

IN THE UNITED STATES PATENT OFFICE

In re Application of	)	
Francis N. Dixon	)	Division 27
Serial No. 778,738	)	
Filed December 8, 1958	)	July 17, 1959
For: HAIR BRUSH BRISTLE	)	

Hon. Commissioner of Patents  
Washington 25, D.C.

Sir:

In response to the Official Action dated January 27, 1959, in the above identified application, please amend this application as follows:

Page 3, line 25, after "22" insert -- are of equal or of the same length and --.

Claim 2, line 4, before "and" insert -- said bristle tapered prong having equal lengths, --.

Claim 3, line 4, after "sides" insert -- of equal length --.

Claim 4, line 4, after "prongs" insert -- of equal length --.

Claim 5, line 3, cancel "a" and before "tapered" insert -- inwardly --; line 4, "end" should read -- ends --; same line, before "and" insert -- bristle tapered slit end having the same length, --.

Claim 7, line 4, after "prongs" insert -- of equal lengths --.

REMARKS

The specification, page 3, line 25, has been amended for providing a proper antecedent to the

term "of equal length" in the claims.

Claims 2 through 5 and 7, have been amended for clarifying the intended structure as positively recited therein.

Claims 1 through 8 stand rejected on the Gantz et al reference which fails to disclose, or even suggest, the novel features of the bristle construction as set forth in the claims. The Gantz et al reference shows a bristle having the spaced fingers, one 20 of which is longer than the other 22, so that longer finger 20 penetrates to the scalp of the user and the other finger 22 serves to brush the top level of the hair of the user's head.

In contrast, applicant's novel bristle has an inwardly tapered V-shaped slit end forming a pair of prongs of equal length for causing hair strands slipped between the prongs to curl with the brushing action. If applicant's bristle was formed with one prong shorter than the other, as shown by the applied prior art, it could not function as intended for the hair strands would slip out of the V-shaped slit end and it would defeat its purpose. Also the reference cannot produce a curling action as applicant's bristle construction. Furthermore, the slit at the base of the prongs of the bristle of applicant's, as claimed in Claim 8, is formed for providing flexibility to the prongs and it is not a mere difference in size or shape. The reference fails to show such construction as that of applicant's bristle. For these reasons claims 1-8 are clearly distinguishable over the applied reference in terms and substance and they should be allowed.

Respectfully submitted.

Attorney for Applicant