



US00D831835S

(12) **United States Design Patent** (10) **Patent No.:** **US D831,835 S**  
**Cole et al.** (45) **Date of Patent:** **\*\* Oct. 23, 2018**

(54) **SKIN CLEARING AND TONING DEVICE**

FOREIGN PATENT DOCUMENTS

(71) Applicant: **Carol Cole Company**, Vista, CA (US)

CA 2363383 5/2003  
CN 102159151 8/2011

(72) Inventors: **Carol Cole**, San Marcos, CA (US);  
**Tera Peterson**, Carlsbad, CA (US)

(Continued)

(73) Assignee: **Carol Cole Company**, Vista, CA (US)

OTHER PUBLICATIONS

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

(21) Appl. No.: **29/582,081**

(22) Filed: **Oct. 25, 2016**

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](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.

*Primary Examiner* — Kevin K Rudzinski

*Assistant Examiner* — Jack Reickel

(74) *Attorney, Agent, or Firm* — Knobbe, Martens, Olson & Bear, LLP

(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.

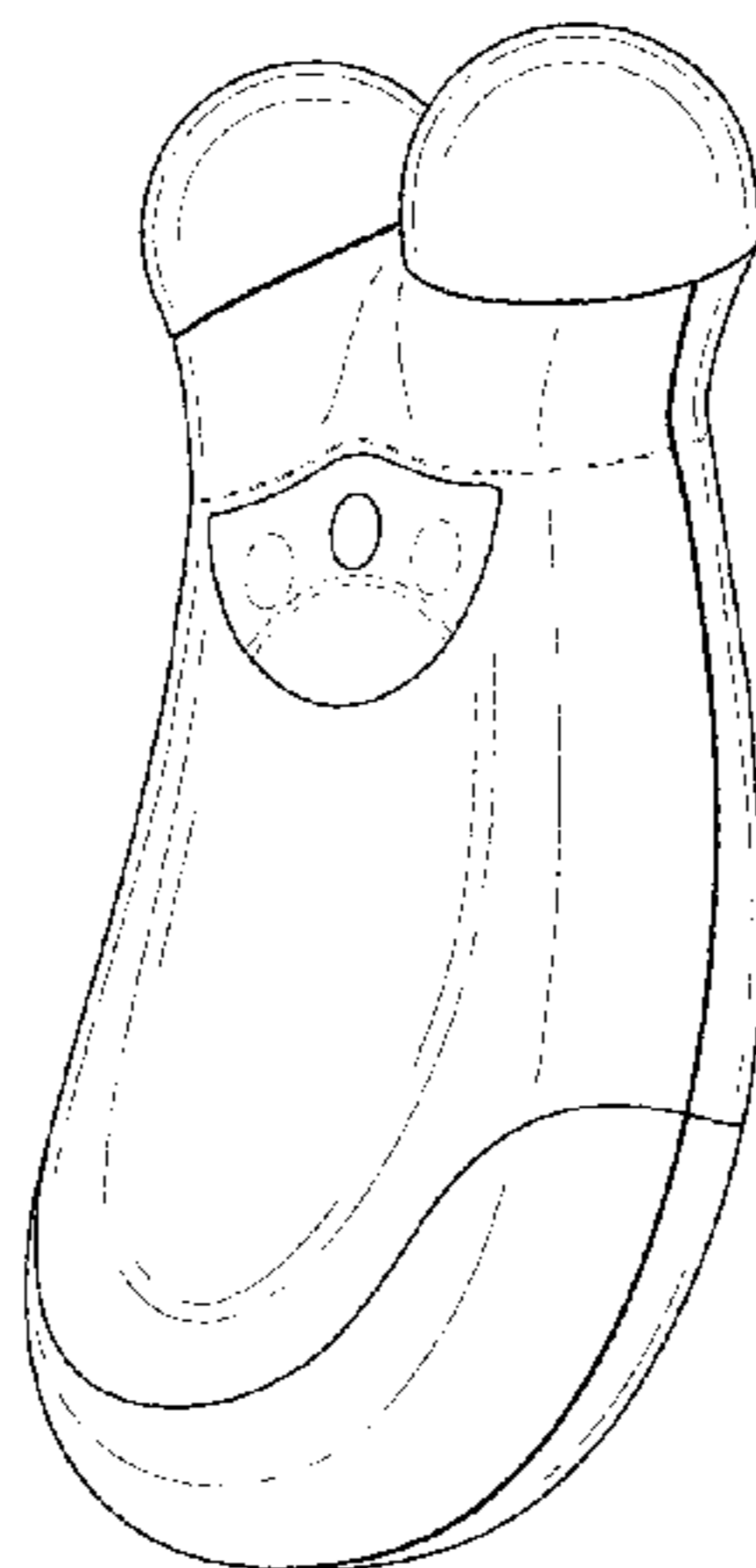
(56) **References Cited**

**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	Besette	
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	
6,989,023 B2	1/2006	Black				362/276
7,014,639 B2	3/2006	Walneck et al.	2007/0239142 A1	10/2007	Altshuler et al.	
7,194,316 B2	3/2007	Bousfield et al.	2007/0239143 A1	10/2007	Altshuler et al.	
D539,916 S	4/2007	Baldachini	2007/0293917 A1*	12/2007	Thompson ..... A61N 1/0456	
7,204,846 B2	4/2007	Suzuki				607/72
7,210,817 B2	5/2007	Lee et al.	2007/0293918 A1*	12/2007	Thompson ..... A61N 1/36021	
7,238,183 B2	7/2007	Kreindel				607/72
7,250,047 B2	7/2007	Anderson et al.	2008/0004678 A1	1/2008	Kreindel	
7,252,678 B2	8/2007	Ostler et al.	2008/0014011 A1	1/2008	Rossen	
7,258,675 B2	8/2007	Nichols	2008/0030908 A1	2/2008	Kagami	
7,258,695 B2	8/2007	Carullo, Jr. et al.	2008/0046027 A1	2/2008	Cook et al.	
7,291,140 B2	11/2007	MacFarland et al.	2008/0058783 A1	3/2008	Altshuler et al.	
7,305,269 B2	12/2007	Cook et al.	2008/0065056 A1	3/2008	Powell	
7,309,335 B2	12/2007	Altshuler et al.	2008/0065176 A1	3/2008	Zhang et al.	
7,311,722 B2	12/2007	Larsen	2008/0103560 A1	5/2008	Powell et al.	
7,331,952 B2	2/2008	Walneck	2008/0103563 A1	5/2008	Powell et al.	
7,331,964 B2	2/2008	Maricle et al.	2008/0109049 A1	5/2008	Schumann	
7,335,170 B2	2/2008	Milne et al.	2008/0119913 A1	5/2008	Powell et al.	
7,345,320 B2	3/2008	Dahm	2008/0125835 A1	5/2008	Laurent	
7,384,405 B2	6/2008	Rhoades	2008/0140164 A1	6/2008	Oberreiter et al.	
D576,285 S	9/2008	Kennedy	2008/0172113 A1	7/2008	Gourgouliatos et al.	
D585,997 S	2/2009	Adam	2008/0183161 A1	7/2008	Walneck et al.	
D586,469 S	2/2009	Henry	2008/0195181 A1	8/2008	Cole	
7,494,503 B2	2/2009	McDaniel	2008/0214968 A1	9/2008	Milne et al.	
7,503,927 B1	3/2009	Vetanze	2008/0214969 A1	9/2008	Milne et al.	
D594,130 S	6/2009	Scocimara	2008/0269848 A1	10/2008	Birmingham et al.	
D597,211 S	7/2009	Ewing et al.	2008/0294152 A1	11/2008	Alshuler et al.	
D601,257 S	9/2009	Berlinger	2008/0312647 A1	12/2008	Knopp et al.	
7,597,708 B2	10/2009	Carullo, Jr. et al.	2009/0005631 A1	1/2009	Simenhaus et al.	
D608,897 S	1/2010	Cole et al.	2009/0093749 A1	4/2009	Shalev et al.	
D609,361 S	2/2010	MacGarry	2009/0156958 A1	6/2009	Mehta et al.	
D611,159 S	3/2010	Cole et al.	2009/0227996 A1	9/2009	Powell et al.	
D612,510 S	3/2010	Byle	2009/0254155 A1	10/2009	Kanarsky et al.	
D620,597 S	7/2010	Cole et al.	2009/0254156 A1	10/2009	Powell et al.	
D623,308 S	9/2010	Kramer	2010/0063491 A1	3/2010	Verhagen	
7,842,029 B2	11/2010	Anderson et al.	2010/0105977 A1	4/2010	Taboada et al.	
D633,625 S	3/2011	Maderazzo	2010/0121254 A1	5/2010	McDaniel	
D636,088 S	4/2011	Loew	2010/0145255 A1	6/2010	Popescu et al.	
D638,132 S	5/2011	Cole et al.	2010/0152645 A1	6/2010	Ogasawara	
7,993,381 B2	8/2011	Mac et al.	2010/0174222 A1	7/2010	McDaniel	
D646,396 S	10/2011	Seki	2010/0179469 A1	7/2010	Hammond et al.	
8,048,135 B2	11/2011	Carullo, Jr. et al.	2010/0185266 A1	7/2010	Suzuki	
8,057,525 B2	11/2011	Suzuki	2010/0274329 A1*	10/2010	Bradley ..... A61N 1/328	
D651,321 S	12/2011	Marchese et al.				607/90
8,088,123 B2	1/2012	Kinoshita	2011/0015549 A1	1/2011	Eckhouse et al.	
D656,620 S	3/2012	Altshuler	2011/0112520 A1	5/2011	Michael	
D659,843 S	5/2012	Wang	2011/0213447 A1	9/2011	Hottinger et al.	
D667,557 S	9/2012	Boudier	2011/0238142 A1	9/2011	Hottinger et al.	
D695,903 S	12/2013	Tamsiran	2011/0245734 A1	10/2011	Wagner et al.	
			2012/0016174 A1	1/2012	Taboada et al.	
			2012/0065575 A1	3/2012	Kader	

(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>.

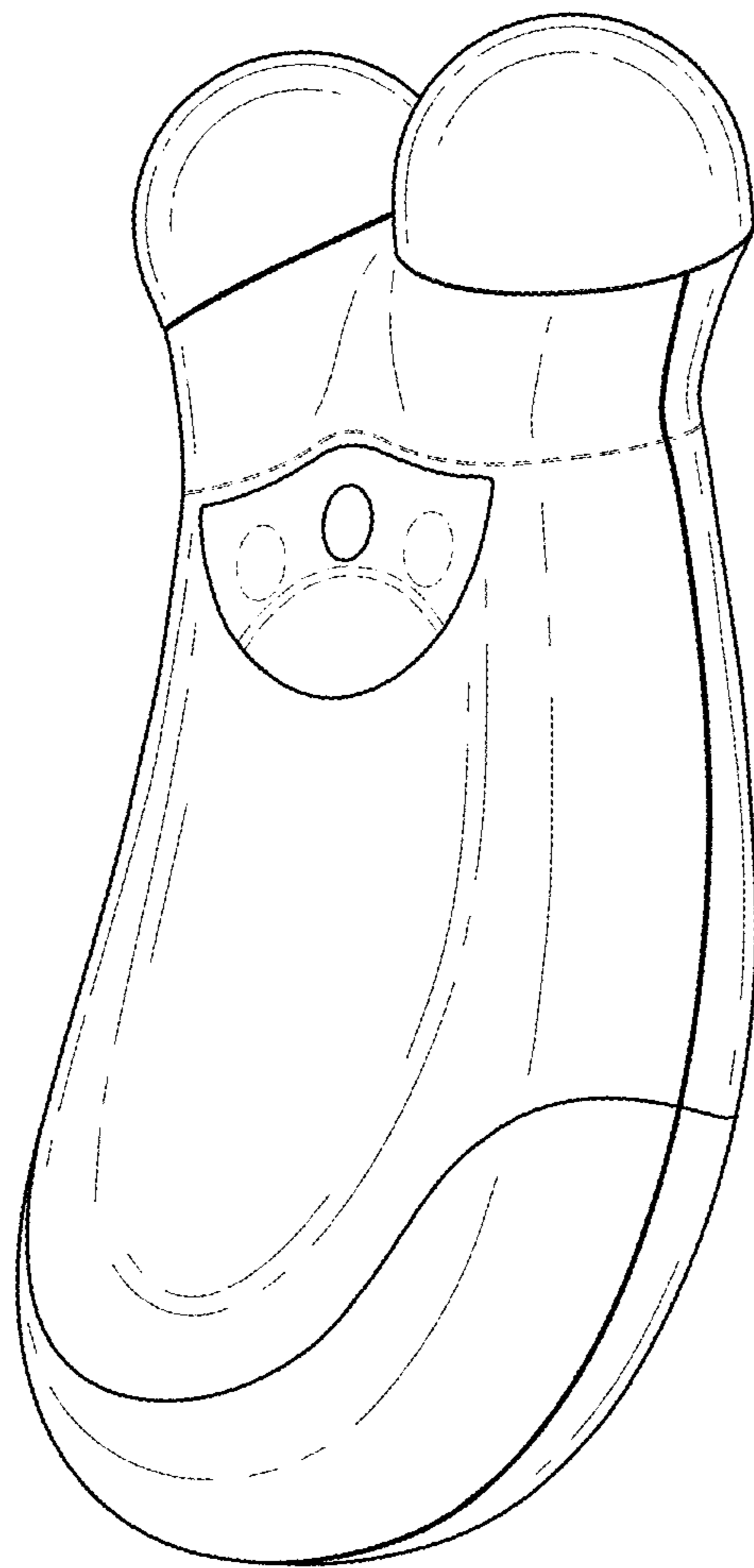
Quasar Light Therapy Product Literature in 1 page, accessed online Mar. 10, 2009—<http://babyquasar.com/quasar-pro-line.php>.

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*

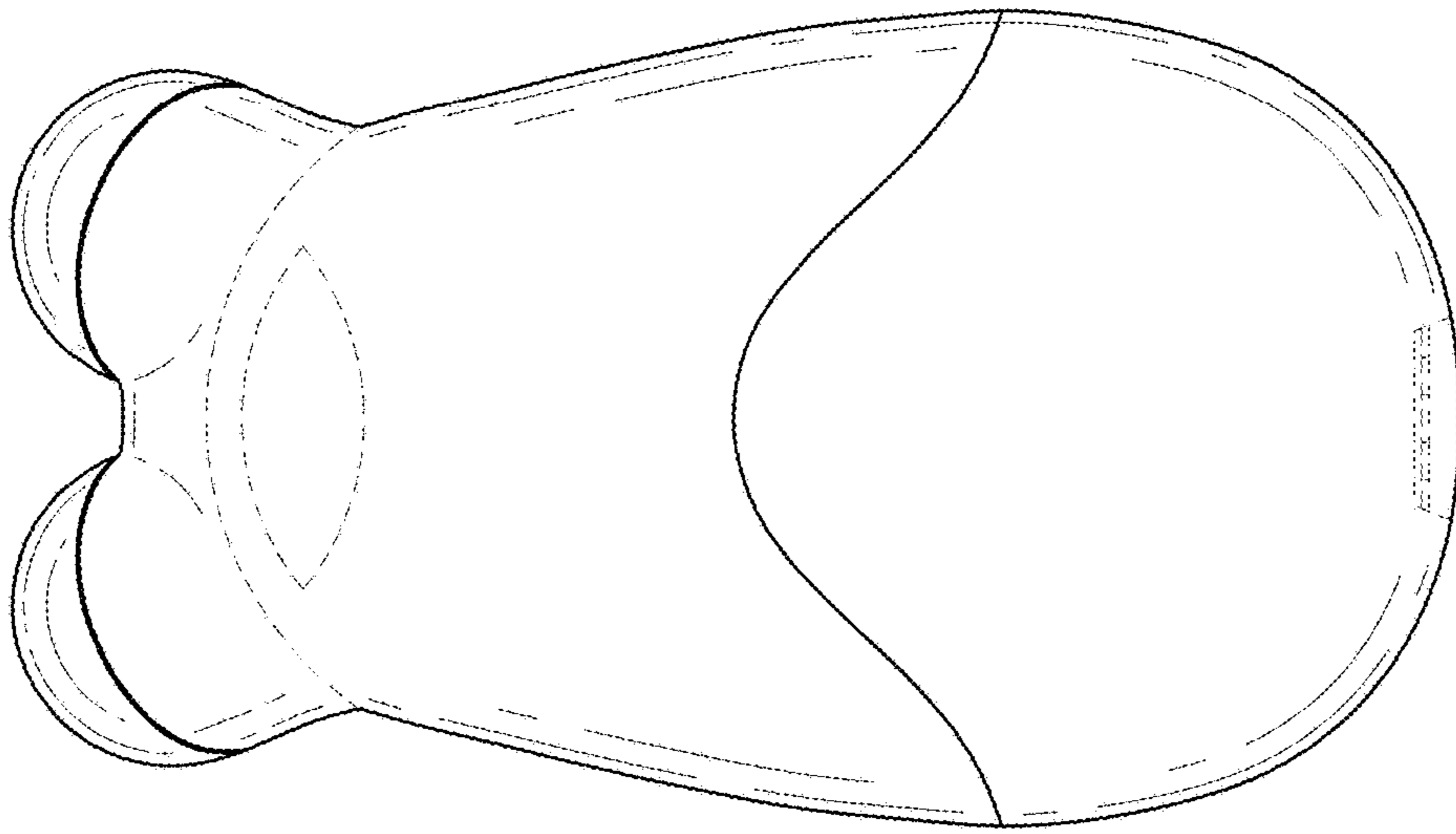


FIG. 3

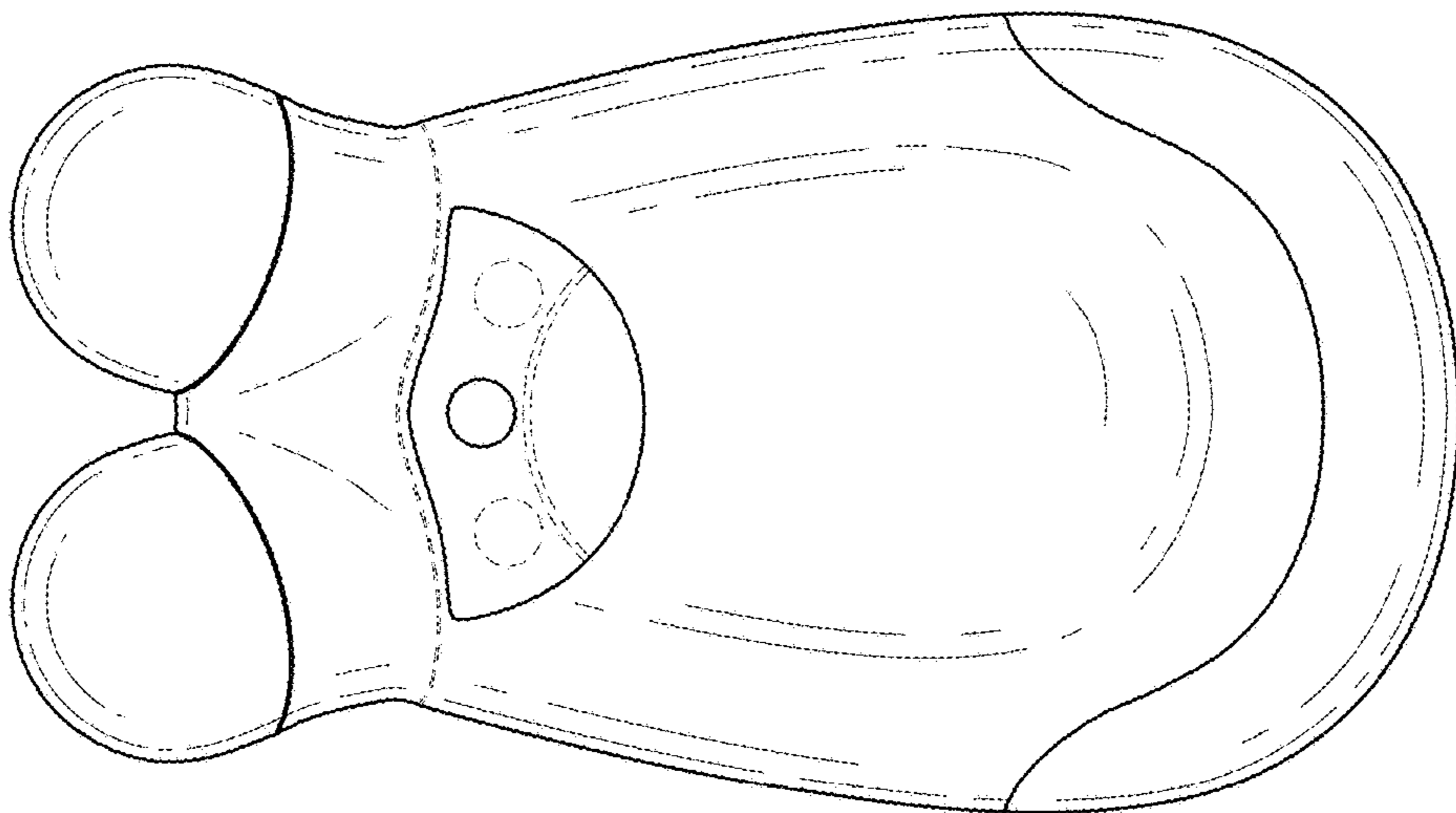


FIG. 2

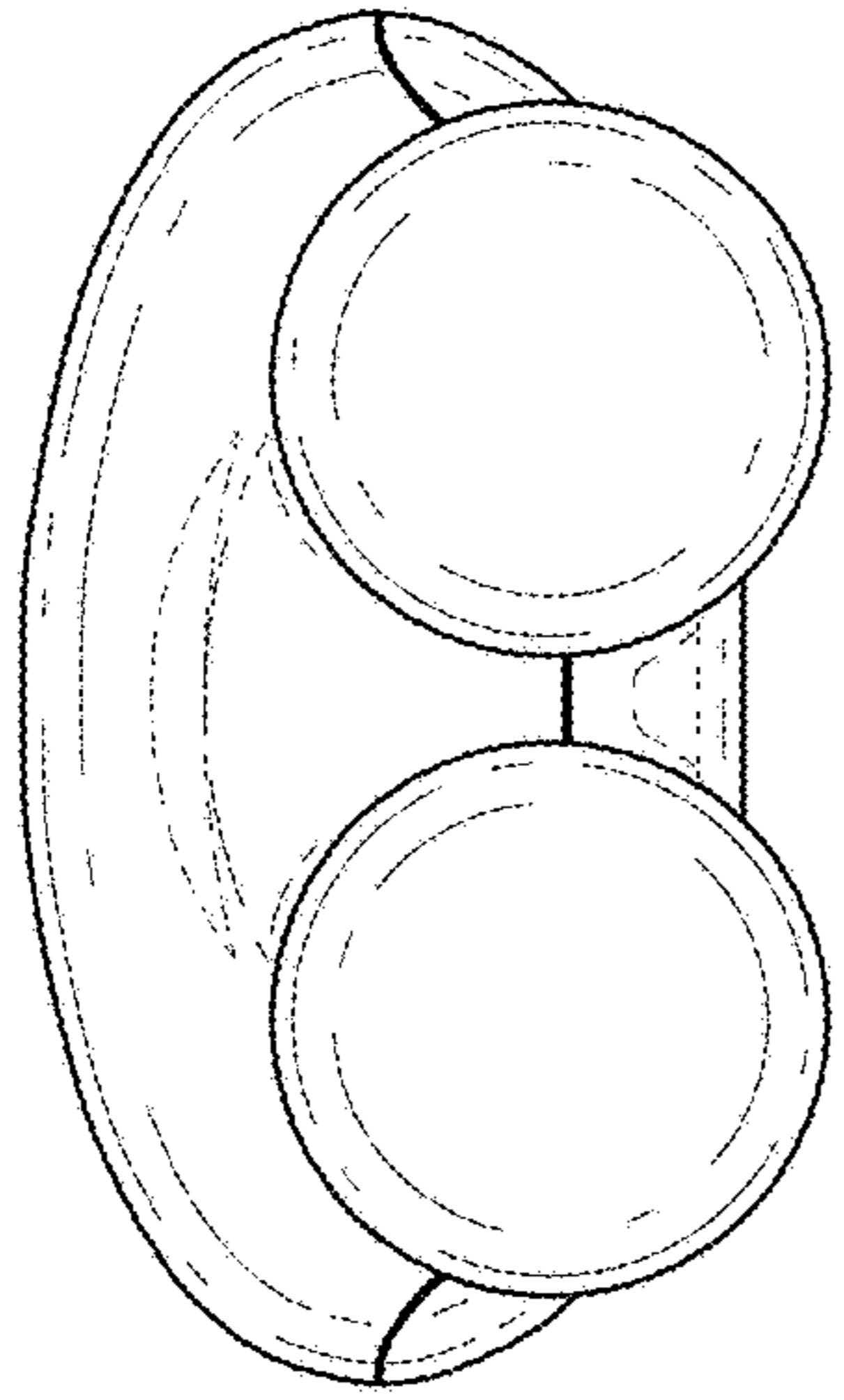


FIG. 5

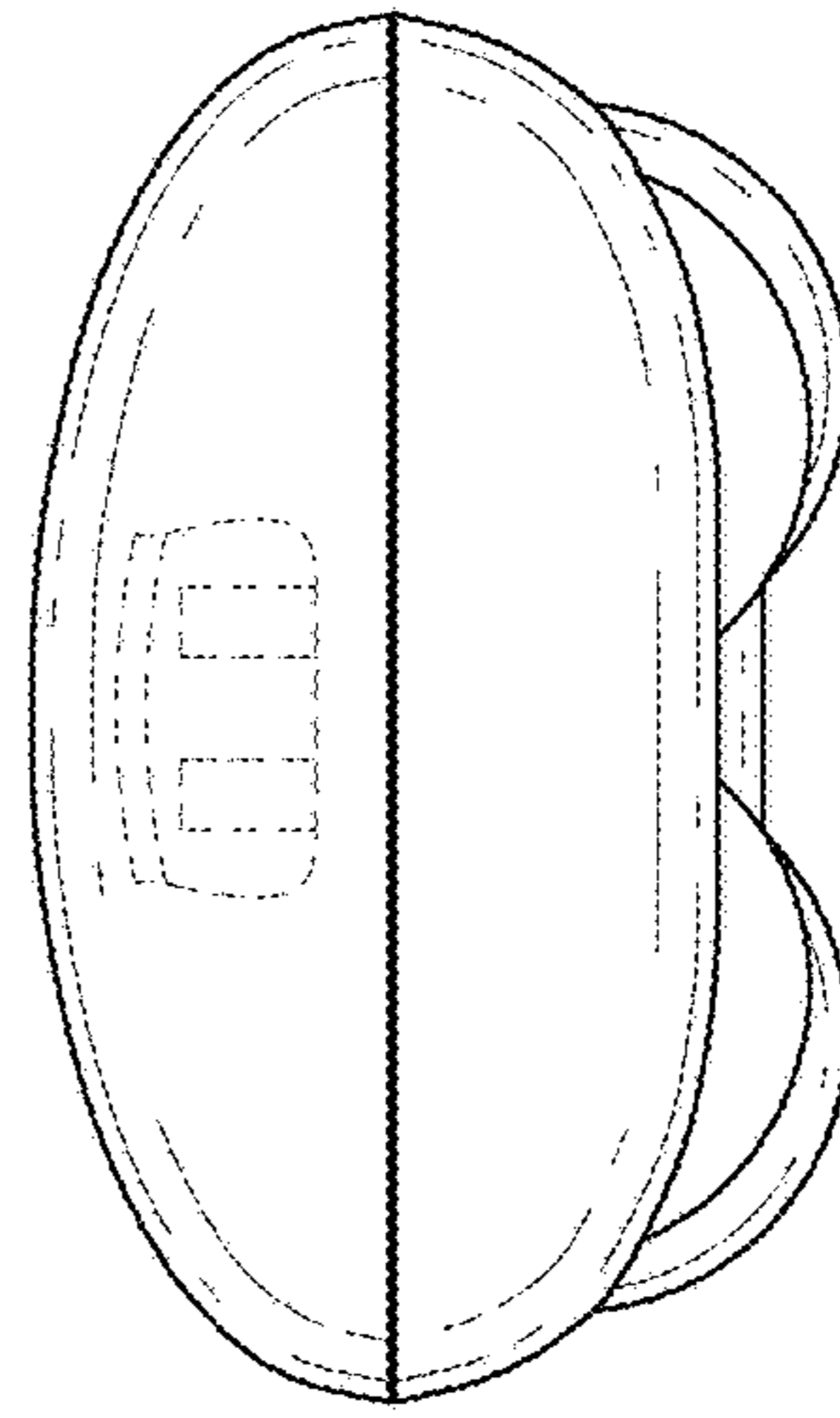


FIG. 6

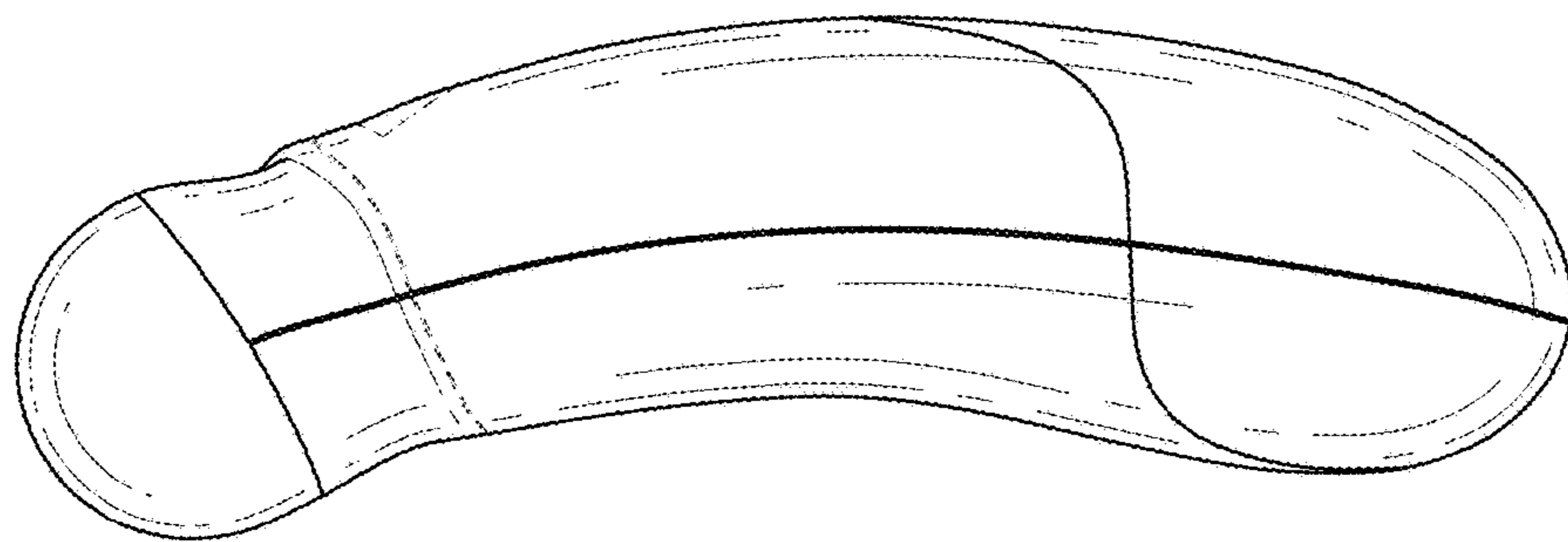


FIG. 4