



US00D862996S

(12) **United States Design Patent**
Miksovsky et al.

(10) **Patent No.:** **US D862,996 S**
(45) **Date of Patent:** **** Oct. 15, 2019**

(54) **EXTENDABLE SPOON**

(71) Applicant: **humangear, Inc.**, San Francisco, CA (US)
(72) Inventors: **Christopher A. Miksovsky**, San Francisco, CA (US); **Steven R. Takayama**, Atherton, CA (US); **Kevin J. Kilpatrick**, Mountain View, CA (US)
(73) Assignee: **humangear, Inc.**, San Francisco, CA (US)

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

(21) Appl. No.: **29/653,595**

(22) Filed: **Jun. 15, 2018**

(51) **LOC (12) Cl.** **07-03**

(52) **U.S. Cl.**
USPC **D7/643**; D7/401.2; D7/642; D7/653

(58) **Field of Classification Search**
USPC D7/368, 401.2, 642-645, 647-649, D7/653-664, 669, 675-677, 683,
(Continued)

(56) **References Cited**

U.S. PATENT DOCUMENTS

33,703 A 11/1861 Hardie
34,069 A 1/1862 Neill
(Continued)

FOREIGN PATENT DOCUMENTS

CN 200945058 9/2007
CN 201691585 1/2011
(Continued)

OTHER PUBLICATIONS

International Search Report dated Jul. 8, 2015 from International Application No. PCT/US2015/019017.
(Continued)

Primary Examiner — Ricky Pham
(74) *Attorney, Agent, or Firm* — Beyer Law Group LLP

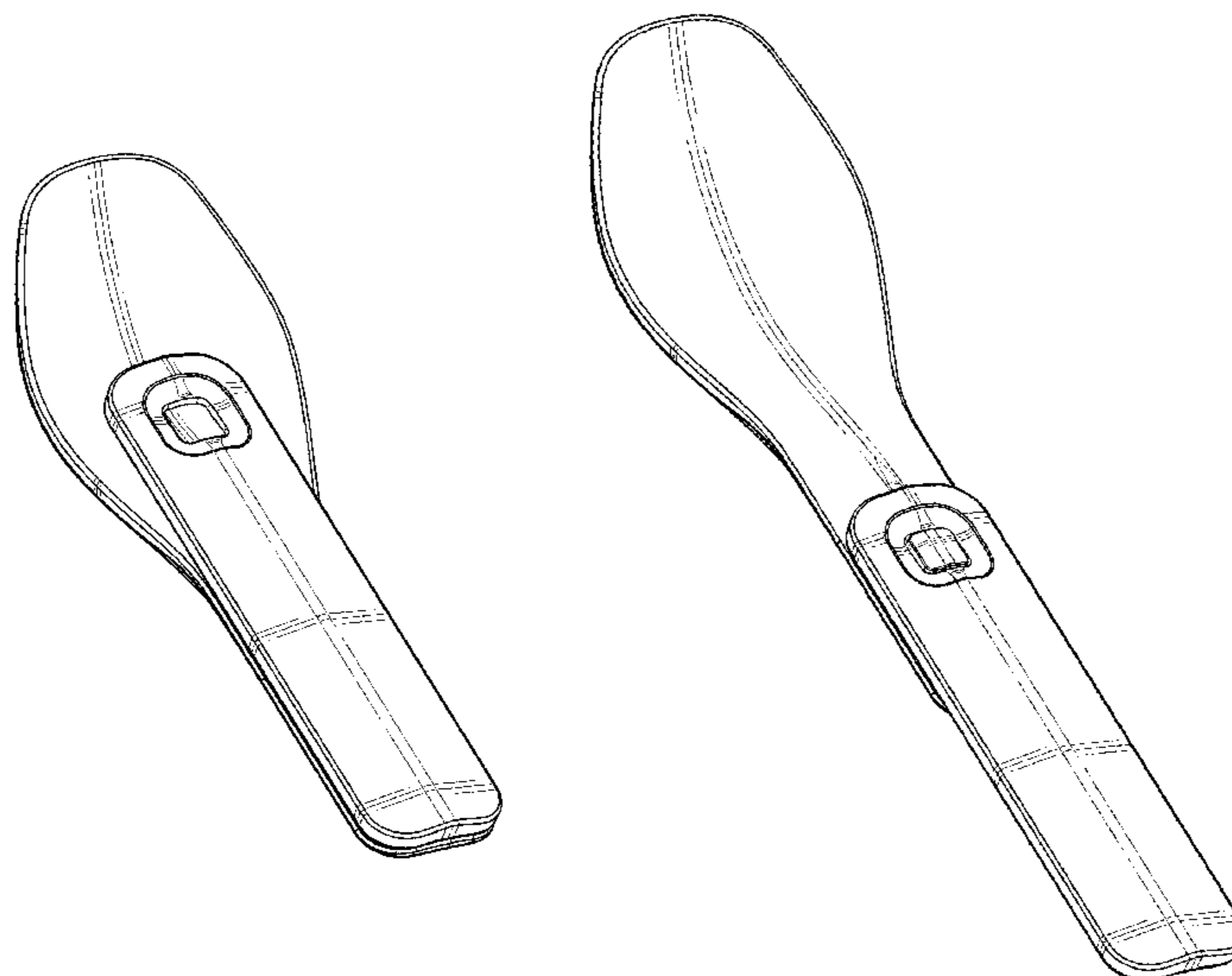
(57) **CLAIM**

We claim the ornamental design for an extendable spoon, substantially as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of an extendable spoon in a nested position in accordance with the present design.
FIG. 2 is a top view of the extendable spoon in the nested position.
FIG. 3 is a back view of the extendable spoon in the nested position.
FIG. 4 is a left side view of the extendable spoon in the nested position.
FIG. 5 is a right side view of the extendable spoon in the nested position.
FIG. 6 is a head end view of the extendable spoon in the nested position.
FIG. 7 is a handle end view of the extendable spoon in the nested position.
FIG. 8 is a perspective view of the extendable spoon in an extended position.
FIG. 9 is a bottom view of the extendable spoon in the extended position.
FIG. 10 is a perspective view of the spoon element alone of the extendable spoon.
FIG. 11 is a front perspective view of the handle alone of the extendable spoon; and,
FIG. 12 is a back perspective view of the handle alone of the extendable spoon.
The broken lines are shown for illustrative purposes only and form no part of the claimed design.

1 Claim, 11 Drawing Sheets



US D862,996 S

Page 2

(58) **Field of Classification Search**
 USPC D7/688-689, 691; D8/107, 300-301;
 D22/117-118
 CPC ... A01D 9/02; A01D 9/04; A01D 9/06; A47G
 21/00; A47G 21/004; A47G 21/005;
 A47G 21/02; A47G 21/023; A47G 21/04;
 A47G 21/06; A47G 21/08; A47J 43/28;
 A47J 43/281; A47J 43/282; A61F 13/10;
 A61J 7/0023; B25G 1/00; B25G 1/01;
 B25G 1/02; B25G 3/00; B65D 75/56;
 B65D 75/563; B65D 75/566; B67B 7/00;
 B67B 7/38; B67B 7/724; B67B 7/73
 See application file for complete search history.

D241,302 S 9/1976 Scigliano
 3,991,466 A 11/1976 Smith
 D249,926 S 10/1978 Wong
 4,317,284 A 3/1982 Prindle
 D269,060 S 5/1983 Creamer
 4,425,711 A 1/1984 Wood et al.
 4,524,512 A 6/1985 Formo et al.
 D284,442 S 7/1986 Chan
 4,615,120 A * 10/1986 Newman A47G 21/02
 16/227
 4,625,404 A 12/1986 Valente et al.
 4,771,541 A 9/1988 Bouchakian
 4,835,864 A 6/1989 Tang
 4,984,367 A 1/1991 Albanese
 4,995,154 A * 2/1991 Bamber A47G 21/06
 30/147

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

34,098 A 1/1862 Hardie et al.
 34,712 A 3/1862 Cables
 32,916 A 7/1862 Richards
 46,832 A 3/1865 Thorne
 88,370 A 3/1869 Cox
 RE7,925 E 10/1877 Ulmer
 RE9,687 E 5/1881 Cox
 398,264 A 2/1889 Kisner
 D30,129 S 2/1899 Whitcomb et al.
 D31,575 S 10/1899 Phillips et al.
 671,740 A 4/1901 Wattne
 675,475 A 6/1901 Glover
 812,424 A 2/1906 Hellmuth
 849,098 A 4/1907 Aufrichtig
 854,745 A 5/1907 King
 870,413 A 11/1907 Brown
 972,777 A 10/1910 Richardson
 1,053,387 A 2/1913 Hawley
 1,229,696 A 6/1917 Woods
 1,271,679 A 7/1918 Duckett
 1,277,205 A 8/1918 Evans
 D53,165 S 4/1919 Janosik
 1,337,174 A 4/1920 Whyte
 1,348,762 A 8/1920 Suzuki
 1,452,337 A 2/1921 Brechel
 1,372,325 A 3/1921 Willemin
 D59,869 S 11/1921 Quandee et al.
 D60,369 S 2/1922 Quandee et al.
 1,425,750 A 8/1922 Crawford
 D63,047 S 9/1923 Adler
 1,699,248 A 1/1929 Pasal
 1,868,289 A 7/1932 Leidel
 D93,956 S 11/1934 Wilson
 1,984,081 A 12/1934 Pisculli
 2,010,074 A 8/1935 Fuerst
 2,109,016 A 2/1938 Ringer
 2,251,842 A 8/1941 Hill
 2,318,129 A 5/1943 Torode
 D143,431 S 1/1946 Lapin
 2,439,882 A 4/1948 Beddow
 2,470,492 A 5/1949 Jenkins
 2,505,122 A 4/1950 Krieger, Jr.
 D149,920 S 8/1950 Pavlinetz
 2,542,600 A 2/1951 Vaccarezza
 2,610,400 A 9/1952 Wendling
 2,752,678 A 7/1956 Welch
 D184,317 S 1/1959 McArthur
 3,014,277 A 12/1961 Geckler
 3,121,951 A 2/1964 Green
 3,138,871 A 6/1964 Sears
 D199,630 S 11/1964 Dedic, Sr.
 D209,704 S 12/1967 Siune et al.
 D210,549 S 3/1968 O'Brien
 3,586,161 A 6/1971 Fong et al.
 3,596,965 A 8/1971 Woofter
 3,630,249 A 12/1971 Brunwin
 3,771,224 A 11/1973 Bono, Jr.
 3,967,376 A 7/1976 Foley

D318,300 S 7/1991 Lillelund et al.
 D325,855 S 5/1992 Rea, Sr.
 5,197,623 A 3/1993 Wang
 D342,422 S 12/1993 Sanford
 D347,975 S 6/1994 Zeller
 5,327,650 A 6/1994 Rojas
 D362,160 S 9/1995 Brabeck et al.
 5,542,181 A 8/1996 Gaylord
 D376,514 S 12/1996 Torkelson
 D388,664 S 1/1998 Gagnon et al.
 D391,123 S 2/1998 Rey et al.
 5,735,050 A * 4/1998 Hsieh A47G 21/04
 30/322
 D396,613 S 8/1998 Cousins
 D401,481 S 11/1998 Boilard et al.
 5,845,403 A 12/1998 Nivin
 D412,813 S 8/1999 Roskind et al.
 5,940,974 A * 8/1999 Lee A47G 21/02
 30/322
 D414,988 S 10/1999 Santini
 6,145,204 A 11/2000 Cash
 6,151,999 A 11/2000 Eklind
 6,463,662 B1 10/2002 Coscia et al.
 6,647,828 B2 11/2003 Hakim
 D491,419 S 6/2004 White et al.
 D509,708 S 9/2005 Schmidt
 7,013,568 B2 3/2006 Schmidt
 D530,985 S 10/2006 Evans
 D535,857 S 1/2007 Bristow
 D536,221 S * 2/2007 Kamins D7/643
 D536,222 S 2/2007 Heiberg et al.
 D537,302 S 2/2007 Vrhovski
 D554,951 S 11/2007 McGrath
 D563,737 S 3/2008 Shane-Schuldt
 D575,593 S 8/2008 Svartström
 D587,075 S 2/2009 Dibnah et al.
 D608,602 S 1/2010 Davies et al.
 D609,060 S 2/2010 Pallotto
 D612,692 S 3/2010 Menceles
 D617,156 S 6/2010 Griffith
 D618,070 S 6/2010 Jalet et al.
 7,816,634 B1 10/2010 Guide, Jr. et al.
 7,856,722 B2 12/2010 Lago-Arenas
 D633,344 S 3/2011 Nordwall
 D637,309 S 5/2011 Park
 D656,799 S 4/2012 Lebeau
 8,296,957 B2 10/2012 Muehleemann
 D673,431 S * 1/2013 Glavin D7/642
 D676,286 S 2/2013 Lion et al.
 D686,045 S 7/2013 Stewart et al.
 D690,156 S 9/2013 Apple et al.
 8,635,780 B1 1/2014 Abul
 8,689,453 B2 4/2014 Vogan
 D705,020 S 5/2014 Fraser et al.
 8,726,525 B2 5/2014 Bagley et al.
 D706,586 S 6/2014 Kestenbaum
 D718,093 S 11/2014 Miksovsky et al.
 D722,837 S 2/2015 Miksovsky et al.
 D730,049 S 5/2015 Miksovsky et al.
 9,061,429 B2 6/2015 Barber
 D739,685 S 9/2015 Miksovsky et al.
 D740,079 S 10/2015 Miksovsky et al.
 D745,339 S 12/2015 Cetti

(56)

References Cited

FOREIGN PATENT DOCUMENTS

U.S. PATENT DOCUMENTS

D746,644 S 1/2016 Cai
 D752,918 S 4/2016 Katopis
 D753,447 S * 4/2016 Busboom D7/642
 D756,171 S 5/2016 Mou
 D756,172 S 5/2016 Mou
 9,434,590 B2 9/2016 Miksovsky et al.
 9,468,321 B2 * 10/2016 Miksovsky A47G 21/06
 9,549,626 B2 1/2017 Truog et al.
 D782,254 S 3/2017 Joseph
 D794,400 S 8/2017 Young
 D807,127 S 1/2018 Levi
 D812,994 S 3/2018 Mundhra
 D812,995 S * 3/2018 Mundhra A47G 21/04
 D813,616 S 3/2018 Mundhra
 D816,432 S 5/2018 Huang
 D825,104 S 8/2018 Simard et al.
 D828,730 S * 9/2018 Gauss A47G 21/06
 D834,887 S 12/2018 Miksovsky et al.
 D842,662 S * 3/2019 Bloch A47G 21/02
 2003/0029044 A1 * 2/2003 Mattson A47G 21/02
 2003/0110644 A1 6/2003 Miller
 2005/0066531 A1 3/2005 Houglan
 2005/0155229 A1 7/2005 Lee
 2006/0248732 A1 11/2006 Straube
 2007/0084063 A1 4/2007 Hughes
 2007/0124943 A1 6/2007 Houglan
 2007/0251103 A1 11/2007 Rhodes, III
 2008/0000092 A1 1/2008 Vanguard
 2008/0016698 A1 1/2008 Simpson
 2008/0148575 A1 6/2008 Chan
 2008/0256807 A1 10/2008 Kirkup
 2009/0172949 A1 7/2009 Watts
 2009/0205209 A1 8/2009 Tovar
 2009/0293283 A1 12/2009 Hsu
 2010/0206885 A1 8/2010 Bowden et al.
 2010/0218382 A1 9/2010 Scott
 2011/0091521 A1 4/2011 Omelchenko
 2012/0036724 A1 2/2012 Walters
 2012/0297628 A1 11/2012 Rayko et al.
 2013/0152406 A1 6/2013 McFarland
 2014/0026425 A1 1/2014 Kim
 2015/0014329 A1 1/2015 Konopatsky
 2015/0257562 A1 9/2015 Miksovsky et al.
 2017/0000276 A1 1/2017 Miksovsky et al.
 2019/0104873 A1 4/2019 Miksovsky et al.
 2019/0110620 A1 4/2019 Miksovsky et al.

CN 202234496 5/2012
 CN 202874843 4/2013
 CN 203424719 2/2014
 DE 44 17 037 12/1998
 EP 0 129 495 12/1984
 GB 22788 9/1915
 GB 1337613 11/1973
 WO WO 2013/095407 6/2013
 WO WO 2015/138218 9/2015

OTHER PUBLICATIONS

Written Opinion dated Jul. 8, 2015 from International Application No. PCT/US2015/019017.
 Chinese Office Action dated Apr. 27, 2017 from Chinese Application No. 201580022197.1.
 Chinese Office Action dated Aug. 1, 2017 from Chinese Application No. 201611163525.2.
 European Search Report dated Jun. 16, 2017 from European Application No. 16202786.3-1653.
 European Office Action dated Oct. 17, 2018 from European Patent Application No. 16 202 786.6-1011.
 Light My Fire, Spork original, <http://www.lightmyfire.com/products/products/spork/spork-original.aspx>, downloaded on Mar. 6, 2014.
 Primus, Folding Spork, <http://store.primuscamping.com/cookware/utensils-and-accessories/primus-folding-spork-black/>, downloaded on Mar. 6, 2014.
 DCI, Swivel Spork & Knife Set, <http://shop.dcgift.com/p/swivel-spork-knife-set>, downloaded on Mar. 6, 2014.
 Miksovsky et al., U.S. Appl. No. 16/439,425, filed Jun. 12, 2019.
 Miksovsky et al., U.S. Appl. No. 29/642,486, filed Mar. 29, 2018.
 Alite, Cloverware Lite, <http://shop.alitedesigns.com/cloverware-lite.html>, downloaded on Mar. 6, 2014.
 Alite, Cloverware 2.0, <http://shop.alitedesigns.com/cloverware-538.html>, downloaded on Mar. 6, 2014.
 Guyot, Microbites™, <https://www.guyotdesigns.com/product-microbites/>, downloaded on Mar. 6, 2014.
 Guyot, Utensils, <https://www.guyotdesigns.com/utensils/>, downloaded on Mar. 6, 2014.
 GSI Outdoors, Telescoping Foon, Ultimate Compact Utensil, <http://www.gsioutdoors.com/telescoping-foon.html>, downloaded from the internet on Sep. 20, 2018.
 GSI Outdoors, Pivot Spatula, <http://www.gsioutdoors.com/pivot-spatula.html>, downloaded from the internet on Sep. 20, 2018.
 MSR, Folding Utensils, <https://www.msrgear.com/cookware/folding-utensils>, downloaded from the internet on Sep. 20, 2018.
 Miksovsky et al., U.S. Appl. No. 29/653,612, filed Jun. 16, 2018.

* cited by examiner

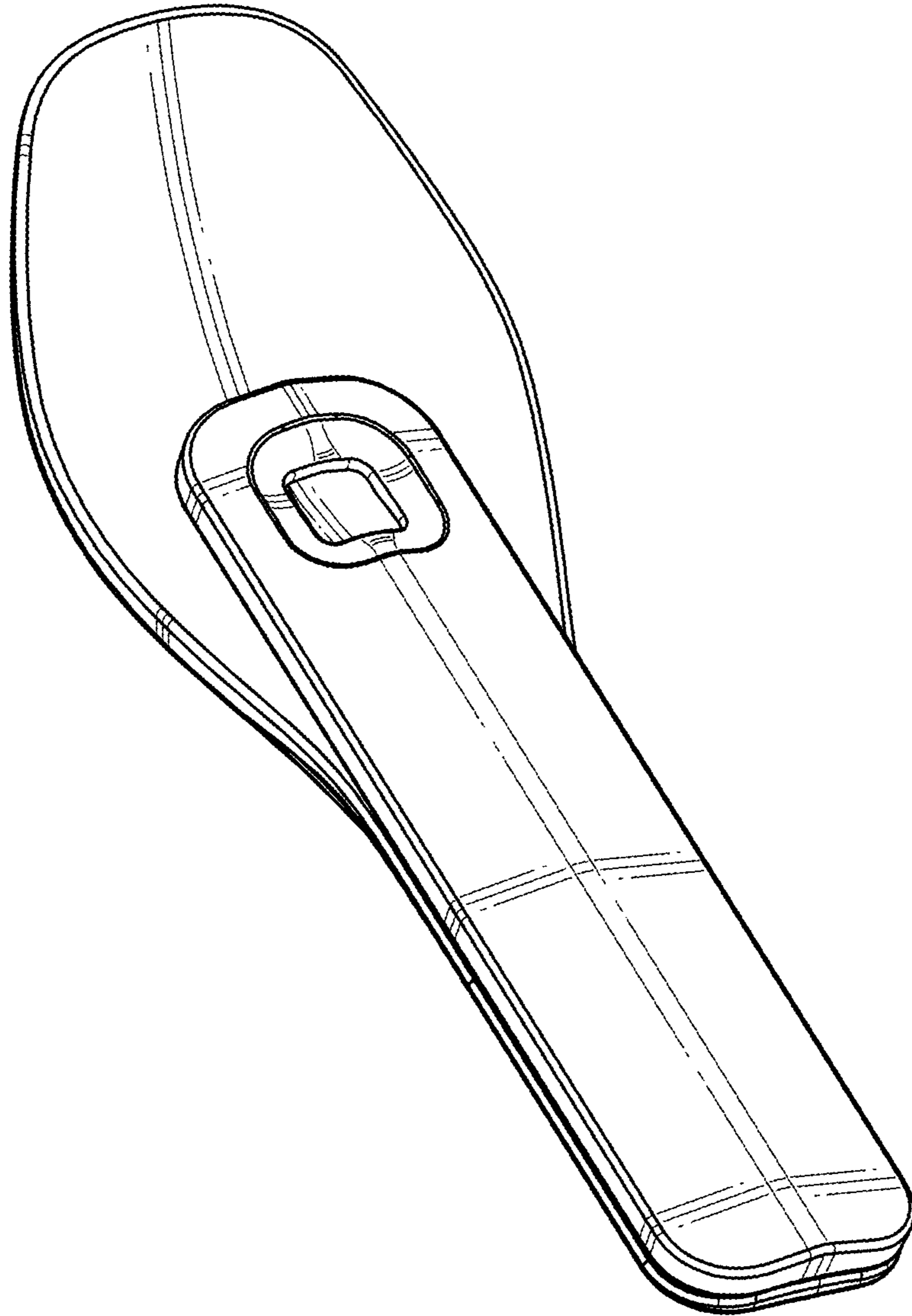


FIG. 1

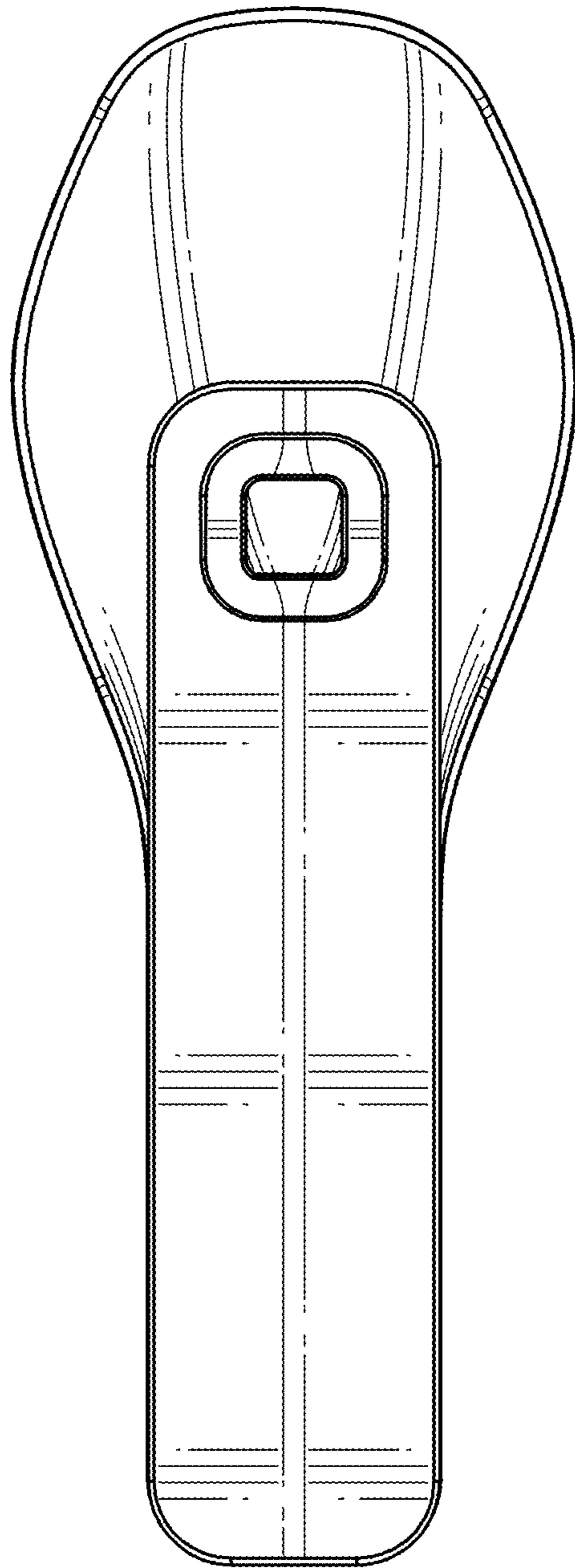


FIG. 2

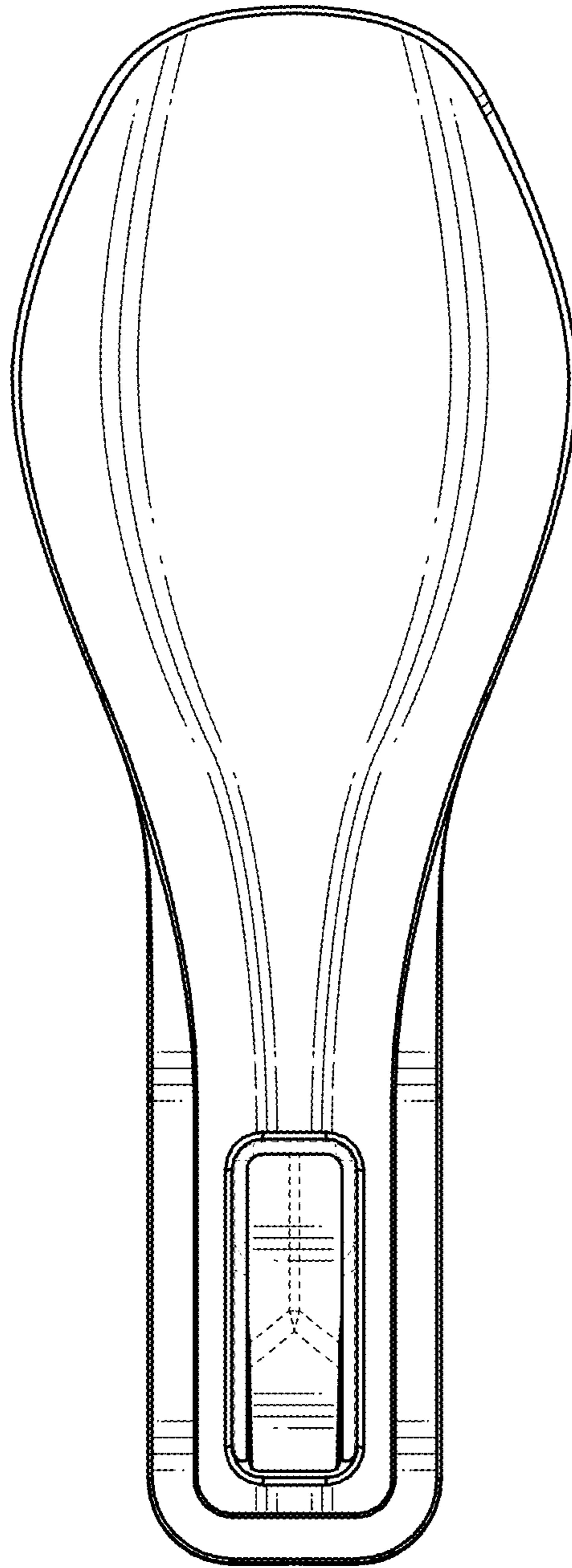


FIG. 3

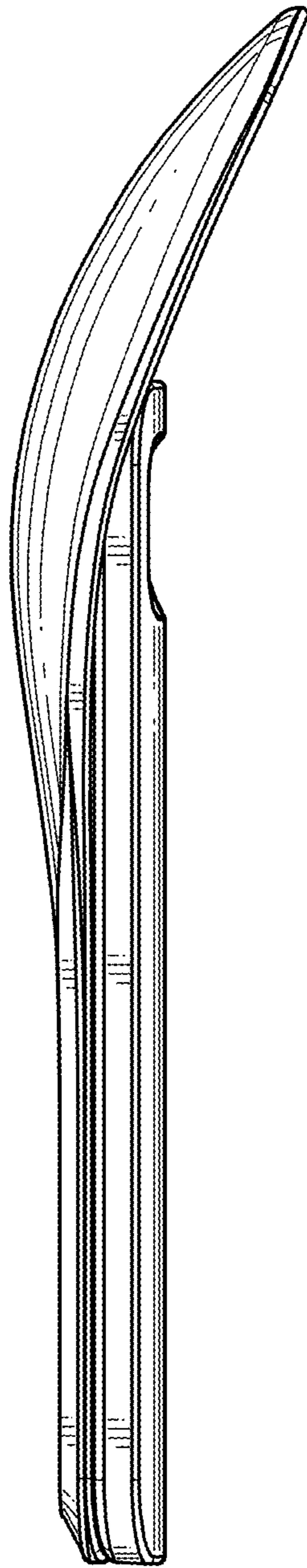


FIG. 4

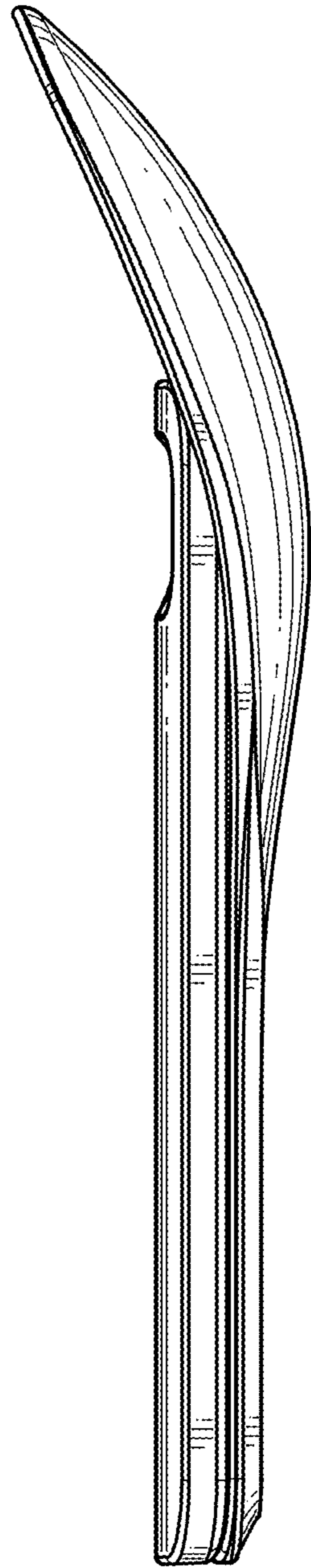


FIG. 5

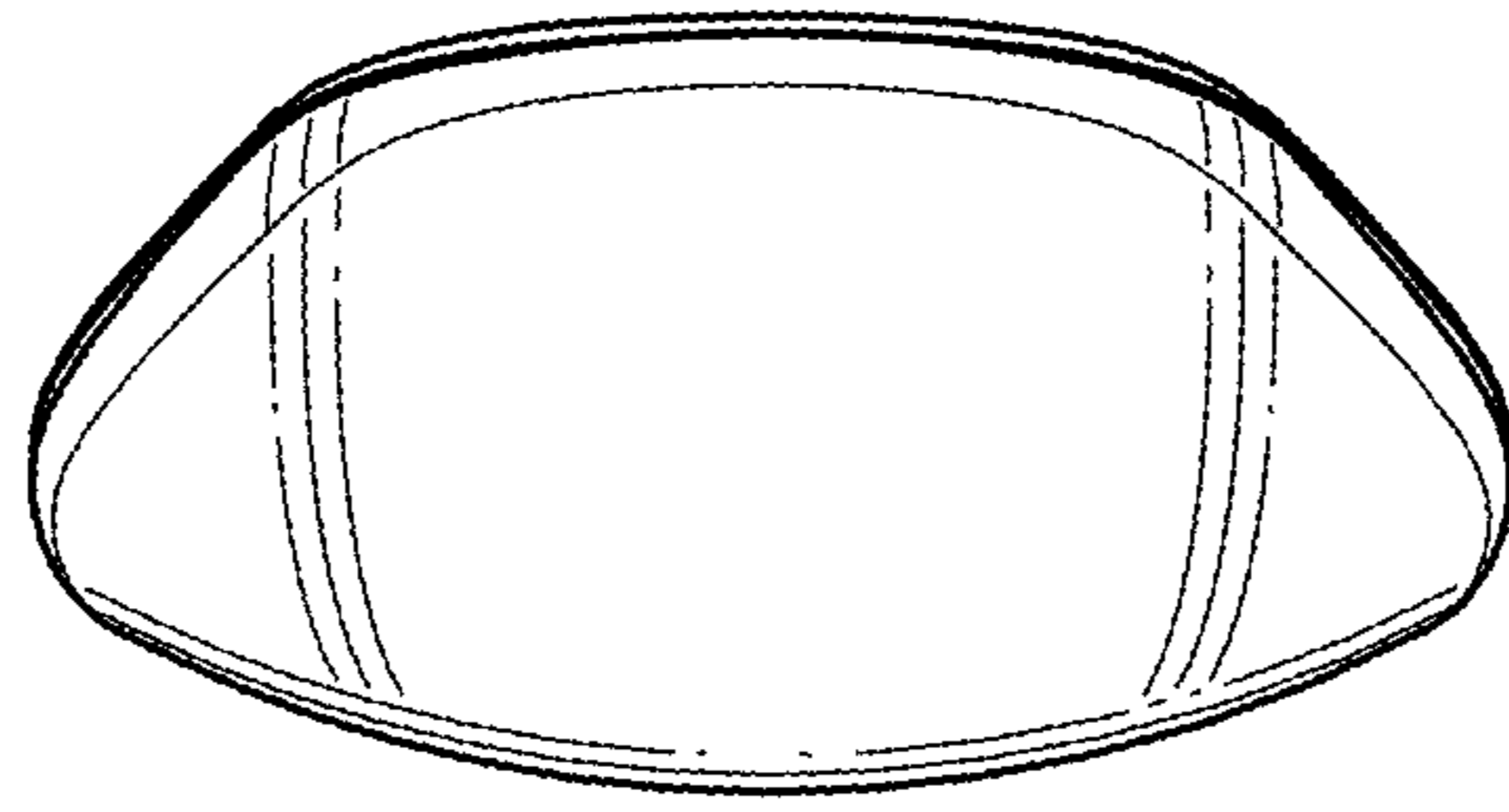


FIG. 6

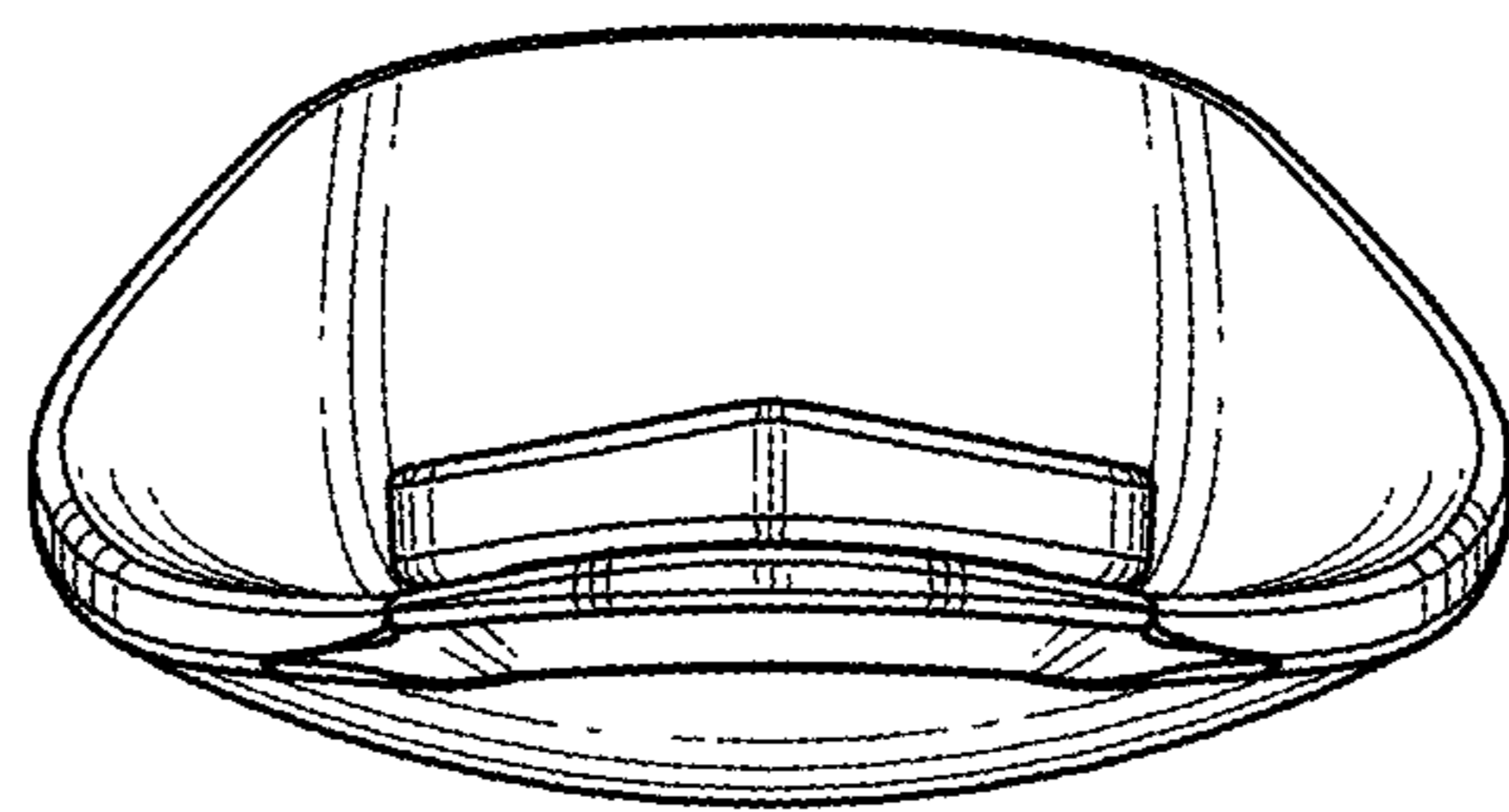


FIG. 7

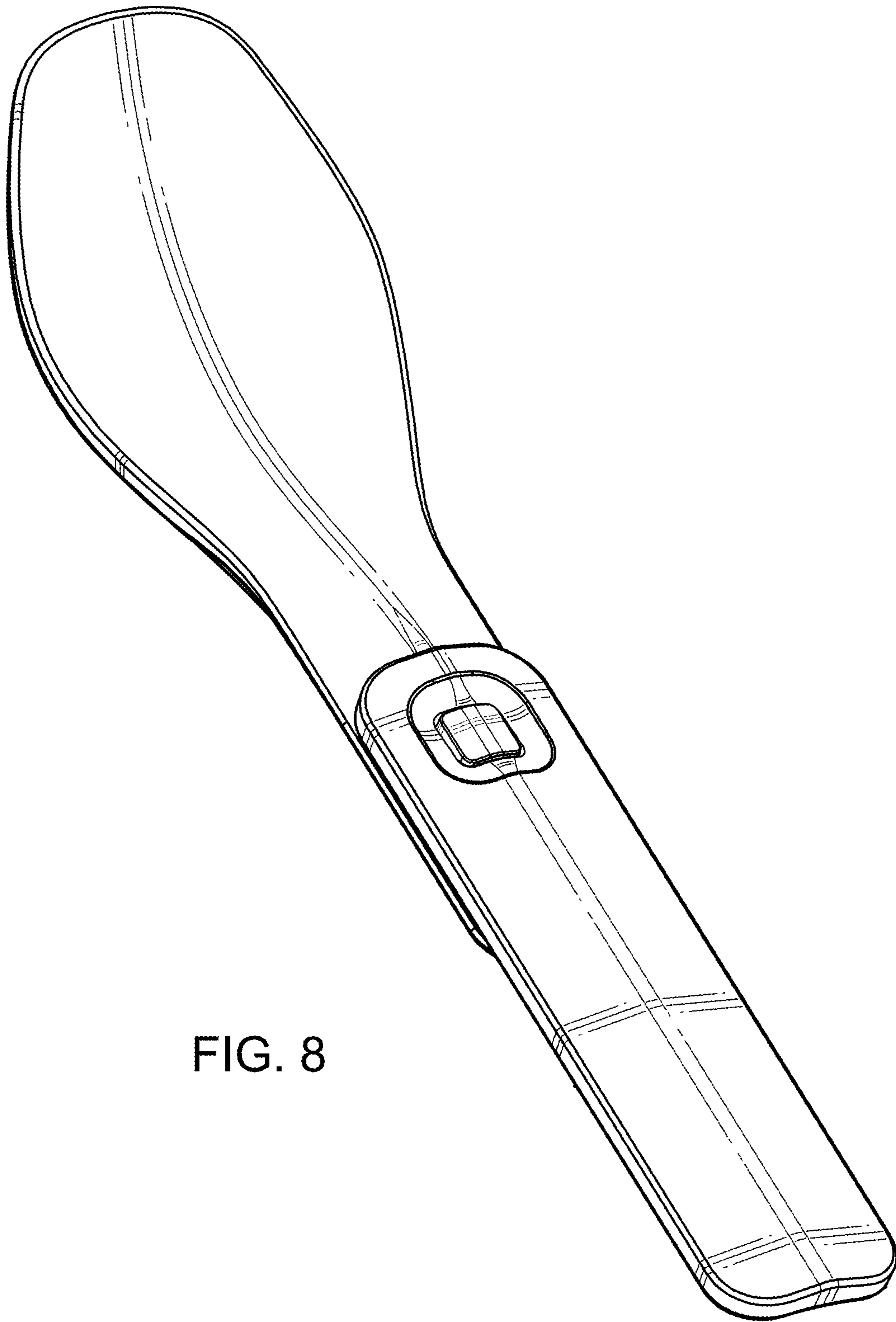


FIG. 8

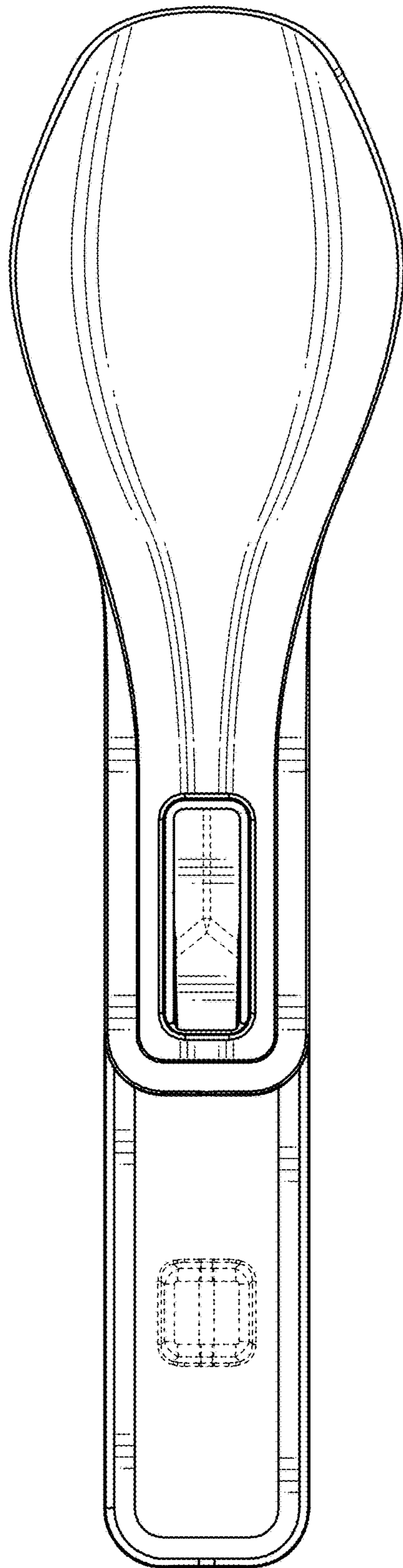


FIG. 9

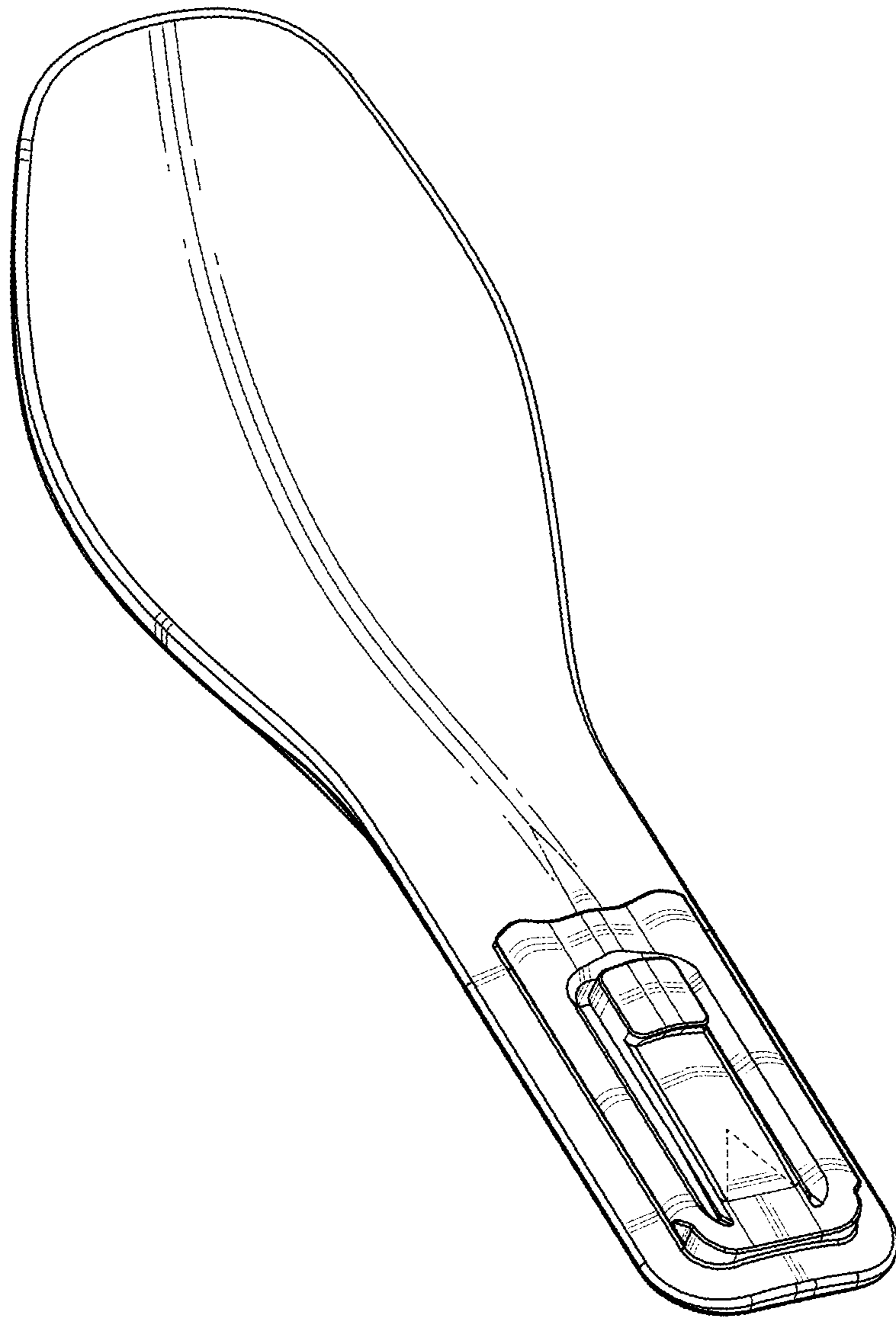


FIG. 10

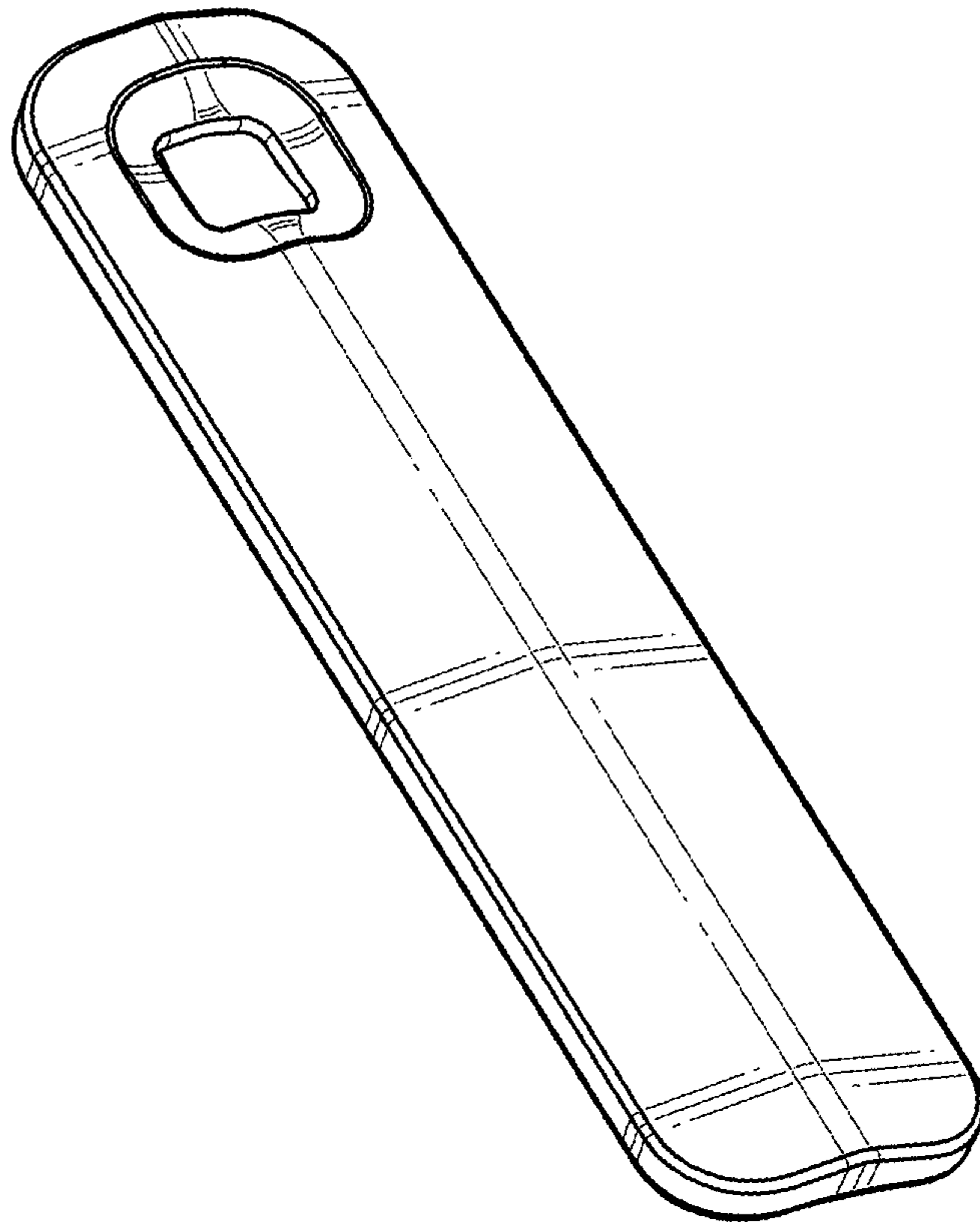


FIG. 11

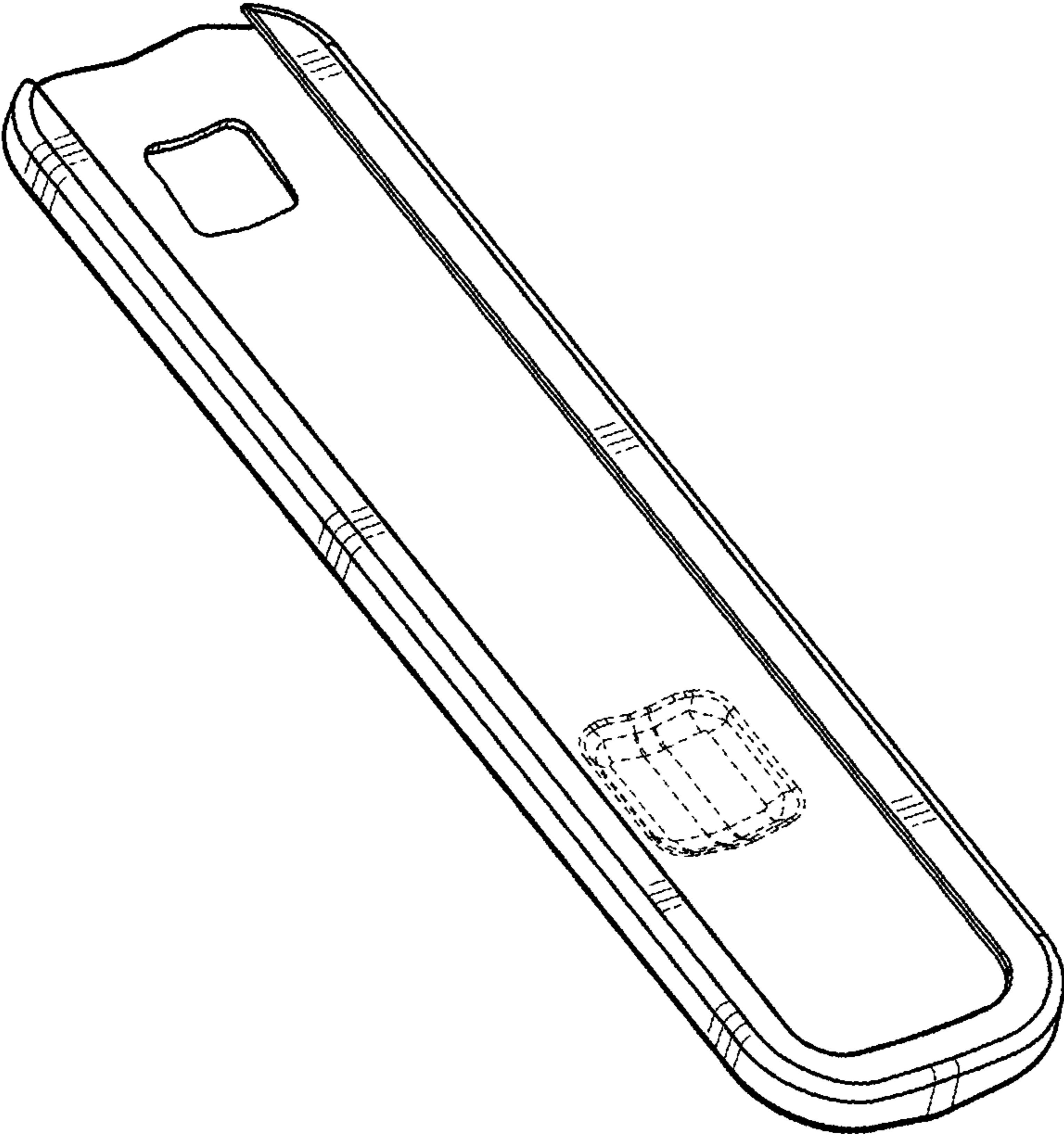


FIG. 12