## 2003 PAPER P4 SAMPLE SCRIPT A

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#### **Amended claims**

- 1. A doormat provided with a raised rim to define a shallow container for water and having upwardly extending flexible members at least some of which are in the rim so as to protrude above the surface level of the water when the mat is in use, wherein the doormat is a single moulding of waterproof material.
- 2. A doormat as claimed in claim 1 wherein the rim defining the container surrounds some but not all of the flexible members.
- 3. Old claim 2 but made dependent on new claim 2.
- 4. A doormat as claimed in any preceding claim wherein the mat comprises a flat base from which the flexible members extend upwards.
- 5. Old claim 4 but made dependent on any preceding claim
- 6. A doormat as claimed in claim 5 wherein the spikes are arranged in a generally hexagonal pattern.
- 7. A doormat as claimed in claim 5 or 6 wherein the rim defining the container and the spikes are upwardly tapered.
- 8. A doormat as claimed in any preceding claim further comprising an upwardly extending run around its periphery in addition to the rim extending around the area suitable for containing water.
- 9. Old claim 5
- 10. Old claim 6
- 11. Old claim 7
- 12. A doormat as claimed in any preceding claim where the rim or rims are provided with internally rounded angles
- 13. A doormat old claim 12.

#### Divisional Claim 1.

1. A doormat provided with a base from which a plurality of flexible members extended upwards and a raised rim to define a shallow container for water, the rim surrounding some but not all of the flexible members so that at least some of the members protrude above the surface level of the water when the mat is in use.

## **Response to Patent Office.**

**Dear Sirs** 

Application No: 02222218

In response to an examination report issued for this application I enclose a set of amended claims 1 to 13 which I believe address the objects raised.

Claim 1 has been amended to include the feature that the doormat is a single moulding of a waterproof material. There is basis for this amendment from lines 30 - 32 of page 3 of the application. The reference is in respect of the embodiment shown in Figure 1. However as is clearly described the embodiments in Figures 2 and 3 are substantially the same as the embodiment in Figure 1 except where the difference are explained. Consequently it is clear and unambiguous that they feature extends to all embodiments, hence on line 37 of page 4 the embodiment of Figure 3 is described as "the moulding".

The examiner believes that old claim 1 as filed was not new or was obvious in view of US 5555666 (Smith), US 4000333 (Jones) and GB 12300400 (Curry).

#### **Novelty**

The brush described in Curry is evidently not a doormat but a brush for cleaning even though it can be used for footwear. I refer the examiner to the *Hickman – Workbench* decision in this regard. Quite clearly the brush described is intended to be held manualy and is not a doormat as in deferred Claim 1.

Further claim 1 requires a skilled man to define a shallow container for water with flexible members protruding through water level in use.

Curry describes the wetting of the surface but not the use of the reinforcement (18) as a water container. Further it is not possible to use the brush of Curry in the manner defined in the invention. The surface (14) of the brush is greatly curved. Consequently a shallow amount of water would pour away from the centre and only be held around the periphery (18). This therefore would not be a shallow water container. Additionally the bristles (16) are located in the centre mostly above the level of the rim. Consequently the bristles (16) would not protrude through the surface of the water but would be located above it at least on one side.

Lastly the shallow water level would not be maintained in use since brushes are used in non-horizontal configurations and so the water would drain off. Any wetness would cling to the tops of the bristles 16 as well as the sides so would not protrude through the "wetness".

The shoe cleaner described in <u>Jones</u> is not a single moulding and therefore does not anticipate newly amended Claim 1 As is shown in FIG 3 the mat comprises a flexible backing sheet 16 on top of the tray 7, and further a number of non-integral bristles 17 stuck into the backing sheet.

The mat described in <u>Smith</u> is not a single moulding. As is described on lines 25 to 26 of page 13/19 the bottom 11 ? water 12 are moulded. The support means is a separate component (page 13/19 lines 39). The bristles 91 form part of the cleaning means 90 which is not part of the moulded tray 11/12. As is described the bristles are often made from a different material and are of the form of "indoor/outdoor carpet" – i.e. bound or stuck to the base not moulded with it. Further there is no mention or even suggestion that the bristles could be moulded in one piece with the bottom 11, and it is clear from the drawings that such however, strong, bristles are not suitable for moulding.

#### **Inventive Step**

Curry was not published until after the filing date of this application (18 Sept 02 vs. 1 June 02) and therefore is not citable for inventive step.

Neither Jones or Smith mention or suggest making the mat including flexible members from a single moulding.

Beneficially a single moulding can be produced easily and the cheaply mass-produced compared to standard bristle mats.

Both Jones and Smith use conventional bristles as have been commonly used on conventional non-water based doormats. Neither suggest using moulded spikes or nodules.

Indeed the teaching of these two documents would lead the skilled man to be aware that a dense mass of this fibre like bristles was necessary for cleaning. In this manner the documents help to teach aware from the current invention.

# Basis to be found for all the amendments of the dependent Claims

Claim 2 – from lines 31 to 32 of page 1

Claim 3 – Claim 2 as filed

Claim 4 – lines 32 to 33 of page 3

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claim 5 - Claim 4 as filed
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claim 6 – lines 19, 20 page 2

claim 7 - lines 26 - 27 page 4

claim 8 lines 24 - 25 page 2

Claims 9 - 11 - Old claims 5 - 7 as filed

claim 12 – lines 13 – 14 page 5.

The examiner makes a number of clarity objections. Water level is now changed based on definition on page 5 lines 20 - 21.

Claim 2 is now Claim 3 and dependent on new claim 2 which does refer to members outside rim.

Claim 4 has been clarified, based on lines 24 - 25 of page.

Consequently the applicant has addressed all of the outstanding objections and it is believed the application is in order for grant.

The applicant has found that an infringing product may soon appear in the market place and therefore requests accelerated prosecution.

If application in order for grant please be aware the applicant is intending to file divisional application – therefore please give warning before granting application.

#### Yours Faithfully

## Memo to client

- Claim on file invalid due to prior art. Had to amend.
- Have amended to be limited to a single moulding since it appeared from your letter that this gave you a great economical advantage. It would also appear that footsore specialise in rubber moulded mats and therefore it will hopefully cover any mats they produce.
- Smith uses a base structure but does not require it therefore I would not amend on this basis.
- Jones You don't use extra bristles but do uses members outside rim. Not easy to distinguish these from Jones' bristles without giving room for 3<sup>rd</sup> parties to get round patent

- Present claim 1 gives good protection but is still more limited than before
- Recommended divisional to members outside the rim. Have distinguished from Jones by limiting these members to extending from the base. Div maybe not as strong as parent for inventive step.
- There remain several good new and inventive features which could also be used in div application. E.g Creases for folding.
- Have added several new dependent claims mostly relating to features to allow better moulding.
- I recommend you keep 1 div going as long as possible since you do not yet know the exact form of Footsore's mats. Can not broaden post grant so keeping an application pending allows claims to be amended to cover infringers. Unfortunately rule 34 period prevents long term pending.
- Explain cost of div application.
- Explain once granted can seek injunction against Footsore if covered. Must be quick come on the market interim injunction different.
- Can still get permanent injunction if covered for life of patent.
- Can get damages but will struggle to get damages back from before grant because claim as published invalid.
- Possible problem.
- Parent Examiner may insist that CURRY has all features of claim 1. In which case care we can amend to a <u>flat base</u> or many of the sub claims to distinguish Only need base novelty.
- Div may have to limit claim to <u>flat base</u> if added matter objection.

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## 2003 PAPER P4 SAMPLE SCRIPT B

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#### **CLAIMS**

- 1. A doormat provided with a raised rim to define a shallow container for water and having upwardly extending flexible members at least some of which are within the rim so as to protrude above an effective water level when the mat is in use, and wherein the doormat is a single moulding of rubber or synthetic elastomeric composition.
- 2. A doormat as claimed in claim 1, wherein at least some of the flexible members are outside the rim and the flexible members within the rim are more deformable than those outside the rim.
- 3. A doormat as claimed in claim 1 or 2, in which the upwardly extending members are transverse ribs, spikes or nodules.
- 4. A doormat as claimed in any preceding claim, further comprising an additional upwardly extending rim around its periphery.
- 5. A doormat as claimed in any preceding claim, further comprising one or more plain areas so that the user can stand on such an area with one foot while moving the other foot, without the foot on which the user stands deforming the upwardly extending members.
- 6. A doormat as claimed in any preceding claim the back of which is provided with crease lines to facilitate folding of the mat.
- 7. A doormat as claimed in any preceding claim wherein the upwardly extending flexible members have internally rounded angles.
- 8. A doormat as claimed in any preceding claim wherein the upwardly extending flexible members are upwardly tapered.
- 9. A doormat as claimed in any preceding claim wherein the raised rim is upwardly tapered.
- 10. A doormat as claimed in any preceding claim wherein the upwardly flexible members are able to bend into and out of the water when in use.

A doormat substantially as herein described with reference to, and as illustrated in, the accompanying drawings.

#### **Divisional Claim**

1. A doormat having a back provided with score lines or crease lines to allow it to be folded to a smaller size.

Basis – page 3, lines 1 - 4.

- Obvious to skilled man that this is separately and independently beneficial of other features of embodied mat.

#### **Letter to Patent Office**

Dear Sir.

In response to the outstanding examination report on the above-referenced application we hereby file patents form 51/77 appointing ourselves as agent for the applicant, a replacement set of claims (in duplicate) and make the following comments.

#### **Amendments**

Claim 1 is amended to specify that the doormat is a single moulding of rubber or synthetic elastomeric material. Basis for this can be found in the specification as filed at page 3 lines 30 - 31. In addition claim 1 is amended to clarify the definition of water level. Basis for this is found at page 3, line 20 - 21.

Claim 2 is amended to provide antecedent basis for the flexible members outside of the rim. Basis for this can be found at page 1.31 - 32.

Claim 3 unchanged.

Claim 4 amended to clarify the upwardly extending rim refered to is in addition to that of claim 1. Basis found at page 2, line 24.

Claim 5 unchanged.

Claim 6 withdrawn consequential to new claim 1.

Original claims 7 and 8 are renumbered as claims 6 and 11 respectively.

Claim 7 is new. Basis at page 5, lines 12 - 14.

Claims 8 and 9 are new. Basis at page 4 lines 25 - 29.

Claim10 new, basis at page 1, lines 23 - 25.

#### Novelty.

Claim 1 is novel over Smith. In Smith the doormat is not "a single moulding of rubber or synthetic elastomeric material". See for example the different construction materials specified on page 13/19, for the different parts.

Claim 1 is novel over Jones. At Jones page 1, the mat structure is described as having a flexible rubber backing sheet and stiff plastic bristles. Therefore the "single moulding of rubber...etc" of claim 1 confers novelty.

Curry is made of rubber. However amended claim 1 is supported by the description as filed prior to the publication of Curry. Claim need only be novel. Curry does not describe a doormat, the device of Curry is suitable for cleaning footware but it is clear that it is not a doormat but is a brush. The fact it is suitable for clothing, soft furnishing etc shows it to be a hand held brush. The applicant, a skilled man in the field of doormats, does not consider Curry to have anything to do with doormats.

## **Inventive Step**

Smith does not suggest forming his doormat from a single moulding of rubber. Even though single moulding rubber mats are known generally, in Smith it is made clear, e.g. page 13/19 (exam page number) lines 25-26, that parts should be made of plastic. Smith has bristles, not made of rubber. Smith does not address the problem of making an easily manufactured doormat such as provided by one comprising a single moulding. On the contrary, Smith is quite clear about the differing structural properties required by his mat. Accordingly one would not seek to modify the mat of Smith to be a single moulding of rubber. E.g. it would not be possible to make a "large number" of "tufts" of rubber bristles which have the desired rigidity of Smith (See page 12/19, lines 36-44).

Claim 1 is inventive over Jones. Jones describes his construction at page 1, lines 40-45. He clearly states the bristles to be of hard plastic. Such that they bend only slightly under the weight of a person's shoe. The backing sheet may be plastic or rubber according to Jones. The integral rubber or synthetic elastomeric doormat of the present invention is easy to manfacture compared to Jones. There is nothing in Jones to suggest that a single molding rubber doormat should be considered.

It is noted the amended claims have support in application as filed and Curry's not relevant to inventive step.

For the above described reasons at least, claim 1 is patentable over cited art. In addition any notional combination of Smith and Jones does not produce or render obvious a "single moulding of rubber of synth....." of the present invention. One would not combine Smith or Jones with known rubber doormats as each specifies the importance of their respective constructions.

In so far as any matter is deemed withdrawn by the enclosed amendments, the applicant reserves right to reinstate it in this or divisional applications. The applicant is considering divisional applications and the Examiner is requested to contact the undersigned before granting the application. The applicant is aware of a company marketing mats similar to those of his invention and accelerated prosecution is requested.

#### Memo to Client.

#### Need to amend

- Smith has all features of claim 1 (see attached table of notes). The fact he has a complicated base structure is not excluded from claims.

Jones – extra brushes irrelevant, he has all the other features, except the water level above bristles but this is only apparent when "in use" so not a good distinguishing feature.

Curry – has all same features – arguable whether it suitable for containing water. Anyway not doormat and novelty purposes only – S 2(3).

# Notes on Current Claims (N = nov problem; O = is problem; OK = seems no problem)

1 June 2002 –	Smith	Jones	Curry
Doormat	N	N	? (Novelty only)
Rim	N	N	N
Container for water	N	N	N (arguable)
Upward flex. members	N	N	N
Some within rim	N	N	N
Protrude above water	N	OK – but only a	N
		feature of use	
Two levels of flexibility	N (but interspaced	N (and separated –	OK
	in Smith i.e.	i.e. 17 and 23/25)	
	supports and		
	bristles)		
ribs/spikes/nodules	N/N/O?	OK - spikes =	OK/OK/N
		bristles?	
Outer rim	N – raised rim of C1	N – raised rim	N
Plain areas	Ok (but floor next to	OK – but see Smith	OK
	mat? And absorbent	comment	
	area)		
Rubber	N. O? bristles?	N. O? Bristles	N
Fold Lines	OK	OK	OK
(DIVISIONAL?)			
Omnibus			

## **NOTES**

# **Options**

- Integrally moulded cheap
   + (rubber?) flexible
- 2. Water depth not attractive, only in use will it be limiting.
- 3. Multicompartments/standing area? the absorbent patch of Smith likely to be problematic
- 4. Shape of flex members e.g. nodule/ribs, unlikely to succeed hard to cover all embodiments.
- 5. Fold lines better for divisional.

Go for integrally moulded.

- benefits cheap
- seems to be what client makes "comared to bristle mats"
- Also directed towards possible activities of Footsore.

Possible problems with amendment?

Rubber mats known, may need to limit somehow to being flexible to allow bristles to go in and out of water, (see claim 10). Not apparent from prior art. Thought reasonable chance of current claim 1. Can always limit to claim 10 later, e.g. even post grant.

Have filed 51/77.

Have requested accelerated prosecution. May not be given if we can't provide more direct evidence of poss. infringement.

Check if Footsore have filed a patent? May infringe if they have. Possibly send letter to Footsore, being careful not to make it seem like a threat.

Recommend divisional to fold – seems good beneficial design. Argue that independently inventive of remaining features of embodiment so go for broad protection. Need divisional as not single inventive concept.

Possible divisional to transverse ribs but not drafted claim. Need file divisionals before grant. No need just yet so I'll wait till you return from space station.

## **General Notes – Options:**

- (1) Integrally moulded? Flexibility of rubber helps wash them
   need N over Curry arguable Curry not a doormat (note prior doormats made of rubber)
- (2) Water depth not attractive as only defines mat in use i.e. a function of how high its filled.
- 2(a) Multi-compartments?
- (3) Two levels of flexibility? need overcome Smith supports i.e. define as separate areas problem with Jones outer brushes.
- (4) Form of flex members unlikely to run.
- (5) Plain areas what about floor next to mat, absorbent area?
- (6) Fold lines too narrow?

Divisionals – fold lines

Stand area – suitable to be stood on by dirty feet?

Features of single moulding - internally rounded angles

- upward taper? - ready moulding

- multi compartments

#### Client's Instructions

PF 51/77

Garden products, recently producing integral moulded mats – (poss infringement of previous patents)

Smith – Complicated base structure

Jones – extra brushes, water level above bristles

Curry – nothing to do with us (skilled man option)

Footsore – making similar "wet cleaning mat" – normally make indoor mats – not on household market before (separate fields?)

Interest in making good general purpose mats. Footsore have expertise in this area – threat to business.

## Notes official Letter

- Claims (1) water level not defined
  - (2) antecedent.
  - (4) upward ext. rim has antecedent.

# **Notes Application**

Flexible – in and out of water

- two part some spikes/ribs in water, some out
- different flexibility allow motion into water

transverse ribs, spikes, nodules

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regular/random pattern.
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regular - hexagon – easy moulding

- parallel ribs broken/unbroken.

#### Second rim

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place "standing area" – marked/inch ?Score/crease/fold lines for folding
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30 – 60cm long }
22 – 45cm wide } non limiting.
2 – 5cm tall }
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- Single moulding
- Spikes protrude from water, can bud into same height spikes in example
- Outer rim (why?)
- Upwardly tapered ready moulding
- Multiple compartments including "standing are"
- "Raised" shoe print
- Internally rounded angles eas cleaning
  - keep spikes upright
  - stops spillage

def of water level. "the effective water level when the mat is in use"

#### Notes Smith

Door mat assemblies

p.12, l.13 - exposing soles of shoes to liquid = object.

- maintain soles at optimum depth recess area

- talks about fluid wiping after dry wiping on ordinary mat danger of being a "mere collocation" if we go for two areas (i.e. wet/dry).
- combination wiping bristles and liquid contact = efficiently.
- rigid supports at one height.
- flex member at second height. (short dist above first) extend into crevice is shoes
- water above support surface, below flex members but main sole in water
- use "carpet bristles"
- height of water important e.g. drain holes
- absorbent area => plain area?

#### **Notes Jones**

Bristle mat, ends extend through liquid but not above

Can't rely on water height as only a feature of use.

- stiff plastic bristles in backing sheet – closely spaced

side brushes – outside rim?

## **Notes Curry**

#### Novelty only.

Brush for clothes, <u>shoes</u> etc. pet hair Single moulding, bristles, can be wetted bristles – integrally formed.

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## 2003 PAPER P4 SAMPLE SCRIPT C

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#### Amended claims for enclosing with letter to Patent Office

#### Claims

- 1. A doormat provided with a raised rim to define a shallow container for water and having upwardly extending flexible members, at least some of which are within the rim so as to protrude above the effective water level when the mat is in use, wherein the doormat is a single moulding.
- 2. A doormat as claimed in claim 1, in which the upwardly extending flexible members are upwardly tapered.
- 3. A doormat according to claim 1 or claim 2, in which the upwardly extending members are transverse ribs spikes or nodules.
- 4. A doormat according to claim 3, in which the ribs are integral parallel upstanding ribs
- 5. A doormat according to claim 3, in which the ribs are arranged as short aligned ribs in parallel rows.
- 6. A doormat according to claim 3, in which the spikes are arranged in a generally hexagonal pattern.
- 7. A doormat according to any preceding claim, in which the rim surrounds some but not all of the flexible members.
- 8. A doormat according to claim 7, in which the flexible members within the rim are more deformable than those outside the rim.
- 9. A doormat according to any preceding claim, further comprising an upwardly extending rim around its periphery, in addition to the rim extending around the area suitable for containing water.
- 10. A doormat according to any preceding claim further comprising one or more plain areas so that the user can stand on such an area with one foot while moving the other foot, without the foot on which the user stands deforming the upwardly extending members.

- 11. A doormat according to any preceding claim, in which the greater part of the surface is covered with spikes.
- 12. A doormat according to any preceding claim, the back of which provided with crease lines to facilitate folding of the mat.
- 13. A doormat according to claim 12, in which two such fold lines are provided extending across the back of the mat behind the rim which defines the water containing area.
- 14. A doormat according to any preceding claim which is between 30cm and 60 cm long.
- 15. A doormat according to any preceding claim which is between 22cm and 45cm wide
- 16. A doormat according to any preceding claim which has an overall thickness of 2 to 5cm
- 17. A doormat according to any of claims 3 to 16, in which the ribs are provided with internally rounded angles.
- 18. A doormat according to any preceding claim, in which the moulding provides several integral cross members defining various compartments.
- 19. A doormat according to any preceding claim which is of rubber.
- 20. A doormat substantially as hereinbefore described with reference to Fig 1 or Figs 2a and 2b or Fig 3 of the accompanying drawings.

## Letter to Patent Office.

Dear Sirs:

Please find enclosed amended claims 1 to 20 to replace those currently on file.

New claim 1 now includes the feature that the doormat is a single moulding – based on page 3, line 30, page 4, line 8 and page 4 line 37 of the description.

New claim2 is based on p4, line 27

New claim 3 is based on previous claim3

New claim 4 = p2, lines 16 to 18

New claim 5 = p2, lines 17 - 20

New claim 6 = p2, lines 19 - 20

New claim 7 = p1, lines 30 - 32

New claim 8 = previous claim 2.

New claim 7 = p2, lines 23 - 25

New claim 10 = previous claim 8

New claim 11 = p2, lines 34-35

New claim 12 = previous claim 7

New claim 13 = p3, lines 5 - 7

New claims 14, 15 and 16 = p3,  $2^{nd}$  paragraph

New claim 17 = p5, lines 13 - 14

New claim 18 = p5 lines 1 - 2

New claim 19 = previous claim 6.

New claim 20 = omnibus claim referring to different embodiments for clarity.

We submit new claim 1 is now novel over the cited documents for the following reasons.

- GB 2300400 is not a doormat as required by claim 1 it is a brush. This is not able to be used as a doormat its not big enough.
- US 5555666 does not disclose a doormat provided as a single moulding as required by claim 1 − p2, line 38 indicates that "the support means is a separate component".
- US 4000333 does not disclose a doormat provided as a single moulding either p1, line 45 line 47 indicates that "each bristle has a lower end portion embedded in backing sheet".

GB 2300400 was filed before the present application but was published after the present application was filed – therefore is not to be considered for incentive step – only for novelty.

US 5555666 shows a doormat which has a complicated support means as shown in the figures. The support means is provided as "relatively rigid moulded members" and the cleaning means 90 are required to extend through gaps in the support means. The support

means is required to support the weight of a person. The support means is an essential part of the doormat as indicated on page 2, lines 1 to 3; it is important that the liquid surface height is correct relative to a shoe being cleaned.

Due to the complicated nature of the support means a skilled person would not think of moulding it integrally with the rest of the doormat. It is easier to place the complicated support means over the bristles – which are also not integrally moulded with the base (since they are required to have different properties) – as opposed to integrally forming them.

Therefore the invention as presently claimed isn't obvious over US 5555666.

US 4000333 discloses bristles 17 embedded in backing sheets 16. The bristles are very closely spaced and do not protrude above the water level in use. The bristles are intended to bend "only slightly" in use and so there is no point in having the water level below the height of the bristles – this would negate the "wet-cleaning" aspect of the invention. A skilled person would not look to lower the water level as required by claim 1 of the present invention since the "wet-cleaning" advantage of the invention would be lost – therefore the present invention isn't obvious in view of US 4000333.

Neither of the US documents include the "single moulding" feature and there is no teaching towards it in either document. Therefore if a skilled person did combine the documents, they would be no closer to the claimed invention. The embedded bristles shown of US 4000333 are required not to be very flexible – this "stiffness" is enhanced by having a part of the bristle embedded at one end. Without this the bristle may be too flexible for the desired quality. Therefore this document teaches away from the "single moulding" concept.

The present invention is not obvious over the US documents combined.

The clarity objections raised have been addressed.

- 1. In claim 1, "water level" has been clarified according to the definition on page 5, lines 19 to 21 (where basis is to be found).
- 2. New claim 7 specifies that some but not all of the flexible members are inside the rim thereby removing the clarity objection to new claim8 (previously claim2).
- 3. New claim 9 (including features of previous claim 4) has been clarified to remove the final objection.

We submit that the claims as amended are patentable and look forward to hearing of the further progress of this application. Please note the Applicant intends to file a divisional application.

#### Memo

- I agree the Curry document isn't relevant it is a brush not a doormat I've argued this to the examiner.
- US 5555666 had all the features of your previous claim therefore was relevant.
- US 4000333 had a water level above the bristle level therefore wasn't relevant for novelty, but could've been for inventive step.
- In order to make your claim novel and inventive, I've added the feature of the "single moulding" concept. Neither US 5555666 or US 4000333 are single mouldings. They seem to teach away from this concept therefore I'm hopeful of success.
- I've amended to this feature since you stated that integral moulded doormats are easily and cheaply mass produced and I thought this is the most commercially useful feature which will be common to all you do.
- I assume if competitor attempts to make a non-integrally moulded mat having the other features of your claim 1, they'll be disadvantaged in terms of cost etc.
- Please let me have details of the mat Footsore will sell because we need to make sure claim 1 covers their product.
- I have left open the option of filing a divisional application in case a different inventive concept is required to be covered (ie if Footsore don't integrally mould their mats).
- I note that all the embodiments of your invention showed mats having at least some of the flexible members outside the rim (containing the water). This seems a useful feature since excess mud can be dry-wiped before 'wet-cleaning'. A division application could be filed to protect this feature (see below).
- A possible claim for divisional could read:
  - "A doormat provided with a raised rim to define a shallow container for water and having upwardly extending flexible members, the rim surrounding some but not all of the flexible members, at least some of which protrude above the effective water level when the mat is in use."
- Could send amended claims to potential infringers to put them on notice (relevant to possible damages in any later action).

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