

(12) United States Design Patent (10) Patent No.:

Rose et al.

(10) Patent No.: (45) Date of Patent:

US D973,637 S

** Dec. 27, 2022

(54) EARPHONE

(71) Applicant: Target Brands, Inc., Minneapolis, MN (US)

(72) Inventors: Daniel C. Rose, Minneapolis, MN

(US); Yousin Bayi Smith, Minneapolis, MN (US); Kent D. Katterheinrich, Shoreview, MN (US); Tyler J.

Abrahamson, Apple Valley, MN (US); Nathan J. Romportl, Minneapolis, MN

(US)

(73) Assignee: Target Brands, Inc., Minneapolis, MN

(US)

(**) Term: 15 Years

(21) Appl. No.: **29/765,857**

(22) Filed: **Jan. 12, 2021**

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

USPC **D14/22**

(58) Field of Classification Search

USPC D14/223, 205; D24/174; 128/864–866; 381/380–381, 322, 328

CPC H04R 1/10; H04R 25/00; H04R 1/1016;

H04R 1/1066; H04R 5/033; H04R

5/0335; H04R 1/1008; A61F 11/06; A61F 11/08

See application file for complete search history.

(56) References Cited

U.S. PATENT DOCUMENTS

D550,657 S 9/2007 Gan et al. D725,082 S 3/2015 Palmborg et al.

(Continued)

FOREIGN PATENT DOCUMENTS

EM 008277826-0001 * 11/2020 EM 008841613-0001 * 1/2022 (Continued)

OTHER PUBLICATIONS

JLab Audio, "JBuds Air True Wireless Earbuds", https://www.jlabaudio.com/products/jbuds-air-true-wireless-earbuds-charging-case, at least as early as Oct. 2018, 1 page.

(Continued)

Primary Examiner — Paula Allen Greene

(74) Attorney, Agent, or Firm — Leanne Taveggia Farrell; Westman, Champlin & Koehler, P.A.

(57) CLAIM

The ornamental design for an earphone, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a first embodiment of an earphone showing our new design, the earphone of FIG. 1 is configured for use with a left ear of a user;

FIG. 2 is a front view thereof;

FIG. 3 is a back view thereof;

FIG. 4 is a right side view thereof;

FIG. 5 is a left side view thereof;

FIG. 6 is a top view thereof;

FIG. 7 is a bottom view thereof;

FIG. 8 is a perspective view of a second embodiment thereof, the earphone of FIG. 8 is configured for use with a right ear of a user;

FIG. 9 is a front view of FIG. 8;

FIG. 10 is a back view of FIG. 8;

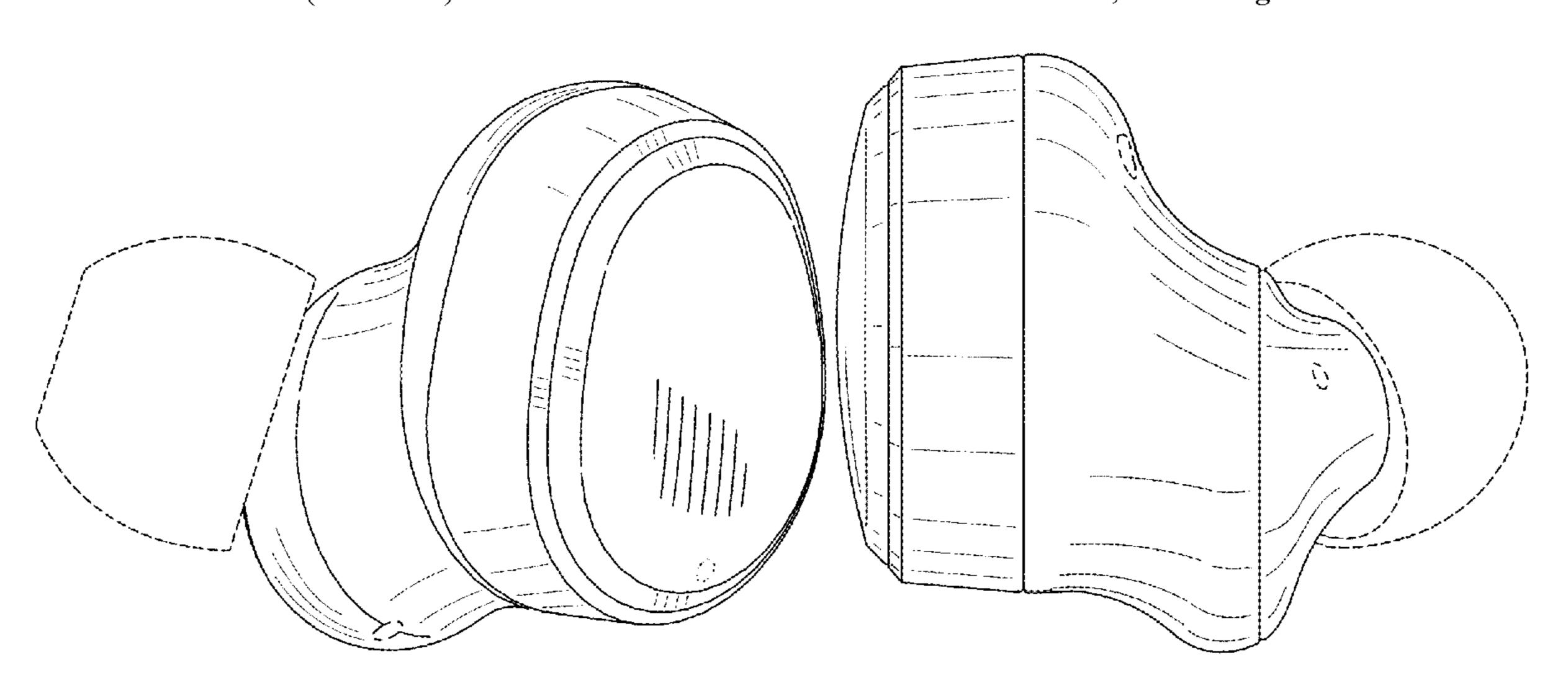
FIG. 11 is a left side view of FIG. 8;

FIG. 12 is a right side view of FIG. 8;

FIG. 13 is a top view of FIG. 8; and, FIG. 14 is a bottom view of FIG. 8.

The broken lines shown in the drawings are included for purposes of illustrating portions of the earphone and form no part of the claimed design.

1 Claim, 8 Drawing Sheets



(56) References Cited

U.S. PATENT DOCUMENTS

8,983,108	B2*	3/2015	Ho H04R 1/1058
0 149 714	D2*	0/2015	7haa H04D 1/021
9,148,714 D742,861			Zhao
D742,801 D764,445			Czaniecki
D704,443			Palmborg et al.
D777,710 D781,269			Choe et al.
D781,209 D782,998			Shin et al.
D702,993 D800,097		$\frac{10}{2017}$	
D806,879			Horbinski et al.
D812,042		3/2018	
D813,205			Palmborg D14/223
D813,248			Palmborg
D841,626		2/2019	•
D841,627		2/2019	Wen
D843,353		3/2019	
D843,354			Kumano
D845,926			Aoyagi et al.
D845,932		4/2019	Lu D14/223
D846,532		4/2019	Xiao
D847,126		4/2019	Loermann
D858,489		9/2019	Hu
D862,422			Lindenberger
D863,263		10/2019	Yu
D864,167		10/2019	Wu
D868,752		12/2019	Zhu
10,516,934	B1	12/2019	Solbach
D872,064		1/2020	Cai
D875,714	S	2/2020	Kim et al.
D879,074	S	3/2020	Komiya et al.
D880,457	S	4/2020	Zhu
D883,257	S *	5/2020	Duddy D14/223
D883,261	S	5/2020	Zhang
D883,958	S	5/2020	Liu
D884,681		5/2020	Zhang
D885,372		5/2020	\mathcal{L}
D887,395		6/2020	
D889,441		7/2020	
D892,086			Bonahoom et al.
D900,064			Laffon de Mazieres D14/223
D902,184		11/2020	Yang D14/223
10,827,249		11/2020	Pine H04R 1/1041
D912,016		3/2021	Ando
D912,647		3/2021	Williamson
D920,288		5/2021	Vautour D14/223
D926,162		7/2021	Dang
D930,615		9/2021	Tanaka
D930,617		9/2021	Tanaka
D939,479		1/2021	Wang
D941,275			Liu
11,240,587 D945,405			DeMaio
D943,403 D954,027			Chen
D954,027			Ando
D959,411 D961,556			Hong D14/223
D961,330 D964,322			Miyata D14/223
D964,322 D964,323			Liu D14/223
2022/0109922			Takubo H04R 1/1091
2022/0103522			Wang H04R 1/1058
2022/01713/V	. 11	5,2022	381/74
			301/74

FOREIGN PATENT DOCUMENTS

EM 008860423-0005 * 2/2022 EM 009101983-0002 * 7/2022

OTHER PUBLICATIONS

Klipsch, "T5 True Wireless Earphones", https://www.klipsch.com/products/t5-true-wireless-earphones, at least as early as Jun. 2019, 1 page.

MEE Audio, "X10 Truly Wireless Sports Earphones", https://www.meeaudio.com/X10, at least as early as May 2019, 1 page.

Microsoft, "Surface Earbuds", https://www.microsoft.com/en-us/p/surface-earbuds/920bnghqjshs?activetab=overview, at least as early as Nov. 6, 2019, 1 page.

Motorola, "Vervebuds", https://www.motorola.com/us/vervebuds-100-true-wireless-sport-earbuds/p, at least as early as 2020, 1 page. Mpow "Mpow M12 Wireless Earbuds", https://www.xmpow.com/products/mpow-m12-wireless-earbuds, at least as early as 2019, 1 page.

Mpow "Mpow T6 True Wireless Earbuds", https://www.xmpow.com/products/mpow-t6-true-wireless-earbuds, at least as early as 2019, 1 page.

Nerd Techy, "Mpow T5 True Wireless Earbuds", https://nerdtechy.com/mpow-t5-review, at least as early as Jan. 10, 2019, 1 page. Nokia, "Nokia True Wireless Earbuds", https://www.nokia.com/phones/en_us/nokia-true-wireless-earbuds, at least as early as 2019, 1 page.

Nuforce, "BE Free5", https://www.optoma.com/us/product/be-free5/, at least as early as May 2019, 1 page.

Nuheara, "IQbuds Boost", https://www.nuheara.com/iqbuds-boost/, at least as early as Jul. 2018, 1 page.

Peag, LLC dba Jlab Audio, "Jbuds Air Executive True Wireless Earbuds", https://www.jlabaudio.com/collections/earbuds/products/go-air-true-wireless-earbuds, at least as early as Jun. 2019, 1 page. Plantronics, "BackBeat PRO 5100", https://www.plantronics.com/us/en/product/backbeat-pro-5100, at least as early as Sep. 2019, 1 page.

Samsung, "Galaxy Buds", https://www.samsung.com/us/mobile/audio/headphones/galaxy-buds-black-sm-r170nzkaxar/, at least as early as Mar. 2019, 2 pages.

Sennheiser, "Momentum True Wireless", https://en-us.sennheiser.com/truewireless-details, at least as early as 2018, 1 page.

Shenzhen Soundsoul Information Technology, https://www.soundpeatsaudio.com/en/true-wireless-earbuds-truefree2.html, at least as early as 2019, 1 page.

Skullcandy, "Sesh True Wireless Earbuds", https://www.skullcandy.com/shop/earbuds/bluetooth-earbuds/sesh, at least as early as Aug. 2019, 1 page.

Sony Corp, WF-XB700, https://www.sony.com/electronics/truly-wireless/wf-xb700, at least as early as Apr. 2020, 1 page.

Sudio, "Tolv Wireless", https://www.sudio.com/us/earphones, at least as early as May 2019, 1 page.

GeeKee, "G650 True Wireless Earbuds", https://www.getgeekee.com/products/true-wireless-earbuds-bluetooth-5-0-headphones-aptx-lossless-cvc-dual-mic-noise-cancelling-clear-voice-call-in-ear-headset-ipx7-waterproof-40h-wireless-charging-case-sports-earphone, at least as early as 2020, 1 page.

JBL, "JBL Free X", https://www.jbl.com/wireless-headphones/JBL+FREE+X.hmtl?cgid=wireless-headphones&dwvar_JBL%20FREE% 20X_color=Black-USA-Current#start=1, at least as early as 2018, 1 page.

Mee Audio, "X10 Truly Wireless Sports Earophones", https://www.meeaudio.com/X10, at least as early as May 2019, 1 page.

Mpow "Mpow T6 Wireless Earbuds", https://www.xmpow.com/products/mpow-t6-wireless-earbuds, at least as early as 2019, 1 page.

Mpow "Mpow T5 True Wireless Earbuds", https://www.nerdtechy.com/mpow-t5-review, at least as early as Jan. 10, 2019, 1 page. PEAG, LLC dba Jlab Audio, "Jbuds Air Executive True Wireless Earbuds", https://www.jlabaudio.com/collections/earbuds/products/go-air-true-wirelss-earbuds, at least as early as Jun. 2019, 1 page. Bang & Olufsen, "Beoplay E8 2nd Gen", https://www.bang-olufsen.com/en/earphones/beoplay-e8?variant=beoplay-e8-2-indigoblue, at least as early as Apr. 2019, 1 page.

Bose, "SoundSport Free wireless headphones", https://www.bose.com/en_us/products/headphones/earphones/soundsport-free-wireless. html, at least as early as Sep. 2017, 1 page.

Crazybaby, "Air (Nano)", https://crazybaby.com/air-nano, at least as early as Dec. 2016, 1 page.

Creative, "Creative Outlier Air", https://us.creative.com/p/headphones-headsets/creative-ouffier-air?gclid=

EAlalQobChMlz8eEwo7U5QIVRr7ACh2gNQ-

DEAAYASAAEgJYUvD_BwE, at least as early as Feb. 2019, 1 page.

(56) References Cited

OTHER PUBLICATIONS

GeeKee, "G650 True Wireless Earbuds", https://www.getgeekee.com/products/true-wireless-earbuds-bluetooth-5-0-headphones-aptx-lossless-cvc-dual-mic-noise-cancelling-clear-voice-call-in-ear-headset-ipx7-waterproof-40h-wireless-charging-case-sports-earphones, at least as early as 2020, 1 page.

Google, "Google Pixel Buds", https://store.google.com/us/product/pixel_buds, at least as early as Fall 2019, 1 page.

Jabra, "Jabra Elite 75t", https://www.jabra.com/bluetooth-headsets/jabra-elite-75t#/#100-99090000-02, at least as early as Oct. 2019, 1 page.

Jam, "Live Free Truly Wireless Earphones", https://www.jamaudio.com/live-free-truly-wireless-earphones, at least as early as Sep. 2019, 1 page.

JBL, "JBL Free X", https://www.jbl.com/wireless-headphones/JBL+FREE+X.html?cgid=wireless-headphones&dwvar_JBL%20FREE% 20X_color=Black-USA-Current#start=1, at least as early as 2018, 1 page.

JBL, "JBL Tune 120TWS", https://www.jbl.com/wireless-headphones/JBL+TUNE120TWS.html?dwvar_JBL%20TUNE120TWS_color=Black-USA-Current, at least as early as Jun. 2019, 1 page.

Design patent application entitled "Earphone" from U.S. Appl. No. 29/730,092, filed Apr. 1, 2020, 9 pages.

Design patent application entitled "Earphone" from U.S. Appl. No. 29/730,093, filed Apr. 1, 2020, 9 pages.

Design patent application entitled "Earphone" from U.S. Appl. No. 29/765,856, filed Jan. 12, 2021, 9 pages.

Creative, "Creative Outlier Air", https://us.creative.com/p/headphones-headsets/creative-outlier-air?gclid=

EAlalQobChMIz8eEwo7U5QIVRr7ACh2gNQ-

DEAAYASAAEgJYUvD_BwE, at least as early as Feb. 2019, 1 page.

AliExpress, "Mpow M20 Wireless Earphones", https://www.aliexpress.com/item/4000792592808.html?src=google&src=google&albch=shopping&acnt=494-037-6276&isdl=y&sInk=&plac=&mtctp=&albbt=Google_7_shopping&aff_platform=google&aff_short_key=UneMJZVf&&albagn=888888&albcp=1582410664&albag=59754279756&trgt=743612850874&crea=en4000792592808&netw=u&device=c&albpg=743612850874&albpd=en4000792592808&gclid=

CjwKCAjw95D0BRBFEiwAcO1KDL9L7kbCTtQy4kLF1hTph-gY_ATEc-hZ5s6X1x9tUK50bGE_-,GLPchoCA9QQAvD_BwE&gclsrc=aw.ds, at least as early as Nov. 6, 2019, 1 page.

* cited by examiner

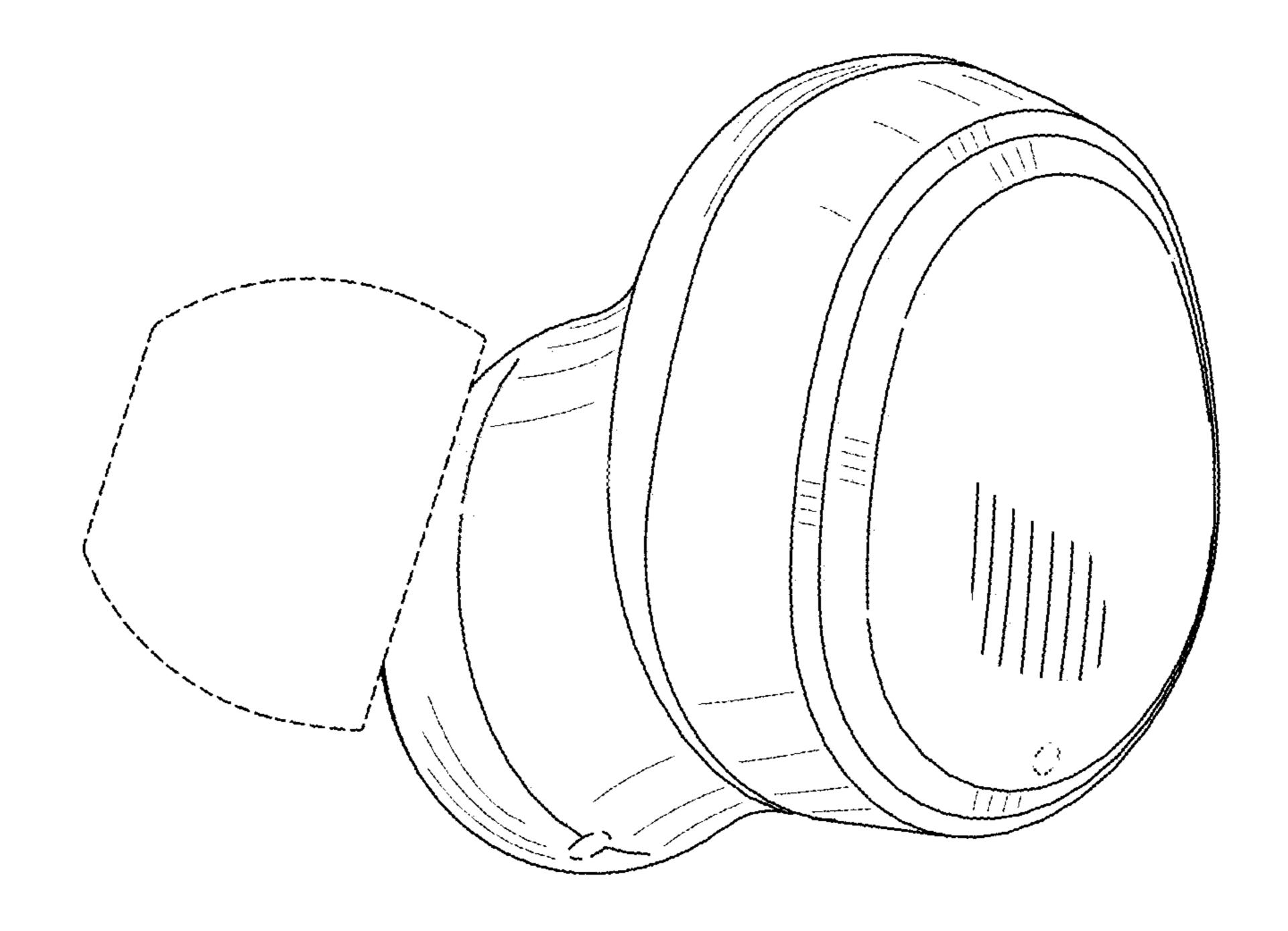


Fig. 1

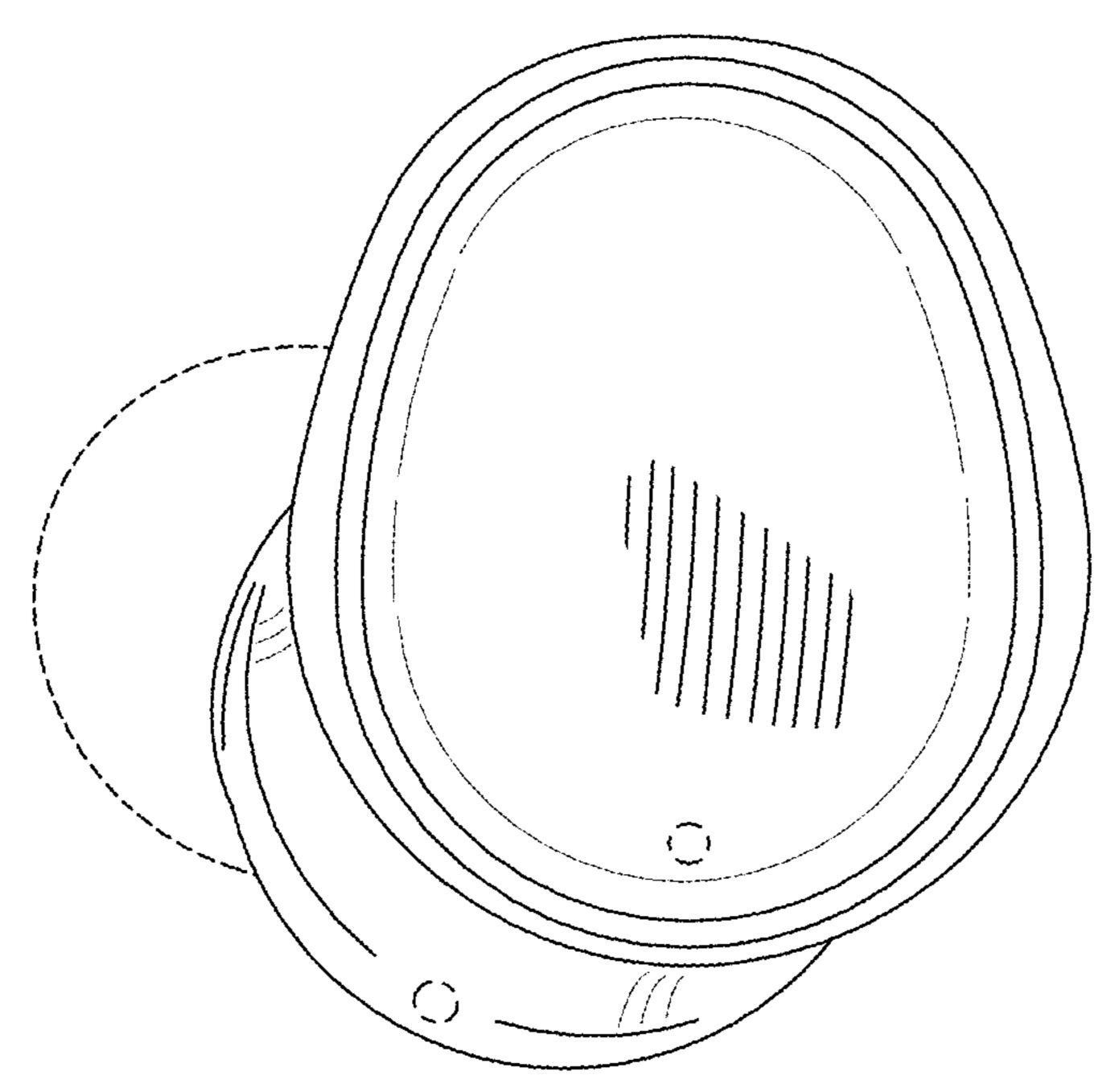
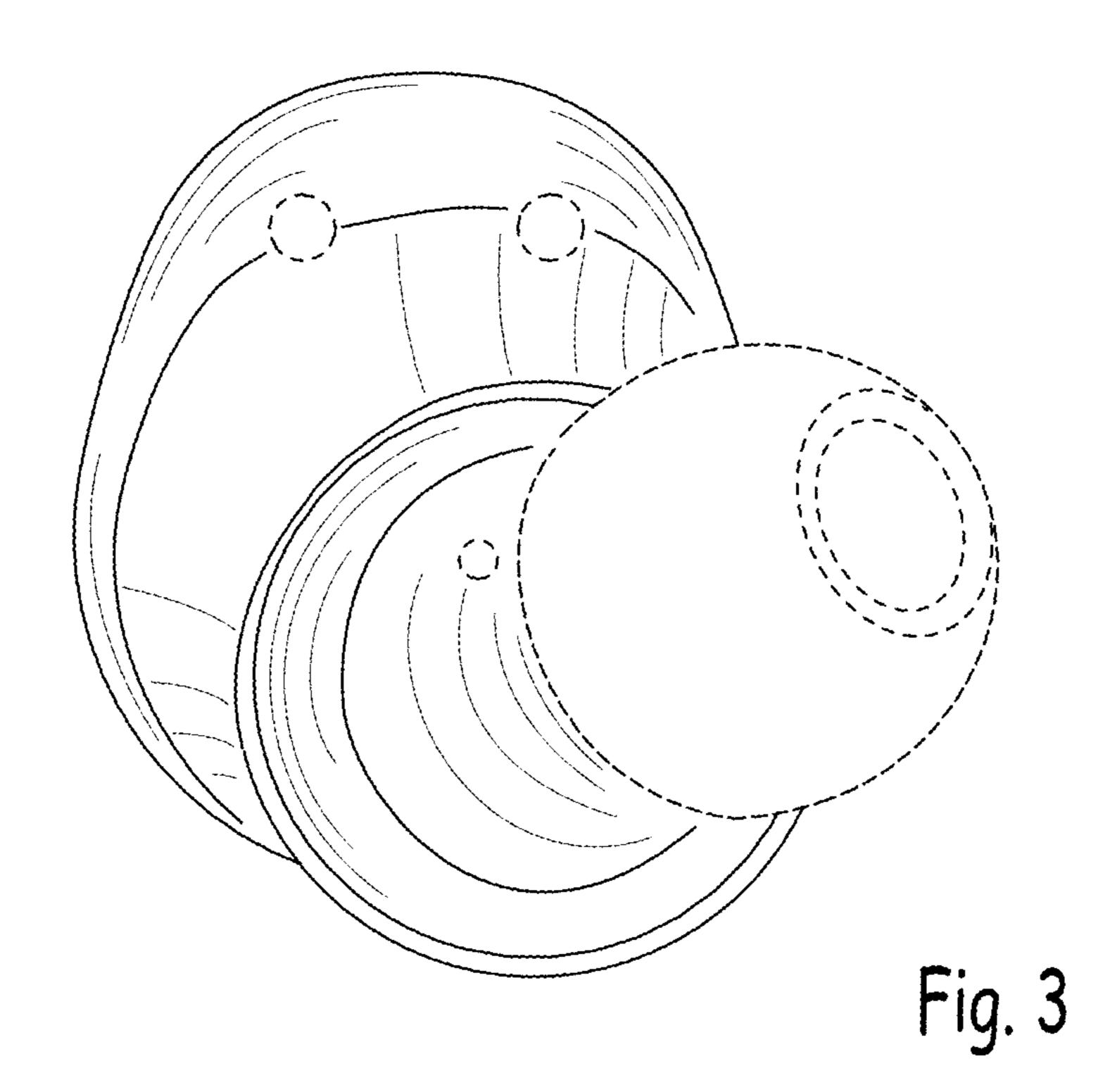
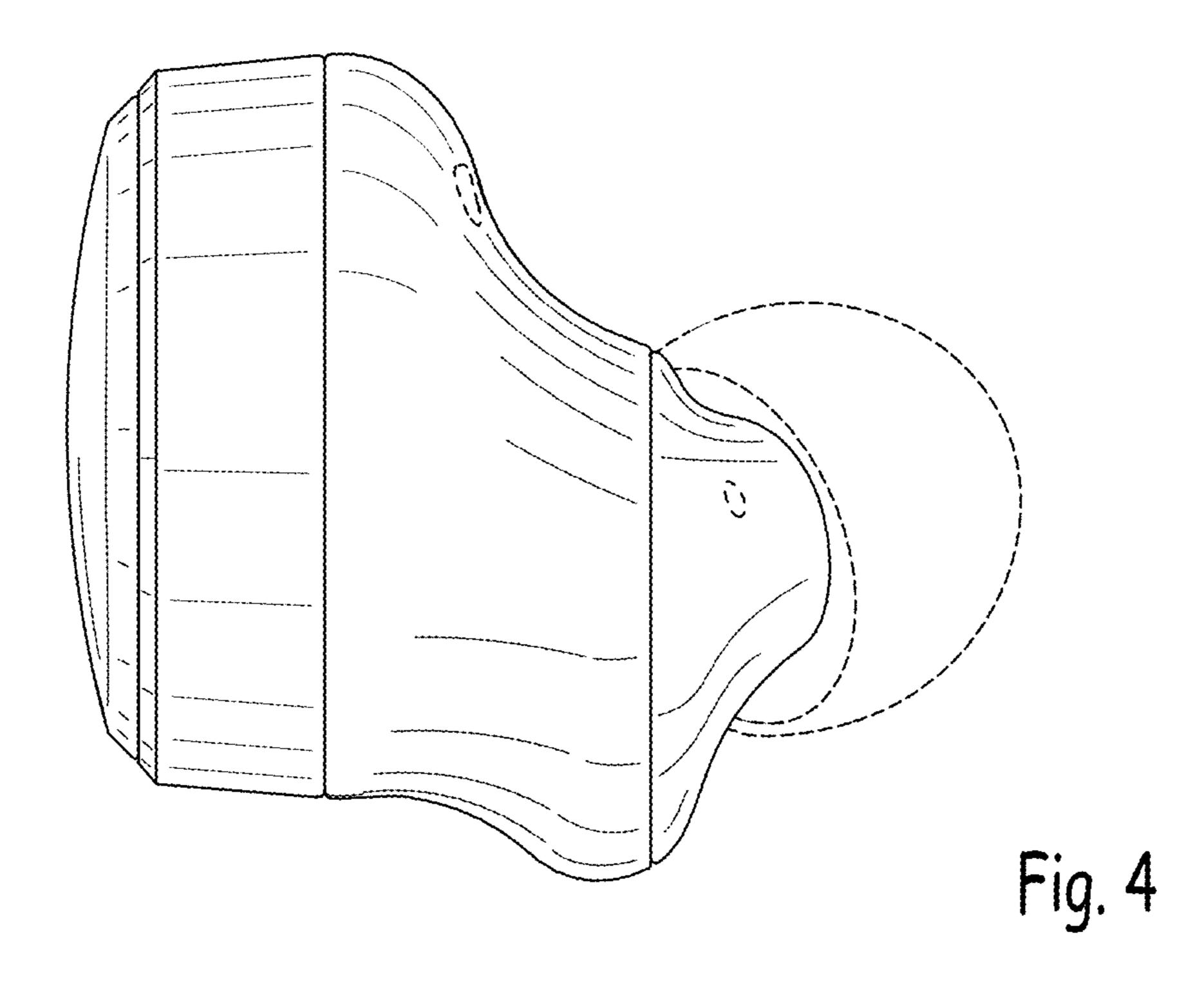


Fig. 2





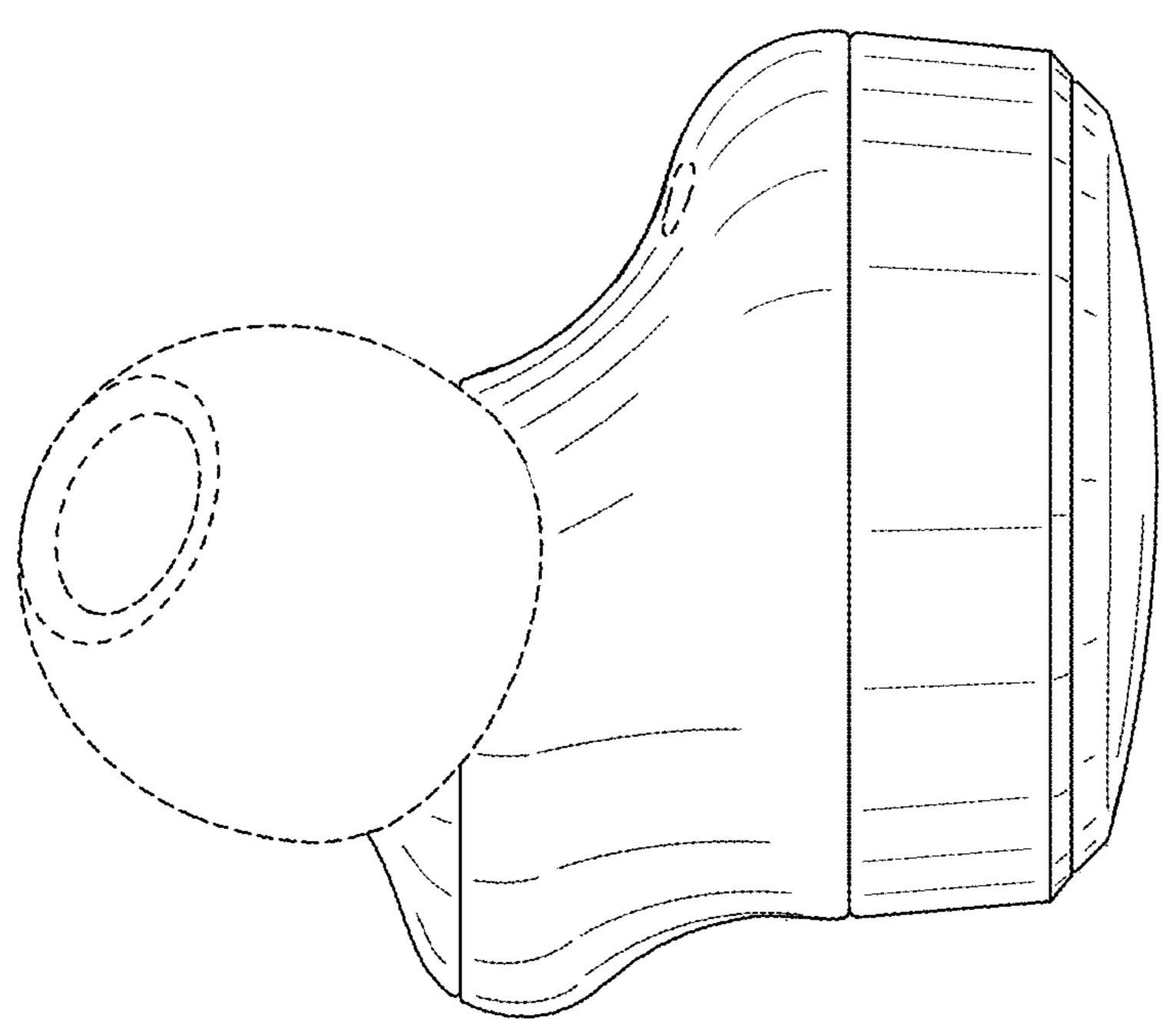


Fig. 5

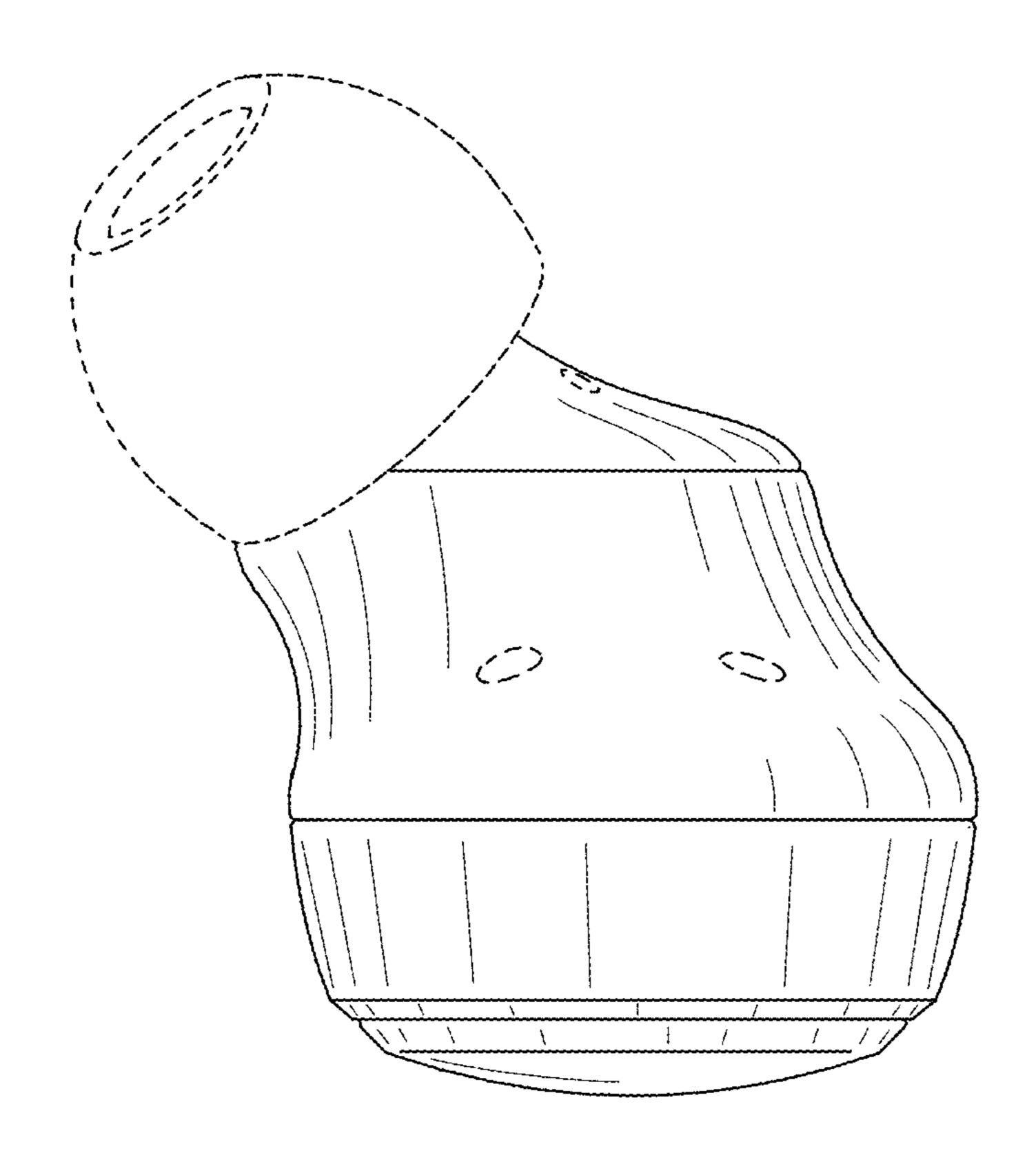


Fig. 6

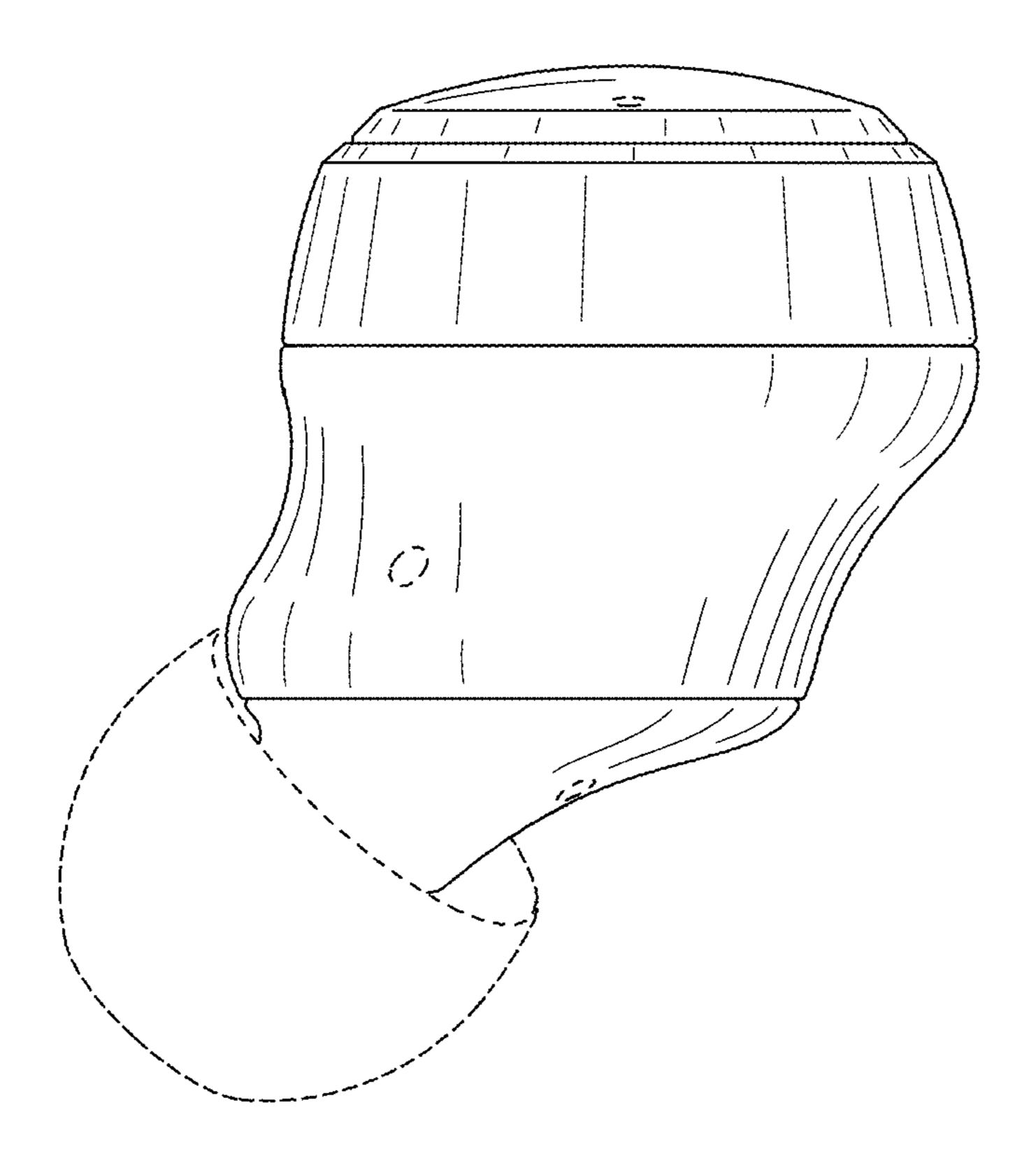
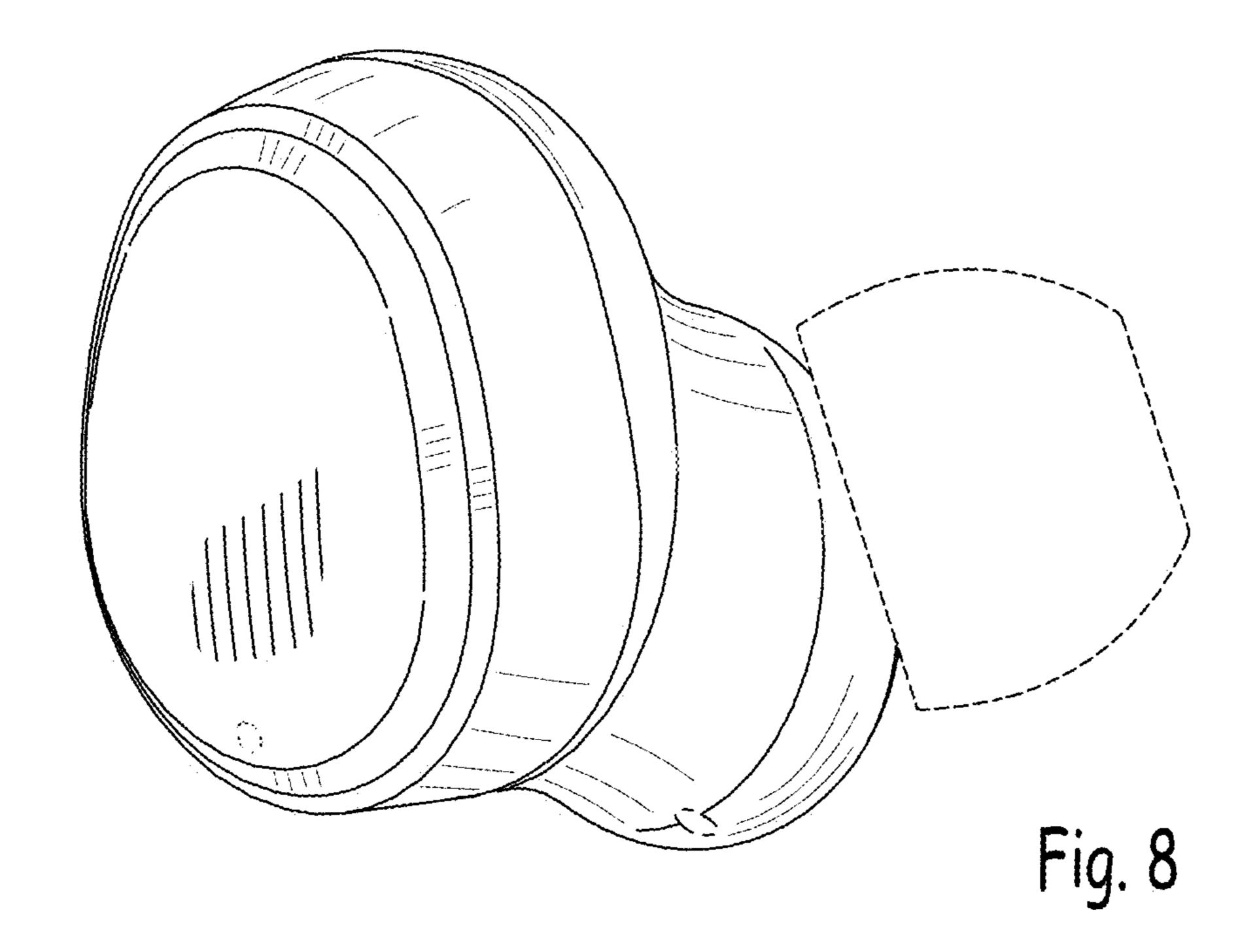


Fig. 7



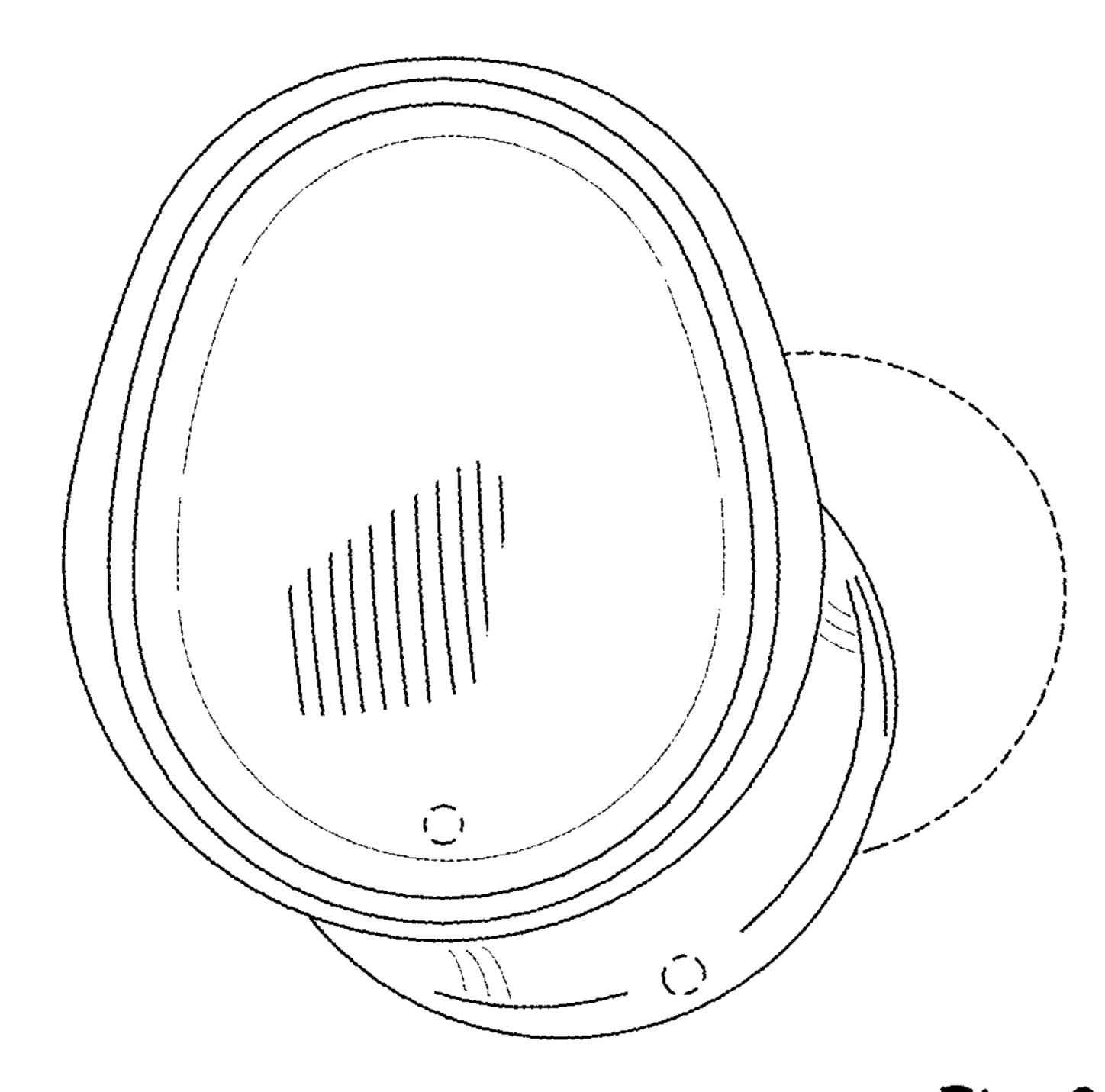


Fig. 9

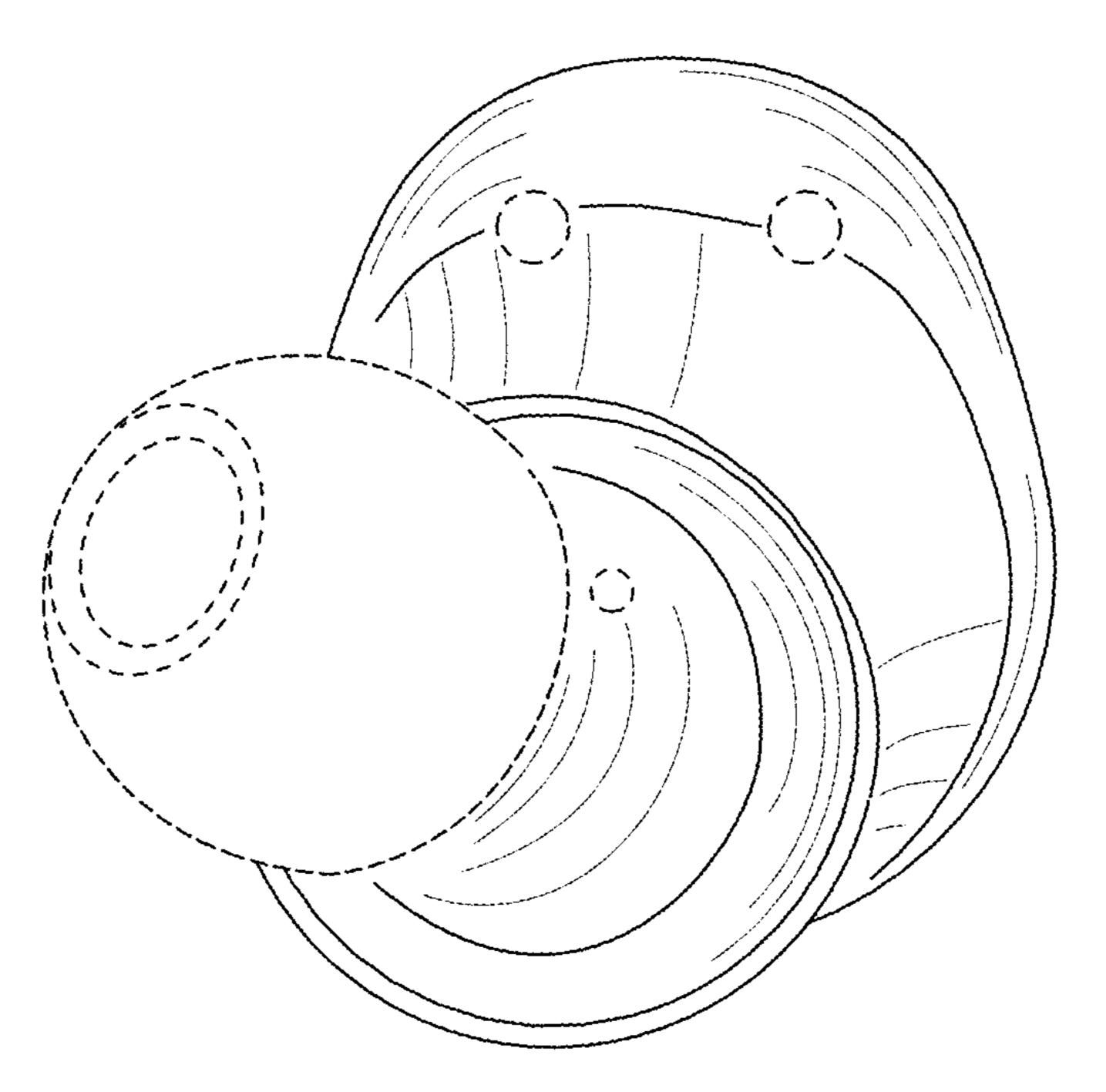


Fig. 10

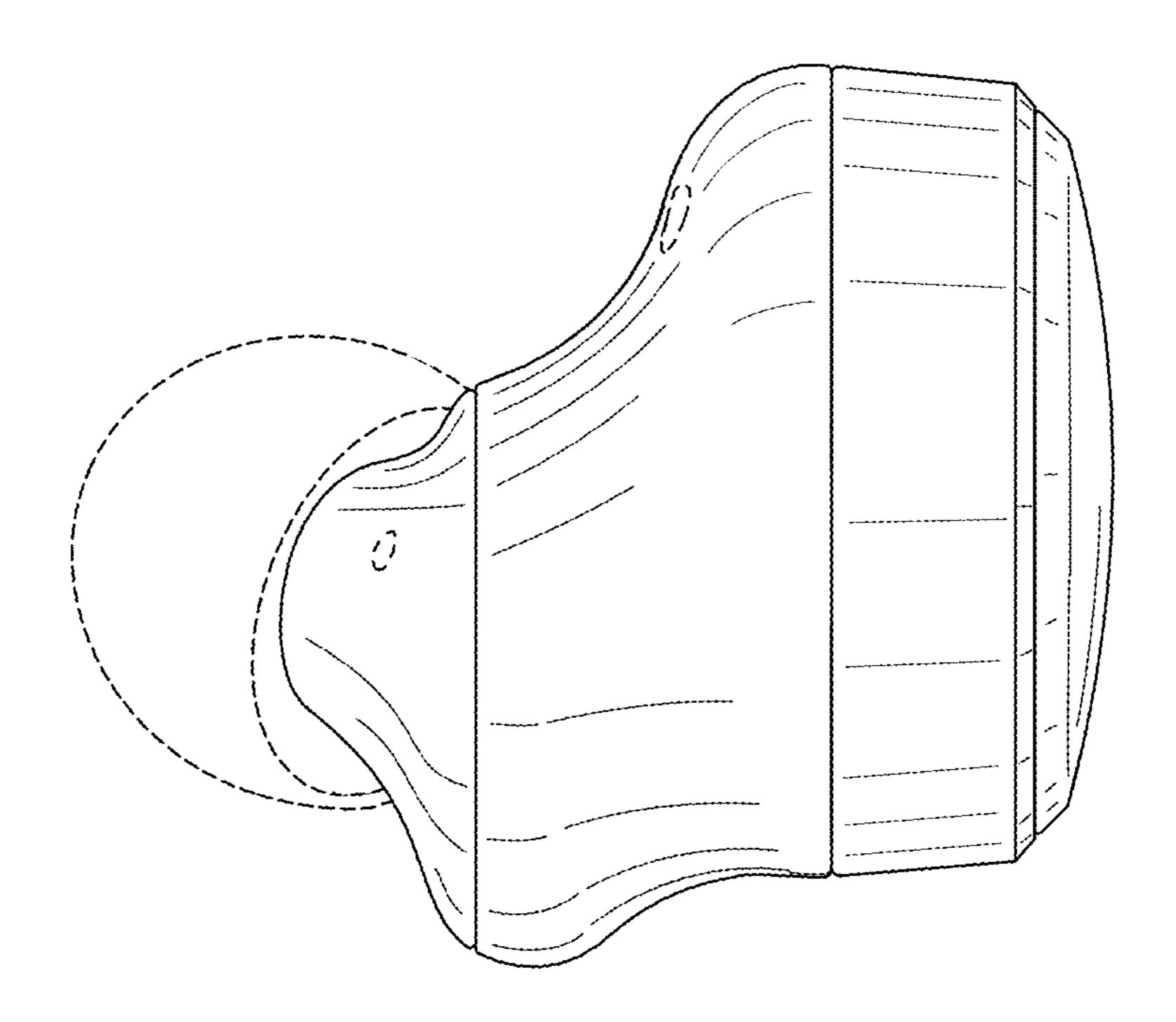


Fig. 11

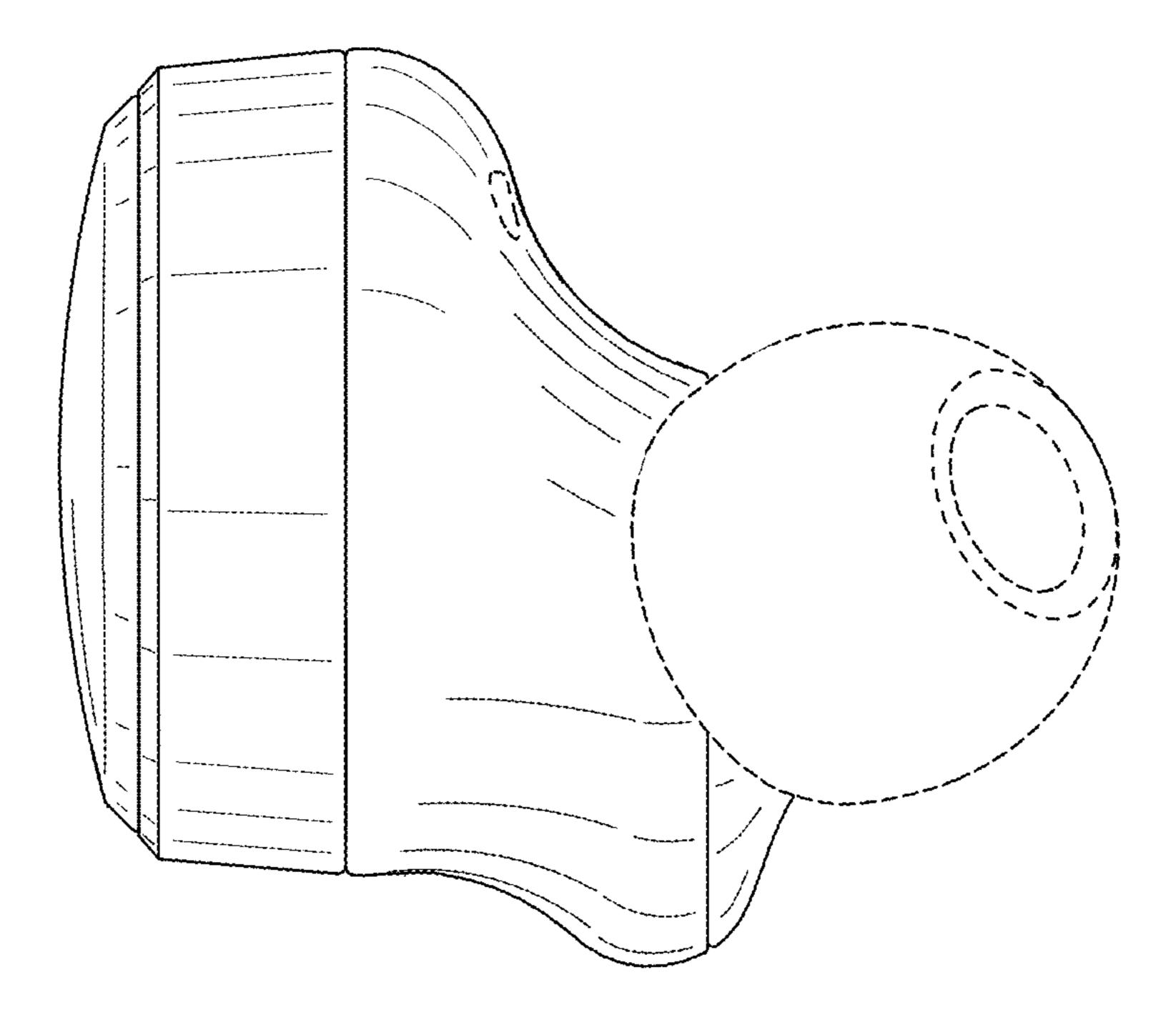


Fig. 12

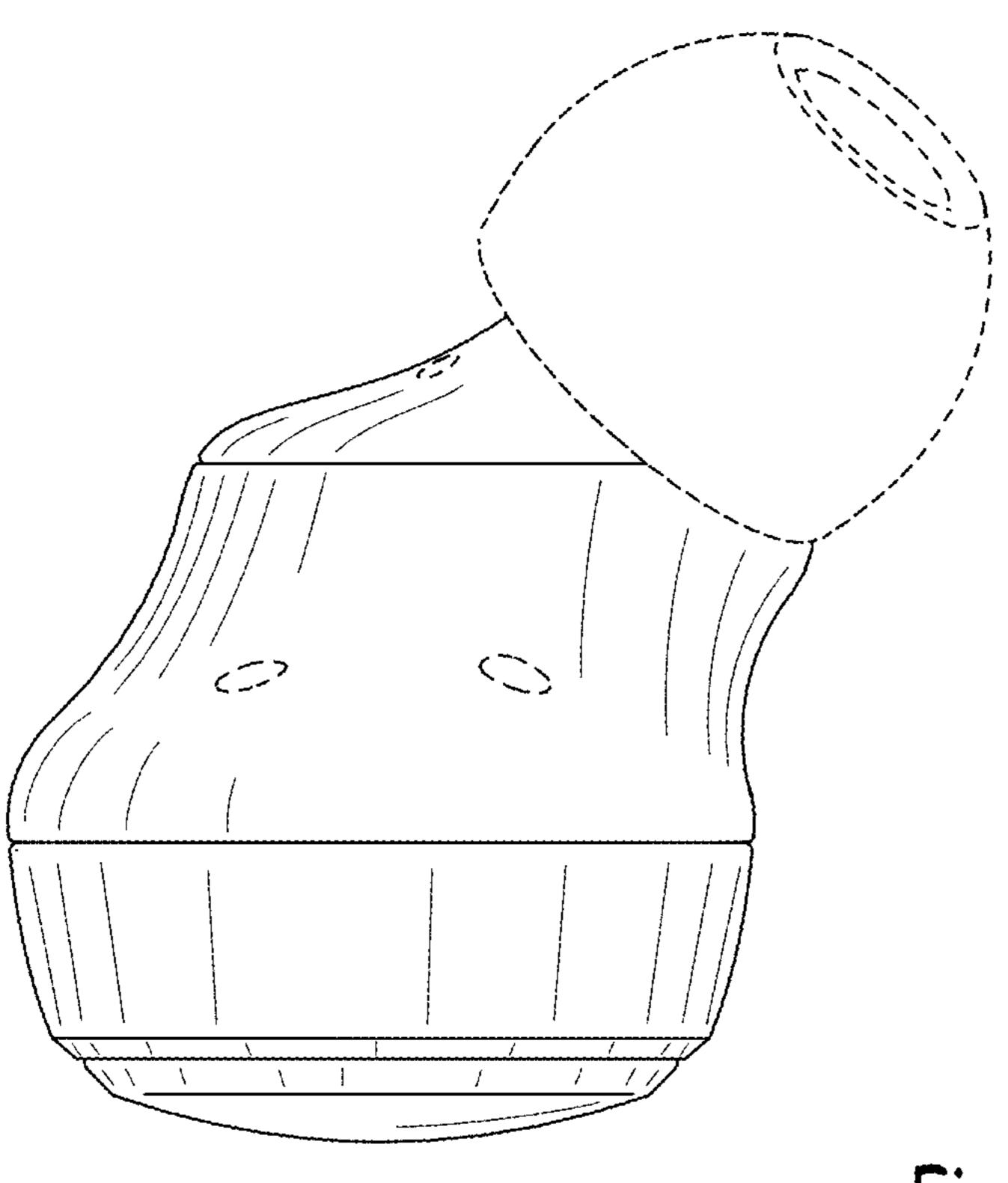


Fig. 13

