



US00D845496S

(12) **United States Design Patent** (10) **Patent No.:** **US D845,496 S**
Cole et al. (45) **Date of Patent:** **** Apr. 9, 2019**

(54) **SKIN CLEARING AND TONING DEVICE**
(71) Applicant: **Carol Cole Company**, Vista, CA (US)
(72) Inventors: **Carol Cole**, San Marcos, CA (US);
Tera Peterson, Carlsbad, CA (US)
(73) Assignee: **Carol Cole Company**, Vista, CA (US)
(**) Term: **15 Years**
(21) Appl. No.: **29/590,664**
(22) Filed: **Jan. 12, 2017**

Related U.S. Application Data

(60) Continuation of application No. 29/582,081, filed on Oct. 25, 2016, which is a 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.
(51) **LOC (11) Cl.** **28-03**
(52) **U.S. Cl.**
USPC **D24/200**
(58) **Field of Classification Search**
USPC D24/200, 209-215
CPC A61N 1/328; A61N 1/36; A61N 1/36021;
A61N 1/0456; A61N 5/0616; A61N
5/0613; A61N 2005/0644; A61N
2007/0034; A61H 7/00; A61H 7/001;
A61H 7/003; A61H 7/0004; A61H 7/005;
A61H 15/0078; A61H 15/0085
See application file for complete search history.

(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)

FOREIGN PATENT DOCUMENTS

CA 2363383 5/2003
CN 102159151 8/2011

(Continued)

OTHER PUBLICATIONS

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

(Continued)

Primary Examiner — Wan Laymon

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

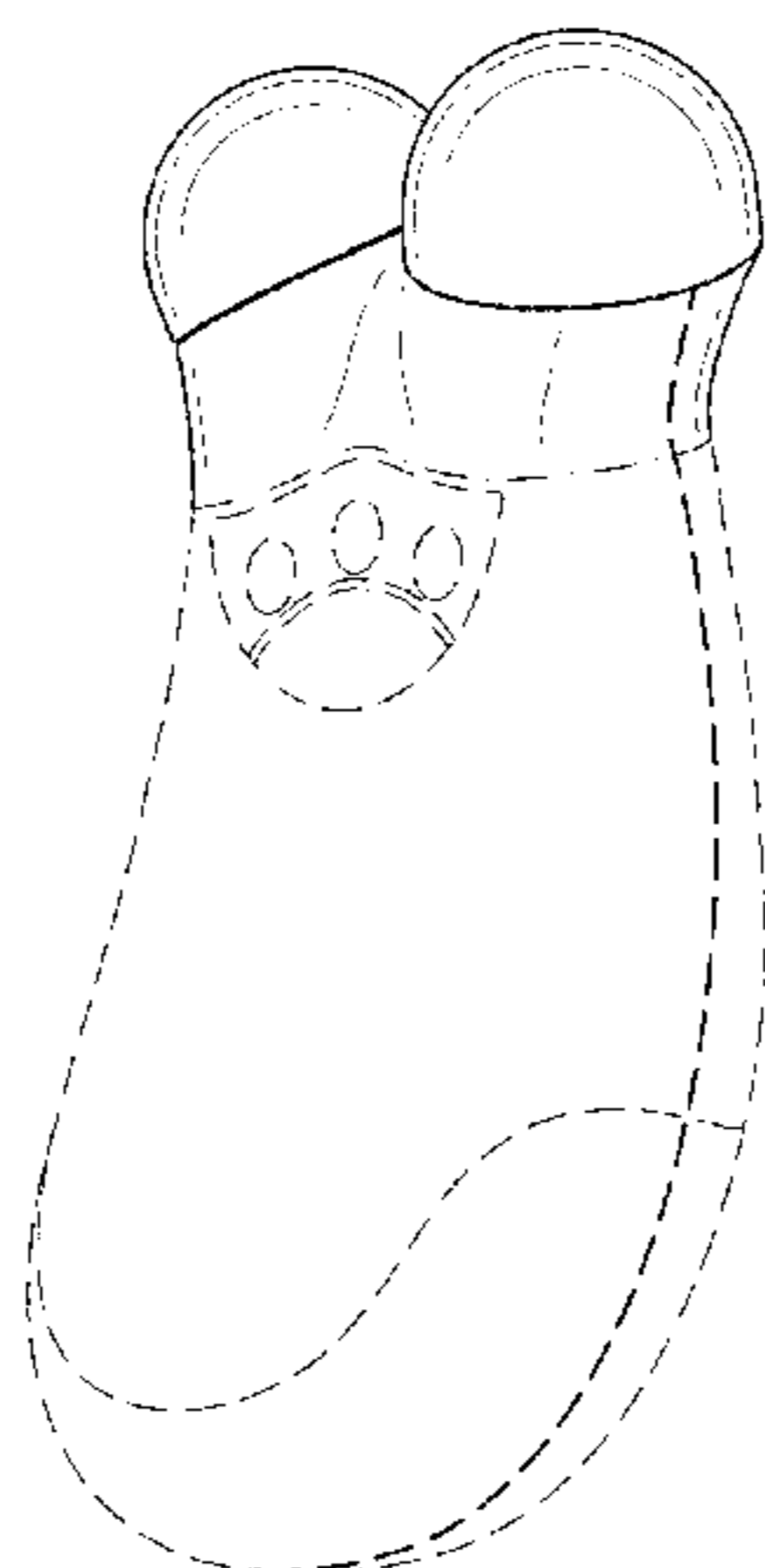
(57) **CLAIM**

The ornamental design for a skin toning and clearing 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.
In the drawings, the dashed broken lines represent features that form no part of the claimed design. In the drawings, the dot-dash broken lines define the bounds of the claimed design and form no part thereof.

1 Claim, 3 Drawing Sheets



US D845,496 S

(56)

References Cited

U.S. PATENT DOCUMENTS

5,607,461 A	3/1997	Lathrop	D699,367 S *	2/2014	Lee	D24/215
5,662,644 A	9/1997	Swor	D738,517 S	9/2015	Karim	
D414,582 S	9/1999	Hwang	D739,541 S	9/2015	Cole	
6,019,482 A	2/2000	Everett	D756,527 S	5/2016	Cole	
6,083,250 A	7/2000	Lathrop	D818,602 S *	5/2018	Cheung	D24/215
6,094,595 A	7/2000	Takahashi	2002/0133149 A1	9/2002	Besette	
D437,938 S	2/2001	Ko et al.	2002/0143373 A1	10/2002	Courtage et al.	
D457,643 S	5/2002	Qi et al.	2004/0147984 A1	7/2004	Altshuler et al.	
6,497,702 B1	12/2002	Bernaz	2004/0236255 A1	11/2004	Cook	
6,572,637 B1	6/2003	Yamazaki et al.	2005/0015121 A1	1/2005	Molina	
D481,463 S	10/2003	Cook et al.	2005/0203593 A1	9/2005	Shanks et al.	
D484,605 S	12/2003	Cook et al.	2005/0234516 A1	10/2005	Gueret	
D486,233 S	2/2004	Cook et al.	2006/0030908 A1	2/2006	Powell et al.	
D487,154 S	2/2004	Cook et al.	2006/0155220 A1	7/2006	Oslay	
6,702,808 B1	3/2004	Kreindel	2006/0173518 A1	8/2006	Kreindel	
D490,528 S	5/2004	Cook et al.	2006/0200213 A1	9/2006	McDaniel	
6,736,807 B2	5/2004	Yamazaki et al.	2006/0247741 A1	11/2006	Hsu et al.	
6,766,199 B2	7/2004	Cook et al.	2006/0269580 A1	11/2006	Cole et al.	
6,790,205 B1	9/2004	Yamazaki et al.	2007/0032840 A1	2/2007	Peluso	
D498,302 S	11/2004	Wade	2007/0032843 A1	2/2007	Hsu	
6,872,221 B2	3/2005	Lytle	2007/0032847 A1	2/2007	Weckwerth	
6,887,260 B1	5/2005	McDaniel	2007/0038206 A1	2/2007	Altshuler et al.	
6,896,693 B2	5/2005	Sullivan	2007/0049910 A1	3/2007	Altshuler et al.	
6,902,275 B2	6/2005	Yamada et al.	2007/0073372 A1	3/2007	Heath	
6,902,563 B2	6/2005	Wilkens et al.	2007/0198004 A1	8/2007	Altshuler et al.	
6,939,344 B2	9/2005	Kreindel	2007/0213696 A1	9/2007	Altshuler et al.	
6,989,023 B2	1/2006	Black	2007/0213698 A1	9/2007	Altshuler et al.	
7,014,639 B2	3/2006	Walneck et al.	2007/0217199 A1	9/2007	Adam et al.	
7,194,316 B2	3/2007	Bousfield et al.	2007/0239142 A1	10/2007	Altshuler et al.	
D539,916 S	4/2007	Baldachini	2007/0239143 A1	10/2007	Altshuler et al.	
7,204,846 B2	4/2007	Suzuki	2007/0239143 A1	10/2007	Altshuler et al.	
7,210,817 B2	5/2007	Lee et al.	2007/0293917 A1	12/2007	Thompson et al.	
7,238,183 B2	7/2007	Kreindel	2007/0293918 A1	12/2007	Thompson et al.	
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	2010/0185266 A1	7/2010	Suzuki	
D651,321 S	12/2011	Marchese et al.	2010/0274329 A1	10/2010	Bradley et al.	
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

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>.
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

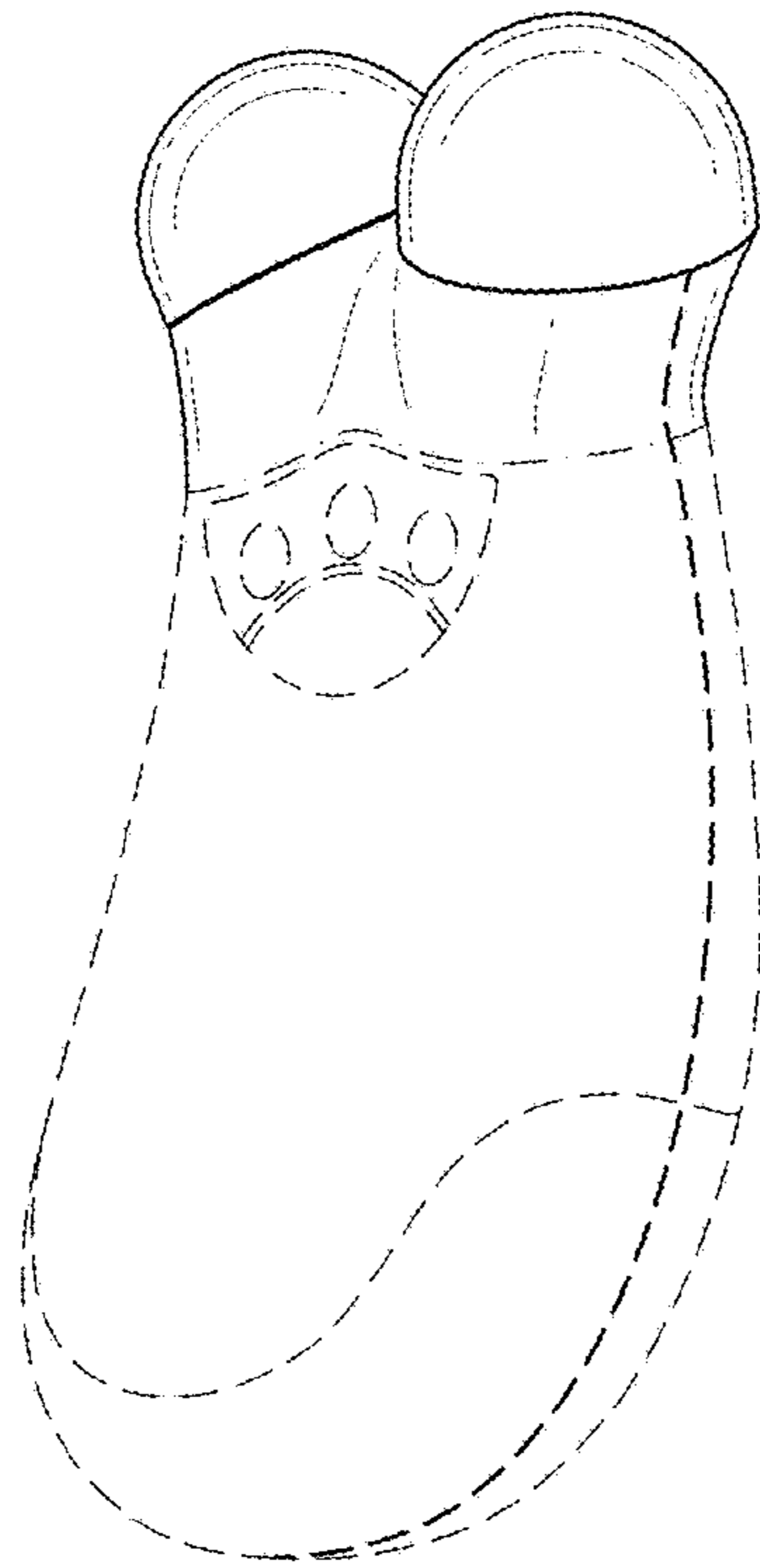


FIG. 1

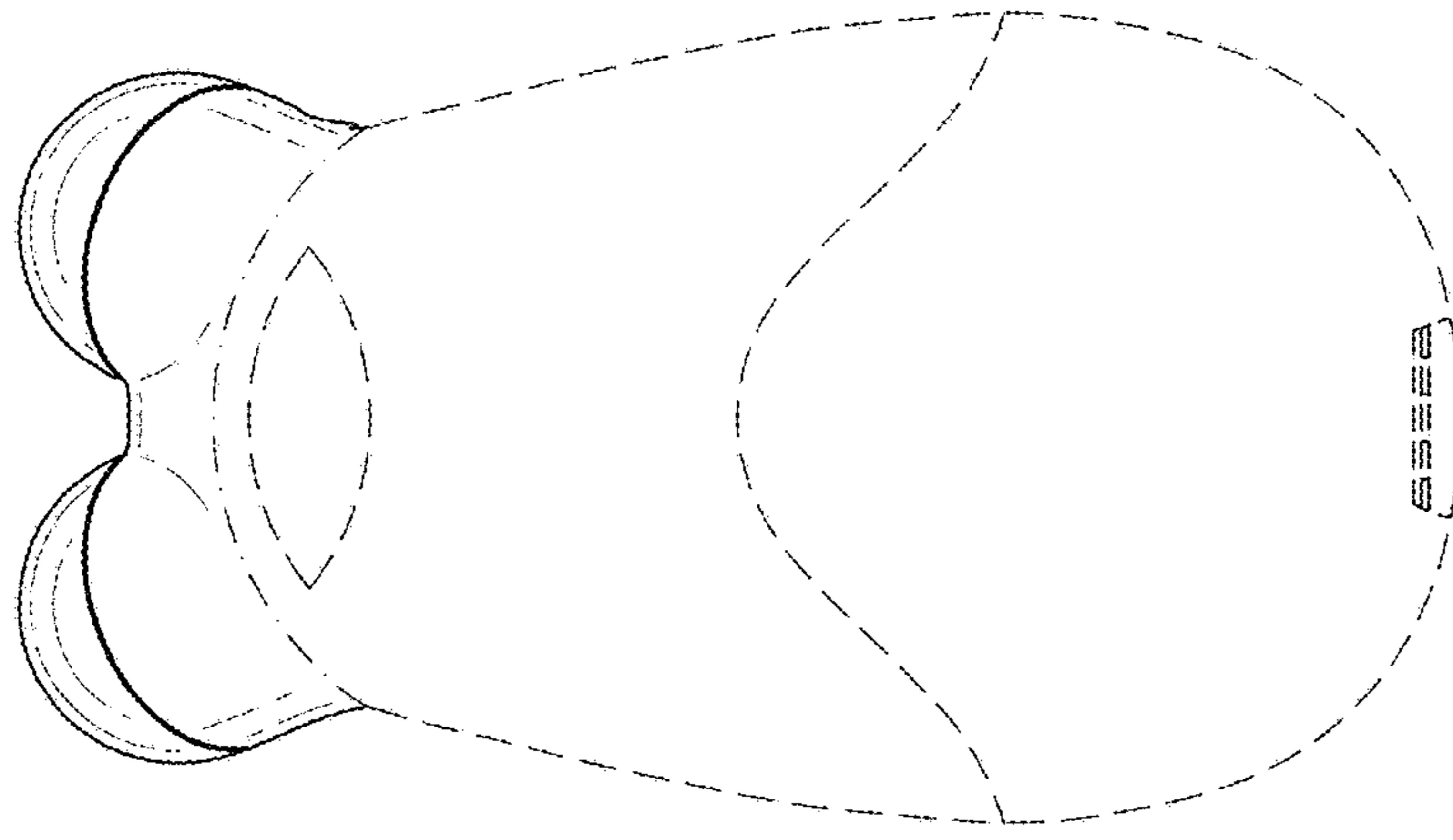


FIG. 3

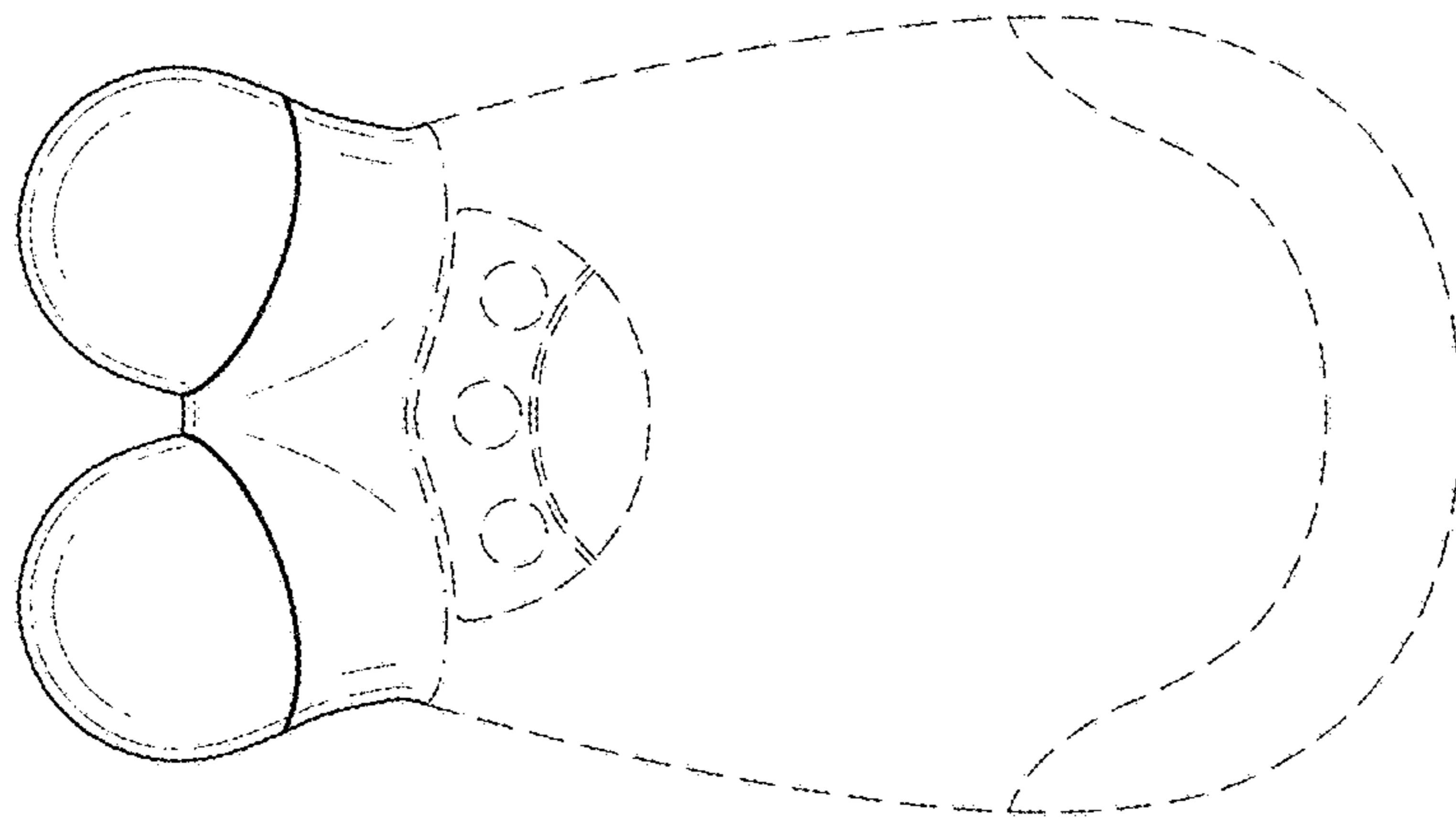


FIG. 2

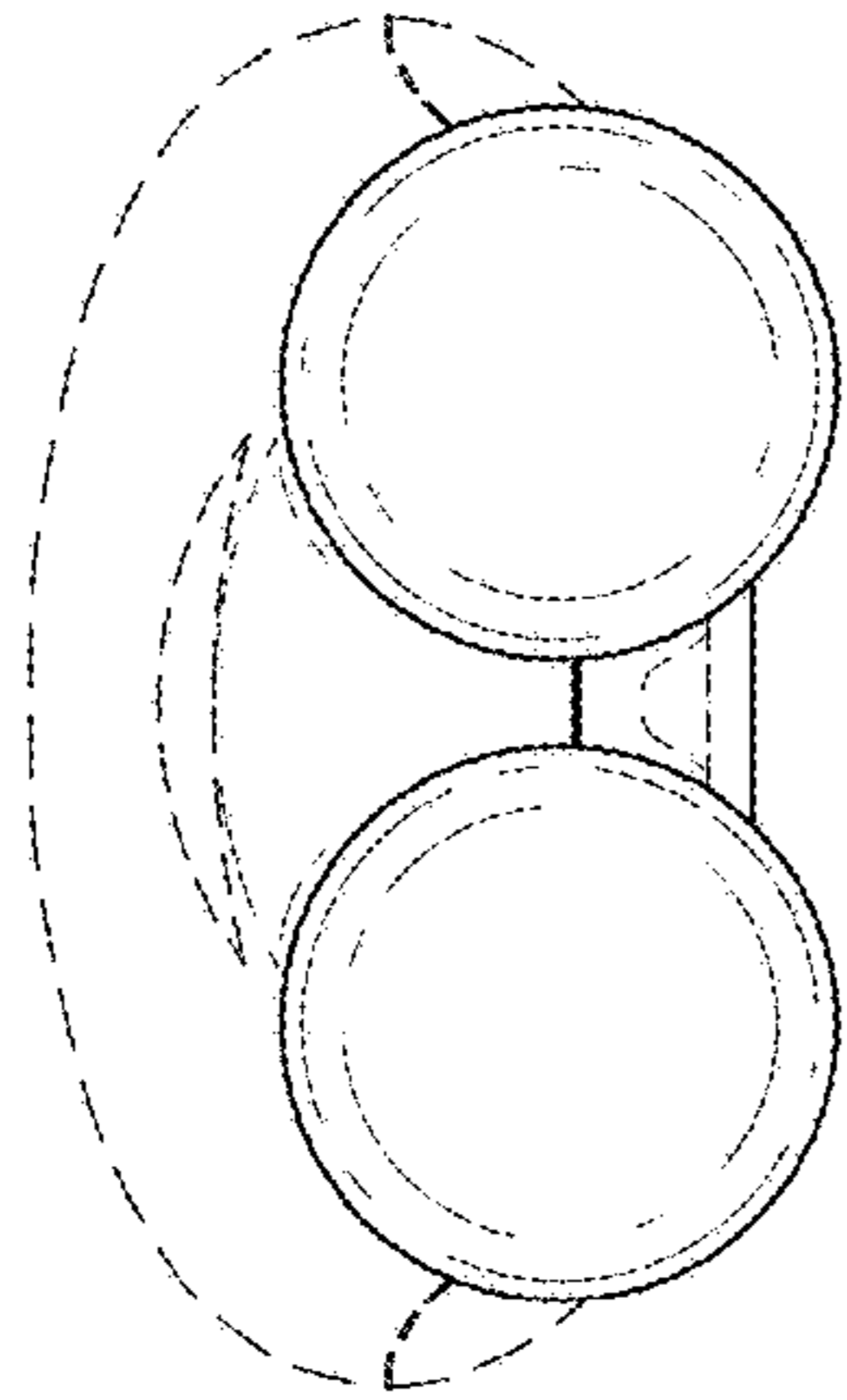


FIG. 5

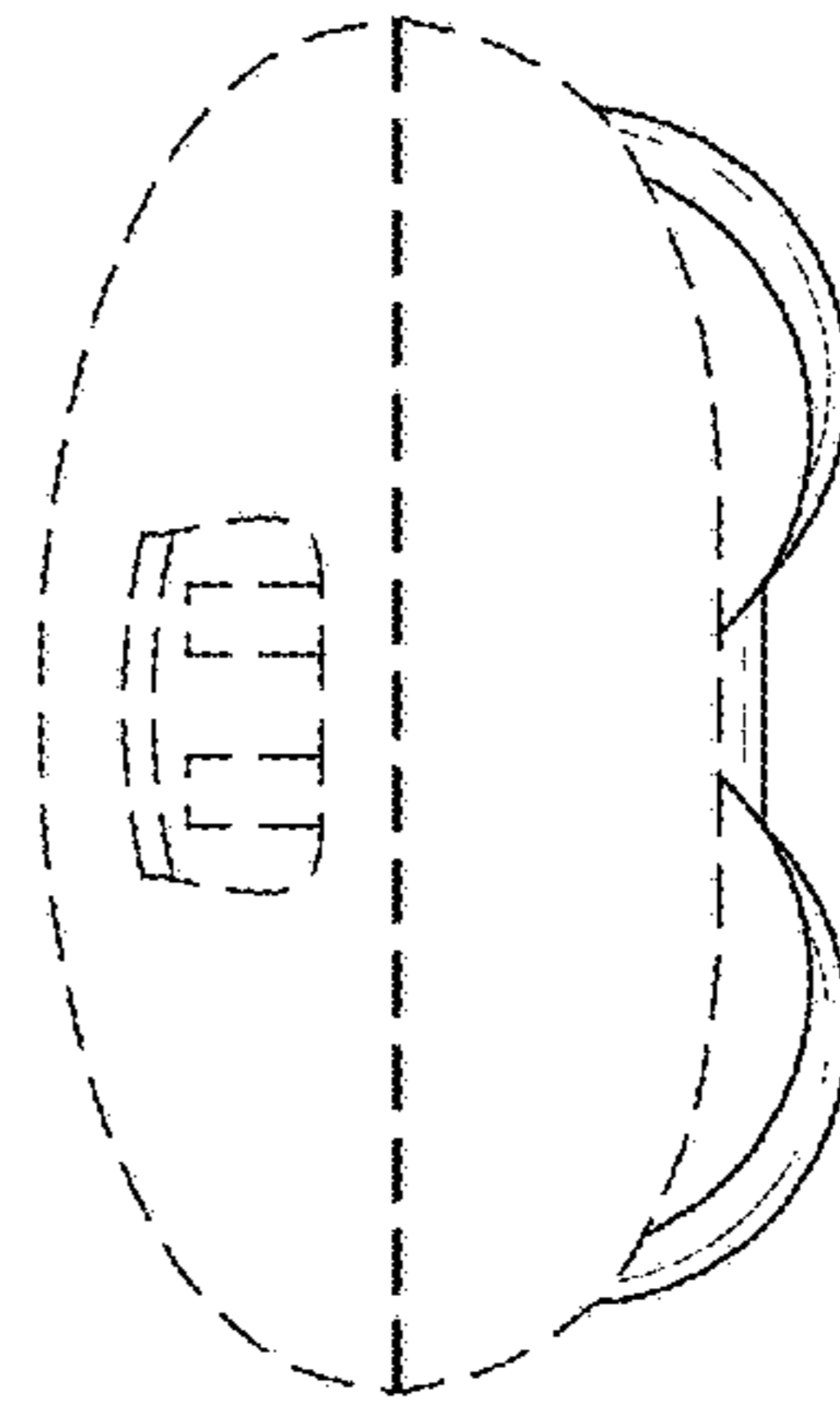


FIG. 6

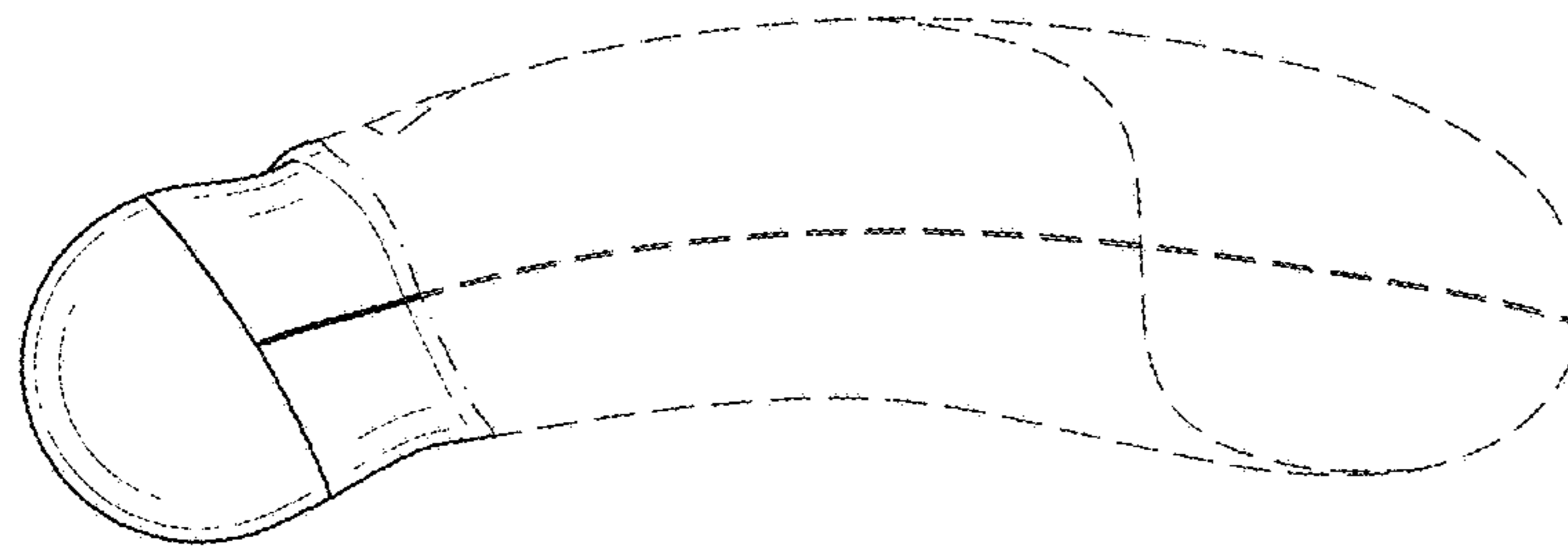


FIG. 4