



US00D738036S

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

(10) **Patent No.:** **US D738,036 S**  
(45) **Date of Patent:** **\*\* Sep. 1, 2015**

(54) **ELECTRONIC SMOKING ARTICLE**

(56) **References Cited**

(71) Applicant: **Altria Client Services Inc.**, Richmond, VA (US)

U.S. PATENT DOCUMENTS

(72) Inventors: **Christopher S. Tucker**, Midlothian, VA (US); **Geoffrey Brandon Jordan**, Midlothian, VA (US); **Barry S. Smith**, Hopewell, VA (US); **Ali A. Rostami**, Glen Allen, VA (US)

539,839 A *	5/1895	Voron .....	131/361
1,013,157 A	1/1912	Hadaway, Jr.	
1,514,682 A	11/1924	Wilson	
1,771,366 A	7/1930	Wyss et al.	
1,968,509 A	7/1934	Tiffany	
2,057,353 A	10/1936	Whittlemore, Jr.	
2,104,266 A	1/1938	McCormick	

(Continued)

(73) Assignee: **ALTRIA CLIENT SERVICES INC.**, Richmond, VA (US)

FOREIGN PATENT DOCUMENTS

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

BE	421623 A	6/1937
CN	87104459 A	2/1988

(Continued)

(21) Appl. No.: **29/511,887**

OTHER PUBLICATIONS

(22) Filed: **Dec. 15, 2014**

International Search Report and Written Opinion for PCT/US13/24211 dated Apr. 19, 2013.

(Continued)

**Related U.S. Application Data**

(62) Division of application No. 29/469,741, filed on Oct. 14, 2013, now Pat. No. Des. 722,196, which is a division of application No. 29/443,134, filed on Jan. 14, 2013, now Pat. No. Des. 691,765.

*Primary Examiner* — Susan Bennett Hattan

*Assistant Examiner* — Janice Hallmark

(51) **LOC (10) Cl.** ..... **27-01**

(74) *Attorney, Agent, or Firm* — Harness, Dickey & Pierce, P.L.C.

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

USPC ..... **D27/101**

(58) **Field of Classification Search**

USPC ..... D27/103–105, 108, 125, 172, 174–176, D27/183, 186–192, 194, 100, 101, 170, D27/163–165, 184, 185; D34/2; 206/242–276; D3/11, 215, 220, D3/226–230, 265, 266; 4/258, 259, 267, 4/271, 283; 131/270–273, 329, 330, 194, 131/189, 347, 360–365; D24/110, 113; D19/77, 81, 84; D28/73–77, 83, 85

CPC ..... A24F 47/00; A24F 47/002; A24F 47/004; A24F 47/006; A24F 47/008

See application file for complete search history.

(57) **CLAIM**

The ornamental design for an electronic smoking article, as shown and described.

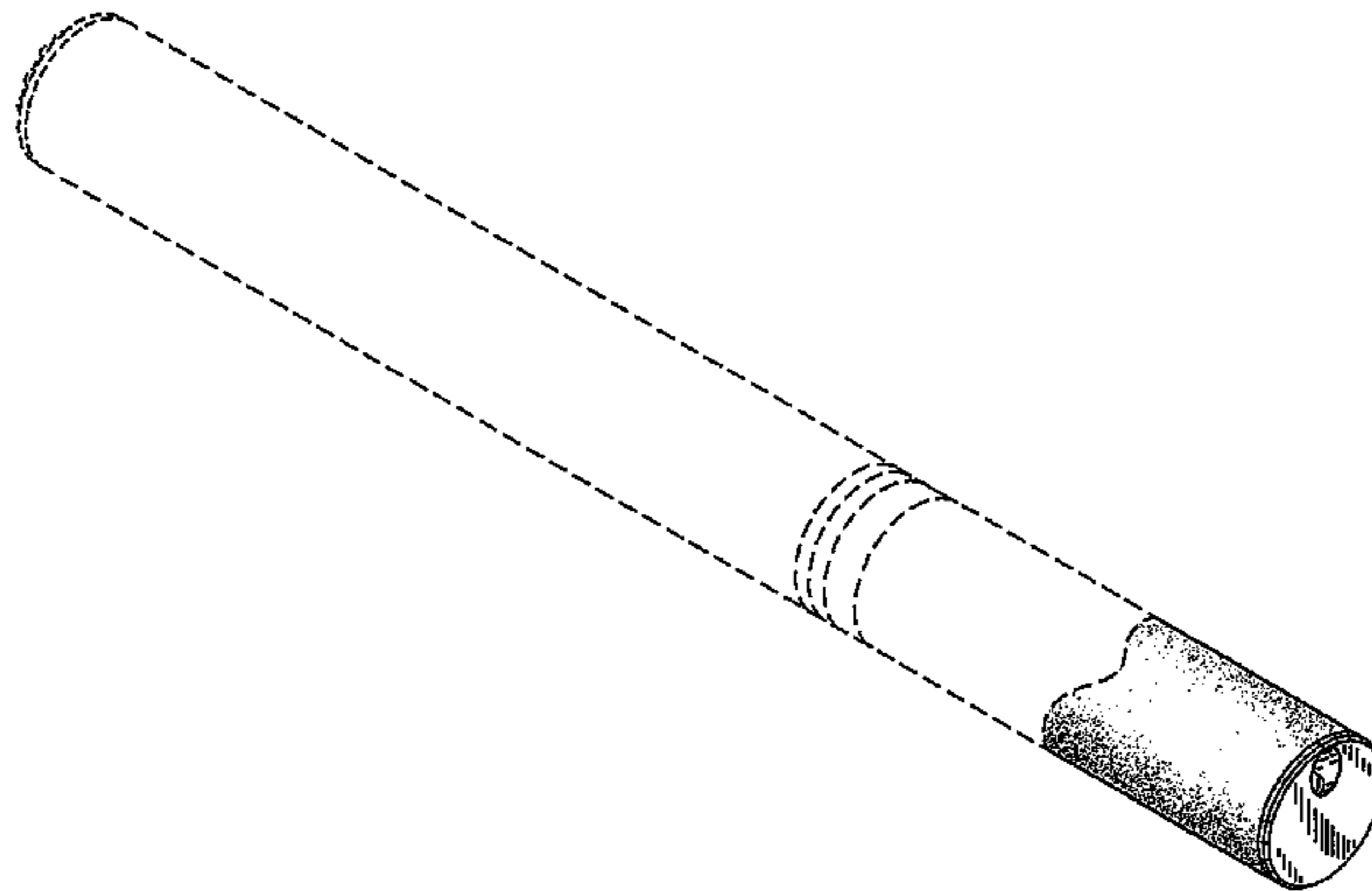
**DESCRIPTION**

FIG. 1 is a perspective view of an electronic smoking article showing our new design.

FIG. 2 is side elevational view thereof, the other side being a mirror image; and,

FIG. 3 is an end elevational view thereof.

**1 Claim, 2 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

2,406,275 A	8/1946	Wejnarth	5,144,962 A	9/1992	Counts et al.
2,442,004 A	5/1948	Hayward-Butt	5,144,964 A	9/1992	Demain
2,558,127 A	6/1951	Downs	5,157,242 A	10/1992	Hetherington et al.
2,836,183 A *	5/1958	Fay et al. .... 131/270	5,159,940 A	11/1992	Hayward et al.
2,907,686 A	10/1959	Siegel	5,179,966 A	1/1993	Losee et al.
2,971,039 A	2/1961	Western	5,224,498 A	7/1993	Deevi et al.
2,972,557 A	2/1961	Toulmin, Jr.	5,228,460 A	7/1993	Sprinkel et al.
2,974,669 A	3/1961	Ellis	5,235,157 A	8/1993	Blackburn
3,062,218 A	11/1962	Temkovtis	5,249,586 A	10/1993	Morgan et al.
3,200,819 A	8/1965	Gilbert	5,269,327 A *	12/1993	Counts et al. .... 131/194
3,255,760 A	6/1966	Selker	5,274,214 A	12/1993	Blackburn
3,258,015 A	6/1966	Ellis et al.	5,285,050 A	2/1994	Blackburn
3,356,094 A	12/1967	Ellis et al.	5,322,075 A	6/1994	Deevi et al.
3,363,633 A	1/1968	Weber	5,353,813 A	10/1994	Deevi et al.
3,402,723 A	9/1968	Hu	5,369,723 A	11/1994	Counts et al.
3,482,580 A	12/1969	Hollabaugh	5,388,594 A	2/1995	Counts et al.
3,559,300 A	2/1971	Fox	5,396,911 A	3/1995	Casey, III et al.
3,587,573 A *	6/1971	Flack ..... 128/203.21	5,408,574 A	4/1995	Deevi et al.
3,608,560 A	9/1971	Briskin et al.	5,473,251 A	12/1995	Mori
3,681,018 A	8/1972	Knauff	5,498,855 A	3/1996	Deevi et al.
3,738,374 A	6/1973	Bennett	5,505,214 A	4/1996	Collins et al.
3,744,496 A	7/1973	McCarty et al.	5,591,368 A	1/1997	Fleischhauer et al.
D229,725 S *	12/1973	Berger ..... D27/101	5,595,706 A	1/1997	Sikka et al.
D229,788 S *	1/1974	Berger ..... D27/101	5,611,360 A *	3/1997	Tang ..... 131/194
D229,789 S *	1/1974	Berger ..... D27/101	5,613,504 A	3/1997	Collins et al.
D229,790 S *	1/1974	Berger ..... D27/101	5,724,997 A	3/1998	Smith et al.
3,789,840 A *	2/1974	Rosenblatt ..... 131/273	5,865,185 A	2/1999	Collins et al.
3,804,100 A	4/1974	Fariello	5,878,752 A	3/1999	Adams et al.
3,875,476 A	4/1975	Crandall et al.	5,935,975 A	8/1999	Rose et al.
3,878,041 A	4/1975	Leitnaker et al.	6,155,268 A	12/2000	Takeuchi
3,889,690 A	6/1975	Guarnieri	6,196,218 B1	3/2001	Voges
3,895,219 A	7/1975	Richerson et al.	D453,854 S	2/2002	Verhoeven-Koster
3,943,941 A	3/1976	Boyd et al.	6,598,607 B2	7/2003	Adiga et al.
D240,541 S *	7/1976	Rupert ..... D27/101	6,715,487 B2	4/2004	Nichols et al.
4,016,061 A	4/1977	Wasa et al.	6,772,756 B2	8/2004	Shayan
4,068,672 A	1/1978	Guerra	6,854,470 B1	2/2005	Pu
4,077,784 A	3/1978	Vayrynen	7,131,599 B2	11/2006	Katase
4,083,372 A	4/1978	Boden	7,167,641 B2	1/2007	Tam et al.
4,098,725 A	7/1978	Yamamoto et al.	7,458,374 B2	12/2008	Hale et al.
4,110,260 A	8/1978	Yamamoto et al.	D590,988 S	4/2009	Hon
4,131,119 A	12/1978	Blasutti	D590,989 S	4/2009	Hon
4,141,369 A	2/1979	Burruss	D590,990 S	4/2009	Hon
4,164,230 A	8/1979	Pearlman	D590,991 S	4/2009	Hon
4,193,411 A	3/1980	Faris et al.	D613,902 S *	4/2010	Kaljura ..... D27/101
4,215,708 A	8/1980	Bron	7,726,320 B2	6/2010	Robinson et al.
4,219,032 A	8/1980	Tabatznik et al.	7,789,089 B2	9/2010	Dube et al.
4,246,913 A	1/1981	Ogden et al.	7,810,508 B2	10/2010	Wyss-Peters et al.
4,256,945 A	3/1981	Carter et al.	7,832,410 B2	11/2010	Hon
4,259,970 A	4/1981	Green, Jr.	7,845,359 B2	12/2010	Montaser
4,331,166 A	5/1982	Hale	7,878,962 B2	2/2011	Karles et al.
D270,097 S *	8/1983	Minkevitch ..... D27/127	7,938,124 B2	5/2011	Izumiya et al.
4,419,302 A	12/1983	Nishino et al.	7,997,280 B2	8/2011	Rosenthal
4,457,319 A	7/1984	Lamb et al.	D646,431 S *	10/2011	Awty et al. .... D27/194
4,493,331 A	1/1985	Porenski, Jr.	D651,338 S *	12/2011	Awty et al. .... D27/194
4,517,996 A	5/1985	Vester	8,079,371 B2	12/2011	Robinson et al.
4,649,944 A	3/1987	Houck, Jr. et al.	D652,987 S *	1/2012	Kaljura ..... D27/101
4,687,008 A	8/1987	Houck, Jr. et al.	D653,390 S *	1/2012	Kaljura ..... D27/101
4,765,347 A	8/1988	Sensabaugh, Jr. et al.	D653,802 S *	2/2012	Kaljura ..... D27/101
4,804,002 A	2/1989	Herron	D655,036 S	2/2012	Zhou
4,941,486 A	7/1990	Dube et al.	8,118,161 B2	2/2012	Guerrera et al.
4,945,929 A	8/1990	Egilmex	8,127,772 B2	3/2012	Montaser
4,981,522 A	1/1991	Nichols et al.	8,156,944 B2	4/2012	Han
4,991,606 A	2/1991	Serrano et al.	8,157,918 B2	4/2012	Becker et al.
5,016,656 A	5/1991	McMurtrie	8,205,622 B2	6/2012	Pan
5,040,552 A	8/1991	Schleich et al.	8,314,591 B2	11/2012	Terry et al.
5,042,510 A *	8/1991	Curtiss et al. .... 131/273	8,495,998 B2 *	7/2013	Schennum ..... 128/200.23
5,045,237 A	9/1991	Washburn	D691,324 S *	10/2013	Saliman ..... D27/101
5,060,671 A	10/1991	Counts et al.	D691,765 S *	10/2013	Tucker et al. .... D27/101
5,076,296 A	12/1991	Nystrom et al.	D691,766 S *	10/2013	Tucker et al. .... D27/170
5,085,804 A	2/1992	Washburn	D692,613 S *	10/2013	Morreale ..... D27/170
5,093,894 A	3/1992	Deevi et al.	8,550,068 B2 *	10/2013	Terry et al. .... 128/202.21
5,095,921 A	3/1992	Losee et al.	D695,449 S *	12/2013	Tucker et al. .... D27/101
5,116,298 A	5/1992	Bondanelli et al.	D722,196 S *	2/2015	Tucker et al. .... D27/101
5,137,578 A	8/1992	Chan	D724,262 S *	3/2015	Hearn et al. .... D27/101
5,139,594 A	8/1992	Rabin	D724,781 S *	3/2015	Hearn et al. .... D27/101
			D725,822 S *	3/2015	Liu ..... D27/101
			9,004,073 B2 *	4/2015	Tucker et al. .... 131/273
			2002/0005207 A1 *	1/2002	Wrenn et al. .... 131/194
			2004/0020500 A1	2/2004	Wrenn et al.

(56)

References Cited

U.S. PATENT DOCUMENTS

2004/0099266 A1 5/2004 Cross et al.  
 2005/0016550 A1 1/2005 Katase  
 2005/0016553 A1 1/2005 Iannuzzi  
 2005/0175331 A1 8/2005 Tam et al.  
 2006/0191546 A1 8/2006 Takano et al.  
 2006/0196518 A1 9/2006 Hon  
 2006/0254604 A1\* 11/2006 Martinez Fernandez ..... 131/273  
 2007/0095357 A1 5/2007 Besso et al.  
 2007/0267031 A1 11/2007 Hon  
 2007/0267032 A1 11/2007 Shan  
 2008/0092912 A1 4/2008 Robinson et al.  
 2008/0230052 A1 9/2008 Montaser  
 2008/0276947 A1 11/2008 Martzel  
 2009/0007925 A1 1/2009 Rasouli et al.  
 2009/0044816 A1 2/2009 Rasouli et al.  
 2009/0126745 A1 5/2009 Hon  
 2009/0151717 A1 6/2009 Bowen et al.  
 2009/0162294 A1 6/2009 Werner  
 2009/0188490 A1 7/2009 Han  
 2009/0230117 A1 9/2009 Fernando et al.  
 2009/0272379 A1 11/2009 Thorens et al.  
 2010/0083959 A1 4/2010 Siller  
 2010/0126505 A1 5/2010 Rinker  
 2010/0206317 A1 8/2010 Albino et al.  
 2010/0307518 A1 12/2010 Wang  
 2011/0011396 A1 1/2011 Fang  
 2011/0036346 A1 2/2011 Cohen et al.  
 2011/0036363 A1 2/2011 Urtsev et al.  
 2011/0088707 A1\* 4/2011 Hajaligol ..... 131/194  
 2011/0094523 A1 4/2011 Thorens et al.  
 2011/0120455 A1 5/2011 Murphy  
 2011/0120482 A1 5/2011 Brenneise  
 2011/0155153 A1 6/2011 Thorens et al.  
 2011/0209717 A1 9/2011 Han  
 2011/0220134 A1\* 9/2011 Duke et al. .... 131/331  
 2011/0232654 A1\* 9/2011 Mass ..... 131/273  
 2011/0245493 A1 10/2011 Rabinowitz et al.  
 2011/0265806 A1 11/2011 Alarcon et al.  
 2011/0277756 A1 11/2011 Terry et al.  
 2011/0277757 A1 11/2011 Terry et al.  
 2011/0277760 A1 11/2011 Terry et al.  
 2011/0277761 A1 11/2011 Terry et al.  
 2011/0277764 A1 11/2011 Terry et al.  
 2011/0277780 A1\* 11/2011 Terry et al. .... 131/273  
 2011/0303231 A1 12/2011 Li et al.  
 2011/0304282 A1 12/2011 Li et al.  
 2012/0006342 A1 1/2012 Rose et al.  
 2012/0090629 A1 4/2012 Turner et al.  
 2012/0111347 A1 5/2012 Hon  
 2012/0118301 A1 5/2012 Montaser  
 2012/0145169 A1 6/2012 Wu  
 2012/0167906 A1 7/2012 Gysland  
 2012/0186594 A1 7/2012 Liu  
 2012/0199146 A1 8/2012 Marangos  
 2012/0199663 A1 8/2012 Qiu  
 2012/0211015 A1 8/2012 Li et al.  
 2012/0230659 A1 9/2012 Goodman et al.  
 2012/0260927 A1 10/2012 Liu  
 2012/0285475 A1 11/2012 Liu  
 2012/0312313 A1 12/2012 Frija  
 2012/0318882 A1 12/2012 Abehasera  
 2013/0014772 A1 1/2013 Liu  
 2013/0019887 A1 1/2013 Liu  
 2013/0032159 A1 2/2013 Capuano  
 2013/0081642 A1 4/2013 Safari  
 2013/0118509 A1 5/2013 Richardson  
 2013/0192623 A1\* 8/2013 Tucker et al. .... 131/329  
 2013/0213418 A1\* 8/2013 Tucker et al. .... 131/328  
 2013/0213419 A1\* 8/2013 Tucker et al. .... 131/328

CN 20157150 9/2010  
 CN 20170939 1/2011  
 CN 20178992 4/2011  
 CN 20179799 4/2011  
 CN 10210661 6/2011  
 CN 201860753 U 6/2011  
 CN 10216604 8/2011  
 CN 20198668 9/2011  
 CN 202014571 10/2011  
 CN 202014572 U 10/2011  
 CN 202026802 10/2011  
 CN 202026804 U 11/2011  
 CN 20223305 U 5/2012  
 CN 20223307 5/2012  
 DE 3640917 A1 8/1988  
 DE 3735704 A1 5/1989  
 EM 00054630-0001 11/2013  
 EM 00054630-0002 11/2013  
 EM 000084876-0001 11/2013  
 EM 000084876-0002 11/2013  
 EM 000084876-0003 11/2013  
 EM 000084876-0004 11/2013  
 EM 000084876-0005 11/2013  
 EM 000084876-0006 11/2013  
 EM 000084876-0007 11/2013  
 EM 000084876-0008 11/2013  
 EM 000084876-0009 11/2013  
 EM 000084876-0010 11/2013  
 EM 000084876-0011 11/2013  
 EM 000084876-0012 11/2013  
 EM 000084876-0013 11/2013  
 EM 000084876-0014 11/2013  
 EM 000084876-0015 11/2013  
 EM 000084876-0016 11/2013  
 EM 000084876-0017 11/2013  
 EP 0117355 A2 9/1984  
 EP 0277519 A2 8/1988  
 EP 0295122 A2 12/1988  
 EP 0358 002 A2 3/1990  
 EP 0358114 A2 3/1990  
 EP 0430566 A2 6/1991  
 EP 0438862 A2 7/1991  
 EP 0608783 A1 8/1994  
 EP 0845220 A1 6/1998  
 EP 0893071 A1 1/1999  
 EP 1128741 A1 9/2001  
 EP 1618803 A1 1/2006  
 EP 1736065 A1 12/2006  
 EP 2113178 A1 11/2009  
 NL 8201585 A 11/1982  
 WO WO-86102528 A1 5/1986  
 WO WO-95/02970 A1 2/1995  
 WO WO-00/28843 A1 5/2000  
 WO WO-2004/043175 A1 5/2004  
 WO WO-2004/080216 A1 9/2004  
 WO WO-2004/095955 A1 11/2004  
 WO WO-2005/099494 A1 10/2005  
 WO WO-2007/066374 A1 6/2007  
 WO WO-2007/078273 A1 7/2007  
 WO WO-2007/098337 A2 8/2007  
 WO WO-2007/131449 A1 11/2007  
 WO WO 2007/131450 A1 11/2007  
 WO WO-2007/141668 A2 12/2007  
 WO WO-2008/055423 A1 5/2008  
 WO WO-2010/091593 A1 8/2010  
 WO WO-2010/145468 A1 12/2010  
 WO WO-2011/121326 A2 10/2011  
 WO WO-2011/124033 A1 10/2011  
 WO WO-2011/146372 A2 11/2011  
 WO WO-2012/088675 A1 7/2012  
 WO WO-2012/109371 A2 8/2012  
 WO WO-2012/129812 A1 10/2012  
 WO WO-2012/142293 A2 10/2012  
 WO WO-2012129787 A1 10/2012

FOREIGN PATENT DOCUMENTS

CN 277799 5/2006  
 CN 10132257 12/2008

OTHER PUBLICATIONS

International Search Report and Written Opinion for PCT/US13/24219 dated Apr. 22, 2013.

(56)

**References Cited**

OTHER PUBLICATIONS

International Search Report and Written Opinion for PCT/US13/  
24229 dated Apr. 22, 2013.

International Search Report and Written Opinion for PCT/US13/  
24215 dated Apr. 22, 2013.

International Search Report and Written Opinion for PCT/US13/  
24228 dated Apr. 9, 2013.

\* cited by examiner

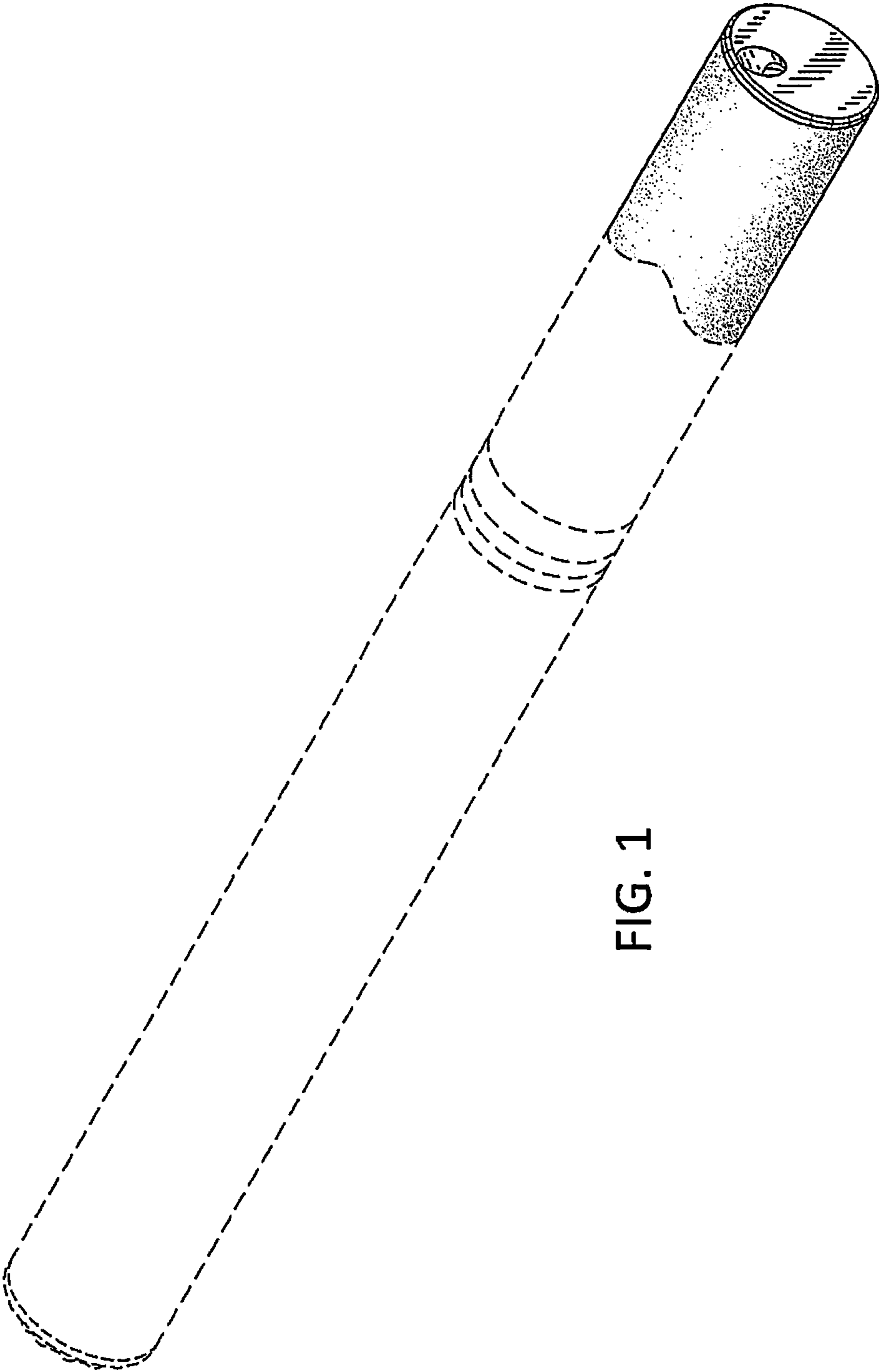


FIG. 1

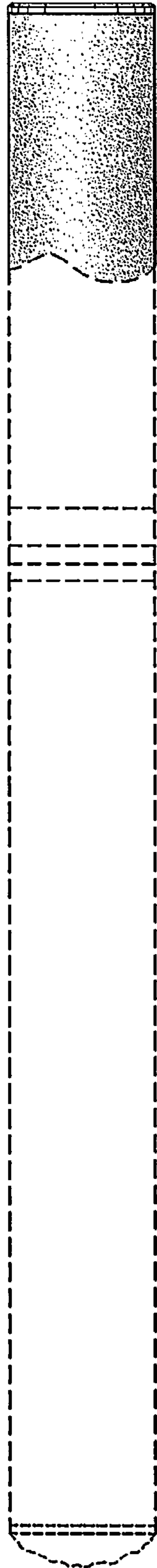


FIG. 2

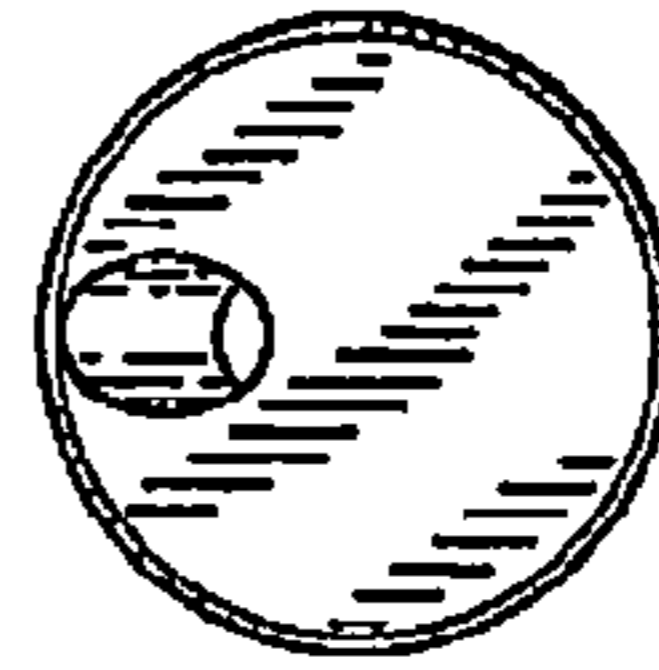


FIG. 3