



US00D846658S

(12) **United States Design Patent**
Gerstner

(10) **Patent No.:** **US D846,658 S**
(45) **Date of Patent:** **** Apr. 23, 2019**

(54) **TOY TRAIN**

(71) Applicant: **MerchSource, LLC**, Irvine, CA (US)

(72) Inventor: **Michael Jacob Gerstner**, Mission Viejo, CA (US)

(73) Assignee: **MerchSource, LLC**, Irvine, CA (US)

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

(21) Appl. No.: **29/606,799**

(22) Filed: **Jun. 7, 2017**

(51) **LOC (11) Cl.** **21-01**

(52) **U.S. Cl.**
USPC **D21/541**

(58) **Field of Classification Search**
USPC D21/425, 534, 541; D12/37, 38

(Continued)

(56) **References Cited**

U.S. PATENT DOCUMENTS

D351,447 S * 10/1994 Barnes D21/541
5,427,561 A * 6/1995 Eichhorn A63H 19/00
104/DIG. 1

(Continued)

Primary Examiner — Robin V Webster

Assistant Examiner — Keith J Wilson

(74) *Attorney, Agent, or Firm* — Avyno Law P.C.

(57) **CLAIM**

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

DESCRIPTION

FIG. 1 is a right side view of a toy train, having an engine, handcar, passenger car and caboose.

FIG. 2 is a front perspective view of the engine of the toy train of FIG. 1.

FIG. 3 is a front view of the engine of the toy train of FIG. 2.

FIG. 4 is a rear view of the engine of the toy train of FIG. 2.

FIG. 5 is a top view of the engine of the toy train of FIG. 2.

FIG. 6 is a bottom view of the engine of the toy train of FIG. 2.

FIG. 7 is a side view of the left side of the engine of the toy train of FIG. 2.

FIG. 8 is a side view of the right side of the engine of the toy train of FIG. 2.

FIG. 9 is a front perspective view of the handcar of the toy train of FIG. 1.

FIG. 10 is a front view of the handcar of the toy train of FIG. 9.

FIG. 11 is a rear view of the handcar of the toy train of FIG. 9.

FIG. 12 is a top view of the handcar of the toy train of FIG. 9.

FIG. 13 is a bottom view of the handcar of the toy train of FIG. 9.

FIG. 14 is a side view of the left side of the handcar of the toy train of FIG. 9.

FIG. 15 is a side view of the right side of the handcar of the toy train of FIG. 9.

FIG. 16 is a front perspective view of the passenger car of the toy train of FIG. 1.

FIG. 17 is a front view of the passenger car of the toy train of FIG. 16.

FIG. 18 is a rear view of the passenger car of the toy train of FIG. 16.

FIG. 19 is a top view of the passenger car of the toy train of FIG. 16.

FIG. 20 is a bottom view of the passenger car of the toy train of FIG. 16.

FIG. 21 is a side view of the left side of the passenger car of the toy train of FIG. 16.

FIG. 22 is a side view of the right side of the passenger car of the toy train of FIG. 16.

FIG. 23 is a front perspective view of the caboose of the toy train of FIG. 1;

FIG. 24 is a front view of the caboose of the toy train of FIG. 23.

(Continued)

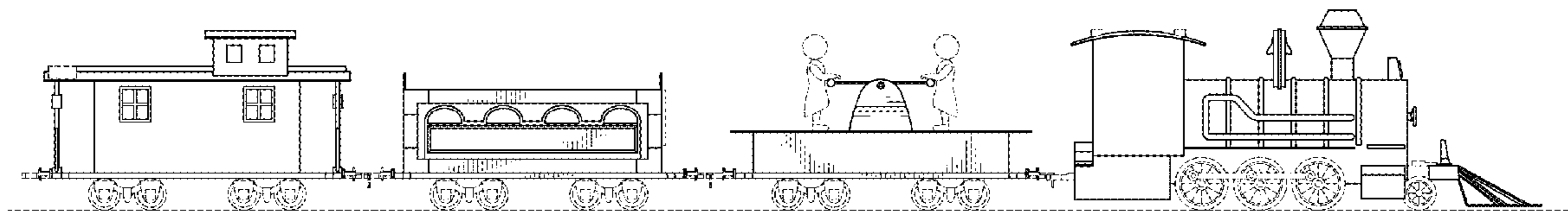


FIG. 25 is a rear view of the caboose of the toy train of FIG. 23.
 FIG. 26 is a top view of the caboose of the toy train of FIG. 23.
 FIG. 27 is a bottom view of the caboose of the toy train of FIG. 23.
 FIG. 28 is a side view of the right side of the caboose of the toy train of FIG. 23; and,
 FIG. 29 is a side view of the left side of the caboose of the toy train of FIG. 23.
 The dashed lines in various figures are for illustrative purposes only and form no part of the claimed design.

1 Claim, 17 Drawing Sheets

(58) **Field of Classification Search**

CPC A63H 21/00; A63H 21/04; A63H 19/00;
 A63H 19/02; A63H 19/04; A63H 19/10;
 A63H 19/16; A63H 19/18; Y10S 104/01
 See application file for complete search history.

(56)

References Cited

U.S. PATENT DOCUMENTS

| | | | | |
|--------------|------|---------|------------------|-----------------------|
| D381,709 | S * | 7/1997 | Petersson | D21/540 |
| D459,568 | S * | 6/2002 | Glenn | D99/30 |
| 6,428,008 | B1 * | 8/2002 | Singer | B60P 3/025 273/447 |
| 6,554,681 | B1 * | 4/2003 | Tammera | A63H 19/15 446/288 |
| 6,565,410 | B1 * | 5/2003 | Allen | A63H 19/24 446/454 |
| D484,195 | S * | 12/2003 | Shippy | D21/540 |
| D509,576 | S * | 9/2005 | Williams | D23/297 |
| D588,650 | S * | 3/2009 | Yen | D21/427 |
| D647,575 | S * | 10/2011 | Inoue | D21/541 |
| D718,568 | S * | 12/2014 | Free | D7/332 |
| D751,653 | S * | 3/2016 | Champ | D21/541 |
| D811,490 | S * | 2/2018 | Libby | D21/522 |
| 2005/0112985 | A1 * | 5/2005 | Ciccarelli | A63H 19/15 446/80 |

* cited by examiner

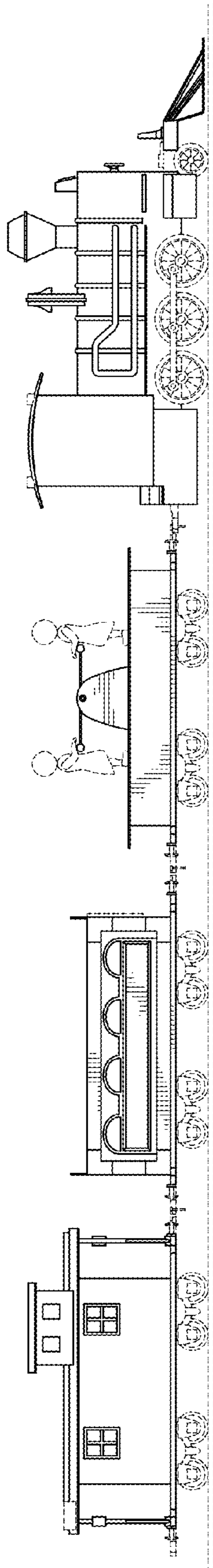
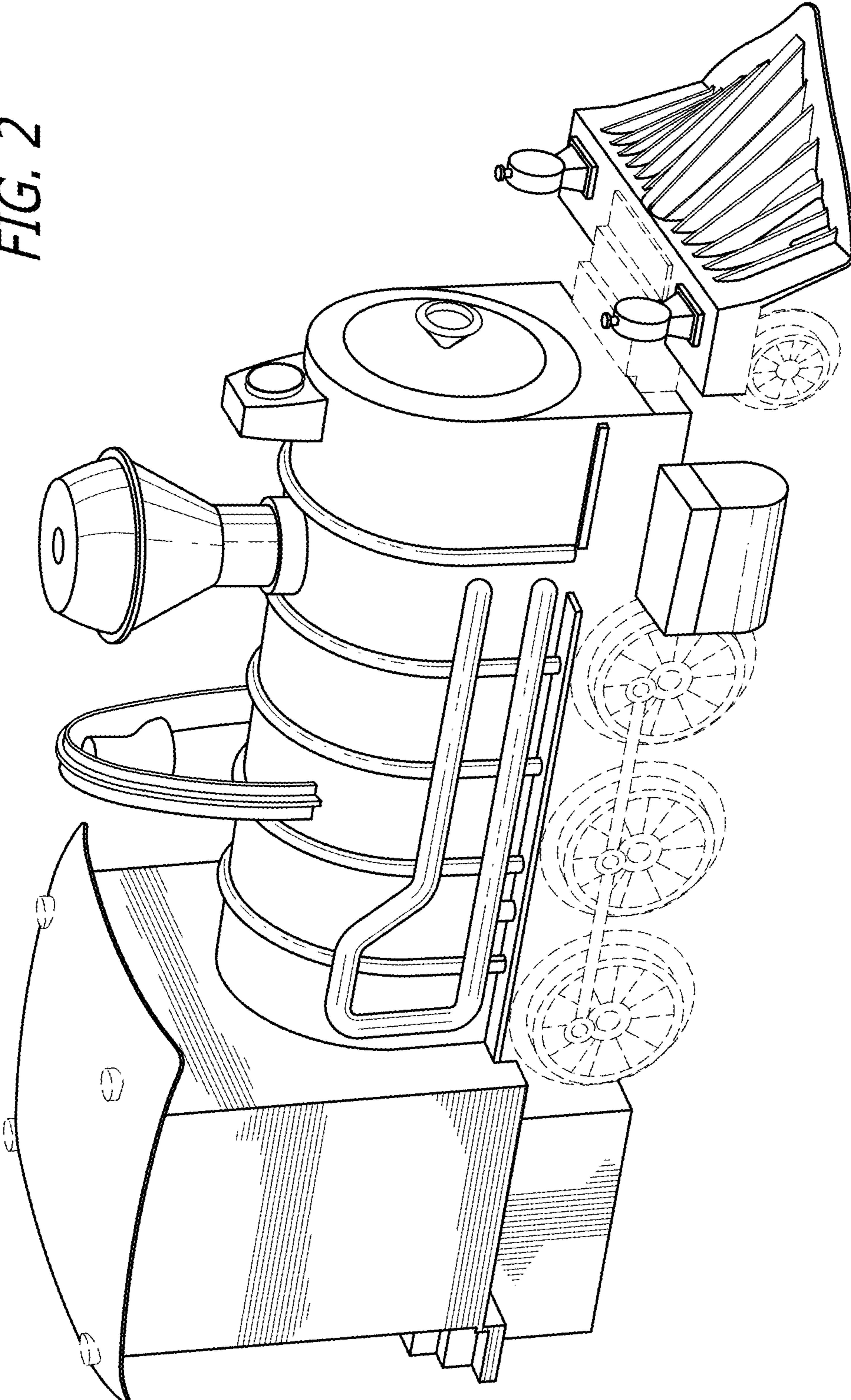


FIG. 1

FIG. 2



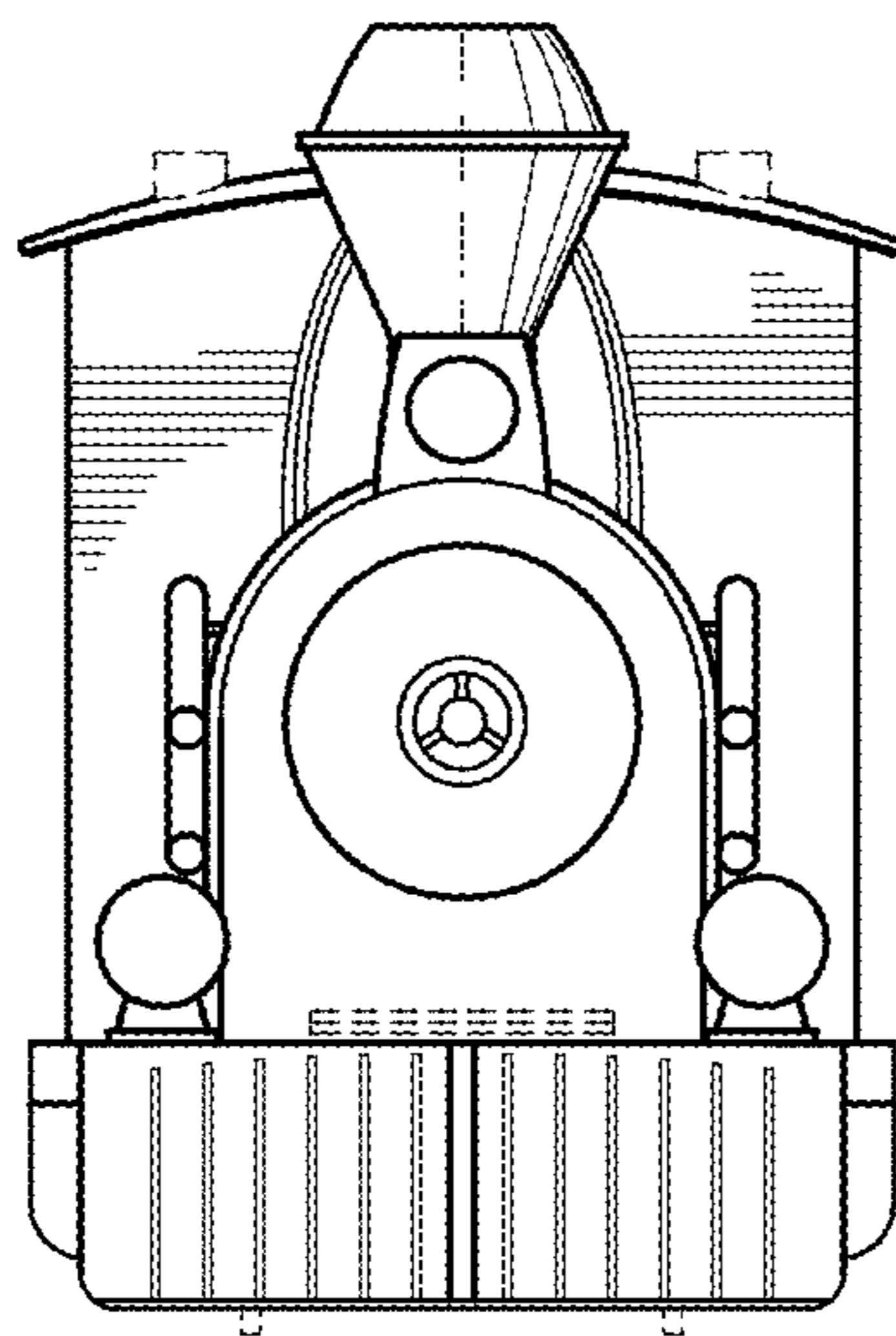


FIG. 3

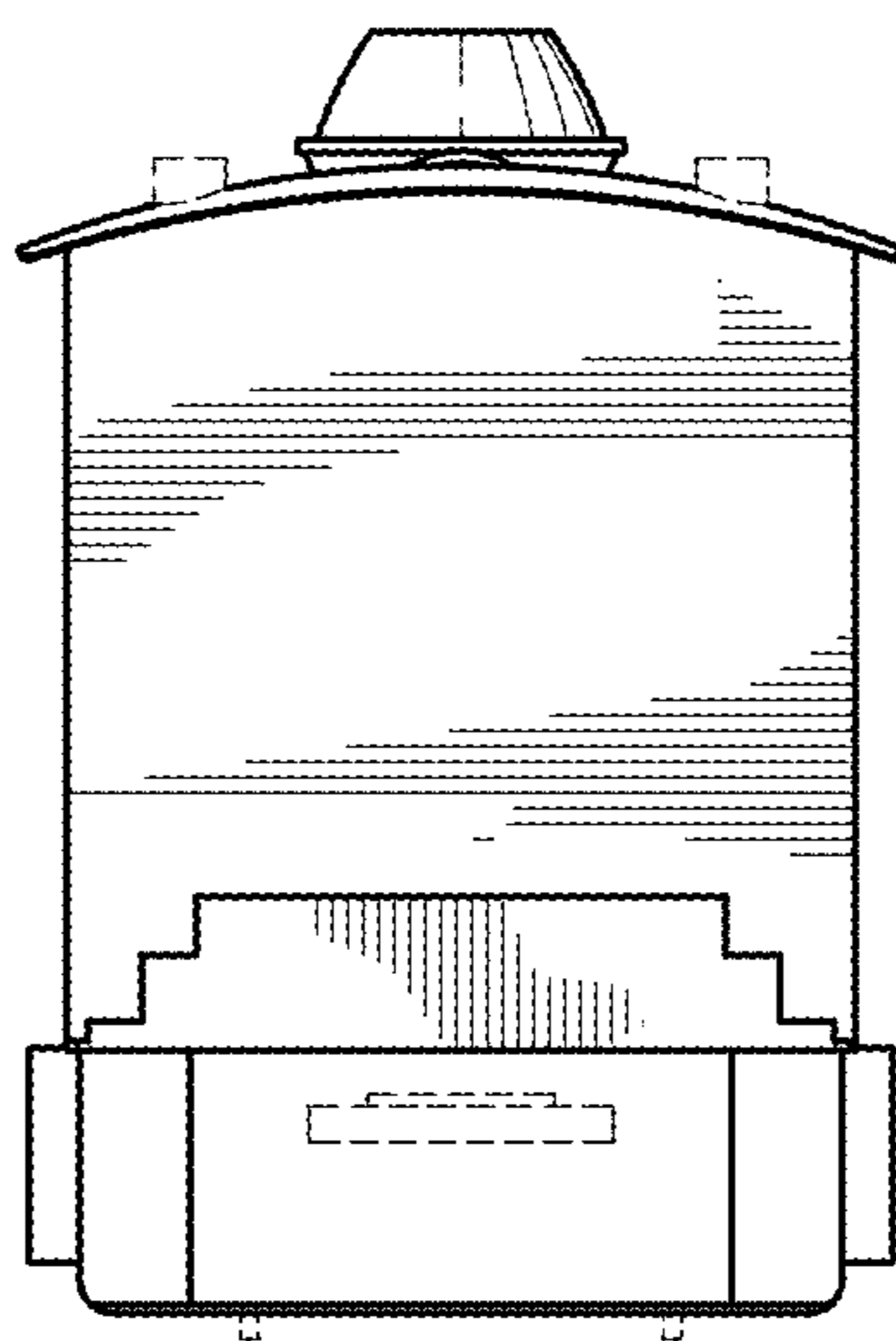


FIG. 4

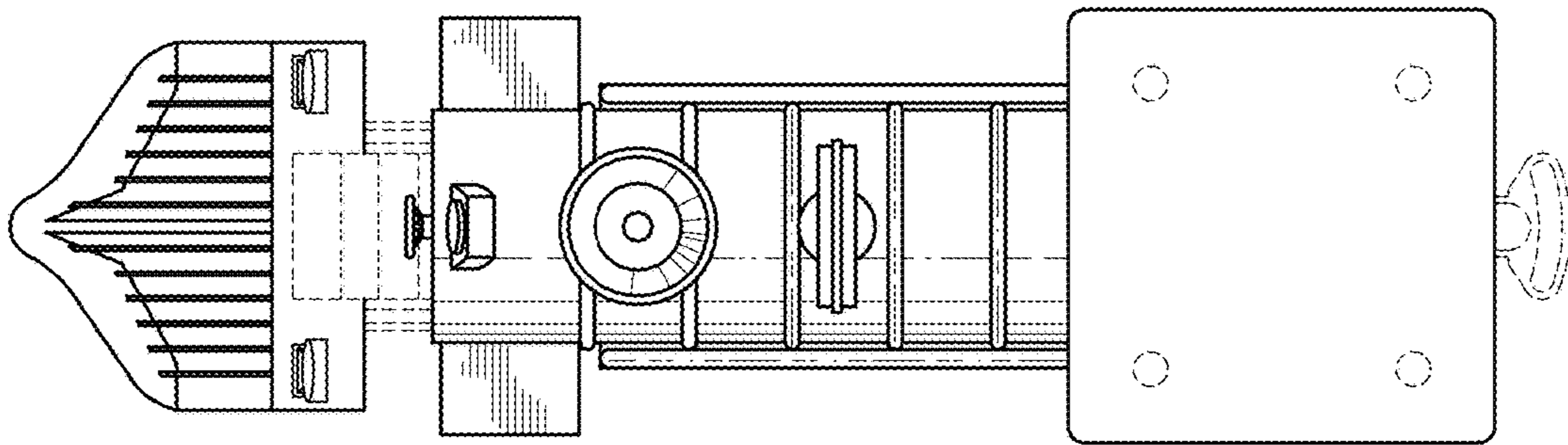


FIG. 5

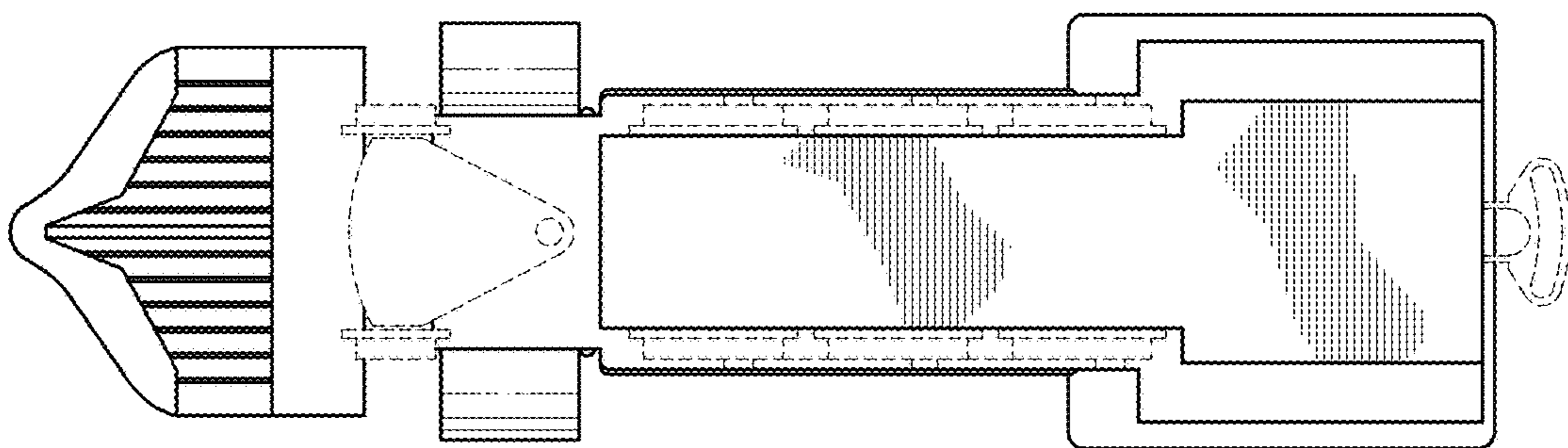


FIG. 6

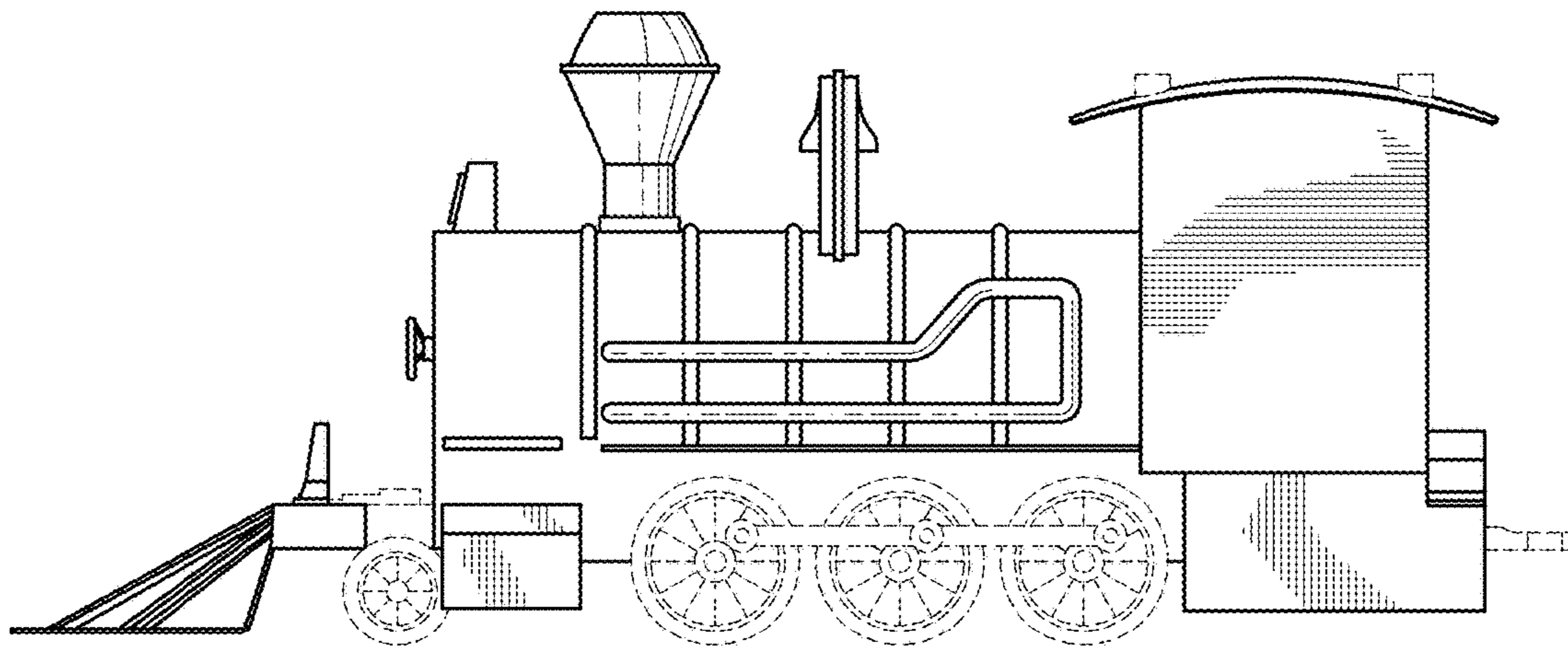


FIG. 7

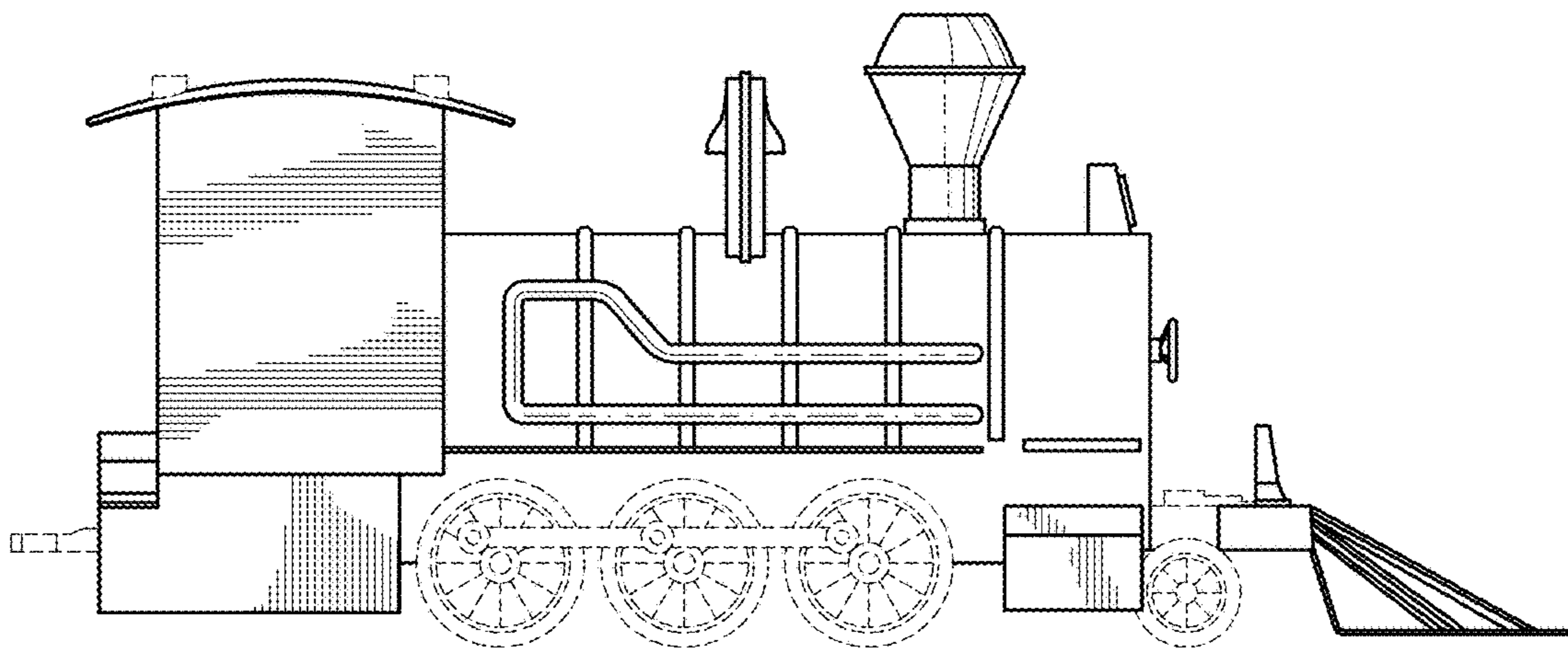


FIG. 8

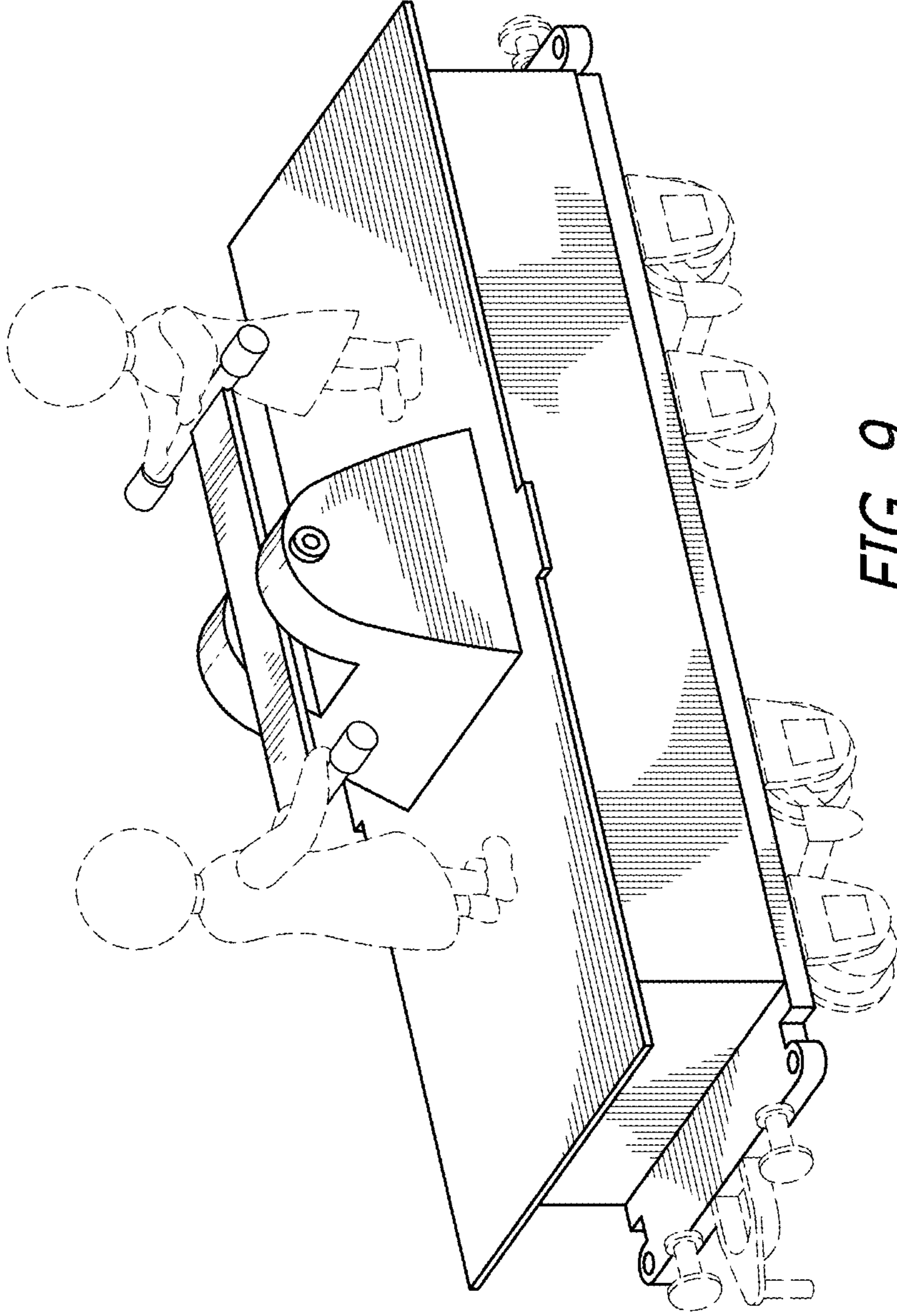


FIG. 9

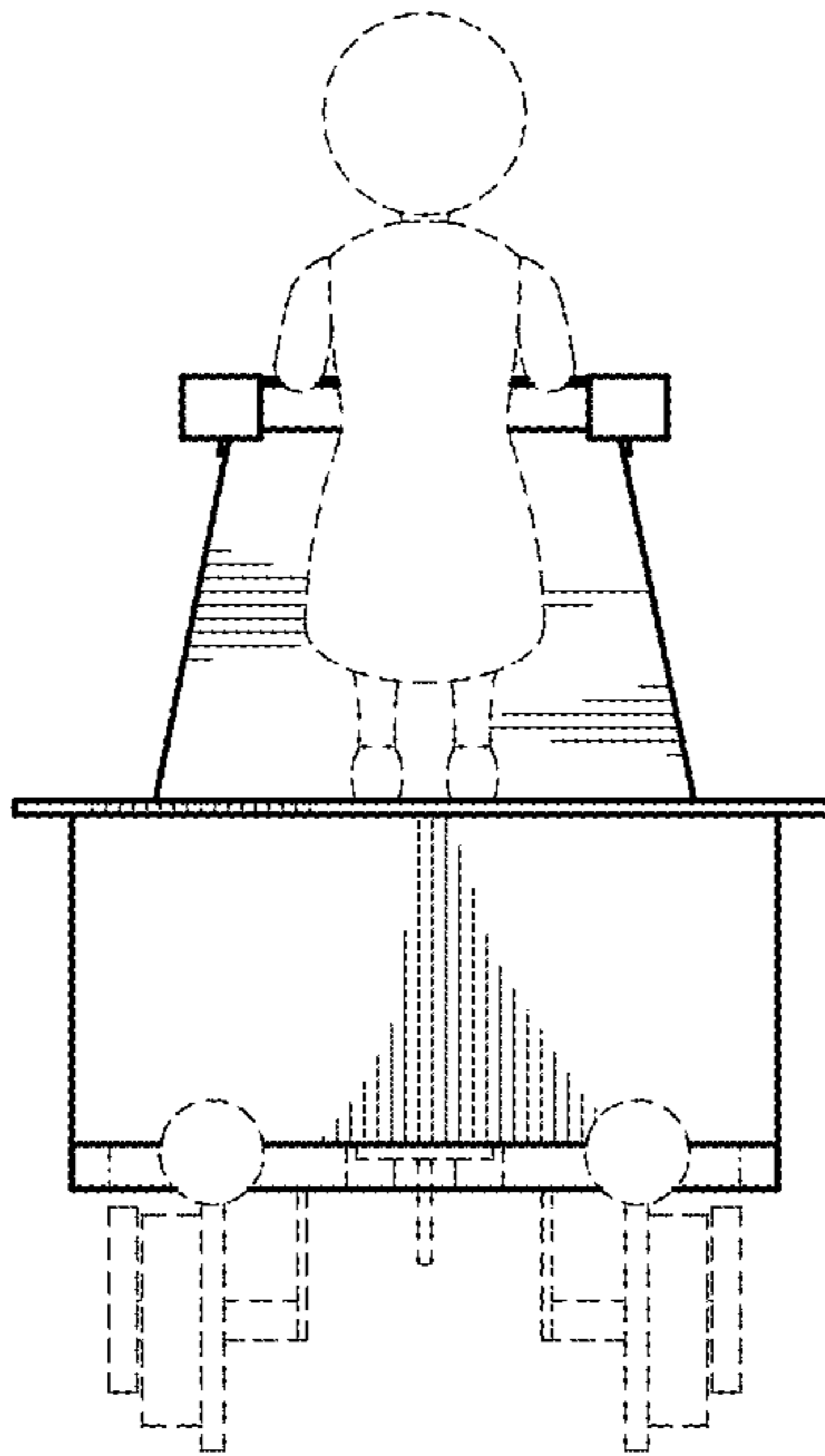


FIG. 10

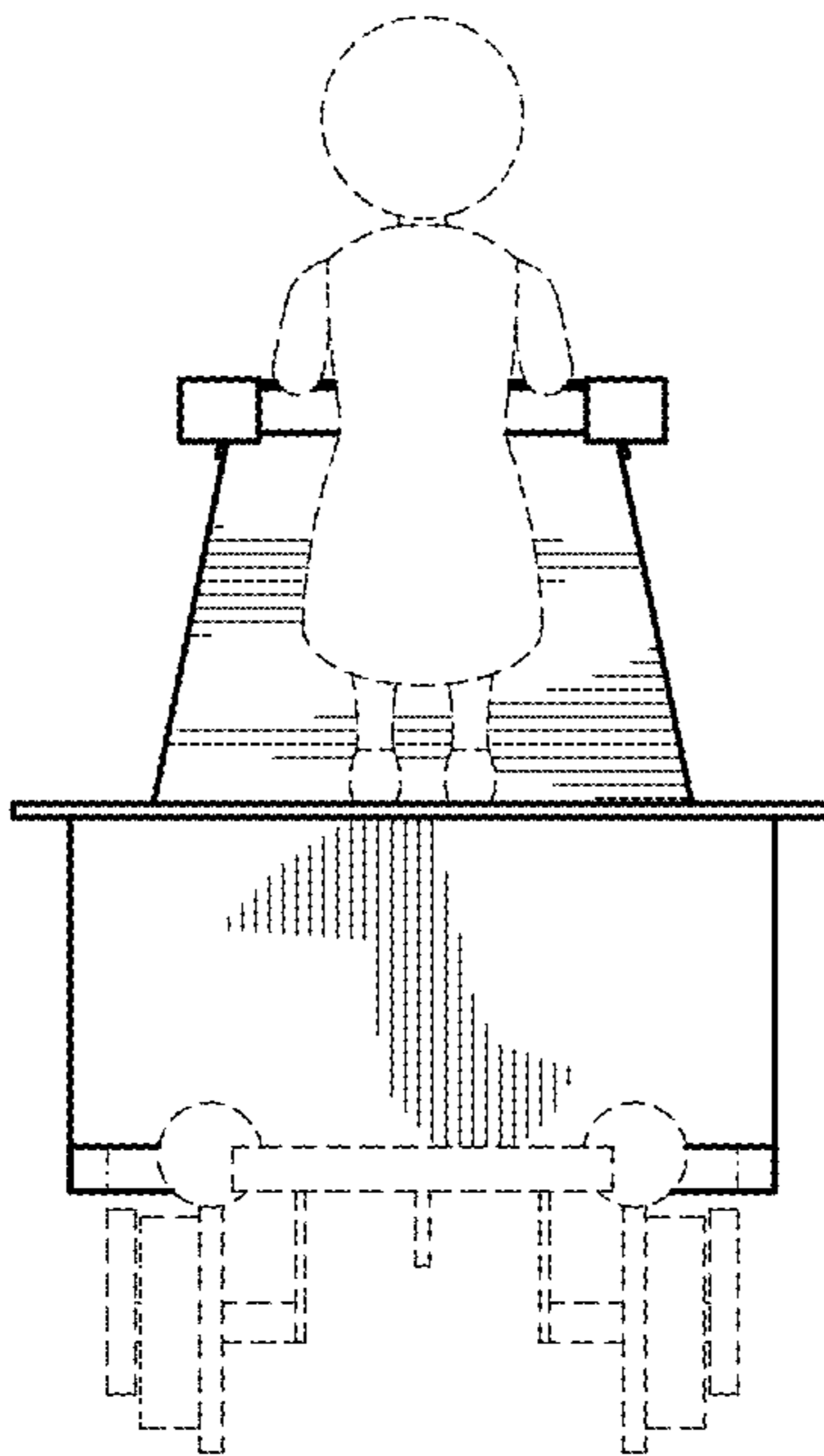


FIG. 11

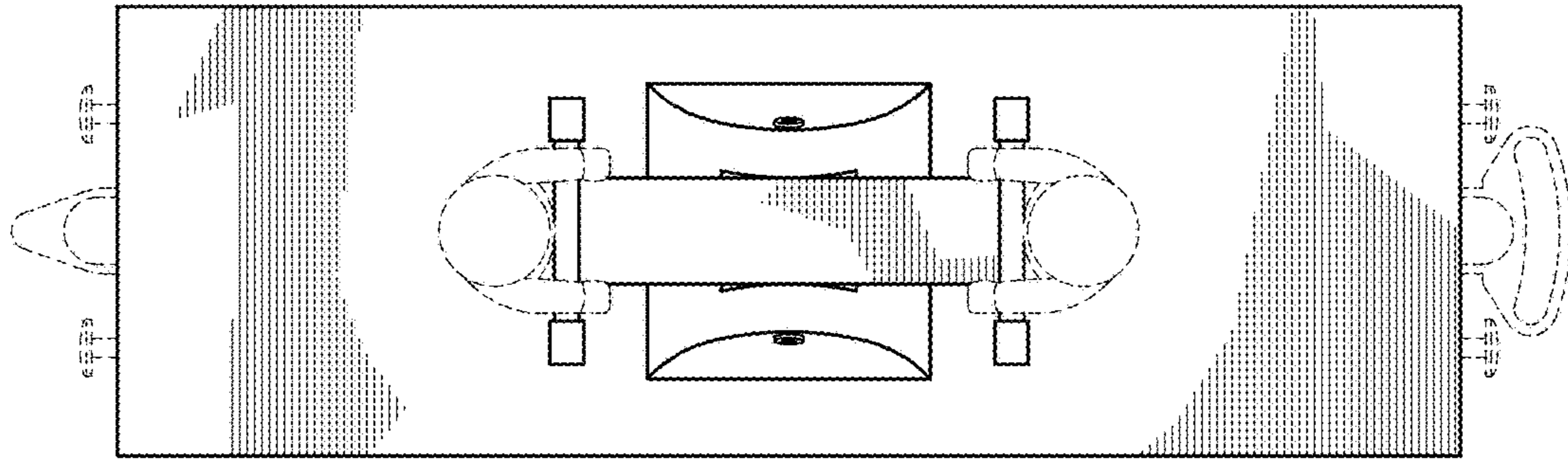


FIG. 12

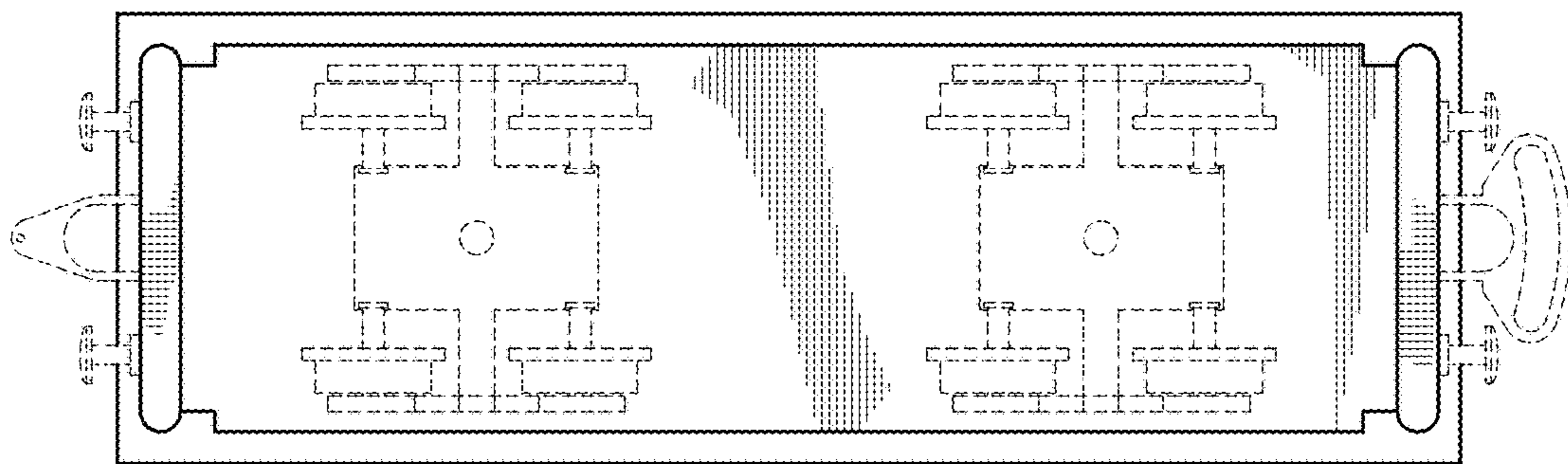


FIG. 13

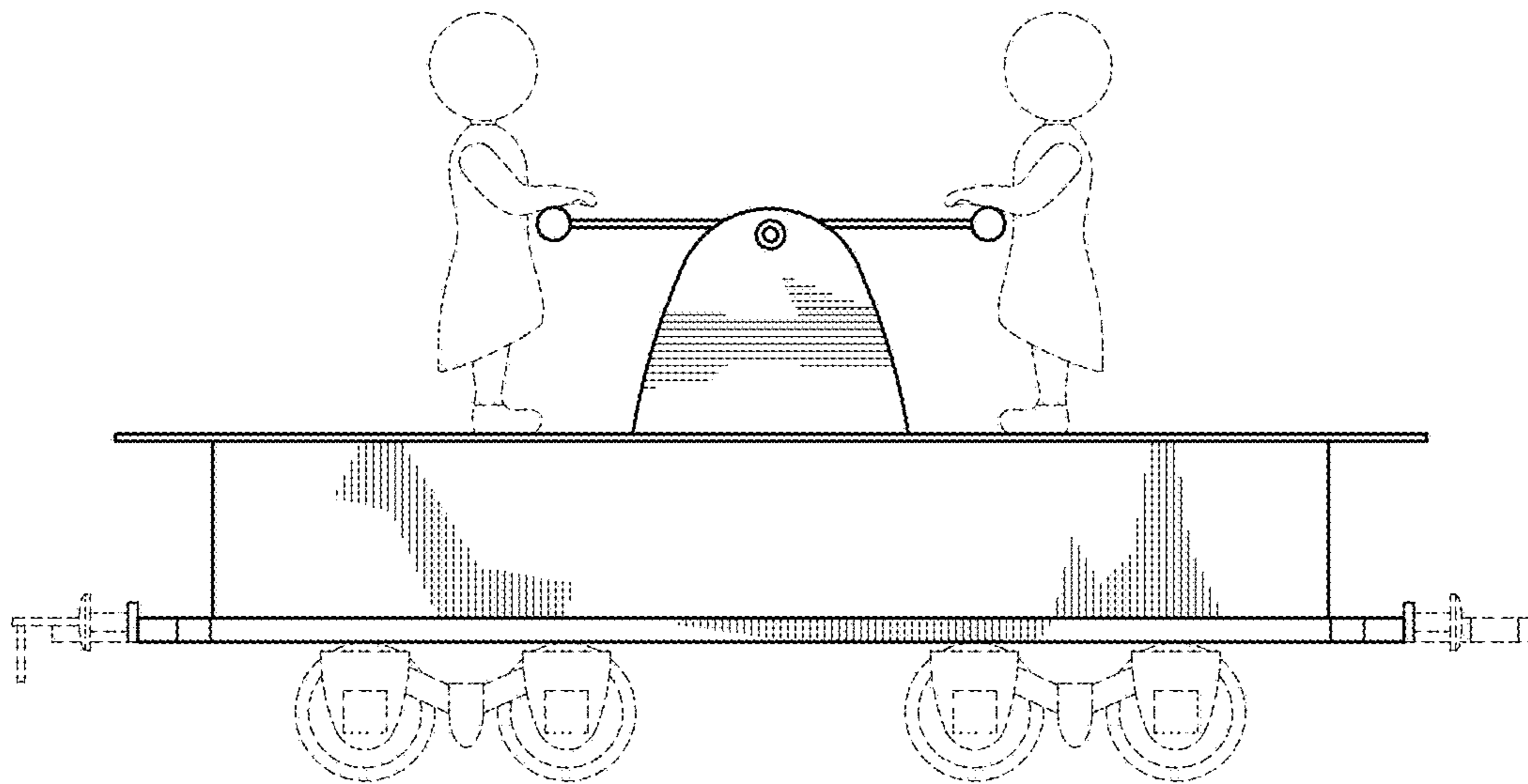


FIG. 14

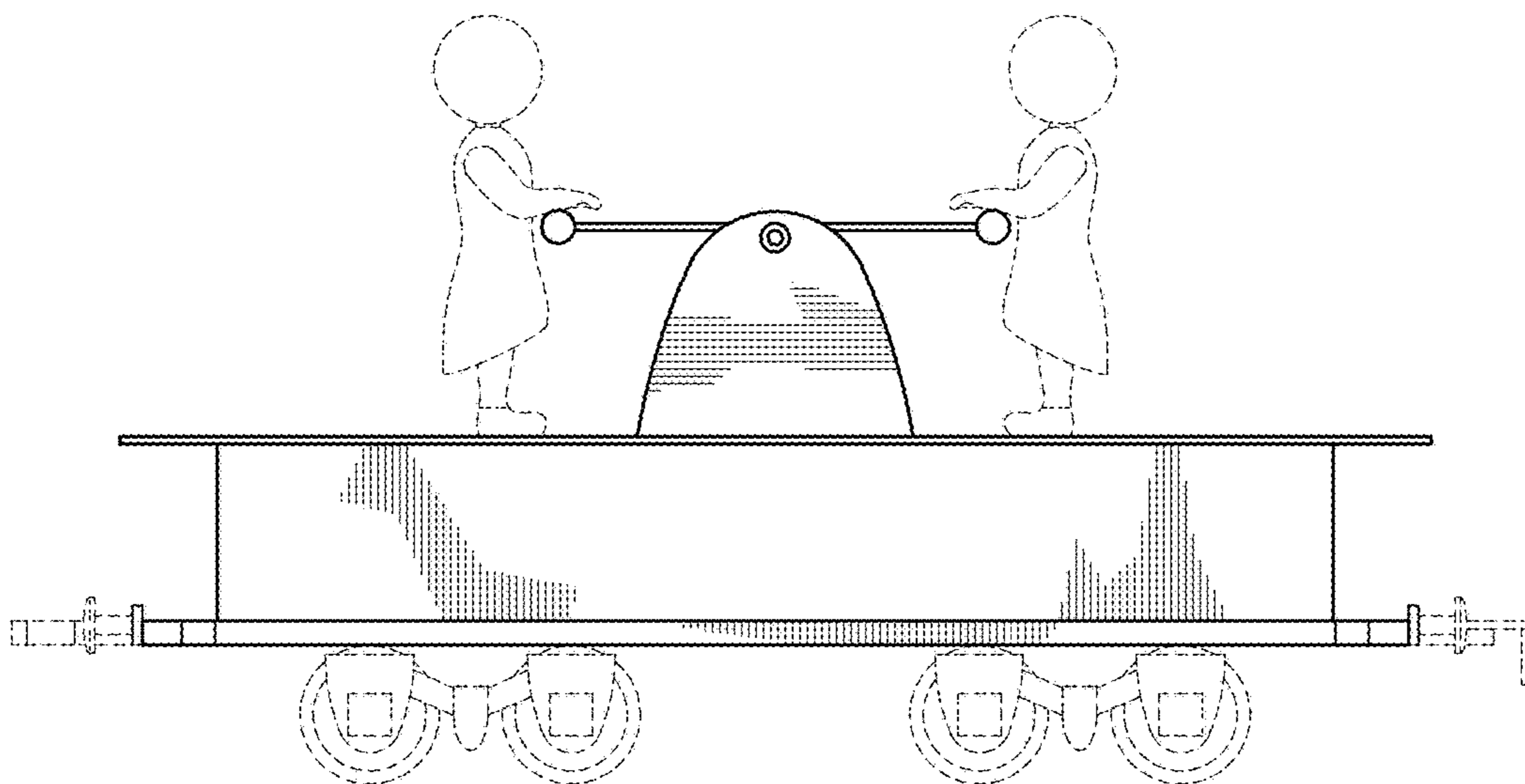


FIG. 15

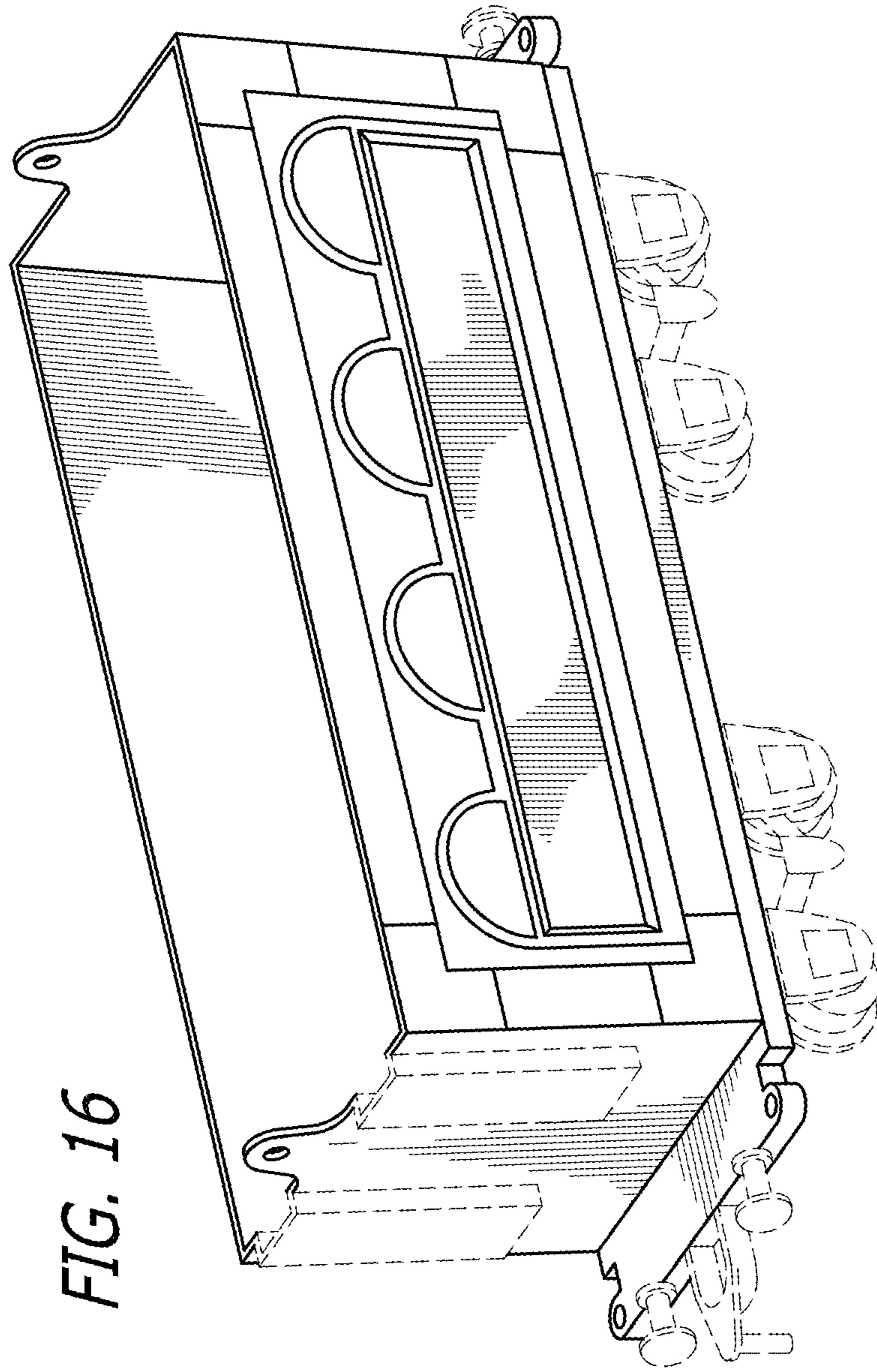


FIG. 16

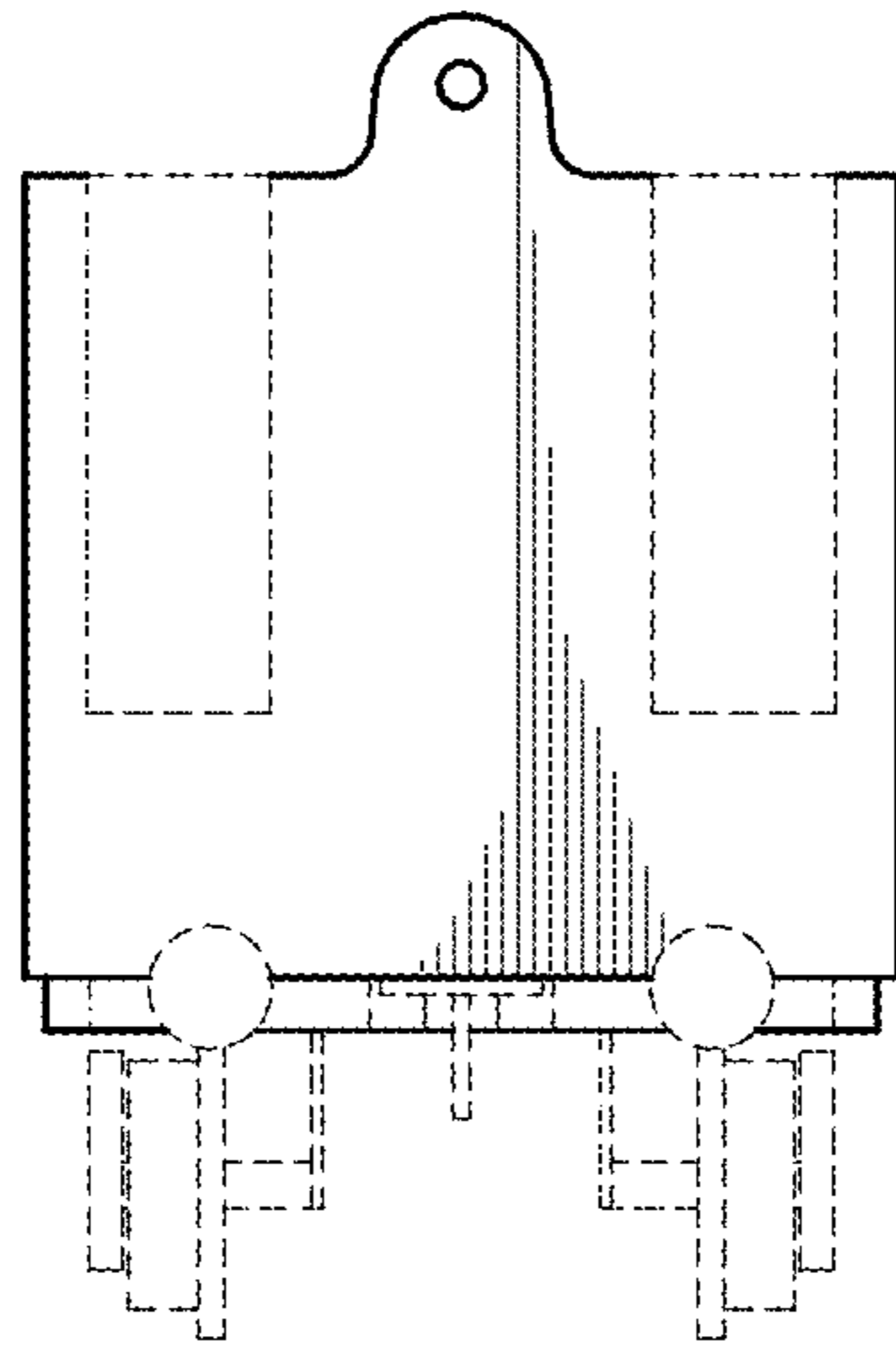


FIG. 17

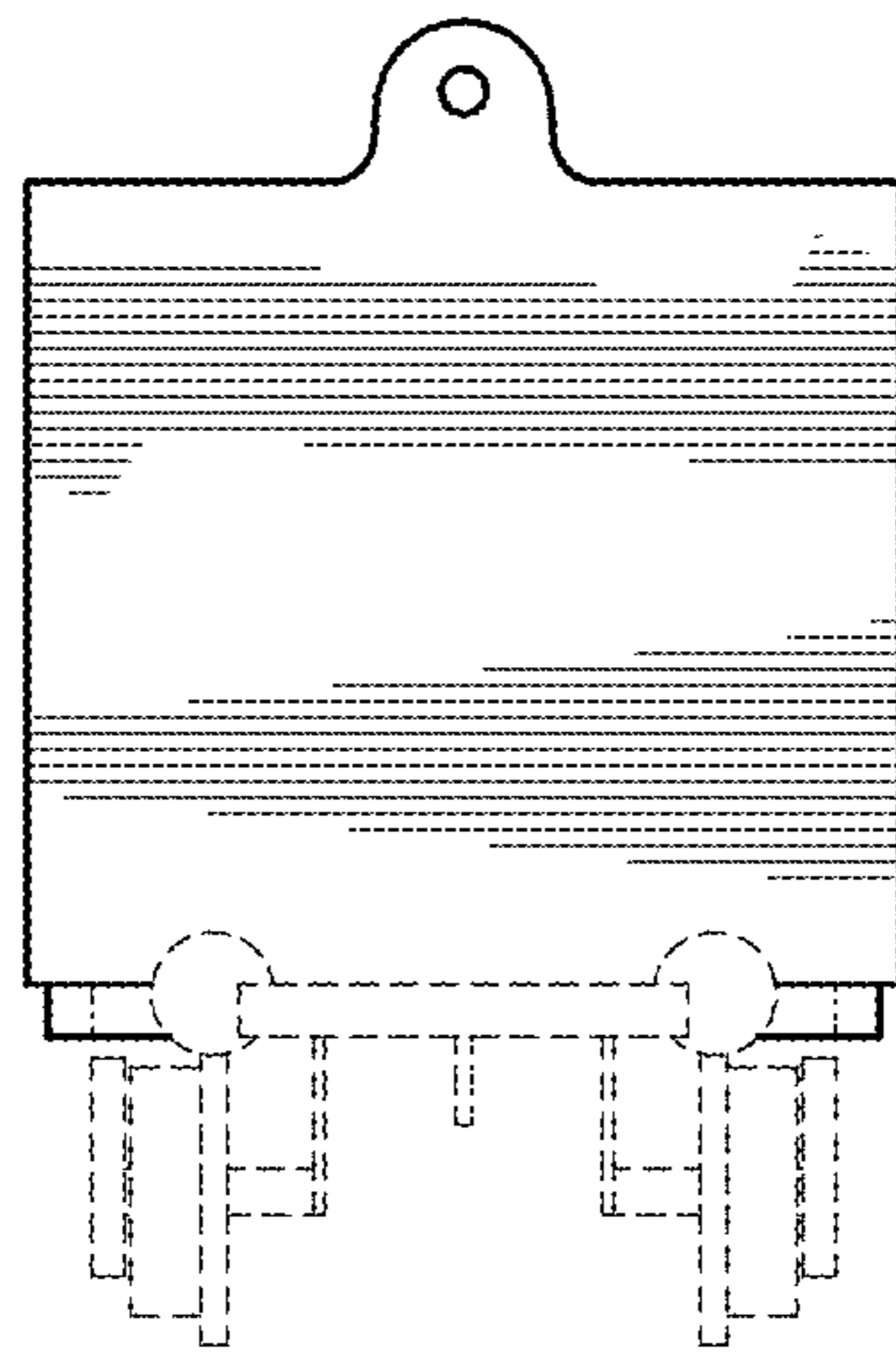


FIG. 18

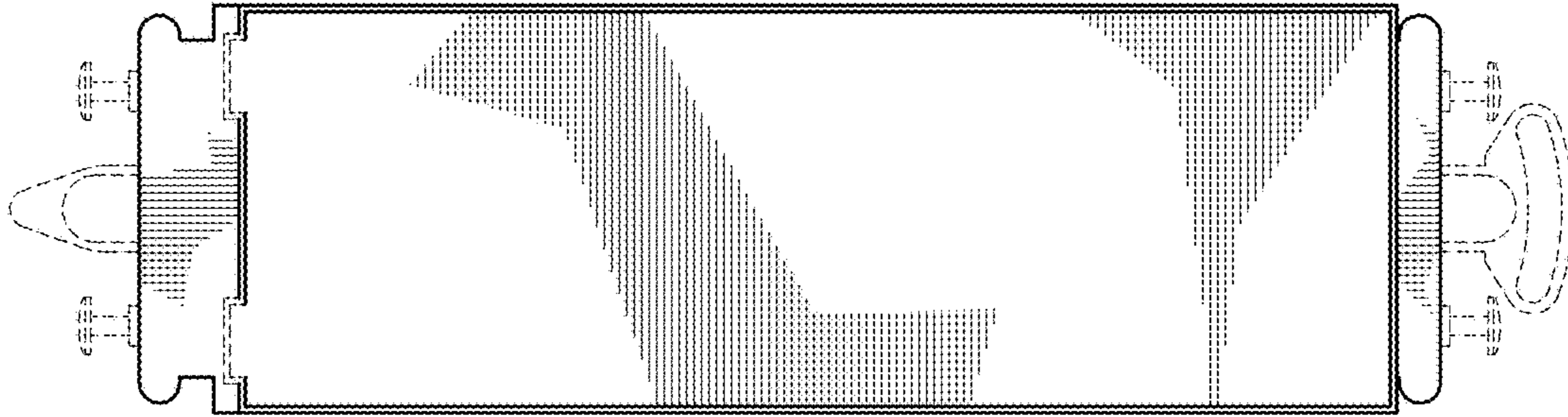


FIG. 19

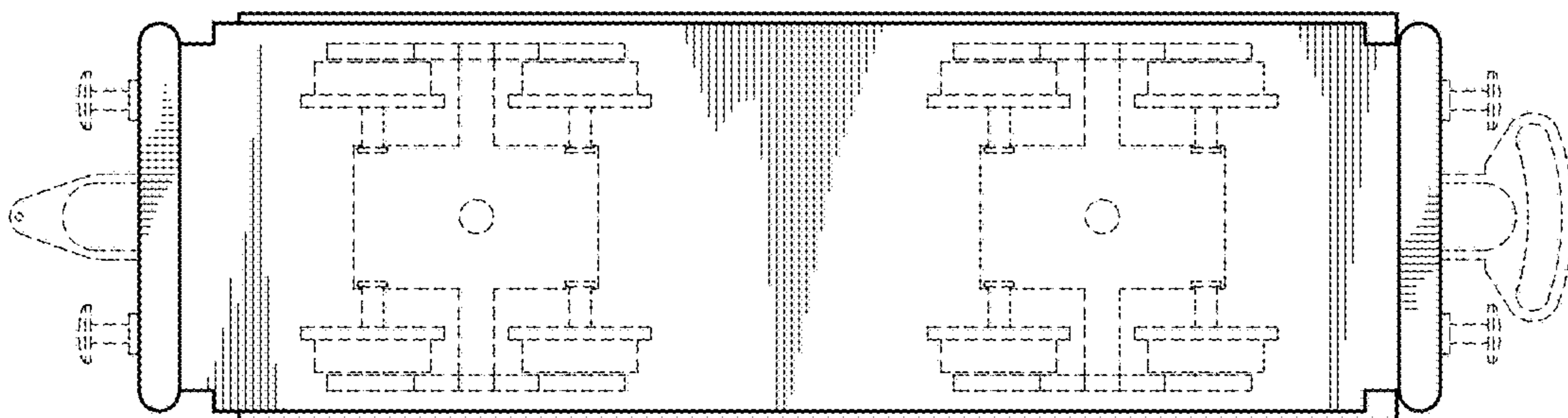


FIG. 20

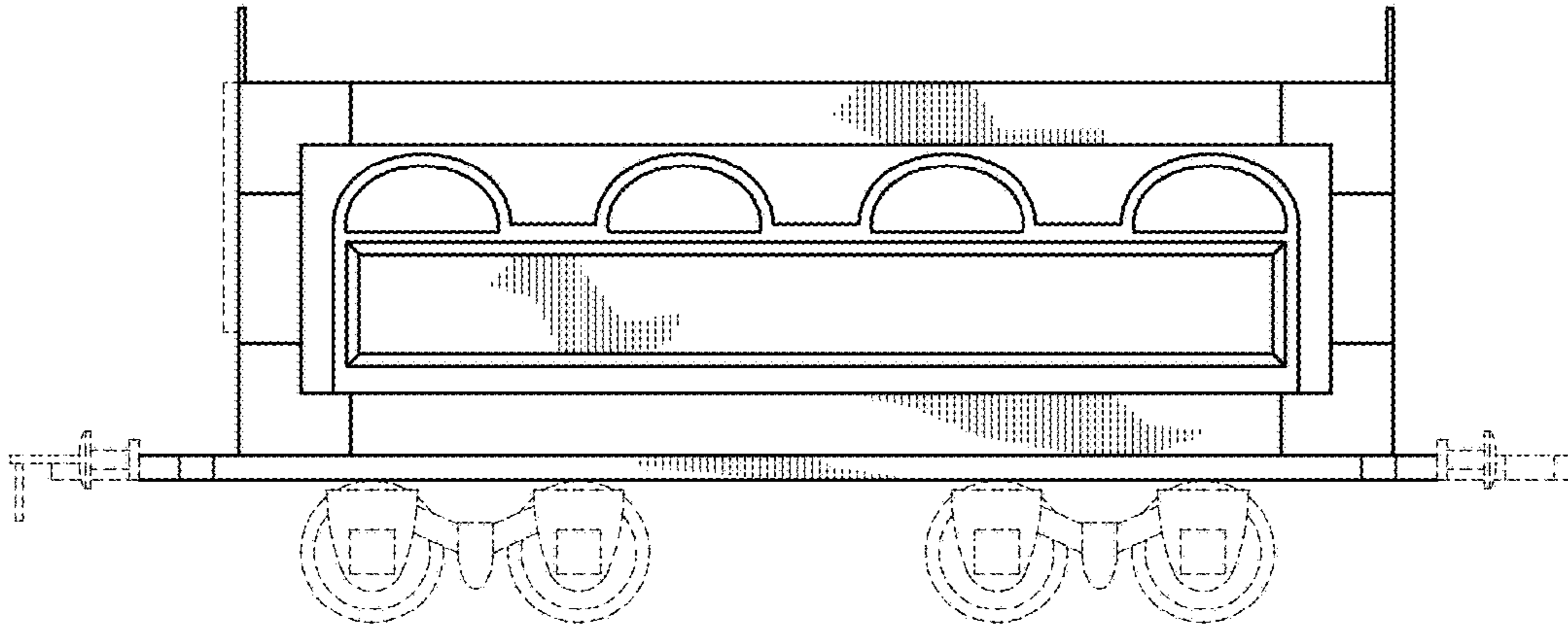


FIG. 21

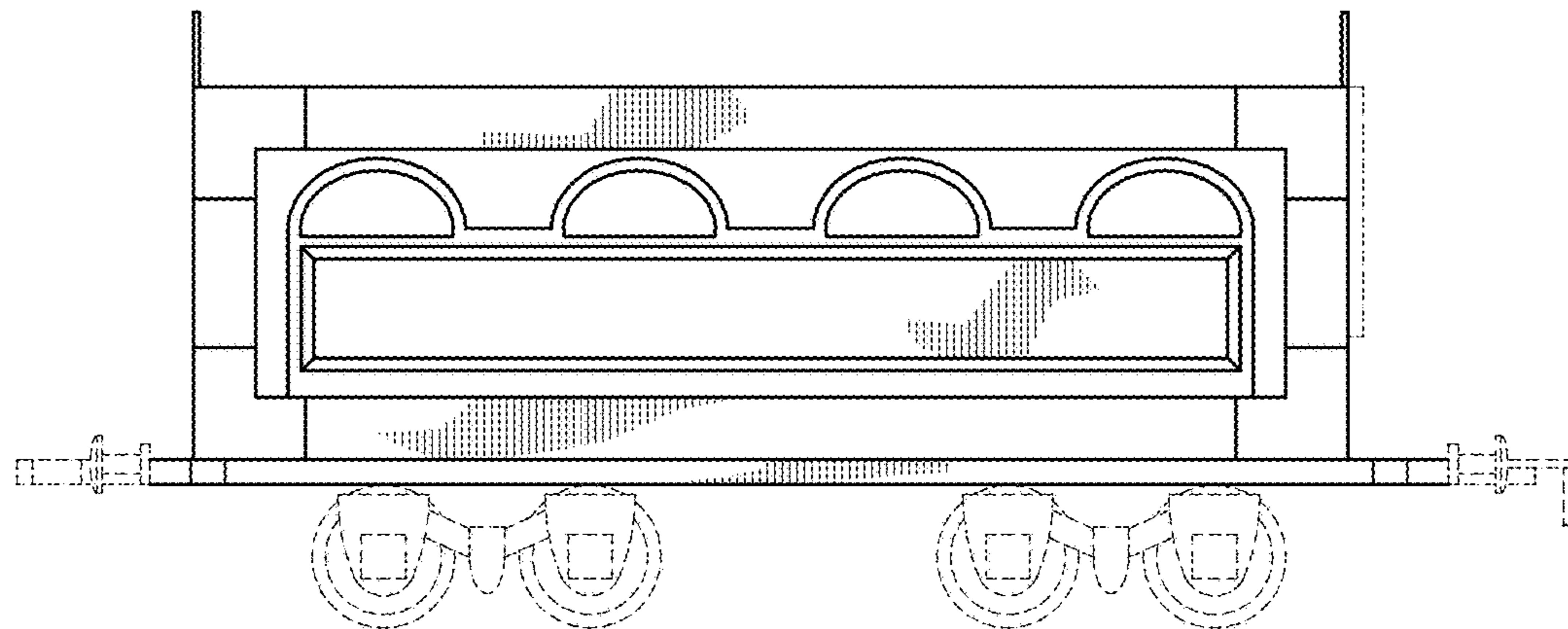


FIG. 22

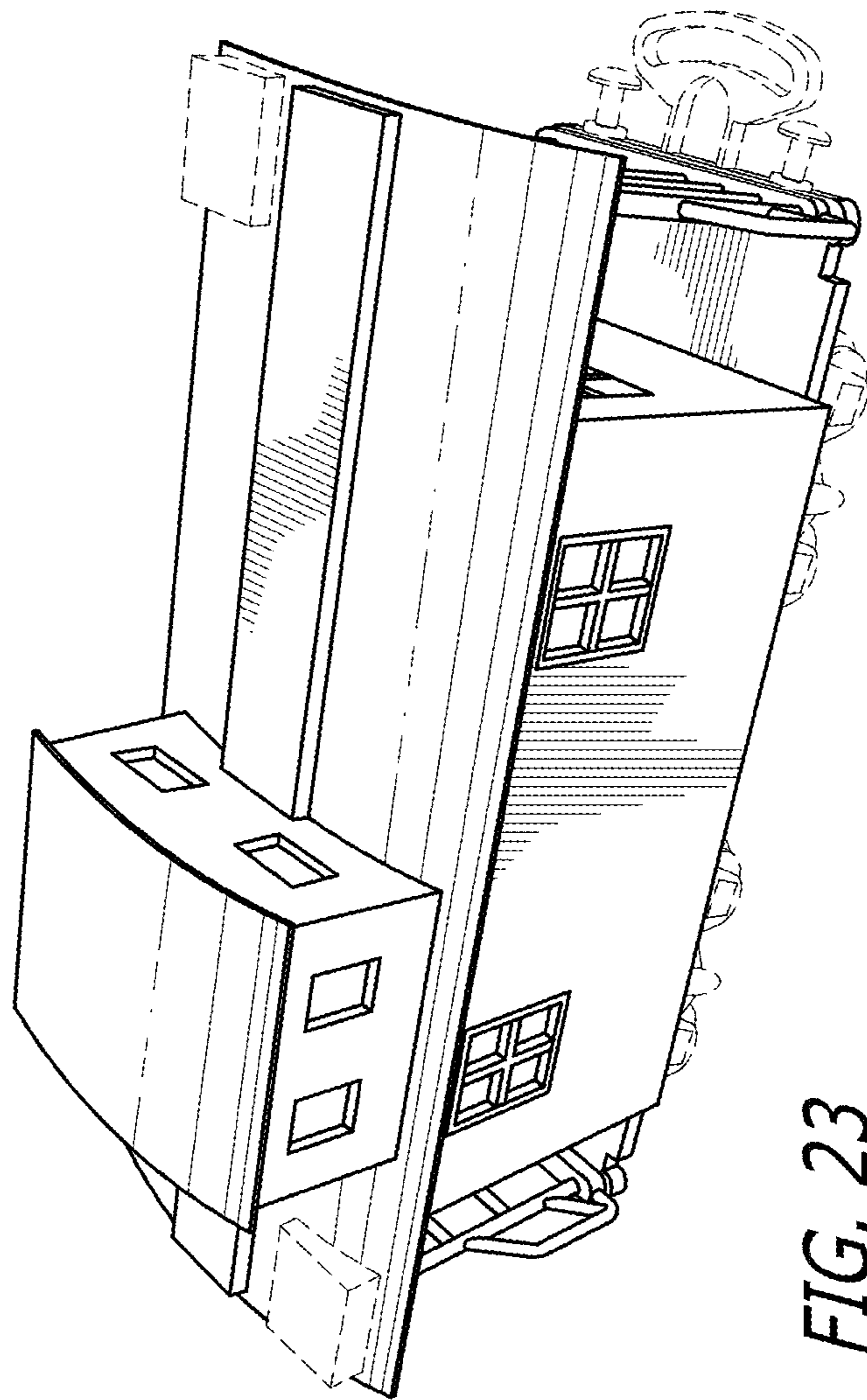


FIG. 23

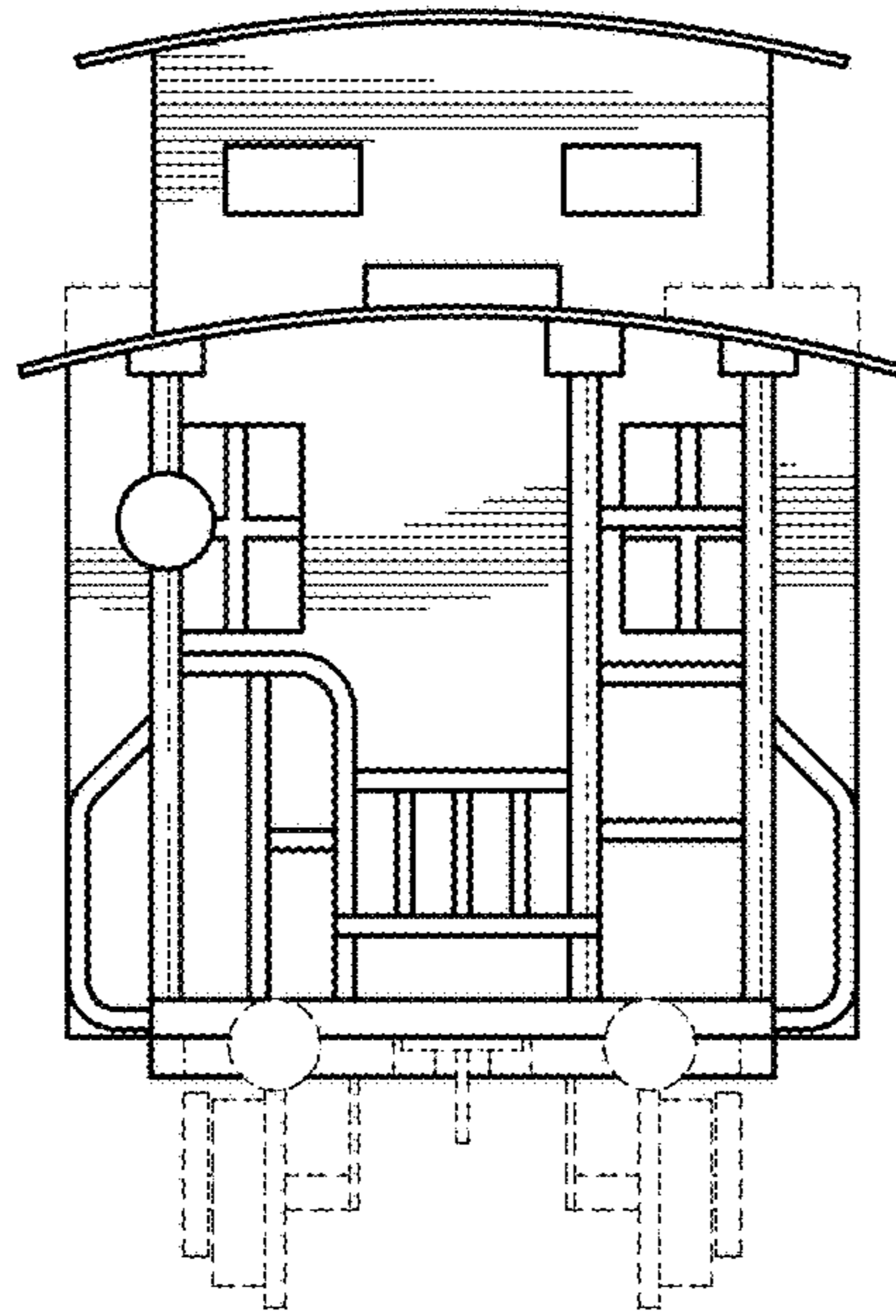


FIG. 24

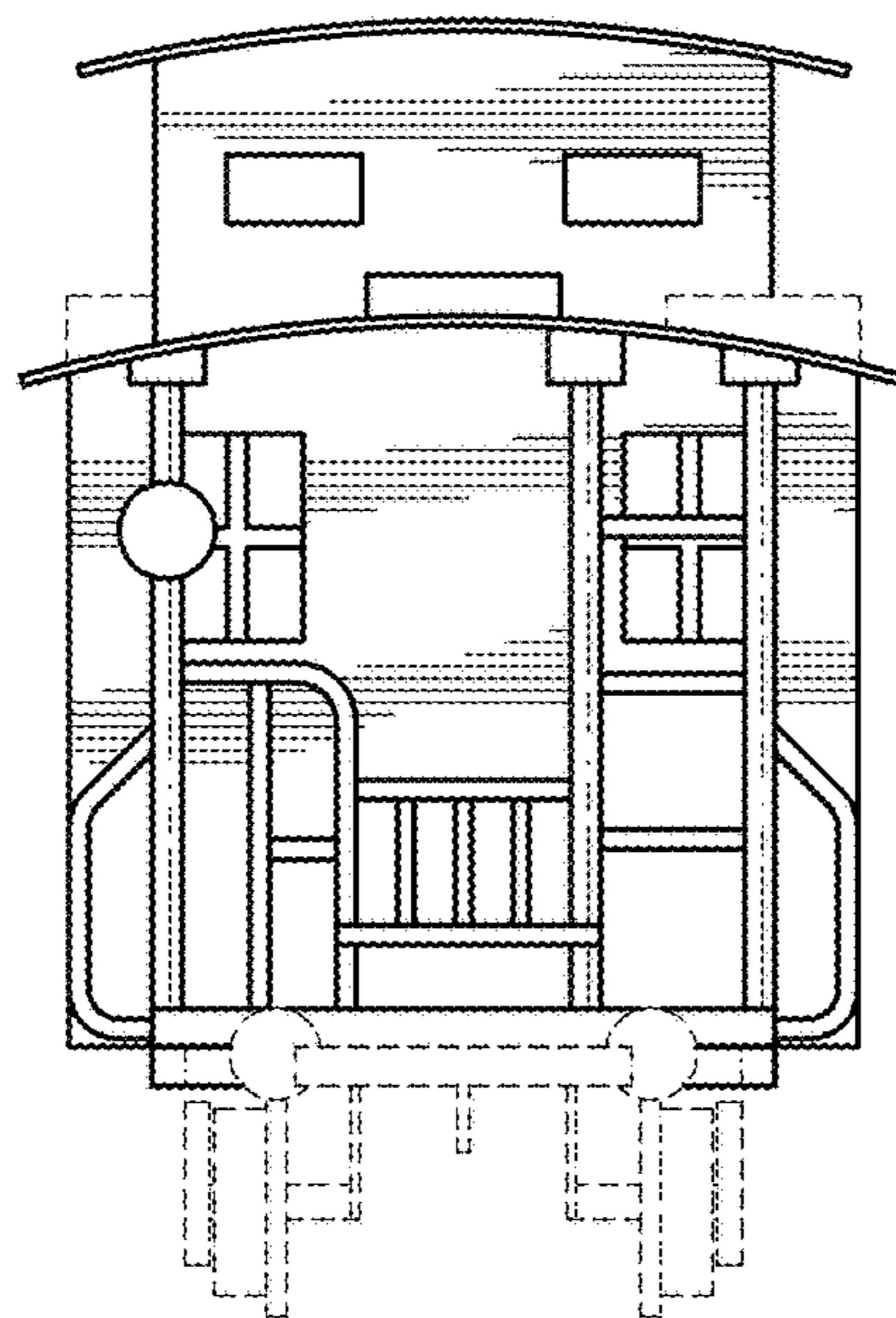


FIG. 25

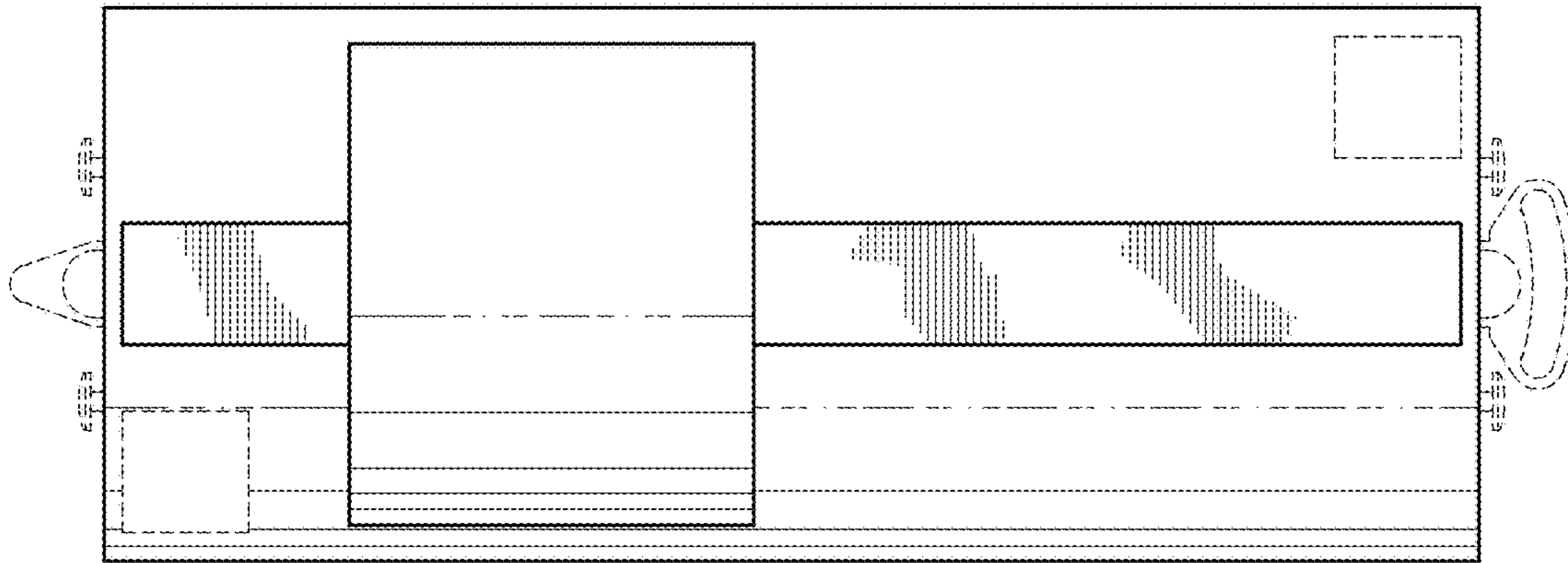


FIG. 26

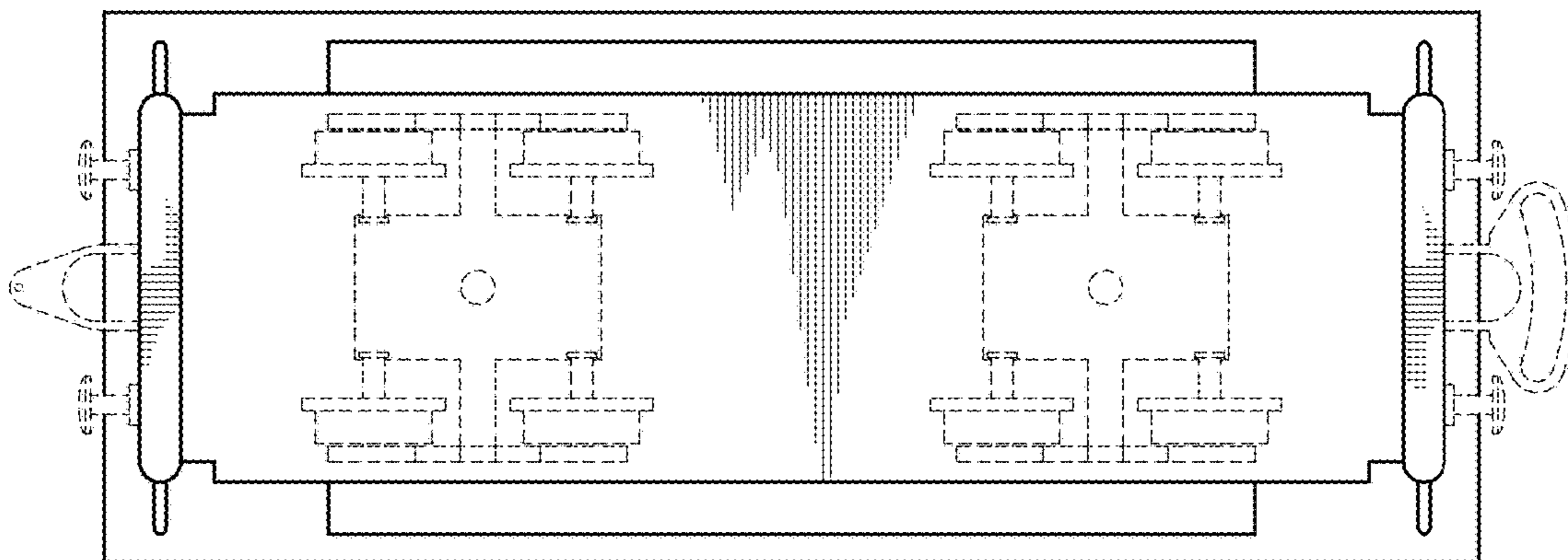


FIG. 27

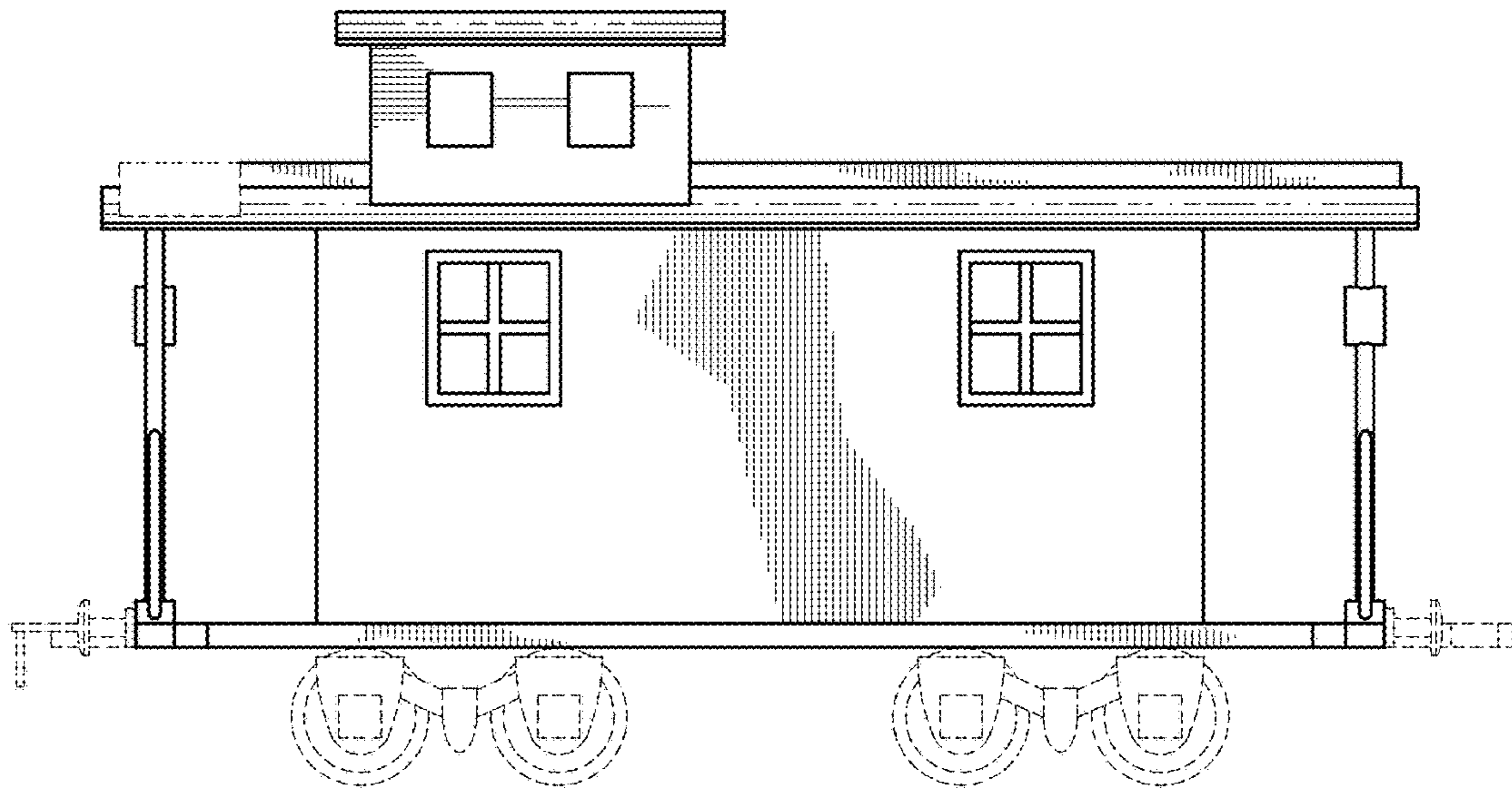


FIG. 28

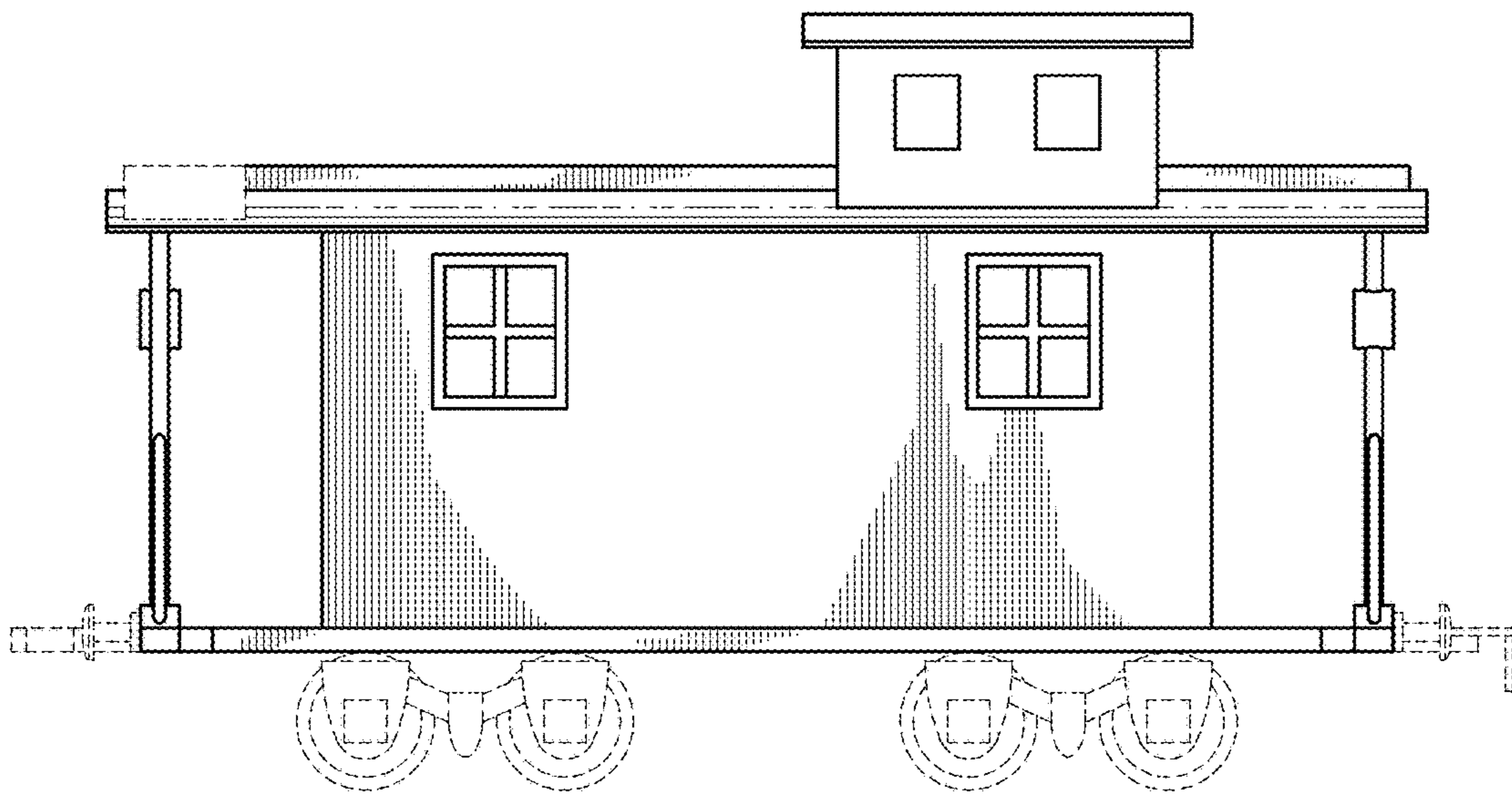


FIG. 29