

US0D1012781S

(12)

United States Design Patent

Song et al.

(10)

Patent No.:

US D1,012,781 S

(45)

Date of Patent:

** Jan. 30, 2024

- (54) MOTORCYCLE
- (71) Applicant: Indian Motorcycle International, LLC, Medina, MN (US)
- (72) Inventors: Michael M. Song, Maple Grove, MN (US); Gregory C. Brew, Minnetonka, MN (US)
- (73) Assignee: Indian Motorcycle International, LLC, Medina, MN (US)
- (**) Term: 15 Years
- (21) Appl. No.: 29/889,789
- (22) Filed: Apr. 17, 2023

3,935,445 A 1/1976 Preisler

D242,031 S 10/1976 Hartlaub

4,260,170 A 4/1981 Terai et al.

(Continued)

FOREIGN PATENT DOCUMENTS

EP 2161187 A1 * 3/2010 B62J 17/02

EP 2180333 A1 * 4/2010 B60R 25/102

(Continued)

OTHER PUBLICATIONS

“Indian Chieftain 2023: We’re Proud To Be America’s First Motorcycle Company.” Indian Motorcycle., Oct. 28, 2022 [online], [retrieved on Aug. 12, 2023]. Retrieved from the Internet <URL: <https://cdn1.polaris.com/globalassets/indian/2023/root/catalogs/pdfs/2023-na-imc-mktg-chieftain-my23-84bb-brochure.pdf?v=ac161c78>>.*

(Continued)

Related U.S. Application Data

- (62) Division of application No. 29/853,250, filed on Sep. 14, 2022, now Pat. No. Des. 987,483, which is a division of application No. 29/761,435, filed on Dec. 9, 2020, now Pat. No. Des. 967,734, which is a division of application No. 29/670,062, filed on Nov. 13, 2018, now Pat. No. Des. 906,182.
- (51) LOC (14) Cl. 12-11
- (52) U.S. Cl. D12/110
- (58) Field of Classification Search
- USPC D12/110, 111, 117; D21/432, 538
- CPC B62K 11/00; B62K 11/02; B62K 11/04; B62K 11/10; B62K 17/00; B62K 19/00; B62K 2202/00
- See application file for complete search history.

References Cited

U.S. PATENT DOCUMENTS

2,755,873 A 7/1956 Klaue

3,866,946 A 2/1975 Robison

Primary Examiner — Darlington Ly

(74) Attorney, Agent, or Firm — Faegre Drinker Biddle & Reath LLP

(57)

CLAIM

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

DESCRIPTION

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

FIG. 1 is a front and left side perspective view of a motorcycle embodying our new design;

FIG. 2 is a front and right side perspective view thereof;

FIG. 3 is a rear and left side perspective view thereof;

FIG. 4 is a right side view thereof;

FIG. 5 is a left side view thereof;

FIG. 6 is a front view thereof; and,

FIG. 7 is a rear view thereof.

1 Claim, 7 Drawing Sheets

(7 of 7 Drawing Sheet(s) Filed in Color)



(56)

References Cited

U.S. PATENT DOCUMENTS

4,580,706 A 4/1986 Jackson et al.
 4,615,556 A 10/1986 Stahel
 4,624,470 A 11/1986 Love
 4,793,293 A 12/1988 Minami
 4,887,687 A 12/1989 Asai et al.
 5,025,883 A 6/1991 Morinaka et al.
 5,107,949 A * 4/1992 Gotoh F02B 61/02
 293/121
 D361,311 S 8/1995 Lindby
 D372,442 S * 8/1996 Kitagawa D12/110
 5,608,957 A 3/1997 Hanagan
 D388,366 S 12/1997 Nishino
 D391,527 S * 3/1998 Maruyama D12/110
 5,839,536 A 11/1998 Tanaka
 D406,801 S * 3/1999 Robb D12/110
 D416,215 S 11/1999 Hanlon et al.
 6,007,150 A 12/1999 Clerkin et al.
 6,068,075 A 5/2000 Saiki
 D426,174 S * 6/2000 Sofue D12/110
 6,203,093 B1 3/2001 Suzuki et al.
 D442,892 S 5/2001 Timmermann
 6,223,960 B1 5/2001 Powell et al.
 6,224,081 B1 5/2001 Wayman et al.
 6,234,266 B1 5/2001 Saiki
 D444,419 S * 7/2001 Kamata D12/110
 6,276,482 B1 8/2001 Moriya et al.
 D447,985 S 9/2001 Ino et al.
 6,293,606 B1 * 9/2001 Jarosz B62J 17/04
 296/78.1
 6,338,260 B1 1/2002 Cousins et al.
 6,394,214 B1 * 5/2002 Hahm B62M 25/06
 180/230
 6,419,039 B1 7/2002 Wagner
 D461,761 S 8/2002 Monson
 6,481,522 B1 11/2002 Adachi
 6,484,855 B1 11/2002 Yaple
 D470,097 S 2/2003 Song
 D476,271 S * 6/2003 Abe D12/110
 6,619,415 B1 9/2003 Hasumi et al.
 D484,074 S 12/2003 Henneberry
 6,655,740 B1 12/2003 Hanagan
 6,796,030 B2 9/2004 Mochizuki et al.
 D497,341 S 10/2004 Hanagan
 6,832,710 B2 12/2004 Galbraith et al.
 6,896,279 B2 5/2005 Galvagno
 6,951,417 B2 10/2005 Ito et al.
 6,969,083 B2 11/2005 Egan
 D513,719 S 1/2006 Egan
 6,991,290 B1 1/2006 Wiertzema
 D519,415 S * 4/2006 Hohdorf D12/110
 D530,244 S * 10/2006 Wilm D12/110
 7,207,470 B2 4/2007 Akita et al.
 7,278,560 B2 10/2007 Aron
 7,311,232 B2 12/2007 Watanabe et al.
 D567,715 S * 4/2008 Brew D12/110
 7,360,963 B1 4/2008 Burns
 D574,299 S 8/2008 Kouchi et al.
 D576,921 S 9/2008 Tong
 7,537,281 B2 5/2009 Riondato
 7,543,673 B2 6/2009 Lachapelle et al.
 D597,891 S * 8/2009 Andoh D12/110
 D605,088 S 12/2009 Tanaka et al.
 D605,982 S * 12/2009 Tanaka D12/110
 D615,000 S * 5/2010 Tako D12/110
 D618,612 S 6/2010 Asao et al.
 D624,853 S * 10/2010 Song D12/110
 D637,525 S * 5/2011 Sugimoto D12/110
 D640,606 S * 6/2011 Lai D12/110
 D656,068 S * 3/2012 Song D12/110
 D656,867 S * 4/2012 Uemoto D12/110
 D665,310 S * 8/2012 Hohdorf D12/110
 D666,531 S * 9/2012 Dunshee D12/110
 8,272,460 B2 9/2012 Song et al.
 8,408,437 B1 4/2013 Ponsaa
 D691,521 S * 10/2013 Dunshee D12/110

D692,355 S * 10/2013 Tsuji D12/110
 D711,093 S 8/2014 Alamdar
 D722,538 S * 2/2015 Song D12/110
 D723,429 S * 3/2015 Hohdorf D12/110
 D735,616 S * 8/2015 Tako D12/110
 D743,163 S 11/2015 Alamdar
 D743,325 S 11/2015 Seo et al.
 D743,696 S 11/2015 Alamdar
 D781,752 S * 3/2017 Cammorata D12/110
 9,643,674 B1 * 5/2017 Sato B62J 27/30
 D802,486 S * 11/2017 Mugikura D12/110
 D806,611 S 1/2018 Alamdar
 D812,524 S 3/2018 Alamdar
 D830,056 S 10/2018 Cunningham
 D906,182 S * 12/2020 Song D12/110
 D934,779 S 11/2021 Alamdar
 D934,780 S 11/2021 Alamdar
 D944,180 S 2/2022 Alamdar
 D967,734 S 10/2022 Song et al.
 D971,793 S * 12/2022 Dunn D12/114
 11,535,331 B2 12/2022 Lee et al.
 2004/0164113 A1 8/2004 Thomas et al.
 2004/0206566 A1 10/2004 Katsura
 2005/0150703 A1 7/2005 Nakagome et al.
 2005/0150921 A1 7/2005 Schneider
 2005/0174787 A1 8/2005 Uemoto et al.
 2005/0257978 A1 11/2005 Sigfrid
 2007/0018420 A1 1/2007 Hoshi
 2007/0057484 A1 3/2007 Gilman
 2007/0151789 A1 7/2007 Bracy et al.
 2007/0240925 A1 10/2007 Kobayashi
 2008/0093146 A1 4/2008 Kobayashi
 2008/0169134 A1 7/2008 Tomolillo et al.
 2008/0169149 A1 7/2008 Holroyd et al.
 2008/0173122 A1 7/2008 Bagnariol
 2008/0190683 A1 8/2008 Hoeve
 2008/0203782 A1 8/2008 Bigolin
 2008/0246250 A1 10/2008 LaCour
 2009/0194351 A1 8/2009 Murasawa et al.
 2010/0012695 A1 1/2010 Demilio
 2010/0025140 A1 2/2010 Takenaka et al.
 2010/0025443 A1 2/2010 Racz et al.
 2010/0307852 A1 * 12/2010 Aramayo, II B62J 9/27
 180/219
 2010/0307853 A1 * 12/2010 Song B62K 11/00
 180/227
 2014/0131127 A1 * 5/2014 Hayama B62K 11/04
 180/219

FOREIGN PATENT DOCUMENTS

JP 2017171277 A * 9/2017 B60Q 1/343
 JP 2019171993 A * 10/2019
 JP 2021112938 A * 8/2021 B60G 17/0162
 WO WO-2010111555 A2 * 9/2010 B62J 1/12

OTHER PUBLICATIONS

“Indian Chieftain 2022: We’re Proud To Be America’s First Motorcycle Company.” Indian Motorcycle., Oct. 21, 2021 [online], [retrieved on Aug. 12, 2023]. Retrieved from the Internet <URL: <https://cdn1.polaris.com/globalassets/indian/2022/root/catalogs/pdfs/my22-brochure-chieftain-en-web.pdf?v=99ddc175>>.*
 “Indian Chieftain 2021: We’re Proud To Be America’s First Motorcycle Company.” Indian Motorcycle., Sep. 24, 2020 [online], [retrieved on Aug. 12, 2023]. Retrieved from the Internet <URL: https://cdn1.polaris.com/globalassets/indian/root/catalogs/2021/pdfs/my21-brochure_chieftain_web.pdf?v=8809a9ff>.*
 “Indian Chieftain 2021.” Indian Motorcycle., Oct. 28, 2020 [online], [retrieved on Jun. 28, 2022], Retrieved from the Internet <URL: https://www.indianmotorcycles.co.nz/fileadmin/templates/model_21/pdf/accessories/nz/2021-chieftain-brochure.pdf>.
 “Scout Lock & Ride (Registered) Fairing.” Indian Motorcycle., Oct. 15, 2019 [online], [retrieved on Jun. 28, 2022], Retrieved from the Internet <URL: https://cdn1.polaris.com/globalassets/pgs/pdf/kitinstructions/indian/shop/accessories/fairings/2884116-266_9929476r02.pdf?V=78456eaf>.

(56)

References Cited

OTHER PUBLICATIONS

2019 Indian Chieftain Dark Horse Review—YouTube’ which was published on the website https://www.youtube.com/watch?time_continue=2&v=3eHwIJRCvrg&feature=emb_logo on Sep. 25, 2018.

2019 Indian Chieftain range—www.bikesales.com.au’ which was published on the website <https://www.bikesales.com.au/editorial/details/2019-indian-chieftain-range-114526/> on Sep. 7, 2018.

Design Examination Report issued by the Australian Government IP Australia, dated Feb. 10, 2020, for Australian Patent Application No. 201912566; 6 pages.

Harley-Davidson, FLH, 1 page, (available at least as early as Jun. 3, 2009).

Harley-Davidson, FLHR Road King, 2008, 1 page.

Harley-Davidson, FLHX Street Glide, 2008, 1 page.

Harley-Davidson, Genuine Motor Accessories, Adjustable Highway Peg Mounting Kit-360 Degrees webpage, 1 page, (available at least as early as Jun. 3, 2009).

Harley-Davidson, Genuine Motor Accessories, Adjustable Highway Peg Mounting Kit-Long Angled webpage, 1 page, (available at least as early as Jun. 3, 2009).

Harley-Davidson, Genuine Motor Accessories, Adjustable Highway Peg Mounting Kit-Long Offset webpage, 1 page, (available at least as early as Jun. 3, 2009).

Harley-Davidson, Genuine Motor Accessories, Adjustable Highway Peg Mounting Kit-Short Angled webpage, 1 page, (available at least as early as Jun. 3, 2009).

Harley-Davidson, Genuine Motor Accessories, Adjustable Highway Peg Mounting Kit-Short Offset webpage, 1 page, (available at least as early as Jun. 3, 2009).

Hinton, Touring With Less Vibration And More Power, Sep. 14, 2017, <https://www.topspeed.com/motorcycles/motorcycle-reviews/harley-davidson/2018-harley-davidson-street-glide-street-glide-special-ar177575.html>.

Idaho Up. “Viking Hard Bags Review, Install and Mistakes Made.” YouTube., Aug. 24, 2021 [online], [retrieved on Jan. 6, 2023], Retrieved from the Internet <URL: <https://www.youtube.com/watch?v=lyMHIA4TNvs>>.

Indian motorcycle on p. 1 of 2 from “Polaris purchases Indian Motorcycles, will compliment Victory brand”, by Chris Shunk, posted Apr. 20, 2011. [Retrieved on Apr. 15, 2013]. Retrieved from

the Internet <URL: [http://www.autoblog.com/2011/04/20/polaris-purchases-indian-motorcycles-will-complem . . .](http://www.autoblog.com/2011/04/20/polaris-purchases-indian-motorcycles-will-complem...)>.

Indian Motorcycle’ which was published on the website <https://web.archive.org/web/20181019145603/https://www.indianmotorcycle.com/en-us/> on Oct. 19, 2018.

Intermot: Indian debut 2019 Chieftain’ which was published on the website <https://www.motorcyclenews.com/news/new-bikes/2019-indian-chieftain/> on Oct. 2, 2018.

Ksstudios. “Viking Lamellar Hard Saddlebags—Harley Low Rider (FXLR).” YouTube., Mar. 15, 2020 [online], [retrieved on Jan. 6, 2023], Retrieved from the Internet <URL: https://www.youtube.com/watch?v=elnGFM_Iflg>.

Photos of the Chief Vintage Indian Motorcycle, 1 page, copyright 2013, available at <http://www.indianmotorcycle.com/en-us/chief/chief-vintage-le/pages/photos-.aspx>, accessed on Aug. 23, 2013.

Photos of the Chief Vintage Indian Motorcycle, 1 page, copyright 2013, available at <http://www.indianmotorcycle.com/en-us/chief/chief-vintage-le/pages/photos-.aspx>, accessed on Aug. 23, 2013.

Polaris Sales Inc., Celebrating 10 Years of Victory the New American Motorcycle 2009 brochure, 2008, pp. 1-16, Medina, Minnesota, USA.

Polaris Sales Inc., Victory 2004 Accelerating the Art of the American Cruiser brochure, 2003, pp. 1-36, Medina, Minnesota, USA.

Polaris Sales Inc., Victory 2006 brochure, 2005, pp. 1-28, Medina, Minnesota, USA.

Polaris Sales Inc., Victory Motorcycles 2005 The New American Motorcycle brochure, 2004, pp. 1-22, Medina, Minnesota, USA.

Polaris Sales Inc., Victory the New American Motorcycle 2007 brochure, 2006, pp. 1-15, Medina, Minnesota, USA.

Polaris Sales Inc., Victory the New American Motorcycle 2008 brochure, 2007, pp. 1-14, Medina, Minnesota, USA.

Victory Motorcycle 2005 Models, 20 pages. [Retrieved on Oct. 15, 2009]. Retrieved from the Internet <URL: <http://www.bikernet.com/news/PageViewer.asp?PageID=246>>.

Vikingbags. “Honda VTX 1800c w/Viking Bags Leather Hard Bags Installation & Review.” YouTube., Aug. 12, 2014 [online], [retrieved on Jan. 6, 2023], Retrieved from the Internet <URL: <https://www.youtube.com/watch?v=TyEB0ldCZaY>>.

* cited by examiner



FIG. 1



FIG. 2



FIG. 3

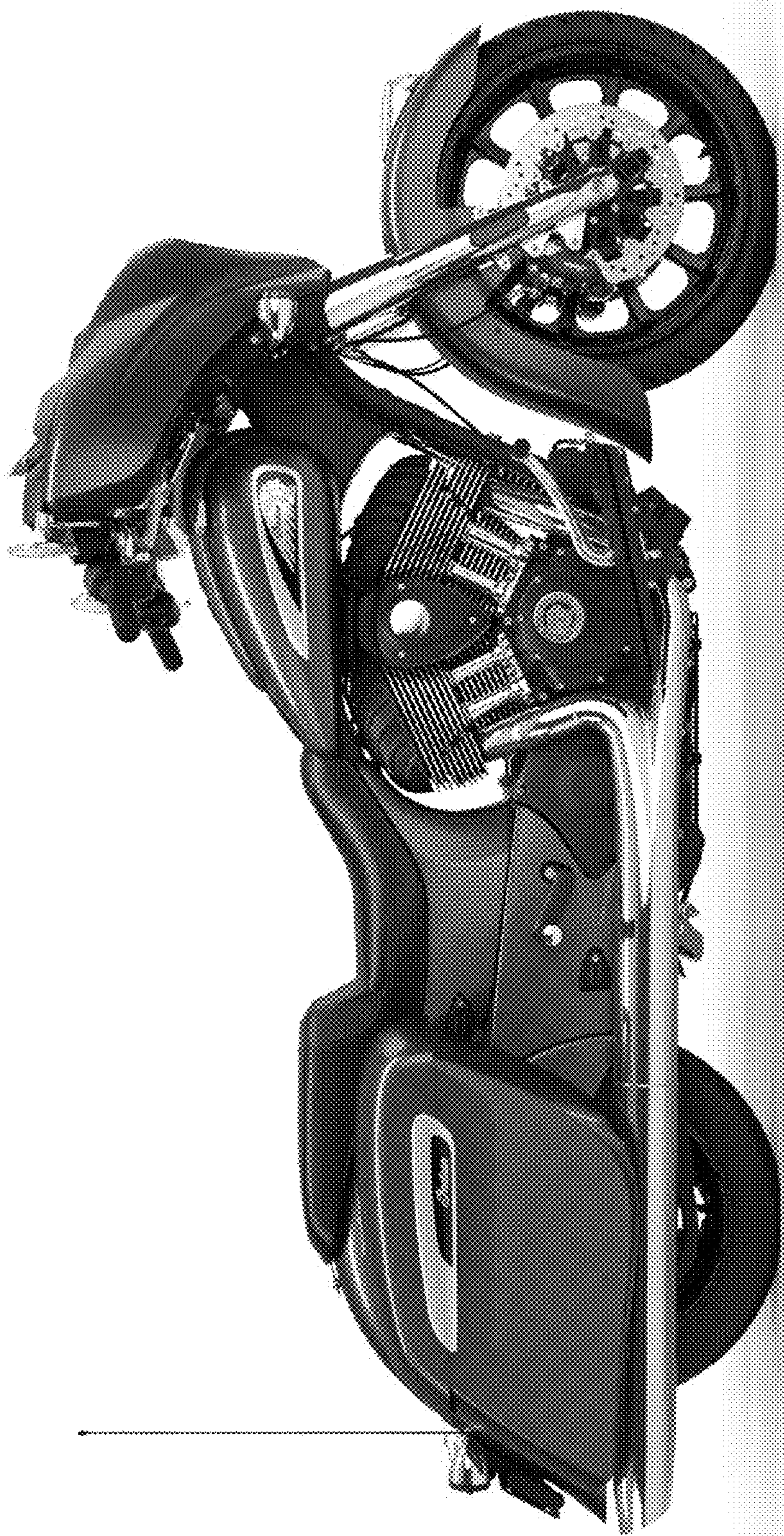


FIG. 4



FIG. 5



FIG. 6

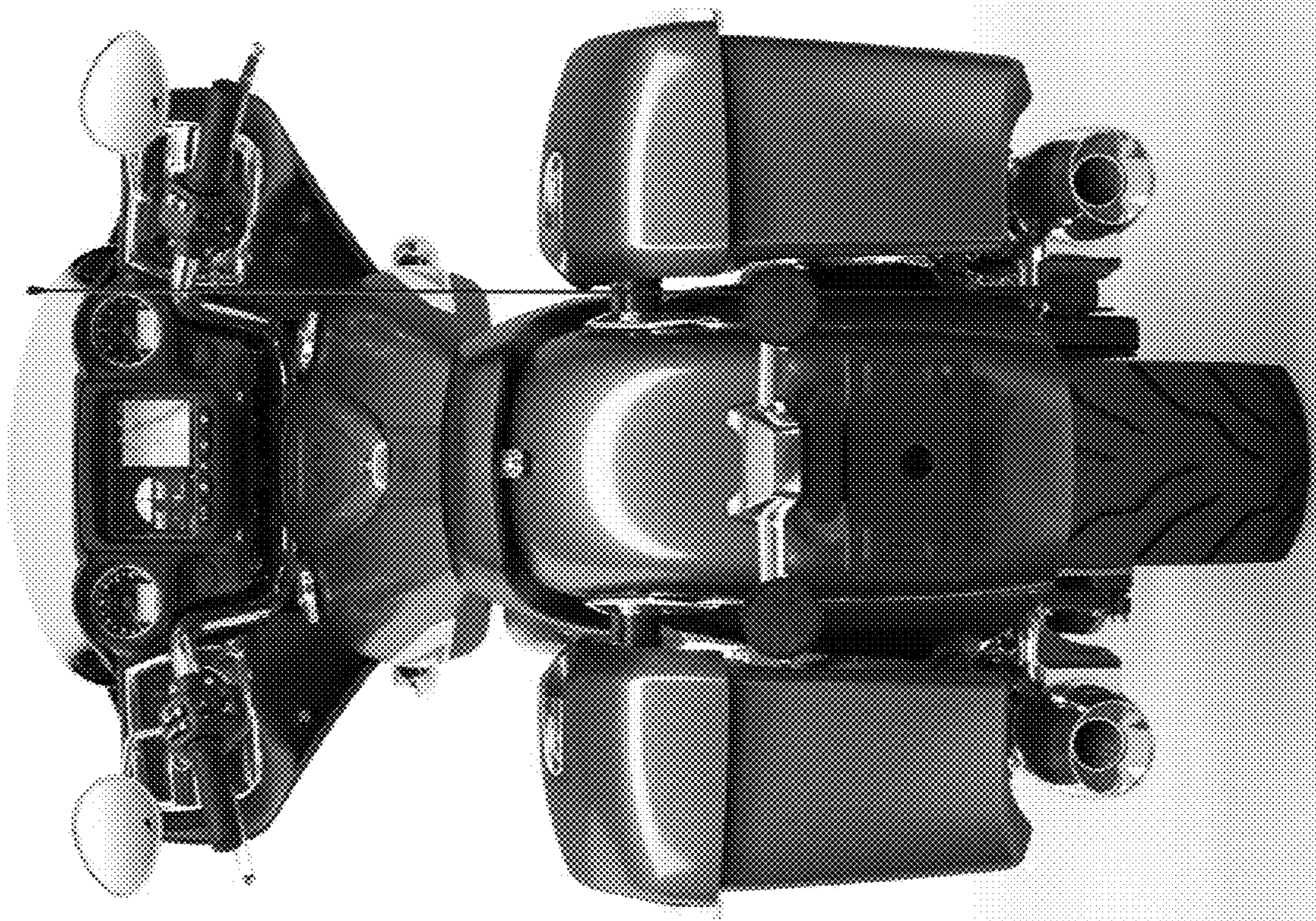


FIG. 7