

#### US00RE47847E

# (19) United States

## (12) Reissued Patent

### Waitesmith

(10) Patent Number: US RE47,847 E

## (45) Date of Reissued Patent: Feb. 11, 2020

#### (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.: 29/650,930

(22) Filed: **Jun. 11, 2018** 

### 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:

(60) Division of application No. 29/554,344, filed on Feb. 10, 2016, now Pat. No. Re. 46,939, which is an (Continued)

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

D4/132, 134, 136, 138

(58) Field of Classification Search
USPC ....... D4/104, 105, 106, 107, 109, 111, 112,

(Continued)

## (56) References Cited

#### U.S. PATENT DOCUMENTS

#### FOREIGN PATENT DOCUMENTS

CN 201453625 U \* 5/2010 CN 301434919 S 1/2011 (Continued)

#### OTHER PUBLICATIONS

Office Action dated Nov. 18, 2016 in U.S. Appl. No. 29/554,344. Office Action dated Feb. 24, 2012 in U.S. Appl. No. 12/425,182. (Continued)

Primary Examiner — Philip S Hyder

(74) Attorney, Agent, or Firm — Leason Ellis LLP

(57) CLAIM

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

#### **DESCRIPTION**

This application is a reissue divisional application. This application is a divisional of U.S. Reissue application Ser. No. 29/554,344, which is a reissue of U.S. Design Pat. No. D699,041, issued on Feb. 11, 2014, which is a continuation of application Ser. No. 12/425,182, filed on Apr. 16, 2009, now abandoned.

[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.]

FIG. 4 is a top view of a cosmetic brush showing a first embodiment my new design;

FIG. 5 is a side view thereof;

FIG. 6 is a bottom view thereof;

FIG. 7 is a top view of a cosmetic brush showing a second embodiment of my new design;

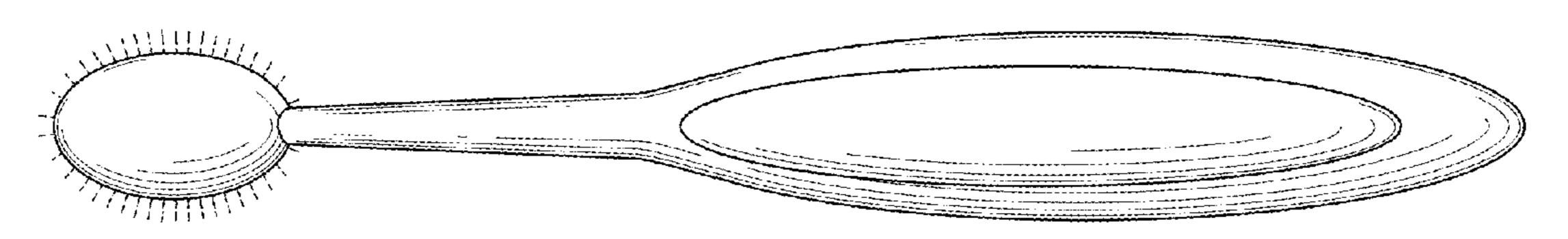
FIG. 8 is a side view thereof; and,

FIG. 9 is a bottom view thereof.

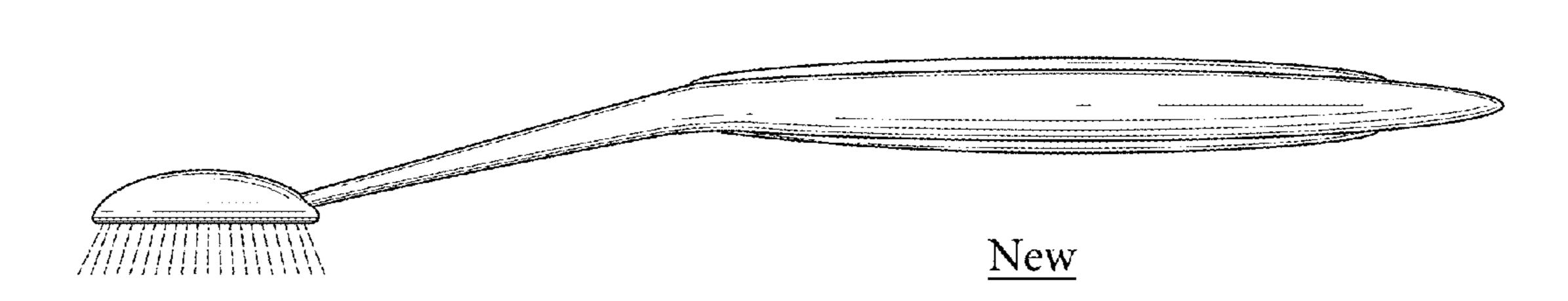
The ornamental design which is claimed is shown in solid lines in the drawings. The broken lines in the drawings are for illustrative purposes only and form no part of the claimed design.

## 1 Claim, 5 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.



<u>New</u>



#### Related U.S. Application Data

application for the reissue of Pat. No. Des. 699,041, which is a continuation of application No. 12/425, 182, filed on Apr. 16, 2009, now abandoned.

#### (58) Field of Classification Search

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

1,647,453 A	11/1927	Krantz
1,657,450 A	1/1928	
D112,719 S	12/1938	
D112,713 S D165,862 S		Partridge D4/134
2,706,825 A		Blakeman
3,065,480 A	11/1962	
D243,422 S	_	Varga D4/104
4,165,755 A	8/1979	•
D255,511 S		Hill et al.
4,227,276 A		Ginsburg
4,330,896 A	5/1982	
4,598,437 A		Ernest et al.
D303,323 S		Saunders
D336,991 S		Makinami
D346,902 S		Makinami
5,315,730 A		Kim et al.
, ,		Brown et al D4/104
5,476,334 A		Tello-Vallarino
5,511,276 A	4/1996	
D373,250 S		Cavazza D4/104
D387,203 S		Matharu D4/104
5,842,488 A		Belleau et al.
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		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 <sup>3</sup>	* 6/2007	Fox et al

#### FOREIGN PATENT DOCUMENTS

DE	199 00 784 A1	7/2000
EP	1 647 198 A2	4/2006
GB	2051937 A	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	$\mathbf{S}$	5/1978
WO	97-35498	$\mathbf{A}1$	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-makeup-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. 14, 2013 in European Patent Application No. 09830774.7.

Canadian Office Action dated Aug. 16, 2016 in Canadian Patent Application No. 2,774,810.

Canadian Office Action dated Oct. 15, 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.

Office Action dated Jun. 15, 2017 in U.S. Appl. No. 29/554,344. Office Action dated Nov. 14, 2017 in U.S. Appl. No. 29/554,344. 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>.\*

<sup>\*</sup> cited by examiner

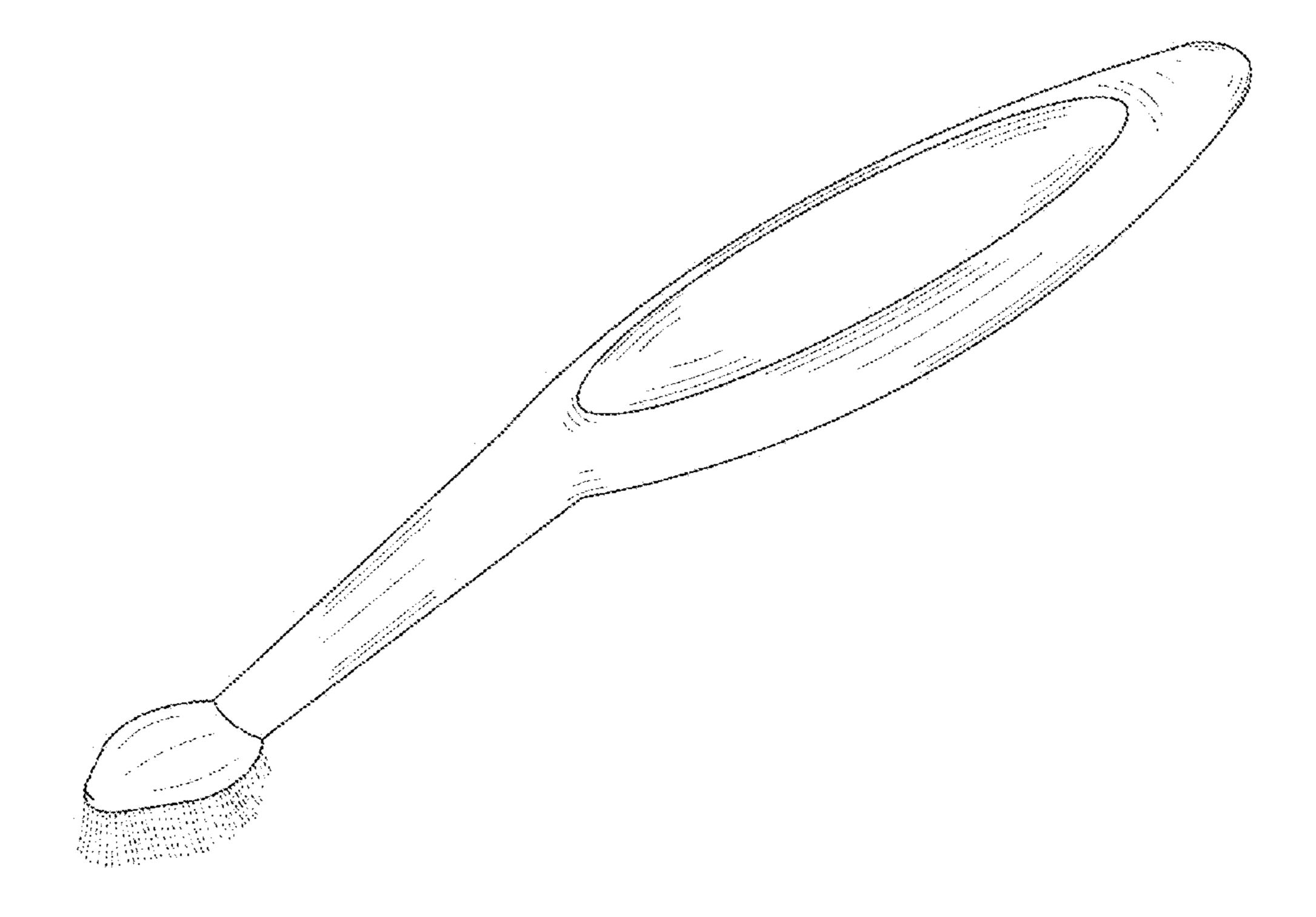


FIG. 1

[Canceled]

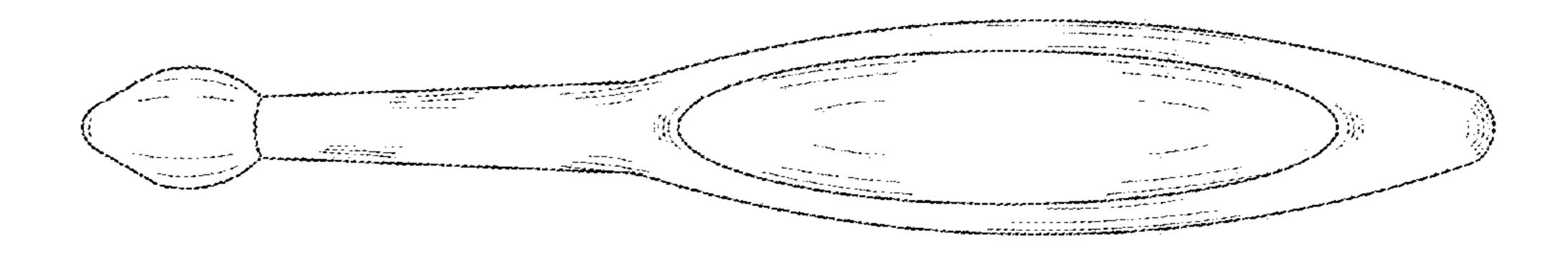


FIG. 2

[Canceled]

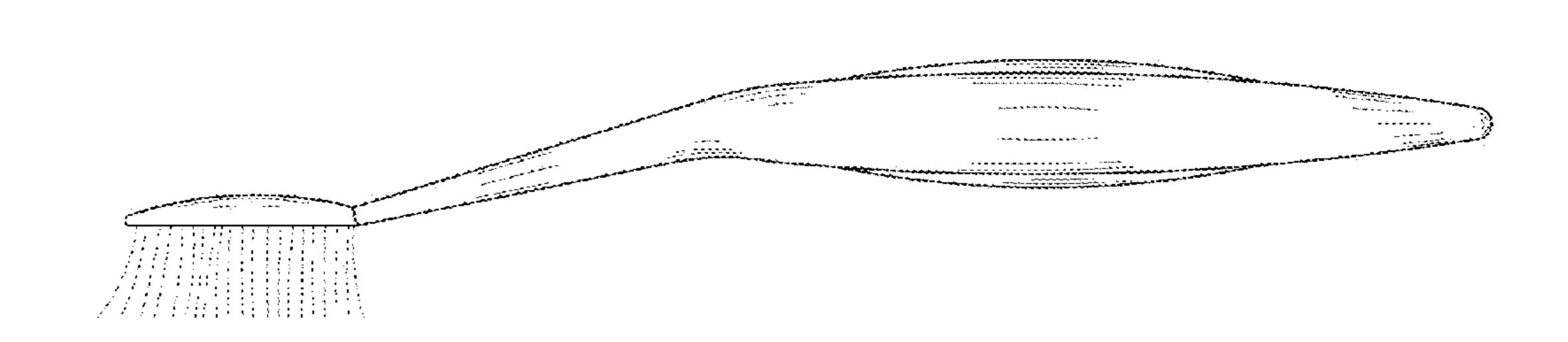
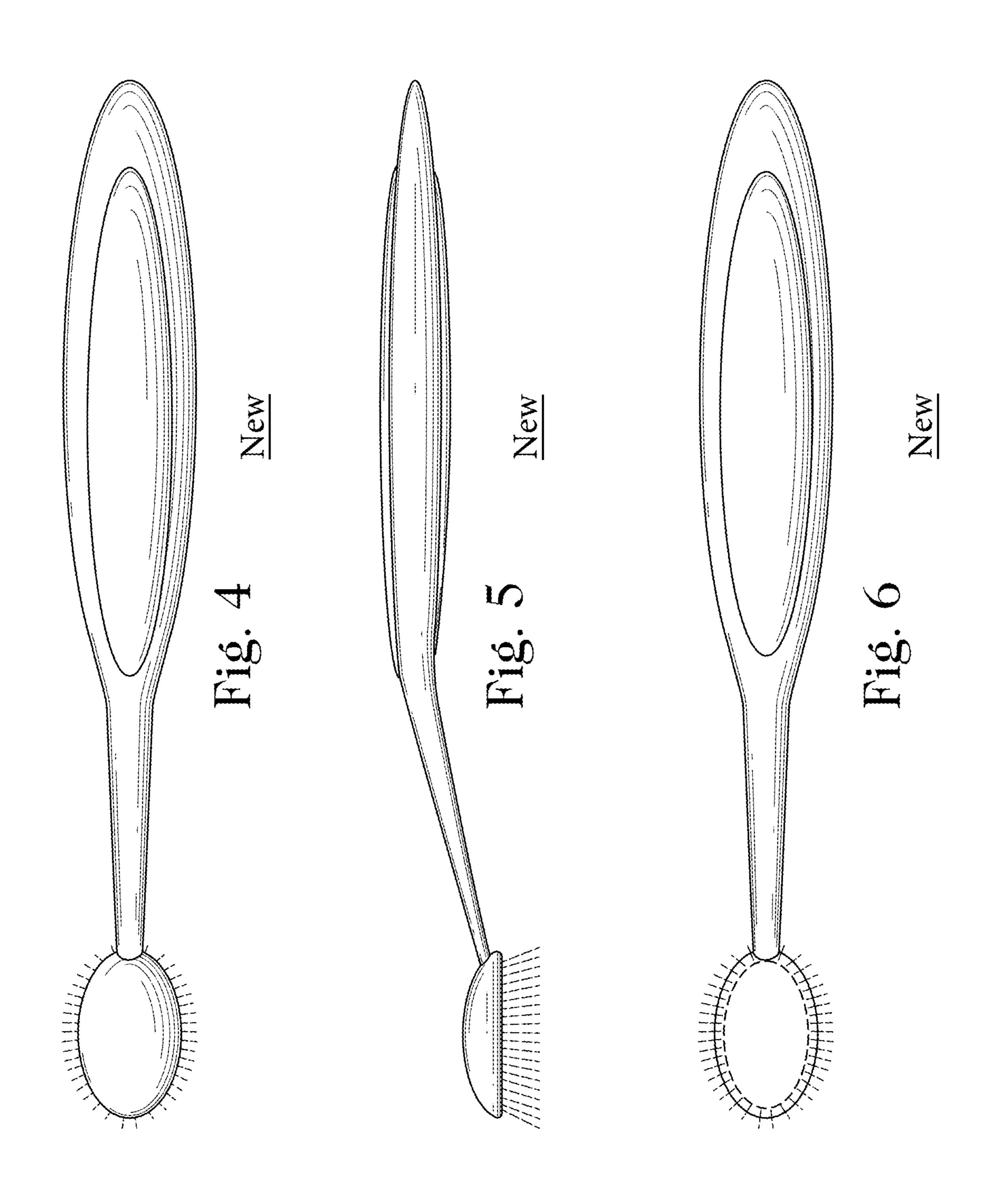
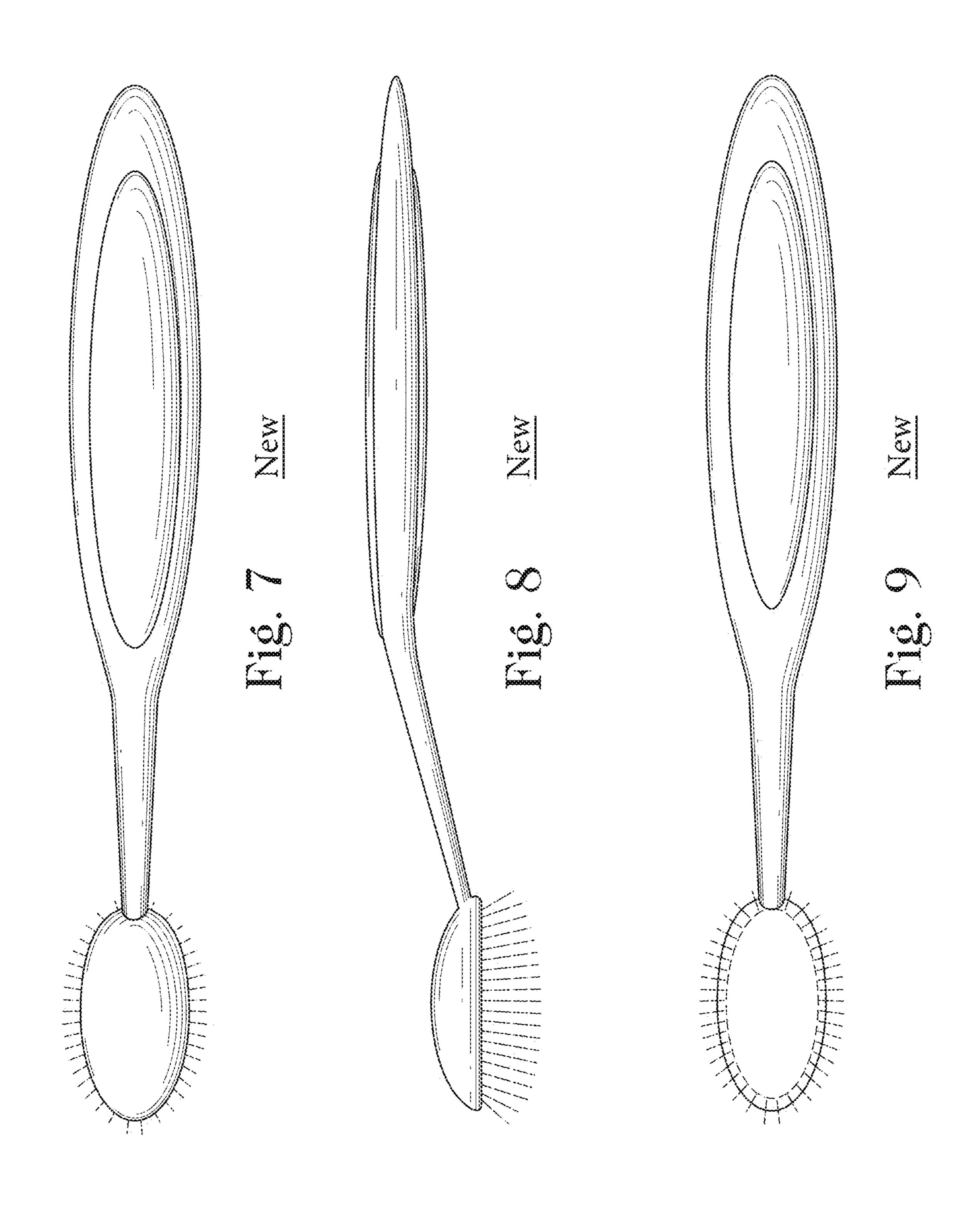


FIG. 3

[Canceled]





## UNITED STATES PATENT AND TRADEMARK OFFICE

## CERTIFICATE OF CORRECTION

PATENT NO. : RE47,847 E

APPLICATION NO. : 29/650930 DATED : April 28, 2020

INVENTOR(S) : Matthew Waitesmith

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," please replace the first six lines beginning with "*This application is*" and ending with "*now abandoned.*", with the following:

--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 (the present application), each filed on June 11, 2018, now U.S. Reissue Patent No. RE47,359 E and RE47,847, 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, 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 Thirtieth 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