



US00D800351S

(12) **United States Design Patent** (10) **Patent No.:** **US D800,351 S**  
**Grzeskowiak, II et al.** (45) **Date of Patent:** **\*\* Oct. 17, 2017**

(54) **PORTION OF A SLAB** 2,002,848 A \* 5/1935 Cohen ..... B44F 9/04  
 427/259  
 (71) Applicant: **Cambria Company LLC**, Eden Prairie, MN (US) 2,040,863 A \* 5/1936 MacDonald ..... B44F 9/04  
 427/267  
 (72) Inventors: **Jon Louis Grzeskowiak, II**, Prior Lake, MN (US); **Summer Lane Kath**, Eden Prairie, MN (US); **Martin E. Davis**, Excelsior, MN (US) D162,280 S 3/1951 Barash  
 2,544,622 A \* 3/1951 Ulmer ..... B05D 3/12  
 264/303  
 3,515,619 A 6/1970 Barnette  
 D232,595 S 8/1974 Willard  
 4,248,652 A 2/1981 Civardi et al.  
 4,342,805 A 8/1982 McCartney  
 5,023,130 A 6/1991 Simpson et al.  
 (Continued)

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

(21) Appl. No.: **29/590,045**  
 (22) Filed: **Jan. 6, 2017**  
 (51) **LOC (10) Cl.** ..... **25-01**  
 (52) **U.S. Cl.**  
 USPC ..... **D25/149**; D5/44  
 (58) **Field of Classification Search**  
 USPC ..... D25/138, 149, 151, 164, 102, 103, 104,  
 D25/105, 106, 109, 110, 111; D5/5, 8,  
 D5/20, 43, 44, 64  
 CPC ... B44F 9/04; C08L 63/00; B32B 9/00; B32B  
 9/002; B44D 5/00; C09D 5/29; E04C  
 2/00; E04C 2/24; E04C 2/54; E04C  
 2002/008  
 See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D13,527 S \* 1/1883 Meyer et al. .... D5/58  
 1,344,570 A 6/1920 Warren  
 D67,245 S 5/1925 Ulmer  
 1,560,450 A \* 11/1925 Wesely ..... B44F 9/04  
 156/61  
 1,596,482 A 8/1926 Ewen  
 1,762,711 A \* 6/1930 Casto ..... B44F 9/04  
 101/170  
 1,872,352 A \* 8/1932 Schlosser ..... B44F 9/04  
 264/158  
 D90,466 S 8/1933 Willheim

**OTHER PUBLICATIONS**

Common Rock Types—black limestone (on-line), dated Nov. 14, 2010. Retrieved from Internet May 12, 2017, URL: <https://web.archive.org/web/20101114044802/http://www.empr.gov.bc.ca/Mining/Geoscience/PublicationsCatalogue/InformationCirculars/IC1987-05/Pages/key.aspx> (2 pages).\*

(Continued)

*Primary Examiner* — Vy Koenig  
*Assistant Examiner* — Kimberly Barnes  
 (74) *Attorney, Agent, or Firm* — Fish & Richardson P.C.

(57) **CLAIM**

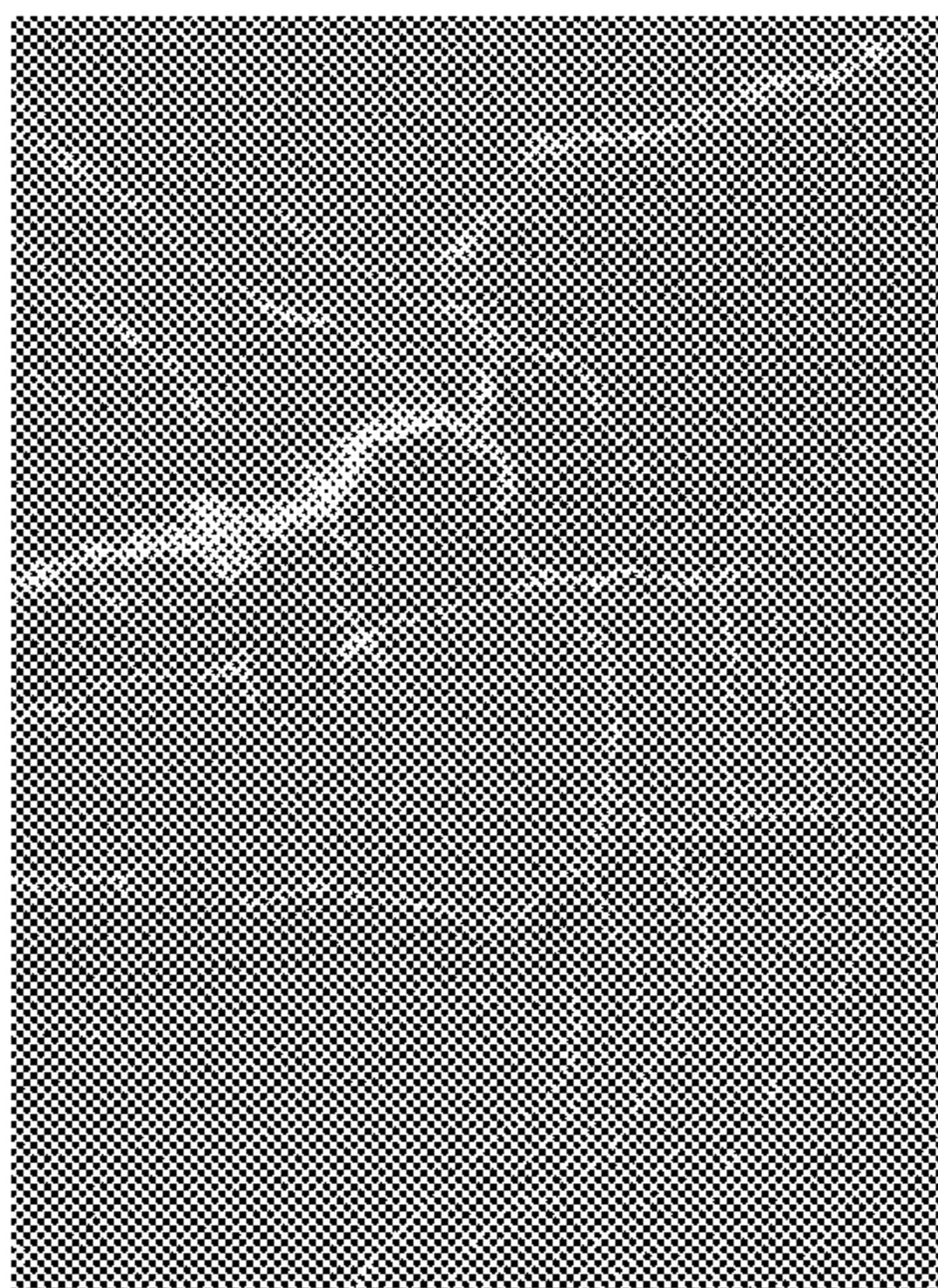
The ornamental design for a portion of a slab, as shown and described.

**DESCRIPTION**

The file of this patent contains at least one drawing/photograph executed in color. Copies of this patent with color drawing(s)/photograph(s) will be provided by the Office upon request.

The sole FIGURE is a top plan view of a portion of a slab, showing our new design. The depicted surface of the portion of a slab is flat.

**1 Claim, 1 Drawing Sheet**  
**(1 of 1 Drawing Sheet(s) Filed in Color)**



(56)

References Cited

U.S. PATENT DOCUMENTS

5,354,596 A 10/1994 Chew et al.  
D370,350 S 6/1996 Spadacini  
5,556,671 A 9/1996 Miura et al.  
D453,629 S 2/2002 Kraker  
D484,707 S 1/2004 Kraker  
D484,708 S \* 1/2004 Kraker ..... D5/43  
D501,091 S 1/2005 McGahee  
D525,434 S 7/2006 Mangrum  
D557,902 S 12/2007 Parrish  
D560,915 S 2/2008 Crye et al.  
D572,846 S 7/2008 Park et al.  
D615,762 S 5/2010 Kimmel  
7,875,668 B2 \* 1/2011 Chung ..... C04B 26/06  
504/301  
D631,670 S 2/2011 Jackson  
D655,094 S 3/2012 Key  
D656,323 S 3/2012 Jeronimo  
D663,959 S 7/2012 Brookman  
D670,085 S 11/2012 Brookman et al.  
D676,580 S \* 2/2013 Canales ..... D25/104  
D676,979 S 2/2013 Canales et al.  
D679,099 S 4/2013 Johnson et al.  
D679,424 S \* 4/2013 Rhee ..... D25/151  
D685,999 S 7/2013 Johnson et al.  
D693,583 S 11/2013 Georgevitch  
D697,319 S 1/2014 Brookman et al.  
D700,440 S 3/2014 Johnston  
D705,455 S 5/2014 Choi et al.  
D712,161 S 9/2014 Grzekowiak et al.  
D712,665 S 9/2014 Grzekowiak et al.  
D712,666 S 9/2014 Grzekowiak et al.  
D712,667 S 9/2014 Grzeskowiak et al.  
D712,668 S 9/2014 Grzekowiak et al.  
D712,669 S 9/2014 Grzekowiak et al.  
D712,670 S 9/2014 Grzekowiak et al.  
D712,671 S 9/2014 Grzekowiak et al.  
D713,154 S 9/2014 Grzekowiak, II et al.  
D714,559 S \* 10/2014 McCuaig ..... D5/44  
8,991,056 B2 \* 3/2015 Gerbl ..... B44C 5/0469  
29/897.3  
9,012,532 B2 \* 4/2015 Shin ..... C04B 26/06  
264/173.16  
D737,057 S 8/2015 Davis et al.  
D737,058 S 8/2015 Davis et al.  
D737,576 S \* 9/2015 Davis ..... D5/44  
D737,577 S 9/2015 Davis et al.  
D738,115 S 9/2015 Grzekowiak, II et al.  
D738,630 S 9/2015 Grzekowiak, II et al.  
D738,631 S 9/2015 Davis et al.  
D746,488 S \* 12/2015 Luchini ..... D25/138  
D751,298 S \* 3/2016 Davis ..... D5/44  
9,340,064 B2 \* 5/2016 Kim ..... B44F 9/04  
9,453,155 B2 \* 9/2016 Ohta ..... C01B 31/04  
D769,458 S \* 10/2016 Krisher ..... D25/118  
D780,337 S \* 2/2017 Davis ..... D25/149  
D784,573 S \* 4/2017 Davis ..... D25/149  
2004/0209009 A1 10/2004 Opsommer et al.

OTHER PUBLICATIONS

Clareanne from Cambria Marble Collection (on-line), no date available. Retrieved from Internet May 15, 2017, URL: <https://www.cambriausa.com/Designs/design-palette/Clareanne/> (2 pages).\*

Santo Tomas Gris (on-line), dated Aug. 7, 2016. Retrieved from Internet May 16, 2017, URL: <https://web.archive.org/web/20160807111125/http://www.stonecontact.com/santo-tomas-gris/s13447> (1 pages).\*

Cambria 2010 Collection, 2010, 44 pages.  
Cambria 2011 Collection, 2011, 26 pages.  
Cambria 2014 Collection, 2014, 42 pages.  
Cambria 2015 Collection, 10 pages.  
Cambria brochure version 14J-0901, Sep. 16, 2014, 10 pages.

Cambria brochure version 14B-0729, Sep. 16, 2014, 4 pages.  
Cambria brochure version 15C-0914, Aug. 18, 2015, 4 pages.  
Cambria brochure version 15L-0824, Aug. 18, 2015, 26 pages.  
Cambria brochure version 15D-1112, Nov. 18, 2015, 4 pages.  
Cambria brochure version 15M-1112, Nov. 18, 2015, 30 pages.  
WLSN-ITC 00199460, Spaulding., “Improved Solid Surface and Quartz Options Meet Market Demands,” Mar. 2007, 7 pages.  
WLSN\_ITC 00000462, “Caesarstone Quartz Surfaces,” copyright 2010, 7 Pages.  
WLSN-ITC 00000475, “Caesarstone,” copyright 2011, 8 pages.  
WLSN-ITC 00000488, “Caesarstone Motivo,” copyright 2013, 16 pages.  
WLSN-ITC 00001263, “Viatera Quartz Surface, Reference Manual,” copyright 2012, 17 pages.  
WLSN-ITC 00001358, “Silestone Training Manual,” copyright 2008, 28 pages.  
WLSN-ITC 00001333, “Silestone Natural Quartz Offerings,” copyright 2011, 13 pages.  
WLSN-ITC 00199390, “Silestone Quartz, A Cleaner Safer Countertop,” retrieved Aug. 30, 2016, 6 pages.  
WLSN-ITC 00000862, “Silestone Introduces New Ocean Collection,” Nov. 2013, 3 pages.  
WLSN-ITC 00001218, “DuPont, corian, zodiaq, granite,” copyright 2007, 14 pages.  
WLSN-ITC 00199417, “The True Beauty of DuPont Conan and Zodiaq,” copyright 2014, 6 pages.  
WLSN-ITC 00199397, “Your Solid Surface Solutions,” copyright 2009, 20 pages.  
WLSN-ITC\_00200047, Radianz® Quartz Surfaces, retrieved Aug. 5, 2016, 24 pages.  
WLSN-ITC\_00200754, Wilsonart® Solid Surface Catalog, 2008, 10 pages.  
WLSN\_ITC\_00000257, “Premium Natural Stones,” retrieved Aug. 30, 2016, 80 pages.  
WLSN-ITC 0019956, “HanStone Quartz Color Collection, Quartz Countertop—Hanwha Surfaces,” retrieved Aug. 5, 2016, 3 pages.  
WLSN-ITC 00199950, “Nevamar Europe Colours 5,” retrieved Aug. 5, 2016, 2 pages.  
WLSN-ITC\_00200730, Formica® Laminate Catalog, copyright 2010, 8 pages.  
WLSN\_ITC\_00000247, “Staron Solid Surfaces” copyright 2007, 10 pages.  
WLSN-ITC 00001331, “Quasar, Silestone,” believed to be publicly disclosed before 2011, 1 Page.  
WLSN-ITC 00199424, “Laminate by Formica, The Original High Pressure Laminate,” copyright 2008, 2 pages.  
Marva, “Calacatta Borghini,” Retrieved from the Internet: URL <<http://www.marvamarble.com/products/679/219/calacatta-borghini.html>>, believed to be publicly disclosed before Aug. 3, 2015, 2 pages.  
Marva, “White Moon Quartzite,” Retrieved from the Internet: URL <<http://www.marvamarble.com/products/924/169/white-moon-quartzite.html&product=granite>>, believed to be publicly disclosed before Aug. 3, 2015, 3 pages.  
Marva, “Fantasy Brown,” Retrieved from the Internet: URL <<http://www.marvamarble.com/products/878/169/fantasy-brown.html&product=marble>>, believed to be publicly disclosed before Aug. 3, 2015, 3 pages.  
M S International, Inc., “White Macaubas,” Retrieved from the Internet: URL <<https://www.msistone.com/quartzite/white-macaubas/>>, believed to be publicly disclosed before Aug. 3, 2015, 6 pages.  
WLSN-ITC 00199893, “Formica Laminate, Cardboard Solidz,” copyright 2013, 1 page.  
WLSN-ITC 00199904, “Quartz—Badaling—Q4001,” retrieved Aug. 5, 2016, 4 pages.  
WLSN-ITC 00199908, “Quarella’s World—Tradizionale,” retrieved Aug. 5, 2016, 1 page.  
WLSN-ITC 00199914, “Formica Laminate—Sand Stone,” copyright 2013, 1 page.  
WLSN-ITC 00199941, “Micro Flecks—Sea Salts NQ53,” copyright 2016, 1 page.

(56)

**References Cited**

## OTHER PUBLICATIONS

WLSN-ITC 00199946, "Sidewalk Café—SD2001," copyright 2013, 1 page.

WLSN-ITC 00199948, "Casa Barro—CK2001," copyright 2013, 1 page.

WLSN-ITC 00199959, "Beige Quartz Stone Tiles, Slabs, Kin Quartz Stone Co., Ltd," upon information and belief, the priority date is prior to Sep. 12, 2013, 1 Page.

WLSN-ITC 00199960, "US Marble, Committed to Quality," retrieved Aug. 30, 2016, 1 page.

WLSN-ITC 00199977, "Majestic Kitchen & Bath Creations," Copyright 2016, 2 pages.

WLSN-ITC 00200013, "Dreamy Marfil, Caesarstone," believed to be publicly disclosed before 2013, 1 Page.

WLSN-ITC 00200015, "Formica Laminate—Travertine," retrieved Aug. 5, 2016, 4 pages.

WLSN-ITC\_00200028, Wilsonart, "Tumbled Roca," retrieved Aug. 5, 2016, 6 pages.

WLSN-ITC 00200042, "Sahara Beige, Belenco Quartz Surfaces," upon information and belief, the priority date is prior to Aug. 12, 2016, 1 Page.

WLSN-ITC\_00200072, Formica® Laminate, "Almond Papyrus," 2013, 1 page.

WLSN-ITC 00200081, "Arctic Gray Natural Limestone, Johnson Stone Countertop," Alleged to be publicly available before Sep. 12, 2014; exact date unknown, 1 Page.

WLSN-ITC\_00200099, Levantina, "Bonno 3Bon," retrieved Aug. 5, 2016, 1 page.

WLSN-ITC\_00200104, Levantina, "Delicatus Extra," Mistones LLC. copyright 2011, 2 pages.

WLSN-ITC 00200111, "River Bottom—Veined Granite Color #5968, US Marble," Alleged to be publicly available before Sep. 12, 2014; exact date unknown, 1 Page.

WLSN-ITC 00200116, "River Bottom, Elite Countertops," believed to be publicly disclosed before 2010, 1 Page.

WLSN-ITC\_00200117, Elite Countertops, "Cultured Granite Counter Tops," copyright 2014, 3 pages.

WLSN-ITC\_00200121, Viatera®, "Aria," copyright 2015, 2 pages.

WLSN-ITC\_00200132, Arborite®, "Mont Blanc," retrieved Aug. 5, 2016, 3 pages.

WLSN-ITC 00200135, "Typhoon Ice, Wilsonart Laminate Designs," believed to be publicly disclosed before Jun. 30, 2016, 1 Page.

WLSN-ITC\_00200136, Wilsonart, "Typhoon Ice," retrieved Aug. 5, 2016, 5 pages.

WLSN-ITC 00200141, "Spring Carnival, Wilsonart Laminate Designs," believed to be publicly disclosed before Feb. 18, 2013, 1 Page.

WLSN-ITC\_00200142, Wilsonart, "Spring Carnival," retrieved Aug. 5, 2016, 4 pages.

WLSN-ITC\_00200146, Wilsonart, "Italian White Di Pesco," retrieved Aug. 5, 2016, 2 pages.

WLSN-ITC\_00200152, Wilsonart, "Francesca," retrieved Aug. 5, 2016, 2 pages.

WLSN-ITC\_00200155, Wilsonart, "Calcutta Marble," retrieved Aug. 5, 2016, 5 pages.

WLSN-ITC\_00200180, Formica® "Café Azul," retrieved Aug. 5, 2016, 3 pages.

WLSN-ITC 00200183, "Classic Crystal Granite, 180fx," Alleged to be publicly available before Sep. 12, 2014; exact date unknown, 1 Page.

WLSN-ITC\_00200184, Formica® "Classic Crystal Granite," retrieved Aug. 5, 2016, 4 pages.

WLSN-ITC 00200188, "Carrara Pearl, 180fx," believed to be publicly disclosed before 2013, 1 Page.

WLSN-ITC\_00200189, Formica® "Carrara Pearl," retrieved Aug. 5, 2016, 4 pages.

WLSN-ITC 00200193, "Crema Mascarello, 180fx," believed to be publicly disclosed before 2013, 1 Page.

WLSN-ITC\_00200194, Formica® "Crema Mascarello," retrieved Aug. 5, 2016, 3 pages.

WLSN-ITC\_00200498, DuPont USA, "Zodiaq® Papyrus," retrieved Aug. 5, 2016, 2 pages.

WLSN-ITC\_00200500, DuPont USA, "Corian® Rain Cloud," retrieved Aug. 5, 2016, 2 pages.

WLSN-ITC\_00200502, DuPont USA, "Corian® Whisper," retrieved Aug. 5, 2016, 2 pages.

WLSN-ITC 00200511, Stone Contact, "Omag Beige Cream Beige Quartz Stone," retrieved Aug. 5, 2016, 2 pages.

WLSN-ITC\_00200513, Compac, "Beige Faraya," retrieved Aug. 5, 2016, 3 pages.

WLSN-ITC\_00200527, StoneContact, "Pure Beige Quartz F2601 Quartz Stone," retrieved Aug. 5, 2016, 2 pages.

WLSN-ITC\_00200538, US Marble, "Cultured Marble," retrieved Aug. 5, 2016, 5 pages.

WLSN-ITC 00200543, "White Vein on Parchment, Virginia Marble," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00200544, "White Vein on K. Bone, Virginia Marble," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00200545, "White Vein on Am Sid Bone, Virginia Marble," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00200546, "Almond Bisque, Virginia Marble," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00200547, "Sandalwood, Virginia Marble," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00200548, "White Vein on K. Biscuit, Virginia Marble," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC\_00200561, Sahara Sand, retrieved Aug. 5, 2016, 3 pages.

WLSN-ITC\_00200580, Pegasus Model # 99996, "4 in. x 4 in. Ivory Select Travertine Sample," retrieved Aug. 5, 2016, 3 pages.

WLSN-ITC\_00200583, MS International Model # CCOS1212, "Colisseum 12 in. x 12 in. Honed Travertine Floor and Wall Tile," retrieved Aug. 5, 2016, 3 pages.

WLSN-ITC\_00200593, Daltile Model #M70412121L, "Natural Stone Collection Botticino Fiorito 12 in. x 12 in. Marble Floor and Wall Tile," retrieved Aug. 5, 2016, 3 pages.

WLSN-ITC\_00200772, Quarella, "Botticino," copyright 2008-2015, 1 page.

WLSN-ITC\_00200775, Elite Countertops, "Cultured Marble Counter Tops—Colors," copyright 2014, 3 pages.

WLSN-ITC 00200786, "Halley, Silestone," believed to be publicly disclosed before 2011, 1 Page.

WLSN-ITC 00200788, "Cecilia Granite, Sensa," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00200789, "Tanami Granite, Sensa," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00200790, "Jaupurana Cathedral Granite, Sensa," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00200791, "Caroline Summer Granite, Sensa," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00200792, "New Venetian Gold, Home Depot," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00200793, "Venetian Peral Polished Slab, Global Granite & Marble," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00200794, White Torrioncino Polished Slab, Global Granite & Marble, Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

(56)

**References Cited**

## OTHER PUBLICATIONS

WLSN-ITC 00200795, "Splendor Cream Polished Slab, Global Granite & Marble," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00200798, "San Luiz, The Stone Collection," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00200799, "Solaris, The Stone Collection," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00200801, "Magma Gold Granite, Granite Trading Corporation," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN, ITC 00200807, "Giallo Granite, The Diller Corporation," believed to be publicly disclosed before 2008, 1 Page.

WLSN-ITC\_00200841, "SenSa Santa Cecilia Granite Kitchen Countertop Sample," retrieved on Jul. 18, 2016, 3 pages.

WLSN-ITC\_00200845, "SenSa Tanami Granite Kitchen Countertop Sample," retrieved on Jul. 18, 2016, 3 pages.

WLSN-ITC\_00200851, "SenSa Caroline Summer Granite Kitchen Countertop Sample," retrieved on Jul. 18, 2016, 3 pages.

WLSN-ITC\_00200854, Solieque Model # FS44NVG. HDSOL,DSOM,DSOM, "4 in.×4 in. Natural Granite Vanity Finish Sample in New Venetian Gold," retrieved on Jul. 18, 2016, 3 pages.

WLSN-ITC\_00200857, Global Granite & Marble, "Venetian Pearl Polished Slab," retrieved on Aug. 30, 2016, 1 page.

WLSN-ITC\_00200858, Global Granite & Marble, "White Torroncino Polished Slab," retrieved on Aug. 30, 2016, 1 page.

WLSN-ITC\_00200859, Global Granite & Marble, "Splendor Cream Polished Slab," retrieved on Aug. 30, 2016, 1 page.

WLSN-ITC\_00200860, The Stone Collection, "3cm Betularie," retrieved on Aug. 30, 2016, 1 page.

WLSN-ITC\_00200862, The Stone Collection, "3cm San Luiz," retrieved on Aug. 30, 2016, 1 page.

WLSN-ITC\_00200874, Tosca Natural Stone, retrieved on Aug. 30, 2016, 3 pages.

WLSN-ITC\_00200877, OnlineStoneCatalog, "Magma Gold Granite," retrieved on Aug. 30, 2016, 1 page.

WLSN-ITC\_00200883, Formica Laminate, "Giallo Granite," 2 pages, 2013.

WLSN-ITC 00201239, "Corian Mojave, DuPont," upon information and belief, the priority date is prior to Mar. 15, 2012, 1 Page.

WLSN-ITC 00200778, "Liam, US Marble," Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.

WLSN-ITC 00001249, "Zodiaq® Giallo Michelangelo," copyright 2013, 1 page.

WLSN\_ITC\_00000337, MS International, Inc., copyright 2012, 1 Page.

WLSN-ITC\_00200863, The Stone Collection, 3cm Solaris, retrieved Aug. 30, 2016, 1 page.

\* cited by examiner

