

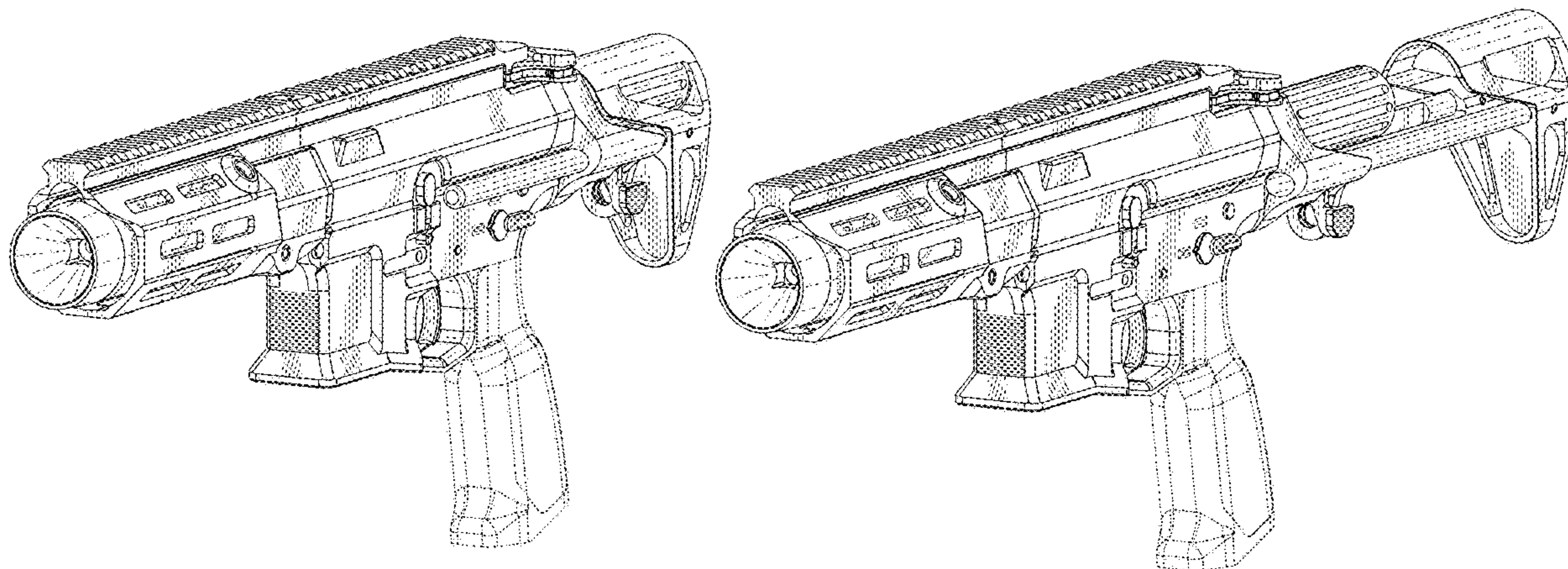
US00D953470S

(12) **United States Design Patent** (10) **Patent No.:** **US D953,470 S**  
**Windfeldt et al.** (45) **Date of Patent:** **\*\* May 31, 2022**

- (54) **UPPER ASSEMBLY, HANDGUARD, LOWER RECEIVER, AND STOCK FOR A GUN**
- (71) Applicant: **Maxim Defense Industries, LLC**, St. Cloud, MN (US)
- (72) Inventors: **Michael G. Windfeldt**, St. Augusta, MN (US); **Jacob Kunsky**, Bruneau, ID (US); **Joseph Wheeler**, Bruneau, ID (US)
- (73) Assignee: **Maxim Defense Industries, LLC**, St. Cloud, MN (US)
- (\*\*) Term: **15 Years**
- (21) Appl. No.: **29/676,356**
- (22) Filed: **Jan. 10, 2019**
- (51) **LOC (13) Cl.** ..... **22-01**
- (52) **U.S. Cl.**  
 USPC ..... **D22/108**
- (58) **Field of Classification Search**  
 USPC ..... D22/100, 101, 102, 103, 104, 108-111; D21/574  
 CPC ..... F41A 5/18; F41A 5/28; F41A 21/28  
 See application file for complete search history.

1,822,875 A	9/1931	Ammann
2,098,139 A	11/1937	Foley et al.
2,400,422 A	5/1946	Johnson, Jr.
2,424,194 A	7/1947	Sampson et al.
2,433,151 A	12/1947	Parsons
2,766,542 A	10/1956	Harvey
3,044,204 A	7/1962	Zimmerman
3,348,328 A	10/1967	Roy
3,618,248 A	11/1971	Into et al.
3,618,249 A	11/1971	Grandy
4,115,943 A	9/1978	Musgrave
4,141,166 A	2/1979	Schultz
4,271,623 A	6/1981	Beretta
4,327,626 A	5/1982	McQueen
4,383,384 A	5/1983	Fox
4,512,101 A	4/1985	Waterman, Jr.
4,551,937 A	12/1985	Seehase
4,697,367 A	10/1987	Brophy
4,735,007 A	4/1988	Gal
4,788,785 A	12/1988	White
D324,557 S	3/1992	Livingston
5,209,215 A	5/1993	Morrison
5,225,613 A	7/1993	Claridge
5,622,000 A	4/1997	Marlowe
5,711,102 A	1/1998	Plaster et al.
D391,334 S	2/1998	Plaster et al.
5,907,918 A	6/1999	Langevin et al.
6,250,194 B1	6/2001	Brandl et al.
6,560,911 B2	5/2003	Sharp
6,598,329 B1	7/2003	Alexander
6,598,330 B2	7/2003	Garrett et al.
6,637,141 B1	10/2003	Weatherby et al.
6,651,371 B2	11/2003	Fitzpatrick et al.
6,779,289 B2	8/2004	Kay
6,829,855 B2	12/2004	Seifert
6,839,998 B1	1/2005	Armstrong
6,874,267 B2	4/2005	Fitzpatrick et al.
6,925,743 B1	8/2005	DiGiovanna
D517,637 S	3/2006	Murello et al.
7,104,001 B1	9/2006	Digiovanna
7,131,228 B2	11/2006	Hochstrate et al.
7,152,355 B2	12/2006	Fitzpatrick et al.
7,162,822 B1	1/2007	Heayn et al.
7,162,823 B2	1/2007	Schoppman et al.
7,337,573 B1	3/2008	Digiovanna
7,398,616 B1	7/2008	Weir
7,418,797 B1	9/2008	Crose
7,428,794 B2	9/2008	Oz
D584,373 S	1/2009	Young
D589,578 S	3/2009	Choma
D600,304 S	9/2009	Fitzpatrick et al.
D600,305 S	9/2009	Fitzpatrick et al.
D600,306 S	9/2009	Fitzpatrick et al.

- (56) **References Cited**
- U.S. PATENT DOCUMENTS
- |             |         |                 |
|-------------|---------|-----------------|
| 294,402 A   | 3/1884  | Onderdonk       |
| 319,613 A   | 6/1885  | Onderdonk       |
| 436,997 A   | 9/1890  | Quackenbush     |
| 746,859 A   | 12/1903 | Marble          |
| 922,173 A   | 5/1909  | Lovelace        |
| 931,328 A   | 8/1909  | Marble          |
| 961,511 A   | 6/1910  | Marble          |
| 1,051,960 A | 2/1913  | Kennedy         |
| 1,086,490 A | 2/1914  | Weathers        |
| 1,156,293 A | 10/1915 | Jorgenson       |
| 1,174,840 A | 3/1916  | Fisher          |
| 1,315,215 A | 9/1919  | Davidson        |
| 1,485,456 A | 3/1924  | Von Frommer     |
| 1,526,847 A | 2/1925  | Fritz           |
| 1,734,852 A | 11/1929 | Frampton et al. |





# US D953,470 S

D600,307 S	9/2009	Fitzpatrick et al.	D755,323 S	5/2016	Eitan et al.
D600,308 S	9/2009	Fitzpatrick et al.	D755,331 S	5/2016	Eitan et al.
7,587,852 B1	9/2009	Harms	D757,883 S	5/2016	Chow et al.
D602,555 S	10/2009	Fitzpatrick et al.	D757,885 S	5/2016	Barfoot et al.
D603,013 S	10/2009	Fitzpatrick et al.	D764,622 S	8/2016	Bosco et al.
D604,793 S	11/2009	Fitzpatrick et al.	9,404,708 B1	8/2016	Chow et al.
D604,794 S	11/2009	Bentley	9,410,764 B2	8/2016	Jarboe
7,610,711 B2	11/2009	Oz	9,429,387 B1	8/2016	Barfoot et al.
D606,614 S	12/2009	Fitzpatrick et al.	D769,396 S	10/2016	Keller, II
D607,078 S	12/2009	Chu	9,464,863 B2	10/2016	Mather et al.
7,627,975 B1	12/2009	Hines	9,488,434 B2	11/2016	Kielsmeier et al.
7,640,688 B2	1/2010	Oz	9,488,435 B1	11/2016	Roberts et al.
7,647,719 B2	1/2010	Fitzpatrick et al.	D773,592 S	12/2016	Jones
7,654,187 B2	2/2010	Hochstrate et al.	D773,593 S	12/2016	Hopkins et al.
7,681,351 B2	3/2010	Bucholtz et al.	9,541,347 B2	1/2017	Maugham
D616,056 S	5/2010	Bentley	9,551,549 B1	1/2017	Chvala
7,743,544 B2	6/2010	Laney et al.	D779,018 S	2/2017	Zayatz et al.
D620,067 S	7/2010	Saur	D780,279 S	2/2017	Bosco et al.
7,762,018 B1	7/2010	Fitzpatrick et al.	9,581,411 B2	2/2017	Zusman
D622,802 S	8/2010	Fitzpatrick et al.	D781,392 S	3/2017	Zayatz et al.
7,775,150 B2	8/2010	Hochstrate et al.	D785,122 S	4/2017	Mather et al.
7,805,873 B2	10/2010	Bentley	9,612,084 B2	4/2017	Barfoot et al.
7,810,270 B2	10/2010	Fitzpatrick et al.	D787,619 S *	5/2017	Young ..... D22/103
7,823,313 B2	11/2010	Faifer	9,664,476 B1	5/2017	Robinson et al.
7,827,722 B1	11/2010	Davies	9,664,479 B1	5/2017	Robinson et al.
7,849,626 B2	12/2010	Fluhr	D792,936 S	7/2017	Eitan et al.
D631,122 S	1/2011	Domagtoy	D792,937 S	7/2017	Eitan et al.
D634,388 S	3/2011	Peterson et al.	D795,981 S	8/2017	Martelli et al.
D636,833 S	4/2011	Mayberry et al.	D795,982 S	8/2017	Ottosen
D636,834 S	4/2011	Mayberry et al.	D795,985 S	8/2017	Frederickson et al.
7,930,849 B2	4/2011	Abraham et al.	9,739,565 B2	8/2017	Kielsmeier et al.
7,937,873 B2	5/2011	Keng	9,746,281 B2	8/2017	Wilson et al.
D640,342 S	6/2011	Fitzpatrick et al.	D796,617 S	9/2017	Chow et al.
7,966,760 B2	6/2011	Fitzpatrick et al.	D798,984 S	10/2017	Roberts et al.
7,992,336 B2	8/2011	Phillips	9,784,526 B2	10/2017	Chow et al.
8,006,425 B2	8/2011	Burt et al.	D804,602 S	12/2017	Barfoot et al.
D645,533 S	9/2011	Petersom et al.	D809,621 S	2/2018	Lam et al.
8,061,072 B1	11/2011	Cröse	D810,225 S	2/2018	Huang et al.
8,127,483 B2	3/2012	Kincel	D814,597 S	4/2018	Thornton
8,127,485 B2	3/2012	Kincel	D818,074 S	5/2018	Ding et al.
D661,366 S	6/2012	Zusman	D819,765 S	6/2018	Kafka et al.
8,191,299 B2	6/2012	Faifer	10,036,602 B1	7/2018	Nuss et al.
D668,311 S	10/2012	Rogers et al.	10,060,699 B1	8/2018	Hu
8,327,568 B1	12/2012	Lavergne et al.	D828,476 S	9/2018	Smith et al.
8,341,868 B2	1/2013	Zusman	D831,149 S	10/2018	Barfoot et al.
D676,921 S	2/2013	Fitzpatrick et al.	10,215,526 B2	2/2019	Shinkle et al.
8,387,298 B2	3/2013	Kincel	D847,933 S	5/2019	Windfeldt
D683,808 S	6/2013	Elkaim	D853,516 S *	7/2019	Ozaysin ..... D22/103
D688,768 S	8/2013	Fitzpatrick et al.	D854,108 S *	7/2019	Menu ..... D22/103
D691,234 S	10/2013	Fitzpatrick et al.	10,386,138 B2	8/2019	Nuss et al.
D692,087 S	10/2013	Fitzpatrick et al.	D864,336 S *	10/2019	Simsek ..... D22/103
8,555,541 B2	10/2013	Ingram	D865,898 S *	11/2019	Windfeldt ..... D22/108
D694,352 S *	11/2013	Emde ..... D22/103	D883,419 S *	5/2020	Windfeldt ..... D22/108
D695,377 S	12/2013	Mayberry et al.	10,724,569 B2 *	7/2020	Windfeldt ..... F16B 21/02
D697,162 S	1/2014	Faifer	D894,317 S *	8/2020	Spector ..... D22/108
D699,807 S *	2/2014	Lee ..... D22/108	11,041,687 B2 *	6/2021	Wheeler ..... F41A 5/18
D700,265 S	2/2014	Mayberry et al.	2003/0101631 A1	6/2003	Fitzpatrick et al.
D702,793 S *	4/2014	Burt ..... D22/103	2003/0110675 A1	6/2003	Garrett et al.
8,707,603 B2	4/2014	Troy et al.	2003/0196366 A1	10/2003	Beretta
D704,294 S	5/2014	Jarboe	2003/0200693 A1	10/2003	Seifert
8,756,849 B2	6/2014	Troy	2004/0016167 A1	1/2004	Fitzpatrick et al.
8,800,189 B2	8/2014	Fitzpatrick et al.	2004/0055200 A1	3/2004	Fitzpatrick et al.
8,813,157 B2	8/2014	Le Leannec et al.	2004/0211104 A1	10/2004	Eberle
D712,998 S	9/2014	Gomez	2004/0255505 A1	12/2004	Fitzpatrick
8,844,185 B2	9/2014	Jarboe	2005/0108915 A1	5/2005	Kincel
D716,403 S	10/2014	Burt et al.	2005/0235546 A1	10/2005	Franz et al.
D719,631 S *	12/2014	Ferko ..... D22/103	2005/0262752 A1	12/2005	Robinson et al.
8,943,728 B2	2/2015	Ward et al.	2006/0096146 A1	5/2006	Fitzpatrick et al.
D725,219 S	3/2015	Hirt et al.	2006/0254414 A1	11/2006	Kuczynko et al.
8,978,284 B1	3/2015	Zusman	2007/0261284 A1	11/2007	Keng
D735,288 S *	7/2015	Gomez ..... D22/108	2008/0028662 A1	2/2008	Abraham et al.
D736,336 S	8/2015	Mayberry et al.	2008/0236016 A1	10/2008	Fitzpatrick et al.
D745,103 S *	12/2015	Corsi ..... D22/103	2008/0236017 A1	10/2008	Fitzpatrick et al.
D745,627 S	12/2015	Kielsmeier et al.	2008/0301994 A1	12/2008	Langevin et al.
9,228,795 B1	1/2016	Kielsmeier et al.	2009/0139128 A1	6/2009	Fluhr
9,239,203 B2	1/2016	Jarboe et al.	2009/0178325 A1	7/2009	Veilleux
D749,181 S *	2/2016	Hu ..... D22/103	2009/0241397 A1	10/2009	Fitzpatrick et al.
D753,782 S	4/2016	Vazquez et al.	2009/0255161 A1	10/2009	Fitzpatrick et al.
9,322,611 B1	4/2016	Barfoot et al.	2009/0277066 A1	11/2009	Burt et al.



2010/0115817	A1	5/2010	Faifer	
2010/0180485	A1	6/2010	Cabahug et al.	
2010/0192444	A1	8/2010	Cabahug et al.	
2010/0192446	A1	8/2010	Darian	
2010/0192447	A1	8/2010	Cabahug et al.	
2010/0205846	A1	8/2010	Fitzpatrick et al.	
2010/0229444	A1	9/2010	Faifer	
2010/0251591	A1	10/2010	Burt et al.	
2010/0275489	A1	11/2010	Cabahug et al.	
2010/0300277	A1	12/2010	Hochstrate et al.	
2011/0099872	A1	5/2011	Bentley	
2011/0173863	A1	7/2011	Ingram	
2011/0192067	A1	8/2011	Troy	
2011/0258899	A1	10/2011	Fitzpatrick et al.	
2012/0000108	A1	1/2012	Zusman	
2012/0042556	A1	2/2012	Vesligaj	
2012/0079752	A1	4/2012	Peterson et al.	
2012/0131829	A1	5/2012	Fistikchi	
2012/0174455	A1	7/2012	Edelman et al.	
2012/0174456	A1	7/2012	DePierro et al.	
2012/0174457	A1	7/2012	Edelman	
2012/0180353	A1	7/2012	Holmberg	
2013/0180148	A1	7/2013	Rodgers et al.	
2013/0305579	A1	11/2013	Ward et al.	
2014/0223791	A1	8/2014	Ruby et al.	
2015/0176943	A1	6/2015	Iervolino	
2016/0116249	A1	4/2016	Maugham	
2016/0178314	A1	6/2016	Kielsmeier et al.	
2016/0202016	A1	7/2016	Mather et al.	
2016/0258713	A1	9/2016	Huang et al.	
2016/0273876	A1	9/2016	Barfoot et al.	
2016/0305738	A1	10/2016	Huang et al.	
2016/0327361	A1	11/2016	Roberts et al.	
2016/0341518	A1	11/2016	Barfoot et al.	
2016/0363415	A1	12/2016	Kielsmeier et al.	
2017/0010065	A1	1/2017	Kielsmeier et al.	
2017/0082394	A1	3/2017	Chow et al.	
2017/0160048	A1*	6/2017	Galletta, II	F41A 3/66
2017/0241737	A1	8/2017	Keller, II	
2018/0003459	A1	1/2018	Miller et al.	
2019/0128639	A1	5/2019	Parker et al.	
2019/0323542	A1*	10/2019	Windfeldt	F41G 11/001
2020/0240737	A1*	7/2020	Wheeler	F41A 21/38

OTHER PUBLICATIONS

Facebook website, Maxim Defense Industries Page, Publication date Jan. 11, 2019, [site visited Jul. 27, 2019], Available on the Internet URL <https://www.facebook.com/maximdefense/photos/1237772789719829> (Year: 2019).\*

The Maxim Defense SCW Stock, Product Sheet, Jan. 19, 2019, pp. 2, Maxim Defense Industries, LLC, St. Cloud, MN.

The Maxim Defense CQB Stock-AR-15, Product Sheet, May 14, 2016, pp. 2, Maxim Defense Industries, LLC, St. Cloud, MN.

The Maxim Defense CQB Pistol EXC, Product Sheet, Sep. 6, 2016, pp. 2, Maxim Defense Industries, LLC, St. Cloud, MN.

The Maxim Defense CQB Pistol: PDW Brace, Product Sheet, Oct. 19, 2016, pp. 2, Maxim Defense Industries, LLC, St. Cloud, MN.

The Maxim Defense CQB Stock Installation Guide, Product Sheet, Aug. 10, 2016, pp. 2, Maxim Defense Industries, LLC, St. Cloud, MN.

The Maxim Defense CQB Stock, Product Sheet, Oct. 28, 2015, p. 1, Maxim Defense Industries, LLC, St. Cloud, MN.

Locarno (International Designs) search results: Class 22, Subclass 01, Jan. 10, 2011, pp. 16.  
New Rad Shorties: The Maxim Defense PDX; pp. 3, <http://www.recoilweb.com> accessed Jan. 17, 2019.

\* cited by examiner

*Primary Examiner* — S. Bryan Reinholdt, Jr.  
(74) *Attorney, Agent, or Firm* — Law Office of Arthur M. Antonelli, PLLC

(57) **CLAIM**

The ornamental design for a upper assembly, handguard, lower receiver and stock for a gun, as shown and described.

**DESCRIPTION**

FIG. 1 is a perspective view of a upper assembly, handguard, lower receiver, and stock for a gun in accordance with our new design, the stock being shown in a collapsed configuration;  
FIG. 2 is a rear, left, top perspective view thereof;  
FIG. 3 is a front view thereof;  
FIG. 4 is a right side view thereof;  
FIG. 5 is a left side view thereof;  
FIG. 6 is a rear view thereof;  
FIG. 7 is a top view thereof;  
FIG. 8 is a bottom view thereof;  
FIG. 9 is another perspective view thereof;  
FIG. 10 is a rear, right, bottom perspective view thereof;  
FIG. 11 is a perspective view of a upper assembly, handguard, lower receiver, and stock for a gun in accordance with our new design, the stock being shown in an extended configuration;  
FIG. 12 is a rear, left, top perspective view thereof;  
FIG. 13 is a front view thereof;  
FIG. 14 is a right side view thereof;  
FIG. 15 is a left side view thereof;  
FIG. 16 is a rear view thereof;  
FIG. 17 is a top view thereof;  
FIG. 18 is a bottom view thereof;  
FIG. 19 is another perspective view thereof; and,  
FIG. 20 is a rear, right, bottom perspective view thereof.  
The broken lines immediately adjacent shaded areas represent boundary lines of the claimed design. The broken lines visible through the openings in the handguard depict portions of the upper assembly, handguard, lower receiver, and stock for a gun that form no part of the claimed design. The other broken lines are directed to environment and are illustrative only. The broken lines form no part of the claimed design.

**1 Claim, 14 Drawing Sheets**

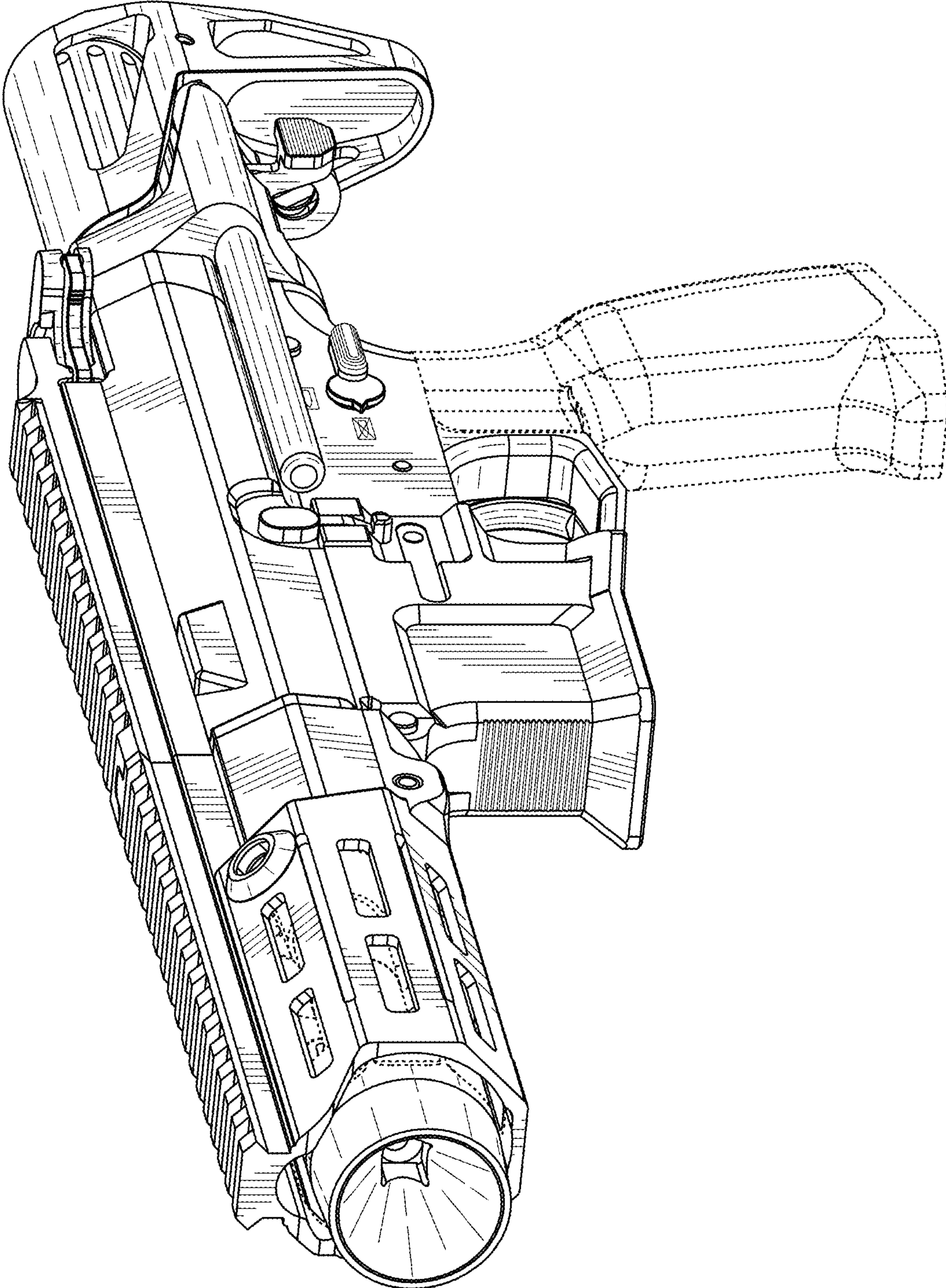


FIG. 1



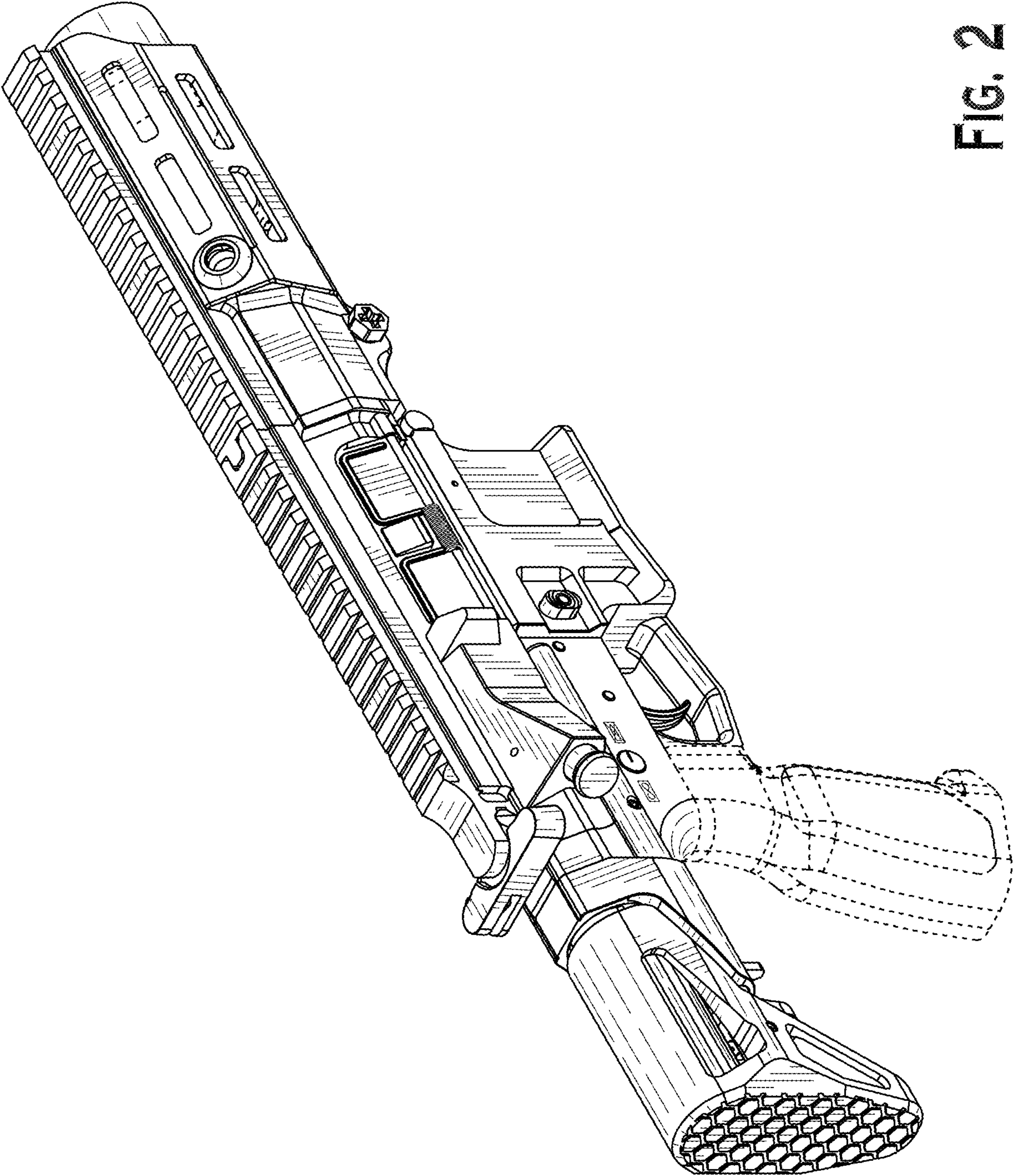


FIG. 2

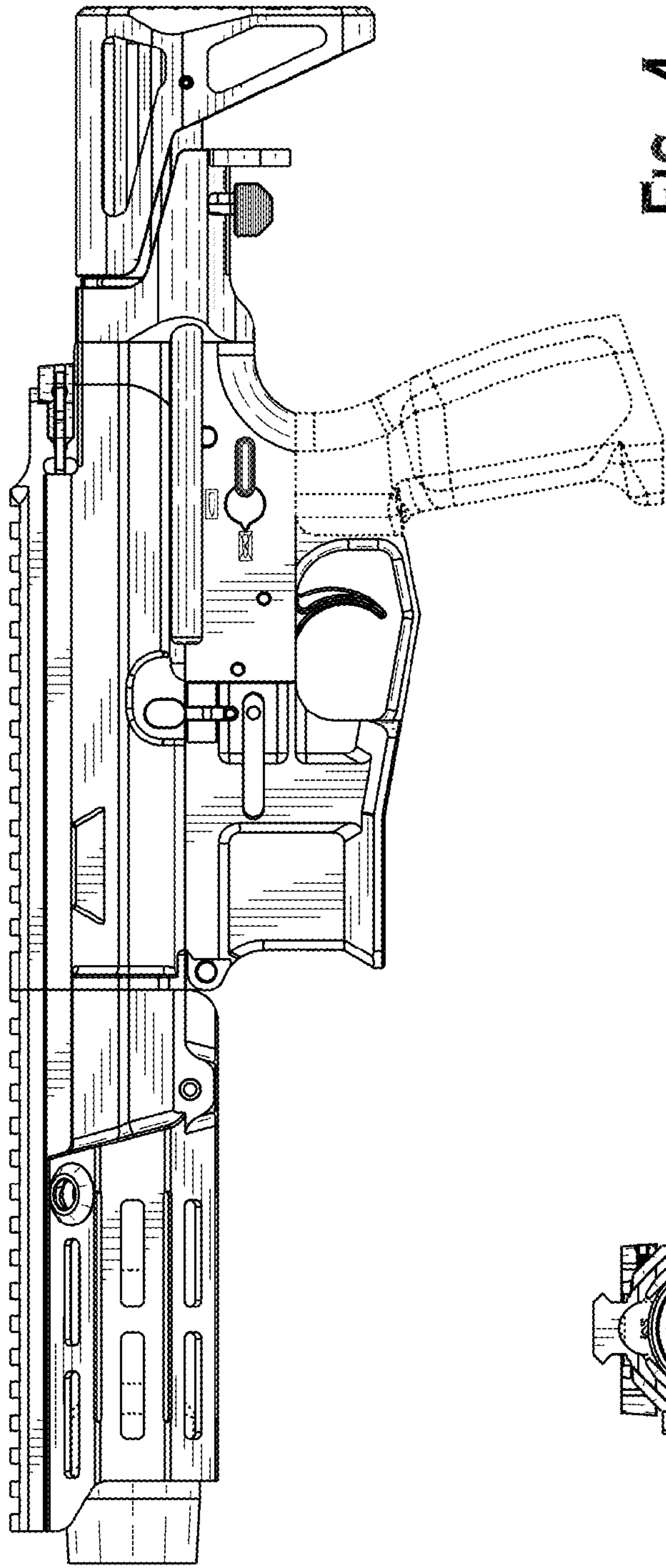


FIG. 4

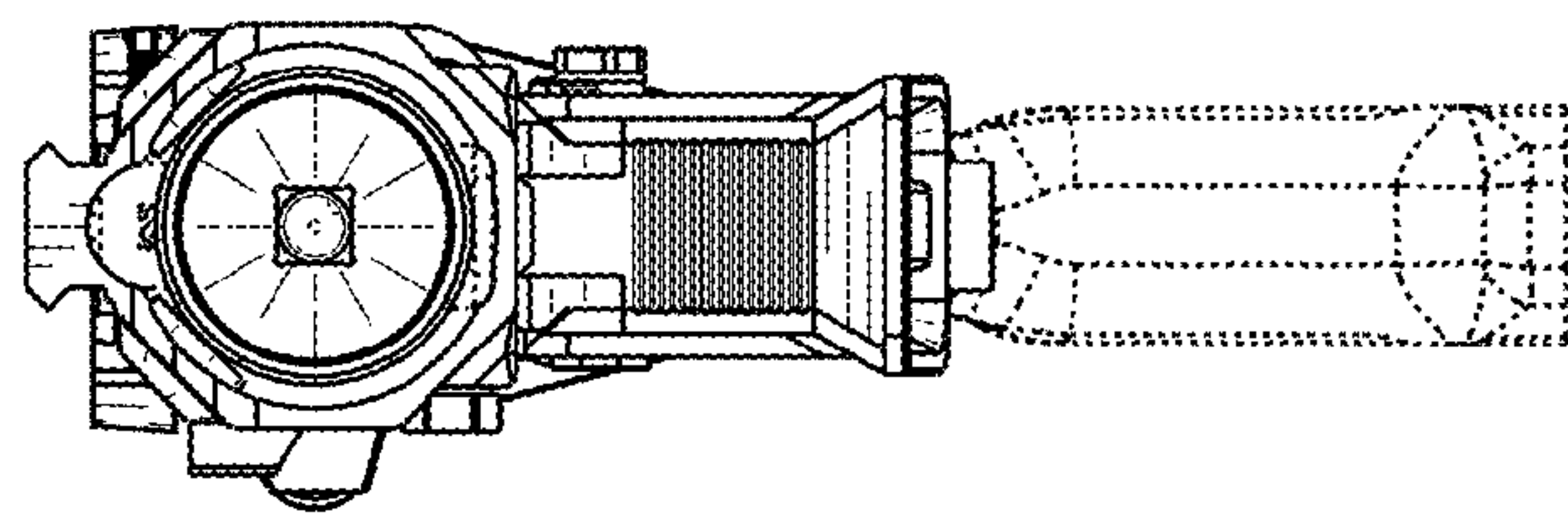


FIG. 3

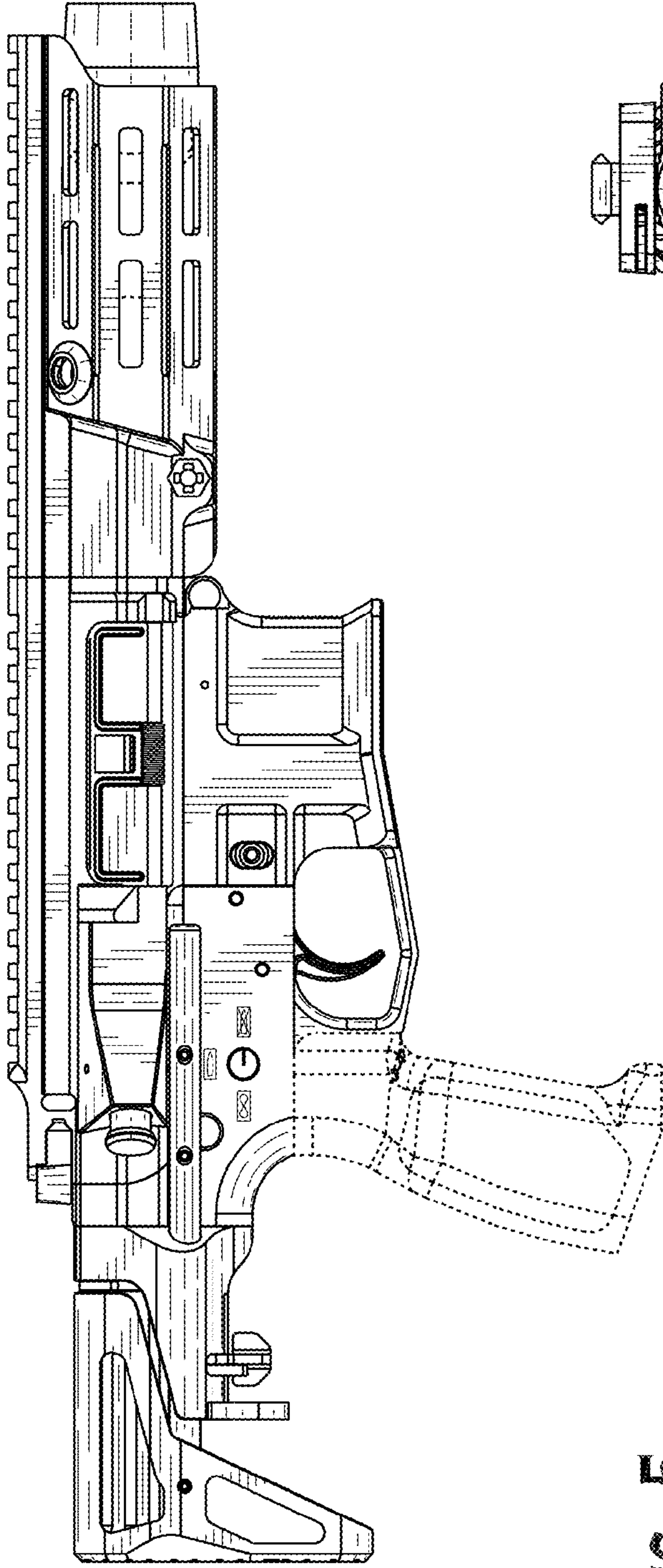


FIG. 5

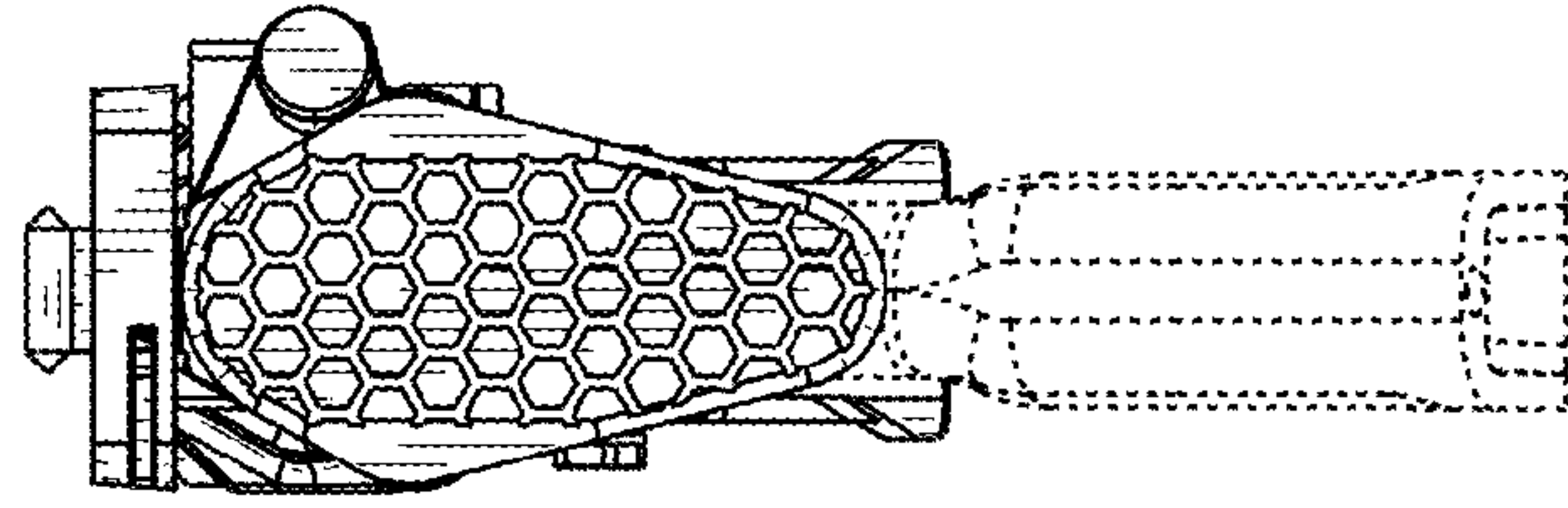


FIG. 6



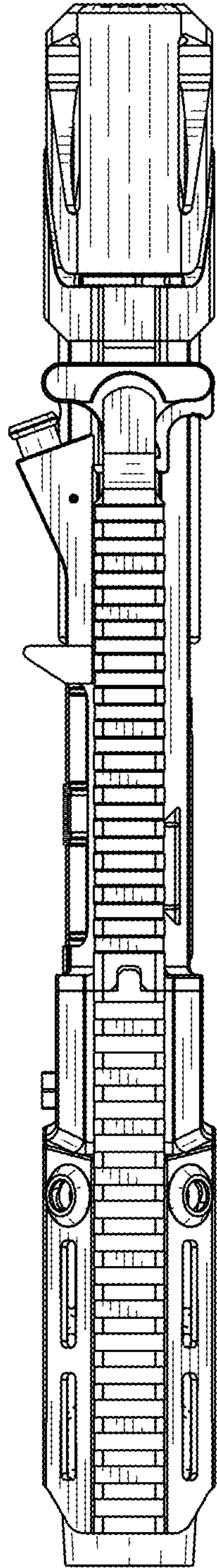


FIG. 7

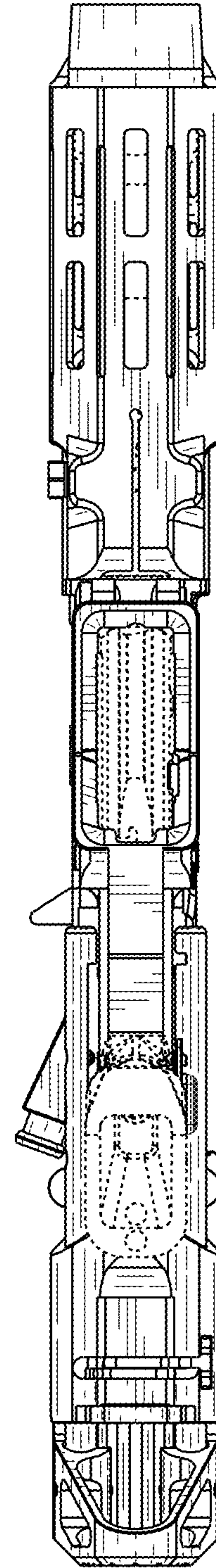


FIG. 8



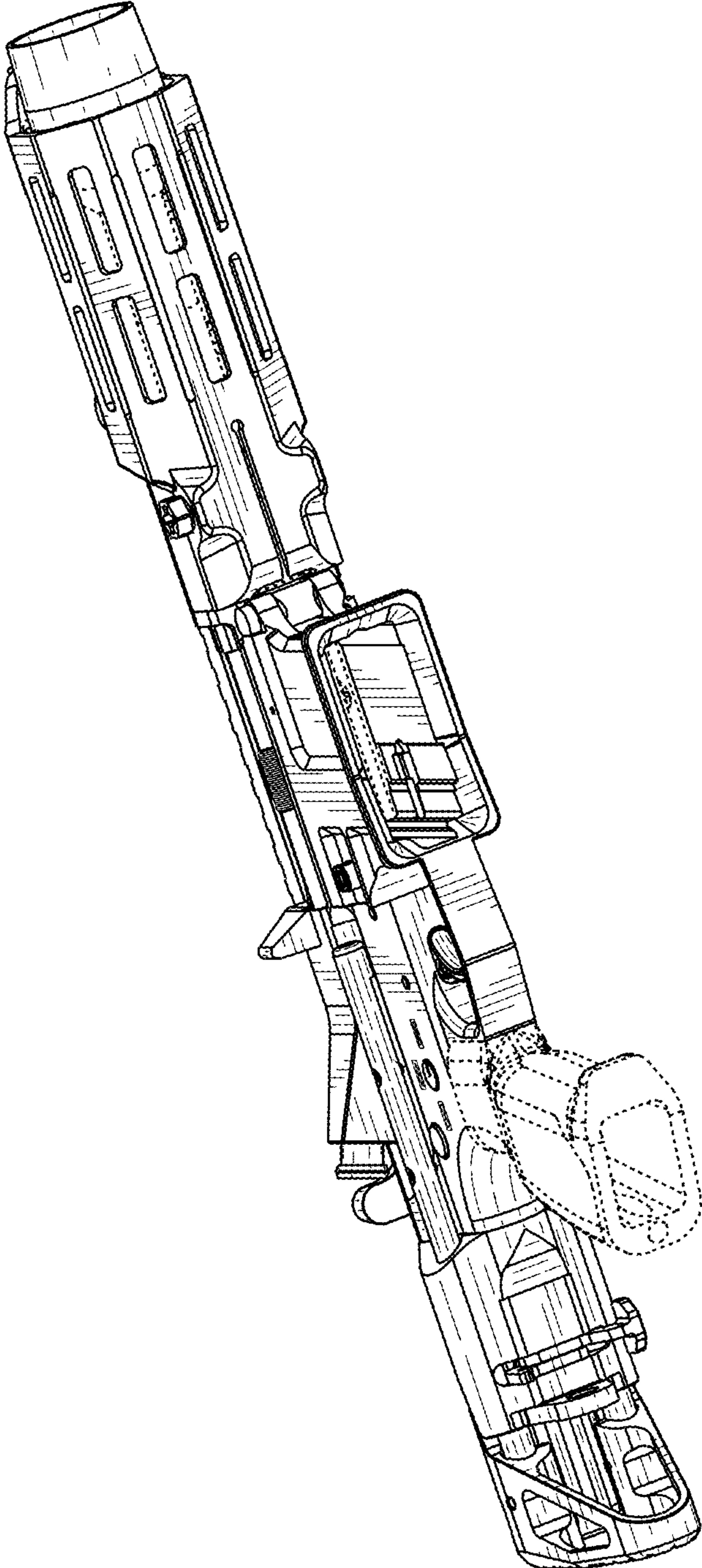


FIG. 9

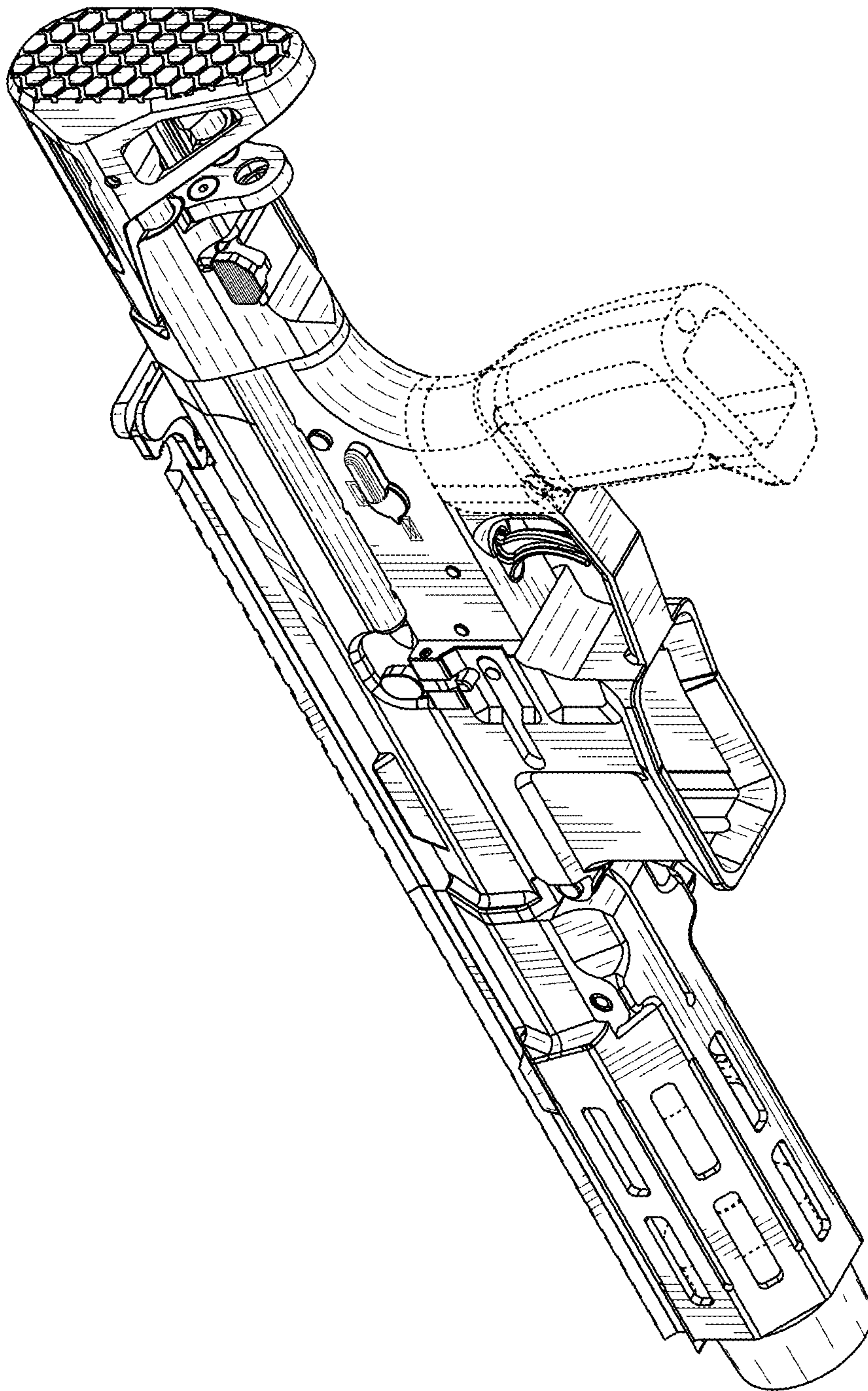


FIG. 10



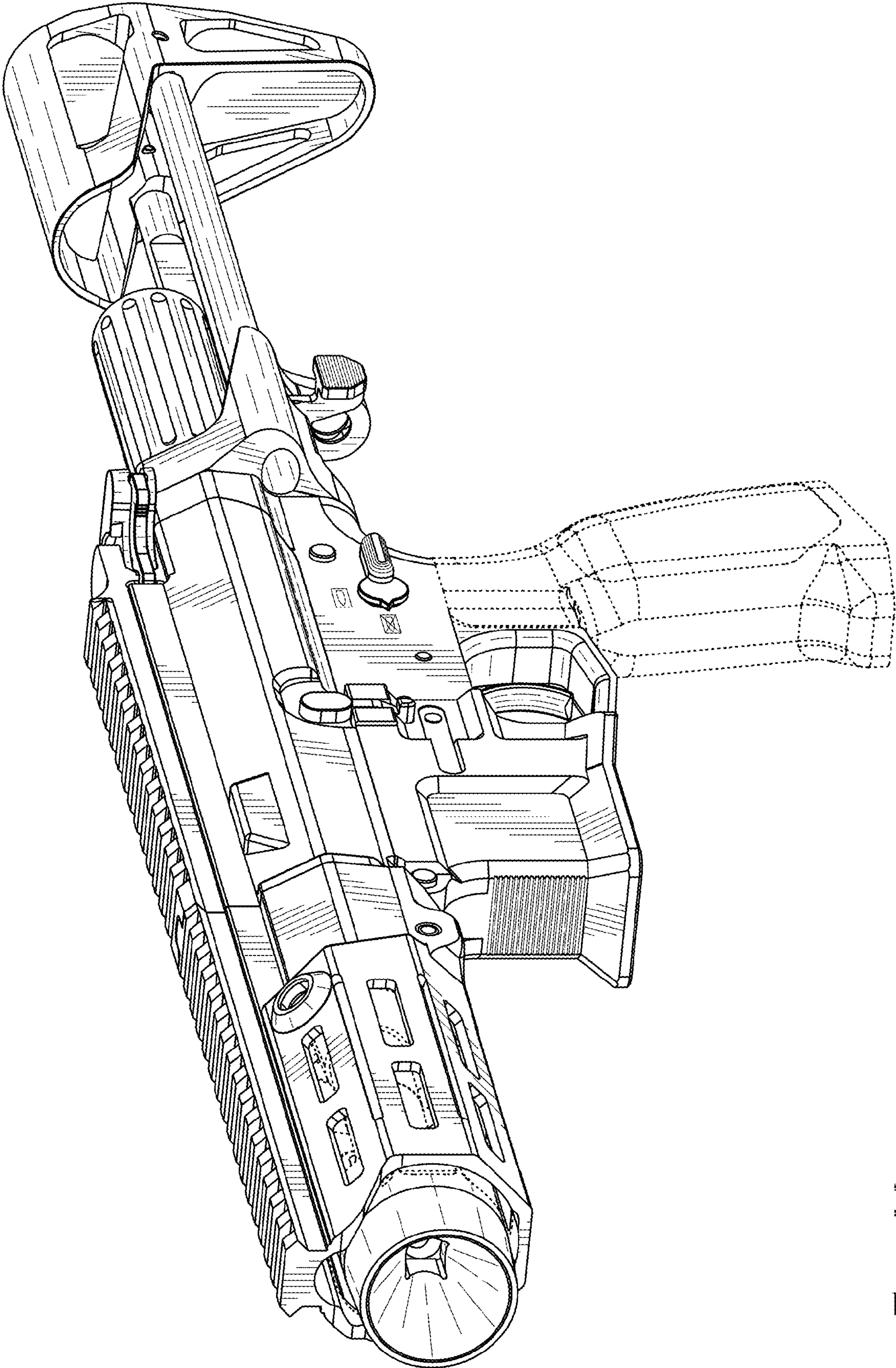


FIG. 11

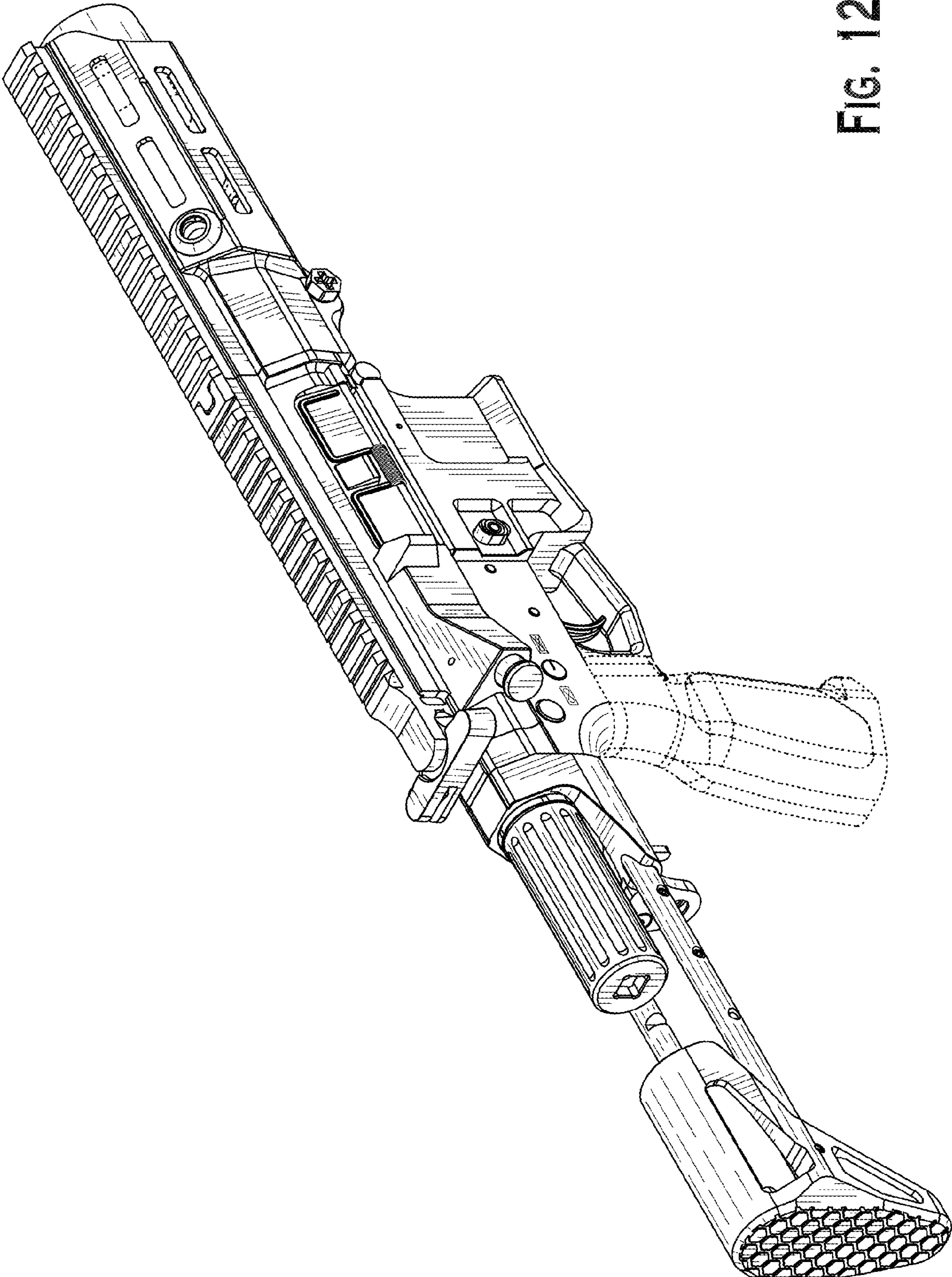


FIG. 12



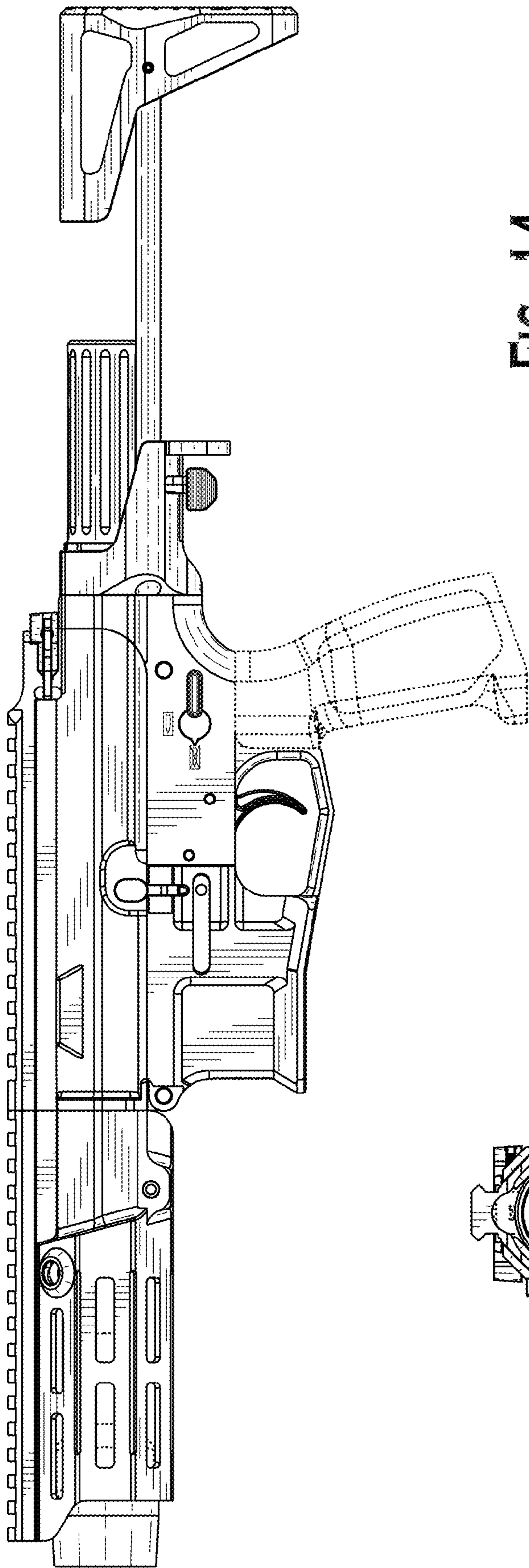


FIG. 14

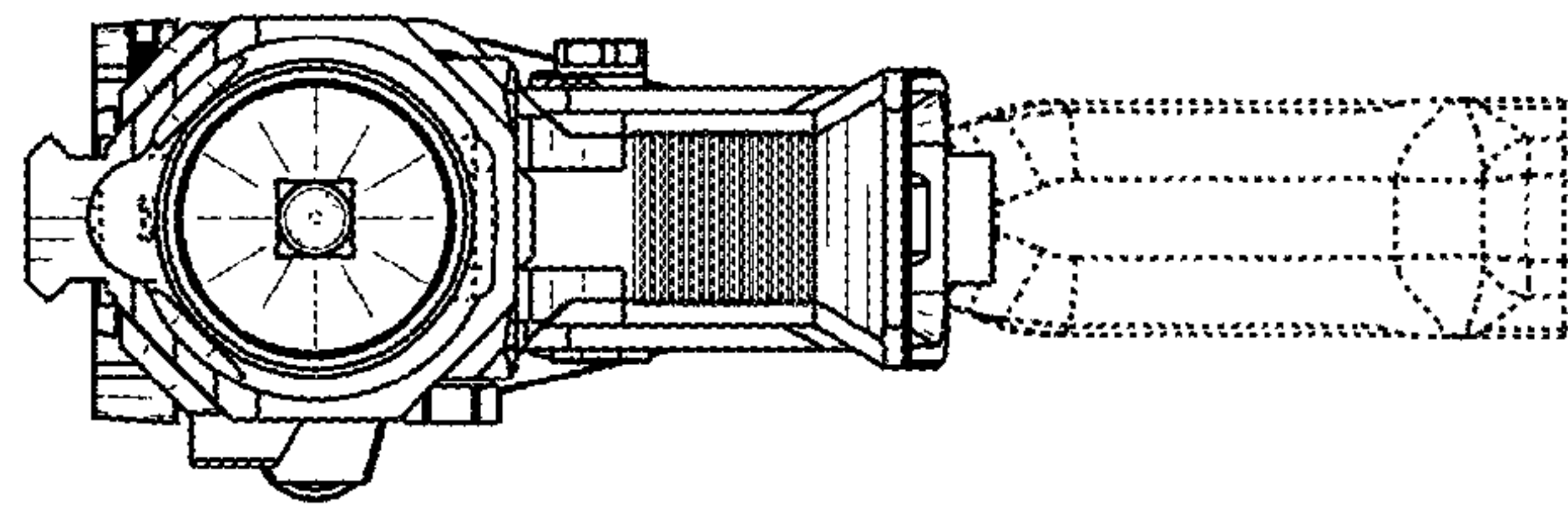


FIG. 13

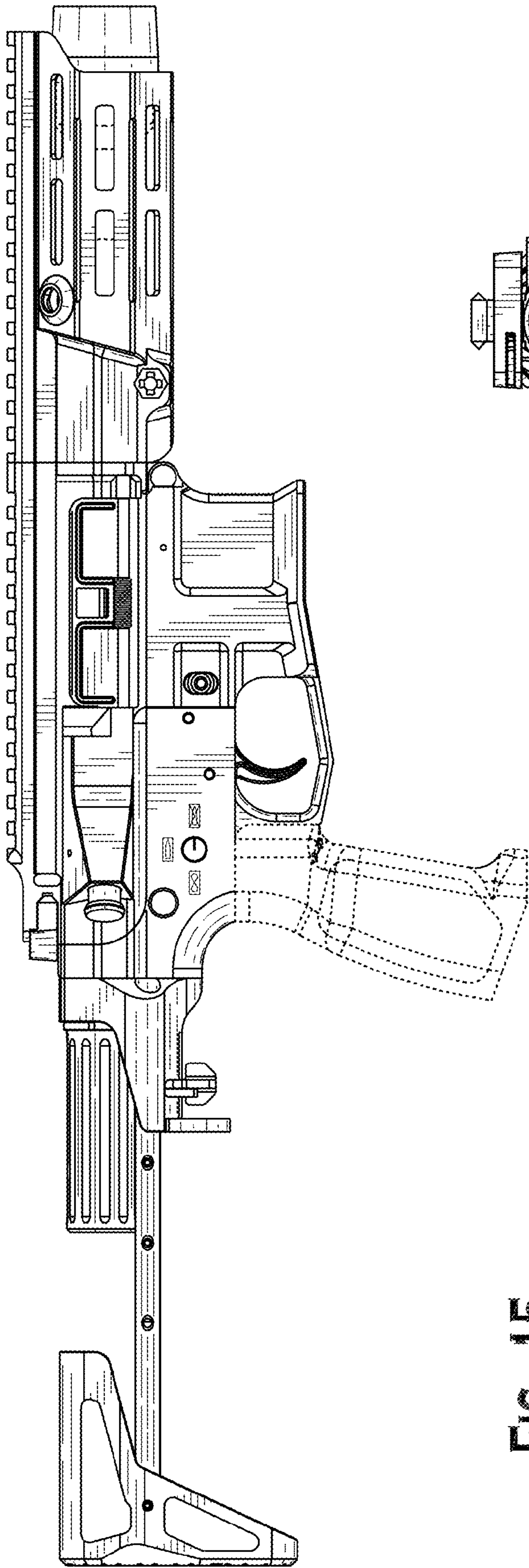


FIG. 15

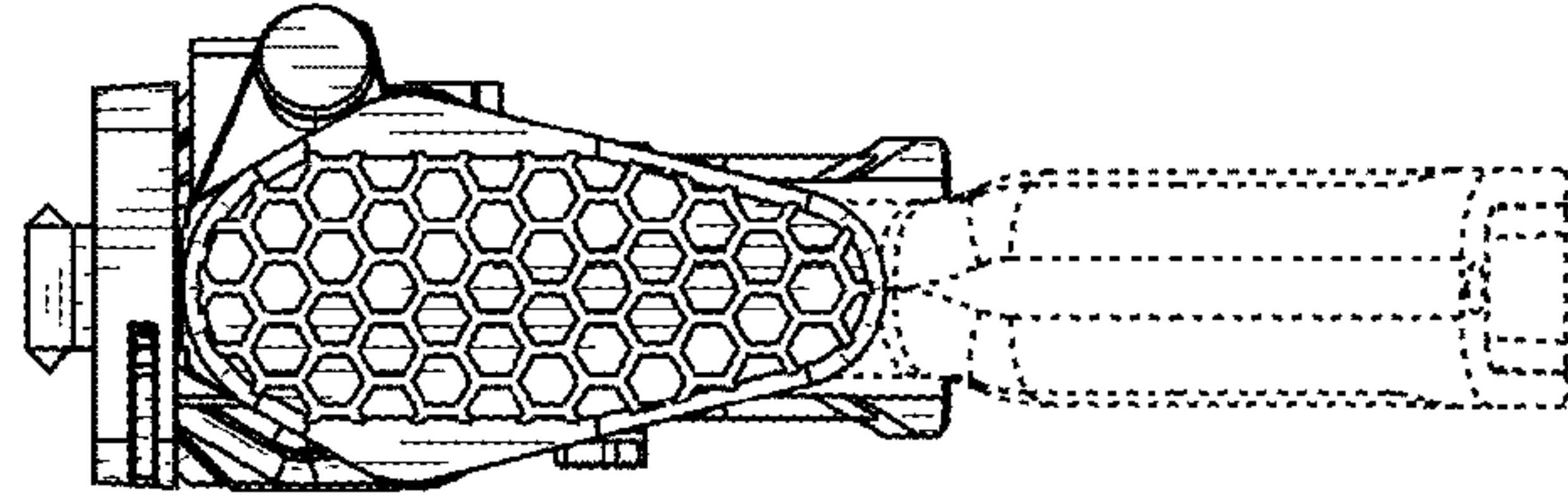


FIG. 16



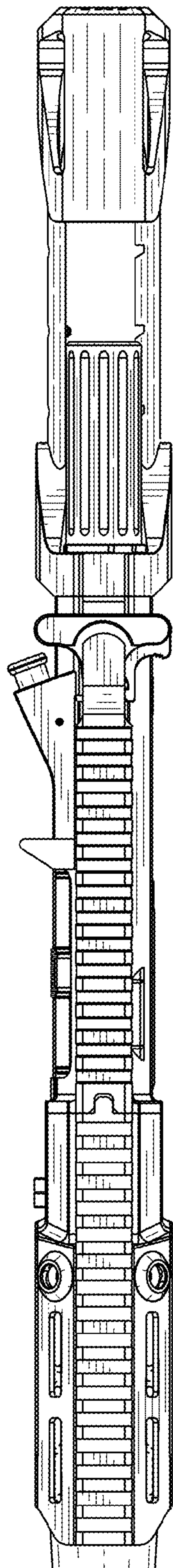


FIG. 17

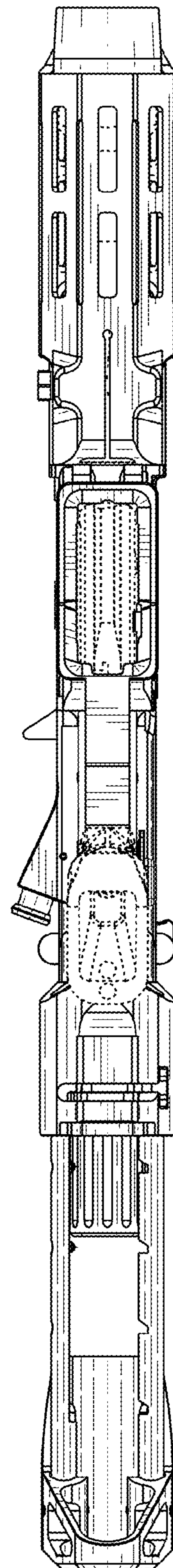


FIG. 18

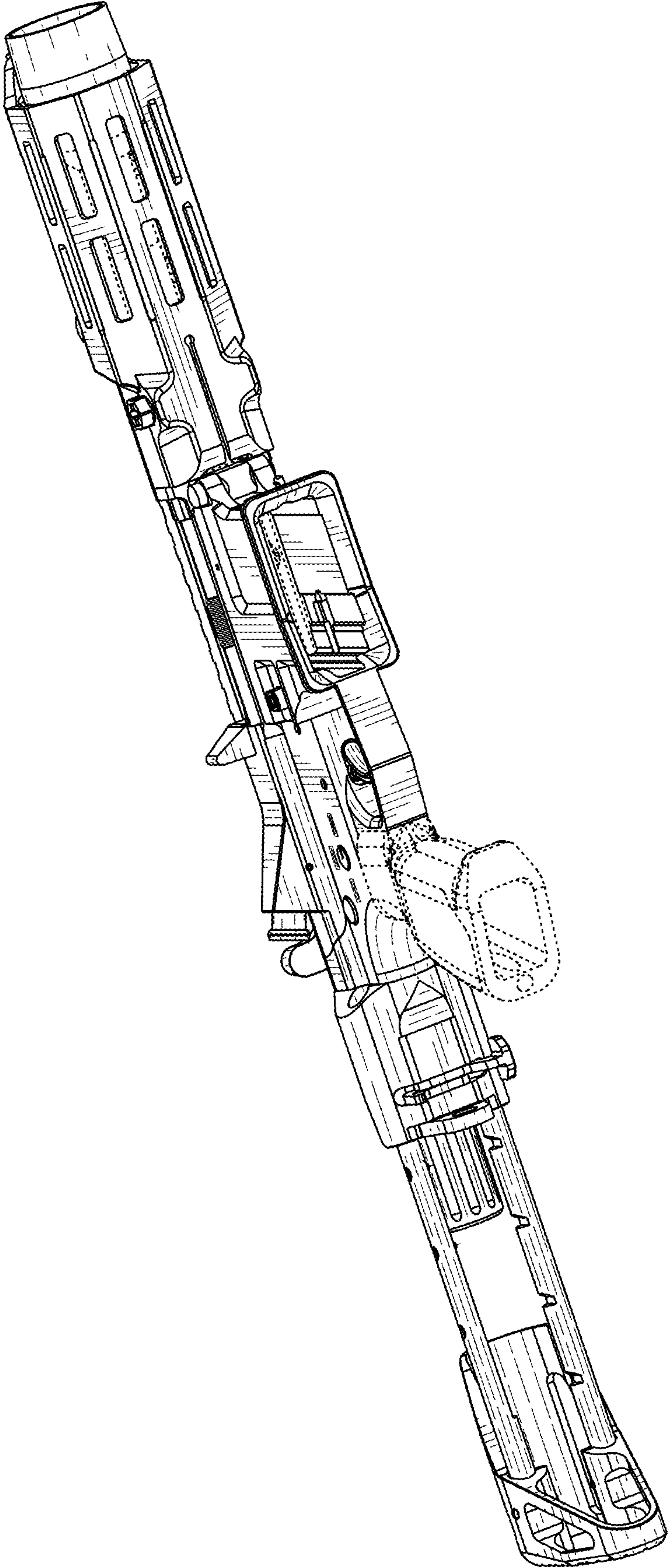


FIG. 19



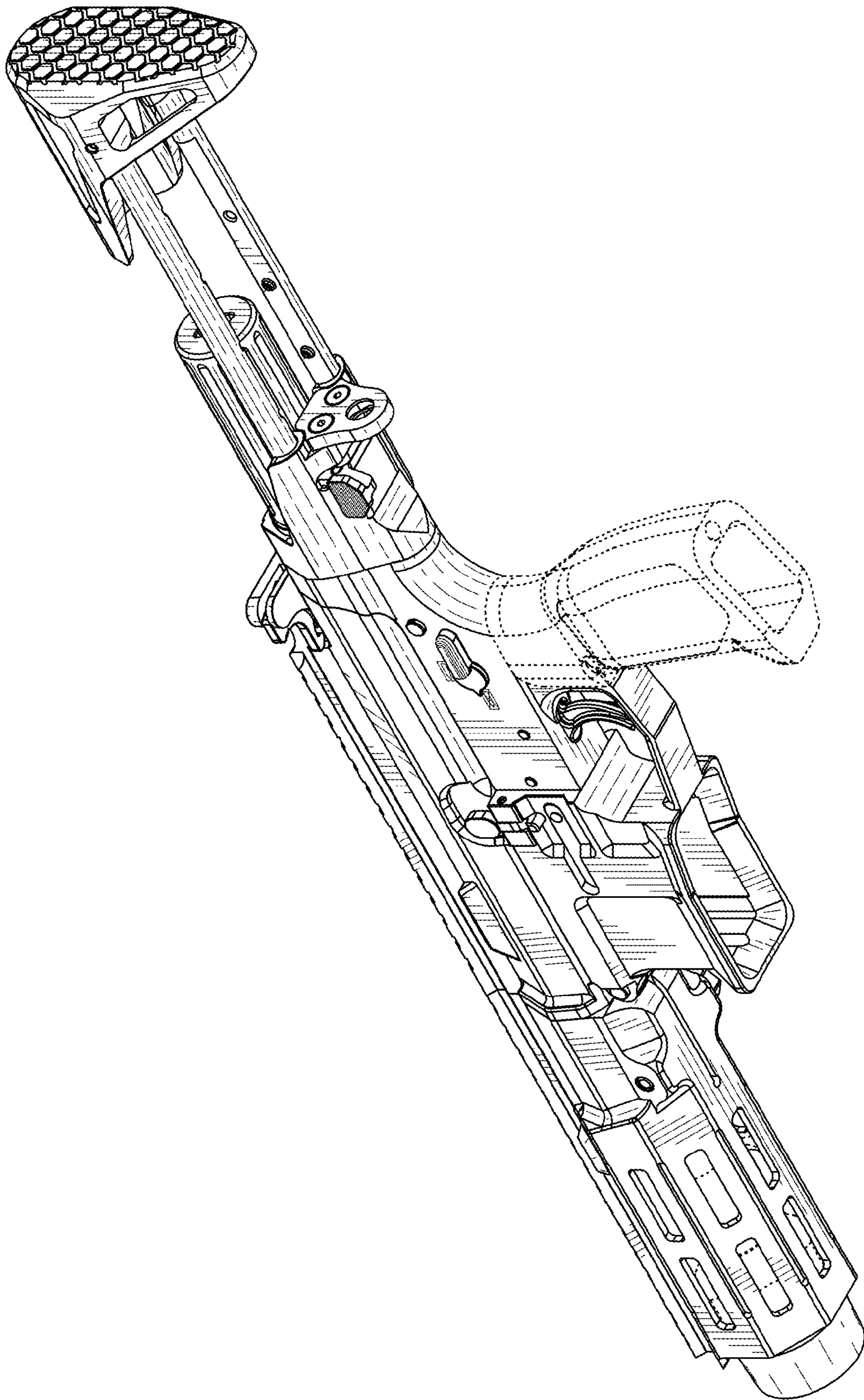


FIG. 20