



US00D932651S

(12) **United States Design Patent** (10) **Patent No.:** **US D932,651 S**  
**Eberl et al.** (45) **Date of Patent:** **\*\* Oct. 5, 2021**

(54) **ROOFTOP RAILING SYSTEM**

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- (73) Assignee: **EBERL IRON WORKS, INC.**, Buffalo, NY (US)
- (\*\*) Term: **15 Years**
- (21) Appl. No.: **29/726,192**
- (22) Filed: **Mar. 1, 2020**

**Related U.S. Application Data**

- (62) Division of application No. 29/699,359, filed on Jul. 24, 2019, now Pat. No. Des. 880,003.
  - (51) **LOC (13) Cl.** ..... **25-02**
  - (52) **U.S. Cl.**  
USPC ..... **D25/38.1**
  - (58) **Field of Classification Search**  
USPC ..... D25/38.1, 39, 41.1, 43, 44, 45, 66  
CPC ..... E01F 13/02; E01F 13/022; E01F 13/024;  
E04G 21/3223; E04G 21/3233; E04G 5/04;  
E04G 5/041; E04G 5/046; E04G 5/14;  
E04F 11/1817; E04F 11/1865; E04D 11/00;  
E04D 13/0335; E04H 17/14; E04H 17/1421;  
E04H 17/22; E04H 12/2269
- See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

- D43,458 S \* 1/1913 Ferris ..... D30/114
- 3,020,023 A \* 2/1962 MacIntyre ..... E01F 9/692
- 256/24

(Continued)

**OTHER PUBLICATIONS**

Diversified Fall Protection YouTube [https://www.youtube.com/watch?v=\\_eQzsavmqTE&feature=emb\\_logo](https://www.youtube.com/watch?v=_eQzsavmqTE&feature=emb_logo) Jan. 9, 2015 (Year: 2015).\*

(Continued)

*Primary Examiner* — Leanne Was-Englehart

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(57) **CLAIM**

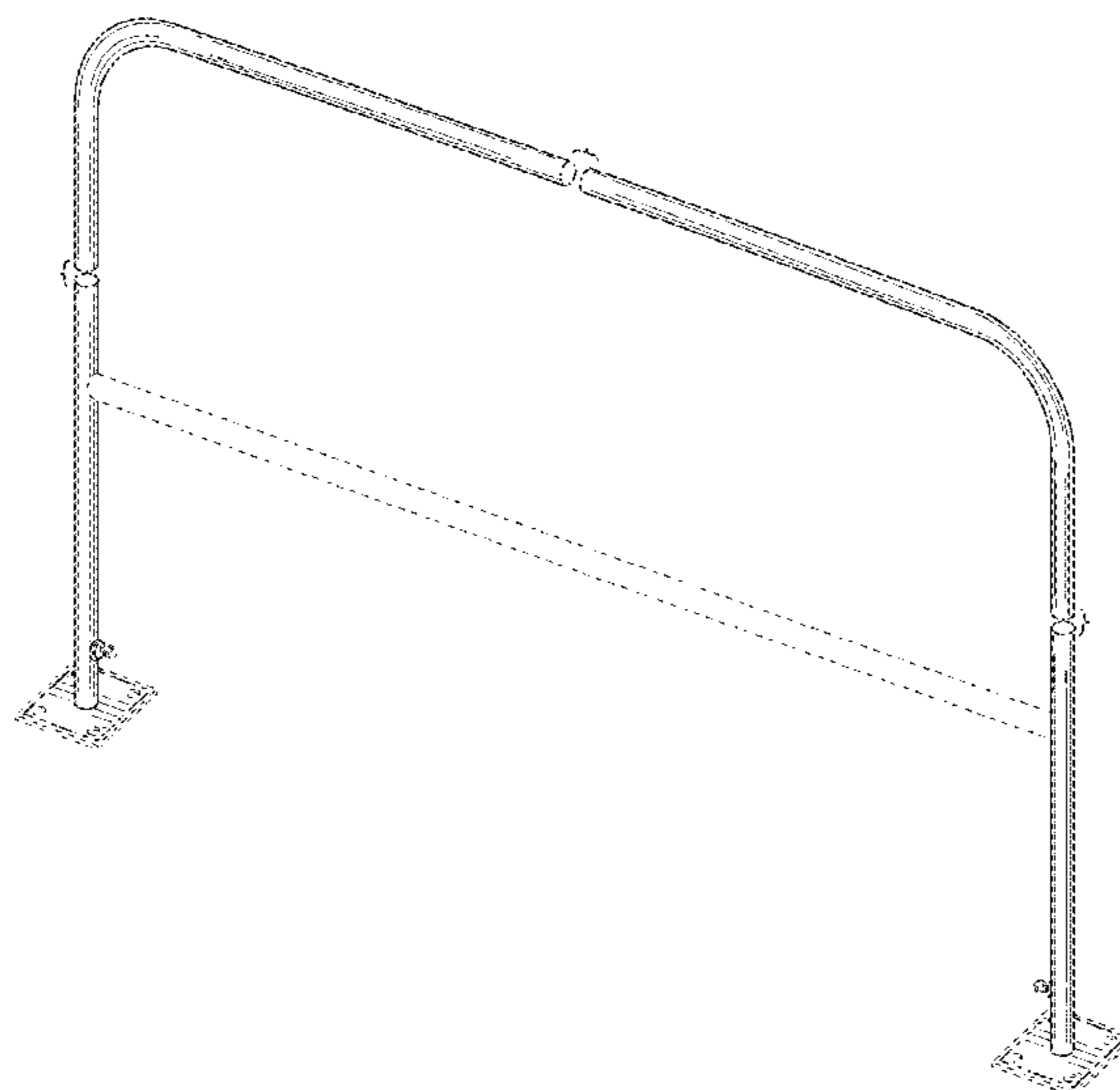
The ornamental design for a rooftop railing system, as shown and described.

**DESCRIPTION**

FIG. 1 is a perspective view of a rooftop railing system, showing our new design;  
 FIG. 2 is a front elevation view thereof;  
 FIG. 3 is a rear elevation view thereof;  
 FIG. 4 is a left side elevation view thereof;  
 FIG. 5 is a right side elevation view thereof;  
 FIG. 6 is a top plan view thereof;  
 FIG. 7 is a bottom plan view thereof;  
 FIG. 8 is a detail view thereof taken from area 8 in FIG. 2;  
 FIG. 9 is a perspective view thereof, showing the base plate apart from the railing for ease of understanding;  
 FIG. 10 is a front elevation view thereof;  
 FIG. 11 is a rear elevation view thereof;  
 FIG. 12 is a left side elevation view thereof;  
 FIG. 13 is a right side elevation view thereof;  
 FIG. 14 is a top plan view thereof; and,  
 FIG. 15 is a bottom plan view thereof.

The dash-dash broken lines in the figures illustrate portions of the rooftop railing system that form no part of the claimed design. The dash-dot-dash broken lines depict the bounds of the claim. The dash-dot-dot-dash broken line circles depict the limits of the enlarged view and form no part of the claimed design. The drawings contain a symbolic break. The portion between the break lines forms no part of the claimed design.

**1 Claim, 10 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

D209,134 S 11/1967 Blum  
 D210,936 S 5/1968 Blum  
 3,594,025 A \* 7/1971 Wagner ..... F16B 12/40  
 403/190  
 3,776,521 A 12/1973 Weinert  
 4,150,510 A 4/1979 Harrison  
 4,620,612 A \* 11/1986 Enoki ..... B63C 5/02  
 182/113  
 4,869,343 A \* 9/1989 Anderson ..... E04G 5/14  
 182/113  
 5,107,959 A \* 4/1992 Lubinski ..... E04G 3/30  
 182/113  
 5,145,153 A \* 9/1992 Glynn ..... E04G 21/3233  
 256/59  
 5,161,784 A \* 11/1992 Sader ..... E01F 13/02  
 256/19  
 D334,301 S \* 3/1993 Buckley ..... D25/43  
 D350,038 S \* 8/1994 Buckley ..... D25/43  
 5,377,958 A 1/1995 Palmer  
 5,396,739 A \* 3/1995 Venegas, Jr. .... E01F 13/022  
 256/65.08  
 D361,448 S 8/1995 Buckley  
 D401,349 S 11/1998 Hill  
 D402,041 S 12/1998 Hill  
 5,842,685 A 12/1998 Purvis  
 6,298,997 B1 \* 10/2001 Jarrett ..... A47F 10/04  
 211/17  
 6,406,002 B1 6/2002 Hardy  
 6,477,972 B2 11/2002 Perkins  
 6,554,257 B1 \* 4/2003 Kenton ..... E04G 21/3233  
 256/24  
 6,578,827 B2 6/2003 McCracken  
 6,902,153 B1 6/2005 Kenton  
 6,931,793 B2 \* 8/2005 Joyce ..... E04D 13/0315  
 182/112  
 6,942,199 B2 9/2005 Higgs  
 D511,009 S 10/2005 McGregor  
 D532,840 S \* 11/2006 Krlin ..... D21/698  
 RE39,842 E 9/2007 Purvis  
 D552,751 S 10/2007 Van Buskirk  
 7,300,037 B2 \* 11/2007 Beirne, Jr. .... E04D 13/0335  
 256/64  
 7,516,575 B2 4/2009 Cuccurullo  
 D596,760 S \* 7/2009 Bock ..... D25/38.1  
 D620,131 S \* 7/2010 Ray ..... D25/48.3  
 D620,608 S \* 7/2010 Deneyer ..... D25/38.1  
 7,832,148 B2 11/2010 Stoffels  
 D646,399 S \* 10/2011 Deneyer ..... D25/38.1  
 D657,888 S 4/2012 Darby  
 8,256,183 B2 9/2012 Berlee  
 8,366,079 B2 2/2013 Stoffels  
 8,424,851 B2 \* 4/2013 Christoffer ..... E04G 21/3223  
 256/65.14  
 8,474,575 B2 7/2013 Bissett  
 8,689,938 B2 4/2014 Kenton  
 D706,452 S 6/2014 Laitta  
 D712,068 S 8/2014 Wiggins  
 8,925,904 B2 \* 1/2015 Christoffer ..... E04G 21/3223  
 256/65.14  
 D725,288 S 3/2015 Lu

D725,792 S \* 3/2015 Cullen ..... D25/38.1  
 D733,925 S 7/2015 Collier  
 D738,531 S 9/2015 Prunte  
 9,376,832 B2 6/2016 Deering  
 9,403,486 B2 \* 8/2016 May ..... B60R 3/005  
 D767,165 S 9/2016 Che  
 D805,654 S 12/2017 Ziaylek  
 D806,268 S 12/2017 Forte  
 9,834,939 B1 12/2017 Deering  
 9,890,590 B2 2/2018 Budziak  
 RE47,041 E 9/2018 Laitta  
 10,132,101 B1 \* 11/2018 Hongthong ..... E04H 17/18  
 D880,003 S \* 3/2020 Eberl ..... D25/38.1  
 2001/0006231 A1 7/2001 McCracken  
 2003/0178614 A1 \* 9/2003 Venegas, Jr. .... E01F 13/024  
 256/65.1  
 2003/0208965 A1 11/2003 Perkins  
 2004/0104382 A1 6/2004 Collins  
 2004/0206945 A1 \* 10/2004 York, Jr. .... E01F 13/022  
 256/24  
 2006/0059636 A1 3/2006 Suggate  
 2006/0113516 A1 6/2006 Higgs  
 2006/0278472 A1 \* 12/2006 Kenton ..... E06B 11/00  
 182/113  
 2008/0006809 A1 \* 1/2008 Stoffels ..... E04G 21/3223  
 256/67  
 2008/0041662 A1 2/2008 Despres  
 2010/0000167 A1 \* 1/2010 Jirsa ..... E01F 13/024  
 52/223.1  
 2010/0171085 A1 7/2010 Webster  
 2011/0017968 A1 \* 1/2011 Christoffer ..... E01F 13/022  
 256/65.14  
 2013/0062585 A1 \* 3/2013 Deering ..... E04F 11/1865  
 256/65.01  
 2014/0166955 A1 6/2014 Kenton  
 2014/0191172 A1 \* 7/2014 Christoffer ..... E04G 21/3223  
 256/21  
 2014/0217345 A1 8/2014 Stoffels  
 2015/0041744 A1 2/2015 Higgs  
 2015/0069313 A1 3/2015 Christoffer  
 2015/0267437 A1 9/2015 Kenton  
 2016/0237702 A1 \* 8/2016 Micklan ..... E04G 5/14  
 2017/0152674 A1 6/2017 MacKarvich  
 2017/0356203 A1 12/2017 Nagel  
 2018/0016801 A1 1/2018 Davis  
 2018/0127993 A1 5/2018 Baca  
 2018/0328054 A1 11/2018 Black  
 2018/0347217 A1 12/2018 Brogden  
 2019/0040640 A1 2/2019 Rainville

OTHER PUBLICATIONS

Fall Protection Guard Rails <https://eberliron.com/category/RTS—Fall-Protection-Guard-Rail/1390.html> Oct. 24, 2016 (Year: 2016).\*  
 RTSPERMGR Permanent Guard Rail [https://web.archive.org/web/20160819161320/http://www.eberliron.com/public/images/product/rts/Watermarked/RTSPERMGR-Eberl-RTS-Permanent-Guard-Rail\\_PU-WTMRK.jpg](https://web.archive.org/web/20160819161320/http://www.eberliron.com/public/images/product/rts/Watermarked/RTSPERMGR-Eberl-RTS-Permanent-Guard-Rail_PU-WTMRK.jpg) Aug. 19, 2016 (Year: 2016).\*  
 TOEBOARD-SY Toeboard For Guardrail Sections Safety Yellow Portable Guardrail <https://www.portableguardrail.com/product/toeboard-for-guardrail-sections-safety-yellow/> May 2018 (Year: 2018).\*

\* cited by examiner

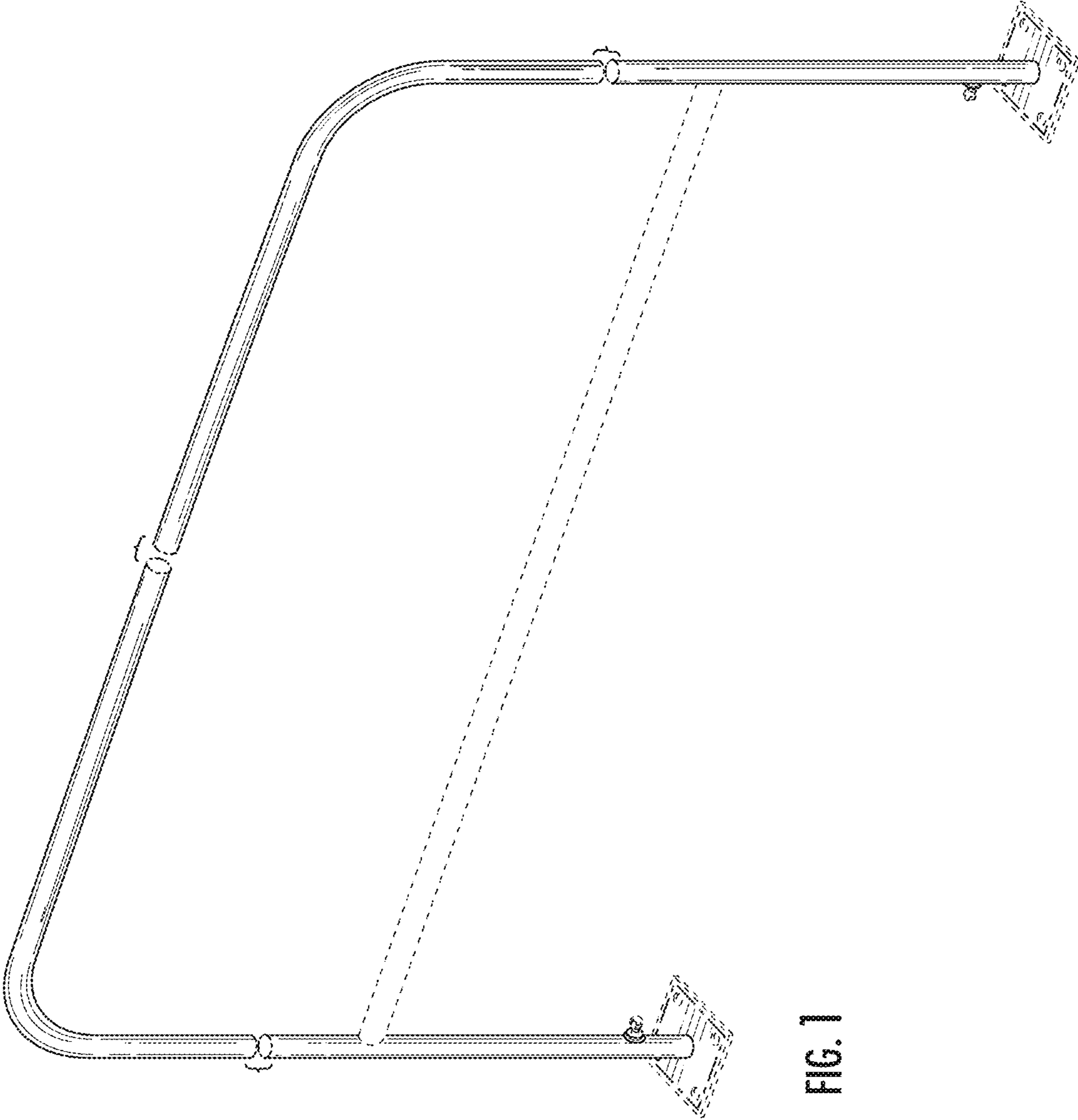


FIG. 1



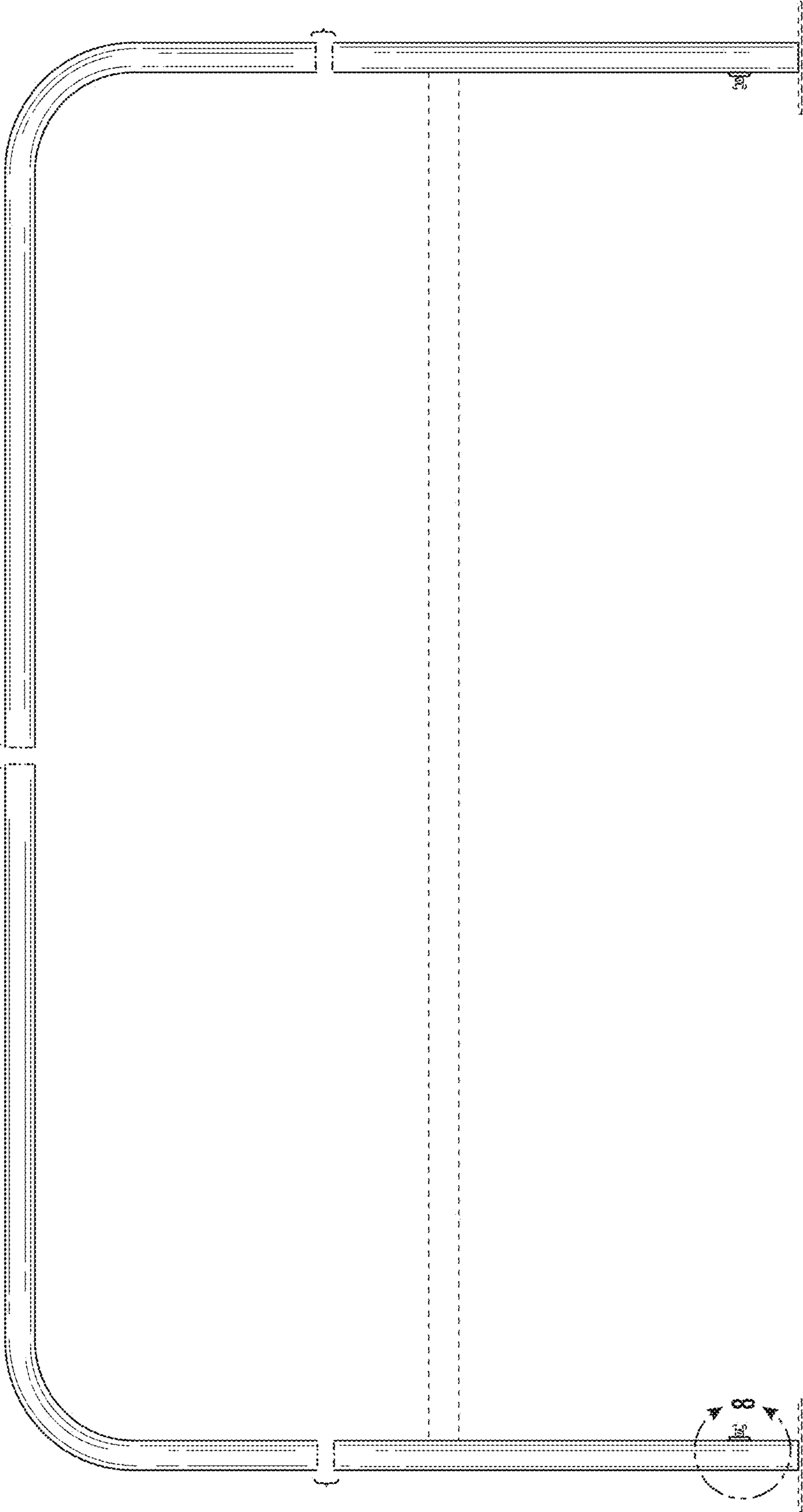


FIG. 2

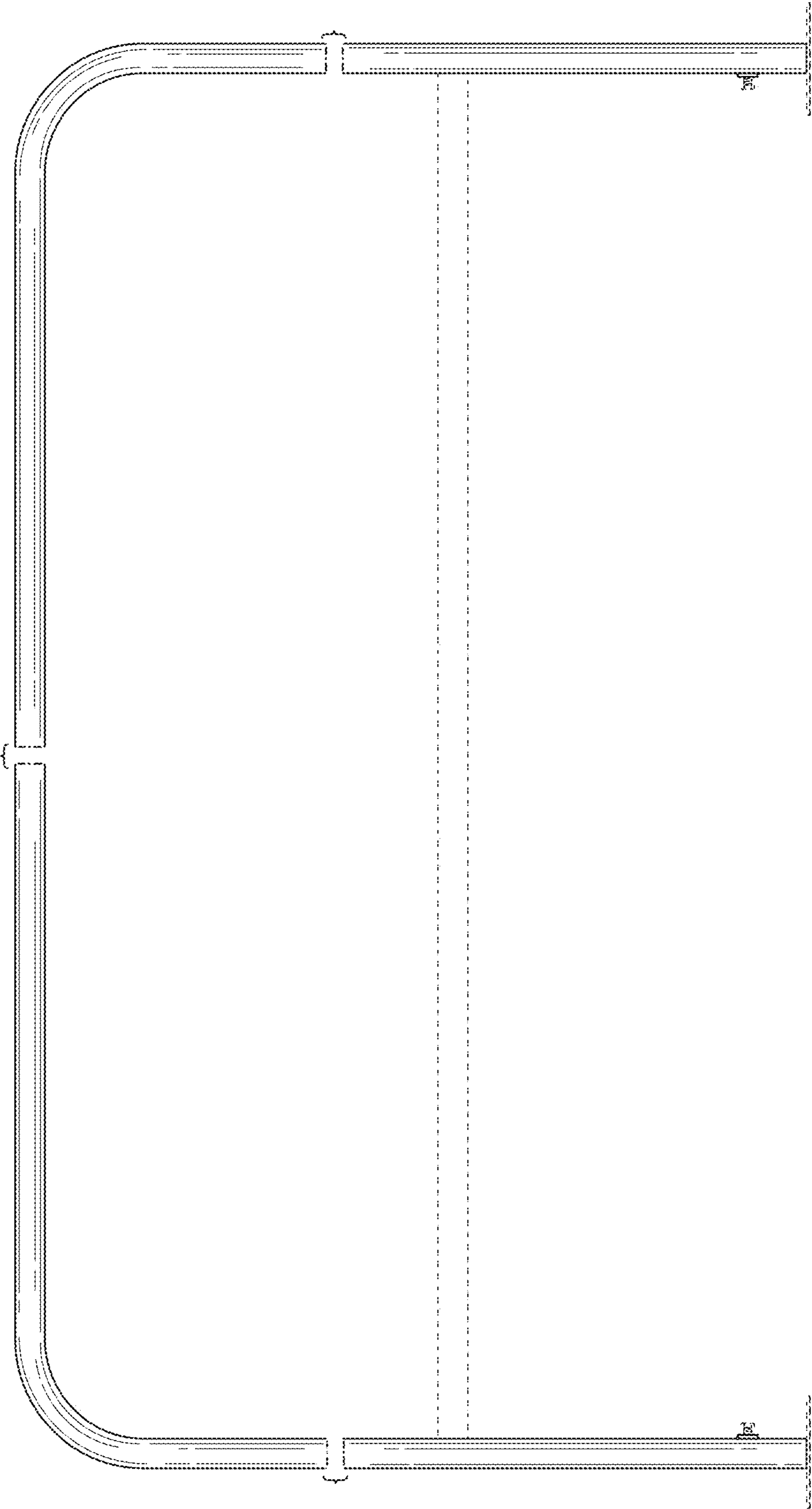


FIG. 3

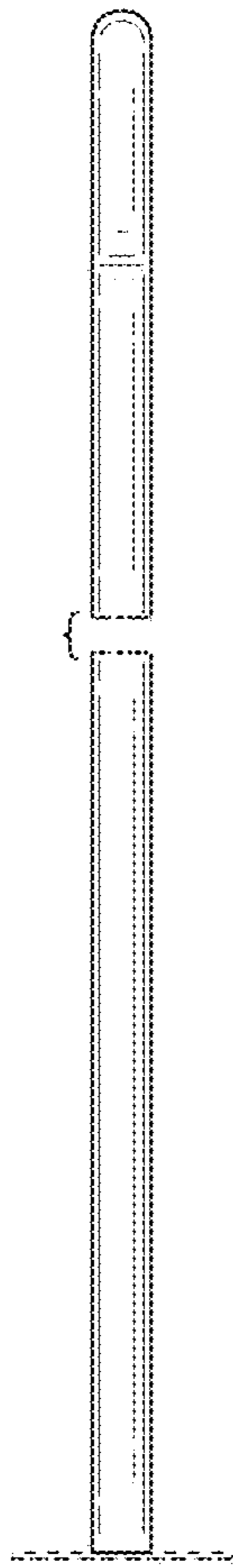


FIG. 4

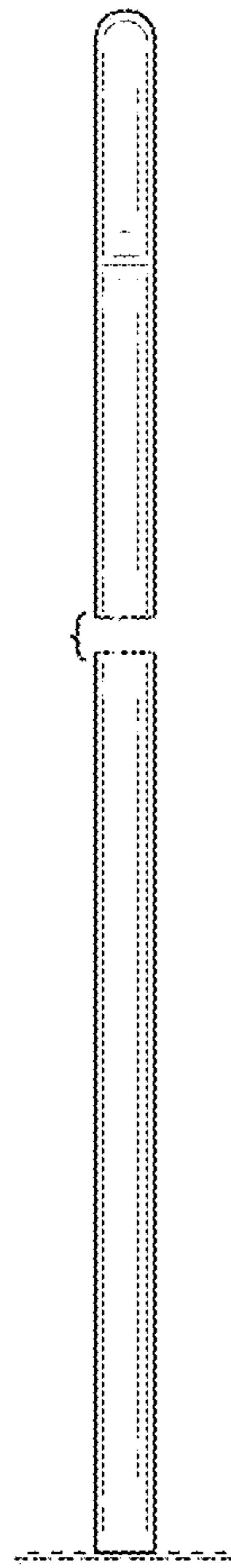


FIG. 5

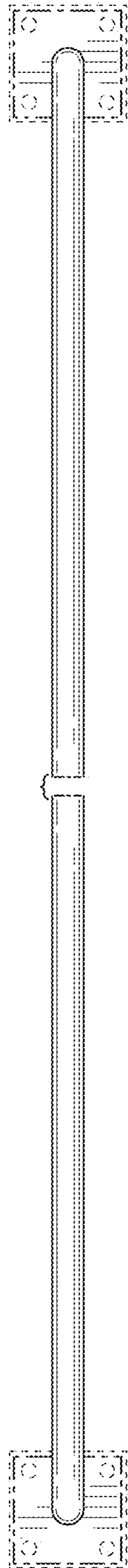


FIG. 6

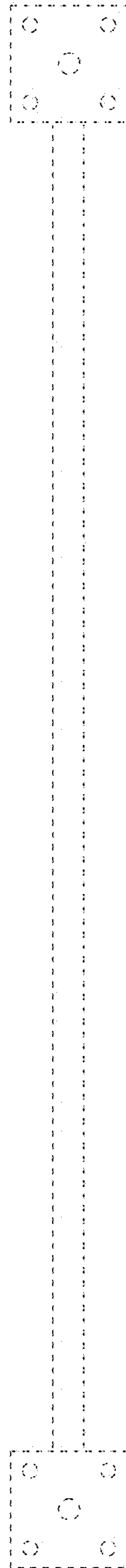


FIG. 7

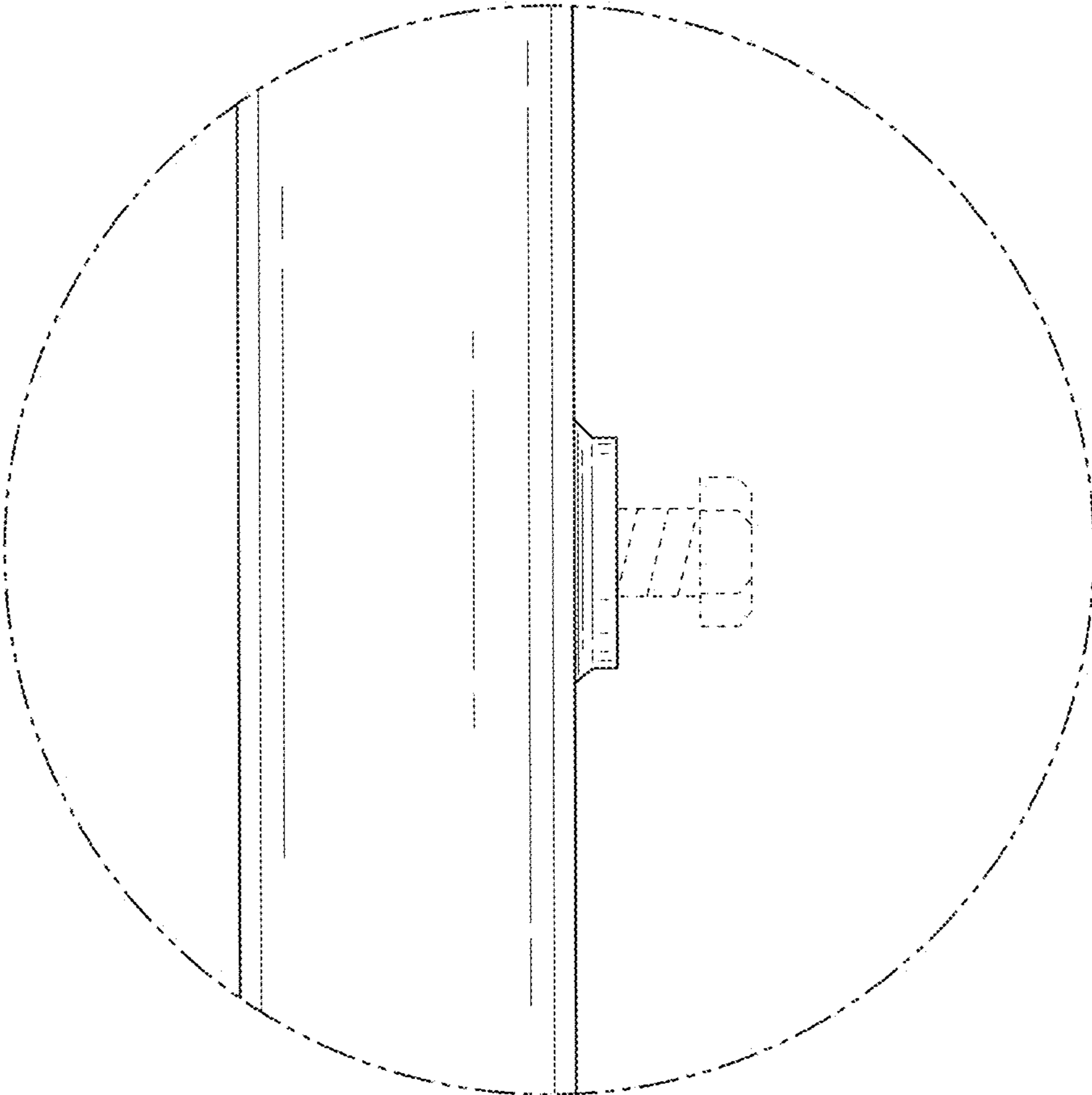


FIG. 8



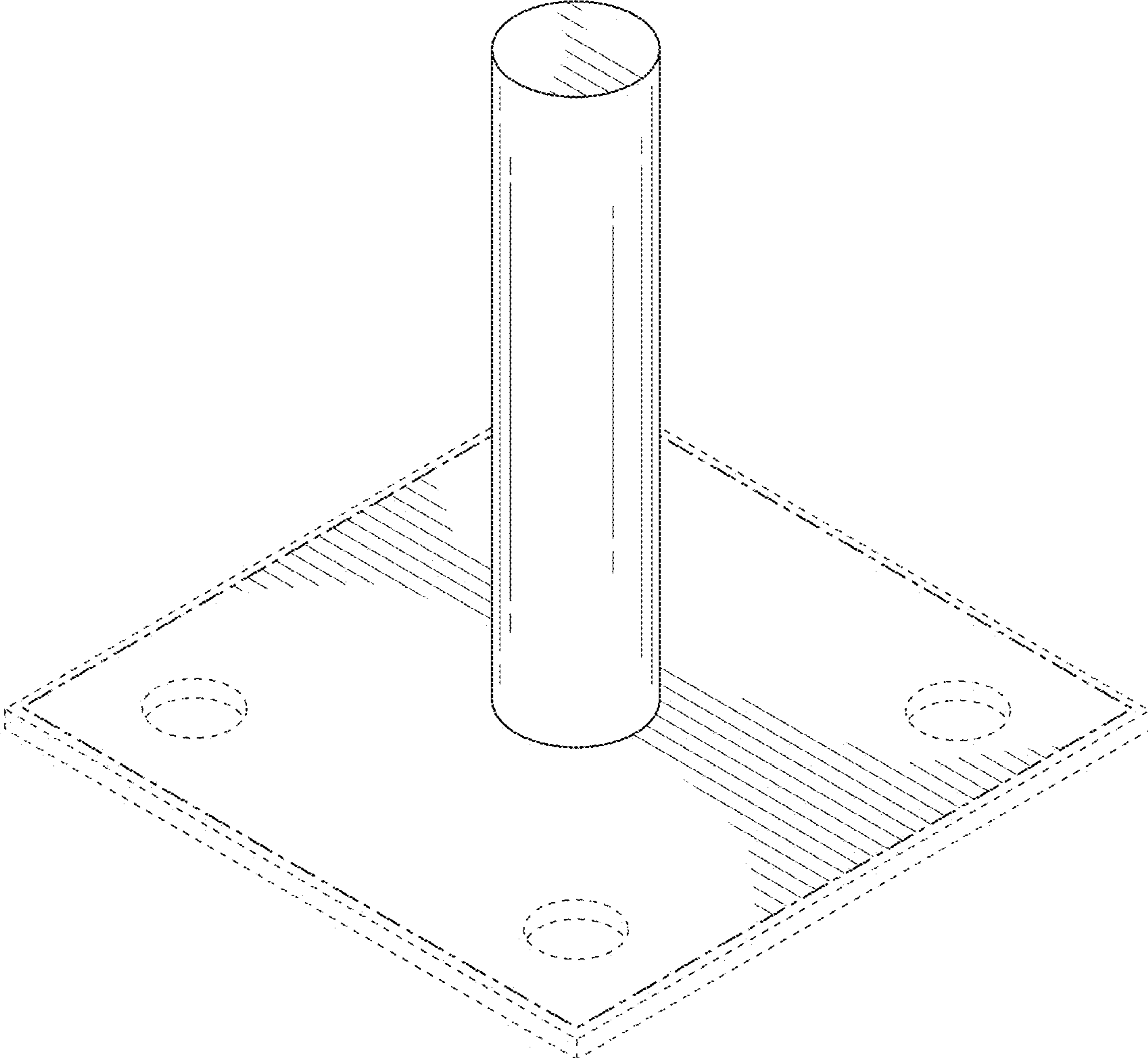


FIG. 9

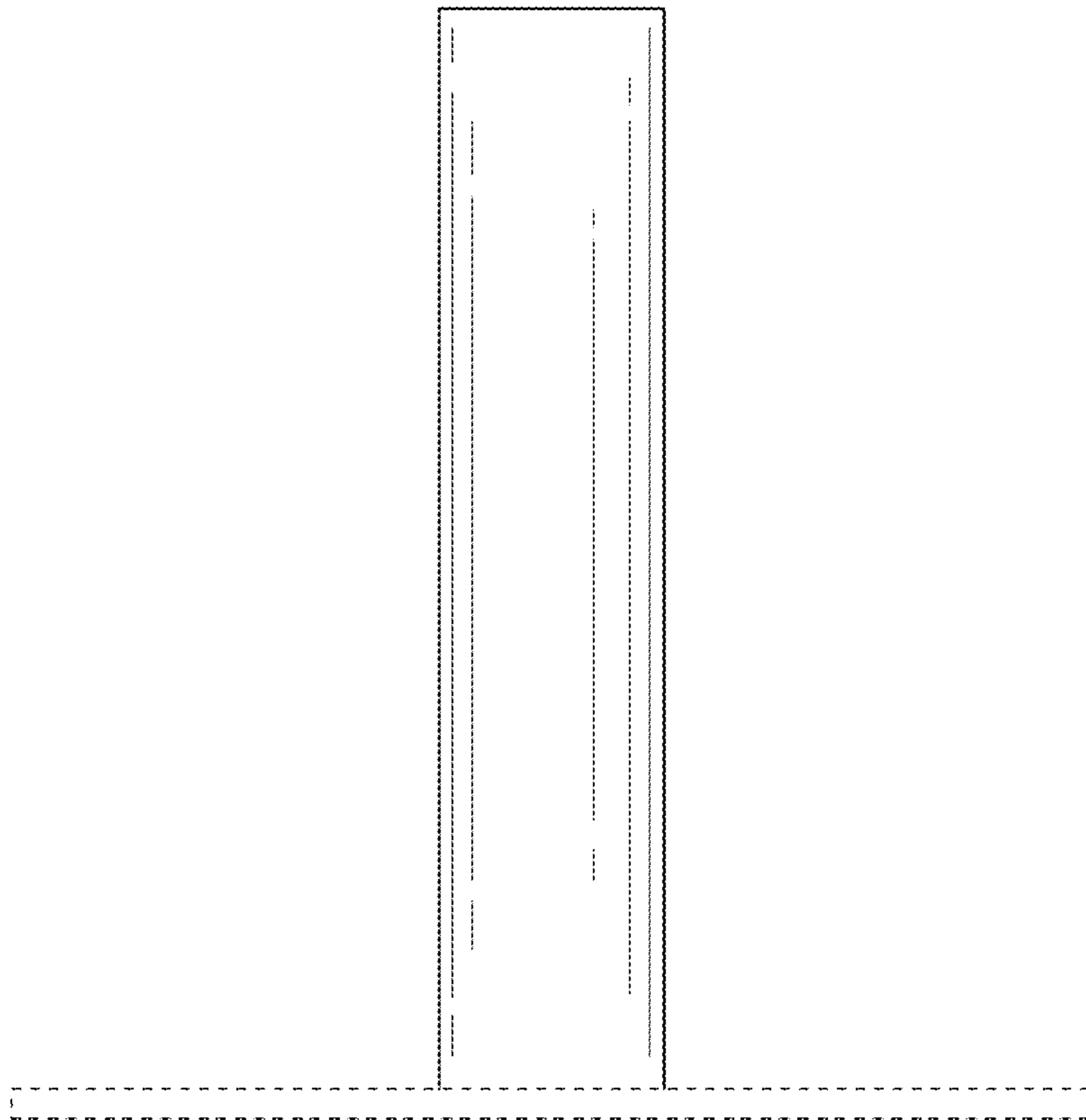


FIG. 10

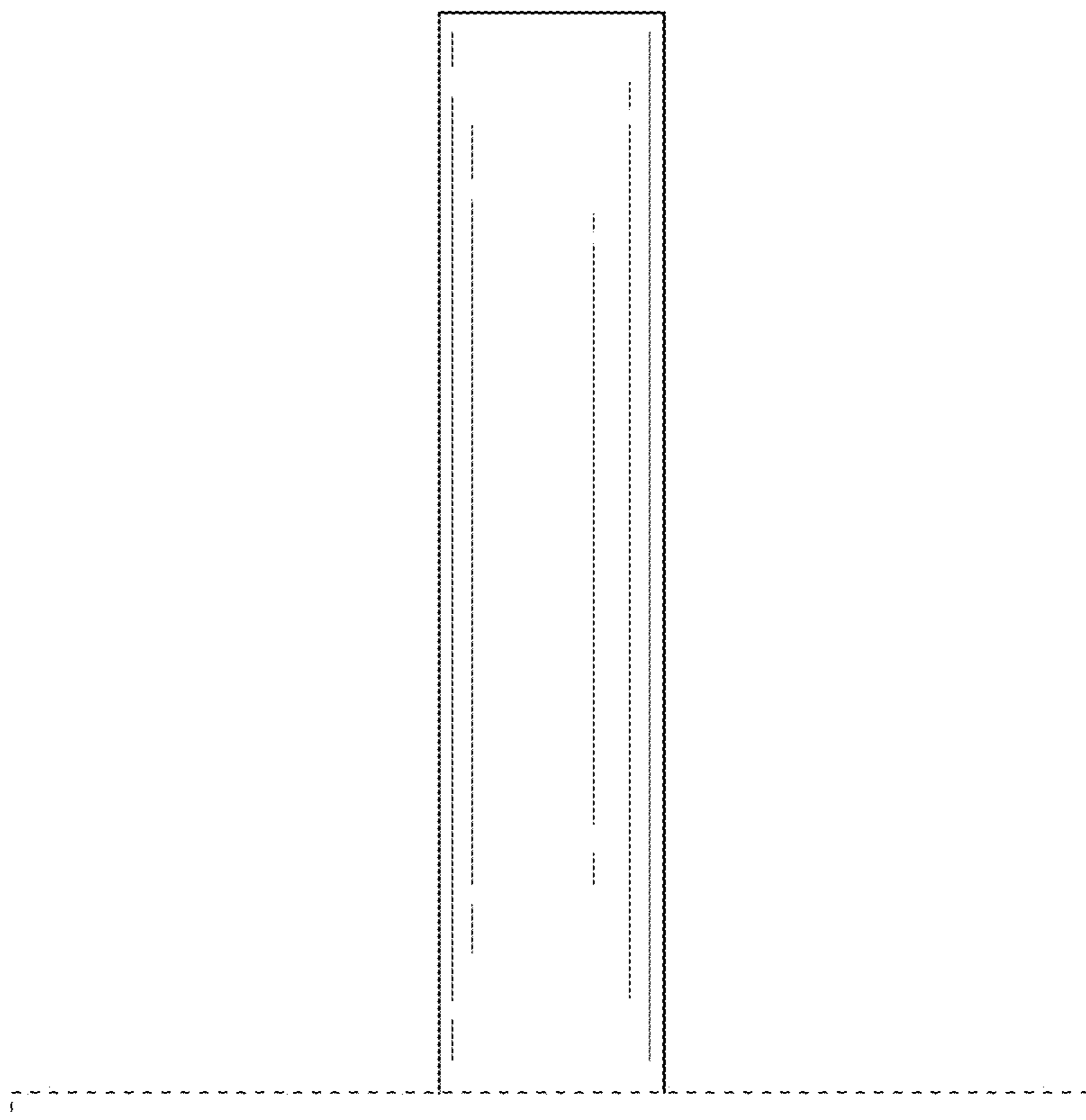


FIG. 11

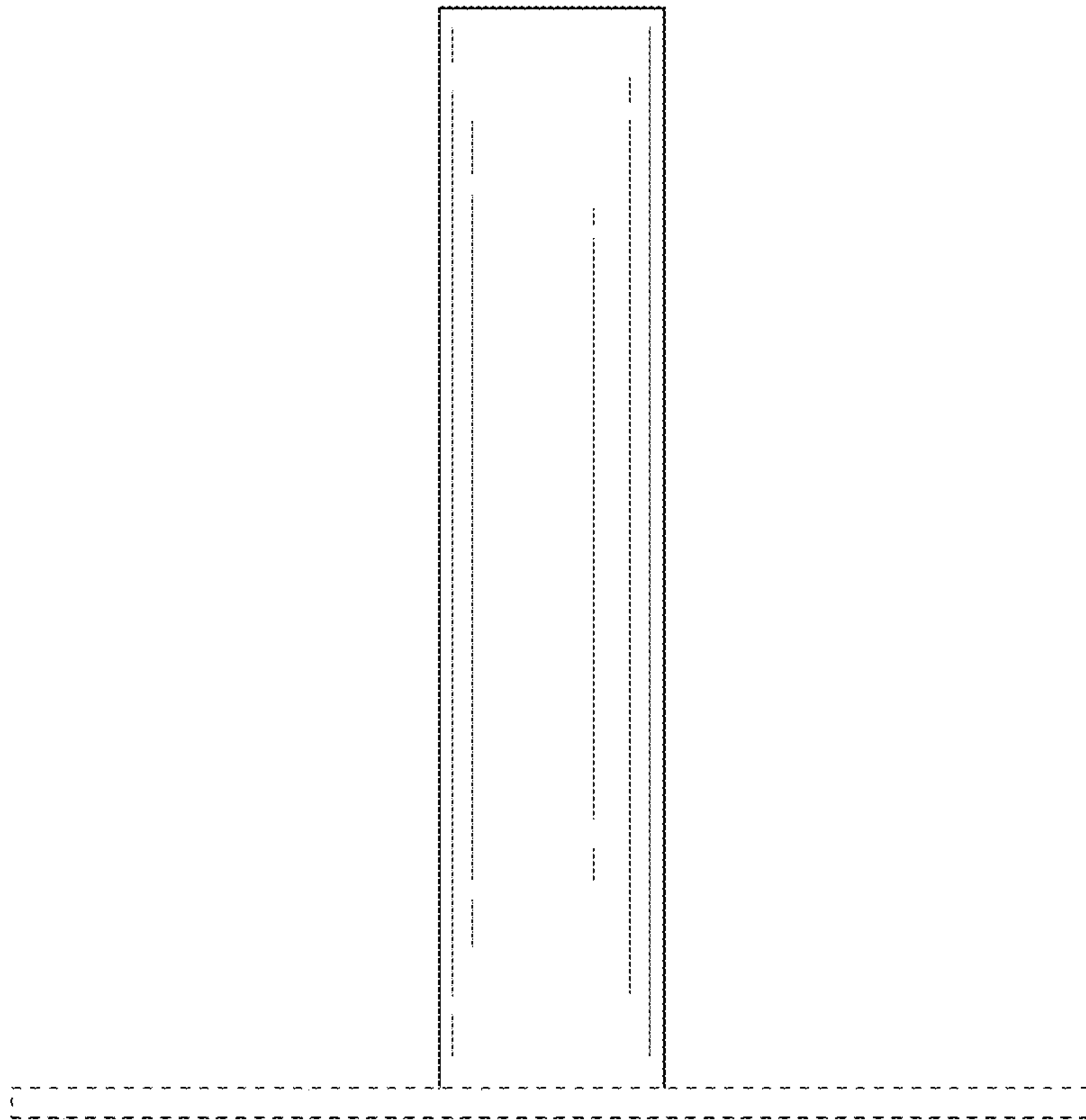


FIG. 12

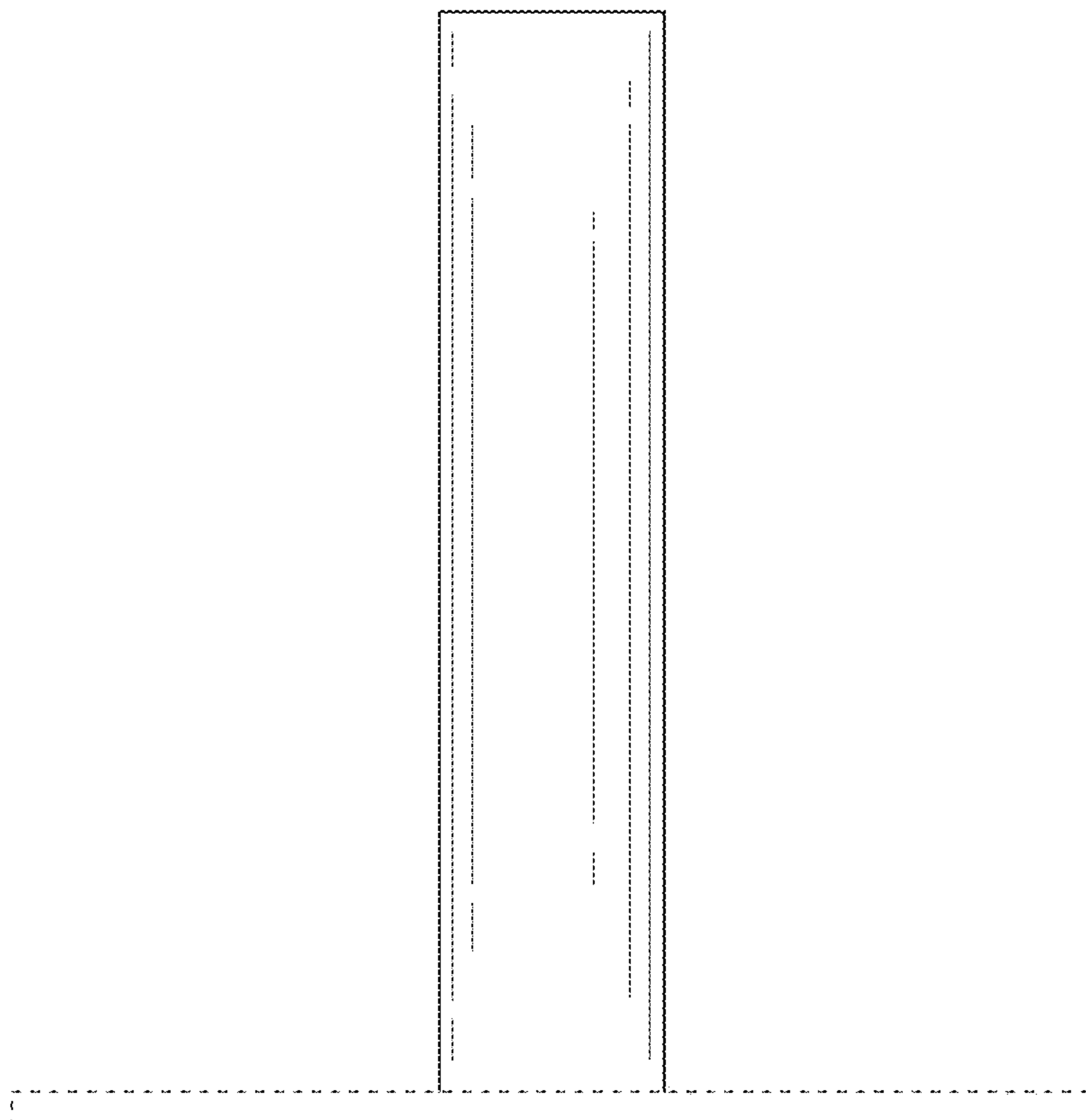


FIG. 13

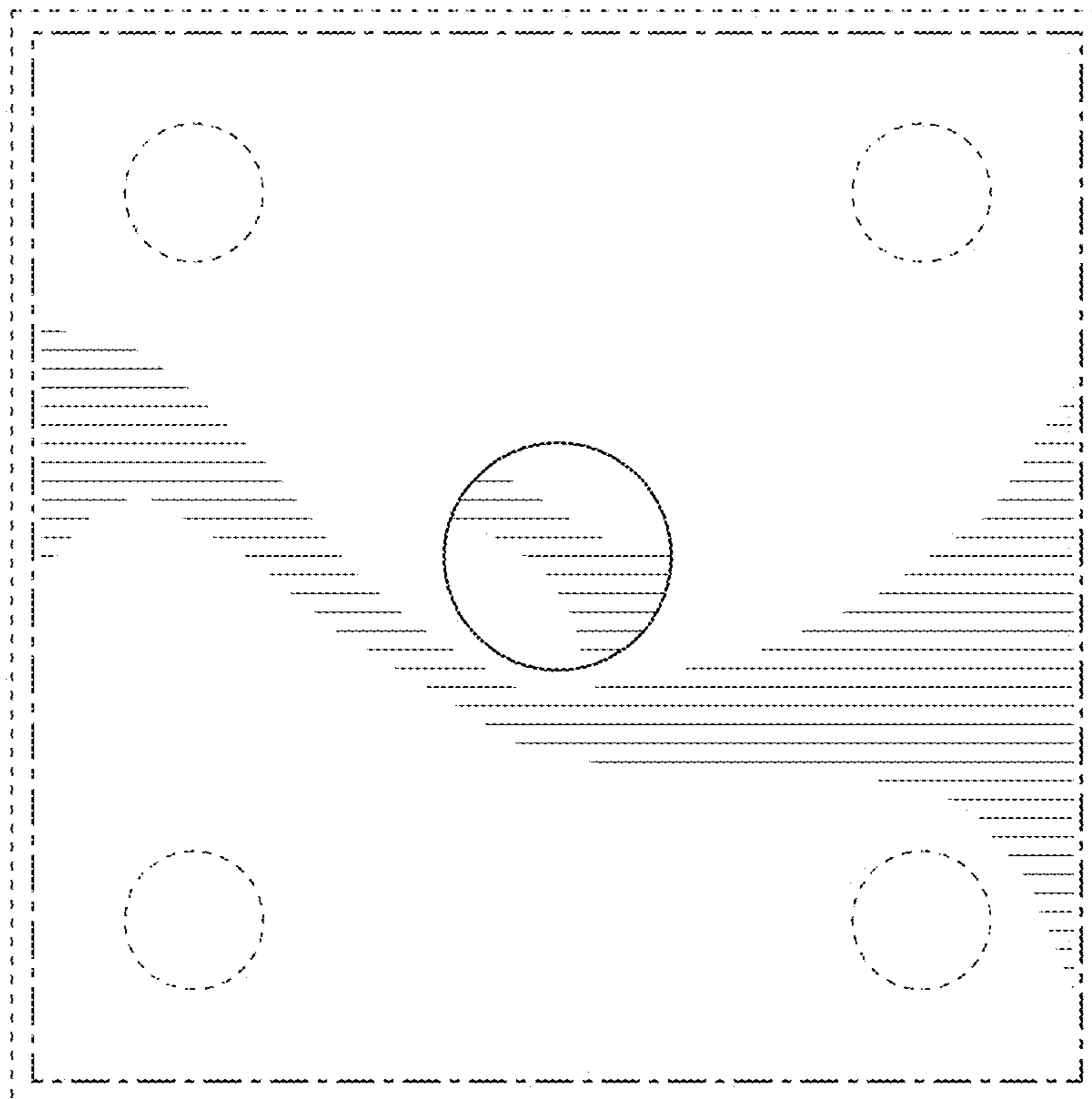


FIG. 14

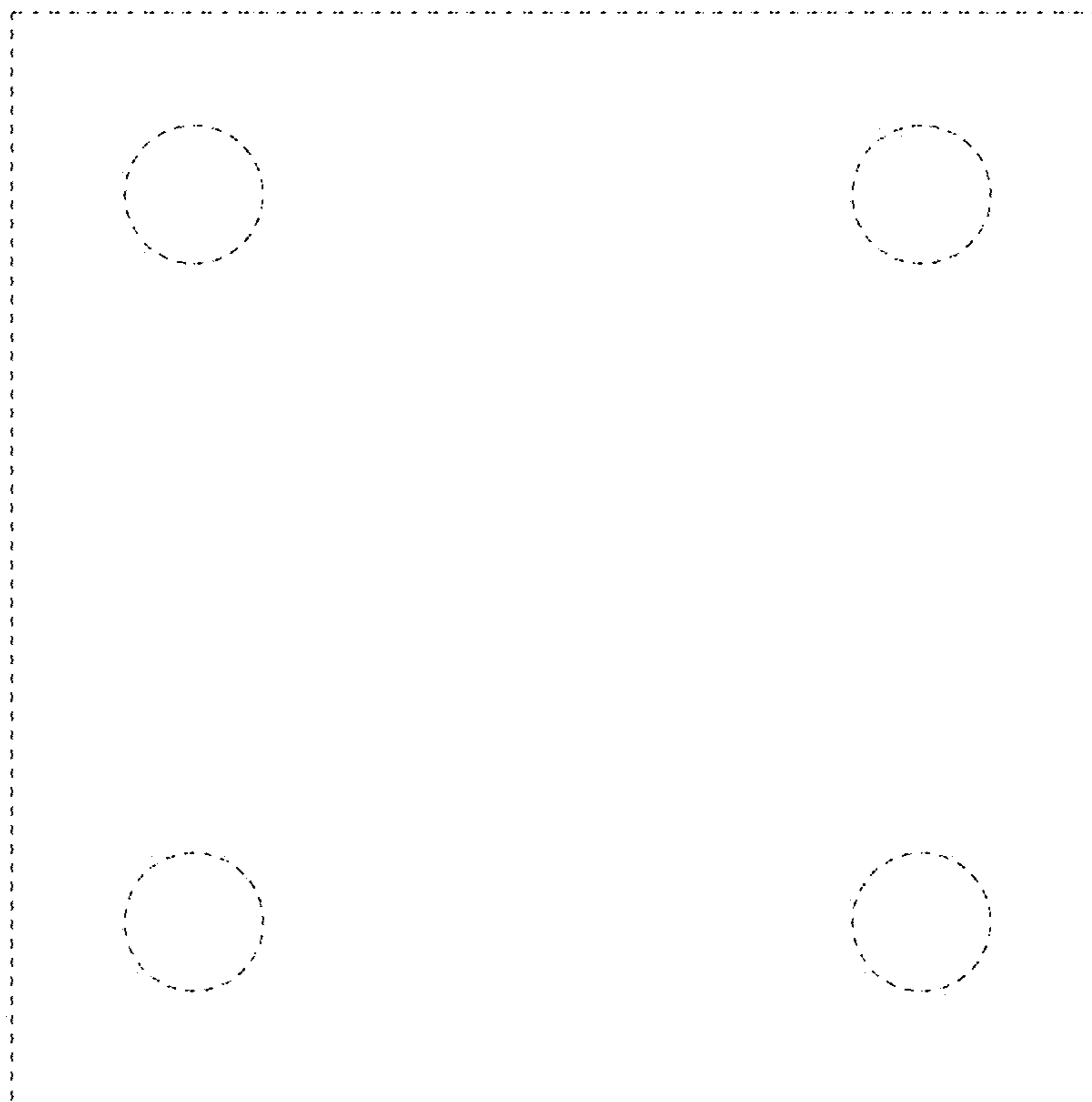


FIG. 15