



US00D891628S

(12) **United States Design Patent** (10) **Patent No.:** **US D891,628 S**
Peterson et al. (45) **Date of Patent:** **** Jul. 28, 2020**

(54) **SKIN TONING DEVICE**

(71) Applicant: **Carol Cole Company**, Vista, CA (US)

(72) Inventors: **Tera Peterson**, Carlsbad, CA (US);
Carol Cole, San Marcos, CA (US)

(73) Assignee: **Carol Cole Company**, Vista, CA (US)

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

(21) Appl. No.: **29/686,459**

(22) Filed: **Apr. 4, 2019**

Related U.S. Application Data

(63) Continuation of application No. 29/637,613, filed on Feb. 20, 2018, now Pat. No. Des. 845,497, which is (Continued)

(51) **LOC (12) Cl.** **28-03**

(52) **U.S. Cl.**
USPC **D24/200**

(58) **Field of Classification Search**

USPC D24/200, 206, 209, 211, 212, 214, 215;
D4/102, 127, 138, 129; D8/300, 301,
D8/305, 307, 308, 310, 319, 320, 61, 66,
D8/69, 94, 311, 312; D7/648; D32/52
CPC A61H 7/00; A61H 7/001; A61H 7/003;
A61H 7/004; A61H 7/005; A61H 7/007;
A61H 7/008; A61H 15/00; A61H
15/0078;

(Continued)

(56) **References Cited**

U.S. PATENT DOCUMENTS

D143,590 S 1/1946 Grun
2,988,084 A 6/1961 Douglas
(Continued)

FOREIGN PATENT DOCUMENTS

CA 2363383 5/2003
CN 102159151 8/2011
(Continued)

OTHER PUBLICATIONS

Nu Body Micro-4 Skin Toning Device, online, no post date, <URL: <https://www.mynuface.com/products/nubody-skin-toning-device?variant=4183714594857>>, retrieved Nov. 7, 2018.

(Continued)

Primary Examiner — Jeffrey D Asch

Assistant Examiner — Rebekah A Caruso

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

(57) **CLAIM**

The ornamental design for a skin toning device, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of the skin toning device of the present invention;

FIG. 2 is a rear perspective view of the skin toning device shown in FIG. 1;

FIG. 3 is a front elevational view of the skin toning device shown in FIG. 1;

FIG. 4 is a rear elevational view of the skin toning device shown in FIG. 1;

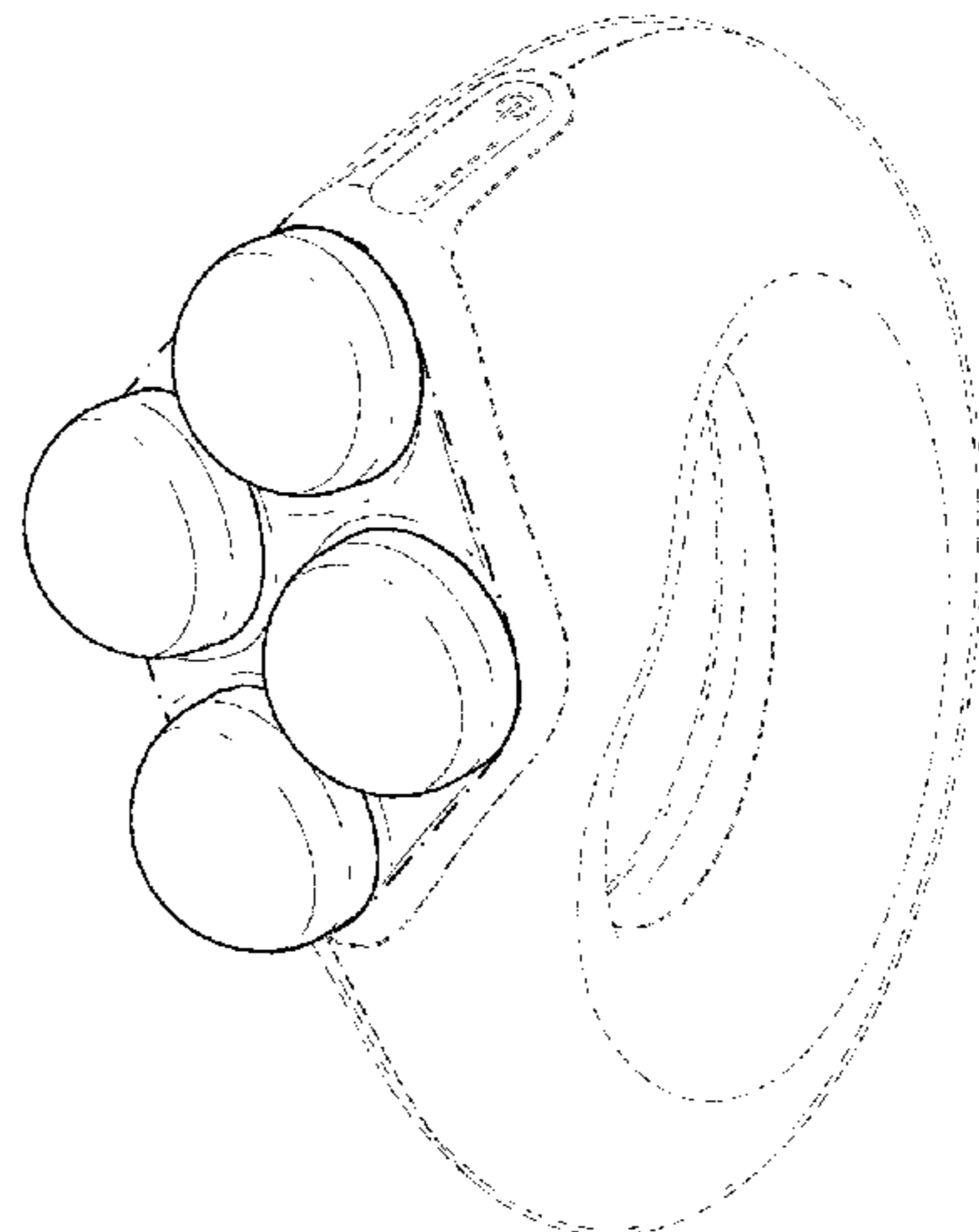
FIG. 5 is a left side elevational view of the skin toning device shown in FIG. 1, the right side view being a mirror image of the illustrated view;

FIG. 6 is a top plan view of the skin toning device shown in FIG. 1; and,

FIG. 7 is a bottom plan view of the skin 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, 5 Drawing Sheets



Related U.S. Application Data

a continuation of application No. 29/598,160, filed on Mar. 23, 2017, now Pat. No. Des. 812,237, which is a continuation of application No. 29/558,348, filed on Mar. 16, 2016, now Pat. No. Des. 785,193, which is a continuation of application No. 29/519,242, filed on Mar. 3, 2015, now Pat. No. Des. 752,237.

(58) **Field of Classification Search**

CPC A61H 15/0085; A61H 2015/0007; A61H 2015/0042; A61H 2015/005; A61H 2015/0071; A61H 39/002; A61H 2201/10; A61H 15/0092; A61H 2201/0153; A61H 2201/1253; A61H 2205/022; A61H 2015/0014; A61N 1/18; A61N 2007/0034; A61N 2005/0644; A61N 2005/0662; A61N 5/0616; A61B 18/203; A61B 2018/00452; A61B 2017/00747; Y10S 601/01; Y10S 601/03; Y10S 601/04; Y10S 601/05; Y10S 601/14; Y10S 601/15
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D233,703 S 11/1974 McNair
 D262,908 S 2/1982 Pesco
 D268,437 S 3/1983 Giordano
 D273,708 S 5/1984 Haug
 D280,664 S 9/1985 Ishida
 4,920,981 A 5/1990 Dervieux
 5,007,168 A 4/1991 Messinger
 D320,279 S 9/1991 McQueen
 D323,034 S 1/1992 Reinstein
 D331,466 S 12/1992 Doria
 D340,759 S 10/1993 Miller
 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
 D377,222 S 1/1997 Pemberton
 5,607,461 A 3/1997 Lathrop
 5,662,644 A 9/1997 Swor
 D387,174 S 12/1997 Gladieux, Jr.
 D388,617 S 1/1998 Ancona
 D414,582 S 9/1999 Hwang
 D418,920 S 1/2000 Chen
 6,019,482 A 2/2000 Everett
 6,083,250 A 7/2000 Lathrop
 6,094,595 A 7/2000 Takahashi
 D437,938 S 2/2001 Ko et al.
 6,241,696 B1 6/2001 York
 D457,643 S 5/2002 Qi et al.
 D461,094 S 8/2002 Coudurier
 6,497,702 B1 12/2002 Bernaz
 6,572,637 B1 6/2003 Yamazaki et al.
 D481,132 S 10/2003 Kim
 D481,463 S 10/2003 Cook et al.
 D484,605 S 12/2003 Cook et al.
 D486,233 S 2/2004 Cook et al.
 D487,010 S 2/2004 Marquardt
 D487,154 S 2/2004 Cook et al.
 6,702,808 B1 3/2004 Kreindel
 D490,528 S 5/2004 Cook et al.
 6,736,807 B2 5/2004 Yamazaki et al.
 6,766,199 B2 7/2004 Cook et al.
 6,790,205 B1 9/2004 Yamazaki et al.
 D498,302 S 11/2004 Wade
 6,872,221 B2 3/2005 Lytle
 D505,268 S 5/2005 Potempa
 6,887,260 B1 5/2005 McDaniel
 6,896,693 B2 5/2005 Sullivan
 6,902,275 B2 6/2005 Yamada et al.

6,902,563 B2 6/2005 Wilkens et al.
 6,939,344 B2 9/2005 Kreindel
 6,989,023 B2 1/2006 Black
 7,014,639 B2 3/2006 Walneck et al.
 D536,496 S 2/2007 Talesfore
 D538,435 S 3/2007 Wang
 7,194,316 B2 3/2007 Bousfield et al.
 D539,916 S 4/2007 Baldachini
 7,204,846 B2 4/2007 Suzuki
 7,210,817 B2 5/2007 Lee et al.
 7,238,183 B2 7/2007 Kreindel
 7,250,047 B2 7/2007 Anderson et al.
 7,252,678 B2 8/2007 Ostler et al.
 7,258,675 B2 8/2007 Nichols
 7,258,695 B2 8/2007 Carullo, Jr. et al.
 7,291,140 B2 11/2007 MacFarland et al.
 7,305,269 B2 12/2007 Cook et al.
 7,309,335 B2 12/2007 Altshuler et al.
 7,311,722 B2 12/2007 Larsen
 D558,886 S * 1/2008 Chen D24/214
 7,331,952 B2 2/2008 Walneck
 7,331,964 B2 2/2008 Maricle et al.
 7,335,170 B2 2/2008 Milne et al.
 7,345,320 B2 3/2008 Dahm
 D570,484 S 6/2008 Kaneko
 7,384,405 B2 6/2008 Rhoades
 D576,285 S 9/2008 Kennedy
 D581,541 S 11/2008 Ferber
 D581,542 S 11/2008 Ferber
 D582,049 S * 12/2008 Ferber D24/214
 D582,563 S * 12/2008 Ferber D24/214
 D583,064 S 12/2008 Ferber
 D583,480 S 12/2008 Ferber
 D585,997 S 2/2009 Adam
 D586,469 S 2/2009 Henry
 7,494,503 B2 2/2009 McDaniel
 7,503,927 B1 3/2009 Vetanze
 D594,130 S 6/2009 Scocimara
 D597,211 S 7/2009 Ewing et al.
 D599,029 S 8/2009 Ferber
 D601,257 S 9/2009 Berlinger
 7,597,708 B2 10/2009 Carullo, Jr. et al.
 D608,897 S 1/2010 Cole et al.
 D609,361 S 2/2010 MacGarry
 D610,696 S * 2/2010 Makuch D24/211
 D611,159 S 3/2010 Cole
 D612,510 S 3/2010 Byle
 D617,138 S 6/2010 Munari
 D620,597 S * 7/2010 Cole D24/200
 D623,308 S 9/2010 Kramer
 D627,898 S * 11/2010 Aulwes D24/214
 7,842,029 B2 11/2010 Anderson et al.
 D630,760 S 1/2011 Imboden
 D633,625 S 3/2011 Maderazzo
 D636,088 S 4/2011 Loew
 D638,132 S * 5/2011 Cole D24/200
 7,993,381 B2 8/2011 Mac et al.
 D646,396 S 10/2011 Seki
 D648,861 S 11/2011 Chong
 D649,653 S 11/2011 Halvorsen
 8,048,135 B2 11/2011 Carullo, Jr. et al.
 8,057,525 B2 11/2011 Suzuki
 D651,321 S 12/2011 Marchese et al.
 8,088,123 B2 1/2012 Kinoshita
 D656,620 S 3/2012 Altshuler
 D659,843 S 5/2012 Wang
 D665,915 S * 8/2012 Ma D24/215
 D667,557 S 9/2012 Boudier
 8,277,495 B2 10/2012 Demetriou et al.
 D676,141 S 2/2013 Wu
 D685,491 S 7/2013 Coral
 D692,571 S 10/2013 Luzon et al.
 D695,903 S 12/2013 Tamsiran
 D697,220 S 1/2014 Clementes
 D699,367 S 2/2014 Lee et al.
 8,641,702 B2 2/2014 Pilcher et al.
 D702,851 S 4/2014 Lee
 D704,346 S 5/2014 Tai
 D712,053 S 8/2014 Matsushita

(56)

References Cited

U.S. PATENT DOCUMENTS

D725,789 S 3/2015 Matsushita
 D725,790 S * 3/2015 Givord D24/214
 9,032,576 B2 5/2015 Zelickson et al.
 D732,182 S 6/2015 Viner
 D732,887 S 6/2015 Munari
 D738,517 S 9/2015 Karim
 D739,541 S 9/2015 Cole
 D742,003 S 10/2015 Tasar
 D748,857 S 2/2016 Boulanger
 D752,237 S 3/2016 Cole
 D756,527 S 5/2016 Cole
 D768,867 S 10/2016 Hetzel
 D770,635 S * 11/2016 Cole D24/200
 D773,066 S 11/2016 Sedic
 9,533,170 B2 1/2017 Dye et al.
 9,554,963 B2 1/2017 Pilcher et al.
 D779,596 S 2/2017 Bajuyo
 D779,600 S 2/2017 Dean
 D785,193 S * 4/2017 Cole D24/200
 9,687,643 B2 6/2017 Khormaei et al.
 D809,150 S 1/2018 Nolasco
 D812,237 S * 3/2018 Cole D24/200
 D824,037 S 7/2018 Yueh
 10,039,600 B2 8/2018 Khormaei et al.
 D827,843 S 9/2018 Bainton et al.
 D830,063 S 10/2018 Stephens
 D831,835 S * 10/2018 Cole D24/200
 D838,860 S 1/2019 Lee
 D844,799 S * 4/2019 Kim D24/214
 D845,496 S * 4/2019 Cole D24/200
 D845,497 S * 4/2019 Cole D24/200
 10,252,051 B2 4/2019 Nichols
 D848,089 S * 5/2019 Cunniff D30/199
 10,278,888 B2 5/2019 Sabattier et al.
 10,315,042 B2 6/2019 De Taboada et al.
 10,391,312 B2 8/2019 Mowery et al.
 D868,278 S * 11/2019 Smith D24/211
 2002/0133149 A1 9/2002 Bessette
 2002/0143373 A1 10/2002 Courtnage et al.
 2004/0147984 A1 7/2004 Altshuler et al.
 2004/0236255 A1 11/2004 Cook
 2005/0015121 A1 1/2005 Molina
 2005/0203593 A1 9/2005 Shanks et al.
 2005/0234516 A1 10/2005 Gueret
 2006/0030908 A1 2/2006 Powell et al.
 2006/0155220 A1 7/2006 Oslay
 2006/0173518 A1 8/2006 Kreindel
 2006/0200213 A1 9/2006 McDaniel
 2006/0247741 A1 11/2006 Hsu et al.
 2006/0269580 A1 11/2006 Cole et al.
 2007/0032840 A1 2/2007 Peluso
 2007/0032843 A1 2/2007 Hsu
 2007/0032847 A1 2/2007 Weckwerth
 2007/0038206 A1 2/2007 Altshuler et al.
 2007/0049910 A1 3/2007 Altshuler et al.
 2007/0073372 A1 3/2007 Heath
 2007/0198004 A1 8/2007 Altshuler et al.
 2007/0213696 A1 9/2007 Altshuler et al.
 2007/0213698 A1 9/2007 Altshuler et al.
 2007/0217199 A1 9/2007 Adam et al.
 2007/0239142 A1 10/2007 Altshuler et al.
 2007/0239143 A1 10/2007 Altshuler et al.
 2007/0282400 A1 12/2007 Gorham
 2007/0293917 A1 12/2007 Thompson et al.
 2007/0293918 A1 12/2007 Thompson et al.
 2008/0004678 A1 1/2008 Kreindel
 2008/0014011 A1 1/2008 Rossen
 2008/0030908 A1 2/2008 Kagami
 2008/0046027 A1 2/2008 Cook et al.
 2008/0058783 A1 3/2008 Altshuler et al.
 2008/0065056 A1 3/2008 Powell
 2008/0065176 A1 3/2008 Zhang et al.
 2008/0103560 A1 5/2008 Powell et al.

2008/0103563 A1 5/2008 Powell et al.
 2008/0109049 A1 5/2008 Schumann
 2008/0119913 A1 5/2008 Powell et al.
 2008/0125835 A1 5/2008 Laurent
 2008/0134513 A1 6/2008 Oh
 2008/0140164 A1 6/2008 Oberreiter et al.
 2008/0172045 A1 7/2008 Shanks et al.
 2008/0172113 A1 7/2008 Gourgouliatos et al.
 2008/0183161 A1 7/2008 Walneck et al.
 2008/0195181 A1 8/2008 Cole
 2008/0214968 A1 9/2008 Milne et al.
 2008/0214969 A1 9/2008 Milne et al.
 2008/0269848 A1 10/2008 Birmingham et al.
 2008/0294152 A1 11/2008 Alshuler et al.
 2008/0312647 A1 12/2008 Knopp et al.
 2009/0005631 A1 1/2009 Simenhaus et al.
 2009/0093749 A1 4/2009 Shalev et al.
 2009/0156958 A1 6/2009 Mehta et al.
 2009/0227996 A1 9/2009 Powell et al.
 2009/0254155 A1 10/2009 Kanarsky et al.
 2009/0254156 A1 10/2009 Powell et al.
 2010/0063491 A1 3/2010 Verhagen
 2010/0105977 A1 4/2010 Taboada et al.
 2010/0121254 A1 5/2010 McDaniel
 2010/0145242 A1 6/2010 Tsai
 2010/0145255 A1 6/2010 Popescu et al.
 2010/0152645 A1 6/2010 Ogasawara
 2010/0174222 A1 7/2010 McDaniel
 2010/0179469 A1 7/2010 Hammond et al.
 2010/0185266 A1 7/2010 Suzuki
 2010/0274329 A1 10/2010 Bradley et al.
 2010/0292746 A1 11/2010 Gorham
 2011/0015549 A1 1/2011 Eckhouse et al.
 2011/0112520 A1 5/2011 Michael
 2011/0213447 A1 9/2011 Hottinger et al.
 2011/0238142 A1 9/2011 Hottinger et al.
 2011/0245734 A1 10/2011 Wagner et al.
 2012/0016174 A1 1/2012 Taboada et al.
 2012/0065575 A1 3/2012 Kader
 2012/0071794 A1 3/2012 Karni
 2012/0165800 A1 6/2012 Keeney
 2014/0135798 A1 5/2014 David
 2014/0221887 A1 8/2014 Wu
 2016/0101294 A1 4/2016 Sun et al.
 2016/0184176 A1 * 6/2016 Caberlotto A61H 15/0085
 601/114
 2016/0184177 A1 6/2016 Caberlotto
 2017/0128130 A1 5/2017 Giraud et al.
 2017/0246076 A1 8/2017 Miller et al.
 2018/0185236 A1 7/2018 Levi
 2019/0262607 A1 8/2019 Nichols
 2019/0374775 A1 12/2019 Mowery et al.

FOREIGN PATENT DOCUMENTS

DE 102004040064 2/2006
 EP 1566198 8/2005
 FR 2659851 A1 * 9/1991 A61H 7/008
 JP 2000316990 11/2000
 JP 2004201718 7/2004
 JP 6296743 B2 3/2018
 KR 101515992 5/2015
 KR 101619858 5/2016
 TW D111130 5/2006
 TW D156622 10/2013
 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
 WO WO 2017023134 2/2017
 WO WO 2015098427 3/2017
 WO WO-2017116884 A1 * 7/2017 A61N 1/0472
 WO WO 2018196045 11/2018
 WO WO 2019168281 9/2019

(56)

References Cited

FOREIGN PATENT DOCUMENTS

WO WO 2019182299 9/2019
WO WO 2019190286 10/2019

OTHER PUBLICATIONS

EViS MD Platinum Product Literature “Light Therapy” in 1 page, accessed online Mar. 10, 2009—<http://www.evismd.com/product>.
Foreo Newswire—Mysa—Which LUNA 2 Facial Cleansing Device Is Right for You? (undated)—online at <https://www.foreo.com/mysa/luna-facial-cleansing/> in 7 pages.
GentleWaves® Product Literature “Elite Skin Fitness System™” 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>.
Pure Lift Device Product Literature in 4 pages, accessed online Aug. 1, 2018—<https://usa.facegym.com/shop/face-workout-tools/facegym-pro-white/>.
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

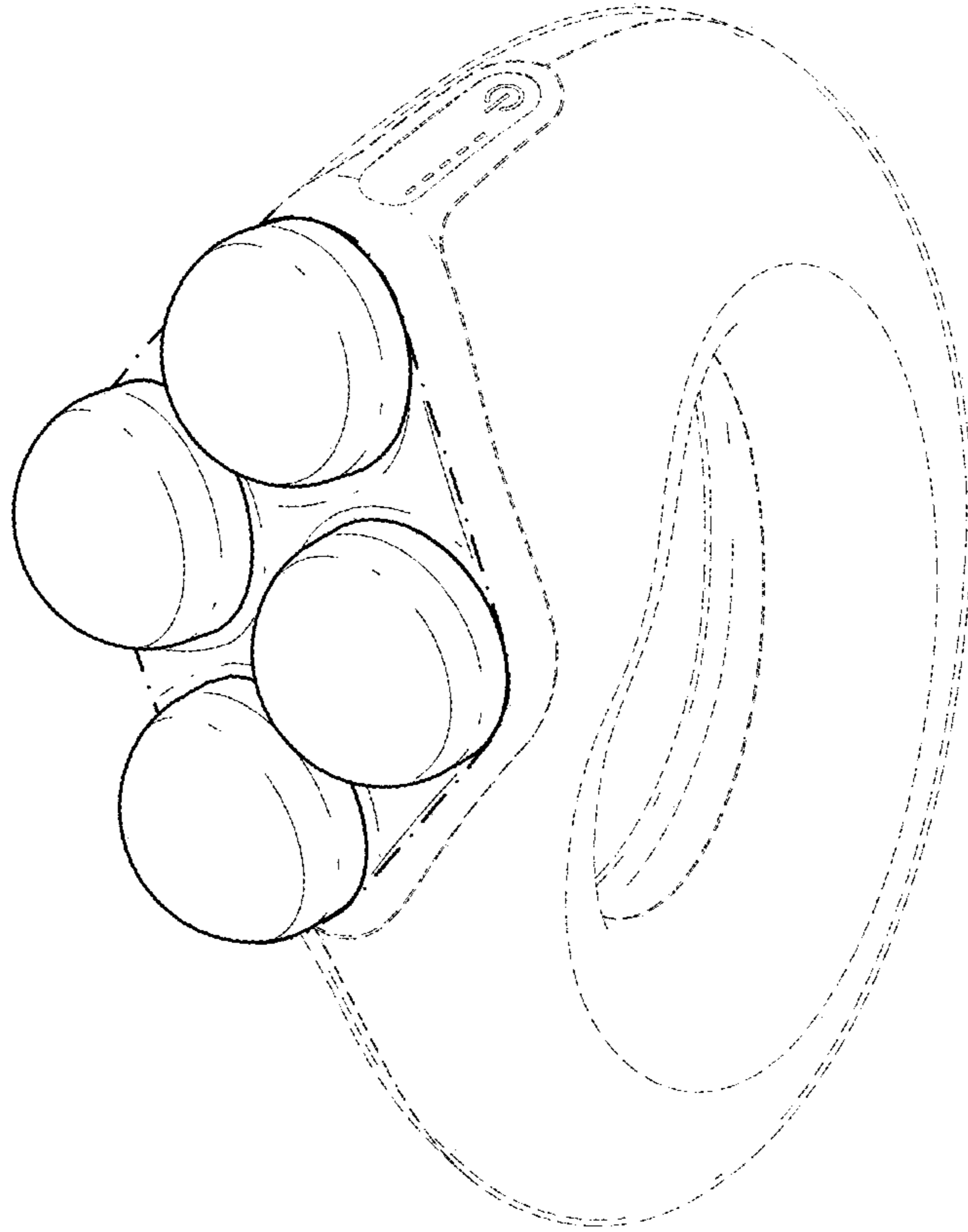


FIG. 1

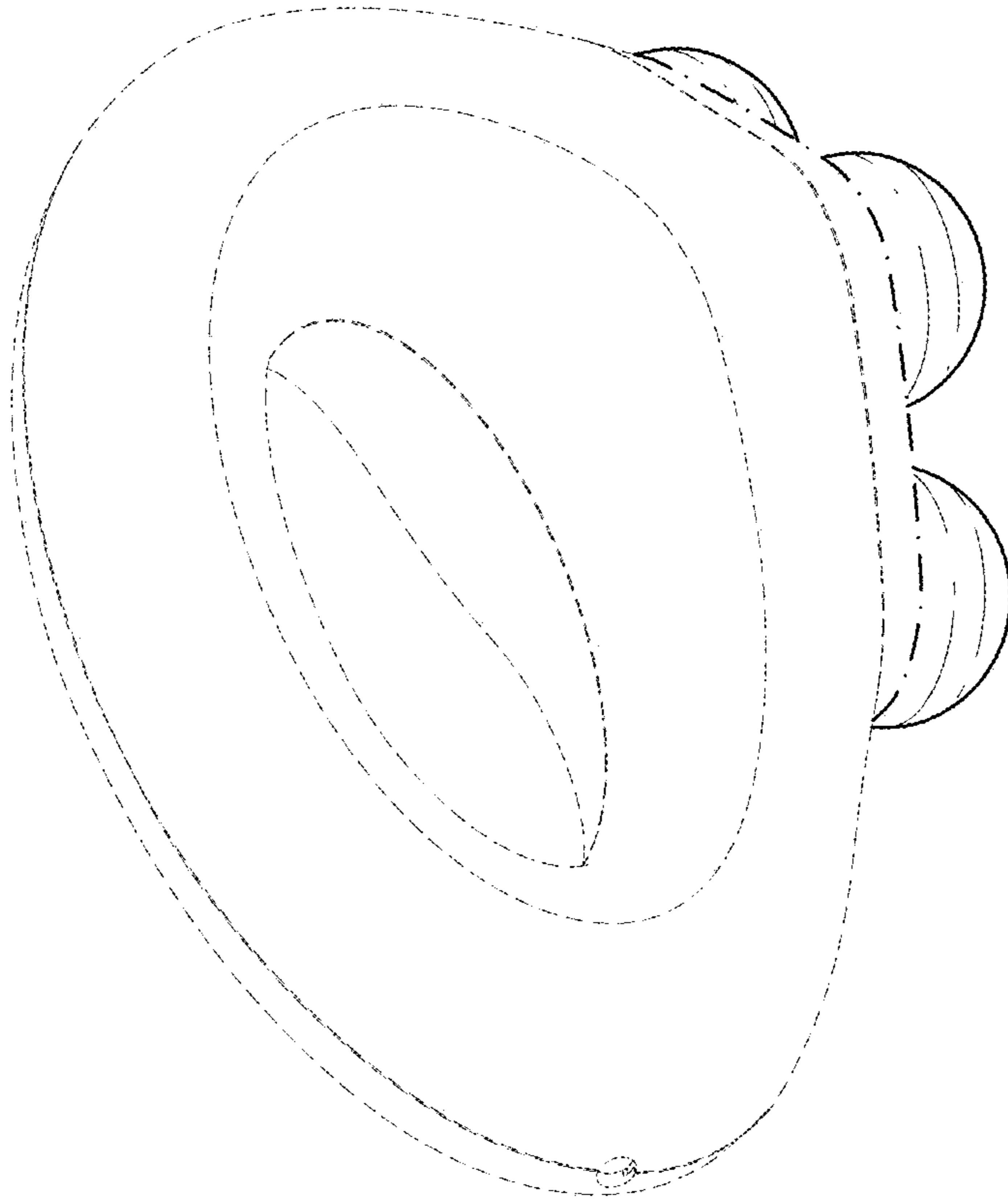


FIG. 2

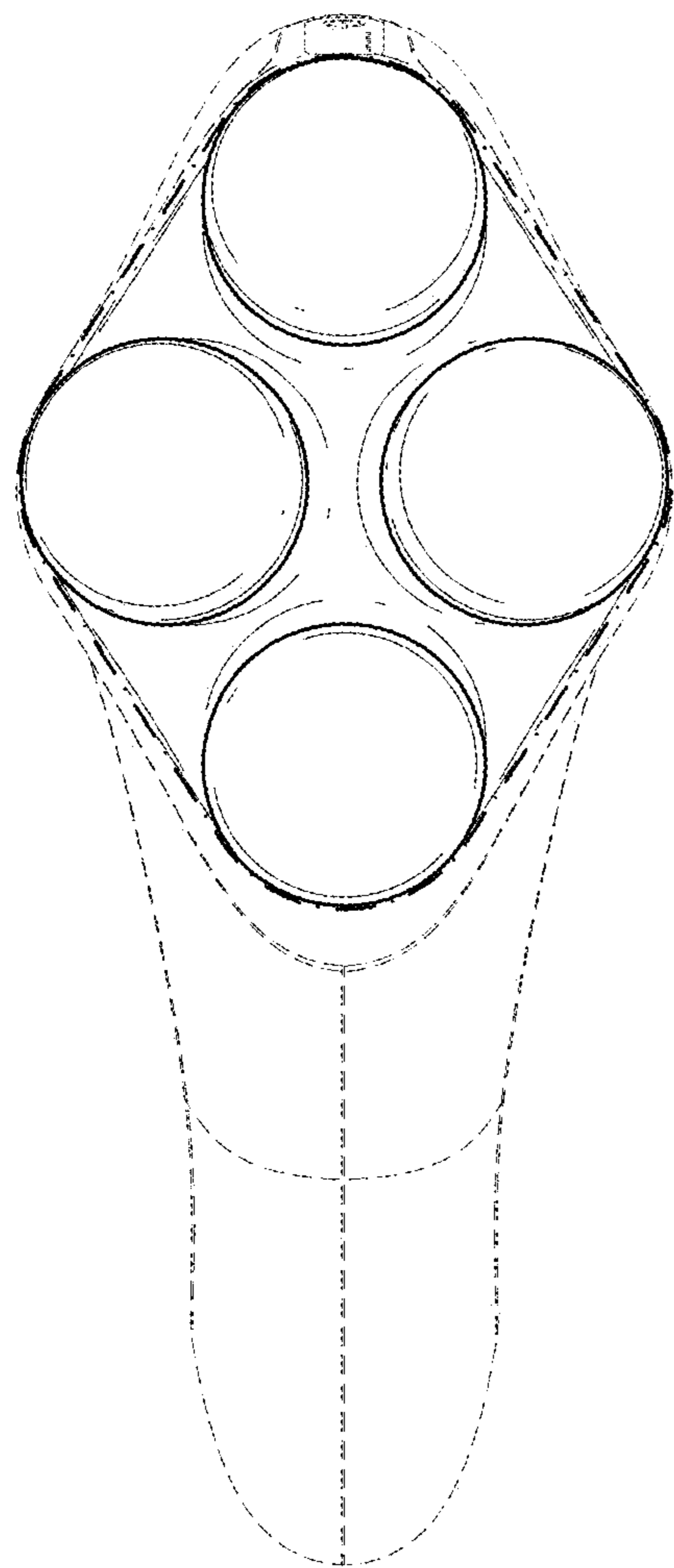


FIG. 3

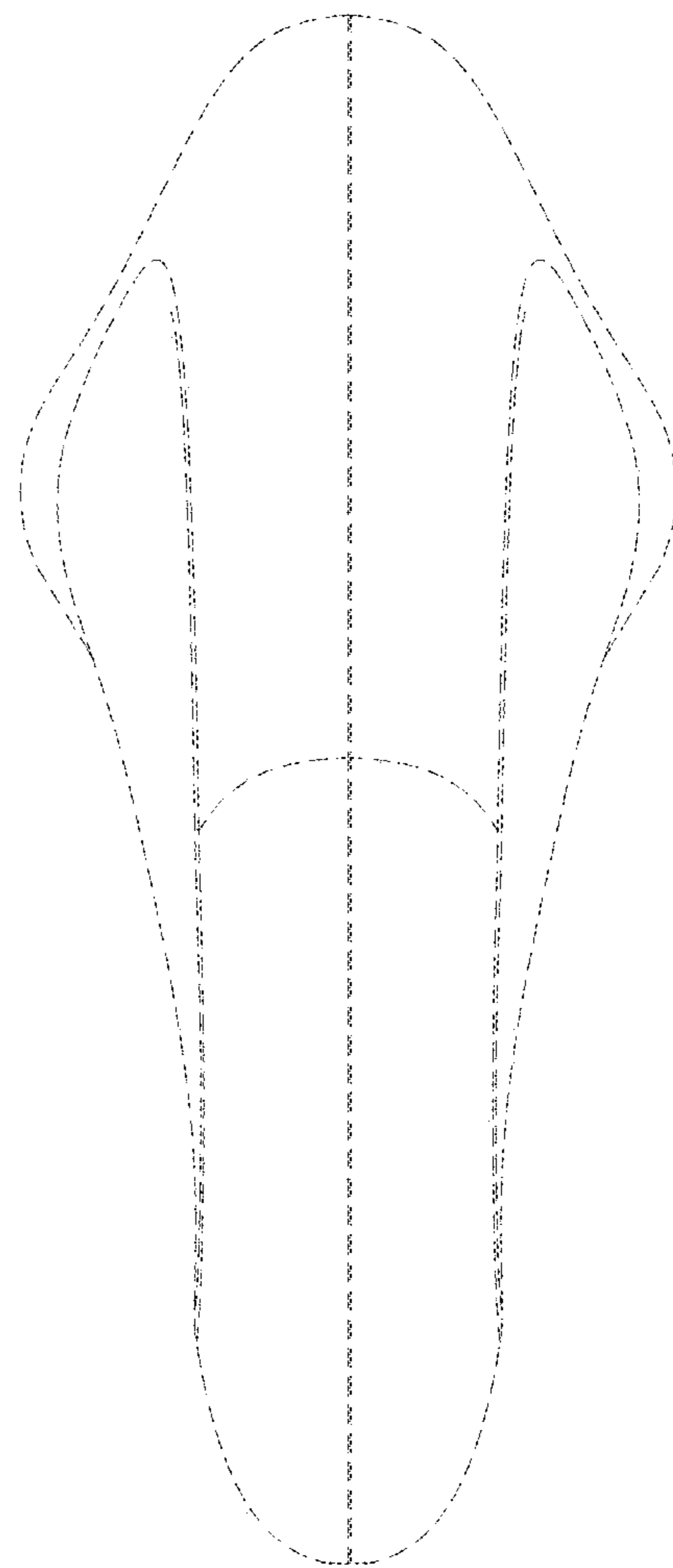


FIG. 4

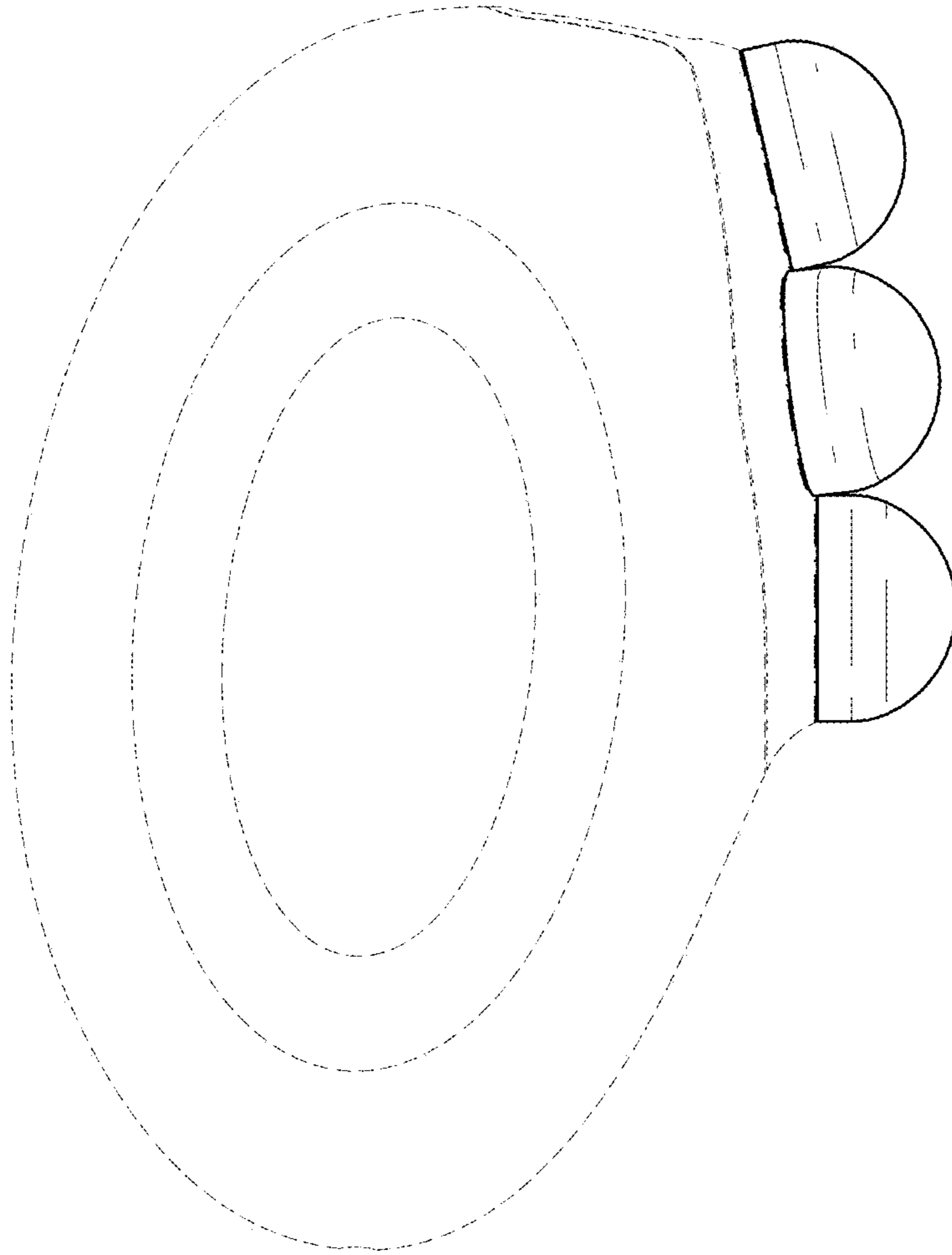


FIG. 5

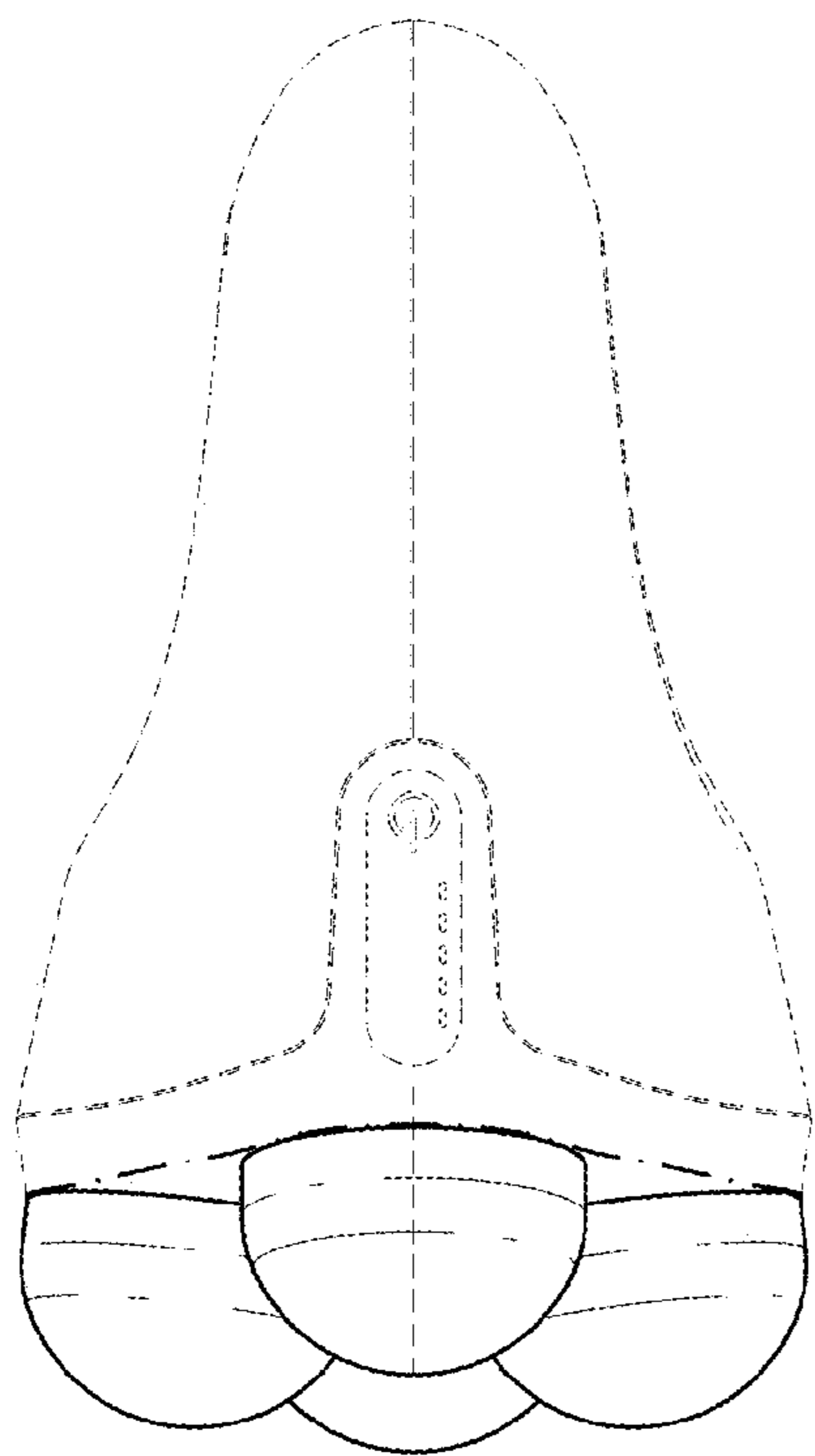


FIG. 6

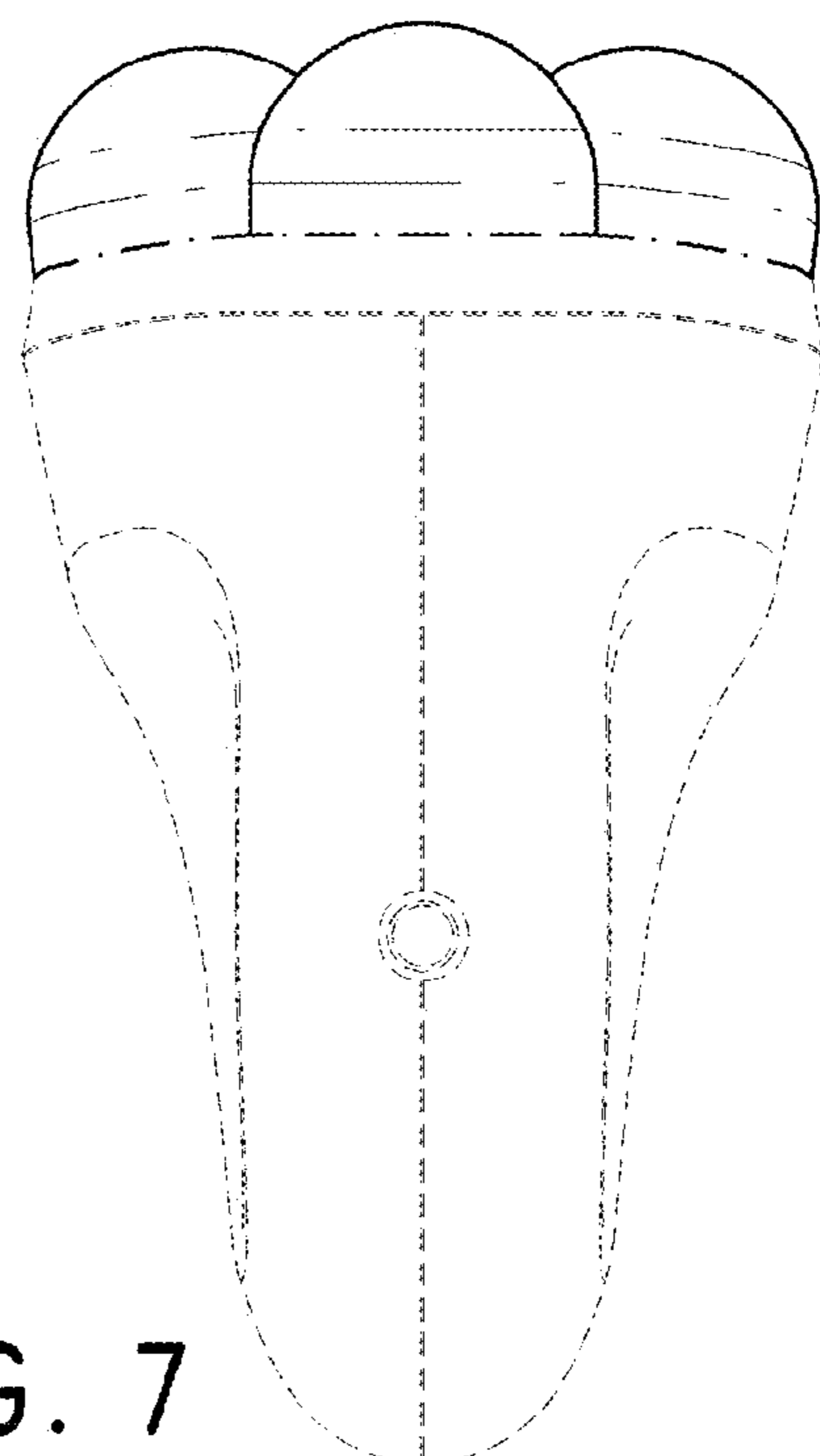


FIG. 7