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

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(54) **EATING UTENSIL**

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(73) Assignee: **MASONTOPS IP HOLDINGS, INC.**

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

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(51) **LOC (14) Cl.** ..... **07-03**

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

USPC ..... **D7/653**; D7/654; D7/655

(58) **Field of Classification Search**

USPC ..... D7/653, 654, 655, 642

CPC ..... A47G 21/00; A47G 21/04; A47G 21/023;

A01G 9/0291; A01G 9/122; A01K 13/002

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D166,914 S	6/1952	Hepner	
D172,480 S	6/1954	Silletti	
2,732,187 A	1/1956	Benedetto	
D193,018 S	6/1962	Larsen	
D231,721 S	6/1974	Pearson	
D234,287 S *	2/1975	Pearson	D7/655
3,968,591 A	7/1976	Pearson	
D257,757 S	1/1981	Acker	
D290,630 S *	6/1987	Kitamura	D21/580
D296,913 S *	7/1988	Shibukawa	D21/580
D299,899 S *	2/1989	Liebmann	D7/653
D301,357 S *	5/1989	Kunihiro	D21/580
D302,090 S *	7/1989	Bergman	D7/655
D302,091 S	7/1989	Bergman	
D302,510 S	8/1989	Bergman	
D310,944 S	10/1990	Lutzker	

D311,040 S \* 10/1990 Kunihiro ..... D21/631

D338,692 S \* 8/1993 Young ..... D2/741

5,655,303 A 8/1997 Janczak

(Continued)

**FOREIGN PATENT DOCUMENTS**

CN 306156279 \* 11/2020

CN 306279612 \* 1/2021

(Continued)

**OTHER PUBLICATIONS**

Poco Divo US M1A2 Abrams Tank Diecast, Feb 5, 2021, <https://www.amazon.com/POCO-DIVO-Diecast-Showcase-Collection/dp/B01L87F486> (Year: 2021).\*

(Continued)

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(57) **CLAIM**

The ornamental design for an eating utensil, as shown and described.

**DESCRIPTION**

FIG. 1 is top and front perspective view of an eating utensil showing our new design;

FIG. 2 is a front elevation view thereof;

FIG. 3 is a rear elevation view thereof;

FIG. 4 is a left side elevation view thereof;

FIG. 5 is a right side elevation view thereof;

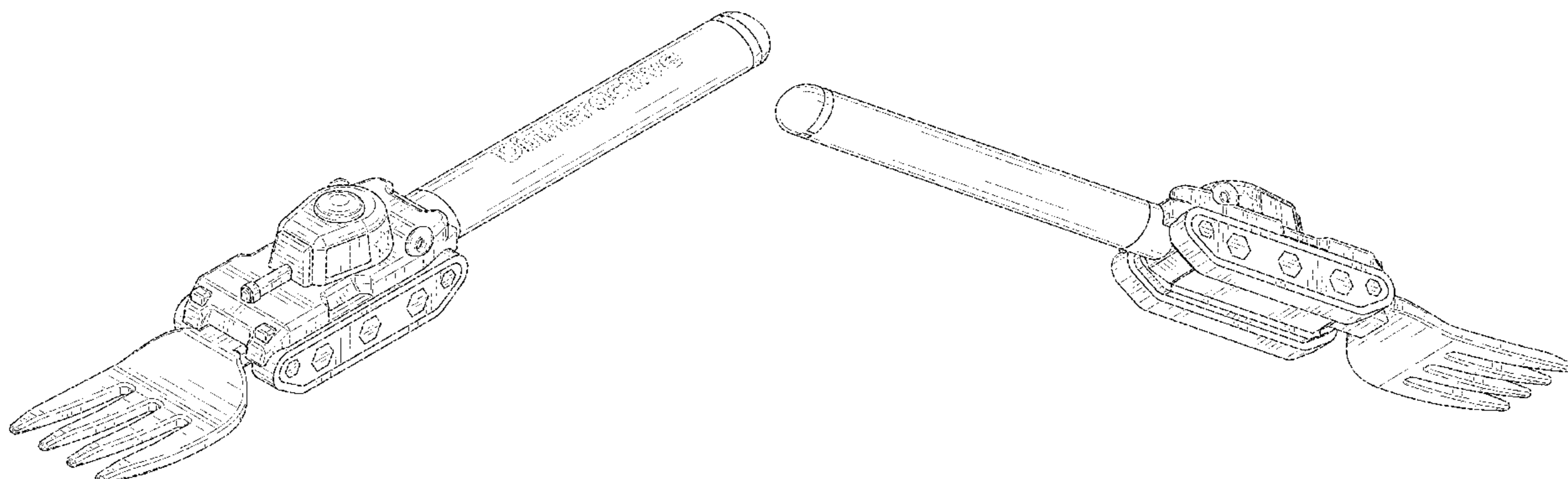
FIG. 6 is a top plan view;

FIG. 7 is a bottom plan view; and,

FIG. 8 is a bottom and rear perspective view thereof.

The dashed broken lines in the figures illustrate portions of the eating utensil that form no part of the claimed design.

**1 Claim, 7 Drawing Sheets**



(56)

References Cited

U.S. PATENT DOCUMENTS

D404,260 S 1/1999 Lake et al.  
 D404,261 S \* 1/1999 Lake ..... D7/655  
 D407,274 S 3/1999 Lake et al.  
 D425,140 S \* 5/2000 Bao ..... D21/539  
 D432,358 S 10/2000 Natale  
 D437,740 S \* 2/2001 Manion ..... D21/447  
 D519,577 S \* 4/2006 Hayashi ..... D21/539  
 D533,038 S 12/2006 Hsu et al.  
 D554,439 S 11/2007 Malcolm et al.  
 D554,440 S 11/2007 Malcolm et al.  
 D554,441 S 11/2007 Malcolm et al.  
 D716,107 S \* 10/2014 Skolnik ..... D7/642  
 D756,171 S \* 5/2016 Mou ..... D7/653  
 D778,122 S \* 2/2017 Mou ..... D7/645  
 D796,271 S \* 9/2017 McFarland ..... D7/401.2  
 D821,161 S \* 6/2018 Isopahkala ..... D7/645  
 D834,382 S \* 11/2018 Appelbaum ..... D7/401.2  
 D852,007 S \* 6/2019 Oakes ..... D7/645  
 D862,997 S \* 10/2019 Miksovsky ..... D7/642  
 D882,350 S \* 4/2020 Rubenson ..... D7/643  
 D882,353 S \* 4/2020 Salem ..... D7/643  
 D882,354 S \* 4/2020 Salem ..... D7/643  
 D906,062 S \* 12/2020 deBretton Gordon ..... D7/645  
 D906,065 S \* 12/2020 Jett ..... D7/645  
 D908,448 S \* 1/2021 Tian ..... D7/654  
 D909,147 S \* 2/2021 Lacotta ..... D7/401.2  
 D909,821 S \* 2/2021 Frazee ..... D7/643  
 D909,822 S \* 2/2021 Lacotta ..... D7/401.2  
 D911,123 S \* 2/2021 Huang ..... D7/645  
 D911,787 S \* 3/2021 Kim ..... D7/653  
 D913,053 S \* 3/2021 Truog ..... D7/649  
 D914,463 S \* 3/2021 Srouf ..... D7/664  
 D914,469 S \* 3/2021 Xie ..... D7/691  
 D914,471 S \* 3/2021 Xie ..... D7/692  
 D915,159 S \* 4/2021 Xie ..... D7/691  
 D915,846 S \* 4/2021 Xie ..... D7/691  
 D917,985 S \* 5/2021 Srouf ..... D7/664  
 D919,380 S \* 5/2021 Salem ..... D7/643  
 D925,996 S \* 7/2021 Pontano ..... D7/642  
 D927,944 S \* 8/2021 Yang ..... D7/653  
 D932,849 S \* 10/2021 Gallop ..... D7/653  
 D932,850 S \* 10/2021 Jondal ..... D7/653  
 D933,431 S \* 10/2021 Das ..... D7/653  
 D933,432 S \* 10/2021 Mack ..... D7/642  
 D935,284 S \* 11/2021 Lebeau ..... D7/645

D938,227 S \* 12/2021 Estabrooks ..... D7/653  
 D940,517 S \* 1/2022 Mack ..... D7/642  
 D941,643 S \* 1/2022 Ying ..... D7/653  
 D948,971 S \* 4/2022 Mack ..... D7/642  
 D958,610 S \* 7/2022 Salih ..... D7/642  
 D959,927 S \* 8/2022 Hong ..... D7/653  
 D960,666 S \* 8/2022 Gebhardt ..... D7/664  
 D963,408 S \* 9/2022 Zheng ..... D7/642  
 D964,116 S \* 9/2022 Salih ..... D7/642  
 D964,117 S \* 9/2022 Salih ..... D7/642  
 D964,818 S \* 9/2022 Winkelmann ..... D7/401.2  
 D966,046 S \* 10/2022 Lee ..... D7/653  
 2009/0077812 A1 3/2009 Malcolm et al.

FOREIGN PATENT DOCUMENTS

CN 306613574 \* 6/2021  
 CN 306743230 \* 8/2021  
 CN 307570960 \* 9/2022  
 GB 6146370 \* 7/2021  
 GB 6148681 \* 7/2021  
 WO D214745-003 \* 6/2021

OTHER PUBLICATIONS

Royalrose Alexander Fine 8.1"Dinner Fork, Aug. 20, 2022, <https://www.amazon.com/Royalrose-Alexander-Dinner-Stainless-Dishwasher/dp/BOB67V49FT> (Year: 2022).\*

Faderic Salad Forks, Aug. 8, 2022, <https://www.amazon.com/Dessert-Flatware-Stainless-Mirror-Polishing/dp/B08FFQ8M6P> (Year: 2022).\*

E-Far Dinner Forks, Jan. 19, 2021, <https://www.amazon.com/far-Stainless-Restaurant-Non-toxic-Dishwasher/dp/B08TBXX7KR> (Year: 2021).\*

Pimoys Fork, May 5, 2021, <https://www.amazon.com/Stainless-Cutlery-Silverware-Children-Dishwasher/dp/B0946NKZNX> (Year: 2021).\*

Krayton Fork, Jan. 13, 2021, <https://www.amazon.com/Serving-Kyration-Stainless-Utensils-Packing/dp/B08SWCFTFS> (Year: 2021).\*

YouCute Tank, Mar. 30, 2018, <https://www.amazon.co.uk/YouCute-charger-Remote-Control-Panzer/dp/B07D8F9PKN> (Year: 2018).\*

Toyandona Military Toy Vehicle, Jul. 29, 2020, <https://www.amazon.co.uk/TOYANDONA-Military-Vehicles-Plastic-Camouflage/dp/B08DS4GYDN/> (Year: 2020).\*

Kandy Toys Tank, Sep. 27, 2011, <https://www.amazon.co.uk/Combat-Mission-Large-Friction-Soldiers/dp/B005PWMV00> (Year: 2011).\*

\* cited by examiner



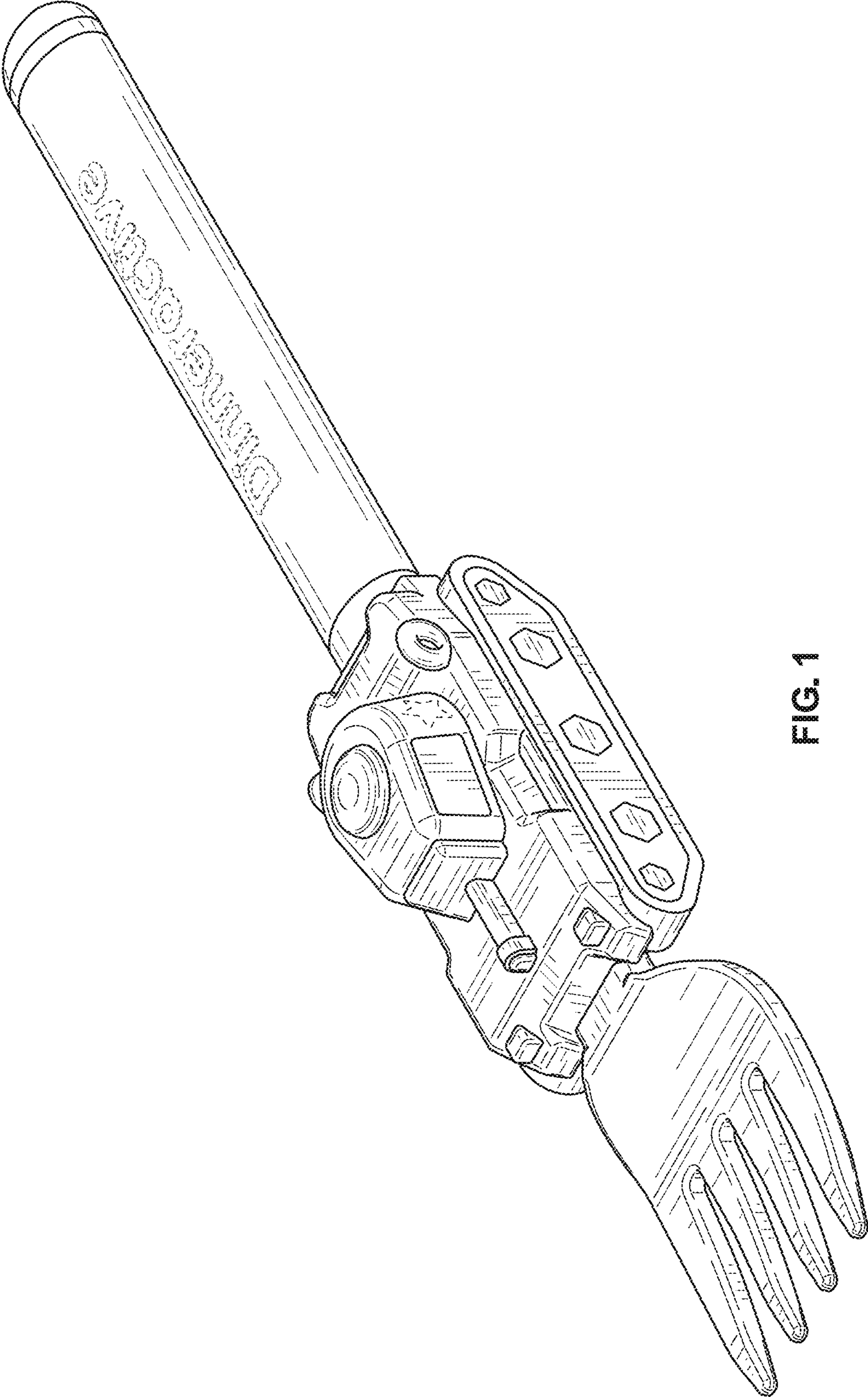


FIG. 1

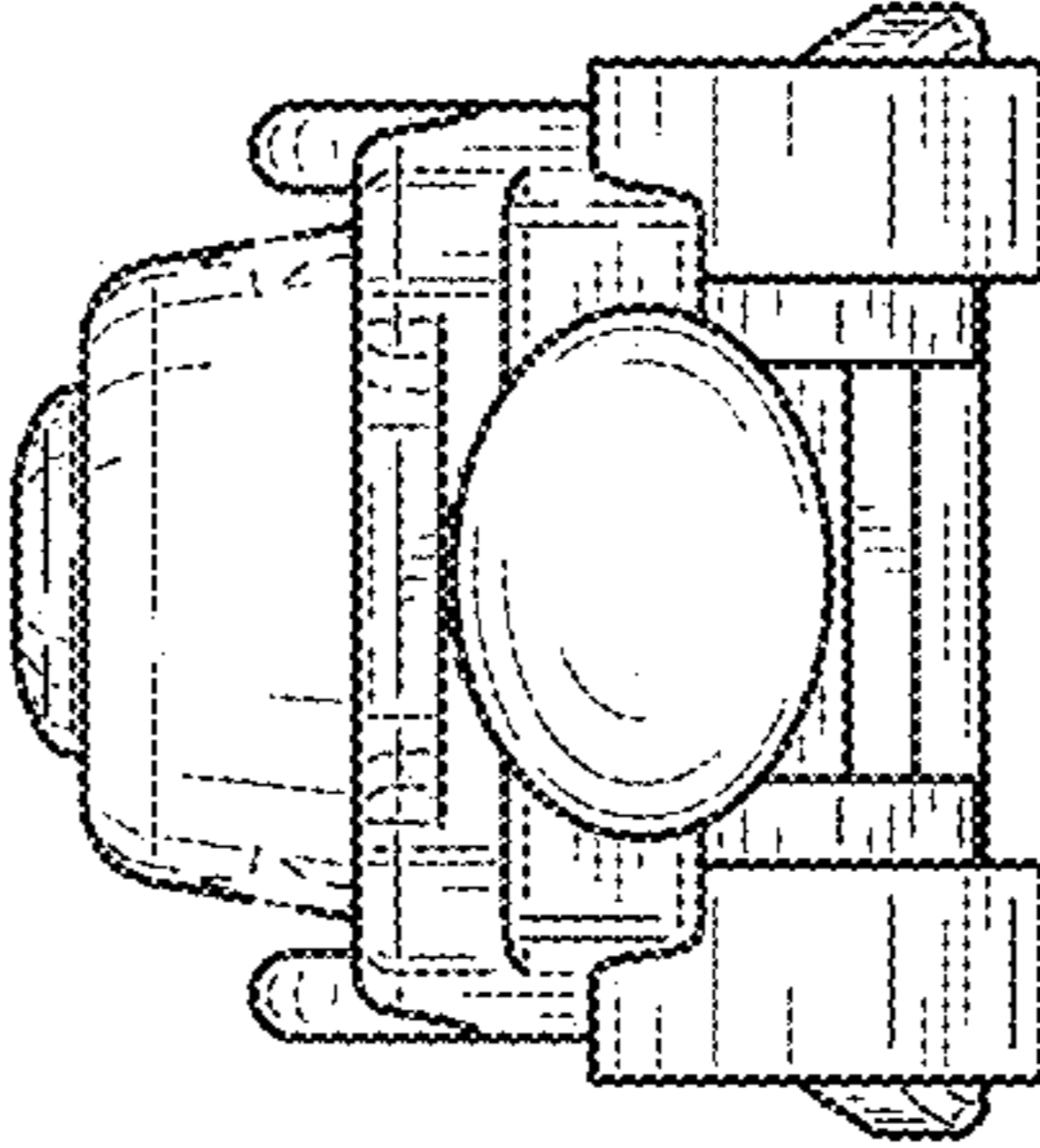


FIG. 3

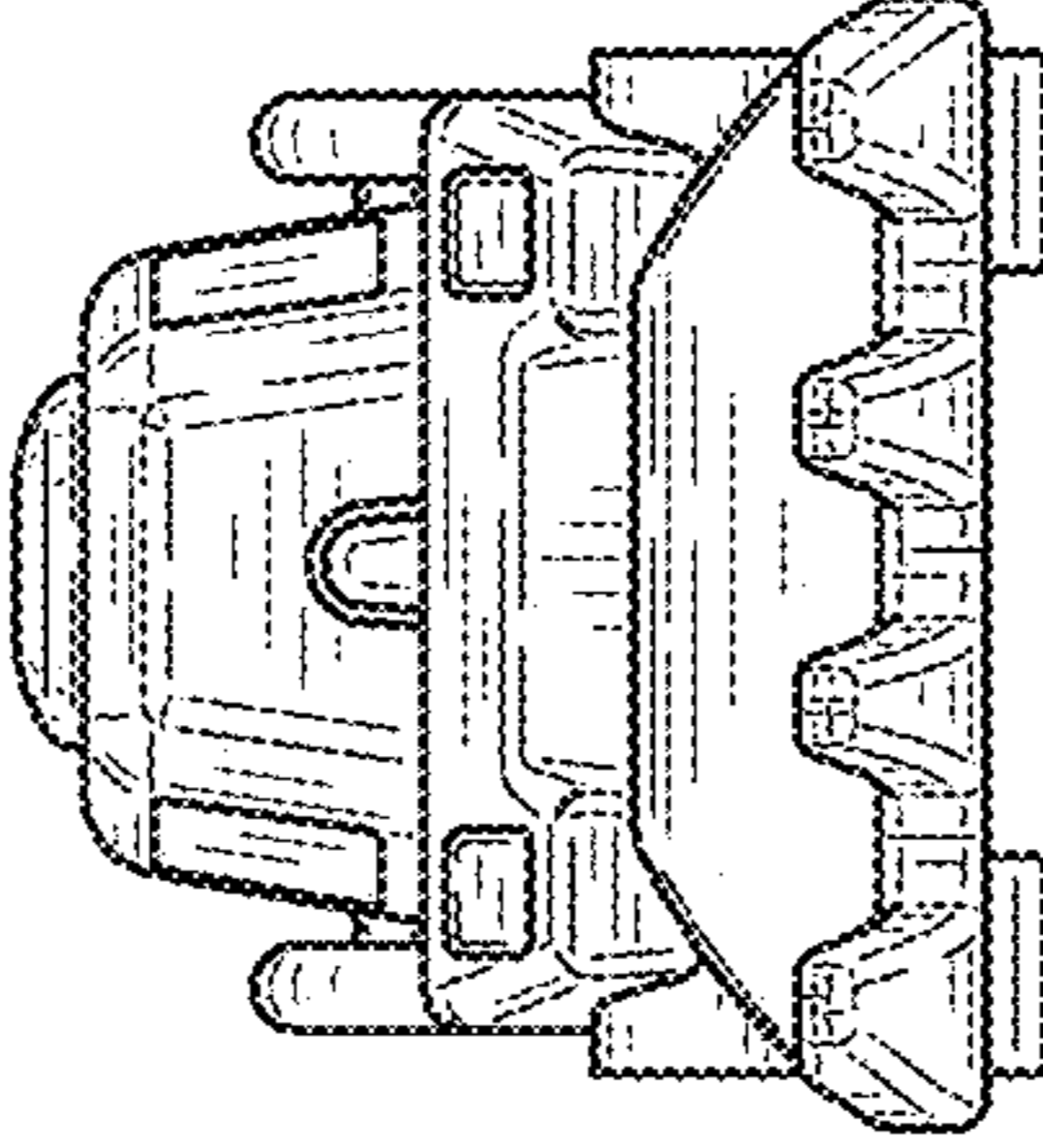


FIG. 2

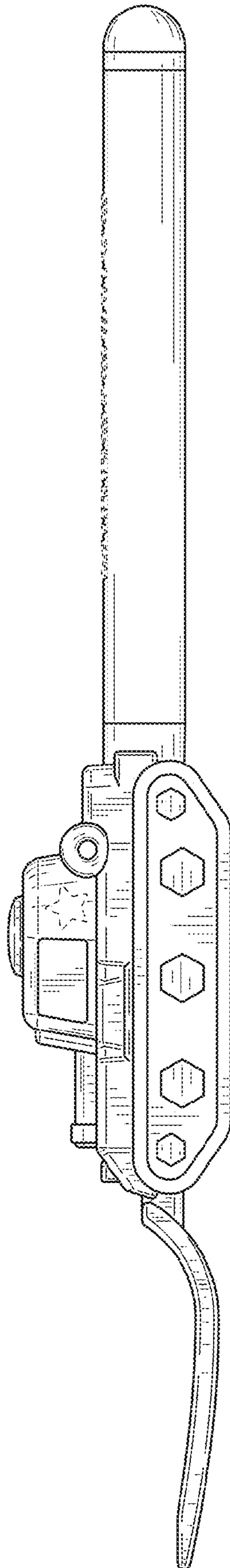


FIG. 4

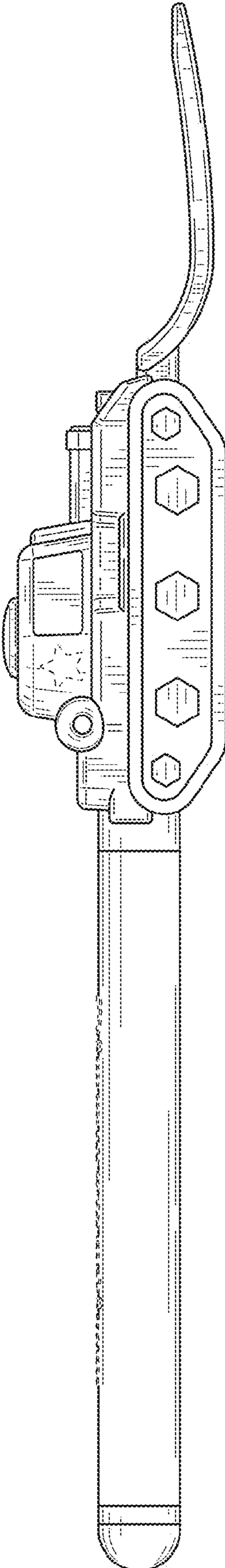


FIG. 5

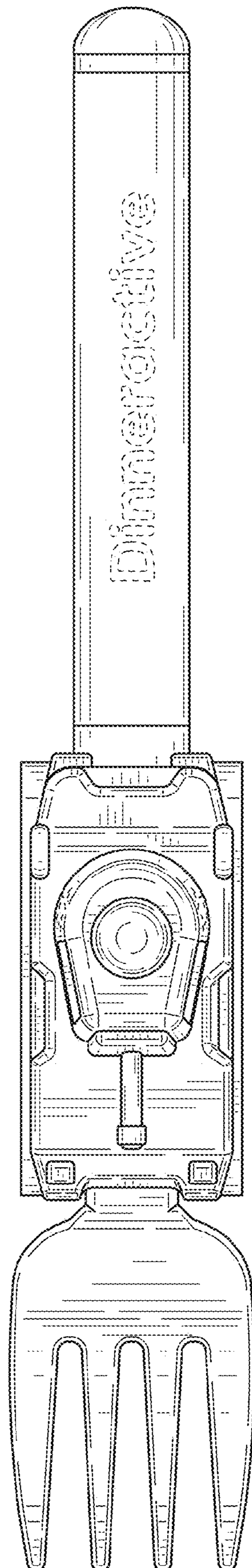


FIG. 6

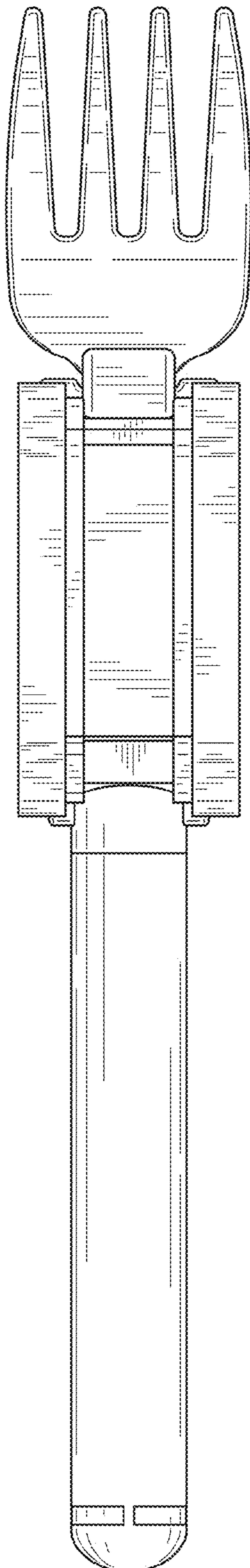


FIG. 7



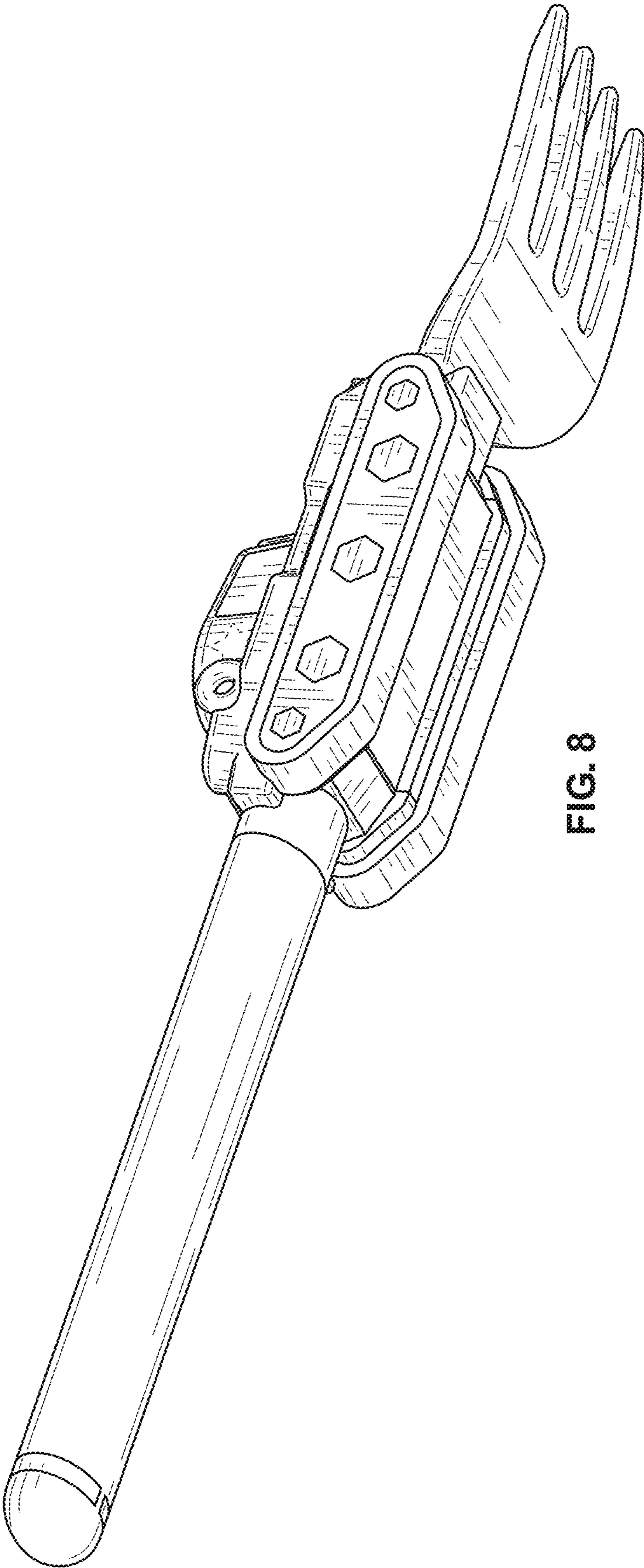


FIG. 8