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(12) **United States Design Patent**  
**Lach**

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(54) **DIAMOND SHAPED KINETIC SCULPTURE**

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(73) Assignee: **Source Advantage Ltd.**, Cincinnati, OH (US)

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

(21) Appl. No.: **29/221,017**

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**Related U.S. Application Data**

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(51) **LOC (8) Cl.** ..... **11-02**

(52) **U.S. Cl.** ..... **D11/131; D11/141**

(58) **Field of Classification Search** ..... D11/1, D11/2, 43, 45, 79, 85, 86, 89, 90, 121, 125, D11/131, 141, 164, 184; D10/54, 59, 116, D10/119, 121; D6/580, 581; D26/138, 154; D17/99; D21/455, 458, 459, 465, 466, 467; D22/120; D23/411; 428/7-13, 20, 27, 28, 428/31, 542.2, 542.4, 542.6; 40/409, 411-413, 40/421, 422, 427, 439-441, 477, 479, 480, 40/484, 492-495, 559-562, 582, 617; 446/199, 446/201, 217, 218, 236, 238, 241, 243, 244, 446/487, 490; 16/216-218; 362/457, 806; 160/330, 332, 384, DIG. 6

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D16,550 S 2/1886 Schneider ..... D26/154  
362,017 A 4/1887 Landenberger ..... 428/11  
D19,102 S 5/1889 Stayner ..... D11/79  
D40,887 S 9/1910 Fishel ..... D11/90

1,162,230 A 11/1915 Foster  
D115,913 S 8/1939 Crandall  
2,395,578 A 2/1946 Pergande ..... 40/124.1  
D169,125 S 3/1953 Cheresch ..... D21/467  
2,769,264 A 11/1956 Niblick ..... 40/614

(Continued)

**FOREIGN PATENT DOCUMENTS**

DE 2523767 A1 \* 12/1976  
GB D3005573 7/2002  
GB D3011077 2/2003

**OTHER PUBLICATIONS**

Netzwerk für Design und Kommunikation in Rheinland-Pfalz, *Designpreis 1999 Rheinland-Pfalz Bereich Produkt design: Auszeichnung*, Jun. 20, 2002, at <http://web.archive.org/web/20020620014915/http://www.descom.de/expo/ppreis03.htm>.

(Continued)

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(57) **CLAIM**

The ornamental design for a diamond shaped kinetic sculpture, as shown and described.

**DESCRIPTION**

FIG. 1 is a perspective view of the kinetic sculpture embodying my design.

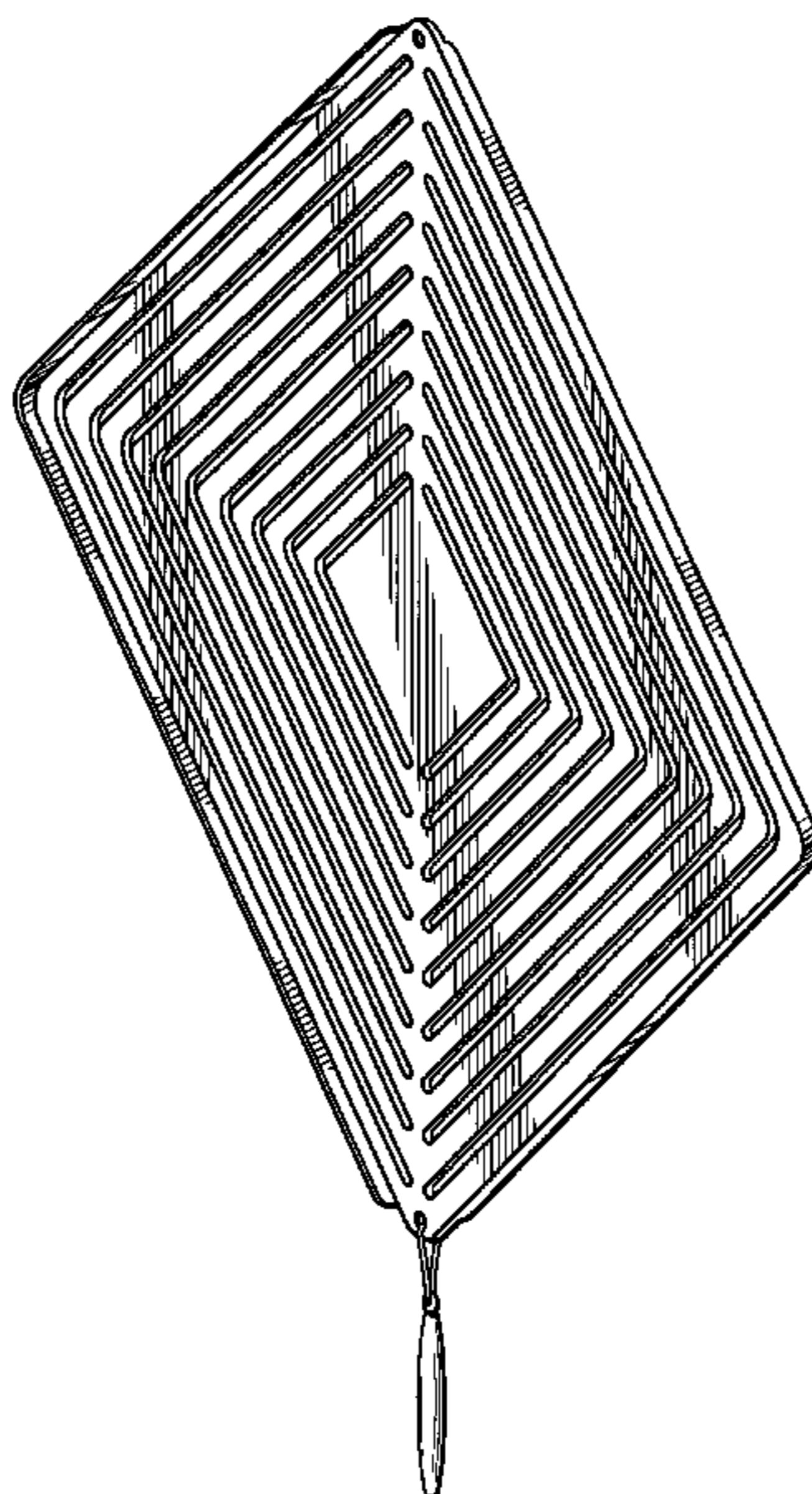
FIG. 2 is a front elevational view thereof. The rear elevational view is a mirror image of the front elevational view.

FIG. 3 is a right side view thereof. The left side view is identical to the right side view.

FIG. 4 is a top view thereof; and,

FIG. 5 is a bottom view thereof.

**1 Claim, 2 Drawing Sheets**



U.S. PATENT DOCUMENTS

D189,038	S	10/1960	Allen	.....	D29/23
D212,896	S	12/1968	Roth	.....	D11/81
3,629,571	A	12/1971	Schonbek	.....	362/457
4,006,540	A	* 2/1977	Lemelson	.....	434/83
4,028,908	A	6/1977	Michael	.....	63/23
4,094,091	A	* 6/1978	Kupperman et al.	.....	446/176
D256,483	S	8/1980	Kupperman et al.	.....	D21/458
D283,990	S	5/1986	Davidson	.....	D11/97
4,746,022	A	5/1988	Benham	.....	211/195
D301,700	S	6/1989	Coleman	.....	D11/86
5,130,169	A	7/1992	DeJaynes	.....	428/7
5,196,961	A	* 3/1993	Sun	.....	359/522
5,336,536	A	8/1994	Oberzan	.....	428/8
5,620,274	A	4/1997	Wear	.....	403/171
D409,414	S	5/1999	Weiner	.....	D6/449
6,042,903	A	3/2000	Yedlin et al.	.....	428/7
6,048,590	A	4/2000	Phillips	.....	428/9
6,139,168	A	10/2000	Gary et al.	.....	362/252
6,200,656	B1	3/2001	Tsang	.....	428/20
D472,183	S	3/2003	Flohe	.....	D11/131
2003/0138575	A1	7/2003	Flohe	.....	428/7
2003/0219550	A1	11/2003	Walling	.....	428/7

OTHER PUBLICATIONS

Messe Am Ghein GmbH, *Metall*, May 14, 2003, at [http://web.archive.org/web/2003051410827/http://www.galerie-handwerk-koblenz.de/shop/shoponline/de/dept\\_15.html](http://web.archive.org/web/2003051410827/http://www.galerie-handwerk-koblenz.de/shop/shoponline/de/dept_15.html) (references 1999).

Metal Art, *On-Line Catalog of Metal Art*, Jun. 7, 2001, at [http://web.archive.org/web/20010607162755/http://www.metalstreet.com/catalog\\_page.htm](http://web.archive.org/web/20010607162755/http://www.metalstreet.com/catalog_page.htm) (copyright 1999).

Metal-Visions, *Welcome to Metal-Visions*, at <http://www.metal-visions.com>.

Metal Art, *Star*, at <http://www.metalstreet.com/photos/18026%20star.%20large.jpg>.

Milk and Honey, Inc., *Welcome to the Milk and Honey Website!*, <http://www.milkandhoneyinc.com/Templates/Blank.htm>.

Milk and Honey Inc., *Mirror Mobiles, Disc Glo, Gyro Glo & Diamonds*, <http://www.milkandhoneyinc.com/mainpages/disc.htm>.

Milk and Honey Inc., *Diamonds*, at <http://www.milkandhoneyinc.com/New/diamondn.htm>.

Douglas H. Siegel, Esq., *Complaint*, Civil Action No. 1:03CV0366, U.S. District Court, Western District of Michigan, Southern Division, Jun. 2, 2003.

Sunshine Discount Crafts, *1996 Deep Discount Craft Catalog vol. 17*; 1) p. 23: spaghetti bead; 2) p. 43: beads indicated by arrows.

\* cited by examiner

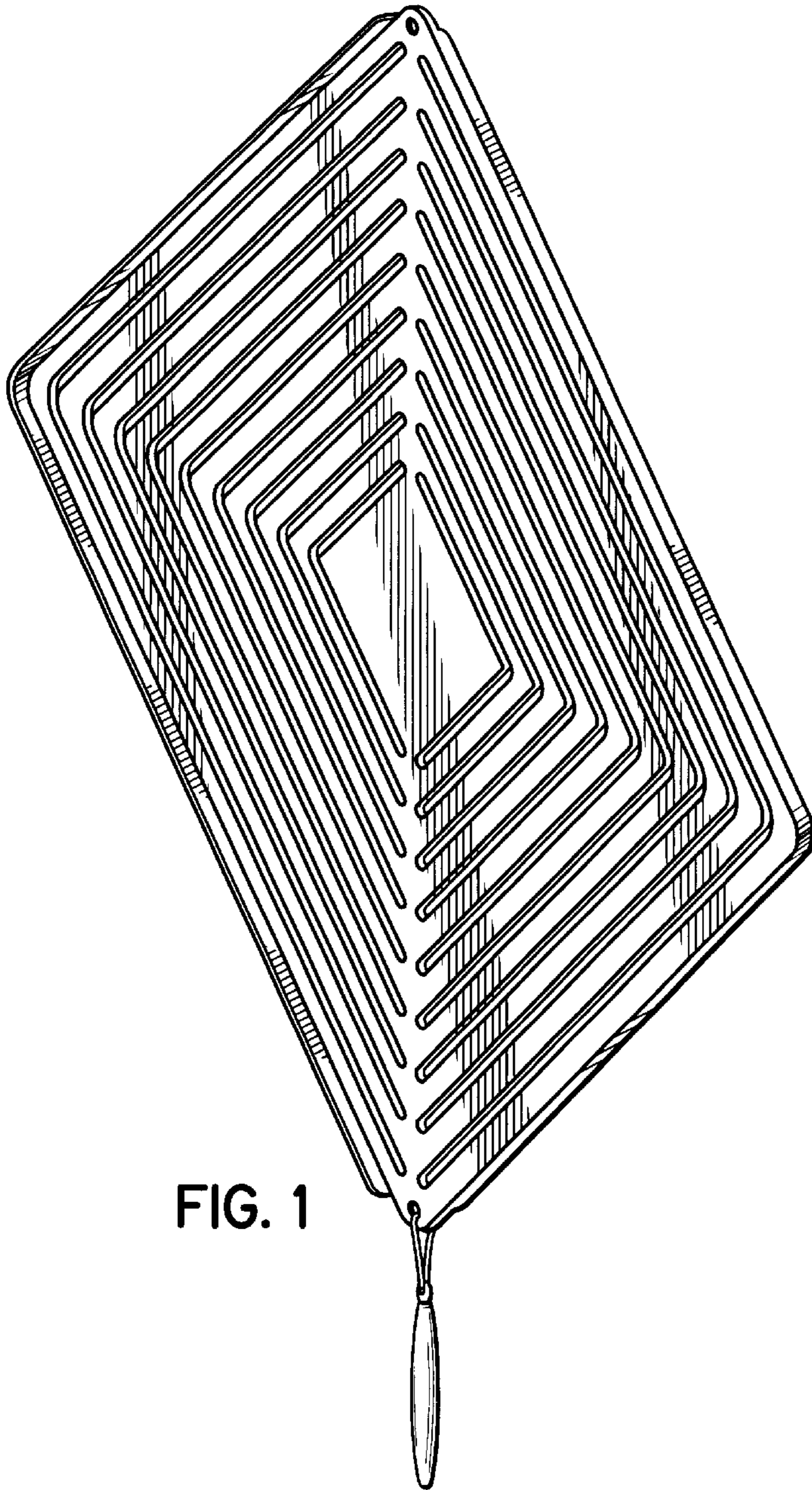


FIG. 1

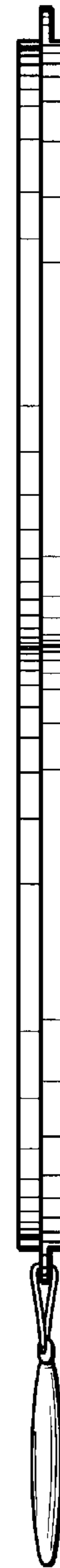


FIG. 3



FIG. 4



FIG. 5

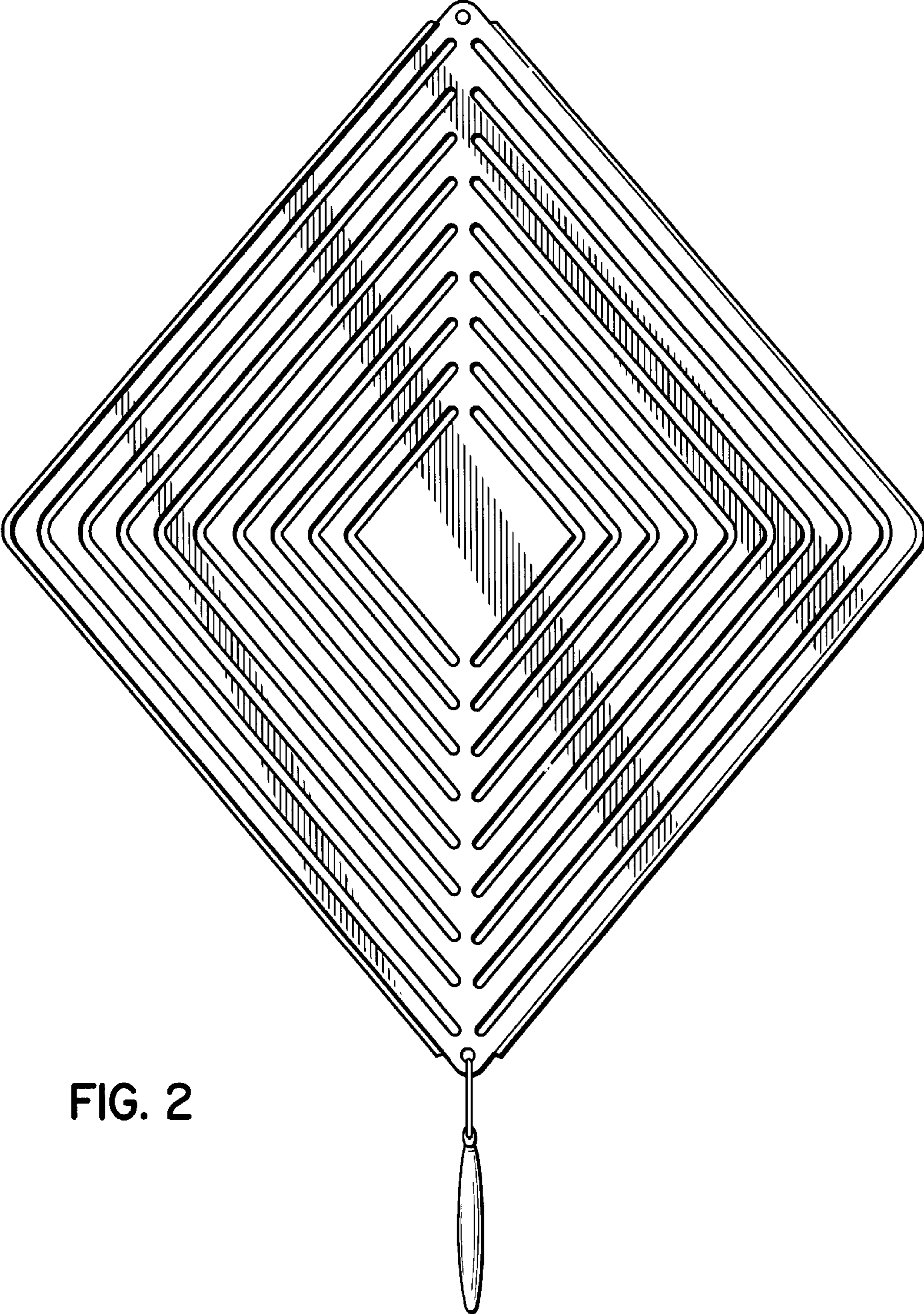


FIG. 2