



US00D824544S

(12) **United States Design Patent** (10) **Patent No.:** **US D824,544 S**
Grzeskowiak, II et al. (45) **Date of Patent:** **** Jul. 31, 2018**

(54) **PORTION OF A SLAB COMPRISING OF PARTICULATE MINERAL MIXTURE**

(71) Applicant: **Cambria Company LLC**, Eden Prairie, MN (US)

(72) Inventors: **Jon Louis Grzeskowiak, II**, Prior Lake, MN (US); **Summer Lane Kath**, Eden Prairie, MN (US); **Martin E. Davis**, Excelsior, MN (US)

(73) Assignee: **Cambria Company LLC**, Eden Prairie, MN (US)

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

(21) Appl. No.: **29/590,069**

(22) Filed: **Jan. 6, 2017**

(51) **LOC (11) Cl.** **25-01**

(52) **U.S. Cl.**
USPC **D25/151; D5/44**

(58) **Field of Classification Search**
USPC D25/138, 149, 151; D5/5, 8, 43, 44
CPC ... B44F 9/04; C08L 63/00; B32B 9/00; B44D 5/00; C09D 5/29
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,344,570 A	6/1920	Warren	
D67,245 S	5/1925	Ulmer	
1,596,482 A	8/1926	Ewen	
D89,404 S *	3/1933	Megroz	D5/32
D90,466 S	8/1933	Willheim	
D162,280 S	3/1951	Barash	
D200,773 S *	4/1965	Anderson	D25/138
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.	
D341,897 S *	11/1993	Benavent Adrian	D25/138
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	
D487,318 S *	3/2004	Baxter	D25/163
D501,091 S	1/2005	McGahee	
D525,434 S	7/2006	Mangrum	

(Continued)

OTHER PUBLICATIONS

Calacatta Vagli Extra—Marble Designs—MARVA Marble and Granite (on-line), no date available. Retrieved from Internet Feb. 13, 2018, URL: <http://www.marvamarble.com/products/1067/219/calacatta-vagli-extra.html> (2 pages).*

(Continued)

Primary Examiner — Vy N 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 comprising of particulate mineral mixture, as shown and described.

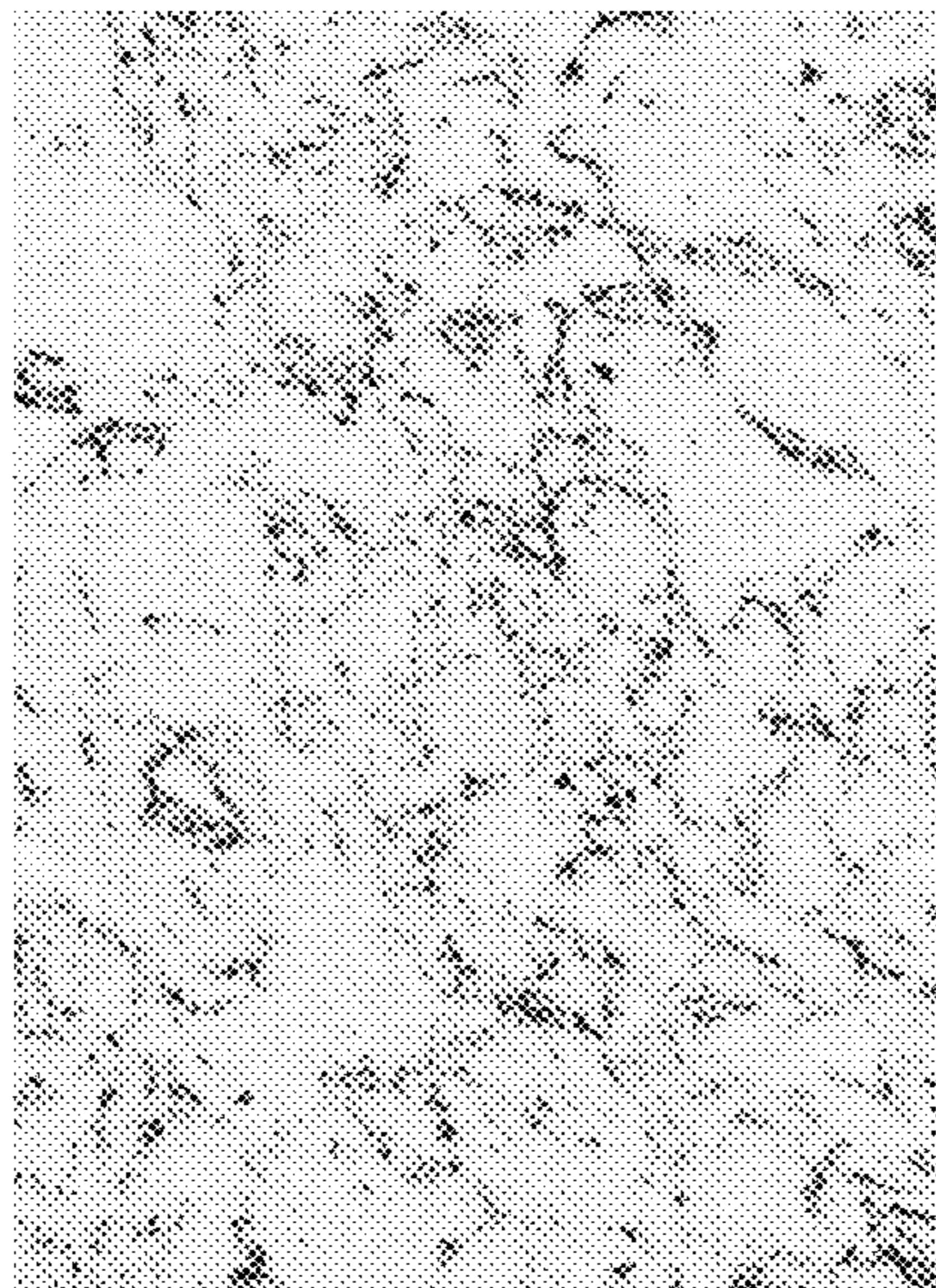
DESCRIPTION

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 comprising of particulate mineral mixture, showing our new design. The depicted surface of the slab is flat.

The slab is suitable for use in living or working spaces (e.g., along a countertop, table, floor, or the like).

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



(56)

References Cited

U.S. PATENT DOCUMENTS

D557,902 S 12/2007 Parrish
 D560,915 S 2/2008 Crye et al.
 D572,846 S 8/2008 Park et al.
 D615,762 S 5/2010 Kimmel
 D625,839 S 10/2010 Gal et al.
 D631,670 S 2/2011 Jackson
 D655,094 S 3/2012 Key
 D656,323 S 3/2012 Jeronimo
 D659,265 S * 5/2012 Kurtz D25/138
 D663,959 S 7/2012 Brookman
 D670,085 S 11/2012 Brookman et al.
 D676,979 S 2/2013 Canales et al.
 D679,099 S 4/2013 Johnson et al.
 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.
 D715,564 S * 10/2014 Zeamer D5/44
 D737,057 S 8/2015 Davis et al.
 D737,058 S 8/2015 Davis et al.
 D737,576 S 9/2015 Davis et al.
 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.
 D746,064 S * 12/2015 Zeamer D25/151
 D750,905 S 3/2016 Davis et al.
 D751,298 S 3/2016 Davis et al.
 D751,299 S 3/2016 Davis et al.
 D751,300 S 3/2016 Davis et al.
 9,278,577 B2 * 3/2016 Hicks B44F 5/00
 D752,884 S 4/2016 Davis et al.
 D759,385 S 6/2016 Davis et al.
 D759,386 S 6/2016 Davis et al.
 D759,387 S 6/2016 Davis et al.
 D759,388 S * 6/2016 Davis D5/44
 D760,501 S * 7/2016 Davis D5/44
 D769,458 S 10/2016 Krisher
 D780,955 S * 3/2017 Davis D25/149
 2004/0209009 A1 10/2004 Opsommer et al.
 2006/0037267 A1 * 2/2006 Taylor, Jr. B28D 1/00
 52/415

OTHER PUBLICATIONS

Marble Countertops Carrara-White-Marble (on-line), no date available. Retrieved from Internet Feb. 23, 2018, URL: <http://www.gmexpress.com/marble-countertops> (3 pages).*

Spectrum Quartz Brochure, copyright 2016, 8 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.

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.

(56) **References Cited**

OTHER PUBLICATIONS

- 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, "Coliseum 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, Querelle, "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 Torronicino Polished Slab, Global Granite & Marble, Alleged to be publicly available before Mar. 15, 2013; exact date unknown, 1 Page.
- 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.

(56)

References Cited

OTHER PUBLICATIONS

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. x 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.
Cambria Brochure Version 16M-1121, Nov. 21, 2016, 15 pages.
Diresco, "Discover the Beauty of Nature," undated, 6 pages.
Nustone Quartz, "Colorfully Capturing Beauty," undated, 7 pages.
Radianz Quartz Surfaces, Copyright 2016, 15 pages.
Wilsonart Quartz, Copyright 2016, 5 pages.

* cited by examiner

