



US00D909006S

(12) **United States Design Patent** (10) **Patent No.:** **US D909,006 S**
Wang et al. (45) **Date of Patent:** **** Feb. 2, 2021**

(54) **THIN BISCUIT SANDWICH**

(71) Applicant: **Intercontinental Great Brands LLC**,
East Hanover, NJ (US)

(72) Inventors: **Dongxu Wang**, Suzhou (CN); **Yong Shi**, Suzhou (CN); **Weibing Qian**,
Suzhou (CN); **Guoqiang Xue**, Suzhou
(CN); **Manhu Gu**, Suzhou (CN)

(73) Assignee: **Intercontinental Great Brands LLC**,
East Hanover, NJ (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/503,952**

(22) Filed: **Sep. 30, 2014**

(30) **Foreign Application Priority Data**

Mar. 30, 2014 (CN) 2014 3 0070448

(51) **LOC (13) Cl.** **01-01**

(52) **U.S. Cl.**
USPC **D1/128; D1/130**

(58) **Field of Classification Search**
USPC D1/100-130, 199; 426/104, 108, 138,
426/391, 549, 808, 94, 143, 559, 560;
D11/12, 24, 40, 43, 79, 86, 95;
D24/101-104; 446/118, 128; D21/484,
D21/499, 503, 335; D9/707, 756

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D9,574 S * 10/1876 Collum D1/127
1,869,464 A * 8/1932 Wesley A23G 9/44
426/95

2,206,619 A 7/1940 Schreier
4,257,647 A 3/1981 Gianessi
4,275,647 A 6/1981 Chambers
4,455,333 A 6/1984 Hong
4,503,080 A 3/1985 Brabbs
4,584,203 A 4/1986 DuVall

4,622,891 A 11/1986 Cramer
4,762,723 A 8/1988 Strong
D298,180 S * 10/1988 Gerstman D1/109
4,865,862 A 9/1989 McFeaters
4,948,602 A 8/1990 Boehm
D315,241 S * 3/1991 Constance D1/128
5,000,968 A 3/1991 Szwerc
5,374,438 A 12/1994 Yost
D356,642 S * 3/1995 Abrams D1/128
D371,144 S * 6/1996 Dunn D1/128
5,629,041 A 5/1997 Laaman
5,789,008 A * 8/1998 Monte A21D 13/0009
426/101

6,093,437 A 7/2000 Katta
D445,992 S * 8/2001 Reinhart D1/128
6,592,915 B1 7/2003 Froseth
D518,941 S 4/2006 Allen
D539,469 S * 3/2007 Chen D1/128
7,431,955 B2 10/2008 Froseth
D616,177 S 5/2010 Brown et al.
7,820,218 B2 10/2010 Suttle
D632,456 S * 2/2011 Roskam D1/129
7,919,134 B2 4/2011 Froseth
8,037,813 B2 10/2011 Suttle
8,119,174 B2 2/2012 Green
8,257,773 B2 9/2012 Froseth
8,414,954 B2 4/2013 Nowakowski
D686,386 S * 7/2013 Jani D1/127
D686,388 S * 7/2013 Mecrin D1/127
D688,029 S * 8/2013 Schulok D1/128
D694,486 S * 12/2013 Jani D1/127
D731,741 S * 6/2015 Brown D1/128

2001/0024670 A1 9/2001 Gehan
2005/0109222 A1 5/2005 Swenson
2005/0271785 A1 12/2005 Hayes-Jacobson
2006/0013922 A1 1/2006 Chandaria
2009/0214720 A1 * 8/2009 Almenares A23G 9/48
426/101

2010/0316772 A1 12/2010 Zubanas
2011/0086140 A1 4/2011 Schulok
2011/0111105 A1 5/2011 Besse
2013/0022713 A1 1/2013 Hayes-Jacobson
2013/0177676 A1 7/2013 Borges
2013/0196033 A1 8/2013 Anand
2014/0205719 A1 7/2014 Lanvin
2014/0220186 A1 8/2014 Wahl
2014/0322392 A1 10/2014 Haskins

FOREIGN PATENT DOCUMENTS

CN 302023473 8/2012
CN 302125188 10/2012
CN 101983016 1/2013



CN	302421062	5/2013
DE	4020100052520001	12/2010
DE	4020100052520002	12/2010
DE	4020100052520003	12/2010
DE	4020100052520004	12/2010
DE	4020100052520005	12/2010
DE	4020100052520006	12/2010
DE	4020100052520007	12/2010
DE	4020100052520008	12/2010
DE	4020100052520009	12/2010
DE	4020100052520010	12/2010
DE	4020100052520011	12/2010
DE	4020100052520012	12/2010
DE	4020100052520013	12/2010
DE	4020100052520014	12/2010
DE	4020100052520015	12/2010
DE	4020100052520016	12/2010
DE	4020100052520017	12/2010
DE	4020100052520018	12/2010
DE	4020110050540001	10/2011
DE	4020120011390008	3/2012
DE	4020130013560003	3/2013
DE	4020130013560004	3/2013
DM	88258	11/2015
DM	88358	11/2015
EM	000413300001	6/2003
EM	004478670003	12/2005
EM	005254310001	5/2006
EM	008575860001	12/2007
EM	008575860002	12/2007
EM	008575860003	12/2007
EM	008575860004	12/2007
EM	009055670001	3/2008
EM	017362240001	7/2010
EM	018005580001	12/2010
EM	018005580002	12/2010
EM	018005580003	12/2010
EM	012719280001	4/2011
EM	012719280004	4/2011
EM	018925710001	7/2011
EM	020005050003	2/2012
EM	013175490001	3/2012
EM	023413130001	8/2013
EM	026381140001	2/2015
EM	029142830001	12/2015
EM	030706550001	4/2016
EM	030866100001	4/2016
FR	454510001	11/2004
FR	201142960001	9/2011
GB	2059241	9/1996
GB	2071480	1/1998
GB	3012228	4/2003
JP	3297350	12/1991
JP	2001197858	7/2001
JP	3107782 U	2/2005

OTHER PUBLICATIONS

“Homemade Oreo Cookie Recipe! Make DIY Oreo Cookies from Scratch with Cupcake Addiction.” YouTube. May 6, 2014 Web. Sep. 13, 2015. <<https://www.youtube.com/watch?v=fW63pi3vzcU>>.*

Reeni. “Homemade Double Stuf Oreos.” Cinnamon Spice & Everything Nice. Sep. 16, 2012 Web. Feb. 16, 2016. <<http://www.cinnamonspiceandeverythingnice.com/homemade-double-stuf-oreos/>>.*

Sarah. “Thin Mints & Oreos: One Recipe.” My Darling Vegan. Mar. 5, 2013 Web. Feb. 16, 2016. <<http://mydarlingvegan.com/2013/03/thin-mints-oreos-one-recipe/>>.*

Jones, Carey. “We Try 25 Kinds of Oreo.” Serious Eats. May 17, 2012 Web. Jan. 16, 2016. <<http://sweets/seriouseats.com/2012/05/we-try-every-kind-of-oreo-cookie.html>>.*

Abraham, Tamara. Marshmallow Crispy Oreo, “Are Cookie Dough Oreos Even Better than regular Oreos? FEMAIL puts them to the test.” Daily Mail. Jan. 28, 2014 Web. Sep. 15, 2015. <<http://www.dailymail.co.uk/femail/article-2547723/Are-Cookie-Dough-Oreos-BETTER-regular-Oreos-FEMAIL-puts-test.html>>.*

Schall, Jennifer. “Homemade Oreos.” My Kitchen Addiction. Feb. 14, 2012. Web. Oct. 17, 2016. <<http://www.mykitchenaddiction.com/2012/02/homemade-oreos/>>.*

Lindsay. “Homemade Milano Cookies.” The Live-In Kitchen. Aug. 9, 2013. Web. Jun. 28, 2017. <<http://theliveinkitchen.com/homemade-milano-cookies/>>.*

KatieC106. “Homemade Oreos.” Instructables. Sep. 8, 2016. Web. Feb. 21, 2018. <<http://www.instructables.com/id/Homemade-Oreos/>>.*

Canadian Intellectual Property Office Application for Registration of an Industrial Design Examiners Report, dated Jan. 24, 2015 for Application No. 158897 (2 pgs.).

India Patent Office First Examination Report, dated Dec. 5, 2014 for Design Application No. 266357 (2 pgs.).

India Patent Office First Examination Report, dated Dec. 5, 2014 for Design Application No. 266358 (2 pgs.).

India Patent Office First Examination Report, dated Jan. 8, 2015 for Design Application No. 266359 (2 pgs.).

India Patent Office First Examination Report, dated Jan. 8, 2015 for Design Application No. 266360 (2 pgs.).

Japanese Patent Office Notice of Reasons for Rejection, dated Mar. 26, 2015 for Design Registration Application No. 2014-021390 (3 pgs.).

Japanese Patent Office Notice of Reasons for Rejection, dated Mar. 26, 2015 for Design Registration Application No. 2014-021391 (3 pgs.).

Japanese Patent Office Notice of Reasons for Rejection, dated Mar. 26, 2015 for Design Registration Application No. 2014-021392 (4 pgs.).

Japanese Patent Office Notice of Reasons for Rejection, dated Mar. 26, 2015 for Design Registration Application No. 2014-021393 (4 pgs.).

Internet Publication entitled: Meal Diary of Miyu Kitchen, dated Jul. 3, 2013 and retrieved through Wayback Machine on Mar. 17, 2015, URL: <http://miyumama40.blog1331c2.com/blog-entry-640.html> (2 pgs.).

English translation of Notice of Reasons for Rejection, dated Jul. 13, 2016 for Japanese Design Application No. 2014-21390 (18 pgs.).

English translation of Notice of Reasons for Rejection, dated Jul. 13, 2016 for Japanese Design Registration Application No. JDA 2014-21391 (13 pgs.).

English translation of Notice of Reasons for Refusal, dated Jul. 12, 2016 for Japanese Design Application No. 2014-21392 (12 pgs.).

English translation of Notice of Reason for Refusal, dated Jul. 13, 2016 for Japanese Design Application No. 2014-21393 (13 pgs.).

Application for a declaration of invalidity, dated Feb. 24, 2016 for Invalidity No. ICD 10093 (2 pgs.).

Response to the Communication of Feb. 24, 2016 forwarding the Application for a declaration of invalidity, dated Jun. 30, 2016 for Invalidity No. ICD 10093 (70 pgs.).

Application for a declaration of invalidity, dated Feb. 24, 2016 for Invalidity No. ICD 10094 (2 pgs.).

Response to the Communication of Feb. 24, 2016 forwarding the Application for a declaration of invalidity, dated Jun. 30, 2016 for Invalidity No. ICD 10094 (110 pgs.).

Application for a declaration of invalidity, dated Feb. 24, 2016 for Invalidity No. ICD 10095 (2 pgs.).

Response to the Communication of Feb. 24, 2016 forwarding the Application for a declaration of invalidity, dated Jun. 20, 2016 for Invalidity No. ICD 10095 (110 pgs.).

Canadian Patent Office, Examiner’s Report dated Sep. 21, 2015 in Canadian Patent App. No. 161803 (3 pgs.).

Response to Examiner’s Report dated Sep. 21, 2015 in Canadian Patent App. No. 161803, dated Jan. 7, 2016 (6 pgs.).

Canadian Patent Office, Examiner’s Report dated Jan. 14, 2016 in Canadian Patent App. No. 161803 (2 pgs.).

Response to Examiner’s Report dated Jan. 14, 2016 in Canadian Patent App. No. 161803, dated Mar. 29, 2016 (4 pgs.).

Canadian Patent Office, Rejection Examiner’s Report, dated Jun. 27, 2016 for Canadian Design Patent Application No. 161803 (15 pgs.).

Response to Examiner's Report dated Jan. 24, 2015 in Canadian Patent App. No. 158897, dated May 18, 2015 (8 pgs).

Canadian Patent Office, Rejection Examiner's Report, dated Jun. 27, 2016 for Canadian Design Patent Application No. 158897 (15 pgs.).

Japanese Patent Office, Notice of Final Rejection, dated Oct. 9, 2015 for Japanese Design App. No. 2014-021390 with English Translation (17 pgs).

Japanese Patent Office, Office Action, dated Jul. 13, 2016 for Japanese Design App. No. 2014-021390 (13 pgs).

Japanese Patent Office, Office Action, dated Jul. 13, 2016 for Japanese Design App. No. 2014-021391 (13 pgs).

Japanese Patent Office, Office Action, dated Jul. 13, 2016 for Japanese Design App. No. 2014-021392 (13 pgs).

Japanese Patent Office, Office Action, dated Jul. 13, 2016 for Japanese Design App. No. 2014-021393 (13 pgs).

Response to the Notice of Reasons for Rejection dated Mar. 30, 2015 in Japanese Patent App. No. 2014-021390, dated Jul. 29, 2015 (8 pgs.).

Japanese Patent Office, Notice of Final Rejection, dated Oct. 9, 2015 for Japanese Design App. No. 2014-021391 with English Translation (17 pgs).

Response to the Notice of Reasons for Rejection dated Mar. 30, 2015 in Japanese Patent App. No. 2014-21391, dated Jul. 29, 2015 (8 pgs.).

Japanese Patent Office, Notice of Final Rejection, dated Oct. 9, 2015 for Japanese Design App. No. 2014-021392 with English Translation (10 pgs).

Response to Notice of Reasons for Rejection dated Mar. 30, 2015 in Japanese Patent App. No. 2014-21392, dated Jul. 29, 2015 (9 pgs.).

Japanese Patent Office, Notice of Final Rejection, dated Oct. 9, 2015 for Japanese Design App. No. 2014-021393 with English Translation (10 pgs).

Response to Notice of Reasons for Rejection dated Mar. 30, 2015 in Japanese Patent App. No. 2014-21393, dated Jul. 29, 2015 (9 pgs.).

Response to Final Rejection dated Oct. 9, 2015 in Japanese Patent App. Nos. 2014-21390, 2014-21391, 2014-21392, 2014-21393, dated Jan. 9, 2016 (44 pgs).

Notification of the First Office Action, dated Jun. 11, 2014 in Chinese Application No. 201430070448.1 and English Translation (2 pgs).

Substantiation of the request for a declaration of invalidity of a Registered Community Design, dated Jan. 27, 2016 for RCD No. 002671305-0001 (102 pgs.).

Substantiation of the request for a declaration of invalidity of a Registered Community Design, dated Jan. 27, 2016 for RCD No. 002671305-0002 (102 pgs.).

Substantiation of the request for a declaration of invalidity of a Registered Community Design, dated Jan. 27, 2016 for RCD No. 002671305-0003 (92 pgs.).

Response to First Office Action, in Chinese Application No. 201430070448.1 and partial English translation (8 pgs).

Letter of Confirmation to the applicant of having forwarded observations to the RCD holder, dated Oct. 13, 2016 for Contested Community design No. 002671305-0003 (1 pg.).

Letter of Observations in reply, dated Sep. 27, 2016 for Contested RCD No. 002671305-0003 (22 pgs.).

Letter of Observations in reply, dated Sep. 27, 2016 for Contested RCD No. 002671305-0002 (74 pgs.).

Letter of Confirmation to the applicant of having forwarded observations to the RCD holder, dated Oct. 13, 2016 for Contested Community design No. 002671305-0002 (1 pg.).

Letter of Confirmation to the applicant of having forwarded observations to the RCD holder, dated Oct. 13, 2016 for Contested Community design No. 002671305-0001 (1 pg.).

Letter of Observations in reply, dated Sep. 27, 2016 for Contested RCD No. 002671305-0001 (74 pgs.).

Response to the outstanding Examiner's Report (dated Jun. 27, 2016), dated Oct. 27, 2016 for Canadian Design Application No. 158897 (4 pgs.).

Response to the outstanding Examiner's Report (dated Jun. 27, 2016), dated Oct. 27, 2016 for Canadian Design Application No. 161803 (4 pgs.).

Application for Registration of an Industrial Design Examiner's Report, dated Jan. 18, 2017, in Canadian Patent Application No. 161803 (2 pgs.).

Office action dated Mar. 11, 2016 in U.S. Appl. No. 29/522,223, dated Mar. 7, 2016 (11 pgs.).

Office action dated Nov. 3, 2016 in U.S. Appl. No. 29/522,223 (7 pgs.).

Response to Notice of Reasons for Rejection dated Jul. 13, 2016 in Japanese Patent Application No. 2014-21390, dated Nov. 14, 2016 (29 pgs.).

Response to Notice of Reasons for Rejection dated Jul. 13, 2016 in Japanese Patent Application No. 2014-21391, dated Nov. 14, 2016 (29 pgs.).

Response to Notice of Reasons for Rejection dated Jul. 13, 2016 in Japanese Patent Application No. 2014-21392, dated Nov. 14, 2016 (29 pgs.).

Response to Notice of Reasons for Rejection dated Jul. 13, 2016 in Japanese Patent Application No. 2014-21393, dated Nov. 14, 2016 (29 pgs.).

Notification of a Decision of the Boards of Appeal for invalidity of a Registered Community Design, dated Sep. 7, 2018 for RCD No. 002671305-0001 (16 pgs.).

Notification of an Application for a Declaration of Invalidity of a Registered Community Design, dated Aug. 10, 2018 for RCD No. 002546994-0001 (130 pgs.).

Notification of an Application for a Declaration of Invalidity of a Registered Community Design, dated Aug. 10, 2018 for RCD No. 002546994-0002 (122 pgs.).

Notification of an Application for a Declaration of Invalidity of a Registered Community Design, dated Aug. 10, 2018 for RCD No. 002546994-0003 (131 pgs.).

Notification of an Application for a Declaration of Invalidity of a Registered Community Design, dated Aug. 10, 2018 for RCD No. 002546994-0004 (130 pgs.).

* cited by examiner

Primary Examiner — Katie Jane Stofko
(74) *Attorney, Agent, or Firm* — Fitch, Even, Tabin & Flannery LLP

(57) **CLAIM**

The ornamental design for a thin biscuit sandwich, as shown and described.

DESCRIPTION

FIG. 1 is a front elevation view of a first embodiment of a thin biscuit sandwich, the left, right and rear elevation views being identical thereto;

FIG. 2 is a top perspective view of the thin biscuit sandwich of FIG. 1, the bottom perspective view being identical thereto;

FIG. 3 is a top plan view of the thin biscuit sandwich of FIG. 1;

FIG. 4 is a front elevation view of the thin biscuit sandwich of FIG. 1, but showing an open state;

FIG. 5 is a top plan view of the open state of the thin biscuit sandwich of FIG. 1;

FIG. 6 is a front elevation view of a second embodiment of a thin biscuit sandwich, the left, right and rear elevation views being identical thereto;

FIG. 7 is a top perspective view of the thin biscuit sandwich of FIG. 6, the bottom perspective view being identical thereto;

FIG. 8 is a top plan view of the thin biscuit sandwich of FIG. 6;

FIG. 9 is a front elevation view of the thin biscuit sandwich of FIG. 6, but showing an open state;

FIG. 10 is a top plan view of the open state of the thin biscuit sandwich of FIG. 6;

FIG. 11 is a front elevation view of a third embodiment of a thin biscuit sandwich, the left, right and rear elevation views being identical thereto;

FIG. 12 is a top perspective view of the thin biscuit sandwich of FIG. 11, the bottom perspective view being identical thereto;

FIG. 13 is a top plan view of the thin biscuit sandwich of FIG. 11;

FIG. 14 is a front elevation view of the thin biscuit sandwich of FIG. 11, but showing an open state;

FIG. 15 is a top plan view of the open state of the thin biscuit sandwich of FIG. 11;

FIG. 16 is a front elevation view of a fourth embodiment of a thin biscuit sandwich, the left, right and rear elevation views being identical thereto;

FIG. 17 is a top perspective view of the thin biscuit sandwich of FIG. 16, the bottom perspective view being identical thereto;

FIG. 18 is a top plan view of the thin biscuit sandwich of FIG. 16;

FIG. 19 is a front elevation view of the thin biscuit sandwich of FIG. 16, but showing an open state; and,

FIG. 20 is a top plan view of the open state of the thin biscuit sandwich of FIG. 16.

1 Claim, 4 Drawing Sheets

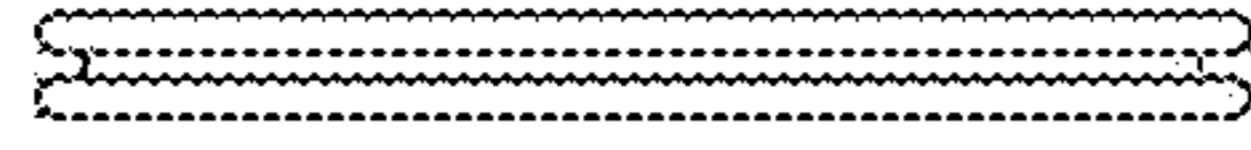


Fig. 1

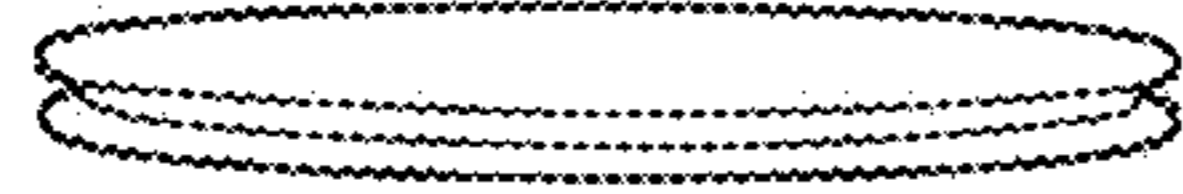


Fig. 2

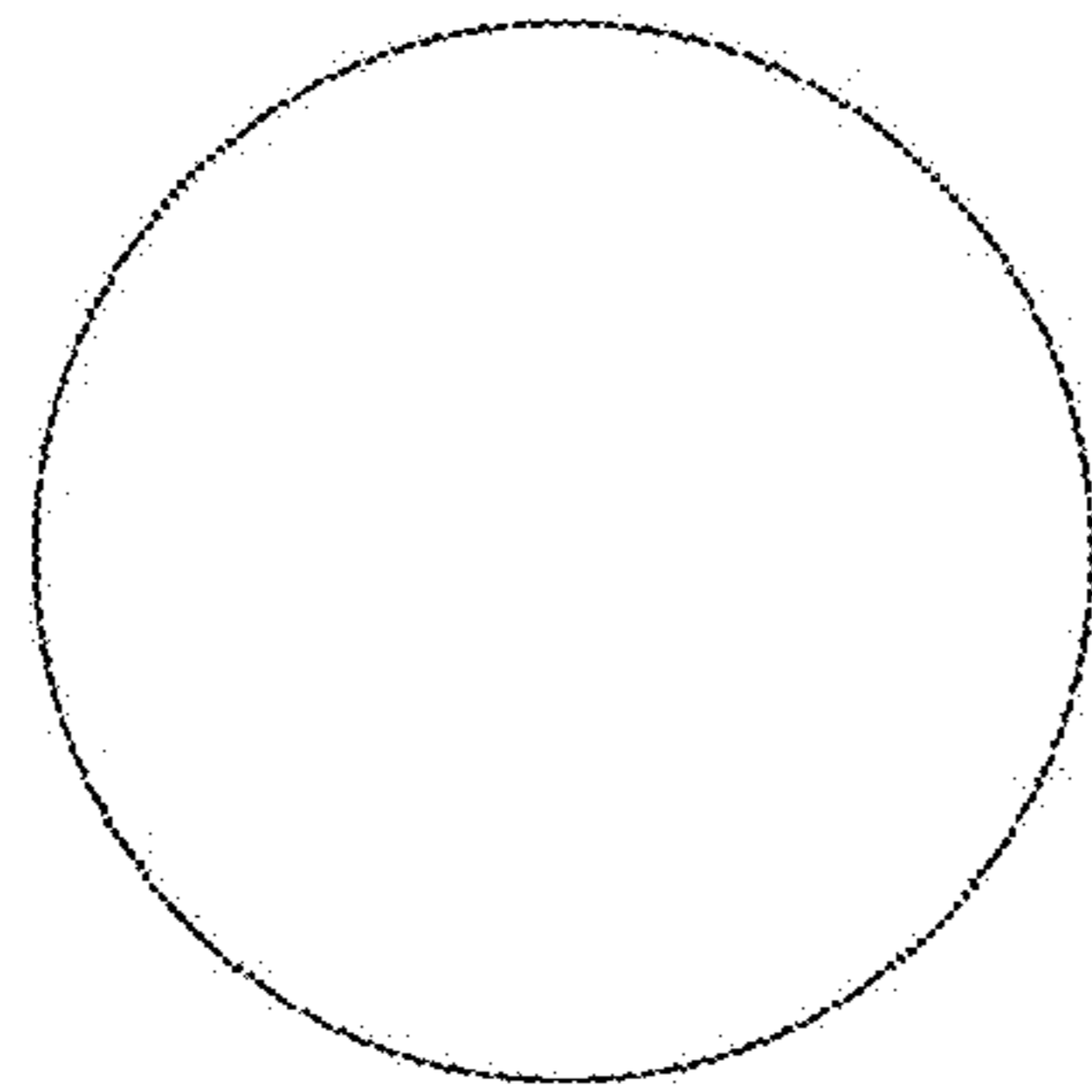


Fig. 3

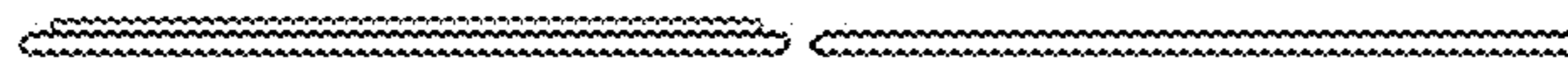


Fig. 4

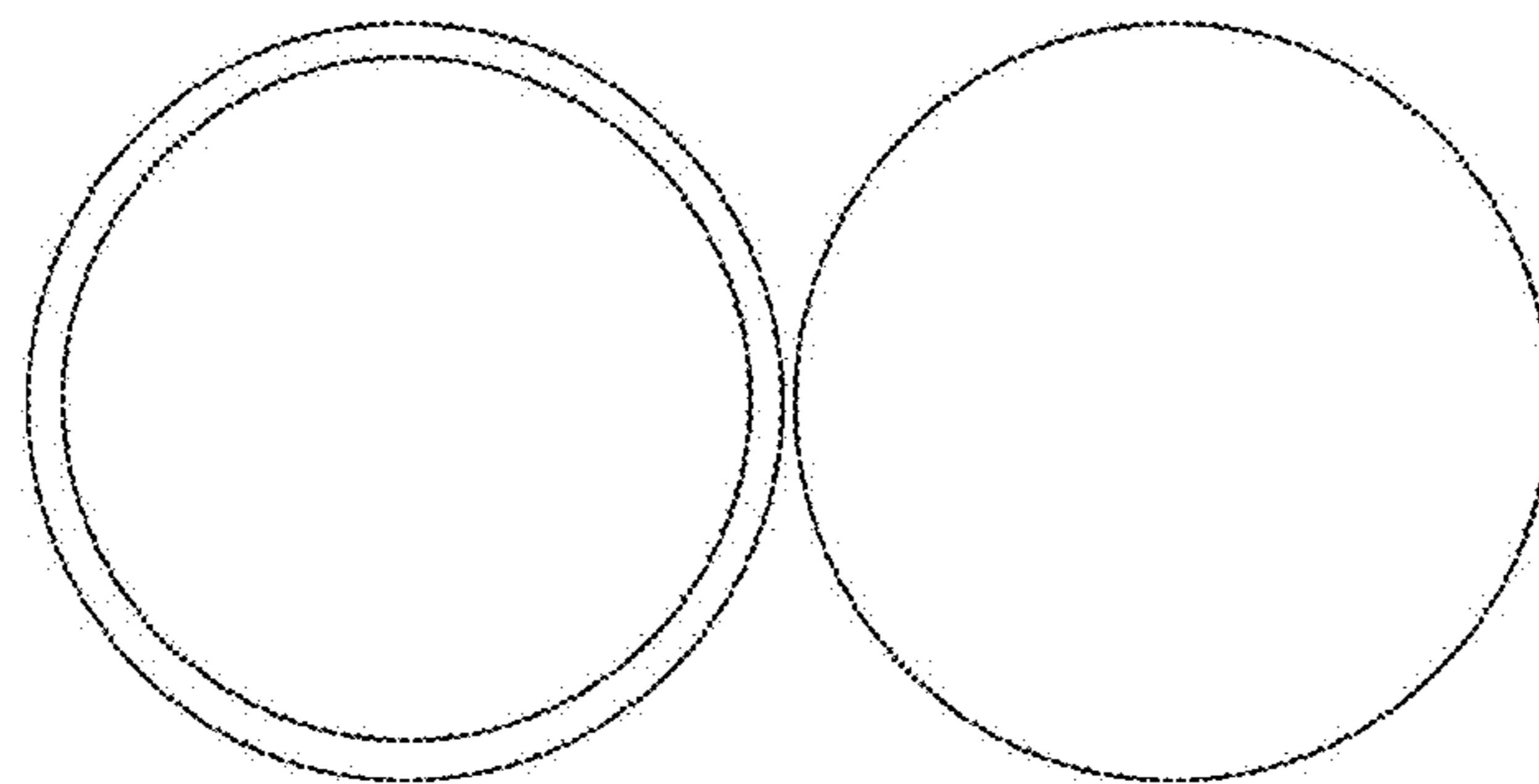


Fig. 5

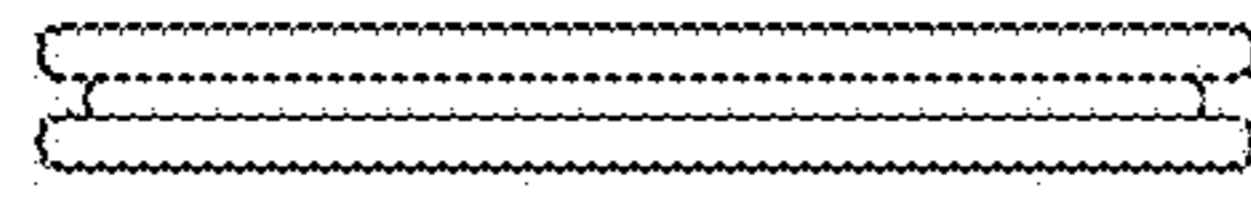


Fig. 6



Fig. 7

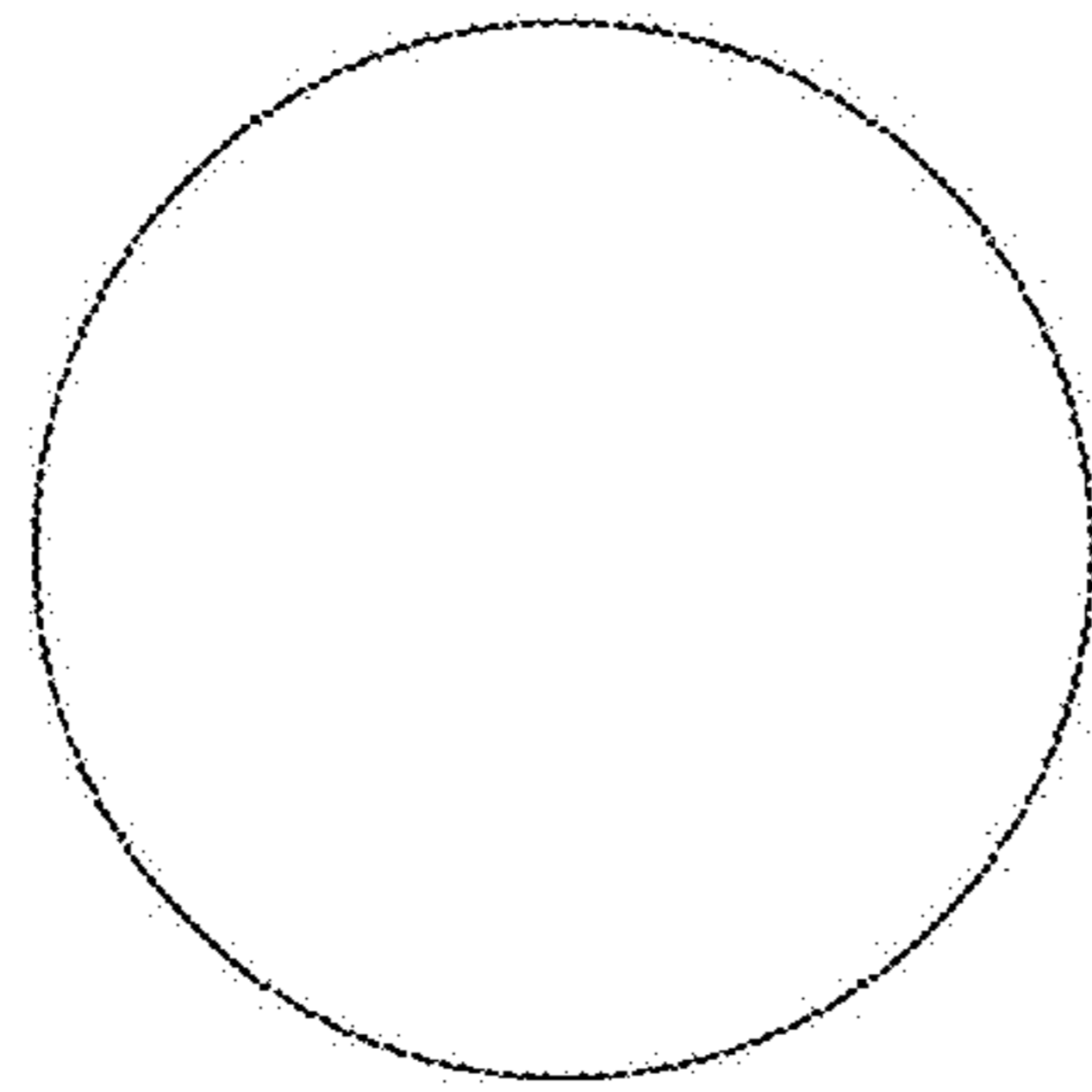


Fig. 8



Fig. 9

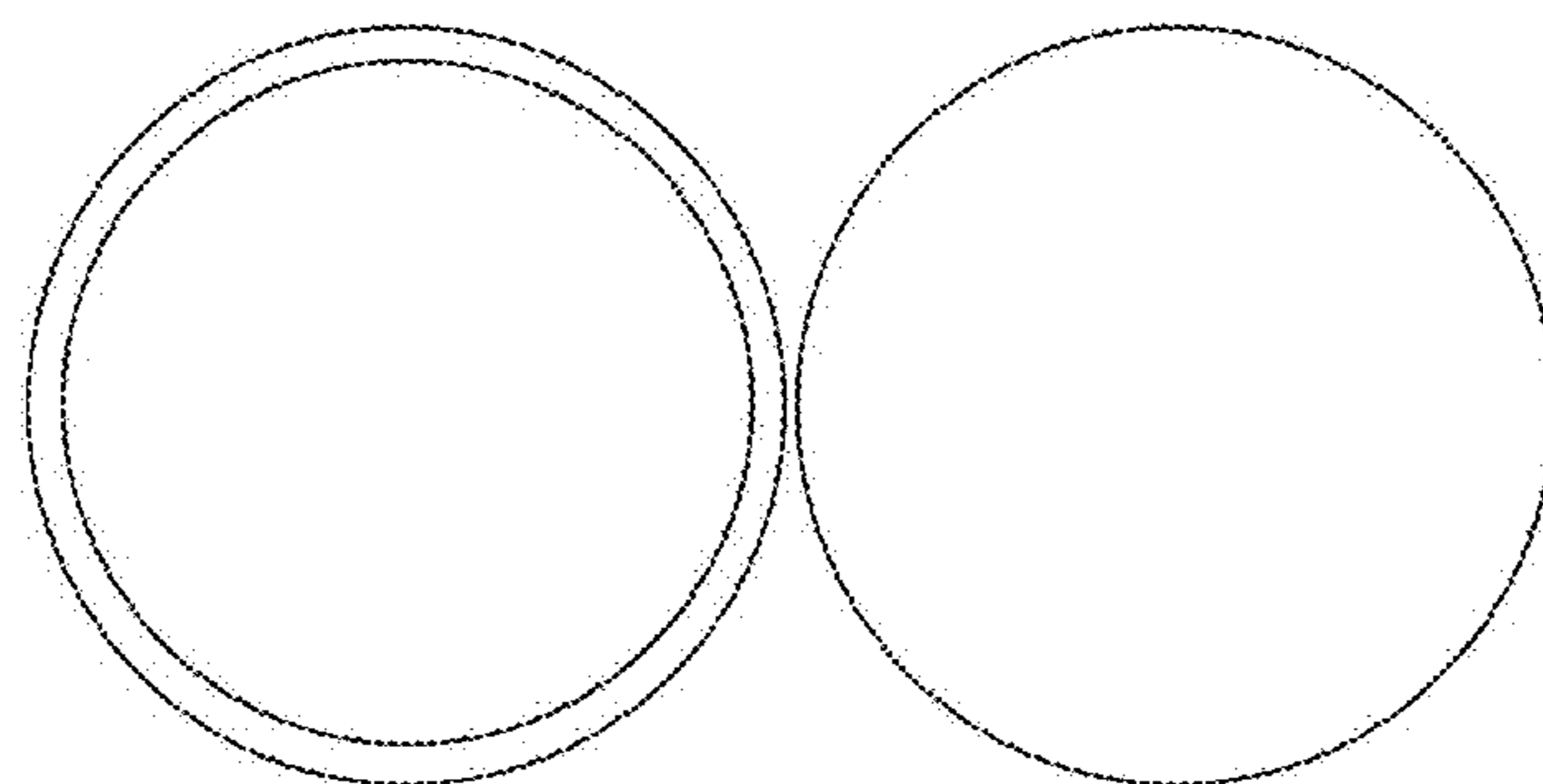


Fig. 10



Fig. 11



Fig. 12

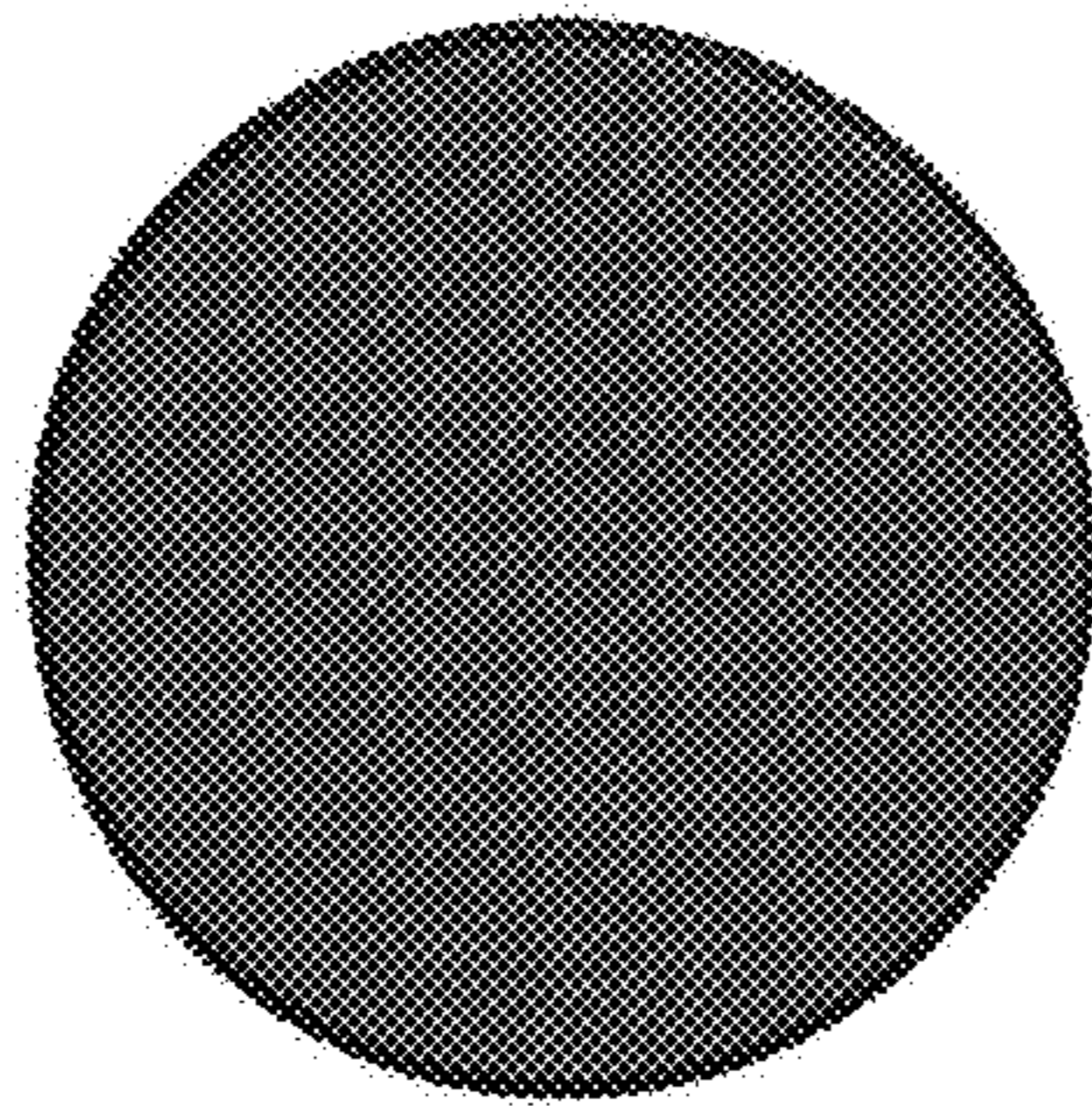


Fig. 13



Fig. 14

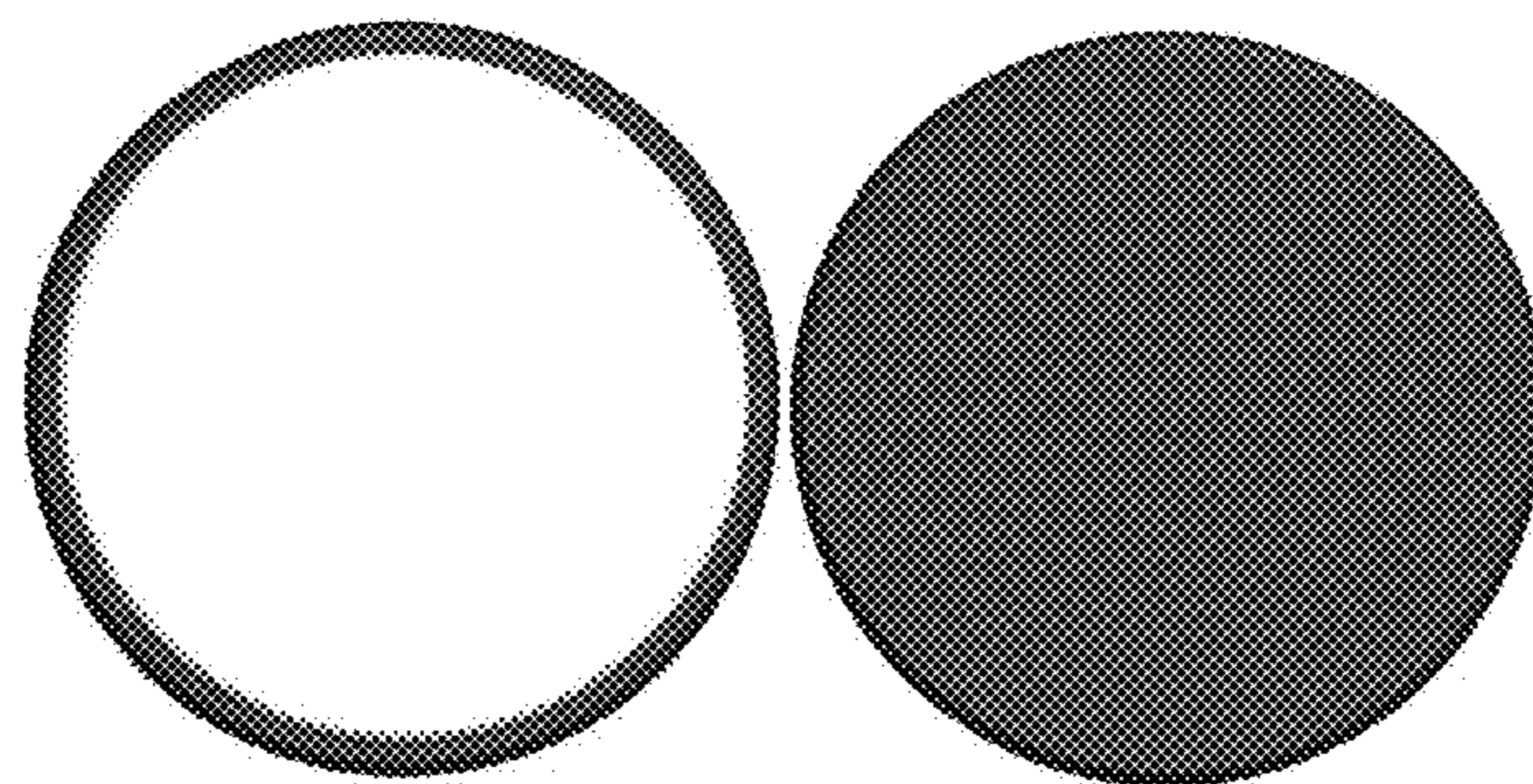


Fig. 15



Fig. 16

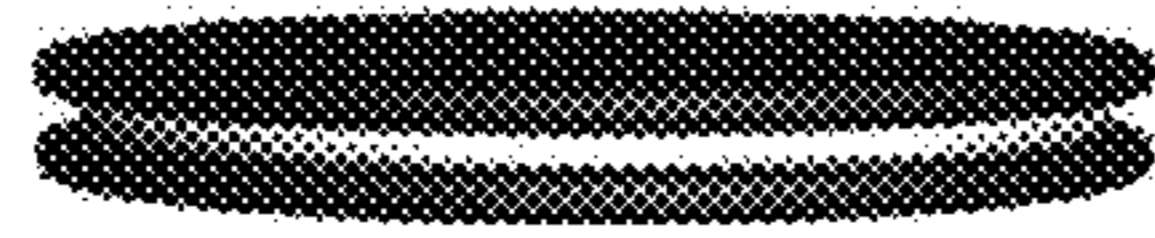


Fig. 17

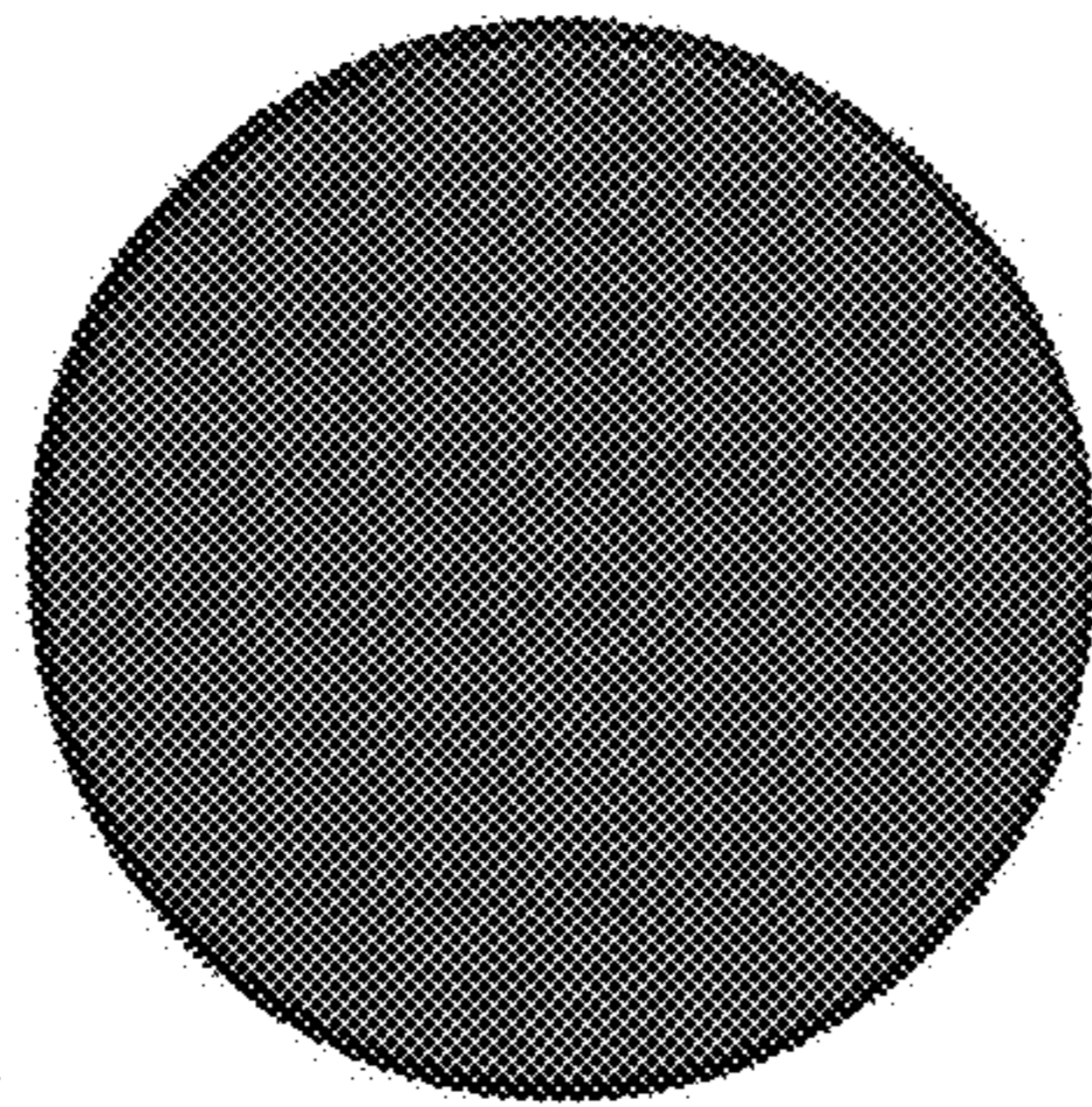


Fig. 18



Fig. 19

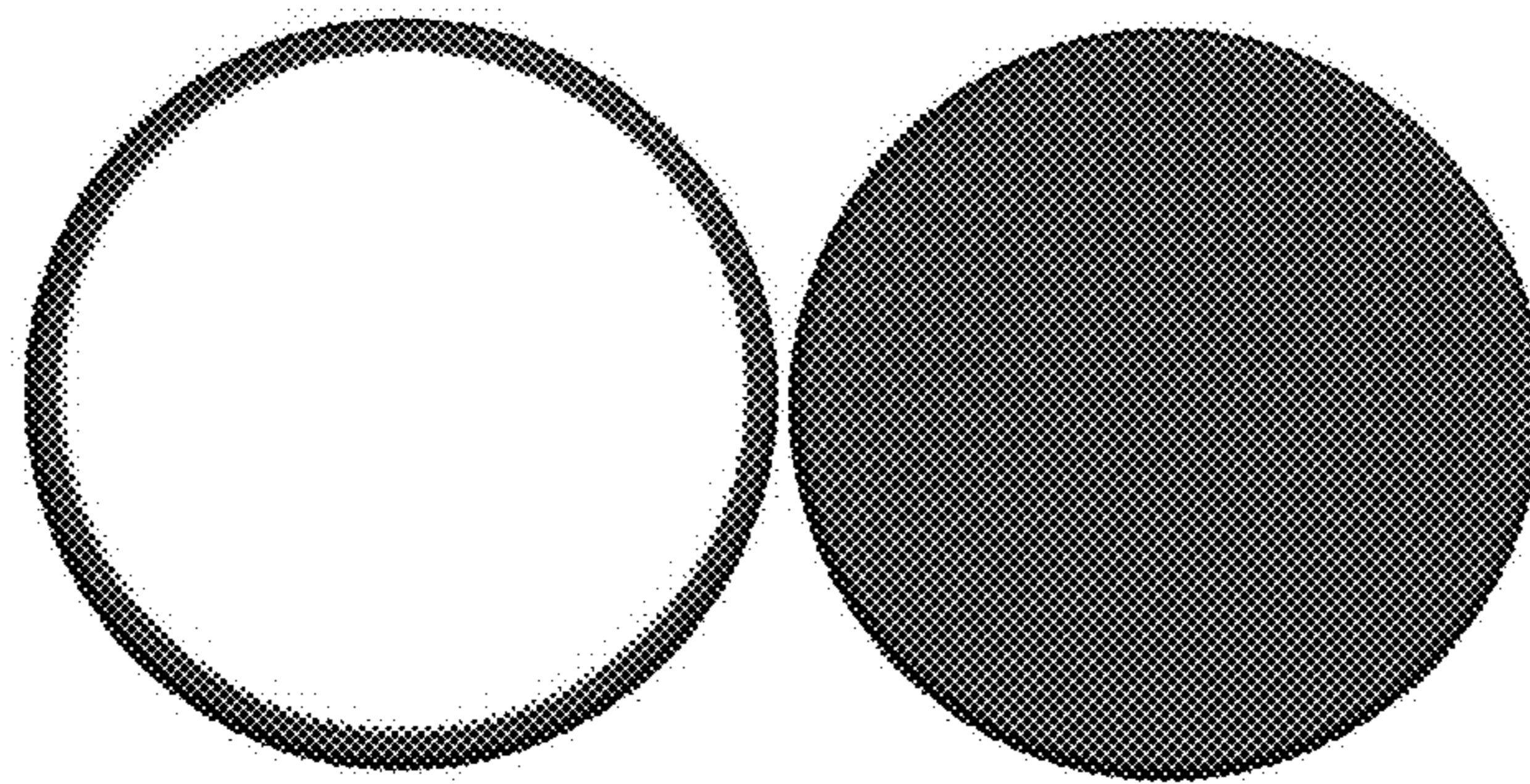


Fig. 20