

US00RE46939E

(19) **United States**
(12) **Reissued Patent**
Waitesmith

(10) **Patent Number: US RE46,939 E**
(45) **Date of Reissued Patent: Jul. 10, 2018**

(54) **COSMETIC BRUSH**
(71) Applicant: **ARTIS LLC**, Jersey City, NJ (US)
(72) Inventor: **Matthew Waitesmith**, Jersey City, NJ (US)
(73) Assignee: **ARTIS LLC**, Jersey City, NJ (US)
(21) Appl. No.: **29/554,344**
(22) Filed: **Feb. 10, 2016**

D165,862 S * 2/1952 Partridge D4/134
2,706,825 A 4/1955 Blakeman A46B 5/0029
15/167.1
3,065,480 A 11/1962 Sexton A46B 7/04
15/172

(Continued)

FOREIGN PATENT DOCUMENTS

CN 201453625 U * 5/2010
CN 301434919 S 1/2011

(Continued)

OTHER PUBLICATIONS

Office Action dated Feb. 24, 2012 in U.S. Appl. No. 12/425,182.

(Continued)

Primary Examiner — Phillip S Hyder
(74) *Attorney, Agent, or Firm* — Venable LLP; Steven J. Schwarz; Laura G. Remus

(57) **CLAIM**

The ornamental design for a cosmetic brush, as shown and described.

DESCRIPTION

FIG. 1 is a top perspective view of a cosmetic brush showing my new design.

FIG. 2 is a top view of a cosmetic brush showing my new design; and,

FIG. 3 is a first side view of a cosmetic brush showing my new design.

The ornamental design which is claimed is shown in solid lines in the drawings. The broken lines in the drawings are for illustrative purposes only and form no part of the claimed design.

1 Claim, 3 Drawing Sheets

Matter enclosed in heavy brackets [] appears in the original patent but forms no part of this reissue; matter printed in italics indicates the additions made by reissue.

Related U.S. Patent Documents

Reissue of:

(64) Patent No.: **Des. 699,041**
Issued: **Feb. 11, 2014**
Appl. No.: **29/425,384**
Filed: **Jun. 22, 2012**

U.S. Applications:

(63) Continuation of application No. 12/425,182, filed on Apr. 16, 2009, now abandoned.

(51) **LOC (11) Cl.** **04-05**

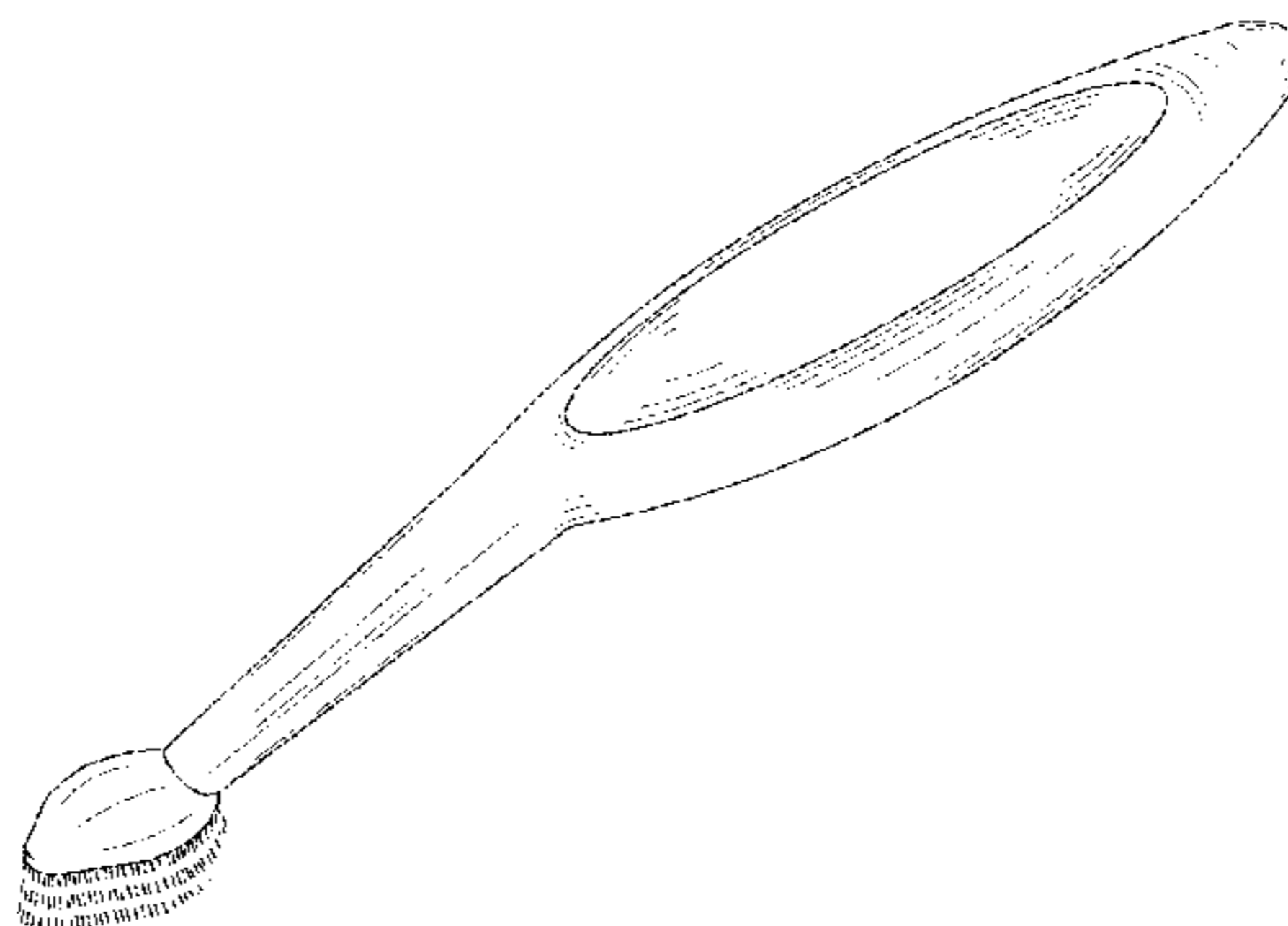
(52) **U.S. Cl.**
USPC **D4/138; D4/104; D4/134**

(58) **Field of Classification Search**
USPC D4/104, 105, 106, 107, 109, 111, 112,
D4/132, 134, 136, 138
CPC A46B 5/02; A46B 11/0003; A46B 5/026;
A46B 9/04
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,193,287 A * 8/1916 Morgan 15/188
D54,815 S 4/1920 Campbell
1,647,453 A 11/1927 Krantz A46B 9/04
15/167.1
1,657,450 A 1/1928 Barnes A46B 9/04
132/308
D112,719 S 12/1938 Miller



(56)

References Cited

U.S. PATENT DOCUMENTS

D243,422 S * 2/1977 Varga D4/104
 4,165,755 A 8/1979 Cassai A45D 40/265
 132/218
 D255,511 S 6/1980 Hill et al. D4/104
 4,227,276 A 10/1980 Ginsburg A46B 5/00
 15/167.1
 4,330,896 A 5/1982 Booth A46B 7/02
 15/167.1
 4,598,437 A 7/1986 Ernest et al. A46B 5/02
 15/145
 D303,323 S 9/1989 Saunders
 D336,991 S 7/1993 Makinami D4/104
 D346,902 S 5/1994 Makinami D4/104
 5,315,730 A 5/1994 Kim et al.
 D357,123 S * 4/1995 Brown et al. D4/104
 5,476,334 A 12/1995 Tello-Vallarino A46B 5/0033
 401/132
 5,511,276 A 4/1996 Lee A46B 7/04
 15/143.1
 D373,250 S * 9/1996 Cavazza D4/104
 D387,203 S * 12/1997 Matharu D4/104
 5,842,488 A 12/1998 Belleau et al. A45D 34/04
 132/320
 5,881,421 A 3/1999 Ducharme
 6,039,051 A 3/2000 Dorf
 6,050,273 A 4/2000 Lhuisset
 6,108,847 A * 8/2000 Cueman et al. 15/104.94
 6,234,798 B1 5/2001 Beals et al.
 D482,532 S 11/2003 Masini et al.
 6,687,940 B1 2/2004 Gross et al.
 6,779,532 B2 8/2004 Dorf
 7,182,542 B2 2/2007 Hohlbein
 D589,258 S * 3/2009 Littmann et al. D4/104
 7,823,593 B2 11/2010 Gueret
 2005/0188486 A1 9/2005 Tubman
 2007/0124880 A1 6/2007 Petner et al.
 2007/0143942 A1 * 6/2007 Fox et al. 15/143.1

FOREIGN PATENT DOCUMENTS

DE 199 00 784 A1 7/2000
 EP 1 647 198 A2 4/2006
 GB 2051937 3/1996
 JP S51-130355 U 10/1976
 JP S61-028428 U 2/1986
 JP S61-068723 U 5/1986
 JP H08 154726 A 6/1996
 JP H11 512310 A 10/1999
 JP 2002-511286 A 4/2002
 JP 2003 033218 A 2/2003
 JP 2006-081760 A 3/2006
 JP 2006 110350 A 4/2006

JP 2007 319211 A 12/2007
 JP 2008-006282 A 1/2008
 JP 2008 539952 A 11/2008
 KR 300022366 5/1978
 WO 97-35498 A1 10/1997

OTHER PUBLICATIONS

Office Action dated Oct. 28, 2011 in U.S. Appl. No. 12/425,182.
 Office Action dated Dec. 6, 2012 in U.S. Appl. No. 29/425,384.
 Office Action dated Jul. 8, 2013 in U.S. Appl. No. 29/425,384.
 Office Action dated Nov. 8, 2013 in U.S. Appl. No. 29/425,384.
 Artis Makeup Brushes, as posted at Forbes [online], posted on Sep. 23, 2014 [site visited May 13, 2016]. Obtained from: <URL: <http://www.forbes.com/sites/sarahwu/2014/09/23/the-best-make-up-brushes-do-double-duty-as-objets-darts/#437d137b151e>>.
 MAC Masterclass Brush Collection, as posted at the Blonde & the Brunette [online], posted on Nov. 20, 2013 [site visited May 13, 2016]. Obtained from: <URL: <http://theblondeandthebrunette.com/beauty-scoop-mac-masterclass-brush-collection/>>.
 Office Action dated May 19, 2016 in U.S. Appl. No. 29/484,458.
 Office Action dated Dec. 4, 2014 in U.S. Appl. No. 29/484,458.
 Office Action dated Dec. 8, 2014 in U.S. Appl. No. 29/484,466.
 Office Action dated May 19, 2016 in U.S. Appl. No. 29/484,466.
 Office Action dated Nov. 16, 2016 in U.S. Appl. No. 29/508,364.
 Supplementary European Search Report dated Nov. 13, 2014 in European Patent Application No. 09830774.7.
 Canadian Office Action dated Aug. 10, 2016 in Canadian Patent Application No. 2,774,810.
 Canadian Office Action dated Oct. 21, 2015 in Canadian Patent Application No. 2,774,810.
 Notification of Reasons for Refusal dated Oct. 28, 2013 in Japanese Patent Application No. 2011-538613.
 International Search Report dated May 24, 2010 in International Patent Application No. PCT/US2009/059837.
 Written Opinion dated May 24, 2010 in International Patent Application No. PCT/US2009/059837.
 GB 2051937 Registered Design Application, (La Brosse et Dupont SA) Mar. 18, 1996, [online], [retrieved on Nov. 21, 2012] Retrieved from the Design Database of the Intellectual Property Office of the United Kingdom using the Internet: <URL: <http://www.ipo.gov.uk>>.*
 KR 300022366 Registered Design Bibliography, May 15, 1978, [online], [retrieved on Nov. 15, 2012] Retrieved from the Design Database of the Korean Intellectual Property Rights Information Service using Internet: <URL: <http://eng.kipris.or.kr>>.*
 CN 301434919 Registered Design, (Qin, Bingxian) Jan. 12, 2011, [online], [retrieved on Jan. 13, 2013] Retrieved from the Questel Intellectual Property Portal Design Database using the Internet: <URL: <http://www.orbit.com>>.*

* cited by examiner

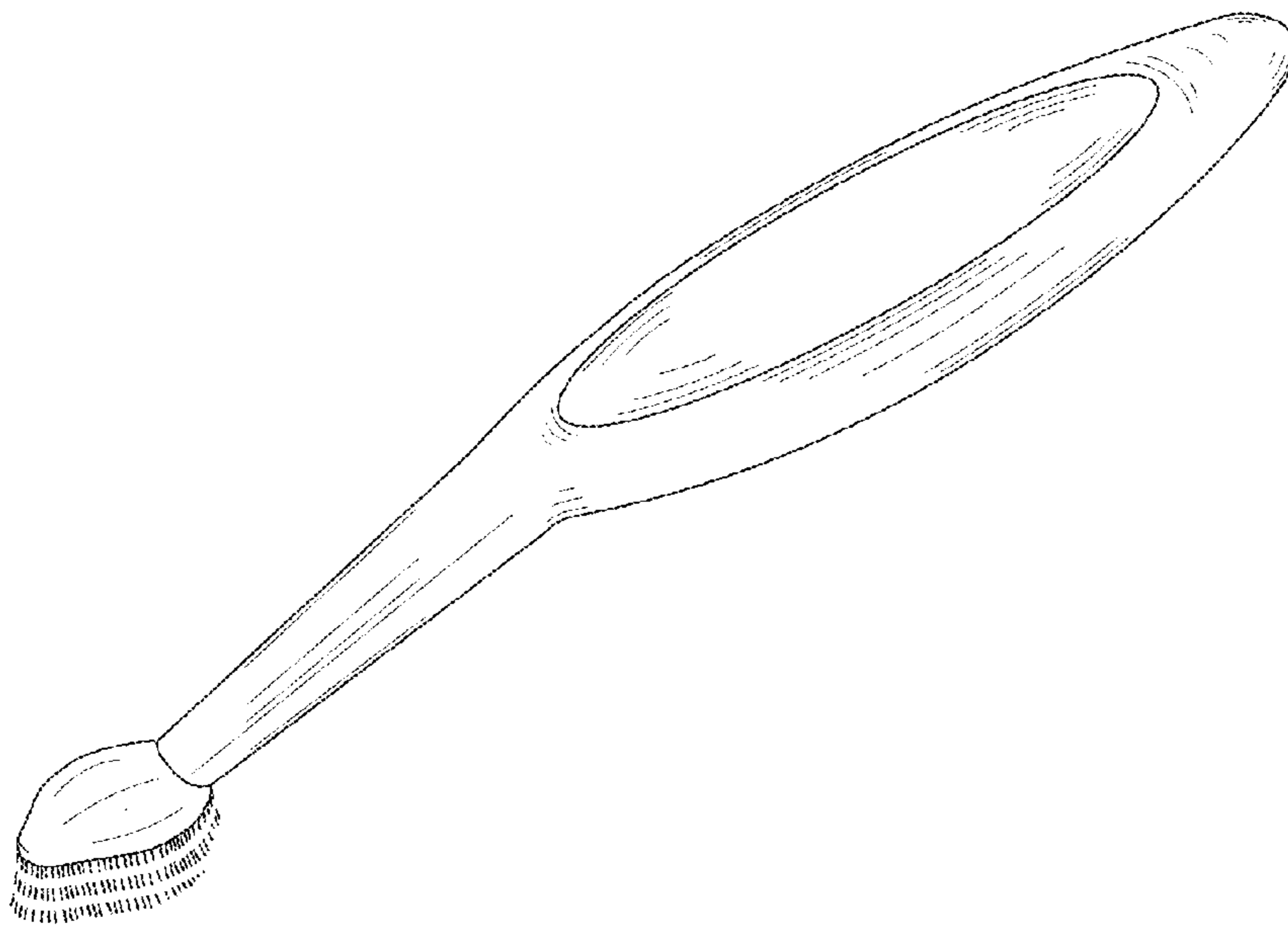


FIG. 1

Amended

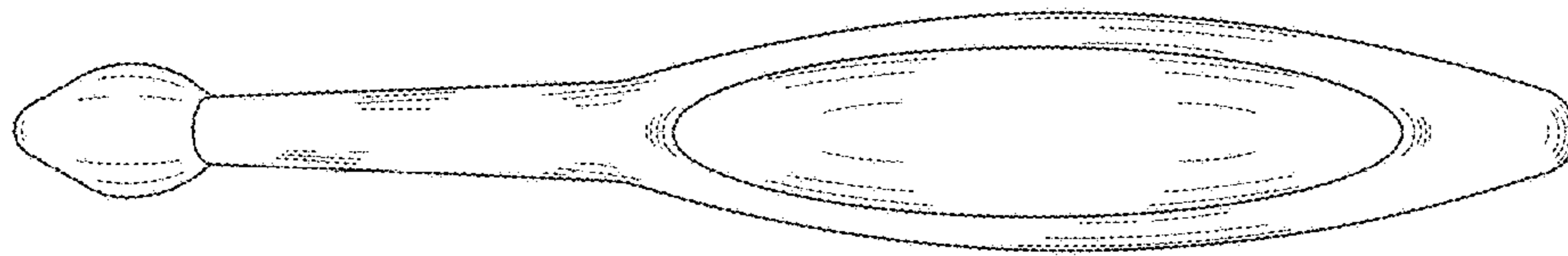


FIG. 2

Amended

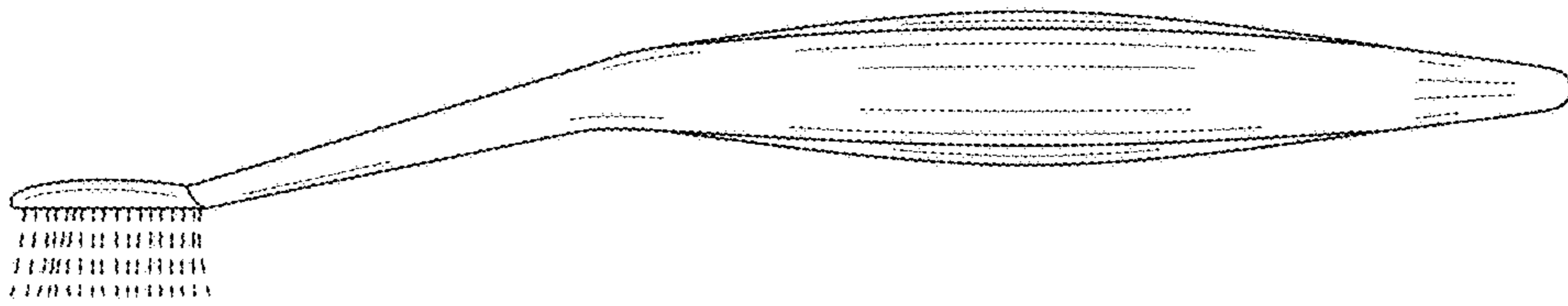


FIG. 3

Amended

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : RE46,939 E
APPLICATION NO. : 29/554344
DATED : July 10, 2018
INVENTOR(S) : Waitesmith

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Specification

Under the heading "DESCRIPTION," before the first line, i.e., "FIG. 1 is a top perspective view of a cosmetic brush showing," please insert the paragraph, as follows:

--NOTICE: More than one reissue application has been filed for the reissue of U.S. Patent No. D699,041 S. The reissue applications are U.S. Reissue Patent Application Serial Nos. 29/650,936 and 29/650,930, each filed on June 11, 2018, now U.S. Reissue Patent No. RE47,359 E and RE47,847 E, respectively, issued April 23, 2019 and February 11, 2020, respectively, which are a continuation reissue application and a divisional reissue application, respectively, of U.S. Reissue Patent Application Serial No. 29/554,344 (the present application), filed on February 10, 2016, now U.S. Reissue Patent No. RE46,939 E, issued July 10, 2018, which is a reissue application of U.S. Design Patent Application Serial No. 29/425,384, filed on June 22, 2012, now U.S. Design Patent No. D699,041 S, issued February 11, 2014, which is a continuation of U.S. Patent Application Serial No. 12/425,182, filed April 16, 2009, now abandoned.--

Signed and Sealed this
Twenty-third Day of March, 2021



Drew Hirshfeld
Performing the Functions and Duties of the
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office