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

(10) **Patent No.:** **US D912,191 S**
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(54) **HANDGUN MAGAZINE**

FOREIGN PATENT DOCUMENTS

(71) Applicant: **Sig Sauer, Inc.**, Newington, NH (US)

CN 2938003 Y 8/2007
EP 2336705 A1 6/2011

(72) Inventors: **Adrian Thomele**, Stratham, NH (US);
Matthew A. Taylor, Barrington, NH (US)

OTHER PUBLICATIONS

(73) Assignee: **Sig Sauer, Inc.**, Newington, NH (US)

P228, P229 10rd 9mm Magazine, SigSauer.com, [online], <URL: https://www.sigsauer.com/store/p228-p229-10rd-9mm-magazine.html>, 2019.

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

(Continued)

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Primary Examiner — T Chase Nelson

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Assistant Examiner — Jonathan J. Han

Related U.S. Application Data

(74) *Attorney, Agent, or Firm* — Finch & Maloney PLLC

(63) Continuation of application No. 29/702,503, filed on Aug. 20, 2019, which is a continuation of application No. 29/632,273, filed on Jan. 5, 2018, now Pat. No. Des. 858,680.

(57) **CLAIM**

The ornamental design for a handgun magazine, as shown and described.

(51) **LOC (13) Cl.** **22-01**

DESCRIPTION

(52) **U.S. Cl.**

USPC **D22/108**

(58) **Field of Classification Search**

USPC D22/100, 104, 108, 109, 199;
D21/572-575; D14/418; 124/16, 25.7,
124/27, 45, 82, 23.1, 35.2, 37, 79;
446/401, 403, 400, 473, 445, 182, 405,
446/407; 248/200; D8/354, 373, 380,
D8/499

CPC F41C 3/14; F41C 3/16; F41C 3/04; F16M
11/00

See application file for complete search history.

FIG. 1 is a perspective view showing the right, front and top sides of a handgun magazine with our new design; FIG. 2 is a perspective view showing the left, front, and top sides thereof; FIG. 3 is a perspective view showing the right and rear sides thereof; FIG. 4 is a perspective view showing the left and rear sides thereof; FIG. 5 is an elevational view showing the right side thereof; FIG. 6 is an elevational view showing the left side thereof; FIG. 7 is a front elevational view thereof; FIG. 8 is a rear elevational view thereof; FIG. 9 is a top plan view thereof; and, FIG. 10 is a bottom plan view thereof.

Broken lines in the drawings are for the purpose of illustrating environmental structure and form no part of the claimed design.

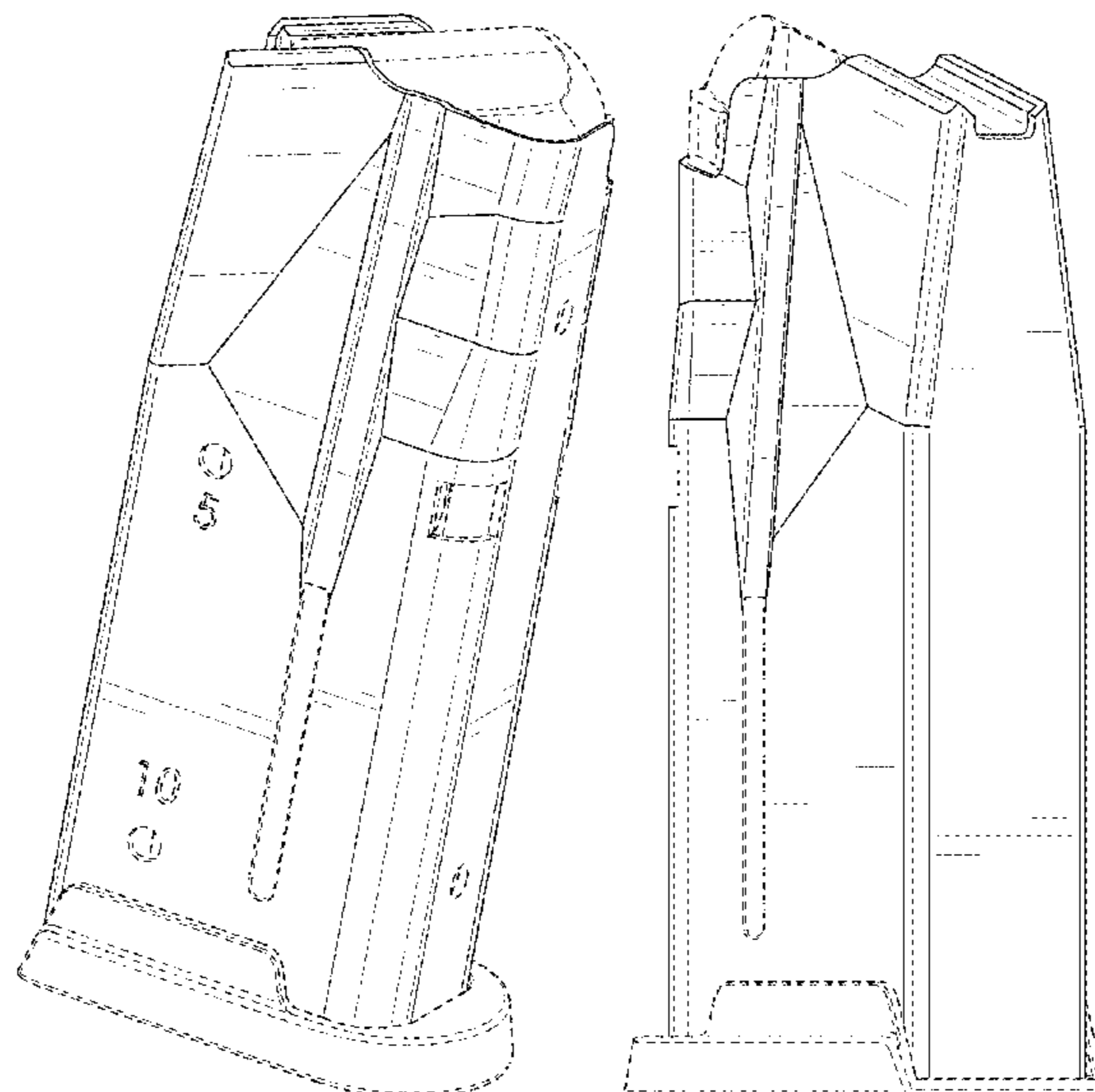
(56) **References Cited**

U.S. PATENT DOCUMENTS

1,245,499 A 11/1917 Orme
1,833,862 A 11/1931 Hugo
2,396,816 A 3/1946 Boudreau

(Continued)

1 Claim, 10 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

3,399,480 A 9/1968 Rowe, Jr.
 D241,837 S 10/1976 Sofinowski
 4,502,237 A 3/1985 Krogh
 4,589,218 A 5/1986 Teppa
 4,862,619 A 9/1989 Baldus et al.
 4,888,899 A * 12/1989 Chesnut F41A 9/70
 42/50
 D309,768 S 8/1990 Blackshaw
 5,099,595 A 3/1992 Chestnut
 5,309,660 A 5/1994 Blackamore
 5,357,703 A 10/1994 Chestnut
 5,438,783 A 8/1995 Sniezak
 D362,044 S 9/1995 Sniezak
 5,461,811 A 10/1995 Ciener
 5,666,752 A 9/1997 Grams
 5,906,065 A 5/1999 Pearce
 6,401,379 B1 6/2002 Moon
 6,568,115 B2 5/2003 Beretta
 D487,790 S 3/2004 Freed
 D487,791 S 3/2004 Freed
 D493,861 S 8/2004 Rauch et al.
 D598,065 S 8/2009 Vukovic et al.
 D614,720 S * 4/2010 Fitzpatrick D22/108
 D614,721 S * 4/2010 Fitzpatrick D22/108
 D616,057 S * 5/2010 Fitzpatrick D22/108
 D620,544 S * 7/2010 Fitzpatrick D22/108
 D620,545 S * 7/2010 Fitzpatrick D22/108
 D632,752 S * 2/2011 Fitzpatrick D22/108
 D633,164 S * 2/2011 Fitzpatrick D22/108
 D633,589 S * 3/2011 Fitzpatrick D22/108
 D633,590 S * 3/2011 Fitzpatrick D22/108
 D642,234 S 7/2011 Marfione
 D645,112 S 9/2011 Sullivan et al.
 D654,978 S 2/2012 Karanian et al.
 D670,350 S * 11/2012 Emde D22/108
 D670,784 S * 11/2012 Emde D22/108
 8,365,454 B2 2/2013 Hogan, Jr.
 8,371,058 B2 2/2013 Trpcic
 D680,613 S 4/2013 Fitzpatrick et al.
 D681,131 S 4/2013 Su
 D681,151 S * 4/2013 Fitzpatrick D22/108
 8,448,364 B2 5/2013 Davidson
 D688,766 S * 8/2013 Fitzpatrick D22/108
 D688,767 S 8/2013 Bennett et al.
 D690,374 S 9/2013 Lee
 D691,233 S * 10/2013 Bennett D22/108
 D692,513 S 10/2013 Yigit
 8,561,334 B2 10/2013 Metzger
 D695,378 S * 12/2013 Fitzpatrick D22/108
 D704,790 S 5/2014 Mayberry et al.
 D705,886 S * 5/2014 Kielsmeier D22/108
 8,713,835 B1 5/2014 Calvert
 D707,783 S * 6/2014 Kielsmeier D22/108
 8,752,318 B2 6/2014 Pulit, Jr.
 D710,479 S 8/2014 Nakayama et al.
 D726,279 S 4/2015 Stedman
 D727,456 S * 4/2015 Schefter D22/108
 9,021,730 B2 5/2015 Gentilini et al.
 D735,831 S * 8/2015 Faifer D22/108
 D744,049 S 11/2015 Chu
 D745,944 S 12/2015 Kielsmeier et al.
 D746,403 S 12/2015 Kielsmeier et al.
 D748,219 S 1/2016 Kielsmeier
 D754,802 S 4/2016 Martelli et al.
 9,303,936 B2 4/2016 Toner
 D755,324 S 5/2016 Martelli et al.
 D755,907 S 5/2016 Hu
 D757,884 S 5/2016 Kielsmeier
 D758,519 S 6/2016 Toner et al.
 9,383,142 B2 7/2016 Nakayama, et al.
 9,395,129 B2 7/2016 Ball
 9,441,897 B2 9/2016 Mather
 9,546,831 B2 1/2017 Bandini et al.
 9,551,550 B2 1/2017 Wells
 D783,111 S 4/2017 Hillis

9,664,471 B1 5/2017 Curry et al.
 D791,262 S 7/2017 Brown et al.
 D798,983 S 10/2017 Chen
 D799,631 S 10/2017 Chen
 D803,341 S 11/2017 Wolf
 D808,487 S 1/2018 Beville et al.
 D810,223 S 2/2018 Kielsmeier
 D812,176 S 3/2018 Kielsmeier
 D814,593 S 4/2018 O'Clair et al.
 D814,596 S 4/2018 Curry
 D815,233 S 4/2018 Toner et al.
 9,945,627 B2 4/2018 Porat
 D823,969 S 7/2018 Beville et al.
 D828,881 S 9/2018 Lee
 D828,892 S 9/2018 Kellgren
 D829,894 S 10/2018 Hwang et al.
 D830,480 S 10/2018 Chu
 10,088,269 B2 10/2018 Sheets, Jr. et al.
 D834,130 S 11/2018 Schefter
 D834,656 S 11/2018 Chu
 D838,333 S 1/2019 Kielsmeier
 D839,376 S 1/2019 Hefer et al.
 10,180,298 B2 1/2019 Noonan
 D845,424 S 4/2019 Hefer et al.
 10,281,226 B2 5/2019 Liptak et al.
 D858,680 S 9/2019 Thomele et al.
 D859,571 S * 9/2019 Spine D22/108
 D860,336 S * 9/2019 Gong D21/573
 10,480,880 B2 11/2019 Thomele
 D868,925 S 12/2019 Novak et al.
 D877,265 S 3/2020 Hu
 D883,416 S 5/2020 Muller
 D889,587 S 7/2020 Wallgren
 D892,253 S 8/2020 Kielsmeier
 D898,852 S 10/2020 Kielsmeier
 2001/0037596 A1 11/2001 Salvitti
 2002/0029506 A1 3/2002 Wollmann
 2004/0031181 A1 2/2004 Freed
 2005/0011097 A1 1/2005 Freed et al.
 2008/0028661 A1 2/2008 Bubits
 2010/0251590 A1 10/2010 Fitzpatrick et al.
 2012/0066950 A1 3/2012 Davidson
 2013/0180146 A1 7/2013 Fitzpatrick et al.
 2013/0227870 A1 9/2013 Rendulic
 2014/0373416 A1 12/2014 Barnart
 2015/0121736 A1 5/2015 Faifer
 2015/0192377 A1 7/2015 Larson, Jr.
 2015/0241162 A1 8/2015 Geraghty et al.
 2015/0276339 A1 10/2015 Shreve
 2016/0025436 A1 1/2016 Higley
 2017/0146309 A1 5/2017 Biran
 2017/0146310 A1 * 5/2017 Biran F41C 3/00
 2017/0184359 A1 6/2017 Porat
 2017/0191771 A1 7/2017 Zimmer
 2018/0058785 A1 * 3/2018 Hefer F41A 9/83
 2018/0066907 A1 * 3/2018 Hefer F41A 9/83
 2018/0347929 A1 12/2018 Hsu et al.
 2019/0195584 A1 6/2019 Thomele et al.
 2020/0056852 A1 2/2020 Thomele et al.

OTHER PUBLICATIONS

P229 10rd .40 Auto, .357Sig Magazine, SigSauer.com, [online], <URL: <https://www.sigsauer.com/store/p229-10rd-40-auto-357sig-magazine.html>>, 2019.
 Ruger American Pistol Magazine 10 Round 9mm Luger Mag (90514), GoOutdoorGear.com, [online], <URL: <https://www.gooutdoorgear.com/ruger-american-pistol-magazine-10-round-9mm-luger-mag-90514/736676905140/>>, 2019.
 Beretta APX Magazine 9mm 21 Rds Unpackaged, BerettaUSA.com, [online], <URL: <https://www.berettausa.com/en/us/apx-9mm-mag-21-rds-bulk/jmapx219bulk>>, 2019.
 Ruger American Pistol Pro Model Parts List, pp. 34-37 (2016).
 International Search Report and Written Opinion, PCT Application No. US2018/67191 (Mar. 22, 2019) 16 pages.
 International Preliminary Report on Patentability received for PCT/US18/67191 (Mar. 22, 2019) 12 pages.

(56)

References Cited

OTHER PUBLICATIONS

“Instruction Manual for Ruger American Pistol Pro Model”, Sturm, Ruger & Co., Inc. (2016). 43 pages.

“Instruction Manual for Ruger American Pistol, Standard Model”, Sturm, Ruger & Co., Inc. (2016). 44 pages.

“P365, Everyday Carry Size with Unprecedented 10+1 Full Size Capacity”, available at <https://www.sigsauer.com/products/firearms/pistols/p365/> (Jan. 10, 2018) 3 pages.

Sig Sauer, 2016 Product Catalog, available at <https://www.sigsauer.com/wp-content/uploads/2016/01/2016-SIG-SAUER-CATALOG.pdf> (2016). 44 pages.

Heckler & Koch, HK WebShop Website, HK-P30/VP9 10RD Magazine, SKU# 229750S, available at <https://us.hkwebshop.com/hkstorefront/hk/en/Handgun-Parts/Magazines/P30-VP9-10rd-Magazine/p/229750S> (accessed May 1, 2020). 1 page.

Heckler & Koch, HK-P30SK Handgun, available at <https://hk-usa.com/hk-models/p30sk/> (accessed May 1, 2020). 1 page.

Heckler & Koch, HK-P30SK-Operators-Manual, Heckler & Koch (May 2015). 56 pages.

BOTACH.com, HK-USP 45 ACP Magazine, available at <https://botach.com/hk-usp-45-acp-12rd-w-base-magazines/> (accessed May 1, 2020). 1 pages.

GunMagWarehouse.com, HK-USP-9 9 mm 15-Round Polymer Magazine, available at <https://gunmagwarehouse.com/hk-usp-9-9mm-15-round-polymer-magazine.html> (accessed May 1, 2020). 1 page.

McNett, John C., counsel for competitor, email to L. Carrol (Apr. 29, 2020). 1 page.

Sig Sauer, Sig Pro Magazine for SP2009, SP2022, 9mm Luger Steel Matte, (accessed May 1, 2020). 1 page.

Sig Sauer, P250 Handling & Safety Instructions, OM-P250-USA Ver. (Jul. 7, 2001). 56 pages.

Sig Sauer, P224 Magazine, 9mm Luger Steel Matte, available at <https://www.midwayusa.com/product/2139442581> (accessed May 1, 2020). 2 pages.

PrimaryArms.com, Sig Sauer P250/320 Compact Magazine 9 mm—15 Round Handgun, available at <https://www.primaryarms.com/sig-p250-320-compact-magazine-9mm-15-round> (accessed May 1, 2020). 1 page.

Sig Sauer, P320 Handgun and M17 Magazine 9 mm—15 Round (accessed May 1, 2020). 4 pages.

Sig Sauer, P224 9mm Magazine Drawing Sheet (Redacted) (Sep. 7, 2012). 1 page.

Sig Sauer, P224 .40 Cal. Magazine Drawing Sheet (Redacted) (Mar. 6, 2012). 1 page.

Sig Sauer, P320 9mm Magazine Drawing Sheet (Redacted) (Jan. 13, 2019). 1 page.

Sig Sauer, P320 .40 Cal. Magazine Drawing Sheet (Redacted) (Jun. 19, 2019). 1 page.

Sig Sauer, SP2020 9mm Magazine Drawing Sheet (Redacted) (Oct. 26, 2017). 1 page.

Sig Sauer, Observations on Certain Sig Sauer Magazines (May 13, 2020). 1 page.

GunPartsSupply.com, Pre-'94 Ban Factory Sig Sauer P229 German 12rd 40 s&w magazine, available at <https://www.gunpartssupply.com/pre-94-ban-factory-sig-sauer-p229-german-12rd-40-s-w-magazine.html> (visited Jun. 8, 2020). 4 pages.

Small Arms Defense Journal, The Sig Sauer P229, issue V6N3 vol. 6, available at <http://www.sadefensejournal.com/wp/the-sig-sauer-p229/> Small Arms Defense (Sep. 19, 2014). 9 pages.

Comments and Photos Received from Competitor's Counsel Regarding the SIG P229-40 Cal. Magazine (Mar. 17, 2020). 7 pages.

* cited by examiner

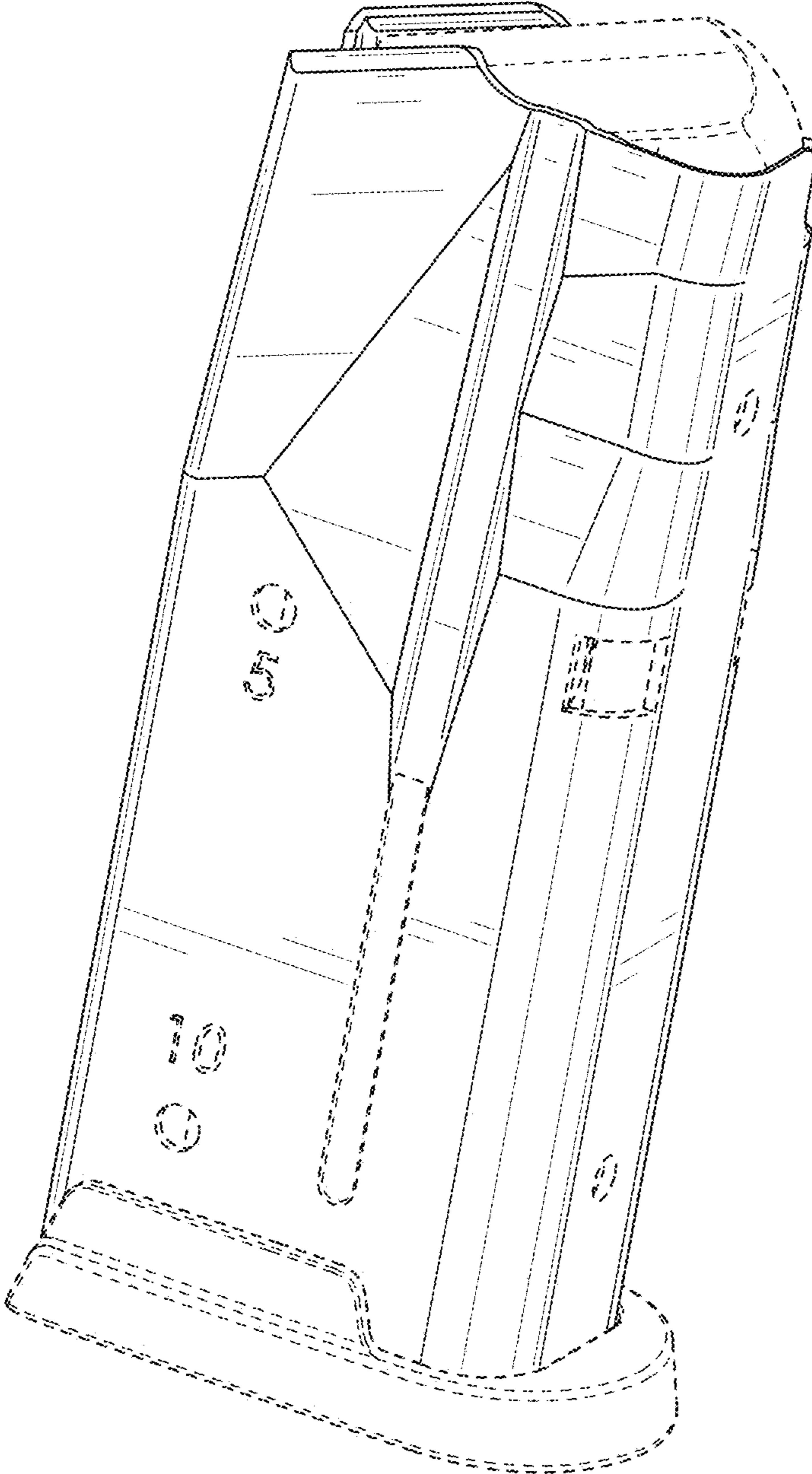


FIG. 1

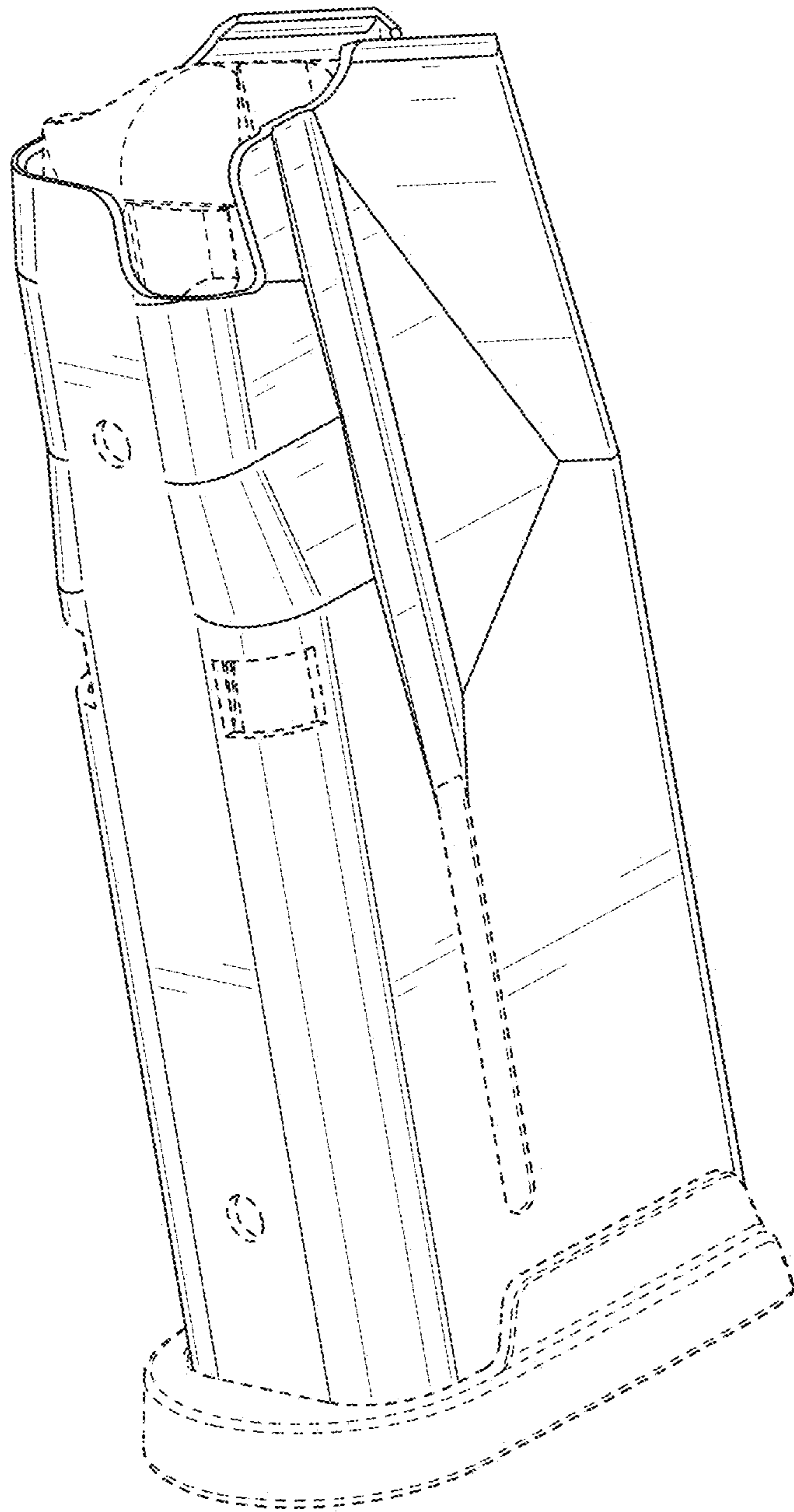


FIG. 2

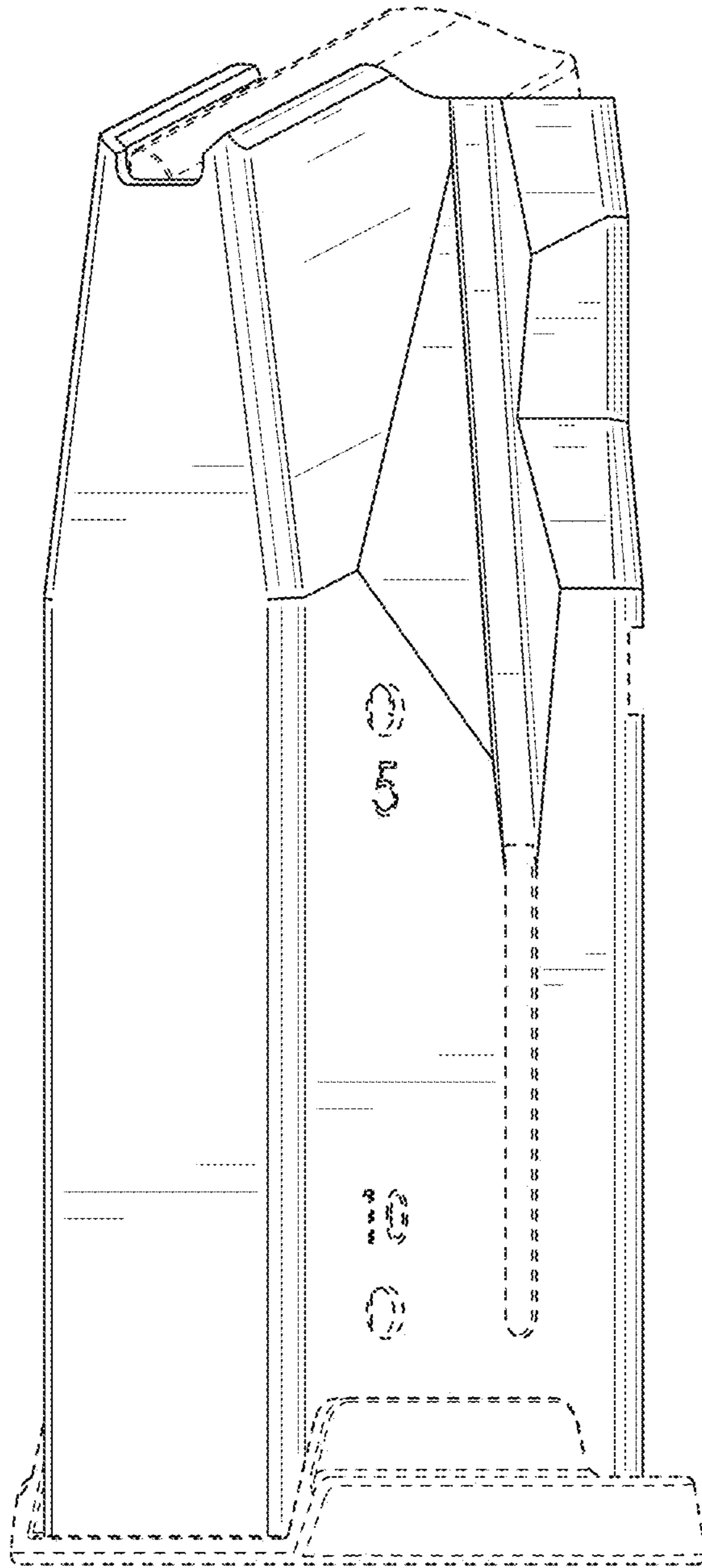


FIG. 3

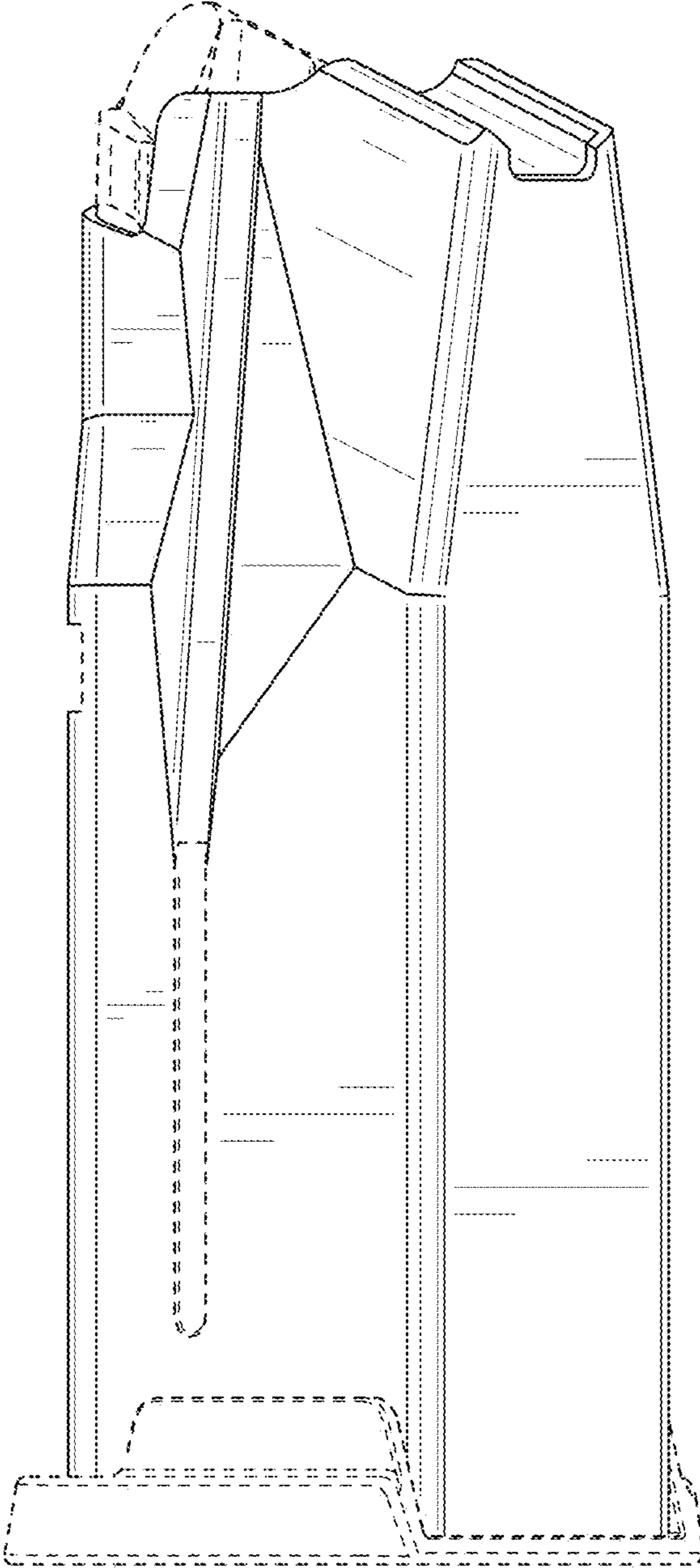


FIG. 4

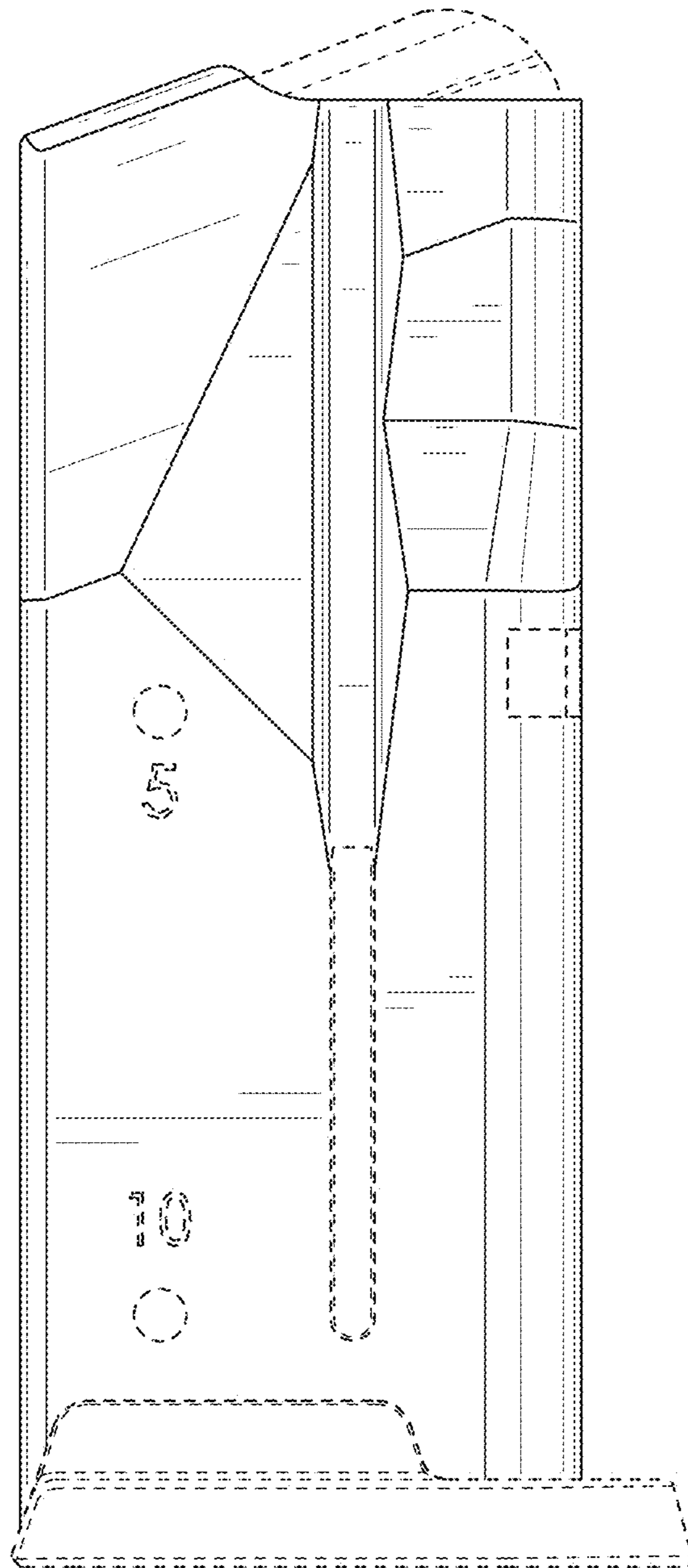


FIG. 5

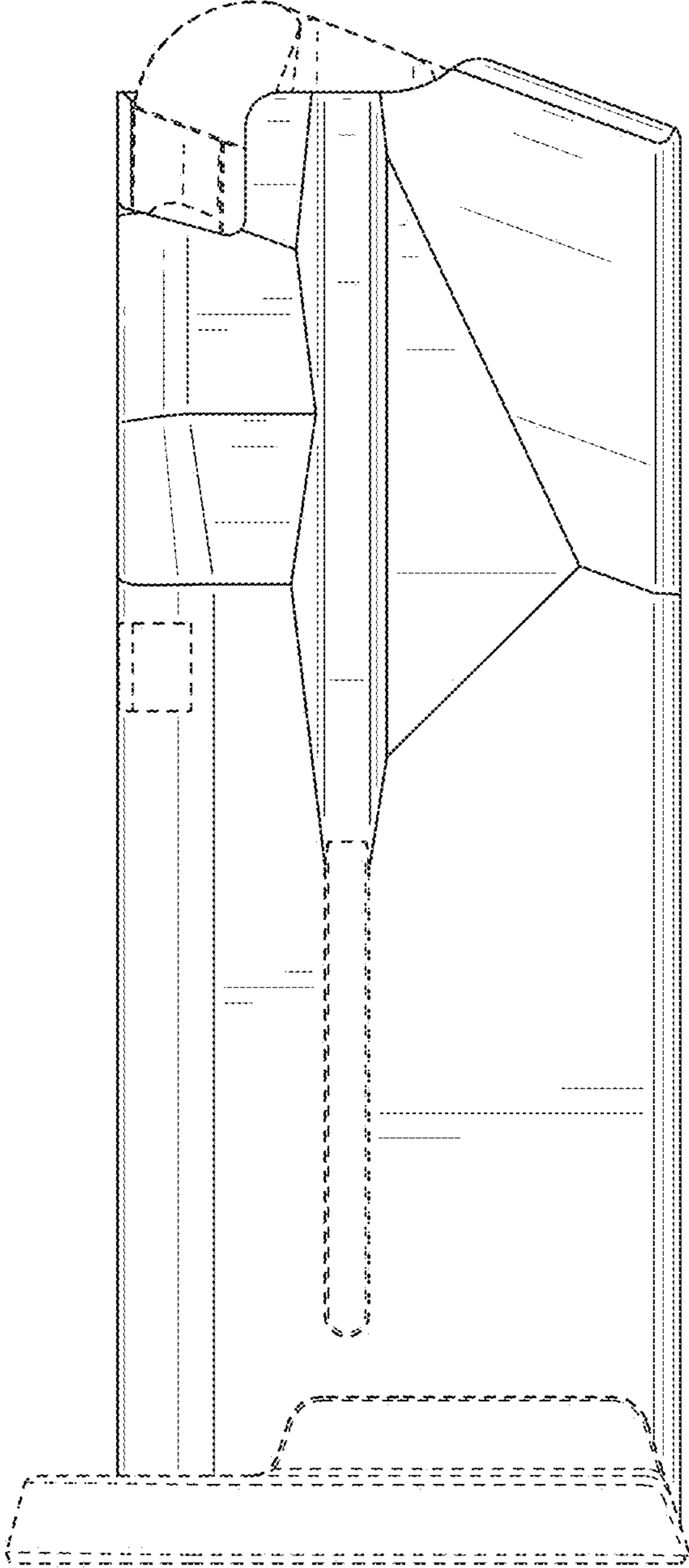


FIG. 6

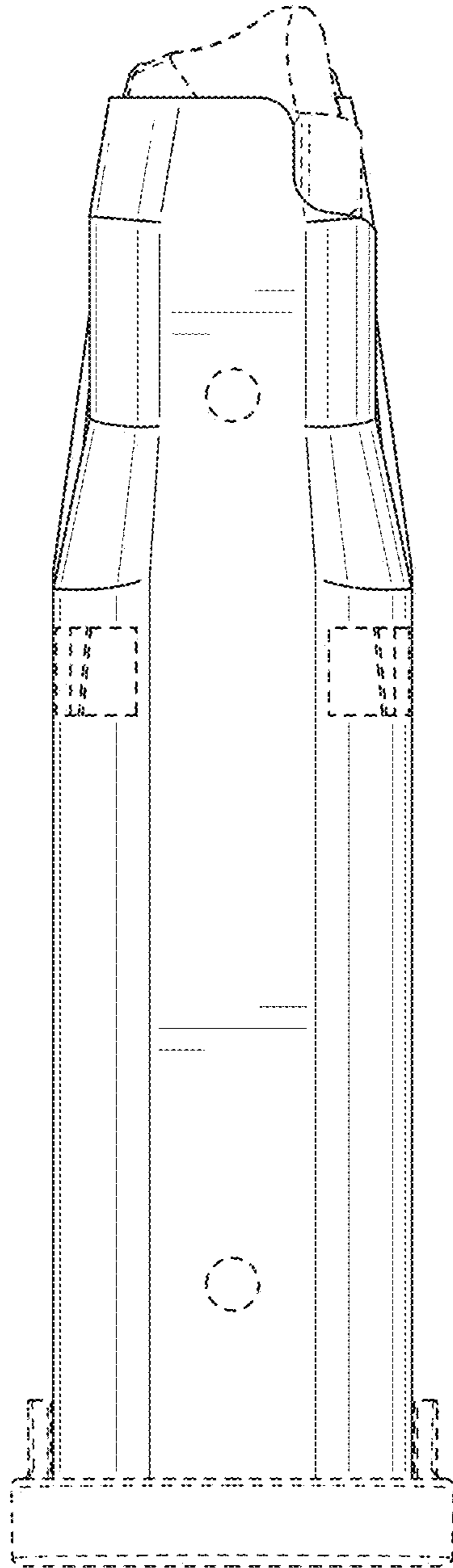


FIG. 7

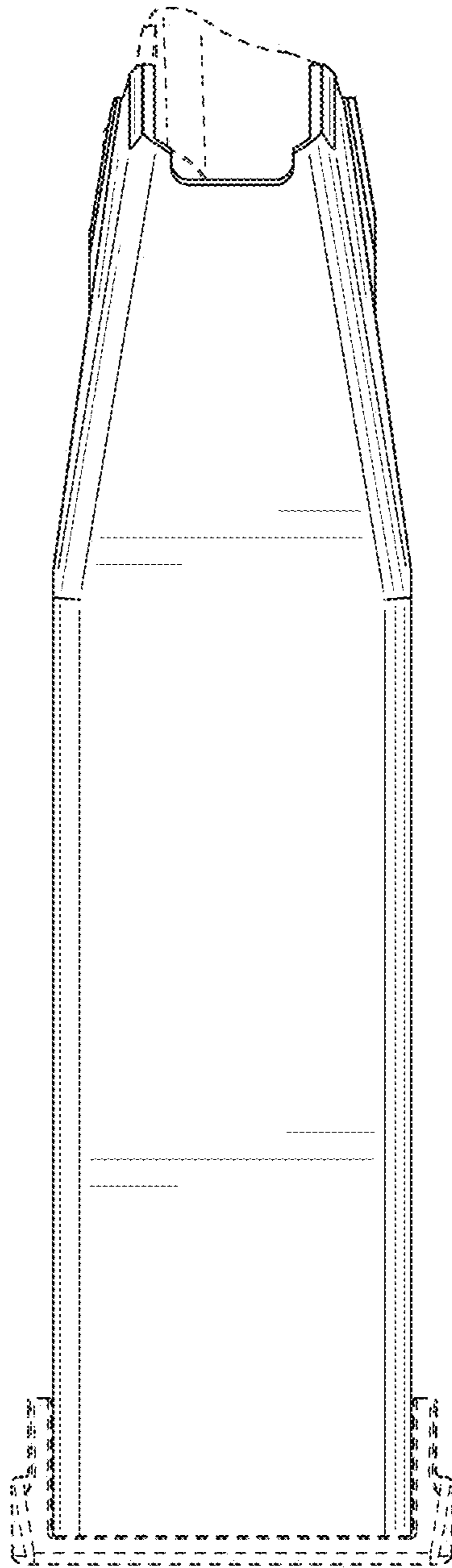


FIG. 8

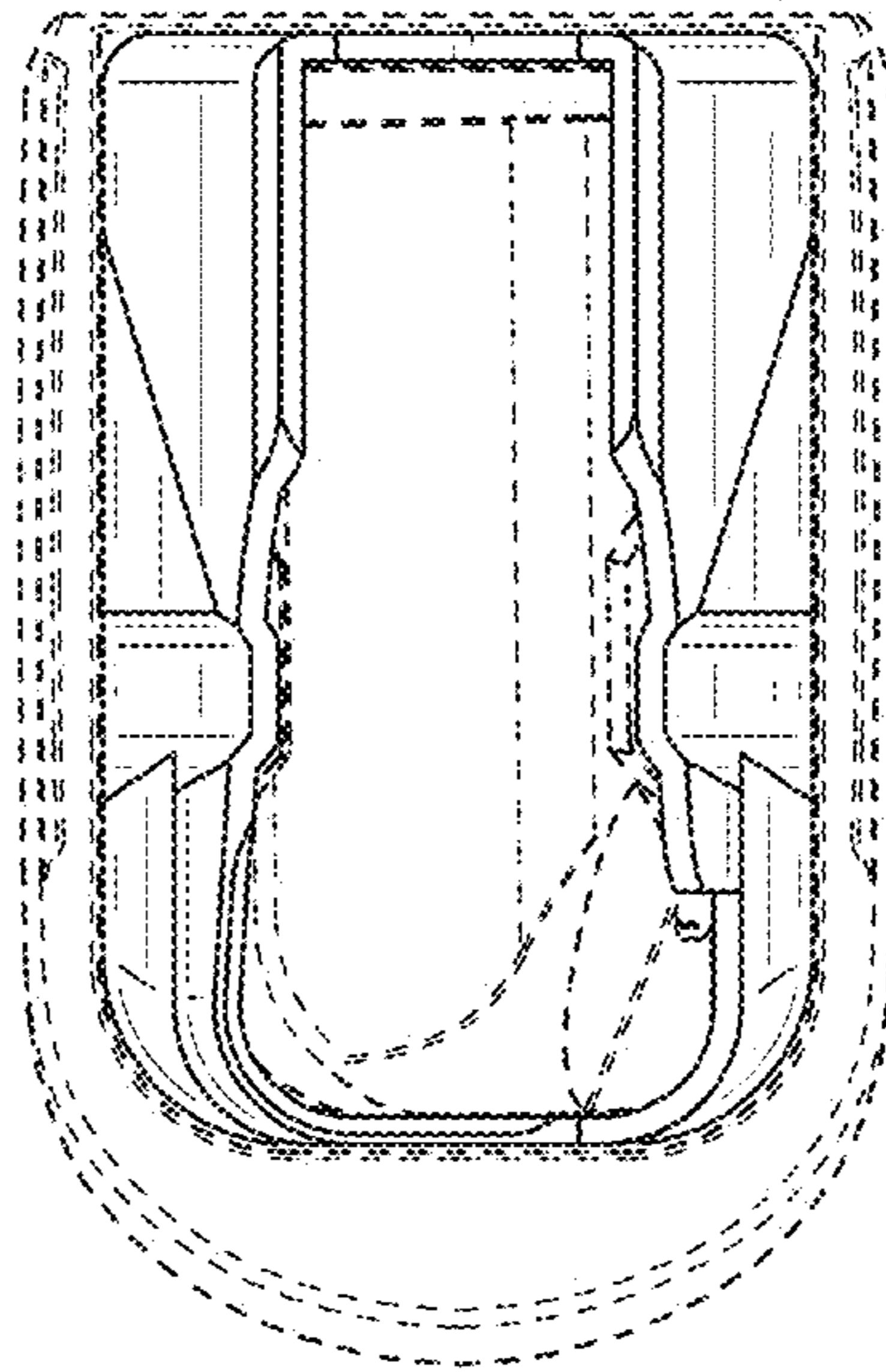


FIG. 9

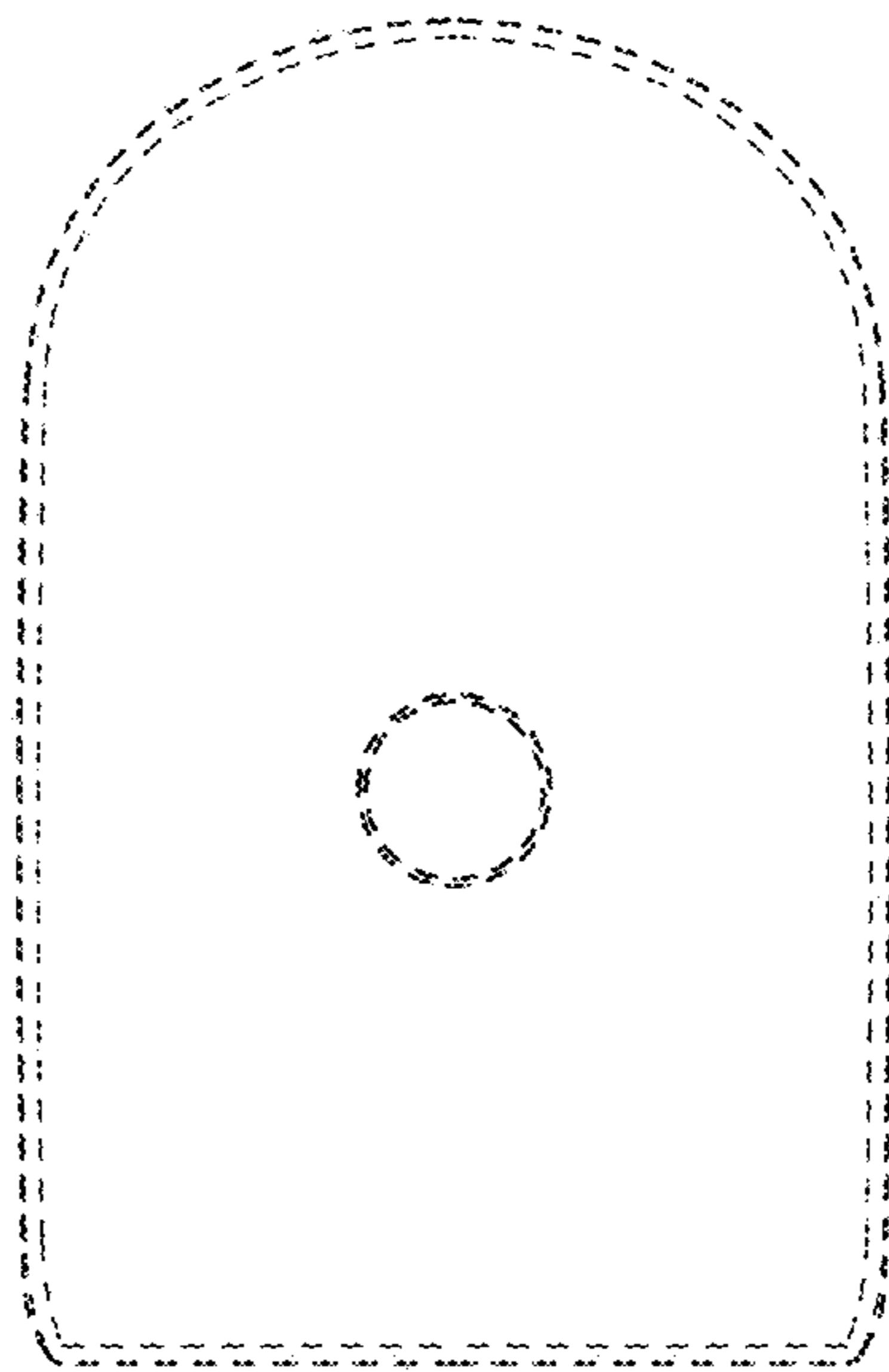


FIG. 10