

### US00D643561S

# (12) United States Design Patent

Maglica

# (10) Patent No.:

US D643,561 S

(45) Date of Patent: \*\* \*Aug. 16, 2011

#### **FLASHLIGHT**

Anthony Maglica, Ontario, CA (US) (75)

Assignee: Mag Instrument, Inc., Ontario, CA (73)

(US)

14 Years Term:

Appl. No.: 29/340,085

Filed: Jul. 13, 2009

(58)D26/38, 39, 44, 45, 46, 49, 51; 362/157,

362/158, 183, 184, 187, 190, 194–197, 198,

362/202–208 See application file for complete search history.

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Primary Examiner — Ian Simmons

Assistant Examiner — Carissa C Fitts

(74) Attorney, Agent, or Firm — Jones Day

#### (57)CLAIM

The ornamental design for a flashlight, as shown and described.

#### **DESCRIPTION**

FIG. 1 is a front, top perspective view of the flashlight showing my new design;

FIG. 2 is a rear, bottom perspective view thereof;

FIG. 3 is a top plan view thereof;

FIG. 4 is a front elevational view thereof;

FIG. 5 is a rear elevational view thereof;

FIG. 6 is a front, top perspective view of an alternative embodiment of the flashlight showing my new design;

FIG. 7 is a rear, bottom perspective view thereof;

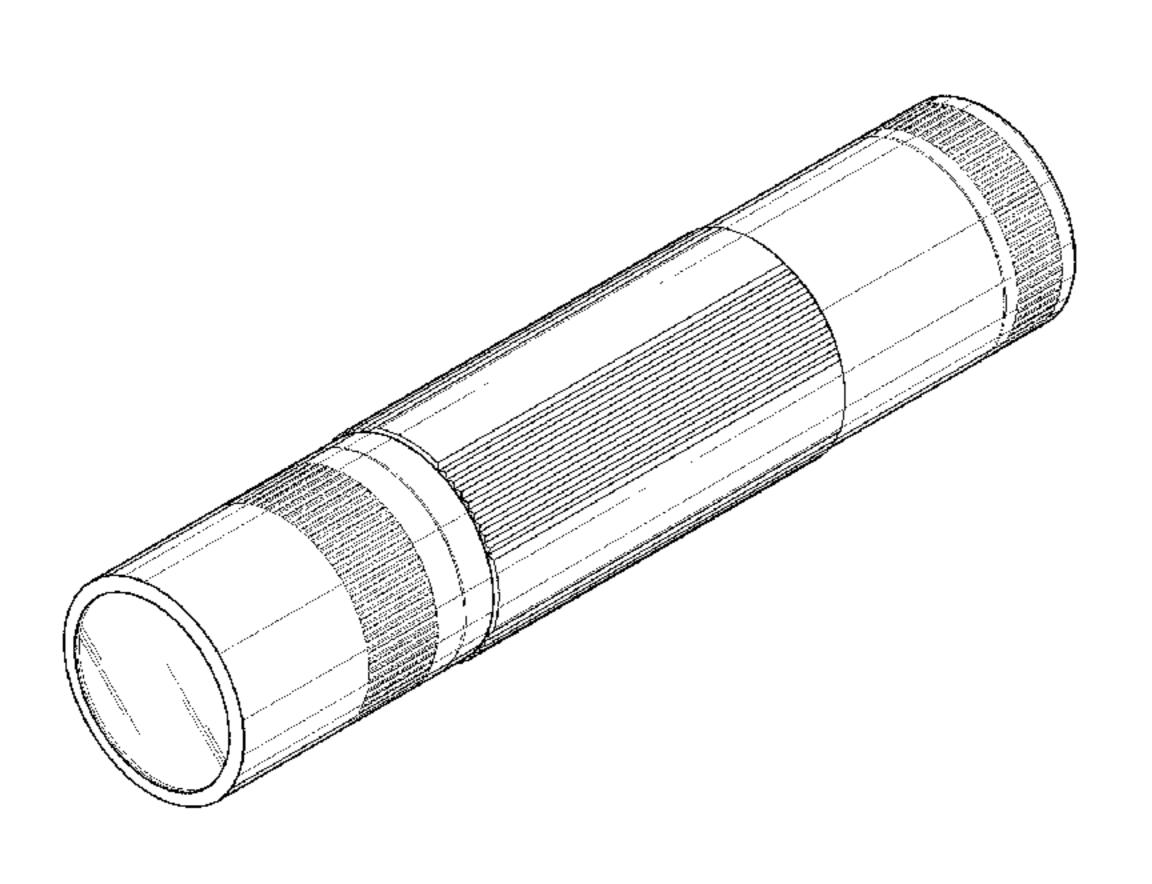
FIG. 8 is a top plan thereof;

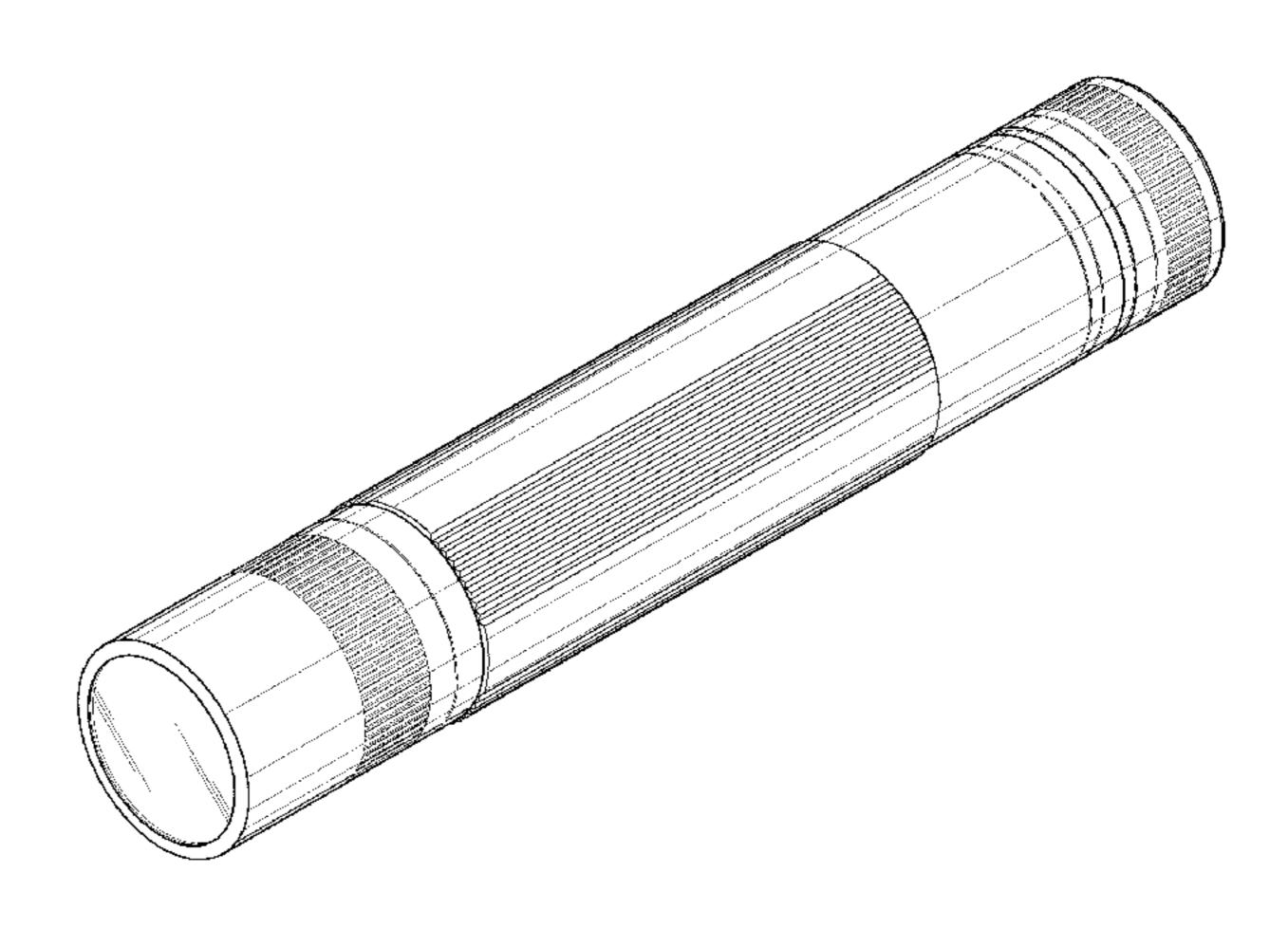
FIG. 9 is a front elevational view thereof; and,

FIG. 10 is a rear elevational view thereof.

The broken line showings in FIGS. 2, 3, 5, 7, 8, and 10 are for illustrative purposes only and form no part of the claimed design.

## 1 Claim, 4 Drawing Sheets





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Photo of a black flashlight labeled Plaintiff's Exhibit 103 (5 pages) (Believed to be dated from at least as early as 1990).

Photo of a black flashlight with a Coca Cola® can and a ruler for size comparison, marked "5322." (Believed to be dated from at least as early as 1990).

Photo of a black flashlight in assembled and disassembled state with a Coca Cola® can and a ruler for size comparison, marked "12A." (Believed to be dated from at least as early as 1990).

Photo of a black flashlight with a Coca Cola® can and a ruler for size comparison, marked "2584." (Believed to be dated from at least as early as 1990).

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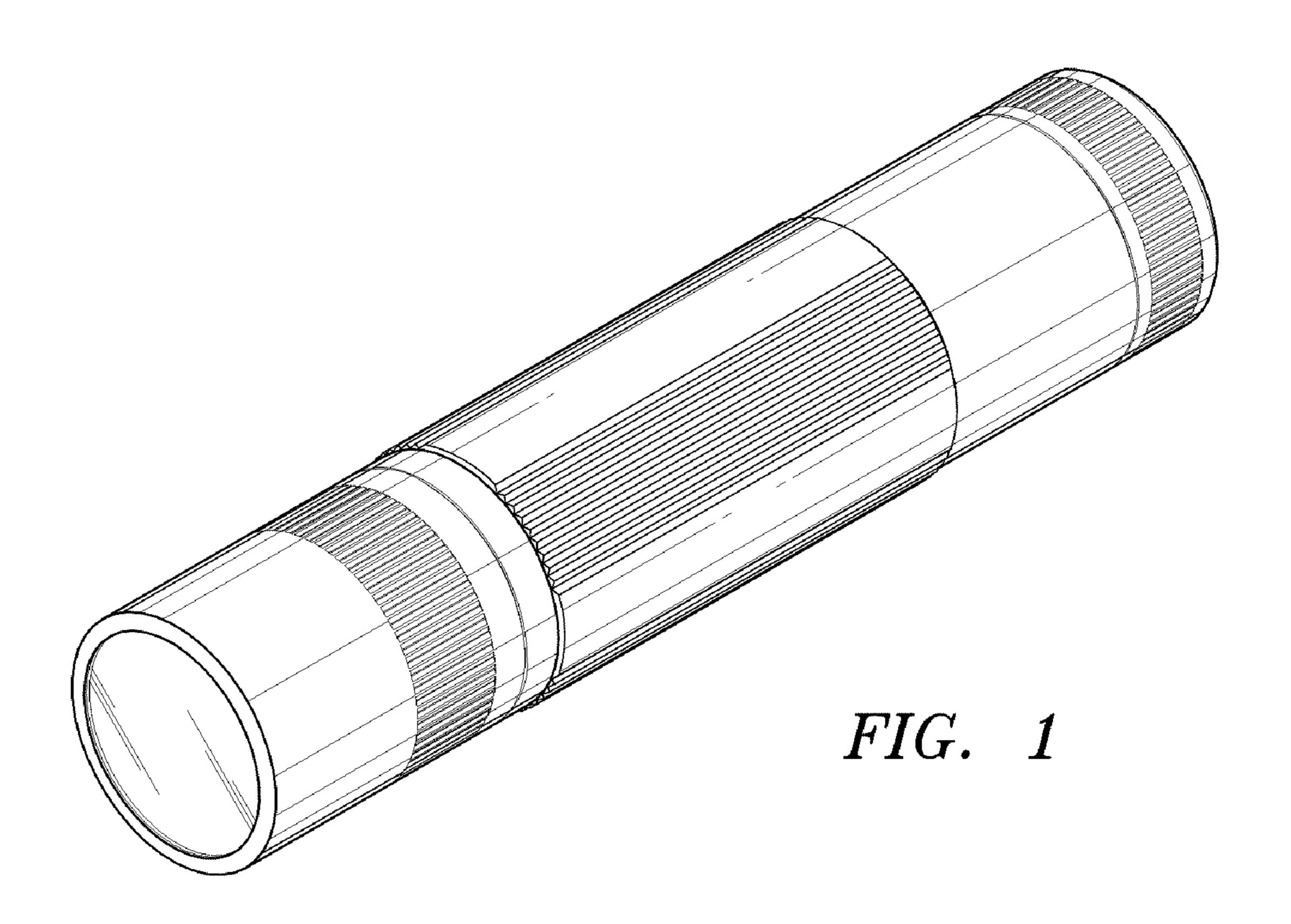
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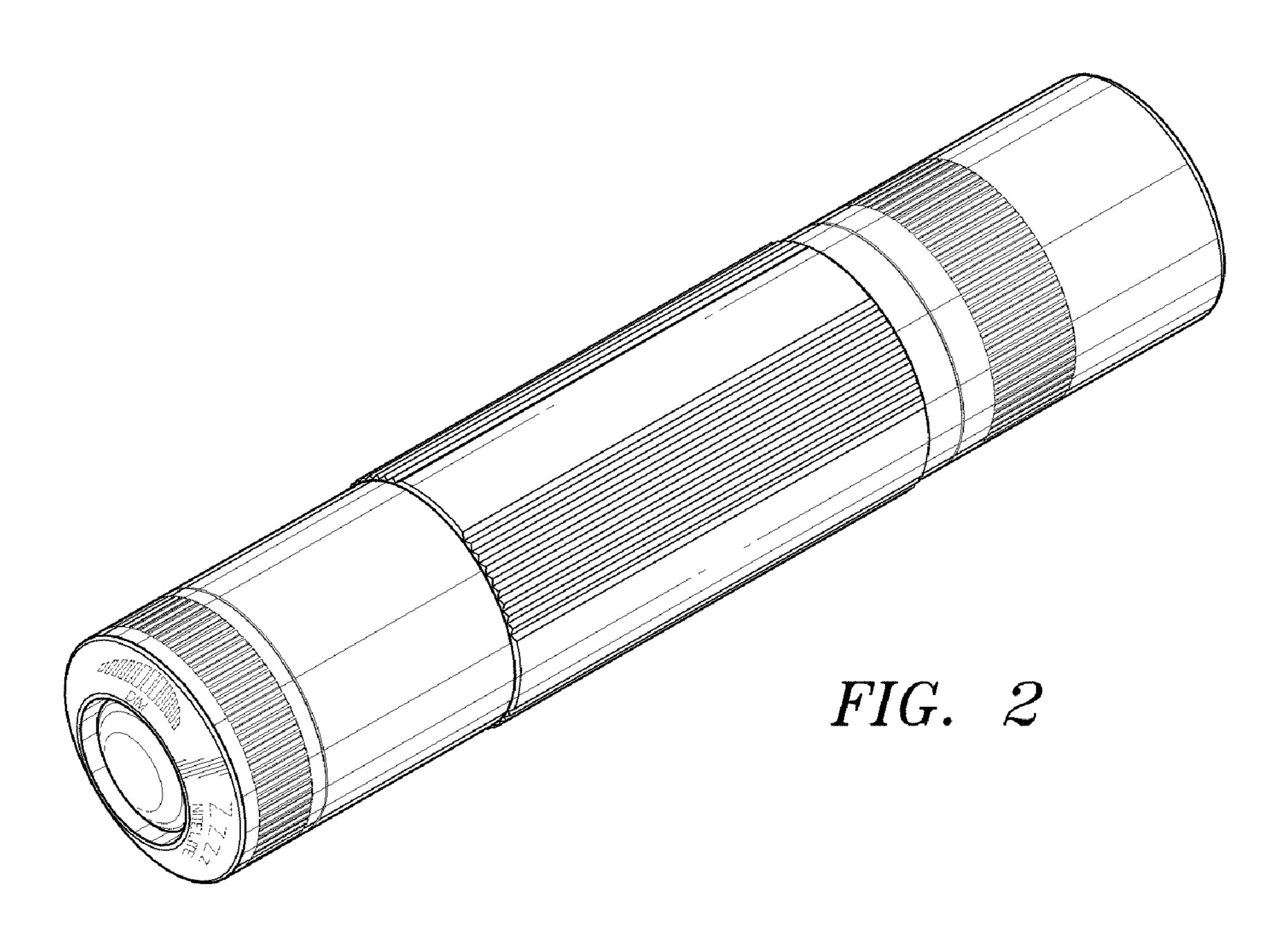
Photo of a black flashlight labeled Plaintiff's Exhibit 103 (1 page). Photo of a black flashlight with a Coca Cola® can and a ruler for size comparison, marked "5322."

Photo of a black flashlight in assembled and disassembled state with a Coca Cola® can and a ruler for size comparison, marked "12A." Photo of a black flashlight with a Coca Cola® can and a ruler for size comparison, marked "2584."

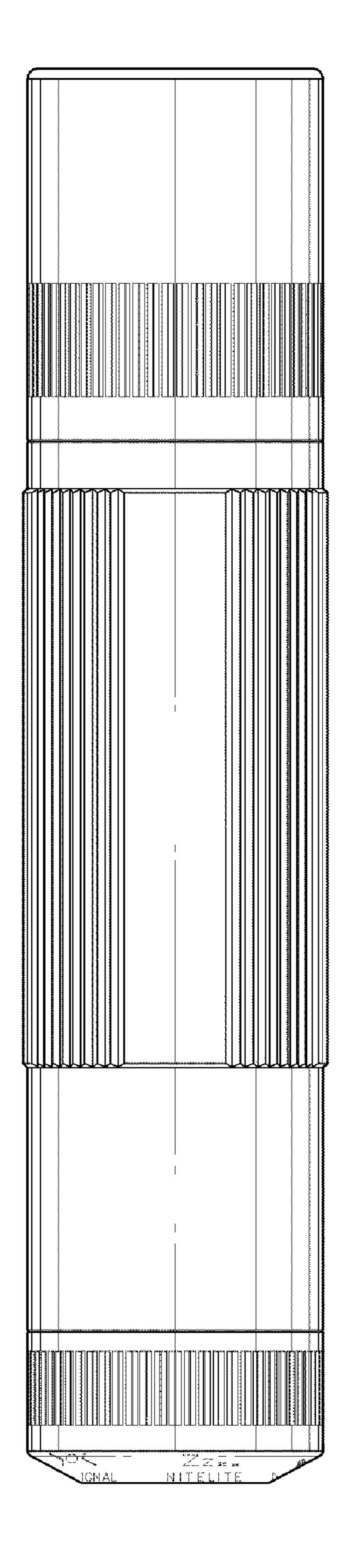
<sup>\*</sup> cited by examiner

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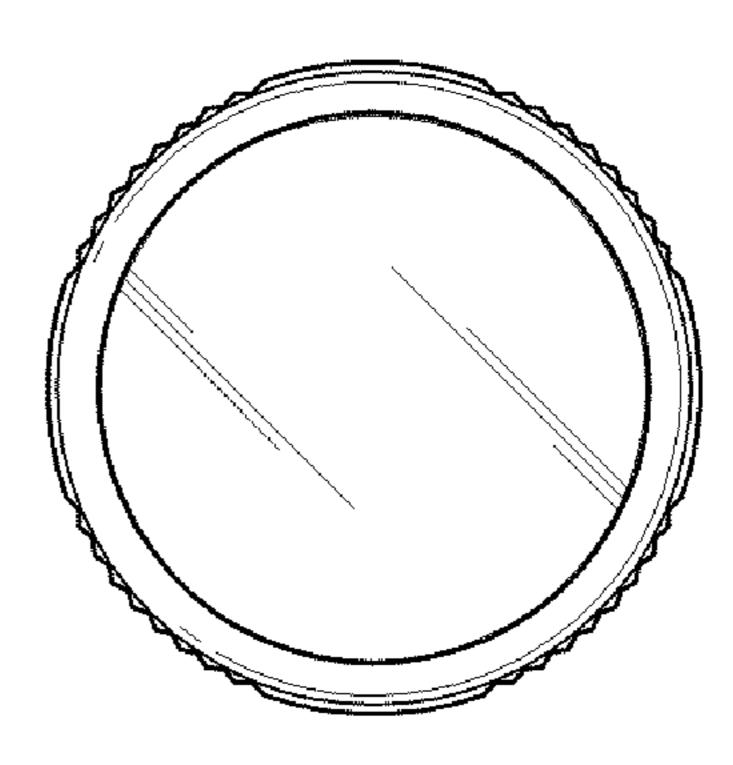


FIG. 4

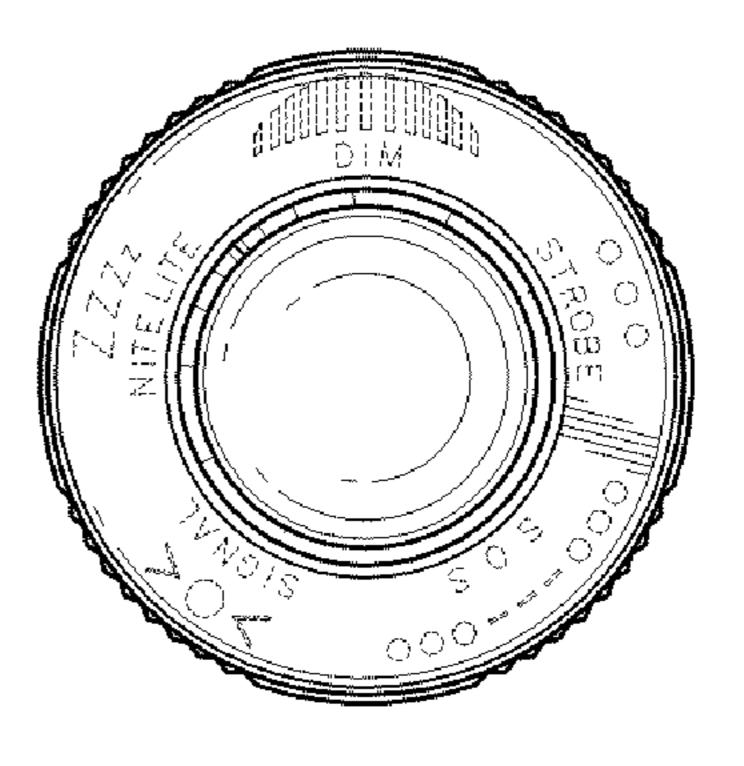
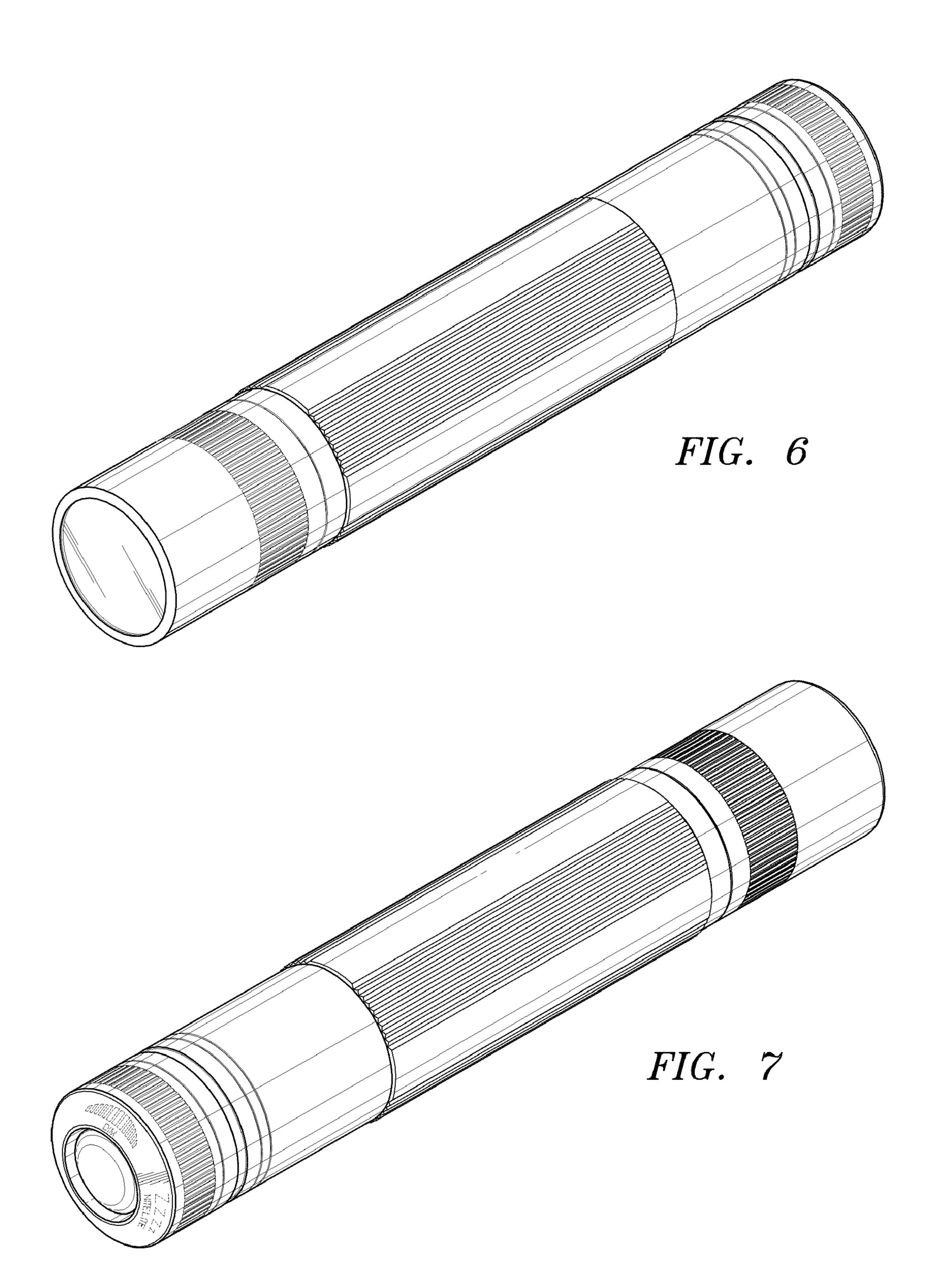


FIG. 5

FIG. 3



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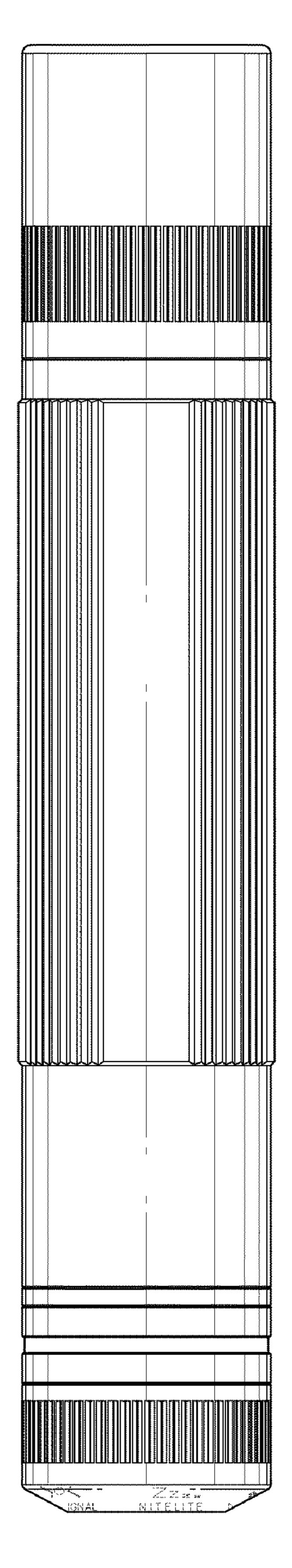


FIG. 8

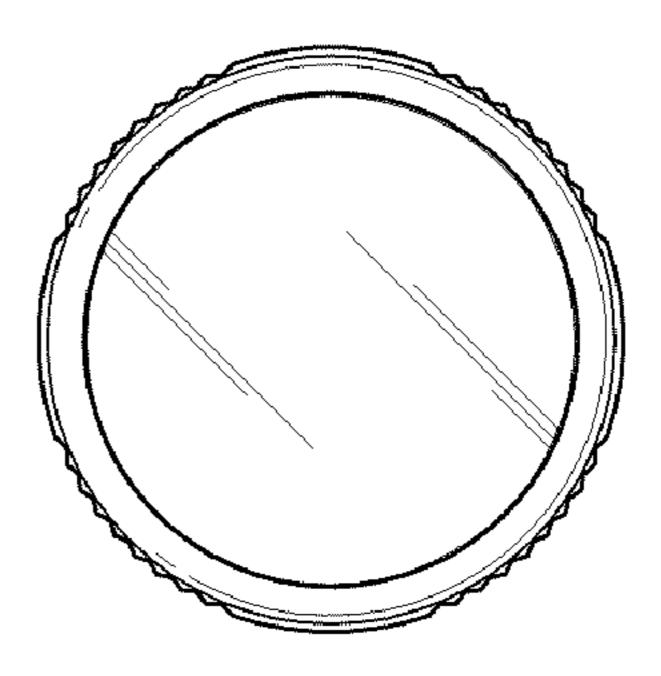


FIG. 9

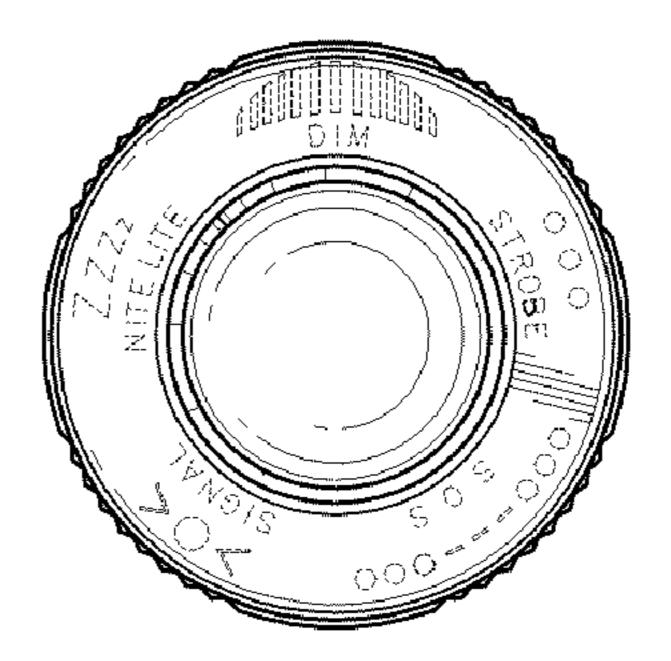


FIG. 10