



US00D938635S

(12) **United States Design Patent** (10) **Patent No.:** **US D938,635 S**  
**Tang et al.** (45) **Date of Patent:** **\*\* Dec. 14, 2021**

(54) **FLASHLIGHT**  
(71) Applicant: **Energizer Brands, LLC**, St. Louis, MO (US)

D448,876 S 10/2001 Osiecki et al.  
D448,878 S 10/2001 Dalton et al.  
D449,395 S 10/2001 Dalton et al.  
(Continued)

(72) Inventors: **Wo Tang**, St. Louis, MO (US);  
**Timothy J. Rugendyke**, St. Louis, MO (US); **Angelo Kotsis**, St. Louis, MO (US); **John Zhao**, St. Louis, MO (US);  
**Jason R. Bennett**, St. Louis, MO (US)

FOREIGN PATENT DOCUMENTS

CN 302415703 4/2013  
CN 303938127 \* 11/2016  
(Continued)

(73) Assignee: **Energizer Brands, LLC**, St. Louis, MO (US)

OTHER PUBLICATIONS

“Energizer Rubber LED Flashlight,” Jun. 26, 2012, amazon.com, site visited Jul. 29, 2021, URL: [https://www.amazon.com/Energizer-2AA-Rubber-Flashlight-Black/dp/B003USM3AE/ref=sr\\_1\\_56?dchild=1&keywords=energizer%2Bflashlight&qid=1627591447&sr=8-56&th=1](https://www.amazon.com/Energizer-2AA-Rubber-Flashlight-Black/dp/B003USM3AE/ref=sr_1_56?dchild=1&keywords=energizer%2Bflashlight&qid=1627591447&sr=8-56&th=1) (Year: 2012).\*

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

(Continued)

(21) Appl. No.: **29/755,398**

(22) Filed: **Oct. 20, 2020**

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

*Primary Examiner* — Eric L Goodman

(52) **U.S. Cl.**  
USPC ..... **D26/37**

*Assistant Examiner* — Sarah L Smith

(58) **Field of Classification Search**  
USPC ..... D26/37–44, 46–52; D10/111–115  
CPC . F21L 4/022; F21L 4/045; F21L 4/027; F21L 4/085; F21L 14/02; F21L 14/26  
See application file for complete search history.

(74) *Attorney, Agent, or Firm* — Alston & Bird LLP

(57) **CLAIM**

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

**DESCRIPTION**

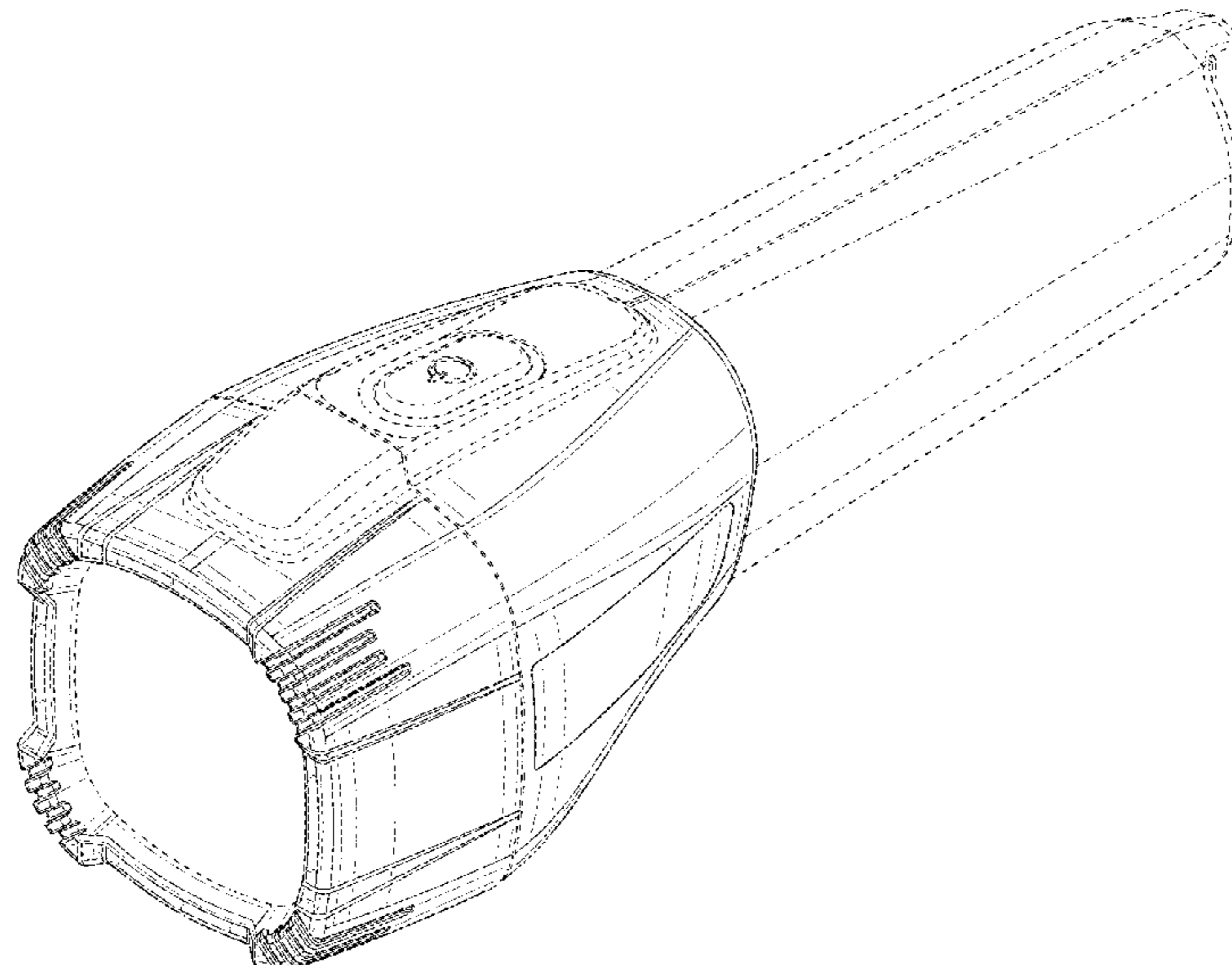
(56) **References Cited**

U.S. PATENT DOCUMENTS

2,855,499 A 10/1958 Lewis  
3,737,650 A 6/1973 Kaye et al.  
4,803,605 A \* 2/1989 Schaller ..... F21V 23/0414  
362/184  
D315,608 S \* 3/1991 Petterson ..... D26/46  
D336,966 S \* 6/1993 Yau ..... F21L 4/00  
D26/49  
D356,650 S 3/1995 Petterson et al.  
D360,045 S 7/1995 Inukai  
D421,145 S 2/2000 Man  
D445,934 S 7/2001 Dalton et al.  
D447,259 S 8/2001 Lynch et al.

FIG. 1 is a top front perspective view of a flashlight showing a new design.  
FIG. 2 is a bottom rear perspective view of the flashlight of FIG. 1.  
FIG. 3 is a front view the flashlight of FIG. 1.  
FIG. 4 is a back view of the flashlight of FIG. 1.  
FIG. 5 is a left side view of the flashlight of FIG. 1.  
FIG. 6 is a right side view of the flashlight of FIG. 1.  
FIG. 7 is a top view of the flashlight of FIG. 1; and, FIG. 8 is a bottom view of the flashlight of FIG. 1.  
The broken lines are directed to unclaimed features of the flashlight and form no part of the claimed design.

**1 Claim, 8 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

D449,703 S 10/2001 Dalton et al.  
 D452,024 S 12/2001 Sharrah  
 D452,025 S 12/2001 Poon  
 D455,513 S 4/2002 Galli  
 D465,865 S 11/2002 Hamilton et al.  
 D467,375 S 12/2002 Lynch et al.  
 D476,104 S \* 6/2003 Dalton ..... D26/48  
 D480,824 S 10/2003 Englert et al.  
 D480,825 S 10/2003 Englert et al.  
 D480,826 S 10/2003 Englert et al.  
 D483,784 S 12/2003 Ting  
 D487,810 S \* 3/2004 Kingston ..... D26/44  
 D492,807 S 7/2004 Dalton et al.  
 D493,904 S 8/2004 Dalton et al.  
 D494,299 S 8/2004 Dalton et al.  
 D494,694 S \* 8/2004 Krieger ..... D26/37  
 D496,116 S 9/2004 Abernethy et al.  
 D496,482 S 9/2004 Osiecki et al.  
 D499,499 S 12/2004 Cetera  
 D501,056 S 1/2005 Dalton et al.  
 D502,278 S 2/2005 Dalton et al.  
 D502,564 S \* 3/2005 Dalton ..... D26/49  
 D503,991 S 4/2005 Dalton et al.  
 D504,534 S 4/2005 Osiecki et al.  
 D504,737 S 5/2005 Osiecki et al.  
 D504,740 S 5/2005 Dalton et al.  
 D504,966 S 5/2005 Osiecki et al.  
 D504,970 S \* 5/2005 Dalton ..... D26/49  
 D507,064 S 7/2005 Osiecki et al.  
 D507,364 S 7/2005 Lo  
 D514,721 S 2/2006 Osiecki et al.  
 D518,216 S 3/2006 Rugendyke et al.  
 D518,217 S 3/2006 Rugendyke et al.  
 D520,161 S 5/2006 Krieger et al.  
 7,070,297 B1 7/2006 Muhlneckel, Jr.  
 D531,337 S 10/2006 Dalton et al.  
 D531,747 S 11/2006 Brown  
 D536,464 S 2/2007 Kingston et al.  
 D544,118 S 6/2007 Osiecki et al.  
 D549,373 S 8/2007 Osiecki et al.  
 D549,377 S 8/2007 Osiecki et al.  
 D552,279 S 10/2007 Osiecki et al.  
 D552,280 S 10/2007 Osiecki et al.  
 D552,776 S 10/2007 Osiecki et al.  
 D553,281 S \* 10/2007 Rugendyke ..... D26/46  
 D553,283 S \* 10/2007 Rugendyke ..... D26/49  
 D554,786 S 11/2007 Rugendyke et al.  
 D560,297 S 1/2008 Brown et al.  
 D562,480 S 2/2008 Spartano et al.  
 D574,529 S 8/2008 Squires et al.  
 D577,140 S 9/2008 Brown et al.  
 D579,135 S 10/2008 Shiu  
 D582,915 S 12/2008 Leung  
 D589,635 S 3/2009 Rugendyke et al.  
 D598,151 S 8/2009 McGraw  
 D603,990 S 11/2009 Brown et al.  
 D605,795 S 12/2009 Baker et al.  
 D617,023 S \* 6/2010 Rugendyke ..... F21V 23/0414  
 D26/46  
 D620,161 S 7/2010 Kang et al.  
 D622,428 S 8/2010 Crawford et al.  
 D625,448 S 10/2010 Brown et al.  
 D628,727 S 12/2010 Risch et al.  
 D629,941 S 12/2010 Robinson et al.  
 D630,783 S 1/2011 Baker et al.  
 D637,747 S 5/2011 Hesse et al.  
 D641,510 S 7/2011 Wang  
 D649,275 S 11/2011 Crawford et al.  
 D658,322 S 4/2012 Wu  
 D661,734 S 6/2012 Johnson  
 D675,764 S 2/2013 Boutet et al.  
 D676,170 S 2/2013 Feng et al.  
 D676,993 S \* 2/2013 Kotsis ..... D26/46  
 8,382,312 B2 2/2013 Crawford et al.  
 D681,858 S 5/2013 Sharrah et al.

D687,995 S 8/2013 Yeh  
 D688,401 S 8/2013 Kung  
 D689,229 S 9/2013 Yeh  
 D689,230 S 9/2013 Yeh  
 D690,448 S 9/2013 Yeh  
 D693,951 S \* 11/2013 Rugendyke ..... D26/46  
 D706,476 S 6/2014 Lee  
 D707,869 S 6/2014 Wu  
 8,783,908 B2 7/2014 Gross et al.  
 D716,983 S 11/2014 Ma  
 D728,139 S 4/2015 Wang  
 D742,570 S \* 11/2015 Brown ..... F21V 23/0414  
 D26/46  
 D743,075 S 11/2015 Keaton  
 D744,136 S 11/2015 Osiecki et al.  
 D757,850 S 5/2016 Zhang  
 D765,899 S 9/2016 Hine et al.  
 D767,184 S 9/2016 Fitch et al.  
 D767,187 S 9/2016 Hine  
 D770,071 S 10/2016 Windom et al.  
 D772,456 S 11/2016 Chen  
 D785,841 S 5/2017 Brown et al.  
 D785,940 S 5/2017 Reed  
 D788,965 S 6/2017 Roshak et al.  
 D798,482 S 9/2017 O'Doherty et al.  
 D799,087 S 10/2017 Koshiba  
 D806,295 S 12/2017 Kang et al.  
 9,845,938 B1 12/2017 Kaye et al.  
 D810,978 S 2/2018 Windom  
 D811,636 S 2/2018 Galli et al.  
 9,933,146 B2 4/2018 Maglica et al.  
 D817,528 S 5/2018 Wu  
 D818,621 S 5/2018 Kunzendorf  
 D822,864 S 7/2018 Windom  
 D826,439 S 8/2018 Ma  
 D833,661 S 11/2018 Ma  
 D837,428 S 1/2019 Arena  
 D840,854 S 2/2019 Shi et al.  
 D844,204 S 3/2019 Ma  
 D844,874 S 4/2019 Eichelberger et al.  
 D846,783 S 4/2019 Eichelberger  
 D849,979 S 5/2019 Lehovetzki  
 D851,310 S 6/2019 Windom et al.  
 D851,797 S 6/2019 Sharrah  
 D855,850 S \* 8/2019 Brown ..... D26/46  
 D858,831 S 9/2019 Proeber  
 D866,030 S 11/2019 Bao  
 D866,830 S 11/2019 Pan et al.  
 D871,639 S 12/2019 Prieto  
 D882,840 S 4/2020 Liu  
 D883,546 S \* 5/2020 Li ..... D26/49  
 D891,663 S 7/2020 Weizel  
 D894,456 S 8/2020 Luo  
 D895,868 S 9/2020 Christensen  
 D897,578 S 9/2020 Le  
 D897,579 S 9/2020 Le  
 D905,885 S 12/2020 Kotsis et al.  
 D907,826 S 1/2021 Christensen  
 D914,938 S 3/2021 Qiu  
 D917,753 S 4/2021 Guo et al.  
 2004/0012955 A1 1/2004 Hsieh  
 2004/0095759 A1 5/2004 Koch et al.  
 2006/0274520 A1 \* 12/2006 Dalton ..... F21V 23/0414  
 362/157  
 2008/0304258 A1 12/2008 McMillan et al.  
 2009/0147506 A1 6/2009 Robinson  
 2010/0046211 A1 2/2010 Spartano et al.  
 2010/0090613 A1 4/2010 Spartano  
 2015/0267882 A1 9/2015 O'Brien  
 2016/0381755 A1 \* 12/2016 Qiu ..... F21L 4/00  
 362/205  
 2020/0018449 A1 1/2020 Christensen  
 2020/0400302 A1 12/2020 Zhu et al.

FOREIGN PATENT DOCUMENTS

CN 304718569 \* 7/2018  
 CN 305190490 5/2019  
 CN 305246246 7/2019

(56)

References Cited

FOREIGN PATENT DOCUMENTS

CN	305318325	8/2019	
CN	305525587	12/2019	
EM	001176739-0001	11/2009	
EM	002536789-0001	* 9/2014	
EM	006496618-0001	5/2019	
GB	5000659	11/2015	
JP	D1424946	9/2011	
WO	WO-2004083714 A1 *	9/2004	..... F21L 4/00

OTHER PUBLICATIONS

“Dorcy 4 LED Carabineer Waterproof Flashlight,” Nov. 17, 2016, kmart.com, site visited Jun. 24, 2021, URL: <https://www.kmart.com/dorcy-4-led-carabineer-waterproof-flashlight/p-03493785000P> (Year: 2016).\*

“Energizer TouchTech Fashlight,” Apr. 14, 2017, youtube.com, site visited Jun. 24, 2021, URL: <https://www.youtube.com/watch?v=o9LIBh18Di8> (Year: 2017).\*

“Coast HP1 190 Lumen Pure Beam Focusing LED Flashlight,” Feb. 12, 2014, amazon.com, retrieved on Jun. 3, 2021, URL: [https://www.amazon.com/COAST-Lumen-Pure-Focusing-Flashlight/dp/B00IEMUOWU/ref=sr\\_1\\_136?crd=2IX2UPMAO4DEF&dchild=1&keywords=surefire+flashlights&qid=1622772444&sprefix=surefire%2Caps%2C173&sr=8-136](https://www.amazon.com/COAST-Lumen-Pure-Focusing-Flashlight/dp/B00IEMUOWU/ref=sr_1_136?crd=2IX2UPMAO4DEF&dchild=1&keywords=surefire+flashlights&qid=1622772444&sprefix=surefire%2Caps%2C173&sr=8-136) (Year: 2014).

“Energizer LED Tactical Metal Flashlight,” Apr. 4, 2019, amazon.com, retrieved on Jun. 4, 2021, URL: <https://www.amazon.com/Energizer-Tactical-Flashlight-Aircraft-Grade-Water-Resistant/dp/B07QD4X194> (Year: 2019).

“Streamlight 88065 Pro Tac,” Feb. 11, 2017, amazon.com, retrieved on Jun. 3, 2021, URL: <https://www.amazon.com/Streamlight-88065-Professional-Flashlight-Rechargeable/dp/B06VTLLC13/> (Year: 2017). amazon.com: Energizer LED Pen Light. Date uploaded: Jan. 13, 2020 [site visited Sep. 24, 2020]. Retrieved from internet: <https://www.annazon.com/dp/B083T6C7DK?tag=price17305-20&ascsubtag=wtbs5f6cda009bcel45cf8b6287b> (Year: 2020).

ebay.com: Energizer LED Pen Light, Aircraft-Grade Aluminum Body. Undated online product page. Retrieved on Sep. 24, 2020 from <https://www.ebay.com/i/124250146708?chn=ps&norover=1&nnkevt=1&nnkrid=711-117182-37290-0&nnkcid=2&itennid=124250146708&targetid=935694488066&device=...> (Year: 2020). Energizer Hard Case Professional Light, [online], [site visited Nov. 13, 2020], [Available from Internet], URL: <https://www.annazon.com/Energizer-Hard-Case-Professional-Light/dp/B000R8J8CQ?ref=aststo&th=1&psc=1> (Year: 2007).

energizer.com: Performance Metal Inspection Light. Undated online product page. Retrieved on Sep. 24, 2020 from <https://www.energizer.com/flashlights-lighting/energizer-performance-metal-inspection-light> (Year: 2020).

amazon.com, “Eveready LED Economy ID Size Flashlight with Battery (2 Pack)”, 8 pages, [retrieved from the Internet Feb. 1, 2021] <URL: <https://www.amazon.com/Eveready-Economy-Size-Flashlight-Battery/dp/B004PZPB2I>>.

doitbest.com, “Energizer 400 Lm. LED 2AA Flashlight”, 3 pages [retrieved from the Internet Sep. 24, 2020] <URL: <https://www.doitbest.com/shop/electrical/batteries-and-flashlights/flashlights-and-lanterns/led-flashlight/energizer-400-Inn-led-2aa-flashlight?SKU=802040>>.

gadgetworld2u.com, “Energizer TAC 1000 6AA Wool Tactical LED Flashlight PMHT61”, 8 pages, [retrieved from the Internet Feb. 1, 2021] <URL: <https://www.gadgetworld2u.com/energizer-tac-1000-6aa-10001-led-flashlight-pmht61>>.

manualzz.com, “Energizer Product Sheet, LED Grip-It (2AA) GPHH21”, 2 pages, [retrieved from the Internet Feb. 1, 2021], <URL: <https://manualzz.com/doc/31285241/led-grip-it-2aa---energie-distribution>>.

suntos.com.my, “Eveready One Led Light GPHH25 Included 2 X D Batteries”, 15 pages, [retrieved from the Internet Feb. 1, 2021], <URL: <http://Suntos.com.my/v1/product/eveready-one-led-light-gphh25-included-2-x-d-batteries/?v=7516fd43adaa>>.

“Dorcy 4 LED Carabineer Waterproof Flashlight,” Nov. 17, 2016, kmart.com, site visited Jun. 24, 2021, URL: <https://www.kmart.com/dorcy-4-led-carabineer-waterproof-flashlight/p-03493785000P> (Year: 2016), 8 pages.

“Energizer TouchTech Fashlight,” Apr. 14, 2017, youtube.com, site visited Jun. 24, 2021, URL: <https://www.youtube.com/watch?v=o9LIBh18Di8> (Year: 2017), 1 page.

“Lumen Penlight,” Jun. 8, 2018 (review), amsterdamprinting.com, site visited Jul. 14, 2021, URL: <https://www.amsterdamprinting.com/p/lumen-penlight?id=43984#pdreviews> (Year: 2018), 6 pages.

“Stylus Pen,” Aug. 23, 2017, amazon.com, site visited Jul. 14, 2021, URL: [https://www.amazon.com/Multi-Function-Capacitive-Touchscreen-Flashlight-Multi-Color/dp/B07534MVYZ/ref=sr\\_1\\_44?dchild=1&keywords=ergonomic+pen+light&qid=1626350304&sr=8-44](https://www.amazon.com/Multi-Function-Capacitive-Touchscreen-Flashlight-Multi-Color/dp/B07534MVYZ/ref=sr_1_44?dchild=1&keywords=ergonomic+pen+light&qid=1626350304&sr=8-44) (Year: 2017), 5 pages.

“White Light Tip Pen,” Nov. 13, 2014, amazon.com, site visited Jul. 14, 2021, URL: <https://www.amazon.com/White-Light-Tip-Pen-LED/dp/B006IWU48W> (Year: 2014), 3 pages.

\* cited by examiner

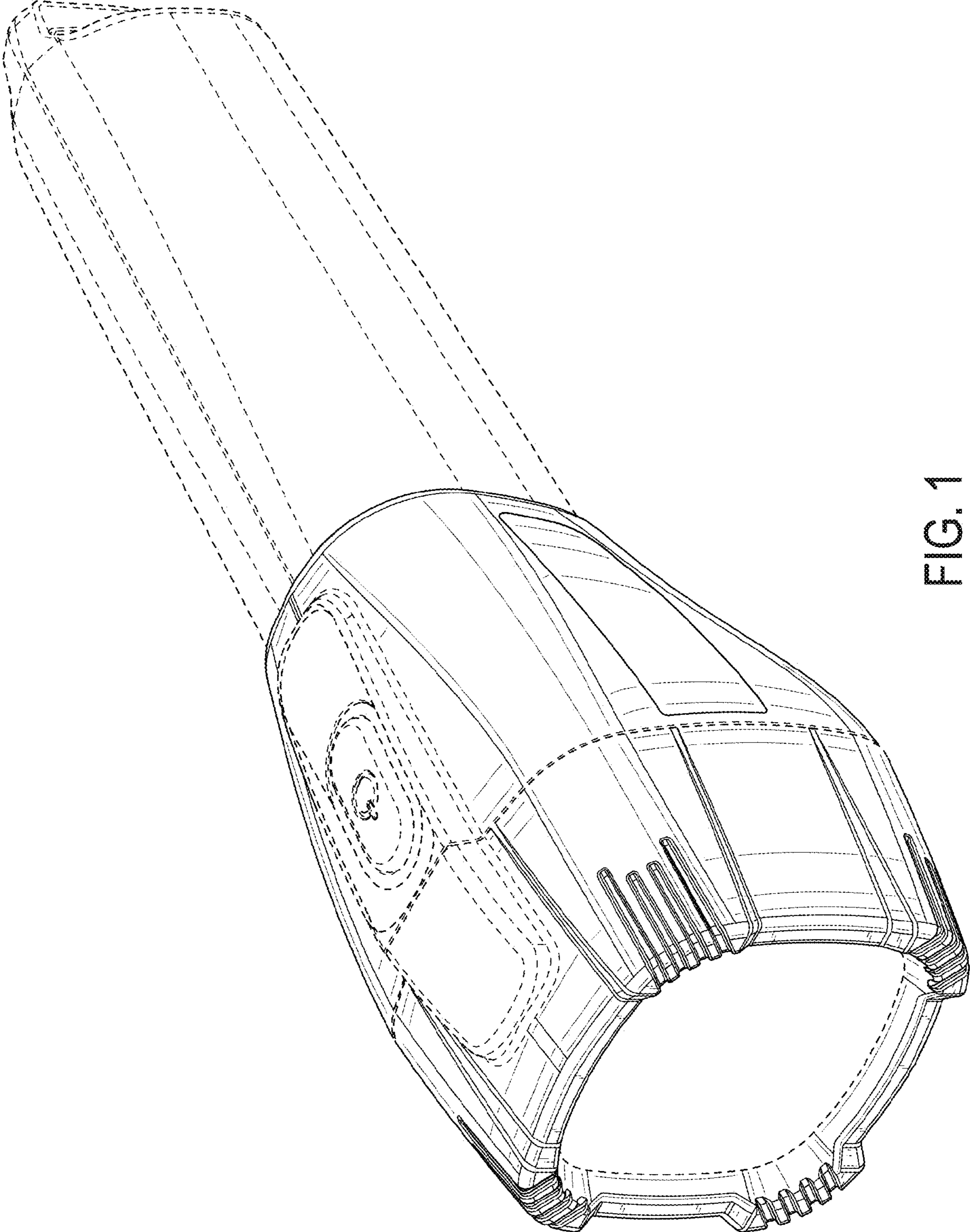


FIG. 1

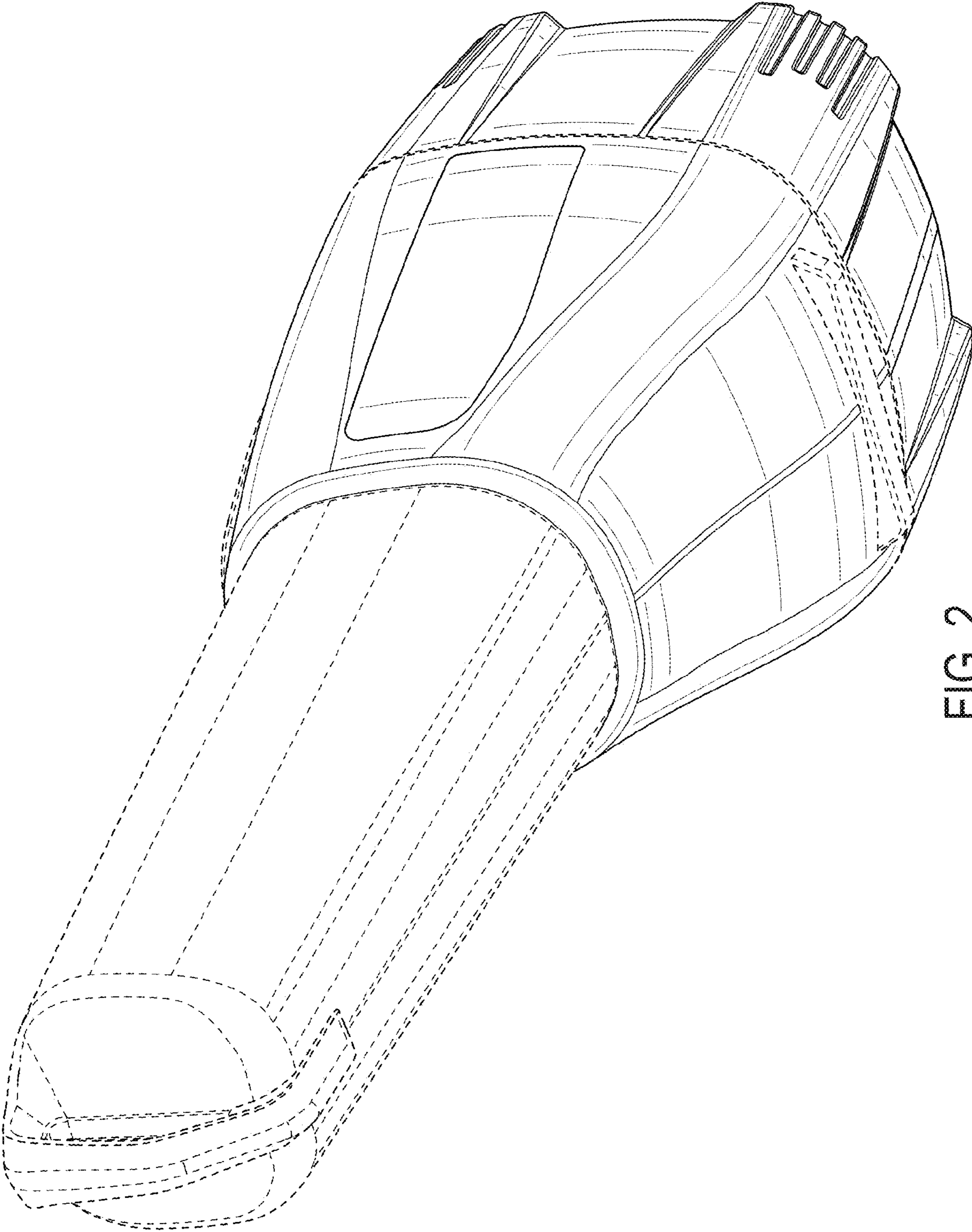


FIG. 2

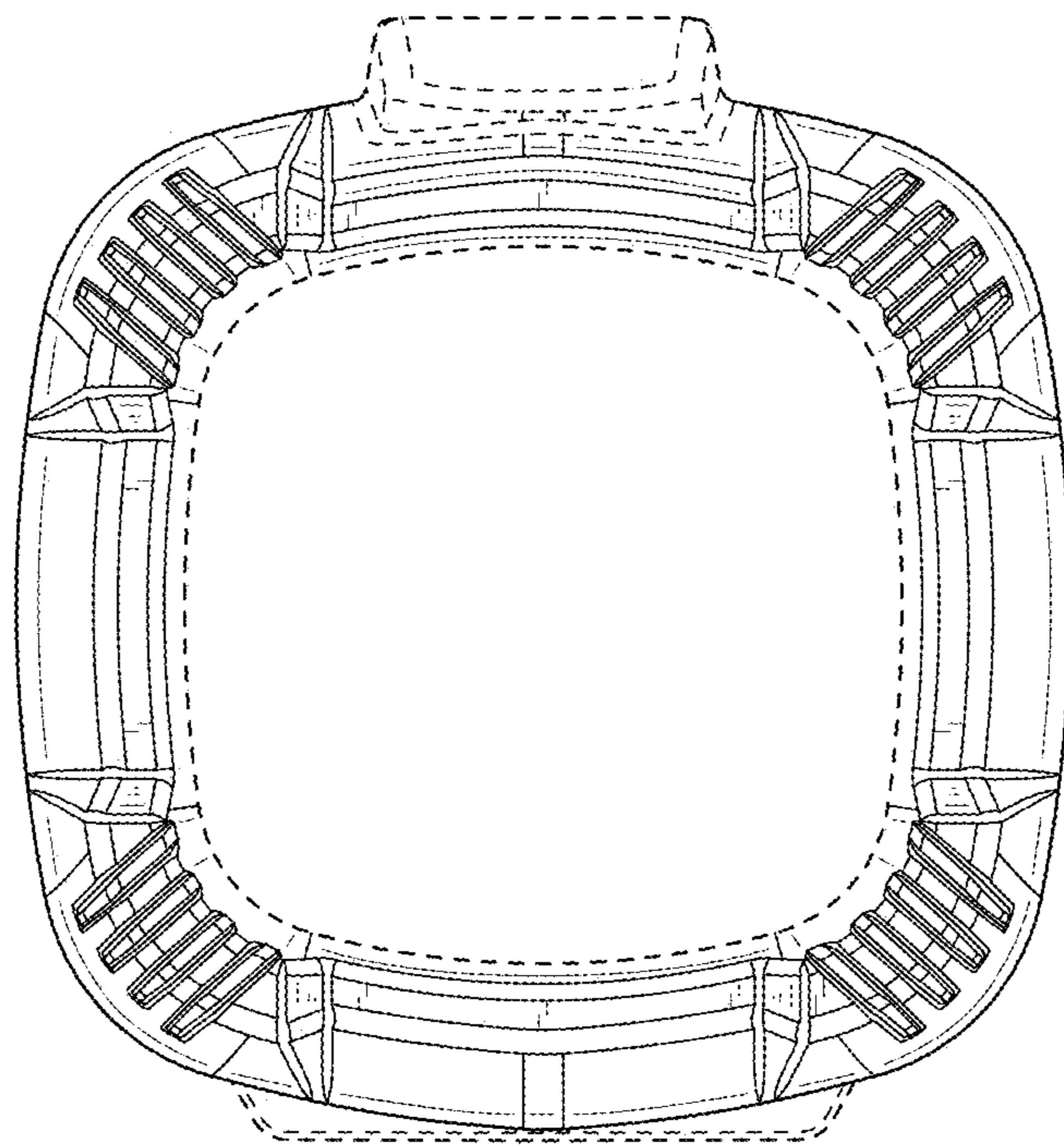


FIG. 3

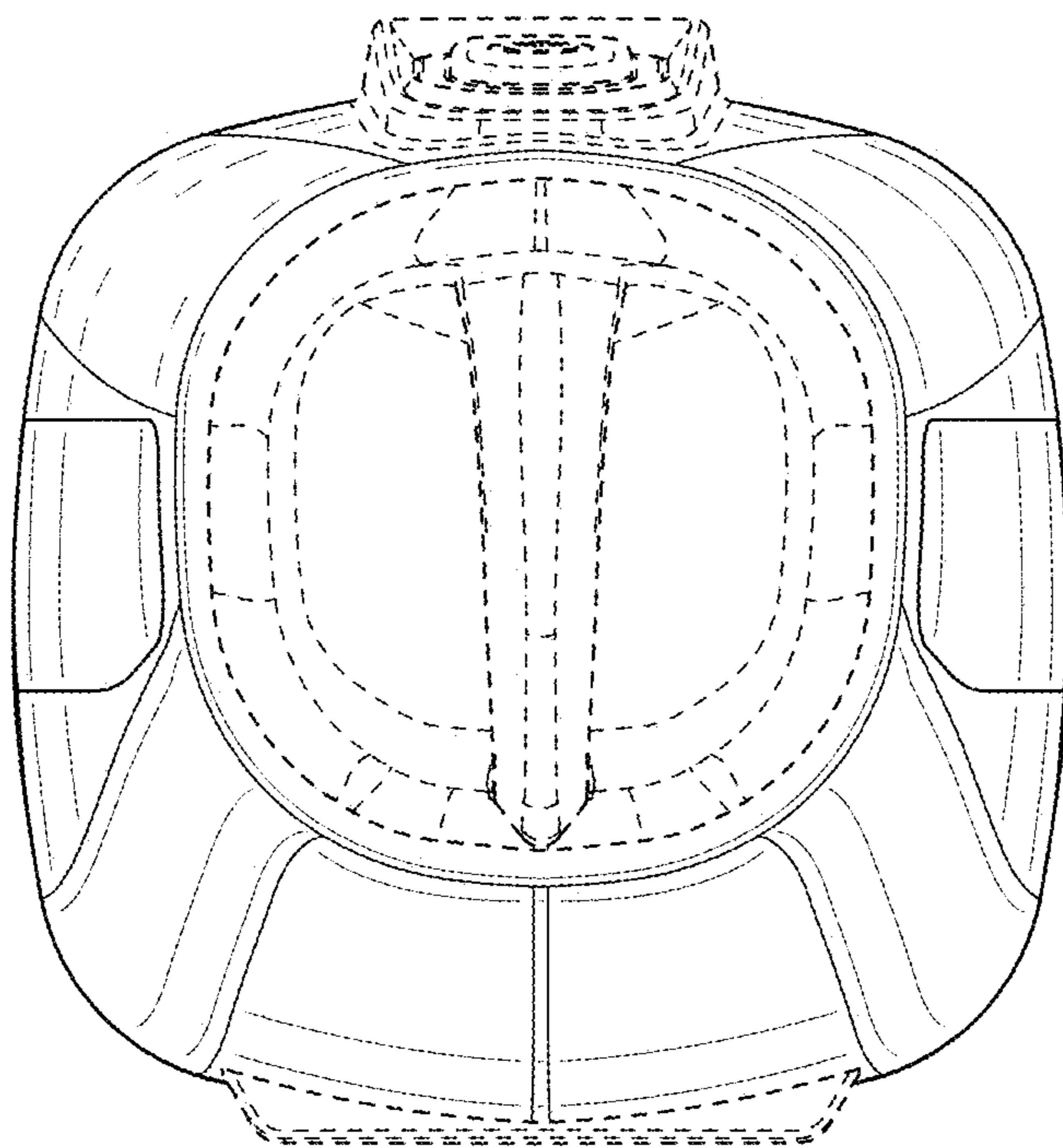


FIG. 4

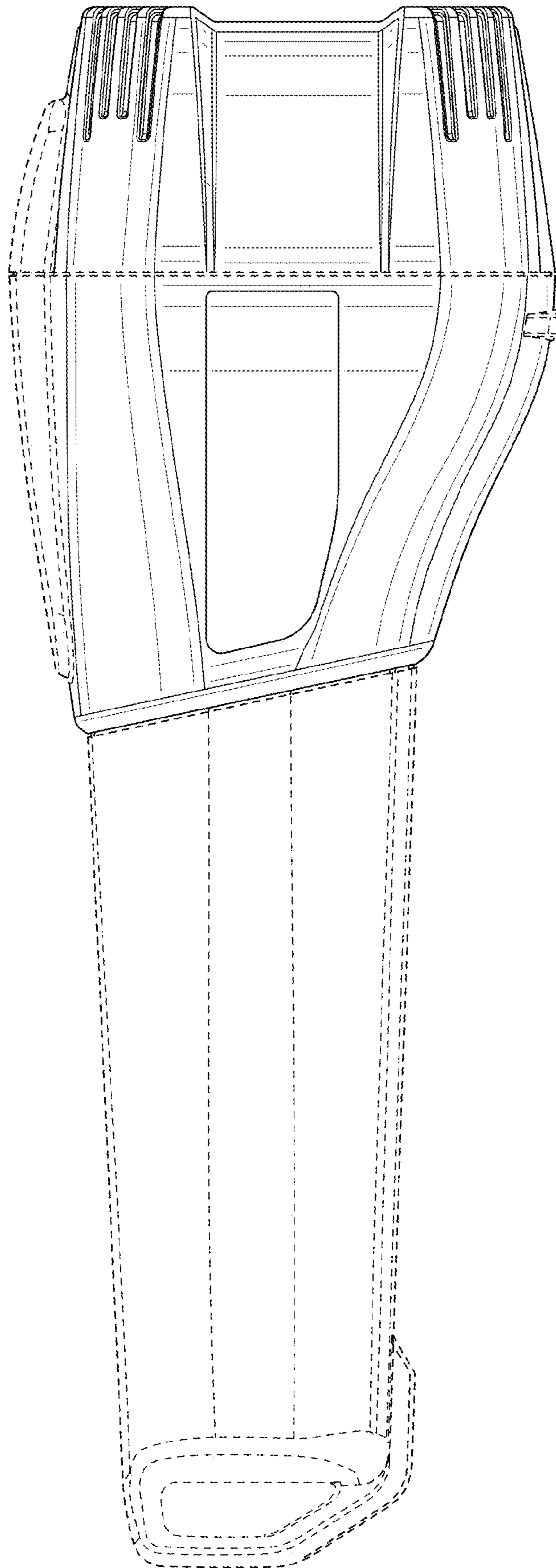


FIG. 5



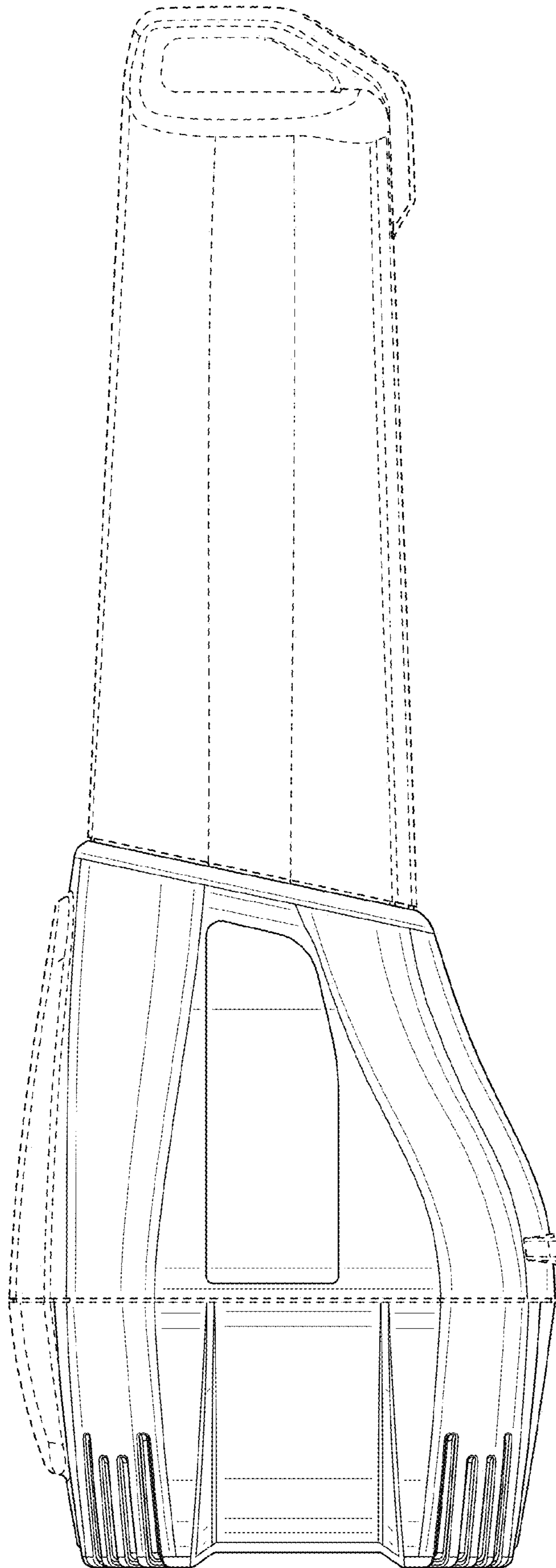


FIG. 6

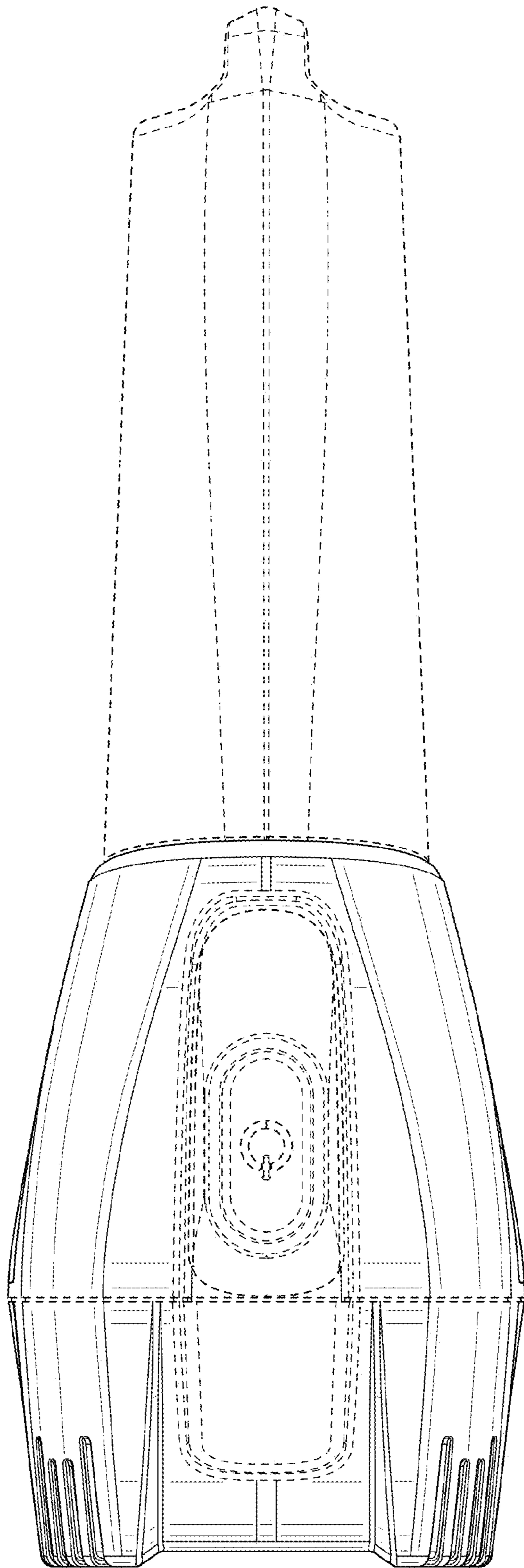


FIG. 7

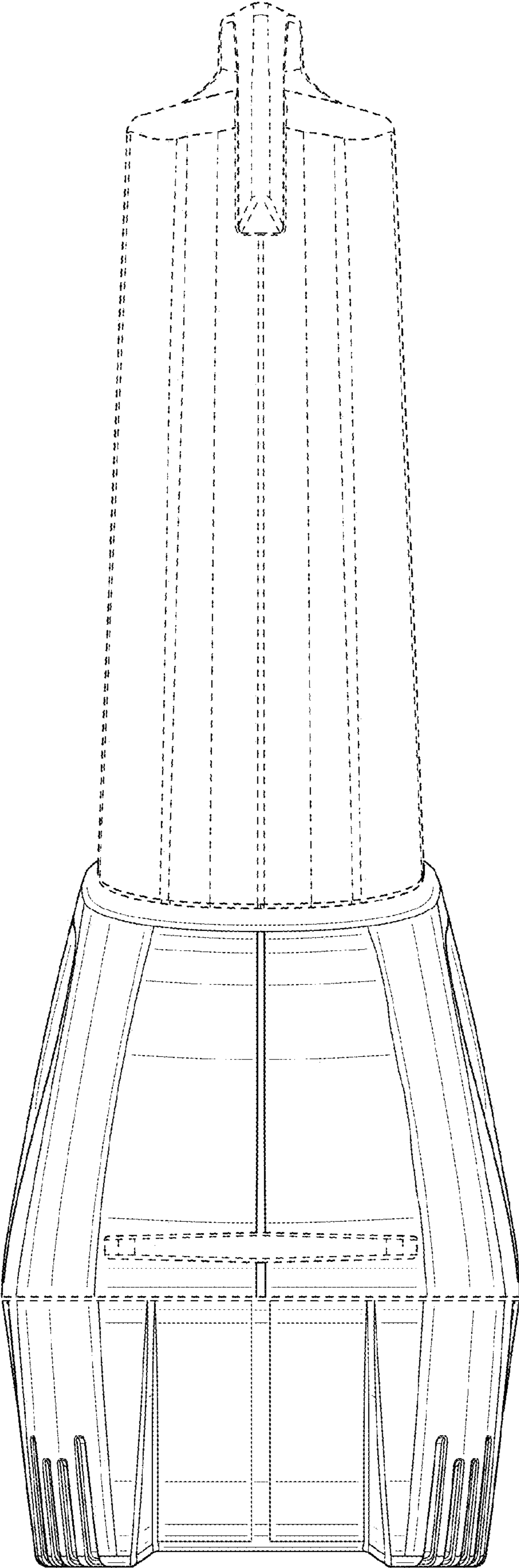


FIG. 8