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

(10) **Patent No.:** **US D978,786 S**
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(54) **BATTERY PACK**

- (71) Applicant: **Walmart Apollo, LLC**, Bentonville, AR (US)
- (72) Inventors: **Darius Z. Osmola**, Rogers, AR (US); **Tabatha M. Hunter**, Centerton, AR (US); **XiaoFei Yang**, Guangzhou (CN)
- (73) Assignee: **Walmart Apollo, LLC**, Bentonville, AR (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/763,616**
- (22) Filed: **Dec. 23, 2020**

Related U.S. Application Data

- (63) Continuation of application No. 29/627,988, filed on Nov. 30, 2017, now Pat. No. Des. 958,061.

(30) **Foreign Application Priority Data**

Jul. 26, 2017 (CN) 201730333949.8

(51) **LOC (14) Cl.** **13-02**

(52) **U.S. Cl.**
USPC **D13/103**

(58) **Field of Classification Search**
USPC D13/102-110, 118, 119, 153, 154, 184, D13/199
CPC Y02E 60/10; Y02E 60/12; Y02E 60/122; Y02E 60/124; Y02E 60/50; H01M 2/02; H01M 2/022; H01M 2/0202; H01M 2/0207; H01M 2/0212; H01M 2/1061; H01M

(Continued)

(56) **References Cited**

U.S. PATENT DOCUMENTS

D477,811 S 7/2003 Niwa
D481,672 S * 11/2003 Niwa D13/103

(Continued)

FOREIGN PATENT DOCUMENTS

CA 179453 ‡ 10/2020
CA 189201 ‡ 10/2020

(Continued)

OTHER PUBLICATIONS

CIPO; App. No. 179453; Examiner's Report dated Oct. 3, 2018.
(Continued)

Primary Examiner — Christy Nemeth

(74) *Attorney, Agent, or Firm* — Fitch Even Tabin & Flannery LLP

(57) **CLAIM**

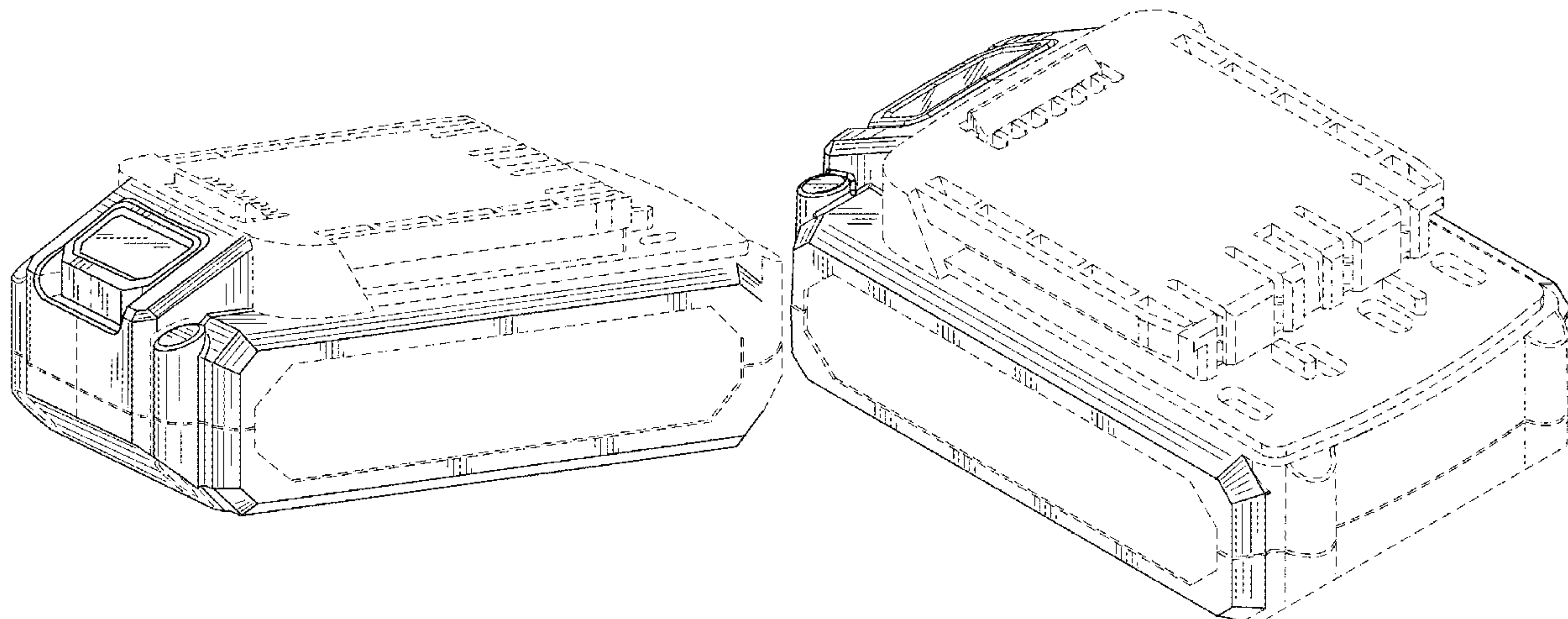
The ornamental design for a battery pack, as shown and described.

DESCRIPTION

FIG. 1 is a top front perspective view of the battery pack according to our new design;
FIG. 2 is a top plan view of the battery pack of FIG. 1;
FIG. 3 is a left side elevation view of the battery pack of FIG. 1;
FIG. 4 is a right side elevation view of the battery pack of FIG. 1;
FIG. 5 is a bottom plan view of the battery pack of FIG. 1;
FIG. 6 is a rear elevation view of the battery pack of FIG. 1;
FIG. 7 is a front elevation view of the battery pack of FIG. 1; and,
FIG. 8 is a rear top perspective view of the battery pack of FIG. 1.

The broken lines depict portions of the battery pack that form no part of the claimed design.

1 Claim, 4 Drawing Sheets



(58) **Field of Classification Search**

CPC 2/1022; H01M 2/1055; H01M 2/1066;
 H01M 2/105; H01M 2/20; H01M 2/202;
 H01M 2/204; H01M 2/206; H01M
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 H01M 10/0436; H01M 10/48; H01M
 10/6235; H02J 7/0034; H02J 7/0054;
 H02J 7/1423; H02J 7/00; H02J 7/0003;
 H02J 7/0011; H02J 7/0013; H02J 7/0055;
 H02J 7/0057; Y02T 10/7005; Y02T
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See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D504,111 S † 4/2005 Ozawa D13/10
 D504,394 S * 4/2005 Cheung D13/103
 D530,270 S * 10/2006 Ozawa D13/103
 D544,436 S * 6/2007 Kawahara D13/103
 D553,562 S * 10/2007 Okada D13/103
 D568,239 S * 5/2008 Okada D13/103
 D579,868 S * 11/2008 Harrison D13/103
 D588,986 S * 3/2009 Zhang D13/110
 D589,439 S * 3/2009 Van Wambeke D13/103
 D589,440 S * 3/2009 Van Wambeke D13/103
 D589,441 S * 3/2009 Van Wambeke D13/103
 D593,944 S * 6/2009 Smith D13/119
 D597,931 S 8/2009 Aglassinger
 D597,932 S 8/2009 Aglassinger
 D597,933 S * 8/2009 Aglassinger D13/103
 D597,934 S * 8/2009 Aglassinger D13/103
 D597,935 S * 8/2009 Aglassinger D13/103
 D598,373 S * 8/2009 Aglassinger D13/103
 D604,695 S * 11/2009 Aglassinger D13/103
 D606,935 S * 12/2009 Murayama D13/103
 D622,661 S * 8/2010 Yamada D13/103
 D633,036 S * 2/2011 Murray D13/103
 D639,730 S * 6/2011 Kawase D13/103
 D640,190 S * 6/2011 Aglassinger D13/103
 D640,196 S * 6/2011 Shuang D13/103
 D640,197 S * 6/2011 Park D13/103
 D640,628 S * 6/2011 Lopano D13/103
 D640,975 S * 7/2011 Okuda D13/103
 D643,809 S * 8/2011 Okuda D13/103
 D657,307 S 4/2012 Zhao
 D658,578 S * 5/2012 Davis D13/103
 D668,219 S * 10/2012 Zhao D13/107
 D679,651 S 4/2013 Stratford
 D680,064 S * 4/2013 Tirone D13/103
 D682,192 S * 5/2013 Corbin D13/103
 D682,193 S * 5/2013 Corbin D13/103
 D682,194 S * 5/2013 Jiang D13/103
 D684,528 S * 6/2013 Murray D13/103
 D685,730 S * 7/2013 Hamm D13/103
 D692,380 S * 10/2013 Tirone D13/119
 D699,180 S * 2/2014 Sweere D13/103
 D699,670 S 2/2014 Cooper
 D710,794 S * 8/2014 Busschaert D13/103
 D712,826 S * 9/2014 Marino D13/103
 D718,705 S * 12/2014 Naksen D13/103
 D770,377 S * 11/2016 Kondo D13/103
 D780,686 S * 3/2017 Glasow D13/103
 D780,687 S * 3/2017 Taniguchi D13/103
 D780,688 S * 3/2017 Elder D13/103
 D785,562 S * 5/2017 Cooper D13/103
 D797,661 S * 9/2017 Elder D13/103
 D800,650 S * 10/2017 Itoh D13/103
 D800,656 S * 10/2017 Marino D13/119
 D801,917 S * 11/2017 Jiang D13/103
 D801,919 S * 11/2017 Elder D13/103
 D803,777 S * 11/2017 Burchard D13/103
 D812,555 S * 3/2018 Schoch D13/103

D818,947 S 5/2018 Laurino
 D818,948 S * 5/2018 Waldron D13/103
 D819,562 S * 6/2018 Waldron D13/103
 D826,149 S * 8/2018 Cooper D13/103
 D826,150 S * 8/2018 Cayon D13/103
 D841,572 S 2/2019 Gilpatrick
 D844,558 S * 4/2019 Taniguchi D13/103
 D849,681 S * 5/2019 Howell D13/103
 D853,961 S 7/2019 Kanarellis
 D856,275 S 8/2019 Laurino
 D856,921 S * 8/2019 Lee D13/103
 D858,432 S * 9/2019 Altenburger D13/103
 D862,382 S * 10/2019 Altenburger D13/103
 D867,279 S * 11/2019 Altenburger D13/103
 D876,340 S * 2/2020 Song D13/103
 D881,119 S * 4/2020 Elder D13/103
 D883,918 S 5/2020 Roberts
 D884,600 S * 5/2020 Zhou D13/103
 D884,601 S * 5/2020 Zhou D13/103
 D887,969 S * 6/2020 Howell D13/103
 D890,692 S * 7/2020 Elder D13/103
 D891,363 S * 7/2020 Roberts D13/103
 D893,409 S 8/2020 Stray
 D893,411 S * 8/2020 Roberts D13/103
 D893,413 S * 8/2020 Grulke D13/103
 D894,118 S * 8/2020 Liu D13/103
 D894,120 S * 8/2020 Timm D13/103
 D894,827 S * 9/2020 Watson D13/103
 D898,662 S * 10/2020 Waldron D13/103
 D902,147 S * 11/2020 Stray D13/103
 D909,290 S * 2/2021 Hasenmayer D13/103
 D911,267 S * 2/2021 Matteo D13/103
 D911,268 S * 2/2021 Matteo D13/103
 D911,269 S * 2/2021 Matteo D13/103
 D911,922 S * 3/2021 Watson D13/103
 D911,931 S * 3/2021 Li D13/103
 D919,560 S * 5/2021 Taniguchi D13/103
 D922,939 S * 6/2021 Ye D13/103
 D922,940 S * 6/2021 Ye D13/103
 D924,791 S * 7/2021 Yrad, Jr. D13/103
 D924,793 S * 7/2021 Qiu D13/103
 D924,794 S * 7/2021 Kuang D13/103
 D924,795 S * 7/2021 Zhong D13/103
 D925,442 S * 7/2021 Howell D13/103
 D926,674 S * 8/2021 Willey D13/103
 D929,316 S * 8/2021 Azuma D13/103
 D931,199 S * 9/2021 Gallagher D13/103
 D931,801 S * 9/2021 Timm D13/103
 11,126,804 B2 * 9/2021 Huggins H05K 5/0017
 D935,390 S * 11/2021 Kumarswamy D13/103
 D935,996 S * 11/2021 Okuda D13/103
 D936,580 S * 11/2021 Li D13/108
 D937,760 S * 12/2021 Chandrasekharan D13/103
 D937,761 S * 12/2021 Chandrasekharan D13/103
 D940,648 S * 1/2022 Taylor D13/103
 2005/0058890 A1 † 3/2005 Brazell H01M 50/213
 429/99
 2008/0238370 A1 † 10/2008 Carrier H02J 7/00036
 320/13
 2013/0089764 A1 4/2013 Melnyk
 2013/0136965 A1 5/2013 Nakano
 2013/0330576 A1 12/2013 Kolden
 2016/0072106 A1 * 3/2016 Baumgartner H02J 7/00
 320/113
 2016/0240901 A1 * 8/2016 Kondo H01M 10/6235
 2016/0241065 A1 * 8/2016 Kondo H01M 50/20
 2016/0322842 A1 11/2016 Sorhage
 2017/0012272 A1 * 1/2017 Naito H01R 33/765
 2018/0069208 A1 * 3/2018 Rejman H01M 50/24
 2018/0198101 A1 * 7/2018 Sheeks H02J 7/0091
 2018/0198292 A1 * 7/2018 Lee H01M 10/46
 2018/0198293 A1 * 7/2018 Osborne H01M 10/441
 2018/0198294 A1 7/2018 Sheeks
 2019/0280501 A1 * 9/2019 Kondo H02J 7/007194
 2019/0312242 A1 * 10/2019 Barton B25F 5/02
 2020/0127339 A1 * 4/2020 Nakano H01M 50/247
 2020/0176731 A1 * 6/2020 Taga H01M 10/482
 2020/0176827 A1 6/2020 Mao
 2020/0212409 A1 7/2020 Bantel

(56)

References Cited

U.S. PATENT DOCUMENTS

2020/0212505	A1	7/2020	Nakano	
2020/0227695	A1*	7/2020	Jones	H01M 10/4257
2020/0321576	A1*	10/2020	Nagahama	H01M 50/20
2020/0350635	A1*	11/2020	Counts	H01M 50/54
2020/0395641	A1*	12/2020	Suzuki	H01M 10/0463
2021/0083237	A1*	3/2021	Cherry	B25F 5/02
2021/0143506	A1*	5/2021	Bhuiyan	H01M 50/24
2021/0305661	A1*	9/2021	Gyoda	H01M 10/486
2021/0328280	A1*	10/2021	Cruise	H01M 50/284

FOREIGN PATENT DOCUMENTS

CA	189202	†	10/2020
CN	2017303339498	†	7/2017
CN	206952931	†	2/2018
EM	0014668740001	†	1/2018
EM	0014668740002	†	1/2018
EM	0046826230001	†	1/2018
EM	0046826230002	†	1/2018
EM	0046826230003	†	1/2018
EM	0046826230005	†	1/2018
EM	0046826230006	†	1/2018
EM	0046826230007	†	1/2018
EM	0046826230009	†	1/2018
EM	0046826230010	†	1/2018
EM	0046826230011	†	1/2018

OTHER PUBLICATIONS

CIPO; App. No. 179453; Notice of Delay of Registration in Effect dated Feb. 11, 2019.

CIPO; App. No. 189201; Examination Report dated Oct. 10, 2019.

EUIPO; App. No. EM004682623; Examination Report dated Feb. 1, 2018.

EUIPO; App. No. EM004682623; Examination Report dated Apr. 18, 2018.

EUIPO; App. No. EM004682623; Examination Report dated May 2, 2018.

EUIPO; App. No. EM004682623; Examination Report dated Jun. 21, 2018.

EUIPO; App. No. EM004682623; Examination Report dated Sep. 7, 2018.

IMPI; App. No. MX/f/2018/000303; Office Action dated Jul. 17, 2020.

U.S. Appl. No. 29/627,988, filed Nov. 30, 2017.

U.S. Appl. No. 29/763,111, filed Dec. 21, 2020.

U.S. Appl. No. 29/627,988; Non-Final Office Action dated Sep. 15, 2020.

U.S. Appl. No. 29/627,988; Restriction Requirement dated Jun. 22, 2020.

Walmart.com: Hyper Tough HT Charge 20-Volt 2.0-Amp Lithium-ion Power Tool Battery, AQ90051 G. Review date of Apr. 3, 2019. Retrieved from the internet at <<https://www.walmart.com/ip/Hyper-Tough-HT-Charge-20-Volt-2.0-Amp-Lithium-ion-Power-Tool-Battery-AQ90051-G/251480733>>, Sep. 12, 2020. 1 page.

Chicago Electric Power Tools, 18 Volt ½ in. Cordless Variable Speed Drill/Driver, <<https://web.archive.org/web/20161225062230/http://www.harborfreight.com/18-Volt-12-in-Cordless-Variable-Speed-DrillDriver-62427.html>>, believed to be publicly available at least as of Dec. 25, 2016, 2 pages (enlarged image provided on last page).

Harbor Freight Tools Flyer of 18 Volt ¾ in. Cordless Drill/Driver and Flashlight Kit, <<https://web.archive.org/web/20170630043850/https://www.harborfreight.com/>>, believed to be publicly available at least as of Jun. 30, 2017, 7 pages (enlarged image provided on last page).

Harbor Freight Tools Flyer of Earthquake XT (Model EQ12XT-20V) Beats Snap-on (Model CT8850WB), <<https://web.archive.org/web/20170630043850/https://www.harborfreight.com/>>, believed to be publicly available at least as of Jun. 30, 2017, 7 pages (enlarged image provided on last page).

Harbor Freight Tools Flyer of Hercules (Model HC91K1) Beats Dewalt (Model DCD780C2), <<https://web.archive.org/web/20170630043850/https://www.harborfreight.com/>>, believed to be publicly available at least as of Jun. 30, 2017, 7 pages (enlarged image provided on last page).

Hercules, 20v Lithium Power Tool, <<https://web.archive.org/web/20170701075424/https://www.harborfreight.com/power-tools.html>>, believed to be publicly available at least as of Jul. 1, 2017, 35 pages (enlarged image provided on last page).

18V Compact Lithium+ Battery, Model: #P107, RYOBI, <<http://web.archive.org/web/20150906071636/https://www.ryobitools.com/power-tools/products/details/532>>, believed to be publicly available at least as of Sep. 6, 2015, 7 pages.

20V Max Compact Battery with Bluetooth, Model DCB203BT, Dewalt, <<http://web.archive.org/web/20160612084318/http://www.dewalt.com/en-us/products/accessories/batteries-and-chargers/batteries/20v-max-compact-battery-with-bluetooth/dcb203bt>>, believed to be publicly available at least as of Jun. 11, 2016, 4 pages.

20V Max* 1.5 Ah Lithium Ion Battery, Model No. LBXR20, Black + Decker, <https://web.archive.org/web/20170901001009if_/http://www.blackanddecker.com/en-us/products/batteries-and-accessories/batteries-and-chargers/batteries/20v-max-1.5-ah-lithium-ion-battery/lbXR20>, believed to be publicly available at least as of Sep. 1, 2017, 3 pages.

20V Max* Premium XR 5.0AH Lithium Ion 2-Pack, Model DCB205-2, Dewalt, <<http://web.archive.org/web/20160611123051/http://www.dewalt.com/en-us/products/accessories/batteries-and-chargers/batteries/20v-max-premium-xr-5.0ah-lithium-ion-2-pack/dcb205-2>>, believed to be publicly available at least as of Jun. 11, 2016, 3 pages.

U.S. Appl. No. 29/627,988; Notice of Allowance dated Apr. 26, 2021; (7 pages).

U.S. Appl. No. 29/627,988; Notice of Allowance dated Nov. 29, 2021; (5 pages).

U.S. Appl. No. 29/627,988; Notice of Allowance dated Mar. 9, 2022; (13 pages).

U.S. Appl. No. 29/763,111; Office Action dated Feb. 16, 2022.

* cited by examiner

‡ imported from a related application

FIG. 1

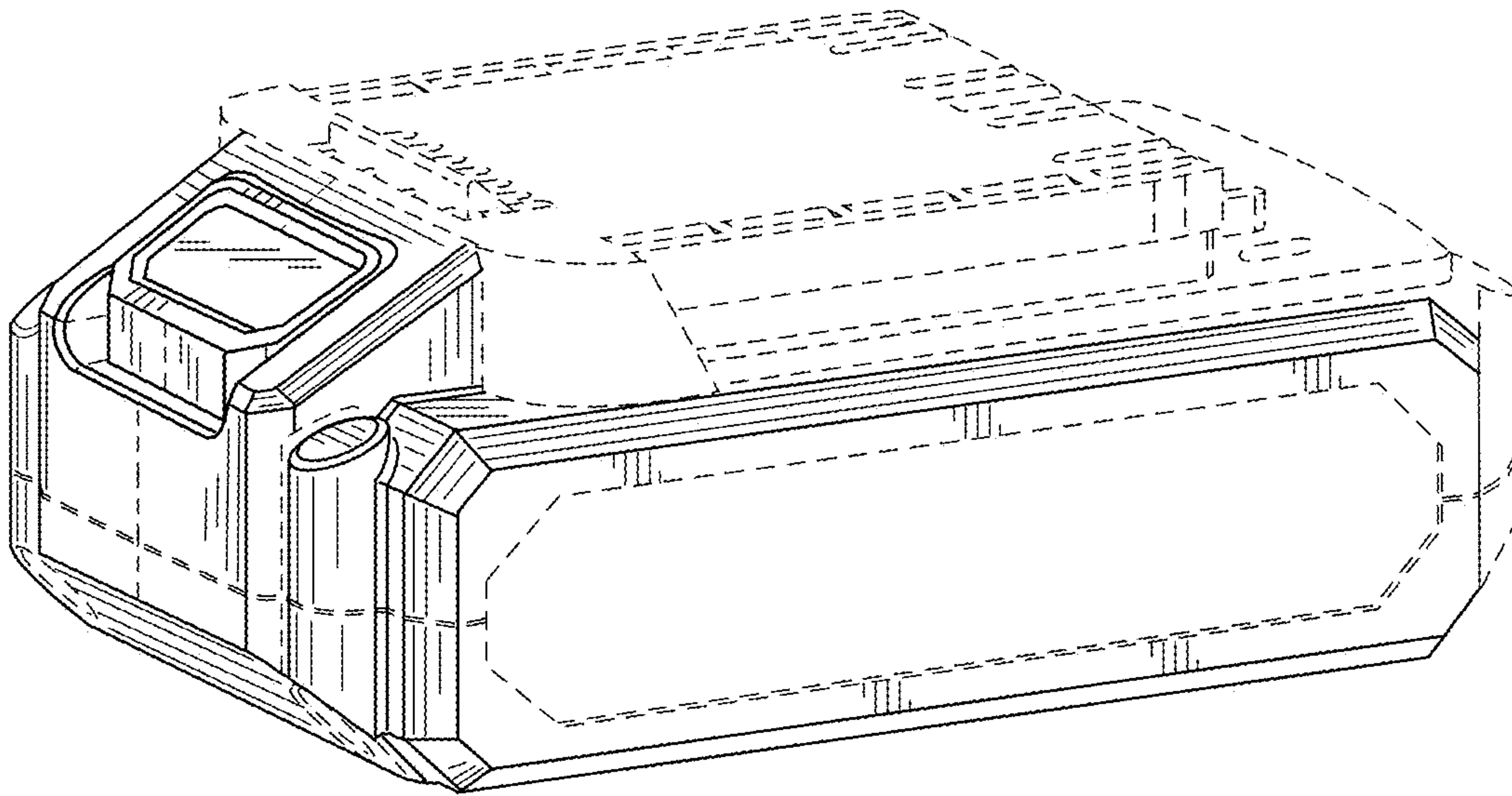


FIG. 2

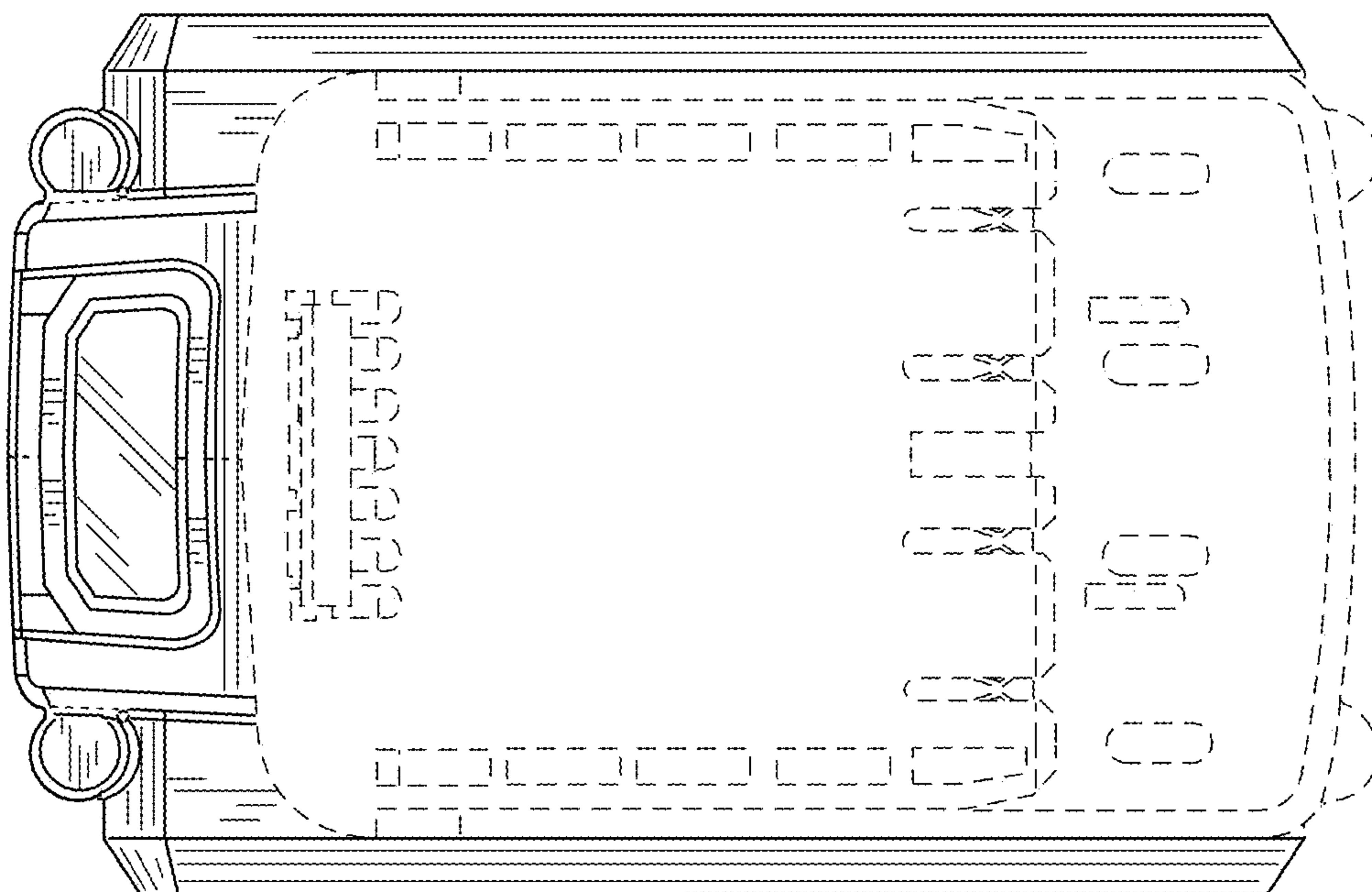


FIG. 3

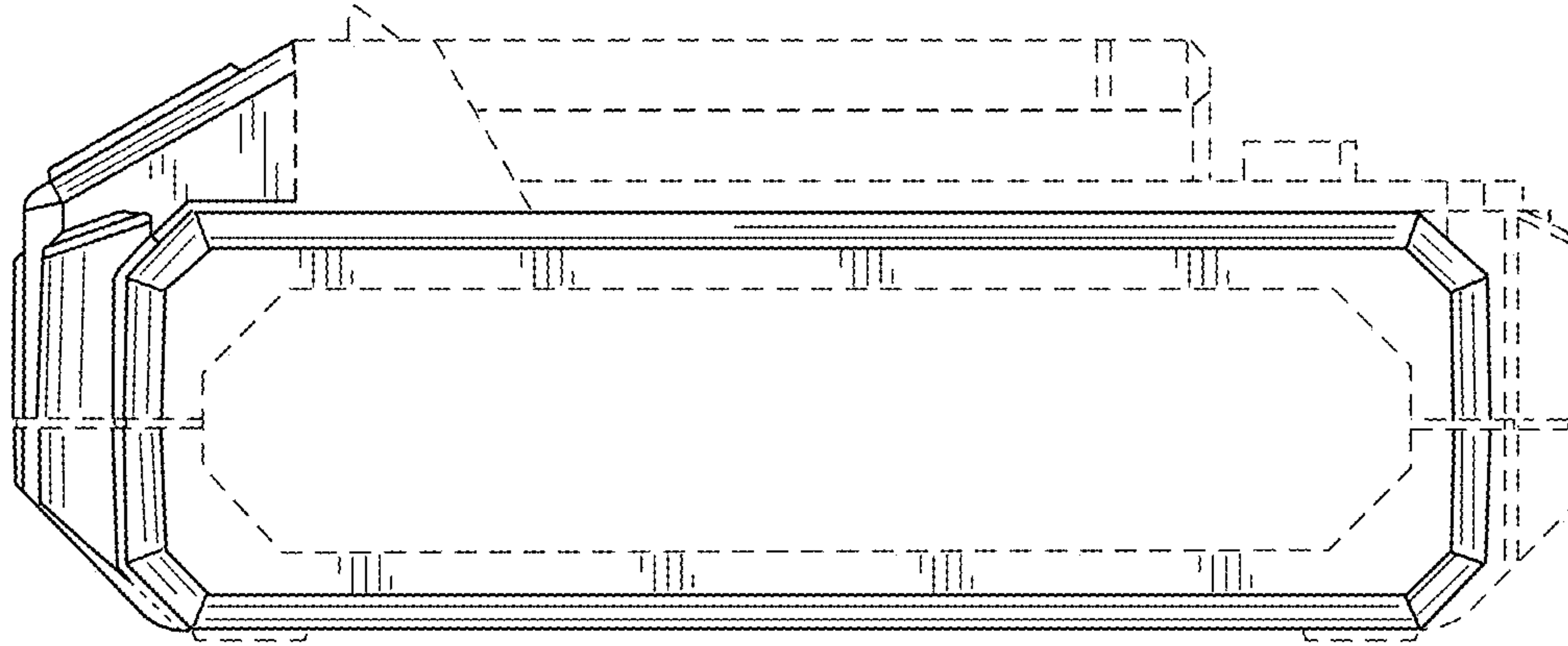


FIG. 4

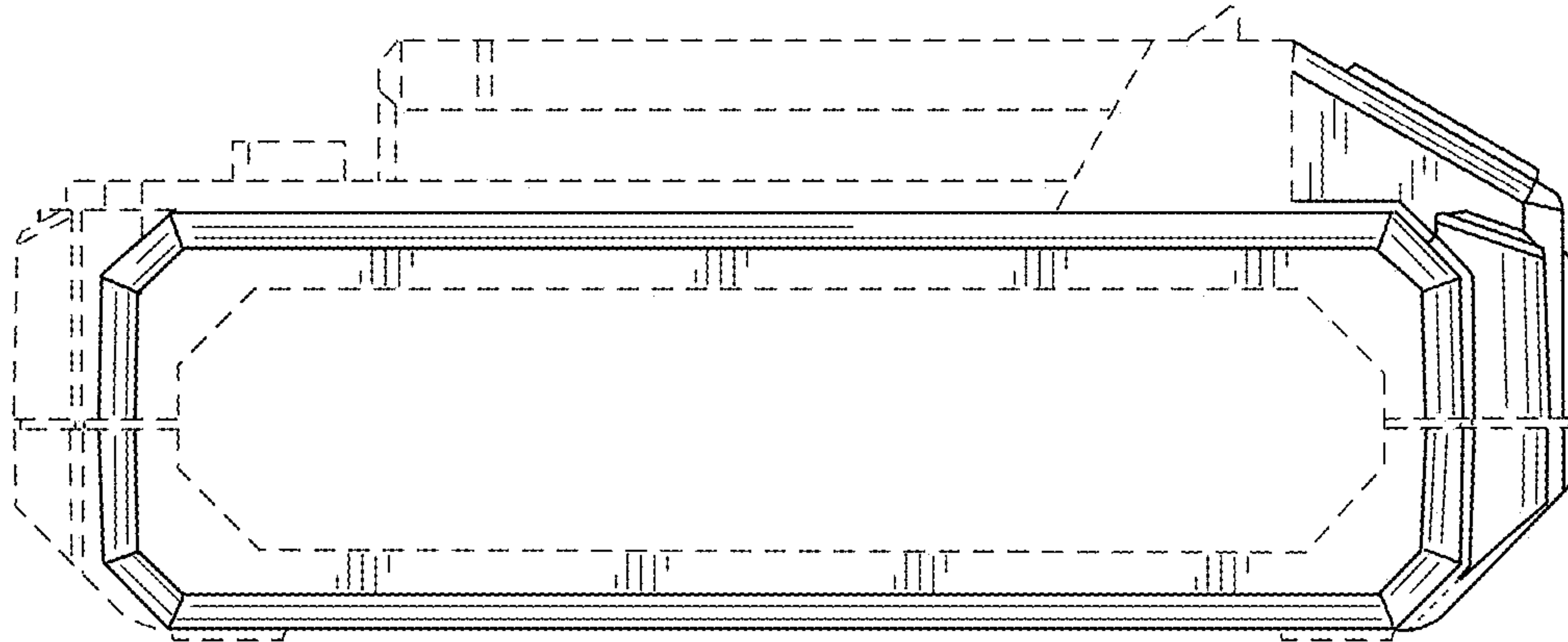


FIG. 5

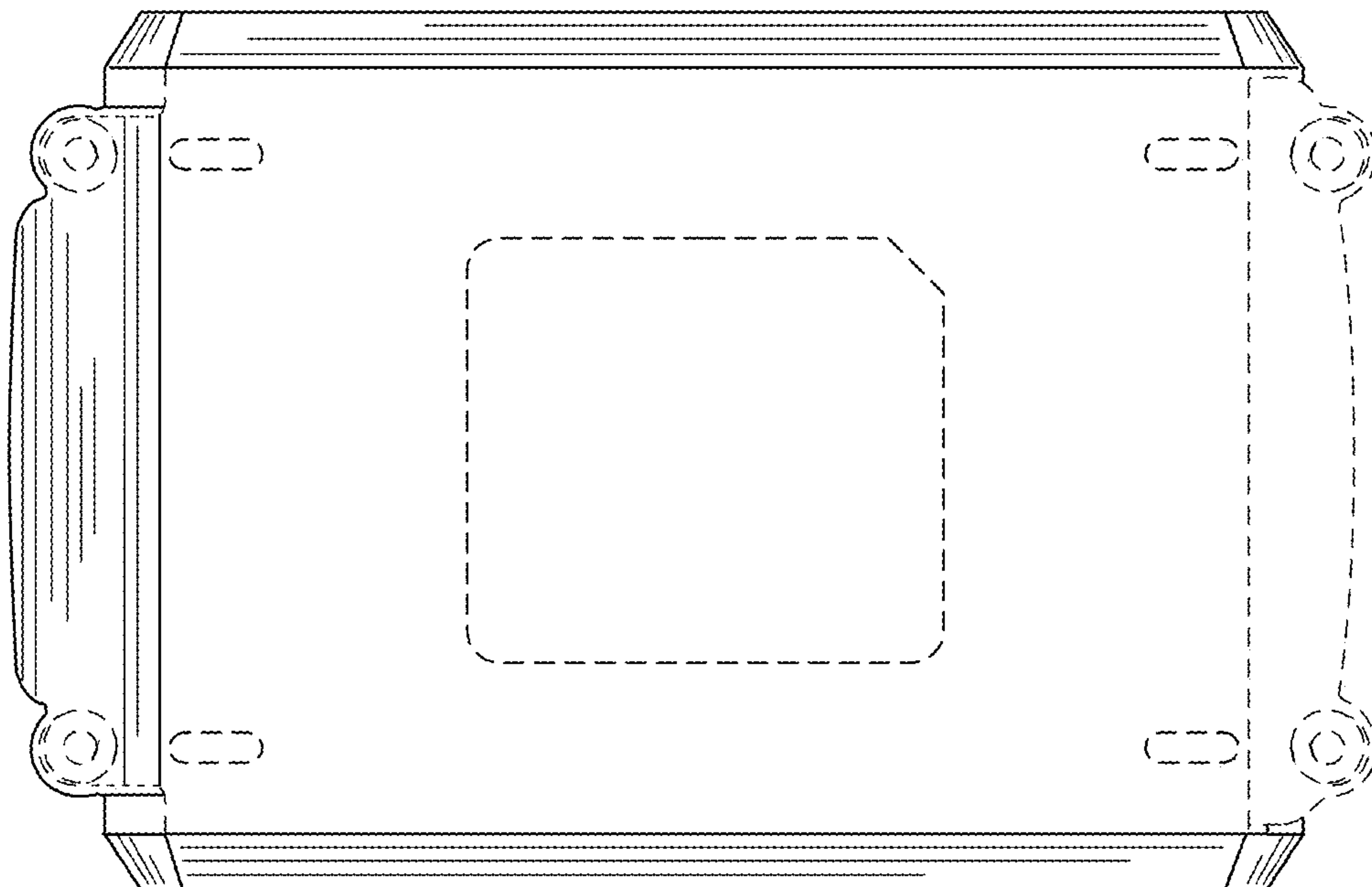


FIG. 6

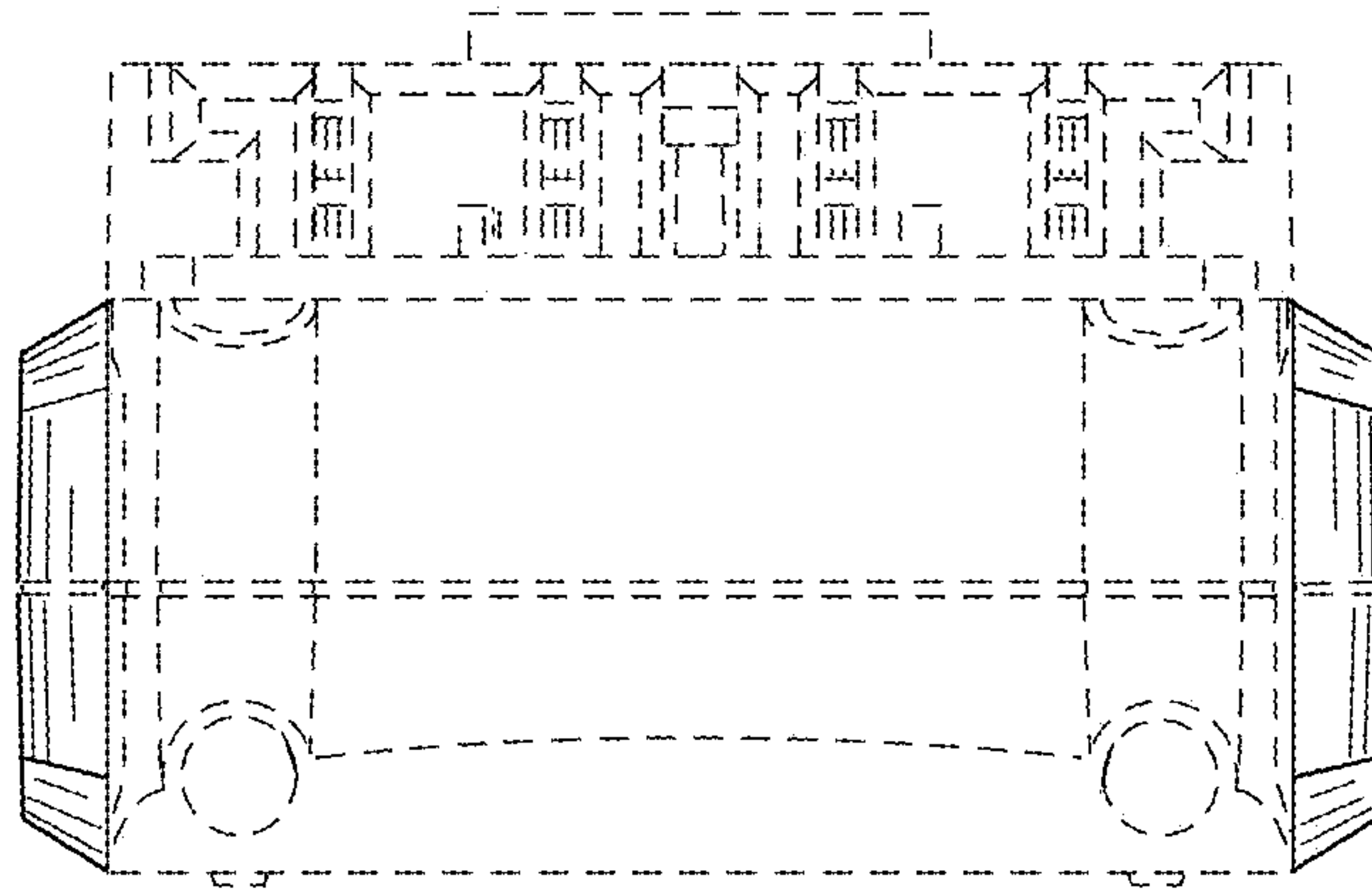


FIG. 7

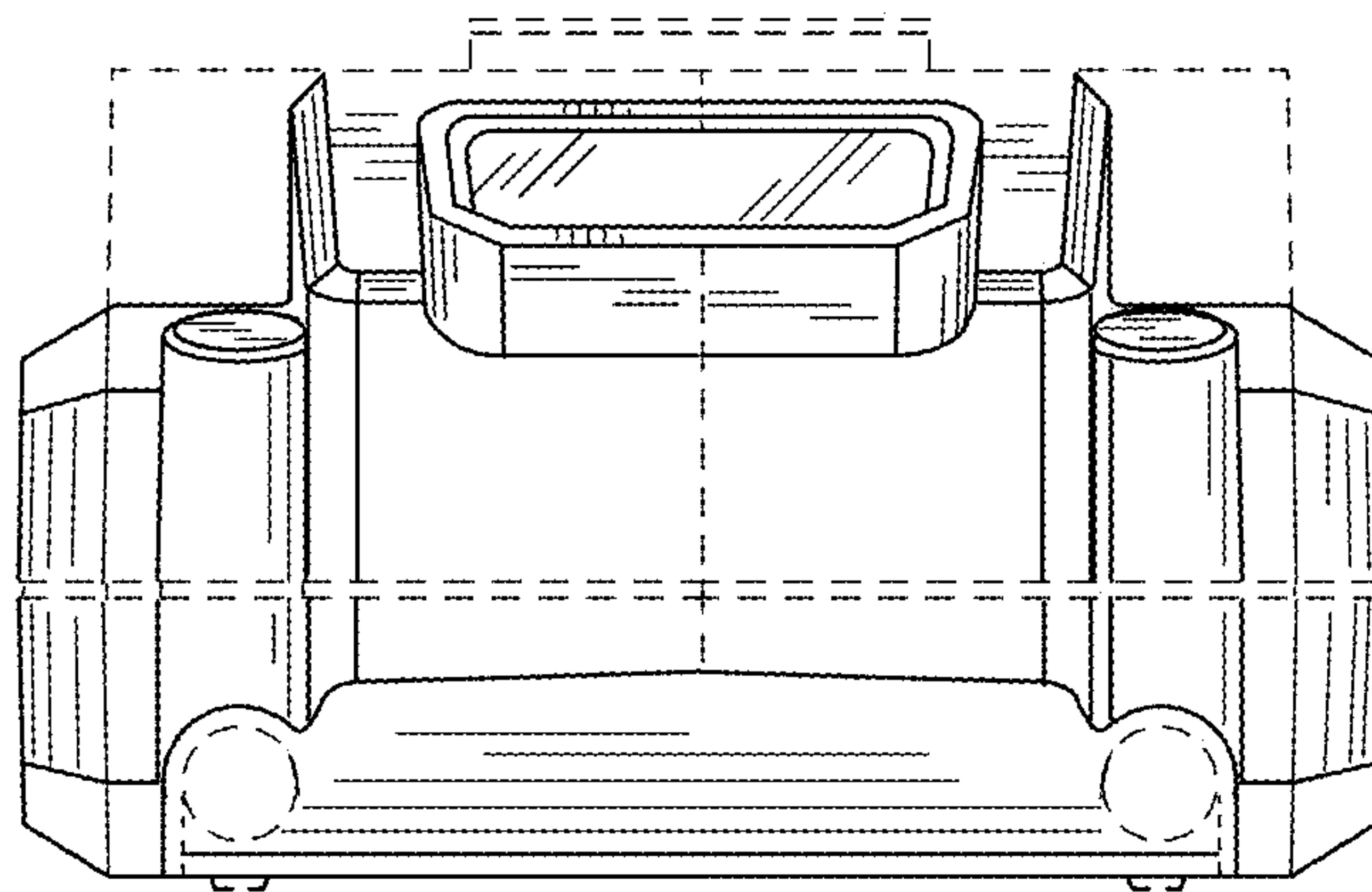


FIG. 8

