



US00D569922S

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

(10) **Patent No.:** **US D569,922 S**  
(45) **Date of Patent:** **\*\* May 27, 2008**

(54) **FLYING TOY VEHICLE**

5,357,894 A 10/1994 Jacobson  
D359,082 S 6/1995 Aker et al.

(75) Inventor: **Anthony Martino**, Thousand Oaks, CA (US)

(Continued)

(73) Assignee: **Mattel, Inc.**, El Segundo, CA (US)

**OTHER PUBLICATIONS**

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

Post of Michael Connally's Miss Fan Fold, by Richard N on "Rc Group—LMRA Aeromodelers Indoor Float Fly" www.rcgroups.com/forums/showthread.php?t+376351, Post #67, dated May 29, 2005, pp. 1-3 (of 9) plus five enlarged pics.

(21) Appl. No.: **29/249,986**

(Continued)

(22) Filed: **Oct. 30, 2006**

**Related U.S. Application Data**

(63) Continuation-in-part of application No. 29/259,250, filed on May 4, 2006, now abandoned.

*Primary Examiner*—Holly H. Baynham

*Assistant Examiner*—Cynthia M. Chin

(74) *Attorney, Agent, or Firm*—Pantich Schwarze Belisario & Nadel LLP

(51) **LOC (8) Cl.** ..... **21-01**

(52) **U.S. Cl.** ..... **D21/550**

(58) **Field of Classification Search** ..... D21/433,  
D21/447, 448, 450, 533, 548–551, 562; D12/82,  
D12/83, 86, 88, 91–93; 446/93, 95, 230,  
446/232, 431, 454–456, 465–471; 296/181.1,  
296/181.2

See application file for complete search history.

(57) **CLAIM**

The ornamental design for a flying toy vehicle, as shown and described.

**DESCRIPTION**

FIG. 1 is an elevated perspective view of the front and left side of a first embodiment flying toy vehicle in accordance with the new design;

FIG. 2 is a front elevation view thereof;

FIG. 3 is a rear elevation view thereof

FIG. 4 is an elevation view of the left side thereof;

FIG. 5 is an elevation view of the right side thereof;

FIG. 6 is a top plan view thereof;

FIG. 7 is a bottom plan view thereof;

FIG. 8 is an elevated perspective view of the front and left side of a second embodiment flying toy vehicle in accordance with the new design;

FIG. 9 is a front perspective view thereof; and,

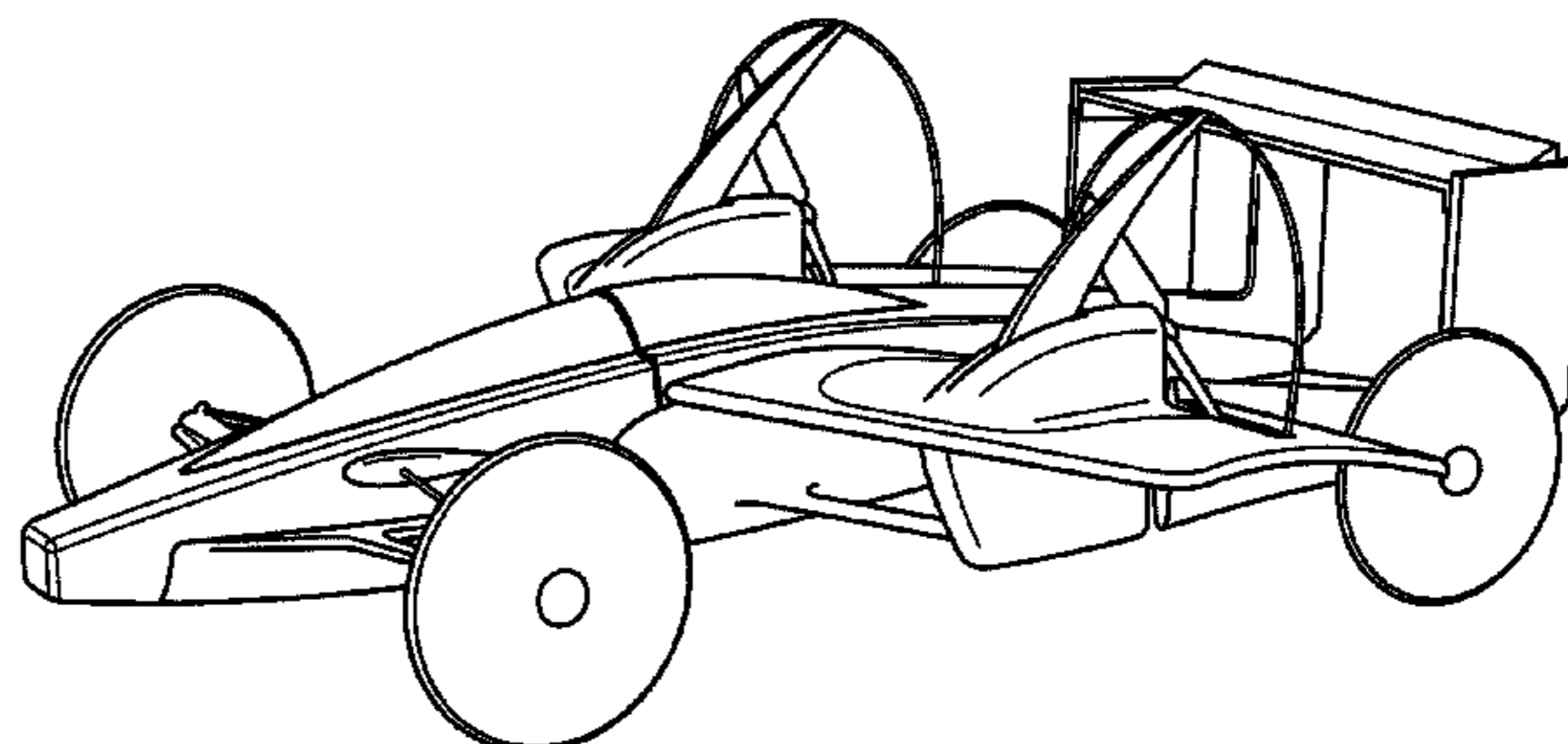
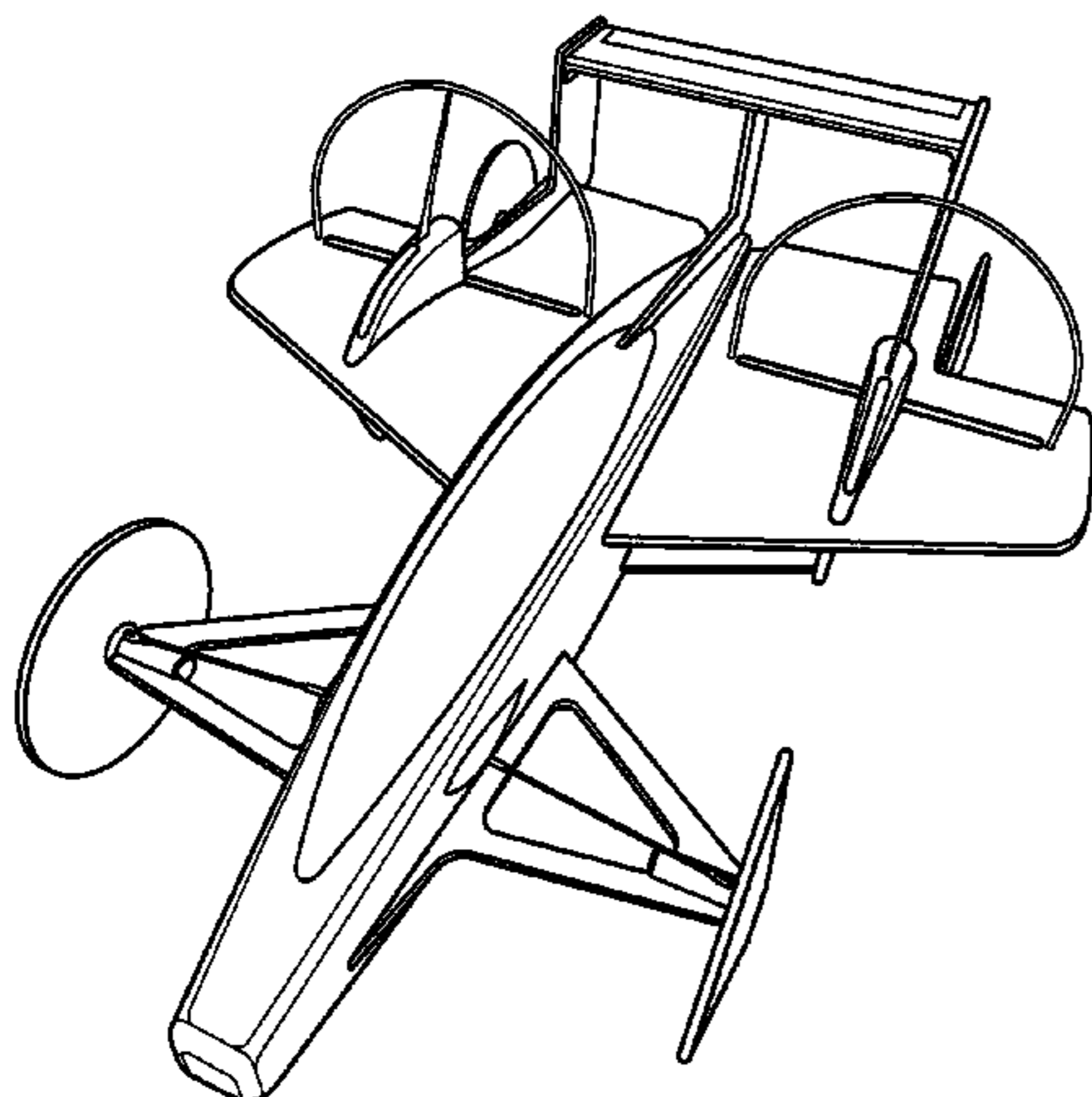
FIG. 10 is a perspective view of the left side thereof, the right side being a mirror image.

**1 Claim, 7 Drawing Sheets**

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

2,354,453 A	2/1944	Gazda	
3,244,246 A	4/1966	Weiland	
D235,858 S	7/1975	Lyford, III	
D245,637 S	8/1977	Jewett	
D255,810 S	7/1980	Bretschger	
D261,672 S	11/1981	Phillippe	
D262,127 S	12/1981	Phillippe	
D268,940 S	5/1983	Head	
4,585,423 A	4/1986	Kwan	
4,899,954 A	2/1990	Pruszenski, Jr.	
D311,038 S *	10/1990	Head	D21/550
D313,255 S	12/1990	Honma	
D313,256 S	12/1990	Honma	
D319,853 S	9/1991	Southgate	
5,050,817 A	9/1991	Miller	
5,065,833 A	11/1991	Matsuoka et al.	
5,269,249 A	12/1993	Micheletti et al.	



# US D569,922 S

Page 2

## U.S. PATENT DOCUMENTS

D365,782 S 1/1996 Reynard et al.  
5,562,061 A 10/1996 Crocker  
D397,380 S 8/1998 Araki et al.  
6,131,848 A 10/2000 Crow  
6,158,540 A 12/2000 Rice et al.  
D438,144 S 2/2001 Hettler  
D465,814 S 11/2002 Koveleski  
6,517,026 B1 2/2003 Smith  
6,568,980 B2 5/2003 Barthold  
D492,970 S 7/2004 Tabor  
D496,075 S 9/2004 Byrne  
D509,264 S 9/2005 Wei  
D526,598 S \* 8/2006 Singer et al. .... D12/88  
D528,041 S \* 9/2006 Costa ..... D12/88  
D531,233 S \* 10/2006 Proch et al. .... D21/433

## OTHER PUBLICATIONS

Article entitled "Flying Porsche", Radio Control Modeler, dated Oct. 1988, cover and pp. 136-141.

Manual entitled "Indy Sports Car. 40", FlyingThingZ, Inc., Stroudsburg, PA pp. 1-3 (2004).

Catalog sheet entitled: "Airhogs Hydro Freak", Spin Master Ltd, Toronto, CA (Jan. 2006) (1 page).

Article "Jakks Pacific's RTF, XPV is A OK!(Xtreme Performance Vehicle)", RC Groups.com pp. 1-6 (Sep. 2006).

Website entitled, "Flying Boat" Waigo Model Hobbies, Ltd, Kowloon, Hong Kong, 3 pages, Sep. 2005.

Website entitled: "Seagull Cassiopela" 7 pages, Sep. 2005.

Catalog sheet for "Hot Wheels Jet Car" puzzle 42914, Mattel, Inc. 1 page, 2003.

Web photo "lil misfit1.danny.troy. Jun. 16, 2005" 1 page.

Web photo "Miss Hydra Foam" 1 page, Jun. 16, 2005.

\* cited by examiner

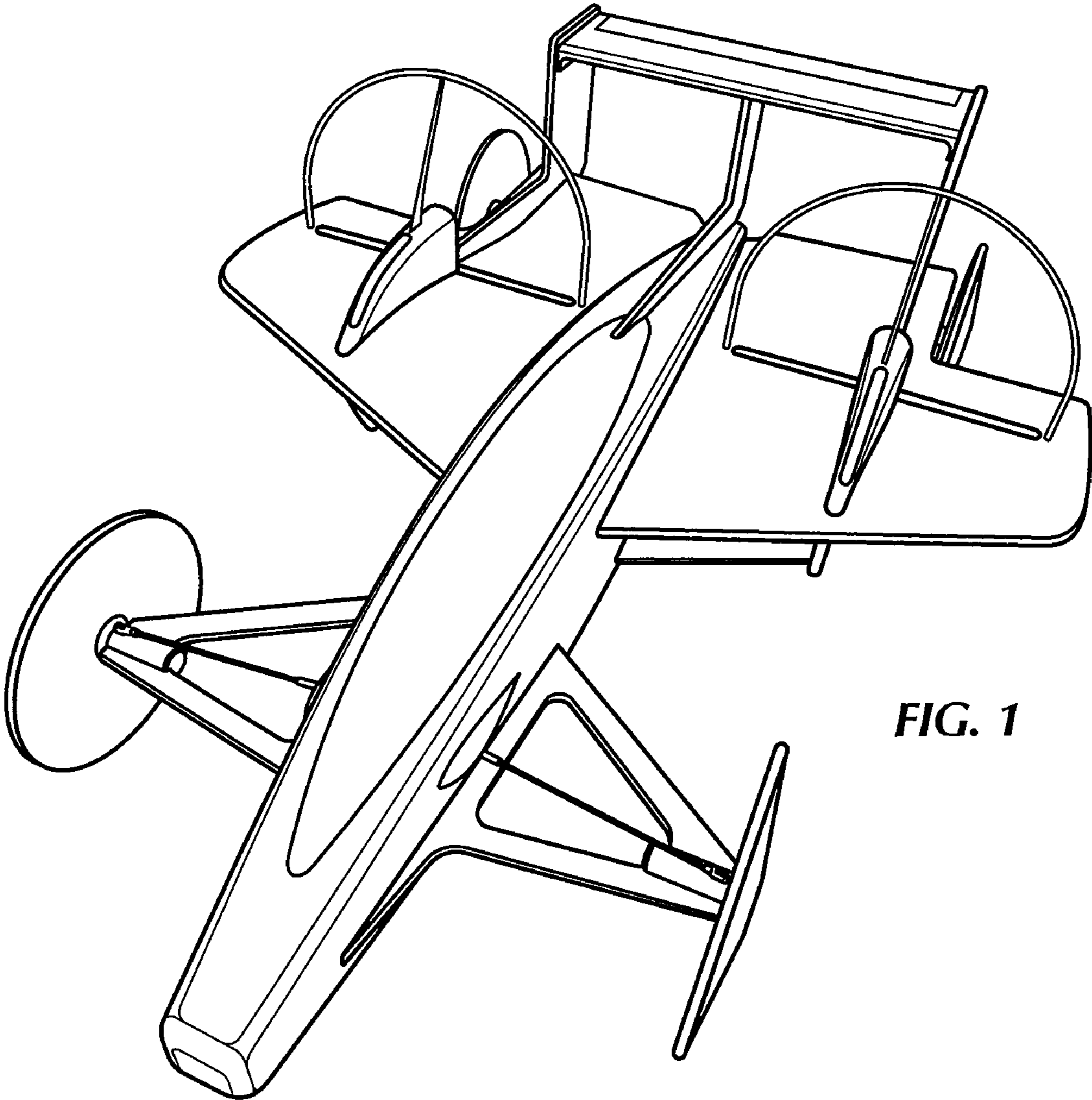
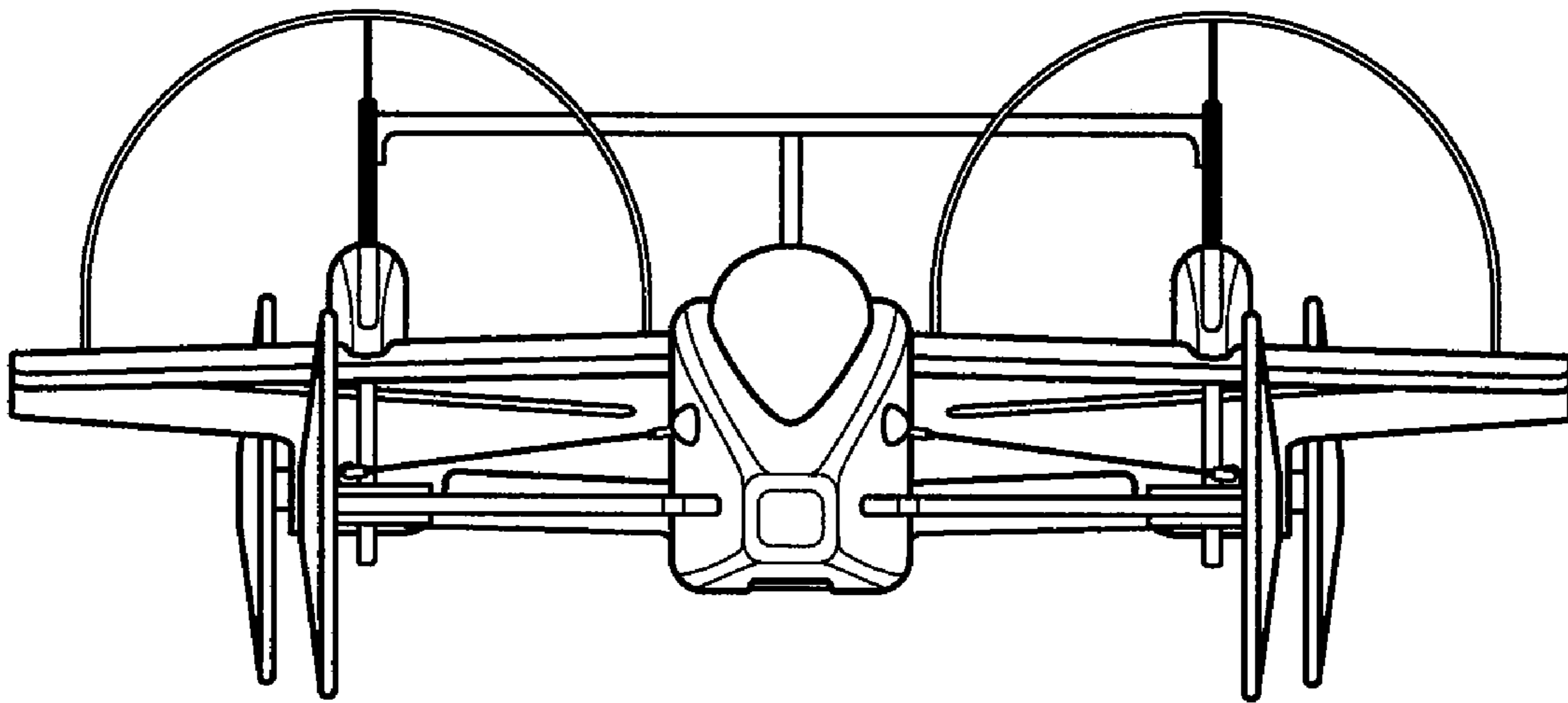
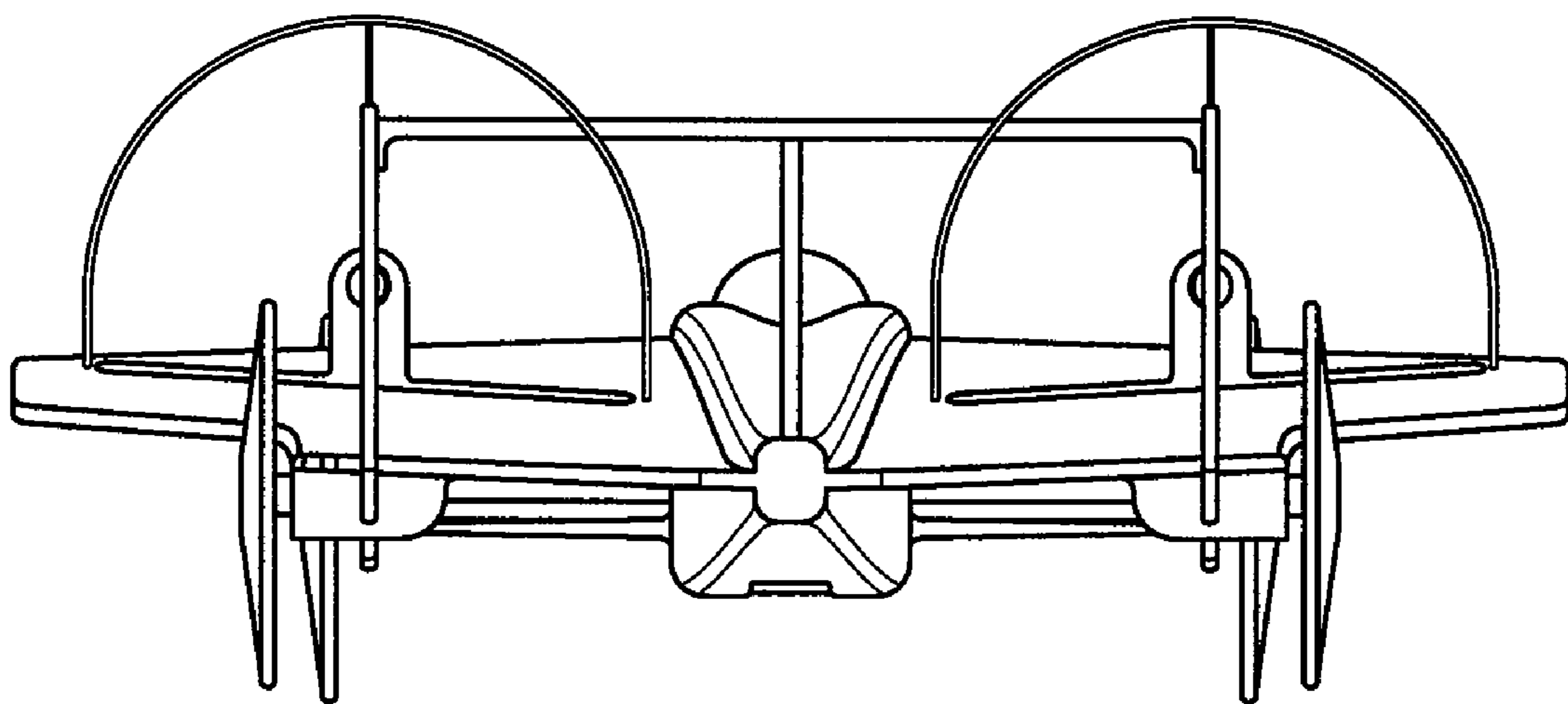


FIG. 1



*FIG. 2*



*FIG. 3*

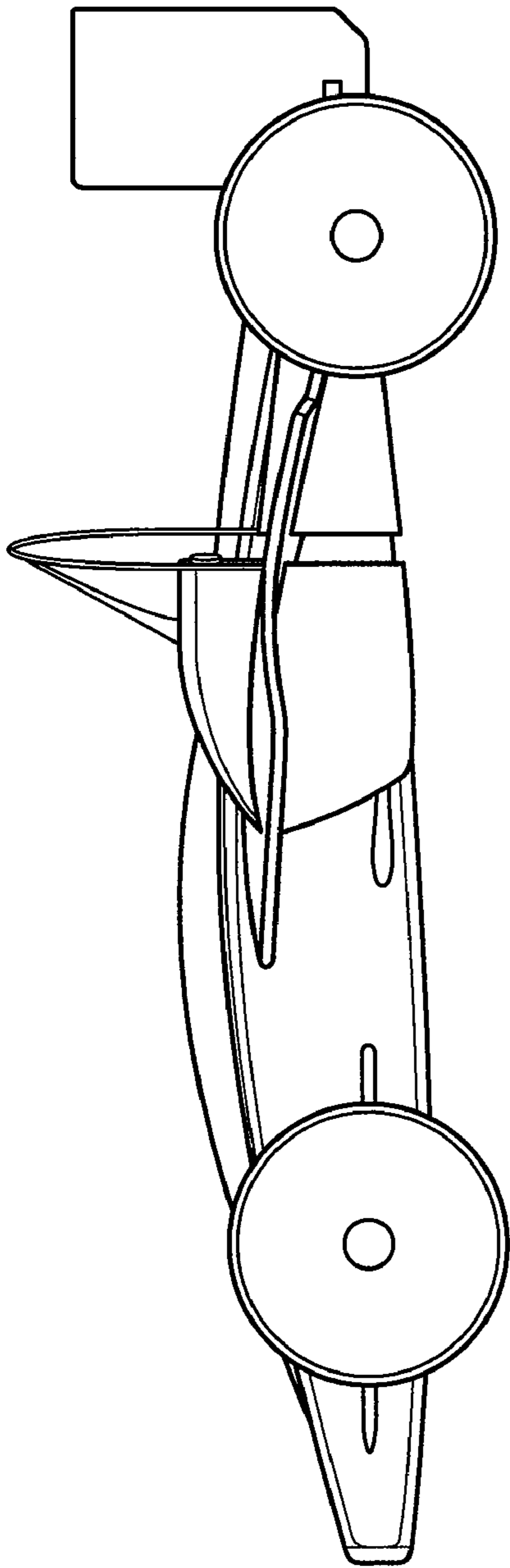


FIG. 4

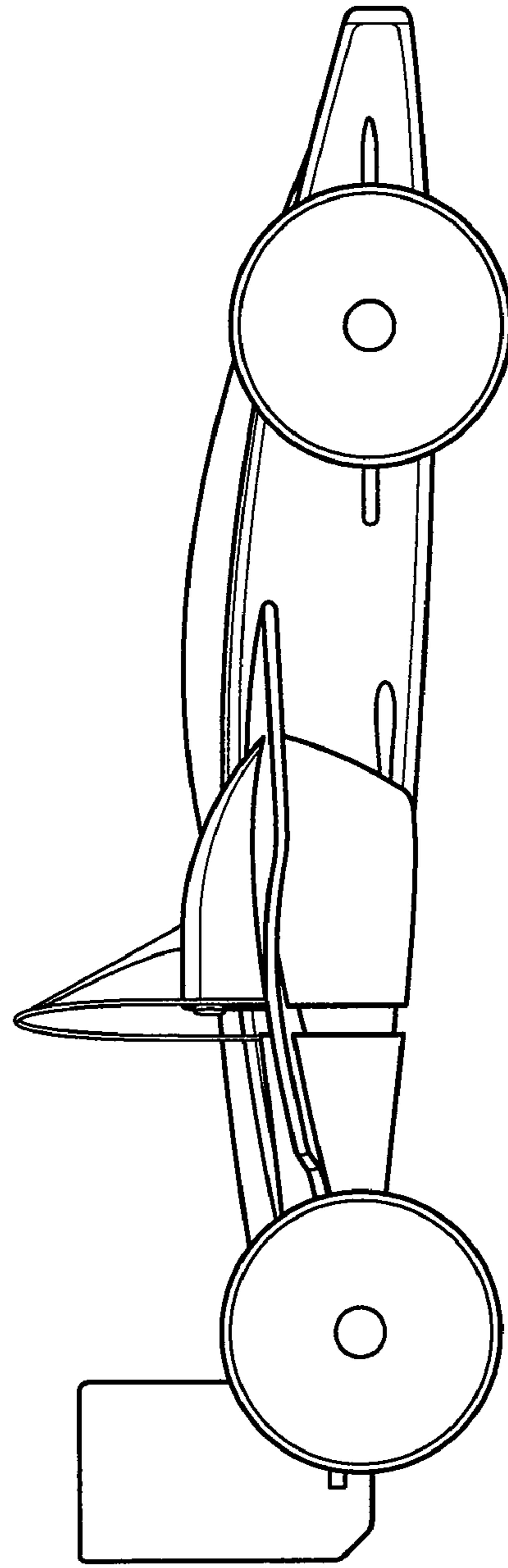
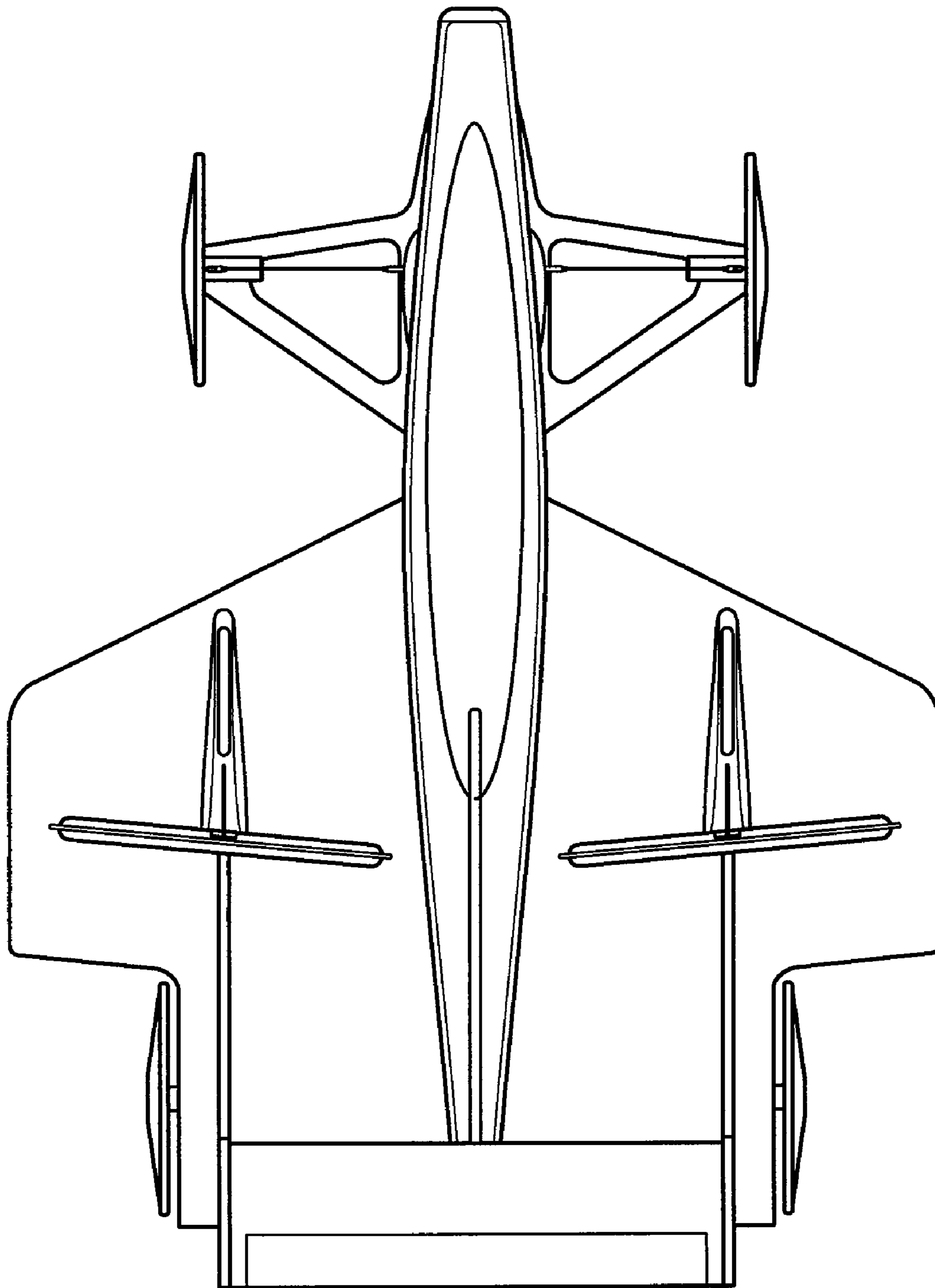
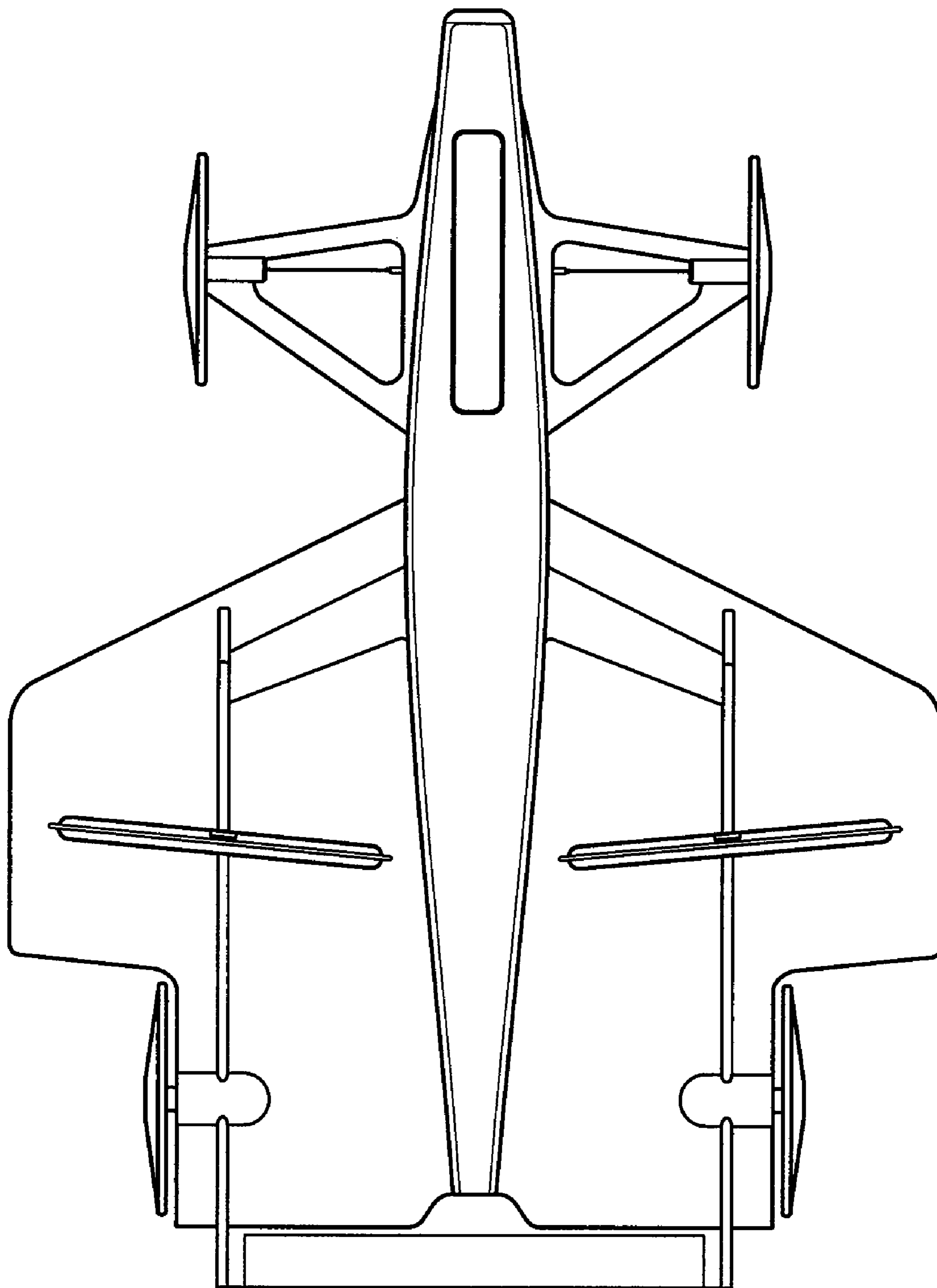


FIG. 5



**FIG. 6**



**FIG. 7**

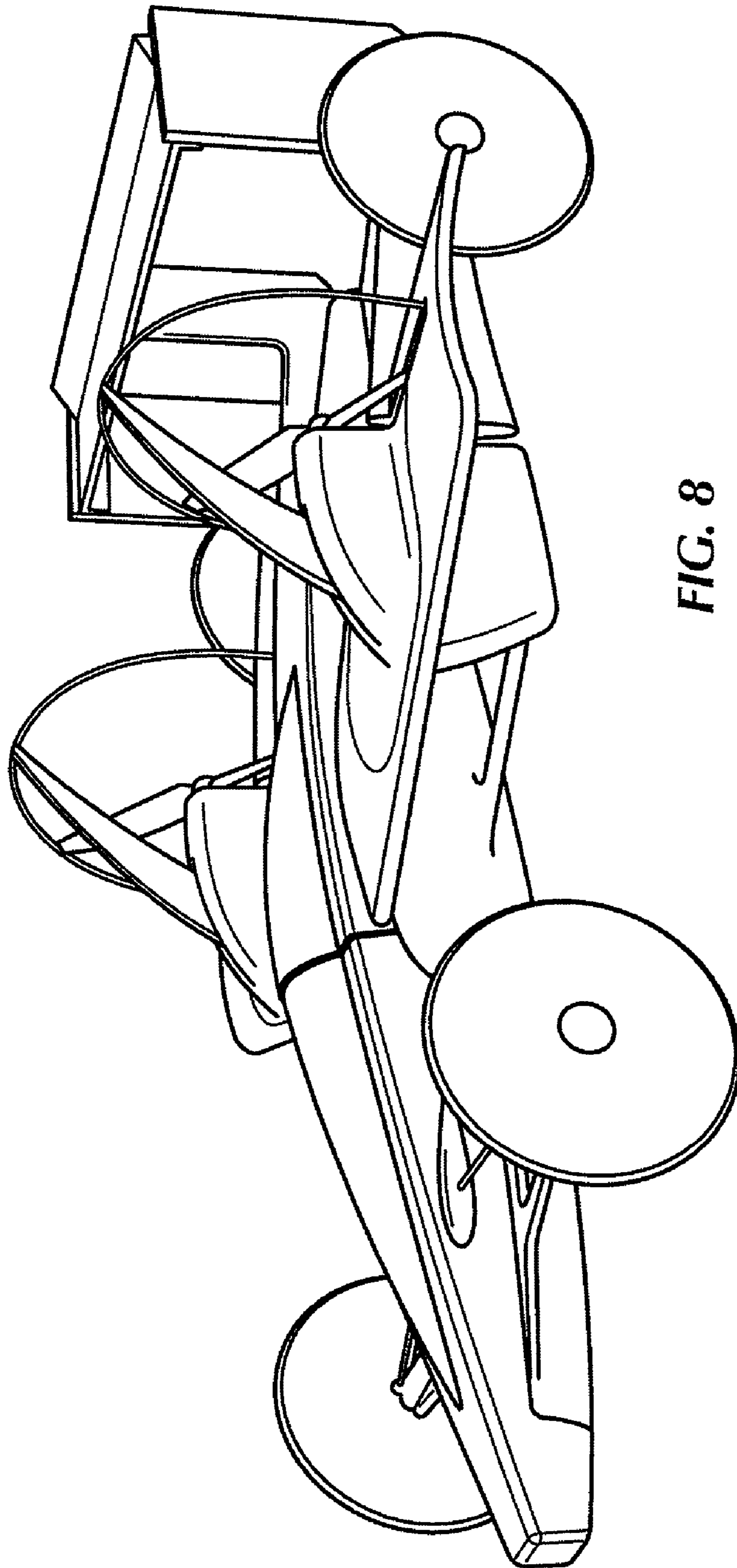


FIG. 8



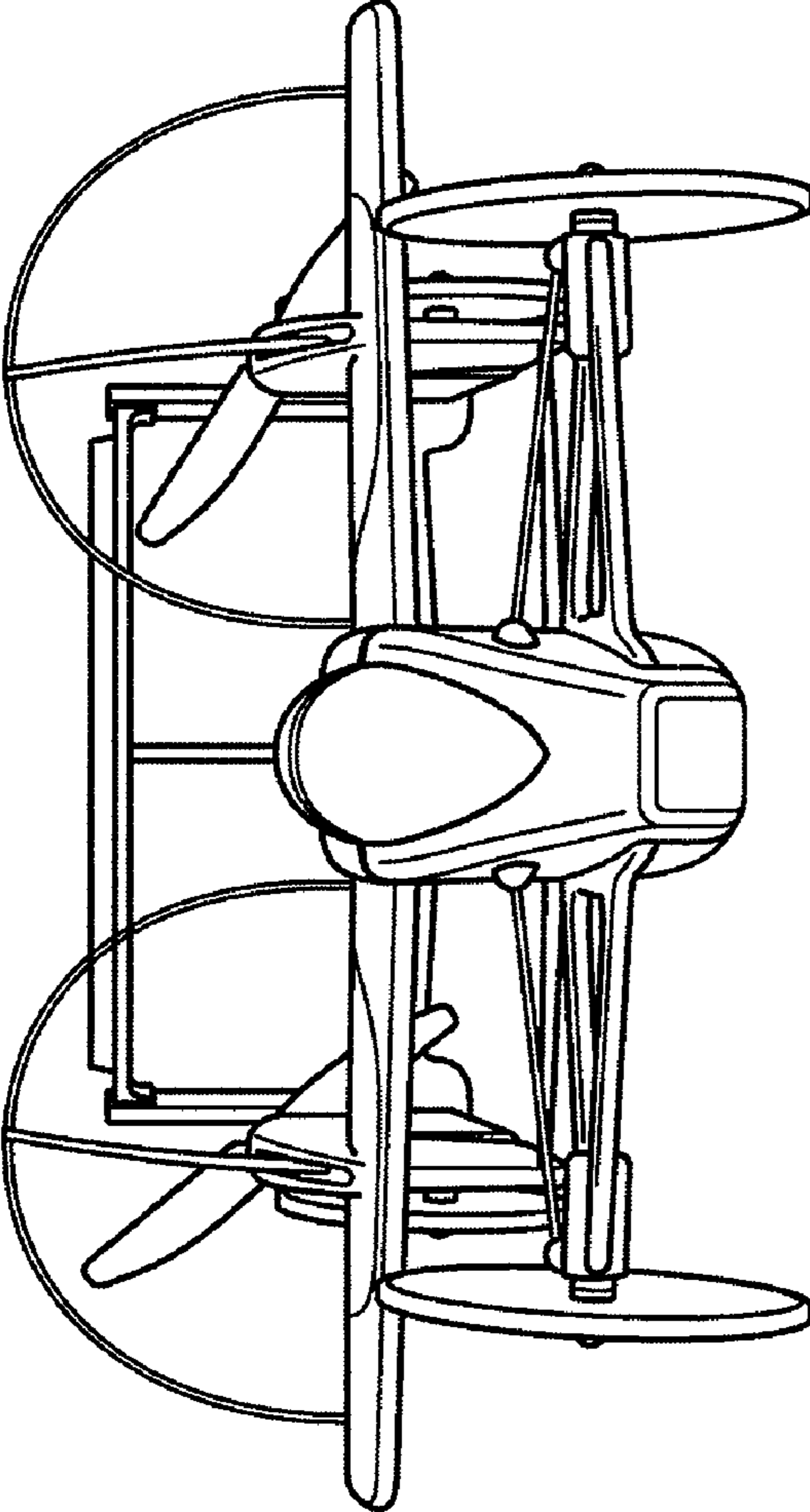


FIG. 9

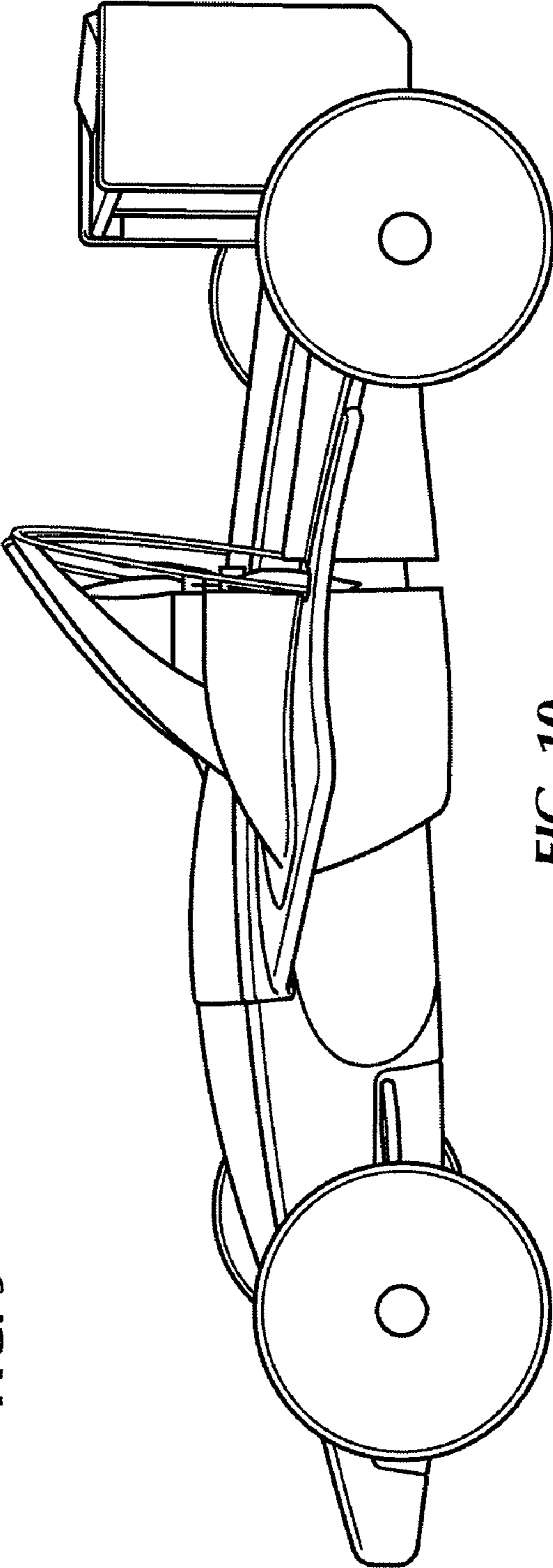


FIG. 10