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(12) **United States Design Patent**
Sobran

(10) **Patent No.:** **US D740,053 S**
(45) **Date of Patent:** **** Oct. 6, 2015**

- (54) **FOAM CUSHION BASE**
- (71) Applicant: **Ivan Sobran**, Raleigh, NC (US)
- (72) Inventor: **Ivan Sobran**, Raleigh, NC (US)
- (73) Assignee: **Nomaco Inc.**, Zebulon, NC (US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/459,883**

D105,428 S 7/1937 Bahr
 D136,717 S 11/1943 Moore et al.
 2,337,525 A 12/1943 Peik

(Continued)

FOREIGN PATENT DOCUMENTS

DE 202004000702 U1 6/2004
 EP 1674003 B1 5/2013

(Continued)

OTHER PUBLICATIONS

Non-final Office Action for U.S. Appl. No. 12/694,562 mailed Apr. 10, 2014, 10 pages.

(Continued)

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- (52) **U.S. Cl.**
USPC **D6/601**
- (58) **Field of Classification Search**
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D24/183, 190-193; 5/420, 630-651,
5/652, 655.3, 655.9, 656, 706, 710,
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5/932, 935, 948, 953; 128/202.18;
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CPC A47G 9/10; A47G 9/1009; A47G
2009/1018; A47G 9/1027; A47G 9/1036;
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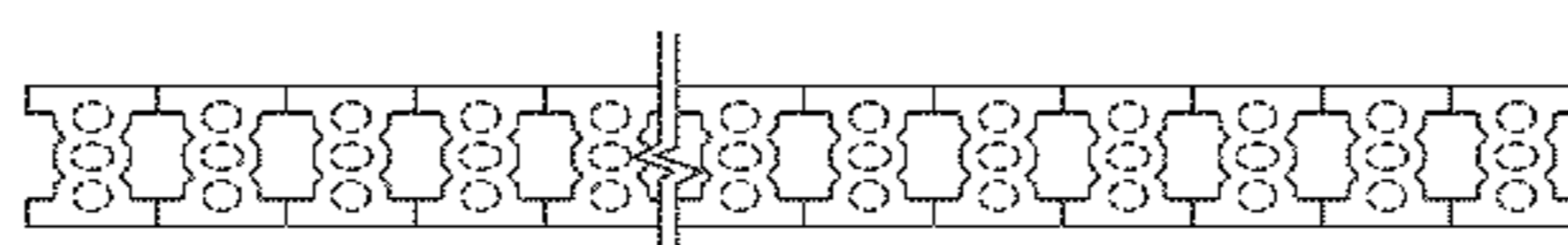
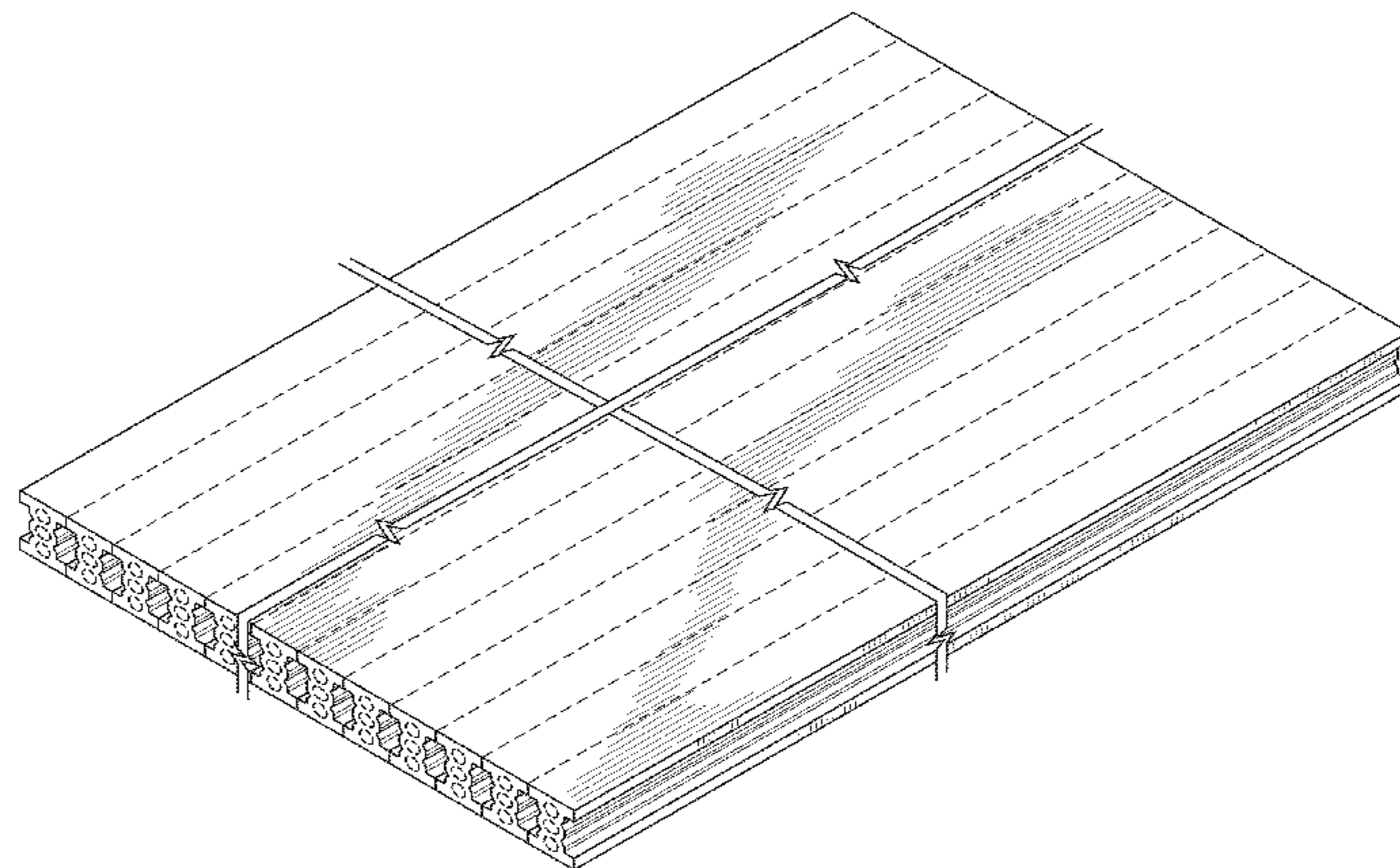
(57) **CLAIM**
 The ornamental design for foam cushion base, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a foam cushion base; FIG. 2 is a front side view of the foam cushion base shown in FIG. 1; the rear side view being a minor image thereof; FIG. 3 is a top view of the foam cushion base shown in FIG. 1; the bottom view being a minor image thereof; and, FIG. 4 is a right side view of the foam cushion base shown in FIG. 1; the left side view being a minor image thereof. The break lines shown in the drawings indicate no specific length or width and form no part of the claimed design. The broken lines shown in the drawings are for the purpose of illustrating environmental structure and form no part of the claimed design.

- (56) **References Cited**
U.S. PATENT DOCUMENTS
- | | | |
|-------------|---------|---------------|
| 554,580 A | 2/1896 | Conkwright |
| 676,573 A | 6/1901 | Bowers |
| D46,509 S | 10/1914 | Neff |
| 1,371,362 A | 3/1921 | Giese |
| 1,429,776 A | 9/1922 | Robinson |
| 1,686,270 A | 10/1928 | Dwyer et al. |
| 1,865,043 A | 6/1932 | Pittoni |
| 1,979,566 A | 11/1934 | Morse |
| 1,986,255 A | 1/1935 | Durfey et al. |

1 Claim, 4 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

| | | | |
|----------------|---------|-----------------------|-----------|
| 2,539,058 A | 1/1951 | Burns | |
| 2,569,021 A | 9/1951 | Rozanski | |
| 2,571,715 A * | 10/1951 | Henning | 428/167 |
| 2,615,577 A | 10/1952 | Bartleman | |
| 2,630,145 A | 3/1953 | Stevens | |
| 2,697,642 A | 12/1954 | Rudy | |
| 2,748,399 A | 6/1956 | Rockoff | |
| 2,826,769 A | 3/1958 | Drews | |
| 2,940,089 A | 6/1960 | Koenigsberg | |
| 2,978,714 A | 4/1961 | Bechik | |
| 3,046,574 A | 7/1962 | Erenberg et al. | |
| 3,082,438 A | 3/1963 | Nachman, Jr. | |
| 3,104,085 A * | 9/1963 | Skladany | 410/49 |
| 3,263,533 A | 8/1966 | Carlson | |
| 3,293,671 A | 12/1966 | Griffin | |
| 3,318,224 A | 5/1967 | Bohanon | |
| 3,749,301 A | 7/1973 | Peckar | |
| 3,775,526 A | 11/1973 | Gilmore | |
| 3,822,426 A | 7/1974 | Mistarz | |
| 3,848,283 A | 11/1974 | Ikeda | |
| 3,894,706 A | 7/1975 | Mizusawa | |
| D240,681 S | 7/1976 | Granatelli | |
| D241,314 S | 9/1976 | Hug | |
| D245,747 S | 9/1977 | Ikeda | |
| 4,121,005 A | 10/1978 | Roberts | |
| 4,181,992 A | 1/1980 | Blake | |
| 4,194,255 A | 3/1980 | Poppe | |
| 4,207,636 A | 6/1980 | Ceriani | |
| 4,275,473 A | 6/1981 | Poirier | |
| 4,435,463 A * | 3/1984 | Roellchen | 428/158 |
| D273,659 S | 5/1984 | Sakaguchi | |
| 4,451,946 A | 6/1984 | Stumpf | |
| 4,619,456 A | 10/1986 | Meggs | |
| 4,821,988 A | 4/1989 | Jimenez | |
| 4,900,607 A * | 2/1990 | Glang et al. | 405/152 |
| 4,907,309 A | 3/1990 | Breckle | |
| 4,915,662 A | 4/1990 | Kent | |
| D307,688 S | 5/1990 | Schaefer | |
| D307,690 S | 5/1990 | Raburn | |
| D310,313 S | 9/1990 | Afeyan | |
| 4,998,310 A | 3/1991 | Olson | |
| 5,005,793 A | 4/1991 | Shillington | |
| 5,039,366 A | 8/1991 | Strattman | |
| 5,040,255 A | 8/1991 | Barber, Jr. | |
| 5,048,167 A | 9/1991 | Heffley et al. | |
| D322,907 S | 1/1992 | Raburn | |
| 5,115,524 A | 5/1992 | Antosko | |
| 5,133,116 A | 7/1992 | Wagner et al. | |
| 5,195,197 A | 3/1993 | Gutierrez et al. | |
| 5,231,718 A | 8/1993 | Blaha et al. | |
| 5,239,715 A | 8/1993 | Wagner | |
| 5,398,820 A | 3/1995 | Kiss | |
| 5,413,836 A * | 5/1995 | Hsieh | 428/188 |
| 5,415,370 A | 5/1995 | Valiulis | |
| D363,016 S | 10/1995 | Sipprelle, III et al. | |
| 5,456,437 A | 10/1995 | Chander et al. | |
| 5,462,212 A | 10/1995 | Hertel, Jr. | |
| 5,467,488 A | 11/1995 | Wagner | |
| 5,469,590 A | 11/1995 | Simon | |
| 5,491,852 A | 2/1996 | Maucher | |
| 5,537,699 A | 7/1996 | Bonaddio et al. | |
| D376,309 S | 12/1996 | Takai | |
| 5,642,546 A | 7/1997 | Shoenhair | |
| 5,642,557 A | 7/1997 | Clews | |
| 5,658,644 A * | 8/1997 | Ho et al. | 428/188 |
| 5,687,439 A | 11/1997 | Wagner | |
| 5,705,252 A | 1/1998 | Lea et al. | |
| 5,724,686 A | 3/1998 | Neal | |
| 5,743,497 A | 4/1998 | Michael | |
| 5,756,022 A | 5/1998 | Siegel et al. | |
| 5,787,532 A | 8/1998 | Langer et al. | |
| 5,792,309 A | 8/1998 | Eto | |
| 5,815,865 A | 10/1998 | Washburn et al. | |
| 5,861,205 A | 1/1999 | Murata et al. | |
| D406,051 S | 2/1999 | Ross | |
| 5,924,682 A | 7/1999 | Bullard | |
| D413,035 S | 8/1999 | Weterrings et al. | |
| 5,972,475 A * | 10/1999 | Beekman | 428/167 |
| 5,974,609 A * | 11/1999 | Nunez et al. | 5/717 |
| 5,987,678 A | 11/1999 | Ayers | |
| D417,612 S | 12/1999 | Jones | |
| 6,003,179 A | 12/1999 | Farley | |
| D418,354 S | 1/2000 | O'Rourke | |
| 6,023,803 A | 2/2000 | Barman | |
| 6,026,525 A | 2/2000 | Davis | |
| 6,071,593 A * | 6/2000 | Lang et al. | 428/167 |
| 6,109,569 A | 8/2000 | Sakaida | |
| 6,122,787 A | 9/2000 | Kao | |
| D432,404 S | 10/2000 | Garfinkle | |
| 6,154,908 A | 12/2000 | Wells | |
| 6,158,071 A | 12/2000 | Wells | |
| D436,772 S | 1/2001 | Soderstrom | |
| 6,202,238 B1 | 3/2001 | Mossbeck et al. | |
| 6,243,894 B1 | 6/2001 | Kosumsuppamala et al. | |
| 6,260,331 B1 | 7/2001 | Stumpf | |
| 6,263,533 B1 | 7/2001 | Dimitry et al. | |
| 6,286,161 B1 | 9/2001 | McCall | |
| 6,286,166 B1 | 9/2001 | Henley et al. | |
| 6,295,676 B1 | 10/2001 | Warner | |
| 6,306,235 B1 | 10/2001 | Henderson | |
| 6,315,275 B1 | 11/2001 | Zysman | |
| D454,740 S | 3/2002 | Baggott | |
| 6,353,952 B1 | 3/2002 | Wells | |
| D456,197 S | 4/2002 | McClure et al. | |
| 6,370,717 B1 | 4/2002 | Kao | |
| 6,398,199 B1 | 6/2002 | Barber | |
| D467,117 S | 12/2002 | Guy | |
| 6,488,031 B1 | 12/2002 | Sells, II | |
| 6,493,887 B1 | 12/2002 | DeFranks et al. | |
| 6,496,993 B2 | 12/2002 | Allen et al. | |
| 6,523,812 B1 | 2/2003 | Spinks et al. | |
| 6,537,405 B1 | 3/2003 | Henderson et al. | |
| 6,568,014 B1 | 5/2003 | Sabalaskey et al. | |
| 6,574,814 B2 | 6/2003 | Collard et al. | |
| 6,612,525 B2 | 9/2003 | Bagdi | |
| 6,658,682 B1 | 12/2003 | Wells | |
| 6,684,434 B2 | 2/2004 | Ellis et al. | |
| 6,687,929 B2 | 2/2004 | DeFranks et al. | |
| 6,721,981 B1 | 4/2004 | Greenhalgh et al. | |
| 6,772,463 B2 | 8/2004 | Gladney et al. | |
| 6,804,847 B2 | 10/2004 | Grothaus | |
| 6,813,791 B2 | 11/2004 | Mossbeck et al. | |
| 6,826,796 B1 | 12/2004 | Mossbeck | |
| 6,832,397 B2 | 12/2004 | Gaboury et al. | |
| 6,862,763 B2 | 3/2005 | Mossbeck et al. | |
| 6,883,196 B2 | 4/2005 | Barber | |
| 6,898,813 B2 | 5/2005 | Grothaus | |
| D506,385 S | 6/2005 | Brown | |
| 6,954,957 B2 | 10/2005 | Metzger et al. | |
| 6,966,090 B2 | 11/2005 | McClintock et al. | |
| 6,966,091 B2 | 11/2005 | Barber | |
| 7,011,731 B2 * | 3/2006 | Romanski | 162/358.4 |
| 7,017,205 B2 | 3/2006 | Gladney | |
| 7,028,352 B2 | 4/2006 | Kramer et al. | |
| 7,036,173 B2 | 5/2006 | Gladney | |
| 7,044,557 B2 | 5/2006 | Wieland | |
| 7,082,635 B2 | 8/2006 | Barman et al. | |
| 7,093,858 B1 | 8/2006 | Russell | |
| 7,127,765 B2 | 10/2006 | Ruiz | |
| 7,165,282 B2 | 1/2007 | Watson | |
| D537,331 S | 2/2007 | Hill | |
| 7,178,187 B2 | 2/2007 | Barman et al. | |
| 7,185,379 B2 | 3/2007 | Barman | |
| 7,185,770 B1 | 3/2007 | Roten | |
| 7,194,777 B2 | 3/2007 | Edling et al. | |
| 7,198,075 B2 * | 4/2007 | Korosy et al. | 141/164 |
| 7,210,181 B1 | 5/2007 | Price | |
| 7,251,847 B2 | 8/2007 | Wells | |
| 7,340,854 B2 | 3/2008 | Barnes | |
| D566,994 S | 4/2008 | Marcus | |
| D569,160 S | 5/2008 | Mossbeck | |
| D575,144 S | 8/2008 | Heisten | |
| D575,145 S | 8/2008 | Heisten | |
| D581,715 S | 12/2008 | Scheuch | |

(56)

References Cited

U.S. PATENT DOCUMENTS

D583,607 S 12/2008 Hanson et al.
 7,546,648 B2 6/2009 Steffes
 7,597,296 B2 10/2009 Conway
 7,608,782 B2 10/2009 Hill
 7,644,461 B2 1/2010 Lee
 D612,188 S 3/2010 Yiannaki
 7,685,664 B2 3/2010 Stolpmann et al.
 D621,071 S 8/2010 Elliott
 D622,137 S 8/2010 Turnbull
 D622,586 S 8/2010 Turnbull
 7,805,790 B2 10/2010 DeMoss
 7,841,031 B2 11/2010 Rawls-Meehan
 D628,879 S 12/2010 Kindig
 7,845,035 B2 12/2010 Letton et al.
 7,845,036 B2 12/2010 Rinchetti
 7,865,988 B2 1/2011 Koughan et al.
 7,870,626 B2 1/2011 Antinori
 D636,622 S 4/2011 Quinter et al.
 D640,516 S 6/2011 Krohmer et al.
 D640,535 S 6/2011 Austro
 D642,413 S 8/2011 Rinehart
 D642,847 S 8/2011 Rinehart
 7,992,712 B2 8/2011 Rosland
 8,001,638 B1 8/2011 Quinter et al.
 D648,211 S 11/2011 Weaver et al.
 D653,895 S 2/2012 Reisenhus
 8,122,537 B1 2/2012 Roberts
 D665,449 S 8/2012 Guirlinger
 8,250,689 B2 8/2012 Gladney
 8,266,747 B1 9/2012 Sobran et al.
 8,356,372 B2 1/2013 Smalling et al.
 8,434,178 B2 5/2013 Sobran et al.
 8,438,678 B2 5/2013 Brottlund et al.
 D691,400 S * 10/2013 Young D6/606
 D692,692 S * 11/2013 Allman et al. D6/606
 D692,693 S * 11/2013 Allman et al. D6/606
 D693,146 S * 11/2013 Allman et al. D6/606
 D693,147 S * 11/2013 Henderson et al. D6/606
 D693,149 S * 11/2013 Allman et al. D6/606
 D694,042 S 11/2013 Yiannaki
 8,584,277 B1 11/2013 Roberts
 D694,552 S * 12/2013 Allman et al. D6/596
 D697,337 S * 1/2014 Young D6/606
 D707,468 S * 6/2014 Lauer et al. D6/606
 2002/0069462 A1 6/2002 Gaboury et al.
 2003/0068471 A1 * 4/2003 Anderson et al. 428/167
 2003/0074736 A1 4/2003 Grothaus
 2003/0079284 A1 5/2003 Gaboury et al.
 2003/0173814 A1 9/2003 Wieland et al.
 2004/0128761 A1 7/2004 Gaboury et al.
 2004/0128773 A1 7/2004 Barber
 2004/0133988 A1 7/2004 Barber
 2004/0182802 A1 9/2004 Paul
 2004/0187217 A1 9/2004 Barman et al.
 2004/0261186 A1 12/2004 Gladney
 2005/0015884 A1 1/2005 Conaway et al.
 2005/0028275 A1 2/2005 Hooper, Jr.
 2005/0034233 A1 2/2005 Gladney
 2005/0204475 A1 9/2005 Schmitz et al.
 2005/0246839 A1 11/2005 Niswonger
 2005/0251920 A1 11/2005 Ahn
 2005/0262642 A1 12/2005 Miller
 2006/0031995 A1 2/2006 Barkhouse
 2006/0042016 A1 3/2006 Barman et al.
 2006/0257711 A1 * 11/2006 Elhamid et al. 429/38
 2006/0260062 A1 11/2006 Barman et al.
 2007/0094801 A1 * 5/2007 Kuo 5/655.5
 2007/0118987 A1 5/2007 Gladney et al.
 2008/0040861 A1 2/2008 Ootayopas
 2008/0107871 A1 * 5/2008 Richards 428/167
 2008/0115288 A1 5/2008 Poulos
 2009/0000030 A1 1/2009 Hicks et al.
 2009/0011203 A1 1/2009 Mock et al.
 2009/0013476 A1 1/2009 Rinchetti
 2009/0025150 A1 1/2009 Smalling et al.

2009/0029112 A1 * 1/2009 Otake 428/167
 2009/0031502 A1 2/2009 Berrcocal et al.
 2009/0100606 A1 4/2009 An
 2009/0106894 A1 4/2009 Yeo
 2009/0139033 A1 6/2009 Gladney
 2009/0193591 A1 8/2009 DeMoss et al.
 2009/0294623 A1 12/2009 Pinchuk
 2010/0071136 A1 3/2010 Weber
 2010/0077552 A1 4/2010 Malikhin et al.
 2010/0138994 A1 6/2010 Lee et al.
 2010/0223732 A1 9/2010 Allman et al.
 2010/0319137 A1 12/2010 Witherell et al.
 2010/0325806 A1 12/2010 Letton et al.
 2011/0049327 A1 3/2011 Young et al.
 2011/0061163 A1 3/2011 Lee
 2011/0072587 A1 * 3/2011 Cao et al. 5/655.9
 2011/0179579 A1 7/2011 Henderson et al.
 2011/0197368 A1 8/2011 Tarazona De La Asuncion
 2012/0167312 A1 7/2012 Sobran et al.
 2012/0180224 A1 7/2012 Demoss et al.
 2012/0284928 A1 11/2012 Henderson et al.
 2013/0098791 A1 4/2013 Saunders et al.
 2013/0276228 A1 10/2013 Hsieh

FOREIGN PATENT DOCUMENTS

FR 2789861 A3 8/2000
 GB 2095545 A 10/1982
 GB 2154443 A 9/1985
 WO 2009014657 A1 1/2009
 WO 2010117352 A1 10/2010
 WO 2015057516 A1 4/2015

OTHER PUBLICATIONS

Non-final Office Action for U.S. Appl. No. 13/534,068 mailed Feb. 26, 2014, 8 pages.
 Office Action for Canadian patent Application No. 2,777,347 mailed Jan. 31, 2014, 3 pages.
 Final Office Action mailed Nov. 8, 2010 for U.S. Appl. No. 12/455,968, 13 pages.
 Non-final Office Action mailed May 26, 2010 for U.S. Appl. No. 12/455,968, 13 pages.
 Non-final Office Action mailed Oct. 12, 2011 for U.S. Appl. No. 12/455,968, 12 pages.
 Notice of Allowance for U.S. Appl. No. 12/455,968 mailed Jul. 23, 2012, 7 pages.
 Notice of Allowance mailed Dec. 31, 2009 for U.S. Appl. No. 29/342,503, 4 pages.
 Non-final Office Action for U.S. Appl. No. 12/386,584 mailed Sep. 13, 2011, 18 pages.
 Final Office Action for U.S. Appl. No. 12/386,584 mailed Feb. 3, 2012, 17 pages.
 Non-final Office Action for U.S. Appl. No. 12/615,535 mailed Feb. 28, 2013, 14 pages.
 Notice of Allowance and Examiner-Initiated Interview Summary for U.S. Appl. No. 12/615,535 mailed Jul. 17, 2013, 13 pages.
 Non-final Office Action for U.S. Appl. No. 12/694,562 mailed Feb. 28, 2013, 13 pages.
 Notice of Allowance for U.S. Appl. No. 29/342,503 mailed Dec. 16, 2009, 6 pages.
 Non-final Office Action for U.S. Appl. No. 13/418,649 mailed May 15, 2012, 15 pages.
 Non-final Office Action for U.S. Appl. No. 13/534,068 mailed Jun. 12, 2013, 8 pages.
 Non-final Office Action for U.S. Appl. No. 29/368,046 mailed Mar. 8, 2013, 6 pages.
 Notice of Allowance for U.S. Appl. No. 29/368,046 mailed Jul. 1, 2013, 8 pages.
 Ex Parte Quayle Action for U.S. Appl. No. 29/398,647 mailed May 8, 2012, 5 pages.
 Final Office Action for U.S. Appl. No. 12/870,316 mailed Feb. 13, 2013, 9 pages.
 Advisory Action for U.S. Appl. No. 12/870,316 mailed May 29, 2013, 2 pages.

(56)

References Cited

OTHER PUBLICATIONS

Non-final Office Action for U.S. Appl. No. 12/870,316 mailed Jun. 20, 2013, 9 pages.
Notice of Allowance for U.S. Appl. No. 29/398,649 mailed Aug. 29, 2012, 6 pages.
Ex Parte Quayle Action for U.S. Appl. No. 29/361,180 mailed Sep. 13, 2012, 11 pages.
Notice of Allowance for U.S. Appl. No. 29/361,180 mailed Nov. 27, 2012, 6 pages.
Non-final Office Action for U.S. Appl. No. 29/368,030 mailed Apr. 19, 2013, 7 pages.
Non-final Office Action for U.S. Appl. No. 29/368,039 mailed Apr. 25, 2013, 8 pages.
Non-final Office Action for U.S. Appl. No. 29/368,034 mailed Apr. 24, 2013, 6 pages.
Notice of Allowance for U.S. Appl. No. 29/403,050 mailed Sep. 28, 2012, 8 pages.
Notice of Allowance for U.S. Appl. No. 29/398,647 mailed Aug. 30, 2012, 6 pages.
Notice of Allowance for U.S. Appl. No. 13/418,649 mailed Dec. 12, 2012, 7 pages.
Author Unknown, "Expandable Grids Made of ETHOFOAM Brand Polyethylene Foam," ETHAFOAM, The Dow Chemical Company, Dec. 1997, 7 pages.
Notice of Allowance for U.S. Appl. No. 29/368,030 mailed Aug. 5, 2013, 8 pages.
Final Office Action for U.S. Appl. No. 29/368,039 mailed Aug. 5, 2013, 6 pages.

Non-final Office Action for U.S. Appl. No. 12/694,562 mailed Sep. 11, 2013, 11 pages.
Notice of Allowance for U.S. Appl. No. 29/368,039 mailed Sep. 23, 2013, 9 pages.
Notice of Allowance for U.S. Appl. No. 29/368,034 mailed Sep. 24, 2013, 15 pages.
Non-final Office Action for U.S. Appl. No. 13/534,068 mailed Oct. 3, 2013, 9 pages.
Official Action for Mexican patent application MX/a/2010/006786 mailed Oct. 7, 2013, 2 pages.
Notice of Allowance for U.S. Appl. No. 12/870,316 mailed Dec. 6, 2013, 11 pages.
Final Office Action for U.S. Appl. No. 13/534,068, mailed Sep. 15, 2014, 9 pages.
Non-Final Office Action for U.S. Appl. No. 13/283,652, mailed Jul. 11, 2014, 5 pages.
Office Action for Canadian Patent Application No. 2,791,073, issued Jul. 24, 2014, 2 pages.
Examiner's Report for Canadian Patent Application 156500, mailed Oct. 20, 2014, 2 pages.
Final Office Action for U.S. Appl. No. 12/694,562, mailed Oct. 2, 2014, 11 pages.
Quayle Action for U.S. Appl. No. 29/471,906, mailed Dec. 8, 2014, 5 pages.
Non-Final Office Action for U.S. Appl. No. 29/453,042, mailed Oct. 15, 2014, 7 pages.
Notice of Allowance for U.S. Appl. No. 29/471,906, mailed May 20, 2015, 6 pages.
Examination Report No. 1 for Australian Patent Application No. 2013202638, issued Jun. 24, 2015, 5 pages.

* cited by examiner

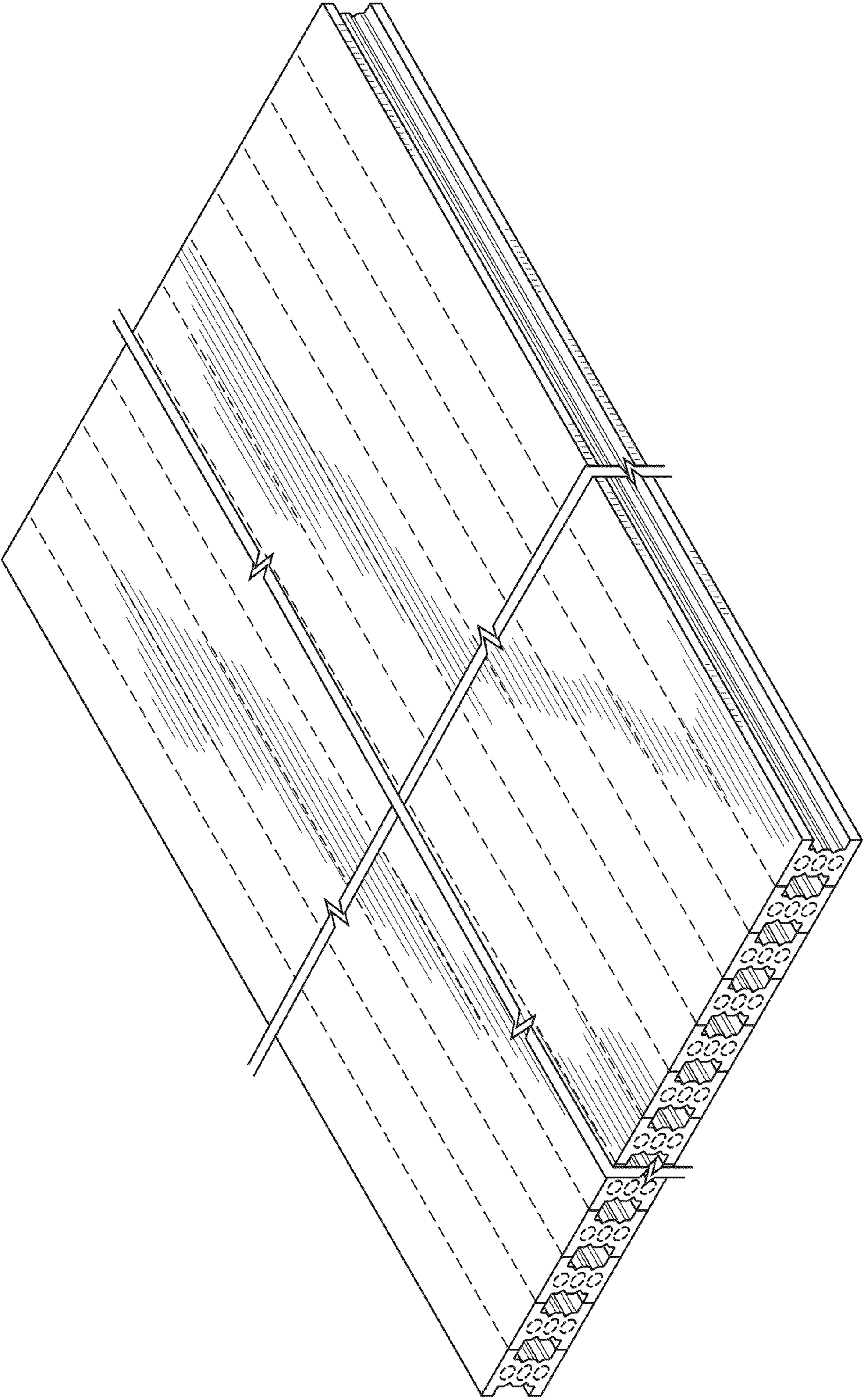


FIG. 1

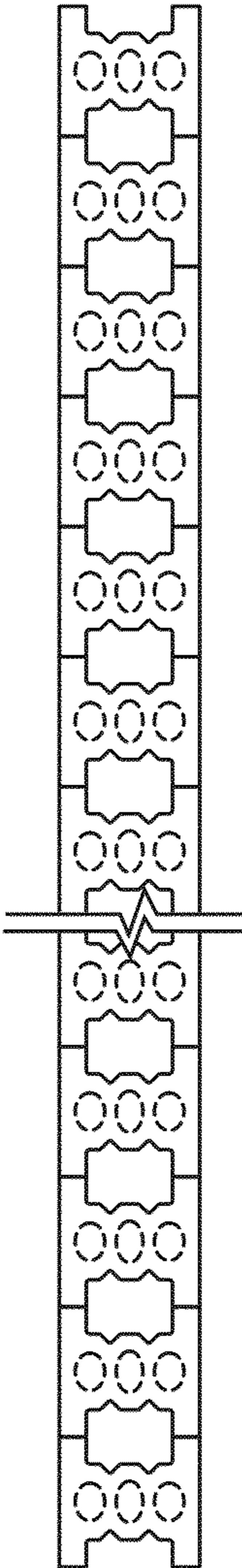


FIG. 2

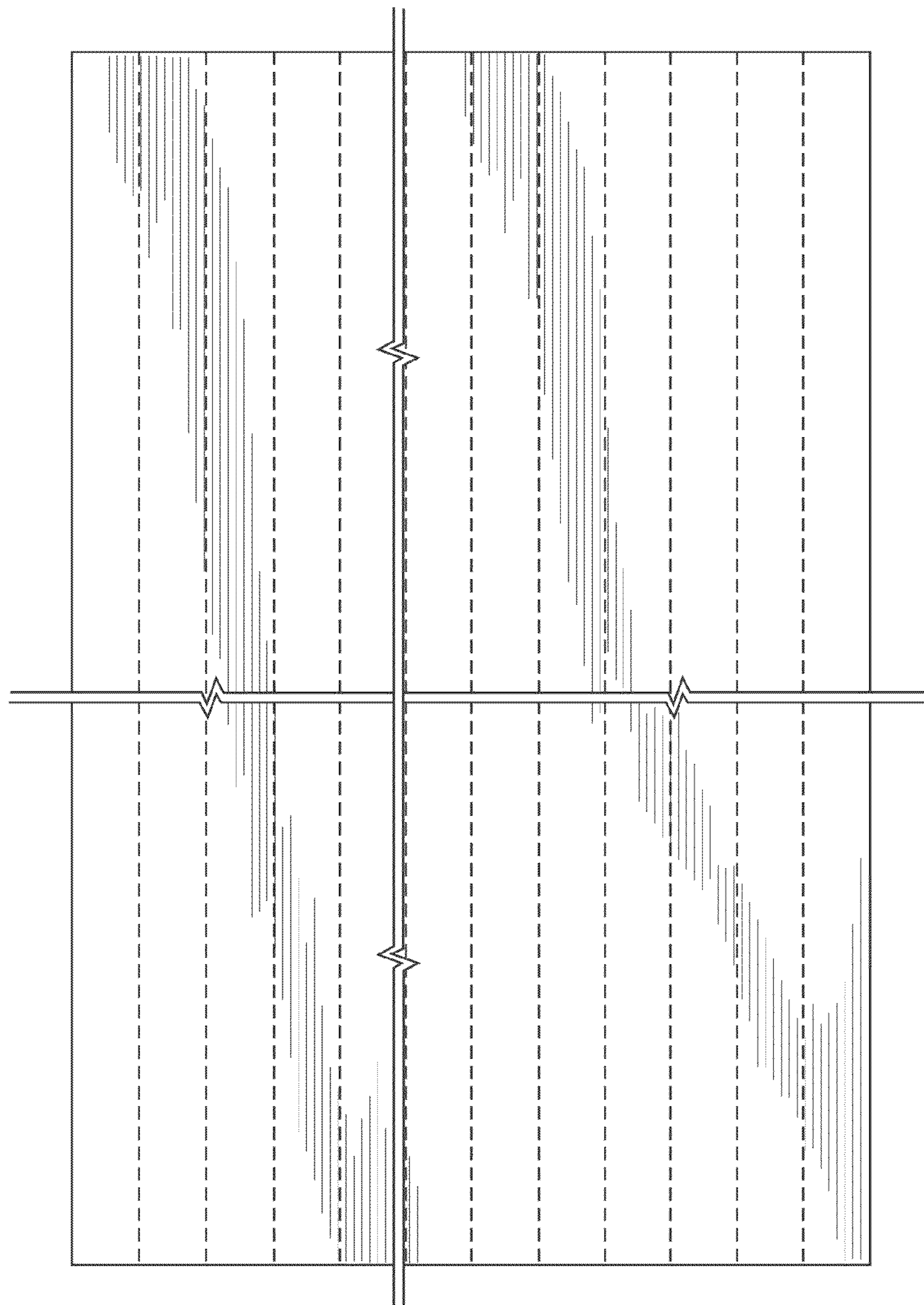


FIG. 3

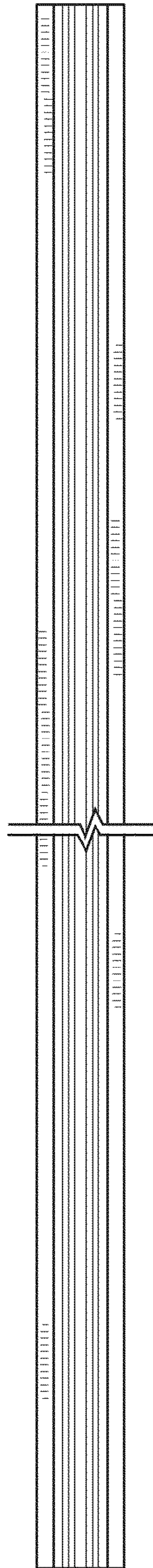


FIG. 4