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(12) **United States Design Patent** (10) **Patent No.:** **US D957,664 S**
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(54) **SKIN TONING DEVICE**

FOREIGN PATENT DOCUMENTS

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CA 2363383 5/2003
CN 102159151 8/2011

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(Continued)

(73) Assignee: **CAROL COLE COMPANY**, Vista, CA (US)

OTHER PUBLICATIONS

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

Amazon, "NuFACE FIX", May 16, 2020. https://www.amazon.com/NuFACE-Smoothing-Microcurrent-Mascara-sized-Collection/dp/B08HQ3CDTM/ref=cm_cr_arp_d_product_top?ie=UTF8. 1 page.

(Continued)

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(51) **LOC (13) Cl.** **28-03**

(52) **U.S. Cl.**

(57) **CLAIM**

USPC **D24/215**

The ornamental design for a skin toning device, as shown and described.

(58) **Field of Classification Search**

DESCRIPTION

USPC D24/133, 146, 147, 200, 211, 212, 213, D24/214, 215; D9/723

CPC A61H 7/003; A61H 39/04; A61H 7/007

See application file for complete search history.

FIG. 1 is a front perspective view of an embodiment of a skin toning device;

FIG. 2 is a rear perspective view of the skin toning device shown in FIG. 1;

FIG. 3 is a front elevational view of the skin toning device shown in FIG. 1;

FIG. 4 is a rear elevational view of the skin toning device shown in FIG. 1;

FIG. 5 is a right side elevational view of the skin toning device shown in FIG. 1;

FIG. 6 is a left side elevational view of the skin toning device shown in FIG. 1;

FIG. 7 is a top plan view of the skin toning device shown in FIG. 1; and,

FIG. 8 is a bottom plan view of the skin toning device shown in FIG. 1.

The broken lines shown in the drawings are for the purpose of illustrating portions of the skin toning device, which form no part of the claimed design.

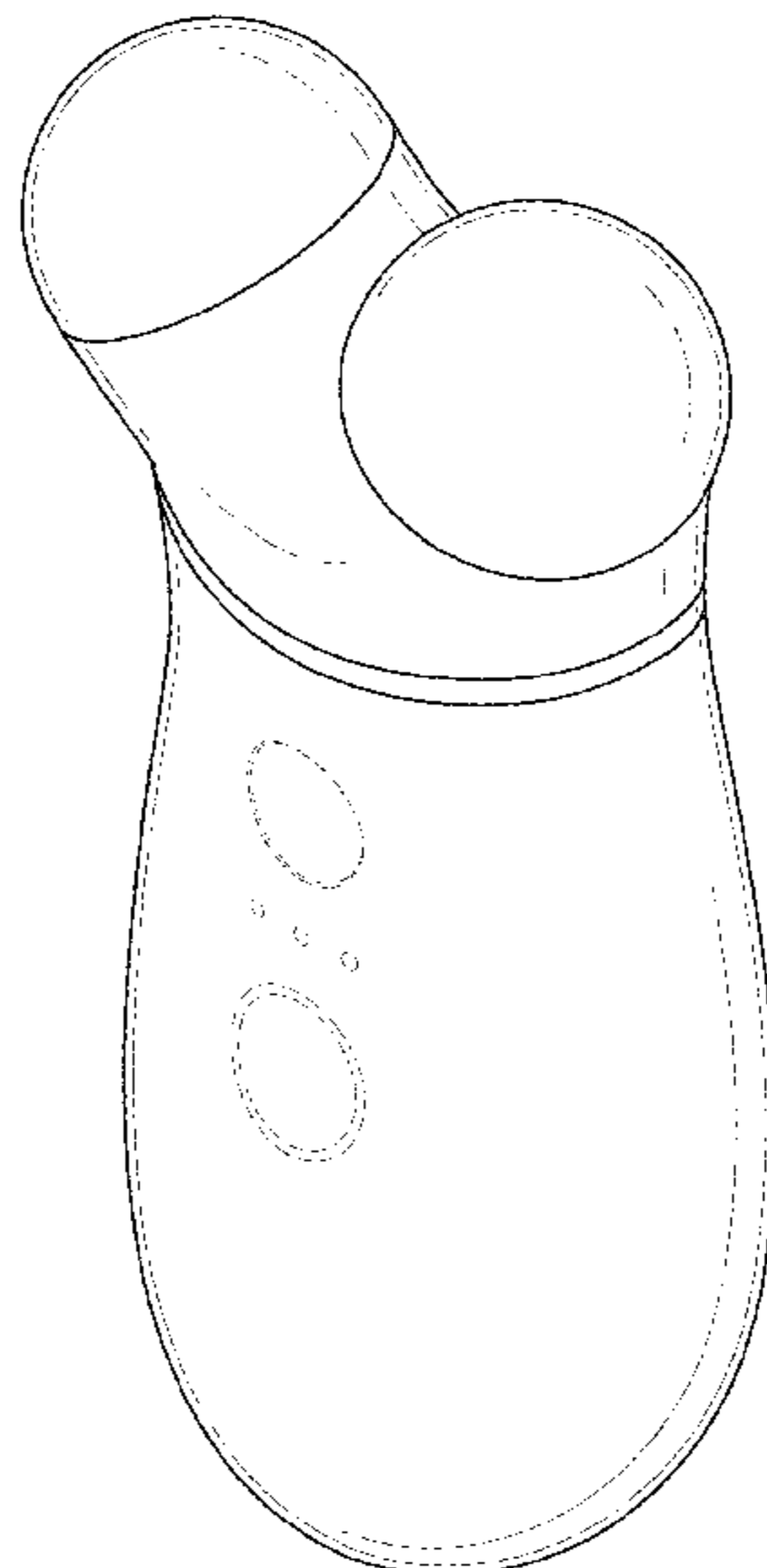
(56) **References Cited**

U.S. PATENT DOCUMENTS

D143,590 S	1/1946	Grun
2,988,084 A	6/1961	Douglas et al.
D233,703 S	11/1974	McNair
D259,142 S	5/1981	Lee et al.
D262,908 S	2/1982	Pesco
D268,437 S	3/1983	Giordano
D268,524 S	4/1983	D'Addio et al.
D272,090 S	1/1984	Hosid
D273,708 S	5/1984	Haug
D280,664 S	9/1985	Ishida
4,920,981 A	5/1990	Dervieux
5,007,168 A	4/1991	Messinger et al.
D320,279 S	9/1991	McQueen
D323,034 S	1/1992	Reinstein

(Continued)

1 Claim, 8 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

D331,466 S	12/1992	Doria	D586,469 S	2/2009	Henry	
D340,759 S	10/1993	Miller	7,494,503 B2	2/2009	McDaniel	
5,304,207 A	4/1994	Stromer	7,503,927 B1	3/2009	Vetanze	
5,358,503 A	10/1994	Bertwell et al.	D594,130 S	6/2009	Scocimara	
D358,654 S	5/1995	Smith	D597,211 S	7/2009	Ewing et al.	
D361,404 S	8/1995	Haas	D599,029 S	8/2009	Ferber	
D363,994 S	11/1995	Cheng	D601,257 S	9/2009	Berlinger	
D377,222 S	1/1997	Pemberton	7,597,708 B2	10/2009	Carullo, Jr. et al.	
5,607,461 A	3/1997	Lathrop	D603,970 S	11/2009	Ball	
5,662,644 A	9/1997	Swor	D608,897 S	1/2010	Cole et al.	
D387,174 S	12/1997	Gladieux, Jr.	D609,361 S	2/2010	MacGarry	
D388,617 S	1/1998	Ancona	D610,696 S	2/2010	Makuch	
D414,582 S	9/1999	Hwang	D611,159 S	3/2010	Cole	
D418,920 S	1/2000	Chen	D612,510 S	3/2010	Byle	
6,019,482 A	2/2000	Everett	D617,138 S	6/2010	Munari	
6,083,250 A	7/2000	Lathrop	D620,597 S	7/2010	Cole et al.	
6,094,595 A	7/2000	Takahashi	D623,308 S	9/2010	Kramer	
D437,938 S	2/2001	Ko et al.	D627,898 S	11/2010	Aulwes et al.	
6,241,696 B1	6/2001	York	7,842,029 B2	11/2010	Anderson et al.	
D457,643 S	5/2002	Qi et al.	D630,760 S	1/2011	Imboden	
D461,094 S	8/2002	Coudurier	D633,625 S	3/2011	Maderazzo	
6,497,702 B1	12/2002	Bernaz	D636,088 S	4/2011	Loew	
6,572,637 B1	6/2003	Yamazaki et al.	D638,132 S *	5/2011	Cole	D24/200
D481,132 S	10/2003	Kim	7,993,381 B2	8/2011	Mac et al.	
D481,463 S	10/2003	Cook et al.	D646,396 S	10/2011	Seki	
D484,605 S	12/2003	Cook et al.	D648,861 S	11/2011	Chong	
D486,233 S	2/2004	Cook et al.	D649,653 S	11/2011	Halvorsen	
D487,010 S	2/2004	Marquardt	8,048,135 B2	11/2011	Carullo, Jr. et al.	
D487,154 S	2/2004	Cook et al.	8,057,525 B2	11/2011	Suzuki	
6,702,808 B1	3/2004	Kreindel	D651,321 S	12/2011	Marchese et al.	
D490,528 S	5/2004	Cook et al.	8,088,123 B2	1/2012	Kinoshita	
6,736,807 B2	5/2004	Yamazaki et al.	D656,620 S	3/2012	Altshuler	
6,766,199 B2	7/2004	Cook et al.	D659,843 S	5/2012	Wang	
6,790,205 B1	9/2004	Yamazaki et al.	D665,915 S	8/2012	Ma	
D498,302 S	11/2004	Wade	D667,557 S	9/2012	Boudier	
6,872,221 B2	3/2005	Lytle	D669,998 S *	10/2012	Matsushita	D24/215
D505,268 S	5/2005	Potempa	8,277,495 B2	10/2012	Demetriou et al.	
6,887,260 B1	5/2005	McDaniel	D674,500 S *	1/2013	Matsushita	D24/211
6,896,693 B2	5/2005	Sullivan	D676,141 S	2/2013	Wu	
6,902,275 B2	6/2005	Yamada et al.	D677,622 S	3/2013	Cole et al.	
6,902,563 B2	6/2005	Wilkens et al.	D685,491 S	7/2013	Coral	
6,939,344 B2	9/2005	Kreindel	D691,947 S	10/2013	Cole et al.	
6,989,023 B2	1/2006	Black	D692,571 S *	10/2013	Luzon	D24/215
7,014,639 B2	3/2006	Walneck et al.	D695,903 S	12/2013	Tamsiran	
D536,496 S	2/2007	Talesfore	D697,220 S	1/2014	Clementes	
D538,435 S	3/2007	Wang	D699,367 S *	2/2014	Lee	D24/215
7,194,316 B2	3/2007	Bousfield et al.	8,641,702 B2	2/2014	Pilcher et al.	
D539,916 S	4/2007	Baldachini	D702,851 S	4/2014	Lee	
D540,947 S	4/2007	Jung et al.	D704,346 S	5/2014	Tai	
7,204,846 B2	4/2007	Suzuki	D710,054 S	7/2014	Grabes et al.	
7,210,817 B2	5/2007	Lee et al.	D712,053 S *	8/2014	Matsushita	D24/211
7,238,183 B2	7/2007	Kreindel	D722,197 S	2/2015	Helmbold et al.	
7,250,047 B2	7/2007	Anderson et al.	D722,383 S	2/2015	Cole et al.	
7,252,678 B2	8/2007	Ostler et al.	D725,788 S *	3/2015	Matsushita	D24/211
7,258,675 B2	8/2007	Nichols	D725,789 S *	3/2015	Matsushita	D24/211
7,258,695 B2	8/2007	Carullo, Jr. et al.	D728,115 S *	4/2015	Matsushita	D24/211
7,291,140 B2	11/2007	MacFarland et al.	9,032,576 B2	5/2015	Zelickson et al.	
7,305,269 B2	12/2007	Cook et al.	D732,182 S	6/2015	Viner	
7,309,335 B2	12/2007	Altshuler et al.	D732,887 S	6/2015	Munari	
7,311,722 B2	12/2007	Larsen	D738,517 S	9/2015	Karim	
7,331,952 B2	2/2008	Walneck	D739,541 S	9/2015	Cole et al.	
7,331,964 B2	2/2008	Maricle et al.	D740,413 S	10/2015	Helmbold et al.	
7,335,170 B2	2/2008	Milne et al.	D742,003 S	10/2015	Tasar	
7,345,320 B2	3/2008	Dahm	D748,857 S	2/2016	Boulanger	
D568,473 S	5/2008	Ashiwa et al.	D752,237 S	3/2016	Cole et al.	
D570,484 S	6/2008	Kaneko	D756,527 S	5/2016	Cole et al.	
7,384,405 B2	6/2008	Rhoades	D759,261 S	6/2016	Son et al.	
D576,285 S	9/2008	Kennedy	D768,867 S	10/2016	Hetzel	
D581,541 S	11/2008	Ferber	D770,635 S *	11/2016	Cole	D24/200
D581,542 S	11/2008	Ferber	D773,066 S	11/2016	Sedic	
D582,049 S	12/2008	Ferber	9,533,170 B2	1/2017	Dye et al.	
D582,563 S	12/2008	Ferber	9,554,963 B2	1/2017	Pilcher et al.	
D583,064 S	12/2008	Ferber	D779,596 S	2/2017	Bajuyo	
D583,480 S	12/2008	Ferber	D779,600 S	2/2017	Dean	
D585,997 S	2/2009	Adam	D785,193 S	4/2017	Cole et al.	
			9,687,643 B2	6/2017	Khormaei et al.	
			D794,784 S	8/2017	Bradley et al.	
			D809,150 S	1/2018	Nolasco	
			D812,237 S	3/2018	Cole et al.	

(56)

References Cited

U.S. PATENT DOCUMENTS

D818,602 S 5/2018 Cheung
 D824,037 S 7/2018 Yueh
 10,039,600 B2 8/2018 Khormaei et al.
 D827,843 S 9/2018 Bainton et al.
 D829,921 S 10/2018 Xiong
 D830,063 S 10/2018 Stephens
 D831,835 S * 10/2018 Cole D24/200
 D838,860 S 1/2019 Lee
 D842,487 S 3/2019 Matsushita
 D844,797 S 4/2019 Matsushita
 D844,799 S * 4/2019 Kim D24/214
 D845,496 S * 4/2019 Cole D24/200
 D845,497 S 4/2019 Cole et al.
 10,252,051 B2 4/2019 Nichols
 D848,089 S 5/2019 Cunniff
 D849,257 S 5/2019 Fukuda et al.
 10,278,888 B2 5/2019 Sabattier et al.
 D850,638 S 6/2019 Hoon Cha
 10,315,042 B2 6/2019 De Taboada et al.
 D854,699 S 7/2019 Peterson
 D855,195 S 7/2019 Kymm et al.
 D857,907 S 8/2019 Luo
 D857,908 S 8/2019 Matsushita
 D857,909 S 8/2019 Matsushita
 10,391,312 B2 8/2019 Mowery et al.
 D865,206 S * 10/2019 Matsushita D24/211
 D865,990 S 11/2019 Ko
 D866,789 S 11/2019 Yamazaki
 D868,277 S * 11/2019 Yamazaki D24/211
 D868,278 S 11/2019 Smith et al.
 D868,373 S 11/2019 Kling et al.
 D870,305 S 12/2019 Yamazaki
 D872,294 S * 1/2020 Yu D24/214
 D874,014 S * 1/2020 Matsushita D24/211
 D874,666 S * 2/2020 Matsushita D24/211
 D876,623 S * 2/2020 Yang D24/133
 D887,572 S * 6/2020 Matsushita D24/211
 D891,628 S 7/2020 Peterson et al.
 D899,616 S 10/2020 Jung
 D903,889 S * 12/2020 Luo D24/211
 D905,336 S 12/2020 Kling et al.
 D916,302 S 4/2021 Yuval
 D917,064 S 4/2021 Ribeiro
 D923,806 S 6/2021 Bünger von Wurmb et al.
 D924,421 S 7/2021 Luo et al.
 D924,423 S 7/2021 Luo et al.
 D924,497 S 7/2021 Wei et al.
 D926,376 S 7/2021 Negishi
 D931,458 S 9/2021 Wang
 2002/0133149 A1 9/2002 Bessette
 2002/0143373 A1 10/2002 Courtnage et al.
 2004/0147984 A1 7/2004 Altshuler et al.
 2004/0236255 A1 11/2004 Cook
 2005/0015121 A1 1/2005 Molina
 2005/0203593 A1 9/2005 Shanks et al.
 2005/0234516 A1 10/2005 Gueret
 2006/0030908 A1 2/2006 Powell et al.
 2006/0155220 A1 7/2006 Oslay
 2006/0173518 A1 8/2006 Kreindel
 2006/0200213 A1 9/2006 McDaniel
 2006/0247741 A1 11/2006 Hsu et al.
 2006/0269580 A1 11/2006 Cole et al.
 2007/0032840 A1 2/2007 Peluso
 2007/0032843 A1 2/2007 Hsu
 2007/0032847 A1 2/2007 Weckwerth
 2007/0038206 A1 2/2007 Altshuler et al.
 2007/0049910 A1 3/2007 Altshuler et al.
 2007/0073372 A1 3/2007 Heath
 2007/0198004 A1 8/2007 Altshuler et al.
 2007/0213696 A1 9/2007 Altshuler et al.
 2007/0213698 A1 9/2007 Altshuler et al.
 2007/0217199 A1 9/2007 Adam et al.
 2007/0239142 A1 10/2007 Altshuler et al.
 2007/0239143 A1 10/2007 Altshuler et al.
 2007/0282400 A1 12/2007 Gorham

2007/0293917 A1 12/2007 Thompson et al.
 2007/0293918 A1 12/2007 Thompson et al.
 2008/0004678 A1 1/2008 Kreindel
 2008/0014011 A1 1/2008 Rossen
 2008/0030908 A1 2/2008 Kagami
 2008/0046027 A1 2/2008 Cook et al.
 2008/0058783 A1 3/2008 Altshuler et al.
 2008/0065056 A1 3/2008 Powell
 2008/0065176 A1 3/2008 Zhang et al.
 2008/0103560 A1 5/2008 Powell et al.
 2008/0103563 A1 5/2008 Powell et al.
 2008/0109049 A1 5/2008 Schumann
 2008/0119913 A1 5/2008 Powell et al.
 2008/0125835 A1 5/2008 Laurent
 2008/0134513 A1 6/2008 Oh
 2008/0140164 A1 6/2008 Oberreiter et al.
 2008/0172045 A1 7/2008 Shanks et al.
 2008/0172113 A1 7/2008 Gourgouliatos et al.
 2008/0183161 A1 7/2008 Walneck et al.
 2008/0195181 A1 8/2008 Cole
 2008/0214968 A1 9/2008 Milne et al.
 2008/0214969 A1 9/2008 Milne et al.
 2008/0269848 A1 10/2008 Birmingham et al.
 2008/0294152 A1 11/2008 Alshuler et al.
 2008/0312647 A1 12/2008 Knopp et al.
 2009/0005631 A1 1/2009 Simenhaus et al.
 2009/0093749 A1 4/2009 Shalev et al.
 2009/0156958 A1 6/2009 Mehta et al.
 2009/0227996 A1 9/2009 Powell et al.
 2009/0254155 A1 10/2009 Kanarsky et al.
 2009/0254156 A1 10/2009 Powell et al.
 2010/0063491 A1 3/2010 Verhagen
 2010/0105977 A1 4/2010 Taboada et al.
 2010/0121254 A1 5/2010 McDaniel
 2010/0145242 A1 6/2010 Tsai
 2010/0145255 A1 6/2010 Popescu et al.
 2010/0152645 A1 6/2010 Ogasawara
 2010/0174222 A1 7/2010 McDaniel
 2010/0179469 A1 7/2010 Hammond et al.
 2010/0185266 A1 7/2010 Suzuki
 2010/0274329 A1 10/2010 Bradley et al.
 2010/0292746 A1 11/2010 Gorham
 2011/0015549 A1 1/2011 Eckhouse et al.
 2011/0112520 A1 5/2011 Michael
 2011/0213447 A1 9/2011 Hottinger et al.
 2011/0238142 A1 9/2011 Hottinger et al.
 2011/0245734 A1 10/2011 Wagner et al.
 2012/0016174 A1 1/2012 Taboada et al.
 2012/0065575 A1 3/2012 Kader
 2012/0071794 A1 3/2012 Kami
 2012/0165800 A1 6/2012 Keeney
 2014/0135798 A1 5/2014 David
 2014/0221887 A1 8/2014 Wu
 2016/0101294 A1 4/2016 Sun et al.
 2016/0184176 A1 6/2016 Caberlotto et al.
 2016/0184177 A1 6/2016 Caberlotto et al.
 2017/0065829 A1 3/2017 Ku
 2017/0128130 A1 5/2017 Giraud et al.
 2017/0246076 A1 8/2017 Miller et al.
 2018/0185236 A1 7/2018 Levi
 2019/0262607 A1 8/2019 Nichols
 2019/0374775 A1 12/2019 Mowery et al.

FOREIGN PATENT DOCUMENTS

DE 102004040064 2/2006
 EM 000055512-0002 7/2003
 EM 000056882-0001 7/2003
 EM 005824893-0002 12/2003
 EM 000130539-0002 1/2004
 EM 000130539-0003 1/2004
 EM 000334644-0001 5/2005
 EM 002573493-0001 11/2014
 EM 002762237-0001 8/2015
 EM 005824893-0001 11/2018
 EM 005824893-0002 11/2018
 EP 1566198 8/2005
 FR 2659851 A1 9/1991
 JP 2000316990 11/2000

(56)

References Cited

FOREIGN PATENT DOCUMENTS

JP	2004201718	7/2004
JP	1477671 S	7/2013
JP	1552797 S	6/2016
JP	6296743 B2	3/2018
KR	300778759	1/2015
KR	101515992	5/2015
KR	300817894	10/2015
KR	101619858	5/2016
KR	300898701	3/2017
KR	300980305	11/2018
KR	300990885	1/2019
TW	D111130	5/2006
TW	D156622	10/2013
TW	D173338	1/2016
WO	WO 199836725	8/1998
WO	WO 2006051985	5/2006
WO	WO 2007090256	8/2007
WO	WO 2009011529	1/2009
WO	WO 2010112096	10/2010
WO	WO 2017023134	2/2017
WO	WO 2015098427	3/2017
WO	WO 2017116884	7/2017
WO	WO 2018196045	11/2018
WO	WO 2019168281	9/2019
WO	WO 2019182299	9/2019
WO	WO 2019190286	10/2019

OTHER PUBLICATIONS

QVC, “NuFACE The Fix Line”, Oct. 31, 2019. <https://www.qvc.com/NuFACE-The-FIX-Line-Smoothing-Device-w-FIX-Serums.product.A389714.html?sc=NAVLIST>. 2 pages.

Carol Cole Company, “NuFACE mini”, Anti-Aging Skin Care; Website page of Jun. 4, 2014; retrieved Oct. 6, 2021 from URL: <http://web.archive.org/web/20140604223258/http://www.mynuface.com/>, 1 page.

EViS MD Platinum Product Literature “Light Therapy” in 1 page, accessed online Mar. 10, 2009—<http://www.evismd.com/product>.

FOREO Newswire—Mysa—Which LUNA 2 Facial Cleansing Device Is Right for You? (undated)—online at <https://www.foreo.com/mysa/luna-facial-cleansing/> in 7 pages.

GentleWaves® Product Literature “Elite Skin Fitness System™” in 2 pages, accessed online Mar. 10, 2009—http://www.lightbioscience.com/spa/skin_fitness.html.

Nu Body Micro-4 Skin Toning Device, online, no post date, <URL: <https://www.mynuface.com/products/nubody-skin-toning-device?variant=4183714594857> >, retrieved Nov. 7, 2018.

Omnilux clear—U Product Literature in 1 page, accessed online Mar. 10, 2009—<http://www.phototherapeutics.com/pdf/clear-u-brochure.pdf>.

Omnilux new—U Product Literature in 1 page, accessed online Mar. 10, 2009—<http://www.phototherapeutics.com/pdf/new-u-brochure.pdf>.

Pure Lift Device Product Literature in 4 pages, accessed online Aug. 1, 2018—<https://usa.facegym.com/shop/face-workout-tools/facegym-pro-white/>.

Quasar Light Therapy Product Literature in 1 page, accessed online Mar. 10, 2009—<http://babyquasar.com/quasar-pro-line.php>.

Quasar Light Therapy Product Literature in 1 page, accessed online Mar. 10, 2009—<http://babyquasar.com/baby-quasar.php>.

Quasar Light Therapy Product Literature in 1 page, accessed online Mar. 10, 2009—<http://babyquasar.com/baby-blue.php>.

Tanda Skincare System Product Literature in 1 page, accessed online Mar. 10, 2009—<http://www.tanda.com/retail.shtml>.

* cited by examiner

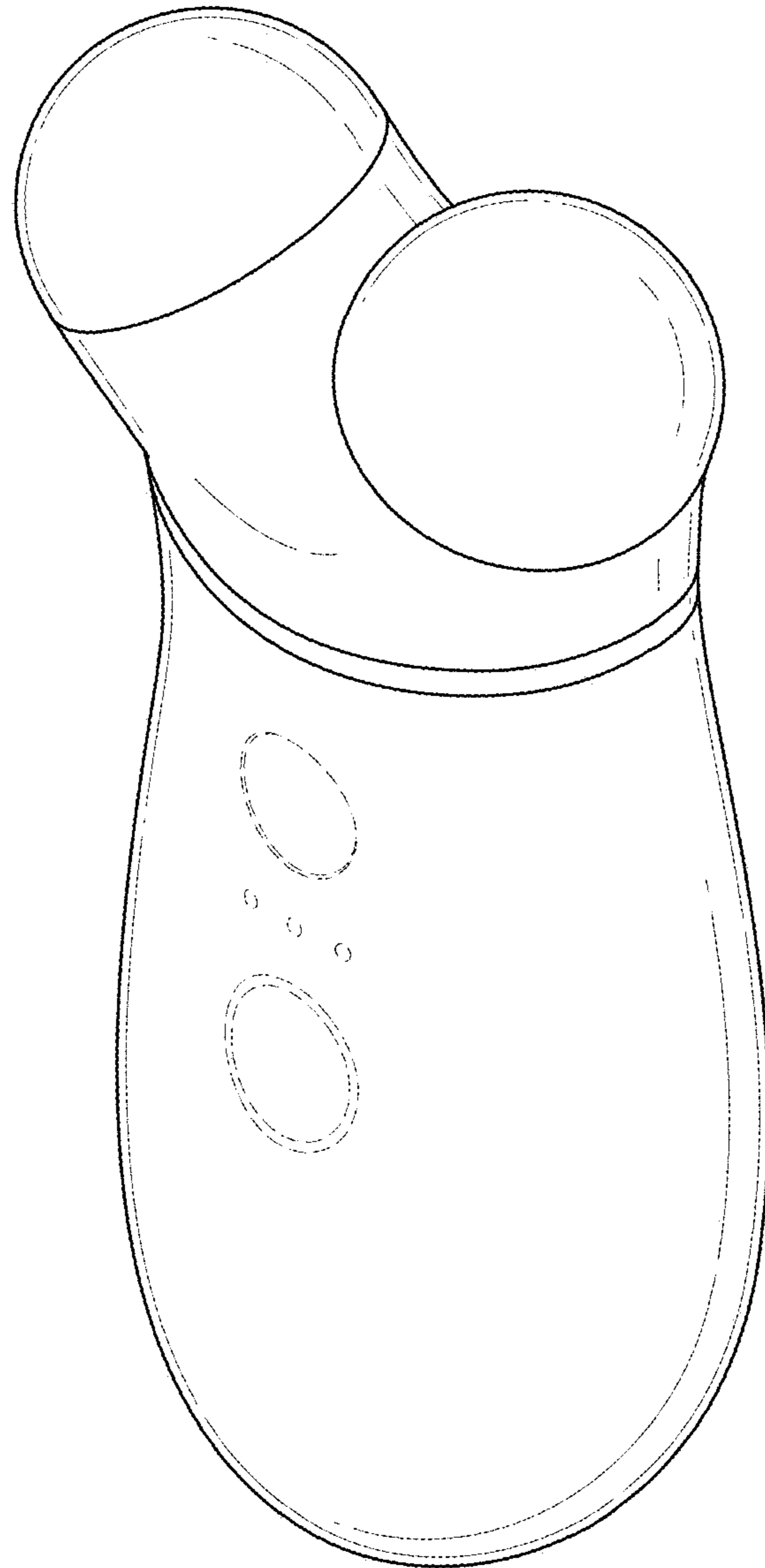


FIG. 1

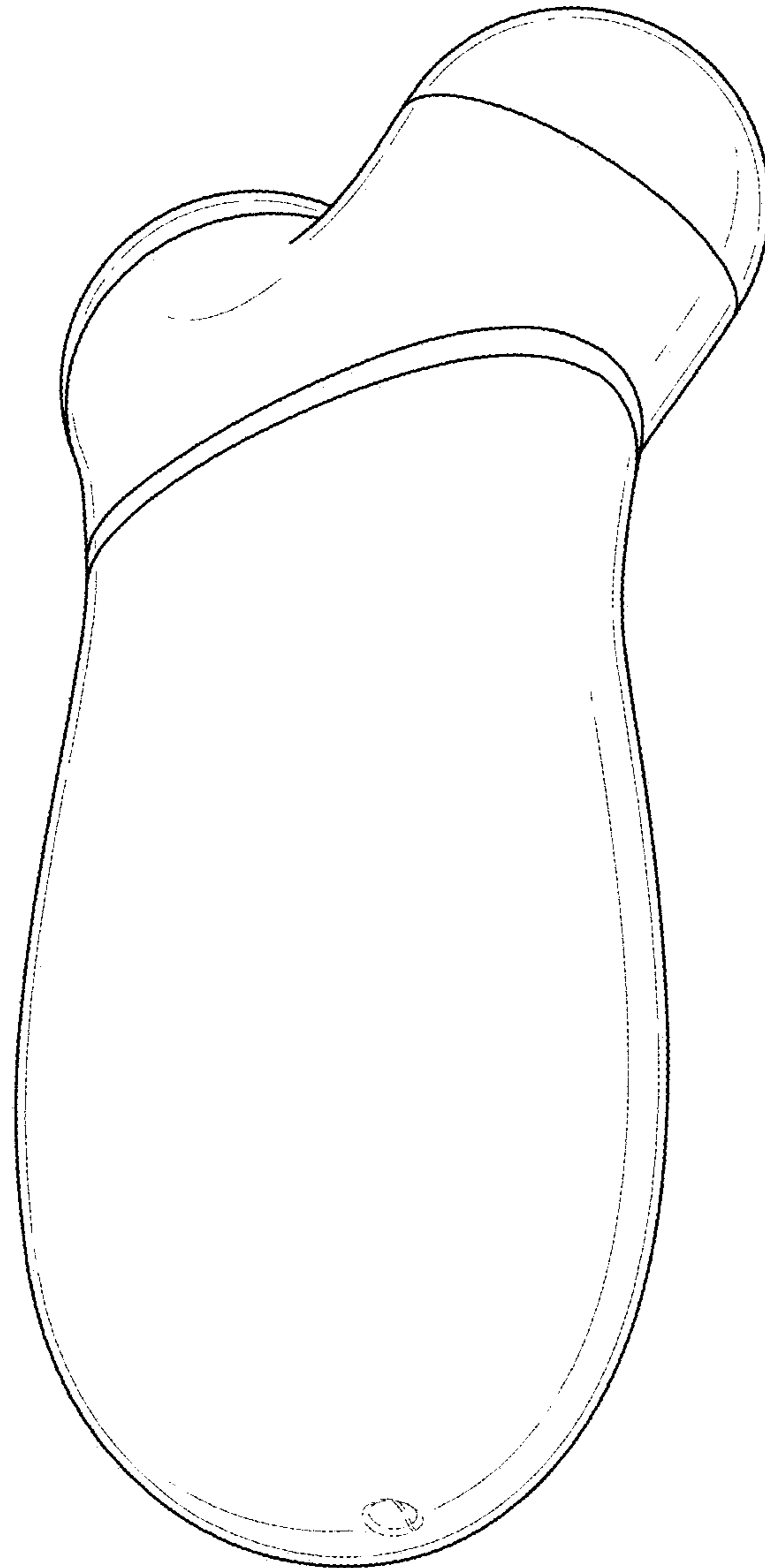


FIG. 2

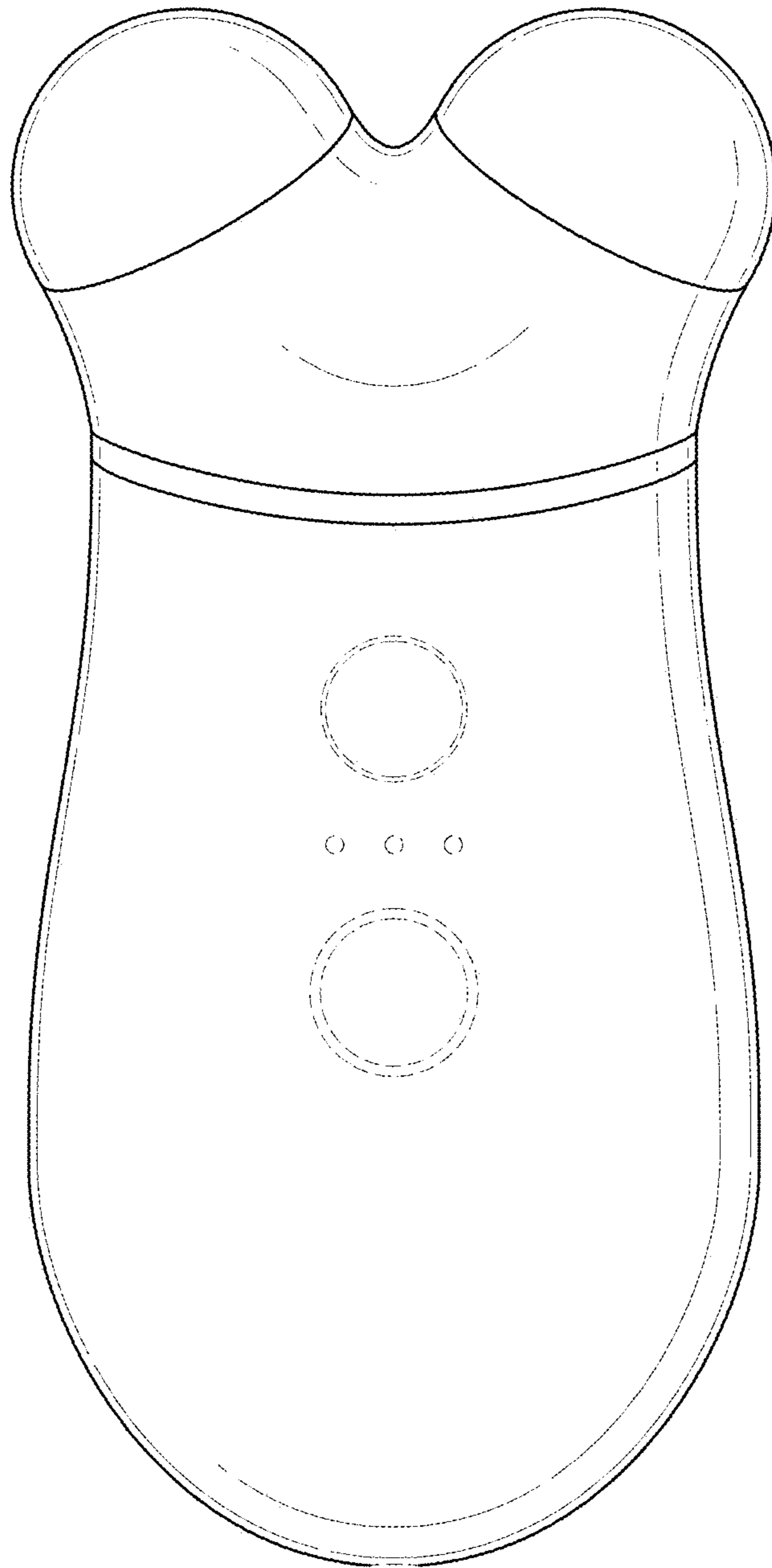


FIG. 3

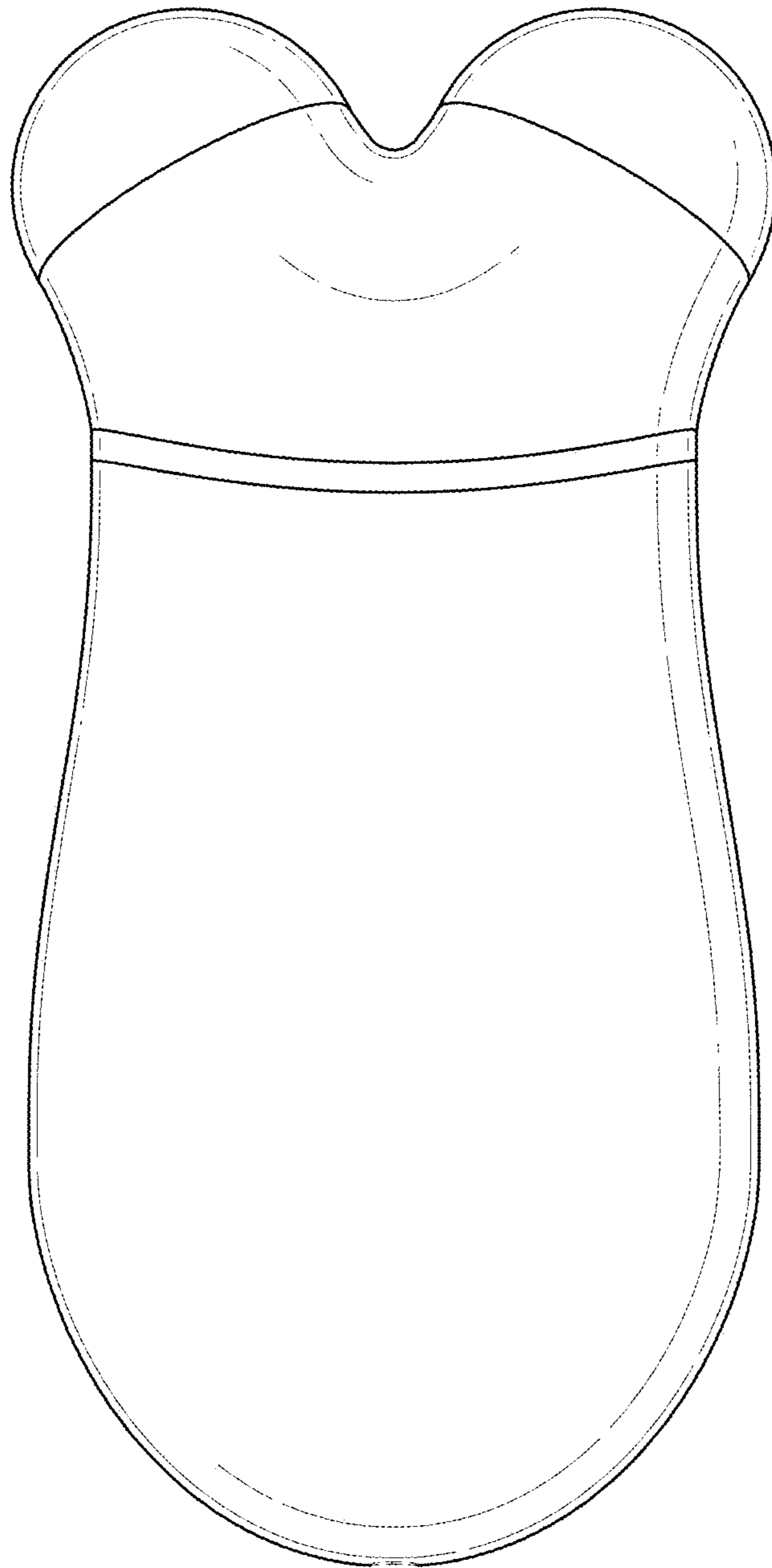


FIG. 4

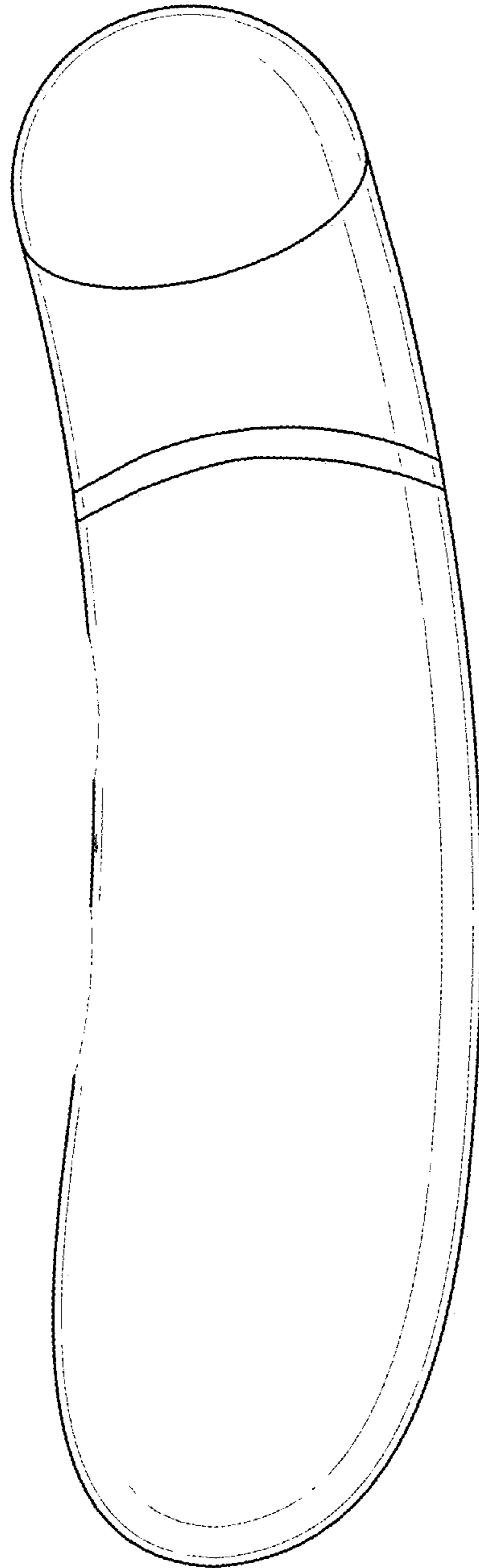


FIG. 5

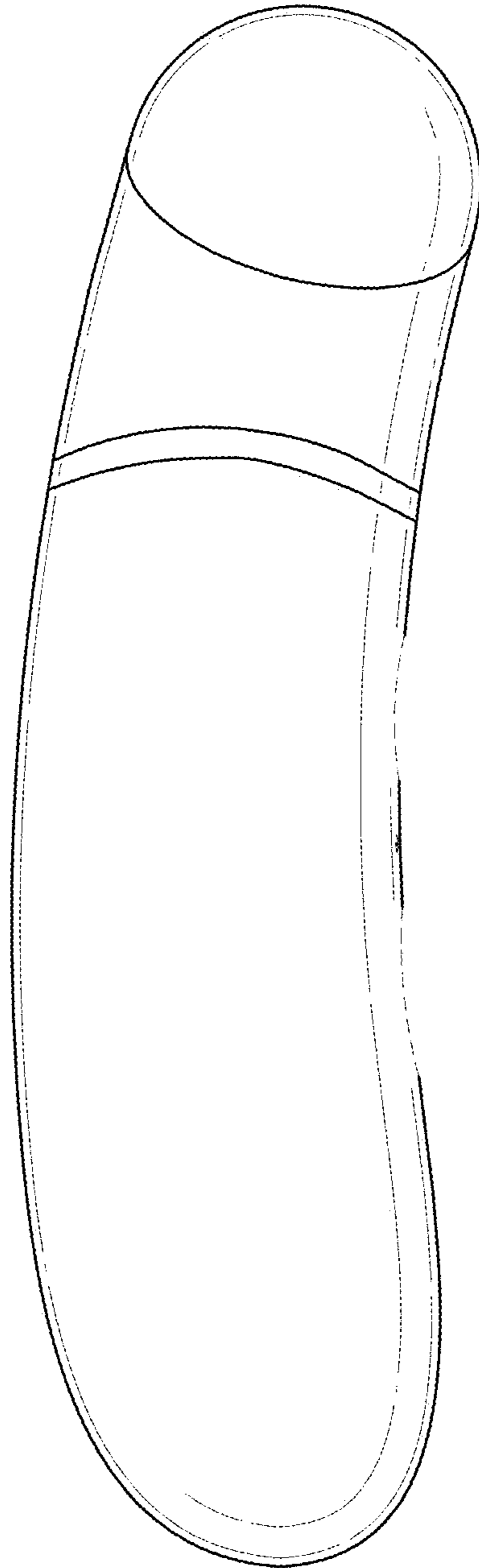


FIG. 6

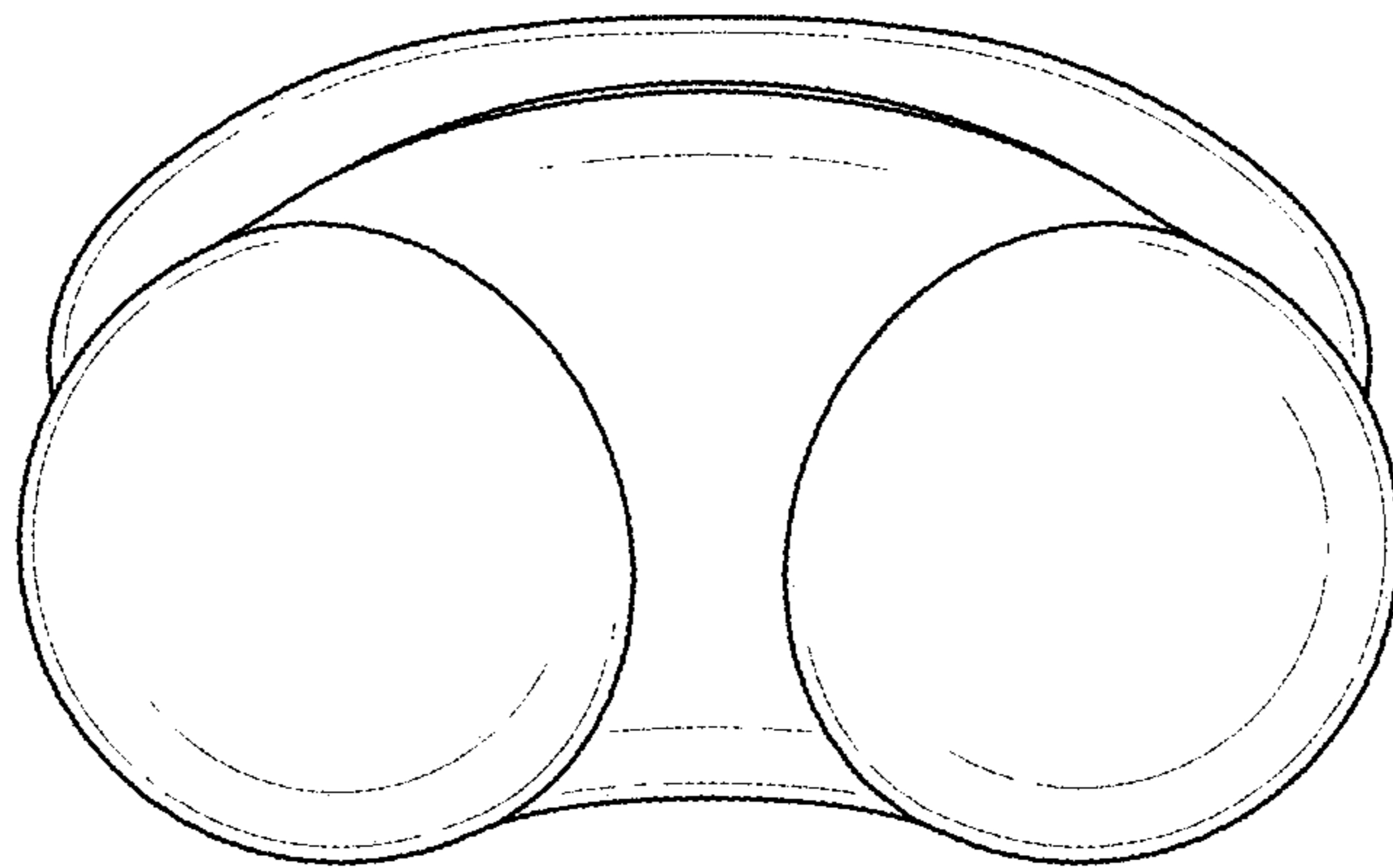


FIG. 7

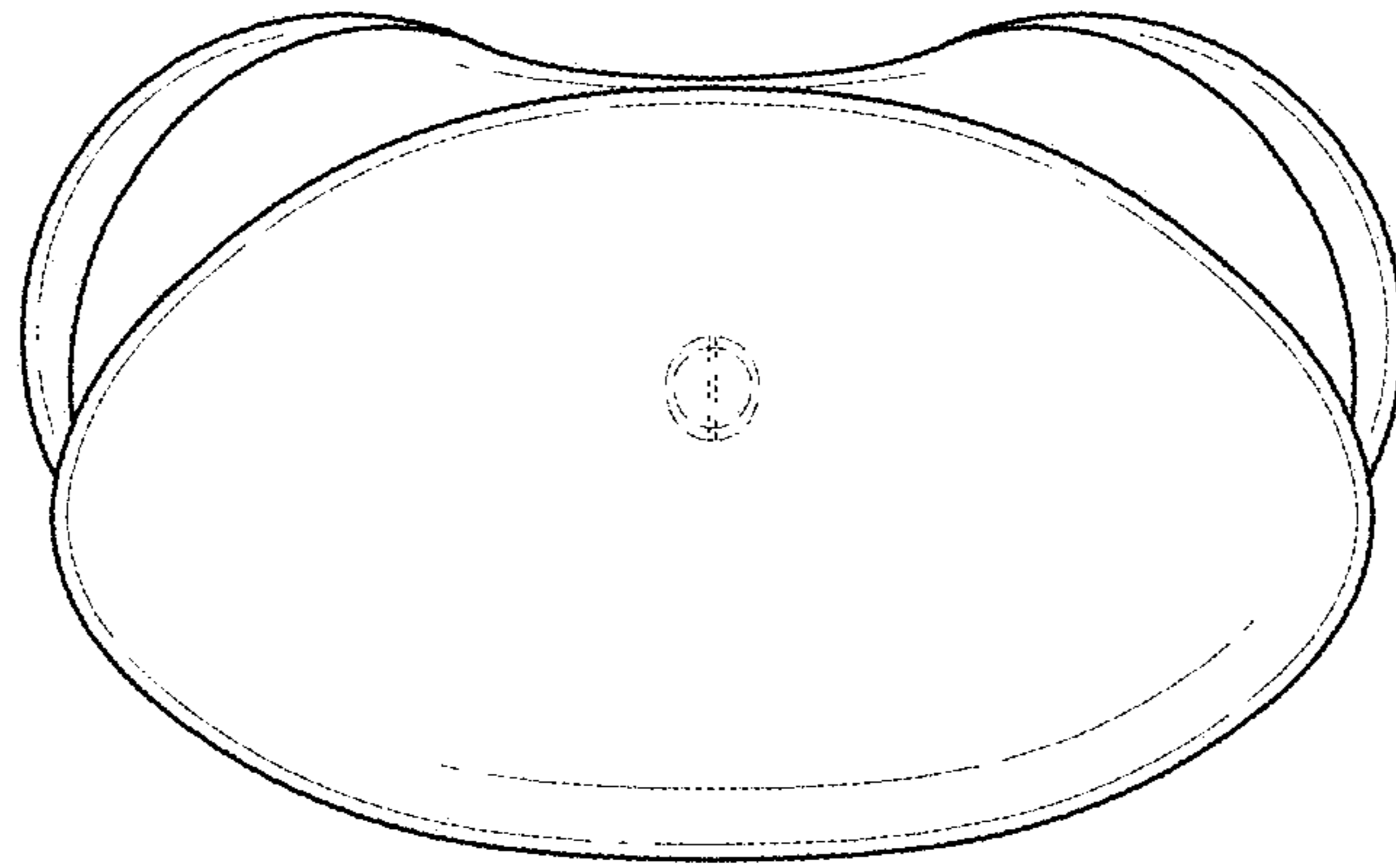


FIG. 8