



US00D629051S

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

(10) **Patent No.:** **US D629,051 S**

(45) **Date of Patent:** **\*\* \*Dec. 14, 2010**

(54) **TOY TOP**

(75) Inventor: **Hisao Nishimoto**, Tokyo (JP)

(73) Assignee: **Tomy Company, Ltd.**, Tokyo (JP)

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

(21) Appl. No.: **29/311,821**

(22) Filed: **Jul. 2, 2009**

(30) **Foreign Application Priority Data**

Jan. 9, 2009 (JP) ..... 2009-000395

(51) **LOC (9) Cl.** ..... **21-01**

(52) **U.S. Cl.** ..... **D21/460**

(58) **Field of Classification Search** ..... D21/385,  
D21/386, 390, 398, 404, 436-438, 441-444,  
D21/451, 453, 455, 458, 460-464, 563, 578,  
D21/585, 592; 446/34, 36-48, 217, 218,  
446/236-266, 330, 352, 358, 359, 366, 368,  
446/429, 430

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

461,948 A	10/1891	Wilson
1,552,530 A	8/1921	Woods
D155,015 S	8/1949	Krapp
2,789,392 A	4/1957	Palmieri
3,220,142 A	11/1965	Butterfiled
3,613,295 A	10/1971	Everett
4,157,632 A	6/1979	Everett
D262,610 S	1/1982	Westlake et al.
D353,632 S	12/1994	Nonaka et al.
D356,347 S	3/1995	Nonaka et al.
5,518,437 A	5/1996	Nonaka et al.
5,593,338 A	1/1997	Itoh et al.
6,604,979 B1	8/2003	Liu
6,626,729 B2	9/2003	Osawa
6,739,939 B2	5/2004	Matsukawa
6,743,070 B1	6/2004	Lin
6,746,300 B1	6/2004	Matsukawa
6,905,389 B2	6/2005	Matsukawa

7,063,589 B2	6/2006	Matsukawa et al.
7,427,225 B2	9/2008	Matsukawa et al.
D584,366 S	1/2009	Bowen et al.
D608,842 S	1/2010	Nishimoto
D610,209 S	2/2010	Nishimoto
D614,245 S	4/2010	Ujita
D615,134 S	5/2010	Nishimoto

(Continued)

**FOREIGN PATENT DOCUMENTS**

CN 2925561 7/2007

(Continued)

**OTHER PUBLICATIONS**

Notice of Allowance mailed Sep. 3, 2009 in co-pending U.S. Appl. No. 29/309,764.

(Continued)

*Primary Examiner*—Catherine Tuttle  
(74) *Attorney, Agent, or Firm*—Staas & Halsey LLP

(57) **CLAIM**

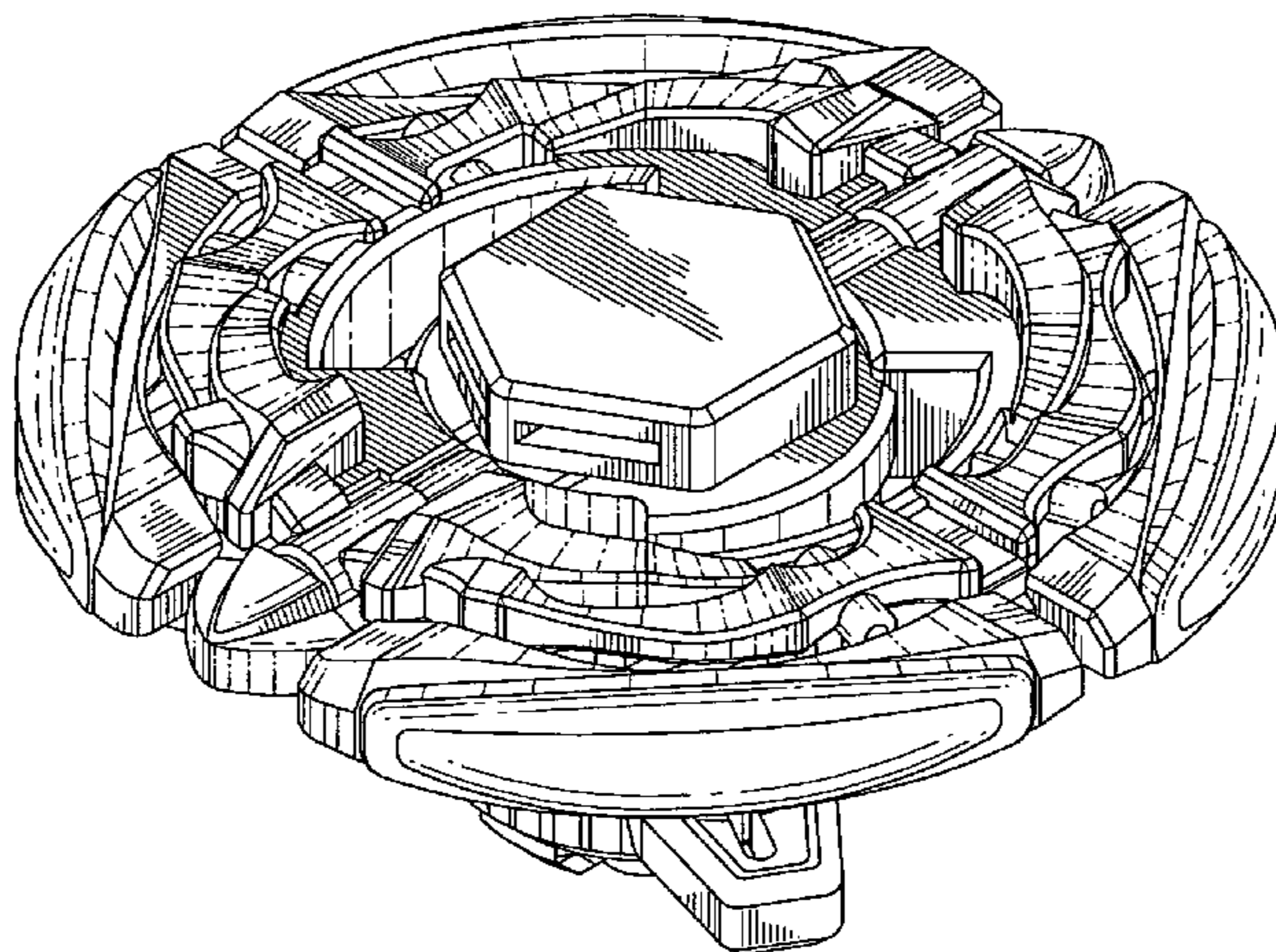
The ornamental design for a toy top, as shown and described.

**DESCRIPTION**

FIG. 1 is a perspective view of the toy top showing my design;  
FIG. 2 is a front view thereof;  
FIG. 3 is a rear view thereof;  
FIG. 4 is a top view thereof;  
FIG. 5 is a bottom thereof;  
FIG. 6 is a right side view thereof; and,  
FIG. 7 is a left side view thereof.

The broken lines are included for the purpose of illustrating portions of the toy top that form no part of the claimed design.

**1 Claim, 5 Drawing Sheets**



## U.S. PATENT DOCUMENTS

D615,602 S	5/2010	Nishimoto
2002/0102907 A1	8/2002	Osawa
2003/0064660 A1	4/2003	Matsukawa
2004/0198152 A1	10/2004	Matsukawa
2006/0258259 A1	11/2006	Lin

## FOREIGN PATENT DOCUMENTS

CN	200977395	11/2007
CN	200977396	11/2007
CN	200977397	11/2007
CN	200977398	11/2007
CN	200984446	12/2007
DE	2002 07 253	10/2002
EP	077438	4/1983
JP	3067318	1/2000
JP	3071356	8/2000
JP	3156926	2/2001
JP	3079301	5/2001
JP	2003-320174	11/2003
JP	2005-328976	12/2005

## OTHER PUBLICATIONS

Notice of Allowance mailed Sep. 3, 2009 in co-pending U.S. Appl. No. 29/309,762.

Abstracts of Publication No. 3156926, Published Feb. 27, 2001.

European Extended Search Report mailed Jun. 25, 2009 in a related Application No. 08253264.9-2318.

U.S. Copyright Registration No. VA1-151-590 dated Nov. 15, 2002 with deposit copy.

U.S. Copyright Registration No. VA1-151-591 dated Nov. 15, 2002 with deposit copy.

U.S. Copyright Registration No. VA1-151-593 dated Nov. 15, 2002 with deposit copy.

U.S. Copyright Registration No. VA1-172-925 dated Oct. 22, 2002 with deposit copy.

U.S. Copyright Registration No. VA1-172-926 dated Oct. 22, 2002 with deposit copy.

U.S. Copyright Registration No. VA1-172-927 dated Oct. 22, 2002 with deposit copy.

U.S. Copyright Registration No. VA1-172-931 dated Oct. 22, 2002 with deposit copy.

U.S. Copyright Registration No. VA1-172-935 dated Oct. 22, 2002 with deposit copy.

U.S. Copyright Registration No. VA1-210-108 dated Oct. 17, 2003 with deposit copy.

Specimen filed in U.S. Trademark Registration No. 3,002,216 on Jul. 11, 2005.

Specimen filed in U.S. Trademark Registration No. 2,709,995 on Nov. 12, 2002.

Apr. 7, 2009 Notice of Allowance in co-pending U.S. Appl. No. 29/309,764.

Apr. 15, 2009 Office Action in co-pending U.S. Appl. No. 29/309,766.

Apr. 2, 2009 Office Action in co-pending U.S. Appl. No. 29/309,758.

Apr. 16, 2009 Office Action in co-pending U.S. Appl. No. 29/309,768.

Apr. 15, 2009 Office Action in co-pending U.S. Appl. No. 29/309,759.

Apr. 7, 2009 Office Action in co-pending U.S. Appl. No. 29/309,761.

Notice of Allowance in co-pending U.S. Appl. No. 29/309,762.

U.S. Appl. No. 29/309,764, filed Oct. 6, 2008, Nishimoto, Tomy Company, Ltd.

U.S. Appl. No. 29/309,766, filed Oct. 6, 2008, Nishimoto, Tomy Company, Ltd.

U.S. Appl. No. 29/309,758, filed Oct. 6, 2008, Nishimoto, Tomy Company, Ltd.

U.S. Appl. No. 29/309,768, filed Oct. 6, 2008, Nishimoto, Tomy Company, Ltd.

U.S. Appl. No. 29/309,759, filed Oct. 6, 2008, Ujita, Tomy Company, Ltd.

U.S. Appl. No. 29/309,761, filed Oct. 6, 2008, Nishimoto, Tomy Company, Ltd.

U.S. Appl. No. 29/309,762, filed Oct. 6, 2008, Nishimoto, Tomy Company, Ltd.

U.S. Appl. No. 29/311,777, filed Jun. 17, 2009, Ujita, Tomy Company, Ltd.

U.S. Appl. No. 29/311,776, filed Jun. 17, 2009, Ujita, Tomy Company, Ltd.

U.S. Appl. No. 29/311,775, filed Jun. 17, 2009, Ujita, Tomy Company, Ltd.

Patent Abstract of China, Publication No. 201214014, Published Apr. 1, 2009.

Office Action mailed Nov. 27, 2009 in co-pending U.S. Appl. No. 29/311,775.

Notice of Allowance mailed Nov. 30, 2009 in co-pending U.S. Appl. No. 29/309,766.

Notice of Allowance mailed Nov. 30, 2009 in co-pending U.S. Appl. No. 29/309,758.

Notice of Allowance mailed Dec. 1, 2009 in co-pending Appl. No. 29/311,777.

Notice of Allowance mailed Sep. 3, 2009 in co-pending U.S. Appl. No. 29/309,764.

Communication mailed Oct. 19, 2009 in co-pending U.S. Appl. No. 29/309,764.

Communication mailed Oct. 16, 2009 in co-pending U.S. Appl. No. 29/309,762.

Notice of Allowance mailed Sep. 3, 2009 in co-pending U.S. Appl. No. 29/309,762.

Office Action mailed Nov. 27, 2009 in co-pending U.S. Appl. No. 29/311,775.

Notice of Allowance mailed Nov. 30, 2009 in co-pending U.S. Appl. No. 29/309,766.

Notice of Allowance mailed Nov. 30, 2009 in co-pending U.S. Appl. No. 29/309,758.

Abstract of Japanese Publication No. 2005-328976 (already of record), published Dec. 2, 2005.

Office Action mailed Jul. 6, 2010 in co-pending U.S. Appl. No. 29/311,775.

U.S. Appl. No. 29/347,147, filed Sep. 28, 2009, Nishimoto, Tomy Company, Ltd.

U.S. Appl. No. 29/347,188, filed Oct. 20, 2009, Ujita, Tomy Company, Ltd.

U.S. Appl. No. 12/659,660, filed Mar. 16, 2010, Ujita, Tomy Company, Ltd.

U.S. Appl. No. 29/347,646, filed Mar. 26, 2010, Nishimoto, Tomy Company, Ltd.

U.S. Appl. No. 29/347,645, filed Mar. 26, 2010, Ujita, Tomy Company, Ltd.

U.S. Appl. No. 29/347,730, filed Apr. 26, 2010, Ujita, Tomy Company, Ltd.

U.S. Appl. No. 29/347,838, filed Jun. 21, 2010, Nishimoto, Tomy Company, Ltd.



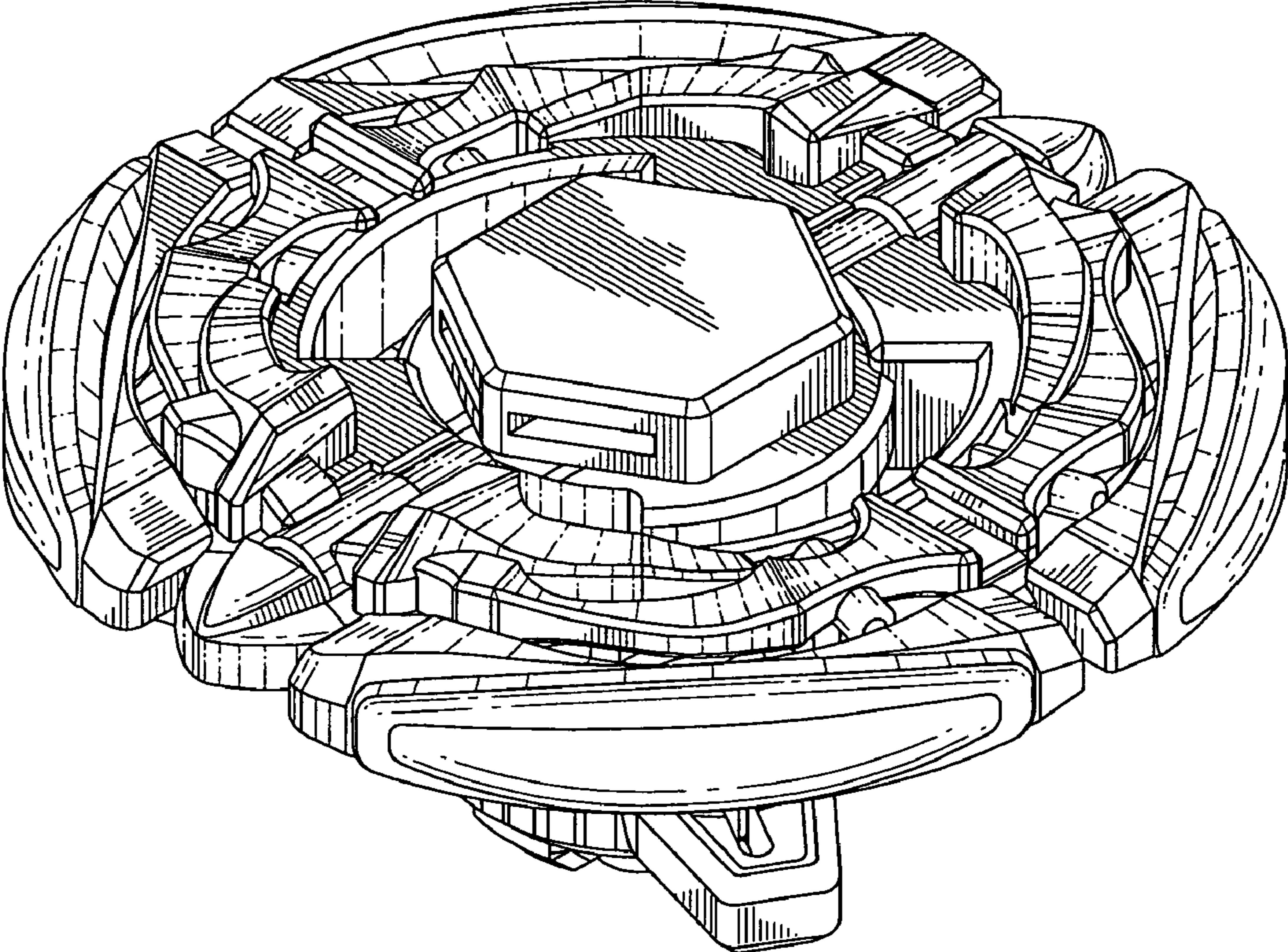


FIG. 1

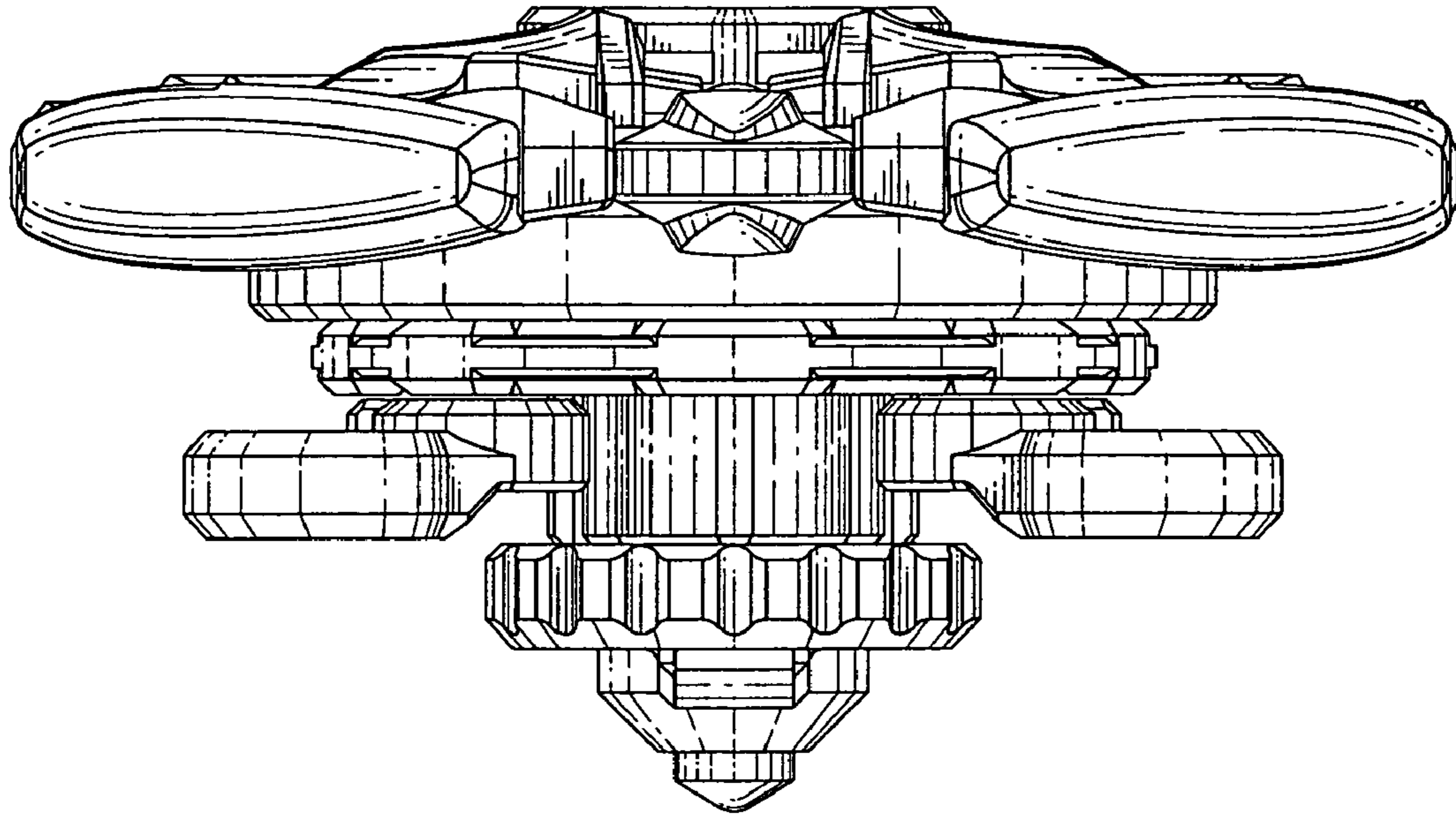


FIG. 2

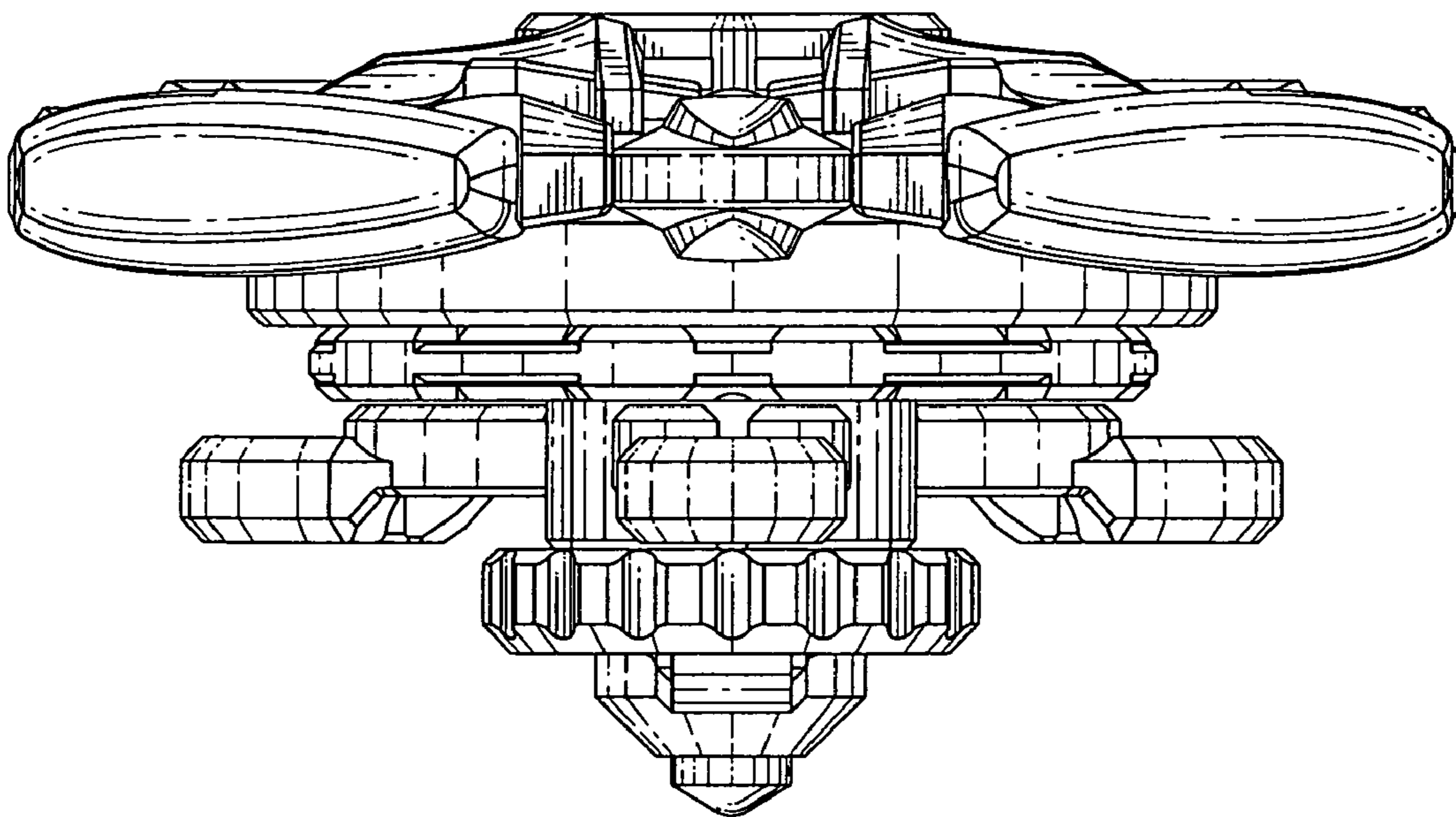


FIG. 3



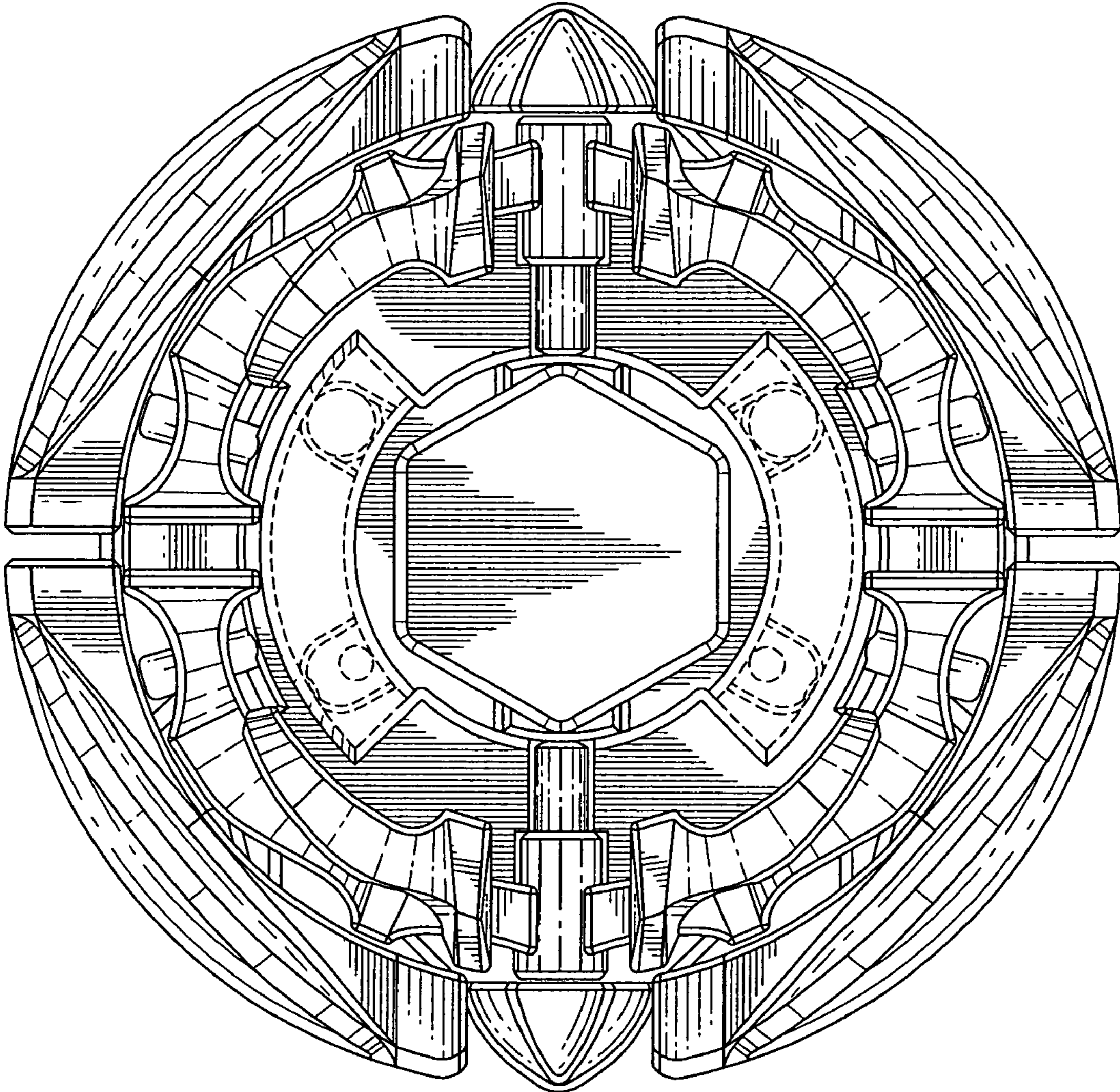


FIG.4

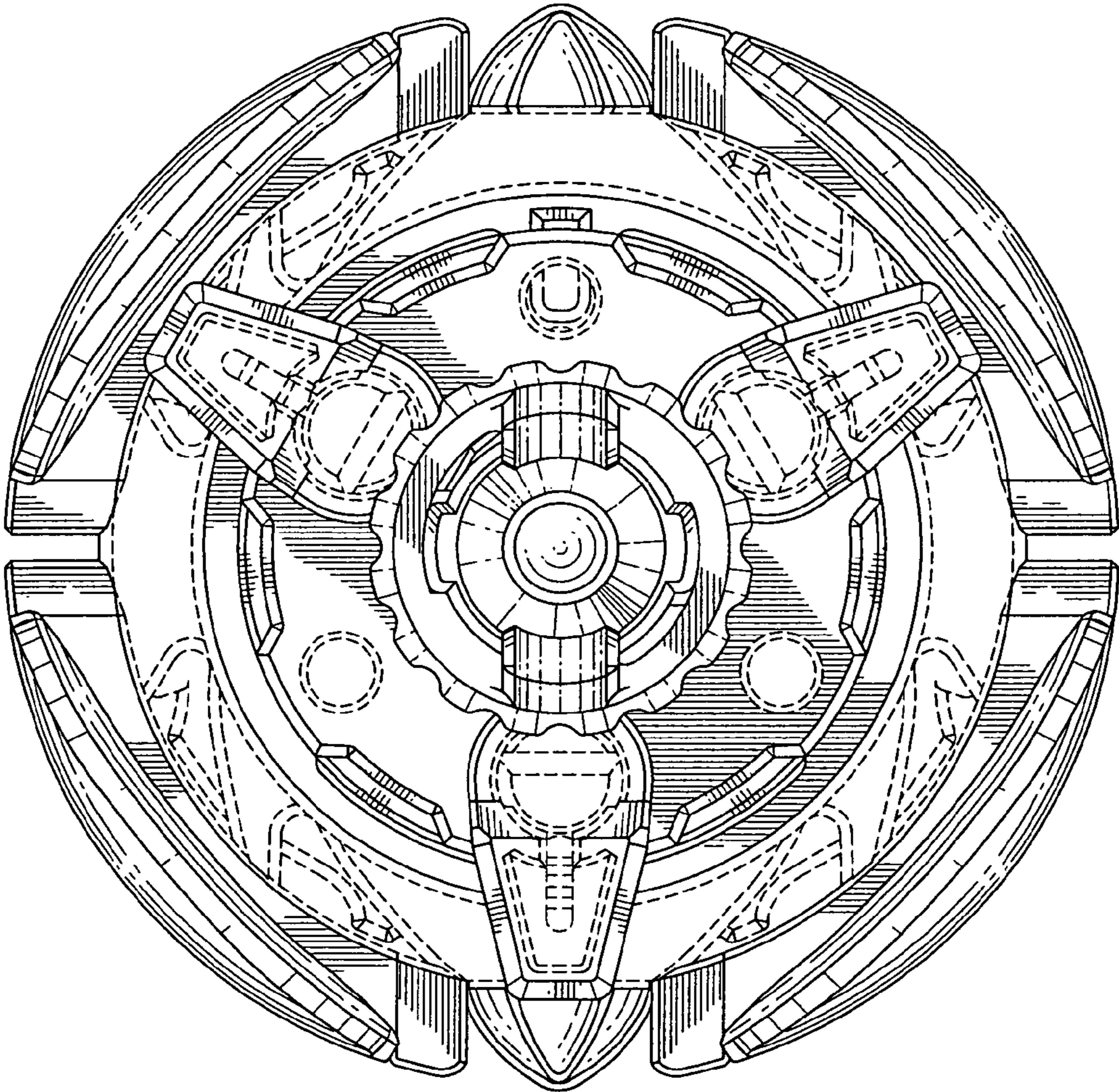


FIG. 5



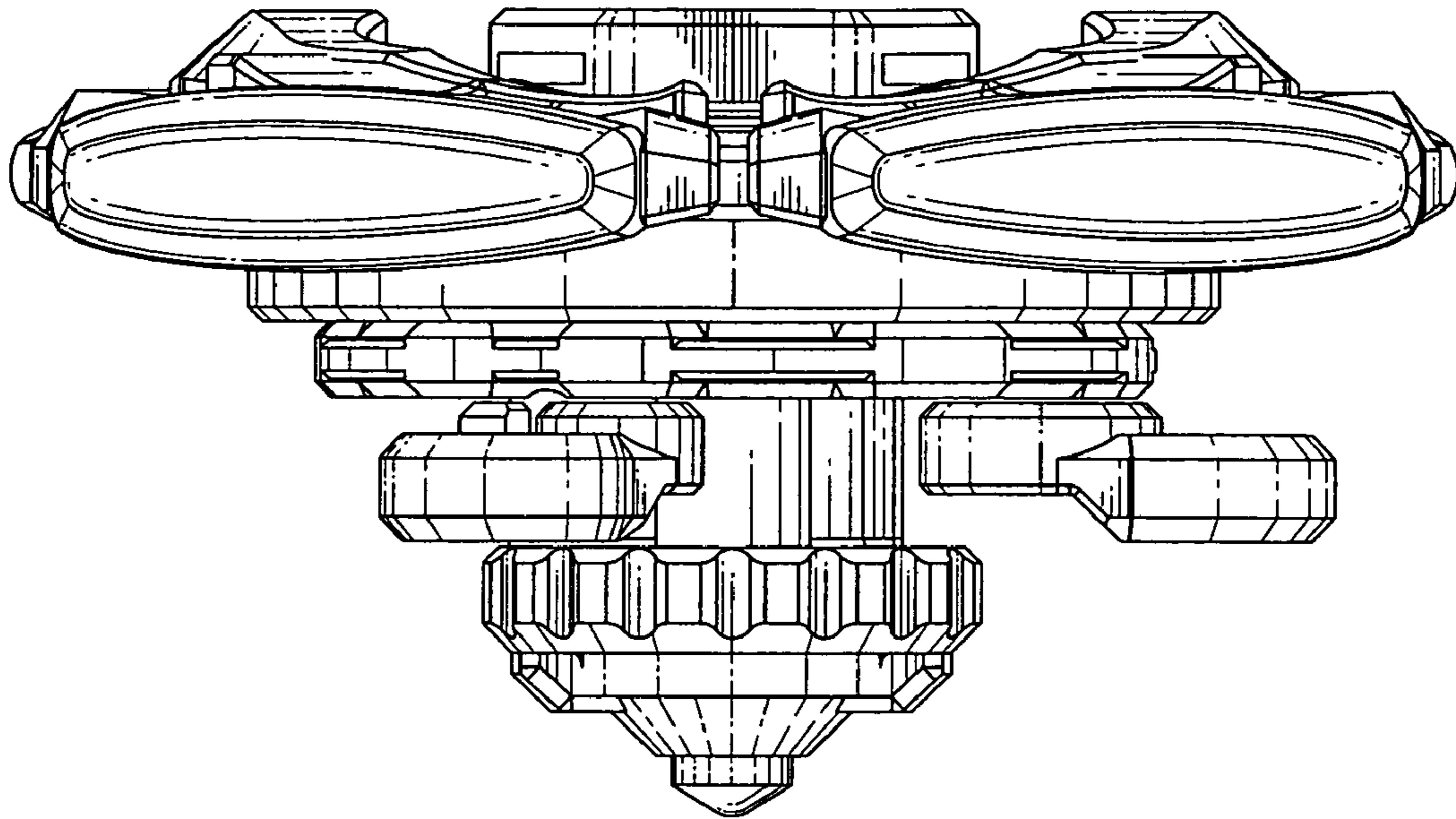


FIG. 6

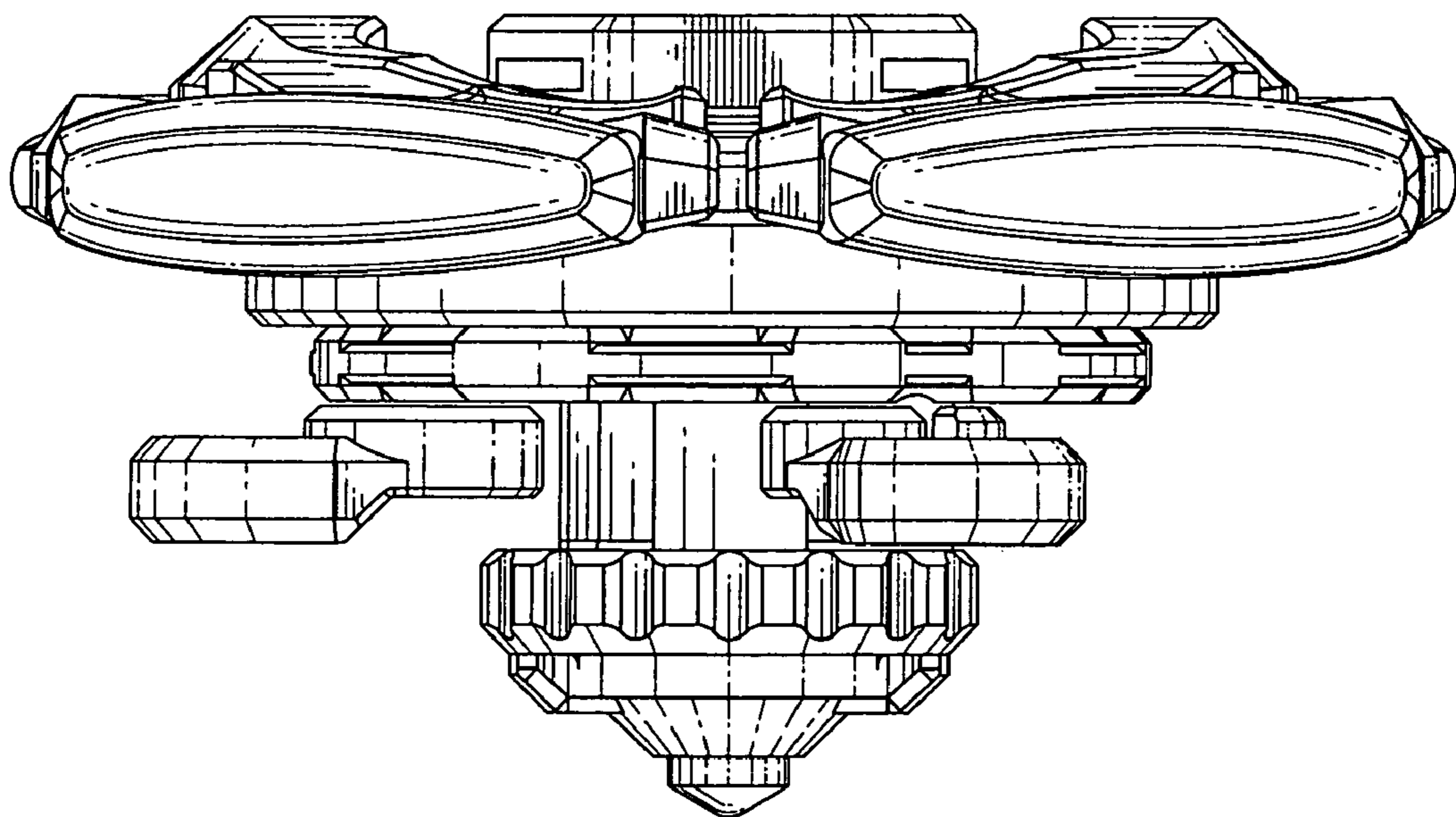


FIG. 7