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(12) **United States Design Patent** (10) **Patent No.:** **US D842,497 S**  
**Apanovich et al.** (45) **Date of Patent:** **\*\* Mar. 5, 2019**

(54) **CONTROL JOINT WITH RIBBED AND PERFORATED FLANGES**

products/metal-trims-and-finishing-products/093-zinc-control-joint-zncj.

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(Continued)

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(57) **CLAIM**

The ornamental design for a control joint with ribbed and perforated flanges, as shown and described.

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

**DESCRIPTION**

(21) Appl. No.: **29/590,209**

(22) Filed: **Jan. 9, 2017**

(51) **LOC (11) Cl.** ..... **25-01**

(52) **U.S. Cl.**  
USPC ..... **D25/119**; D25/199

(58) **Field of Classification Search**  
USPC ..... D25/60, 119–125, 164, 199; D23/393  
(Continued)

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

1,224,077 A \* 4/1917 Crumbaugh ..... E04F 13/04  
52/451  
1,555,392 A \* 9/1925 Tracy ..... E04F 19/04  
52/273

(Continued)

**FOREIGN PATENT DOCUMENTS**

AU 653276 9/1994  
BE 1019998 A3 3/2013

(Continued)

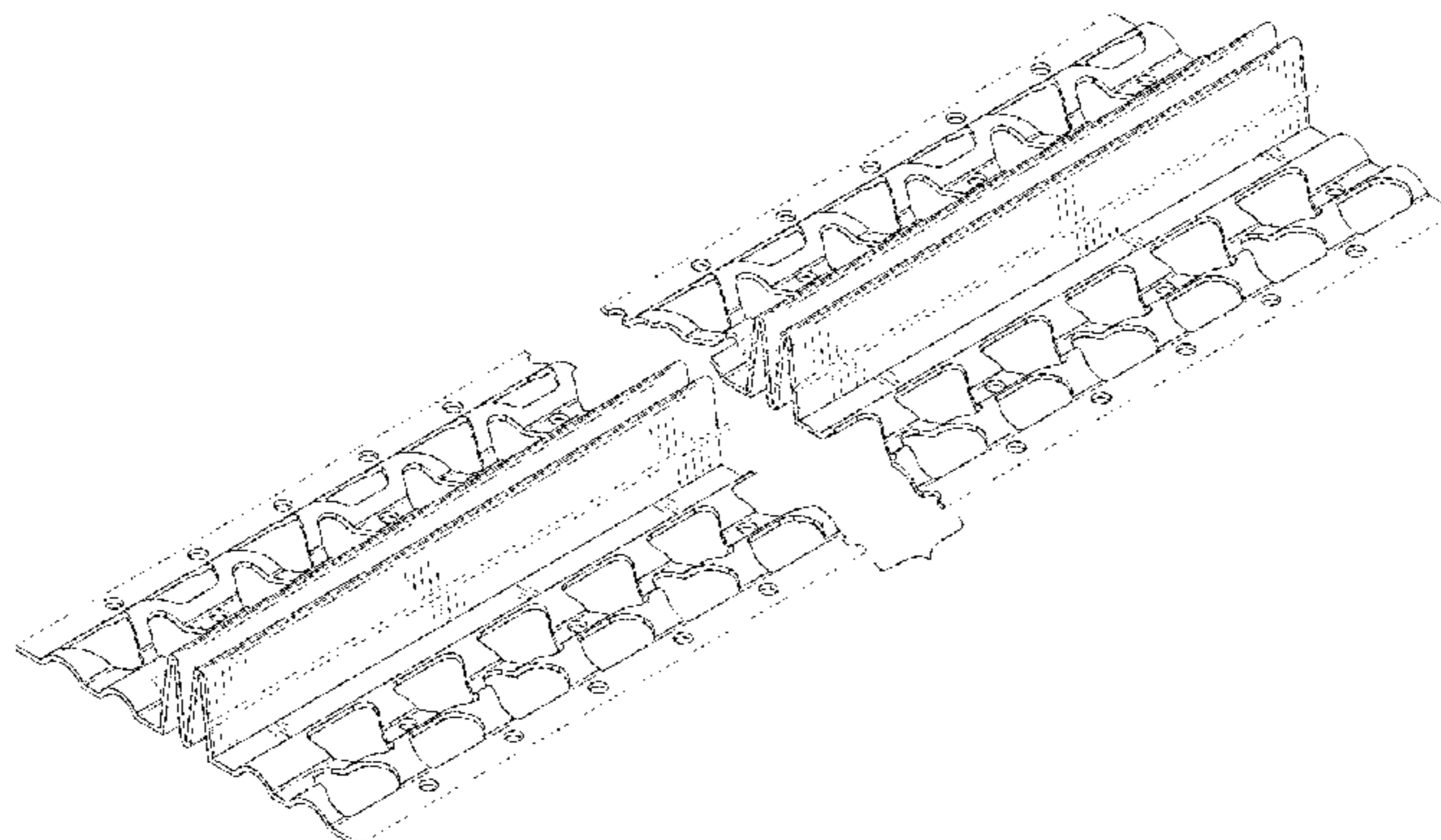
**OTHER PUBLICATIONS**

"#093 Zinc Control Joint (ZNCJ)," ClarkDietrich, 2015, 1 pg.  
downloaded Jan. 28, 2016 from <http://www.clarkdietrich.com/>

FIG. 1 is a top perspective view of a control joint with ribbed and perforated flanges, showing our new design;  
FIG. 2 is a bottom perspective view of the control joint with ribbed and perforated flanges of FIG. 1  
FIG. 3 is a front elevational view of the control joint with ribbed and perforated flanges of FIG. 1;  
FIG. 4 is a rear elevational view of the control joint with ribbed and perforated flanges of FIG. 1;  
FIG. 5 is a left elevational view of the control joint with ribbed and perforated flanges;  
FIG. 6 is a right elevational view of the control joint with ribbed and perforated flanges of FIG. 1;  
FIG. 7 is a top plan view of the control joint with ribbed and perforated flanges of FIG. 1; and,  
FIG. 8 is a bottom plan view of the control joint with ribbed and perforated flanges of FIG. 1.

The broken lines in FIGS. 1-8 are included for purposes of illustrating portions of the control joint with ribbed and perforated flanges that form no part of the claimed design. The control joint with ribbed and perforated flanges is shown with a symbolic break in its length. The symbolic break is depicted using dash-dot lines and brackets. The appearance of any portion of the control joint with ribbed and perforated flanges between and including the break lines forms no part of the claimed design.

**1 Claim, 6 Drawing Sheets**



(58) **Field of Classification Search**  
 CPC ..... E04F 13/04; E04F 13/042; E04F 13/045;  
 E04F 13/06; E04F 13/068; E04F 13/07;  
 E04F 2013/061; E04F 2013/063; E04F  
 2013/065; E04F 2013/066; E04F 19/02;  
 E04F 19/022; E04F 19/024; E04F 19/026;  
 E04F 19/028; E04F 19/04; E04F 19/0436;  
 E04F 19/06; E04B 1/54; E04B 1/68;  
 E04B 1/6801; E04B 1/6803; E04B  
 1/6806; E04B 1/6807; E04B 1/6809;  
 E04B 1/681; E04B 1/6812; E04B 1/6813;  
 E04B 1/6815; E04B 1/6816  
 See application file for complete search history.

D459,007 S \* 6/2002 Campacci ..... D25/119  
 6,470,638 B1 10/2002 Larson  
 D471,991 S \* 3/2003 Maylon ..... D25/119  
 D477,420 S \* 7/2003 Butcher ..... D25/119  
 6,591,559 B2 7/2003 Contreras et al.  
 6,609,341 B2 8/2003 Maylon et al.  
 6,691,476 B1 2/2004 Kunz  
 6,698,144 B1 3/2004 Larson  
 6,751,919 B2\* 6/2004 Calixto ..... E04B 1/6815  
 404/49  
 D503,227 S \* 3/2005 Rodolfo ..... D23/393  
 D503,469 S \* 3/2005 Rodolfo ..... D23/393  
 D529,630 S 10/2006 Zarb  
 7,200,970 B2 4/2007 Koenig, Jr. et al.  
 D551,783 S 9/2007 Lowman  
 7,284,357 B2\* 10/2007 McInerney ..... E04B 5/00  
 52/396.03

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,736,873 A \* 11/1929 Barton ..... E04F 13/04  
 52/674  
 1,853,310 A 4/1932 Land  
 1,958,391 A \* 5/1934 Hall ..... E01C 11/123  
 404/47  
 2,167,998 A 8/1939 Reid  
 2,224,148 A \* 12/1940 Fischer ..... E01C 11/14  
 404/61  
 2,298,251 A \* 10/1942 Burson ..... E04F 13/045  
 52/238.1  
 2,350,790 A 6/1944 McCarthy  
 2,679,156 A \* 5/1954 McFarland ..... E04F 13/04  
 52/371  
 3,015,194 A \* 1/1962 Clark ..... E04B 1/6807  
 404/47  
 D200,699 S \* 3/1965 Pappas ..... D6/683.1  
 3,192,577 A \* 7/1965 Barr ..... E04B 1/6803  
 404/47  
 3,295,268 A \* 1/1967 Gaither ..... E04F 13/06  
 52/255  
 3,412,512 A 11/1968 Hollister  
 3,515,373 A 6/1970 Abbe  
 3,754,367 A 8/1973 O’Konski et al.  
 D230,583 S \* 3/1974 La Borde ..... D25/121  
 3,964,220 A \* 6/1976 Rutkowski ..... E04F 13/06  
 52/100  
 D250,420 S 11/1978 Ward  
 4,374,442 A \* 2/1983 Hein ..... E01D 19/06  
 14/73.1  
 4,825,612 A 5/1989 Tupman  
 5,067,297 A 11/1991 Sobol  
 5,269,624 A \* 12/1993 Kramer ..... E01D 19/06  
 404/64  
 5,365,713 A \* 11/1994 Nicholas ..... E04B 1/681  
 52/396.03  
 5,419,084 A 5/1995 Sankey et al.  
 5,423,154 A 6/1995 Maylon et al.  
 5,477,643 A \* 12/1995 Koenig, Jr. .... E04F 13/06  
 52/100  
 5,531,051 A \* 7/1996 Chenier, Jr. .... E04F 13/06  
 52/255  
 5,625,986 A 5/1997 Mansfield et al.  
 5,649,784 A \* 7/1997 Ricaud ..... E01D 19/067  
 14/73.1  
 5,699,638 A \* 12/1997 Maylon ..... E04F 13/06  
 52/255  
 5,761,866 A 6/1998 Maylon  
 5,946,870 A 9/1999 Bifano et al.  
 5,970,671 A 10/1999 Bifano et al.  
 6,119,429 A 9/2000 Bifano et al.  
 6,134,847 A 10/2000 Bifano et al.  
 6,189,273 B1\* 2/2001 Larson ..... E04F 13/06  
 52/255  
 6,293,064 B1 9/2001 Larson  
 6,298,609 B1\* 10/2001 Bifano ..... E04F 13/06  
 52/101  
 D456,528 S \* 4/2002 Maylon ..... D25/121

7,296,387 B2 11/2007 Milu  
 D575,139 S \* 8/2008 LePoire ..... D8/349  
 7,634,883 B1\* 12/2009 Larson ..... E04F 13/06  
 52/393  
 7,654,049 B2 2/2010 Koenig, Jr. et al.  
 7,673,428 B1 3/2010 Smythe  
 7,757,450 B2\* 7/2010 Reyes ..... E04F 13/06  
 14/73.5  
 D652,532 S 1/2012 Letham  
 D652,955 S 1/2012 Budzik  
 D656,603 S 3/2012 Egan et al.  
 8,511,016 B2 8/2013 Smythe, Jr.  
 D693,483 S 11/2013 Krieger  
 8,584,416 B2\* 11/2013 Chenier ..... E04F 13/06  
 52/393  
 8,615,950 B1 12/2013 Gomes  
 D700,717 S 3/2014 Campacci  
 D703,306 S 4/2014 Little et al.  
 D703,307 S 4/2014 Little et al.  
 D711,556 S 8/2014 Singh  
 8,869,491 B2\* 10/2014 Little ..... E04F 13/06  
 52/255  
 8,875,468 B2\* 11/2014 Dhinjan ..... E04F 13/06  
 52/255  
 8,910,437 B2\* 12/2014 Robertson ..... E04F 13/06  
 52/255  
 D742,546 S 11/2015 Singh  
 9,200,454 B2 12/2015 Little et al.  
 9,303,413 B2\* 4/2016 Koenig, Jr. .... E04F 19/022  
 D761,971 S \* 7/2016 Apanovich ..... D25/119  
 D762,310 S \* 7/2016 Apanovich ..... D25/119  
 9,422,730 B2 8/2016 Curtis et al.  
 9,428,917 B2\* 8/2016 Rodler ..... E04F 13/06  
 9,435,114 B1\* 9/2016 Preston ..... E04B 1/6801  
 D768,877 S 10/2016 Mumford, Sr.  
 D768,878 S 10/2016 Mumford, Sr.  
 D768,879 S 10/2016 Mumford, Sr.  
 D768,880 S 10/2016 Mumford, Sr.  
 D768,881 S 10/2016 Mumford, Sr.  
 D768,882 S 10/2016 Mumford, Sr.  
 D769,459 S 10/2016 Mumford, Sr.  
 D769,460 S 10/2016 Mumford, Sr.  
 D769,461 S 10/2016 Mumford, Sr.  
 D769,462 S 10/2016 Mumford, Sr.  
 D771,838 S 11/2016 Mumford, Sr.  
 9,494,235 B2\* 11/2016 Winslow ..... E04B 1/6813  
 D774,214 S 12/2016 Mumford, Sr.  
 D792,609 S \* 7/2017 Smith ..... D25/119  
 D792,610 S \* 7/2017 Smith ..... D25/119  
 D800,344 S \* 10/2017 Apanovich ..... D25/119  
 D800,345 S \* 10/2017 Apanovich ..... D25/119  
 D800,346 S \* 10/2017 Apanovich ..... D25/119  
 D800,921 S \* 10/2017 Apanovich ..... D25/119  
 10,017,936 B1\* 7/2018 Preston ..... E04F 13/06  
 2005/0172571 A1 8/2005 Koenig et al.  
 2006/0150553 A1\* 7/2006 Reyes ..... E04F 13/06  
 52/393  
 2007/0022685 A1 2/2007 Koenig et al.  
 2007/0062137 A1 3/2007 Maylon  
 2012/0110936 A1\* 5/2012 Egan ..... E04F 13/06  
 52/255

(56)

**References Cited**

## U.S. PATENT DOCUMENTS

2014/0260019 A1\* 9/2014 Conboy ..... E04F 13/06  
52/255  
2016/0340908 A1\* 11/2016 Apanovich ..... E04F 13/06  
2016/0348357 A1\* 12/2016 Smith ..... E04F 13/06  
2018/0051470 A1\* 2/2018 Smith ..... E04F 13/045

## FOREIGN PATENT DOCUMENTS

CA	19534	S	3/1954
CA	22772	S	10/1959
CA	22773	S	10/1959
CA	2259875	A1	10/1999
CA	2259877	A1	10/1999
CA	93969	S	11/2001
CA	107604	S	12/2005
CA	107605	S	12/2005
CA	107606	S	12/2005
CA	107607	S	12/2005
CA	127416	S	9/2009
CA	2771711	A1	3/2011
CA	139128	S	1/2012
CA	2816036	A1	5/2012
CA	146178	S	11/2013
CA	151311	S	8/2014
CA	158042	S	6/2015
DE	29615211	U1	10/1996
EP	0161532	A2	11/1985
EP	0324918	A1	7/1989
EP	0473393	A1	3/1992
GB	361490	A	11/1931
GB	2233381	A	1/1991
WO	WO 2007/012897	A1	2/2007
WO	WO 2014/023620	A1	2/2014

## OTHER PUBLICATIONS

"#15 Double-V Control Joint," ClarkDietrich, 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.clarkdietrich.com/products/metal-expansion-control-joints/15-double-v-control-joint>.  
"#Zinc Double-V Control Joint," ClarkDietrich, 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.clarkdietrich.com/products/zinc-expansion-control-joints/15-zinc-double-v-control-joint>.  
"#30 Corner Master™ Control Joint," ClarkDietrich, 2015, 1 pg. downloaded Jan. 29, 2016 from <http://www.clarkdietrich.com/products/metal-expansion-control-joints/30-corner-master-control-joint>.  
"#40 Two-Piece Expansion Joint," ClarkDietrich, 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.clarkdietrich.com/products/metal-expansion-control-joints/40-two-piece-expansion-joint>.  
"#40 Zinc Two-Piece Expansion Joint," ClarkDietrich, 2015, 1 pg. downloaded Jan. 29, 2016 from <http://www.clarkdietrich.com/products/zinc-expansion-control-joints/40-zinc-two-piece-expansion-joint>.  
"#XJ15 Double-J Control Joint," ClarkDietrich, 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.clarkdietrich.com/products/metal-expansion-control-joints/xj15-double-j-control-joint>.  
"#XJ15 Zinc Double-J Control Joint," ClarkDietrich, 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.clarkdietrich.com/products/zinc-expansion-control-joints/xj15-zinc-double-j-control-joint>.  
"“F” Control Joinra (Perforated Flanges)," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/drywall-veneer/control-joints/f-control-joints-perforated-flanges>.  
"“F” Control Joints (Unperforated Flanges)," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/drywall-veneer/control-joints/f-control-joints-unperforated-flanges>.  
"BlazeFrame (CJB): “CJB” (Control Joint Backer)," Product Submittal Sheet, ClarkDietrich, May 30, 2014, 1 pg.

"Control Joints & Reveal Combinations," Vinyl Corp., 2015, 2 pgs. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/control-joints/control-joints-reveal-combinations>.  
"Control Joints (Perforated Flanges)," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/drywall-veneer/control-joints/control-joints-perforated-flanges>.  
"Control Joints (Surface Application with Removable Tape)," Vinyl Corp., 2015, 1 pg. from <http://www.vinylcorp.com/products/drywall-veneer/control-joints/control-joints-surface-application-removable-tape>.  
"Control Joints (Unperforated Flanges)," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/drywall-veneer/control-joints/control-joints-unperforated-flanges>.  
"Control Joints (with removable tape)," Vinyl Corp., 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/control-joints/control-joints-removable-tape>.  
"Control Joints," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/control-joints/control-joints>.  
"Corner Control Joints (with Removable Tape)," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/control-joints/corner-control-joints-removable-tape>.  
"Corner Expansion Joints," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/miscellaneous-accessories/corner-expansion-joints>.  
"DEFS “F” Control Joints (w-Removable Tape)," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/eifs-defs/defs-control-joints/defs-f-control-joints-w-removable-tape.1>  
"DEFS Control Joints (w-Removable Tape)," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/eifs-defs/defs-control-joints/defs-control-joints-w-removable-tape>.  
"DS15 Drip," Vinyl Corp., 2015, 1 pg. downloaded Feb. 17, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/miscellaneous-accessories/angle-clips>.  
"DX Expansion Joint," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/drywall-veneer/miscellaneous-accessories/dx-expansion-joint>.  
"Expansion Joints (Slip Joint)," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/expansion-joints/expansion-joints-slip-joint>.  
"F Control Joints (with removable tape)," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/control-joints/f-control-joints-removable-tape>.  
"Female & Male Casing Expansion Joint Components," Vinyl Corp., 2015, 2 pgs. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/miscellaneous-accessories/female-male-casing-expansion-joint-components>.  
"Female Casing Expansion Joint," ClarkDietrich, 2015, 1 pg. downloaded Jan. 29, 2016 from <http://www.clarkdietrich.com/products/vinyl-expansion-control-joints/female-casing-expansion-joint>.  
"Inside Corner Control Joints," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/control-joints/inside-corner-control-joints>.  
"Installation Between Tees," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/acoustical-ceiling/vce-expansion-joints/installation-between-tees>.  
"Installation Between Wall & Tees," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/acoustical-ceiling/vce-expansion-joints/installation-between-wall-tees>.  
"Installation Drywall to Drywall," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/acoustical-ceiling/vce-expansion-joints/installation-drywall-drywall>.  
"Installation on Wall to Drywall," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/acoustical-ceiling/vce-expansion-joints/installation-wall-drywall>.  
"Male Casing Expansion Joint," ClarkDietrich, 2015, 1 pg. downloaded Jan. 29, 2016 from <http://www.clarkdietrich.com/products/vinyl-expansion-control-joints/male-casing-expansion-joint>.

(56)

**References Cited**

## OTHER PUBLICATIONS

"Mid Wall Control Joints," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/control-joints/mid-wall-control-joints>.

"Mini Control Joints," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/control-joints/mini-control-joints>.

"PB Control Joint," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/eifs-defs/eifs-control-joints/pb-control-joint>.

"PM "F" Control Joints (w-Removable Tape 1/4" & 3/8" Finish)," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/eifs-defs/eifs-control-joints/f-control-joints-w-removable-tape-14-38-finish>.

"PM Control Joint (3/8" Finish Systems)," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/eifs-defs/eifs-control-joints/pm-control-joint-38-finish-systems>.

"PM Control Joints (Surface Application w-Removable Tape)," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/product/eifs-defs/eifs-control-joints/pm-control-joint-surface-application-w-removable-tape>.

"Single V Hump Screed," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/control-joints/single-v-hump-screed>.

"Vinyl 093 Control Joint (VCJT)," ClarkDietrich, 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.clarkdietrich.com/products/vinyl-trims-and-finishing-products/vinyl-093-control-joint-vcjt>.

"Vinyl Control Joint W/Tape," ClarkDietrich, 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.clarkdietrich.com/products/vinyl-expansion-control-joints/vinyl-control-joint-w-tape>.

"Vinyl Control Joint," ClarkDietrich, 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.clarkdietrich.com/products/vinyl-expansion-control-joints/vinyl-control-joint>.

"Wide Expansion Joints (Slip Joint)," Vinyl Corp., 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/expansion-joints/wide-expansion-joints-slip-joint>.

"Zinc Control Joints," ClarkDietrich, 2015, 1 pg. downloaded Jan. 28, 2016 from <http://www.clarkdietrich.com/products/zinc-expansion-control-joints/zinc-control-joints>.

"BackerBead™," Vinyl Corp., 2015, 1 pg. downloaded Dec. 6, 2016 from <http://www.vinylcorp.com/products/stucco-plaster/casing-beads/backerbead%E2%84%A2>.

U.S. Office Action, Non-Final, dated Feb. 8, 2017 from U.S. Appl. No. 29/553,901, 11 pgs.

U.S. Office Action, Non-Final, dated Feb. 8, 2017 for U.S. Appl. No. 29/553,903, 9 pgs.

U.S. Office Action, Non-Final, dated Feb. 9, 2017 for U.S. Appl. No. 29/553,907, 8 pgs.

U.S. Office Action, Non-Final, dated May 18, 2017 for U.S. Appl. No. 29/553,909, 8 pgs.

Design U.S. Appl. No. 29/590,207, filed Jan. 9, 2017.

Design U.S. Appl. No. 29/590,212, filed Jan. 9, 2017.

Design U.S. Appl. No. 29/590,216, filed Jan. 9, 2017.

\* cited by examiner

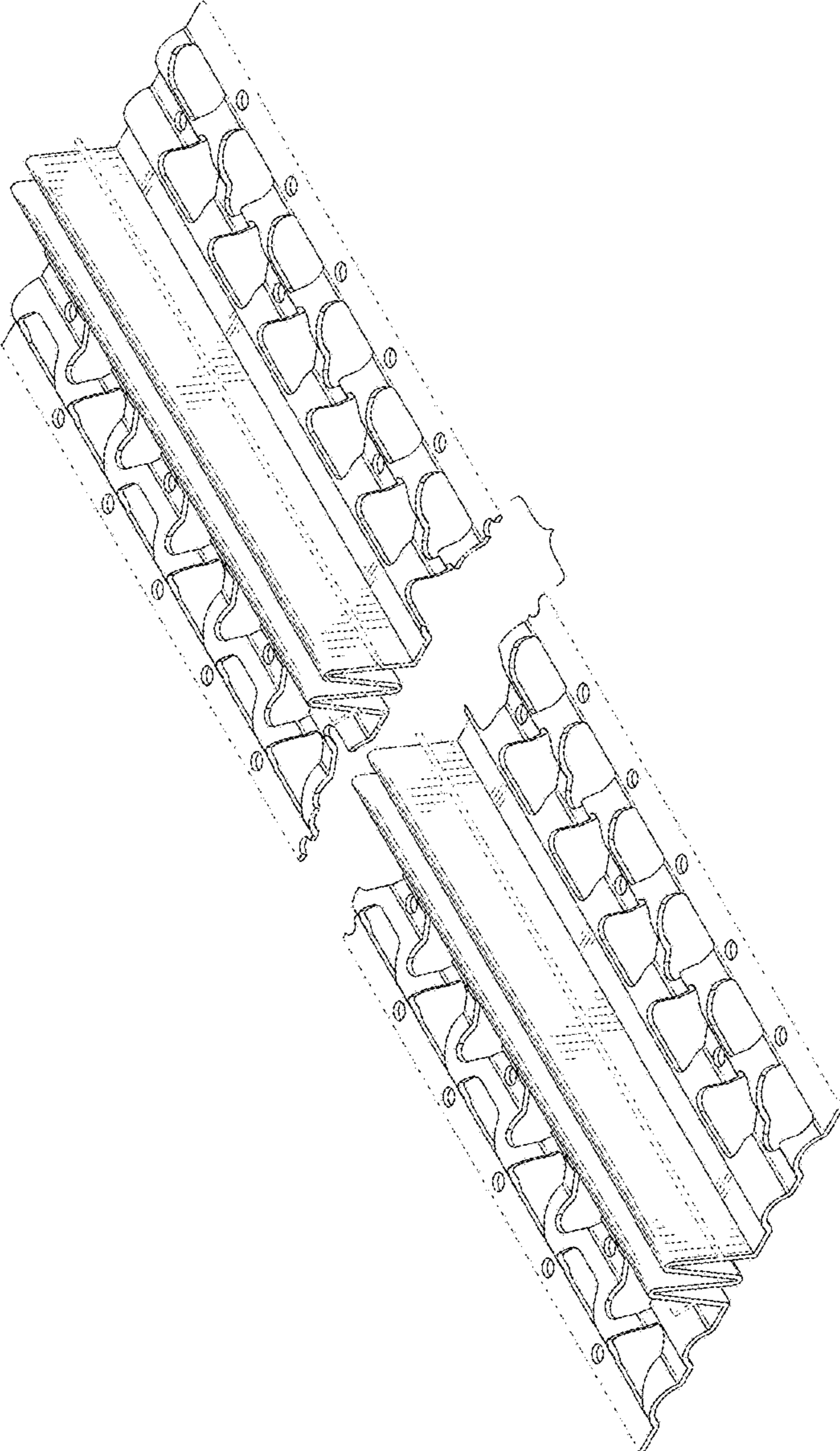


FIG. 1

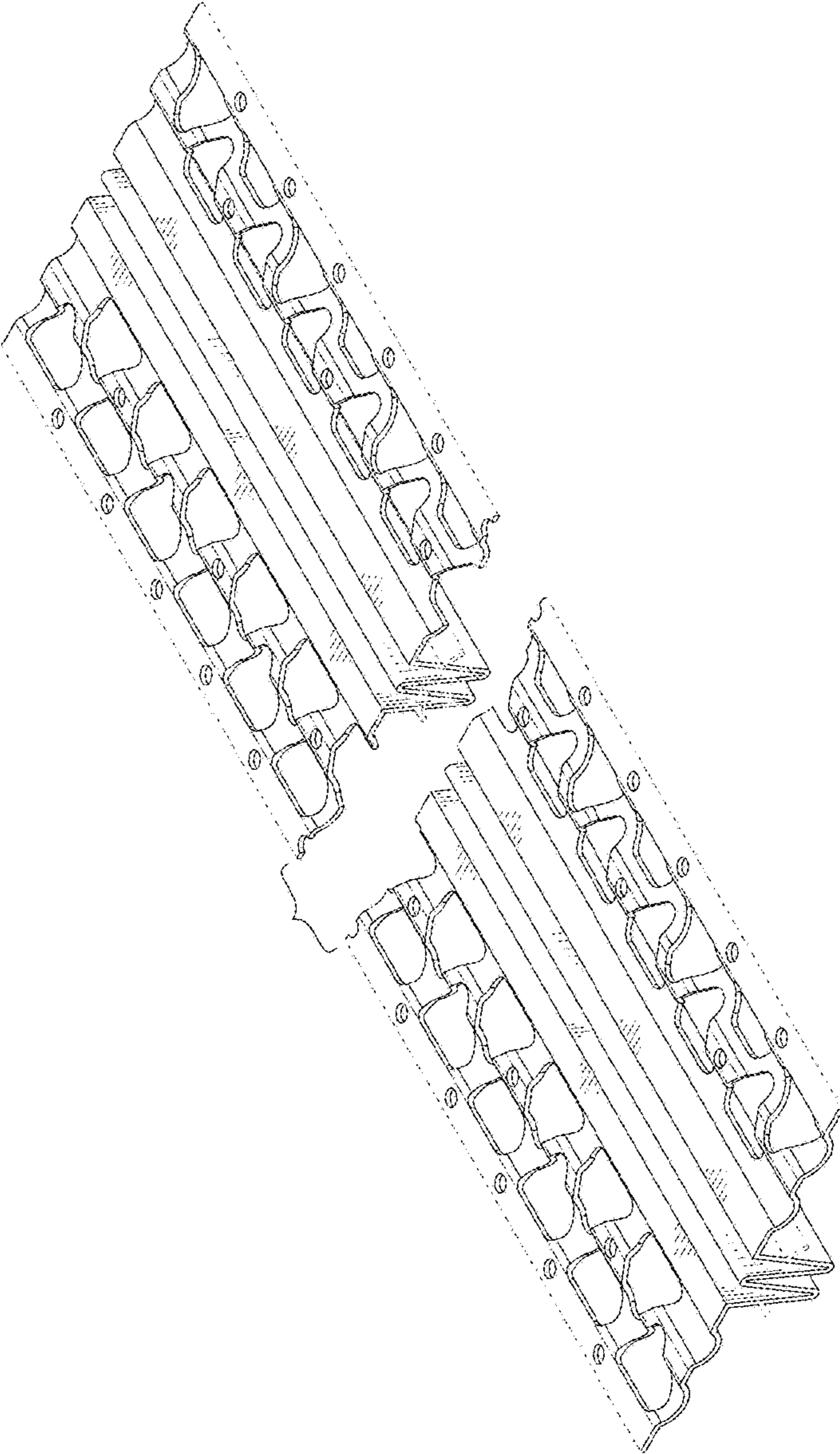


FIG. 2

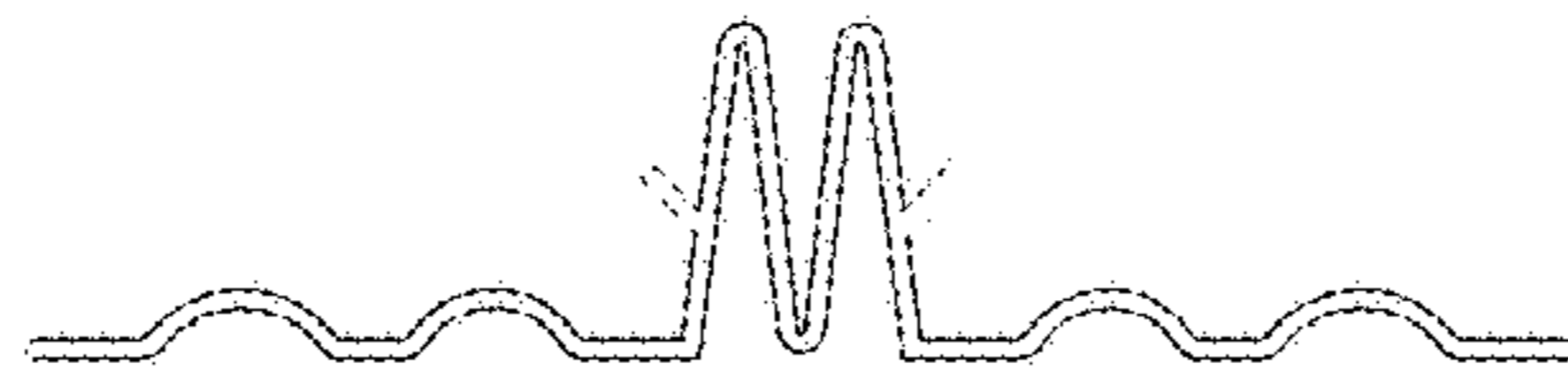


FIG. 3

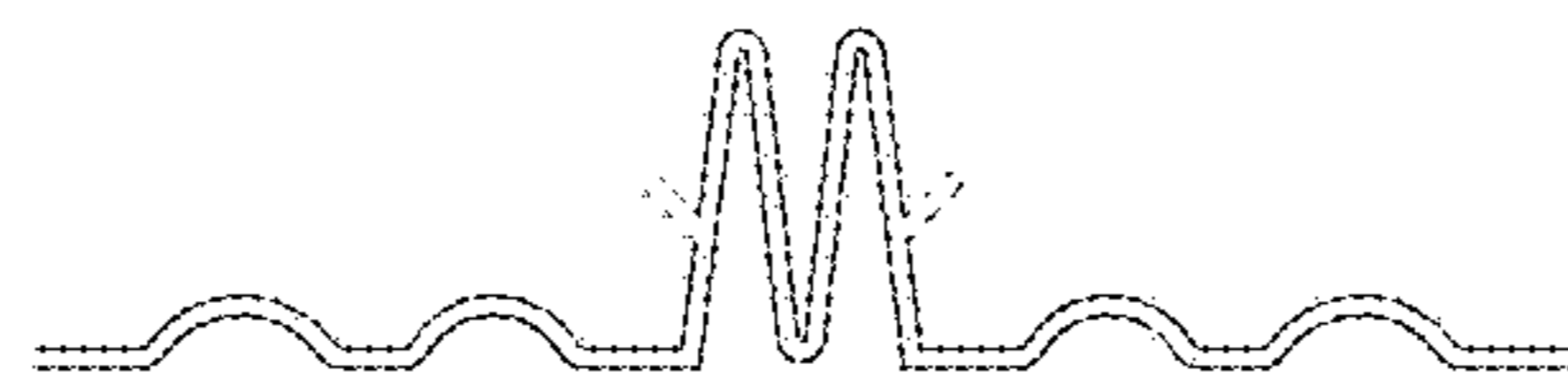


FIG. 4

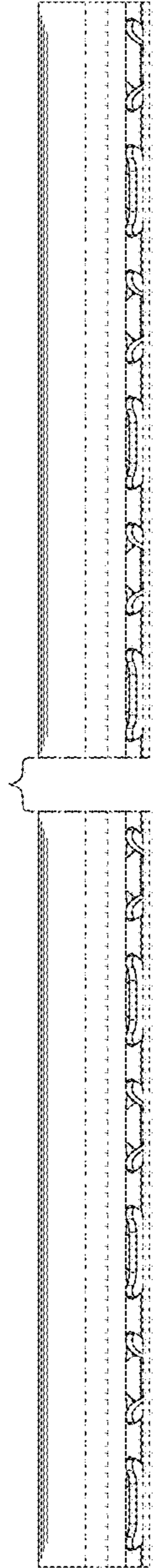


FIG. 5

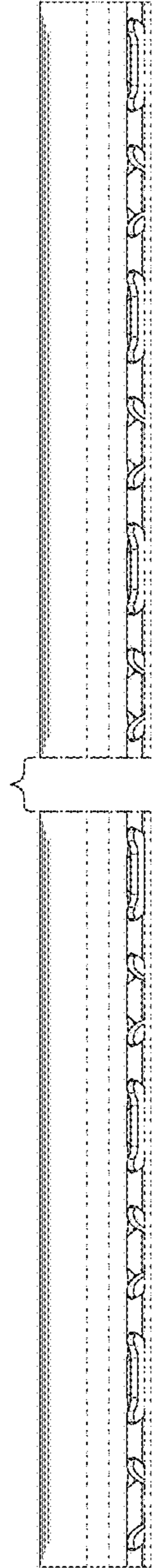


FIG. 6



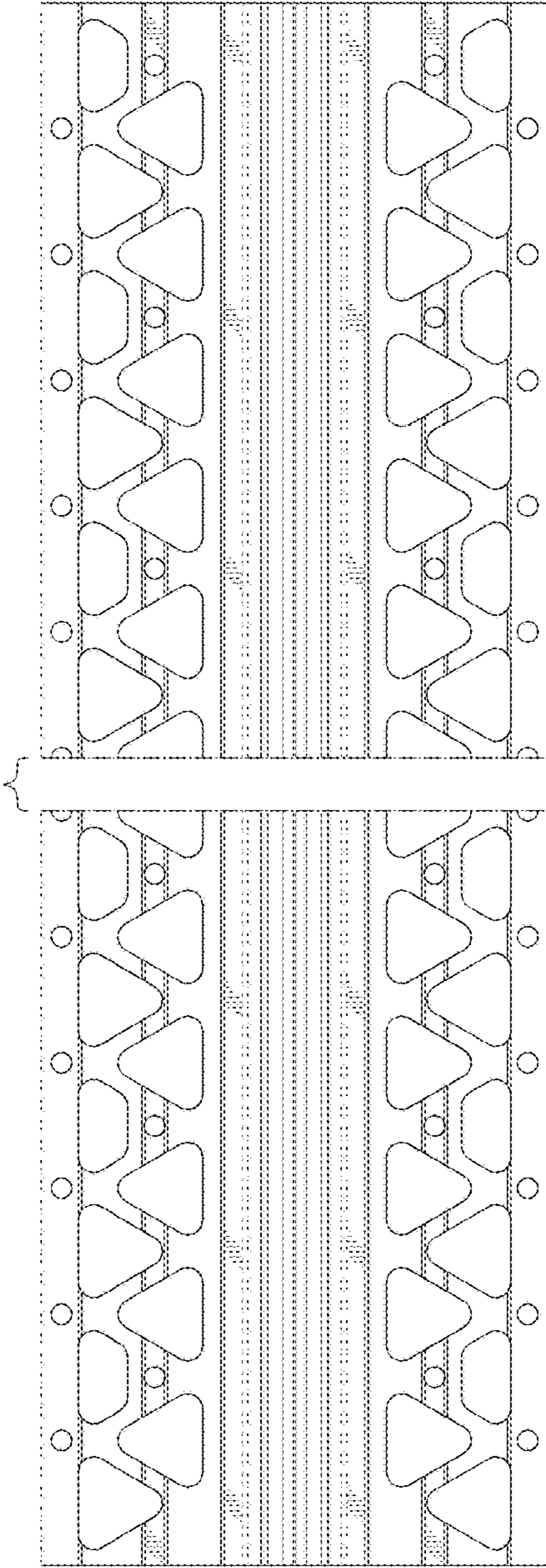


FIG. 7

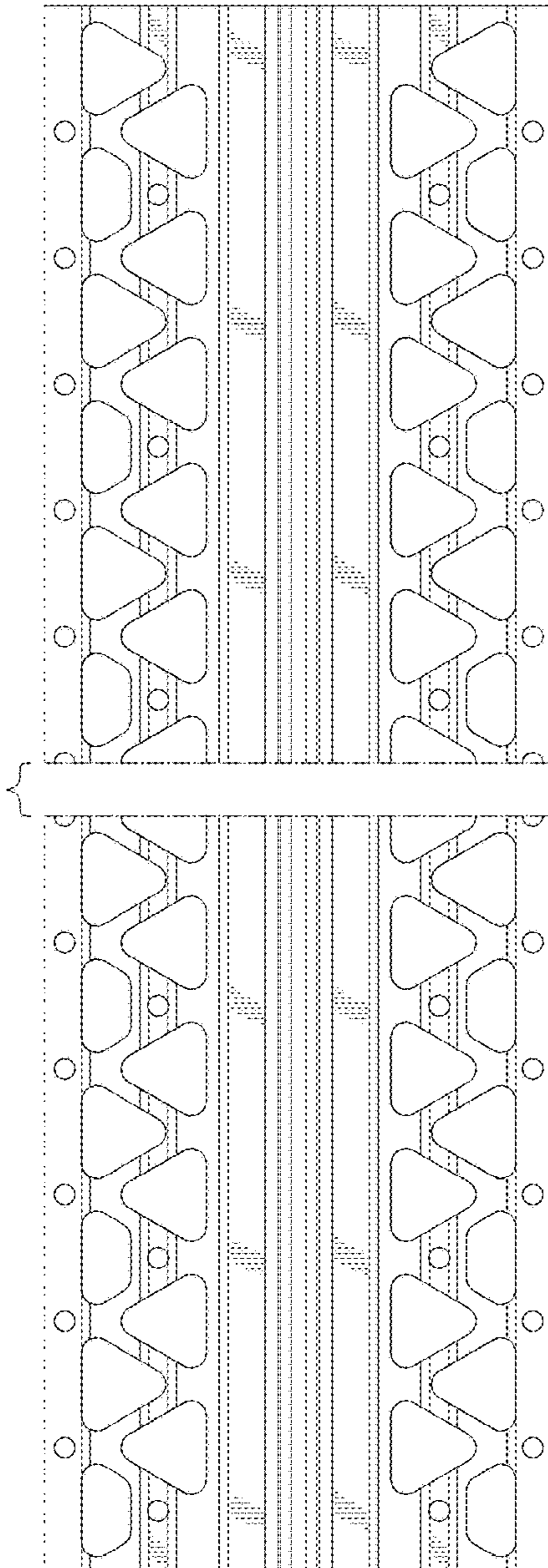


FIG. 8