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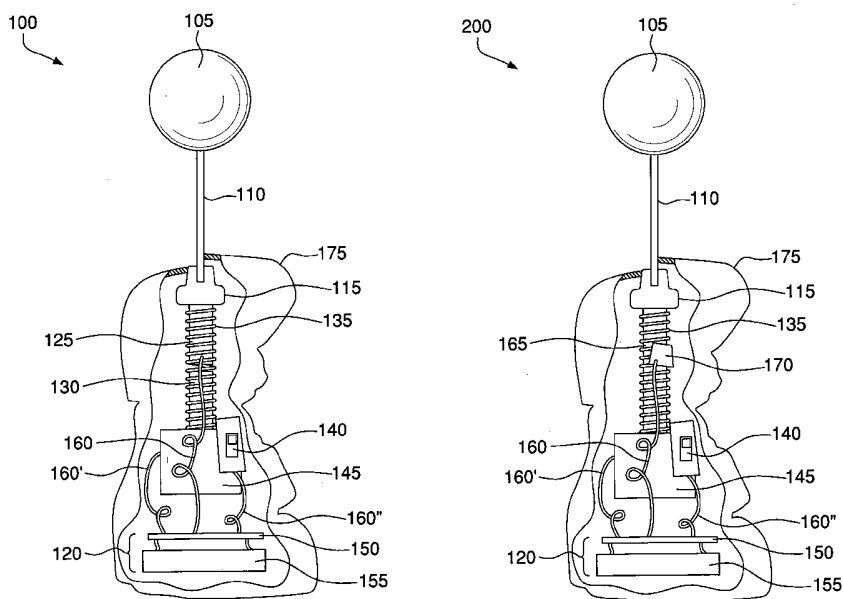
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(54) **Title:** SOUND GENERATING CONFECTIONARY OR NOVELTY DEVICE



(57) **Abstract:** A sound generating confectionary or novelty device is described. The device comprises a confectionary or novelty portion, some or all of which is contained within a housing. The housing also supports a sound generating mechanism. The sound generating mechanism can be activated directly by the user, or can be activated by the actions of the user in consuming the confectionary portion, or in using or manipulating the novelty portion.

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SOUND GENERATING CONFECTIONARY OR NOVELTY DEVICE

Field of the Invention

The invention relates to the field of confectionary or novelty products, and particularly to a confectionary device that produces sound when activated.

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Background

Candy and other novelties are available in a variety of shapes, sizes and colors. However, apart from the differences in candy type or flavor, very little exists to differentiate one confection from another. What is needed is a way to add amusement qualities and value to candy and novelties, and to provide an additional incentive for the consumer to buy the candy

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or novelty item.

Summary of the Invention

This invention relates to a confection or novelty which is provided in combination with a device for generating sound. The sound is generated when activated by the user or when the confection is consumed, or when the novelty item is used or manipulated by a user.

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The invention thus provides a sound generating confectionary or novelty device. The device of the invention comprises a confectionary or novelty portion, some or all of which is contained within a housing. The housing also supports a sound generating mechanism. The sound generating mechanism can be activated directly by the user, or can be activated by the actions of the user in consuming the confectionary portion or using or manipulating the

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novelty.

The invention also provides a method of generating sound with the present sound generating confectionary or novelty device. The method comprises providing a sound generating confectionary device of the invention to a consumer, and consuming the confectionary

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portion or using or manipulating the novelty portion such that the sound generating mechanism is activated and sound is produced.

The invention further relates to a method of marketing a confectionary or novelty product.

The marketing method involves providing a confection or novelty in combination with a
5 sound generating device to create a sound generating confectionary or novelty device, and
distributing the sound generating confectionary or novelty device to a user. The method can
further comprise the steps of instructing the user in how to activate the sound generating
portion, or packaging the sound generating confection with other confections, toys, novelties
or the like.

10 Brief Description of the Drawings

For the purpose of illustrating the invention, there are shown in the drawings forms which are exemplary; it being understood, that this invention is not limited to the precise arrangements and instrumentalities shown.

Fig. 1 is a longitudinal cross-sectional view of an exemplary sound generating confectionary
15 device of the invention.

Fig. 2 is a longitudinal cross-sectional view of a further exemplary sound generating confectionary device of the invention

Detailed Description

The sound generating confectionary device of the invention comprises a confectionary
20 portion, a housing and a sound generating mechanism.

The confectionary portion comprises at least one confectionary and at least one support member for supporting the confection. As used herein, "supported by a support member" means that the confection is held, carried or otherwise sustained by the support member. For example, the support member can comprise a stick or post, and the confection can comprise a

lollipop head. Alternatively, the support member can comprise a flat or convex surface that supports the confection.

The confectionary portion can comprise any type of confection, such as candy, cake, cookies and the like, which can be supported by the support member. Suitable confections for use in the invention include hard candies; mints; cough drops and throat drops; lozenges; gum; lollipop heads; low boiled candy; hard boiled candy; coated candy; rock candy; milk, dark and white chocolate; taffy; powdered candies; edible films; and jelly beans. Such confections, and techniques for producing them and associating them with the support member are within the skill in the art.

A portion of the support member is seated in an adaptor, which fastens the support member to the housing or other components of the sound generating confection. The adaptor is supported by the housing. The support member can be reversibly or irreversibly attached to the adaptor by means which are apparent to those skilled in the art; for example with adhesives, welds, mechanical means, snap fits, bayonet fits, friction fits and the like. The adaptor can serve to operably connect the confectionary portion to the sound generating mechanism, as described in more detail below. Alternatively, the support member can be operably connected to the sound generating mechanism without the adaptor.

As used herein, a component which is "supported by the housing" means that the component can be located on the outside of the housing, inside the housing, or can extend through the housing and is carried directly or indirectly thereby. An example of a component which is indirectly supported by the housing is the support member being seated in the adaptor. The adaptor supports the support member, and is in turn supported by the housing. Thus, the support member is considered to be "supported by the housing."

When the confection is supported by the support member, and the support member is seated in the adaptor, some or all of the confectionary portion is contained within the housing. Generally, that part of the support member which supports the confection extends outward from the housing, so that the confection is accessible to a consumer. For example, the confectionary portion can comprise a lollipop, in which the lower end of the lollipop stick (i.e., the end which does not support the candy) is seated in the adaptor. The lollipop head is extended outward from the housing a sufficient distance to allow a consumer to eat the lollipop; see, e.g., Figs. 1 and 2.

The support member can optionally be removed from the adaptor when the confection has been consumed, and another confectionary portion can be seated into the adaptor. For example, another lollipop can be seated into the adaptor by inserting the lower end of the stick into the adaptor after the stick from the lollipop which had been consumed is removed and discarded.

The invention also provides a sound generating novelty device comprising a novelty portion, a housing and a sound generating mechanism. The novelty portion is identical to the confectionary portion, except that the confection is replaced with a novelty item. The novelty item can comprise any item which can be seated in the adaptor or otherwise operably connected to the sound generating mechanism; for example, a pen, pencil, chalk, magic marker or other writing device; paint brush; whistle; or combinations thereof. Other novelty items are contemplated as comprising the novelty portion. The support member for the novelty item may be integral to, or coextensive with, the novelty item. For example, where the novelty item is a pen, the support member can comprise the end of the pen which is not used for writing. A novelty portion of the invention is supported by the housing and/or

operably connected to the sound generating mechanism in the same manner as a confectionary portion.

Alternatively, the confectionary portion can comprise a novelty item; *e.g.*, the novelty item can be contained in, integral to or coextensive with, the confection or confectionary portion of the sound generating confectionary device. For example, a confectionary portion can
5 comprise a lollipop, where the lollipop “stick” is a pen, pencil, whistle or other novelty item. Consumption of the confection exposes the novelty item and allows it to be used or manipulated.

At least one sound generating is supported by the housing. The sound generating mechanism
10 can comprise any electronic or non-electronic sound generator, such as are known in the art. Suitable sound generators include devices comprising a printed circuit board (“PCB”) connected to a speaker, in which the PCB controls the type, loudness, and frequency of the generated sound, such as are known in the art. It is contemplated that the electronic sound generating device can be programmable or capable of transmitting and receiving and/or
15 storing electronic data, such as computer program code for generating sounds. Non-electronic sound generating mechanisms include horns, buttons or other noisemakers which rely, for example, on the expulsion of air through a hole or narrow channel, or the movement or air across a reed, membrane or the like.

Some or all of the sound generating mechanism can optionally be replaced by the consumer,
20 if the consumer desires the device of the invention to produce a different sound. For example, the housing can be designed such that the PCB/speaker combination is accessible and can be easily removed by the consumer without damaging the device. A different PCB/speaker combination can be inserted into the device in place of the original, thus allowing the device to produce a different sound.

The adaptor can be operably connected to the sound generating mechanism, so that the sound generating mechanism is activated by motions and/or pressure generated by a consumer during the act of consuming the confection, or during use or manipulation of the novelty item (such as by writing with a pen). For example, a consumer may generate pressure by holding
5 the housing in their hand and directing the sound generating confectionary device upwards towards their mouth, while simultaneously applying downward pressure with the lips and tongue on the confectionary portion. Likewise, when the novelty item is a pen or other writing instrument, writing with the instrument will create pressure on the support member. This pressure can be translated through the support member and adaptor to the sound
10 generating mechanism. For example, the pressure can serve to close an electronic switch, allowing current to flow from a power source and active the sound generating mechanism. The pressure generated by the user in this manner can also force air through or across a non-electronic sound generating mechanism, resulting in the production of sound.

Electronics suitable for use in the sound generating mechanism can include a power source
15 box or battery box supported by the housing, for containing batteries or other suitable power source. Suitable wires can be used to couple operable components such as switches, PCB and speaker. These components can be supported by the housing. Some or all of the power source can optionally be removable, so that the consumer can replace or renew the power source when desired.

20 Alternatively, the sound generating mechanism can be activated by an "on-off" switch accessible to the user. In this instance, the generation of sound is not necessarily dependent on the consumption of the confection. An "on-off" switch can also be provided which allows power to flow to the electronic components when switched on, but only if a second switch is also closed. Thus, a consumer can switch the device "on" by an accessible "on-off" switch,

but no sound is generated until the consumer begins to consume the confection or use or manipulate the novelty item. The consumption of the confection or use or manipulate the novelty item closes a second switch, which allows completion of the circuit and generation of sound. In this example, when the "on-off" switch is in the "off" position, consumption of the confection or use or manipulate the novelty item will not result in the generation of sound.

The accessible "on-off" switch can be any conventional type of switch known in the art, and can also comprise a resistance or touch switch that is closed when contacted by the skin of a consumer (for example when the housing is grasped by the consumer). Such switches are known in the art, and are commercially available.

Any sound can be generated by the sound generating mechanism. Suitable sounds include fanciful sounds (*e.g.*, bells, whistles, honks, beeps, clicks, chatters, snaps, crackles, pops and the like); musical sounds (*e.g.*, tones, percussive notes, melodic notes and the like; some or all of a recorded song); human, animal or insect noises (bird calls; lion's grunts or roars; elephant's trumpet; cat's meow or purr; dog's bark, growl or howl; cow's moo; horses neigh or nicker; frog's or toad's croak; pig's oink or squeal; monkey's or ape's hoots; cicada's or katydid's buzz; cricket's chirp; buzzing of bee's wings; human yells, shrieks or voices, including spoken words in any language); natural noises (*e.g.*, wind, waves, waterfalls); mechanical noises (trains or train whistles; steam whistles; automobile engine or horn; fog horn; sonar "ping"; alarm klaxon or buzzer; sirens such as police or fire sirens; school, fire or telephone bells) electronic sounds (*e.g.*, cell phone ring tones, computer warning tones); and combinations thereof. It is understood that a given sound generating mechanism can produce a single sound, or can produce multiple sounds.

The housing can also support electronic components other than, and optionally connected to, any electronic components comprising the sound generating mechanism. Such electronic

components can be activated along with the sound generating mechanism, or can be activated separately. For example, the device can comprise components for the electronic generation of sound and/or light. The device can also comprise drive motors activated by the electronics, which move or rotate the confectionary portion or novelty portion to facilitate
5 consumption.

Electronics suitable for use in the device can include those electronic components discussed above. Suitable wires can be used to couple operable components such as incandescent lights, LED's and switches. These components can be supported by the housing. For example, one or more portions of the housing can be lighted or adapted to glow by providing
10 a suitable light source, such as an LED mounted adjacent to a chamber with transparent or translucent portion. All electronics in the present device can be powered by a single power source, or can be powered by different power sources.

The housing can also be designed to accept attachments, appendages and the like, so that the consumer can decorate or personalize the housing of a given device. For example,
15 accessories simulating items such as helmets or other headgear; clothing; jewelry; weapons; personal items such as dolls, toys, canes, cigarette holders, glasses and the like; extra limbs or other body parts; and combinations thereof can be placed onto and supported by the housing.

The housing can also be designed so that multiple devices of the invention can be fastened together by contacting the appropriate parts of their housings. For example, the housing can
20 comprise metallic and/or magnetic areas, which magnetically adhere when brought into proximity. The housing can also comprise snap- or friction-fittings, locks, hooks or other means by which two or more housings can be joined, as are known in the art. When two or more devices are fastened together, the electronics of one device can be connected to and

optionally controlled by the electronics of the other, so that activation of one device results in activation of one or more other devices connected to it.

The housing can also be designed so that ports or other access means for transmitting and receiving electronic data are provided. Two or more devices comprising such access means
5 can share electronic data, for example to transmit computer code for producing a given sound from one device to another. It is understood that the transmission of data may occur over wires or other direct connection between the devices, or may occur wirelessly, such as by infrared, light or radiofrequency transmission.

With regard to fastening, mounting, attaching or connecting components of the device, unless
10 specifically described otherwise, such are intended to encompass suitable conventional fasteners such as screws, nut and bolt connectors, threaded connectors, snap rings, detent arrangements, clamps such as screw clamps and the like, rivets, toggles, pins and the like, as are known in the art. Components can also be connected by adhesives, glues, welding, ultrasonic welding, and friction fitting or deformation, if appropriate, and appropriate liquid
15 and/or airtight seals or sealing devices can be used, as are known in the art. Electronic portions of the device can use conventional, commercially available electronic components, connectors and devices such as suitable wiring, connectors, PCBs, microchips, speakers, lights, LED's, liquid crystal displays, pressure sensors, liquid level sensors, audio components, inputs, outputs and the like.

20 The housing can be fabricated in any suitable size and shape capable of supporting the confectionary portion, the sound generating mechanism, and any accompanying electronics. For example, the housing can be fabricated in the accurately reproduced or stylized shape of a human being (*e.g.*, a child, such as a boy or a girl) or animal (*e.g.*, dog, cat, horse, pig, cow, frog, monkey or ape, lion, or elephant); robot; military vehicle or aircraft; spacecraft;

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automobile; train; boat or ship; natural or man-made land mark; building; or in a fanciful shape. The housing can also be made in the likeness (including a caricature) of actual sports or military figures. The housing can also comprise limbs or appendages, wheels, and the like which may move independently.

- 5 The housing can comprise one or more colors, designs or indicia, for example for the purpose of decoration or to indicate different group affiliations. Such colors, designs or indicia can be those associated with actual armies, countries, sports teams or sports or military figures.

The housing can be any suitable size which allows a consumer to handle the device and actuate the sound generating mechanism, as can be readily determined by one skilled in the art. For example, the device can be from about 10cm to about 50cm (*e.g.*, about 15cm to about 45cm, about 25cm to about 30cm, or about 20 cm) in height, from about 5cm to about 30cm (*e.g.*, about 10cm to about 25cm, or about 15cm to about 20cm) in length (*i.e.*, from left to right sides), and from about 2cm to about 10cm (*e.g.*, about 5cm to about 8cm, or about 6cm) in depth (*i.e.*, from front to back). Greater or lesser values are contemplated for the height, length and breadth of the housing.

All or part of the housing can be fabricated from any suitably rigid material, such as heavy gauge paper or cardboard, woods, metals, plastics, rubbers or synthetic resins, as are known in the art, by standard techniques for producing toys and the like. For example, the housing can be fabricated by injection molding or other suitable technique from commercially-
20 available material such as thermo plastic polyurethane (TPU); ionomer resin; ethylene vinyl acetate (EVA); thermo plastic styrenics (TPS); melt processible rubber (MPR); thermo plastic vulcanate (TPV); thermo plastic olefin (TPO); thermo plastic ester elastomer (TPEE); thermo plastic elastomer (TPE); thermoplastic rubber (TPR); polypropylene (PP), polyethylene terephthalate (PET), polyvinyl chloride (PVC); acrylonitrile-butadiene-styrene terpolymer

(ABS); a polycarbonate and acrylonitrile-butadiene-styrene terpolymer blend (PC/ABS); flexible plastic such as polystyrene sheet or polymethylmethacrylate (PMMA, marketed as "PERSPEX" by ICI Acrylics, Inc.); other acrylics; metal (*e.g.*, stainless steel, aluminum, copper); wood; or any combination thereof. Other suitable materials and forming methods will be apparent to those skilled in the art.

An exemplary sound generating confectionary device is shown in Fig. 1. With reference to Figure 1, the exemplary sound generating confectionary device **100** is shown in longitudinal cross-section. A confection **105** is supported by support member **110** which is seated in adaptor **115**. Confection **105** and support member **110** form the confectionary portion of this exemplary device. The adaptor **115** is operably connected to the sound generating mechanism **120** by a first contact **125** and a second contact **130**, which are kept apart (*i.e.*, in the "off" position) by spring **135**. In use, "on-off" switch **140** is placed in the "on" position. Downward pressure on support member **110** forces first contact **125** and second contact **130** together, completing the circuit and allowing current to flow from power source **145** to printed circuit board **150** and speaker **155** through wires **160**, **160'** and **160''**. The printed circuit board **150** directs speaker **155** to produce the desired sound. The components of the sound generating confectionary device are supported by housing **175**.

[0010] A further exemplary sound generating confectionary device **200** is shown in Fig. 2, where like reference numbers indicate like structures from Fig. 1. In the exemplary device of Fig. 2, contacts **125** and second contact **130** are replaced by post **165**. Post **165** supports the spring **135**, which contacts the contact plate **170** when downward pressure is exerted on support member **110**. Contact between spring **135** and contact plate **170** closes the circuit and allows current to flow from power source **145** to printed circuit board **150** and speaker **155** through wires **160**, **160'** and **160''** when "on-off" switch **140** is placed in the "on"

position. Alternatively, contact plate 170 is in constant contact with spring 135, and current flows from power source 145 to printed circuit board 150 and speaker 155 through wires 160, 160' and 160'' when "on-off" switch 140 is placed in the "on" position without the need to exert downward pressure on support member 110.

5 It is understood that for the exemplary sound generating confectionary devices shown in Figs. 1 and 2, the confectionary portion can be replaced by a novelty portion.

The invention also provides a method of generating a sound with the present sound generating confectionary or novelty device. This method comprises providing a sound generating confectionary or novelty device to a consumer. The consumer may simply switch
10 the device on to produce the sound, or may switch the device on and begin consuming the confection or using or manipulating the novelty item. Consumption of the confection, or use or manipulate the novelty item (in particular the pressure on or motion of the confectionary portion or novelty portion created by such consumption, use or manipulation), can close a circuit and allow power to flow to the sound generating mechanism, for example as discussed
15 above. Power can flow to the sound generating mechanism upon closing of a touch or resistance switch by contact with a consumer's skin. Alternatively, no "on-off" switch is provided on the device, and power flows to the sound generating mechanism upon consumption of the confectionary, or use or manipulate the novelty item, without the need to initially switch the device on.

20 The invention further relates to a method of marketing a sound generating confectionary or novelty device. The marketing method involves packaging a device of the invention with at least one additional item for sale, such as candy or gum, stickers, other electronic items, and promotional items such as contests or lotteries and team or league paraphernalia. For example, the device can be packaged with multiple sound generating mechanism, which

allow the user to generate different sounds depending on which sound generating mechanism is placed in the device. To assist the user in properly operating the product, instructions on how to use the device and/or replace or change components of the device (such as the confectionary portion or the sound generating mechanism) can also be packaged with the
5 device.

While the present invention has been described in connection with the examples discussed above and the various figures, it is to be understood that other similar examples may be used, or modifications or additions may be made to the described examples for performing the same function of the present invention without deviating therefrom. Therefore, the present
10 invention should not be limited to any single example, but rather should be construed in breadth and scope in accordance with the recitation of the appended claims.

What is claimed is:

1. A sound generating confectionary device, comprising:
a confectionary portion comprising a support member and a confection;
a sound generating mechanism; and
5 a housing,

wherein the confectionary portion and support member are supported by the housing.

2. The device of claim 1, wherein the confectionary portion is operably connected to the sound generating mechanism.

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3. The device of claim 1, wherein the confectionary portion is operably connected to the sound generating mechanism through an adaptor.

4. The device of claim 1, wherein the sound generating mechanism is electronic.

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5. The device of claim 1, wherein the sound generating mechanism is activated by consumption of the confection.

6. The device of claim 1, wherein the sound generating mechanism is activated by an
20 on-off switch accessible to a user.

7. The device of claim 1, further comprising an on-off switch accessible to the user operably connected to the sound generating mechanism and a power source.

8. The device of claim 1, wherein the on-off switch comprises a skin resistance switch or a touch switch.
9. The device of claim 1, wherein the confection selected from the group consisting of
5 hard candies; mints; cough drops and throat drops; lozenges; gum; lollipop heads; low boiled candy; hard boiled candy; coated candy; rock candy; milk, dark chocolate; white chocolate; taffy; powdered candies; edible films; and jelly beans.
10. The device of claim 1, wherein the confectionary portion comprises a lollipop.
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11. The device of claim 1, wherein the housing is fabricated in the shape of a human being, animal; robot; military vehicle, military aircraft; spacecraft; automobile; train; boat or ship; natural or man-made land mark; building; or a fanciful shape.
- 15 12. The device of claim 1, wherein the housing is fabricated in the shape of a human boy, a human girl, dog, cat, horse, pig, cow, frog, monkey or ape, lion, or elephant.
13. The device of claim 1, wherein the sound generating mechanism can transmit, receive or store electronic data.
20
14. The device of claim 1, wherein the sound generating mechanism is removable.
15. A method of generating sound with the sound generating confectionary device of claim 1, comprising providing a sound generating confectionary device of the invention to a

consumer, and consuming the confectionary portion such that the sound generating mechanism is activated.

16. The method of claim 15, wherein the device further comprises an on-off switch
5 accessible to the consumer, and the consumer places the on-off switch in the on position before consuming the confection.

17. The method of claim 15, wherein the sound generating device is activated by pressure
on or movement of the support member caused by consumption of the confection by the
10 consumer.

18. The method of claim 17, wherein the confectionary portion comprises a lollipop.

19. A method of marketing a confectionary product, comprising
15 (1) providing a confection in combination with a sound generating device to create a sound generating confectionary device of claim 1; and
(2) distributing the sound generating confectionary device to a user, optionally in combination with an additional item.

20. The method of claim 19, wherein the additional item is selected from the group consisting of instructions on how to use the device; toys; candy; gum; stickers; electronic items; promotional items; and additional sound generating mechanisms.

21. A sound generating novelty device, comprising:

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a novelty portion comprising a support member and a novelty item;
a sound generating mechanism; and
a housing,

wherein the novelty portion and support member are supported by the housing.

5

22. The device of claim 21, wherein the novelty portion is operably connected to the sound generating mechanism.

23. The device of claim 21, wherein the novelty portion is operably connected to the
10 sound generating mechanism through an adaptor.

24. The device of claim 21, wherein the sound generating mechanism is electronic.

25. The device of claim 21, wherein the sound generating mechanism is activated by use
15 or manipulation of the novelty item.

26. The device of claim 21, wherein the sound generating mechanism is activated by an on-off switch accessible to a user.

20 27. The device of claim 21, further comprising an on-off switch accessible to the user operably connected to the sound generating mechanism and a power source.

28. The device of claim 1, wherein the on-off switch comprises a skin resistance switch or a touch switch.

29. The device of claim 21, wherein the novelty item selected from the group consisting of writing instruments and a whistle.
- 5 30. The device of claim 21, wherein the confectionary portion comprises a pen.
31. The device of claim 21, wherein the housing is fabricated in the shape of a human being, animal; robot; military vehicle, military aircraft; spacecraft; automobile; train; boat or ship; natural or man-made land mark; building; or a fanciful shape.
- 10
32. The device of claim 21, wherein the housing is fabricated in the shape of a human boy, a human girl, dog, cat, horse, pig, cow, frog, monkey or ape, lion, or elephant.
33. The device of claim 1, wherein the sound generating mechanism can transmit, receive
15 or store electronic data.
34. The device of claim 21, wherein the sound generating mechanism is removable.
35. A method of generating sound with the sound generating novelty device of claim 21,
20 comprising providing a sound generating novelty device of the invention to a consumer, and using or manipulating the novelty portion such that the sound generating mechanism is activated.

36. The method of claim 35, wherein the device further comprises an on-off switch accessible to the consumer, and the consumer places the on-off switch in the on position before using or manipulating the novelty item.

5 37. The method of claim 35, wherein the sound generating device is activated by pressure on or movement of the support member caused by manipulation or use of the novelty item by the consumer.

38. The method of claim 37, wherein the novelty portion comprises a pen.

10

39. A method of marketing a novelty product, comprising

(1) providing a novelty item in combination with a sound generating device to create a sound generating novelty device of claim 21; and

(2) distributing the sound generating novelty device to a user, optionally in
15 combination with an additional item.

40. The method of claim 39, wherein the additional item is selected from the group consisting of instructions on how to use the device; toys; candy; gum; stickers; electronic items; promotional items; and additional sound generating mechanisms.

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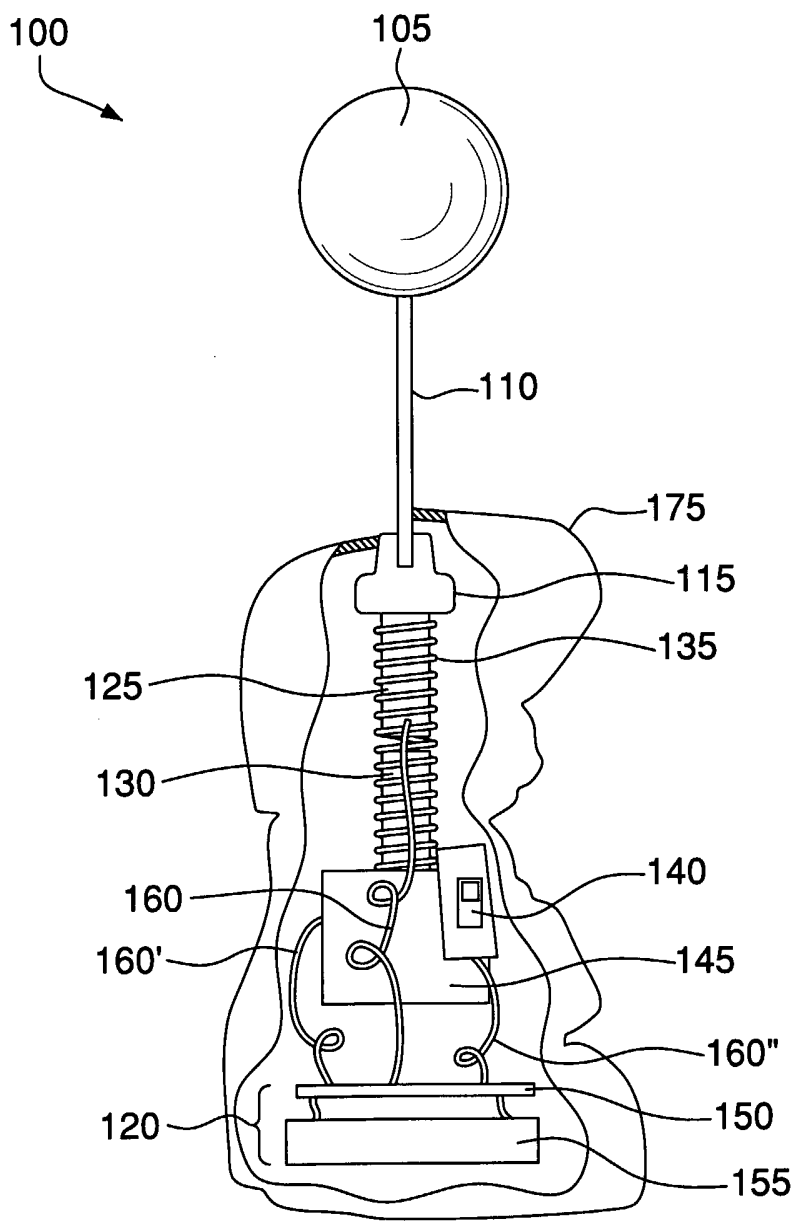


FIG. 1

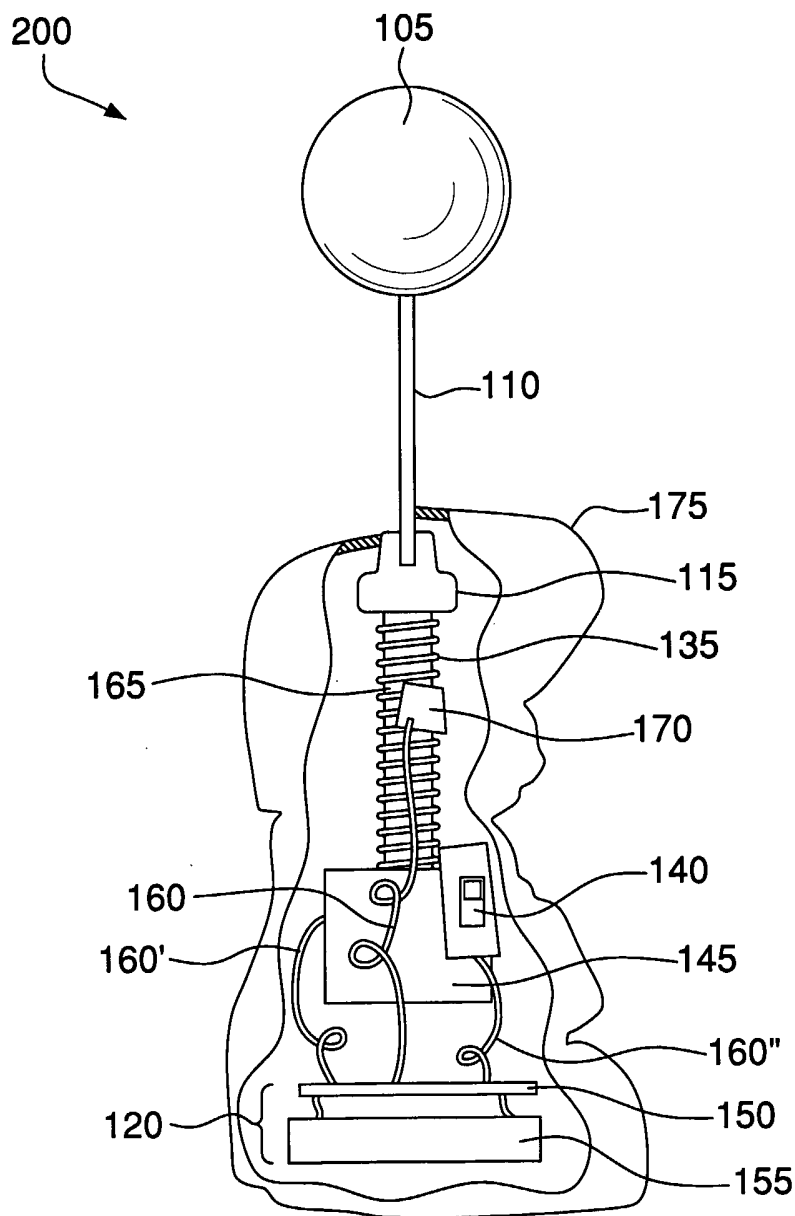


FIG. 2