

US00D545366S

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

(10) **Patent No.:** **US D545,366 S**

(45) **Date of Patent:** **** Jun. 26, 2007**

(54) **PEN AND CAP**

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D452,271 S 12/2001 Owen et al.
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(Continued)

(73) Assignee: **OMX, Inc.**, Naperville, IL (US)

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

Specialty Warehouse website, <http://promoplace.com/logoclick>, advertisement for Ballpoint Magnet Pen, 2005 Quick Technologies, Inc., 2 pages (publication date unknown).

(21) Appl. No.: **29/254,075**

Primary Examiner—Elizabeth A. Albert

(22) Filed: **Feb. 15, 2006**

(74) *Attorney, Agent, or Firm*—Klarquist Sparkman, LLP

(51) **LOC (8) Cl.** **19-06**

(52) **U.S. Cl.** **D19/51**

(58) **Field of Classification Search** D19/35,
D19/36, 41–51, 53–57; 24/11 R, 11 F, 11 P;
401/52, 99, 100, 104, 105, 106, 107, 108,
401/109, 192, 195, 196

See application file for complete search history.

(57) **CLAIM**

The ornamental design for a pen and cap, as shown and described.

(56) **References Cited**

DESCRIPTION

U.S. PATENT DOCUMENTS

FIG. 1 is a side elevational view of a pen and cap showing my new design, the opposite side being a mirror image thereof.

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FIG. 2 is a bottom plan view of FIG. 1.

FIG. 3 is a top plan view of FIG. 1.

FIG. 4 is a front elevational view of FIG. 1.

FIG. 5 is a front elevational view of the pen of FIG. 1, shown without the cap for convenience of illustration, the rear and left and right sides being the same as the front.

FIG. 6 is a bottom plan view of FIG. 5.

FIG. 7 is a top plan view of FIG. 5.

FIG. 8 is a perspective view of the cap of FIG. 1, shown without the pen for convenience of illustration.

FIG. 9 is a side elevational view of FIG. 8.

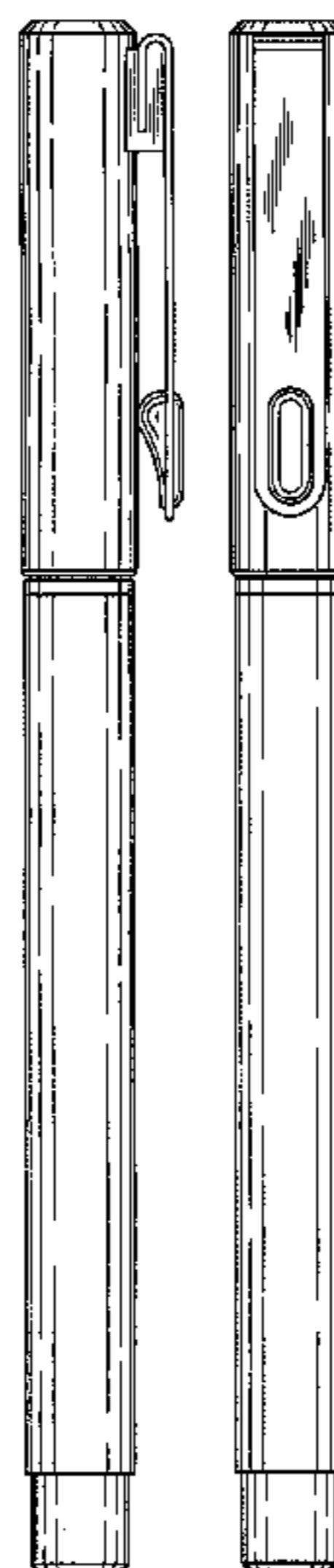
FIG. 10 is a top plan view of FIG. 8.

FIG. 11 is a bottom plan view of FIG. 8.

FIG. 12 is a front elevational view of FIG. 8; and,

FIG. 13 is a rear elevational view of FIG. 8.

1 Claim, 1 Drawing Sheet



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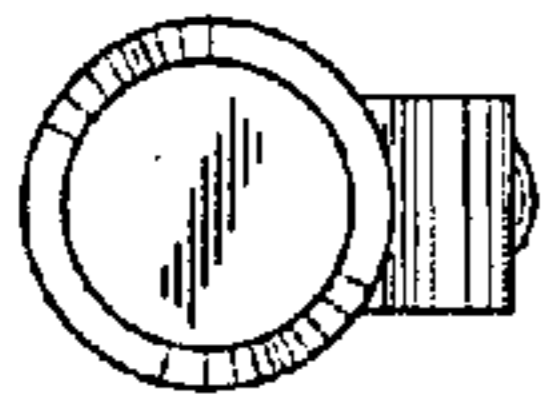


FIG. 3

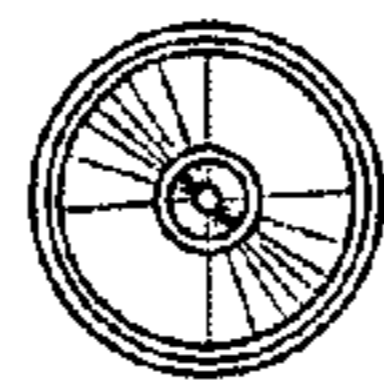


FIG. 7

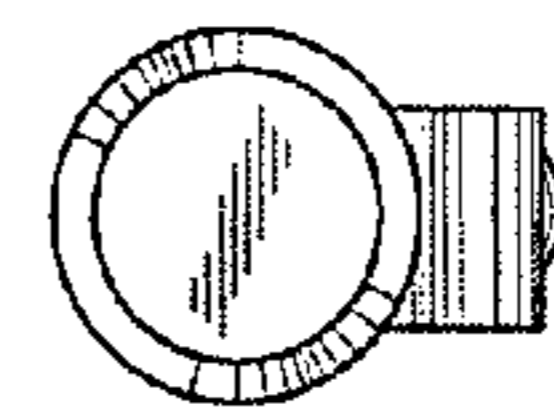


FIG. 10

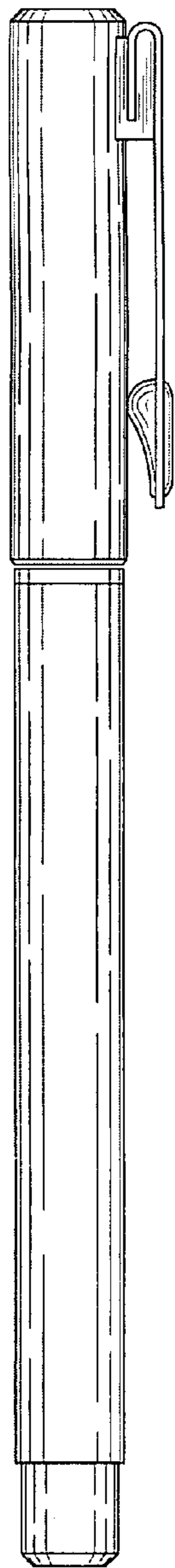


FIG. 1

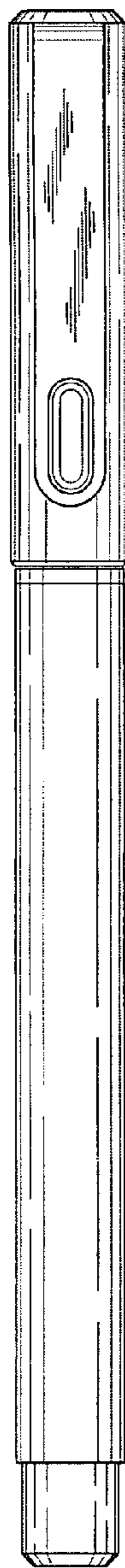


FIG. 4

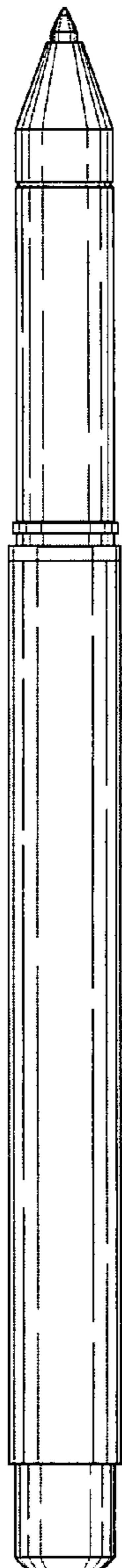


FIG. 5

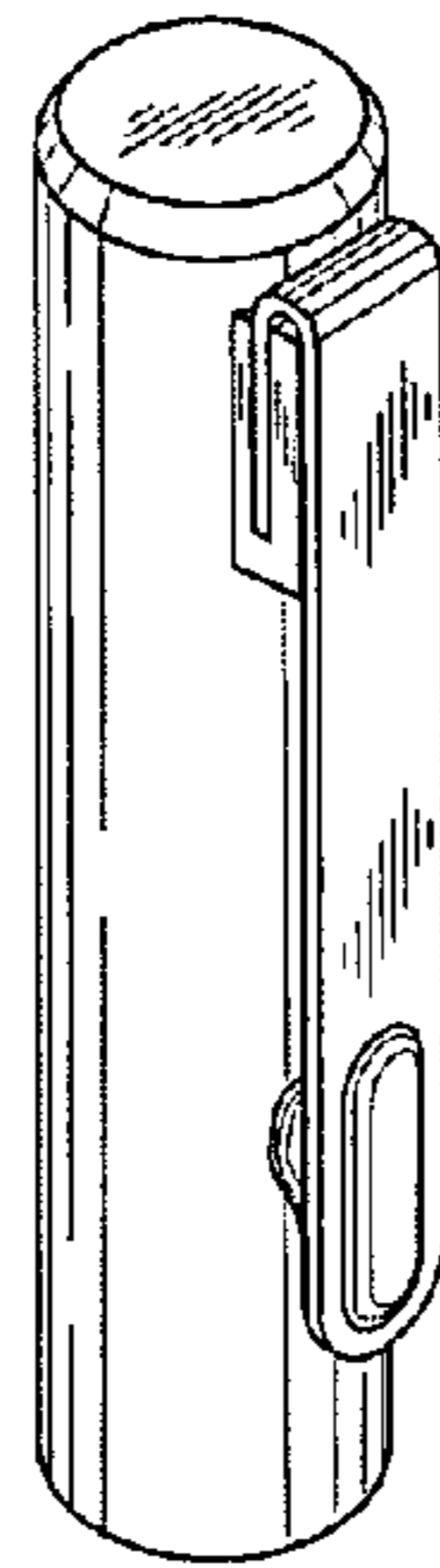


FIG. 8

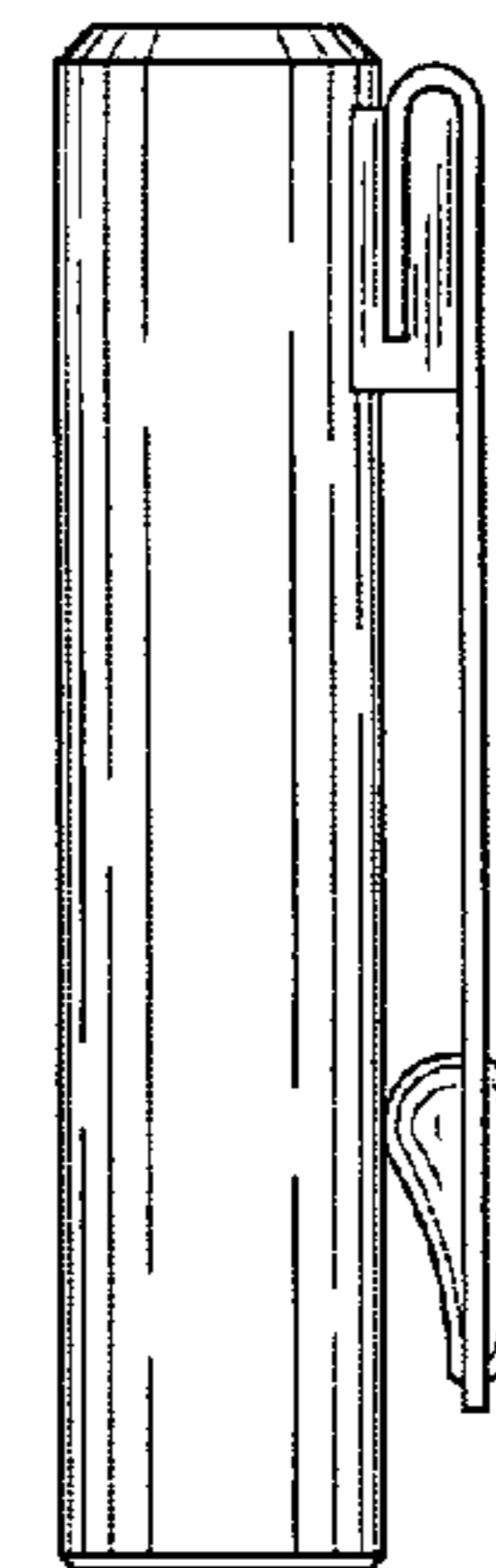


FIG. 9

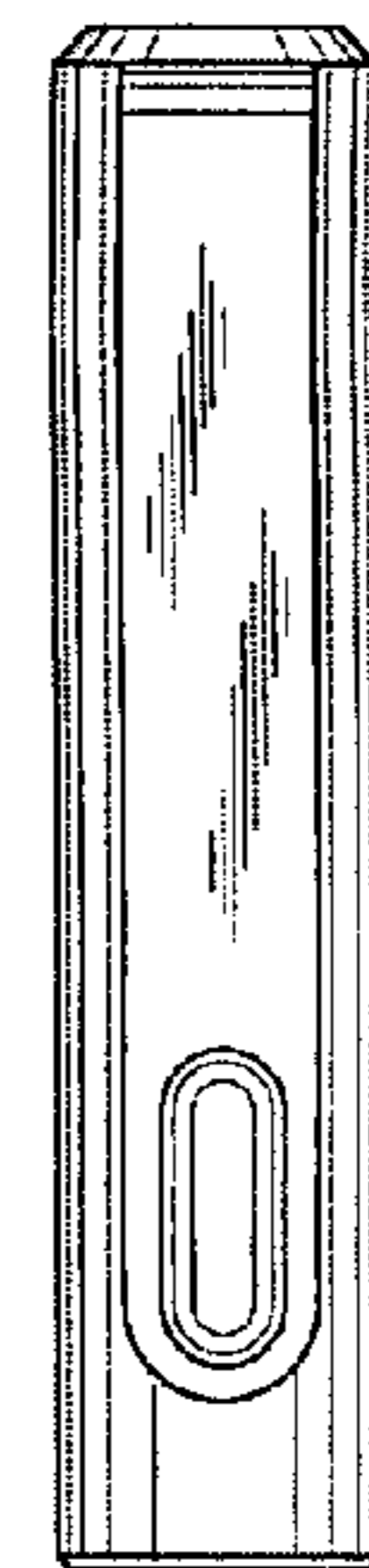


FIG. 12

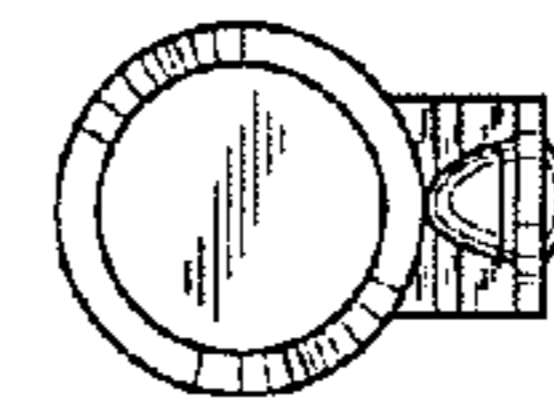


FIG. 11

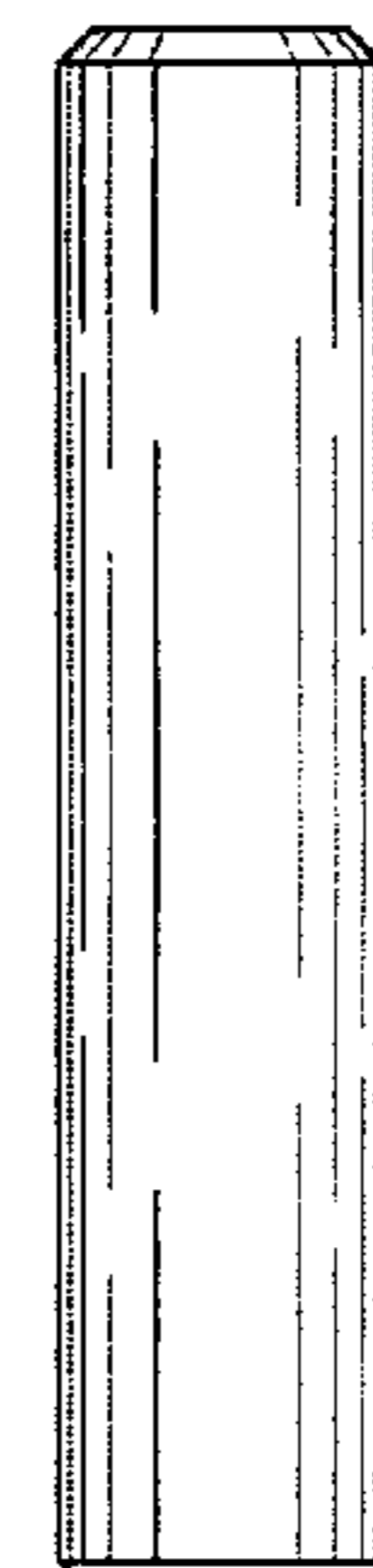


FIG. 13

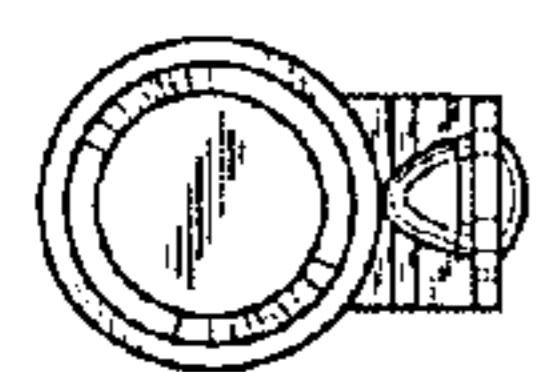


FIG. 2



FIG. 6