

**In the United States Patents and Trademarks Office**

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Applicant: Robert Lee Taylor

Patent Title: Pivoting Hanging Baskets Assemblage Weighted for Gravity Closure

Oakland, CA 2018 Oct. 24 Wed.

**REISSUE APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed please find

AMENDMENT TO SPECIFICATIONS, begin on page 2 of this Application.

AMENDED AND NEW CLAIMS, begin on page 4 of this Application.

STATUS OF CLAIMS, begin on page 6 of this Application.

REMARKS, begin on page 7 of this Application.

## SUMMARY

A pivoting hanging baskets assemblage is presented for storing and displaying all of the miscellaneous items of various lengths and sizes of items strewn throughout homes, garages, offices and other work space such as factories, which provides the user with convenience and ease of use.

The present innovation brings numerous baskets into an assemblage that allows them to hang close to each other in series with a freely pivoting action in conjunction with an [weighted] optional ancillary member to assist opening and closing them simultaneously [primarily by the force of gravity].

The mass/weight of each hanging basket hangs below the pivoting axis; thus taking advantage of the baskets low center of gravity. Baskets which have a substantial portion of their mass/weight below the pivoting axis are inherently stable and will readily find a new center of gravity when disturbed, achieving equilibrium without dislodging the contents.

Including the optional ancillary member provides the most utility, but the real magic of the system lies with the benefit of the low center of gravity inherent in hanging baskets which ensures they will always maintain equilibrium when disturbed.

The advantage of the pivoting hanging baskets assemblage is in the ease of use; the user simply lays their hand[s] on the side of one basket and they all open simultaneously. Hanging baskets hung on pivot pins have the [further] advantage of the center of gravity to automatically pivot them to the closed or neutral position by merely letting go of the side of the basket. There is no need to manually close them, simply let go of the side of the basket and it along with others engaged in an ancillary member will close automatically.

An ancillary member can provide[s] both a counter weight to one side of the basket array to assist gravity in efficiently closing the baskets, as well as a mechanism for simultaneously opening the baskets when the weight of hand is placed on the side of a basket. The ancillary member will be of sufficient weight, according to the load of disparate baskets, to ensure that gravity automatically and fully closes the sides of each basket with the release of the hand.

The first embodiment can be manufactured employing a series of rigid stand alone baskets molded in plastic or constructed with wood or woven fiber, or other rigid material such as sheet metal. The solid container version will have an ancillary member with insertion cutouts having lip-hooks that engage with an insertion slot centered in the rear brim of each basket for jointly opening and closing the containers.

The open mouth of the insertion cutouts in the ancillary member allows for each container to be disengaged from the

framework and carried to a remote workspace; great for hobbyist and sewing storage, as well in parts storage for assembly applications.

The baskets will be inserted into both the left and right sides of the vertical support framework by axially positioned pivot pins on the lateral ends of each basket which engage with pivot pin pockets in the sides of the vertical hanging framework positioned at a predetermined space. The brim of each basket is concurrently inserted into a corresponding insertion cutout in an ancillary member that engages with the array of baskets to pivot them open simultaneously.

Baskets made of sturdier materials capable of standing on their own will have improved utility as they can be disengaged from an ancillary member with slotted pockets, which will allow the baskets to be removed individually to remote work spaces.

Another embodiment of the pivoting clustered hanging basket assembly will have baskets of a woven mesh or cloth material with good hanging properties. strung around a rigid rim providing the body of the container. For added utility the mesh version will have an ancillary member attached at the rear of the containers with coupled-eye screws to actuate the pivot of the baskets (such as used on wooden louvered shutters); pull down on any basket and all of them will pivot open. Baskets made of mesh or cloth type materials will be more inclined to be permanently affixed to the framework. The ancillary member in both embodiments will also act as a counter balance to help bring the baskets to the neutral or closed position.

In both of the above embodiments, it would be useful to have a hanger hook or loop at the top of the framework for suspending the assembly which can conform to various storage conditions. It would also improve its utility to have a rotating mechanism just below the hanger, this will allow a number of the units to be hung together parallel to each other in storage and then rotated perpendicular for access; in this way more pivoting clustered hanging storage basket units can be stored in a given space.

Pivoting clustered hanging storage baskets mounted on a free standing base can provide storage in environments short of closet space; thus further expanding their utility. These stand alone assemblies can be made in numerous configurations for use in a variety of spaces in homes and offices.

Adding wheels to the platform or base that holds a of the pivoting clustered hanging storage container assemblies on a portable garment rack, or cart built for that purpose, can achieve an expanded utility. A duet of the pivoting clustered hanging storage baskets mounted back to back on a wheeled cart would have near universal appeal for many applications in homes and in offices.

The summary of the embodiment above contains considerable detail; it is provided to illustrate some selected embodiments of the embodiment and should not be considered as limiting the possibility of the invention. Conceivable

embodiments may also include suitable variations in the shape, material, the construction method. as well as the size of the framework and baskets. along with the means of portability.	
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CLAIMS AMENDMENT

<p>1. CANCELLED: [A pivoting hanging basket system with automatic closing comprising: a cluster of pivoting hanging baskets of complementary size and material, a vertical support framework in which to suspend said pivoting hanging baskets sufficient to cluster a predetermined number of said baskets, connectors for attaching said pivoting hanging baskets to said vertical support framework that allows said baskets to pivot freely, an ancillary member for simultaneously pivoting said pivoting hanging baskets to provide access to all the baskets concurrently, which is a counter weight to assist gravity in automatically bringing said pivoting hanging baskets into a neutral or closed position, said pivoting hanging baskets are each capped by a brim at a predetermined height. wherein said brim of each basket has a corresponding insertion slot at a predetermined point along one side of the brim to engage with said ancillary member. the ancillary member has a plurality of insertion cutouts for engaging with the insertion slots on the brims of said pivoting hanging baskets, wherein said insertion cutouts having lip-hooks</p>	<p>at mouths of the said insertion cutouts for engaging with respective ones of the insertion slots on said brims, whereby the plurality of hanging baskets can be clustered close together to maximize space, while pivoting to allow for easy access, with gravity acting to close said pivoting hanging baskets.]</p> <p>2. NEW: <u>A pivoting hanging baskets assemblage comprising:</u></p> <p><u>a plurality of pivoting hanging baskets of selected size and material,</u></p> <p><u>a support framework in which to suspend said pivoting hanging baskets sufficient to cluster a selected number of said pivoting hanging baskets,</u></p> <p><u>a plurality of connectors for attaching said pivoting hanging baskets on a fulcrum axis,</u></p> <p><u>said pivoting hanging baskets having a mass/weight that hangs below the said fulcrum axis</u></p> <p><u>providing a low center of gravity</u></p> <p><u>whereby pivoting hanging baskets are configured to pivot open with a weight of a hand on a side of each of the baskets to allow for easy access, with gravity assisting in closing said baskets to a closed or neutral</u></p>
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position automatically.

**3. NEW:** Pivoting hanging baskets array comprising: a multiplicity of pivoting hanging baskets of a preferred size and material,

an upright support means for suspending said pivoting hanging baskets, sufficient in length to allow for clustering said pivoting hanging baskets at an optimal distance from each other,

connector means for attaching said pivoting hanging baskets to the said upright support means acting as a pivoting axis,

said pivoting hanging baskets having the bulk of their mass below said pivoting axis

an auxiliary member means for actuating the simultaneous rotation of said pivoting hanging baskets to provide access to all the baskets concurrently,

whereby a plurality of pivoting hanging baskets can pivot open and then close simultaneously, while hanging close to each other to maximize space.

**4. NEW:** A method for using gravity to rotate hanging baskets for closing comprising: a plurality of hanging baskets each hanging on a discrete pivoting axis,  
connecting said hanging basket to said discrete pivoting axis, allowing each hanging basket to

freely pivot at the pivoting axis,

providing each of said hanging baskets with a mass/weight hanging substantially below the discrete pivoting axis, bestowing each with a low center of gravity, thus utilizing it's low center of gravity to return it to a closed or neutral position,

whereby gravity acting upon said hanging baskets with a low center of gravity automatically moves each basket to a neutral equilibrium or closed orientation.

STATUS OF CLAIMS AND SUPPORT FOR CLAIM CHANGES

**1. CANCELLED:**

Claim 1 was too narrow, covering only one embodiment of the invention and did not adequately define the breath of the invention; it overstated the importance of the optional ancillary member in closing the baskets in the array.

**2. NEW:**

New broader apparatus claim to encompass all of the embodiments discussed in the specifications.

**3. NEW:**

New means clause in order to broaden the claims to cover the multiple iterations of the invention as described in the specifications.

**4. NEW:**

New methods claim that best describes the essence of the invention as a method for employing the center of gravity to automatically close the baskets in an array. This claim most accurately conveys the fundamental nature of the invention.

### REMARKS

AIA 35 U.S.C. § 251 – (a) IN GENERAL.—Whenever any patent is, through error, deemed wholly or partly inoperative or invalid, by reason of a defective specification or drawing, or by reason of the Patentee claiming more or less than he had a right to claim in the patent, the Director shall, on the surrender of such patent and the payment of the fee required by law, reissue the patent for the invention disclosed in the original patent, and in accordance with a new and amended application, for the unexpired part of the term of the original patent. No new matter shall be introduced into the application for reissue.

Applicant asserts the subject patent to be partly inoperative or invalid by reason of the Patentee claiming less than he had a right to claim in the patent. The applicant was unduly influenced by the error of the Examiner in his selection of prior art during the office actions for the subject patent. The Examiner evidently applied an over broad interpretation of pivoting baskets to include any container affiliated with a pivoting axis.

Although the Examiner had the right to make the broadest interpretation of the inherency of prior art to the subject invention, the applicant now recognizes his own duty to make the specifications explicitly clear. The inadvertence on the part of the Applicant of not suitably defining the special properties of the invention which made it unique, vis-à-vis the center of gravity, had the effect of leading the Examiner to a misguided application of prior art in determining obviousness.

Though the limitation of the center of gravity for the pivoting hanging baskets in the subject patent was not explicitly identified in the specification by the Applicant, this limitation was clearly inherent in the drawings disclosed in application for all of the embodiments of the hanging baskets array.

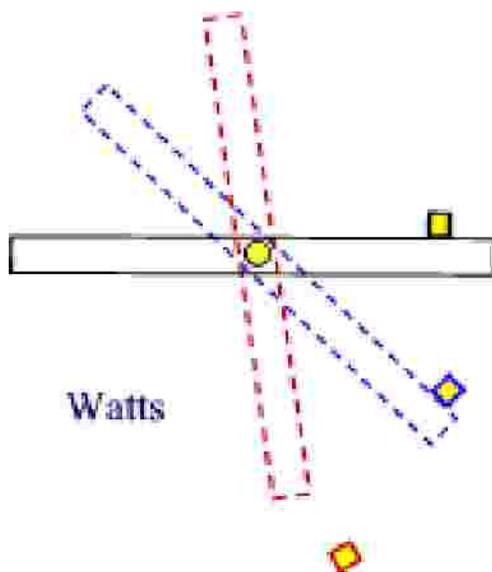
The drawings for the subject invention clearly show the hanging baskets have a substantial portion of their mass/weight below the pivot axis; this inherently represents a low center of gravity. Adding an explicit statement in the specifications to the importance of a low center of gravity would have avoided the confusion leading to the Examiner applying non-analogous references. This oversight resulted in the Patentee not receiving claims as broad as he had a right to obtain.

The error by the Examiner of using non-analogous references in examining the subject application was identified while Applicant was prosecuting the Divisional Application No. 14/998/416, Clustered Hanging Baskets Array patent No.US10093453, the paternal twin to the subject application. In that application, the prior art reference of Watts was used as a basis for objecting, as obvious, to all of the claims of that invention.

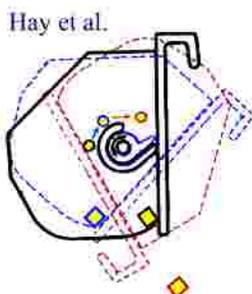
This misapplication of prior art is applicable in both patent applications, leading the Patentee to be blindsided into focusing unduly on the ancillary member mentioned in the specifications in

his effort to define around Watts. The ancillary member is not central to the utility of the subject invention, indeed the Abstract states “The utility is further augmented by an “optional” ancillary member. As a result of this misapplication of non-analogous references by the Examiner, Patentee lost sight of what made the invention in the continuing application unique and unobvious, that of the low center of gravity of the baskets, which a quality not inherent in the pivoting containers of Watts.

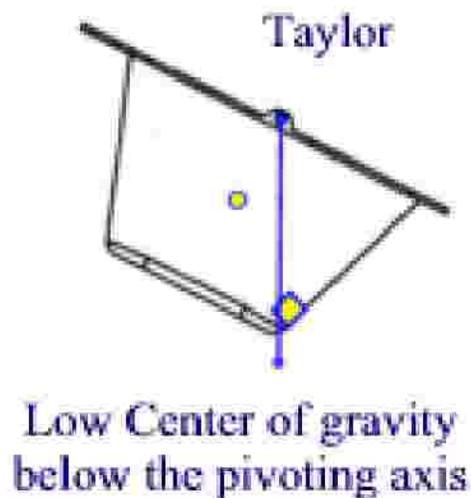
In the interim, between prosecuting the continuing application, which is the subject of this reissue application, and the divisional application referenced earlier, Applicant had the opportunity to study the physics of hanging bodies to understand how hanging baskets are inherently different from both the shelves of Watts and the cylindrical bin of Hay et al. and how they were both non-analogous references in determining obviousness in the subject application.



During the final office action for the aforementioned divisional application, it was shown that the shelf of Watts has its center of gravity directly on the pivoting axis, making the shelf inherently unstable, requiring only the weight of an object placed on or in it to start it rotating until the object is dislodged. See the above illustration.



Similarly to Watts, the center of gravity of the asymmetrical cylindrical bin in Hay et al. is located within close proximity to its pivoting axis and rotates around pivoting axis as the bin is rotated. See above illustration. Although Hay et al. has a somewhat lower center of gravity than Watts, it's insignificant, taking only a modicum additional torque over Watts to spin it around the pivoting axis.



In contrast, the pivoting hanging baskets of the subject patent, with the center of gravity significantly below the pivoting axis, would require an inordinate amount of torque to make even a single rotation around the pivoting axis. It would require a force greater than would ever be encountered in the regular and ordinary use of the pivoting hanging baskets. Unlike Watts or Hay et al, the baskets of the subject application are uniquely and inherently stable and will always right themselves when disturbed.

To clarify the specifications of the subject application, applicant seeks to insert terminology to this affect: "In order to provide a stable hanging storage container, the mass/weight of each hanging basket will hang below the fulcrum axis; this provides the baskets with a low center of gravity. A basket with a substantial portion of its mass right below the fulcrum axis is more stable and will readily find a new center of gravity, achieving equilibrium without dislodging the contents."

Explicitly defining the baskets in this way materially narrows the reissue claims because it is directed to an overlooked aspect of the disclosed invention, that of the low center of gravity implicit in the drawings and not expressed explicitly or implicitly in the non-analogous references of Watts or Hay et al..

Accepting the amended claim offered by the Examiner was inadvertent by the Patentee; at the time the Patentee did not have the technical language needed to explain how the two prior art references, Watts and Hay et al., were non-analogous to the invention being claimed. Within that context Patentee seemed to be left with no other choice but to accept the single claim offered by the Examiner. Patentee reluctantly agreed to the claim without surrendering subject matter to obtain the subject patent.

There was no deliberate withdrawal of claimed subject matter in order to obtain allowance of the patent over the prior art. Any inference that claims were canceled to obtain allowance would, never the less, be void given the prior art was non-analogous.

Applicant seeks remedy of the inadvertent error, by amending the specifications to clarify the description of the invention to reflect the important limitation of the low center of gravity to the pivoting hanging baskets. Applicant also seeks to amend the claims as well to reflect the limitation of pivoting hanging baskets with their weight/mass distributed below the pivot axis, in order to distinguish the invention in this application from the non-analogous prior art references of Watts and Hay et al..

The single claim granted on the subject patent defined only one of the two embodiments shown in the specification, therefore reissue is proper and necessary to correct for unclaimed embodiments and protect the disclosed invention to the full extent allowed by law.