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Gates et al.

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(54) **APPLICATOR WITH ERGONOMIC HANDLE DESIGN**

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

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Related U.S. Application Data

(63) Continuation-in-part of application No. 11/743,486, filed on May 2, 2007, now abandoned.

(51) **LOC (9) Cl.** **04-04**

(52) **U.S. Cl.** **D4/138; D4/137**

(58) **Field of Classification Search** D4/130,
D4/137, 138, 199; D8/45, 90, 94; D32/40,
D32/52; 15/104.94, 209.1, 210.1, 210.5,
15/229.11, 229.13, 235.4, 235.7, 244.1;
451/523-526, 540

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D109,944 S	5/1938	Daust	
D217,842 S	6/1970	Nakanishi	
D220,074 S	3/1971	Morris	
D221,822 S	9/1971	Kieves	
D222,200 S	10/1971	Roth	
D295,911 S *	5/1988	Zogg	D32/40
4,852,203 A	8/1989	LaBelle	
D354,595 S	1/1995	Wasak	
D375,382 S	11/1996	Beeler et al.	
D395,169 S	6/1998	Yang	
5,857,411 A	1/1999	Carsel	
D409,336 S	5/1999	Stein	
D439,715 S	3/2001	Calvert	
D439,748 S	4/2001	Woodnorth et al.	

D440,770 S	4/2001	Chen
D441,200 S	5/2001	Chen
6,272,715 B1	8/2001	Polzin et al.
D478,351 S	8/2003	Belton et al.
D482,202 S	11/2003	Newman et al.
D484,656 S	12/2003	Colburn et al.
D504,777 S	5/2005	Gartner
D547,069 S	7/2007	Braithwaite et al.
D547,954 S	8/2007	Thurin et al.

(Continued)

OTHER PUBLICATIONS

EM 650742-0004 Registered Design Application, (Flock Development & Research Co. Ltd) Feb. 13, 2007, [online], [retrieved on Dec. 11, 2010] Retrieved from the Community Design Database of the Office for Harmonization in the Internal Market using the Internet: <URL: <http://oami.europa.eu>>.*

(Continued)

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(57) **CLAIM**

The ornamental design for an applicator with ergonomic handle design, as shown and described.

DESCRIPTION

FIG. 1 is a right elevational view of an applicator with ergonomic handle design, the left elevational view being a mirror image thereof;

FIG. 2 is a front elevational view thereof;

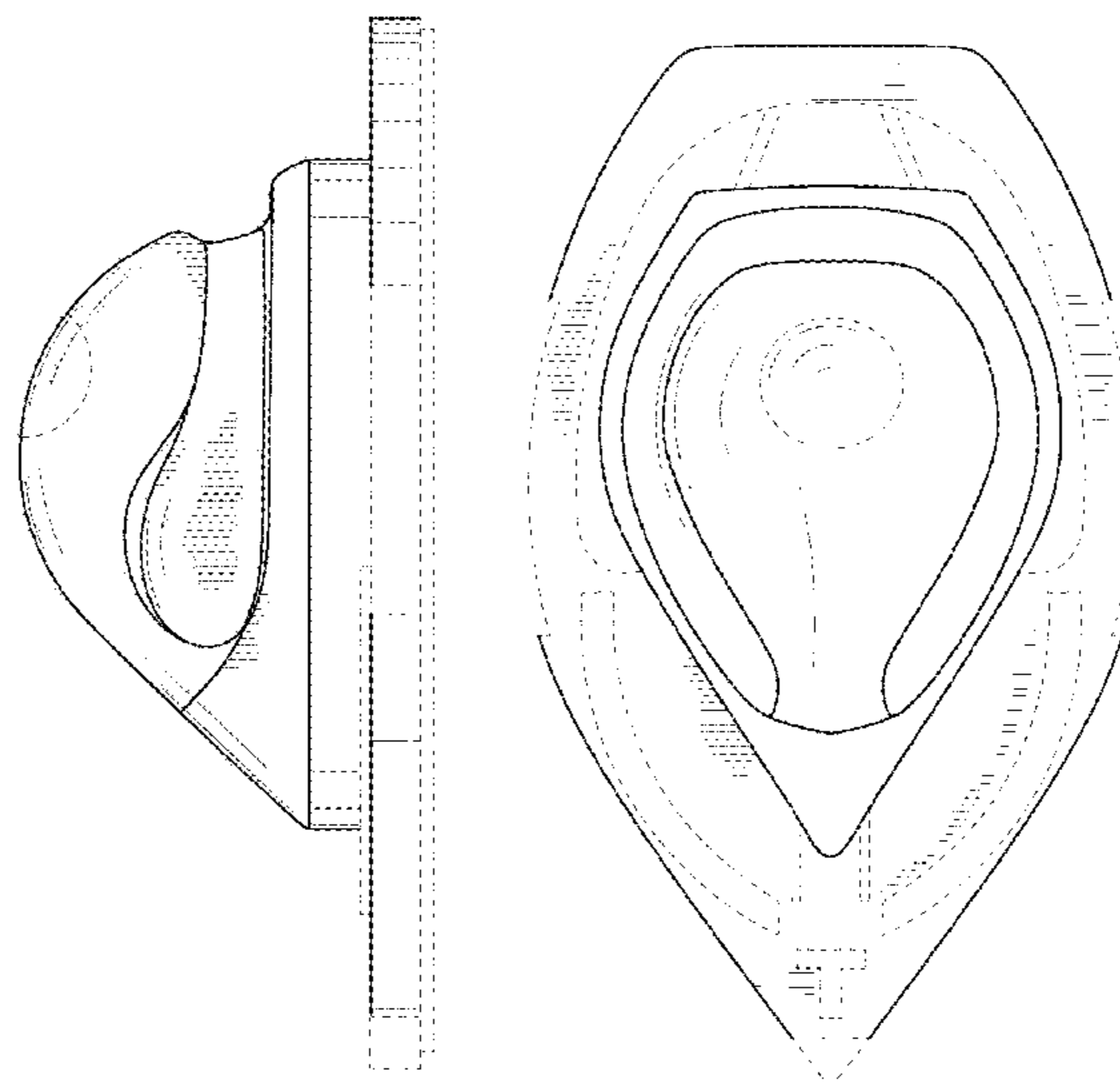
FIG. 3 is a back elevational view thereof;

FIG. 4 is a top elevational view thereof; and,

FIG. 5 is a bottom elevational view thereof.

The broken lines immediately adjacent the surface shading on the base of the applicator in FIGS. 1-4 represent boundaries of the claim while all of the other broken lines illustrate portions of the applicator that along with said boundaries form no part of the claimed design.

1 Claim, 4 Drawing Sheets



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U.S. PATENT DOCUMENTS

D556,408 S * 11/2007 Lang et al. D32/52
D563,676 S 3/2008 Knopow
D583,156 S 12/2008 Constantine
D592,406 S * 5/2009 Gallardo D4/119
D607,297 S * 1/2010 Ali et al. D8/90
7,856,691 B2 * 12/2010 Viggiani 15/118

OTHER PUBLICATIONS

EM 650742-0009 Registered Design Application, (Flock Development & Research Co. Ltd) Feb. 13, 2007, [online], [retrieved on Dec. 11, 2010] Retrieved from the Community Design Database of the

Office for Harmonization in the Internal Market using the Internet:
<URL: <http://oami.europa.eu>>.*

Office Action mailed Sep. 2, 2010, U.S. Appl. No. 11/743,486, filed May 2, 2007 (11 pages).

Office Action mailed Dec. 22, 2010, U.S. Appl. No. 29/378,877 (5 pages).

USPTO, Final Office Action mailed Jun. 8, 2011, U.S. Appl. No. 29/378,877 (7 pages).

USPTO, Notice of Allowance mailed Jul. 8, 2011, U.S. Appl. No. 29/378,877 (9 pages).

* cited by examiner

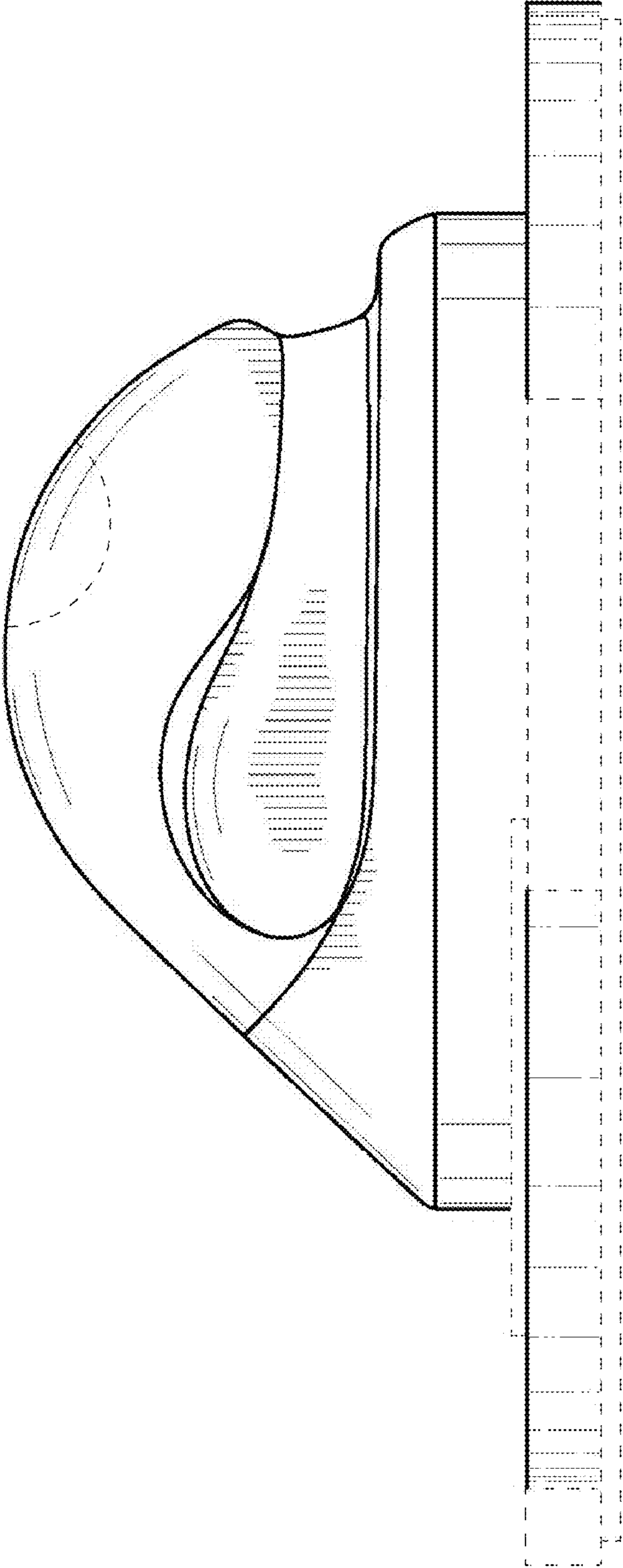


Fig. 1

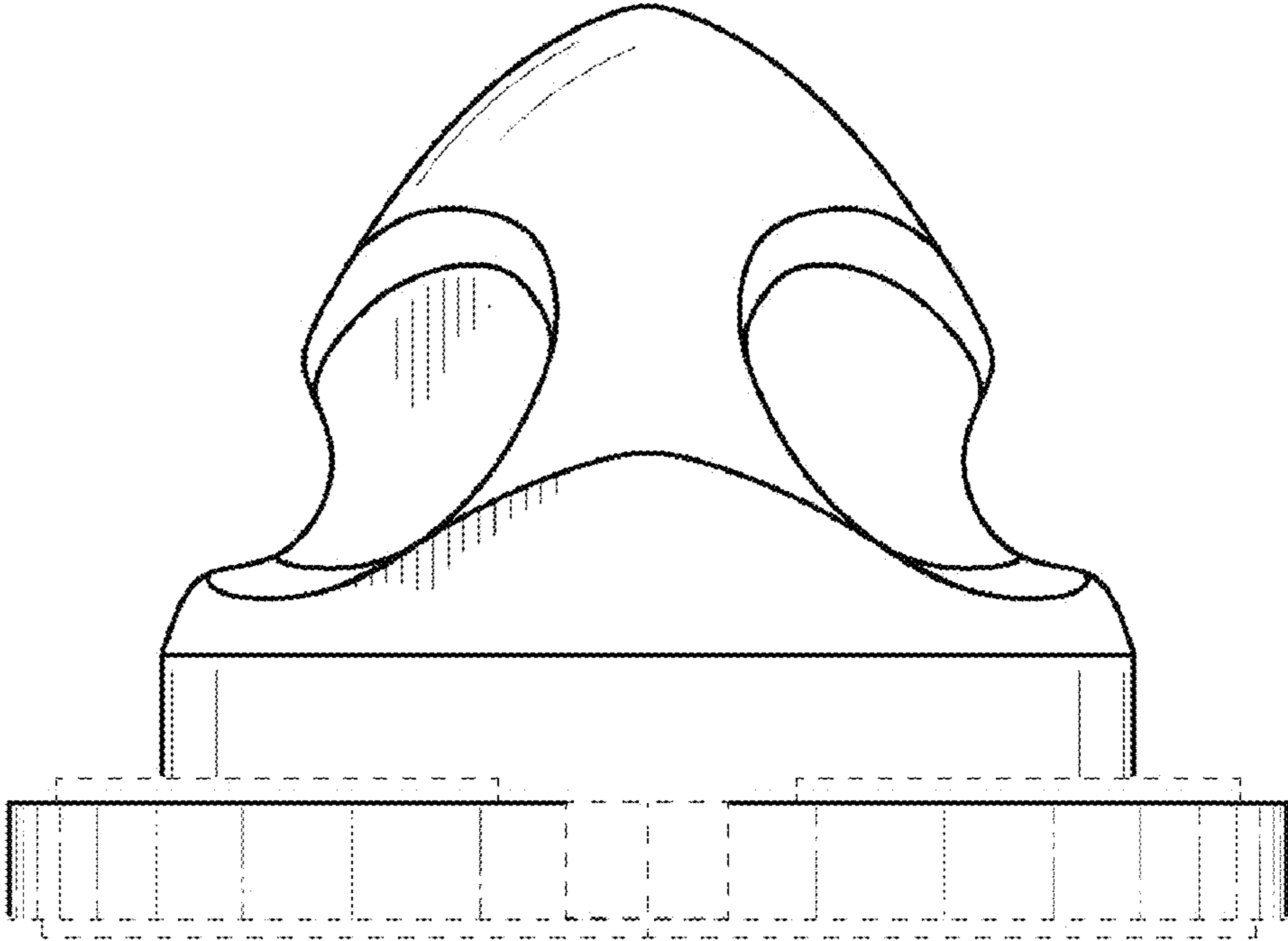


Fig. 2

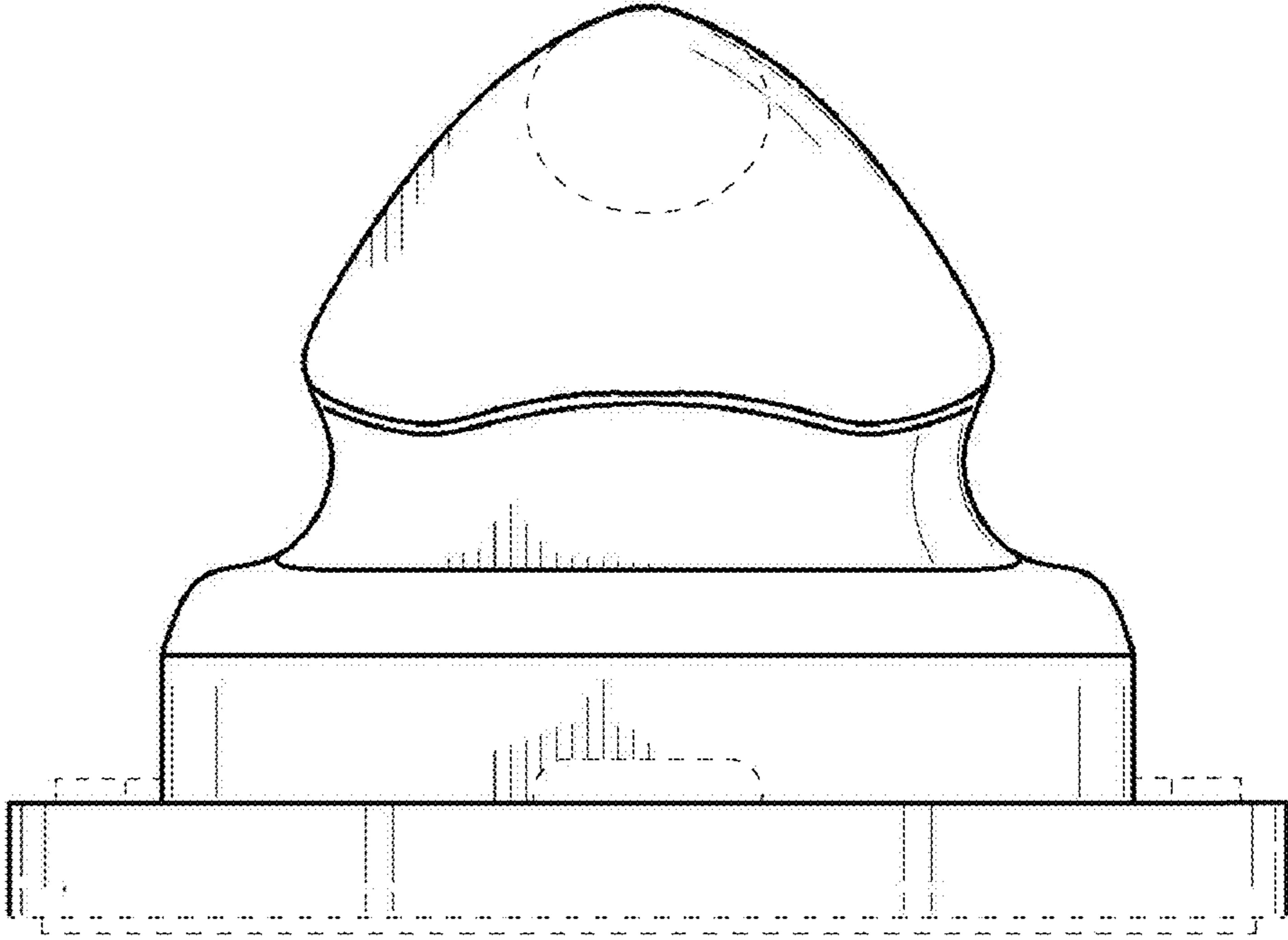


Fig. 3

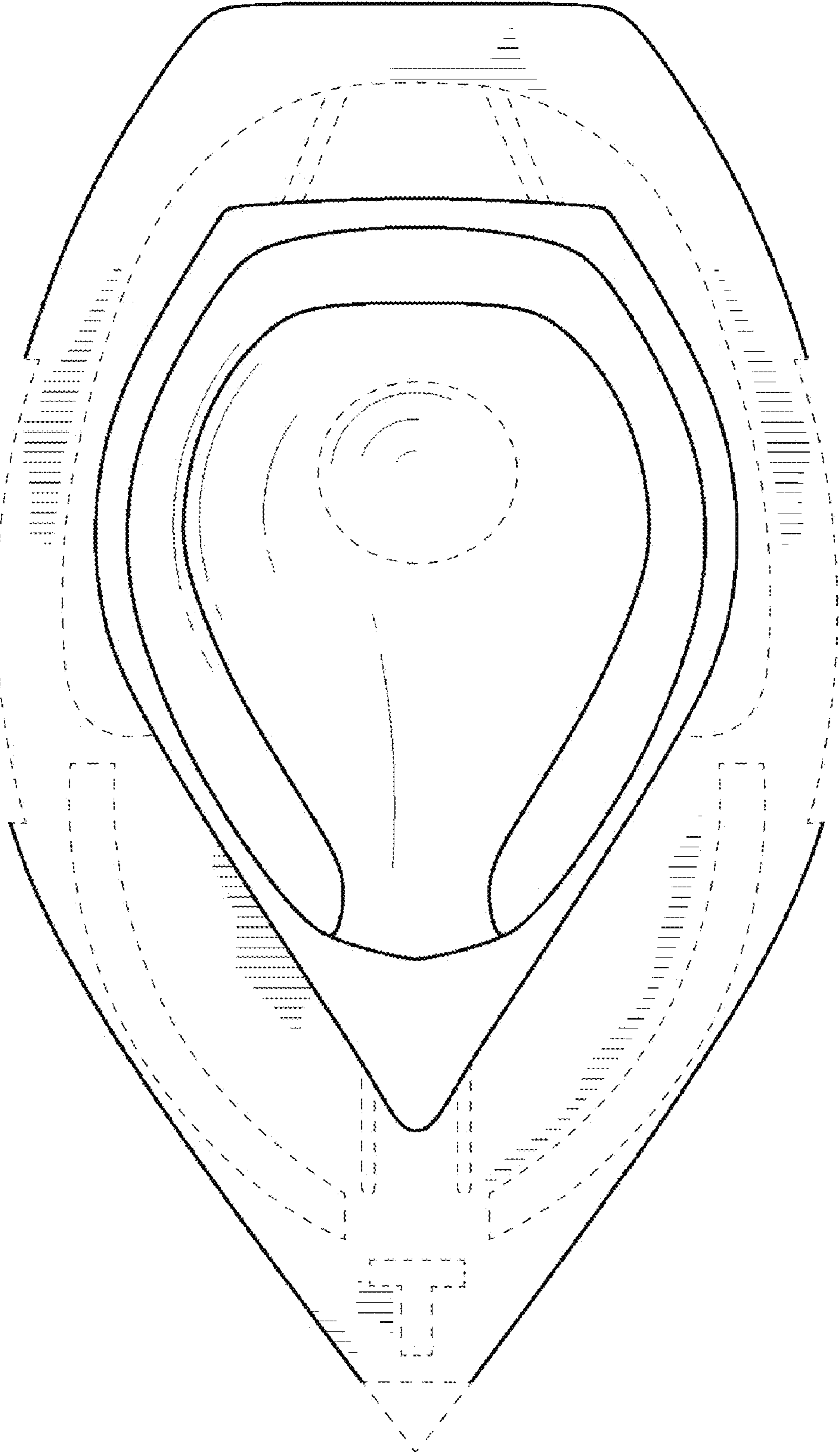


Fig. 4

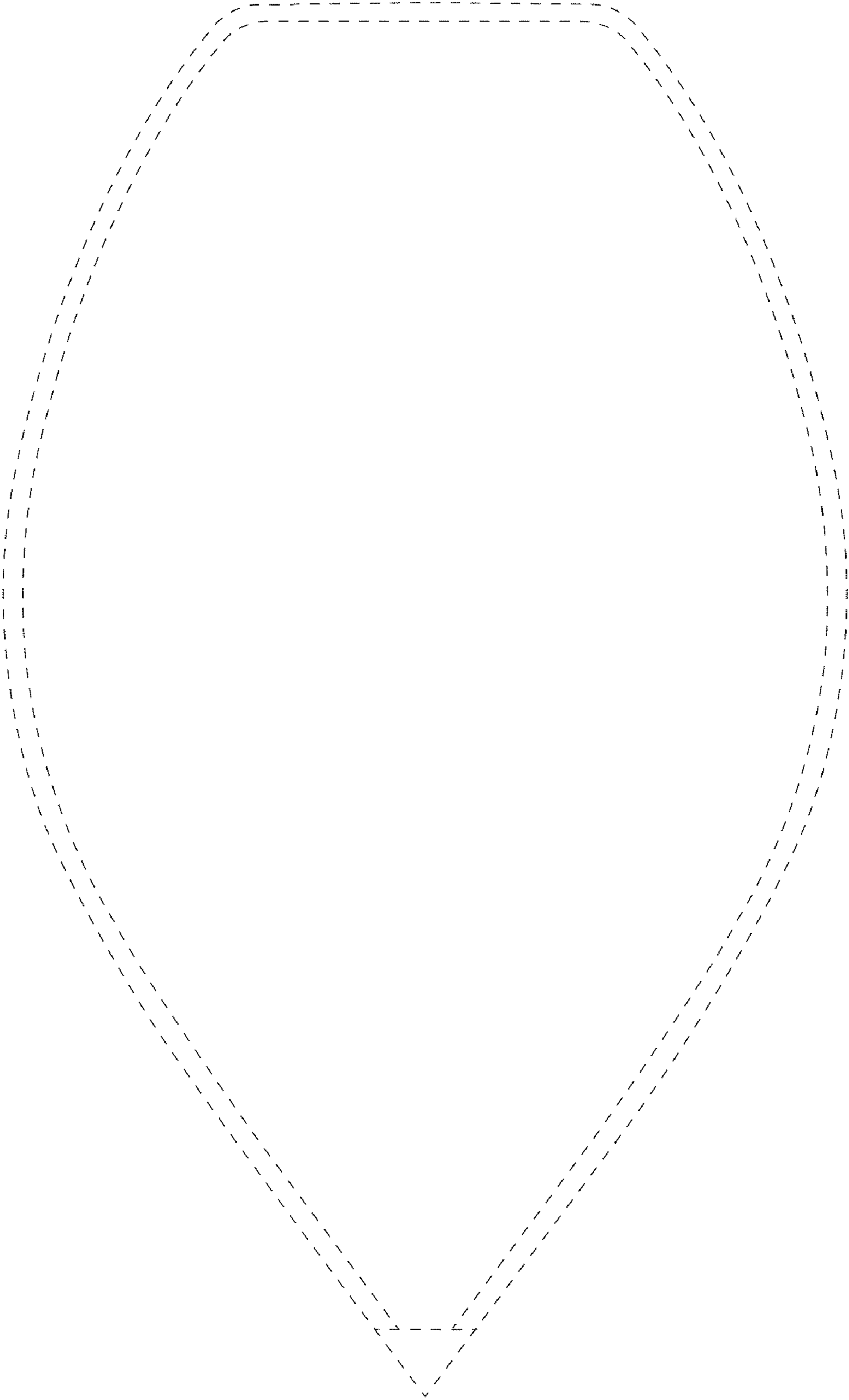


Fig. 5