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

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(54) **TEMPORARY FLEXIBLE PAVEMENT MARKER**

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- (73) Assignee: **Trafco Industries, Inc.**, Eagle Lake, TX (US)
- (\*\*) Term: **15 Years**
- (21) Appl. No.: **29/698,174**
- (22) Filed: **Jul. 15, 2019**

**Related U.S. Application Data**

- (62) Division of application No. 29/612,720, filed on Aug. 3, 2017, now Pat. No. Des. 860,845.
- (51) **LOC (14) Cl.** ..... **10-05**
- (52) **U.S. Cl.**  
USPC ..... **D10/113.1**
- (58) **Field of Classification Search**  
USPC ..... D10/104.1, 106.6, 107, 109.1, 109.2, D10/113.1, 113.2, 113.3, 113.4, 114.1,  
(Continued)

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

- 2,591,780 A \* 4/1952 Cameron ..... E06B 3/24  
52/479
- 3,110,374 A \* 11/1963 Valverde ..... E06B 9/01  
52/581

(Continued)

**FOREIGN PATENT DOCUMENTS**

- CA 2155398 A1 7/1996
- EP 989239 A2 3/2000

(Continued)

**OTHER PUBLICATIONS**

International Search Report and Written Opinion of the International Searching Authority in International Patent Application No. PCT/US2013/076558 dated Apr. 15, 2014 (14 Pages).

(Continued)

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(57) **CLAIM**

The ornamental design for a temporary flexible pavement marker, as shown and described.

**DESCRIPTION**

FIG. 1 is a front perspective view of the first embodiment of a temporary flexible pavement marker, showing our new design.

FIG. 2 is a front elevational view of FIG. 1.

FIG. 3 is a rear elevational view of FIG. 1.

FIG. 4 is a right side view of FIG. 1.

FIG. 5 is a left side view of FIG. 1.

FIG. 6 is a top plan view of FIG. 1.

FIG. 7 is a bottom plan view of FIG. 1.

FIG. 8 is a front perspective view of the second embodiment of a temporary flexible pavement marker, showing our new design.

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

FIG. 10 is a rear elevational view of FIG. 8.

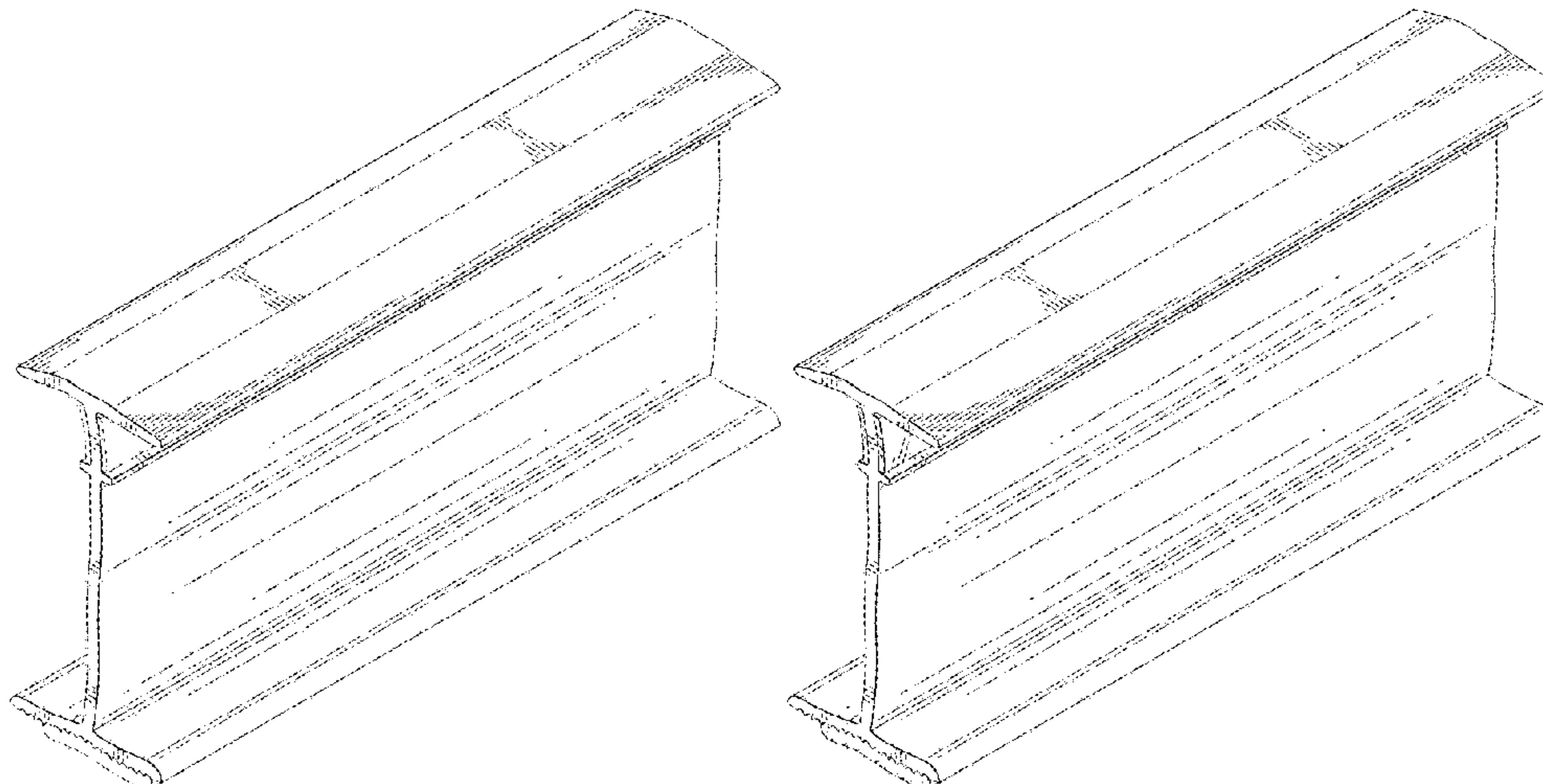
FIG. 11 is a right side view of FIG. 8.

FIG. 12 is a left side view of FIG. 8.

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

The broken lines in the drawing illustrate portions of a temporary flexible pavement marker that form no part of the claimed design.

**1 Claim, 10 Drawing Sheets**



(58) **Field of Classification Search**

USPC ..... D10/116.1, 121; D20/10, 8, 39, 99;  
 D21/483, 484, 486, 494, 493, 502, 503,  
 D21/504, 505; 116/63 P, 63 C; 446/476,  
 446/85, 102, 104, 110, 111, 122, 124;  
 D25/39, 44, 112; 404/6, 7, 8, 9, 10, 11,  
 404/12, 13, 14, 15; D8/349, 354;  
 40/541, 584, 729; 72/31.12; 264/176.1  
 CPC ..... E01F 9/09; E01F 9/087; E01F 15/085  
 See application file for complete search history.

6,676,331 B1 1/2004 Casele  
 6,685,389 B1 \* 2/2004 Christensen ..... E01C 23/18  
 404/12  
 6,709,193 B1 \* 3/2004 Rogers ..... E01C 23/18  
 404/12  
 6,712,548 B1 3/2004 Rogers  
 6,764,249 B2 7/2004 Stone  
 6,832,871 B2 12/2004 Orthaus  
 6,835,203 B1 12/2004 Paterson  
 6,896,444 B2 5/2005 Orthaus  
 6,905,284 B2 6/2005 Christensen  
 6,991,400 B1 1/2006 Negueloua  
 7,690,861 B1 4/2010 Johnson  
 7,866,914 B2 1/2011 Kulp et al.  
 8,342,700 B2 1/2013 Naik et al.  
 D860,845 S \* 9/2019 Carey ..... D10/113.1  
 D870,018 S \* 12/2019 Olson ..... D12/400  
 D880,009 S \* 3/2020 Loughren ..... D25/126  
 D901,718 S \* 11/2020 Schoonover ..... D25/48.2  
 11,047,097 B2 \* 6/2021 Carey ..... E01F 9/578  
 2003/0194270 A1 10/2003 Forrer  
 2004/0114997 A1 6/2004 Stone  
 2011/0293367 A1 12/2011 Yeghiayan et al.  
 2012/0092767 A1 4/2012 Naik et al.  
 2013/0108362 A1 5/2013 Philip

(56) **References Cited**

U.S. PATENT DOCUMENTS

3,352,217 A \* 11/1967 Peters ..... E01C 11/106  
 404/65  
 3,508,369 A \* 4/1970 Tennison ..... E04B 1/6803  
 52/396.08  
 3,740,881 A \* 6/1973 Finger ..... G09F 7/22  
 40/609  
 3,760,544 A \* 9/1973 Hawes ..... E04B 1/6162  
 52/468  
 3,879,148 A \* 4/1975 Eigenmann ..... E01F 9/573  
 404/10  
 D236,818 S \* 9/1975 Stenemann ..... D10/111  
 D242,624 S 12/1976 Schmidt  
 D242,625 S 12/1976 Schmidt  
 D242,799 S 12/1976 Schmidt  
 D242,800 S 12/1976 Schmidt  
 4,445,803 A 5/1984 Dixon  
 4,462,711 A 7/1984 Garner  
 4,521,129 A 6/1985 Krech et al.  
 4,991,994 A 2/1991 Edouart  
 5,460,115 A 10/1995 Speer et al.  
 6,158,915 A \* 12/2000 Kise ..... E04D 13/1606  
 403/2  
 D443,308 S \* 6/2001 Kovell ..... D20/10  
 6,505,994 B1 \* 1/2003 Attar ..... E01F 9/669  
 404/16  
 D471,125 S 3/2003 Farley  
 6,619,755 B1 \* 9/2003 Christensen ..... E01C 23/08  
 299/39.2

FOREIGN PATENT DOCUMENTS

EP 2337824 A1 6/2011  
 WO 2010036522 A1 4/2010

OTHER PUBLICATIONS

Notice of References in U.S. Appl. No. 14/654,278 dated Sep. 23, 2016 (1 page).  
 "Chip Seal Tab" available May 17, 2017, available at <https://www.roadsbridge.com/chip-seal-tab> (year 2017).  
 Available Dec. 20, 2018 Available from Internet, <URL:<https://www.durapost.com.au/product/raised-pavementmarkers/>> (Year 2018).  
 Available Dec. 20, 2018, Available from Internet, <URL:<https://www.parkingzone.com/overlay-pavement-markers.html>>.  
 Available Dec. 20, 2018, Available from Internet, <URL:<https://www.lgam.wikidot.com/temporary-raised-pavement-marker.html>>.

\* cited by examiner

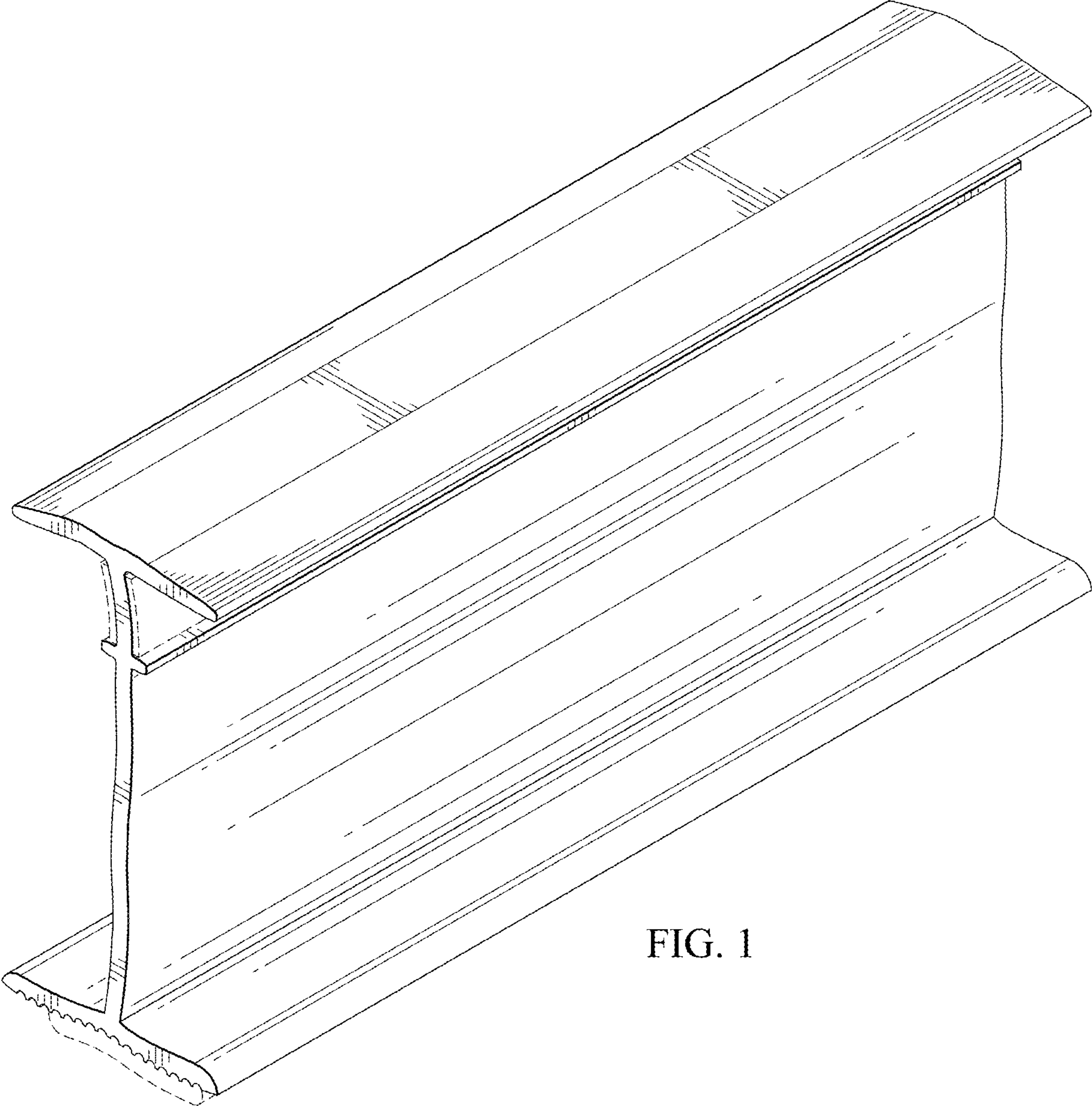


FIG. 1



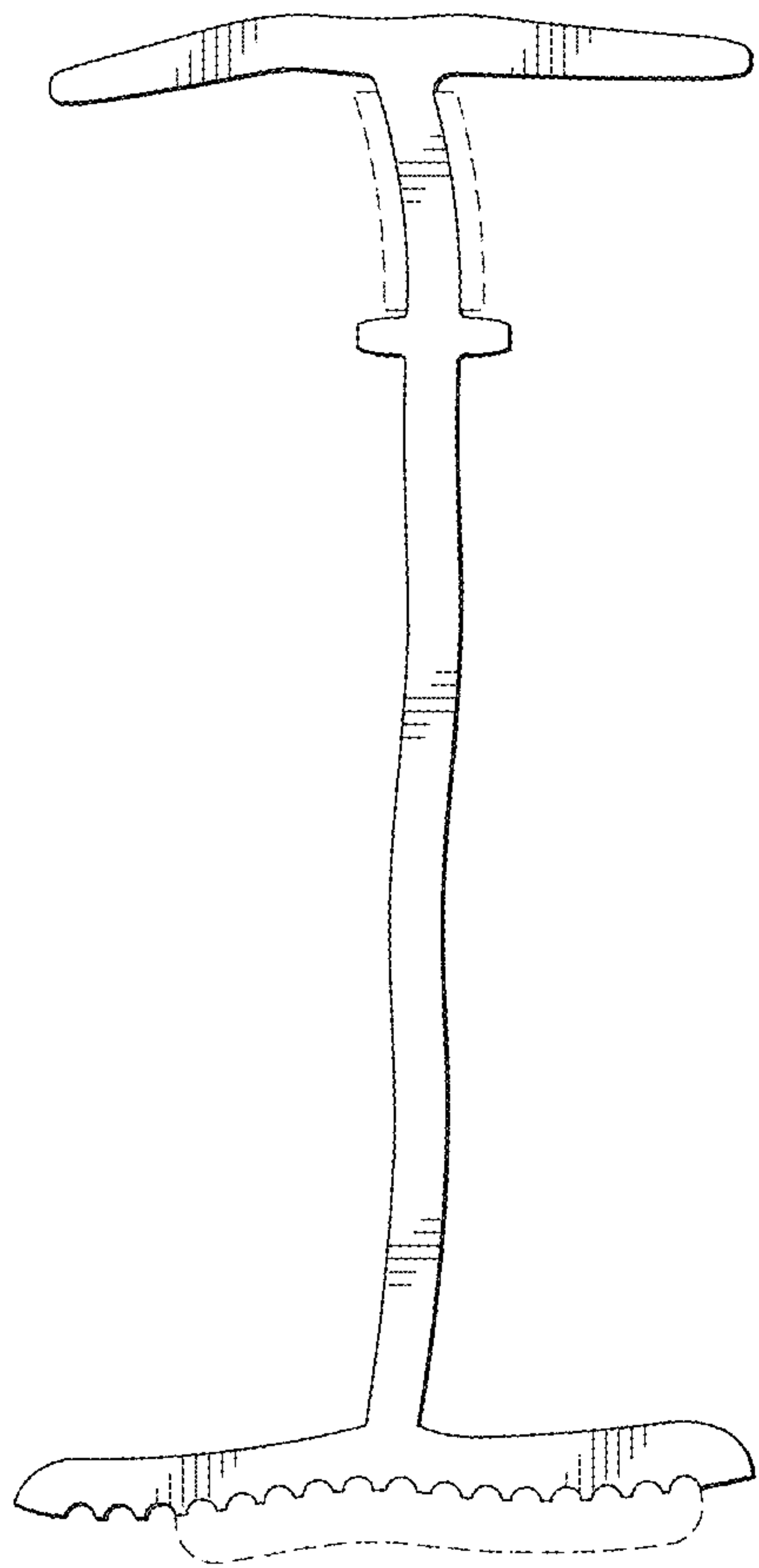


FIG. 2

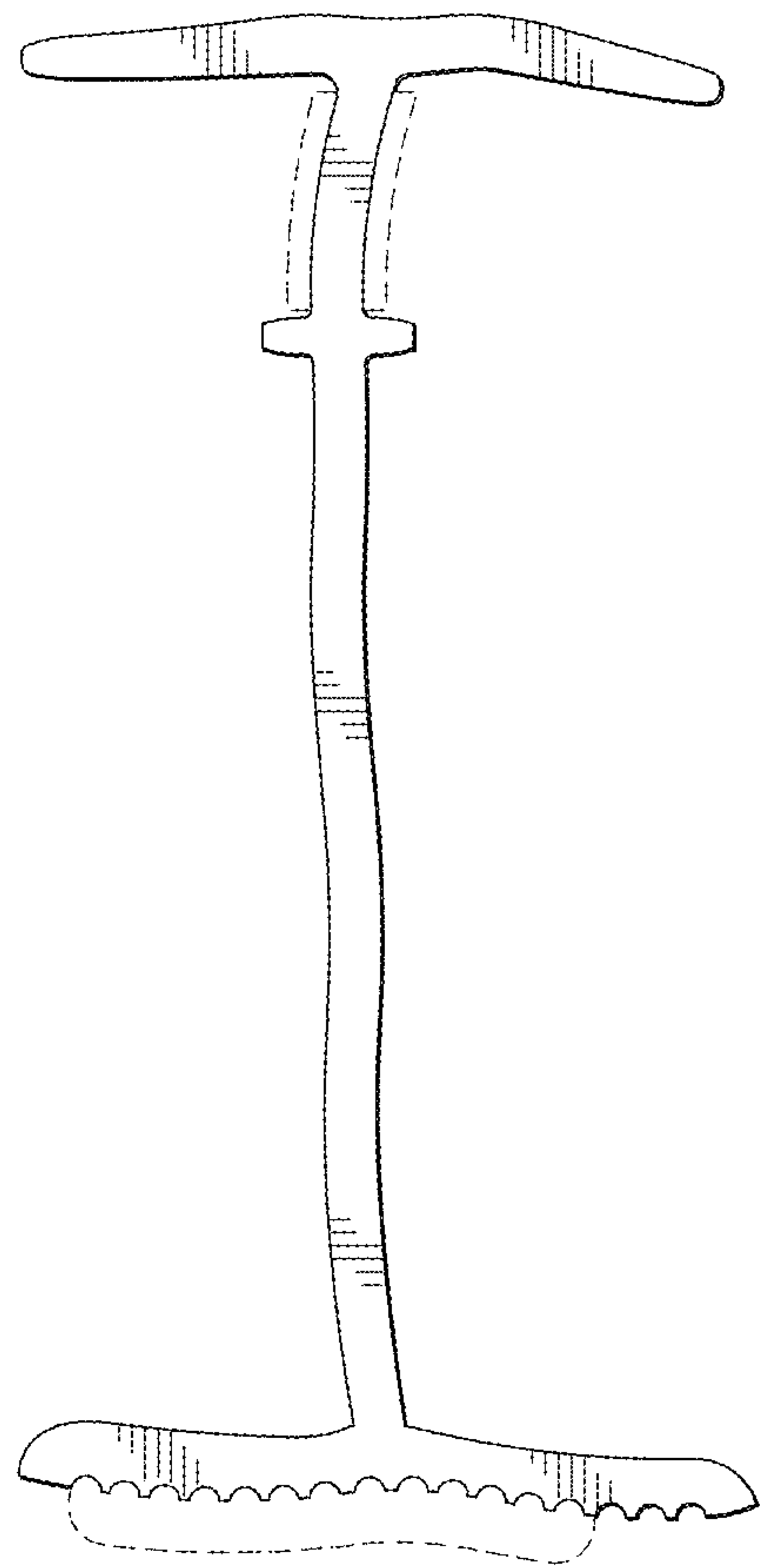


FIG. 3

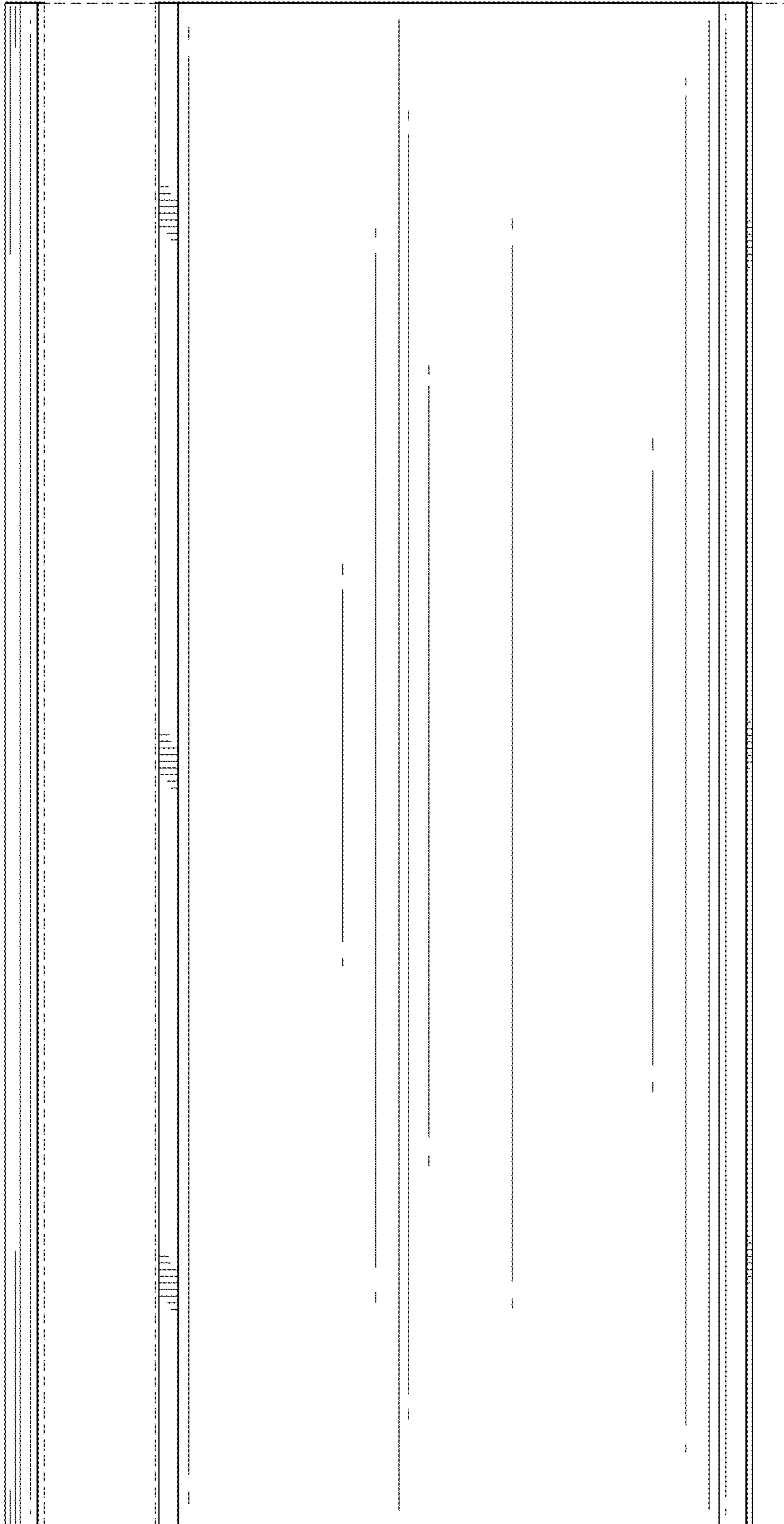


FIG. 4

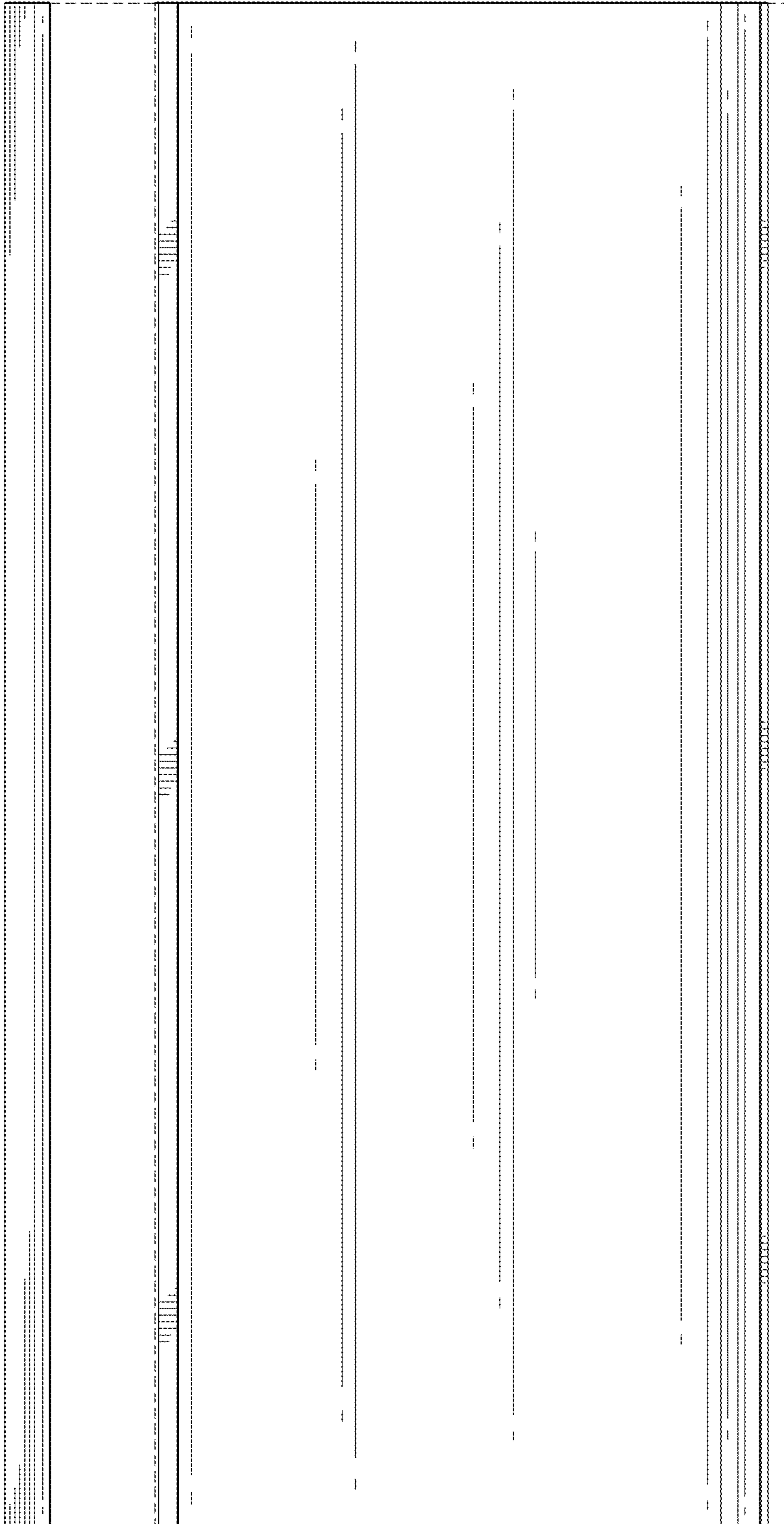


FIG. 5

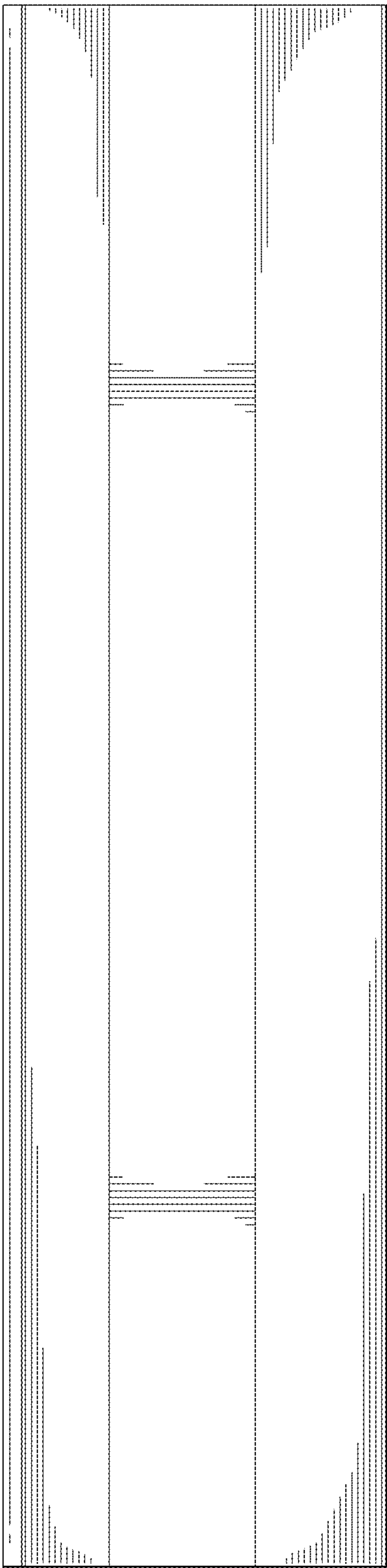


FIG. 6

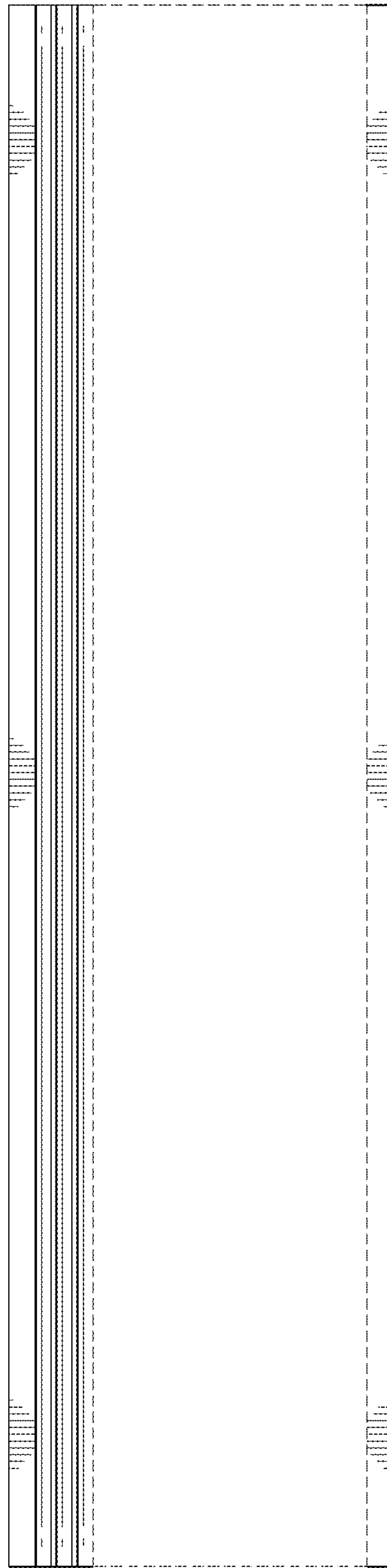


FIG. 7

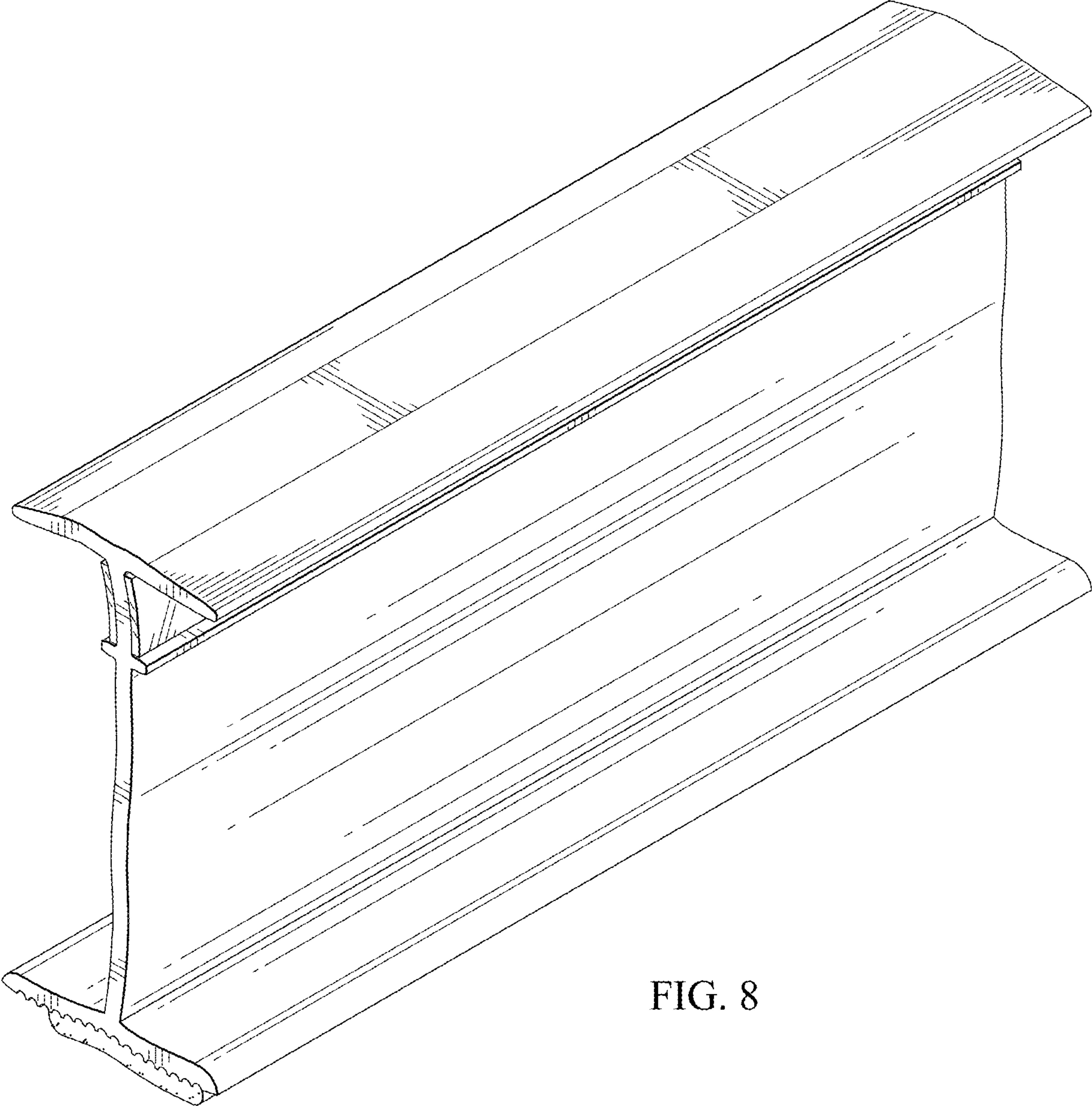


FIG. 8



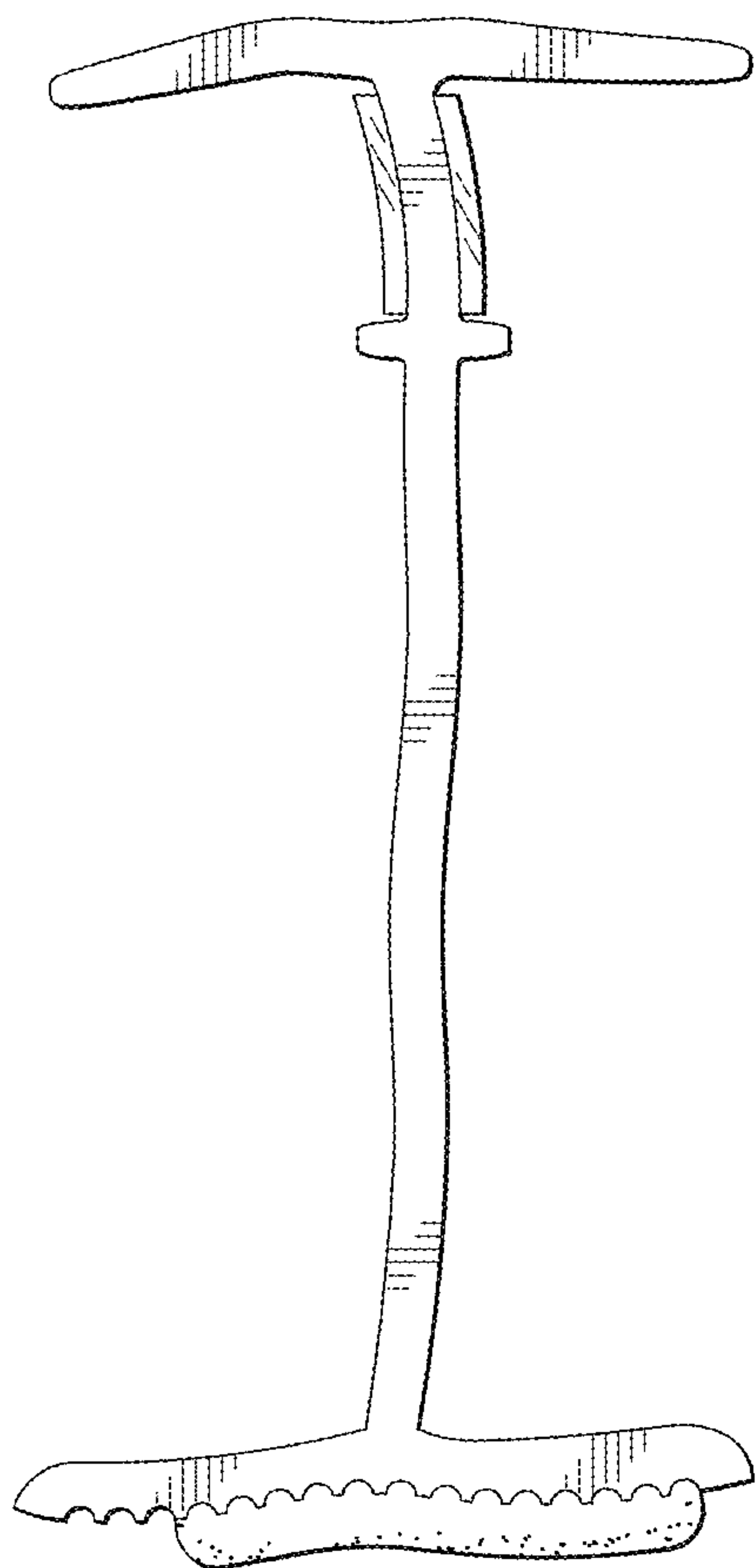


FIG. 9

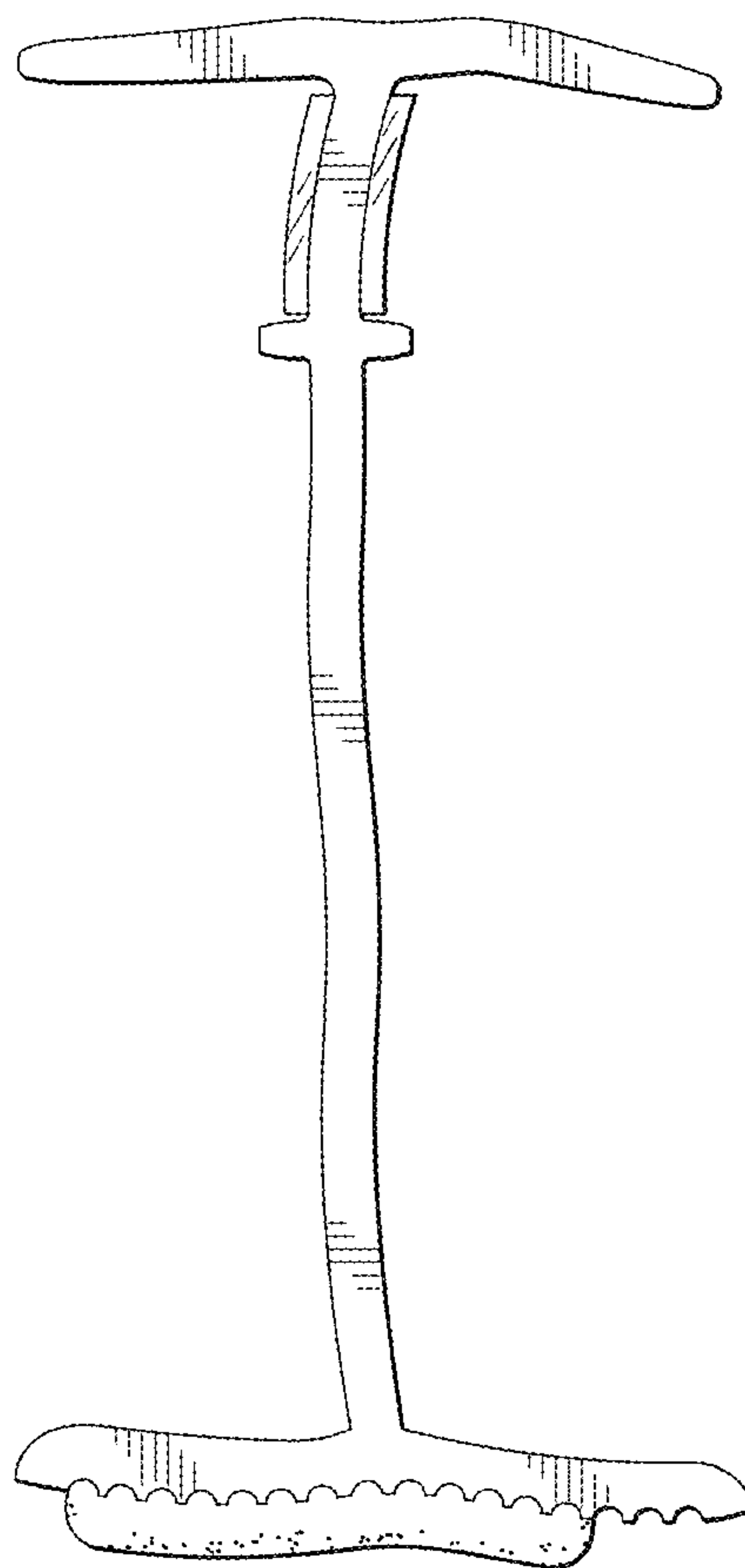


FIG. 10

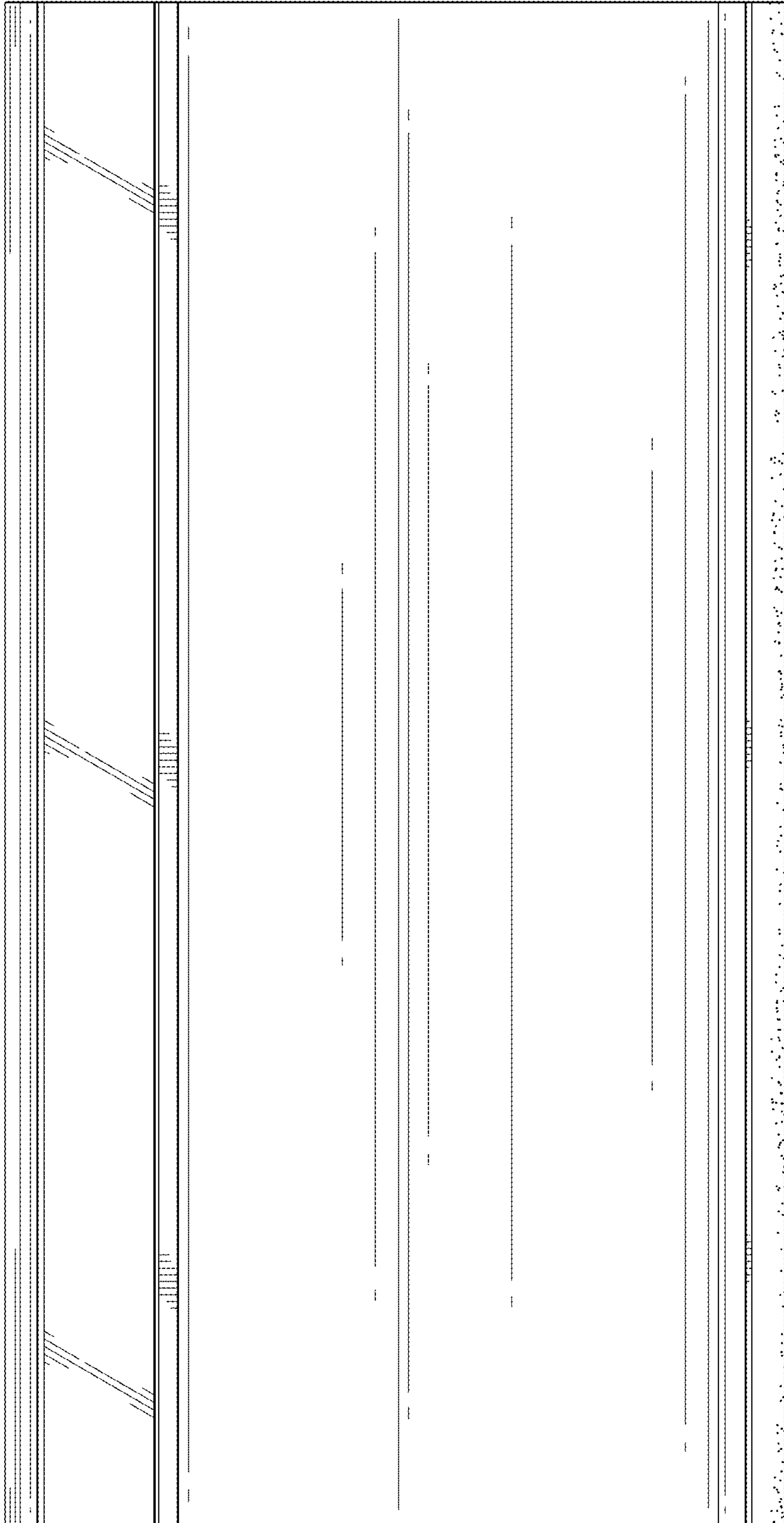


FIG. 11

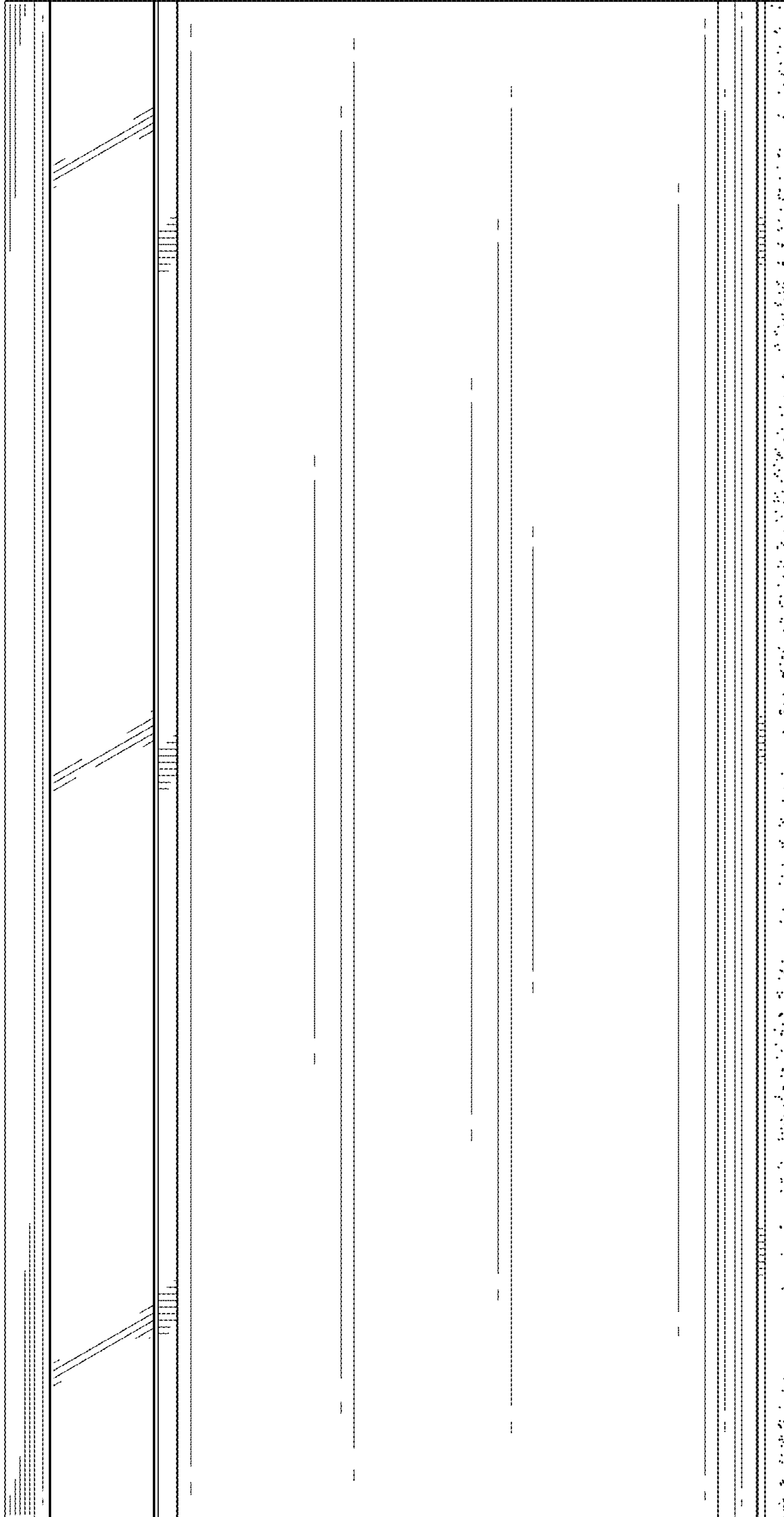


FIG. 12

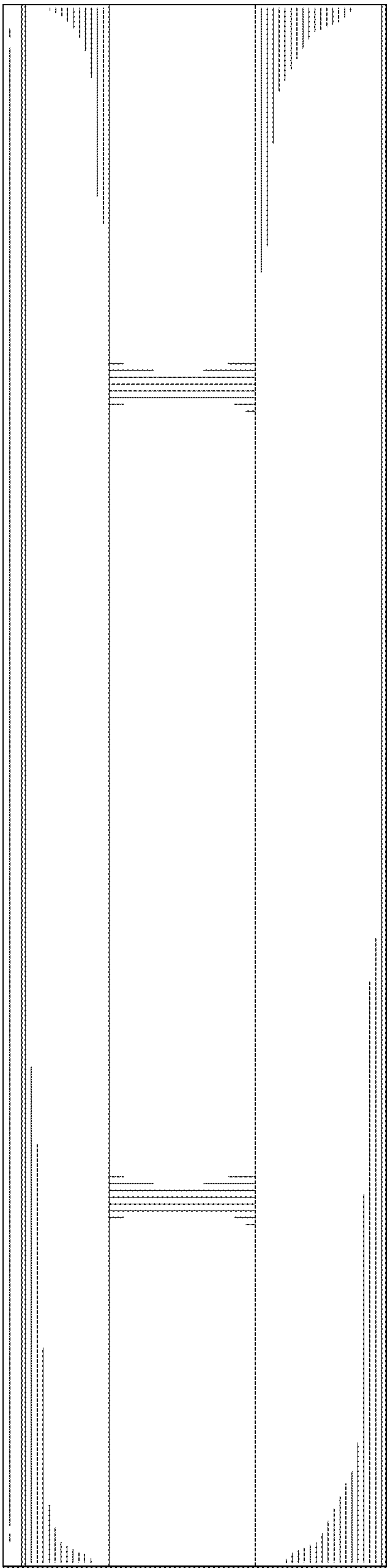


FIG. 13

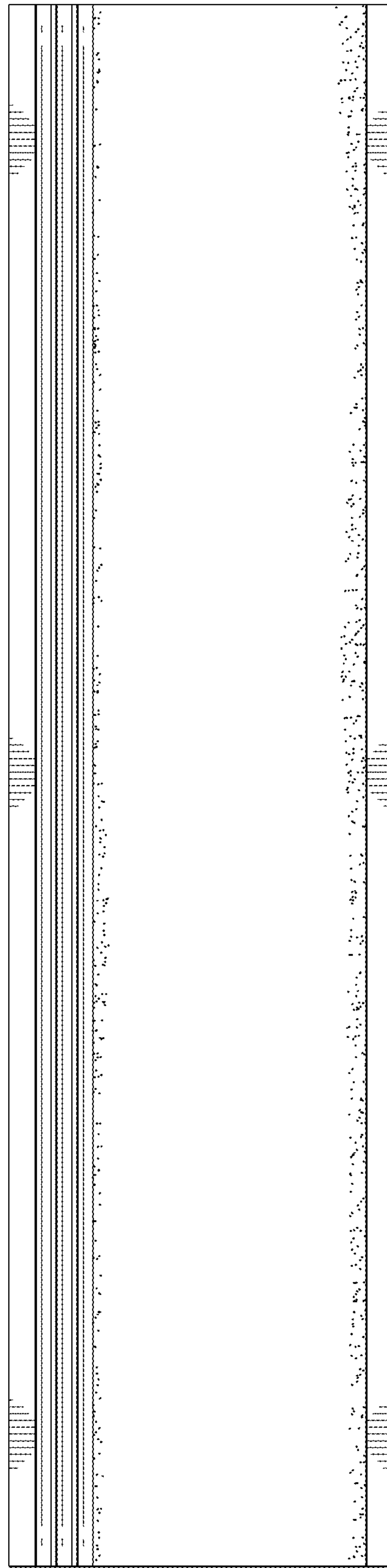


FIG. 14