

Design Patents, Customs and the ITC

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Counterfeit Goods Seizure Act of 2019, S.2987

A bill to authorize U.S. Customs and Border Protection (CBP) to seize imported merchandise that infringes a design patent.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Counterfeit Goods Seizure Act of 2019”.

SEC. 2. SEIZURE OF IMPORTED MERCHANDISE THAT INFRINGES A DESIGN PATENT.

Section 596(c)(2)(C) of the Tariff Act of 1930 ([19 U.S.C. 1595a\(c\)\(2\)\(C\)](#)) is amended—

→ (1) by inserting “design patent,” after “copyright,”; and

→ (2) by inserting “section 271 or 289 of title 35, United States Code,” after “title 17, United States Code,”.

→ SEC. 3. AUTHORITY TO CHARGE A FEE FOR ADMINISTRATIVE COSTS RELATING TO RECORDATION OF DESIGN PATENTS. (currently \$190 for ® & ©)

(a) **IN GENERAL.**—The Commissioner of U.S. Customs and Border Protection may prescribe regulations, pursuant to section 9701 of title 31, United States Code, providing for the imposition of a fee to cover the administrative costs to U.S. Customs and Border Protection of recordation of design patents.

(b) **RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.**—Notwithstanding section 3302 of title 31, United States Code, fees collected under subsection (a) shall—

(1) be credited as offsetting collections to the appropriations account that finances the activities and services for which the fee is imposed;

(2) be available for expenditure only to pay the costs of activities and services for which the fee is imposed; and

(3) remain available until expended.

S.2987 markup

§1595a. Forfeitures and other penalties

(c) Merchandise introduced contrary to law

(2) Merchandise *may* be seized and forfeited if -

(C) it is merchandise or packaging in which copyright, design patent, trademark, or trade name violations are involved (including but not limited to, violations of sections 42, 43 or 45 of the Act of July 5, 1946 (15 U.S.C. 1124, 1125 or 1127), sections 506 or 509 of title 17, United States Code, section 271 or 289 of title 35, United States Code, or sections 2318 or 2320 of title 18, United States Code).

CBP Electronic Services

Recordation

The screenshot shows the 'New Recordation' form on the IPRR website. It includes a header for 'U.S. Customs and Border Protection' and 'IPRR INTELLECTUAL PROPERTY RIGHTS e-RECORDATION'. The form asks for the type of IP (Trademark or Copyright), a registration number, and a 'PROCEED' button. A note at the bottom of the form area states: 'Note: Please avoid navigating the site using your browser's Back Button - this may lead to incomplete data being transmitted and pages being loaded incorrectly. Please use the links provided within the page whenever possible.'

Search

The screenshot shows the 'IPRS Intellectual Property Rights Search' page. It features a search bar with a 'go' button and a 'Keyword:' field. Below the search bar are filters for 'SEARCH' (All, Title, Product, Description, Owner, Contact Name, Firm Name, Recordation No., Agency Registration No.) and 'FILTER' (Show All, Trademarks, Copyrights, Tradenames, Exclusion Orders, Exclude Expired, Include Expired). The page includes sections for 'What's New' (total of 40815 records), 'Recordations', and 'About the Intellectual Property Rights Search (IPRS)'. A 'Note' section states: 'The IPRS database is updated nightly (except Saturday and Sunday) at approx. 4:00 a.m. eastern standard time. Those basing import/exports transactions based upon data contained within IPRS are reminded that recordation information is updated by CBP IPR Branch personnel daily.' A 'Related CBPAPPS Information' link is also present.

Allegation

The screenshot shows the 'Allegation e-Recordation Submission' form. It is divided into three steps: 'Step 1 - Tell us about yourself' (First Name, Middle Name, Last Name, Phone Number, Contact E-Mail, Who are you?), 'Step 2 - Tell us about the allegation' (Is this an Immediate Threat to Loss of Life or Damage to Property?, Violation Type, Violation Description, Violator Product, Country Of Export, Product Category), and 'Step 3 - Tell us about the alleged violator' (Violator Name, Violator Address 1, Violator Address 2, Violator City, Violator State, Province or U.S. Possession, Violator Zip Code, Country, Additional Parties). A 'Proceed' button is at the bottom.

Recent AIPLA Support for U.S. CBP recordation and enforcement of Design Patents:

“Design patent enforcement by U.S. Customs and Border Protection (CBP) could substantially reduce the trafficking in counterfeit and pirated goods ... This enforcement option could address many increasingly common shipping schemes used by counterfeiters and pirates to get around traditional trademark enforcement by CBP. In addition, this change could help stop knockoffs at the earliest, and often only, stage of possible detection before entering the marketplace.”

Recent AIPLA Support for U.S. CBP recordation and enforcement of Design Patents:

“The effective and efficient enforcement of design patent rights at the border by the government and private parties would benefit the public in a number of ways. First, elimination of knock-off products provides an overall public benefit as it protects public expectations about the quality of products and protects public health and safety through the elimination of harmful and substandard look-a-likes/imitations. Further, efficient enforcement efforts at the border benefit both producers and consumers by reducing, in some cases, the need for expensive civil litigation, the cost of which may be passed on to the consumer through higher prices. Accordingly, AIPLA encourages CBP to enforce design patents at the border.”

Recent ABA-IPL Support for U.S. CBP recordation and enforcement of Design Patents:

The ABA-IPL wrote to the US Government in November 2018 to suggest that it “should enhance the Customs Recordation Systems to include U.S. Design Patents” and again in July 2019:

“As counterfeiters become more sophisticated, they are finding ways to avoid the currently available tools for stopping importation at the border, such as by removing infringing trademarks and logos from lookalike products. By enhancing the Customs Recordation System to also include U.S. Design Patents, design rights holders would have another tool available to them to ensure that in many cases inferior and possibly dangerous knock-off products are not allowed into the U.S.”

Misconception?

Customs is for
Trademark and Copyright

ITC is for
Utility and Design Patent

Trade Remedies for Intellectual Property Rights Violations

U.S. CBP

Recordation; Detention and Seizure

- Trademarks
 - including Trade Dress
- Copyrights
 - including pending applications for 9 months
- Design Patents
 - if added per S.2987

*CBP enforcement
discretionary*

U.S. ITC

337 Investigation and Exclusion Orders

- Trademarks
- Copyright
- Design Patents
- Utility Patents

*CBP enforcement
required*

Existing CBP Framework for Design Patent Infringement Analysis

U.S. CBP Ruling HQ247145, December 27, 2013

“If, in the eye of an ordinary observer, giving such attention as a purchaser usually gives, two designs are substantially the same, if the resemblance is such as to deceive such an observer, inducing him to purchase one supposing it to be the other, the first patented is infringed by the other.”

Gorham v. White (1880)

Existing CBP Framework for Design Patent Infringement Analysis

U.S. CBP Ruling HQ247145, December 27, 2013

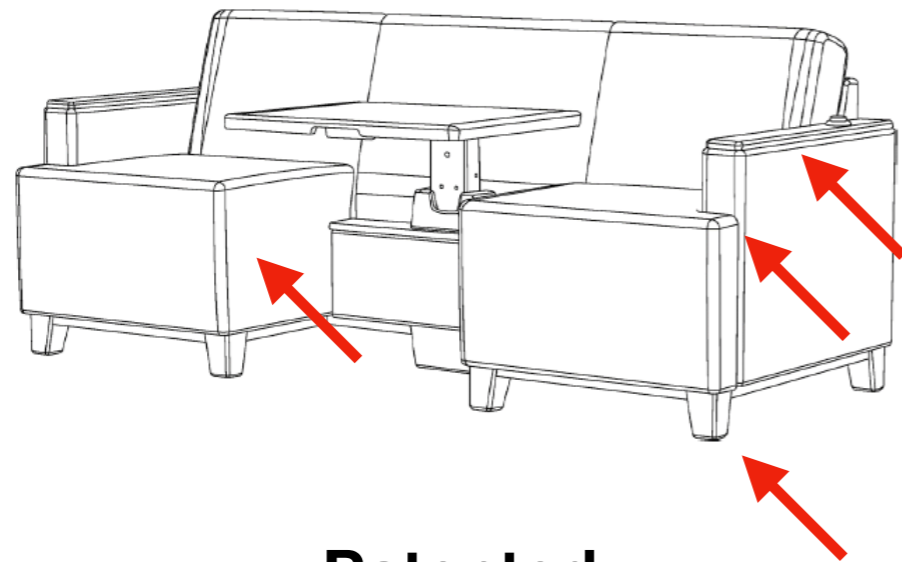
"In some instances, the claimed design and the accused design will be sufficiently distinct that it will be clear without more that the patentee has not met its burden of proving the two designs would appear 'substantially the same' to the ordinary observer, as required by Gorham.

In other instances, when the claimed and accused designs are not plainly dissimilar, resolution of the question whether the ordinary observer would consider the two designs to be substantially the same will benefit from a comparison of the claimed and accused designs with the prior art....

Where there are many examples of similar prior art designs,...differences between the claimed and accused designs that might not be noticeable in the abstract can become significant to the hypothetical ordinary observer who is conversant with the prior art."

Egyptian Goddess v. SWISA (Fed. Cir. 2008)

Certain Convertible Sofas and Components Thereof ITC Inv. No. 337-TA-1122 (July 22, 2019)



Patented



Accused

“sufficiently distinct”

Existing CBP Framework for Design Patent Infringement Analysis

U.S. CBP Ruling HQ247145, December 27, 2013

“If the accused infringer elects to rely on the comparison prior art as part of its defense against the claim of infringement, **the burden of production of that prior art is on the accused infringer**....Under the ordinary observer test,...it makes sense to impose the burden of production as to any comparison prior art on the accused infringer. The accused infringer is the party with the motivation to point out close prior art, and in particular to call to the court’s attention the prior art that an ordinary observer is most likely to regard as highlighting the differences between the claimed and accused design.”

Egyptian Goddess v. SWISA (Fed. Cir. 2008)

U.S. CBP Detention & Seizure Process (trademark)

1. Merchandise Presented for Examination (MPE)
2. CBP Officer Identifies Suspect Shipment
3. Within 5 Days of MPE, CBP must decide whether to Release or Detain
 - Detention based on Reasonable Suspicion
 - Send Notice of Detention to Importer
 - Send limited info to IPR owner (non-identifying photos and samples)
 - MSRP requested to determine fines
4. Within 7 days of Detention Notice
 - Importer must prove authorization, or if not
 - CBP May send more detail to IPR owner
 - Identifying photos and samples
5. Within 30 days of MPE, CBP must decide whether to Release or Seize
 - Send Comprehensive importation info to IPR owner
 - Send Notice of Seizure to Importer
 - Publish Notice of Seizure and Intent to Forfeit (3 consecutive weeks)
6. In response to Notice of Seizure, Importer may
 - Abandon; CBP begins administrative forfeiture proceedings
 - Make offer in Compromise
 - File Petition for Administrative Remission or Mitigation of Forfeiture (60 days)
 - Alternatively/Subsequently, file Claim (+ bond) to request Judicial Forfeiture Proceeding
 - Take no action; CBP begins administrative forfeiture proceedings

U.S. CBP Directive on Detention and Seizure Authority (2310-010A)

(degree of similarity)

COPYRIGHT	RECORDED	CLEARLY PIRATICAL	SEIZE
		POSSIBLY PIRATICAL	DETAIN
	NOT RECORDED	CLEARLY PIRATICAL	SEIZE
		POSSIBLY PIRATICAL	DO NOT SEIZE (CBP POLICY)
TRADEMARK	RECORDED	COUNTERFEIT (IDENTICAL OR SUBSTANTIALLY INDISTINGUISHABLE)	SEIZE
		CONFUSINGLY SIMILAR	DETAIN
		GRAY MARKETY	SEIZE
	NOT RECORDED	COUNTERFEIT (IDENTICAL OR SUBSTANTIALLY INDISTINGUISHABLE)	SEIZE
		CONFUSINGLY SIMILAR	DO NOT SEIZE (CBP POLICY)
		GRAY MARKETY	NO SEIZURE AUTHORITY

Examples of Recent U.S. CBP Seizures

Dulles CBP Seizes \$101k in Counterfeit Designer Brand Smartphone Cases



Examples of Recent U.S. CBP Seizures

Dulles CBP Seizes more than \$2 Million in Counterfeit Consumer Goods from China



Examples of Recent U.S. CBP Seizures

CBP Jackson officers seize \$4K in counterfeit Nike shoes



Examples of Recent U.S. CBP Seizures

CBP Seizes 1,072 Fake Lead Batteries in San Juan



Examples of Recent U.S. CBP Seizures

Philadelphia CBP Seizes more than \$400K in Counterfeit Luxury Watches



Examples of Recent U.S. CBP Seizures

CBP Seizes Over \$2.2 Million worth of Fake Nike Shoes at LA/Long Beach Seaport



Examples of Recent U.S. CBP Seizures

Over 5,200 Fake Refrigerator Water Filters from China Seized by CBP at LA/Long Beach Seaport



Examples of Recent U.S. CBP Seizures

Louisville CBP Seizes \$90M in Counterfeit Merchandise



Examples of Recent U.S. CBP Seizures

Philadelphia CBP Seizes \$235K in Counterfeit Speakers from China bound for LA



Examples of Recent U.S. CBP Seizures

CBP NOLA Seizes \$2.6 Million in Counterfeit Designer Bracelets



Examples of Recent U.S. CBP Seizures

Philadelphia CBP Seizes Nearly \$1 Million in Counterfeit Smartphones from China



Examples of Recent U.S. CBP Seizures

Dallas CBP Seizes Over \$240K in Counterfeit Cameras from Hong Kong



Examples of Recent U.S. CBP Seizures

Dallas CBP Seizes Over \$240K in Counterfeit Cameras from Hong Kong



Examples of Recent U.S. CBP Seizures

CBP Stops Attempt to Smuggle \$3.4 Million worth of Counterfeit Products at LA



U.S. CBP Detention & Seizure Process (copyright)

Enforcement of Copyrights and the Digital Millennium Copyright Act

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security; Department of the Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes to amend the U.S. Customs and Border Protection (CBP) regulations pertaining to importations of merchandise that violate or are suspected of violating the copyright laws, including the Digital Millennium Copyright Act (DMCA), in accordance with Title III of the Trade Facilitation and Trade Enforcement Act of 2015 (TFTEA). The proposed amendments set forth in this document are intended to clarify the definition of “piratical articles,” simplify the detention process involving goods suspected of violating the copyright laws, and prescribe new regulations enforcing the DMCA.

Notice of Proposed Rulemaking
October 16, 2019

Recordation and Enforcement of Pending Applications for Copyright Registration

The screenshot shows the IPRS search results for 'YEEZY BOOST'. The search results table is as follows:

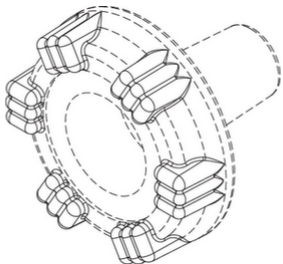
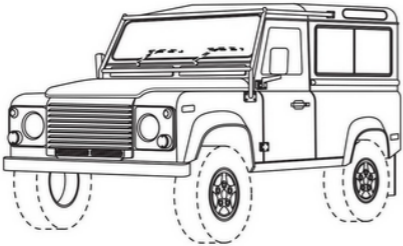
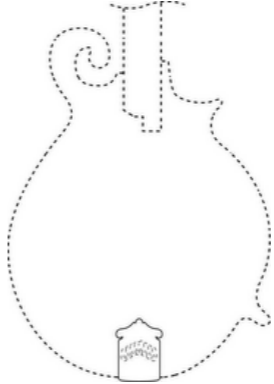
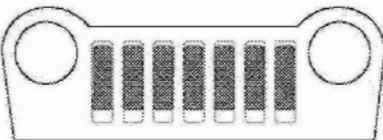
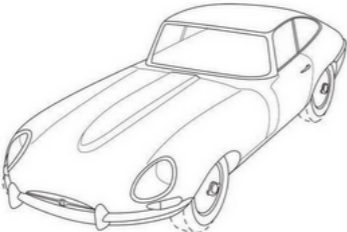
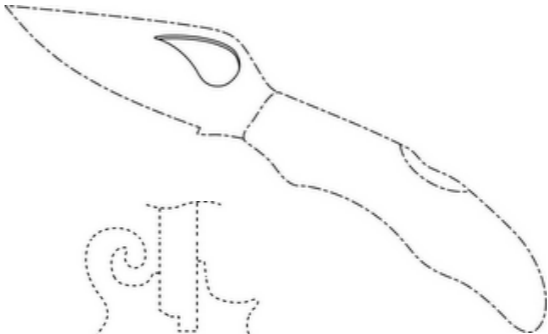
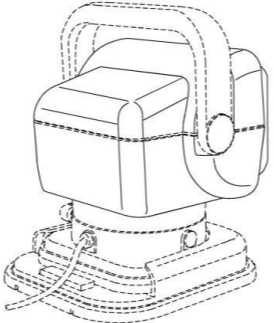
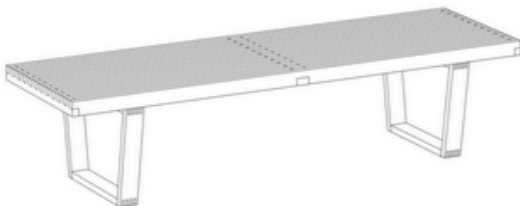
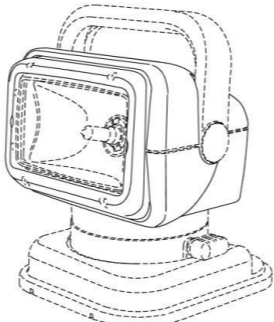
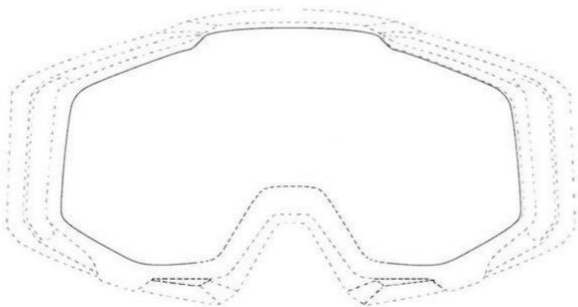
Effectiv Date	Expiratio Date	Title	Product	Description	Owner	Contact Name	Firm N	Reg. Status	CBP ID	COP ID
5/11/2017	5/11/2018	YEEZY BOOST VERSION 2	[N/A]	THE YEEZY BOOST 3 PRIMEKNIT UPPER, DISTINCT CENTER STITCHING, AND HEEL TAB. A SEMI-TRANSLUCENT RUBBER OUTSOLE AND TPU SIDEWALLS CREATE A STRIKING EFFECT WHILE PROVIDING SUPERIOR TRACTION, WHILE THE YEEZY BOOST 350 MIDSOLE UTILIZES ADIDAS' INNOVATIVE BOOST™ TECHNOLOGY TO CREATE A DURABLE, SHOCK-RESISTANT, RESPONSIVE SOLE.	adidas AG	Mia Gutierrez	[N/A]	COP 17-00077 Reg. PENDING	CBP-111328...	COP
5/10/2017	5/10/2018	YEEZY BOOST 350 VERSION 1	[N/A]	THE YEEZY BOOST 350 FEATURES A PRIMEKNIT UPPER, DISTINCT CENTER STITCHING, AND HEEL TAB. A SEMI-TRANSLUCENT RUBBER OUTSOLE AND TPU SIDEWALLS CREATE A STRIKING EFFECT WHILE PROVIDING SUPERIOR TRACTION, WHILE THE YEEZY BOOST 350 MIDSOLE UTILIZES ADIDAS' INNOVATIVE BOOST™ TECHNOLOGY TO CREATE A DURABLE, SHOCK-RESISTANT, RESPONSIVE SOLE.	adidas AG	Mia Gutierrez	[N/A]	COP 17-00077 Reg. PENDING	CBP-111328...	COP

The product image shows a grey and white knit sneaker with a white sole and a dark blue stripe on the side.

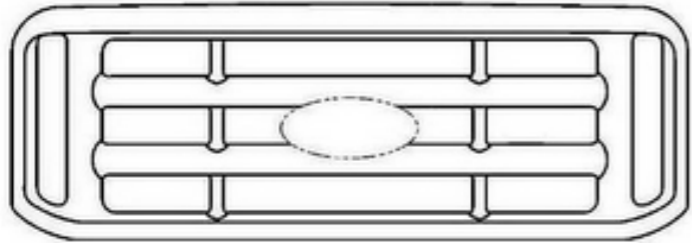
9 months + 90 day extension

Product Configuration Registrations Recorded with CBP

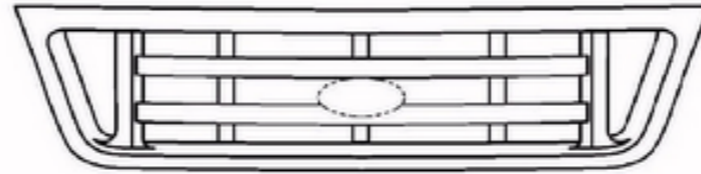
2019



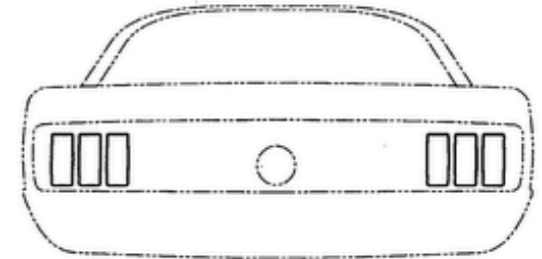
Product Configuration Registrations Recorded with CBP



3580534



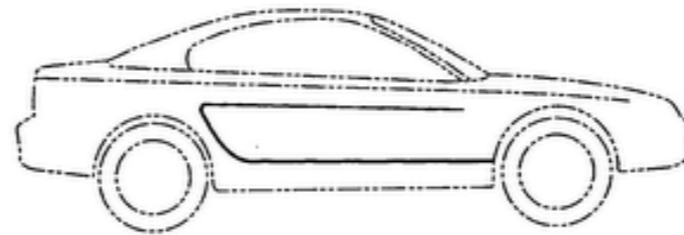
3453754



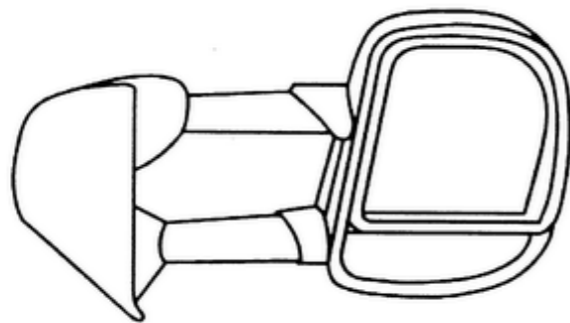
3052329



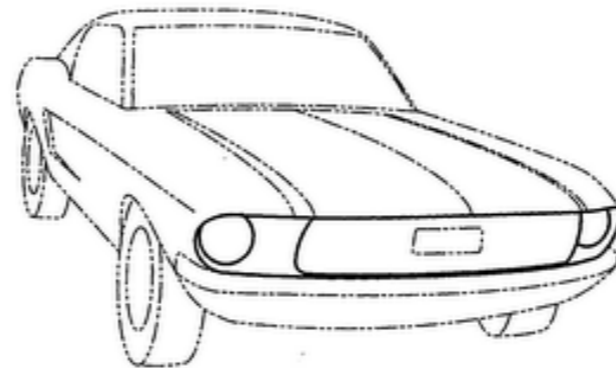
3052330



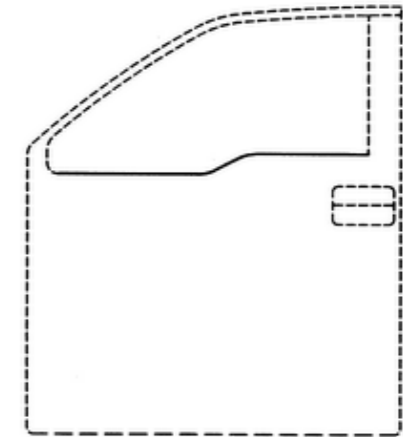
3052331



2853770



3064774



2853769

Design Patent Validity Challenges

LKQ Corp. v. GM Global Tech. Oper.

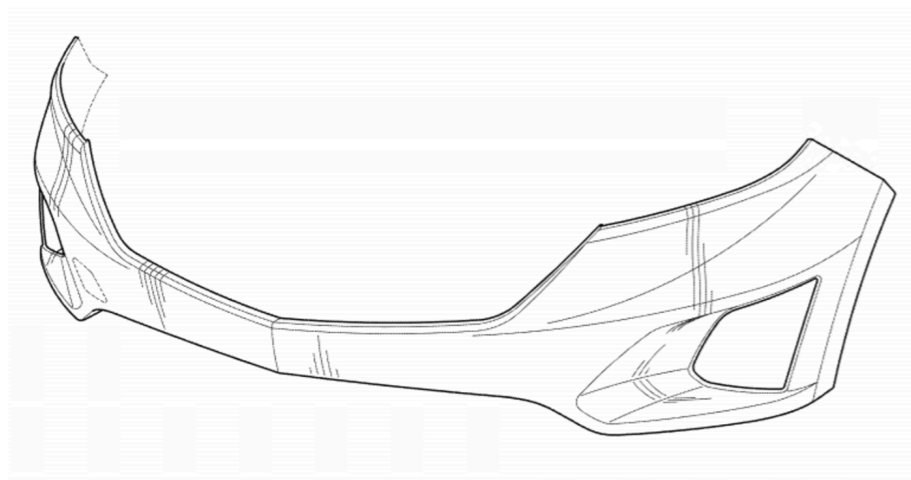
IPR2020-00062 (D811,964)

IPR2020-00063 (D828,255)

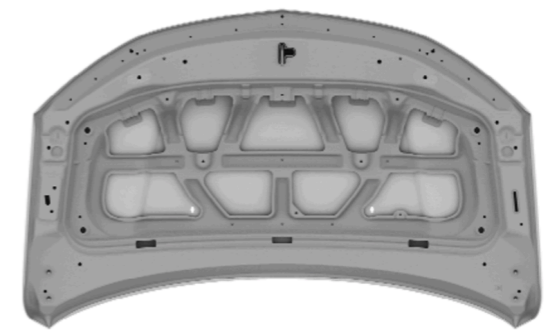
IPR2020-00064 (D823,741)

IPR2020-00065 (D813,120)

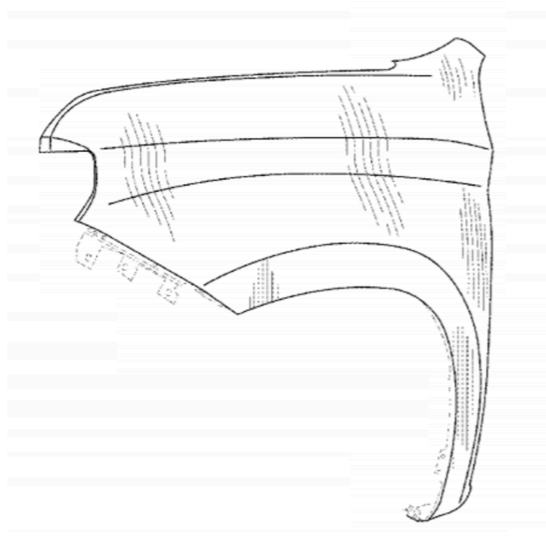
Filed October 17, 2019



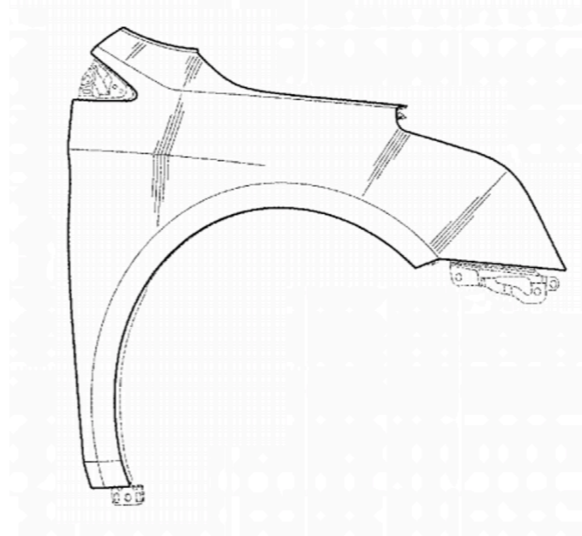
D811,964



D813,120



D828,255



D823,741

Design Patent IPR Stats:
Institution Granted 41%(16/39)
Found Unpatentable 69% (11/16)

Design Patent Validity Challenges

LKQ Corp. v. GM Global Tech. Oper.

PGR2020-00002 (D847,043)

PGR2020-00003 (D847,703)

PGR2020-00004 (D840,306)

PGR2020-00005 (D841,532)

Filed October 17, 2019

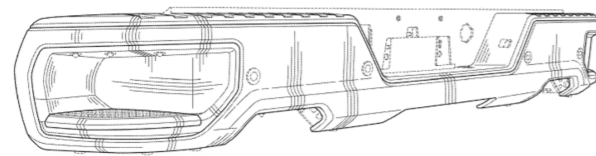


FIG. 1

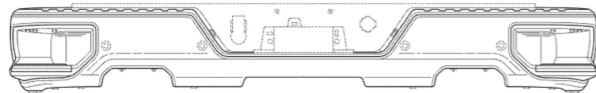


FIG. 2

D847,043

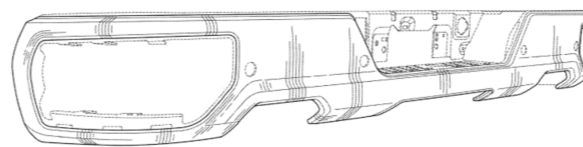


FIG. 1

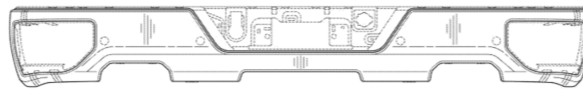


FIG. 2

D847,703

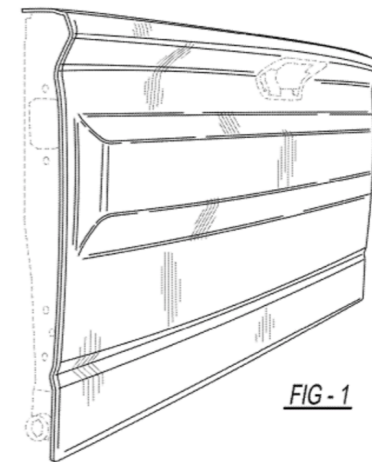


FIG. 1

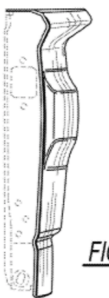


FIG. 2

D840,306

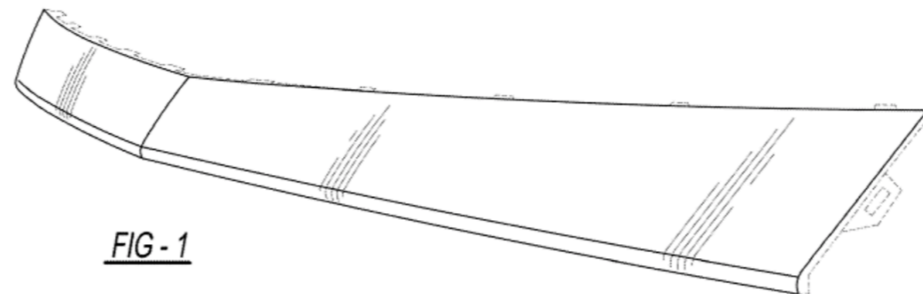


FIG. 1

D841,532

Design Patent PGR Stats:

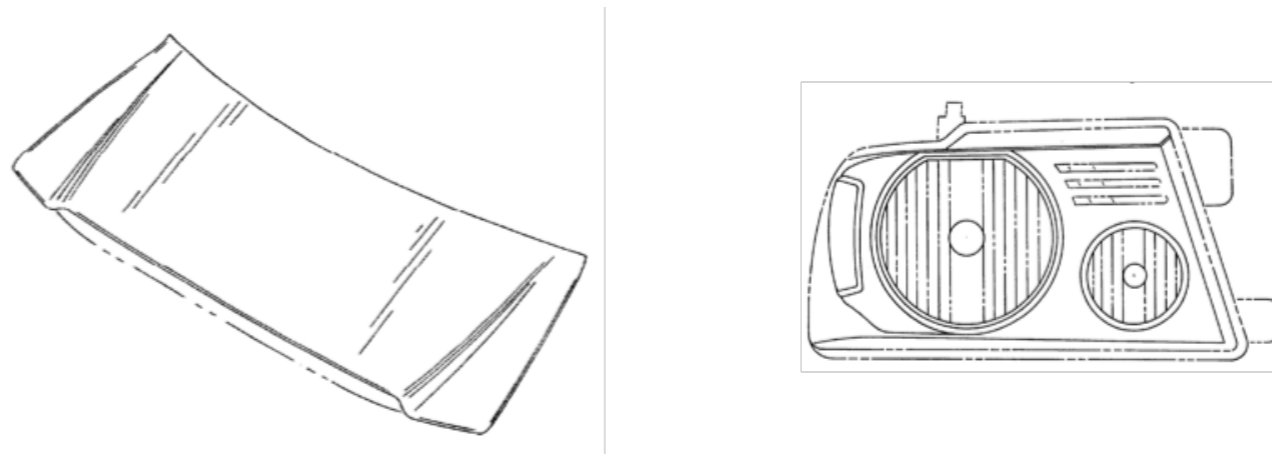
Institution Granted 3/7

1 Found Unpatentable

1 Terminated

1 pending

Automotive Body Parts Assoc. v. Ford Global Tech.
Fed. Cir. 2018-1613 (July 23, 2019)



validity of design patents for replacement parts affirmed

Reasons to Support Passage of S.2987

1. Furthers U.S. Intellectual Property Enforcement Objectives
 - i. The Presidential Memorandum on Combating Trafficking in Counterfeit and Pirated Goods (April 3, 2019)
 - ii. The U.S. Joint Strategic Plan on Intellectual Property Enforcement
2. Infringing merchandise also often presents health and safety issues
3. Simple legislative amendment would have a meaningful impact
4. Other countries enforce design patents (or registrations) at the border
5. Would stop infringing goods from becoming counterfeit by domestic assembly after import
6. CBP Examiners and Attorneys already have significant IPR enforcement responsibilities and experience
7. Design patents could be added to existing recordation and training systems

Reasons to Support Passage of S.2987

8. CBP already makes design patent infringement decisions
 - i. Claim construction is most often satisfied by reference to the illustrations
 - ii. Design patent infringement determinations are routinely made in summary judgement
 - iii. No need for detailed infringement analysis and prior art if designs are “sufficiently distinct”
 - iv. If not plainly dissimilar resolution of the infringement inquiry might benefit from prior art, but it is the Defendant’s burden to produce
9. Existing IPR enforcement programs and resources can facilitate design patent enforcement
 1. Centers of Excellence
 2. Donations Acceptance Program
10. Design patent recordation would generate fees
11. Design patent owners can help with training
12. Design Patents issue after examination with a presumption of validity and can be challenged by reexamination, IPR and PGR
13. Bond requirement

Example of Donation Acceptance Program

CBP Uses Donated Authentication Device to Detect Counterfeits



On May 25, a Portland, Oregon-based import specialist was assisting a CBP officer in conducting exams at the Portland DHL warehouse and selected a shipment for exam manifested as “phone cases” with a declared value of \$108.

Upon conducting the exam, the CBP officer discovered that the phone cases were contained in individual retail packaging marked with the OtterBox trademark.

Fortunately, the officer had a brand new tool available for his use to help him determine if the cases were authentic.

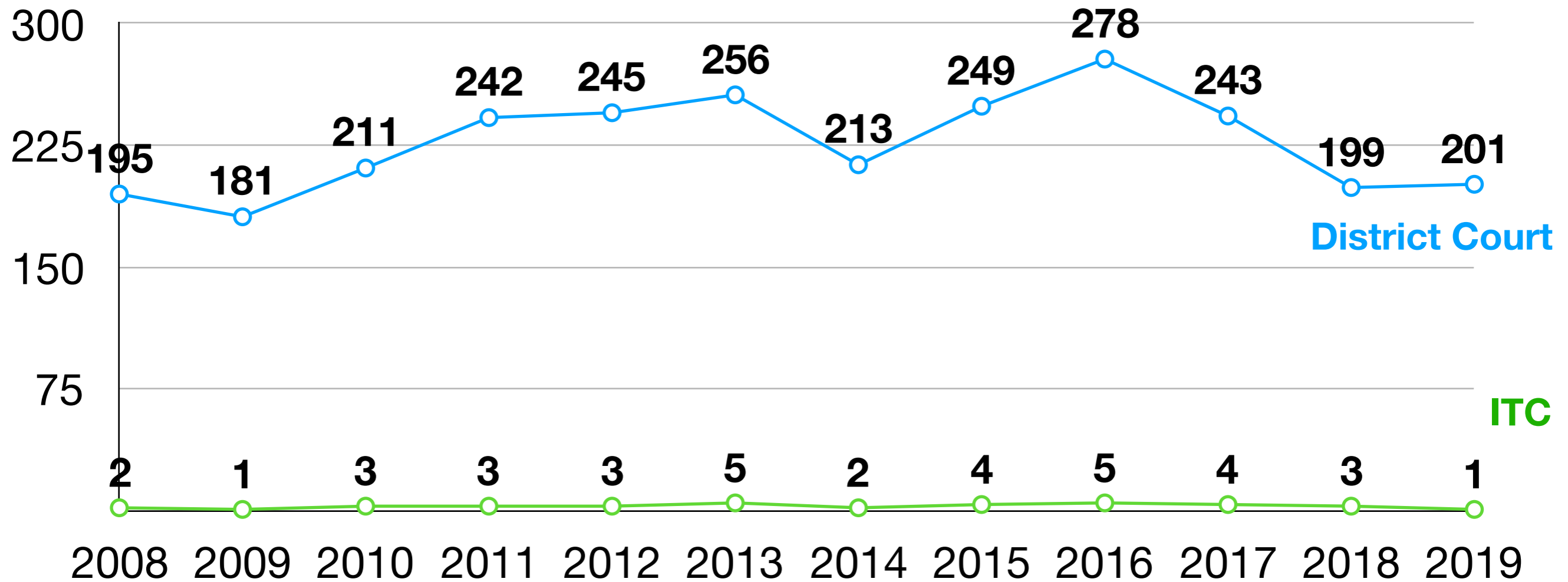
That tool was the OtterBox Detector, a handheld authentication device provided by Otter Products, LLC, maker of OtterBox and LifeProof brand phone cases. The detector was provided to CBP as part of the Donations Acceptance Program.

The testing of each package failed to produce a positive detection, indicating a counterfeit product. This highly effective tool provided an on the spot determination, allowing the officer to immediately initiate the seizure process.

On June 7, CBP seized the shipment, which contained 89 counterfeit OtterBox Defender Series phone cases with a total MSRP of \$5,326. The seizure was the first within the San Francisco/Portland Field Office since receiving the authentication devices.

CBP Publication No. #0615-1018

Design Patent Infringement Complaints



Recent ITC Complaints with Design Patents

(12) **United States Design Patent** (10) Patent No.: **US D577,671 S**
Schnitzler (45) Date of Patent: **** Sep. 30, 2008**

(54) **CONNECTOR** D449,583 S * 10/2001 Goto D13/154
D452,216 S * 12/2001 Garman D13/145
(75) Inventor: **Uwe Schnitzler**, Tübingen (DE) D469,770 S * 2/2003 Carpenter et al. D14/433
D470,458 S * 2/2003 Zdinak et al. D13/133
(73) Assignee: **Erbe Elektromedizin GmbH**, Tübingen (DE) D484,463 S * 12/2003 Hussaini et al. D13/154
D531,960 S * 11/2006 Kondas D13/147
* cited by examiner
Primary Examiner—Daniel D Bui
(74) Attorney, Agent, or Firm—Dickstein Shapiro LLP

(**) Term: **14 Years**
(21) Appl. No.: **29/246,280**
(22) Filed: **Mar. 29, 2006**

(30) **Foreign Application Priority Data**
Nov. 21, 2005 (EM) 000436274

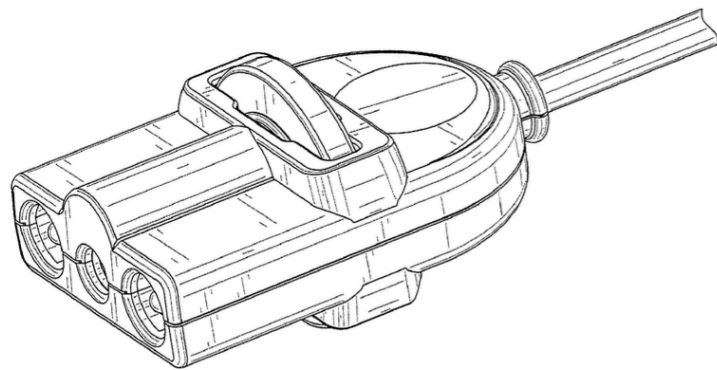
(51) **LOC (8) Cl.** **13-03**
(52) **U.S. Cl.** **D13/133**
(58) **Field of Classification Search** D13/133,
D13/149, 145-147, 154, 184; 439/133-134,
439/153, 180, 217-218, 224, 253-254, 266,
439/378-380, 575
See application file for complete search history.

(56) **References Cited**
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(57) **CLAIM**
The ornamental design for a connector, as shown and described.

DESCRIPTION
FIG. 1 is a front elevation view of a connector in accordance with my new design;
FIG. 2 is a rear elevation view thereof;
FIG. 3 is a top plan view thereof;
FIG. 4 is a bottom plan view thereof;
FIG. 5 is a right side elevation view thereof, a left side elevation view being a mirror image; and,
FIG. 6 is a left side perspective view thereof; and,
FIG. 7 is a left side and top perspective view thereof.
The broken lines are for illustration only and form no part of the claimed design.

1 Claim, 7 Drawing Sheets



337-TA-1182

(12) **United States Design Patent** (10) Patent No.: **US D620,877 S**
Rusher et al. (45) Date of Patent: **** Aug. 3, 2010**

(54) **TONNEAU COVER** 6,857,683 B2 * 2/2005 Myers 296/100.02
D513,226 S * 12/2005 Sancer D12/401
(75) Inventors: **Ryan Rusher**, Yankton, SD (US); **Mike Spencer**, Hubbard, NE (US) D574,763 S * 8/2008 Smith et al. D12/401
D584,677 S * 1/2009 Jones D12/401
* cited by examiner
Primary Examiner—Caron Veynar
Assistant Examiner—Katrina A Kile
(74) Attorney, Agent, or Firm—Harness, Dickey & Pierce, P.L.C.

(**) Term: **14 Years**
(21) Appl. No.: **29/346,520**
(22) Filed: **Nov. 2, 2009**

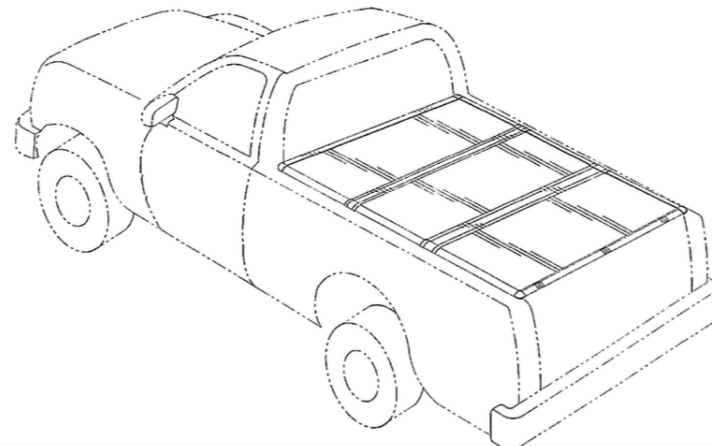
(51) **LOC (9) Cl.** **12-16**
(52) **U.S. Cl.** **D12/401**
(58) **Field of Classification Search** D12/400,
D12/401, 404, 412, 414, 222, 223, 86, 93,
D12/101, 406; 224/923, 924; 211/100, 124,
211/2, 4, 85.7; D6/552
See application file for complete search history.

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(57) **CLAIM**
The ornamental design for a tonneau cover, as shown and described.

DESCRIPTION
FIG. 1 is a top perspective view of a tonneau cover showing the new design;
FIG. 2 is a right side elevational view thereof, the left side elevational view being a mirror image;
FIG. 3 is a rear elevational view thereof, the front elevational view being a mirror image; and,
FIG. 4 is a top plan view thereof.
In the drawings, the broken lines depict a truck only and form no part of the claimed design.

1 Claim, 4 Drawing Sheets



337-TA-1143

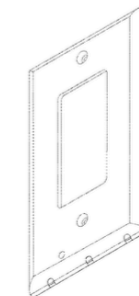
(12) **United States Design Patent** (10) Patent No.: **US D819,426 S**
Smith et al. (45) Date of Patent: **** Jun. 5, 2018**

(54) **LIGHTED WALL PLATE** (56) **References Cited**
(71) Applicants: **Jeremy C. Smith**, Orem, UT (US);
Phillip W. Dietz, St. George, UT (US);
Martin Johnson, Draper, UT (US) 2,015,698 A * 10/1935 Tiffany H01H 9/161
174/56
(72) Inventors: **Jeremy C. Smith**, Orem, UT (US);
Phillip W. Dietz, St. George, UT (US);
Martin Johnson, Draper, UT (US) 2,227,549 A 1/1941 McNeill
(Continued)
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(73) Assignee: **SnapRays, LLC**, Provo, UT (US) CA 2732657 2/2011
DE 202006006354 10/2007
(**) Term: **15 Years**
(21) Appl. No.: **29/598,255**
(22) Filed: **Mar. 23, 2017**
OTHER PUBLICATIONS
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(Continued)
Primary Examiner—Mark Goodwin

(57) **CLAIM**
The ornamental design for a lighted wall plate, as shown and described.

DESCRIPTION
FIG. 1 is a perspective view of a lighted wall plate in accordance with my new design;
FIG. 2 is a front view thereof;
FIG. 3 is a top view thereof;
FIG. 4 is a bottom view thereof;
FIG. 5 is a left side view thereof; and,
FIG. 6 is a right view thereof.
The broken lines represent unclaimed subject matter and form no part of the claimed design. The back of the lighted wall plate is not visible during use and forms no part of the claimed design.

1 Claim, 2 Drawing Sheets



337-TA-1124

Suggestions?

Questions?