

US00D592822S

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

(10) **Patent No.:** **US D592,822 S**

(45) **Date of Patent:** **** May 19, 2009**

(54) **DEVICE FOR HOLDING AND POSITIONING CONSTRUCTION MATERIALS**

(75) Inventors: **Lawrence Boucher**, St-Philibert (CA);
Romeo Arvinte, St-Laurent (CA)

(73) Assignee: **A. Richard Tools Co.**, Quebec (CA)

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

(21) Appl. No.: **29/304,798**

(22) Filed: **Mar. 7, 2008**

(51) **LOC (9) Cl.** **12-05**

(52) **U.S. Cl.** **D34/31**

(58) **Field of Classification Search** D34/31,
D34/28; 254/93 H, 131, 120, 8 R; 52/344,
52/347, 352, 470, 459; 414/11, 800
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

| | | | |
|---------------|---------|-----------|---------------|
| 1,582,147 A | 4/1926 | Stanley | |
| 1,606,101 A | 11/1926 | Russel | |
| 1,725,329 A | 8/1929 | Blanford | |
| 2,332,240 A * | 10/1943 | Lavalley | 254/116 |
| 2,337,796 A | 12/1943 | Baker | |
| 2,465,206 A | 3/1949 | Davis | |
| 2,692,753 A | 10/1954 | Materson | |
| 2,719,060 A | 9/1955 | Taylor | |
| 2,815,132 A | 12/1957 | Stone | |
| 2,883,073 A | 4/1959 | Morris | |
| 2,899,084 A | 8/1959 | Brunnemer | |
| 2,939,590 A | 6/1960 | Henry | |
| 2,964,293 A | 12/1960 | Foth | |
| 2,969,220 A | 1/1961 | Spencer | |
| 2,989,286 A | 6/1961 | Gillespie | |
| 3,019,914 A | 2/1962 | Taylor | |
| 3,028,978 A | 4/1962 | Dickens | |
| 3,049,243 A | 8/1962 | Buice | |
| 3,058,602 A | 10/1962 | Kilman | |
| 3,157,411 A | 11/1964 | Rhodes | |
| 3,178,038 A | 4/1965 | Love | |
| 3,221,900 A | 12/1965 | Love | |

| | | |
|-------------|---------|----------|
| 3,268,209 A | 8/1966 | Humbyrd |
| 3,305,219 A | 2/1967 | Rhodes |
| 3,314,553 A | 4/1967 | Vircks |
| 3,317,059 A | 5/1967 | Higgins |
| 3,318,465 A | 5/1967 | Fisher |
| 3,365,080 A | 1/1968 | Crull |
| 3,382,988 A | 5/1968 | O'Reilly |
| 3,467,261 A | 9/1969 | Jewel |
| 3,822,023 A | 7/1974 | Cordel |
| 3,828,942 A | 8/1974 | Young |
| 3,871,054 A | 3/1975 | Schaefer |
| 3,930,645 A | 1/1976 | Anderson |
| 3,967,738 A | 7/1976 | Winings |
| 4,027,802 A | 6/1977 | Reynolds |
| 4,064,999 A | 12/1977 | Young |
| 4,117,939 A | 10/1978 | Haddock |

(Continued)

FOREIGN PATENT DOCUMENTS

CA 2201008 11/1997

(Continued)

Primary Examiner—Cynthia E Ramirez

(74) *Attorney, Agent, or Firm*—Porzio, Bromberg & Newman, P.C.

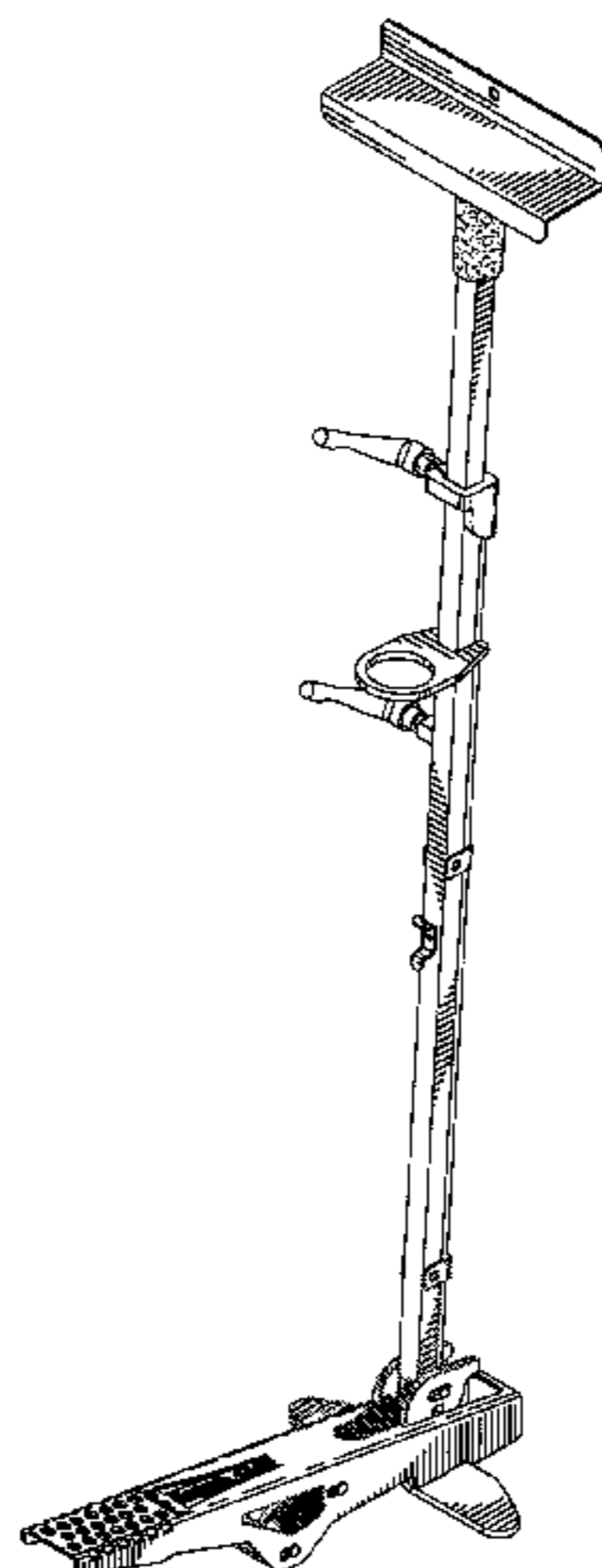
(57) **CLAIM**

We claim, the ornamental design for a device for holding and positioning construction materials, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a device for holding and positioning construction materials showing our new design; FIG. 2 is a front elevational view thereof; FIG. 3 is a top plan elevational view thereof; FIG. 4 is a bottom plan view thereof; FIG. 5 is a right side view thereof; FIG. 6 is a rear elevational view thereof; and, FIG. 7 is a left side view thereof

1 Claim, 6 Drawing Sheets



US D592,822 S

Page 2

U.S. PATENT DOCUMENTS

| | | | | |
|-----------|-----|---------|-----------------------|----------|
| 4,120,484 | A | 10/1978 | Zimmer | |
| 4,150,755 | A | 4/1979 | Trott | |
| D254,129 | S * | 2/1980 | Johnson | D34/31 |
| 4,300,751 | A | 11/1981 | Delaney | |
| 4,339,219 | A | 7/1982 | Lay | |
| 4,340,205 | A | 7/1982 | Leezer | |
| 4,375,934 | A | 3/1983 | Elliott | |
| 4,482,130 | A | 11/1984 | Paredes | |
| 4,560,031 | A | 12/1985 | Dixon et al. | |
| 4,600,348 | A | 7/1986 | Pettit | |
| 4,695,028 | A | 9/1987 | Hunter | |
| 4,712,771 | A | 12/1987 | Donnelly et al. | |
| 4,715,760 | A * | 12/1987 | Browning | 414/10 |
| 4,733,844 | A | 3/1988 | Molloy | |
| 4,868,943 | A | 9/1989 | Robichaud | |
| 4,928,916 | A | 5/1990 | Molloy | |
| 5,129,774 | A | 7/1992 | Blaseiro et al. | |
| D329,112 | S * | 9/1992 | Silbersky et al. | D34/28 |
| 5,199,687 | A * | 4/1993 | Maurer | 254/114 |
| D338,310 | S * | 8/1993 | Clarke | D34/31 |
| 5,322,403 | A | 6/1994 | Herde | |
| 5,501,561 | A | 3/1996 | Wulff | |
| 5,640,826 | A | 6/1997 | Hurilla | |
| 5,700,123 | A | 12/1997 | Rokosh et al. | |
| 5,732,527 | A * | 3/1998 | Schneider | 52/749.1 |
| 5,814,842 | A | 9/1998 | Muldoon et al. | |
| 5,944,468 | A | 8/1999 | McBrien | |
| 5,979,854 | A | 11/1999 | Lundgren et al. | |
| 6,010,299 | A | 1/2000 | Jesswein | |
| 6,082,945 | A | 7/2000 | Jeffries | |
| 6,155,764 | A | 12/2000 | Russo | |
| 6,176,073 | B1 | 1/2001 | Warin | |
| 6,244,810 | B1 | 6/2001 | Reyes | |
| 6,264,423 | B1 | 7/2001 | Andersen | |

| | | | | |
|--------------|------|---------|-----------------------|---------|
| 6,273,662 | B1 | 8/2001 | Fleckenstein | |
| 6,302,378 | B1 | 10/2001 | Koch et al. | |
| D461,615 | S * | 8/2002 | Bainter | D34/31 |
| 6,497,399 | B1 | 12/2002 | Nelson | |
| 6,508,448 | B1 | 1/2003 | Stewart | |
| 6,527,492 | B1 | 3/2003 | Kerns, III et al. | |
| 6,663,084 | B1 | 12/2003 | Butler | |
| 7,014,413 | B2 | 3/2006 | Young | |
| D527,509 | S * | 8/2006 | Johns | D34/31 |
| 7,448,598 | B1 * | 11/2008 | Elmlinger et al. | 254/338 |
| 2001/0029715 | A1 | 10/2001 | Bradley et al. | |

FOREIGN PATENT DOCUMENTS

| | | | |
|----|-------------|----|---------|
| DE | 2801955 | A1 | 7/1979 |
| DE | 29604612 | U1 | 8/1996 |
| DE | 29917616 | U1 | 2/2000 |
| DE | 20308211 | U1 | 10/2003 |
| EP | 0591629 | A1 | 4/1994 |
| EP | 0613986 | A1 | 9/1994 |
| EP | 0716041 | A1 | 6/1996 |
| EP | 0969165 | A1 | 1/2000 |
| EP | 1302607 | A1 | 4/2003 |
| FR | 2538437 | A1 | 6/1984 |
| FR | 2584121 | A1 | 1/1987 |
| GB | 2162815 | A | 2/1986 |
| GB | 2260559 | A | 4/1993 |
| GB | 2345081 | A | 6/2000 |
| JP | 5319770 | A | 12/1993 |
| JP | 9328895 | A | 12/1997 |
| WO | WO 91/11572 | A1 | 8/1991 |
| WO | WO 92/06257 | A1 | 4/1992 |
| WO | WO 93/09313 | A1 | 5/1993 |
| WO | WO 96/01353 | A1 | 1/1996 |

* cited by examiner

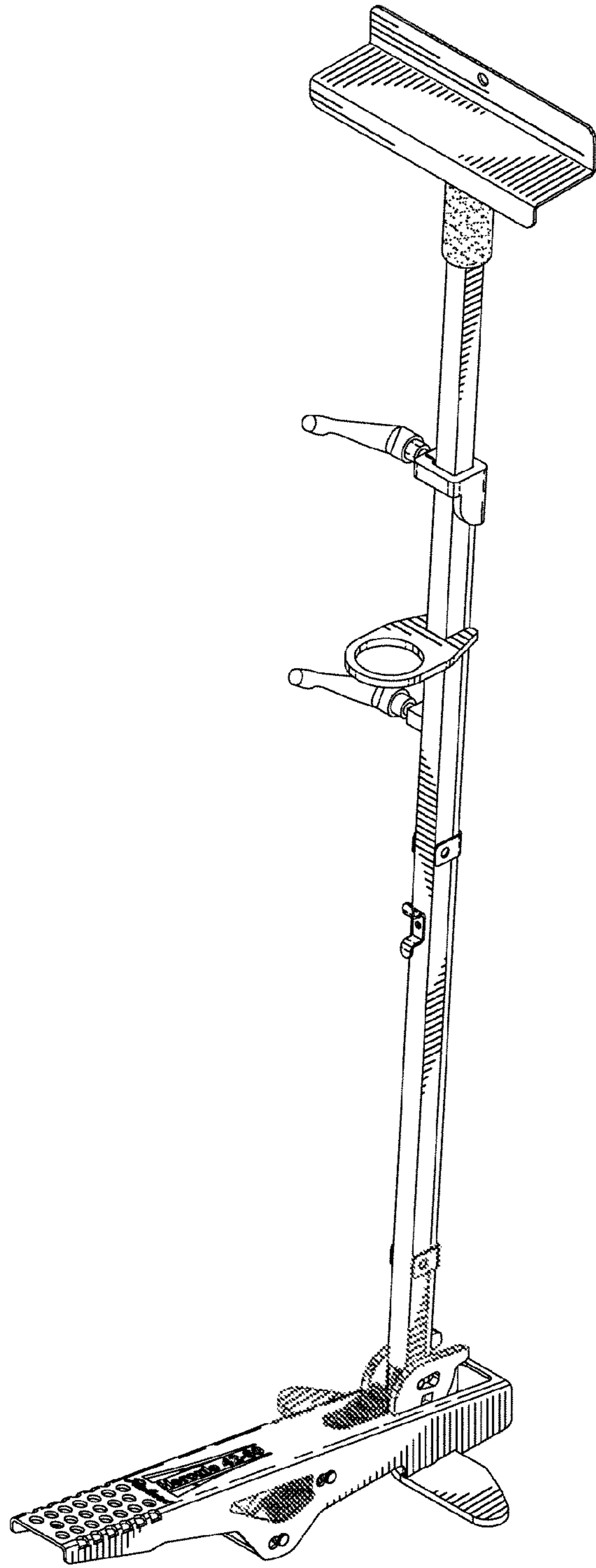


Fig - 1

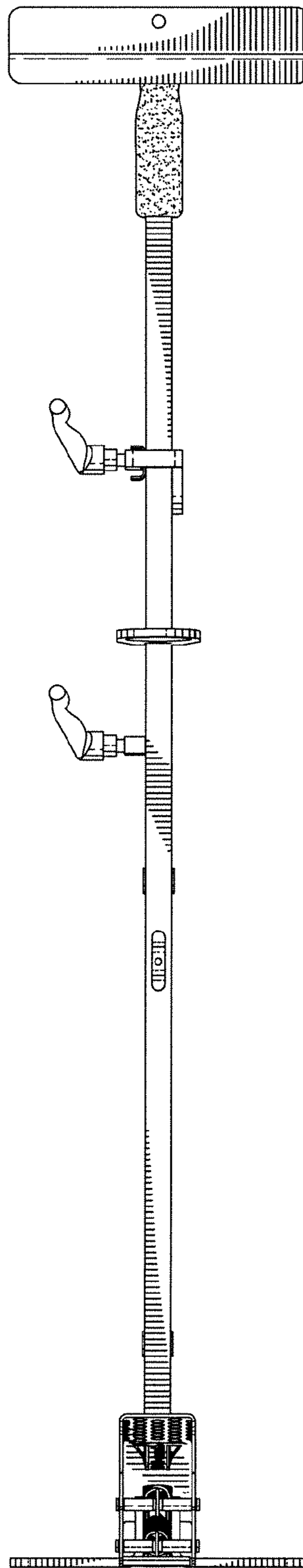


Fig - 2

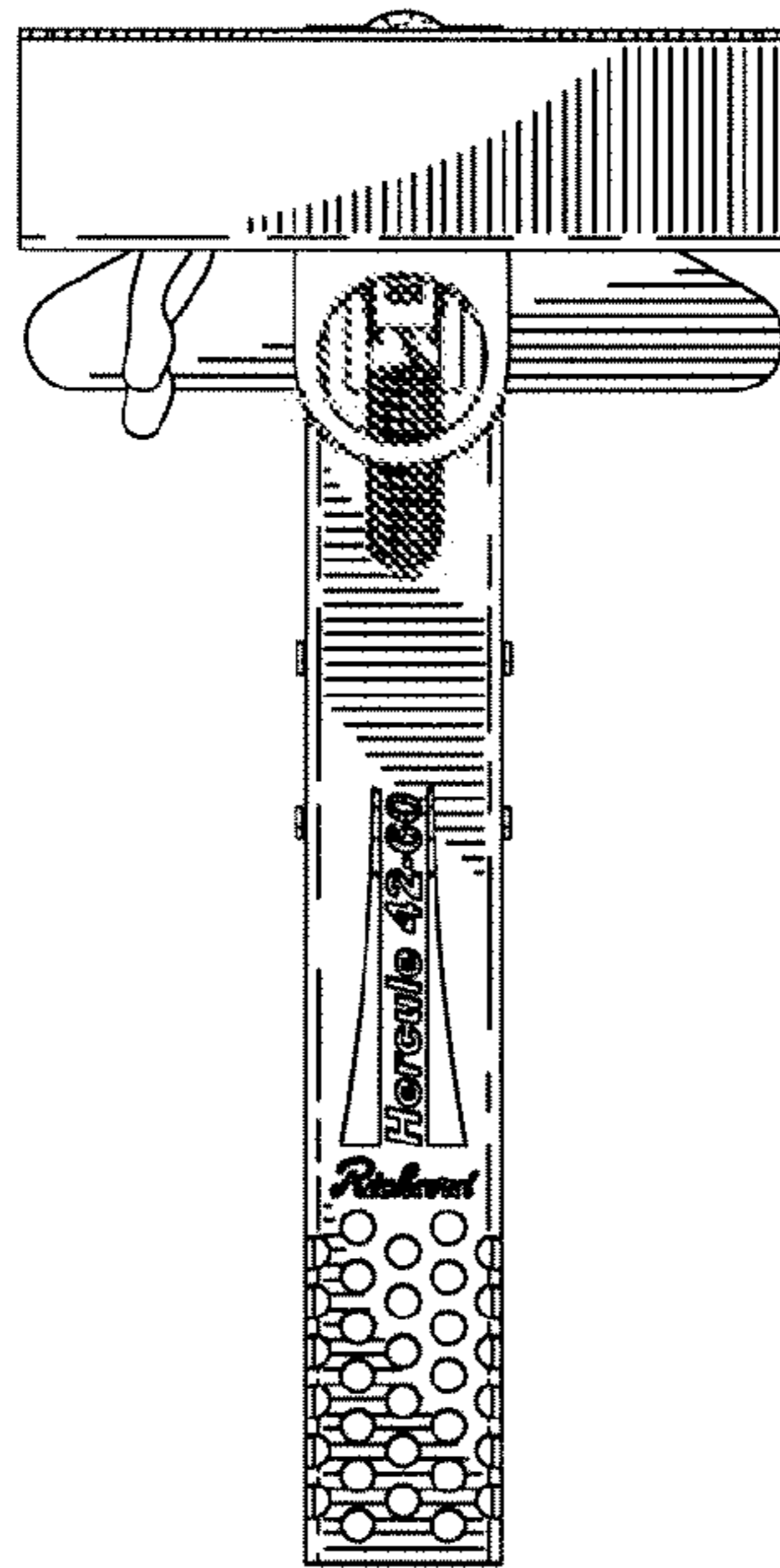


Fig-3

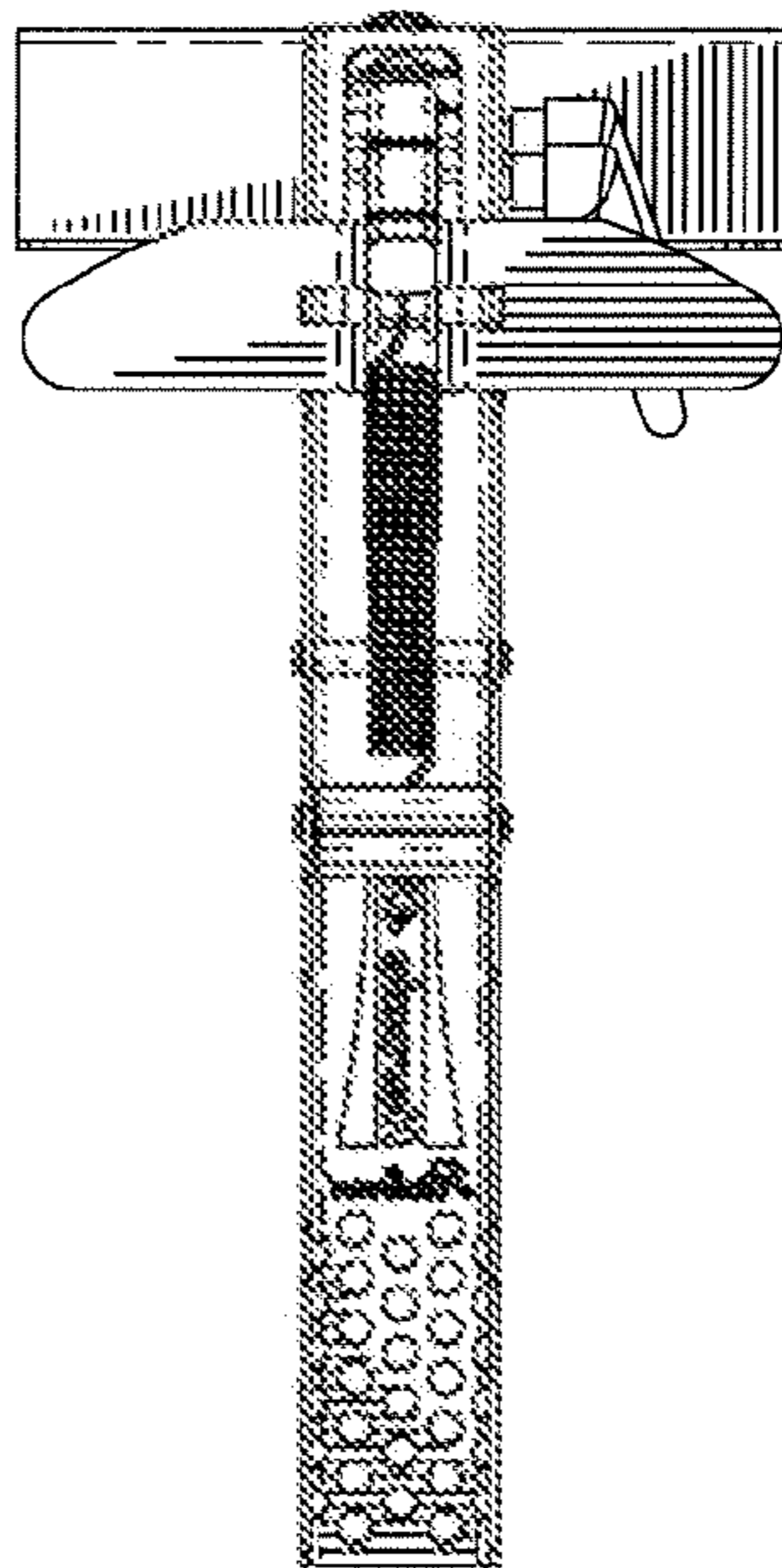


Fig-4

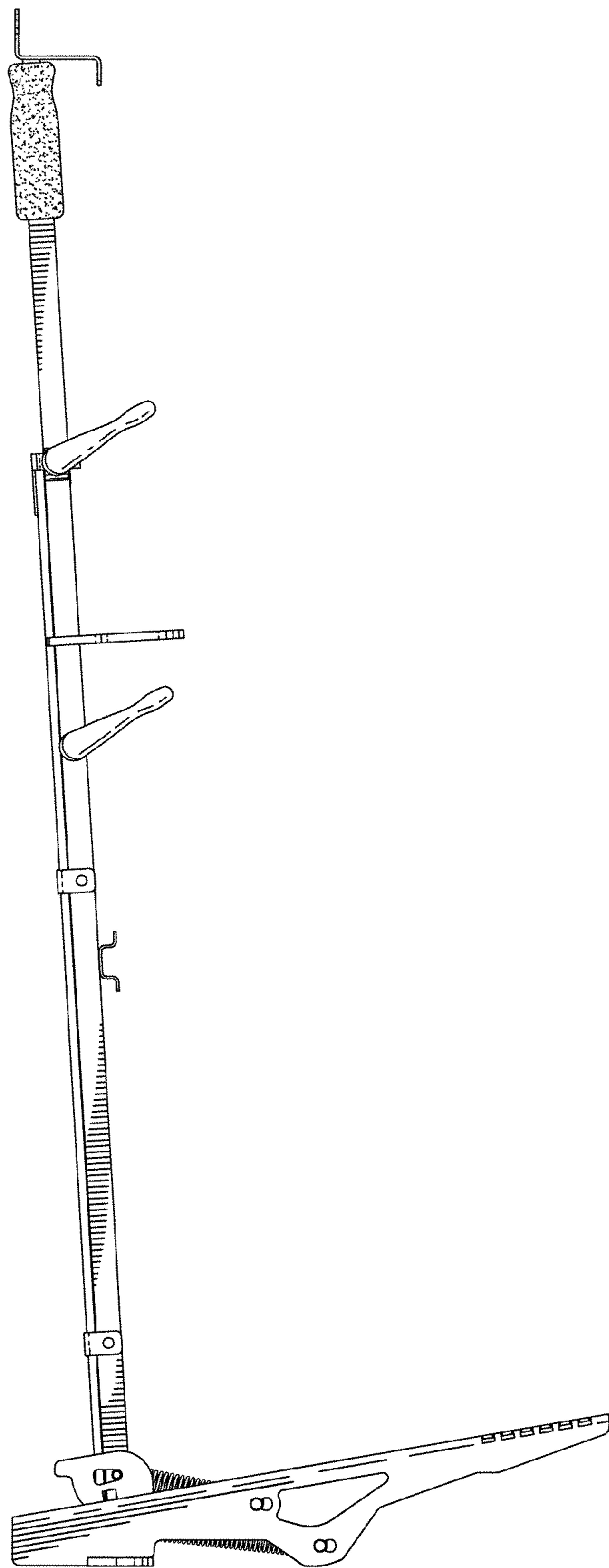


Fig - 5

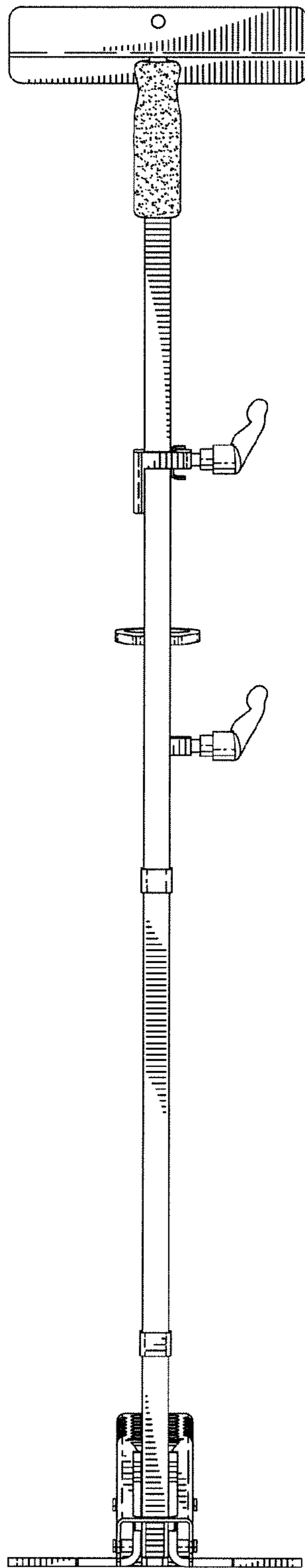


Fig - 6

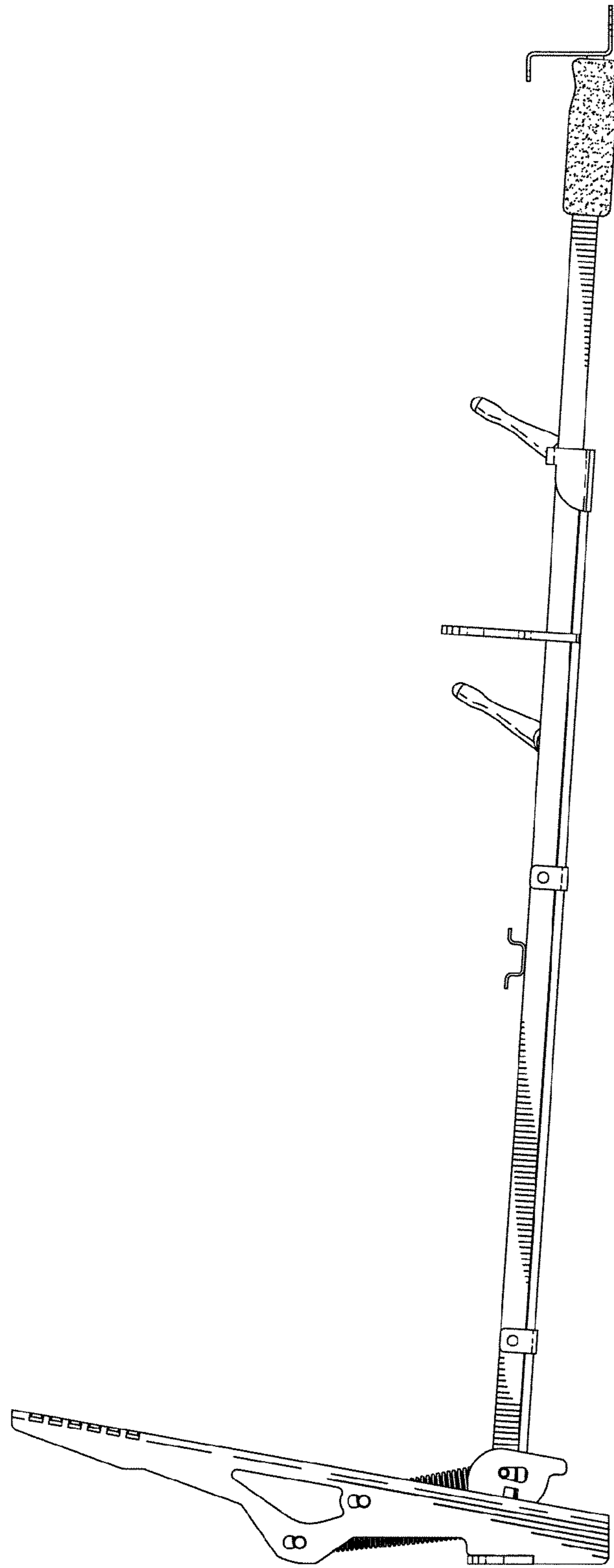


Fig - 7