



US00D970494S

(12) **United States Design Patent** (10) **Patent No.:** **US D970,494 S**
McIntosh (45) **Date of Patent:** **** Nov. 22, 2022**

(54) **CUP HOLDER INSERT WITH CELL PHONE
RETAINER**

D710,363 S * 8/2014 Wengreen D8/380
D727,143 S * 4/2015 Gomez D14/251
D732,013 S * 6/2015 Aspinall D14/253

(Continued)

(71) Applicant: **Scott J. McIntosh**, Franklin, TN (US)

(72) Inventor: **Scott J. McIntosh**, Franklin, TN (US)

(73) Assignee: **Cell Phone Seat LLC**, Franklin, TN
(US)

FOREIGN PATENT DOCUMENTS

KR 101407844 B1 6/2014
KR 102113123 B1 5/2020

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

OTHER PUBLICATIONS

(21) Appl. No.: **29/757,734**

Kickstarter "Cell Phone Seat—A Simple Cell Phone Holder For Your Car" web page content obtained Nov. 4, 2020 from <https://www.kickstarter.com/projects/cellphoneseat/cell-phone-seat-a-simple-cell-phone-holder-for-you/description>.

(Continued)

(22) Filed: **Nov. 9, 2020**

(51) **LOC (13) Cl.** **14-03**

(52) **U.S. Cl.**
USPC **D14/253**

(58) **Field of Classification Search**
USPC D3/218, 304; D8/331; D9/434;
D12/407, 415, 419; D14/209.1, 217, 226,
D14/238, 250, 251, 252, 253
CPC B60R 11/0241; B60R 2011/0075; B60R
2011/0071; B60R 2011/0059; B60R
11/02; B60R 2011/0007; H04M 1/0202;
H04M 1/04; H04M 1/05; H04M 1/6075;
H04M 1/72409

Primary Examiner — Joseph Kukella
Assistant Examiner — Darryl J Dardenne
(74) *Attorney, Agent, or Firm* — Master Key IP; Jeromye V. Sartain

See application file for complete search history.

(57) **CLAIM**

The ornamental design for a cup holder insert with cell phone retainer, as shown and described.

DESCRIPTION

(56) **References Cited**

U.S. PATENT DOCUMENTS

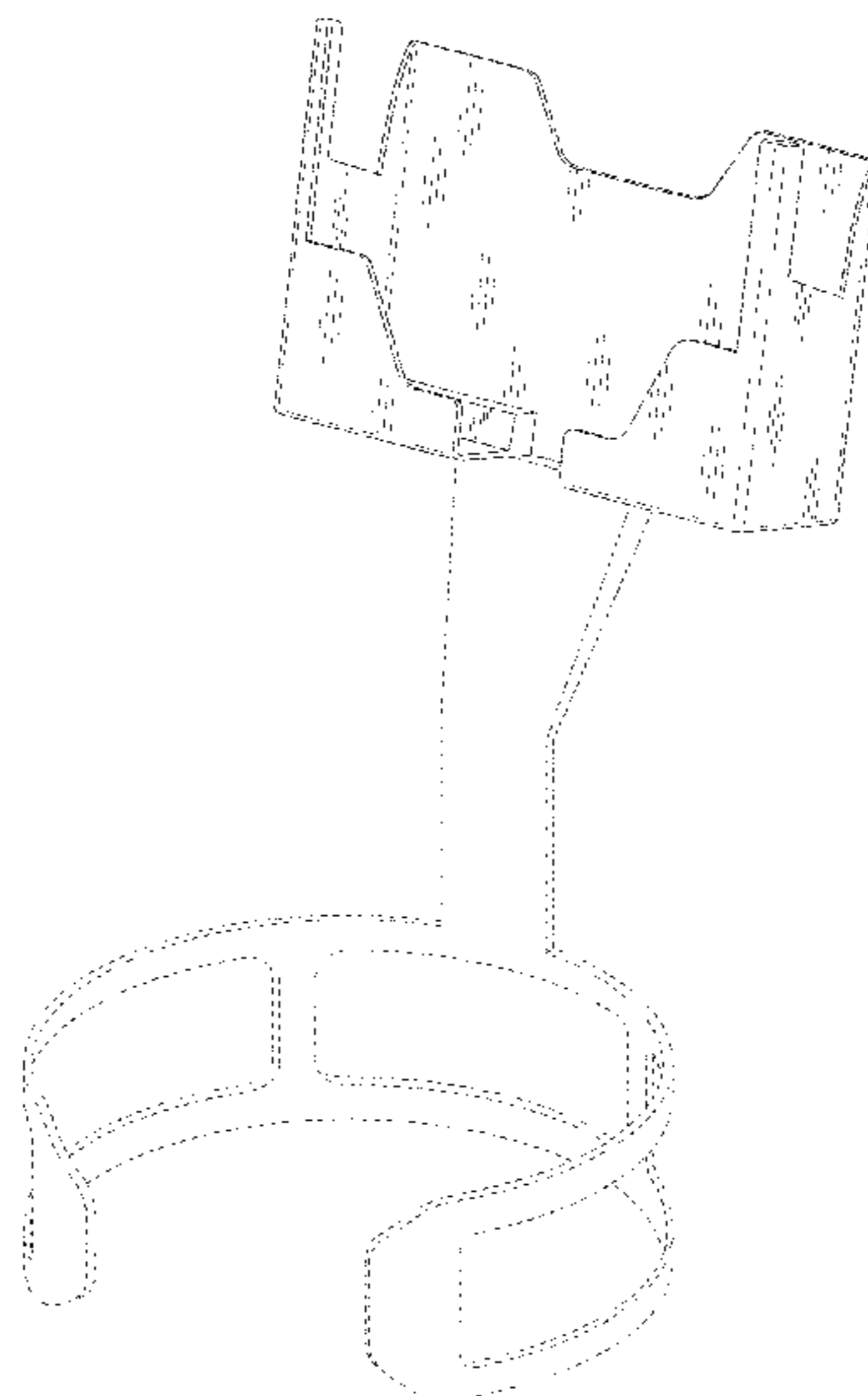
D280,466 S * 9/1985 Seltzer D6/567
D365,714 S * 1/1996 Masello D6/567
D376,805 S * 12/1996 Johansson D8/349
5,745,565 A 4/1998 Wakefield
5,825,874 A * 10/1998 Humphreys H04M 1/04
379/446
D426,235 S * 6/2000 Phirippidis D8/71
D446,698 S 8/2001 Thomas
6,396,925 B1 5/2002 Close
6,533,233 B2 3/2003 Thomas
D508,605 S * 8/2005 Hwang D3/218
8,550,550 B2 10/2013 Cassese et al.

FIG. 1 is a perspective view of a cup holder insert with cell phone retainer showing my new design;
FIG. 2 is a front view thereof;
FIG. 3 is a rear view thereof;
FIG. 4 is a side view thereof;
FIG. 5 is a top view thereof; and,
FIG. 6 is a bottom view thereof.

Due to the symmetry of the cup holder insert with cell phone retainer design, separate left and right side views are not needed as being redundant.

In the drawings, the broken lines depict environmental subject matter only and form no part of the claimed design.

1 Claim, 5 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

9,221,376 B2 12/2015 Baker
D765,648 S * 9/2016 Starkenburg D12/415
D772,217 S * 11/2016 Alesi D14/253
D772,859 S * 11/2016 Alesi D14/253
D797,546 S * 9/2017 Saideh D8/354
9,819,377 B1 * 11/2017 Singh H04B 1/3877
D812,064 S * 3/2018 Wengreen D14/238.1
D813,241 S * 3/2018 Wengreen D14/496
D838,107 S * 1/2019 Daly D3/304
D873,205 S 1/2020 MacNeil et al.
D877,043 S 3/2020 MacNeil et al.
D878,279 S 3/2020 MacNeil et al.
10,576,905 B1 3/2020 MacNeil et al.
10,717,396 B2 7/2020 MacNeil et al.
D898,730 S * 10/2020 Comelek D14/253
D929,391 S * 8/2021 Chen D14/253
D931,270 S * 9/2021 Qiu D14/253

D944,717 S * 3/2022 Iverson D12/419
D949,842 S * 4/2022 Qiu D12/407
2001/0032791 A1 10/2001 Hudson
2008/0019082 A1 1/2008 Krieger et al.
2014/0170977 A1 * 6/2014 Ryan H04B 1/3883
455/575.9
2018/0072210 A1 3/2018 Huelke et al.

OTHER PUBLICATIONS

WeatherTech “WeatherTech CupFone” web page content obtained Nov. 4, 2020 from https://www.weathertech.com/products/weathertech-cupfone/?utm_source=BingAds&utm_medium=CPC&utm_campaign=CupFone-Brand&msclkid=2db460fb5ac81cdca76f3f58753cb454.
CupCall “Ultimate Cell Phone Mount Fits Any Car Cup Holder” web page content obtained Nov. 4, 2020 from <https://getcupcall.com/?ref=getcupcall.com>.

* cited by examiner

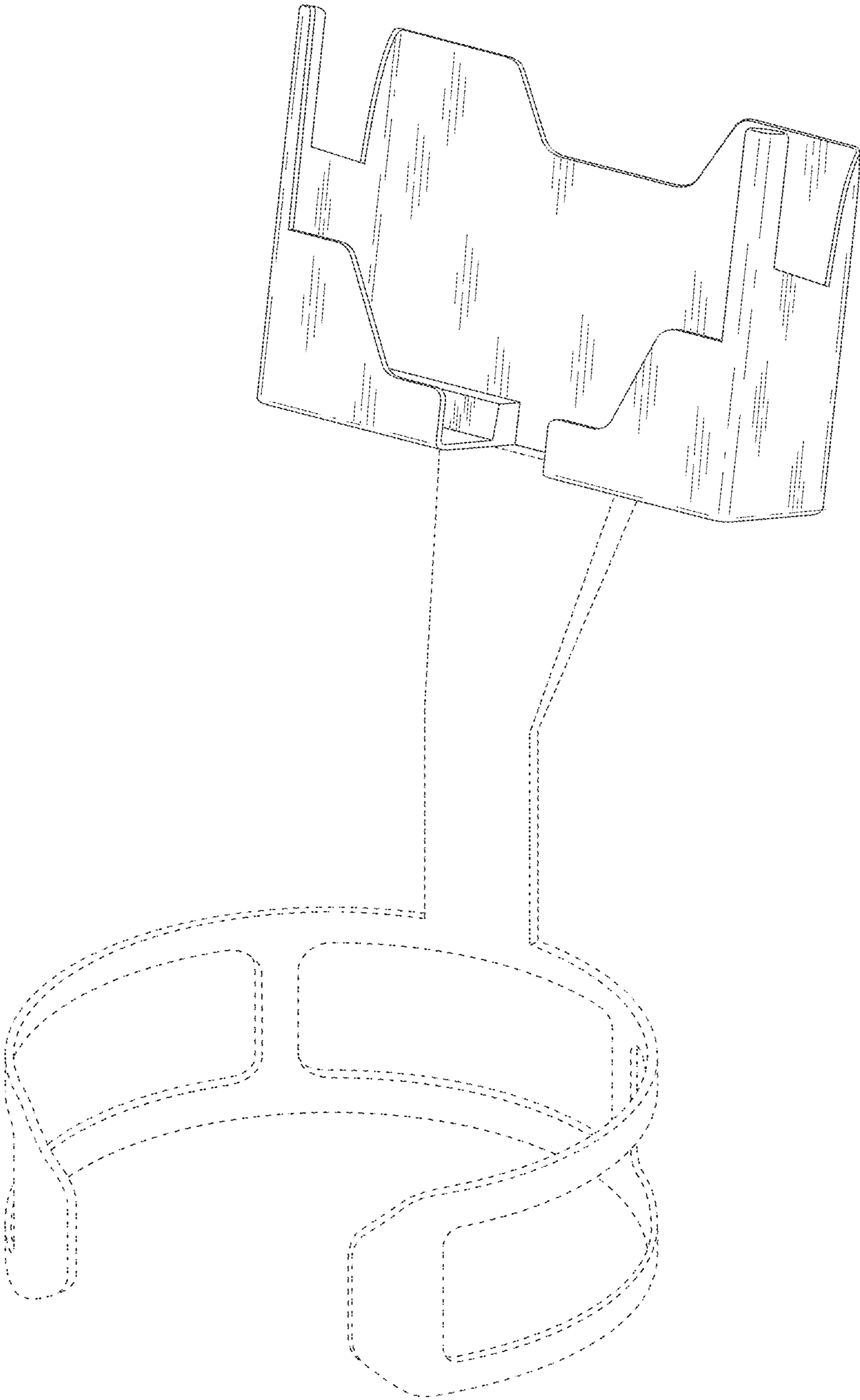


Fig. 1

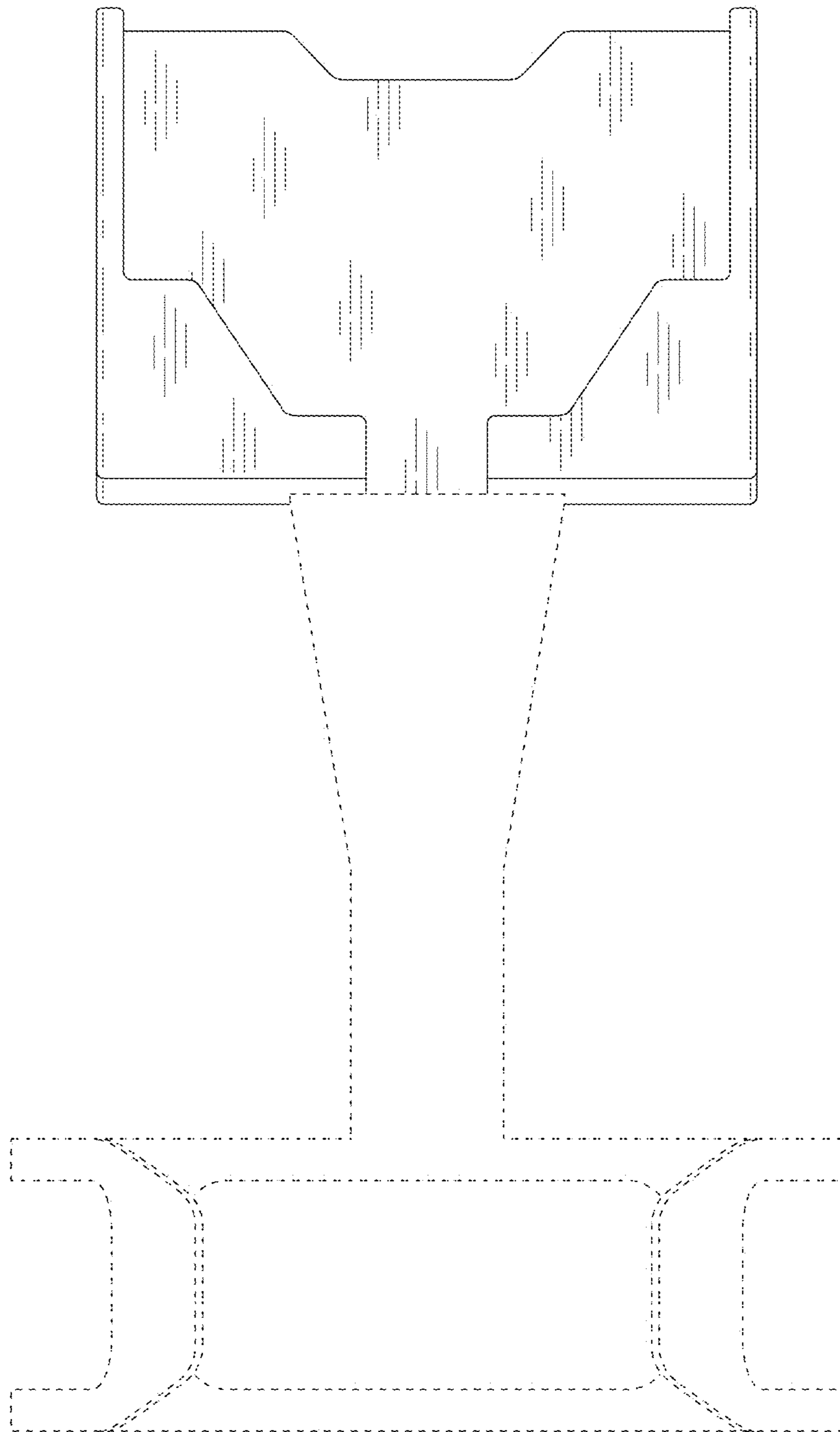


Fig. 2

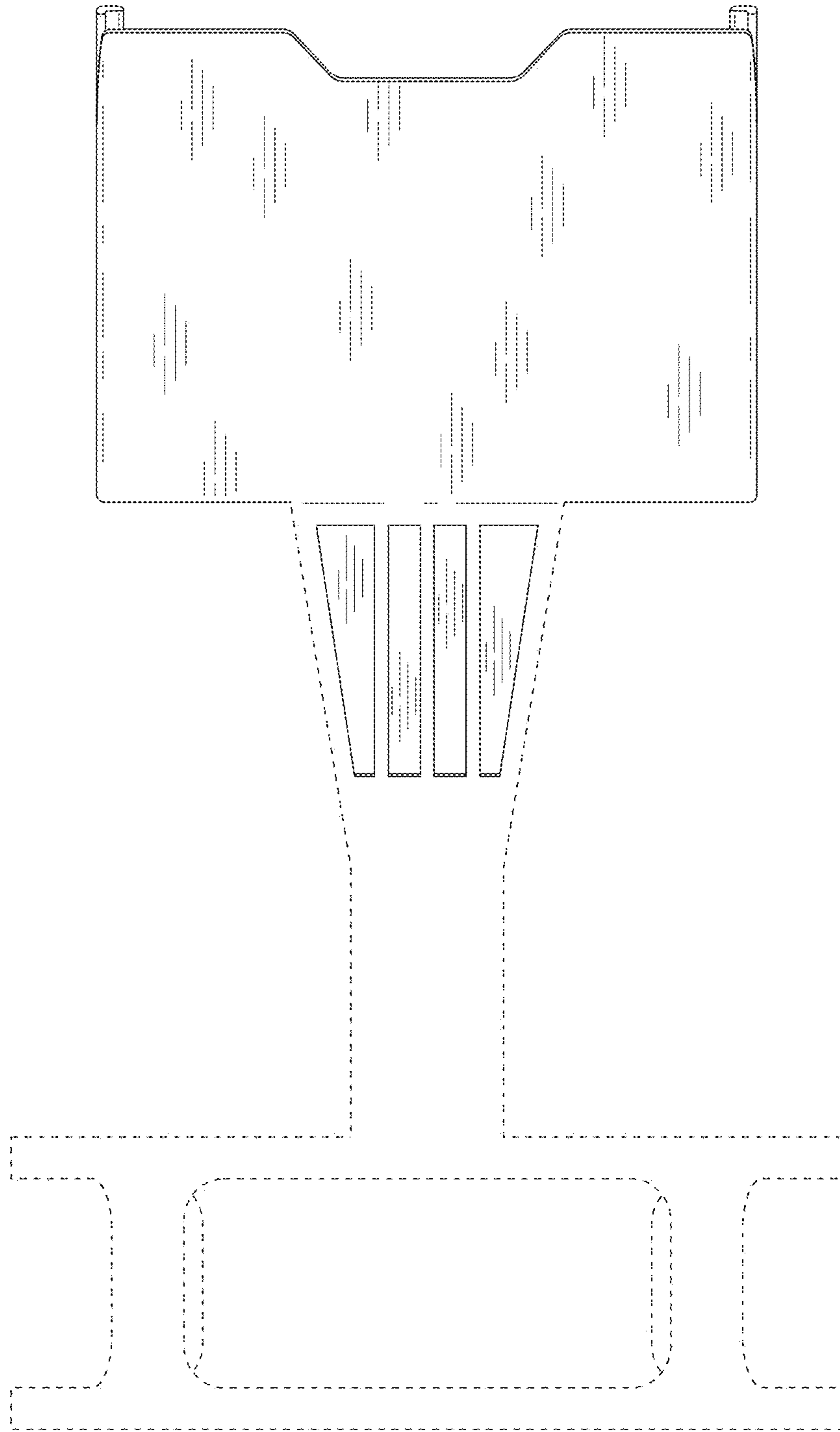


Fig. 3

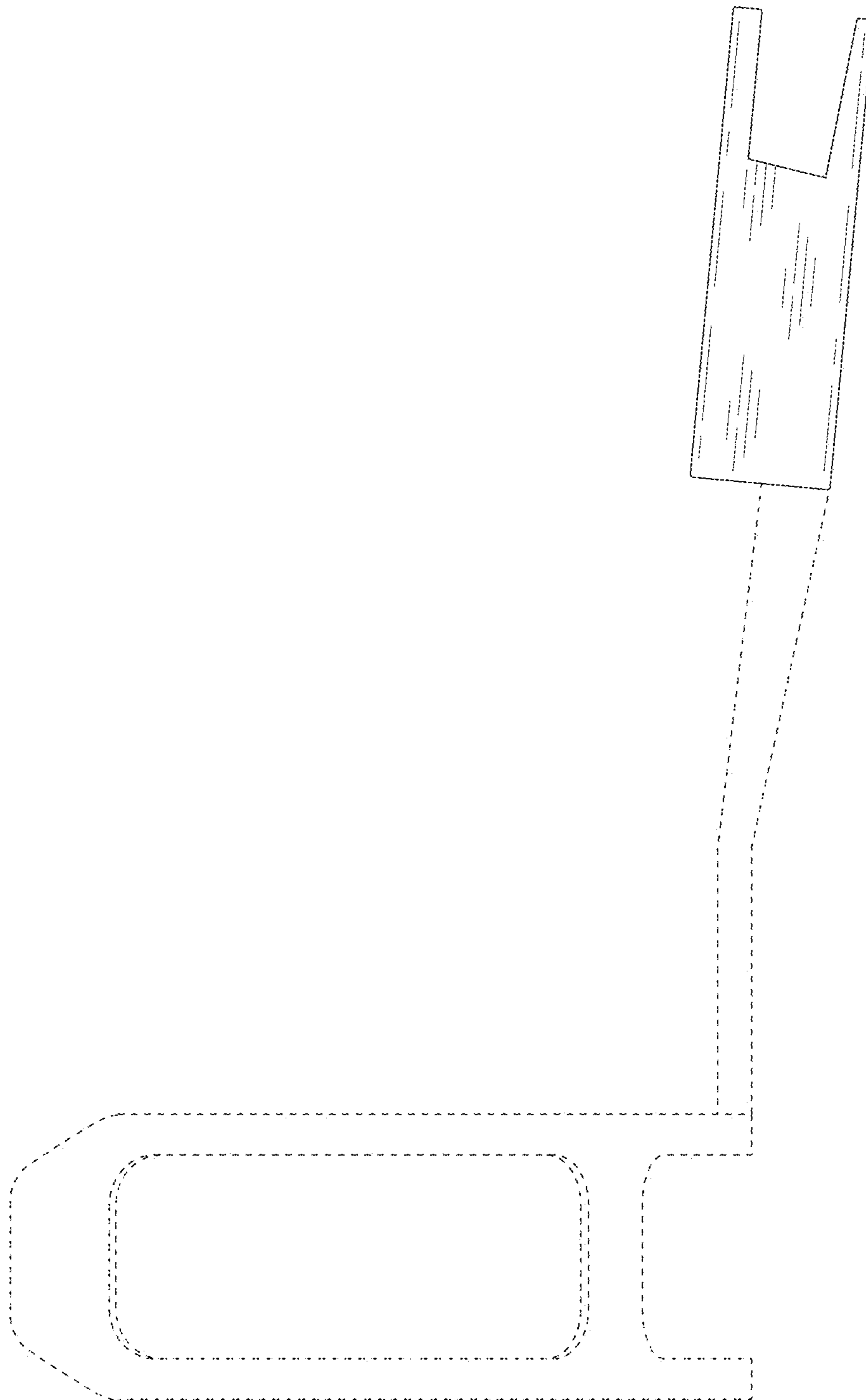


Fig. 4

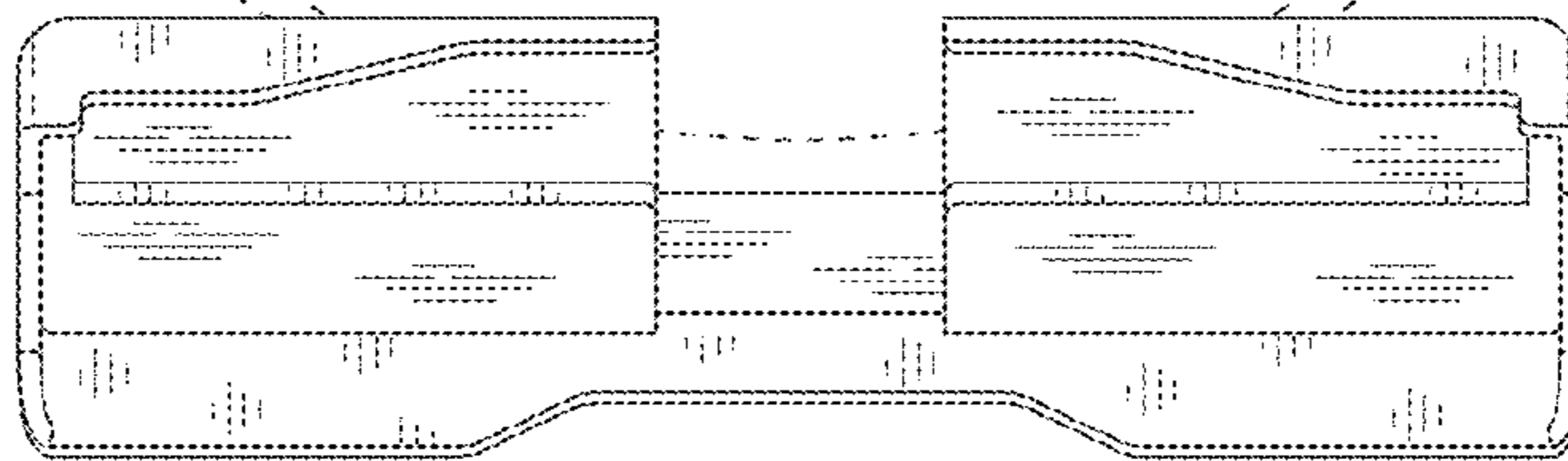
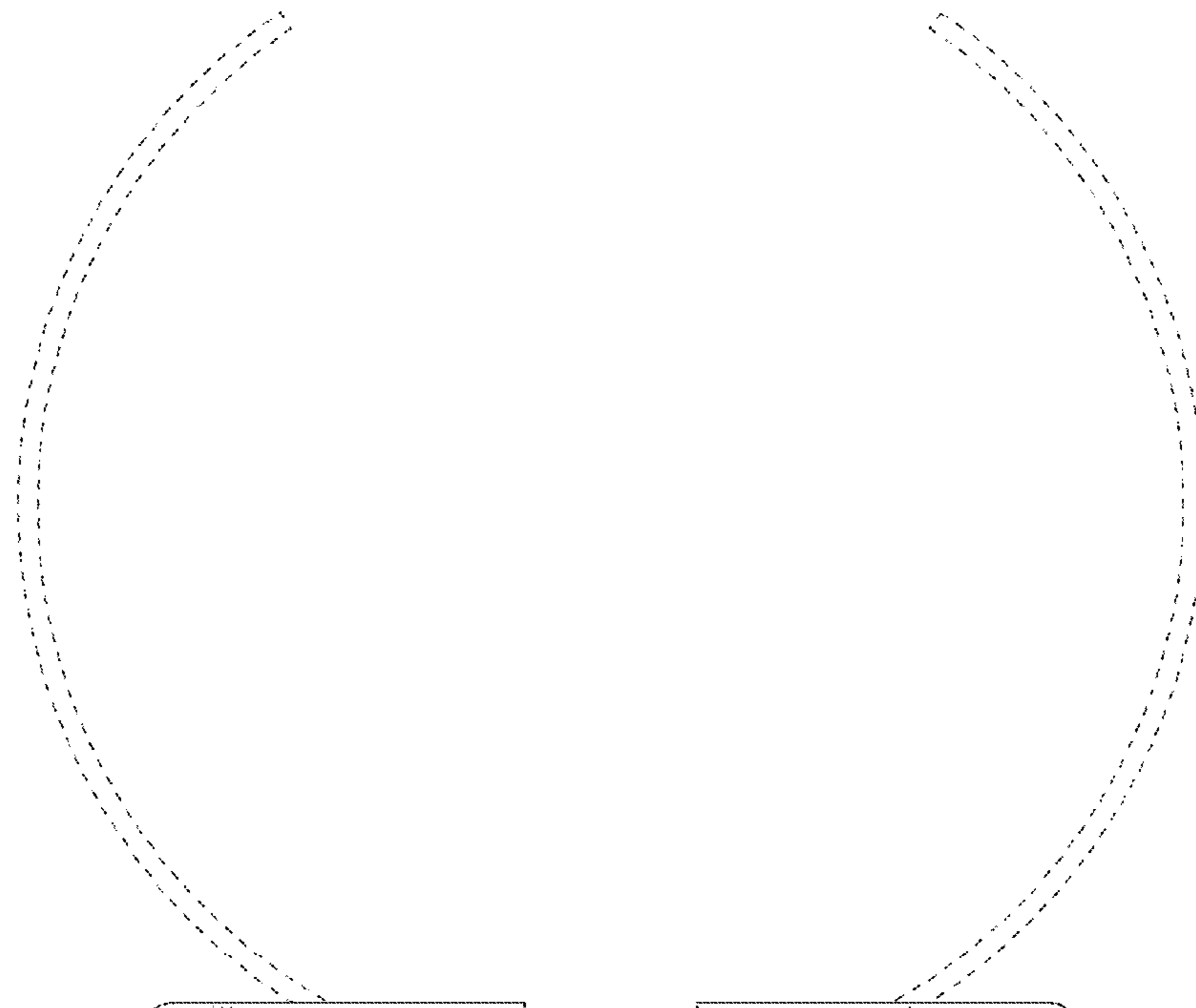


Fig. 5

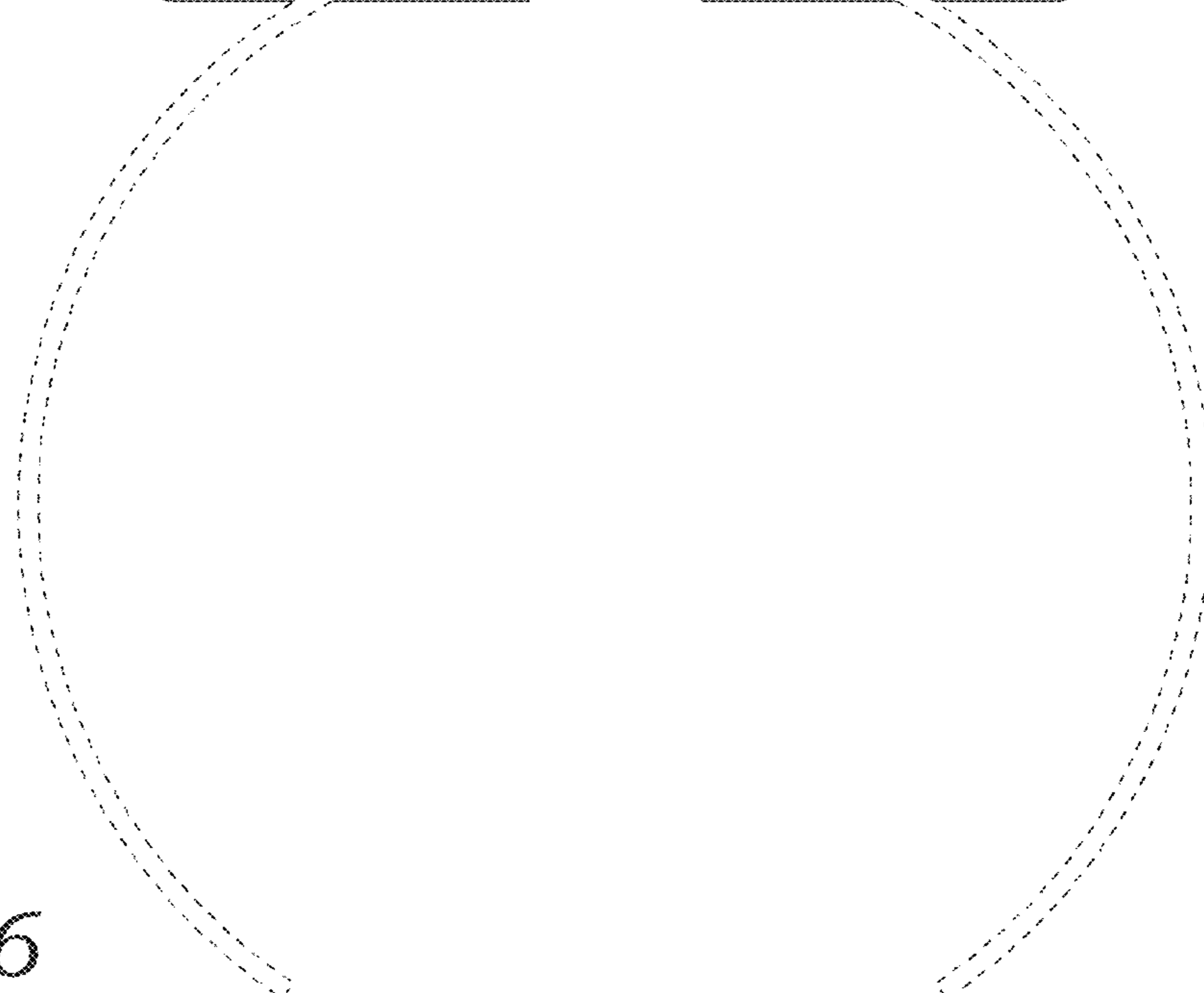
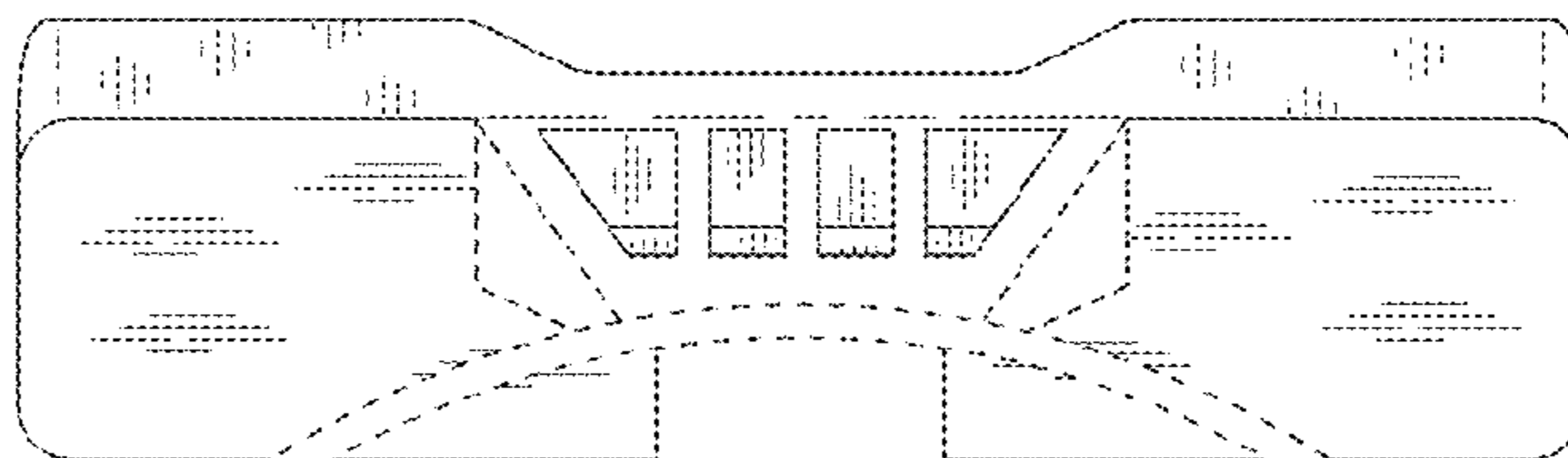


Fig. 6