

US00D550398S

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

(10) **Patent No.:** **US D550,398 S**

(45) **Date of Patent:** **** Sep. 4, 2007**

(54) **CIGARETTE EXTINGUISHING PLATE FOR AN ASHTRAY RECEPTACLE**

D68,903 S 12/1925 Fleming
D69,098 S 12/1925 Smith
1,569,603 A 1/1926 Andersen
D71,012 S 9/1926 Fleming
1,645,525 A 10/1927 Fleming

(75) Inventor: **Mark Goldberg**, Lido Beach, NY (US)

(73) Assignee: **Global Equipment Company Inc.**

(Continued)

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

FOREIGN PATENT DOCUMENTS

(21) Appl. No.: **29/227,771**

DE 2803820 A1 8/1979

(22) Filed: **Apr. 15, 2005**

(Continued)

(51) **LOC (8) Cl.** **27-05**

(52) **U.S. Cl.** **D27/137**

(58) **Field of Classification Search** 131/231,
131/235.1, 236, 237, 238, 237.5, 256, 240.1–245;
D27/102–107, 122–124, 125, 133–138
See application file for complete search history.

OTHER PUBLICATIONS

U.S. Appl. No. 10/057,392, filed Nov. 7, 2002, Luedecke et al.

(Continued)

Primary Examiner—Jennifer Rivard

(74) *Attorney, Agent, or Firm*—Davidoff Malito & Hutcher, LLP

(56) **References Cited**

U.S. PATENT DOCUMENTS

686,954 A 11/1901 Riley
D40,426 S 1/1910 Hochstadter
1,013,775 A 1/1912 Hoffman
1,080,837 A 12/1913 Leidel
1,108,066 A 8/1914 Cooke et al.
1,160,820 A 11/1915 Baur
1,203,056 A 10/1916 Schilling
1,239,427 A 9/1917 Bunnell et al.
D54,465 S 2/1920 Schulte et al.
1,364,892 A 1/1921 Schulte et al.
1,364,893 A 1/1921 Schulte et al.
1,380,252 A 5/1921 Richardson
1,401,282 A 12/1921 Schroedter
D61,119 S 6/1922 Rosen
1,459,096 A 6/1923 Gibbons
1,472,804 A 11/1923 Mack
1,504,310 A 8/1924 Backus
1,511,217 A 10/1924 Floercky
D66,336 S 12/1924 Savery
1,531,248 A 3/1925 Andersen
1,547,578 A 7/1925 Frisone
1,559,234 A 10/1925 Fleming

(57) **CLAIM**

The ornamental design for a cigarette extinguishing plate for an ashtray receptacle, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a cigarette extinguishing plate, according to an embodiment of the invention.

FIG. 2 is a top view of the cigarette extinguishing plate shown in FIG. 1.

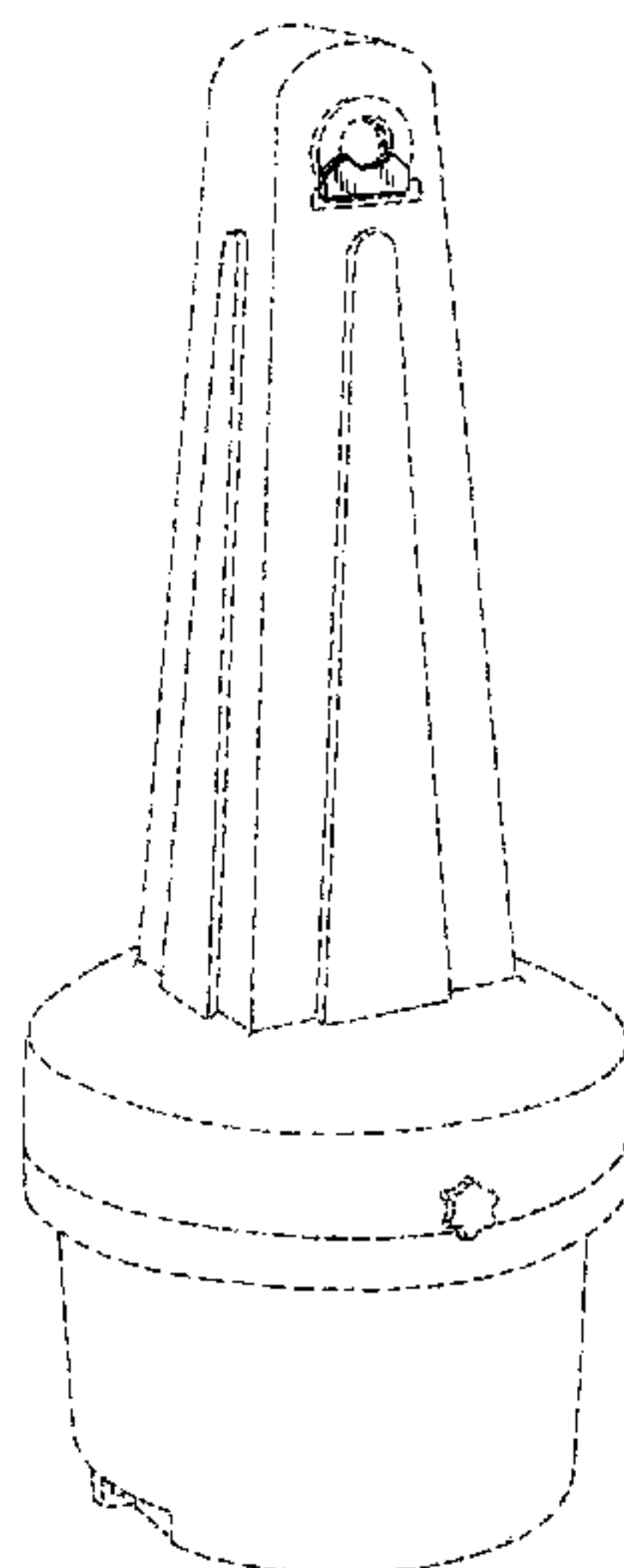
FIG. 3 is a rear view of the cigarette extinguishing plate shown in FIG. 1.

FIG. 4 is a right side view of the cigarette extinguishing plate shown in FIG. 1, which is identical to the left side view; and,

FIG. 5 is a bottom view of the cigarette extinguishing plate shown in FIG. 1.

The broken lines are shown for illustrative purposes only and form no part of the claimed design.

1 Claim, 2 Drawing Sheets



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U.S. PATENT DOCUMENTS

1,646,086	A	10/1927	Fleming	
1,646,099	A	10/1927	Mitchell	
1,653,897	A	12/1927	Farr	
1,660,771	A	2/1928	Stevenson et al.	
1,662,171	A	3/1928	Savery	
1,670,525	A	5/1928	Savery	
1,681,025	A	8/1928	Bradnack	
D76,417	S	9/1928	Putterman	
1,684,589	A	9/1928	Kirts	
1,695,346	A	12/1928	Reese	
1,710,123	A	4/1929	Toops	
D78,726	S	6/1929	Baylis	
1,719,925	A	7/1929	Cruess	
RE17,500	E	11/1929	Stevenson et al.	
1,735,671	A	11/1929	Bunker	
1,738,566	A	12/1929	Fleming	
1,747,356	A	2/1930	Fleming	
1,765,773	A	6/1930	Reichart	
1,767,476	A	6/1930	Putterman	
D82,800	S	12/1930	Dalton	
D82,959	S	12/1930	Schwarz	
D83,836	S	3/1931	Shulman	
1,802,938	A	4/1931	Burger	
1,807,079	A	5/1931	Wilmanns	
D84,882	S	8/1931	Dalton	
1,828,068	A	10/1931	Fringle	
1,831,410	A	11/1931	Dalton	
1,840,024	A	1/1932	Dalton	
1,907,788	A	5/1933	Goertz et al.	
1,908,279	A	5/1933	Baylis	
1,921,933	A	8/1933	Levenberg et al.	
1,937,084	A	11/1933	Janssen	
2,009,593	A	7/1935	Reichenbach	
2,059,105	A	10/1936	Heisenfeldt	
2,087,360	A	7/1937	Shekerjian	
2,093,517	A	9/1937	Gibson	
2,110,773	A	3/1938	Nelson	
2,114,027	A	4/1938	McDonald	
2,114,527	A	4/1938	Fox	
2,152,285	A	3/1939	Schirmer	
2,228,008	A	1/1941	Groff	
2,268,149	A	12/1941	Hinkle	
2,291,753	A	8/1942	Patten	
2,343,750	A	3/1944	Conran	
2,390,657	A	12/1945	Loudermilk	
D143,742	S	2/1946	Mankki	
2,437,226	A	3/1948	Fischer	
2,440,783	A	5/1948	Peart	
2,481,378	A	9/1949	Wolfset	
2,567,166	A	9/1951	Dick	
2,595,103	A	4/1952	Schmalig, Sr.	
2,612,896	A	10/1952	Fox	
2,716,414	A	8/1955	Nelson	
2,718,432	A	9/1955	Hudachek	
2,779,341	A	1/1957	Smillie	
2,786,595	A	3/1957	Nelson	
2,842,280	A	7/1958	Nelson	
3,082,901	A	3/1963	Nakagawa	
D200,837	S	4/1965	Menold	
D201,942	S	8/1965	Feldman	
D203,423	S	1/1966	Kingsley	
3,522,812	A	8/1970	Chism et al.	
3,709,427	A	1/1973	McGregor	
3,803,738	A	4/1974	Weiss	
3,848,769	A	11/1974	Beil	
3,853,263	A	12/1974	Otsuka	
3,964,630	A	6/1976	Getz	
D248,329	S	6/1978	Gensini	
4,133,319	A	1/1979	Bloomfield	
4,142,537	A	3/1979	Fenelon	
4,354,510	A	10/1982	Eakin	131/256

4,682,154	A	*	7/1987	Fearon et al.	340/572.3
D306,259	S		2/1990	Daucourt	
5,069,343	A		12/1991	Markle	
5,085,230	A		2/1992	Roman	
5,123,562	A		6/1992	Bullard et al.	
D334,824	S		4/1993	Newsome	
5,205,299	A		4/1993	Chen	
D347,924	S		6/1994	Yurk	
5,377,907	A		1/1995	Guard	
5,601,095	A		2/1997	Bright	
5,617,880	A	*	4/1997	Landuydt	131/237
D389,600	S		1/1998	Luedecke	
D397,496	S		8/1998	Luedecke	
5,826,589	A		10/1998	Ohanian	
5,839,590	A		11/1998	Weiner	
D410,457	S	*	6/1999	Eyler	D14/432
5,924,425	A		7/1999	Luedecke	
D414,581	S		9/1999	Yurk	
5,947,322	A		9/1999	Ho	
D414,889	S		10/1999	Luedecke	
D428,192	S		7/2000	Meyer	
6,116,246	A		9/2000	Glenn et al.	
D431,674	S		10/2000	Brady	
6,135,305	A		10/2000	Brady	
6,161,549	A		12/2000	Lee	
6,186,355	B1		2/2001	Luedecke	
D441,493	S		5/2001	Weiss et al.	
6,227,400	B1		5/2001	Paladino	
D450,899	S		11/2001	Caron	
D452,929	S		1/2002	Perelli	
D455,519	S		4/2002	Luedecke et al.	
6,454,122	B1		9/2002	Luedecke	
6,626,322	B1		9/2003	Carter et al.	
2001/0013350	A1	*	8/2001	Cho	131/235.1

FOREIGN PATENT DOCUMENTS

GB	297982	10/1928
GB	320843	10/1929
GB	331530	6/1930
GB	346418	4/1931
GB	414224	8/1934
GB	414786	8/1934
GB	2251545	A 7/1962
GB	2124070	2/1984
JP	3-236767	10/1991
JP	04141075	A 5/1992
WO	WO97/25887	7/1997
WO	WO 00/5979	2/2000

OTHER PUBLICATIONS

U.S. Appl. No. 10/196,627, filed May 15, 2003, Luedecke.
 Justrite Manufacturing Co., catalog page of the Cease Fire.RTM. waste receptacle and other butt receptacles, Applicants aware of these receptacles prior to May 14, 2001.
 CSL, Inc. Environmental Products, brochure featuring the Smokers' Outpost and the Smokers' Sidekick including different versions of the Outpost, Applicants aware of these prior to May 14, 2001.
 Protectoseal, catalog page featuring a cigarette/cigar butt can.
 Eagle Mfg. Co., brochure featuring the Butt Can with "New Tube Design", Applicants first became aware of this can after the filing date of the instant patent application.
 Lab Safety Supply Catalog, catalog page featuring the Eagle.RTM. Butt Can and other cigarette containers, 1998.
 Ex-Cell Metal Products Co., Inc., catalog featuring various smoking stands, 1980-1981.
 Ex-Cell Metal Products Co., Inc. USA, brochure featuring the Smokers' Oasis. TM., Applicants became aware of this reference after the filing date of the instant patent application. Form '87, p. 86, Dec. 3, 1979.
 Butt Stop, web pages featuring various receptacles, printed May 16, 2000, from <http://www.Buttstop.com/buttstop.html>.

US D550,398 S

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Signore, Inc., web pages featuring the ButtStop.TM. outdoor cigarette disposal unit, printed on Dec. 13, 2001, from <http://www.signore.com/buttstop.html>, copyright 2000.

Upbeat Inc., Clean City Trash Catalog, catalog pages featuring the Ash Stash receptacle and other receptacles, Apr. 2001.

The No Butts Bin Company, web pages featuring various cigarette receptacles, printed in 2002, from <http://www.notbutts.com>.

Upbeat Inc., web pages featuring receptacles and urns, printed on Jan. 21, 2002, from <http://www.upbeatinc.com>, copyright 2000.

Johnsons Environmental Products, web pages featuring various cigarette receptacles, printed on Jan. 15, 2002, from <http://www.buttstop.com>, copyright 2001.

* cited by examiner

FIG. 1

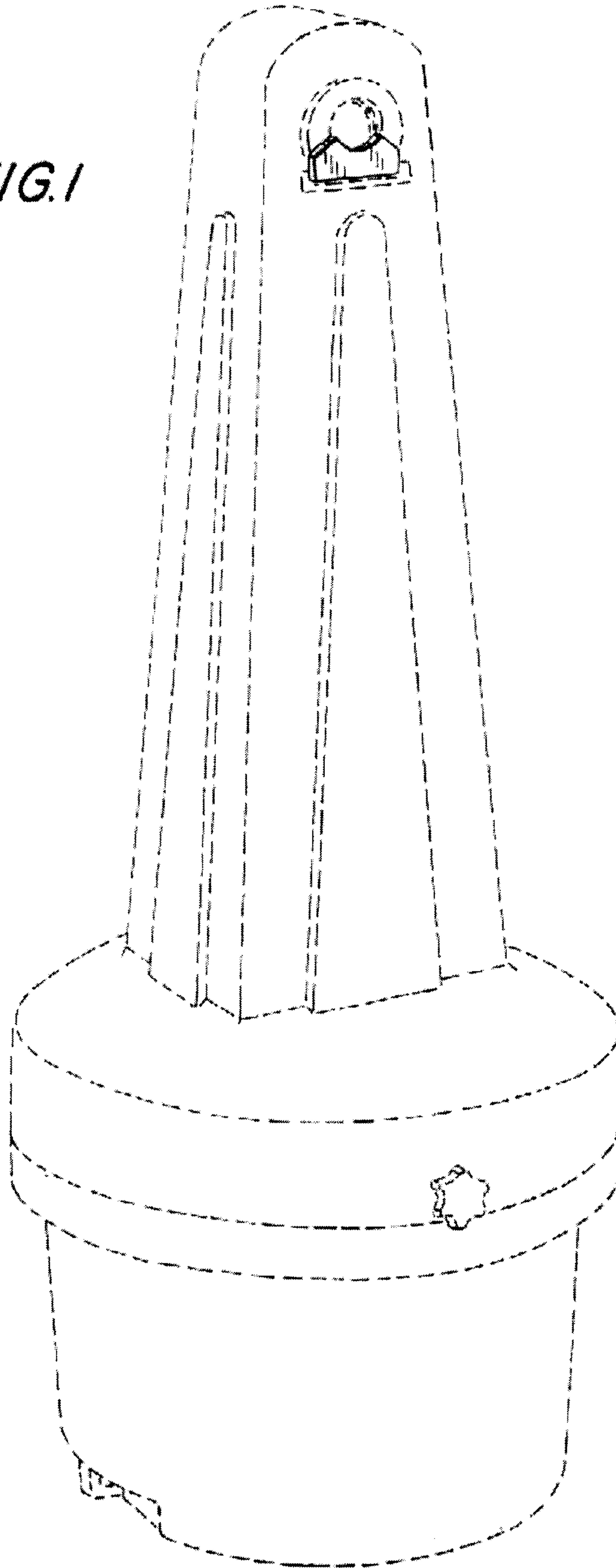


FIG. 2



FIG. 3

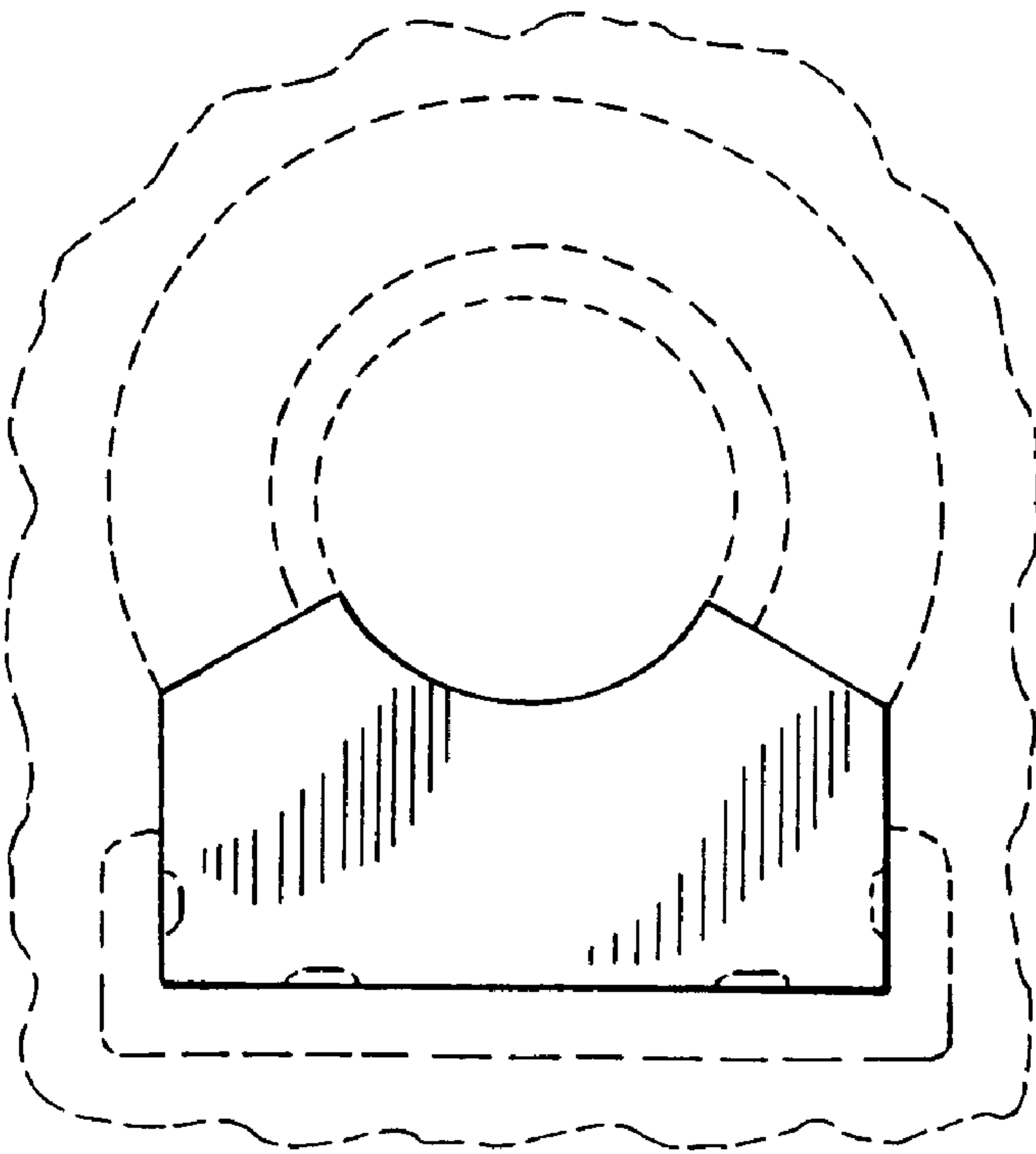


FIG. 4



FIG. 5