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Csokmay

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(54) **PEN**
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(**) **Term:** **14 Years**

D436,624 S * 1/2001 Zier D19/48
D439,277 S 3/2001 Rosenbaum
D444,815 S 7/2001 Izushima
D445,453 S 7/2001 Hasegawa
D446,212 S 8/2001 Chang
D447,771 S 9/2001 Isaacs
D448,047 S 9/2001 Lewis, Jr.
D448,805 S 10/2001 Willat et al.

(Continued)

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(52) **U.S. Cl.** **D19/55**

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D19/36, 41-51, 54-58; 24/11 R, 11 F, 11 P;
401/52, 99, 100, 192, 195, 196; D14/411
See application file for complete search history.

FOREIGN PATENT DOCUMENTS

AU 139359 S 12/1998

(Continued)

OTHER PUBLICATIONS

Metal Pen (M4022) for sale by Sinopromotion Products Co., Ltd.,
Made-In-China web page—date retrieved Jul. 5, 2011.

(Continued)

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,550,599 A * 8/1925 Walker 401/107
D89,339 S * 2/1933 Hale D19/48
D92,534 S * 6/1934 Hale D19/48
D142,361 S * 9/1945 Hanle D19/51
3,317,036 A * 5/1967 Cherba 401/78
D313,624 S * 1/1991 Ferjan D19/55
D334,406 S * 3/1993 Celender D19/43
D338,915 S 8/1993 Willat
D357,698 S 4/1995 Hepler
D370,126 S 5/1996 Pfanstiehl et al.
D377,051 S 12/1996 Takemura
D388,458 S 12/1997 Takemura
D394,455 S 5/1998 Izushima
D398,025 S 9/1998 Hackler
D402,695 S 12/1998 Izushima
D403,703 S * 1/1999 Campbell D19/43
D406,862 S 3/1999 Schmidt et al.
D421,052 S 2/2000 Yazawa
D433,446 S 11/2000 Rosenbaum
D436,126 S 1/2001 Rosenbaum
D436,622 S 1/2001 Rosenbaum

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(57) **CLAIM**

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

DESCRIPTION

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

The broken lines showing the barrel and clip of the pen in
FIGS. 1-7 are included for the purpose of illustrating portions
that form no part of the claimed design.

1 Claim, 2 Drawing Sheets



U.S. PATENT DOCUMENTS

D451,138	S	11/2001	Rosenbaum	
D451,549	S	12/2001	Willat et al.	
D457,917	S	5/2002	Traut et al.	
D462,388	S	9/2002	Fiori et al.	
D466,156	S	11/2002	Nakazawa	
D470,530	S	2/2003	Moon	
D472,578	S	4/2003	Plantz et al.	
D472,923	S *	4/2003	Wang	D19/48
D475,741	S	6/2003	Cetera	
D476,033	S	6/2003	Bain	
D478,625	S	8/2003	Yeh	
D482,069	S	11/2003	Koch	
D482,725	S	11/2003	Takemura	
D489,085	S	4/2004	Willat et al.	
D494,217	S	8/2004	Tien	
D495,364	S *	8/2004	Cetera	D19/51
D495,365	S *	8/2004	Cetera	D19/51
D495,742	S *	9/2004	Collin	D19/43
D501,880	S *	2/2005	Collin	D19/43
D506,222	S	6/2005	Santa Maria et al.	
D506,780	S	6/2005	Nakazawa	
D519,563	S *	4/2006	Pellissa Beneyto	D19/51
D520,636	S	5/2006	Hawley et al.	
D547,803	S *	7/2007	Mori	D19/51
D552,686	S	10/2007	Cetera	
D555,727	S	11/2007	Bruzzi	
D558,826	S *	1/2008	Tam	D19/36
D561,832	S	2/2008	Bhavnani	
D568,939	S *	5/2008	Bhavnani	D19/57
D569,908	S *	5/2008	Rolion et al.	D19/51
D575,343	S	8/2008	Cetera	
D576,210	S	9/2008	Qiu et al.	
D577,383	S	9/2008	Loesel	
D589,555	S *	3/2009	Li	D19/36
D599,402	S	9/2009	Zhang	
D599,403	S	9/2009	Wang	
D610,619	S	2/2010	Fang	

FOREIGN PATENT DOCUMENTS

AU	155550	S	8/2003
AU	300062	S	8/2004
CA	35699		8/1972
CA	118028		10/2007
CA	122550		6/2008
DE	M9711159-0001		4/1998
DE	M9801458-0001		10/1998
DE	49808929-0001		1/1999
DE	49808403-0002		2/1999
DE	40000225-0002		2/2000
DE	40005852-0001		9/2000
DE	40011838-0001		4/2001
DE	40103050-0001		4/2001
DE	40106130-0006		12/2001
DE	40308150-0001		3/2004
DE	40308150-0007		3/2004
DE	40308150-0013		3/2004
DE	40602433-0003		8/2006
EM	000070669-0003		9/2003
EM	000350400-0002		8/2005
EM	000342183-0014		9/2005
EM	000342183-0015		9/2005
EM	000367271-0003		10/2005
EM	000367271-0012		10/2005
EM	000494497-0001		4/2006
EM	000612106-0005		11/2006
EM	000639539-0002		1/2007
EM	000661590-0001		3/2007
EM	000661590-0003		3/2007
EM	000745310-0003		7/2007
EM	001070767-0001		5/2009
EM	001070767-0002		5/2009
EM	001070767-0003		5/2009
EM	001185482-0005		1/2010
EM	001213912-0001		6/2010
EM	001213912-0002		6/2010
EM	001213912-0003		6/2010
WO	DM/049116		6/1999

WO	DM/051882	2/2000
WO	DM/051645	4/2000
WO	DM/052609	7/2000
WO	DM/052905	8/2000
WO	DM/063425	8/2000
WO	DM/053543	10/2000
WO	DM/060843	3/2002
WO	DM/060376	6/2002
WO	DM/063120	2/2003
WO	DM/064796	11/2003
WO	DM/073587	3/2010
WO	DM/073686	5/2010
WO	DM/073968	7/2010

OTHER PUBLICATIONS

Promotional Pen (R3242) for sale by Sinopromotion Products Co., Ltd., Made-In-China web page—date retrieved Jul. 5, 2011.
 Stylish Metal Pen (LT-C005) for sale by Guangzhou Le Tian Pen Co., Ltd., Made-In-China web page—date retrieved Jul. 5, 2011.
 Retractable Ergonomic Pens for sale on Only website—date retrieved Jul. 5, 2011.
 Curl Clip-Grip Ballpoint Pen on <http://www.logopremiums.com/pn-pen-ballpoint-1338SW.htm>—date retrieved Jul. 5, 2011.
 Parker Duofold Pearl and Black Ballpoint Pen—http://www.goldspot.com/Parker_pens/Duofold/1738511.html—date retrieved Jul. 5, 2011.
 Parker Duofold Mosaic Black Ballpoint Pen—http://www.goldspot.com/Parker_pens/Duofold/49837.html—date retrieved Jul. 5, 2011.
 Parker Urban Metallic Black Chiseled Ballpoint Pen—http://www.goldspot.com/Parker_Pens/Urban/1774706.html—date retrieved Jul. 5, 2011.
 BioGreen Ballpoint Pen—<http://www.pensonly.com.au/enviro-pens/biogreen-ballpoint-pen.htm>—date retrieved Jul. 5, 2011.
 Chrome Laser Pointer & Pen Combo—[http://www.wellpromo.com/Wholesale/Pointers/Chrome-Laser-Pointer Pen Combo—#PPC191625](http://www.wellpromo.com/Wholesale/Pointers/Chrome-Laser-Pointer_Pen_Combos/#PPC191625)—date retrieved Jul. 5, 2011.
 DS-51 Pen—<http://jemsales.logonall.com/ProductDetail/ProductDetail.aspx?Ntt=Pens+Metal+Grip&...>—date retrieved Jul. 5, 2011.
 Dynamo Ballpoint Pen—<http://www.freshpromotions.com-au/pens/cheap-promotional-pens/dynamo-ballpoint...>—date retrieved Jul. 5, 2011.
 Executive Look Pen—<http://www.pensonly.com.au/budget-metal-pens/executive-look-pen.htm>—date retrieved Jul. 5, 2011.
 Fat metal pen—http://www.diytrade.com/china/4/products/484769/Fat_metal_pen.html—date retrieved Jul. 5, 2011.
 MP3 Ball Pen (1611-02)—<http://bridgettang.en.made-in-china.com/product/pGzmUqRbTQJZ/China-MP3-Ball-Pen...>—date retrieved Jul. 5, 2011.
 B008 Pen—<http://jemsales.logonall.com/ProductDetail/ProductDetail.aspx?Ntt=Pens+Metal+Grip&...>—date retrieved Jul. 5, 2011.
 59263 Pen—<http://jemsales.logonall.com/ProductDetail/ProductDetail.aspx?Ntt=Pens+Metal+Grip&...>—date retrieved Jul. 5, 2011.
 CUBE2 Pen—http://jemsales.logonall.com/ProductDetail/ProductDetail.aspx?Ntt=Pens+Metal_~+Grip&...—date retrieved Jul. 5, 2011.
 Silver Laser Pointer & Pen Combo—[http://www.wellpromo.com/Wholesale/Pointers/Silver-Laser-Pointer ...](http://www.wellpromo.com/Wholesale/Pointers/Silver-Laser-Pointer...)—date retrieved Jul. 5, 2011, PPC191624.
 Spy Pen 16GB Price—<http://www.priceportal.in/security-camera/spy-pen-16gb-price-in-india.html>—date retrieved Jul. 5, 2011.
 Stainless Steel Retractable—<http://www.pensonly.com.au/bic-pens/stainless-steel-retractable.htm>—date retrieved Jul. 5, 2011.
 The Cloud9 Collection—<http://www.sensaonline.com/page/cloud9.htm>—date retrieved Jul. 5, 2011.
 Twist Pen Highlighter—http://www.ec-promos.com/pro/v2291b/v2305t1c/twist-pen-highlighter_360142.html—date retrieved Jul. 5, 2011.
 Unique Grip Metal Pens—<http://www.pensonly.com.au/budget-metalpens.htm>—date retrieved Jul. 5, 2011.
 USB Stylus Writing Pen—<http://www.blavish.com/usb-stylus-writing-pen/>—date retrieved Jul. 5, 2011.

* cited by examiner

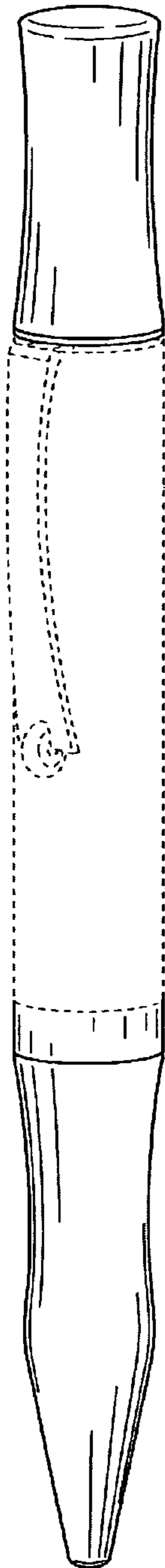


FIG. 1

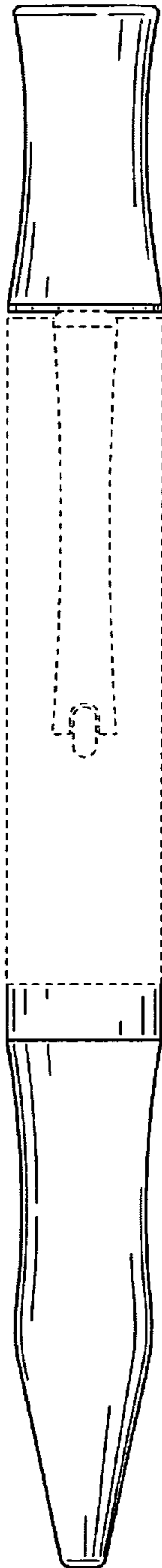


FIG. 2

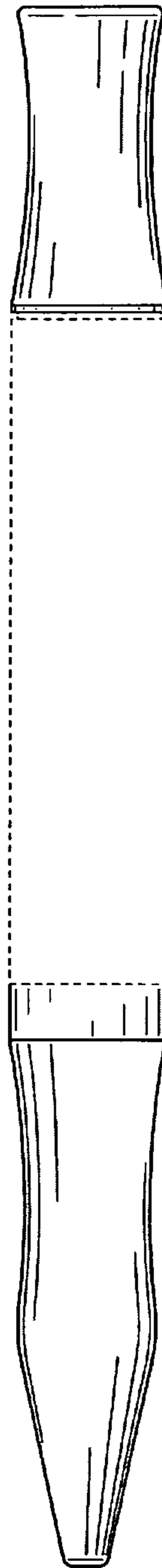


FIG. 3

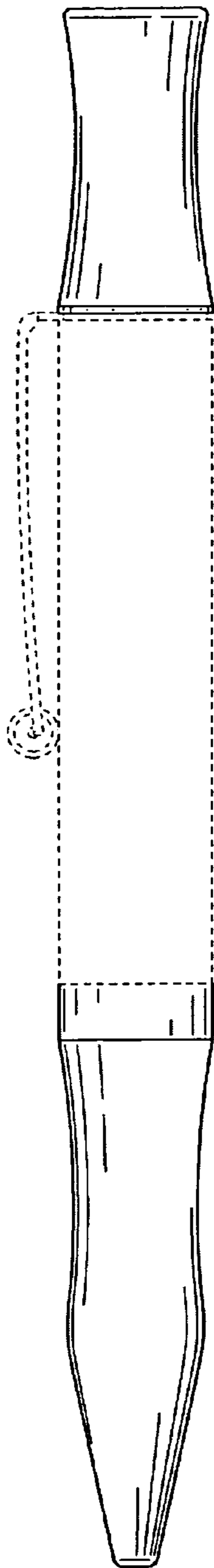


FIG. 4

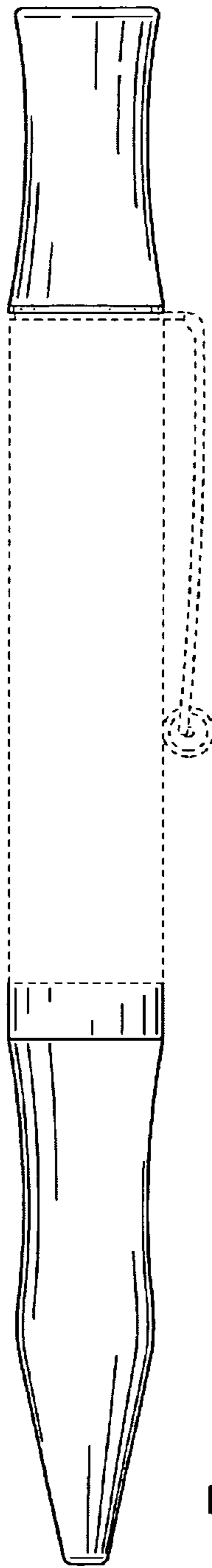


FIG. 5

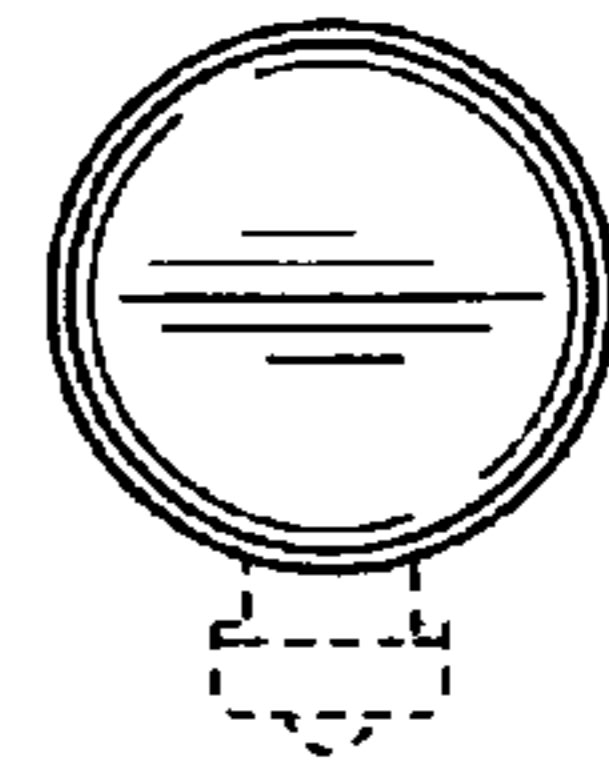


FIG. 6

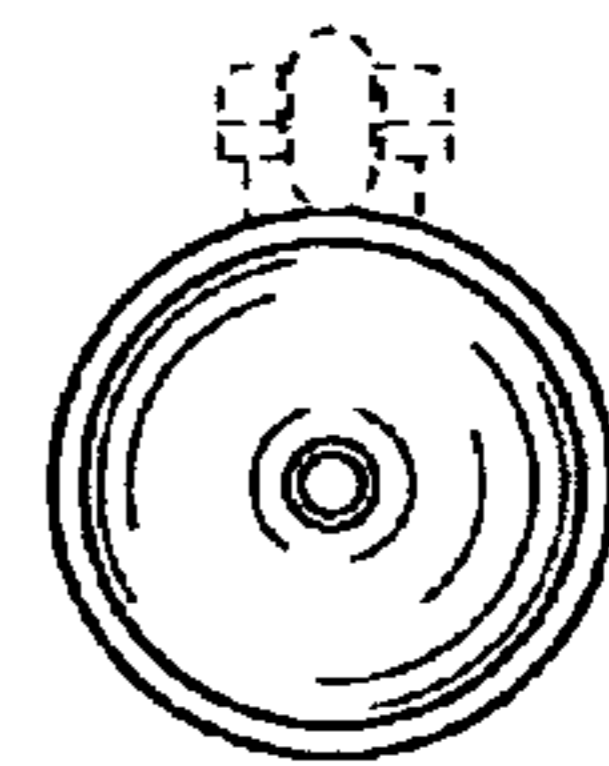


FIG. 7