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

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(54) **WRITING INSTRUMENT**

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

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**Related U.S. Application Data**

(62) Division of application No. 29/359,408, filed on Apr. 9, 2010, now Pat. No. Des. 641,782.

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

(52) **U.S. Cl.** ..... **D19/57**

(58) **Field of Classification Search** ..... D19/35,  
D19/36, 41-51, 54-58; 24/11 R, 11 F, 11 P;  
401/52, 99, 100, 104-109, 192, 195, 196  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D330,389 S	10/1992	Katami et al.	
D331,940 S	12/1992	Shirai et al.	
D340,947 S	11/1993	Tu	
D345,759 S	4/1994	Poisson	
D355,442 S	2/1995	Chuang	
D366,902 S	2/1996	Takahashi	
D394,876 S	6/1998	Chuang	
D436,127 S	1/2001	Hung	
D442,992 S	5/2001	Chevalier	
D461,500 S	8/2002	Cooper et al.	
D484,538 S	12/2003	Daida et al.	
D496,398 S	9/2004	Greenberg	
D497,641 S	10/2004	Tsuchikura	
D497,949 S	11/2004	Furlong et al.	
D497,952 S	11/2004	Bain	
D499,142 S	* 11/2004	Morrow	D19/50

D499,762 S	*	12/2004	Shova et al.	D19/43
D500,791 S		1/2005	Good	
D502,739 S	*	3/2005	Shova et al.	D19/66
7,018,122 B2		3/2006	Kwan et al.	
D530,746 S		10/2006	Gerules	
D533,225 S		12/2006	Gerules	
D540,381 S		4/2007	Qiu	
D547,375 S		7/2007	Gerules	
D552,177 S		10/2007	Cetera	
D553,190 S		10/2007	Qiu	
D553,683 S		10/2007	Gerules et al.	
D555,198 S		11/2007	Gerules et al.	

(Continued)

**OTHER PUBLICATIONS**

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

(Continued)

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(57) **CLAIM**

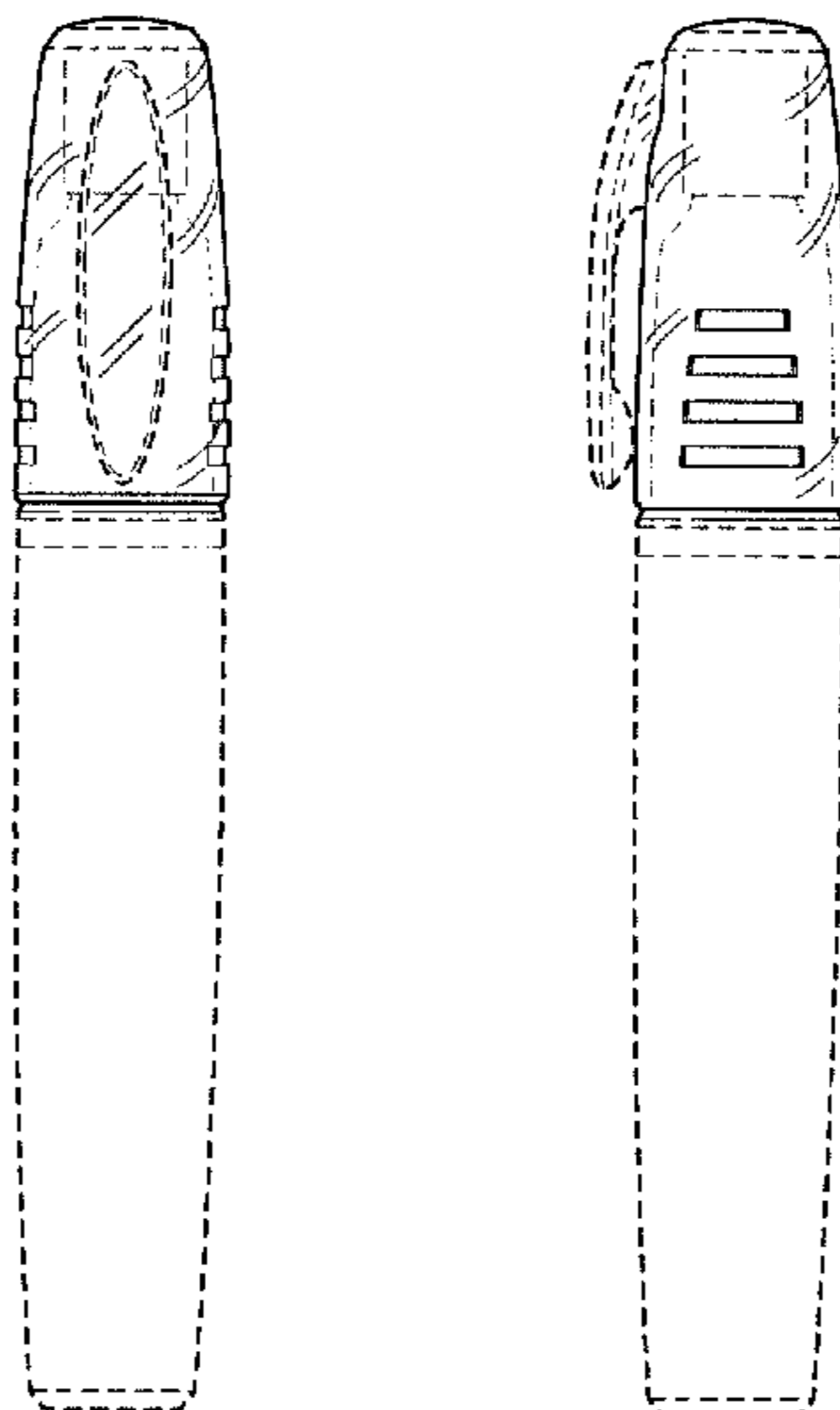
The ornamental design for a writing instrument, as shown and described.

**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.

The dashed lines are for illustrative purposes only and form no part of the claimed design.

**1 Claim, 4 Drawing Sheets**



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## U.S. PATENT DOCUMENTS

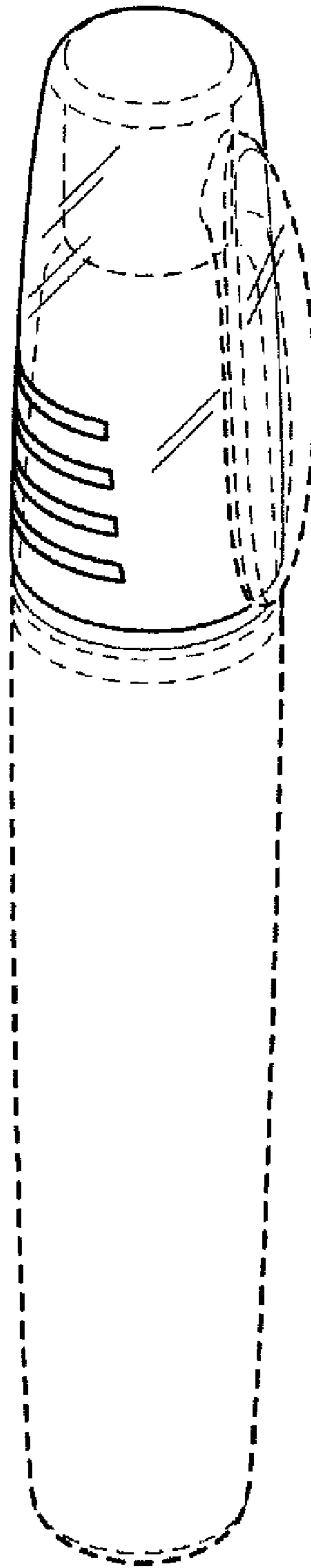
7,322,766 B2 1/2008 Erlebacher et al.  
D562,891 S \* 2/2008 Qiu et al. .... D19/47  
D566,174 S 4/2008 Silverstein  
D566,766 S 4/2008 Silverstein  
7,350,996 B2 4/2008 Bielecki et al.  
D569,431 S 5/2008 Qiu et al.  
D572,757 S \* 7/2008 Qiu et al. .... D19/48  
D573,639 S 7/2008 Qiu et al.  
D577,066 S 9/2008 Zhao et al.  
D584,771 S 1/2009 Gerules et al.  
7,488,130 B2 2/2009 Dylkiewicz et al.  
D602,088 S 10/2009 Ma  
D603,451 S 11/2009 Gerules  
D604,363 S 11/2009 Sunich et al.  
D607,512 S \* 1/2010 Qiu et al. .... D19/48  
D613,335 S 4/2010 Gerules  
D628,631 S \* 12/2010 Liu ..... D19/41  
D641,782 S \* 7/2011 Lira-Nunez et al. .... D19/48  
D641,783 S \* 7/2011 Lira-Nunez et al. .... D19/48  
D641,784 S \* 7/2011 Lira-Nunez et al. .... D19/48  
D641,785 S \* 7/2011 Lira-Nunez et al. .... D19/48  
2006/0165470 A1 7/2006 Gerules et al.  
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.

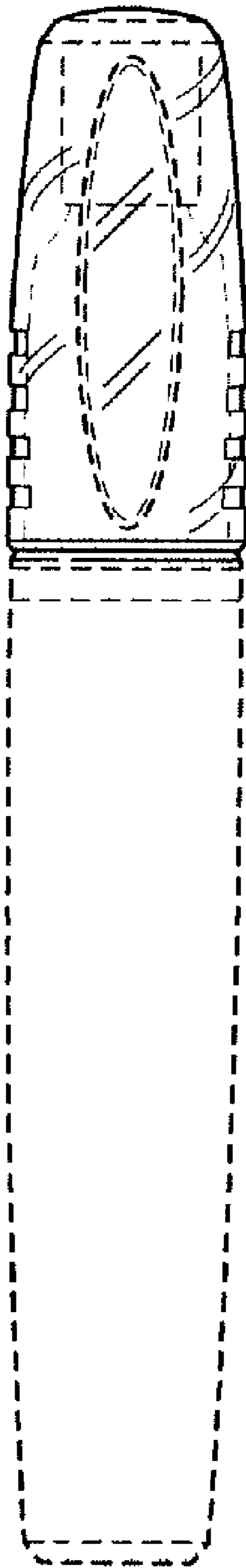
## OTHER PUBLICATIONS

U.S. Appl. No. 12/266,680, Rennecker et al.  
U.S. Appl. No. 29/334,320, 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.

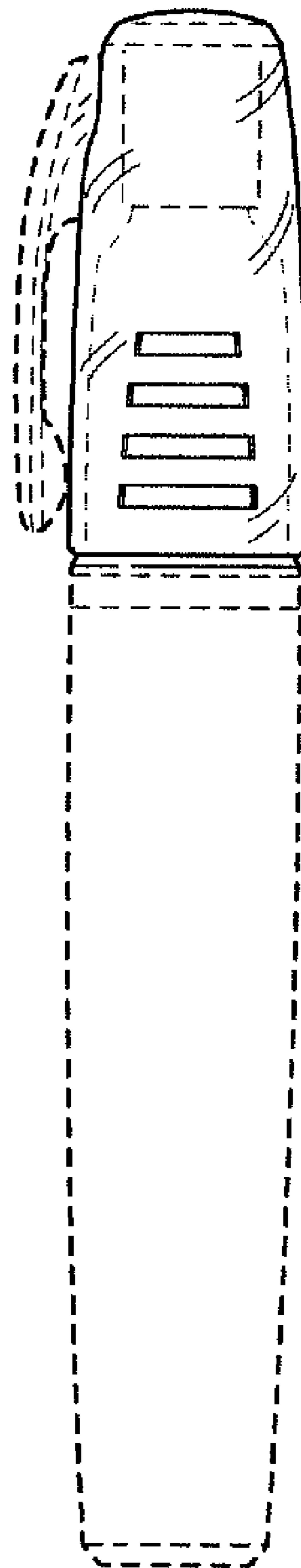
\* cited by examiner



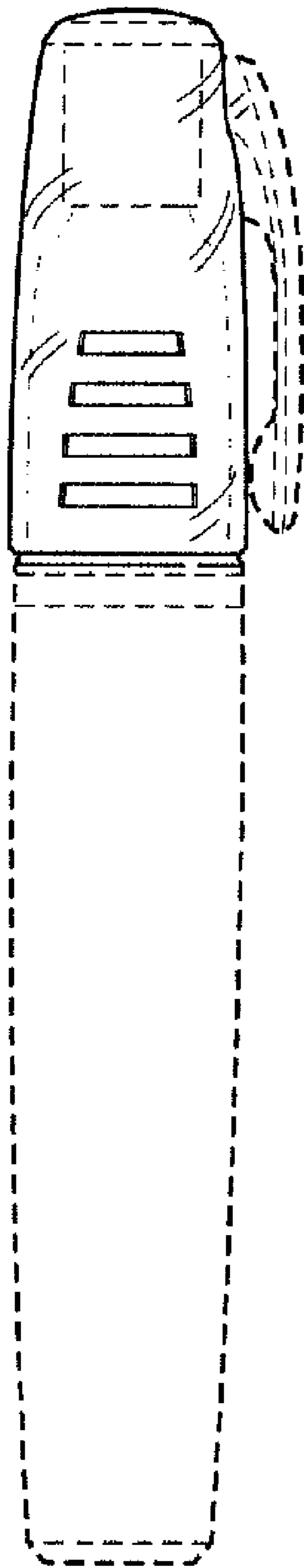
**FIG. 1**



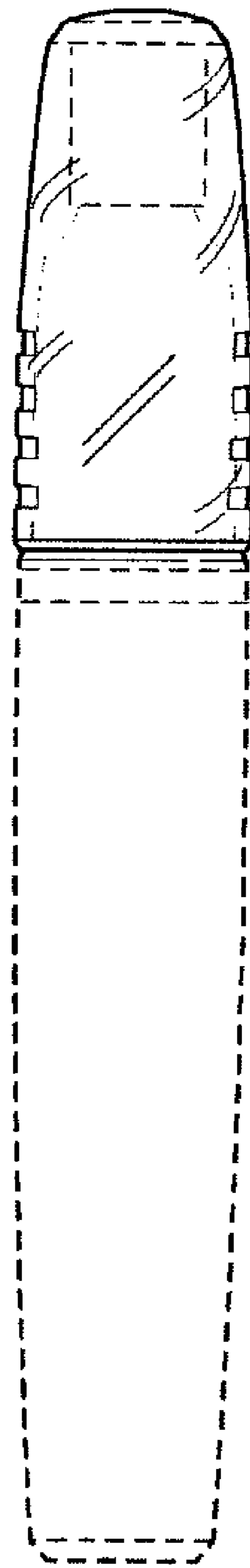
**FIG. 2**



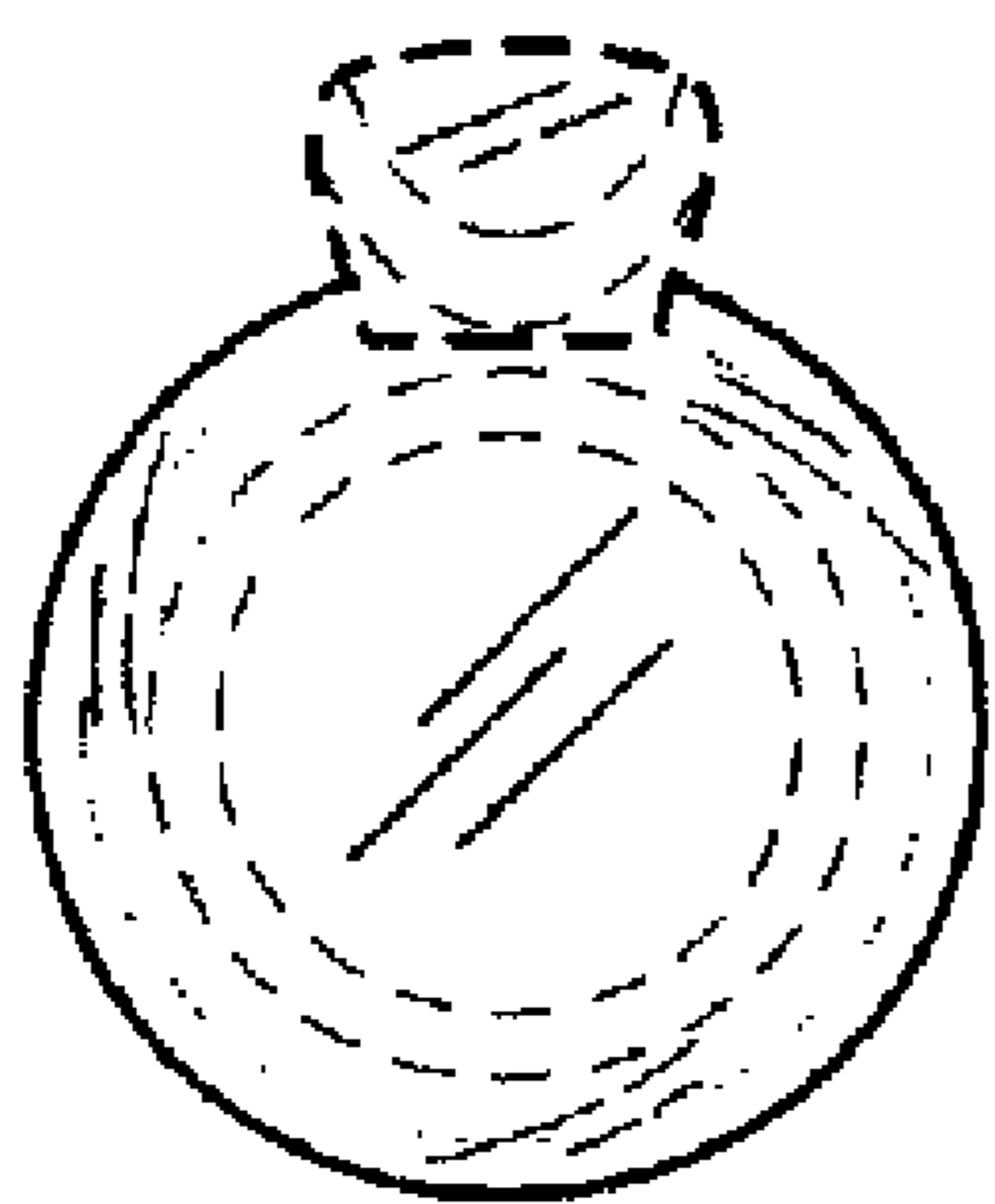
**FIG. 3**



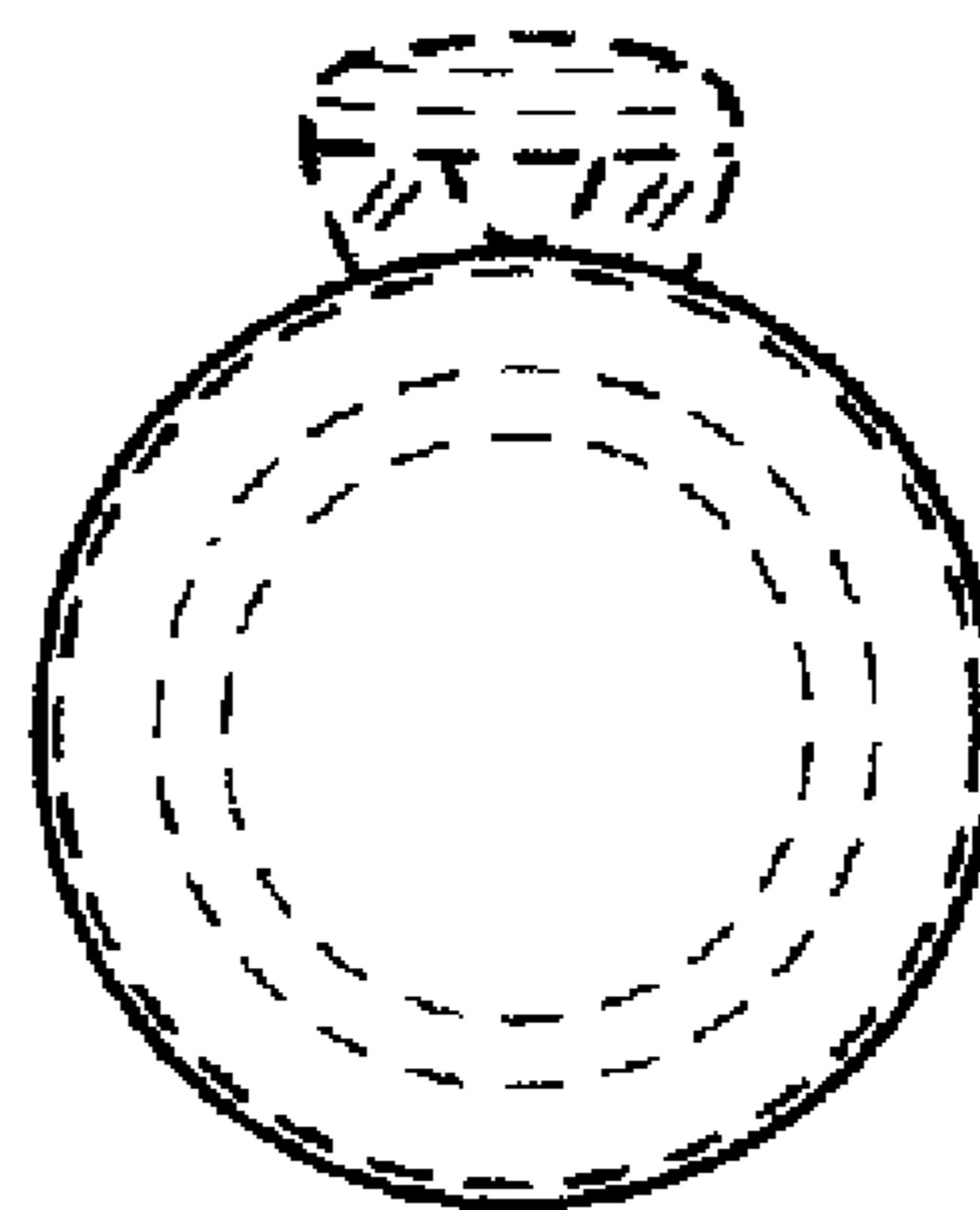
**FIG. 4**



**FIG. 5**



**FIG. 6**



**FIG. 7**