



US00D442634S

(12) **United States Design Patent**  
**O'Shei**

(10) **Patent No.:** **US D442,634 S**

(45) **Date of Patent:** **\*\* May 22, 2001**

(54) **MARKING DEVICE**

(75) **Inventor:** **Thomas O'Shei**, West Seneca, NY  
(US)

(73) **Assignee:** **MJK Enterprises of Western New York, Inc.**, Williamsville, NY (US)

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

(21) **Appl. No.:** **29/125,927**

(22) **Filed:** **Jul. 5, 2000**

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

(52) **U.S. Cl.** ..... **D19/36; D19/46; D19/57;**  
**D18/15; D9/341; D9/454**

(58) **Field of Search** ..... **D9/443, 341, 454,**  
**D9/331, 338, 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; D17/22**

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

- D. 60,795 \* 4/1922 Lackner ..... D2/869
- D. 180,052 \* 4/1957 Young ..... D2/869
- D. 246,530 \* 11/1977 Zeischegg ..... D19/75
- D. 271,285 \* 11/1983 Lauren ..... D9/454

- D. 389,865 1/1998 Venne et al. .... D19/48
- D. 396,244 \* 7/1998 Venne et al. .... D19/43
- D. 402,892 \* 12/1998 Hering ..... D9/454
- D. 430,890 \* 9/2000 Cohen ..... D17/22
- 1,736,430 \* 11/1929 Deli ..... D19/46 X
- 5,713,681 2/1998 Venne et al. .... 401/202

**OTHER PUBLICATIONS**

Menash flyer, see circled Mickey Mouse pens, left center page.\*

\* cited by examiner

*Primary Examiner*—Martie K. Holtje

(74) *Attorney, Agent, or Firm*—Hodgson Russ, LLP

(57) **CLAIM**

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

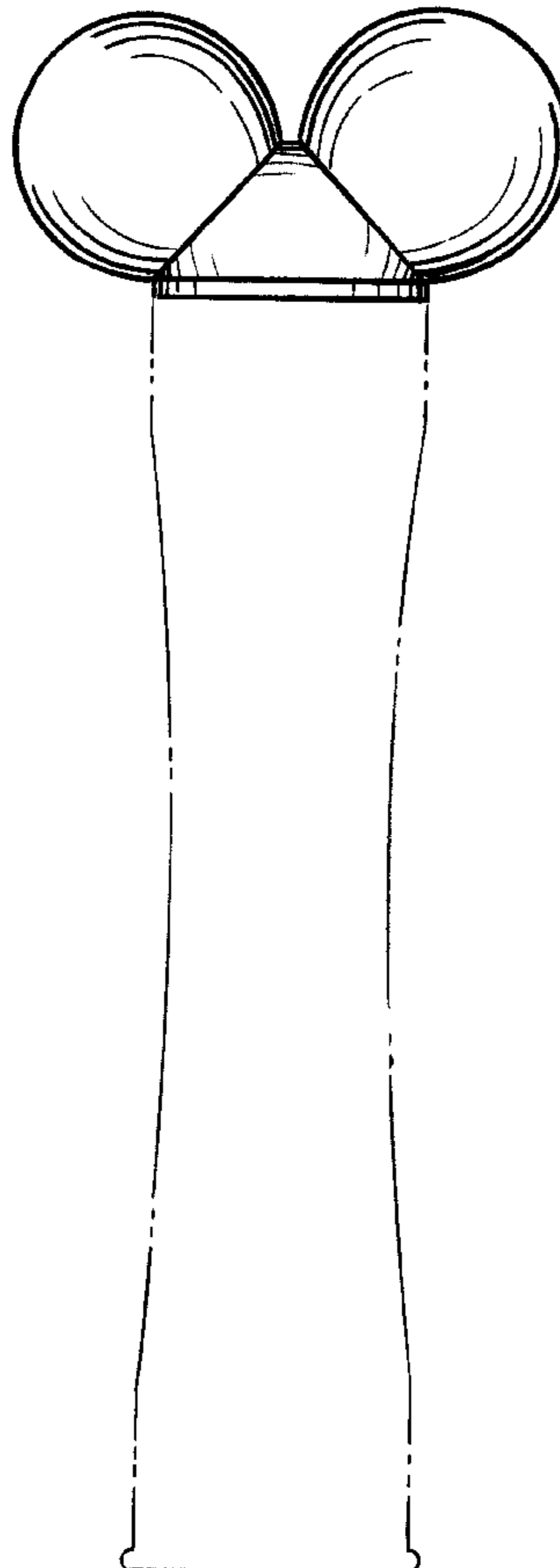
**DESCRIPTION**

FIG. 1 is a front elevational view of the marking device of the present invention, the bottle depicted by means of broken lines being shown for illustrative purposes only and forming no part of the claimed design;

FIG. 2 is a top plan view thereof; and,

FIG. 3 is a side elevational view thereof.

**1 Claim, 2 Drawing Sheets**



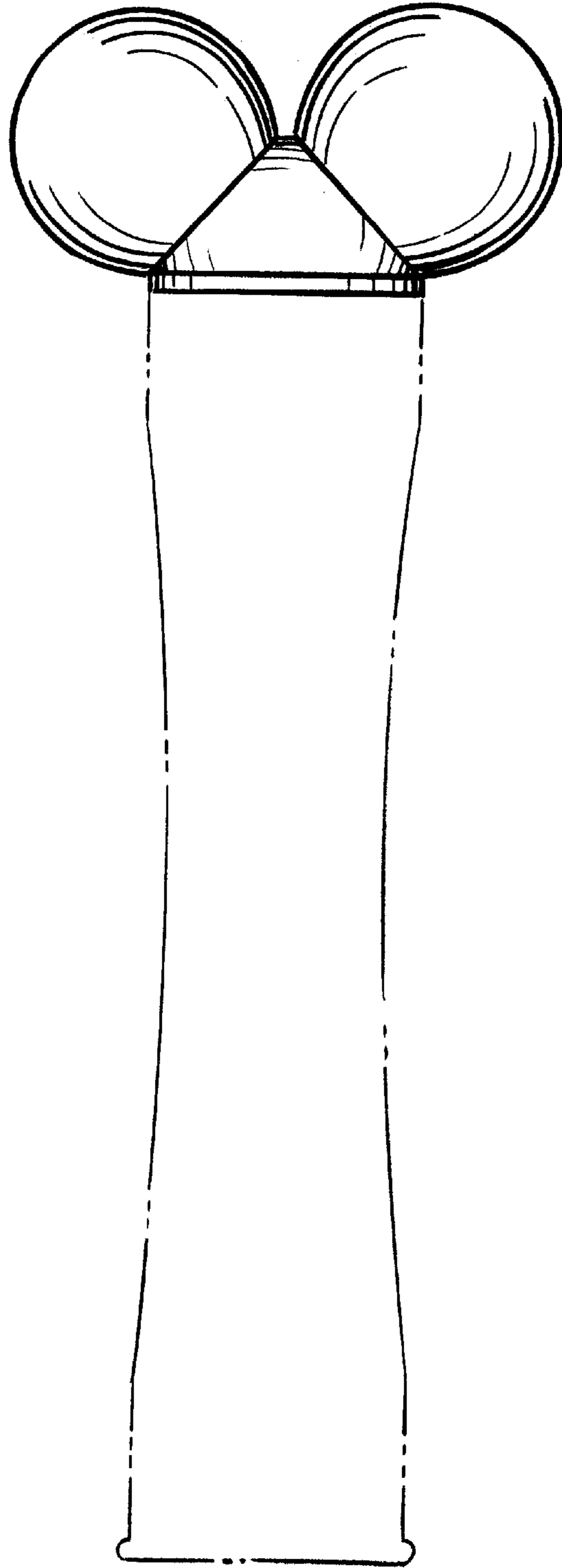


FIG. 1

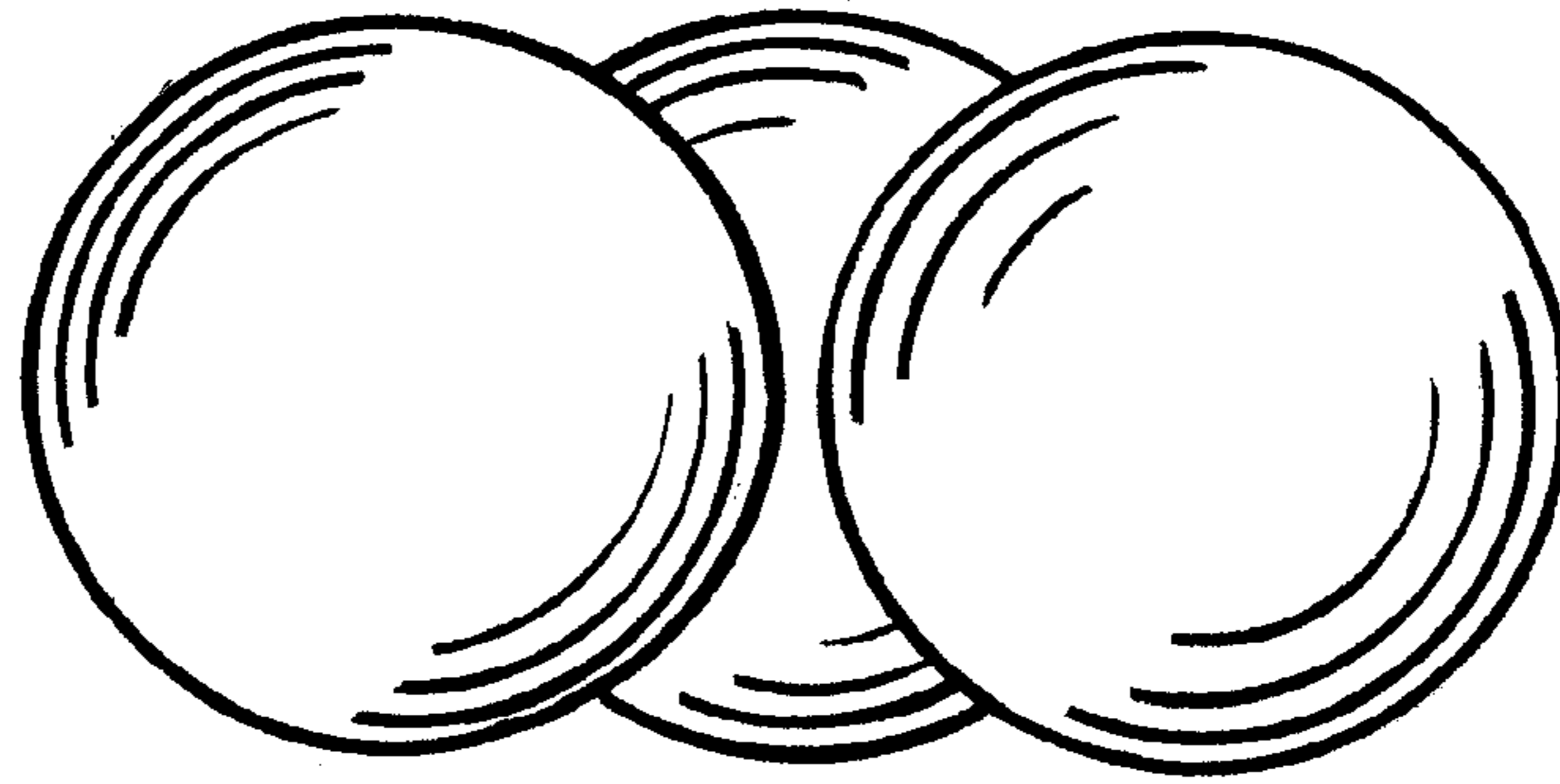


FIG. 2

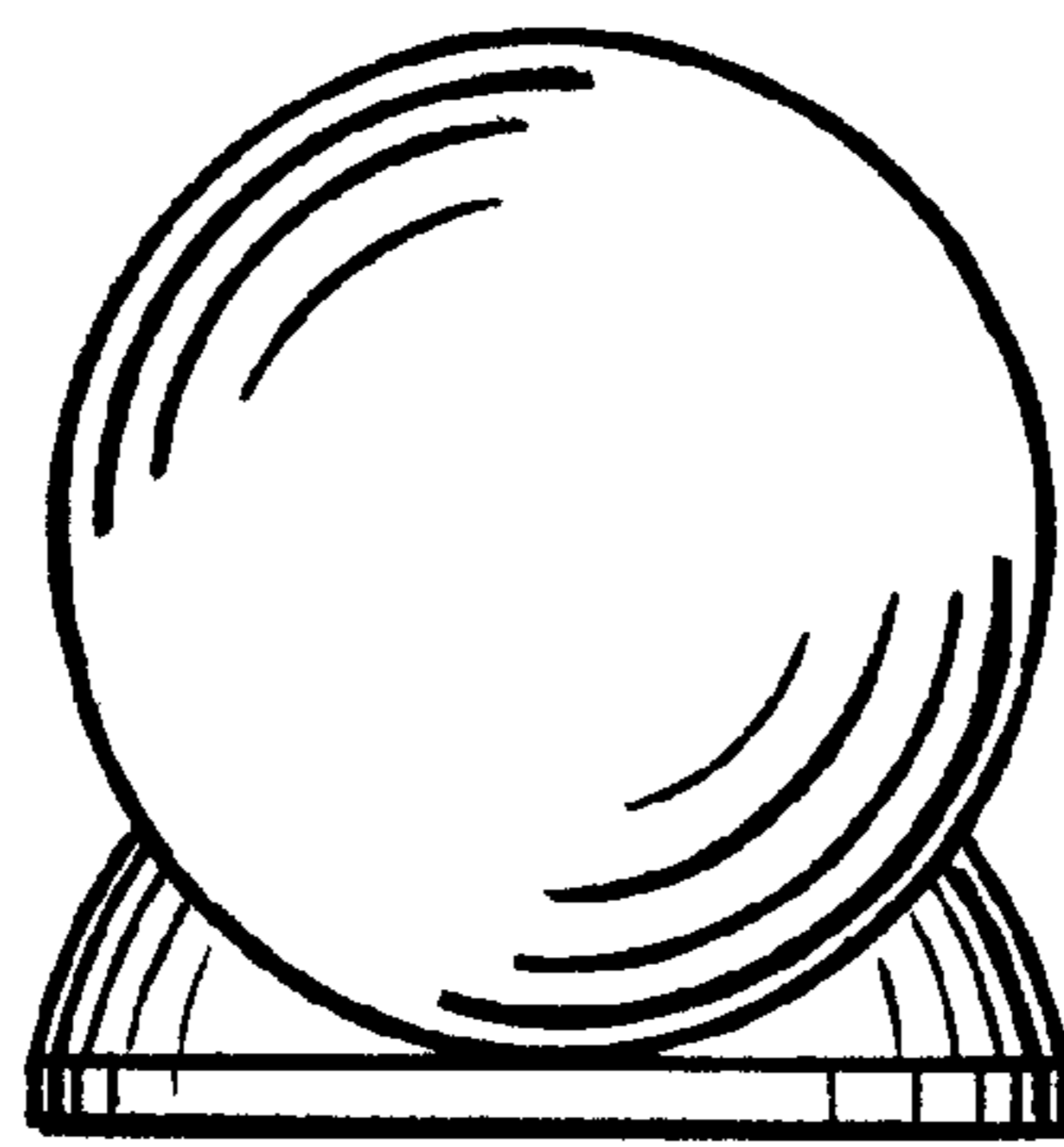


FIG. 3