



US00D977221S

(12) **United States Design Patent**  
**Markle et al.**

(10) **Patent No.:** **US D977,221 S**

(45) **Date of Patent:** **\*\* Feb. 7, 2023**

(54) **CONFECTION**

(71) Applicant: **The Hershey Company**, Hershey, PA (US)

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

(21) Appl. No.: **29/809,476**

(22) Filed: **Sep. 28, 2021**

**Related U.S. Application Data**

(62) Division of application No. 29/776,230, filed on Mar. 29, 2021, now Pat. No. Des. 960,486.

(51) **LOC (14) Cl.** ..... **01-01**

(52) **U.S. Cl.**  
USPC ..... **D1/109; D1/127**

(58) **Field of Classification Search**  
USPC ..... D1/100–130, 199; 426/94, 138, 143, 426/275, 277, 279, 281–284, 292, 295, 426/391, 496, 514, 566, 572, 660, 104, 426/134; D21/621, 623, 628, 707–709, D21/713, 714, 782, 662; D30/160; D7/301, 354, 392, 682; D24/141; D8/83; D11/202

CPC ..... A23G 3/50; A23G 3/563; A23G 9/503; A23G 9/26; A23G 9/48; A23G 3/54; A23P 1/005

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D123,060 S \* 10/1940 Nicholson ..... D7/564  
D180,327 S 5/1957 Herman

D194,577 S 2/1963 Herman  
D208,637 S \* 9/1967 Strauss ..... D21/594  
D208,640 S \* 9/1967 Strauss ..... D21/594  
D208,641 S 9/1967 Strauss  
D251,470 S \* 4/1979 Lutzker ..... D7/699  
D282,434 S \* 2/1986 Nagle ..... D7/693  
D333,089 S 2/1993 Brauner  
D368,120 S \* 3/1996 Hamlin ..... D21/468  
D490,587 S 6/2004 Hunt  
D554,207 S \* 10/2007 Covington Green ..... D21/628  
D726,838 S 4/2015 Kelly  
D793,512 S 8/2017 George, II  
D818,835 S \* 5/2018 Caly ..... D9/426  
D818,836 S \* 5/2018 Caly ..... D9/647  
D820,108 S \* 6/2018 Caly ..... D9/425

(Continued)

**OTHER PUBLICATIONS**

Notice of Allowance, dated Apr. 18, 2022, 6 pages, issued in U.S. Appl. No. 29/776,230.

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(57) **CLAIM**

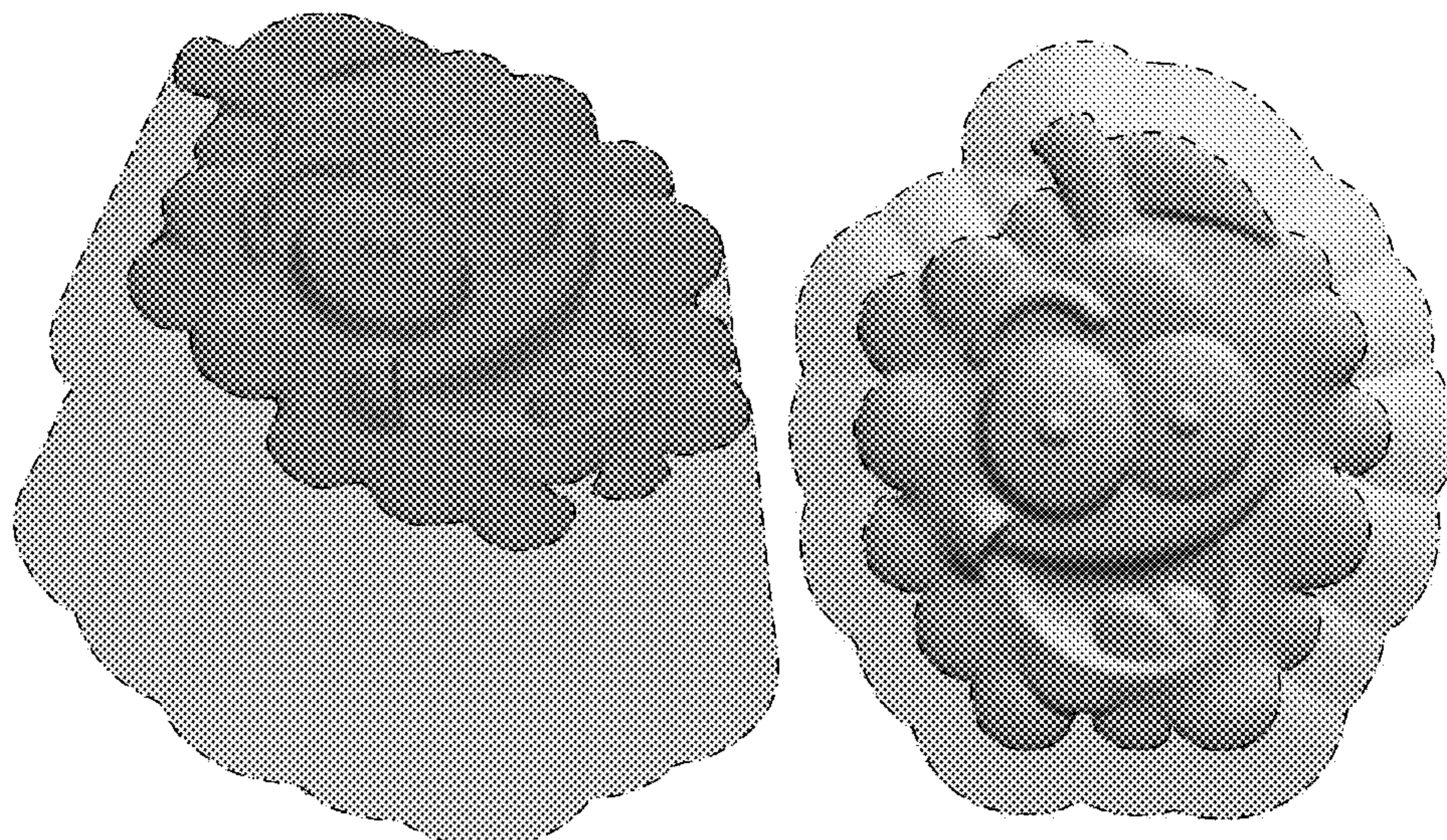
The ornamental design for a confection, as shown and described.

**DESCRIPTION**

FIG. 1 is a front, bottom and left side perspective view of a confection showing our new design; FIG. 2 is a bottom plan view thereof; FIG. 3 is a top plan view thereof; FIG. 4 is a left side elevation view thereof; FIG. 5 is a right side elevation view thereof; FIG. 6 is a front elevation view thereof; and, FIG. 7 is a rear elevation view thereof.

The dash-dot lines in FIGS. 1-7 and the areas within the dash-dot lines shown in phantom show portions of the confection that form no part of the claimed design.

**1 Claim, 5 Drawing Sheets**



(56)

**References Cited**

U.S. PATENT DOCUMENTS

D825,348 S *	8/2018	Caly .....	D9/645
D846,642 S	4/2019	Brundage	
D878,492 S *	3/2020	Kahl .....	D21/628
D896,909 S	9/2020	Bruneel	
D896,911 S	9/2020	Bruneel	
D927,122 S *	8/2021	McManus .....	D1/107
D927,125 S *	8/2021	McManus .....	D1/115
D927,126 S	8/2021	McManus	
D927,821 S	8/2021	McManus	
D939,183 S	12/2021	Polak	
D947,489 S *	4/2022	Polak .....	D1/127
D960,486 S *	8/2022	Markle .....	D1/127

\* cited by examiner

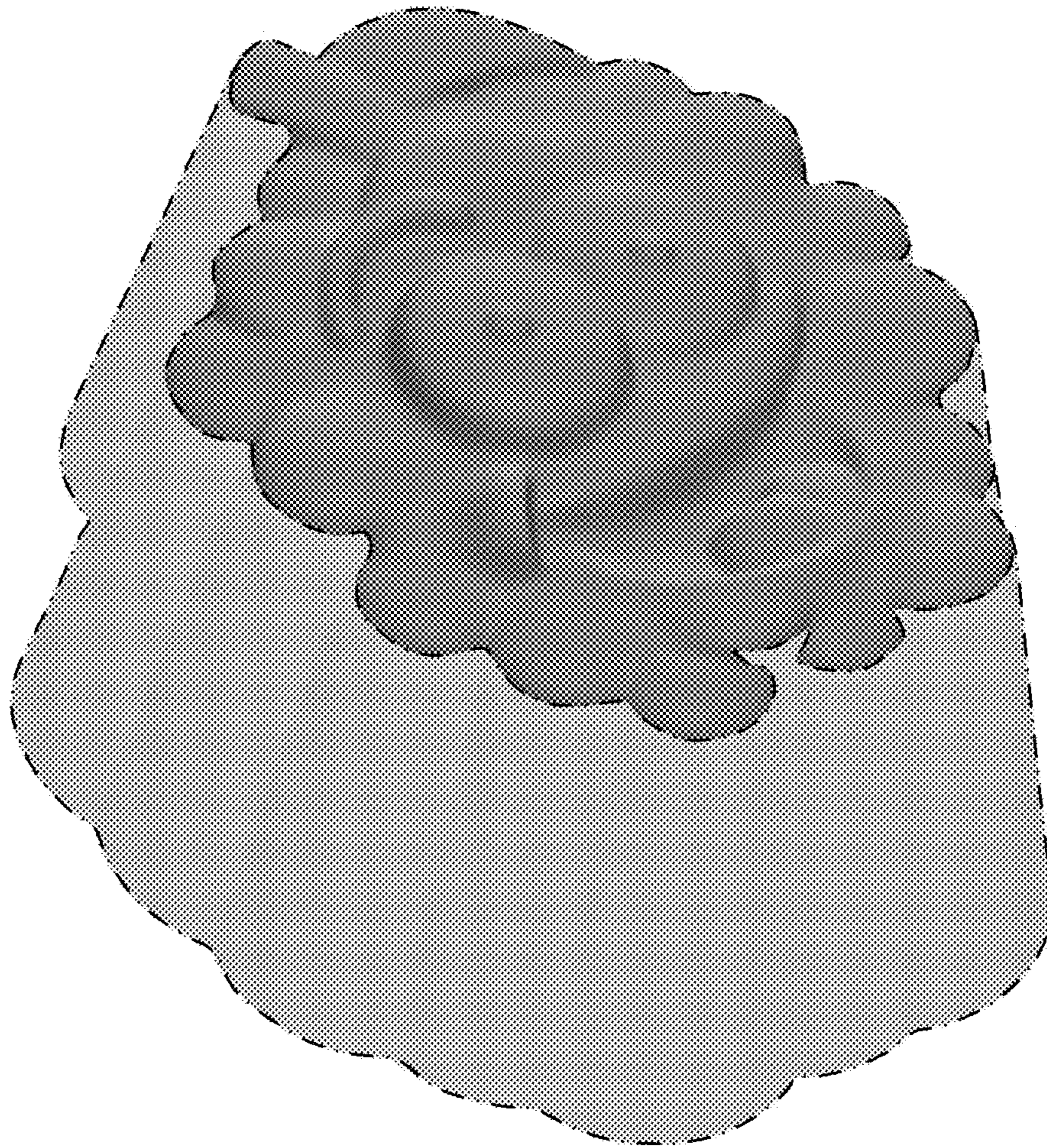


FIG. 1

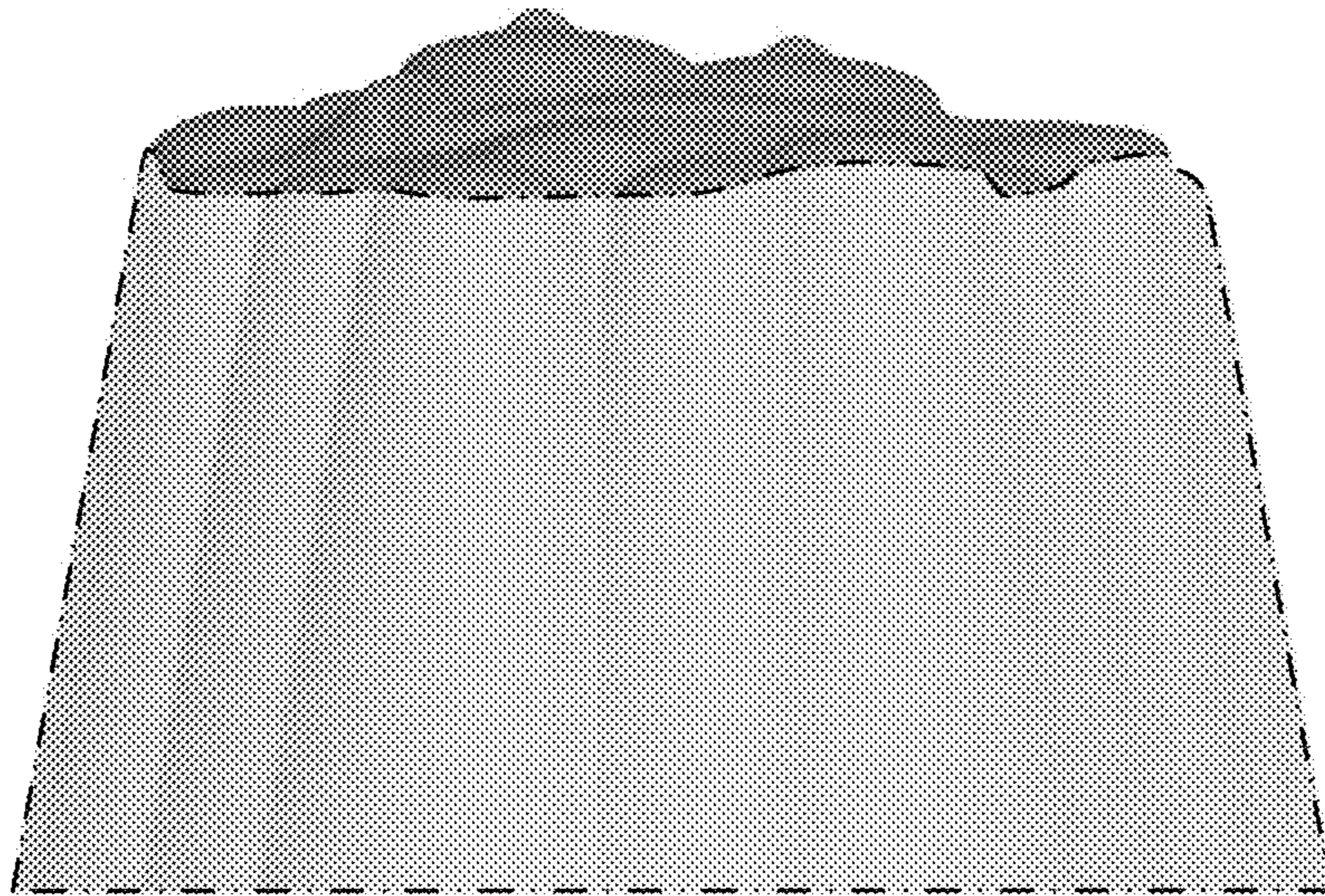


FIG. 2

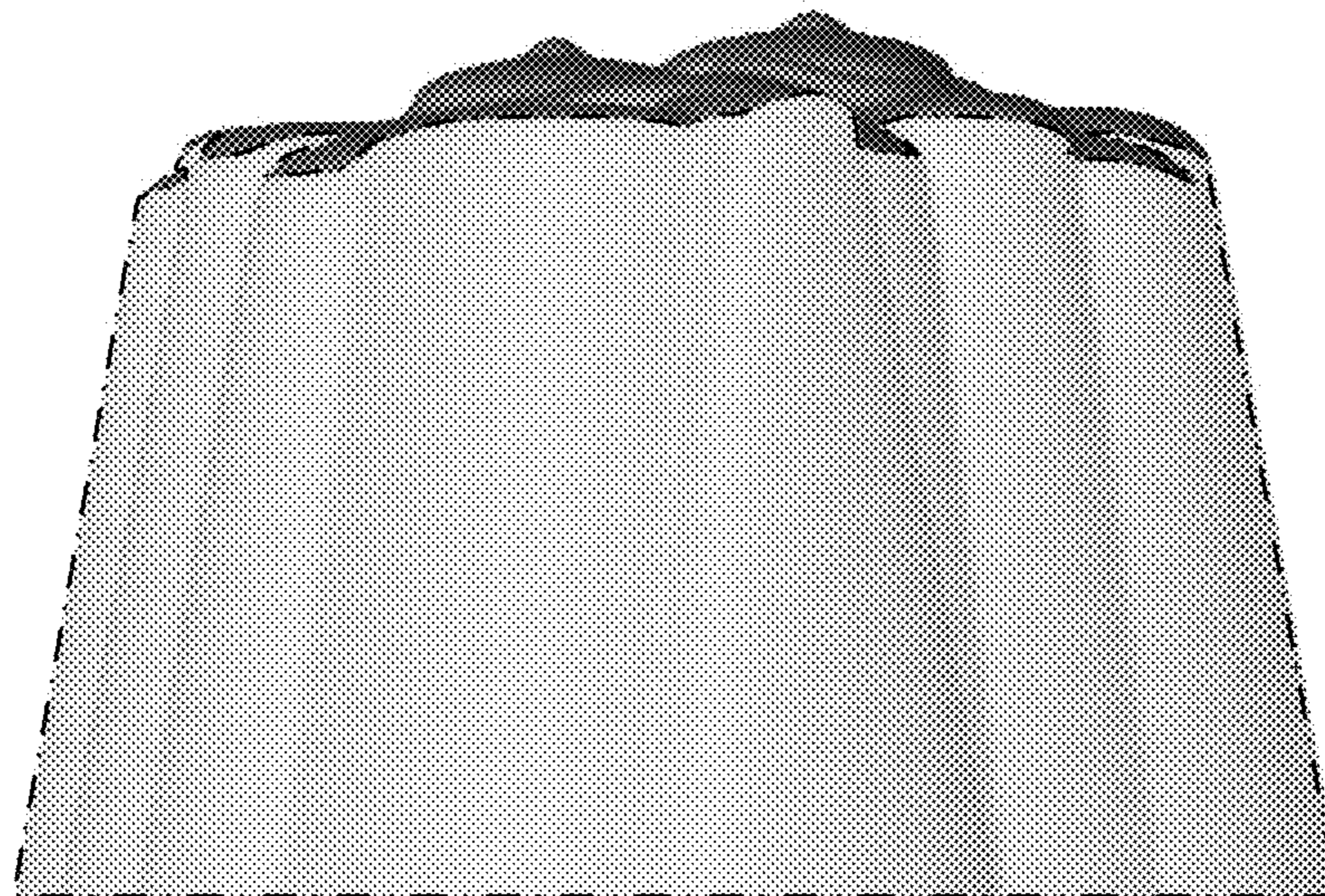


FIG. 3

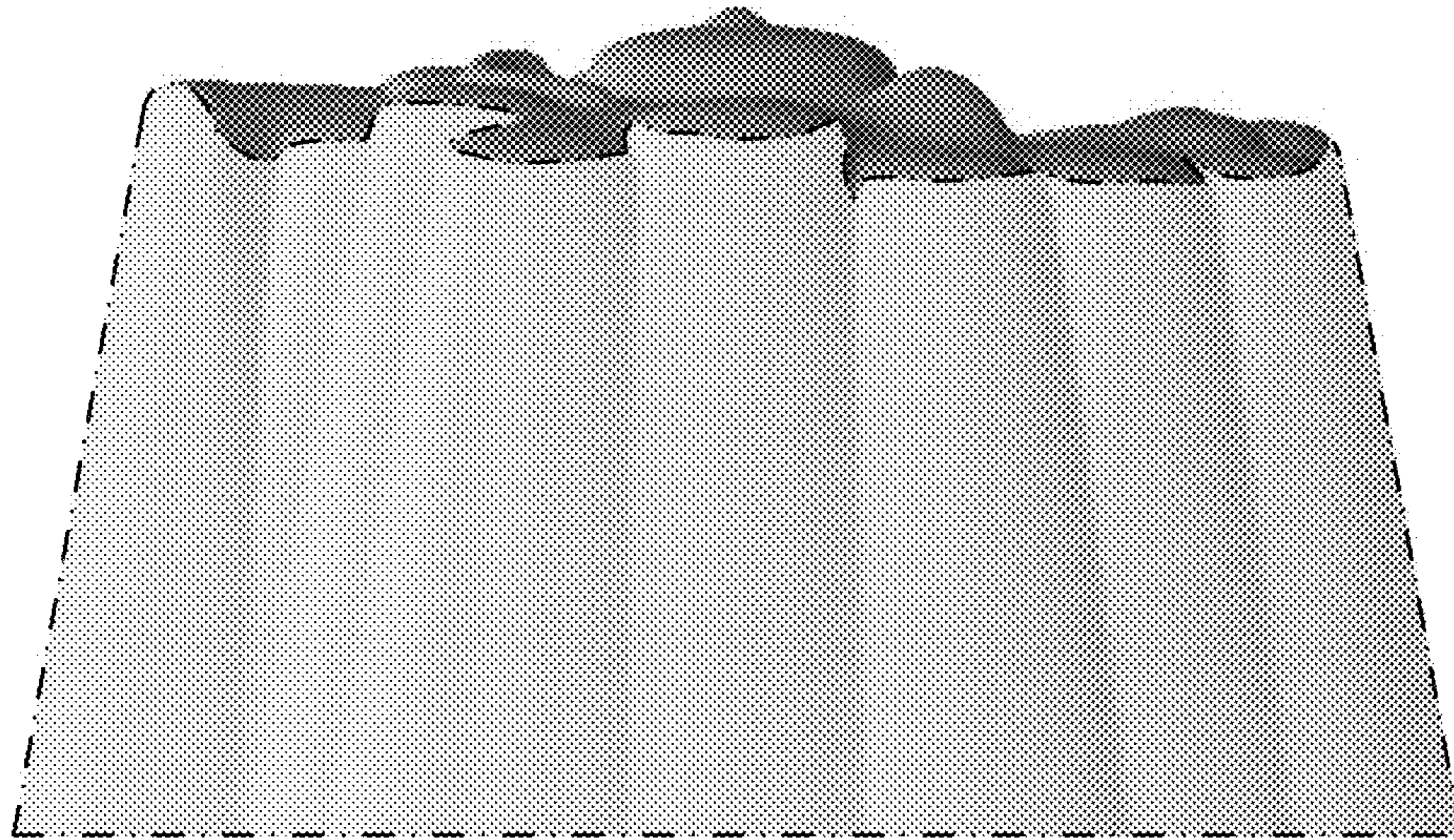


FIG. 4

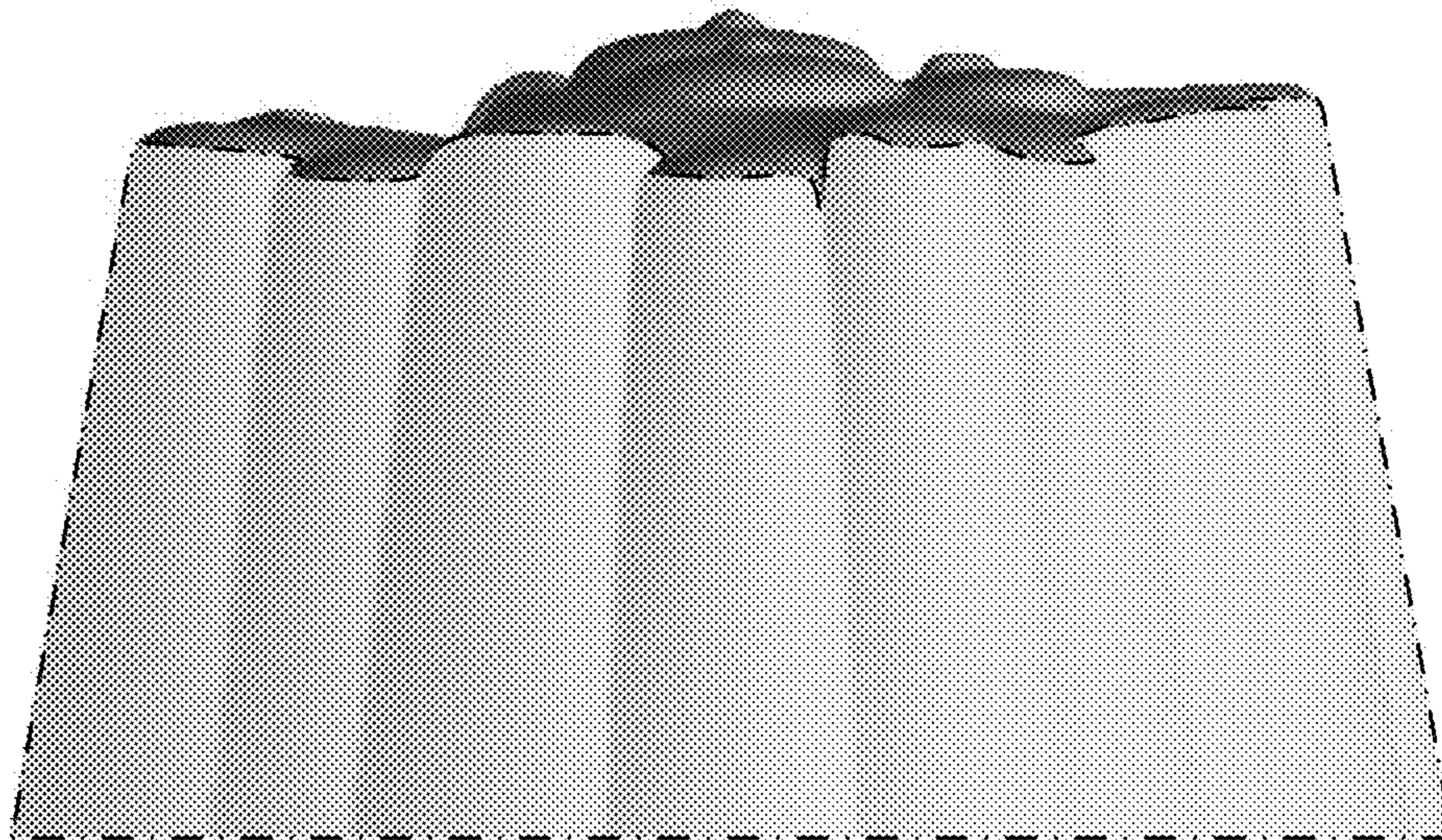


FIG. 5

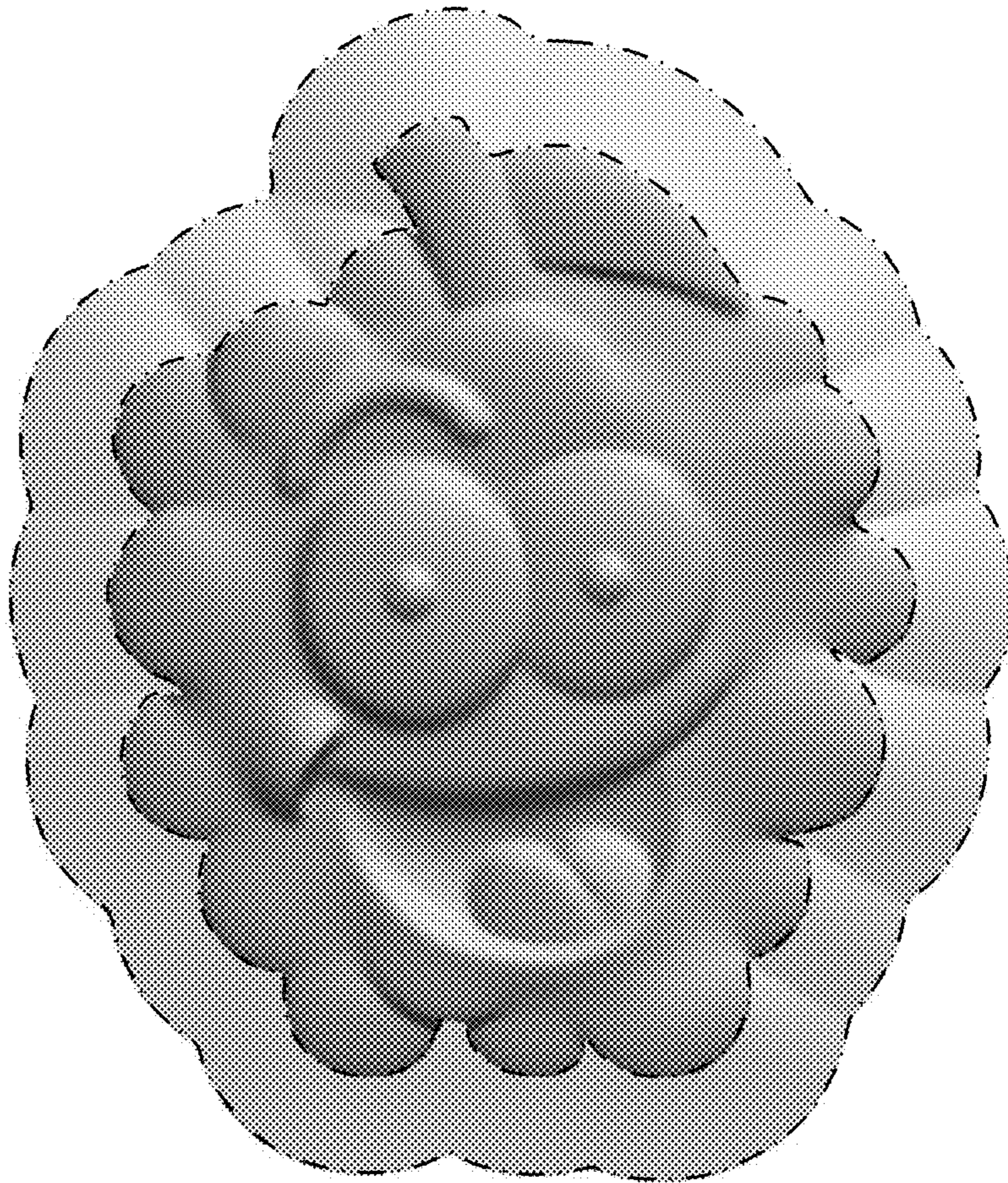


FIG. 6

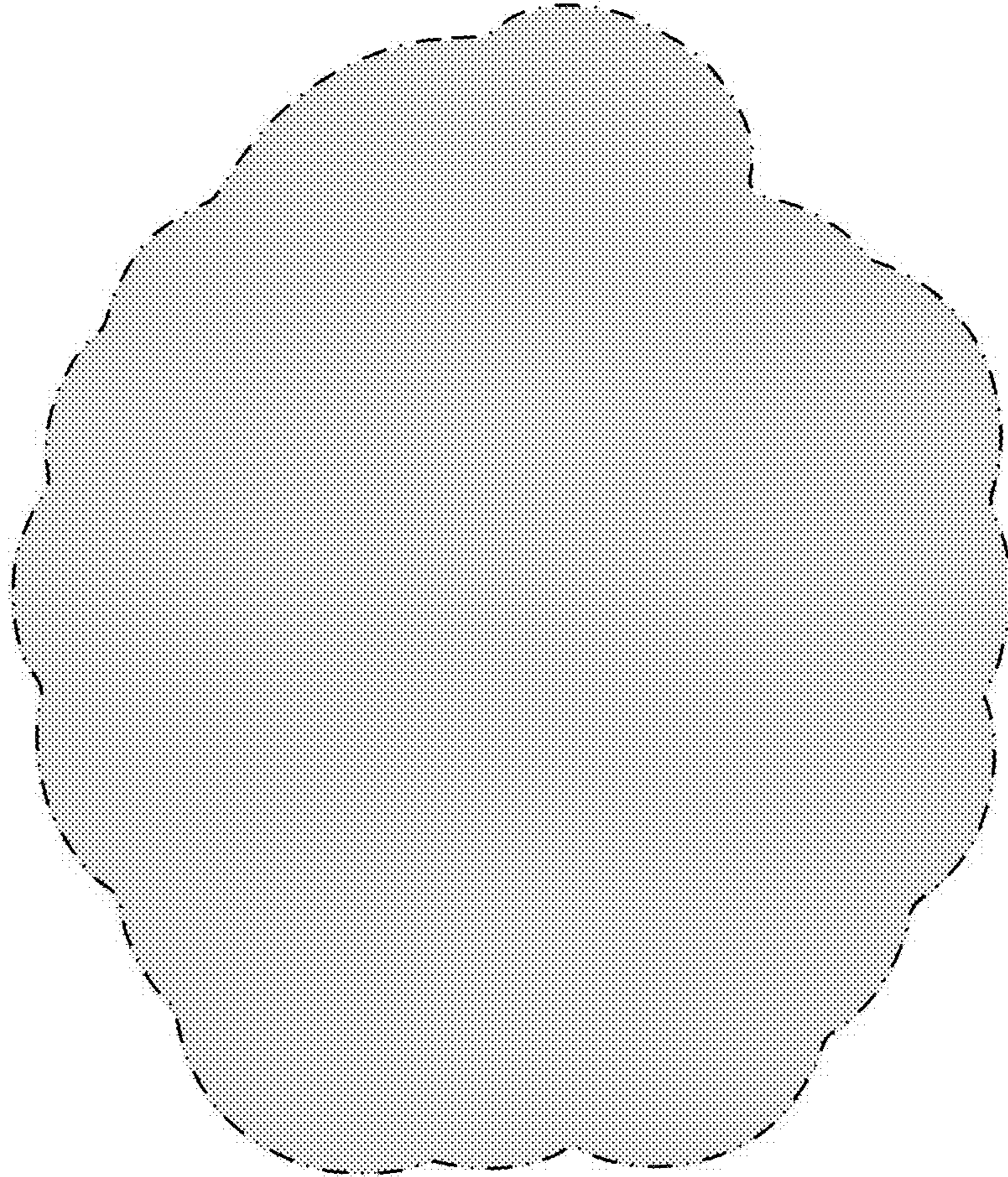


FIG. 7