7/22/2015	13	1
(Primary Examiner)	(Date)		

EAST Search History**EAST Search History (Prior Art)**


Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L18	258	(A47K7/026).cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/07/22 15:27
L19	821	(A47K3/022).cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/07/22 15:31

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L21	0	(only one base vertical shower non-slip toes push actuators cavity spring assisted push bar support legs modified swivel shower head).clm.	US-PGPUB; USPAT; UPAD	AND	ON	2015/07/22 16:34
L20	0	(only one base vertical shower non slip toes push actuators cavity spring assisted push bar support legs modified swivel shower head).clm.	US-PGPUB; USPAT; UPAD	AND	ON	2015/07/22 16:34

7/ 22/ 2015 4:34:41 PM

C:\Users\lheitze\Documents\EAST\Workspaces\12986919.wsp

Index of Claims 	Application/Control No. 12986919	Applicant(s)/Patent Under Reexamination VARGO, GREGORY
	Examiner LAUREN HEITZER	Art Unit 3751

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE							
Final	Original	11/03/2012	08/11/2013	01/11/2015	07/22/2015				
	1	✓	-	-	-				
	2	✓	✓	-	-				
	3	✓	✓	-	-				
	4	✓	✓	-	-				
	5	✓	✓	-	-				
	6	✓	✓	-	-				
	7	✓	✓	-	-				
	8	✓	✓	-	-				
	9	✓	✓	-	-				
	10		✓	-	-				
	11		✓	-	-				
	12			✓	-				
1	13				=				

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: GREGORY VARGO
Serial Number: 12986919
Filed: 01/07/2011
Group Art Unit: 3754
Examiner: CRANE, LAUREN ASHLEY
Title: PORTABLE FOOT SHOWER

AMENDMENT-E

To: Commissioner for Patents

Sir:

In response to the Office Action of 01/15/2015, please amend the above-identified patent application as follows, and favorably consider the accompanying remarks.

AMENDMENTS OF THE CLAIMS

Claims 1-12 (CANCELED)

13. (NEW) A portable foot shower for showering feet of a user, comprising, in combination:

one and only one fixed stationary horizontal base structure having a major central elongated horizontal base axis and a plurality of parallel slots therein which are oriented parallel to said major central elongated horizontal base axis;

said plurality of parallel slots permitting excess water, dirt, and other particulates to pass downwardly therethrough;

one and only one vertical shower structure mechanically and operably connected to said one and only one fixed stationary horizontal base structure;

said one and only one vertical shower structure including one and only one swivel spray shower head and a swivel connector for connecting said one and only one vertical shower structure to a source of water which is remote from the portable foot shower via a garden hose;

said one and only one fixed stationary horizontal base structure providing two areas for supporting and accommodating a right foot and a left foot of the user;

said one and only fixed stationary horizontal base structure including dual laterally-spaced top push actuators selectively operated only by toes of the user for controlling starting, running, and stopping a flow of water to said one and only one vertical shower structure interconnected to said one and only one fixed stationary horizontal base structure;

a plurality of non-slip tape strips attached to a top surface of said one and only one fixed stationary horizontal base structure;

a plurality of support legs, a modified support leg, and a pair of end cap closure members provided on a bottom surface of said one and only one fixed stationary horizontal base structure;

said plurality of support legs and said modified support leg being disposed perpendicular to said parallel slots, said non-slip tape strips; and said major central elongated horizontal base axis of said one and only one fixed stationary horizontal base structure;

a plurality of rubber bumper feet affixed to a bottom surface of said plurality of support legs and said modified support leg;

said dual laterally-spaced top push actuators having their major central elongated axis disposed perpendicularly to said major central elongated base axis of said one and only one fixed stationary horizontal base structure;

one and only one water dispensing assembly including a top push bar bracket disposed in a mortised cavity of said bottom surface of said one and only one fixed stationary horizontal base structure, and said dual laterally-spaced top push actuators which project upwardly from said top surface of said one and only one fixed stationary horizontal base structure;

one and only one spring-assisted adjustable water regulator device for varying water flow to said one and only one swivel shower head which forms part of said one and only one vertical shower structure;

said dual laterally-spaced top push actuators are embedded in a push bar connected to said top push bar bracket which is allowed to pivot downwardly to engage

said one and only one spring-assisted adjustable water regulator device for varying water flow to said one and only one swivel shower head which forms part of said one and only one vertical shower structure;

said one and only one fixed stationary horizontal base structure includes an aperture therein for providing access to said one and only one spring-assisted adjustable water regulator device for varying flow of water to said one and only one swivel shower head;

said one and only one swivel shower head is located above said dual laterally-spaced top push actuators and substantially mid-way between said dual laterally-spaced top push actuators;

a protective housing assembly for protecting said one and only one spring-assisted adjustable water regulator device; and

said protective housing assembly includes a protective casing which is affixed to said modified support leg.

REMARKS

Upon entry of the present amendment, the only claim in the application is new claim 13.

Claim Rejections - 35 USC § 103

These rejections of claim 12 are moot in view of the cancellation of such claim.

However, if these rejections were to be applied to new claim 13, then applicant would respectfully traverse based on at least the following.

The cited references of record, taken singly or in combination, fail to teach or make obvious the features recited in new claim 13.

Mission does not disclose, for example:

“one and only one fixed stationary horizontal base structure”; see Mission col. 3, lines 24-75; col. 4, lines 26-69; col. 5, lines 1-38; figs 2 and 5; note in particular col. 5, lines 19- 22 which states “In practice, the user in standing upon two treadles 41 pumps them alternately and....”; nor

“one and only one vertical shower structure mechanically and operably connected to said one and only one fixed stationary horizontal base structure”; note that Mission component 86 (which is one of two components 86) is merely a fitting, and is not vertical (see Mission Fig. 3).

Also, the OA concedes that Mission fails to show support legs with rubber feet, swivel connector, the shower head being located between the actuators, and a push bar actuator.

The other references of record fail to supply the deficiencies of Mission, and also fail to disclose or make obvious the features specified in new claim 13.

Unsuggested Modifications: -

The prior art lacks any suggestion that the references should be modified in a any manner to meet new claim 13.

Very Crowded Art : -

The invention is classified in a very crowded art; therefore, a small step forward should be regarded as significant.

The Cited References Are Individually Complete: -

Mission is complete and functional in itself.

Ferber et al is complete and functional in itself.

Delaney is complete and functional in itself.

Kienle is complete and functional in itself.

Zavan is complete and functional in itself.

Rast is complete and functional in itself.

Each reference is complete and functional in itself, so there would be no reason to use parts from or add or substitute parts to any other reference.

The Cited References Take Different Approaches to Different Problems: -

The references take mutually exclusive paths and reach different solutions to different problems. Because they teach away from each other, it is not logical to combine them.

Unsuggested Combination: -

The prior art references do not contain any suggestion (express or implied) that they be combined in the manner suggested in the OA.

Multiplicity of References: -

The fact that a large number of references (**six**) are alleged to be combined to meet the invention is evidence of unobviousness.

In addition, the fact that none of the objects of the invention enumerated on applicant's specification page 2 are satisfied by the cited art is germane to a conclusion of non-obviousness. *Vollrath Co. v. Premium Plastics, Inc.*, 183 USPQ 335, 338.

Furthermore, "*As this court has stated, **'virtually all [inventions] are combinations of old elements.'*" *Environmental Designs, Ltd. v. Union Oil Co.*, 713 F.2d 693, 698, 218 USPQ 865, 870 (Fed.Cir. 1983); see also *Richdel, Inc. v. Sunspool Corp.*, 714 F.2d 1573, 1579-80, 219 USPQ 8, 12 (Fed.Cir. 1983) ("Most, if not all, inventions are combinations and mostly of old elements.").

“Therefore an examiner may often find every element of a claimed invention in the prior art.

*“***If identification of each claimed element in the prior art were sufficient to negate patentability, very few patents would ever issue.****

“Furthermore, rejecting patents solely by finding prior art corollaries for the claimed elements would permit an examiner to use the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention.

“Such an approach would be “an illogical and inappropriate process by which to determine patentability.”** *Sensonics, Inc. v. Aerosonic Corp.*, 81 F.3d 1566, 1570, 38 USPQ2d 1551, 1554 (Fed. Cir. 1996).”

Furthermore, there is no combinable teaching in the prior art of record that would, reasonably and absent impermissible hindsight, motivate one having ordinary skill in the art modify the teachings of any one of the prior art references of record in an effort to achieve the invention specified in new claim 13.

Conclusion

The application is now believed to be in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner is not convinced that the application is in condition for allowance, it is respectfully requested that the Examiner promptly telephone the undersigned attorney for applicant in an attempt to facilitate the prosecution, and/or to narrow the issues for appeal, if necessary.

Favorable reconsideration is respectfully requested.

Respectfully submitted,

Date: April 6, 2015
CUSTOMER 25222

/imw/
Irving M. Weiner (Reg. 22168)
Attorney for Applicant
Phone: 989-724-7410
Fax: 989-724-7411
Email: iw@wabpc.com

Electronic Acknowledgement Receipt

EFS ID:	21985928
Application Number:	12986919
International Application Number:	
Confirmation Number:	7390
Title of Invention:	Portable Foot Shower
First Named Inventor/Applicant Name:	Gregory Vargo
Customer Number:	25222
Filer:	IRVING M WEINER
Filer Authorized By:	
Attorney Docket Number:	VGA100A
Receipt Date:	06-APR-2015
Filing Date:	07-JAN-2011
Time Stamp:	22:02:13
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	vga100ame4-6-15.pdf	256735 <small>e03306d7c1298cfd749db844b06ffad79565e edbd</small>	no	9

Warnings:

Information:

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 12/986,919	Filing Date 01/07/2011	<input type="checkbox"/> To be Mailed
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ENTITY: LARGE SMALL MICRO

APPLICATION AS FILED – PART I

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
AMENDMENT	04/06/2015	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR			
		* 1	Minus	** 20	= 0	X \$20 = 0	
		* 1	Minus	***3	= 0	X \$105 = 0	
		<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))					
		<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
					TOTAL ADD'L FEE	0	

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR			
		*	Minus	**	=	X \$ =	
		*	Minus	***	=	X \$ =	
		<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))					
		<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
					TOTAL ADD'L FEE		

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/STELLA LITTLE/



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/986,919	01/07/2011	Gregory Vargo	VGA100A	7390
25222	7590	01/15/2015	EXAMINER	
WEINER & BURT, PC. POB 186 HARRISVILLE, MI 48740			CRANE, LAUREN ASHLEY	
			ART UNIT	PAPER NUMBER
			3754	
			NOTIFICATION DATE	DELIVERY MODE
			01/15/2015	ELECTRONIC

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):

iw@wabpc.com
pb@wabpc.com

Office Action Summary	Application No. 12/986,919	Applicant(s) VARGO, GREGORY	
	Examiner LAUREN CRANE	Art Unit 3751	AIA (First Inventor to File) Status No

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 8/3/2014.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

- 5) Claim(s) 12 is/are pending in the application.
5a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 6) Claim(s) _____ is/are allowed.
- 7) Claim(s) 12 is/are rejected.
- 8) Claim(s) _____ is/are objected to.
- 9) Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to FPHfeedback@uspto.gov.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) All b) Some** c) None of the:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date _____.</p> | <p>3) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.</p> <p>4) <input type="checkbox"/> Other: _____.</p> |
|---|---|

Art Unit: 3751

1. The present application is being examined under the pre-AIA first to invent provisions.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/3/2014 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 12 is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Misson (U.S. Patent 2,988,754) in view of Ferber et al (U.S. Patent 6,505,358 herein after Ferber), Delaney (U.S. Patent 3,925,830), 2010/0043137), Kienle (U.S. Patent 1,936,398), Zavan (U.S. Patent Publication 2010/0043137) and Rast (U.S. Patent 2,274,739).

5. Misson shows a foot fluid dispenser. The device includes a substantially horizontally-oriented base (43) structure having a major central elongated substantially-

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horizontal base axis. A plurality of parallel slots (44) are oriented substantially parallel to the major central elongated substantially horizontal base axis. The plurality of parallel slots permitting excess water, dirt, and other particulates to pass downwardly through the slots. A substantially vertically-disposed shower structure (86) mechanically (81) and operably connected to the substantially horizontally-oriented base structure. The substantially horizontally-oriented base structure providing two areas for supporting and accommodating a right foot and a left foot of the user, Fig. 1. The substantially horizontally-oriented base structure including dual laterally-spaced top push actuators (64) selectively operated by toes of the user for controlling starting by applying pressure, running continuing pressure, and stopping by lifting the foot off the actuator, a flow of water to the substantially vertically-disposed shower structure interconnected to the substantially horizontally-oriented base structure (86). The dual laterally-spaced top push actuators (64) having a major central elongated axis disposed perpendicularly to the major central elongated base axis of the substantially horizontally-oriented base structure. The shower head is located above the dual spaced top push actuators. The shower structure includes a connector (81) for connecting the shower structure to a source of liquid that is capable of being water. The substantially horizontally-oriented base structure including an aperture (76) therein for providing access to the spring-assisted (71) adjustable water regulator device (91) for varying flow of water to the shower head.

6. Misson fails to show support legs with rubber feet, swivel connector, the shower head being located between the actuators, and a push bar actuator

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7. Ferber teaches a portable foot bath. The device includes a plurality of support legs (30) that are connected to the base surface of a base (22). The legs are constructed out of rubber in order to prevent movement of the device (column 4 lines 20-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device as shown by Misson to include rubber support legs as taught by Ferber because it would prevent movement of the device

8. Delaney teaches a foot shower. The device includes a shower head (53) and a swivel connector (29) that allows for a connection to a water source. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device as shown by Misson to include a as taught by Delaney because it would allow for easy connection to an endless water supply.

9. Kienle teaches a footbath. The device includes a base (1). The base includes a top surface. The top surface includes a non-slip surface (column 1 lines 30-35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device as shown by Misson to include a non-slip surface located on the upper surface of the base as taught by Kienle because it would ensure the user would not slip. Whether non-slip surface is a solid piece or strips is dependent upon the shape and design of the base member and is therefore a design choice that fails to patentably distinguish.

10. Zavan teaches a foot bath. The device includes a shower head (41). The shower head is located mid-way between the left and right foot areas. Whether the shower structure is located between or in front of each actuator is dependent upon the size and

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shape of the foot bath and is therefore a design choice that fails to patentably distinguish.

11. Rast teaches a spray device. The device includes dual laterally-spaced top push actuators (23) being embedded in a push bar connected to a push bar bracket (20) allowed to pivot downwardly to engage a spring- assisted (21) adjustable water regulator device (26) for varying water flow to a shower head. which forms part of the substantially vertically-disposed shower structure. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device as shown by Misson to include a spring assisted adjustable water regulator as taught by Rast because it would allow the user to select how much water to use on the foot.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAUREN CRANE whose telephone number is (571)270-5198. The examiner can normally be reached on 8:30 am - 5:00 pm Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Durand can be reached on (571) 272-4459. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3751

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LAUREN CRANE/
Examiner, Art Unit 3751

Notice of References Cited	Application/Control No. 12/986,919	Applicant(s)/Patent Under Reexamination VARGO, GREGORY	
	Examiner LAUREN CRANE	Art Unit 3751	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-2,988,754	06-1961	MISSON WILLIAM H	4/622
*	B US-2010/0043137	02-2010	Zavan, Paolo	4/622
	C US-			
	D US-			
	E US-			
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N				
	O				
	P				
	Q				
	R				
	S				
	T				

NON-PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)				
	U				
	V				
	W				
	X				

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

EAST Search History**EAST Search History (Prior Art)**


Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	18	("2,274,739").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 17:43
L3	109	non-slip adj strips	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 17:45
L2	9	("1,936,398").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 17:45
L4	1066	4/615,616.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 17:49
L7	1	6 and 4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 17:50
L6	251	non-slip near3 strips	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 17:50
L5	0	3 and 4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 17:50
L10	3	8 and 9	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 17:51
L9	34189	non-slip	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 17:51
L8	280	(4/622).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 17:51
L11	18	("2,274,739").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 17:53
L12	2	("20120174313").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 17:56
L13	3	("6,505,358").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 18:22
L25	6	("3,925,830").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 18:45
L26	2	("20120319436").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 18:47
L27	3	("20030070219").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 18:56
L28	18	("2,274,739").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2015/01/11 19:05

EAST Search History (Interference)

<This search history is empty>

1/ 11/ 2015 7:26:30 PM

C:\Users\lheitzer\Documents\EAST\Workspaces\12986919.wsp

Search Notes 	Application/Control No. 12986919	Applicant(s)/Patent Under Reexamination VARGO, GREGORY
	Examiner LAUREN HEITZER	Art Unit 3751

CPC- SEARCHED		
Symbol	Date	Examiner


CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
4	615, 622, 602, 605 , 616	11/2/2012	Lauren Heitzer
	updated search listed above	8/9/2013	LH
	Updated search listed above	1/11/2015	LC

SEARCH NOTES		
Search Notes	Date	Examiner
Keyword Search	11/2/2012	Lauren Heitzer

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

--	--

Index of Claims 	Application/Control No. 12986919	Applicant(s)/Patent Under Reexamination VARGO, GREGORY
	Examiner LAUREN HEITZER	Art Unit 3751

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE							
Final	Original	11/03/2012	08/11/2013	01/11/2015					
	1	✓	-	-					
	2	✓	✓	-					
	3	✓	✓	-					
	4	✓	✓	-					
	5	✓	✓	-					
	6	✓	✓	-					
	7	✓	✓	-					
	8	✓	✓	-					
	9	✓	✓	-					
	10		✓	-					
	11		✓	-					
	12			✓					

Office of Petitions: Routing Sheet



Application No. 12/986,919

This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application.

GRANTED

DISMISSED

DENIED

Office of Petitions: Decision Count Sheet

Mailing Month

Application No.

12986919



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

KAREN CREASY

Count (1) - Palm Credit

12/986,919

Decision: GRANT

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 502 - 37 CFR 1.137(b) - REVIVAL BASED ON UNINTENTIC



Notes:

Count (2)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Count (3)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box

Printed on: 11/24/2014



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/986,919	01/07/2011	Gregory Vargo	VGA100A	7390
25222	7590	11/28/2014	EXAMINER	
WEINER & BURT, PC. POB 186 HARRISVILLE, MI 48740			CRANE, LAUREN ASHLEY	
			ART UNIT	PAPER NUMBER
			3751	
			NOTIFICATION DATE	DELIVERY MODE
			11/28/2014	ELECTRONIC

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):

iw@wabpc.com
pb@wabpc.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of :
Gregory Vargo :
Application No. 12/986,919 : DECISION ON PETITION
Filed: January 7, 2011 :
Attorney Docket No. VGA100A :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(a), filed August 3, 2014, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the final Office action mailed on August 14, 2013. An Advisory Action was mailed on March 26, 2014. A Notice of Abandonment was mailed on July 15, 2014.

The petition satisfies the requirements of 37 CFR 1.137(a) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination and an amendment, (2) the petition fee of \$850.00, and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to the undersigned at (571)272-3208.

This application is being referred to Technology Center AU 3751 for appropriate action in the normal course of business on the reply received August 3, 2014.

/koc/
Karen Creasy
Paralegal Specialist
Office of Petitions

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 12/986,919	Filing Date 01/07/2011	<input type="checkbox"/> To be Mailed
---	---	----------------------------------	---------------------------------------

ENTITY: LARGE SMALL MICRO

APPLICATION AS FILED – PART I

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
AMENDMENT	11/28/2014	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total <small>(37 CFR 1.16(i))</small>	* 1	Minus	** 20	= 0	X \$20 = 0
	Independent <small>(37 CFR 1.16(h))</small>	* 1	Minus	***3	= 0	X \$105 = 0
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>					
					TOTAL ADD'L FEE	0

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	**	=	X \$ =
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***	=	X \$ =
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>					
					TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/ROSALIND BALL/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/986,919	01/07/2011	Gregory Vargo	VGA100A

CONFIRMATION NO. 7390

POA ACCEPTANCE LETTER

25222
WEINER & BURT, PC.
POB 186
HARRISVILLE, MI 48740



Date Mailed: 08/14/2014

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/03/2014.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/hchristian/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

Doc Code: PET.OP

Document Description: Petition for Review by the Office of Petitions

PTO/SB/64 (12-13)
Approved for use through 07/31/2016. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

VGA100A

Page 1 of 2

First named inventor: GREGORY VARGO

Application No.: 12/986,919

Art Unit: 3751

Filed: 01/07/2011

Examiner: HEITZLER, LAUREN ASHLEY

Title: PORTABLE FOOT SHOWER

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact the Office of Petitions at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee — required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

^{MICRO} Small entity fee \$ 850 (37 CFR 1.17(m)). Applicant asserts ^{MICRO} small entity status. See 37 CFR 1.27.

Undiscounted fee \$ _____ (37 CFR 1.17(m)).

2. Reply and/or fee

A The reply and/or fee to the above-noted Office notice or action in the form of

RCE and AMENDMENT (identify the type of reply):

has been filed previously on _____

is enclosed herewith.

B The issue fee and publication fee (if applicable) of \$ _____

has been paid previously on _____

is enclosed herewith.

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Doc Code: PET.OP

Document Description: Petition for Review by the Office of Petitions

PTO/SB/64 (12-13)

Approved for use through 07/31/2016. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(a)**

Page 2 of 2

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(a) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(a) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

/imw/

Signature

IRVING M WEINER

Typed or Printed Name

POB 186

Address

HARRISVILLE, MI 48740

Address

8/3/2014

Date

22168

Registration Number, if applicable

989-724-7410

Telephone Number

Enclosures:

- Fee Payment
- Reply
- Terminal Disclaimer Form
- Additional sheet(s) containing statements establishing unintentional delay
- Other: RCE

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- Transmitted by EFS-Web or facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

8/3/2014

Date

/IMW/

Signature

Typed or printed name of person signing certificate

POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	12/986,919
	Filing Date	01/07/2011
	First Named Inventor	GREGORY VARGO
	Title	PORTABLE FOOT WASHER
	Art Unit	3751
	Examiner Name	HEITZER, LAUREN ASHLEY
	Attorney Docket Number	VGA100A

I hereby revoke all previous powers of attorney given in the above-identified application.

A Power of Attorney is submitted herewith.

OR

I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

25222

OR

I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

The address associated with the above-mentioned Customer Number.

OR

The address associated with Customer Number:

OR

Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

Applicant/Inventor.

OR

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on _____

SIGNATURE of Applicant or Assignee of Record

Signature

Date

Name

GREGORY VARGO

Telephone

6/30/14
313.343.2690

Title and Company

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Electronic Patent Application Fee Transmittal

Application Number:	12986919
Filing Date:	07-Jan-2011
Title of Invention:	Portable Foot Shower
First Named Inventor/Applicant Name:	Gregory Vargo
Filer:	IRVING M WEINER
Attorney Docket Number:	

Filed as Micro Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Pet. Revive Abandon App, Delay Pymt-Resp	2453	1	850	850

Patent-Appeals-and-Interference:

Post-Allowance-and-Post-Issuance:

Extension-of-Time:

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
RCE - 1st Request	3801	1	300	300
Total in USD (\$)				1150

Electronic Acknowledgement Receipt

EFS ID:	19759730
Application Number:	12986919
International Application Number:	
Confirmation Number:	7390
Title of Invention:	Portable Foot Shower
First Named Inventor/Applicant Name:	Gregory Vargo
Customer Number:	69352
Filer:	IRVING M WEINER
Filer Authorized By:	
Attorney Docket Number:	
Receipt Date:	03-AUG-2014
Filing Date:	07-JAN-2011
Time Stamp:	17:16:42
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$1150
RAM confirmation Number	6674
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Petition for review by the Office of Petitions.	vga100pet8-3-14.pdf	1720166 95950f7b0916194f7d1436fbb45227ce0396 dddd	no	2
Warnings:					
Information:					
2	Request for Continued Examination (RCE)	vga100rce8-3-14.pdf	1226050 8fe0e60fdab6c035f7a7f9d46244d438fe37d e8	no	1
Warnings:					
This is not a USPTO supplied RCE SB30 form.					
Information:					
3	Amendment Submitted/Entered with Filing of CPA/RCE	vga100amd8-3-14.pdf	73798 f91e514cc67a01ad25e8db8fda42675aa37 9dc0	no	7
Warnings:					
Information:					
4	Power of Attorney	vga100poas6-30-14.pdf	501245 f2dd1b41e9e076cb9b5952501e5d9c641a 6fb60	no	1
Warnings:					
Information:					
5	Fee Worksheet (SB06)	fee-info.pdf	31859 b39ad81e0b588c6579109e9b82860c65826 ddfb0b	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			3553118		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

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Request for Continued Examination (RCE) Transmittal

Address to:
 Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Application Number	12/986,919
Filing Date	01/07/2011
First Named Inventor	GREGORY VARGO
Art Unit	3751
Examiner Name	HEITZER, LAUREN ASHLEY
Attorney Docket Number	VGA100A

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/ Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other PRO/SB/64

2. **Miscellaneous**

- a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. Other _____

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. _____
- a.
 - i. RCE fee required under 37 CFR 1.17(e)
 - ii. Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. Other _____
 - b. Check in the amount of \$ _____ enclosed
 - c. Payment by credit card (~~Form PTO-2038 enclosed~~) *by EFS*

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	/IMW/	Date	8/3/2014
Name (Print/Type)	IRVING M WEINER	Registration No.	22168

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or ~~transmitted~~ *transmitted* to the U.S. Patent and Trademark Office on the date shown below.

Signature	/IMW/	Date	8/3/2014
Name (Print/Type)	IRVING M WEINER		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: GREGORY VARGO
Serial Number: 12986919
Filed: 01/07/2011
Group Art Unit: 3751
Examiner: HEITZER, LAUREN ASHLEY
Title: PORTABLE FOOT SHOWER

AMENDMENT-D

To: Commissioner for Patents

Sir:

In response to the Office Action of 08/14/2013, please amend the above-identified patent application as follows, and favorably consider the accompanying remarks.

AMENDMENTS OF THE CLAIMS

Claims 1-11 (CANCELED)

12. (NEW) A portable foot shower for showering feet of a user, comprising:

a substantially horizontally-oriented base structure having a major central elongated substantially-horizontal base axis and a plurality of parallel slots therein which are oriented substantially parallel to said major central elongated substantially-horizontal base axis;

said plurality of parallel slots permitting excess water, dirt, and other particulates to pass downwardly therethrough;

a substantially vertically-disposed shower structure mechanically and operably connected to said substantially horizontally-oriented base structure;

said substantially vertically-disposed shower structure including a swivel connector for connecting said a substantially vertically-disposed shower structure to a source of water;

said substantially horizontally-oriented base structure providing two areas for supporting and accommodating a right foot and a left foot of the user;

said substantially horizontally-oriented base structure including dual laterally-spaced top push actuators selectively operated by toes of the user for controlling starting, running, and stopping a flow of water to said substantially vertically-disposed shower structure interconnected to said substantially horizontally-oriented base structure;

a plurality of non-slip tape strips attached to a top surface of said substantially

horizontally-oriented base structure;

a plurality of support legs attached to a bottom surface of said substantially horizontally-oriented base structure;

a plurality of rubber feet attached to a bottom surface of said support legs;

said dual laterally-spaced top push actuators having their major central elongated axis disposed perpendicularly to said major central elongated base axis of said substantially horizontally-oriented base structure;

said dual laterally-spaced top push actuators being embedded in a push bar connected to a push bar bracket allowed to pivot downwardly to engage a spring-assisted adjustable water regulator device for varying water flow to a swivel shower head which forms part of said substantially vertically-disposed shower structure;

said substantially horizontally-oriented base structure including an aperture therein for providing access to said spring-assisted adjustable water regulator device for varying flow of water to said swivel shower head; and

said swivel shower head being located above said dual laterally-spaced top push actuators and substantially mid-way between said dual laterally-spaced top push actuators.

REMARKS

Upon entry of the present amendment, the only claim in the application is new claim 12.

Claim Rejections - 35 USC § 112

These rejections of claims 2-11 are moot in view of the cancellation of such claims.

Claim Rejections - 35 USC § 103

These rejections of claims 2-11 are moot in view of the cancellation of such claims.

However, these rejections are respectfully traversed if they would be applied to new claim 12.

The cited references, taken singly or in combination, fail to teach or make obvious the feature recited in new claim 12.

The OA concedes that Wilkes fails to show support legs, non-slip strips, and dual top push actuators.

Unsuggested Modifications: -

The prior art lacks any suggestion that the references should be modified in any manner to meet new claim 12.

Very Crowded Art: -

The invention is classified in a very crowded art; therefore, a small step forward should be regarded as significant.

The Cited References Are Individually Complete: -

Wilke is complete and functional in itself.

Rast is complete and functional in itself.

Ferber is complete and functional in itself.

Ludlow is complete and functional in itself.

Kienle is complete and functional in itself.

Delaney is complete and functional in itself.

Each reference is complete and functional in itself, so there would be no reason to use parts from or add or substitute parts to any other reference.

The Cited References Take Different Approaches to Different Problems: -

The references take mutually exclusive paths and reach different solutions to different problems. Because they teach away from each other, it is not logical to combine them.

Unsuggested Combination: -

The prior art references do not contain any suggestion (express or implied) that they be combined in the manner suggested in the OA.

Multiplicity of References: -

The fact that a large number of references (**six**) are alleged to be combined to meet the invention is evidence of unobviousness.

In addition, the fact that none of the objects of the invention enumerated on applicant's specification page 2 are satisfied by the cited art is germane to a conclusion of non-obviousness. *Vollrath Co. v. Premium Plastics, Inc.*, 183 USPQ 335, 338.

Furthermore, "*As this court has stated, ****virtually all [inventions] are combinations of old elements." *Environmental Designs, Ltd. v. Union Oil Co.*, 713 F.2d 693, 698, 218 USPQ 865, 870 (Fed.Cir. 1983); see also *Richdel, Inc. v. Sunspool Corp.*, 714 F.2d 1573, 1579-80, 219 USPQ 8, 12 (Fed.Cir. 1983) ("Most, if not all, inventions are combinations and mostly of old elements.").

"Therefore an examiner may often find every element of a claimed invention in the prior art.

If identification of each claimed element in the prior art were sufficient to negate patentability, very few patents would ever issue.

"Furthermore, rejecting patents solely by finding prior art corollaries for the claimed elements would permit an examiner to use the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention.

"Such an approach would be "an illogical and inappropriate process by which to determine patentability."** *Sensonics, Inc. v. Aerosonic Corp.*, 81 F.3d 1566, 1570, 38 USPQ2d 1551, 1554 (Fed. Cir. 1996)."

There is no combinable teaching in the prior art of record that would, reasonably and absent impermissible hindsight, motivate one having ordinary skill in

the art modify the teachings of any one of the prior art references of record in an effort to achieve the invention specified in new claim 12.

Conclusion

The application is now believed to be in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner is not convinced that the application is in condition for allowance, it is respectfully requested that the Examiner promptly telephone the undersigned attorney for applicant in an attempt to facilitate the prosecution, and/or to narrow the issues for appeal, if necessary.

Favorable reconsideration is respectfully requested.

Respectfully submitted,

Date: August 3, 2014
CUSTOMER 25222

/imw/
Irving M. Weiner (Reg. 22168)
Attorney for Applicant
Phone: 989-724-7410
Fax: 989-724-7411
Email: iw@wabpc.com



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/986,919	01/07/2011	Gregory Vargo		7390

69352 7590 07/15/2014
GREGORY A. VARGO
20210 WOODLAND ST.
HARPER WOODS, MI 48225

EXAMINER

HEITZER, LAUREN ASHLEY

ART UNIT	PAPER NUMBER
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3751

MAIL DATE	DELIVERY MODE
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07/15/2014

PAPER

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 Abandonment	Application No.	Applicant(s)
	12/986,919	VARGO, GREGORY
	Examiner	Art Unit
	LAUREN HEITZER	3751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 14 August 2013.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.

2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.

3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.

4. The letter of express abandonment which is signed by the attorney or agent of record or other party authorized under 37 CFR 1.33(b). See 37 CFR 1.138(b).

5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34) upon the filing of a continuing application.

6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. The reason(s) below:

The six month statutory period for response to the outstanding action has expired

/LAUREN HEITZER/ Examiner, Art Unit 3751	/HUYEN LE/ Primary Examiner, Art Unit 3751
---	---

Petitions to revive under 37 CFR 1.137, or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/986,919	01/07/2011	Gregory Vargo		7390

69352 7590 03/26/2014
GREGORY A. VARGO
20210 WOODLAND ST.
HARPER WOODS, MI 48225

EXAMINER

HEITZER, LAUREN ASHLEY

ART UNIT	PAPER NUMBER
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3751

MAIL DATE	DELIVERY MODE
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03/26/2014

PAPER

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.

Advisory Action Before the Filing of an Appeal Brief	Application No. 12/986,919	Applicant(s) VARGO, GREGORY	
	Examiner LAUREN HEITZER	Art Unit 3751	AIA (First Inventor to File) Status No

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 31 January 2014 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

NO NOTICE OF APPEAL FILED

1. The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:

- a) The period for reply expires 3 months from the mailing date of the final rejection.
- b) The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- c) A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection. The current period for reply expires _____ months from the mailing date of the prior Advisory Action or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.

Examiner Note: If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE FIRST RESPONSE TO APPLICANT'S FIRST AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) or (c) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- a) They raise new issues that would require further consideration and/or search (see NOTE below);
 - b) They raise the issue of new matter (see NOTE below);
 - c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - d) They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

- 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
- 5. Applicant's reply has overcome the following rejection(s): _____.
- 6. Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
- 7. For purposes of appeal, the proposed amendment(s): (a) will not be entered, or (b) will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.

AFFIDAVIT OR OTHER EVIDENCE

- 8. A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
- 9. The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
- 10. The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
- 11. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

- 12. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
- 13. Note the attached Information *Disclosure Statement(s)*. (PTO/SB/08) Paper No(s). _____
- 14. Other: _____.

STATUS OF CLAIMS

15. The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____
Claim(s) objected to: _____
Claim(s) rejected: 2-11.
Claim(s) withdrawn from consideration: _____

/GREGORY HUSON/ Supervisory Patent Examiner, Art Unit 3751	/LAUREN HEITZER/ Examiner, Art Unit 3751
---	---

Continuation of 3. NOTE: The amendment to claim 10 "a base member providing two areas" and "push actuators operated by the toes of the user" require further consideration and/or search. .

Continuation of 11. does NOT place the application in condition for allowance because: The arguments are moot in view of non-entry of the amendment. Mission (US 2988754) teaches a foot fluid dispenser with two actuators. .

JAN 31 2014

In the United States Patent & Trademark Office

Appn. Number: 12/986,919

Confirmation Number: 7390

Applicant: Gregory A. Vargo

Appn. Filed: January 1, 2011

Appn. Title: Portable Foot Shower

Examiner/GAU: Lauren Ashley Heitzer / 3751

Faxed: JANUARY 31, 2014
At: 11:45 PM

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Amendment Under Rule 116
Request for Reconsideration

Sir:

In response to the Office letter mailed August 14, 2013, applicant respectfully requests that this application be amended as follows to put the claims in condition for allowance or in better form for consideration on appeal:

- SPECIFICATION: Amendments to the specification begin on page _ of this amendment.
- DRAWINGS: Amendments to the drawings are discussed on page _ of this amendment.
- CLAIMS: Amendments to the claims begin on page 2 of this amendment.
- REMARKS/ARGUMENTS begin on page 4 of this amendment.

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Appn. Number: 12/986,919

Amdt. dated January 31, 2014

Reply to Office action of August 14, 2013

Amendments to the Claims:

CLAIMS: Please amend the claims according to the status designations in the following list, which contains all claims that were ever in the application, with the text of all active claims.

Listing of Claims:

Claim 1 (CANCELED)

Claim 2 (PREVIOUSLY PRESENTED): The portable foot shower of claim 10 wherein said base member is slotted, through which excess water, dirt and particulate may flow downwardly.

Claim 3 (PREVIOUSLY PRESENTED): The portable foot shower of claim 10 wherein said base member, swivel shower head compartment, and support legs are constructed of plastic.

Claim 4 (PREVIOUSLY PRESENTED): The portable foot shower of claim 10 wherein said base member, swivel shower head compartment, and support legs be provided with a surface simulated wood grain pattern.

Claim 5 (PREVIOUSLY PRESENTED): The portable foot shower of claim 10 further including a plurality of non-slip tape strips attached to the top surface of said base member.

Claim 6 (PREVIOUSLY PRESENTED): The portable foot shower of claim 10 further including a plurality of rubber feet affixed to the bottom of said support legs.

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Claim 7 (PREVIOUSLY PRESENTED): The portable foot shower of claim 10 further including a water dispensing assembly associated with said portable foot shower.

Claim 8 (PREVIOUSLY PRESENTED): The portable foot shower of claim 10 further including a water regulator assembly for controlling the flow of water from a suitable source to said portable foot shower.

Claim 9 (PREVIOUSLY PRESENTED): The portable foot shower of claim 10 further including a protective housing assembly for protecting said water regulator assembly of said portable foot shower.

Claim 10 (CURRENTLY AMENDED): A portable foot shower comprising:

A base member providing two areas for supporting and accommodating a the right and a left foot of a user; Said base member providing dual laterally spaced top push actuators selectively operated by the toes of a user, for controlling starting, running, and stopping a flow of water to a swivel shower head compartment interconnected to said base member;

Said base member's dual top push actuators embedded interconnected in a push bar connected to a top push bracket allowed to mechanically pivot downward, by the toes of a user, engaging a spring assisted adjustable water regulator for varying the water flow to a swivel shower head interconnected with said base member; A plurality of support legs attached to the bottom surface of said base member; and a female garden hose swivel connector.

Claim 11 (ORIGINAL): The portable foot shower of claim 10 further including a small aperture in said base member, providing access to the adjustable water regulator for varying the flow of water to the interconnected swivel shower head of said portable foot shower.

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JAN 31 2014

Appn. Number: 12/986,919

Amdt. dated January 31, 2014

Reply to Office action of August 14, 2013

REMARKS/ARGUMENTS

By the above amendment, Applicant has amended the claims to put this application in full and clear condition for allowance. Also applicant has amended Claim 10, to more particularly define the invention in a patentable manner over the cited prior art.

The Claims Rejection – 35 USC § 112 for Lack of Clarity and Conciseness

“The Office Action reject Claims 2 to 11 under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.”

Claim 10 (CURRENTLY AMENDED): The Office Action whereas Claim 10 recites the limitation “the user”. Applicant has provided Claim 10 (CURRENTLY AMENDED):

A portable foot shower comprising:

A base member providing two areas for supporting and accommodating a the right and a left foot of a user; Said base member providing dual laterally spaced top push actuators selectively operated by the toes of a user, for controlling starting, running, and stopping a flow of water to a swivel shower head compartment interconnected to said base member;

Said base member’s dual top push actuators embedded interconnected in a push bar connected to a top push bracket allowed to mechanically pivot downward, by the toes of a user, engaging a spring assisted adjustable water regulator for varying the water flow to a swivel shower head interconnected with said base member; A plurality of support legs attached to the bottom surface of said base member; and a female garden hose swivel connector.

This amended language “a user”, clearly and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 (PREVIOUSLY PRESENTED): The portable foot shower of claim 10 wherein said

Appn. Number: 12/986,919

Amdt. dated January 31, 2014

Reply to Office action of August 14, 2013

base member is slotted, through which excess water, dirt and particulate may flow downwardly.

This (PREVIOUSLY PRESENTED) language “**through which excess water, dirt, and particulate may flow downwardly**”, clearly and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 (PREVIOUSLY PRESENTED): The portable foot shower of claim 10 wherein said base member, swivel shower head compartment, and support legs are constructed of plastic. This (PREVIOUSLY PRESENTED) language, clearly and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 (PREVIOUSLY PRESENTED):

The portable foot shower of claim 10 further including a plurality of rubber feet affixed to the bottom of said support legs.

This (PREVIOUSLY PRESENTED) language, clearly and distinctly claim the subject matter which applicant regards as the invention.

The Claims Rejection – 35 USC § 103

“The Office Action reject Claims 2 to 11 under 35 U.S.C 103(a) as being unpatentable over Wilke et al (U.S. Patent 6,668,842 herein after Wilke) and Ferber et al (U.S. Patent 6,505,358 herein after Ferber), Ludlow et al (U.S. Patent Publication 2009172873 herein after Ludlow), Kienle (U.S. Patent 1,936,398), Delaney (U.S. Patent 3,925,830), and Rast (U.S. Patent 2,274,739).”

The References and Differences of the Present Invention Thereover

Appn. Number: 12/986,919

Amdt. dated January 31, 2014

Reply to Office action of August 14, 2013

Applicant will discuss the references and the general novelty of the present invention and its unobviousness over the cited references. Where appropriate, applicant will provide objective evidence of unexpected results, comparative data, and supporting declarations. Applicant will also argue, in a few of the references, whether the prior art cited in an obviousness rejection, is analogous (comparable). Remarks/Arguments will teach/show contrasting differences with the references, supported by applicants Specification as follows: "BRIEF DESCRIPTION OF THE DRAWINGS", page 3, paragraph [0015] Fig. 3 depicts a side elevation view of a preferred embodiment of the present invention, showing the portable foot shower in use (see Enc: Drawing Sheet (3/4); "DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS", page 4, paragraph [0022], The base member 12 is provided with two areas 13 for accommodating the left and right feet, respectively, of the user. Preferably, but not necessarily, the portable foot shower 10 is provided with dual top push actuators 14 which may be selectively operated by the toes 15 of the user to control the starting, running, and stopping of the water from a swivel shower spray head 16 operably interconnected at one end of the base member 12.

Reference A (Wilke patent 6,668,842) teaches in the specification, "SUMMARY OF THE INVENTION", page 1, lines 44-53,"...a transportable apparatus for dispensing a fluid in a spray to footwear of a worker. The apparatus includes a housing including a base section, a platform installed within the base section, a fluid dispensing assembly coupled to the housing, and a fluid dispensing system including a first valve assembly configured to dispense fluid to the fluid dispensing assembly when a force is applied to the platform so that the spray of the fluid is dispensed onto the footwear." Wilke further shows in the specification, "BRIEF DESCRIPTION OF THE VIEWS OF THE DRAWINGS", page 2, lines 4-7, FIG. 1 is a perspective view of the apparatus according to a preferred embodiment.; FIG. 2 is a fragmentary front section elevation

Appn. Number: 12/986,919

Amdt. dated January 31, 2014

Reply to Office action of August 14, 2013

view of the apparatus.” (see Enc: Drawing Sheet 1 of 13, 2 of 13, US 6,668,842 B1). It can be reasonably argued by the Wilke apparatus description and drawing illustrations presented, that the base section with interior installed actuation platform, *immediately* actuates a dispensing fluid spray onto the footwear of a user, once a user accesses and passes over the apparatus (see phantom lines of user in Wilke drawings). In contrast, applicants invention, a base member, which accommodates and supports both right and left feet of a user, providing dual laterally spaced top push actuators, is *selectively* actuated and operated by the toes of a user, once the base member is accessed, for controlling starting, running, and stopping a flow of water, and not *immediate* actuation as the Wilke apparatus (see Enc: Drawing Sheet (3/4).

Reference B (Ferber patent 6,505,358) teaches in the specification, “DISCLOSURE OF INVENTION”, page 1, lines 53-59, Accordingly, an apparatus is provided for bathing body parts such as feet or hands, The bath apparatus includes a bath chamber for containing fluid, such as water, and immediately receiving the body part therein. The bath chamber includes a bottom surface and a wall structure extending upwardly therefrom, wherein the wall structure has a contact area adapted to be uncovered by fluid contained in the bath chamber; page 2, lines 32-35, an outer housing is provided to encase the bath chamber. Preferably, the bath chamber is generally U-shaped and the contact area is centrally within the chamber; “BRIEF DESCRIPTION OF DRAWINGS”, page 2, lines 48-51, FIG.1 is a perspective view of a bath apparatus constructed in accordance with the present invention; FIG. 2 is a top plan view of the bath apparatus of FIG.1(see Enc: Drawing Sheet 1 of 9, US 6,505,358 B2) . It can be reasonably argued by the Ferber apparatus description and drawing illustrations presented, that the bath chamber includes a bottom surface and a wall structure extending upward, preferably U-shaped, containing a fluid such as water, for total immersion (*technically immediate, not selective actuation*) and treatment of a user’s specific part or parts of his/her feet such as a the ball heel or arch. In contrast, applicants invention, which is not comparable to the Ferber reference, has a

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base member which accommodates and supports both right and left feet of a user, *not a bath chamber for total immersion of a users feet*, once accessed, is *selectively* actuated and operated by the toes of a user, for controlling starting, running, and stopping a flow of water. (see Enc: Drawing Sheet (3/4).

Reference C (Ludlow patent Publication 2009172873) teaches in the specification, "SUMMARY OF INVENTION", paragraph [0003], A molded foundation for a spa is constructed in the form of a generally flat base tray with a horizontal base and with an vertical peripheral wall. The base is configured to lie upon a horizontal ground surface and provide a foundation for a spa; "BRIEF DESCRIPTION OF DRAWINGS", paragraph [0004] FIG. 1 is a perspective of a partially assembled spa partially in cross-section (see Enc: Drawing Sheet 1 of 5, US 2009/0172873 A1). It should be noted here that Merriam-Webster Dictionary defines a spa as: a bathtub in which a pump causes water and air bubbles to move around your body. It can be reasonably argued that the Ludlow spa description and drawing illustrations presented, is not comparable to the applicants invention. Sheet 1 of 5, of the Ludlow drawings, clearly shows a spa, intended for complete immersion of a users body. Selective actuation is not afforded with Ludlow. In contrast, applicants invention, shows a base member, *not a spa for complete immersion of a user*, which accommodates and supports both right and left feet of a user, providing dual laterally spaced top push actuators, is *selectively* actuated and operated by the toes of a user, once the base member is accessed, for controlling starting, running, and stopping a flow of water (see Enc: Drawing Sheet (3/4).

Reference D (Kienle patent 1,936,398) teaches in the specification, page 1, lines 4-19, The improved footbath...comprising a flat bottom member and a surrounding wall member, the wall member curving upwardly and inwardly from the point of junction with the bottom member to minimize loss of solution from splashing and including a reinforcing rim on its upper edge to minimize loss of solution by extreme deformation of the wall member, ... By providing a sharp

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upper and inner edge on the reinforcing rim on the wall member, the loss of solution carried out of the bath on the feet of those using it is minimized.; drawings illustrated, lines 20-23, A footbath ... is illustrated in the accompanying drawing in which Fig. 1 is a plan and fig. 2 is a section of this embodiment (see Enc: Drawing Sheet 1 of 1, J.A. Kienle, US 1,936,398). It can be reasonably argued by the Kienle footbath description and drawing illustrations presented, that the bath chamber includes a flat bottom member and a wall member curving upward, containing a solution such as water, for total immersion (*technically immediate, not selective actuation*) and treatment of a users feet. In contrast, applicants invention, which is not comparable to the Kienle reference, has a base member which accommodates and supports both right and left feet of a user, *not a foot bath containing a solution for total immersion of a users feet*, once accessed, is selectively actuated and operated by the toes of a user, for controlling starting, running, and stopping a flow of water (see Enc: Drawing Sheet (3/4).

Reference E (Delaney patent 3,925,830) teaches in the specification, page 3, lines 33-52, when a swimmer wishes to wash his feet preparatory to enter a pool, he simply steps upon actuating platform 61 causing same to be depressed with the interior portion 85 of top 71 operatively engaging and depressing lever end 83 and thereby pivoting lever 75 in a clockwise direction, as viewed in **FIG. 2**, and causing lever end 79 to outwardly extend and reciprocate valve stem 31 and with it resilient valve element 35 to thereby open and establish communication of valve chamber 19 with outlet passage 45 through opening 41 with consequent spraying of water from opposed shower heads 53 upon the swimmers feet and legs to wash off and remove any grass clippings, dirt or other debris. When the swimmer steps off the actuating platform 61 onto ladder 91 preparatory to entering the above-ground pool, the restoring forces of springs 43 and 87 constrain lever 75 and actuating platform 61, respectively, to return to their inoperative positions shown in **FIG. 2**. (see Enc: Drawing Sheet 1 of 25, US 3,925,830). It can be reasonably argued by the Delaney description and drawing illustrations presented, that the apparatus in Fig. 1,

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shows a user stepping upon an actuating platform which *immediately, not selectively*, depresses and engages a levering system to establish communication with a valve chamber with resulting spraying of water from opposing shower heads. Once the user steps off of the actuating platform and onto the pool ladder, the flow of water stops. In contrast, applicants invention, shows a base member, which accommodates and supports both right and left feet of a user, providing dual laterally spaced top push actuators, is *selectively* actuated and operated by the toes of a user, once the base member is accessed, for controlling starting, running, and stopping a flow of water, and not immediate actuation as with the Delaney apparatus (see Enc: Drawing Sheet (3/4).

Reference F (Rast patent 2,274,739) teaches in the specification, page 1, lines 34-40, The embodiment of the invention illustrated in the drawings comprises a suitable base 10 having two vertically swinging platforms 11 mounted thereon. Said platforms, as shown, are made up of a plurality of closely spaced longitudinal slats or bars to provide and openwork support through which liquids will readily pass; page 2, lines 31-38, In use and in operation, the apparatus is placed in a doorway through which persons must pass from and to showers, lockers and the like in athletic or sporting buildings. A person walking over the device in bare feet depresses first one platform and then the other, thus causing a fine spray of medicinal preparation to be projected against the feet and between the toes; page 1, lines 20-23, Fig. 1 is a top plan view of apparatus embodying the invention; Fig 2 a longitudinal section taken substantially on line 2-2 of Fig. 1 (see Enc: Drawing Sheet 1 of 1, W.C. Rast, US 2,274,739). It can be reasonably argued by the Rast description and drawing illustrations presented, that the apparatus, which includes a base and two vertically swinging platforms, which a user accesses by walking over the device, first depressing one platform and then the other, *immediately, not selectively*, causes a fine spray of medicinal preparation to be projected against the feet and toes. In contrast, applicants invention, shows a base member, which accommodates and supports both right and left feet of a user, providing dual laterally spaced top push actuators, is *selectively* actuated and operated by the toes of a user,

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once the base member is accessed, for controlling starting, running, and stopping a flow of water, and not immediate actuation as with the Rast apparatus (see Enc: Drawing Sheet (3/4).

Claim10 (CURRENTLY AMENDED) recites: A portable foot shower comprising:

A base member providing two areas for supporting and accommodating a right and a left foot of a user; Said base member providing dual laterally spaced top push actuators selectively operated by the toes of a user, for controlling starting, running, and stopping a flow of water to a swivel shower head compartment interconnected to said base member; Said base member's dual top push actuators embedded interconnected in a push bar connected to a top push bracket allowed to mechanically pivot downward, by the toes of a user, engaging a spring assisted adjustable water regulator for varying the water flow to a swivel shower head interconnected with said base member; A plurality of support legs attached to the bottom surface of said base member; and a female garden hose swivel connector.

This language distinguishes over Wilke, Feber, Ludlow, Keinle, Delaney, and Rast because Wilke, Feber, Ludlow, Keinle, Delaney, and Rast. Do not show a base member providing two areas for supporting and accommodating a right and a left foot of a user, providing dual laterally spaced top push actuators selectively operated by the toes of a user, for controlling starting, running, and stopping a flow of water. In addition, Wilke, Feber, Ludlow, Keinle, Delaney, and Rast do not show dual top actuators embedded in a top pushed bracket allowed to mechanically pivot downward, by the toes of a user, engaging a spring assisted adjustable water regulator and a small aperture in the base member providing access to the adjustable water regulator.

Applicant submits differences over Wilke, Delaney, and Rast because Wilke, Delaney, and Rast's delivery of fluid, medicinal, or water spray to the feet of a user, is not selective, but *immediate*, when a user steps on an actuator platform or platforms.

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Amdt. dated January 31, 2014
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Applicant submits differences over Ferber, Ludlow, and Kienle because Ferber, Ludlow, and Kienle show no actuating platform to a fluid, medicinal or water spray, but requires immediate immersion of a body part (feet or body) into a bath chamber, spa, or footbath, which offers no selectivity of actuation to a user.

The Novel Physical Features of Claim 10 Produce New and Unexpected Results and Hence are Unobvious and Patentable over These References Under § 103

Also applicant submits that the novel physical features of claim 10 are also unobvious and hence patentable under § 103 since they produce new and unexpected results over Wilke, Feber, Ludlow, Keinle, Delaney, and Rast.

Enc: Support documents for **REMARKS/ARGUMENTS**

Vargo – Drawing Sheet (3/4); FIG.3

Wilke – Reference A – Drawing Sheet 1 of 13, FIG. 1; 2 of 13, FIG. 2; US 6,668,842 B1

Ferber – Reference B – Drawing Sheet 1 of 9, FIG. 1, FIG. 2; US 6,505,358 B2

Ludlow – Reference C – Drawing Sheet 1 of 5, FIG. 1; US 2009/0172873 A1

Kienle – Reference D – Drawing Sheet 1 of 1, FIG. 1, FIG. 2; 1,936,398

Delaney – Reference E – Drawing Sheet 1 of 2, FIG. 1, FIG. 2; 3,925,830

Rast – Reference F – Drawing Sheet 1 of 1, FIG. 1, FIG. 2; 2,274,739

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Reply to Office action of August 14, 2013

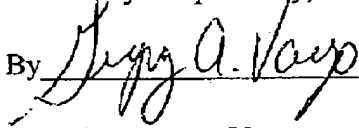
CONCLUSION

For all the above reasons, applicant submits that the claims are now in proper form, and that the claims all define patentably over the prior art. Therefore applicant submits that this application is now in condition for allowance, which action the applicant respectfully solicits.

Conditional Request for Constructive Assistance

Applicant has amended the claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If for any reason this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 2173.02 and § 707.07 (j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very Respectfully,

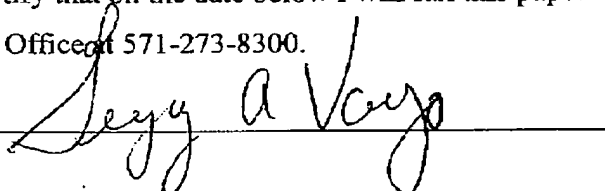
By 
Gregory A. Vargo

-----Applicant Pro SE-----

Appn. Number: 12/986,919
20210 Woodland St.
Harper Woods, MI 48225
Tel: 313-343-2690

Certificate of Facsimile Transmission. I certify that on the date below I will fax this paper to GAU 3751 of the U.S. Patent and Trademark Office at 571-273-8300.

2014 January 31



Appn. Number: 12/986,919
Amdt. Date April 6, 2013
Reply to Office action of Nov. 9, 2012
Replacement Sheet

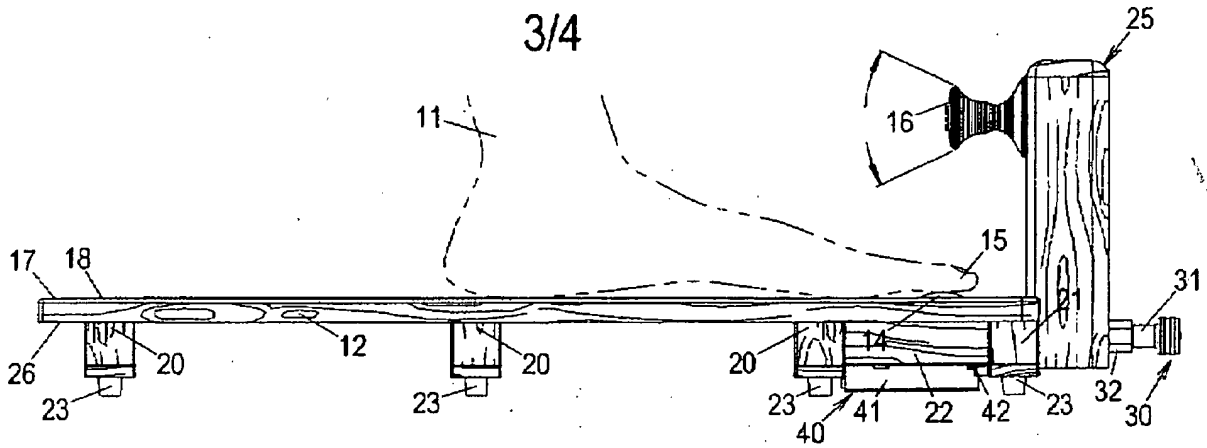


FIG. 3

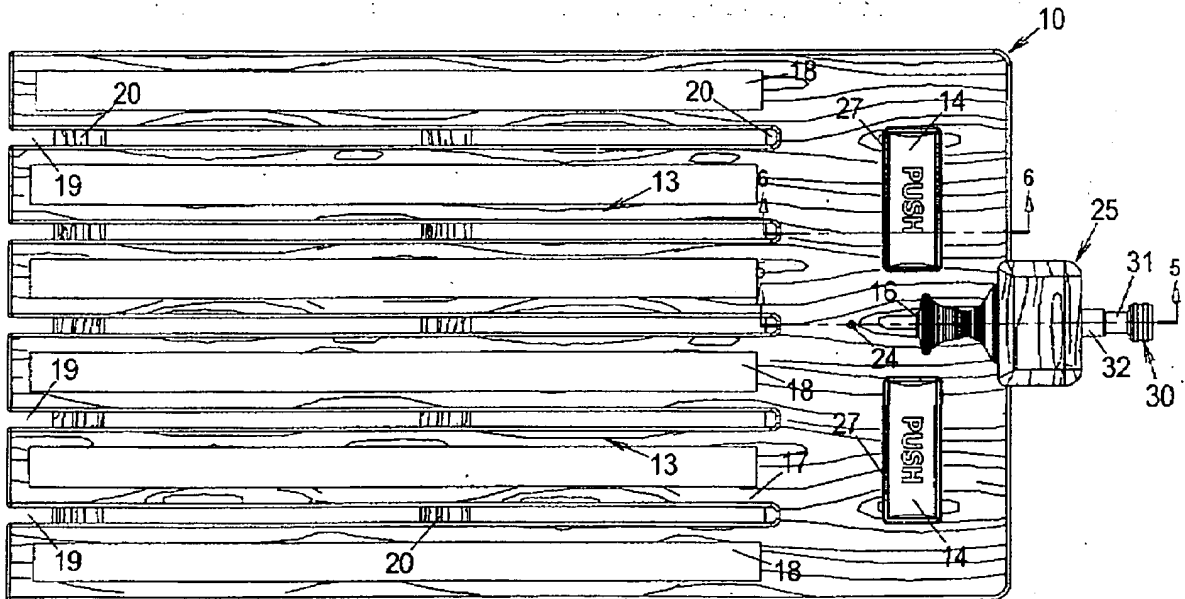


FIG. 4

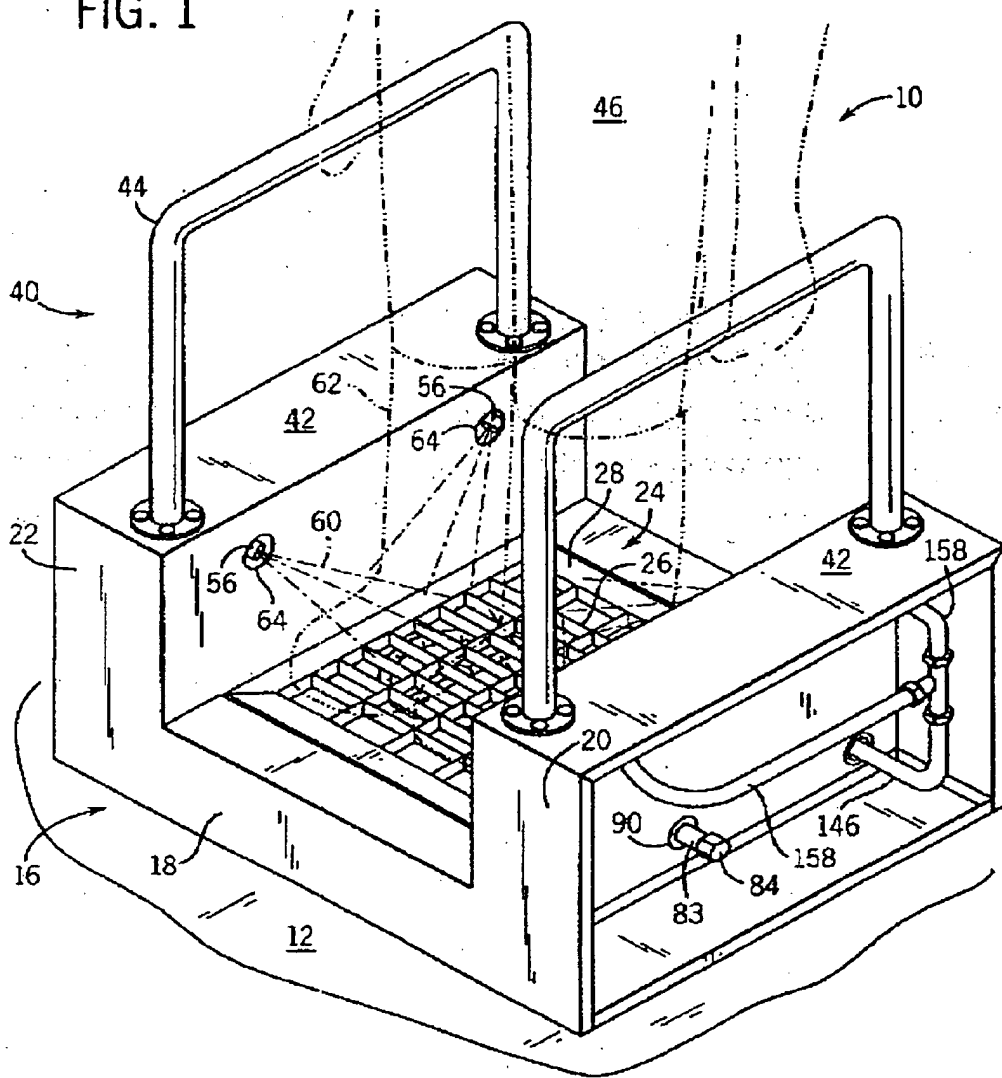
U.S. Patent

Dec. 30, 2003

Sheet 1 of 13

US 6,668,842 B1

FIG. 1

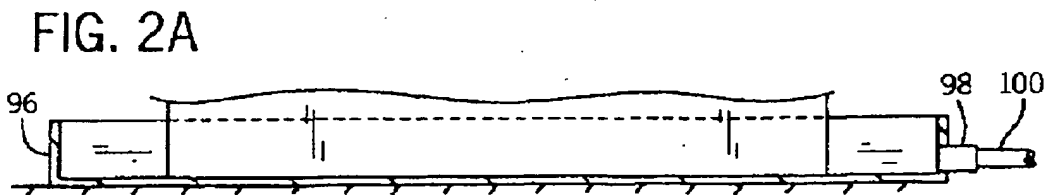
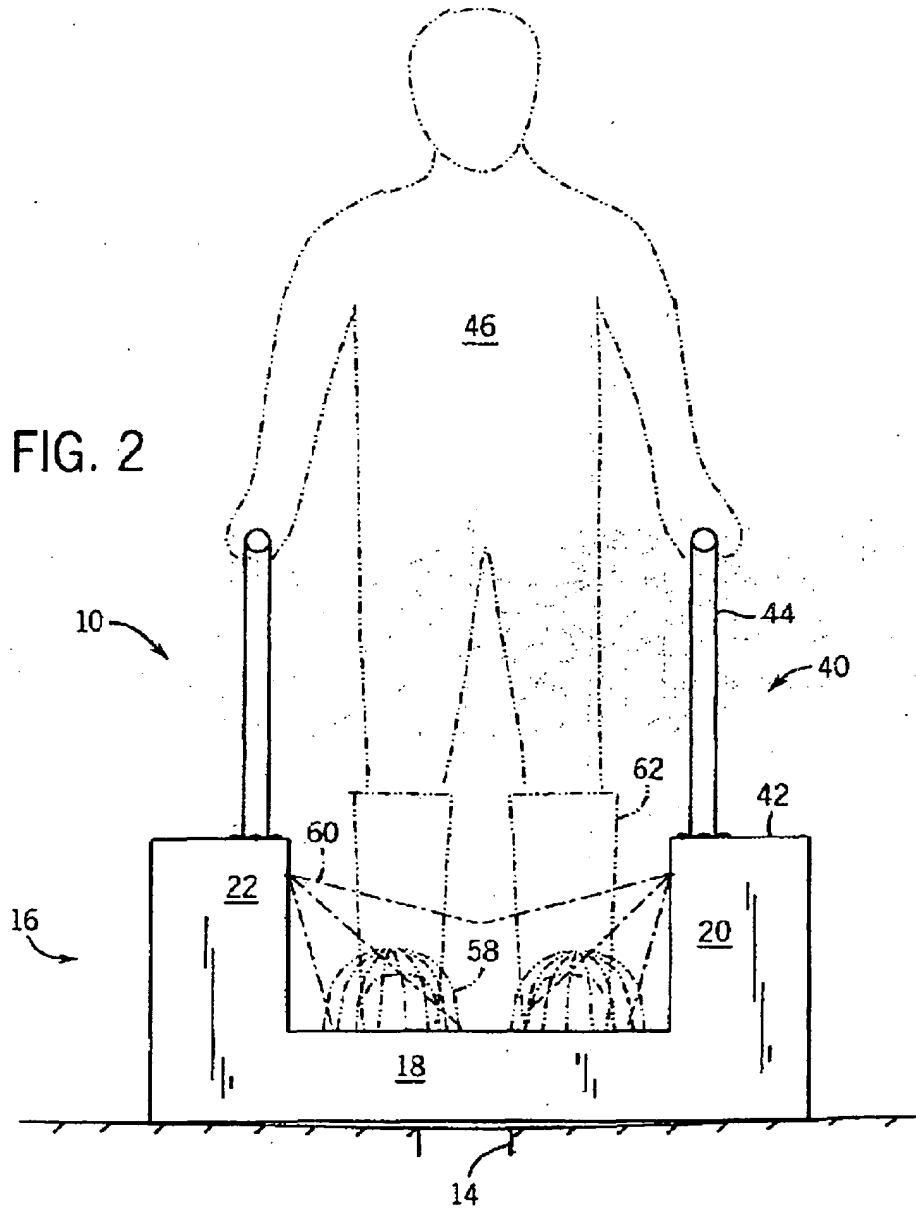


U.S. Patent

Dec. 30, 2003

Sheet 2 of 13

US 6,668,842 B1

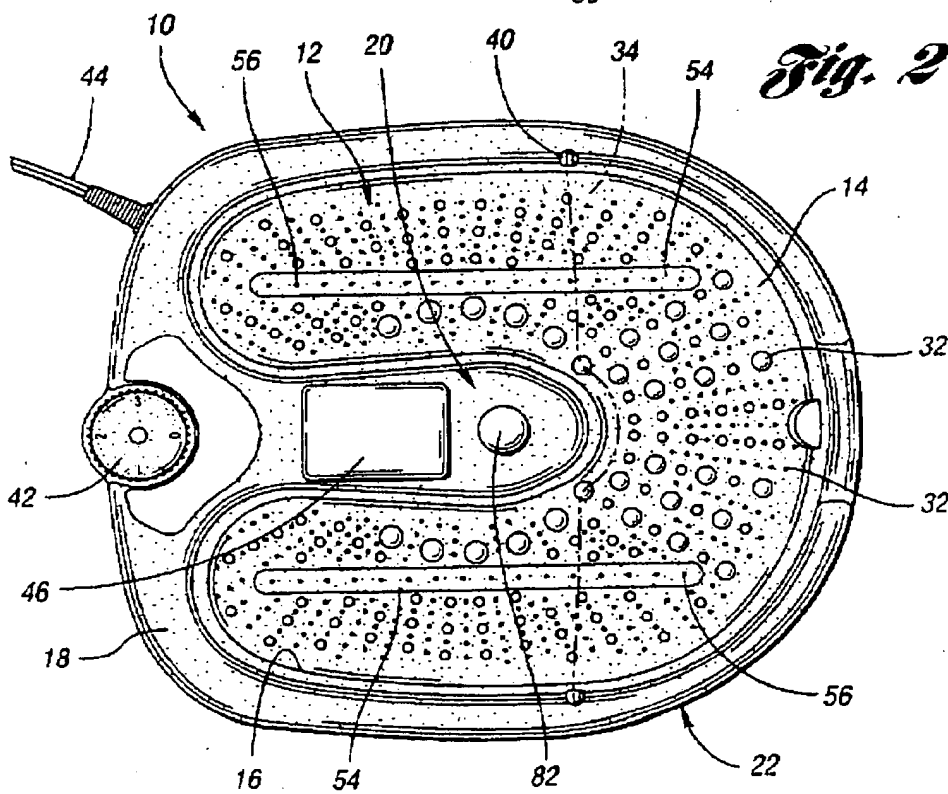
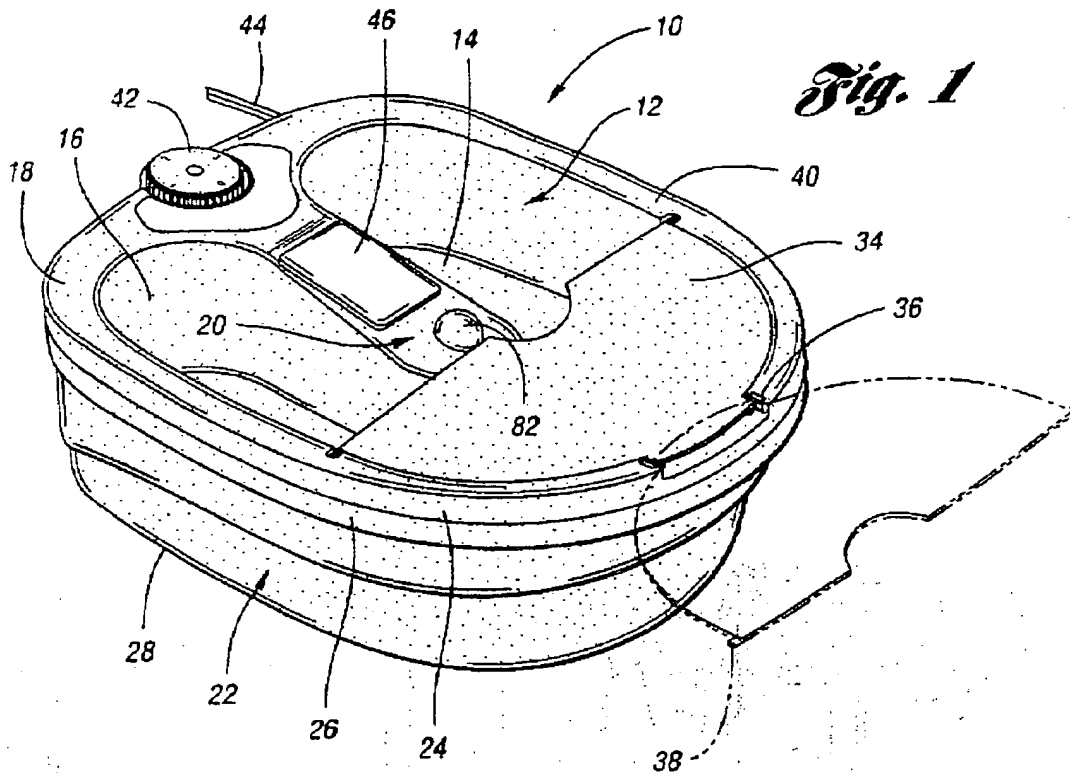


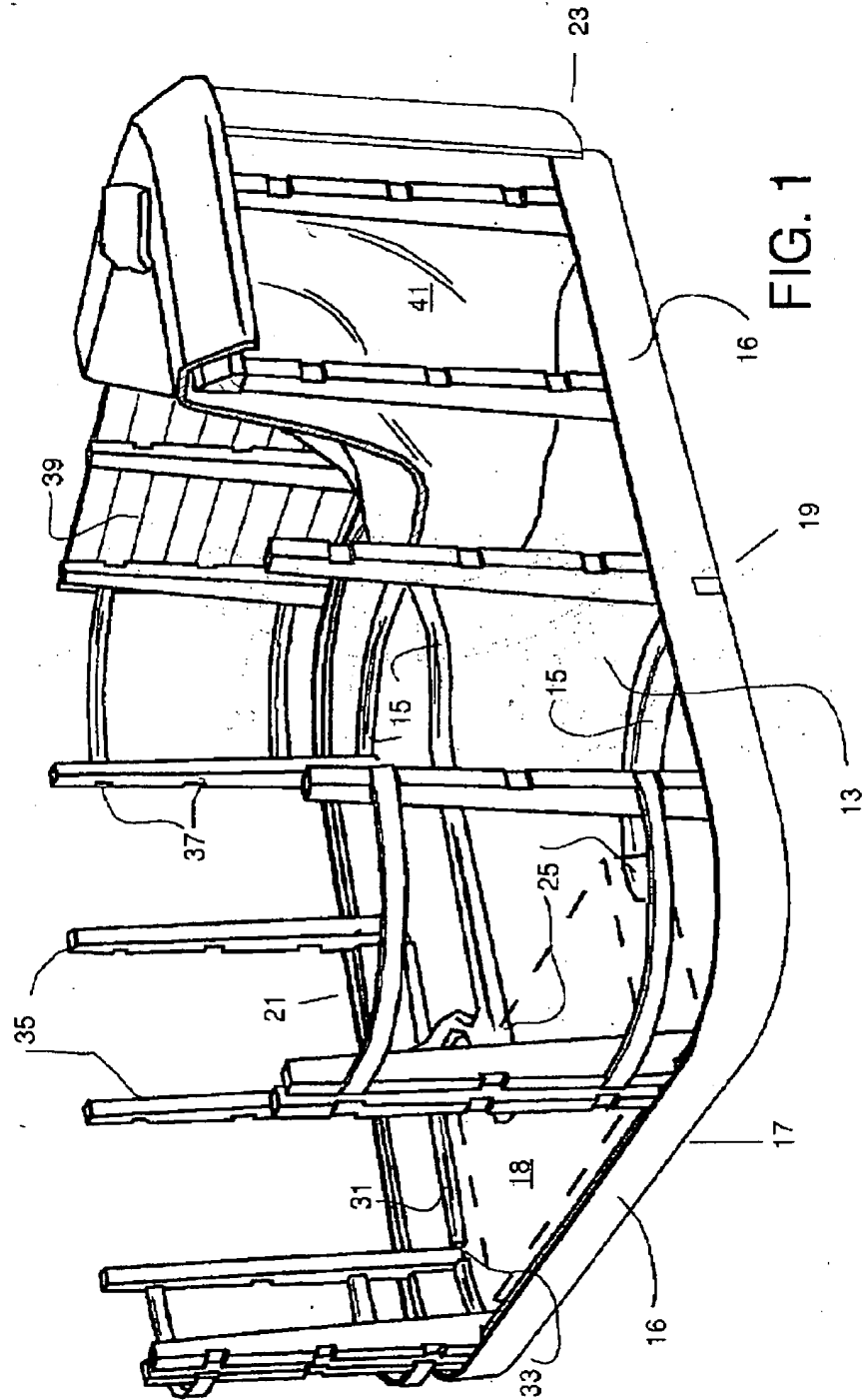
U.S. Patent

Jan. 14, 2003

Sheet 1 of 9

US 6,505,358 B2





Nov. 21, 1933.

J. A. KIENLE

1,936,398

FOOTBATH

Filed Oct. 19, 1932

Fig. 1.

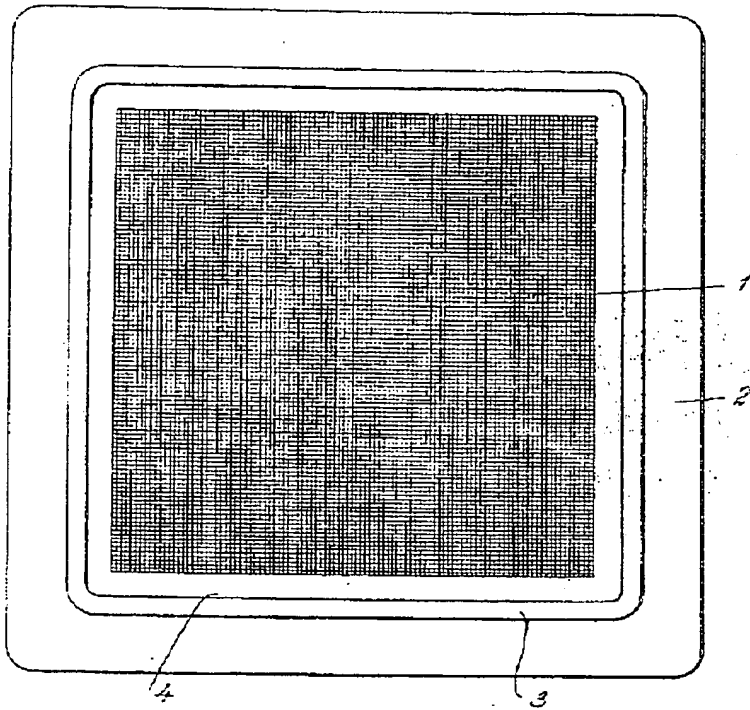
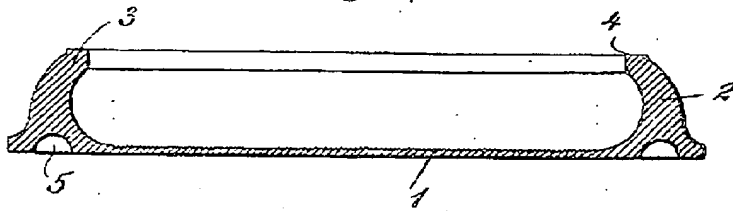


Fig. 2.



INVENTOR
John A. Kienle
 BY
Rene, Dan, Marie Edwards
 ATTORNEY

U.S. Patent Dec. 16, 1975 Sheet 1 of 2 3,925,830

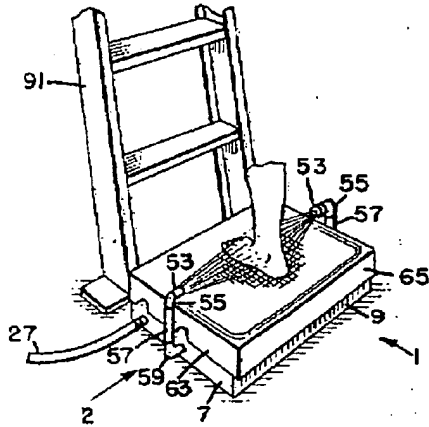


FIG. 1.

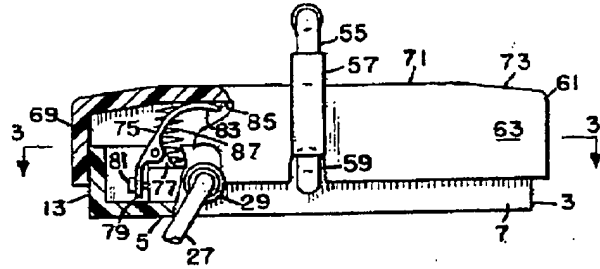


FIG. 2.



FIG. 5.

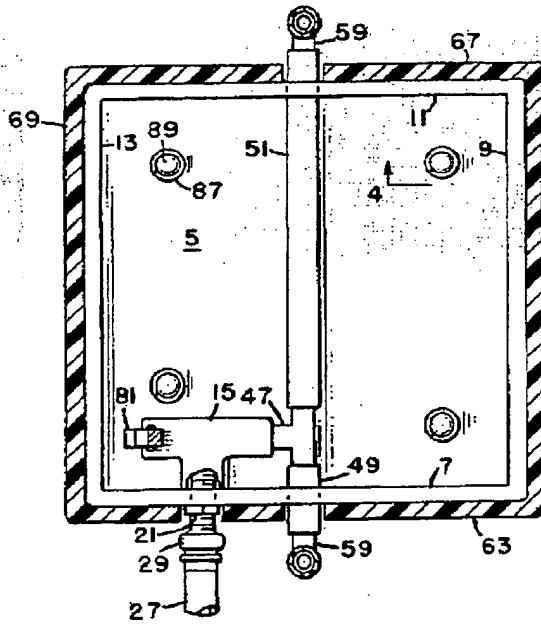


FIG. 3.

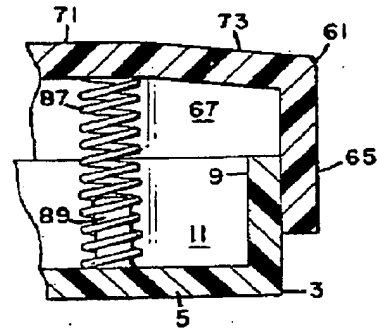


FIG. 4.

March 3, 1942.

W. C. RAST

2,274,739

APPARATUS FOR TREATING FEET AND THE LINE

Filed Aug. 21, 1939

2 Sheets-Sheet 1

Fig. 1

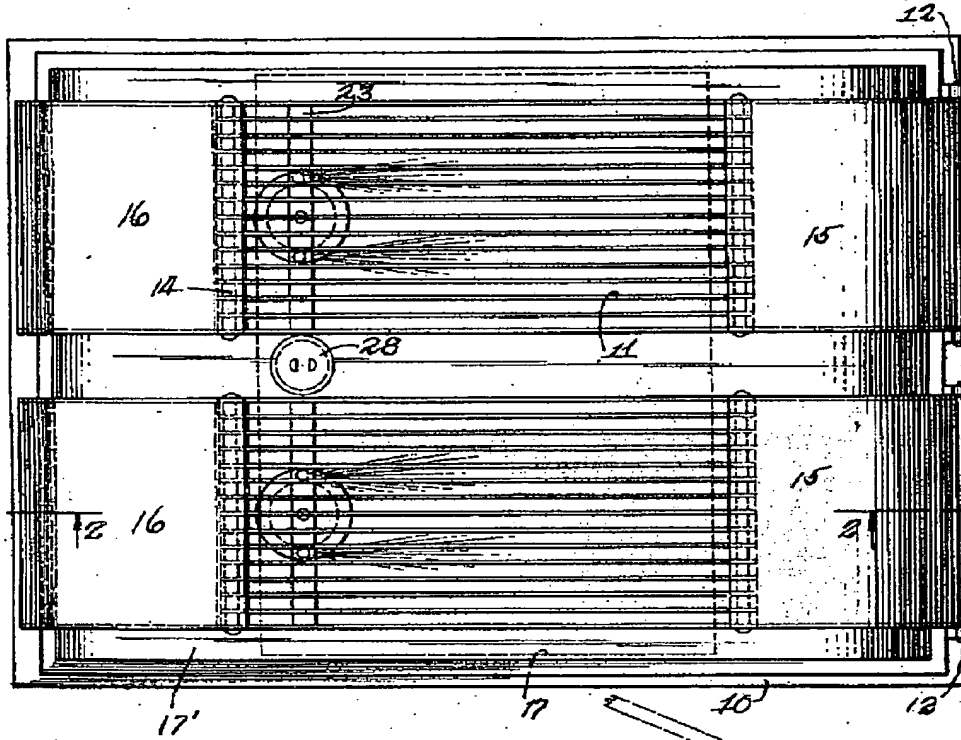
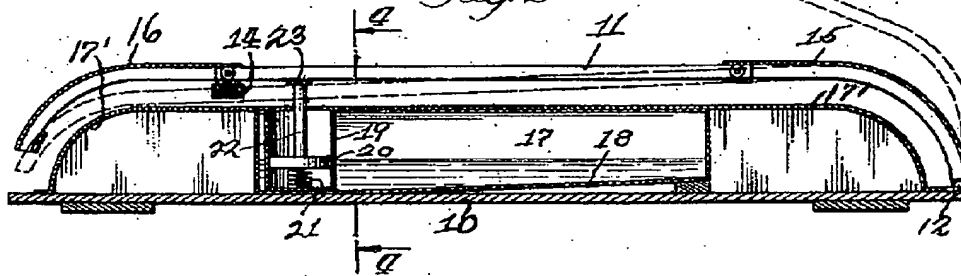


Fig. 2



Inventor:
 William C. Rast.
 By: *Brayton Richard*
 Attorney.

JAN 31 2014

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20210 Woodland,
Harper Woods, MI
48225
Phone: 313.343.2690



FACSIMILE TRANSMITTAL

To: Commissioner for Patents	Work #:
From: Greg Vargo	Fax #: 571.273.8300
Pages: [#26]	Date: January 31, 2014
Re: Response to Office Action of August 14, 2013	
<p>Find attached the following documents:</p> <ul style="list-style-type: none"> • Amendment Under Rule 116 – Request For Reconsideration • Support documents for – Remarks/Arguments • Transmittal Form – PTO/SB/21 (07-09) • Certification of Micro Entity Status – PTO/SB/15A (01-13) • Petition for Extension of Time Under 37CFR 1.136(a) • Credit Card Payment Form – PTO-2038 (05-2012) <p>Thanks, Greg "V"</p>	

Contact: email – greg@vbuildingco.com
cell# - 313.363.0907

Doc Code: TRAN.LET

JAN 31 2014

Document Description: Transmittal Letter

PTO/SB/21 (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	12/986,919
	Filing Date	January 1, 2011
	First Named Inventor	Gregory A. Vargo
	Art Unit	3751
	Examiner Name	Lauren Heitzer
Total Number of Pages In This Submission	26	Attorney Docket Number

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	GREGORY A. VARGO		
Date	January 31, 2014	Reg. No.	

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Typed or printed name	Gregory A. Vargo	Date	January 31, 2014

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Doc Code: MES.GIB

Document Description: Certification of Micro Entity Status (Gross Income Basis)

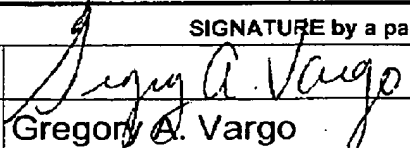
PTO/SB/15A (03-13)

**CERTIFICATION OF MICRO ENTITY STATUS
(GROSS INCOME BASIS)**

Application Number or Control Number (if applicable): 12/986,919	Patent Number (if applicable):
First Named Inventor: Gregory Vargo	Title of Invention: Portable Foot Shower

The applicant hereby certifies the following—

- (1) **SMALL ENTITY REQUIREMENT** - The applicant qualifies as a small entity as defined in 37 CFR 1.27.
- (2) **APPLICATION FILING LIMIT** - Neither the applicant nor the inventor nor a joint inventor has been named as the inventor or a joint inventor on more than four previously filed U.S. patent applications, excluding provisional applications and international applications under the Patent Cooperation Treaty (PCT) for which the basic national fee under 37 CFR 1.492(a) was not paid, and also excluding patent applications for which the applicant has assigned all ownership rights or is obligated to assign all ownership rights as a result of the applicant's previous employment.
- (3) **GROSS INCOME LIMIT ON APPLICANTS AND INVENTORS** - Neither the applicant nor the inventor nor a joint inventor, in the calendar year preceding the calendar year in which the applicable fee is being paid, had a gross income, as defined in section 61(a) of the Internal Revenue Code of 1986 (26 U.S.C. 61(a)), exceeding the "Maximum Qualifying Gross Income" reported on the USPTO website at http://www.uspto.gov/patents/law/micro_entity.jsp which is equal to three times the median household income for that preceding calendar year, as most recently reported by the Bureau of the Census.
- (4) **GROSS INCOME LIMIT ON PARTIES WITH AN "OWNERSHIP INTEREST"** - Neither the applicant nor the inventor nor a joint inventor has assigned, granted, or conveyed, nor is under an obligation by contract or law to assign, grant, or convey, a license or other ownership interest in the application concerned to an entity that, in the calendar year preceding the calendar year in which the applicable fee is being paid, had a gross income, as defined in section 61(a) of the Internal Revenue Code of 1986, exceeding the "Maximum Qualifying Gross Income" reported on the USPTO website at http://www.uspto.gov/patents/law/micro_entity.jsp which is equal to three times the median household income for that preceding calendar year, as most recently reported by the Bureau of the Census.

SIGNATURE by a party set forth in 37 CFR 1.33(b)				
Signature				
Name	Gregory A. Vargo			
Date	1/31/2014	Telephone	313-343-2690	Registration No.
<input type="checkbox"/>	There is more than one inventor and I am one of the inventors who are jointly identified as the applicant. Additional certification form(s) signed by the other joint inventor(s) are included with this form.			

JAN 31 2014

PTO/SB/22 (03-13)

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional)
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Application Number 12/986,919	Filed 1/07/2011
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For **Portable Foot Shower**

Art Unit 3751	Examiner Lauren Heitzer
-------------------------	-----------------------------------

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	Micro Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ _____
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ 350.00
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____

Applicant asserts small entity status. See 37 CFR 1.27.

01/31/2014 APEREZAM 00000025 12986919

Applicant certifies micro entity status. See 37 CFR 1.29.
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

01 FC:3253

350.00 OP

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to
Deposit Account Number _____

Payment made via EFS-Web.

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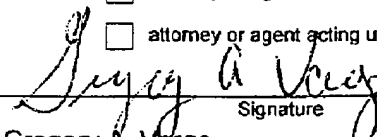
I am the

applicant/inventor.

assignee of record of the entire interest. See 37 CFR 3.71. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96).

attorney or agent of record. Registration number _____

attorney or agent acting under 37 CFR 1.34. Registration number _____



 Gregory A. Vargo
 Typed or printed name

January 31, 2014

 Date
 313-343-2690
 Telephone Number

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below.

* Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 12/986,919	Filing Date 01/07/2011	<input type="checkbox"/> To be Mailed
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ENTITY: LARGE SMALL MICRO

APPLICATION AS FILED – PART I

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
AMENDMENT	01/31/2014	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total <small>(37 CFR 1.16(i))</small>	* 8	Minus	** 20	= 0	X \$20 = 0
	Independent <small>(37 CFR 1.16(h))</small>	* 1	Minus	***3	= 0	X \$105 = 0
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>					
					TOTAL ADD'L FEE	0

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	**	=	X \$ =
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***	=	X \$ =
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>					
					TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/ANTJUAN RIVERA/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/986,919	01/07/2011	Gregory Vargo		7390

69352 7590 08/14/2013
GREGORY A. VARGO
20210 WOODLAND ST.
HARPER WOODS, MI 48225

EXAMINER

HEITZER, LAUREN ASHLEY

ART UNIT	PAPER NUMBER
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3751

MAIL DATE	DELIVERY MODE
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08/14/2013

PAPER

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.

Office Action SummaryApplication No.
12/986,919Applicant(s)
VARGO, GREGORYExaminer
LAUREN HEITZERArt Unit
3751AIA (First Inventor to File)
Status
No

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 April 2013.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) Claim(s) 2-11 is/are pending in the application.
5a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 6) Claim(s) _____ is/are allowed.
- 7) Claim(s) 2-11 is/are rejected.
- 8) Claim(s) _____ is/are objected to.
- 9) Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) All b) Some * c) None of the:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 3) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 4) Other: _____

Art Unit: 3751

DETAILED ACTION

1. This office action is responsive to the amendment filed on 4/16/2013. Currently claims 2-11 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of 35 U.S.C. 112(b):
(b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2-11 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.

4. Claim 10 recites the limitation "the user" in 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

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

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 2-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilke et al (U.S. Patent 6,668,842 herein after Wilke) and Rast (U.S. Patent 2,274,739),

Art Unit: 3751

Ferber et al (U.S. Patent 6,505,358 herein after Ferber), Ludlow et al (U.S. Patent Publication 20090172873 herein after Ludlow), Kienle (U.S. Patent 1,936,398), and Delaney (U.S. Patent 3,925,830). Wilke shows a portable foot shower. The device includes a base member (16) having a shower head compartment (20,22) interconnected to the base member. A 'swivel' shower head (56) is operably interconnected with the base member. The base includes a push actuator in order to activate the spray head (column 4 lines 50-55). The actuator controls the start and running and stopping of the water from spray head. The user steps on a grate (24) in order to activate the spray heads. The device can be connected a hose (94). The grate allows for run-off water and dirt to fall between the grate openings. The device includes a water dispensing assembly (48). A water regulator assembly (102) for controlling the flow of water from a suitable source to the portable foot shower (column 4 lines 55-65). A protective housing (18) housing assembly is used for protecting the water regulator. The device is constructed out of plastic (column 8 lines 5-10). The base member is slotted in order to allow excess water, dirt, and particulate may flow downwardly. The sides of the housing include a 'small' opening that allow access to the water regulator assembly. Wilke fails to show support legs, a connection for a female hose, non-slip strips and dual top push actuators, and a simulated wood grain pattern, and dual push actuators. Ferber teaches a portable foot bath. The device includes a plurality of support legs (30) that are connected to the base surface of a base (22). The legs are constructed out of rubber in order to prevent movement of the device (column 4 lines 20-25). It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to have modified the device as shown by Wilke to include rubber support legs as taught by Ferber because it would prevent movement of the device (column 4 lines 20-25). Ludlow teaches a spa. The spa includes a wall covering (39) that may include a simulated wood pattern (paragraph 16). It would have been obvious to one of ordinary skill in the art the time the invention was made to have modified the device to include a simulated wood grain pattern as taught by Ludlow because it would give the foot bath an ascetically pleasing look. Kienle teaches a footbath. The device includes a base (1). The base includes a top surface. The top surface includes a non-slip surface (column 1 lines 30-35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device as shown by Wilke to include a non-slip surface located on the upper surface of the base as taught by Kienle because it would ensure the user would not slip. Whether non-slip surface is a solid piece or strips is dependent upon the shape and design of the base member and is therefore a design choice that fails to patentably distinguish. Delaney teaches a foot shower. The device includes a shower head (53) and a female garden hose swivel (29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device as shown by Wilke to include a female garden hose as taught by Delaney because it would allow for easy connection to a garden hose. Rast teaches an apparatus for washing feet. The device includes two laterally spaced top push actuators selectively operated for controlling, starting, running, and stopping the flow of water to an outlet. The push actuators includes a top push bracket (33) allowed to mechanically pivot downwardly a spring assisted (21) water regulator for

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varying the flow of water. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device as shown by Wilke to include dual actuators as taught by Rast because it would allow the user to select which foot to rinse.

Response to Arguments

6. Applicant's arguments with respect to claims 2-11 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 3751

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAUREN HEITZER whose telephone number is (571)270-5198. The examiner can normally be reached on 8:30 am - 5:00 pm Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Huson can be reached on (571) 272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LAUREN HEITZER/
Examiner, Art Unit 3751

/Gregory L. Huson/
Supervisory Patent Examiner, Art Unit 3751

Notice of References Cited	Application/Control No. 12/986,919	Applicant(s)/Patent Under Reexamination VARGO, GREGORY	
	Examiner LAUREN HEITZER	Art Unit 3751	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-2,274,739	03-1942	RAST WILLIAM C	4/622
	B US-			
	C US-			
	D US-			
	E US-			
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			


FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N				
	O				
	P				
	Q				
	R				
	S				
	T				

NON-PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)				
	U				
	V				
	W				
	X				

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Search Notes 	Application/Control No. 12986919	Applicant(s)/Patent Under Reexamination VARGO, GREGORY
	Examiner LAUREN HEITZER	Art Unit 3751

CPC- SEARCHED		
Symbol	Date	Examiner


CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
4	615, 622, 602, 605 , 616	11/2/2012	Lauren Heitzer
	updated search listed above	8/9/2013	LH

SEARCH NOTES		
Search Notes	Date	Examiner
Keyword Search	11/2/2012	Lauren Heitzer

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

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<i>Index of Claims</i> 	Application/Control No. 12986919	Applicant(s)/Patent Under Reexamination VARGO, GREGORY
	Examiner LAUREN HEITZER	Art Unit 3751

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE							
Final	Original	11/03/2012	08/11/2013						
	1	✓	-						
	2	✓	✓						
	3	✓	✓						
	4	✓	✓						
	5	✓	✓						
	6	✓	✓						
	7	✓	✓						
	8	✓	✓						
	9	✓	✓						
	10		✓						
	11		✓						

EAST Search History**EAST Search History (Prior Art)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L15	3	("6,668,842").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2013/08/11 14:09
L16	987	4/615,616.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2013/08/11 14:40
L17	422	(4/605).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2013/08/11 14:41

EAST Search History (Interference)

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/986,919	01/07/2011	Gregory Vargo		7390

69352 7590 04/24/2013
GREGORY A. VARGO
20210 WOODLAND ST.
HARPER WOODS, MI 48225

EXAMINER

HEITZER, LAUREN ASHLEY

ART UNIT	PAPER NUMBER
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3751

MAIL DATE	DELIVERY MODE
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04/24/2013

PAPER

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.

Applicant-Initiated Interview Summary	Application No. 12/986,919	Applicant(s) VARGO, GREGORY	
	Examiner LAUREN HEITZER	Art Unit 3751	

All participants (applicant, applicant's representative, PTO personnel):

- (1) LAUREN HEITZER. (3) _____.
- (2) Greg Vargo. (4) _____.

Date of Interview: 4/10/2013.

Type: Telephonic Video Conference
 Personal [copy given to: applicant applicant's representative]

Exhibit shown or demonstration conducted: Yes No.
If Yes, brief description: _____.

Issues Discussed 101 112 102 103 Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1-9.

Identification of prior art discussed: Prior art of record.

Substance of Interview

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Applicant proposed amendments, per attachment. The format of the amendment was discussed in order to ensure the amendment, when formally filed, met the format requirements. Amended claim 1 appeared to define over the art of record but examiner will need to update the search when formally filed. Suggestions by the examiner included amending claim 6 to remove the limitation "bumper" in order to overcome a 112 rejection. Amending claim 2 to remove the limitation "by injection molding". The new drawings were reviewed and appear to overcome the drawing objection. The examiner intends to review the drawings again when formally filed. The applicant intends to file a response in due course.

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Attachment

/LAUREN HEITZER/
Examiner, Art Unit 3751

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

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In the United States Patent & Trademark Office

Appn. Number: 12/986,919

Confirmation Number: 7390

Applicant: Gregory A. Vargo

Appn. Filed: January 1, 2011

Appn. Title: Portable Foot Shower

Examiner/GAU: Lauren Ashley Heitzer / 3751

Faxed: April 16, 2013

At: 9:05 AM

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Amendment

Sir:

In response to the Office letter mailed November 9, 2012, please amend the above application as follows:

- SPECIFICATION: Amendments to the specification begin on page _ of this amendment.
- DRAWINGS: Amendments to the drawings are discussed on page 2 of this amendment.
- CLAIMS: Amendments to the claims begin on page 3 of this amendment.
- REMARKS/ARGUMENTS begin on page 5 of this amendment.

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Appn. Number: 12/986,919
Amdt. dated April 6, 2013
Reply to Office action of Nov. 9, 2012

Amendments to the drawings:

The attached replacement sheets (sheets 1/4 through 4/4) of drawings include a *simulated wood grain* hatch pattern. Correction of the drawing objections (sheets 1/4 through 4/4).

Attachment: Replacement Sheet (1/4 through 4/4)

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Appn. Number: 12/986,919

Amdt. dated April 6, 2013

Reply to Office action of Nov. 9, 2012

Amendments to the Claims:

CLAIMS: Please amend the claims according to the status designations in the following list, which contains all claims that were ever in the application, with the text of all active claims.

Listing of Claims:

Claim 1 (CANCELED)

Claim 2 (CURRENTLY AMENDED): The portable foot shower of claim 10 + wherein said base member is slotted, through which excess water, dirt and particulate may flow downwardly. ~~to allow run-off water and dirt.~~

Claim 3 (CURRENTLY AMENDED): The portable foot shower of claim 10 + wherein said base member, swivel shower head compartment, and support legs are constructed of plastic. ~~injection molding.~~

Claim 4 (CURRENTLY AMENDED): The portable foot shower of claim 10 + wherein said base member, swivel shower head compartment, and support legs be provided with a surface simulated wood grain pattern.

Claim 5 (CURRENTLY AMENDED): The portable foot shower of claim 10 + further including a plurality of non-slip tape strips attached to the top surface of said base member.

Claim 6 (CURRENTLY AMENDED): The portable foot shower of claim 10 + further including a plurality of rubber bumper feet affixed to the bottom of said support legs.

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Amdt. dated April 6, 2013

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Claim 7 (CURRENTLY AMENDED): The portable foot shower of claim 10 + further including a water dispensing assembly associated with said portable foot shower.

Claim 8 (CURRENTLY AMENDED): The portable foot shower of claim 10 + further including a water regulator assembly for controlling the flow of water from a suitable source to said portable foot shower.

Claim 9 (CURRENTLY AMENDED): The portable foot shower of claim 10 + further including a protective housing assembly for protecting said water regulator assembly of said portable foot shower.

Claim 10 (NEW): A portable foot shower comprising:

A base member for supporting and accommodating the user; Said base member providing dual laterally spaced top push actuators selectively operated for controlling starting, running, and stopping a flow of water to a swivel shower head compartment interconnected to said base member;

Said base member's dual top push actuators interconnected to a top push bracket allowed to mechanically pivot downward engaging a spring assisted adjustable water regulator for varying the water flow to a swivel shower head interconnected with said base member; A plurality of support legs attached to the bottom surface of said base member; and a female garden hose swivel connector.

Claim 11 (NEW): The portable foot shower of claim 10 further including a small aperture in said base member, providing access to the adjustable water regulator for varying the flow of water to the interconnected swivel shower head of said portable foot shower.

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REMARKS/ARGUEMENTS

By the above amendment, Applicant has amended the drawings (1/4 through 4/4) as indicated to include a *wood grain* hatch pattern. Applicant has amended the claims to put this application in full and clear condition for allowance. Also applicant has amended claims 2 to 9, rewritten claim 1 as new Claim 10, and added new Claim 11 to more particularly define the invention in a patentable manner over the cited prior art.

The Claims Rejection – 35 USC § 112 for Lack of Clarity and Conciseness

“The Office Action reject Claims 1 to 9 under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.”

Claim 1 (CANCELED) and rewritten Claim 10 (NEW): The Office Action whereas Claim 1 recites the limitation “a female garden hose swivel”. Applicant has provided Claim 10 (NEW):
A portable foot shower comprising:

A base member for supporting and accommodating the user; Said base member providing dual laterally spaced top push actuators selectively operated for controlling starting, running, and stopping a flow of water to a swivel shower head compartment interconnected to said base member;

Said base member's dual top push actuators interconnected to a top push bracket allowed to mechanically pivot downward engaging a spring assisted adjustable water regulator for varying the water flow to a swivel shower head interconnected with said base member; A plurality of support legs attached to the bottom surface of said base member; and a female garden hose swivel connector.

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This amended language **“female garden hose swivel connector”**, clearly and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 (CURRENTLY AMENDED): The Office Action whereas Claim 2 recites the limitation “said base member is slotted through to allow run off water and dirt”. Applicant has provided

Claim 2 (CURRENTLY AMENDED): The portable foot shower of claim 10 + wherein said base member is slotted, through which excess water, dirt and particulate may flow downwardly. ~~to allow run-off water and dirt.~~

This amended language **“through which excess water, dirt, and particulate may flow downwardly”**, clearly and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 (CURRENTLY AMENDED): The Office Action whereas Claim 3 recites the limitation “support legs are constructed of plastic injection molding”. Applicant has provided Claim 3

(CURRENTLY AMENDED): The portable foot shower of claim 10 + wherein said base member, swivel shower head compartment, and support legs are constructed of plastic. ~~injection molding.~~

Amending and eliminating the language, **“injection molding”**, clearly and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 (CURRENTLY AMENDED): The Office Action whereas Claim 6 recites the limitation “rubber bumper feet”. Applicant has provided Claim 6 (CURRENTLY AMENDED):

The portable foot shower of claim 10 + further including a plurality of rubber bumper feet affixed to the bottom of said support legs.

Amending and eliminating the language, **“bumper”**, clearly and distinctly claim the subject matter which applicant regards as the invention.

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Amdt. dated April 6, 2013

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The Claims Rejection – 35 USC § 103

“The Office Action reject Claims 1 to 9 under 35 U.S.C 103(a) as being unpatentable over Wilke et al (U.S. Patent 6,668,842 herein after Wilke) and Ferber et al (U.S. Patent 6,505,358 herein after Ferber), Ludlow et al (U.S. Patent Publication 2009172873 herein after Ludlow), Kienle (U.S. Patent 1,936,398), and Delaney (U.S. Patent 3,925,830).”

The References and Differences of the Present Invention Thereover

Applicant will discuss the references and the general novelty of the present invention and its unobviousness over the references.

Reference A (Wilke patent 6,668,842) shows an apparatus for dispensing a spray of fluid comprised of a base member, actuating platform and fluid dispensing system , is configured for a “walk through” use that delivers an immediate rinse of spray once the user steps on the actuating platform engaging the fluid dispensing system.

Reference B (Ferber patent 6,505,358) shows an apparatus provided for bathing body parts such as feet or hands, which includes a bath chamber for containing fluid, such as water, and immediately receiving the users body part therein.

Reference C (Ludlow patent Publication 2009172873) shows a spa comprising a base member providing a foundation with vertical peripheral walls requiring the full immersion of the user.

Reference D (Kienle patent 1,936,398) shows a footbath comprising a base member and an upwardly curving surrounding wall member requiring the immersion of a user’s foot into a solution.

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Reference E (Delaney patent 3,925,830) shows a foot shower comprising a base, actuating platform, valve and opposed shower heads. The actuating platform is operatively connected to the valve and communication established between the water source and showerheads immediately upon the actuating platform being depressed in response to the user stepping on the same.

Reference F (Farias patent 6,618,870) shows a foot shower comprising nozzles attached to a hollow frame (structure) shaped to surround a user's feet. Actuation is provided by a coupler acting as a switch to turn on/off a water flow, attached to a showerhead where the water exists the plane of a wall.

Claim 1, now rewritten as new **Claim 10** recites: A portable foot shower comprising:

A base member for supporting and accommodating the user, Said base member providing dual laterally spaced top push actuators selectively operated for controlling starting, running, and stopping a flow of water to a swivel shower head compartment interconnected to said base member;

Said base member's dual top push actuators interconnected to a top push bracket allowed to mechanically pivot downward engaging a spring assisted adjustable water regulator for varying the water flow to a swivel shower head interconnected with said base member; A plurality of support legs attached to the bottom surface of said base member; and a female garden hose swivel connector.

This language distinguishes over Wilke, Feber, Ludlow, Keinle, Delaney, and Farias because Wilke, Feber, Ludlow, Keinle, Delaney, and Farias do not show a base member for **supporting** and **accommodating** the user, providing **dual laterally spaced top push actuators selectively** operated for controlling starting, running, and stopping a flow of water. In addition, Wilke, Feber, Ludlow, Keinle, Delaney, and Farias do not show dual top actuators interconnected to a **top pushed bracket** allowed to mechanically pivot downward engaging a spring assisted

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adjustable water regulator and a small aperture in the base member providing access to the adjustable water regulator.

Applicant submits differences over Wilke and Delaney because Wilke and Delaney's actuation of fluid or water flow is not selective, but immediate when user either "walks through" or steps on an actuator platform.

Applicant submits differences over Ferber, Ludlow, and Kienle because Ferber, Ludlow, and Kienle show no actuating platform to a fluid or water flow, but requires immediate immersion of a body part (feet or hands) into a pool or spa, which offers no selectivity to the user.

Also applicant submits differences over Farias because Farias actuation is provided by a coupler acting as a switch to turn on/off a water flow, attached to a showerhead where the water exists the plane of a wall, not selectively operated dual laterally spaced top push actuators provided by the base member.

The Novel Physical Features of Claim 10 Produce New and Unexpected Results and Hence are Unobvious and Patentable over These References Under § 103

Also applicant submits that the novel physical features of claim 10 are also unobvious and hence patentable under § 103 since they produce new and unexpected results over Wilke, Feber, Ludlow, Keinle, Delaney, and Farias.

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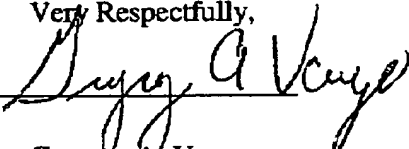
Appn. Number: 12/986,919
Amdt. dated April 6, 2013
Reply to Office action of Nov. 9, 2012

CONCLUSION

For all the above reasons, applicant submits that the claims are now in proper form, and that the claims all define patentably over the prior art. Therefore applicant submits that this application is now in condition for allowance, which action the applicant respectfully solicits.

Conditional Request for Constructive Assistance

Applicant has amended the claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If for any reason this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 2173.02 and § 707.07 (j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very Respectfully,
By 
Gregory A. Vargo

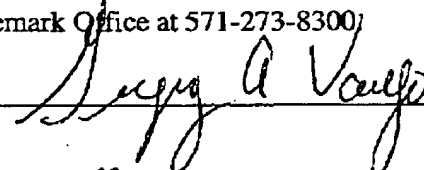
-----Applicant Pro SE-----

Enc: Replacement Sheets (1/4 through 4/4) include a *simulated wood grain* hatch pattern.

Appn. Number: 12/986,919
20210 Woodland St.
Harper Woods, MI 48225
Tel: 313-343-2690

Certificate of Facsimile Transmission. I certify that on the date below I will fax this paper to GAU 3751 of the U.S. Patent and Trademark Office at 571-273-8300

2013 April 16



Appn. Number: 12/986,919
Amdt. Date April 6,2013
Reply to Office action of Nov. 9, 2012
Replacement Sheet

1/4

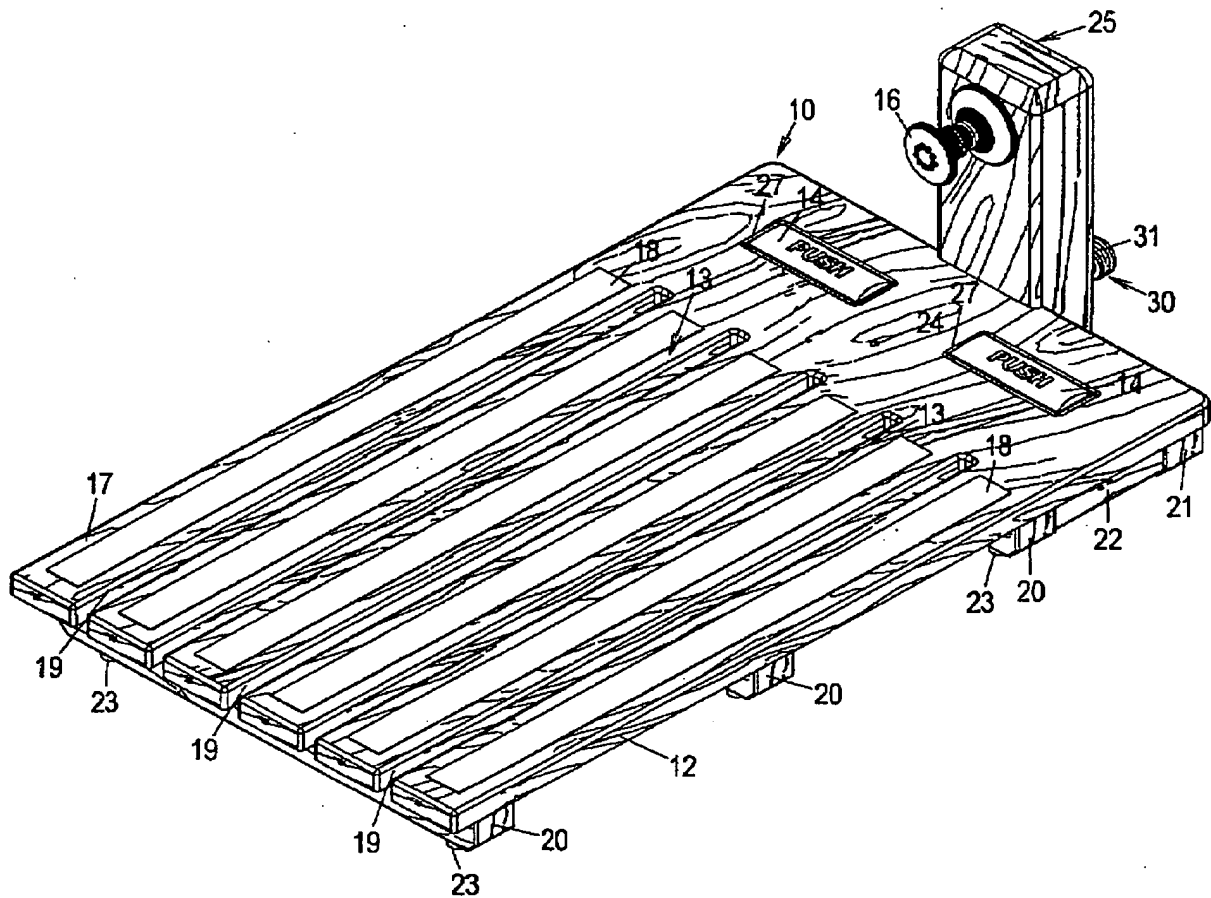


FIG.1

Appn. Number: 12/986,919
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Replacement Sheet

2/4

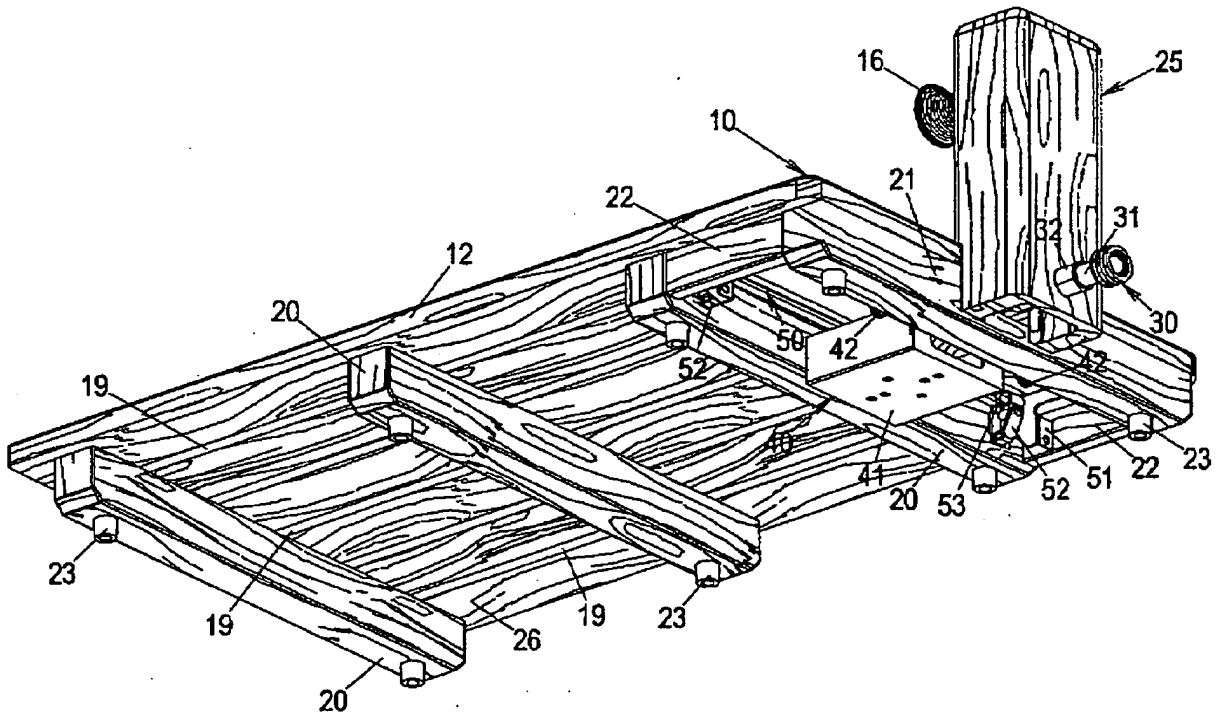


FIG. 2

Appn. Number: 12/986,919
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Replacement Sheet

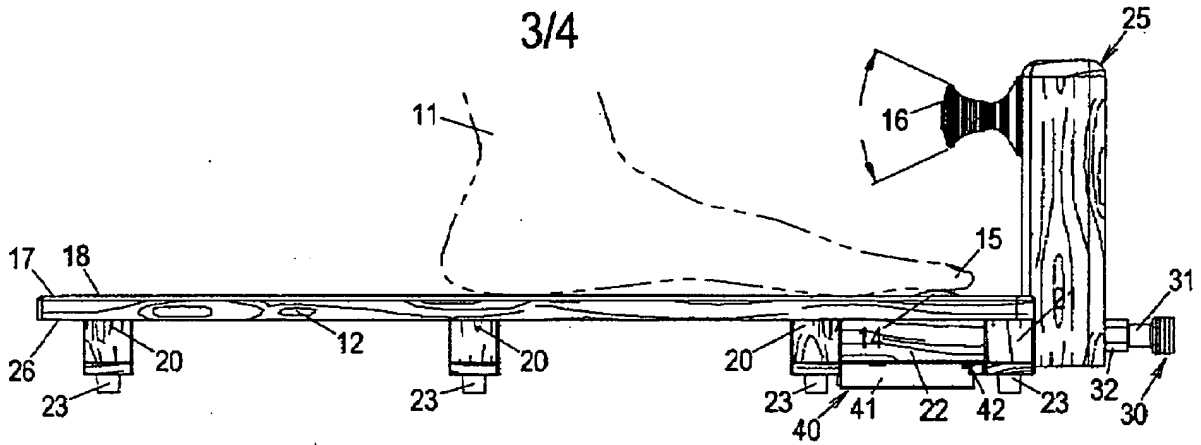


FIG. 3

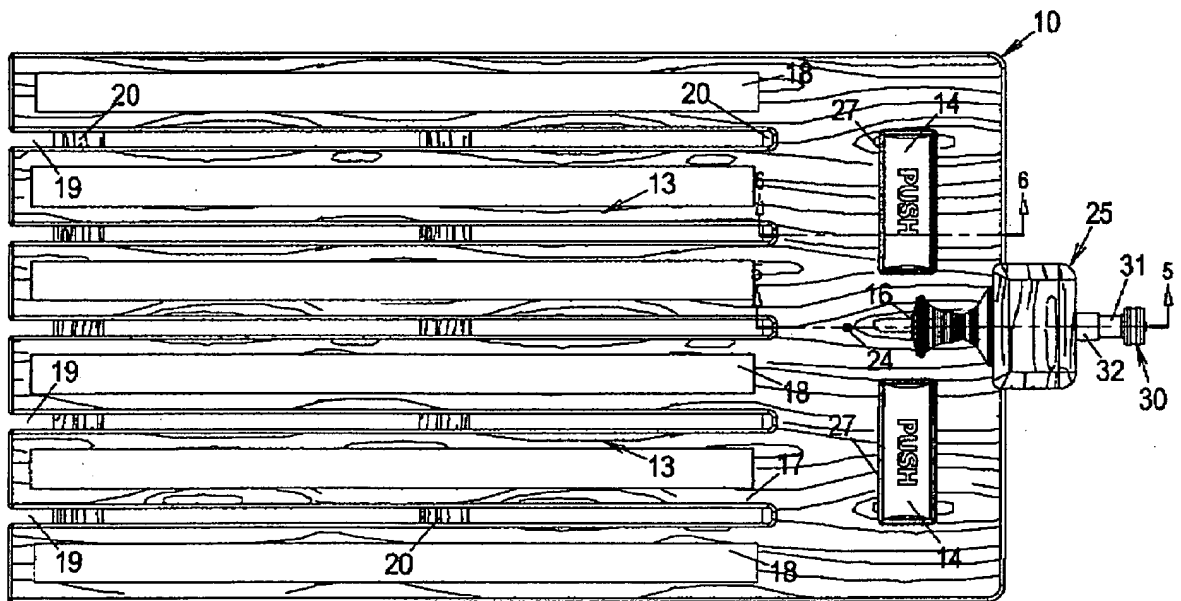


FIG. 4

Appn. Number: 12/986,919
Amdt. Date April 6, 2013
Reply to Office action of Nov. 9, 2012
Replacement Sheet

4/4

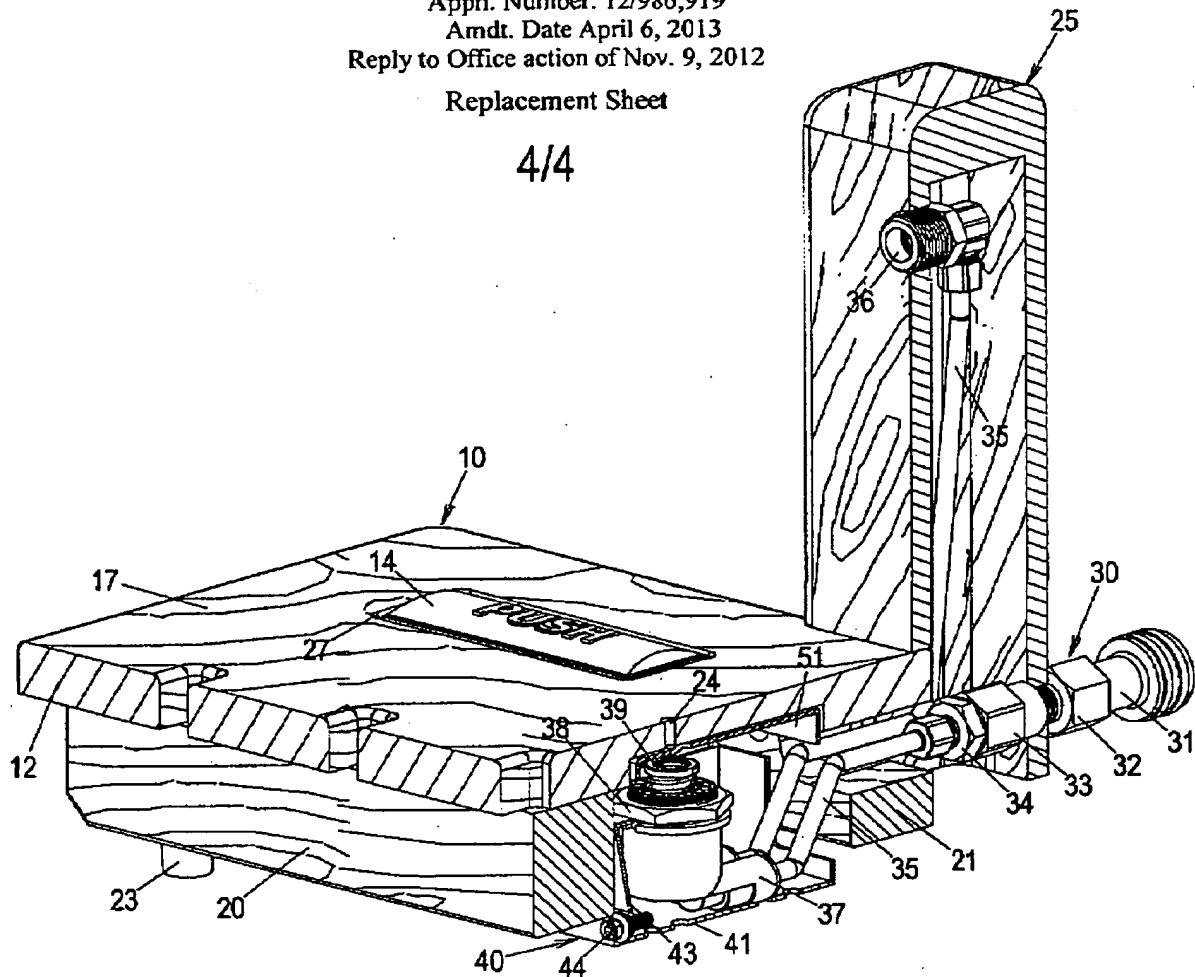


FIG. 5

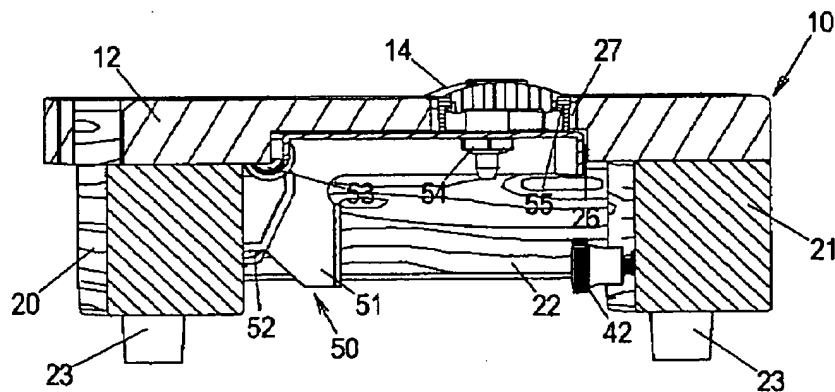
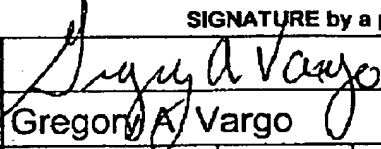


FIG. 6

APR 16 2013

Doc Code: MES.GIB
Document Description: Certification of Micro Entity Status (Gross Income Basis)

PTO/SB/15A (03-13)

CERTIFICATION OF MICRO ENTITY STATUS (GROSS INCOME BASIS)			
Application Number or Control Number (if applicable): 12/986,919		Patent Number (if applicable):	
First Named Inventor: Gregory Vargo		Title of Invention: Portable Foot Shower	
<p>The applicant hereby certifies the following—</p> <p>(1) SMALL ENTITY REQUIREMENT - The applicant qualifies as a small entity as defined in 37 CFR 1.27.</p> <p>(2) APPLICATION FILING LIMIT - Neither the applicant nor the inventor nor a joint inventor has been named as the inventor or a joint inventor on more than four previously filed U.S. patent applications, excluding provisional applications and international applications under the Patent Cooperation Treaty (PCT) for which the basic national fee under 37 CFR 1.492(a) was not paid, and also excluding patent applications for which the applicant has assigned all ownership rights or is obligated to assign all ownership rights as a result of the applicant's previous employment.</p> <p>(3) GROSS INCOME LIMIT ON APPLICANTS AND INVENTORS - Neither the applicant nor the inventor nor a joint inventor, in the calendar year preceding the calendar year in which the applicable fee is being paid, had a gross income, as defined in section 61(a) of the Internal Revenue Code of 1986 (26 U.S.C. 61(a)), exceeding the "Maximum Qualifying Gross Income" reported on the USPTO website at http://www.uspto.gov/patents/law/micro_entity.jsp which is equal to three times the median household income for that preceding calendar year, as most recently reported by the Bureau of the Census.</p> <p>(4) GROSS INCOME LIMIT ON PARTIES WITH AN "OWNERSHIP INTEREST" - Neither the applicant nor the inventor nor a joint inventor has assigned, granted, or conveyed, nor is under an obligation by contract or law to assign, grant, or convey, a license or other ownership interest in the application concerned to an entity that, in the calendar year preceding the calendar year in which the applicable fee is being paid, had a gross income, as defined in section 61(a) of the Internal Revenue Code of 1986, exceeding the "Maximum Qualifying Gross Income" reported on the USPTO website at http://www.uspto.gov/patents/law/micro_entity.jsp which is equal to three times the median household income for that preceding calendar year, as most recently reported by the Bureau of the Census.</p>			
SIGNATURE by a party set forth in 37 CFR 1.33(b)			
Signature			
Name	Gregory A. Vargo		
Date	4/16/2013	Telephone	313-343-2690
		Registration No.	
<input type="checkbox"/>	There is more than one inventor and I am one of the inventors who are jointly identified as the applicant. Additional certification form(s) signed by the other joint inventor(s) are included with this form.		

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PTO/SB/22 (03-13)

Approved for use through 3/31/2013. OMB 0651-0031

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional)																														
Application Number 12/986,919	Filed 1/07/2011																															
For Portable Foot Shower																																
Art Unit 3751	Examiner Lauren Heitzer																															
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.</p> <p>The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):</p> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="text-align: center;">Fee</th> <th style="text-align: center;">Small Entity Fee</th> <th style="text-align: center;">Micro Entity Fee</th> <th style="width: 10%;"></th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td style="text-align: center;">\$200</td> <td style="text-align: center;">\$100</td> <td style="text-align: center;">\$50</td> <td style="text-align: center;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td style="text-align: center;">\$600</td> <td style="text-align: center;">\$300</td> <td style="text-align: center;">\$150</td> <td style="text-align: center;">\$ _____</td> </tr> <tr> <td><input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td style="text-align: center;">\$1,400</td> <td style="text-align: center;">\$700</td> <td style="text-align: center;">\$350</td> <td style="text-align: center;">\$ 350.00</td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td style="text-align: center;">\$2,200</td> <td style="text-align: center;">\$1,100</td> <td style="text-align: center;">\$550</td> <td style="text-align: center;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td style="text-align: center;">\$3,000</td> <td style="text-align: center;">\$1,500</td> <td style="text-align: center;">\$750</td> <td style="text-align: center;">\$ _____</td> </tr> </tbody> </table> <p><input type="checkbox"/> Applicant asserts small entity status. See 37 CFR 1.27. 04/16/2013 APEREZAM 00000025 12986919</p> <p><input checked="" type="checkbox"/> Applicant certifies micro entity status. See 37 CFR 1.29. 01 FC:3253 350.00 OP Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number _____</p> <p><input type="checkbox"/> Payment made via EFS-Web.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <p><input checked="" type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96).</p> <p><input type="checkbox"/> attorney or agent of record. Registration number _____</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number _____</p> <p style="text-align: center;"><i>Gregory A Vargo</i> _____ Signature</p> <p style="text-align: center;">April 16, 2013 _____ Date</p> <p style="text-align: center;">Gregory A Vargo _____ Typed or printed name</p> <p style="text-align: center;">313-343-2690 _____ Telephone Number</p> <p>NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below.</p> <p><input checked="" type="checkbox"/> * Total of <u>1</u> forms are submitted.</p>				Fee	Small Entity Fee	Micro Entity Fee		<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ _____	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ _____	<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ 350.00	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____
	Fee	Small Entity Fee	Micro Entity Fee																													
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ _____																												
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ _____																												
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<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____																												
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____																												

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

if you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Vargo Building Company

20210 Woodland,
Harper Woods, MI

48225

Phone: 313-343-2690



FACSIMILE TRANSMITTAL

To: Commissioner for Patents	Work #: 571.
From: Greg Vargo	Fax #: 571.273.8300
Pages: [#18]	Date: April 16, 2013
Re: Response to Office Action of November 9, 2012 (related documents)	
<p>Find attached the following documents:</p> <ul style="list-style-type: none"> • Amendment to First Office Action of November 9, 2012 • Drawing Replacement Sheets (1/4 through 4/4) • Certification of Micro Entity Status - PTO/SB/15A (01-13) • Petition for Extension of Time Under 37CFR 1.136(a) • Credit Card Payment Form - PTO-2038 (05-2012) <p>Thanks, Greg "V"</p>	

Contact: email – greg@vbuildingco.com
cell# - 313.363.0907

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 12/986,919	Filing Date 01/07/2011	<input type="checkbox"/> To be Mailed
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ENTITY: LARGE SMALL MICRO

APPLICATION AS FILED – PART I

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
AMENDMENT	04/16/2013	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR				
	Total <small>(37 CFR 1.16(i))</small>	* 10	Minus	** 20	= 0	X \$20 = 0	
	Independent <small>(37 CFR 1.16(h))</small>	* 1	Minus	***3	= 0	X \$105 = 0	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						
					TOTAL ADD'L FEE	0	

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR				
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	**	=	X \$ =	
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***	=	X \$ =	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						
					TOTAL ADD'L FEE		

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/BRENDA HARRISON/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/986,919	01/07/2011	Gregory Vargo		7390

69352 7590 11/09/2012
GREGORY A. VARGO
20210 WOODLAND ST.
HARPER WOODS, MI 48225

EXAMINER

HEITZER, LAUREN ASHLEY

ART UNIT	PAPER NUMBER
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3751

MAIL DATE	DELIVERY MODE
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11/09/2012

PAPER

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.

Office Action Summary	Application No. 12/986,919	Applicant(s) VARGO, GREGORY	
	Examiner LAUREN HEITZER	Art Unit 3751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 07 January 2011.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) Claim(s) 1-9 is/are pending in the application.
- 5a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 6) Claim(s) _____ is/are allowed.
- 7) Claim(s) 1-9 is/are rejected.
- 8) Claim(s) _____ is/are objected to.
- 9) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on 07 January 2011 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/2/2011.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION

1. This office action is responsive to the Information Disclosure Statement filed on 3/2/2011.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the simulated wood grain as recited in claim 4 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Art Unit: 3751

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1-9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites the limitation “a female garden hose swivel”. It is unclear what is considered to be a garden hose swivel. For the purpose of applying prior art the claim will be interpreted to mean a female garden hose connector. Claim 2 recites the limitation “said base member is slotted through to allow run off water and dirt”. The claim appears to have meant “run off water and dirt can pass through the grate”. For the purpose of applying prior art the claim will be interpreted to mean a slotted base to allow run off and dirt to pass through the grate. Claim 3 recites the limitation “support legs are constructed of plastic injection molding”. It is unclear if this a product by process claim. A plastic injection molding is not a material. For the purpose of applying prior art the claim will be interpreted to mean plastic constructed by injection molding. Claim 6 recites the limitation “rubber bumper feet”. It is unclear what is considered to be rubber bumper feet. For the purpose of applying prior art the claim will be interpreted to mean feet that are made of rubber.

Claim Rejections - 35 USC § 103

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

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

Art Unit: 3751

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilke et al (U.S. Patent 6,668,842 herein after Wilke) and Ferber et al (U.S. Patent 6,505,358 herein after Ferber), Ludlow et al (U.S. Patent Publication 20090172873 herein after Ludlow), Kienle (U.S. Patent 1,936,398), and Delaney (U.S. Patent 3,925,830). Wilke shows a portable foot shower. The device includes a base member (16) having a shower head compartment (20,22) interconnected to the base member. A 'swivel' shower head (56) is operably interconnected with the base member. The base includes a push actuator in order to activate the spray head (column 4 lines 50-55). The actuator controls the start and running and stopping of the water from spray head. The user steps on a grate (24) in order to activate the spray heads. The device can be connected a hose (94). The grate allows for run-off water and dirt to fall between the grate openings. The device includes a water dispensing assembly (48). A water regulator assembly (102) for controlling the flow of water from a suitable source to the portable foot shower (column 4 lines 55-65). A protective housing (18) housing assembly is used for protecting the water regulator. The device is constructed out of plastic (column 8 lines 5-10). Wilke fails to show support legs, a connection for a female hose, non-slip strips and dual top push actuators, and a simulated wood grain pattern. Ferber teaches a portable foot bath. The device includes a plurality of support legs (30) that are connected to the base surface of a base (22). The legs are constructed out of rubber in order to prevent movement of the device (column 4 lines 20-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have

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modified the device as shown by Wilke to include rubber support legs as taught by Ferber because it would prevent movement of the device (column 4 lines 20-25). Ludlow teaches a spa. The spa includes a wall covering (39) that may include a simulated wood pattern (paragraph 16). It would have been obvious to one of ordinary skill in the art the time the invention was made to have modified the device to include a simulated wood grain pattern as taught by Ludlow because it would give the foot bath an ascetically pleasing look. Kienle teaches a footbath. The device includes a base (1). The base includes a top surface. The top surface includes a non-slip surface (column 1 lines 30-35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device as shown by Wilke to include a non-slip surface located on the upper surface of the base as taught by Kienle because it would ensure the user would not slip. Whether non-slip surface is a solid piece or strips is dependent upon the shape and design of the base member and is therefore a design choice that fails to patentably distinguish. Delaney teaches a foot shower. The device includes a shower head (53) and a female garden hose swivel (29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device as shown by Wilke to include a female garden hose as taught by Delaney because it would allow for easy connection to a garden hose. Even though product-by-process claims are limited by and defined by the process, determination of patentability is based on the product itself. The patentability of a product does not depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even

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though the prior product was made by a different process.” In re Thorpe, 777 F.2d 695, 698, 227 USPQ 964, 966 (Fed. Cir. 1985). Whether one or two push actuators are used to actuate the device is dependent upon the size of the shower and is therefore a design choice that fails to patentably distinguish.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Farias (U.S. Patent 6,618,870) teaches a foot washer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAUREN HEITZER whose telephone number is (571)270-5198. The examiner can normally be reached on 8:30 am - 5:00 pm Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Huson can be reached on (571) 272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3751

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LAUREN HEITZER/
Examiner, Art Unit 3751

/Gregory L. Huson/
Supervisory Patent Examiner, Art Unit 3751

Notice of References Cited	Application/Control No. 12/986,919	Applicant(s)/Patent Under Reexamination VARGO, GREGORY	
	Examiner LAUREN HEITZER	Art Unit 3751	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-6,668,842	12-2003	Wilke et al.	134/44
*	B US-6,505,358	01-2003	Ferber et al.	4/622
*	C US-2009/0172873	07-2009	Ludlow et al.	4/506
*	D US-1,936,398	11-1933	KIENLE JOHN A	4/622
*	E US-3,925,830	12-1975	Delaney, Francis Bud	4/615
*	F US-6,618,870	09-2003	Farias, Luis	4/605
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			


FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N				
	O				
	P				
	Q				
	R				
	S				
	T				

NON-PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)				
	U				
	V				
	W				
	X				

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

<i>Index of Claims</i> 	Application/Control No. 12986919	Applicant(s)/Patent Under Reexamination VARGO, GREGORY
	Examiner LAUREN HEITZER	Art Unit 3751

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE								
Final	Original	11/03/2012								
	1	✓								
	2	✓								
	3	✓								
	4	✓								
	5	✓								
	6	✓								
	7	✓								
	8	✓								
	9	✓								

Receipt date: 03/02/2011

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (01-10)

Approved for use through 07/31/2012. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	12986919
	Filing Date	2011-01-07
	First Named Inventor	G.Vargo
	Art Unit	3751
	Examiner Name	
	Attorney Docket Number	

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Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	
	1	6931675		2005-08-23	Hager		
	2	5367720		1994-11-29	Stephens		
	3	4075457		1978-02-21	Williams		
	4	D387173		1997-12-02	Jeans		
	5	D450128		2001-11-06	Dawson		

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Receipt date: 03/02/2011 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12986919	
	Filing Date		2011-01-07	
	First Named Inventor	G.Vargo		
	Art Unit		3751	
	Examiner Name			
	Attorney Docket Number			

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ² i	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
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	1		<input type="checkbox"/>


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EXAMINER SIGNATURE

Examiner Signature	/Lauren Heitzer/	Date Considered	10/30/2012
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

Search Notes 	Application/Control No. 12986919	Applicant(s)/Patent Under Reexamination VARGO, GREGORY
	Examiner LAUREN HEITZER	Art Unit 3751

SEARCHED			
Class	Subclass	Date	Examiner
4	615, 622, 602, 605 , 616	11/2/2012	Lauren Heitzer

SEARCH NOTES		
Search Notes	Date	Examiner
Keyword Search	11/2/2012	Lauren Heitzer

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

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BIB DATA SHEET
CONFIRMATION NO. 7390

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.	
12/986,919	01/07/2011	004	3751		
APPLICANTS Gregory Vargo, Harper Woods, MI; ** CONTINUING DATA ***** ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY ** 01/20/2011					
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and /LAUREN ASHLEY HEITZER/ Acknowledged Examiner's Signature	<input type="checkbox"/> Met after Allowance Initials	STATE OR COUNTRY MI	SHEETS DRAWINGS 4	TOTAL CLAIMS 9	INDEPENDENT CLAIMS 1
ADDRESS GREGORY A. VARGO 20210 WOODLAND ST. HARPER WOODS, MI 48225 UNITED STATES					
TITLE Portable Foot Shower					
FILING FEE RECEIVED 462	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	9	("4075457" "5367720" "6931675" "D387173" "D450128").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/17 21:16
S2	887	(4/615).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/17 21:20
S3	248	(4/622).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/17 21:25
S4	119	(4/602).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/30 10:02
S5	27	("0335838" "0387173" "1060236" "1238349" "1534618" "1970465" "2968814" "3393940" "3851340" "4184488" "4912786" "5173972" "5367720" "5678259" "5774909" "5911520").PN. OR ("6931675").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2012/10/30 10:23
S6	19	("1083141" "2654894" "2702390" "3895398" "3925830" "3973286").PN. OR ("5367720").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2012/10/30 10:24
S7	27	("0335838" "0387173" "1060236" "1238349" "1534618" "1970465" "2968814" "3393940" "3851340" "4184488" "4912786" "5173972" "5367720" "5678259" "5774909" "5911520").PN. OR ("6931675").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2012/10/30 10:38
S8	24	("2267169" "2274739" "2654894" "2956565" "2988754" "3292614" "3741201" "3881471").PN. OR ("3925830").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2012/10/30 10:40
S9	971	4/615,616.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/30 11:34
S10	410	(4/605).CCLS.	US-PGPUB;	OR	OFF	2012/10/30

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT			11:35
S11	15	("0743623" "2654894" "3292185" "3858252" "4099522" "4485503" "5173972" "5920926" "5920927" "6079060").PN. OR ("6618870").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2012/10/30 11:37
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S13	15	("0743623" "2654894" "3292185" "3858252" "4099522" "4485503" "5173972" "5920926" "5920927" "6079060").PN. OR ("6618870").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2012/10/30 13:05
S14	2	("0668842").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/30 13:09
S15	2	("6668842").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/30 13:09
S16	2	("20120174313").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/30 13:40
S17	889	(4/615).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/30 14:27
S18	6066	rubber near4 feet	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/30 14:27
S19	1	S17 and S18	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/30 14:27
S20	25438	non-slip	US-PGPUB; USPAT; USOCR;	OR	OFF	2012/10/30 14:28

			FPRS; EPO; JPO; DERWENT			
S21	4	S20 and S17	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/30 14:28
S22	29	slip and S17	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/30 14:32
S23	249	(4/622).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/30 16:28
S24	11	S23 and slip	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/30 16:31
S25	11	("1064961").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/31 14:35
S26	249	(4/622).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/31 14:57
S27	804177	wood	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/31 14:58
S28	0	S25 and S27	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/31 14:58
S29	1736436	rubber	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/31 15:45
S30	65	S29 and S26	US-PGPUB; USPAT; USOCR;	OR	OFF	2012/10/31 15:46

			FPRS; EPO; JPO; DERWENT			
S31	61848	("4").CLAS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/31 15:49
S32	804177	wood	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/31 15:49
S33	1288	simulated adj wood	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/31 15:49
S34	7	S33 and S31	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/10/31 15:49
S35	2	("6668842").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/11/01 13:05
S36	0	(2009/0172873).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/11/01 13:22
S37	2	("20090172873").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2012/11/01 13:22

EAST Search History (Interference)

< This search history is empty >

11/3/2012 11:45:44 AM**C:\Users\lheitzer\Documents\EAST\Workspaces\12986919.wsp**



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Table with 4 columns: APPLICATION NUMBER (12/986,919), FILING OR 371(C) DATE (01/07/2011), FIRST NAMED APPLICANT (Gregory Vargo), ATTY. DOCKET NO./TITLE

69352
GREGORY A. VARGO
20210 WOODLAND ST.
HARPER WOODS, MI 48225

CONFIRMATION NO. 7390
PUBLICATION NOTICE



Title: Portable Foot Shower

Publication No. US-2012-0174313-A1
Publication Date: 07/12/2012

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

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The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

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Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	12986919
	Filing Date	2011-01-07
	First Named Inventor	G.Vargo
	Art Unit	3751
	Examiner Name	
	Attorney Docket Number	

U.S.PATENTS							Remove
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	
	1	6931675		2005-08-23	Hager		
	2	5367720		1994-11-29	Stephens		
	3	4075457		1978-02-21	Williams		
	4	D387173		1997-12-02	Jeans		
	5	D450128		2001-11-06	Dawson		

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STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	12986919
Filing Date	2011-01-07
First Named Inventor	G.Vargo
Art Unit	3751
Examiner Name	
Attorney Docket Number	

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ² i	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1							<input type="checkbox"/>

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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
	1		<input type="checkbox"/>

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EXAMINER SIGNATURE

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	12986919
Filing Date	2011-01-07
First Named Inventor	G.Vargo
Art Unit	3751
Examiner Name	
Attorney Docket Number	

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- See attached certification statement.
- The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Gregory A Vargo/	Date (YYYY-MM-DD)	2011-03-02
Name/Print	Gregory A Vargo	Registration Number	

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	9569393
Application Number:	12986919
International Application Number:	
Confirmation Number:	7390
Title of Invention:	Portable Foot Shower
First Named Inventor/Applicant Name:	Gregory Vargo
Customer Number:	69352
Filer:	Gregory Andrew Vargo
Filer Authorized By:	
Attorney Docket Number:	
Receipt Date:	02-MAR-2011
Filing Date:	07-JAN-2011
Time Stamp:	14:43:50
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Filed (SB/08)	IDS3.pdf	612422 <small>a638850c8706d2418385f3cf2df307c9bad8cb8a</small>	no	4

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If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

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Table with 6 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY.DOCKET.NO, TOT CLAIMS, IND CLAIMS. Row 1: 12/986,919, 01/07/2011, 3751, 462, , 9, 1

CONFIRMATION NO. 7390

69352
GREGORY A. VARGO
20210 WOODLAND ST.
HARPER WOODS, MI 48225

FILING RECEIPT



Date Mailed: 01/28/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

Gregory Vargo, Harper Woods, MI;

Power of Attorney: None

Domestic Priority data as claimed by applicant

Foreign Applications (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.)

If Required, Foreign Filing License Granted: 01/20/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 12/986,919

Projected Publication Date: 07/12/2012

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Portable Foot Washer

Preliminary Class

004

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number
12/986,919

APPLICATION AS FILED - PART I

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(j))	9 minus 20 = *	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1 minus 3 = *	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

* If the difference in column 1 is less than zero, enter "0" in column 2.

SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	82
N/A	270
N/A	110
x 26 =	0.00
x 110 =	0.00
	0.00
TOTAL	462

OR OTHER THAN SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	
N/A	
N/A	
TOTAL	

APPLICATION AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(j))	*	Minus	**	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=
	Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(j))	*	Minus	**	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=
	Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	
		Application Number	
Title of Invention	Portable Foot Washer		
<p>The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.</p>			

Secrecy Order 37 CFR 5.2

- Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Applicant Information:

Applicant 1					Remove
Applicant Authority <input checked="" type="radio"/> Inventor		<input type="radio"/> Legal Representative under 35 U.S.C. 117		<input type="radio"/> Party of Interest under 35 U.S.C. 118	
Prefix	Given Name	Middle Name	Family Name	Suffix	
Mr.	Greg	Andrew	Vargo		
Residence Information (Select One) <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service					
City	Harper Woods	State/Province	MI	Country of Residence i	US
Citizenship under 37 CFR 1.41(b) i		US			
Mailing Address of Applicant:					
Address 1	20210 Woodland				
Address 2					
City	Harper Woods	State/Province	MI		
Postal Code	48225	Countryⁱ	US		
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.					Add

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Application Information:

Title of the Invention	Portable Foot Washer		
Attorney Docket Number		Small Entity Status Claimed	<input type="checkbox"/>
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		Sub Class (if any)	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)	4	Suggested Figure for Publication (if any)	

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
	Application Number	
Title of Invention	Portable Foot Washer	

Publication Information:

<input type="checkbox"/>	Request Early Publication (Fee required at time of Request 37 CFR 1.219)
<input type="checkbox"/>	Request Not to Publish. I hereby request that the attached application not be published under 35 U.S. C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

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Customer Number			

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Prior Application Status			<input type="button" value="Remove"/>
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the Add button.			<input type="button" value="Add"/>

Foreign Priority Information:

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			<input type="button" value="Remove"/>
Application Number	Country ⁱ	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
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Assignee 1	<input type="button" value="Remove"/>

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	
		Application Number	
Title of Invention	Portable Foot Washer		

If the Assignee is an Organization check here. <input type="checkbox"/>				
Prefix	Given Name	Middle Name	Family Name	Suffix
Mailing Address Information:				
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Phone Number		Fax Number		
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Signature:

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.					
Signature	/Gregory A. Vargo/			Date (YYYY-MM-DD)	2011-01-07
First Name	Gregory	Last Name	Vargo	Registration Number	

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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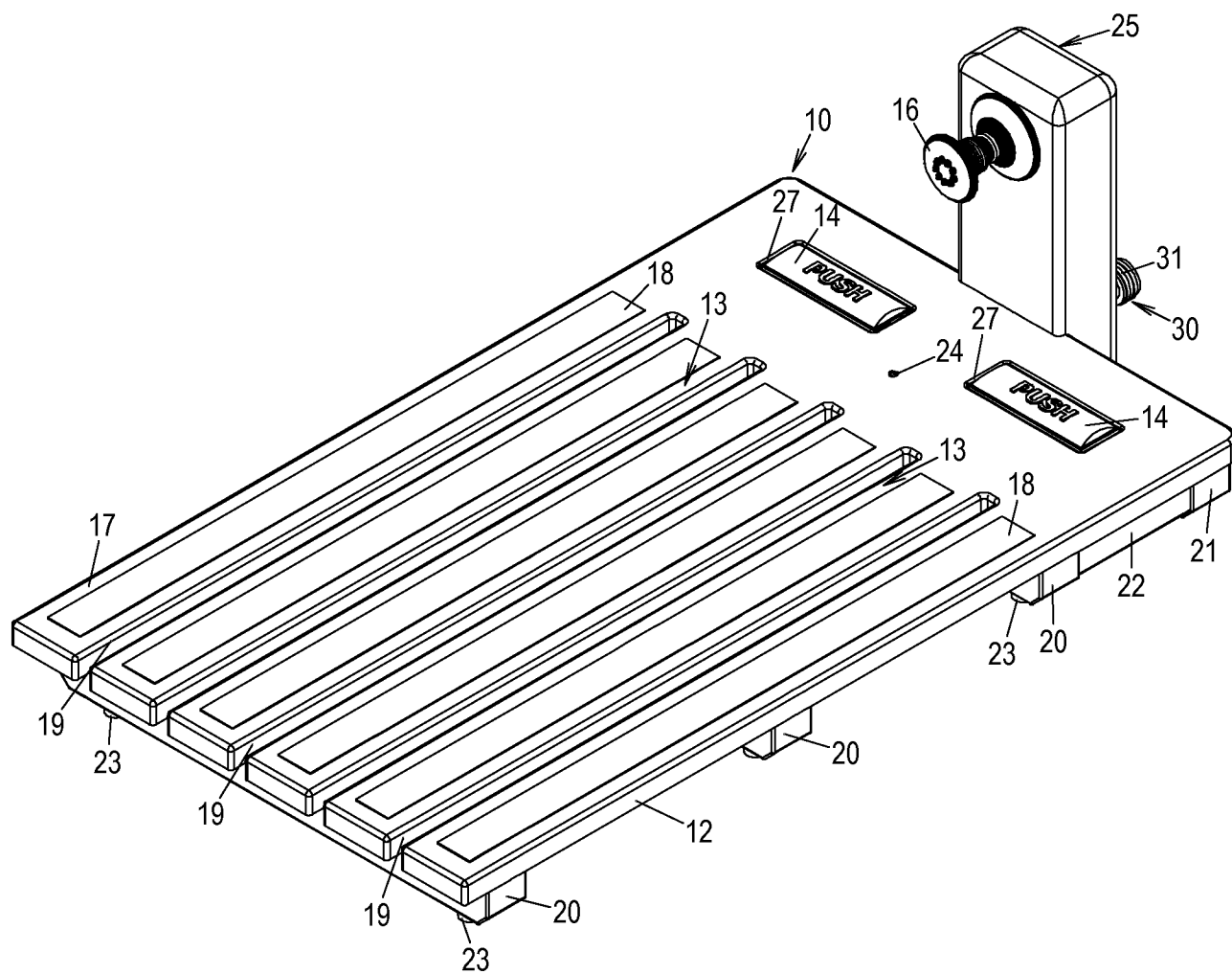


FIG.1

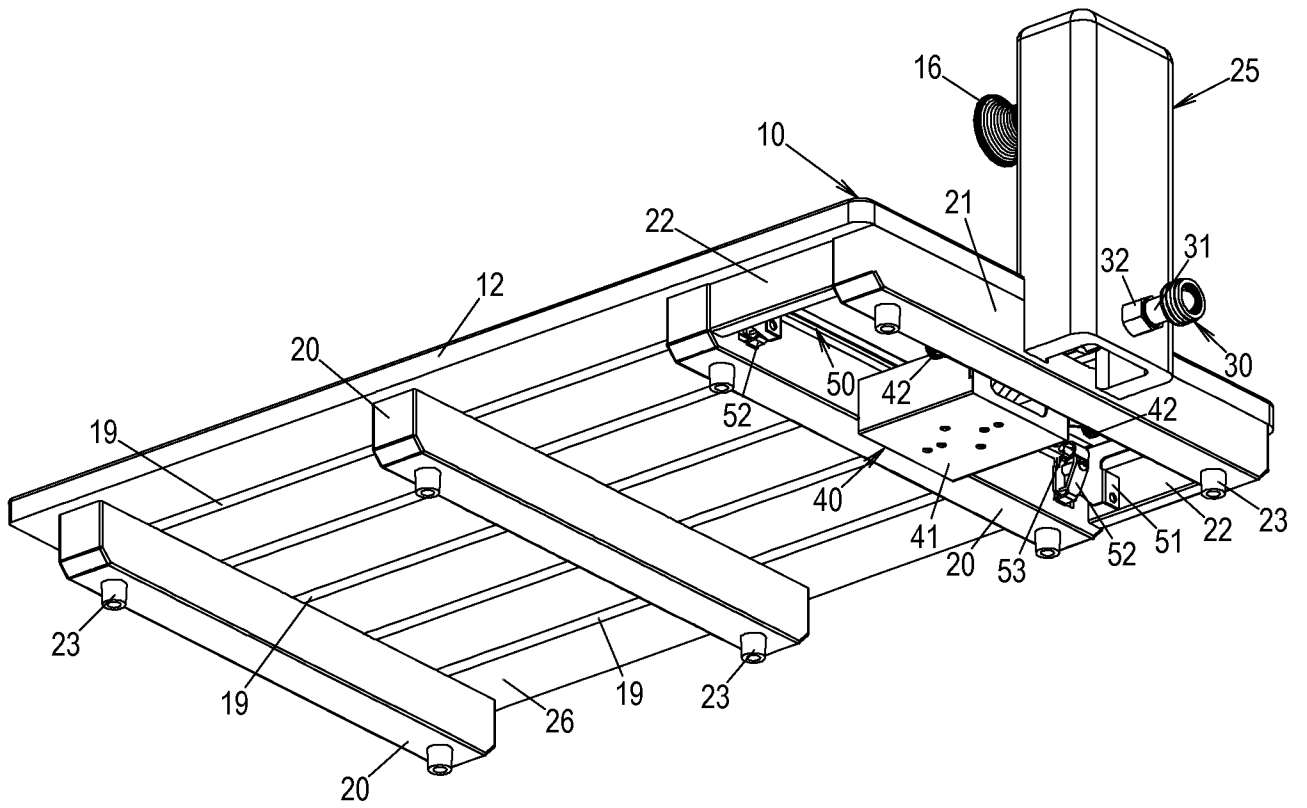


FIG. 2

3/4

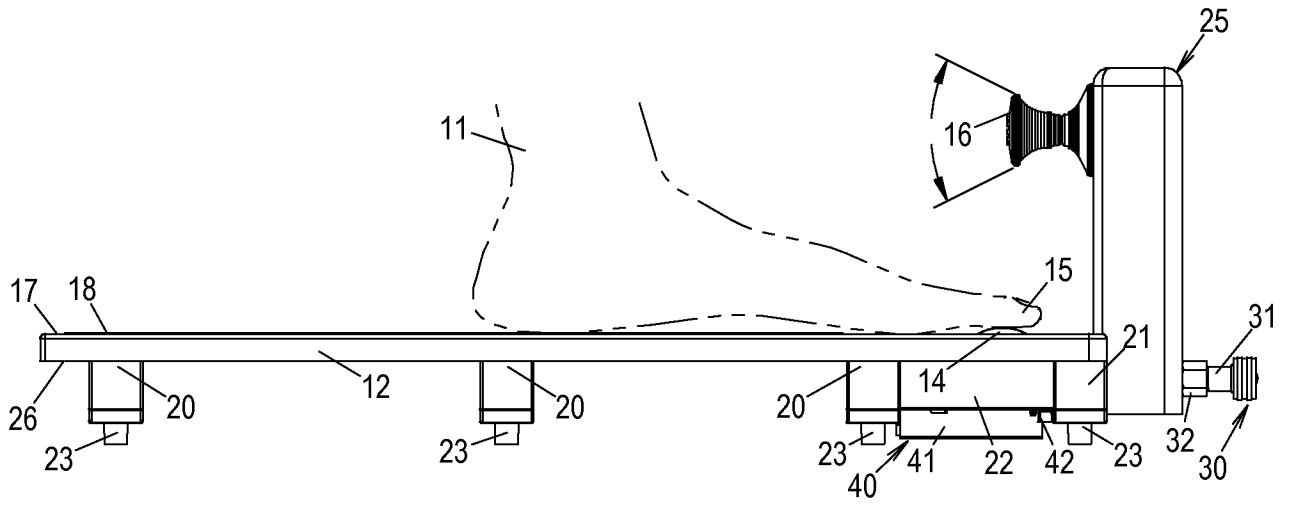


FIG. 3

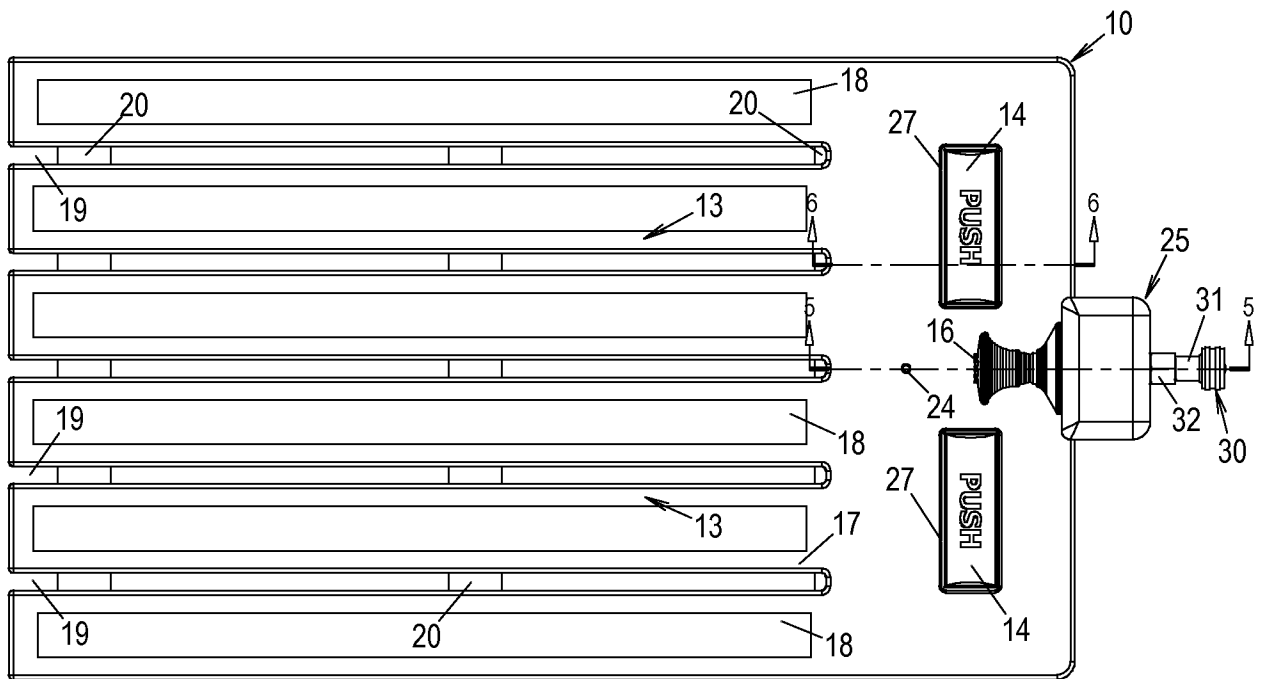


FIG. 4

4/4

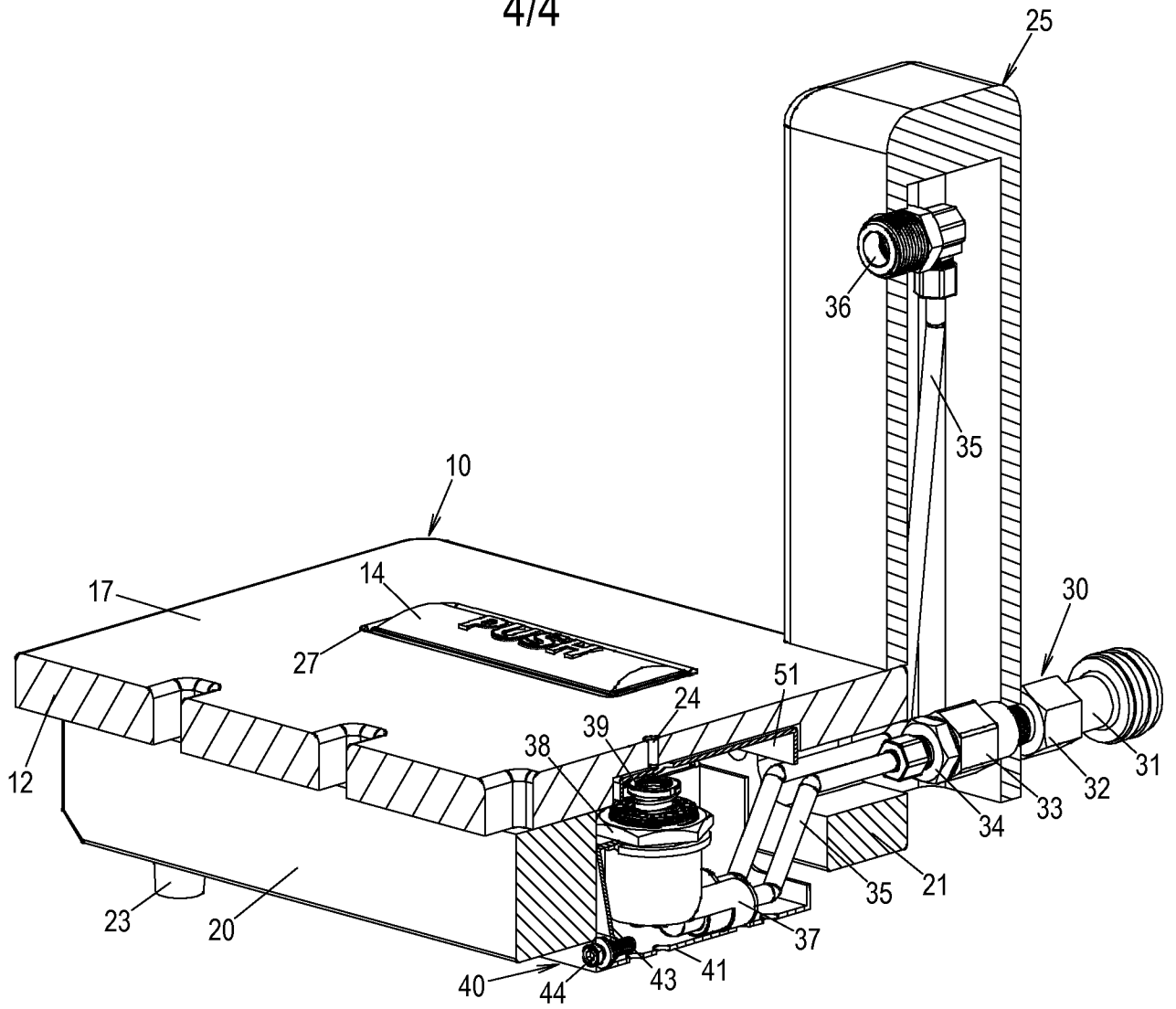


FIG. 5

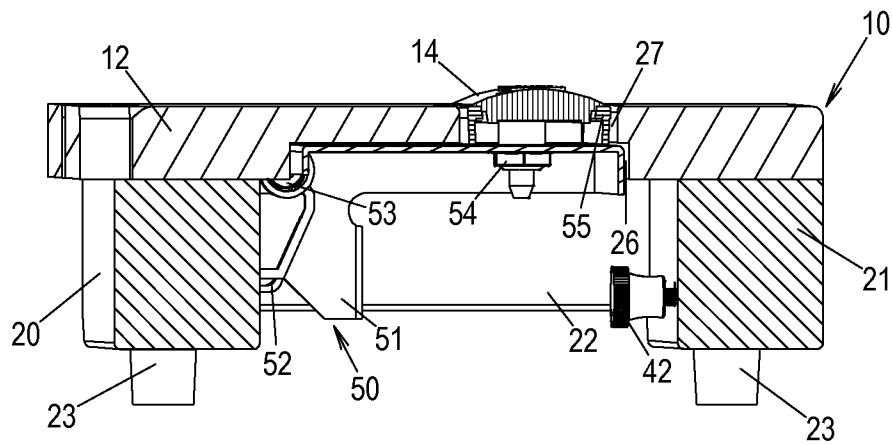


FIG. 6

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<p>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</p> <p> <input checked="" type="checkbox"/> Declaration Submitted With Initial Filing OR <input type="checkbox"/> Declaration Submitted After Initial Filing (surcharge (37 CFR 1.16(f)) required) </p>	Attorney Docket Number	
	First Named Inventor	Gregory A. Vargo
	<i>COMPLETE IF KNOWN</i>	
	Application Number	
	Filing Date	
	Art Unit	
Examiner Name		

I hereby declare that: (1) Each inventor's residence, mailing address, and citizenship are as stated below next to their name; and (2) I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention titled:

Portable Foot Shower

(Title of the Invention)

the application of which

is attached hereto

OR

was filed on (MM/DD/YYYY) _____ as United States Application Number or PCT International Application Number _____ and was amended on (MM/DD/YYYY) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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DECLARATION — Utility or Design Patent Application

Claim of Foreign Priority Benefits

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Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
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<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>						
NAME OF SOLE OR FIRST INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])			Family Name or Surname			
Gregory			Vargo			
Inventor's Signature				Date		
/Gregory Vargo/				01/07/2011		
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Patent Application of
Gregory A. Vargo
for

TITLE: PORTABLE FOOT SHOWER

CROSS-REFERENCE TO RELATED APPLICATIONS Not Applicable

FEDERALLY SPONSORED RESEARCH Not Applicable

SEQUENCE LISTING OR PROGRAM Not Applicable

BACKGROUND — FIELD OF THE INVENTION

[0001] The present invention relates generally to a novel and unique portable foot shower.

[0002] More particularly, the present invention relates to a novel and unique portable foot shower having a water dispensing assembly with dual top push actuators thereon for controlling a swivel shower spray head thereon.

BACKGROUND OF THE INVENTION — PRIOR ART

[0003] For a long time, there has been a need for a simple and inexpensive device for cleaning and washing feet prior to entering swimming pools, houses, cottages, campers, RV's, etc.

[0004] The prior art is exemplified by: Hager US Patent 6,931,675 B1 entitled "FOOT WASHER"; Stephens et al. US Patent 5,367,720 entitled "FOOT WASHER APPARATUS"; Williams US Patent 4,075,457 entitled "PEDICURE TREATMENT UNIT"; Jeans US Design Patent 387,173 entitled "PORTABLE FOOT WASHER"; and Dawson US Design Patent 450,128 entitled "FOOT BATH".

[0005] It is a desideratum of the present invention to provide a novel and unique portable foot shower which avoids the animadversions of the conventional and prior art techniques and conventional devices and techniques.

OBJECTS AND SUMMARY OF THE INVENTION

[0006] It is an object of the present invention to provide a portable foot shower for cleaning and/or washing the feet of a user prior to entering swimming pools, houses, cottages, campers, RV's, etc., comprising: a base member for supporting a user's feet; a swivel shower spray head operably interconnected with said base member; a water regulator assembly operably interconnected with said swivel shower spray head and said base member for conveying water to said portable foot shower from a source of water; and said base member being provided with dual top push actuators for controlling starting, running and stopping of water from said swivel shower spray head.

[0007] It is a primary object of the present invention to provide a portable foot shower as described hereinabove, wherein said portable foot shower is fabricated from plastic injection mold construction.

[0008] Another object of the present invention is to provide a novel and unique foot shower as described hereinabove, wherein said base member comprises a rigid plastic base.

[0009] Yet another object of the present invention is to provide a novel and unique portable foot shower as described hereinabove, wherein said portable foot shower being provided with a water dispensing assembly including dual top push actuators thereon.

[0010] A further object of the present invention is to provide a portable foot shower as described hereinabove, wherein the base member has a surface simulated wood grain pattern.

[0011] A further object of the present invention is to provide a novel and unique portable foot shower as described hereinabove, wherein said portable foot shower has a base member which is approximately 0.762 meters long, and 0.4572 meters wide.

[0012] The present invention possesses many advantages and features which will become apparent to those persons skilled in this particular area of technology and to others when having read the detailed description of the exemplary preferred embodiments of the present invention as set forth hereinbelow in conjunction with the accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

[0013] Fig. 1 illustrates a top perspective view of a preferred embodiment in accordance with the present invention;

[0014] Fig. 2 is a rear perspective view (from below) of a preferred embodiment illustrating the locations of the water regulator, water dispensing, and protective housing assembly components;

[0015] Fig. 3 depicts a side elevation view of a preferred embodiment of the present invention, showing the portable foot shower in use;

[0016] Fig. 4 is a top plan view of the Fig. 1 preferred embodiment of the present invention;

[0017] Fig. 5 is a perspective sectional view taken generally on line 5–5, fig. 4, with some parts shown in elevation and some parts deleted for clarity of illustration; and

[0018] Fig. 6 is a perspective sectional view taken generally on line 6–6, fig. 4, with some parts shown in elevation, of the preferred embodiment of the present invention.

DRAWINGS — Reference Numerals

10 portable foot shower	11 feet
12 base member	13 foot placement – areas
14 top push actuator	15 toes
16 swivel shower spray head	17 top surface
18 non-slip tape strips	19 apertures – slots
20 support legs	21 modified – support leg
22 end cap – closure	23 rubber bumper feet
24 spray (flow) adjustment aperture	25 swivel shower head compartment
26 bottom surface	27 elongated opening
30 water regulator assembly	31 female garden hose swivel
32 adapter – FIP to MIP	33 pipe reducer coupling
34 compression connector	35 water supply tubing
36 compression elbow	37 regulator holder
38 hex nut	39 regulator
40 protective housing assembly	41 protective casing (regulator)
42 thumb screw	43 regulator mounting bracket
44 shoulder screw	
50 water dispensing assembly	51 top push bracket
52 pivot block	53 rivet
54 self-threading nut	55 push bar

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

[0019] In the following detailed description of the preferred embodiments, reference is made to the accompanying drawings which form a part hereof, and are shown by way of illustration specific embodiments in which the invention may be practiced. It is to be understood that other embodiments may be utilized and structural changes may be made without departing from the scope of the present invention.

[0020] With reference to the drawings, an exemplary preferred embodiment of the present invention is illustrated in Figs. 1, 2, 3, 4, 5 and 6.

[0021] In accordance with the exemplary preferred embodiment of the present invention there is provided a novel and unique portable foot shower **10** for cleaning and/or washing feet **11** prior to entering swimming pools, houses, cottages, campers, RV's, etc.

[0022] With reference to Fig. 1 and 3, there is shown that the portable foot shower **10** is provided with a base member **12** which preferably, but not necessarily, comprises a rigid plastic base. The base member **12** is provided with two areas **13** for accommodating the left and right feet, respectively, of the user. It should be noted that the top surface **17** of base member **12**, has a plurality of non-slip tape strips **18**, preferably attached, for the safety of the user. Preferably, but not necessarily, the portable foot shower **10** is provided with dual top push actuators **14** which may be selectively operated by the toes **15** of the user to control the starting, running, and stopping of the water from a swivel shower spray head **16** operably interconnected at one end of the base member **12**.

[0023] The swivel spray shower head **16** is connected with a suitable water source. Preferably, but not necessarily, this connection is made by way of a female garden hose swivel connection **31**, illustrated in Fig. 4.

[0024] As shown in Figs. 1, 2, and 4, it should be noted that the base member **12** of the portable foot shower **10** is provided with a series of slots or apertures **19** through which excess water, dirt, and particulate may flow downwardly. In this connection, attention is directed to a plurality of support legs **20**, modified—support leg **21**, and a pair of end cap—closure **22** provided on the bottom surface **26** of the base member **12**. Additionally, affixed to the bottom of support legs **20** and modified—support leg **21**, are plurality of rubber bumper feet **23**, as especially well seen in Fig. 2. The rubber bumper feet **23** are provided to add stability to the user on suitable flat surfaces.

[0025] Fig. 3 illustrates the use of the preferred embodiment in phantom line, a foot **11** of a user pressing down with their toes **15** on one of the dual top push actuators **14** for controlling water from the swivel spray shower head **16**.

[0026] The portable foot shower **10** of the present invention comprises a water dispensing assembly **50**, comprising a top push bracket **51** that is disposed into a mortised cavity of the bottom surface **26** and includes dual laterally spaced top push actuators **14** which project outwardly from the top surface **17** of the base member **12** through disposed elongated openings **27**. More particularly, the top push actuators **14** are embedded in a push bar **55**, and connect to the top push bracket **51** by means of a self-threading nut **54**, as best seen in Fig. 6. The end edges of the top push bracket **51** include parallel wings which are perpendicular to the top push bracket **51** and of unitary construction therewith. Each wing includes an aperture for receiving a rivet **53** for mounting. The top push bracket **51** pivotably connected to the support leg **20** by a pair of pivot blocks **52** and rivet **53** that permit the top push bracket **51** to mechanically pivot downwardly upon the application of manual pressure to said top push actuators **14**.

[0027] The water regulator assembly **30** may be of any suitable construction known to those skilled in the art and comprises an actuating regulator **39** which is adapted to cooperate with the central portion of the top push bracket **51** whereupon pivotal or downward movement of the push bar bracket **51** will effect operation of the regulator **39** to effect opening of a flow path between a suitable source of water and the swivel shower spray head **16**, as illustrated in Fig. 5.

[0028] In accordance with the exemplary preferred embodiment of the present invention, the water regulator assembly **30** includes the regulator **39** comprised of a body and a spring assisted adjustable actuator in the form of a screw threaded member having a large, flat surface head with a screw driver receiving kerf or groove extending diametrically thereof so that the actuator flow can be adjusted. To adjust the position of the regulator **39** a small aperture is provided in the base member **12**. In this connection, attention is directed towards a spray (flow) adjustment aperture **24** sufficiently large to receive a screw driver blade which can engage the kerf or groove thereby enabling adjustment of the regulator **39** for varying the flow characteristics from the swivel shower spray head **16**, as shown in Figs. 1, 4, and 5. The regulator **39** is received in a regulator holder **37** associated with the water inlet and outlet. The regulator **39** is retained in the regulator holder **37** aperture by an annular, externally threaded collar and diametrically opposed threaded hex nut **38**. Disposed between regulator holder **37** and the hex nut **38** is a regulator mounting

bracket **43** fixed thereon the support leg **20**, provided on the bottom surface **26** of the base member **12**.

[0029] Additionally, the water regulator assembly **30** comprises flexible water supply tubing **35** interconnected to the regulator holder **37** water inlet line and water outlet line apertures. The water supply tubing **35** from the regulator holder **37** outlet aperture, passes through the modified-support leg **21** into the swivel shower head compartment **25** and vertically interconnected to a compression elbow **36** terminating in a connection to the swivel shower spray head **16**. The water supply tubing **35** from the regulator holder **37** inlet aperture, passes horizontally through the modified-support leg **21** interconnected to a compression connector **34** further interconnected to a pipe reducer coupling **33** which passes through an aperture in the swivel shower head compartment **25** interconnecting to an adapter – FIP to MIP **32** terminating in connection to the female garden house swivel **31**.

[0030] The portable foot shower **10** further includes a method for protecting the water regulator assembly **30**, as best seen in Fig. 6. This is accomplished with the inclusion of a protective housing assembly **40** comprised of a protective casing (regulator) **41** which is preferably, but not necessarily, affixed to the modified-support leg **21** by a pair of thumbs screws **42**. Alternately, for alignment purpose, the protective housing assembly **40** is affixed to the regulator mounting bracket **43** by a shoulder screw **44** threaded through an aperture in the regulator mounting bracket **43**.

[0031] Preferably, but not necessarily, the portable foot shower **10** is constructed by plastic injection molding.

[0032] Furthermore, it is preferable, but not necessary, that the base member **12**, swivel shower head compartment **25**, support legs **20**, and modified-support leg **21** be provided with a surface simulated wood grain pattern.

[0033] In a typical exemplary embodiment of the portable foot shower **10**, the base member **12** as a length of 0.762 meters, a width of 0.4445 meters, a swivel shower head component **25** which extends 0.254 meters above the ground and 0.1905 meters above the top surface **17** of the base member **12**, and wherein the swivel shower head component **25** has a width of approximately 0.1016 meters.

[0034] The portable foot shower **10** and the various components thereof may be fabricated from any suitable material. Preferably, but not necessarily, such components are fabricated from molded plastic.

[0035] In operation, the portable foot shower **10** can be conveniently used in any situation in which it is desirable to clean and/or wash the feet of a user prior to entering swimming pools, houses, cottages, campers, RV's, etc. The base member **12** is placed on a suitable flat surface then the female garden hose swivel connection **31** is connected to a suitable water source. The user steps on said base member **12** locating the feet **11** in the foot placement –areas **13** while positioning the toes **15** over the top push actuators **14**. Downward movement by the toes **15** on the top push actuators **14** interconnected with the top push bracket **51** will effect operation of the regulator **39** to effect opening a flow path between the suitable water source and the swivel shower spray head **16** effectively washing the feet **11** of the user while excess water, dirt, and particulate flow downwardly off the base member **12** through a series of slots or apertures. An adjustment to the flow rate of the regulator **39** is provided through a small spray (flow) adjustment aperture **24** in the base member **12** with a screw driver. Release of the downward movement by the toes **15** of the user from the top push actuators **14** interconnected with the top push bracket **51** will effectively stop operation of the regulator **39** and the flow path between the suitable water source and the swivel shower spray head **16**. When finished, and because of the portability of the device, the portable foot shower **10** can be conveniently stored until needed, such as in a camper storage compartment or the supply room of a beach/pool house.

[0036] There has been illustrated in the accompanying drawings and described hereinabove only one preferred embodiment of the unique and novel portable foot shower in accordance with the present invention, which can be constructed in various different sizes, shapes and materials.

[0037] It should be understood that many changes, modifications, variations, and other uses and applications will become apparent to those persons skilled in this particular area of technology and to others having been exposed to the present patent specification and accompanying drawings.

[0038] It is therefore intended that the following claims be interpreted as covering any and all such changes, modifications, variations, and other uses and applications which do not depart from the spirit and scope of the present invention are therefore covered by and embraced within the present invention and present patent application.

ABSTRACT: A portable foot shower as disclosed comprising a base member for supporting the user's feet and an operably interconnected swivel shower spray head for washing dirt and particulate from the user's feet through a plurality of slots in the base. The portable foot shower includes a water dispensing assembly with dual top push actuators operated by the toes of the user for controlling the starting, running, and stopping of water from a suitable source. The swivel spray shower head is interconnected with a water regulator assembly through which a water sources rate of flow is regulated.

CLAIMS: I claim:

1. A portable foot shower comprising:

A base member having a swivel shower head compartment interconnected to said base member;

A plurality of support legs attached to the bottom surface of said base member;

A swivel shower spray head operably interconnected with said base member;

Said base member being provided dual top push actuators for controlling starting, running, and stopping of water from said swivel spray shower head and positioned for easy operation by either foot; and

A connection for a female garden hose swivel.

2. The portable foot shower of claim 1 wherein said base member is slotted through to allow run off water and dirt.
3. The portable foot shower of claim 1 wherein said base member, swivel shower head compartment, and support legs are constructed of plastic injection molding.
4. The portable foot shower of claim 1 wherein said base member, swivel shower head compartment, and support legs be provided with a surface simulated wood grain pattern.
5. The portable foot shower of claim 1 further including a plurality of non-slip tape strips attached to the top surface of said base member.
6. The portable foot shower of claim 1 further including a plurality of rubber bumper feet affixed to the bottom of said support legs.
7. The portable foot shower of claim 1 further including a water dispensing assembly associated with said portable foot shower.
8. The portable foot shower of claim 1 further including a water regulator assembly for controlling the flow of water from a suitable source to said portable foot shower.
9. The portable foot shower of claim 1 further including a protective housing assembly for protecting said water regulator assembly of said portable foot shower.

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Application Number:				
Filing Date:				
Title of Invention:	Portable Foot Shower			
First Named Inventor/Applicant Name:	Gregory Andrew Vargo			
Filer:	Gregory Andrew Vargo			
Attorney Docket Number:				
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
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Utility Search Fee	2111	1	270	270
Utility Examination Fee	2311	1	110	110
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
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Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
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1	Application Data Sheet	ADS.pdf	1031352 599b153f0821f622e4e285cef8a39bf9e9630151	no	4
Warnings:					
Information:					
2	Drawings-only black and white line drawings	Pg1.pdf	136207 6ba3dace083a97249e6a84336dd22ff56fa02d73	no	1
Warnings:					
Information:					
3	Drawings-only black and white line drawings	Pg2.pdf	116091 34627af92d16330407515653df89826000b61898	no	1
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6	Oath or Declaration filed	Oath.pdf	805529 8003c949bfc2dbd37281edfb180a7b009fdd5e75	no	4
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7	Specification	Spec.pdf	41910 501667c373923cb36fd6b78c14ad3925b2b7afed	no	7
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8	Abstract	Abstract.pdf	14338 8074e127dc4bc59ab7148aa7d1ef2664b25243be	no	1
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Information:					
9	Claims	Claims.pdf	10364 b5676dd936184d2e809c615fe2a8eef13564f85	no	1
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Information:					

10	Fee Worksheet (PTO-875)	fee-info.pdf	32080	no	2
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National Stage of an International Application under 35 U.S.C. 371

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New International Application Filed with the USPTO as a Receiving Office

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