



US00D866065S

(12) **United States Design Patent** (10) **Patent No.:** **US D866,065 S**
Brilliant et al. (45) **Date of Patent:** **** Nov. 5, 2019**

(54) **LIPSTICK**

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- (73) Assignee: **G and E International LLC**, Miami, FL (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/588,074**
- (22) Filed: **Dec. 17, 2016**

Related U.S. Application Data

- (63) Continuation-in-part of application No. 15/079,471, filed on Mar. 24, 2016, and a continuation-in-part of (Continued)
- (51) **LOC (12) Cl.** **28-02**
- (52) **U.S. Cl.**
USPC **D28/4**
- (58) **Field of Classification Search**
USPC D9/434, 539, 540, 542-543, 558, D9/573-575, 430, 435-436, 725-729;
(Continued)

(56) **References Cited**

U.S. PATENT DOCUMENTS

- 1,815,300 A * 7/1931 Harris F42B 12/54 102/512
 - 2,595,403 A 5/1952 Neuschaefer
- (Continued)

FOREIGN PATENT DOCUMENTS

- CN 201123152 10/2008
 - CN 102038356 B 7/2012
- (Continued)

OTHER PUBLICATIONS

Toothpick, smilePIK, published at amazon.com, posted by smilepik, date not listed © 1996-2018, Amazon.com, Inc., online, site visited Aug. 3, 2018. Available from Internet, URL: <https://www.amazon.com/smilePIK-Discreet-Toothpick-Recommended-Toothpick/dp/B0765C6HQS> (Year: 2018).*

(Continued)

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(57) **CLAIM**

The ornamental design of a lipstick, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a lipstick showing the new design.

FIG. 2 is a front view of the invention.

FIG. 3 is a side view of the invention, with the left and right side views being identical mirror images of each other.

FIG. 4 is a rear view of the invention.

FIG. 5 is a top view of the invention.

FIG. 6 is a bottom view of the invention.

FIG. 7 is another perspective view of the lipstick shown in FIG. 1.

FIG. 8 is another front view of the invention shown in FIG. 2.

FIG. 9 is another side view of the invention shown in FIG. 3, with the left and right side views being identical mirror images of one another.

FIG. 10 is another rear view of the invention shown in FIG. 4.

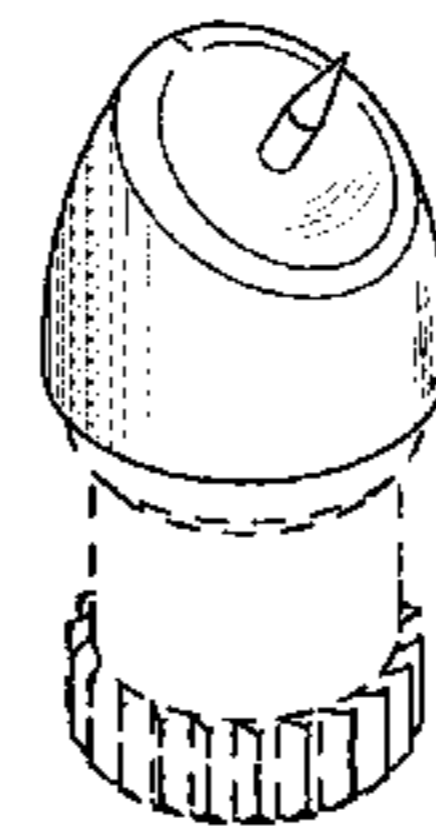
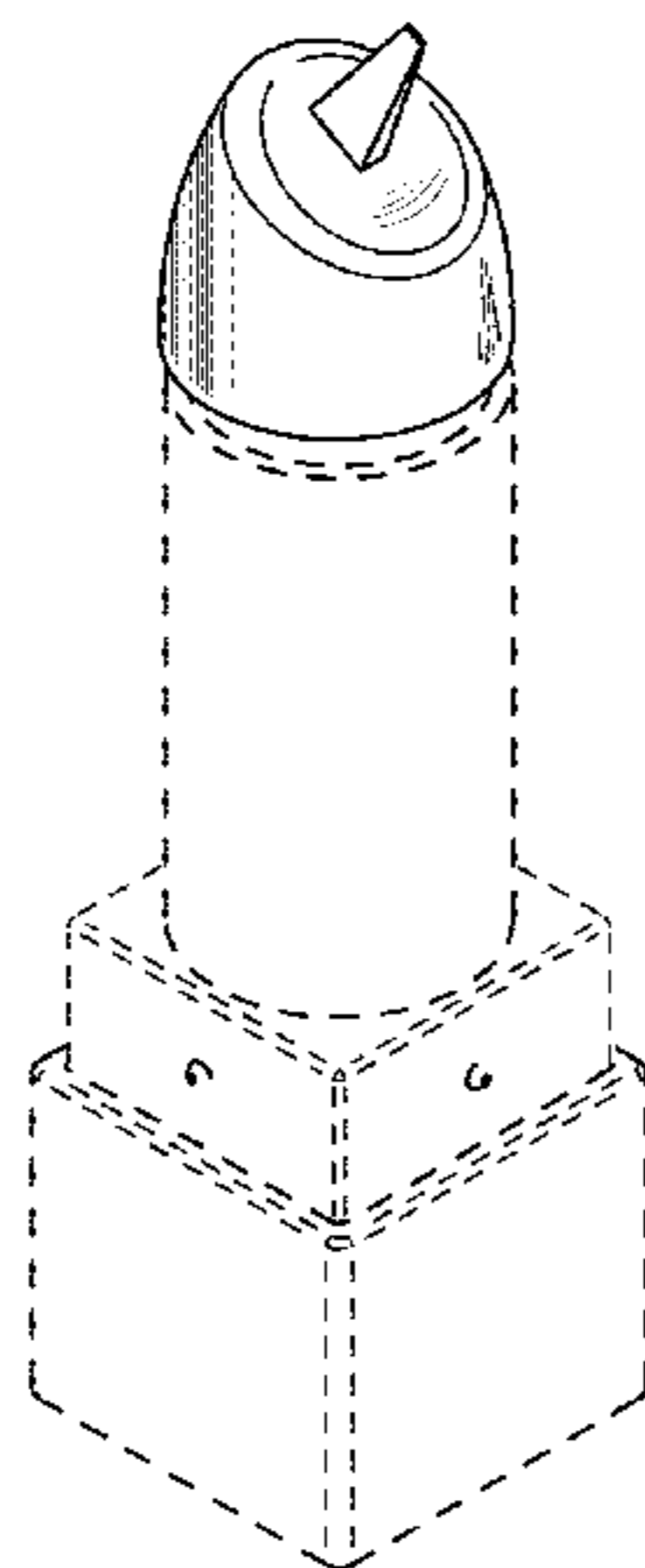
FIG. 11 is another top view of the invention shown in FIG. 5.

FIG. 12 is a perspective view of a second embodiment of the lipstick.

FIG. 13 is a side view of the second embodiment of the invention shown in FIG. 12, with the left and right side views being identical mirror images of each other; and,

FIG. 14 is front view of the second embodiment of the invention shown in FIG. 12.

(Continued)



The broken lines, shown in the figures, depict portions of the lipstick that form no part of the claimed design.

1 Claim, 5 Drawing Sheets

Related U.S. Application Data

application No. 14/621,834, filed on Feb. 13, 2015, now Pat. No. 9,387,058, and a continuation of application No. 13/551,901, filed on Jul. 18, 2012, now Pat. No. 8,973,590.

(58) **Field of Classification Search**

USPC D28/85, 4, 73, 76, 7, 65; 206/581, 823; D3/205; 401/98-99; 132/317-318, 321; D22/116, 115; 102/473; D4/104; D7/683; D24/133, 152, 221
 CPC A45D 34/00; A45D 34/02; A45D 34/04; A45D 40/00; A45D 33/26; A45D 33/28; F42B 30/02; F42B 5/02; F42B 5/26; F42B 12/34; F42B 8/04; F42B 10/22; F42B 8/14; F42B 6/003; F42B 5/025; F41A 9/83; F41A 9/82; F41A 9/01; F41A 9/09; F41A 9/86

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

2,626,855 A * 1/1953 Hand A23B 4/00 324/94
 2,859,754 A 11/1958 Futterer
 3,078,856 A 2/1963 Bender et al.
 3,310,168 A 3/1967 Landen
 3,646,628 A * 3/1972 Halford A61C 15/02 132/329
 3,802,445 A 4/1974 Wesley
 3,991,777 A 11/1976 Powers et al.
 4,033,007 A 7/1977 Hadary
 4,040,433 A 8/1977 Edison
 4,326,548 A 4/1982 Wagner
 4,342,324 A 8/1982 Sanderson
 4,509,541 A 4/1985 Manciocchi, Jr.
 D278,750 S * 5/1985 Pisani D28/4
 4,800,905 A 1/1989 Stuart
 D318,231 S * 7/1991 Lay D9/435
 5,099,765 A * 3/1992 Czetto, Jr. F42B 14/04 102/501
 D331,815 S * 12/1992 DiSomma D28/4
 5,337,766 A * 8/1994 Lane A47G 21/00 132/321
 D398,852 S * 9/1998 Gross D9/449
 5,813,421 A 9/1998 Wang
 5,826,998 A 10/1998 Shih
 5,975,901 A 11/1999 Kennedy
 5,979,468 A * 11/1999 Blake, III A45D 40/06 132/317
 D423,670 S * 4/2000 Scheuble D24/130
 6,082,999 A 7/2000 Tcherny et al.
 D438,306 S * 2/2001 Narayanan D24/152
 6,199,695 B1 3/2001 Takeo
 6,234,182 B1 5/2001 Berglund
 6,247,477 B1 6/2001 Wagner
 D448,121 S * 9/2001 Gebb D28/88
 D453,378 S * 2/2002 Mangione D24/152
 D459,808 S * 7/2002 Safieh D24/152
 6,418,940 B1 7/2002 Tchemy et al.

D463,280 S * 9/2002 Brozell D9/449
 D463,744 S * 10/2002 Brozell D9/449
 D475,824 S * 6/2003 Libman D32/45
 D475,921 S * 6/2003 Smith D9/444
 D475,922 S * 6/2003 Smith D9/444
 D482,493 S * 11/2003 Lillelund D28/73
 6,671,920 B2 1/2004 Pearlman et al.
 D537,564 S * 2/2007 Montoli D28/7
 7,309,184 B2 * 12/2007 Butcher A45D 34/04 401/172
 D623,803 S * 9/2010 Corcoran D28/65
 D673,325 S * 12/2012 Martines D28/4
 D739,077 S * 9/2015 Kloman D28/4
 D741,004 S * 10/2015 Kloman D28/4
 D752,703 S * 3/2016 Arnedo Vera D22/116
 D794,247 S * 8/2017 Xavier D28/4
 9,913,524 B2 * 3/2018 Maurin A45D 34/04
 D831,886 S * 10/2018 Patel D28/7
 10,136,718 B2 * 11/2018 Zembrod A45D 33/005
 D836,245 S * 12/2018 Stawinski D28/7
 D844,893 S * 4/2019 Huchet D28/7
 10,285,484 B2 * 5/2019 Fish F16B 1/00
 2004/0094180 A1 5/2004 Hsu
 2004/0202981 A1 * 10/2004 Luetngen A61C 15/02 433/141
 2005/0118553 A1 * 6/2005 Lagos Galvan A61C 15/00 433/141
 2005/0227796 A1 * 10/2005 Murphy F42B 6/003 473/578
 2005/0255136 A1 11/2005 Fleissman et al.
 2009/0078280 A1 3/2009 Fishman
 2010/0078344 A1 4/2010 Martins
 2011/0070012 A1 3/2011 Kim et al.
 2013/0020218 A1 * 1/2013 Brilliant A61C 15/02 206/380
 2016/0199162 A1 * 7/2016 Brilliant A61C 3/02 132/328
 2018/0070703 A1 * 3/2018 Kikuchi A45D 40/02
 2018/0290162 A1 * 10/2018 Allamprese B05B 1/1627
 2018/0344007 A1 * 12/2018 Huang A45D 34/04
 2019/0075908 A1 * 3/2019 Schlatter A45D 34/04
 2019/0142137 A1 * 5/2019 Reggiani A45D 34/045

FOREIGN PATENT DOCUMENTS

JP 11113930 4/1999
 JP 2002253346 10/2002

OTHER PUBLICATIONS

Toothpick, smilePIK, published at smilepik.com, author not listed, posted Dec. 6, 2017 per wayback machine © not listed, online, site visited Aug. 3, 2018. Available from Internet, URL: <https://www.smilepik.com/shop/smilepik-bundle-10-units> (Year: 2017).*

Nanostylus, brand unlisted, semanticscholar.org, posted by UIST in 2015 © not listed, online, site visited Aug. 3, 2018. Available from URL: <https://www.semanticscholar.org/paper/NanoStylus%3A-Enhancing-Input-on-Ultra-Small-Displays-Xia-Grossman/d4c065aaf8efdc8b1c0482c5f271bb029df80621> (Year: 2015).*

Dank Dabber, posted at thedabstore.com, author not listed, published Jun. 5, 2016 © 2018 TheDabstore, online, site visited Aug. 29, 2018. Available from Internet, URL: <https://www.thedabstore.com/collections/titanium-quartz-nails/products/dank-dabber-v1-pointed-tip> (Year: 2016).*

Arrow Thimble Toothpick 3D Print Model, posted at cgtrader.com, published by user bearlin on Mar. 24, 2015 © CGTrader 2011-2018, online, site visited Aug. 29, 2018. Available from Internet, URL: <https://www.cgtrader.com/3d-print-models/house/kitchen-dining/arrow-thimble-toothpick> (Year: 2015).*

* cited by examiner

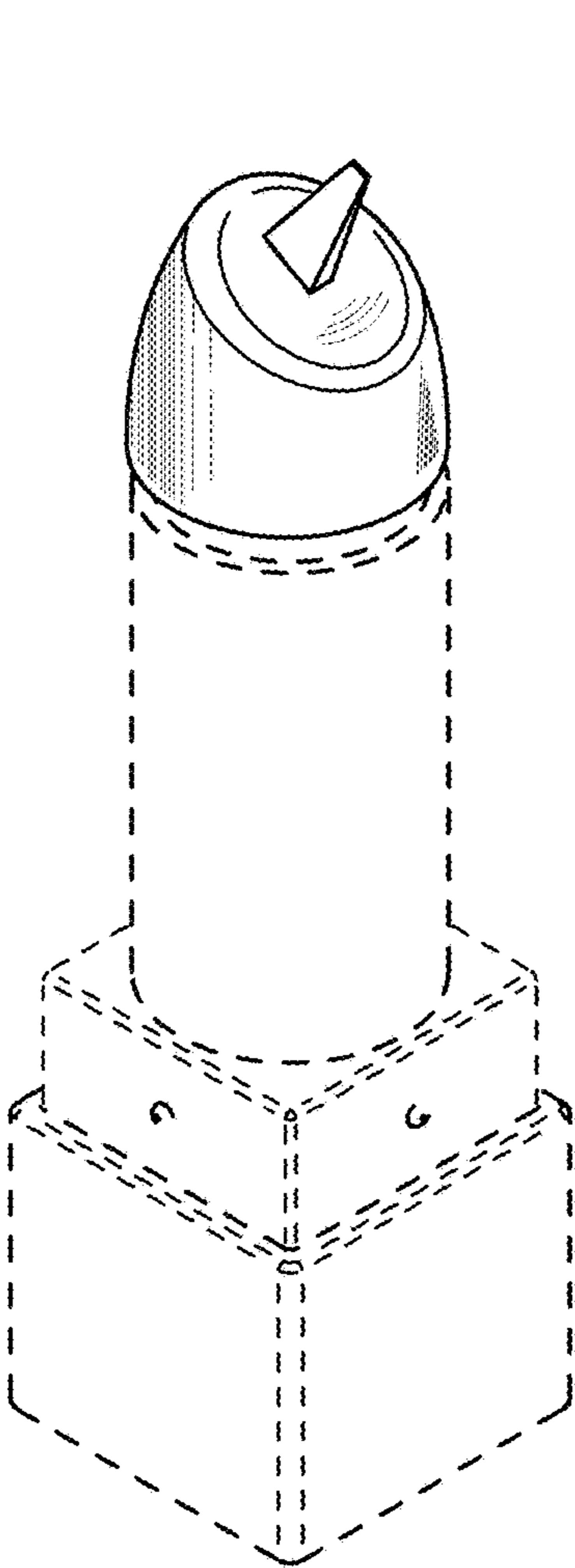


FIG. 1

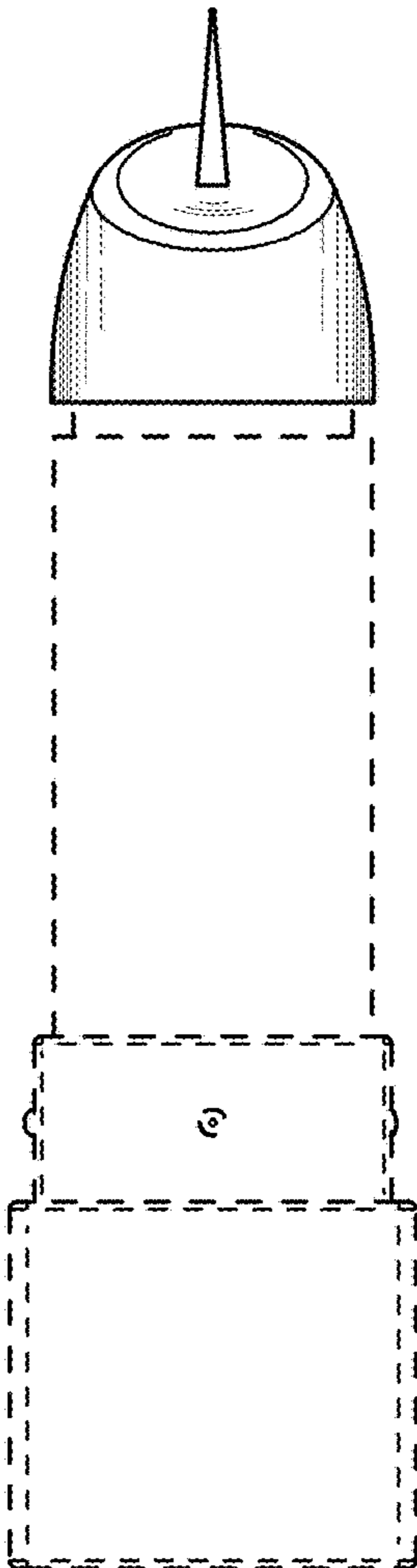


FIG. 2

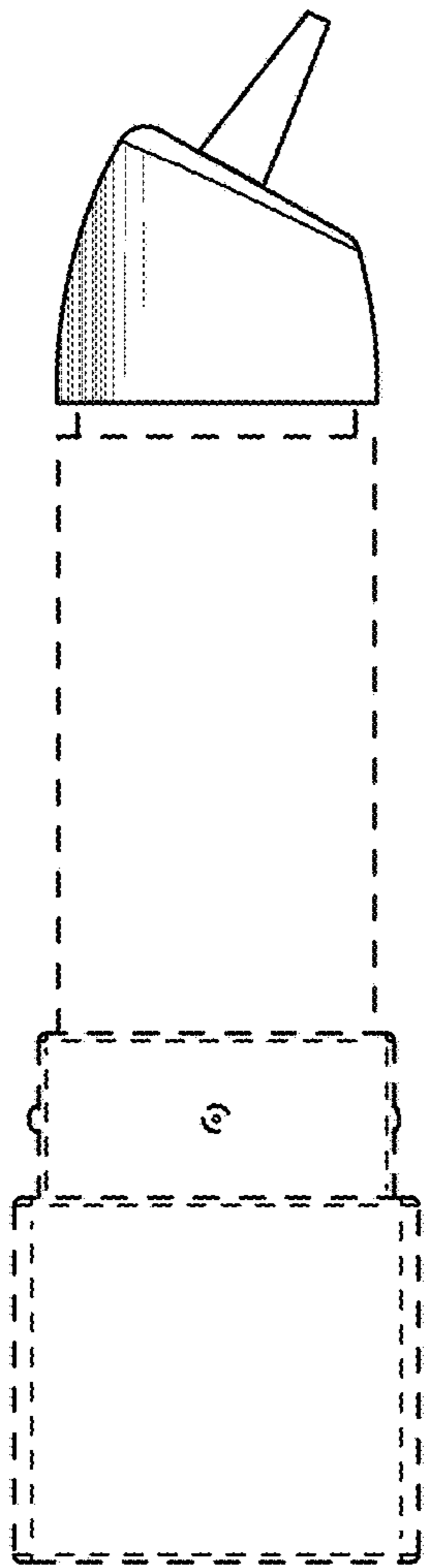


FIG. 3

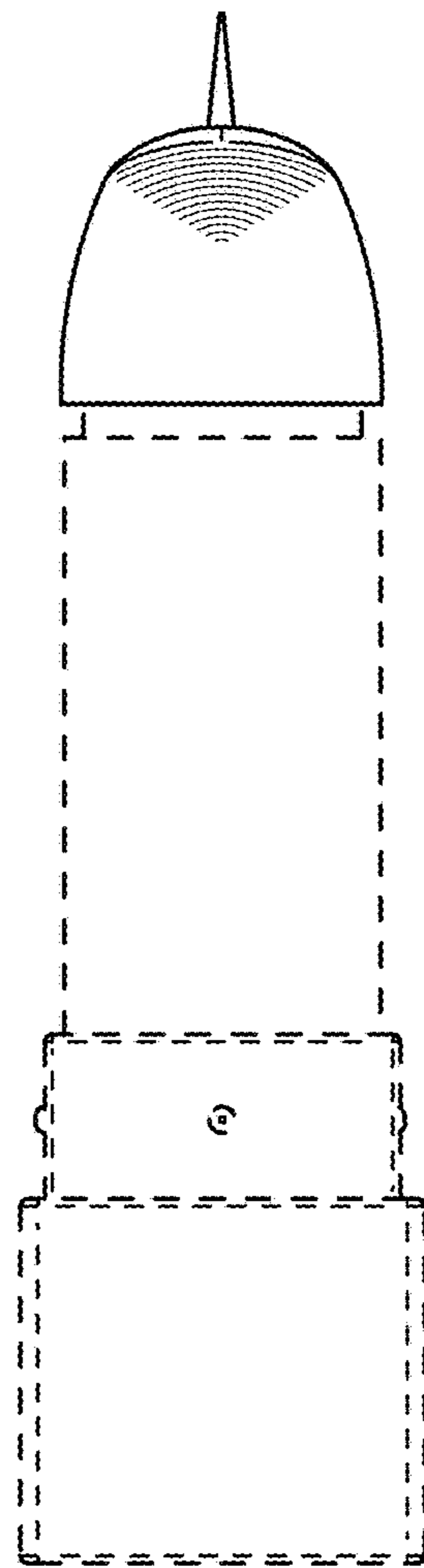


FIG. 4

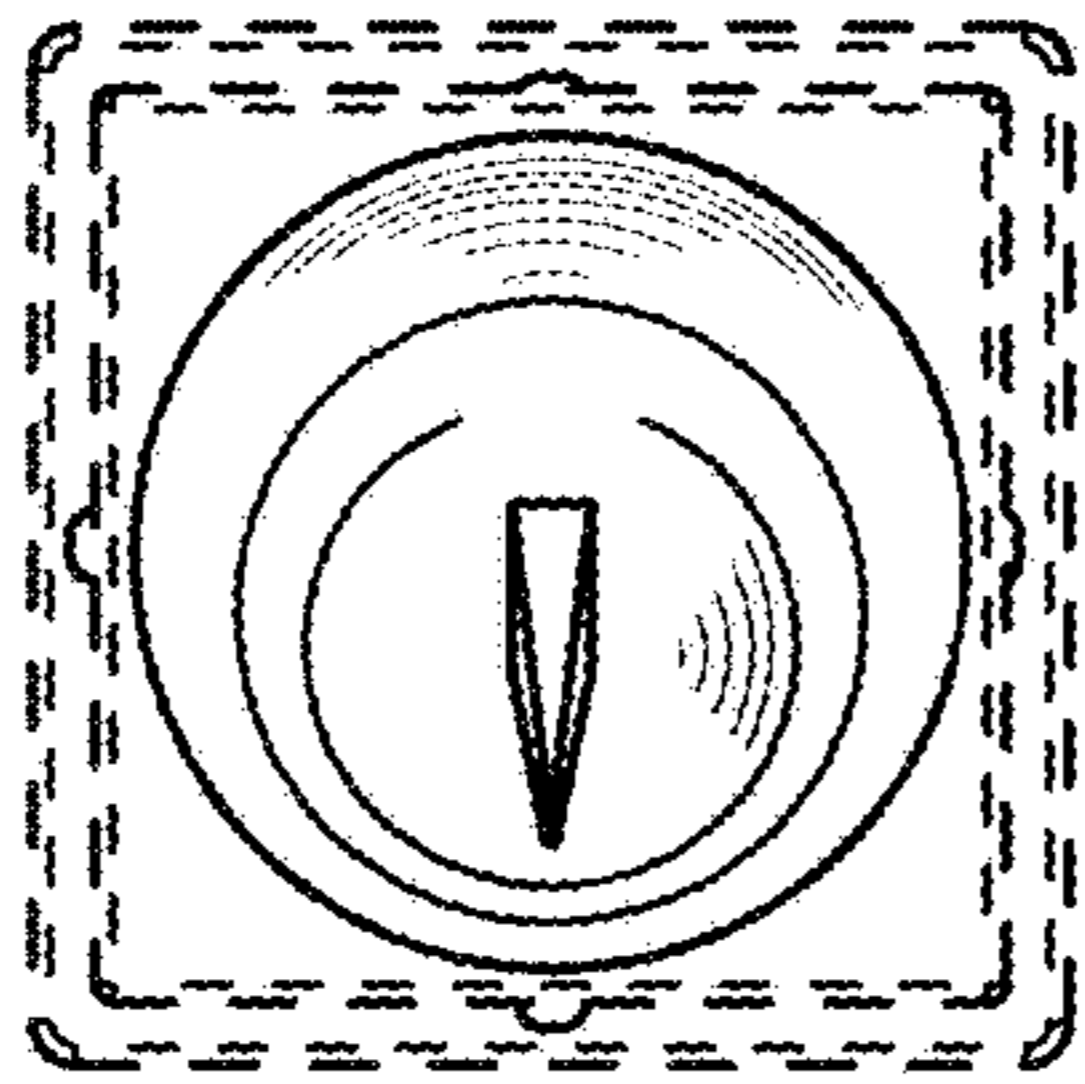


FIG. 5

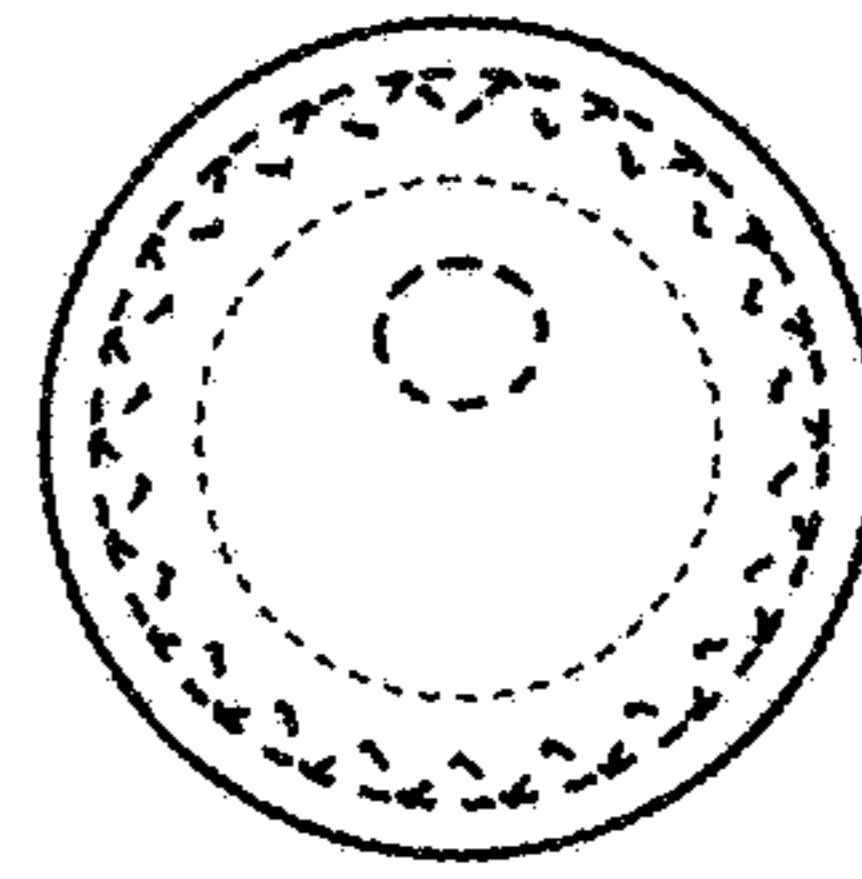


FIG. 6

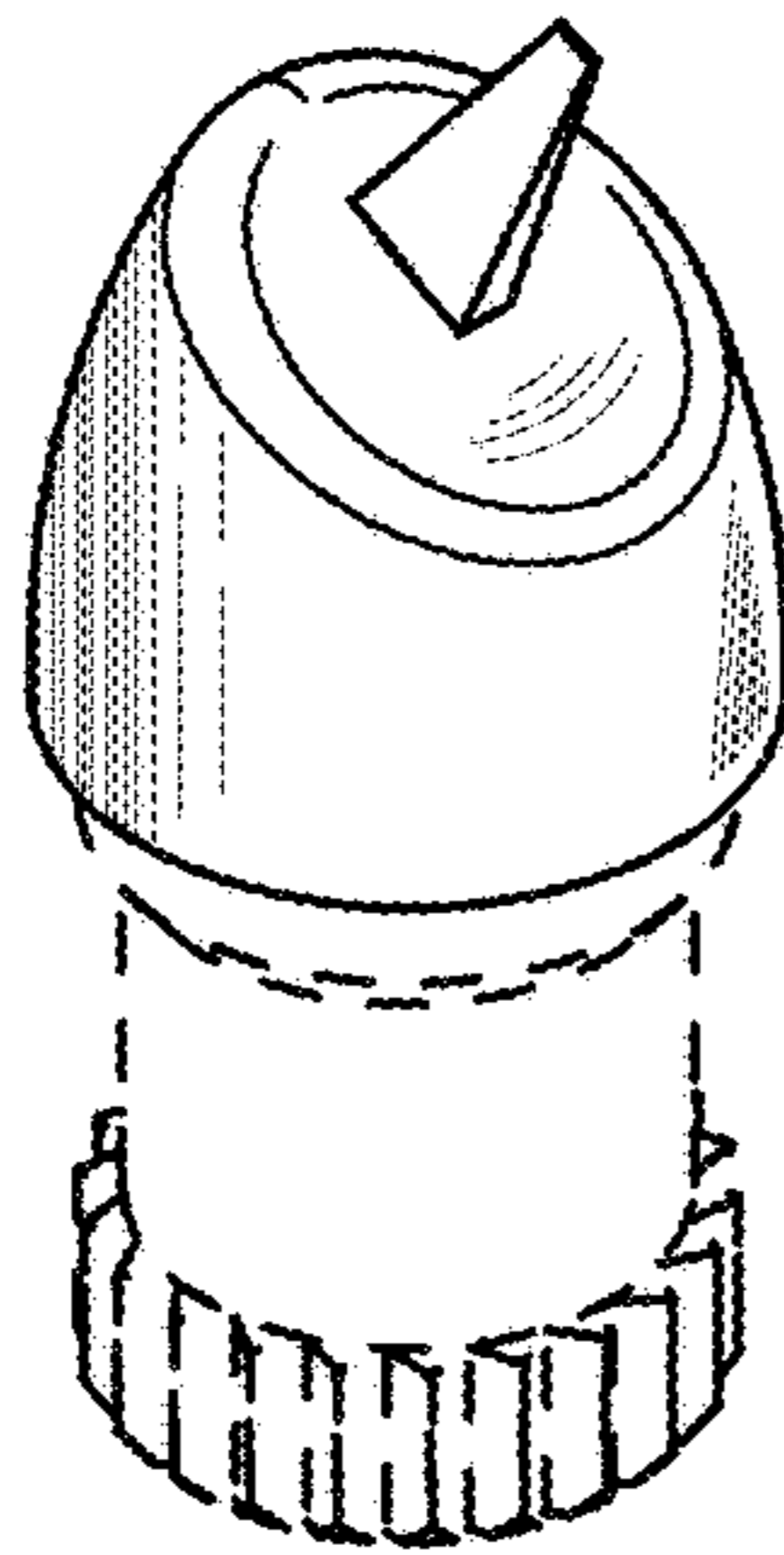


FIG. 7

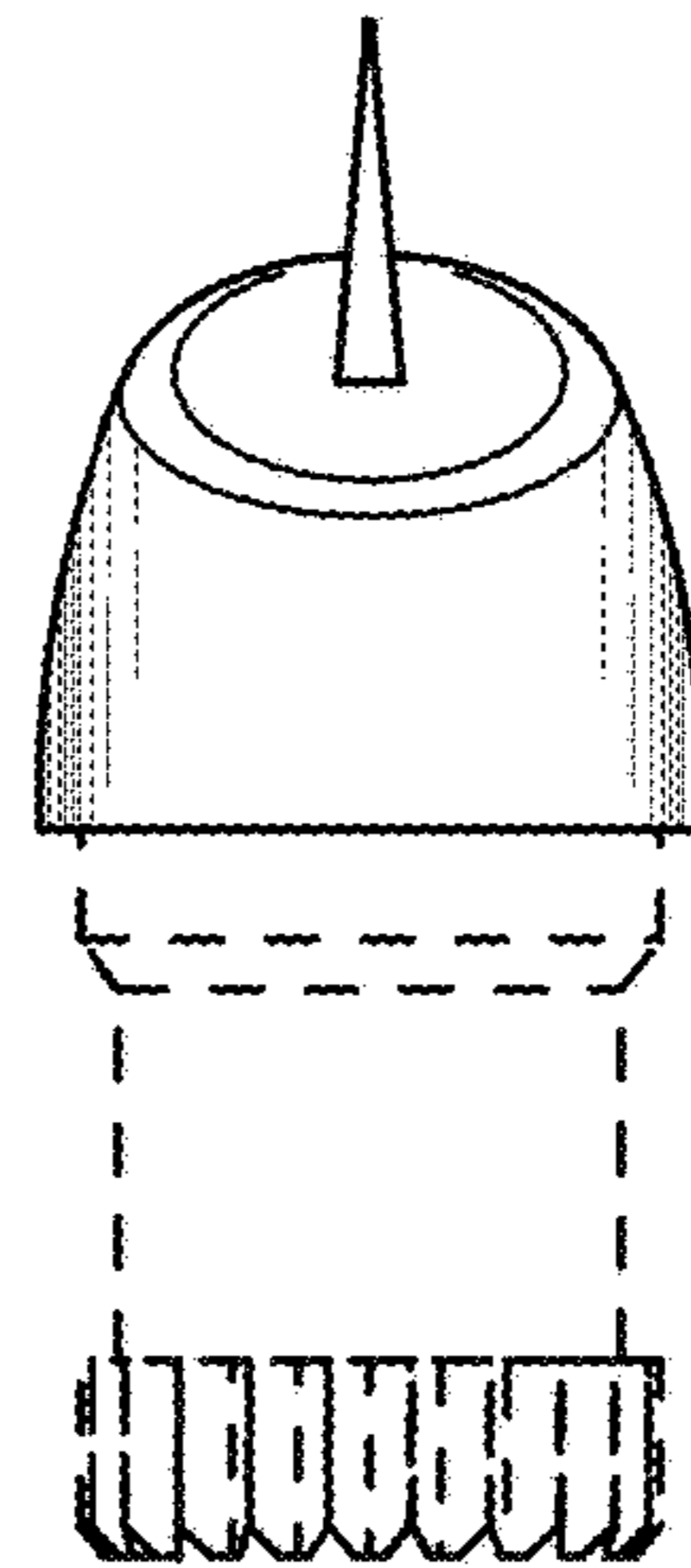


FIG. 8

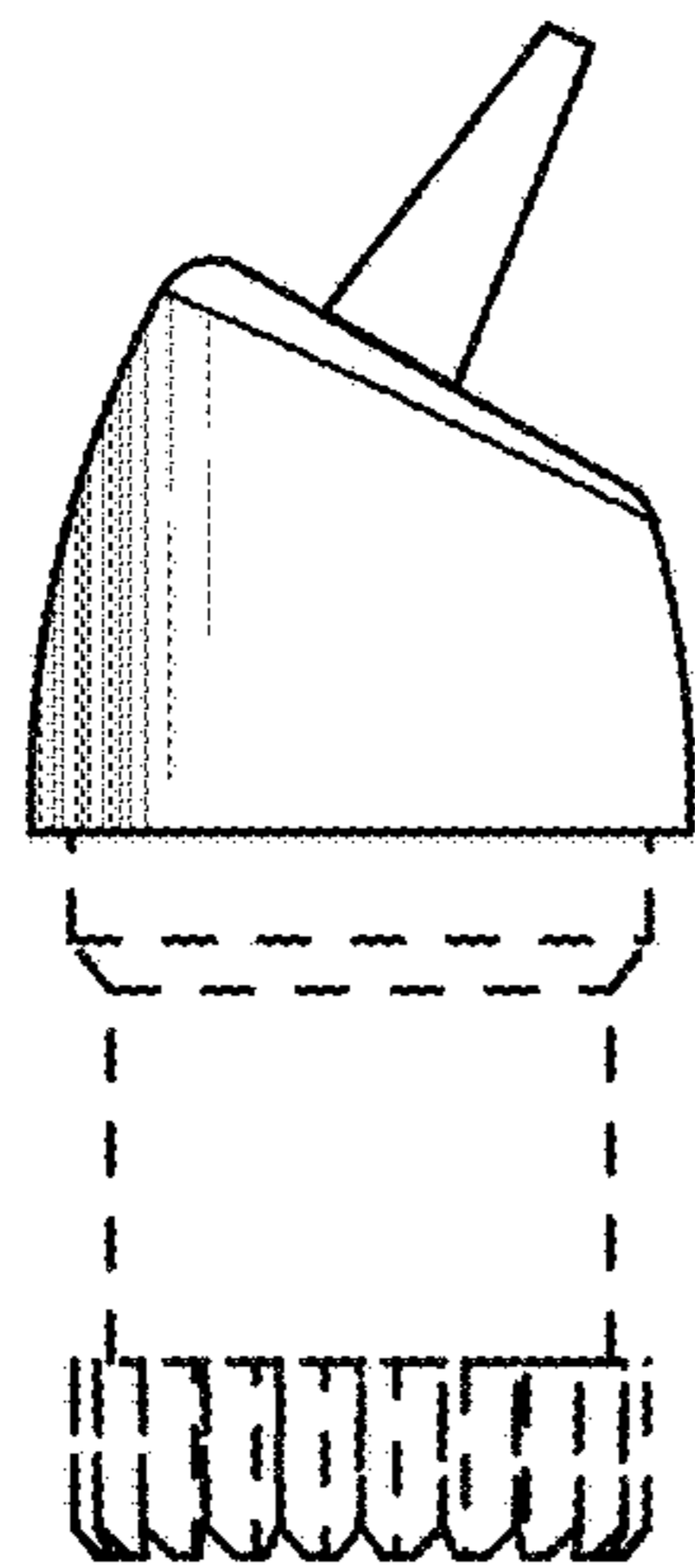


FIG. 9

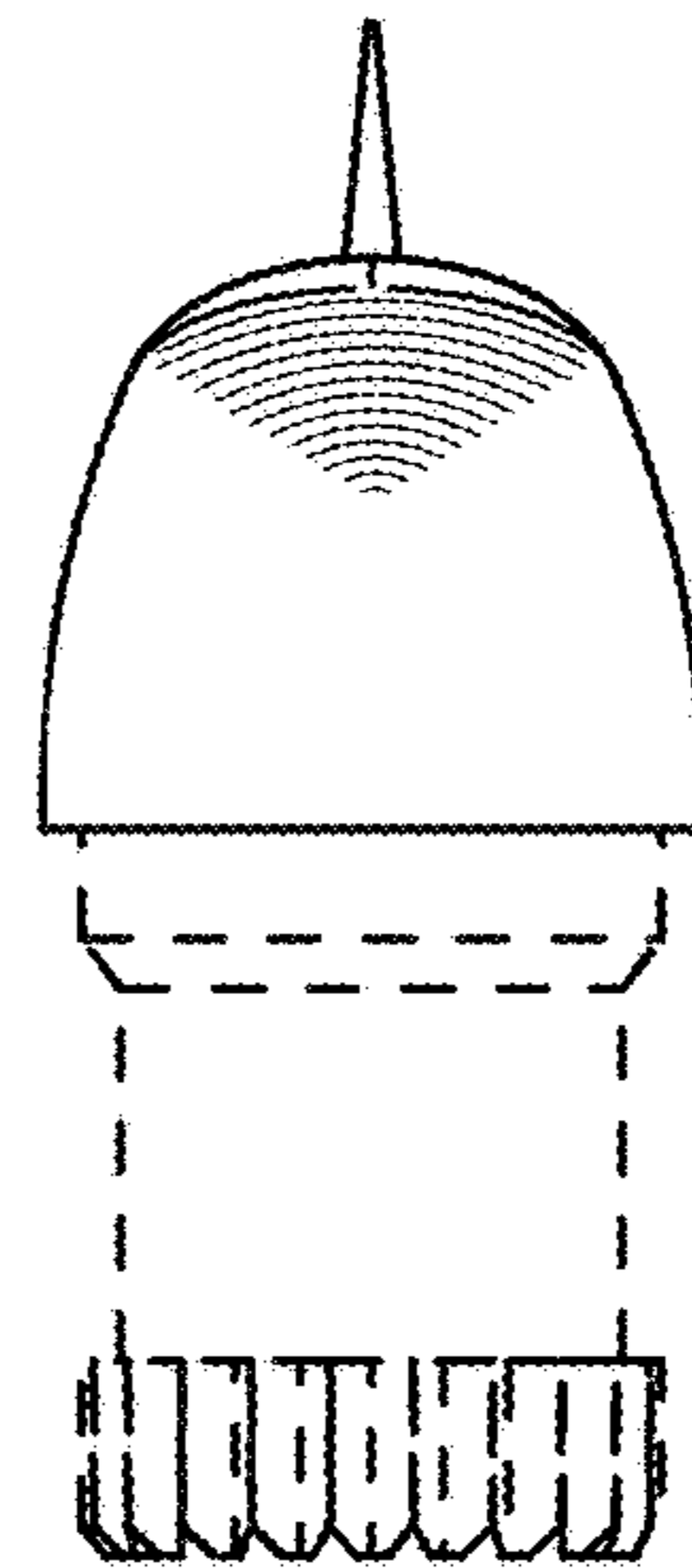


FIG. 10

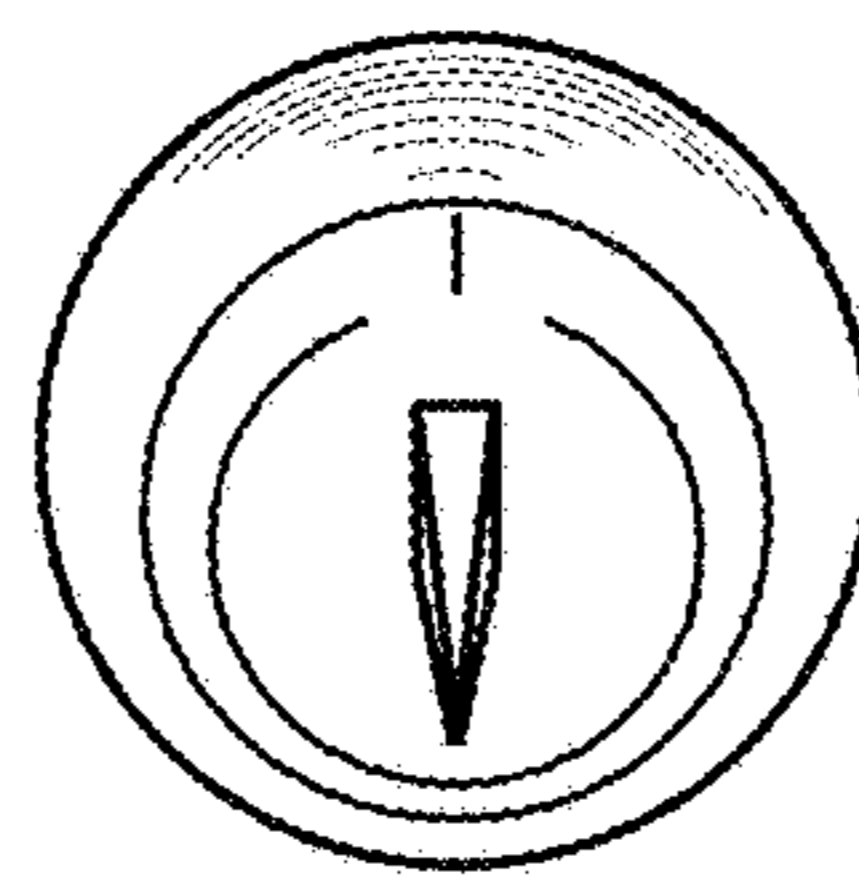


FIG. 11

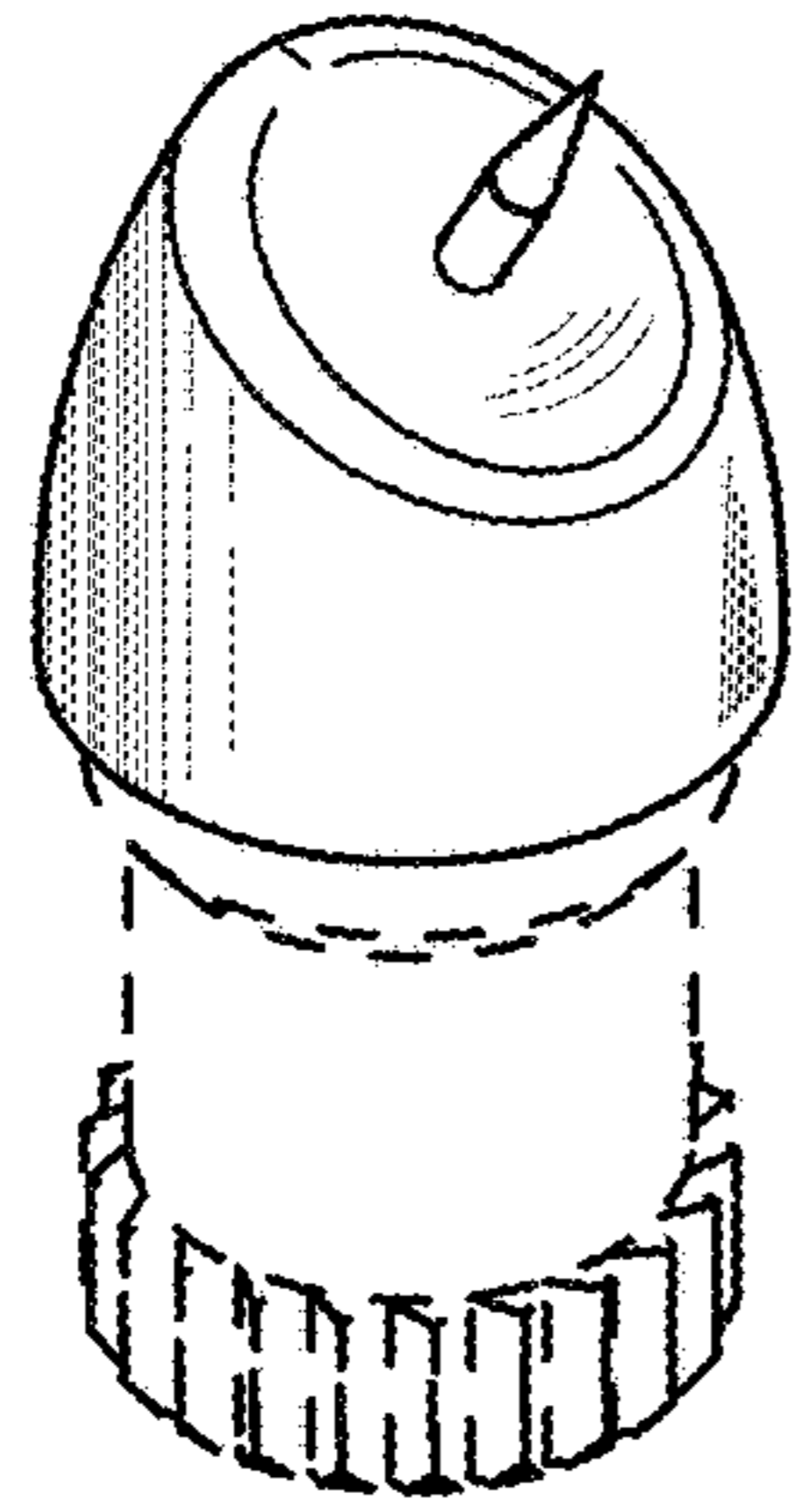


FIG. 12

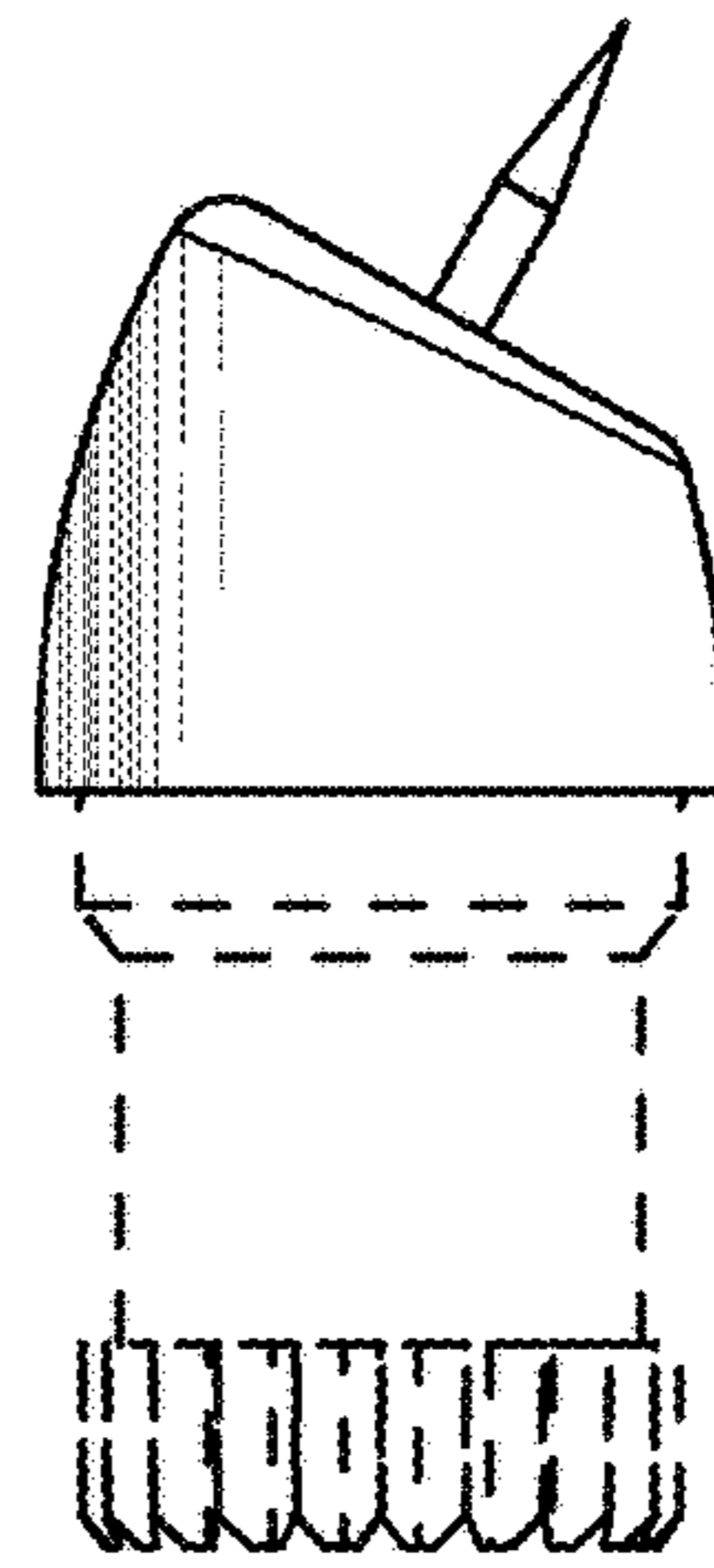


FIG. 13

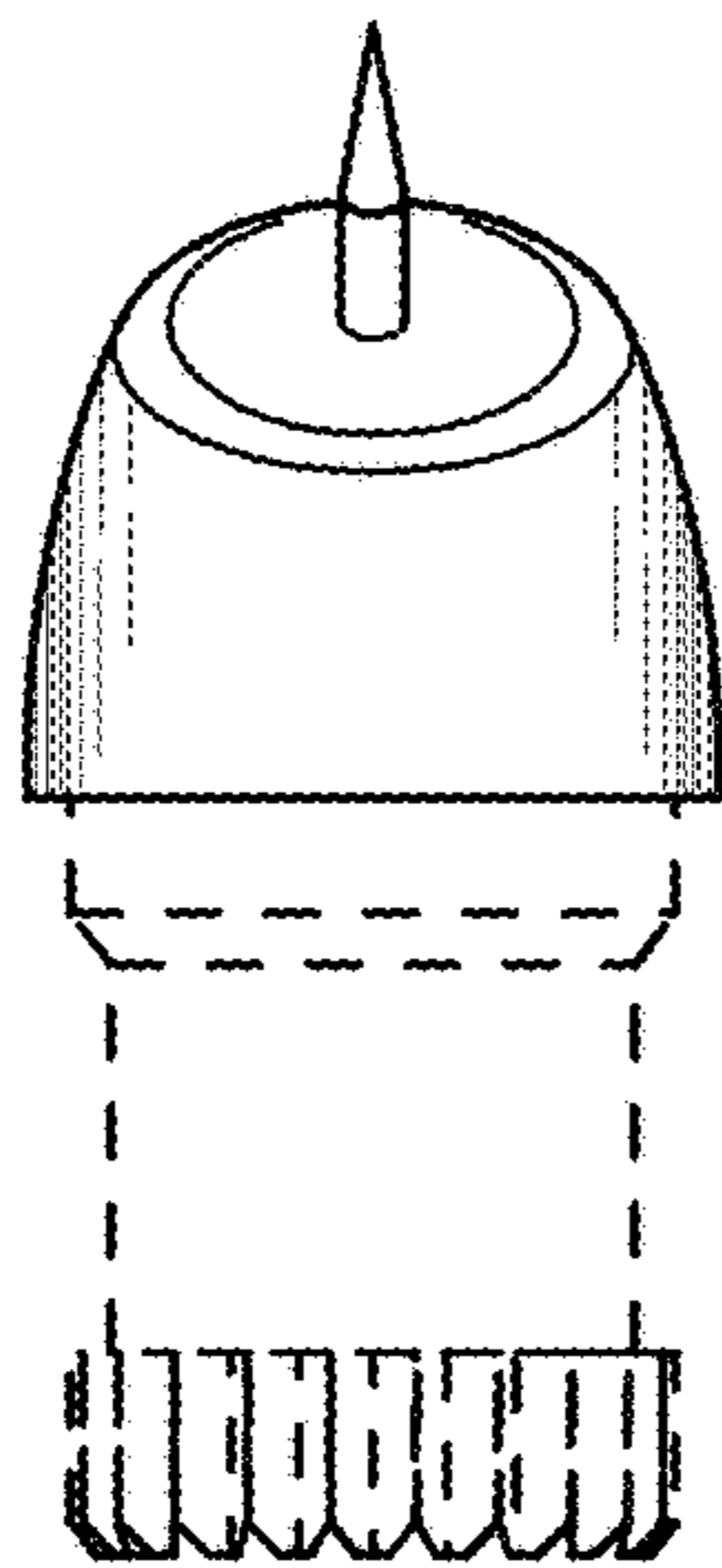


FIG. 14