



US00D567448S

(12) **United States Design Patent** (10) **Patent No.:** **US D567,448 S**  
**Mascotte et al.** (45) **Date of Patent:** **\*\* Apr. 22, 2008**

(54) **LIPSTICK CASE** D209,173 S 11/1967 Swee

(75) Inventors: **Leo R. Mascotte**, New York, NY (US);  
**Yukiko Kojima**, New York, NY (US)

(Continued)

(73) Assignee: **ELC Management LLC**, New York,  
NY (US)

FOREIGN PATENT DOCUMENTS

AU 118749 S 11/1993

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

(21) Appl. No.: **29/296,322**

(Continued)

(22) Filed: **Oct. 18, 2007**

OTHER PUBLICATIONS

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

(52) **U.S. Cl.** ..... **D28/90**

(58) **Field of Classification Search** ..... 206/581,  
206/823; 132/317-318, 320; D28/85-90,  
D28/76; D9/503-504, 529

<http://www.incacosmetici.it/inglese/packaging/pagine/prodotti/standard/standard01.htm>; Oct. 10, 2007; 1-2 pages.

(Continued)

See application file for complete search history.

*Primary Examiner*—Jennifer Rivard

(74) *Attorney, Agent, or Firm*—Cynthia R. Miller

(56) **References Cited**

(57) **CLAIM**

U.S. PATENT DOCUMENTS

The ornamental design for a lipstick case, substantially as shown and described.

D83,901 S	4/1931	Huffman	
D96,089 S	7/1935	Botham	
D100,692 S	8/1936	Ganz	
D129,942 S	10/1941	Petzold	
D129,943 S	10/1941	Petzold	
D129,944 S	10/1941	Petzold	
2,318,152 A	5/1943	Gelardin	
D136,029 S	7/1943	Weston	
D142,679 S	10/1945	Spiegel	
D146,928 S	6/1947	Schreyer	
D152,898 S	3/1949	Muller	
D155,393 S	10/1949	D'Escayrac	
2,485,105 A	10/1949	McKnight	
D163,140 S	5/1951	Roth et al.	
D163,534 S	6/1951	Monturo	
D163,535 S	6/1951	Monturo	
D180,113 S	4/1957	Slater	
D184,083 S	12/1958	Crabbe	
D185,319 S *	5/1959	Schlumberger	..... D28/89
D185,338 S	5/1959	Wolff	
D190,214 S	4/1961	Wester, Sr.	
D194,716 S	2/1963	Edell	
3,150,771 A	9/1964	Seaver	

**DESCRIPTION**

FIG. 1 is a top, side perspective view of our new design for a lipstick case;

FIG. 2 is a side elevational view of the lipstick case shown in FIG. 1;

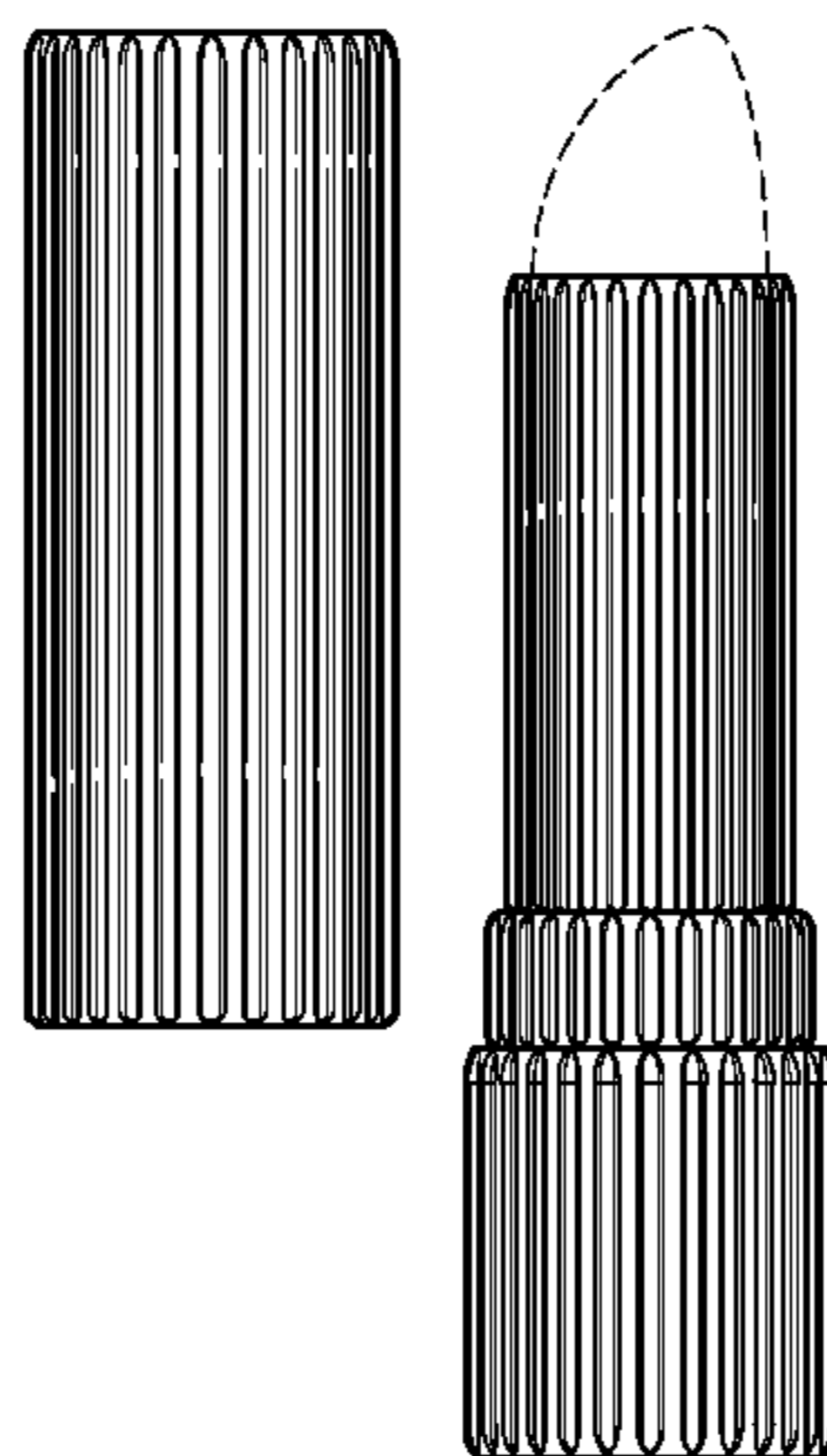
FIG. 3 is a side elevational view of the lipstick case shown in FIG. 1, with the cap removed;

FIG. 4 is a top plan view of the lipstick case shown in FIG. 1; and,

FIG. 5 is a bottom plan view of the lipstick case shown in FIG. 1.

The broken line showing in FIGS. 1, 3 and 4 is presented for illustrative purposes only and forms no part of the claimed design.

**1 Claim, 3 Drawing Sheets**



# US D567,448 S

Page 2

## U.S. PATENT DOCUMENTS

D244,509 S	5/1977	Jones et al.	AU	140332 S	4/2000
D264,938 S	6/1982	Stock	EM	256334-3	11/2004
D267,982 S	2/1983	Kennedy	HK	0111906.6	5/2002
D274,132 S	6/1984	Nightingale, III	HK	0111905.4	8/2002
4,514,102 A	4/1985	Ackerman et al.	JP	920959	2/1995
D280,032 S	8/1985	Holloway	JP	981259	5/1997
D280,141 S	8/1985	Holloway	JP	1056463	12/1999
D281,054 S	10/1985	Menrad	JP	1263549	2/2006
D296,672 S	7/1988	Bouthillier	KR	30-0081661	7/1988
D304,095 S	10/1989	Gavin	KR	30-102391	2/1991
D310,737 S	9/1990	Bakic	KR	30-0299691	6/2002
D311,072 S	10/1990	Martinoni	TW	00199653	2/1993
D330,442 S	10/1992	Fukazawa	TW	00276018	5/1996
D333,365 S	2/1993	Desgrippes	WO	DM/033 161	6/1995
5,197,814 A	3/1993	Lombardi et al.	WO	DM/035 704	10/1995
D343,028 S	1/1994	Chen	WO	DM/037 212	8/1996
D346,044 S	4/1994	Chen	WO	DM/037 531	9/1996
5,342,134 A	8/1994	Lombardi et al.	WO	DM/040 232	5/1997
D356,507 S	3/1995	Lang et al.	WO	DM/046478	3/1999
D381,775 S	7/1997	Arntsen	WO	DM/051249	3/2000
5,863,144 A	1/1999	Ackermann	WO	DM/052272	9/2000
D413,799 S	9/1999	Schlatter	WO	DM/053527	12/2000
D473,974 S	4/2003	Fuller	WO	DM/055263	4/2001
D480,513 S	10/2003	Fuller	WO	DM/065842	3/2005
D486,270 S	2/2004	Kurumada et al.			

## FOREIGN PATENT DOCUMENTS

AU 126825 S 5/1996

## OTHER PUBLICATIONS

Vintage Estee Lauder Lipstick; 1-4 pages.

\* cited by examiner

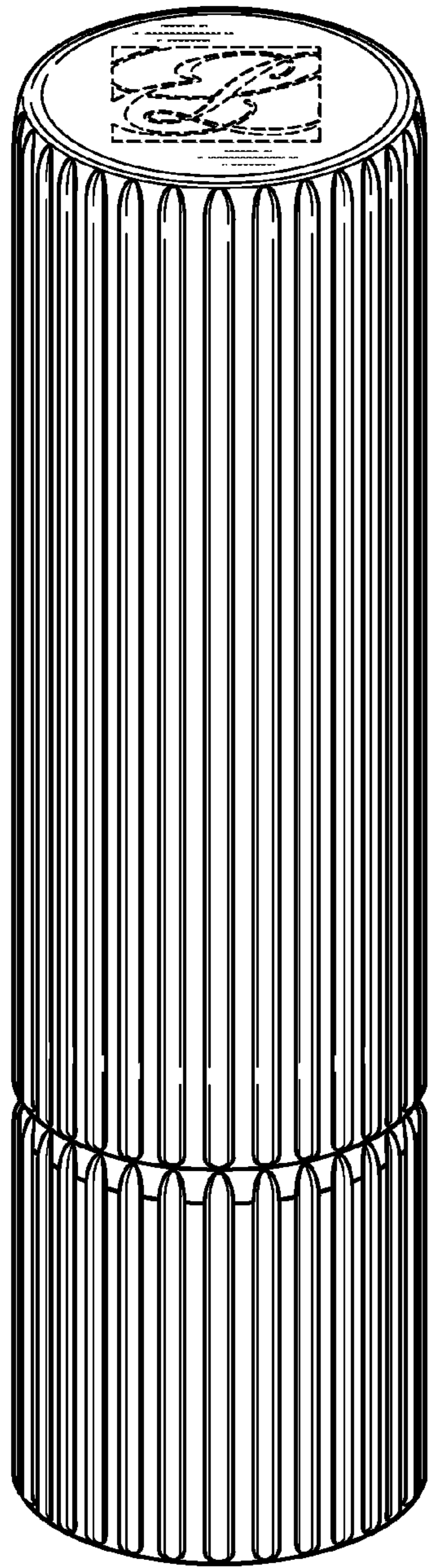


FIG. 1

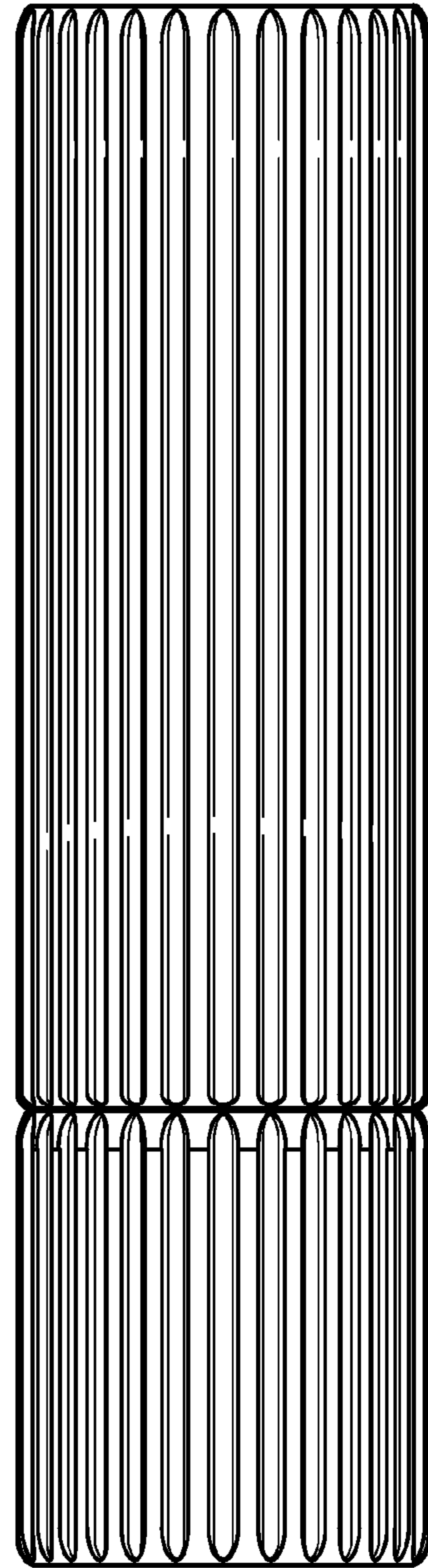


FIG. 2

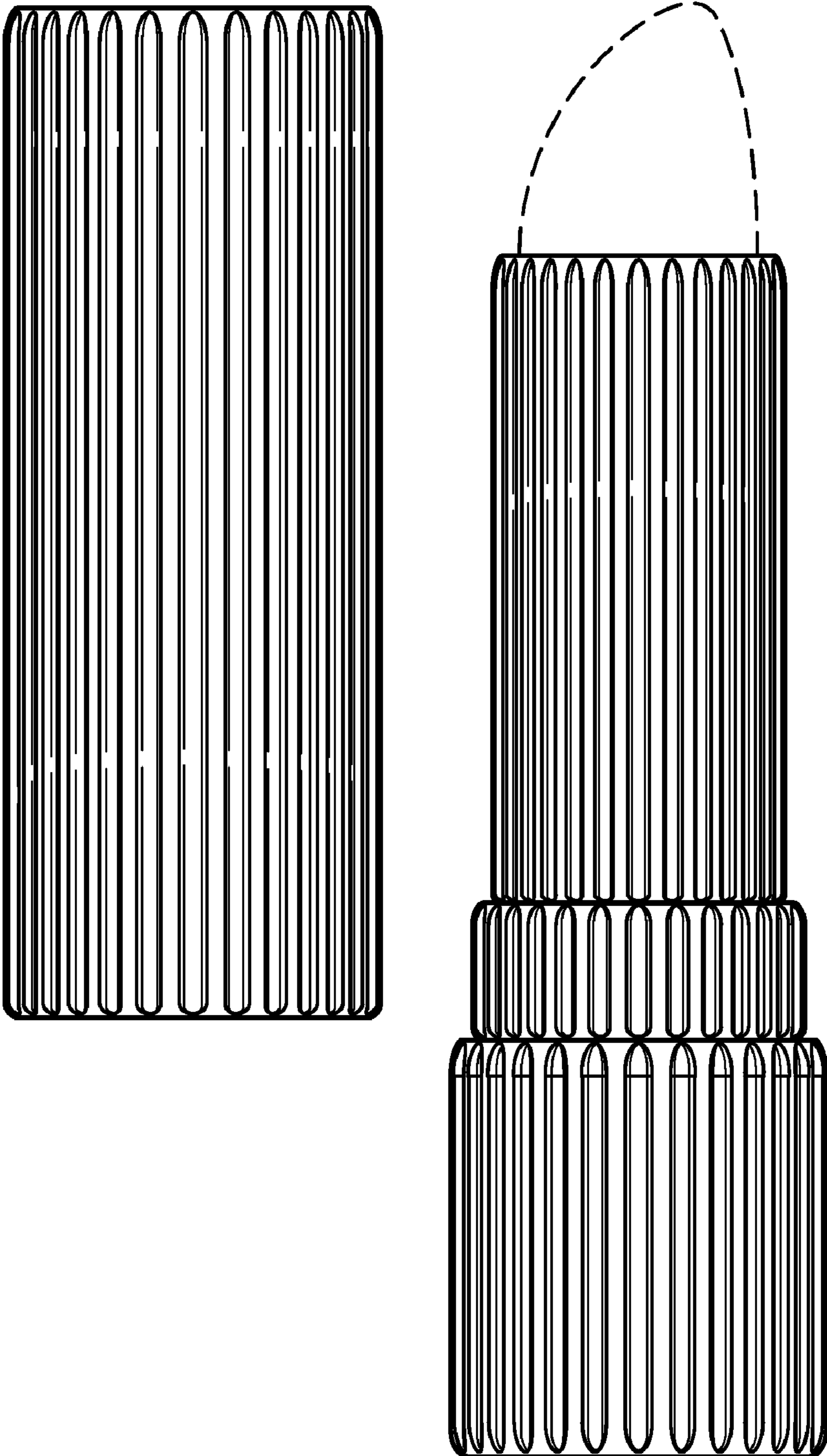


FIG. 3

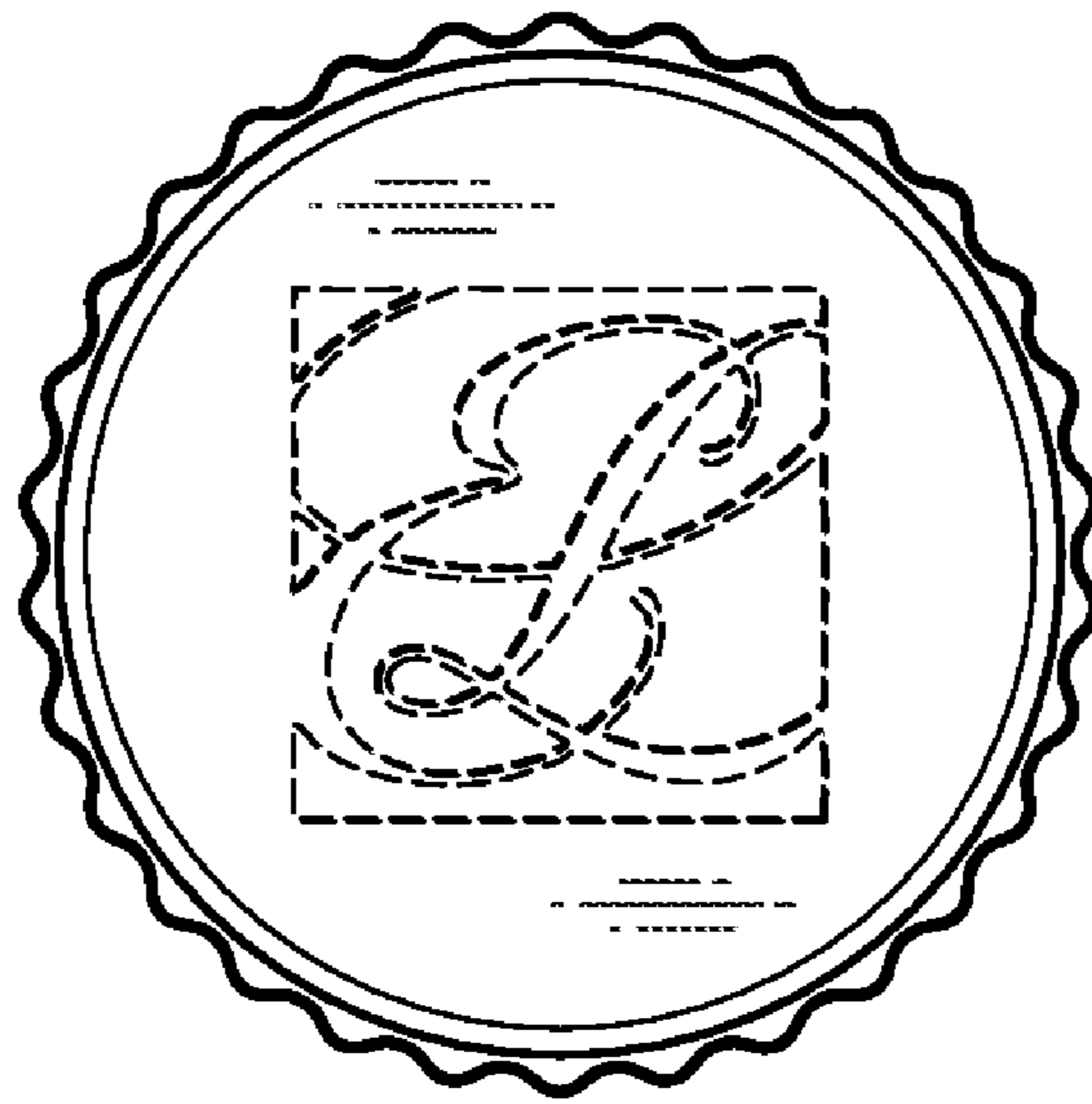


FIG. 4

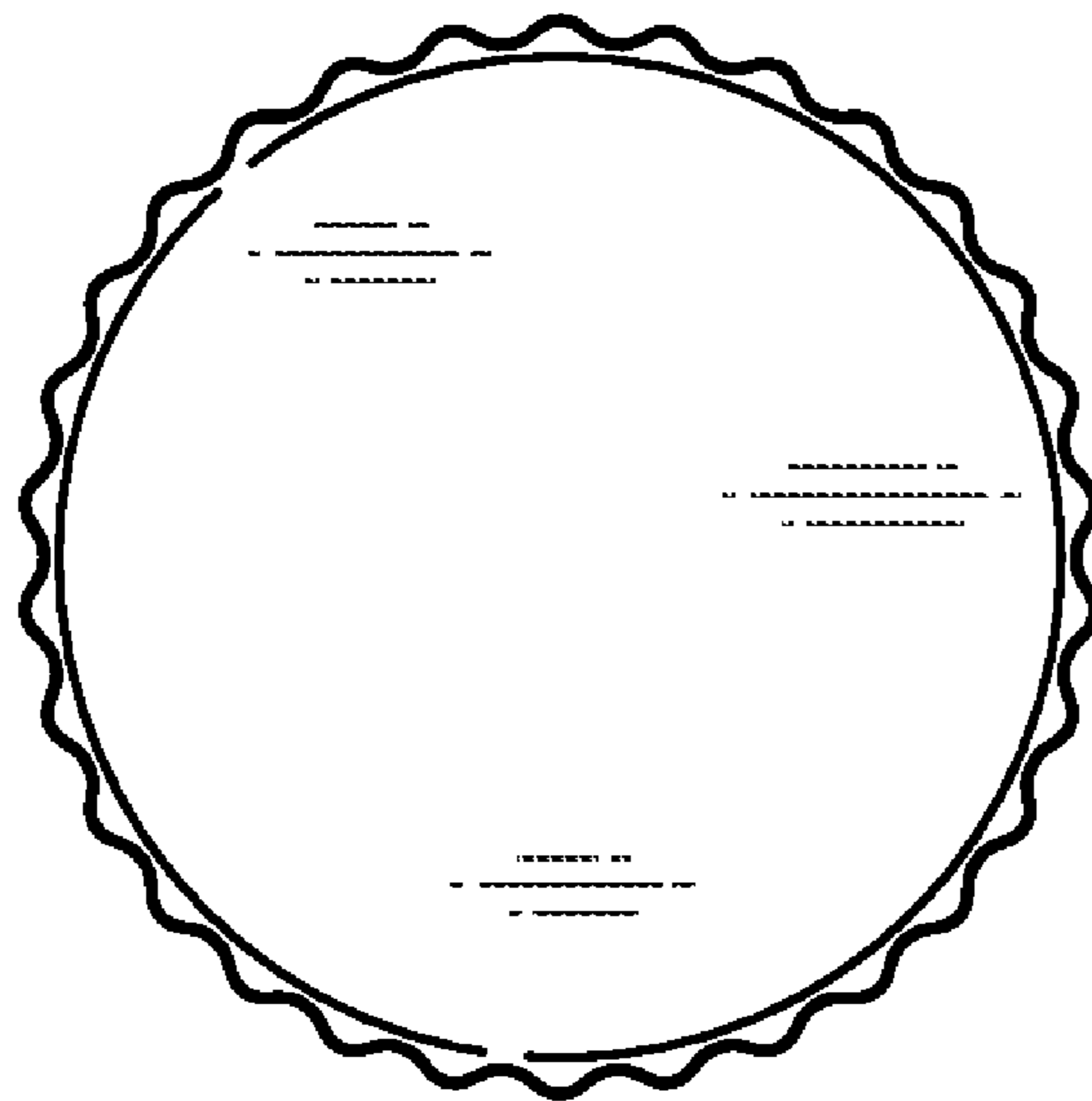


FIG. 5