



US00D927032S

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

(10) **Patent No.:** **US D927,032 S**
(45) **Date of Patent:** **** Aug. 3, 2021**

(54) **FLASHLIGHT BATON**

(71) Applicant: **E. MISHAN & SONS, INC.**, New York, NY (US)

(72) Inventor: **Steven Mishan**, New York, NY (US)

(73) Assignee: **E. Mishan & Sons, Inc.**, New York, NY (US)

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

(21) Appl. No.: **29/708,061**

(22) Filed: **Oct. 2, 2019**

Related U.S. Application Data

(62) Division of application No. 29/612,757, filed on Aug. 3, 2017, now Pat. No. Des. 876,693.

(51) **LOC (13) Cl.** **26-02**

(52) **U.S. Cl.**
USPC **D26/49**

(58) **Field of Classification Search**

USPC D26/37-51; D22/117; D21/725;
D10/114.9

CPC F21L 2003/00; F21L 4/005; F21L 4/025;
F21L 4/027; F21L 4/04; F21L 4/08; F21L
13/00; F21L 13/08; F21L 14/02; F21L
19/00; F21L 2/00; F21L 4/00-4/085;
F21L 15/00-15/14; F21L 2001/00; F21L
2005/00; F21L 25/00; A47G 19/24; F41H
5/24; F41H 9/00; F41H 9/10; F41H
13/0012; F41H 13/0025; F41H 15/04;
G08B 21/02; F41B 9/0087; F41B 15/02;
H05C 1/00; A63B 59/50; A45B 3/04

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

400,354 A 3/1889 Morris
716,541 A 12/1902 Hillerich
813,400 A 2/1906 Buehler
1,018,358 A 2/1912 Litsey

(Continued)

FOREIGN PATENT DOCUMENTS

CN 87204208 U 3/1988
CN 92241035.6 11/1992

(Continued)

OTHER PUBLICATIONS

Emson, Bell + Howell, Taclight Item No. 1176FE, Instructions, New York, New York, USA, 2016.

(Continued)

Primary Examiner — Leanne Was-Englehart

(74) *Attorney, Agent, or Firm* — Notaro, Michalos & Zaccaria P.C.

(57) **CLAIM**

The ornamental design for a flashlight baton, as shown and described.

DESCRIPTION

FIG. 1 is a left, top, perspective view of a flashlight baton showing my design therefor;

FIG. 2 is a front view of the flashlight baton of FIG. 1;

FIG. 3 is a rear view of the flashlight baton of FIG. 1;

FIG. 4 is a right side view of the flashlight baton of FIG. 1;

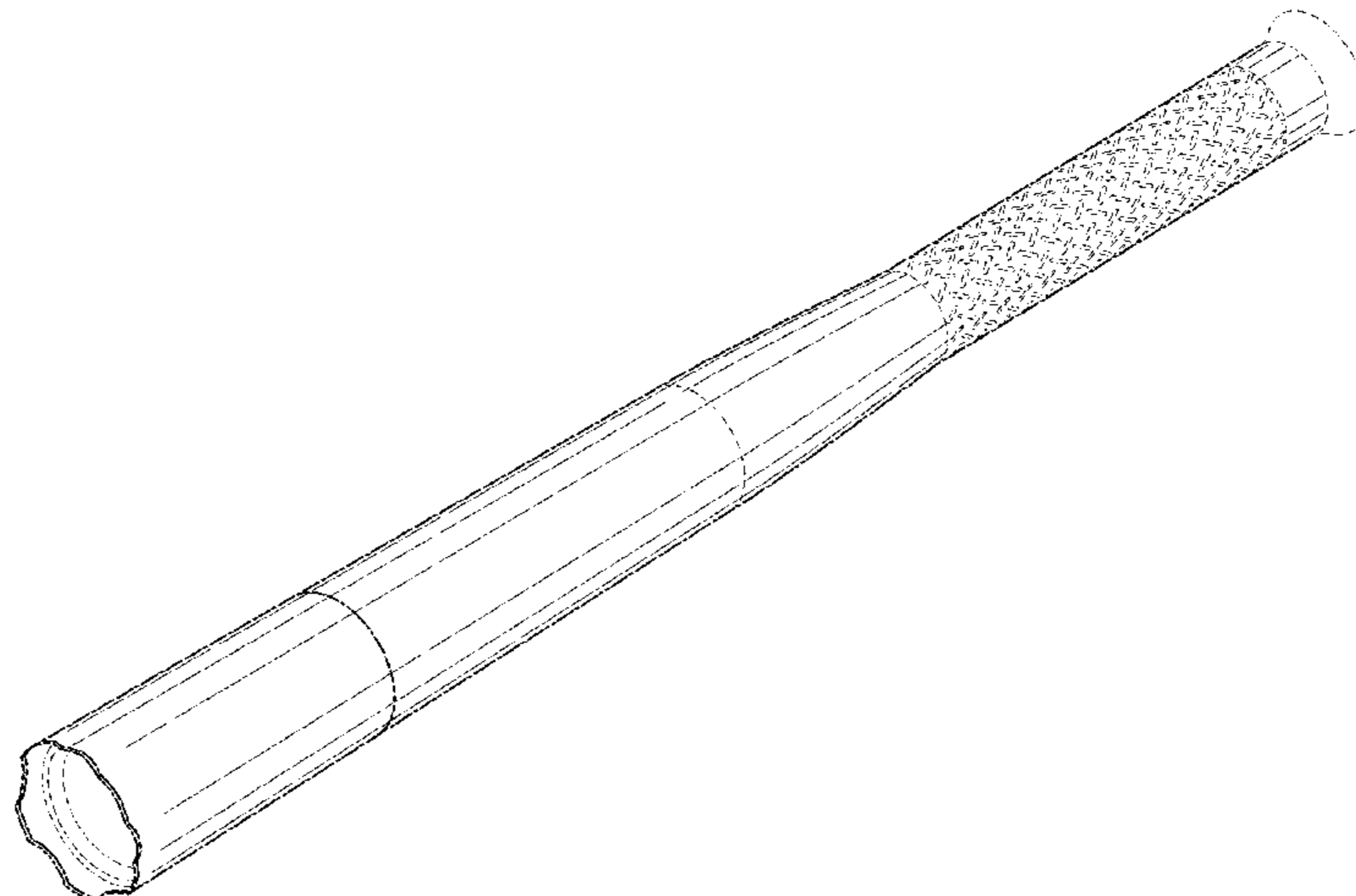
FIG. 5 is a left side view of the flashlight baton of FIG. 1;

FIG. 6 is a top view of the flashlight baton of FIG. 1; and,

FIG. 7 is a bottom view of the flashlight baton of FIG. 1.

The broken lines show portions of the article which form no part of the claimed design. The handle portion of the article is claimed, and the pattern in broken lines on the surface of the handle portion is not claimed.

1 Claim, 4 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

1,063,563	A	6/1913	May	D446,700	S	8/2001	Christofferson et al.
1,066,540	A	7/1913	Smithwick	6,283,609	B1	9/2001	Parsons et al.
1,141,634	A	1/1915	Heinrich	D452,545	S	12/2001	Starrett
1,158,081	A	10/1915	Stock	6,334,824	B1	1/2002	Filice et al.
1,177,241	A	3/1916	Gay	6,383,100	B2	5/2002	Pitsenberger et al.
1,206,095	A	11/1916	Coy	6,386,726	B1	5/2002	Macierowski et al.
1,226,926	A	5/1917	Tiscione	6,499,855	B1	12/2002	Kukuk
1,489,305	A	4/1924	Calkins	D474,519	S	5/2003	Filice
1,499,128	A	6/1924	Shroyer, Jr.	D475,777	S	6/2003	Pennington
1,601,915	A	10/1926	Hillerich	D478,390	S	8/2003	Kessler
1,611,858	A	12/1926	Middlekauff	D482,749	S	11/2003	Gumpel
1,637,650	A	8/1927	McMurray	D485,876	S	1/2004	Andrews
2,257,227	A	9/1941	Dater	D487,321	S	3/2004	Pellegrini et al.
2,260,639	A	10/1941	Powel	6,761,653	B1	7/2004	Higgenbotham et al.
2,340,156	A	1/1944	Taylor et al.	6,770,002	B2	8/2004	Aigotti
2,591,269	A	4/1952	Lehoczki	D496,482	S	9/2004	Osiecki et al.
2,983,512	A	5/1961	Fleischer	D501,942	S	2/2005	Saunders
3,244,871	A	4/1966	Feldman	D504,739	S	5/2005	Muhlnickel
3,479,030	A	11/1969	Merola	D513,334	S	12/2005	Galey
3,622,776	A	11/1971	Wyrick	D514,725	S	2/2006	Shiu
3,697,069	A	10/1972	Merola	7,004,597	B2	2/2006	Kukuk
D226,600	S	4/1973	Charles	D525,733	S	7/2006	Shiao
3,729,196	A	4/1973	Heald, Jr.	D526,034	S	8/2006	Davis et al.
3,737,649	A	6/1973	Nelson et al.	D532,138	S	11/2006	Wang et al.
3,811,596	A	5/1974	Wilson	D534,673	S	1/2007	Muszynski
3,830,496	A	8/1974	Reizer	D541,454	S	4/2007	Galey
D233,469	S	10/1974	Moore et al.	D544,621	S	6/2007	Kim
3,861,682	A	1/1975	Fujii	D548,861	S	8/2007	Chapman
3,877,698	A	4/1975	Volpe	D549,369	S	8/2007	DeBrunner
3,963,239	A	6/1976	Fujii	7,309,147	B2	12/2007	Martin
4,113,248	A	9/1978	Yanagioka	7,360,914	B2	4/2008	Kim
D263,508	S	3/1982	Hubachek	D572,395	S	7/2008	Guelzow et al.
4,331,330	A	5/1982	Worst	D585,577	S	1/2009	Bonis
4,343,467	A	8/1982	Newcomb et al.	D594,515	S	1/2009	Giblin
D274,317	S	6/1984	Nelson	D586,025	S	2/2009	Bonis
4,479,171	A	10/1984	Mains	D586,489	S	2/2009	Shiu
4,819,137	A	4/1989	Hamilton	D590,970	S	4/2009	Kornfeld et al.
4,844,460	A	7/1989	Mitchell et al.	D595,439	S	6/2009	Haight et al.
D307,488	S	4/1990	Sharrah	D596,328	S	7/2009	Shiu
D310,114	S	8/1990	Catherall	D599,928	S	9/2009	Shiu
4,967,322	A	10/1990	DuBois	7,744,471	B2	6/2010	Parsons
5,016,148	A	5/1991	Kohm	D620,186	S	7/2010	Henson
5,060,123	A	10/1991	Arnold	7,787,232	B2	8/2010	Abatemarco
5,086,377	A	2/1992	Roberts	D629,542	S	12/2010	Robinson
5,088,733	A	2/1992	Barnea et al.	D629,545	S	12/2010	Deguglimo et al.
D325,100	S	3/1992	Usami	D647,232	S	10/2011	Liu
5,287,255	A	2/1994	Strodtman	D647,654	S	10/2011	Li
5,303,917	A	4/1994	Uke	D659,270	S	5/2012	Nguyen et al.
5,347,436	A	9/1994	Clyde	D659,272	S	5/2012	Nguyen et al.
D354,328	S	1/1995	McCarty	D659,868	S	5/2012	Deguglimo et al.
5,380,003	A	1/1995	Lanctot	D660,488	S	5/2012	Ye
D356,387	S	3/1995	Schwartz	D668,805	S	10/2012	Chapman et al.
5,421,572	A	6/1995	MacKay, Jr.	D668,806	S	10/2012	Chapman et al.
D360,044	S	7/1995	Tillery	D671,249	S	11/2012	Sheikh et al.
D368,114	S	3/1996	Hyvonen	D674,943	S	1/2013	Sheikh et al.
5,511,777	A	4/1996	McNeely	8,363,376	B2	1/2013	Abatemarco
5,624,115	A	4/1997	Baum	D680,251	S	4/2013	Stewart
D387,465	S	12/1997	Copland	D688,402	S	8/2013	Roshak et al.
D398,860	S	8/1998	Kennedy et al.	D691,691	S	10/2013	Sheikh et al.
D401,374	S	11/1998	Lum	D691,692	S	10/2013	Sheikh et al.
D403,447	S	12/1998	Parsons	D692,169	S	10/2013	Kamm
D404,789	S	1/1999	Starrett	D692,601	S	10/2013	Kamm
D405,487	S	2/1999	Kennedy et al.	D692,602	S	10/2013	Kamm
D418,617	S	1/2000	Parsons	D692,603	S	10/2013	Kamm
D418,869	S	1/2000	Nussinow	D692,604	S	10/2013	Kamm
6,009,649	A	1/2000	Bianchi	8,550,654	B2	10/2013	Olsen
D421,503	S	3/2000	Parsons	D695,873	S	12/2013	Sheikh et al.
D425,227	S	5/2000	Petruzzi	8,628,207	B2	1/2014	Alosaimi
6,068,386	A	5/2000	Pastega	D699,381	S	2/2014	Stewart
D426,598	S	6/2000	Kim	D702,384	S	4/2014	Stewart
6,086,490	A	7/2000	Spangler	D703,852	S	4/2014	Kamm
D437,435	S	2/2001	Spangler	D706,897	S	6/2014	Sheikh et al.
D443,374	S	6/2001	van Klinken	8,747,233	B1	6/2014	Klein
D443,662	S	6/2001	Udwin et al.	8,757,830	B2	6/2014	Gross et al.
D445,859	S	7/2001	Pitsenberger	D709,231	S	7/2014	Nguyen
				D709,234	S	7/2014	Inskeep
				8,771,085	B1	7/2014	Clyde et al.
				8,794,782	B2	8/2014	Bushee et al.
				D716,984	S	11/2014	Inskeep

(56)

References Cited

U.S. PATENT DOCUMENTS

8,894,234	B2	11/2014	Kuo	
D720,091	S	12/2014	Huang	
D724,247	S	3/2015	Chouprinov et al.	
D725,302	S	3/2015	Popper et al.	
D742,048	S	10/2015	Sheikh et al.	
D745,200	S	12/2015	Inskeep	
D745,732	S	12/2015	Inskeep	
D745,987	S	12/2015	Nawaz	
9,207,040	B2	12/2015	Bushee et al.	
D748,834	S	2/2016	Huang	
D749,766	S	2/2016	Nguyen	
9,255,706	B2	2/2016	Gross et al.	
D755,429	S	5/2016	Huang	
D757,319	S	5/2016	Green	
D759,279	S	6/2016	Brands et al.	
D761,468	S	7/2016	Cheng	
D792,625	S	7/2017	Koshiba	
D833,059	S	11/2018	Smith	
D878,503	S	* 3/2020	Stelly	D21/725
D887,509	S	* 6/2020	Jenkins	D21/725
2001/0056001	A1	12/2001	Gallagher	
2002/0159248	A1	10/2002	Evensen	
2004/0196649	A1	10/2004	Campbell	
2005/0037847	A1	2/2005	Pickens, Jr.	
2005/0083679	A1	4/2005	Macierowski et al.	
2006/0044787	A1	3/2006	Nam	
2007/0019398	A1	1/2007	Chen et al.	
2007/0268684	A1	11/2007	Chang	
2016/0010847	A1	1/2016	Bellows	

FOREIGN PATENT DOCUMENTS

CN	95208637	5/1995
CN	3040869	2/1996
CN	2278149 Y	4/1998
CN	2304966 Y	1/1999
CN	3130730	12/1999
CN	98332637.1	12/1999
CN	3154015	7/2000
CN	3154844	7/2000
CN	3156464	8/2000
CN	3191810	6/2001
CN	3194346	7/2001
CN	3205462	10/2001
CN	3214930	12/2001
CN	3227520	3/2002
CN	3231715	4/2002
CN	3249323	7/2002
CN	3250300	8/2002

CN	3255759	9/2002
CN	3259851	10/2002
CN	2530140 Y	1/2003
CN	3272422	1/2003
CN	3272426	1/2003
CN	1414285 A	4/2003
CN	3287879	4/2003
CN	3292101	4/2003
CN	3292104	4/2003
CN	302385608	4/2013
CN	302607638	10/2013
CN	302674497	12/2013
CN	302975482	10/2014
CN	303657149	4/2016
CN	303704276	6/2016
CN	304062571	3/2017
CN	304666784	6/2018
FR	955144-0001	9/1995
GB	2011179	11/1990
GB	2011180	11/1990
GB	2011181	11/1990
GB	2020071	8/1992
JP	H5-88573	12/1993

OTHER PUBLICATIONS

Powerstation, LLC, Tactical Bat Light, Item: PFL3BB, Operational Manual, 2012.

Emsen, Website at <http://trytaclight.com>, USA, 2017.

Office Action for Reexam U.S. Appl. No. 90/014,267, filed Feb. 25, 2019.

J. Arnow, Louisville Slugger Making of a Baseball Bat, 1984, p. 38, Pantheon Books, New York 1984.

KBI, Inc. Flashlight—Black & Yellow Security Bat Light Flashlight with Panic Alarm & Strobe Light Option—Model No. 50001 (c. 1995).

D. Barry, Dave Barry's Holiday Gift Guide, Flashlight Bat, Miami Herald, Dec. 3, 2000.

D. Mickey Evans, The Sandlot, Jun. 10, 1992.

R. Rublers, The Batlight.
<https://web.archive.org/web/20010801215154/http://streamlight.com:80/2001/batonlite.htm>.

https://web.archive.org/web/20011222125455im_/http://streamlight.com:80/2001/images/batonlite_01.jpg.

<https://web.archive.org/web/20020207120614/http://streamlight.com:80/2001/batonlite.htm>.

Old Milwaukee Beer Bottle Flashlight.

Schlitz Beer Bottle Flashlight.

Seagrams 7 Crown Beer Bottle Flashlight.

Code Four Back-Up Lights.

* cited by examiner

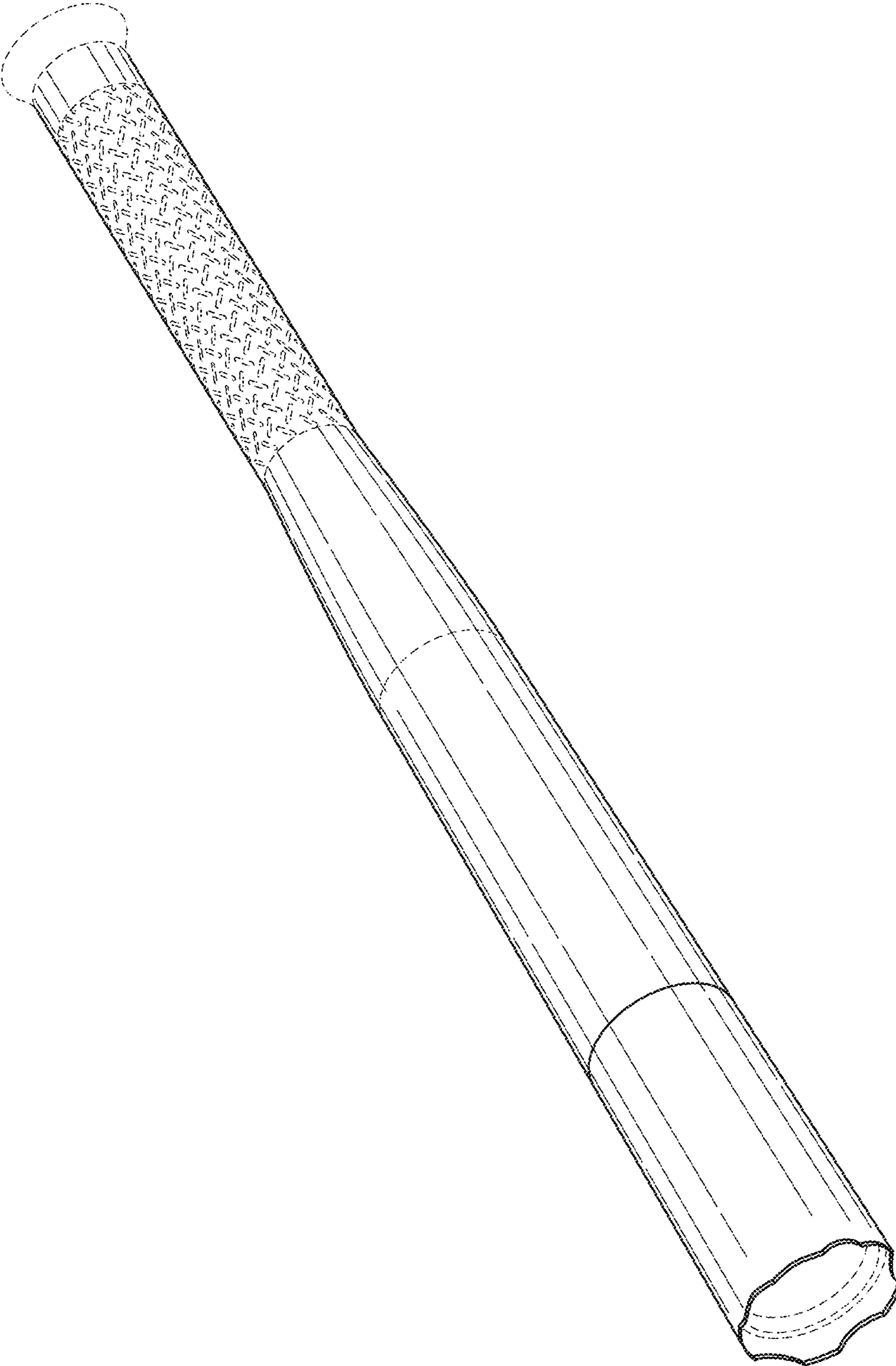


FIG. 1

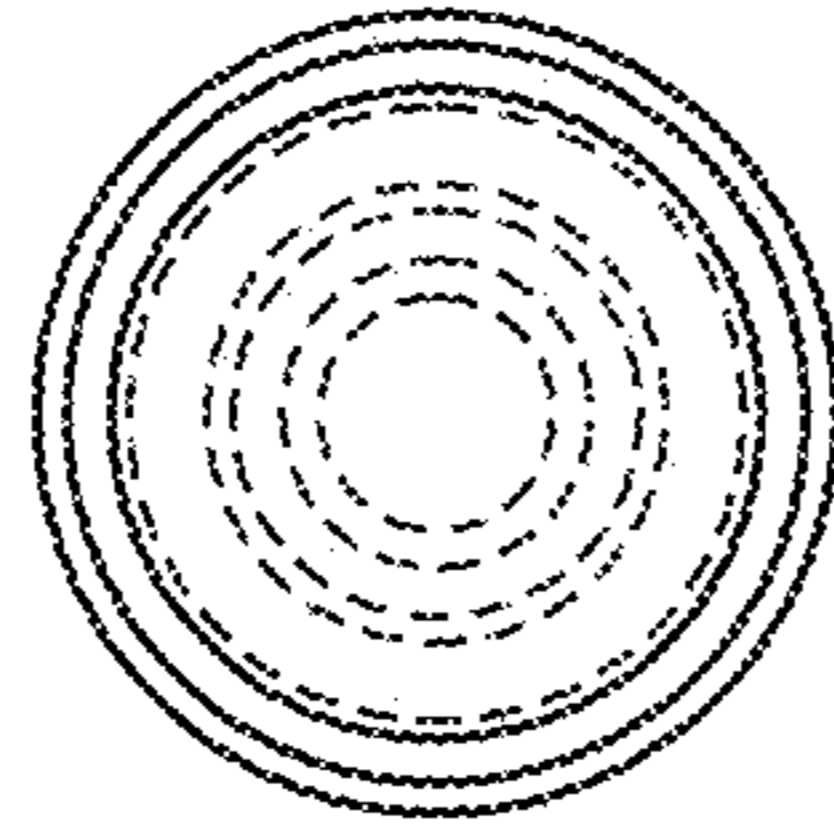


FIG. 3

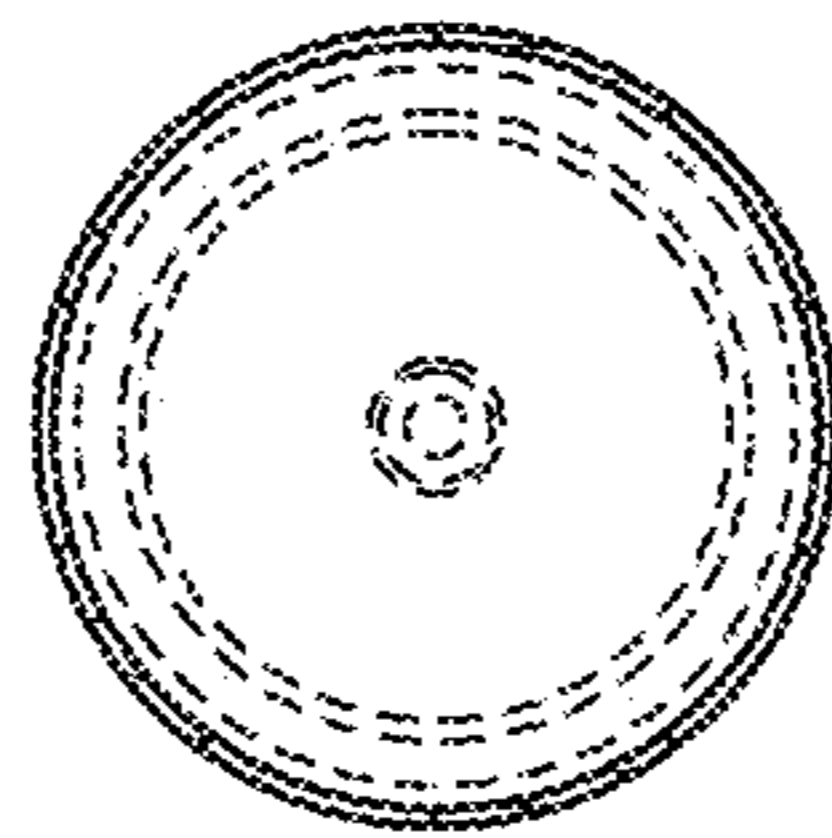


FIG. 2

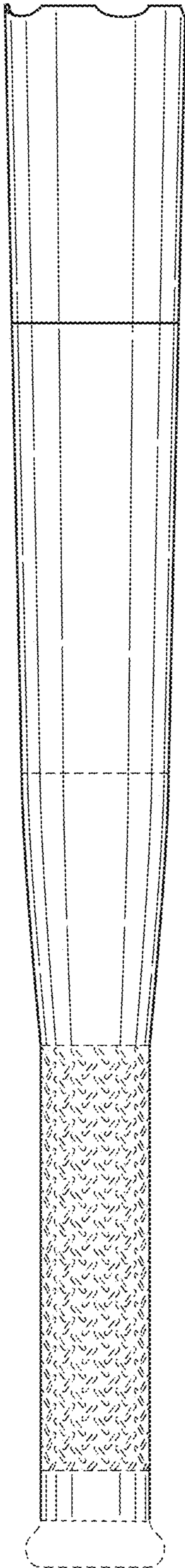


FIG. 4

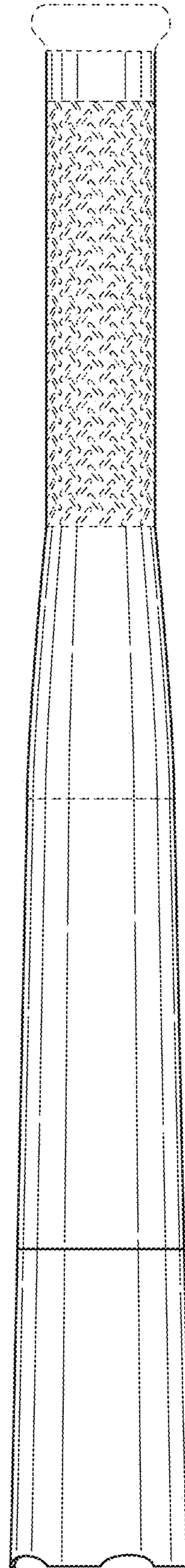


FIG. 5

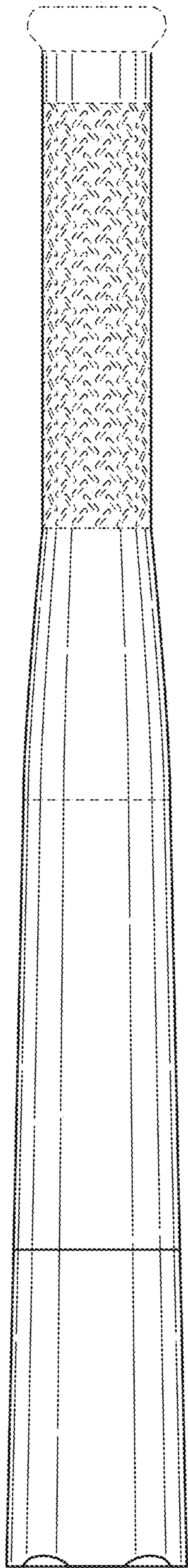


FIG. 6

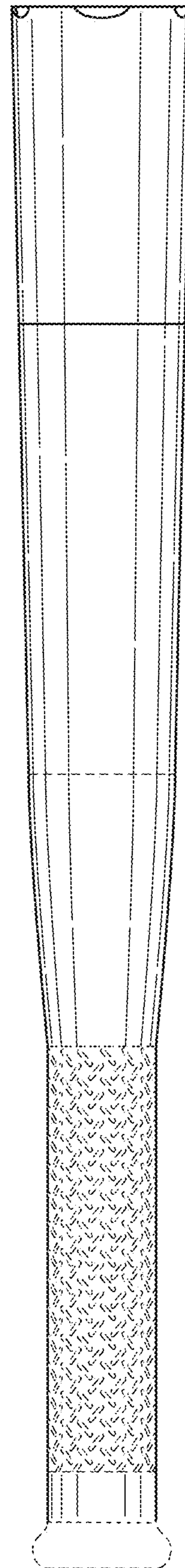


FIG. 7