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CLAIMS

- A bracket for adjustably supporting a paint can having a bail handle pivotally connected to bail sockets protruding from opposite sides of the can, on a ladder including a pair of spaced apart side rails and a plurality of ~~rungs-bars~~ connected to and extending between the side rails in vertically spaced apart relation, the bracket comprising:

a pair of parallel support arms (12) horizontally extending in use and spaced to receive a paint can between their free ends (30),

a cross member (22) connected to and extending between the support arms, each support arm having an upwardly open slot (28) adjacent the free end for pivotally receiving a bail socket of the paint can so that the paint can is supported on the arms and can swing about an axis passing through the bail sockets,

a downwardly open hook formation (40) at the rear of the support arms for support of the support arms on a ~~rung-bar~~ of a ladder, wherein the downwardly open hook formation comprises a first socket portion adapted to receive a ladder step having a horizontally extending rectangular cross section, and a second socket portion adapted to receive a ladder rung of generally circular cross section or a horizontal rectangular leg support, and

a pair of stabilizer legs (80) each connected to and extending downwardly from the support arms respectively for abutment against the next lower ~~rung-bar~~ of the ladder, in order to stabilize the support arms against downward rotation about the ~~rung-bar~~ on which the hook means is supported.
- A bracket according to claim 1, wherein the upwardly open slot (28) includes a generally semicircular bottom portion ~~of a diameter such that the bottom portion is substantially filled by a generally circular paint can bail socket received therein.~~
- A bracket according to claim 1 or 2, wherein the free ends (30) of the support arms define a pair of curved horns (32) having interior surfaces facing one another and opposite exterior faces, each exterior face having a protrusion thereon for engagement with the adjacent bail to restrict pivotal movement of the

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bail (18) of a paint can (14) supported on the arms.

4. A bracket according to any preceding claim, further comprising a cross member (86) connected to and extending between the stabilizer legs (80) at positions below the support arms. ✓
- ~~5. A bracket according to claim 1, wherein the open bottom hook formation is adapted for receiving either a ladder rung of generally circular cross section or a ladder step having a generally horizontally extending rectangular cross section.~~ ✓
- ~~5. 6. A bracket according to claim 51, wherein the bracket is integrally formed as a unitary piece.~~ 0
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- ~~6. A bracket according to any preceding claim, wherein the cross member (22) further comprises a cross plate (24) connected to and extended between rearward ends of the support arms.~~ ✓
- ~~7. A bracket according to claim 6, wherein the cross plate is higher than the cross member (22).~~ 1
- ~~8. A bracket according to any preceding claim, wherein the support arm further comprises a cutout tapered downwardly to form a slot for receiving and gripping a rag.~~ 1
- ~~9. A bracket according to any preceding claim, wherein the first socket portion is wider and shallower than the second socket portion.~~ 4
- ~~10. A bracket according to claim 9, wherein the second socket portion is formed by an upright front wall, a rearwardly extending top wall, and a downwardly extending intermediate wall.~~ 1
- ~~6.11. A bracket according to claim 10, wherein the downwardly extending intermediate wall has a shorter height than the upright front wall.~~ 1
- ~~12. A bracket according to claim 10 or claim 11, wherein the first socket portion is formed by a lower end of the downwardly extending intermediate wall, a rearwardly extending step engagement wall, the upright front wall, and the stabilizer leg.~~ ✓

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7.13. A bracket according to any preceding claim, wherein the stabilizer leg has a length of 35-40cm.

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8.14. A bracket according to any preceding claim, wherein the bracket is made of plastic, aluminium, wood or steel.

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15. A kit of parts, comprising a bracket of any preceding claim; and a step ladder or an extension ladder; wherein the bracket is adapted to fit on both the step ladder and the extension ladder.

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Letter to IPO

Dear Examiner,

In response to the Combined Search and Examination Report dated 23 October 2023, enclosed please find the amended claims for your consideration.

Claim Amendments

Claim 1 has been amended to replace the term “rung” with a general term “bar”.
Basis can be found at page 7 line 14.

Claim 1 has further been amended to recite that “the downwardly open hook formation comprises a first socket portion adapted to receive a ladder step having a horizontally extending rectangular cross section, and a second socket portion adapted to receive a ladder rung of generally circular cross section or a horizontal rectangular leg support”. Basis can be found at page 7 lines 14-17.

Claim 2 has been amended to resolve clarity issue.

Claim 5 has been cancelled.

Claim 6 (now claim 5) has been amended on the claim dependency.

New claims 6-7 have been introduced. Basis can be found at page 8 lines 14-17.

New claim 8 has been introduced. Basis can be found at page 8 lines 10-13.

New claims 9-12 have been introduced. Basis can be found at page 7 lines 17-25.

New claim 13 has been introduced. Basis can be found at page 7 line 29.

New claim 14 has been introduced. Basis can be found at page 9 lines 5-7.

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New claim 15 has been introduced. Basis can be found at page 6 lines 31-32.

The Applicant respectfully submits that no new matter is introduced.

Clarity

In response to point 5 of the Examination Report, claim 2 has been amended to remove “of a diameter such that the bottom portion is substantially filled by a generally circular paint can bail socket received therein”. The paint can is no long part of the claim, and the Applicant respectfully submits that the clarity issue is resolved.

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Novelty

Claim 1 is amended to recite that “the downwardly open hook formation comprises a first socket portion adapted to receive a ladder step having a horizontally extending rectangular cross section, and a second socket portion adapted to receive a ladder rung of generally circular cross section or a horizontal rectangular leg support”. The Applicant respectfully submits that the amended claim 1 is novel with respect to D1 (GB 2222000).

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D1 discloses a downwardly facing notch 16 so that an upper rung 18 of the ladder fits snugly within the 20 notches 16 in the elongate members 10 and 12. The notches 16 can be wider to fit wider rungs or steps. As shown in FIG. 1 of D1, the notch 16 has a predetermined dimension to fit within a particular size of rung. If the rung is wider (for example, a ladder step), the notch 16 should be made wider. Therefore, another support device with a wider notch is needed.

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The present invention discloses a downwardly open hook formation is adapted to fit and receive a ladder step, a ladder rung or leg support. The bracket can be

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used for both wider and narrower steps. This is achieved by providing a first, wide and shallow, socket portion 71 adapted to receive and engage a ladder 15 step 50; and a second, narrower and deeper, socket portion 72 adapted to receive and engage a ladder rung 62 (see FIG. 4), leg support 56 (see page 7 lines 15-17).

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In view thereof, the Applicant respectfully submits that claim 1 as amended is novel in view of D1.

The dependent claims are also novel with respect to D1 at least due to the dependency of a novel independent claim.

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Inventive Step

By applying the Pozzoli analysis:

Step 1a: The person skilled in the art is painters and painting equipment suppliers.

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Step 1b: There has long been a problem for painters to position a paint bucket on a ladder so that the paint bucket is both stable and convenient for access. As D1 was granted in 1997, the knowledge of positioning the bucket on a ladder is a common general knowledge to achieve convenience.

Step 2: The technical feature having a bracket that can fit on both a step ladder and an extension ladder. Particularly, the feature of having a downwardly open hook formation (40) at the rear of the support arms for support of the support arms on a bar of a ladder, wherein the downwardly open hook formation comprises a first socket portion adapted to receive a ladder step having a horizontally extending rectangular cross section, and a second socket portion

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adapted to receive a ladder rung of generally circular cross section or a horizontal rectangular leg support.

Step 3: The identified technical features in step 2 are not explicitly disclosed in D1. This is not part of the common general knowledge.

Step 4: A person skilled in the art would realize that the open hook has to be designed with different sizes in order to fit onto different ladders. Without hindsight, the person skilled in the art would at most designed two or more notches to achieve this, since D1 discloses that the notches can be wider to fit wider rungs or steps. However, with the same support structure to support both narrow and wide rung, there is a need for the designer to be inventive in order to come up with a design that can fit both wide and narrow rungs. Therefore, the downwardly open hook formation of the amended claim 1 is not obvious in view of D1, and it is not a common general knowledge.

In view thereof, the Applicant respectfully submits that the amended claim 1 is inventive over D1. The dependent claims are also inventive with respect to D1 at least due to the dependency of a novel independent claim.

Conclusion

The Applicant respectfully submits that the claims, as present amended, are novel and inventive.

Best Regards,

Patricia A. Tournay

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Notes

- The latest date for reply to the Examination Report is 23 June 2025. There are plenty of time left for preparing the response. However, it is suggested to reply as soon as possible to expedite the prosecution.
- To expedite the examination, early publication can be requested. The substantive examination request should also be filed at the same time with the response well before the deadline.
- Prioritized examination is available if there is potential infringement, however, this is not the case.
- Amendment of the independent claim 1 is need as the Examiner assessment is reasonable. D1 was granted in 1997 and it is a valid prior art. D1 discloses the following features:
 - Spacer 14 with forwardly facing side arms 14a (corresponding to a pair of parallel support arms (12) and a cross member (22));
 - upwardly extending notched portions 22 and 24 (corresponding to upwardly open slot (28) for pivotally receiving a bail socket);
 - downwardly facing notch 16 (corresponding to downwardly open hook formation (40));
 - downwardly extending elongate members 10 and 12 for stabilizing (corresponding to a pair of stabilizer legs (80));
 - being abut the front side of the second, lower, rung 20 of the ladder (corresponding to abutment against the next lower rung of the ladder).

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- Therefore, D1 discloses all features of claim 1 and the novelty issue raised by the Examiner is reasonable.
- The amendment is made to differentiate from D1 by reciting “the downwardly open hook formation comprises a first socket portion adapted to receive a ladder step having a horizontally extending rectangular cross section, and a second socket portion adapted to receive a ladder rung of generally circular cross section or a horizontal rectangular leg support”.
 - The notch 16 of D1 has a predetermined dimension and it can only fit for a rung of a predetermined size. It cannot receive both a ladder step and a ladder rung/leg support.
 - The notch 16 can be made wider to fit wider rungs or steps, but it has to be another support device with a wider notch.
 - The chance of overcoming novelty issue is high, unless the Examiner finds a new prior art with the same downwardly open bottom hook means.
- As a fallback position, the detailed structure of the downwardly open bottom hook means is claimed in the newly introduced claims 9-12.
- The inventive step argument is also strong, unless further prior art in the same space is identified by the Examiner. There is also a matter of whether it is possible to combine such new prior art (if any).
- For the best interests of the applicant, the button/round protrusion is not claimed in the independent claim. This can also be a fallback position.

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- The brush tray feature is also claimed in the dependent claim. It is unlikely to be inventive as the Examiner would identify this as a common general knowledge.
- The adapter shown in D1 cannot be claimed. It is not possible to file a divisional or new application for this feature. Regarding the use of the adapter, since D1 was granted in 1997, the patent should be lapsed by now. Therefore, there is no risk of infringement.
- The use of the bracket for holding lamps in shafts or other spaces is not disclosed in the specification, and it may not be possible to claim.
However, if there is infringement, you may use doctrine of equivalence to enforce your patent.
- Further divisional application for holding lamps application may not justify the cost.

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