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(12) **United States Design Patent** (10) **Patent No.:** **US D812,339 S**
Philips et al. (45) **Date of Patent:** **** Mar. 6, 2018**

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|--|--------------|---------|---------------------|
| (54) BUTTERFLY MEMORIAL MARKER | D248,021 S | 5/1978 | Ditto |
| (71) Applicant: MATTHEWS RESOURCES, INC., Wilmington, DE (US) | D253,282 S * | 10/1979 | Lynch D11/127 |
| (72) Inventors: Dave Philips, Pittsburgh, PA (US); Chris Kroll, Pittsburgh, PA (US) | D274,712 S * | 7/1984 | Sun D11/135 |
| (73) Assignee: Matthews International Corporation, Pittsburgh, PA (US) | D275,079 S * | 8/1984 | Sun D11/137 |
| | D290,206 S | 6/1987 | Murphy |
| | D381,182 S | 7/1997 | Whited |
| | D386,880 S | 11/1997 | Vaske |
| | D454,298 S | 3/2002 | Davis |
| | D464,685 S | 10/2002 | Weiser et al. |
| | D467,436 S | 12/2002 | Fink |

(Continued)

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

(21) Appl. No.: **29/578,750**

(22) Filed: **Sep. 23, 2016**

(51) **LOC (11) Cl.** **25-03**

(52) **U.S. Cl.**
USPC **D99/21**

(58) **Field of Classification Search**
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D11/118, 134, 137, 139, 158, 173,
D11/224-225, 233, 239, 241; D99/17,
D99/21, 22; D20/26, 30, 34; D21/576,
D21/650; D26/17, 19; D6/358-359;
D9/630, 655, 657-659, 661, 663
CPC E04H 13/00; E04H 13/001; E04H 13/003;
E04H 13/008; A44C 1/00; A44C 3/001;
A44C 3/005; A47G 33/02; G09F 3/00;
G09F 19/00; G09F 19/02
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

| | | | | |
|---------------|---------|----------|-------|-----------|
| 1,214,402 A * | 1/1917 | Wootton | | B44F 7/00 |
| | | | | 428/14 |
| D101,647 S * | 10/1936 | Murray | | D11/57 |
| D149,116 S * | 3/1948 | Funfrock | | D19/97 |
| D174,691 S | 5/1955 | Kapstein | | |
| D195,626 S * | 7/1963 | Hood | | D11/137 |
| D244,767 S | 6/1977 | Ditto | | |
| D247,230 S * | 2/1978 | Campbell | | D11/137 |

OTHER PUBLICATIONS

American Style Shanxi Black Granite Butterfly Etching Monuments, posted at Stonecontact.com, posted on © 2003-2017, site visited Sep. 20, 2017, <<http://www.stonecontact.com/products-361797/american-style-shanxi-black-granite-butterfly-etching-monuments>>.*

(Continued)

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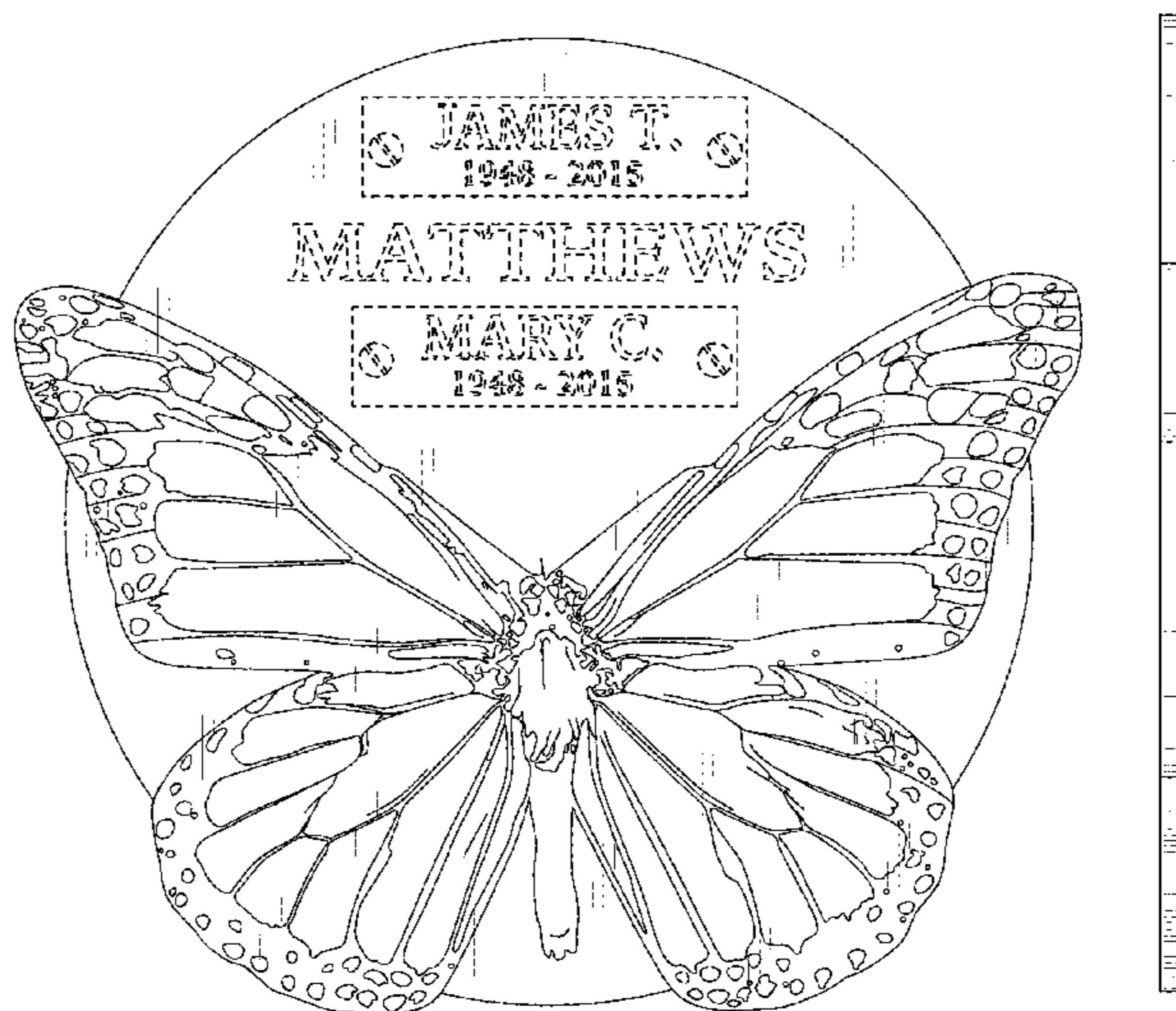
(57) **CLAIM**

The ornamental design for a butterfly memorial marker, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a butterfly memorial marker, showing the new design;
FIG. 2 is a front elevation view thereof;
FIG. 3 is a back elevation view thereof;
FIG. 4 is a right side elevation view thereof;
FIG. 5 is a left side elevation view thereof;
FIG. 6 is a top plan view thereof; and,
FIG. 7 is a bottom plan view thereof.
The broken lines in the drawings depict portions of the butterfly memorial marker that form no part of the claimed design.

1 Claim, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D468,058 S 12/2002 Thorpe
 D474,851 S 5/2003 Yu
 D475,832 S 6/2003 Fink
 D484,199 S 12/2003 Weiser
 D485,019 S 1/2004 Au
 D495,587 S 9/2004 Kelleghan
 D506,554 S 6/2005 Sela et al.
 D511,708 S 11/2005 Steshik
 D515,142 S 2/2006 Kaplan et al.
 D518,532 S 4/2006 Weiser et al.
 D533,366 S 12/2006 Wehner
 D562,185 S 2/2008 Van Wingerden et al.
 D575,925 S 8/2008 Ivey
 D578,725 S 10/2008 Gunter
 D636,965 S 4/2011 Stiles
 D637,432 S 5/2011 Clavette et al.
 D640,810 S * 6/2011 Weiser D22/120
 D647,420 S * 10/2011 Prescott D11/82
 D649,374 S 11/2011 Soofer et al.
 D673,479 S * 1/2013 Johnson D11/57
 D718,453 S 11/2014 Dutschmann
 D756,162 S 5/2016 Gabbay
 D780,052 S 2/2017 Yatsugi-Kang
 D791,877 S * 7/2017 Williams D20/30

2001/0013183 A1 8/2001 Yager et al.
 2002/0184798 A1 12/2002 McGovern
 2007/0017252 A1 1/2007 Yoshida et al.

OTHER PUBLICATIONS

Custom Shaped Monument, posted at Monumentsbyparise.com, posted on © 2016, site visited Sep. 20, 2017, <<http://monumentsbyparise.com/simple-store/5/Custom-Shaped-Monument/216/product-details.html#store-start>>.*
 Black Granite Butterfly Headstone, posted at Alibaba.com, no posting date given, site Sep. 20, 2017, <<http://alibaba.com/item-detail/black-granite-butterfly-headstone.html>>.*
 Black European Granite Butterfly Headstone, posted at Alibaba.com in 1999-2017, site visited Sep. 20, 2017, https://www.alibaba.com/product-detail/Black-European-Granite-Butterfly-Headstone_1960739953.html?spm=a2700.7724857.
 Butterflies, posted at Worthingtonmonuments.com, posted in 2015, site visited Sep. 20, 2017, http://worthingtonmonuments.com/product_info.php?cPath-7&products_id=38.
 Grave Decorations, posted as Memorials.com, posted in 2002-2017, site visited Sep. 20, 2017, <http://www.memorials.com/grave-decorations.php>.

* cited by examiner

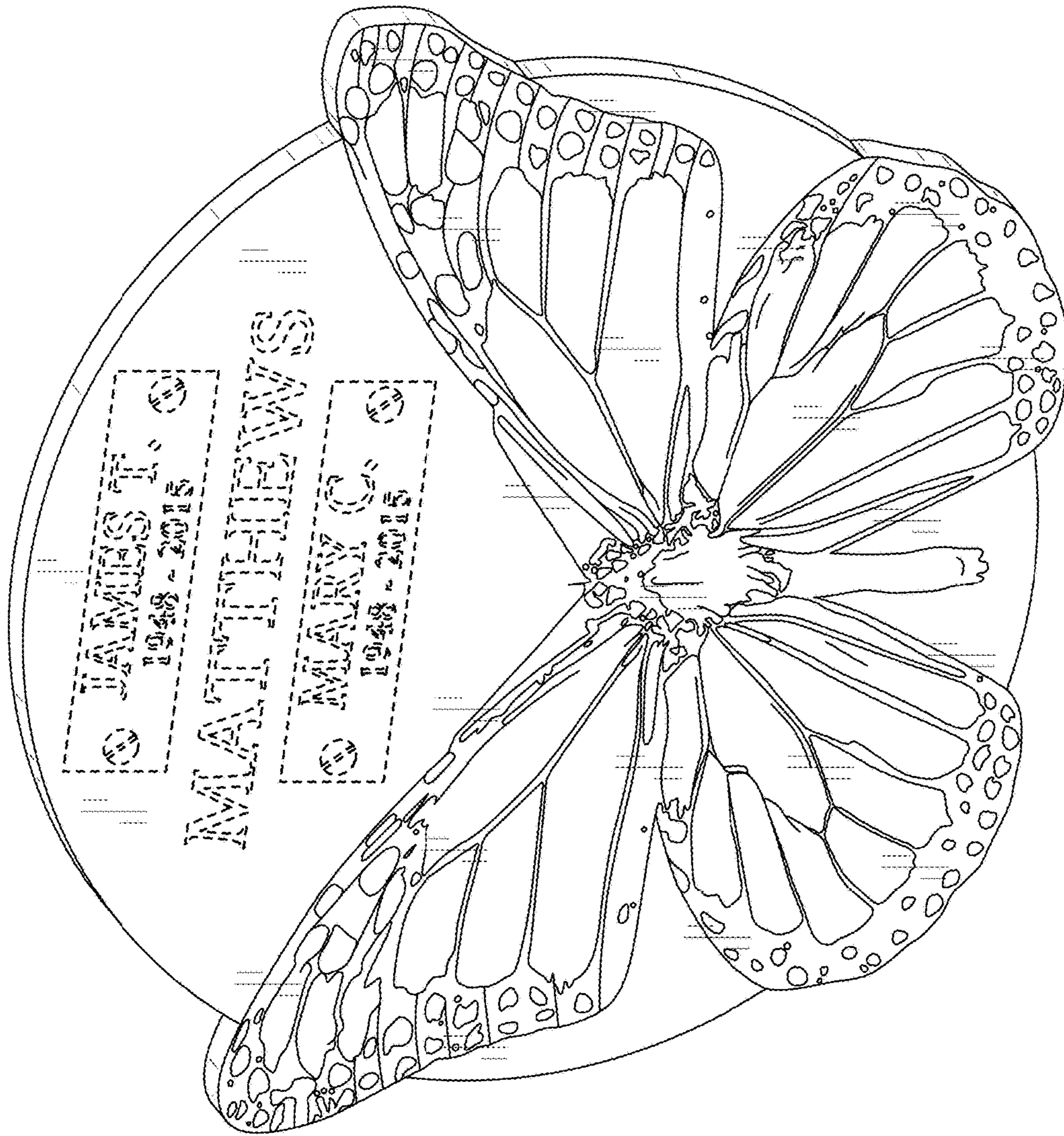


FIG. 1

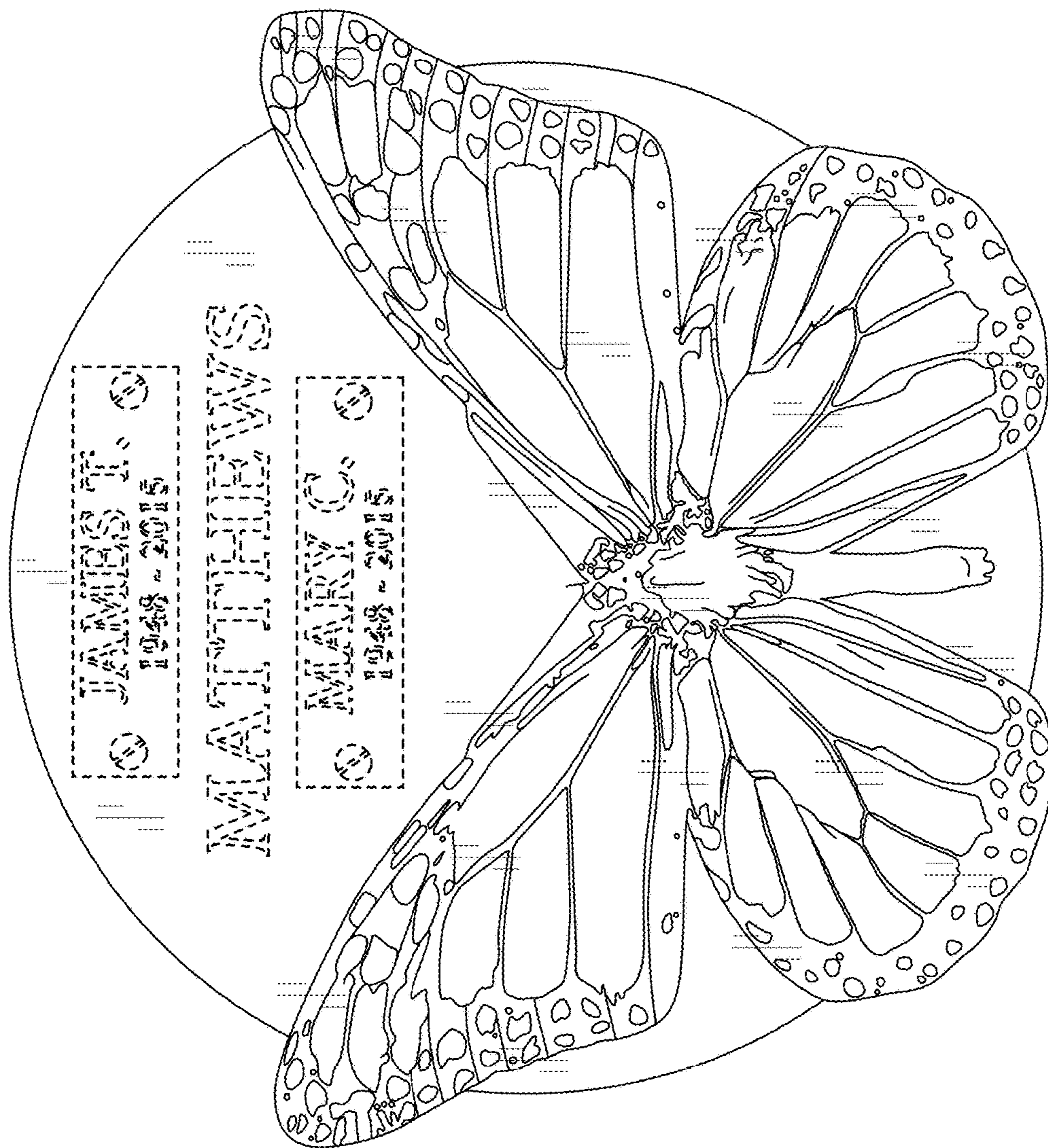


FIG. 2

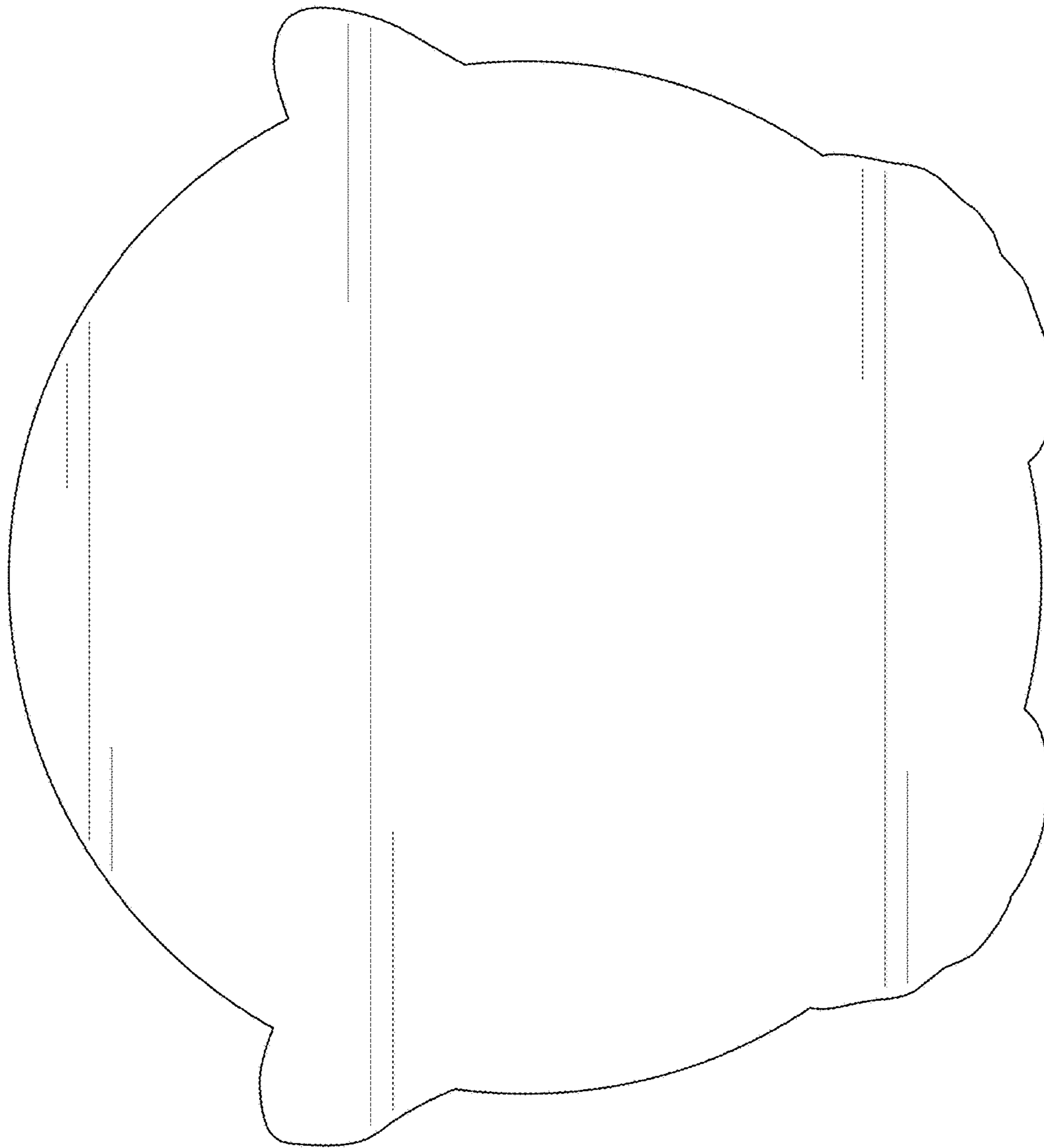


FIG. 3



FIG. 4

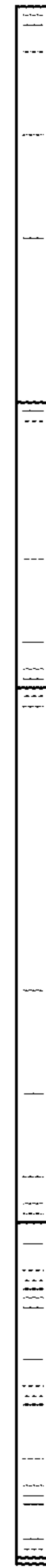


FIG. 5



FIG. 6



FIG. 7