



US00D698395S

(12) **United States Design Patent**  
**Norman et al.**

(10) **Patent No.:** **US D698,395 S**  
(45) **Date of Patent:** **\*\* Jan. 28, 2014**

(54) **TOY FIGURE**

(71) Applicant: **Innovation First, Inc.**, Greenville, TX (US)

(72) Inventors: **David Anthony Norman**, Greenville, TX (US); **Robert H. Mimplitch, III**, Rowlett, TX (US); **Jeffrey Russell Waegelin**, Rockwall, TX (US); **Douglas Michael Galletti**, Allen, TX (US)

(73) Assignee: **Innovation First, Inc.**, Greenville, TX (US)

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

(21) Appl. No.: **29/432,774**

(22) Filed: **Sep. 20, 2012**

(51) **LOC (10) Cl.** ..... **21-01**

(52) **U.S. Cl.**  
USPC ..... **D21/650; D21/585**

(58) **Field of Classification Search**  
USPC ..... D11/157-158; D21/576, 578-579, D21/584-585, 650; 446/3, 72, 97, 268, 356, 446/368-369, 377, 484  
See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

1,793,121 A 7/1928 Muller  
1,763,788 A 6/1930 Jobe, Sr.

(Continued)

**FOREIGN PATENT DOCUMENTS**

CN 1054896 8/1991  
CN 2820261 9/2006

(Continued)

**OTHER PUBLICATIONS**

Office Action dated Jul. 16, 2012 in Australian Application No. 2012201317, 3 pages.

(Continued)

*Primary Examiner* — Sandra Morris

(74) *Attorney, Agent, or Firm* — Adam K. Sacharoff

(57) **CLAIM**

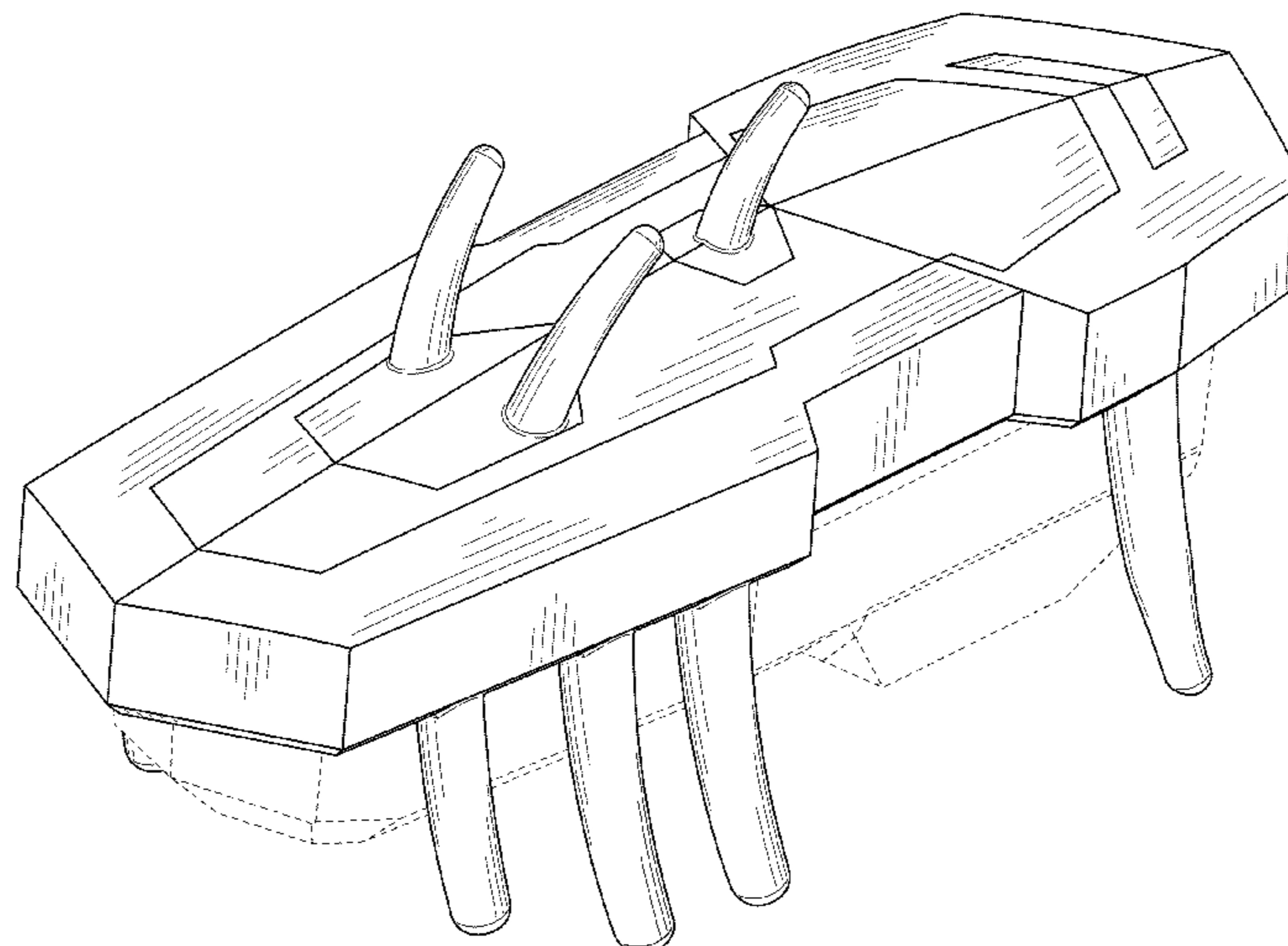
The ornamental design for a toy figure, as shown and described.

**DESCRIPTION**

FIG. 1 is a front-top perspective view showing a first embodiment of a toy figure;  
FIG. 2 is a right side view of FIG. 1;  
FIG. 3 is a left side view of FIG. 1;  
FIG. 4 is a front side view of FIG. 1;  
FIG. 5 is a rear side view of FIG. 1;  
FIG. 6 is a top side view of FIG. 1;  
FIG. 7 is a bottom side view of FIG. 1;  
FIG. 8 is a front-top perspective view showing a second embodiment of a toy figure;  
FIG. 9 is a right side view of FIG. 8;  
FIG. 10 is a left side view of FIG. 8;  
FIG. 11 is a front side view of FIG. 8;  
FIG. 12 is a rear side view of FIG. 8;  
FIG. 13 is a top side view of FIG. 8;  
FIG. 14 is a bottom side view of FIG. 8;  
FIG. 15 is a front-top perspective view showing a third embodiment of a toy figure;  
FIG. 16 is a right side view of FIG. 15;  
FIG. 17 is a left side view of FIG. 15;  
FIG. 18 is a front side view of FIG. 15;  
FIG. 19 is a rear side view of FIG. 15;  
FIG. 20 is a top side view of FIG. 15; and,  
FIG. 21 is a bottom side view of FIG. 15.

The broken lines represent are for environmental purposes only and form no part of the claimed embodiments and design.

**1 Claim, 18 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

2,167,985 A 8/1939 Levay  
 2,618,888 A 11/1952 Hoff  
 2,827,735 A 3/1958 Grimm  
 2,862,333 A 12/1958 Franco  
 2,919,921 A 1/1960 Berger  
 3,196,580 A 7/1965 Rakestraw  
 3,331,463 A 7/1967 Kramer  
 3,343,793 A 9/1967 Waser  
 3,530,617 A 7/1968 Halvorson et al.  
 3,712,541 A 1/1973 Merino et al.  
 3,841,636 A 10/1974 Meyer  
 3,842,532 A 10/1974 Nielsen  
 3,959,920 A 6/1976 Ieda  
 4,163,558 A 8/1979 Breslow et al.  
 4,183,173 A 1/1980 Ogawa  
 4,219,957 A 9/1980 Kakuta  
 4,291,490 A 9/1981 Ikeda  
 4,496,100 A 1/1985 Schwager et al.  
 4,544,094 A 10/1985 Scholey  
 4,550,910 A 11/1985 Goldfarb et al.  
 4,591,346 A 5/1986 Ikeda  
 4,605,230 A 8/1986 Halford et al.  
 D289,070 S \* 3/1987 Forbes et al. .... D21/650  
 D289,747 S \* 5/1987 Sethares et al. .... D11/158  
 4,674,949 A 6/1987 Kroczyński  
 D291,711 S \* 9/1987 Dixon ..... D21/650  
 4,708,690 A 11/1987 Kulesza et al.  
 4,824,415 A 4/1989 Herbstler et al.  
 4,941,857 A 7/1990 Fujimaki  
 5,088,949 A 2/1992 Atkinson et al.  
 5,221,226 A 6/1993 Park  
 5,679,047 A 10/1997 Engel  
 5,947,788 A 9/1999 Derrah  
 5,993,286 A 11/1999 Tacquard et al.  
 D421,932 S \* 3/2000 Hawkins et al. .... D11/158  
 D427,256 S \* 6/2000 Teigiser ..... D21/650  
 1,558,905 A 12/2000 Truax  
 6,199,439 B1 3/2001 Lin  
 6,238,264 B1 5/2001 Kazami et al.  
 D456,467 S \* 4/2002 Corbett ..... D21/650  
 D458,320 S 6/2002 Domingues  
 6,435,929 B1 8/2002 Halford  
 6,450,104 B1 9/2002 Grant et al.  
 6,599,048 B2 7/2003 Kuo  
 6,652,352 B1 11/2003 MacArthur et al.  
 6,681,150 B1 \* 1/2004 Haga et al. .... 446/368  
 6,826,449 B1 11/2004 Abu-Taha  
 6,866,557 B2 3/2005 Randall  
 6,899,589 B1 5/2005 Lund et al.  
 6,964,309 B2 \* 11/2005 Quinn et al. .... 180/8.1  
 6,964,572 B2 11/2005 Cesa  
 7,040,951 B2 5/2006 Hornsby et al.  
 D555,213 S \* 11/2007 Bowen et al. .... D21/650  
 7,339,340 B2 3/2008 Summer et al.  
 7,803,031 B1 9/2010 Winckler et al.  
 7,927,170 B2 4/2011 Bickerton et al.  
 D645,914 S \* 9/2011 Norman et al. .... D21/650  
 D667,512 S \* 9/2012 Mimlitch et al. .... D21/650  
 2001/0024925 A1 9/2001 Domingues  
 2001/0054518 A1 12/2001 Buehler et al.  
 2004/0198159 A1 10/2004 Xu et al.  
 2005/0112992 A1 5/2005 Malcolm  
 2006/0076735 A1 4/2006 Proch et al.  
 2007/0087654 A1 4/2007 Chernick et al.  
 2008/0061644 A1 3/2008 Treat  
 2009/0311941 A1 12/2009 Bickerton et al.

FOREIGN PATENT DOCUMENTS

DE 916935 8/1954  
 DE 1120958 12/1961  
 EP 0008676 3/1980  
 FR 1564711 4/1969  
 FR 2348723 11/1977

FR 2358174 2/1978  
 GB 488042 6/1938  
 GB 1291592 10/1972  
 GB 1381326 1/1975  
 GB 1180384 2/1980  
 GB 1595007 8/1981  
 GB 2427529 12/2006  
 JP 146570 6/1989  
 JP 04030883 2/1992  
 JP 6343767 12/1994  
 KR 20070101487 10/2007  
 WO 03/016301 12/2003  
 WO 2006-136792 12/2006  
 WO 2011/038280 3/2011  
 WO 2011/038281 3/2011

OTHER PUBLICATIONS

EPO Office Communicated dated Jul. 23, 2012 in EP Application No. 12163857.1, 5 pages.  
 EPO Office Communicated dated Jul. 23, 2012 in EP Application No. 12166840.4, 3 pages.  
 Notification of Transmittal of the ISR and the Written Opinion of the ISA, or Declaration (1 page); ISR (4 pages.); and Written Opinion of the ISA (5 pages.), mailed Jun. 7, 2012 for application PCT/US2012/027914.  
 Search Report dated Jul. 4, 2012 in EP Application No. 12163857.1, 3 pages.  
 Office Action dated Aug. 3, 2012 in Chinese Application No. 201080001431.X, 18 pages.  
 Greenberg Taurig Letter dated Aug. 10, 2012 (2 pages).  
*Innovation First, Inc., and Innovation First Labs, Inc. v. Toy Investment, Inc. d/b/a/ Toysmith, and McManemim Companies*, Civil Action No. 3:12-Cv-02091-M, Answer to Complaint, Filed Aug. 20, 2012 (7 pages).  
*Innovation First, Inc., and Innovation First Labs, Inc. v. Toy Investment, Inc. d/b/a/ Toysmith, and McManemim Companies*, Civil Action No. 3:12-CV-02091-M, Plaintiffs' Complaint for Patent Infringement, Filed Jun. 29, 2012 (45 pages).  
 Davis Wright Tremaine LLP Letter dated Aug. 1, 2012 (3 pages).  
<http://www.klutz.com/Invasion-of-the-Bristlebots>, [online] Invasion of the Bristlebots, 8 pages, retrieved Oct. 20, 2010.  
<http://www.streettech.com/modules>, [online] Hot-To: Build Beam Vibrobots, Street Tech, Hardware beyond the hype, 7 pp., retrieved Oct. 20, 2010.  
<http://www.evilmadscientist.com/article.php/bristlebot>, [online] Bristlebot: A tiny directional vibrobot—Evil Mad Scientist Laboratories, 21 pages, retrieved Oct. 20, 2010.  
<http://themombuzz.com/2009/12/11/stocking-stuffer-nascar-zipbot-race-set>, [online] Stocking Stuffer: Nascar Zipbot Race Set: The Mom Buzz, 10 pages, retrieved Oct. 20, 2010.  
[http://blog.makezine.com/archive/2008/04/rc\\_bristlebot.html](http://blog.makezine.com/archive/2008/04/rc_bristlebot.html), [online] RC Bristlebot, Aug. 30, 2010.  
 Publisher Klutz Lives Up to Its Name: “Bristlebots,” Scholastic, and Evil Mad Scientist Lab <http://boingboing.net/2009/02/20/publisher-klutz-live.html>, Xeni Jardin at 9:06 am, Feb. 20, 2009.  
 Vibrobot, “Make a Twitchy, Bug-Like Robot with a Toy Motor and a Mint Tin” [http://makezine.com/10/123\\_vibrobot/](http://makezine.com/10/123_vibrobot/), 2007.  
 Vibrobot, Hot To—Make a Bristlebot a Tiny Directional Vibrobot Made From a Toothbrush! [http://blog.makezine.com/archive/2007/12/how\\_to\\_make\\_a\\_bristlebot.html](http://blog.makezine.com/archive/2007/12/how_to_make_a_bristlebot.html), 2007.  
 BotJunkie, DIY Vibrobots, <http://www.botjunkie.com/2007/12/20/diy-vibrobots/>, 2007.  
 Notification of Transmittal of the ISR and the Written Opinion of the ISA, or Declaration (1 page); ISR (2 pages); and Written Opinion of the ISA (29 pages), mailed Nov. 22, 2010 for application 050238.  
 Office Action dated Oct. 28, 2010 in Australian Application No. 2010224405.  
<http://www.evilmadscientist.com/article.php/bristlebot>, Oskay, Dec. 19, 2007.  
<http://www.youtube.com/watch?v=h6jowo3OxAQ>, Innovation First, Sep. 18, 2009.

(56)

**References Cited**

OTHER PUBLICATIONS

Notification of Transmittal of the ISR and the Written Opinion of the ISA, or Declaration (1 page); ISR (4 pages.); and Written Opinion of the ISA (6 pages), mailed Feb. 14, 2011 for application PCT/US20101050261.

Notification of Transmittal of the ISR and the Written Opinion of the ISA, or Declaration (1 page); ISR (4 pages); and Written Opinion of the ISA (6 pages), mailed Feb. 15, 2011 for application PCT/US20101050265.

Notification of Transmittal of the ISR and the Written Opinion of the ISA, or Declaration (1 page); ISR (4 pages); and Written Opinion of the ISA (6 pages), mailed Feb. 3, 2011 for application PCT/US2010/050258.

Notification of Transmittal of the ISR and the Written Opinion of the ISA, or Declaration (1 page); ISR (4 pages); and Written Opinion of the ISA (7 pages), mailed Feb. 3, 2011 for application PCT/US2010/050281.

Notification of Transmittal of the ISR and the Written Opinion of the ISA, or Declaration (1 page); ISR (4 pages.); and Written Opinion of the ISA (6 pages), mailed Feb. 3, 2011 for application PCT/US2010/050266.

Notification of Transmittal of the ISR and the Written Opinion of the ISA, or Declaration (1 page); ISR (4 pages); and Written Opinion of the ISA (5 pages), mailed Jan. 26, 2011 for application PCT/US2010/050256.

EPO Search Report dated Jan. 27, 2011 in related EP Application No. 10179680.3, 3 pages.

EPO Communication dated Feb. 10, 2011 in related EP Application No. 10179680.3, 5 pages.

EPO Search Report dated Feb. 3, 2011 in related EP Application No. 10179686.0, 3 pages.

EPO Search Report dated Feb. 3, 2011 in related EP Application No. 10179694.4, 3 pages.

EPO Search Report dated Feb. 3, 2011 in related EP Application No. 10179701.7, 3 pages.

EPO Search Report dated Feb. 3, 2011 in related EP Application No. 10179706.6, 3 pages.

EPO Search Report dated Feb. 15, 2011 in related EP Application No. 10179707.4, 3 pages.

EPO Communication dated Mar. 31, 2011 in related EP Application No. 10179686.0, 5 pages.

EPO Communication dated Mar. 31, 2011 in related EP Application No. 10179694.4, 5 pages.

EPO Communication dated Mar. 31, 2011 in related EP Application No. 10179701.7, 5 pages.

EPO Communication dated Mar. 31, 2011 in related EP Application No. 10179706.6, 4 pages.

Notification of Transmittal of the ISR and the Written Opinion of the ISA, or Declaration (1 page); ISR (7 pages); and Written Opinion of the ISA (10 pages), mailed Mar. 25, 2011 for application PCT/US2010/050257.

German Search Report dated Sep. 20, 2011 in related German Application No. 102010046513.5, 5 pages.

German Search Report dated Sep. 20, 2011 in related German Application No. 102010046511.9, 5 pages.

German Search Report dated Sep. 20, 2011 in related German Application No. 102010046509.7, 5 pages.

German Search Report dated Sep. 20, 2011 in related German Application No. 102010046440.6, 5 pages.

German Search Report dated Sep. 20, 2011 in related German Application No. 102010046510.0, 5 pages.

German Search Report dated Sep. 20, 2011 in related German Application No. 102010046441.4, 5 pages.

\* cited by examiner

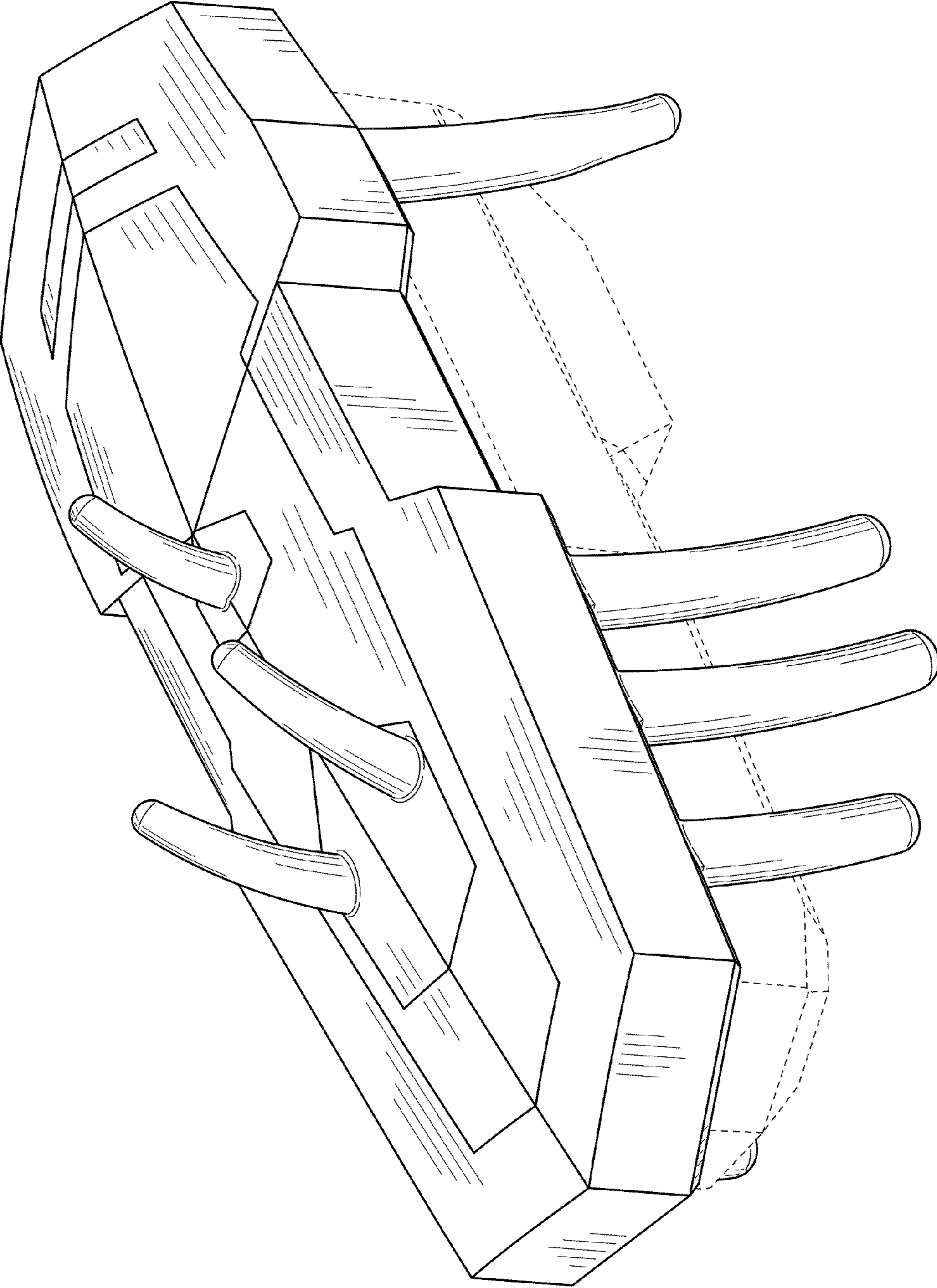


FIG. 1

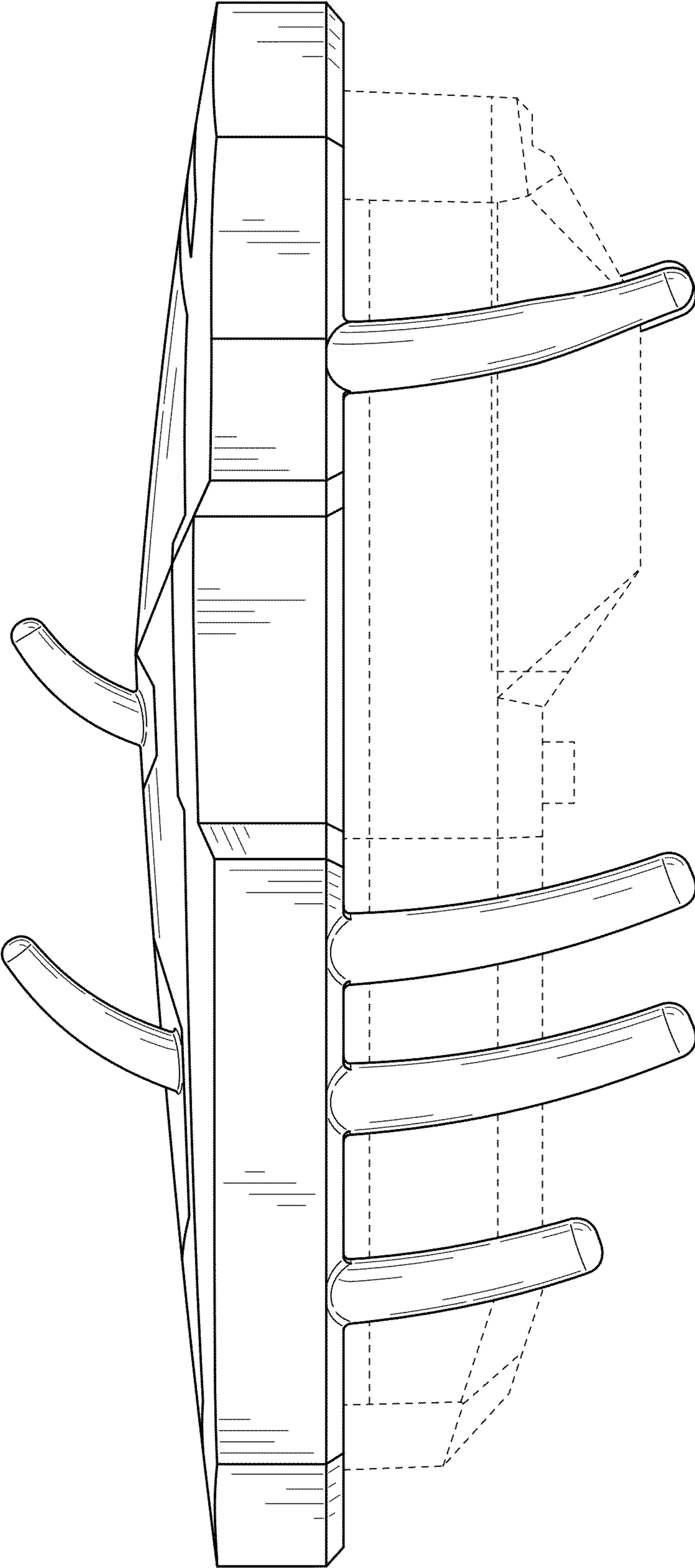


FIG. 2

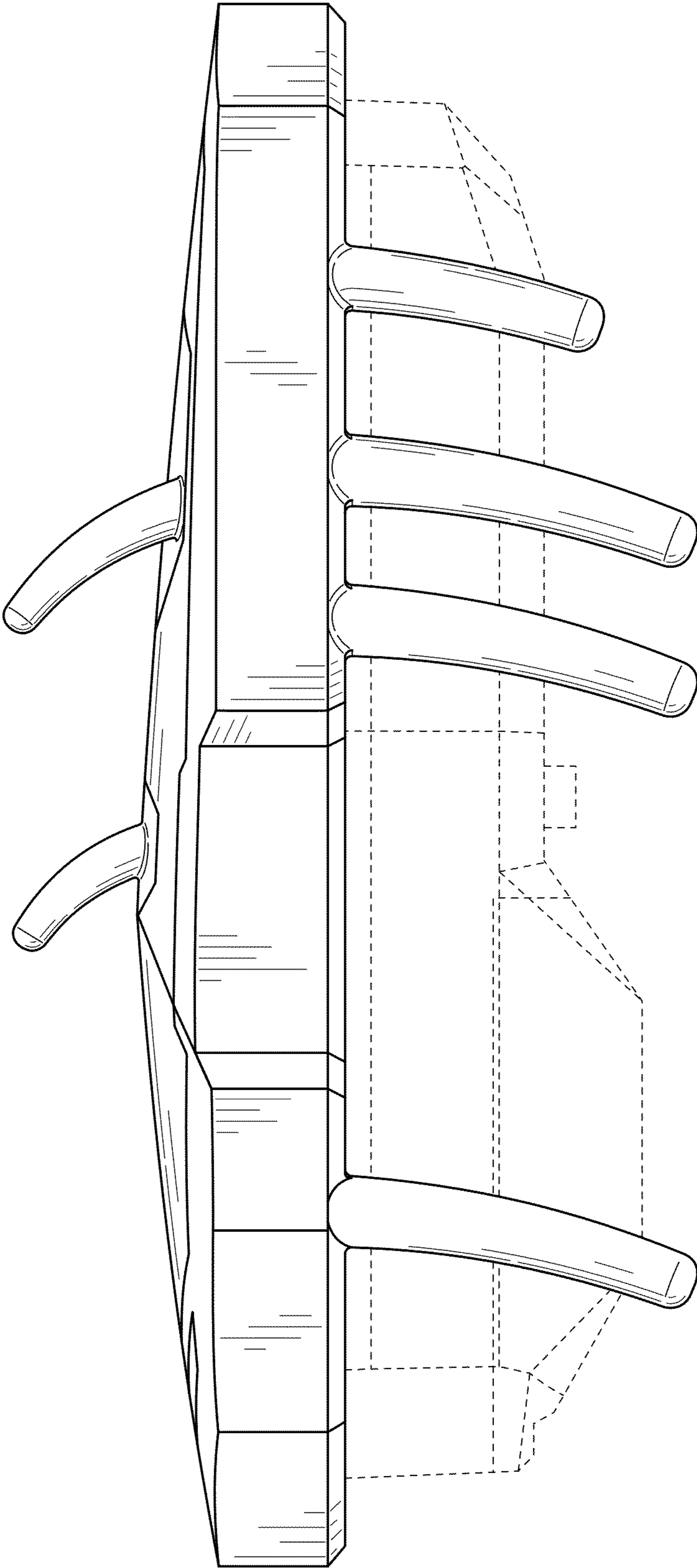


FIG. 3

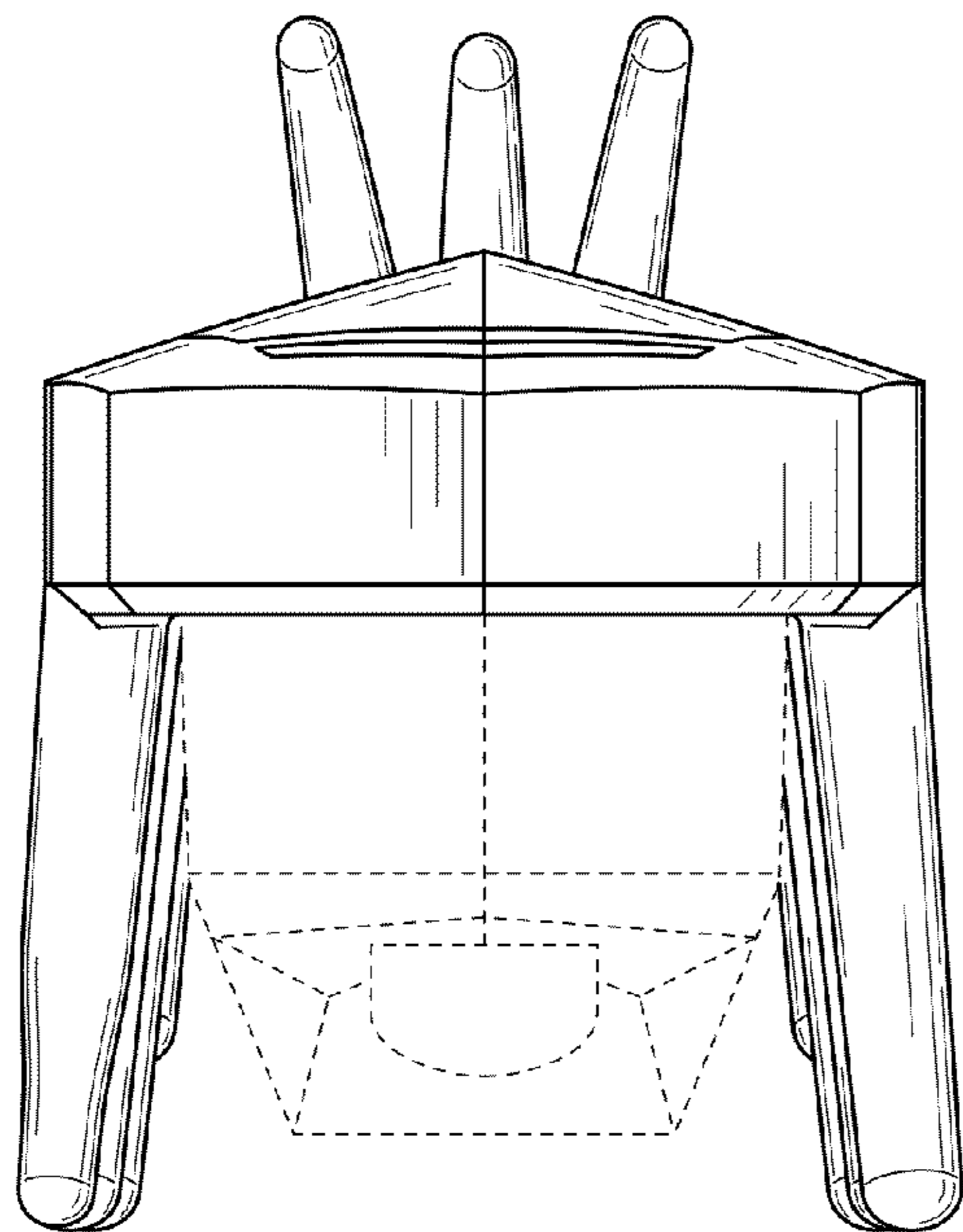


FIG. 4

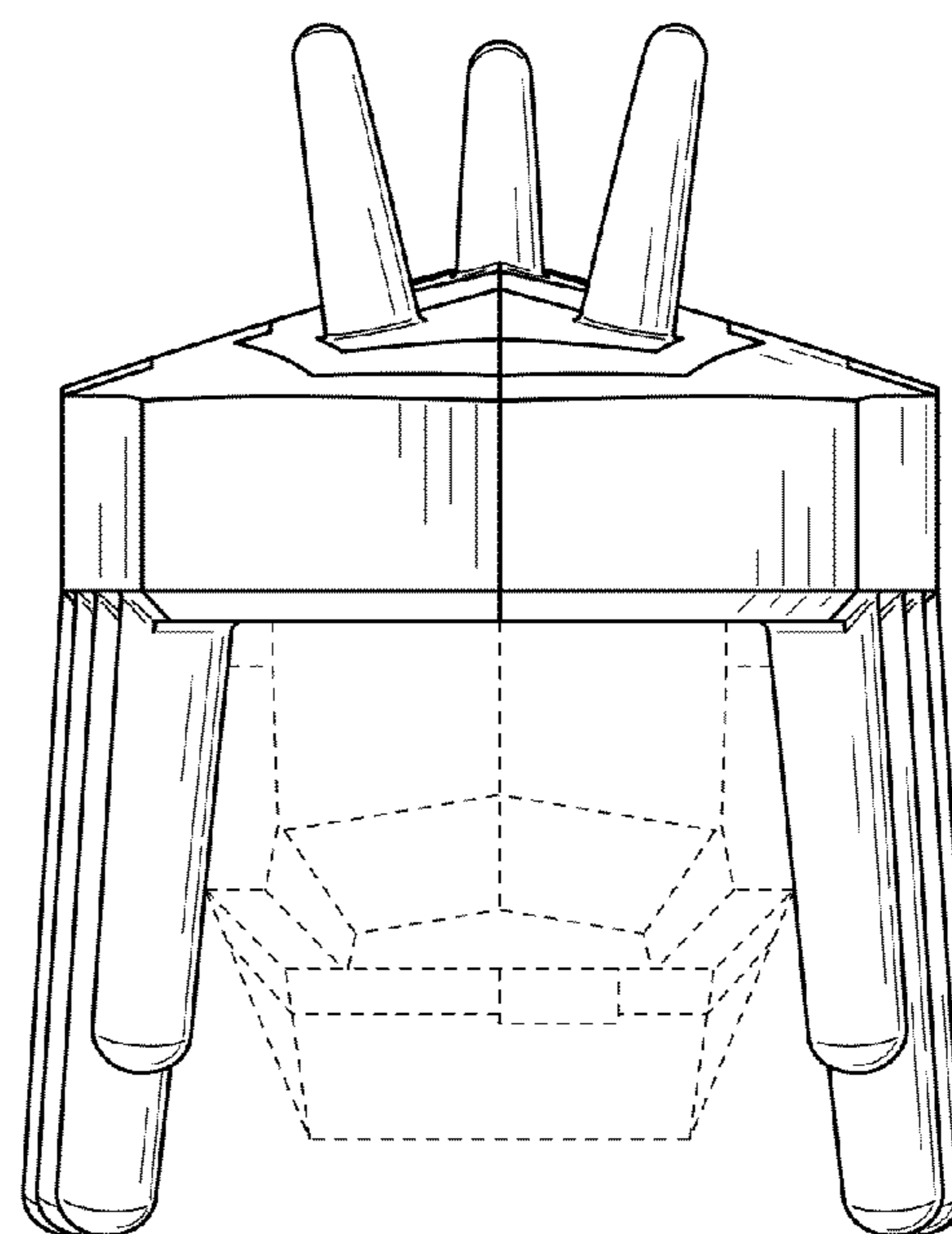


FIG. 5

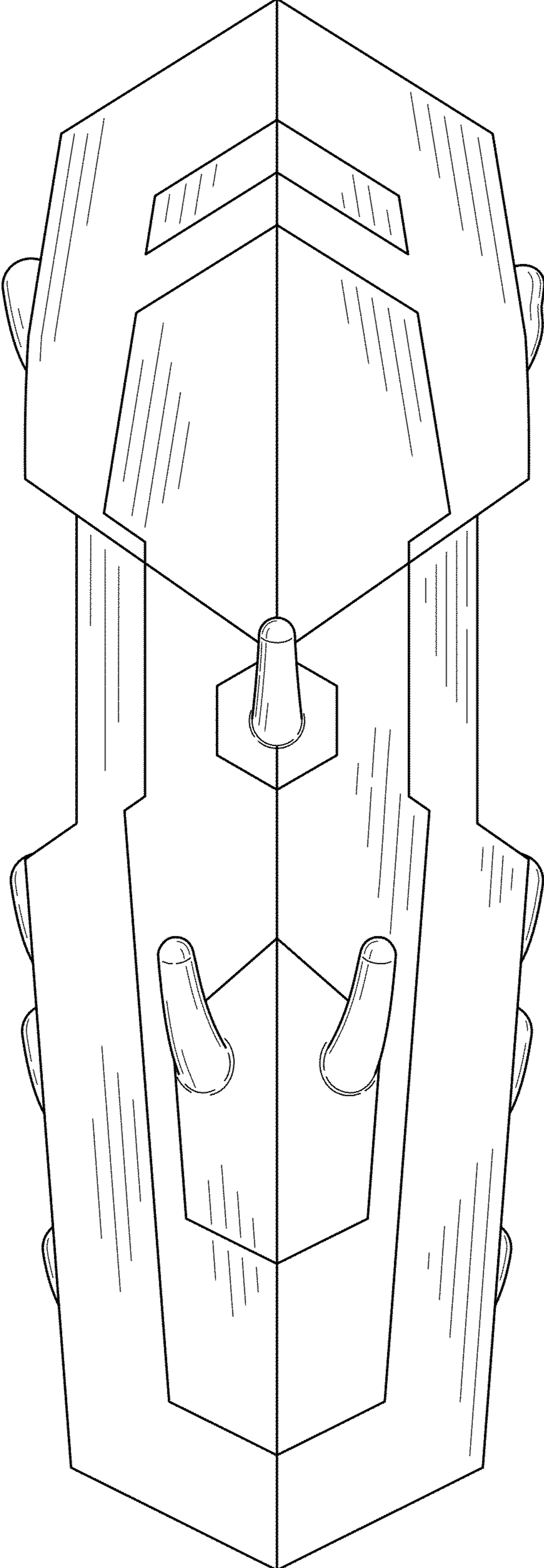


FIG. 6



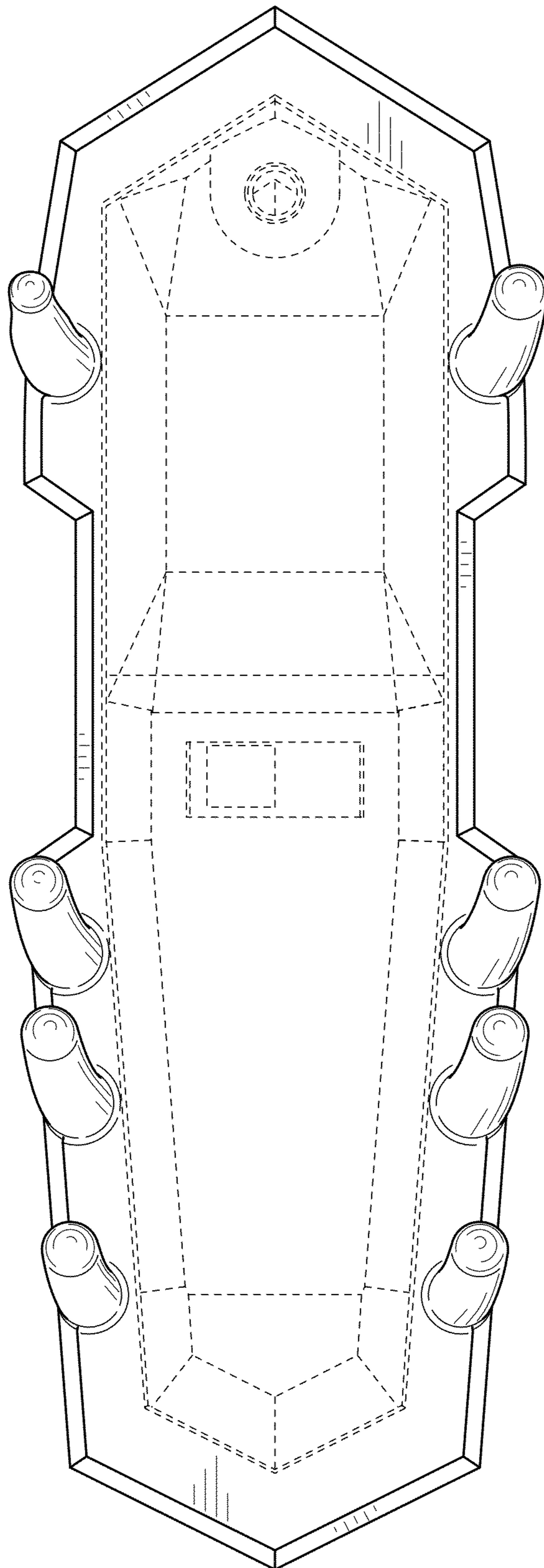


FIG. 7

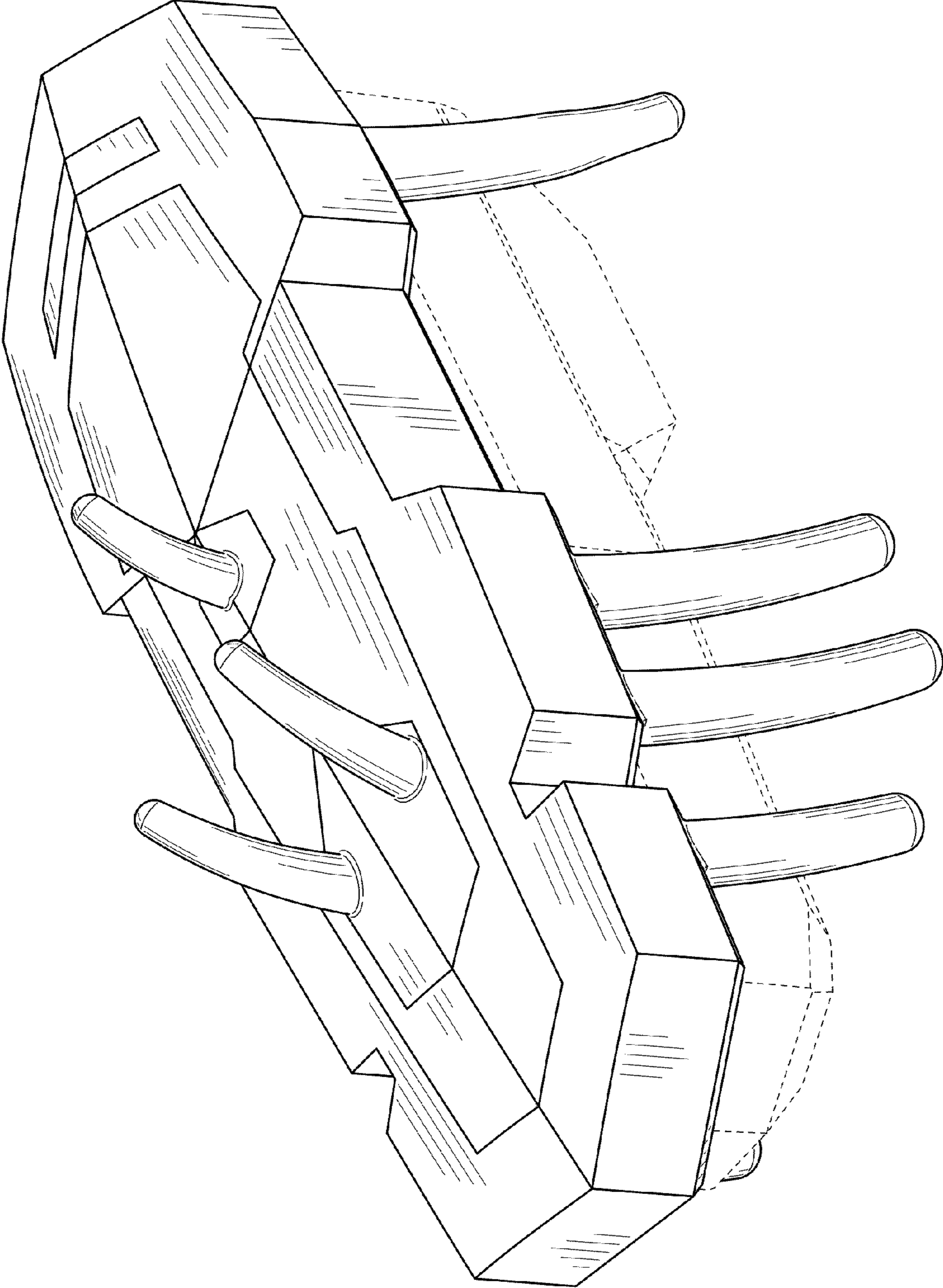


FIG. 8

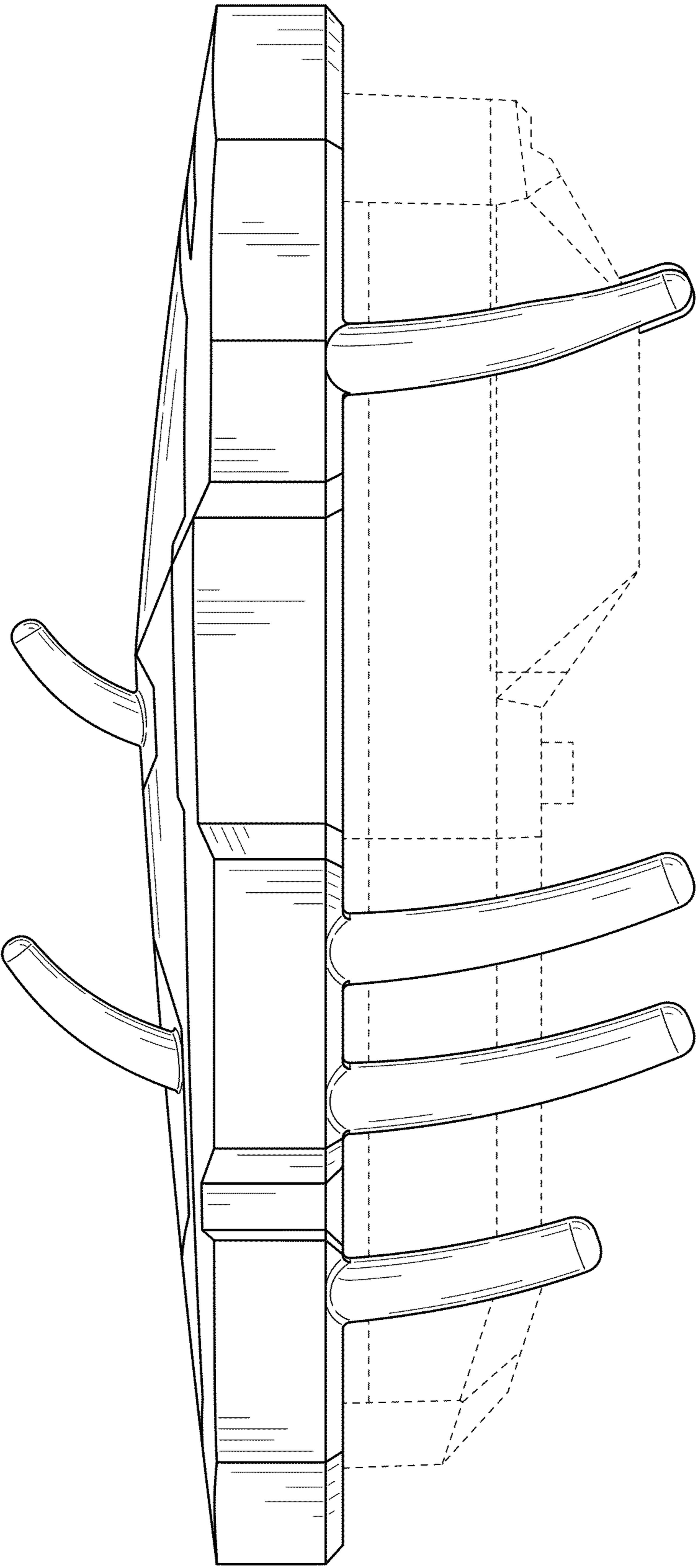


FIG. 9

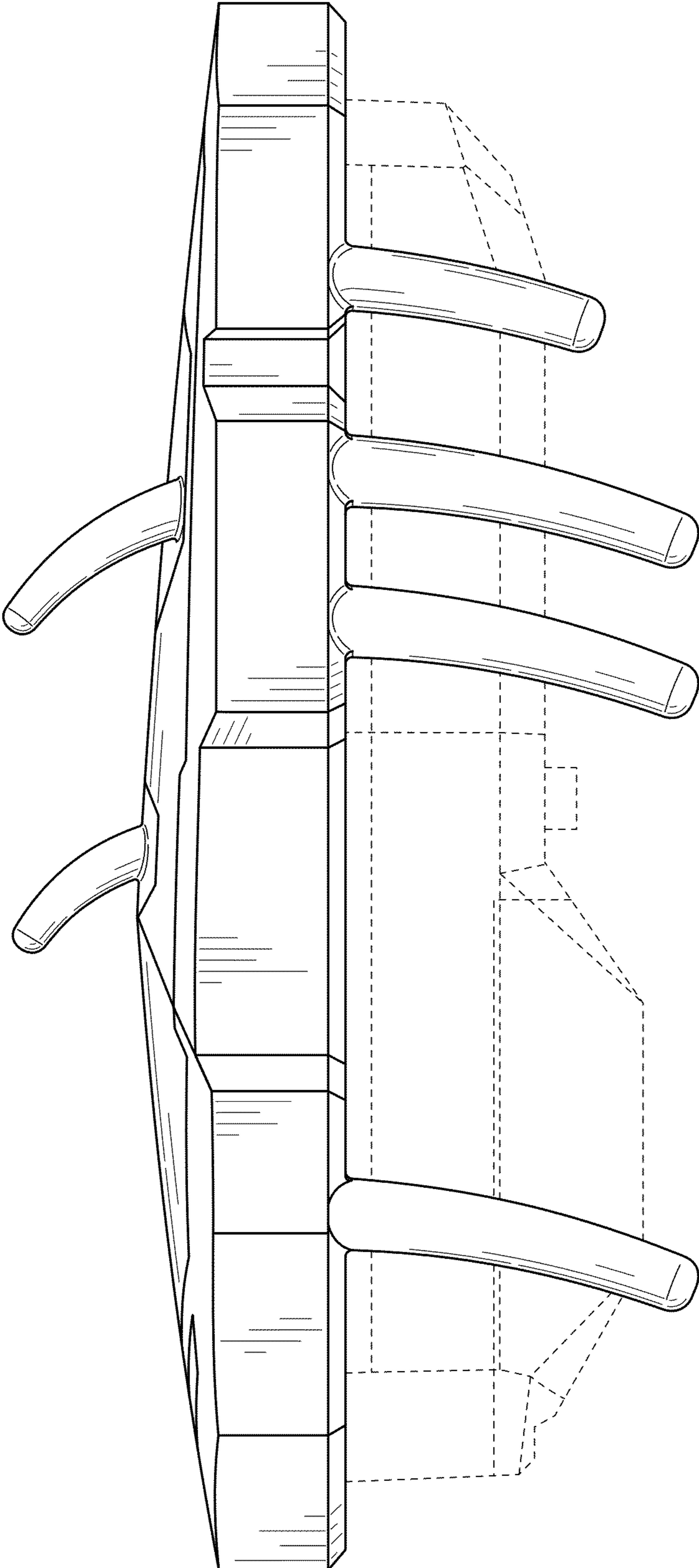


FIG. 10

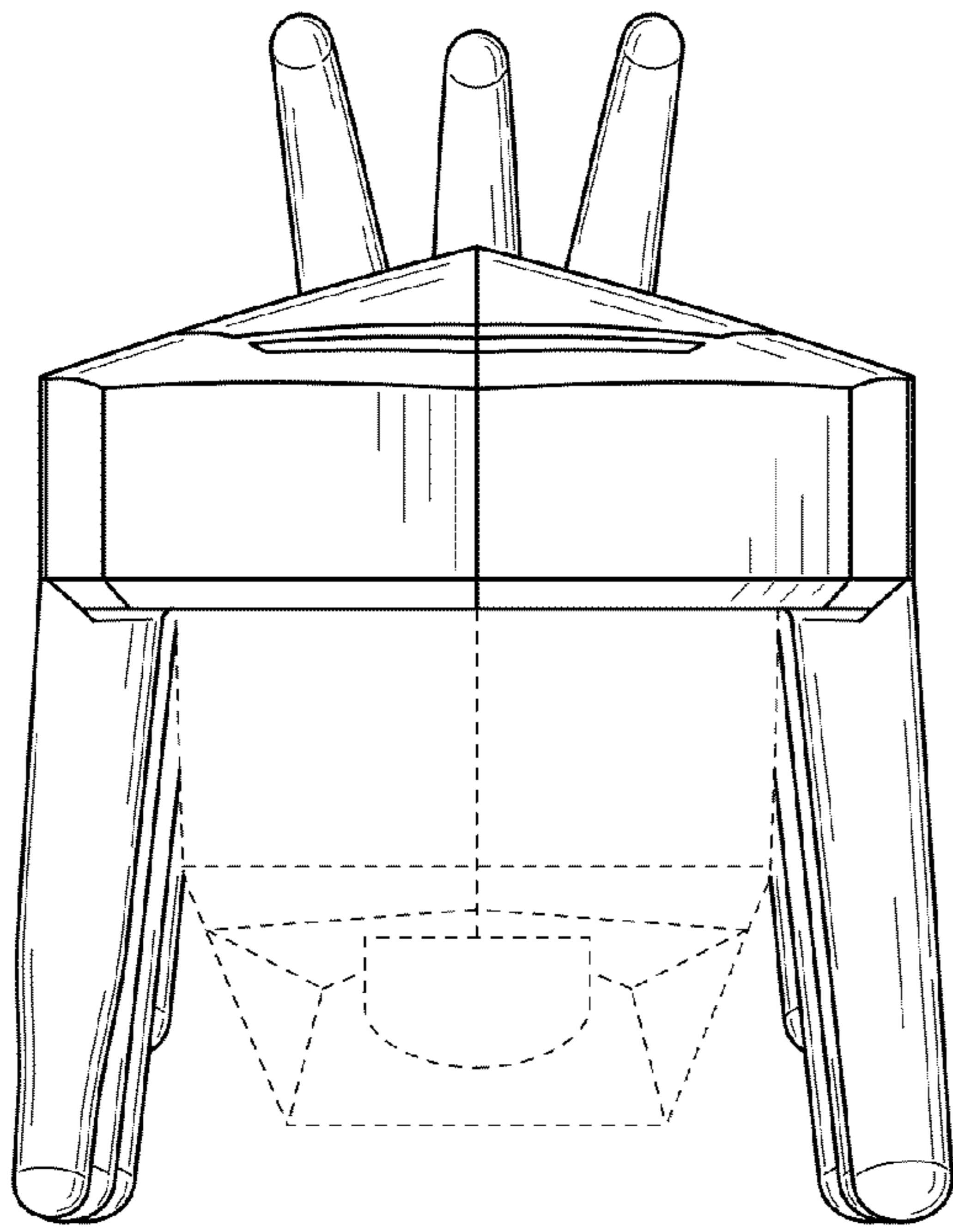


FIG. 11

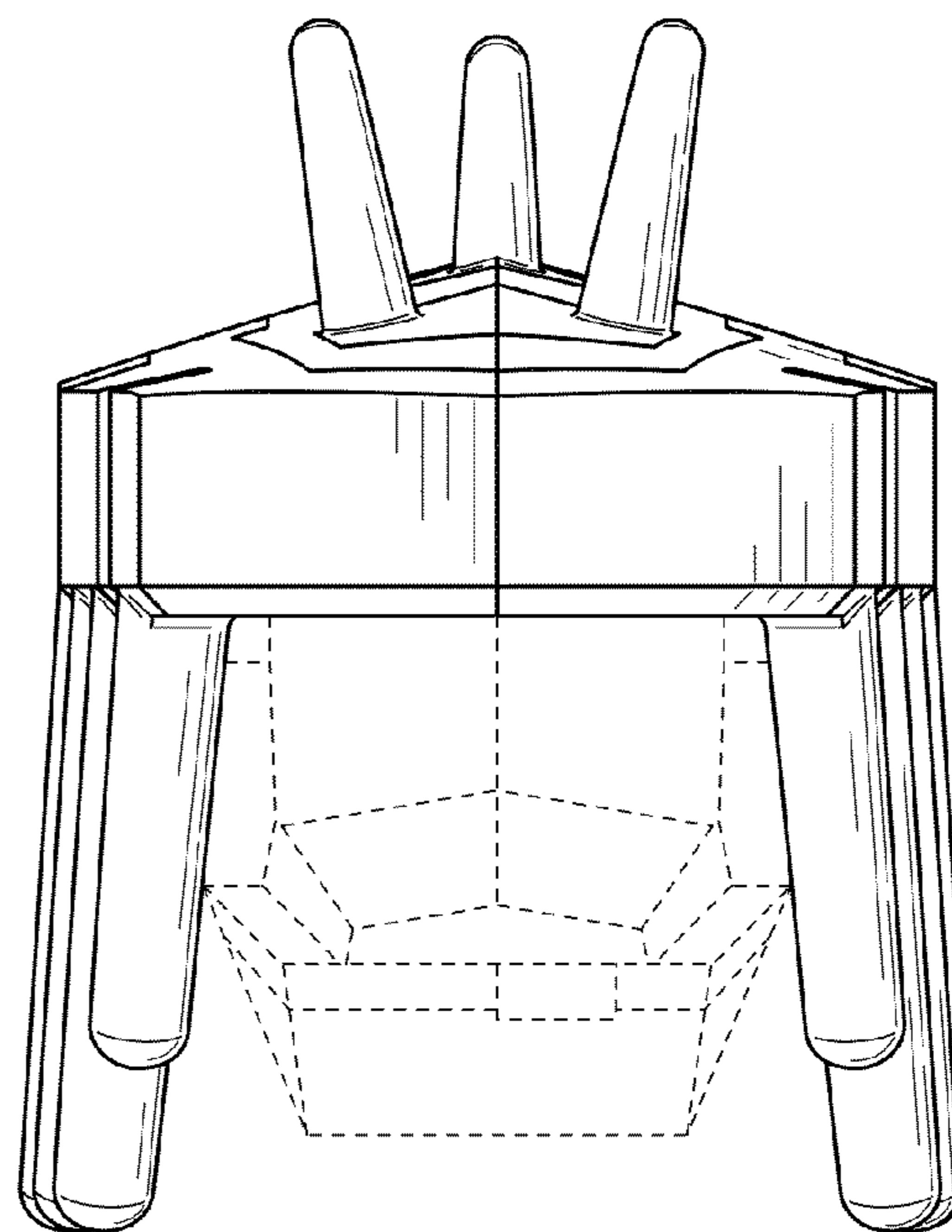


FIG. 12

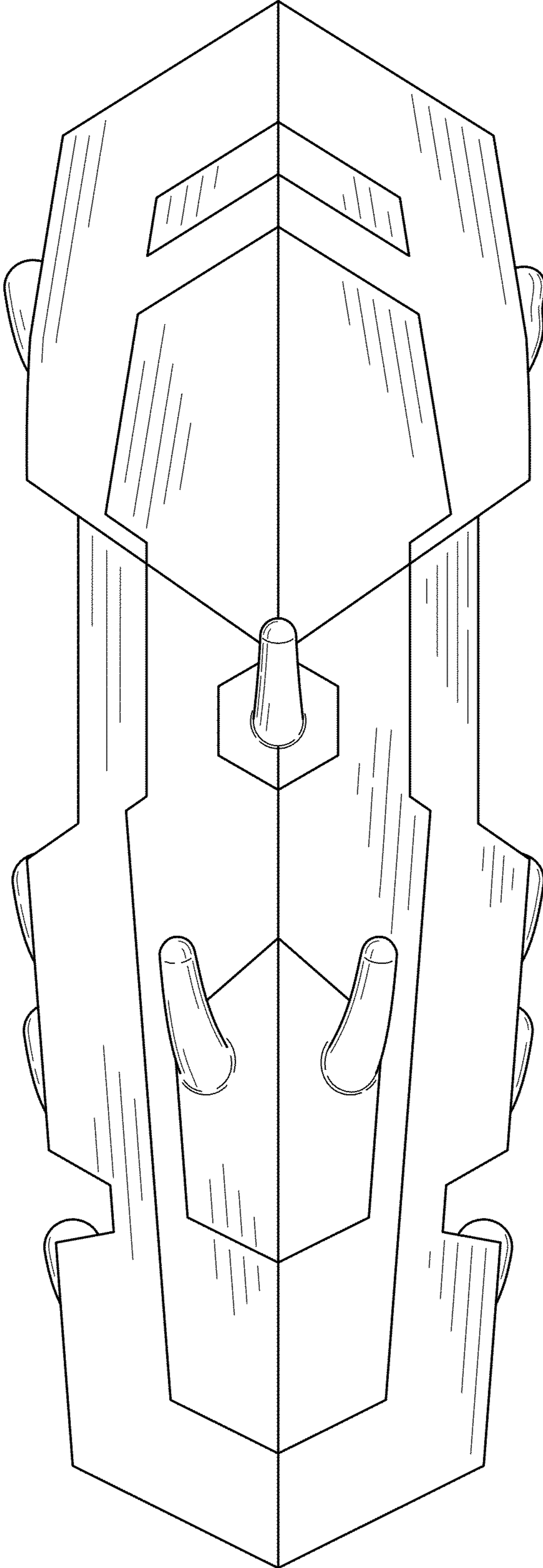


FIG. 13

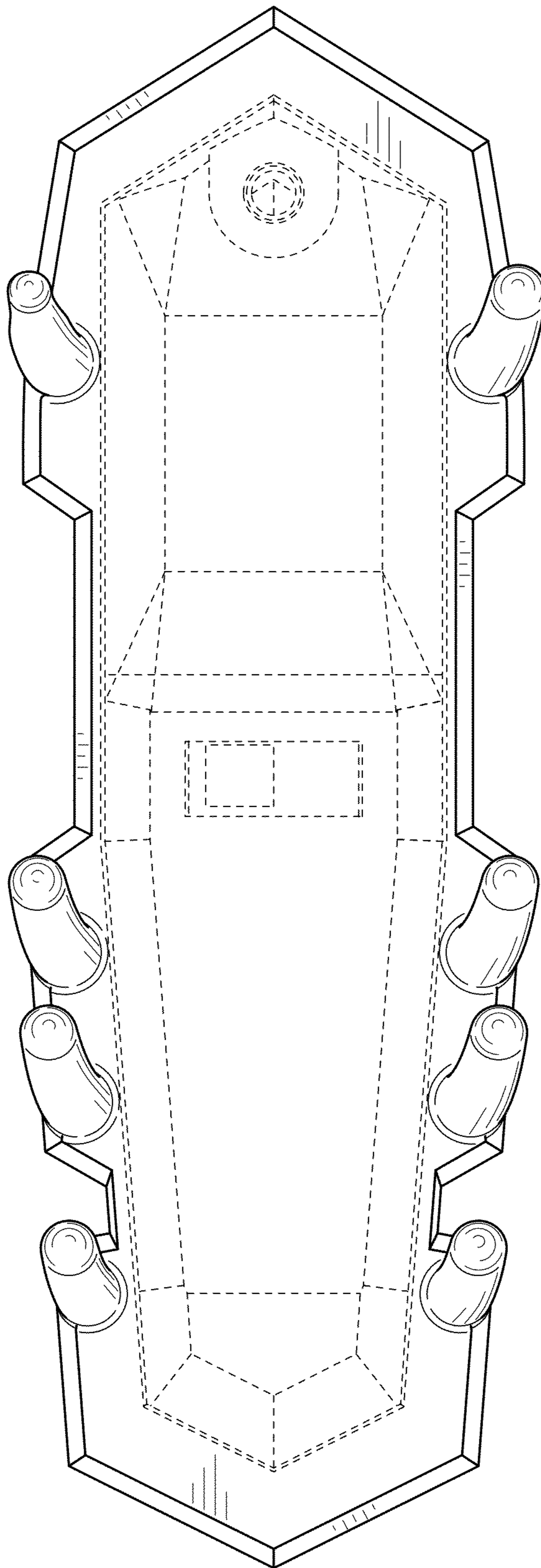


FIG. 14

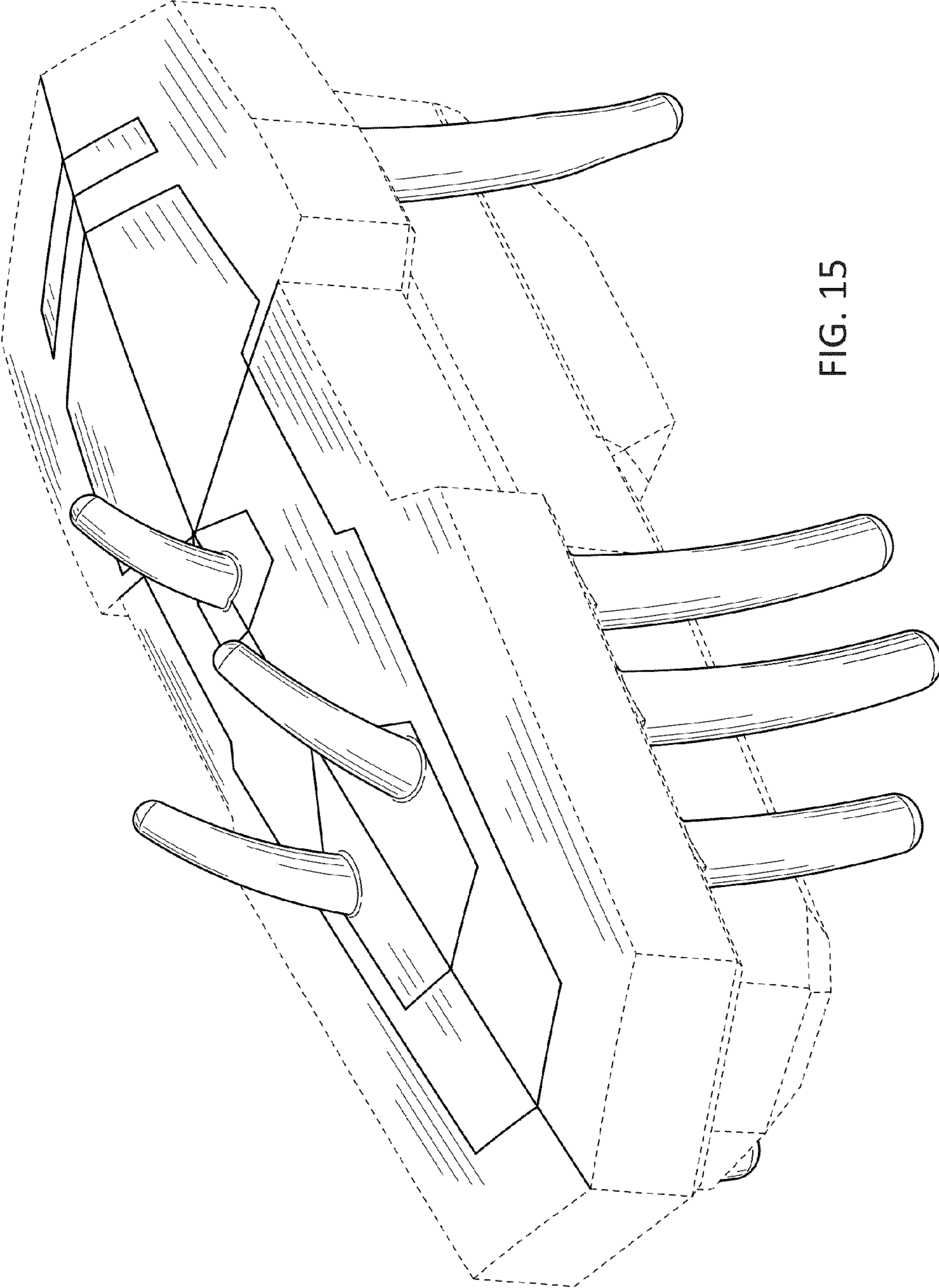


FIG. 15



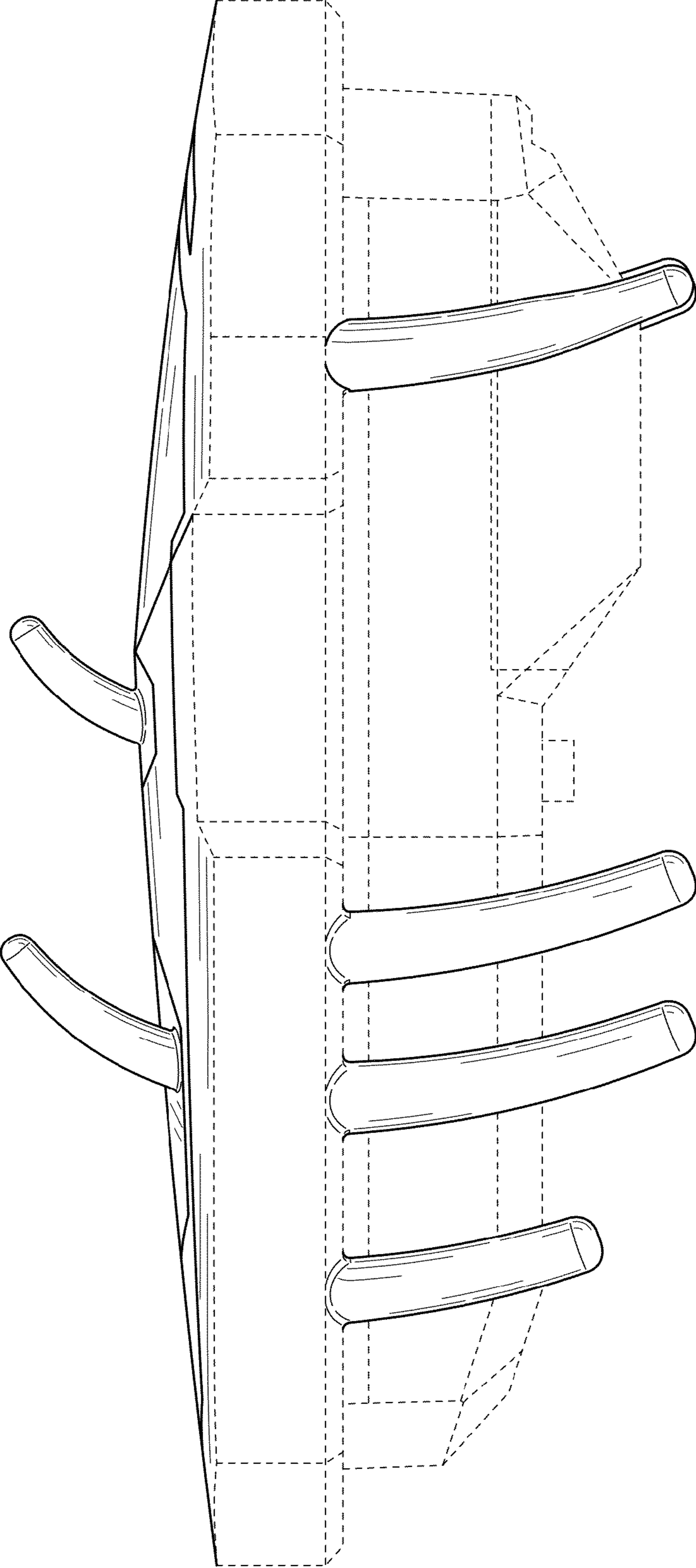


FIG. 16

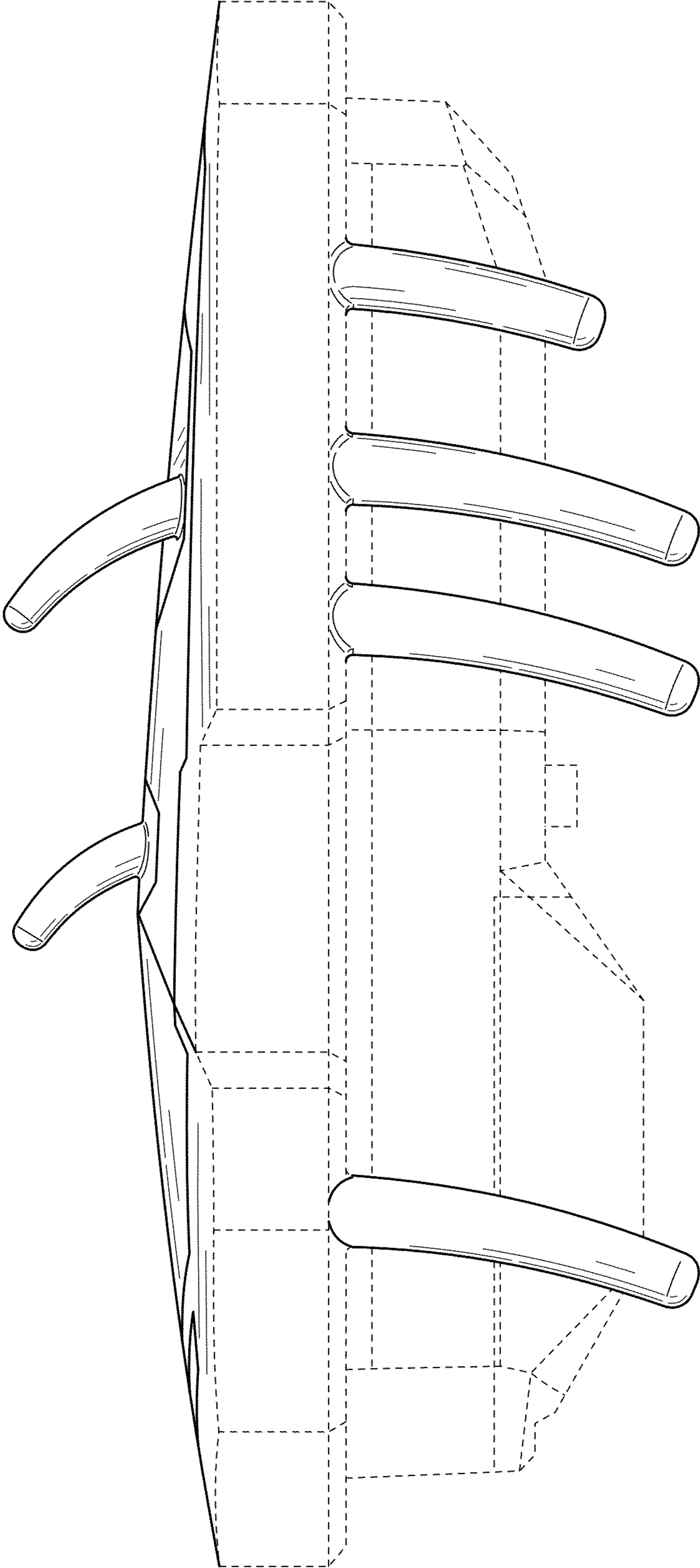


FIG. 17

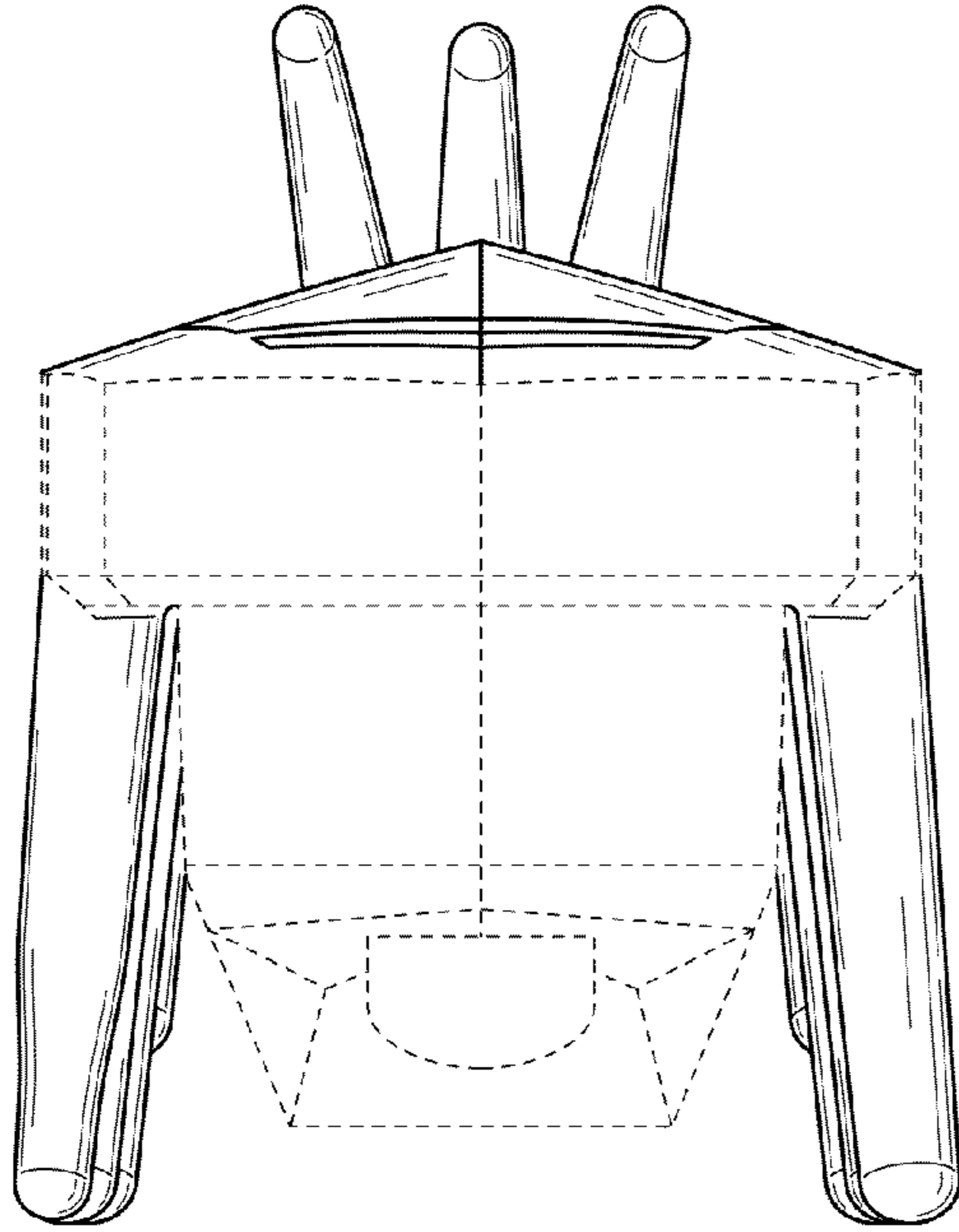


FIG. 18

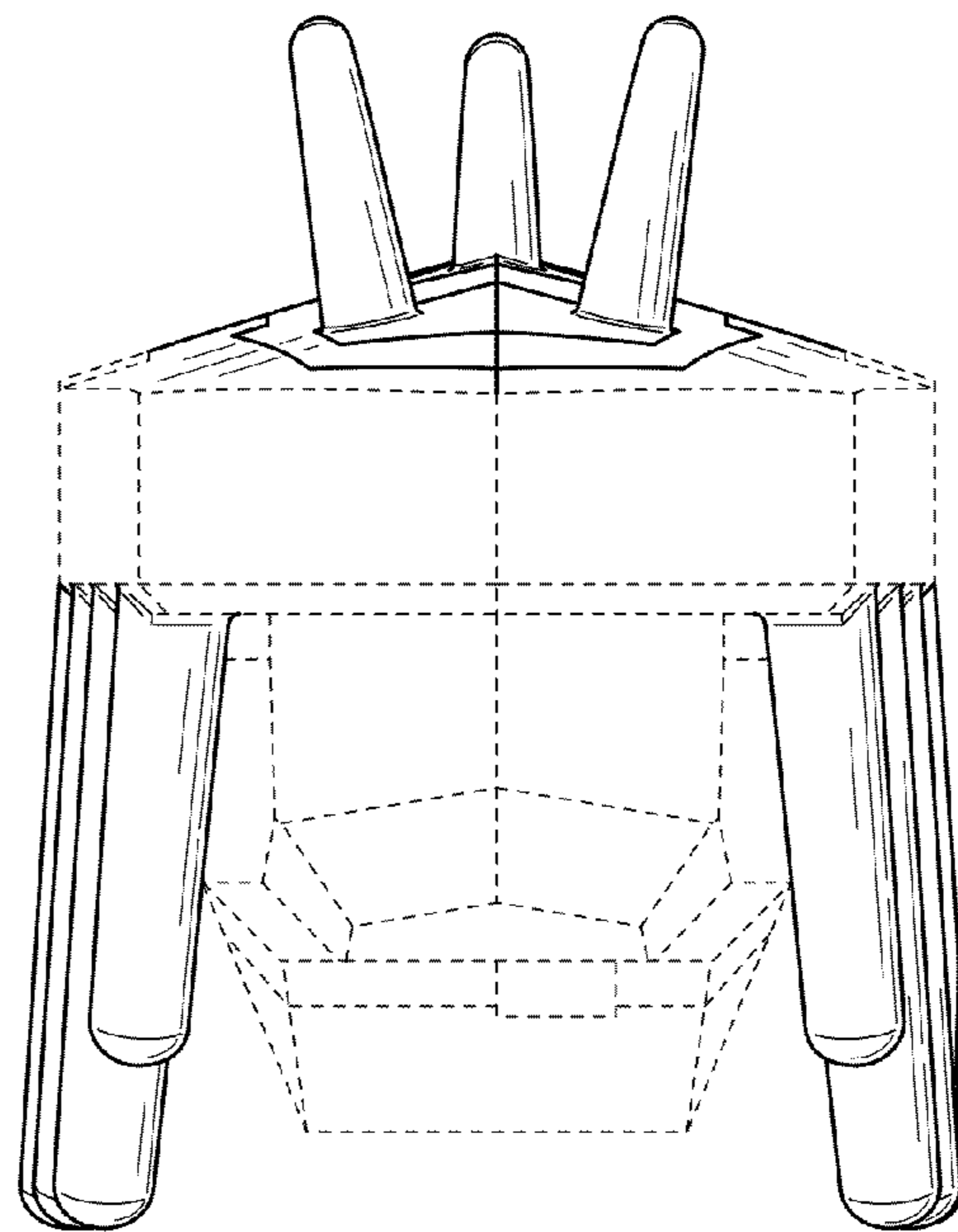


FIG. 19

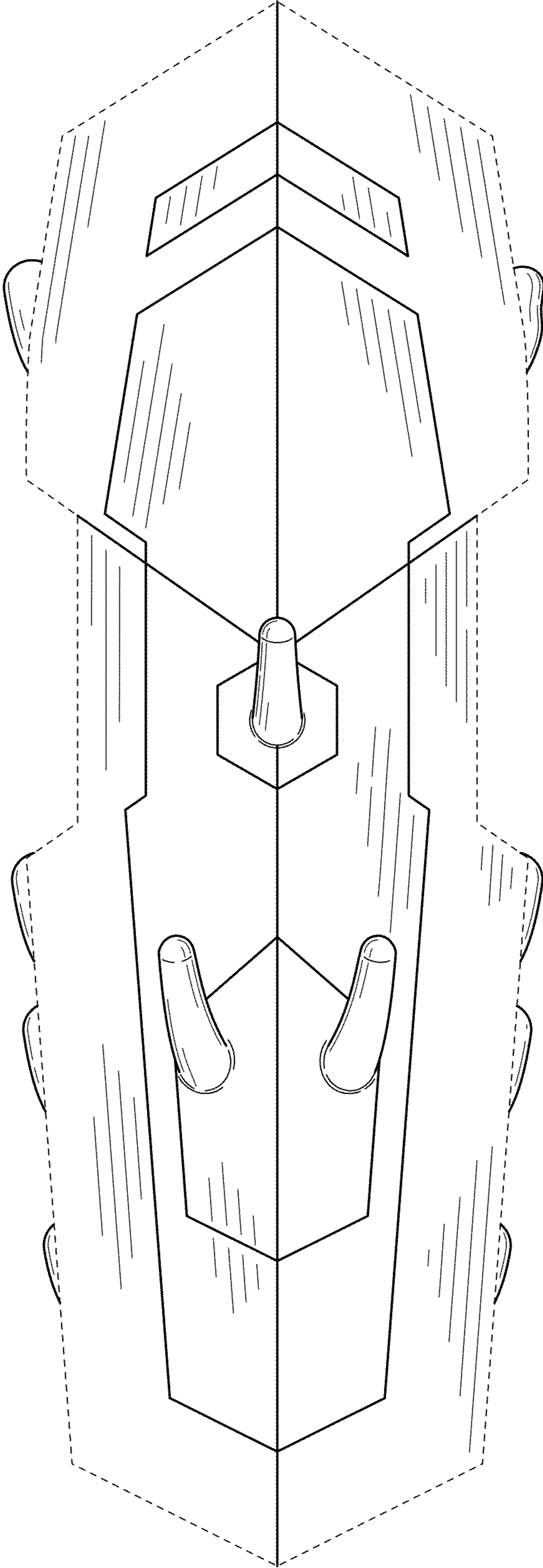


FIG. 20

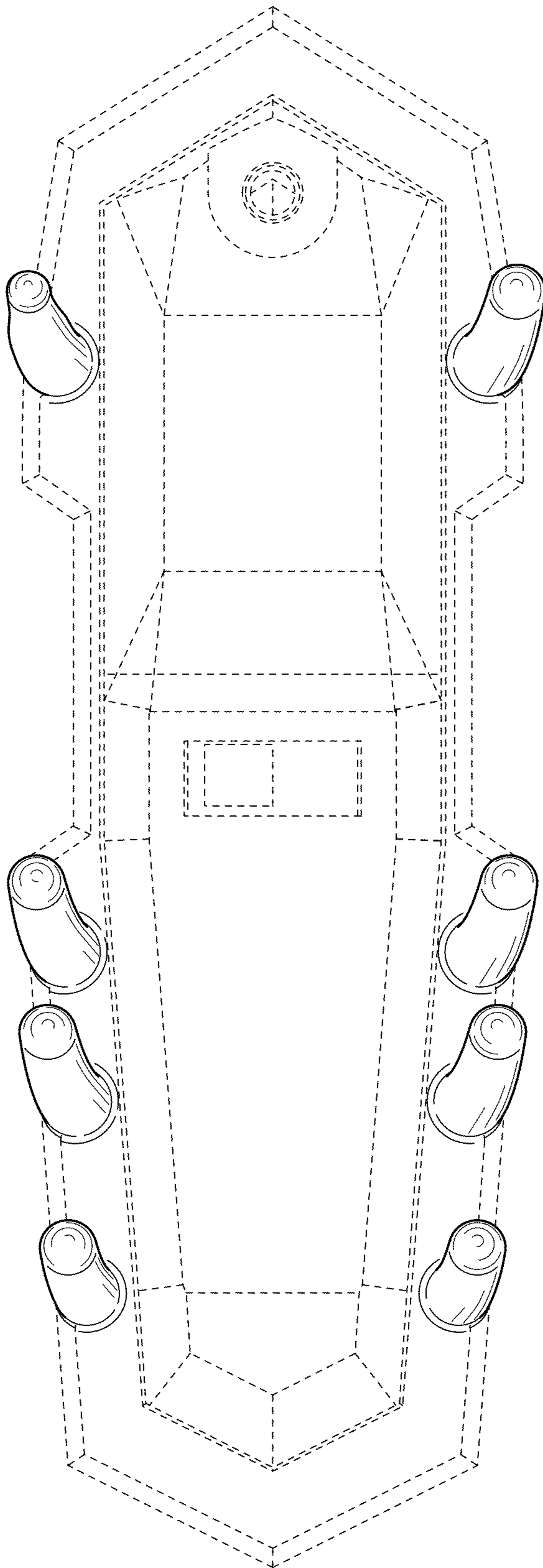


FIG. 21