



US00D606671S

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

(10) **Patent No.:** **US D606,671 S**

(45) **Date of Patent:** **** Dec. 22, 2009**

(54) **BUILDING ELEMENT**

AU 105706 10/1989
AU 109294 10/1990

(75) Inventor: **Darren Southwell**, Bella Vista (AU)

(Continued)

(73) Assignee: **James Hardie Technology Limited**,
Dublin (IE)

OTHER PUBLICATIONS

Scyon™ Matrix™ website printed Sep. 13, 2006, from <http://www.jameshardie.com.au/Products/Scyon/Cladding/Matrix/default.htm>.

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

(Continued)

(21) Appl. No.: **29/324,087**

Primary Examiner—Doris Clark

(22) Filed: **Sep. 5, 2008**

(74) *Attorney, Agent, or Firm*—Gardere Wynne Sewell LLP

(30) **Foreign Application Priority Data**

(57) **CLAIM**

Mar. 7, 2008 (AU) 11137/2008

The ornamental design for a building element, as shown and described.

(51) **LOC (9) Cl.** **25-01**

(52) **U.S. Cl.** **D25/122; D25/123**

(58) **Field of Classification Search** D25/119,
D25/123, 102, 122; 52/272, 273, 276, 255,
52/287.1

See application file for complete search history.

DESCRIPTION

FIG. 1 is a front perspective view of a building element;
FIG. 2 is a plan view of the building element shown in FIG. 1;
FIG. 3 is a first end view of the building element shown in FIG. 1;
FIG. 4 is a second end view of the building element shown in FIG. 1;
FIG. 5 is a first side view of the building element shown in FIG. 1;
FIG. 6 is a second side view of the building element shown in FIG. 1;
FIG. 7 is a bottom view of the building element shown in FIG. 1; and,
FIG. 8 is a back perspective view of the building element shown in FIG. 1.

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,630,801 A 5/1927 Parsons
1,698,557 A 1/1929 O'Brien
3,481,093 A 12/1969 Davidson
3,869,295 A 3/1975 Bowles et al.
D237,269 S * 10/1975 Edwards D25/123
D237,271 S * 10/1975 Edwards D25/122
3,986,312 A 10/1976 Calhoun et al.
4,052,829 A 10/1977 Chapman

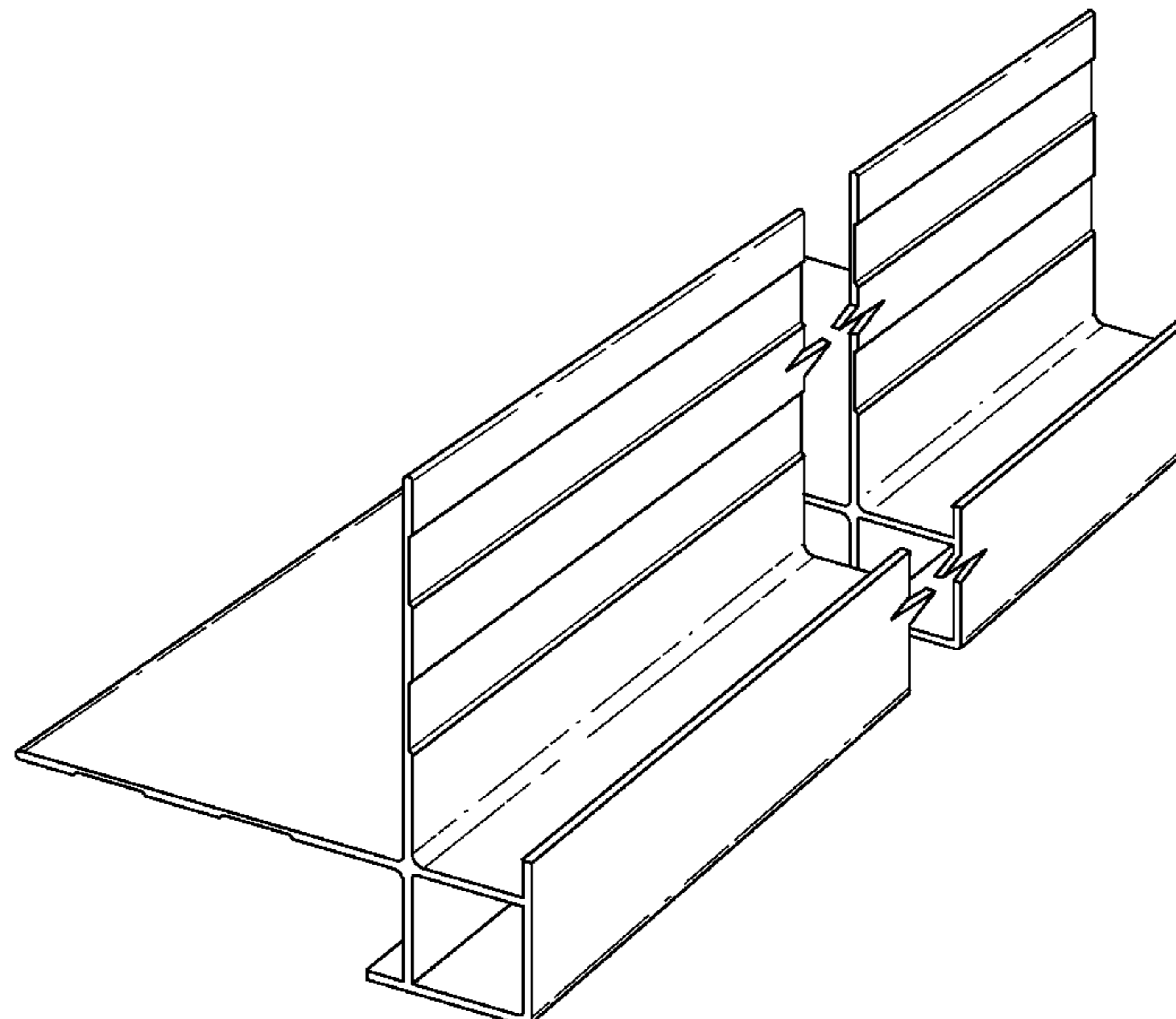
(Continued)

FOREIGN PATENT DOCUMENTS

AU 90831 8/1985
AU 95374 2/1987
AU 99315 1/1988

For FIGS. 1–8, lines shown as broken are for illustrative purposes only, showing the environment, and form no part of the claimed design.

1 Claim, 6 Drawing Sheets



U.S. PATENT DOCUMENTS

4,076,884	A	2/1978	Riley et al.	
4,366,657	A	1/1983	Hopman	
4,373,957	A	2/1983	Pedersen et al.	
4,680,911	A	7/1987	Davis et al.	
4,895,598	A	1/1990	Hedberg et al.	
4,963,430	A	10/1990	Kish et al.	
5,117,600	A	6/1992	Yerushalmi et al.	
5,242,736	A	9/1993	Van Erden et al.	
5,397,631	A	3/1995	Green et al.	
5,622,556	A	4/1997	Shulman	
5,724,783	A	3/1998	Mandish	
5,732,520	A	3/1998	Maietta	
5,736,594	A	4/1998	Boles et al.	
5,960,598	A *	10/1999	Tamlyn	52/254
5,974,748	A *	11/1999	Sciuga et al.	52/287.1
6,018,924	A	2/2000	Tamlyn	
6,030,447	A	2/2000	Naji et al.	
6,341,458	B1 *	1/2002	Burt	52/287.1
6,510,667	B1	1/2003	Cottier et al.	
6,516,580	B1	2/2003	Maietta	
6,758,017	B2 *	7/2004	Young	52/255
2002/0073638	A1 *	6/2002	Kunz et al.	52/255
2004/0020143	A1 *	2/2004	Webb	52/204.53
2004/0118076	A1	6/2004	Bezubic	
2006/0005489	A1 *	1/2006	Smythe, Jr.	52/287.1
2006/0010800	A1 *	1/2006	Bezubic, Jr.	52/287.1
2008/0216430	A1	9/2008	Gleeson et al.	
2009/0019814	A1	1/2009	Gleeson et al.	
2009/0064599	A1	3/2009	Bennett	

FOREIGN PATENT DOCUMENTS

AU	112156	9/1991
AU	112157	9/1991
AU	122184	12/1994
AU	124159	7/1995
AU	128989	1/1997
AU	745114	12/1998
AU	136553	3/1999
AU	143709	5/2001
AU	783430	6/2001
AU	735352	7/2001
AU	2001287356	4/2002
AU	148950	8/2002
AU	2003204739	B2 7/2003
AU	2003257906	A1 7/2004
AU	310645	10/2006
CA	974726	9/1975
DE	2440497	3/1976
EP	0024360	3/1981
EP	0074338	3/1983
EP	0305209	A1 3/1989
EP	0430667	6/1991
GB	558239	12/1943
GB	564447	9/1944
GB	1086311	10/1967
GB	1174902	12/1969
GB	1590875	6/1981
GB	2378192	2/2003
JP	06278116	A 10/1994

JP	08004248	1/1996
JP	08068184	A2 3/1996
JP	10280639	10/1998
JP	11256683	9/1999
JP	2000064554	A2 2/2000
JP	2002161623	A2 6/2002
JP	200716428	1/2007
NZ	334899	4/2000
NZ	335529	12/2000
NZ	502017	12/2000
NZ	525507	9/2004
NZ	536129	2/2006
TW	278536	6/1996
TW	278537	6/1996
TW	282800	8/1996
WO	WO-8102758	10/1981
WO	WO-9324711	12/1993
WO	WO-9708111	3/1997
WO	WO-9964692	12/1999
WO	WO-02096824	12/2002
WO	WO-03035998	5/2003
WO	WO-2004087412	10/2004
WO	WO-2005003478	1/2005
WO	WO-2005035900	4/2005
WO	WO-2005068741	7/2005
WO	WO-2005078210	8/2005

OTHER PUBLICATIONS

Scyon™ Axon™ website printed Sep. 13, 2006, from <http://www.jameshardie.com.au/Products/Scyon/Cladding/Axon>.

Scyon™ Linea™ website printed Sep. 13, 2006, from <http://www.jameshardie.com.au/Products/Scyon/Cladding/Linea/default.htm>.

International Search Report for International Application No. PCT/AU2007/000096 dated Mar. 29, 2007.

New Zealand Building Code Acceptable Solution E2/AS1, Department of Building and Housing, Jul. 1, 2005, from <http://www.minhousing.govt.nz/UserFiles/File/Publications/Building/Compliance-documents-clause-e2-b.pdf> (37 pgs).

Decision of Appeal for Taiwan Patent Application No. 85114421, dated Feb. 24, 1999, with translation.

Decision of Opposition for Taiwan Patent Application No. 85114421, dated Aug. 3, 1998, with translation.

Simplicity Tool Corporation, "Off Stud Joiners," May 12, 2009, 1 p.

Simplicity Tool Corporation, "Installation Instruction for Off Stud Joiners," May 12, 2009, 1 p.

CertainTeed, "WeatherBoards™ Fiber Cement Siding: Lap Siding Installation Guide," Oct. 2008, 8 pp.

BGC, "Fibre Cement: Duraplank™ Technical Information for Duraplank™ Woodgrain and Smooth for External Cladding," Apr. 2007, 12 pp.

James Hardie®, "External Cladding Technical Specification," Sep. 2005, 32 pp.

James Hardie®, "Scyon™ Stria™ Cladding Installation Instructions," Jun. 2008, 6 pp.

U.S. Appl. No. 29/324,083 entitled "Building Element," filed Sep. 5, 2008.

Eternit Building Materials, "Glasal Fibre Cement Cladding Panels," May 2003, 8 pp.

Eternit Building Materials, "Omega and Zeds," May 2003, 8 pp.

* cited by examiner

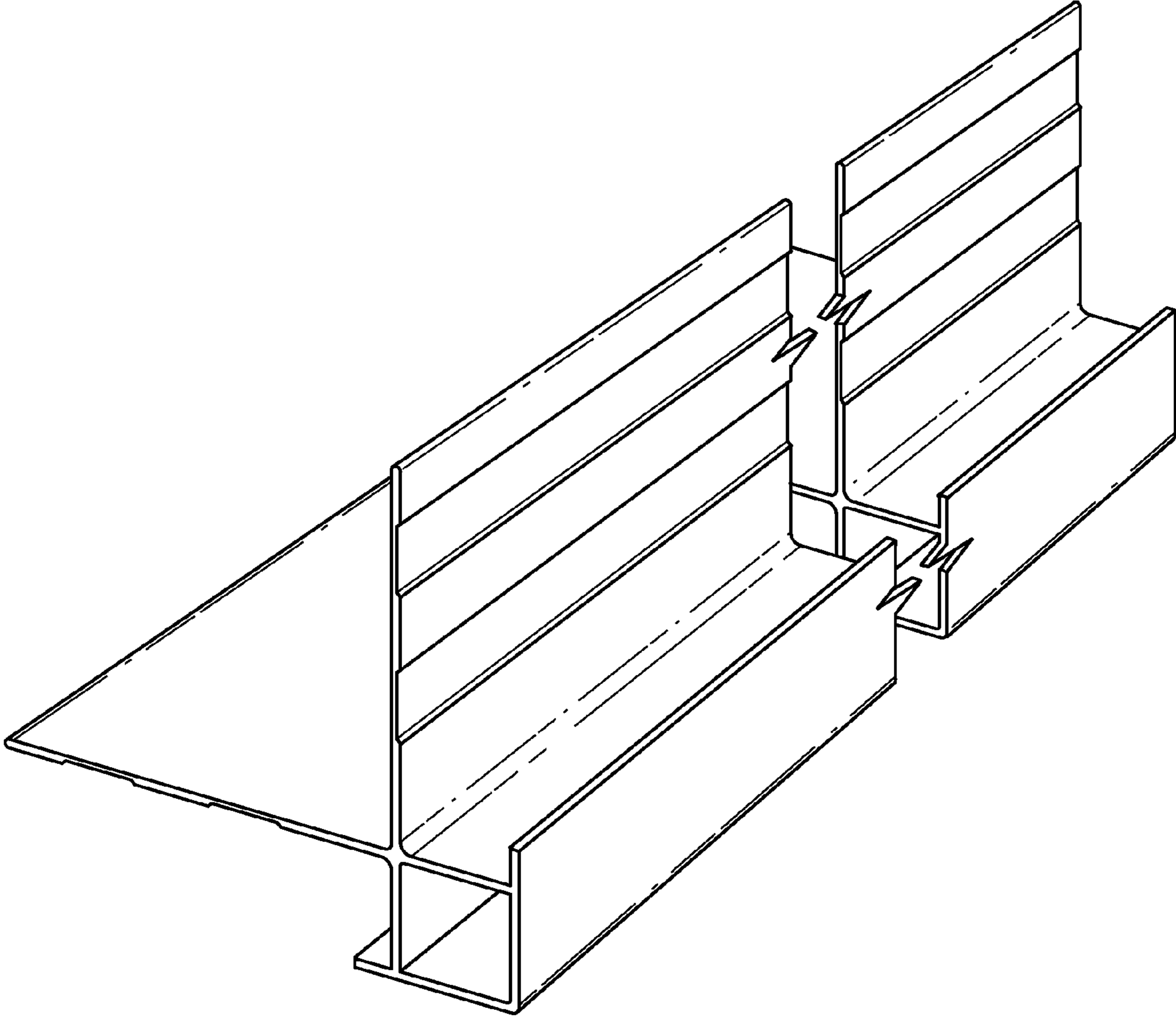


FIG. 1

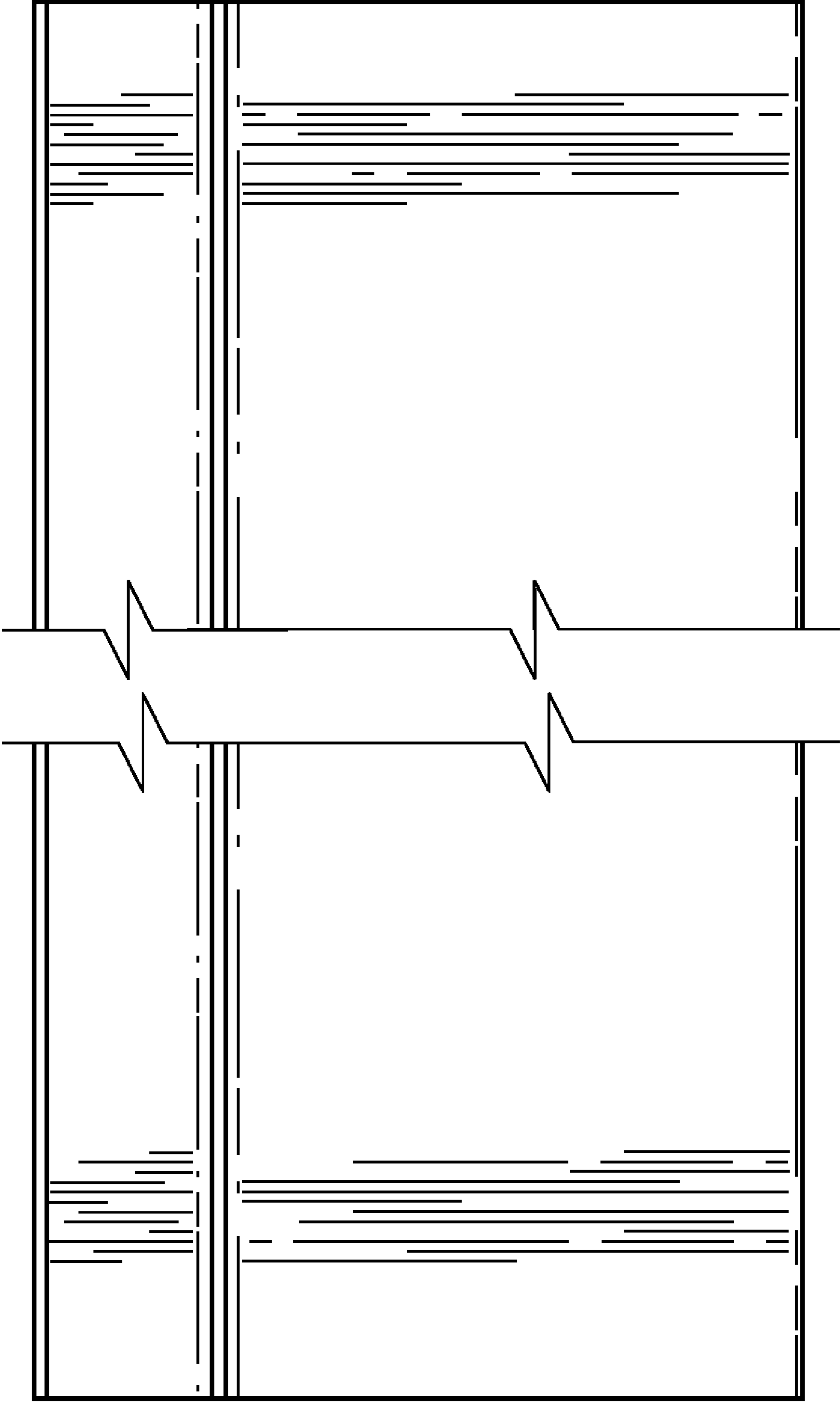


FIG. 2

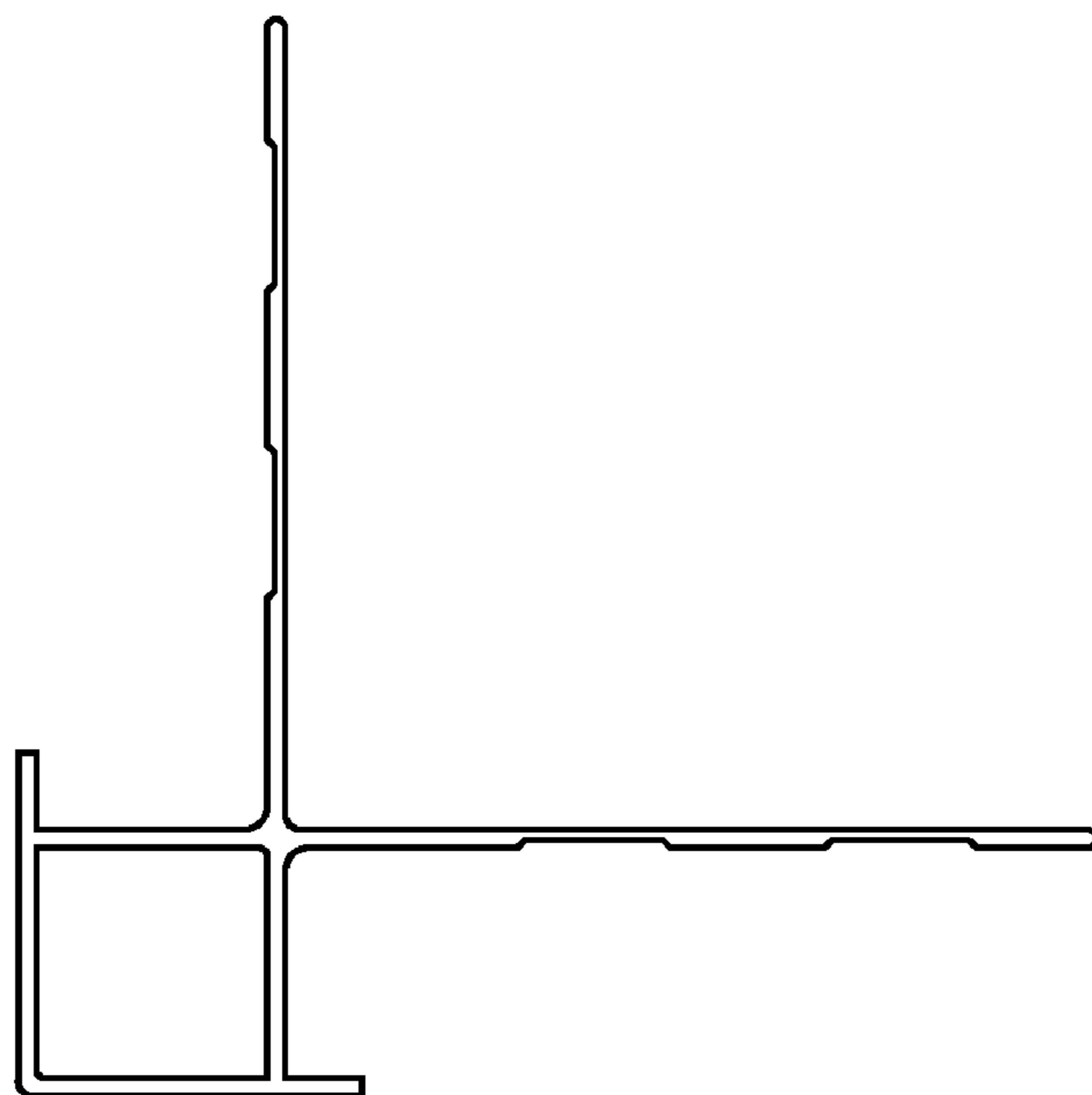


FIG. 3

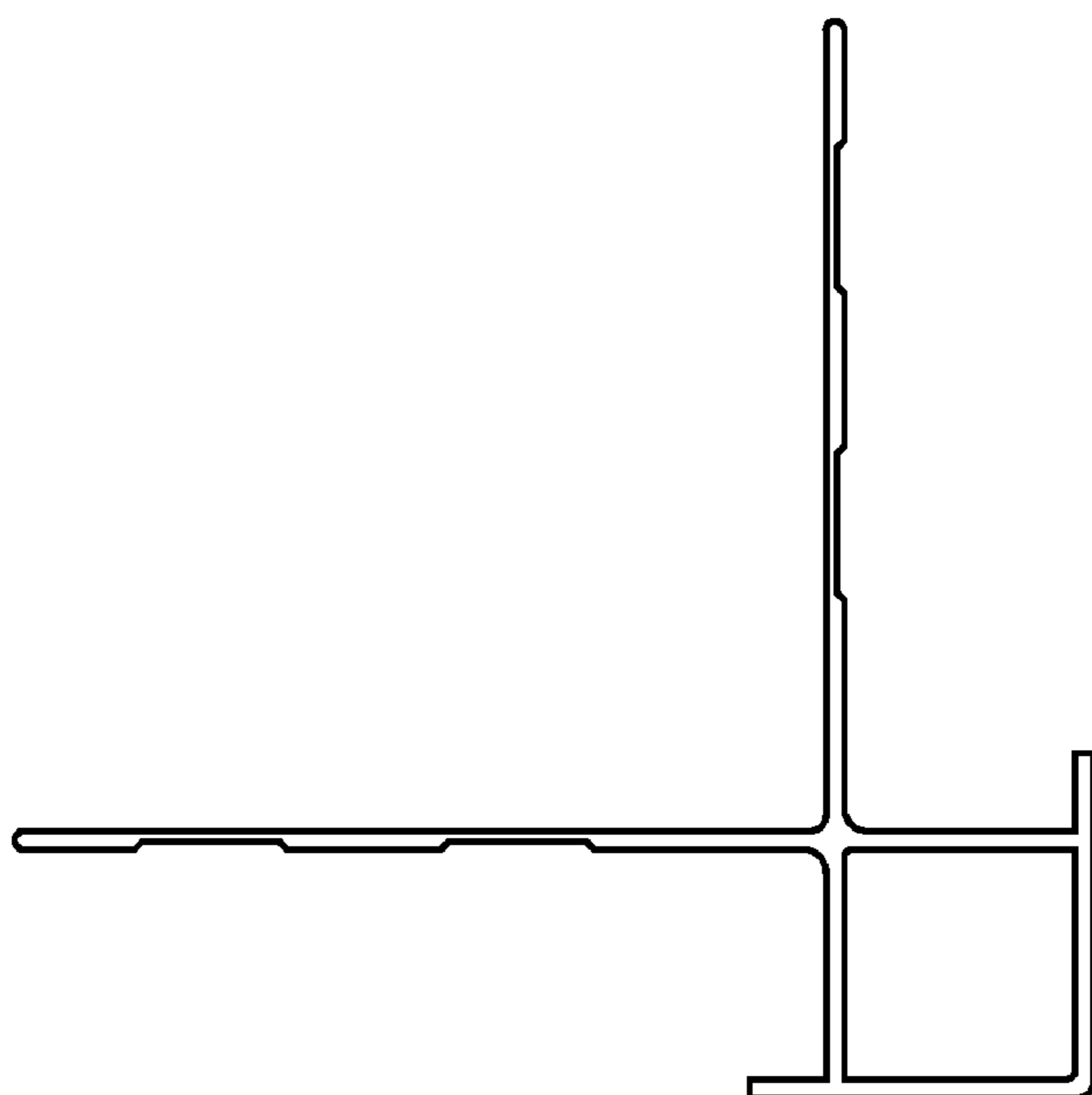


FIG. 4

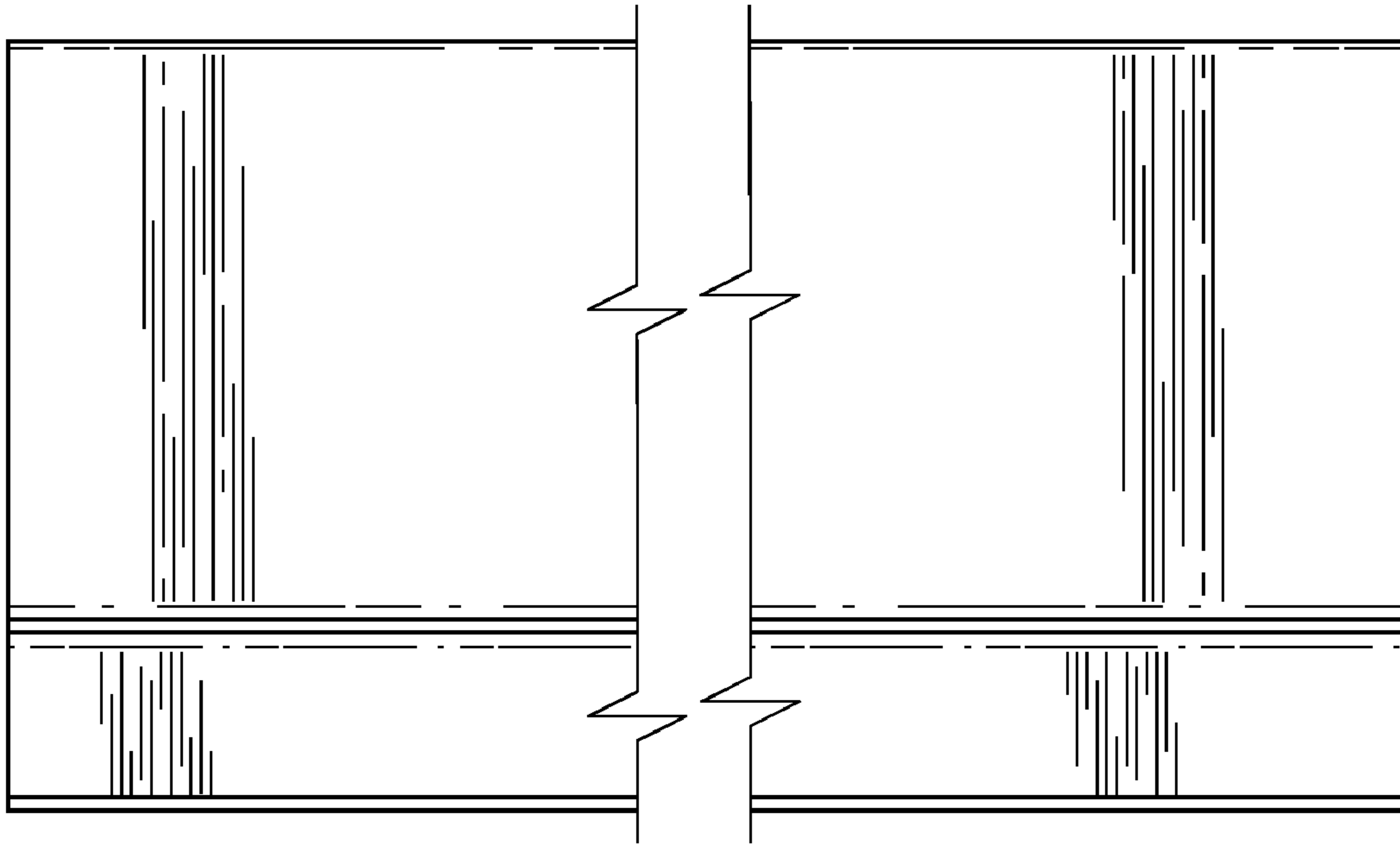


FIG. 5

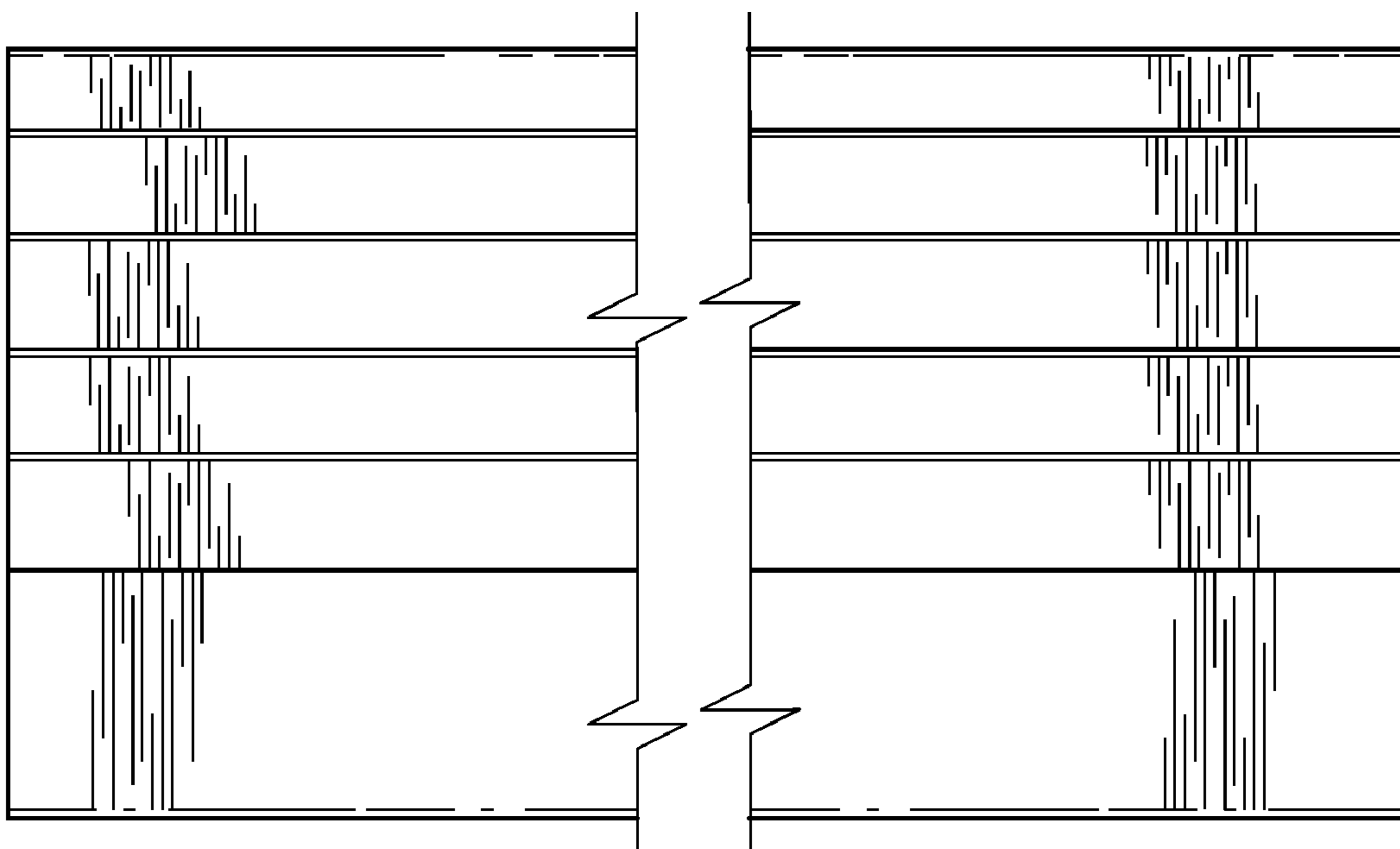


FIG. 6

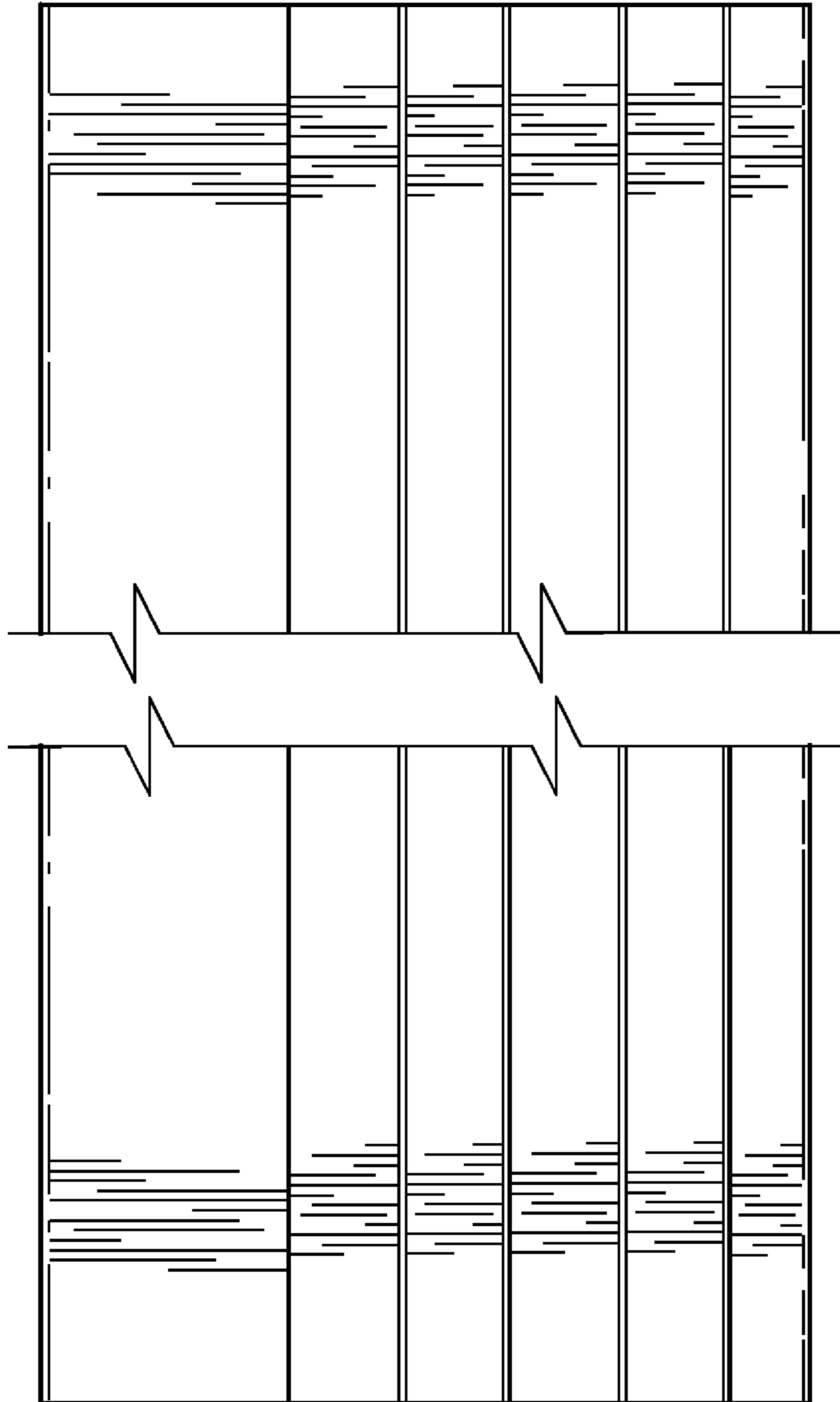


FIG. 7

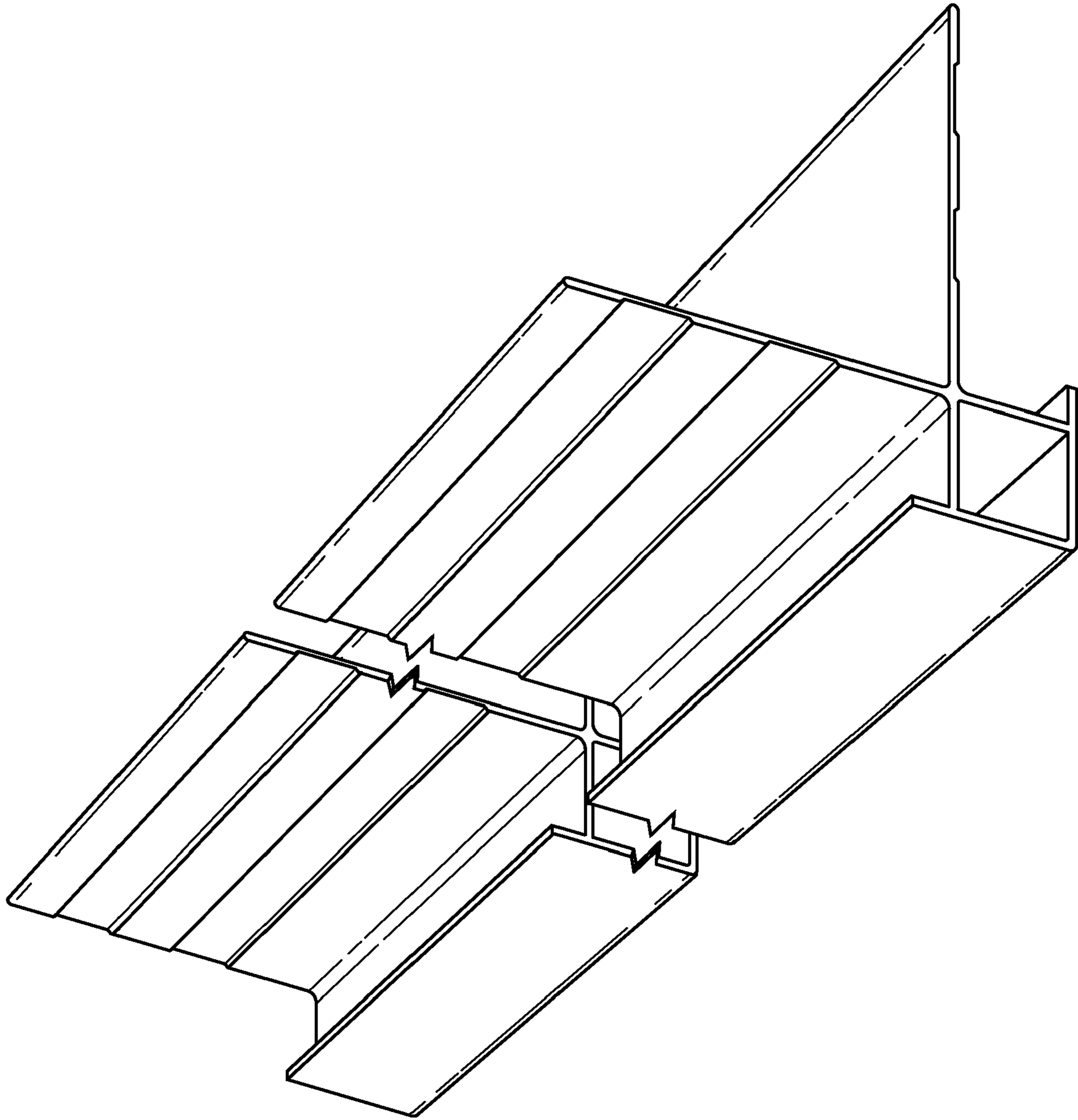


FIG. 8