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(12) **United States Design Patent**
Tranfaglia et al.

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(54) **EATING UTENSIL**

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Related U.S. Application Data

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(51) **LOC (8) Cl.** **07-03**

(52) **U.S. Cl.** **D7/651**

(58) **Field of Search** D7/642-664, 368, D7/401.2, 651, 656, 657, 669, 675, 676, 683, 688, 689; D4/107; D19/42; D21/576, 596-601, 606, 607, 616, 619, 621, 655-657; 30/137, 141, 147-150, 322-327, 329, 340, 342-345

(56) **References Cited**

U.S. PATENT DOCUMENTS

D21,560 S * 5/1892 Crowell, Jr. D7/656
D34,198 S * 3/1901 Crosby D7/651
D38,680 S 7/1907 Brereton
D45,367 S 3/1914 Bentz
D158,818 S 5/1950 Titensky
D167,300 S 7/1952 Brooks

D212,196 S 9/1968 Pasquale
D220,463 S 4/1971 Pugh, Sr.
D229,533 S 12/1973 Pugh, Sr.
D229,883 S 1/1974 Pugh, Sr.
D274,971 S 8/1984 Kelley et al.
D305,776 S * 1/1990 Kim et al. D19/42
5,105,768 A 4/1992 Johnson
D337,890 S * 8/1993 Haddad D4/107
D356,927 S 4/1995 Brown et al.
D356,928 S 4/1995 Brown et al.
D362,291 S * 9/1995 Franco D21/597
5,946,807 A 9/1999 Crane et al.
D426,747 S 6/2000 Suero, Jr. et al.
6,105,254 A 8/2000 Crane et al.
D438,386 S * 3/2001 Enriquez D4/107

(Continued)

OTHER PUBLICATIONS

Spoons from Around the World by Dorothy T.Rainwater and Donna H. Felger; 1992; ISBN: 0-88740-425-1; Schiffer Publishing Ltd.; p. 266, item #1484.*

(Continued)

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(57) **CLAIM**

The ornamental design for an eating utensil, as shown.

DESCRIPTION

FIG. 1 is a perspective view of an eating utensil.
FIG. 2 is a top plan view of an eating utensil;
FIG. 3 is a right side elevation view of an eating utensil;
FIG. 4 is a bottom plan view of an eating utensil;
FIG. 5 is a left side elevation view of an eating utensil;
FIG. 6 is a front-end elevational view of an eating utensil;
and,
FIG. 7 is a back-end elevational view of an eating utensil.
The broken line showing of indicia is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 1 Drawing Sheet



U.S. PATENT DOCUMENTS

D440,125 S 4/2001 Barker, II
D445,314 S 7/2001 Barker, II
6,363,568 B1 4/2002 Harrison et al.
D465,703 S 11/2002 Matt
D470,366 S 2/2003 Ralph
D474,656 S 5/2003 Guodace
D474,657 S 5/2003 Guodace
D474,945 S 5/2003 Guodace
2003/0046903 A1 3/2003 Schlitz et al.
2003/0066776 A1 4/2003 Schlitz et al.
2003/0070956 A1 4/2003 Schlitz et al.

OTHER PUBLICATIONS

Bison Designs Alien Bottle Opener Keychain, <http://www.rei.com>, Aug. 20, 2003, 2 pgs.
Bison Designs Fighter Fish Bottle-Opener Keychain, <http://www.rei.com>, Aug. 20, 2003, 2 pgs.
Bison Designs Foot Bottle-Opener Keychain, <http://www.rei.com>, Aug. 20, 2003, 2 pgs.

Bison Designs Gecko Bottle-Opener Keychain, <http://www.rei.com>, Aug. 20, 2003, 2 pgs.
Bison Designs Kokopelli Bottle-Opener Keychain, <http://www.rei.com>, Aug. 20, 2003, 2 pgs.
Bison Designs Paw Print Bottle-Opener Keychain, <http://www.rei.com>, Aug. 20, 2003, 2 pgs.
Bison Designs Mini Fish Carabiner Keychain, <http://www.rei.com>, Aug. 20, 2003, 2 pgs.
Bison Designs Trout Bottle-Opener Keychain, <http://www.rei.com>, Aug. 20, 2003, 1 pgs.
Picture of Plastic Knife, Spoon and Fork, Flatware, Mervyn's Brands, Inc. ©2002, 2 pgs.
Tropical Flatware, Oriental Trading Company, Inc., <http://www.orientaltrading.com>, ©2004, 1 pg.
Plastic Holiday Flatware, Oriental Trading Company, Inc., <http://www.orientaltrading.com>, ©2004, 1 pg.
Picture of Giraffe and Parrot Spoons, Rubbermaid Animal Friends, 2 pgs. date unknown.

* cited by examiner



FIG. 1

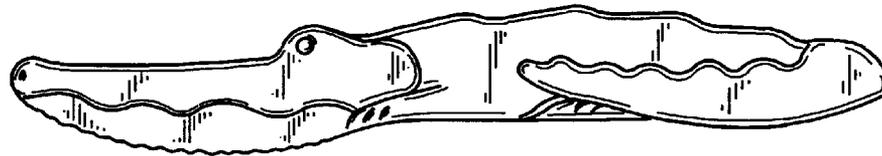


FIG. 2

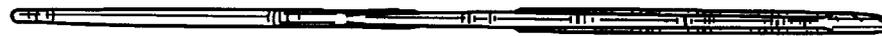


FIG. 3

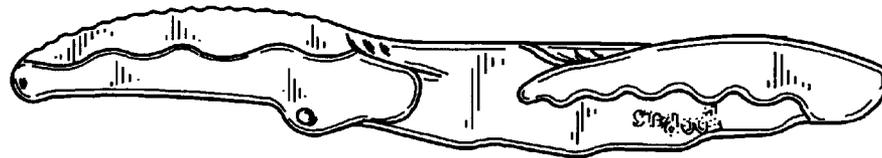


FIG. 4



FIG. 5



FIG. 6



FIG. 7