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Tomes et al.

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(54) **MEDICAL TRAY**

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

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(63) Continuation of application No. 29/380,474, filed on Dec. 6, 2010, now abandoned.

(51) **LOC (10) Cl.** **24-02**

(52) **U.S. Cl.**
USPC **D24/227**

(58) **Field of Classification Search**

USPC D24/123, 176, 216, 223-232; 422/99,
422/102, 104, 297, 300; 433/77; D3/304,
D3/307, 308, 314, 315; D7/500, 550.1,
D7/543, 602, 554.3, 361, 354, 587;
D6/406.1, 406.2, 406.3, 601; 206/364,
206/557; D9/425

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

2,715,296 A 8/1955 Petit
2,781,611 A 2/1957 West

(Continued)

FOREIGN PATENT DOCUMENTS

WO WO-2007/045943 4/2007

OTHER PUBLICATIONS

Hand, Melanie J., "NonFinal OA", U.S. Appl. No. 13/115,053, filed Jun. 7, 2011; Mailed May 9, 2013.

(Continued)

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(57) **CLAIM**

The ornamental design for a medical tray, as shown and described.

DESCRIPTION

FIG. 1 is a front, right, top perspective view of a medical tray showing our new design;

FIG. 2 is a top plan view thereof;

FIG. 3 is a front elevation view thereof;

FIG. 4 is an inverted, rear elevation view thereof;

FIG. 5 is a rotated, right elevation view thereof;

FIG. 6 is a rotated, left elevation view thereof;

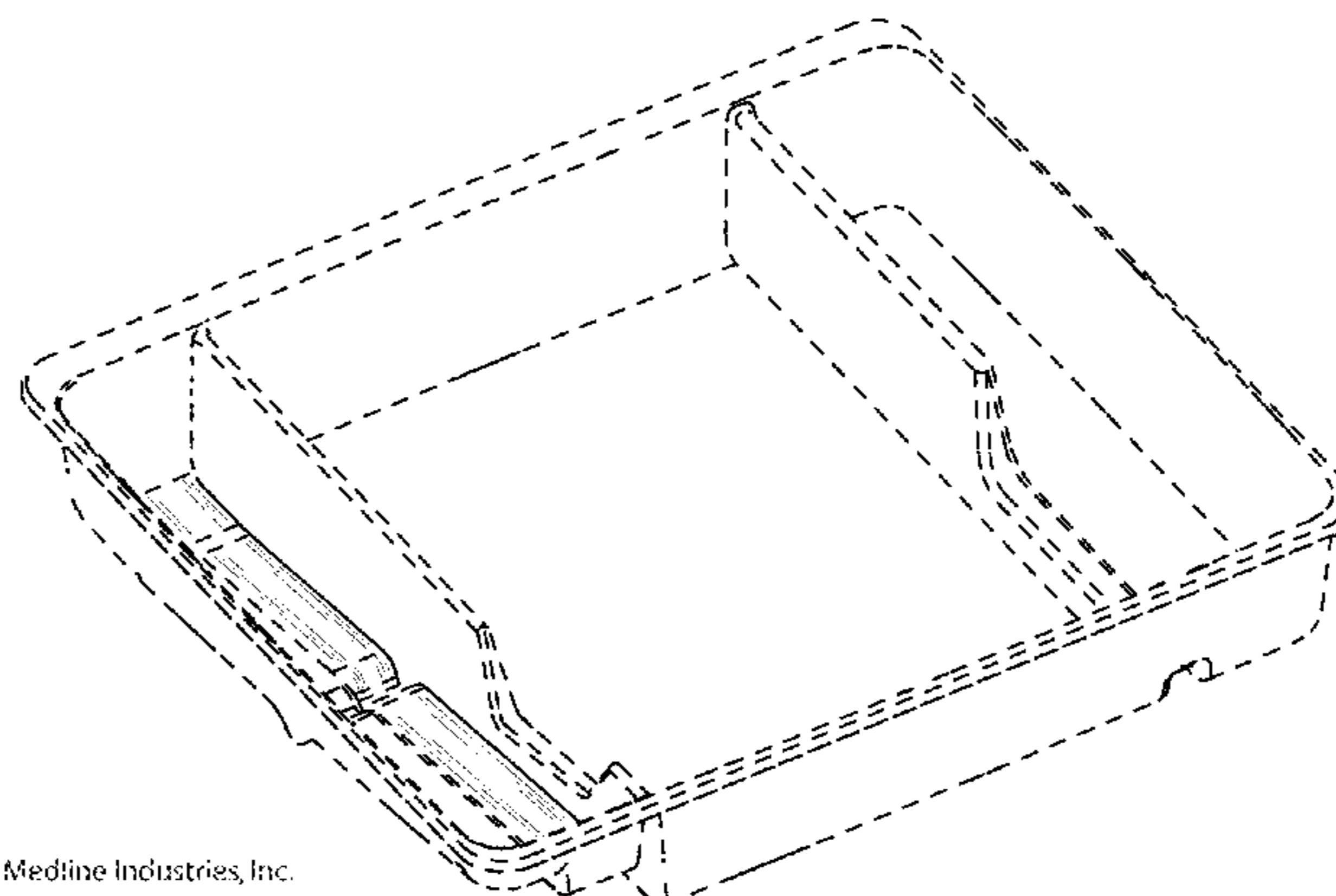
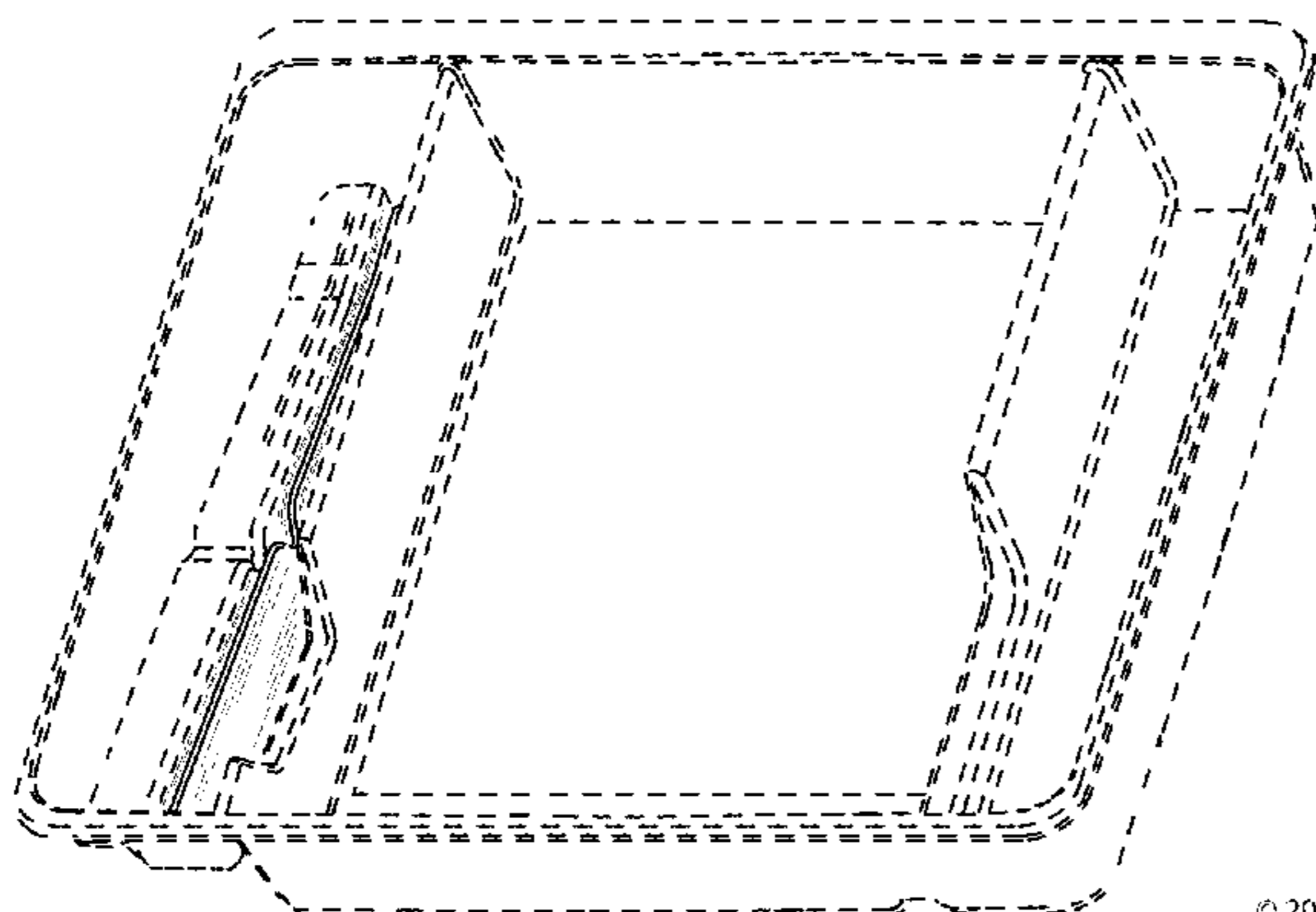
FIG. 7 is a bottom plan view thereof; and,

FIG. 8 is a front, left, top perspective view thereof.

The broken lines are included for the purpose of illustrating portions of the medical tray that form no part of the claimed design.

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1 Claim, 6 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

2,886,316 A 5/1959 Ayala
 2,954,642 A 10/1960 Roderick
 2,959,891 A 11/1960 Barnett et al.
 3,329,261 A 7/1967 Serany, Jr. et al.
 D218,077 S 7/1970 Gabriel
 3,851,649 A 12/1974 Villari
 D234,404 S 2/1975 Merrill
 D237,315 S 10/1975 Nowakowski
 D237,317 S 10/1975 Norkowski
 D242,654 S * 12/1976 Rawls D24/229
 D243,798 S 3/1977 Swartz
 4,075,782 A 2/1978 Neuschatz
 D248,871 S 8/1978 Forsman et al.
 D249,362 S 9/1978 Forsman et al.
 4,282,678 A 8/1981 Tsui
 4,307,539 A 12/1981 Klein
 D262,995 S 2/1982 Gaba et al.
 D268,130 S 3/1983 Easton
 D275,886 S 10/1984 Sheward et al.
 D276,462 S 11/1984 Villarreal
 D277,508 S * 2/1985 Clair D24/229
 4,523,679 A 6/1985 Paikoff et al.
 4,530,349 A 7/1985 Metzger
 D280,663 S 9/1985 Albon et al.
 D280,933 S 10/1985 McLaughlin
 D280,993 S 10/1985 Mariol
 D283,051 S 3/1986 Fichera
 D287,760 S 1/1987 Discko, Jr.
 4,761,008 A 8/1988 Huggins
 4,991,877 A 2/1991 Lieberman
 5,031,768 A 7/1991 Fischer
 5,094,621 A 3/1992 Friedel
 5,163,557 A 11/1992 Sokolowski
 5,197,885 A 3/1993 Friedel
 D334,973 S 4/1993 Valentine et al.
 D337,830 S 7/1993 Coyne et al.
 5,232,369 A 8/1993 Mavrikis
 5,244,394 A 9/1993 Serabian-Musto
 D343,687 S 1/1994 Houghton et al.
 5,312,287 A 5/1994 Chuang
 5,314,339 A 5/1994 Aponte
 5,324,201 A 6/1994 Friedel
 5,339,955 A 8/1994 Horan et al.
 D351,661 S 10/1994 Fischer
 5,392,918 A 2/1995 Harrison
 5,411,437 A 5/1995 Weber et al.
 5,487,566 A 1/1996 Hedge, Jr.
 D380,272 S 6/1997 Partika et al.
 5,665,945 A 9/1997 Oshima
 D387,177 S 12/1997 Davis
 5,713,778 A 2/1998 Rodeosevich et al.
 5,720,502 A 2/1998 Cain
 5,778,574 A 7/1998 Reuben
 5,795,213 A 8/1998 Goodwin
 5,820,441 A 10/1998 Pracas
 5,827,262 A 10/1998 Neffel et al.
 5,829,790 A 11/1998 Phillips
 5,872,262 A 2/1999 Dolle, III et al.
 5,947,284 A 9/1999 Foster
 5,954,369 A 9/1999 Seabrook
 5,975,295 A 11/1999 Diamond
 6,004,136 A 12/1999 Ehrenpreis
 6,012,586 A 1/2000 Misra
 6,068,121 A 5/2000 McGlinch
 6,089,943 A 7/2000 Lo
 6,159,017 A 12/2000 Coomansingh
 D442,697 S 5/2001 Hajianpour
 D450,130 S 11/2001 Goldstein
 D450,391 S 11/2001 Hunt et al.
 6,330,427 B1 12/2001 Tabachnik
 6,361,396 B1 3/2002 Snyder et al.
 6,659,506 B1 12/2003 Erisalu
 6,681,933 B1 1/2004 Demsien et al.
 6,793,078 B2 9/2004 Roshdy
 6,926,708 B1 8/2005 Franks-Farah et al.

7,264,869 B2 9/2007 Tobita
 7,401,703 B2 7/2008 McMichael
 D596,311 S 7/2009 Antons
 7,624,869 B2 12/2009 Primer
 D609,819 S 2/2010 Tomes et al.
 2003/0031995 A1 2/2003 Laura
 2003/0038475 A1 2/2003 Stancil
 2003/0075474 A1 4/2003 Moyer et al.
 2003/0159969 A1 8/2003 McMichael et al.
 2004/0004019 A1 1/2004 Busch
 2004/0161732 A1 8/2004 Stump
 2004/0195145 A1 10/2004 Roshdy
 2005/0228691 A1 10/2005 Paparo
 2006/0029912 A1 2/2006 Kearby et al.
 2006/0088355 A1 4/2006 Ribi
 2006/0264822 A1 11/2006 Nagamatsu
 2007/0065792 A1 3/2007 Schubarth
 2007/0084742 A1 4/2007 Miller et al.
 2008/0116106 A1 5/2008 Lampropoulos et al.
 2008/0283426 A1 11/2008 Primer et al.
 2008/0283433 A1 11/2008 Primer
 2009/0236259 A1 9/2009 Hicks
 2010/0274205 A1 10/2010 Morelli et al.
 2010/0307942 A1 12/2010 Tomes et al.
 2010/0311026 A1 12/2010 Tomes et al.

OTHER PUBLICATIONS

Poon, Robert "Final OA", U.S. Appl. No. 12/647,515, filed Dec. 27, 2009; Mailed May 13, 2013.
 Hand, Melanie J., "Final OA", U.S. Appl. No. 12/785,064, filed May 21, 2010; Mailed Jun. 5, 2013.
 Pass, Natalie "Final OA", U.S. Appl. No. 13/153,265, filed Jun. 3, 2011; Mailed Jul. 12, 2013.
 Poon, Robert "Final Office Action", U.S. Appl. No. 12/495,148, filed Jun. 30, 2009; Mailed Jul. 31, 2013.
 Poon, Robert "Final OA", U.S. Appl. No. 13/374,559, filed Dec. 30, 2011; Mailed Aug. 6, 2013.
 Poon, Robert "Final OA", U.S. Appl. No. 13/153,300, filed Jun. 3, 2011; Mailed Aug. 6, 2013.
 Poon, Robert "Non-Final Office Action", U.S. Appl. No. 12/495,148, filed Jun. 30, 2009; first inventor: Jennifer E. Tomes; mailed: Aug. 4, 2010.
 Yuan, Minqiang "Non-Final Office Action", Chinese Application No. 200920267201.2, Mailed Sep. 9, 2010.
 European Patent Office, "Extended EPO Search Report", EPO Application No. 10251025.2, In the Name of Medline Industries, Mailed Sep. 29, 2010.
 Medline, "Medline Article/Brochure", Published 2008.
 Yuan, Minqiang "Non-Final Office Action", Chinese Application No. 200920267201.2; Mailed Jun. 4, 2010.
 European Patent Office, "Extended EPO Search Report", Application No. 10251024.5, In the Name of Medline Industries, Mailed Oct. 18, 2010.
 Examiner, Chinese Patent Office "First Office Action", CN Application No. 201020219785.9; Mailed Nov. 18, 2010; Filed Jun. 3, 2010.
 Poon, Robert "Final Office Action", U.S. Appl. No. 12/495,148, filed Jun. 30, 2009, Mailed Mar. 3, 2011.
 Prange, Sharon M., "Response to First Office Action", U.S. Appl. No. 12/004,796, filed Dec. 21, 2007; Mailed Oct. 28, 2009.
 "Notice of Allowance", U.S. Appl. No. 29/362,279, filed May 21, 2010; Mailed Sep. 19, 2011.
 Poon, Robert "NonFinal Office Action", U.S. Appl. No. 12/846,675, filed Jul. 29, 2010; Mailed Dec. 22, 2011.
 "Notice of Allowance", U.S. Appl. No. 29/338,022, filed Jun. 3, 2009; Mailed Oct. 1, 2009.
 "NonFinal Office Action", U.S. Appl. No. 29/380,474, filed Dec. 26, 2012; Mailed Mar. 27, 2012.
 Poon, Robert "NonFinal Office Action", U.S. Appl. No. 12/647,515, filed Dec. 27, 2009; Mailed Jun. 28, 2012.
 "Ex Parte Quayle Action", U.S. Appl. No. 29/380,474, filed Dec. 6, 2010; Mailed Aug. 14, 2012.
 Poon, Robert "Restriction Requirement", U.S. Appl. No. 12/647,515, filed Dec. 27, 2009; Mailed May 23, 2012.

(56)

References Cited

OTHER PUBLICATIONS

Byun, Sung C., "PCT Search Report", PCT/US2011/068193; Filed Dec. 30, 2011; Mailed Aug. 22, 2012.

Poon, Robert "Final Office Action", U.S. Appl. No. 12/846,675, filed Jul. 29, 2010; Mailed Sep. 26, 2012.

Poon, Robert "NonFinal Office Action", U.S. Appl. No. 13/374,509, filed Dec. 30, 2011; Mailed Oct. 2, 2012.

Poon, Robert "NonFinal Office Action", U.S. Appl. No. 13/153,300, filed Jun. 3, 2011; Mailed Oct. 1, 2012.

Poon, Robert "NonFinal OA", U.S. Appl. No. 12/495,148, filed Jun. 30, 2009; Mailed Oct. 4, 2012.

Byun, Sung C., "PCT Search Report", PCT/US2012/039311; Filed May 24, 2011; Mailed Oct. 25, 2012.

Hand, Melanie J., "NonFinal OA", U.S. Appl. No. 13/155,026, filed Jun. 7, 2011; Mailed Nov. 30, 2012.

Byun, Sung Cheal, "PCT Search Report and Written Opinion", PCT/US2012/037524; Filed May 11, 2012; Mailed Nov. 16, 2012.

"EPO Intent to Grant", EPO Application No. 10251024.5; Filed Jun. 2, 2010; Mailed Nov. 2, 2012.

Hand, Melanie J., "NonFinal OA", U.S. Appl. No. 12/785,064, filed May 21, 2010; Mailed Feb. 1, 2013.

Pass, Natalie "NonFinal OA", U.S. Appl. No. 13/153,265, filed Jun. 3, 2011; Mailed Mar. 5, 2013.

Hand, Melanie J., "Notice of Allowance", U.S. Appl. No. 13/155,026, filed Jun. 7, 2011; Mailed Feb. 1, 2013.

Poon, Robert "NonFinal OA", U.S. Appl. No. 12/846,675, filed Jul. 29, 2010; Mailed Sep. 10, 2013.

Hand, Melanie J., "Notice of Allowance", U.S. Appl. No. 13/155,054, filed Jun. 7, 2011; Mailed Oct. 28, 2013.

Poon, Robert "Notice of Allowance", U.S. Appl. No. 12/495,148, filed Jun. 30, 2009; Mailed Nov. 20, 2013.

"Instructions", Naming a character website. URL: <<https://web.archive.org/web/20080410122058/http://www.wilihow.com/Make-Your-Own-Anime-or-Mange-Character>>. Retrieved from Internet Dec. 10, 2013.

Naming Character on Cards website. URL: >https://web.archive.org/web/20060219171403/http://www.hubbardscupboard.org/brown_bear_brown_bear.html>. (2006) . . . Retrieved from Internet Dec. 11, 2013.

Dictionary definition m-w. URL: <<http://www.merriam-webster.com/dictionary/brave>>. Retrieved from Internet Dec. 10, 2013.

Dictionary definition m-w. URL: <<http://www.merriam-webster.com/dictionary/reassure>>. Retrieved from Internet Dec. 10, 2013.

Lion King Sticker website. URL: <<http://tlkobession.wuffpaws.org/OldSite/games/games2.html>>. 1996 Retrieved from Internet Dec. 10, 2013.

Lion Sticker Activity Book website. URL: <<http://www.amazon.com/Disneys-Simbas-Pride-Sticker-Activity/dp/B0018DOJZA>>. 1998 Retrieved from Internet Dec. 10, 2013.

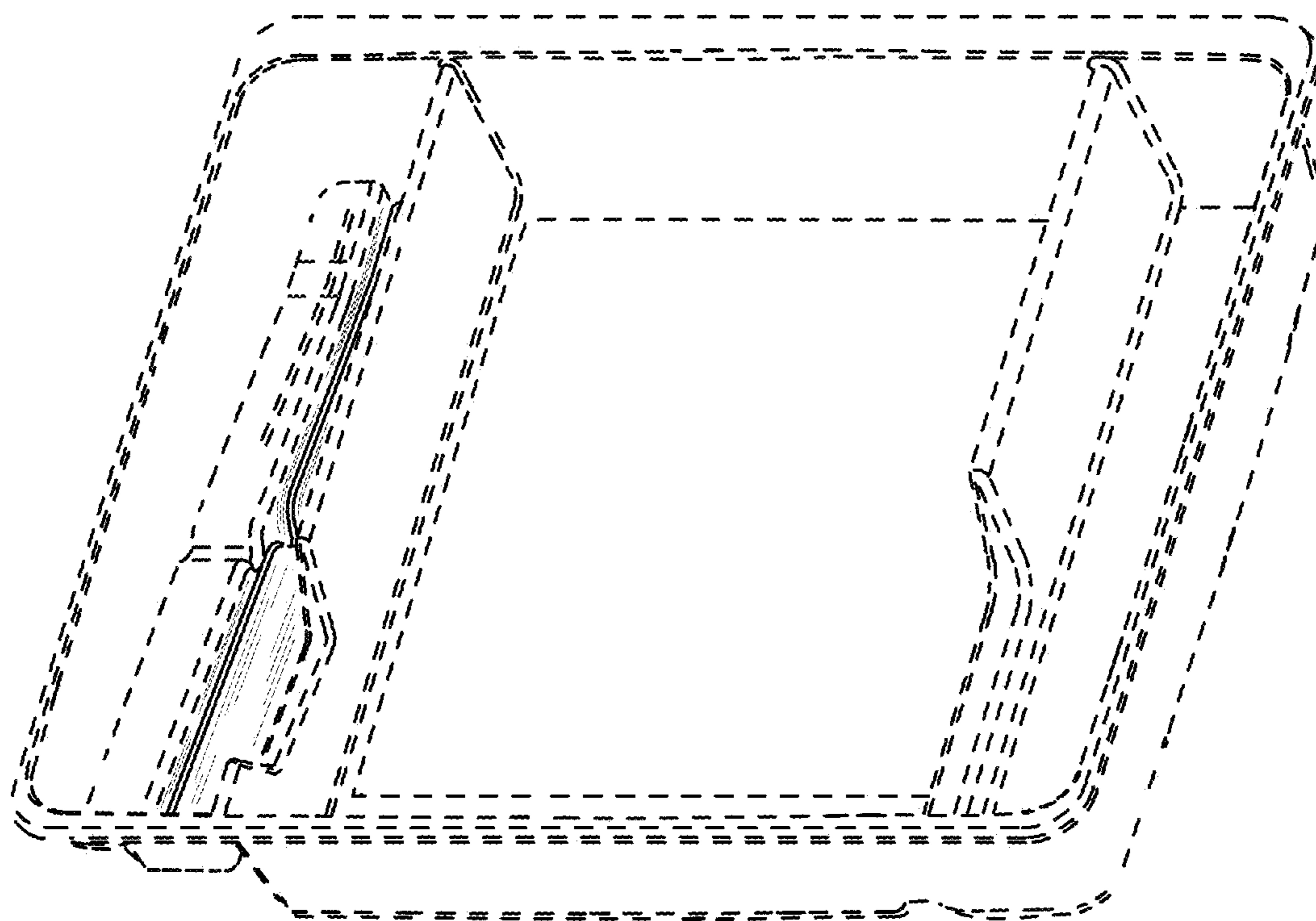
"Examiner's Answer", U.S. Appl. No. 13/153,265, filed Jun. 3, 2011; Mailed Dec. 17, 2013.

Poon, Robert "NonFinal OA", U.S. Appl. No. 12/647,515, filed Dec. 27, 2009; Mailed Dec. 18, 2013.

Poon, Robert "Final OA", U.S. Appl. No. 12/846,675, filed Jul. 29, 2010; Mailed Dec. 18, 2013.

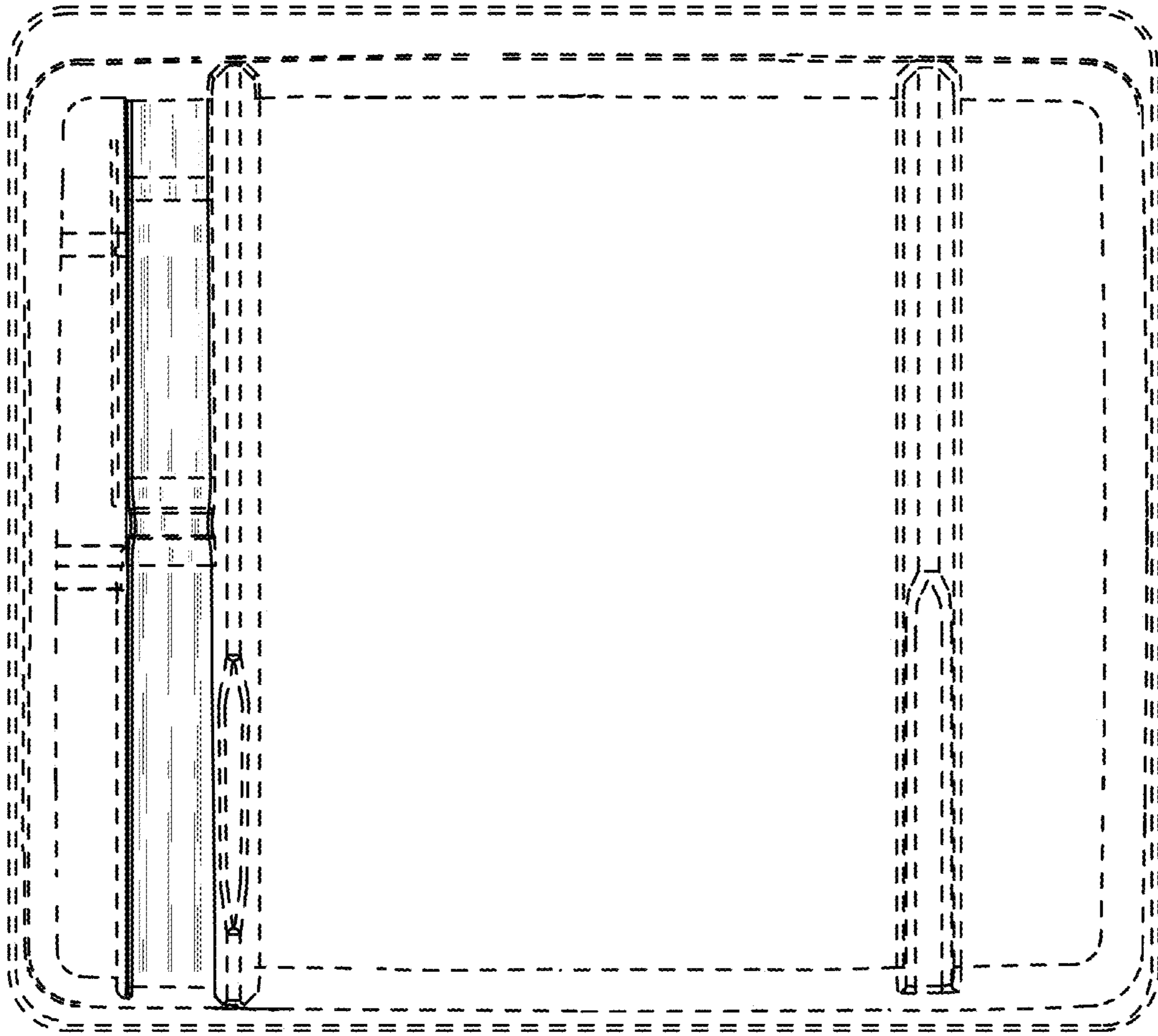
"Extended EPO Exam Report", EPO App No.: 10251025.2; Filed Jun. 2, 2010; Mailed Dec. 17, 2013.

* cited by examiner



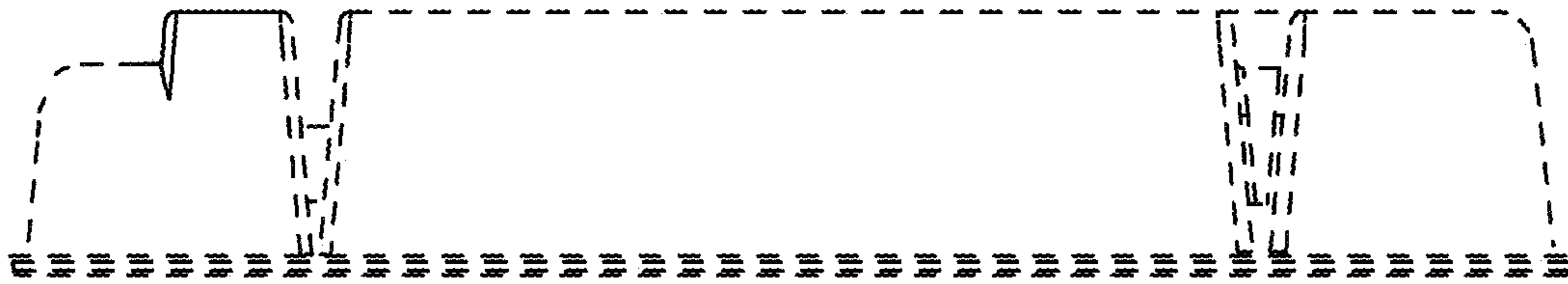
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FIG. 1



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FIG. 2



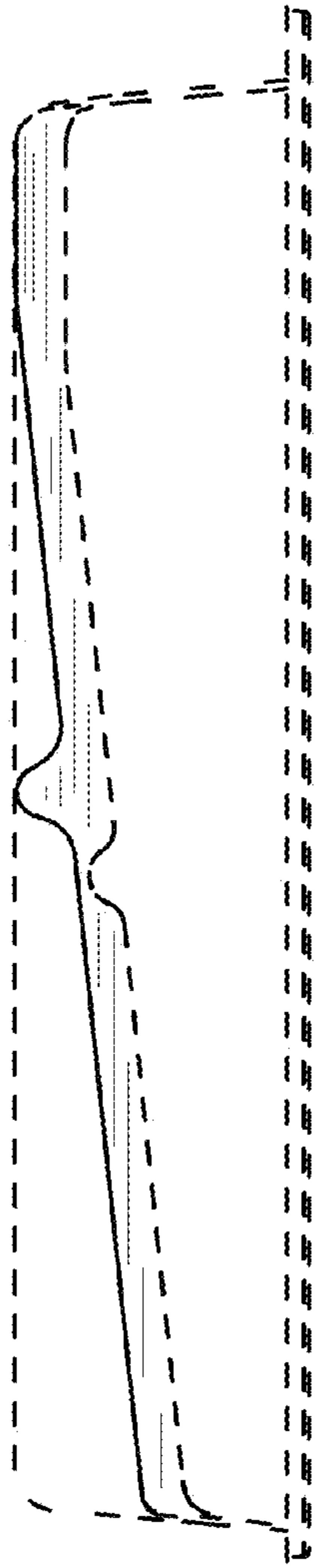
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FIG. 3



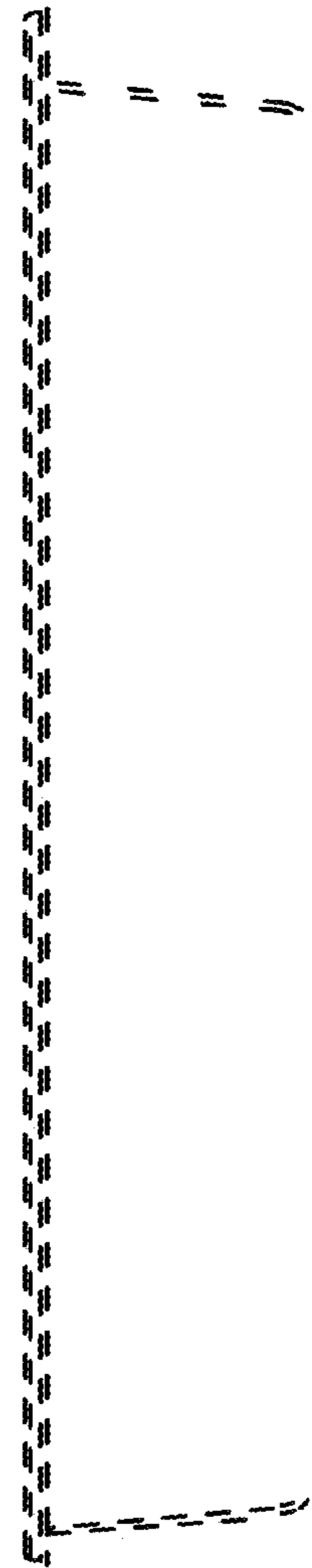
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FIG. 4



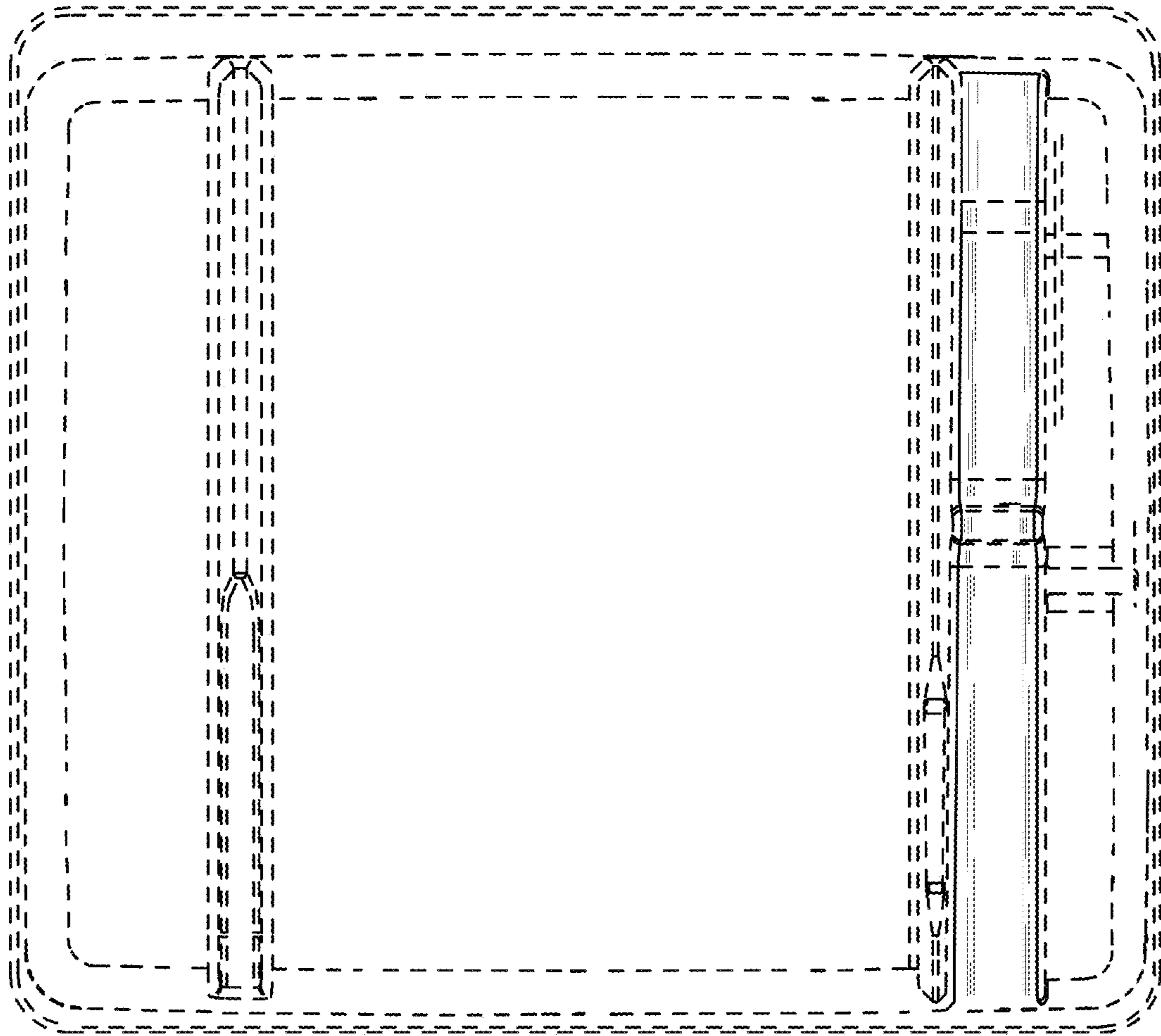
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FIG. 5



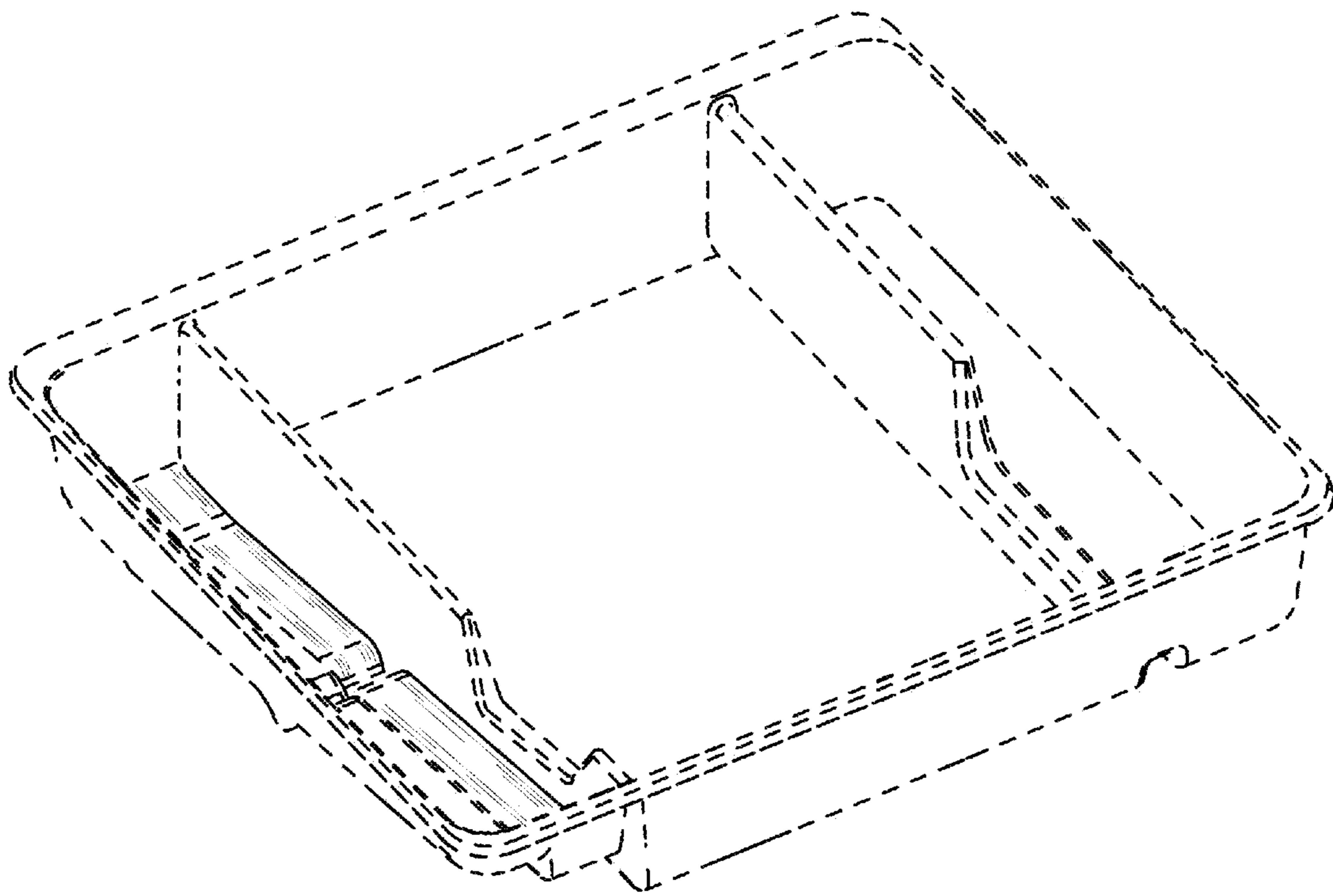
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FIG. 6



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FIG. 7



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FIG. 8