



US00D604362S

(12) **United States Design Patent**  
**Suero, Jr. et al.**

(10) **Patent No.:** **US D604,362 S**  
(45) **Date of Patent:** **\*\* Nov. 17, 2009**

(54) **WRITING INSTRUMENT**

(75) Inventors: **Jose Suero, Jr.**, Boca Raton, FL (US);  
**Li Bin**, Ningbo (CN)  
(73) Assignee: **Office Depot, Inc.**, Boca Raton, FL (US)  
(\*\*) Term: **14 Years**  
(21) Appl. No.: **29/311,109**  
(22) Filed: **Dec. 23, 2008**

(51) **LOC (9) Cl.** ..... **19-06**  
(52) **U.S. Cl.** ..... **D19/50**  
(58) **Field of Classification Search** ..... D19/35,  
D19/36, 41-51, 53-57; 24/11 F, 11 P, 11 R;  
401/52, 99, 100, 104-109, 192, 195, 196  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

|              |         |              |       |        |
|--------------|---------|--------------|-------|--------|
| D120,137 S * | 4/1940  | Most         | ..... | D19/48 |
| D124,230 S * | 12/1940 | Dreyfuss     | ..... | D19/51 |
| D253,060 S   | 10/1979 | Itoh         |       |        |
| D259,792 S   | 7/1981  | Itoh et al.  |       |        |
| D260,407 S   | 8/1981  | Itoh         |       |        |
| D261,010 S   | 9/1981  | Itoh         |       |        |
| D263,318 S   | 3/1982  | Oka          |       |        |
| D266,856 S   | 11/1982 | Oka          |       |        |
| D279,993 S * | 8/1985  | Oka          | ..... | D19/45 |
| D325,045 S * | 3/1992  | Katami       | ..... | D19/49 |
| D325,931 S   | 5/1992  | Sekiguchi    |       |        |
| D338,039 S   | 8/1993  | Takahashi    |       |        |
| D353,838 S   | 12/1994 | Osada et al. |       |        |
| D366,498 S   | 1/1996  | Abe et al.   |       |        |
| D366,902 S   | 2/1996  | Takahashi    |       |        |
| D377,195 S   | 1/1997  | Takahashi    |       |        |
| D378,601 S   | 3/1997  | Sakuno       |       |        |
| D382,016 S   | 8/1997  | Takahashi    |       |        |
| D387,803 S   | 12/1997 | Izushima     |       |        |
| D391,294 S   | 2/1998  | Izushima     |       |        |
| D394,455 S   | 5/1998  | Izushima     |       |        |
| D395,448 S   | 6/1998  | Chevalier    |       |        |
| D397,150 S   | 8/1998  | Izushima     |       |        |
| D400,922 S   | 11/1998 | Sakuno       |       |        |

|              |         |                |       |        |
|--------------|---------|----------------|-------|--------|
| D403,704 S   | 1/1999  | Arita          |       |        |
| D404,764 S   | 1/1999  | Perry et al.   |       |        |
| D408,057 S   | 4/1999  | Izushima       |       |        |
| D410,030 S   | 5/1999  | Sunaga         |       |        |
| D412,014 S   | 7/1999  | Izushima       |       |        |
| D423,576 S   | 4/2000  | Stevens et al. |       |        |
| D427,634 S   | 7/2000  | Izushima       |       |        |
| D430,207 S   | 8/2000  | Izushima       |       |        |
| D431,262 S   | 9/2000  | Izushima       |       |        |
| D431,599 S   | 10/2000 | Izushima       |       |        |
| D441,015 S   | 4/2001  | Izushima       |       |        |
| D444,498 S   | 7/2001  | Izushima       |       |        |
| D448,804 S   | 10/2001 | Izushima       |       |        |
| D452,528 S   | 12/2001 | Izushima       |       |        |
| D454,367 S   | 3/2002  | Ferrara        |       |        |
| D456,411 S   | 4/2002  | Kourushi       |       |        |
| D458,966 S   | 6/2002  | Oka            |       |        |
| D469,467 S * | 1/2003  | Briggl         | ..... | D19/51 |

(Continued)

**OTHER PUBLICATIONS**

U.S. Appl. No. 29/311,110; filed on Dec. 23, 2008 (6 pages).

(Continued)

*Primary Examiner*—Elizabeth A Albert  
(74) *Attorney, Agent, or Firm*—Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

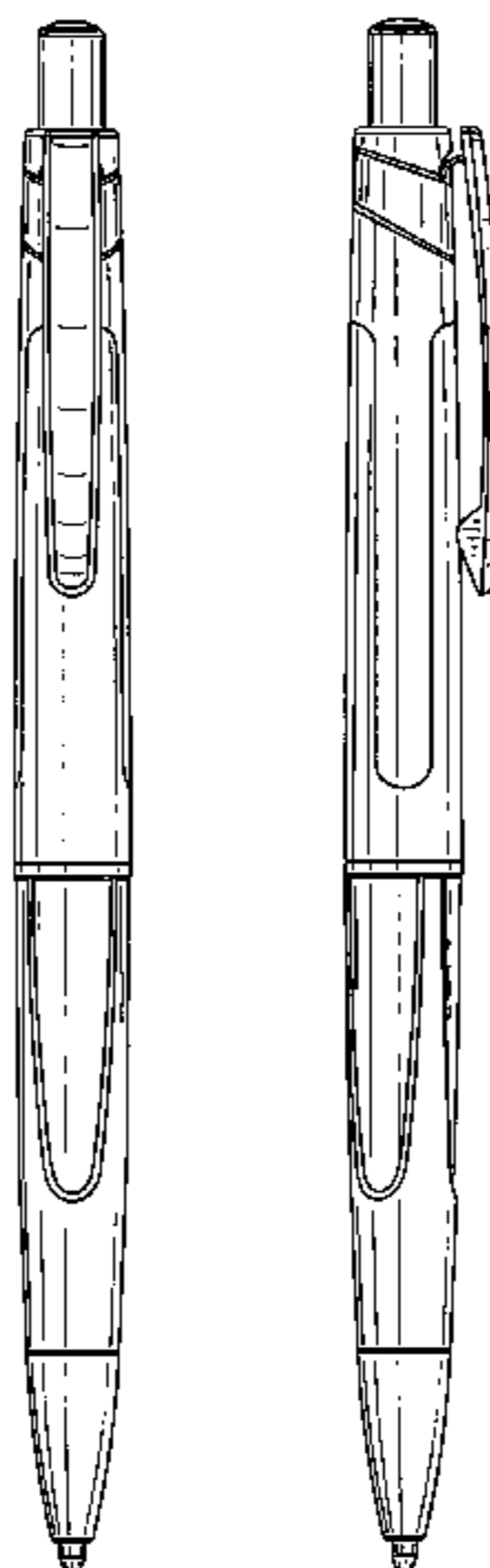
(57) **CLAIM**

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

**DESCRIPTION**

FIG. 1 is a rear view of a writing instrument of my new design;  
FIG. 2 is a right side view thereof;  
FIG. 3 is a front view thereof;  
FIG. 4 is a left side view thereof;  
FIG. 5 is a bottom plan view thereof;  
FIG. 6 is a top plan view thereof; and,  
FIG. 7 is a top right perspective view thereof.

**1 Claim, 3 Drawing Sheets**



# US D604,362 S

Page 2

## U.S. PATENT DOCUMENTS

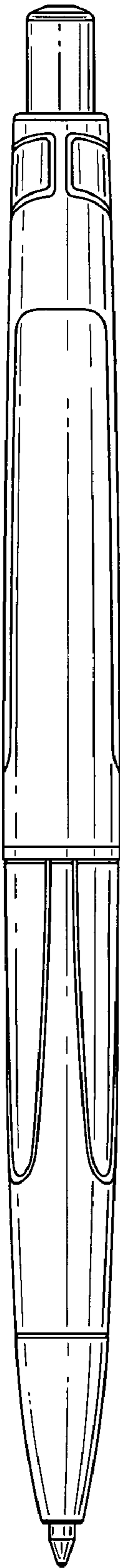
D487,773 S 3/2004 Keda  
D488,507 S 4/2004 Finney et al.  
D490,464 S 5/2004 Andrews et al.  
D491,605 S 6/2004 Hoffmann et al.  
D491,983 S \* 6/2004 Izushima ..... D19/49  
D492,963 S \* 7/2004 Qiu ..... D19/43  
D494,621 S 8/2004 Andrews et al.  
D499,139 S 11/2004 Oka  
D500,338 S 12/2004 Kommer  
D501,222 S 1/2005 De Giusti et al.  
D501,506 S 2/2005 Kommer  
D501,511 S 2/2005 Bain et al.  
D504,465 S 4/2005 Shibata et al.  
D508,950 S 8/2005 Kiple et al.  
D509,854 S 9/2005 Kommer  
D516,625 S 3/2006 Bertheaux  
D521,559 S 5/2006 Piacenza  
D522,579 S \* 6/2006 Sim ..... D19/36  
D525,302 S 7/2006 Togawa  
D527,422 S 8/2006 Kent  
D531,218 S \* 10/2006 Tatic ..... D19/50

D535,698 S 1/2007 Shibata  
D538,343 S 3/2007 Morton et al.  
D544,034 S \* 6/2007 Qiu ..... D19/43  
D547,375 S 7/2007 Gerules  
D552,673 S 10/2007 Rolion et al.  
D556,259 S 11/2007 Feng et al.  
D562,391 S \* 2/2008 Gerules ..... D19/49  
D566,764 S \* 4/2008 Kent et al. .... D19/50  
D576,213 S \* 9/2008 Fei ..... D19/47  
D576,675 S \* 9/2008 Kent et al. .... D19/49  
D594,059 S \* 6/2009 Shibata ..... D19/48

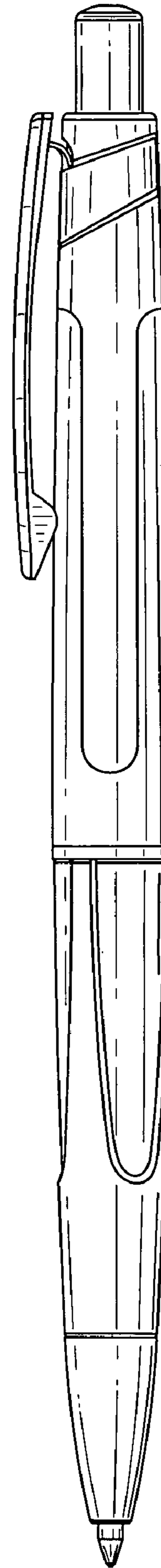
## OTHER PUBLICATIONS

U.S. Appl. No. 29/311,108; filed on Dec. 23, 2008 (6 pages).  
U.S. Appl. No. 29/311,107; filed on Dec. 23, 2008 (6 pages).  
U.S. Appl. No. 29/311,106; filed on Dec. 23, 2008 (6 pages).  
U.S. Appl. No. 29/311,105; filed on Dec. 23, 2008 (6 pages).  
U.S. Appl. No. 29/311,104; filed on Dec. 23, 2008 (6 pages).  
U.S. Appl. No. 29/311,102; filed on Dec. 23, 2008 (6 pages).  
U.S. Appl. No. 29/311,103; filed on Dec. 23, 2008 (6 pages).

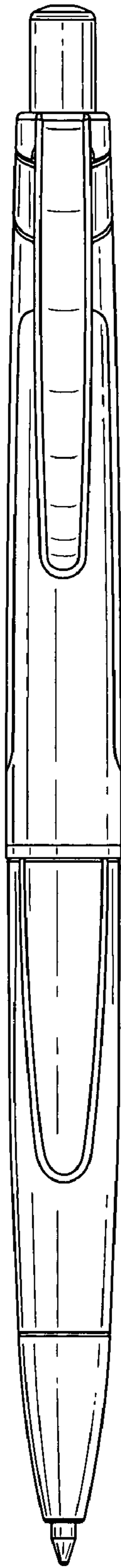
\* cited by examiner



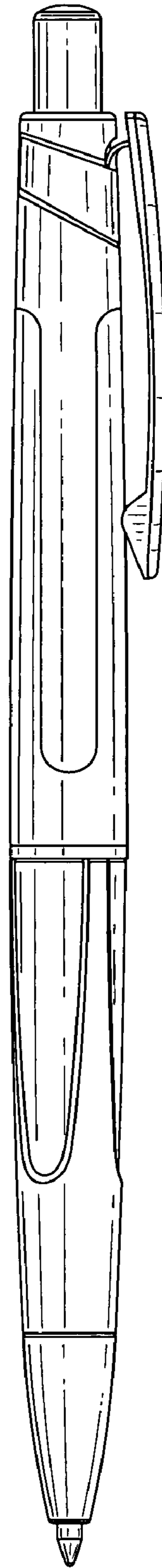
**FIG. 1**



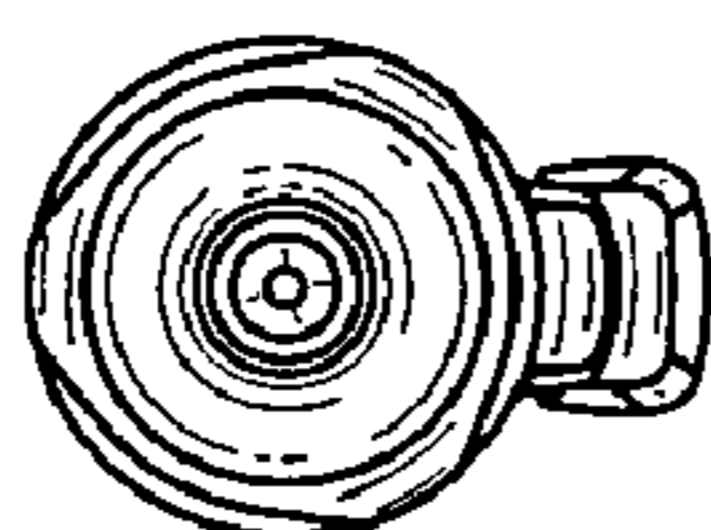
**FIG. 2**



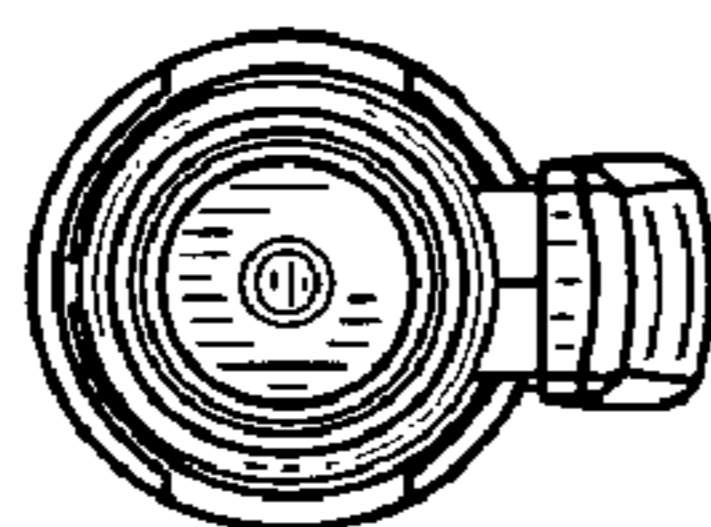
**FIG. 3**



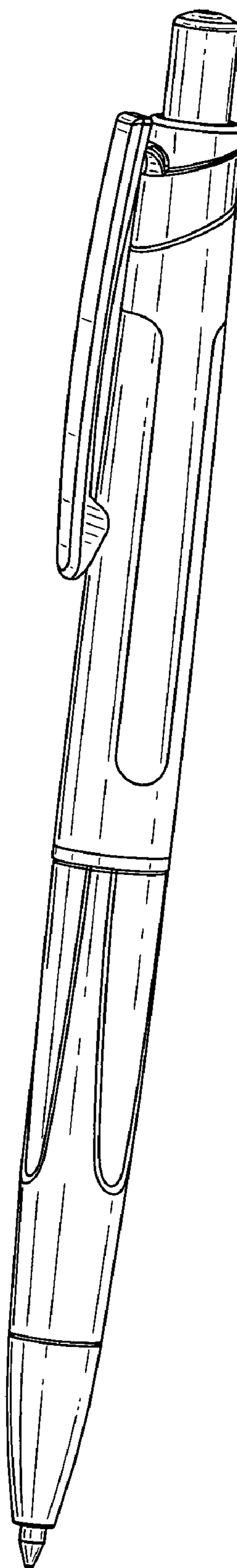
**FIG. 4**



**FIG. 5**



**FIG. 6**



**FIG. 7**