



US00D364893S

# United States Patent [19]

Willard et al.

[11] Patent Number: **Des. 364,893**

[45] Date of Patent: **\*\*Dec. 5, 1995**

[54] **WRITING INSTRUMENT CONTAINER**

[75] Inventors: **Michael D. Willard**, Olathe, Kans.;  
**Charles W. Dieterich**, Brodheadsville,  
Pa.; **Richard A. Tarozzi**, Gales Ferry,  
Conn.

[73] Assignee: **Binney & Smith Inc.**, Easton, Pa.

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

[21] Appl. No.: **12,714**

[22] Filed: **Sep. 8, 1993**

[52] U.S. Cl. .... **D19/82; D21/128; D21/140;**  
**D12/84; D19/85; D3/271; D9/308**

[58] Field of Search ..... **D3/206, 270-271;**  
**D12/82, 83, 84; D19/35, 36, 65, 81, 82,**  
**83, 84, 85; 206/214, 224, 371; 211/69,**  
**69.1-69.9; D21/124, 128, 134, 140; D2/898;**  
**D9/307, 308**

[56] **References Cited**

**U.S. PATENT DOCUMENTS**

D. 79,822	11/1929	Larrabee	.....	D58/11
D. 88,371	11/1932	Cuff	.....	D21/129
D. 149,184	4/1948	Jolley	.....	D58/11
D. 160,161	9/1950	Gass	.....	D58/11
D. 175,742	10/1955	Ruiz	.....	D21/140 X
193,460	7/1877	Reed	.....	D21/129 X
D. 211,556	7/1968	Sherman	.....	D2/898
D. 217,374	4/1970	Hubiak	.....	D34/15
D. 253,179	10/1979	Bosler	.....	D19/2
271,817	2/1883	Dumke	.....	206/214
D. 282,032	1/1986	Lemmeyer	.....	D21/140 X
D. 287,112	12/1986	Legueu	.....	D12/84
D. 309,643	7/1990	Pioozza et al.	.....	D21/128
D. 316,273	4/1991	Tsuji	.....	D19/75
D. 337,517	7/1993	Hwang	.....	D9/308
540,268	6/1895	Newell	.....	
632,167	8/1899	Biesmeyer	.....	206/214
1,928,323	9/1933	Sweitzer	.....	46/48
2,621,098	12/1952	Ford et al.	.....	312/204
3,331,105	7/1967	Gordon	.....	24/16
3,576,253	4/1971	Keats	.....	206/45.14
4,136,773	1/1979	Booth	.....	206/214

4,519,498	5/1985	Booth	.....	206/214
4,574,946	3/1986	Hanazato	.....	206/45.19
4,736,838	4/1988	Nakata et al.	.....	206/45.18
4,753,346	6/1988	Tsuji	.....	206/371
4,989,734	2/1991	Mode et al.	.....	206/575
5,004,103	4/1991	Connors et al.	.....	206/372
5,163,549	11/1992	Hayduchok	.....	206/214

**OTHER PUBLICATIONS**

Color photocopy of four photographs of NYLENT® School Bus, Nylent Corporation, Rockford, Illinois, U.S.A., known to have been in existence more than 1 year prior to the filing date of the instant application.

Two photographs of Crayola® Crayons crayon holder, Binney & Smith Inc., Easton, Pennsylvania Copyright 1976.

*Primary Examiner*—Martie Thompson

*Attorney, Agent, or Firm*—Leydig, Voit & Mayer, Ltd.

[57] **CLAIM**

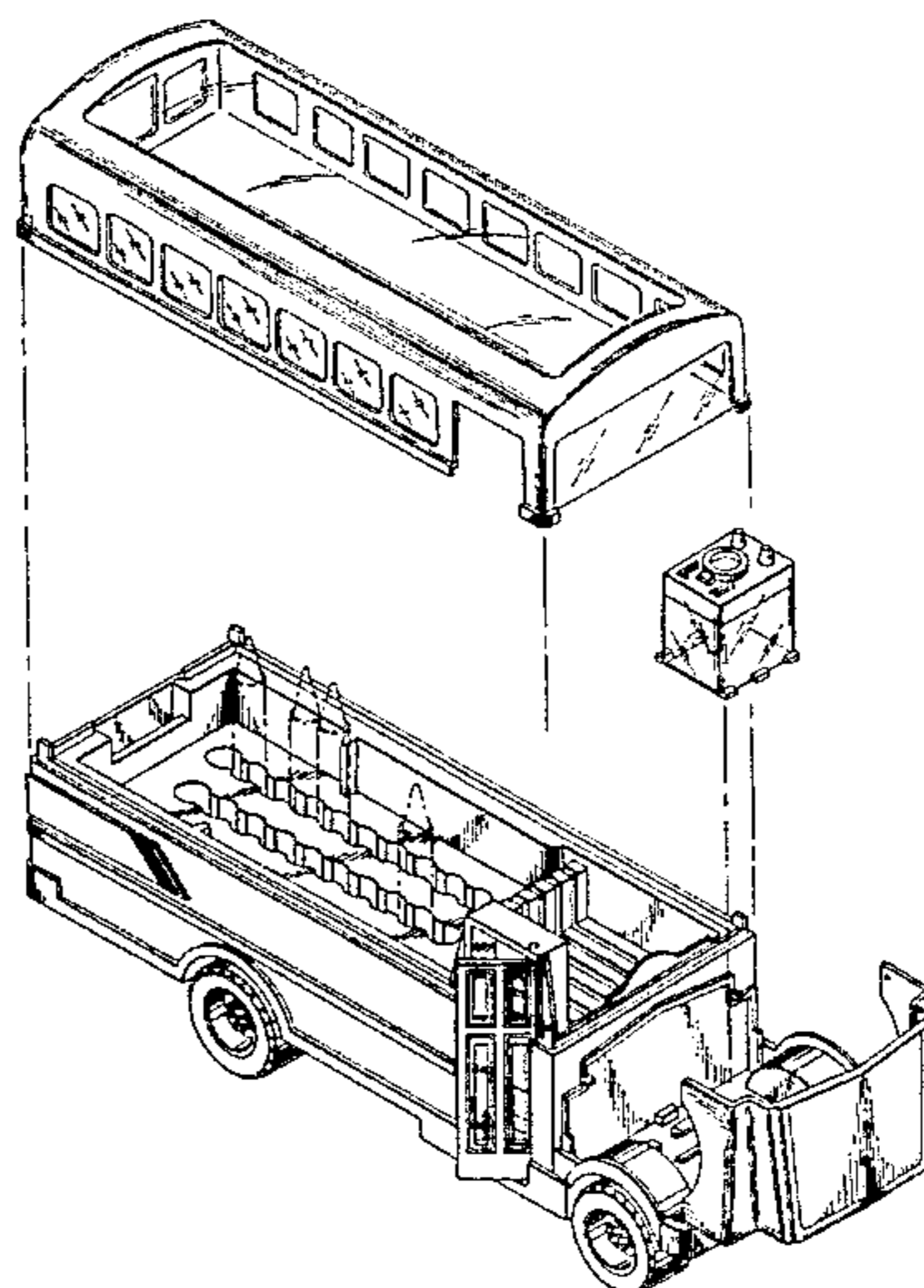
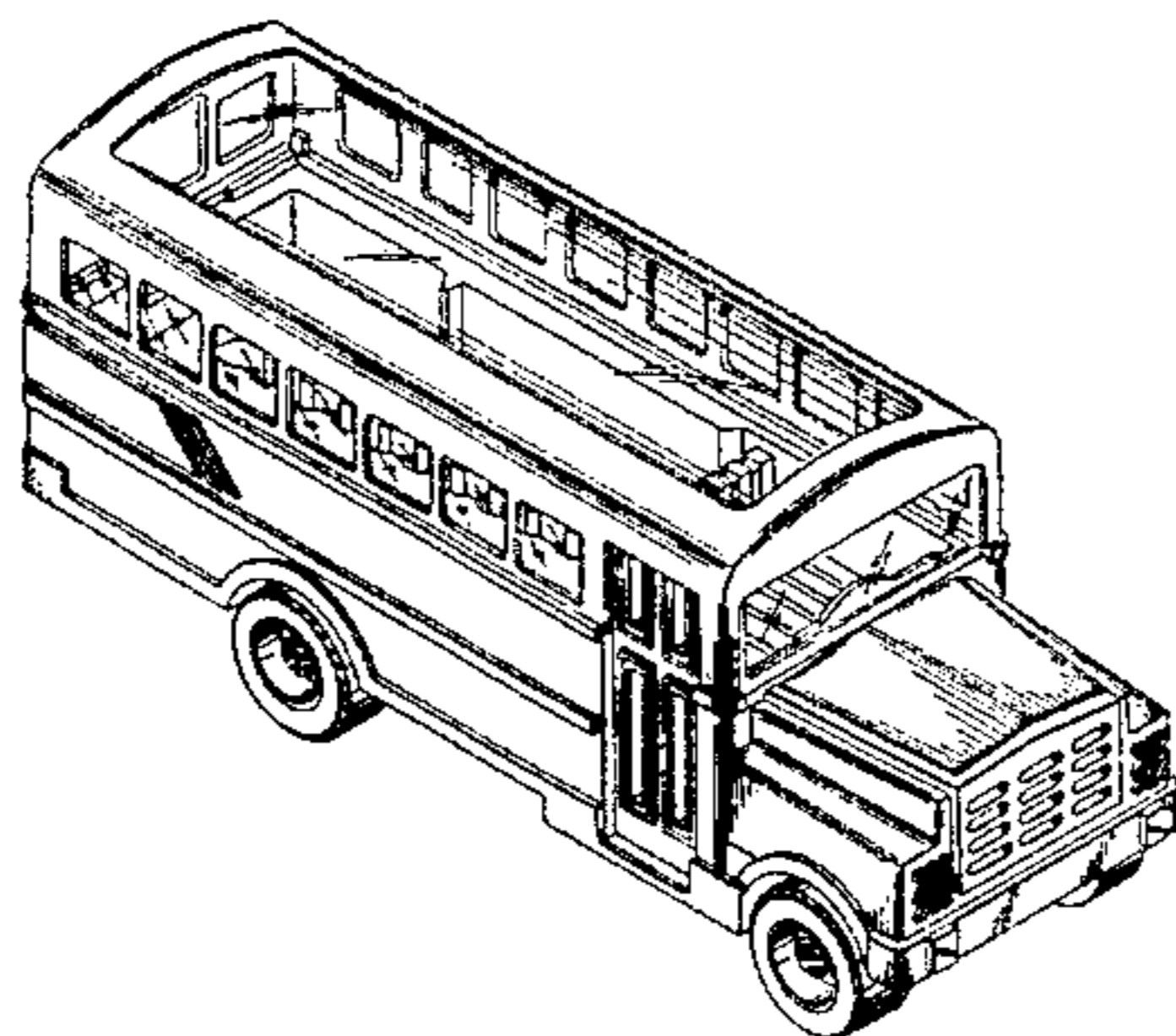
The ornamental design of a writing instrument container, as shown and described.

**DESCRIPTION**

FIG. 1 is a top left front perspective view of a writing instrument container showing our new design; FIG. 2 is an exploded top left front perspective view thereof; FIG. 3 is a left side elevational view thereof; FIG. 4 is a right side elevational view thereof; FIG. 5 is the front elevational view thereof; FIG. 6 is the rear elevational view thereof; FIG. 7 is the top plan view thereof; FIG. 8 is the bottom plan view thereof; FIG. 9 is a top plan view with the roof removed and the hood in the open position; and, FIG. 10 is a top plan view of a second embodiment of our new design, with the roof member removed and the hood in a closed position, all other views being identical to the first embodiment.

The crayons depicted by means of broken lines in FIGS. 2 and 9 have been shown for illustrative purposes only and form no part of the claimed design.

**1 Claim, 4 Drawing Sheets**



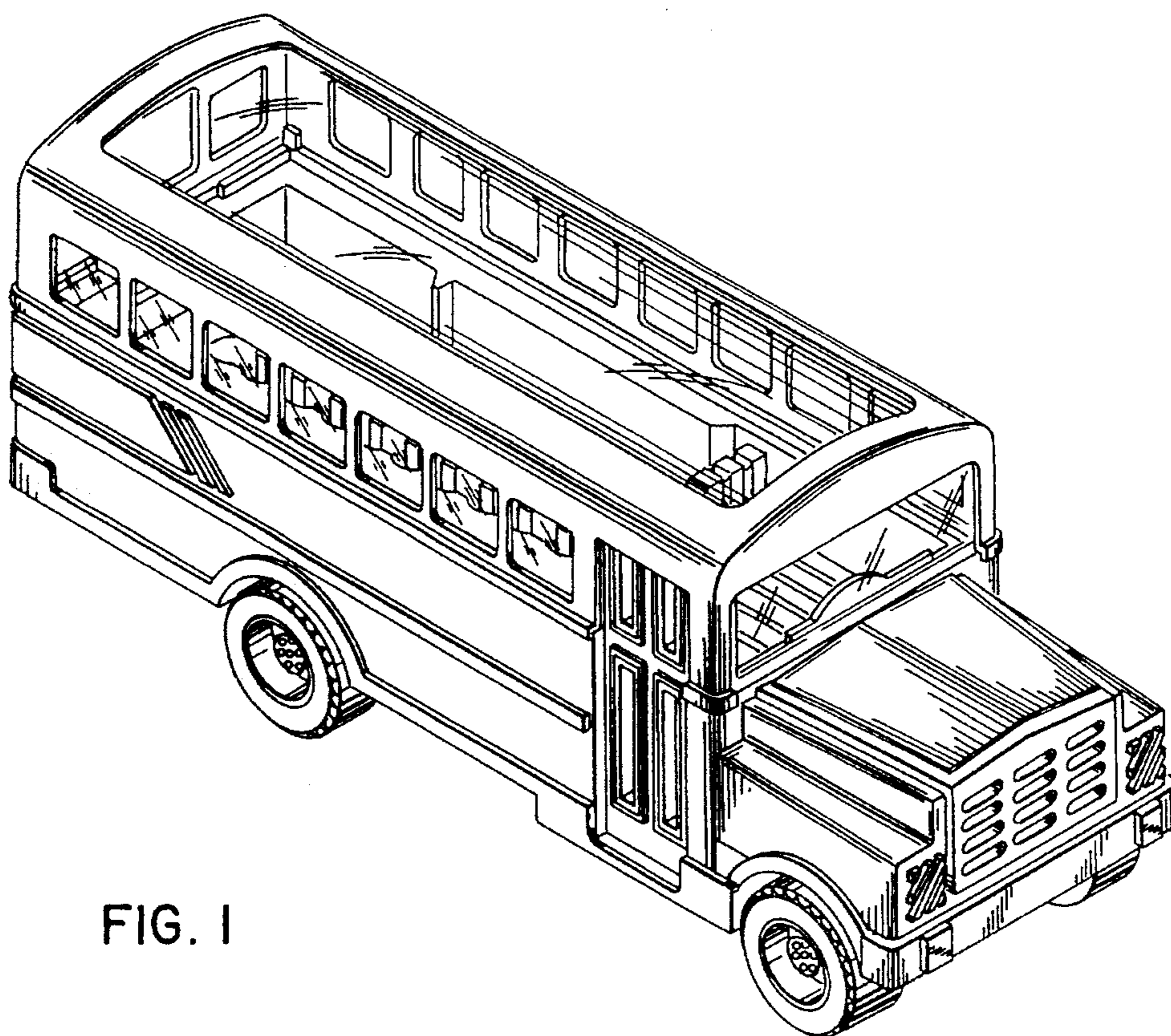
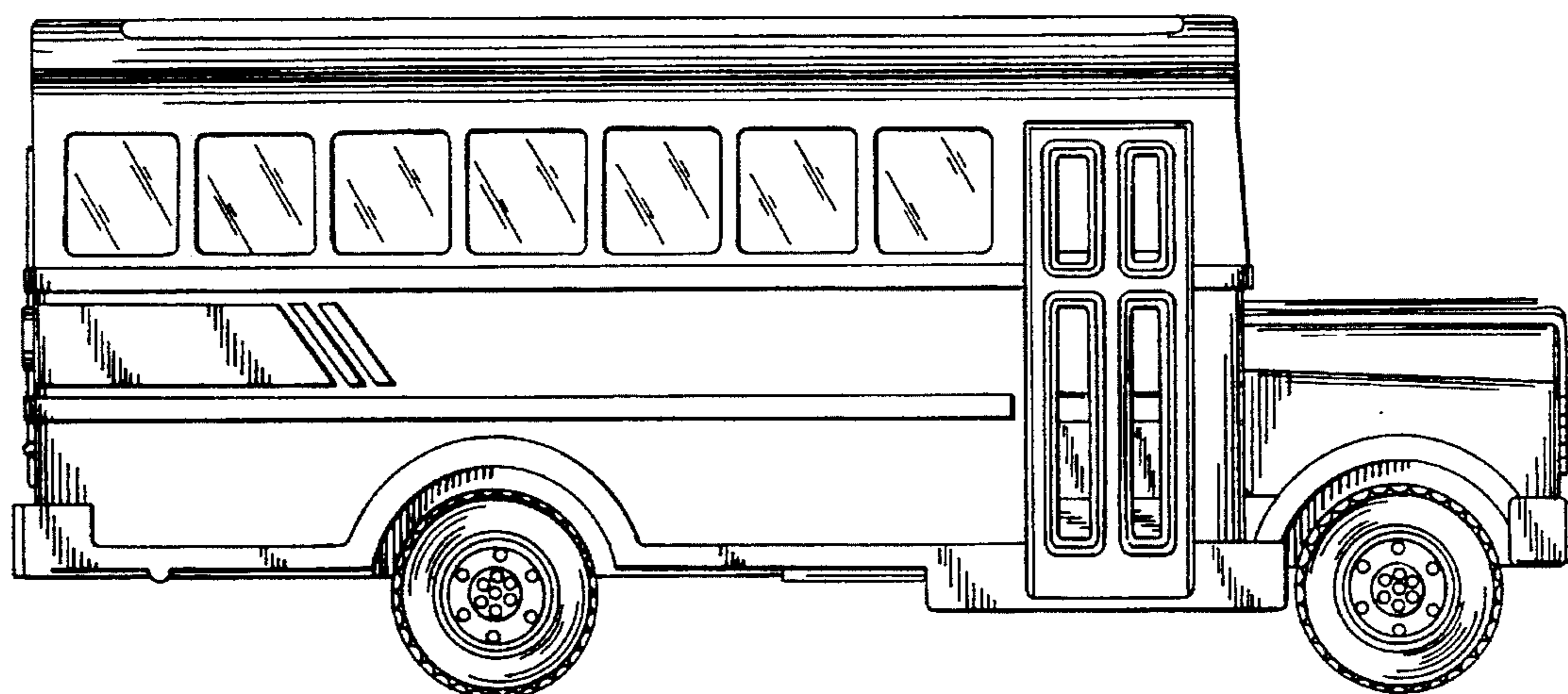


FIG. 1

FIG. 3



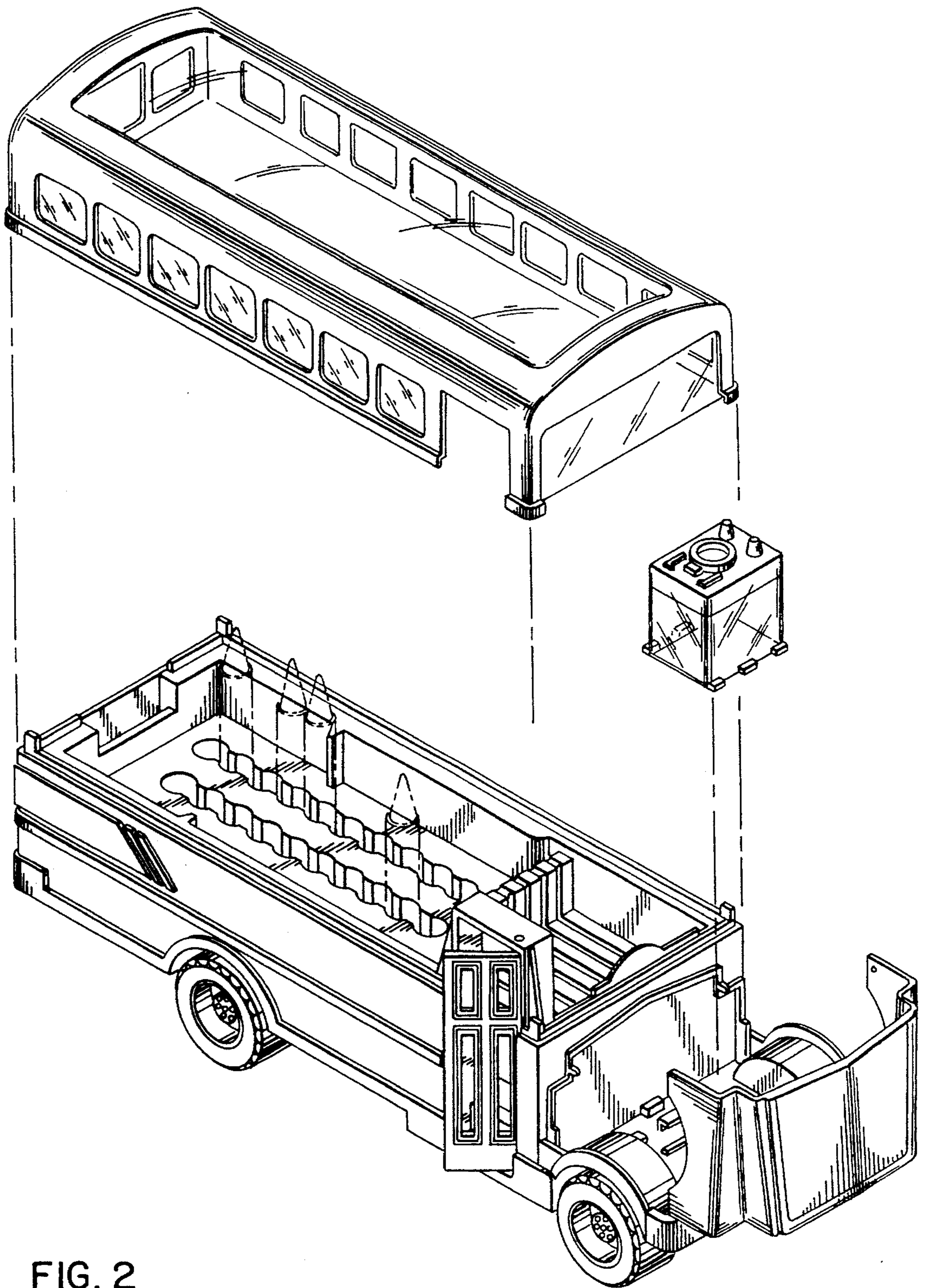


FIG. 2

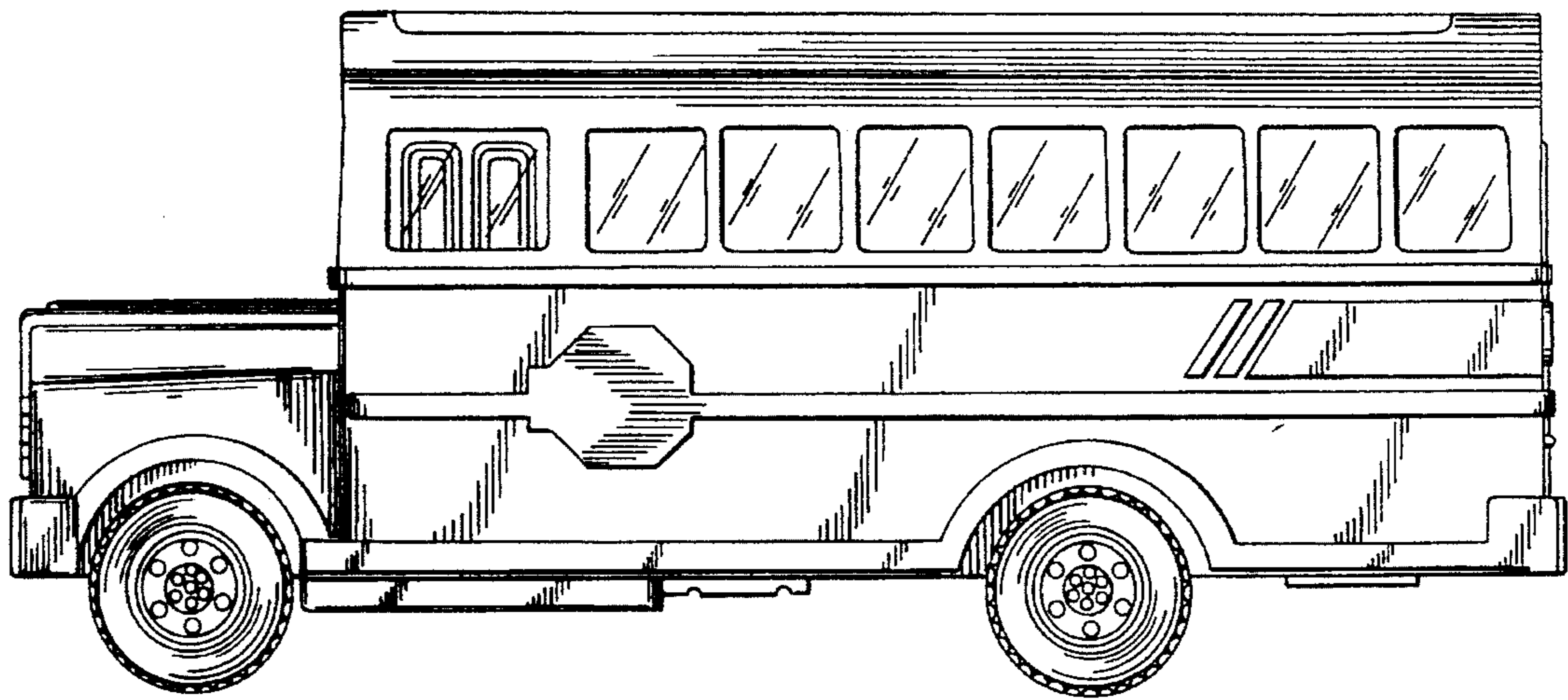


FIG. 4

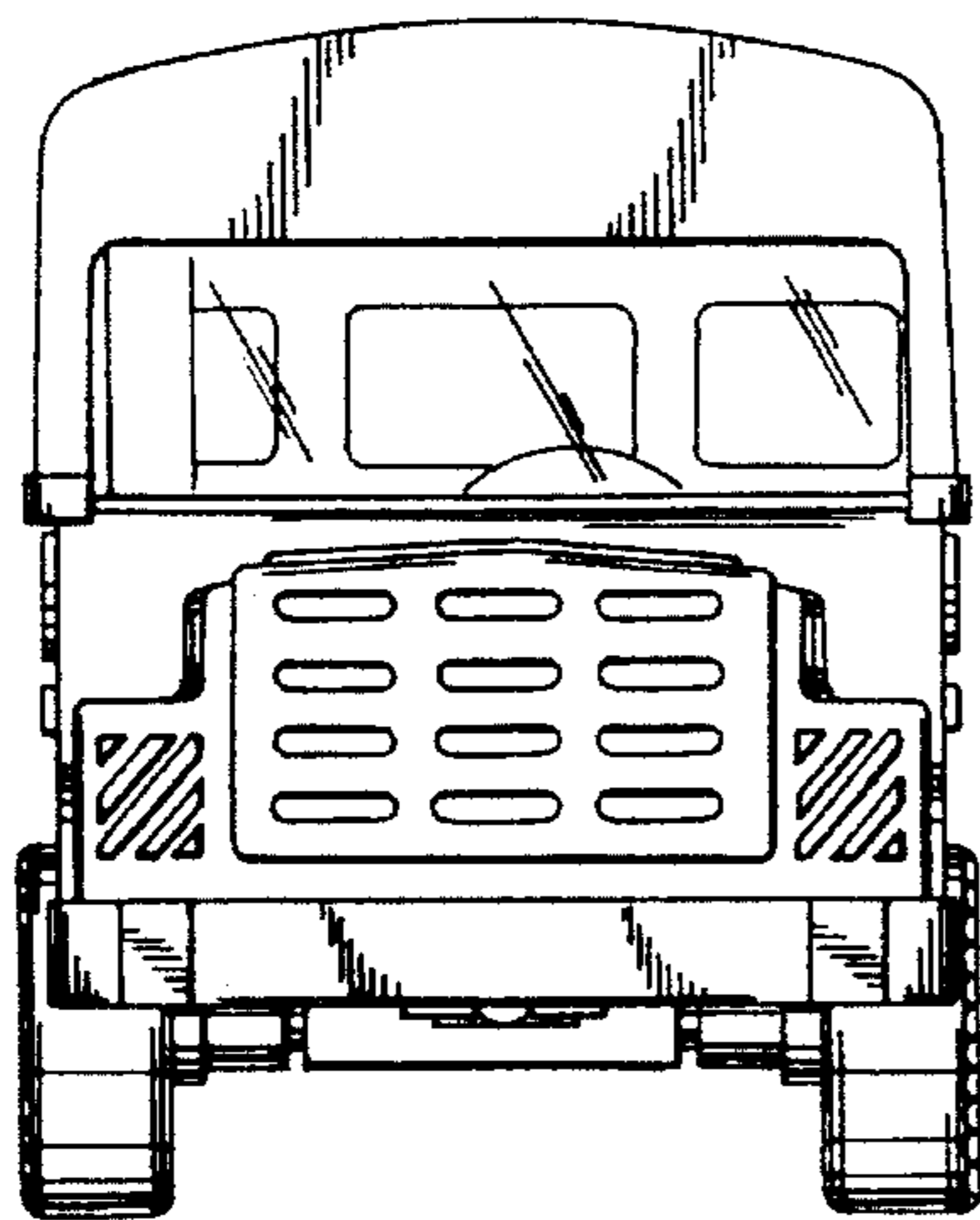


FIG. 5

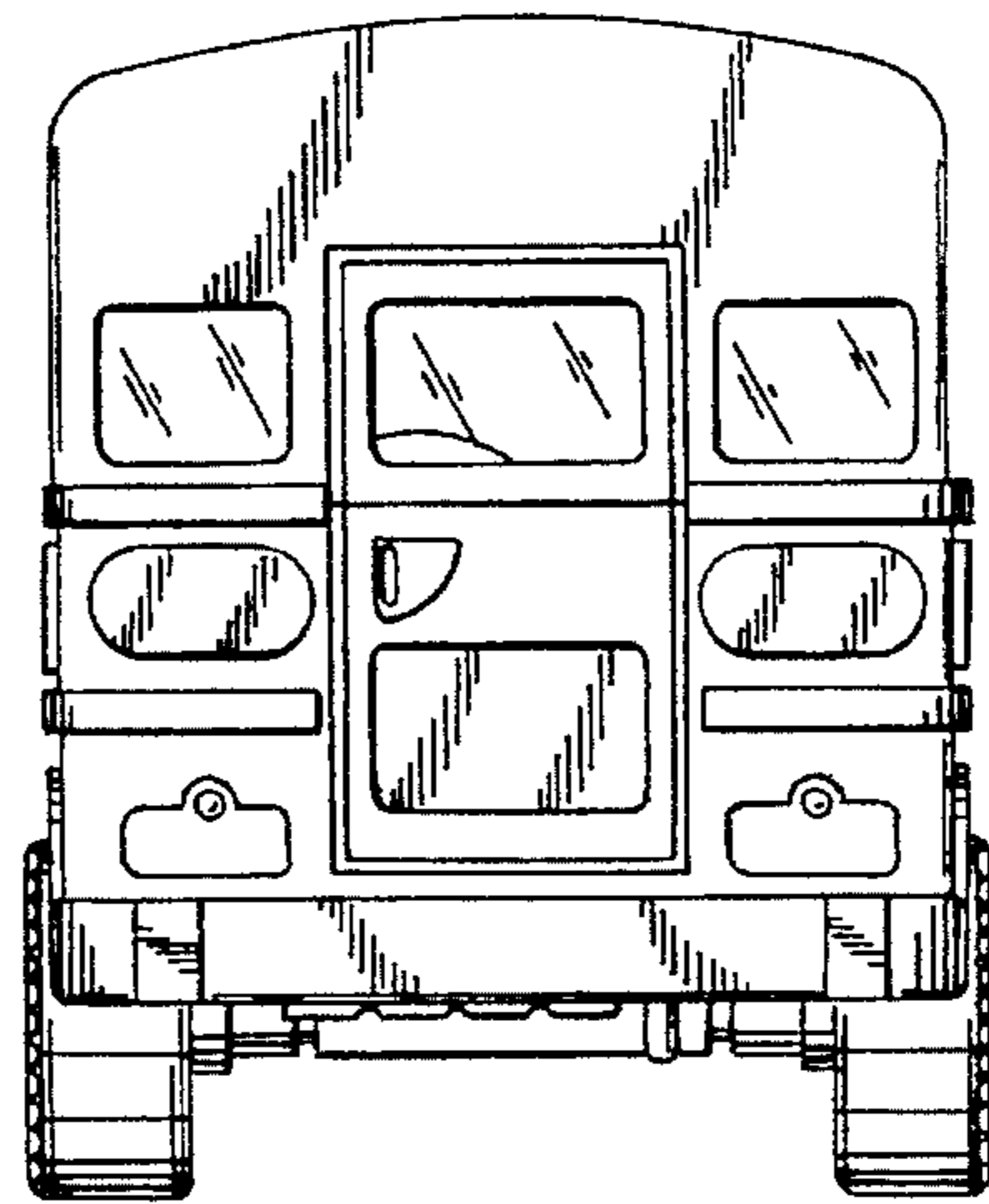
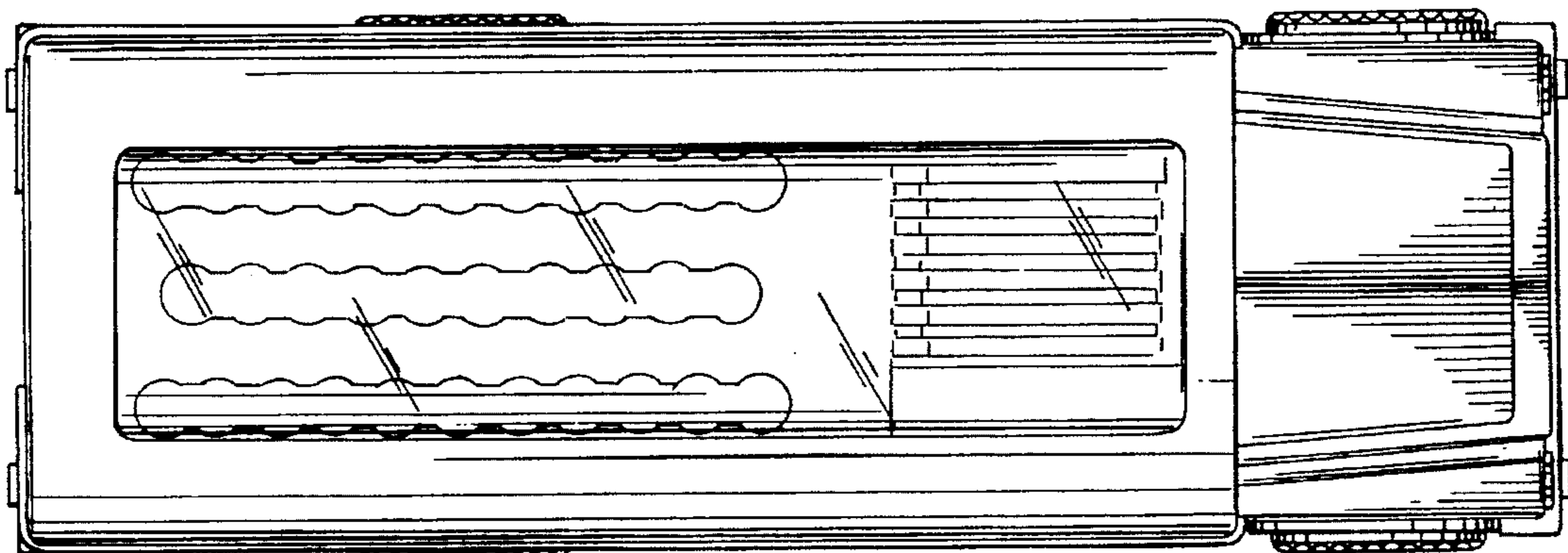


FIG. 6

FIG. 7



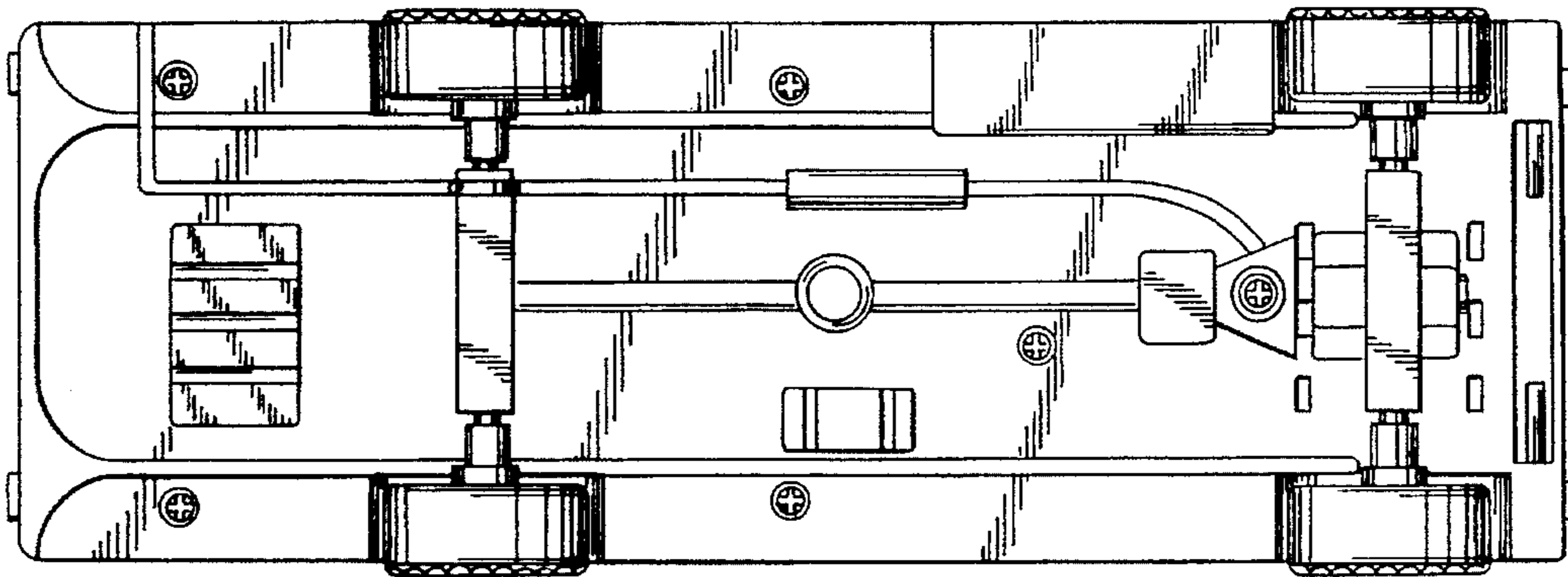


FIG. 8

FIG. 9

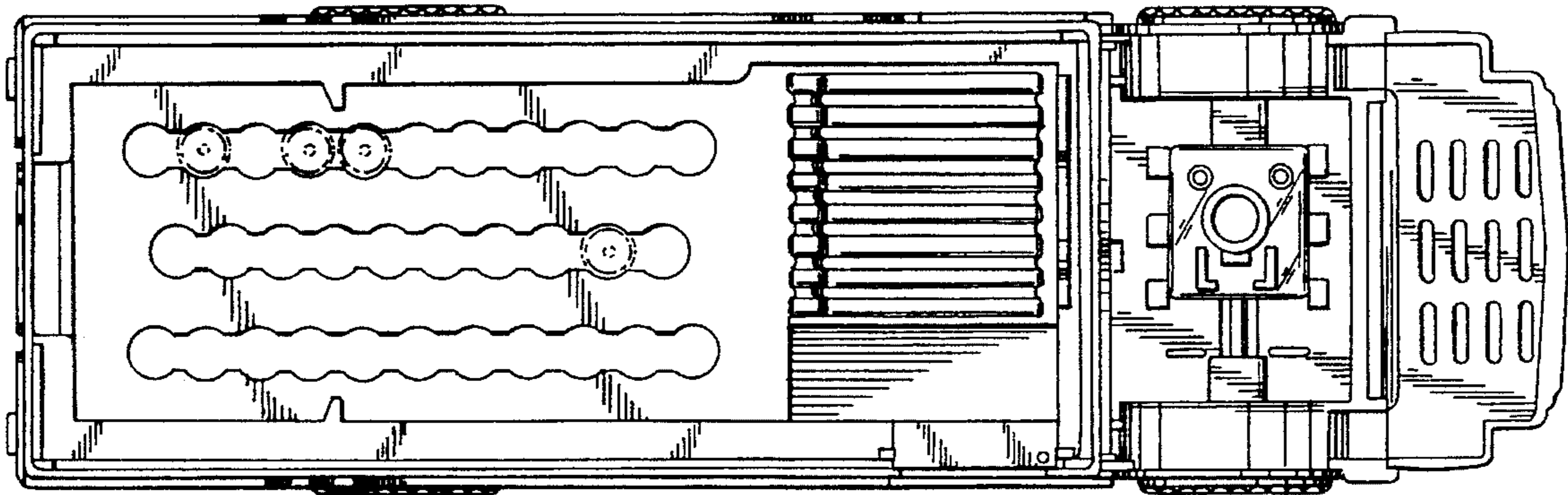


FIG. 10

