

Looks Matter...

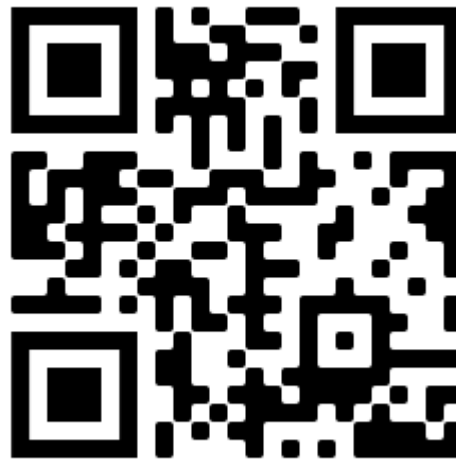
Legally. ®

US DESIGN PATENTS

Prosecution, Litigation & Tips

FICPI (IT)

October 13, 2022



Perry Saidman



US DESIGN PATENTS

1. In re Surgisil - Anticipation
2. Columbia v. Serius
 - a. Logo – infringement
 - b. Total Profit damages
3. Drawings
4. Continuations & Appendix

*Industrial Designers are
professionals who
optimize the **function** and
appearance of a product*



(54) **TOUCH SCREEN DEVICE, METHOD, AND GRAPHICAL USER INTERFACE FOR DETERMINING COMMANDS BY APPLYING HEURISTICS**

(75) Inventors: **Steven P. Jobs**, Palo Alto, CA (US); **Scott Forstall**, Mountain View, CA (US); **Greg Christie**, San Jose, CA (US); **Stephen O. Lemay**, San Francisco, CA (US); **Scott Herz**, San Jose, CA (US); **Marcel van Os**, San Francisco, CA (US); **Bas Ording**, San Francisco, CA (US); **Gregory Novick**, Santa Clara, CA (US); **Wayne C. Westerman**, San Francisco, CA (US); **Imran Chaudhri**, San Francisco, CA (US); **Patrick Lee Coffman**, Menlo Park, CA (US); **Kenneth Kocienda**, Sunnyvale, CA (US); **Nitin K. Ganatra**, San Jose, CA (US); **Freddy Allen Anzures**, San Francisco, CA (US); **Jeremy A. Wyld**, San Jose, CA (US); **Jeffrey Bush**, San Jose, CA (US); **Michael Matas**, San Francisco, CA (US); **Paul D. Marcos**, Los Altos, CA (US); **Charles J. Pisula**, San Jose, CA (US); **Virgil Scott King**, Mountain View, CA (US); **Chris Blumenberg**, San Francisco, CA (US); **Francisco Ryan Tolmasky**, Cupertino, CA (US); **Richard Williamson**, Los Gatos, CA (US); **Andre M. J. Boule**, Sunnyvale, CA (US); **Henri C. Lamiraux**, San Carlos, CA (US)

(73) Assignee: **Apple Inc.**, Cupertino, CA (US)

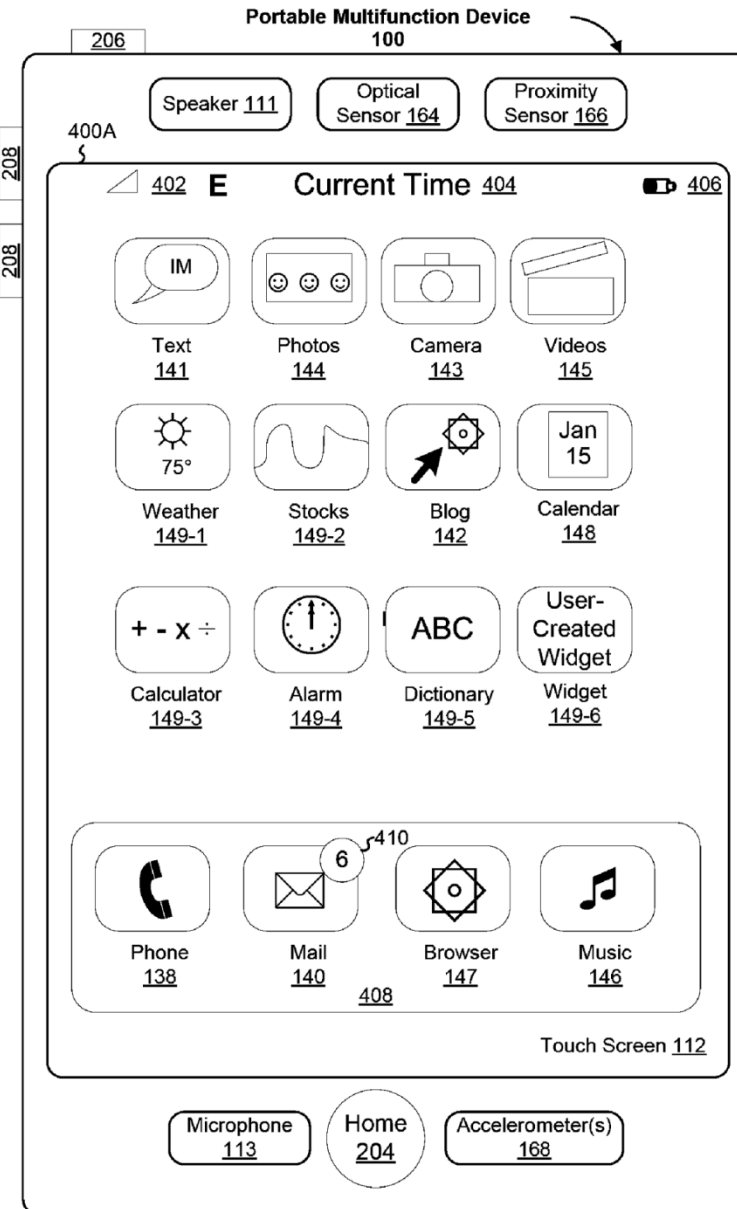


Figure 4A

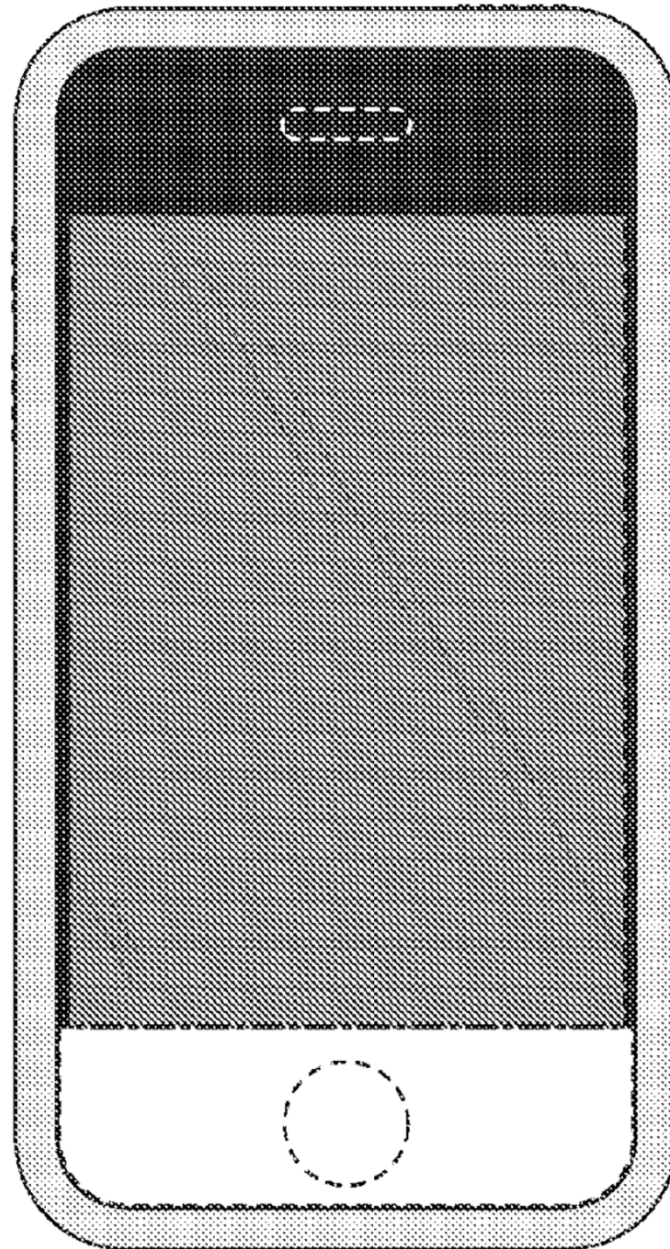
(12) **United States Design Patent**
Andre et al.

(10) **Patent No.:** **US D581,922 S**
(45) **Date of Patent:** **** Dec. 2, 2008**

(54) **ELECTRONIC DEVICE**

(75) Inventors: **Bartley K. Andre**, Menlo Park, CA (US); **Daniel J. Coster**, San Francisco, CA (US); **Daniele De Iuliis**, San Francisco, CA (US); **Richard P. Howarth**, San Francisco, CA (US); **Jonathan P. Ive**, San Francisco, CA (US); **Steve Jobs**, Palo Alto, CA (US); **Duncan Robert Kerr**, San Francisco, CA (US); **Shin Nishibori**, San Francisco, CA (US); **Matthew Dean Rohrbach**, San Francisco, CA (US); **Douglas B. Satzger**, Menlo Park, CA (US); **Calvin Q. Seid**, Palo Alto, CA (US); **Christopher J. Stringer**, Portola Valley, CA (US); **Eugene Antony Whang**, San Francisco, CA (US); **Rico Zorkendorfer**, San Francisco, CA (US)

(73) Assignee: **Apple Inc.**, Cupertino, CA (US)



UTILITY PATENTS

Protect Functional Features
Without Regard to Appearance
(over 11,000,000 issued)

DESIGN PATENTS

Protect Appearance Features
Without Regard to Function
(over 900,000 issued)

UTILITY PATENTS

FUNCTION

(IDEAS)

DESIGN PATENTS

APPEARANCE

(SPECIFIC EMBODIMENTS OF IDEAS)

[54] SHOE SOLE CONSTRUCTION

[76] Inventor: Jerry D. Stubblefield, 12225 NW. Big Fir Ct., Portland, Oreg. 97229

[21] Appl. No.: 185,957

[22] Filed: Sep. 10, 1980

Related U.S. Application Data

[63] Continuation of Ser. No. 935,584, Aug. 21, 1978, abandoned, which is a continuation-in-part of Ser. No. 853,482, Nov. 21, 1977, abandoned.

[51] Int. Cl.³ A43B 13/04; A43B 13/18; A43B 13/26; A43B 5/00

[52] U.S. Cl. 36/32 R; 36/59 C; 36/67 A; 36/114; D2/321

[58] Field of Search 36/32 R, 59 R, 59 A, 36/59 C, 59 B, 30 R, 25 R, 114, 128, 129, 67 A, 28; D2/319-322

[56] References Cited

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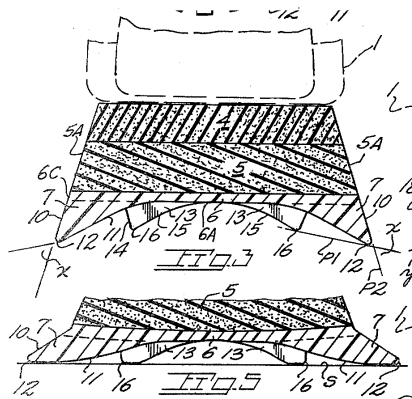
- 202570 11/1955 Australia .
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 261488 7/1960 Australia .
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 68058 11/1975 Australia .
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 1634279 10/1951 Fed. Rep. of Germany .
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 239944 3/1946 Switzerland 36/59 R
 328731 5/1958 Switzerland 36/32 R
 302111 12/1928 United Kingdom 36/32 R
 629917 10/1978 U.S.S.R. 36/28

Primary Examiner—James Kee Chi

Attorney, Agent, or Firm—Saidman, Sterne & Kessler

[57] ABSTRACT

A shoe sole having a tread preferably defining a longitudinally and/or laterally oriented concavity with the lower extremities of the sole embodied in downwardly and outwardly disposed flexible lugs to cushion the foot against impact loads. The tread members are preferably inclined at an obtuse angle to the lower surface of the sole for spreading outwardly upon impact with the ground to dissipate the impact forces outwardly away





[54] BASKETBALL SHOE SOLE

[75] Inventor: Jerry D. Stubblefield, Portland, Oreg.

[73] Assignee: Pensa, Inc., Tigard, Oreg.

[21] Appl. No.: 250,899

[22] Filed: Apr. 3, 1981

[51] Int. Cl.³ A43B 13/04; A43B 13/18; A43B 5/00

[52] U.S. Cl. 36/32 R; 36/29; 36/59 C; 36/114; D2/321

[58] Field of Search 36/25, 28, 30 R, 32 R, 36/59 R, 59 A, 59 C, 67 A, 114, 128, 129, 36, 3B, 3 R; D2/319, 320, 321

[56] References Cited

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1,988,784 1/1935 Carrier .
2,071,431 2/1937 Riddell .
2,981,011 4/1961 Lombardo .
4,000,566 1/1977 Famolare, Jr. .
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328731 5/1958 Switzerland .

Primary Examiner—James Kee Chi

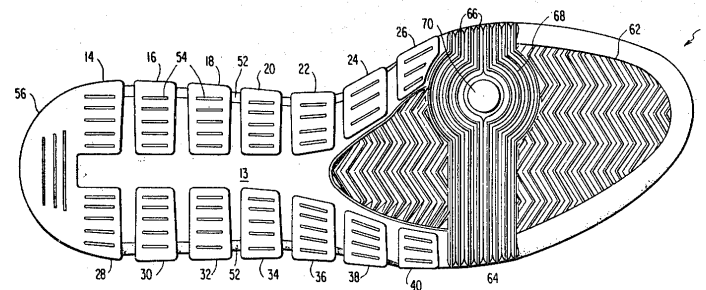
Attorney, Agent, or Firm—Saidman, Sterne & Kessler

[57]

ABSTRACT

An outer sole especially designed for basketball shoes which is lightweight, stable, and provides a greater degree of shock absorption than heretofore possible. The sole includes a plurality of kinetic levers or tread members which extend downwardly and outwardly from the peripheral portion of the bottom of the sole and, together with a relatively stiff, centrally formed pedestal on the inside surface of the sole, define a cantilevered construction that dissipates shock by inducing spreading of the levers laterally outwardly upon foot-induced ground impact. The space between the inner, central pedestal and the side wall of the sole defines a cavity positioned above the respective tread members for facilitating compression and spreading thereof to enhance the shock-dissipating qualities of the sole. The sole also includes a side wall which, together with the upper walls of the tread members, defines a groove. The groove also facilitates compression and spreading of the tread members. The wider than normal base provided by the laterally extending tread members enhances stability and reduces the possibility of ankle twists. The forefoot portion of the bottom of the sole features a transversely extending groove pattern and a pivot stud which together facilitate metatarsal flexure and pivoting which are frequently encountered when playing basketball.

20 Claims, 5 Drawing Figures



[54] BOTTOM AND SIDE PORTIONS OF A SHOE SOLE

[75] Inventor: Jerry D. Stubblefield, Portland, Oreg.

[73] Assignee: Pensa, Inc., Tigard, Oreg.

[**] Term: 14 Years

[21] Appl. No.: 250,900

[22] Filed: Apr. 3, 1981

[52] U.S. Cl. D2/320

[58] Field of Search D2/319, 320, 310, 311, D2/312, 313, 309; 36/32 R, 59 R, 59 A, 59 C, 25 R, 113, 114

[56] References Cited

U.S. PATENT DOCUMENTS

D. 198,199 5/1964 Wessinger D2/320
D. 244,642 6/1977 Famolare, Jr. D2/320
D. 248,428 7/1978 Watanabe D2/309
D. 257,076 9/1980 Amicone D2/320

D. 259,150 5/1981 Cesare D2/320
4,213,255 7/1980 Olberz 36/32 R

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1097064 of 0000 Canada .
2412280 8/1979 France 36/32 R
1035454 of 0000 Japan .
328731 of 0000 Switzerland .

Primary Examiner—Nelson C. Holtje

Attorney, Agent, or Firm—Saidman, Sterne & Kessler

[57] CLAIM

The ornamental design for the bottom and side portions of a shoe sole, as shown and described.

DESCRIPTION

FIG. 1 is a bottom plan view of the bottom and side portions of a shoe sole showing my new design; FIG. 2 is a left side elevational view thereof, the right side being substantially a mirror image thereto; FIG. 3 is a bottom and left rear perspective view thereof.

FIG. 1

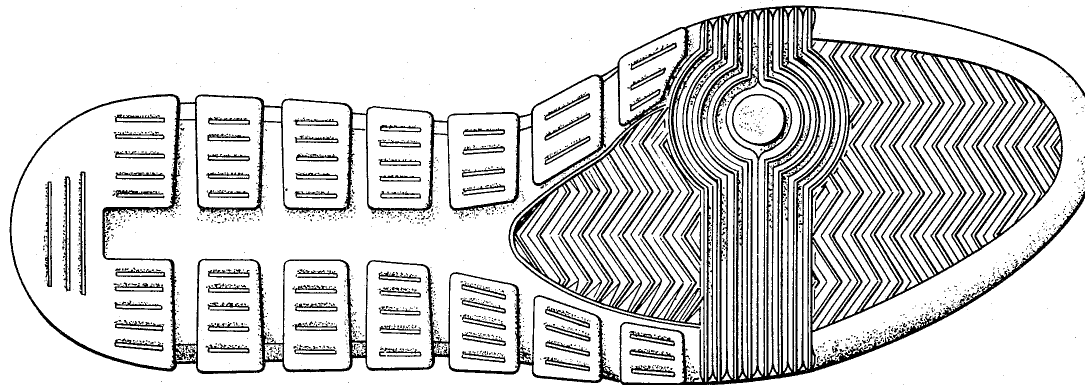
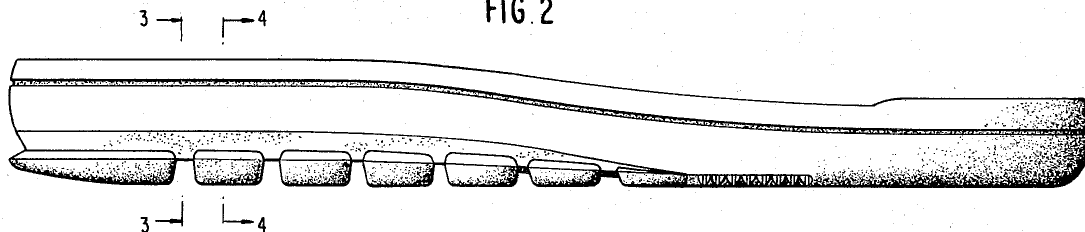


FIG. 2















[54] **SHOE SOLE**

[75] Inventor: **James K. Tong**, Beaverton, Oreg.

[73] Assignee: **Pensa, Inc.**, Portland, Oreg.

[**] Term: **14 Years**

[21] Appl. No.: **790,375**

[22] Filed: **Oct. 23, 1985**

[52] U.S. Cl. **D2/320**

[58] Field of Search **D2/274, 309, 310, 311,**
D2/312, 313, 319, 320; 36/30 R, 32 R, 59 R, 59
A, 59 C, 113-115, 132

[56] **References Cited**

U.S. PATENT DOCUMENTS

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D. 164,095	7/1951	Bovay	D2/320
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4,449,307	5/1984	Stubblefield .	
4,550,510	11/1985	Stubblefield	D2/320

FOREIGN PATENT DOCUMENTS

1018202	12/1952	France	36/59 C
2457652	1/1981	France .	

Primary Examiner—Nelson C. Holtje

Attorney, Agent, or Firm—Saidman, Sterne, Kessler & Goldstein

[57] **CLAIM**

The ornamental design for a shoe sole, as shown and described.

DESCRIPTION

FIG. 1 is a left side elevational view of a shoe sole showing my new design, the broken line showing of a shoe being environmental only and forms no part of the claimed design;

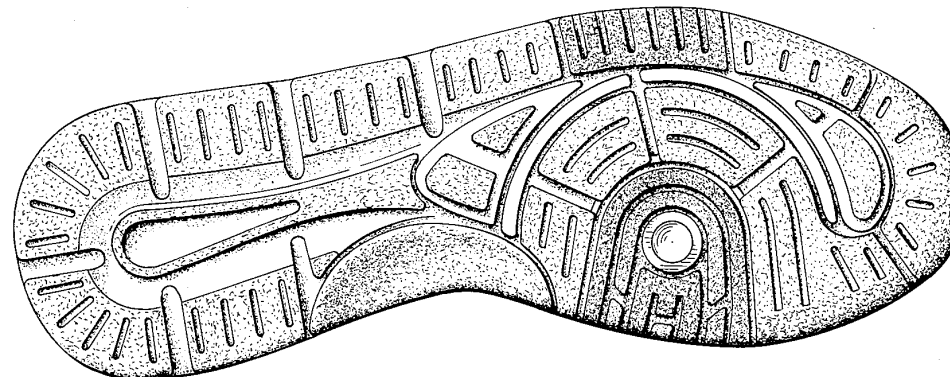
FIG. 2 is a bottom plan view thereof;

FIG. 3 is a top plan view thereof;

FIG. 4 is a right side elevational view thereof;

FIG. 5 is a rear elevational view thereof; and

FIG. 6 is a front elevational view thereof.



[54] **SHOE UPPER**

[75] Inventor: **James K. Tong**, Beaverton, Oreg.

[73] Assignee: **Pensa, Inc.**, Portland, Oreg.

[**] Term: **14 Years**

[21] Appl. No.: **834,022**

[22] Filed: **Feb. 14, 1986**

[52] U.S. Cl. **D2/314; D2/310**

[58] Field of Search **D2/309, 310, 311, 312, D2/313, 314; 36/83, 84, 113-115, 50, 128-129**

[56] **References Cited**

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D. 265,436	7/1982	Vernonet .	
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D. 279,620	7/1985	Ueda	D2/310
D. 283,173	4/1986	Malone	D2/309
4,255,876	3/1981	Johnson .	
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FOREIGN PATENT DOCUMENTS

3415960 11/1984 Fed. Rep. of Germany 36/51

OTHER PUBLICATIONS

Footwear News-4/23/84-p. 32-Sportshoes at bottom right.

Primary Examiner—Nelson C. Holtje
Attorney, Agent, or Firm—Saidman, Sterne, Kessler & Goldstein

[57] **CLAIM**

The ornamental design for a shoe upper, as shown and described.

DESCRIPTION

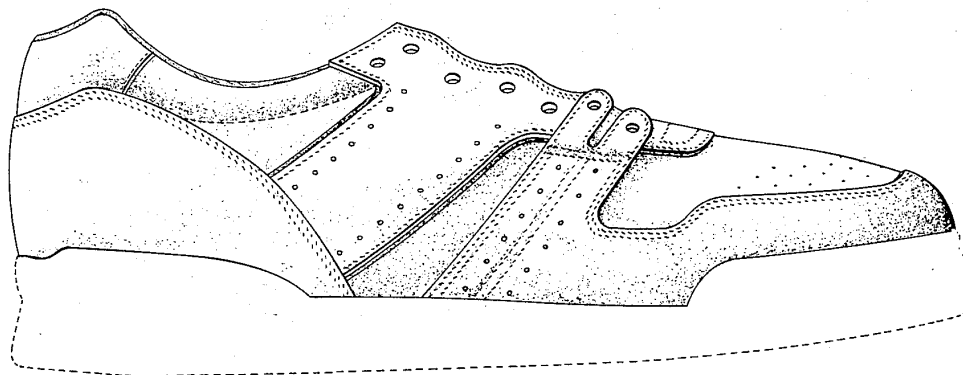
FIG. 1 is a left side elevational view of a shoe upper showing my new design, the broken line showing of a shoe sole being environmental only and forms no part of the claimed design;

FIG. 2 is a top plan view thereof;

FIG. 3 is a right side elevational view thereof;

FIG. 4 is a front elevational view thereof; and

FIG. 5 is a rear elevational view thereof.



Avia v. L.A. Gear

United States Patent [19]
Tong

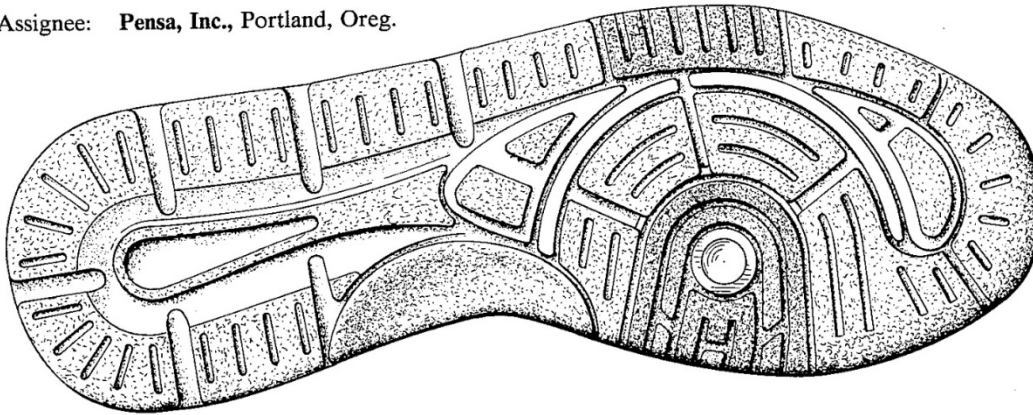
[11] **Patent Number:** Des. 284,420

[45] **Date of Patent:** ** Jul. 1, 1986

[54] **SHOE SOLE**

[75] **Inventor:** James K. Tong, Beaverton, Oreg.

[73] **Assignee:** Pensa, Inc., Portland, Oreg.



**L.A. Gear Boy's
Thrasher
Allegedly
Infringing
Design**



Avia v. L.A. Gear

United States Patent [19]

Tong

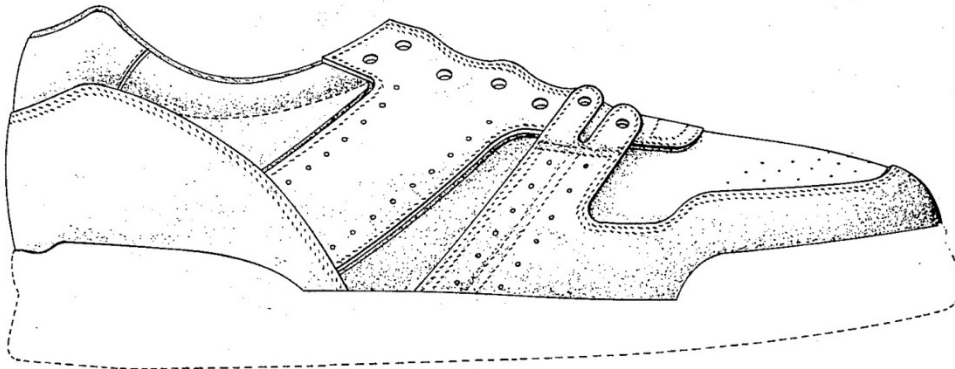
[11] **Patent Number:** Des. 287,301

[45] **Date of Patent:** ** Dec. 23, 1986

[54] **SHOE UPPER**

[75] **Inventor:** James K. Tong, Beaverton, Oreg.

[73] **Assignee:** Pensa, Inc., Portland, Oreg.



**L.A. Gear Boy's
Thrasher
Allegedly
Infringing
Design**



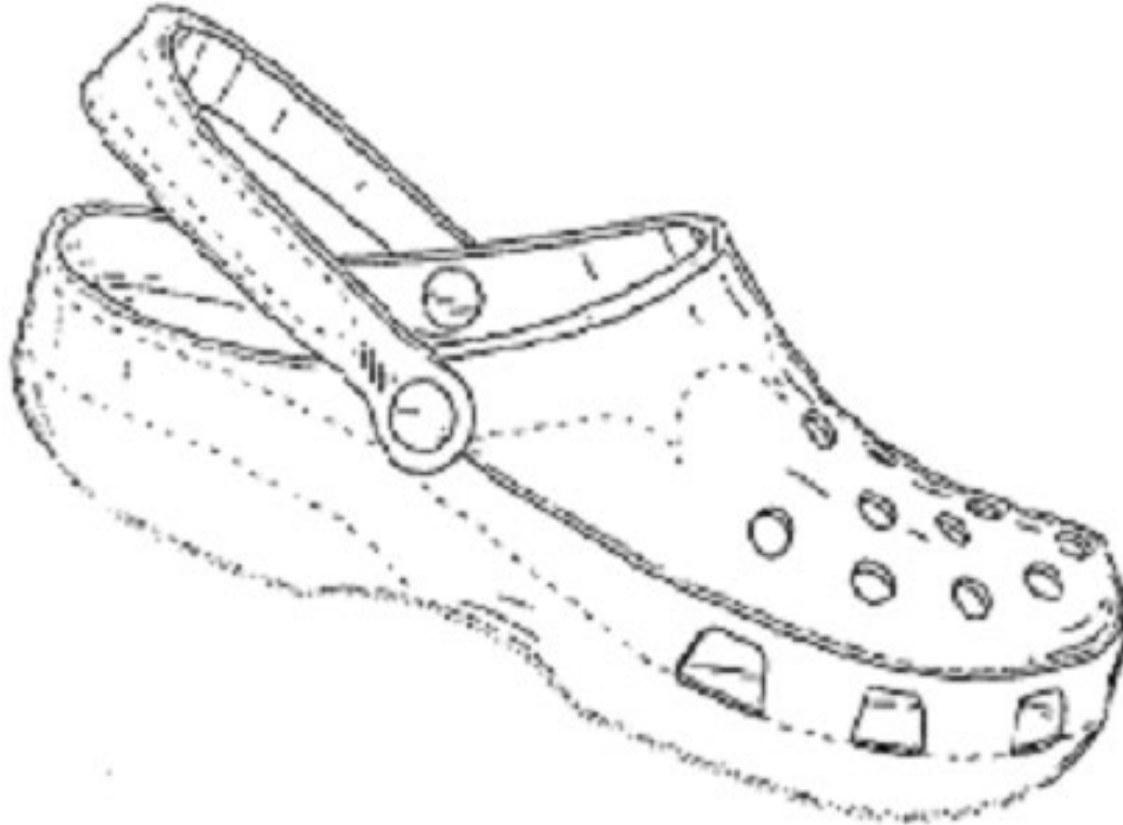
Avia Group Int'l., Inc. v.
L.A. Gear California, Inc.,
853 F.2d 1557
(Fed. Cir. 1988)

US DESIGN PATENTS

1. In re Surgisil - Anticipation
2. Columbia v. Serius
 - a. Logo – infringement
 - b. Total Profit damages
3. Drawings
4. Continuations & Appendix

International Seaway v. Walgreens

589 F.3d 1233 (Fed. Cir. 2009)



International Seaway v. Walgreens

589 F.3d 1233 (Fed. Cir. 2009)

“... The ordinary observer test must logically be the sole test for anticipation”...

International Seaway v. Walgreens

589 F.3d 1233 (Fed. Cir. 2009)

Ordinary Observer Test:

If in the eye of an ordinary observer, two designs are substantially the same, then there's infringement (*Gorham, Egyptian*)

Court: [This] “must logically be the sole test for anticipation”...

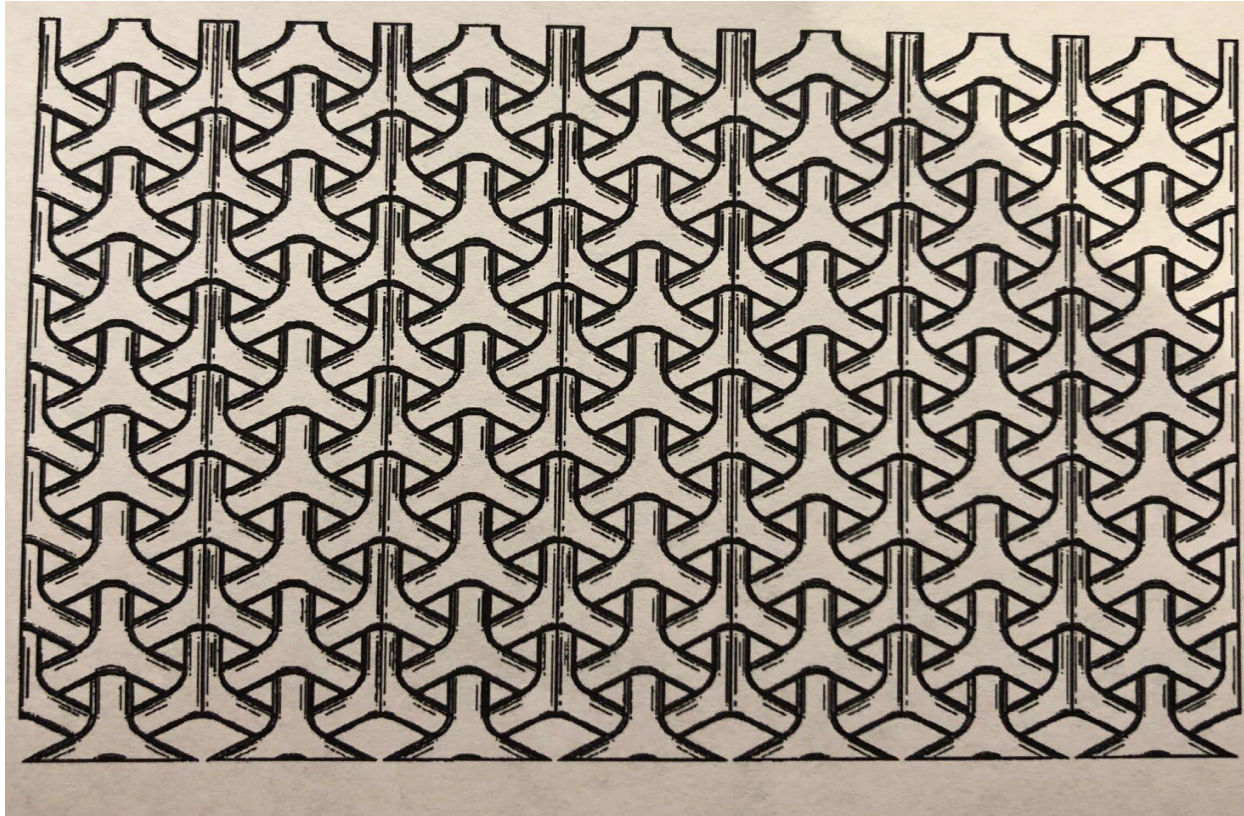
International Seaway v. Walgreens

589 F.3d 1233 (Fed. Cir. 2009)

Translation:

If the prior art is “substantially the same” as the claimed design, then the claimed design is anticipated by that prior art.

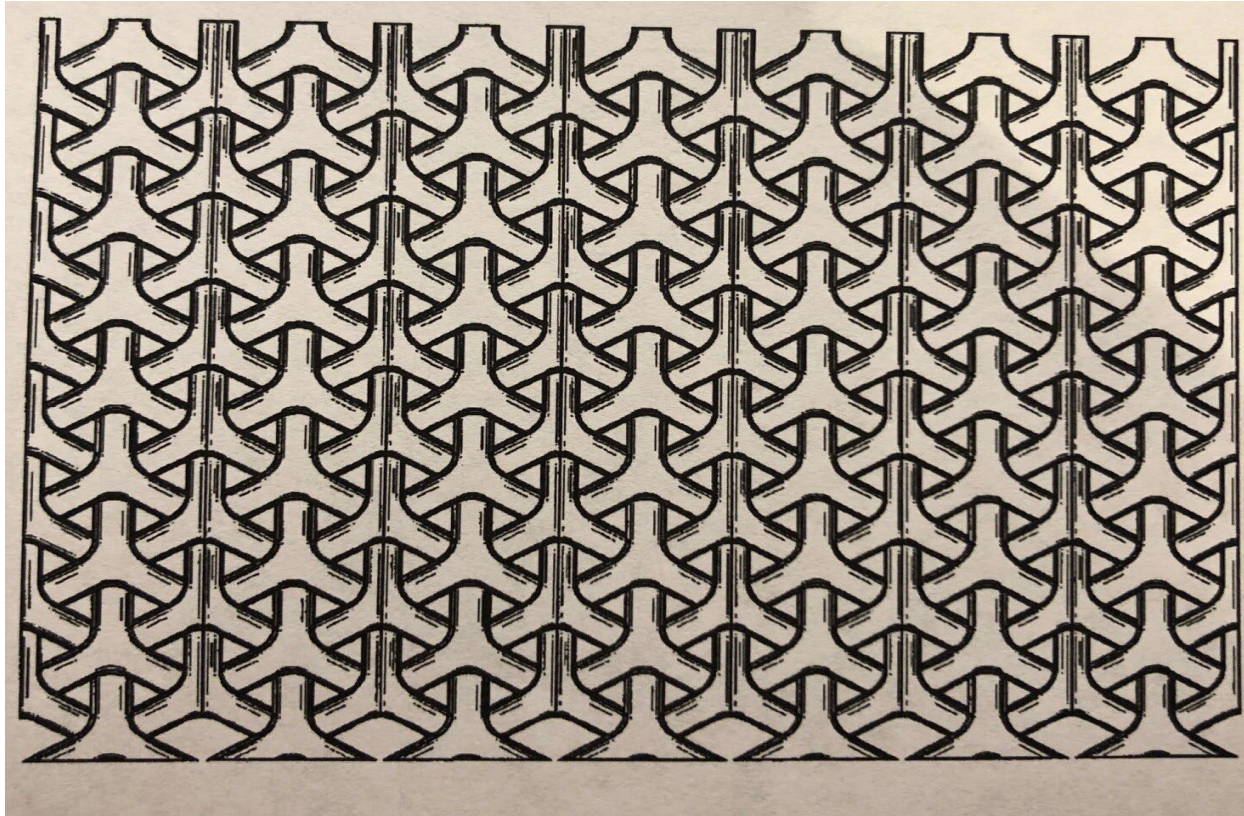
Curver Luxembourg v. Home Expressions
(Federal Circuit, September 12, 2019)



D677,946

Title/Claim: FURNITURE

Curver Luxembourg v. Home Expressions
(Federal Circuit, September 12, 2019)



D677,946

Amended Title/Claim: PATTERN FOR A CHAIR

Curver Luxembourg v. Home Expressions
(Federal Circuit, September 12, 2019)



**ACCUSED
PRODUCT**

Basket

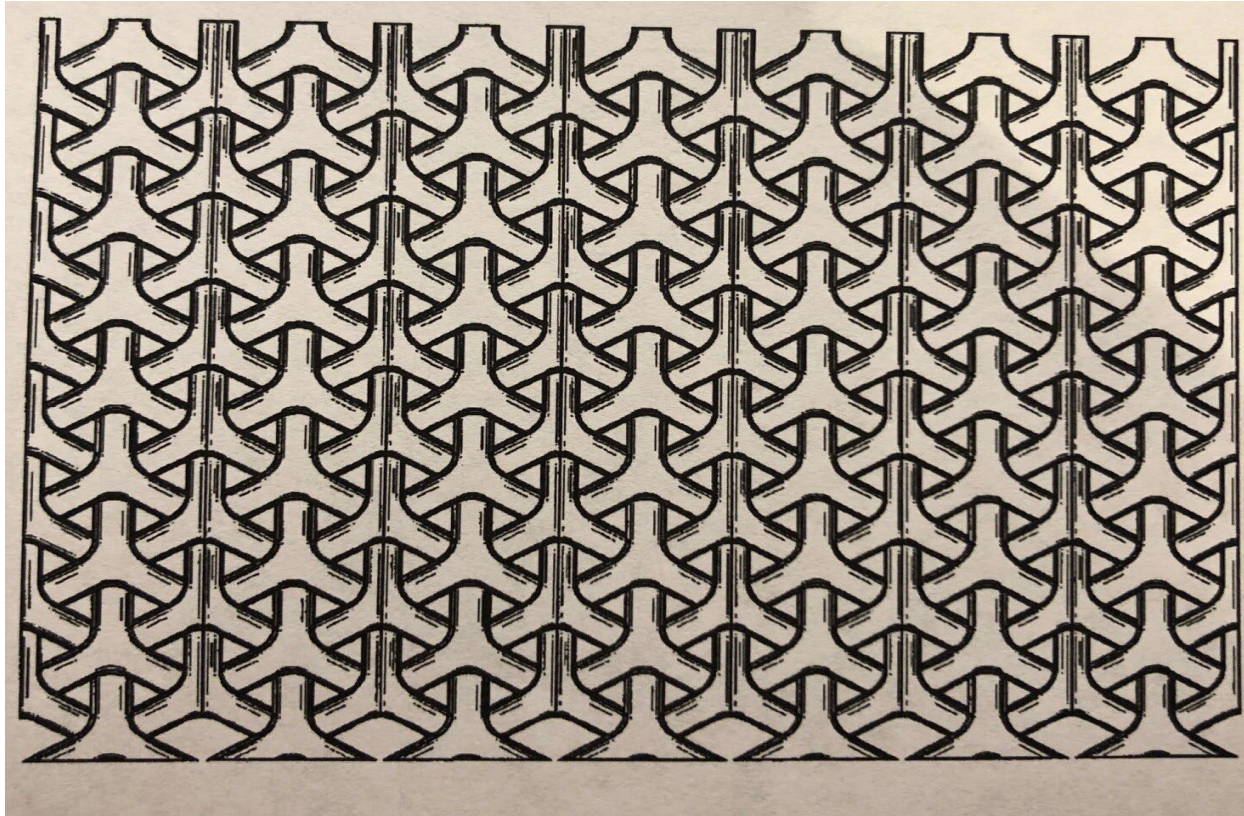
Curver Luxembourg v. Home Expressions
(Federal Circuit, September 12, 2019)

COURT: The claim language limited the scope of the '946 design patent to a chair, and therefore the basket did not infringe.

Curver Luxembourg v. Home Expressions
(Federal Circuit, September 12, 2019)

Lesson: The title and claim of a design patent DO matter.

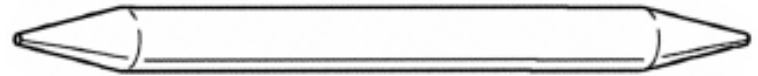
Curver Luxembourg v. Home Expressions
(Federal Circuit, September 12, 2019)



Better Title: Portion of Furniture, Tabletop Products, Office Products, Home Products, and the like

In re: Surgisil

(Fed. Cir. Oct. 4, 2021)

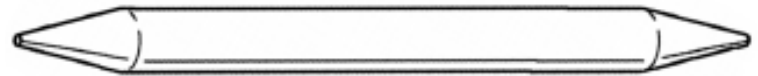


Anticipation Reference: **Art Tool**

Title/Claim: **Lip Implant**

In re: Surgisil

(Fed. Cir. Oct. 4, 2021)



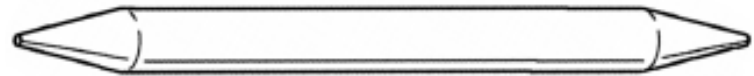
Anticipation Reference: **Art Tool**

Title/Claim: **Lip Implant**

Board: “it is appropriate to ignore the identification of the article of manufacture in the claim language... whether a reference is analogous is irrelevant to whether that reference anticipates”.

In re: Surgisil

(Fed. Cir. Oct. 4, 2021)



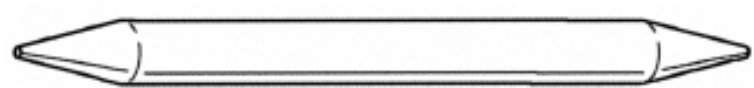
Anticipation Reference: **Art Tool**

Title/Claim: **Lip Implant**

Fed. Cir.: “A design claim does not broadly cover a design in the abstract... The claim is limited to lip implants and does not cover other articles of manufacture. **Since the reference discloses an art tool, it cannot anticipate a lip implant.**

In re: Surgisil

(Fed. Cir. Oct. 4, 2021)



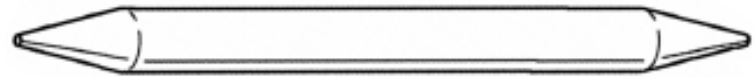
102 Reference: **Blick Art Tool**

Title/Claim: **Lip Implant**

RULE: The prior art used in an anticipation rejection must be of the same article of manufacture as the claimed design

In re: Surgisil

(Fed. Cir. Oct. 4, 2021)



I02 Reference: **Blick Art Tool**

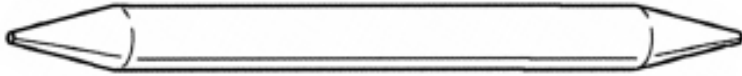
Title/Claim: **Lip Implant**

FALLOUT:

- *greatly reduces prior art available to Examiners
- *narrows scope of design patent to same article of manufacture
- *out of step with EU design law that protects designs *per se*

In re: Surgisil

(Fed. Cir. Oct. 4, 2021)



TITLE/CLAIM: Lip Implant



Accused Design: Art Tool

WHAT IF:

The art tool was later and accused of infringing the design patent?

IF: The test for infringement is the same as test for anticipation.

IF: The test for infringement is the same as test for anticipation.

AND: The prior art used in an anticipation rejection must be of the same article of manufacture as the claimed design.

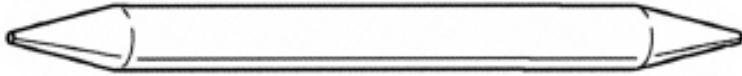
IF: The test for infringement is the same as test for anticipation.

AND: The prior art used in an anticipation rejection must be of the same article of manufacture as the claimed design.

THEN: The accused design must be of the same article of manufacture as the claimed design in order to find infringement.

In re: Surgisil

(Fed. Cir. Oct. 4, 2021)



TITLE/CLAIM: Lip Implant



Accused Design: Art Tool

THE ACCUSED DESIGN (Art Tool) WOULD NOT
INFRINGE THE DESIGN PATENT (Lip Implant)

US DESIGN PATENTS

1. In re Surgisil - Anticipation
2. Columbia v. Serius
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3. Drawings
4. Continuations & Appendix

*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*
(Fed. Cir. 2019)

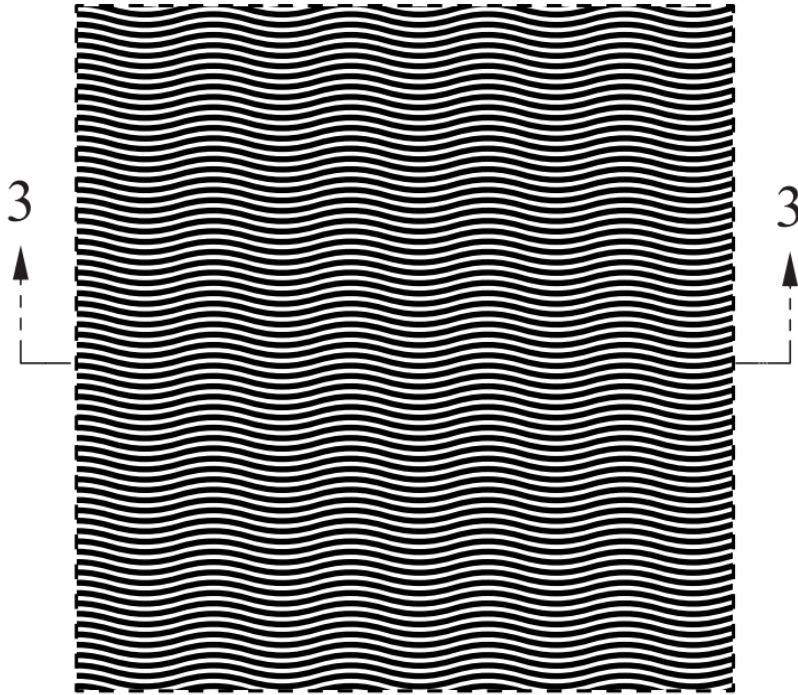


FIG. 1

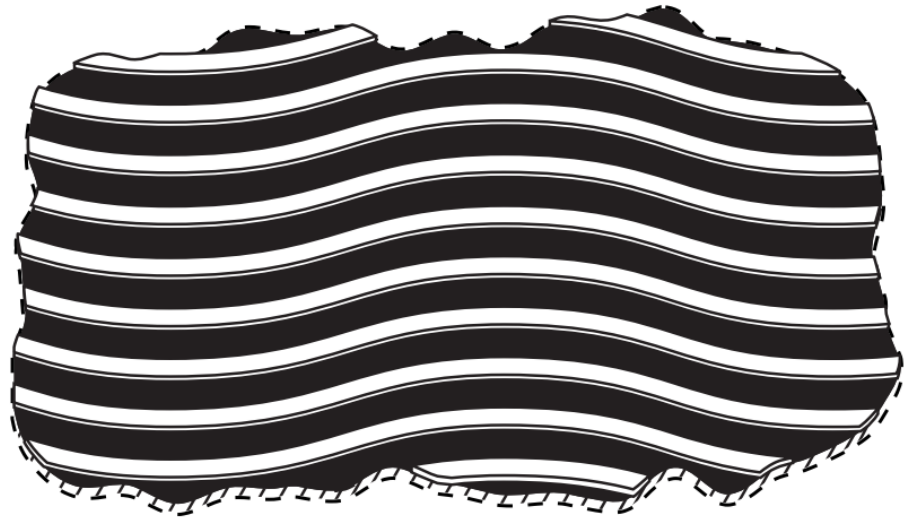


FIG. 2



FIG. 3

D657,093 – “HEAT REFLECTIVE MATERIAL”

*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*

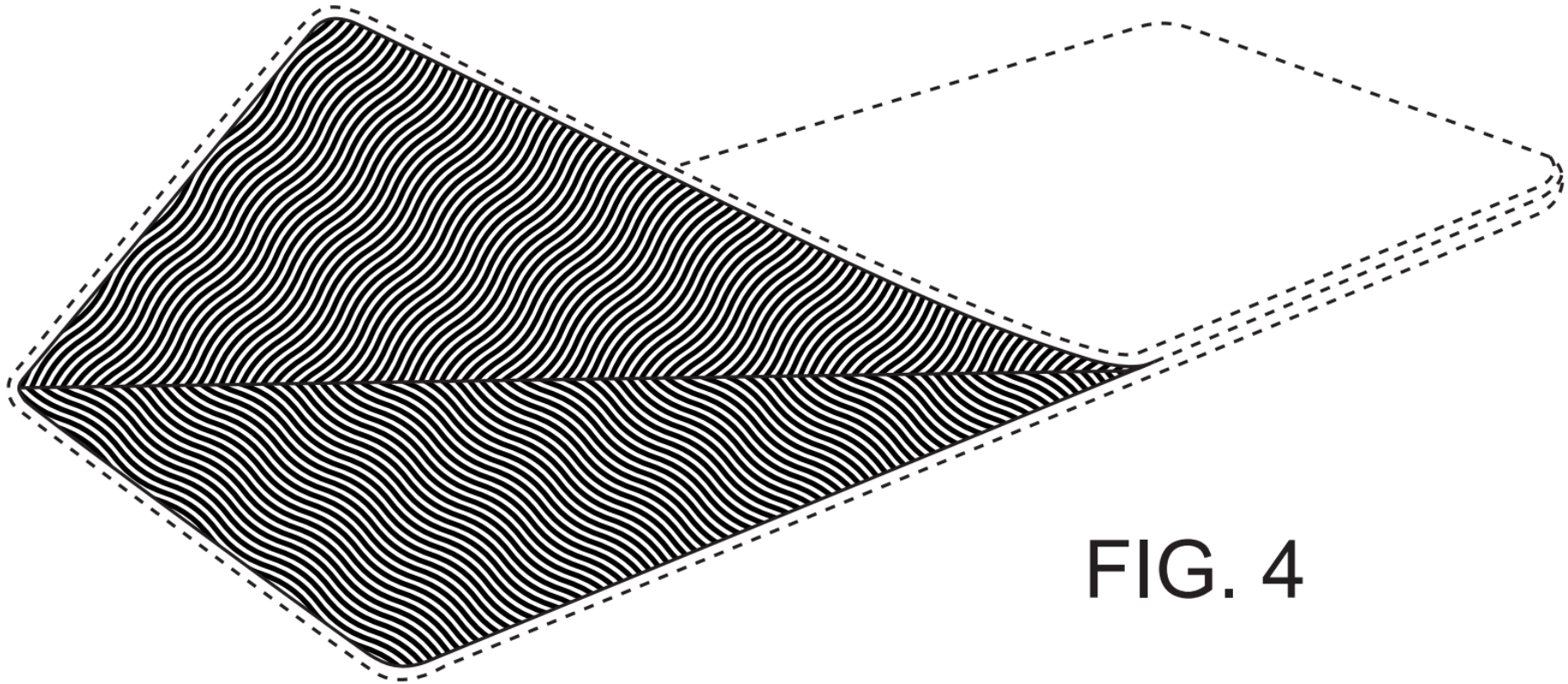


FIG. 4

SLEEPING BAG

*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*

FIG. 5



FOOTWEAR

LEGWEAR

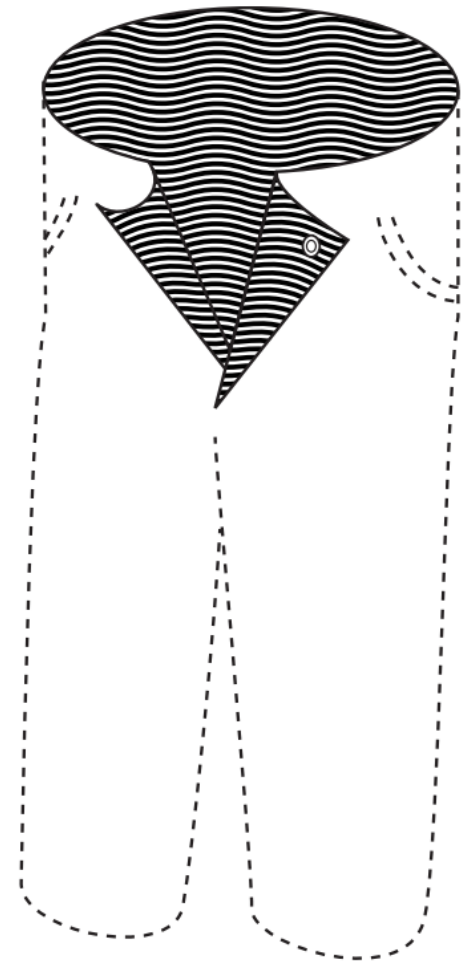
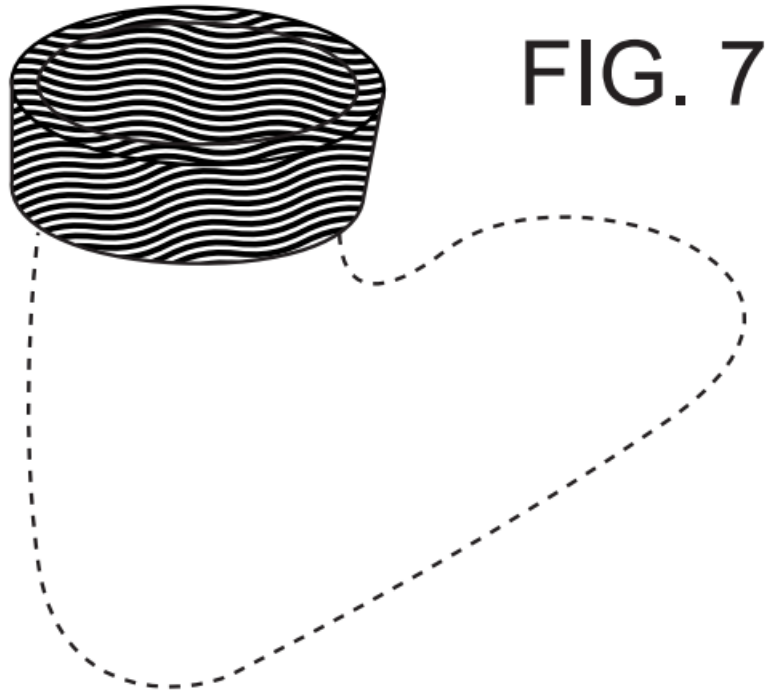


FIG. 6

*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*



SOCKWEAR

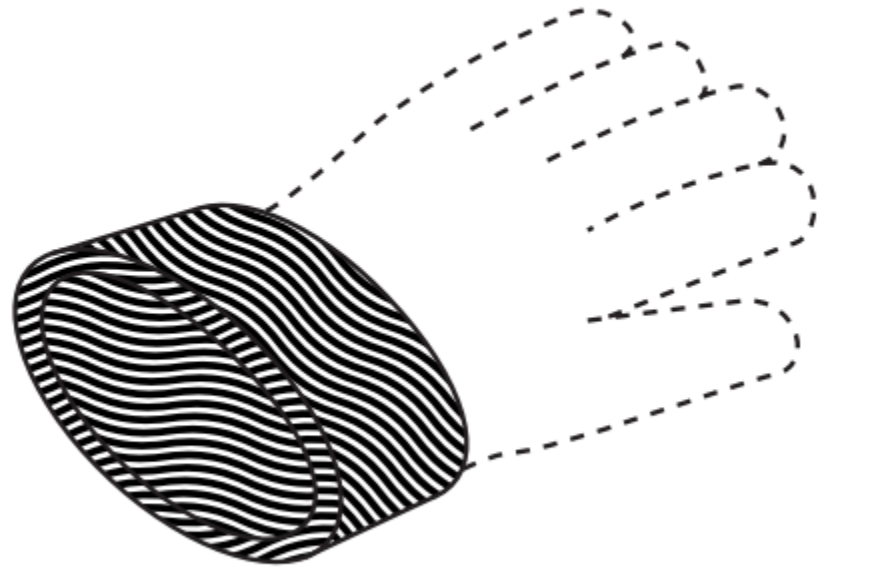
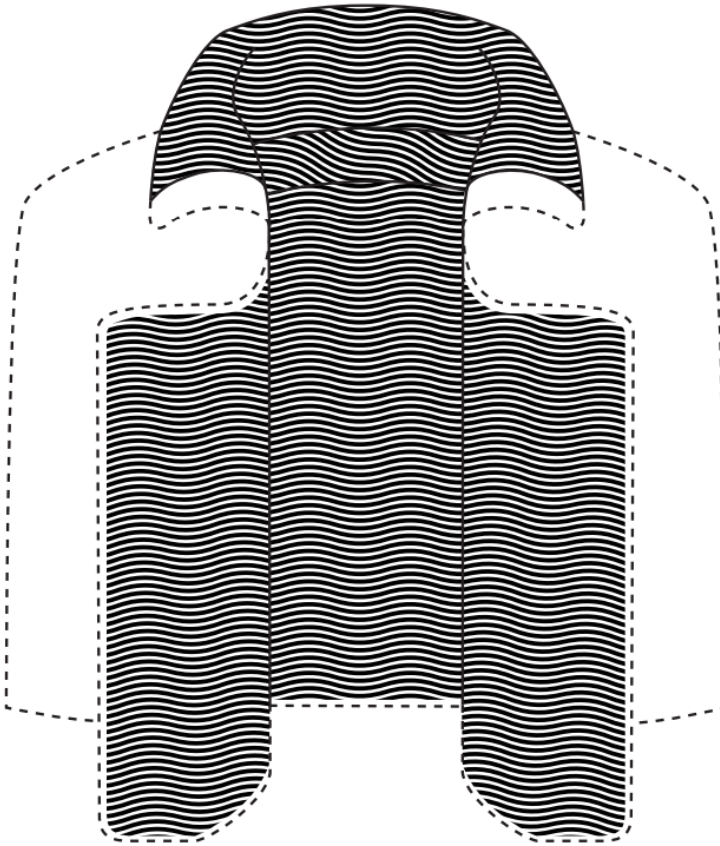


FIG. 8

HANDWEAR

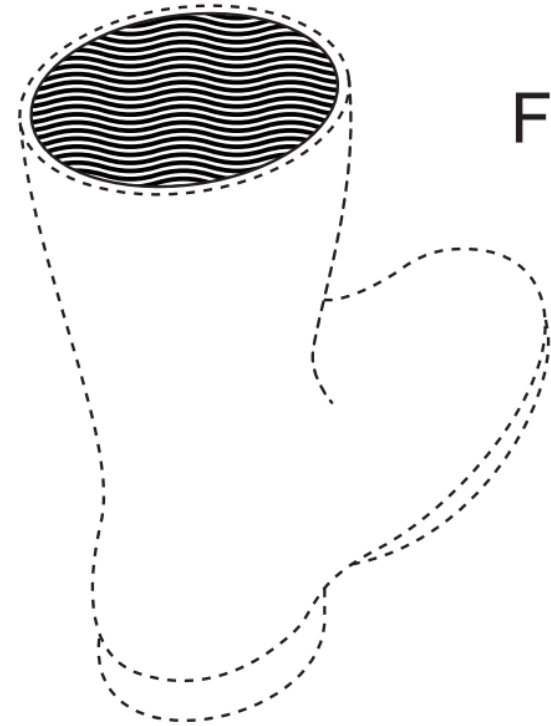
*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*

FIG. 9



OUTERWEAR

FIG. 10



FOOTWEAR

*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*

PATENTED DESIGN

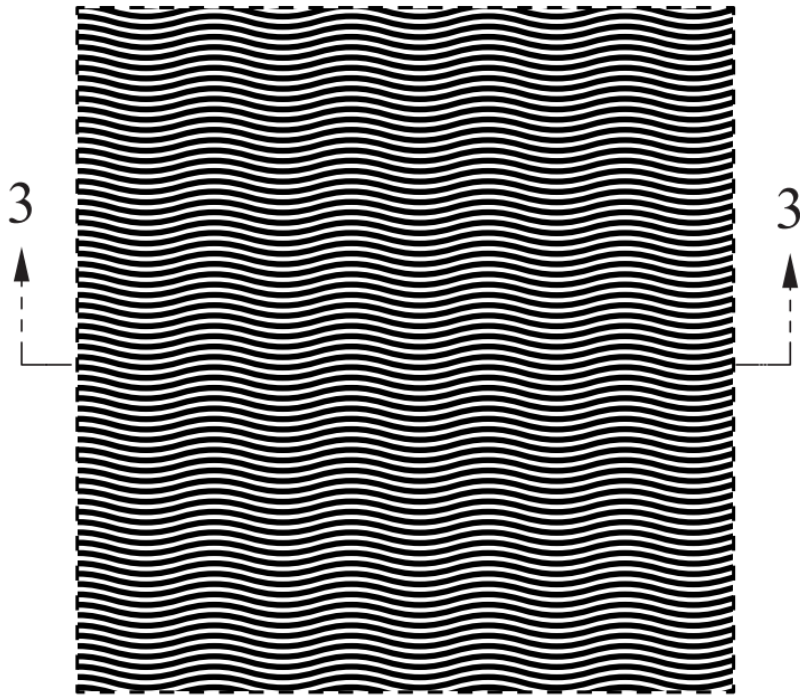


FIG. 1

ACCUSED PRODUCT



*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*

Court finds infringement

Question: What are the
damages to be awarded
to Columbia?

35 U.S.C. 289 – Damages: Infringer's Total Profit

Whoever ... sells ... any article of manufacture to which the patented design ... has been applied shall be liable to the owner to the extent of his total profit ...

ISSUE:

What is the “article of manufacture” upon which “total profit” will be based?

Samsung v. Apple

(US Supreme Court 2016)

The Supreme Court:

The “article of manufacture” upon which total profit is based can be either the end product sold by the infringer or a component of that product.

Samsung v. Apple

(US Supreme Court 2016)

Question left open by Court:

How do we determine the “article of manufacture” to know whether it’s the end product sold by the infringer, or only a component of the end product?

*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*
(Federal Circuit, 2019)

PATENTED DESIGN

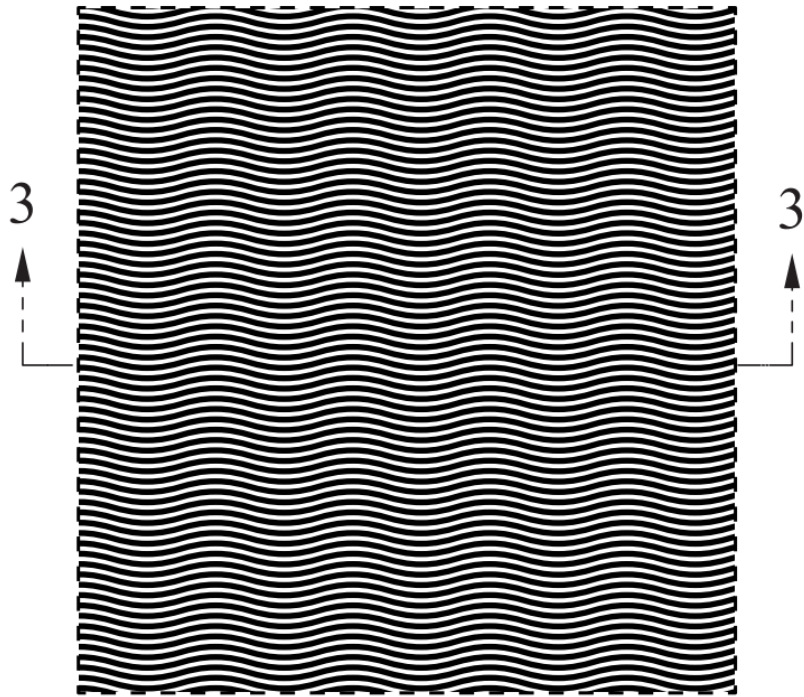


FIG. 1

COURT'S OPINION:

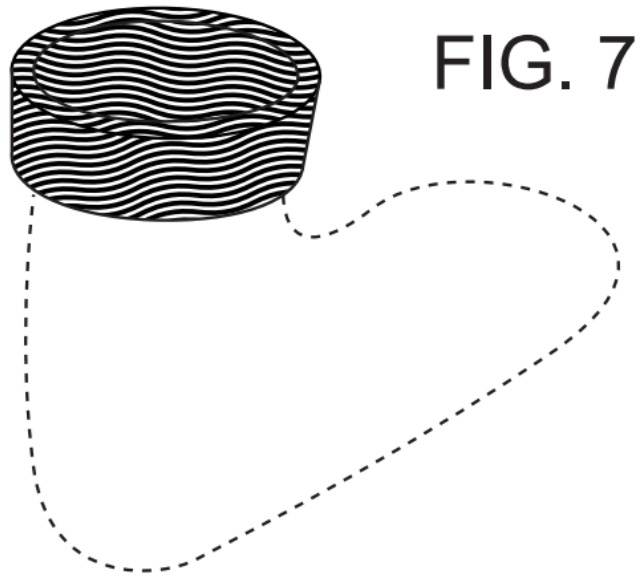
Ignored damages issue!

Reversed the lower court's
finding of infringement
because **Seirus' logo** wasn't
taken into account!!!

Remanded case to lower court
for retrial on infringement.

*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*
(Federal Circuit, 2019)

PATENTED DESIGN



ACCUSED PRODUCT



*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*
(Federal Circuit, 2019)

PATENTED DESIGN

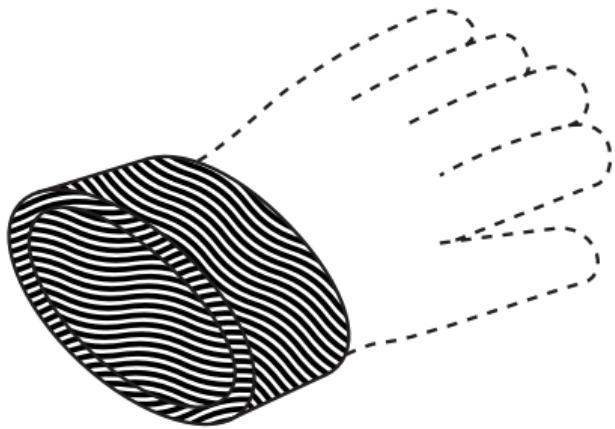
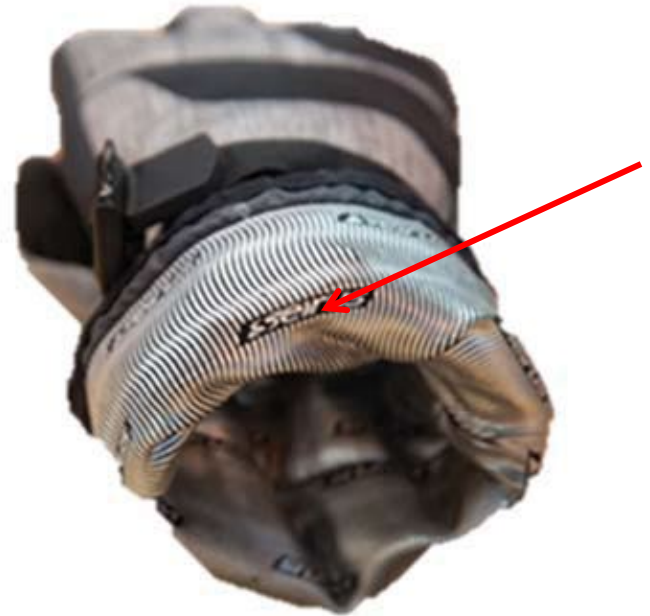


FIG. 8

ACCUSED PRODUCT



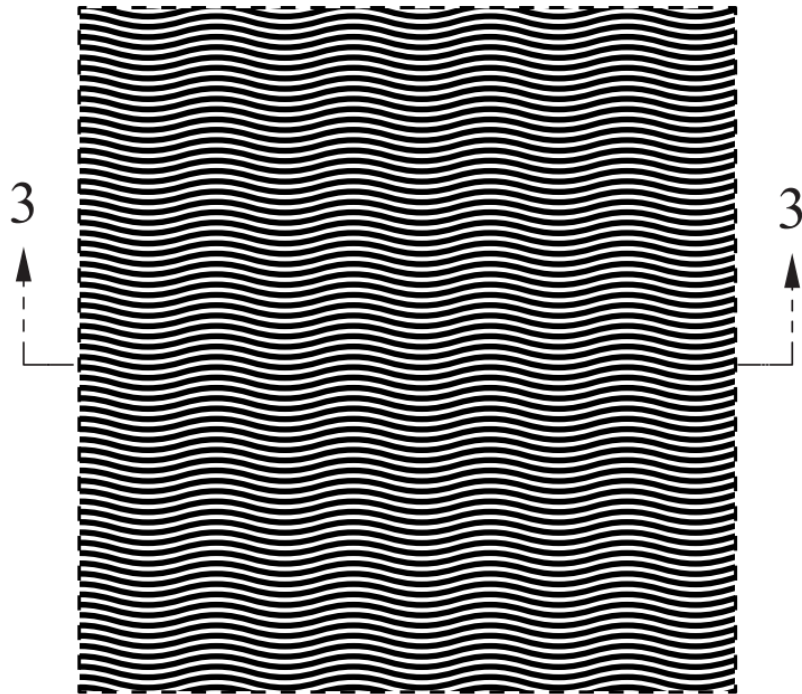
*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*
(Federal Circuit, pending)

On retrial, assume court
finds infringement.

Appealed.

*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*

PATENTED DESIGN



ACCUSED PRODUCT



FIG. 1

Title and Claim: HEAT REFLECTIVE MATERIAL

*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*

Question: What are the
damages to be awarded
to Columbia?

Is total profit based on the end products (e.g., socks and gloves) or the heat reflective material (the component of the end product)?



If *Columbia v. Serius* is
appealed, the Supreme
Court might say:

Let's look at the plain
language of the **statute**.

After Apple v. Samsung

35 U.S.C. 289

Whoever sells any article [socks and gloves?] to which the patented design [heat reflective material?] has been applied shall be liable to the owner to the extent of his total profit ... {on the socks and gloves OR on the heat reflective material}

The patentee wants socks
and gloves to be the
article(s) of manufacture.

The infringer wants the heat
reflective material to be the
article of manufacture.

The Supreme Court might say:

Let's look at the patent document that was drafted by the patentee and duly issued by the US Patent & Trademark Office after satisfying statutory requirements.

*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*
(Federal Circuit, pending)

TITLE: Heat Reflective Material

**CLAIM: The ornamental design for
a heat reflective material, as shown
and described.**

Good chance that the
article of manufacture
would be the heat
reflective material.

DRAFTING TIP

What if you had a
different title/claim?

TITLE: Heat Reflective Material
Applied To

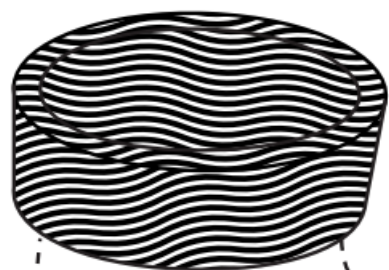


FIG. 7

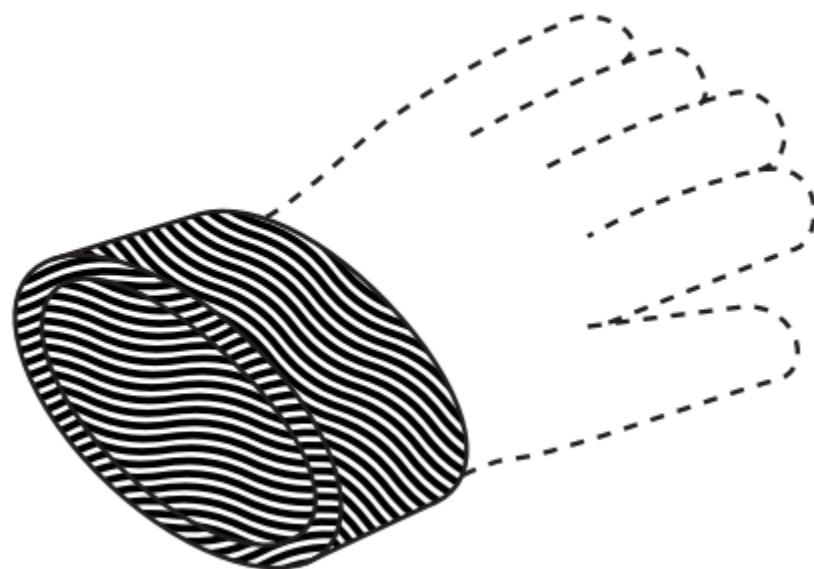


FIG. 8

TITLE: Heat Reflective Material Applied To Socks and/or Gloves

**TITLE: Heat Reflective Material
Applied To Socks and/or Gloves**

**CLAIM: The ornamental design of
a heat reflective material applied to
socks and/or gloves.**

Good chance that the
article of manufacture
would be the socks and
gloves.

This case is now pending at
the Federal Circuit
with a not-so-great
Title/Claim

*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.
(Federal Circuit, Pending)*

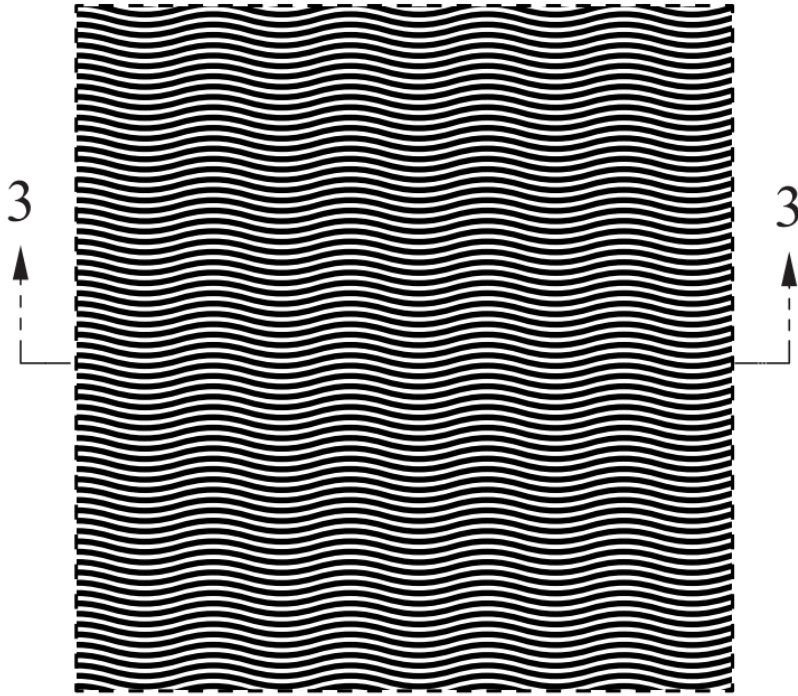


FIG. 1

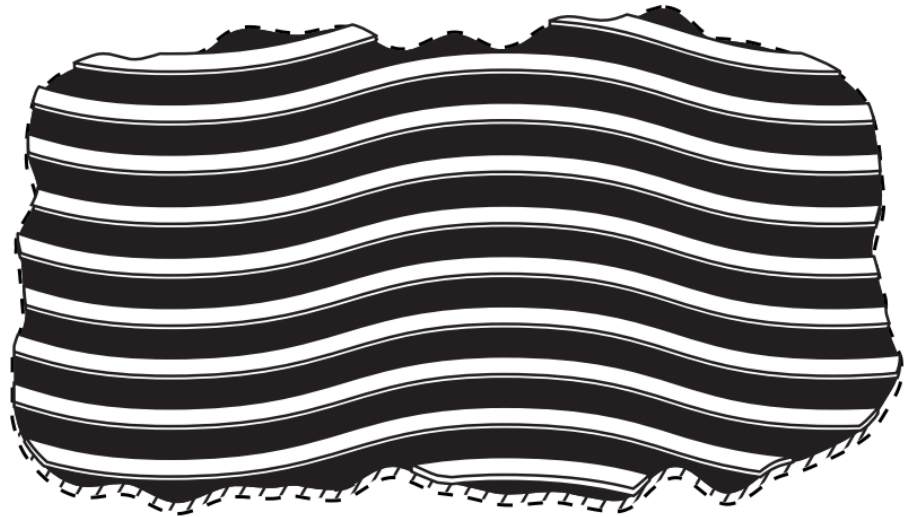
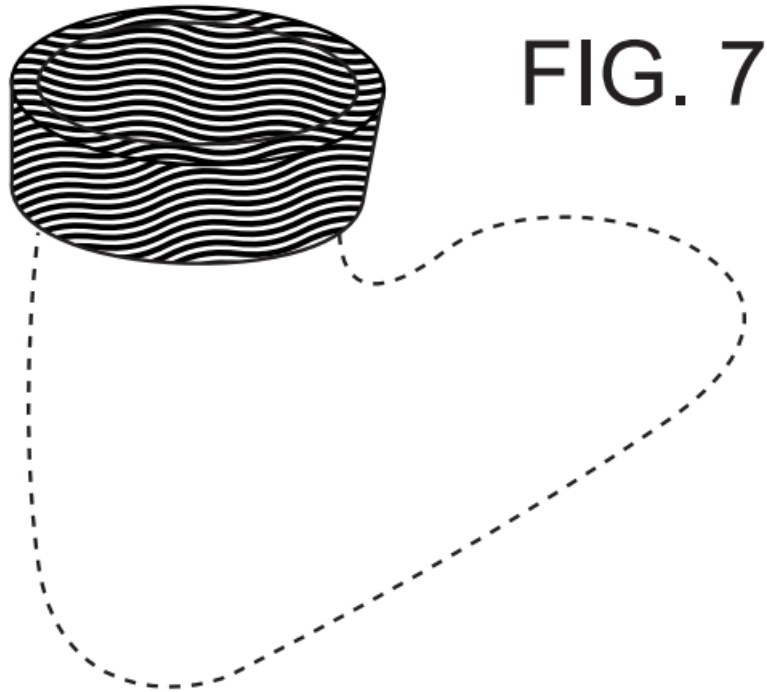


FIG. 2

D657,093

Title/Claim: HEAT REFLECTIVE MATERIAL

*Columbia Sportswear North America, Inc. v.
Seirus Innovative Accessories, Inc.*
(Federal Circuit, Pending)



D657,093

Title/Claim: HEAT REFLECTIVE MATERIAL

US DESIGN PATENTS

1. In re Surgisil - Anticipation
2. Columbia v. Serius
 - a. Logo – infringement
 - b. Total Profit damages
3. Drawings
4. Continuations & Appendix

Partial Designs

United States Patent [19]

Burdick et al.

US00D346722S

[11] Patent Number: Des. 346,722

[45] Date of Patent: ** May 10, 1994

[54] FLATWARE

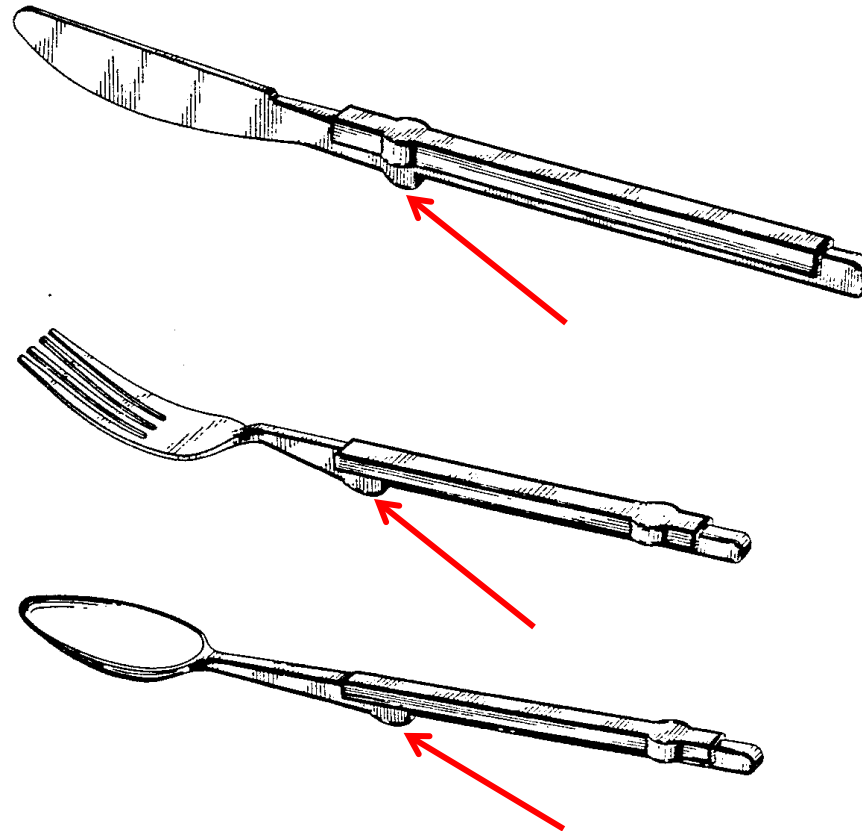
[75] Inventors: **Bruce Burdick; Susan K. Burdick,**
both of San Francisco, Calif.

[73] Assignee: **The Burdick Group,** San Francisco,
Calif.

Primary Examiner—Alan P. Douglas
Assistant Examiner—Caron D. Veynar
Attorney, Agent, or Firm—Saidman Design Law Group

[57] CLAIM

The ornamental design for flatware, as shown and described.



United States Patent [19]

Burdick et al.

[11] **Patent Number: Des. 345,486**

[45] **Date of Patent: ** Mar. 29, 1994**

[54] **HANDLE FOR FLATWARE**

[75] **Inventors: Bruce Burdick; Susan K. Burdick,**
both of San Francisco, Calif.

[73] **Assignee: The Burdick Group, San Francisco,**
Calif.

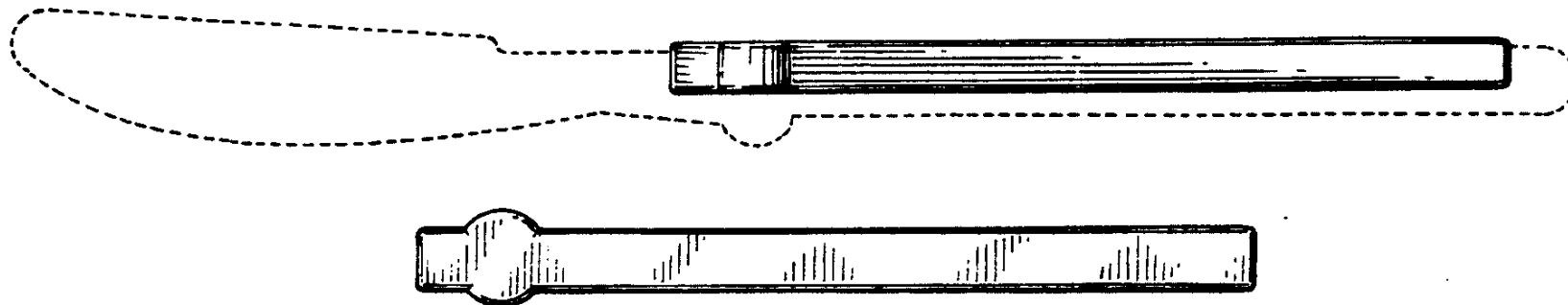
[**] **Term: 14 Years**

356,452	1/1887	Cox	30/298.4
356,453	1/1887	Cox	30/295
1,250,890	12/1917	Johnson	30/327
2,429,405	10/1947	Dringman	30/142
2,789,349	4/1957	Lee	30/298.4

Primary Examiner—Douglas Alan P.

Assistant Examiner—Caron D. Veynar

Attorney, Agent, or Firm—Saidman Design Law Group



United States Patent [19]

Burdick et al.

[11] Patent Number: Des. 345,284

[45] Date of Patent: ** Mar. 22, 1994

[54] KNIFE

[75] Inventors: Bruce Burdick; Susan K. Burdick,
both of San Francisco, Calif.

[73] Assignee: The Burdick Group, San Francisco,
Calif.

[**] Term: 14 Years

[21] Appl. No.: 3,014

[22] Filed: Dec. 24, 1992

[52] U.S. Cl. D7/649

[58] Field of Search D7/642, 645-654,

D. 261,093	10/1981	Segal	D7/645
D. 275,169	8/1984	Watanabe	D7/645
D. 307,095	4/1990	Juergens	D7/653
5,827	10/1848	Smith	30/298.4
116,412	6/1871	Chapman	30/298.4
135,590	2/1873	Robinson	30/1
356,452	1/1887	Cox	30/298.4
356,453	1/1887	Cox	30/295
1,250,890	12/1917	Johnson	30/327
2,429,405	10/1947	Dringman	30/142
2,789,349	4/1957	Lee	30/298.4

Primary Examiner—Alan P. Douglas

Assistant Examiner—Caron D. Veynar

Attorney, Agent, or Firm—Saidman Design Law Group



United States Patent [19]

Burdick et al.

US00D358741S

[11] Patent Number: Des. 358,741

[45] Date of Patent: ** May 30, 1995

[54] FORK

[75] Inventors: **Bruce Burdick; Susan K. Burkick,**
both of San Francisco, Calif.

[73] Assignee: **The Burdick Group, San Francisco,**
Calif.

[*] Notice: The portion of the term of this patent
subsequent to Mar. 22, 2008 has been
disclaimed.

[**] Term: **14 Years**

[21] Appl. No.: **3,013**

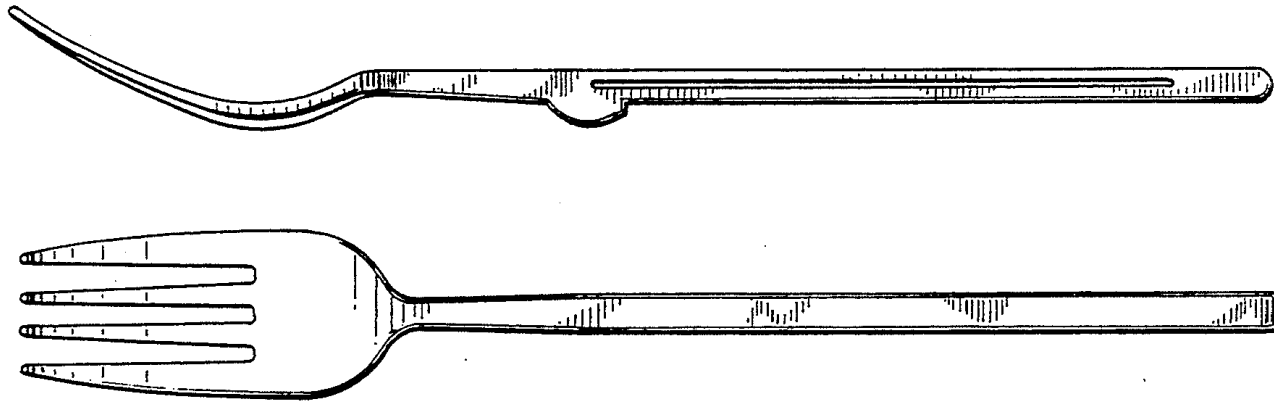
[22] Filed: **Dec. 24, 1992**

D. 193,735	10/1962	Conroy	D7/653
D. 203,943	3/1966	Laughlin	D7/647
D. 215,996	11/1969	Weeber	D7/664 X
D. 247,086	1/1978	Gonshorek	D7/645
D. 249,626	9/1978	Siebel	D7/653
D. 261,093	10/1981	Segal	D7/645
D. 275,169	8/1984	Watanabe	D7/645
D. 307,095	4/1990	Juergens	D7/653
356,452	1/1887	Cox	30/298.4
356,453	1/1887	Cox	30/295
1,250,890	12/1917	Johnson	30/327
2,429,405	10/1947	Dringman	30/142
2,789,349	4/1957	Lee	30/298.4

Primary Examiner—Alan P. Douglas

Assistant Examiner—Caron D. Veynar

Attorney, Agent, or Firm—Saidman DesignLaw Group



United States Patent [19]

Burdick et al.

US00D351091S

[11] Patent Number: Des. 351,091

[45] Date of Patent: ** Oct. 4, 1994

[54] SPOON

[75] Inventors: **Bruce Burdick; Susan K. Burdick,**
both of San Francisco, Calif.

[73] Assignee: **The Burdick Group, San Francisco,**
Calif.

[*] Notice: The portion of the term of this patent
subsequent to Mar. 22, 2008 has been
disclaimed.

[**] Term: **14 Years**

[21] Appl. No.: **3,012**

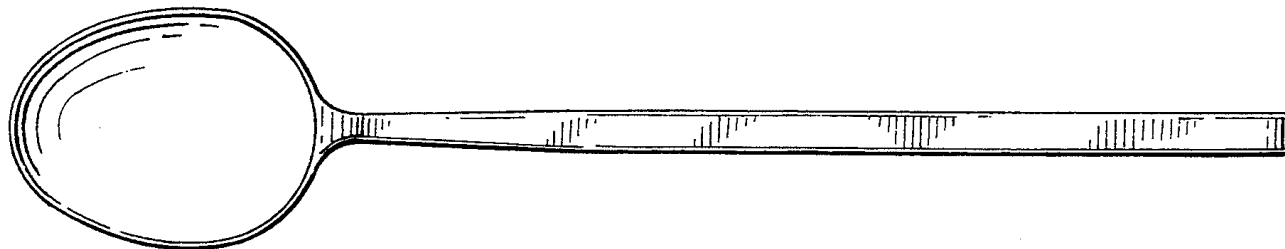
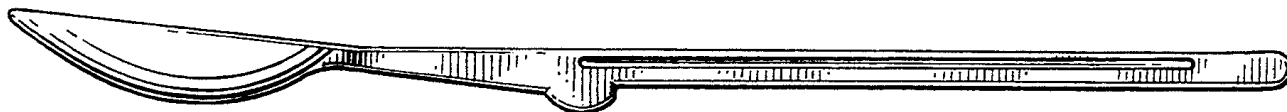
[22] Filed: **Dec. 24, 1992**

D. 247,086	1/1978	Gonshorek	D7/645
D. 249,626	9/1978	Seibel	D7/653
D. 261,093	10/1981	Segal	D7/645
D. 275,169	8/1984	Watanabe	D7/645
D. 307,095	4/1990	Juergens	D7/653
5,827	10/1848	Smith	30/298.4
356,452	1/1887	Cox	30/298.4
356,453	1/1887	Cox	30/295
116,412	6/1871	Chapman	30/298.4
135,590	2/1873	Robinson	30/1
1,250,890	12/1917	Johnson	30/327
2,429,405	10/1947	Dringman	30/142
2,789,349	4/1957	Lee	30/298.4

Primary Examiner—Alan P. Douglas

Assistant Examiner—Caron D. Veynar

Attorney, Agent, or Firm—Saidman Designlaw Group



United States Patent [19]

Burdick et al.

US00D355565S

[11] Patent Number: **Des. 355,565**

[45] Date of Patent: **** Feb. 21, 1995**

[54] **FLATWARE SUPPORT KNOB AND HANDLE
FLANGES**

[75] Inventors: **Bruce Burdick; Susan K. Burdick,**
Both of San Francisco, Calif.

[73] Assignee: **The Burdick Group, San Francisco,**
Calif.

[**] Term: **14 Years**

[21] Appl. No.: **3,016**

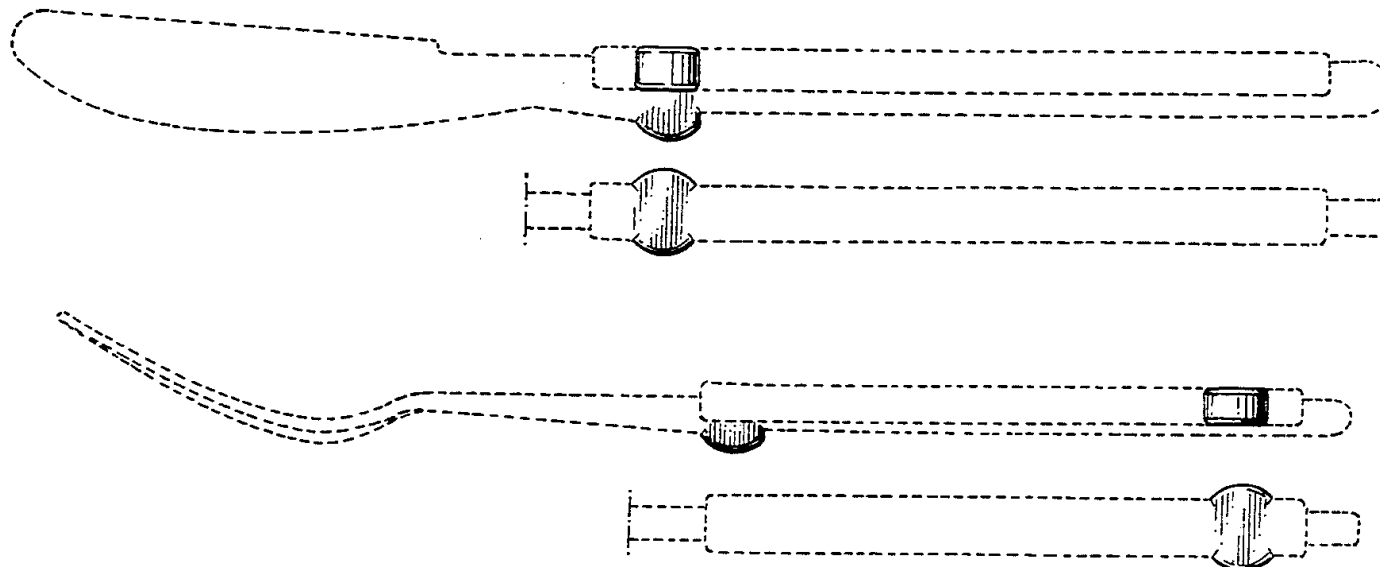
[22] Filed: **Dec. 24, 1992**

D. 275,169	8/1984	Watanabe	D7/645
D. 307,095	4/1990	Juergens	D7/653
356,452	1/1887	Cox	30/298.4
356,453	1/1887	Cox	30/295
1,250,890	12/1917	Johnson	30/327
2,429,405	10/1947	Dringman	30/142
2,789,349	4/1957	Lee	30/298.4

Primary Examiner—Alan P. Douglas

Assistant Examiner—Caron D. Veynar

Attorney, Agent, or Firm—SAIDMAN DesignLaw
Group



United States Patent [19]

Burdick et al.

[11] Patent Number: Des. 351,310

[45] Date of Patent: ** Oct. 11, 1994

[54] FLATWARE SUPPORT KNOB

[75] Inventors: Bruce Burdick; Susan K. Burdick,
both of San Francisco, Calif.

[73] Assignee: The Burdick Group, San Francisco,
Calif.

[**] Term: 14 Years

[21] Appl. No.: 3,011

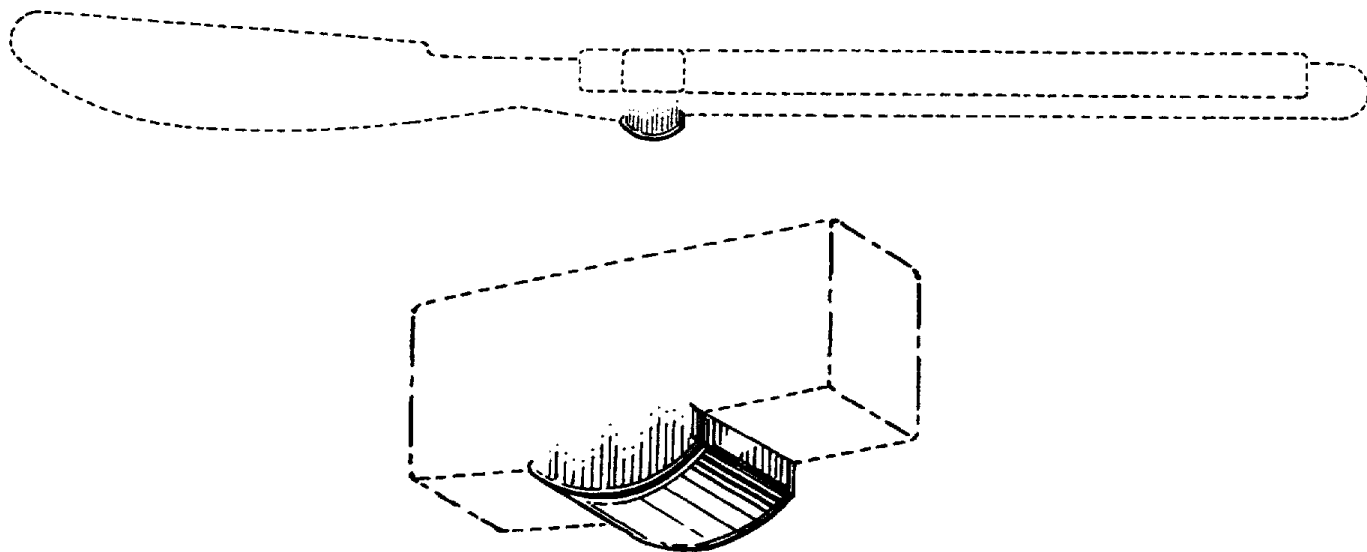
[22] Filed: Dec. 24, 1992

D. 247,086	1/1978	Gonshorek	.....	D7/645
D. 249,626	9/1978	Seibel	.....	D7/653
D. 262,089	12/1981	Fahy	.....	D7/401.2
D. 275,169	8/1984	Watanabe	.....	D7/645
D. 307,095	4/1990	Juergens	.....	D7/653
356,452	1/1887	Cox	.....	30/298.4
356,453	1/1887	Cox	.....	30/295
1,250,890	12/1917	Johnson	.....	30/327
2,429,405	10/1947	Dringman	.....	30/327
2,789,349	4/1957	Lee	.....	30/142

Primary Examiner—Alan P. Douglas

Assistant Examiner—Caron D. Veynar

Attorney, Agent, or Firm—SAIDMAN DesignLaw
Group



Single Perspective View



US00D693161S

(12) **United States Design Patent**
Polidoros

(10) **Patent No.:** **US D693,161 S**
(45) **Date of Patent:** **** *Nov. 12, 2013**

(54) **TABLE BASE**

(71) Applicant: **IHS Global Design Pty. Ltd.**, Rowville (AU)

(72) Inventor: **Nicholas Polidoros**, Mitcham (AU)

(73) Assignee: **IHS Global Design Pty. Ltd.** (AU)

(*) Notice: This patent is subject to a terminal disclaimer.

(**) Term: **14 Years**

(21) Appl. No.: **29/461,203**

(22) Filed: **Jul. 19, 2013**

Related U.S. Application Data

(63) Continuation of application No. 29/457,257, filed on Jun. 7, 2013, which is a continuation of application No. 29/424,878, filed on Jun. 16, 2012, which is a continuation of application No. 12/377,096, filed on Feb. 10, 2009, now abandoned.

(51) **LOC (9) Cl.** **06-06**

(52) **U.S. Cl.**
USPC **D6/708**

(58) **Field of Classification Search**

USPC D6/480-489, 495-499, 429-431, 691.8,
D6/692.6, 709; 108/153.1, 155, 156,
108/157.1, 161, 115, 157.16, 157.17,
108/157.18, 118, 119, 160; 248/188, 188.1,
248/188.7, 188.8

See application file for complete search history.

(56) **References Cited**

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(Continued)

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(Continued)

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Bloomberry, Rosewood foldable tray table, 1stdibs.com, http://www.1stdibs.com/furniture_item_print.php?id=664172, available at least as early as Nov. 2, 2012.

(Continued)

Primary Examiner — Janice Seeger

(74) *Attorney, Agent, or Firm* — Saidman DesignLaw Group

(57) **CLAIM**

The ornamental design for a table base, as shown and described.

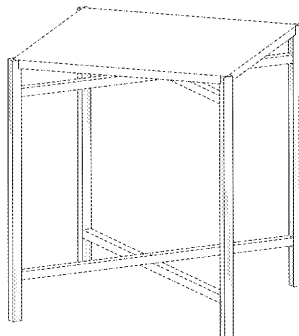
DESCRIPTION

The sole FIGURE is a perspective view of a table base showing my new design.

The broken lines illustrate environmental structure and form no part of the claimed design. The drawings include surface shading that represents contour and not surface ornamentation.

Those portions of the table base not shown in the sole FIGURE form no part of the claimed design.

1 Claim, 1 Drawing Sheet



(12) **United States Design Patent**
Ghielmini

(10) **Patent No.:** **US D716,670 S**
(45) **Date of Patent:** **** Nov. 4, 2014**

(54) **WRISTWATCH**

(75) Inventor: **Gabriele Ghielmini**, Lugano (CH)

(73) Assignee: **Tendence SA**, Lugano (CH)

(**) Term: **14 Years**

(21) Appl. No.: **29/400,836**

(22) Filed: **Sep. 1, 2011**

(30) **Foreign Application Priority Data**

Mar. 15, 2011 (WO) DM/075 596

(51) **LOC (10) CL.** **10-02**

(52) **U.S. CL.**

USPC **D10/32**

(58) **Field of Classification Search**

USPC D10/126, 30-39; 368/276, 281, 282;
D11/3

See application file for complete search history.

(56) **References Cited**

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D649,888 S * 12/2011 Jamin D10/3
D655,630 S * 3/2012 Behling D10/3
D659,025 S * 5/2012 Yurman D10/3
D659,027 S * 5/2012 Yurman D10/3
D685,280 S * 7/2013 Muller et al. D10/12

* cited by examiner

Primary Examiner — Lucy Lieberman

(74) *Attorney, Agent, or Firm* — Sughrue Mion, PLLC

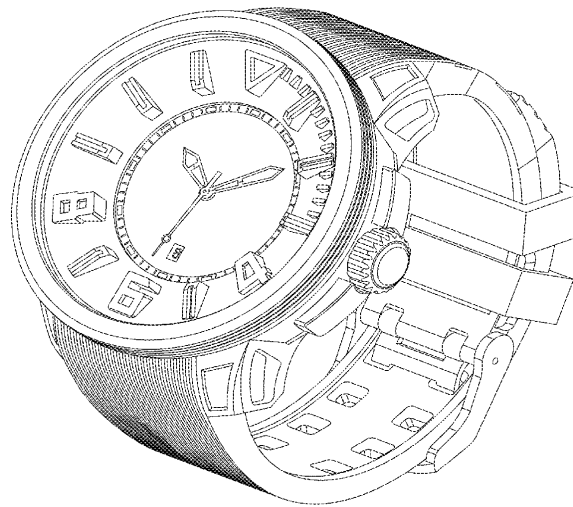
(57) **CLAIM**

The ornamental design for a wristwatch, as shown and described.

DESCRIPTION

The sole view is a front and right side perspective view of: wristwatch showing my new design.

1 Claim, 1 Drawing Sheet





US00D666293S

(12) **United States Design Patent** (10) **Patent No.:** **US D666,293 S**
Miles et al. (45) **Date of Patent:** **** *Aug. 28, 2012**

(54) **DILATOR**
(75) Inventors: **Patrick Miles**, San Diego, CA (US);
Scot Martinelli, Mountain Top, PA
(US); **Eric Finley**, Poway, CA (US)
(73) Assignee: **NuVasive, Inc.**, San Diego, CA (US)
(*) Notice: This patent is subject to a terminal disclaimer.
(**) Term: **14 Years**
(21) Appl. No.: **29/411,651**
(22) Filed: **Jan. 24, 2012**

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(Continued)

Related U.S. Application Data

(63) Continuation of application No. 29/360,369, filed on Apr. 23, 2010, now Pat. No. Des. 652,922, which is a continuation of application No. 12/428,081, filed on Apr. 22, 2009, now Pat. No. 7,935,051, which is a continuation of application No. 10/608,362, filed on Jun. 26, 2003, now Pat. No. 7,582,058.

(51) **LOC (9) CL.** **24-02**
(52) **U.S. CL.** **D24/135**
(58) **Field of Classification Search** D24/135,
D24/112, 130, 133, 140, 147, 149; 600/200,
600/202, 184, 220–227, 201, 203, 210–218;
606/191–200, 201–202
See application file for complete search history.

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Primary Examiner — Bridget L Eland

(74) *Attorney, Agent, or Firm* — Jonathan Spangler; Rory Schermerhorn; Saidman DesignLaw Group, LLC

(57) CLAIM

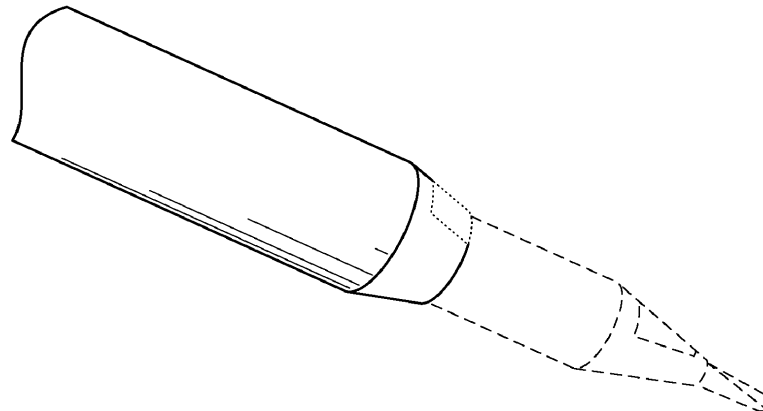
The ornamental design for a dilator, as shown and described.

DESCRIPTION

The sole FIGURE is a perspective view of a dilator showing our new design.

The dotted broken lines represent unclaimed boundaries of the claimed design and form no part thereof. The dashed broken lines represent environment and form no part of the claimed design. Only one view of the article is shown in the drawing and the end view is described in the specification. It is understood that the appearance of any part of the article not shown in the drawing or described in the specification forms no part of the claimed design. In re Zahn, 617 F.2d 261,204 USPQ 988 (CCPA 1980).

1 Claim, 1 Drawing Sheet



“Only one view of the article is shown in the drawing ... It is understood that the appearance of any part of the article not shown in the drawing forms no part of the claimed design.”



US00D707804S

(12) **United States Design Patent**
Gough

(10) **Patent No.:** **US D707,804 S**
(45) **Date of Patent:** **** Jun. 24, 2014**

(54) **HANDHELD, INLINE INDUCTION HEATER**

(75) Inventor: **Thomas Gough**, Gilberts, IL (US)

(73) Assignee: **Sarge Holdings Company**, Elgin, IL (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/423,704**

(22) Filed: **Jun. 4, 2012**

(51) **LOC (10) CL.** **23-03**

(52) **U.S. CL.**
USPC **D23/314**

(58) **Field of Classification Search**
USPC D23/316, 314, 341; D26/49, 50;
219/600, 618, 630, 360, 319, 302.1,
219/628, 601, 602, 603, 604, 605, 606, 607,
219/229, 236; D13/173, 158; D8/14, 29.41,
D8/29.2, 30, 40, 499

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

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D458,524 S * 6/2002 Cheng D8/29.1
D484,959 S * 1/2004 Jennings D23/316

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Pelican Products .US—Your Source for Pelican Cases and Flashlights; Pelican Tactical Flashlights; www.pelicanproducts.us/c.Pelican.Tactical.Flashlights.html.

* cited by examiner

Primary Examiner — T. Chase Nelson

Assistant Examiner — Ania Aman

(74) *Attorney, Agent, or Firm* — Michael P. Mazza, LLC

(57) **CLAIM**

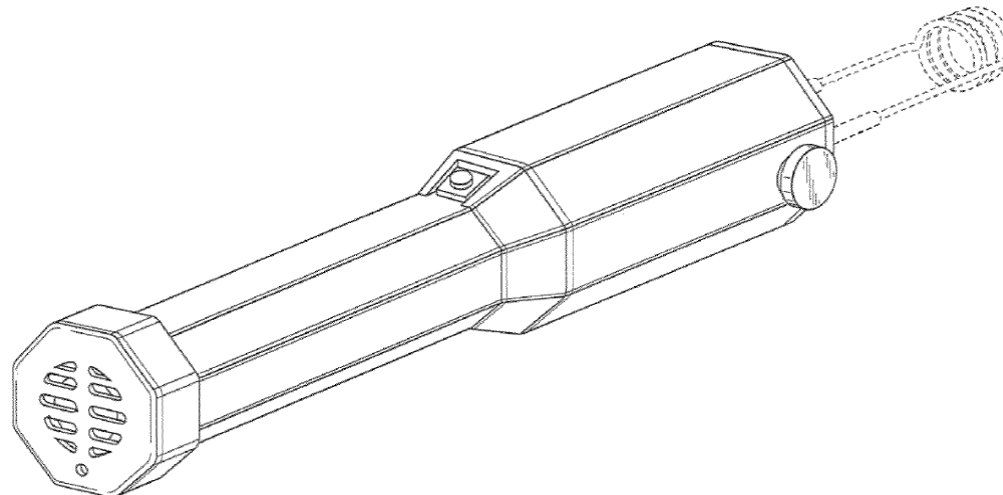
I claim the ornamental design for the handheld, inline induction heater, as shown and described.

DESCRIPTION

The sole FIGURE is an isometric view of a handheld, inline induction heater showing my new design.

In the drawings, the broken lines depict unclaimed subject matter only and form no part of the claimed design.

1 Claim, 1 Drawing Sheet





US00D706971S

(12) **United States Design Patent**
Walsh

(10) **Patent No.:** **US D706,971 S**

(45) **Date of Patent:** **** Jun. 10, 2014**

(54) **LIGHTING FIXTURE**

(71) Applicant: **The L.D. Kichler Co.**, Cleveland, OH
(US)

(72) Inventor: **William Walsh**, Seattle, WA (US)

(73) Assignee: **The L.D. Kichler Co.**, Cleveland, OH
(US)

(**) Term: **14 Years**

(21) Appl. No.: **29/445,061**

(22) Filed: **Feb. 7, 2013**

(51) **LOC (10) CL** **26-03**

(52) **U.S. CL** **D26/87**
USPC

(58) **Field of Classification Search**
USPC D26/40, 67–70, 72, 85, 87, 92, 104,
D26/118, 128, 134, 135; 362/153.1, 183,
362/414, 431, 432

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

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D207,178 S * 3/1967 Atkin et al. D26/87
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D535,427 S * 1/2007 Chandler D26/87
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D572,401 S * 7/2008 Chandler D26/87
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D589,194 S * 3/2009 Sabernig D26/67
D608,489 S * 1/2010 Chandler D26/87
D652,567 S * 1/2012 Kitts D26/138
D667,161 S * 9/2012 Chen D26/87
D688,413 S * 8/2013 Tomlinson D26/129

* cited by examiner

Primary Examiner — Clare E Heflin

(74) *Attorney, Agent, or Firm* — Calfee, Halter & Griswold
LLP

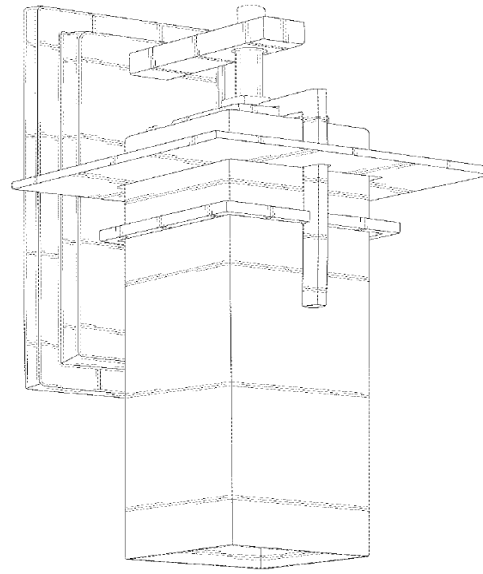
(57) **CLAIM**

I claim the ornamental designs for a lighting fixtures, as
shown and described.

DESCRIPTION

The sole FIGURE is a perspective view of a lighting fixture.
This fixture has mirror image symmetry along a vertical
imaginary plane that bisects the canopy. The shade has a
horizontal cross-section that is substantially square.
The broken lines shown in the drawing are for illustrative
purposes only and form no part of the claimed design.

1 Claim, 1 Drawing Sheet

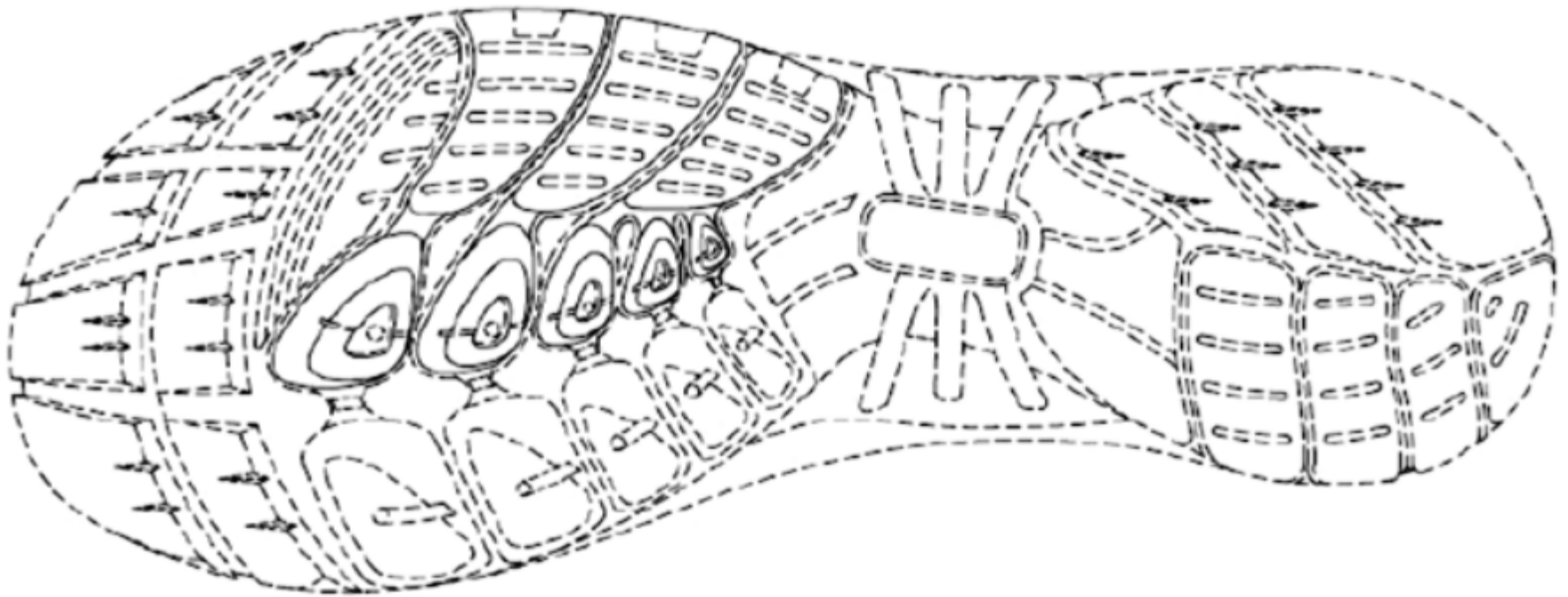


New Opportunity!

Single Plan View

In re Maatita
900 F.3d 1369 (Fed. Cir. 2018)

FIG. 1

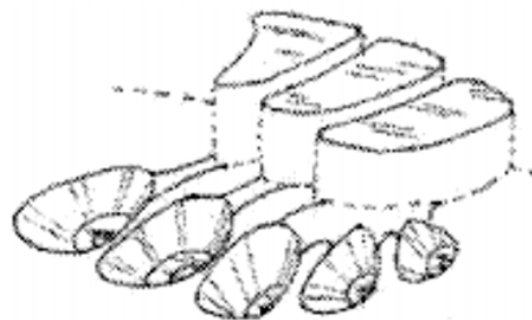


ONLY DRAWING FIGURE – PLAN VIEW

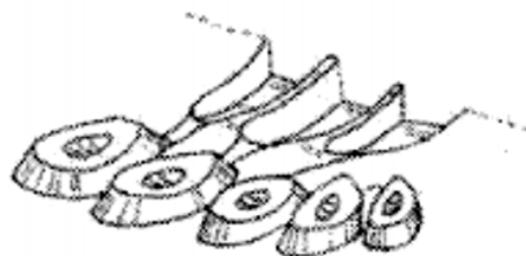
In re Maatita
900 F.3d 1369 (Fed. Cir. 2018)

USPTO: The claimed design is indefinite because the design could be applied to a 3D shoe bottom in a number of different ways.

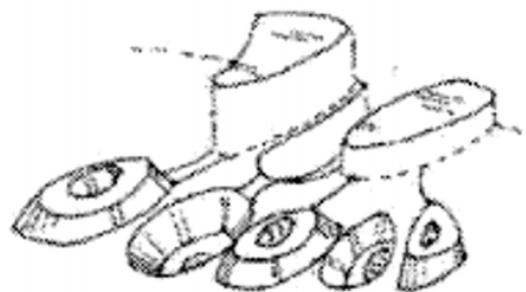
Examiner
Drawings
illustrating
possible
interpretations



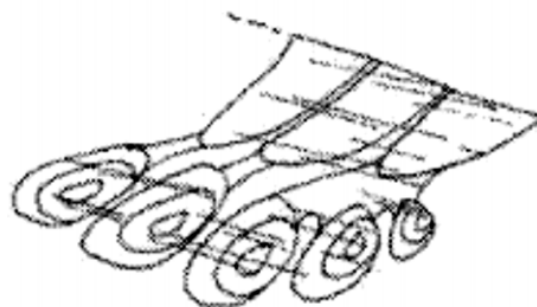
In this attempt to apply Appellant's design, the designer has guessed that the three elements at the edge of the sole are raised and the five oval elements are recessed with flat centers.



In this attempt to apply Appellant's design, the three elements at the edge of the sole are recessed and the five oval elements are raised with concave centers.



In this attempt to apply Appellant's design, alternating elements are raised and recessed with the centers of the five oval elements having convex appearances.



A less imaginative interpretation of the claim would have a designer applying Appellant's design as an image on a flat surface in a single plane with the rest of the bottom surface.

In re Maatita

900 F.3d 1369 (Fed. Cir. 2018)

USPTO: The claimed design is indefinite because the design could be applied to a 3D shoe bottom in a number of different ways.

COURT: The design of a shoe bottom is capable of being disclosed from a 2D perspective. A potential infringer is not left in doubt as to how to determine infringement. **REVERSED REJECTION.**

US DESIGN PATENTS

1. In re Surgisil - Anticipation
2. Columbia v. Serius
 - a. Logo – infringement
 - b. Total Profit damages
3. Drawings
4. Continuations & Appendix

Continuation Practice Helps Stop Copycats

Brilliant Design v. OuiCopyGut GmbH

(12) **United States Design Patent** (10) **Patent No.:** **US D653,871 S**
Jakobsen et al. (45) **Date of Patent:** **Feb. 14, 2012**

(54) **CHAIR**

(75) **Inventors:** **Asger Hartvigsen Jakobsen, Arhus C**
(DK); Jan Brocker, Viby J (DK)

(73) **Assignee:** **Skele AS (NO)**

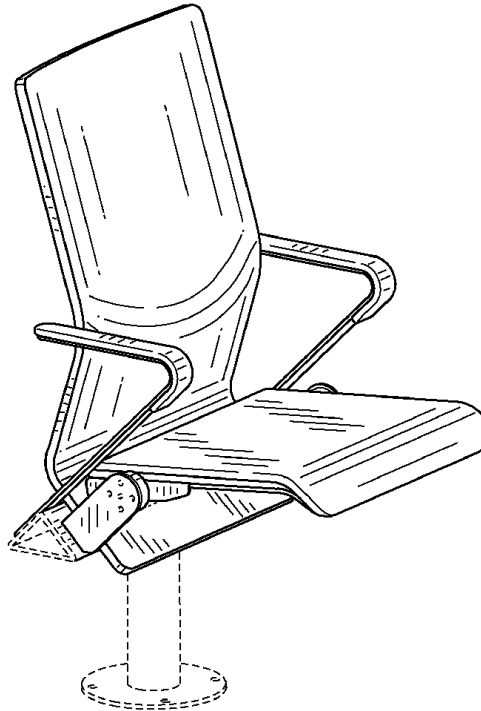
(**) **Term:** **14 Years**

(21) **Appl. No.:** **29/354,895**

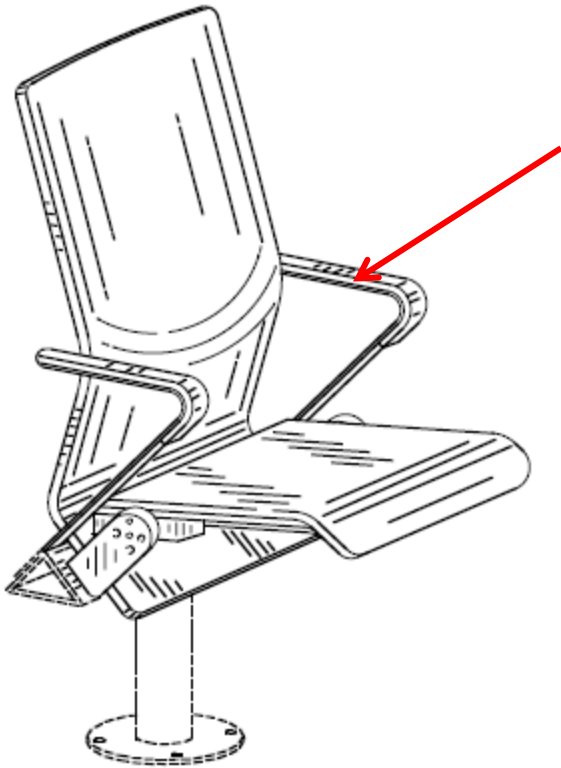
(22) **Filed:** **Jan. 29, 2010**

(30) **Foreign Application Priority Data**

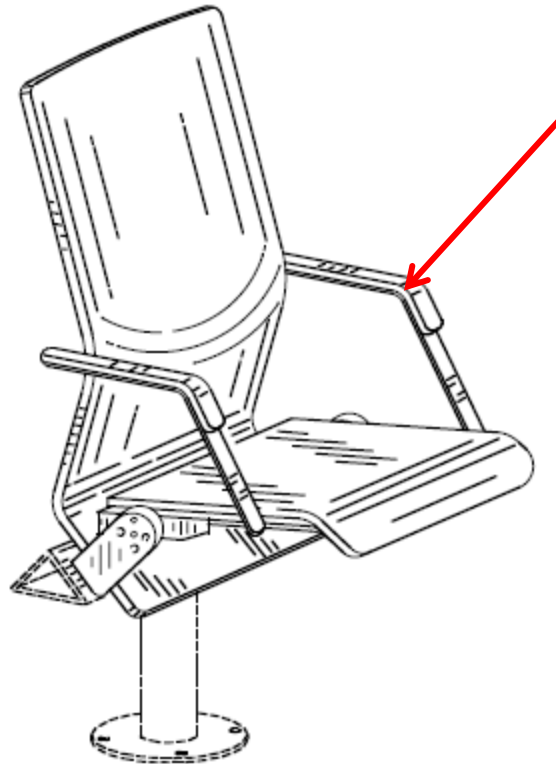
Aug. 3, 2009 (NO) 20090399



Brilliant Design v. OuiCopyGut GmbH



'871 Pending Patent
Application



Accused
Design

CONTINUATION PRACTICE

(exclusive to US)

CONTINUATION PRACTICE

(exclusive to US)

*Before '87 I application issues, file one or more **continuation applications** to claim the design features that have been copied, i.e., to disclaim in broken lines design features that have not been copied.

CONTINUATION PRACTICE

(exclusive to US)

*Before '87 I application issues, file one or more **continuation applications** to claim the design features that have been copied, i.e., to disclaim in broken lines design features that have not been copied.

*Each **continuation application** must be filed during pendency of earlier application, i.e., before parent application issues and is entitled to original filing date

USE CONTINUATION PRACTICE (exclusive to US)

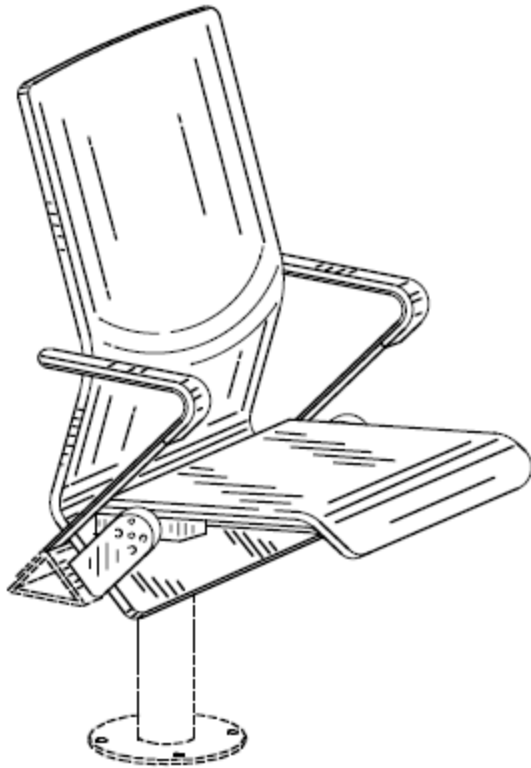
- *Before '871 application issues, file one or more **continuation applications** to claim the design features that have been copied, i.e., to disclaim in broken lines design features that have not been copied.
- *Each **continuation application** must be filed during pendency of earlier application, i.e., before parent application issues and is entitled to original filing date
- *Each **continuation patent** is entitled to full term of 15 years from the day it issues



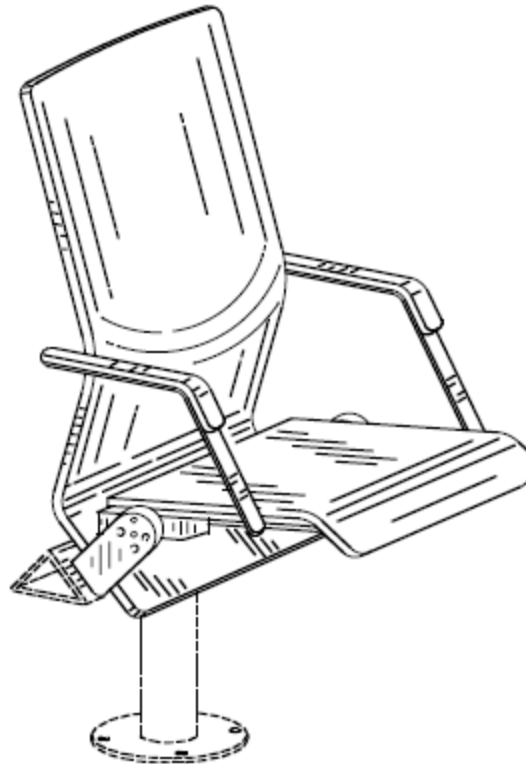
“Keep One in The Oven” strategy – keep at least one application pending to see what develops in the marketplace, in order to file targeted continuations to catch copycats



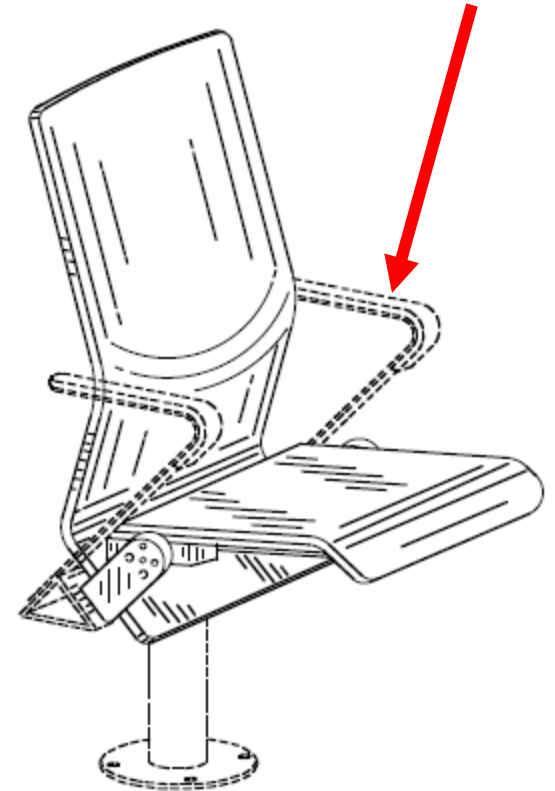
Brilliant Design v. OuiCopyGut GmbH



'871 Patented
Design

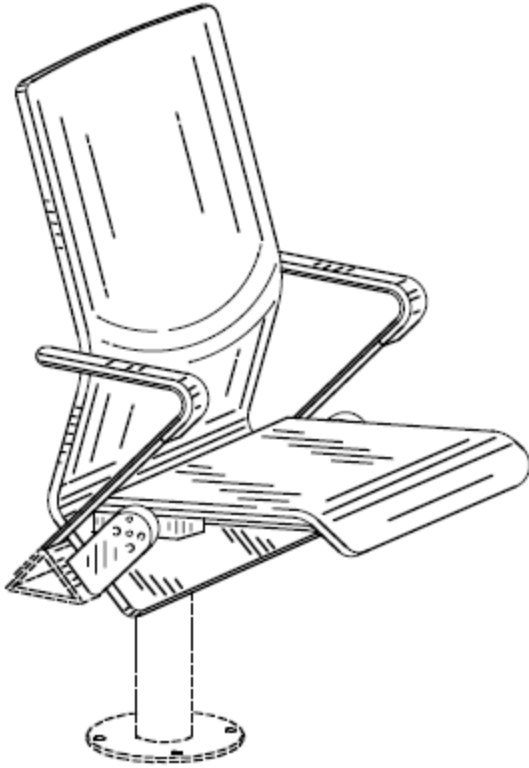


Accused
Design

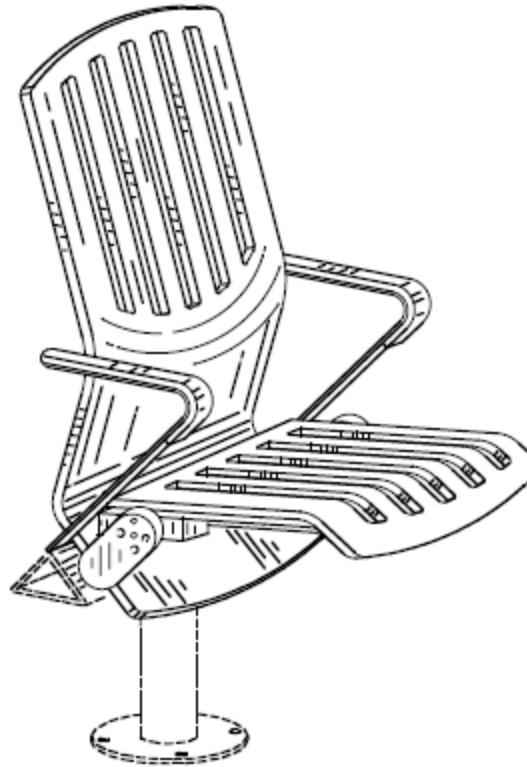


Continuation
Patent

Brilliant Design v. OuiCopyGut GmbH



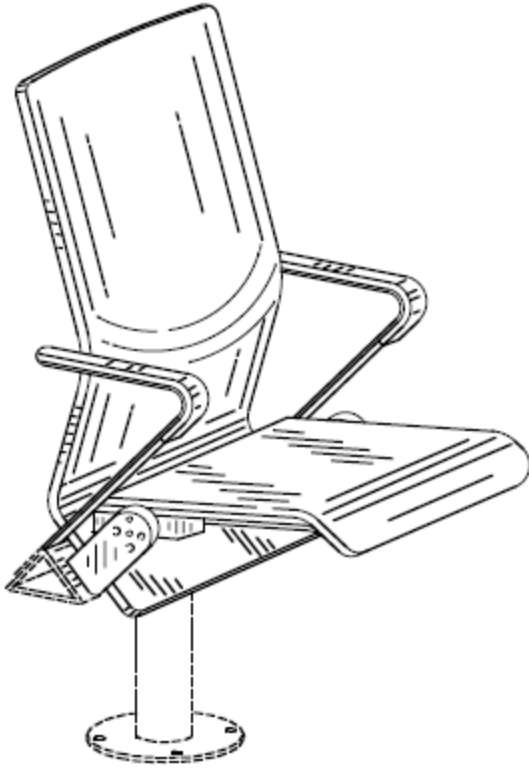
'871 Patented
Design



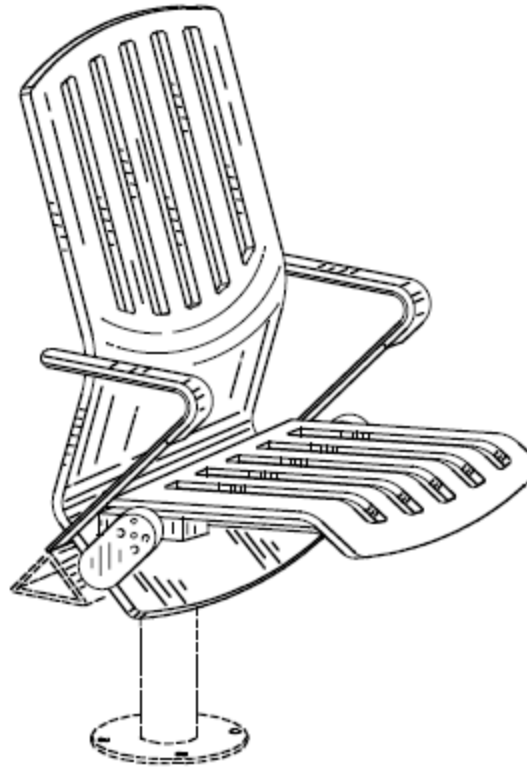
Design-Around

OuiCopyGut
introduces a
design-around
to try and avoid
the '871 and
continuation
patent

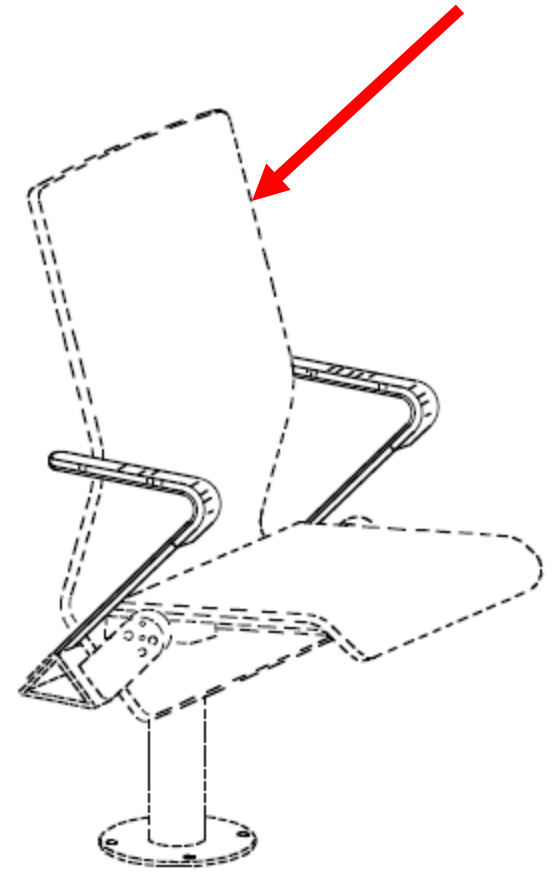
Brilliant Design v. OuiCopyGut GmbH



'871 Patented
Design

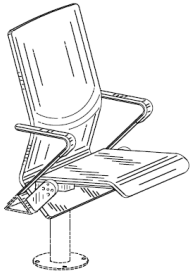


Design-Around



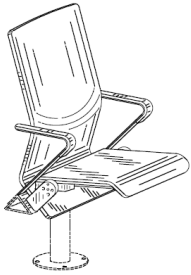
Second Continuation
Patent

Brilliant Design v. OuiCopyGut GmbH



Filed First

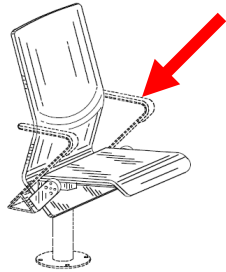
Brilliant Design v. OuiCopyGut GmbH



Filed First

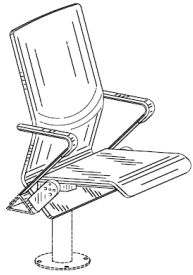


Parent Issued



File First Continuation

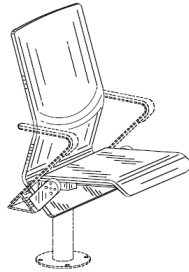
Brilliant Design v. OuiCopyGut GmbH



Filed First



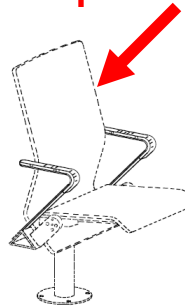
Parent Issued



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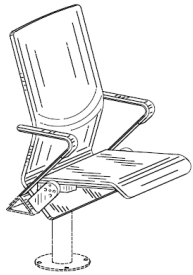


First Continuation Issues



File Second
Continuation

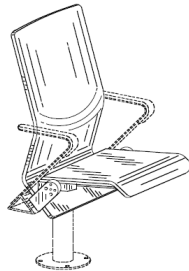
Brilliant Design v. OuiCopyGut GmbH



Filed First



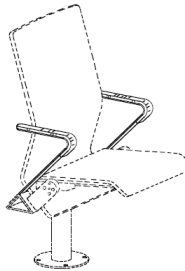
Parent Issued (15 yrs.)



File First Continuation



First Continuation Issues
(15 years)



File Second
Continuation



Second Continuation
Issues (15 years)

USE APPENDIX PRACTICE
(exclusive to US)

USE APPENDIX PRACTICE (exclusive to US)

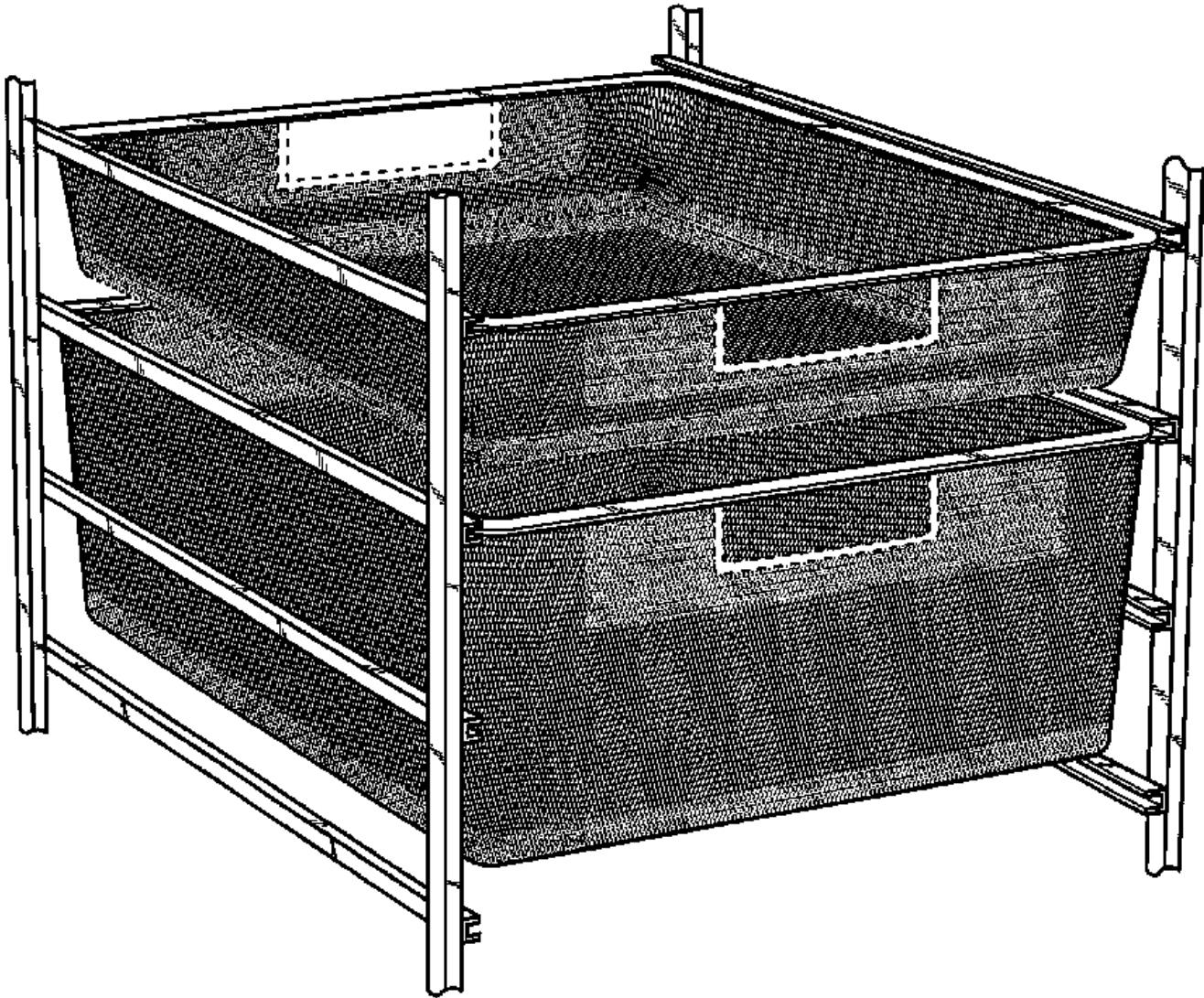
In your US design application, disclose (but do not claim) additional designs, alternate designs, related/unrelated designs in an Appendix for possible claiming later by filing one or more Continuation applications

Application #1

Filed: 14 Sept 2005

Issued:

US Pat. No:



Claimed Design

APPENDIX

DISCLOSED AT END OF APPLICATION

NOT CLAIMED

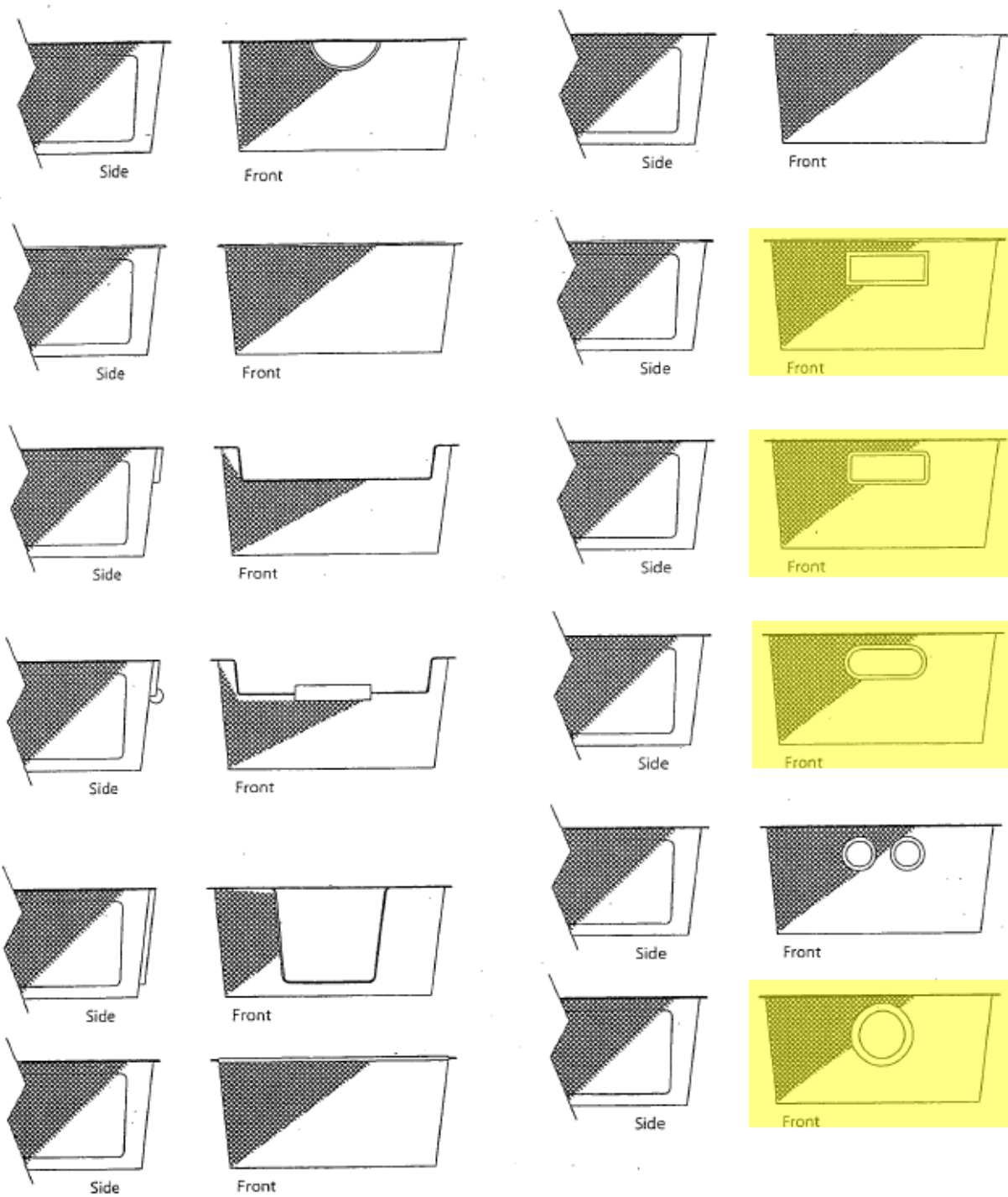


FIG. V

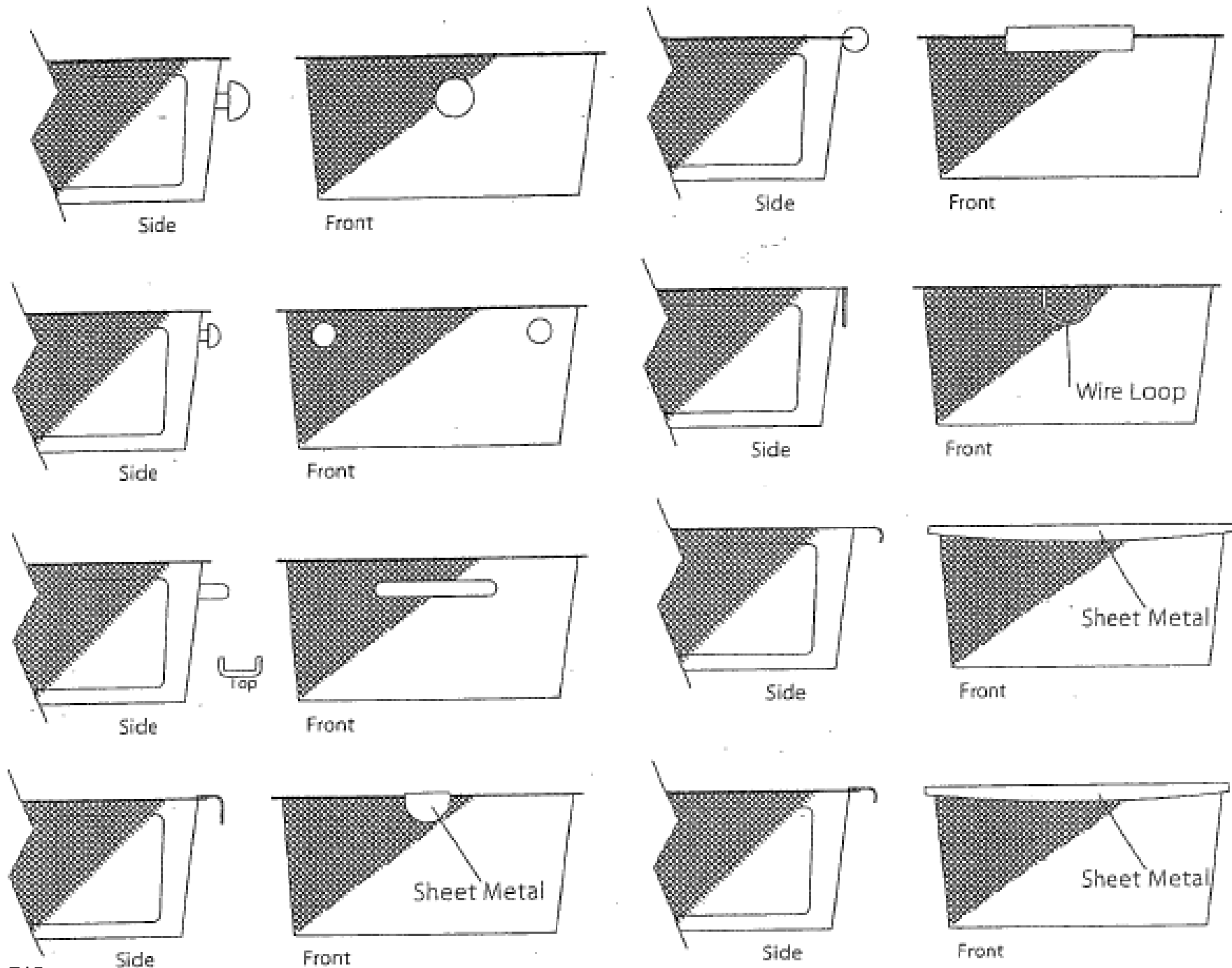


FIG. W

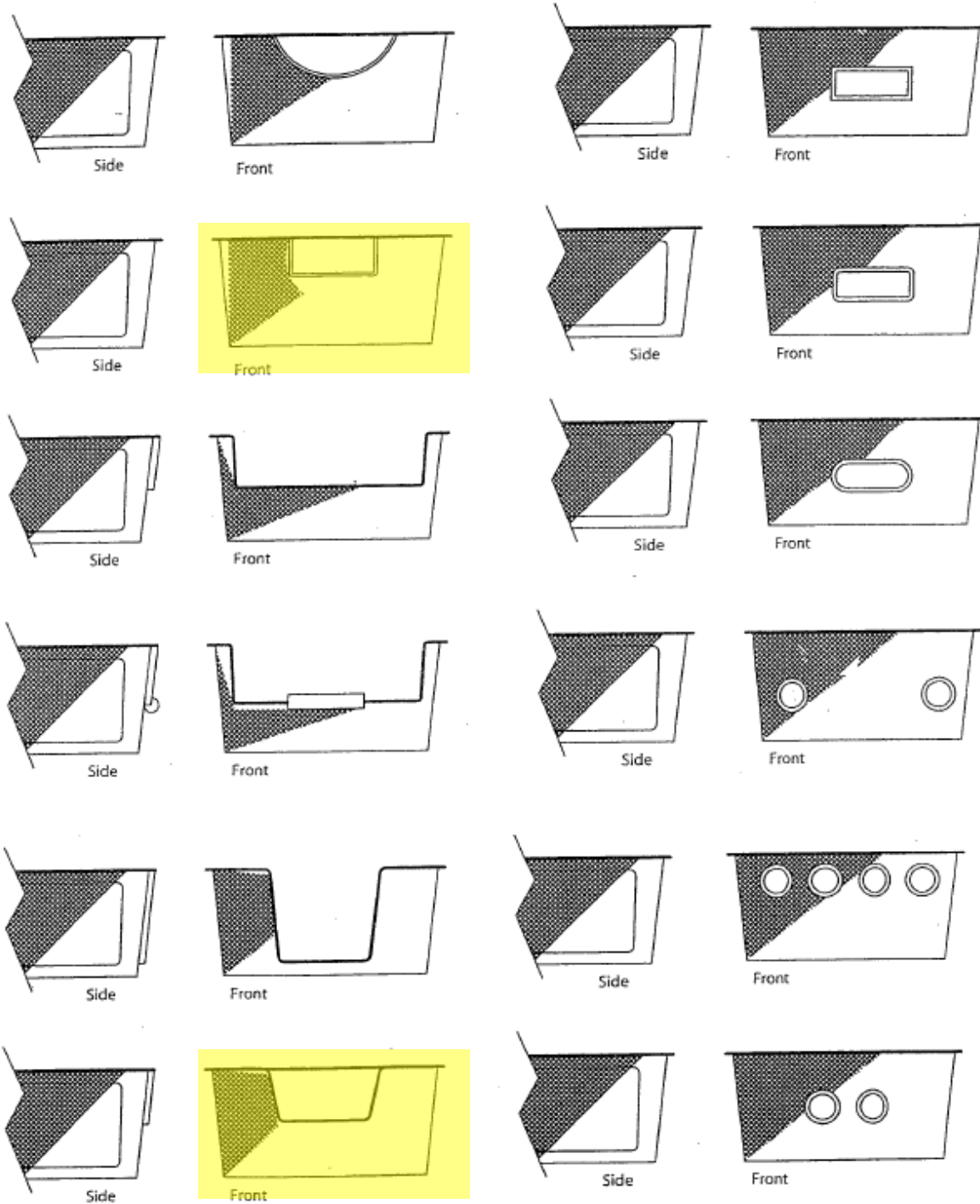


FIG. X

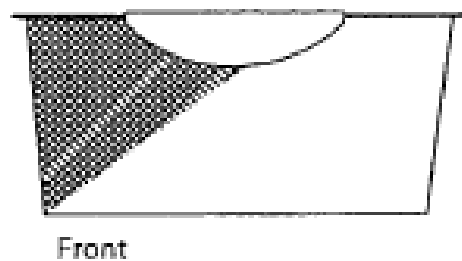
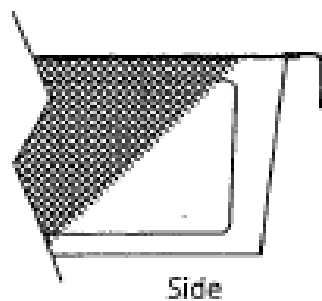
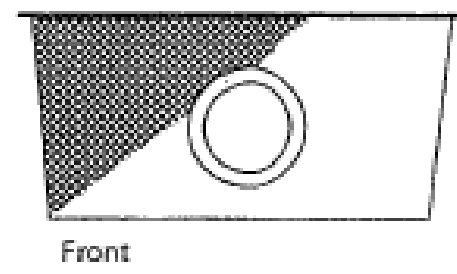
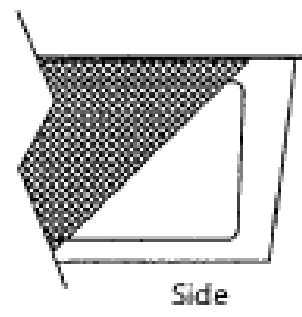
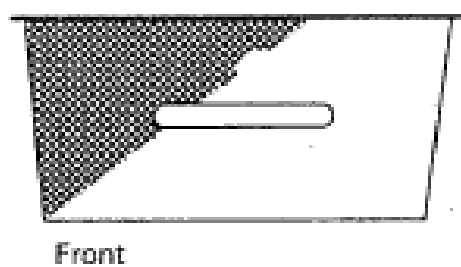
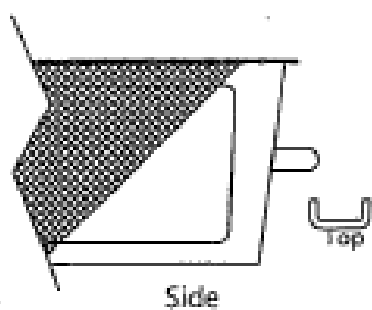
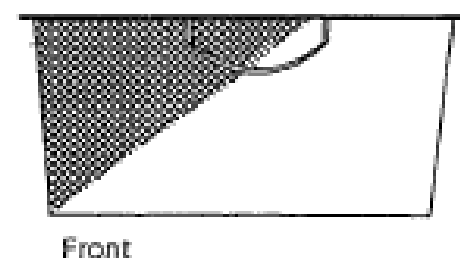
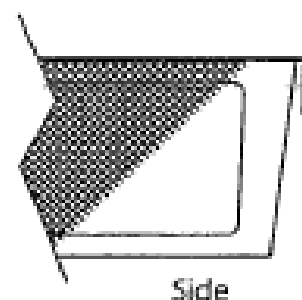
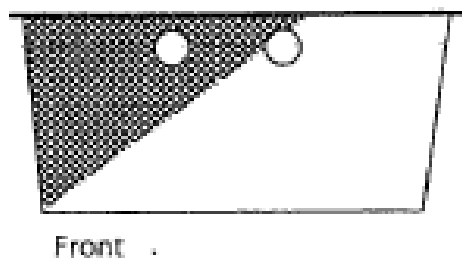
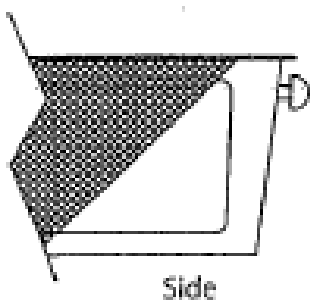
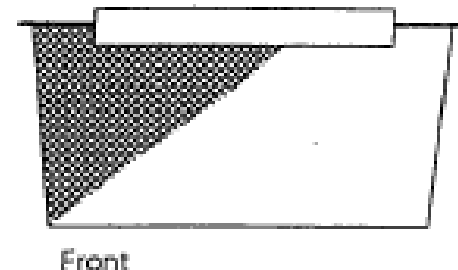
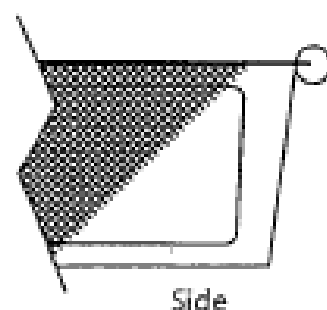
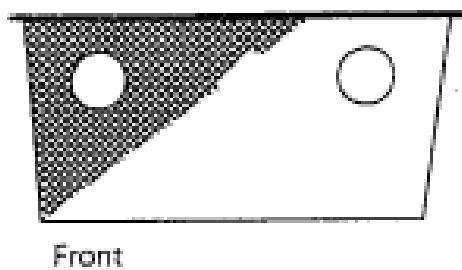
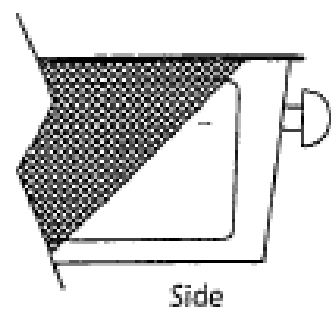


FIG. Y

United States Design Patent

Post et al.

Patent No.: US D567,553 S

Date of Patent: ** *Apr. 29, 2008

PORTION OF MESH DRAWER AND FRAME

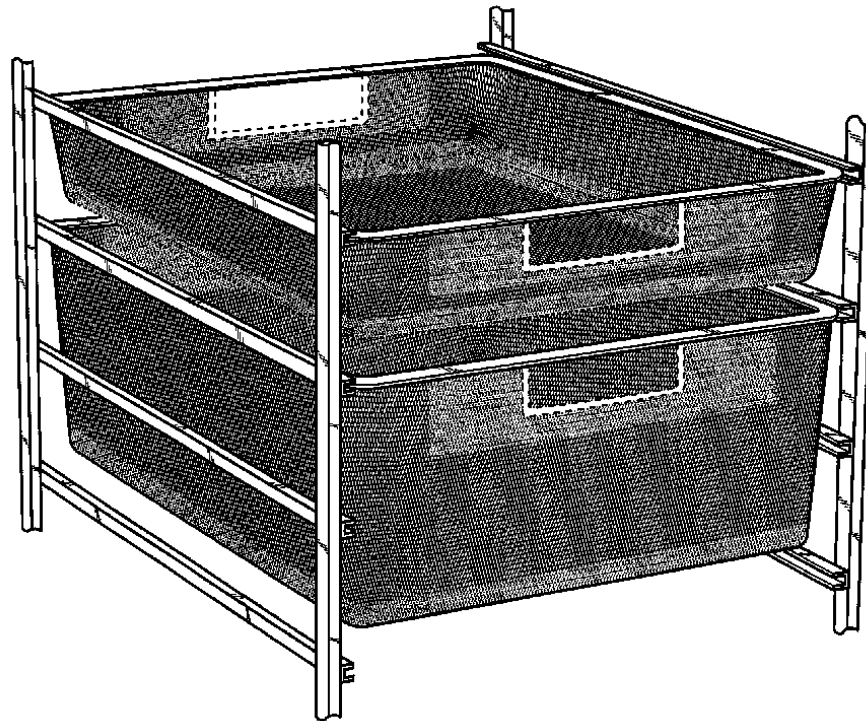
Inventors: **R. Neal Post**, Springfield, IL (US);
Christopher Hardy, Springfield, IL
(US)

Attorney, Agent, or Firm—Saidman DesignLaw Group

Assignee: **Design Ideas, Ltd.**, Springfield, IL
(US)

Appl. No.: 29/238,378

Filed: Sep. 14, 2005



Patent #1

Filed:	14 Sept 2005
Issued:	29 April 2008
EXPIRES:	29 April 2023

United States Design Patent

Post et al.

Patent No.:

US D653,063 S

Date of Patent:

** Jan. 31, 2012

MESH DRAWER

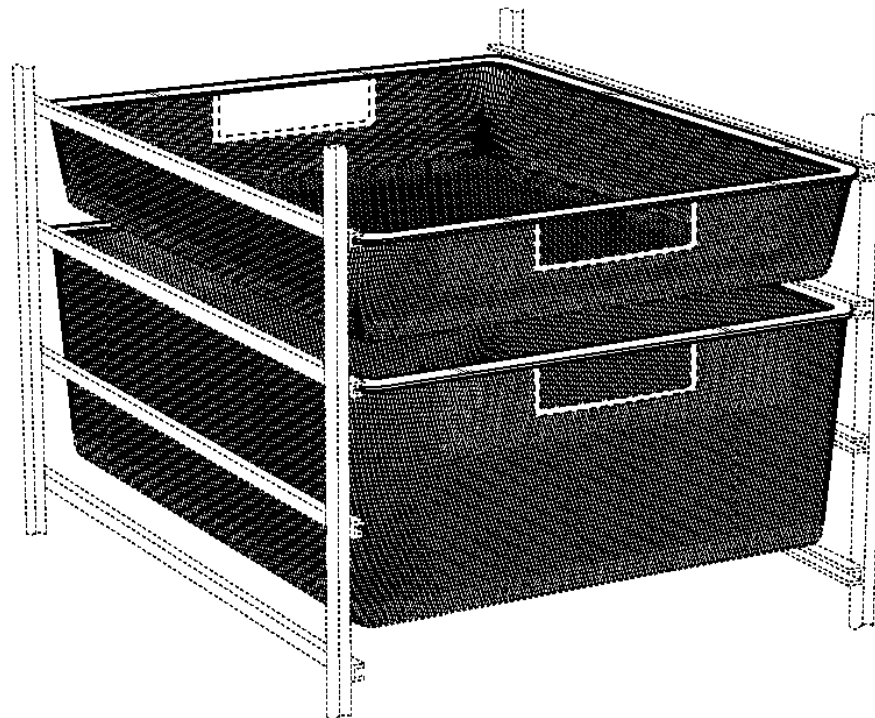
Inventors: **R. Neal Post**, Springfield, IL (US);
Christopher Hardy, Springfield, IL
(US)

Attorney, Agent, or Firm—Saidman DesignLaw Group

Assignee: **Design Ideas, Ltd.**, Springfield, IL
(US)

Appl. No.: 29/307,556

Filed: Apr. 25, 2008



Patent #2

PRIORITY DATE:	14 Sept 2005
Filed:	25 April 2008
Issued:	31 Jan 2012
EXPIRES:	31 Jan 2027

United States Design Patent

Post et al.

Patent No.: **US D624,753 S**
Date of Patent: **** Oct. 5, 2010**

HANDLE FOR MESH BASKET

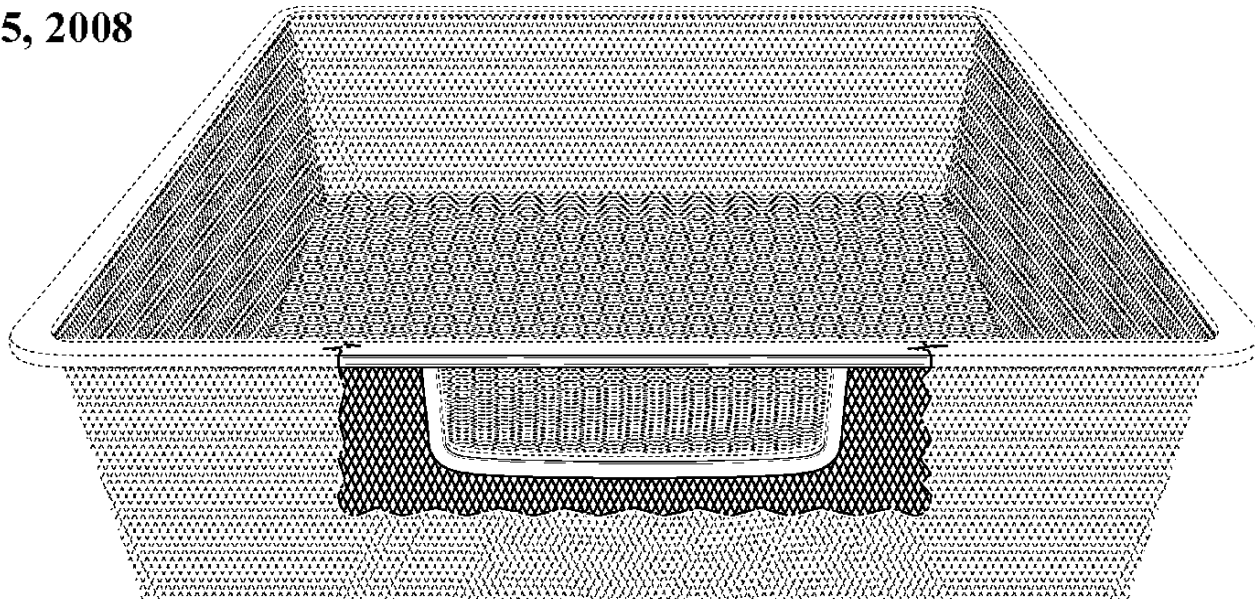
Inventors: **R. Neal Post**, Springfield, IL (US);
Christopher Hardy, Springfield, IL
(US)

Attorney, Agent, or Firm—Saidman DesignLaw Group

Assignee: **Design Ideas, Ltd.**, Springfield, IL
(US)

Appl. No.: **29/308,601**

Filed: **Jun. 25, 2008**



Patent #3

PRIORITY DATE:	14 Sept 2005
Filed:	25 June 2008
Issued:	5 Oct 2010
EXPIRES:	5 Oct 2025

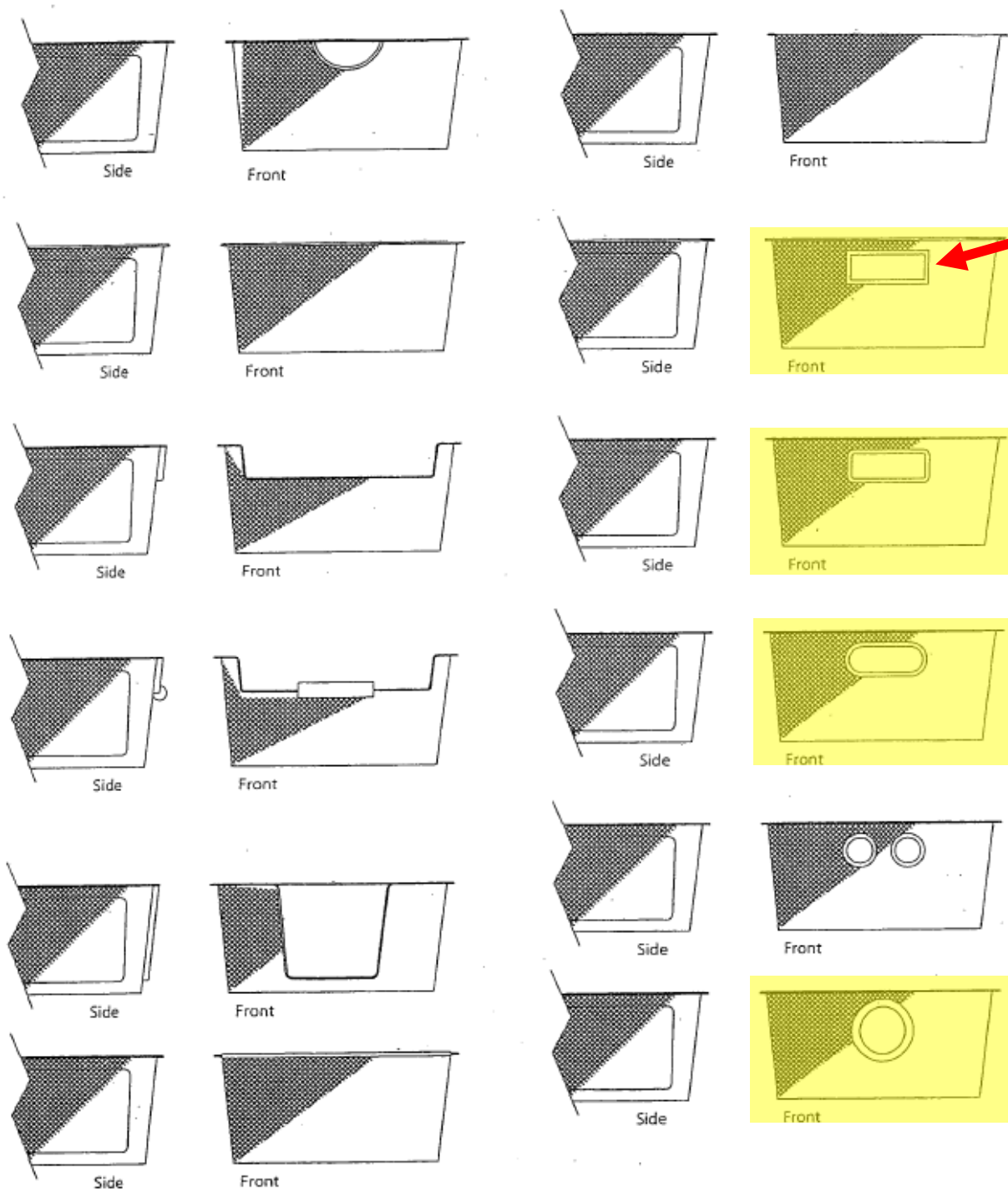


FIG. V

United States Design Patent

Post et al.

Patent No.:

US D636,998 S

Date of Patent:

**

*May 3, 2011

HANDLE FOR MESH BASKET

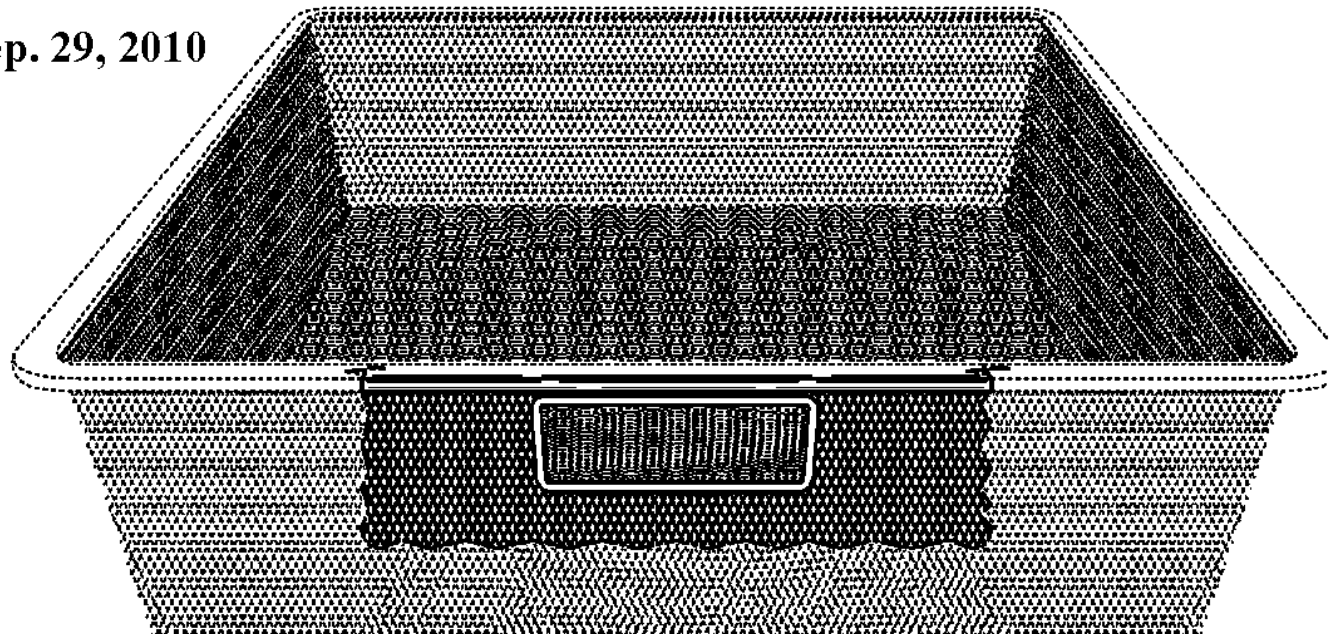
Inventors: **R. Neal Post**, Springfield, IL (US);
Christopher Hardy, Springfield, IL
(US)

Attorney, Agent, or Firm—Saidman DesignLaw Group

Assignee: **Design Ideas, Ltd.**, Springfield, IL
(US)

Appl. No.: **29/375,897**

Filed: **Sep. 29, 2010**



Patent #4

PRIORITY DATE:	14 Sept 2005
Filed:	29 Sept 2010
Issued:	3 May 2011
EXPIRES:	3 May 2026

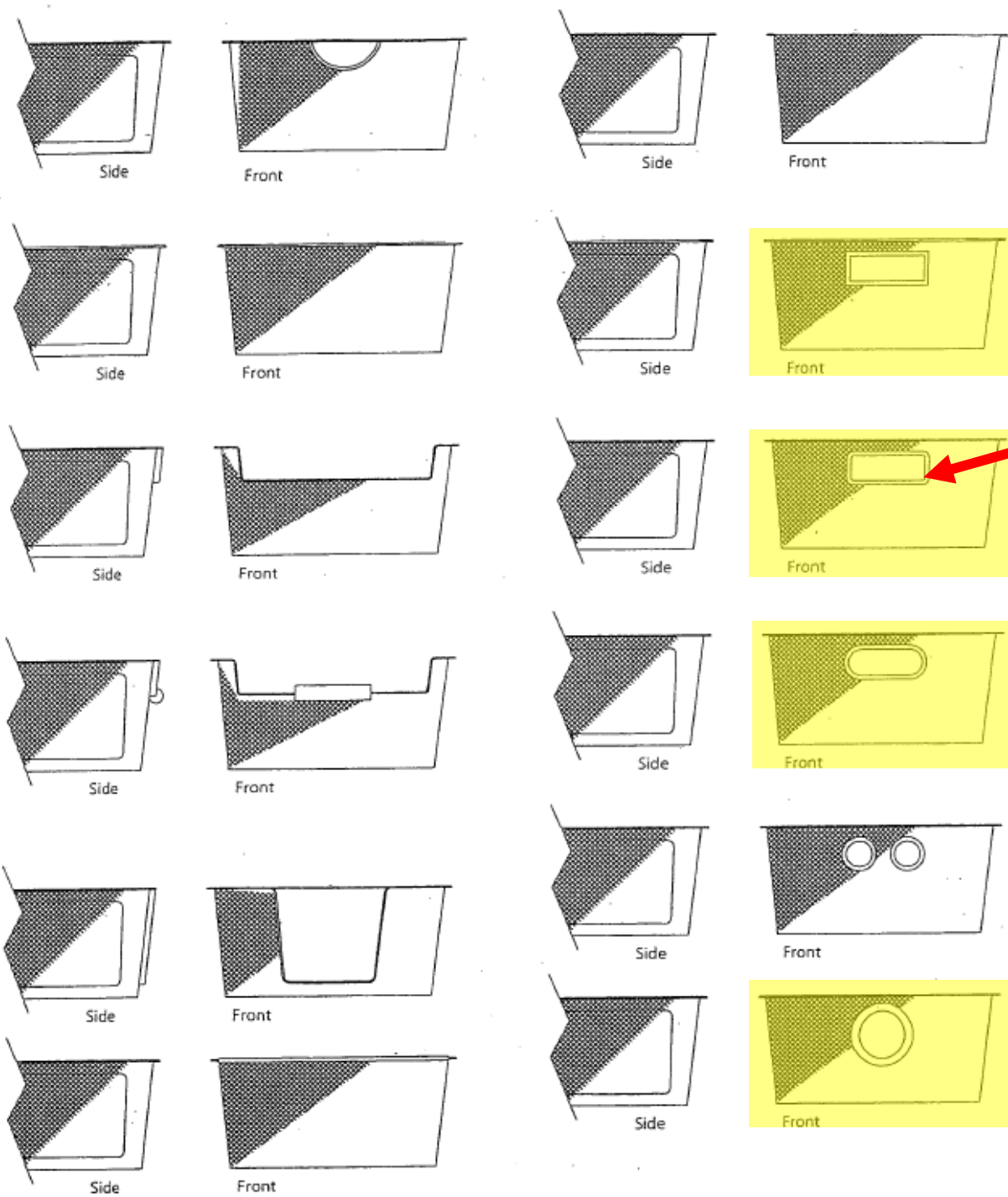


FIG. V

United States Design Patent

Post et al.

Patent No.:

US D658,881 S

Date of Patent:

**

***May 8, 2012**

HANDLE FOR MESH BASKET

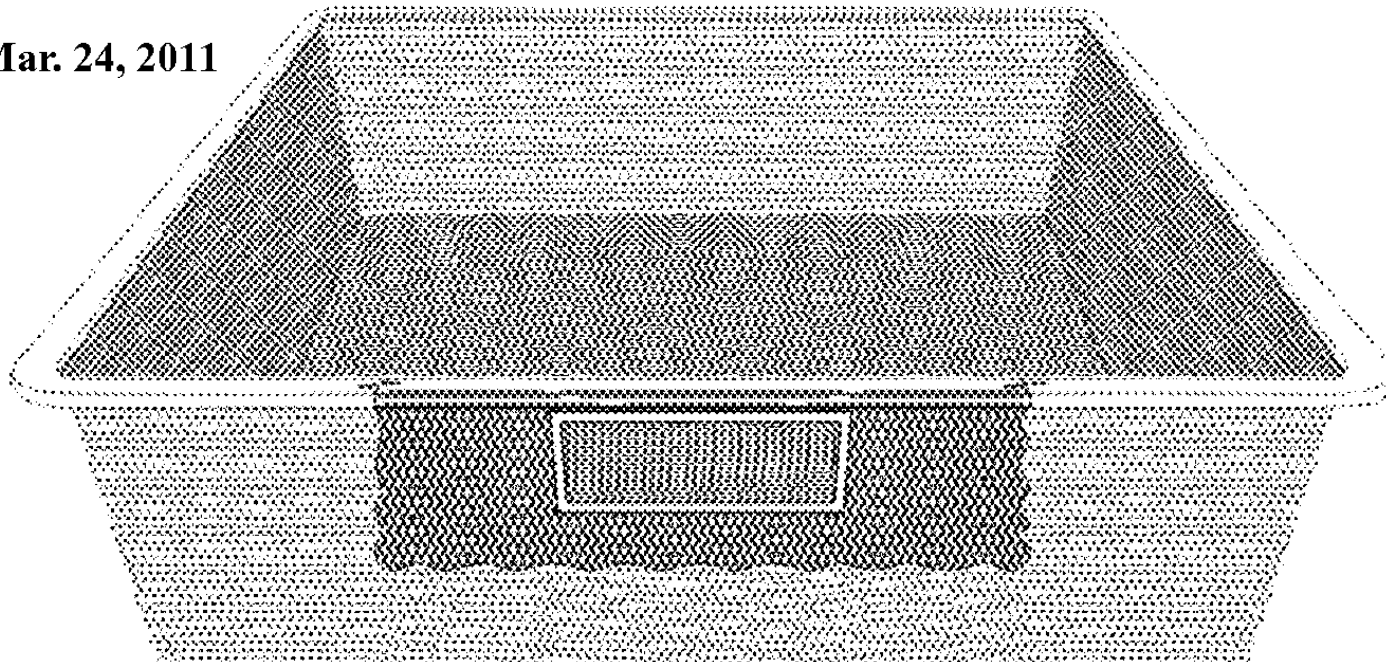
Inventors: **R. Neal Post**, Springfield, IL (US);
Christopher Hardy, Springfield, IL
(US)

Attorney, Agent, or Firm—Saidman DesignLaw Group

Assignee: **Design Ideas, Ltd.**, Springfield, IL
(US)

Appl. No.: **29/388,154**

Filed: **Mar. 24, 2011**



Patent #5

PRIORITY DATE:	14 Sept 2005
Filed:	24 March 2011
Issued:	8 May 2012
EXPIRES:	8 May 2027

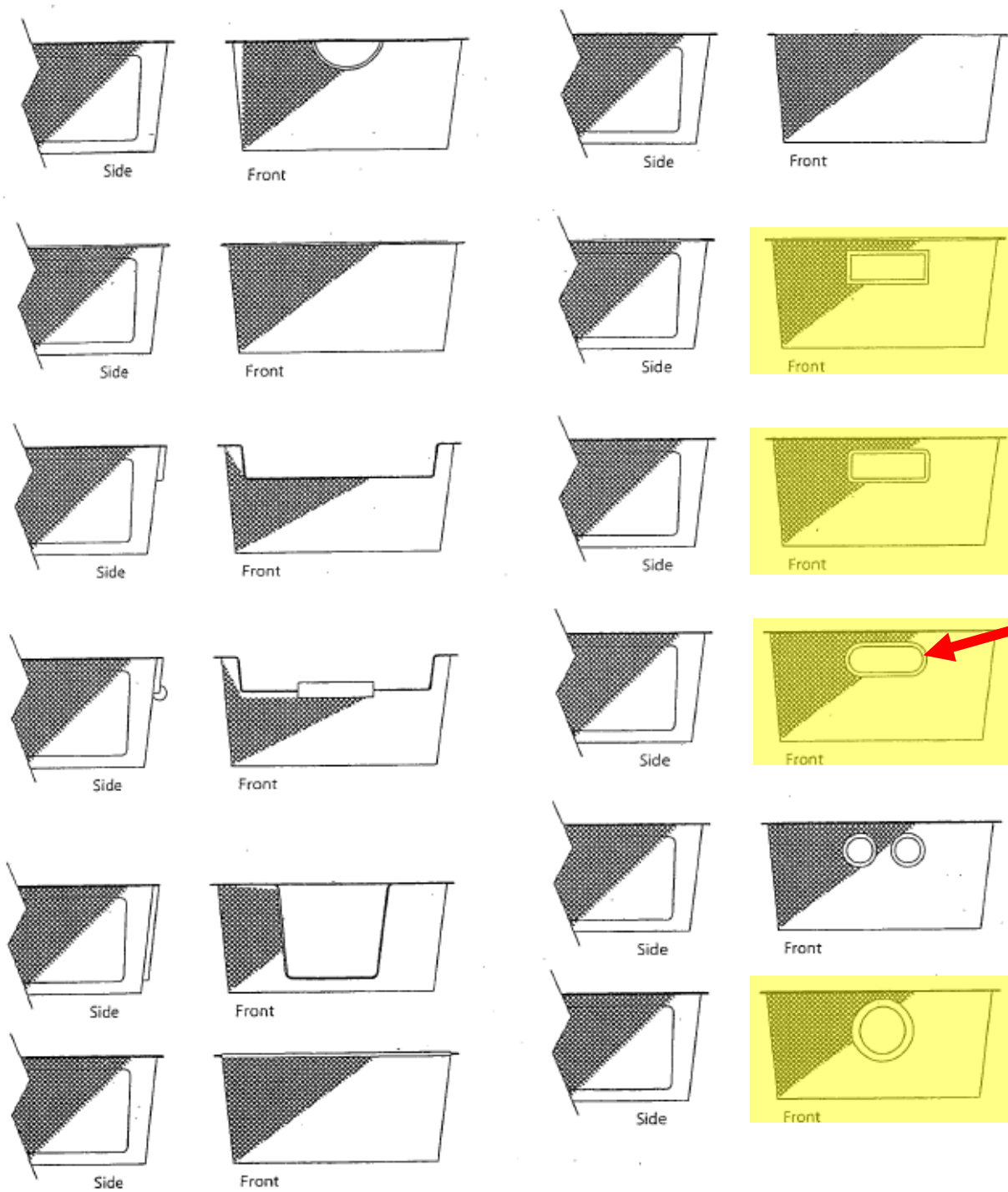


FIG. V

United States Design Patent

Post et al.

Patent No.:

US D673,369 S

Date of Patent:

**

*Jan. 1, 2013

HANDLE FOR MESH BASKET

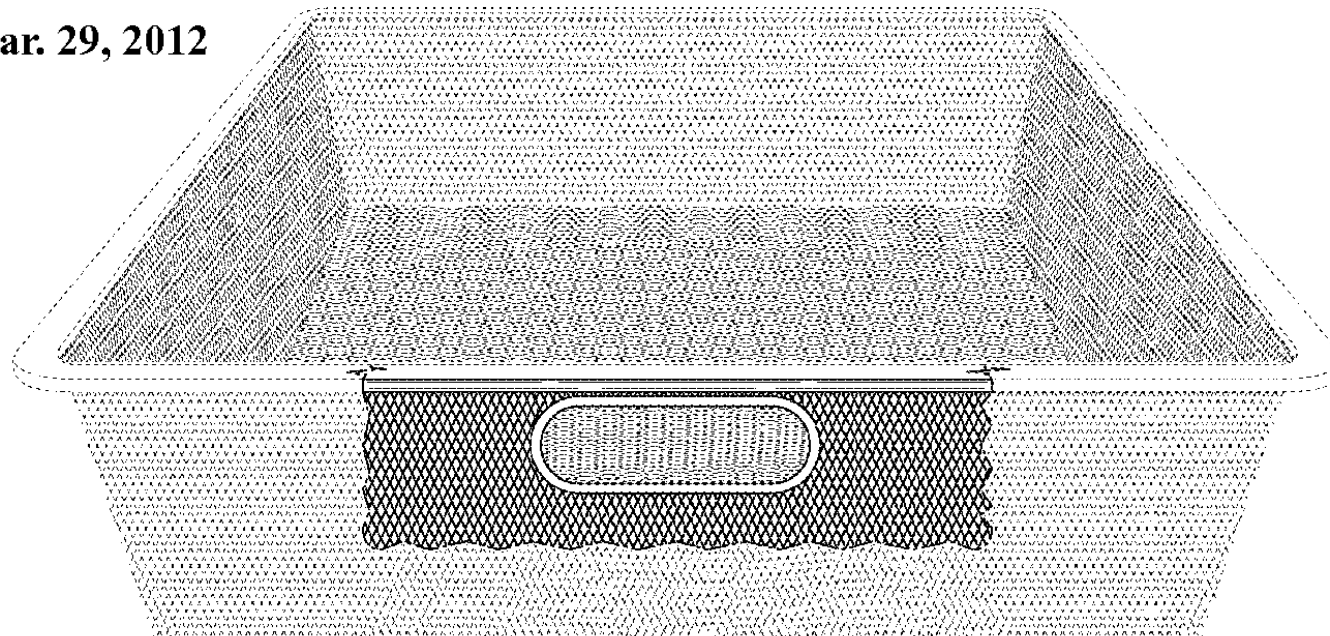
Inventors: **R. Neal Post**, Springfield, IL (US);
Christopher Hardy, Springfield, IL
(US)

Attorney, Agent, or Firm—Saidman DesignLaw Group

Assignee: **Design Ideas, Ltd.**, Springfield, IL
(US)

Appl. No.: **29/417,074**

Filed: **Mar. 29, 2012**



Patent #6

PRIORITY DATE:	14 Sept 2005
Filed:	29 March 2012
Issued:	1 Jan 2013
EXPIRES:	1 Jan 2028

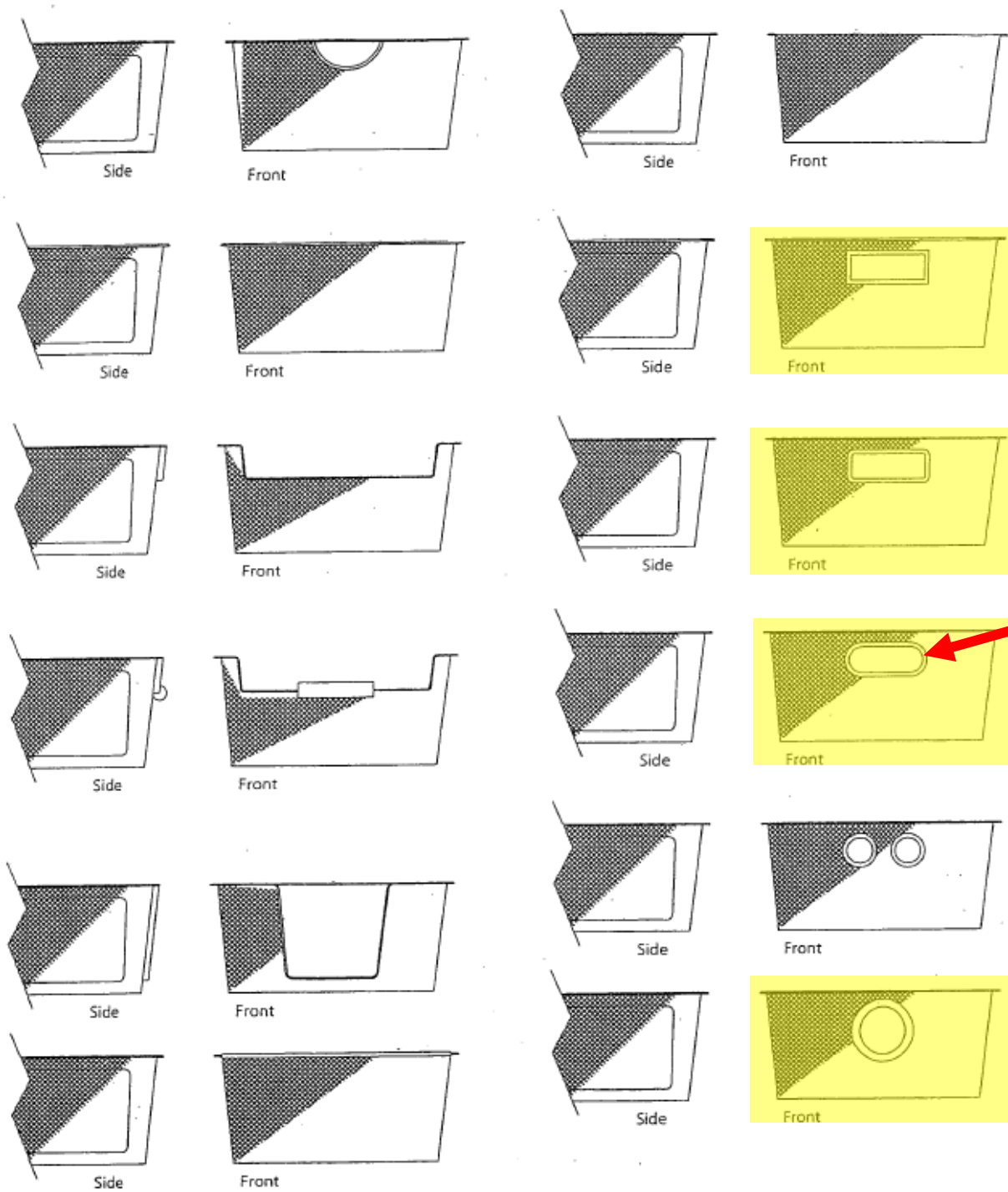
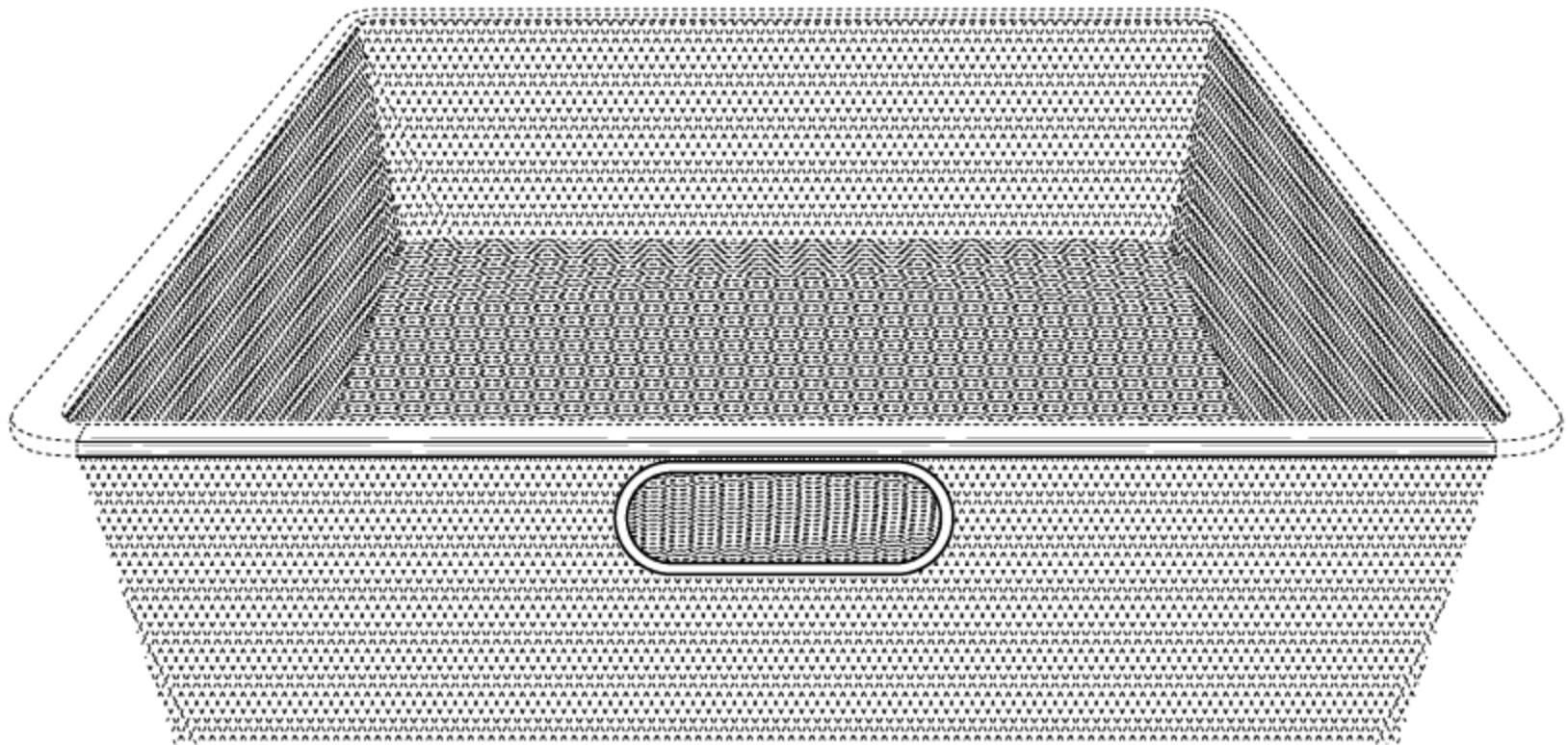


FIG. V



Claimed Design

Application #7

PRIORITY DATE:	14 Sept 2005
Filed:	27 Nov 2012
ABANDONED:	27 May 2014
EXPIRES:	---

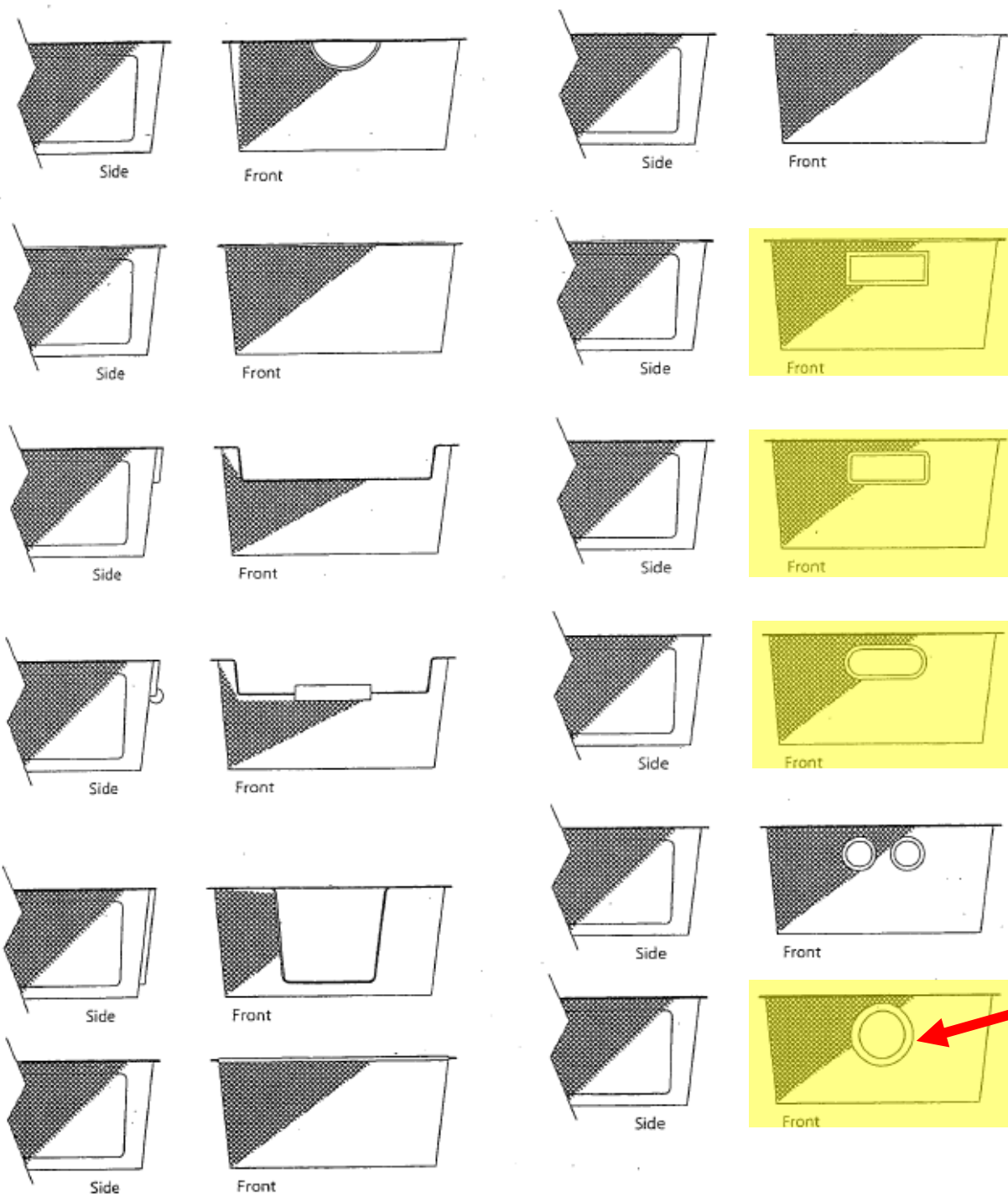


FIG. V

United States Design Patent

Post et al.

Patent No.:

US D773,815 S

Date of Patent:

** Dec. 13, 2016

MESH BASKET

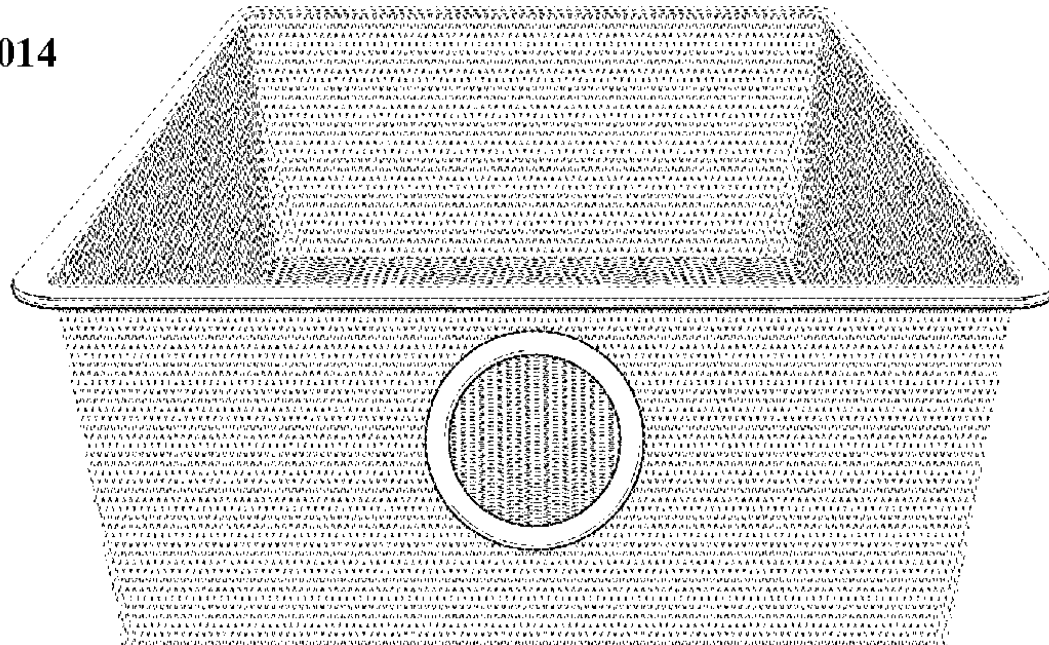
Inventors: **R. Neal Post**, Springfield, IL (US);
Christopher Hardy, Springfield, IL
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Attorney, Agent, or Firm—Saidman DesignLaw Group

Assignee: **Design Ideas, Ltd.**, Springfield, IL
(US)

Appl. No.: 29/491,966

Filed: May 27, 2014



Patent #8

PRIORITY DATE:	14 Sept 2005
Filed:	27 May 2014
Issued:	13 Dec 2016
EXPIRES:	13 Dec. 2031

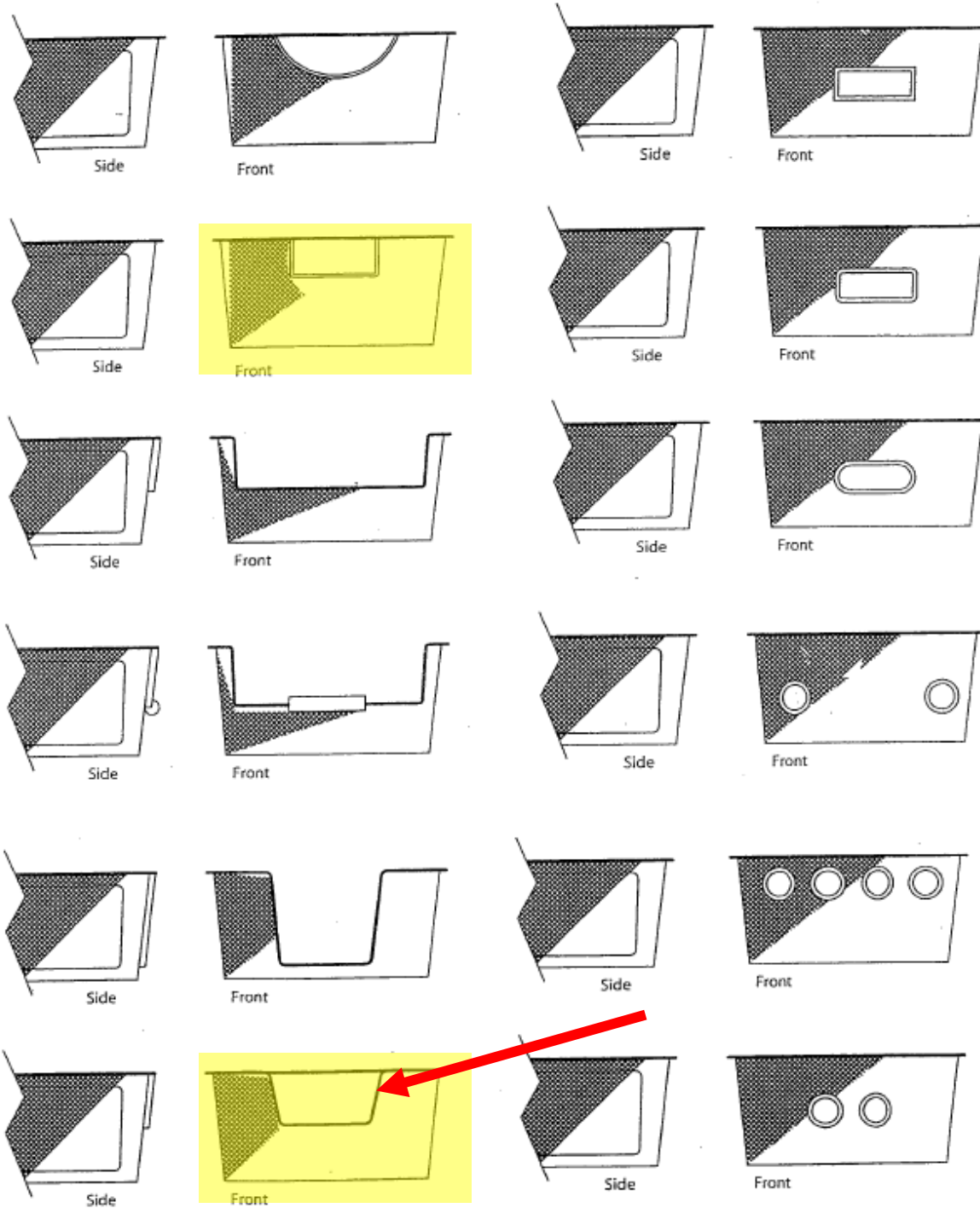


FIG. X

United States Design Patent

Post et al.

Patent No.:

US D847,510 S

Date of Patent:

** May 7, 2019

MESH BASKET

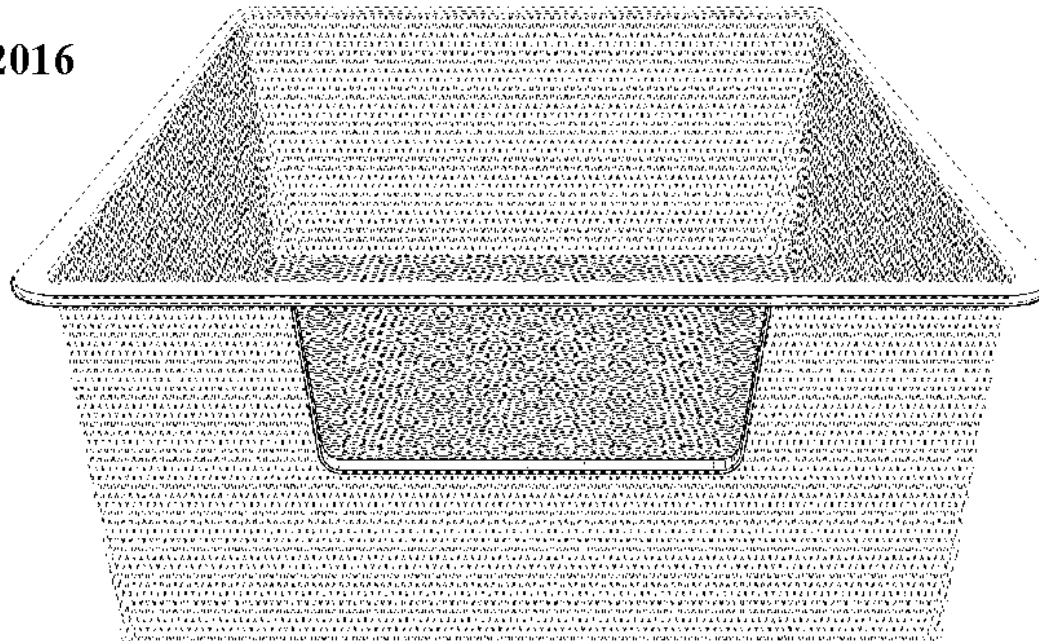
Inventors: **R. Neal Post**, Springfield, IL (US);
Christopher Hardy, Springfield, IL
(US)

Attorney, Agent, or Firm—Saidman DesignLaw Group

Assignee: **Design Ideas, Ltd.**, Springfield, IL
(US)

Appl. No.: **29/584,668**

Filed: **Nov. 16, 2016**



Patent #9

PRIORITY DATE:	14 Sept 2005
Filed:	16 Nov 2016
Issued:	7 May 2019
EXPIRES:	7 May 2034

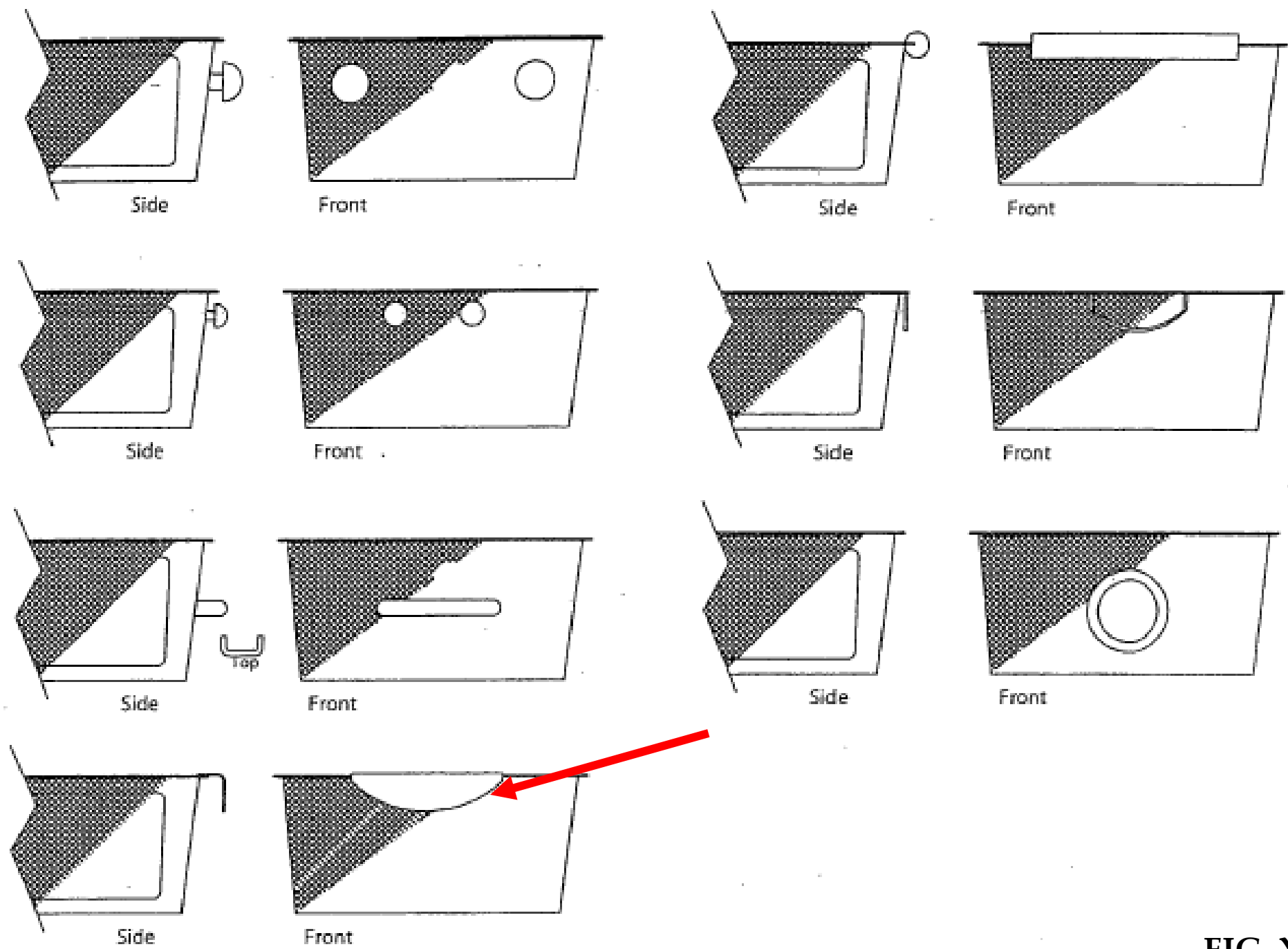
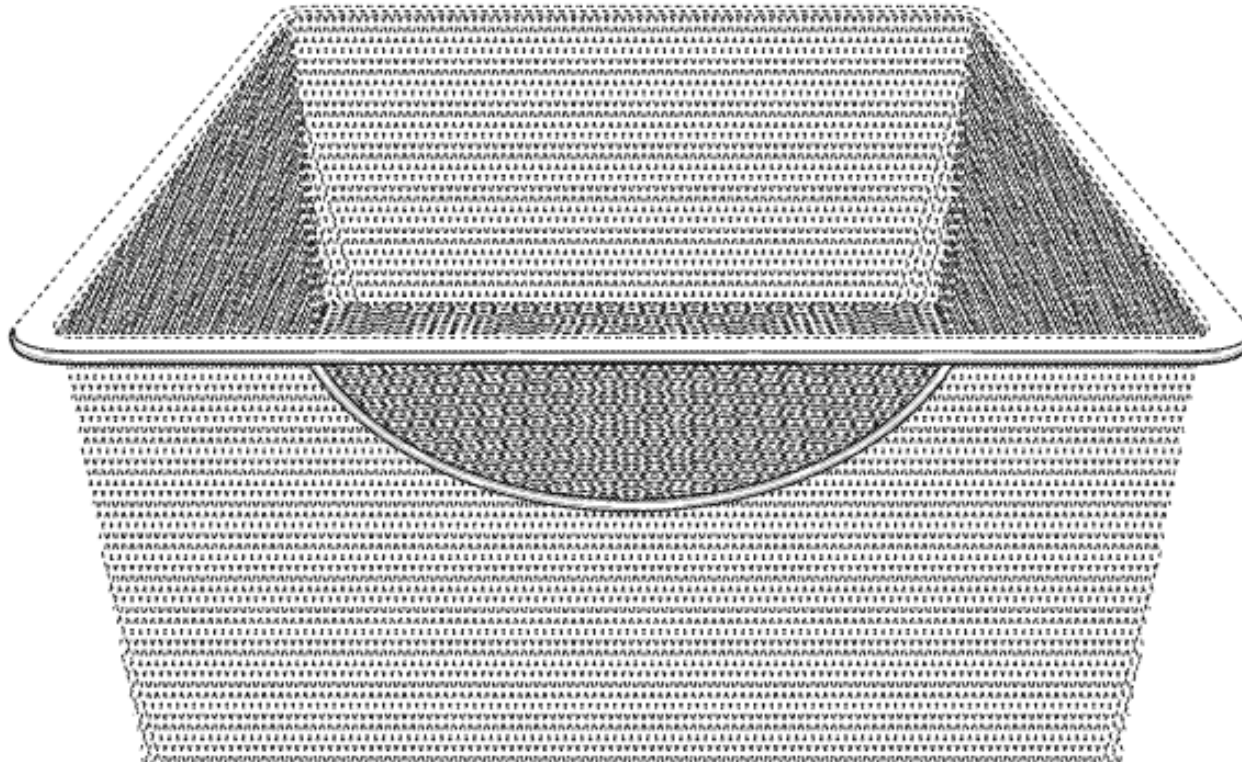


FIG. Y



Claimed Design

Pending Application

PRIORITY DATE:	14 Sept 2005
Filed:	5 March 2019
Issued:	---
EXPIRES:	---

APPENDIX STRATEGY

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*No extra USPTO fees

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- *Maintain Original Priority Date

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- *Can include alternate designs
- *Can include different classes (!)

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- *Claim the most important design from RCD
- *Put the other RCDs in an Appendix
- *File Continuation applications as needed to claim other RCDs



Perry Saidman

Looks Matter...

Legally. ®