



US00D979259S

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

(10) **Patent No.:** **US D979,259 S**
(45) **Date of Patent:** **** Feb. 28, 2023**

(54) **MODULAR SWING**

(71) Applicant: **KIDS2, INC.**, Atlanta, GA (US)
(72) Inventors: **John McMillan**, Lilburn, GA (US);
Frank M. Tyneski, Roswell, GA (US);
Bradford Rogers, Decatur, GA (US);
Franco Lodato, Sandy Springs, GA
(US); **Weiran Chen**, Sammamish, WA
(US); **Fazio Youn**, Newbury Park, CA
(US); **Andre De Salis**, Pasadena, CA
(US)

(73) Assignee: **KIDS2, INC.**, Atlanta, GA (US)

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

(21) Appl. No.: **29/750,957**

(22) Filed: **Sep. 17, 2020**

(51) **LOC (14) Cl.** **06-01**

(52) **U.S. Cl.**
USPC **D6/348; D6/344**

(58) **Field of Classification Search**
USPC D6/333, 334, 341, 344, 345, 347, 348,
D6/367, 371, 373, 374, 375, 382, 385,
D6/386, 389, 715, 716, 718; D21/412,
D21/419, 521, 688, 814, 823, 824
CPC A47C 3/02; A47C 3/023; A47C 3/025;
A47C 3/0255; A47C 3/029; A47C 3/12;
A47C 5/04; A47C 5/043; A47C 5/046;
A47C 7/54; A47C 17/84; A47D 13/10;
A47D 13/107; A47D 13/105; A47D 1/08;
A47D 1/10; A47D 9/00; A47D 9/02;
A47D 9/04; A47D 11/00; A47D 11/005;
A63G 9/00; A63G 13/02

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

2,788,056 A 4/1957 Parker
3,047,333 A 7/1962 Stanimir
3,256,016 A 6/1966 Berlin

(Continued)

FOREIGN PATENT DOCUMENTS

CH 572755 A5 2/1976
CN 1939790 A 4/2007

(Continued)

OTHER PUBLICATIONS

Ingenuity Anyway Sway, available in Amazon.com, customer review
oldest date Nov. 14, 2021, site visited Jul. 6, 2022, URL:https://
www.amazon.com/Anyway-PowerAdapt-Dual-Direction-Portable-
Spruce/dp/B08VCNK53Y (Year: 2021).*

(Continued)

Primary Examiner — Mary Ann Calabrese
Assistant Examiner — Mark David Wolfley

(74) *Attorney, Agent, or Firm* — Gardner Groff &
Greenwald, PC

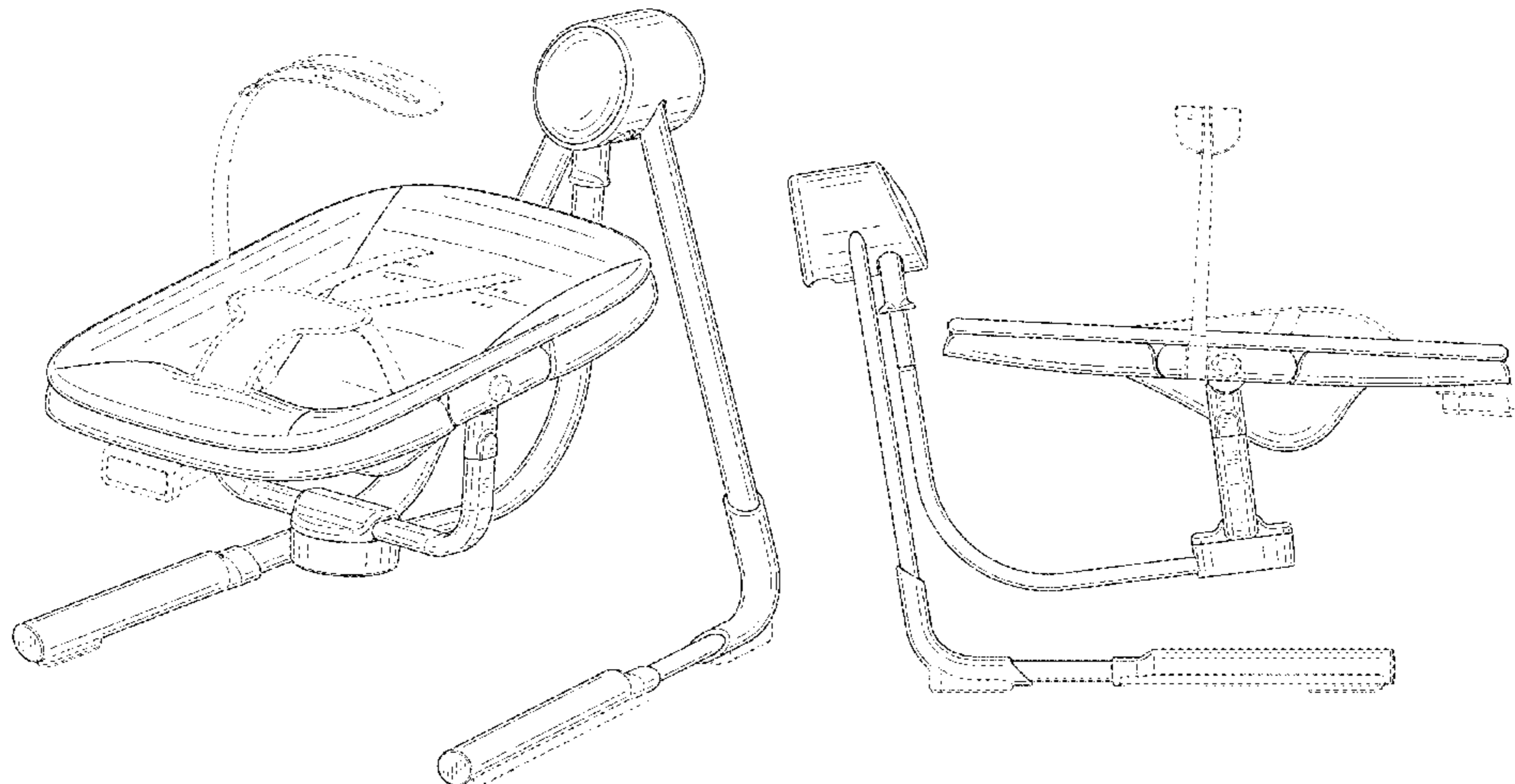
(57) **CLAIM**

The ornamental design for a modular swing, substantially as
shown and described.

DESCRIPTION

FIG. 1 is a first perspective view of a modular swing
according to the design.
FIG. 2 is a second perspective view of the swing of FIG. 1.
FIG. 3 is a front view of the swing of FIG. 1.
FIG. 4 is a back view of the swing of FIG. 1.
FIG. 5 is a first side view of the swing of FIG. 1.
FIG. 6 is a second side view of the swing of FIG. 1.
FIG. 7 is a top view of the swing of FIG. 1; and,
FIG. 8 is a bottom view of the swing of FIG. 1.
The broken line portions of the drawing figures are included
to show portions of the article or environment that are not
part of the claimed design.

1 Claim, 6 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

3,269,771 A	8/1966	Erdos	D478,220 S	8/2003	Chang
3,326,570 A	6/1967	Burnham et al.	D480,884 S	10/2003	Kane et al.
3,331,631 A	7/1967	Pierson, Jr. et al.	6,645,080 B1	11/2003	Greger et al.
3,427,071 A	2/1969	Pierson, Jr.	6,682,137 B2	1/2004	Hsia
3,648,307 A	3/1972	Meade	6,692,070 B1	2/2004	Hou et al.
3,849,812 A	11/1974	Walsh	6,692,368 B1	2/2004	Hyun
3,883,136 A	5/1975	Kim	6,811,217 B2	11/2004	Kane et al.
3,918,709 A	11/1975	Bishop	6,824,472 B2	11/2004	Armbruster et al.
4,022,510 A	5/1977	Saint	6,851,375 B2	2/2005	Guard et al.
D254,409 S	3/1980	Borucki	6,887,161 B2	5/2005	Mahlstedt et al.
4,323,233 A	4/1982	Gebhard	6,908,398 B1	6/2005	Kang
4,448,410 A	5/1984	Kosoff	6,994,630 B2	2/2006	Paesang
4,491,317 A	1/1985	Bansal	7,066,542 B2	6/2006	Wang
4,589,657 A	5/1986	Saint	7,081,052 B2	7/2006	Greger et al.
4,616,824 A	10/1986	Quinlan, Jr. et al.	7,185,949 B2	3/2007	Finell
4,664,396 A	5/1987	Pietrafesa	7,201,440 B2	4/2007	Heck et al.
4,664,640 A	5/1987	Shindo et al.	7,219,959 B2	5/2007	Ransil et al.
4,697,845 A	10/1987	Kamman	7,252,333 B2	8/2007	Caldwell
4,718,715 A	1/1988	Ho	7,258,617 B2	8/2007	Chen
4,744,599 A	5/1988	Jankowski et al.	7,261,370 B1	8/2007	Whitesell et al.
D297,685 S	9/1988	Wilson	7,275,996 B2	10/2007	Dillner et al.
4,805,902 A	2/1989	Casagrande	7,318,380 B2	1/2008	Guard et al.
4,822,033 A	4/1989	Mariol	7,326,120 B2	2/2008	Bellows et al.
4,854,638 A	8/1989	Marcus et al.	7,329,192 B2	2/2008	Gibree
4,921,369 A	5/1990	Chew, II	7,338,122 B2	3/2008	Hei et al.
4,940,229 A	7/1990	Foster	7,381,138 B2	6/2008	Dillner et al.
4,951,997 A	8/1990	Kenney	7,419,210 B2	9/2008	Nolan et al.
4,968,092 A	11/1990	Giambrone	7,441,835 B2	10/2008	Chen et al.
5,010,826 A	4/1991	Kudlac	7,445,559 B2	11/2008	Kakuda
5,165,755 A	11/1992	Rho	7,445,560 B2	11/2008	Greger et al.
5,178,438 A	1/1993	Beger	7,475,937 B2	1/2009	McGrew et al.
5,254,007 A	10/1993	Eagan	7,475,942 B2	1/2009	Boyle et al.
5,294,172 A	3/1994	Dubus	7,490,558 B2	2/2009	Asbach et al.
5,326,327 A	7/1994	Stephens et al.	7,507,163 B2	3/2009	Haut
5,348,374 A	9/1994	Kuo	7,563,170 B2	7/2009	Bellows et al.
5,376,053 A	12/1994	Ponder et al.	7,568,758 B2	8/2009	Troutman et al.
5,378,196 A	1/1995	Pinch et al.	7,578,746 B1	8/2009	Johnson
5,533,936 A	7/1996	Julien et al.	7,673,934 B2	3/2010	Bearup et al.
5,558,400 A	9/1996	Poulson et al.	7,673,942 B2	3/2010	Tuckey et al.
5,562,548 A	10/1996	Pinch et al.	7,695,060 B2	4/2010	Dubiel et al.
5,593,207 A	1/1997	Turner	7,703,843 B2	4/2010	Chen et al.
5,699,564 A	12/1997	Heh	7,717,800 B2	5/2010	Pyrce
D390,905 S	2/1998	Eldon et al.	7,770,970 B2	8/2010	Hei et al.
5,803,817 A	9/1998	Stern	7,789,762 B2	9/2010	Greger et al.
5,806,922 A	9/1998	Mendelovich	7,832,755 B2	11/2010	Nolan et al.
5,810,432 A	9/1998	Haut et al.	7,837,570 B2	11/2010	Kwon
5,823,615 A	10/1998	Haut	7,874,927 B2	1/2011	Godiska
5,868,459 A	2/1999	Welsh, Jr.	7,878,915 B2	2/2011	Myers et al.
5,951,102 A	9/1999	Poulson et al.	7,883,426 B2	2/2011	Bellows et al.
5,984,791 A	11/1999	Fair et al.	7,884,710 B2	2/2011	Godiska et al.
6,000,750 A	12/1999	Rossmann et al.	7,887,129 B2	2/2011	Hei et al.
6,027,409 A	2/2000	Favorito et al.	7,905,549 B2	3/2011	Lake et al.
6,059,667 A	5/2000	Pinch	7,909,400 B1	3/2011	Delaney et al.
6,089,666 A	7/2000	Rosko	7,918,497 B2	4/2011	Keegan
6,098,217 A	8/2000	Hammil	7,918,742 B2	4/2011	Clapper et al.
6,123,321 A	9/2000	Miller	7,922,244 B2	4/2011	Bearup
6,174,028 B1	1/2001	Yang et al.	7,988,228 B2	8/2011	Cui et al.
6,251,023 B1	6/2001	Lauro et al.	8,011,722 B2	9/2011	Cui et al.
6,283,870 B1	9/2001	Saint et al.	8,029,053 B2	10/2011	Troutman et al.
6,319,138 B1	11/2001	Fair et al.	8,029,377 B2	10/2011	Velderman et al.
6,343,994 B1	2/2002	Clarke	8,038,207 B2	10/2011	Flannery
6,361,106 B1	3/2002	Huang	8,057,318 B2	11/2011	Chen
6,416,124 B1	7/2002	Chen et al.	8,066,577 B2	11/2011	Chen et al.
6,419,312 B1	7/2002	Flannery et al.	8,079,639 B2	12/2011	Zeng et al.
6,421,901 B2	7/2002	Sitarski et al.	8,142,297 B2	3/2012	Zhang
6,471,597 B1	10/2002	Flannery et al.	8,146,989 B2	4/2012	Godiska et al.
6,474,736 B1	11/2002	Brown	8,152,647 B2	4/2012	Tuckey et al.
6,497,452 B2	12/2002	Catelli	D660,026 S *	5/2012	Shi D6/347
6,500,072 B1	12/2002	Myers et al.	D660,053 S	5/2012	Sclare et al.
6,511,123 B1	1/2003	Sitarski et al.	8,177,297 B2	5/2012	Powell et al.
6,539,563 B1	4/2003	Hsia	8,201,879 B2	6/2012	Hartenstine et al.
6,540,292 B2	4/2003	Darling et al.	8,205,943 B2	6/2012	Zhong
6,560,827 B1	5/2003	Gross	8,210,610 B2	7/2012	Berkey et al.
6,561,915 B2	5/2003	Kelly et al.	8,235,465 B2	8/2012	Hei et al.
6,578,496 B2	6/2003	Guard et al.	8,256,833 B2	9/2012	Hu et al.
			8,256,841 B2	9/2012	Hei et al.
			8,276,985 B2	10/2012	Kho et al.
			8,287,044 B2	10/2012	Chen et al.
			8,292,365 B2	10/2012	Lu et al.

(56)

References Cited

U.S. PATENT DOCUMENTS

8,297,694 B2	10/2012	Arnold, IV et al.	D814,838 S *	4/2018	Van Huystee	D6/715
8,308,230 B2	11/2012	Zhong	9,936,817 B2	4/2018	Horst et al.	
8,308,578 B2	11/2012	Gilbert et al.	9,955,799 B2	5/2018	Tadipatri et al.	
8,316,481 B2	11/2012	Arnold, IV et al.	9,968,204 B2	5/2018	Mountz et al.	
8,321,973 B2	12/2012	Bickley	9,974,396 B2	5/2018	Sozzo et al.	
8,376,461 B2	2/2013	Chen et al.	9,986,850 B2	6/2018	Haut et al.	
8,382,390 B2	2/2013	Cheng	10,016,068 B2	7/2018	Van Huystee et al.	
8,398,096 B2	3/2013	Gower et al.	10,045,635 B2	8/2018	Mountz et al.	
8,419,132 B2	4/2013	Jacobs	10,051,975 B2	8/2018	Taylor et al.	
8,469,832 B2	6/2013	Gillett	10,053,131 B2	8/2018	Ruggiero et al.	
8,491,401 B2	7/2013	Szymanski	10,080,443 B2	9/2018	Terhune et al.	
8,491,402 B2	7/2013	Yeh et al.	10,092,113 B2	10/2018	Longenecker et al.	
D689,703 S	9/2013	Oren et al.	10,098,476 B2	10/2018	Winterhalter et al.	
D692,681 S *	11/2013	Robbins	10,231,555 B2	3/2019	Hopke et al.	
8,590,969 B2	11/2013	Erb et al.	10,278,513 B2	5/2019	Kostyniak et al.	
8,602,490 B2	12/2013	Tsai et al.	10,299,607 B2	5/2019	Kostyniak et al.	
8,602,903 B2	12/2013	Gilbert	10,327,565 B2	6/2019	Sozzo et al.	
8,602,904 B2	12/2013	Tuckey et al.	10,327,566 B2	6/2019	Mountz	
8,684,856 B2	4/2014	Pyrce et al.	D859,861 S *	9/2019	Kapanzhi	D6/715
8,696,055 B2	4/2014	Stolarz et al.	10,470,585 B2	11/2019	Robbins et al.	
8,708,832 B2	4/2014	Gilbert et al.	10,681,993 B2	6/2020	Mountz et al.	
8,746,794 B2	6/2014	Oren et al.	2002/0033629 A1	3/2002	Riedl	
8,770,660 B2	7/2014	Chen et al.	2002/0036416 A1	3/2002	Mendenhall et al.	
8,784,225 B2	7/2014	Burns et al.	2002/0052245 A1	5/2002	Flannery et al.	
8,795,097 B2	8/2014	Chapman et al.	2002/0074835 A1	6/2002	Chalender	
8,806,673 B2	8/2014	Burkholder et al.	2003/0199329 A1	10/2003	Wood et al.	
8,845,023 B2	9/2014	Chen et al.	2003/0218366 A1	11/2003	Rho	
8,845,440 B2	9/2014	Haut	2005/0006930 A1	1/2005	Nolan et al.	
8,876,617 B2	11/2014	Robbins et al.	2005/0127722 A1	6/2005	Longenecker et al.	
8,893,325 B2	11/2014	Arnold, IV et al.	2005/0146168 A1	7/2005	Nolan	
RE45,281 E	12/2014	Erb et al.	2006/0066142 A1	3/2006	Nolan et al.	
8,900,063 B2	12/2014	Lin	2006/0103178 A1	5/2006	Wun	
8,920,253 B2	12/2014	Horst et al.	2006/0138827 A1	6/2006	Kassai et al.	
8,943,622 B2	2/2015	Saint et al.	2006/0270480 A1	11/2006	Chen	
8,944,927 B2	2/2015	Huntsberger et al.	2006/0286893 A1	12/2006	Conaway	
8,979,197 B2	3/2015	Cheng et al.	2007/0049390 A1	3/2007	Wu et al.	
8,984,682 B2	3/2015	Zhao	2007/0069566 A1	3/2007	Li	
8,985,687 B2	3/2015	Mo	2007/0075525 A1	4/2007	Nolan et al.	
9,033,809 B2	5/2015	Haut et al.	2007/0085388 A1	4/2007	Nolan et al.	
9,066,604 B2	6/2015	Chen	2007/0145790 A1	6/2007	Ventrola	
9,101,225 B2	8/2015	Kostyniak et al.	2008/0079291 A1	4/2008	Cheng	
D737,584 S	9/2015	Marcuello	2008/0146359 A1	6/2008	Godiska	
9,127,709 B2	9/2015	Shan	2008/0149580 A1	6/2008	Hill	
9,155,403 B2	10/2015	Mountz et al.	2008/0179921 A1	7/2008	Lake et al.	
9,167,911 B2	10/2015	Vlosich	2008/0217983 A1	9/2008	Cheng	
D742,125 S	11/2015	Mountz et al.	2008/0290699 A1	11/2008	Golias	
9,173,503 B2	11/2015	Mountz et al.	2009/0184547 A1	7/2009	Sclare et al.	
9,200,746 B2	12/2015	Xiao	2009/0200844 A1	8/2009	Tibaldo	
9,216,359 B2	12/2015	Gilbert	2009/0284050 A1	11/2009	Myers	
9,242,180 B2	1/2016	Gilbert et al.	2010/0151951 A1 *	6/2010	Gilbert	A63G 9/16 700/275
9,339,118 B2	5/2016	Gubitosi et al.	2010/0231018 A1	9/2010	Arnold, IV et al.	
9,364,098 B2	6/2016	Fiore, III et al.	2010/0231019 A1	9/2010	Berkey et al.	
9,370,259 B1	6/2016	Pyrce et al.	2010/0314925 A1	12/2010	Hei et al.	
9,399,416 B2	7/2016	Cheng et al.	2011/0062676 A1	3/2011	Gower et al.	
9,404,528 B2	8/2016	Shan	2011/0074195 A1	3/2011	Hei et al.	
9,414,694 B2	8/2016	Arnold, IV et al.	2011/0165953 A1	7/2011	Solis	
9,480,343 B2	11/2016	Haut et al.	2011/0260507 A1	10/2011	Parness et al.	
9,554,657 B2	1/2017	Taylor et al.	2012/0267925 A1	10/2012	Hei et al.	
9,585,493 B2	3/2017	Haut et al.	2012/0286545 A1	11/2012	Cheng	
9,603,464 B2	3/2017	Sclare et al.	2013/0099545 A1	4/2013	Cheng	
9,629,476 B1	4/2017	Robbins et al.	2013/0292984 A1	11/2013	You et al.	
9,661,936 B2	5/2017	Lin et al.	2013/0319884 A1	12/2013	Gomez	
9,675,182 B2	6/2017	Longenecker	2013/0320726 A1	12/2013	Teng	
9,693,639 B2	7/2017	Corso et al.	2014/0287846 A1 *	9/2014	Mountz	A47D 13/105 472/118
9,706,855 B2	7/2017	Arnold, IV et al.	2014/0315650 A1	10/2014	Pyrce et al.	
9,750,351 B2	9/2017	Sack et al.	2014/0368006 A1	12/2014	Taylor et al.	
9,756,961 B2	9/2017	Haut	2015/0265068 A1 *	9/2015	Ferraro	A47D 9/02 472/118
9,756,962 B2	9/2017	Perrin et al.	2015/0272341 A1	10/2015	Perrin et al.	
D799,839 S	10/2017	Wanders	2015/0289677 A1	10/2015	Huntsberger et al.	
9,775,445 B2	10/2017	Burns et al.	2015/0335170 A1	11/2015	Castilla	
9,861,210 B2	1/2018	Tadipatri et al.	2016/0270556 A1	9/2016	Sack et al.	
9,868,071 B2	1/2018	Gilbert et al.	2016/0309909 A1	10/2016	Costello	
9,883,749 B2	2/2018	Kostyniak et al.	2016/0309910 A1	10/2016	Sclare	
9,895,005 B2	2/2018	Castilla	2016/0309915 A1 *	10/2016	Burns	A47D 1/0085
9,918,561 B2	3/2018	Perrin et al.	2016/0316932 A1	11/2016	Gomez	
			2016/0324330 A1	11/2016	Xu	

(56)

References Cited

U.S. PATENT DOCUMENTS

2016/0338517 A1 11/2016 Snowden
 2017/0112294 A1 4/2017 Taylor et al.
 2017/0196373 A1 7/2017 Sclare et al.
 2017/0215600 A1 8/2017 Gunnigle
 2017/0251826 A1 9/2017 Sclare et al.
 2017/0251831 A1 9/2017 Perrin
 2018/0042399 A1 2/2018 Greger
 2018/0049585 A1 2/2018 Crosby
 2018/0070738 A1 3/2018 Burns et al.
 2018/0070739 A1 3/2018 Arnold, IV et al.
 2018/0098641 A1 4/2018 Kapanzhi et al.
 2018/0116423 A1 5/2018 Warjanka
 2018/0236904 A1 8/2018 Lehman et al.
 2018/0263379 A1 9/2018 Cheng
 2018/0279799 A1 10/2018 Ingraham et al.
 2018/0279800 A1 10/2018 Terhune et al.
 2018/0279801 A1 10/2018 Ingraham et al.
 2018/0354542 A1 12/2018 Zheng
 2019/0059609 A9 2/2019 Sclare et al.
 2019/0059610 A1 2/2019 Chen
 2019/0059611 A1 2/2019 Burns et al.
 2019/0104861 A1 4/2019 Patel
 2019/0216230 A1 7/2019 Kostyniak et al.
 2019/0231087 A1 8/2019 Dziak et al.
 2019/0246809 A1 8/2019 Fredankey, Sr.

FOREIGN PATENT DOCUMENTS

CN 201085351 Y 7/2008
 CN 201167750 Y 12/2008
 CN 201185197 Y 1/2009
 CN 201211038 Y 3/2009
 CN 1939790 B 8/2010
 CN 101181119 B 9/2010
 CN 101254056 B 12/2010
 CN 202386287 U 8/2012
 CN 102396927 B 11/2013
 CN 102440599 B 11/2013
 CN 204410279 U 6/2015

CN 103300636 B 10/2015
 CN 104223845 B 4/2017
 CN 108294554 A 7/2018
 CN 110269433 A 9/2019
 DE 102014118357 A1 6/2015
 EP 0534215 A1 3/1993
 EP 1764282 A2 3/2007
 EP 1816929 B1 1/2019
 FR 2992152 A3 12/2013
 GB 2440260 B 12/2011
 GB 2472947 B 12/2011
 GB 2495965 A 5/2013
 GB 2517268 A 2/2015
 GB 2517268 B 8/2016
 TW 1425925 B 2/2014
 WO 1997016095 A1 5/1997
 WO 2008012025 A3 1/2008
 WO 2008013566 A1 1/2008
 WO 2010107453 A1 9/2010
 WO 2019073268 A1 4/2019

OTHER PUBLICATIONS

Graco Soothe 'n Sway Baby Swing, available in walmart.com, customer review oldest date Apr. 14, 2022, site visited Jul. 6, 2022, URL: <https://www.walmart.com/ip/Graco-Soothe-n-Sway-Baby-Swing-with-Portable-Rocker-Alex/662790858> (Year: 2022).
 Anyway Sway, announced on YouTube on Feb. 19, 2021, site visited Jul. 6, 2022, URL: <https://www.youtube.com/watch?v=YpTjrTzkVbg> (Year: 2021).
 Design # 008354385-0008, App. Date Dec. 21, 2020, Country code EU, Publication date Jan. 13, 2021, Owner name Kids2, Inc., Creator Bradford Joseph Rogers, Frank M Tyneski, John Arthur McMillan, Franco Lodato, Tsz Kin Ho, Andre De Salis, Fazzio Youn, Pui Keung Chan, Lorenz Bauer (Year: 2020).
 Chicco, Stack-3-In-1-Highchair, webpage, <<https://www.chiccousa.com/stack-3-in-1-highchair/Stack-3-In-1-Highchair.html>>.
 Song, Peng, Reconfigurable Interlocking Furniture (SIGGRAPH Asia 2017), Youtube video, <<https://www.youtube.com/watch?v=fCGOsLpz7P8>>, Aug. 26, 2017.

* cited by examiner

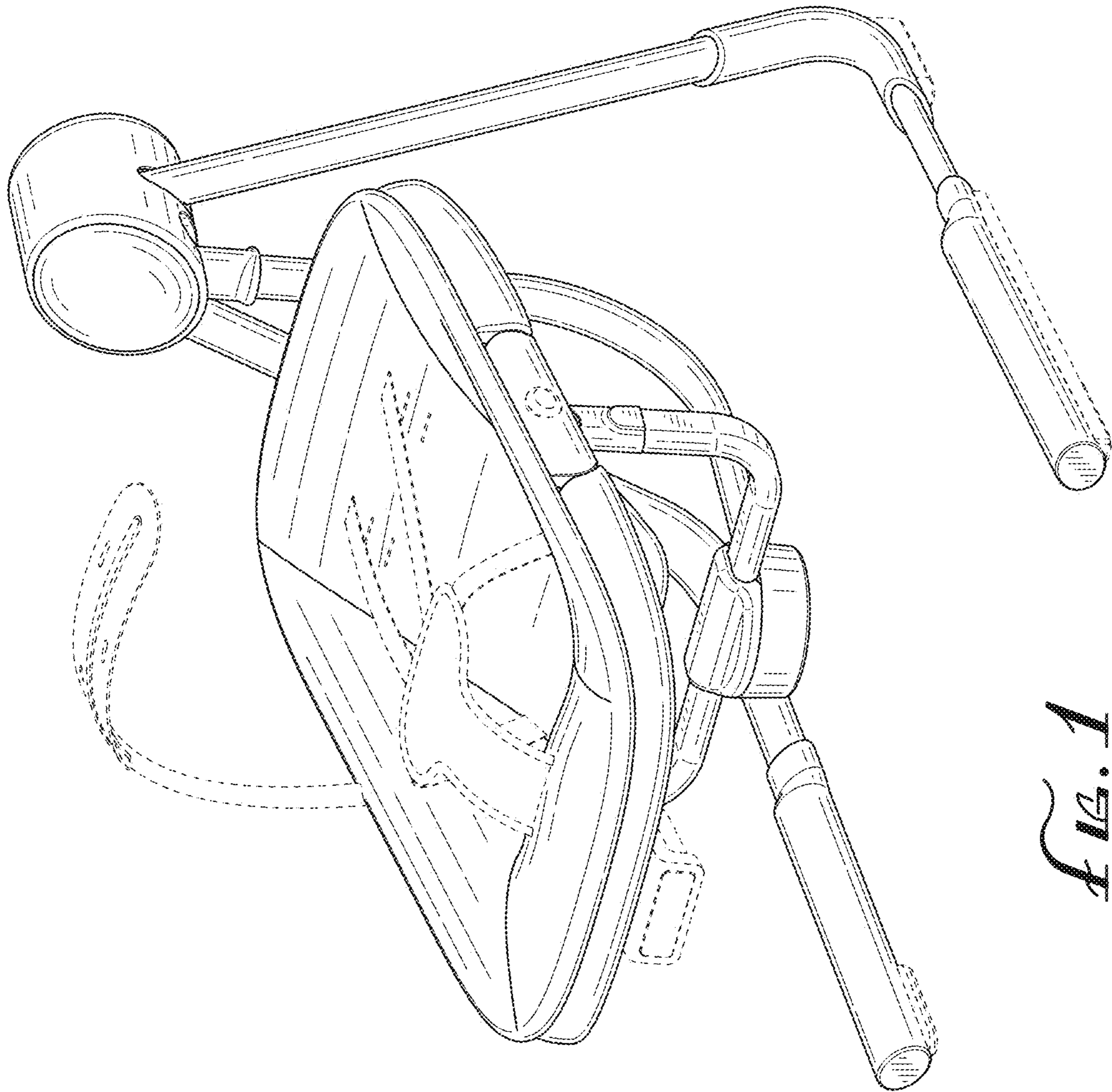


FIG. 1

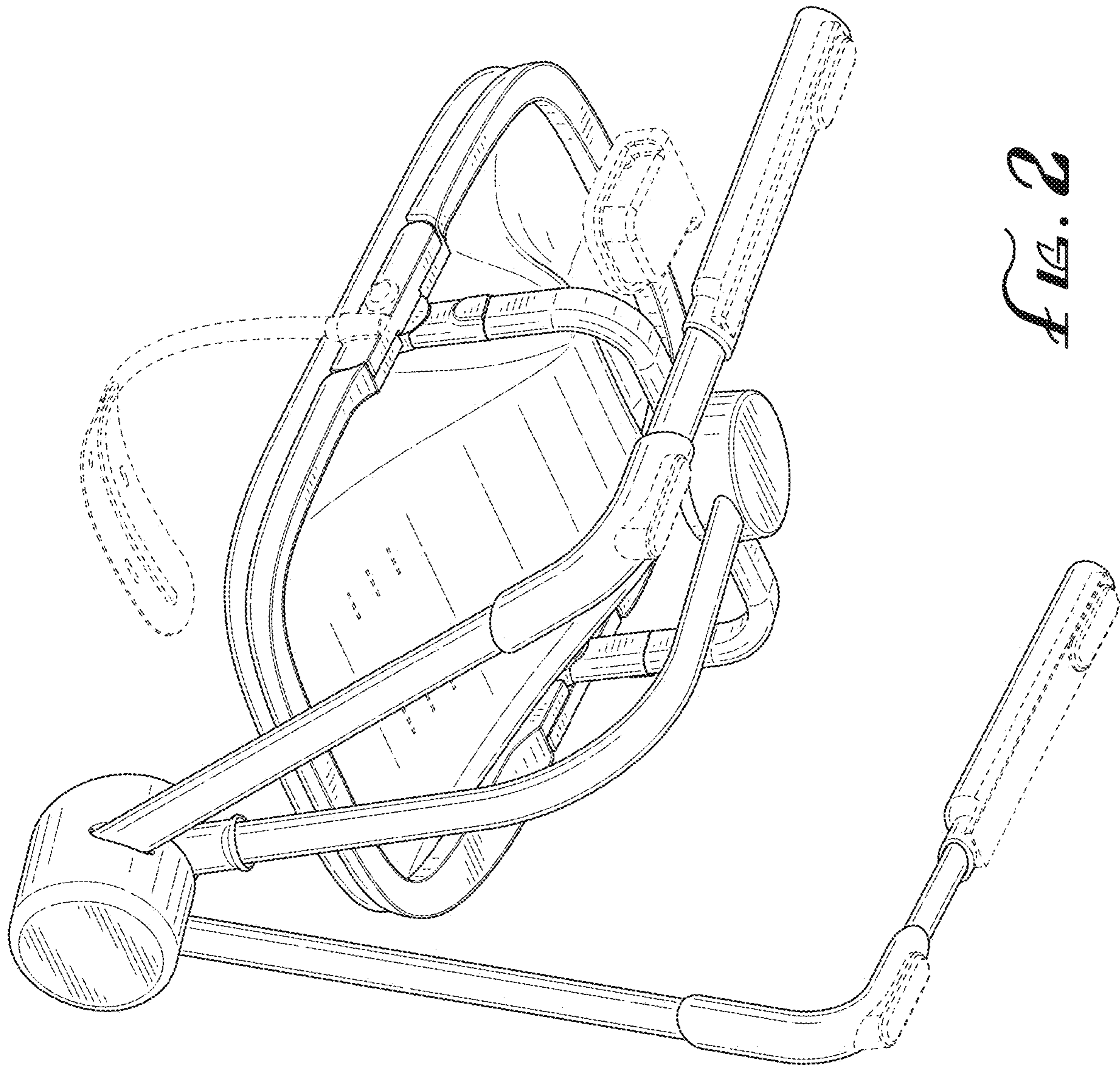


FIG. 2

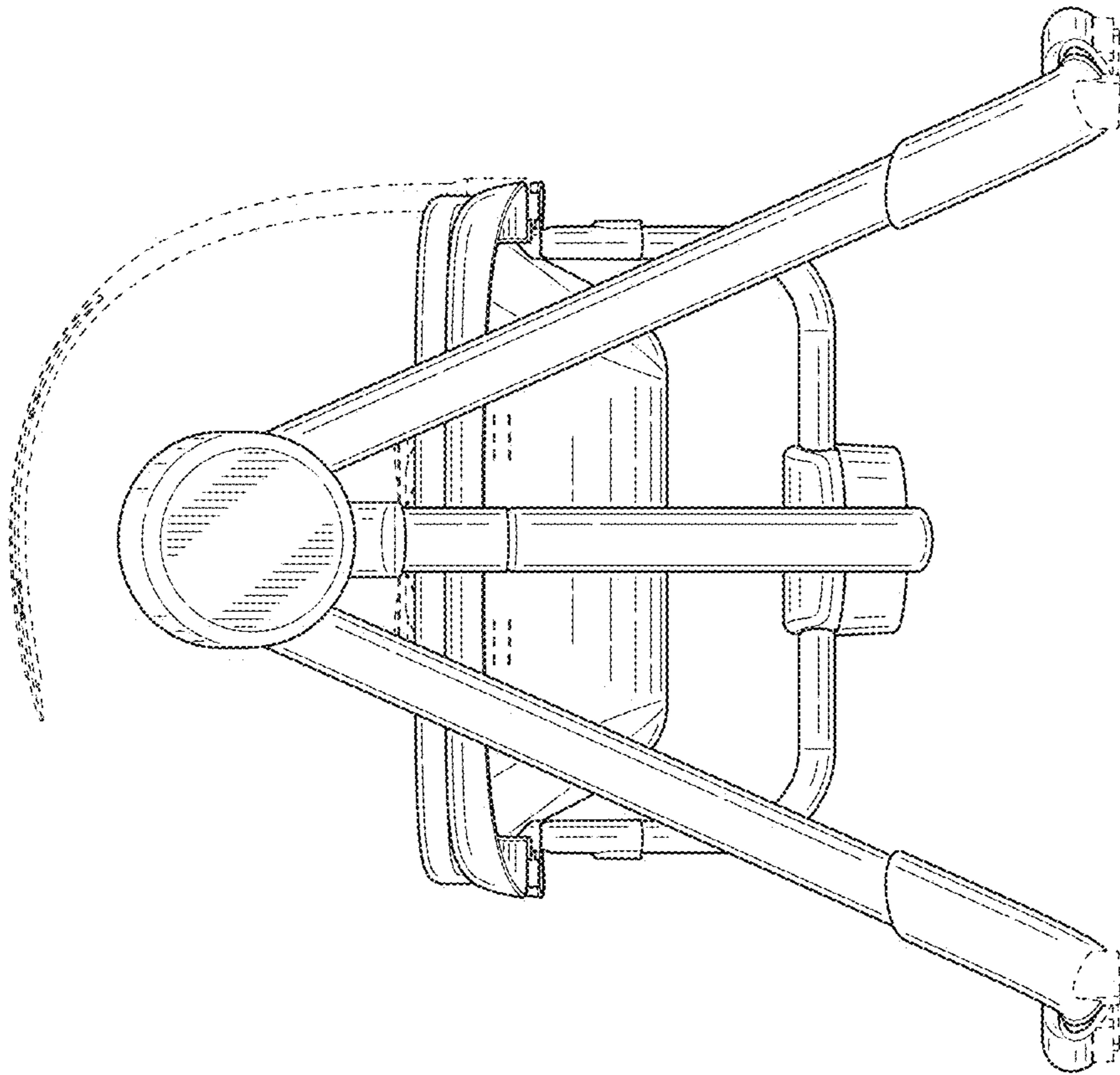


FIG. 4

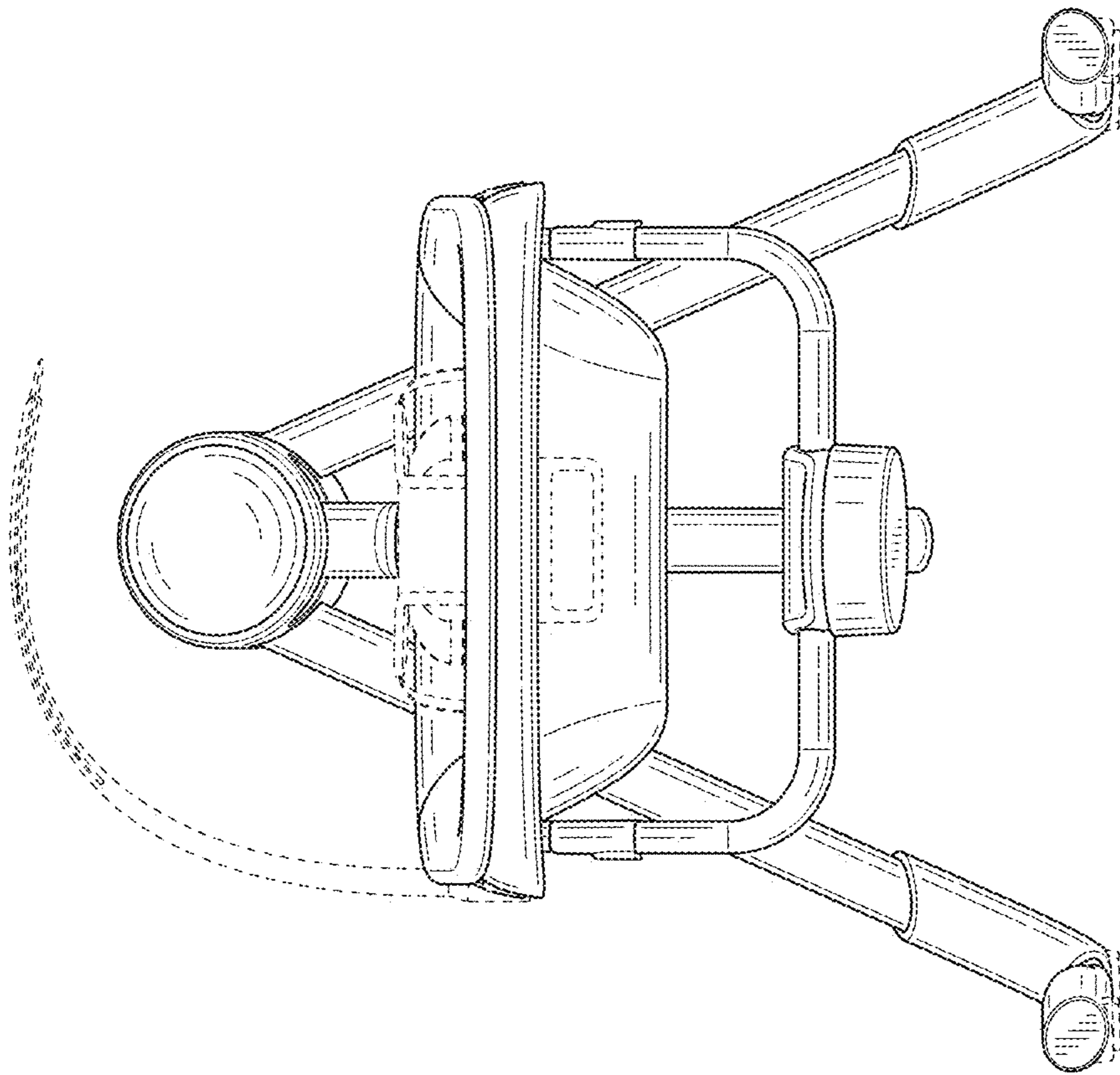


FIG. 3

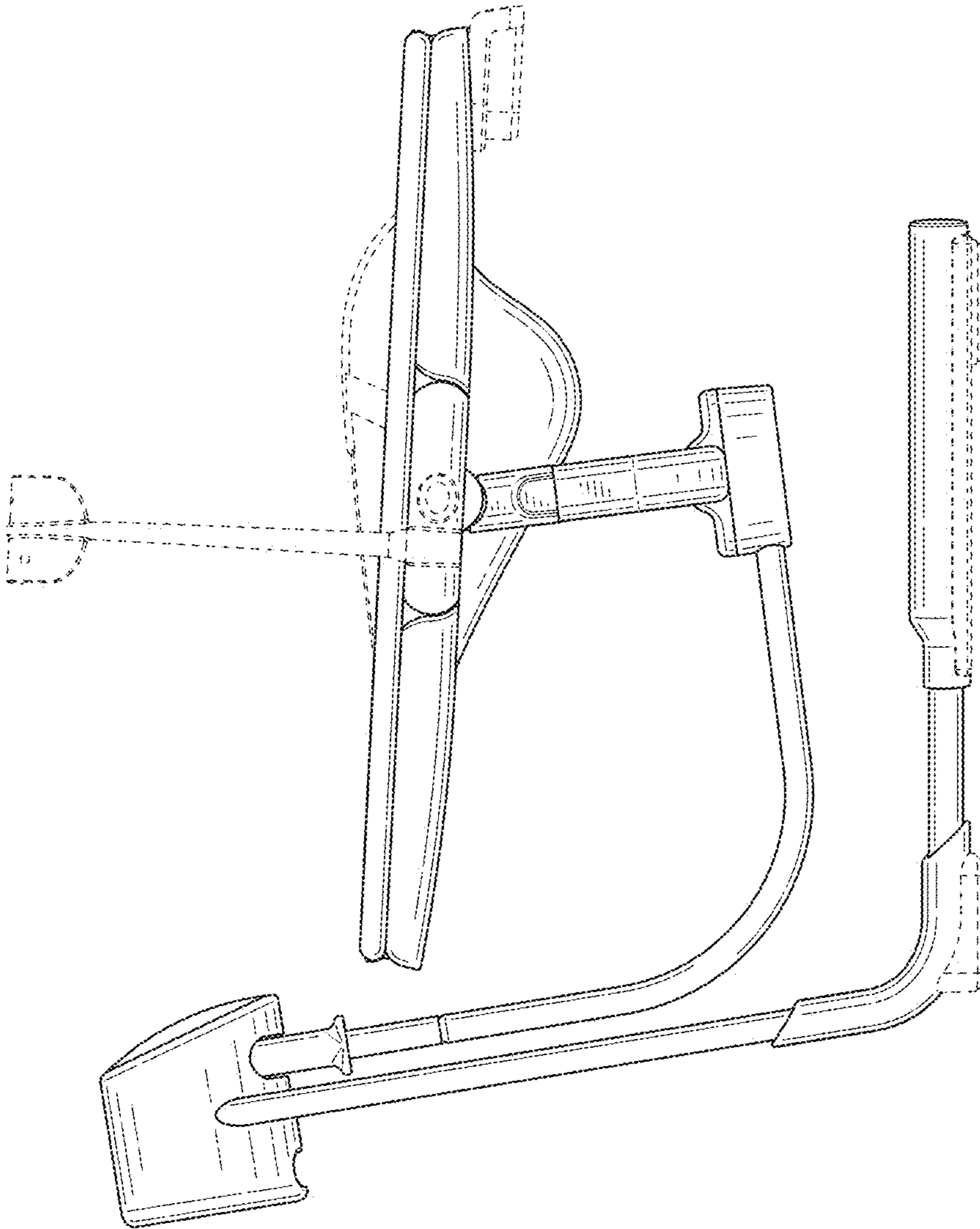


FIG. 5

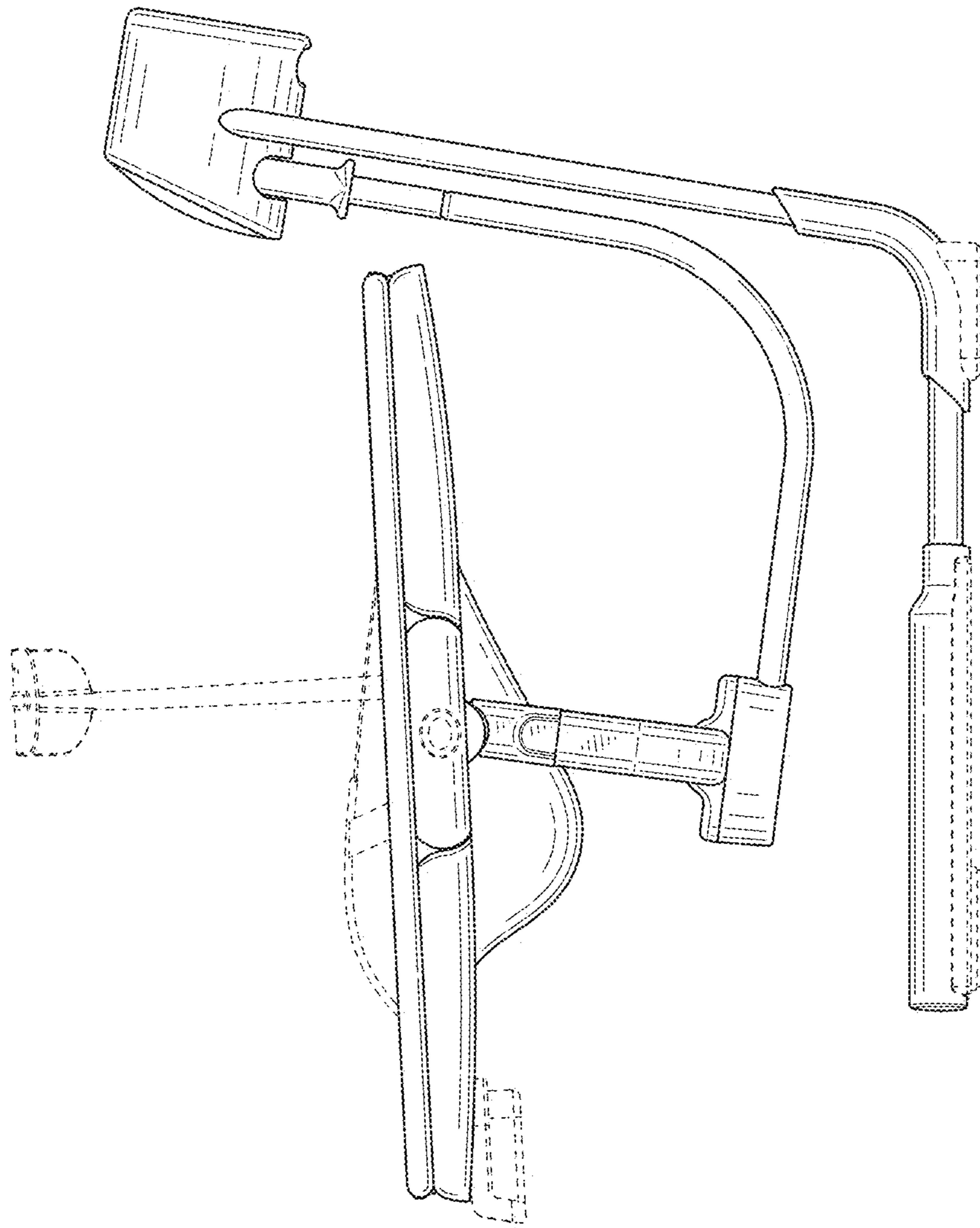


FIG. 10

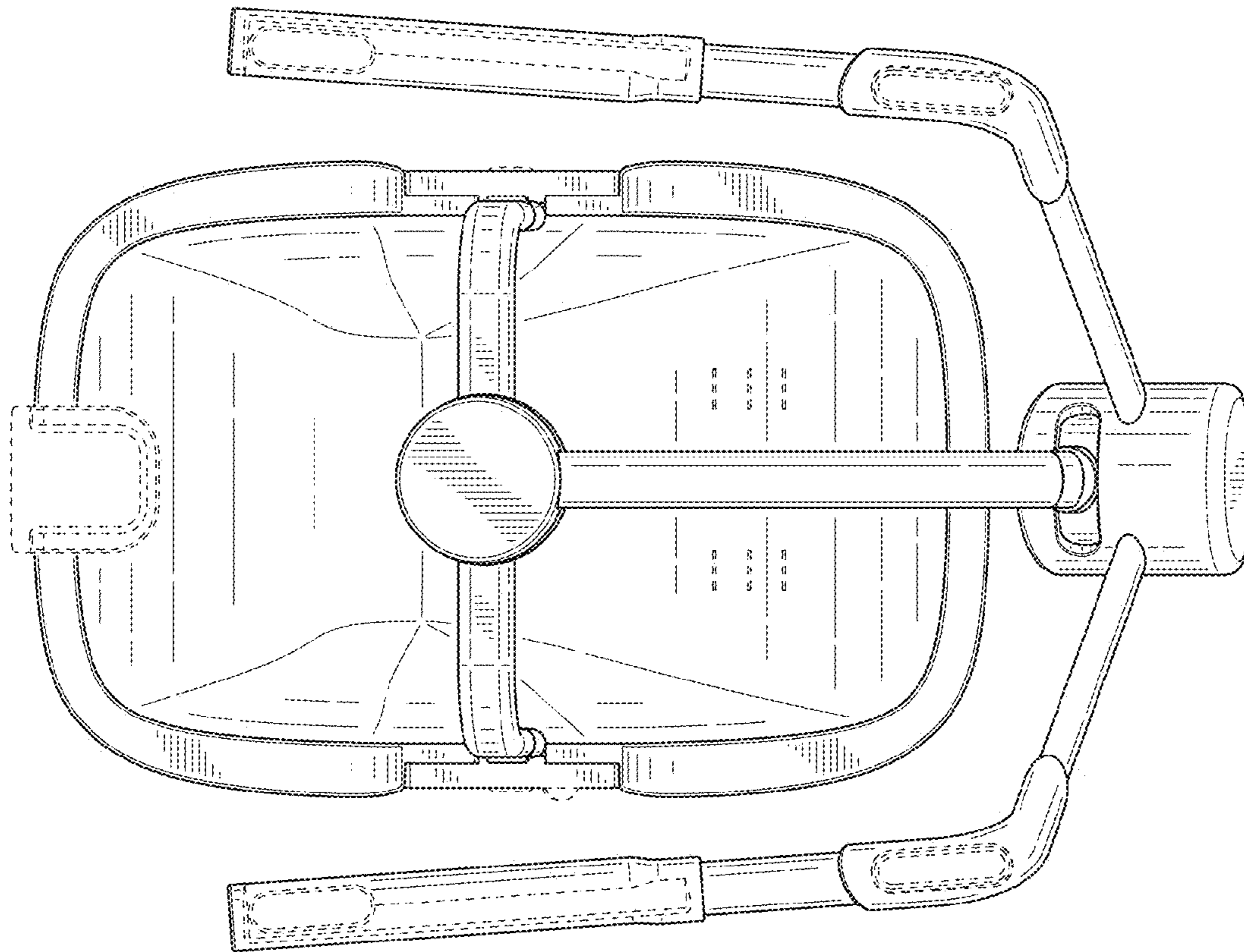


Fig. 8

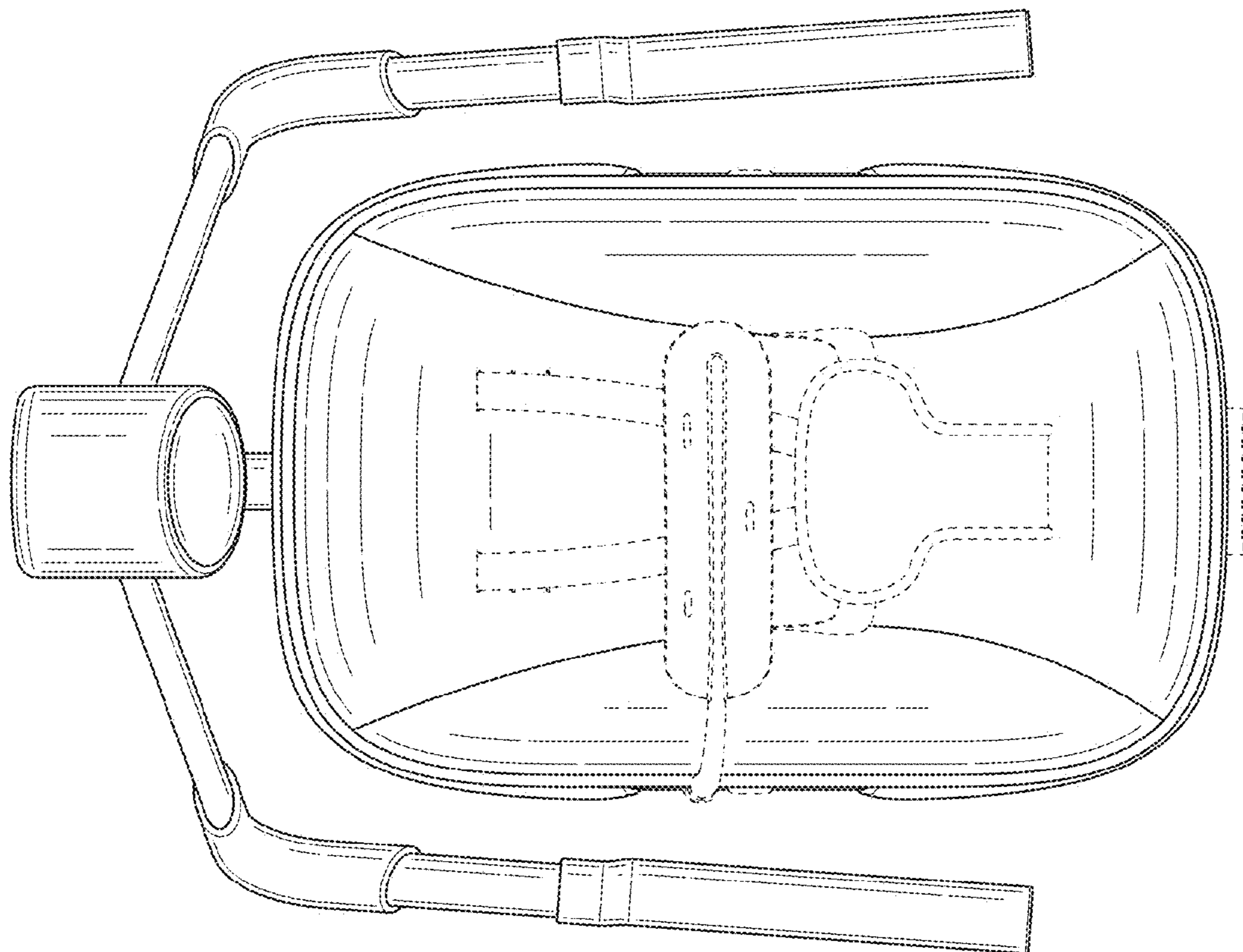


Fig. 7