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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE SOUTHERN DISTRICT OF CALIFORNIA
13

14 OAKLEY, INC., a Washington
corporation,

15 Plaintiff,

16 v.

17 7-ELEVEN, INC., a Texas corporation,

18 Defendant.
19

Civil Action No.

'15CV1398 BAS BLM

**COMPLAINT FOR
PATENT INFRINGEMENT**

DEMAND FOR JURY TRIAL

1 Plaintiff Oakley, Inc. (“Oakley”) hereby complains of 7-Eleven, Inc.
2 (“Defendant”) and alleges as follows:

3 **I. JURISDICTION AND VENUE**

4 1. This Court has subject matter jurisdiction over this action pursuant
5 to 28 U.S.C. § 1331 and 1338, as it arises under the patent laws of the United
6 States.

7 2. This Court has personal jurisdiction over Defendant because
8 Defendant has a continuous, systematic, and substantial presence within this
9 judicial district including by selling and offering for sale infringing products in
10 this judicial district, and by committing acts of patent infringement in this
11 judicial district, including but not limited to selling infringing eyewear directly
12 to consumers and/or retailers in this district and selling into the stream of
13 commerce knowing such products would be sold in California and this district,
14 which acts form a substantial part of the events or omissions giving rise to
15 Oakley’s claim.

16 3. Venue is proper in this judicial district under 28 U.S.C. § 1391(b)
17 and (d).

18 **II. THE PARTIES**

19 4. Oakley is a corporation organized and existing under the laws of
20 the State of Washington, having its principal place of business at One Icon,
21 Foothill Ranch, California 92610.

22 5. Oakley is informed and believes, and thereon alleges, that
23 Defendant 7-Eleven, Inc. is a corporation organized and existing under the laws
24 of the State of Texas, having a principal place of business at 1722 Routh Street,
25 Suite 1000, Dallas, Texas 75201.

26 6. Oakley is informed and believes, and thereon alleges, that
27 Defendant has committed the acts alleged herein within this judicial district.

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III. GENERAL ALLEGATIONS

7. Oakley has been actively engaged in the manufacture and sale of high quality eyewear since at least 1985. Oakley is the manufacturer and retailer of several lines of eyewear that have enjoyed substantial success and are protected by various intellectual property rights owned by Oakley.

8. On November 29, 2011, the United States Patent and Trademark Office duly and lawfully issued United States Design Patent No. D649,579 (“the D579 Patent”), titled “EYEGLASS.” Oakley is the owner by assignment of all right, title, and interest in the D579 Patent. A true and correct copy of the D579 Patent is attached hereto as Exhibit A.

9. On July 31, 2007, the United States Patent and Trademark Office duly and lawfully issued United States Design Patent No. D547,794 (“the D794 Patent”), titled “EYEGLASSES.” Oakley is the owner by assignment of all right, title, and interest in the D794 Patent. A true and correct copy of the D794 Patent is attached hereto as Exhibit B.

10. On November 6, 2007, the United States Patent and Trademark Office duly and lawfully issued United States Design Patent No. D554,689 (“the D689 Patent”), titled “EYEGLASS FRAME.” Oakley is the owner by assignment of all right, title, and interest in the D689 Patent. A true and correct copy of the D689 Patent is attached hereto as Exhibit C.

11. On December 4, 2007, the United States Patent and Trademark Office duly and lawfully issued United States Design Patent No. D556,818 (“the D818 Patent”), titled “EYEGLASS COMPONENTS.” Oakley is the owner by assignment of all right, title, and interest in the D818 Patent. A true and correct copy of the D818 Patent is attached hereto as Exhibit D.

12. On October 22, 2013, the United States Patent and Trademark Office duly and lawfully issued United States Design Patent No. D692,047 (“the D047 Patent”), titled “EYEGLASS.” Oakley is the owner by assignment

1 of all right, title, and interest in the D047 Patent. A true and correct copy of the
2 D047 Patent is attached hereto as Exhibit E.

3 13. On February 7, 2012, the United States Patent and Trademark
4 Office duly and lawfully issued United States Design Patent No. D653,699
5 (“the D699 Patent”), titled “EYEGLASS.” Oakley is the owner by assignment
6 of all right, title, and interest in the D699 Patent. A true and correct copy of the
7 D699 Patent is attached hereto as Exhibit F.

8 14. Oakley has provided the public with constructive notice of its
9 patent rights pursuant to 35 U.S.C. § 287.

10 15. Defendant manufactures, uses, sells, offers for sale, and/or imports
11 into the United States eyewear that infringes Oakley’s intellectual property
12 rights.

13 16. Defendant’s acts complained of herein have caused Oakley to
14 suffer irreparable injury to its business. Oakley will suffer substantial loss of
15 goodwill and reputation unless and until Defendant is preliminarily and
16 permanently enjoined from its wrongful actions complained of herein.

17 **IV. CLAIM FOR RELIEF**
18 (Patent Infringement – 35 U.S.C. § 271)

19 17. Oakley repeats and re-alleges the allegations of paragraphs 1–16 of
20 this Complaint as if set forth fully herein.

21 18. This is a claim for patent infringement under 35 U.S.C. § 271.

22 19. Defendant, through its agents, employees, and servants, has, and
23 continues to, knowingly, intentionally, and willfully directly infringe, engage in
24 acts of contributory infringement, and/or induce the infringement of the D579
25 Patent by directly and/or indirectly making, using, selling, offering for sale
26 and/or importing eyewear having a design that is covered by the claim of the
27 D579 Patent, including for example the sunglass model shown below, which

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1 was sold and/or offered for sale at the 7-Eleven store located at 5141 College
2 Avenue, San Diego, California 92115.



8 20. Defendant's acts of infringement of the D579 Patent were
9 undertaken without permission or license from Oakley. Defendant had actual
10 and/or constructive knowledge of the D579 Patent, and its actions constitute
11 willful and intentional infringement of the D579 Patent. Defendant infringed
12 the D579 Patent with reckless disregard of Oakley's patent rights. Defendant
13 knew, or it was so obvious that Defendant should have known, that its actions
14 constituted infringement of the D579 Patent. Defendant's acts of infringement
15 of the D579 Patent were not consistent with the standards of commerce for its
16 industry.

17 21. Defendant, through its agents, employees, and servants, has, and
18 continues to, knowingly, intentionally, and willfully directly infringe, engage in
19 acts of contributory infringement, and/or induce the infringement of the D794
20 Patent by directly and/or indirectly making, using, selling, offering for sale
21 and/or importing eyewear having a design that is covered by the claim of the
22 D794 Patent, including for example the sunglass model shown below, which
23 was sold and/or offered for sale at the 7-Eleven store located at 28933 Crown
24 Valley Parkway, Laguna Niguel, California 92677.



22. Defendant's acts of infringement of the D794 Patent were undertaken without permission or license from Oakley. Defendant had actual and/or constructive knowledge of the D794 Patent, and its actions constitute willful and intentional infringement of the D794 Patent. Defendant infringed the D794 Patent with reckless disregard of Oakley's patent rights. Defendant knew, or it was so obvious that Defendant should have known, that its actions constituted infringement of the D794 Patent. Defendant's acts of infringement of the D794 Patent were not consistent with the standards of commerce for its industry.

23. Defendant, through its agents, employees, and servants, has, and continues to, knowingly, intentionally, and willfully directly infringe, engage in acts of contributory infringement, and/or induce the infringement of the D689 Patent by directly and/or indirectly making, using, selling, offering for sale and/or importing eyewear having a design that is covered by the claim of the D689 Patent, including for example the sunglass model shown below, which was sold and/or offered for sale at the 7-Eleven store located at 28933 Crown Valley Parkway, Laguna Niguel, California 92677.



24. Defendant's acts of infringement of the D689 Patent were undertaken without permission or license from Oakley. Defendant had actual and/or constructive knowledge of the D689 Patent, and its actions constitute willful and intentional infringement of the D689 Patent. Defendant infringed the D689 Patent with reckless disregard of Oakley's patent rights. Defendant knew, or it was so obvious that Defendant should have known, that its actions constituted infringement of the D689 Patent. Defendant's acts of infringement

1 of the D689 Patent were not consistent with the standards of commerce for its
2 industry.

3 25. Defendant, through its agents, employees, and servants, has, and
4 continues to, knowingly, intentionally, and willfully directly infringe, engage in
5 acts of contributory infringement, and/or induce the infringement of the D818
6 Patent by directly and/or indirectly making, using, selling, offering for sale
7 and/or importing eyewear having a design that is covered by the claim of the
8 D689 Patent, including for example the sunglass model shown below, which
9 was sold and/or offered for sale at the 7-Eleven store located at 28933 Crown
10 Valley Parkway, Laguna Niguel, California 92677.



15 26. Defendant's acts of infringement of the D818 Patent were
16 undertaken without permission or license from Oakley. Defendant had actual
17 and/or constructive knowledge of the D818 Patent, and its actions constitute
18 willful and intentional infringement of the D818 Patent. Defendant infringed
19 the D818 Patent with reckless disregard of Oakley's patent rights. Defendant
20 knew, or it was so obvious that Defendant should have known, that its actions
21 constituted infringement of the D818 Patent. Defendant's acts of infringement
22 of the D818 Patent were not consistent with the standards of commerce for its
23 industry.

24 27. Defendant, through its agents, employees, and servants, has, and
25 continues to, knowingly, intentionally, and willfully directly infringe, engage in
26 acts of contributory infringement, and/or induce the infringement of the D047
27 Patent by directly and/or indirectly making, using, selling, offering for sale
28 and/or importing eyewear having a design that is covered by the claim of the

1 D047 Patent, including for example the sunglass model shown below, which
2 was sold and/or offered for sale at the 7-Eleven store located at 25361 Alicia
3 Parkway, Laguna Hills, California 92653.



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8 28. Defendant's acts of infringement of the D047 Patent were
9 undertaken without permission or license from Oakley. Defendant had actual
10 and/or constructive knowledge of the D047 Patent, and its actions constitute
11 willful and intentional infringement of the D047 Patent. Defendant infringed
12 the D047 Patent with reckless disregard of Oakley's patent rights. Defendant
13 knew, or it was so obvious that Defendant should have known, that its actions
14 constituted infringement of the D047 Patent. Defendant's acts of infringement
15 of the D047 Patent were not consistent with the standards of commerce for its
16 industry.

17 29. Defendant, through its agents, employees, and servants, has, and
18 continues to, knowingly, intentionally, and willfully directly infringe, engage in
19 acts of contributory infringement, and/or induce the infringement of the D699
20 Patent by directly and/or indirectly making, using, selling, offering for sale
21 and/or importing eyewear having a design that is covered by the claim of the
22 D699 Patent, including for example the sunglass model shown below, which
23 was sold and/or offered for sale at the 7-Eleven store located at 25361 Alicia
24 Parkway, Laguna Hills, California 92653.



1 30. Defendant's acts of infringement of the D699 Patent were
2 undertaken without permission or license from Oakley. Defendant had actual
3 and/or constructive knowledge of the D699 Patent, and its actions constitute
4 willful and intentional infringement of the D699 Patent. Defendant infringed
5 the D699 Patent with reckless disregard of Oakley's patent rights. Defendant
6 knew, or it was so obvious that Defendant should have known, that its actions
7 constituted infringement of the D699 Patent. Defendant's acts of infringement
8 of the D699 Patent were not consistent with the standards of commerce for its
9 industry.

10 31. As a direct and proximate result of Defendant's patent
11 infringement, Defendant has derived and received gains, profits, and advantages
12 in an amount not presently known to Oakley.

13 32. Pursuant to 35 U.S.C. § 284, Oakley is entitled to damages for
14 Defendant's infringing acts and treble damages together with interests and costs
15 as fixed by this Court.

16 33. Pursuant to 35 U.S.C. § 289, Oakley is entitled to Defendant's total
17 profits from the sale of eyewear that infringes Oakley's patent rights.

18 34. Pursuant to 35 U.S.C. § 285, Oakley is entitled to reasonable
19 attorneys' fees for the necessity of bringing this claim.

20 35. Due to the aforesaid infringing acts, Oakley has suffered great and
21 irreparable injury, for which Oakley has no adequate remedy at law.

22 36. Defendant will continue to directly and/or indirectly infringe
23 Oakley's patent rights to the great and irreparable injury of Oakley, unless
24 enjoined by this Court.

25 **WHEREFORE**, Oakley prays for judgment in its favor against
26 Defendant for the following relief:

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1 A. An Order adjudging Defendant to have willfully infringed the
2 D579 Patent, the D794 Patent, the D689 Patent, the D818 Patent, the D047
3 Patent, and the D699 Patent under 35 U.S.C. § 271;

4 B. A preliminary and permanent injunction enjoining Defendant, its
5 respective officers, directors, agents, servants, employees, and attorneys, and
6 those persons in active concert or participation with Defendant, from directly or
7 indirectly infringing D579 Patent, the D794 Patent, the D689 Patent, the D818
8 Patent, the D047 Patent, or the D699 Patent in violation of 35 U.S.C. § 271;

9 C. That Defendant account for all gains, profits, and advantages
10 derived by Defendant's infringement of D579 Patent, the D794 Patent, the D689
11 Patent, the D818 Patent, the D047 Patent, and the D699 Patent in violation of
12 35 U.S.C. § 271, and that Defendant pay to Oakley all damages suffered by
13 Oakley and/or Defendant's total profit from such infringement pursuant to 35
14 U.S.C. § 289;

15 D. An Order for a trebling of damages and/or exemplary damages
16 because of Defendant's willful conduct pursuant to 35 U.S.C. § 284;

17 E. An Order adjudging that this is an exceptional case;

18 F. An award to Oakley of the attorney fees, expenses, and costs
19 incurred by Oakley in connection with this action pursuant to 35 U.S.C. § 285;

20 G. An award of pre-judgment and post-judgment interest and costs of
21 this action against Defendant; and,

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1 H. Such other and further relief as this Court may deem just and
2 proper.

3 Respectfully submitted,

4 KNOBBE, MARTENS, OLSON & BEAR, LLP

5
6 Dated: June 25, 2015

By: /s/ Ali S. Razai

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11 Attorneys for Plaintiff Oakley, Inc.
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DEMAND FOR JURY TRIAL

Plaintiff Oakley, Inc. hereby demands a trial by jury on all issues so triable.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: June 25, 2015

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EXHIBIT A



US00D649579S

(12) **United States Design Patent**
Thixton

(10) **Patent No.:** **US D649,579 S**
(45) **Date of Patent:** **** Nov. 29, 2011**

(54) **EYEGLASS**

(75) Inventor: **Lek Thixton**, Eastsound, WA (US)

(73) Assignee: **Oakley, Inc.**, Foothill Ranch, CA (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/391,383**

(22) Filed: **May 6, 2011**

(51) **LOC (9) CL.** **16-06**

(52) **U.S. CL.** **D16/321; D16/326**

(58) **Field of Classification Search** D16/101,

D16/300-342, 900; D29/109-110; D24/110.2;

351/41, 44, 51-52, 62, 158, 92, 103-123,

351/140, 153, 45-46; 2/426-432, 447-449,

2/441, 434-437, 13, 15; D21/483, 659-661

See application file for complete search history.

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Primary Examiner — Raphael Barkai

(74) *Attorney, Agent, or Firm* — Knobbe Martens Olson & Bear, LLP

(57) **CLAIM**

The ornamental design for an eyeglass, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of an eyeglass of the present invention;

FIG. 2 is a front elevational view of the eyeglass of FIG. 1;

FIG. 3 is a rear elevational view of the eyeglass of FIG. 1;

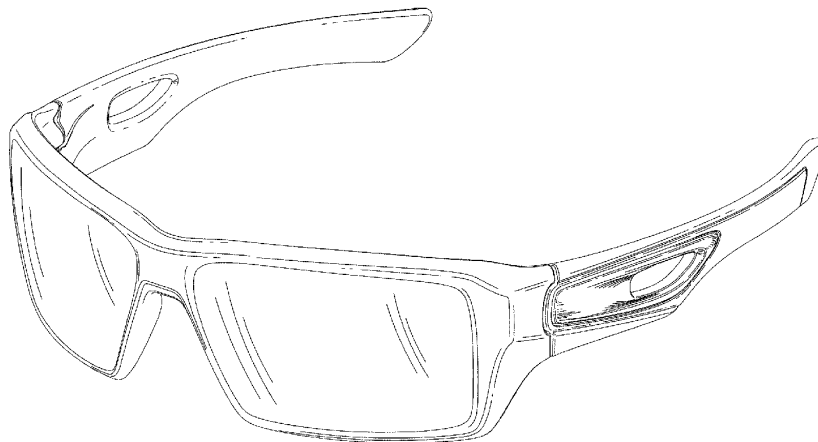
FIG. 4 is a left side elevational view of the eyeglass of FIG. 1,

the right side elevational view being a mirror image thereof;

FIG. 5 is a top plan view of the eyeglass of FIG. 1; and,

FIG. 6 is a bottom plan view of the eyeglass of FIG. 1.

1 Claim, 4 Drawing Sheets



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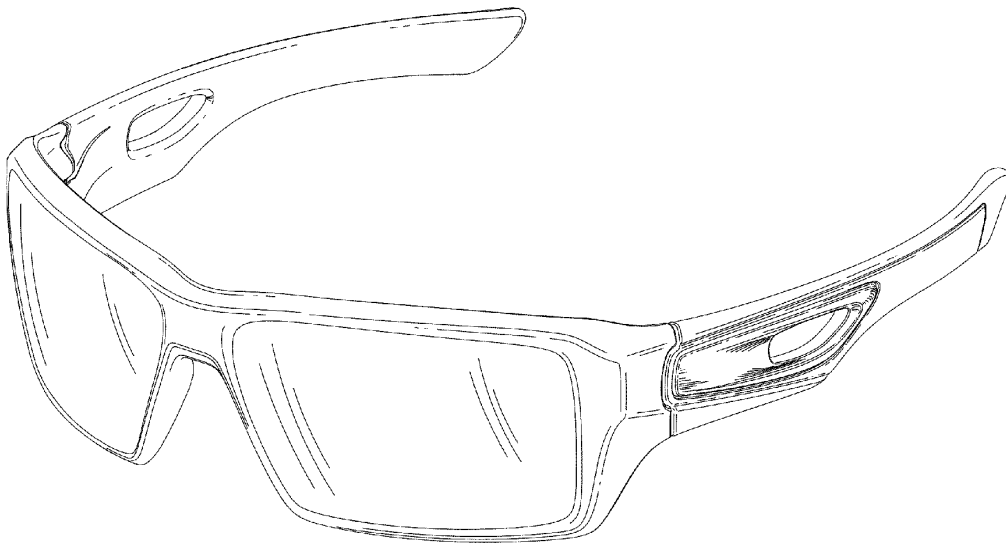


FIG. 1

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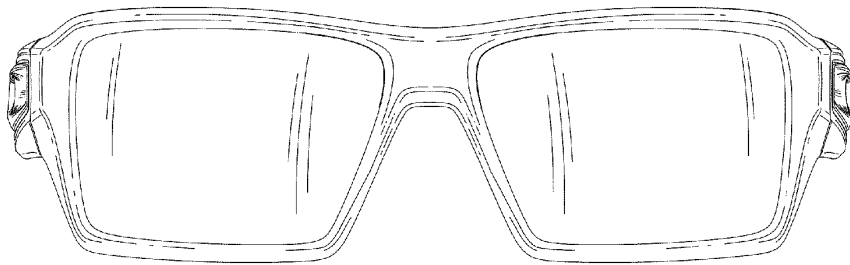


FIG. 2

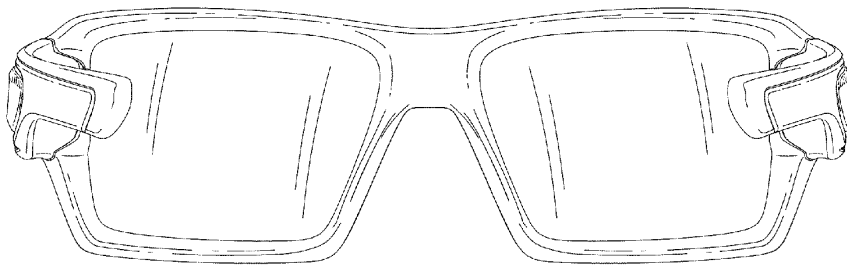


FIG. 3

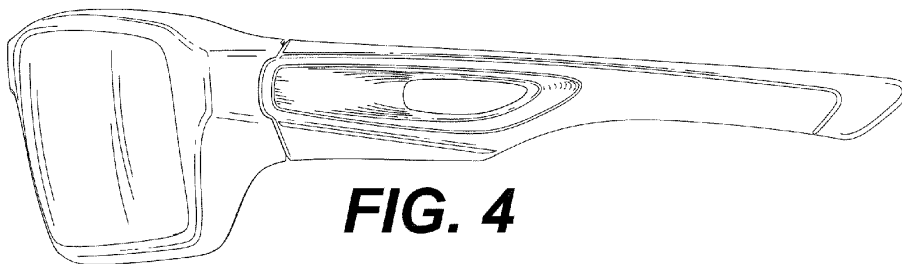


FIG. 4

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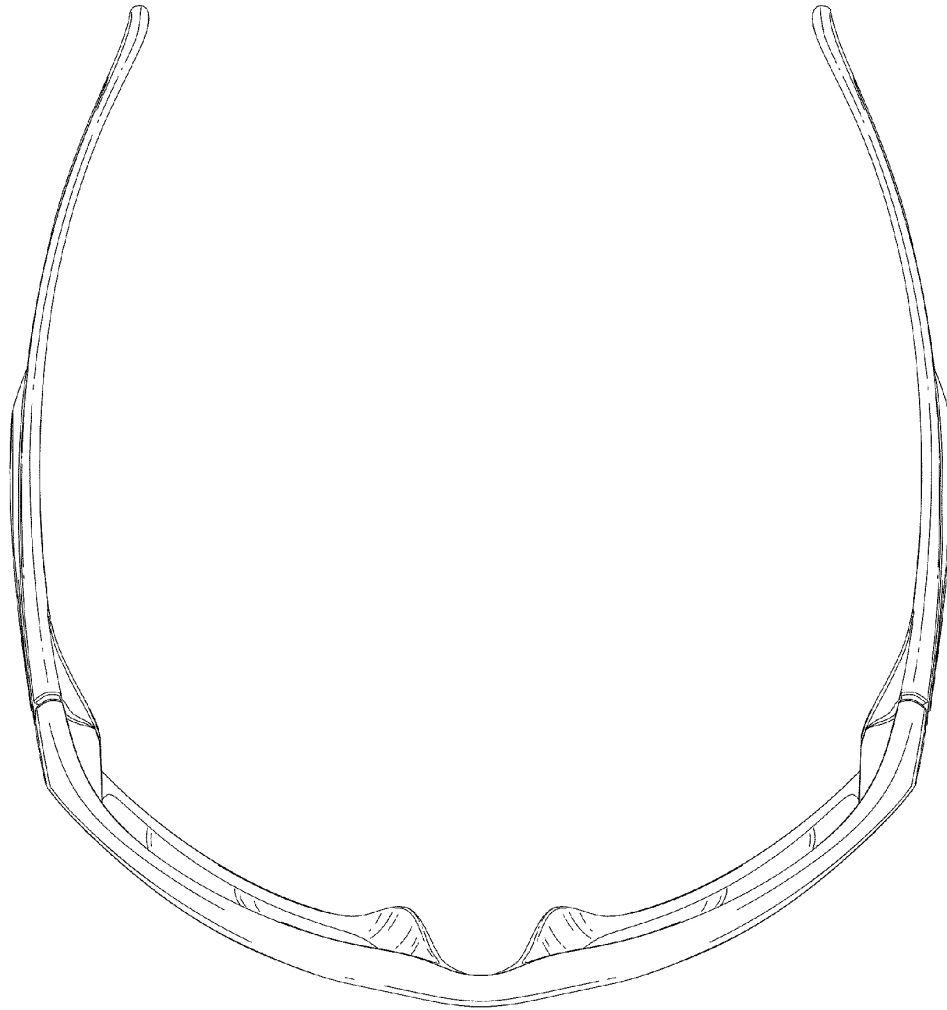


FIG. 5

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FIG. 6

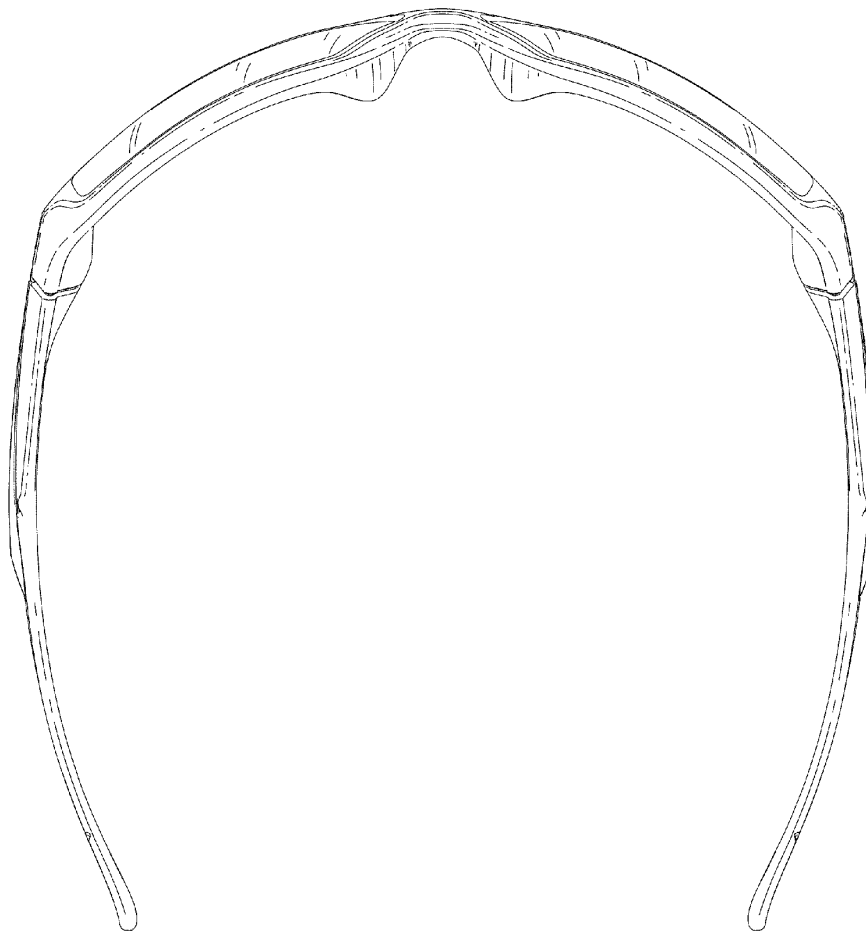


EXHIBIT B



US00D547794S

(12) **United States Design Patent** (10) **Patent No.:** **US D547,794 S**
Jannard et al. (45) **Date of Patent:** **** Jul. 31, 2007**

(54) **EYEGLASSES**

(75) Inventors: **James H. Jannard**, Spieden Island, WA (US); **Hans Karsten Moritz**, Foothill Ranch, CA (US); **Colin Baden**, Irvine, CA (US)

(73) Assignee: **Oakley, Inc.**, Foothill Ranch, CA (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/227,719**

(22) Filed: **Apr. 13, 2005**

(51) **LOC (8) Cl.** **16-06**

(52) **U.S. Cl.** **D16/326**

(58) **Field of Classification Search** D16/300-330,
D16/101, 332-338; D29/109-110; D24/110.2;
351/41, 44, 51-52, 62, 158, 92, 103-111,
351/156, 61, 114-119, 121-123; 2/426-432,
2/447-449, 441, 436, 434-437
See application file for complete search history.

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Primary Examiner—Raphael Barkai

(74) *Attorney, Agent, or Firm*—Gregory K. Nelson

(57) CLAIM

The ornamental design for an eyeglasses, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of the eyeglasses of the present invention;

FIG. 2 is a left-side elevational view of the eyeglasses, the right side elevational view being a mirror image thereof;

FIG. 3 is a front elevational view thereof;

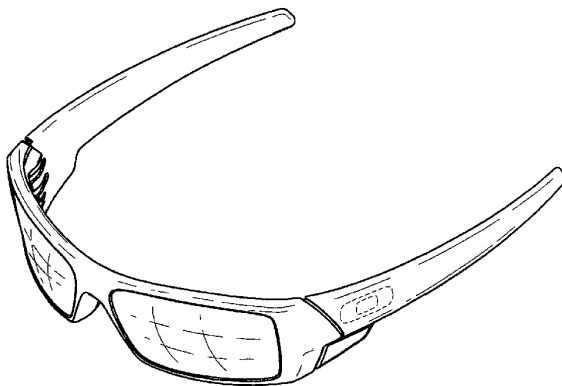
FIG. 4 is a rear elevational view thereof;

FIG. 5 is a top plan view thereof; and,

FIG. 6 is a bottom plan view thereof.

Phantom lining, where utilized, is for illustrative purposes only and is not intended to limit the claimed design to the features shown in phantom.

1 Claim, 4 Drawing Sheets



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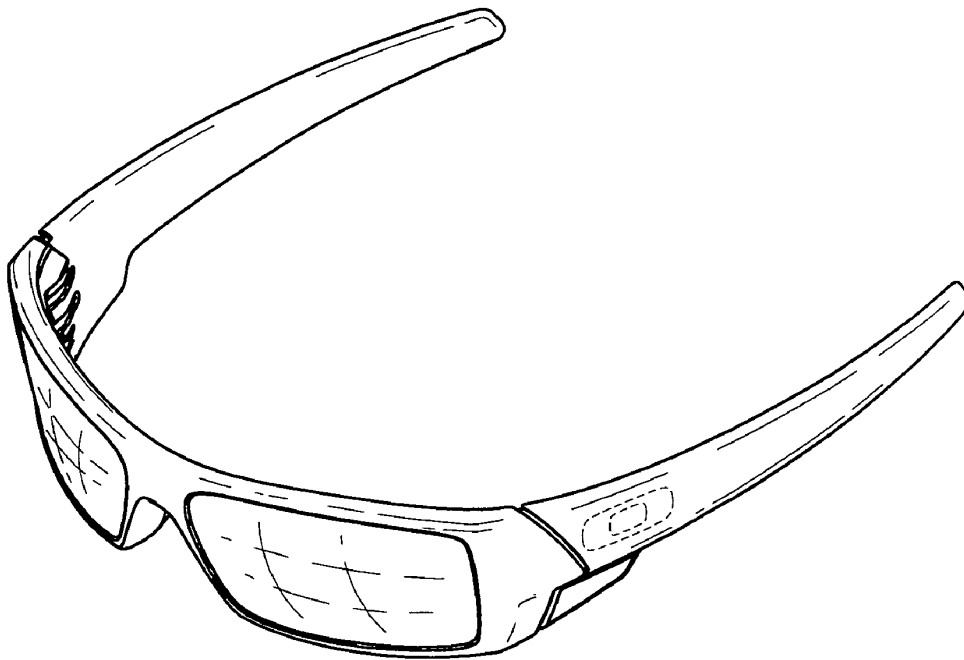


FIG. 1

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FIG. 2

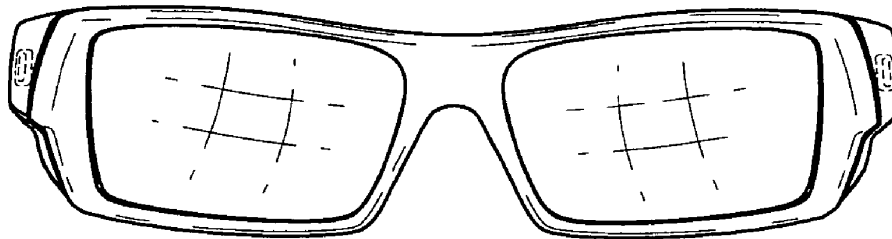


FIG. 3

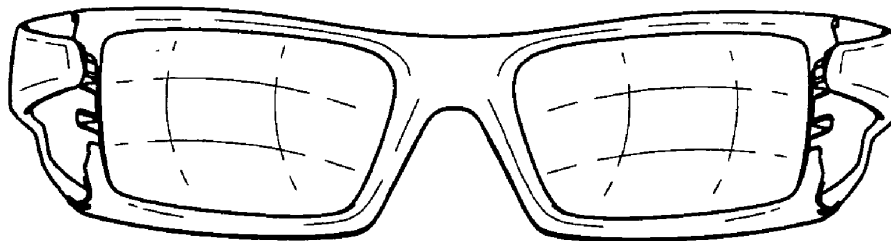


FIG. 4

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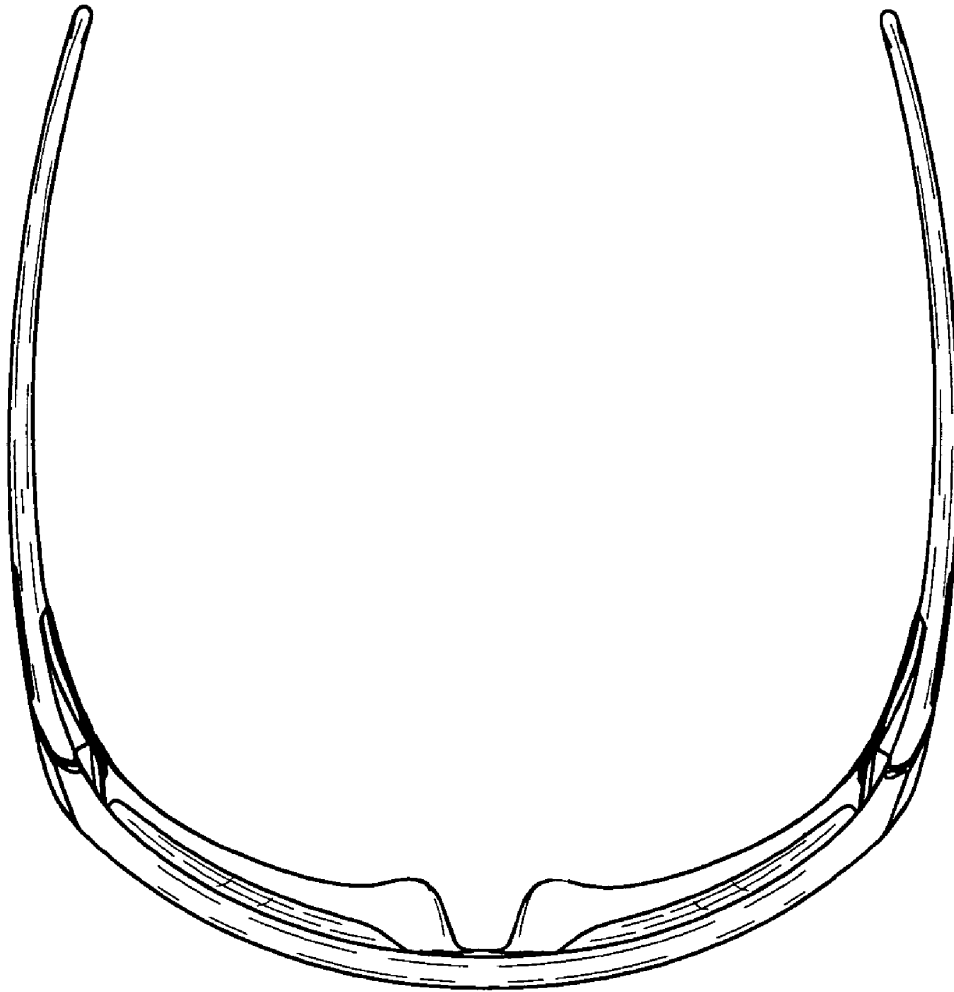


FIG. 5

U.S. Patent

Jul. 31, 2007

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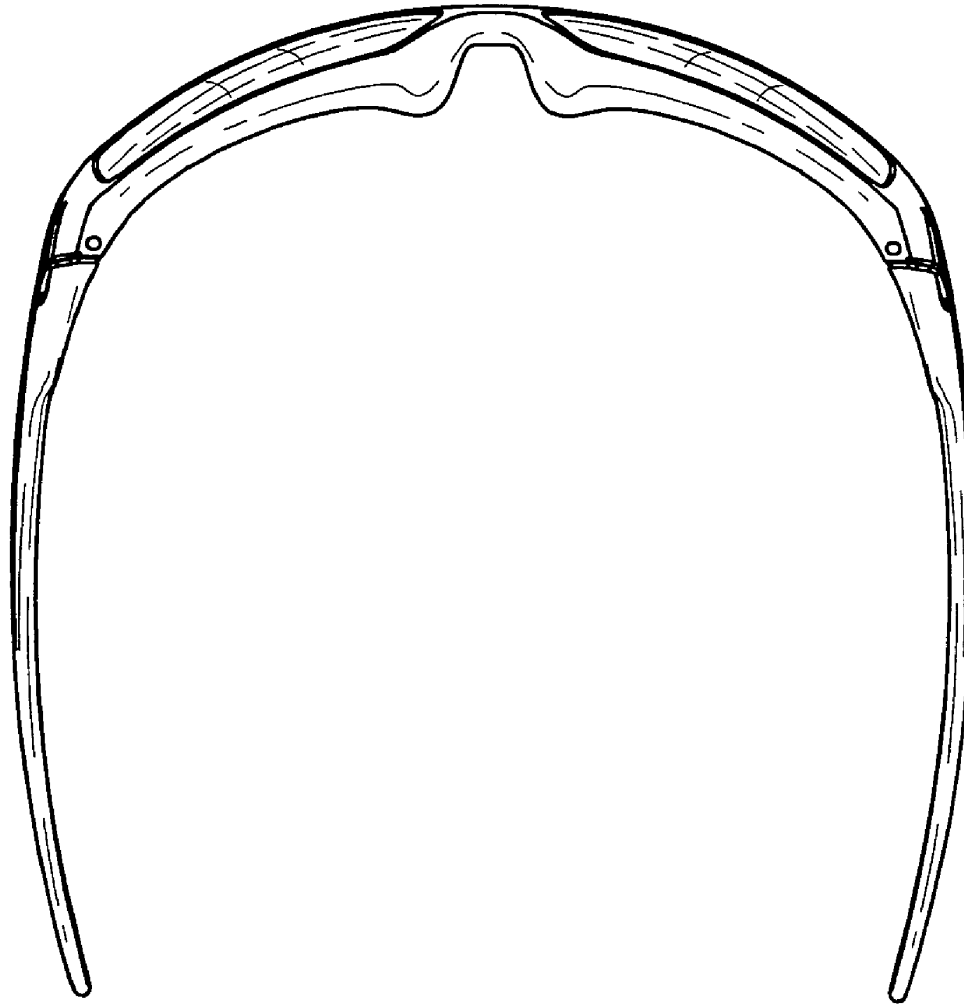


FIG. 6

EXHIBIT C



US00D554689S

(12) **United States Design Patent** (10) **Patent No.:** **US D554,689 S**
Jannard et al. (45) **Date of Patent:** **** Nov. 6, 2007**

(54) **EYEGLASS FRAME**

(75) Inventors: **James H. Jannard**, Spieden Island, WA (US); **Hans Karsten Moritz**, Foothill Ranch, CA (US); **Colin Baden**, Irvine, CA (US)

(73) Assignee: **Oakley, Inc.**, Foothill Ranch, CA (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/272,776**

(22) Filed: **Feb. 15, 2007**

Related U.S. Application Data

(62) Division of application No. 29/227,719, filed on Apr. 13, 2005.

(51) **LOC (8) Cl.** **16-06**

(52) **U.S. Cl.** **D16/326**

(58) **Field of Classification Search** D16/300-330,
D16/101, 332-338; D29/109-110; D24/110.2;
351/41, 44, 51-52, 62, 158, 92, 103-111,
351/156, 61, 114-119, 121-123; 2/426-432,
2/447-449, 441, 436, 434-437

See application file for complete search history.

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U.S. Appl. No. 29/227,719, filed Apr. 13, 2005, Jannard, Pending application.

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Primary Examiner—Raphael Barkai

(74) *Attorney, Agent, or Firm*—Gregory K. Nelson

(57) **CLAIM**

The ornamental design for an eyeglass frame, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of the eyeglass frame of the present invention;

FIG. 2 is a left-side elevational view thereof, the right-side elevational view being a mirror image thereof;

FIG. 3 is a front elevational view thereof;

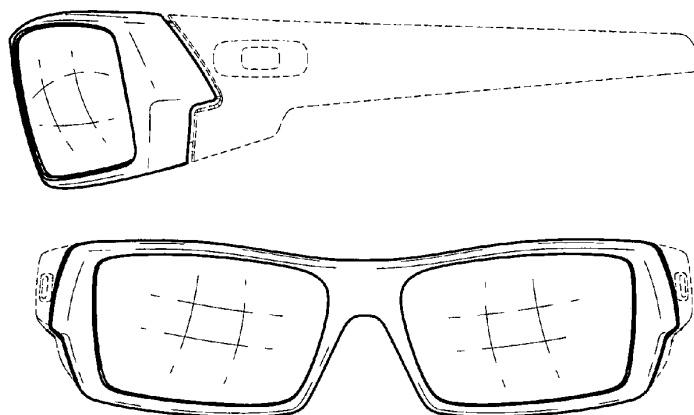
FIG. 4 is a rear elevational view thereof;

FIG. 5 is a top elevational view thereof; and,

FIG. 6 is a bottom plan view thereof.

Phantom lining, where utilized, is for illustrative purposes only and is not intended to limit the claimed design to the features shown in phantom.

1 Claim, 4 Drawing Sheets



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Nov. 6, 2007

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US D554,689 S

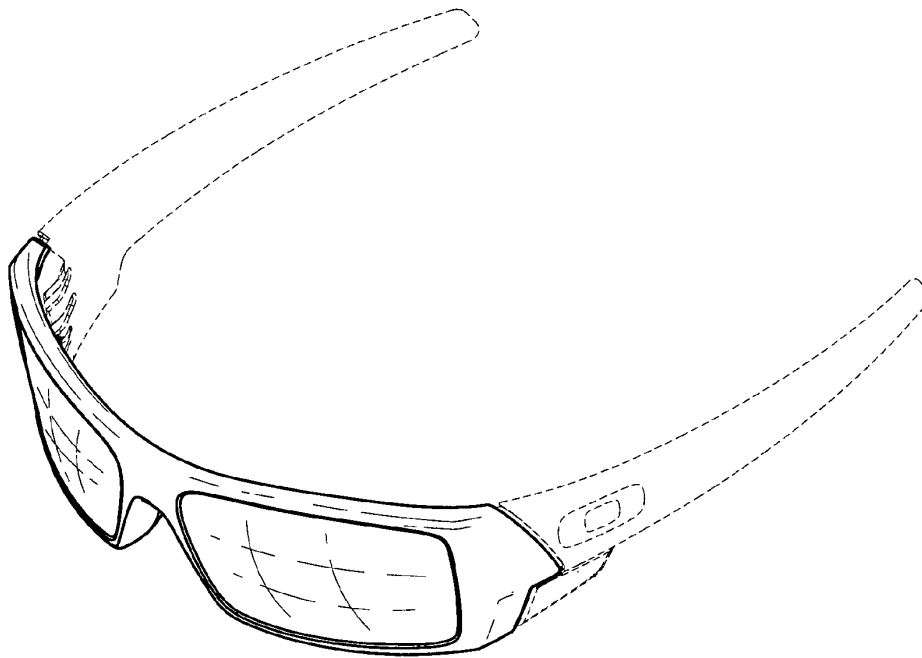


FIG. 1

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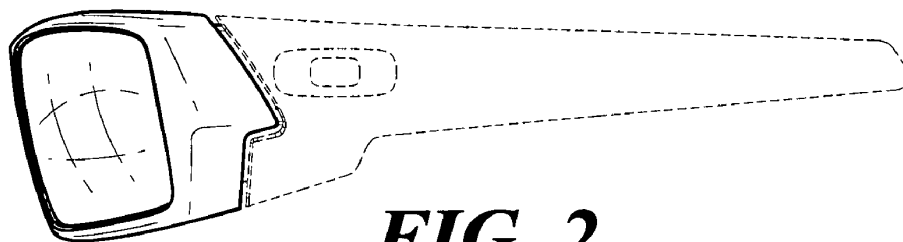


FIG. 2

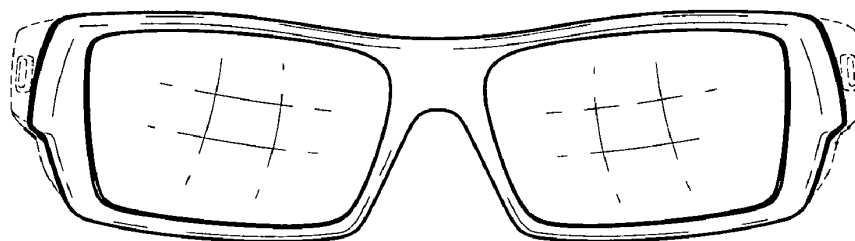


FIG. 3

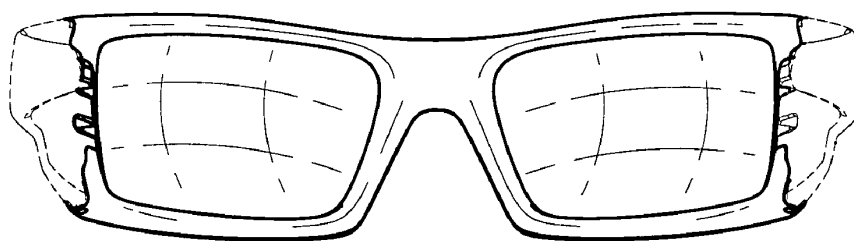


FIG. 4

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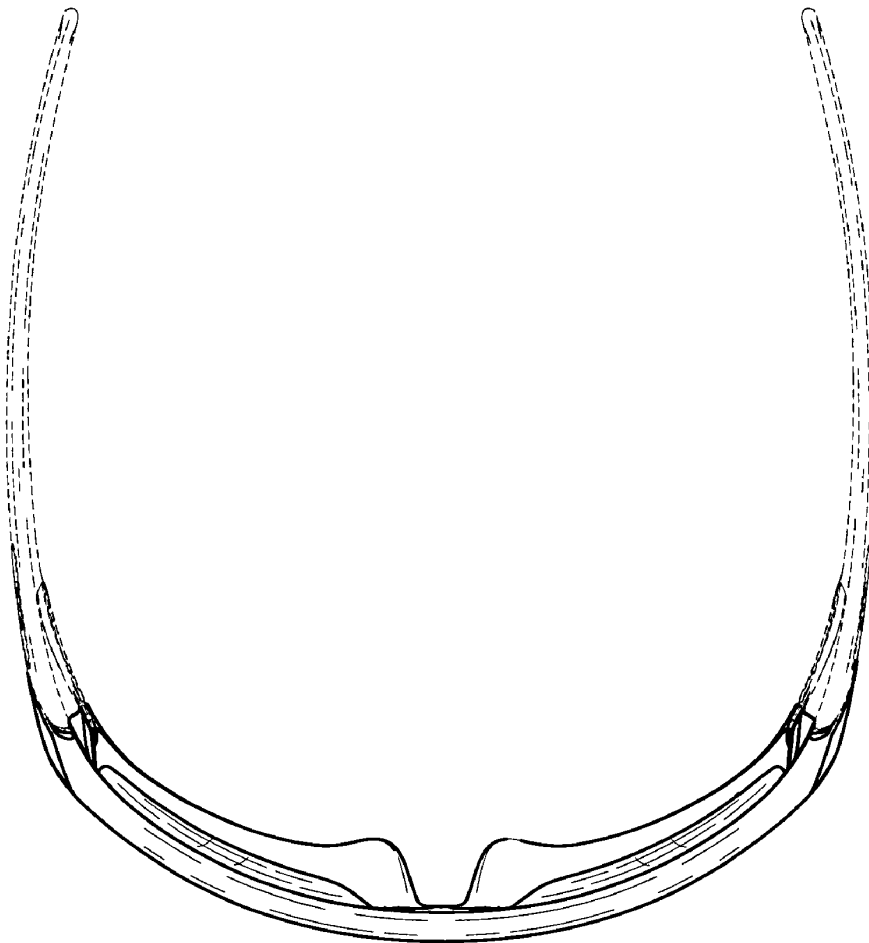


FIG. 5

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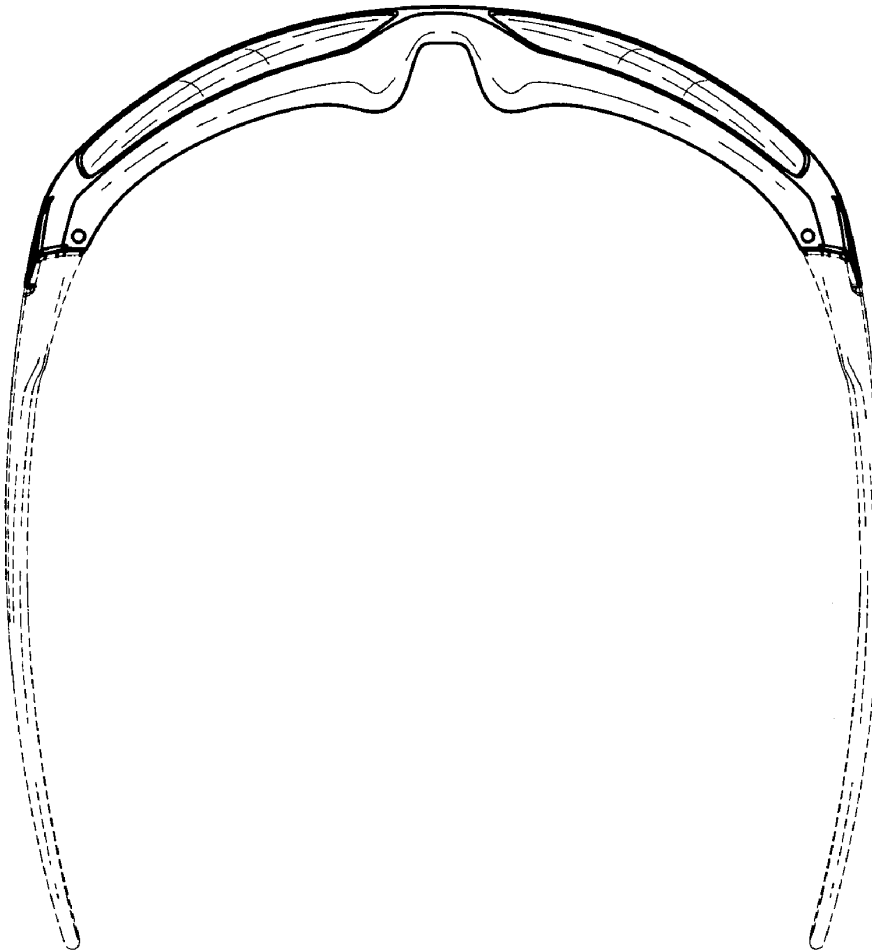


FIG. 6

EXHIBIT D



US00D556818S

(12) **United States Design Patent** (10) **Patent No.:** **US D556,818 S**
Jannard et al. (45) **Date of Patent:** **** Dec. 4, 2007**

(54) **EYEGLASS COMPONENTS**

(75) Inventors: **James H. Jannard**, Spieden Island, WA (US); **Hans Karsten Moritz**, Foothill Ranch, CA (US); **Colin Baden**, Irvine, CA (US)

(73) Assignee: **Oakley, Inc.**, Foothill Ranch, CA (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/272,777**

(22) Filed: **Feb. 15, 2007**

Related U.S. Application Data

(62) Division of application No. 29/227,719, filed on Apr. 13, 2005, now Pat. No. Des. 547,794.

(51) **LOC (8) Cl.** **16-06**

(52) **U.S. Cl.** **D16/326; D16/335**

(58) **Field of Classification Search** D16/300-330, D16/101, 332-338; D29/109-110; D24/110.2; 351/41, 44, 51-52, 62, 158, 92, 103-111, 351/156, 61, 114-119, 121-123; 2/426-432, 2/447-449, 441, 436, 434-437
 See application file for complete search history.

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| D202,658 S | 10/1965 | Petitto |
| D209,862 S | 1/1968 | McCracken |
| D268,683 S | 4/1983 | Tenny |
| D285,020 S | 8/1986 | Schmidthaler |
| D372,726 S | 8/1996 | Simioni |
| D390,589 S | 2/1998 | Simioni |
| D397,351 S | 8/1998 | Simioni |
| D407,099 S | 3/1999 | Wang |
| D414,796 S | 10/1999 | Arnette |

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| D536,026 S | * | 1/2007 | Bruck | | D16/326 |
| D537,467 S | * | 2/2007 | Teng | | D16/326 |

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Pending U.S. Appl. No. 29/227,719, filed Apr. 13, 2005, Jannard.

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Primary Examiner—Raphael Barkai

(74) *Attorney, Agent, or Firm*—Gregory K. Nelson

(57) CLAIM

The ornamental design for an eyeglass components, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of the eyeglass components of the present invention;

FIG. 2 is a perspective view thereof;

FIG. 3 is a front elevational view thereof;

FIG. 4 is a lateral left-side elevational view thereof, the lateral right-side elevational view being a mirror image thereof;

FIG. 5 is a medial left-side elevational view thereof, the medial right-side elevational view being a mirror image thereof;

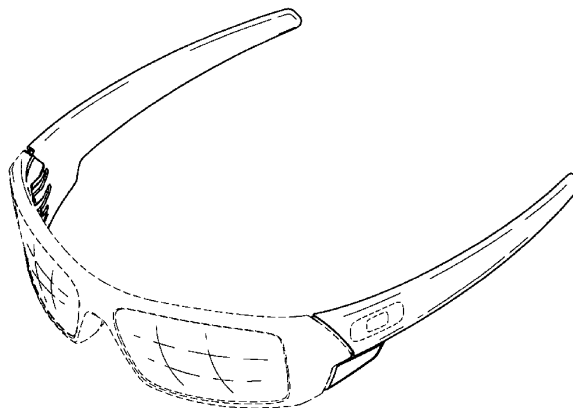
FIG. 6 is a rear elevational view thereof;

FIG. 7 is a bottom plan view thereof; and,

FIG. 8 is a top elevational view thereof.

Phantom lining, where utilized, is for illustrative purposes only and is not intended to limit the claimed design to the features shown in phantom.

1 Claim, 5 Drawing Sheets



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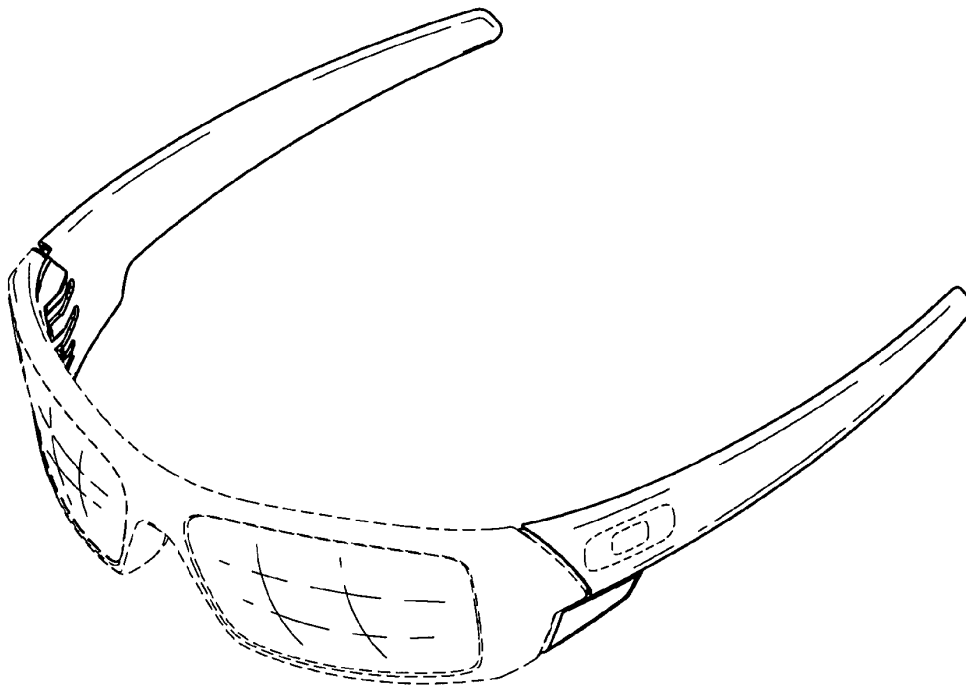


FIG. 1

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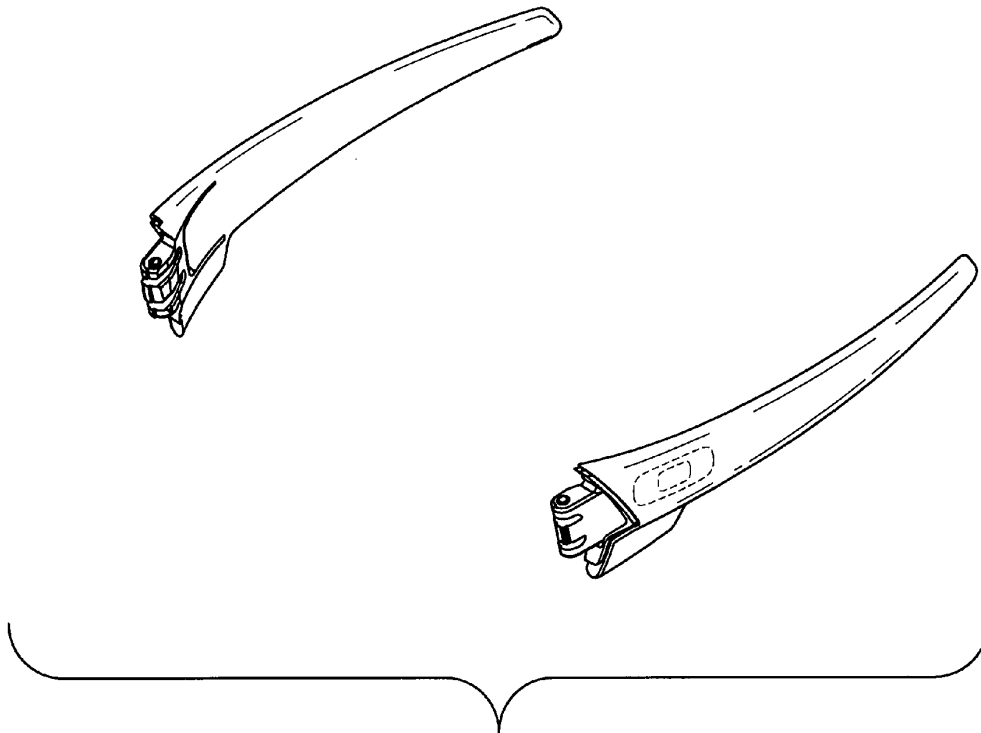


FIG. 2

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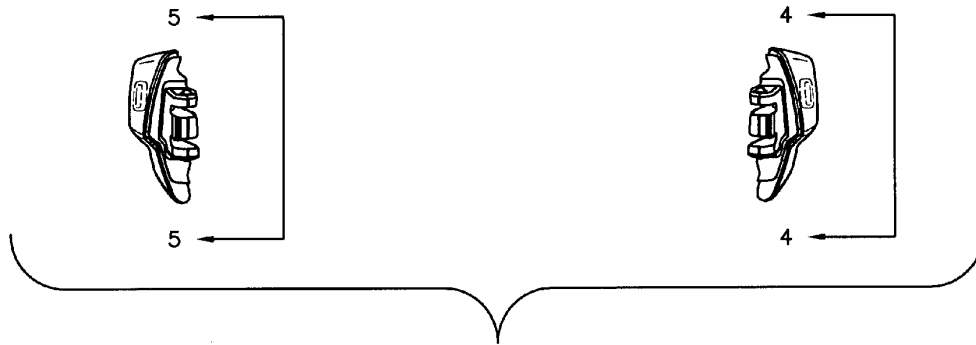


FIG. 3



FIG. 4



FIG. 5

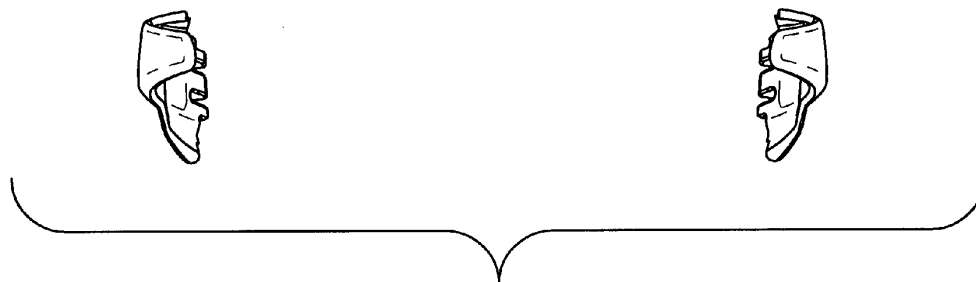


FIG. 6

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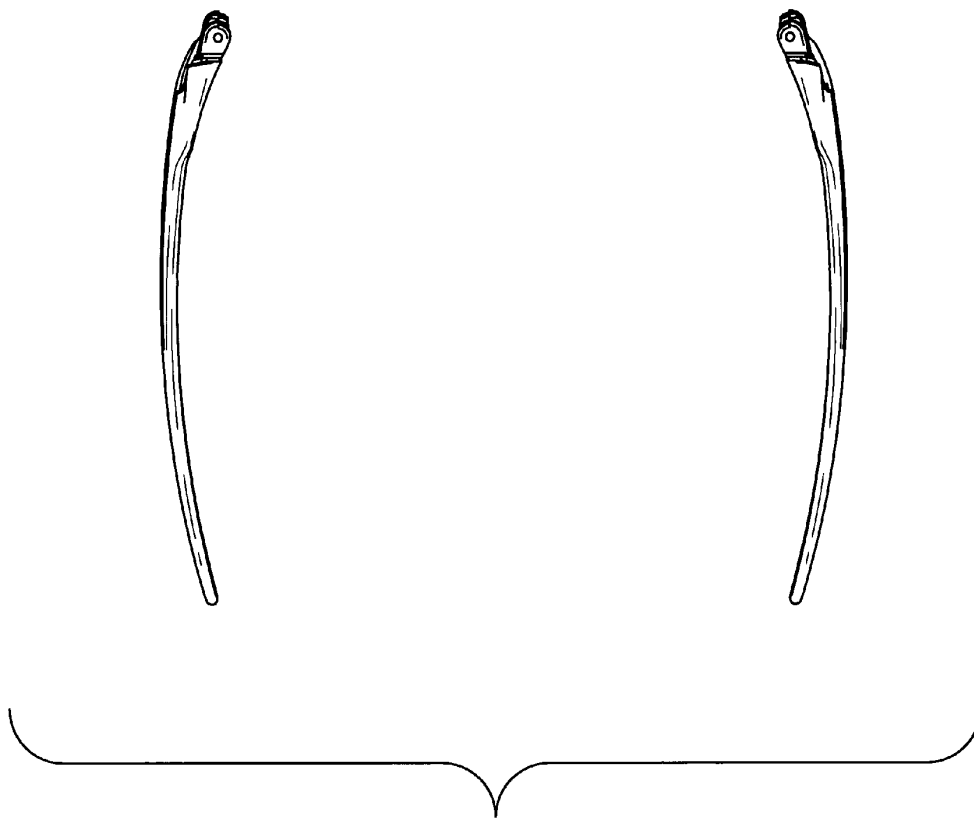


FIG. 7

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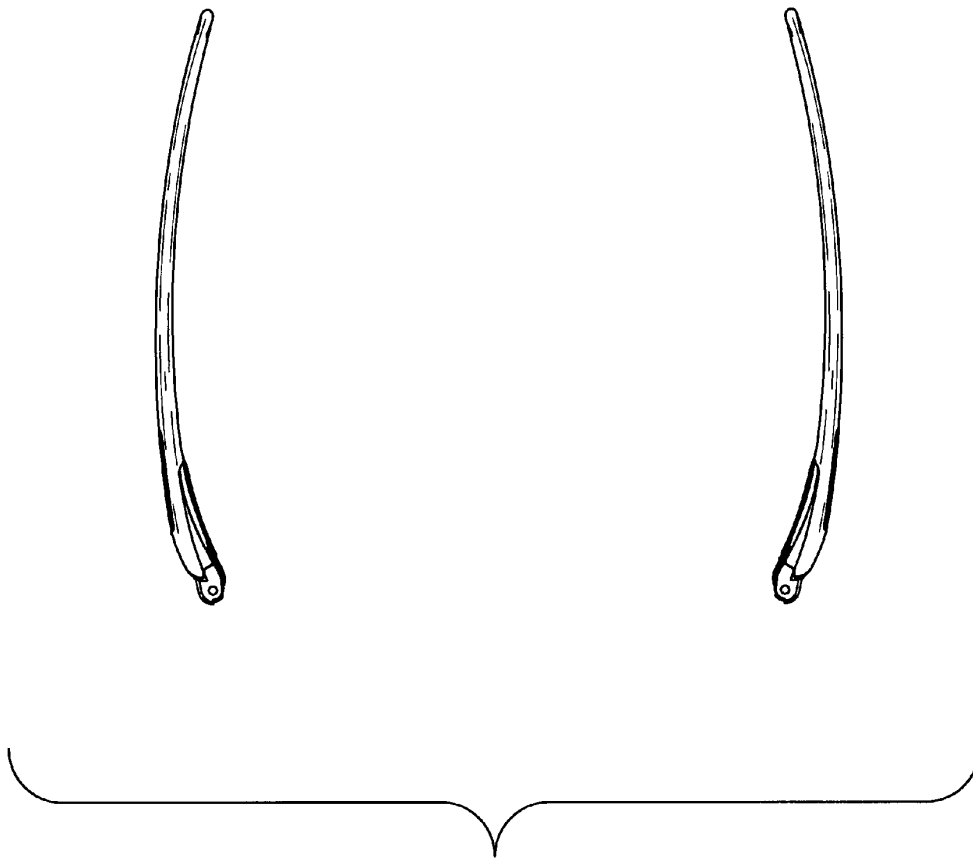


FIG. 8

EXHIBIT E



US00D692047S

(12) **United States Design Patent**
Shin

(10) **Patent No.:** **US D692,047 S**
(45) **Date of Patent:** **** Oct. 22, 2013**

(54) **EYEGLASS**

(71) Applicant: **Oakley, Inc.**, Foothill Ranch, CA (US)

(72) Inventor: **Jae Shin**, Irvine, CA (US)

(73) Assignee: **Oakley, Inc.**, Foothill Ranch, CA (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/444,586**

(22) Filed: **Jan. 31, 2013**

(51) **LOC (9) Cl.** **16-06**

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

USPC **D16/325**; D16/326; D16/335

(58) **Field of Classification Search**

USPC D16/101, 300–342, 900; D29/109–110;
351/41, 44, 51–52, 62, 158, 92,
351/103–123, 140–153, 45–46; 2/426–432,
2/447–449, 441, 434–437, 13, 15;
D21/483, 659–661; D14/372

See application file for complete search history.

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Primary Examiner — Raphael Barkai

(74) *Attorney, Agent, or Firm* — Knobbe Martens Olson & Bear, LLP

(57) **CLAIM**

The ornamental design for an eyeglass, as shown and described.

(56) **References Cited**

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D575,323 S 8/2008 Jannard et al.
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DESCRIPTION

FIG. 1 is a front perspective view of an eyeglass showing my new design in which the different shading techniques including the line shading in some areas and the stippling in other areas of the eyeglass represent a contrast in appearance, and is not intended to represent any specific color, texture and/or material;

FIG. 2 is a front elevational view thereof;

FIG. 3 is a rear elevational view thereof;

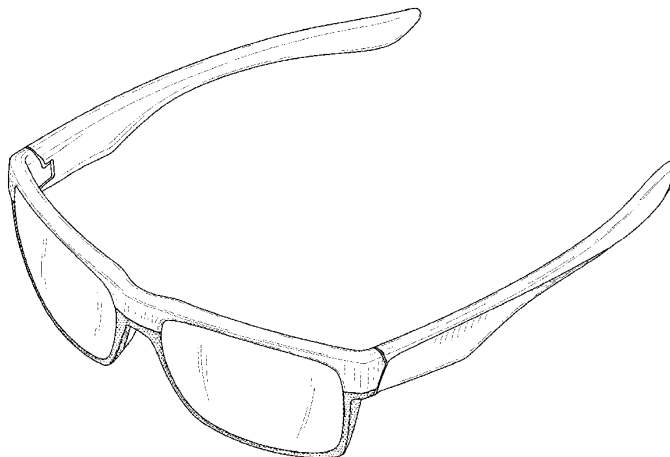
FIG. 4 is a left side elevational view thereof, the right side elevational view being a mirror image thereof;

FIG. 5 is a top plan view thereof; and,

FIG. 6 is a bottom plan view thereof;

The broken lines in the Figures show portions of the eyeglass which form no part of the claimed design.

1 Claim, 4 Drawing Sheets



US D692,047 S

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* cited by examiner

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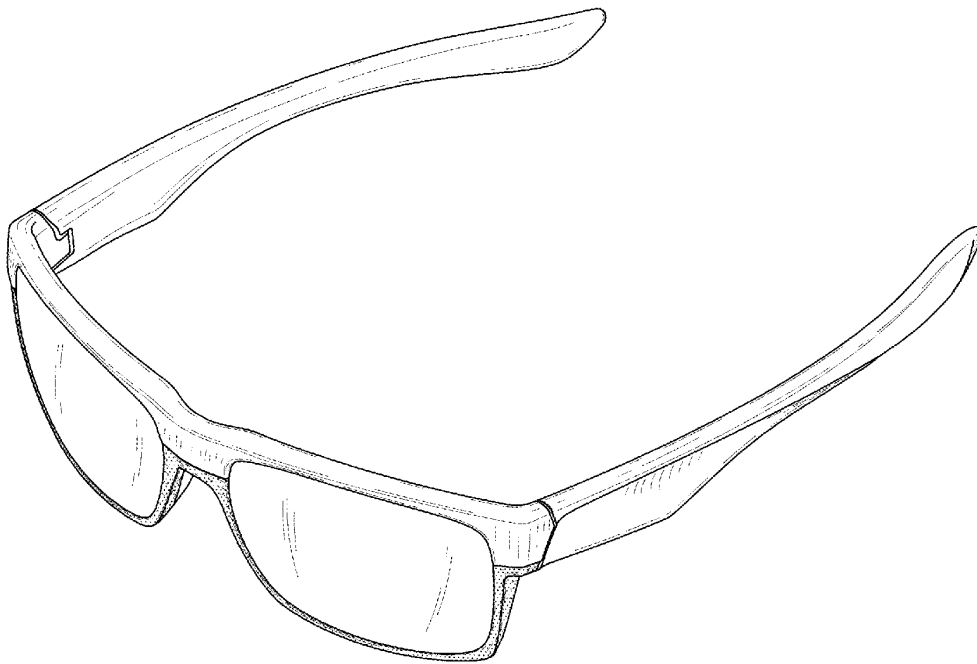


FIG. 1

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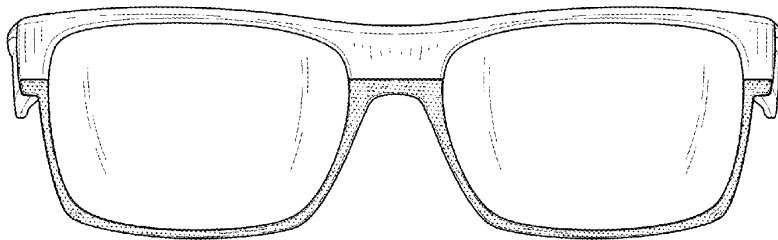


FIG. 2

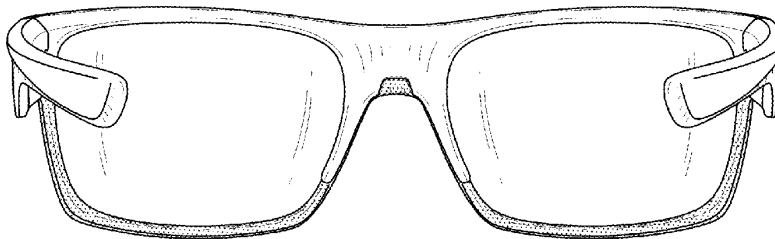


FIG. 3

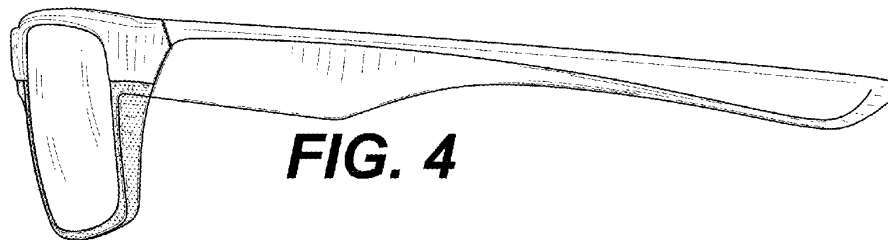


FIG. 4

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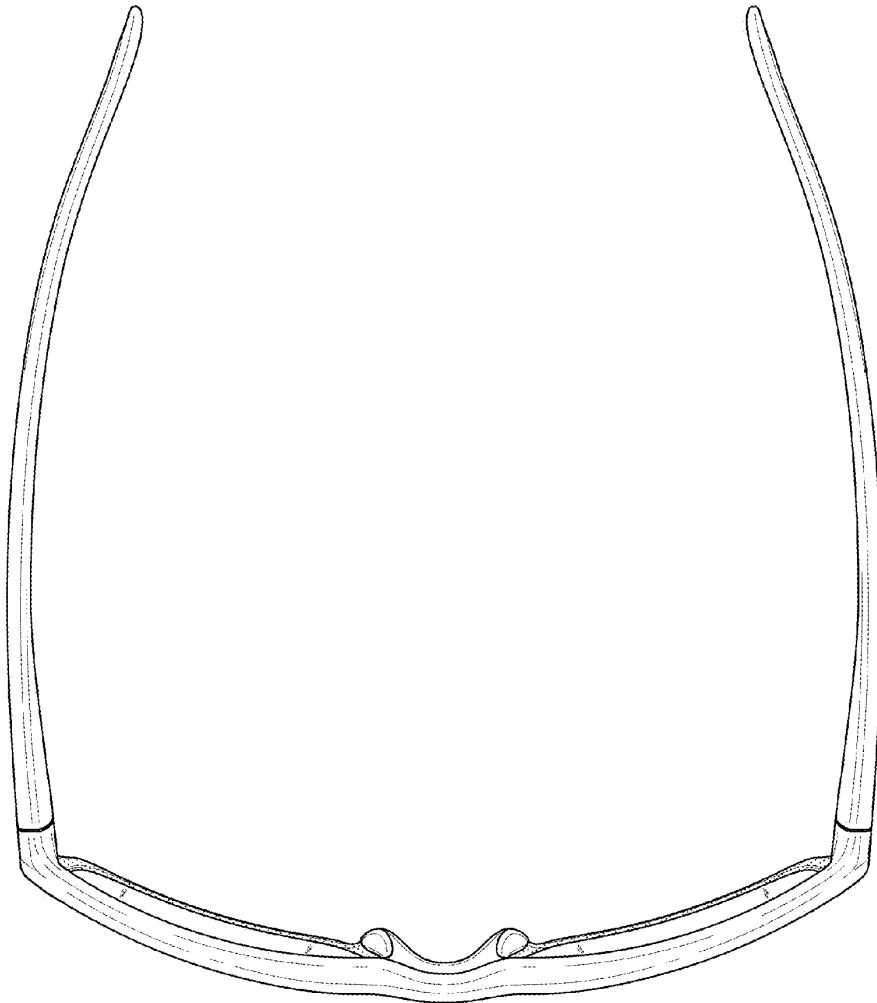


FIG. 5

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FIG. 6

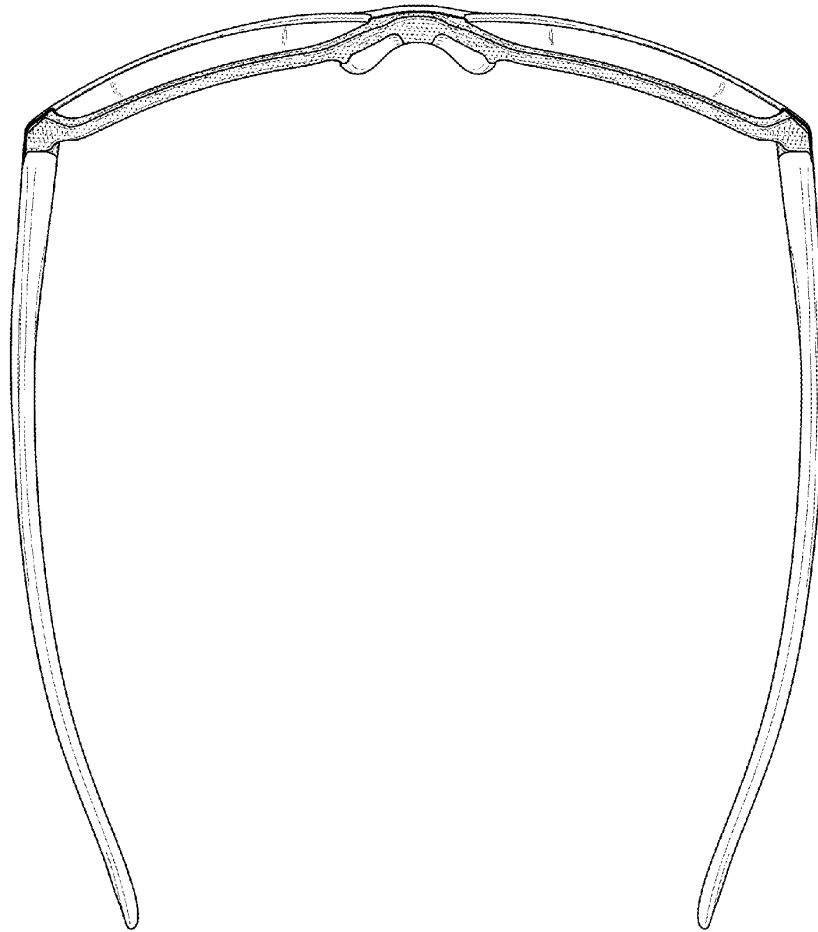


EXHIBIT E

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EXHIBIT F



US00D653699S

(12) **United States Design Patent**
Shin

(10) **Patent No.:** **US D653,699 S**
(45) **Date of Patent:** **** Feb. 7, 2012**

(54) **EYEGLASS**

(75) Inventor: **Jae Shin**, Irvine, CA (US)

(73) Assignee: **Oakley, Inc.**, Foothill Ranch, CA (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/383,492**

(22) Filed: **Jan. 18, 2011**

(51) **LOC (9) CL.** **16-06**

(52) **U.S. CL.** **D16/320; D16/326; D16/321**

(58) **Field of Classification Search** D16/101,
D16/300-342, 900; D29/109-110; D24/110.2;
351/41, 44, 51-52, 62, 158, 92, 103-123,
351/140, 153, 45-46; 2/426-432, 447-449,
2/441, 434-437, 13, 15; D21/483, 659-661

See application file for complete search history.

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Primary Examiner — Raphael Barkai

(74) *Attorney, Agent, or Firm* — Knobbe Martens Olson & Bear, LLP

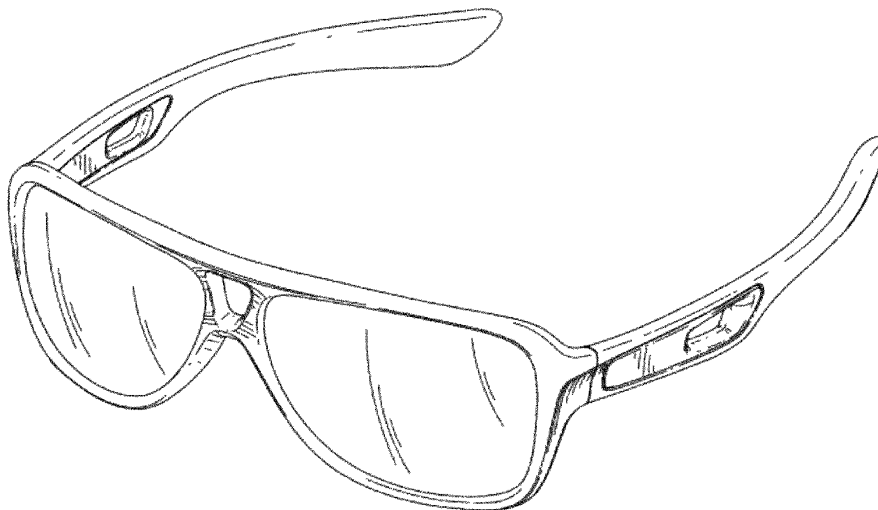
(57) **CLAIM**

The ornamental design for an eyeglass, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of an eyeglass of the present invention;
FIG. 2 is a front elevational view of the eyeglass of FIG. 1;
FIG. 3 is a rear elevational view of the eyeglass of FIG. 1;
FIG. 4 is a left side elevational view of the eyeglass of FIG. 1, the right side elevational view being a minor image thereof;
FIG. 5 is a top plan view of the eyeglass of FIG. 1; and,
FIG. 6 is a bottom plan view of the eyeglass of FIG. 1.

1 Claim, 4 Drawing Sheets



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Feb. 7, 2012

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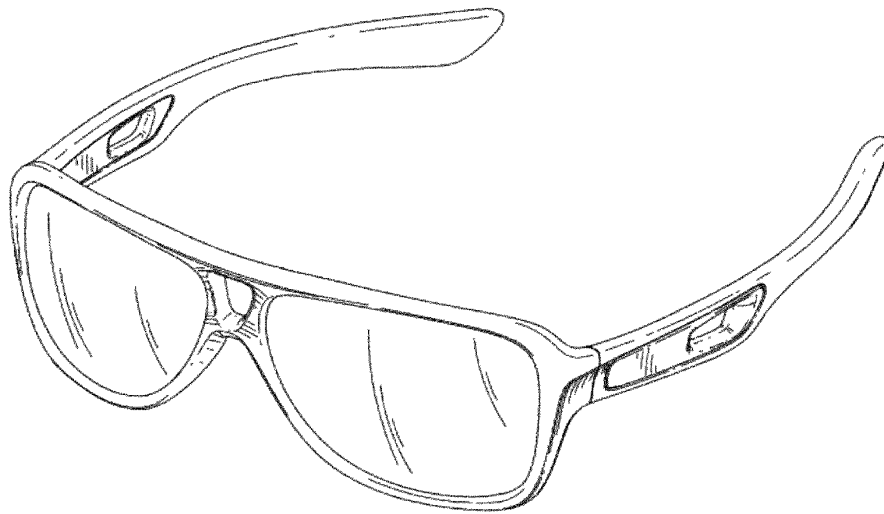


FIG. 1

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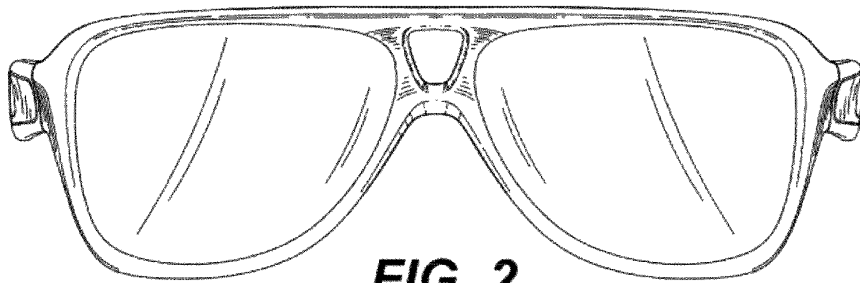


FIG. 2

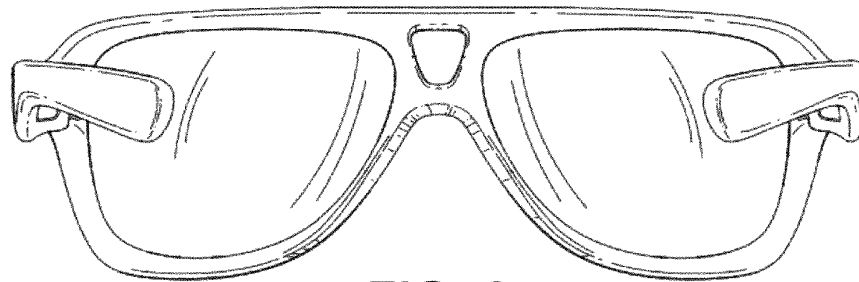


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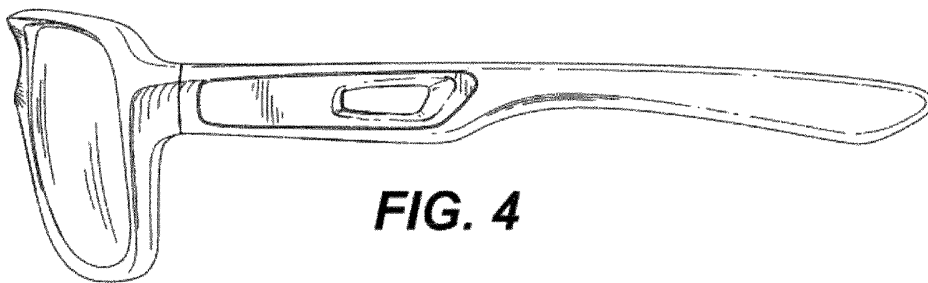


FIG. 4

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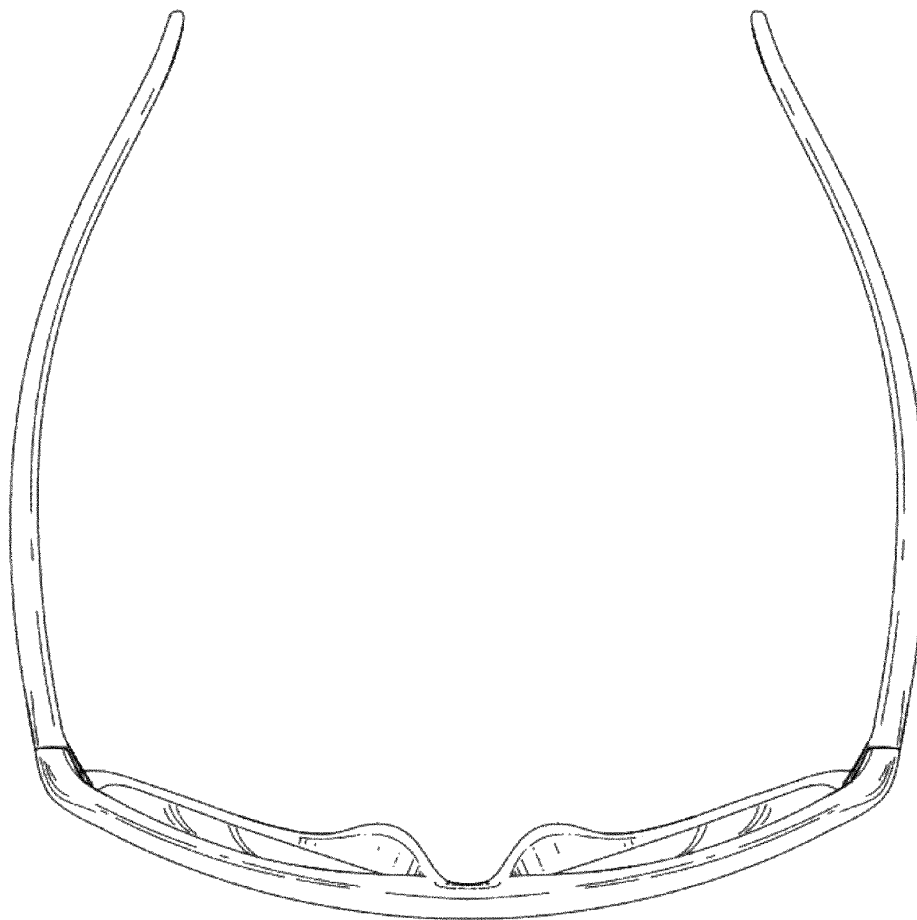


FIG. 5

U.S. Patent

Feb. 7, 2012

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US D653,699 S

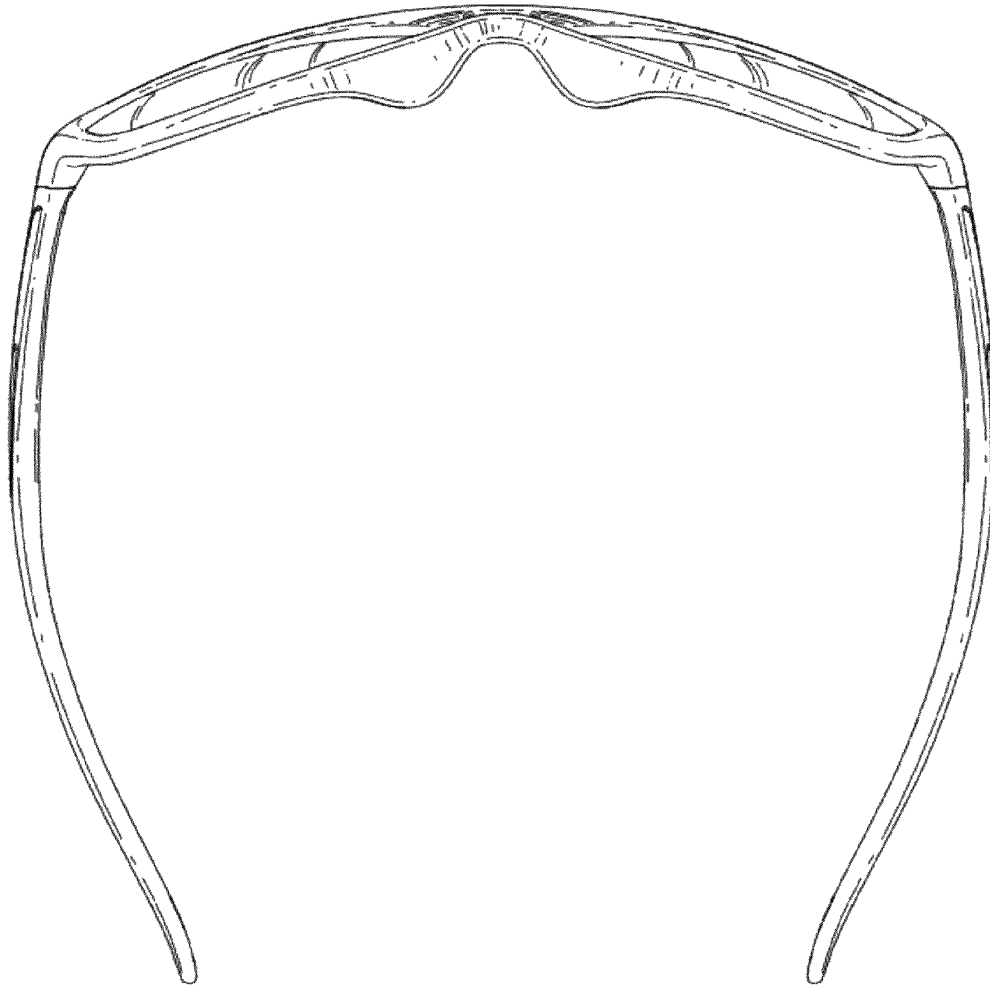


FIG. 6