



US00D839062S

(12) **United States Design Patent** (10) **Patent No.:** **US D839,062 S**
Sowieja (45) **Date of Patent:** **** Jan. 29, 2019**

(54) **TOOL**
(71) Applicant: **Gehl Foods, LLC**, Germantown, WI (US)
(72) Inventor: **Michael Sowieja**, Richfield, WI (US)
(73) Assignee: **Gehl Foods, LLC**, Germantown, WI (US)

2,713,988 A 7/1955 Kitterman
2,737,880 A 3/1956 Johnson
2,775,368 A 12/1956 De Vries
2,845,201 A 4/1958 Henry
D183,532 S 9/1958 McCauley
D184,606 S 3/1959 Cramer et al.
D185,626 S 7/1959 Craig et al.

(Continued)

(**) Term: **15 Years**
(21) Appl. No.: **29/610,683**
(22) Filed: **Jul. 14, 2017**

FOREIGN PATENT DOCUMENTS

EM 000574843-0003 8/2006
EP 0 150 144 7/1985

(Continued)

OTHER PUBLICATIONS

Alibaba. 3-way Ball Valve. 2016. Available from Internet, https://www.alibaba.com/productdetail/10000psi-cng-dispenser-3-way-ball_1797882372.html.

(Continued)

Primary Examiner — Terry A Wallace
(74) *Attorney, Agent, or Firm* — Foley & Lardner LLP

Related U.S. Application Data
(62) Division of application No. 29/537,872, filed on Aug. 28, 2015, now Pat. No. Des. 795,029.
(51) **LOC (11) Cl.** **08-05**
(52) **U.S. Cl.**
USPC **D8/14; D7/693**
(58) **Field of Classification Search**
USPC D7/693; D8/14, 47, 98, 105
CPC B26B 3/00; B26B 27/005; B67B 7/38;
B67B 7/24; A47J 25/00; F25C 5/043
See application file for complete search history.

(57) **CLAIM**

I claim the ornamental design for a tool, as shown and described.

(56) **References Cited**

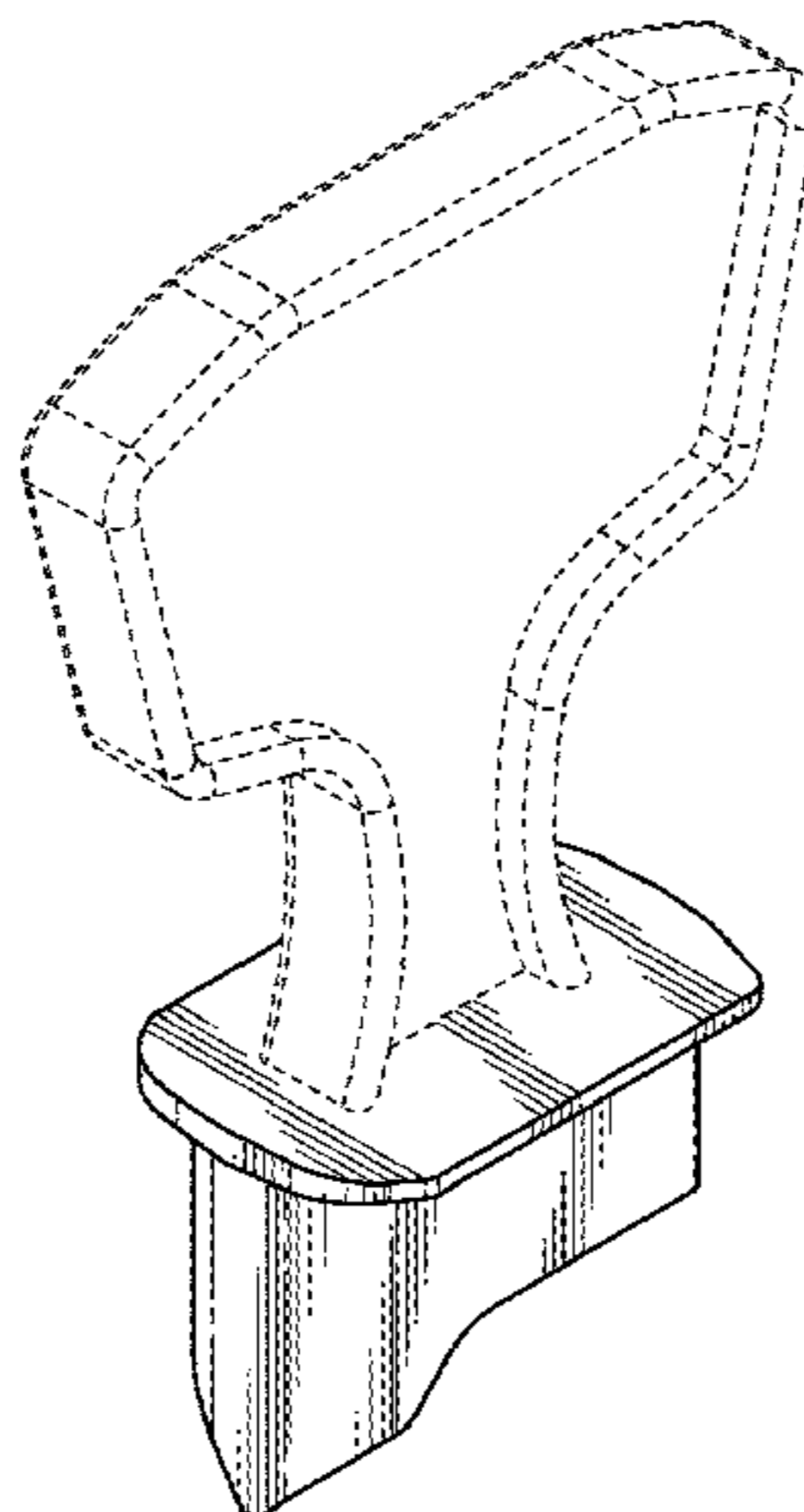
DESCRIPTION

U.S. PATENT DOCUMENTS

1,006,623 A 10/1911 Barrett
D50,625 S 4/1917 Lund
1,556,206 A 4/1923 Dickey
1,528,283 A 3/1925 Whitesides
1,576,388 A 3/1926 Whitesides
D83,729 S 3/1931 Hills
1,859,126 A 5/1932 Cock
1,912,304 A 5/1933 Phillips
2,244,071 A 6/1941 Landrus
2,442,126 A 5/1948 Halstead
2,609,122 A 9/1952 Stenerson
D173,909 S 1/1955 Muller-Munk

FIG. 1 is a top, rear, left perspective view of the claimed design;
FIG. 2 is a rear elevation view thereof;
FIG. 3 is a front elevation view thereof;
FIG. 4 is a right elevation view thereof;
FIG. 5 is a left elevation view thereof;
FIG. 6 is a top plan view thereof; and,
FIG. 7 is a bottom plan view thereof.
The broken lines showing 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

D185,833 S	8/1959	Bruntjen		5,435,463 A	7/1995	Hodgson	
D194,658 S	2/1963	Gilson		5,435,466 A	7/1995	Du	
3,089,619 A	5/1963	Kass et al.		D365,962 S	1/1996	Amundsen et al.	
3,114,480 A	12/1963	Sauter		5,490,613 A	2/1996	Taylor et al.	
D199,046 S	9/1964	Felske		D372,650 S *	8/1996	Bundy	D8/14
3,173,579 A	3/1965	Curie et al.		5,573,047 A	11/1996	Akin	
3,186,596 A	6/1965	Badgett		5,579,945 A	12/1996	Ichikawa et al.	
3,239,104 A	3/1966	Scholle		5,579,959 A	12/1996	Bennett et al.	
3,248,011 A	4/1966	Brodsky et al.		5,622,484 A	4/1997	Taylor-McCune et al.	
D204,822 S	5/1966	Barker		5,624,056 A	4/1997	Martindale	
D205,702 S	9/1966	Christine et al.		D384,863 S	10/1997	Danemayer	
3,312,468 A *	4/1967	Lynch	A63B 57/0037 294/106	D385,715 S	11/1997	Curry	
3,343,724 A	9/1967	Malpas		D390,753 S	2/1998	Danemayer	
D209,127 S	10/1967	Martin		D392,843 S	3/1998	Mulvihill	
3,366,278 A	1/1968	Fobes		5,752,319 A	5/1998	Su et al.	
3,369,720 A	2/1968	Libit et al.		D398,964 S	9/1998	Doughty et al.	
3,387,903 A	6/1968	Karlen		5,803,317 A	9/1998	Wheeler	
3,445,039 A	5/1969	Brodsky et al.		5,833,120 A	11/1998	Evans et al.	
D215,045 S	8/1969	Benjamin		5,836,482 A	11/1998	Ophardt et al.	
3,549,049 A	12/1970	Weber		5,845,812 A	12/1998	Morrison	
3,881,641 A	5/1975	Pliml et al.		D408,667 S	4/1999	Curry	
3,924,777 A	12/1975	Peyser		6,003,733 A	12/1999	Wheeler	
D240,108 S *	6/1976	McGrew	D8/14	6,016,935 A	1/2000	Huegerich et al.	
4,018,357 A	4/1977	Ostrem		6,036,166 A	3/2000	Olson	
4,049,157 A	9/1977	Carson		D425,792 S	5/2000	Haller	
4,176,767 A	12/1979	Franche, IV		6,056,157 A	5/2000	Gehl et al.	
4,214,675 A	7/1980	Schmit		6,082,587 A	7/2000	Martindale et al.	
4,314,654 A	2/1982	Gaubert		6,089,406 A	7/2000	Feldner	
4,322,019 A	3/1982	Smith		6,138,878 A	10/2000	Savage et al.	
4,406,247 A	9/1983	Baughman et al.		6,142,340 A	11/2000	Watanabe et al.	
4,416,395 A	11/1983	Gaubert		6,158,623 A	12/2000	Benavides et al.	
4,417,672 A	11/1983	Eppenbach		6,189,736 B1	2/2001	Phallen et al.	
4,440,316 A	4/1984	Christine		6,193,111 B1	2/2001	Adams	
D277,633 S	2/1985	McClellan		6,196,420 B1	3/2001	Gutierrez et al.	
4,497,351 A	2/1985	Garcia		6,223,944 B1	5/2001	Gehl et al.	
4,513,885 A	4/1985	Hogan		6,227,420 B1	5/2001	Jepson	
4,515,294 A	5/1985	Udall		6,273,297 B1	8/2001	Schalow et al.	
D282,617 S	2/1986	Hogan		D448,633 S *	10/2001	Langlois	D8/107
4,602,725 A	7/1986	Malpas et al.		D453,663 S	2/2002	Mori	
4,621,750 A	11/1986	Roethel		6,345,734 B2	2/2002	Schalow et al.	
D290,074 S	6/1987	Braun		6,378,730 B1	4/2002	Reddy et al.	
4,690,307 A	9/1987	Hogan		6,405,897 B1	6/2002	Jepson et al.	
4,712,714 A	12/1987	Mucciarone		6,419,121 B1	7/2002	Gutierrez et al.	
4,724,981 A	2/1988	Realmuto		D467,477 S *	12/2002	Berens	D8/14
D296,405 S	6/1988	Weaver		6,488,179 B1	12/2002	Vujicic et al.	
D297,105 S *	8/1988	Hollinshead	D8/98	6,668,643 B1	12/2003	Pettinaroli et al.	
4,776,488 A	10/1988	Gurzan		D486,698 S	2/2004	Hutchison	
4,795,062 A	1/1989	Bedwell et al.		6,691,894 B2	2/2004	Chrisman et al.	
4,846,236 A	7/1989	Deruntz		6,698,624 B2	3/2004	Ufheil et al.	
4,856,681 A	8/1989	Murray		6,708,741 B1	3/2004	Berry et al.	
4,913,713 A	4/1990	Bender et al.		6,722,530 B1	4/2004	King et al.	
4,925,034 A	5/1990	Robichaud et al.		6,726,061 B2	4/2004	Good	
4,946,040 A	8/1990	Ipenburg		6,814,262 B1	11/2004	Adams et al.	
4,961,508 A	10/1990	Weimer et al.		6,860,407 B2	3/2005	Gosselin	
4,997,108 A	3/1991	Hata		6,871,015 B2	3/2005	Gutierrez et al.	
D321,453 S	11/1991	Ophardt		D506,369 S *	6/2005	Norton	D8/14
5,102,015 A	4/1992	Barnard et al.		D509,137 S	9/2005	Hierzer et al.	
D327,432 S	6/1992	Farricielli		6,938,801 B1	9/2005	Reddy et al.	
5,121,658 A	6/1992	Lew		D515,919 S	2/2006	Hierzer et al.	
5,125,542 A	6/1992	Blanc		7,007,824 B2	3/2006	Danby et al.	
D328,007 S	7/1992	Mondry et al.		7,025,230 B1	4/2006	Salmela	
D328,008 S	7/1992	Avery		7,147,134 B2	12/2006	Gutierrez et al.	
D328,220 S	7/1992	Barnard et al.		7,262,838 B2	8/2007	Fritz	
5,142,610 A	8/1992	Augustine et al.		7,278,553 B2	10/2007	Py et al.	
5,150,802 A	9/1992	Jeffers		7,322,491 B2	1/2008	Py et al.	
5,158,210 A	10/1992	Du		7,357,277 B2	4/2008	Verespej et al.	
5,230,443 A	7/1993	Du		7,455,200 B2	11/2008	Gehl et al.	
D345,085 S	3/1994	Sewell		D583,022 S	12/2008	Soulier	
5,325,995 A	7/1994	Harrison et al.		D585,965 S	2/2009	Kohler et al.	
5,337,775 A	8/1994	Lane et al.		D589,123 S	3/2009	Soulier	
5,350,083 A	9/1994	Du		7,651,015 B2	1/2010	Girard et al.	
5,361,943 A	11/1994	Du		D613,558 S	4/2010	Gold et al.	
5,428,066 A	6/1995	Larner et al.		7,731,060 B2	6/2010	Jones	
5,429,681 A	7/1995	Mesenbring		7,770,408 B2	8/2010	Kim et al.	
				7,789,269 B2	9/2010	Pritchard	
				D627,223 S	11/2010	Storti et al.	
				D628,035 S *	11/2010	Paige	D8/14
				7,828,020 B2	11/2010	Girard et al.	
				7,850,051 B2	12/2010	Py et al.	

(56)

References Cited

U.S. PATENT DOCUMENTS

D632,144 S 2/2011 Weisenbach
 7,971,604 B2 7/2011 McDonald et al.
 7,980,424 B2 7/2011 Johnson
 8,091,735 B2 1/2012 Girard et al.
 8,146,780 B2 4/2012 Compton et al.
 D659,008 S 5/2012 Gately et al.
 8,205,771 B2 6/2012 Compton
 8,206,034 B2 6/2012 Keen et al.
 D671,620 S 11/2012 March et al.
 8,336,740 B1 12/2012 Daansen
 8,353,428 B2 1/2013 Pritchard
 8,371,476 B2 2/2013 Weissbrod
 8,474,495 B2 7/2013 Singleton et al.
 8,528,807 B2 9/2013 Kaneko
 D696,943 S 1/2014 Kim
 8,887,960 B2 11/2014 Hardman
 D718,621 S 12/2014 Mitchell et al.
 D719,403 S 12/2014 Halioua
 D720,188 S 12/2014 Burke et al.
 D731,273 S * 6/2015 McPeak Ford D8/402
 D731,310 S 6/2015 Demey et al.
 9,045,260 B2 6/2015 Norris et al.
 D754,536 S 4/2016 Arriaga
 D755,045 S 5/2016 Kuo
 D758,810 S * 6/2016 Peterson D7/693
 9,370,273 B2 6/2016 Li et al.
 D763,077 S 8/2016 Mitchell et al.
 D764,912 S 8/2016 Houyoux
 9,585,513 B2 3/2017 Hanes et al.
 D782,907 S 4/2017 Sowieja et al.
 D792,164 S 7/2017 Mitchell et al.
 9,717,354 B2 8/2017 Gehl et al.
 D798,106 S 9/2017 Sowieja et al.
 2002/0092879 A1 7/2002 Chrisman et al.
 2002/0179605 A1 12/2002 Miani et al.
 2003/0015556 A1 1/2003 Wild et al.
 2003/0066978 A1 4/2003 Enerson
 2003/0116584 A1 6/2003 Gutierrez et al.
 2004/0222233 A1 11/2004 Gosselin
 2004/0238563 A1 12/2004 Lin
 2005/0121464 A1 6/2005 Miller et al.
 2005/0167443 A1 8/2005 Sanfilippo et al.
 2005/0167444 A1 8/2005 Sanfilippo et al.
 2005/0252937 A1 11/2005 Gehl et al.
 2006/0011640 A1 1/2006 Shaygan
 2006/0071020 A1 4/2006 Wiesner et al.
 2006/0138167 A1 6/2006 McMahan et al.
 2007/0029343 A1 2/2007 Sanfilippo et al.
 2008/0029540 A1 2/2008 Johnson
 2008/0078781 A1 4/2008 Py et al.
 2008/0083788 A1 4/2008 Py et al.
 2008/0105701 A1 5/2008 Niss et al.
 2008/0116225 A1 5/2008 Py et al.
 2008/0116226 A1 5/2008 Py et al.
 2008/0169309 A1 7/2008 Kroeger
 2008/0314923 A1 12/2008 Faller et al.
 2009/0020559 A1 1/2009 Sanfilippo et al.
 2009/0283541 A1 11/2009 Compton et al.
 2010/0038380 A1 2/2010 Compton
 2010/0147884 A1 6/2010 Compton et al.

2010/0176155 A1 7/2010 Baron et al.
 2010/0264146 A1 10/2010 Casale et al.
 2010/0288767 A1 11/2010 Seelhofer
 2011/0017774 A1 1/2011 Pritchard
 2011/0024463 A1 2/2011 Py et al.
 2011/0042410 A1 2/2011 Paulen
 2012/0046785 A1 2/2012 Deo et al.
 2012/0152976 A1 7/2012 Yoshida et al.
 2012/0211519 A1 8/2012 Hauner et al.
 2015/0102057 A1 4/2015 Gehl et al.
 2016/0129464 A1 5/2016 Frommer
 2017/0121167 A1 5/2017 Johnson et al.
 2017/0251846 A1 9/2017 Sowieja et al.
 2017/0251847 A1 9/2017 Gehl et al.

FOREIGN PATENT DOCUMENTS

EP	0 538 91	2/1986
EP	0 962 421	12/1999
GB	2 154 991	9/1985
JP	52-001760	2/1955
JP	H09-104474	4/1997
KR	1020120099678	9/2012
TW	D122024	3/2008
TW	D122218	4/2008
TW	D165705	2/2015
WO	WO-2013/029163	3/2013

OTHER PUBLICATIONS

Balaji Tube Corporation. Valves. 2016. Available from Internet, http://www.balajitube.com/?page_id=55.
 DS Smith Plastics, <http://www.dssmith.com/plastics/offering/flexible-packaging--dispensing-solutions/rapak/rapak-bags/>, date accessed: Sep. 30, 2014, 3 pages.
 International Search Report and Written Opinion for International Application No. PCT/US2014/059119, dated Feb. 25, 2015, 12 pages.
 International Search Report and Written Opinion for International Application No. PCT/US2015/047491, dated Oct. 29, 2015, 14 pages.
 Liqui-Box, "Fitments", <http://www.liquibox.com/fitments>, date accessed: Sep. 26, 2014, 2 pages.
 Round Eye Supply, Gehls Dispenser Valve Chill Sauce Bag in Box. 2016. Available from internet, <https://www.roundeyesupply.com/Gehls-Dispenser-Value-With-Chili-Sauce-Bag-in-Box-p/de439156.htm>.
 Scholle Packaging, <http://www.scholle.com/products>, date accessed: Sep. 30, 2014, 3 pages.
 Steeltubedirect.co.uk: ERW Tunnel section Steel Tube and Pipe. 1 page. Found online Nov. 7, 2016. Available from Internet, http://www.steeltubedirect.co.uk/product_selector.aspx?category+100002&shape=155.
 Communication pursuant to Rule 164(1) from the European Patent Office regarding European Application No. 15835591.7 dated Apr. 11, 2018, 16 pps.
 Dispenser Value with Chili Sauce Bag in Box by Gehls, dated Jan. 6, 2014, found online Apr. 28, 2018, <https://www.roundeyesupply.com/Gehls-Dispenser-Value-With-Chili-Sauce-Bag-in-Box-p/de439156.htm>; 4 pps.

* cited by examiner

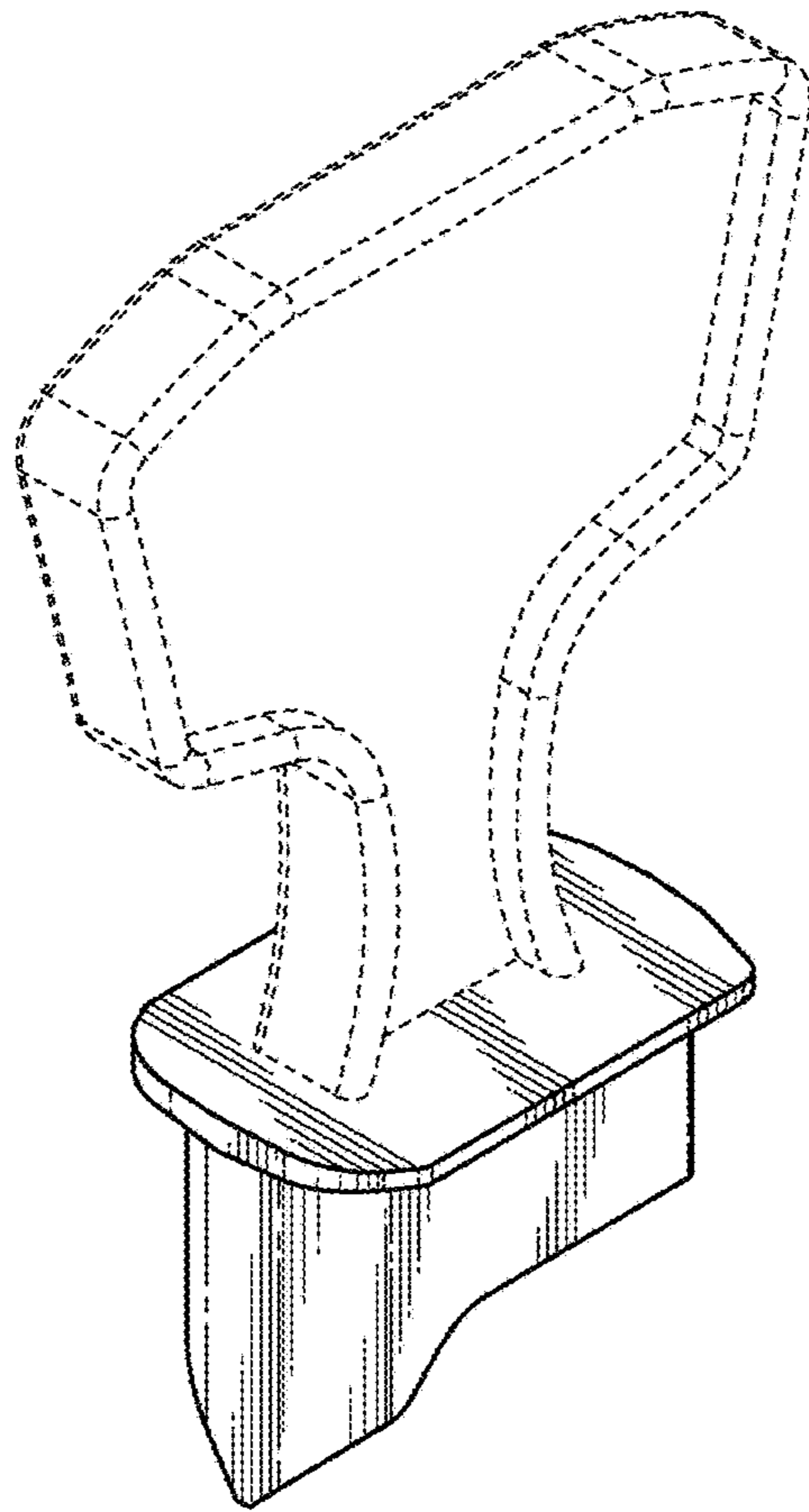


FIG. 1

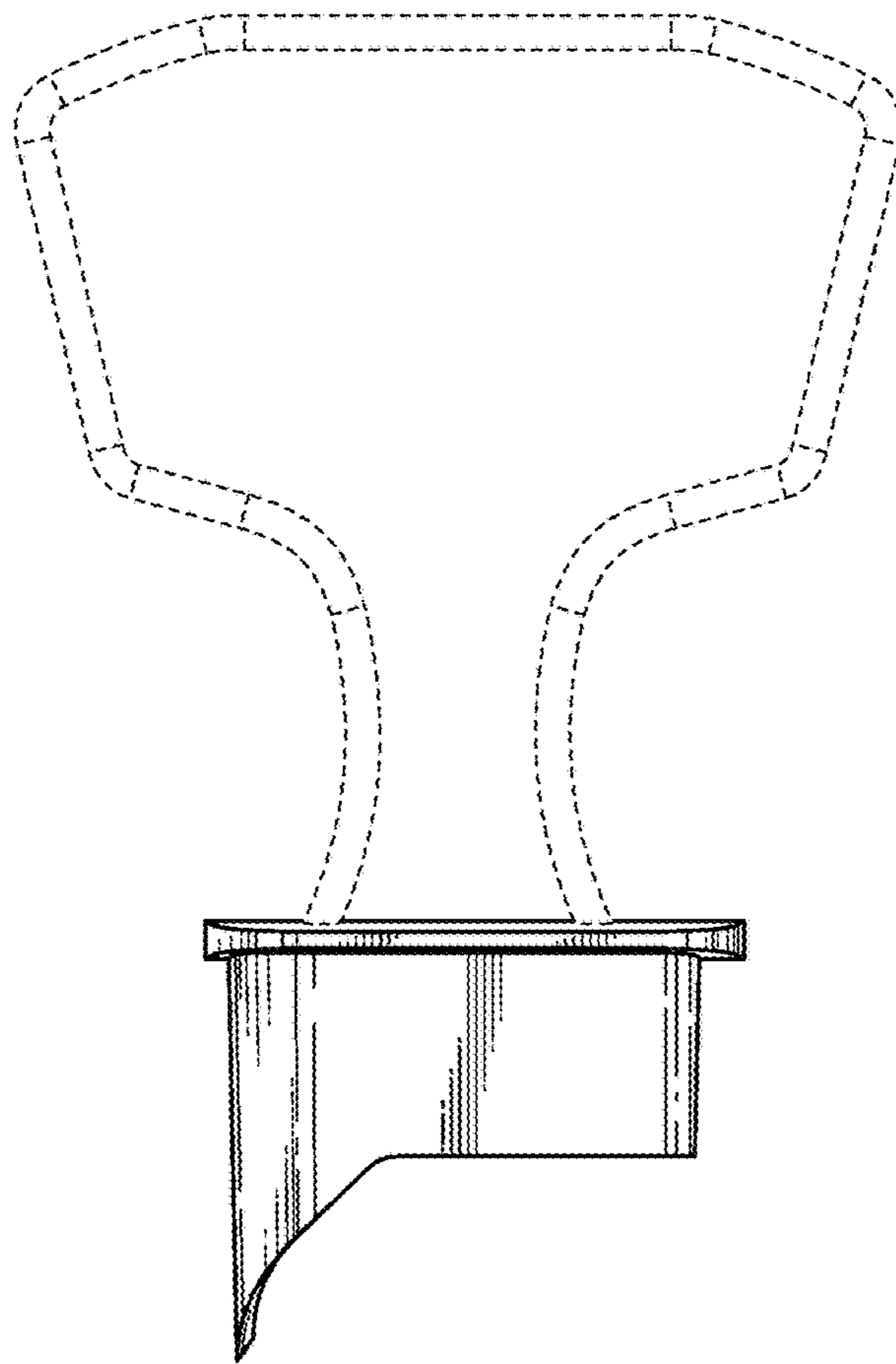


FIG. 2

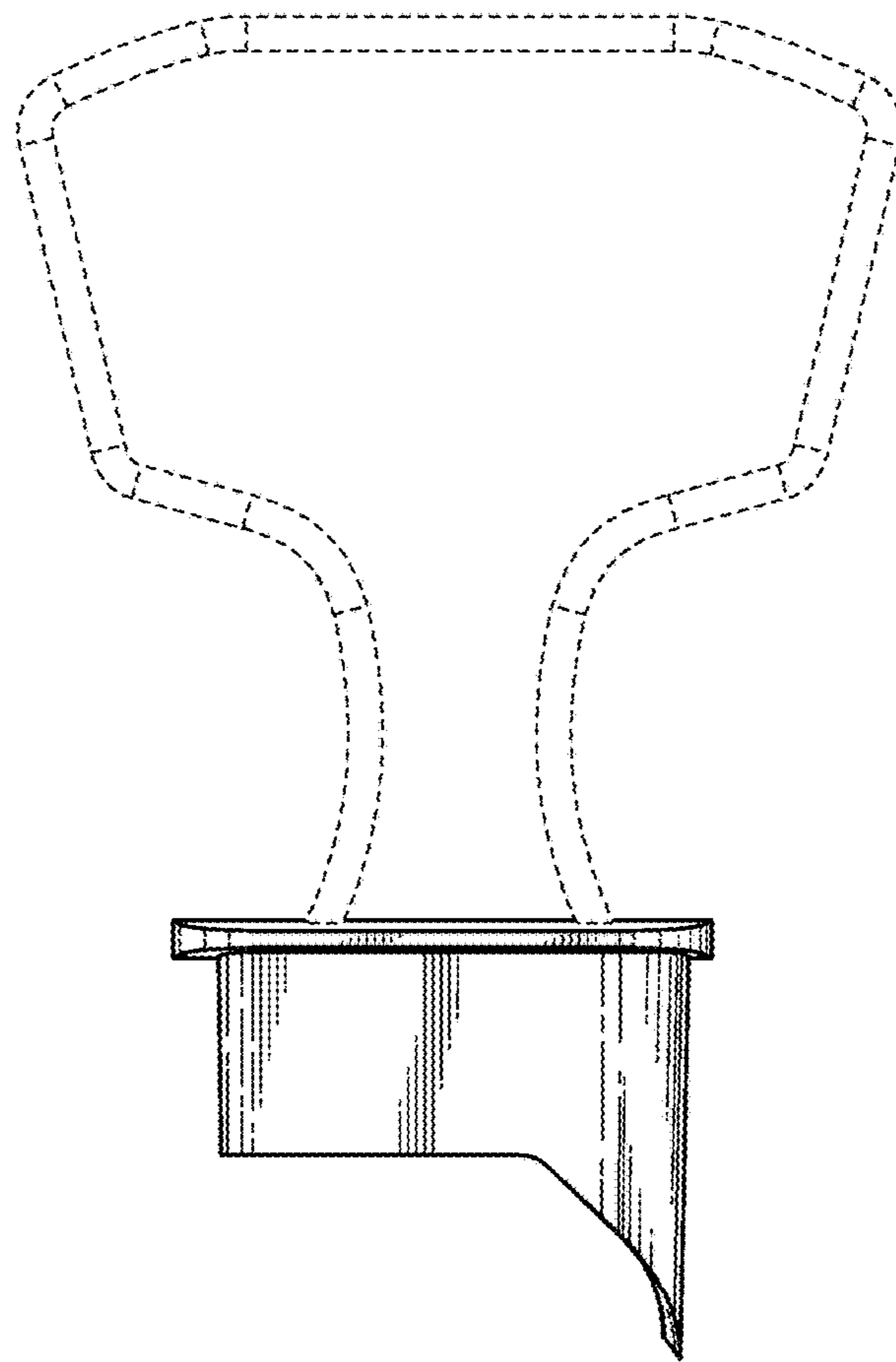


FIG. 3

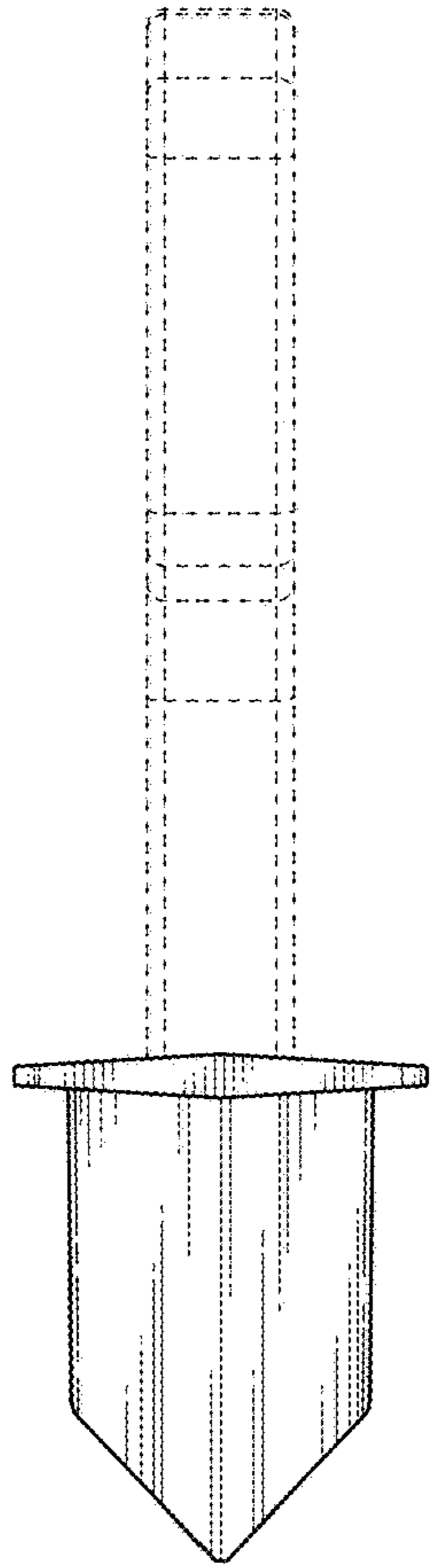


FIG. 4

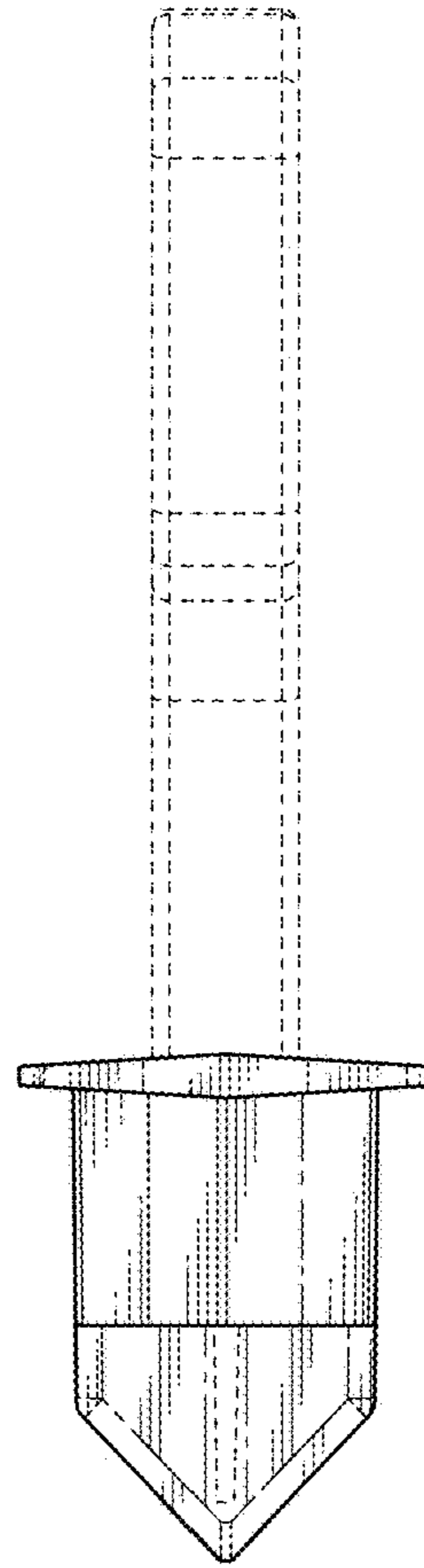


FIG. 5

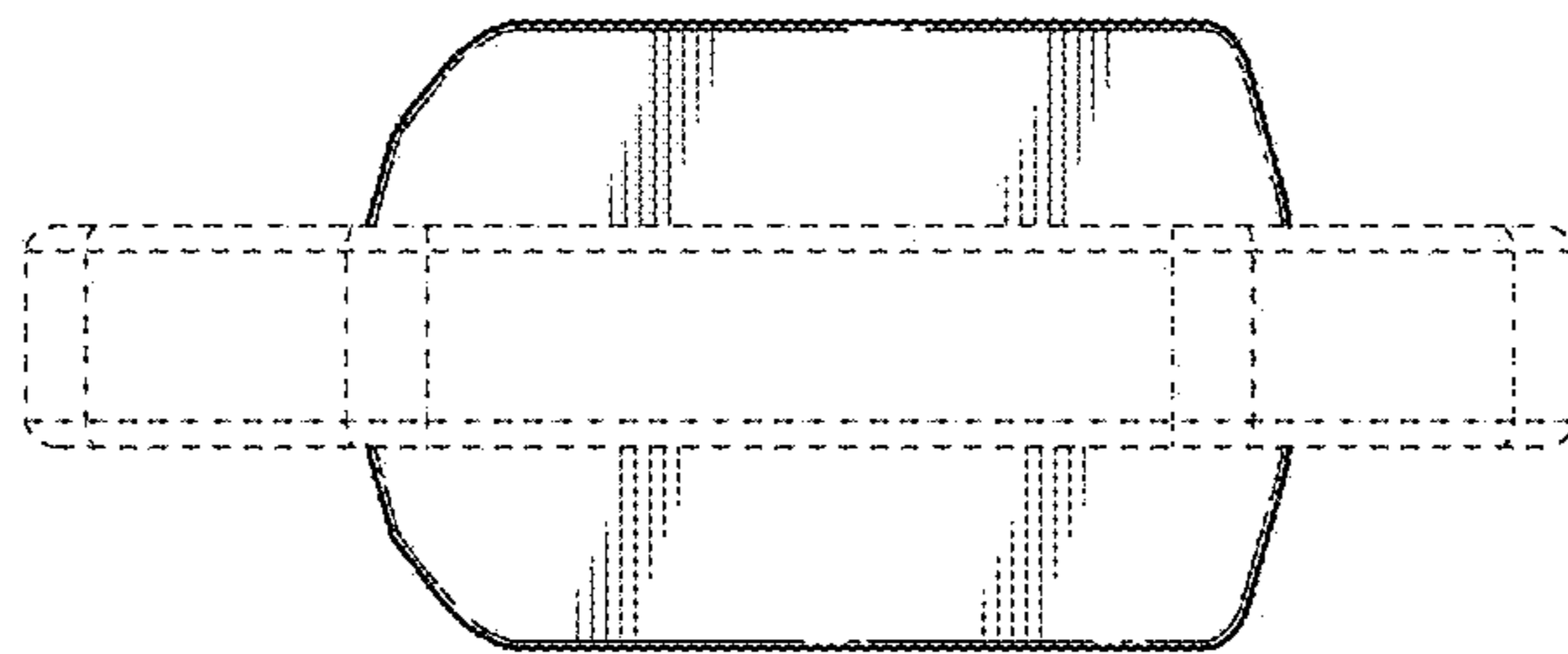


FIG. 6

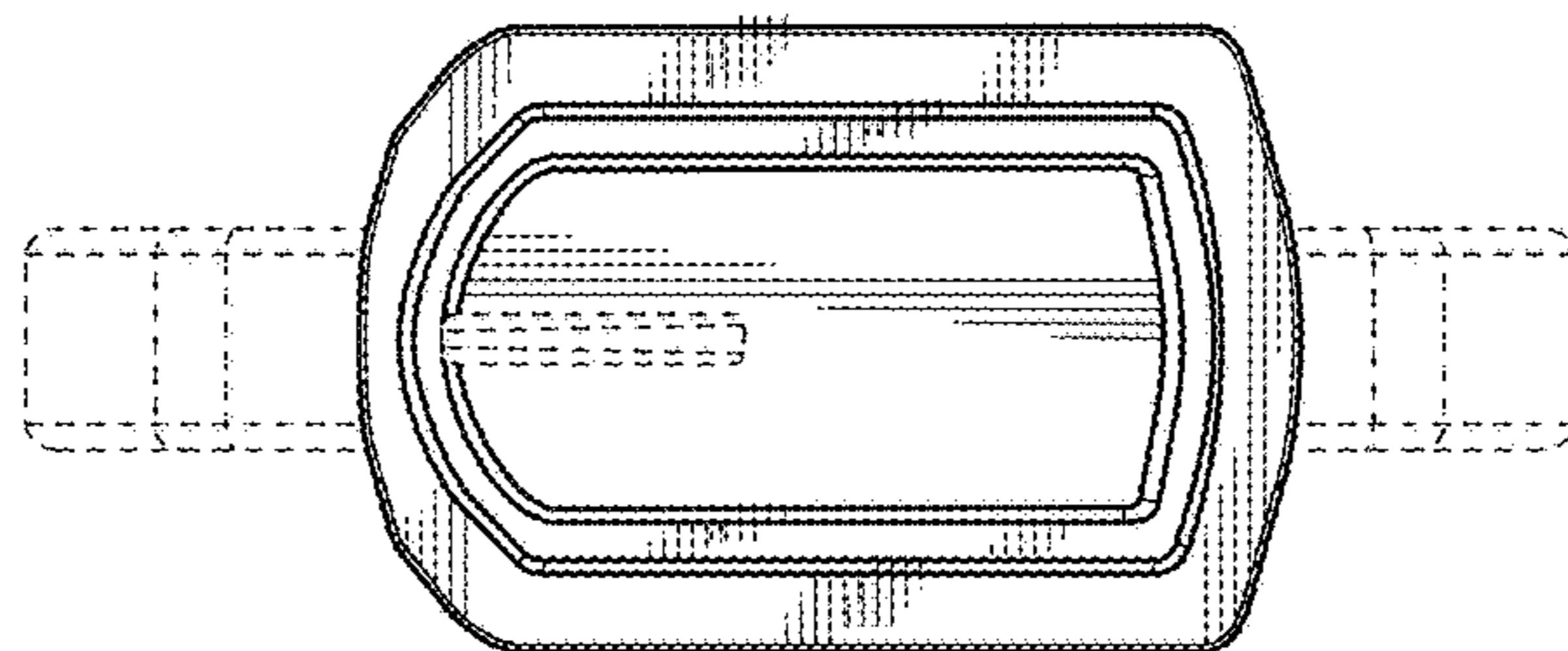


FIG. 7