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(12) **United States Design Patent**
Breidenbach et al.

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(45) **Date of Patent:** **** Jan. 1, 2008**

(54) **CLEAR LIP APPLICATOR**

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

(21) Appl. No.: **29/229,340**

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Related U.S. Application Data

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filed on May 18, 2004, now Pat. No. Des. 508,297,
and a continuation-in-part of application No. 10/776,
955, filed on Feb. 11, 2004, which is a continuation-
in-part of application No. 29/147,016, filed on Aug.
21, 2001, now abandoned, which is a continuation-
in-part of application No. 09/934,076, filed on Aug.
21, 2001, now Pat. No. 6,607,323, and a continuation-
in-part of application No. 09/842,372, filed on Apr.
25, 2001, now abandoned, which is a continuation-
in-part of application No. 09/515,956, filed on Feb.
29, 2000, now Pat. No. 6,488,427.

(51) **LOC (8) Cl.** **28-03**

(52) **U.S. Cl.** **D28/88**

(58) **Field of Classification Search** 401/68,
401/75, 88, 266; D28/73, 85-90; D9/529;
132/317, 318, 320; 206/385

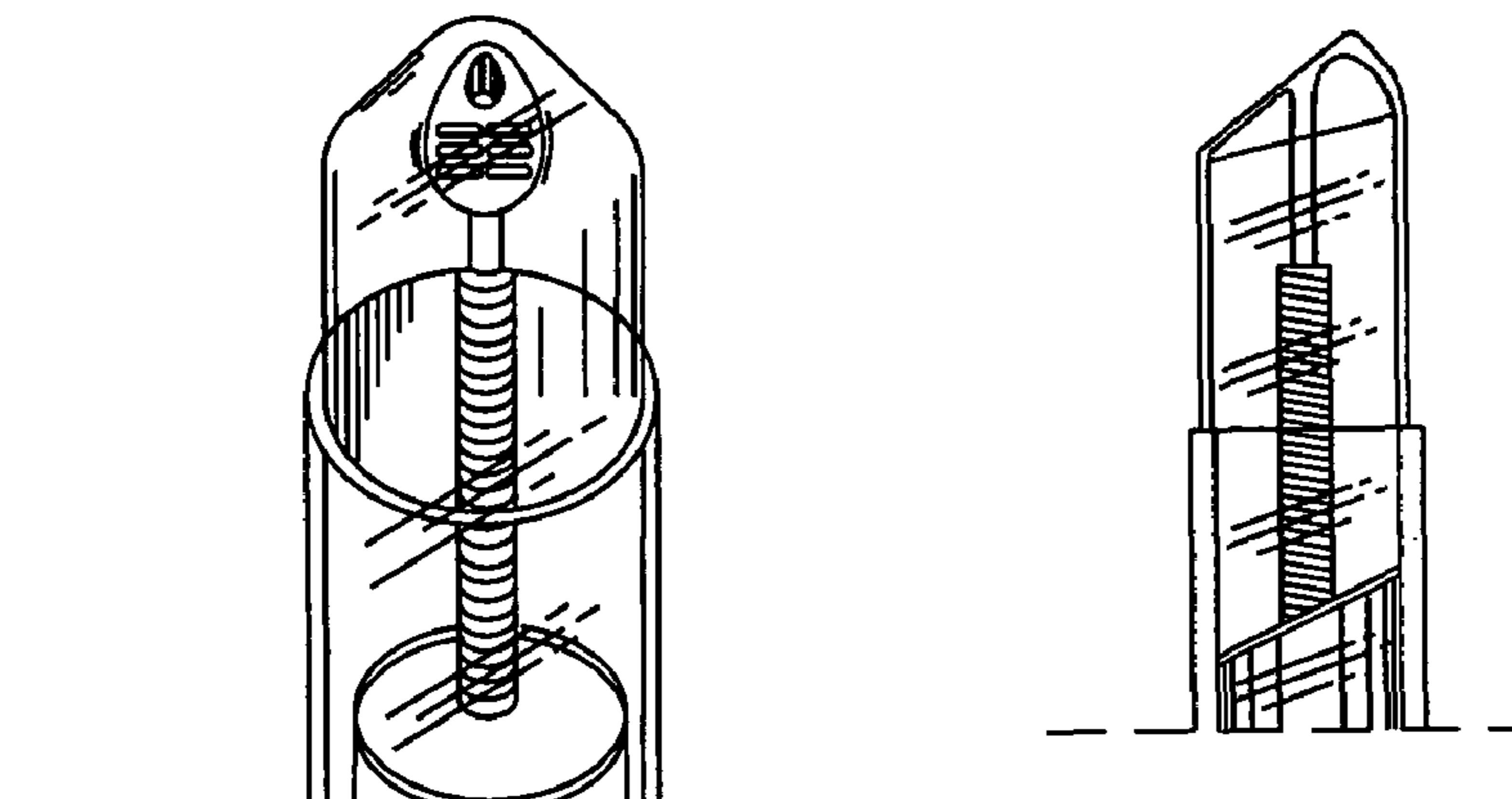
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

| | | | |
|---------------|---------|----------|--------------|
| 2,464,278 A | 3/1949 | Wilson | |
| D164,327 S | 8/1951 | Roehrich | |
| 3,156,272 A | 11/1964 | Indrunas | |
| 3,192,933 A * | 7/1965 | Prince | D28/86 |
| 3,335,854 A | 8/1967 | Landen | |
| 3,578,223 A | 5/1971 | Armour | |
| 3,696,919 A | 10/1972 | Miles | |
| 3,726,446 A | 4/1973 | Hays | |

| | | |
|-------------|---------|-------------------|
| 3,747,773 A | 7/1973 | Jackson |
| 3,825,021 A | 7/1974 | Seidler |
| 3,846,518 A | 11/1974 | McPhee |
| 3,856,138 A | 12/1974 | Maekawa |
| 3,897,004 A | 7/1975 | French |
| D238,399 S | 1/1976 | Swenson |
| D241,120 S | 8/1976 | Dekker |
| D244,318 S | 5/1977 | Drysdale |
| 4,044,889 A | 8/1977 | Orentreich et al. |
| 4,132,306 A | 1/1979 | Margolin |
| 4,133,445 A | 1/1979 | Mandelbaum |
| D252,161 S | 6/1979 | Flower |
| 4,170,082 A | 10/1979 | Freedman |
| 4,174,035 A | 11/1979 | Wiegner |
| 4,196,808 A | 4/1980 | Pardo |
| 4,203,534 A | 5/1980 | Finke |
| D260,559 S | 9/1981 | Scalice |
| D261,940 S | 11/1981 | Holloway |
| 4,300,681 A | 11/1981 | Kligis et al. |
| D262,152 S | 12/1981 | Holloway |
| D265,600 S | 7/1982 | Ballereaud |
| 4,340,157 A | 7/1982 | Darner |
| D267,984 S | 2/1983 | Ballereaud |
| 4,377,234 A | 3/1983 | Kaplan |
| D270,770 S | 9/1983 | Bakic |
| D271,337 S | 11/1983 | Holloway |
| D272,952 S | 3/1984 | Holloway |
| D278,750 S | 5/1985 | Pisani et al. |
| D279,510 S | 7/1985 | Kairawicz |
| D279,827 S | 7/1985 | Buchet |
| D279,828 S | 7/1985 | Buchet |
| 4,530,439 A | 7/1985 | Finnel |
| D280,032 S | 8/1985 | Holloway |
| D280,139 S | 8/1985 | Bakic |
| D280,141 S | 8/1985 | Holloway |
| 4,533,052 A | 8/1985 | Fruchey et al. |
| 4,533,068 A | 8/1985 | Meierhoefer |
| D280,451 S | 9/1985 | Bakic |
| 4,542,930 A | 9/1985 | Adams |
| D282,015 S | 12/1985 | Bakic |
| D282,301 S | 1/1986 | Holloway |
| 4,562,685 A | 1/1986 | Tomita et al. |
| D283,454 S | 4/1986 | Holloway |
| D284,119 S | 6/1986 | Holloway |
| D285,732 S | 9/1986 | Holloway |
| 4,614,267 A | 9/1986 | Larkin |
| 4,643,426 A | 2/1987 | Adams |
| 4,667,839 A | 5/1987 | Crisci |
| D290,762 S | 7/1987 | Holloway |



US D558,927 S

| | | | | | |
|---------------|---------|--------------------|---------------|---------|----------------------|
| 4,690,276 A | 9/1987 | Sussman | 5,310,094 A | 5/1994 | Martinez et al. |
| 4,690,673 A | 9/1987 | Bloomquist | 5,314,067 A | 5/1994 | Strock |
| D293,838 S | 1/1988 | Fo-Chun | 5,316,159 A | 5/1994 | Douglas et al. |
| D294,804 S | 3/1988 | Lunderman et al. | D348,122 S | 6/1994 | Susini et al. |
| 4,778,300 A | 10/1988 | French et al. | D349,176 S | 7/1994 | Litton |
| D298,363 S | 11/1988 | Freeman | 5,338,123 A | 8/1994 | Obersteller et al. |
| D298,364 S | 11/1988 | Simonetti | 5,341,691 A | 8/1994 | Callis et al. |
| D298,471 S | 11/1988 | Kingsford | D352,133 S | 11/1994 | Wacker |
| D298,472 S | 11/1988 | Simonetti | D353,024 S | 11/1994 | van Wolffelaar |
| 4,782,670 A | 11/1988 | Long et al. | D353,227 S | 12/1994 | Desgrippes |
| 4,801,052 A | 1/1989 | Citterio | 5,373,972 A | 12/1994 | Boystrom et al. |
| D301,643 S | 6/1989 | Bakic | D356,397 S | 3/1995 | Chi |
| D301,771 S | 6/1989 | Bakic | 5,413,152 A | 5/1995 | Burrows |
| D301,772 S | 6/1989 | McCready | D360,057 S | 7/1995 | Bow |
| 4,840,908 A | 6/1989 | Burns | D361,159 S | 8/1995 | Feng |
| D302,054 S | 7/1989 | Cardia | D362,925 S | 10/1995 | Granai |
| D302,605 S | 8/1989 | Gebhart | 5,456,294 A | 10/1995 | Tsao et al. |
| D302,873 S | 8/1989 | Sayn Wittgenstein | D364,005 S | 11/1995 | Wacker |
| D303,164 S | 8/1989 | McCready | D364,006 S | 11/1995 | Kamen |
| D303,165 S | 8/1989 | McCready | D364,486 S | 11/1995 | Tsai |
| D303,301 S | 9/1989 | McCready | 5,464,110 A | 11/1995 | Heyworth |
| D303,302 S | 9/1989 | McCready | 5,469,980 A | 11/1995 | O'Meara et al. |
| D303,303 S | 9/1989 | Cardia | D365,176 S | 12/1995 | Heinrich |
| 4,872,774 A | 10/1989 | Rosso | D366,730 S | 1/1996 | Chen |
| D304,509 S | 11/1989 | Bakic | D368,328 S | 3/1996 | Wacker |
| D305,268 S | 12/1989 | Cheng | D368,427 S | 4/1996 | Bicknell et al. |
| 4,887,924 A | 12/1989 | Green | D368,553 S | 4/1996 | Welschoff et al. |
| D306,220 S | 2/1990 | Wang | D368,554 S | 4/1996 | Fiore |
| D307,191 S | 4/1990 | Blutenthal | D368,555 S | 4/1996 | Wacker |
| D307,196 S | 4/1990 | McClure | 5,505,325 A | 4/1996 | Thompson et al. |
| D307,953 S | 5/1990 | McCready | D370,088 S | 5/1996 | Burns |
| D308,585 S | 6/1990 | Wang | D370,089 S | 5/1996 | Faverio |
| D309,044 S | 7/1990 | McCready | 5,525,299 A | 6/1996 | Lowe |
| D310,275 S | 8/1990 | Su | 5,526,960 A | 6/1996 | Breidenbach et al. |
| D310,737 S | 9/1990 | Bakic | 5,531,057 A | 7/1996 | Coleman et al. |
| D311,073 S | 10/1990 | Bakic | D373,222 S | 8/1996 | Chen |
| D311,604 S | 10/1990 | Bakic | 5,542,581 A | 8/1996 | Habora et al. |
| D312,329 S | 11/1990 | Bakic | 5,543,097 A | 8/1996 | Fang |
| D313,289 S | 12/1990 | Bakic | 5,586,694 A | 12/1996 | Breidenbach et al. |
| D313,876 S | 1/1991 | Acker | 5,588,562 A | 12/1996 | Sander et al. |
| D314,445 S | 2/1991 | Addis | 5,590,780 A | 1/1997 | O'Meara |
| 4,991,987 A | 2/1991 | Holloway et al. | D377,848 S | 2/1997 | Gavin |
| 4,993,860 A | 2/1991 | Sommer | D377,849 S | 2/1997 | Fabrisi |
| D315,426 S | 3/1991 | Pisani et al. | 5,607,860 A | 3/1997 | Gombrich et al. |
| D315,811 S | 3/1991 | Kun-Lan | D381,774 S | 7/1997 | Huang |
| D315,969 S | 4/1991 | McCready | D381,775 S | 7/1997 | Amtsen |
| D317,664 S | 6/1991 | Bakic | 5,652,143 A | 7/1997 | Gombrich et al. |
| D320,288 S | 9/1991 | Chen | D382,369 S | 8/1997 | Yang |
| D322,391 S | 12/1991 | Morane | 5,653,270 A | 8/1997 | Burrows |
| D325,342 S | 4/1992 | Balavich | 5,655,554 A | 8/1997 | Goldberg |
| 5,104,008 A | 4/1992 | Crisci | D385,184 S | 10/1997 | Binter |
| 5,110,014 A | 5/1992 | Doundoulakis | D390,117 S | 2/1998 | Kan et al. |
| 5,141,136 A | 8/1992 | Tignor | D391,166 S | 2/1998 | Lang |
| 5,158,191 A | 10/1992 | Douglas et al. | D391,681 S | 3/1998 | Huang |
| D331,815 S | 12/1992 | Di Somma et al. | D392,423 S | 3/1998 | Lerolle |
| 5,174,460 A | 12/1992 | Minnette | 5,738,067 A | 4/1998 | Landwehr et al. |
| D332,326 S | 1/1993 | Chen | 5,794,819 A | 8/1998 | Smith |
| D333,014 S | 2/1993 | Lang | 5,799,828 A | 9/1998 | Crawford |
| D333,365 S | 2/1993 | Desgrippes | 5,803,268 A | 9/1998 | Levy et al. |
| 5,183,349 A * | 2/1993 | Kamen 401/68 | 5,810,495 A | 9/1998 | McAuley |
| D333,885 S | 3/1993 | Laing | 5,813,529 A | 9/1998 | Goserud |
| D334,083 S | 3/1993 | Davis | 5,833,654 A | 11/1998 | Powers et al. |
| D335,364 S | 5/1993 | Yang | D403,124 S | 12/1998 | Wacker |
| D335,936 S | 5/1993 | Lou | D403,469 S | 12/1998 | Driscoll |
| 5,273,083 A | 12/1993 | Burrows | 5,842,802 A | 12/1998 | Lang et al. |
| D343,028 S | 1/1994 | Chen | 5,862,490 A | 1/1999 | Sasuta et al. |
| D343,474 S | 1/1994 | Chen | 5,862,949 A | 1/1999 | Markey et al. |
| D343,699 S | 1/1994 | Yang | D406,921 S | 3/1999 | Roeder |
| D343,926 S | 2/1994 | Garouste et al. | 5,879,095 A * | 3/1999 | Gueret 401/266 |
| D344,017 S | 2/1994 | Lang et al. | 5,881,742 A | 3/1999 | Hunsberger |
| D345,630 S | 3/1994 | Chevassus | 5,884,678 A | 3/1999 | Chudy |
| D345,915 S | 4/1994 | Fareri et al. | D408,592 S | 4/1999 | Litton |
| D346,044 S | 4/1994 | Chen | D408,593 S | 4/1999 | Nakano |

5,897,262 A 4/1999 Bratby-Carey
 5,897,265 A 4/1999 Wilson
 D410,570 S 6/1999 Lerolle
 D411,035 S 6/1999 Welschoff
 D413,062 S 8/1999 Nakano
 D415,319 S 10/1999 Bakic
 D416,356 S 11/1999 Denham et al.
 D416,357 S 11/1999 Gobe
 D417,752 S 12/1999 Bakic
 D417,932 S 12/1999 Siegel et al.
 D418,253 S 12/1999 Bakic
 D419,266 S 1/2000 Gobe
 D420,466 S 2/2000 Coates et al.
 D420,766 S 2/2000 Coates
 D421,819 S 3/2000 Heeter et al.
 D425,256 S 5/2000 Gavin
 D425,257 S 5/2000 Acker et al.
 D425,258 S 5/2000 Lang
 D425,259 S 5/2000 Lang
 D425,669 S 5/2000 Gavin
 D426,030 S 5/2000 Heeter et al.
 D428,212 S 7/2000 Gavin
 D430,705 S 9/2000 Lang
 D432,268 S 10/2000 Gavin
 D432,724 S 10/2000 Gavin
 D432,725 S 10/2000 Gavin
 D439,017 S 3/2001 Fang
 D439,018 S 3/2001 Fang
 D441,916 S 5/2001 Faillant-Dumas
 D443,951 S 6/2001 Look
 D444,264 S 6/2001 Look
 D444,265 S 6/2001 Look
 D444,593 S 7/2001 Look
 D448,121 S 9/2001 Gebb et al.
 D448,524 S 9/2001 Colla
 D452,585 S 12/2001 Look
 D452,586 S 12/2001 Look
 D452,587 S 12/2001 Look
 D452,588 S 12/2001 Look
 D452,753 S 1/2002 Look
 D453,973 S 2/2002 Look
 D453,974 S 2/2002 Look
 D454,227 S 3/2002 Look
 D454,228 S 3/2002 Look
 D454,229 S 3/2002 Look
 D454,414 S 3/2002 Look
 D454,661 S 3/2002 Look
 D454,662 S 3/2002 Look
 D454,663 S 3/2002 Look
 D454,664 S 3/2002 Look
 D454,665 S 3/2002 Look
 D454,666 S 3/2002 Look
 D454,666 S 3/2002 Look
 D454,983 S 3/2002 Look
 D454,984 S 3/2002 Look
 D454,985 S 3/2002 Look
 D455,233 S 4/2002 Look
 D455,234 S 4/2002 Look
 D455,868 S 4/2002 Look
 D456,099 S 4/2002 Look
 D456,952 S 5/2002 Sakurai et al.
 D458,707 S 6/2002 Najar et al.
 D459,553 S 6/2002 Bak
 D462,144 S 8/2002 Gaydon
 D466,252 S * 11/2002 Yu D28/88
 D467,038 S 12/2002 Restrepo
 D467,391 S 12/2002 Orsomando
 D468,060 S 12/2002 Orsomando
 D469,579 S 1/2003 Thorpe et al.
 D471,324 S 3/2003 Kalin
 D472,812 S 4/2003 Lerolle
 6,598,767 B2 7/2003 Baines et al.
 D478,690 S 8/2003 Sgariboldi
 D479,017 S 8/2003 Sgariboldi

D483,155 S 12/2003 Orsomando
 D486,270 S 2/2004 Kurumada et al.
 D516,251 S * 2/2006 Py et al. D28/89
 2003/0226573 A1* 12/2003 Chan 132/318

* cited by examiner

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 Bodner & O'Rourke, LLP

(57) **CLAIM**

I claim, the ornamental design for the clear lip applicator, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of an alternative embodiment of the lip applicator of the present invention.
 FIG. 2 is a left side view of an alternative embodiment of the lip applicator and sleeve of FIG. 1.
 FIG. 3 is a front view of an alternative embodiment of the lip applicator of FIG. 1.
 FIG. 4 is a right side view of an alternative embodiment of the lip applicator of FIG. 1.
 FIG. 5 is a rear view of an alternative embodiment of the lip applicator of FIG. 1.
 FIG. 6 is a top view of an alternative embodiment of the lip applicator of FIG. 1.
 FIG. 7 is a front perspective view of an alternative embodiment of the tip of the lip applicator of FIG. 1.
 FIG. 8 is a left side view of an alternative embodiment of the tip of the lip applicator of FIG. 1.
 FIG. 9 is a front view of an alternative embodiment of the tip of the lip applicator of FIG. 1.
 FIG. 10 is a right side view of an alternative embodiment of the tip of the lip applicator of FIG. 1.
 FIG. 11 is a rear view of an alternative embodiment of the tip of the lip applicator of FIG. 1.
 FIG. 12 is a top view of an alternative embodiment of the tip of the lip applicator of FIG. 1.
 FIG. 13 is a front perspective view of an alternative embodiment of the tip portion of the lip applicator of FIG. 1.
 FIG. 14 is a right side view of an alternative embodiment of the tip portion of the lip applicator of FIG. 1.
 FIG. 15 is a front view of an alternative embodiment of the tip portion of the lip applicator of FIG. 1.
 FIG. 16 is a left side view of an alternative embodiment of the tip portion of the lip applicator of FIG. 1.
 FIG. 17 is a rear view of an alternative embodiment of the tip portion of the lip applicator of FIG. 1.
 FIG. 18 is a top view of an alternative embodiment of the tip portion of the lip applicator of FIG. 1.
 FIG. 19 is a front perspective view of an alternative embodiment of the lip applicator of the present invention.
 FIG. 20 is a left side view of an alternative embodiment of the lip applicator and sleeve of FIG. 19.
 FIG. 21 is a front view of an alternative embodiment of the lip applicator of FIG. 19.

FIG. 22 is a right side view of an alternative embodiment of the lip applicator of FIG. 19.

FIG. 23 is a rear view of an alternative embodiment of the lip applicator of FIG. 19.

FIG. 24 is a top view of an alternative embodiment of the lip applicator of FIG. 19.

FIG. 25 is a front perspective view of an alternative embodiment of the tip of the lip applicator of FIG. 19.

FIG. 26 is a left side view of an alternative embodiment of the tip of the lip applicator of FIG. 19.

FIG. 27 is a front view of an alternative embodiment of the tip of the lip applicator of FIG. 19.

FIG. 28 is a right side view of an alternative embodiment of the tip of the lip applicator of FIG. 19.

FIG. 29 is a rear view of an alternative embodiment of the tip of the lip applicator of FIG. 19.

FIG. 30 is a top view of an alternative embodiment of the tip of the lip applicator of FIG. 19.

FIG. 31 is a front perspective view of an alternative embodiment of the tip portion of the lip applicator of FIG. 19.

FIG. 32 is a right side view of an alternative embodiment of the tip portion of the lip applicator of FIG. 19.

FIG. 33 is a front view of an alternative embodiment of the tip portion of the lip applicator of FIG. 19.

FIG. 34 is a left side view of an alternative embodiment of the tip portion of the lip applicator of FIG. 19.

FIG. 35 is a rear view of an alternative embodiment of the tip portion of the lip applicator of FIG. 19; and,

FIG. 36 is a top view of an alternative embodiment of the tip portion of the lip applicator of FIG. 19.

The broken lines immediately adjacent the solid lines represent the bounds of the claim and form no part of the claims design.

1 Claim, 12 Drawing Sheets

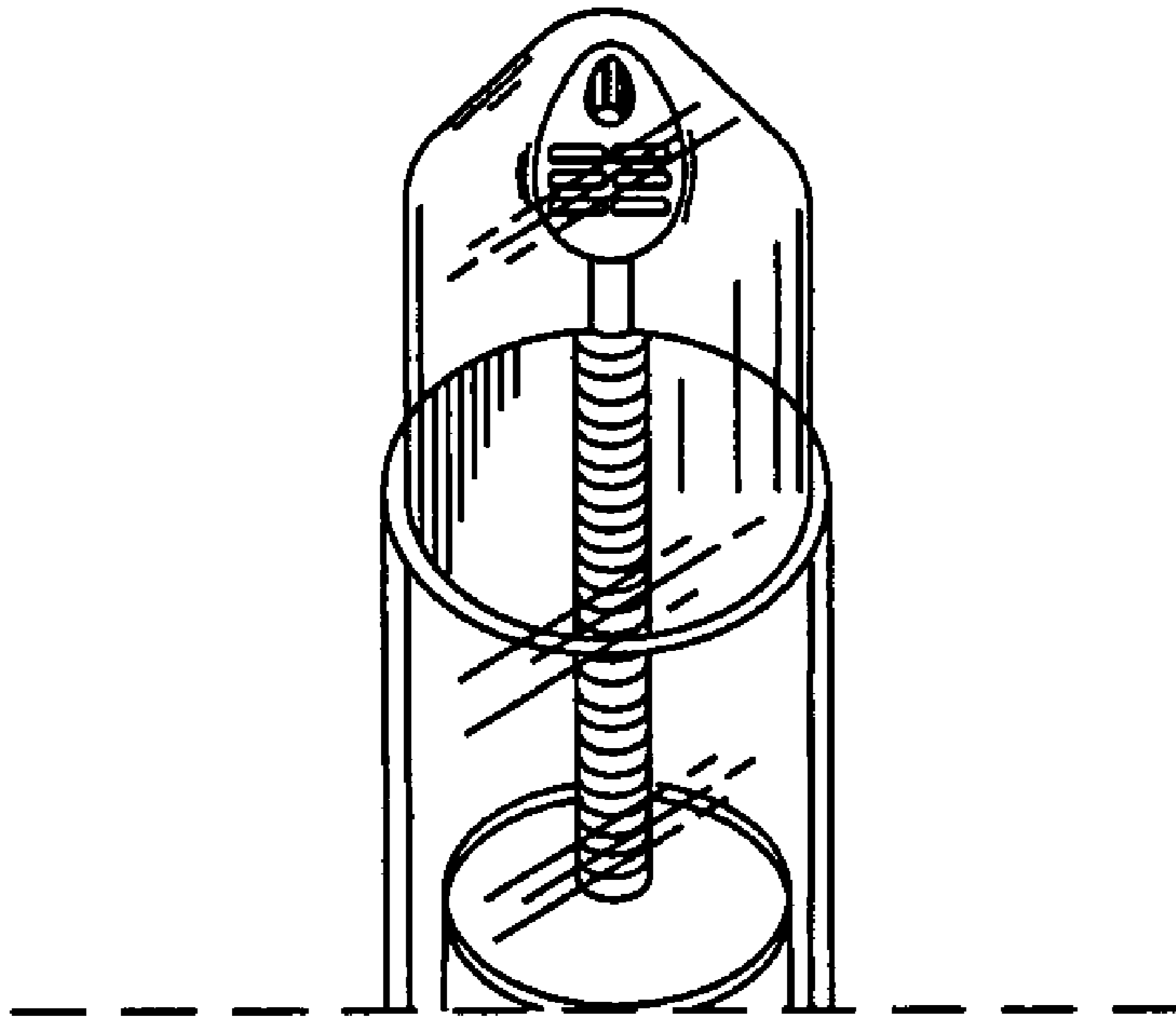


FIG. 1

FIG. 6

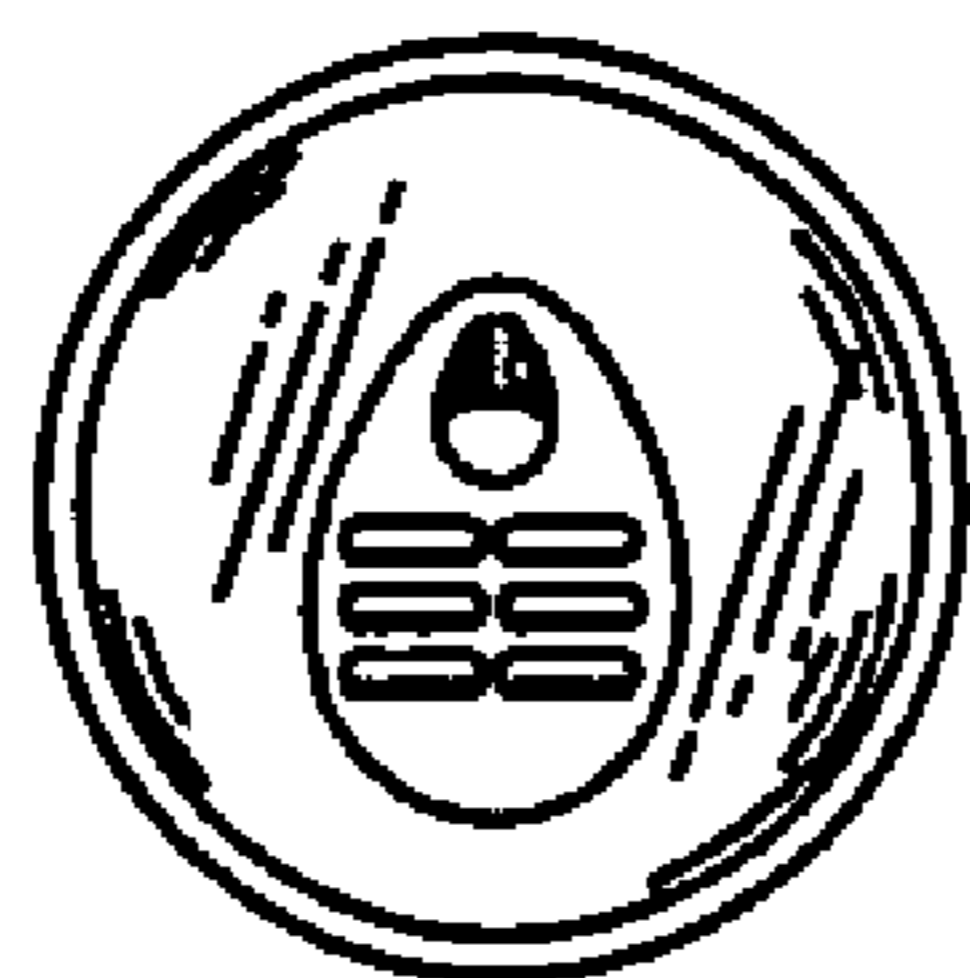


FIG.2

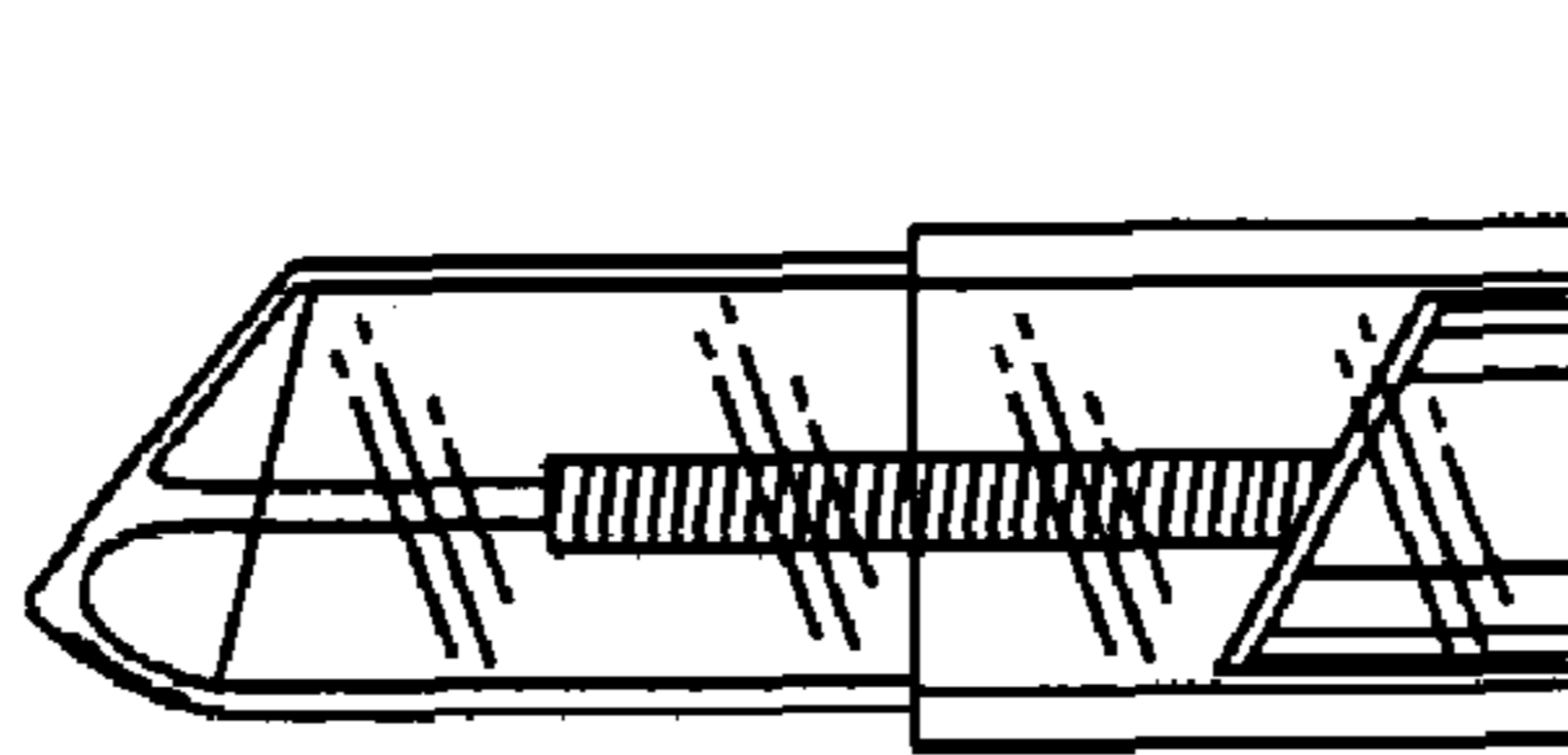


FIG. 3

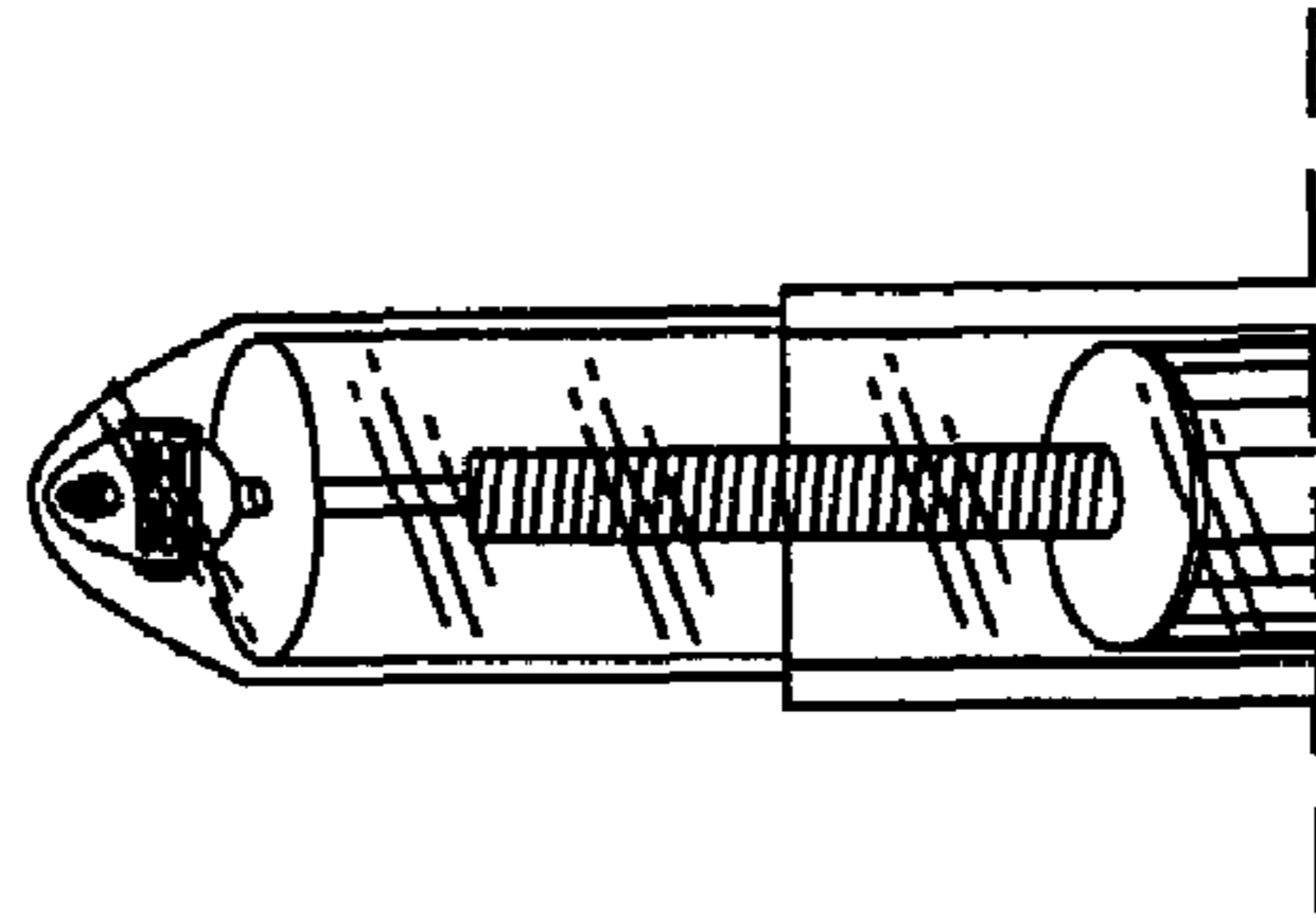


FIG. 4

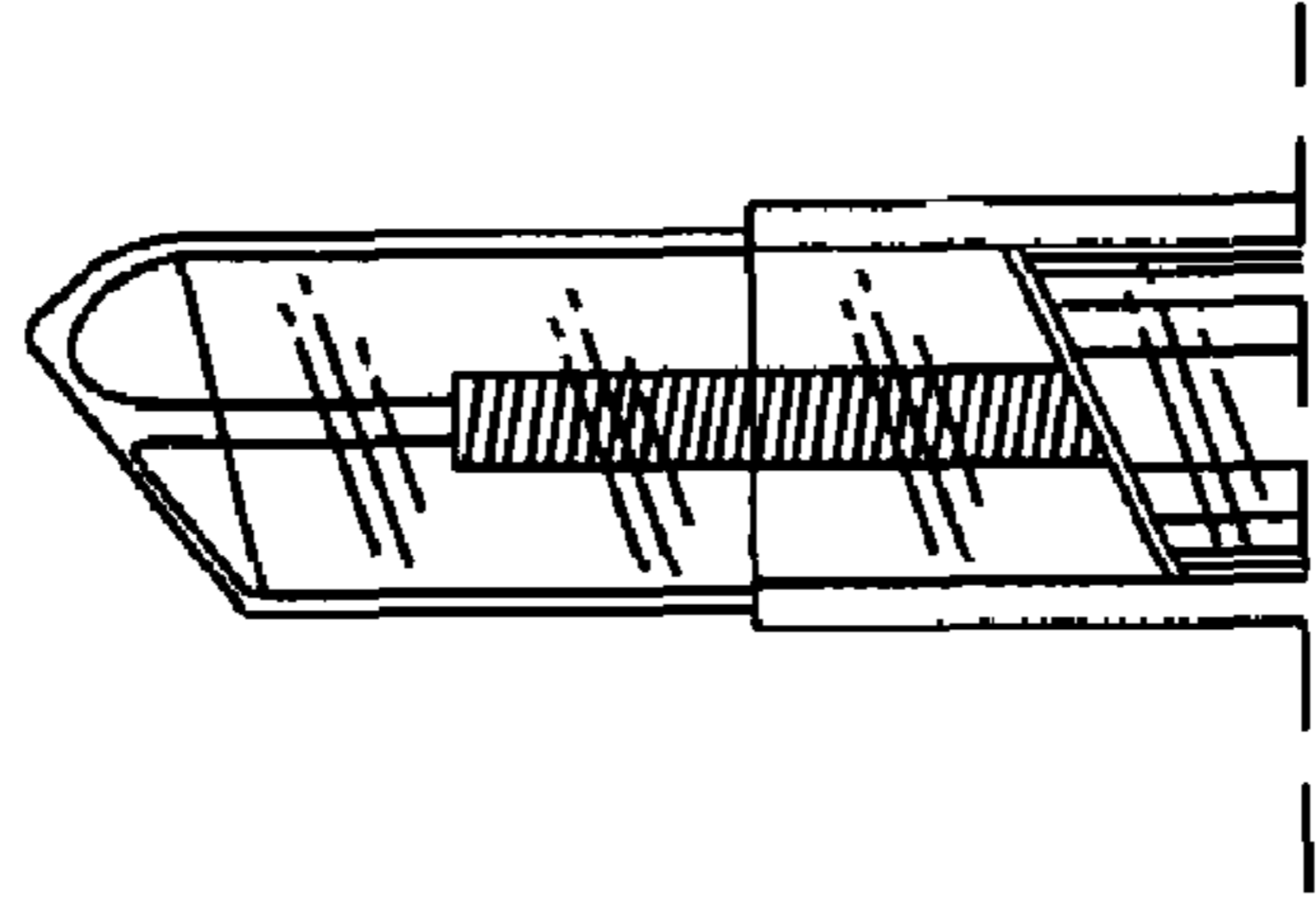
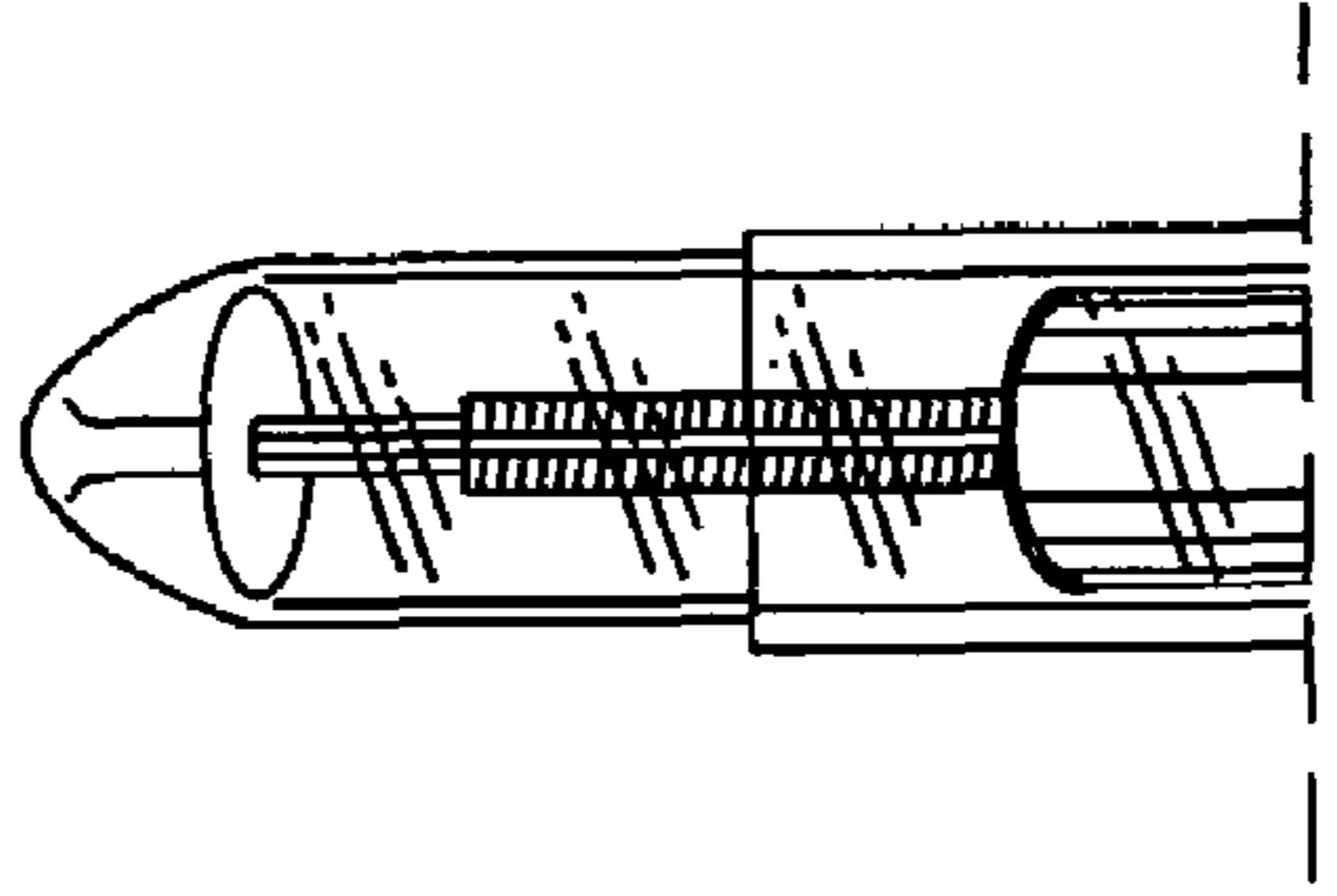


FIG. 5



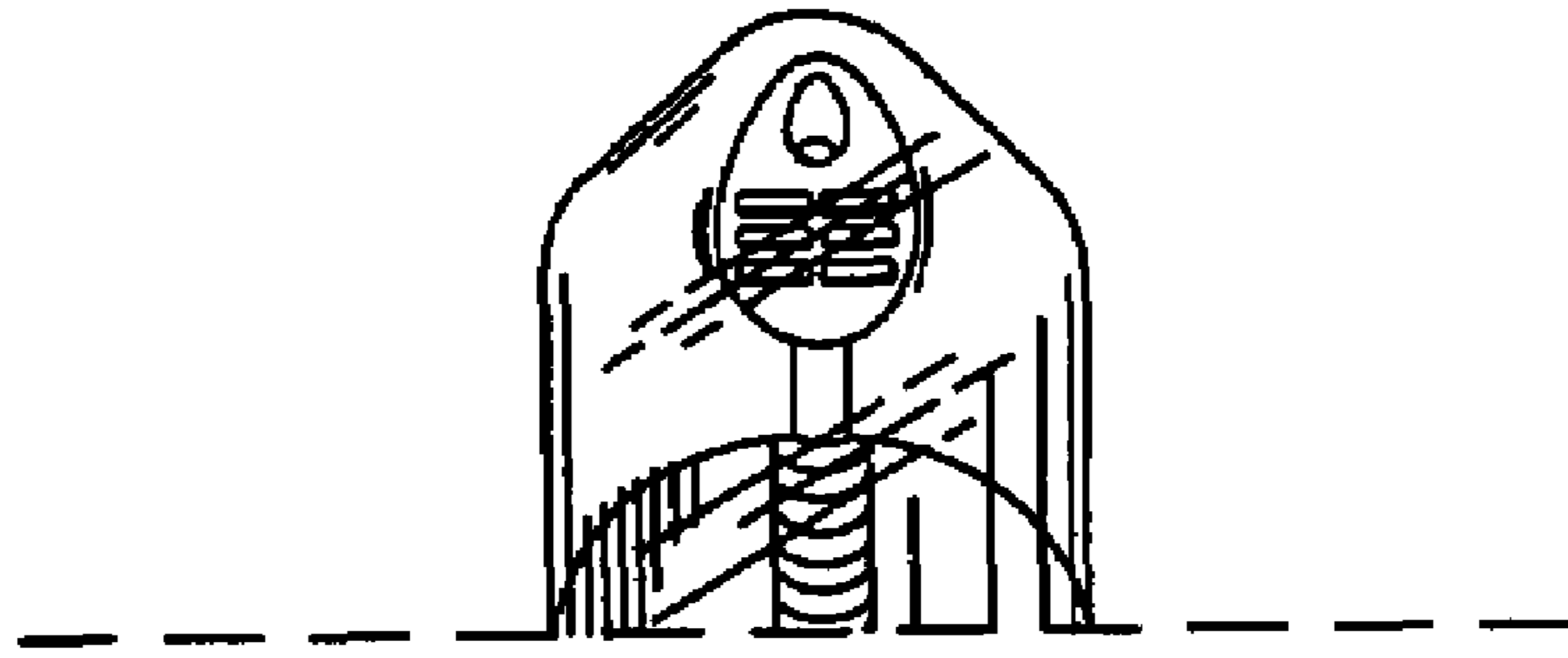


FIG. 7

FIG. 12



FIG. 8

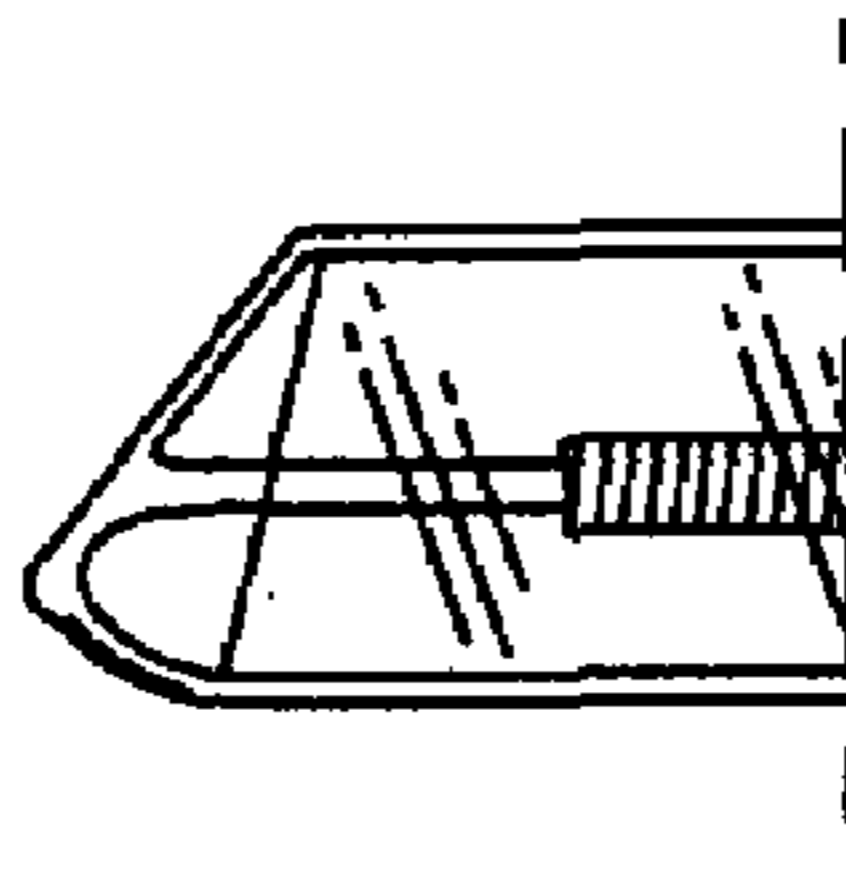


FIG. 9

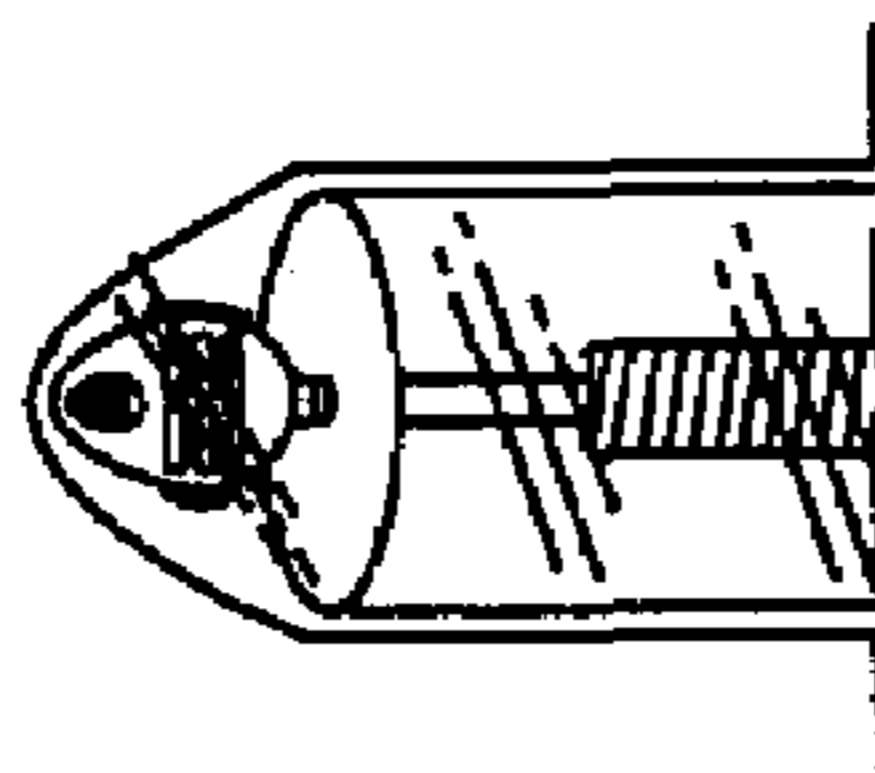


FIG. 10

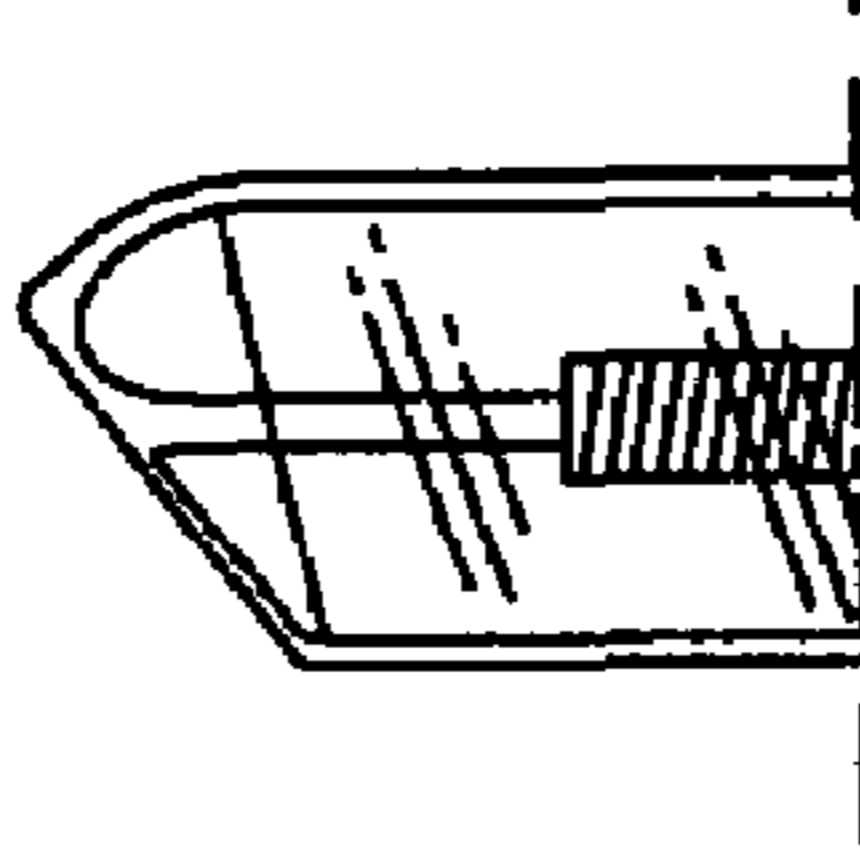
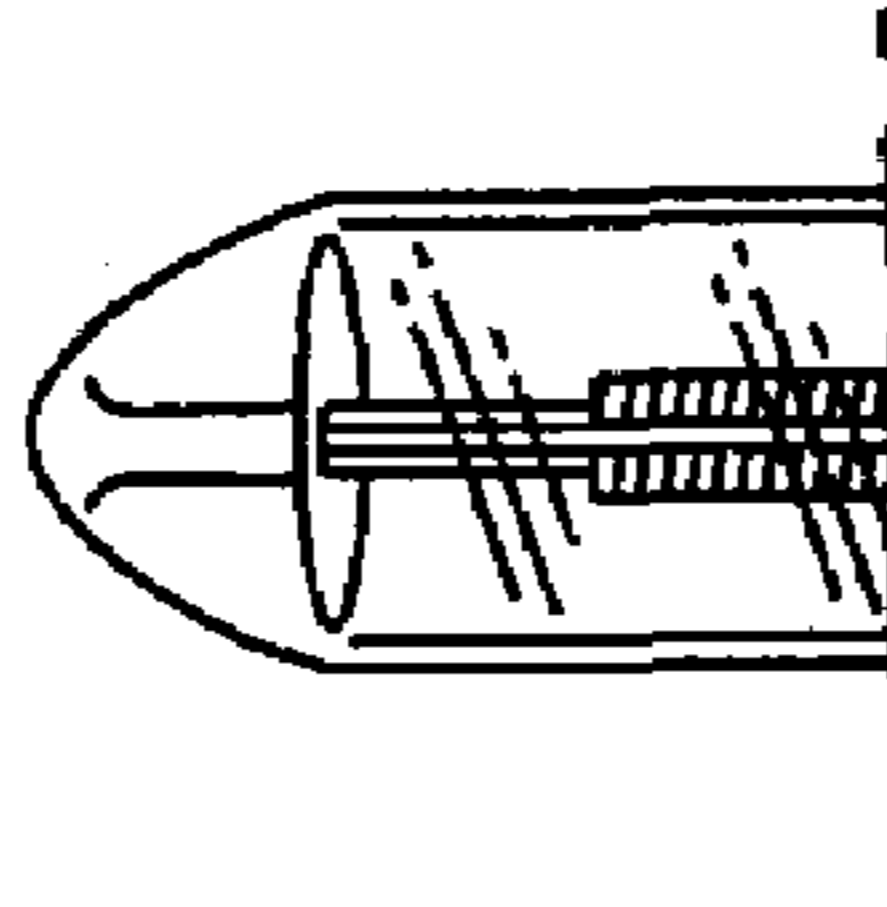


FIG. 11



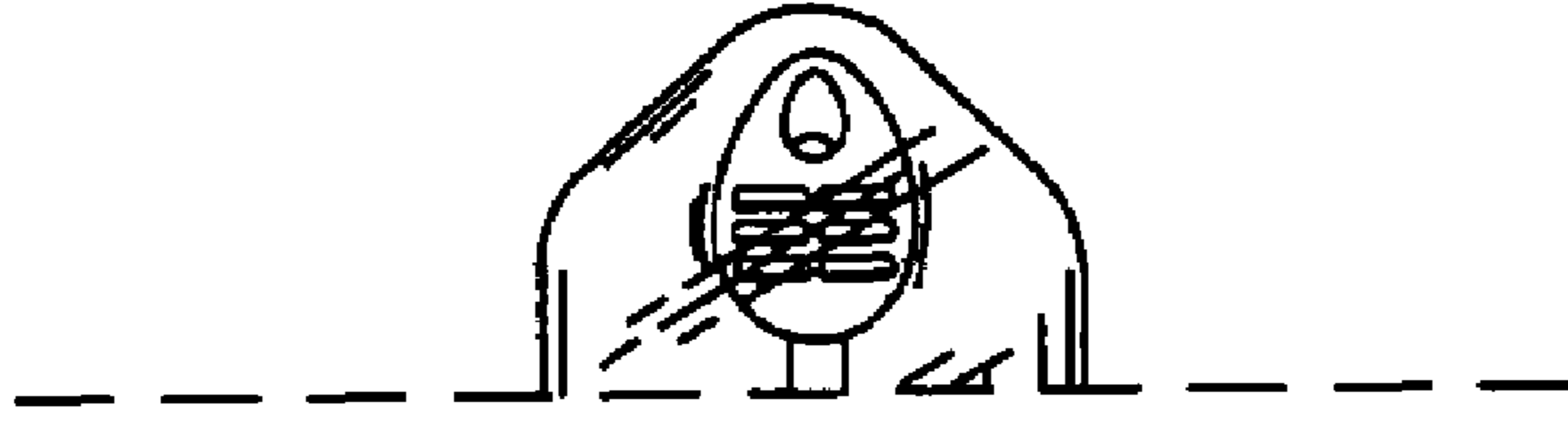


FIG. 13

FIG. 18

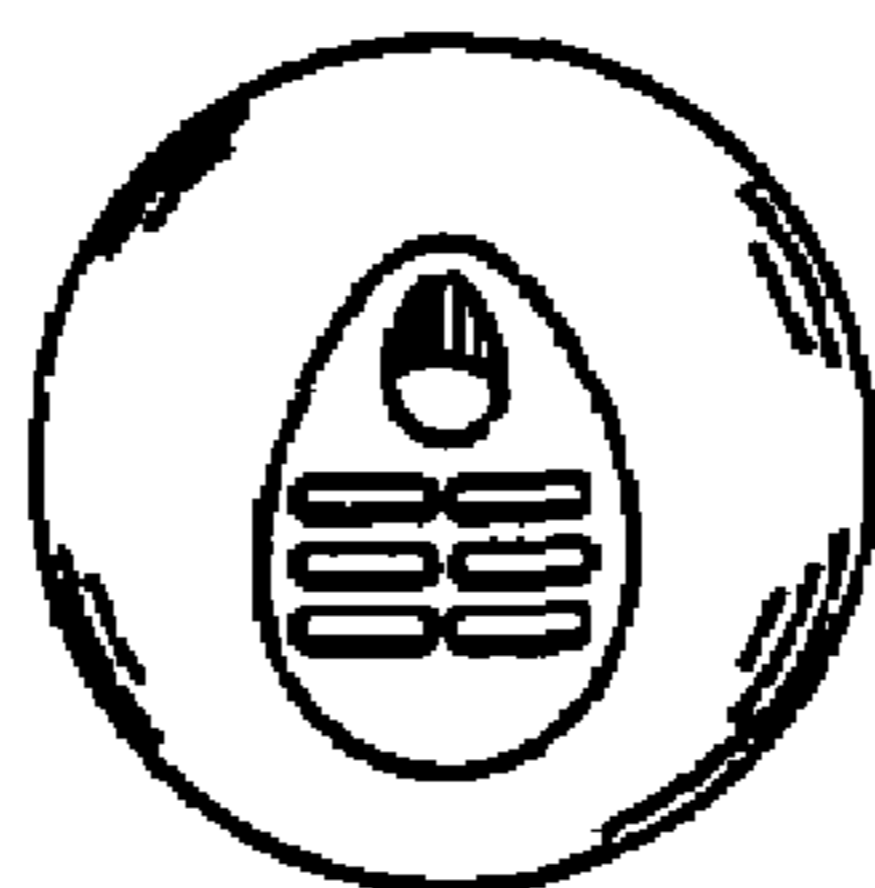


FIG. 14



FIG. 15



FIG. 16



FIG. 17



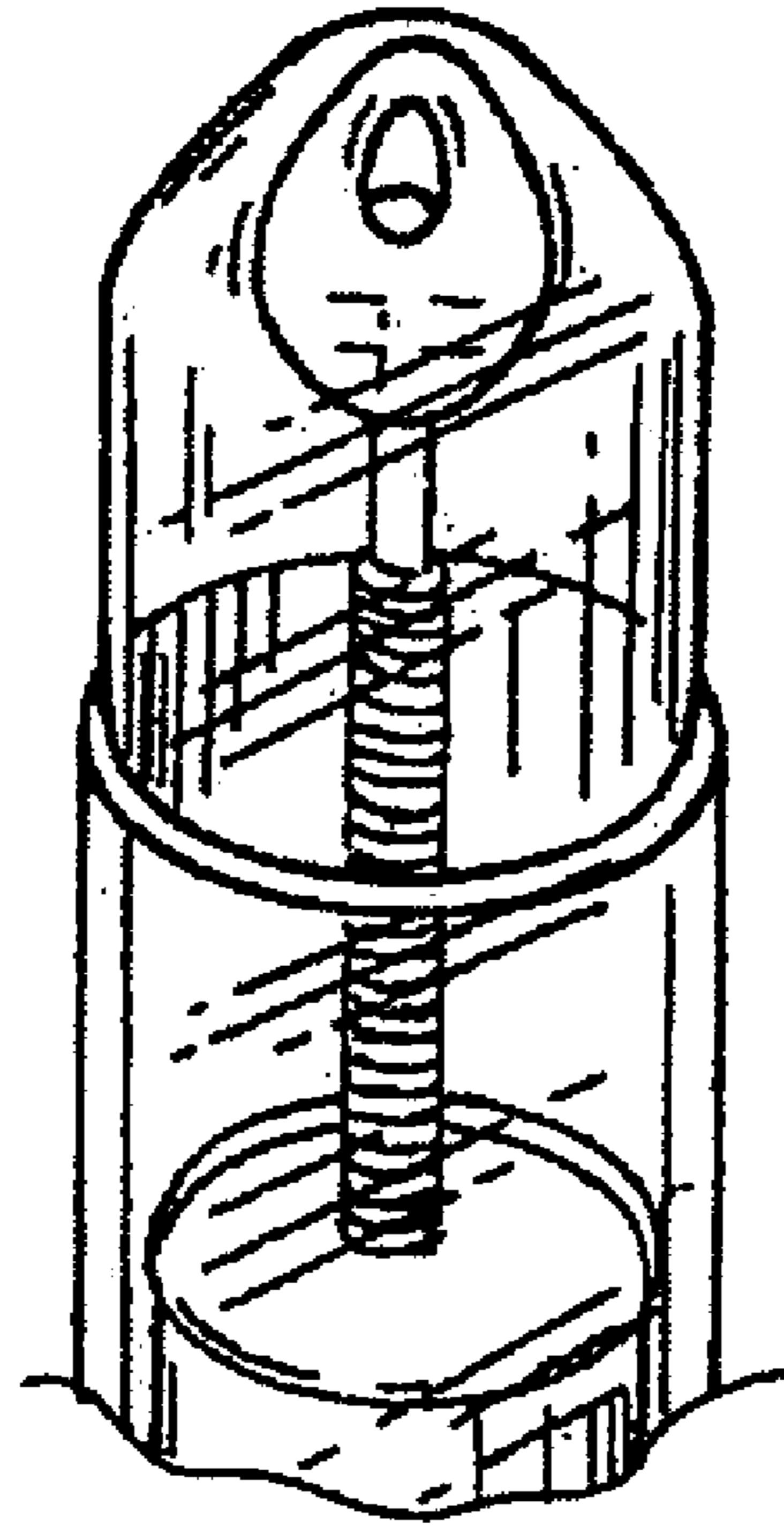


FIG. 19

FIG. 24



FIG. 23

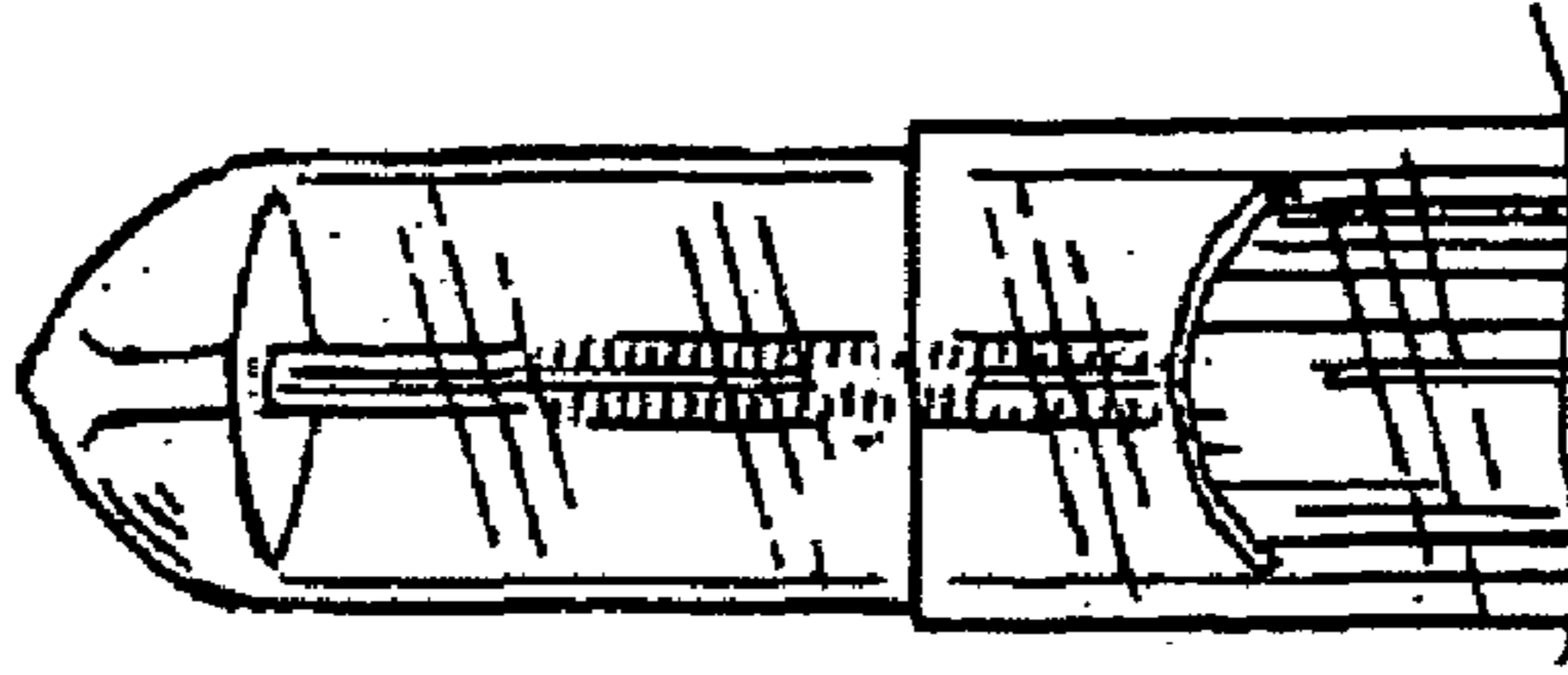


FIG. 22

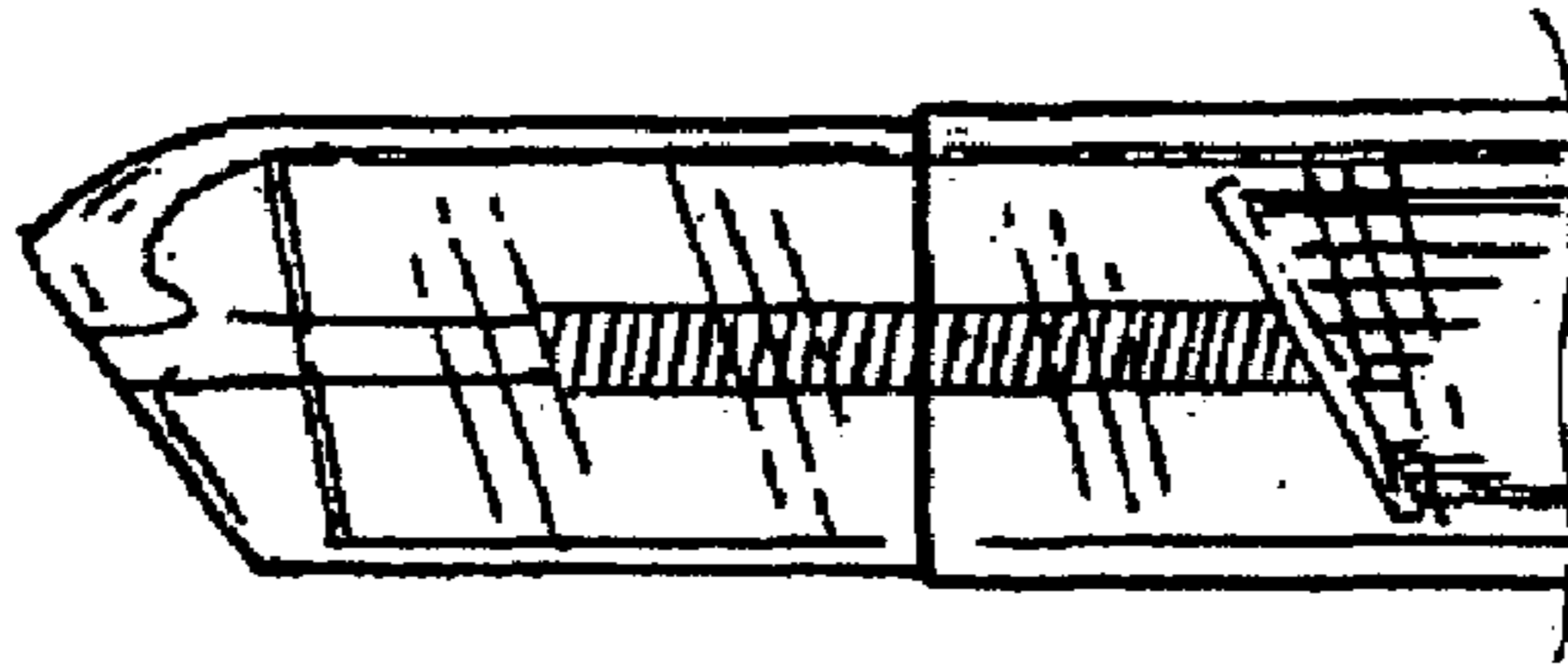


FIG. 21

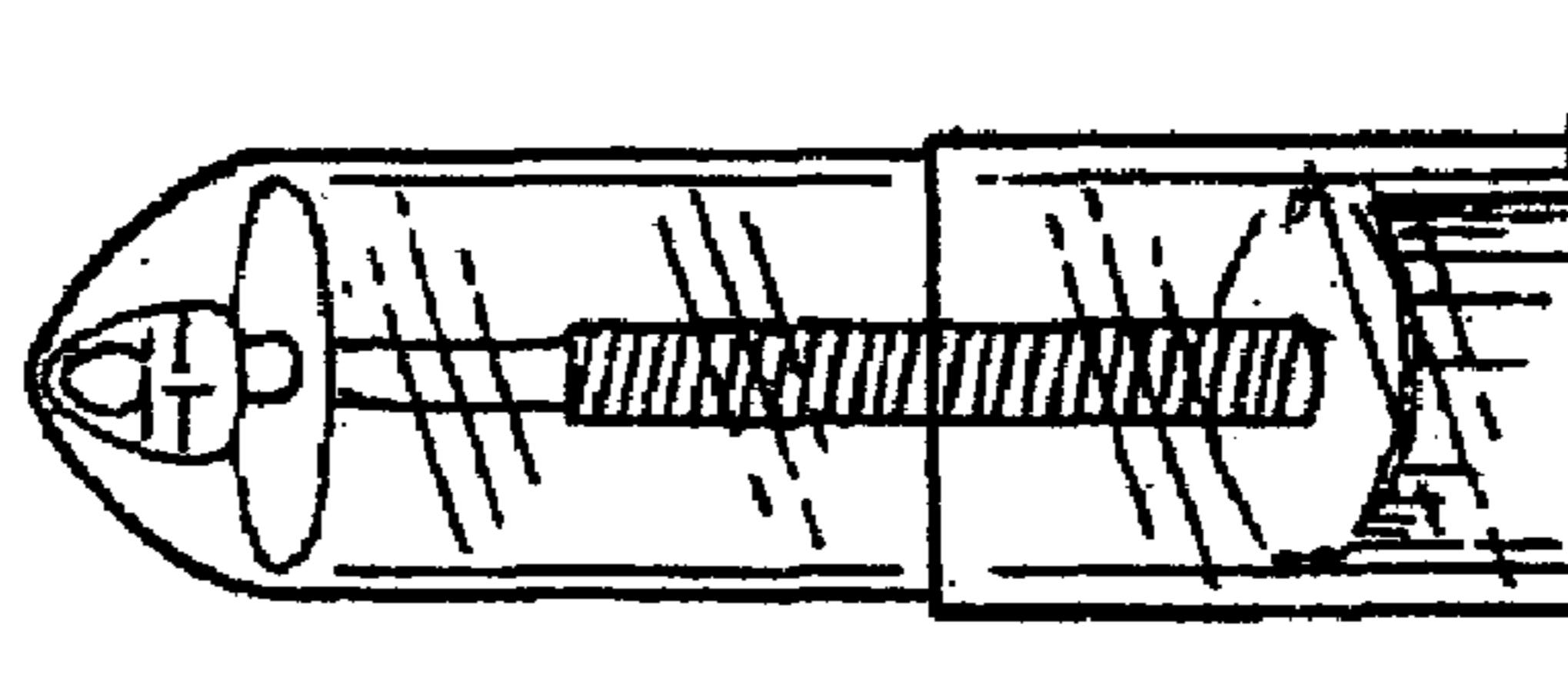
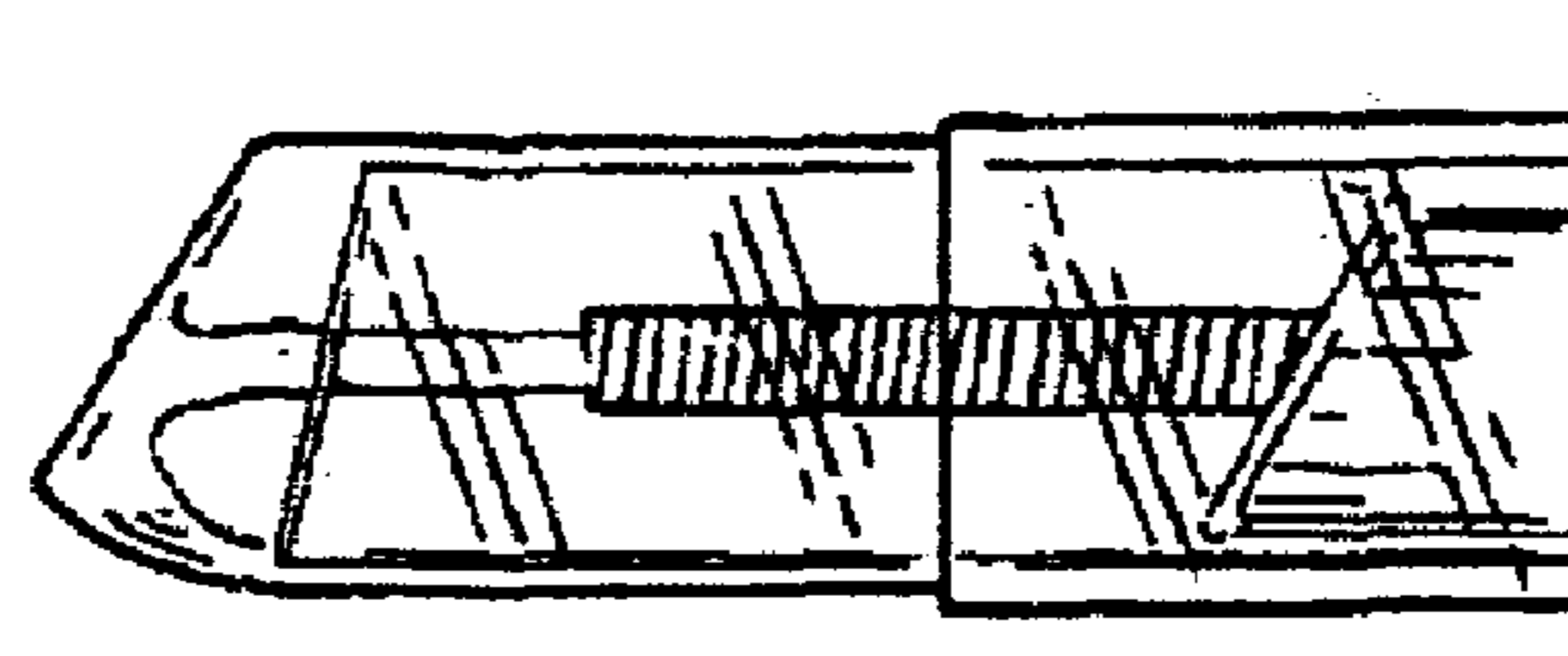


FIG. 20



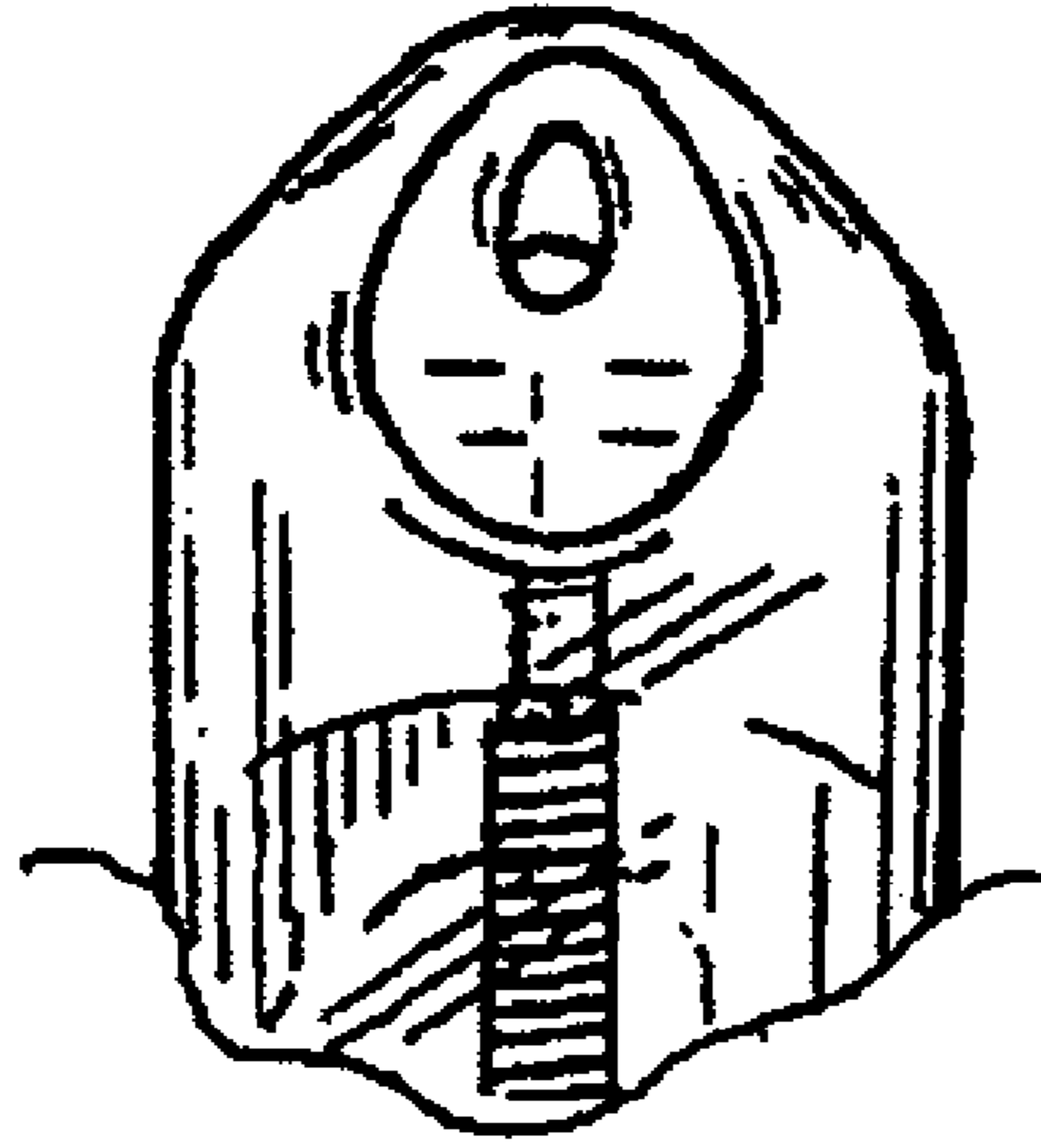


FIG. 25

FIG. 30



FIG. 29

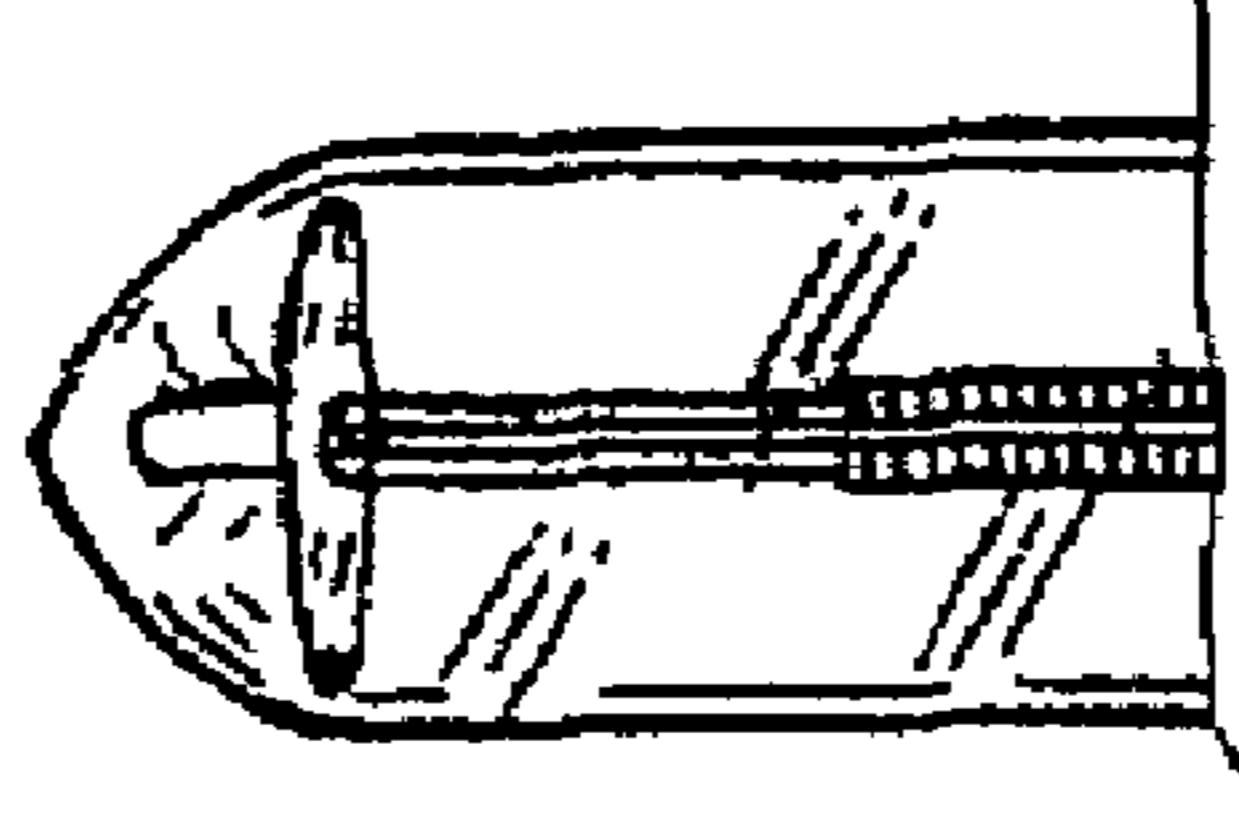


FIG. 28

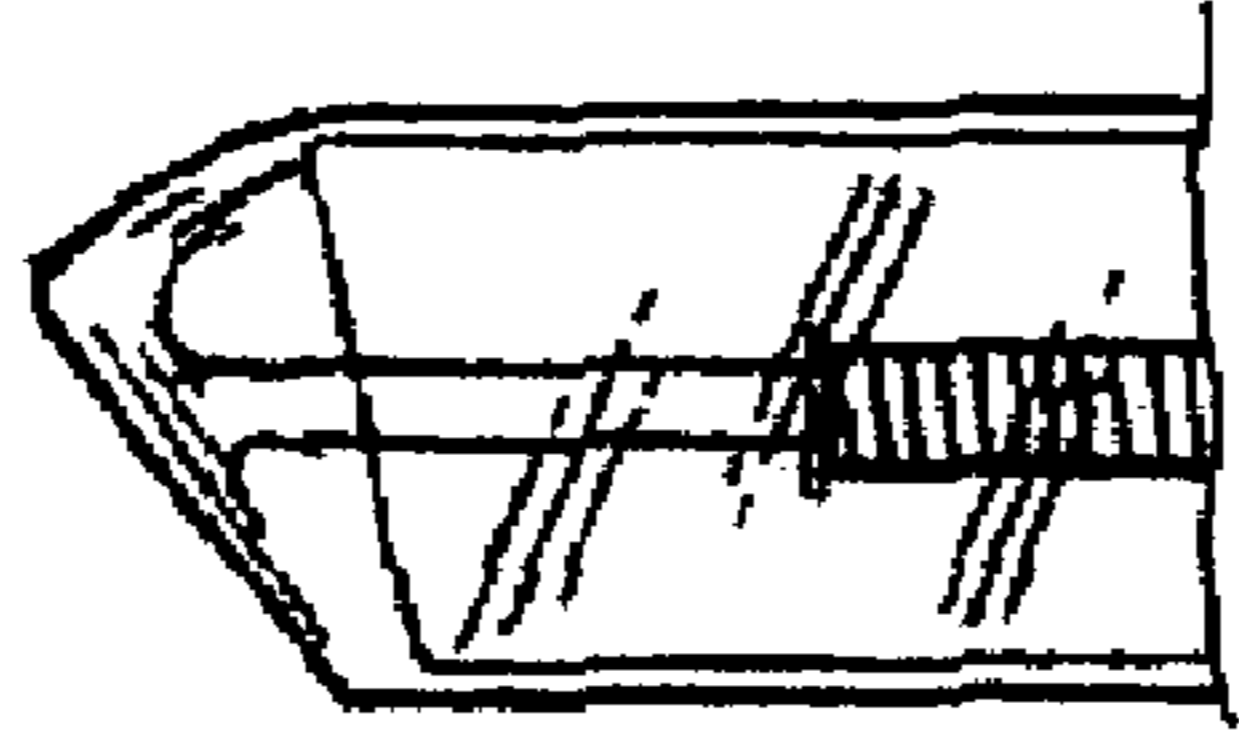


FIG. 27

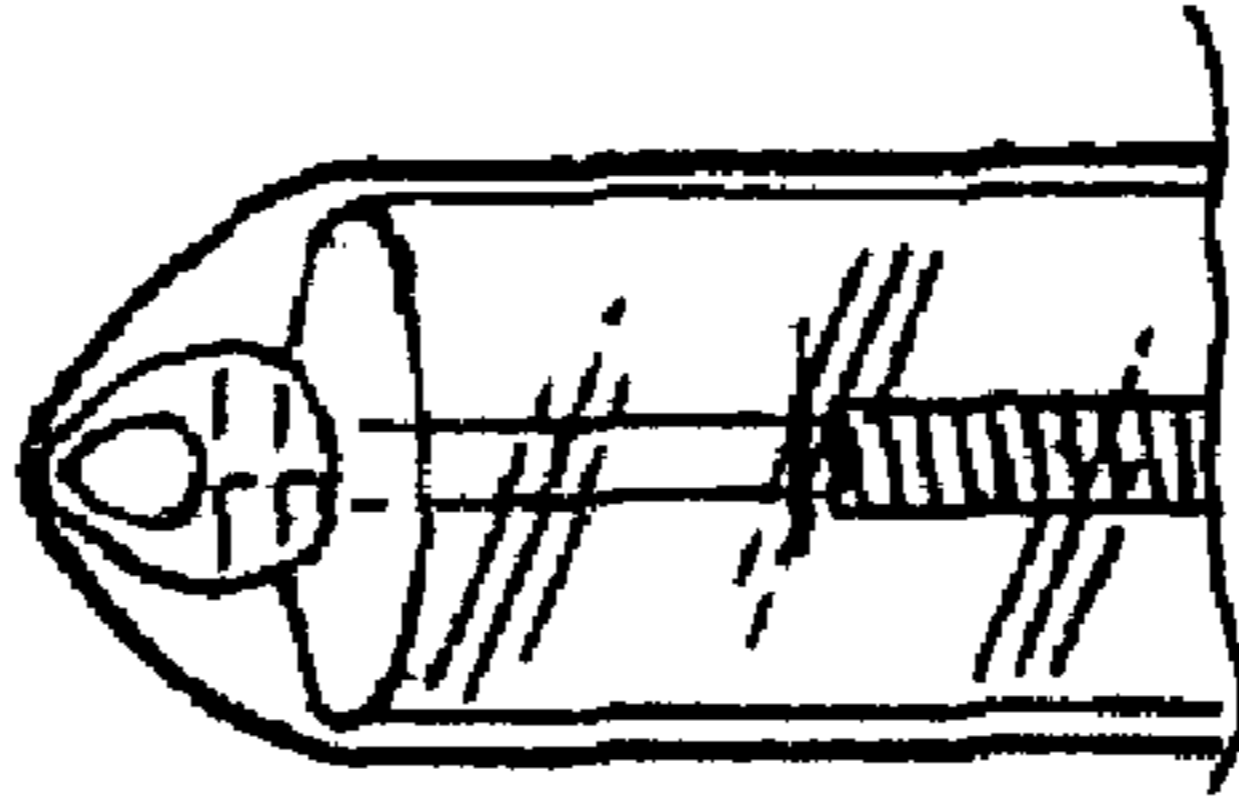
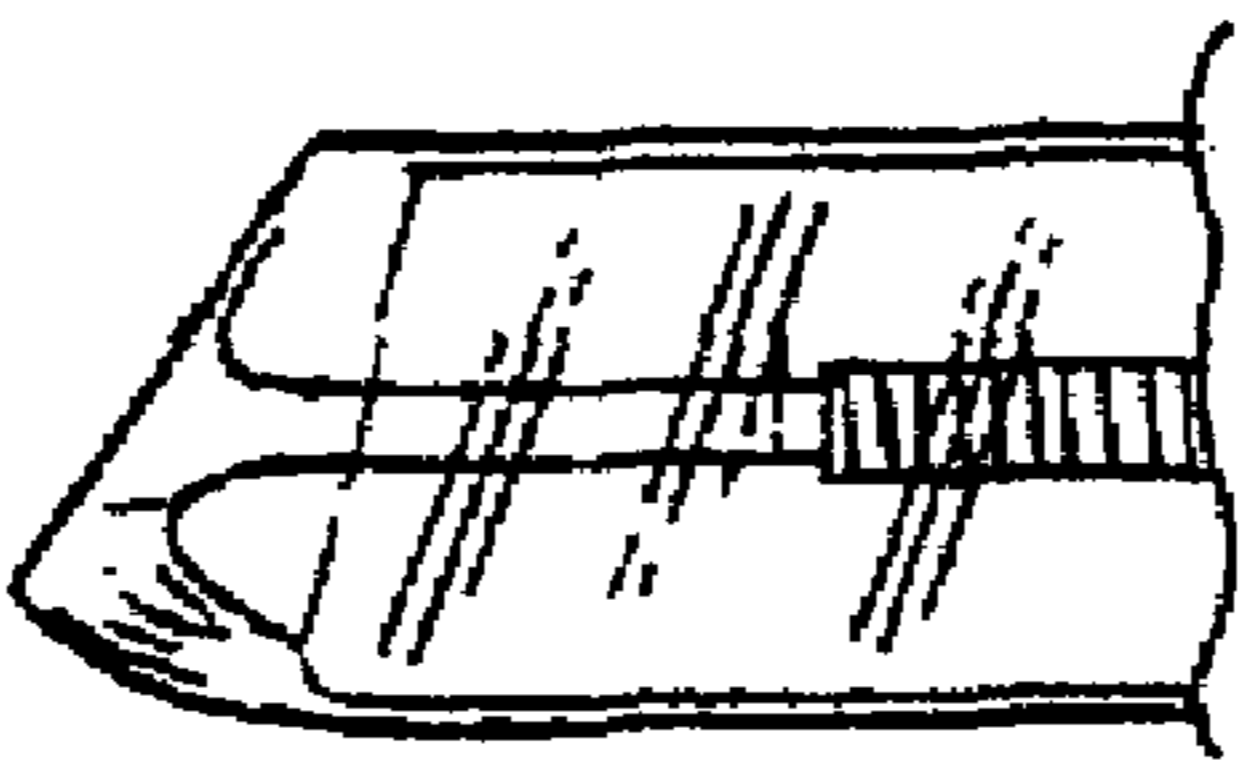


FIG. 26



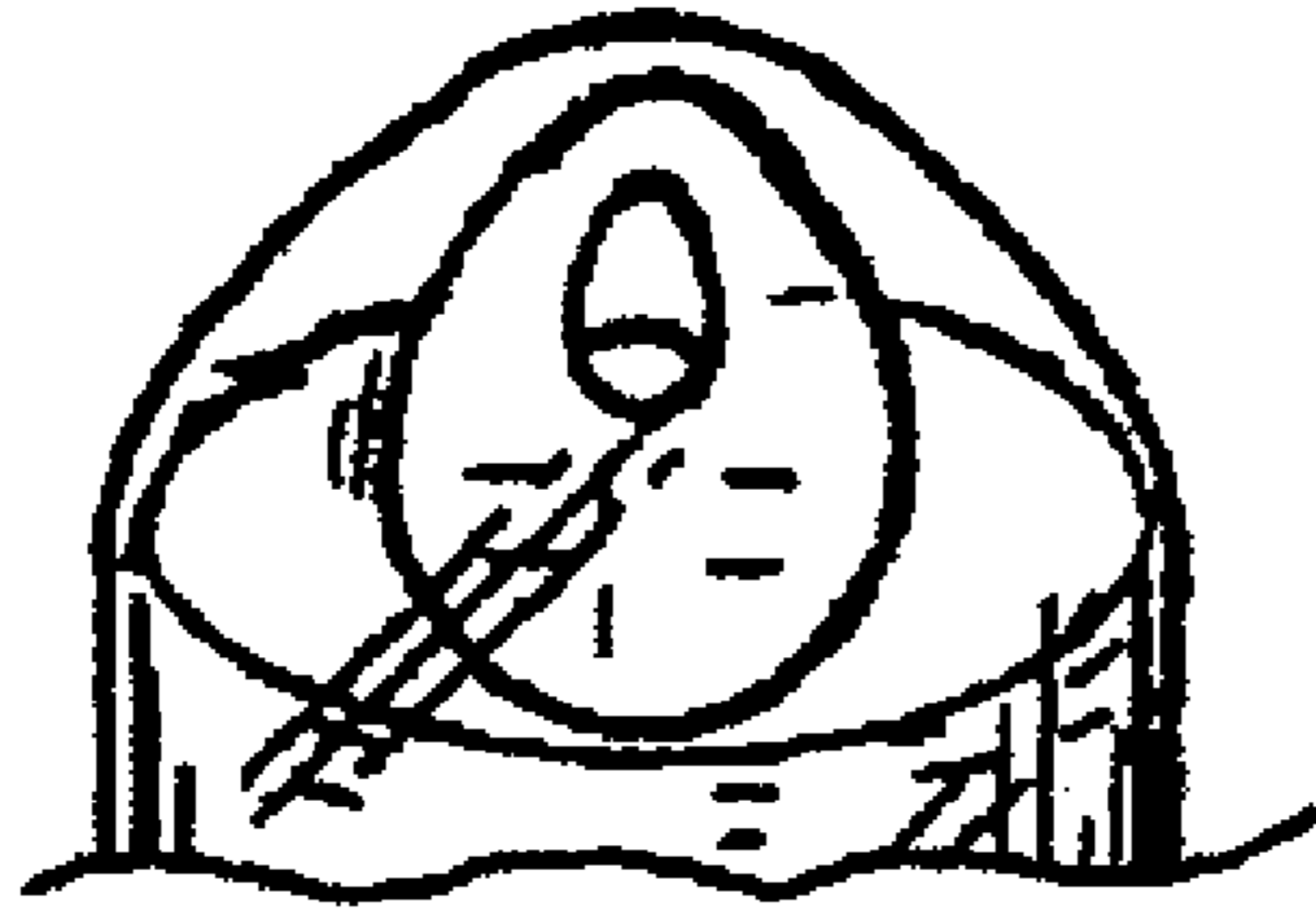


FIG. 31

FIG. 36

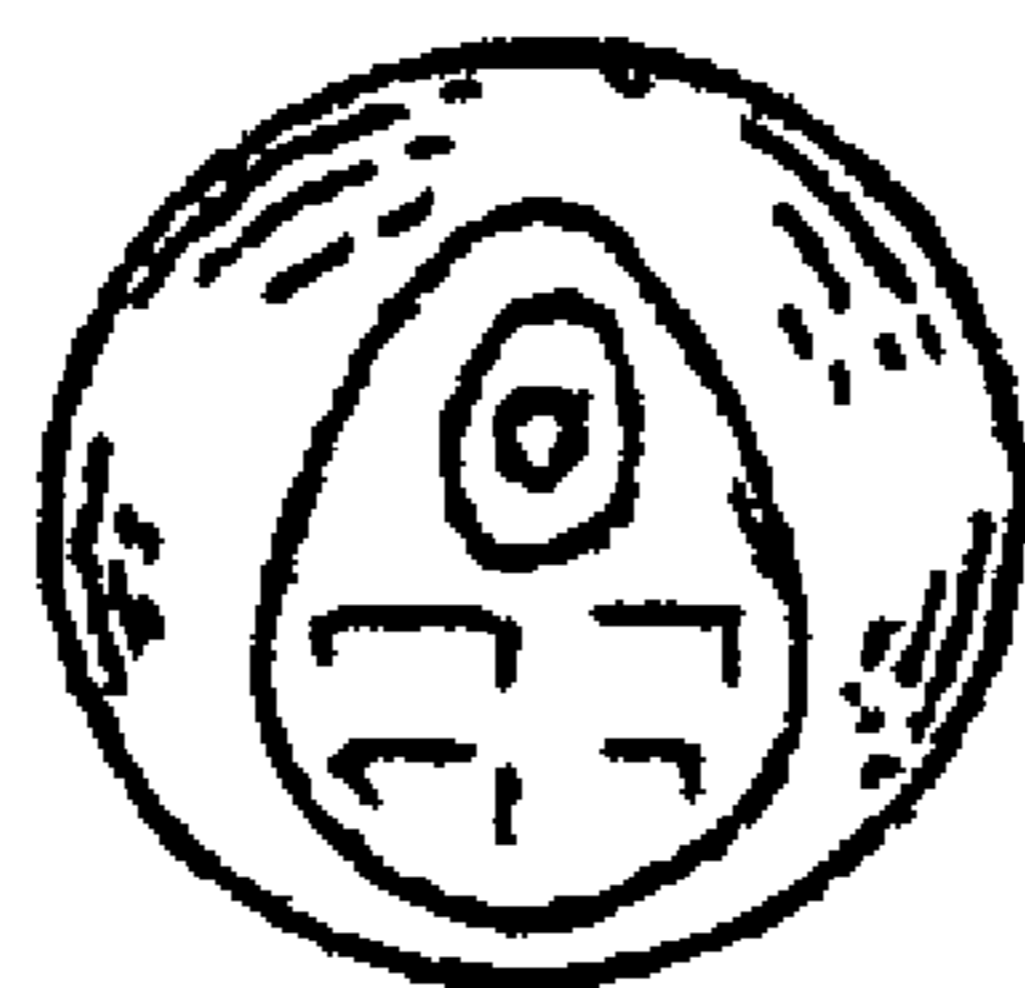


FIG. 32



FIG. 33



FIG. 34



FIG. 35

