

US00D660357S

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

(10) **Patent No.:** **US D660,357 S**

(45) **Date of Patent:** **** May 22, 2012**

(54) **WRITING INSTRUMENT**

(75) Inventors: **Carmen Lira-Nunez**, Downers Grove, IL (US); **Matthew J. Gerules**, Chicago, IL (US)

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

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

(21) Appl. No.: **29/356,385**

(22) Filed: **Feb. 24, 2010**

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

(52) **U.S. Cl.** **D19/48**

(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

D146,215	S *	1/1947	Florman	.....	D19/51
D146,335	S *	2/1947	Colomy	.....	D19/48
D234,226	S *	1/1975	Malm	.....	D10/49
D321,719	S *	11/1991	Nitta	.....	D19/48
D324,238	S *	2/1992	Nitta	.....	D19/49
D418,873	S *	1/2000	Shen	.....	D19/51
D425,123	S *	5/2000	Creamer	.....	D19/54
D437,352	S *	2/2001	Matsuzaki et al.	.....	D19/51
D472,578	S *	4/2003	Plantz et al.	.....	D19/51
D476,685	S *	7/2003	Metaxatos et al.	.....	D19/51
D501,031	S *	1/2005	Lecce	.....	D19/51
D501,507	S *	2/2005	Lecce	.....	D19/51
7,059,796	B2 *	6/2006	Lewis et al.	.....	401/107
7,086,797	B1 *	8/2006	Huang	.....	401/195
D532,453	S *	11/2006	Tatic	.....	D19/50
7,252,449	B2 *	8/2007	Carroll	.....	401/108
7,293,927	B2 *	11/2007	Goldberg	.....	401/131

7,341,388	B2 *	3/2008	Carroll	.....	401/107
D569,909	S *	5/2008	Shibata	.....	D19/51
D582,979	S *	12/2008	Leibeck	.....	D19/48
7,488,130	B2 *	2/2009	Dylkiewicz et al.	.....	401/108
D603,451	S	11/2009	Gerules	.....	D19/48
7,775,734	B2 *	8/2010	Dylkiewicz et al.	.....	401/108
7,850,382	B2 *	12/2010	Hayes et al.	.....	401/108

(Continued)

OTHER PUBLICATIONS

Pending U.S. Appl. No. 29/334,320, filed Mar. 24, 2009.

(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 rear view of the writing instrument of FIG. 1;

FIG. 4 is a right side view of the writing instrument of FIG. 1;

FIG. 5 is a left side view of the writing instrument of FIG. 1;

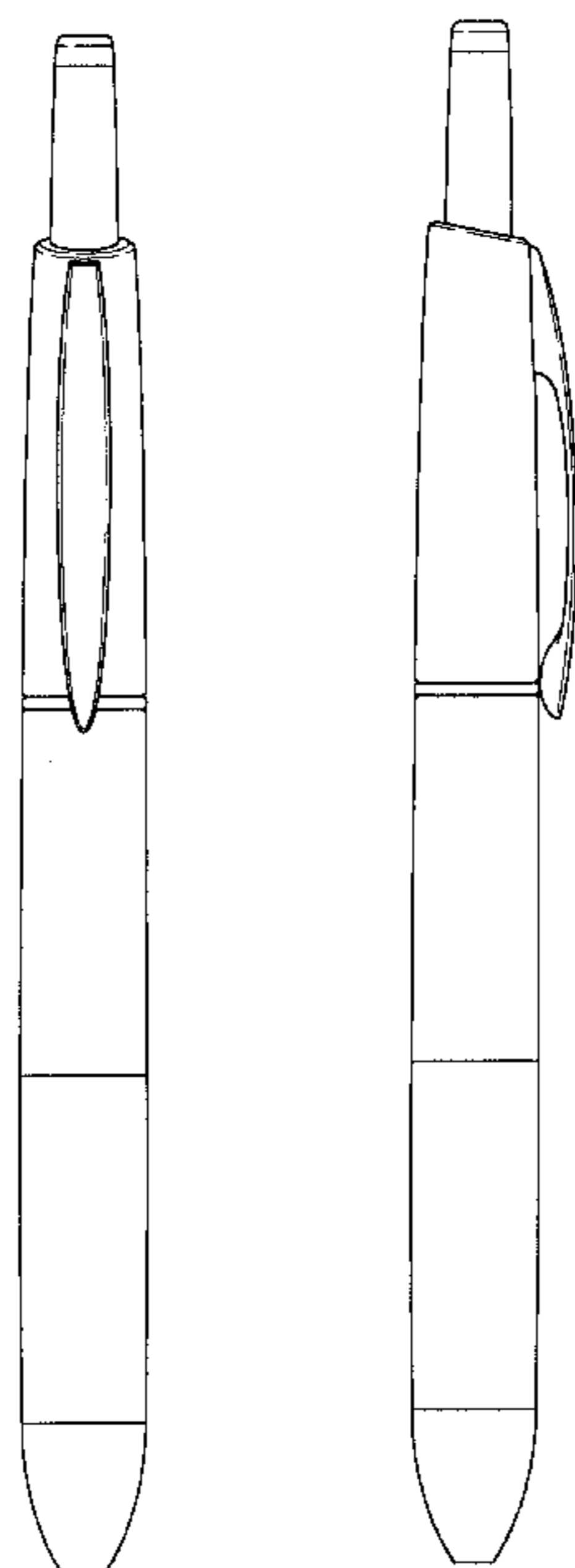
FIG. 6 is a top plan view of the writing instrument of FIG. 1;

and,

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

The broken line showing the small circular opening for the writing tip in FIG. 7 is included for the purpose of illustrating a part of the writing instrument that forms no part of the claimed design.

1 Claim, 3 Drawing Sheets



U.S. PATENT DOCUMENTS

D641,784	S	*	7/2011	Lira-Nunez et al.	.....	D19/48
2005/0047844	A1	*	3/2005	Lammers et al.	.....	401/108
2005/0084320	A1	*	4/2005	Carroll	.....	401/108
2005/0084321	A1	*	4/2005	Carroll	.....	401/108
2007/0223986	A1	*	9/2007	Rolion et al.	.....	401/106
2008/0175648	A1	*	7/2008	Hayes et al.	.....	401/108
2009/0142124	A1	*	6/2009	Dylkiewicz et al.	.....	401/108
2009/0265859	A1	*	10/2009	Bhavnani	.....	7/160

OTHER PUBLICATIONS

Sharpie Extra Fine Point marker. Retrieved from the Internet: <URL:
http://www.sharpie.com/enUS/Product/Sharpie_Extra_Fine_

[Point_Permanent_Marker.html](#)>. Publicly available before Feb. 24, 2010.

Sharpie Fine Point marker. Retrieved from the Internet: <URL: http://www.sharpie.com/enUS/Product/Sharpie_Fine_Point_Permanent_Marker.html>. Publicly available before Feb. 24, 2010.

Sharpie Ultra Fine Point marker. Retrieved from the Internet: <URL: http://www.sharpie.com/enUS/Product/Sharpie_Ultra_Fine_Point_Permanent_Marker.html>. Publicly available before Feb. 24, 2010.

Sharpie Ultra Fine Retractable marker. Retrieved from the Internet: <URL: http://www.sharpie.com/enUS/Produet/Sharpie_Retractable_Ultra_Fine_Permanent_Marker.html>. Publicly available before Feb. 24, 2010.

* cited by examiner

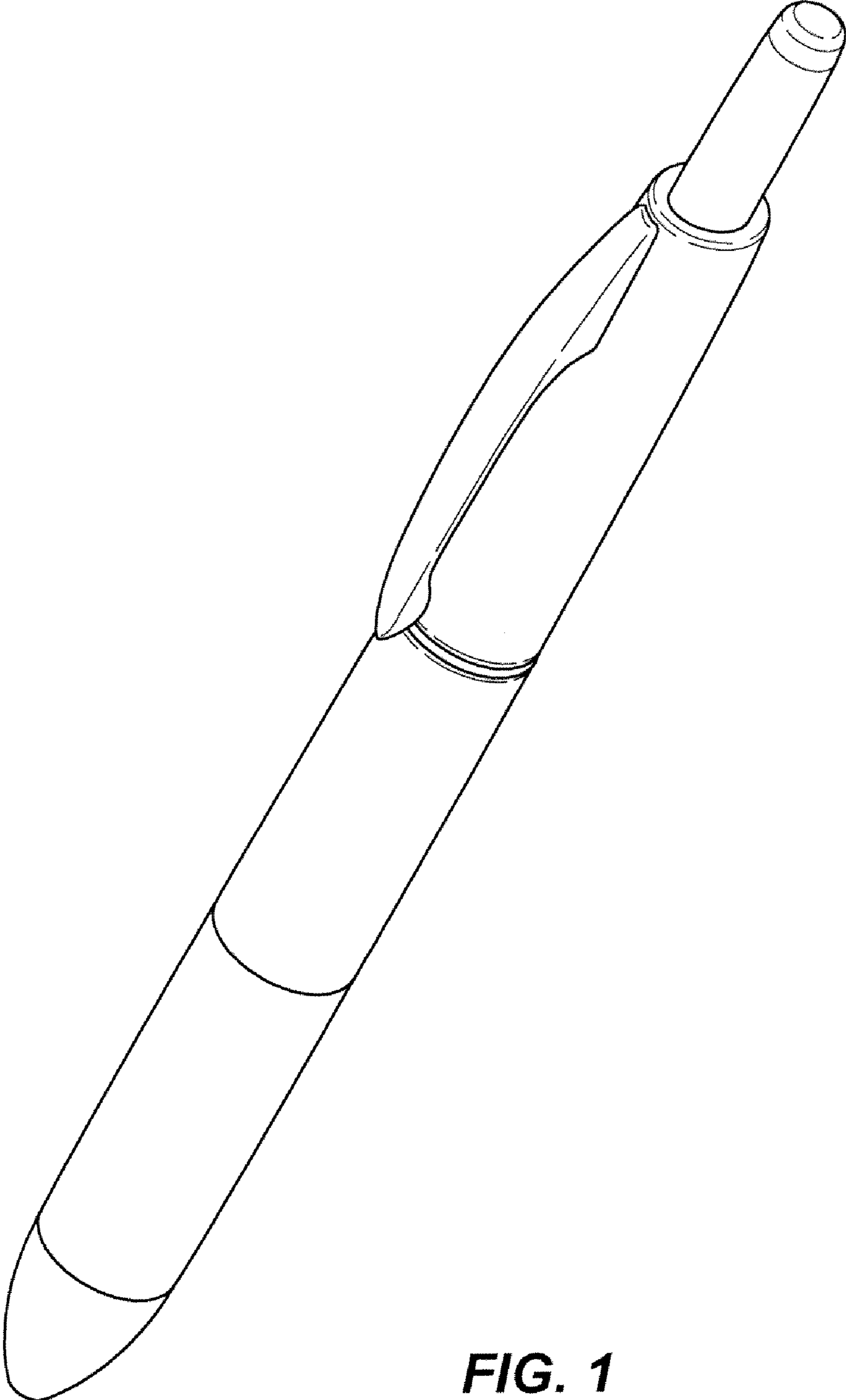


FIG. 1

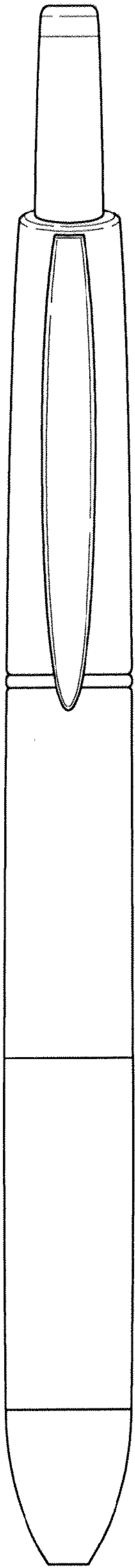


FIG. 2

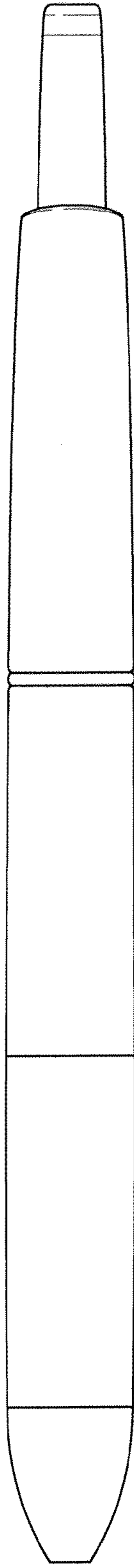


FIG. 3

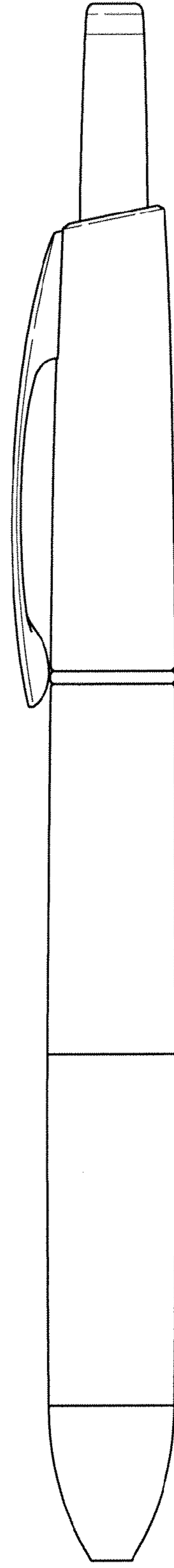


FIG. 4

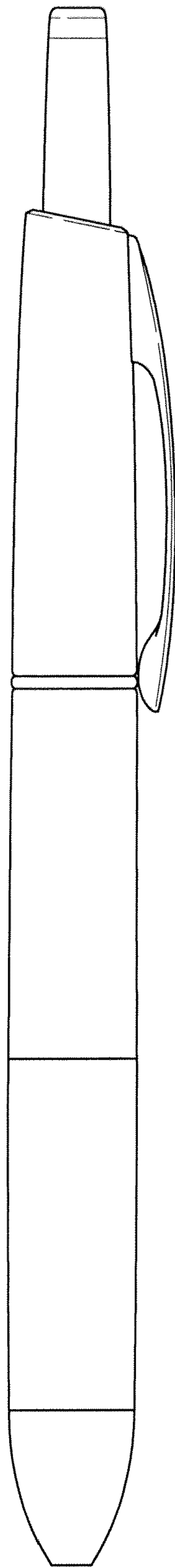


FIG. 5

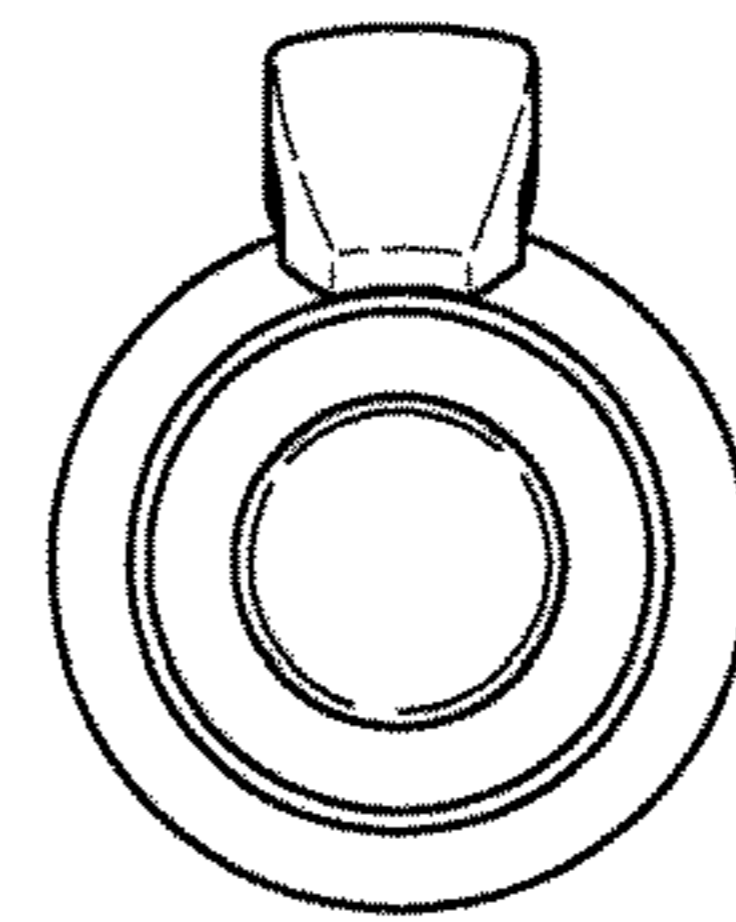


FIG. 6

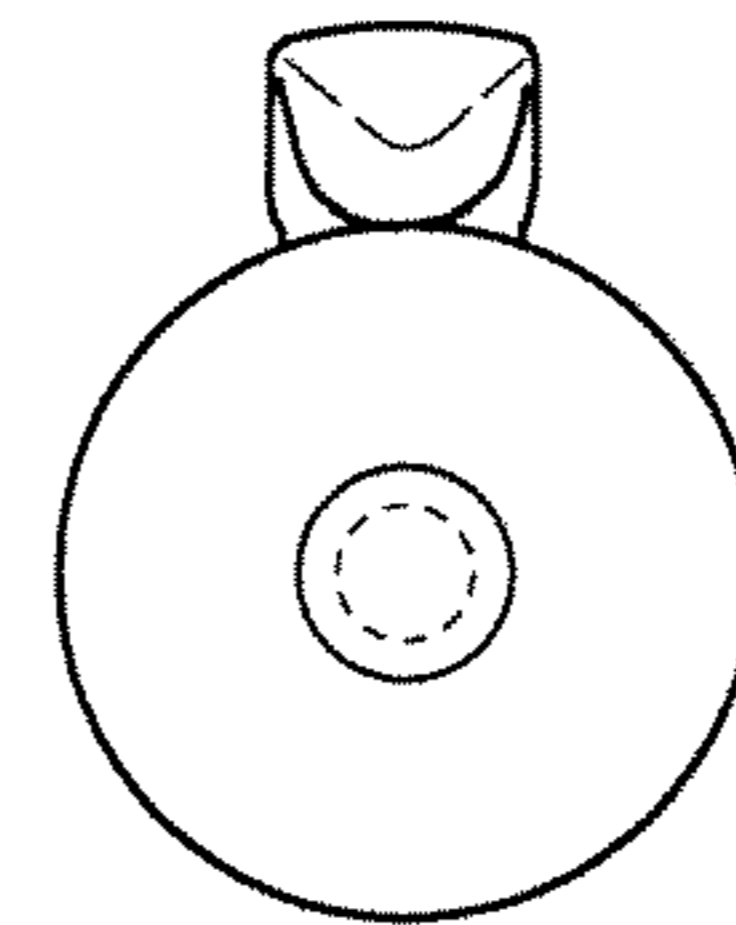


FIG. 7