



US00D659191S

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

(10) **Patent No.:** **US D659,191 S**

(45) **Date of Patent:** **** *May 8, 2012**

(54) **WRITING INSTRUMENT**

(75) Inventors: **Carmen Lira-Nunez**, Downers Grove, IL (US); **Matthew Gerules**, Chicago, IL (US); **Justin Owen Guthrie**, Chicago, IL (US)

(73) Assignee: **Sanford, L.P.**, Oak Brook, IL (US)

(*) Notice: This patent is subject to a terminal disclaimer.

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

(21) Appl. No.: **29/397,264**

(22) Filed: **Jul. 13, 2011**

Related U.S. Application Data

(62) Division of application No. 29/359,419, filed on Apr. 9, 2010, now Pat. No. Des. 641,785.

(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; D14/411, 431; 24/11 R, 24/11 F, 11 P; 401/52, 99, 100, 104-109, 401/192, 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 |
| D436,127 S | 1/2001 | Hung |
| D442,992 S | 5/2001 | Chevalier |

| | | | | | |
|------------|---|---------|----------------|-------|--------|
| D456,041 S | * | 4/2002 | Cooper et al. | | D19/43 |
| D461,500 S | | 8/2002 | Cooper et al. | | |
| D484,190 S | * | 12/2003 | Cooper et al. | | D19/57 |
| 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. | | |

(Continued)

OTHER PUBLICATIONS

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

(Continued)

Primary Examiner — Elizabeth Albert

(74) *Attorney, Agent, or Firm* — Marshall, Gerstein & Borun LLP

(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;

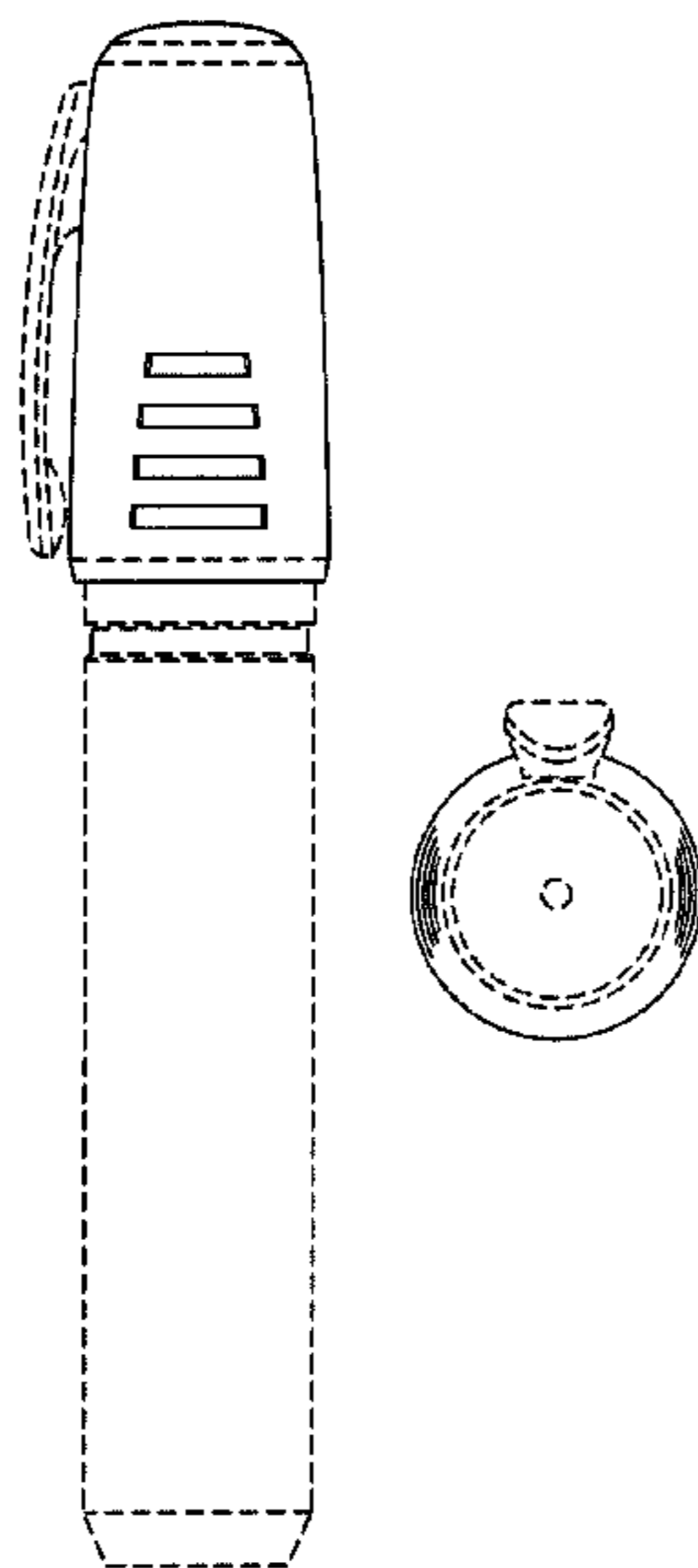
FIG. 6 is a top plan view of the writing instrument of FIG. 1;

and,

FIG. 7 is a bottom plan view of the writing instrument of FIG. 1.

The broken lines showing the writing instrument body, the clip, and the lines on the cap and the writing instrument body are included for the purpose of showing portions of the writing instrument that form no part of the claimed design.

1 Claim, 4 Drawing Sheets



US D659,191 S

Page 2

U.S. PATENT DOCUMENTS

D497,952 S 11/2004 Bain
D500,791 S 1/2005 Good
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.
7,322,766 B2 1/2008 Erlebacher et al.
D562,892 S * 2/2008 Qiu et al. D19/48
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.
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.
D590,879 S * 4/2009 Yu et al. D19/48
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

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
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

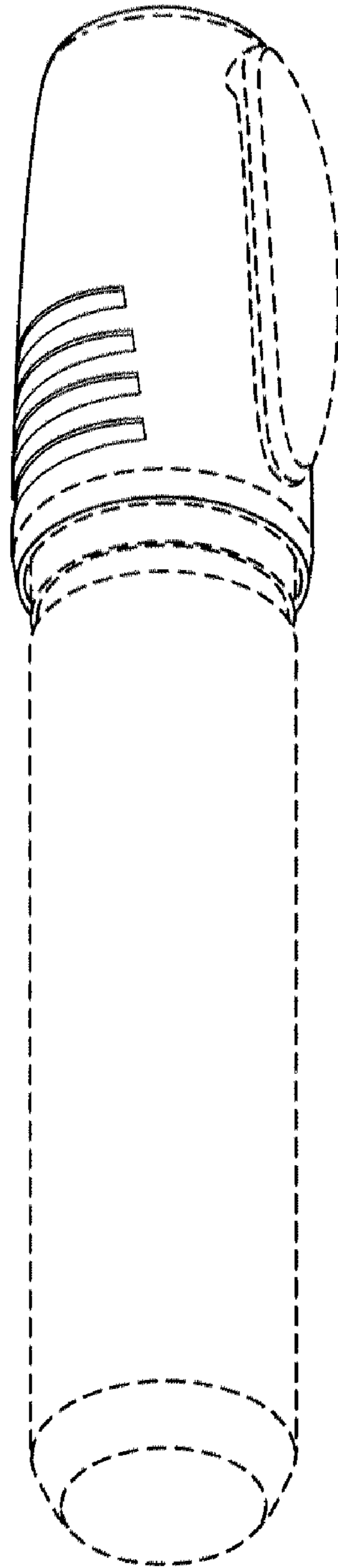


FIG. 1

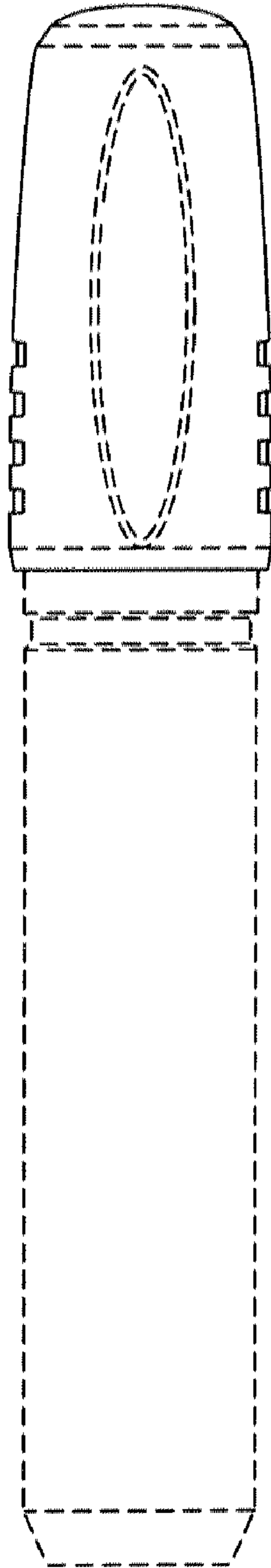


FIG. 2

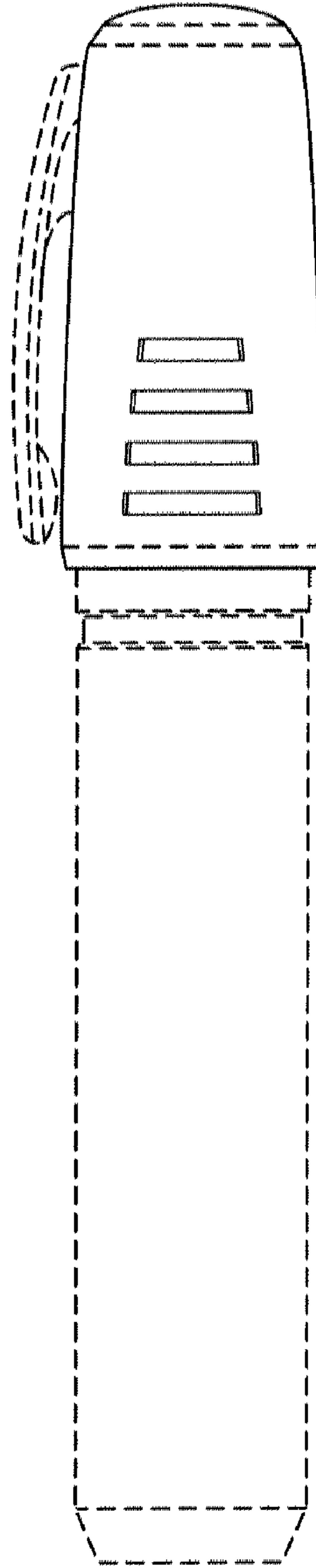


FIG. 3

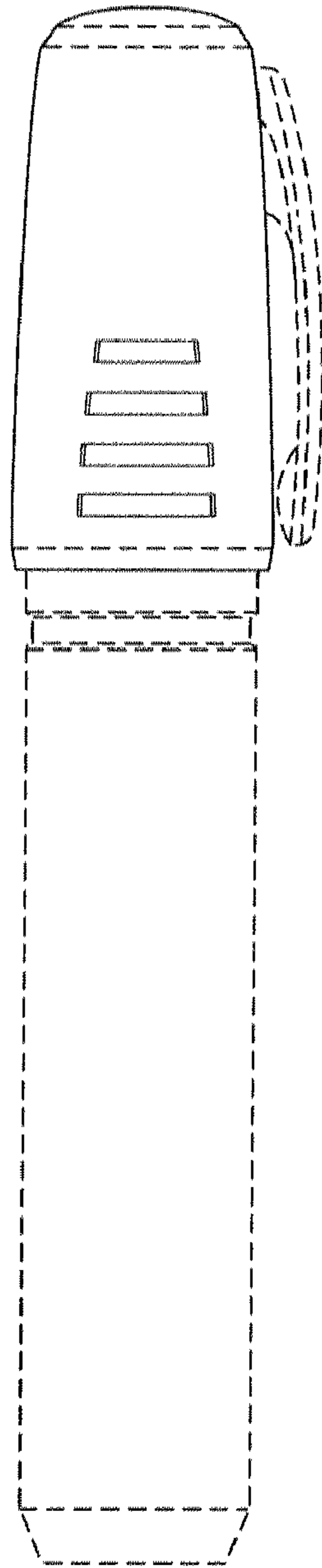


FIG. 4

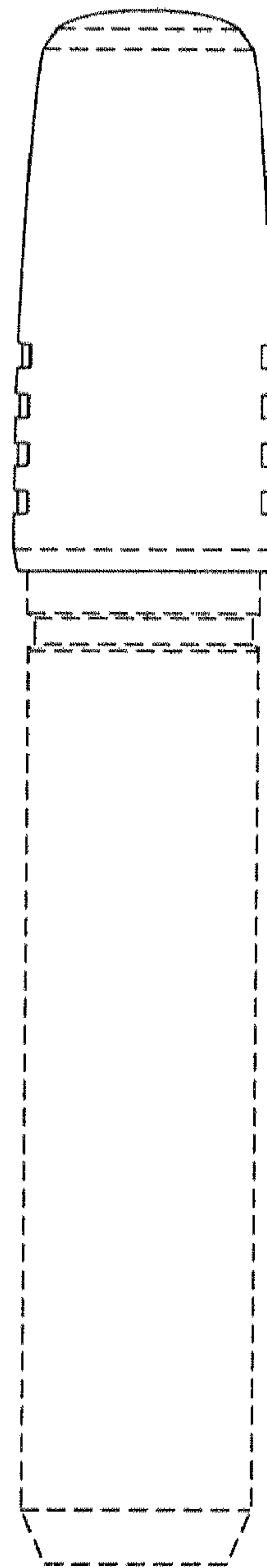


FIG. 5

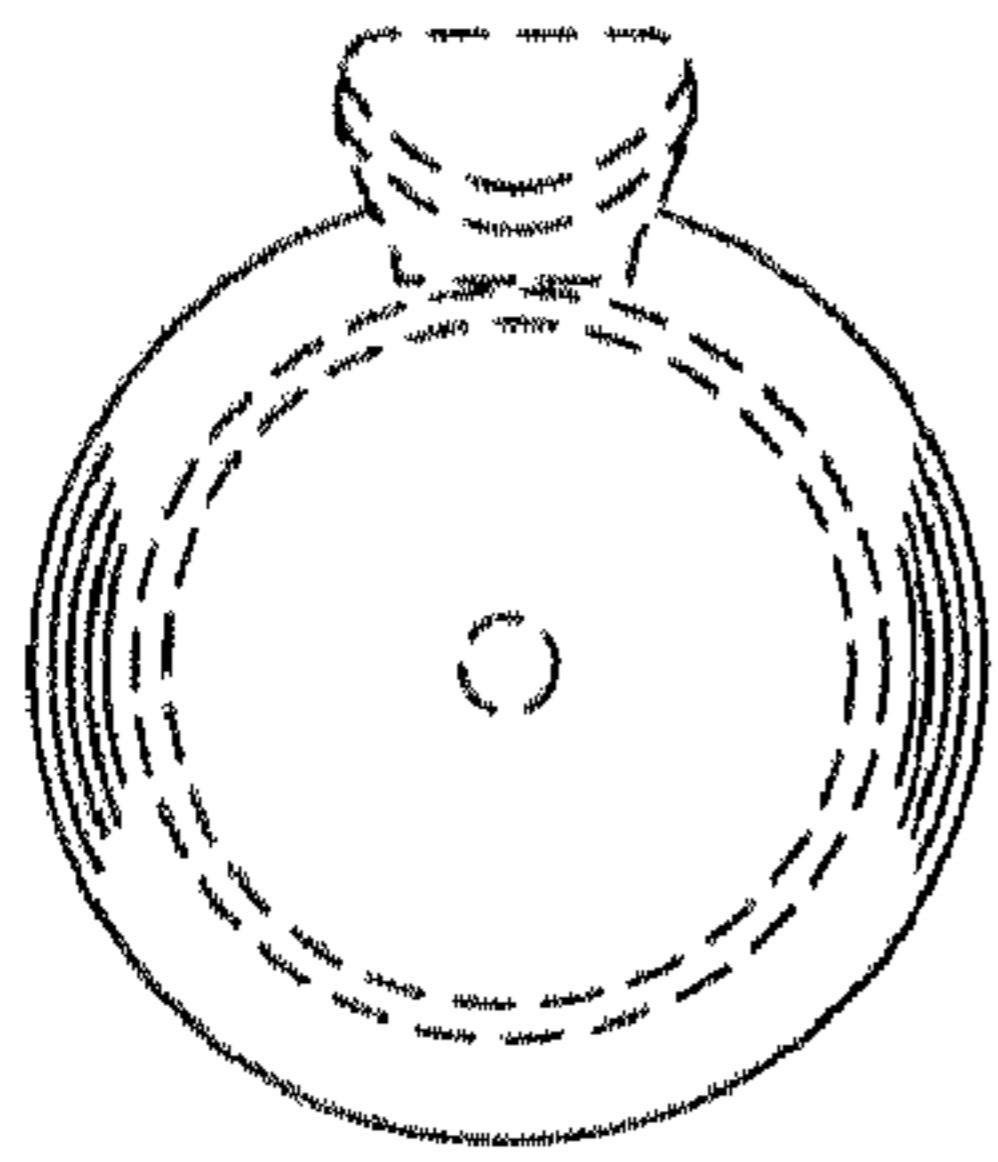


FIG. 6

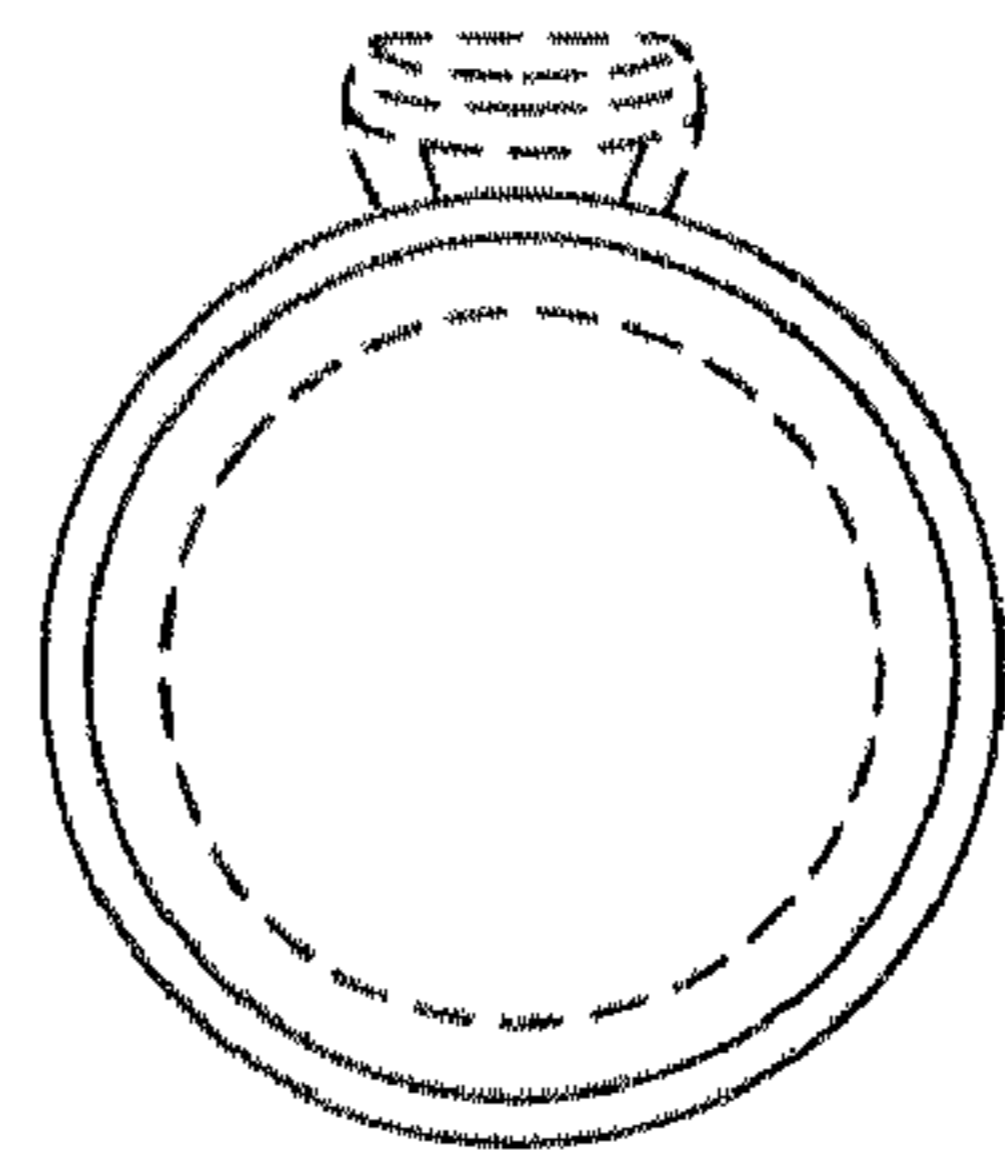


FIG. 7