

US00D857400S

(12) **United States Design Patent** (10) **Patent No.:** **US D857,400 S**  
**Nicoline** (45) **Date of Patent:** **\*\* \*Aug. 27, 2019**

(54) **MAKEUP BRUSH**

FOREIGN PATENT DOCUMENTS

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CN 300826116 9/2008  
CN 301850467 3/2012

(Continued)

(72) Inventor: **Alyssa Carolyn Nicoline**, McHenry, IL (US)

OTHER PUBLICATIONS

(\* ) Notice: This patent is subject to a terminal disclaimer.

Maria Pia, "Tom Ford Cream Foundation Brush review, photos and comparisons.," If Makeup Could Talk, LLC, Sep. 20, 2013, 4 pages. [URL] <http://ifmakeupcouldtalk.com/toolsaccessories/tom-ford-cream-foundation-brush-review-photos-and-comparisons/>.

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

(Continued)

(21) Appl. No.: **29/655,344**

*Primary Examiner* — Wan Laymon

(22) Filed: **Jul. 2, 2018**

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(57) **CLAIM**

**Related U.S. Application Data**

The ornamental design for a makeup brush, as shown and described.

(63) Continuation of application No. 29/596,354, filed on Mar. 7, 2017, now Pat. No. Des. 827,308.

**DESCRIPTION**

(51) **LOC (12) Cl.** ..... **04-99**

(52) **U.S. Cl.**  
USPC ..... **D4/138**

(58) **Field of Classification Search**  
USPC ..... D4/104, 106, 110, 114, 116, 118, 119, D4/120, 121, 127, 128, 138, 132, 135, D4/199; D28/7, 57, 30, 73, 75, 76, 77, D28/89; D8/80, 83, 94, 107, 300, 301; D24/180; D32/51, 52; D19/108, 115, D19/125; 15/106, 159.1, 160, 176.1, 184,  
(Continued)

FIG. 1 is an isometric view of a front, top, and left side of an ornamental design for a makeup brush;  
FIG. 2 is a front elevational view of the makeup brush of FIG. 1;  
FIG. 3 is a rear elevational view of the makeup brush of FIG. 1;  
FIG. 4 is a right side elevational view of the makeup brush of FIG. 1;  
FIG. 5 is a left side elevational view of the makeup brush of FIG. 1;  
FIG. 6 is a top plan view of the makeup brush of FIG. 1; and, FIG. 7 is a bottom plan view of the makeup brush of FIG. 1.

(56) **References Cited**

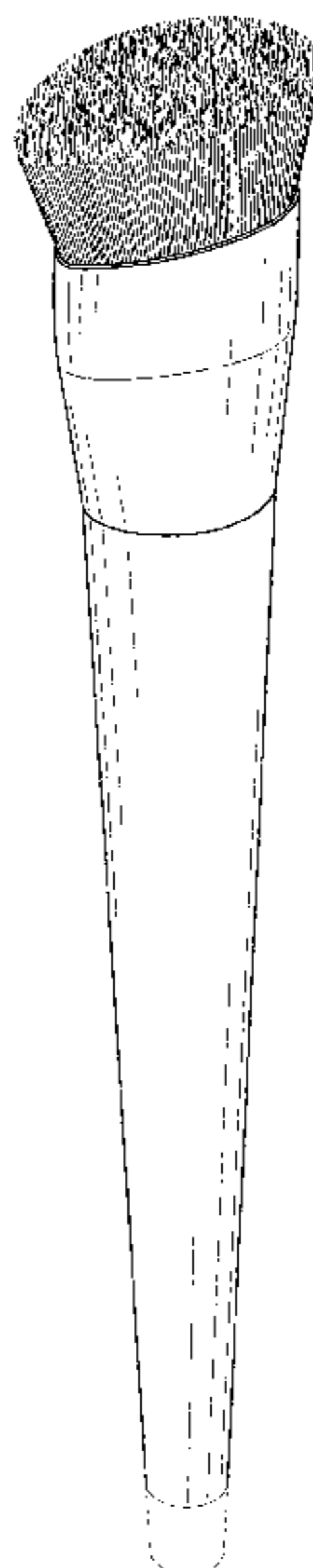
U.S. PATENT DOCUMENTS

RE16,869 E 2/1928 Goldman  
D116,216 S 8/1939 Brekke  
D139,381 S 11/1944 Harris

(Continued)

The dash-dash-dash-dash lines are for the purpose of illustrating environmental structure and form no part of the claimed design. The dash-dot-dash lines form no part of the claimed design and represent a boundary line.

**1 Claim, 4 Drawing Sheets**



# US D857,400 S

(58) **Field of Classification Search**  
 USPC ..... 15/190-194; 132/289, 294, 298, 313,  
 132/317, 320  
 CPC ..... A46B 5/00; A46B 5/0016; A46B 5/26;  
 A46B 5/005; A46B 2200/20; A46B  
 2200/104; A46B 2200/1046; A46B  
 2200/202; A46B 2200/108; A46B  
 2200/1086; A46B 2200/1093; A46B  
 17/04; A46B 11/00; A46B 11/001; A46B  
 11/0003; A46B 11/0006; A46B 11/0013;  
 A46B 15/0055; A46B 15/0061; A46B  
 7/026; A61C 3/00; A61M 35/003; B05C  
 17/0205; B05C 17/04; B05C 1/06  
 See application file for complete search history.

D528,305 S	9/2006	Langer	
D529,292 S	10/2006	Langer	
D529,293 S	10/2006	Langer	
D529,719 S	10/2006	Langer	
D530,097 S	10/2006	Langer	
D530,519 S	10/2006	Langer	
D541,979 S	5/2007	Montoli	
D571,105 S	6/2008	Godin	
D571,559 S	6/2008	Riaz	
D572,010 S	7/2008	Riaz	
D573,348 S	7/2008	Dumler et al.	
D573,349 S	7/2008	Dumler et al.	
D574,154 S	8/2008	Dumler et al.	
D574,155 S	8/2008	Dumler et al.	
7,416,080 B1	8/2008	Langer	
D598,655 S	8/2009	Thorpe et al.	
D599,113 S	9/2009	Jackel-Marken	
D599,117 S	9/2009	Dumler	
D617,954 S	6/2010	LAbbate	
RE41,710 E	9/2010	Dumler et al.	
RE41,711 E	9/2010	Dumler et al.	
D625,522 S	10/2010	Riaz	
D627,977 S	11/2010	Magallanes Orozco	
D628,811 S	12/2010	Masuyama	
D629,846 S	12/2010	Losel	
D630,437 S	1/2011	Carey	
D631,666 S	2/2011	Lim et al.	
D632,086 S	2/2011	Kulik	
D634,127 S	3/2011	Burgess et al.	
D642,805 S	8/2011	Burgess et al.	
D645,665 S	9/2011	Del Ponte	
D650,012 S	12/2011	Losel	
D655,006 S	2/2012	Rajaiah et al.	
D658,385 S	5/2012	Lim et al.	
8,185,998 B2 *	5/2012	Xu ..... A46B 5/0095 132/120	
D663,957 S	7/2012	Garcia	
8,230,543 B2	7/2012	Shrier et al.	
D666,008 S	8/2012	Boudreau	
D676,663 S	2/2013	Ptok et al.	
D676,666 S	2/2013	Nelson	
D677,904 S	3/2013	Hammer	
D678,682 S	3/2013	Hammer	
D678,683 S	3/2013	Hammer	
D678,684 S	3/2013	Hammer	
D699,041 S	2/2014	Waitesmith	
D702,554 S	4/2014	Cole et al.	
D706,542 S	6/2014	Lavigne	
D718,060 S	11/2014	Filho et al.	
D718,941 S	12/2014	Matsuishi	
9,089,200 B2 *	7/2015	Telwar ..... A46B 3/08	
D743,632 S	11/2015	Schlickman	
D746,010 S	12/2015	Xavier et al.	
D747,835 S	1/2016	Barnard et al.	
9,237,790 B2	1/2016	Takagi	
D749,327 S	2/2016	Thierer et al.	
D749,858 S	2/2016	Snook	
D749,859 S	2/2016	Snook	
D750,383 S	3/2016	Serrano	
D752,149 S	3/2016	Fairweather	
D753,769 S	4/2016	Ciriolo	
D756,127 S	5/2016	Nicoline	
D756,661 S	5/2016	Waitesmith	
D757,441 S	5/2016	Hwang	
D757,443 S	5/2016	Waitesmith	
D757,447 S	5/2016	White	
D758,742 S	6/2016	Nicoline	
D762,988 S	8/2016	Xavier et al.	
D763,676 S	8/2016	Filho et al.	
D764,807 S	8/2016	Waitesmith	
D765,421 S	9/2016	Cole	
D766,586 S	9/2016	Hwang	
D766,587 S	9/2016	Hwang	
D767,903 S	10/2016	Lim	
D768,998 S	10/2016	Kim et al.	
D771,389 S	11/2016	Since	
D776,440 S	1/2017	Jain	
D776,941 S	1/2017	Nicoline	
D778,067 S	2/2017	Jain	

(56) **References Cited**  
 U.S. PATENT DOCUMENTS

D189,374 S	11/1960	Harris	
D238,631 S	2/1976	Leighton	
D249,600 S	9/1978	Bowman	
D258,240 S	2/1981	Takada et al.	
D263,807 S	4/1982	Kingsford	
D274,474 S	6/1984	Castiglioni	
D275,040 S	8/1984	Holloway	
D278,951 S	5/1985	Kalinsky	
D278,952 S	5/1985	Kalinsky	
D285,730 S	9/1986	Bulwick	
D295,878 S	5/1988	Lovell	
D304,392 S	11/1989	Reich	
4,946,389 A	8/1990	Weissenburger	
D312,729 S	12/1990	Auttajark	
D319,736 S	9/1991	Thuresson et al.	
D323,186 S	1/1992	Clark et al.	
D327,979 S	7/1992	Carranza	
D346,277 S	4/1994	Sherman et al.	
D361,236 S	8/1995	Murgalo	
D368,093 S	3/1996	Starck	
5,542,144 A	8/1996	Forsline	
D376,696 S	12/1996	Vogel, Jr.	
D376,910 S	12/1996	Tuchman	
D386,311 S	11/1997	Moskovich	
D395,552 S	6/1998	Cunningham	
D404,647 S	1/1999	Federighi	
5,926,903 A	7/1999	Kim	
D418,541 S	1/2000	Mayer	
D418,601 S	1/2000	McGugan	
6,039,051 A	3/2000	Dorf	
D427,777 S	7/2000	Kim	
D430,608 S	9/2000	Kriegelstein et al.	
D431,324 S	9/2000	Hirato et al.	
D433,537 S	11/2000	Schoon et al.	
D435,349 S	12/2000	Kim	
D438,383 S	3/2001	Doat	
D446,212 S	8/2001	Chang	
D447,602 S	9/2001	Dumler et al.	
D450,189 S	11/2001	Mink et al.	
D451,285 S	12/2001	Andersson	
D452,948 S	1/2002	Mink et al.	
6,386,874 B2	5/2002	Bachmann et al.	
D458,761 S	6/2002	Mason et al.	
D460,111 S	7/2002	Veillon	
D463,735 S	10/2002	Gobe	
D469,180 S	1/2003	Mark	
6,513,183 B2	2/2003	Dorf	
D478,213 S	8/2003	Ping	
D479,918 S	9/2003	Mink	
D480,272 S	10/2003	Yang	
D485,575 S	1/2004	Lovell	
6,779,532 B2	8/2004	Dorf	
D516,257 S	2/2006	Brackett et al.	
D518,102 S	3/2006	Lovell	
D522,866 S	6/2006	Bakic	
D527,188 S	8/2006	Langer	
D528,304 S	9/2006	Langer	

(56)

**References Cited**

U.S. PATENT DOCUMENTS

D778,617	S	2/2017	Jain	
D778,618	S	2/2017	Jain	
D778,619	S	2/2017	Jain	
D778,620	S	2/2017	Jain	
D778,621	S	2/2017	Jain	
D778,623	S	2/2017	Jain	
D779,137	S	2/2017	Taylor	
D779,213	S	2/2017	Jain	
D781,592	S	3/2017	Kaicker et al.	
D781,593	S	3/2017	Kaicker	
D782,138	S	3/2017	Xavier et al.	
D782,198	S	3/2017	Hwang	
D782,199	S	3/2017	Hwang	
D782,201	S	3/2017	Hwang	
D782,730	S	3/2017	Zhang et al.	
D782,826	S	4/2017	Kim et al.	
D783,291	S	4/2017	Lin	
D787,190	S	5/2017	Machiorlette et al.	
D787,191	S	5/2017	Hwang	
D787,192	S	5/2017	Hwang	
D787,193	S	5/2017	Hwang	
D787,833	S	5/2017	Jain	
9,642,441	B1	5/2017	Ajootian	
D788,471	S	6/2017	Dunaway	
D790,973	S	7/2017	Kern et al.	
D793,090	S	8/2017	Allen et al.	
D794,966	S	8/2017	Salm	
D800,457	S	10/2017	Kaicker	
D802,938	S	11/2017	Nicoline	
D807,611	S	1/2018	Almarales	
D817,546	S *	5/2018	Barozzi .....	D28/7
D821,760	S *	7/2018	Yan .....	D4/138
D827,308	S *	9/2018	Nicoline .....	D4/138
D827,309	S *	9/2018	Nicoline .....	D4/138
D827,310	S *	9/2018	Allenback .....	D4/138
D829,006	S *	9/2018	Richards .....	A46B 5/0095 D4/138
D831,362	S *	10/2018	Kim .....	D4/138
D831,974	S *	10/2018	Nicoline .....	D4/138
D831,975	S *	10/2018	Nicoline .....	D4/138
D831,976	S *	10/2018	Nicoline .....	D4/199
10,098,446	B2 *	10/2018	Telwar Kaicker .....	A46B 3/08
2002/0083953	A1	7/2002	Dorf	
2006/0248669	A1	11/2006	Dovellos	
2010/0101035	A1	4/2010	Nakamura	
2010/0236004	A1	9/2010	Xu	
2011/0017226	A1	1/2011	Choi	

2011/0174680	A1	7/2011	Arvin et al.	
2011/0284019	A1	11/2011	Fairweather	
2012/0142545	A1	6/2012	Kingston et al.	
2012/0298130	A1	11/2012	Telwar et al.	
2013/0174860	A1	7/2013	Takagi	
2014/0166041	A1	6/2014	King	
2014/0331422	A1	11/2014	Lim	
2015/0027495	A1	1/2015	Xavier et al.	
2016/0128445	A1	5/2016	Lim	
2016/0262528	A1	9/2016	Telwar	
2017/0188691	A1	7/2017	Richards	
2017/0265637	A1	9/2017	Telwar	
2018/0153293	A1 *	6/2018	Dovellos .....	A46B 9/021
2018/0220786	A1 *	8/2018	Serposi .....	A46B 9/12

FOREIGN PATENT DOCUMENTS

CN	301855897	3/2012
CN	303866304	9/2016
CN	303901885	11/2016
EM	002910968-0001	12/2015
EM	002910968-0002	12/2015
EM	002910968-0003	12/2015
EM	002910968-0004	12/2015
EM	002910968-0005	12/2015
EM	002910968-0006	12/2015
EM	002910968-0007	12/2015
EM	002910968-0008	12/2015
EM	002910968-0009	12/2015
EM	002910968-0010	12/2015
EM	002910968-0011	12/2015
EM	002910968-0012	12/2015
EM	002910968-0013	12/2015
WO	2012142545 A2	10/2012

OTHER PUBLICATIONS

Iswarya, "Tmart 10pcs Professional Cosmetic Makeup Brush Set with Cream Colored Bag Review!!" I Am Girly Blog, Oct. 3, 2014, 9 pages. [URL] <http://i-am-girly.com/product-review/tmart-10-pcs-professional-cosmetic-make-up-brush-set-with-cream-colored-bag-review.html>.

"Real Techniques Point L Makeup Brush," Real Techniques, Retrieved from Internet Jan. 8, 2018, 5 pages. [URL] <https://realtechniques.com/point-l/p/1481>.

Tweet By Val Mendoza showing image of a set of 5 cosmetic brushes, Dec. 8, 2015, 9 pages. [URL] <https://twitter.com/rval78>.

\* cited by examiner

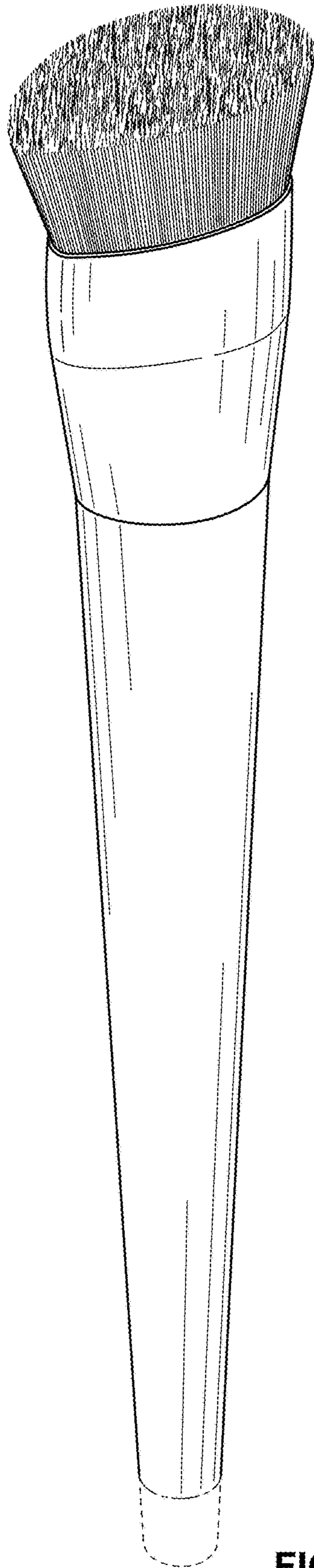


FIG. 1

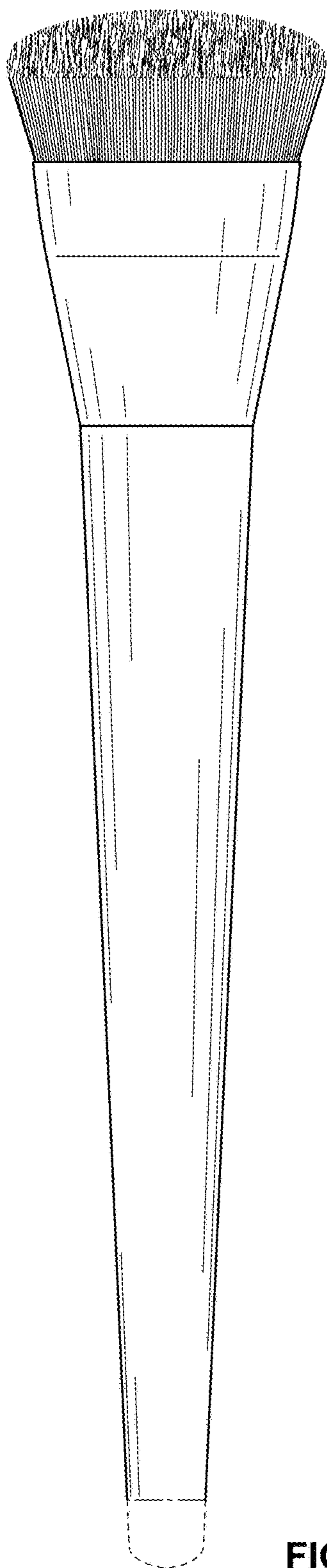


FIG. 2

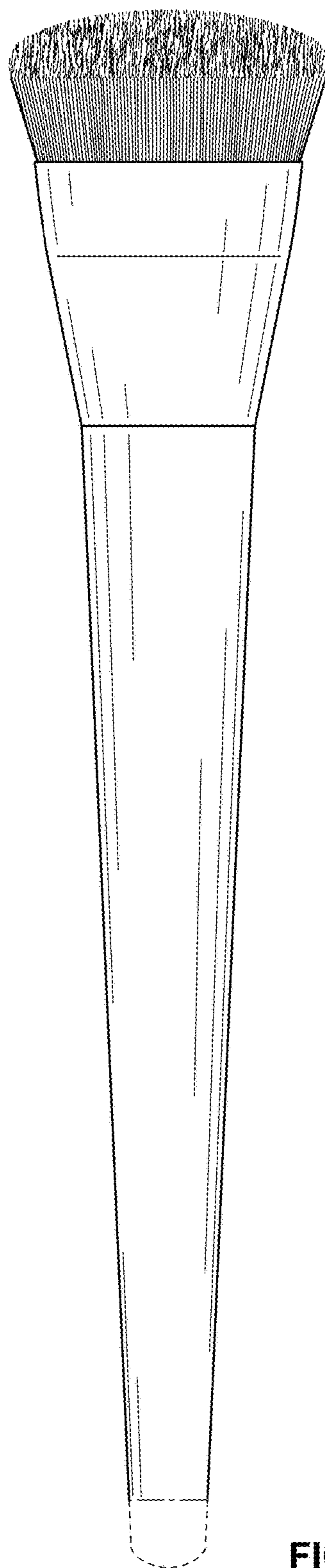


FIG. 3

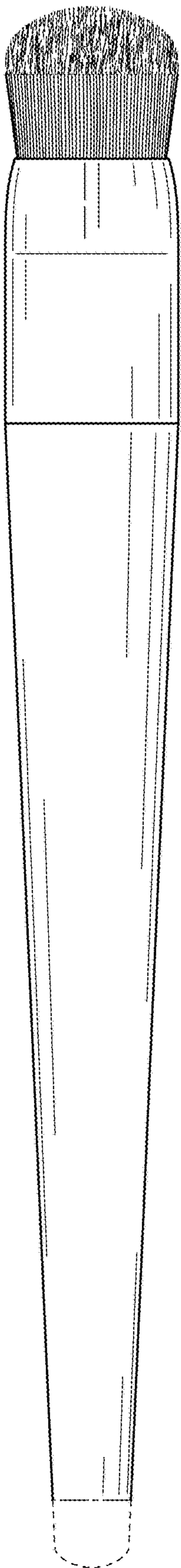


FIG. 4

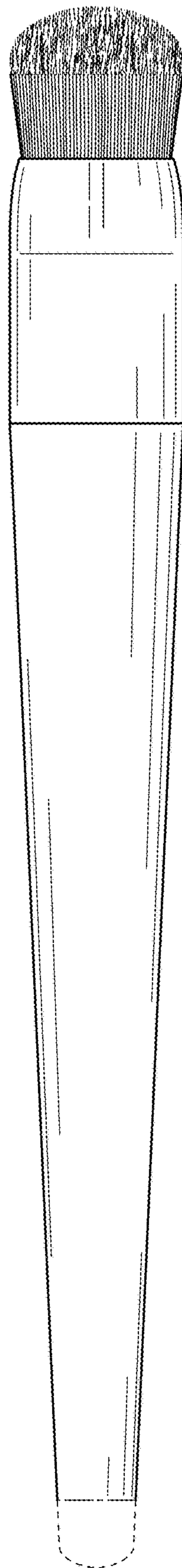


FIG. 5

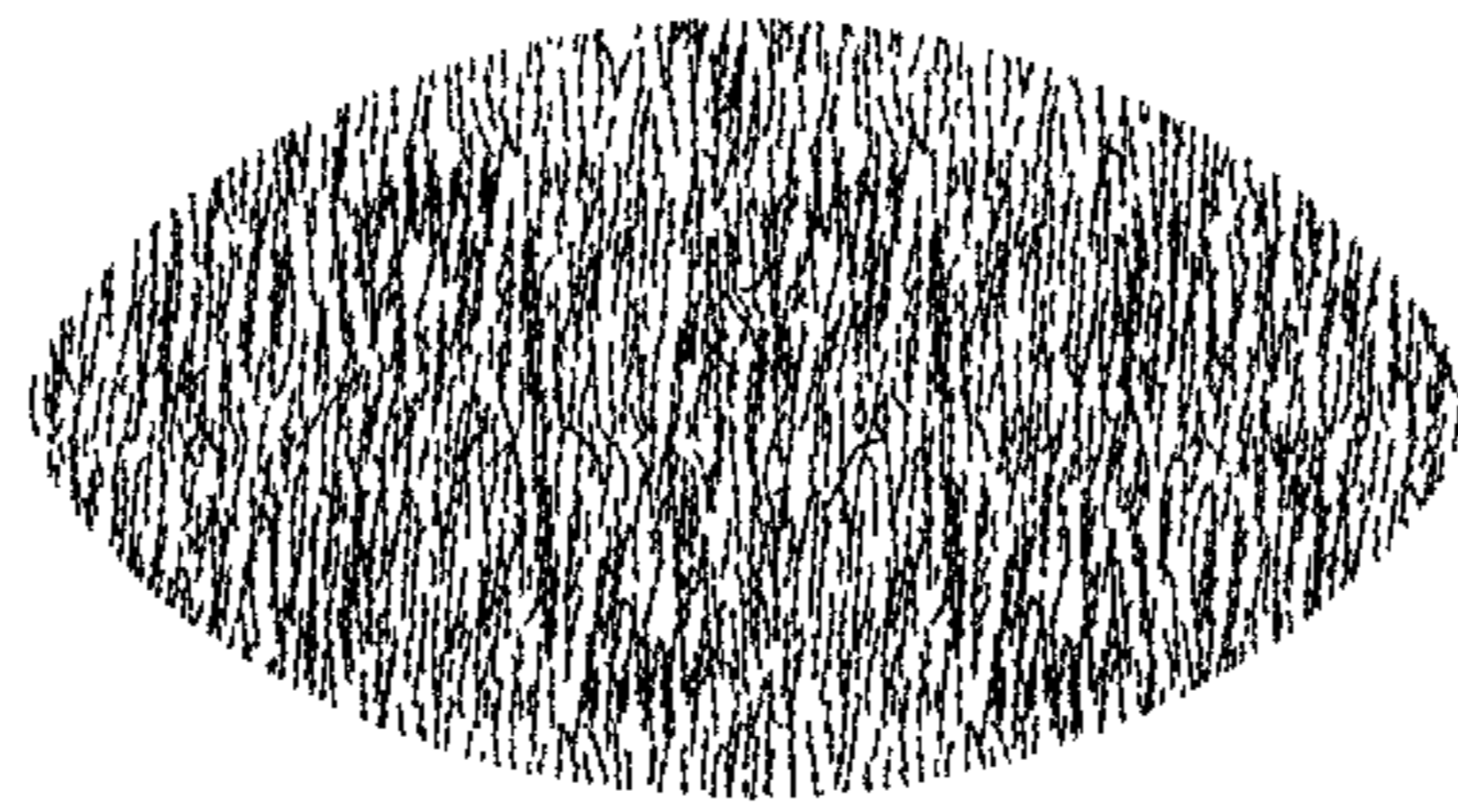


FIG. 6

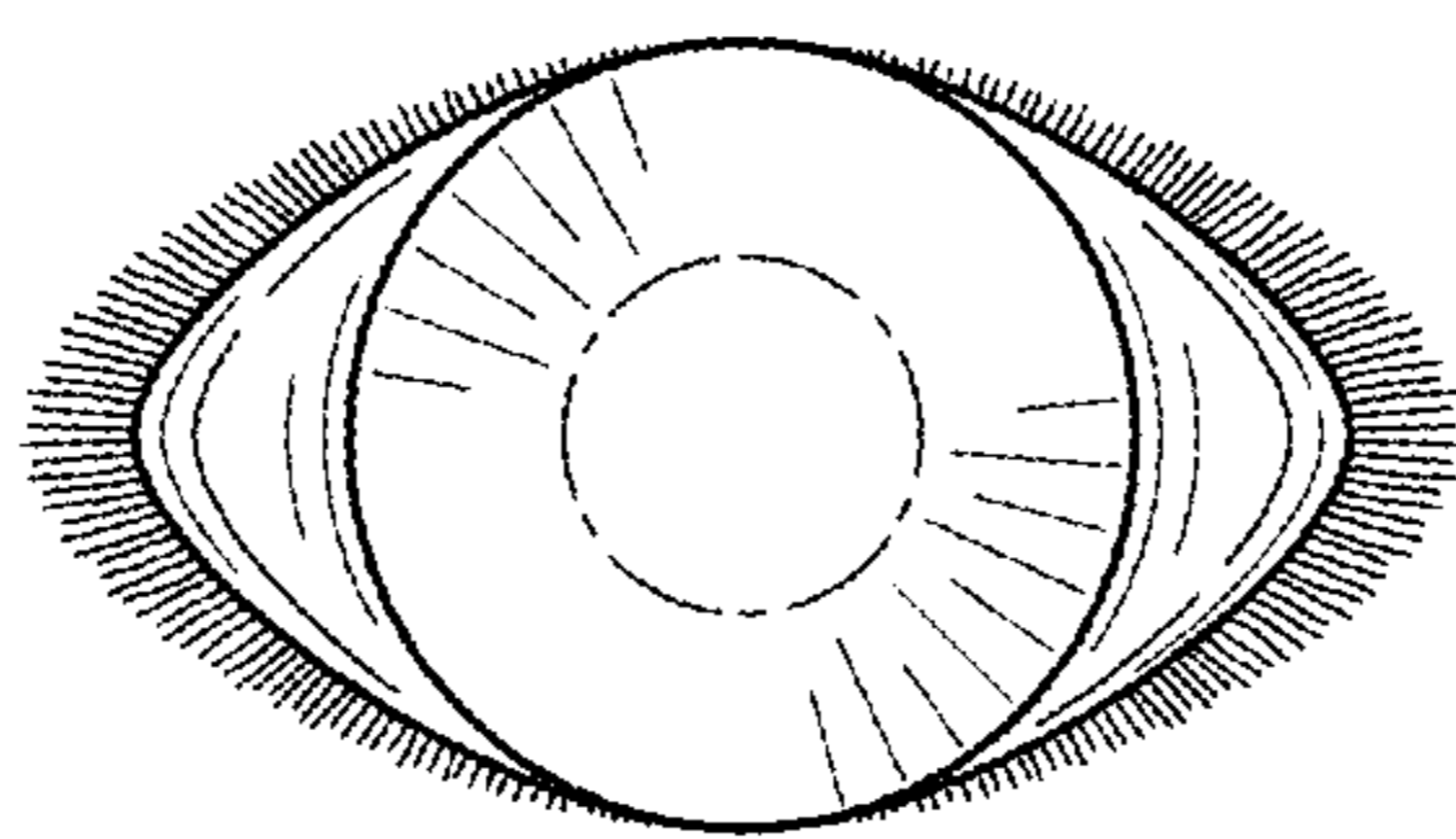


FIG. 7