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(54) Title: PILL BOTTLE DISPENSER FOR DISPENSING ONE OR TWO PILLS

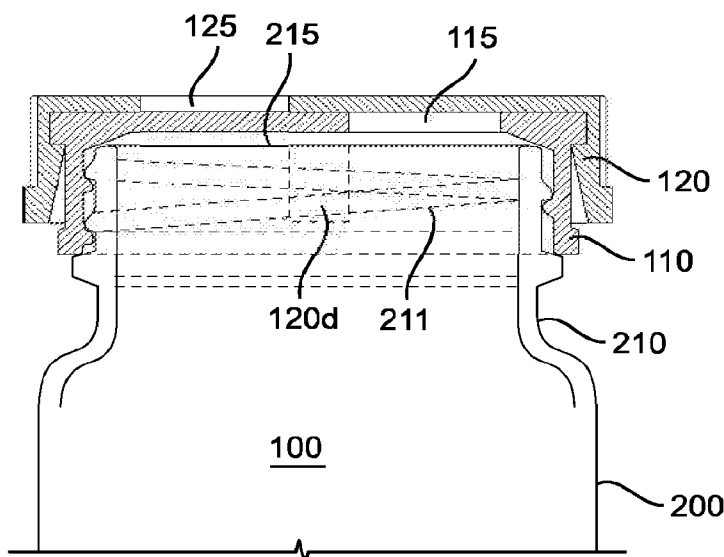


FIG. 1

(57) Abstract: A cap assembly for a pill bottle to
allow dispensing only one or two pills at a time.
The cap assembly has an inner cap with a rounded
triangular opening and an outer cap with a
rounded triangular opening and allows for a pill
to be dispensed when both openings are aligned.
The inner cap has a mechanism for engaging the
bottle and the outer cap has a mechanism for en-
gaging the inner cap. The cap assembly reduces
the dispensing area for a pill and prevents
spillage. The invention may also have a third cap
to provide a child-resistance cap assembly. Al-
ternately, the cap assembly may comprise a re-
movable insert with a triangular opening that fits
into a mouth of the pill bottle.



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- *before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments (Rule 48.2(h))*
 - *the filing date of the international application is within two months from the date of expiration of the priority period (Rule 26bis.3)*

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INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 16/39663

A. CLASSIFICATION OF SUBJECT MATTER

IPC(8) - B65D 83/04, B65D 50/04, B65D 55/02, A61J 7/00 (2016.01)

CPC - B65D83/04, B65D83/0409, B65D83/0481, B65D50/04, B65D55/02, A61J7/00, A61J7/0076

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC(8) B65D 83/04, B65D 50/04, B65D 55/02, A61J 7/00 (2016.01)

CPC: B65D83/04, B65D83/0409, B65D83/0481, B65D50/04, B65D55/02, A61J7/00, A61J7/0076

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

IPC(8) B65D 83/04, B65D 83/06, B65D 50/04, B65D 50/00, B65D 55/02, B65G 59/00, A47F 1/04, A61J 7/00, A61J 1/03 (2016.01)

CPC: B65D83/04, B65D83/0409, B65D83/049, B65D83/0481, B65D83/06, B65D2215/02, B65D25/04 (keyword limited; terms below)

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

PatBase; Google Patents; Google Scholar; Google Web;

Search terms used: Pill medicine dispenser bottle container inner outer cap layer safety child lock proof cap limiting controlling dispensing twisting rotating snap lock lug

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X --- Y	US 5,123,574 A (Poulos) 23 June 1992 (23.06.1992), entire document, especially Fig. 1, 3, 4, 6, 8, 9; col 2, ln 49-51; col 3, ln 19-21; col 2, ln 54-56; col 3, ln 16-19;	1, 3, 7-8 ----- 2, 4-6
Y	US 2013/0264354 A1 (Zuser et al.) 10 October 2013 (10.10.2013), entire document, especially Fig. 1, 3; para[0027];	2
Y	US 4,124,143 A (Thomas) 07 November 1978 (07.11.1978), entire document, especially Fig. 1, 2, 6; col 2, ln 60-65;	4
Y	US 7,100,783 B2 (Belden, Jr.) 05 September 2006 (05.09.2006), entire document, especially Fig. 1, 2B, 10, 11; col 4, ln 23-24; col 9, ln 56-61;	5
Y	US 2009/0127157 A1 (Costa et al.) 21 May 2009 (21.05.2009), entire document, especially Fig. 11, 12; para[0054]; para[0055];	6
A	US 5,449,085 A (Brun, Jr.) 12 September 1995 (12.09.1995), entire document	1-8
A	US 5,791,515 A (Khan et al.) 11 August 1998 (11.08.1998), entire document	1-8
A	US 8,813,987 B2 (Oelz et al.) 26 August 2014 (26.08.2014), entire document, especially	1-8
A	US 3,797,688 A (Porcelli et al.) 19 March 1974 (19.03.1974), entire document	1-8

☐ Further documents are listed in the continuation of Box C.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

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Date of mailing of the international search report

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INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 16/39663

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:
This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group I: Claims 1-8 directed to a cap assembly having an inner and outer cap.

Group II: Claim 9-11 directed to a child-proof cap assembly having an inner, middle and outer cap.

Group III: Claim 12 directed to a removable circular insert.

**See note at bottom

The inventions listed as Groups I-III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

--- Continued in supplemental box ---

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of additional fees.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims, it is covered by claims Nos. 1-8

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.
- ☐ The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 16/39663

--- Continuation of Box No. III Observations where unity of invention is lacking ---

SPECIAL TECHNICAL FEATURES

The invention of Group I includes the special technical features of a cap assembly having an outer cap over the inner cap, the outer cap engaged by the extended shoulder of the inner cap, the outer cap having a second top panel, a second opening in the second top panel, the second skirt having a second mechanism for engaging the inner cap; wherein twisting the outer cap to align with the inner cap allows for dispensing one or two pills, not required by the claims of Groups II and III.

The invention of Group II includes the special technical features of a child-proof cap assembly having a middle cap over the inner cap, the middle cap having a second mechanism for engaging the inner cap, an outer cap over the middle cap, with a third mechanism for engaging the middle cap, wherein twisting the outer cap so that the third opening aligns with the second opening, and the first opening, allows for one or two pills to be dispensed, not required by the claims of Groups I and III.

The invention of Group III includes the special technical features of a removable circular insert having a cylindrical sleeve, the sleeve having a triangular opening in the floor, wherein the insert fits into a mouth of a bottle, not required by the claims of Groups I and II.

COMMON TECHNICAL FEATURES

Groups I-III share the common technical features of a dispensing apparatus (generally) for a pill bottle.

However, this shared technical feature does not represent a contribution over prior art as being anticipated by US 5,123,574 A (Poulos), which discloses a dispensing apparatus (generally) (10, Fig. 1, 3 - see dispenser/cap 10) for a pill bottle (60, Fig. 1 - see pill bottle 60).

Groups I and II share the common technical features of a cap assembly for a pill bottle comprising:

an inner cap comprising a first top panel with an extended shoulder, a first opening contained in the first top panel, and a first skirt extending downward from the first top panel, the first skirt having an inner surface with a first mechanism for engaging a neck of the bottle; an outer cap (generally) with an opening (generally); and wherein when the first and second openings are aligned, one or two pills are dispensed (generally).

However, this shared technical feature does not represent a contribution over prior art as being anticipated by US 5,123,574 A (Poulos), which discloses a cap assembly (10, Fig. 1, 3 - see dispenser/cap 10) for a pill bottle (60, Fig. 1 - see pill bottle 60) comprising: an inner cap (20, Fig. 1, 3; col 2, ln 49-51, 'base 20') comprising a first top panel (Fig. 1, 3 - see first top panel of inner cap 20) with an extended shoulder (22, Fig. 3, 4 - see groove/extended shoulder 22 that is used for engaging the outer cap 30), a first opening (26, Fig. 4 - see first opening 26) contained in the first top panel (Fig. 4), and a first skirt (Fig. 4, 6 - see first skirt where threads 66 are disposed) extending downward from the first top panel (Fig. 4, 6), the first skirt having an inner surface (Fig. 6) with a first mechanism (66, Fig. 6 - see mechanism/threads 66) for engaging a neck of the bottle (Fig. 6 - see how threads 66 engage the neck of bottle 60; col 3, ln 19-21, 'dispenser 10 is then screwed onto a container 60 and held in place by base threads 66 and container threads 64'); and an outer cap (generally) (30, Fig. 1, 3, 6; col 2, ln 49-51, 'a cap 30') with an opening (generally) (34, Fig. 1, 3); and wherein when the first and second openings are aligned, one or two pills are dispensed (generally) (Fig. 1, 2 - see how when the openings 26 and 34 are aligned, and the bottle is tilted, one or two pills can be dispensed at a time).

As the common technical features were known in the art at the time of the invention, these cannot be considered special technical feature that would otherwise unify the groups.

Therefore, Groups I-III lack unity under PCT Rule 13 because they do not share a same or corresponding special technical feature.

** Claim 1: Regarding claim 1, the claim language is confusing and lacks clarity. Specifically, in line 4, the recitation "a mechanism" is confusing because "a mechanism" is again recited in line 9. Further, in the instant specification, Applicant describes there being more than one mechanism's (para [0041]-[0042]). For purposes of this opinion, "a mechanism" in line 4 has been interpreted to be "a first mechanism" and "a mechanism" in line 9 has been interpreted to be "a second mechanism."

Claim 9: Regarding claim 9, the claim language is confusing and lacks clarity. Specifically, in line 4, the recitation "a mechanism" is confusing because "a mechanism" is again recited in line 8, and "a mechanism" is again recited in line 13. Further, in the instant specification, Applicant describes there being more than one mechanism's (para [0041]-[0042], para[0047]). For purposes of this opinion, "a mechanism" in line 4 has been interpreted to be "a first mechanism" and "a mechanism" in line 8 has been interpreted to be "a second mechanism" and "a mechanism" in line 13 has been interpreted to be "a third mechanism."