



US00D624709S

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

(10) **Patent No.:** **US D624,709 S**

(45) **Date of Patent:** **\*\* \*Sep. 28, 2010**

(54) **BREEDING PEN FEEDER**

(75) Inventor: **Rick Meritt**, Gilmer, TX (US)

(73) Assignee: **Rick Meritt Investments, Ltd.**, Gilmer, TX (US)

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

(21) Appl. No.: **29/346,304**

(22) Filed: **Oct. 29, 2009**

**Related U.S. Application Data**

(63) Continuation of application No. 29/296,699, filed on Oct. 25, 2007, now Pat. No. Des. 603,566, which is a continuation of application No. 11/160,611, filed on Jun. 30, 2005, now Pat. No. 7,370,605, which is a continuation-in-part of application No. 09/920,231, filed on Aug. 1, 2001, now Pat. No. 6,920,841.

(51) **LOC (9) Cl.** ..... **30-03**

(52) **U.S. Cl.** ..... **D30/121**

(58) **Field of Classification Search** ..... D30/133, D30/121, 122, 124, 127, 128, 132; 119/51.01, 119/61, 51.04, 53, 57.91, 54, 53.5, 52.4, 119/51.11, 63, 61.2, 52.1, 57.5, 57.6, 51.13, 119/62, 75, 500, 501; 239/7, 687, 379, 397.5; 222/199, 181.1, 181.2, 185.1, 557, 156, 485, 222/486, 548, 555; 220/200, 227, 247, 262; 221/174, 185.1, 289, 295, 296, 559; 454/35; 209/270, 283, 244; 52/194, 192; 49/279, 49/344, 357; D34/28

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

347,416 A 8/1886 Buckingham  
411,140 A 9/1889 Farrington et al.  
423,712 A 3/1890 Arnold  
485,142 A 10/1892 Stephens  
587,803 A 8/1897 Ewer  
1,214,881 A 2/1917 Bemtzen  
1,237,016 A 8/1917 Brown

1,239,404 A 9/1917 Knoll, Jr.  
1,309,671 A 7/1919 Weaver  
1,355,399 A 10/1920 Kelley  
1,359,691 A 11/1920 Genuit

(Continued)

**FOREIGN PATENT DOCUMENTS**

GB 2129266 A 5/1984

(Continued)

**OTHER PUBLICATIONS**

Advertisement (Mumme's Inc.) (1 page), Texas Deer Association Tracks, vol. 6, Issue 3 (May/Jun. 2005), p. 51.

(Continued)

*Primary Examiner*—Susan Moon Lee

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

(57) **CLAIM**

The ornamental design for a breeding pen feeder, as shown and described.

**DESCRIPTION**

FIG. 1 is a perspective view of a breeding pen feeder according to my new design;

FIG. 2 is a right side elevation view of the breeding pen feeder shown in FIG. 1;

FIG. 3 is a left side elevation view of the breeding pen feeder shown in FIG. 1;

FIG. 4 is a front elevation view of the breeding pen feeder shown in FIG. 1;

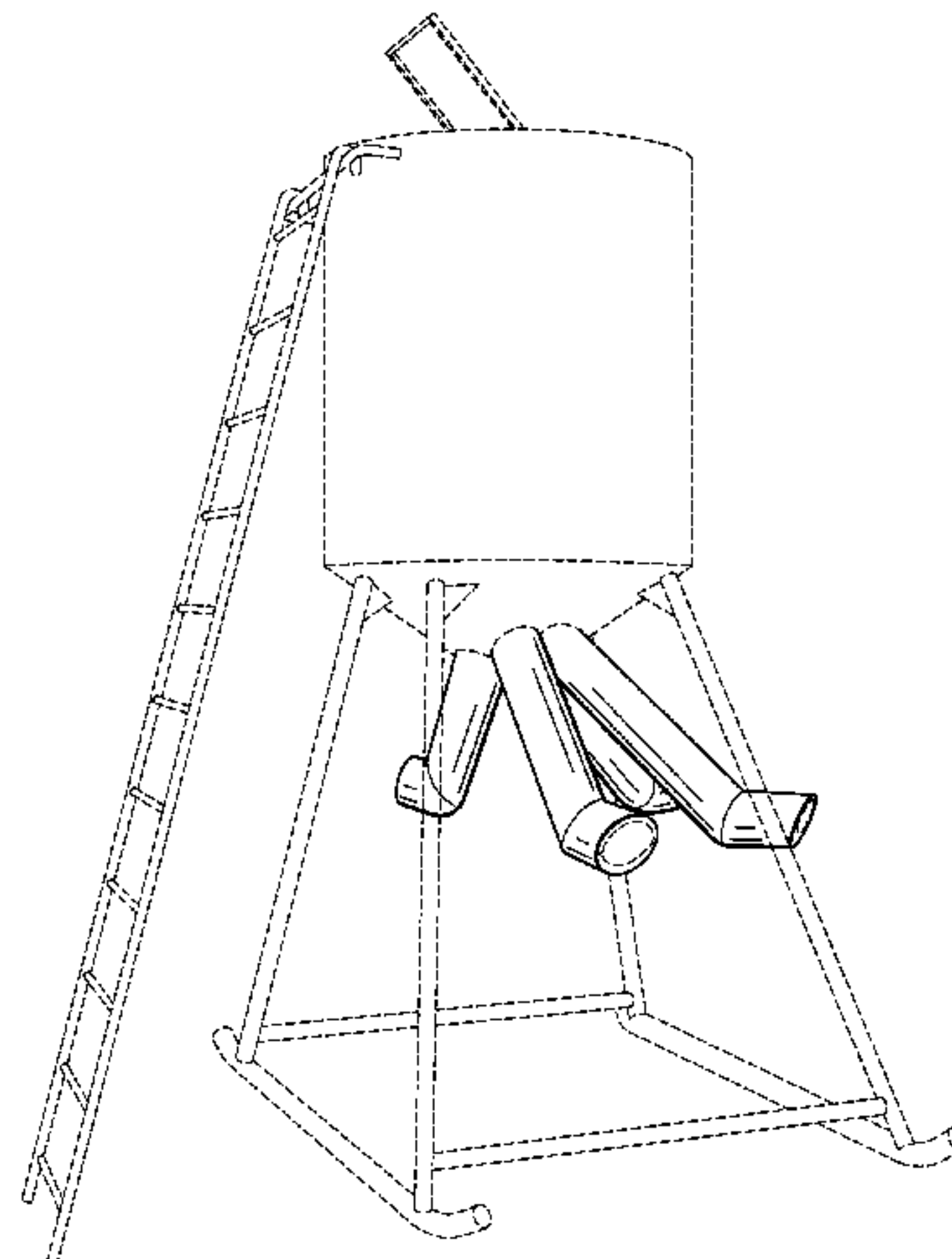
FIG. 5 is a rear elevation view of the breeding pen feeder shown in FIG. 1;

FIG. 6 is a top plan view of the breeding pen feeder shown in FIG. 1; and,

FIG. 7 is a bottom plan view of the breeding pen feeder shown in FIG. 1.

The broken lines are for illustrative purposes only and form no part of the claimed design.

**1 Claim, 7 Drawing Sheets**



# US D624,709 S

Page 2

| U.S. PATENT DOCUMENTS |   |          |                      |           |   |           |                      |
|-----------------------|---|----------|----------------------|-----------|---|-----------|----------------------|
| 1,561,299             | A | 11/1925  | Banks                | D279,717  | S | 7/1985    | Mau et al.           |
| 1,563,816             | A | 12/1925  | Worthington          | 4,538,548 | A | 9/1985    | Page                 |
| D077,948              | S | 3/1929   | Evans                | 4,542,930 | A | 9/1985    | Adams                |
| D092,312              | S | 5/1934   | Kanter               | 4,580,528 | A | 4/1986    | Kendall              |
| 2,136,956             | A | 11/1938  | Schmitt              | 4,601,414 | A | 7/1986    | Lawson               |
| D130,381              | S | 11/1941  | Roth                 | 4,608,046 | A | 8/1986    | Towfigh              |
| 2,454,721             | A | 11/1948  | Severance et al      | 4,621,737 | A | 11/1986   | Casey                |
| D152,655              | S | 2/1949   | Rossell              | H000176   | H | 12/1986   | Johnstone, Jr.       |
| 2,464,278             | A | 3/1949   | Wilson               | D288,608  | S | 3/1987    | Dahlberg             |
| D161,749              | S | 1/1951   | Griner               | 4,653,195 | A | 3/1987    | Esparza              |
| D163,955              | S | 7/1951   | McCartney            | 4,707,389 | A | 11/1987   | Ward                 |
| 2,583,203             | A | 1/1952   | Bergeron             | 4,719,875 | A | 1/1988    | Van Gilst            |
| 2,619,252             | A | 11/1952  | De Hoffmann          | D295,091  | S | 4/1988    | Swartzendruber       |
| 2,638,871             | A | 5/1953   | Ruedemann            | 4,815,621 | A | 3/1989    | Bartis               |
| 2,654,346             | A | 10/1953  | Goff                 | 4,859,423 | A | 8/1989    | Perlman              |
| D171,639              | S | 3/1954   | Clemens, Jr.         | D305,193  | S | 12/1989   | Sajadieh             |
| 2,756,032             | A | 7/1956   | Dowell               | D305,804  | S | 1/1990    | Browning et al.      |
| 2,760,807             | A | 8/1956   | Watson               | 4,956,821 | A | 9/1990    | Fenelon              |
| 2,761,597             | A | 9/1956   | Stukey               | 4,971,366 | A | 11/1990   | Towsley              |
| 2,808,029             | A | 10/1957  | Geerling             | 4,986,220 | A | 1/1991    | Reneau et al.        |
| 2,881,947             | A | 4/1959   | Hancock              | 4,997,284 | A | 3/1991    | Tousignant et al.    |
| 2,886,002             | A | 5/1959   | O'Malley et al.      | D319,759  | S | 9/1991    | Bookout              |
| D187,929              | S | * 5/1960 | Rensch ..... D6/461  | D319,794  | S | 9/1991    | Elkins               |
| 2,988,047             | A | 6/1961   | Hurdle               | 5,061,180 | A | 10/1991   | Wiele                |
| 3,007,618             | A | 11/1961  | Davis et al.         | 5,069,164 | A | 12/1991   | Wiwi                 |
| 3,034,480             | A | 5/1962   | French               | 5,086,730 | A | 2/1992    | Figley               |
| D194,594              | S | 2/1963   | Juculano             | 5,090,743 | A | 2/1992    | Obering              |
| 3,104,778             | A | 9/1963   | Leonard              | D326,741  | S | * 6/1992  | Powers ..... D30/121 |
| 3,128,560             | A | 4/1964   | McKenzie             | 5,130,496 | A | 7/1992    | Jenkins              |
| 3,131,511             | A | 5/1964   | Deaner               | 5,143,289 | A | 9/1992    | Gresham et al.       |
| 3,318,473             | A | 5/1967   | Jones et al.         | 5,183,298 | A | 2/1993    | Harrington           |
| 3,386,756             | A | 6/1968   | Primm                | D333,841  | S | 3/1993    | Henricksen           |
| 3,487,433             | A | 12/1969  | Fleming              | 5,195,459 | A | 3/1993    | Ancketill            |
| 3,515,098             | A | 6/1970   | Thurmond             | D336,554  | S | 6/1993    | Reeder               |
| 3,613,641             | A | 10/1971  | Geerlings            | 5,218,784 | A | 6/1993    | Pollock              |
| 3,636,983             | A | 1/1972   | Keyser               | D340,516  | S | * 10/1993 | Too ..... D23/411    |
| 3,655,011             | A | 4/1972   | Willett              | 5,273,454 | A | 12/1993   | Shotey               |
| 3,658,211             | A | 4/1972   | Kitchens             | 5,275,131 | A | 1/1994    | Brake et al.         |
| D226,507              | S | * 3/1973 | Wright ..... D22/112 | 5,333,572 | A | 8/1994    | Nutt                 |
| 3,720,235             | A | 3/1973   | Schrock              | 5,339,996 | A | 8/1994    | Dubbert et al.       |
| 3,730,142             | A | 5/1973   | Kahrs et al.         | 5,372,093 | A | 12/1994   | Pooshs               |
| 3,780,701             | A | 12/1973  | Wentworth, Sr.       | 5,405,047 | A | 4/1995    | Hansen               |
| D232,552              | S | 8/1974   | Wtson                | 5,410,986 | A | 5/1995    | Washam               |
| 3,856,315             | A | 12/1974  | Stansbury            | 5,435,267 | A | 7/1995    | Patterson            |
| 3,873,391             | A | 3/1975   | Plauka et al.        | 5,450,677 | A | 9/1995    | Casey                |
| D237,001              | S | 9/1975   | Von Serda            | 5,464,257 | A | 11/1995   | Riddles et al.       |
| 3,902,460             | A | 9/1975   | Franklin             | D367,093  | S | 2/1996    | Weir                 |
| 3,977,045             | A | 8/1976   | Saurenman            | 5,503,090 | A | 4/1996    | Guzan                |
| D242,933              | S | 1/1977   | Brubaker et al.      | D371,228  | S | 6/1996    | Monin                |
| D243,559              | S | 3/1977   | Hoyle et al.         | 5,533,646 | A | 7/1996    | Dildine              |
| D244,857              | S | 6/1977   | Hayes                | 5,544,764 | A | 8/1996    | Cima                 |
| D245,048              | S | 7/1977   | Pool                 | D373,659  | S | * 9/1996  | Miller ..... D30/121 |
| D245,368              | S | 8/1977   | Mueller              | D375,159  | S | 10/1996   | Johansson            |
| D246,603              | S | 12/1977  | Frost                | 5,570,547 | A | 11/1996   | Webb et al.          |
| 4,163,474             | A | 8/1979   | MacDonald et al.     | D382,748  | S | 8/1997    | Riskey               |
| D256,623              | S | 8/1980   | Lockwood             | 5,655,671 | A | 8/1997    | Barry et al.         |
| D258,012              | S | 1/1981   | Murphy               | 5,662,630 | A | 9/1997    | Raynie               |
| D258,013              | S | 1/1981   | Murphy               | 5,666,260 | A | 9/1997    | Pasmanik et al.      |
| 4,256,054             | A | 3/1981   | Hitchcock            | D386,137  | S | 11/1997   | Bailey               |
| 4,291,809             | A | 9/1981   | Lyon                 | 5,699,753 | A | 12/1997   | Aldridge, III        |
| D262,144              | S | 12/1981  | Sher                 | 5,730,302 | A | 3/1998    | Groene               |
| D262,408              | S | 12/1981  | Whaling              | 5,740,757 | A | 4/1998    | Smeester             |
| 4,328,880             | A | 5/1982   | Lapeyre              | D394,178  | S | 5/1998    | Gremchuck            |
| 4,337,728             | A | 7/1982   | Van Gilst et al.     | 5,753,158 | A | 5/1998    | Orsing               |
| 4,358,205             | A | 11/1982  | Eakins               | D397,527  | S | 8/1998    | Bruder et al.        |
| 4,397,304             | A | 8/1983   | Villain              | 5,794,561 | A | 8/1998    | Schulz               |
| D271,090              | S | 10/1983  | Edgar et al.         | D401,016  | S | 11/1998   | Holliday             |
| D271,963              | S | 12/1983  | Perkins              | 5,862,777 | A | 1/1999    | Sweeney              |
| D273,715              | S | 5/1984   | Sher                 | 5,876,282 | A | 3/1999    | Kenny                |
| D275,228              | S | 8/1984   | Nishigaki            | 5,901,497 | A | 5/1999    | Bulvin               |
| 4,508,303             | A | 4/1985   | Beckerer, Jr.        | 5,901,886 | A | 5/1999    | Grindstaff et al.    |
|                       |   |          |                      | 5,906,174 | A | 5/1999    | Muldoon              |
|                       |   |          |                      | 5,934,222 | A | 8/1999    | Hwang                |



5,979,717 A 11/1999 Dalton et al.  
D417,614 S 12/1999 Chu  
D420,316 S 2/2000 Hanlon et al.  
D421,650 S 3/2000 Liao  
D421,821 S 3/2000 Kinjerski  
D423,436 S 4/2000 Larson  
D426,734 S 6/2000 Fuchs  
6,073,587 A 6/2000 Hill et al.  
6,082,300 A 7/2000 Futch  
6,142,100 A 11/2000 Marchioro  
D436,861 S 1/2001 Sagel et al.  
6,199,509 B1 3/2001 Mostyn et al.  
D445,062 S 7/2001 Wong  
D445,170 S 7/2001 Speicher  
6,283,159 B1 9/2001 Tada  
D450,456 S 11/2001 Warren, III  
6,328,184 B1 12/2001 Krol  
6,329,602 B1 12/2001 Ushiyama et al.  
6,364,125 B1 \* 4/2002 D'Angelo ..... 211/10  
D458,201 S 6/2002 Warren  
D460,726 S 7/2002 Campbell et al.  
6,435,134 B1 8/2002 Ho  
6,439,158 B1 \* 8/2002 Blohm ..... 119/57.8  
D464,875 S 10/2002 Koppang  
D466,809 S 12/2002 Sagel  
6,488,511 B1 12/2002 Stewart  
6,510,813 B1 1/2003 Boone, Jr.  
D469,926 S 2/2003 Petrucci  
D476,451 S 6/2003 Morgan, Sr.  
6,591,990 B2 7/2003 Lanman et al.  
6,622,653 B1 9/2003 Starnes, Jr.  
6,637,595 B1 10/2003 Frossard et al.  
D486,946 S 2/2004 Castro  
D487,170 S 2/2004 Petrucci  
6,691,640 B1 2/2004 Huckabee  
D488,889 S \* 4/2004 Walsh ..... D30/121  
D490,352 S 5/2004 Ward  
6,763,781 B1 7/2004 Norrell  
D494,384 S 8/2004 Chandaria  
D495,186 S 8/2004 Poupel et al.  
6,786,180 B1 9/2004 Cheng  
D504,309 S 4/2005 Fuchs  
6,904,690 B2 6/2005 Bakke et al.  
6,920,841 B2 7/2005 Meritt  
6,959,664 B1 11/2005 Keuter et al.  
D520,423 S 5/2006 Poole  
7,059,355 B2 6/2006 Otani et al.  
D525,657 S 7/2006 Warren, III  
D528,488 S 9/2006 Webb  
7,143,721 B2 12/2006 Robbins  
D534,469 S 1/2007 Murkett  
7,165,796 B1 1/2007 Hung  
D540,231 S 4/2007 Braun et al.  
7,204,201 B2 4/2007 Leombruno  
D541,718 S 5/2007 Emler  
D542,533 S 5/2007 Yang  
D543,666 S 5/2007 Ross et al.  
7,214,028 B2 5/2007 Boasso et al.  
D545,742 S 7/2007 Kinoshita  
D548,589 S 8/2007 Blasko et al.  
D548,890 S 8/2007 Chen  
D549,313 S 8/2007 Kelnhofer  
D551,965 S 10/2007 Blasko et al.  
D558,111 S 12/2007 Banks, III  
7,302,912 B2 12/2007 Boyer  
7,311,223 B2 12/2007 Post  
D559,470 S 1/2008 Stevens et al.  
D562,557 S 2/2008 Lewis  
7,370,605 B2 5/2008 Meritt  
D574,309 S 8/2008 Unfried et al.  
D574,932 S 8/2008 Zhuang  
D575,556 S 8/2008 Rohkar, Jr.

D575,908 S 8/2008 Meritt  
7,475,796 B2 1/2009 Garton  
D587,366 S 2/2009 Turkat  
D588,166 S 3/2009 Lyons, III  
D598,354 S 8/2009 Nakazawa et al.  
D598,602 S 8/2009 Laarman  
D599,503 S 9/2009 Meritt  
D602,647 S 10/2009 Polstein et al.  
D603,104 S 10/2009 Meritt  
D603,105 S 10/2009 Meritt  
D603,566 S 11/2009 Meritt  
D604,017 S 11/2009 Meritt  
2002/0134850 A1 9/2002 Hollenberg  
2005/0224126 A1 10/2005 Otani et al.  
2005/0229860 A1 10/2005 Meritt  
2005/0269367 A1 12/2005 Post  
2006/0048712 A1 3/2006 Boyer  
2006/0060148 A1 3/2006 Boyer  
2006/0283396 A1 12/2006 Hernandez  
2007/0028844 A1 2/2007 Bodenstab et al.  
2008/0178815 A1 7/2008 Meritt  
2008/0178816 A1 7/2008 Meritt

FOREIGN PATENT DOCUMENTS

GB 2193782 A 2/1988

OTHER PUBLICATIONS

Advertisement (Mumme's Inc.) (1 page), The Journal of the Texas Trophy Hunters Association, Jan./Feb. 2005, on reverse side of p. 74.  
Advertisement (Sweeney Automated Feeding Systems) (2 pages, front and back) (date referenced Jan. 1-Feb. 28, 2005).  
Internet web site (Atascosa Wildlife Supply) (2 pages); <http://www.atascosawildlifesupply.com/feeders.html> (Mar. 8, 2005).  
Advertisement (Atascosa Wildlife Supply) (2 pages); The Journal of the Texas Trophy Hunters Association, May/Jun. 2005 (reverse sides of pp. 23 and 26).  
Advertisement (Texas Wildlife Supply) (1 page), The Journal of the Texas Trophy Hunters Association, May/Jun. 2005 (reverse side of p. 174).  
Internet web site (American Hunter Outdoor Products) (15 pages); <http://www.americanhunterfeeders.com> (Feb. 24, 2005).  
Internet web site (Mumme's Inc.) (1 page); <http://www.mummesinc.com> (Feb. 24, 2005).  
Internet web site (Boss Game Systems) (3 pages); <http://www.bossgamesystems.com> (Oct. 6, 2005).  
Advertisement (American Hunter Outdoor Products) (1 page), The Journal of the Texas Trophy Hunters Association, May/Jun. 2005, on reverse side of p. 155.  
"Introduction to Welding," Materials Engineering Group.; Copyright 1997 Materials Engineering (UK) Ltd.; <http://www.meg.co.uk/meg/app01.htm>.  
"Welding," Microsoft Encarta Online Encyclopedia 2002; <http://encarta.msn.com> (1997-2002) Microsoft Corporation.  
"Fair Special, 2000# Capacity Gravity Flow Protein Feeder," and Photo, Sycamore Springs Ranch, Approximately Oct. 2005.  
Advertisement (Rick Meritt; Outback Wildlife Feeders); The Journal of the Texas Trophy Hunters, Sep./Oct. 2007, vol. 32, No. 5 (3pp).  
Advertisement (Rick Meritt; Outback Wildlife Feeders); The Journal of the Texas Trophy Hunters, Jul./Aug. 2006, vol. 31, No. 4 (3pp).  
Advertisement (Rick Meritt; Outback Wildlife Feeders); The Journal of the Texas Trophy Hunters, Sep./Oct. 2005, vol. 30, No. 5 (3pp).  
Advertisement (Rick Meritt; Outback Wildlife Feeders); The Journal of the Texas Trophy Hunters, Sep./Oct. 2001, vol. 26, No. 5 (2pp).  
Advertisement (Rick Meritt; Outback Wildlife Feeders); The Journal of the Texas Trophy Hunters, Sep./Oct. 2002, vol. 27, No. 5 (2pp).  
Advertisement (Rick Meritt; Outback Wildlife Feeders); The Journal of the Texas Trophy Hunters, Sep./Oct. 2003, vol. 28, No. 5 (2pp).  
Advertisement (Rick Meritt; Outback Wildlife Feeders); The Journal of the Texas Trophy Hunters, Sep./Oct. 2004, vol. 29, No. 5 (2pp).

\* cited by examiner

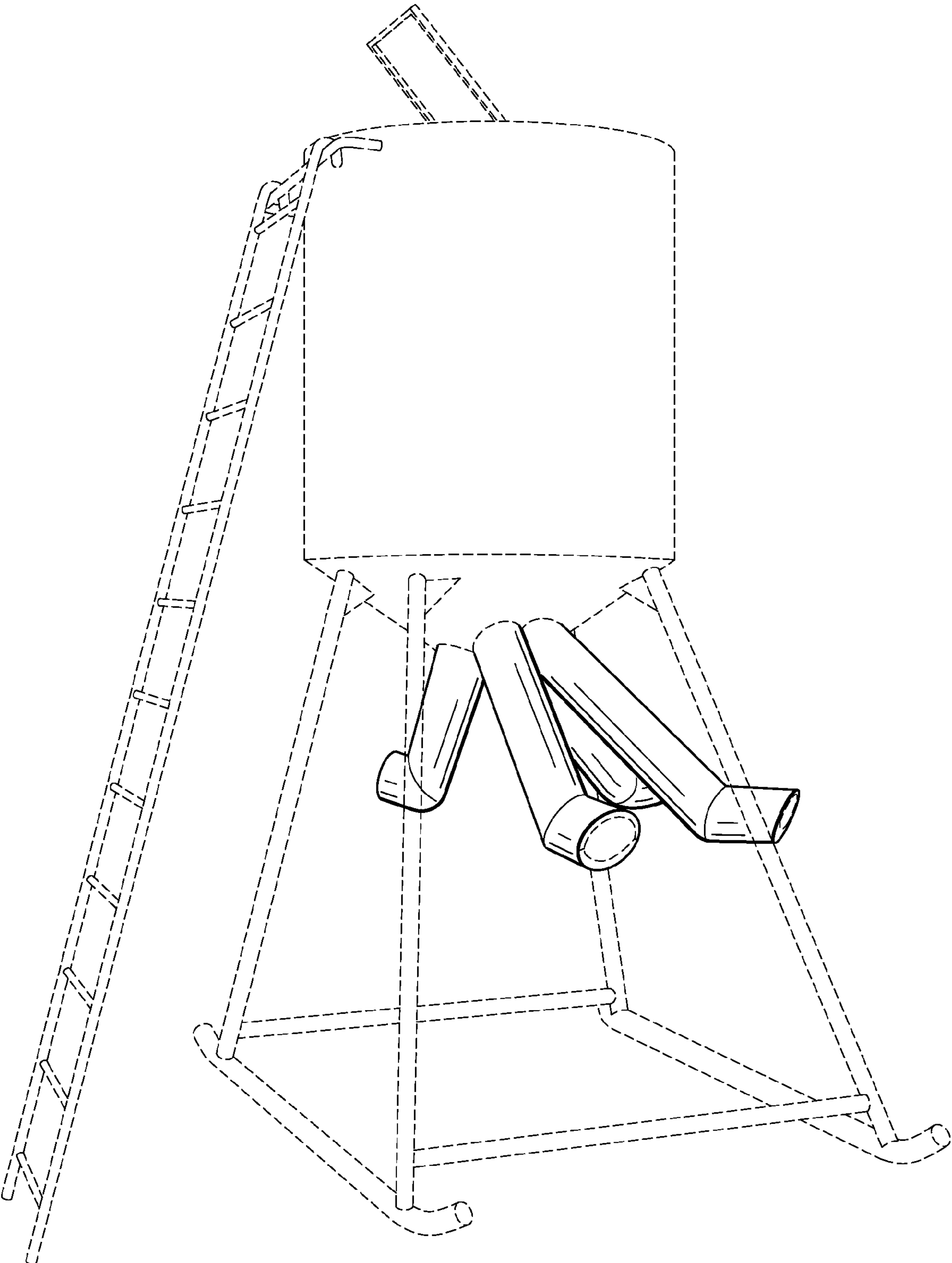


FIG. 1

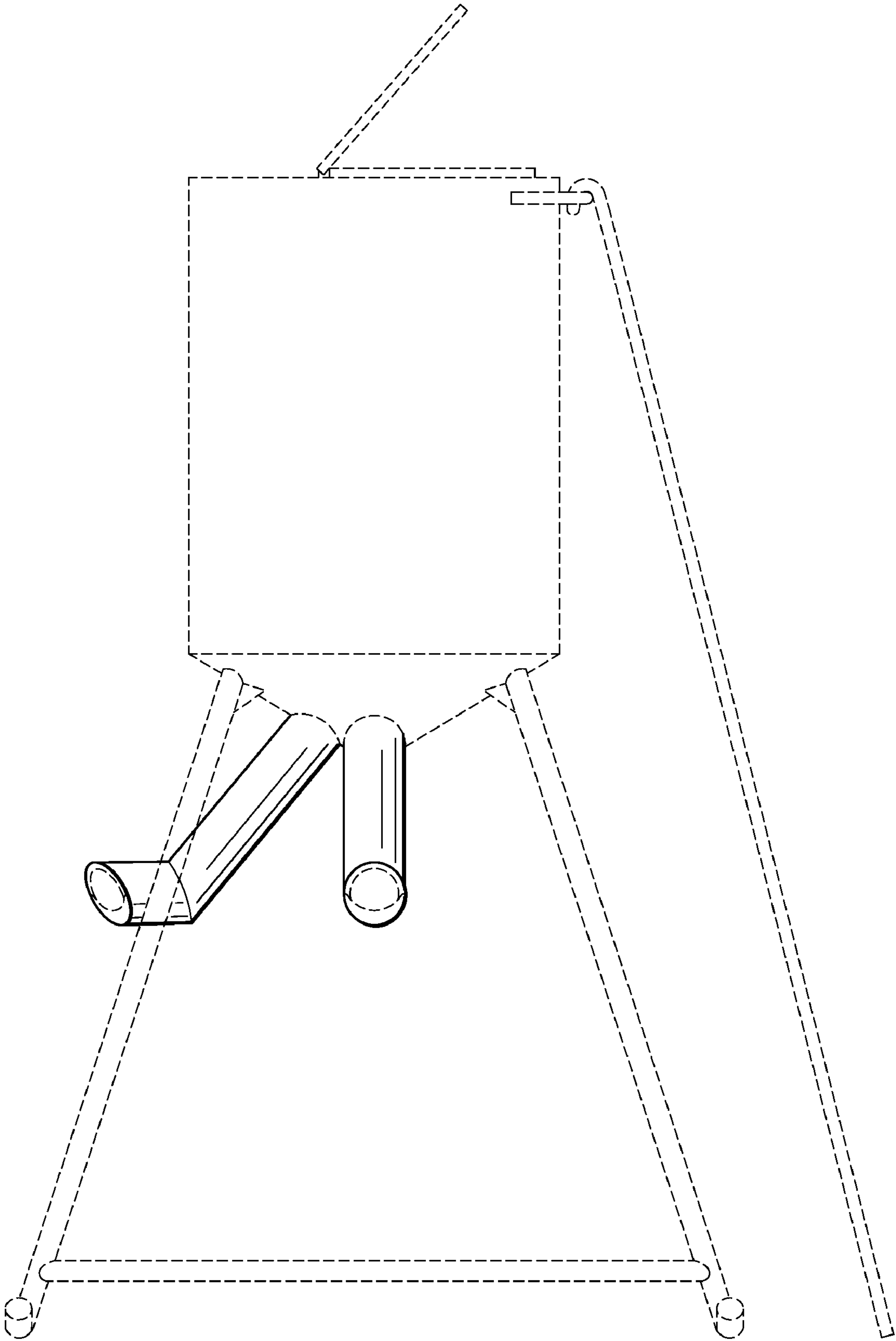


FIG. 2

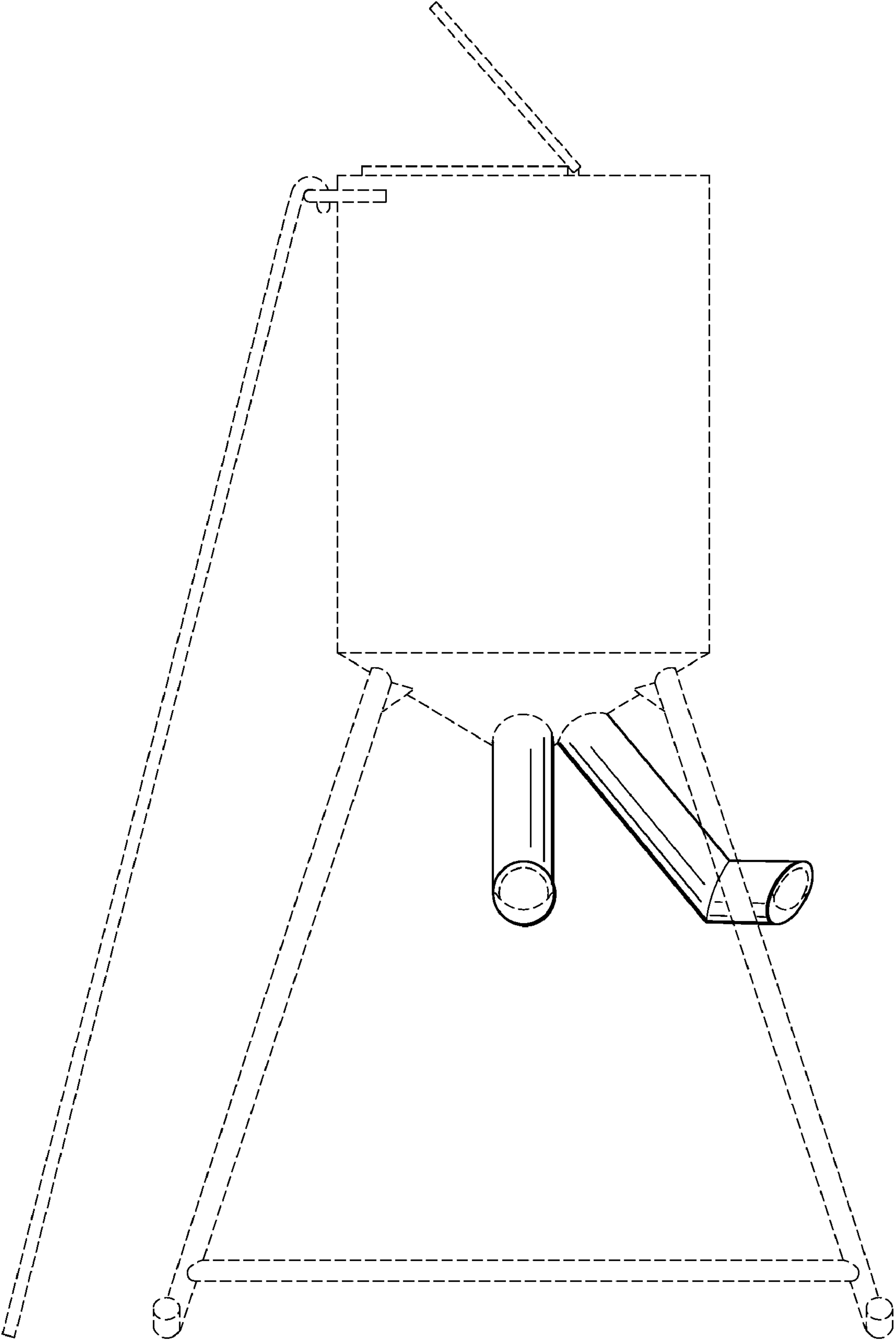


FIG. 3



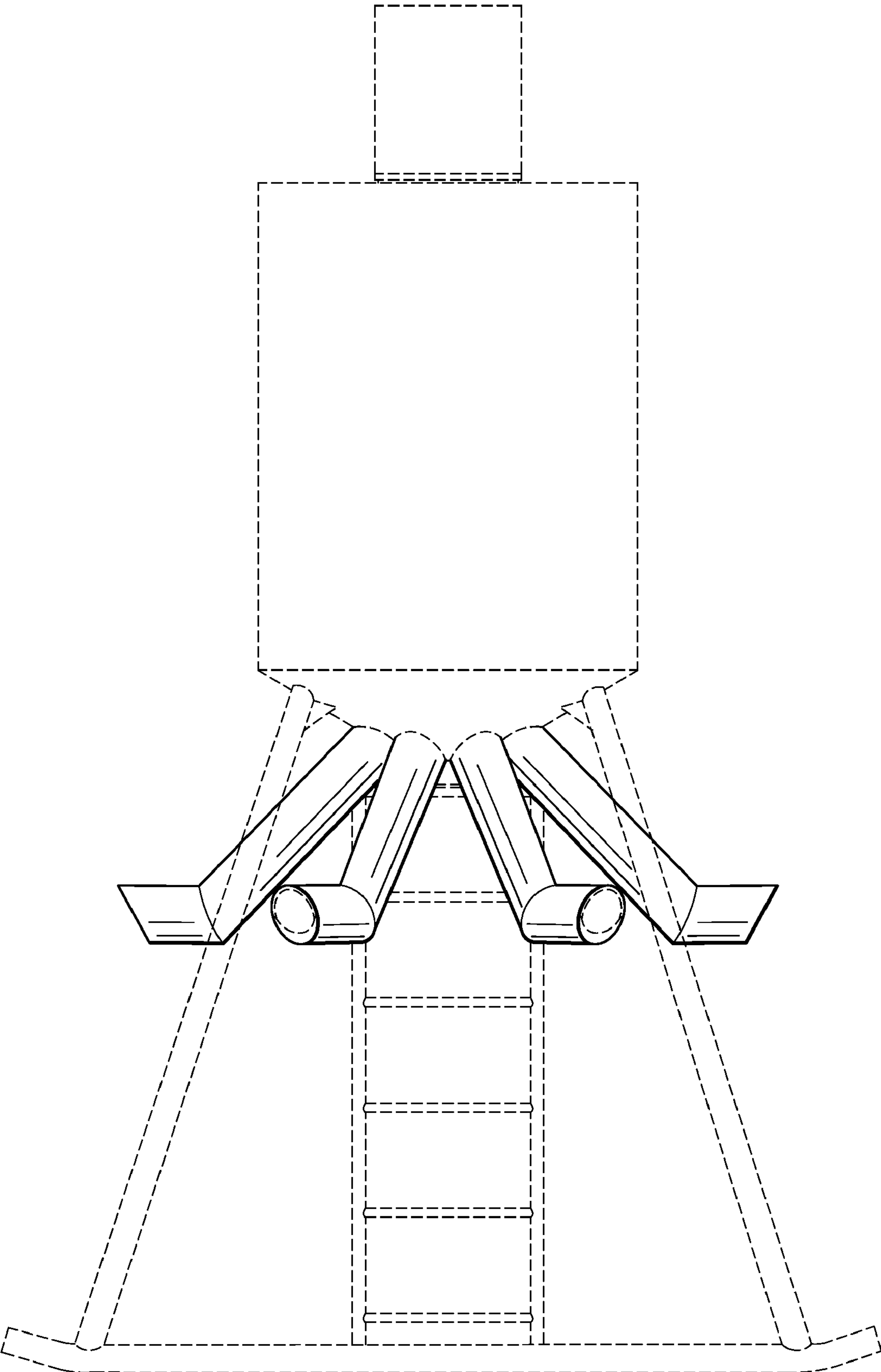


FIG. 4

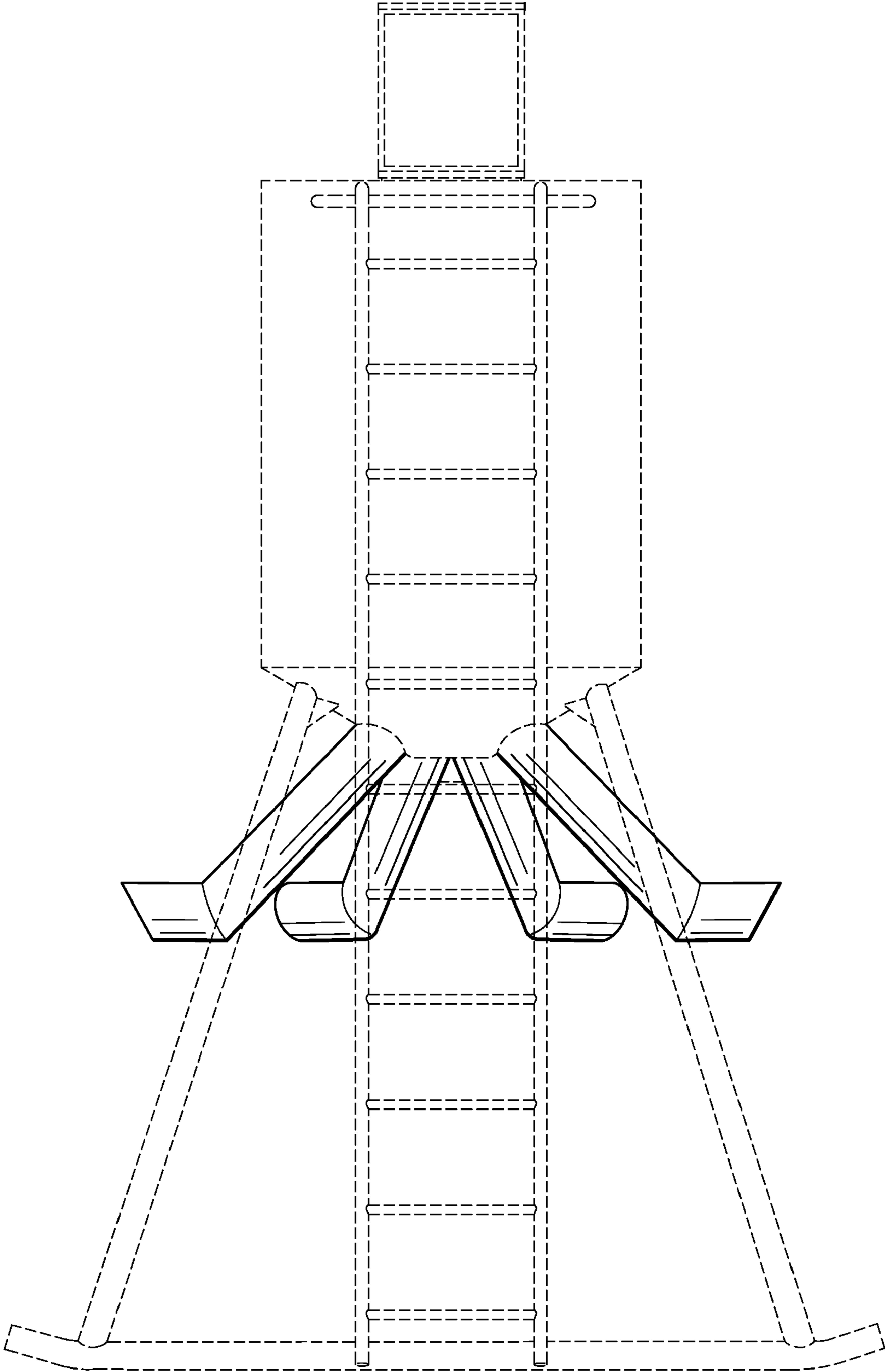


FIG. 5



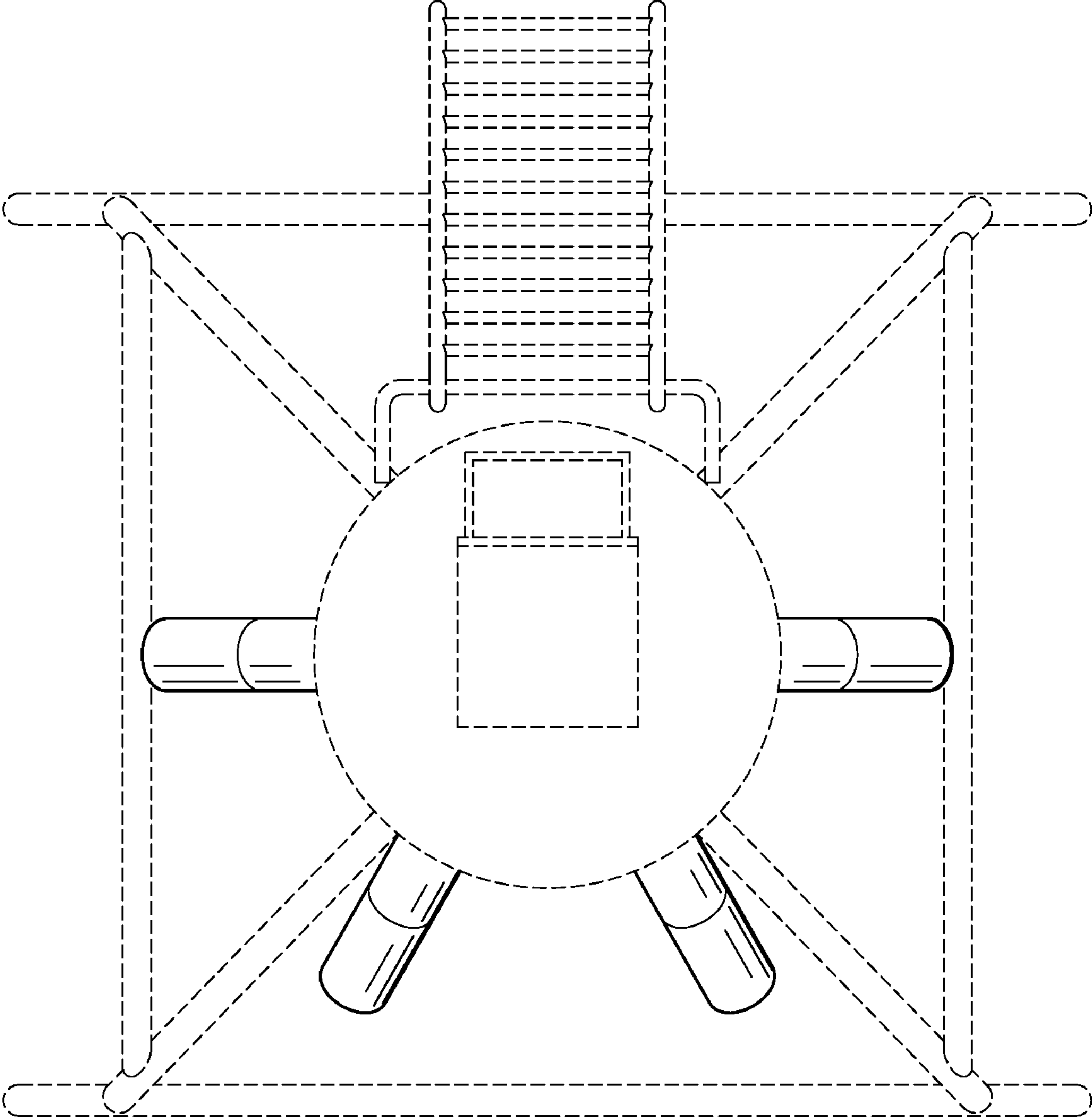


FIG. 6

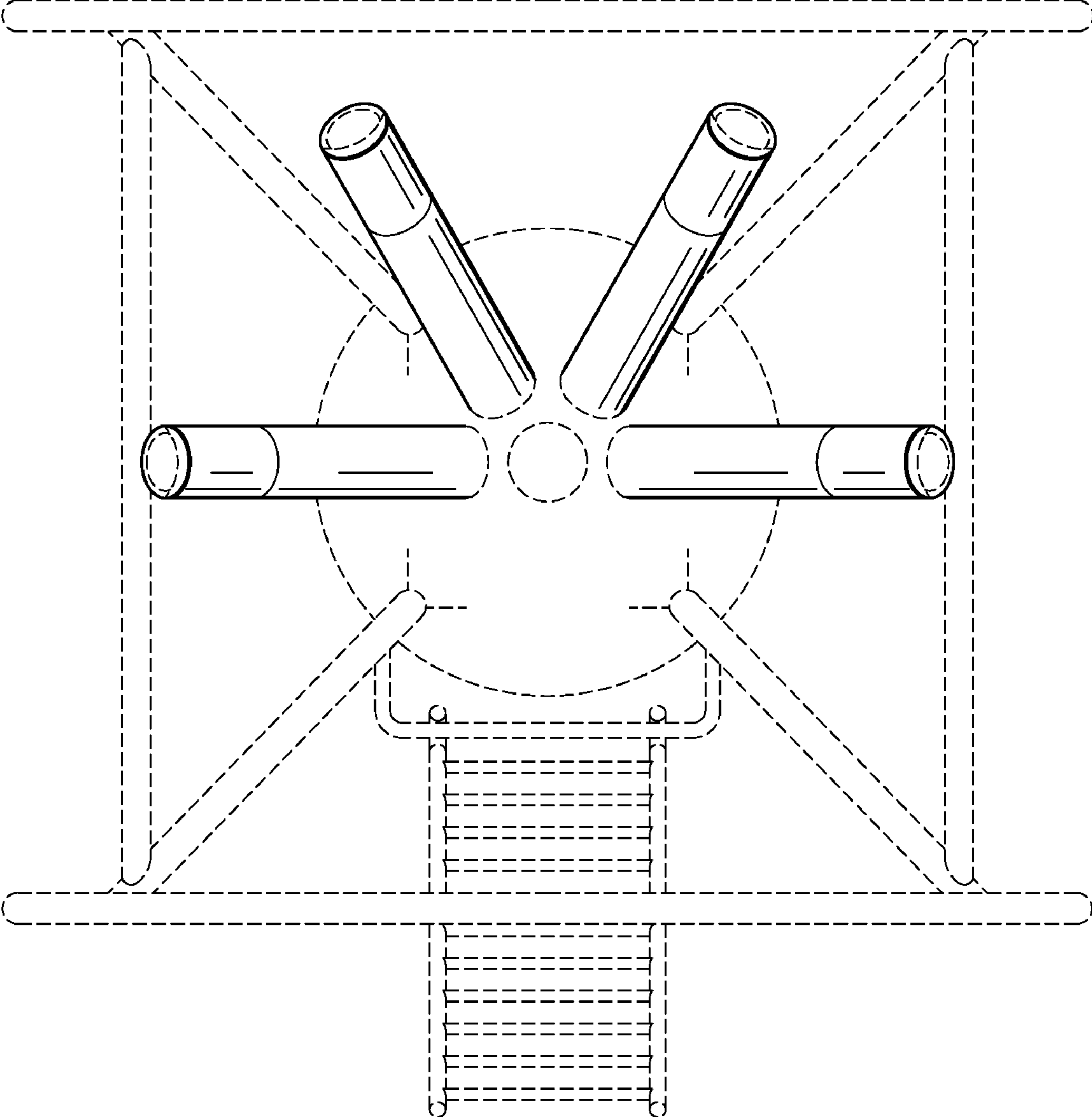


FIG. 7