



US00D405278S

# United States Patent [19]

Pomeroy et al.

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[54] SWING

[75] Inventors: Charles Pomeroy; John T. Bycraft, both of South Bend, Ind.

[73] Assignee: Jack-Post Corporation, Buchanan, Mich.

[\*\*] Term: 14 Years

[21] Appl. No.: 73,746

[22] Filed: Jul. 16, 1997

[51] LOC (6) Cl. .... 06-01

[52] U.S. Cl. .... D6/347

[58] Field of Search ..... D6/334, 344, 347, D6/370, 379, 381, 500, 501, 502; D21/123, 923, 825; 248/370; 297/259.3, 273, 277, 281, 287, 452.63; 472/118, 122, 125

### [56] References Cited

#### U.S. PATENT DOCUMENTS

D. 135,694	5/1943	Smith	.....	D6/347
D. 281,376	11/1985	Gregory, III	.....	D6/344
D. 310,604	9/1990	Pomeroy et al.	.....	D6/347
D. 327,584	7/1992	Braxton, III	.....	D6/347

#### OTHER PUBLICATIONS

Sunstar, Brownie Mfg. Co., Porch Swing at mid-page left. Pamphlet: Jack-Post Swings, Fiesta Royale Liar's Swing—a-Lawn, Mdel FRLS (FC-60) Seat and FRSF (FR-55) Frame undated.

Pamphlet: Jack-Post Swings, Fiesta Royale Hi-Back Swing and "A" Frame, Model FR-63V (seat, FR-55V (vanilla frame), FR-55H (green frame) undated.

Pamphlet: Jack-Post Swings, Fiesta Royale Hi-Back Swing and Frame Combo, 5405-T (Textured, Variegated Green) (1997 per Attorney of Record).

Pamphlet: Jack-Post Swings, Fiesta Charm 4FT. Hi-Back Swing Seat, FC-47H (seat) and FC-45H (swing fram) ©1996.

Pamphlet: Jack-Post Swings, Country Garden 54 " Hi-Back Swing Seat Vari-Width Hardwood, and Country Gerden 54 " Hi-Back Seat and Frame Combo with Canopy—Vari Width Hardwood ©1996.

Pamphlet: Jack-Post Swings, Fiesta Charm Hi-Back swing Seat FC-47T Seat (textured, variegated green, shown with 5559-T Frame), and Fiesta Charm Swing and Frame Combo with Canopy 5209-T (textured, variegated green) ©1997.

Pamphlet: Jack-Post Swings, Hardwood by Jennings Deluxe Swings Model H-34 and Model H-35 undated.

Pamphlet: Si Lite, Inc., 2600 N. Pulaski, Chicago, IL undated.

Pamphlet: Ozark Wood Products, 2600 N. Pulaski, Chicago, IL, Model numbers SS-G, DS-G and LS-C undated.

Pamphlet: Summer Breeze Swings, George Mayer Mfg Co., P.O. Box 1468, Miami, OK 74355, Mar. 21, 1984.

Pamphlet: The Oak Leaf Collection, PMC Industries, P.O. Box 727, Pelchan, AL 35124 undated.

Pamphlet: Park Central Outdoor Furniture, Flanders Industries, Inc., P.O. Box 1788, Fort Smith, Arkansas 72902 undated.

A-Frame Swing, The Directors Chair, A Division of Scott McLean Inc. P.O. Box 2140, Bowling Green, KY 42101 undated.

Pamphlet: Sunstar Leisure Furniture—A Division of Farmaster, Columbus, NE, undated.

(List continued on next page.)

### [57] CLAIM

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

### DESCRIPTION

FIG. 1 is a front perspective view of the swing showing our new design;

FIG. 2 is an end elevational view, the opposite end being a mirror image there of;

FIG. 3 is a front elevational view;

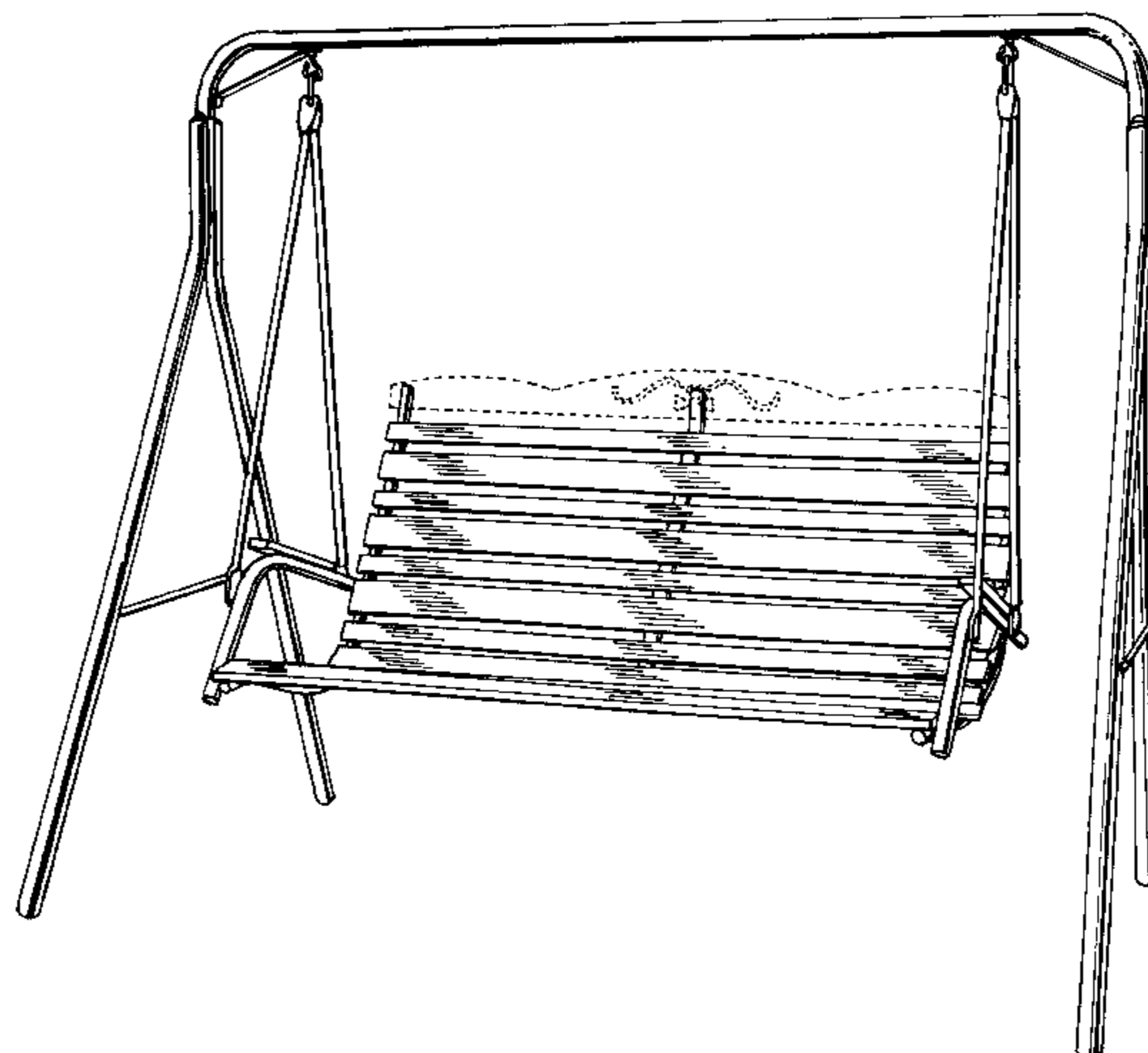
FIG. 4 is a rear elevational view;

FIG. 5 is a top plan view; and,

FIG. 6 is a bottom plan view thereof.

The broken line showing of a backrest headboard is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 6 Drawing Sheets



## OTHER PUBLICATIONS

Pamphlet: Holiday Club Swings by Cardinal American, Caribbean Fantasy Luan Mahogany Furniture, 2 pages undated.

Pamphlet: Grand Isle LSFS-48AZ Swing, 4911 Grant Avenue, Cleveland, OH 44125 undated.

Pamphlet: Grand Isle LSFS-44JHBG High Back Swing, 4911 Grant Avnue, Cleveland, OH 44125, undated.

Pamphlet: Grand Isle LSFS-44A V Swing, 4911 Grant Avenue, Cleveland, OH 44125 undated.

Pamphlet: Grand Isle LPSS-44AV Porch Swing, 4911 Grant Avenue, Cleveland, OH 44125 undated.

Pamphlet: Bourbon street MS-100 Swing, 4911 Grant Avenue, Cleveland, OH 44125 undated.

Catalog: Luan Mahogany Furniture; Cardinal American of Bedford Hts., Ohio; 6 pages; 1985.

Pamphlet: Jack-Post Outdoor Furniture/Outdoor Products; 2 pages, undated.

Pamphlet: Do-It-YourselfPatio Furniture Kits; Cardinal American Corp. Cleveland, Ohio; 1981.

Pamphlet: Holiday Club Patio Furniture Kits: Cardinal American Corp., Cleveland, Ohio; 1981.

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Pamphlet: "Swingbuilder"; J. Kratzke; Dent, MN, undated.

Pamphlet: Swing; Ozark Wood Products Inc., Chicago, IL, undated.

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Pamphlet; Swing; The J.E. Burke Company; Fond Du Lac, WI, undated.

Pamphlet: Swing; SiLite; Chicago, IL, undated.

Pamphlet: Swing; Lowery's Inc.; No. Berwick, MA, undated.

Catalog: Holiday Club KD Patio Furniture; Cardinal American Corporation; 1983; 8 pages.

Pamphlet: Jack-Post Swings, Fiesta Royale Models FR-55 (Frame), FR-55V (Frame), FR-60 (Seat), FR-60V (Seat), FC-55 (Frame), FC-55V (Frame), H-25 (Swing) undated.

Pamphlet: JackPost swings Jennings Traditional Swing Models H-24 and H-25 and Jennings Deluxe Swing Models H-54 and H-55 undated.

Pamphlet: Jack-Post Swing, Iron Mountain Model 7203-W, undated.

Pamphlet: Jack-Post Swings, Iron Mountain Models 7203-W (seat), 6450-W (frame), 6200-W (Seat, Redwood), 6201-W (Seat, Cedar), 6455-W (Combination, Cedar), 6456-W (Combination, Redwood) undated.

Pamphlet: Jack-Post Swing, Iron Mountain Models 6400-W (frame) 6200-W (Seat, Redwood) 6201-W (Seat, Cedar) 6401-W (Combination, Cedar) undated.

Pamphlet: Jack-Post Swing, Iron Mountain Hi-Back Swing Set Models: 6400-W (Frame), 7203-W (Seat, Redwood) undated.

Pamphlet: Jack-Post Swings, Knollwood 48" Hi-Back Swing Seat with Swing "A" Frame, undated.

Pamphlet: Jack-Post Swing, Iron Mountain 54" Hi-back Swing Seat Resin-Clad, undated.

Pamphlet: Jack-Post Swing, Fiesta Royale Hi-back Swing and "A" Frame, undated.

Pamphlet: Jack-Post Swings, Fiesta Charm Set and Fiesta Charm Swing and Frame, undated.

Pamphlet: Jack-Post Swing, Country Garden 54" Hi-back Swing Seat with Vari-width Hardwood Model 5505-H (Green) undated.

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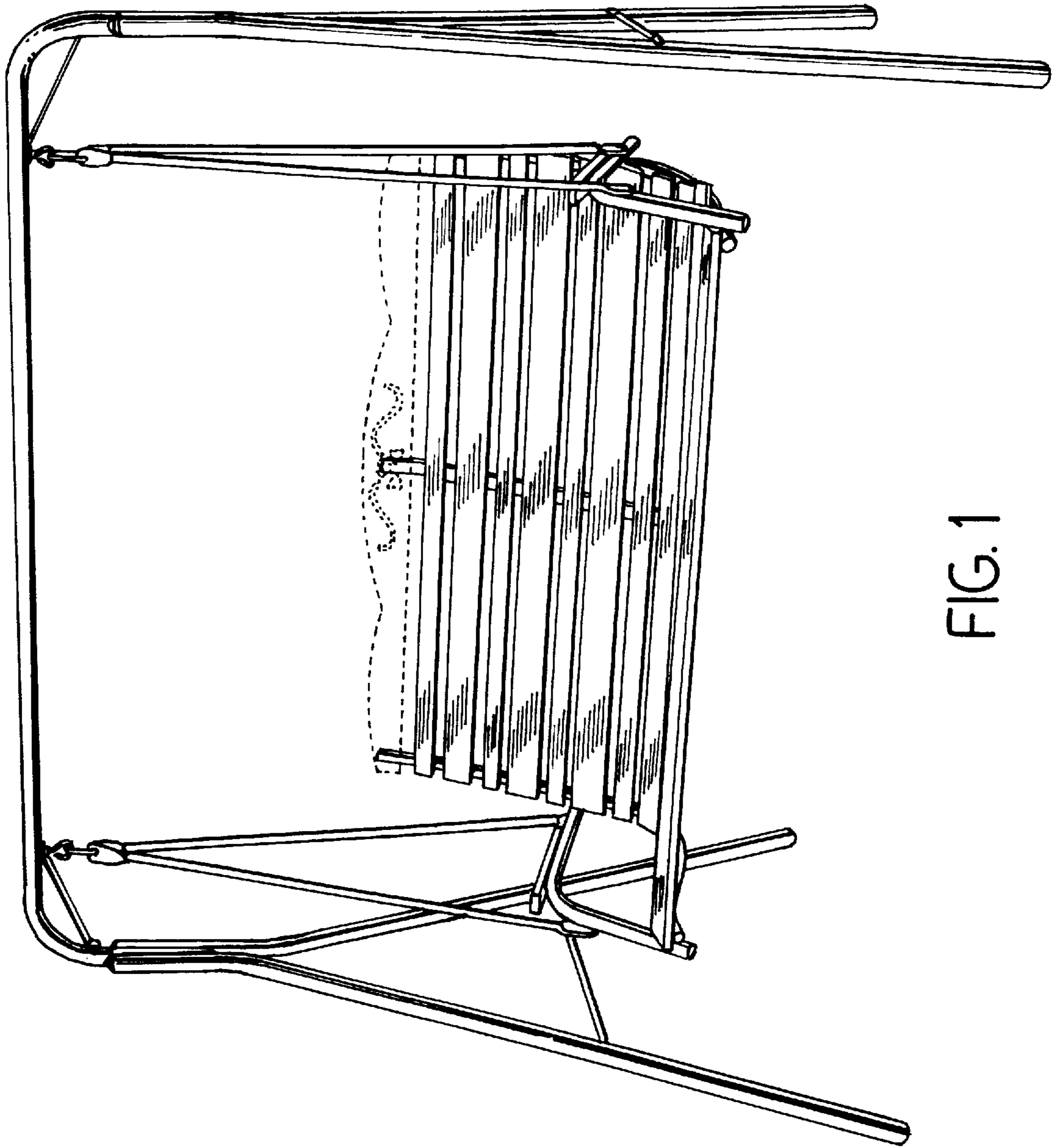


FIG.1

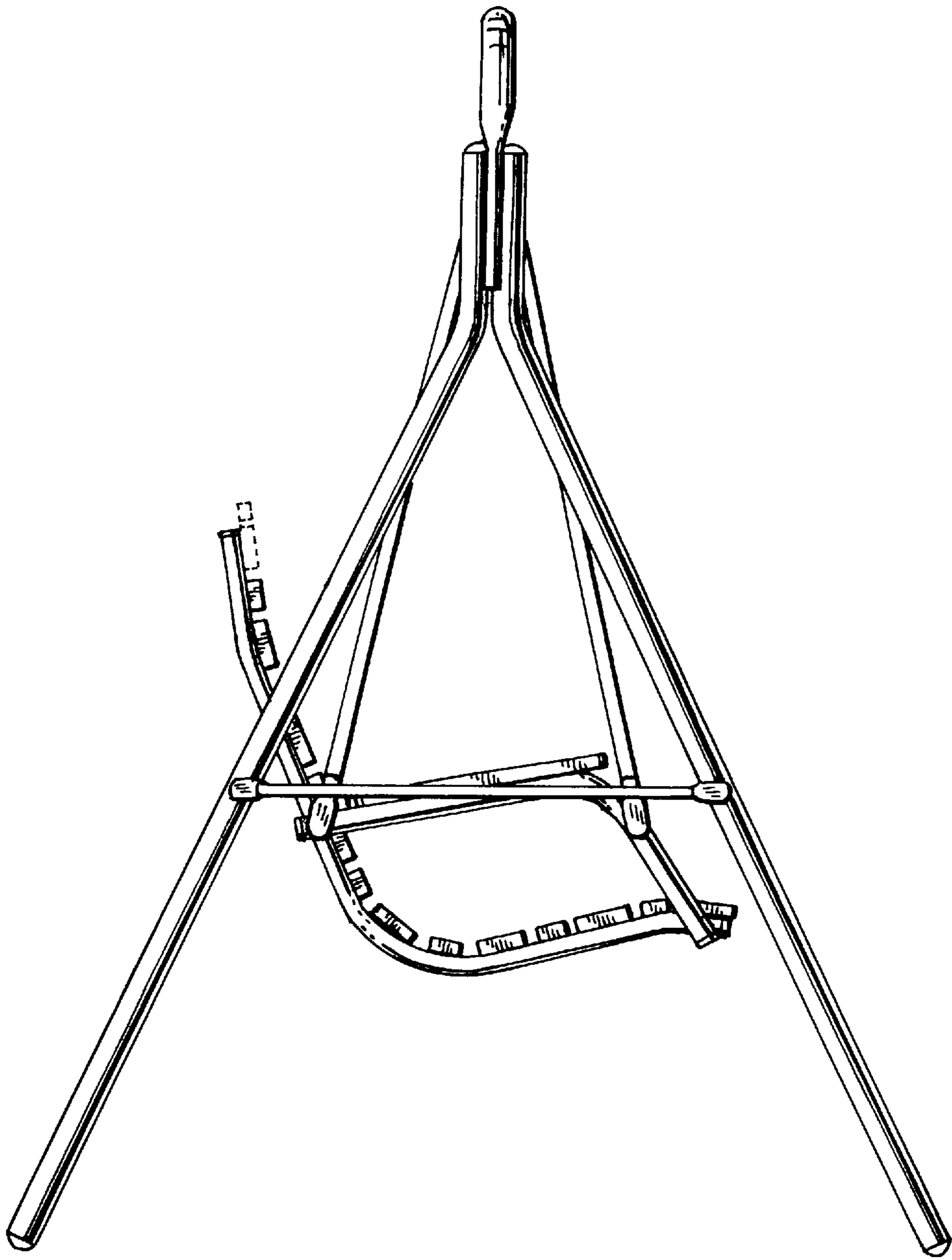


FIG. 2

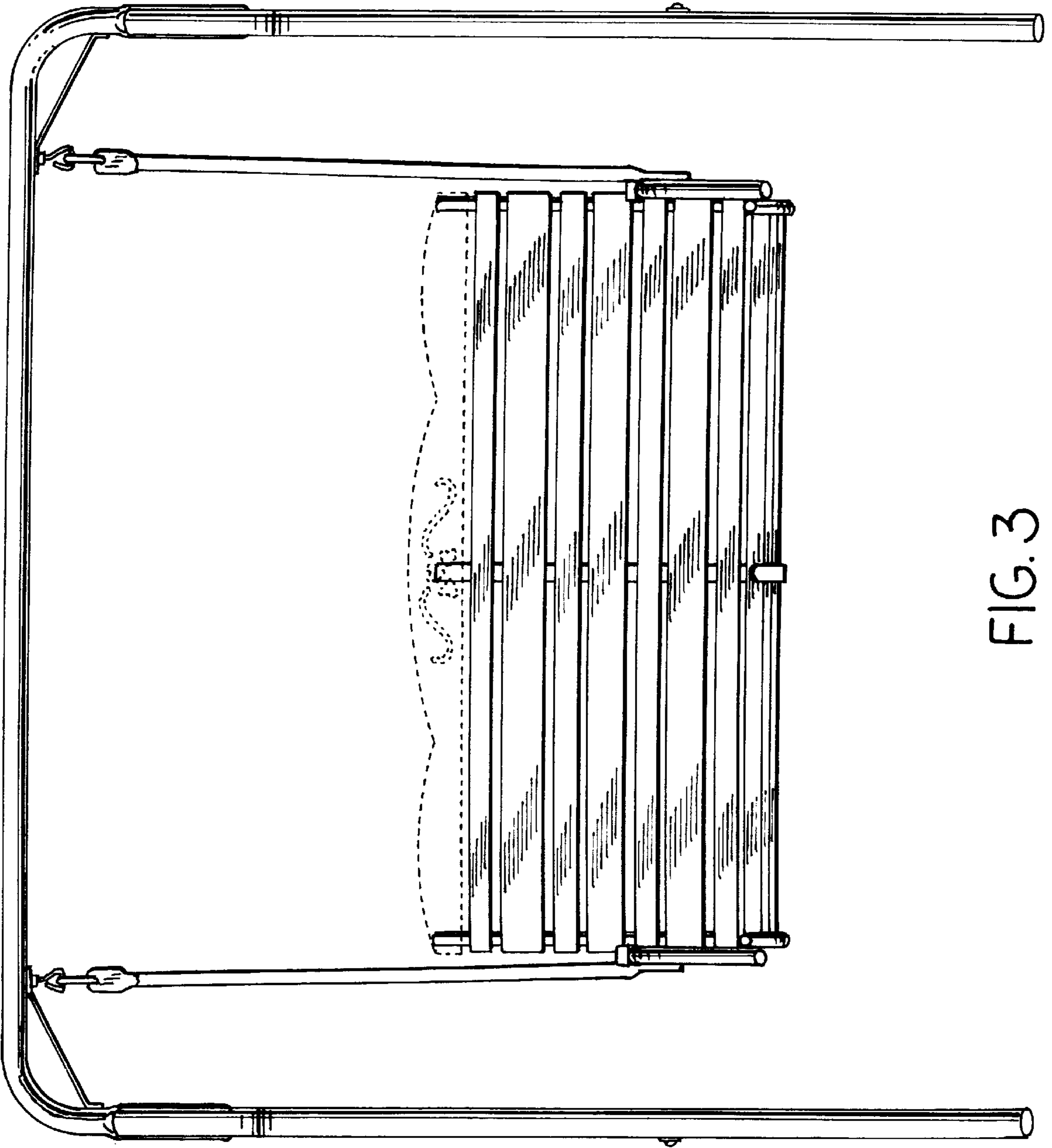


FIG. 3

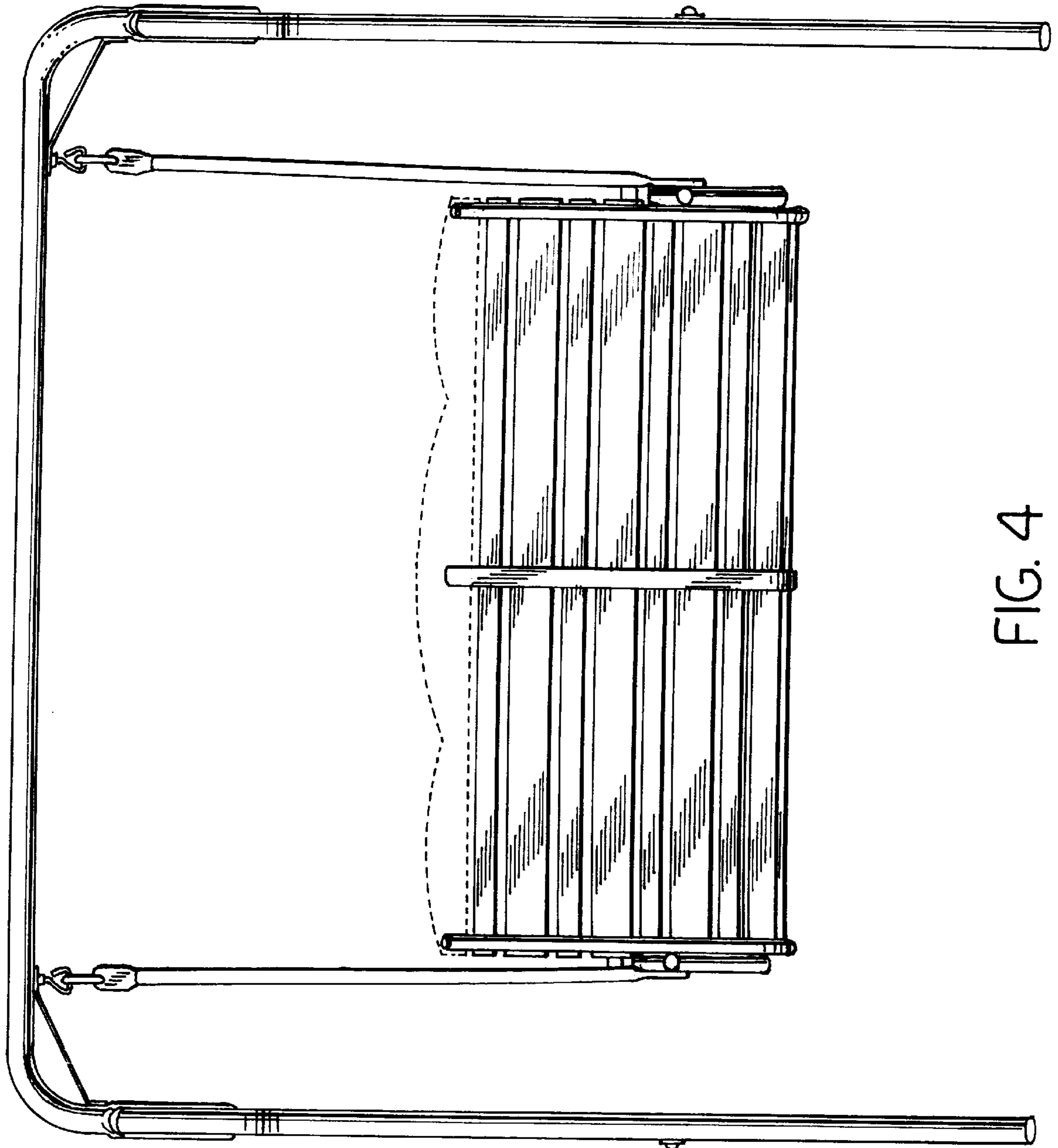


FIG. 4

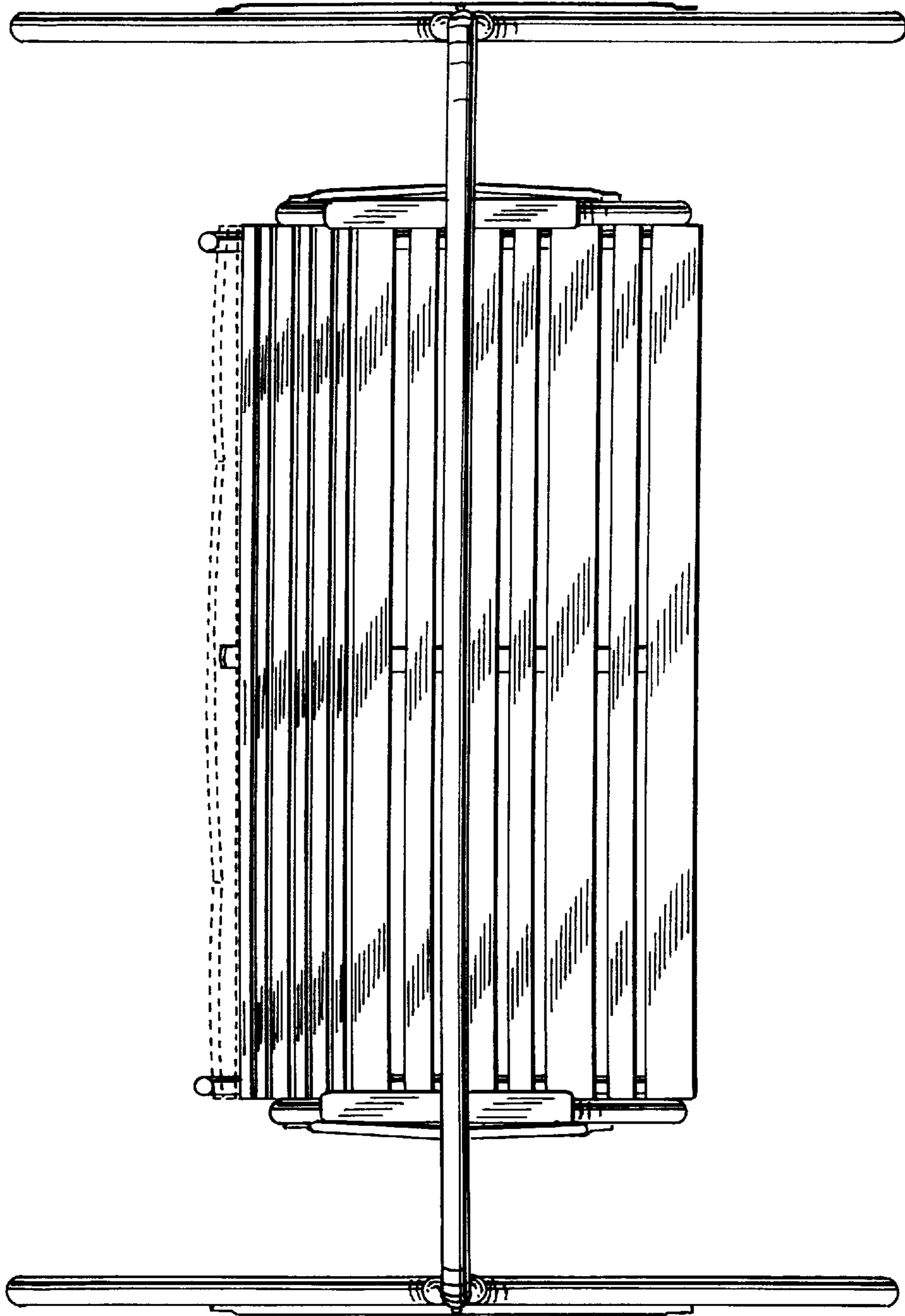


FIG. 5

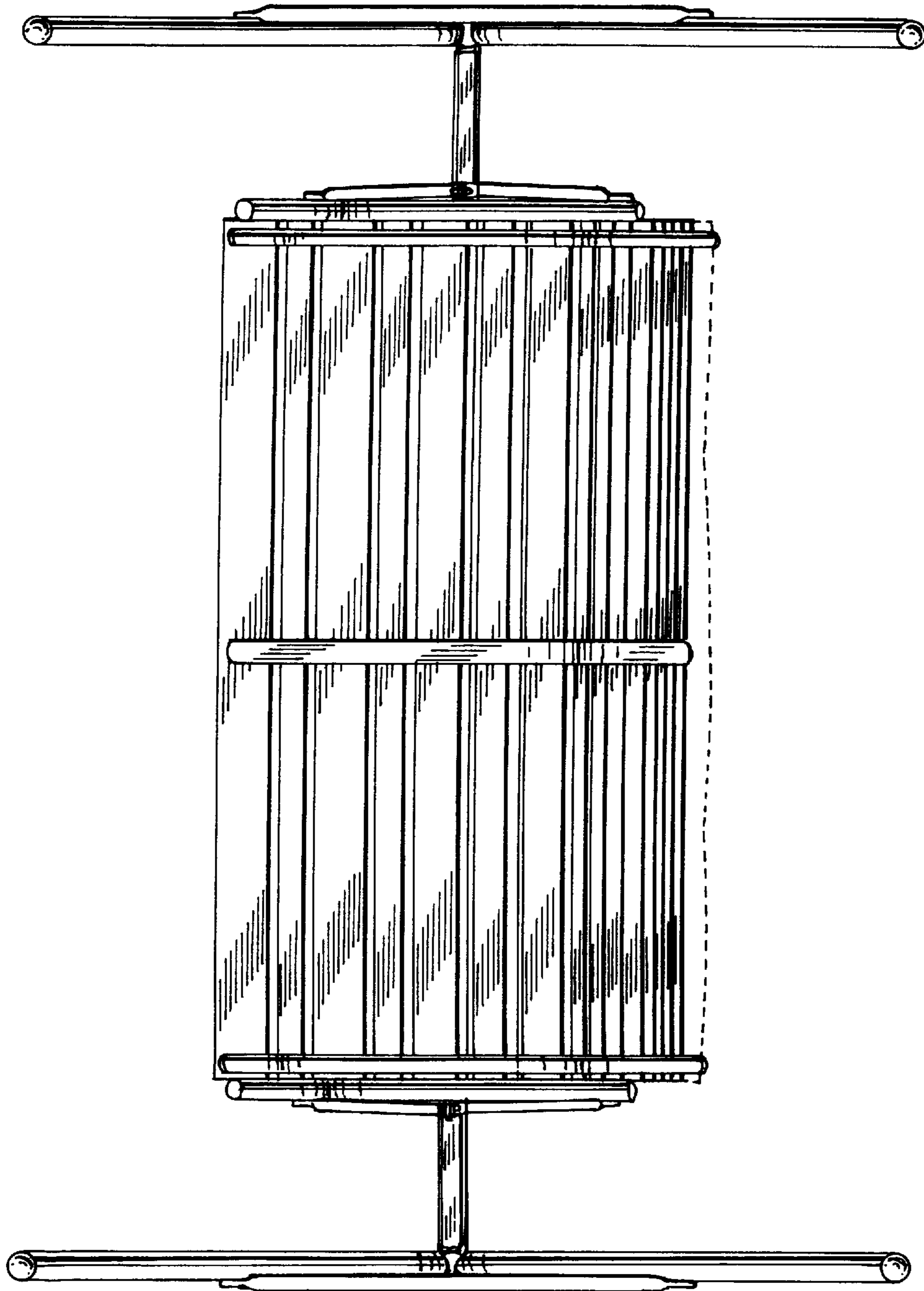


FIG. 6