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Attorney for Plaintiff **Duncan Kitchen Grips, Inc.**

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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

FILED

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SACV09-01328

Case No.:

CJC MLC

DUNCAN KITCHEN GRIPS, INC.,

a California Corp.

Plaintiff,

vs.

BOSTON WAREHOUSE TRADING

CORP.,

a Massachusetts Corp.

Defendant

COMPLAINT

1. Patent Infringement
(U.S. Pat. No. 6298488);
2. Trademark Infringement
(U.S. TM Reg. 2822702);
3. False Designation of Origin;
4. Common Law Unfair Competition
and Trademark Infringement; and
5. CA Unfair Competition Act.

JURY TRIAL DEMANDED

CAUSE OF ACTION 1: Patent Infringement of US 6298488

JURISDICTION AND VENUE

1. (Allegation of Federal Subject Matter Jurisdiction – Federal Question, 28 U.S.C. § 1331) The action arises under the Patent Laws of the United States, United States Code, Title 35, including but not limited to §§ 281, 283, 284, and 285; jurisdiction and venue are predicated upon 28 U.S.C. §§ 1338, 1391(b),(c) and 1400. Venue is

1 proper within this Court's district because this Court has personal jurisdiction over
2 the Defendant, and the Defendant, a Massachusetts corporation, resides in within
3 this Court's district due to its extensive business activities within this judicial
4 district. This action arises out of wrongful acts, including the purposeful offering
5 for sale, selling and distributing of the accused kitchen mitt products by Defendant,
6 through an established distribution channel and within this judicial district. *See*
7 *Beverly Hills Fan Co. v. Royal Sovereign Corp.*, 21 F.3d 1558, 1566 (Fed. Cir.
8 1994).

9 2. Plaintiff **DUNCAN KITCHEN GRIPS, INC.** is a corporation organized under
10 the existing laws of the State of California and has an office and principal place of
11 business at 14272 Chambers Road #B, Tustin, CA 92780.

12 3. Upon information and belief, Defendant, **BOSTON WAREHOUSE**
13 **TRADING CORP.**, is a corporation organized under the laws of the
14 Commonwealth of Massachusetts and has an office and place of business at 59
15 Davis Ave., Norwood, MA 02062; the address of the corp. registered agent is Mr.
16 Peter K. Jenkins, 260 Beacon St., Boston, MA 02116.

17 4. On Oct. 9, 2001, United States Letters Patent No. 6298488 was duly and legally
18 issued to inventors David D. Duncan and Robin L. Duncan. See Exhibit 01 for a
19 copy of U.S. Patent No. 6298488.

20 5. Plaintiff **DUNCAN KITCHEN GRIPS, INC.** is the current owner of U.S. Patent
21 No. 6298488 on the basis of assignment. See Exhibit 02 for a printout from the
22 USPTO Assignment Database for U.S. Patent No. 6298488.

23 6. Defendant has and still is infringing U.S. Patent No. 6298488 by making,
24 selling, and using kitchen mitt products embodying the patented invention, and will
25 continue to do so unless enjoined by this court; such infringement is willful and

1 deliberate, notice of the existence of the said patents having duly placed on all of
2 Plaintiff's kitchen mitt products; the infringement by Defendant of said patent has
3 deprived Plaintiff of sales of kitchen mitt and glove products, which it otherwise
4 would have made, and has in other respects injured Plaintiff and will cause
5 Plaintiff added injury and loss of profits unless enjoined by this Court.

6 7. Plaintiff has placed the required statutory notice on its kitchen mitt and gloves
7 sold by it under said Letters Patent, and has given written notice to Defendant of its
8 said patent infringement. See Exhibit 03 for a copy of the July 20, 2009 Notice
9 Letter.

10 8. Defendant has unfairly competed with Plaintiff by copying patented features of
11 Plaintiff's kitchen mitt and by otherwise causing customer confusion, all of which
12 practices already have resulted in serious injury to Plaintiff's business position,
13 reputation, and good will, and will result in irreparable injury to Plaintiff unless
14 enjoined by this Court.

15 9. On or about July 20, 2009, Plaintiff's attorney David Hong, Esq. sent Defendant
16 a notice letter (re: patent and trademark infringement) and demanded Defendant
17 cease and desist from further distribution, manufacture and sale of the infringing
18 kitchen mitts. Defendant responded to this letter, but the parties were not able to
19 reach a settlement to this dispute. See Exhibit 03.

20 10. On Nov. 6, 2009, Plaintiff's attorney David Hong, Esq. purchased Defendant's
21 kitchen mitts entitled: "**BW KITCHEN GRIP**"; the label of these mitts list: "PH
22 REINDEER LG KITCHEN GR," Label No. 0000649244, UPC No.
23 026602511584, at retail stores (Sur La Table stores) in Costa Mesa, CA and Santa
24 Monica, CA. See Exhibit 04 for a scan of the infringing mitt and receipts of
25 purchase.

1 11. Defendant's website (<http://b2c.bwtc.com/store/kitchen/kitchen-grips>) lists at
2 least one kitchen mitt, which Plaintiff claims to be infringing its '488 patent claims.
3 (Exhibit 05 for a printout from Defendant's website).

4 12. WHEREFORE, for this patent infringement cause of action, Plaintiff prays and
5 demands an injunction against continued patent infringement, an accounting and an
6 award for damages (35 U.S.C. § 284 (damages) and § 285 (attorney fees), in
7 excess of \$75,000 USD or as ascertained by the Court, and an assessment of
8 interest and costs against Defendant; Defendant be compelled to pay Plaintiff
9 punitive damages (35 U.S.C. § 284), in excess of \$225,000 USD or as ascertained
10 by the Court; and for other just and equitable relief.

11 **TRADEMARK INFRINGEMENT CLAIMS**

12 13. Plaintiff hereby re-alleges and incorporates by reference the allegations of
13 paragraphs 2-3 and 8-11 of this Complaint. This complaint is also an action for
14 trademark infringement and false designation of origin under the Trademark Act of
15 1946, as amended (The Lanham Act, 15 U.S.C. § 1051 et seq.), § 32 and § 43(a) of
16 the Lanham Act, and unfair trade practices and unfair competition under CA
17 Business and Profession Code § 17200 et. seq. and § 14200 et. seq., and California
18 common law, based on the Defendant's adoption and use of BW KITCHEN GRIP
19 as a brand name for its kitchen mitt products in violation of Plaintiff's established
20 rights in **"DUNCAN'S KITCHEN GRIPS"** - U.S. Reg. No. 2822702, a registered
21 trademark for: "kitchen oven mitts, oven gloves and hot pads," in International
22 Class 024.

23 **JURISDICTION AND VENUE FOR TRADEMARK**

24 14. This Court has jurisdiction over this action pursuant to 15 U.S.C. § 1121
25 (actions arising under the Federal Trademark Act), 28 U.S.C. § 1338(a) (acts of

1 Congress relating to trademarks), 28 U.S.C. § 1338(b) (pendent unfair competition
2 claims), 28 U.S.C. § 1331 (district courts original jurisdiction over cases arising
3 from U.S. law) and involves a federal question type action. Venue is proper in this
4 District pursuant to 28 U.S.C. § 1391(b) and (c) and because this Court has
5 personal jurisdiction over this Defendant in this district.

6 **CAUSE OF ACTION 2: Trademark Infringement of U.S. Reg. No. 2822702**
7 **for “DUNCAN'S KITCHEN GRIPS”.**

8 15. Plaintiff hereby re-alleges and incorporates by reference the allegations of
9 paragraphs 2-3, 8-11 and 13-14 of this Complaint. Plaintiff is the owner of U.S.
10 **Reg. No. 2822702 for "Duncan's Kitchen Grips,"** a copy of which is attached
11 hereto as Exhibit 06. This registration is now valid, subsisting, uncanceled and
12 unrevoked.

13 16. Continuously since on or about 1998, Plaintiff has used its “DUNCAN'S
14 KITCHEN GRIPS” mark in connection with and to identify its kitchen mitt
15 products and to distinguish said products from similar products offered by other
16 companies, by, and without limitation, prominently displaying said mark on
17 kitchen mitt products and to distinguish said products and advertising and
18 promotional materials distributed throughout the United States. Plaintiff's
19 products sold under the “Duncan's Kitchen Grips” mark and brand name are
20 provided nationwide including in the State of California.

21 17. In addition, as of the date of the filing of this complaint, Plaintiff is actively
22 engaged in expanding its use of the “Duncan's Kitchen Grips” mark in connection
23 with kitchen mitt products in interstate commerce throughout the United States.

24 18. Defendant has infringed Plaintiff's mark in interstate commerce by various
25 acts, including, without limitation, the selling, offering for sale, promotion and

1 advertising kitchen mitt products under the name “BW Kitchen Grip” of a type
2 virtually identical to the type of kitchen mitts offered by Plaintiff.

3 19. Defendant’s use of the “BW Kitchen Grip” mark in connection with said
4 similar products is without permission or authority of the Plaintiff and said use is
5 likely to cause confusion, to cause mistake and/or to deceive.

6 20. Defendant’s use of “BW Kitchen Grip” mark in connection with kitchen mitt
7 products has been made notwithstanding Plaintiff’s well-known and prior
8 established rights in the trademark “Duncan's Kitchen Grip” and with both actual
9 and constructive notice of Plaintiff’s federal registration rights under 15 U.S.C. §
10 1072.

11 21. Upon information and belief, Defendant’s infringing activities have caused
12 injury and, unless enjoined by this Court, will continue to cause, irreparable injury
13 and other damage to Plaintiff’s business, reputation and good will in its federally
14 registered “Duncan's Kitchen Grips” trademark. Plaintiff has no adequate remedy
15 at law.

16 **CAUSE OF ACTION 3: False Designation of Origin (15 U.S.C. § 1125(A))**

17 22. Plaintiff hereby re-alleges and incorporates by reference the allegations of
18 paragraphs 2-3, 8-11 and 13-21 of this Complaint. Upon information and belief,
19 Defendant has used the designation “BW Kitchen Grip” in connection with kitchen
20 mitt products in interstate commerce. Said use of the designation “BW Kitchen
21 Grip” in connection with kitchen mitt products is a false designation of origin, a
22 false or misleading description and representation of fact, which is likely to cause
23 confusion and to cause mistake, and to deceive as to the affiliation, connection or
24 association of Defendant with Plaintiff and as to the origin, sponsorship, or
25 approval of Defendant’s products and commercial activities by Plaintiff.

23. Upon information and belief, Defendant's wrongful activities have caused, and unless enjoined by this Court will continue to cause, irreparable injury and other damage to Plaintiff's business, reputation and good will in its "Duncan's Kitchen Grips" mark. Plaintiff has no adequate remedy at law.

CAUSE OF ACTION 4: Common Law Unfair Competition and Trademark Infringement

24. Plaintiff hereby re-alleges and incorporates by reference the allegations of paragraphs 2-3, 8-11 and 13-23 of this Complaint. Defendant's activities as stated in this Complaint constitute unfair competition and an infringement of Plaintiff's common law trademark rights in the trademark "Duncan's Kitchen Grips" within the State of California and in violation of California law (CA Bus. & Prof. Code § 17,200 et. seq.).

25. Upon information and belief, Defendant's wrongful and infringing activities have caused, and unless enjoined by this Court will continue to cause, irreparable injury and other damage to Plaintiff's business, reputation and good will in its "Duncan's Kitchen Grips" mark. Plaintiff has no adequate remedy at law.

CAUSE OF ACTION 5: CA Unfair Competition Act

26. Plaintiff hereby re-alleges and incorporates by reference the allegations of paragraphs 2-3, 8-11 and 13-25 of this Complaint. Defendant's activities alleged herein constitute unfair and deceptive acts and practices in the conduct of its trade and business in violation of the CA Bus. & Prof. Code § 17200 et. seq.

27. Upon information and belief, Defendant's wrongful and deceptive activities have caused, and unless enjoined by this Court will continue to cause, irreparable injury and other damage to Plaintiff's business, reputation and good will in its "Duncan's Kitchen Grips" mark. Plaintiff has no adequate remedy at law.

1 **WHEREFORE, Plaintiff prays for relief for the above Trademark Causes:**

2 1. That an injunction issue, including without limitation, a permanent injunction,
3 restraining Defendant, its agents, servants, employees, successors and assigns and
4 all others in concert and privity with them from using the mark "BW Kitchen Grip"
5 in connection with the offering of kitchen mitt products; from infringement of U.S.
6 Trademark Registration No. 2822702 for the "Duncan's Kitchen Grips" mark, from
7 unfairly competing with Plaintiff, from engaging in unfair and deceptive trade
8 practices and from injuring Plaintiff's business reputation, pursuant to Section 34
9 of the Lanham Act (15 U.S.C. § 1116), CA Bus. & Prof. Code Sec. 17200 et. seq.,
10 Sec. 14200 et. seq. and the equitable power of this Court to enforce the common
11 law of California.

12 2. That Defendant be required to account and to pay Plaintiff for Defendant's
13 profits and the actual damages suffered by Plaintiff as a result of Defendant's acts
14 or infringement, false designation of origin, unfair competition, and unfair and
15 deceptive trade practices, together with interest, and that Plaintiff's recovery be
16 trebled, pursuant to Section 35 of the Lanham Act (15 U.S.C. § 1117) and CA Bus.
17 & Prof. Code Sec. 17200 et. seq.; Plaintiff requests damages in excess of \$25,000
18 USD or as ascertained by the Court.

19 3. That Defendant be ordered to surrender for destruction all nameplates, labels,
20 advertisements, and other materials incorporating or reproducing the infringing
21 "BW Kitchen Grip" mark, pursuant to Section 36 of the Lanham Act (15 U.S.C. §
22 1118), CA Bus. & Prof. Code Sec. 17200 et. seq.

23 4. That Defendant be compelled to pay Plaintiff's attorneys' fees, together with
24 costs of this suit, pursuant to Section 35 of the Lanham Act (15 U.S.C. § 1117);
25

1 CA Bus. & Prof. Code Sec. 17200 et. seq., and compensation for Plaintiff's
2 corrective and responsive advertising

3 5. That Defendant be ordered and compelled to pay Plaintiff punitive damages as
4 ascertained by the Court.

5 6. For such other and further relief as may be just and equitable.

6 Dated: Nov. 12, 2009

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Dated: Nov. 12, 2009

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US006298488B1

(12) **United States Patent**
Duncan et al.

(10) **Patent No.:** US 6,298,488 B1
(45) **Date of Patent:** Oct. 9, 2001

(54) **MULTIPURPOSE IMPLEMENT FOR KITCHEN USE**

5,956,770 * 9/1999 Dennis 2/160

* cited by examiner

(76) Inventors: **David D. Duncan; Robin Lee Duncan,**
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Primary Examiner—John J. Calvert
Assistant Examiner—Katherine Moran

(74) *Attorney, Agent, or Firm*—Roger A. Marrs

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

(57) **ABSTRACT**

A kitchen grip or implement for kitchen use is composed of a water-resistant and stain proof material having temperature control characteristics. Such a material forms the implement from at least one sheet having a textured, recessed or irregular surface providing a non-slip contact surface while the opposite surface of the sheet is composed of a close fabricated fabric which is affixed to the sheet of non-slip contact surface material. The fabric sheet may be a sheet of nylon/polyester composition which is affixed to the non-slip contact surface sheet which may be composed of a chloride rubber. The sheets are die cut to the shape of a useful implement such as a hand mitt, a trivet, a lid holder or the like. A two-piece implement such as a hand mitt requires that two sheets of the fabric and chloride rubber composition be sewn together by means of a zigzag lock stitch employing nylon thread. One surface of the mitt may include a cross-cut textured recessed imprint providing a non-slip or gripping contact surface while the opposite exposed surface of the mitt may take the form of the smooth nylon/ polyester fabric.

(21) Appl. No.: 09/439,062

(22) Filed: Nov. 12, 1999

Related U.S. Application Data

(60) Provisional application No. 60/108,437, filed on Nov. 13, 1998.

(51) Int. Cl.⁷ A41D 25/00

(52) U.S. Cl. 2/158; 2/16

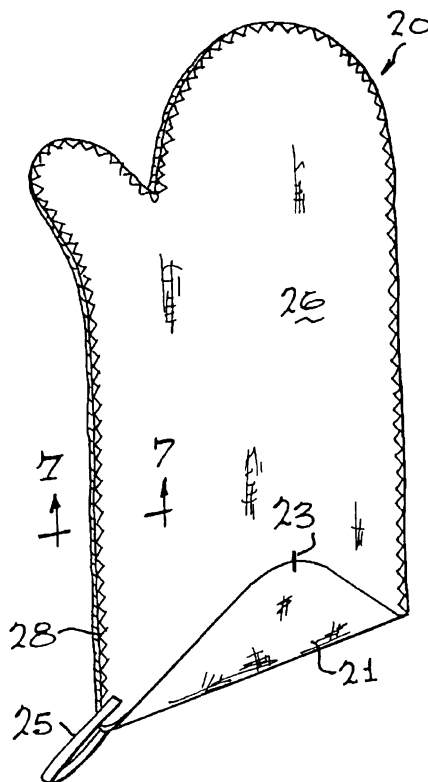
(58) Field of Search 2/16, 20, 158,
2/159, 160; D2/119; 15/227; 16/116 A

(56) **References Cited**

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4,523,348 * 6/1985 Petrie 15/227

5 Claims, 2 Drawing Sheets

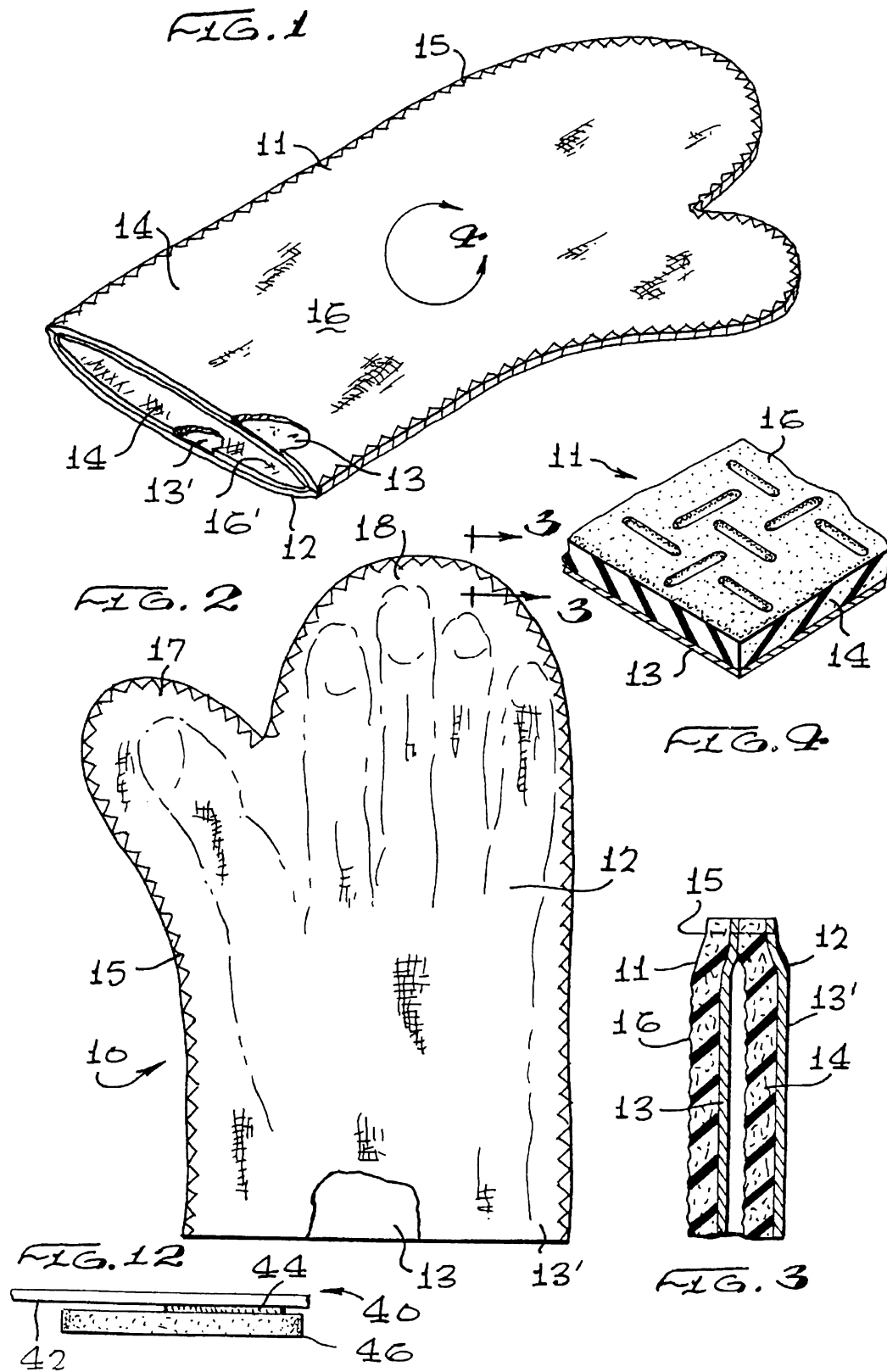


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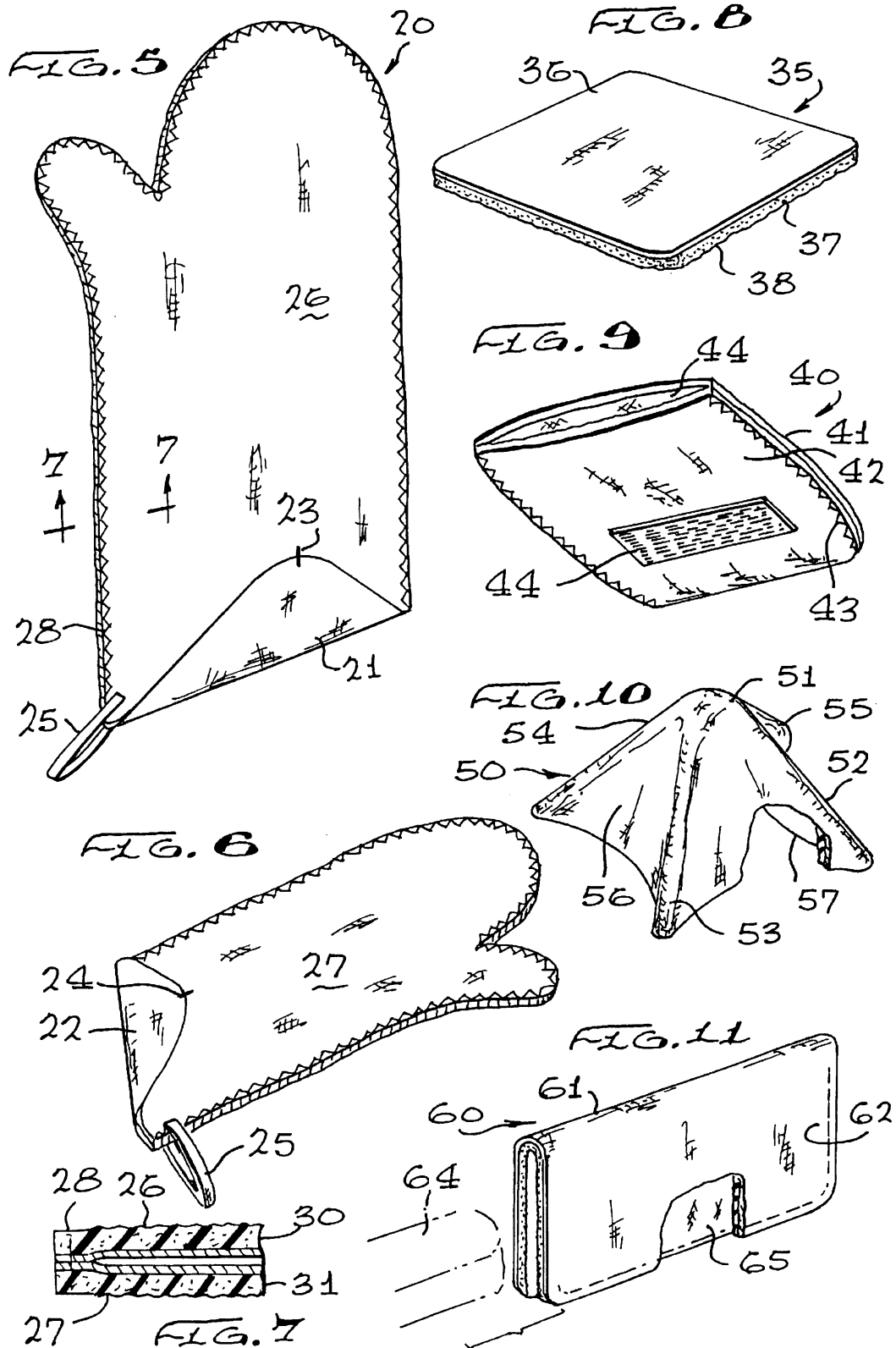


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MULTIPURPOSE IMPLEMENT FOR KITCHEN USE

Priority based on Ser. No. 60-108,437 filed Nov. 13, 1998.

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates to multipurpose kitchen implements for supporting, holding or gripping a variety of hot or cold articles such as cooking pots, pans, lids, handles or the like.

2. Brief Description of the Prior Art

In the past, it has been the conventional practice to employ cloth mitts and/or potholders for protecting the hands of the user from burning when handling hot articles in the kitchen such as cooking pots, pans or the like. Also, fabric or other porous materials are currently being used for supporting heated articles in order to protect a table or counter surface. Such conventional kitchen implements are disclosed in U.S. Pat. Nos. 2,261,064; 3,535,708; 4,071,921 and 580,148.

Problems and difficulties have been encountered when using such conventional kitchen implements which stem largely from the fact that the articles are composed of cloth and are not water-repellant, stain resistant and lack temperature control. The prior kitchen implements permit liquids to penetrate straight through to the hand or fingers of the user when used as a mitt or potholder. Such penetration serves as a conductor for hot substances and transmits the heat directly to the user's hands. Furthermore, the liquid or substance stains the material and now must be treated and laundered. During the treatment and laundering procedure, the soiled mitt or potholder is out of service requiring the user to have backup implements. Even after laundering, conventional mitts, potholders and trivets remain permanently stained.

Therefore, a long-standing need has existed to provide kitchen implements for protecting the hands and fingers of a cook or other person from injury due to excessive hot or cold temperatures and to provide such implements which are composed of water-repellant and stain resistant materials. Also, it is preferred that such implements are small and compact and are not bulky, unsightly or unsuitable for storage when not in use.

SUMMARY OF THE INVENTION

Accordingly, the above problems and difficulties are avoided by the present invention which provides a novel kitchen grip or implement for kitchen use which is composed of a water-resistant and stainproof material having temperature control characteristics. Such a material forms the implement from a sheet having a textured, recessed imprint on one surface providing a non-slip contact surface while the opposite surface of the sheet is composed of a close fabricated fabric which is affixed to the sheet of textured, non-slip contact surface material. The fabric sheet may be a sheet of nylon/polyester composition which is affixed to the non-slip contact surface sheet which may be composed of a chloride rubber. The sheets are then die cut to the shape of a useful implement such as a hand mitt, a trivet, a lid holder or the like. A two-piece implement such as a hand mitt requires that two pieces of the fabric and chloride rubber sheets be sewn together by means of a zigzag lock stitch employing nylon thread. Therefore, one

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surface of the mitt may include a cross-cut textured recessed imprint providing a non-slip or gripping contact surface while the opposite exposed surface of the mitt may take the form of the smooth nylon/polyester fabric. The gripping or chloride rubber neoprene sheet serves as a very efficient hot and cold temperature insulator for the user's hands and fingers and the surface of the chloride rubber neoprene sheet resists impregnation by stains and other damaging compositions and such surface is easily washed when rinsed under water. Also, it is noted that the sheet of nylon polyester fabric is water and stain resistant as well which characteristics are greatly augmented when attached or carried on the sheet of chloride rubber neoprene.

Therefore, it is among the primary objects of the present invention to provide a novel kitchen implement which may take the form of a potholder, trivet or mitt which has a composition characterized as being water-repellant, stain resistant and which includes temperature control characteristics for the protection of the user.

Another object of the present invention is to provide such kitchen implements which are intended to work with cast iron, aluminum, stainless steel or plastic microwave cookware and which is intended to be used with hot articles or articles subject to sub-zero or refrigerator freezer temperatures.

Still a further object of the present invention is to provide a multipurpose kitchen implement which is composed of a sheet of flexible material having a surface which is smooth composed of a layer of nylon/polyester fabric affixed to a layer of chloride rubber neoprene which may then be die cut to the shape of a desired implement resulting in a one or two-piece implement that is water-resistant and protects the hands and fingers of the user from hot and cold liquids or surface contacts.

Still a further object of the present invention is to provide a novel multipurpose kitchen implement that includes material which is water-repellant and stainproof and which further provides temperature control and protection for the user and which provides a positive gripping contact allowing the user to securely grasp either hot articles or frozen articles without fear of the article slipping from their hand.

A further object resides in providing a potholder, hot pad or other kitchen implement which includes a surface having a high coefficient of friction so as to provide a positive gripping action by a person holding a hot or cold item with the implement.

DESCRIPTION OF THE DRAWINGS

The features of the present invention which are believed to be novel are set forth with particularity in the appended claims. The present invention, both as to its organization and manner of operation, together with further objects and advantages thereof, may best be understood with reference to the following description, taken in connection with the accompanying drawings in which:

FIG. 1 is a perspective view showing a kitchen implement taking the form of a hand mitt incorporating the present invention;

FIG. 2 is a top plan view of the mitt shown in FIG. 1;

FIG. 3 is an enlarged cross-sectional view of the oven mitt shown in FIG. 2 as taken in the direction of arrows 3—3 thereof;

FIG. 4 is a greatly enlarged view of the non-slip or gripping surface exposed on one side of the mitt demonstrated in FIGS. 1 and 2;

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FIG. 5 is a top elevational view of another version of the present invention illustrating a flat opening leading into the interior of a mitt incorporating the present invention;

FIG. 6 is a reverse view of the mitt shown in FIG. 5;

FIG. 7 is a fragmentary cross-sectional view of the mitt shown in FIG. 5 taken in the direction of arrows 7—7 thereof;

FIG. 8 is a perspective view of another version of the invention illustrating the use of the inventive kitchen implement as a trivet or tabletop protector;

FIG. 9 is a perspective view of still a further embodiment of the present invention showing the kitchen implement as a hand-held holder for detachably connecting with a scrub pad or the like;

FIG. 10 is a perspective view of still another embodiment of the invention illustrating a kitchen implement as a holder or gripping member for grasping handles on a pot lid or the like;

FIG. 11 is still a further embodiment of another version of the present invention illustrating a kitchen implement as a sleeve intended to insertably receive the handle of a pan; and

FIG. 12 is a reduced side elevational view, partly in section, showing the holder illustrated in FIG. 10 attached to a scrub pad or the like.

DESCRIPTION OF THE PREFERRED EMBODIMENTS

Referring to FIG. 1, an example of a novel kitchen implement or aid is illustrated in the general direction of arrow 10 which takes the form of a mitt intended to be worn when handling extremely hot or cold articles. The mitt 10 includes a top sheet 11 and an under or opposite sheet 12 wherein the sheet 11 includes an irregular surface and is intended to correspond with the palm of the user when the mitt is on the right hand. The top and bottom sheets 11 and 12 are each composed of a sheet or layer of nylon/polyester fabric 13 and 13' and a layer of a chloride rubber "neoprene" composition identified by numerals 14 and 14'. The layers are suitable affixed to one another to provide each of the respective sheets in accordance with conventional practice. When the sheets are die cut to a particular shape such as that of a hand mitt, the two die-cut sections comprising a top and bottom section have their peripheral edges attached together such as by a zigzag stitch representing a lock stitch as shown by numeral 15. The zigzag sewing compresses the peripheral edge marginal regions of the respective sheets so as to create a water-resistant seam to protect the hands of the wearer from hot and cold liquids.

Of most importance is the fact that each of the respective sheets 11 and 12 are provided with an irregular surface such as the waffle surface indicated by numeral 16. In FIG. 1, the irregular surface 16 is on the exterior of the mitt so that the user can grasp a utensil with the irregular surface. However, the mitt illustrates the irregular surface in connection with sheet 12 as being on the inside of the mitt. Therefore, the user has the option of gripping a kitchen utensil by using the irregular surface 16 or by reversing the mitt on his or her hand so that the palm of the hand bears against the interior irregular surface of the sheet 12. In this way, greater utility of usage is provided when only one exterior surface is irregular while the opposite surface is smooth.

Referring now to FIG. 2, the mitt 10 has been flipped over from the position shown in FIG. 1 so that layer 12 is on top. Layer 12 is partially broken away to illustrate that the interior of the mitt includes a smooth surface 13 on the fabric

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layer of sheet 11. Therefore, it is again emphasized that an irregular or gripping surface is provided on the inside of the glove when used in one way and the irregular or gripping surface is on the exterior of the glove or mitt when used for another purpose. It can be seen that the die-cut sheets of material include an outwardly projecting portion 17 for insertably receiving the thumb of the user while a rounded frontal portion 18 of the mitt is employed for insertably receiving the fingers of the user.

Referring now in detail to FIG. 3, it can be seen that surface 16 is irregular on sheet 11 and that the irregular surface is exterior. The exterior surface on sheet 13' is smooth with respect to sheet 12. The surface 16' carried on layer 14' is irregular and waffled so that the hand of the user is immediately adjacent to the irregular surface when it is desired to grasp an article with the smooth surface 13'.

Referring now in detail to FIG. 4, it can be seen that the irregular surface 16 of layer 14 carried on layer 13 of sheet 11 is irregular and may take any suitable irregular configuration such as the presence of ribs, recesses, depressions, crosshatching or the like.

Referring now in detail to FIG. 5, another embodiment of the present invention is illustrated in the general direction of arrow 10 wherein the mitt has been modified at its entrance into the interior by providing a pair of flaps such as flap 21 in FIG. 5 and flap 22 in FIG. 6. By providing the flaps and by affixing the corner of the flap to the respective sheet, the flaps remain folded so as to provide an easy entrance or access into the interior of the mitt. The affixing of the flap may be done by a suitable stitch 23 or 24 and the mitt may be further modified by providing a loop 25 suitable for hanging the mitt on a hook or other support when not in use. Also, it is to be noted that mitt 20 in FIGS. 5 and 6 provides external surfaces on both sides with the irregular waffling and the irregular surfaces are represented by numeral 26 on one side and numeral 27 on the opposite side. Lock stitching 28 is identical to the compression stitch shown in previous FIGURES and represented by numeral 15.

FIG. 7 illustrates the exterior exposure for the surfaces 26 and 27 respectively and that the interior surfaces are arranged in opposing relationship with respect to one another and that these surfaces are smooth. A gap exists between the respective sheets, identified by numerals 30 and 31, so that the user may readily insert his hand between the flaps 21 and 22 into the interior of a mitt.

Referring now in detail to FIG. 8, another embodiment of the invention is illustrated wherein a single sheet is employed as a trivet or hot or cold pad and is illustrated in the general direction of arrow 35. The single sheet includes a nylon/polyester fabric 36 and the chloride rubber sheet 37. The underside of the article is indicated by numeral 38 and is of an irregular surface so as to provide a suitable grip against any surface on which it is placed. The irregularity of the surface may take the form of waffling, ribs, depressions or the like.

Referring now to FIG. 9, another embodiment is illustrated in which a pouch is indicated in the direction of arrow 40 which includes a pair of sheets 41 and 42 wherein the sheets are as of previously described compositions and having edge marginal regions joined by a lock stitch 43. A cavity is provided between the opposing surfaces of the sheets, as indicated by numeral 44, into which the user's hand may be inserted. A feature of the pouch 40 resides in placing an attachment component 44 on the exterior surface of the sheet 42 which may be of a hook and pile fastener type. Preferably, the attachment means 44 is of a hook

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component so that it may be readily detachably connected to a scrubbing article such as a scrub pad or the like. Such an article is illustrated in FIG. 12 by numeral 46 with the pad 40 and sheet 42. The attachment component 44 will readily connect or disconnect the scrub pad 46 with the finger pouch 40.

Referring now to FIG. 10, still another embodiment of the invention is illustrated in the general direction of arrow 50 taking the form of a hand-held sheet which is prefolded to present an apex 51 with ribs 52, 53, 54 and 55 between which are situated depressions such as depression 56. The user grasps the respective depressions between the ribs with the fingers of one hand and the interior of the cup-like sheet 50 is used to be placed over a lid handle or pot handle. It is to be particularly noted that the external surface of the sheet is smooth while the internal or cavity side surface of the sheet, as represented by numeral 57, is roughened or of an irregular configuration as previously described with respect to other embodiments.

Referring now to FIG. 11, still another embodiment is illustrated in the general direction of arrow 60 which forms a sleeve by taking a sheet of the double layered material and folding the sheet over to provide a single fold 61 so that the peripheral edges when placed together may be sewn together by a suitable lock stitch 62. However, the end of the sleeve is maintained open to provide for insertion of a pot handle or the like into the interior 63 of the sleeve. The potholder is indicated by numeral 64 and a side of the sleeve is broken away to show that the interior of the sleeve is of an irregular surface 65. Therefore, once the handle 64 is inside the sleeve, the user may grip the exterior surface of the sleeve so that the irregular gripping surface of the interior may come into contact with the handle 64.

In view of the foregoing, it can be seen that the multi-purpose implement for kitchen use incorporating the present invention provides a water-resistant, stain resistant and temperature controlling non-slip interior or exterior surface grip for handling hot or cold articles. The gripping surface is provided by a chloride rubber neoprene material and also provides a cushion for comfortably and conveniently handling pots, cooking utensils or the like. A sheet of nylon/polyester fabric is affixed to a sheet of chloride rubber b[], any suitable means and is then die cut to the shape of a particular implement such as a hand mitt. The two pieces or sheets consisting of a top die-cut section and a bottom die-cut section have their peripheral edges attached either by means of sonic welding or by means of a zigzag lock stitch and with nylon thread. The zigzag stitching compression of the material creates a water-resistant seam to protect the hands of the wearer from liquids. The chloride rubber surface providing a non-slip grip is manufactured with a cross-cut textured recessed imprint providing the non-slip contact surface. The chloride rubber neoprene acts as an efficient hot and cold temperature insulator for protection of the user's hands and the chloride rubber surface resists becoming impregnated with stains and washes clean when rinsed under water.

By using the present invention, the kitchen article or implement provides water-repellant characteristics so that water, liquids or moisture cannot interfere with the grip action. Even if the sheets or layers become wet, the product may be used without waiting to dry since the material repels water, liquids and moisture. Also, the inventive implements can be used in both hot and cold temperatures and can be used with kitchen cookware composed of cast iron, aluminum, stainless steel or plastic microwaveable cookware. It can be employed with all kitchen appliances includ-

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ing stove tops, ovens, microwaves, dishwashers, refrigerators and even sub-zero or refrigerator freezers. The inventive implements employ unique fabric which is designed to repel liquids rather than absorb them as with all other cloth mitts and potholders. If fluids or sauces come into contact with the inventive implements, the implements may be rinsed under water with no waiting to dry and are available for immediate usage.

While particular embodiments of the present invention have been shown and described, it will be obvious to those skilled in the art that changes and modifications may be made without departing from this invention in its broader aspects and, therefore, the aim in the appended claims is to cover all such changes and modifications as fall within the true spirit and scope of this invention.

What is claimed is:

1. A kitchen implement comprising:

a pair of sheets having identical configurations and residing next to each other so as to provide common edge marginal regions about a common and coextensive periphery;

said sheets having a central cavity with an entrance for insertably accepting the hand of a user between said sheets;

said sheets having opposing surfaces with at least one of said surfaces being of a irregular, frictional gripping surface;

said sheets being characterized as heat and cold temperature resistant and stain resistant;

stitching about said edge marginal region with a termination of said stitching defining said entrance;

said sheets each include a layer of compressible material and cooperates with said stitching upon compressing to provide a water resistant lock stitch securing said edge marginal regions together;

each of said sheets including a nylon/polyester fabric layer affixed to a chloride rubber neoprene layer;

said chloride rubber neoprene layer being compressible and in cooperation with said stitching provides a water resistant seam; and

said stitching being a zig-zag stitch.

2. The kitchen implement defined in claim 1 wherein:

each of said sheets further includes an integral folded-back flap normally biasing said entrance to an open condition; and

securement means for affixing said flaps to said sheets.

3. The kitchen implement defined in claim 1 including:

said attachment means about said common edge marginal region selected from a group consisting of sonic welding, stitching or adhesive.

4. A kitchen implement comprising:

a pair of sheets having identical configurations and residing next to each other so as to provide common edge marginal regions about a common and coextensive periphery;

said sheets having a central cavity with an entrance for insertably accepting the hand of a user between said sheets;

said sheets having opposing surfaces with at least one of said surfaces being of an irregular, frictional gripping surface;

said sheets being characterized as heat and cold temperature resistant and stain resistant;

stitching about said edge marginal region with a termination of said stitching defining said entrance;

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said sheets each include a layer of compressible material and cooperates with said stitching upon compressing to provide a water resistant lock stitch securing said edge marginal regions together;
each of said sheets further includes an integral folded-⁵ back flap normally biasing said entrance to an open condition; and

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securement means for affixing said flaps to said sheets.
5. The kitchen implement defined in claim 4 including:
a loop attached to said sheets adjacent to said flaps for removably supporting said sheets from a support member.

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