



US00D917615S

(12) **United States Design Patent**
Diaz

(10) **Patent No.:** **US D917,615 S**

(45) **Date of Patent:** **** Apr. 27, 2021**

(54) **MARKING TOOL**

(71) Applicant: **Estefan A. Diaz**, South Beloit, IL (US)

(72) Inventor: **Estefan A. Diaz**, South Beloit, IL (US)

(73) Assignee: **Nomis LLC**, Palatine, IL (US)

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

(21) Appl. No.: **29/714,882**

(22) Filed: **Nov. 26, 2019**

(51) **LOC (13) Cl.** **19-06**

(52) **U.S. Cl.**
USPC **D19/108**

(58) **Field of Classification Search**
USPC D19/108
CPC .. B43L 7/005; B43L 7/007; B43L 7/08; B43L
11/00; B43L 13/00; B43L 13/02; B43L
13/10; B43L 15/00; B29C 64/118; B29C
48/02

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

- 415,450 A * 11/1889 Eberhardt B43L 13/10
33/25.2
- 441,909 A * 12/1890 Walkup B43L 13/10
33/25.2
- 731,066 A * 6/1903 Nye B43L 13/10
33/23.01
- 1,508,280 A * 9/1924 Kay B43L 13/10
33/25.2
- 1,571,115 A * 1/1926 Gootherts B43L 15/00
7/164
- 1,734,573 A * 11/1929 Gray B43L 13/10
33/25.4
- 2,497,013 A * 2/1950 Raynes B43L 13/10
33/25.1
- 2,512,918 A * 6/1950 Chamberlin B43L 13/10
33/23.01

- 2,782,505 A * 2/1957 Guischard B43L 13/10
33/25.1
- 2,881,521 A * 4/1959 Pearson, Jr. B43L 13/10
33/25.1
- D194,758 S * 3/1963 Mercorelli D19/108
- 3,160,956 A * 12/1964 Mercorelli B43L 13/10
33/25.2
- 3,290,783 A * 12/1966 Carella B43L 13/10
33/23.01

(Continued)

OTHER PUBLICATIONS

FastCap Accuscribe Scribing Tool by FastCap, 613 ratings, ASIN: B0001GUDT6, online at Amazon.com, Date First Available: Feb. 4, 2004.*

(Continued)

Primary Examiner — Elizabeth A. Albert
(74) *Attorney, Agent, or Firm* — Reinhart Boerner Van Deuren P.C.

(57)

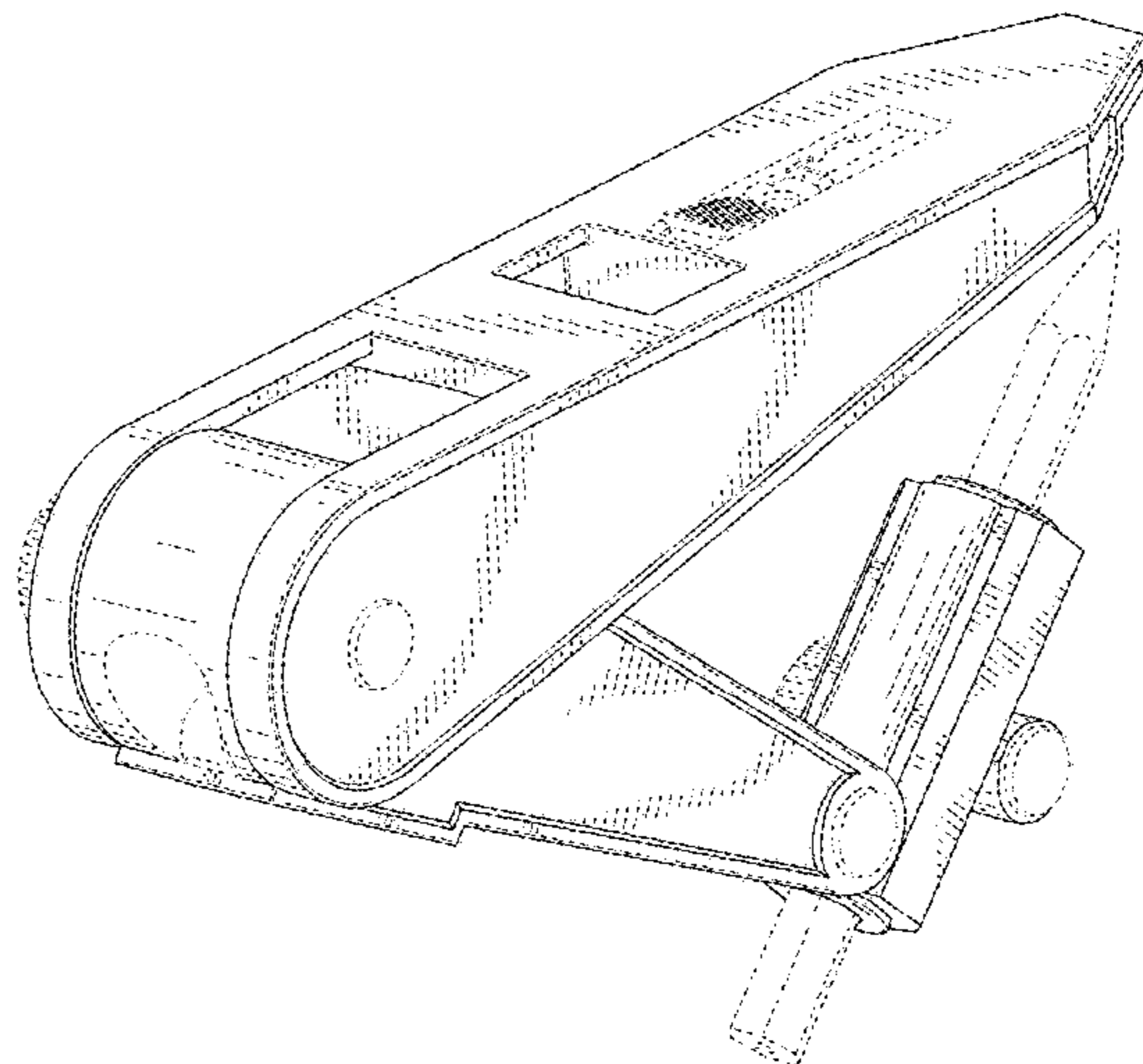
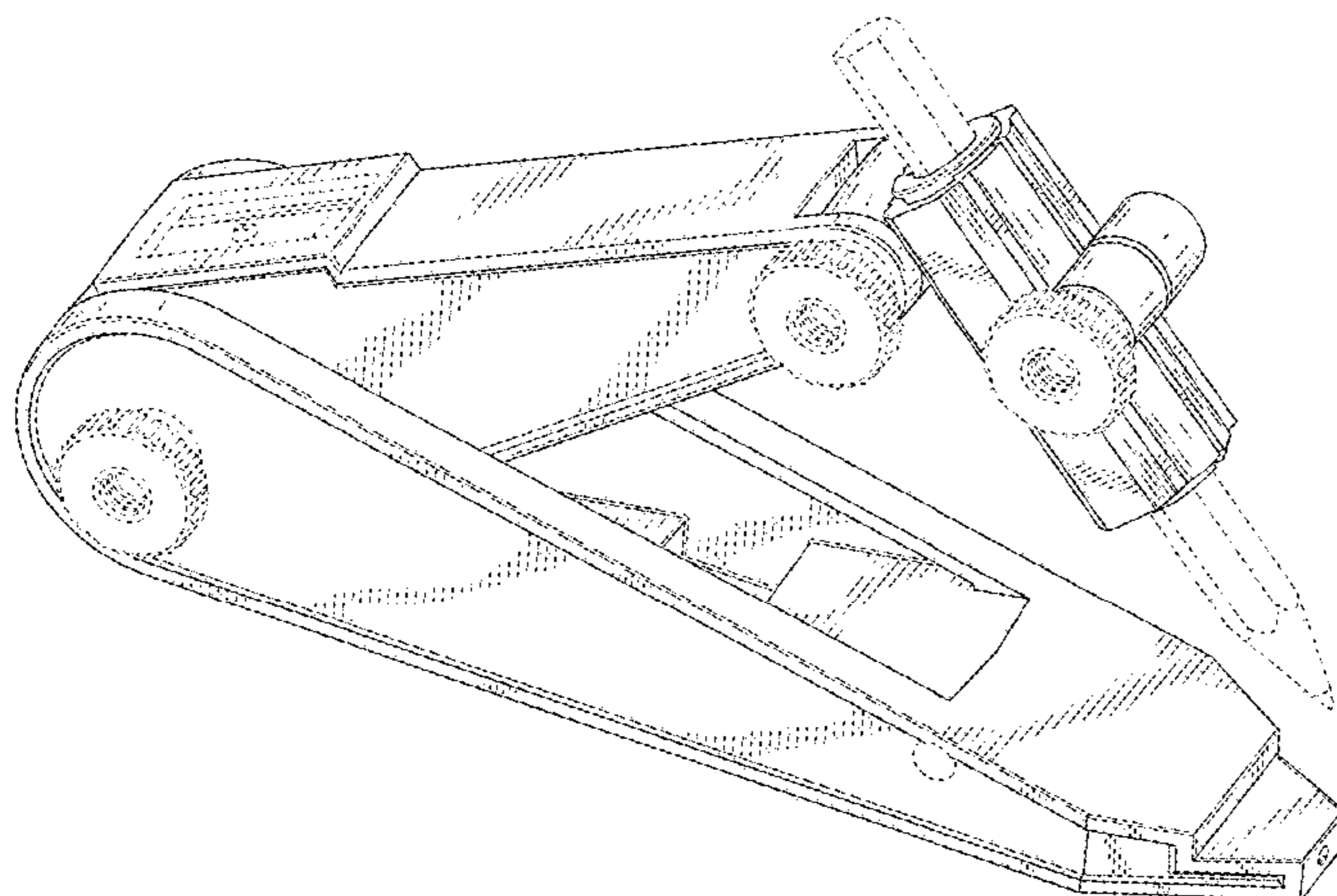
CLAIM

I claim the ornamental design for the marking tool, as shown and described.

DESCRIPTION

FIG. 1 is a top perspective view of the marking tool; FIG. 2 is a bottom perspective view of the marking tool; FIG. 3 is a side view of the marking tool; FIG. 4 is a side view of the marking tool opposite the side shown in FIG. 3; FIG. 5 is a front view of the marking tool; FIG. 6 is a rear view of the marking tool; FIG. 7 is a top view of the marking tool; and, FIG. 8 is a bottom view of the marking tool. The broken lines are included to show a pencil and portions of the marking tool that form no part of the claimed design.

1 Claim, 6 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

3,376,646 A * 4/1968 Radke B43L 13/10
33/25.2
3,496,795 A * 2/1970 Dinnendahl B44B 3/002
74/469
3,501,838 A * 3/1970 Clark B43L 13/10
33/25.1
3,555,686 A * 1/1971 Hatem B43L 13/10
33/23.04
3,929,462 A * 12/1975 Karmin G09B 11/00
434/162
4,158,257 A * 6/1979 Kupperman B43L 13/10
33/25.1
4,193,200 A * 3/1980 Massie B23Q 35/20
33/25.2
4,397,090 A * 8/1983 Nicyper B43L 13/10
33/23.04
D280,493 S * 9/1985 Johnson D10/73
D289,303 S * 4/1987 Stark D19/108
4,733,473 A * 3/1988 Goldfarb B43L 13/12
33/23.05
D312,843 S * 12/1990 Goldfarb D19/108
4,974,326 A * 12/1990 Nicyper B43L 13/10
33/23.01

5,074,501 A * 12/1991 Holtta B43L 15/00
248/118.3
6,138,365 A * 10/2000 Wilkins B43L 13/10
33/23.01
D575,293 S * 8/2008 Derry D14/447
D638,021 S * 5/2011 Derry D14/447
D646,283 S * 10/2011 Derry F16M 11/10
D14/447
D659,147 S * 5/2012 Hu D14/447
D669,482 S * 10/2012 Hu D14/447
D701,569 S * 3/2014 Fagan D19/108
10,495,239 B2 * 12/2019 Korobkov B33Y 80/00
10,538,035 B2 * 1/2020 Bheda B29C 64/40
10,668,707 B2 * 6/2020 Gardiner B29C 64/393
10,695,973 B2 * 6/2020 Boyd, IV B32B 13/00

OTHER PUBLICATIONS

FastCap AccuScribe Pro, by FastCap, Review of dmann, online at Lumberjocks.com, review posted May 26, 2008.*
Milescraft 8407 Scribe Tec—Scribing and Compass Tool, by Milescraft, 25 ratings, online at Amazon.com, ASIN: B083N2WSX1, Date First Available: Jan. 8, 2019.*
Fastcap AccuScribe Pro; known to applicant prior to Nov. 26, 2019; <https://www.fastcap.com/product/accuscribe-pro>; 1 page.

* cited by examiner

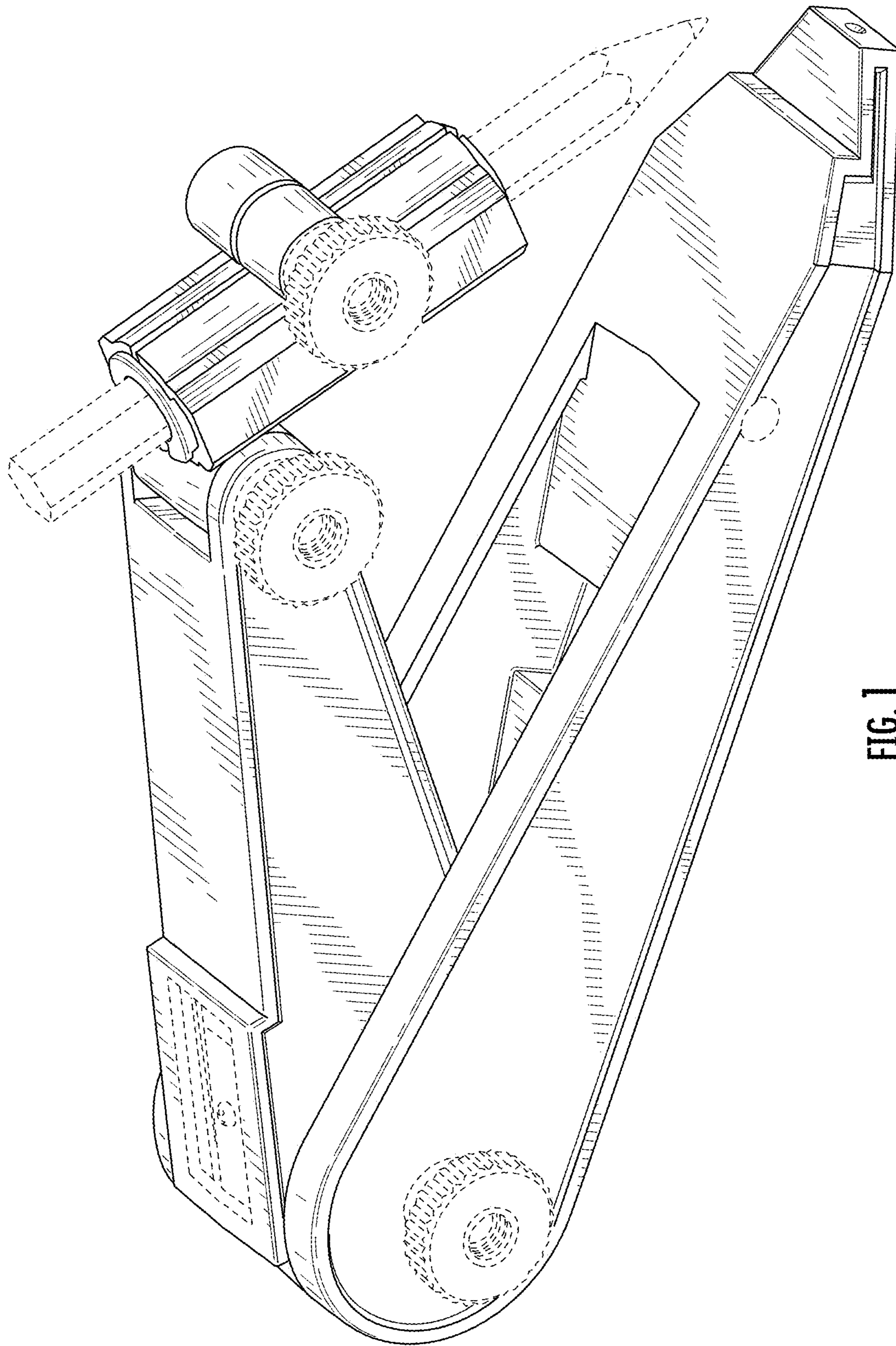


FIG. 1

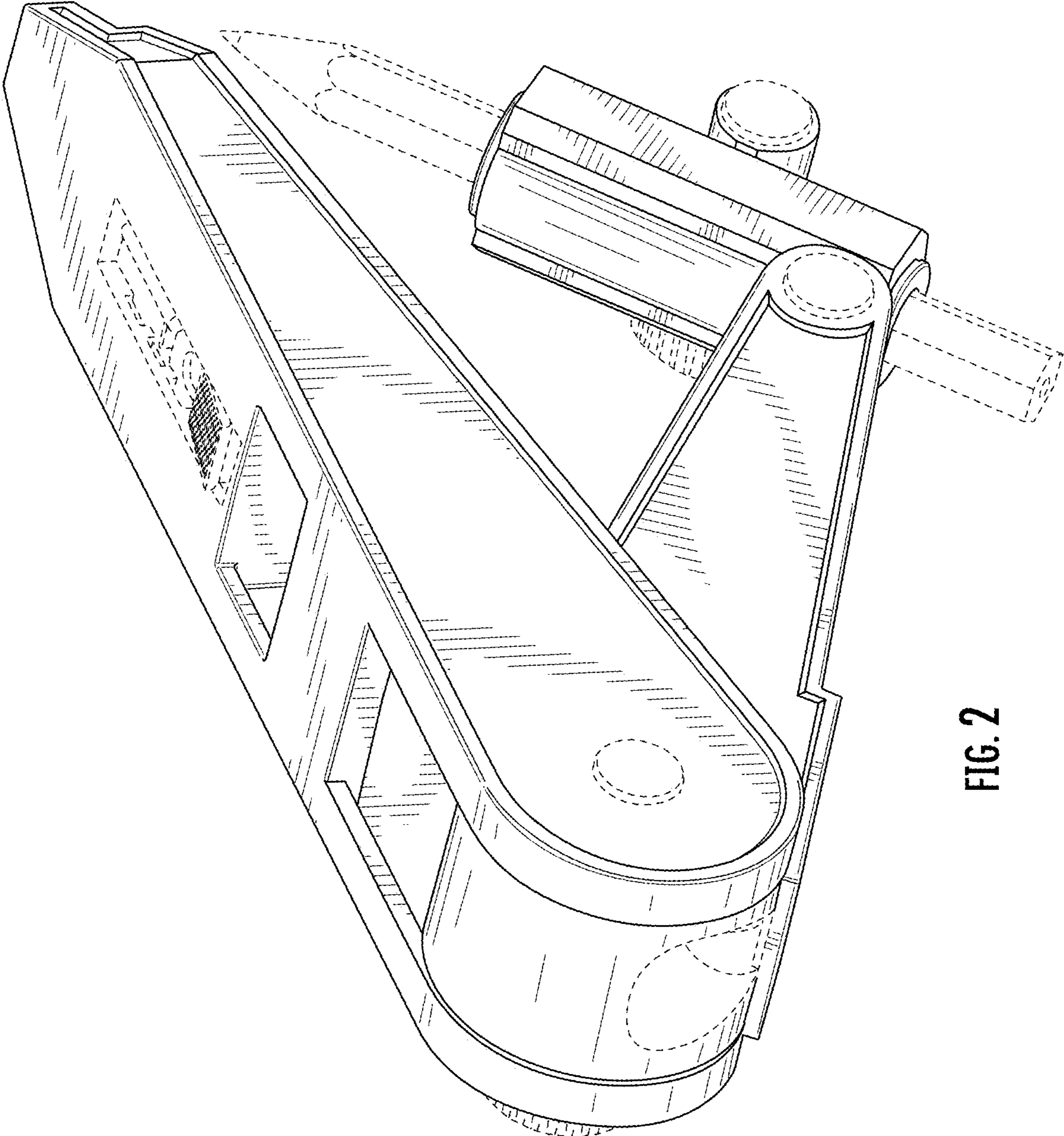


FIG. 2

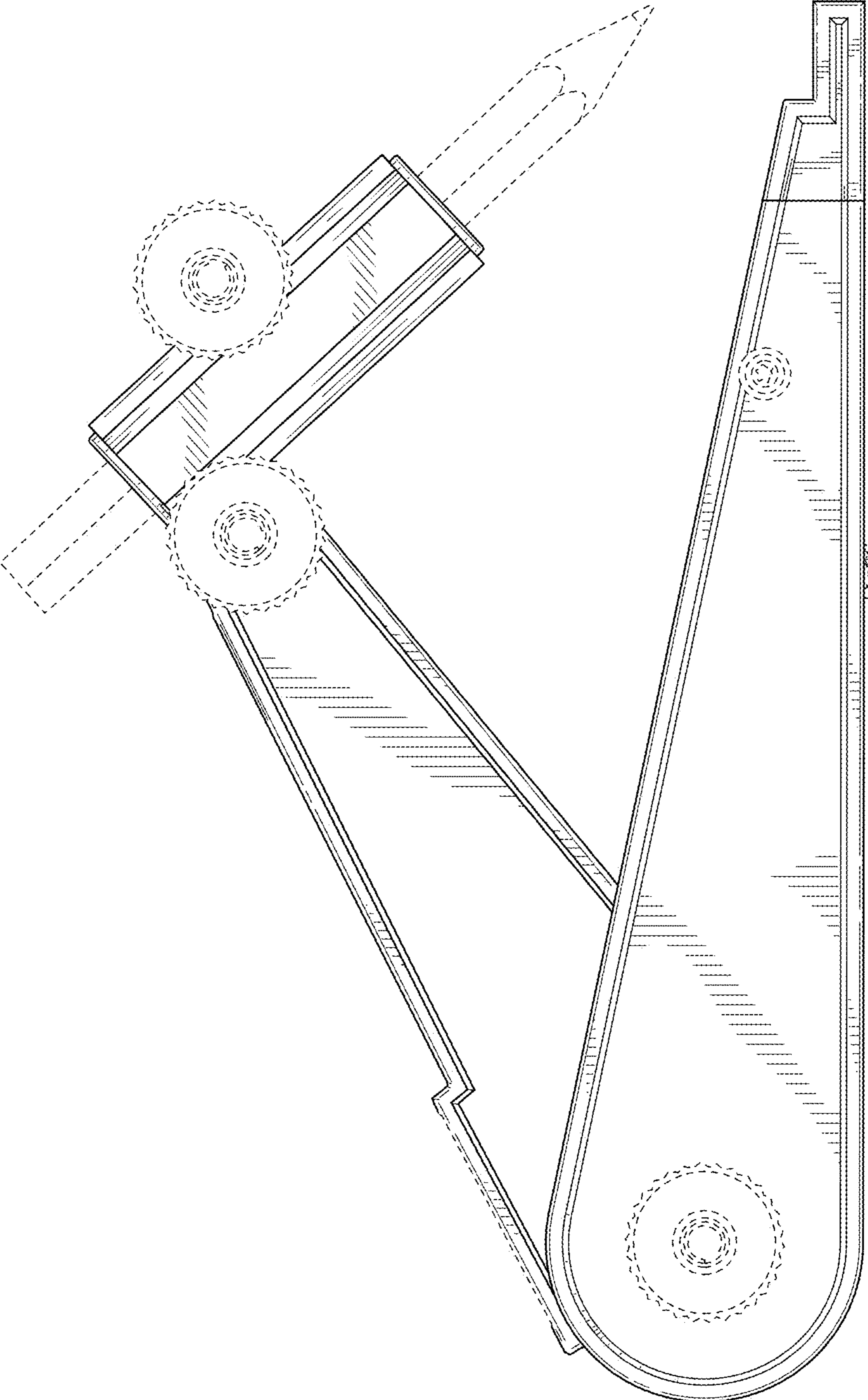


FIG. 3

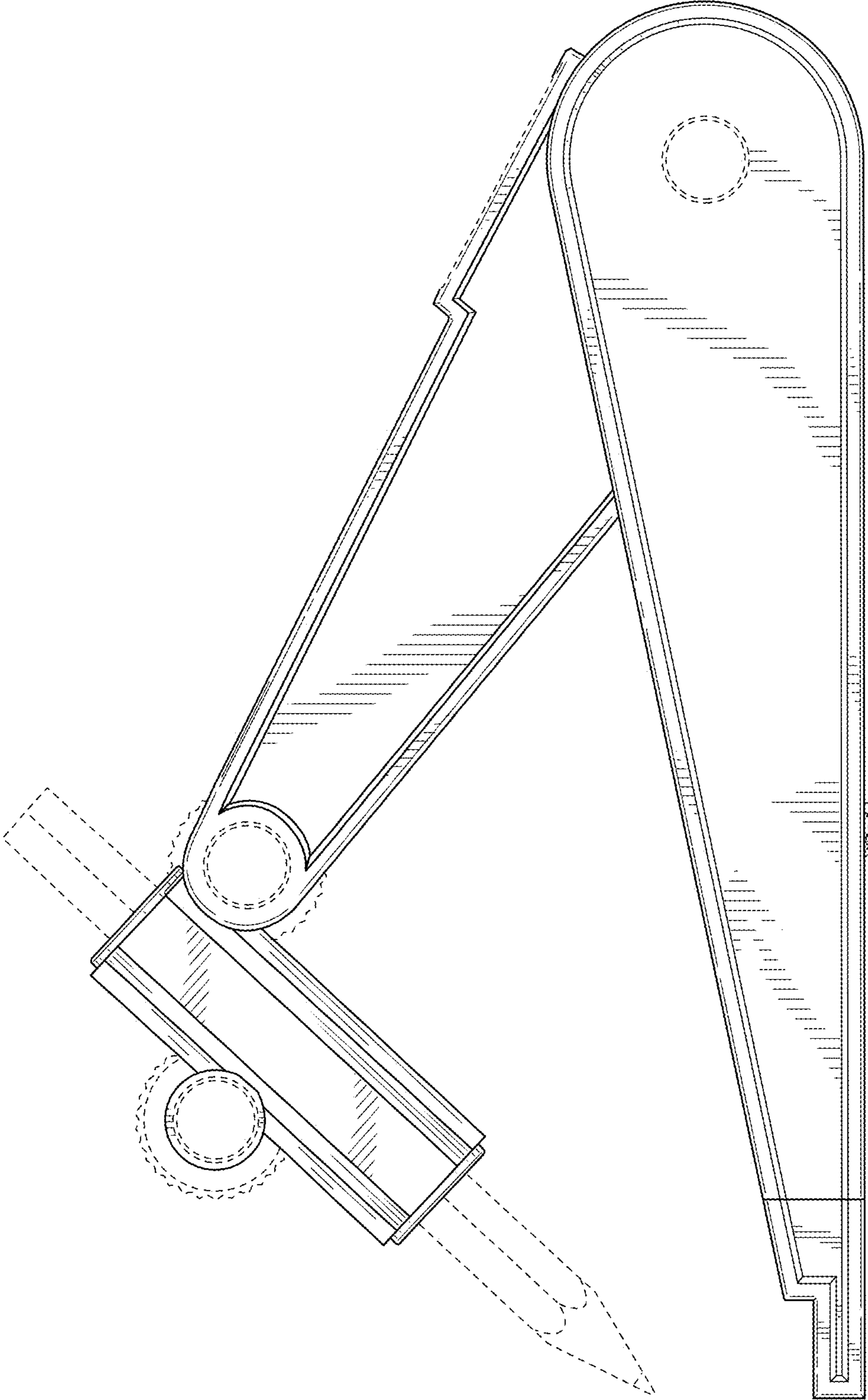


FIG. 4

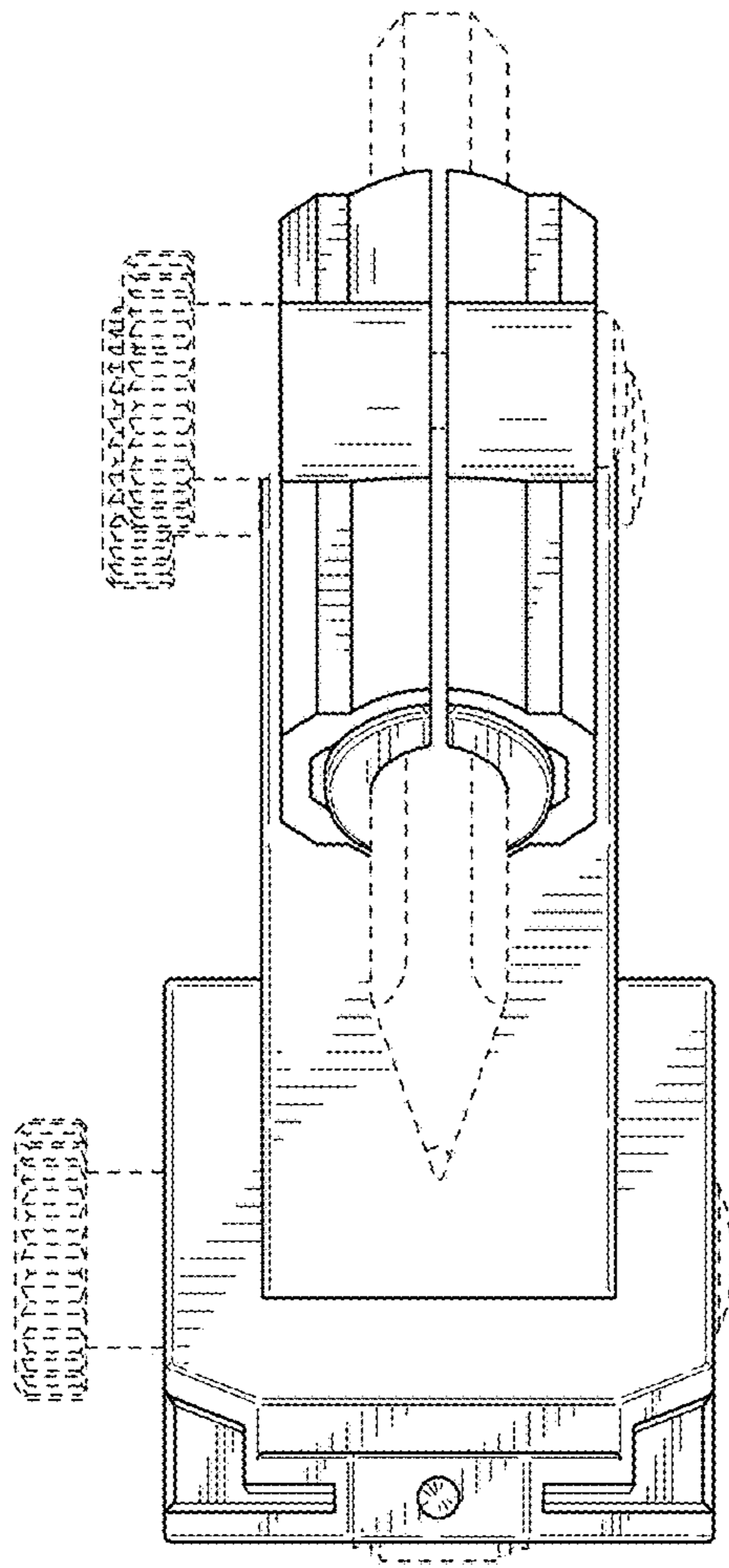


FIG. 5

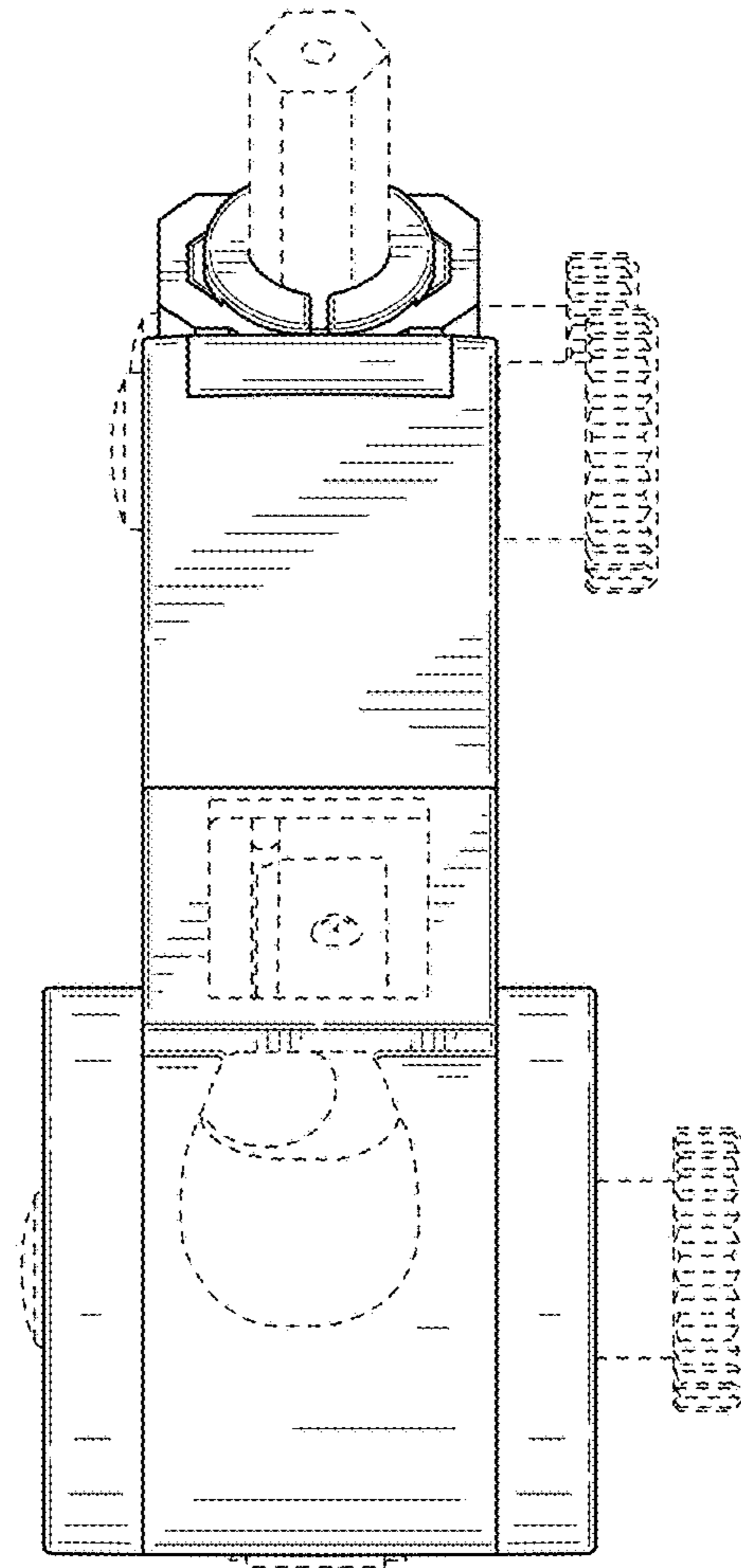


FIG. 6

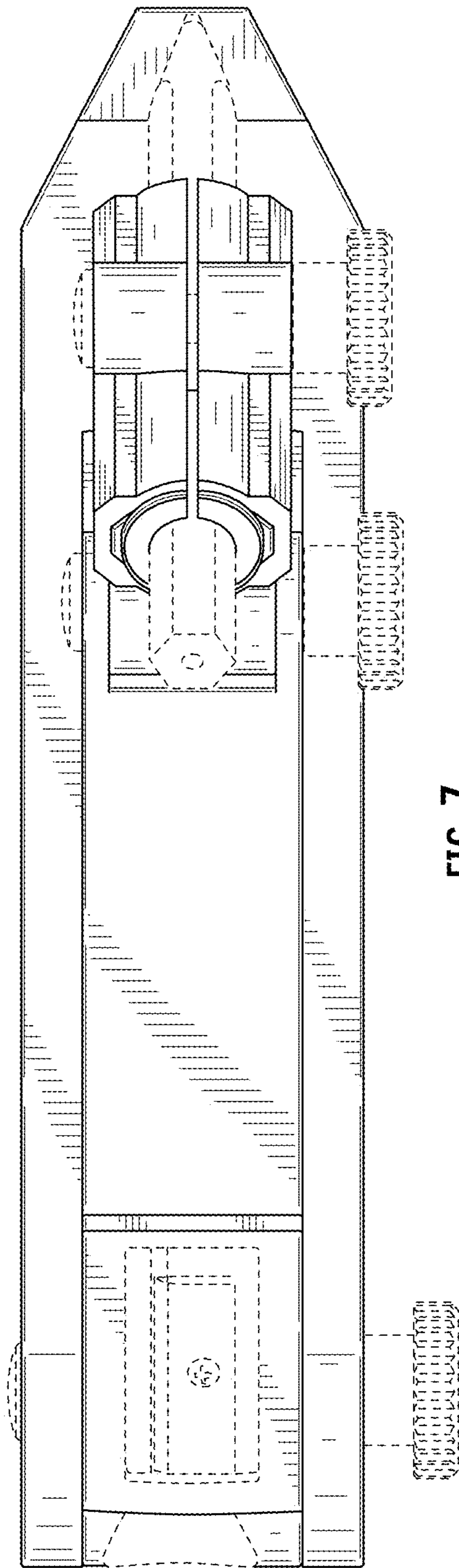


FIG. 7

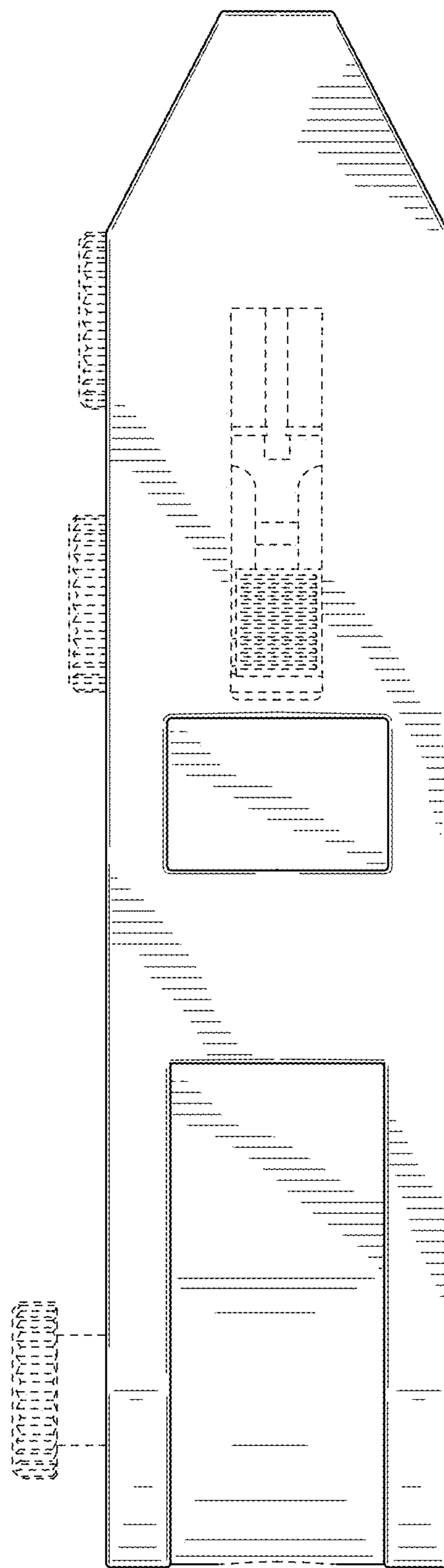


FIG. 8