



US00D839378S

(12) **United States Design Patent** (10) **Patent No.:** **US D839,378 S**
Storch (45) **Date of Patent:** **** Jan. 29, 2019**

(54) **FIREARM TOP RAIL**
(71) Applicant: **Troy Storch**, Wales, WI (US)
(72) Inventor: **Troy Storch**, Wales, WI (US)
(73) Assignee: **Midwest Industries, Inc.**, Waukesha, WI (US)
(**) Term: **15 Years**
(21) Appl. No.: **29/627,785**

D415,239 S 10/1999 Fell et al.
D435,885 S * 1/2001 Wallace D22/100
6,381,895 B1 5/2002 Keeney et al.
6,418,657 B1 7/2002 Brown
6,490,822 B1 12/2002 Swan
6,499,245 B1 12/2002 Swan
6,508,027 B1 1/2003 Kim
6,606,813 B1 8/2003 Squire et al.
6,618,976 B1 9/2003 Swan
6,655,069 B2 12/2003 Kim
6,779,288 B1 8/2004 Kim
6,792,711 B2 9/2004 Battaglia
6,826,864 B1 12/2004 Houtsma

(Continued)

(22) Filed: **Nov. 29, 2017**
(51) **LOC (11) Cl.** **22-01**
(52) **U.S. Cl.**
USPC **D22/110**
(58) **Field of Classification Search**
USPC D21/300, 301, 304, 387, 567, 570, 571,
D21/573, 574, 575, 746; D22/100, 101,
D22/102, 103, 106, 107, 108, 109, 110,
D22/111, 112, 199
CPC F41A 3/26; F41A 3/12; F41A 5/02; F41A
17/22; F41B 5/143; F41B 5/14; F41B
5/066; F41B 7/08; F41B 5/1446; F41B
5/148; F41B 5/1465; F42B 6/04; F42B
6/08; F42B 6/02; F42B 6/06; F42B
12/362; F41C 23/16; F41C 27/00; F41C
7/00; F41G 11/003; F41G 11/001; F41G
11/004; F41G 11/005; A63H 5/04
See application file for complete search history.

OTHER PUBLICATIONS

<https://www.thefirearmblog.com/blog/2017/12/08/mp5-top-rail/>—
Published Dec. 8, 2017.*

(Continued)

Primary Examiner — Manpreet S Matharu
Assistant Examiner — Mojtaba Tehrani
(74) *Attorney, Agent, or Firm* — Boyle Fredrickson S.C.

(57) **CLAIM**

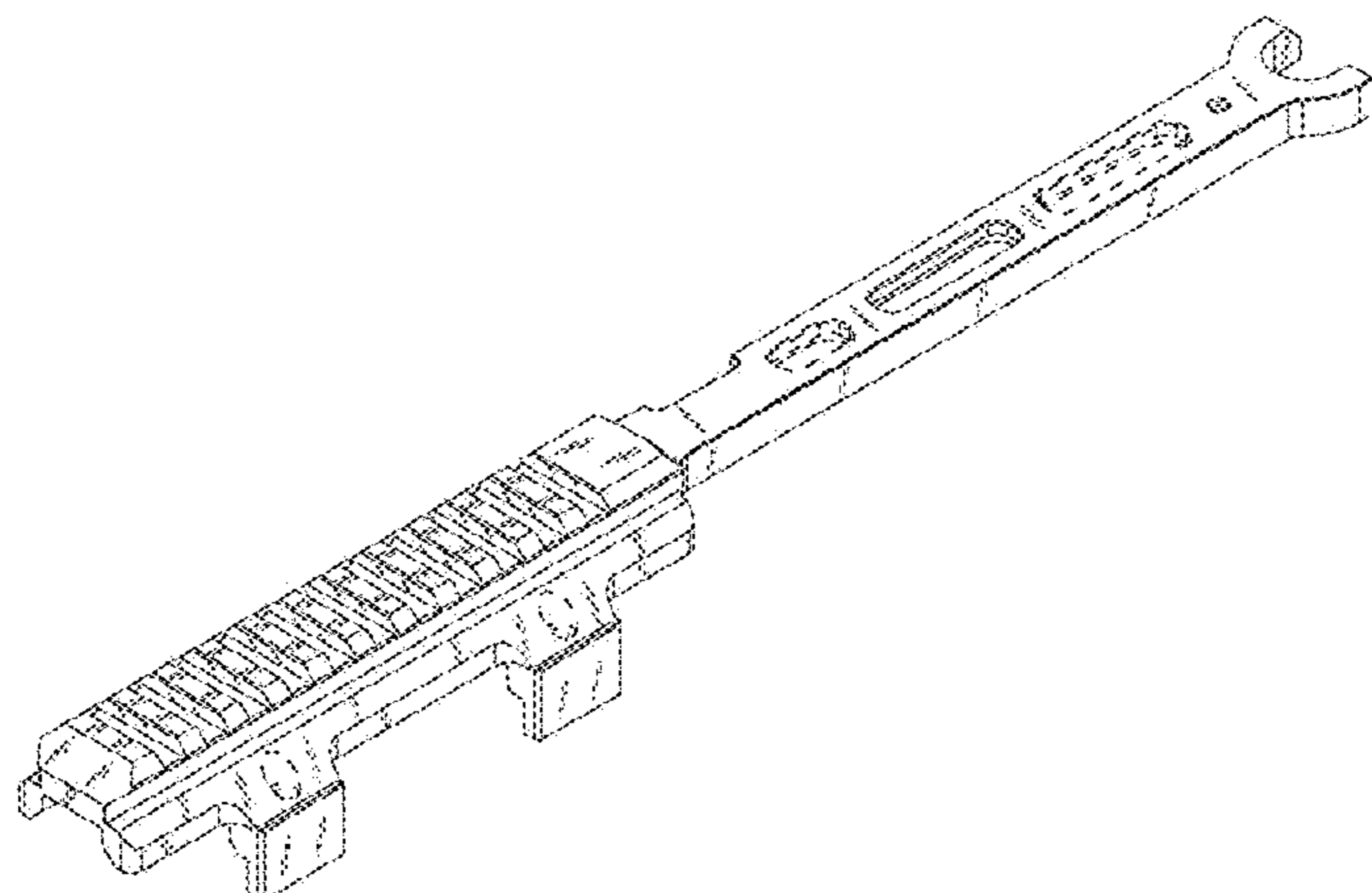
The ornamental design for a firearm top rail, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a firearm top rail showing my new design;
FIG. 2 is a left side elevation view thereof;
FIG. 3 is a right side elevation view thereof;
FIG. 4 is a top plan view thereof;
FIG. 5 is a bottom plan view thereof;
FIG. 6 is a rear side elevation view thereof; and,
FIG. 7 is a front side elevation view thereof.
The broken line in the drawings depicts unclaimed portion of the top rail only and forms no part of the claimed design.

(56) **References Cited**
U.S. PATENT DOCUMENTS
3,798,818 A 3/1974 Casull
4,751,610 A 6/1988 Nickola
4,845,871 A 7/1989 Swan
5,343,650 A 9/1994 Swan
5,375,361 A 12/1994 Rustick
5,590,484 A 1/1997 Mooney et al.
D410,061 S * 5/1999 Emerson D22/100

1 Claim, 6 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

6,839,998 B1 1/2005 Armstrong
 D508,726 S 8/2005 Storch
 D513,056 S 12/2005 Ding
 D513,298 S 12/2005 Ding
 D513,299 S 12/2005 Ding
 D513,633 S 1/2006 Ding
 D516,157 S 2/2006 Ding
 7,059,076 B2 6/2006 Stoner et al.
 7,096,620 B2 8/2006 Zeh
 D533,618 S 12/2006 Swan
 D537,901 S 3/2007 Elkaim
 D537,902 S 3/2007 Elkaim
 7,191,557 B2 3/2007 Gablowski et al.
 D542,880 S 5/2007 Cheng
 D543,605 S 5/2007 Cheng
 7,216,451 B1 5/2007 Troy
 D555,750 S 11/2007 Cheng
 D555,751 S 11/2007 Cheng
 7,305,789 B2* 12/2007 Frost F41G 11/003
 42/124
 D577,094 S * 9/2008 Wallace D22/109
 D578,177 S * 10/2008 Norberg D22/110
 D579,511 S * 10/2008 Norberg D22/110
 7,444,776 B2 11/2008 Adams
 7,552,558 B1 6/2009 Ballard
 7,707,762 B1 5/2010 Swan
 7,802,392 B2 9/2010 Peterson et al.
 D625,765 S 10/2010 Storch
 7,836,625 B2 11/2010 Swan et al.
 D634,389 S * 3/2011 Lin D22/108
 D637,683 S * 5/2011 Salsman, Sr. D22/108
 D652,471 S 1/2012 Storch
 D654,134 S * 2/2012 Edge D22/108
 D654,135 S * 2/2012 Edge D22/108
 8,201,353 B1 6/2012 Swan
 8,215,046 B2 7/2012 Chvala
 D670,352 S 11/2012 Norberg et al.
 D676,095 S * 2/2013 Peterson D22/108
 D680,186 S * 4/2013 Fesas D22/108
 8,407,925 B2* 4/2013 Fesas F41A 3/66
 42/124
 8,424,234 B2 4/2013 Carlson et al.
 D683,807 S 6/2013 Elkaim
 8,468,733 B2 6/2013 Deros
 8,522,469 B2* 9/2013 Baker F41G 11/003
 42/124
 8,650,794 B2 2/2014 Swan et al.
 D705,885 S * 5/2014 Peterson D22/108
 8,752,320 B2 6/2014 Masters
 8,769,854 B1 7/2014 Battaglia
 D710,964 S * 8/2014 Chvala D22/108
 8,793,921 B1 8/2014 Tonello et al.
 8,806,792 B2 8/2014 Yan et al.
 8,819,980 B2 9/2014 Geissele
 D718,832 S * 12/2014 Huang D22/108
 D726,864 S * 4/2015 Huang, Sr. D22/108
 9,015,982 B1* 4/2015 Powers F41G 1/44
 42/119
 D732,628 S * 6/2015 Cheng D22/108
 D733,249 S * 6/2015 Cheng D22/109
 9,068,801 B1 6/2015 Stecher et al.
 D734,827 S * 7/2015 Pearson D22/108
 9,091,505 B1 7/2015 Battaglia
 D737,923 S * 9/2015 Norberg D22/108

D737,925 S * 9/2015 Norberg D22/109
 9,157,696 B2 10/2015 Dextraze
 D744,459 S 12/2015 Cummings et al.
 9,222,756 B1 12/2015 Battaglia et al.
 D747,426 S * 1/2016 Cheng D22/108
 9,239,209 B2 1/2016 Mayberry et al.
 9,239,210 B2 1/2016 Mayberry et al.
 9,285,186 B1* 3/2016 Di Veroli F41G 1/06
 9,297,609 B2 3/2016 Burt
 D757,201 S * 5/2016 Meier D22/108
 9,341,441 B2 5/2016 Cheng et al.
 9,377,274 B2 6/2016 Kincel
 D760,861 S * 7/2016 Geiger D22/108
 D761,929 S * 7/2016 Hormann D22/108
 9,404,714 B2 8/2016 Langevin et al.
 9,417,034 B1 8/2016 Swan
 9,453,694 B1 9/2016 Storch
 9,494,382 B2 11/2016 Storch
 D776,224 S 1/2017 Storch
 D787,007 S * 5/2017 Maughn D22/108
 D791,899 S * 7/2017 Fesas D22/108
 9,766,035 B2 9/2017 Storch
 D822,143 S * 7/2018 Alldredge D22/109
 D825,022 S * 8/2018 Geissele D22/109
 10,041,766 B2* 8/2018 Maughn F41G 11/003
 2003/0101632 A1 6/2003 Davenport et al.
 2003/0106252 A1 6/2003 Hines
 2003/0230022 A1 12/2003 Battaglia
 2004/0000083 A1 1/2004 Grant
 2005/0217161 A1 10/2005 Haugen et al.
 2006/0053673 A1 3/2006 Murello
 2007/0199225 A1* 8/2007 Haugen F41G 11/003
 42/85
 2008/0092422 A1 4/2008 Daniel et al.
 2009/0038198 A1 2/2009 Yu
 2009/0126538 A1 5/2009 Miers
 2010/0037505 A1* 2/2010 Romer F41C 27/00
 42/124
 2012/0102804 A1* 5/2012 Fesas F41A 3/66
 42/90
 2012/0167434 A1 7/2012 Masters
 2012/0169000 A1 7/2012 Lin et al.
 2013/0074394 A1 3/2013 LaRue
 2013/0219765 A1 8/2013 Ibaruren
 2014/0041273 A1 2/2014 Masters
 2014/0130390 A1 5/2014 Geissele
 2014/0373419 A1 12/2014 Leclair
 2015/0020429 A1 1/2015 Savoy et al.
 2015/0253104 A1* 9/2015 Holland F41G 11/003
 42/71.01
 2015/0369555 A1 12/2015 Daniel et al.
 2016/0223286 A1 8/2016 Storch

OTHER PUBLICATIONS

http://airsoft.tiger11hk.com/p18271/EAIMING-Metal-Strike-Front-Tactical-Rail-Set-for-MP5-AEG/product_info.html—Retrieved Aug. 28, 2018.*
<https://www.amazon.com/dp/B000KELQQS>—Retrieved Aug. 28, 2018.*
 Storch, U.S. Appl. No. 29/607,212.
 Storch, U.S. Appl. No. 29/607,214.
 Storch, U.S. Appl. No. 29/607,216.
 Storch, U.S. Appl. No. 29/627,117.

* cited by examiner

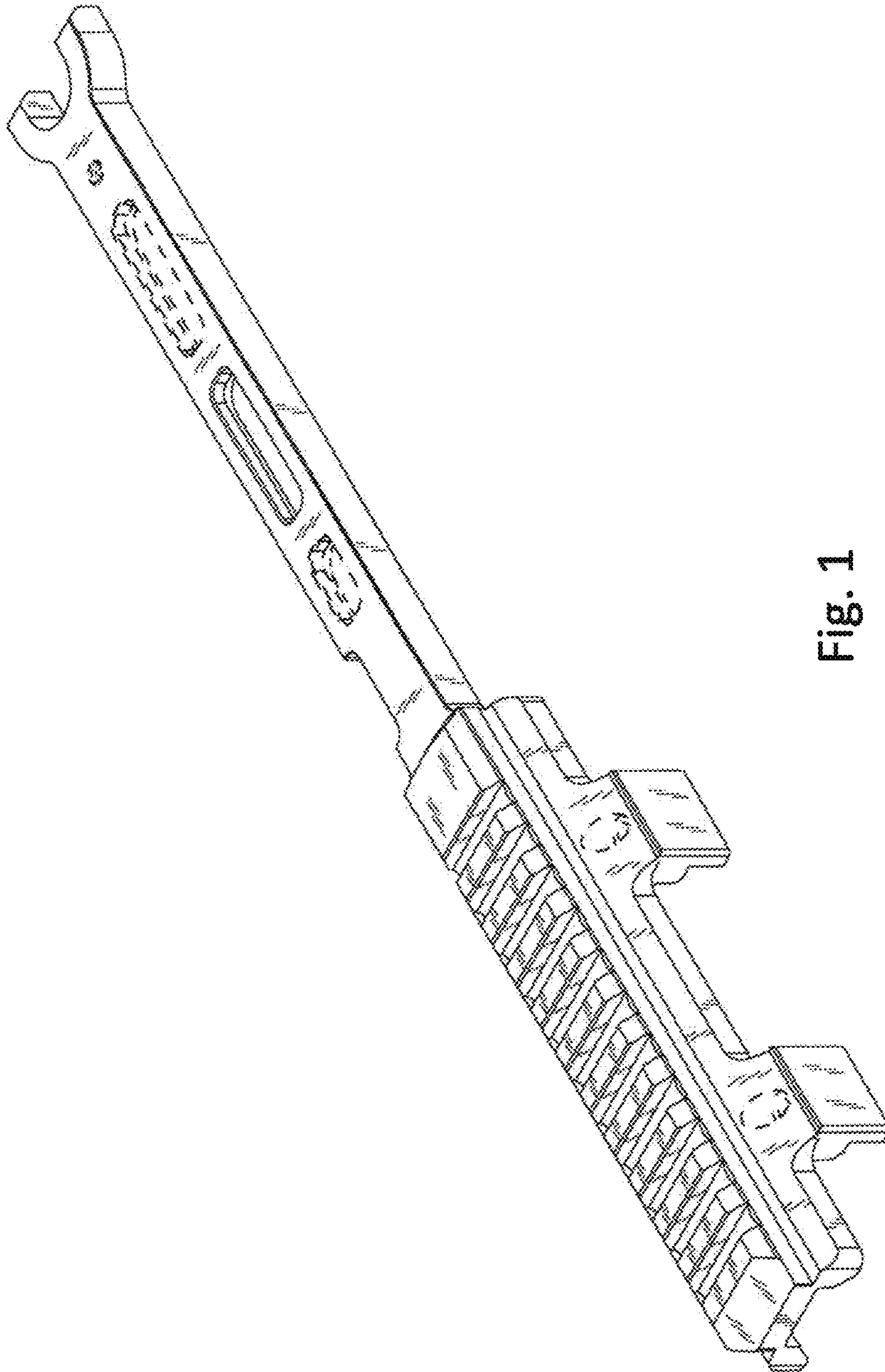


Fig. 1

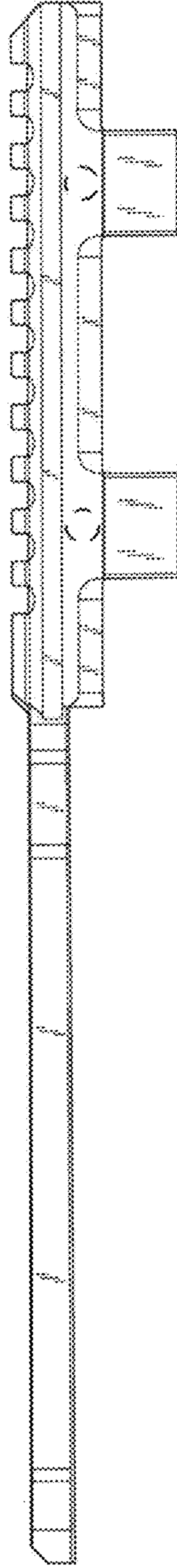


Fig. 2

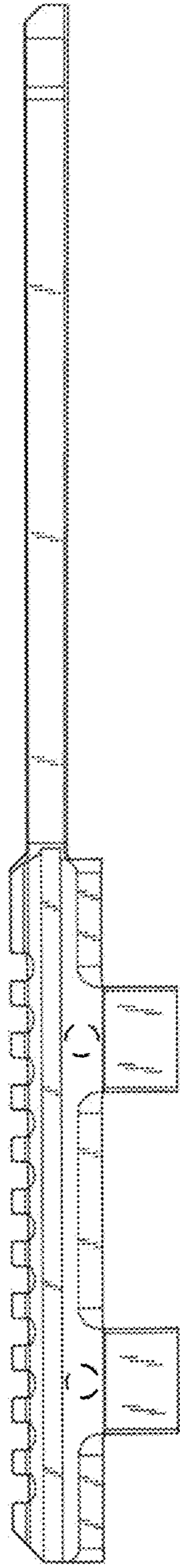


Fig. 3

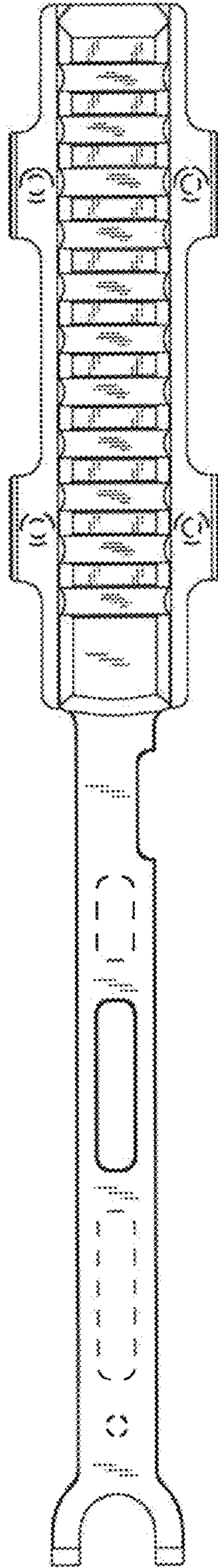


Fig. 4

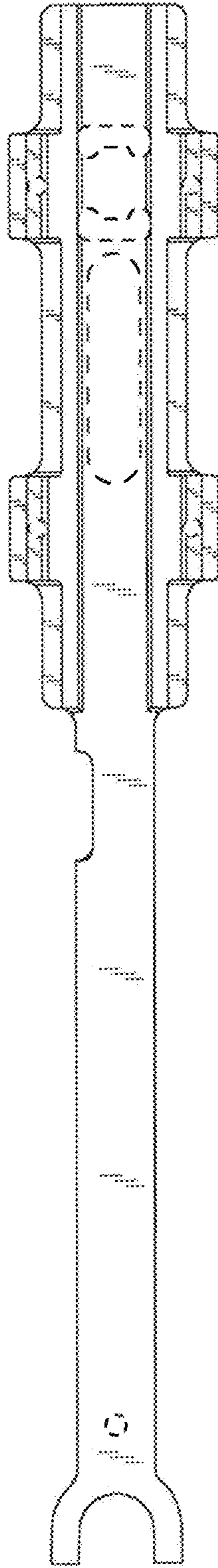


Fig. 5

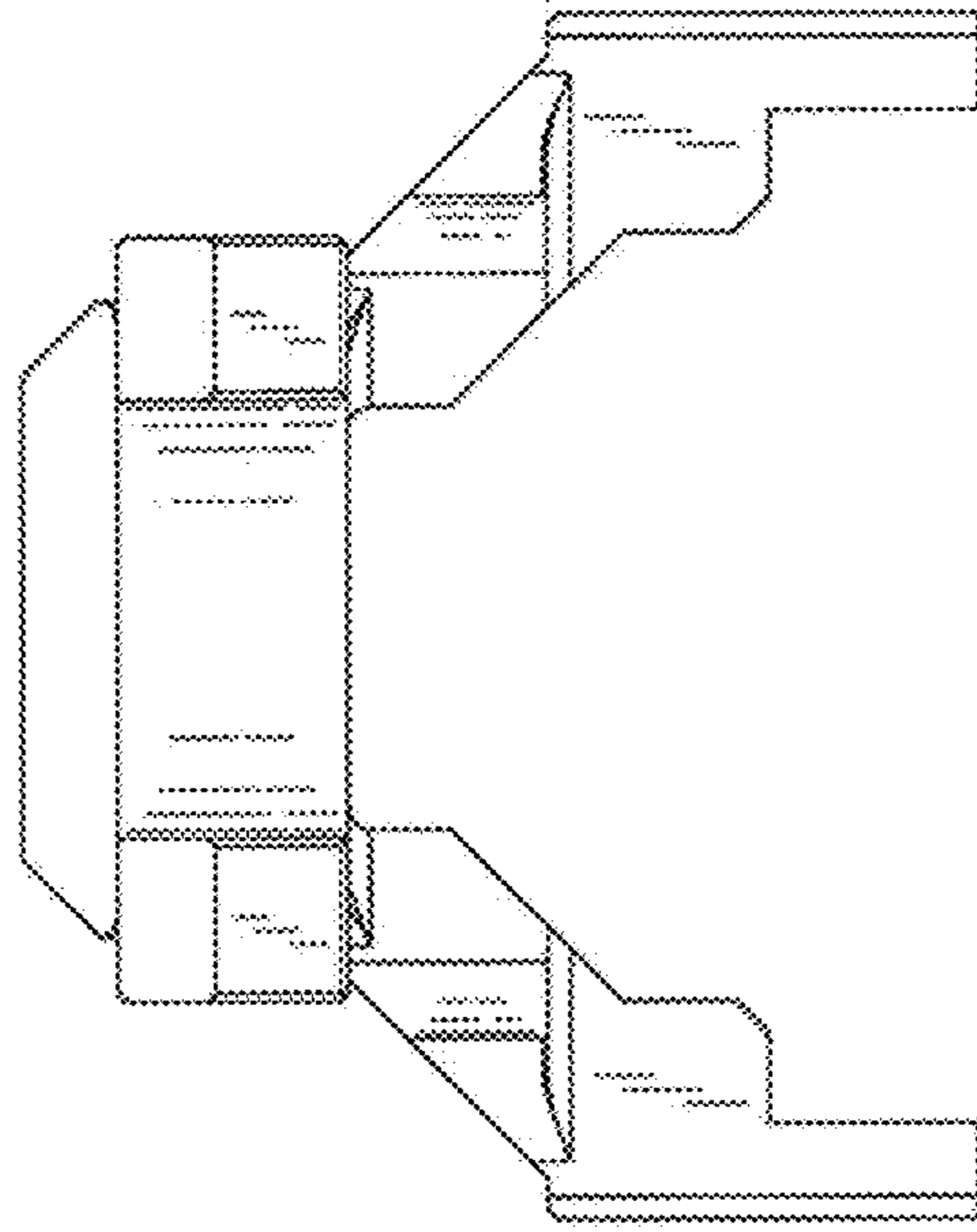


Fig. 6

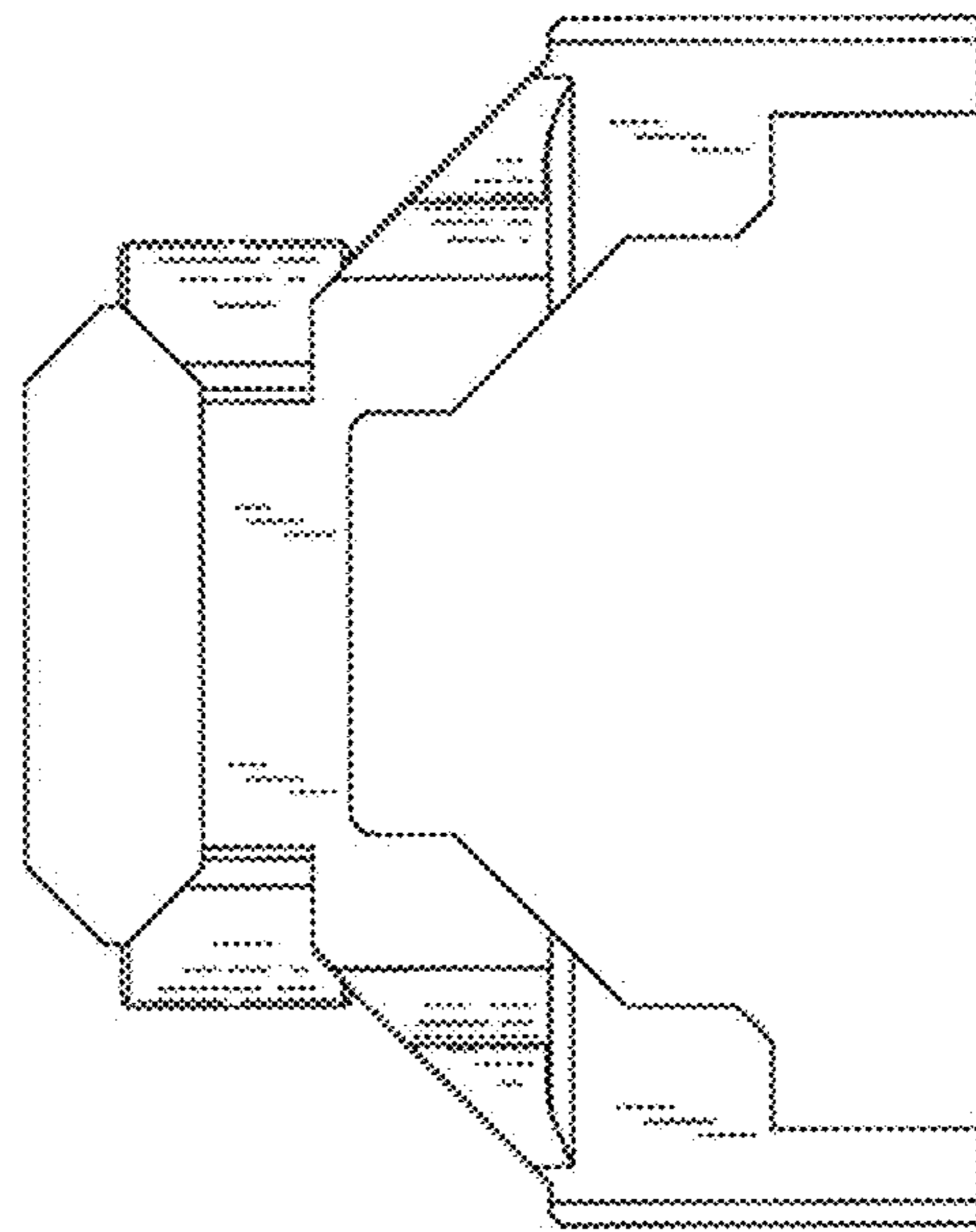


Fig. 7