



US00D641784S

(12) **United States Design Patent**  
**Lira-Nunez et al.**

(10) **Patent No.:** **US D641,784 S**  
(45) **Date of Patent:** **\*\* Jul. 19, 2011**

(54) **WRITING INSTRUMENT**

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

(21) Appl. No.: **29/359,418**

(22) Filed: **Apr. 9, 2010**

(51) **LOC (9) Cl.** ..... **19-06**

(52) **U.S. Cl.** ..... **D19/48**

(58) **Field of Classification Search** ..... D19/35,  
D19/36, 41-51, 54-58; 24/10 R, 11 CC,  
24/11 F, 11 P, 11 PP, 11 R; 401/52, 99-114,  
401/192, 193, 195-198

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D146,215 S *	1/1947	Florman	.....	D19/51
D146,335 S *	2/1947	Colomy	.....	D19/48
3,101,073 A *	8/1963	Baird	.....	401/62
3,225,746 A *	12/1965	Hechtle	.....	401/112
3,315,643 A *	4/1967	Eratico	.....	401/109
3,334,615 A *	8/1967	Bross	.....	401/110
D321,719 S *	11/1991	Nitta	.....	D19/48
D324,238 S *	2/1992	Nitta	.....	D19/49
D330,389 S *	10/1992	Katami et al.	.....	D19/57
D366,498 S *	1/1996	Abe et al.	.....	D19/51
D436,127 S *	1/2001	Hung	.....	D19/43
D456,041 S *	4/2002	Cooper et al.	.....	D19/43
D461,500 S *	8/2002	Cooper et al.	.....	D19/43
D476,685 S *	7/2003	Metaxatos et al.	.....	D19/51
D484,190 S *	12/2003	Cooper et al.	.....	D19/57
D484,538 S *	12/2003	Daida et al.	.....	D19/43
D497,949 S	11/2004	Furlong et al.	.....	

D497,952 S *	11/2004	Bain	.....	D19/56
D499,138 S *	11/2004	Banderet	.....	D19/43
7,018,122 B2	3/2006	Kwan et al.	.....	
7,059,796 B2 *	6/2006	Lewis et al.	.....	401/107
D530,746 S	10/2006	Gerules	.....	
D533,225 S	12/2006	Gerules	.....	
D540,381 S *	4/2007	Qiu	.....	D19/43
D547,375 S	7/2007	Gerules	.....	
7,252,449 B2 *	8/2007	Carroll	.....	401/108

(Continued)

FOREIGN PATENT DOCUMENTS

DE DM/062961 \* 2/2003

OTHER PUBLICATIONS

U.S. Appl. No. 12/363,480, Challman et al.

(Continued)

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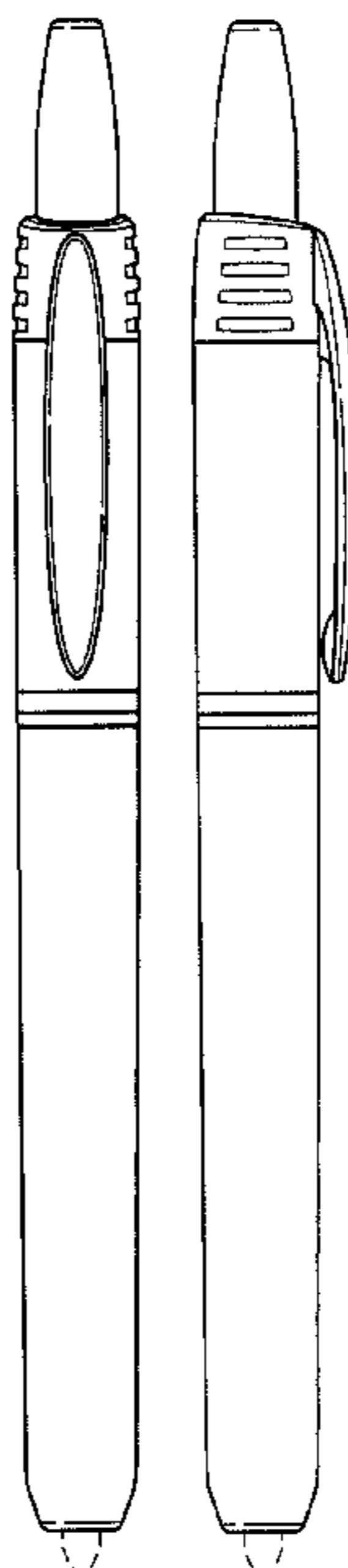
(57) **CLAIM**

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

**DESCRIPTION**

FIG. 1 is a perspective view showing our new design for a writing instrument;  
FIG. 2 is a front view of the writing instrument of FIG. 1;  
FIG. 3 is a right side view of the writing instrument of FIG. 1;  
FIG. 4 is a left side view of the writing instrument of FIG. 1;  
FIG. 5 is a back view of the writing instrument of FIG. 1;  
FIG. 6 is a top plan view of the writing instrument of FIG. 1;  
and,  
FIG. 7 is a bottom plan view of the writing instrument of FIG. 1.

**1 Claim, 4 Drawing Sheets**



# US D641,784 S

Page 2

## U.S. PATENT DOCUMENTS

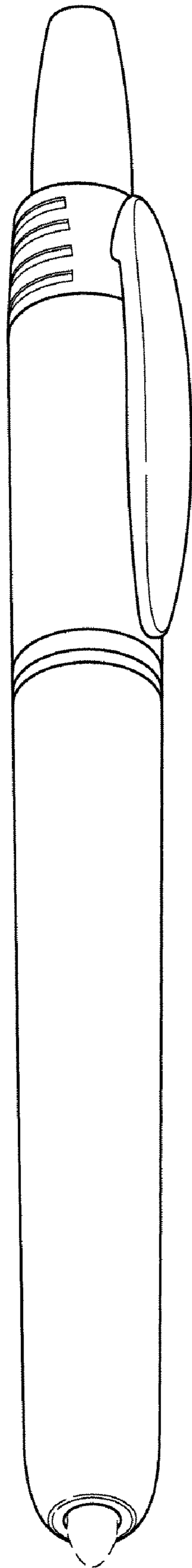
D553,683 S 10/2007 Gerules et al.  
D555,198 S 11/2007 Gerules et al.  
7,322,766 B2 1/2008 Erlebacher et al.  
7,341,388 B2\* 3/2008 Carroll ..... 401/107  
D566,174 S 4/2008 Silverstein  
D566,766 S 4/2008 Silverstein  
7,350,996 B2 4/2008 Bielecki et al.  
D569,431 S\* 5/2008 Qiu et al. .... D19/51  
D569,909 S\* 5/2008 Shibata ..... D19/51  
D574,429 S\* 8/2008 Kusaba et al. .... D19/48  
D577,066 S\* 9/2008 Zhao et al. .... D19/50  
D582,979 S\* 12/2008 Leibeck ..... D19/48  
D584,771 S 1/2009 Gerules et al.  
7,488,130 B2\* 2/2009 Dylkiewicz et al. .... 401/108  
D590,879 S\* 4/2009 Yu et al. .... D19/48  
D602,088 S\* 10/2009 Ma ..... D19/50  
D603,451 S 11/2009 Gerules  
D604,363 S 11/2009 Sunich et al.  
D613,335 S 4/2010 Gerules  
7,775,734 B2\* 8/2010 Dylkiewicz et al. .... 401/108  
7,850,382 B2\* 12/2010 Hayes et al. .... 401/108  
2006/0165470 A1 7/2006 Gerules  
2008/0075524 A1 3/2008 Erlebacher et al.

2008/0175648 A1 7/2008 Hayes et al.  
2008/0196620 A1 8/2008 Wang et al.  
2009/0142124 A1 6/2009 Dylkiewicz et al.  
2009/0245919 A1 10/2009 Rennecker et al.  
2010/0063186 A1 3/2010 Onyenemezu et al.

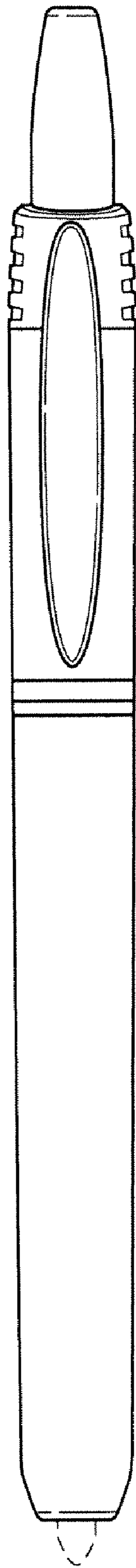
## OTHER PUBLICATIONS

U.S. Appl. No. 12/266,680, Rennecker et al.  
U.S. Appl. No. 29/224,320, Gerules et al.  
U.S. Appl. No. 29/342,748, Gerules et al.  
U.S. Appl. No. 29/342,750, Gerules et al.  
U.S. Appl. No. 29/350,595, Gerules  
Photographs of Sharpie Ultra Fine Retractable markers publicly available before Apr. 9, 2010.  
Photograph of Sharpie Fine Point marker publicly available before Apr. 9, 2010.  
Photograph of Sharpie Extra Fine Point marker publicly available before Apr. 9, 2010.  
Photograph of Sharpie Ultra Fine Point marker publicly available before Apr. 9, 2010.

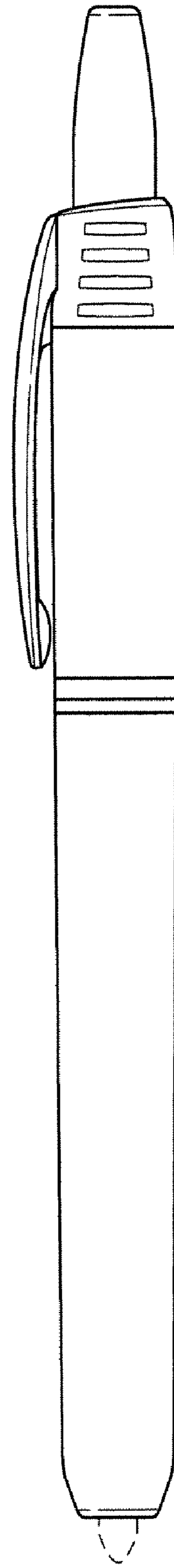
\* cited by examiner



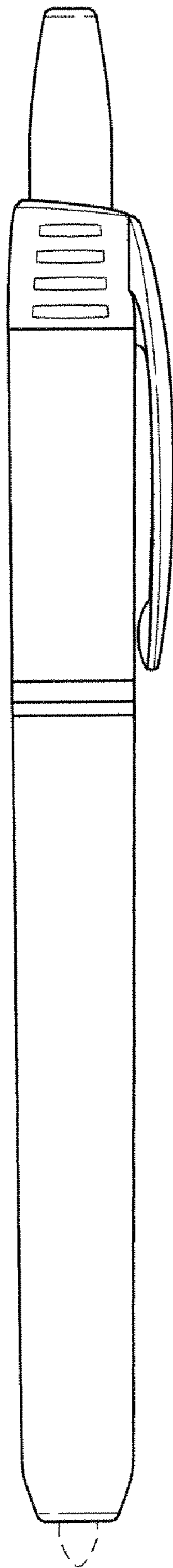
**FIG. 1**



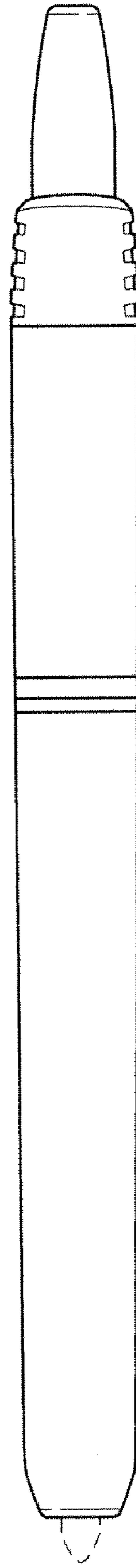
**FIG. 2**



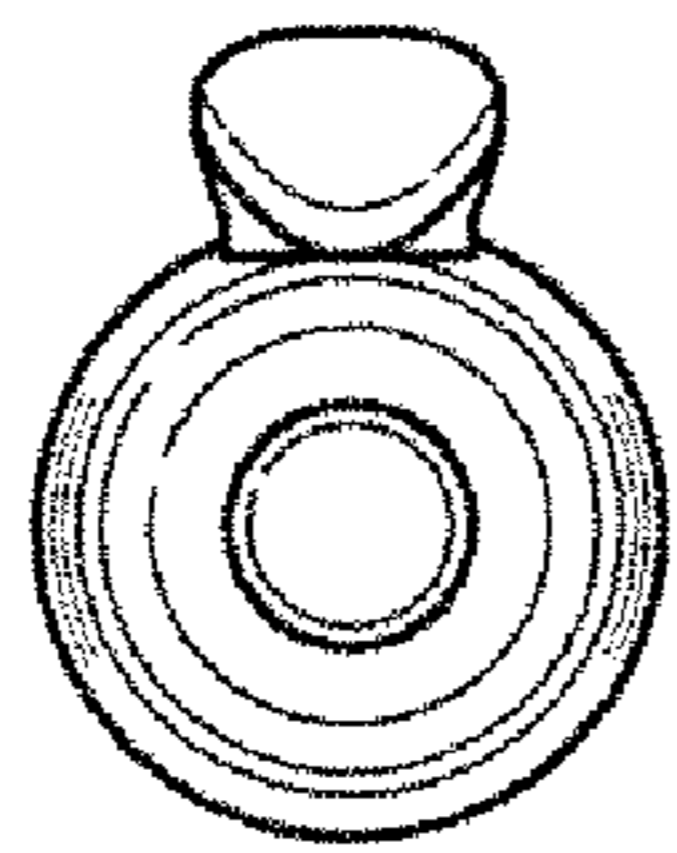
**FIG. 3**



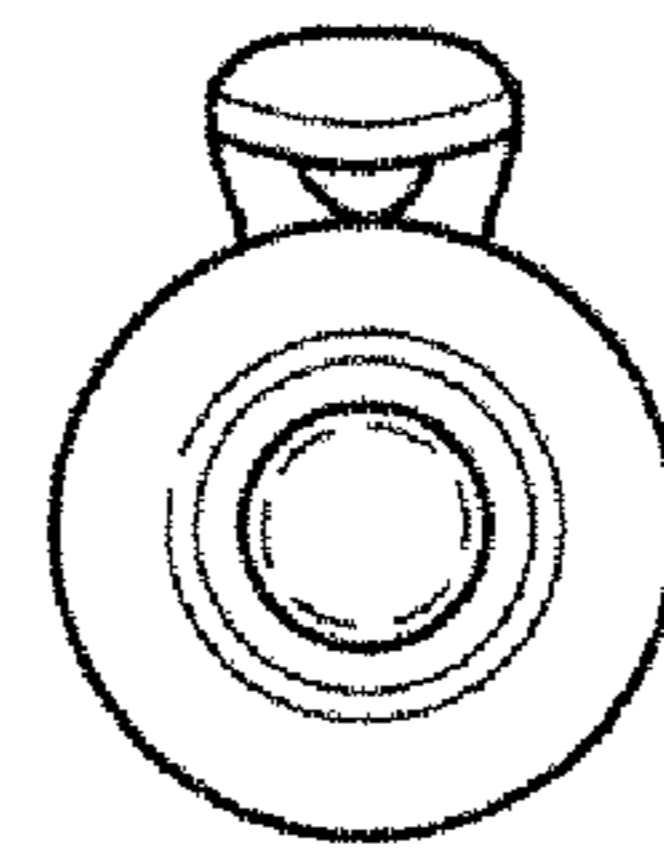
**FIG. 4**



**FIG. 5**



**FIG. 6**



**FIG. 7**