



US00D438902S

(12) **United States Design Patent**  
**O'Shei et al.**

(10) **Patent No.:** **US D438,902 S**

(45) **Date of Patent:** **\*\* Mar. 13, 2001**

(54) **HAND-HELD MARKING DEVICE**

(76) Inventors: **Thomas O'Shei**, 136 Westgate Blvd.,  
West Seneca, NY (US) 14224; **John**  
**Calabro**, 200 Bidwell Pkwy., Buffalo,  
NY (US) 14222

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

(21) Appl. No.: **29/130,551**

(22) Filed: **Oct. 3, 2000**

(51) **LOC (7) Cl.** ..... **19-06**

(52) **U.S. Cl.** ..... **D19/51; D19/57; D19/46;**  
**D19/43; D9/523; D9/454**

(58) **Field of Search** ..... **D9/443, 341, 454,**  
**D9/331, 338, 526, 542, 523, 539, 524;**  
**D19/35, 36, 41-51, 53-58, 81-85; D18/15-17;**  
**401/196, 199, 202, 261, 262; 101/327,**  
**405, 406, 368; D2/869**

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

- D. 60,795 \* 4/1922 Lackner ..... D2/869
- D. 166,250 \* 3/1952 Ferris ..... D9/523
- D. 246,530 \* 11/1977 Zeischegg ..... D19/75

- D. 271,285 \* 11/1983 Lauren ..... D9/454
- D. 328,421 \* 8/1992 Weiler ..... D9/526
- D. 389,865 \* 1/1998 Venne et al. .... D19/48
- D. 396,244 \* 7/1998 Venne et al. .... D19/43
- 1,736,430 \* 11/1929 Deli ..... D19/46 X
- 5,713,681 \* 2/1998 Venne et al. .... 401/202

\* cited by examiner

*Primary Examiner*—Martie K. Holtje

(74) *Attorney, Agent, or Firm*—Arthur S. Cookfair Patent Agent

(57) **CLAIM**

The ornamental design for a hand-held marking device, as shown and described.

**DESCRIPTION**

FIG. 1 is a left side elevational view of a hand-held marking device, showing our new design.

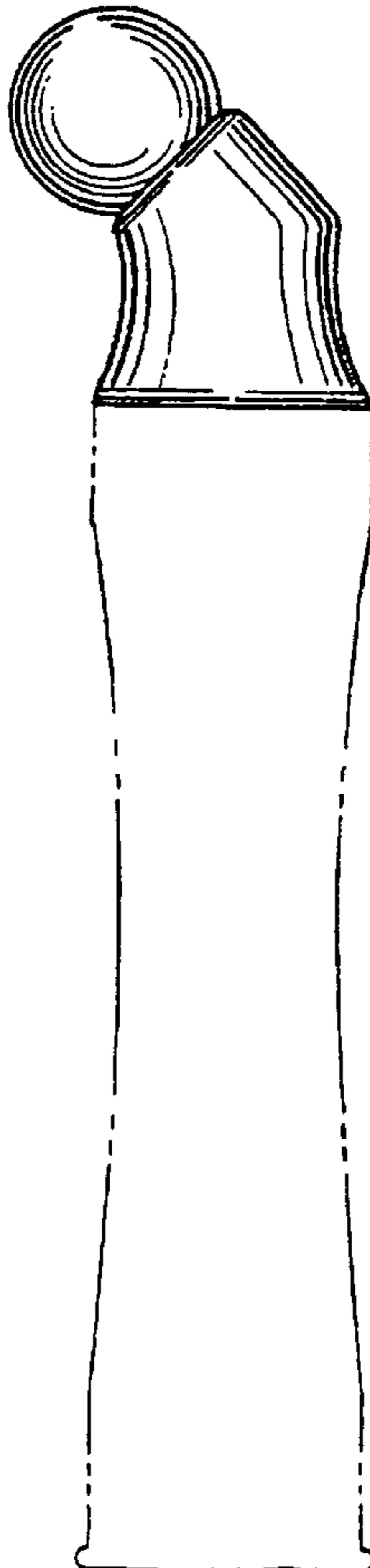
FIG. 2 is a front elevational view thereof.

FIG. 3 is a rear elevational view thereof; and,

FIG. 4 is a top perspective view thereof.

The structure depicted by means of broken lines in FIGS. 1, 2 and 3 has been shown for illustrative purposes only and forms no part of the claimed design.

**1 Claim, 2 Drawing Sheets**



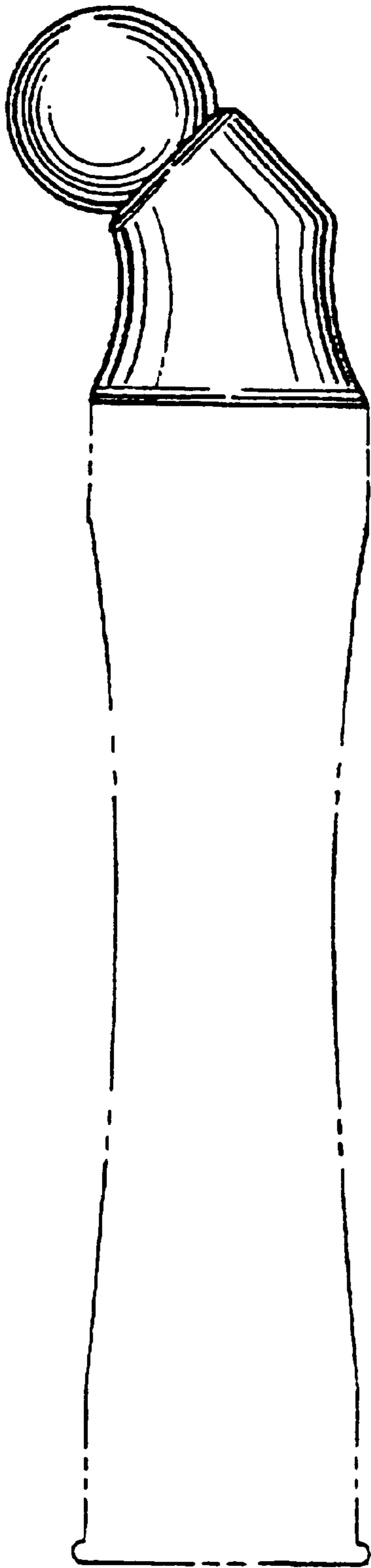


FIG. 1

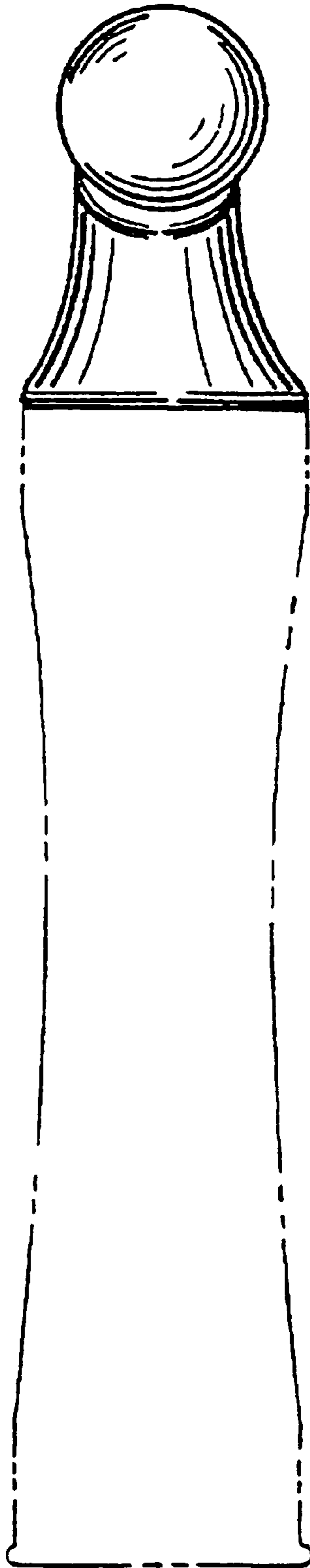


FIG. 2

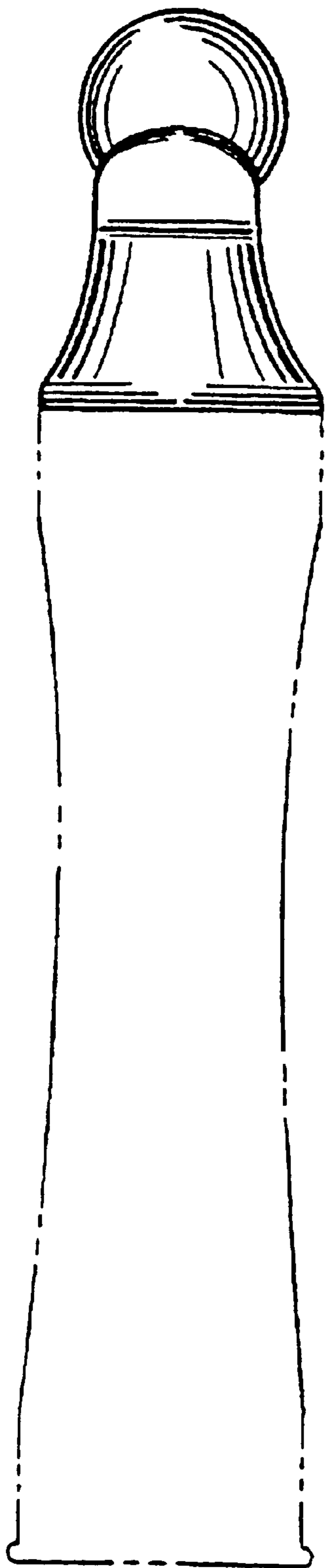


FIG. 3

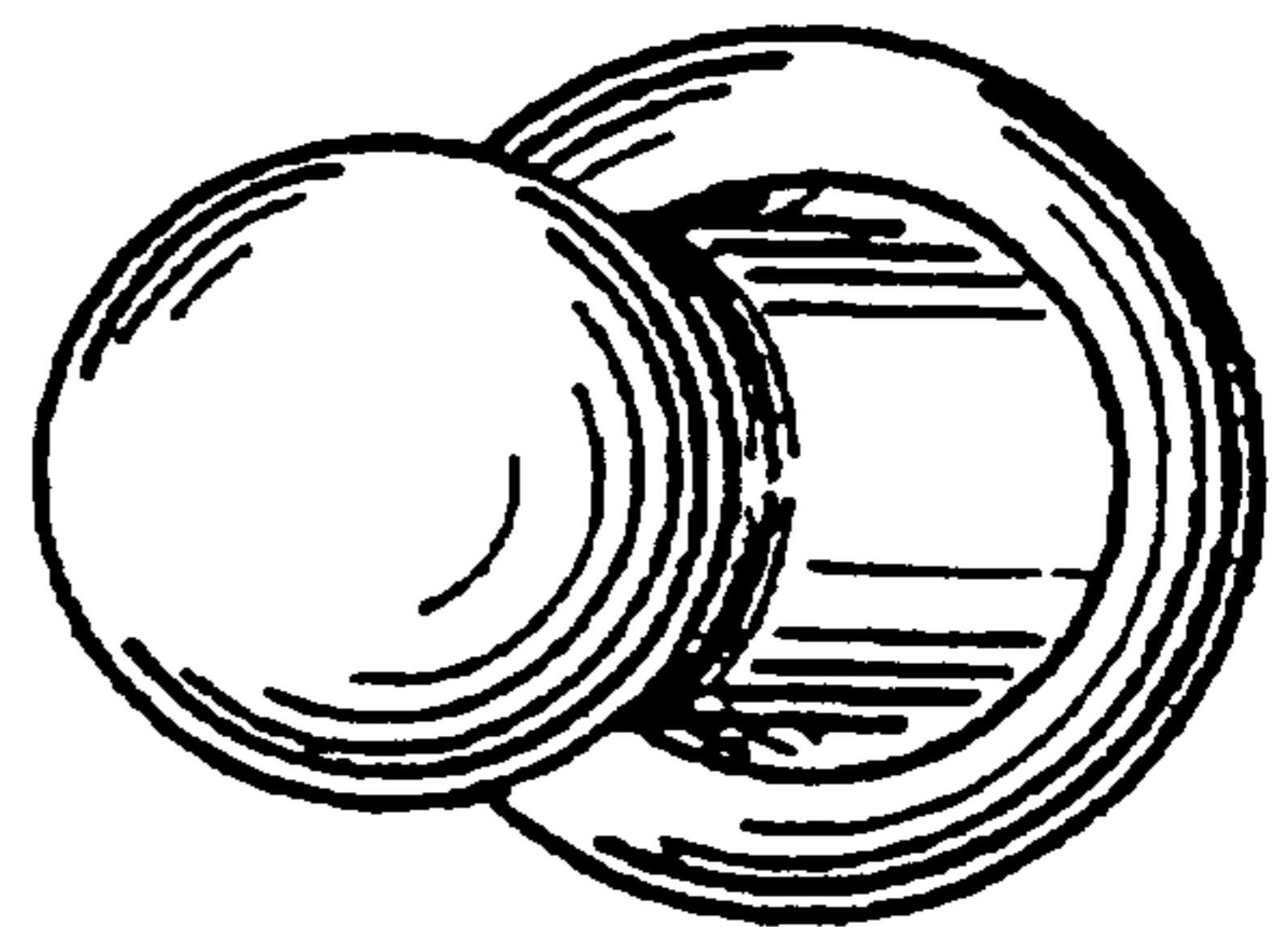


FIG. 4