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(12) **United States Design Patent** (10) **Patent No.:** **US D831,835 S**
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(54) **SKIN CLEARING AND TONING DEVICE**

FOREIGN PATENT DOCUMENTS

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CA 2363383 5/2003
CN 102159151 8/2011

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(Continued)

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OTHER PUBLICATIONS

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

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EVis MD Platinum Product Literature in 1 page, accessed online Mar. 10, 2009—<http://www.evismd.com/product>.

GentleWaves Product Literature in 2 pages, accessed online Mar. 10, 2009—http://www.lightbioscience.com/spa/skin_fitness.html.

Omnilux clear-U Product Literature in 1 page, accessed online Mar. 10, 2009—<http://www.phototherapeutics.com/pdf/clear-u-brochure.pdf>.

(Continued)

Related U.S. Application Data

(60) Continuation of application No. 29/512,088, filed on Dec. 16, 2014, now Pat. No. Des. 770,635, which is a division of application No. 29/419,770, filed on May 1, 2012, now Pat. No. Des. 722,383.

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(51) **LOC (11) Cl.** **24-01**

(52) **U.S. Cl.**

USPC **D24/200**

(58) **Field of Classification Search**

USPC D24/169, 171, 186, 200, 209–210;
D10/78, 81; D13/168; 607/88–89, 93;
606/9, 237–239; 601/15

See application file for complete search history.

(57) **CLAIM**

The ornamental design for a skin clearing and toning device, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a skin clearing and toning device of the present invention;

FIG. 2 is a front elevational view of the skin clearing and toning device shown in FIG. 1;

FIG. 3 is a rear elevational view of the skin clearing and toning device shown in FIG. 1;

FIG. 4 is a left side elevational view of the skin clearing and toning device shown in FIG. 1, the right side view being a mirror image of the illustrated view;

FIG. 5 is a top plan view of the skin clearing and toning device shown in FIG. 1; and,

FIG. 6 is a bottom plan view of the skin clearing and toning device shown in FIG. 1.

The broken line showing of a skin clearing and toning device is included for the purpose of illustrating portions of the article and forms no part of the claimed design.

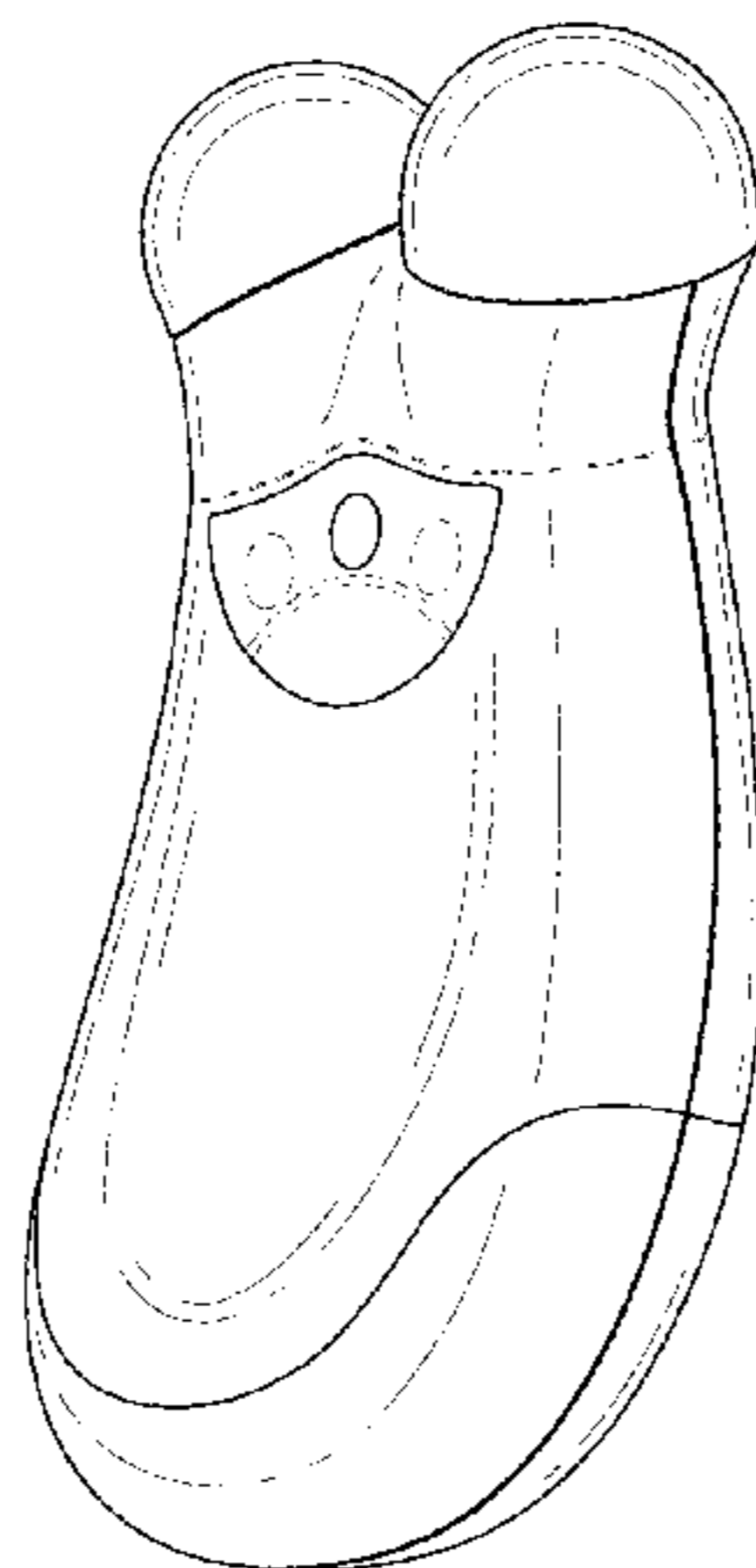
(56) **References Cited**

U.S. PATENT DOCUMENTS

4,920,981 A 5/1990 Dervieux
D320,279 S 9/1991 McQueen
D323,034 S 1/1992 Reinstein
5,304,207 A 4/1994 Stromer
5,358,503 A 10/1994 Bertwell et al.
D358,654 S 5/1995 Smith
D361,404 S 8/1995 Haas
D363,994 S 11/1995 Cheng

(Continued)

1 Claim, 3 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

5,607,461	A	3/1997	Lathrop	D738,517	S	9/2015	Karim
5,662,644	A	9/1997	Swor	D739,541	S	9/2015	Cole
D414,582	S	9/1999	Hwang	D756,527	S	5/2016	Cole
6,019,482	A	2/2000	Everett	2002/0133149	A1	9/2002	Bessette
6,083,250	A	7/2000	Lathrop	2002/0143373	A1	10/2002	Courtnage et al.
6,094,595	A	7/2000	Takahashi	2004/0147984	A1	7/2004	Altshuler et al.
D437,938	S	2/2001	Ko et al.	2004/0236255	A1	11/2004	Cook
D457,643	S	5/2002	Qi et al.	2005/0015121	A1	1/2005	Molina
6,497,702	B1	12/2002	Bernaz	2005/0203593	A1	9/2005	Shanks et al.
6,572,637	B1	6/2003	Yamazaki et al.	2005/0234516	A1	10/2005	Gueret
D481,463	S	10/2003	Cook et al.	2006/0030908	A1	2/2006	Powell et al.
D484,605	S	12/2003	Cook et al.	2006/0155220	A1	7/2006	Oslay
D486,233	S	2/2004	Cook et al.	2006/0173518	A1	8/2006	Kreindel
D487,154	S	2/2004	Cook et al.	2006/0200213	A1	9/2006	McDaniel
6,702,808	B1	3/2004	Kreindel	2006/0247741	A1	11/2006	Hsu et al.
D490,528	S	5/2004	Cook et al.	2006/0269580	A1	11/2006	Cole et al.
6,736,807	B2	5/2004	Yamazaki et al.	2007/0032840	A1	2/2007	Peluso
6,766,199	B2	7/2004	Cook et al.	2007/0032843	A1	2/2007	Hsu
6,790,205	B1	9/2004	Yamazaki et al.	2007/0032847	A1	2/2007	Weckwerth
D498,302	S	11/2004	Wade	2007/0038206	A1	2/2007	Altshuler et al.
6,872,221	B2	3/2005	Lytle	2007/0049910	A1	3/2007	Altshuler et al.
6,887,260	B1	5/2005	McDaniel	2007/0073372	A1	3/2007	Heath
6,896,693	B2	5/2005	Sullivan	2007/0198004	A1	8/2007	Altshuler et al.
6,902,275	B2	6/2005	Yamada et al.	2007/0213696	A1	9/2007	Altshuler et al.
6,902,563	B2	6/2005	Wilkens et al.	2007/0213698	A1	9/2007	Altshuler et al.
6,939,344	B2	9/2005	Kreindel	2007/0217199	A1*	9/2007	Adam A61N 5/0616 362/276
6,989,023	B2	1/2006	Black	2007/0239142	A1	10/2007	Altshuler et al.
7,014,639	B2	3/2006	Walneck et al.	2007/0239143	A1	10/2007	Altshuler et al.
7,194,316	B2	3/2007	Bousfield et al.	2007/0293917	A1*	12/2007	Thompson A61N 1/0456 607/72
D539,916	S	4/2007	Baldachini	2007/0293918	A1*	12/2007	Thompson A61N 1/36021 607/72
7,204,846	B2	4/2007	Suzuki	2008/0004678	A1	1/2008	Kreindel
7,210,817	B2	5/2007	Lee et al.	2008/0014011	A1	1/2008	Rossen
7,238,183	B2	7/2007	Kreindel	2008/0030908	A1	2/2008	Kagami
7,250,047	B2	7/2007	Anderson et al.	2008/0046027	A1	2/2008	Cook et al.
7,252,678	B2	8/2007	Ostler et al.	2008/0058783	A1	3/2008	Altshuler et al.
7,258,675	B2	8/2007	Nichols	2008/0065056	A1	3/2008	Powell
7,258,695	B2	8/2007	Carullo, Jr. et al.	2008/0065176	A1	3/2008	Zhang et al.
7,291,140	B2	11/2007	MacFarland et al.	2008/0103560	A1	5/2008	Powell et al.
7,305,269	B2	12/2007	Cook et al.	2008/0103563	A1	5/2008	Powell et al.
7,309,335	B2	12/2007	Altshuler et al.	2008/0109049	A1	5/2008	Schumann
7,311,722	B2	12/2007	Larsen	2008/0119913	A1	5/2008	Powell et al.
7,331,952	B2	2/2008	Walneck	2008/0125835	A1	5/2008	Laurent
7,331,964	B2	2/2008	Maricle et al.	2008/0140164	A1	6/2008	Oberreiter et al.
7,335,170	B2	2/2008	Milne et al.	2008/0172113	A1	7/2008	Gourgouliatos et al.
7,345,320	B2	3/2008	Dahm	2008/0183161	A1	7/2008	Walneck et al.
7,384,405	B2	6/2008	Rhoades	2008/0195181	A1	8/2008	Cole
D576,285	S	9/2008	Kennedy	2008/0214968	A1	9/2008	Milne et al.
D585,997	S	2/2009	Adam	2008/0214969	A1	9/2008	Milne et al.
D586,469	S	2/2009	Henry	2008/0269848	A1	10/2008	Birmingham et al.
7,494,503	B2	2/2009	McDaniel	2008/0294152	A1	11/2008	Altshuler et al.
7,503,927	B1	3/2009	Vetanze	2008/0312647	A1	12/2008	Knopp et al.
D594,130	S	6/2009	Scocimara	2009/0005631	A1	1/2009	Simenhaus et al.
D597,211	S	7/2009	Ewing et al.	2009/0093749	A1	4/2009	Shalev et al.
D601,257	S	9/2009	Berlinger	2009/0156958	A1	6/2009	Mehta et al.
7,597,708	B2	10/2009	Carullo, Jr. et al.	2009/0227996	A1	9/2009	Powell et al.
D608,897	S	1/2010	Cole et al.	2009/0254155	A1	10/2009	Kanarsky et al.
D609,361	S	2/2010	MacGarry	2009/0254156	A1	10/2009	Powell et al.
D611,159	S	3/2010	Cole et al.	2010/0063491	A1	3/2010	Verhagen
D612,510	S	3/2010	Byle	2010/0105977	A1	4/2010	Taboada et al.
D620,597	S	7/2010	Cole et al.	2010/0121254	A1	5/2010	McDaniel
D623,308	S	9/2010	Kramer	2010/0145255	A1	6/2010	Popescu et al.
7,842,029	B2	11/2010	Anderson et al.	2010/0152645	A1	6/2010	Ogasawara
D633,625	S	3/2011	Maderazzo	2010/0174222	A1	7/2010	McDaniel
D636,088	S	4/2011	Loew	2010/0179469	A1	7/2010	Hammond et al.
D638,132	S	5/2011	Cole et al.	2010/0185266	A1	7/2010	Suzuki
7,993,381	B2	8/2011	Mac et al.	2010/0274329	A1*	10/2010	Bradley A61N 1/328 607/90
D646,396	S	10/2011	Seki	2011/0015549	A1	1/2011	Eckhouse et al.
8,048,135	B2	11/2011	Carullo, Jr. et al.	2011/0112520	A1	5/2011	Michael
8,057,525	B2	11/2011	Suzuki	2011/0213447	A1	9/2011	Hottinger et al.
D651,321	S	12/2011	Marchese et al.	2011/0238142	A1	9/2011	Hottinger et al.
8,088,123	B2	1/2012	Kinoshita	2011/0245734	A1	10/2011	Wagner et al.
D656,620	S	3/2012	Altshuler	2012/0016174	A1	1/2012	Taboada et al.
D659,843	S	5/2012	Wang	2012/0065575	A1	3/2012	Kader
D667,557	S	9/2012	Boudier				
D695,903	S	12/2013	Tamsiran				

(56)

References Cited

U.S. PATENT DOCUMENTS

2012/0071794 A1 3/2012 Karni
2012/0165800 A1 6/2012 Keeney

FOREIGN PATENT DOCUMENTS

EP	1566198	8/2005
JP	2000316990	11/2000
JP	2004201718	7/2004
WO	WO 199836725	8/1998
WO	WO 2006051985	5/2006
WO	WO 2007090256	8/2007
WO	WO 2009011529	1/2009
WO	WO 2010112096	10/2010

OTHER PUBLICATIONS

Omnilux new-U Product Literature in 1 page, accessed online Mar. 10, 2009—<http://www.phototherapeutics.com/pdf/new-u-brochure.pdf>.

Quasar Light Therapy Product Literature in 1 page, accessed online Mar. 10, 2009—<http://babyquasar.com/quasar-pro-line.php>.

Quasar Light Therapy Product Literature in 1 page, accessed online Mar. 10, 2009—<http://babyquasar.com/baby-quasar.php>.

Quasar Light Therapy Product Literature in 1 page, accessed online Mar. 10, 2009—<http://babyquasar.com/baby-blue.php>.

Tanda Skincare System Product Literature in 1 page, accessed online Mar. 10, 2009—<http://www.tanda.com/retail.shtml>.

* cited by examiner

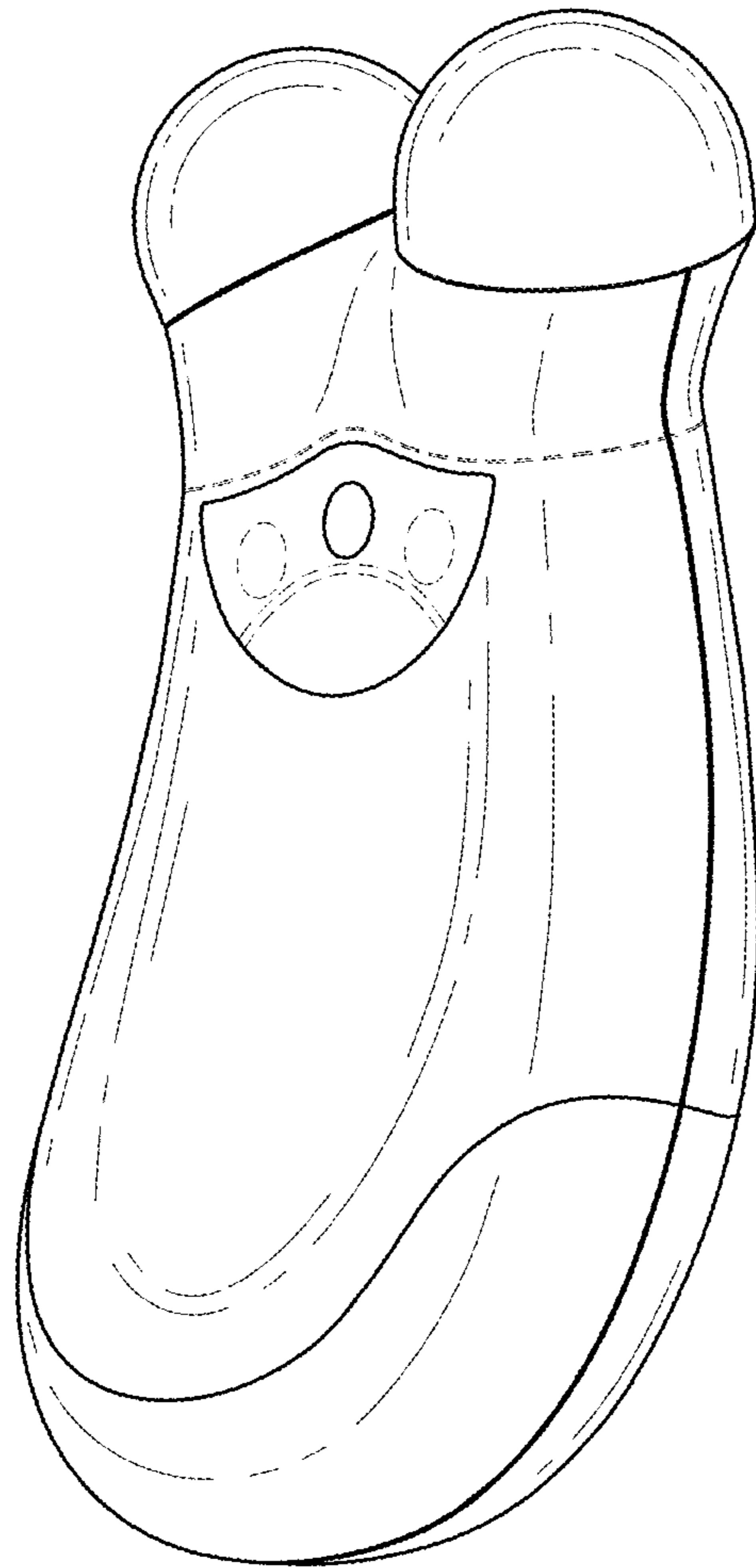


FIG. 1

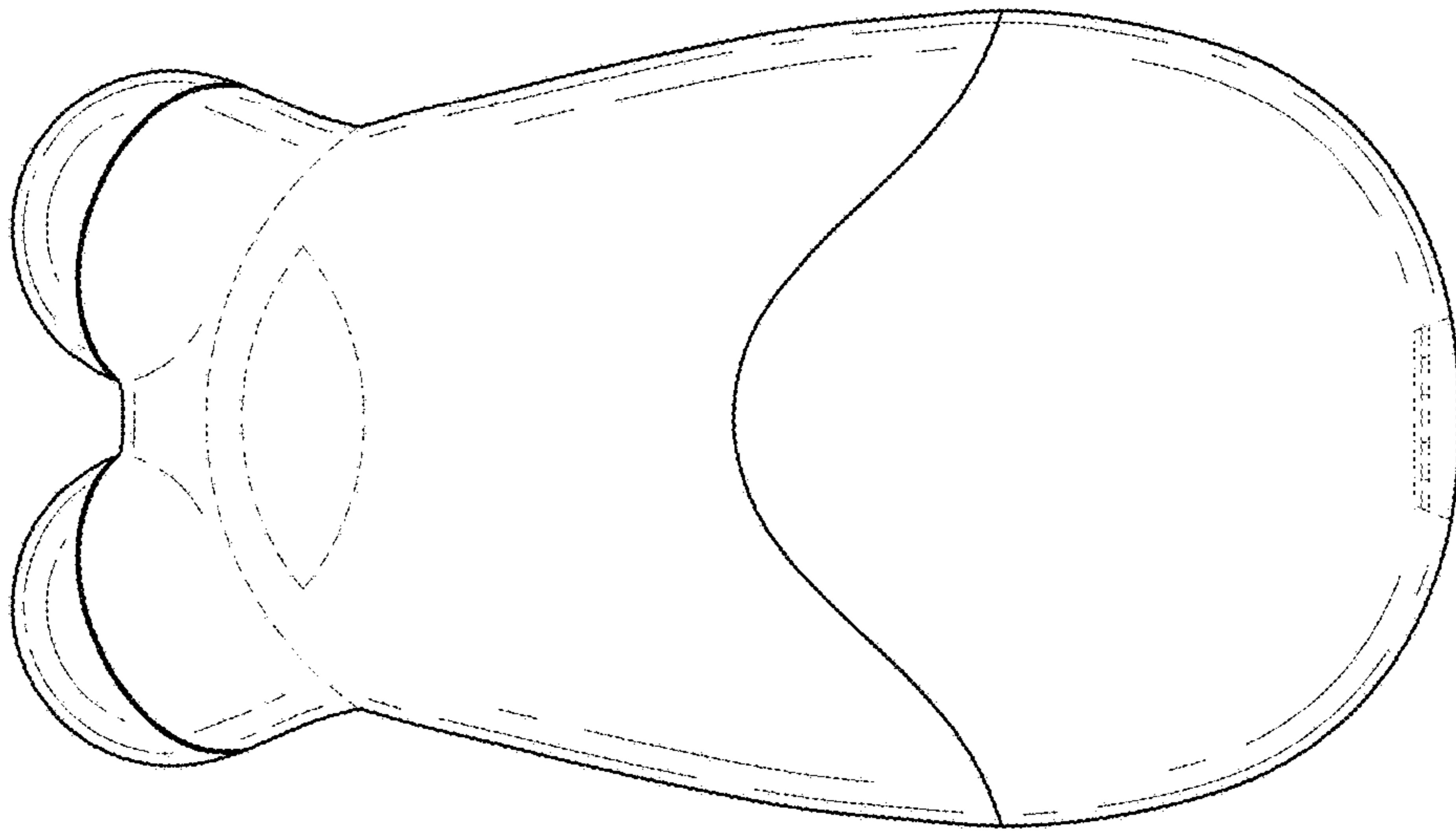


FIG. 3

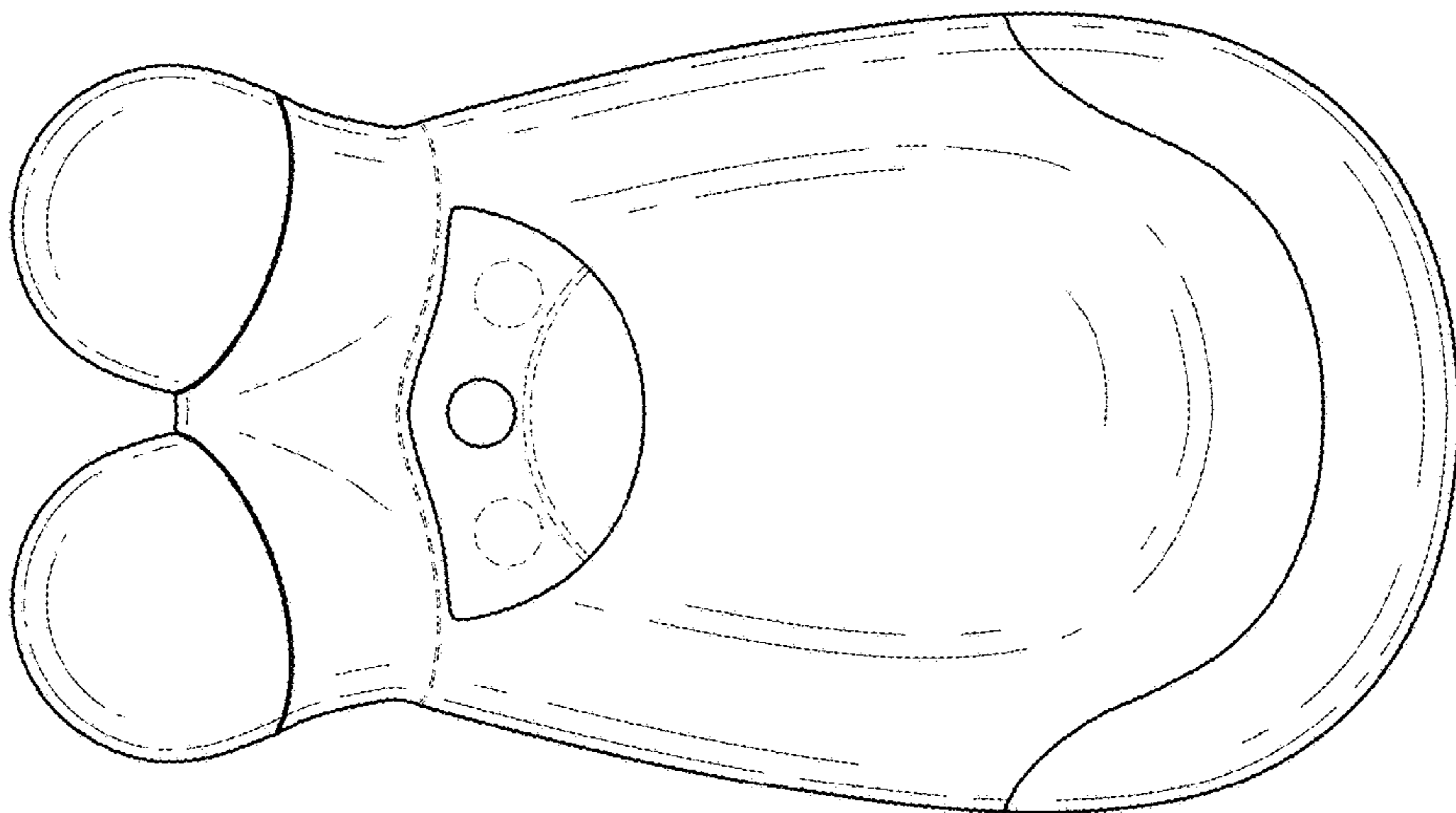


FIG. 2

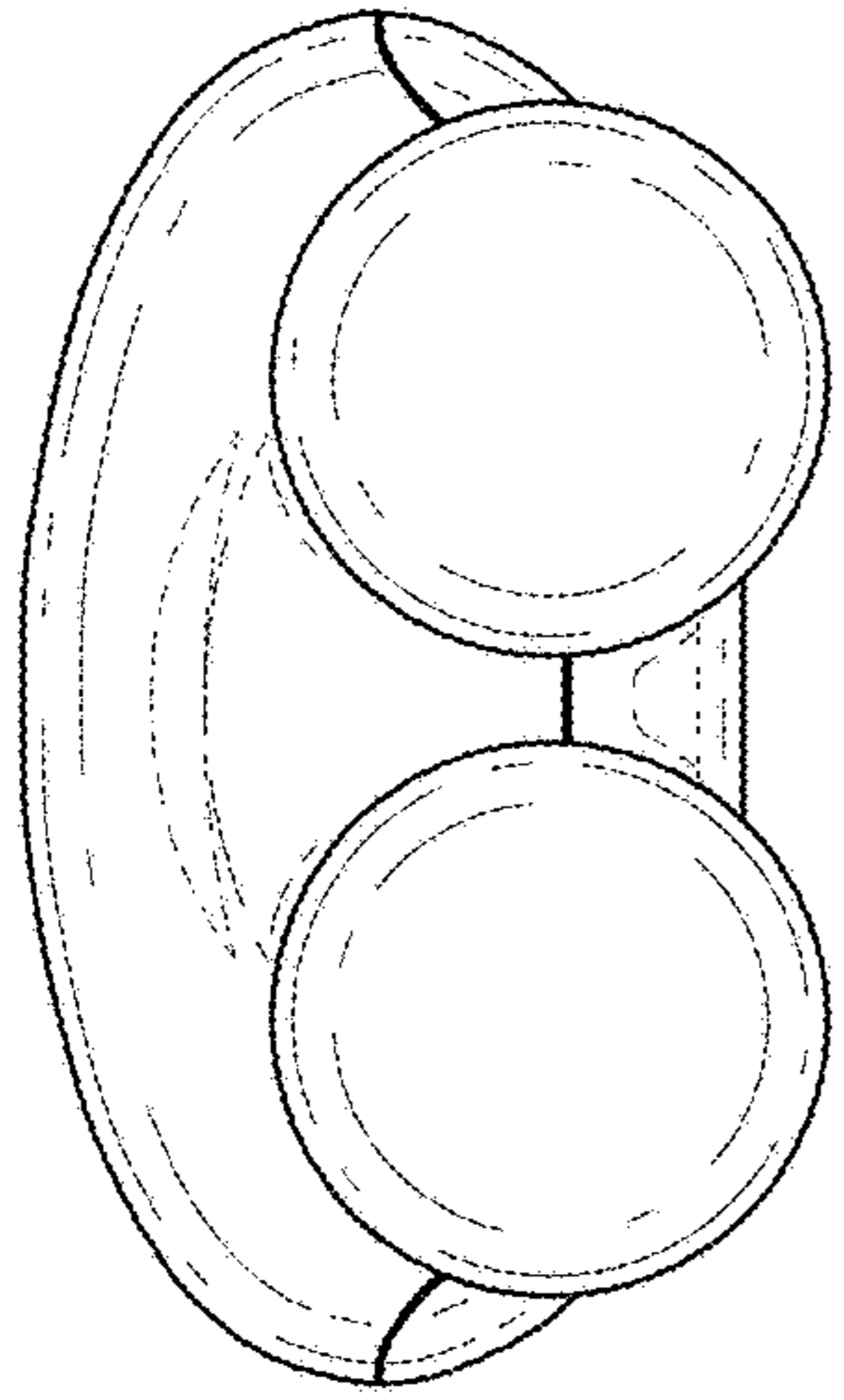


FIG. 5

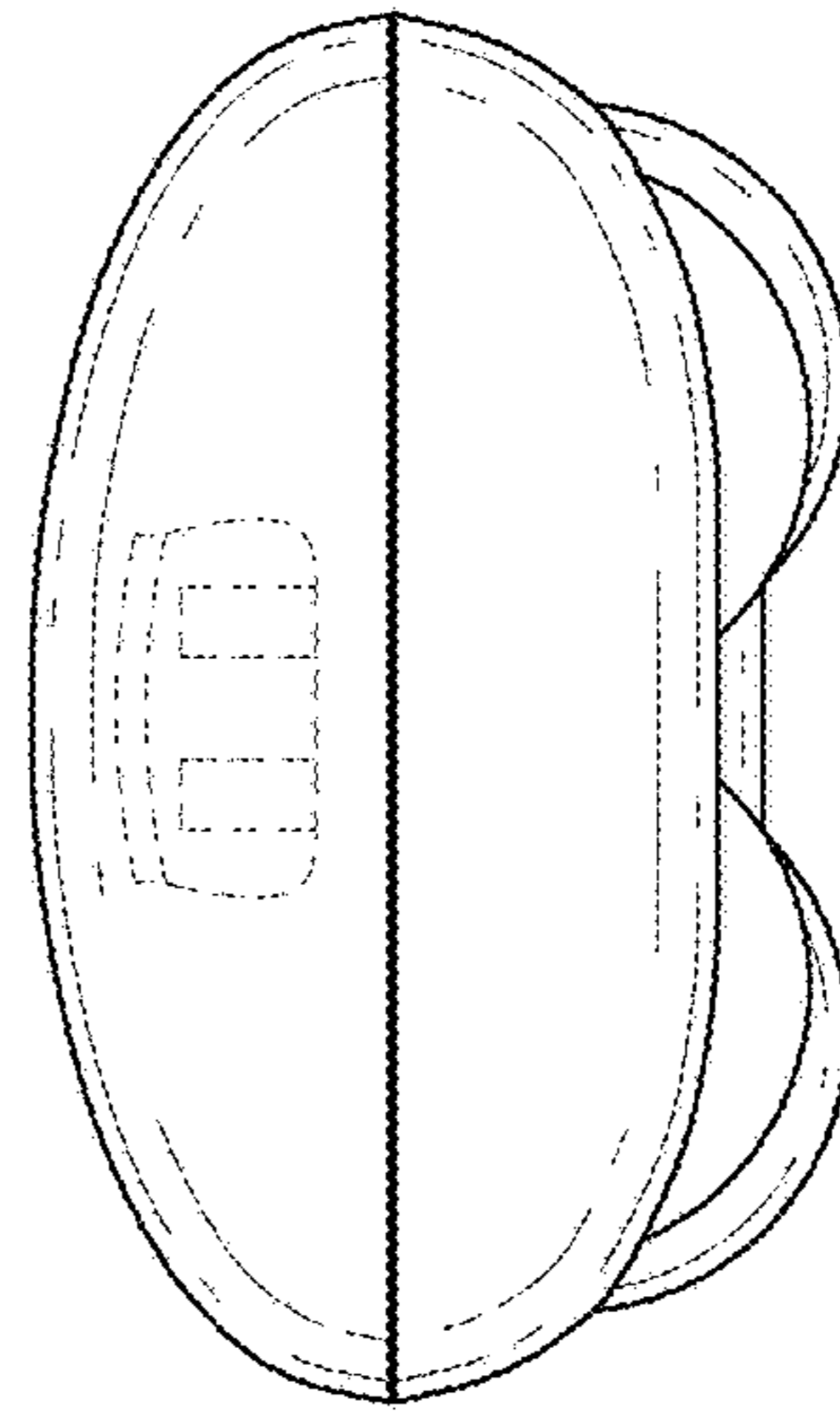


FIG. 6

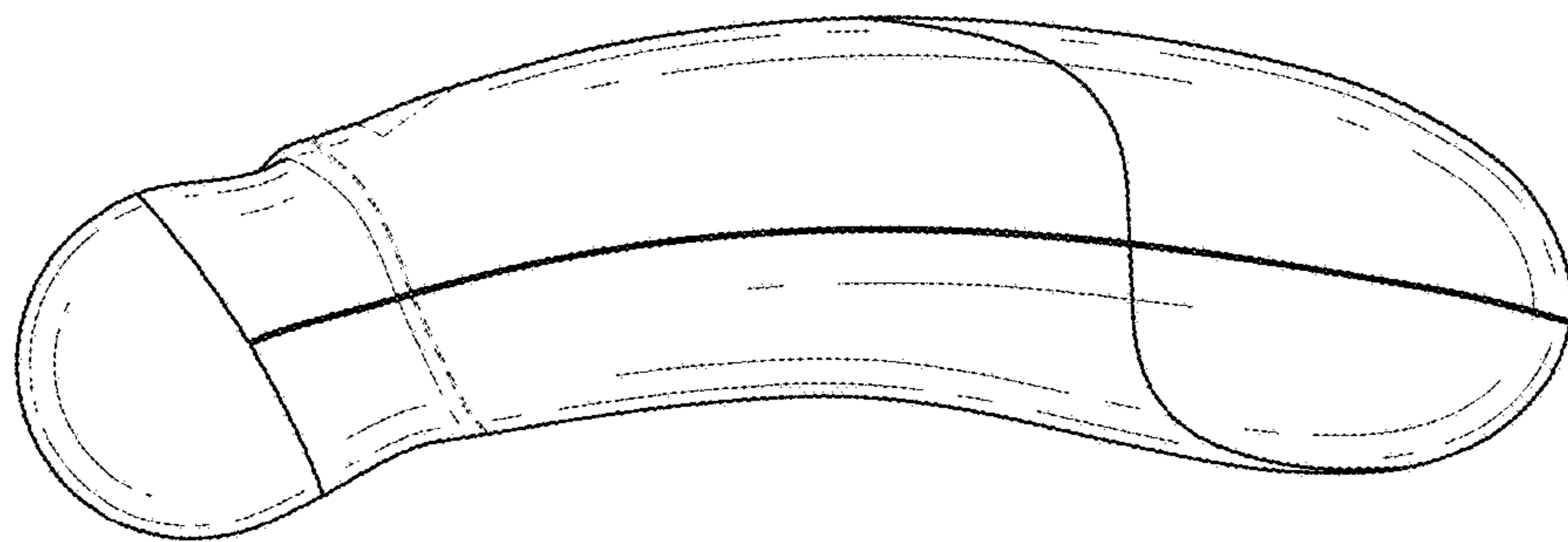


FIG. 4