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(12) **United States Design Patent** (10) **Patent No.:** **US D691,765 S**
Tucker et al. (45) **Date of Patent:** **** Oct. 15, 2013**

(54) **ELECTRONIC SMOKING ARTICLE**(71) Applicant: **Altria Client Services Inc.**, Richmond, VA (US)(72) Inventors: **Christopher S. Tucker**, Midlothian, VA (US); **Geoffrey Brandon Jordan**, Midlothian, VA (US); **Barry S. Smith**, Hopewell, VA (US); **Ali A. Rostami**, Glen Allen, VA (US)(73) Assignee: **Altria Client Services Inc.**, Richmond, VA (US)(***) Term: **14 Years**(21) Appl. No.: **29/443,134**(22) Filed: **Jan. 14, 2013**(51) LOC (9) Cl. **27-01**

(52) U.S. Cl.

USPC **D27/101**(58) **Field of Classification Search**

USPC D27/103–105, 108, 125, 172, 174–176, D27/183, 186–192, 194, 100, 101, 170, D27/163–165, 184, 185; D34/2; 206/242–276; D3/11, 215, 220, D3/226–230, 265, 266; 4/258, 259, 267, 4/271, 283; 131/270–273, 329, 330, 194, 131/189, 347, 360–365; D24/110, 113; D19/77, 81, 84; D28/73–77, 83, 85

See application file for complete search history.

(56)

References Cited

U.S. PATENT DOCUMENTS

539,839 A *	5/1895	Voron	131/361
1,013,157 A	1/1912	Hadaway, Jr.		
1,514,682 A	11/1924	Wilson		
1,771,366 A	7/1930	Wyss et al.		
1,968,509 A	7/1934	Tiffany		

2,057,353 A	10/1936	Whittemore, Jr.
2,104,266 A	1/1938	McCormick
2,406,275 A	8/1946	Wejnarth
2,442,004 A	5/1948	Hayward-Butt
2,558,127 A	6/1951	Downs
2,836,183 A *	5/1958	Fay et al. 131/270
2,907,686 A	10/1959	Siegel
2,971,039 A	2/1961	Western
2,972,557 A	2/1961	Toulmin, Jr.

(Continued)

FOREIGN PATENT DOCUMENTS

BE	421623	6/1937
CN	87104459	2/1988

(Continued)

OTHER PUBLICATIONS

International Search Report and Written Opinion for PCT/US13/24211 dated Mar. 19, 2013.

(Continued)

Primary Examiner — Susan Bennett Hattan*Assistant Examiner* — Janice Hallmark(74) *Attorney, Agent, or Firm* — Buchanan Ingersoll & Rooney PC**CLAIM**

The ornamental design for an electronic smoking article, as shown and described.

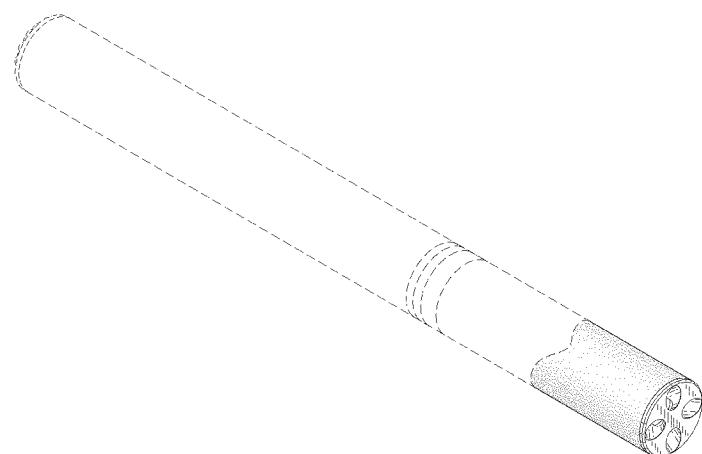
DESCRIPTION

FIG. 1 is a perspective view of an electronic smoking article showing our new design.

FIG. 2 is side elevational view thereof, the other side being a mirror image; and,

FIG. 3 is an end elevational view thereof.

The broken line showing illustrates portions of the electronic smoking article which form no part of the claimed design.

1 Claim, 2 Drawing Sheets

US D691,765 S

Page 2

(56)

References Cited

U.S. PATENT DOCUMENTS

2,974,669 A	3/1961	Ellis	5,159,940 A	11/1992	Hayward et al.
3,062,218 A	11/1962	Temkovits	5,179,966 A	1/1993	Losee et al.
3,200,819 A	8/1965	Gilbert	5,224,498 A	7/1993	Deevi et al.
3,255,760 A	6/1966	Selker	5,228,460 A	7/1993	Sprinkel et al.
3,258,015 A	6/1966	Ellis et al.	5,235,157 A	8/1993	Blackburn
3,356,094 A	12/1967	Ellis et al.	5,249,586 A	10/1993	Morgan et al.
3,363,633 A	1/1968	Weber	5,269,327 A	* 12/1993	Counts et al. 131/194
3,402,723 A	9/1968	Hu	5,274,214 A	12/1993	Blackburn
3,482,580 A	12/1969	Hollabaugh	5,285,050 A	2/1994	Blackburn
3,521,643 A	7/1970	Toth	5,322,075 A	6/1994	Deevi et al.
3,559,300 A	2/1971	Fox	5,353,813 A	10/1994	Deevi et al.
3,587,573 A *	6/1971	Flack	5,369,723 A	11/1994	Counts et al.
3,608,560 A	9/1971	Briskin et al.	5,388,594 A	2/1995	Counts et al.
3,681,018 A	8/1972	Knauff	5,396,911 A	3/1995	Casey, III et al.
3,738,374 A	6/1973	Bennett	5,408,574 A	4/1995	Deevi et al.
3,744,496 A	7/1973	McCarty et al.	5,498,855 A	3/1996	Deevi et al.
D229,725 S *	12/1973	Berger	5,505,214 A	4/1996	Collins et al.
D229,788 S *	1/1974	Berger	5,591,368 A	1/1997	Fleischhauer et al.
D229,789 S *	1/1974	Berger	5,592,955 A	1/1997	Keritsis
D229,790 S *	1/1974	Berger	5,595,706 A	1/1997	Sikka et al.
3,789,840 A *	2/1974	Rosenblatt	5,611,360 A	* 3/1997	Tang 131/194
3,804,100 A	4/1974	Fariello	5,613,504 A	3/1997	Collins et al.
3,875,476 A	4/1975	Crandall et al.	5,724,997 A	3/1998	Smith et al.
3,878,041 A	4/1975	Leitnaker et al.	5,743,251 A	4/1998	Howell et al.
3,886,954 A	6/1975	Hannema et al.	5,865,185 A	2/1999	Collins et al.
3,889,690 A	6/1975	Guarnieri	5,878,752 A	3/1999	Adams et al.
3,895,219 A	7/1975	Richerson et al.	5,935,975 A	8/1999	Rose et al.
3,943,941 A	3/1976	Boyd et al.	6,155,268 A	12/2000	Takeuchi
D240,541 S *	7/1976	Rupert	6,196,218 B1	3/2001	Voges
4,016,061 A	4/1977	Wasa et al.	D453,854 S *	2/2002	Verhoeven-Koster D27/101
4,068,672 A	1/1978	Guerra	6,598,607 B2	7/2003	Adiga et al.
4,077,784 A	3/1978	Vayrynen	6,715,487 B2	4/2004	Nichols et al.
4,083,372 A	4/1978	Boden	6,772,756 B2	8/2004	Shayan
4,098,725 A	7/1978	Yamamoto et al.	6,854,470 B1	2/2005	Pu
4,110,260 A	8/1978	Yamamoto et al.	7,131,599 B2	11/2006	Katase
4,131,119 A	12/1978	Blasutti	7,167,641 B2	1/2007	Tam et al.
4,141,369 A	2/1979	Burruss	7,458,374 B2	12/2008	Hale et al.
4,164,230 A	8/1979	Pearlman	D590,988 S	4/2009	Hon
4,193,411 A	3/1980	Faris et al.	D590,989 S	4/2009	Hon
4,209,026 A	6/1980	Dock	D590,990 S	4/2009	Hon
4,215,708 A	8/1980	Bron	D590,991 S	4/2009	Hon
4,219,032 A	8/1980	Tabatznik et al.	D613,902 S *	4/2010	Kaljura D27/101
4,246,913 A	1/1981	Ogden et al.	D614,346 S	4/2010	Lik
4,256,945 A	3/1981	Carter et al.	7,726,320 B2	6/2010	Robinson et al.
4,259,970 A	4/1981	Green, Jr.	7,789,089 B2	9/2010	Dube et al.
4,331,166 A	5/1982	Hale	7,810,508 B2	10/2010	Wyss-Peters et al.
4,340,072 A	7/1982	Bolt et al.	7,832,410 B2	11/2010	Hon
D270,097 S *	8/1983	Minkevitch	7,845,359 B2	12/2010	Montaser
4,419,302 A	12/1983	Nishino et al.	7,878,962 B2	2/2011	Karles et al.
4,457,319 A	7/1984	Lamb et al.	7,938,124 B2	5/2011	Izumiya et al.
4,493,331 A	1/1985	Porenski, Jr.	D644,375 S	8/2011	Zhou
4,517,996 A	5/1985	Vester	7,997,280 B2	8/2011	Rosenthal
4,649,944 A	3/1987	Houck, Jr. et al.	D646,431 S *	10/2011	Awty et al. D27/194
4,687,008 A	8/1987	Houck, Jr. et al.	D651,338 S *	12/2011	Awty et al. D27/194
4,765,347 A	8/1988	Sensabaugh et al.	8,079,371 B2	12/2011	Robinson et al.
4,804,002 A	2/1989	Herron	D652,987 S *	1/2012	Kaljura D27/101
4,941,486 A	7/1990	Dube et al.	D653,390 S *	1/2012	Kaljura D27/101
4,945,929 A	8/1990	Eglime	D653,802 S *	2/2012	Kaljura D27/101
4,981,522 A	1/1991	Nichols et al.	D655,036 S	2/2012	Zhou
4,991,606 A	2/1991	Serrano et al.	8,118,161 B2	2/2012	Guerrera et al.
5,016,656 A	5/1991	McMurtrie	8,127,772 B2	3/2012	Montaser
5,040,552 A	8/1991	Schleich et al.	8,156,944 B2	4/2012	Han
5,042,510 A *	8/1991	Curtiss et al. 131/273	8,157,918 B2	4/2012	Becker et al.
5,045,237 A	9/1991	Washburn	8,205,622 B2	6/2012	Pan
5,060,671 A	10/1991	Counts et al.	8,314,591 B2	11/2012	Terry et al.
5,076,296 A	12/1991	Nystrom et al.	2004/0020500 A1	2/2004	Wrenn et al.
5,085,804 A	2/1992	Washburn	2004/0099266 A1	5/2004	Cross et al.
5,093,894 A	3/1992	Deevi et al.	2005/0016550 A1	1/2005	Katase
5,095,921 A	3/1992	Losee et al.	2005/0016553 A1	1/2005	Iannuzzi
5,116,298 A	5/1992	Bondanelli et al.	2005/0175331 A1	8/2005	Tam et al.
5,137,578 A	8/1992	Chan	2006/0191546 A1	8/2006	Tokano et al.
5,139,594 A	8/1992	Rabin	2006/0196518 A1	9/2006	Hon
5,144,962 A	9/1992	Counts et al.	2006/0254604 A1 *	11/2006	Martinez Fernandez 131/273
5,144,964 A	9/1992	Demain	2007/0095357 A1	5/2007	Besso et al.
5,157,242 A	10/1992	Hetherington et al.	2007/0267031 A1	11/2007	Hon
			2007/0267032 A1	11/2007	Shan
			2008/0092912 A1	4/2008	Robinson et al.
			2008/0230052 A1	9/2008	Montaser
			2008/0276947 A1	11/2008	Martzel

US D691,765 S

Page 3

(56)

References Cited

U.S. PATENT DOCUMENTS

2009/0007925 A1	1/2009	Rasouli et al.	CN	202026804 U	11/2011	
2009/0044816 A1	2/2009	Rasouli et al.	CN	20223305 U	5/2012	
2009/0126745 A1	5/2009	Hon	CN	20223307 U	5/2012	
2009/0151717 A1	6/2009	Bowen et al.	DE	3640917	8/1988	
2009/0162294 A1	6/2009	Werner	DE	3735704	5/1989	
2009/0188490 A1	7/2009	Han	EM	000054630-0001	9/2003	
2009/0230117 A1	9/2009	Fernando et al.	EM	000054630-0002	9/2003	
2009/0272379 A1	11/2009	Thorens et al.	EM	000084876-0001	1/2004	
2010/0031968 A1	2/2010	Sheikh et al.	EM	000084876-0002	1/2004	
2010/0083959 A1	4/2010	Siller	EM	000084876-0003	1/2004	
2010/0126505 A1	5/2010	Rinker	EM	000084876-0004	1/2004	
2010/0200008 A1	8/2010	Taieb	EM	000084876-0005	1/2004	
2010/0206317 A1	8/2010	Albino et al.	EM	000084876-0006	1/2004	
2010/0307518 A1	12/2010	Wang	EM	000084876-0007	1/2004	
2011/0011396 A1	1/2011	Fang	EM	000084876-0012	1/2004	
2011/0036346 A1	2/2011	Cohen et al.	EM	000084876-0013	1/2004	
2011/0036363 A1	2/2011	Urtsev et al.	EM	000084876-0014	1/2004	
2011/0088707 A1*	4/2011	Hajaligol	131/194	EM	000084876-0015	1/2004
2011/0094523 A1	4/2011	Thorens et al.	EM	000084876-0016	1/2004	
2011/0120455 A1	5/2011	Murphy	EM	000084876-0017	1/2004	
2011/0120482 A1	5/2011	Brenneise	EP	0117355	12/1987	
2011/0155153 A1	6/2011	Thorens et al.	EP	0277519	8/1988	
2011/0209717 A1	9/2011	Han	EP	0295122	12/1988	
2011/0220134 A1*	9/2011	Duke et al.	131/331	EP	0358 002	3/1990
2011/0232654 A1*	9/2011	Mass	131/273	EP	0358114	3/1990
2011/0245493 A1	10/2011	Rabinowitz et al.	EP	0430566	6/1991	
2011/0265806 A1	11/2011	Alarcon et al.	EP	0438862	7/1991	
2011/0277756 A1	11/2011	Terry et al.	EP	0608783	3/1994	
2011/0277757 A1	11/2011	Terry et al.	EP	0845220	6/1998	
2011/0277760 A1	11/2011	Terry et al.	EP	0893071	1/1999	
2011/0277761 A1	11/2011	Terry et al.	EP	1128741	9/2001	
2011/0277764 A1	11/2011	Terry et al.	EP	1618803	1/2006	
2011/0277780 A1*	11/2011	Terry et al.	131/273	EP	1736065	12/2006
2011/0303231 A1	12/2011	Li et al.	EP	2113178	11/2009	
2011/0304282 A1	12/2011	Li et al.	NL	8201585	11/1982	
2012/0006342 A1	1/2012	Rose et al.	WO	WO86/02528	5/1986	
2012/0090629 A1	4/2012	Turner et al.	WO	WO95/02970	2/1995	
2012/0111347 A1	5/2012	Hon	WO	WO00/28843	3/2000	
2012/0118301 A1	5/2012	Montaser	WO	WO2004/043175	5/2004	
2012/0145169 A1	6/2012	Wu	WO	WO2004/080216	9/2004	
2012/0167906 A1	7/2012	Gysland	WO	WO2004/095955	11/2004	
2012/0186593 A1	7/2012	Grano et al.	WO	WO2005/099494	10/2005	
2012/0186594 A1	7/2012	Liu	WO	WO2007/066374	6/2007	
2012/0199146 A1	8/2012	Marangos	WO	WO2007/078273	7/2007	
2012/0199663 A1	8/2012	Qiu	WO	WO2007/098337	8/2007	
2012/0211015 A1	8/2012	Li et al.	WO	WO2007/131449	11/2007	
2012/0230659 A1	9/2012	Goodman et al.	WO	WO2007/131450	11/2007	
2012/0260927 A1	10/2012	Liu	WO	WO2007/141668	12/2007	
2012/0285475 A1	11/2012	Liu	WO	WO2008/055423	5/2008	
2012/0312313 A1	12/2012	Frija	WO	WO2010/091593	8/2010	
2012/0318283 A1	12/2012	Watanabe et al.	WO	WO2010/145468	12/2010	
2012/0318882 A1	12/2012	Abehasera	WO	WO2011/121326	10/2011	
2013/0014772 A1	1/2013	Liu	WO	WO2011/124033	10/2011	
2013/0019887 A1	1/2013	Liu	WO	WO2011/146372	11/2011	
2013/0025609 A1	1/2013	Liu	WO	WO2012/088675	7/2012	
2013/0032159 A1	2/2013	Capuano	WO	WO2012/109371	8/2012	
2013/0081642 A1	4/2013	Safari	WO	WO2012/129787	10/2012	
2013/0118509 A1*	5/2013	Richardson	131/280	WO	WO2012/129812	10/2012
			WO	WO2012/142293	10/2012	

FOREIGN PATENT DOCUMENTS

CN	2777995 Y	5/2006
CN	101322579 A	12/2008
CN	201709398 U	1/2011
CN	201789924 U	4/2011
CN	201797997 U	4/2011
CN	102106611 A	6/2011
CN	201860753	6/2011
CN	102166044 A	8/2011
CN	201986689 U	9/2011
CN	202014571 U	10/2011
CN	202014572 U	10/2011
CN	202026802 U	11/2011

OTHER PUBLICATIONS

International Search Report and Written Opinion for PCT/US13/24219 dated Mar. 14, 2013.
International Search Report and Written Opinion for PCT/US13/24229 dated Mar. 19, 2013.
International Search Report and Written Opinion for PCT/US13/24215 dated Mar. 19, 2013.
International Search Report and Written Opinion for PCT/US13/24228 dated Mar. 21, 2013.

* cited by examiner

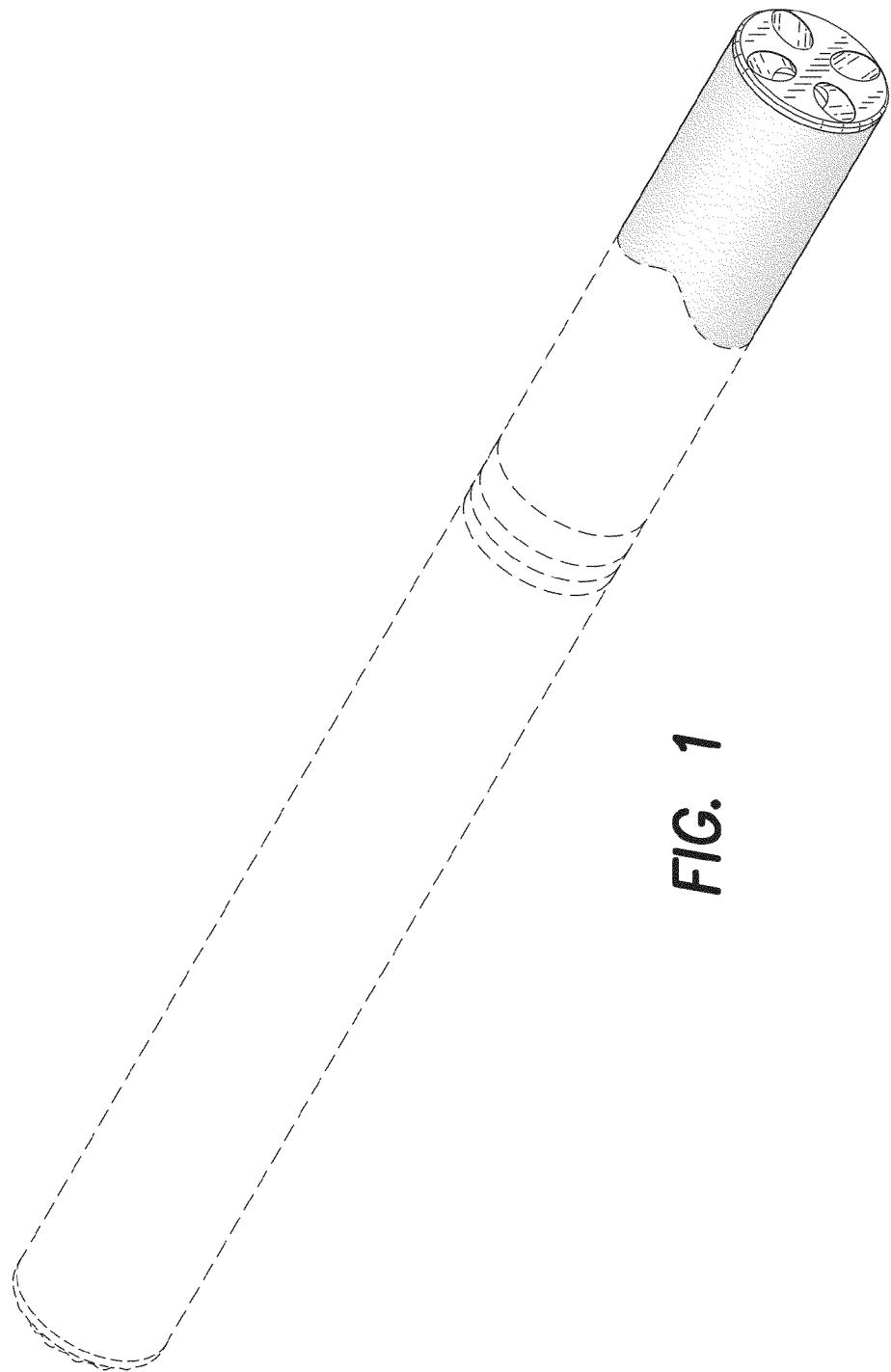


FIG. 1

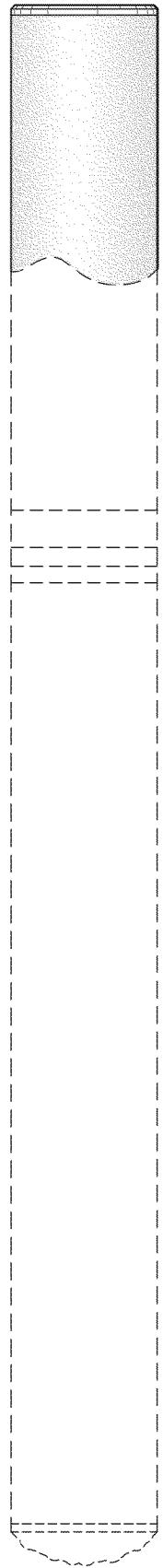


FIG. 2

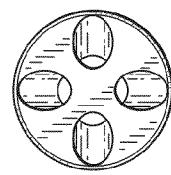


FIG. 3