



US00D616970S

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

(10) **Patent No.:** **US D616,970 S**
(45) **Date of Patent:** **** Jun. 1, 2010**

(54) **DOWNSPOUT DIVERTER**

5,383,310 A 1/1995 Sapia
5,516,232 A 5/1996 Filipski
5,522,427 A * 6/1996 Johnson 137/616.5

(75) Inventor: **Andrew Phillip Block**, Middleton, WI
(US)

(Continued)

(73) Assignee: **Fiskars Brand, Inc.**, Madison, WI (US)

OTHER PUBLICATIONS

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

The Garden Watersaver, "Automatic Rainwater Collection System", available at http://nexuscms.com/smarty/gallery2.php?page=1&gallery_id=1&..., available at least by Feb. 9, 2009 (1 pg.).

(21) Appl. No.: **29/333,772**

(Continued)

(22) Filed: **Mar. 13, 2009**

(51) **LOC (9) Cl.** **23-01**

Primary Examiner—T. Chase Nelson

(52) **U.S. Cl.** **D23/267**

Assistant Examiner—Eric L Goodman

(58) **Field of Classification Search** D23/259–269;
52/11–13, 16; 248/48.1; 404/4–5, 2; 405/118;
D25/119

(74) *Attorney, Agent, or Firm*—Foley & Lardner LLP

See application file for complete search history.

(57) **CLAIM**

(56) **References Cited**

I claim the ornamental design for a downspout diverter, as shown and described.

U.S. PATENT DOCUMENTS

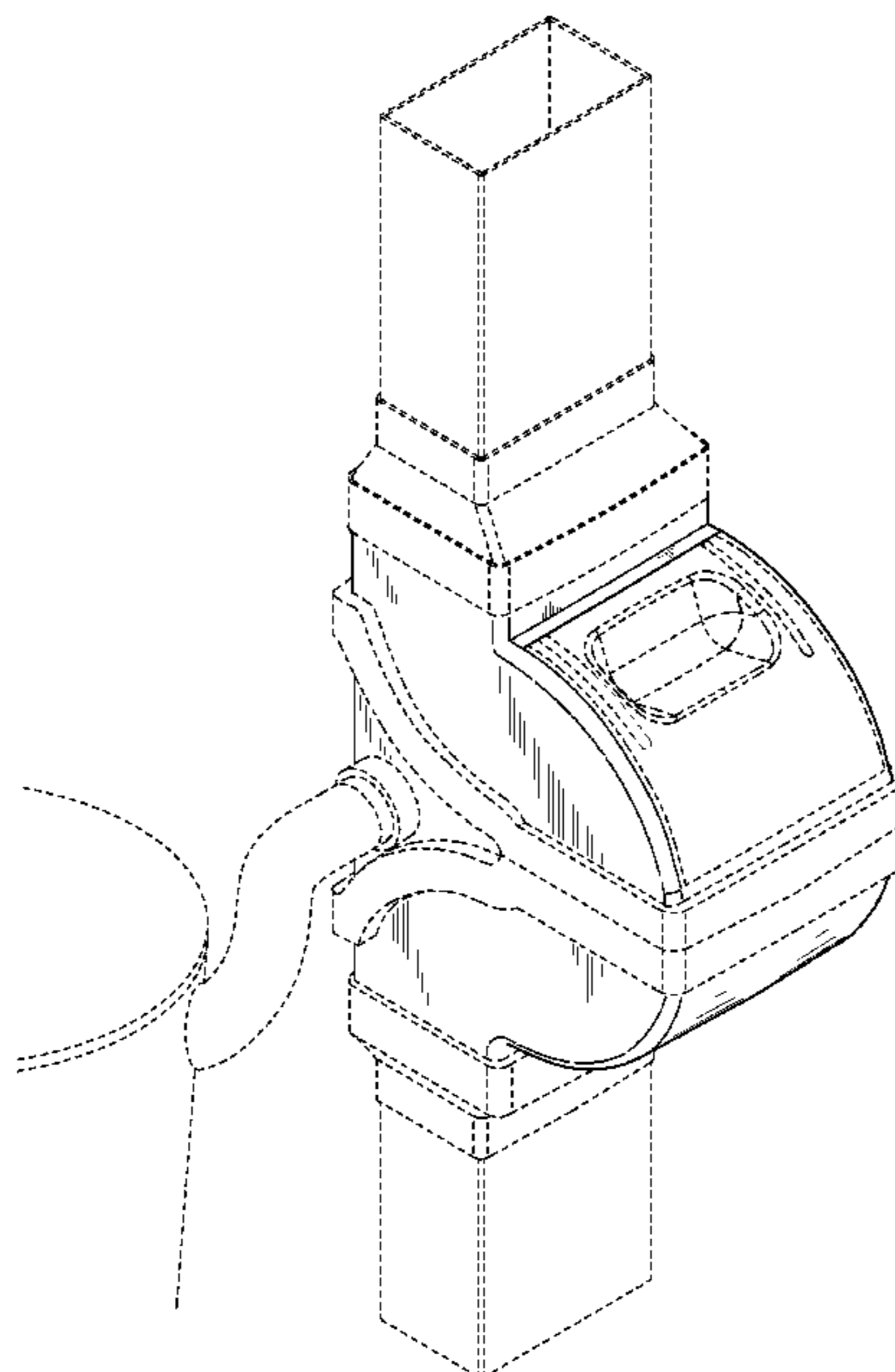
DESCRIPTION

3,990,474 A	11/1976	Harms	
4,182,376 A	1/1980	Nilsson	
4,411,110 A	10/1983	Carey	
4,472,274 A	9/1984	Williams	
D288,230 S *	2/1987	Thatcher D23/263
D288,840 S *	3/1987	Williams D23/261
4,667,448 A	5/1987	Smith	
4,732,037 A	3/1988	Daube, Jr. et al.	
4,786,205 A	11/1988	Hisken et al.	
4,798,028 A	1/1989	Pinion	
4,801,377 A *	1/1989	Bolt 210/162
5,099,620 A	3/1992	Carey	
5,114,594 A	5/1992	Rosebrock et al.	
5,261,195 A	11/1993	Buckenmaier et al.	
5,261,196 A	11/1993	Buckenmaier et al.	
5,305,562 A	4/1994	Sapia	
5,332,332 A	7/1994	Kenyon, Jr.	
D354,552 S *	1/1995	Weber D23/261

FIG. 1 is a forward perspective view of the claimed design.
FIG. 2 is a left side elevation view of the claimed design.
FIG. 3 is a right side elevation view of the claimed design.
FIG. 4 is a front elevation view of the claimed design.
FIG. 5 is a back elevation view of the claimed design.
FIG. 6 is a top view of the claimed design; and,
FIG. 7 is a bottom view of the claimed design.

The ornamental design which is claimed is shown in solid lines in the drawings. The broken lines in the drawings are for illustrative purposes only and form no part of the claimed design.

1 Claim, 6 Drawing Sheets



US D616,970 S

Page 2

U.S. PATENT DOCUMENTS

5,533,303	A	7/1996	Harvey				
5,557,891	A	9/1996	Albracht				
5,567,077	A	10/1996	Yang				
D381,406	S *	7/1997	Brown	D23/266			
5,673,519	A	10/1997	McCaughan				
5,709,051	A	1/1998	Mazziotti				
5,985,158	A *	11/1999	Tiderington	210/767			
6,024,127	A *	2/2000	Johnson	137/873			
6,182,680	B1	2/2001	Hart				
6,282,844	B1	9/2001	Marable				
6,308,479	B1	10/2001	Prohofsky				
6,374,944	B1	4/2002	Curl, Jr.				
6,453,622	B1	9/2002	Walters				
6,470,628	B1	10/2002	Walters				
6,481,164	B1	11/2002	McCorkel				
6,536,165	B2	3/2003	Pilcher				
6,568,132	B1	5/2003	Walters				
6,619,312	B2	9/2003	Doiron				
6,880,294	B2	4/2005	Walters				
6,887,375	B2	5/2005	Johnson				
7,007,429	B2 *	3/2006	Kim	52/16			
D589,127	S *	3/2009	Cornwall	D23/268			
2001/0022052	A1	9/2001	Pilcher				
2003/0029129	A1	2/2003	Walters				
2003/0101661	A1	6/2003	Walters				
2003/0131542	A1	7/2003	Coblentz, Jr.				
2005/0109693	A1 *	5/2005	Allard	210/446			
2006/0186697	A1	8/2006	Whitcomb				
2007/0209289	A1	9/2007	Garcia				

OTHER PUBLICATIONS

RainReserve, "A Fluid Solution to Conservation", available at <http://www.rainreserve.com/how.php>, available at least by Feb. 9, 2009 (1 pg.).

Wisny, "Rainwater harvesting systems", Product List 2007 (22 pgs.).

* cited by examiner

FIG. 1

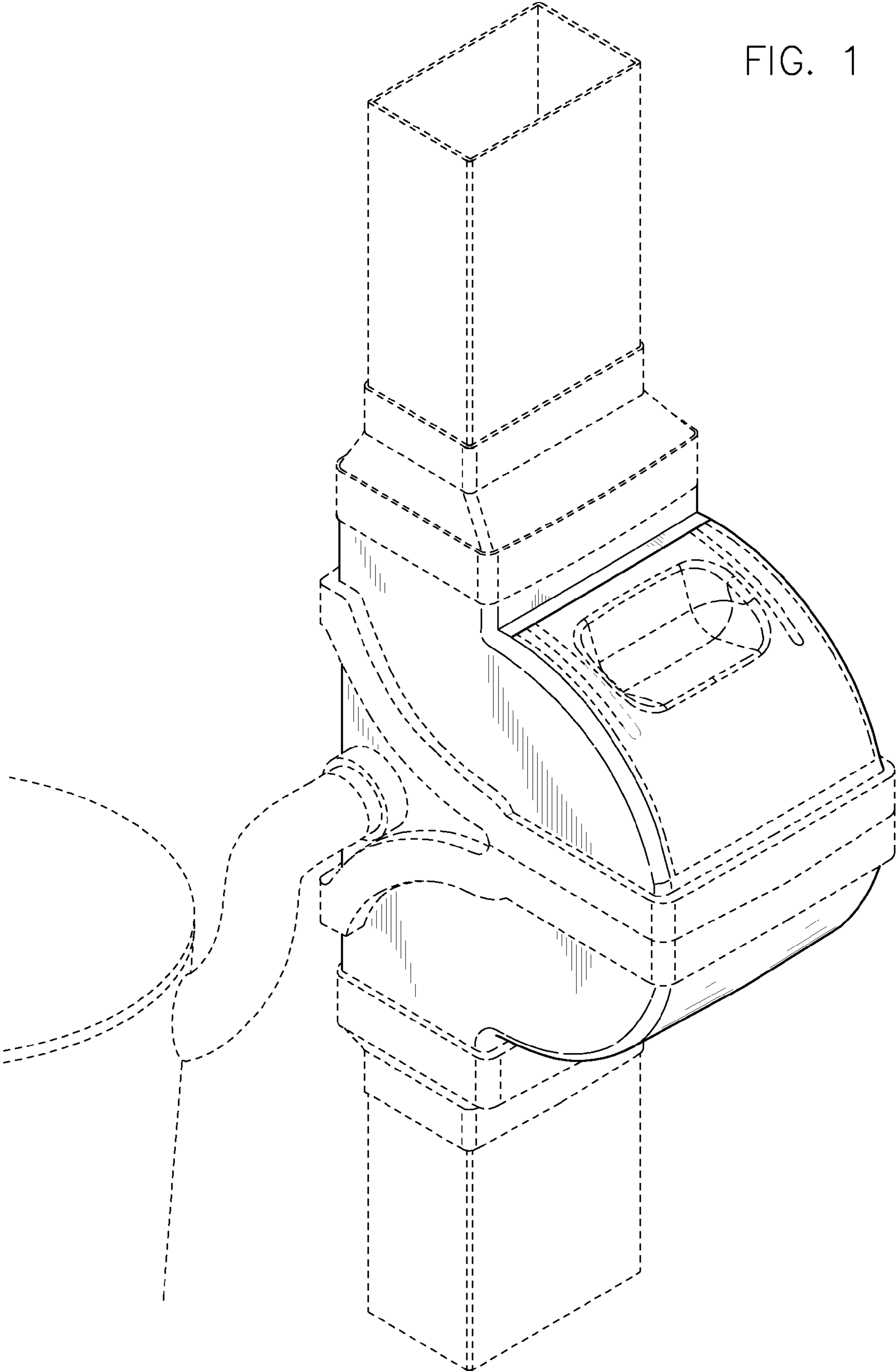


FIG. 2

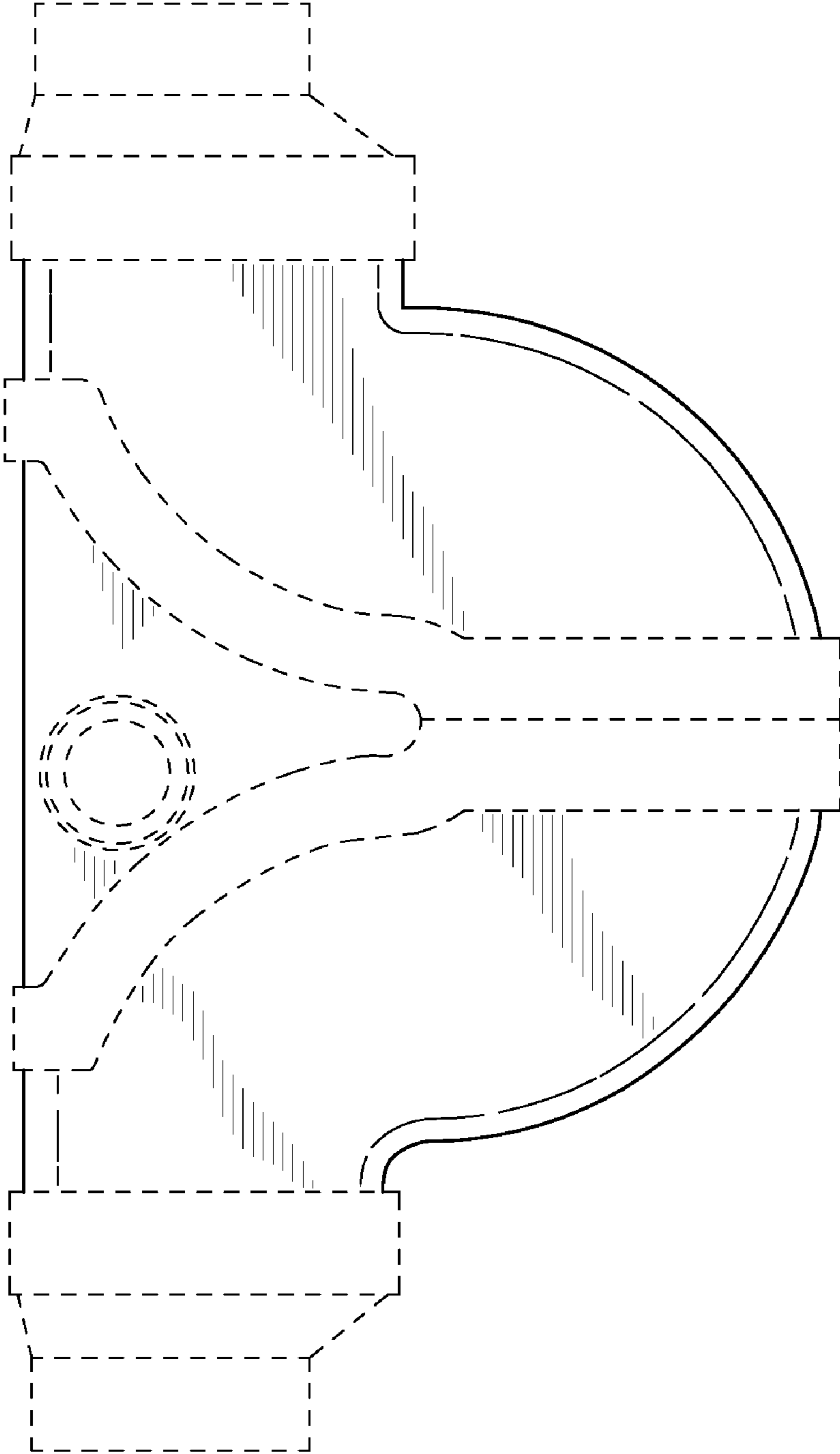


FIG. 3

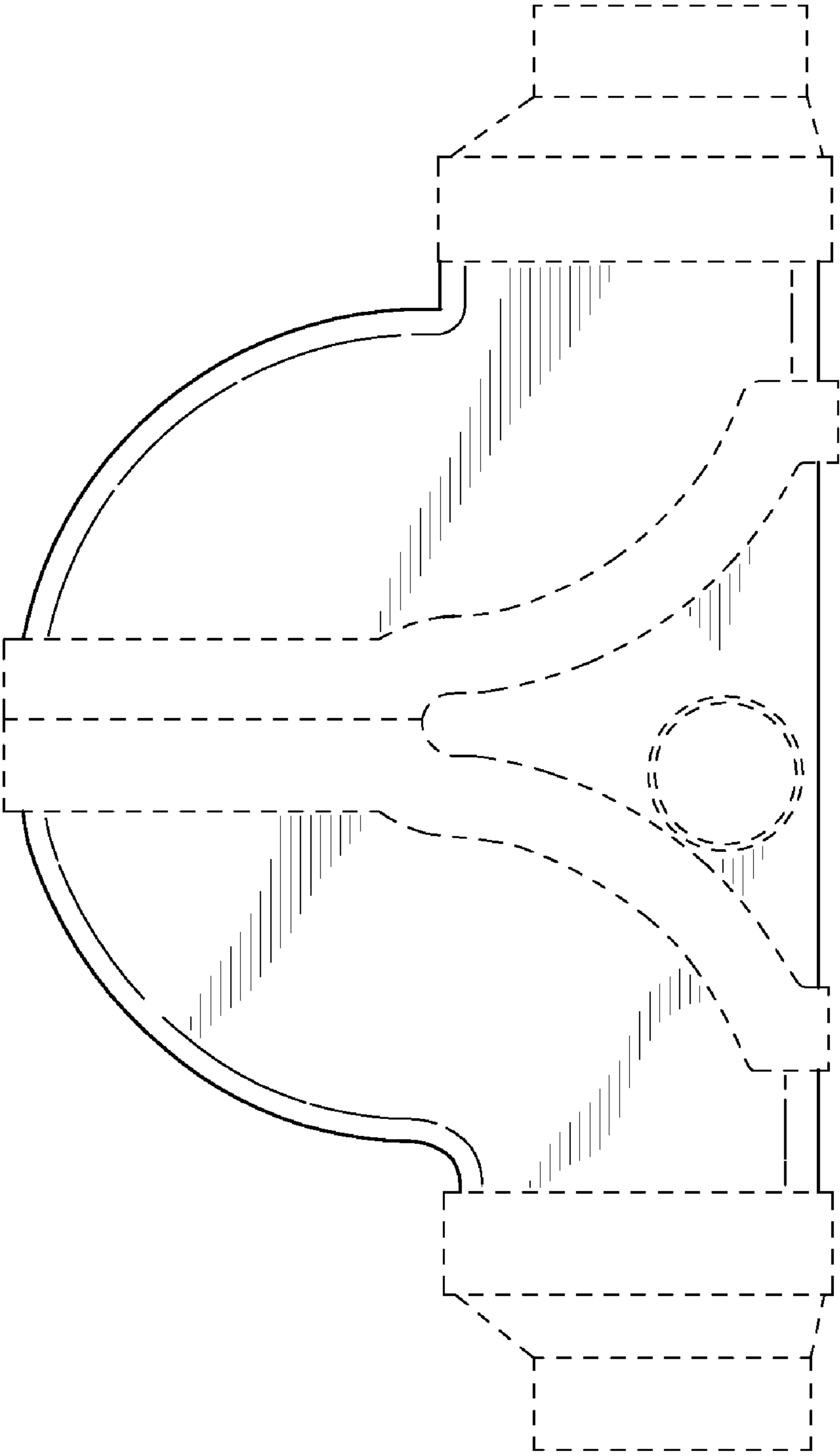


FIG. 4

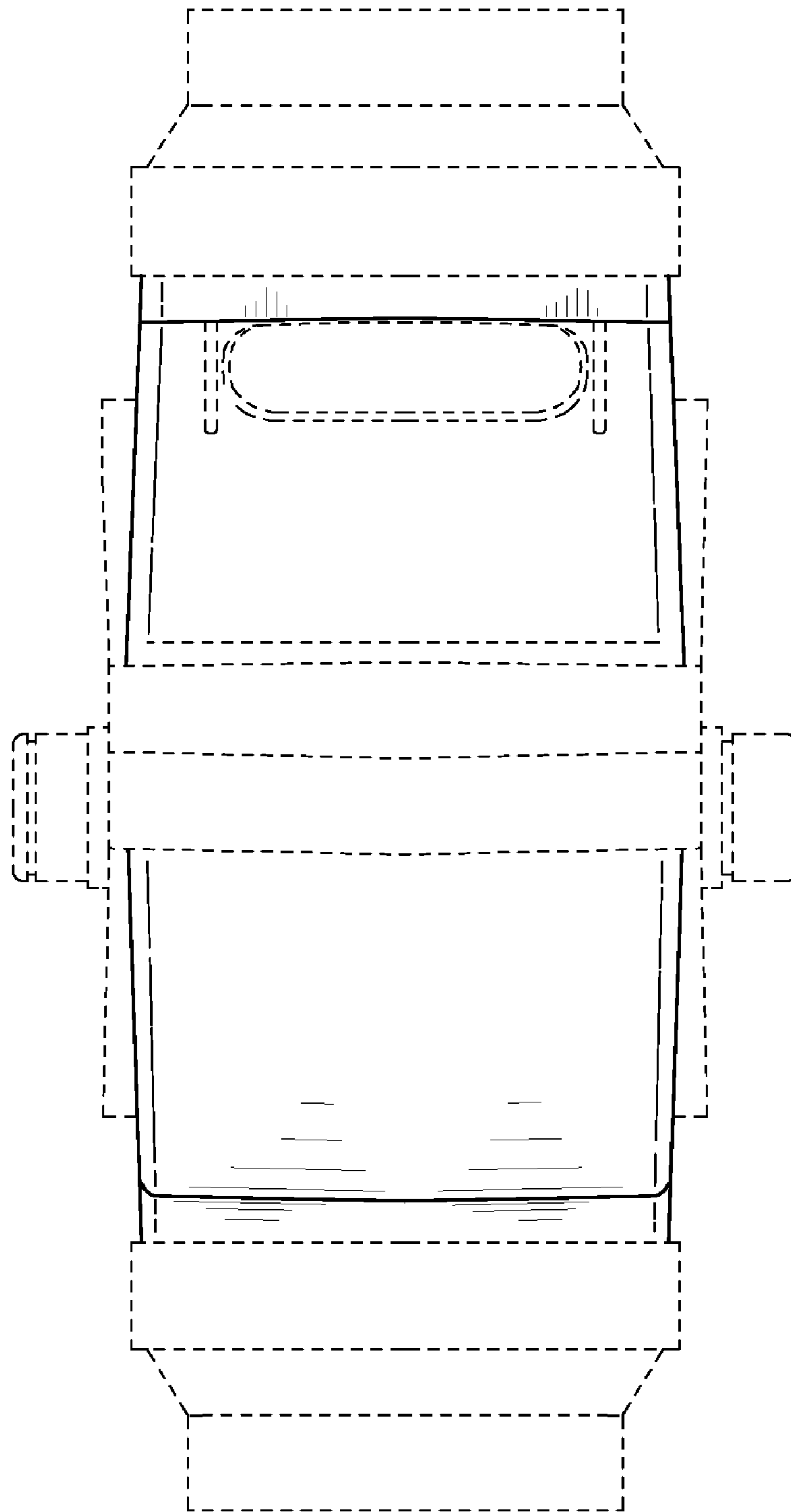
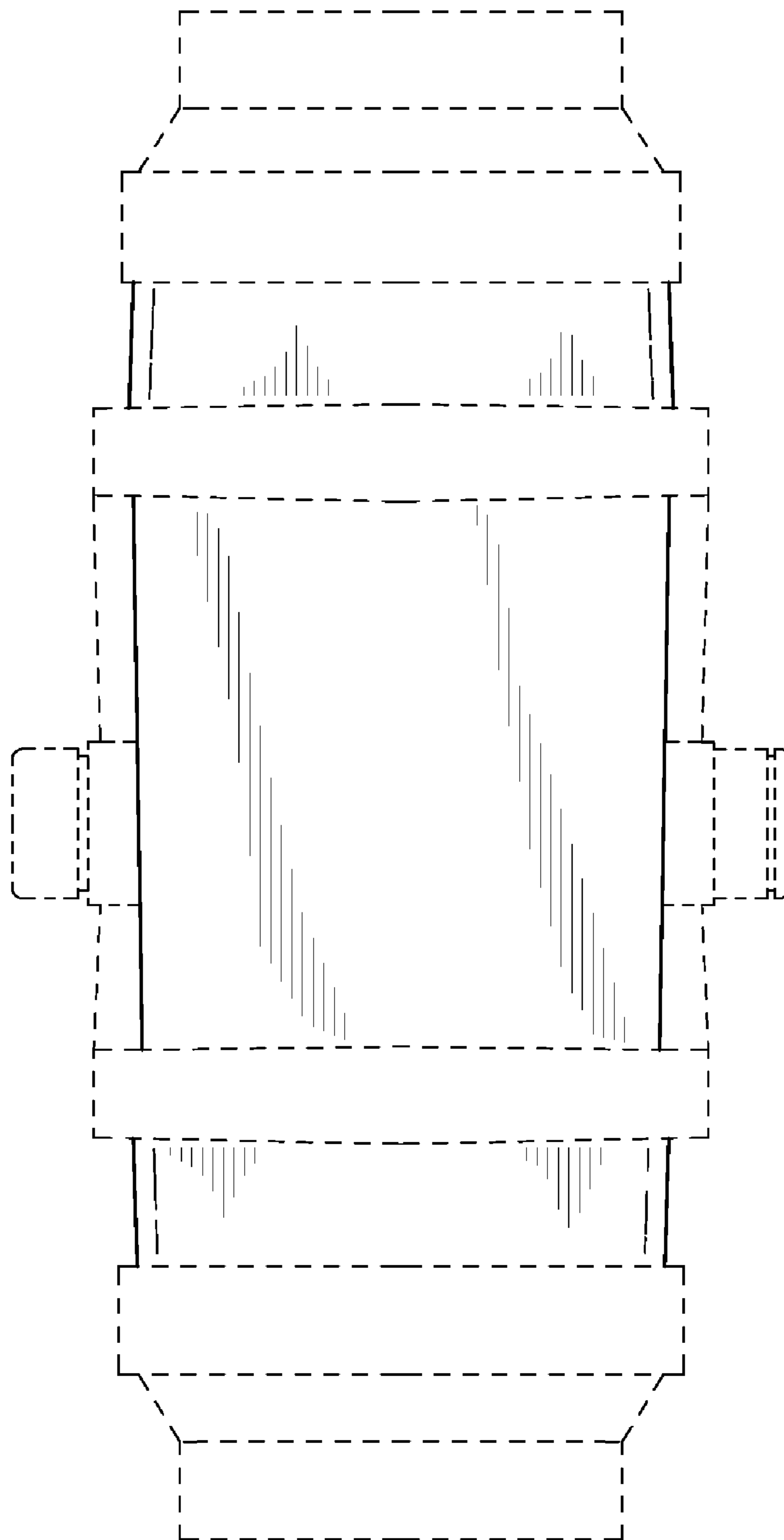


FIG. 5



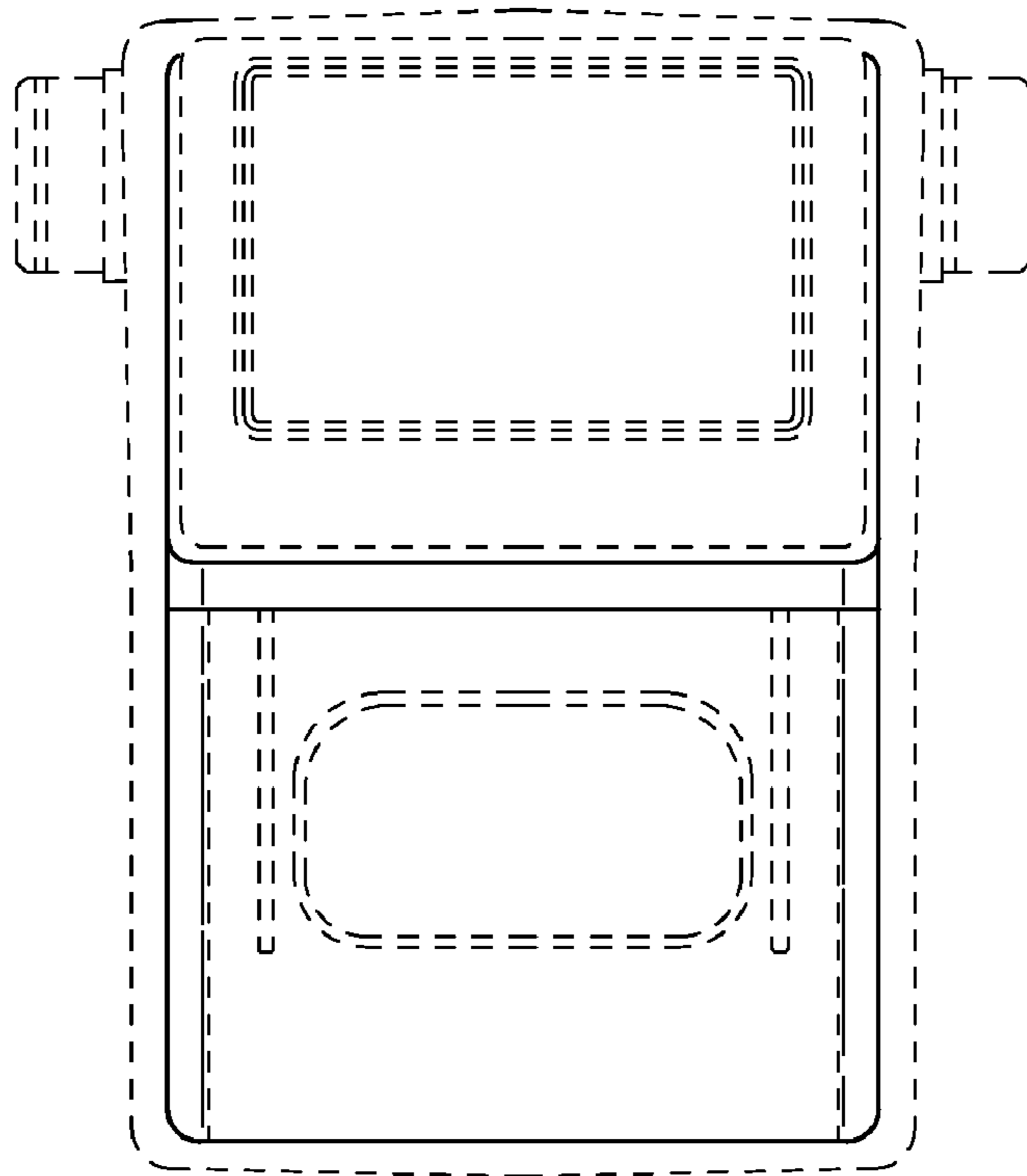


FIG. 6

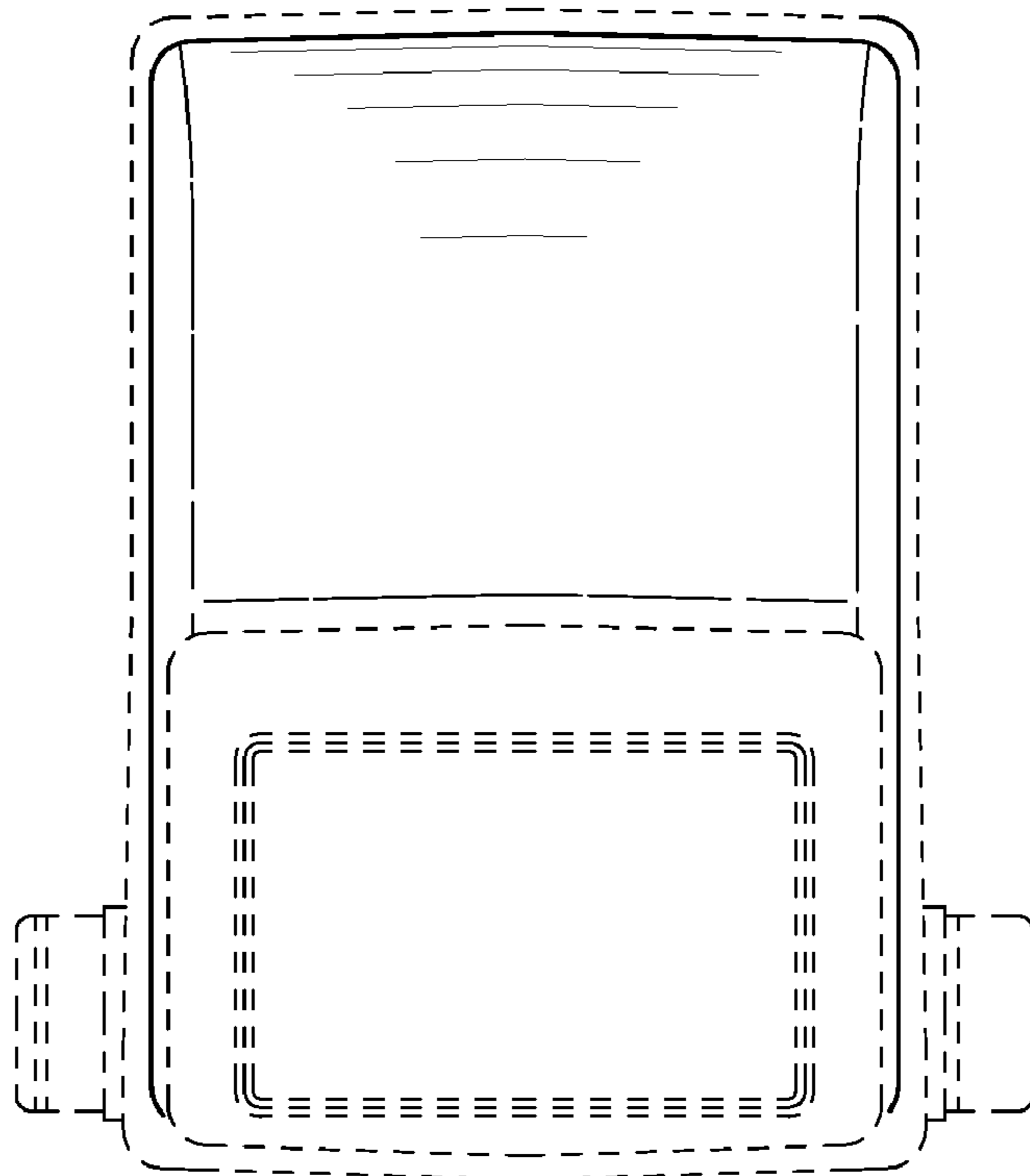


FIG. 7