



US00D682343S

(12) **United States Design Patent**
Waters

(10) **Patent No.:** **US D682,343 S0**

(45) **Date of Patent:** **** May 14, 2013**

(54) **LIGHTED GLASSES**

3,350,552 A 10/1967 Lawrence
D215,751 S 10/1969 Castelliano
3,602,759 A 8/1971 Evans

(76) Inventor: **Michael Waters**, Aspen, CO (US)

(Continued)

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

FOREIGN PATENT DOCUMENTS

(21) Appl. No.: **29/409,506**

CA 2 466 175 A1 5/2003
CA 2 608 746 A1 11/2006

(22) Filed: **Dec. 23, 2011**

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(51) **LOC (9) Cl.** **16-06**

OTHER PUBLICATIONS

(52) **U.S. Cl.**

USPC **D16/309**; D16/325

Office Action issued in related Canadian Application No. 2,466,175 dated Sep. 22, 2010 (3 pages).

(58) **Field of Classification Search**

USPC D16/101, 300–342, 900; D29/109–110;
D24/110.2; 351/41, 44, 51–52, 62, 158, 92,
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2/447–449, 441, 434–437, 13, 15; D21/483,
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(Continued)

See application file for complete search history.

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(74) *Attorney, Agent, or Firm* — Fitch, Even, Tabin & Flannery, LLP

(56) **References Cited**

(57) **CLAIM**

I claim the ornamental design for lighted glasses, as shown and described.

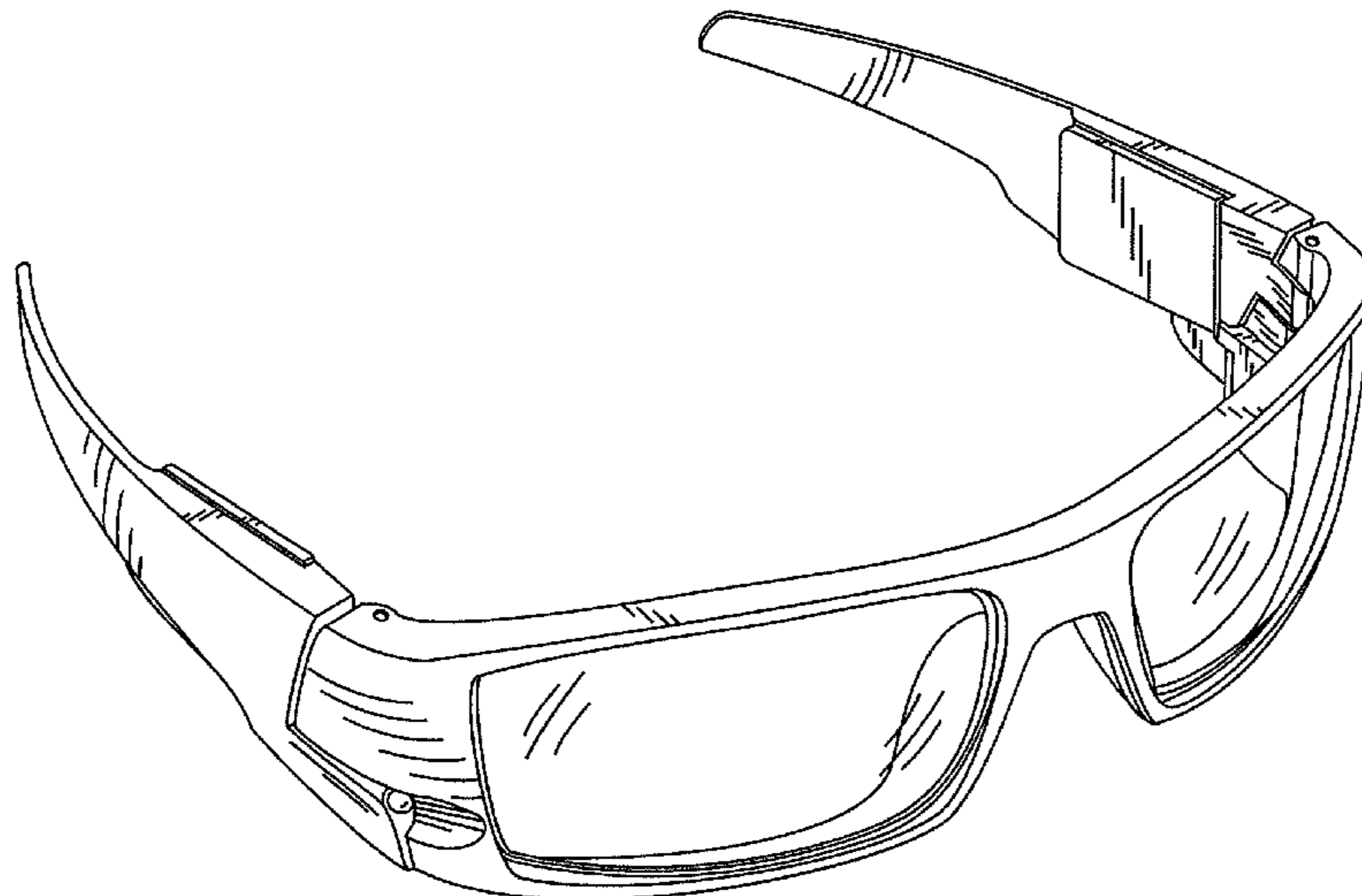
U.S. PATENT DOCUMENTS

DESCRIPTION

1,261,824 A	1/1918	La Vine
1,255,265 A	2/1918	Zachara
1,438,586 A	12/1922	Eaton
1,448,353 A	3/1923	Barany
1,572,210 A	2/1926	Kolibas
1,615,067 A	1/1927	Boerman
1,663,402 A	3/1928	Engel
1,879,512 A	9/1932	Rotea
2,196,543 A	4/1940	Anderson
2,461,254 A	2/1949	Bassett
2,531,585 A	11/1950	Pope
2,567,046 A	9/1951	Anderson
2,591,112 A	4/1952	Zwierzynski
2,638,532 A	5/1953	Brady
2,904,670 A	9/1959	Calmes
2,966,580 A	12/1960	Taylor
3,060,308 A	10/1962	Fortuna
D207,919 S	6/1967	Fai

FIG. 1 is a perspective view of the lighted eyeglasses according to my new design;
FIG. 2 is a front elevational view of the lighted eyeglasses of FIG. 1;
FIG. 3 is a rear elevational view of the lighted eyeglasses of FIG. 1;
FIG. 4 is a top plan view of the lighted eyeglasses of FIG. 1;
FIG. 5 is a bottom plan view of the lighted eyeglasses of FIG. 1;
FIG. 6 is a left side elevational view of the lighted eyeglasses of FIG. 1; and,
FIG. 7 is a right side elevational view of the lighted eyeglasses of FIG. 1.

1 Claim, 5 Drawing Sheets



U.S. PATENT DOCUMENTS							
3,634,676	A	1/1972	Castellano	6,172,657	B1	1/2001	Kamakura et al.
3,647,059	A	3/1972	Humphreys	6,174,075	B1	1/2001	Fuwausa
3,683,168	A	8/1972	Tatje	6,206,543	B1	3/2001	Henry
3,769,663	A	11/1973	Perl	D445,928	S	7/2001	Sharrah et al.
D229,975	S	1/1974	Klugmann	D446,324	S	8/2001	Lynch et al.
3,793,517	A	2/1974	Carlini	6,290,368	B1	9/2001	Lehrer
4,210,952	A	7/1980	Ressmeyer	6,299,323	B1	10/2001	Yu et al.
4,254,451	A	3/1981	Cochran, Jr.	6,302,570	B1	10/2001	Petell et al.
4,283,127	A	8/1981	Rosenwinkel et al.	6,311,837	B1	11/2001	Blaustein et al.
4,332,007	A	5/1982	Gibstein et al.	6,320,822	B1	11/2001	Okeya et al.
4,406,040	A	9/1983	Cannone	6,367,949	B1	4/2002	Pederson
4,462,064	A	7/1984	Schweitzer	D457,670	S	5/2002	Allen
4,516,157	A	5/1985	Campbell	6,386,701	B1	5/2002	Khulusi
4,541,698	A	9/1985	Lerner	6,390,640	B1	5/2002	Wong
4,570,206	A	2/1986	Deutsch	6,439,738	B1	8/2002	Matthews et al.
4,616,297	A	10/1986	Liu	6,457,838	B1	10/2002	Dugmore et al.
4,631,644	A	12/1986	Dannhauer	6,461,025	B1	10/2002	Payne
4,774,643	A	9/1988	McGinnis et al.	6,474,830	B1	11/2002	Hansen
4,822,160	A	4/1989	Tsai	D469,198	S	1/2003	Olson
4,822,161	A	4/1989	Jimmy	6,504,099	B2	1/2003	Huang
4,902,119	A	2/1990	Porsche	6,523,973	B2	2/2003	Galli
4,904,078	A	2/1990	Gorike	6,530,672	B2	3/2003	Galli
4,959,760	A	9/1990	Wu	D473,890	S	4/2003	Waters
4,963,045	A	10/1990	Willcox	6,549,231	B1	4/2003	Matsui
5,070,436	A	12/1991	Alexander et al.	6,554,444	B2	4/2003	Shimada et al.
5,113,325	A	5/1992	Eisenbraun	D477,432	S	7/2003	Parsons
5,122,943	A	6/1992	Pugh	6,604,837	B2	8/2003	Sandberg
5,140,220	A	8/1992	Hasegawa	6,612,695	B2	9/2003	Waters
5,143,443	A	9/1992	Madsen	6,612,696	B2	9/2003	Waters
5,158,356	A	10/1992	Guthrie	D484,905	S	1/2004	Waters
5,164,749	A	11/1992	Shelton	6,713,956	B2	3/2004	Hsing Chen et al.
5,183,326	A	2/1993	Case	6,749,166	B2	6/2004	Valentine et al.
5,189,512	A	2/1993	Cameron et al.	6,764,194	B1	7/2004	Cooper
5,218,385	A	6/1993	Lii	6,802,636	B1	10/2004	Bailey, Jr.
5,230,558	A	7/1993	Jong	6,808,284	B1	10/2004	Chao
5,245,516	A	9/1993	de Haas et al.	6,824,265	B1	11/2004	Harper
D343,470	S	1/1994	Yuen	6,830,357	B2	12/2004	Lopez
5,278,734	A	1/1994	Ferber	D501,266	S	1/2005	Harris et al.
D349,123	S	7/1994	Cooley et al.	6,857,739	B1	2/2005	Watson
5,331,333	A	7/1994	Tagawa et al.	6,860,628	B2	3/2005	Robertson
5,331,357	A	7/1994	Cooley et al.	6,863,416	B2	3/2005	Waters
5,367,345	A	11/1994	da Silva	D507,368	S	7/2005	Waters
5,438,698	A	8/1995	Burton et al.	D507,369	S	7/2005	Waters
5,452,190	A	9/1995	Priesemuth	6,929,878	B2	8/2005	Chen et al.
5,460,346	A	10/1995	Hirsch	6,966,668	B2	11/2005	Cugini et al.
5,485,358	A	1/1996	Chien	6,977,776	B2	12/2005	Volkenandt et al.
5,541,767	A	7/1996	Murphy et al.	6,993,803	B2	2/2006	Chan
5,541,816	A	7/1996	Miserendino	6,997,552	B1	2/2006	Hung
5,546,099	A	8/1996	Quint et al.	7,003,353	B1	2/2006	Parkhouse
D375,372	S	11/1996	Allen	7,004,582	B2	2/2006	Jannard et al.
5,575,554	A	11/1996	Guritz	7,008,074	B1	3/2006	Halm
5,606,743	A	2/1997	Vogt et al.	7,021,790	B2	4/2006	Parsons
5,608,808	A	3/1997	da Silva	7,094,981	B2	8/2006	Sorrentino et al.
5,610,678	A	3/1997	Tsuboi et al.	7,104,670	B2	9/2006	Waters
D383,754	S	9/1997	Yuen	7,105,939	B2	9/2006	Bednyak
D383,863	S	9/1997	Yuen	7,111,956	B2	9/2006	Brown
5,667,291	A	9/1997	Caplan et al.	7,118,241	B2	10/2006	Sohn
5,667,292	A	9/1997	Sabalvaro	7,118,262	B2	10/2006	Negley
D388,113	S	12/1997	Feinbloom	7,147,324	B2	12/2006	Jannard et al.
5,708,449	A	1/1998	Heacock	7,150,526	B2	12/2006	Jannard et al.
5,722,762	A	3/1998	Soll	7,213,917	B2	5/2007	Jannard et al.
5,741,060	A	4/1998	Johnson	7,216,973	B2	5/2007	Jannard et al.
5,786,665	A	7/1998	Ohtsuki et al.	7,226,180	B2	6/2007	Sung
5,806,961	A	9/1998	Dalton et al.	7,234,831	B1	6/2007	Hanley
5,836,673	A	11/1998	Lo	7,255,437	B2	8/2007	Howell et al.
D405,901	S	2/1999	Feinbloom et al.	7,264,350	B2	9/2007	Jannard et al.
5,871,271	A	2/1999	Chien	D553,177	S *	10/2007	Chen D16/326
5,893,631	A	4/1999	Padden	7,278,734	B2	10/2007	Jannard et al.
5,918,966	A	7/1999	Arnold	7,281,826	B2	10/2007	Huang
5,946,071	A	8/1999	Feldman	D564,569	S *	3/2008	Mage D16/325
5,997,165	A	12/1999	Lehrer	D565,085	S *	3/2008	Mage D16/325
6,005,536	A	12/1999	Beadles et al.	D568,922	S	5/2008	Anderl
6,012,822	A	1/2000	Robinson	7,377,664	B2	5/2008	Waters
6,012,827	A	1/2000	Caplan et al.	7,422,324	B2	9/2008	Lee
D420,035	S	2/2000	Hartman	7,438,409	B2	10/2008	Jordan
6,056,413	A	5/2000	Urso	7,562,979	B2	7/2009	Waters
D428,431	S	7/2000	Jordan	D600,738	S *	9/2009	Su et al. D16/300
6,086,214	A	7/2000	Ridge	7,607,775	B2	10/2009	Hermanson et al.
				7,661,818	B2	2/2010	Waters

US D682,343 S0

Page 3

D611,086	S	3/2010	Meng-Suen
7,699,486	B1	4/2010	Beiner
D617,826	S *	6/2010	Waters D16/309
D628,617	S *	12/2010	Waters D16/309
D638,050	S *	5/2011	Mage D16/327
7,938,553	B1	5/2011	Beiner
7,942,522	B2	5/2011	Sonsino
7,946,705	B1	5/2011	Hsu
8,152,330	B2	4/2012	Waters
8,235,524	B2 *	8/2012	Waters 351/158
2002/0131275	A1	9/2002	Yamamoto et al.
2002/0163800	A1	11/2002	Hansen
2002/0186557	A1	12/2002	Lary et al.
2002/0187806	A1	12/2002	Jang
2003/0079387	A1	5/2003	Derose
2003/0086053	A1	5/2003	Waters
2003/0086054	A1	5/2003	Waters
2003/0169207	A1	9/2003	Beigel
2003/0189824	A1	10/2003	Meeder et al.
2003/0206269	A1	11/2003	Waters
2004/0222638	A1	11/2004	Bednyak
2004/0240067	A1	12/2004	Marusi et al.
2004/0240204	A1	12/2004	Russ et al.
2004/0264176	A1	12/2004	Vanderschuit
2005/0001433	A1	1/2005	Seelin
2005/0072458	A1	4/2005	Goldstein
2005/0099799	A1	5/2005	Cugini et al.
2005/0204490	A1	9/2005	Kemp et al.
2005/0211187	A1	9/2005	Harman et al.
2005/0248932	A1	11/2005	Waters
2005/0254238	A1	11/2005	Parker et al.
2005/0265015	A1	12/2005	Salazar
2006/0012974	A1	1/2006	Su
2006/0012975	A1	1/2006	Huttner et al.
2006/0091784	A1	5/2006	Conner et al.
2006/0092621	A1	5/2006	Lai
2006/0138440	A1	6/2006	Jyo
2006/0158895	A1	7/2006	Brands et al.
2006/0197905	A1	9/2006	Lu
2006/0198122	A1	9/2006	Senter et al.
2006/0238995	A1	10/2006	Wang
2006/0239018	A1	10/2006	Jardin
2006/0291193	A1	12/2006	Hill
2007/0013865	A1	1/2007	Joradn
2007/0030442	A1	2/2007	Howell et al.
2007/0053179	A1	3/2007	Pang et al.
2007/0058361	A1	3/2007	Sevilla
2007/0074752	A1	4/2007	Shau et al.
2007/0127250	A1	6/2007	Waters
2007/0145746	A1	6/2007	Biamonte
2007/0153500	A1	7/2007	Waters
2007/0153537	A1	7/2007	Scott et al.
2007/0159810	A1	7/2007	Kim
2007/0159823	A1	7/2007	Ho et al.
2007/0189003	A1	8/2007	Daley
2007/0206373	A1	9/2007	Whiteside et al.
2007/0236649	A1	10/2007	Lin
2007/0236915	A1	10/2007	Chen
2007/0236916	A1	10/2007	Hsu
2008/0069391	A1	3/2008	Steyn et al.
2008/0130272	A1	6/2008	Waters
2009/0190026	A1	7/2009	Chen
2009/0213323	A1	8/2009	Hermanson et al.
2010/0134761	A1	6/2010	Johns et al.
2010/0182563	A1	7/2010	Waters
2011/0013135	A1	1/2011	Waters
2011/0075095	A1	3/2011	Waters
2011/0187989	A1	8/2011	Waters
2011/0211156	A1	9/2011	Beiner
2011/0228211	A1	9/2011	Waters

FOREIGN PATENT DOCUMENTS

CA	2 610 073	A1	5/2008
CN	1603677	A	4/2005
CN	2826472	Y	10/2006
CN	201548769	U	8/2010
CN	101950091	A	1/2011
CN	201707513	U	1/2011
CN	301445845	S	1/2011

CN	201796205	U	4/2011
DE	30 43 007	A1	6/1982
DE	94 10 886	U1	9/1994
EP	1451633		9/2004
EP	2 290 433	A1	3/2011
EP	2 299 311	A1	3/2011
EP	2 350 734		8/2011
GB	2272073	A	5/1994
JP	2004-207580	A	7/2004
WO	01/013033	A1	2/2001
WO	01/077575	A1	10/2001
WO	2003/040808	A2	5/2003
WO	2006/124928	A1	11/2006
WO	2007/058706	A2	5/2007
WO	2011/041591	A1	4/2011
WO	2011/100471	A1	8/2011
ZA	2004/3826	A	9/2005

OTHER PUBLICATIONS

Supplementary European search report issued in the related European Application No. 02 77 8755 dated Jan. 19, 2005 (2 pages).
Office Action issued in related European Application No. 02 778 755.5 dated Feb. 20, 2007 (7 pages).
Extended European search report issued in the related European Application No. 10 18 1592.6 dated Jan. 31, 2011 (7 pages).
Extended European search report issued in the related European Application No. 10 18 1593.4 dated Feb. 1, 2011 (8 pages).
International Search Report from the International Bureau of WIPO issued in the related International Application No. PCT/US02/35665, dated Jun. 27, 2003, 1 page.
Written Opinion of the International Searching Authority and International Search Report from the International Bureau of WIPO for International Application No. PCT/US2006/018968, dated Oct. 16, 2006, 7 pages.
Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration from the International Bureau of WIPO for International Application No. PCT/US10/50978, dated Dec. 3, 2010, 16 pages.
Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration from the International Bureau of WIPO for International Application No. PCT/US2011/024400, dated Apr. 29, 2011, 13 pages.
Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration from the International Bureau of WIPO for International Application No. PCT/US2011/051596, dated Jan. 18, 2012, 9 pages.
Docket report of *Waters Industries, Inc. v. Mr. Christmas Incorporated, et al.*, United States District Court for the Northern District of Illinois, Case No. 1:09-cv-07577, filed Dec. 7, 2009, 5 pages.
"Complaint", *Waters Industries, Inc. v. Mr. Christmas Incorporated, et al.*, United States District Court for the Northern District of Illinois, Case No. 1:09-cv-07577, 38 pages.
Docket report of *Waters Industries, Inc. v. The Gerson Company*, United States District Court for the Northern District of Illinois, Case No. 1:10-cv-01865, filed Mar. 24, 2010, 3 pages.
"Complaint", *Waters Industries, Inc. v. The Gerson Company*, United States District Court for the Northern District of Illinois, Case No. 1:10-cv-01865, 71 pages.
Docket report of *Waters Industries, Inc. v. Sweet Baby, Inc. dba AJ Morgan et al.*, United States District Court for the Northern District of Illinois, Case No. 1:09-cv-07595, filed Dec. 7, 2009, 7 pages.
"Complaint", *Waters Industries, Inc. v. Sweet Baby, Inc. dba AJ Morgan et al.*, United States District Court for the Northern District of Illinois, Case No. 1:09-cv-07595, 78 pages.
"Answer to Complaint, Counterclaims", filed by Sweet Baby, Inc. dba AJ Morgan, *Waters Industries, Inc. v. Sweet Baby, Inc. dba AJ Morgan et al.*, United States District Court for the Northern District of Illinois, Case No. 1:09-cv-07595, 15 pages.
"Answer to Complaint, Counterclaims", filed by Lilian Vernon Corporation, *Waters Industries, Inc. v. Sweet Baby, Inc. dba AJ Morgan et al.*, United States District Court for the Northern District of Illinois, Case No. 1:09-cv-07595, 15 pages.

Docket report of *Waters Industries, Inc. v. Kikkerland Design, Inc.*, United States District Court for the Northern District of Illinois, Case No. 1:10-cv-04076, filed Jun. 30, 2010, 4 pages.

“Complaint”, *Waters Industries, Inc. v. Kikkerland Design, Inc.*, United States District Court for the Northern District of Illinois, Case No. 1:10-cv-04076, 21 pages.

“Kikkerland Design, Inc.’s Answer to Complaint, Affirmative Defenses and Counterclaim”, *Waters Industries, Inc. v. Kikkerland Design, Inc.*, United States District Court for the Northern District of Illinois, Case No. 1:10-cv-04076, 12 pages.

“Complaint” with Exhibit A through D, *Waters Industries, Inc. v. JJI International, Inc., et al.*, United States District Court for the Northern District of Illinois, Case No. 1:11-cv-03791, 73 pages (Document No. 1, Jun. 3, 2011).

“Defendants’ Answer and Counterclaim” and “Responses to Specific Allegations”, *Waters Industries, Inc. v. JJI International, Inc. And Stein Mart, Inc.*, United States District Court for the Northern District of Illinois, Case No. 1:11-cv-03791, 16 pages (Document No. 15, Jun. 28, 2011).

“Plaintiffs Initial Infringement Contentions Under Local Patent Rule 2.2” with Appendix A through F, *Waters Industries, Inc. v. JJI International, Inc. And Stein Mart, Inc.*, United States District Court for the Northern District of Illinois, Case No. 1:11-cv-03791, 44 pages (Jul. 26, 2011).

“Defendants’ Initial Non-Infringement and Invalidity Contentions” with Appendix A through G, *Waters Industries, Inc. v. JJI International, Inc. And Stein Mart, Inc.*, United States District Court for the Northern District of Illinois, Case No. 1:11-cv-03791, 78 pages (Aug. 9, 2011).

“Plaintiffs Initial Response to Invalidity Contentions Under Local Patent Rule 2.5” with Appendix A and B, *Waters Industries, Inc. v. JJI International, Inc. And Stein Mart, Inc.*, United States District Court for the Northern District of Illinois, Case No. 1:11-cv-03791, 29 pages (Aug. 23, 2011).

“Defendants’ Final Invalidity Contentions” with Appendix A through D, *Waters Industries, Inc. v. JJI International, Inc. And Stein Mart,*

Inc., United States District Court for the Northern District of Illinois, Case No. 1:11-cv-03791, 33 pages (Feb. 21, 2012).

“Plaintiffs Final Infringement Contentions Under Local Patent Rule 3.1” with Appendix A through F, *Waters Industries, Inc. v. JJI International, Inc. And Stein Mart, Inc.*, United States District Court for the Northern District of Illinois, Case No. 1:11-cv-03791, 58 pages (Feb. 21, 2012).

“Plaintiffs Response to Defendants’ Final Invalidity Contentions Under Local Patent Rule 3.2” with Appendix A through D-4, *Waters Industries, Inc. v. JJI International, Inc. And Stein Mart, Inc.*, United States District Court for the Northern District of Illinois, Case No. 1:11-cv-03791, 73 pages (Mar. 19, 2012).

“Complaint”, *Waters Industries, Inc. v. JJI International, Inc.*, United States District Court of the Northern District of Illinois, Case No. 1:12-cv-06195, 4 pages (Aug. 7, 2012).

“Defendant’s Answer, Affirmative Defenses and Counterclaim”, *Waters Industries, Inc. v. JJI International, Inc.*, United States District Court of the Northern District of Illinois, Case No. 1:12-cv-06195, 9 pages (Sep. 4, 2012).

“Plaintiff’s Answer to Defendant’s Counterclaims”, *Waters Industries, Inc. v. JJI International, Inc.*, United States District Court of the Northern District of Illinois, Case No. 1:12-cv-06195, 4 pages (Sep. 28, 2012).

“Plaintiffs Initial Infringement Contentions Under Local Patent Rule 2.2” with Appendix A through B, *Waters Industries, Inc. v. JJI International, Inc.*, United States District Court of the Northern District of Illinois, Case No. 1:12-cv-06195, 30 pages (Oct. 2, 2012).

“Defendant’s Initial Non-Infringement and Invalidity Contentions” with Appendix A through B and Figure D1, *Waters Industries, Inc. v. JJI International, Inc.*, United States District Court of the Northern District of Illinois, Case No. 1:12-cv-06195, 31 pages (Oct. 16, 2012).

* cited by examiner

FIG. 1

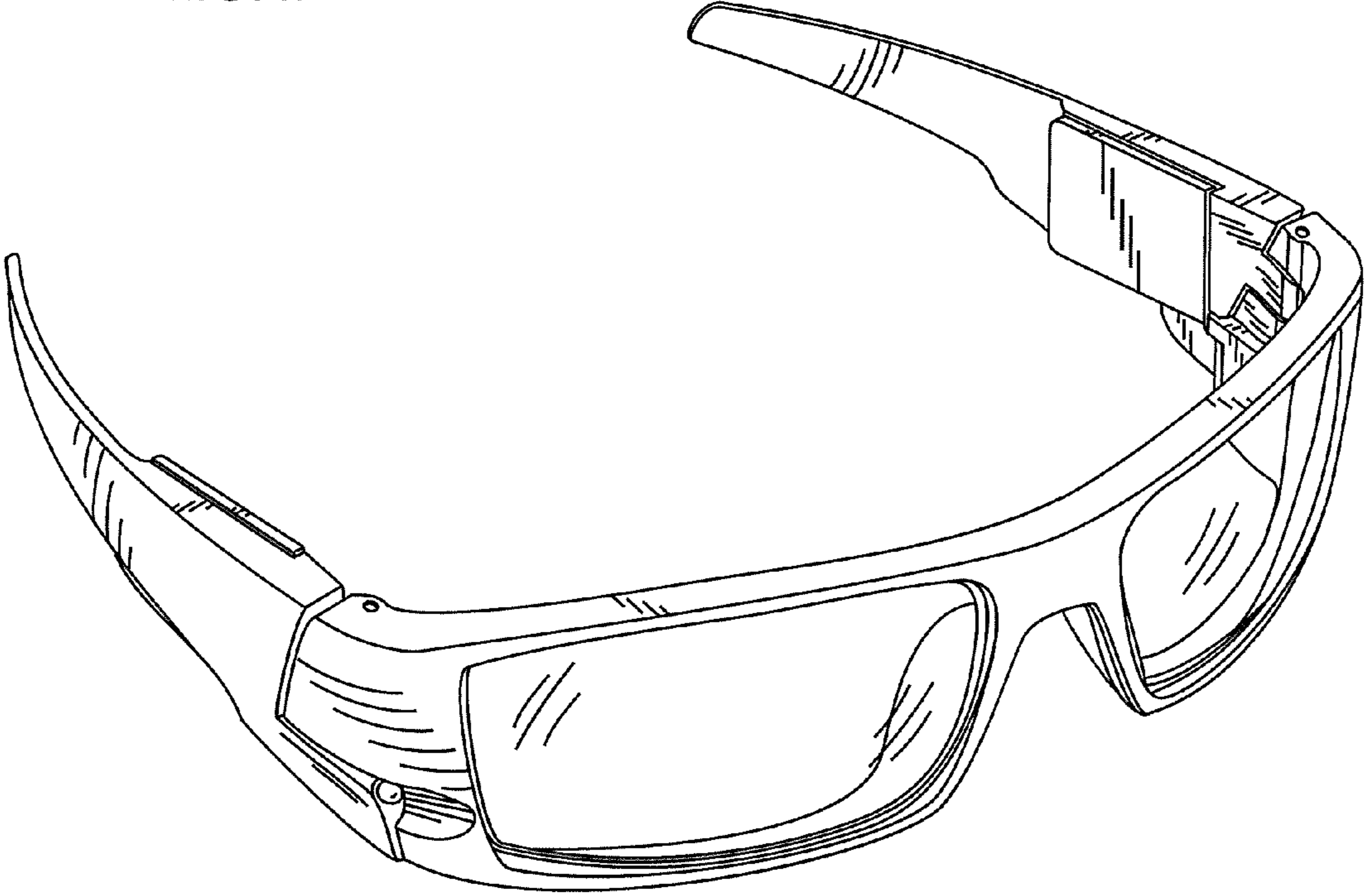


FIG. 2

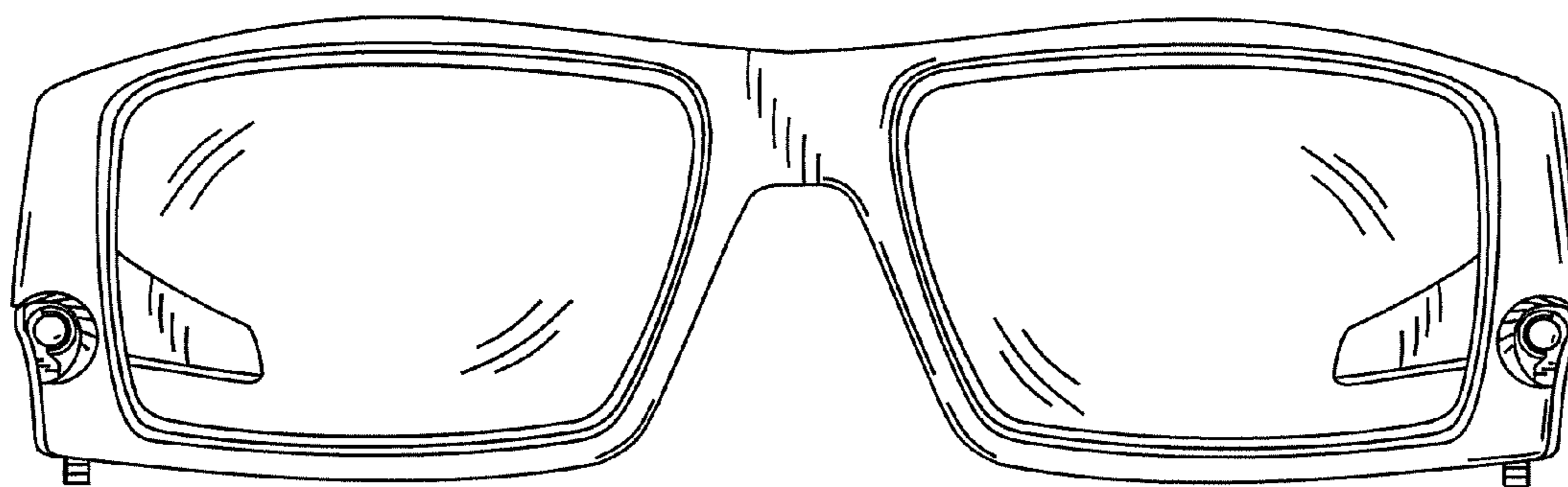


FIG. 3

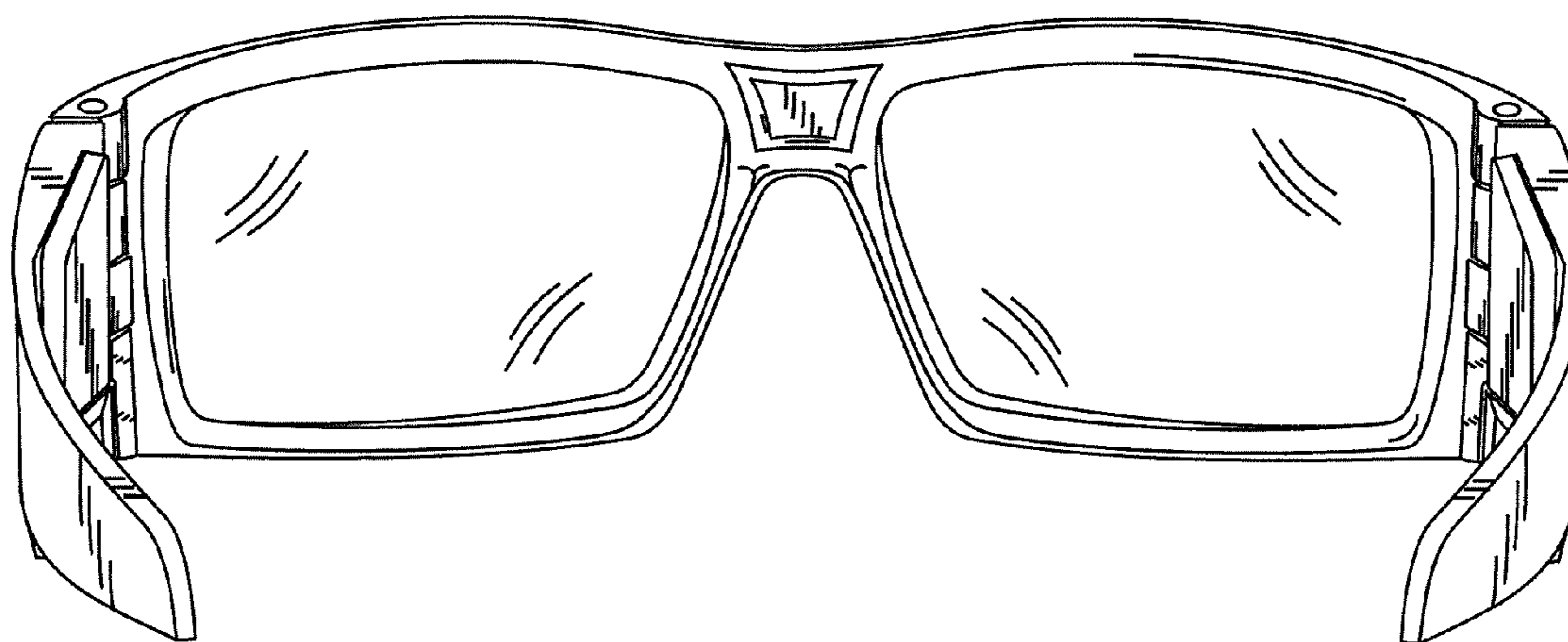


FIG. 4

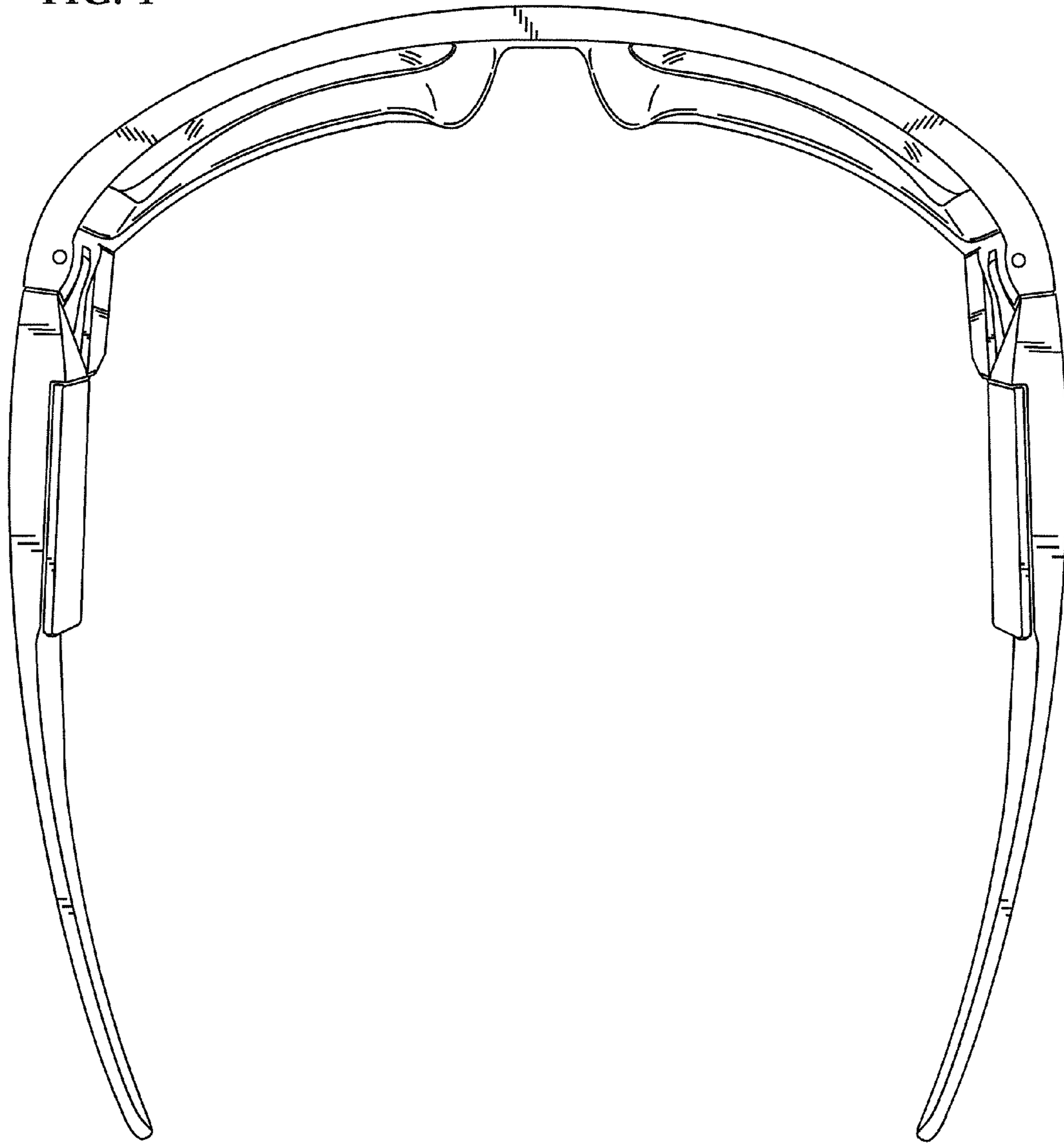


FIG. 5

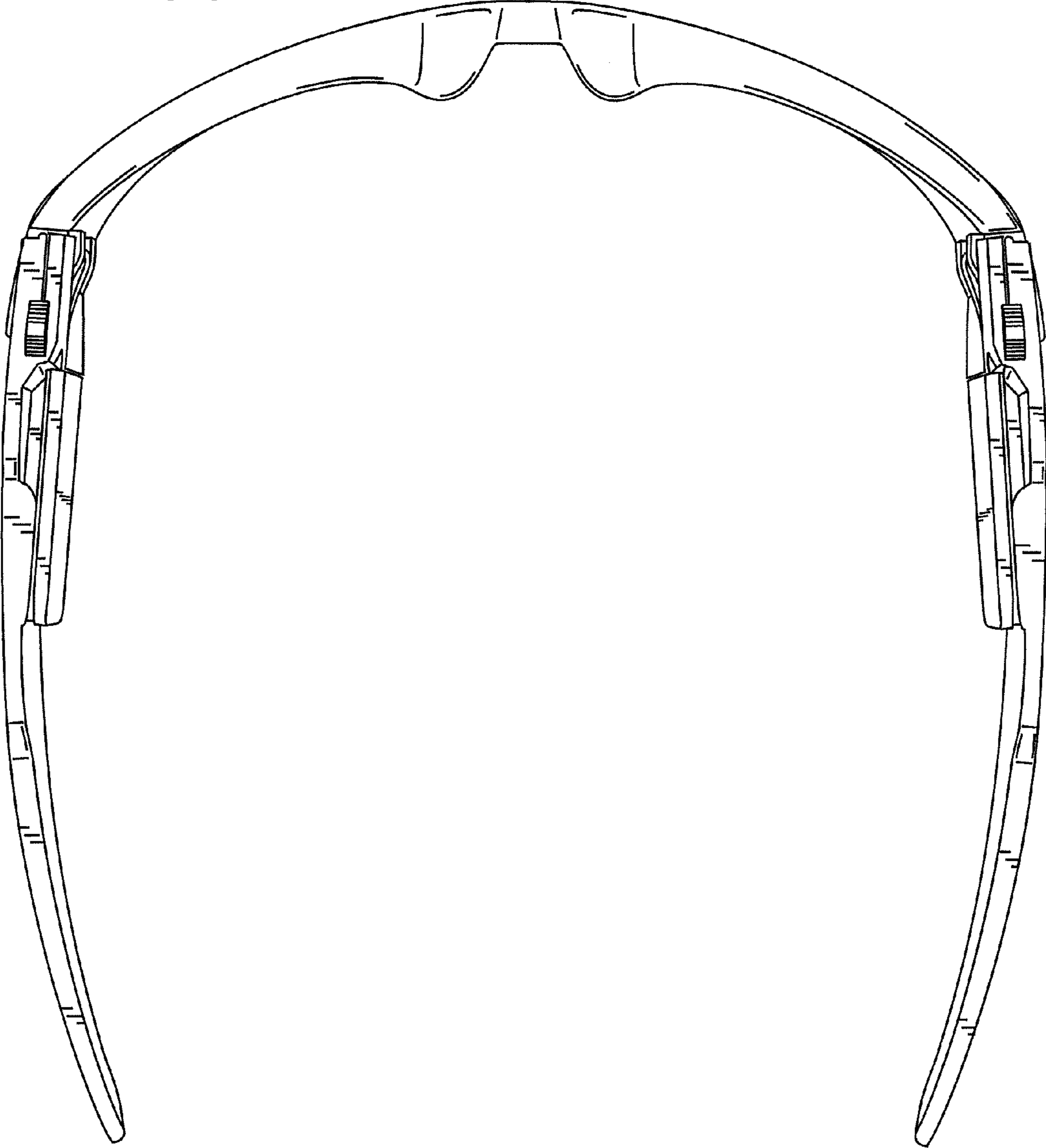


FIG. 6

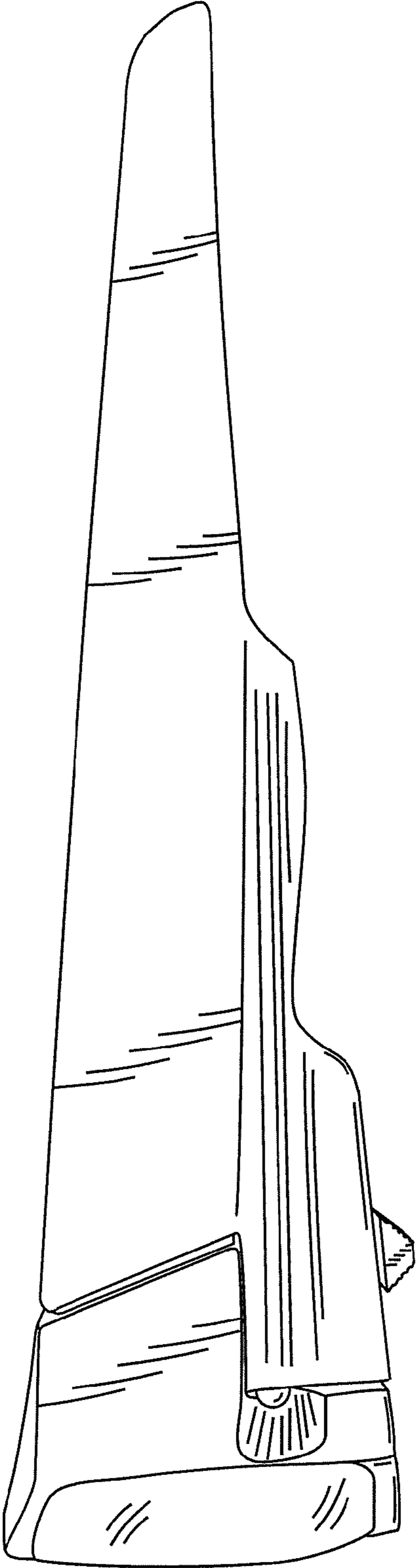


FIG. 7

