



US00D829825S

(12) **United States Design Patent**
Henkin et al.

(10) **Patent No.:** **US D829,825 S**

(45) **Date of Patent:** **** *Oct. 2, 2018**

(54) **MAGNETIC TOY**

(71) Applicant: **Gymworld Inc.**, Seoul (KR)

(72) Inventors: **Roger Henry Henkin**, West Bloomfield, MI (US); **Sho Ubukata**, Nagoya (JP)

(73) Assignee: **Gymworld, Inc.**, Seoul (KR)

(*) Notice: This patent is subject to a terminal disclaimer.

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

(21) Appl. No.: **29/581,576**

(22) Filed: **Oct. 20, 2016**

Related U.S. Application Data

(62) Division of application No. 29/503,986, filed on Oct. 1, 2014, now Pat. No. Des. 771,752.

(51) **LOC (11) Cl.** **21-01**

(52) **U.S. Cl.**
USPC **D21/404**

(58) **Field of Classification Search**
USPC D21/311-323, 398, 404, 478, 484-505;
D9/418; D6/314; D13/183; 446/92,
446/129-139
CPC A63H 33/04; A63H 33/046; A63F
2009/1033
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D141,391 S 5/1945 Wilson
3,585,735 A 6/1971 Miller
D226,120 S * 1/1973 Ogsbury et al. D21/491
3,998,004 A * 12/1976 Ehrlich A63H 33/046
428/900
4,925,338 A 5/1990 Kaputsa

D313,436 S * 1/1991 Erickson D21/489
5,021,021 A 6/1991 Ballard
5,183,430 A * 2/1993 Swann A63H 33/04
446/104
5,620,325 A * 4/1997 Glick A63H 33/04
434/258

(Continued)

FOREIGN PATENT DOCUMENTS

CA 2923882 A1 * 3/2015 A63H 33/046
DE 3910304 A1 * 10/1990 A63H 33/046

(Continued)

OTHER PUBLICATIONS

Restriction Requirement dated Mar. 16, 2017 by the U.S. Patent and Trademark Office for Design U.S. Appl. No. 29/581,567, filed Oct. 20, 2016 (Inventor—Henkin et al.; Applicant—Gymworld, Inc.) (7 pages).

(Continued)

Primary Examiner — Catherine A Tuttle

(74) *Attorney, Agent, or Firm* — Ballard Spahr LLP

(57) **CLAIM**

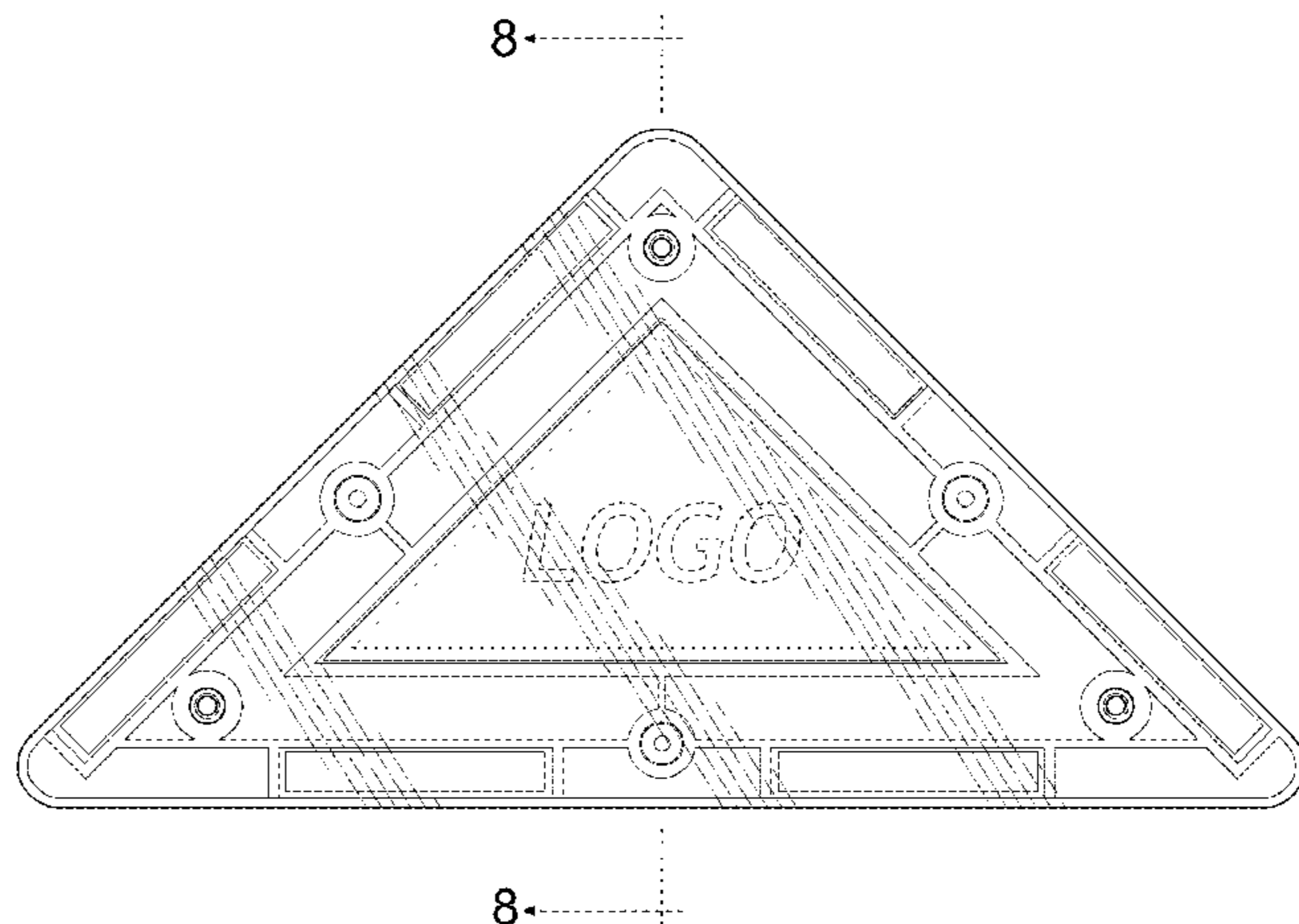
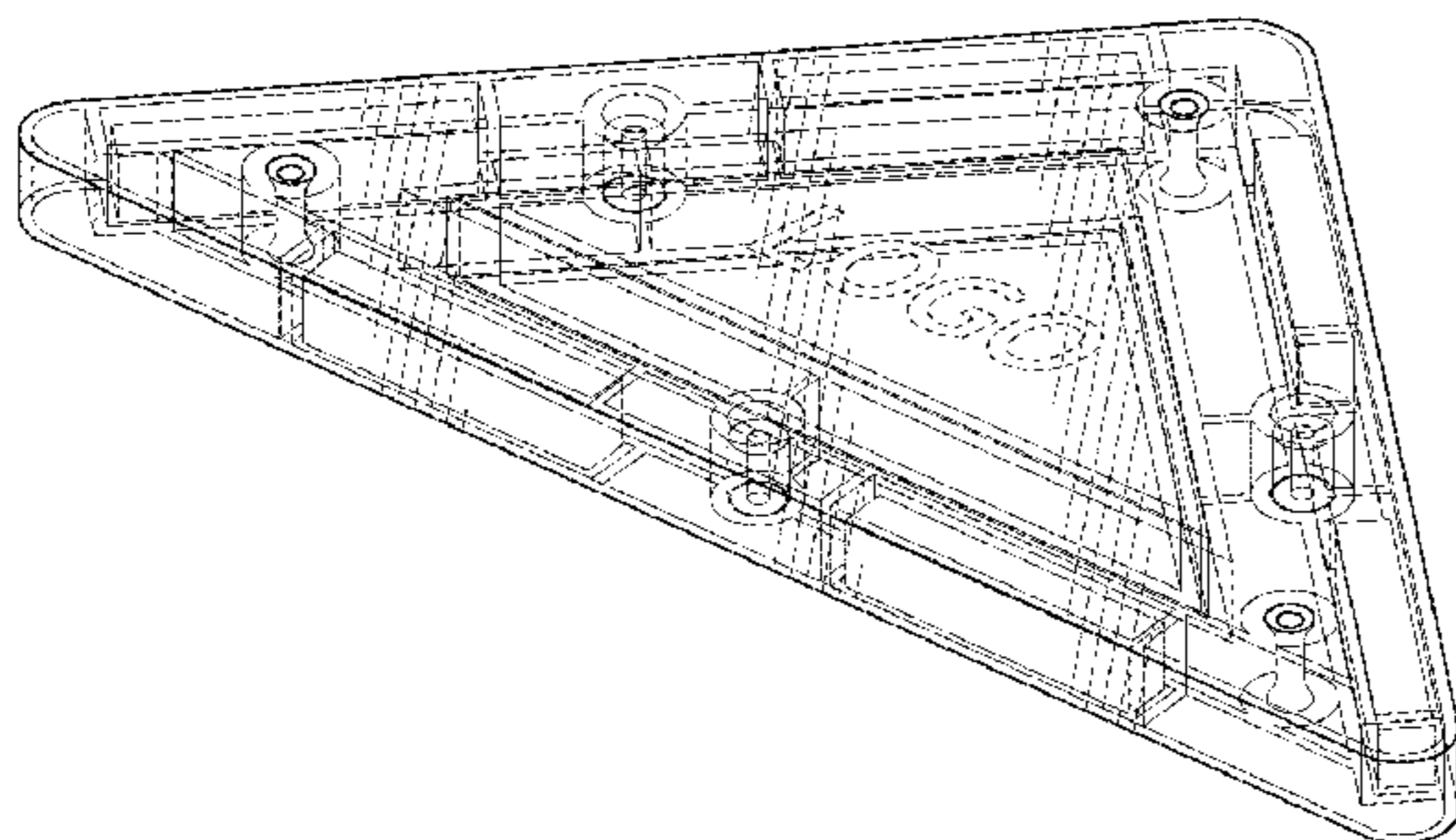
The ornamental design for a magnetic toy, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a magnetic toy showing our new design;
FIG. 2 is a front view of the magnetic toy shown in FIG. 1;
FIG. 3 is a rear view thereof;
FIGS. 4-7 are side views thereof; and,
FIG. 8 is a cross-sectional view taken along line 8-8 of FIG. 2.

The broken lines showing the indicia “LOGO” are for illustrative purposes only and form no part of the claimed design.

1 Claim, 4 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D384,995 S	10/1997	Munir	
6,431,936 B1 *	8/2002	Kiribuchi	A63H 33/046 446/129
D503,954 S	4/2005	Balanchi	
D513,628 S	1/2006	Andersen	
7,154,363 B2 *	12/2006	Hunts	H01F 7/0242 24/303
D614,250 S	4/2010	Frederiksen	
D631,104 S	1/2011	With	
D632,346 S	2/2011	Hardstaff	
D693,320 S	11/2013	Zelazowski	
8,668,542 B2 *	3/2014	Bruzgul	A63H 23/10 114/264
9,314,707 B2 *	4/2016	Ornstein	A63H 33/046
D771,752 S	11/2016	Henkin et al.	
2006/0240737 A1 *	10/2006	Yoon	A63H 33/046 446/92
2010/0197148 A1 *	8/2010	Rudisill	H01R 11/30 439/40
2013/0267145 A1 *	10/2013	Rosen	A63H 33/046 446/92
2014/0179194 A1	6/2014	Fein et al.	
2014/0227934 A1 *	8/2014	Rudisill	A63H 33/046 446/92
2014/0302741 A1 *	10/2014	Whittaker	A63H 33/046 446/92
2015/0072587 A1 *	3/2015	Ornstein	A63H 33/046 446/92
2015/0104993 A1 *	4/2015	Kennedy	A63H 33/10 446/108
2015/0231521 A1 *	8/2015	Peterson	A63H 33/046 446/92
2016/0184727 A1 *	6/2016	Ornstein	A63H 33/046 446/92
2017/0065899 A1 *	3/2017	Moskowitz	A63H 33/046

FOREIGN PATENT DOCUMENTS

EP	2055363 A1 *	5/2009	A63H 33/008
EP	2745899 A1 *	6/2014	A63H 33/046
JP	2002-159761 A	6/2002		
JP	2003-190663 A	7/2003		

OTHER PUBLICATIONS

Response to Restriction Requirement filed on Jul. 17, 2017 with the U.S. Patent and Trademark Office for Design U.S. Appl. No. 29/581,567, filed Oct. 20, 2016 (Inventor—Henkin et al.; Applicant—Gymworld, Inc.) (7 pages).

Restriction Requirement dated Mar. 17, 2017 by the U.S. Patent and Trademark Office for Design U.S. Appl. No. 29/581,583, filed Oct. 20, 2016 (Inventor—Henkin et al.; Applicant-) (5 pages).

Response to Restriction Requirement filed on Jul. 17, 2017 with the U.S. Patent and Trademark Office for Design U.S. Appl. No. 29/581,583, filed Oct. 20, 2016 (Inventor—Henkin et al.; Applicant-) (7 pages).

Notice of Allowance dated Jul. 27, 2017 by the U.S. Patent and Trademark Office for Design U.S. Appl. No. 29/581,583, filed Oct. 20, 2016 (Inventor—Henkin et al.; Applicant-) (9 pages).

Restriction Requirement dated Jan. 15, 2016 by the U.S. Patent and Trademark Office for Design U.S. Appl. No. 29/503,986, filed Oct. 1, 2014 and now U.S. Pat. No. D. 771,752 on Nov. 15, 2016 (Inventor—Henkin et al.; Applicant—RUX International Co., Ltd.) (5 pages).

Response to Restriction Requirement and Request for continued Examination filed on Jun. 15, 2016 with the U.S. Patent and Trademark Office for Design U.S. Appl. No. 29/503,986, filed Oct. 1, 2014 and now U.S. Pat. No. D. 771,752 on Nov. 15, 2016 (Inventor—Henkin et al.; Applicant—RUX International Co., Ltd.) (6 pages).

Notice of Allowance dated Jul. 8, 2016 by the U.S. Patent and Trademark Office for Design U.S. Appl. No. 29/503,986, filed Oct. 1, 2014 and now U.S. Pat. No. D. 771,752 on Nov. 15, 2016 (Inventor—Henkin et al.; Applicant—RUX International Co., Ltd.) (8 pages).

Issue Notification dated Oct. 26, 2016 by the U.S. Patent and Trademark Office for Design U.S. Appl. No. 29/503,986, filed Oct. 1, 2014 and now U.S. Pat. No. D. 771,752 on Nov. 15, 2016 (Inventor—Henkin et al.; Applicant—RUX International Co., Ltd.) (1 page).

Notice of Allowance dated Oct. 12, 2017 by the U.S. Patent and Trademark Office for Design U.S. Appl. No. 29/581,567, filed Oct. 20, 2016 (Inventor—Henkin et al.; Applicant—Gymworld, Inc.) (19 pages).

“Metro Mags Clear Colors 60 Piece Set,” published prior to Oct. 1, 2014 (exact publication date unknown). Amazon.com, Inc. [Retrieved on Oct. 2, 2017]. Retrieved from the Internet: <URL: https://www.amazon.com/Metro-Mags-Clear-Colors-Piece/dp/B00A29T6F4/ref=pd_rhf_s> (6 pages).

Preliminary Amendment filed on Oct. 20, 2016 with the U.S. Patent and Trademark Office for Design U.S. Appl. No. 29/581,567, filed Oct. 20, 2016 (Inventor—Henkin et al.; Applicant—Gymworld, Inc.) (12 pages).

Preliminary Amendment filed on Oct. 20, 2016 with the U.S. Patent and Trademark Office for Design U.S. Appl. No. 29/581,583, filed Oct. 20, 2016 (Inventor—Henkin et al.; Applicant—Gymworld, Inc.) (12 pages).

U.S. Appl. No. 29/503,986, filed Oct. 1, 2014, Henkin et al.

U.S. Appl. No. 29/581,567, filed Oct. 20, 2016, Henkin et al.

U.S. Appl. No. 29/581,583, filed Oct. 20, 2016, Henkin et al.

* cited by examiner

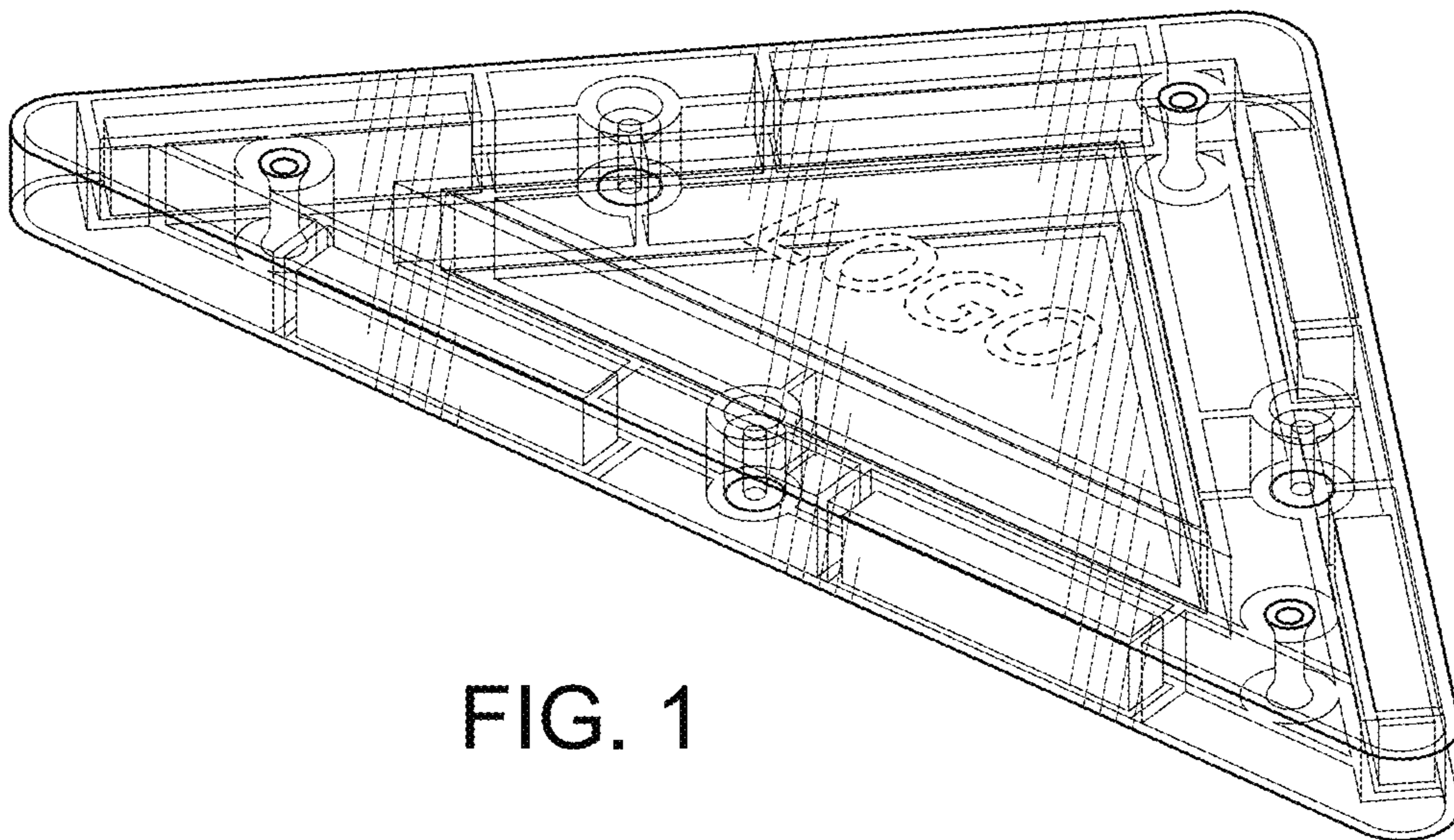


FIG. 1

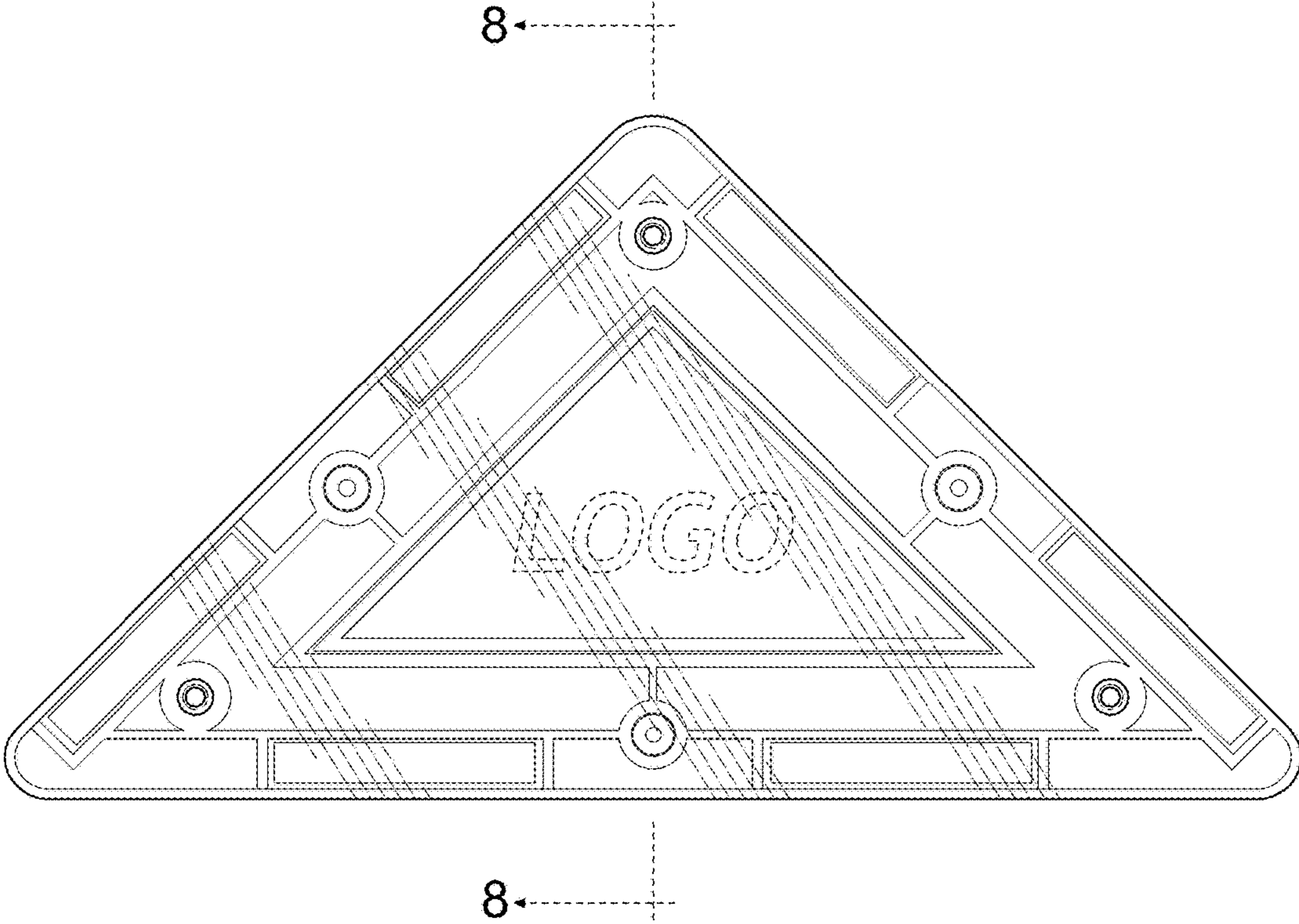


FIG. 2

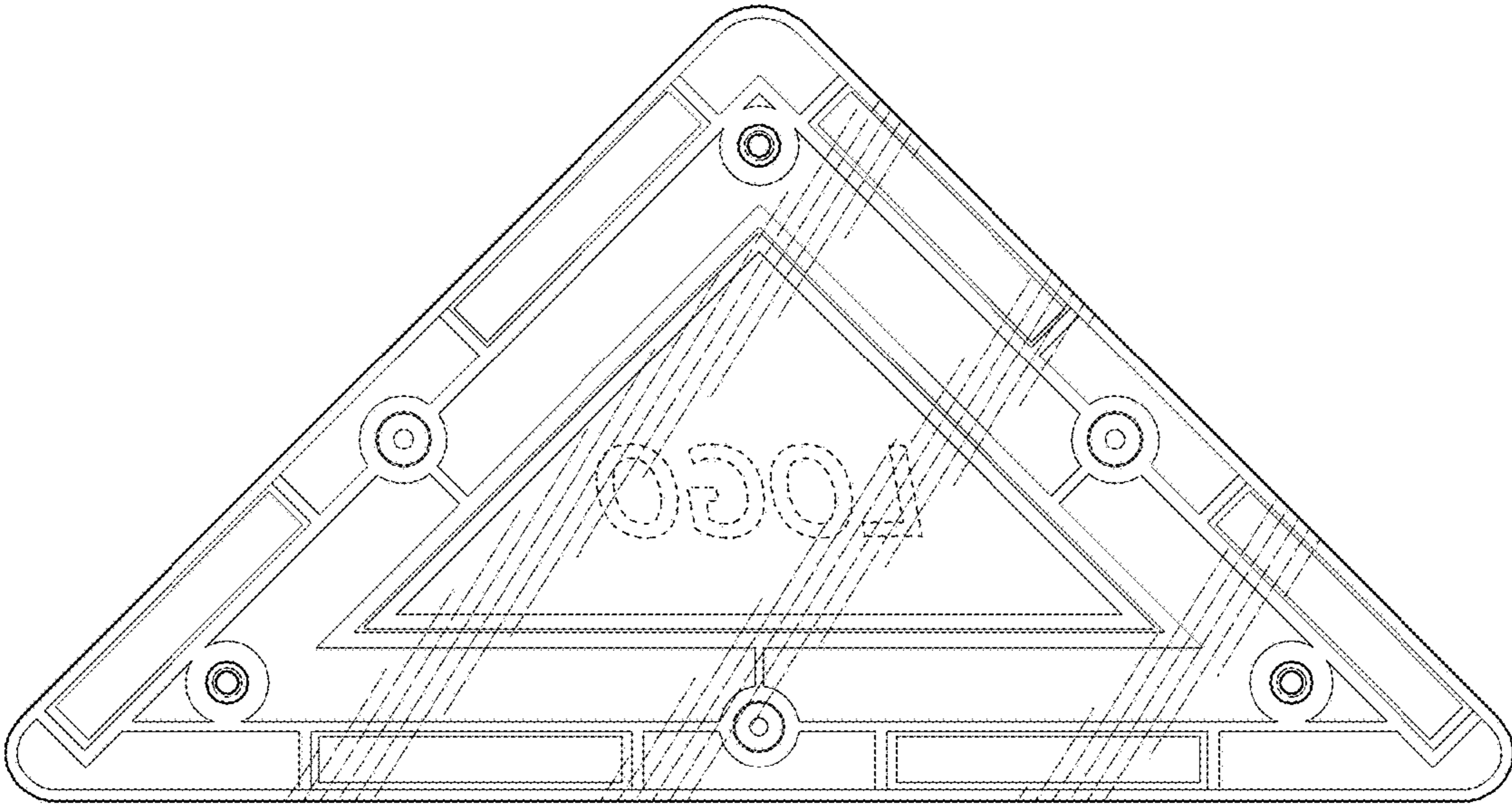


FIG. 3

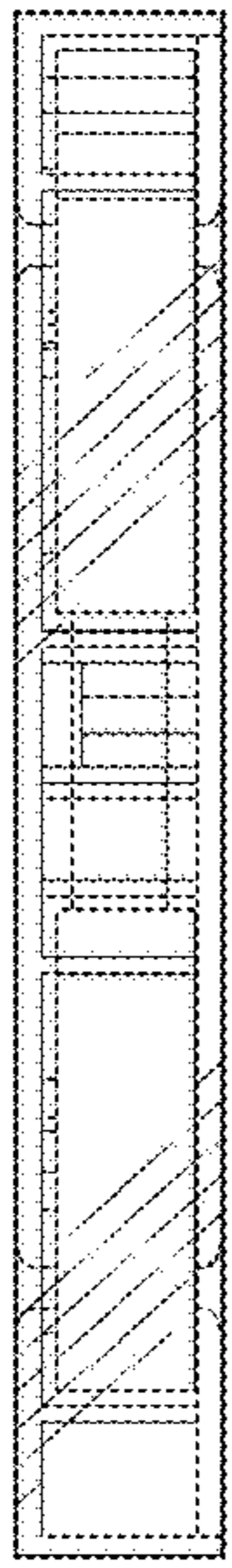


FIG. 4

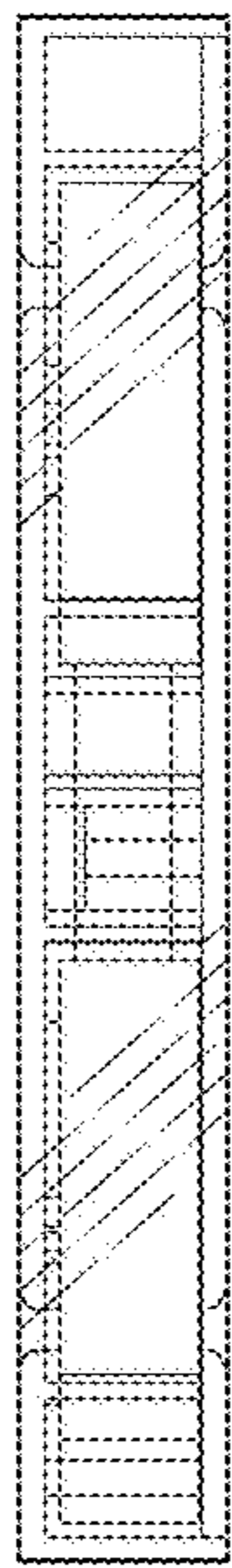


FIG. 5

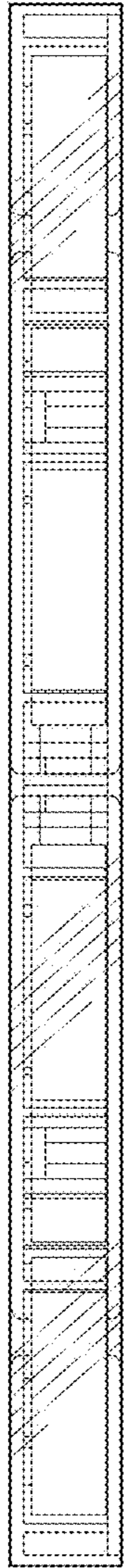


FIG. 6

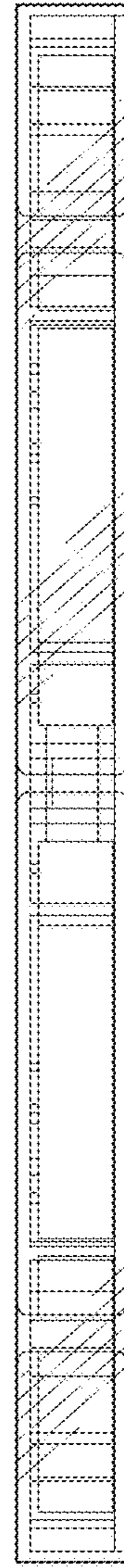


FIG. 7

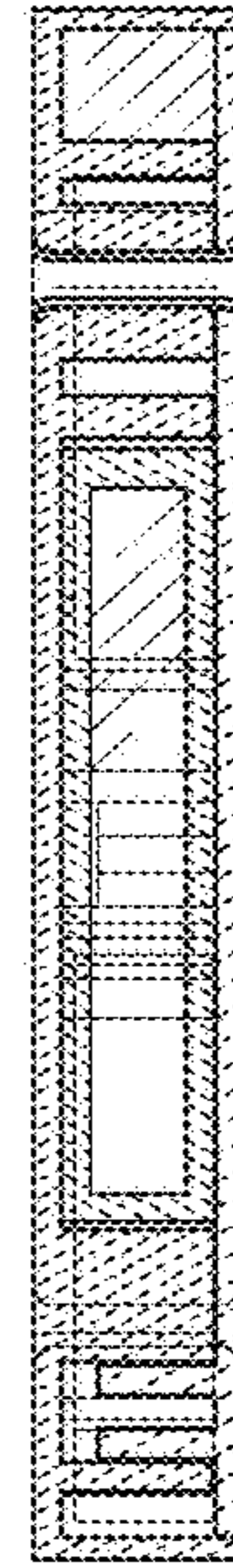


FIG. 8