

US00D547695S

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

(10) **Patent No.:** **US D547,695 S**
(45) **Date of Patent:** **** Jul. 31, 2007**

(54) **KINETIC SCULPTURE**

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

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

(21) Appl. No.: **29/220,713**

(22) Filed: **Jan. 5, 2005**

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

(52) **U.S. Cl.** **D11/141; D11/164**

(58) **Field of Classification Search** D11/43,
D11/79, 86, 117-184; D21/465-467; D26/72,
D26/81, 83, 84, 88-92, 118, 119, 128-136,
D26/138, 141, 142, 145, 148-154; D30/110,
D30/111, 114-116, 124, 128; 428/7-9, 11,
428/12, 28; 40/411-413, 421, 422, 439,
40/440, 617; 446/201, 217, 218, 227, 228,
446/236, 243, 487, 490

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D35,616 S *	1/1902	Mygatt	.....	D26/133
1,216,580 A	2/1917	Levi		
D71,462 S *	11/1926	Kahn	.....	D11/127
D91,949 S *	4/1934	Klie	.....	D30/110
D93,890 S	11/1934	Raymond		
D110,858 S	8/1938	Egerton		
D117,789 S	11/1939	Krantz et al.		
D169,423 S *	4/1953	Cheresh	.....	D21/467
D183,351 S	8/1958	Keljik		
2,985,976 A *	5/1961	Parker	.....	40/440
3,196,061 A	7/1965	Paulson et al.	.....	156/63
3,439,446 A	4/1969	Alonso	.....	46/51
3,549,465 A *	12/1970	Skelley, Jr.	.....	428/11
4,156,975 A	6/1979	Harding	.....	35/1

OTHER PUBLICATIONS

Sater, Infinity Wind Sculpture, U.S. Copyright Registration No. VA 1-131-211, Feb. 21, 2002.

(Continued)

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(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a perspective view of this inventive kinetic sculpture.

FIG. 2 is a front view of the kinetic sculpture shown in FIG. 1. The the right side view, the left side view and the rear view are identical to the front view.

FIG. 3 is a top view of the kinetic sculpture shown in FIGS. 1 and 2.

FIG. 4 is a bottom view of the kinetic sculpture shown in FIGS. 1-3.

FIG. 5 is a plan view of the kinetic sculpture shown in FIGS. 1-4 taken on view line 5-5 of FIG. 2.

FIG. 6 is a plan view of the kinetic sculpture shown in FIGS. 1-5 taken on view line 6-6 of FIG. 2.

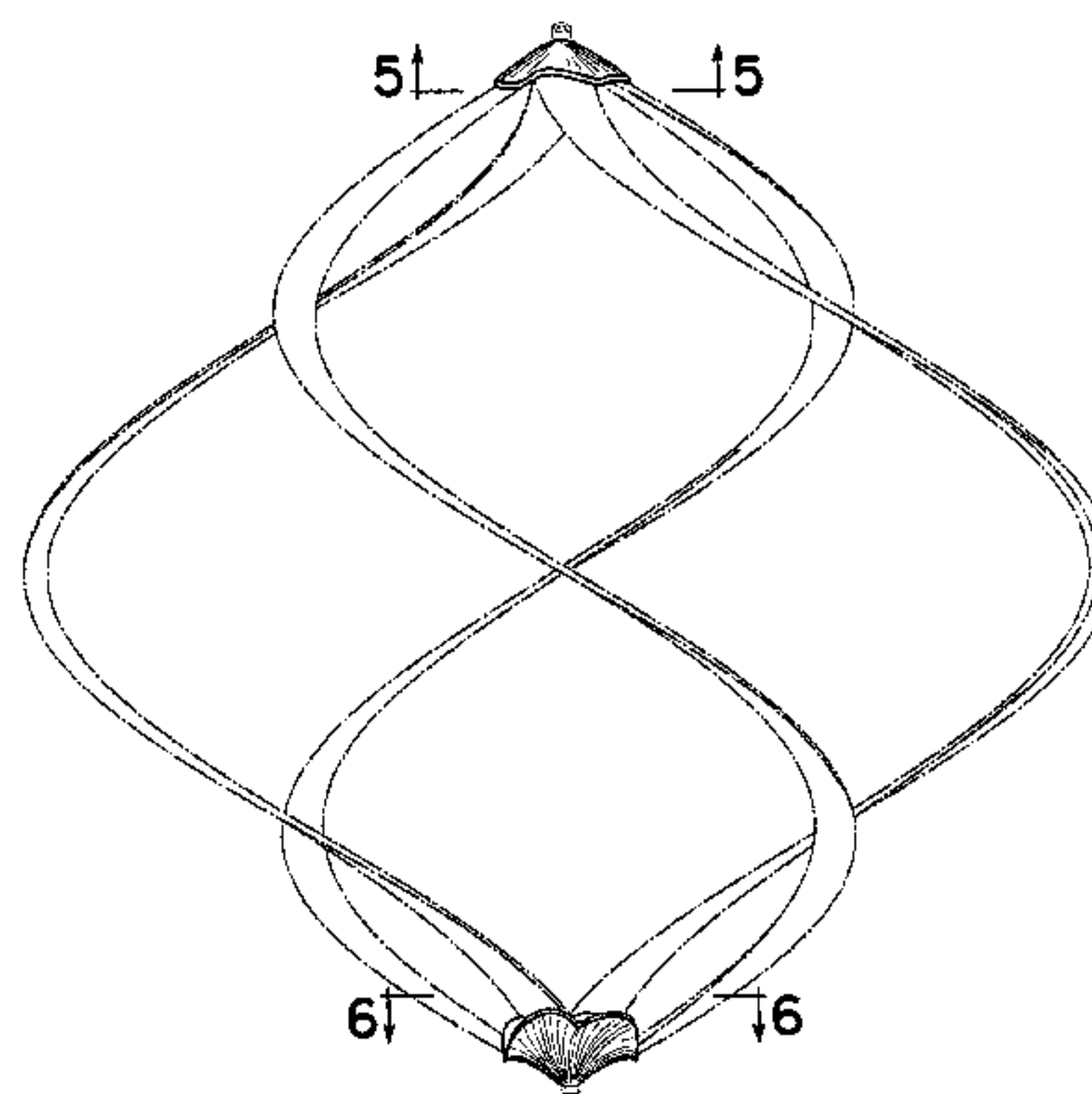
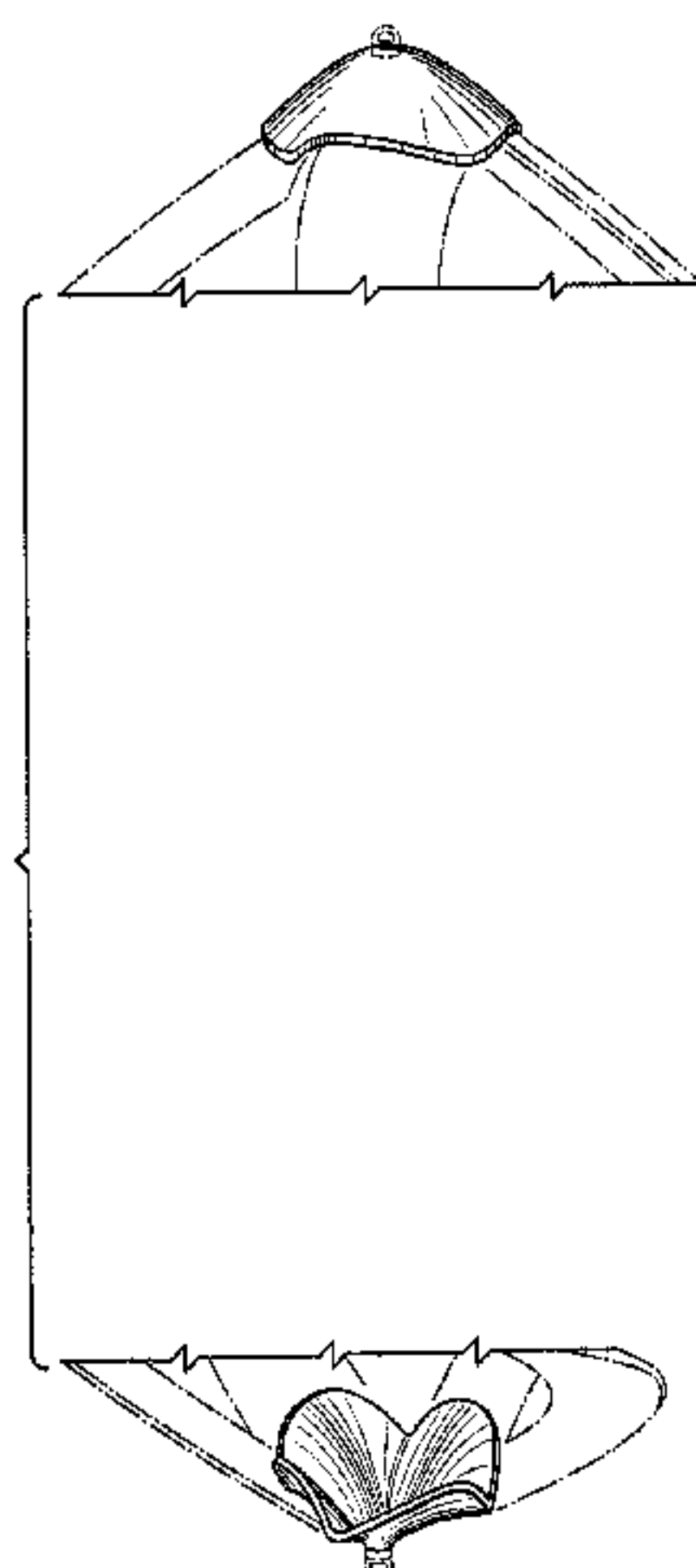
FIG. 7 is a cross-sectional view of the kinetic sculpture shown in FIGS. 1-6 taken on line 7-7 of FIG. 5; and,

FIG. 8 is a cross-sectional view of the kinetic sculpture shown in FIGS. 1-7 taken on line 8-8 of FIG. 6.

The broken lines are included for the purpose of illustrating portions of the kinetic sculpture that form no part of the claimed design; and are shown partially broken away in FIG. 1 for ease of illustration.

(Continued)

1 Claim, 4 Drawing Sheets



U.S. PATENT DOCUMENTS

4,214,747	A	7/1980	Rebajes	272/8
D269,665	S	7/1983	Lehr	D11/141
4,421,421	A	12/1983	Bradt	368/229
4,637,941	A	1/1987	Rochte	428/8
D294,012	S	2/1988	Patricko	D11/128
D295,731	S	5/1988	Mancel	D11/184
D298,306	S	11/1988	Hunstiger	D11/184
D304,164	S	10/1989	Rochte	D11/131
4,900,632	A	2/1990	McGrath	428/542.8
D317,733	S	6/1991	Cheng	D11/184
D319,419	S	8/1991	Cheng	D11/184
D325,998	S *	5/1992	Shaw	D26/131
D342,695	S	12/1993	Coulter	D11/131
D343,143	S	1/1994	Chang	D11/184
D354,254	S	1/1995	Fuller	D11/131
D378,809	S	4/1997	Jacobson et al.	D11/121
D387,396	S	12/1997	Chao	D21/91
D399,780	S	10/1998	Kauderer	D11/131
D413,078	S	8/1999	Hanson	D11/141
D414,717	S *	10/1999	Comero et al.	D11/81
D444,416	S	7/2001	Ramirez	D11/184
D449,012	S *	10/2001	Manrique	D11/117
D449,792	S	10/2001	Nadeau et al.	D11/141
D465,373	S	11/2002	Wilkinson	D6/581
D487,034	S	2/2004	Lach	D11/131
2005/0158481	A1 *	7/2005	Mostowski	428/7

OTHER PUBLICATIONS

Sater, Double Infinity Wind Sculpture, U.S. Copyright Registration No. VA 1-133-637, Jul. 24, 2002.
 Compradores, Wind Wonders by Neil Sater, Product Brochure, Summer 2002.
 Compradores, *Windwonders.designs by Neil Sater*, Webpages; www.compradores.com/mainmenu.cfm; Printed Jul. 30, 2002.
 Compradores, *Windwonders Designs by Neil Sater*, Wholesale Price List Summer 2002.
 Into the Wind, *Have Fun Anywhere the Wind Blows*, 2002 Catalog of Kites.
 WindFalrys, USA, *Galaxy, Designs by Constanze & Wolfgang Grimsel, Germany*, Product Flyer, 1999.
 Red-Carpet Studios, Ltd., *Red-Carpet Studios 2002 Catalog*, Product Catalog Select Pages.
 Care & Wonder Co., Inc., *The Decorative Accessories Source For the Home . . . In and Out*, 2003 Product Catalog Select Pages.
 Steel Supply Incorporated, *Decorative Iron*, Webpages; www.decorativeiron.com; Printed Jan. 20, 2003.
 Northdowns Ironcraft Company, *The Collection: Spike Basket finial*, Webpages; www.northdownsironcraft.co.uk/spikebasket.htm; Printed Jan. 20, 2003; Copyright 2001.

Curtain Corner, *Curtain Corner—Curtain poles, rods, trimmings and more.*, Webpages; www.curtain-corner.com; Printed Feb. 7, 2003, Copyright 2003.
 Phillips Metal Works, *Big Basket Finial—hand forged*, Webpages; www.phillipsmetalworks.com/big_basket_finial.htm; Printed Feb. 7, 2003.
 New Metals, Inc., *Ornamental Metal Parts*, Product Catalog; 2nd Edition, Feb. 1997, select pages, undated.
 Crescent City Iron Supply, Inc., *Catalog #11*, Product Catalog; select pages, undated.
 Ediciones Daly S.L., *Herreria Actual Current Ironwork Encyclopedia, escaleras—stairways*, select pages, undated.
 Architectural Iron Designs, Inc., *Architectural Iron Design Catalog*, Edition 3, Price List Effective Date Feb. 1, 1999, select pages.
 Triple-S Steel Supply co., *Fall Sale Spectacular*, Product Sale Flyer, undated.
 The Orvis Company, Inc., *Home Furnishings: Floor and Table Lamps*, Webpages; www.orvis.com; 2003; Printed Feb. 12, 2003.
 Ediciones Daly S.L., *Herreria Actual Current Ironwork Encyclopedia, puertas—doorways*, select pages, undated.
 Ediciones Daly S.L., *Herreria Actual Current Ironwork Encyclopedia, rejas y ventanas—grilles and fences*, select pages, undated.
 Eagle Iron Supply Inc., *Supplication of Ornamental Iron Hardware*, Catalog No. 4, select pages, undated.
 Live Out Loud Gallery, Inc., *Kinetic Sculpture by Mark White*, Webpages; www.outloudgallery.com; Printed Apr. 30, 2004.
 Art Divas, *Mark White Kinetic Sculptures*, Webpages; www.artdivasgallery.com; Printed Apr. 30, 2004.
 Mark White, *Parabolic Gyroscopes and Kaleidoscopes*, Postcard, undated.
 Waxlander Gallery & Sculpture Garden, *Mark White Sculptures*, Price List Brochure, undated.
 Mark White, *Kinetic Sculptures, Vortex and Vortices*, Postcard, undated.
 Lynn Whitaker, *Carlton Gallery at Creekside*, Webpages; www.carltonartgallery.com; Printed Apr. 30, 2004.
 A New Leaf Gallery Sculpturesite, Inc., *sculpturesite.com*, Webpages; www.sculpture.com; Printed Apr. 30, 2004.
 Waxlander Gallery, *Mark White*, Webpages; www.waxlander.com; Printed Apr. 30, 2004.
 Red-Carpet Studios, Ltd., *Red-Carpet Studios 2003 Catalog*, Printed Catalog Select Pages.
 Red-Carpet Studios, Ltd., *Red-Carpet Studios 2004 Catalog*, Product Catalog Select Pages.
 Miscellaneous Photographs.

* cited by examiner

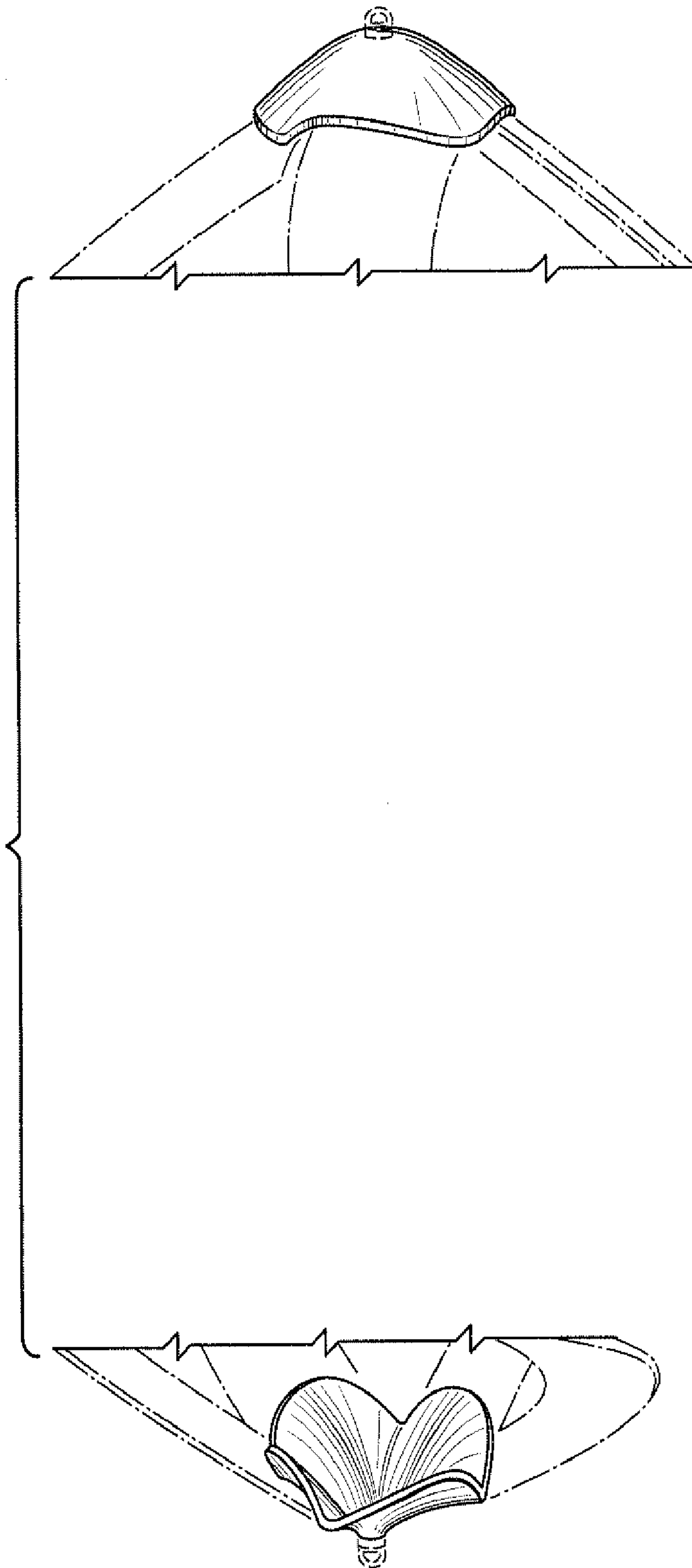


FIG. 1

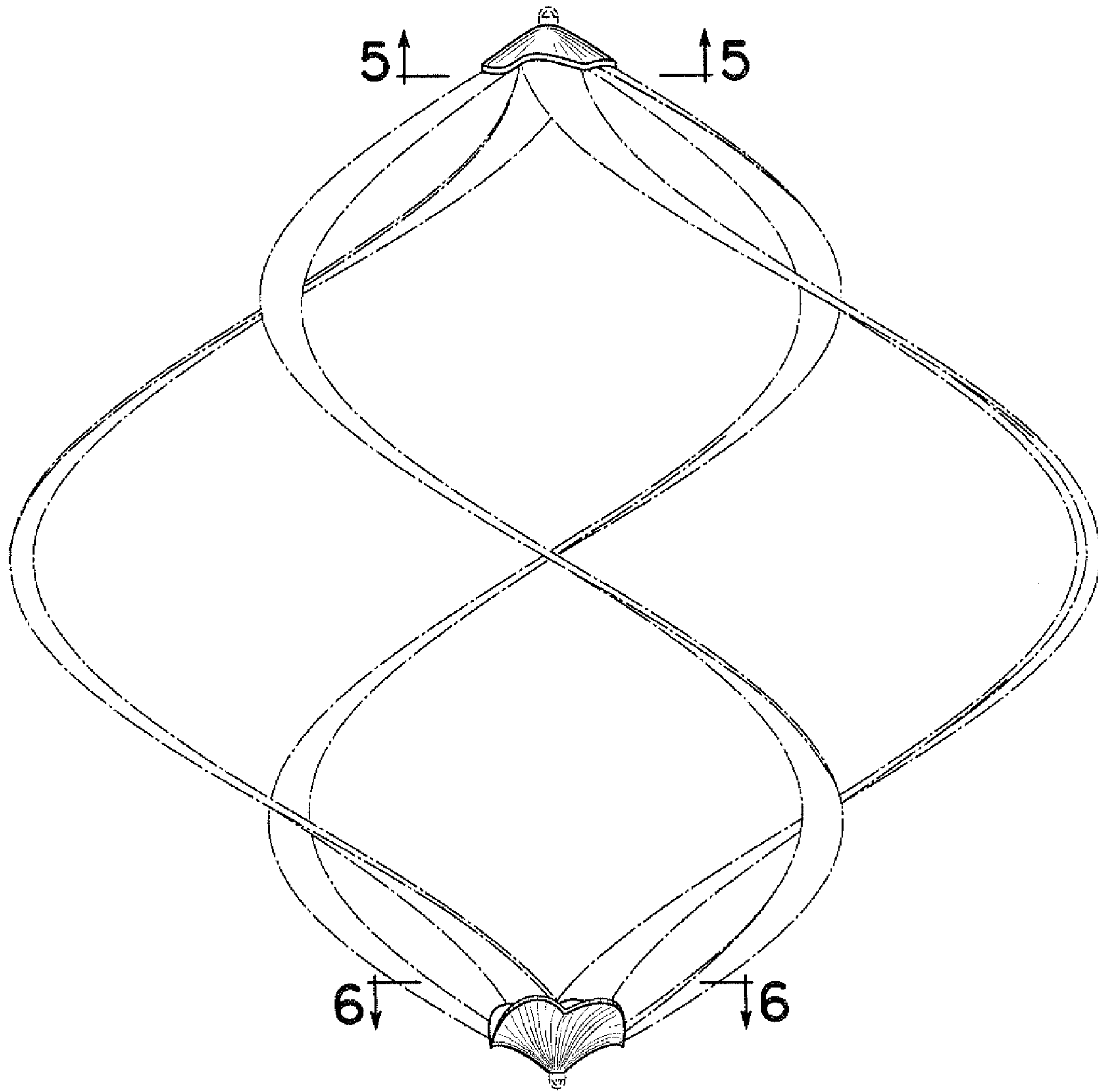


FIG. 2

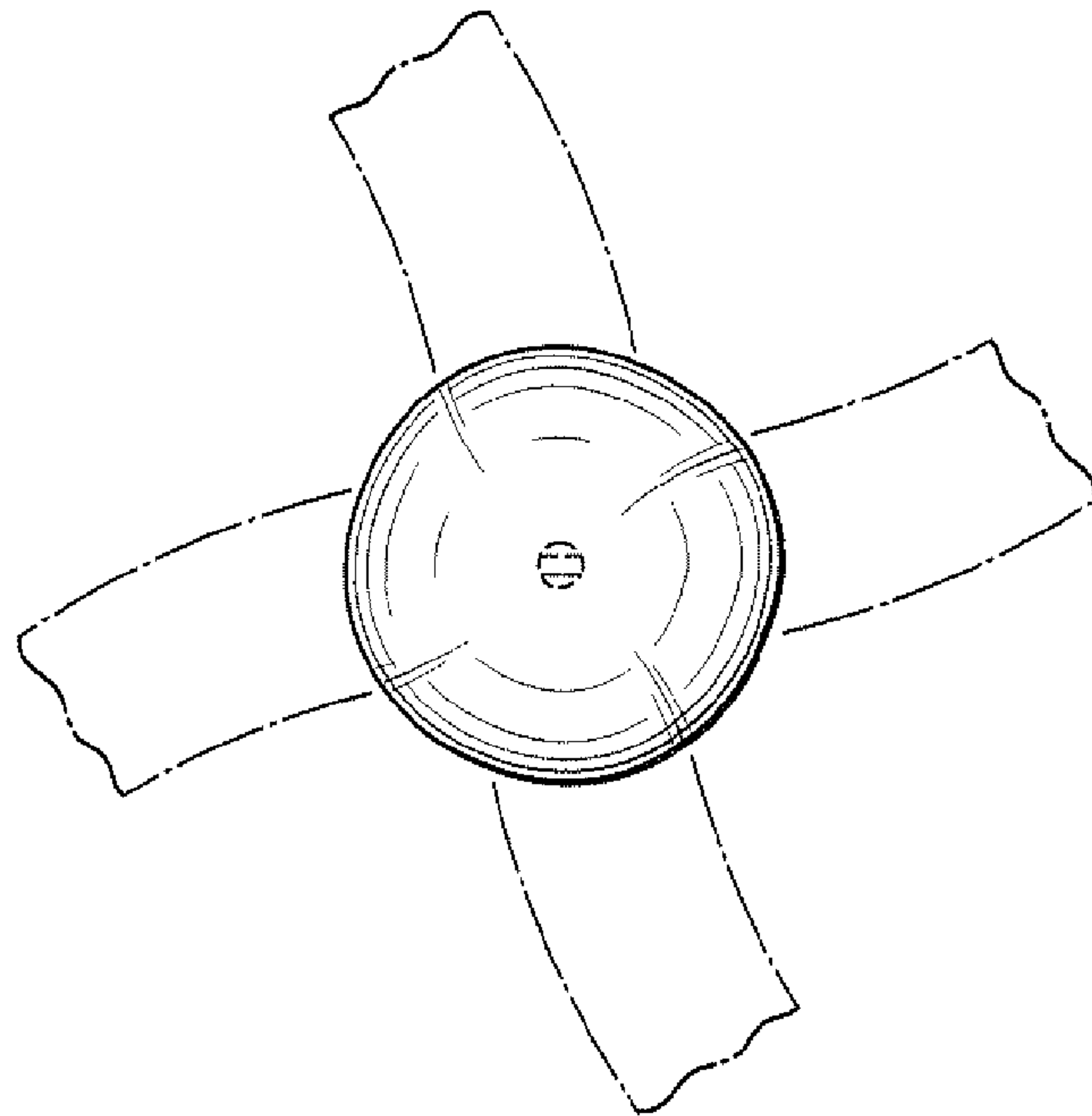


FIG. 3

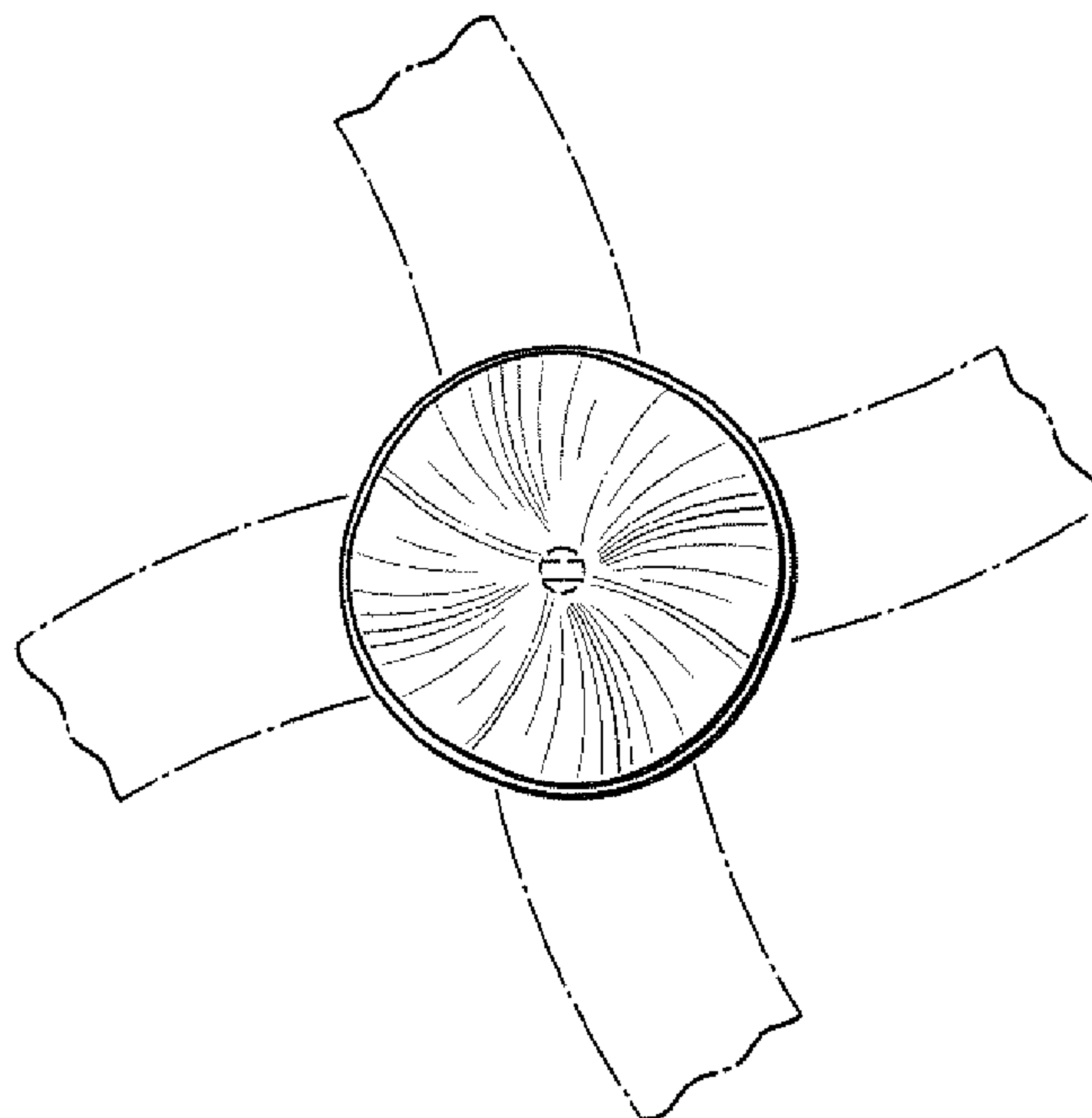


FIG. 4

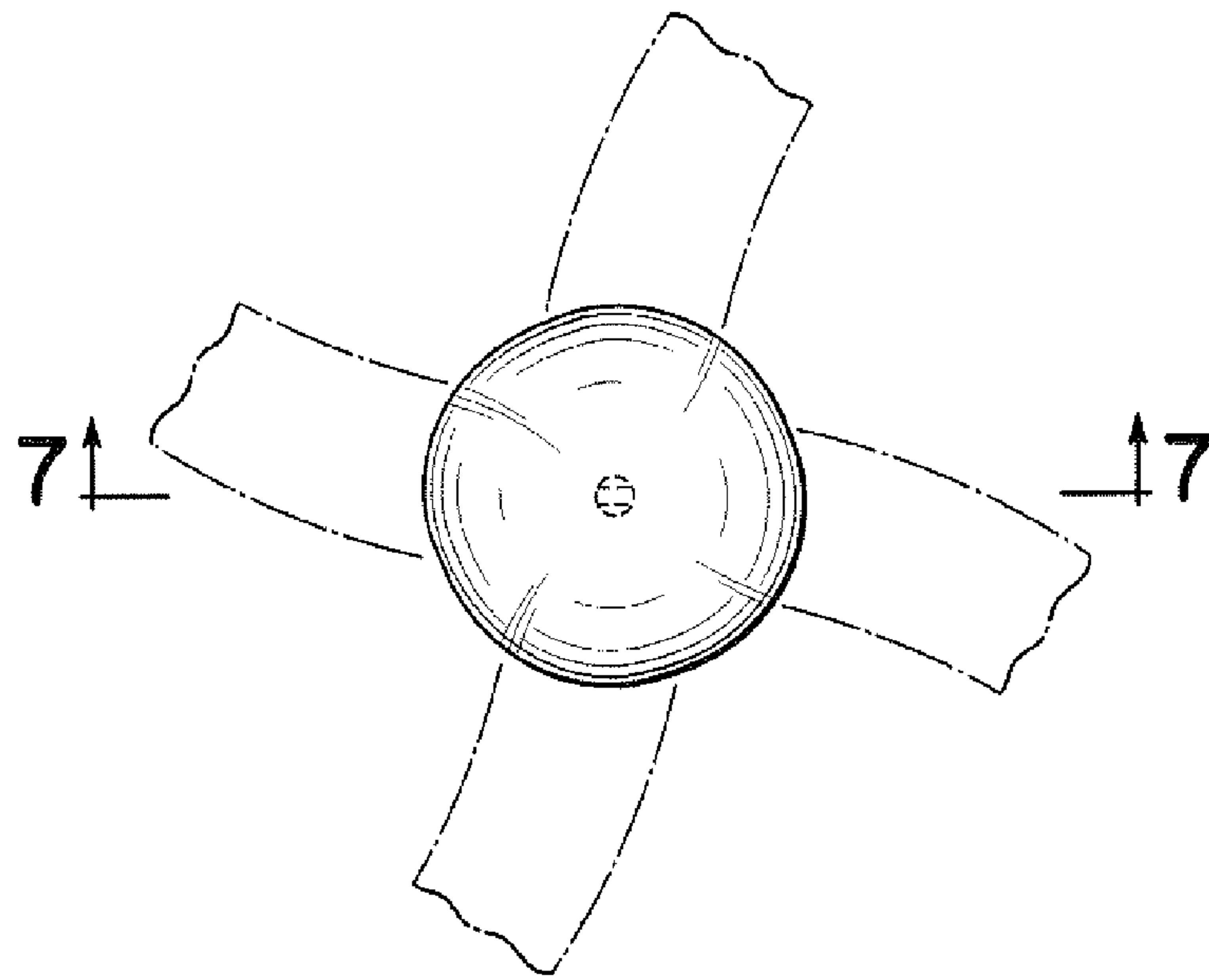


FIG. 5

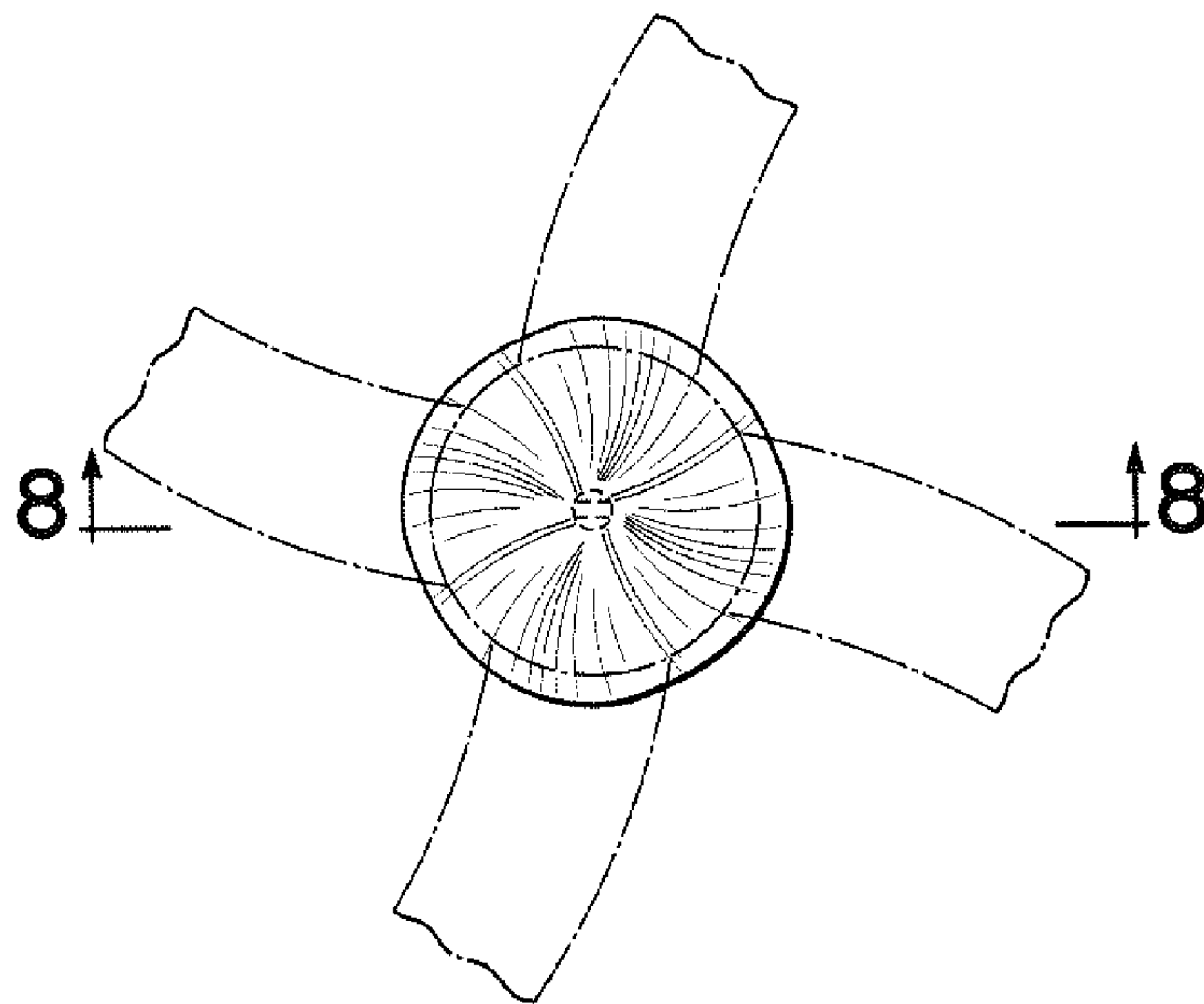


FIG. 6

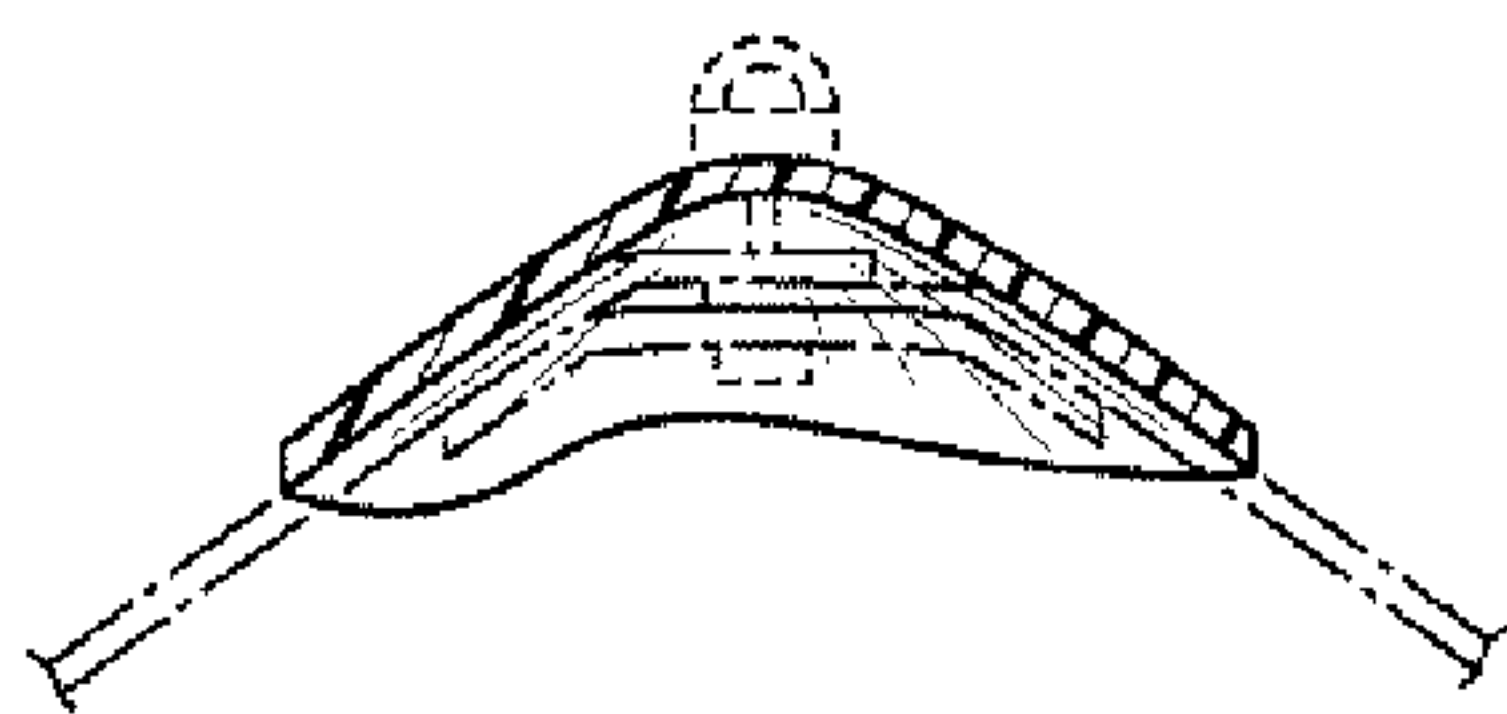


FIG. 7

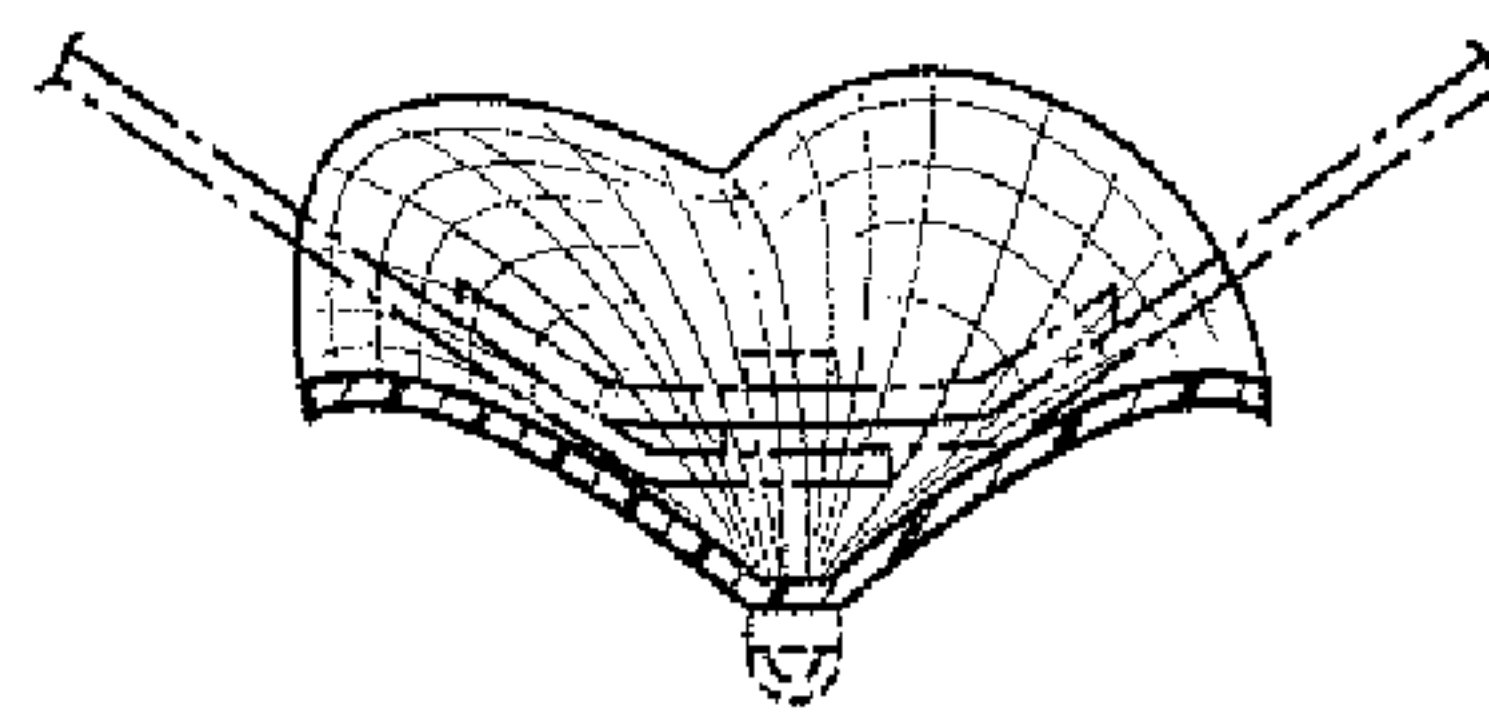


FIG. 8