



US00D727301S

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

(10) **Patent No.:** **US D727,301 S**
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(54) **EARPIECE CAP**

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

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(51) **LOC (10) Cl.** **14-01**

(52) **U.S. Cl.**
USPC **D14/223; D14/205**

(58) **Field of Classification Search**
CPC H04R 25/00
USPC D14/205, 223, 242; D8/356, 358;
D24/174; 181/129, 130, 135; 379/430,
379/431; 381/380, 381, 314, 329, 322, 371,
381/384; 206/351; 242/405.1, 388, 388.1;
24/113 R

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D102,655	S	*	1/1937	Nicholides	.....	D24/174
2,619,960	A	*	12/1952	Reynolds	.....	128/868
4,457,396	A	*	7/1984	James	.....	181/136
4,702,238	A	*	10/1987	Scott	.....	128/867
5,054,079	A	*	10/1991	Frielingsdorf et al.	.....	381/151
5,735,400	A	*	4/1998	Packard	.....	206/408
5,812,680	A	*	9/1998	Glendon	.....	381/322

(Continued)

OTHER PUBLICATIONS

U.S. Appl. No. 29/488,441, filed Apr. 18, 2014, Smith et al., 21 pages.

(Continued)

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(74) *Attorney, Agent, or Firm* — Haynes and Boone, LLP

(57) **CLAIM**

The ornamental design for an earpiece cap, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of an earpiece cap showing our new design, illustrated in an open position, and attached to an example filter;

FIG. 2 is a rear perspective view thereof;

FIG. 3 is a front side elevational view thereof;

FIG. 4 is a rear side elevational view thereof;

FIG. 5 is a right side elevational view thereof;

FIG. 6 is a left side elevational view thereof;

FIG. 7 is a top plan view thereof; and

FIG. 8 is a bottom plan view thereof.

FIG. 9 is a rear perspective view of the earpiece cap, illustrated in the open position, and attached to an example earpiece; and

FIG. 10 is a right side elevational view thereof.

FIG. 11 is a front perspective view of the earpiece cap, illustrated in a closed position, and attached to the example filter;

FIG. 12 is a rear perspective view thereof;

FIG. 13 is a front side elevational view thereof;

FIG. 14 is a rear side elevational view thereof;

FIG. 15 is a right side elevational view thereof;

FIG. 16 is a left side elevational view thereof;

FIG. 17 is a top plan view thereof; and

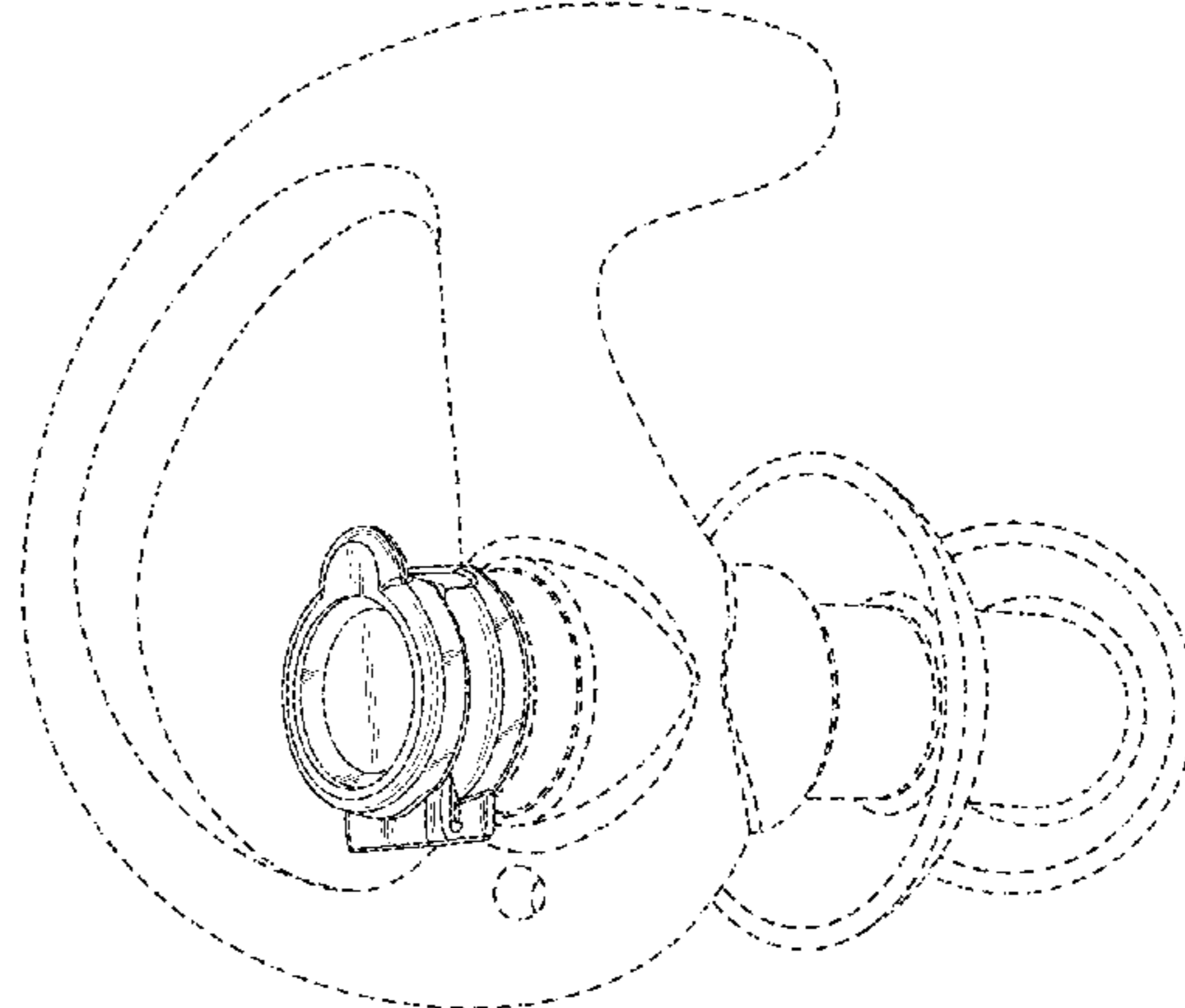
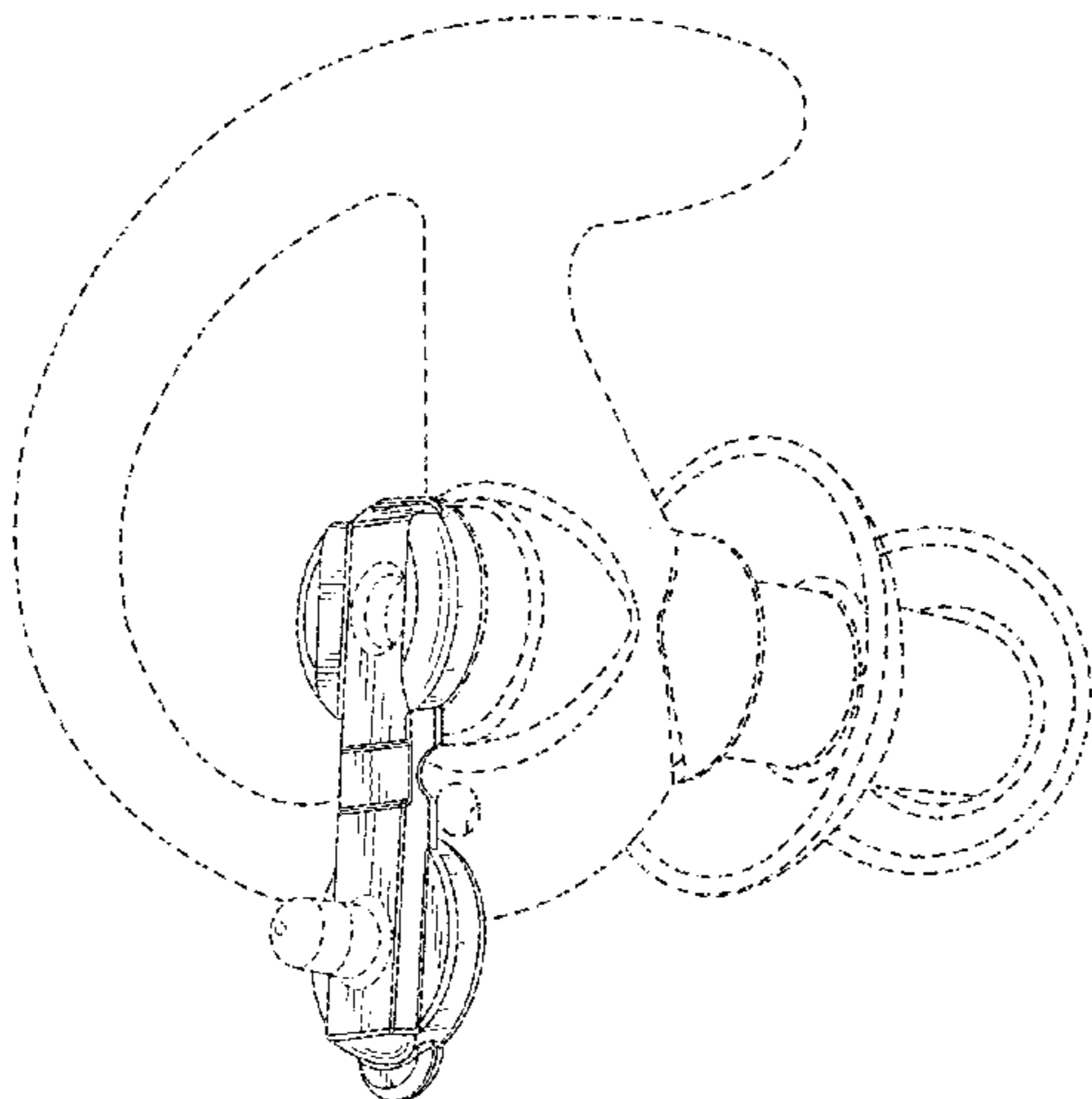
FIG. 18 is a bottom plan view thereof.

FIG. 19 is a rear perspective view of the earpiece cap, illustrated in the closed position, and attached to the example earpiece; and,

FIG. 20 is a right side elevational view thereof.

The broken lines in the drawings illustrate environmental features and form no part of the claimed design.

1 Claim, 20 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D449,295 S * 10/2001 Smith et al. D14/223
 D456,692 S * 5/2002 Epstein D8/356
 D468,301 S * 1/2003 Fushimi D14/223
 D512,417 S * 12/2005 Hirakawa et al. D14/223
 D514,094 S * 1/2006 Griffin D14/223
 D514,095 S * 1/2006 Wilson et al. D14/223
 7,032,854 B2 * 4/2006 Marsden 242/388.1
 D532,520 S * 11/2006 Kampmeier et al. D24/174
 D561,739 S * 2/2008 Ikeda et al. D14/206
 7,366,298 B2 * 4/2008 Pedersen et al. 379/430
 D568,290 S * 5/2008 Wikel D14/205
 D583,361 S * 12/2008 Sodetz D14/205
 D597,070 S * 7/2009 Zheng D14/205
 D599,781 S * 9/2009 Lee et al. D14/205
 D603,380 S * 11/2009 Hutchieson D14/223
 7,778,435 B2 * 8/2010 Smith et al. 381/380
 7,934,916 B2 * 5/2011 Smith et al. 425/2
 D643,833 S * 8/2011 Lee et al. D14/223
 8,116,495 B2 * 2/2012 Spaulding 381/328

D664,124 S * 7/2012 Smith et al. D14/223
 D666,581 S * 9/2012 Perez D14/223
 D683,332 S * 5/2013 Lee et al. D14/223
 8,499,886 B2 * 8/2013 Johnston et al. 181/129
 D693,008 S * 11/2013 Chan et al. D24/174
 8,625,834 B2 * 1/2014 Smith et al. 381/380
 8,750,546 B2 * 6/2014 Meier et al. 381/323
 D708,599 S * 7/2014 Ang D14/223
 8,879,769 B2 * 11/2014 Smith et al. 381/380

OTHER PUBLICATIONS

Moldex, Battleplugs, BattlePlugs® Impulse Earplugs <http://www.moldex.com/government-division/hearing-protection/reusable-ear-plugs/battleplugs.php>, 3 pages, retrieved on Nov. 13, 2013.
 Earplug Superstore®, 3M Combat Arms Generation 4 Tactical Military Shooter's Ear Plugs (NRR 7/23) <http://www.earplugstore.com/combat-arms-generation4.html>, 1 page, retrieved on Nov. 13, 2013.
 SureFire Products Catalog, Earpro earplugs and earpieces, pp. 122-124, published 2012.

* cited by examiner

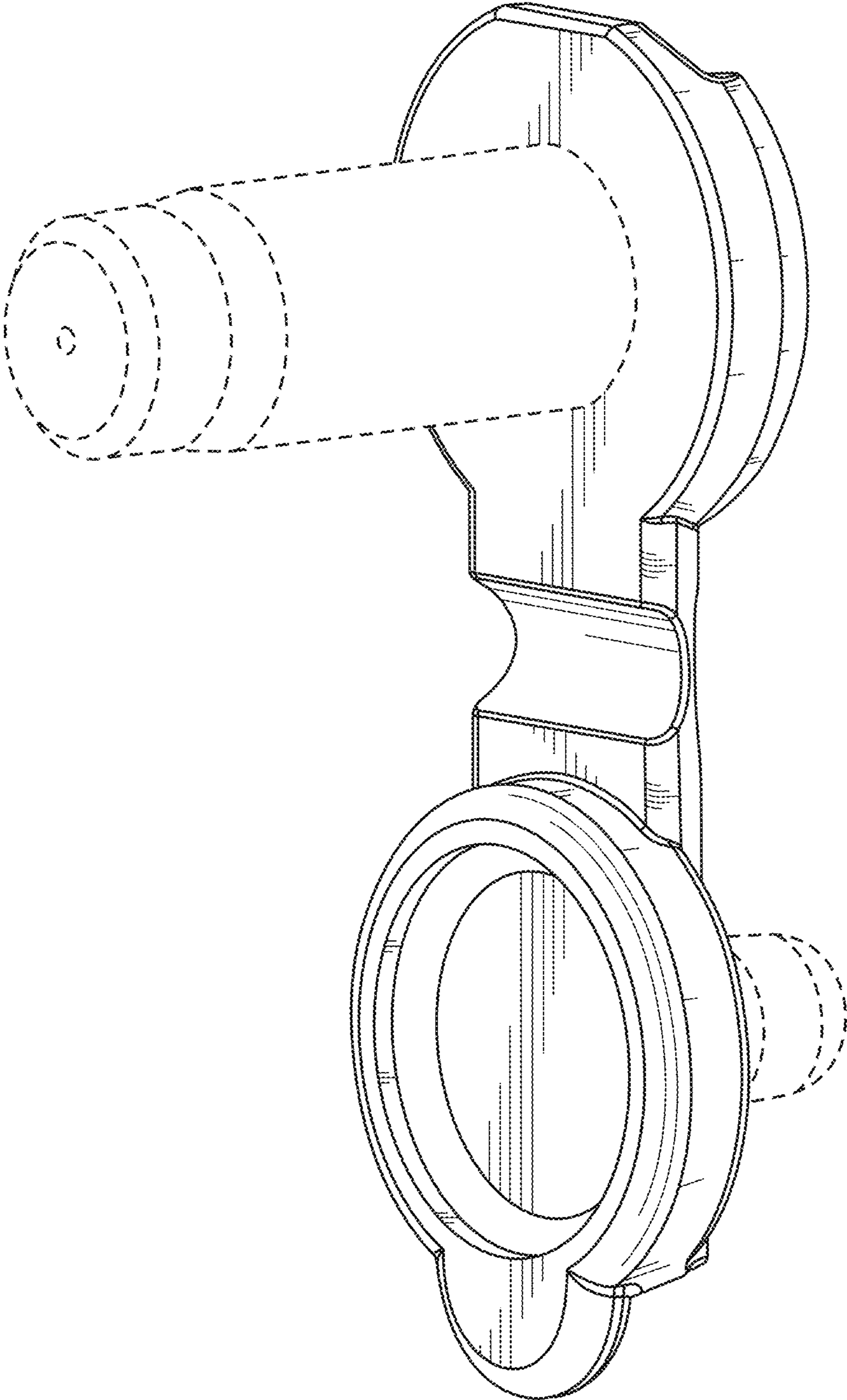


FIG. 1

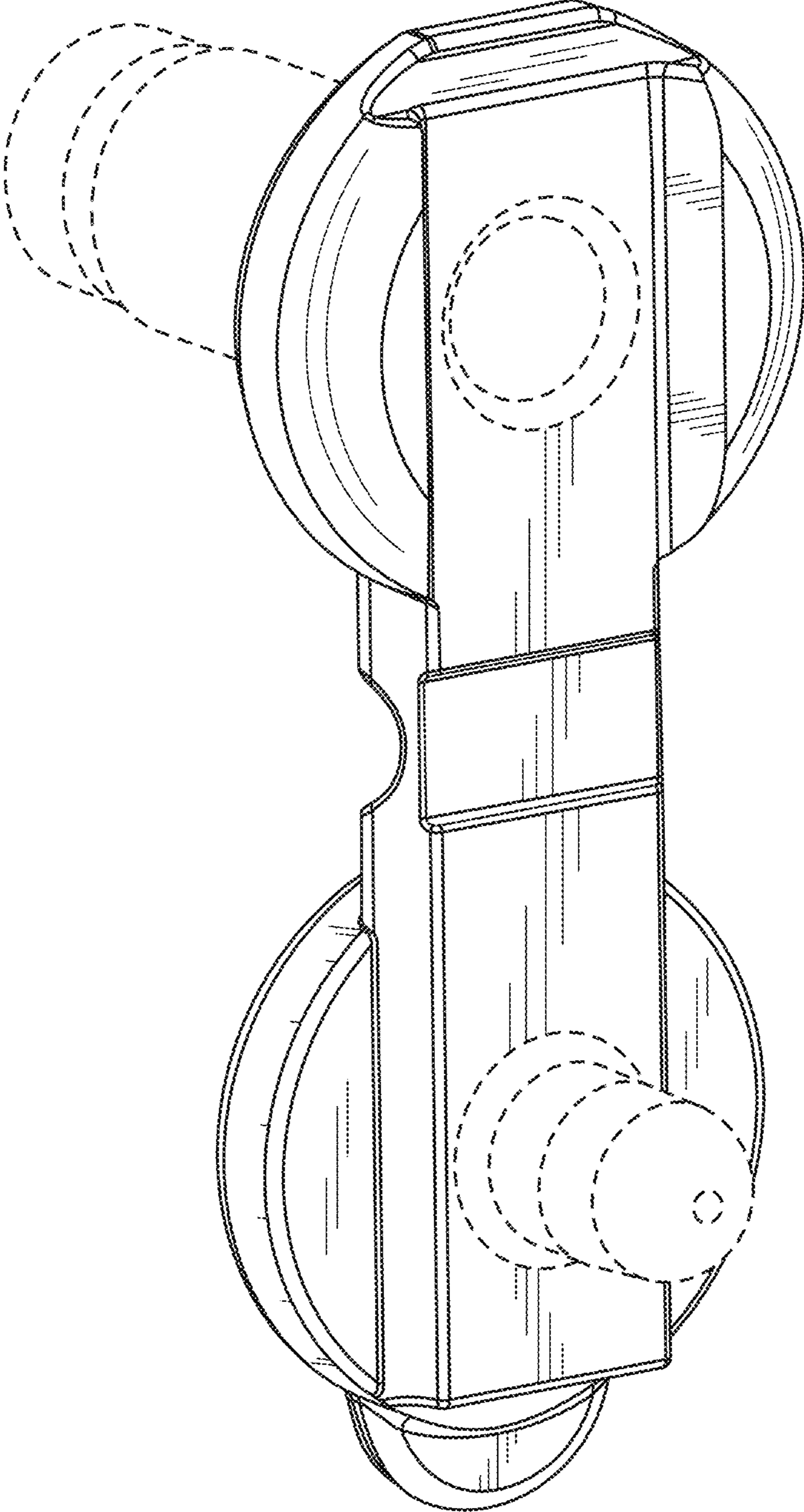


FIG. 2

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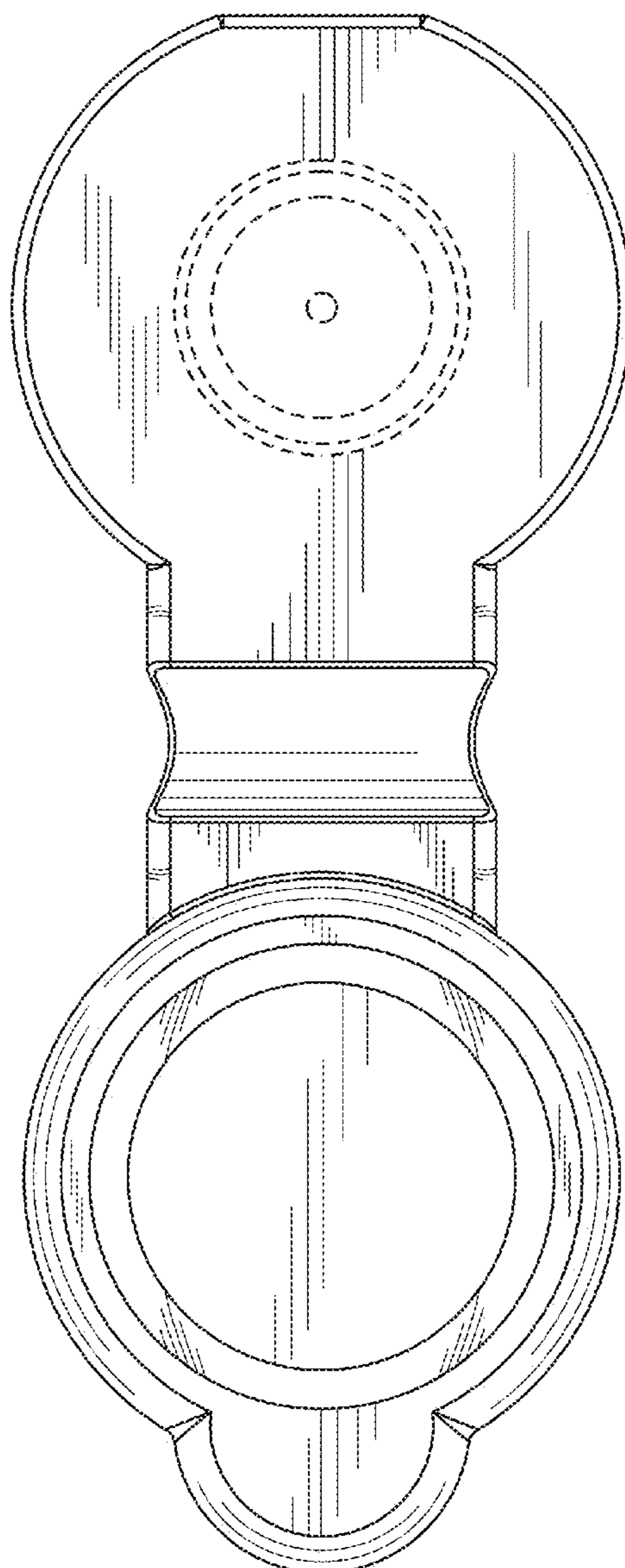


FIG. 3

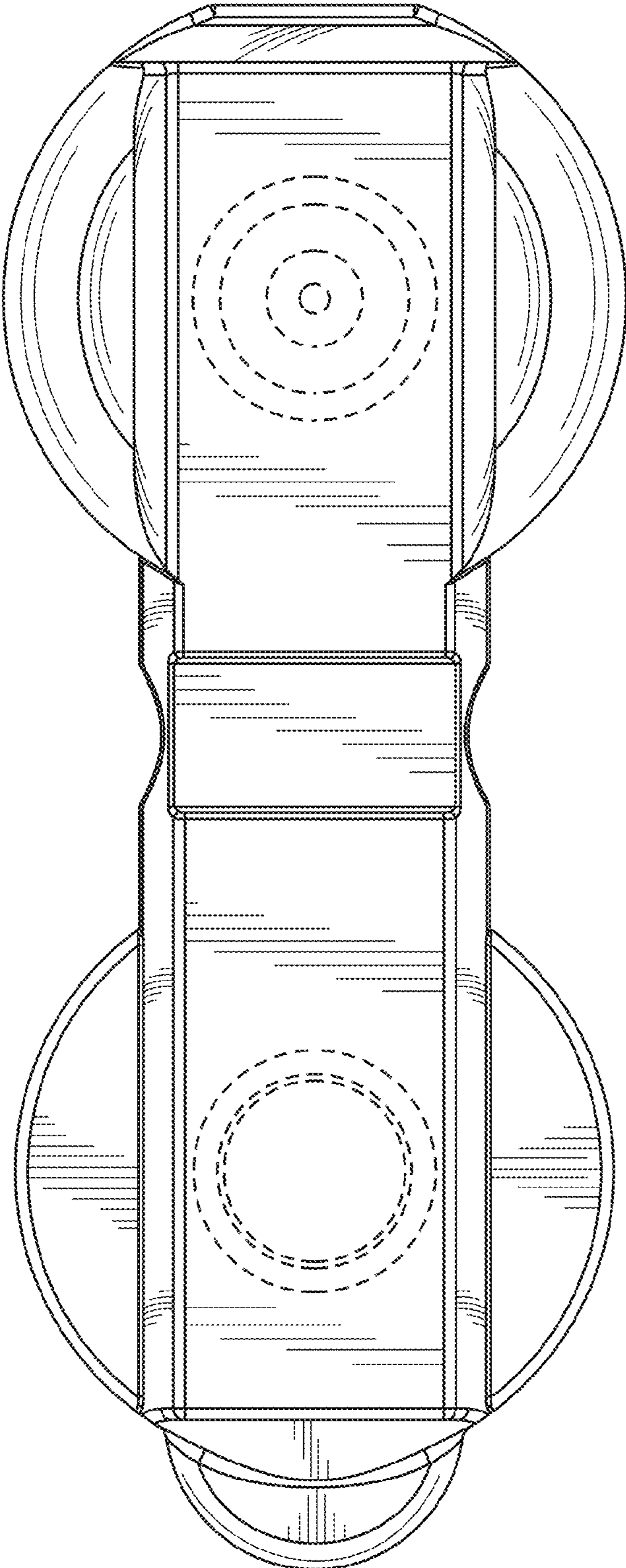


FIG. 4

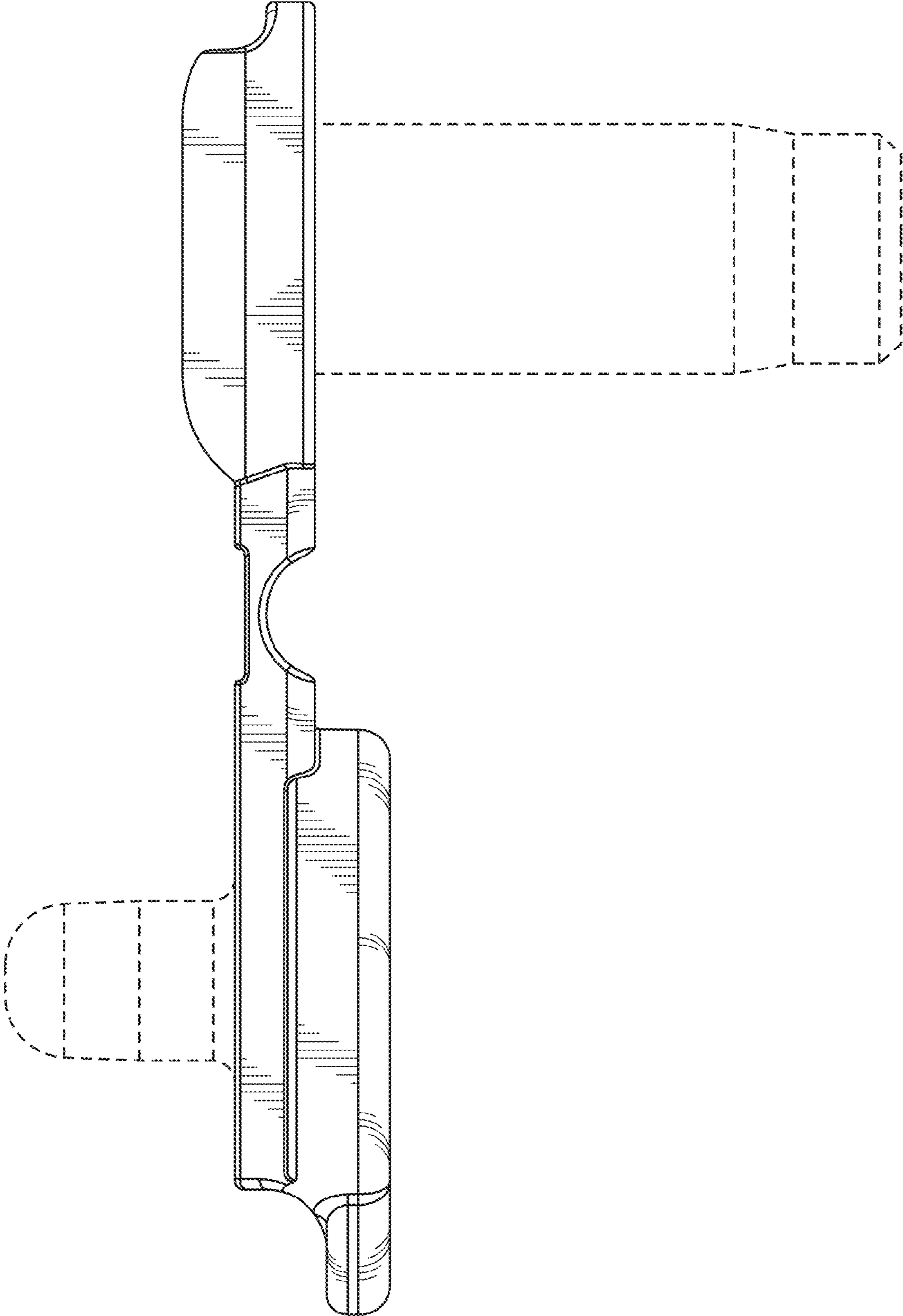


FIG. 5

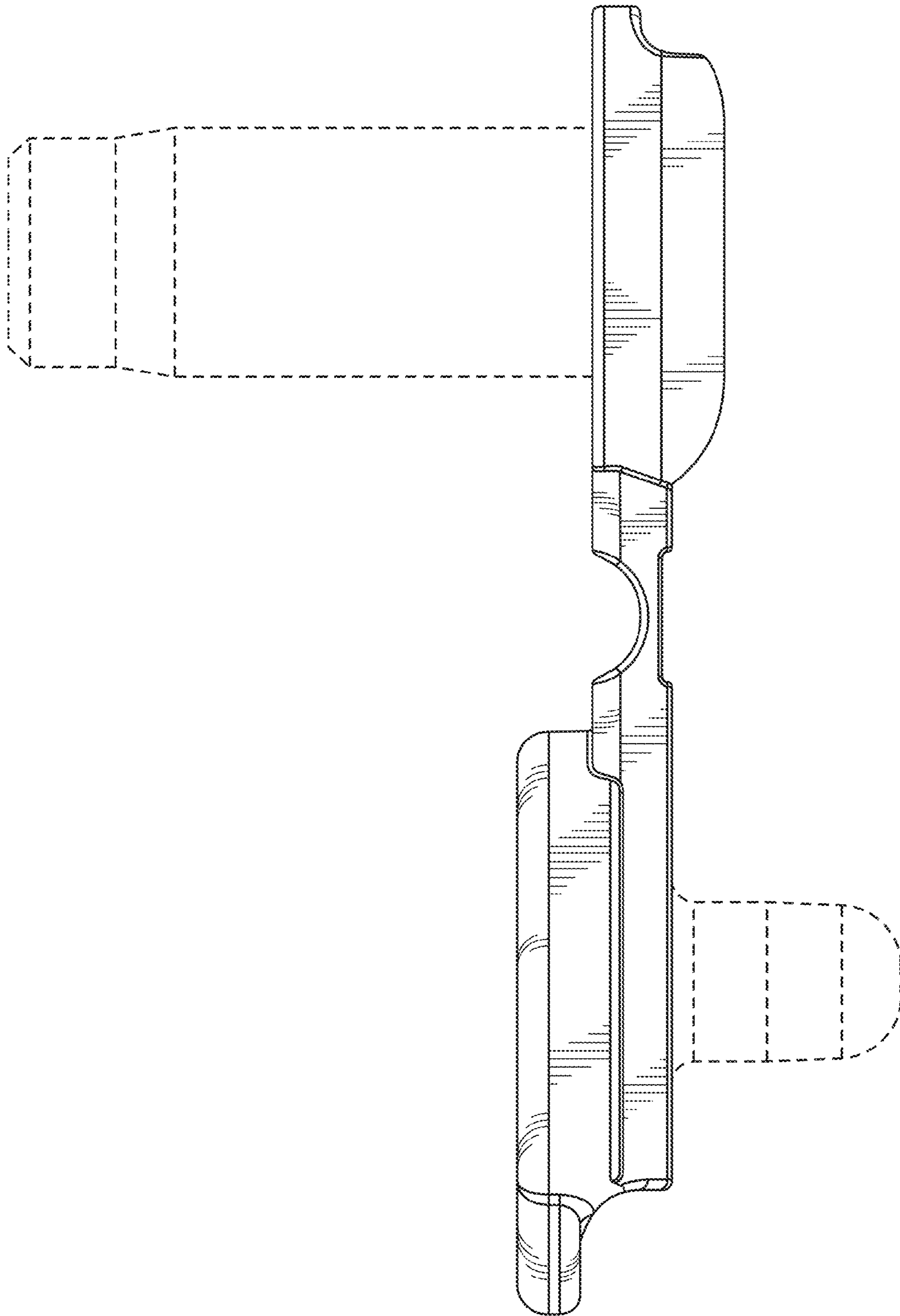


FIG. 6

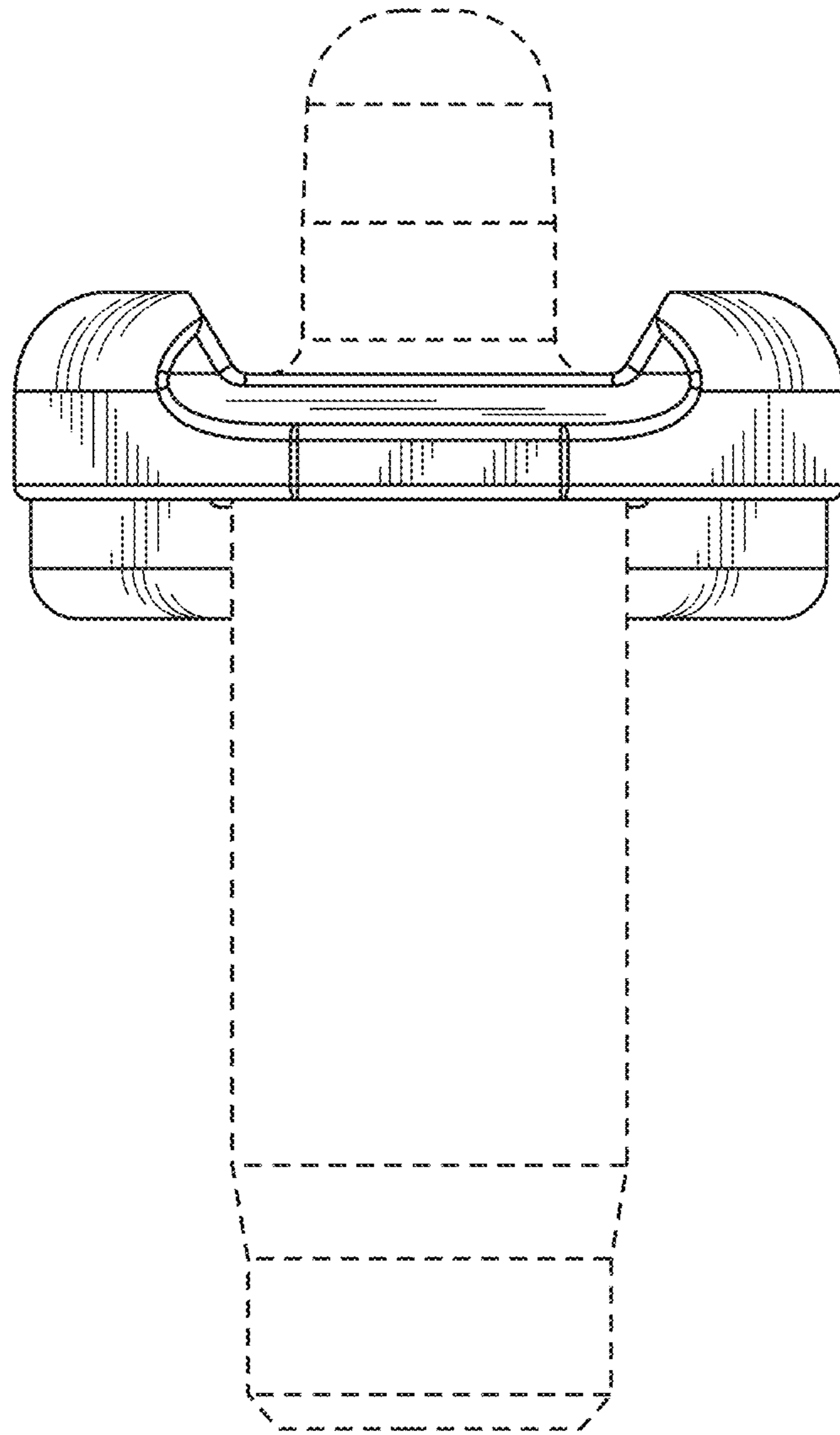


FIG. 7

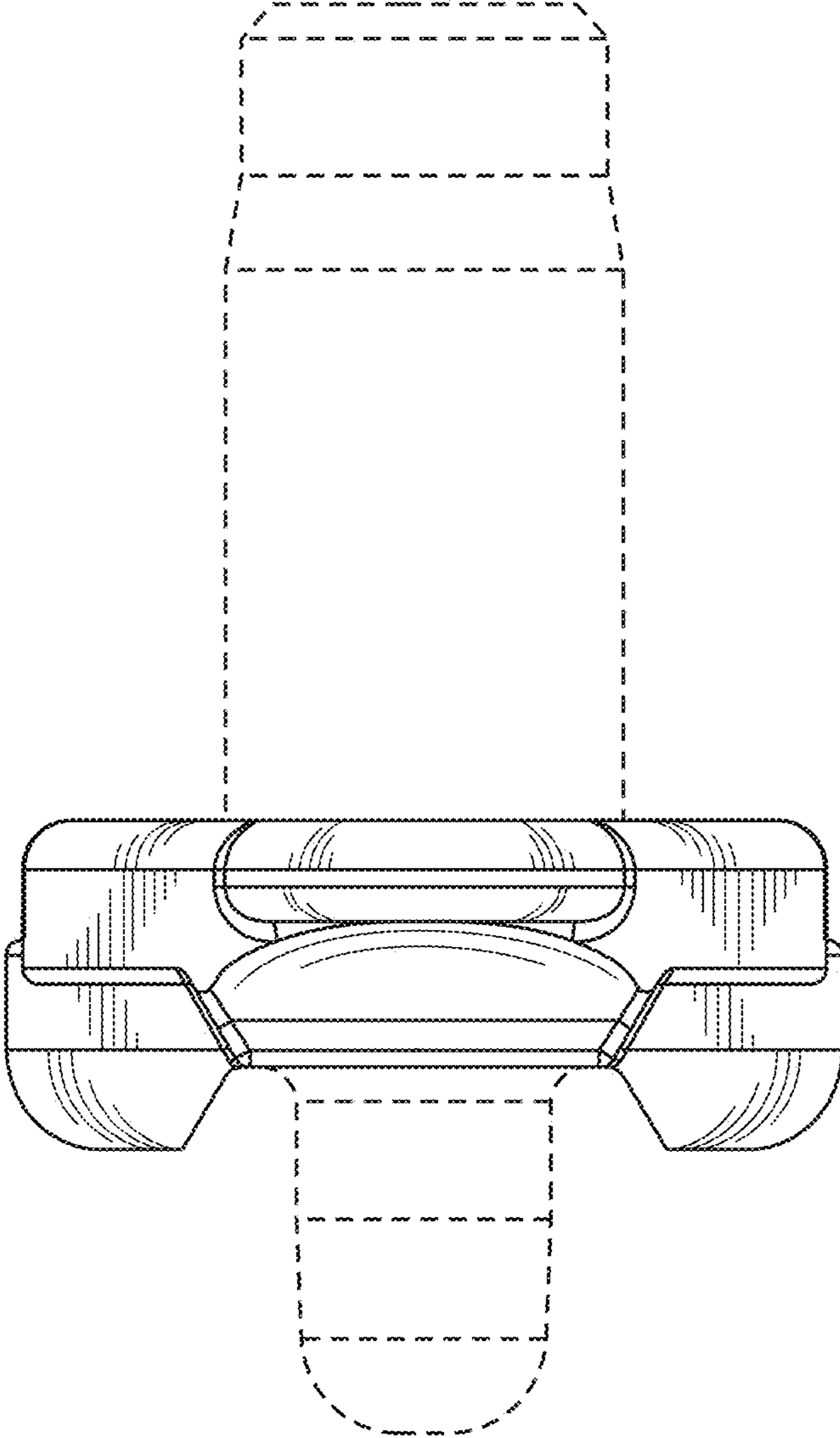


FIG. 8

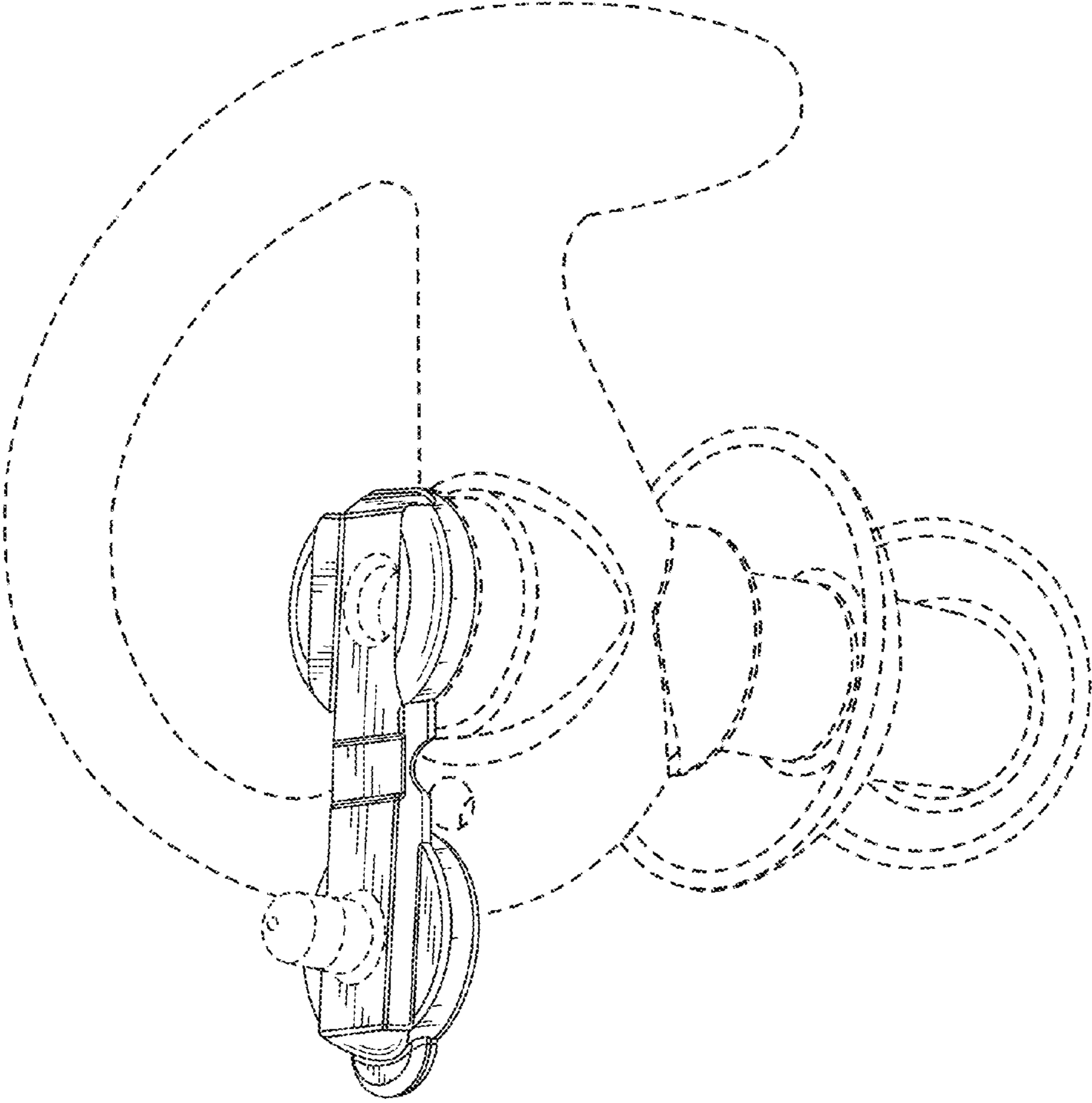


FIG. 9

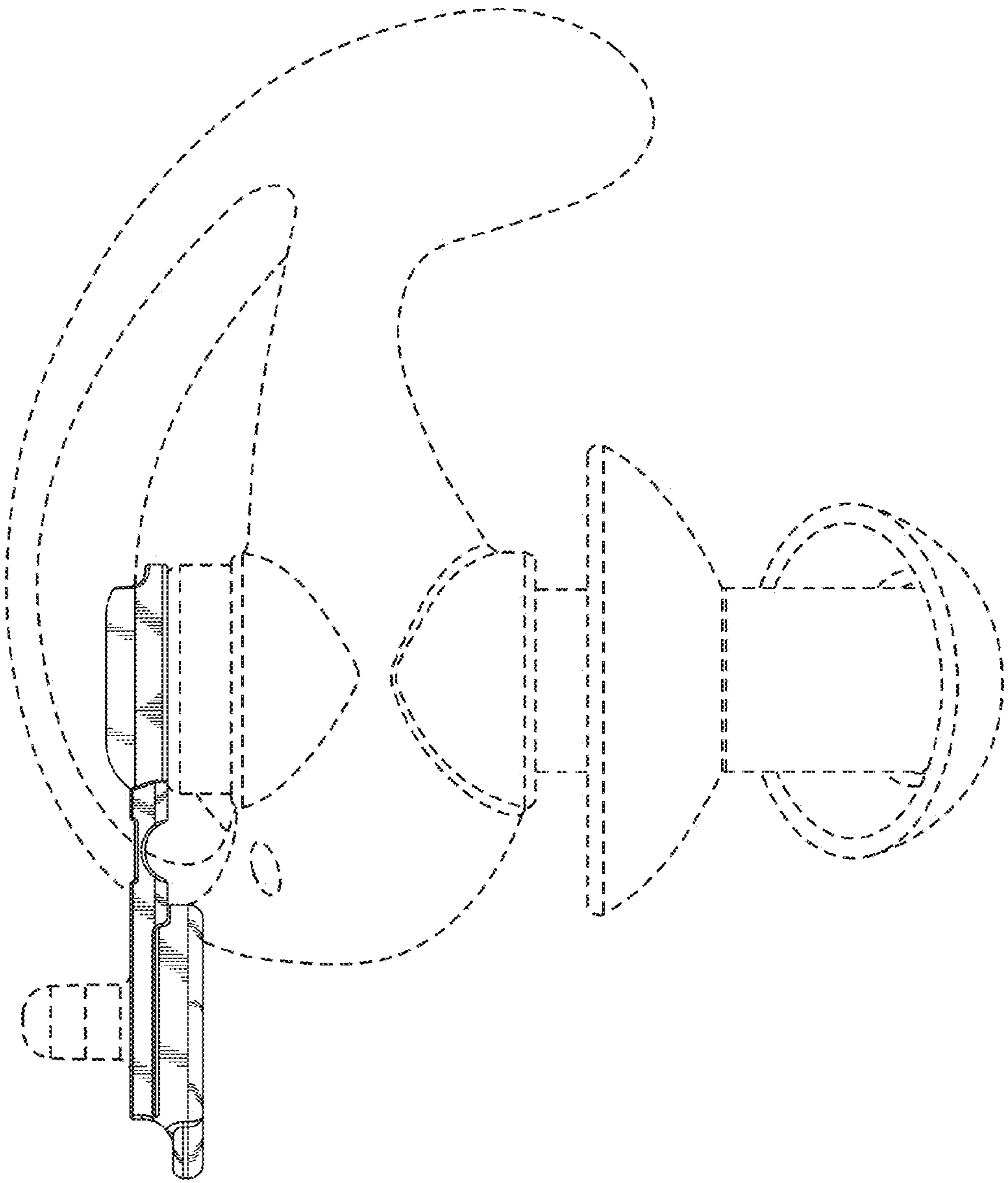


FIG. 10

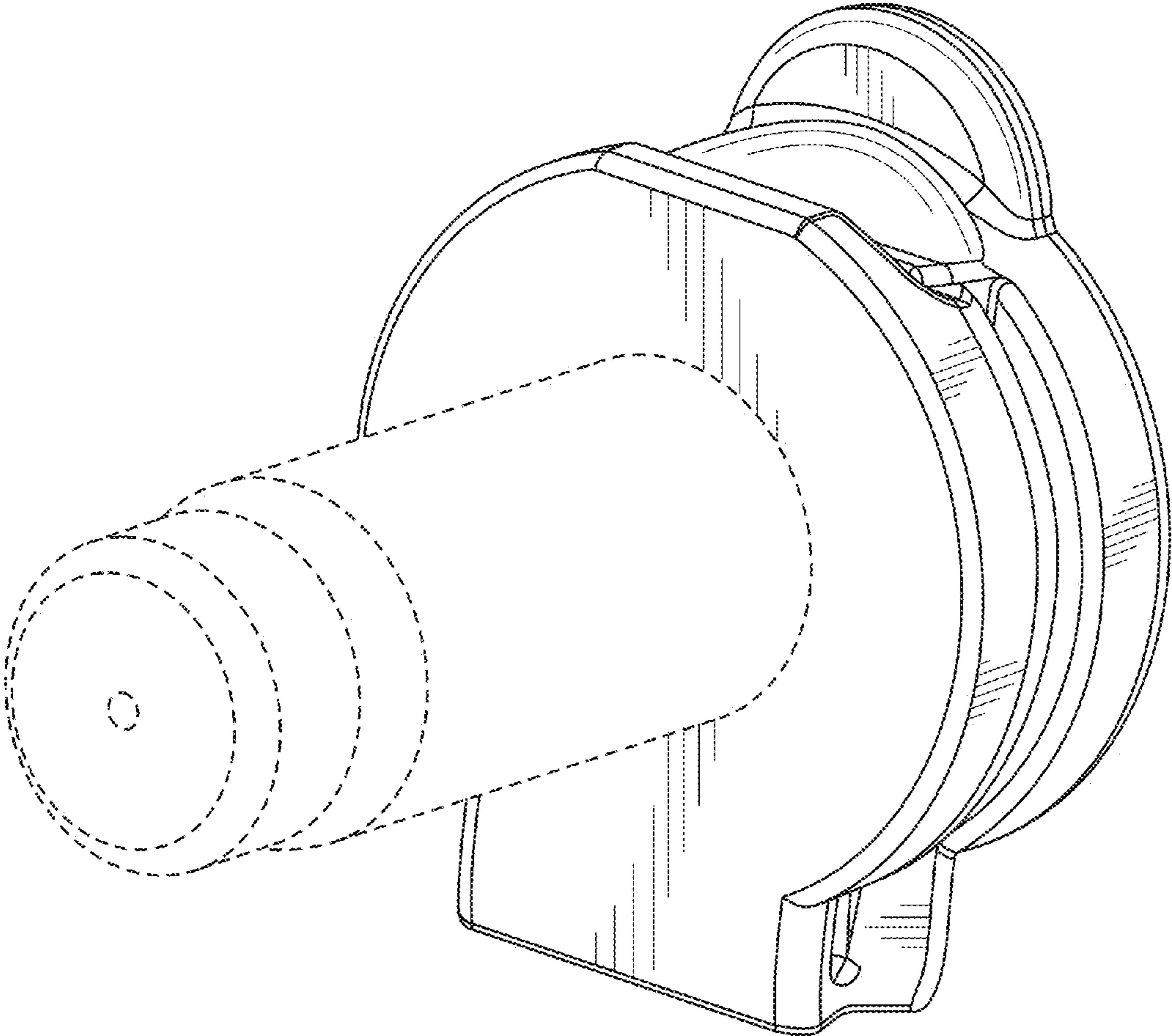


FIG. 11

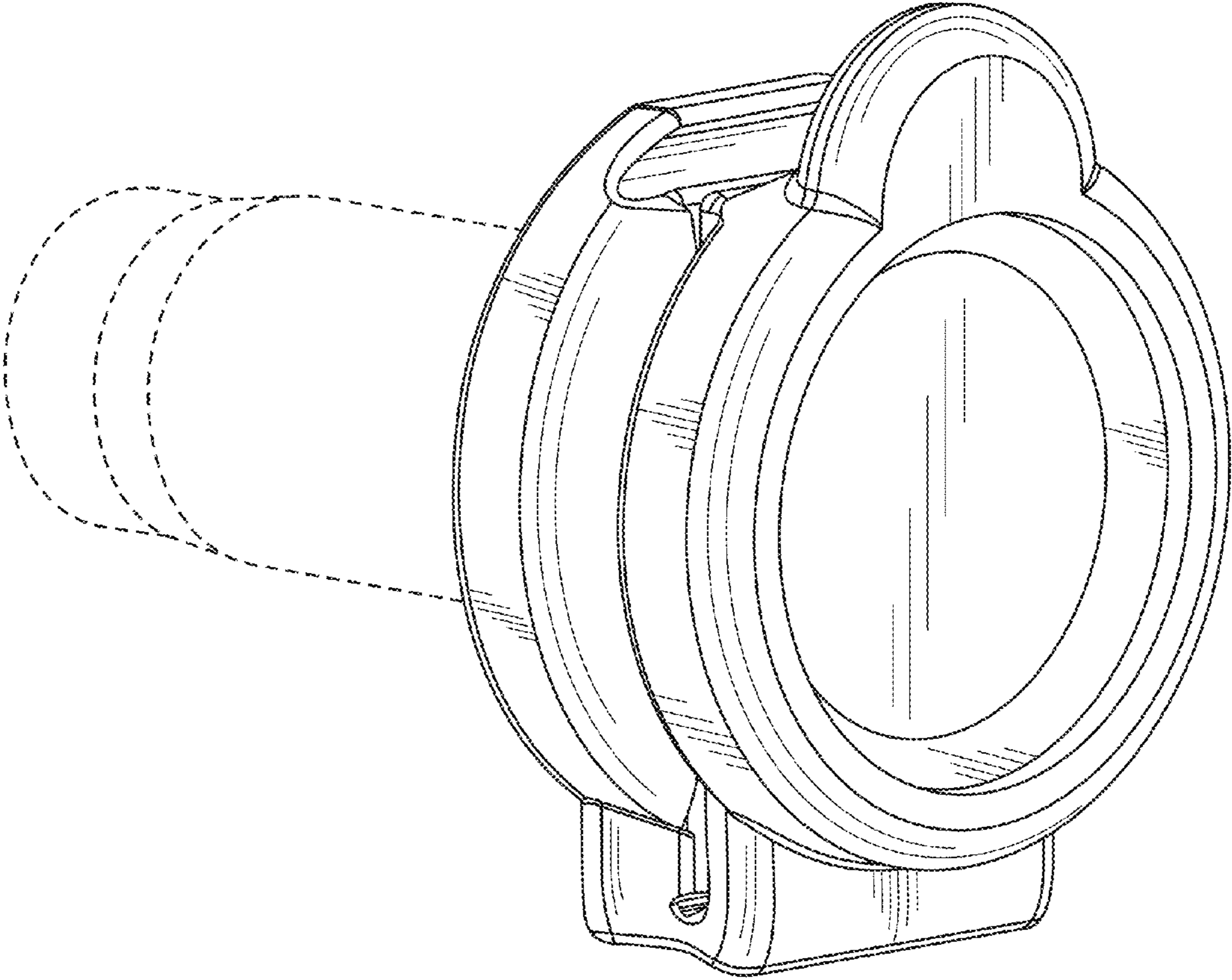


FIG. 12

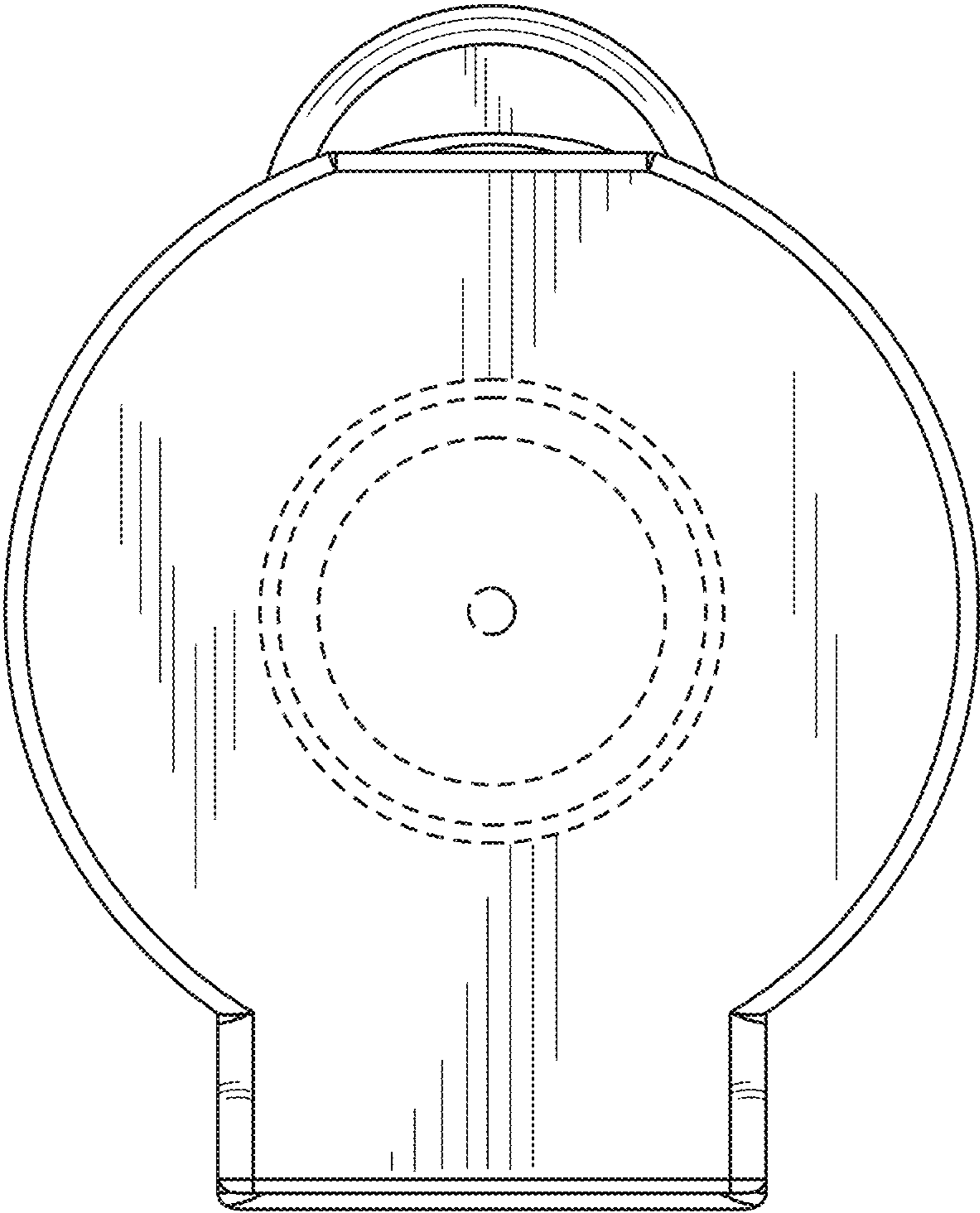


FIG. 13

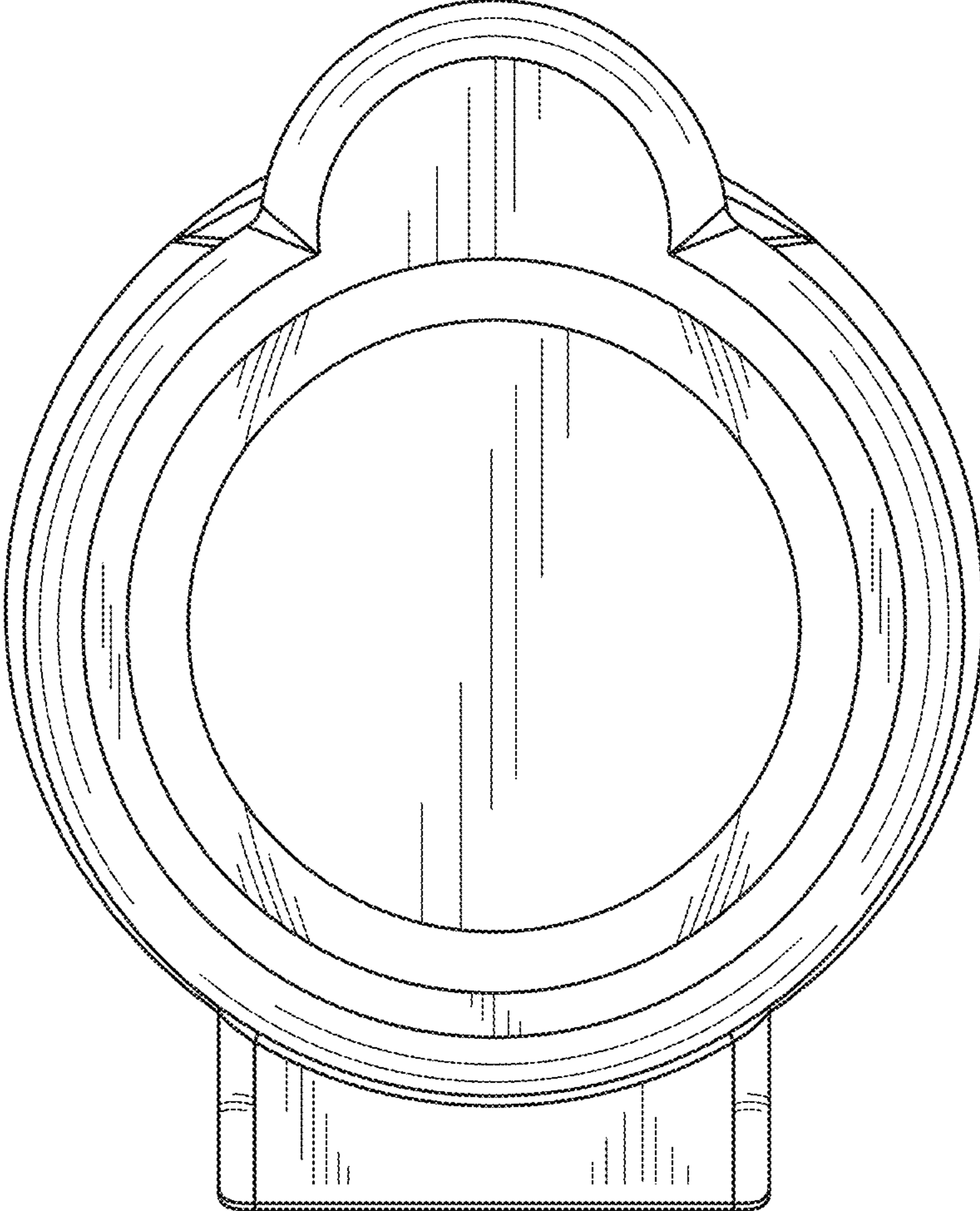


FIG. 14

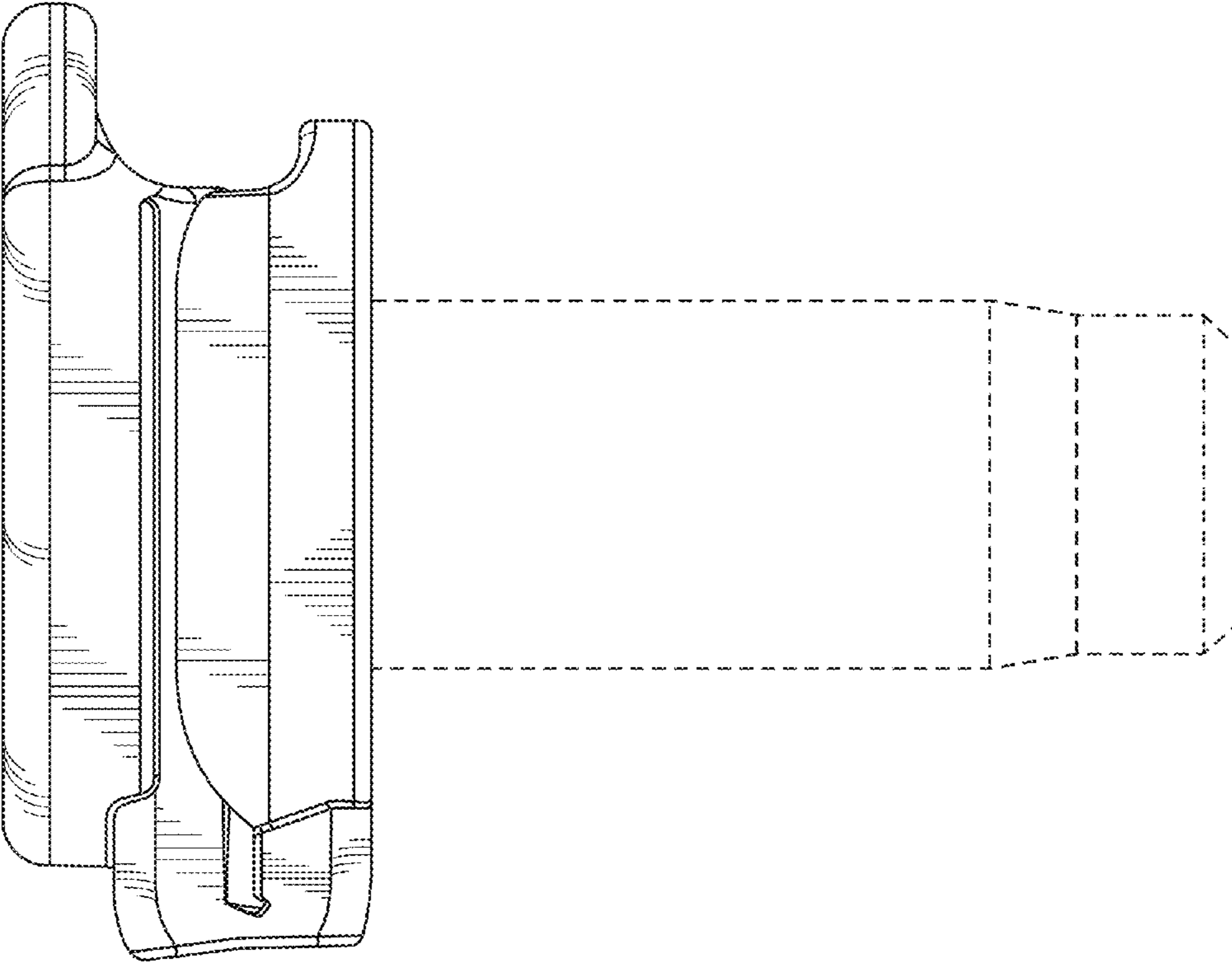


FIG. 15

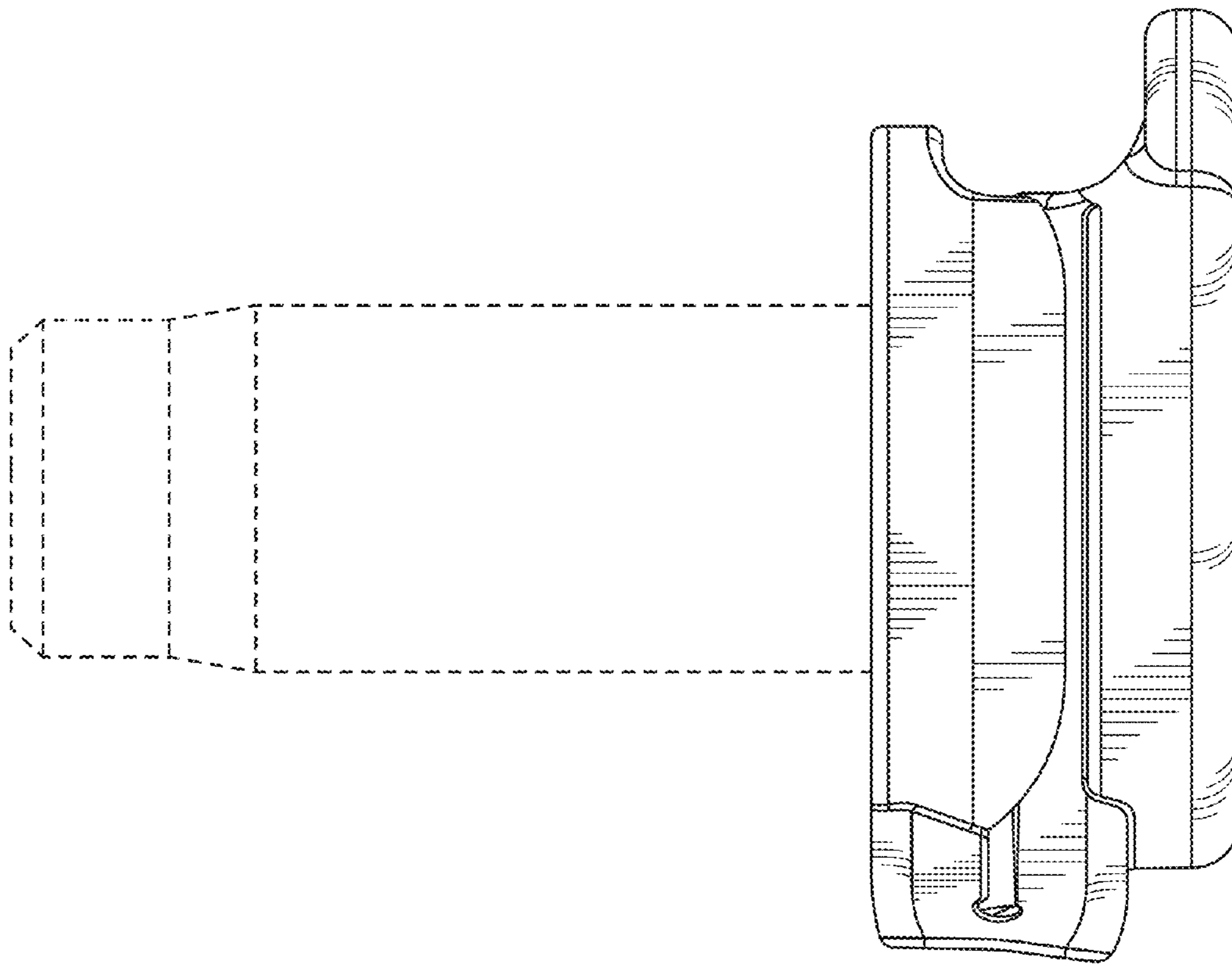


FIG. 16

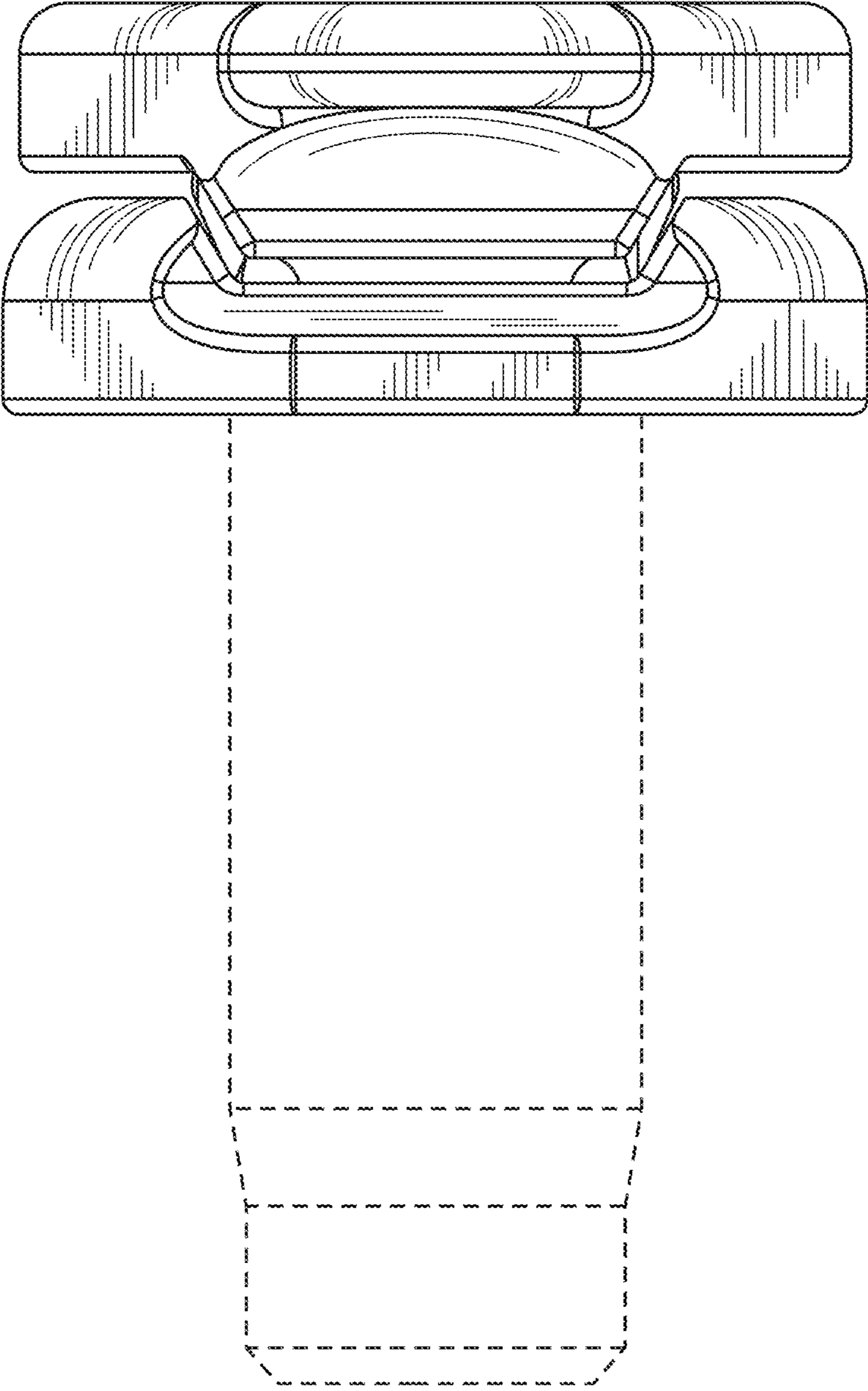


FIG. 17

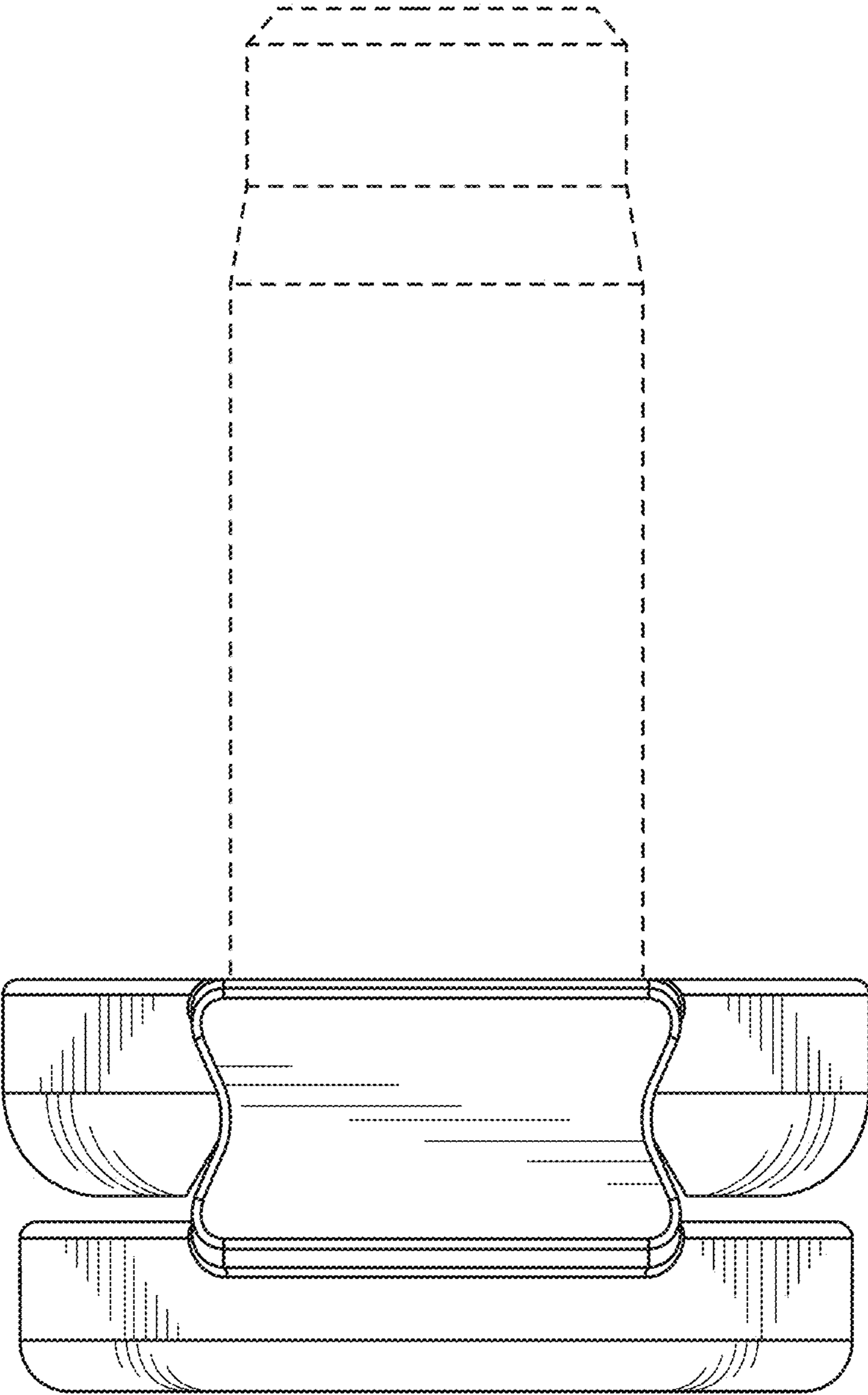


FIG. 18

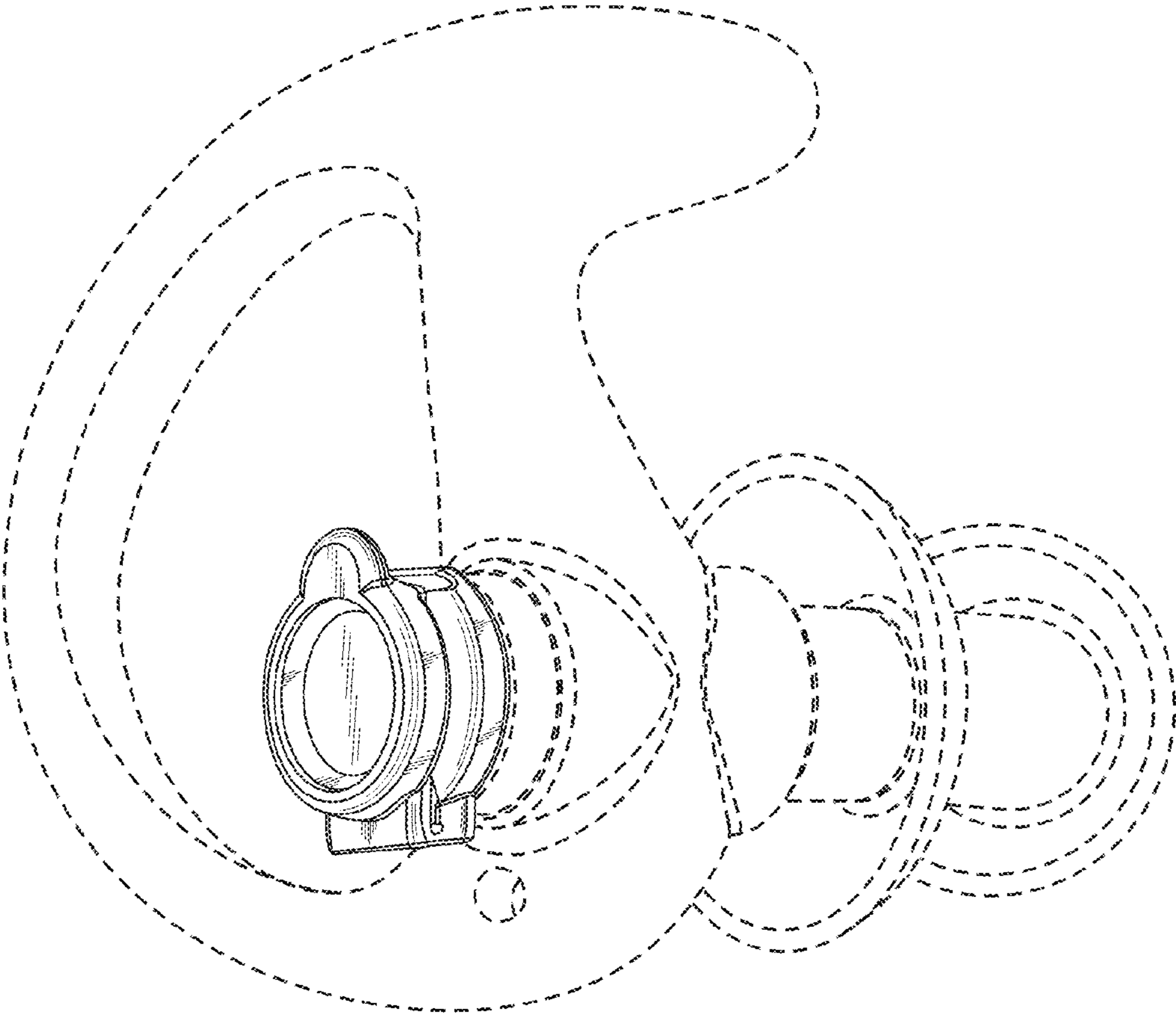


FIG. 19

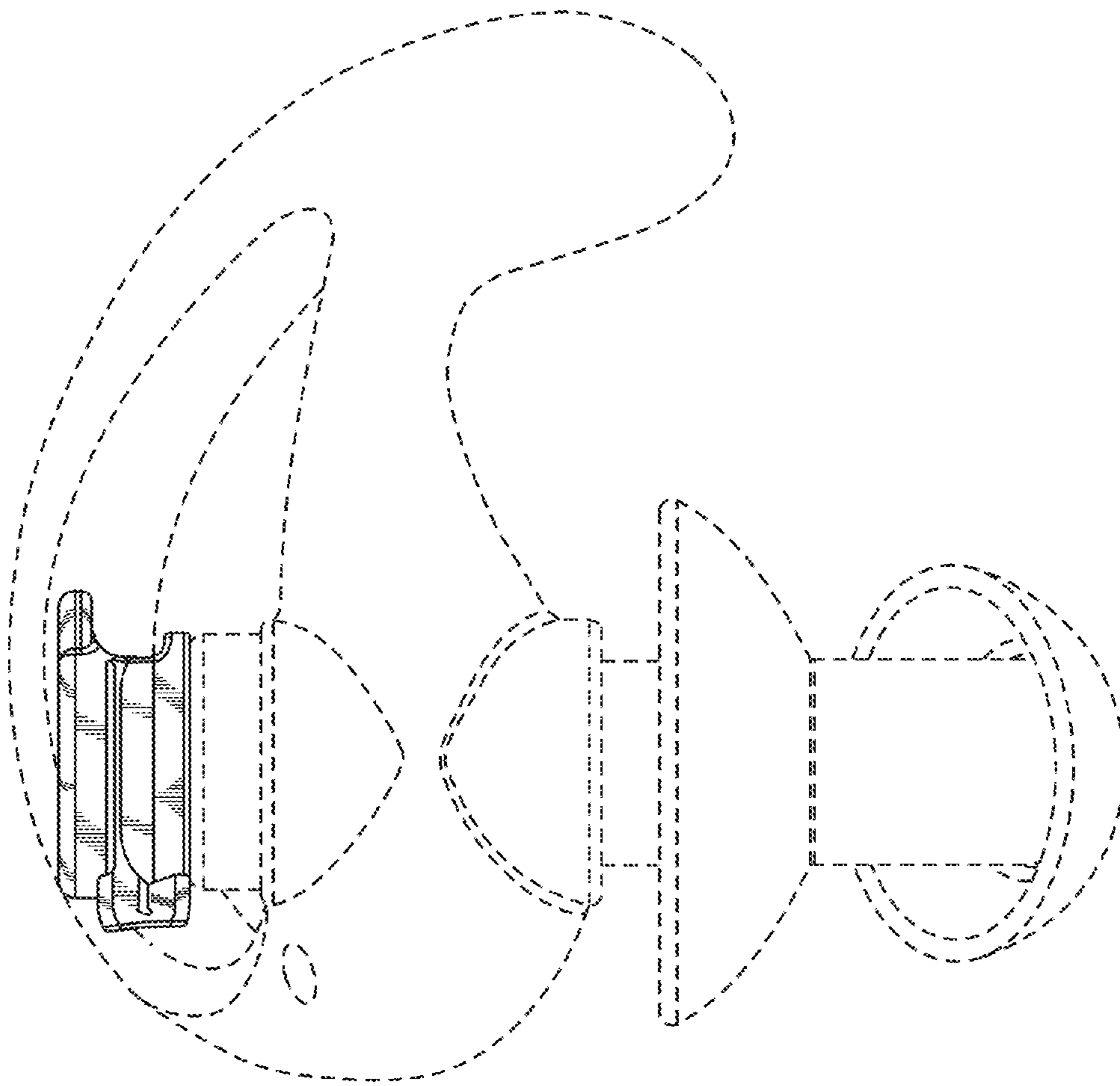


FIG. 20