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- (54) **EYEGLASSES**
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See application file for complete search history.

- D173,868 S 1/1955 Belgard
- 2,749,800 A 6/1956 Gagnon
- 2,781,693 A 2/1957 Brumby
- D185,987 S 8/1959 Marfuggi
- D187,852 S 4/1960 Lindblom
- D192,884 S 5/1962 Petitto
- D193,028 S 6/1962 Petitto
- 3,052,160 A 9/1962 Ratti
- D202,658 S 10/1965 Petitto
- D204,812 S 5/1966 Schnidler
- D207,028 S 2/1967 Grise
- D208,437 S 8/1967 Kono
- D209,861 S 1/1968 Demmel
- D209,862 S 1/1968 McCracken
- D210,697 S 4/1968 Ramp
- D210,698 S 4/1968 Simon
- 3,395,406 A 8/1968 Smith

(Continued)

OTHER PUBLICATIONS

Fathom, GlassMirror Lens. Costa Del Mar. Downloaded Dec. 7, 2006 at <http://www.eyeglasses.com/product/1091472073-1091472073>.

(Continued)

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(57) **CLAIM**
The ornamental design for eyeglasses, as shown and described.

(56) **References Cited**

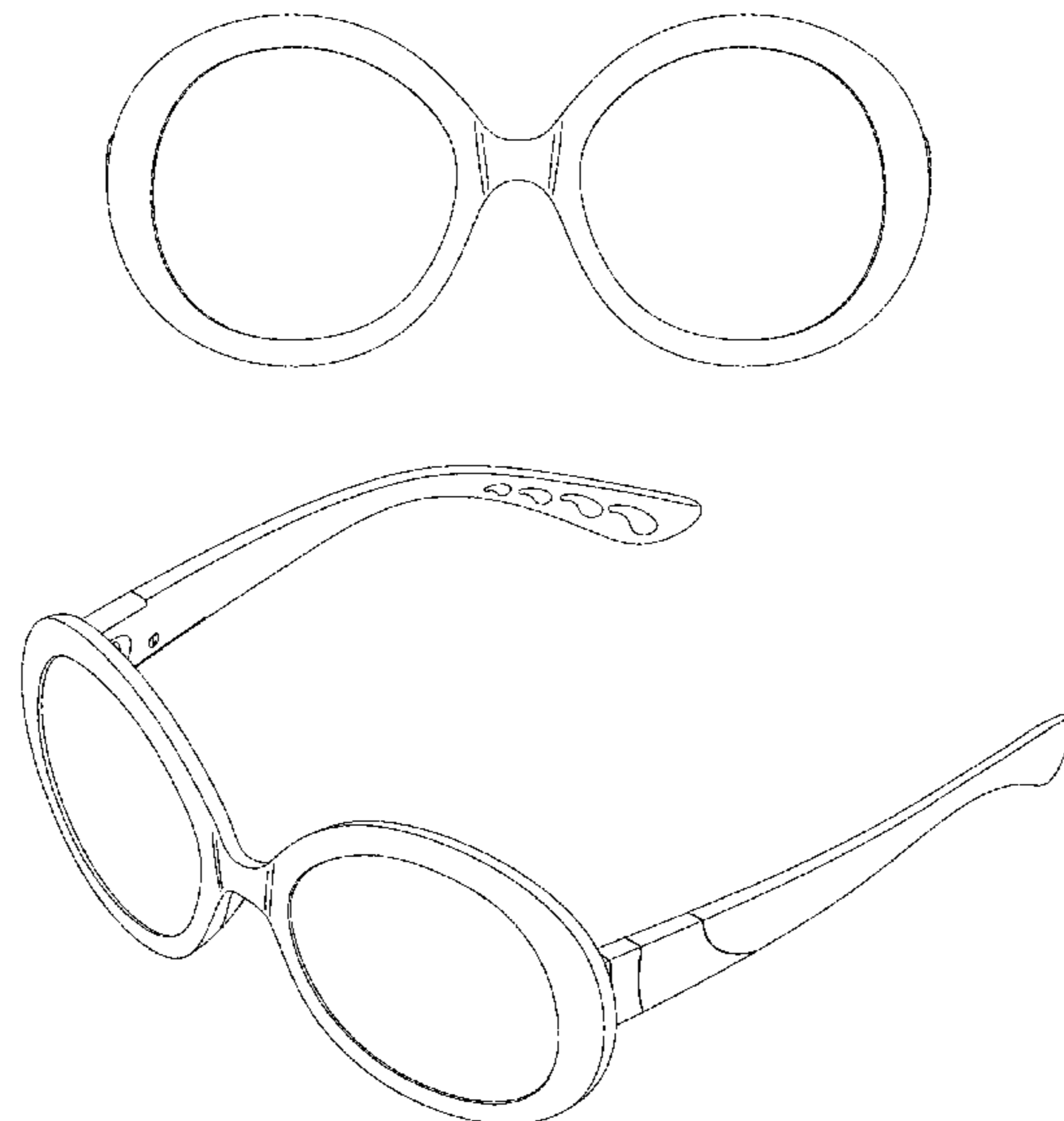
U.S. PATENT DOCUMENTS

- D84,596 S 2/1931 Rohman
- D135,992 S 7/1943 Pomeranz
- 2,403,223 A 7/1946 Kaesz
- D146,004 S 12/1946 Jacobson
- D146,602 S 4/1947 Jaffe
- D149,312 S 4/1948 Schwartz
- D151,070 S 9/1948 Rohman
- D151,222 S 10/1948 Ditto
- 2,482,195 A 9/1949 Martin
- D155,580 S 10/1949 Coen
- D170,745 S 11/1953 Carmichael

DESCRIPTION

FIG. 1 is a front view illustrating our design for eyeglasses; FIG. 2 is a top plan view thereof; FIG. 3 is a left side view thereof; the right side being a mirror image thereof; FIG. 4 is a front perspective view thereof; FIG. 5 is a rear view thereof; and, FIG. 6 is a bottom view thereof.

1 Claim, 6 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D213,595 S	3/1969	Simon	5,903,331 A	5/1999	Lin
D216,563 S	2/1970	Ramp	5,907,384 A	5/1999	Kirsch et al.
D218,128 S	7/1970	Leominster	D412,008 S	7/1999	Hall et al.
D218,953 S	10/1970	Malese	D413,137 S	8/1999	Lin
D220,289 S	3/1971	Mitchell	D414,796 S	10/1999	Arnette
D220,291 S	3/1971	Bloch	5,963,296 A	10/1999	Matera
D227,405 S	6/1973	Shindler	D420,035 S	2/2000	Hartman
D232,380 S	8/1974	Johnson	D422,005 S	3/2000	Martinant de Preneuf
D243,084 S	1/1977	Johnsen	D423,034 S	4/2000	Arnette
D243,398 S	2/1977	Loughner	D423,550 S	4/2000	Matera
D245,169 S	7/1977	Teufelhart	D423,551 S	4/2000	Lamy
D246,903 S	1/1978	Canavan, III	D424,094 S	5/2000	Conway
4,222,640 A	9/1980	Bononi	D424,598 S	5/2000	Simioni
D257,854 S	1/1981	Beane	D425,102 S	5/2000	Matera
D263,058 S	2/1982	Johnsen	D425,103 S	5/2000	Yee et al.
4,345,824 A	8/1982	Daubignard	6,056,399 A	5/2000	Jannard et al.
D273,684 S	5/1984	Dianitsch	D426,567 S	6/2000	Gugler
D275,204 S	8/1984	Kanoüi	D427,227 S	6/2000	Conway
4,470,674 A	9/1984	Piampiano	D427,622 S	7/2000	Conway
D276,349 S	11/1984	Zeni	D428,907 S	8/2000	Matera
D282,668 S	2/1986	Haas	D429,754 S	8/2000	Markovitz et al.
D285,020 S	8/1986	Schmidthaler	D429,755 S	8/2000	Markovitz et al.
D285,210 S *	8/1986	Marchi et al. D16/323	D434,064 S	11/2000	Lane
4,665,598 A	5/1987	Murai et al.	D434,789 S	12/2000	Lane
D290,465 S	6/1987	Levoy	6,168,271 B1	1/2001	Houston et al.
D300,226 S	3/1989	Ramp	D437,871 S	2/2001	Tortorella
D302,559 S	8/1989	Samuel	D438,886 S	3/2001	Freeman
D311,195 S	10/1990	Berthet-Bondet	D441,002 S	4/2001	Stark et al.
D314,779 S	2/1991	Ramp	6,233,342 B1	5/2001	Fernandez
D321,523 S	11/1991	Cherian	D445,821 S	7/2001	Agnoli
D321,895 S	11/1991	Ramp	6,253,388 B1	7/2001	Lando
D324,394 S	3/1992	Jannard	6,264,327 B1	7/2001	Copeland
D330,395 S	10/1992	Simioni	D447,763 S	9/2001	Lane
5,270,743 A	12/1993	Hofmair et al.	D449,640 S	10/2001	Grundy
5,343,259 A	8/1994	Nakanishi	D449,641 S	10/2001	Arnette
5,373,331 A	12/1994	Vallalla et al.	D450,744 S	11/2001	Rhoades et al.
5,423,092 A	6/1995	Kawai	D451,120 S	11/2001	Venezia
D369,375 S	4/1996	Jannard et al.	D452,522 S	12/2001	Chiou
D369,376 S	4/1996	Guo	D453,024 S	1/2002	Bonnemere
D371,384 S	7/1996	Bonnemere	6,334,680 B1	1/2002	Larson
5,537,161 A	7/1996	Monroe	D453,783 S	2/2002	Ho
5,541,674 A	7/1996	Jannard	D455,168 S	4/2002	Bonnemere
D372,929 S	8/1996	Conway	D456,038 S	4/2002	Arnette
D376,810 S	12/1996	Ohie	D456,441 S	4/2002	Jannard et al.
D377,037 S	12/1996	Stolt	D463,815 S	10/2002	Katz et al.
5,608,469 A	3/1997	Bollé	D464,669 S	10/2002	Thixton et al.
D380,487 S	7/1997	Nevitt	D469,459 S	1/2003	Moritz
D382,290 S	8/1997	Simioni	D470,167 S	2/2003	Jannard et al.
D382,291 S	8/1997	Wilson	D470,883 S	2/2003	Teng
D382,892 S	8/1997	Murai	D472,915 S	4/2003	Rohrbach et al.
D383,478 S	9/1997	Wilson	D474,224 S	5/2003	Chen
D385,291 S	10/1997	Jannard et al.	6,561,647 B1	5/2003	Chen
D385,897 S	11/1997	Lin	D475,390 S	6/2003	Wang-Lee
D386,511 S	11/1997	Takekoshi	D475,393 S	6/2003	Lee
D391,596 S	3/1998	Simioni	D475,733 S	6/2003	Lee
D393,653 S	4/1998	Howard, IV	D476,354 S	6/2003	Chen
D394,871 S	6/1998	Simioni	D477,348 S	7/2003	Lane
5,764,333 A	6/1998	Somsel	D477,834 S	7/2003	Sheldon
5,768,716 A	6/1998	Porsche	6,604,824 B2	8/2003	Larson
D397,350 S	8/1998	Jannard et al.	D481,059 S	10/2003	Egbert et al.
D397,712 S	9/1998	Simioni	6,637,877 B1	10/2003	Hartley et al.
D398,022 S	9/1998	Jannard et al.	D481,750 S	11/2003	Stables
D398,330 S	9/1998	Lin	D481,751 S	11/2003	Stables
5,815,235 A	9/1998	Runckel	D483,393 S	12/2003	Chen
D399,238 S	10/1998	Simioni	D487,477 S	3/2004	Lane
D399,866 S	10/1998	Yee	D488,499 S	4/2004	Mage
D401,610 S	11/1998	Flanagan	6,715,873 B2	4/2004	Nahmias
D404,754 S	1/1999	Yee et al.	6,729,725 B1	5/2004	Cheng
D407,099 S	3/1999	Wang	D493,188 S	7/2004	Brueck
D407,427 S	3/1999	Matera	6,767,095 B1	7/2004	Altelaar et al.
D408,839 S	4/1999	Matera	6,783,235 B1	8/2004	Lin
D408,841 S	4/1999	Conway	D496,064 S	9/2004	Mangum
D409,222 S	5/1999	Raub	D497,933 S	11/2004	Moody
D409,224 S	5/1999	Matera	D500,781 S	1/2005	Mage
D410,022 S	5/1999	Conway	D501,218 S	1/2005	Teng
			6,863,395 B1	3/2005	Teng
			D503,949 S	4/2005	Teng
			D508,514 S	8/2005	Hester
			D508,515 S	8/2005	Yee et al.

(56)

References Cited

U.S. PATENT DOCUMENTS

D513,518 S	1/2006	Stables	D561,810 S	2/2008	Fox et al.
D514,615 S	2/2006	Mangum	D561,812 S	2/2008	Fox et al.
D515,617 S	2/2006	Stables	D561,813 S	2/2008	Baden et al.
D515,618 S	2/2006	Stables	D561,814 S	2/2008	Thixton et al.
D518,502 S	4/2006	Teng	D563,455 S	3/2008	Markovitz et al.
D519,146 S	4/2006	Yasuhara	D564,569 S	3/2008	Mage
D519,148 S	4/2006	Wu	D564,570 S	3/2008	Mage
7,036,927 B2	5/2006	Kopfer	D564,571 S	3/2008	Jannard et al.
D525,278 S	7/2006	Krefman	D565,085 S	3/2008	Mage
D532,438 S	11/2006	Yang	D565,087 S	3/2008	Yee et al.
D533,892 S	12/2006	Moody et al.	D565,090 S	3/2008	Yee
7,150,525 B1	12/2006	Yang	D567,838 S	4/2008	Fuchs
D534,569 S	1/2007	Teng	D568,365 S	5/2008	Fuchs
D534,573 S	1/2007	Mage	D568,369 S	5/2008	Della Valle
D534,942 S	1/2007	Lynch	D568,371 S	5/2008	Chen
D535,316 S	1/2007	Teng	D568,921 S	5/2008	Anderl
D535,317 S	1/2007	Wolfe	D568,924 S	5/2008	Markovitz
D535,682 S	1/2007	Paulson	D570,900 S	6/2008	Markovitz
D536,028 S	1/2007	Paulson	D572,294 S	7/2008	Markovitz
D537,861 S	3/2007	Teng	D572,747 S	7/2008	Baden et al.
D537,863 S	3/2007	Markovitz et al.	D572,748 S	7/2008	Markovitz
D538,326 S	3/2007	Guo	D572,749 S	7/2008	Yee
D539,329 S	3/2007	Mouclier	D574,412 S	8/2008	Wu
D539,330 S	3/2007	Hester	D575,323 S	8/2008	Jannard et al.
D539,829 S	4/2007	Chuang	D575,813 S	8/2008	Li
D539,834 S	4/2007	Hester	D577,759 S	9/2008	Yee
D540,370 S	4/2007	Sheldon	D580,475 S	11/2008	Markovitz et al.
D540,846 S	4/2007	Sheldon	D581,443 S	11/2008	Jannard et al.
D541,839 S	5/2007	Sheldon	D581,444 S	11/2008	Jannard et al.
D542,330 S	5/2007	Elmore	D581,446 S	11/2008	Yee
D543,572 S	5/2007	Yee et al.	D581,449 S	11/2008	Yee
D543,573 S	5/2007	Chuang	D581,450 S	11/2008	Moritz
D544,018 S	6/2007	Huang	D581,966 S	12/2008	Serlenga
D544,521 S	6/2007	Lee	D582,697 S	12/2008	Goodman et al.
D545,348 S	6/2007	Chen	D582,960 S	12/2008	Fuchs
D545,871 S	7/2007	Yee	D582,966 S	12/2008	Serlenga
D545,872 S	7/2007	Yee et al.	D583,403 S	12/2008	Lane et al.
D545,873 S	7/2007	Sheldon	D583,404 S	12/2008	Baden et al.
D546,867 S	7/2007	Teng	D583,852 S	12/2008	Chen
D547,355 S	7/2007	Fuchs	D583,853 S	12/2008	Markovitz et al.
D547,794 S	7/2007	Jannard et al.	D583,863 S	12/2008	Savoy
D548,268 S	8/2007	Yee	D584,330 S	1/2009	Chen
D548,269 S	8/2007	Baden et al.	D584,332 S	1/2009	Moody
D548,769 S	8/2007	Chen	D584,335 S	1/2009	Baden et al.
D549,268 S	8/2007	Daems et al.	D584,758 S	1/2009	Mage
D549,270 S	8/2007	Daems et al.	D584,759 S	1/2009	Yang
D549,746 S	8/2007	Popov	D585,474 S	1/2009	Tu
D549,763 S	8/2007	Daems et al.	D585,475 S	1/2009	Yang
D549,764 S	8/2007	Teng	7,481,529 B1	1/2009	Chen
D550,272 S	9/2007	Markovitz et al.	D585,928 S	2/2009	Markovitz
D550,753 S	9/2007	Li	D586,379 S	2/2009	Thixton et al.
D550,755 S	9/2007	Fuchs	D586,380 S	2/2009	Yee
D550,757 S	9/2007	Li	D586,381 S	2/2009	Yee
D551,693 S	9/2007	Fuchs	D587,740 S	3/2009	Friedman
D552,155 S	10/2007	Markovitz	D588,183 S	3/2009	Friedman
D552,665 S	10/2007	Mage	D588,626 S	3/2009	Markovitz
D553,177 S	10/2007	Chen	D589,079 S	3/2009	Markovitz et al.
D553,368 S	10/2007	Yee et al.	7,506,977 B1	3/2009	Aiiso
D553,663 S	10/2007	Moody	D590,433 S	4/2009	Lane et al.
D554,687 S	11/2007	Arnette	D590,869 S	4/2009	Yang
D554,689 S	11/2007	Jannard et al.	D591,789 S	5/2009	Li
D555,705 S	11/2007	Chuang	D594,052 S	6/2009	Yang
D556,243 S	11/2007	Elmore	D594,501 S	6/2009	Yee
D556,245 S	11/2007	Lane	D595,333 S	6/2009	Markovitz et al.
D556,246 S	11/2007	Yee	D597,124 S	7/2009	Markovitz
D556,248 S	11/2007	Elmore	D599,837 S	9/2009	Markovitz et al.
D556,813 S	12/2007	Brück	D599,838 S	9/2009	Rohrbach
D557,324 S	12/2007	Moody	D599,840 S	9/2009	Daems et al.
D557,325 S	12/2007	Jannard et al.	D600,271 S	9/2009	Markovitz et al.
D557,730 S	12/2007	Mage et al.	D601,181 S	9/2009	Fuchs
D557,731 S	12/2007	Mage et al.	D601,613 S	10/2009	Yee
D558,816 S	1/2008	Yee	D601,614 S	10/2009	Mouclier
D559,301 S	1/2008	Elmore	D601,615 S	10/2009	Mage
D559,888 S	1/2008	Yang	D602,975 S	10/2009	Fuchs
D561,809 S	2/2008	Yee et al.	D602,977 S	10/2009	Falvo
			D603,446 S	11/2009	Moody
			D603,447 S	11/2009	Markovitz et al.
			D603,448 S	11/2009	Markovitz
			D604,758 S	11/2009	Rohrbach et al.

(56)

References Cited

U.S. PATENT DOCUMENTS

D604,759 S	11/2009	Rohrbach et al.	D654,529 S	2/2012	Markovitz et al.
D605,686 S	12/2009	Yasuhara	D654,530 S	2/2012	Markovitz et al.
D606,112 S	12/2009	Markovitz et al.	D654,531 S	2/2012	Markovitz et al.
D606,113 S	12/2009	Daems et al.	D654,946 S	2/2012	Markovitz et al.
D606,575 S	12/2009	Markovitz et al.	D656,088 S	3/2012	Krier et al.
D606,578 S	12/2009	Markovitz et al.	D656,177 S	3/2012	Sallard
D606,580 S	12/2009	Markovitz et al.	D658,704 S	5/2012	Markovitz et al.
D607,039 S	12/2009	Yee	D659,182 S	5/2012	Shin et al.
D607,040 S	12/2009	Rohrbach	D660,343 S	5/2012	Froissard
D607,918 S	1/2010	Khubani	D661,340 S	6/2012	Kim et al.
7,648,233 B2	1/2010	Blanshay et al.	D662,537 S	6/2012	Markovitz et al.
D610,604 S	2/2010	Thixton	D663,764 S	7/2012	Serlenga
D613,788 S	4/2010	Friedman	D664,589 S	7/2012	Gonzalez
D614,359 S	4/2010	Gleason et al.	D664,590 S	7/2012	Shin
D615,579 S	5/2010	Markovitz	D667,044 S	9/2012	Markovitz et al.
D616,013 S	5/2010	Reed	D667,045 S	9/2012	Gonzalez
D616,014 S	5/2010	Yang	D669,925 S	10/2012	Faber et al.
D616,015 S	5/2010	Markovitz et al.	D671,163 S	11/2012	Markovitz et al.
D616,016 S	5/2010	Markovitz et al.	D671,591 S	11/2012	Markovitz et al.
D616,918 S	6/2010	Rohrbach	D671,978 S	12/2012	Markovitz et al.
D616,919 S	6/2010	Thixton	D671,980 S	12/2012	Sallard
D617,365 S	6/2010	Akarra et al.	D671,984 S	12/2012	Fuchs
D617,366 S	6/2010	Fulton	D673,205 S	12/2012	Earley
D619,160 S	7/2010	Sheldon	D673,599 S	1/2013	Earley
D621,438 S	8/2010	Markovitz et al.	D674,432 S	1/2013	Earley
D621,868 S	8/2010	Gonzalez	D674,434 S	1/2013	Rohrbach
D622,302 S	8/2010	Yee	D674,835 S	1/2013	Esson
D622,757 S	8/2010	Mouclier	D675,665 S	2/2013	Faber et al.
D623,216 S	9/2010	Rohrbach	D675,666 S	2/2013	Thixton et al.
D623,217 S	9/2010	Markovitz et al.	D675,670 S	2/2013	Fuchs
D623,683 S	9/2010	Rohrbach	D675,671 S	2/2013	Markovitz et al.
D623,684 S	9/2010	Yee	D677,311 S	3/2013	Markovitz et al.
D626,988 S	11/2010	Yang	D677,312 S	3/2013	Markovitz et al.
D626,990 S	11/2010	Markovitz	D677,313 S	3/2013	Markovitz et al.
D628,229 S	11/2010	Fuchs	D677,314 S	3/2013	Markovitz et al.
D629,036 S	12/2010	Yee et al.	D677,316 S	3/2013	Markovitz et al.
D629,443 S	12/2010	Markovitz et al.	D680,574 S	4/2013	Decelles et al.
D629,444 S	12/2010	Akarra et al.	D680,577 S	4/2013	Slosar et al.
D629,829 S	12/2010	Markovitz et al.	D681,094 S	4/2013	Markovitz et al.
D629,830 S	12/2010	Markovitz et al.	D681,095 S	4/2013	Markovitz et al.
D629,831 S	12/2010	Markovitz	D681,099 S	4/2013	Markovitz et al.
7,856,673 B2	12/2010	Reed	D681,100 S	4/2013	Markovitz et al.
D630,674 S	1/2011	Markovitz	D682,921 S	5/2013	Sallard
D631,083 S	1/2011	Serlenga	D683,389 S	5/2013	Stables
D631,084 S	1/2011	Phillips	D685,409 S	7/2013	Sheldon
D632,721 S	2/2011	Chou	D685,840 S *	7/2013	Della Valle et al. D16/321
D633,129 S	2/2011	Chou	D688,728 S	8/2013	Markovitz et al.
D633,552 S	3/2011	Yang	D694,808 S	12/2013	Holloway
D633,938 S *	3/2011	Della Valle et al. D16/321	D694,809 S *	12/2013	Della Valle et al. D16/326
D634,773 S	3/2011	Fuchs	D701,555 S	3/2014	Markovitz et al.
D635,179 S	3/2011	Della Valle et al.	D701,896 S	4/2014	Markovitz et al.
D635,180 S	3/2011	Della Valle et al.	D702,283 S	4/2014	Markovitz et al.
D636,428 S *	4/2011	Della Valle et al. D16/326	D702,284 S	4/2014	Markovitz et al.
D637,644 S	5/2011	Gonzalez	D702,758 S	4/2014	Markovitz et al.
D638,463 S	5/2011	Scott	D703,259 S	4/2014	Markovitz et al.
D639,845 S	6/2011	Fuchs	D703,729 S	4/2014	Markovitz et al.
D640,308 S	6/2011	Yang	D703,730 S	4/2014	Markovitz et al.
D640,311 S	6/2011	Lombardo et al.	D703,731 S	4/2014	Markovitz et al.
D640,312 S	6/2011	Lombardo et al.	D704,764 S	5/2014	Markovitz et al.
D645,074 S	9/2011	Markovitz et al.	D704,765 S	5/2014	Markovitz et al.
D645,075 S	9/2011	Markovitz et al.	D705,848 S	5/2014	Markovitz et al.
D645,076 S	9/2011	Markovitz et al.	D706,334 S	6/2014	Markovitz et al.
D646,317 S	10/2011	Serlenga	D706,858 S	6/2014	Markovitz et al.
D647,124 S	10/2011	Li	D706,859 S	6/2014	Markovitz et al.
D647,125 S	10/2011	Fuchs	D706,860 S	6/2014	Markovitz et al.
D647,950 S	11/2011	Markovitz et al.	2006/0238698 A1	10/2006	Sheldon
D648,770 S	11/2011	Yang	2006/0238700 A1	10/2006	Del Vecchio
D648,772 S	11/2011	Shin et al.	2006/0268218 A1	11/2006	Medana
D648,773 S	11/2011	Thixton	2007/0261155 A1	11/2007	Tabacchi
D649,177 S	11/2011	Cho et al.	2010/0085533 A1	4/2010	Calilung et al.
D649,579 S	11/2011	Thixton			
D650,825 S	12/2011	Yee et al.			
D650,826 S *	12/2011	Markovitz et al. D16/326			
D652,442 S	1/2012	Yee et al.			
D653,699 S	2/2012	Shin			

OTHER PUBLICATIONS

Jose, Blue Mirror Lens. Costa Del Mar. Downloaded Apr. 20, 2012 at <http://www.costadelmar.com/shop/sunglasses/jose>.
 Cheeca, Copper Lens. Costa Del Mar. Downloaded Apr. 20, 2012 at <http://www.costadelmar.com/shop/sunglasses/cheeca>.

(56)

References Cited

OTHER PUBLICATIONS

Bonita, Gray Lens. Costa Del Mar. Downloaded Apr. 20, 2012 at <http://www.costadelmar.com/shop/sunglasses/bonita>.

Native Product Catalog Two Thousand Thirteen. Costa Del Mar. 2012. pp. 6-7.

Costa 2013 Workbook. Costa Del Mar. 2012. pp. 14-19.

* cited by examiner

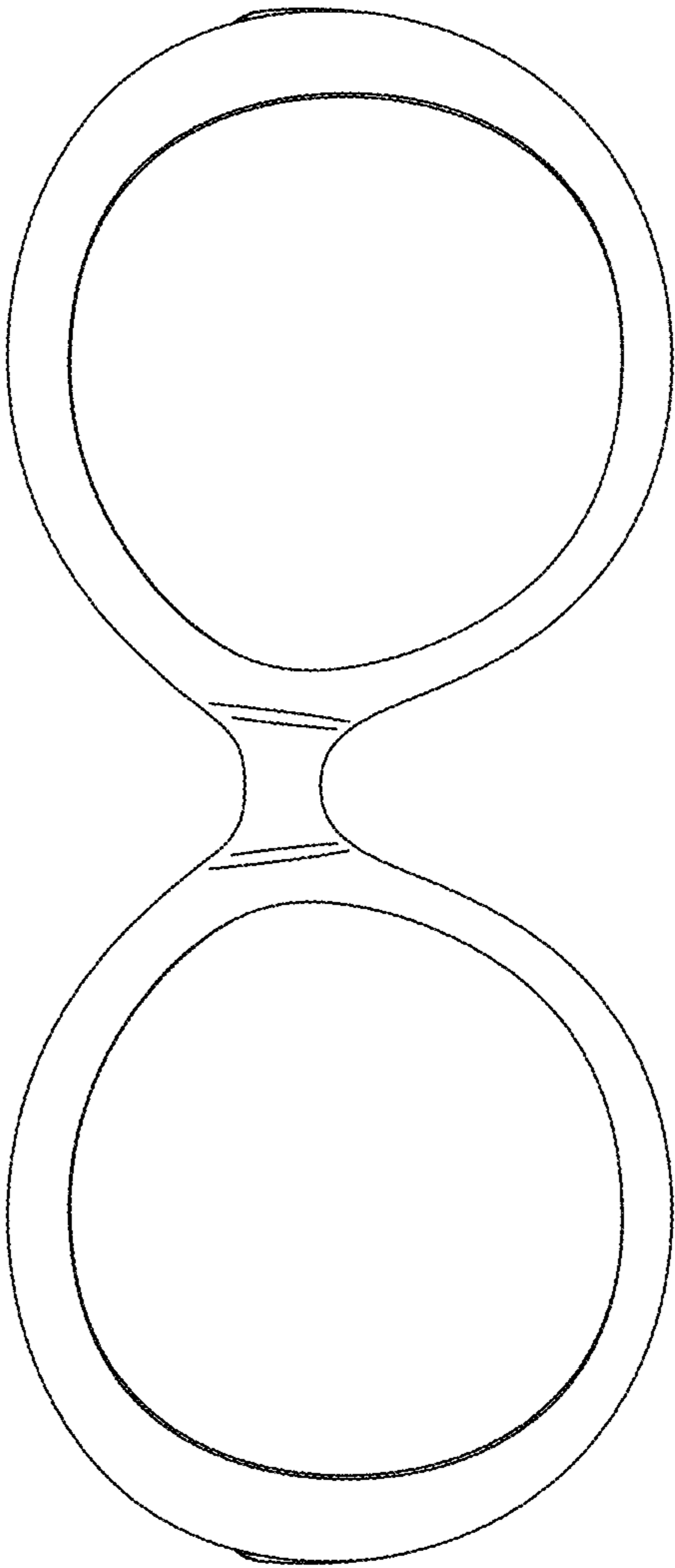


figure 1

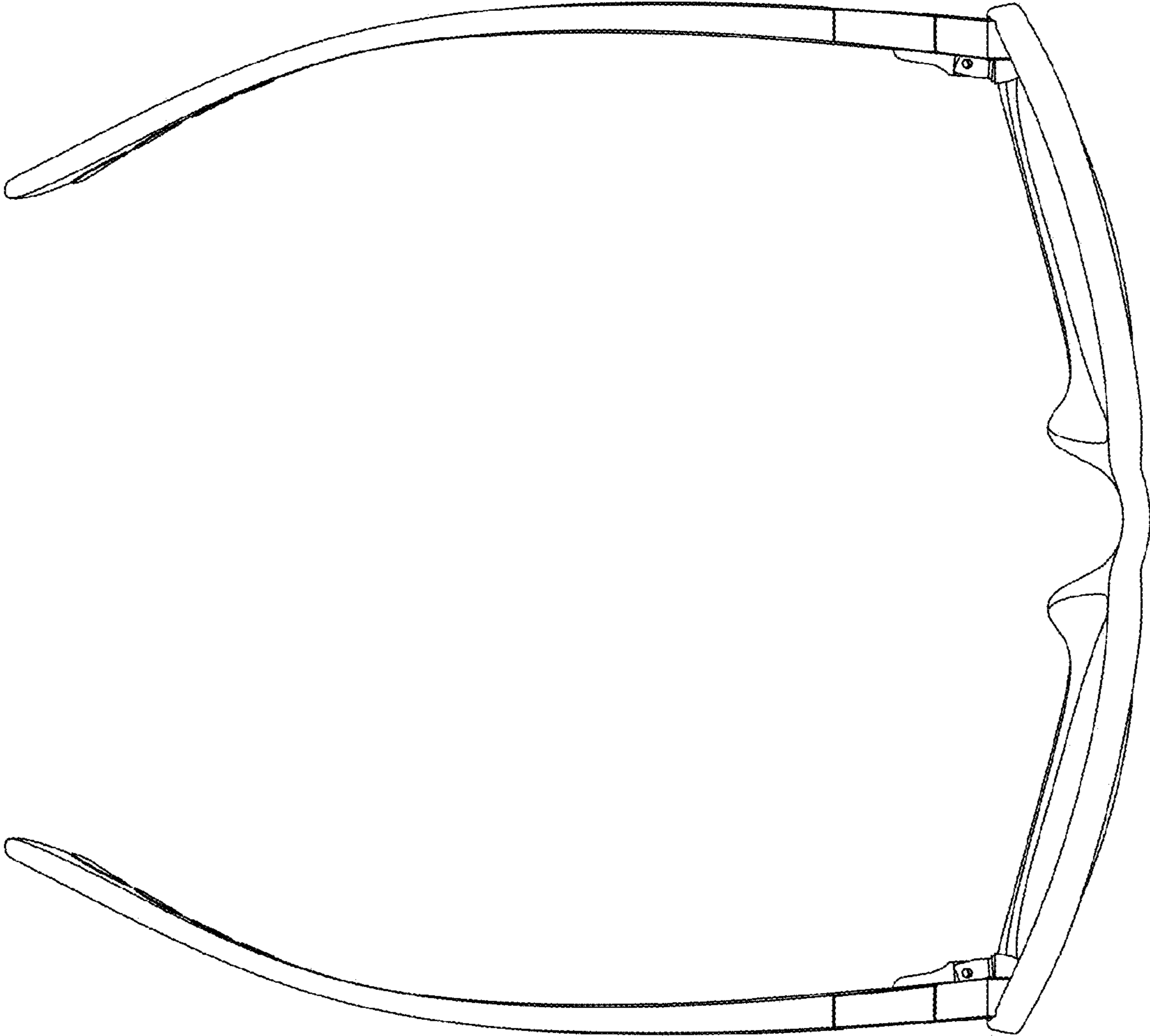


figure 2

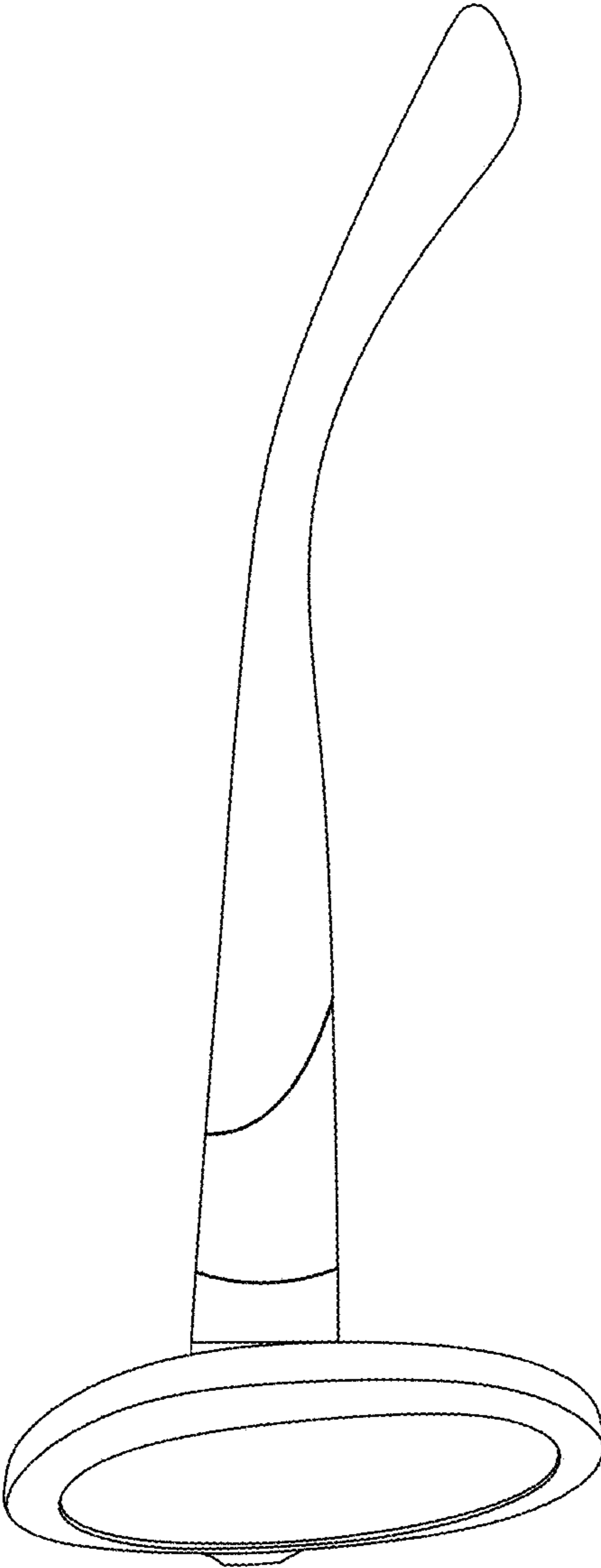


figure 3



figure 4

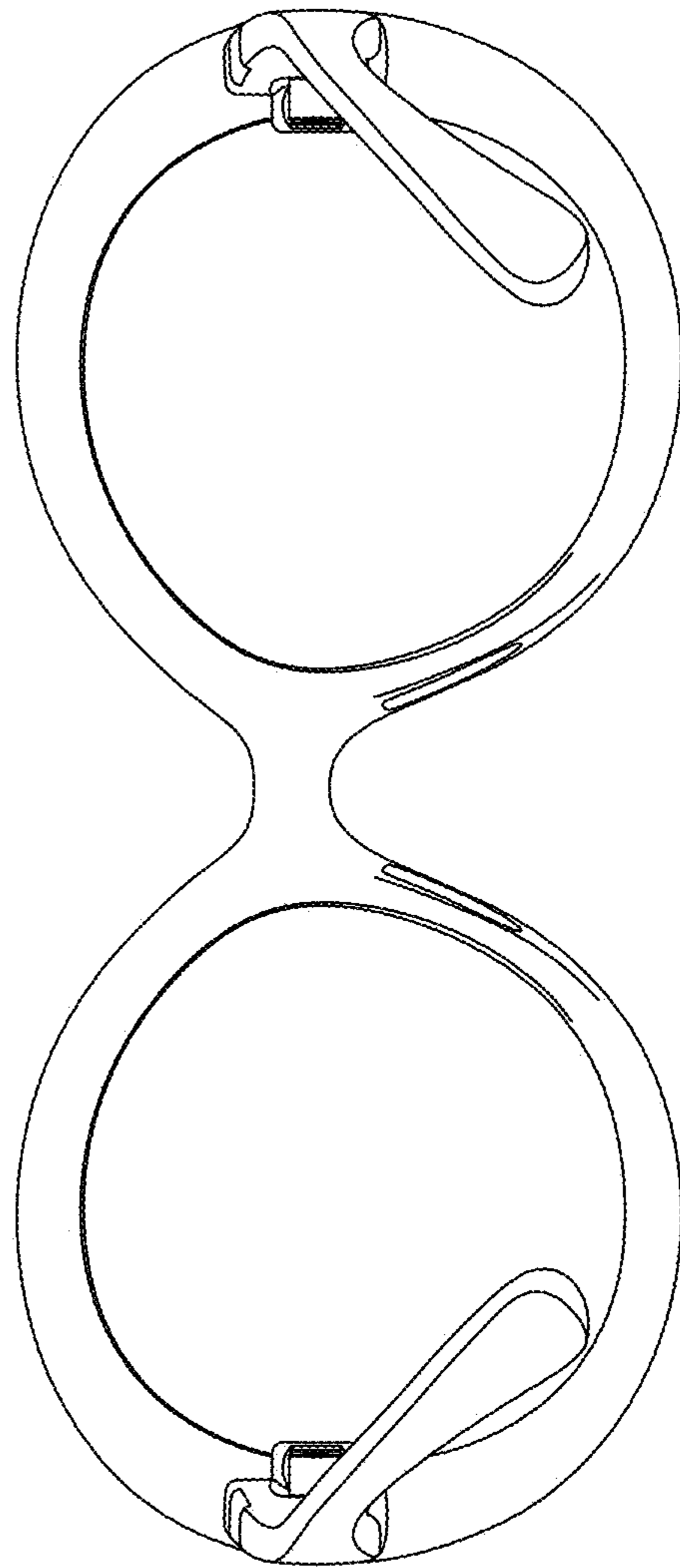


figure 5

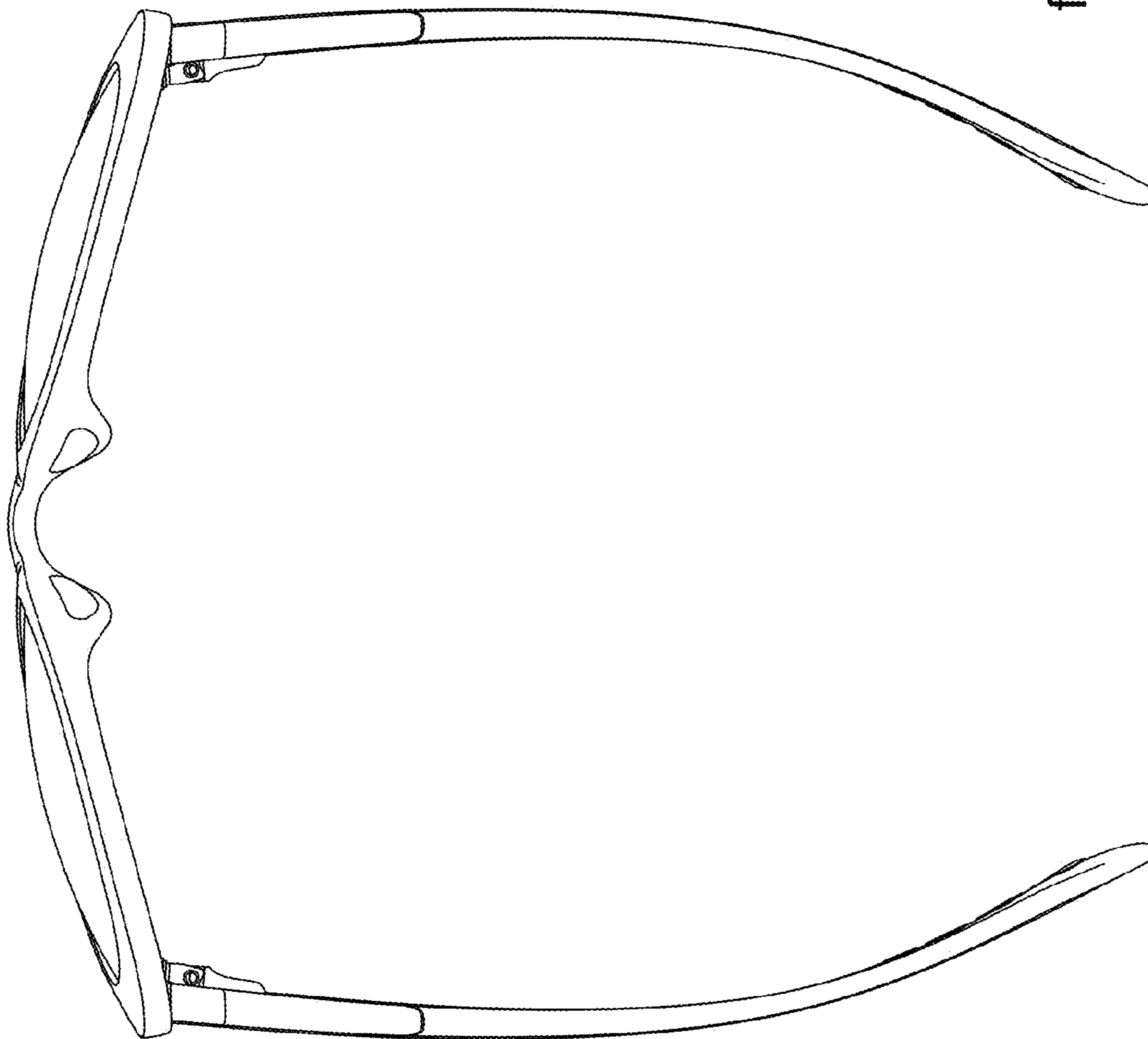


figure 6