



US00D577064S

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

(10) **Patent No.:** **US D577,064 S**
(45) **Date of Patent:** **** Sep. 16, 2008**

(54) **WRITING INSTRUMENT**

(75) Inventor: **Hariolf Briggl**, Boebingen (DE)

(73) Assignee: **Senator GmbH & Co KGaA** (DE)

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

(21) Appl. No.: **29/243,293**

(22) Filed: **Nov. 23, 2005**

(30) **Foreign Application Priority Data**

May 23, 2005 (DE) 4 05 02 712

(51) **LOC (8) Cl.** **19-06**

(52) **U.S. Cl.** **D19/48**

(58) **Field of Classification Search** D19/35,
D19/36, 41–51, 54–57; 24/11 R, 11 F, 11 P;
401/52, 99, 100, 104–109, 192, 195, 196

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D83,592 S	3/1931	Bienenstein	
D117,839 S	3/1939	Zoll	
D118,872 S *	2/1940	Vassos	D19/48
D129,295 S	9/1941	Sstempel	
D138,346 S	7/1944	Kahn	
D142,000 S	8/1945	Waldinger	
D142,390 S	9/1945	Olson et al.	
D143,048 S	11/1945	Waldinger	
D143,051 S	11/1945	Waldinger	
D145,870 S	1/1946	Green et al.	
D151,658 S	11/1948	Sams	
D153,643 S *	5/1949	Snodgrass	D19/48
D153,713 S *	5/1949	Lohr et al.	D19/48
D158,051 S *	4/1950	Compas	D19/66
D159,125 S	6/1950	Wuestmann	
D160,180 S	9/1950	Kovacs	
D161,426 S *	1/1951	Covey et al.	D19/48
D164,863 S *	10/1951	Kahn	D19/51
D173,918 S	1/1955	Vogel	
D174,486 S *	4/1955	Beckstrom	D19/57
D181,245 S	10/1957	Boker	

D183,696 S	10/1958	Kahn	
3,002,517 A *	10/1961	Pitton	401/172
D194,295 S	12/1962	Lovejoy	
D204,527 S	4/1966	Michel	
D310,100 S *	8/1990	Yubisui	D19/48

(Continued)

FOREIGN PATENT DOCUMENTS

AU 136251 S 1/1999

(Continued)

OTHER PUBLICATIONS

Pilot, "Pilot, Better Ballpoint Retractable Pens", Pilot Gel Grip Ballpoint Pens, retrieved from the internet at <http://web.archive.org/web/20050121160418/http://www.mypencil.com/mallpage55gelBallPILOT....>, retrieved from the internet on Apr. 15, 2007.

(Continued)

Primary Examiner—Elizabeth A Albert

(74) *Attorney, Agent, or Firm*—Hunton & Williams LLP

(57) **CLAIM**

The ornamental design for the writing instrument, as shown and described.

DESCRIPTION

FIG. 1 is a right side elevational view of a writing instrument showing my new design;

FIG. 2 is a rear elevational view of the writing instrument of FIG. 1;

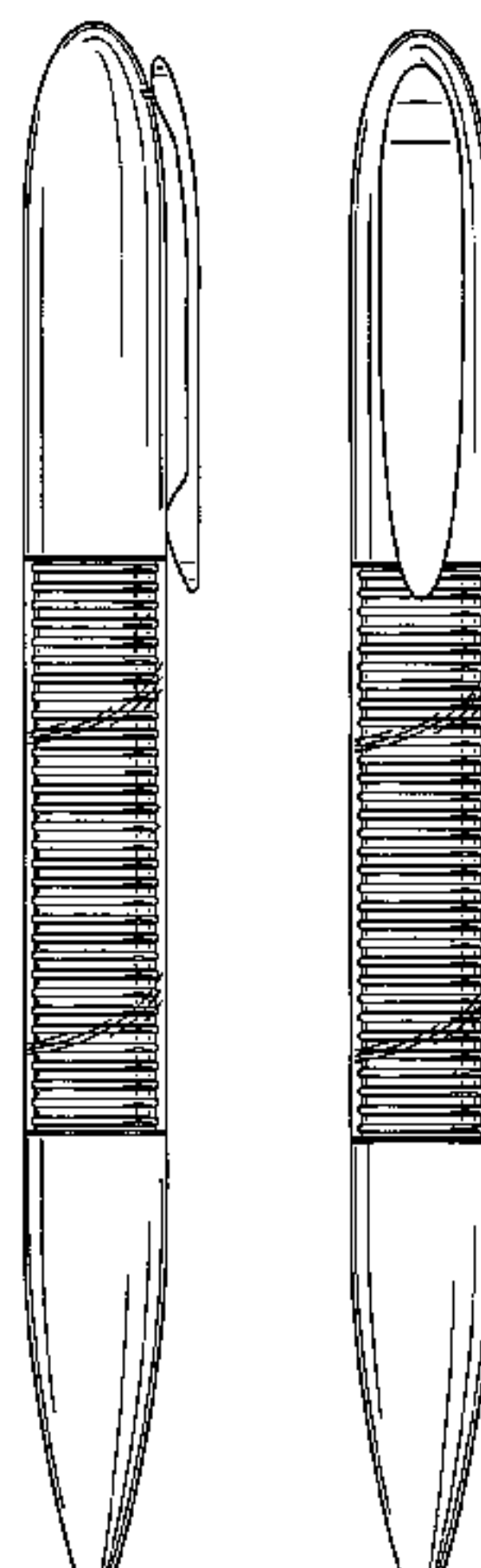
FIG. 3 is a left side elevational view of the writing instrument of FIG. 1;

FIG. 4 is a front elevational view of the writing instrument of FIG. 1;

FIG. 5 is a bottom view of the writing instrument of FIG. 1; and,

FIG. 6 is a top view of the writing instrument of FIG. 1.

1 Claim, 3 Drawing Sheets



U.S. PATENT DOCUMENTS							
D321,718	S	*	11/1991	Ambasz	DE	M9706637	S 1/1998
D329,461	S		9/1992	Katami	DE	M9709650	S 3/1998
D334,589	S		4/1993	Shike et al.	DE	M9710575	S 8/1998
D335,306	S		5/1993	Poisson et al.	DE	M9710761	S 8/1998
D338,038	S	*	8/1993	Oka et al.	DE	M9800031	S 9/1998
D340,476	S	*	10/1993	Hiromori	DE	M9800379	S 10/1998
D342,282	S		12/1993	Kennedy	DE	M9801957	S 12/1998
D366,498	S	*	1/1996	Abe et al.	DE	M9802698	S 1/1999
D404,069	S	*	1/1999	Hasegawa	DE	49808929	S 3/1999
D404,425	S	*	1/1999	Suzuki	DE	M9801512	S 5/1999
D404,427	S		1/1999	Takanashi	DE	40003181	S 7/2000
D421,052	S		2/2000	Yazawa	DE	40008292	S 12/2000
D430,606	S		9/2000	Veillon	DE	40012252	S 5/2001
D431,262	S		9/2000	Izushima	DE	40100883	S 9/2001
D436,127	S	*	1/2001	Hung	DE	40104229	S 10/2001
D445,827	S		7/2001	Stropkay et al.	DE	40107437	S 1/2002
D445,829	S	*	7/2001	Izushima	DE	40200157	S 5/2002
D446,244	S		8/2001	Baudino et al.	DE	40110191	S 8/2002
D447,173	S	*	8/2001	Yoon	DE	40110948	S 9/2002
D451,141	S		11/2001	Subilia	DE	40204943	S 10/2002
D451,547	S		12/2001	Nishida	DE	40202587	S 5/2003
D452,877	S		1/2002	DeLuca et al.	DE	40210761	S 5/2003
D453,790	S		2/2002	Tsuchikura	DE	40306288	S 4/2004
D454,158	S		3/2002	Takanashi	EM	000001201-0001	S 4/2003
D457,185	S	*	5/2002	Ham	EM	000001201-0002	S 4/2003
D458,636	S	*	6/2002	Shimizu	EM	000000039-0001	S 8/2003
D458,964	S		6/2002	Nakazawa	EM	000015730-0002	S 9/2003
D462,716	S		9/2002	Tsuchida et al.	EM	000048624-0003	S 9/2003
D462,990	S	*	9/2002	Hwang	EM	000083696-0001	S 1/2004
D463,491	S		9/2002	Hwang	EM	000084009-0003	S 2/2004
D463,821	S		10/2002	Nishida	EM	000103056-0007	S 4/2004
D463,823	S		10/2002	Yoon	EM	000116058-0001	S 4/2004
D464,083	S		10/2002	Yoon	EM	000141031-0002	S 6/2004
D465,519	S		11/2002	Kennedy et al.	EM	000144423-0009	S 6/2004
D468,354	S		1/2003	Cooper et al.	EM	000148333-0001	S 6/2004
D474,505	S		5/2003	De Bon	EM	000190624-0001	S 10/2004
D476,034	S		6/2003	Rommel	EM	000231451-0002	S 1/2005
D478,933	S		8/2003	Cooper et al.	EM	000266598-0001	S 2/2005
D480,422	S	*	10/2003	Belmondo	EM	000266994-0001	S 3/2005
D483,067	S	*	12/2003	Takanashi	EM	000294517-0001	S 4/2005
D488,509	S	*	4/2004	Pellissa Beneyto	EM	000367271-0016	S 10/2005
D490,106	S		5/2004	Willat et al.	EM	000367271-0026	S 10/2005
D495,743	S	*	9/2004	Schung	FR	638914-638924	9/2001
D496,961	S		10/2004	Daida	GB	2089652	5/2000
D499,138	S	*	11/2004	Banderet	HK	10976.1	8/2000
D499,139	S		11/2004	Oka	JP	1132844	5/1989
D499,762	S		12/2004	Shova et al.	JP	829614	9/1992
D500,080	S	*	12/2004	Katami	WO	DM/022565	S 4/1992
D502,737	S		3/2005	Bodino	WO	DM/041665	S 10/1997
D527,049	S	*	8/2006	Bhavnani	WO	DM/046242	S 12/1998
D532,044	S	*	11/2006	Katami	WO	DM/051073	S 3/2000
D533,225	S	*	12/2006	Gerules	WO	DM/052609	S 10/2000
2006/0165470	A1	*	7/2006	Gerules	WO	DM/052984	S 11/2000
					WO	DM/050654	S 1/2001
					WO	DM/056627	S 8/2001
					WO	DM/056646	S 8/2001
					WO	DM/057427	S 11/2001
					WO	DM/061999	S 12/2002
					WO	DM/063316	S 3/2003
					WO	DM/067650	* 11/2005

FOREIGN PATENT DOCUMENTS

DE	1109569	6/1961
DE	M8900447	S 10/1989
DE	M8908882	S 2/1991
DE	M9108247	S 5/1992
DE	M9200541	S 7/1992
DE	M9206899	S 2/1993
DE	M9208508	S 7/1993
DE	M9301041	S 9/1993
DE	M9305449	S 12/1993
DE	M9602427	S 9/1996
DE	M9601844	S 11/1996
DE	M9601073	S 12/1996
DE	M9606696	S 12/1996
DE	M9610727	S 4/1997
DE	M9709324	S 10/1997

OTHER PUBLICATIONS

Pilot, “Mechanical Pencils: H-1010”, Pilot Pen, retrieved from the internet at <http://web.archive.org/web/20050309075003/www.pilotpen.com.sg/mechPen.html>, retrieved from the internet on Apr. 13, 2007.

Flickr™, “Pilot Erase-a-Gel”, Pilot Erase-a-Gel on Flickr—Photo Sharing!, retrieved from the internet at <http://www.flickr.com/photos/pigpogm/13823276/>, retrieved from the internet on Apr. 15, 2007.

Staedtler, “Mars Micro 775”, Mechanical Pencils, retrieved from the internet at http://web.archive.org/web/20050108025041/www.staedtler.com/upload/mechanical_pencils_gb_11481.pdf.

Senator, Nautic, known before priority date, specific date not known.
Senator, Arctic, known before priority date, specific date not known,
p. 81.
Rou-Bill, 2700 C Corporate Sarum, known before priority date,
specific date not known.

Rou-Bill, 1150 Big Pen Alu, known before priority date, specific date
not known, p. 63.
Avantgarde & Trento, known before priority date, specific date not
known, p. 31.
* cited by examiner

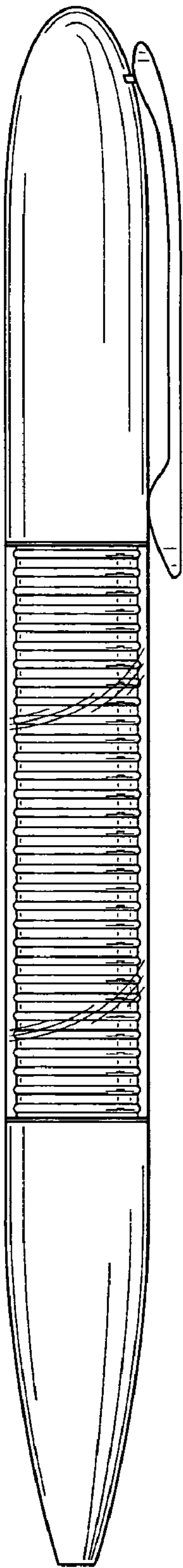


FIG. 1

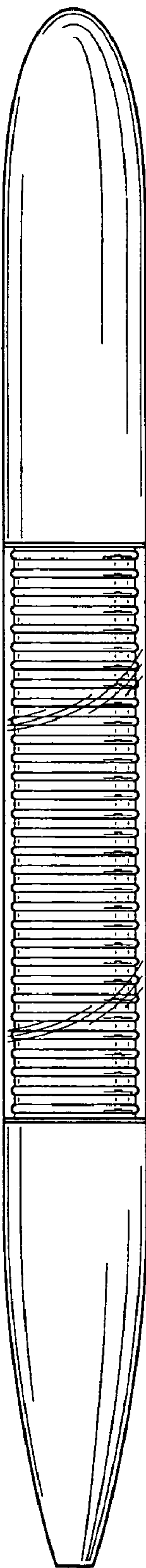


FIG. 2

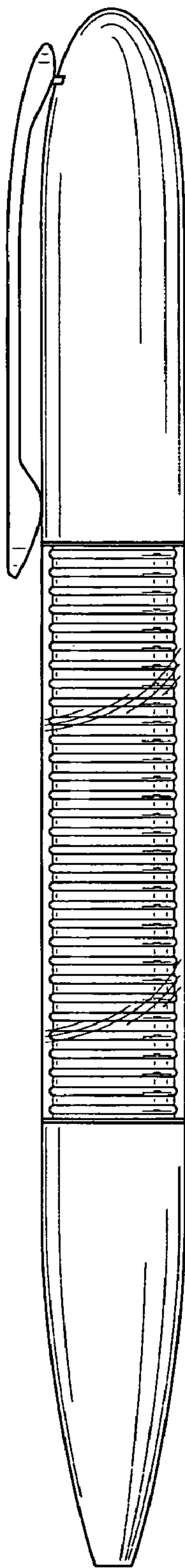


FIG. 3

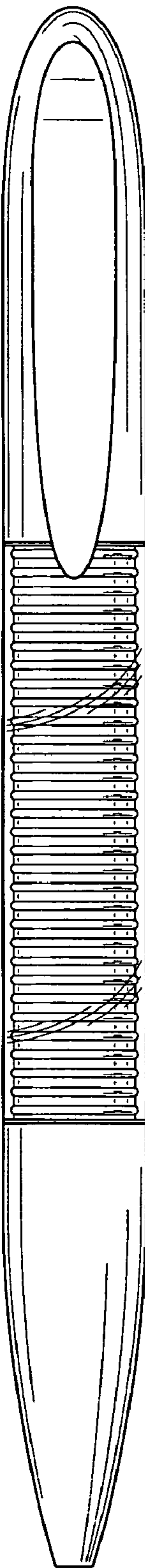


FIG. 4

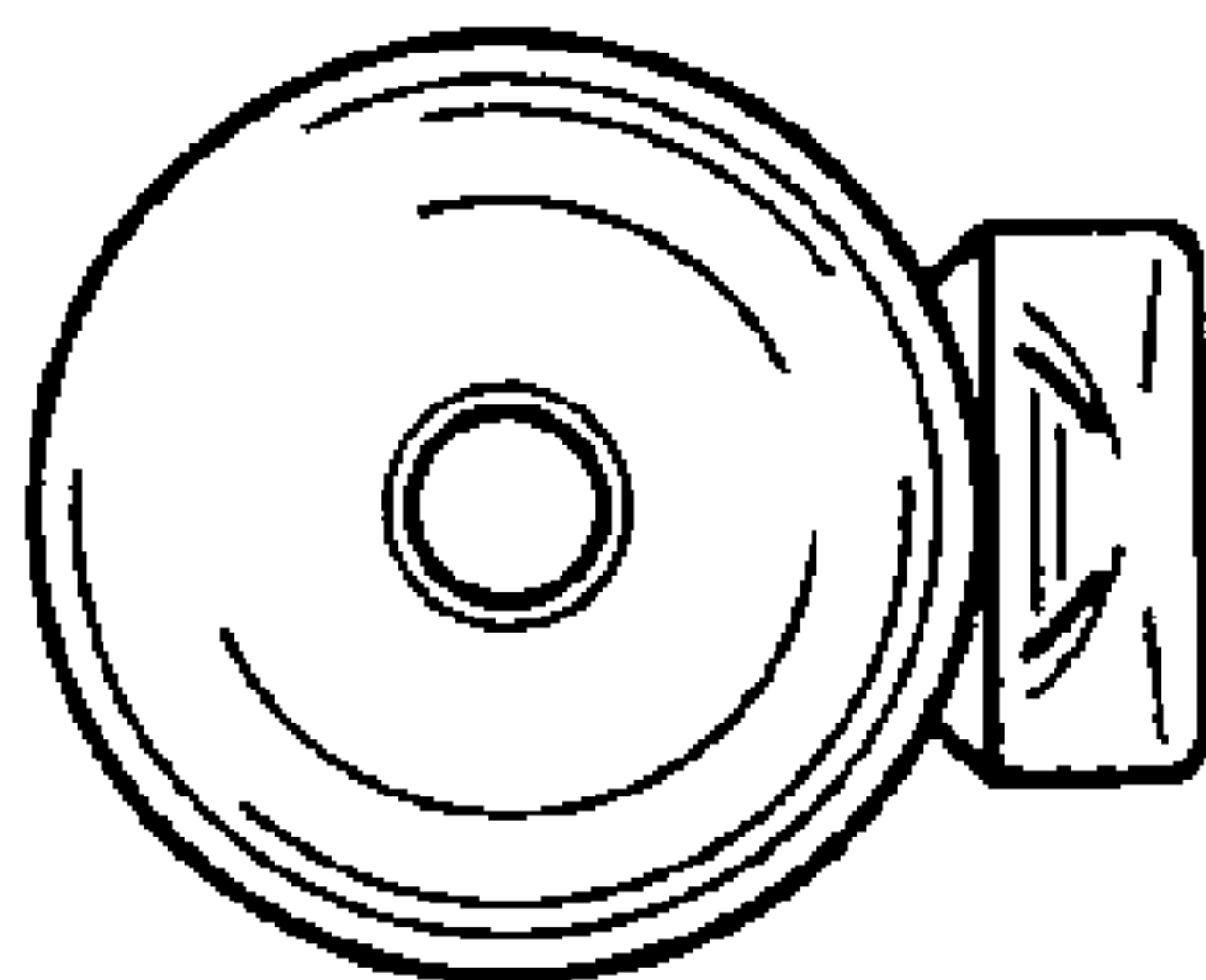


FIG. 5

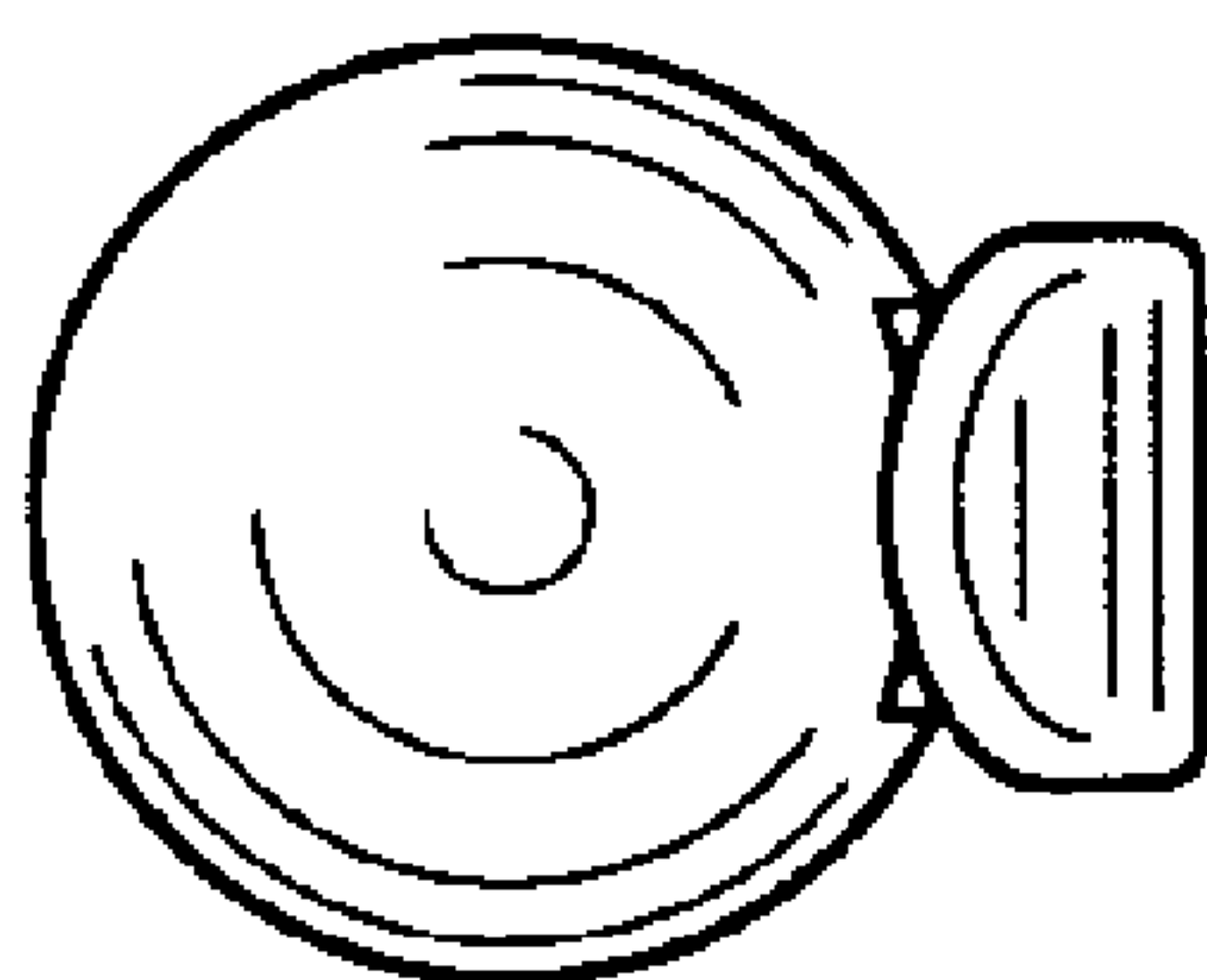


FIG. 6