



US00D783003S

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

(10) **Patent No.:** **US D783,003 S**

(45) **Date of Patent:** **** Apr. 4, 2017**

(54) **MOLDABLE EARPIECE**

(71) Applicant: **Decibullz LLC**, Loveland, CO (US)

(72) Inventor: **Kyle J Kirkpatrick**, Loveland, CO (US)

(73) Assignee: **Decibullz LLC**, Loveland, CO (US)

(**) Term: **15 Years**

(21) Appl. No.: **29/536,192**

(22) Filed: **Aug. 14, 2015**

Related U.S. Application Data

(63) Continuation of application No. 14/611,332, filed on Feb. 2, 2015, now Pat. No. 9,179,211, which is a continuation-in-part of application No. 13/761,947, filed on Feb. 7, 2013, now Pat. No. 9,451,353.

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

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

(58) **Field of Classification Search**

USPC D14/205, 223; D24/106; 128/864, 866; 181/129, 130, 135; 379/430, 431; 381/380, 381, 322, 328, 312, 330; 455/90.3, 575.1; D20/10, 11, 29; D8/306; 16/110.1, 53, 60, 70; 194/239, 194/350; D19/39, 40; 108/64; 24/478, 24/479, 570, 338, 327; 434/81, 82; 446/85, 87, 102, 113
CPC H04R 1/10; H04R 25/00; H04R 1/1066; H04R 1/105; H04R 1/1058
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

516,135 A * 3/1894 Thamm A45D 44/22
2/209
904,715 A * 11/1908 McWilliams A61F 11/08
128/864

(Continued)

FOREIGN PATENT DOCUMENTS

EP 0895703 2/1999
EP 1032243 8/2000

(Continued)

OTHER PUBLICATIONS

Flugz. Advanced Hearing Protection. Website, <https://www.flugz.com>, originally downloaded Aug. 17, 2015, 15 pages total.

(Continued)

Primary Examiner — Paula Greene

(74) *Attorney, Agent, or Firm* — Craig R. Miles; CR Miles, P.C.

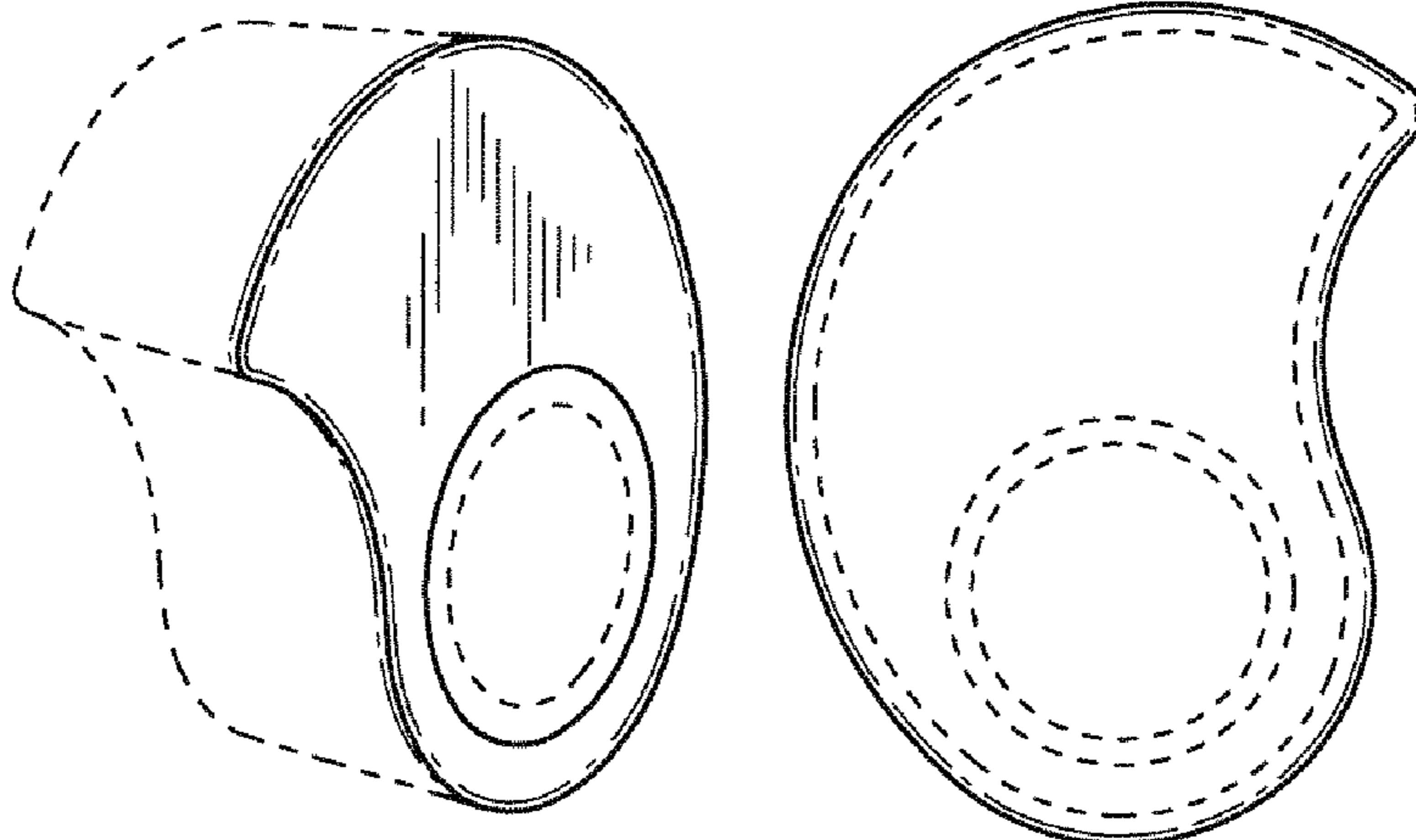
(57) **CLAIM**

I claim the ornamental design for a moldable earpiece, as shown and described.

DESCRIPTION

FIG. 1 is a top and right side perspective view of a moldable earpiece, embodying our new moldable earpiece design; FIG. 2 is a front elevation view thereof; FIG. 3 is a rear elevation view thereof; FIG. 4 is a left side elevation view thereof; FIG. 5 is a right side elevation view thereof; FIG. 6 is a top plan view thereof; and, FIG. 7 is a bottom plan view thereof. The broken lines shown are included for the purpose of illustrating the unclaimed portions of the article and form no part of the claim.

1 Claim, 2 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

1,340,512 A * 5/1920 Wild A63F 9/1011
101/372
2,377,739 A * 6/1945 Wyckoff A61F 11/008
181/132
2,430,229 A 11/1947 Kelsey
2,521,414 A * 9/1950 Schier H04R 25/656
181/135
2,729,376 A * 1/1956 Gould G07F 13/065
141/183
2,881,759 A * 4/1959 Hocks A61F 11/08
128/868
D185,740 S * 7/1959 Criswell D24/174
3,068,954 A * 12/1962 Strzalkowski H04R 25/556
181/135
3,112,668 A * 12/1963 Moshay G10D 3/163
84/322
D206,665 S * 1/1967 Sanzone D24/174
D208,784 S * 10/1967 Sanzone D24/174
3,415,246 A * 12/1968 Hill A61F 11/08
128/864
3,440,365 A * 4/1969 Hazell H04M 1/05
379/430
D215,138 S * 9/1969 Mackey 2/209
3,810,812 A * 5/1974 Koenig B41C 1/141
156/247
D250,033 S * 10/1978 Stein D10/61
D266,271 S * 9/1982 Johanson D24/174
D266,590 S * 10/1982 Bennett D24/174
4,412,096 A 10/1983 Edgerton et al.
D278,363 S * 4/1985 Schenkel D24/189
4,537,187 A * 8/1985 Scott A61F 11/08
128/864
4,579,112 A * 4/1986 Scott A61F 11/08
128/864
D290,203 S * 6/1987 Berry, Jr. D6/678.2
4,702,238 A * 10/1987 Scott A61F 11/08
128/867
4,880,076 A 11/1989 Ahlberg et al.
5,002,151 A 3/1991 Oliveira et al.
5,048,092 A 9/1991 Yamagishi et al.
5,185,802 A 2/1993 Stanton
5,321,757 A 6/1994 Woodfill, Jr.
5,659,156 A * 8/1997 Mauney H04R 1/1016
181/130
5,676,068 A * 10/1997 Kallander A47B 87/002
108/64
5,711,313 A * 1/1998 Fleming A61F 11/12
128/864
5,718,244 A 2/1998 Thornton
5,881,159 A 3/1999 Aceti et al.
5,950,794 A * 9/1999 Porco G07F 5/02
194/239
6,082,485 A * 7/2000 Smith A61F 11/08
128/868
6,122,388 A * 9/2000 Feldman H04R 25/604
381/322
6,301,367 B1 * 10/2001 Boyden A42B 1/245
2/209
6,310,961 B1 10/2001 Oliveira et al.
6,354,990 B1 3/2002 Juneau et al.
6,434,248 B1 8/2002 Juneau et al.
6,445,865 B1 * 9/2002 Janus G02B 6/4478
174/59
6,511,732 B1 * 1/2003 Chao A63B 49/08
15/143.1
6,595,317 B1 7/2003 Widmer et al.
6,688,421 B2 * 2/2004 Dyer A61F 11/08
181/130
6,690,807 B1 * 2/2004 Meyer G02C 5/143
2/12
6,761,789 B2 7/2004 Juneau et al.
D505,132 S * 5/2005 Linville D14/223
D527,056 S * 8/2006 Manville D21/386

7,130,437 B2 10/2006 Stonikas et al.
D535,642 S * 1/2007 Garcia D14/206
7,217,335 B2 5/2007 Juneau et al.
D550,202 S * 9/2007 Meier D14/206
7,403,629 B1 7/2008 Aceti
D593,076 S * 5/2009 Kung D14/223
7,627,131 B2 12/2009 Nielsen et al.
7,628,366 B2 * 12/2009 Scott F21V 21/04
248/317
D622,265 S * 8/2010 Rye D14/223
7,778,434 B2 8/2010 Juneau et al.
7,889,883 B2 * 2/2011 Cartwright A61F 11/008
128/867
D635,547 S * 4/2011 Komiyama D14/205
8,027,638 B2 9/2011 Sanguino et al.
D656,129 S 3/2012 Kelly et al.
8,184,838 B2 5/2012 Solomito et al.
8,201,561 B2 6/2012 Blanchard
D667,817 S * 9/2012 Otani D14/223
8,280,093 B2 10/2012 Siahaan et al.
D721,354 S * 1/2015 Thompson D14/223
8,931,489 B2 * 1/2015 Smith A61F 11/08
128/864
D729,764 S * 5/2015 Arjomand D14/205
D735,169 S * 7/2015 Shieh D14/223
9,179,211 B2 * 11/2015 Kirkpatrick H04R 25/652
D752,026 S * 3/2016 Yang D14/223
D754,638 S * 4/2016 Krissman D14/223
9,451,353 B2 * 9/2016 Kirkpatrick H04R 1/1058
2001/0043708 A1 11/2001 Brimhall
2003/0048916 A1 * 3/2003 Chen H04R 1/1058
381/374
2003/0099370 A1 * 5/2003 Moore G02C 11/06
381/312
2005/0147269 A1 7/2005 Oliveira et al.
2006/0098833 A1 5/2006 Juneau et al.
2008/0187161 A1 8/2008 Tiemens et al.
2009/0041287 A1 2/2009 Quinlisk
2009/0190786 A1 * 7/2009 Miskiel A61B 5/121
381/380
2009/0232342 A1 9/2009 Oliveira et al.
2009/0252362 A1 10/2009 Ooi et al.
2012/0189146 A1 * 7/2012 Wuidart H04M 1/6066
381/312
2013/0216086 A1 * 8/2013 Kirkpatrick H04R 1/1058
381/380

FOREIGN PATENT DOCUMENTS

EP 2107827 10/2009
GB 2470177 11/2010
WO WO 92/03894 3/1992
WO WO 99/31935 6/1999
WO 00/42817 7/2000
WO WO 2012/024656 2/2012

OTHER PUBLICATIONS

Flugz. Form and Fit. Website, <https://www.flugz.com>, originally downloaded Aug. 17, 2015, 3 pages total.
Flugz. Why Flugz. Website, <https://www.flugz.com>, originally downloaded Aug. 17, 2015, 3 pages total.
Flugz. Advanced Hearing Protection. Website, <https://www.flugz.com>, originally downloaded Aug. 17, 2015, 2 pages total.
Corresponding U.S. Appl. No. 14/930,066, filed Nov. 2, 2015.
Corresponding European Patent Application No. 13746012.7; European Search Report, dated Jan. 27, 2016, 6 pages total.
U.S. Appl. No. 61/596,567, filed Feb. 8, 2012.
U.S. Appl. No. 13/761,947, filed Feb. 7, 2013.
PCT Interantional Patent Application No. PCT/US2013/025288, filed Feb. 8, 2013.
Zenplugs Moulded Earplug Shop. Zenpods Blue Molded Earphone Adaptors . . . On-line Catalog, <http://shop.zenplugs.com>, originally downloaded Dec. 24, 2013, 1 page.
PCT Interantional Patent Application No. PCT/US2013/025288; ISR mailed Jun. 2, 2013, 11 total pages.

(56)

References Cited

OTHER PUBLICATIONS

U.S. Appl. No. 14/611,332, filed Feb. 2, 2015.
Corresponding European Patent Application No. 13746012.7;
Office Action mailed Nov. 18, 2016, 5 pages total.
Corresponding Chinese Patent Application No. 201380013425.X;
Office Action and Search Report mailed Oct. 8, 2016, 8 pages total.

* cited by examiner

FIG. 1

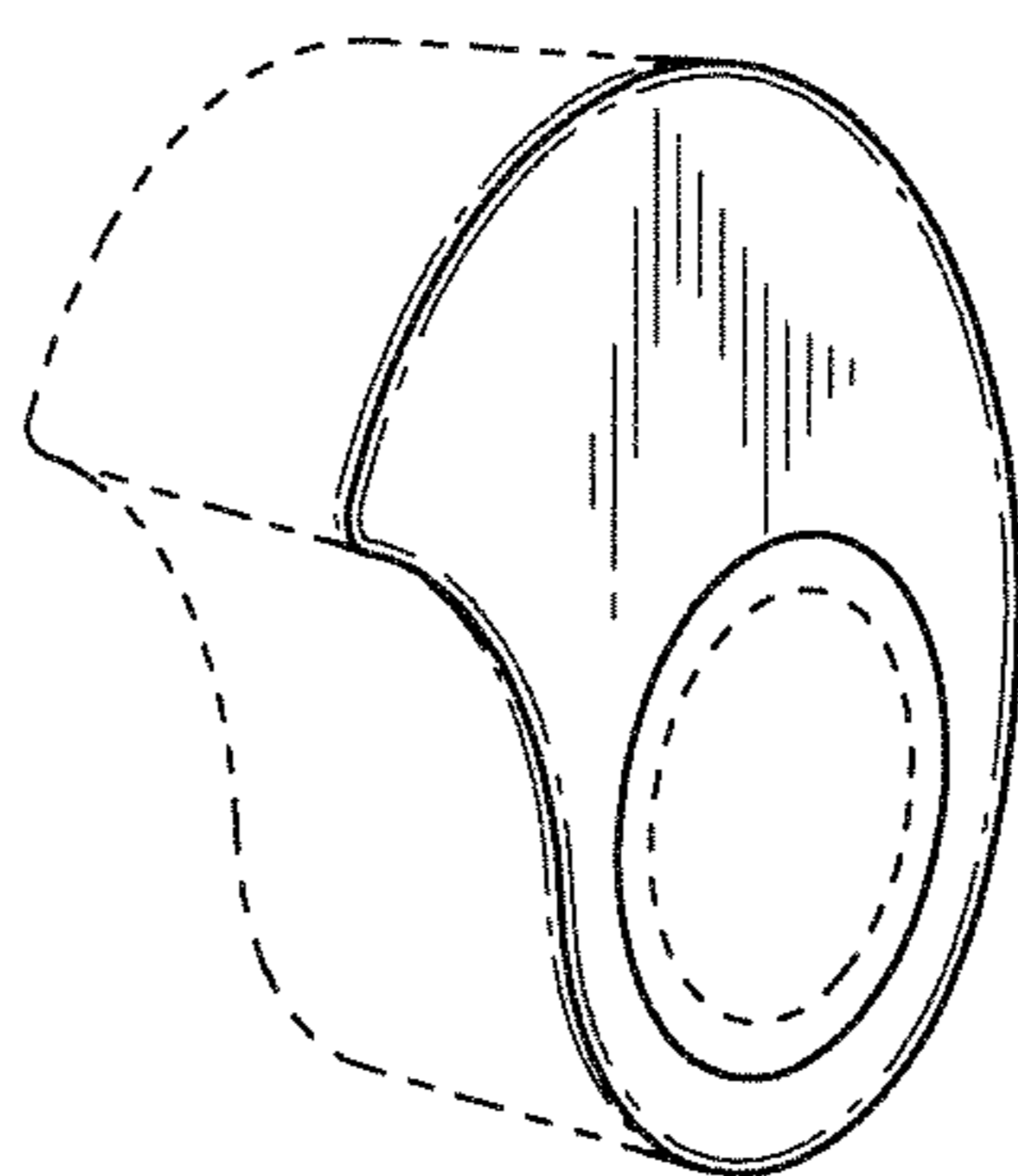


FIG. 2

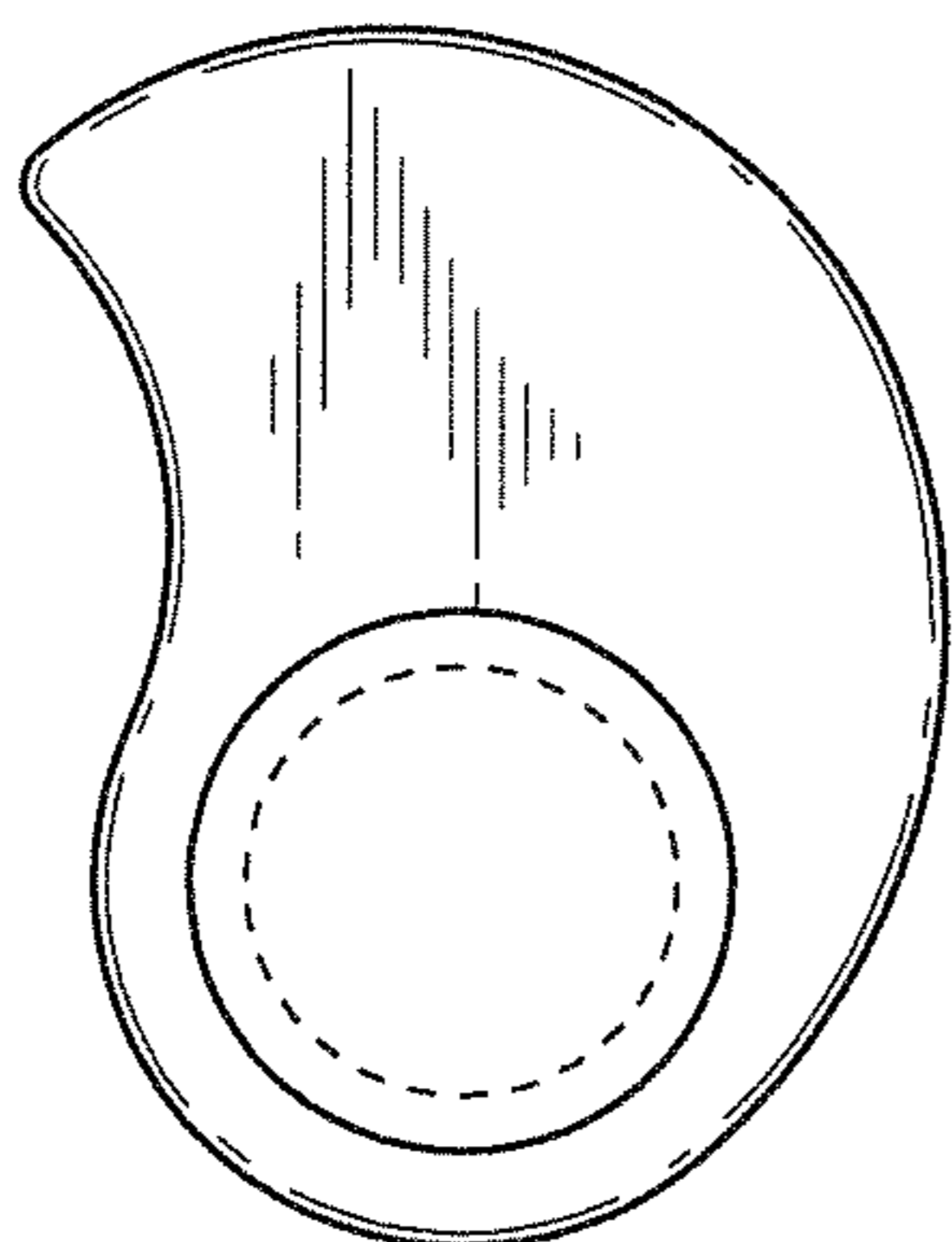


FIG. 3

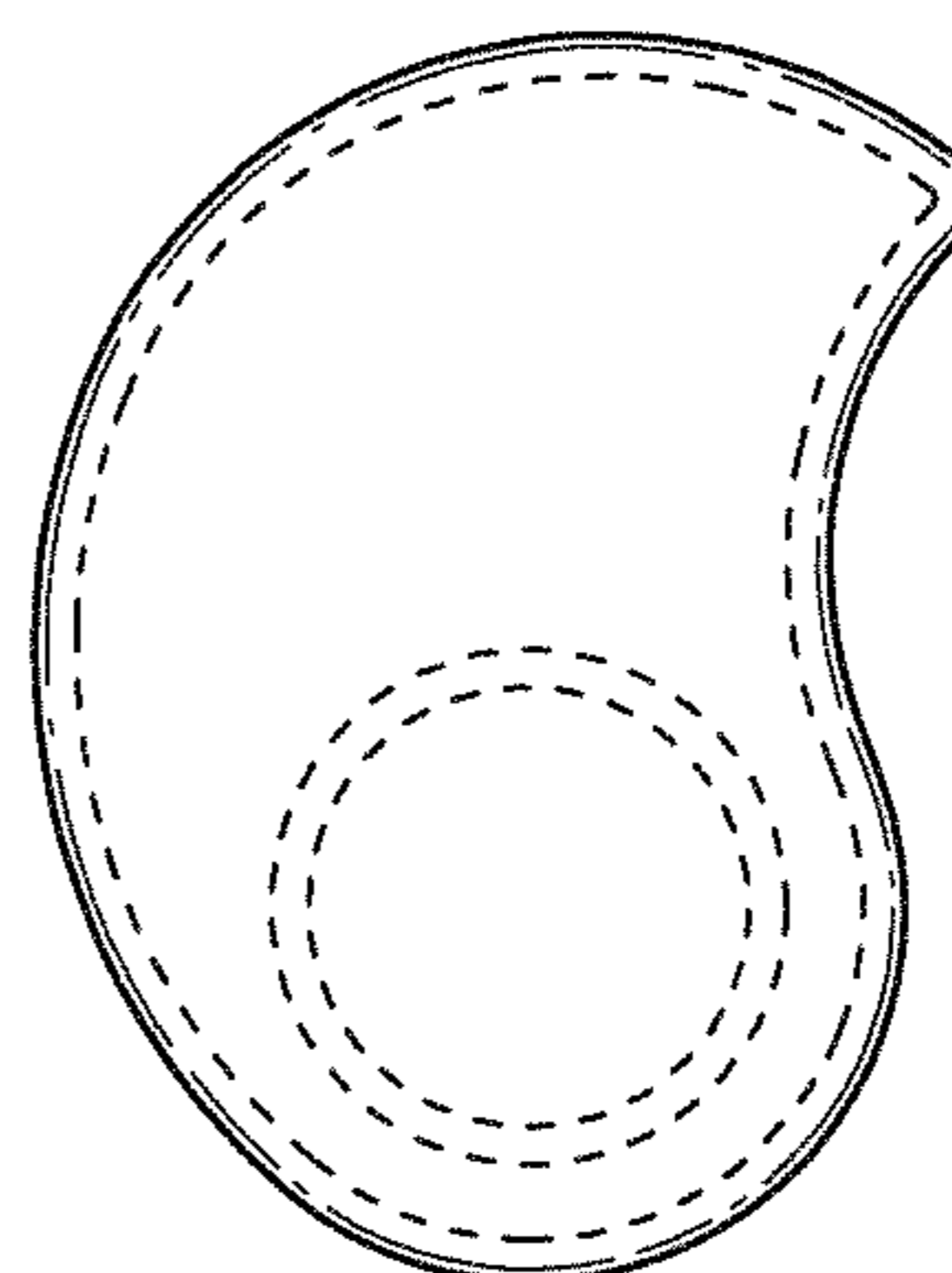


FIG. 6

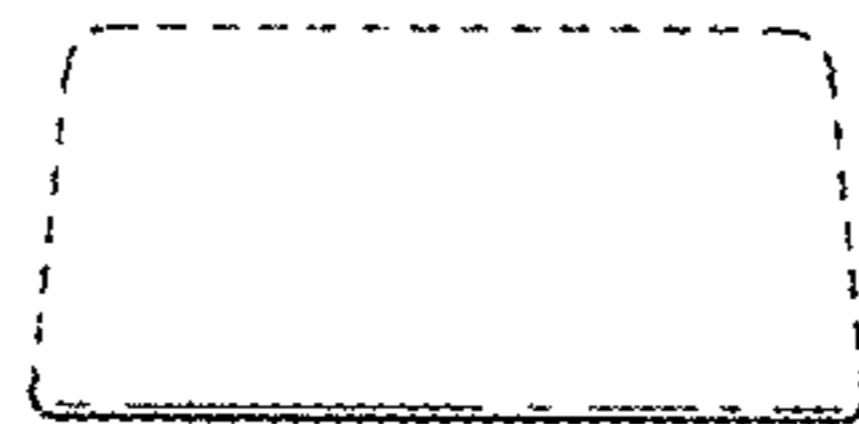


FIG. 5

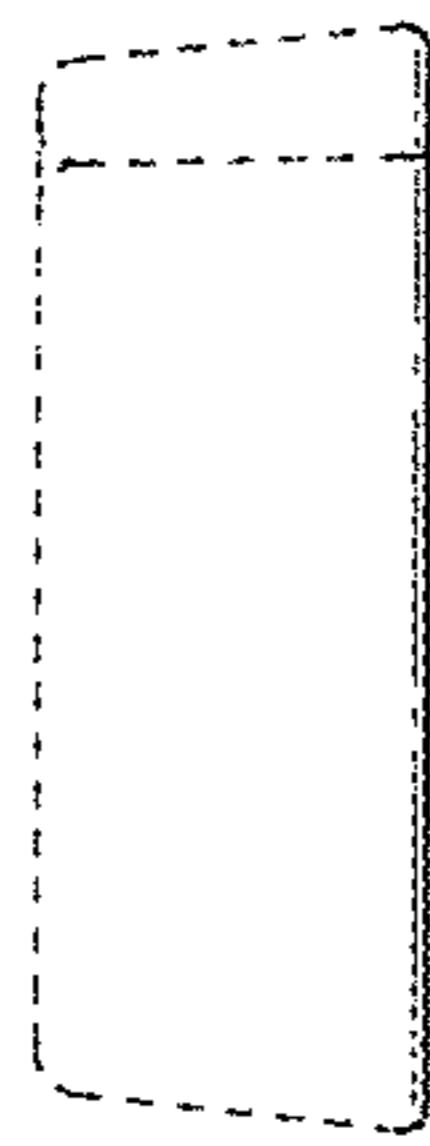


FIG. 4

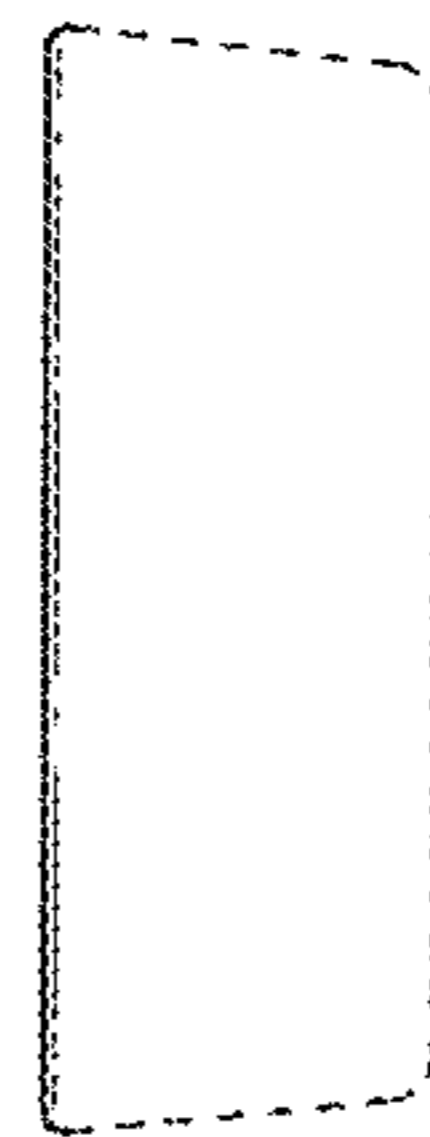


FIG. 7

