



US00D765183S

(12) **United States Design Patent** (10) **Patent No.:** **US D765,183 S**
Lowery (45) **Date of Patent:** **** Aug. 30, 2016**

(54) **MARBLE GAME**
(71) Applicant: **Robert Lowery**, Conway, SC (US)
(72) Inventor: **Robert Lowery**, Conway, SC (US)
(**) Term: **15 Years**
(21) Appl. No.: **29/546,302**
(22) Filed: **Nov. 20, 2015**
(51) **LOC (10) Cl.** **21-01**
(52) **U.S. Cl.**
USPC **D21/336**
(58) **Field of Classification Search**
USPC D21/336, 337, 338, 341, 342, 310, 311, D21/300, 362, 385, 386, 388, 389, 393, 398, D21/399, 401, 404, 405, 455, 456, 468, 470, D21/471, 473, 474, 475, 476, 478, 479, D21/483-488, 506, 507, 510, 589, 789, 790, D21/796, 811, 812, 821, 826, 830; 273/336, 273/337, 376, 398, 401, 407, 110, 112, 113, 273/118 R, 123 R, 236, 241, 248, 249, 280, 273/289, 290, 153 R-156, 153 P, 153 S, 447, 273/449, 450, 459, 142 HA; 446/69, 71, 75, 446/76, 81, 85, 87, 117, 118, 124, 125, 127, 446/236, 248, 249, 251, 252, 265, 396, 476, 446/486, 487, 489, 491, 901; 434/208, 259, 434/433; D7/610, 558; 108/94, 101, 92, 42
CPC A63F 3/00003; A63F 3/00082; A63F 3/00088; A63F 3/00173; A63F 3/00214; A63F 3/00261; A63F 3/00529; A63F 3/00533; A63F 3/00574; A63F 3/00634; A63F 2003/00217; A63F 2003/0022; A63F 2003/00223; A63F 2003/00268; A63F 2003/00277; A63F 2003/0028; A63F 2003/0035; A63F 2003/004; A63F 2003/00403; A63F 2003/00406; A63F 2003/00514; A63F 2003/0599; A63F 2003/00637; A63F 7/0023; A63F 7/0076; A63F 7/02; A63F 7/36; A63F 7/3622; A63F 2007/3655; A63F 2007/3659; A63F 2007/3666; A63F 9/001; A63F 9/0073; A63F 9/0613; A63F 9/08; A63F 9/0803; A63F 9/0811; A63F 2009/0846; A63F

2009/0884; A63F 2009/1212; A63F 2009/1216; A63F 2009/1224; A63F 2009/1228; A63F 2009/1236; A63F 2009/1248; A63F 2009/1292; A63F 2009/1296; A63F 2009/0012; A63F 2009/002; A63F 2009/0033; A63F 2009/0035; A63F 2009/0049; A63F 2009/007; A63F 2009/0073; A63F 2009/0075; A63F 2009/0815; A63H 15/06; A63H 33/04; A63H 33/046; A63H 33/06; A63H 33/065; A63H 33/00; A63B 43/00; A63B 67/066; A63B 67/06; A63B 71/0036; A63B 2067/061

See application file for complete search history.

(56) **References Cited**
U.S. PATENT DOCUMENTS
121,936 A * 12/1871 Fisher A63H 33/00
273/157 R
168,715 A * 10/1875 Buck A47B 17/00
108/92
174,168 A * 2/1876 Tros A63F 5/04
273/142 HA

(Continued)

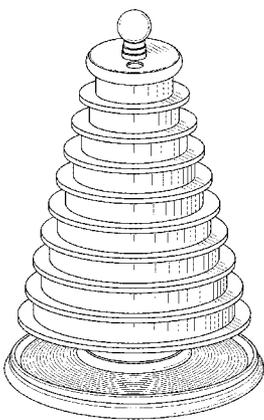
Primary Examiner — Susan Moon Lee
(74) *Attorney, Agent, or Firm* — QuickPatents, LLC; Kevin Prince

(57) **CLAIM**
I claim the ornamental design for a marble game, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a marble game showing my new design;
FIG. 2 is a front elevational view of the marble game, the rear elevational view, right side elevational view all being identical thereto;
FIG. 3 is a top plan view thereof; and,
FIG. 4 is a bottom plan view thereof.
The broken lines showing marbles in FIG. 1 depict environmental matter and form no part of the claimed design.

1 Claim, 3 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

| | | | | | | | |
|---------------|---------|-------------------|--------------------------|---------------|---------|--------------|---------------------------|
| 197,931 A * | 12/1877 | Haight | A47B 11/00 108/94 | 2,902,174 A * | 9/1959 | Audsley | A47G 23/08 108/101 |
| 222,107 A * | 11/1879 | Waters | A61C 13/0028 206/369 | 2,921,691 A * | 1/1960 | Dembinski | A47B 3/12 108/101 |
| 353,554 A * | 11/1886 | Godfrey | A47F 5/0037 211/77 | 2,931,131 A * | 4/1960 | Morse | A63F 7/3622 273/112 |
| D23,036 S | 2/1894 | Gardner | | 2,951,593 A * | 9/1960 | Lake | A47F 5/02 108/103 |
| 535,535 A * | 3/1895 | Gardner | A63F 9/20 273/294 | 3,063,568 A * | 11/1962 | Ladenheim | A61G 15/14 211/77 |
| 714,930 A * | 12/1902 | Mease | A63F 3/00697 273/260 | 3,115,253 A * | 12/1963 | Malbin | A63B 9/00 211/128.1 |
| 760,365 A * | 5/1904 | Yates | | 3,139,698 A * | 7/1964 | Arnold | A63H 33/084 446/124 |
| 772,281 A * | 10/1904 | Jurado | A63F 7/3622 273/109 | 3,143,429 A * | 8/1964 | Swanson | A61J 9/005 215/11.3 |
| 931,961 A * | 8/1909 | Robinson | A47B 21/045 211/129.1 | D200,117 S * | 1/1965 | Kolarik | D7/501 |
| 1,153,062 A * | 9/1915 | Gourlay | A47F 7/145 211/132.1 | 3,169,496 A * | 2/1965 | Muggli | A47G 23/08 108/101 |
| D66,335 S * | 12/1924 | Porter | D6/677.3 | 3,198,338 A * | 8/1965 | McCormick | A47F 5/06 211/131.1 |
| 1,570,651 A * | 1/1926 | Topping | A47F 5/04 108/94 | D207,613 S * | 5/1967 | Ratcliff | D6/677.3 |
| 1,590,242 A * | 6/1926 | Howard | A63H 18/04 273/112 | D211,295 S * | 6/1968 | Wolf | D19/85 |
| 1,703,340 A * | 2/1929 | Grennan | A47F 5/04 108/107 | 3,592,472 A * | 7/1971 | Kent | A63F 9/0093 273/144 A |
| 1,831,885 A * | 11/1931 | Rogers | A45D 40/00 132/314 | 3,610,628 A * | 10/1971 | Promin | A63F 7/042 273/120 R |
| D89,285 S * | 2/1933 | Migney | D19/25 | 3,627,316 A * | 12/1971 | Machinski | A63F 9/34 273/109 |
| D96,615 S * | 8/1935 | Lelong | D9/529 | 3,674,612 A * | 7/1972 | Gehl, Jr. | F21S 4/10 248/27.8 |
| D104,775 S * | 6/1937 | Grossman | 273/241 | 3,727,771 A * | 4/1973 | Hoffman | B25H 3/003 206/379 |
| D108,418 S * | 2/1938 | Bloomfield | D6/678.2 | D229,997 S * | 1/1974 | Hoffman | D6/677.3 |
| D110,495 S * | 7/1938 | Paul | D10/46.1 | 3,809,407 A * | 5/1974 | Quigley | A63F 9/12 273/241 |
| D113,465 S * | 2/1939 | Ohrenschall | D23/201 | 3,843,220 A * | 10/1974 | Snider | B65D 21/0235 312/204 |
| D114,776 S * | 5/1939 | Weidner | D6/677.1 | 3,856,308 A * | 12/1974 | Breslow | A63F 9/0073 273/236 |
| D117,275 S * | 10/1939 | Jenkins | D21/405 | 3,951,079 A * | 4/1976 | Tolleson | A47G 23/08 108/94 |
| 2,203,540 A * | 6/1940 | Montgomery | A23G 3/28 273/153 R | D241,192 S * | 8/1976 | Salcer | D6/407 |
| D121,419 S * | 7/1940 | King | D8/352 | D250,519 S * | 12/1978 | Hashimoto | D11/118 |
| D121,485 S * | 7/1940 | Spanel | 211/74 | 4,184,685 A * | 1/1980 | Wilson | |
| D131,453 S * | 3/1942 | Avila | D6/680.2 | D256,223 S * | 8/1980 | Byun | D11/118 |
| 2,283,583 A * | 5/1942 | Singer | A63F 5/04 273/142 HA | D262,568 S * | 1/1982 | Craig | D23/201 |
| 2,313,473 A * | 3/1943 | Heacock | | 4,311,237 A * | 1/1982 | Hayes | A47G 23/08 206/203 |
| D135,848 S * | 6/1943 | Drueke | 273/153 P | 4,376,537 A * | 3/1983 | Yokoi | A63F 9/0811 273/113 |
| 2,330,702 A * | 9/1943 | Goldschmidt | D05B 1/14 242/139 | D269,771 S * | 7/1983 | Williams | D11/118 |
| D139,591 S * | 12/1944 | Belknap | D21/455 | D272,212 S * | 1/1984 | Daenen | D7/505 |
| D142,322 S * | 8/1945 | Judd | D11/118 | 4,452,455 A * | 6/1984 | Bergstrom | A63F 9/0811 273/142 HA |
| D142,323 S * | 8/1945 | Judd | D11/118 | 4,461,790 A * | 7/1984 | Snider | B65D 85/60 206/457 |
| D149,046 S * | 3/1948 | Blumenthal et al. | D7/501 | D275,022 S * | 8/1984 | Simpson | D21/471 |
| D149,314 S * | 4/1948 | Shapiro | D9/502 | 4,549,664 A * | 10/1985 | Gowan | B25H 3/06 206/508 |
| D151,035 S * | 9/1948 | Fleming | D6/675.3 | 4,585,231 A * | 4/1986 | Batmanghlich | A63F 9/0613 273/155 |
| D153,966 S * | 5/1949 | McDougall | D11/118 | 4,604,073 A * | 8/1986 | Livesey | A63H 33/065 446/117 |
| 2,482,247 A * | 9/1949 | Colon | A63F 1/18 235/90 | 4,657,255 A * | 4/1987 | Seres | A63F 7/305 273/111 |
| 2,496,758 A * | 2/1950 | Tingley | A01G 5/00 211/69 | D291,583 S * | 8/1987 | Bateman | D21/471 |
| D158,529 S * | 5/1950 | Tarrson | D20/7 | D294,839 S * | 3/1988 | Thom | D21/589 |
| D160,688 S * | 10/1950 | Brock | 211/128.1 | 4,736,856 A * | 4/1988 | Alneng | A47F 5/05 211/131.1 |
| 2,697,294 A * | 12/1954 | Zenker | G09F 19/10 40/539 | 4,746,022 A * | 5/1988 | Benham | A47F 5/04 211/195 |
| 2,738,979 A * | 3/1956 | Dalton | A63F 9/0073 206/303 | D296,568 S * | 7/1988 | Nadeau | D19/77 |
| 2,756,901 A * | 7/1956 | Cowsert | A47F 1/08 211/14 | 4,754,972 A * | 7/1988 | Boskovic | A63F 7/042 273/113 |
| 2,759,611 A * | 8/1956 | Davis | A47F 5/025 108/20 | 4,757,956 A * | 7/1988 | McGuire | B65H 49/38 211/132.1 |
| D183,027 S * | 6/1958 | Southwick | D21/471 | 4,773,544 A * | 9/1988 | McCarthy | B43K 23/002 206/214 |
| 2,839,842 A * | 6/1958 | Keyko | A63F 9/12 273/156 | | | | |
| D186,060 S * | 9/1959 | Udesky et al. | D6/677.1 | | | | |
| D186,229 S * | 9/1959 | Beaudoin | D11/118 | | | | |

(56)

References Cited

| | | U.S. PATENT DOCUMENTS | | | |
|-----------|------|-----------------------|--------------------|---------------------------|---|
| 4,822,049 | A * | 4/1989 | Biber | A63F 7/042 273/110 | 6,234,346 B1 * 5/2001 Castleberry G07F 11/54 211/129.1 |
| 4,847,461 | A * | 7/1989 | Gilmore | A47G 19/08 108/93 | 6,263,808 B1 * 7/2001 Robbins A47B 96/021 108/94 |
| 4,892,197 | A * | 1/1990 | Slattery | A47F 5/025 211/129.1 | 6,293,800 B1 * 9/2001 Robertson G09B 19/02 273/441 |
| D306,885 | S | 3/1990 | Koch | | 6,374,755 B1 * 4/2002 Haase A47G 19/00 108/101 |
| 4,946,168 | A * | 8/1990 | Fauls | A63F 3/001 273/241 | 6,439,406 B1 * 8/2002 Duhon A47B 49/00 211/131.1 |
| D311,217 | S | 10/1990 | Meyers | | 6,510,956 B2 * 1/2003 Therber A47F 5/16 211/196 |
| D321,022 | S * | 10/1991 | Mariol | D21/623 | 6,520,352 B2 * 2/2003 Mondragon A47F 5/02 211/129.1 |
| D322,186 | S * | 12/1991 | Rubbico | D6/677.3 | 6,536,766 B1 * 3/2003 Deitch A63F 3/00088 273/142 R |
| D323,000 | S | 1/1992 | Atwell | | D475,413 S * 6/2003 Castleberry D20/4 |
| 5,123,650 | A * | 6/1992 | Slauter | A63F 7/042 273/110 | D475,877 S * 6/2003 McCormick D6/552 |
| D328,616 | S | 8/1992 | Eler | | 6,581,933 B1 * 6/2003 Zivan A63F 3/00214 273/148 A |
| 5,139,259 | A * | 8/1992 | Yeakley | A63F 7/0023 273/118 A | 6,585,268 B2 * 7/2003 Williams A63F 9/26 273/290 |
| D329,169 | S * | 9/1992 | Robbins, III | D7/300 | D480,581 S * 10/2003 Searer D6/677.1 |
| D337,353 | S | 7/1993 | Marsh | | 6,631,804 B2 * 10/2003 Wong A47F 5/02 206/501 |
| 5,279,429 | A * | 1/1994 | Sagel | A47B 49/006 211/131.1 | 6,681,684 B1 * 1/2004 Chen A47G 19/02 206/509 |
| 5,312,003 | A * | 5/1994 | Domenig | A47B 49/004 211/131.1 | 6,688,239 B1 * 2/2004 Pettini A47B 7/02 108/50.11 |
| 5,316,307 | A * | 5/1994 | Kersh | A63F 3/00214 273/241 | D490,848 S * 6/2004 Pope D19/107 |
| 5,337,904 | A * | 8/1994 | Goldberg | A47F 5/04 211/26.1 | D492,733 S * 7/2004 Wong D21/337 |
| D352,742 | S * | 11/1994 | Koch | D21/341 | 6,761,355 B1 * 7/2004 Lemieux A63F 3/00697 273/126 R |
| 5,370,393 | A * | 12/1994 | Taylor | A63F 9/0811 273/142 HA | D495,206 S * 8/2004 Boks D7/501 |
| D354,862 | S * | 1/1995 | Goldberg | D6/677.1 | D499,968 S * 12/2004 Lam D10/15 |
| D354,989 | S * | 1/1995 | West | D19/105 | D500,964 S * 1/2005 Lach D11/131 |
| D355,447 | S | 2/1995 | Crump | | 6,908,000 B2 * 6/2005 Craft A47B 49/006 211/144 |
| 5,421,575 | A * | 6/1995 | Triner | A63F 7/042 273/109 | D507,602 S * 7/2005 Siegel D19/85 |
| D361,678 | S * | 8/1995 | Tavone | D6/677.1 | 7,021,465 B1 * 4/2006 McGuigan A47G 19/00 206/457 |
| 5,443,166 | A * | 8/1995 | Schutte | B23Q 3/15526 108/147 | D533,105 S * 12/2006 Lach D11/131 |
| D362,787 | S * | 10/1995 | Burke | D7/501 | D533,806 S * 12/2006 Kaneko D11/131 |
| 5,494,292 | A | 2/1996 | Mileti | | 7,144,610 B1 * 12/2006 Estes A47B 97/00 211/128.1 |
| D373,032 | S * | 8/1996 | Williamson-Markman | D6/671.2 | D552,881 S * 10/2007 Rittmann D6/677.3 |
| 5,549,295 | A * | 8/1996 | Goldring | A63F 7/0023 273/109 | D577,962 S * 10/2008 Bauer D7/552.2 |
| 5,560,605 | A * | 10/1996 | Garcia | A63F 9/0073 273/153 P | D599,416 S * 9/2009 Turco-Rivas D21/471 |
| D375,762 | S * | 11/1996 | Meunier | D10/46.1 | D601,365 S * 10/2009 LaValley D6/677.1 |
| D378,120 | S * | 2/1997 | Wood | D23/201 | D603,187 S * 11/2009 Conway D6/677.1 |
| D379,727 | S * | 6/1997 | Rylen | D6/707.2 | D614,002 S * 4/2010 Heap D7/610 |
| D380,319 | S * | 7/1997 | Sica | D6/677.3 | 7,954,649 B1 * 6/2011 Froehlich B25H 3/003 211/163 |
| D381,370 | S | 7/1997 | Hansen | | 7,975,643 B1 * 7/2011 Johnson A21C 15/002 118/13 |
| D386,115 | S * | 11/1997 | Vanschaik | D11/152 | D650,866 S * 12/2011 Clahsen D21/484 |
| D401,810 | S * | 12/1998 | Swift | D6/677.1 | D655,000 S * 2/2012 Mirigian D24/130 |
| D405,293 | S * | 2/1999 | Tate | D6/552 | D658,011 S * 4/2012 Goode D7/610 |
| D411,590 | S * | 6/1999 | Blæsild | D21/486 | D660,050 S * 5/2012 Desilet D6/680.2 |
| D414,056 | S * | 9/1999 | Palm | D6/674 | D664,010 S * 7/2012 Goode D7/610 |
| 5,975,317 | A * | 11/1999 | Roebing | A47F 5/108 211/196 | D664,215 S * 7/2012 Clahsen D21/484 |
| 5,984,114 | A * | 11/1999 | Frankel | A47F 7/08 211/131.1 | D667,240 S * 9/2012 Weldon D6/661.3 |
| 5,992,851 | A * | 11/1999 | Ajtai | A63F 9/0073 273/153 S | D668,174 S * 10/2012 Bliss D11/118 |
| 6,016,927 | A * | 1/2000 | Krupp | A47B 49/004 211/126.2 | D677,939 S * 3/2013 Correa D6/680.3 |
| D420,060 | S * | 2/2000 | Yamazaki | D21/471 | 8,490,553 B1 * 7/2013 English A47G 19/00 108/101 |
| D434,812 | S * | 12/2000 | Lehn Høeg | D21/487 | D697,341 S * 1/2014 Fakahany D6/677.3 |
| 6,165,569 | A * | 12/2000 | Cohen | A63H 3/50 40/411 | D697,741 S * 1/2014 Musheyev D6/677.5 |
| 6,168,813 | B1 * | 1/2001 | Blazevich | A47G 19/02 426/106 | 8,800,994 B2 * 8/2014 Pavlovic A63F 9/1204 273/156 |
| D438,674 | S * | 3/2001 | Russell | D28/73 | 8,813,661 B2 * 8/2014 Fakahany A47B 87/0246 108/42 |
| | | | | | 8,915,391 B2 * 12/2014 Radow A47G 19/00 108/139 |
| | | | | | D722,524 S * 2/2015 Bliss D11/118 |
| | | | | | D723,790 S * 3/2015 Tetsuro D3/11 |

(56)

References Cited

U.S. PATENT DOCUMENTS

| | | | | | | | | | |
|--------------|------|--------|---------------------|-------------------------|--------------|------|---------|---------------|--------------------------|
| 9,022,236 | B1 * | 5/2015 | Amendolea | B65G 1/026 211/144 | 2008/0185781 | A1 * | 8/2008 | Mascolo | A63F 9/0073 273/153 P |
| D751,323 | S * | 3/2016 | Colangelo, IV | D6/677.1 | 2010/0330240 | A1 * | 12/2010 | Jeffery | A21C 15/00 426/383 |
| 9,345,344 | B1 * | 5/2016 | Arabi-Beam | A47F 5/108 | 2011/0089128 | A1 * | 4/2011 | Jin | A01N 1/0242 211/163 |
| 9,364,087 | B1 * | 6/2016 | Sharperson | A47B 85/06 | 2011/0303131 | A1 * | 12/2011 | Goode | A47G 19/00 108/101 |
| 9,364,740 | B2 * | 6/2016 | Gibson, Jr. | A63F 7/0023 | 2014/0339185 | A1 * | 11/2014 | Ellison | A47F 5/04 211/119.003 |
| 2006/0081720 | A1 * | 4/2006 | Esnault | A23G 1/042 239/20 | 2015/0083029 | A1 * | 3/2015 | Pan | A47B 13/088 108/104 |
| 2006/0091604 | A1 * | 5/2006 | Sargent | A63F 3/00145 273/241 | 2016/0107072 | A1 * | 4/2016 | Twigg | A63F 3/00261 273/241 |
| 2008/0164655 | A1 * | 7/2008 | Yang | A63F 9/181 273/161 | | | | | |

* cited by examiner

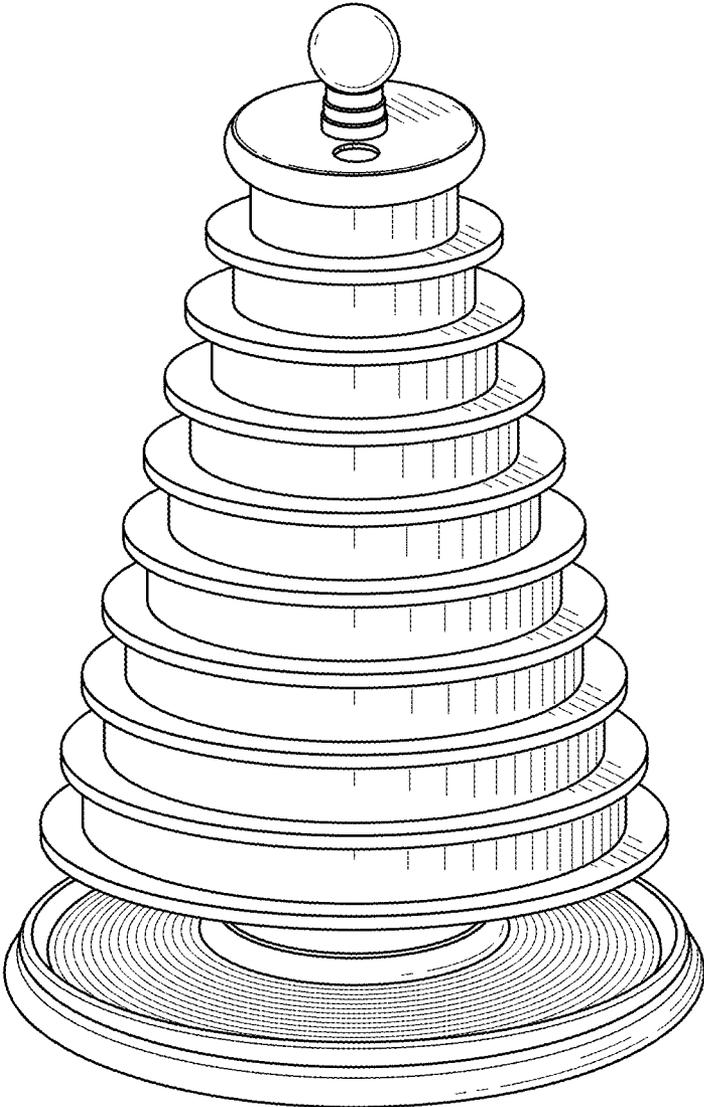


FIG. 1

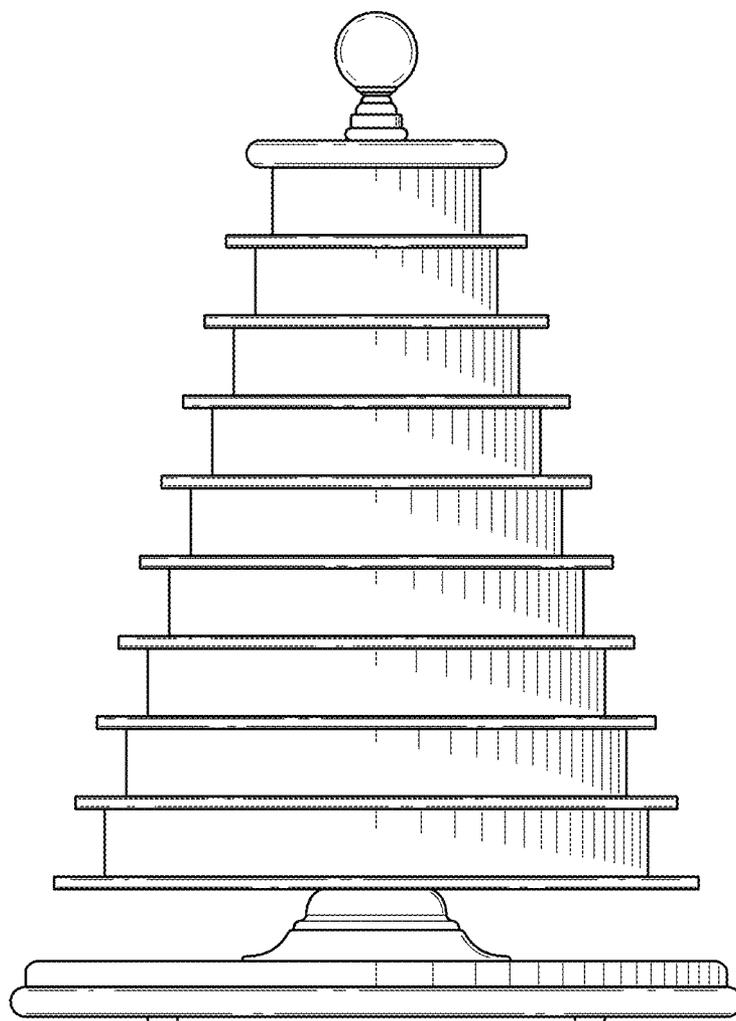


FIG. 2

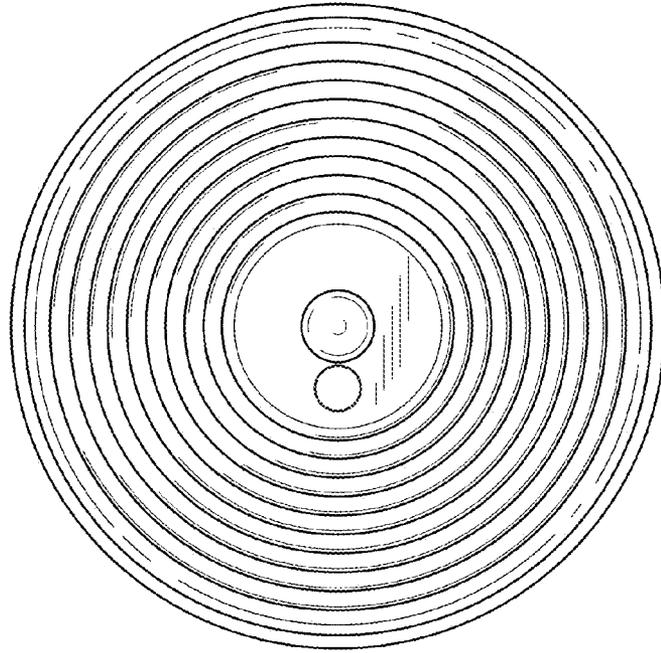


FIG. 3

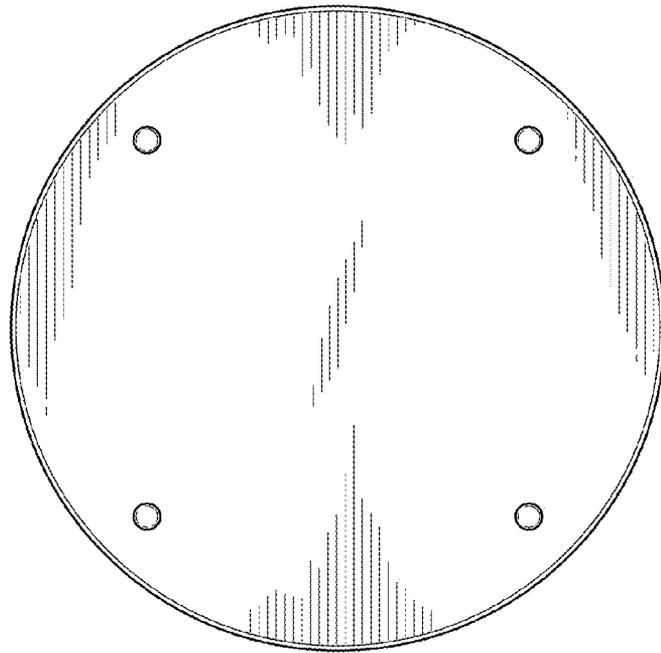


FIG. 4