

**DIRECTORATE OF DISTANCE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD**

Advanced Diploma in Patents Law

P.G. Diploma in Patents Law

Academic Year: 2022-2023

Annual Examination (June, 2023)

Paper II – 1.2. Exploitation of Patents- Drafting, Specification & Patent Writing (Covering all 4 subjects)

Duration of the Examination : 3 hours

TOTAL MARKS: 100

INSTRUCTIONS TO CANDIDATES

- a) Read the instructions carefully and adhere to the same.
- b) Please mention your DDE ID No., date of the exam, name of the programme & subject on the Answer Sheet and the Additional Answer Sheets, if any.
- c) The questions to be interpreted as given and no clarification can be sought from the Invigilator.
- d) Clearly indicate the question numbers while answering them. Answers without question numbers / wrong question numbers will not be evaluated.
- e) Write the answers clearly and neatly. Answers in illegible handwriting will not be taken into consideration.
- f) Attempt only one option – either A or B.
- g) Candidates are prohibited to carry phones or any other electronic devices, books, material etc. in the Examination Hall.
- h) Copying is strictly prohibited and is considered as a serious academic mis-conduct and the University will take action as it deems fit.

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.

Note:

The answer guidelines contain some points (non-exhaustive) that could be covered in the answer to the Paper.



(12) **United States Patent**
Clyburn

(10) **Patent No.:** **US 6,725,510 B1**
(45) **Date of Patent:** **Apr. 27, 2004**

(54) **INCLINING COFFIN**

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(*) Notice: Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 44 days.

(21) Appl. No.: **10/423,518**

(22) Filed: **Apr. 25, 2003**

(51) **Int. Cl.**⁷ **A61G 17/00**

(52) **U.S. Cl.** **27/12; 27/4**

(58) **Field of Search** 27/2, 4, 12; 220/677

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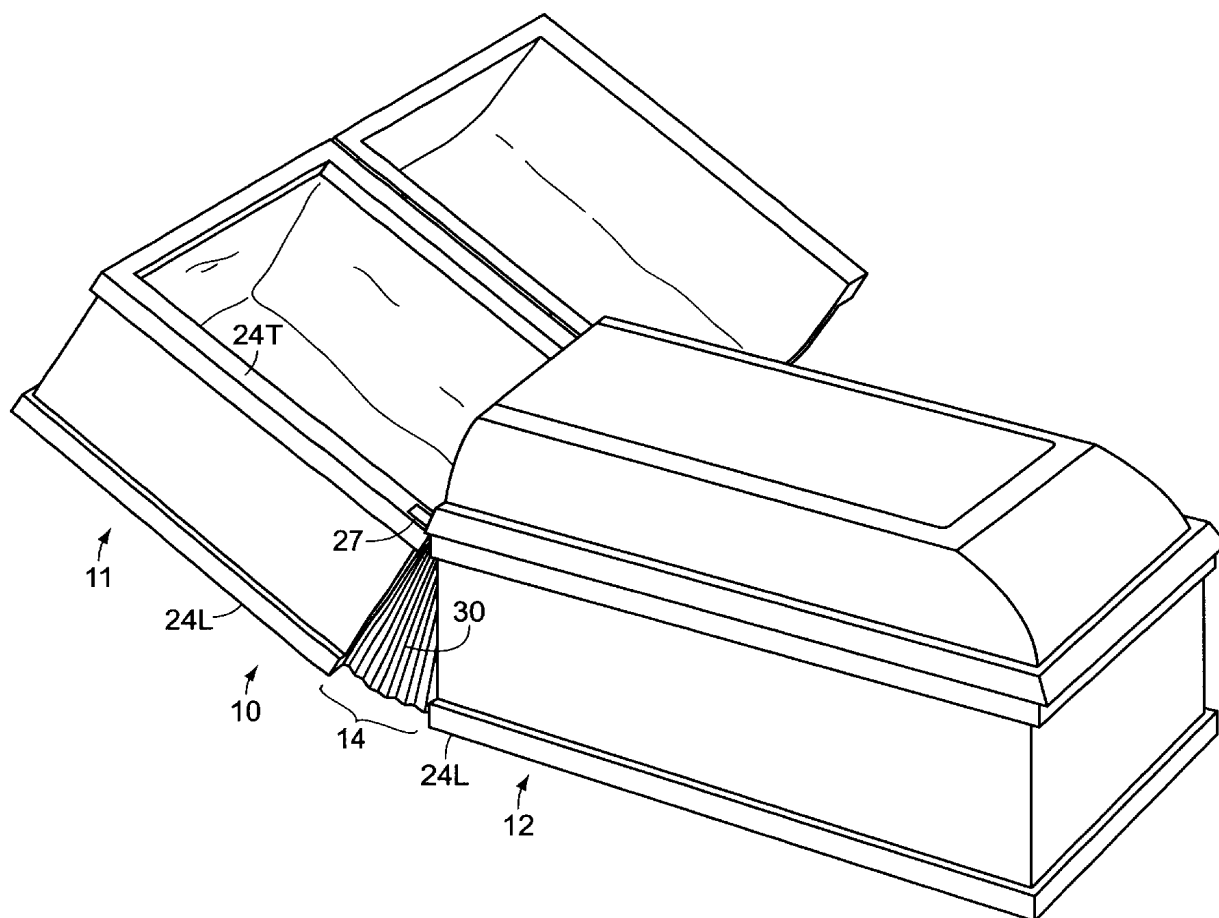
* cited by examiner

Primary Examiner—William L. Miller

(57) **ABSTRACT**

A coffin, for allowing inclination for display of a deceased person in a natural position. The coffin has a pair of side walls that are divided at a transverse seam into first and second longitudinal portions. The side walls have top and bottom edges which are planar across the seam when in a planar position, and are hingeably attached at the top edges to allow the first portion to be inclined with respect to the second portion. A brace assembly maintains the coffin in its inclined position. Bellows conceal the brace assembly to maintain the aesthetics of the coffin. Following display of the deceased person, the brace assembly is released and the coffin is returned to the planar position for transport.

5 Claims, 5 Drawing Sheets



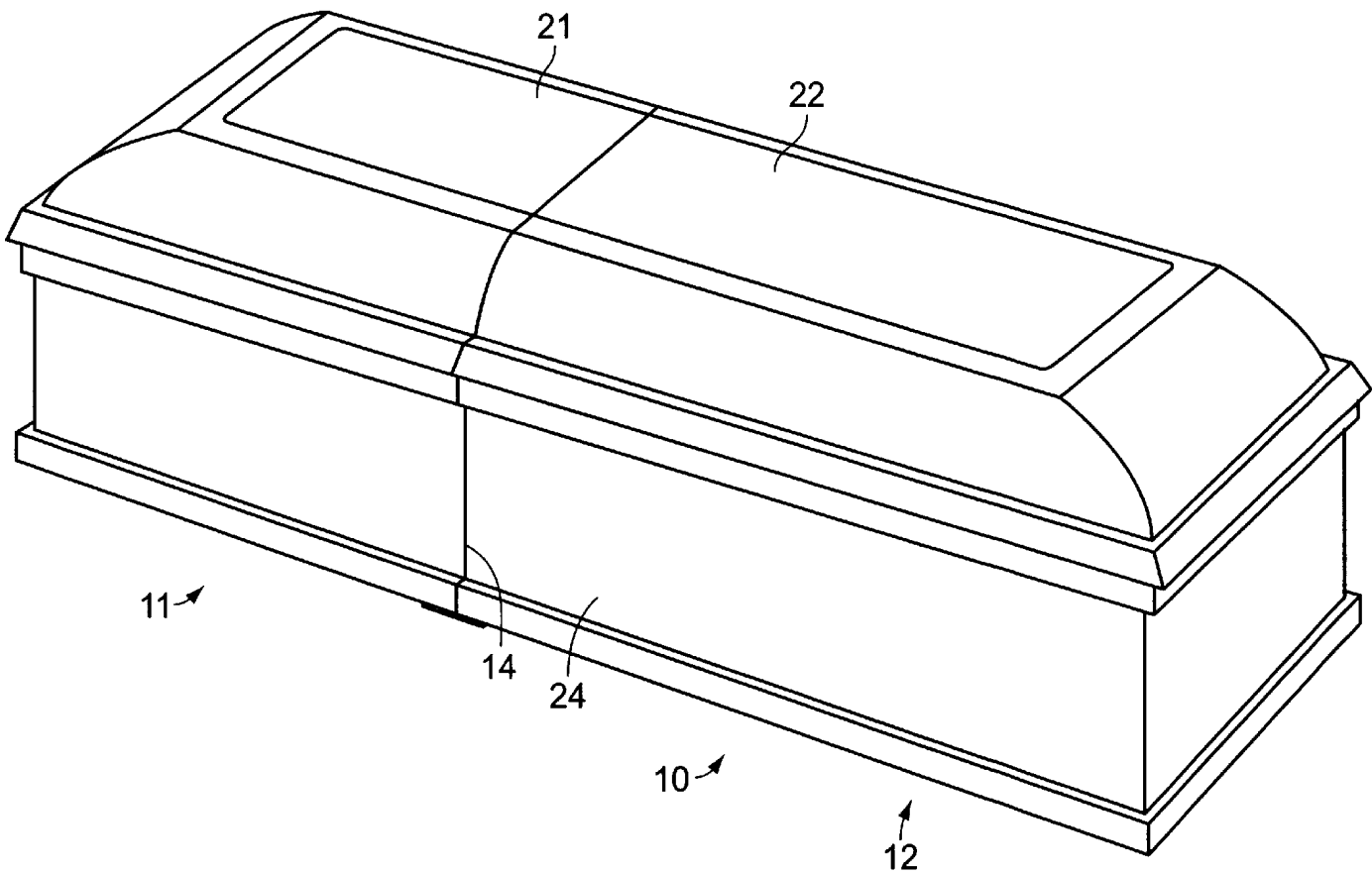


FIG. 1

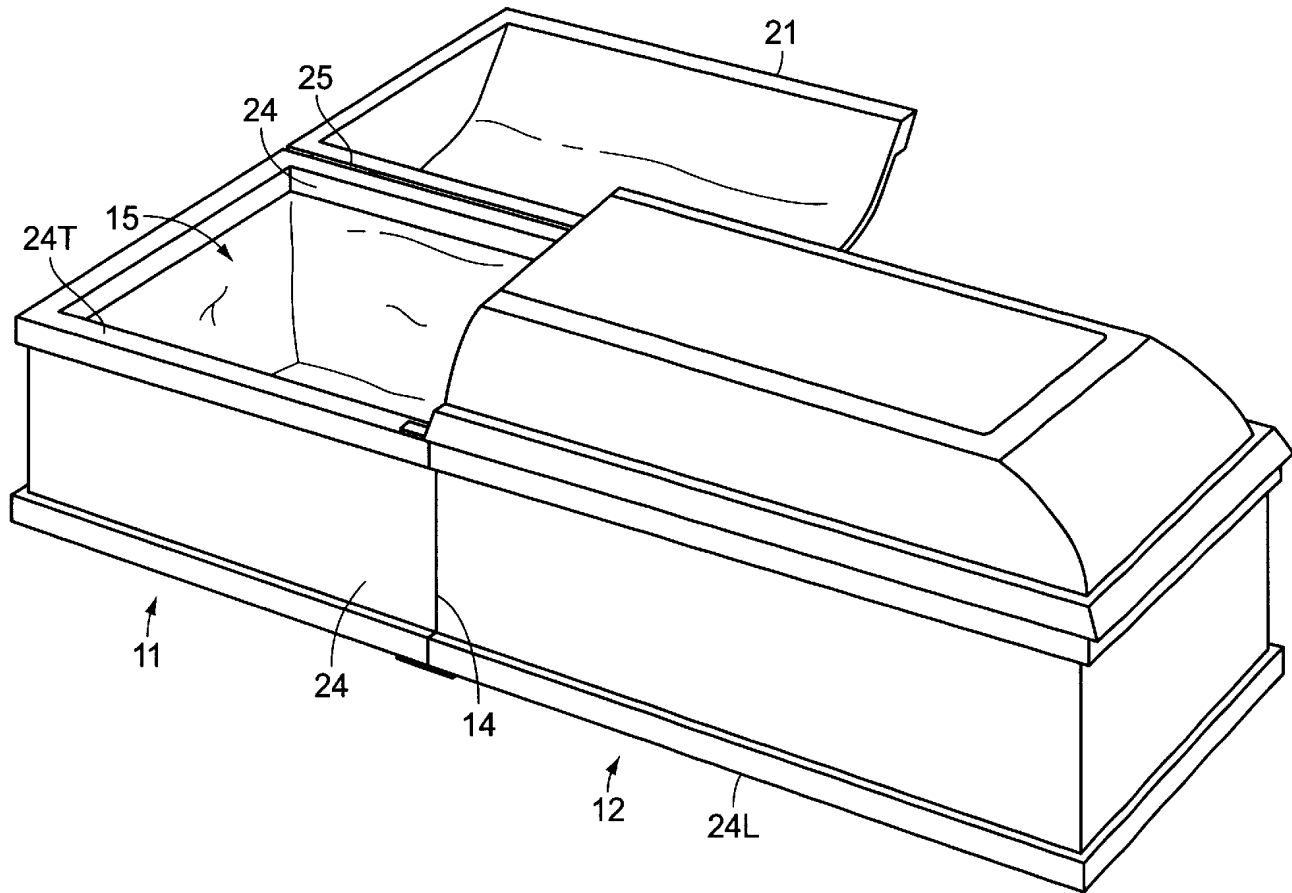


FIG. 2

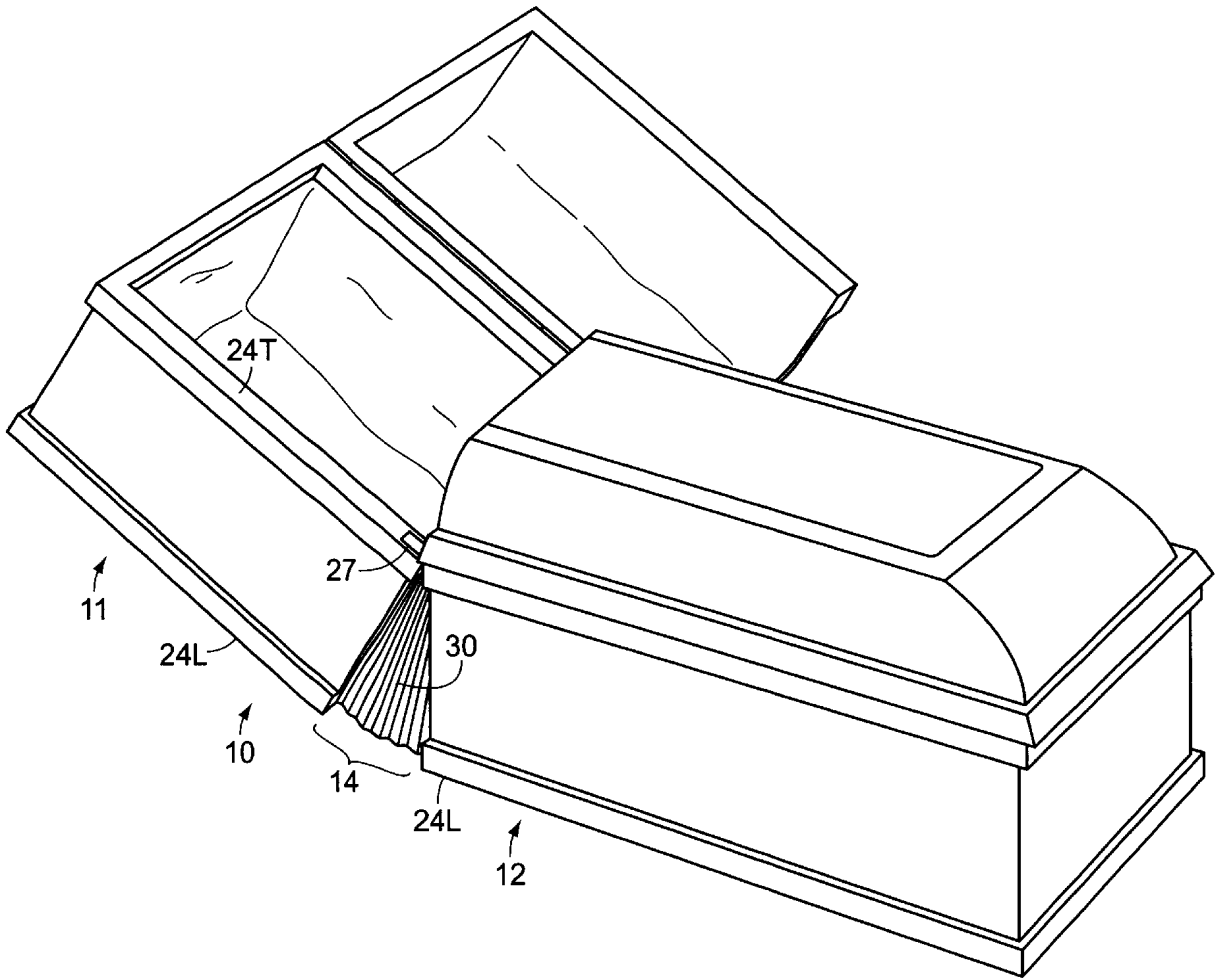


FIG. 3

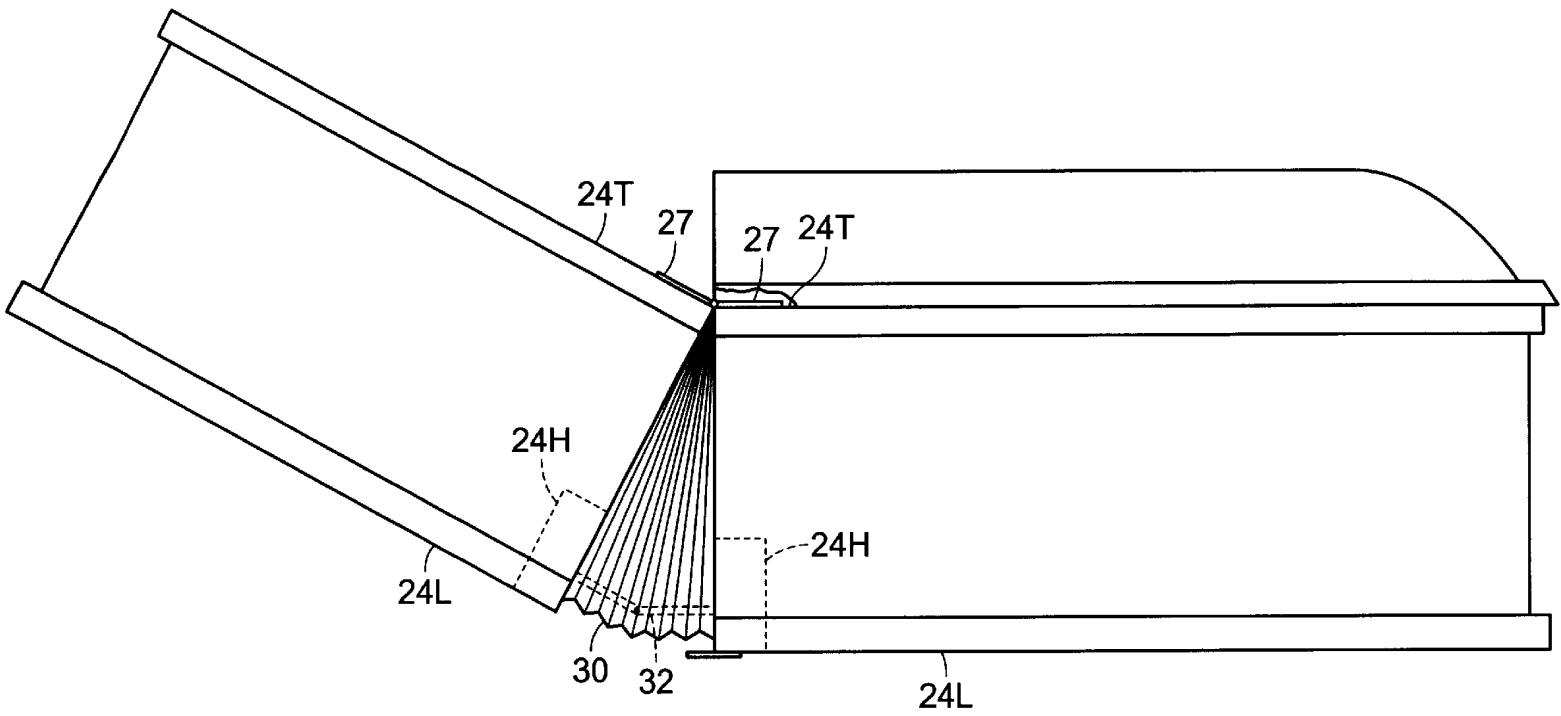


FIG. 4

FIG. 5

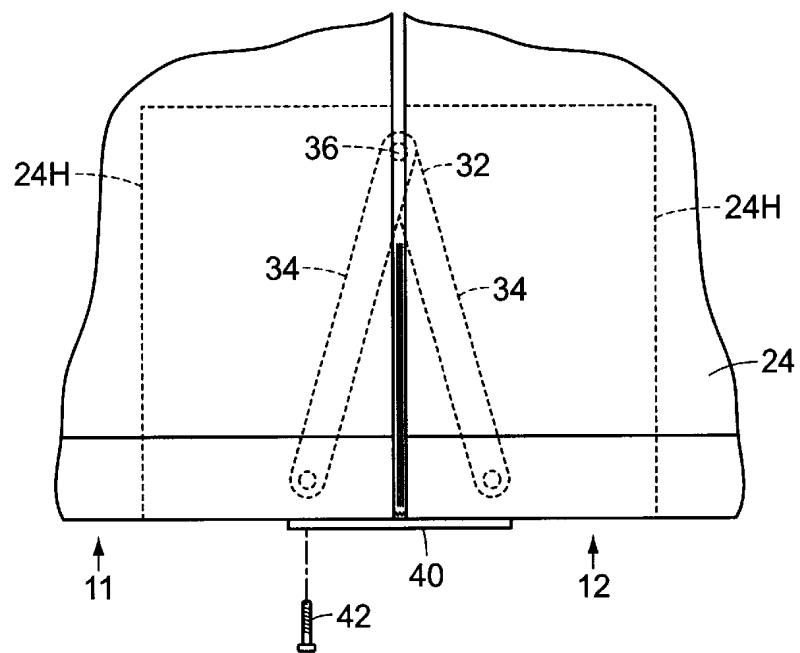
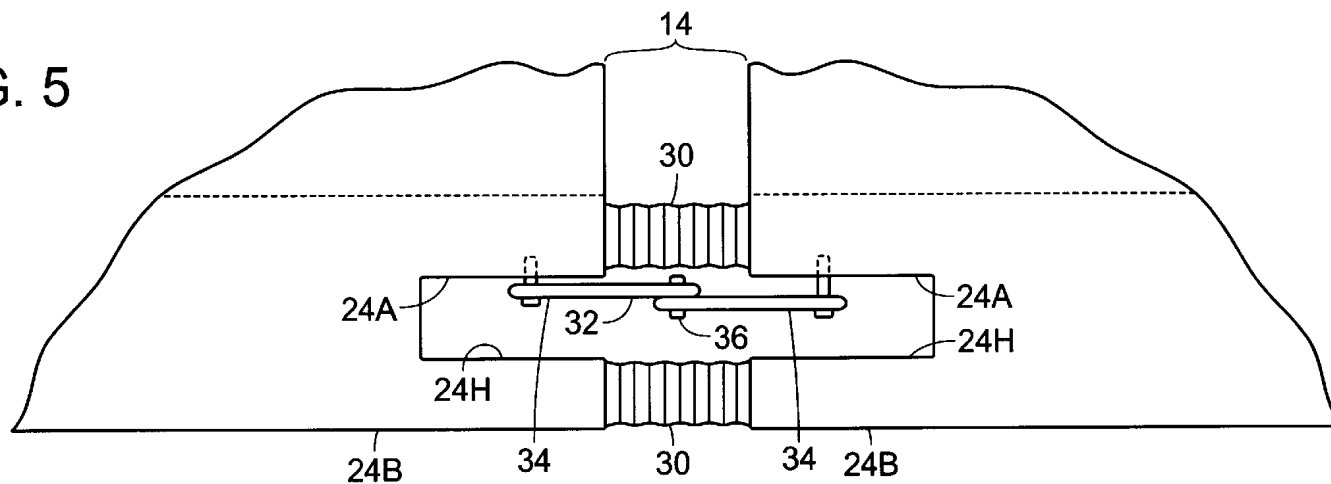


FIG. 6

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INCLINING COFFIN

BACKGROUND OF THE INVENTION

The invention relates to an inclining coffin. More particularly, the invention relates to a coffin that has a first portion that may be raised to an inclined angle to support a deceased person in a more natural position.

When people pass away it is a common custom for loved ones to view the body of the deceased person while situated within the coffin of their ultimate burial. In particular, 'open casket' wakes and ceremonies are commonplace throughout the western world.

A typical coffin is rectangular in shape, and beside upholstery and bolsters found in more expensive models, the deceased is generally laid flat. This is however a relatively unnatural position, and can be quite upsetting for a person to view their beloved in this manner.

U.S. Pat. No. 6,434,804 to Cornet et al.; U.S. Pat. No. 4,993,129 to Underwood et al.; U.S. Pat. No. 3,955,252 to Reda; U.S. Pat. No. 2,449,424 to Stieber; and U.S. Pat. No. 2,230,433 to Pinto all disclose schemes for inclining the deceased within a coffin. All of these schemes, however, employ complex systems that are mounted within the coffin which attempt to provide a desirable result.

U.S. Pat. No. 11,166 to Lyeth discloses a coffin. Upon cursory examination, Lyeth appears to disclose a two-piece coffin, which seem to have hardware to detach said pieces. Closer examination, however, reveals that the hardware in Lyeth is simply a primitive scheme for permanently affixing multiple panels used to create the coffin.

While these units may be suitable for the particular purpose employed, or for general use, they would not be as suitable for the purposes of the present invention as disclosed hereafter.

SUMMARY OF THE INVENTION

It is an object of the invention to produce a coffin that is capable of inclining a portion thereof, so that the deceased is supported in an inclined position. Accordingly, the coffin has a bipartite construction—namely having a first longitudinal portion and a second longitudinal portion, which are hingeably attached to allow the first portion to be angularly raised with respect to the second portion, so that an upper portion of the deceased may be raised at an angle to the lower portion of the deceased.

It is another object of the invention to provide a coffin that can be maintained in the raised position. Accordingly, at least one bracing assembly is provided which is easily operable to support the first portion in the raised position when desired.

It is yet another object of the invention to provide a coffin provides a pleasing external appearance that conceals hardware used to incline the first portion. Accordingly, bellows are provided, extending on the sides of the coffin between the first and second portions thereof, to conceal the bracing assembly and the gap created between the first and second portions when the first portion is inclined with respect to the second portion.

It is a still further object of the invention that the coffin may be lowered to a level position, and then secured in that position for burial. Accordingly, the bracing assembly may be easily disengaged, and a bracket is provided on the bottom portion opposite the hinges that facilitates permanent attachment of first and second portions for burial.

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The invention is a coffin, for allowing inclination for display of a deceased person in a natural position. The coffin has a pair of side walls that are divided at a transverse seam into first and second longitudinal portions. The side walls have top and bottom edges which are planar across the seam when in a planar position, and are hingeably attached at the top edges to allow the first portion to be inclined with respect to the second portion. A brace assembly maintains the coffin in its inclined position. Bellows conceal the brace assembly to maintain the aesthetics of the coffin. Following display of the deceased person, the brace assembly is released and the coffin is returned to the planar position for transport.

To the accomplishment of the above and related objects the invention may be embodied in the form illustrated in the accompanying drawings. Attention is called to the fact, however, that the drawings are illustrative only. Variations are contemplated as being part of the invention, limited only by the scope of the claims.

BRIEF DESCRIPTION OF THE DRAWINGS

In the drawings, like elements are depicted by like reference numerals. The drawings are briefly described as follows.

FIG. 1 is a diagrammatic perspective view, illustrating the invention per se, having first and second longitudinal portions selectively in a planar position where they together create the appearance of a standard coffin.

FIG. 2 is a diagrammatic perspective view, illustrating the coffin, wherein the lid of the first longitudinal portion is in the open position.

FIG. 3 is a diagrammatic perspective view, illustrating the coffin according to the present invention, wherein the first longitudinal portion has been inclined with respect to the second longitudinal portion, and wherein the bellows has expanded at the lower edge of the coffin to cover the angular gap created by said inclination.

FIG. 4 is a side elevational view, similar to FIG. 3, showing the brace mounted within internal hollows within the side walls of the coffin. The brace maintains the coffin in the inclined position as desired.

FIG. 5 is a bottom plan view, illustrating the brace mounted to both the first longitudinal portion and the second longitudinal portion within the hollows thereof, and showing the bellows extending between respective portions of the inner and outer walls.

FIG. 6 is a side elevational view, wherein the brace has been collapsed to allow the coffin to decline to a planar position where it resembles a standard coffin. A lower bracket and screw fastener is being used to keep the coffin in the planar position during transport.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

FIG. 1 illustrates a coffin 10, having a first longitudinal portion 11, a second longitudinal portion 12 which meet at a transversely and vertically extending seam 14 and are attached thereat for inclination of the first longitudinal portion 11 with respect to the second longitudinal portion 12. In FIG. 1, however, the coffin is shown in a planar position. The coffin 10 includes a first portion lid 21 and a second portion lid 22. The coffin 10 has a pair of longitudinally extending side walls 24, which are each divided transversely by the seam 14, and a pair of end walls 26 extending substantially perpendicularly between the side walls 24. The lids 21, 22 are each substantially aligned with both side walls 24.

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FIG. 2 illustrates the coffin 10, wherein the first portion lid 21 is open, revealing an internal volume 15, sized for containing a deceased person. The internal volume is continuous between the first and second portion 11, 12. In particular, the first portion lid 21 is attached to one of the side walls 24, which may be referred to as a hinged side 25. The first and second portion lids 21, 22 are independently openable at the hinged side 25. As will be apparent following the detailed description below, at the hinged side 25 the first portion lid 21 should be staggered slightly outward of the second portion lid 22 to prevent interference between the lids 21, 22 during inclination of the coffin. The side walls 24 have a top edge 24T upon which the lids 21, 22 are substantially aligned, and a lower edge 24L. In addition, the top edge 24T and bottom edge 24L are substantially aligned and planar across the seam 14 when the coffin is in the planar position, as shown in FIG. 1 and FIG. 2.

FIG. 3 and FIG. 4, however, illustrate the coffin 10 in an inclined position, wherein the first portion 11 is inclined with respect to the second portion 12. In particular, the first portion 11 is hingeably attached to the second portion 12 at the top edge 24T of both side walls 24, with a pair of inclination hinges 27, only one of which is visible in the drawing figures. Each of the inclination hinges 27 is rigidly attached to both the first and second portions 11, 12, and is configured to allow angular movement therebetween. As a result, the coffin can enter a position wherein the first portion 11 is angularly raised with respect to the second portion, so that the deceased can be displayed in a more natural position—perhaps bent at the waist. The first portion 11 creates an angular gap at the seam 14 that has an origin at the top edge 24T, and is widest at the lower edge 24L. Thus to retain aesthetics, bellows 30 are mounted between the side walls 24, such that they remain substantially compressed near the top edge 24T and are substantially expanded near the lower edge 24L.

To maintain the coffin 10 in the inclined position, a brace assembly 32 is provided. In particular, referring to FIG. 5, the brace assembly 32 includes a pair of arms 34 which are attached at a central pivot 36, and are each attached opposite the central pivot 36 to the side wall 24 of one of the first longitudinal portion 11 and second longitudinal portion 12. To conceal the brace assembly 32, each side wall 24, has an inner wall 24A and an outer wall 24B, and a hollow 24H therebetween that is open at and toward the seam 14. The hollows 24H are sized to allow the brace assembly 32 to freely operate therein between a locked position, as shown in FIG. 5 wherein they support the first longitudinal portion 11 during its inclination; and a relaxed position, as shown in FIG. 6, wherein the first longitudinal portion 11 can be lowered to the planar position for transport.

Further illustrated in FIG. 5, the bellows 30 may be a pair of bellows which each extend between the first and second portion 11, 12 at either the inner side wall 24A or outer side wall 24B. Thus, the brace assembly 32, and gap created by the widened seam 14 is concealed both from outside and inside the coffin.

FIG. 6 further illustrates a lower bracket 40, which extends immediately beneath the lower edge 24L of both the first and second portion 11, 12 when in the planar position. The lower bracket 40 is rigidly attached to one of the first and second longitudinal portions 11, 12, and then is selectively attached to the other of the first and second longitudinal portion 11, 12 with a fastener, such as a fastening screw 42. Thus, the lower bracket 40 ‘locks’ the coffin to prevent inadvertent inclination during transport and burial. In FIG.

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6, clearly, the lower bracket 40 is rigidly attached to the second longitudinal portion 12, and is being attached to the first longitudinal portion 11 with the fastening screw 42 after the coffin has been lowered to the planar position for safe transport.

In conclusion, herein is presented a coffin which is capable of inclining a first portion thereof to allow a deceased person to be displayed in a natural position, and then is subsequently lowered for transport of the coffin. The invention is illustrated by example in the attached drawing figures and in the foregoing description. Numerous variations are possible, while adhering to the inventive concept. Such variations, however, are contemplated as being a part of the present invention.

What is claimed is:

1. A coffin, comprising:

a pair of longitudinally extending side walls, each having a top edge and a lower edge, a pair of end walls extending substantially perpendicularly between the side walls, the side walls and end walls together defining an internal volume for containing a deceased person, the side walls divided transversely by a seam to define a first longitudinal portion and a second longitudinal portion, the top edge and lower edge are substantially planar between the first longitudinal portion and second longitudinal portion when the coffin is selectively in a planar position;

a pair of inclination hinges, each mounted at the top edge between the first longitudinal portion and a second longitudinal portion, the inclination hinges allow the first longitudinal portion to enter an inclined position wherein the first longitudinal portion is inclined with respect to the second longitudinal portion, creating an angular gap with an origin at the top edge;

a bracing assembly for selectively maintaining the first longitudinal portion in the inclined position; and

a mechanism for selectively concealing the angular gap.

2. The coffin as recited in claim 1, wherein the mechanism for selectively concealing the angular gap are bellows mounted between the first longitudinal portion and second longitudinal portion at the seam therebetween.

3. The coffin as recited in claim 2, wherein each of the side walls has an inner side wall and an outer side wall, and defines a hollow that is open at the seam; wherein the bracing assembly extends within the hollow and is attached to both the first longitudinal portion and second longitudinal portion; and wherein the bellows extend between the outer side walls adjacent the seam to conceal the hollow and thereby conceal the bracing assembly extending within the hollow and between the first and second longitudinal portions.

4. The coffin as recited in claim 3, further comprising a pair of lower brackets, extending against the lower edge between the first and second longitudinal portions when the coffin is in the planar position, for selectively preventing the first longitudinal portion from inclining during transport of the coffin.

5. The coffin as recited in claim 4, wherein the lower bracket is rigidly attached to one of the first and the second longitudinal portions, and is selectively attachable to the other of the first and second longitudinal portions once the first longitudinal portion has been lowered to the planar position to facilitate safe transport of the coffin.



(12) **United States Patent**
Goldstein

(10) **Patent No.:** **US 6,402,407 B1**
(45) **Date of Patent:** **Jun. 11, 2002**

(54) **DEVICE FOR HOLDING A WRITING INSTRUMENT**

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(*) Notice: Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 0 days.

(21) Appl. No.: **09/610,542**

(22) Filed: **Jun. 29, 2000**

(51) **Int. Cl.**⁷ **A46B 5/02**

(52) **U.S. Cl.** **401/6; 401/88**

(58) **Field of Search** 401/6, 88, 92,
401/98; D19/41, 43; 220/229; 15/435, 437,
444

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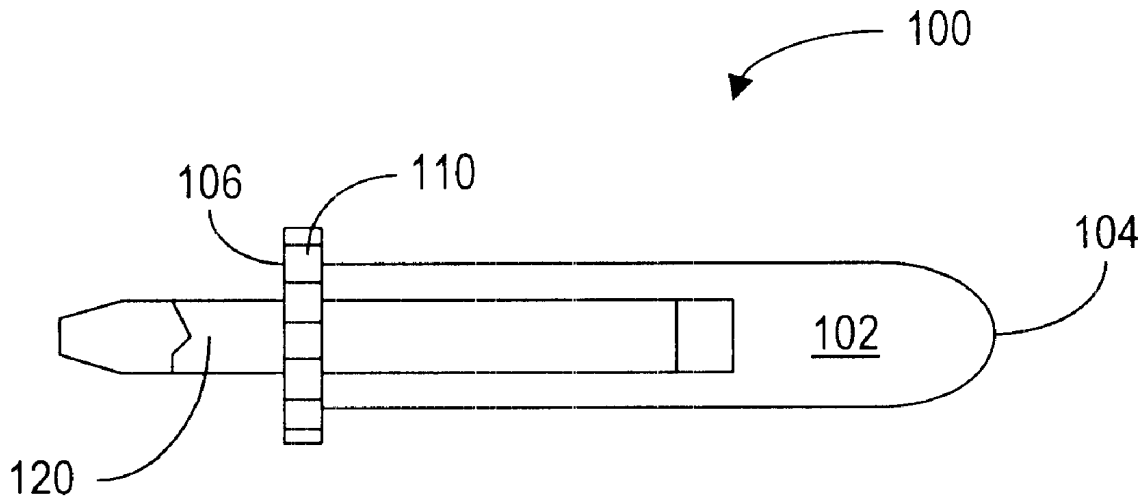
Primary Examiner—Charles R. Eloshway

(74) *Attorney, Agent, or Firm*—Buckley, Maschoff
Talwalkar & Allison

(57) **ABSTRACT**

A holder for a writing instrument includes a body portion having at least one open end and a top portion adapted to fit on the open end. The top portion includes at least one flexible holding member positioned within a perimeter of the top portion and adapted to securely hold a writing instrument.

10 Claims, 3 Drawing Sheets



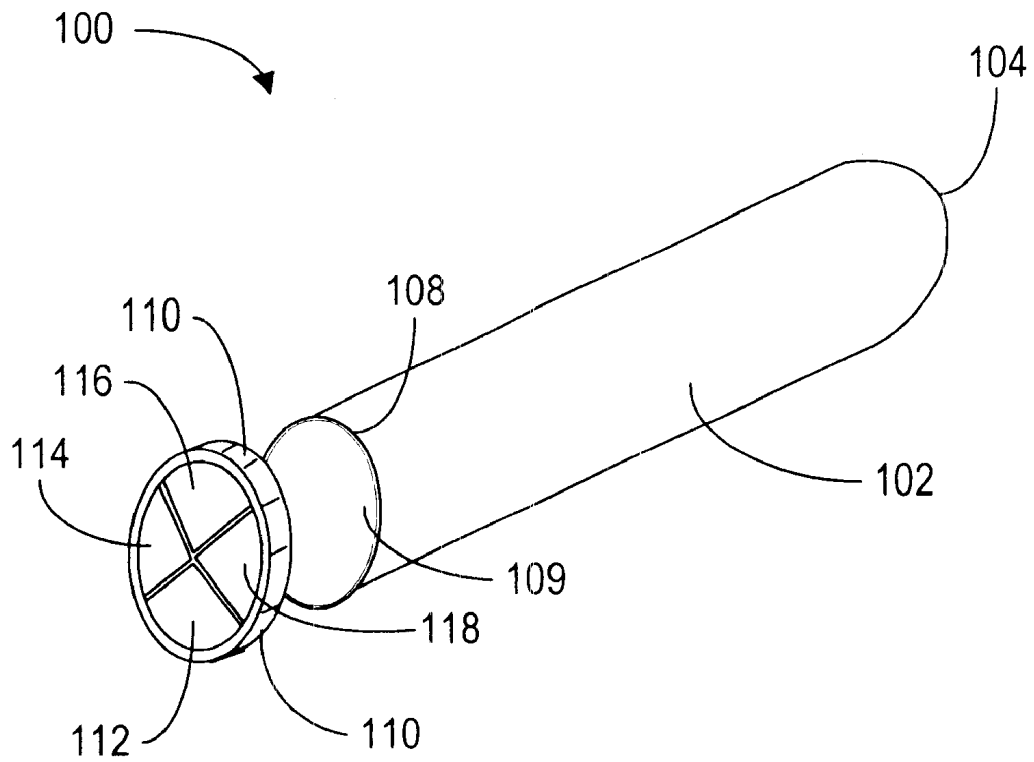


FIG. 1

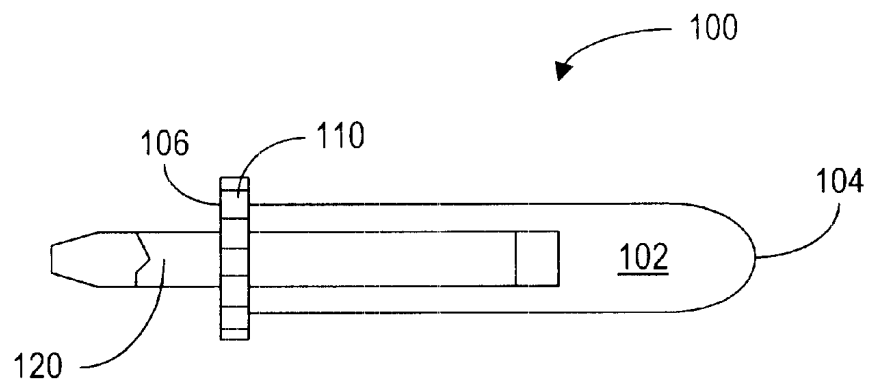


FIG. 2

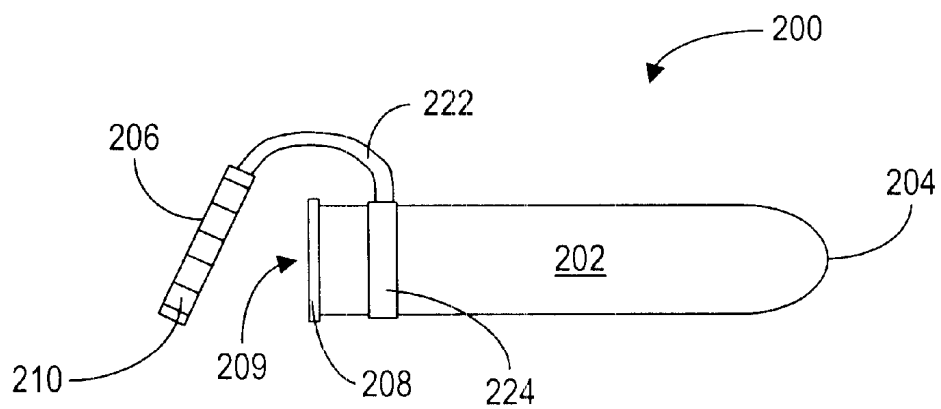


FIG. 3

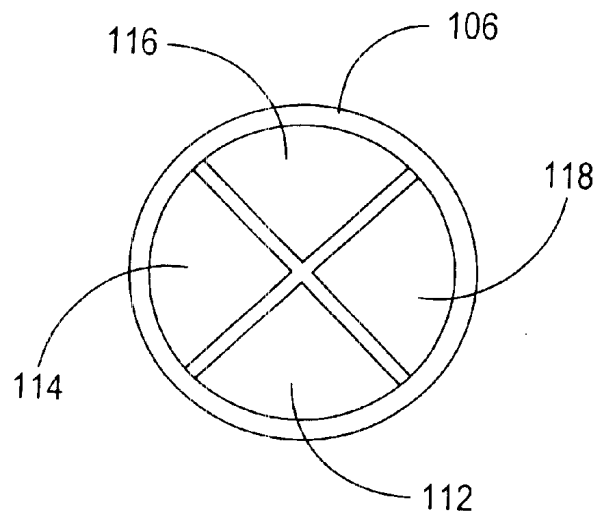


FIG. 4

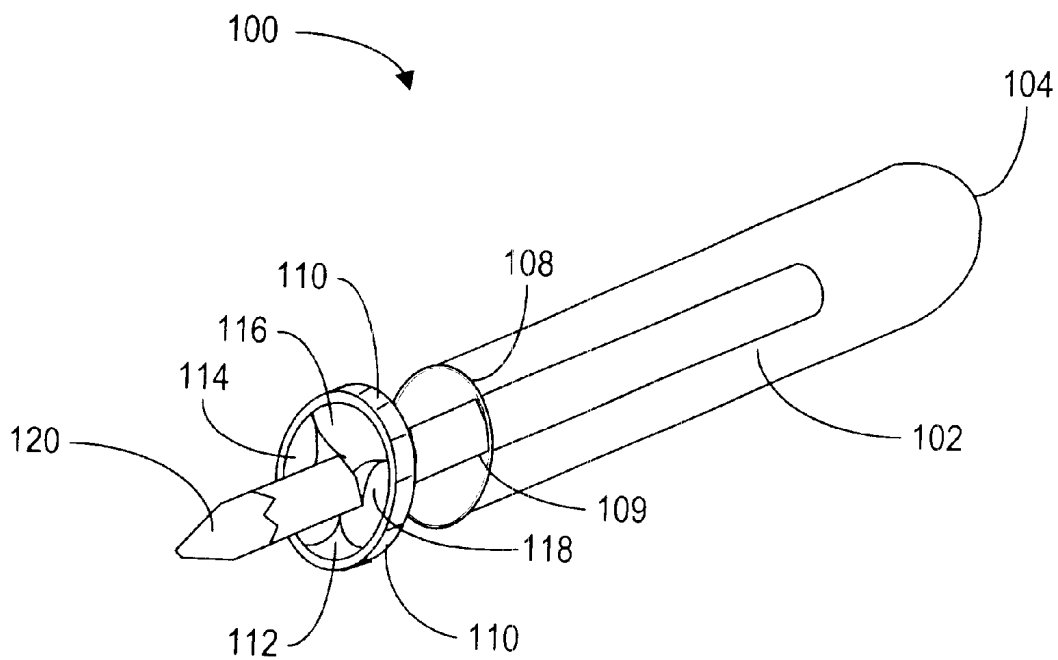


FIG. 5

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DEVICE FOR HOLDING A WRITING INSTRUMENT

FIELD OF THE INVENTION

The present invention relates to the field of devices and apparatus for holding writing or drawing materials.

BACKGROUND OF THE INVENTION

Children love to draw, write, and doodle using crayons, chalk, and other writing instruments. This activity is not only enjoyable, but it plays an important role in a child's development. Children are able to express themselves, interact with other children, and learn by writing and drawing.

Children have some limitations in their ability to use certain writing instruments. For example, many children have small hands that are unable to effectively grip small diameter writing instruments. For example, chalk and crayons are approximately 0.25 to 0.35 inches in diameter. It can be very awkward for a child with small hands to use these writing instruments.

Further, many writing instruments used by children are relatively fragile. As a result, children frequently break chalk or crayons. This is inefficient and wasteful.

Most writing instruments used by children can be relatively messy. Some parents, for example, discourage children from using crayons or chalk in rooms or situations where the parent cannot easily clean up the mess. It would be desirable to provide a device that reduces the mess created by the use of these writing instruments.

Older individuals, such as people suffering from arthritis or other physical impairments, suffer from the same difficulties in the use of writing instruments. It would be desirable to provide a holder for writing instruments which overcame these problems.

A number of holders for writing instruments have been proposed. For example, U.S. Pat. Nos. 1,151,933 (Fleming), U.S. Pat. No. 2,205,907 (Oxley), U.S. Pat. No. 2,870,740 (Vogt), and U.S. Pat. No. 4,415,092 (Boyer), all described holders for writing instruments which rely on friction to hold the writing instrument in the holder. Unfortunately, each of these holders suffer in that it can be difficult and awkward, especially for a young child, to force a crayon or piece of chalk into the holder. These holders are also undesirable because they tend to break crayon or chalk when installed into the holder. It is difficult and messy to remove these small broken pieces from the holders.

Other holders have also been described. For example, U.S. Patent Nos. 1,861,466 (Bafetti), U.S. Pat. No. 2,591,831 (Knuff), U.S. Pat. No. 2,762,336 (Estes), U.S. Pat. No. 4,468,146 (Tabachnik), U.S. Pat. No. 5,048,989 (Stageman), Re 34,194 (Stowell et al), U.S. Pat. No. 5,490,738 (Pearce), and U.S. Pat. No. 5,779,381 (Muelver) all describe holders for writing instruments which require complex and expensive machining or assembly. Further, some of these holders include small or moving parts that can be dangerous to a small child. Some of these holders are relatively difficult to operate making them unsuitable for small children.

It would be desirable to provide a holder for writing instruments which is inexpensively manufactured, easily assembled, and safe for children or other individuals. Preferably, the holder is easily used, keeps the user clean, and provides a good surface for grasping by individuals who have a difficult time holding small objects.

SUMMARY OF THE INVENTION

Embodiments of the present invention provide an improved holding device for holding writing instruments.

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In one embodiment, a holder for a writing instrument has a body portion with an interior cross section larger than an exterior cross section of the writing instrument. A top portion is also provided which includes at least one flexible holding portion adapted to securely hold the writing instrument within the body portion. In one embodiment, the top portion is detachably mounted to the body portion. In another embodiment, the top portion is fixedly attached to the body portion in a manner that allows access to the interior of the holding portion, e.g., for cleaning of the holding portion.

In one preferred embodiment, the body portion is an elongated cylinder closed on one end and open on the other. The body portion may be made of a transparent, easily formed material such as a plastic. The top portion may also be formed of plastic. The flexible holding portion may be formed of plastic or an elastomeric material that provides a firm grip for an inserted writing instrument.

With these and other advantages and features of the invention that will become hereinafter apparent, the nature of the invention may be more clearly understood by reference to the following detailed description of the invention, the appended claims and to the several drawings attached herein.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a front exploded view of a holding device according to an embodiment of the present invention;

FIG. 2 is a side view of the holding device of FIG. 1;

FIG. 3 is a side view of an alternative embodiment of the holding device of FIG. 1;

FIG. 4 is a front view of a top portion of the holding device of FIG. 1; and

FIG. 5 is a front exploded view of the holding device of FIG. 1 with a writing instrument installed.

DETAILED DESCRIPTION OF THE INVENTION

Applicant has recognized that a need exists for a holder for writing instruments which is easily and inexpensively manufactured and assembled, which also is suitable for use by children. In particular, Applicant has recognized that children (and others who have difficulties gripping small objects) require a holder which is easily used, keeps the user clean, and provides a good surface for grasping and manipulating the writing instrument.

Features of embodiments of the present invention will now be described by first referring to FIG. 1 which is a front exploded view of a holding device **100** according to one embodiment of the present invention. The holding device **100** includes a body **102** having an end section **104**, a flange **108**, and an open end section **109**. The body **102** may be formed of a thin, non-toxic plastic material. The body **102** may be opaque or clear. Preferably, the diameter of the body **102** is selected to provide a firm grip for children with small hands or impaired individuals. The exterior surface of the body **102** may be textured to provide an even firmer grip.

The holding device **100** also includes a top portion **106** which, in the embodiment depicted in FIG. 1, is formed separately from the body **102**. The top portion **106** is sized to mate securely over the open end section **109** and the flange **108** of the body **102**. The top portion **106** may include a plurality of serrations **110** disposed around an exterior perimeter of the top portion **106** to aid in removal of the top portion **106** from the body **102**. In one embodiment, the top

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portion **106** is formed of a non-toxic, elastomeric material which is sized and formed to be safe for use by children. Those skilled in the art will recognize that the top portion **106** may couple to the body **102** in any of a number of ways. For example, the top portion **106** and the body **102** may be threaded in a manner which allows the top portion **106** to screw onto the body **102**.

The top portion **106** further includes a number of holding portions **112**, **114**, **116**, and **118**. These holding portions **112–118** are arrayed around a perimeter of the top portion **106** in a manner which is designed to enable a writing instrument (not shown) to be inserted through the perimeter of the top portion **106** and to securely hold the writing instrument in position within the perimeter of the top portion **106**. While Applicant has found that the configuration of holding portions depicted in FIG. 1 produces desirable results, those skilled in the art will recognize that a different number of holding portions may be provided, so long as the writing instrument is securely held within the perimeter of the top portion **106**.

Reference is now made to FIG. 2 where a side view of the holder **100** is shown with a writing instrument **120** held within the holder **100**. As depicted, the holder **100** includes a body **102** mated with a top portion **106**. The writing instrument **120** is securely held within a perimeter of the top portion **106** so that an unused end of the writing instrument is disposed within the interior of the body **102**. This helps to ensure that messy writing instruments, such as crayons or chalk, do not accumulate on the user's hands. Further, the body **102** serves to protect the writing instrument **120** from breakage. The circumference of the body **102**, which is larger than the circumference of the writing instrument **120**, makes it easy for children with small hands or individuals with disabilities to grip and manipulate. As the writing instrument **120** wears down, the user simply needs to pull on the exposed end of the writing instrument **120** to expose more of the instrument.

Referring now to FIG. 3, a side view of an alternative embodiment of a holder **200** is shown. In this embodiment, the holder **200** has a elongated body **202** having a closed end **204** and an open end **209**. A top portion **206** is provided which is attached to the body **202** via a strap **222**. The top portion **206** mates with the body **202** at the open end **209** by fitting over a flange **208**. Through use of the strap **222**, the top portion **206** can be kept with the body **202** and not lost. Further, attachment of the two portions helps to ensure that the smaller top portion **206** is not swallowed by a small child.

Reference is now made to FIG. 4, which is a front view of the top portion **106** of FIG. 1. As shown, the top portion **106** includes several holding portions **112–118** which are disposed within a perimeter of the top portion **106**. In the embodiment depicted, the holding portions **112–118** are angularly shaped to allow a writing instrument to be inserted within the perimeter of the top portion **106** and securely held therein by friction between the writing instrument and each of the holding portions **112–118**. Those skilled in the art will recognize that any number of holding portions **112–118** may be used so long as a writing instrument may be securely held.

Referring now to FIG. 5, a side exploded view of the holder **100** is shown. This view shows the interaction between the holding portions **112–118** of the top portion **102** and the writing instrument **120**. Each of the holding portions **112–118** impart a holding force against the writing instrument **120**, thereby holding the writing instrument securely in place.

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The result is a holder for writing instruments which is cheaply manufactured and easily manipulated and configured. Further, the holder reduces messes and breakage associated with the use of fragile writing instruments such as crayons and chalk, and allows users with small hands or disabilities to easily grip and manipulate the holder and writing instrument.

Although the present invention has been described with respect to a preferred embodiment thereof, those skilled in the art will note that various substitutions may be made to those embodiments described herein without departing from the spirit and scope of the present invention. For example, although the body **102** has been depicted as generally cylindrical in shape, the body **102** may be formed of other shapes as well, so long as the body remains easy to hold and manipulate. Further, the top portion **106** may be fixedly attached to the body **102**.

What is claimed is:

1. An apparatus for holding a writing instrument, comprising:

a writing instrument;

a body portion having an interior cross section larger than an exterior cross section of the writing instrument, the body portion comprising a cylinder having a closed end and an open end, with a flange portion disposed around the open end, wherein an exterior of said cylinder is formed to fit within a small hand; and

a top portion flexibly attached to the body portion via a strap, the top portion including at least one flexible holding portion positioned within a perimeter of the top portion, the top portion adapted to securely hold the writing instrument within said body portion, the top portion formed to securely mate with the body portion at the flange portion, wherein a tip of said writing instrument projects from said top portion to allow use of said tip for writing.

2. The apparatus of claim 1, wherein the top portion is removably mounted to the body portion.

3. The apparatus of claim 1, wherein the body portion has an exterior diameter selected to provide a user with a comfortable and firm grip.

4. The apparatus of claim 1, wherein the interior cross section of the body portion is slightly larger than the exterior cross section of the writing instrument.

5. The apparatus of claim 1, wherein the top portion includes at least two flexible holding portions positioned within a perimeter of the top portion.

6. The apparatus of claim 1, wherein the top portion includes a plurality of flexible holding portions positioned within a perimeter of the top portion.

7. A holder for holding a writing instrument, comprising:

a writing instrument;

a body formed of a cylinder having a length and an interior cross section, the interior cross section larger than an exterior cross section of the writing instrument, wherein an exterior of said cylinder is formed to fit within a small hand;

a top including at least one flexible holding means positioned within a perimeter of the top and adapted to securely hold the writing instrument; and

a strap portion attached at one end to the top and at a second end to said body for attaching said top to said body;

wherein a tip of said writing instrument projects from said top to facilitate writing using said writing instrument.

8. The holder of claim 7, further comprising a flange disposed around a perimeter of one end of the body, mating with the top to securely hold the top on the body.

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9. The holder of claim 7, further comprising a plurality of flexible holding means positioned within a perimeter of the top.

10. A device for holding a soft writing instrument in a manner which protects the soft writing instrument and an individual holding the soft writing instrument, comprising:

a soft writing instrument;

a cylindrical body portion having a closed end and an open end, wherein an exterior of said cylindrical body portion is formed to fit within a small hand;

a flange disposed along a perimeter of the open end;

a top portion adapted to securely mate with the flange, the top portion having a plurality of flexible holding mem-

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bers disposed within a perimeter of the top portion, the plurality of flexible holding members for securely holding the soft writing instrument within said cylindrical body without damaging the soft writing instrument; and

a strap for connecting the top portion to the cylindrical body portion when the top portion is not securely mated with the body cylindrical body portion;

wherein a writing end of said soft writing instrument projects from said top portion to facilitate use of said soft writing instrument for writing.

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