

**DIRECTORATE OF DISTANCE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD
P.G.DIPLOMA IN PATENTS LAW**

**2017 – 2018
Supplementary Exams (December, 2018)**

**Paper II – Practical
(Exploitation of Patents – Drafting, Specification & Patent Writing)**

Time: 2 ½ hours.

TOTAL MARKS: 100

INSTRUCTIONS TO CANDIDATES

- 1. The question paper to be interpreted as given and no clarification can be sought from the invigilator.**
- 2. Attempt only one choice – either A or B**
- 3. Answers in illegible handwriting will not be taken into consideration.**

You are required to draft a complete specification containing; a.) Title of the Patent b.) Background of the Invention c.) Summary of the Invention d.) Claims e.) Abstract of the invention. (Do not write a detailed description or draw figures.)

The Claims in the patent draft carries 50 marks and remaining specification carries 50 marks.

OPTION – A

This invention relates to an improved carry-out food container, such as that commonly used in the restaurant industry to hold food items prepared for customer pick-up or delivery. Most, if not all, restaurants use carry-out containers to service customers who want to take their food "to-go." One category of widely-used carry-out containers are foam hinged containers. They are made in different shapes and sizes to accommodate room for sandwiches, hot dogs, dinner meals, etc.

When a carry-out order is prepared, items such as plastic utensils, salt, pepper, ketchup, butter and cracker packs, and bread are usually included. Restaurant employees tend to toss these items in the bag or place them in a separate container. At times, they may even forget to include these items. For a customer, the process of searching to find these items can be inconvenient. There are many cases where they even get lost. To avoid this, there are restaurants that make their employees place the food in the container, cover the food with a sheet of dry wax paper, and place these items over the wax paper. When the customer opens the box, everything he or she needs is right there. The food is kept warmer, and the chances of foreign objects falling in it are decreased. In essence, it further protects the food. Also, the cost of using a separate container to store these items can be saved. In some cases, restaurant employees may use aluminium foil instead of wax paper. However, aluminium foil is not entirely microwave safe, and wax paper is.

Restaurant employees that use wax paper for take-out orders still run into problems. The process of finding the wax paper and making sure it is placed neatly over the food can be time-

consuming and inconvenient. At times, a restaurant employee may need to go back and forth throughout the kitchen to find wax paper. He or she may even run out of wax paper and have to go to the stock room to get some more. These become significant problems when the restaurant gets busy. The present invention addresses these problems by providing a carry-out container where the wax paper is already attached. This saves the employee time, and it can save the restaurant wax paper or aluminium foil costs. It can also serve as a way for an employee to pay closer attention to the amount of food that is placed in the container, which can also save costs. Furthermore, it increases the likelihood of an employee making sure that all items that need to come with a take-out order are there. The process of covering the food becomes more effective, and the overall appearance of the carry-out container is enhanced. These factors create a situation where the customer is satisfied and will likely come back. Overall, the invention makes the take-out process more smooth and efficient, and all restaurants can really benefit from it.

Therefore, it is an object of the invention to provide a carry-out food container which conveniently stores and separates items, such as plastic utensils, salt, pepper, ketchup packs, bread, etc. from food items located in the container.

The container includes a food compartment tray adapted for holding a food item, and a lid for removably covering the food item contained in the tray. An integrally-formed hinge interconnects the tray and the lid at a common side edge. The hinge enables pivoting movement of the lid relative to the tray between an open position and a closed position. A flexible sheet is attached adjacent the hinge and is adapted for residing between the tray and the lid.

Other objects and advantages of the invention will become clearer with the following drawings:

FIG. 1 is a perspective view of a carry-out food container according to one preferred embodiment of the present invention;

FIG. 2 is a fragmentary view of the food container in an open position showing attachment of the wax paper sheet to the compartment tray;

FIG. 3 a cross-sectional view of the food container in the closed position;

FIG. 4 is an enlarged view showing a portion of the food container indicated at numeral 4 in FIG. 3;

FIG. 5 is a perspective view showing the wax paper sheet entirely removed from the compartment tray;

FIG. 6 is a perspective view of a carry-out food container according to a second preferred embodiment of the invention;

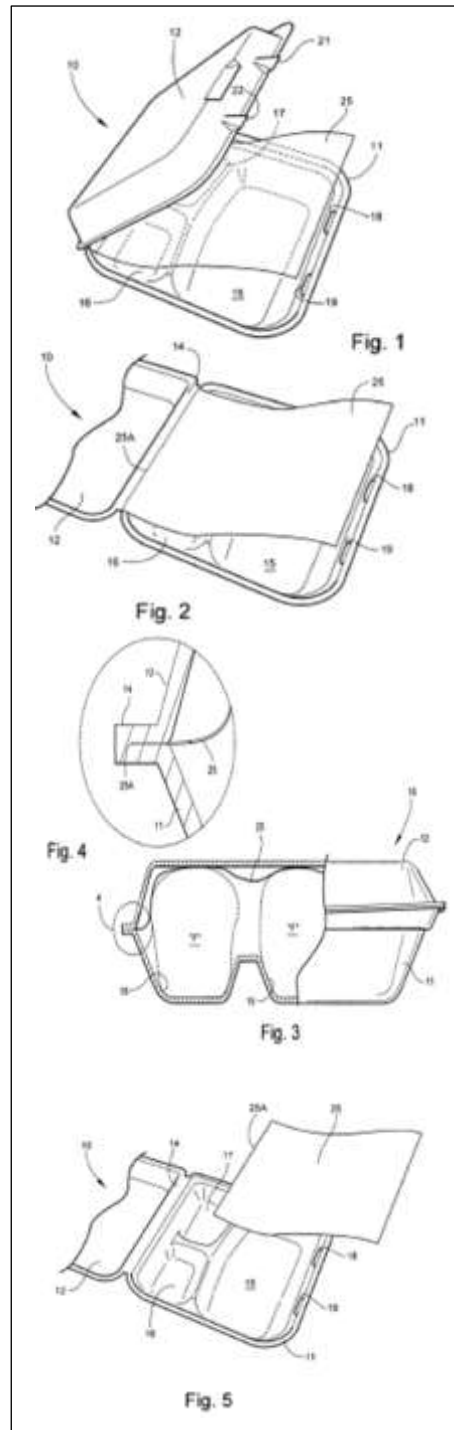
FIG. 7 is a fragmentary view of the food container shown in FIG. 5, and showing the perforated tear line attaching the wax paper sheet to the compartment tray;

FIG. 8 is a fragmentary view of the food container showing the wax paper sheet being removed from the compartment tray; and

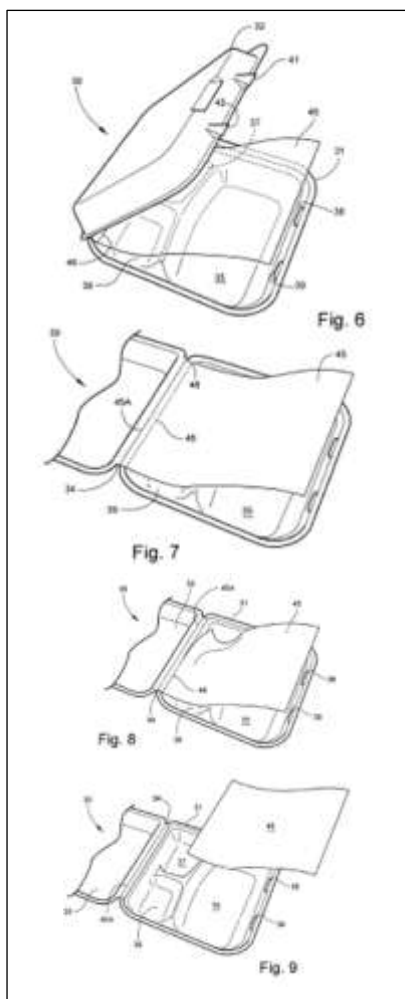
FIG. 9 is a fragmentary view of the food container with the wax paper sheet removed from the compartment tray.

Referring now specifically to the drawings, a carry-out food container according to the present invention is illustrated in FIG. 1, and shown generally at reference numeral 10. The food container 10 is especially applicable for use in the restaurant industry for holding food items "F" (FIG. 3) prepared for customer pick-up and delivery. The container 10 resembles a conventional, polystyrene foam, hinged-lid box commonly available in 8.times.8 or 9.times.9 sizes with small, medium, and large size tray wells. When using such boxes, the restaurant worker will generally place a separate sheet of dry wax paper or other covering over the food items, as described above, prior to closing the box and presenting it to the customer. The wax paper is typically stored in roll form or in a box dispenser containing pre-cut sheets. The process of retrieving the wax paper and properly arranging it over the food items "F" is generally time consuming and inconvenient.

Like conventional prior art boxes, the present food container 10 has a tray 11 and lid 12 interconnected by an integral (or "living") hinge 14 formed along a joined side edge. The hinge 14 enables pivoting movement of the lid 12 between an open position and a closed position relative to the tray 11. The tray 11 defines multiple compartments 15, 16, and 17 for separating the food items "F", and slots 18 and 19 adapted for receiving locking tabs 21 and 22 projecting from a front edge of the lid 12. The tabs 21, 22 insert into the corresponding tray slots 18, 19 to releasably hold the lid 12 in the closed position shown in FIG. 3. Preferably, the tray 11 is double laminated for maximum heat tolerance and strength.



A flexible sheet 25 of dry wax paper is attached at the hinge 14, as best shown in FIGS. 2, 3 and 4. The sheet 25 is designed to lay in a precisely spread condition over the food items "F", and to remain in position after the lid 12 is closed and during transport of the container 10. Preferably, the sheet 25 has a length and width dimension slightly larger than the length and width of the tray 11 to ensure complete and proper coverage of the food items "F". The sheet 25 is attached along its rear edge 25A by any suitable means including, but not limited to, a contact adhesive, adhesive tape, or ultrasonic welding. When the container 10 is opened, the customer lifts the sheet 25 to uncover the food items "F". The sheet 25 insulates the container 10, and helps maintain the various food items "F" in their designated compartments 15, 16, and 17.



For relatively large food items "F" which may be difficult to cover, the sheet 25 may be readily removed at its rear edge 25A from the compartment tray 11, as shown in FIG. 5. In this case, the attachment strength of the sheet 25 to the tray 11 is sufficiently strong to prevent inadvertent removal the sheet 25 when folding over to cover the food items "F", but sufficiently weak to allow intentional removal of the sheet 25 from the tray 11 without tearing.

A further embodiment of a carry-out food container 30 according to the present invention is shown in FIGS. 6-9. Like container 10, the container 30 has a tray 31 and lid 32 interconnected by an integral hinge 34 formed along a joined side edge. The tray 31 defines multiple compartments 35, 36, and 37 for separating the food items, and slots 38 and 39 adapted for receiving locking tabs 41 and 42 projecting from a front edge of the lid 32. The tabs 41, 42 insert into the corresponding tray slots 38, 39 to releasably hold the lid 32 in the closed position.

A flexible sheet of dry wax paper 45 is attached to the tray 31 along the integral hinge 34. The sheet 45 defines a perforated tear line 46 extending from one side edge of the sheet 45 to the other, and spaced forward of the attached rear edge 45A. A starter nick 48, shown in FIG. 7, is formed at the leading end of the tear line 46 to facilitate tearing and removal of the sheet 45 from the container 30.

By pulling the sheet 45 away from the container 30, the sheet 45 quickly and cleanly separates from the tray 31 at the tear line 46, as shown in FIG. 8. Once removed, as shown in FIG. 9, the sheet 45 can be either discarded or conveniently laid unattached over the food items placed in the tray 31.

OPTION – B

The popularity is on the increase for Oriental foods, such as Chinese and Japanese foods, with utensils native to that part of the world, known as chopsticks. Chopsticks are generally a matching pair of rods several inches long. Unlike Western-style utensils, such as the spoon and fork, chopsticks must be manipulated carefully by the user with one hand to grasp and carry food to the user's mouth. To accomplish this task, the user must be able to both hold the chopsticks firmly between the fingers of one hand and manipulate the chopsticks between a grasping position, where the distal ends of the chopsticks are brought together to grasp food, and an open position, where the distal ends are moved apart to release food. Thus, chopsticks work in tweezer-like fashion to grasp and hold food.

Unfortunately, the use of chopsticks requires a great deal of dexterity, making their use impossible by those without training, and often making their use undesirable by those who do not use them regularly, but who do not wish to risk the embarrassment of dropping or otherwise mishandling the food they are eating. Moreover, even skilled users of chopsticks may have difficulty when eating rice, noodles and other foods, due to the tweezer-like manner in which chopsticks grasp such foods. Accordingly, those wishing to avoid embarrassment while eating often must break with Oriental custom by opting for the less-embarrassing and less enjoyable alternative of using Western-style utensils when eating Oriental cuisine.

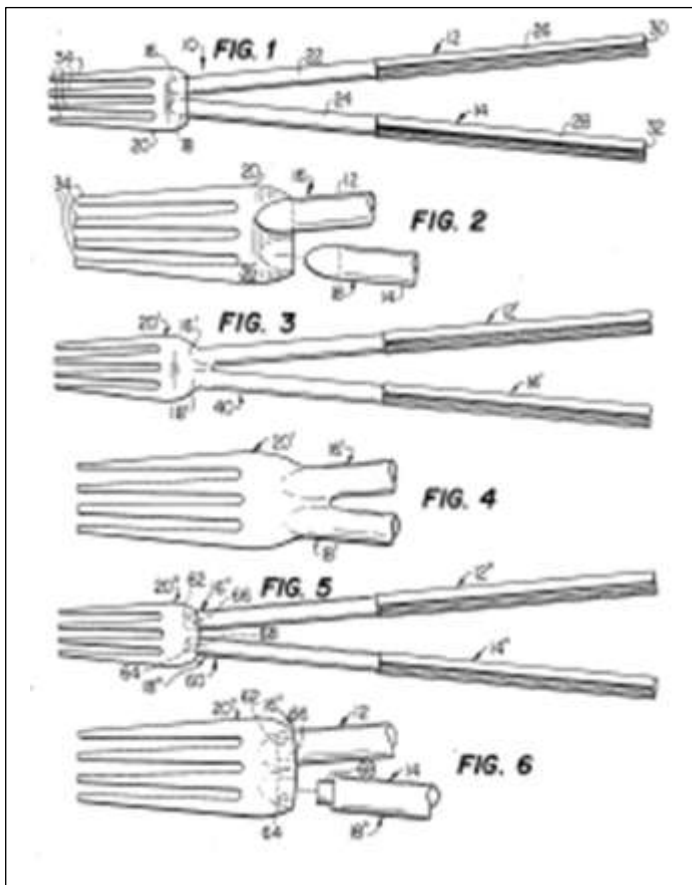
These disadvantages are overcome by the present invention, which provides an eating utensil that, when used, resembles chopsticks, but which does not require the skilled manipulation of chopsticks. The utensil includes a pair of elongate handles that converge toward their distal ends, where they are secured to a food-engaging member, such as fork tines, a spoon or other Western-style utensil. The food-engaging member may be detachably secured to the handles, to allow replacement of the handles or the food-engaging member if any of such components should break, or to allow substitution of a variety of types of food-engaging members, such as forks or spoons, as desired.

A more complete understanding of the invention can be had with the accompanying Drawings: FIG. 1 is a top view of a utensil incorporating a first embodiment of the invention, wherein the food-engaging member includes fork tines; FIG. 2 is an enlarged partial bottom view of the portion of the utensil shown in FIG. 1, adjacent the food-engaging member; FIG. 3 is a top view of a utensil incorporating a second embodiment of the invention; FIG. 4 is an enlarged partial bottom view of the portion of the utensil shown in FIG. 3, adjacent its food-engaging member; FIG. 5 is a top view of a utensil incorporating a third embodiment of the invention; and FIG. 6 is an enlarged partial bottom view of the utensil shown in FIG. 5 adjacent its food engaging member.

Referring now to the Drawings, FIG. 1 shows a utensil 10 comprising a first embodiment of the invention. The utensil 10 includes a pair of handle members 12 and 14 secured at their distal ends 16 and 18 to a food-engaging member 20. The handles 12 and 14 and the food-engaging member 20 may be manufactured from plastic, metal, wood or other suitable materials.

The handles 12 and 14 are designed as a matching set, to resemble a pair of chopsticks. Portions 22 and 24 of the handles 12 and 14 adjacent their respective distal ends 16 and 18 have a generally curved surface tapering in diameter toward the distal ends 16 and 18, to

facilitate gripping and manipulating the utensil 10 with one hand and to give the appearance of chopsticks. The handles 12 and 14 include portions 26 and 28 adjacent their proximal ends 30 and 32 having rectangular cross-sections and generally larger diameters than the portions 22 and 24 adjacent the distal ends 16 and 18. It will be apparent that the portions 26 and 28 of the handles 12 and 14 may have virtually any cross-section desired to resemble chopsticks, including various multi-sided or polygonal configurations. The handles 12 and 14 of the utensil 10 may be held with one hand, in a manner similar to the way in which chopsticks are held, to lift food from a plate or bowl, for example, to the user's mouth.



The handles 12 and 14 are also preferably sufficiently flexible or resilient to be bent together so that their proximal ends 30 and 32 are brought together in tweezer-like fashion. This allows the utensil 10 to be used as a pair of tongs to pick up articles with its proximal ends 30 and 32.

Food is engaged and held by the food-engaging member 20 of the utensil 10. The member 20 comprises a set of fork tines 34 which are directed by the user as is a conventional fork to lift or skewer food. It will be apparent that various types of fork tines may be utilized in the present invention, including sets of 1, 2, 3, 4, 5, etc., tines of varying lengths and widths, and tines of various widths and shapes.

FIG. 2 illustrates the manner in which the distal ends 16 and 18 of the respective handles 12 and 14 are secured to the food-engaging member 20

The upper surface of each of the distal ends 16 and 18 of the handles 12 and 14 is contoured to mate with the lower surface 36 of the food-engaging member 20. The mating surfaces of the food-engaging member 20 and the distal ends 16 and 18 of the handles 12 and 14 are bonded together by glue, adhesive or other suitable means.

FIGS. 3 and 4 illustrates an eating utensil 40 comprising a second embodiment of the invention incorporating numerous component parts which are substantially identical in construction and function to component parts of the utensil 10 illustrated in FIGS. 1 and 2. Such identical parts are designated by the same reference numerals utilized in the description of trailer 10, but are differentiated therefrom by means of a prime (') designation. The embodiment of FIGS. 3 and 4 is primarily distinguishable from the embodiment of FIGS. 1 and 2 in that the handles 12' and 14' in the food-engaging member 20' of the utensil 40 form an integral unit. Thus, the utensil 40

can be easily manufactured, for example, from a single piece of moulded plastic, wood, cast metal or the like.

FIGS. 5 and 6 illustrate a utensil 60 comprising a third embodiment of the invention incorporating numerous component parts which are also substantially identical in construction and function to component parts of the utensil 10 illustrated in FIGS. 1 and 2. Such identical parts are designated by the same reference numerals utilized in the description of the utensil 10, but are differentiated therefrom by means of a double prime ("') designation.

The embodiment shown in FIGS. 5 and 6 is primarily distinguishable from the embodiment shown in FIGS. 1 and 2 in that the utensil 60 incorporates fastening means for releasably securing the handles 12" and 14" to the food-engaging member 20". This is accomplished by providing the food-engaging member 20" with a pair of cylindrical sockets 62 and 64 sized suitably to tightly receive cylindrically-shaped inserts 66 and 68 extending from the respective distal ends 16" and 18" of the handles 12 and 14. The extensions 66 and 68 are held within their respective receptacles 62 and 64 by a friction fit when inserted, and may be removed from the sockets 62 and 64 merely by pulling the handles 12 and 14 from the engaging member 20". Alternatively, the inserts 66 and 68 may be permanently secured within the sockets 62 and 64 by means of glue, adhesive, or other suitable means.

The embodiment of FIGS. 5 and 6, or a similar arrangement allowing detachment of the handles 12" and 14" from the food-engaging member 20", facilitates replacement of any such component that is broken. In addition, such an arrangement allows the food-engaging member 20" to be replaced with virtually any other type of food-engaging member, such as a soup spoon, dessert spoon, salad fork tines, and the like, depending upon the particular type of food to be eaten.