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(12) **United States Design Patent** (10) **Patent No.:** **US D972,887 S**
Bennion et al. (45) **Date of Patent:** **** Dec. 20, 2022**

(54) **COOKING APPARATUS**

FOREIGN PATENT DOCUMENTS

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CN 209186432 8/2019

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OTHER PUBLICATIONS

China National Intellectual Property Administration, "Notice of Decision of Grant of Patent Right for Design," issued in connection with Chinese Patent Application No. 201930653629.X, dated Apr. 9, 2020, 4 pages.

(73) Assignee: **WEBER-STEPHEN PRODUCTS LLC**, Palatine, IL (US)

(Continued)

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

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(21) Appl. No.: **29/772,138**

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(22) Filed: **Feb. 26, 2021**

(57) **CLAIM**

The ornamental design for a cooking apparatus, as shown and described.

Related U.S. Application Data

DESCRIPTION

(63) Continuation of application No. 29/694,202, filed on Jun. 7, 2019, now Pat. No. Des. 915,120.

(51) **LOC (13) Cl.** **07-02**

(52) **U.S. Cl.**
USPC **D7/403; D7/334**

(58) **Field of Classification Search**
USPC D7/323, 332–339, 387, 402–406, 408,
D7/409; D21/523, 524; D23/335, 337,
D23/339, 343, 345

CPC A47J 37/00; A47J 37/06; A47J 37/0647;
A47J 37/0658; A47J 37/07–0754; A47J

(Continued)

FIG. 1 is a front right perspective view of a cooking apparatus.

FIG. 2 is a front left perspective view of the cooking apparatus of FIG. 1.

FIG. 3 is a rear perspective view of the cooking apparatus of FIG. 1.

FIG. 4 is a front view of the cooking apparatus of FIG. 1.

FIG. 5 is a rear view of the cooking apparatus of FIG. 1.

FIG. 6 is a left side view of the cooking apparatus of FIG. 1.

FIG. 7 is right side view of the cooking apparatus of FIG. 1.

FIG. 8 is a top view of the cooking apparatus of FIG. 1.

FIG. 9 is a bottom view of the cooking apparatus of FIG. 1; and,

FIG. 10 is an enlarged, rear perspective view of the cooking apparatus of FIG. 1.

The features shown in broken lines represent portions of the cooking apparatus and form no part of the claimed design.

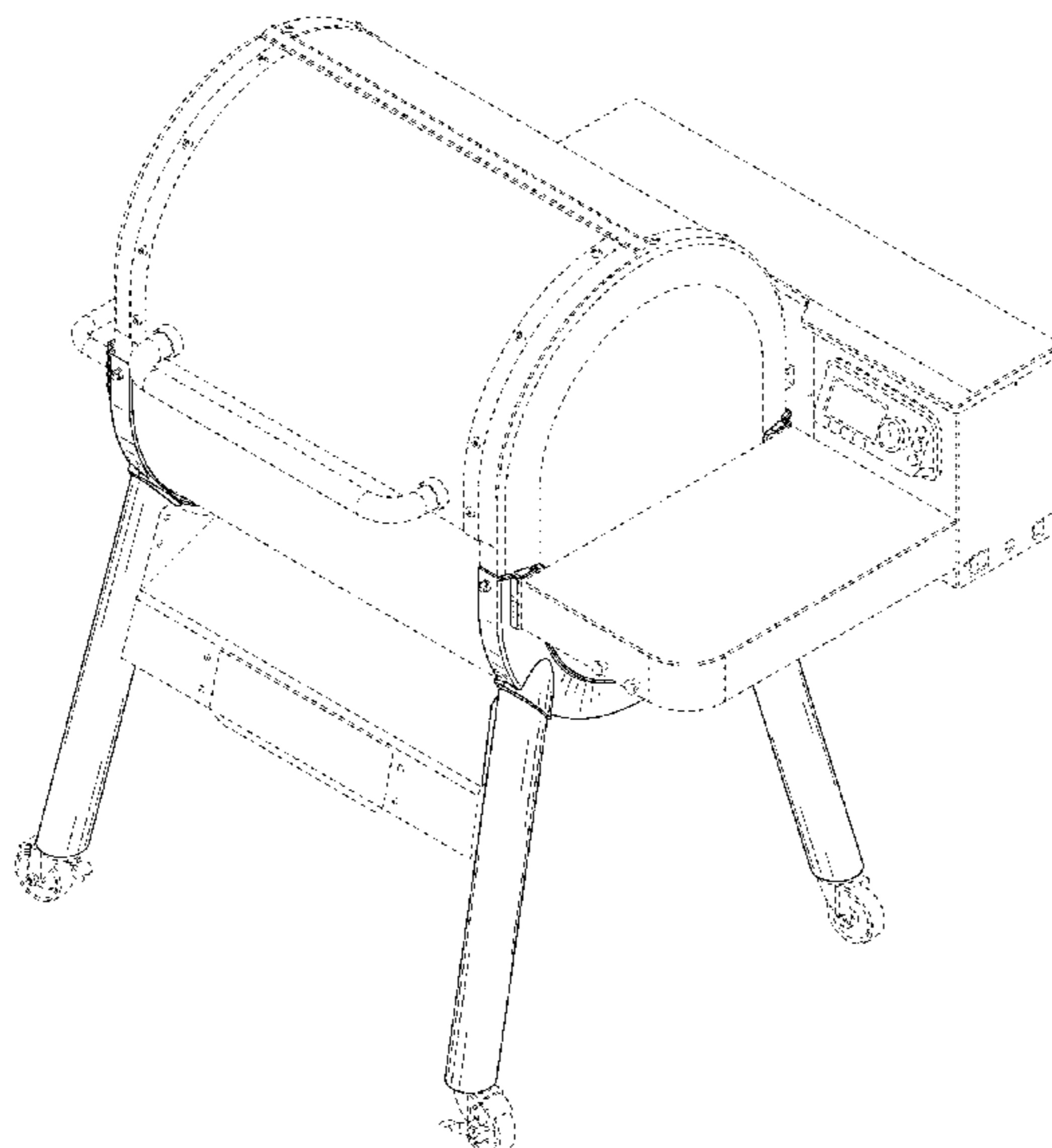
(56) **References Cited**

U.S. PATENT DOCUMENTS

D179,345 S 12/1956 Henry et al.
4,823,684 A 4/1989 Traeger et al.
5,251,607 A 10/1993 Traeger et al.

(Continued)

1 Claim, 10 Drawing Sheets



(58) **Field of Classification Search**
 CPC 37/0763; A47J 37/0781; A47J 37/0786;
 A47J 2037/0777; A47J 2037/0795
 See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

5,429,110	A	7/1995	Burke et al.	
D426,101	S	6/2000	Pai	
6,223,737	B1	5/2001	Buckner	
D540,615	S	4/2007	Jeon	
D564,834	S	* 3/2008	Bruno	D7/402
D609,045	S	2/2010	Bruno et al.	
7,900,553	B1	3/2011	Maurin	
D636,217	S	* 4/2011	Slater	D7/334
8,267,078	B2	9/2012	Kuntz	
D695,055	S	12/2013	Measom et al.	
D708,002	S	* 7/2014	Cruccolini	D7/334
8,833,360	B2	9/2014	Knight	
D731,132	S	6/2015	Ha et al.	
D733,483	S	7/2015	Baker et al.	
D736,026	S	8/2015	Kam et al.	
9,186,020	B1	11/2015	Phillips	
D760,539	S	7/2016	Colston	
9,585,518	B1	3/2017	Phillips	
9,635,978	B2	5/2017	Measom et al.	
D790,901	S	* 7/2017	Zhou	D7/334
9,814,354	B2	11/2017	McAdams et al.	
9,913,559	B2	3/2018	Polter et al.	
9,930,991	B2	4/2018	Traeger	
D816,403	S	5/2018	Ward et al.	
D817,091	S	5/2018	Colston	
D820,023	S	* 6/2018	Zhou	D7/334
D820,628	S	* 6/2018	Zhou	D7/334
10,010,217	B1	7/2018	Miller	
D825,990	S	8/2018	Colston et al.	
D827,368	S	9/2018	Colston	
D827,370	S	9/2018	Colston	
D827,371	S	9/2018	Colston et al.	
D829,499	S	10/2018	Colston	
10,105,007	B2	10/2018	Colston et al.	
D839,047	S	1/2019	Colston et al.	
10,213,051	B2	2/2019	Colston et al.	
10,330,322	B2	6/2019	Measom et al.	
10,342,383	B2	7/2019	Liu	
10,568,461	B2	* 2/2020	Colston	A47J 37/067
D880,901	S	4/2020	Raad et al.	
D883,667	S	5/2020	Barlier	
D897,771	S	* 10/2020	Colston	A47J 37/0704 D7/403
10,874,252	B2	12/2020	Colston et al.	
D907,424	S	1/2021	Measom et al.	
D914,428	S	3/2021	Bennion et al.	
D914,429	S	3/2021	Bennion et al.	
D914,430	S	3/2021	Mecker et al.	
D915,120	S	4/2021	Bennion et al.	
D915,136	S	4/2021	Bennion et al.	
D915,137	S	4/2021	Bennion et al.	
D915,138	S	4/2021	Bennion et al.	
D915,139	S	4/2021	Bennion et al.	
D915,812	S	4/2021	Bennion et al.	
D915,824	S	4/2021	Bennion et al.	
D920,740	S	* 6/2021	Bennion	F23Q 7/02 D7/402
D945,208	S	* 3/2022	Duan	A47J 37/0786 D7/334
D948,918	S	* 4/2022	Czach	A47J 37/067 D7/334
2004/0094074	A1	5/2004	Chung	
2005/0217659	A1	10/2005	McClenahan	
2012/0003445	A1	1/2012	Crain	
2012/0266856	A1	10/2012	Zepek et al.	
2013/0047973	A1	2/2013	Nicks	
2013/0174834	A1	7/2013	Measom et al.	
2013/0298894	A1	11/2013	Kleinsasser	
2014/0027659	A1	1/2014	Kumar	

2014/0261012	A1	9/2014	Perez, Jr. et al.	
2014/0326232	A1	11/2014	Traeger	
2014/0326233	A1	11/2014	Traeger	
2015/0342401	A1	12/2015	Alden et al.	
2016/0327263	A1	11/2016	Traeger	
2017/0065124	A1	3/2017	Colston	
2017/0164783	A1	6/2017	Sauerwein et al.	
2017/0176018	A1	6/2017	Traeger	
2018/0070772	A1	3/2018	McAdams et al.	
2018/0168395	A1	6/2018	Colston	
2018/0168397	A1	6/2018	Colston	
2018/0235401	A1	* 8/2018	Johnston	A47J 37/0786
2018/0290677	A1	10/2018	Patton et al.	
2019/0133374	A1	5/2019	McAdams et al.	
2019/0150663	A1	5/2019	Colston et al.	
2020/0025390	A1	1/2020	Lee et al.	
2020/0040926	A1	2/2020	Colston et al.	
2020/0103119	A1	4/2020	Kim et al.	
2020/0214501	A1	7/2020	Gafford et al.	
2020/0240643	A1	7/2020	Donnelly et al.	
2020/0281402	A1	9/2020	Witzel et al.	
2020/0370752	A1	* 11/2020	Ahmed	A47J 37/0704
2021/0293413	A1	* 9/2021	Donnelly	F23Q 7/02
2021/0352923	A1	* 11/2021	Li	A23B 4/0523
2021/0356130	A1	* 11/2021	Li	A47J 36/321

OTHER PUBLICATIONS

IP Australia, "Certificate of examination," issued in connection with Australian Design Application No. 201916738, dated May 8, 2020, 2 pages.

IP Australia, "Certificate of examination," issued in connection with Australian Design Application No. 201916740, dated May 8, 2020, 2 pages.

IP Australia, "Certificate of examination," issued in connection with Australian Design Application No. 201916742, dated May 8, 2020, 2 pages.

IP Australia, "Certificate of examination," issued in connection with Australian Design Application No. 201916743, dated May 8, 2020, 2 pages.

IP Australia, "Certificate of examination," issued in connection with Australian Design Application No. 201916744, dated May 8, 2020, 2 pages.

IP Australia, "Certificate of examination," issued in connection with Australian Design Application No. 201916745, dated May 11, 2020, 2 pages.

IP Australia, "Certificate of examination," issued in connection with Australian Design Application No. 201916746, dated May 11, 2020, 2 pages.

IP Australia, "Certificate of examination," issued in connection with Australian Design Application No. 201916751, dated May 11, 2020, 2 pages.

IP Australia, "Certificate of examination," issued in connection with Australian Design Application No. 201916752, dated May 11, 2020, 2 pages.

IP Australia, "Certificate of examination," issued in connection with Australian Design Application No. 201916753, dated May 11, 2020, 2 pages.

European Union Intellectual Property Office, "Certificate of Registration," issued in connection with European Community Design No. 007342720-0001 through 007342720-0010, registered May 12, 2019, 54 pages.

China National Intellectual Property Administration, "Design Certificate," issued in connection with Chinese Design Patent No. ZL 201930653629.X, dated Jun. 2, 2020, 3 pages.

China National Intellectual Property Administration, "Chinese Design Registration No. 305340216," dated Sep. 10, 2019, 5 pages.

European Union Intellectual Property Office, "Design Registration No. 007974985-0013," dated May 29, 2020, 4 pages.

Youtube, "Weber SmokeFire Pellet Grill Review," dated Nov. 27, 2017, retrieved from [http://www.youtube.com/watch?v=iRSdgBebvLy&feature=youtu.be], 1 page.

(56)

References Cited

OTHER PUBLICATIONS

Traeger, “Timberline 1300 Pellet Grill,” retrieved from [https://www.traegergrills.com/pellet-grills/timberline/1300] on Dec. 21, 2020, 3 pages.

United States Patent and Trademark Office, “Non-Final Office Action,” issued in connection with U.S. Appl. No. 29/694,202, dated Jan. 8, 2021, 5 pages.

United States Patent and Trademark Office, “Notice of Allowance and Fee(s) Due,” issued in connection with U.S. Appl. No. 29/694,202, dated Feb. 17, 2021, 8 pages.

United States Patent and Trademark Office, “Notice of Allowance and Fee(s) Due,” issued in connection with U.S. Appl. No. 29/701,945, dated Jan. 22, 2021, 8 pages.

United States Patent and Trademark Office, “Notice of Allowance and Fee(s) Due,” issued in connection with U.S. Appl. No. 29/701,948, dated Jan. 21, 2021, 8 pages.

United States Patent and Trademark Office, “Non-Final Office Action,” issued in connection with U.S. Appl. No. 29/701,951, dated Jan. 19, 2021, 6 pages.

United States Patent and Trademark Office, “Notice of Non-Responsive Amendment,” issued in connection with U.S. Appl. No. 29/701,951, dated Mar. 9, 2021, 6 pages.

United States Patent and Trademark Office, “Notice of Allowance and Fee(s) Due,” issued in connection with U.S. Appl. No. 29/701,953, dated Jan. 19, 2021, 8 pages.

United States Patent and Trademark Office, “Ex Parte Quayle Action,” issued in connection with U.S. Appl. No. 29/701,956, dated Jan. 27, 2021, 5 pages.

United States Patent and Trademark Office, “Notice of Allowance and Fee(s) Due,” issued in connection with U.S. Appl. No. 29/701,956, dated Mar. 12, 2021, 8 pages.

United States Patent and Trademark Office, “Notice of Allowance and Fee(s) Due,” issued in connection with U.S. Appl. No. 29/701,962, dated Jan. 19, 2021, 8 pages.

United States Patent and Trademark Office, “Non-Final Office Action,” issued in connection with U.S. Appl. No. 29/694,204, dated Jan. 4, 2021, 7 pages.

United States Patent and Trademark Office, “Notice of Allowance and Fee(s) Due,” issued in connection with U.S. Appl. No. 29/694,204, dated Feb. 17, 2021, 9 pages.

United States Patent and Trademark Office, “Notice of Allowance and Fee(s) Due,” issued in connection with U.S. Appl. No. 29/694,198, dated Jan. 13, 2021, 9 pages.

United States Patent and Trademark Office, “Notice of Allowance and Fee(s) Due,” issued in connection with U.S. Appl. No. 29/694,207, dated Jan. 13, 2021, 8 pages.

IP Australia, “Notification of correction to the register,” issued in connection with Australian Design No. 201916751, dated Feb. 5, 2021, 13 pages.

Youtube, “How to Clean a Weber Gas Grill—Gas Grill Cleaning Tips,” dated May 19, 2017, retrieved from [http://www.youtube.com/watch?v=bOo4mFMF2io], 1 page.

Lowe’s, “Broil King Pellet 500 Pro 630-sq in Black Pellet Grill,” site visited Dec. 21, 2020, retrieved from [https://www.lowes.com/pd/Broil-King-Pellet-500-Pro-630-sq-in-Black-Pellet-Grill/1000894100], 3 pages.

Pellethead, “Pellethead Green Mountain Grills Replacement Lid Handle for Daniel Boone Rounded Style,” retrieved from [https://www.amazon.com/Pellethead-Mountain-Grills-Replacement-Rounded/dp/B07SKLP2R3/ref=sr_1_81sspa?dchild=1&keywords=grill%20Bhandle...] on Jan. 7, 2021, 6 pages.

Weber, “SmokeFire EX4 (2nd Gen) Wood Fired Pellet Grill,” retrieved from [https://www.weber.com/US/en/grills/wood-pellet-grills/smokefire-series/22510201.html] on Dec. 17, 2020, 3 pages.

Weber, “SmokeFire EX6 (2nd Gen) Wood Fired Pellet Grill,” retrieved from [https://www.weber.com/US/en/grills/wood-pellet-grills/smokefire-series/23510201.html] on Dec. 17, 2020, 3 pages.

Traeger, “Ironwood 650 Pellet Grill,” retrieved from [https://www.traegergrills.com/pellet-grills/ironwood/650] on Dec. 21, 2020, 3 pages.

United States Patent and Trademark Office, “Notice of Allowance and Fee(s) Due,” issued in connection with U.S. Appl. No. 29/701,951, dated Apr. 21, 2021, 8 pages.

Canadian Intellectual Property Office, “Examination Report,” issued in connection with Canadian Patent Application No. 191352, dated Apr. 22, 2021, 2 pages.

Canadian Intellectual Property Office, “Notice of Registration,” issued in connection with Canadian Patent Application No. 191352, dated Dec. 3, 2021, 22 pages.

Canadian Intellectual Property Office, “Examination Report,” issued in connection with Canadian Patent Application No. 191353, dated Apr. 22, 2021, 1 page.

Canadian Intellectual Property Office, “Notice of Registration,” issued in connection with Canadian Patent Application No. 191353, dated Sep. 20, 2021, 13 pages.

Canadian Intellectual Property Office, “Examination Report,” issued in connection with Canadian Patent Application No. 191354, dated Apr. 22, 2021, 1 page.

Canadian Intellectual Property Office, “Examination Report,” issued in connection with Canadian Patent Application No. 191354, dated Jan. 19, 2022, 2 pages.

Canadian Intellectual Property Office, “Notice of Registration,” issued in connection with Canadian Patent Application No. 191354, dated Apr. 12, 2022, 13 pages.

Canadian Intellectual Property Office, “Notice of Registration,” issued in connection with Canadian Patent Application No. 207302, dated Nov. 30, 2021, 13 pages.

Canadian Intellectual Property Office, “Examination Report,” issued in connection with Canadian Patent Application No. 191359, dated Apr. 22, 2021, 1 page.

Canadian Intellectual Property Office, “Examination Report,” issued in connection with Canadian Patent Application No. 191359, dated Jan. 19, 2022, 3 pages.

Canadian Intellectual Property Office, “Examination Report,” issued in connection with Canadian Patent Application No. 191378, dated Apr. 22, 2021, 1 page.

Canadian Intellectual Property Office, “Examination Report,” issued in connection with Canadian Patent Application No. 191382, dated Apr. 22, 2021, 1 page.

Canadian Intellectual Property Office, “Notice of Registration,” issued in connection with Canadian Patent Application No. 191382, dated Oct. 12, 2021, 13 pages.

Canadian Intellectual Property Office, “Examination Report,” issued in connection with Canadian Patent Application No. 191383, dated Apr. 22, 2021, 1 page.

Canadian Intellectual Property Office, “Notice of Registration,” issued in connection with Canadian Patent Application No. 191383, dated Oct. 12, 2021, 13 pages.

Canadian Intellectual Property Office, “Examination Report,” issued in connection with Canadian Patent Application No. 206491, dated Sep. 20, 2021, 1 page.

Canadian Intellectual Property Office, “Examination Report,” issued in connection with Canadian Patent Application No. 206491, dated Jan. 31, 2022, 1 page.

Canadian Intellectual Property Office, “Notice of Registration,” issued in connection with Canadian Patent Application No. 206491, dated May 2, 2022, 12 pages.

Canadian Intellectual Property Office, “Examination Report,” issued in connection with Canadian Patent Application No. 206492, dated Sep. 20, 2021, 1 page.

Canadian Intellectual Property Office, “Examination Report,” issued in connection with Canadian Patent Application No. 206492, dated Jan. 31, 2022, 1 page.

Canadian Intellectual Property Office, “Notice of Registration,” issued in connection with Canadian Patent Application No. 206492, dated May 2, 2022, 13 pages.

Canadian Intellectual Property Office, “Examination Report,” issued in connection with Canadian Patent Application No. 191386, dated Apr. 22, 2021, 1 page.

(56)

References Cited

OTHER PUBLICATIONS

Canadian Intellectual Property Office, "Notice of Registration," issued in connection with Canadian Patent Application No. 191386, dated Sep. 15, 2021, 22 pages.

* cited by examiner

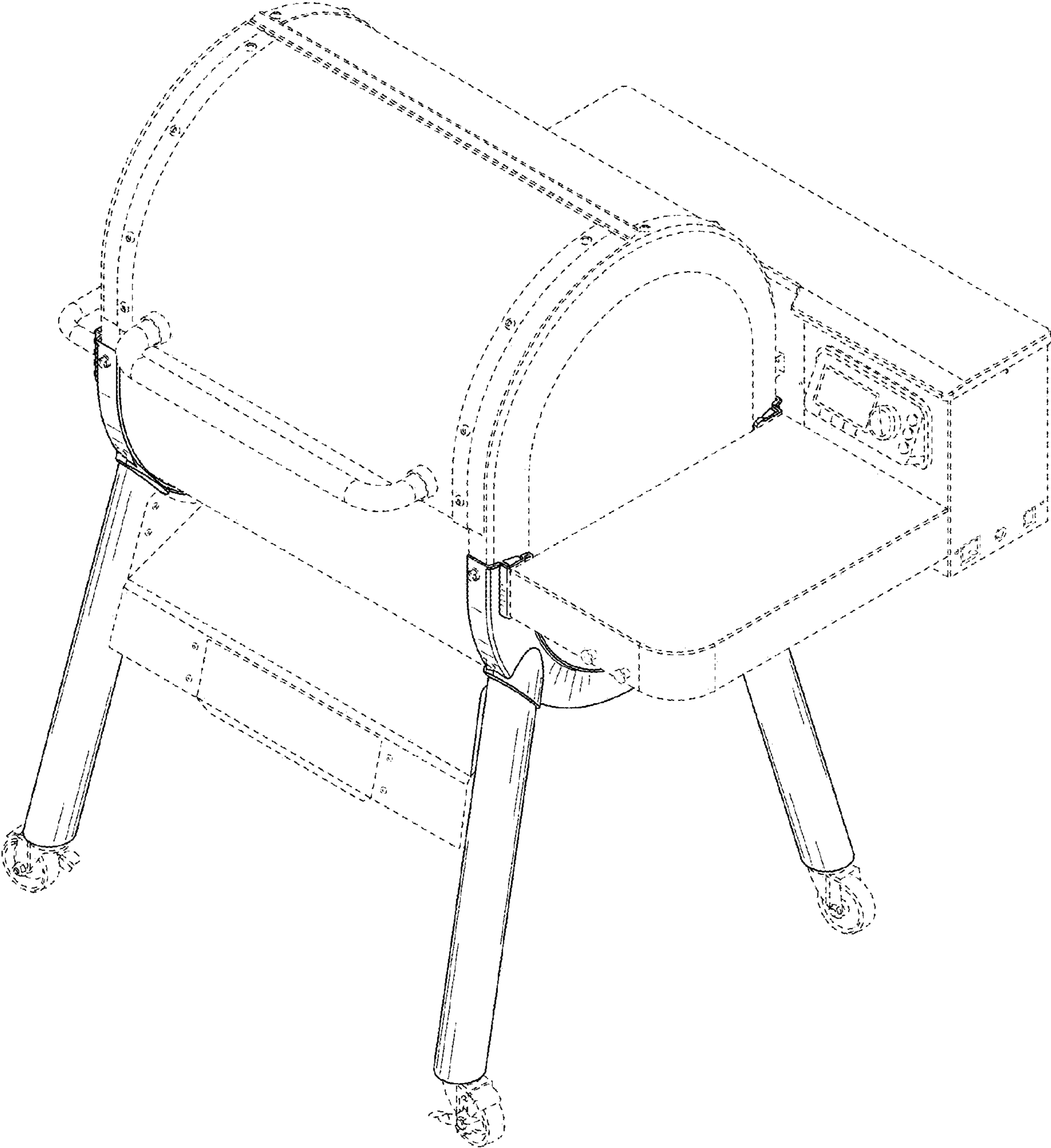


FIG. 1

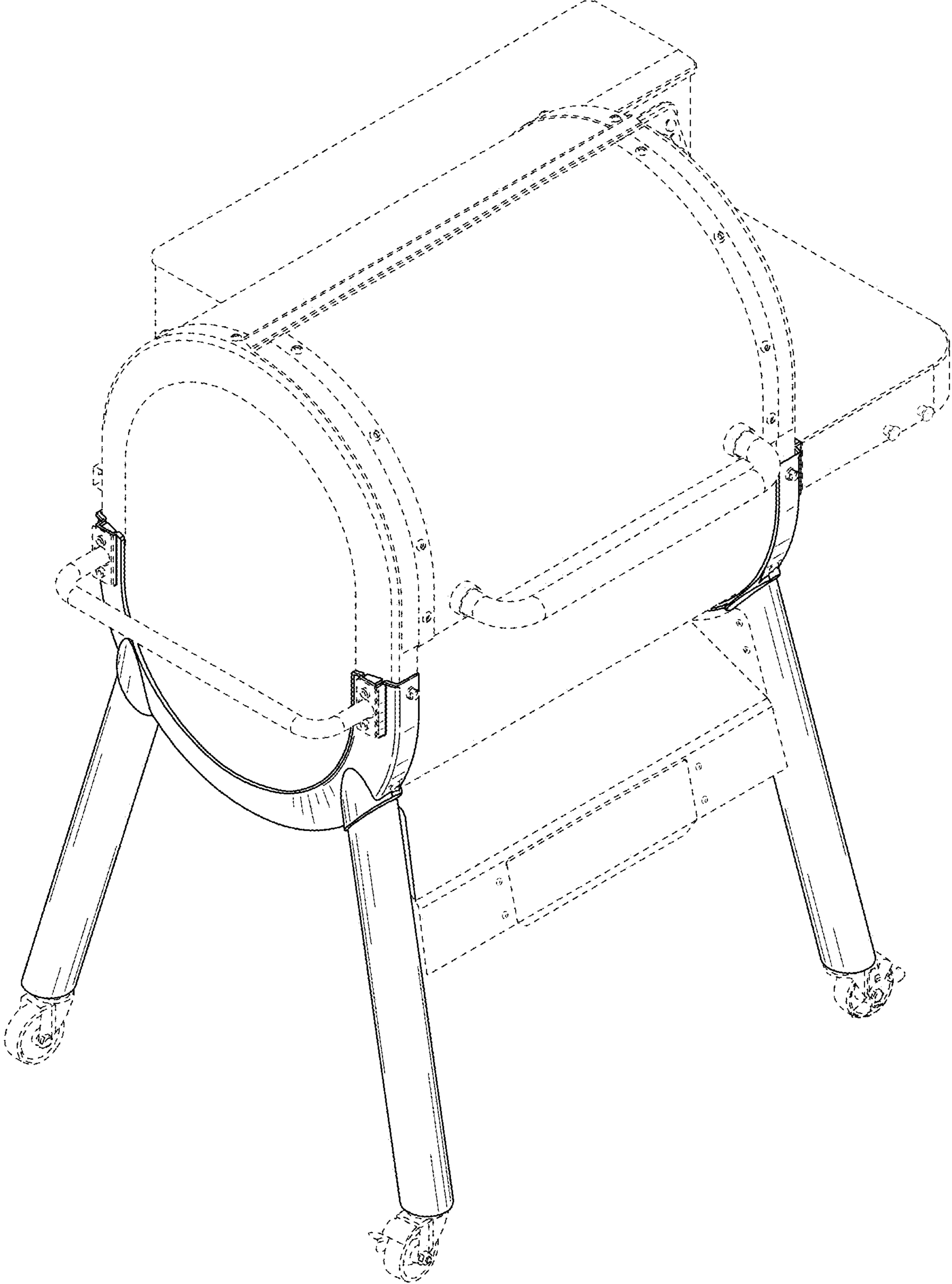


FIG. 2

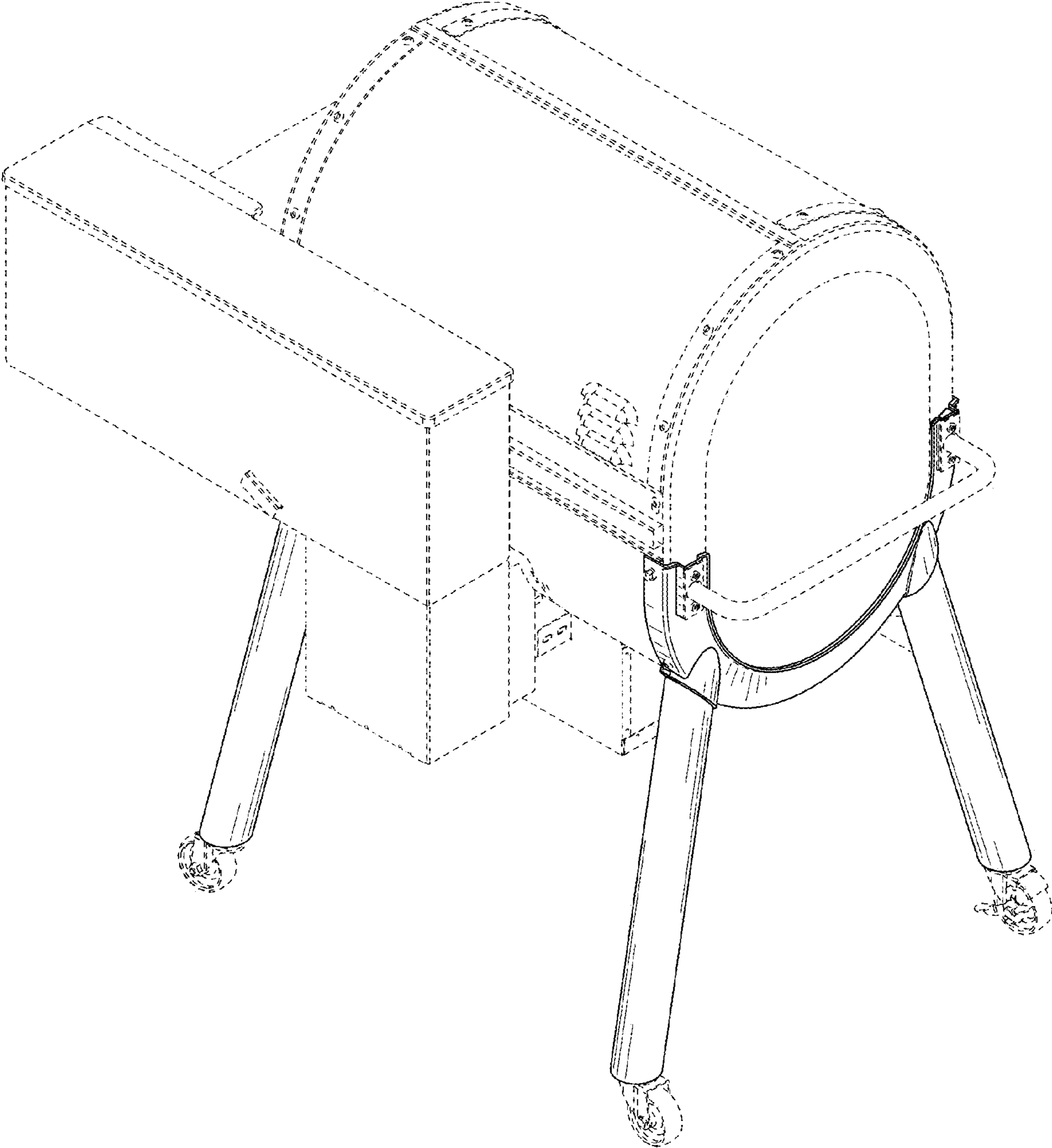


FIG. 3

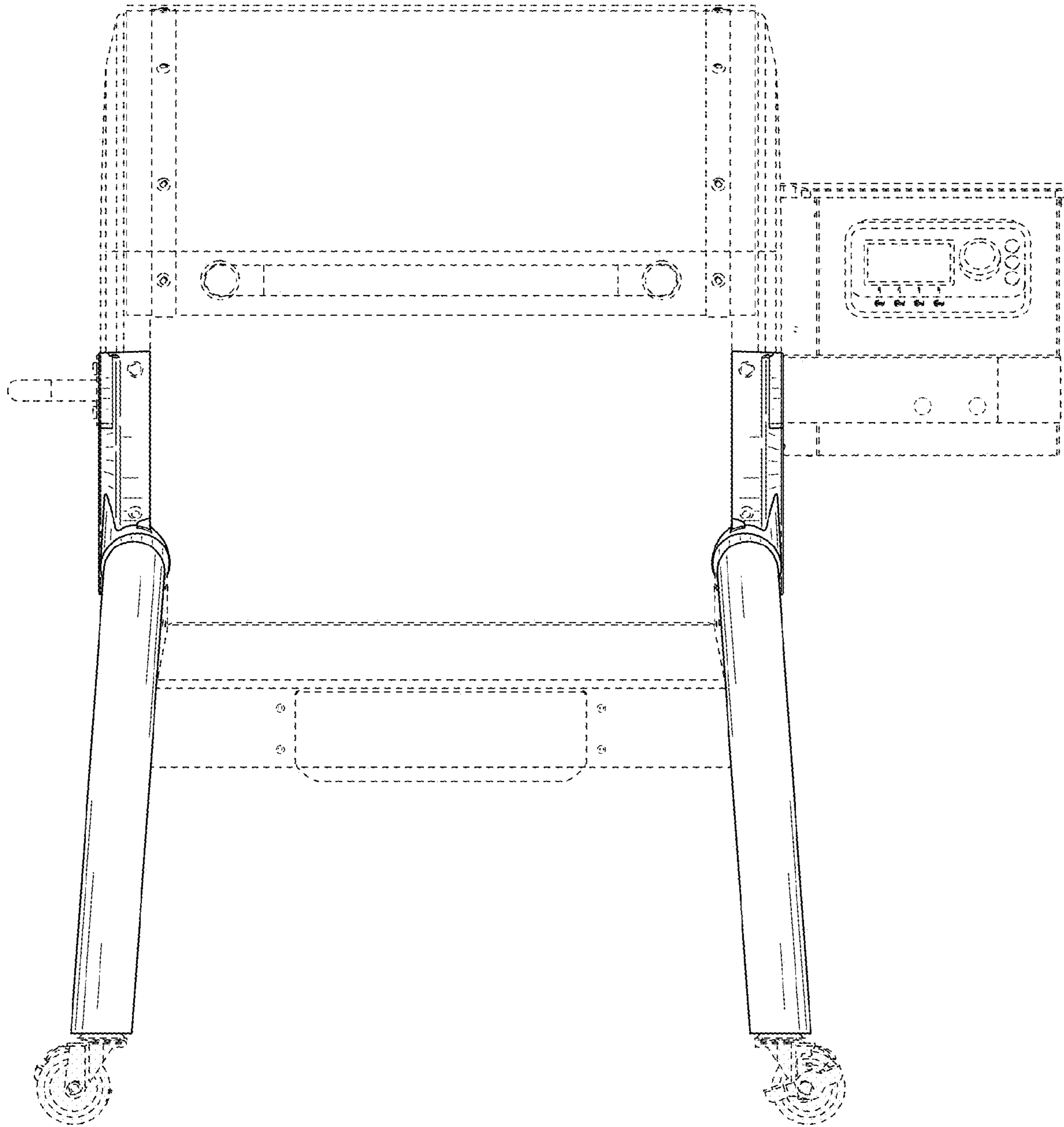


FIG. 4

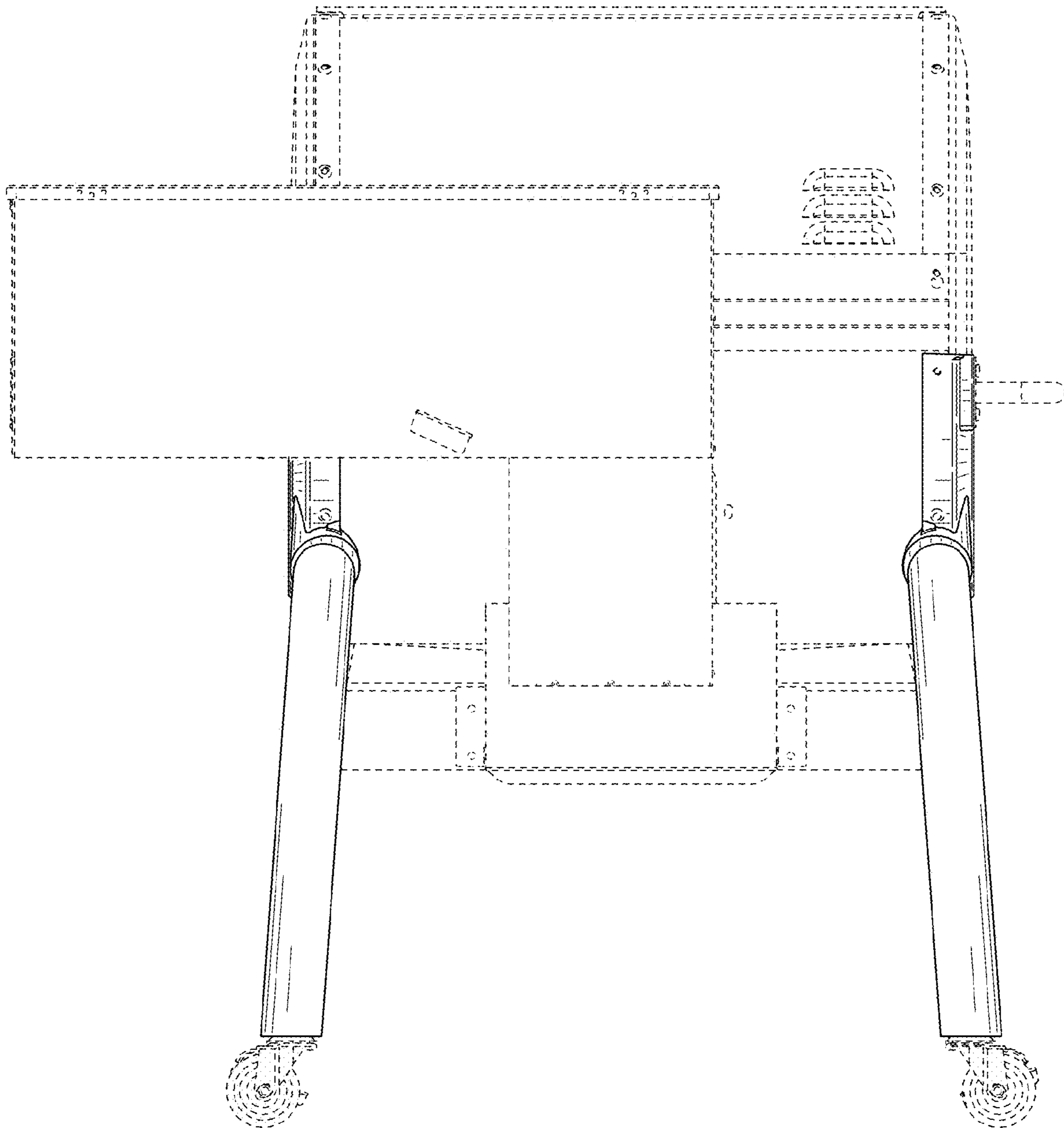


FIG. 5

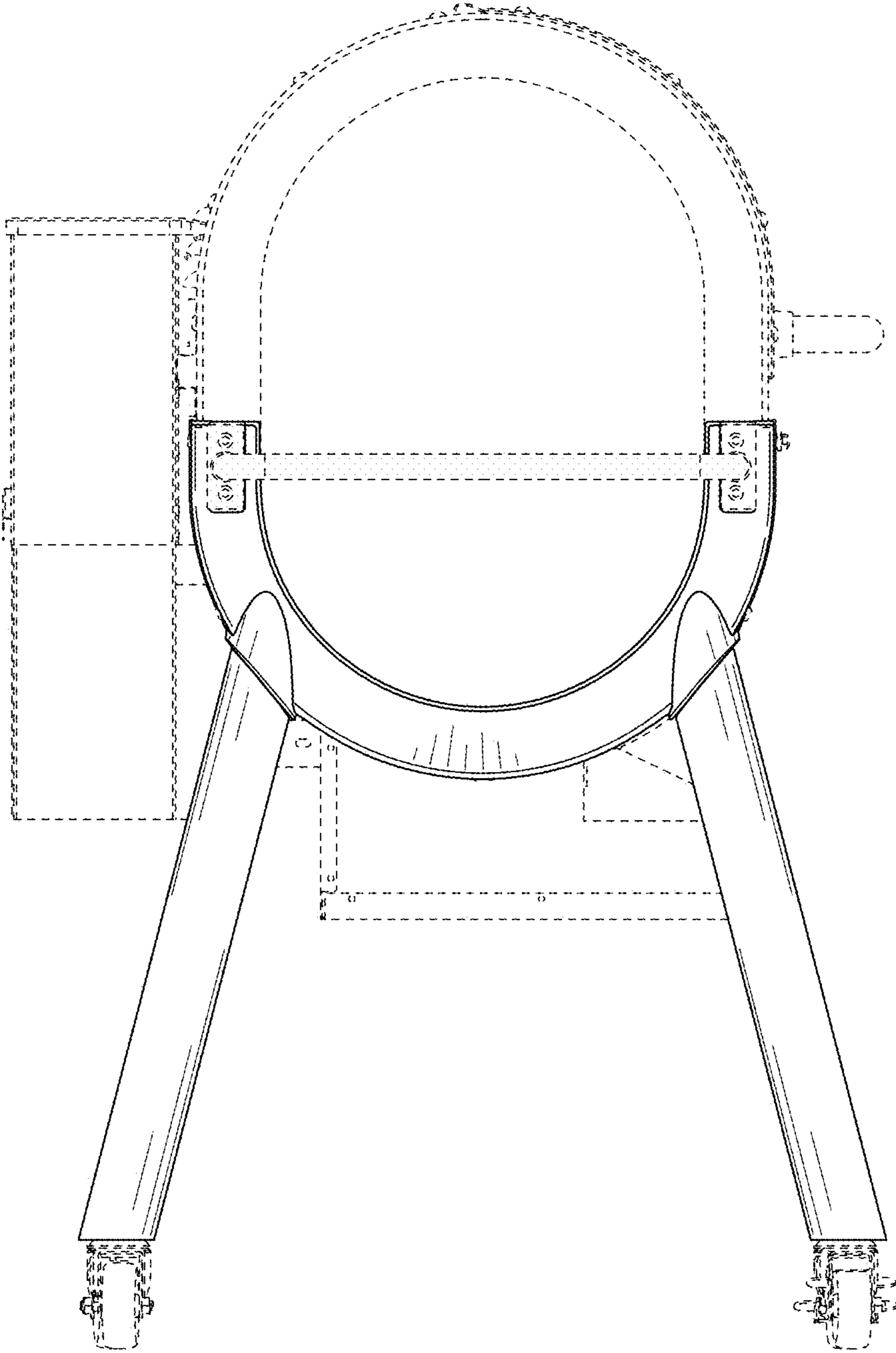


FIG. 6

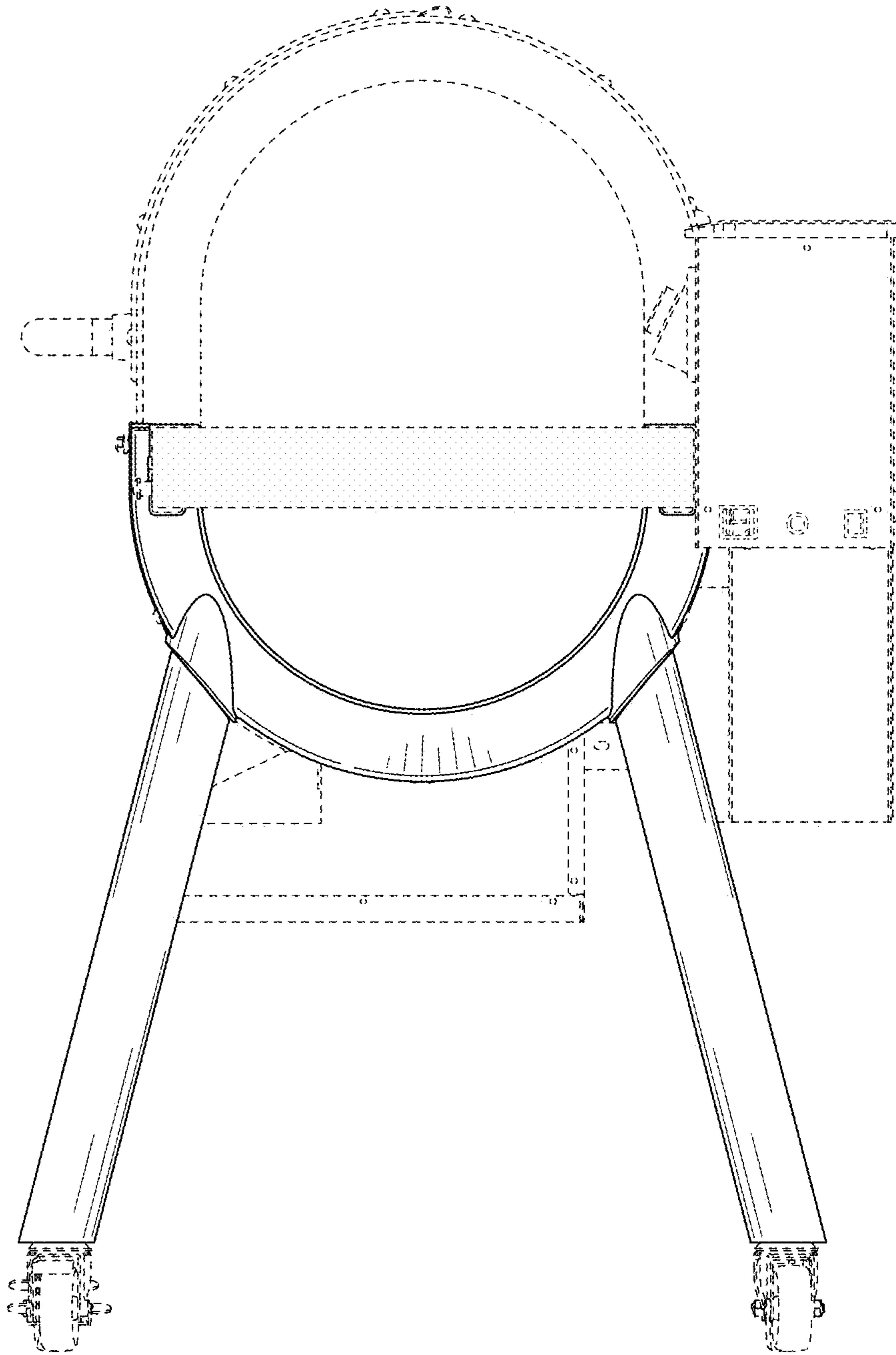


FIG. 7

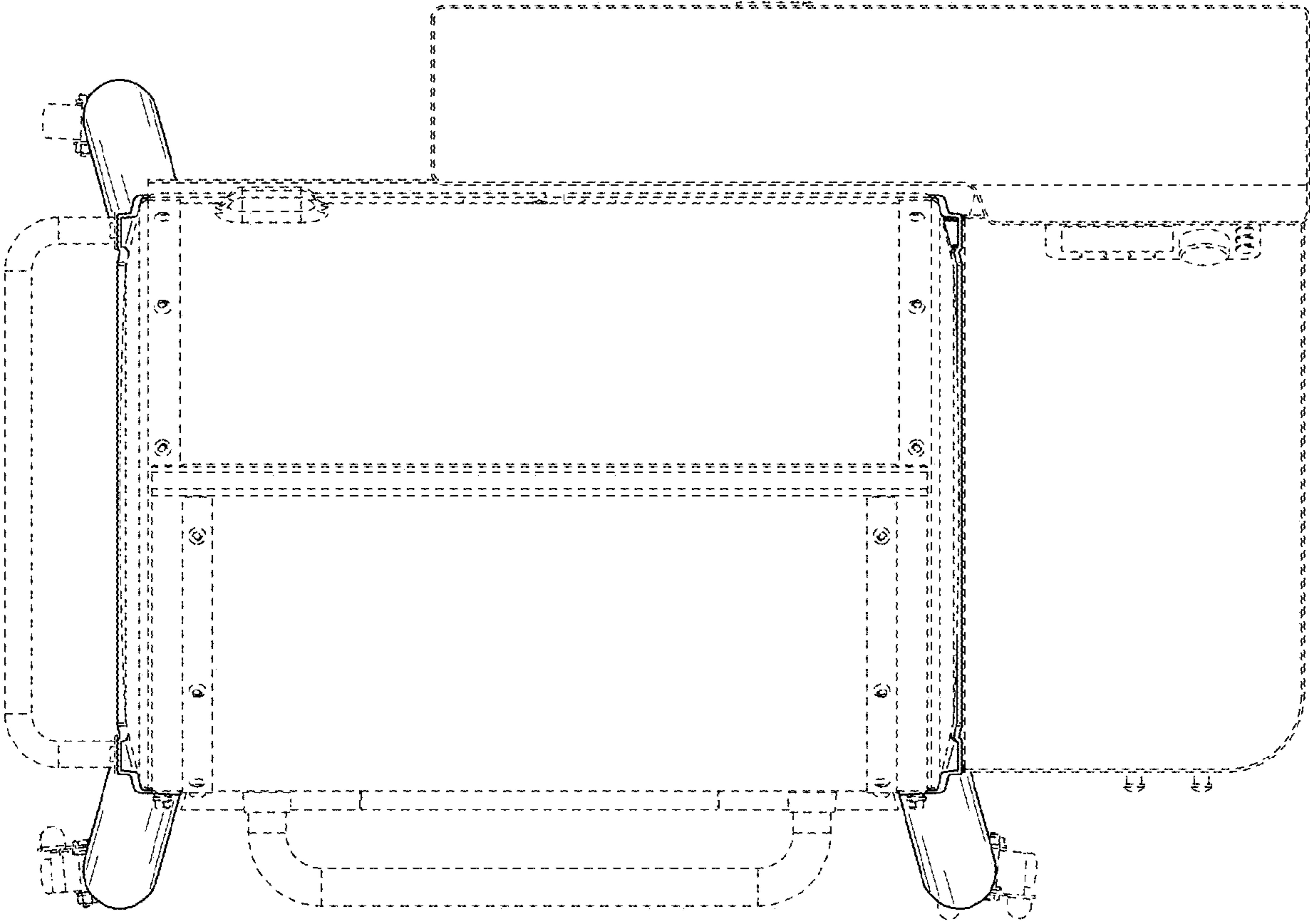


FIG. 8

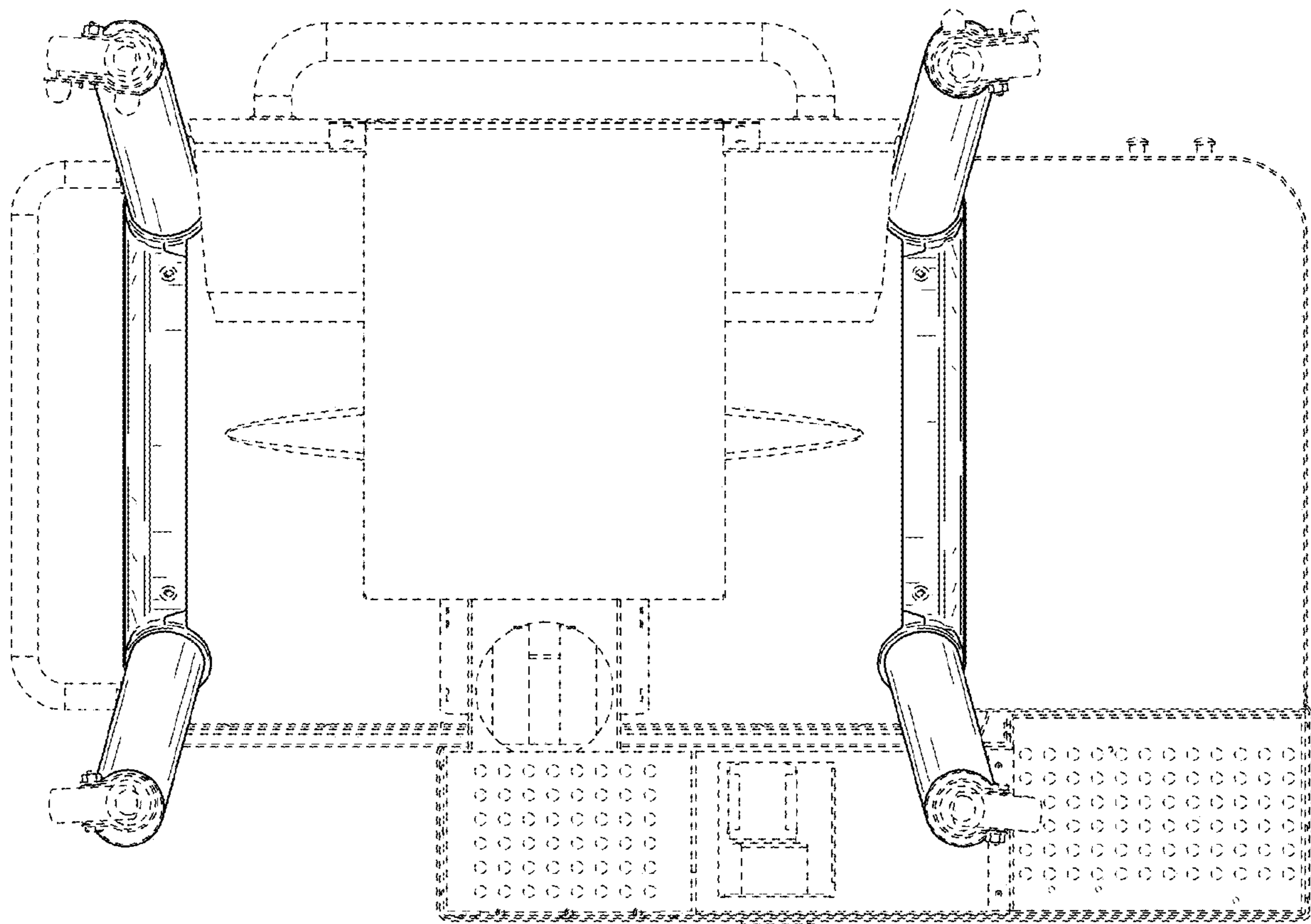


FIG. 9

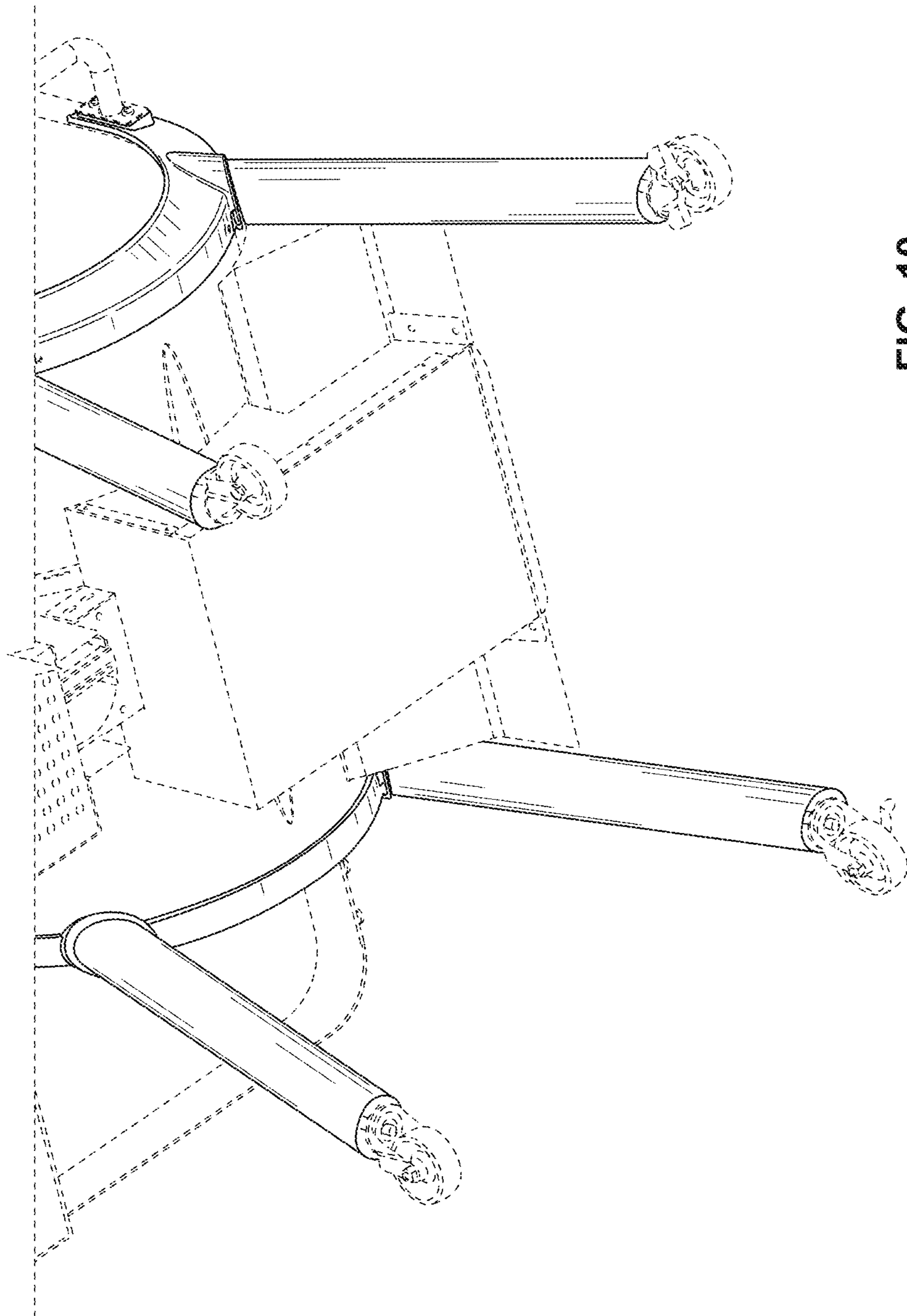


FIG. 10