

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

UNITED PET GROUP, INC.,

★ OCT 14 2004 ★

Plaintiff,

Civil Action No.:

LONG ISLAND OFFICE

vs.

PETRA PET, INC., d/b/a PETRAPPORT,

JURY TRIAL DEMANDED

Defendant.

(S.I.) CV 04 4443

WEXLER, J.
LINDSAY, M.

COMPLAINT

Plaintiff, United Pet Group, Inc. ("UPG"), for its complaint of patent infringement against Defendant, Petra Pet, Inc. ("Petra Pet"), doing business under the name Petrapport, alleges as follows:

PARTIES, JURISDICTION, AND VENUE

1. UPG is a corporation organized under the laws of Delaware, having its principal place of business at 463 Ohio Pike, Suite 303, Cincinnati, OH 45255.
2. UPG operates a place of business in New York under the name Eight In One Pet Products, headquartered at 2100 Pacific Street, Hauppauge, NY 11788.
3. On information and belief, Petra Pet is a corporation organized under the laws of New Jersey, having its principal place of business at 620 Washington Avenue, Carlstadt, New Jersey 07072.

4. This Complaint arises under the patent laws of the United States (35 U.S.C. § 1 et seq.). Subject matter jurisdiction is conferred on this Court by 28 U.S.C. §§ 1331 and 1338(a).

5. Petra Pet has consented to jurisdiction and venue for this Complaint in the Eastern District of New York.

6. Petra Pet, through its Internet web site and/or through distributors and consumer retailers, is engaged in selling and/or offering to sell in the Eastern District of New York and elsewhere a line of dog chew toys called "TASTY SPOTS" under the BEEFEATERS brand.

7. Petra Pet's activities in this District subject it to personal jurisdiction in this District.

8. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)-(c) and 1400(b).

UPG'S BUSINESS AND ITS '653 PATENT

9. UPG distributes and sells high quality pet products in the Eastern District of New York and elsewhere, including dog chew products.

10. United States Patent No. 5,673,653 ("the '653 Patent") was duly and legally issued to Mr. Les Sherrill on October 7, 1997, for an invention entitled, "Chew Toys for Domestic Carnivorous Animals and Method for Making Same." Attached as Exhibit A is a true and correct copy of the '653 Patent.

11. Mr. Sherrill subsequently assigned all the right, title, and interest in the '653 Patent to Dingo Brand, LLC ("Dingo Brand").

12. UPG subsequently purchased the assets of Dingo Brand, and now owns all right, title, and interest in and to the '653 Patent.

13. UPG and Dingo Brand have marketed products covered by the '653 Patent in accordance with the marking provisions of 35 U.S.C. § 287.

PETRA PET'S INFRINGEMENT OF THE '653 PATENT

14. During the American Pet Products Manufacturers Association (APPMA) Show 2004, held March 17-19, 2004, in New Orleans, Louisiana, Petra Pet advertised, sold, and/or offered to sell at least one type of product in the TASTY SPOTS line, without license under the '653 patent.

15. On information and belief, since after the APPMA Show 2004, Petra Pet has advertised, offered for sale, and/or sold products in the TASTY SPOTS line in the Eastern District of New York and elsewhere in the United States.

16. Exhibit B is a true and accurate copy of a Petra Pet advertisement that was published in the United States in the May 2004 issue of Pet Business magazine.

17. The advertisement of Exhibit B constitutes an offer to sell the products described in the advertisement.

18. Exhibit C is a true and accurate photograph of products in the TASTY SPOTS line that have been sold in the United States.

19. Exhibit D is a true and accurate photograph of products in the TASTY SPOTS line that have been sold in the United States.

20. Exhibit E is a true and accurate photograph of products in the TASTY SPOTS line that have been sold in the United States.

21. By at least making, offering to sell, and/or selling products in the TASTY SPOTS line within, and/or importing products in the TASTY SPOTS line into, the United States,

Petra Pet has infringed one or more of claims 1-10 of the '653 Patent under 35 U.S.C. § 271(a).

22. Petra Pet's infringing acts to date have caused damage to UPG's business and property rights, in an amount to be proven at trial.

23. On information and belief, Petra Pet intends to continue to make, offer to sell, and/or sell products in the TASTY SPOTS line within, and/or import products in the TASTY SPOTS line into, the United States.

24. By continuing to make, offer to sell, and/or sell products in the TASTY SPOTS line within, and/or import products in the TASTY SPOTS line into, the United States, Petra Pet will continue to infringe at least one of claims 1-10 of the '653 Patent under 35 U.S.C. § 271(a).

25. Petra Pet's continued infringing acts will cause continued damage to UPG's business and property rights, in an amount to be proven at trial.

26. Petra Pet's continued acts of infringement will further cause immediate and irreparable harm to UPG for which there is no adequate remedy at law, and for which UPG is entitled to injunctive relief under 35 U.S.C. § 283.

27. On information and belief, Petra Pet was aware of the '653 Patent prior to the date of this complaint.

28. On information and belief, Petra Pet has been aware of the '653 patent since at least the first offer for sale of a product in the TASTY SPOTS line.

29. On information and belief, Petra Pet's infringement of the '653 Patent has been and will continue to be willful and deliberate, entitling UPG to increased damages under 35 U.S.C. § 284.

PRAYER FOR RELIEF

30. WHEREFORE, UPG prays for the entry of a judgment from this Court:

(a) Declaring that Petra Pet has infringed, and continues to infringe, at least one of claims 1-10 of the '653 Patent under 35 U.S.C. § 271(a) and § 271(b);

(b) Declaring that Petra Pet has willfully infringed, and continues to willfully infringe, at least one of claims 1-10 of the '653 Patent;

(c) Preliminarily and permanently enjoining Petra Pet from further infringement of the '653 Patent; and

(d) Awarding UPG adequate monetary damages consistent with 35 U.S.C. § 284 to compensate UPG for past and continuing infringement by Petra Pet, together with costs and prejudgment interest.

(e) Awarding UPG increased monetary damages pursuant to 35 U.S.C. § 284 for Petra Pet's acts of willful infringement.

(f) Declaring this to be an "exceptional" case within the meaning of 35 U.S.C. § 285, and awarding UPG reasonable attorneys' fees, expenses, and costs.

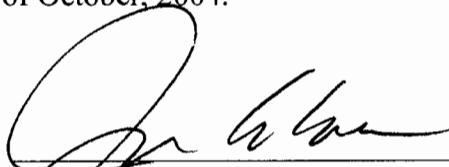
(g) Awarding UPG such other and further relief as this Court may deem to be just and proper.

JURY TRIAL DEMANDED

31. Plaintiff respectfully demands a trial by jury for all issues so triable.

Respectfully submitted this 14th day of October, 2004.

By:



James W. Weller (JWW 0545)

NIXON PEABODY LLP

990 Stewart Avenue
Garden City, NY 11530
(516) 832-7500

OF COUNSEL

Robert S. Katz
Jordan N. Bodner
Steve S. Chang
BANNER & WITCOFF, LTD.
1001 G Street, N.W. - 11th Floor
Washington, D.C. 20001-4597

*Attorneys for Plaintiff,
United Pet Group, Inc.*

Exhibit A



US005673653A

United States Patent [19]
Sherrill

[11] **Patent Number:** 5,673,653
 [45] **Date of Patent:** Oct. 7, 1997

[54] **CHEW TOYS FOR DOMESTIC CARNIVOROUS ANIMALS AND METHOD FOR MAKING SAME**

OTHER PUBLICATIONS

[76] **Inventor:** Les R. Sherrill, 140 Kailuana Loop, Kailua, Hi. 96734

Discount Master Animal Care Catalog, pp.74-79, publication date unknown.

[21] **Appl. No.:** 721,348

Primary Examiner—Thomas Price
Attorney, Agent, or Firm—Banner & Witcoff, Ltd.

[22] **Filed:** Sep. 26, 1996

[57] **ABSTRACT**

[51] **Int. CL⁶** **A01K 29/00**
 [52] **U.S. CL** **119/709**
 [58] **Field of Search** 119/707, 709,
 119/710, 711; 446/386

Chew toys for domestic carnivorous animals having rawhide and jerky sheets or members. The jerky sheets are wrapped in a rawhide sheet by either rolling or folding. This provides an outer layer of rawhide containing jerky therein. A seam is created in rawhide outer layer by the rolling or folding of the rawhide sheet. The jerky preferably extends through this seam to provide an initial attractive odor and taste for the dog and provide an immediate starting point for chewing. The benefits of the jerky and the rawhide are maximized throughout the entire chewing process of the chew toy. Dogs are highly attracted to the scent and taste of jerky, which causes the dog to chew on the rawhide for extended periods of time. This better satisfies the dog's instinctive urge to chew, channeling it in a healthy direction, while simultaneously reducing the tartar on their teeth. The jerky is positioned with respect to the rawhide to enable the odor and taste sensations of the jerky to always be present and fresh to the dog.

[56] **References Cited**

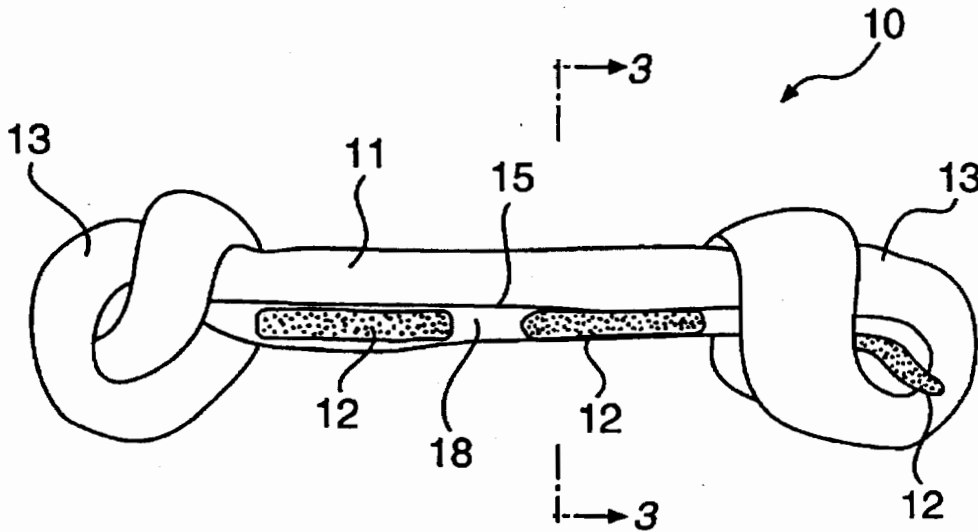
U.S. PATENT DOCUMENTS

2,185,547	1/1940	Fowler	119/709
2,988,045	6/1961	Fisher	119/709
4,364,925	12/1982	Fisher	424/50
4,921,714	5/1990	Matthews et al.	
5,026,572	6/1991	Neiberger	
5,186,124	2/1993	Woodford	119/707
5,200,212	4/1993	Axelrod	426/2
5,240,720	8/1993	Axelrod	426/2
5,290,584	3/1994	Ray	
5,339,771	8/1994	Axelrod	

FOREIGN PATENT DOCUMENTS

674261	11/1963	Canada	119/709
--------	---------	--------	---------

20 Claims, 2 Drawing Sheets



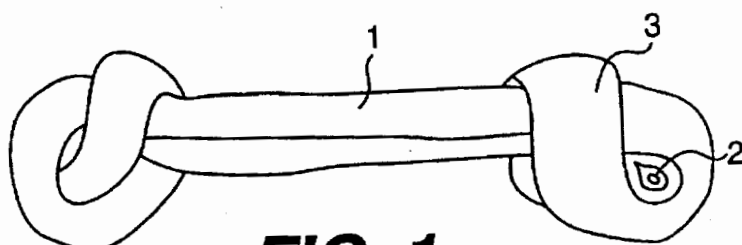


FIG. 1
PRIOR ART

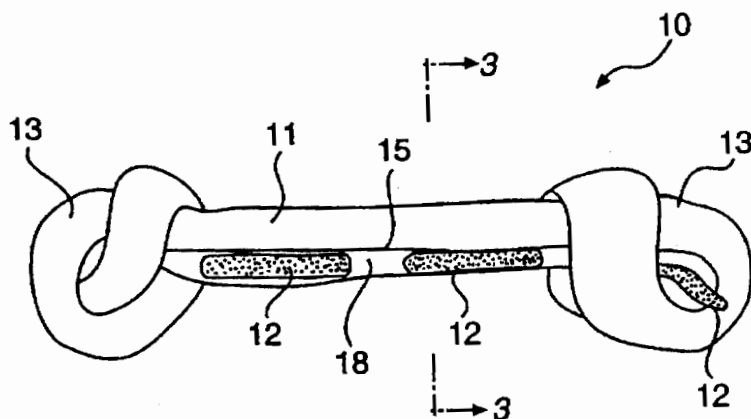


FIG. 2

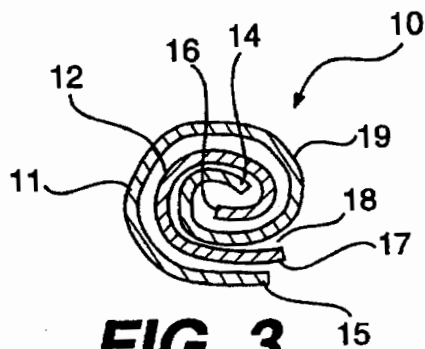


FIG. 3

U.S. Patent

Oct. 7, 1997

Sheet 2 of 2

5,673,653

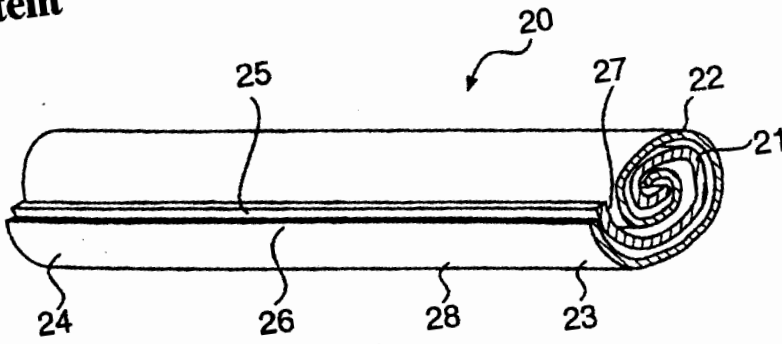


FIG. 4

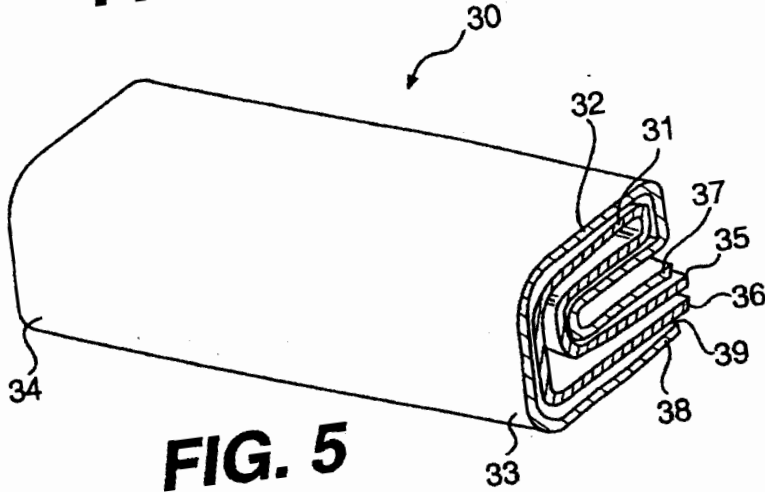


FIG. 5

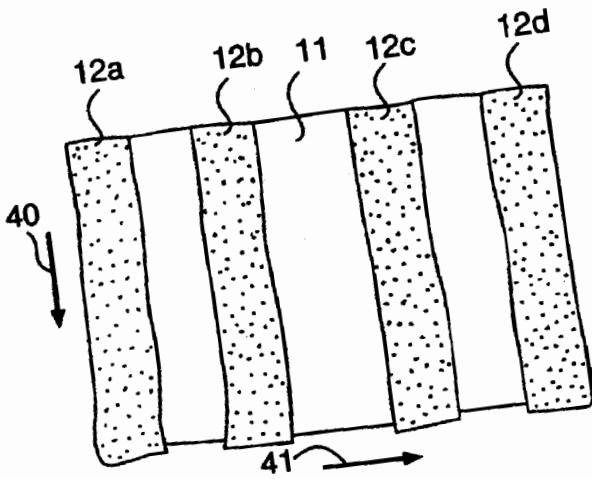


FIG. 6

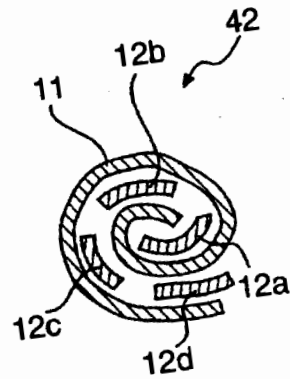


FIG. 7

5,673,653

1

**CHEW TOYS FOR DOMESTIC
CARNIVOROUS ANIMALS AND METHOD
FOR MAKING SAME**

FIELD OF INVENTION

This invention relates to chew toys for domestic carnivorous animals and a method for making the chew toys. More particularly, this invention relates to rawhide chew toys primarily for dogs, which are appetizing and long-lasting, and satisfy their instinctive need to chew.

BACKGROUND OF THE INVENTION

Carnivorous domestically-trained animals, primarily dogs, have a basic instinct to chew. Chew toys have been used for many years to channel that instinctive urge to chew in a healthy direction and provide them with exercise for their jaws. "Chew toys" are intended to be chewed by a dog for an extended period of time, and should be distinguished from "treats" which are intended to be chewed by a dog for a relatively short period of time and digested. Chew toys typically fall within two distinct categories: (i) those consisting of synthetic materials and (ii) those consisting at least in part of animal skin or parts or the like. However, as explained below, existing chew toys include various disadvantages making them unsatisfactory in many instances.

Prior chew toys have been manufactured utilizing rubber, polyurethane, latex, nylon, other plastics, and other types of synthetic material. While chew toys consisting of these synthetic materials may be long-lasting and resistant to disintegration, they are typically odorless and tasteless. Most dogs do not get excited about these chew toys because of their odorless and tasteless aspects. Accordingly, many dogs will not chew on these toys, or will only chew on these toys for short periods of time. Further, the synthetic nature of these chew toys makes them difficult and/or dangerous to digest. Thus, small pieces of these chew toys which break off can potentially cause digestive dangers to the animals. Additionally, these chew toys are not biodegradable and are therefore bad for the environment.

Chew toys have also been comprised of portions of deceased animals. Of these types of chew toys, rawhide is a commonly used material. One such chew toy is disclosed in U.S. Pat. No. 2,988,045 to Fisher and shown in FIG. 1 herein. This chew toy includes a rolled and knotted sheet of rawhide. To make the bone, a sheet of wet rawhide is rolled into a cylindrical form 1, and while it is still wet, at least one of the ends 2 is knotted 3 to simulate an animal joint. The rolled and knotted rawhide is then dried.

Chew toys consisting solely of rawhide may be more appealing and easier to digest than synthetic chew toys. However, many dogs find these chew toys to lack of substantial flavor and odor. Accordingly, many dogs become bored with these chew toys after a while and will at most only chew on them for short periods of time.

Some manufacturers have coated or basted the rawhide chew toys with various flavors to provide additional odor or flavor and entice dogs to chew longer. For example, some rawhide chew toys are basted in a hickory-flavored marinade to enhance their flavor and odor. Other rawhide chew toys have been coated in a cheese-flavored substance. However, these basted and coated chew toys are disadvantageous for many pet owners as they can stain carpets and other items in a house. Further, these coated and basted chew toys are undesirable for many pet owners because they become malodorous to humans.

Accordingly, a chew toy which overcomes the problems and disadvantages of the prior art was thus needed.

2

SUMMARY OF THE INVENTION

It is an objective of the present invention to create a chew toy for domestic carnivorous animals, e.g., dogs, which overcomes the drawbacks of existing chew toys.

It is an objective of the present invention to provide a rawhide chew toy which enhances a dog's desire to chew the toy for extended periods of time.

Another objective of the present invention is to provide a chew toy which is biodegradable and is completely safe to be ingested by dogs.

It is yet another objective of the present invention to provide a chew toy for dogs which is not coated or basted and which does not stain carpets and other household articles.

It is an objective of the present invention to combine the individual advantages of jerky and rawhide in a single chew toy to provide a superior chew toy which fully satisfies a dog's instinctive urge to chew.

It is an objective of the present invention to provide a chew toy with a high content of rawhide tending to reduce the tartar on teeth of the dogs chewing the toy.

In one aspect, the chew toy of the present invention a sheet member is comprised of a rawhide sheet member and a member comprised of jerky. The jerky member is wrapped in the rawhide sheet member.

In another aspect of the present invention, a chew toy for domestic carnivorous animals includes an outer layer and an inner member. The outer layer is comprised of rawhide, and includes a longitudinal seam therein. The inner member is comprised of a meat product, and is retained substantially within the outer layer. A portion of the inner member extends through the seam in the outer layer and is exposed outside the outer layer.

In yet another aspect, the present invention provides a method of forming a chew toy for domestic carnivorous animals. The method includes the steps of providing a sheet member of rawhide and a sheet member consisting of jerky. The rawhide and jerky sheets are placed in a superimposed relationship. The two sheet members are moved together to wrap the jerky sheet member with the rawhide sheet member.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a front elevational view of a prior art rawhide chew toy.

FIG. 2 is a front elevational view of a chew toy of the present invention;

FIG. 3 is a cross-sectional view of a chew toy of the present invention taken through line 3—3 of FIG. 2;

FIG. 4 is a perspective view of a second embodiment of a chew toy of the present invention;

FIG. 5 is a perspective view of a third embodiment of a chew toy of the present invention;

FIG. 6 is a top plan view of the chew toy of FIG. 1 in an intermediate stage of manufacture; and

FIG. 7 is a cross-sectional view of another embodiment of the chew toy of the present invention.

**DETAILED DESCRIPTION OF THE
PREFERRED EMBODIMENT**

In the present invention, as pictured in FIGS. 2-6, a chew toy for domestic carnivorous animals, e.g., dogs, is designated generally by reference numerals 10 (FIGS. 2 and 3),

5,673,653

3

20 (FIG. 4), and 30 (FIG. 5). In each embodiment, the chew toy includes a combination of rawhide and jerky members. Jerky is an extremely appetizing treat for dogs, and the smell and taste of the jerky constantly entices the dog to chew the toy. The jerky is wrapped in the rawhide in a manner which provides the chew toy with an appealing taste and scent for the dog throughout the entire chewing process of the chew toy. The rigidity and other properties of the rawhide satisfies the dog's inherent urge to chew and channels that urge in a healthy direction.

It should be noted that the term "jerky" as used herein is defined as including "traditional jerky" and "kippered jerky". "Traditional jerky" as defined herein typically consists of beef, chicken, turkey, fish, or another animal meat which is cut into strips. The sliced meat may be flavored using spices and/or a marinade and is dried via a smoker or another manner. "Kippered jerky" as defined herein includes chopped pieces of meat, chicken, turkey, fish, etc., which is mixed together with spices and fillers. The mixture is forced through a sausage press (without casing) or other press, typically into a flat form instead of round. This flat product may then be smoked or dried in another manner.

As shown in FIGS. 2 and 3, chew toy 10 includes a rawhide sheet 11 and at least one jerky member or sheet 12 which are rolled and knotted at both its longitudinal ends 13. As best shown in FIG. 2, the rawhide sheet 11 has a first edge or end 14 toward the center of the rolled chew toy 10, and an opposing second edge or end 15 at the outer periphery of rolled chew toy 10. Similarly, the jerky sheet 12 has a first edge or end 16 toward the center of the rolled chew toy 10, and an opposing second edge or end 17 at or near the outer periphery of rolled chew toy 10. It is preferred that the end 17 of jerky sheet 12 extends through a seam 18 formed in the outer layer 19 of chew toy 10 created by the rolling or folding of the rawhide sheet 11.

The relationship between the rawhide and jerky sheets 11 and 12 is such that the benefits of the jerky and the rawhide are maximized throughout the entire chewing process of the chew toy. Dogs are highly attracted to the scent and taste of jerky. As previously described, chewing rawhide for extended periods of time provides a healthy channel to satisfy a dog's instinctive need to chew. Chew toy 10 preferably provides jerky 12 at or near the periphery of the chew toy 10 at all times while the dog is gnawing on toy 10 to enable the odor and taste sensations of the jerky to always be present and fresh to the dog.

For example, as shown in FIG. 3, one end 17 of the jerky 12 is exposed near the end 15 of rawhide sheet 11 and another portion of the jerky 12 is located immediately below the chew toy's outer layer 19 of rawhide. This provides an initial and appealing odor to attract the dog to the chew toy before he starts to chew, and provides taste and scent attraction as the dogs begins to chew. As the dog continues to chew for extended periods of time, the rawhide being chewed, i.e., most likely the outer layer, slowly disintegrates and is digested by the dog with portions of the jerky immediately thereunder. After the outer layer of rawhide and the jerky thereunder is digested, the chew toy continues to provide a fresh attractive scent and taste as unchewed jerky is located under the second layer of rawhide and at or exposed adjacent the outer edge of the remaining rolled rawhide. Additionally, as there is a substantial amount of rolled rawhide resisting the simple consumption of the jerky, the dog will have to gnaw or chew the rawhide to get at small sections of the jerky. Thus, the dog's need to chew will be satisfied and successfully channeled in a healthy manner by chewing the rawhide, and the dog will continue to chew the

4

rawhide for extended periods of time due to the odor and taste provided by the jerky.

Further, in some preferred embodiments, the jerky sheet 12 is positioned such that a small amount, e.g., 1/2 to 1 inch, of the jerky 12 projects out of the longitudinal seam 18 in the rawhide outer layer 19. The exposed jerky makes the chew toy initially more attractive to the dog from an odor and taste standpoint, and provides an immediate starting point for chewing.

Another embodiment of the present invention is shown in FIG. 4. Chew toy 20 is similar to chew toy 10 of FIGS. 2 and 3 in that one or more sheets of jerky 21 are rolled with a sheet of rawhide 22. However, unlike the knotted ends of chew toy 10, chew toy 20 has unknotted ends 23 and 24. This configuration may be preferred to some dogs. In a preferred variation of this embodiment, the jerky sheet 21 is positioned such that a small amount, e.g., 1/2 to 1 inch, at the end 25 of the jerky 21 projects out of the seam 27 in the outer rawhide layer 28 adjacent the outer edge 26 of the rawhide sheet 22. As described with respect to the previous embodiment, the exposed jerky makes chew toy 20 initially more attractive to the dog from an odor and taste standpoint, and provides an immediate starting point for chewing.

Chew toy 30, as shown in FIG. 5, includes one or more sheets of jerky 31 wrapped within a sheet of rawhide 32. However, unlike the being rolled like chew toys 10 or 20, chew toy 30 is folded one or more times upon itself, in lieu of being rolled. While depicted in FIG. 5 as having unknotted ends 33 and 34, it is recognized that the ends may be knotted is the length of the folded chew toy is sufficient to do so. Further, in one preferred variation of this embodiment, the jerky sheet 31 is positioned such that a small amount, e.g., 1/2 inch, at both ends 35 and 36 of the jerky 31 extends through a seam 39 in the outer rawhide layer, i.e., it projects past the ends 37 and 38 of the rawhide sheet 32 when folded over. While it is apparent that chew toy 30 in FIG. 5 was folded onto itself two times, it is also recognized that chew toys of the present invention may be formed by folding it once or more than two times.

Chew toys 10, 20, and 30, are preferably formed by wrapping, e.g., folding or rolling, one or more members consisting of jerky in a rawhide sheet. For example, a single sheet of jerky may be used which is of substantially the same size as the rawhide. In the alternative, a plurality of spaced or adjacent jerky sheets may be used. For example, to form the chew toy 10 of FIGS. 2 and 3, a plurality of separate jerky sheets 12a-12d, are superimposed across a sheet of rawhide 11 as shown in FIG. 6. The rawhide sheet 11 and jerky sheets 12a-12d could then be rolled in the direction of arrow 40 and knotted at its ends. This creates longitudinally-separated exposed sections of jerky 12 as shown in FIG. 2. In the alternative, jerky sheets may be placed immediately adjacent to one another to form a longitudinally-continuous exposed section of jerky as depicted in chew toy 20 of FIG. 4.

In an alternative embodiment, the jerky sheets may be wrapped in the rawhide in a direction lateral to the jerky members. For example, the arrangement of jerky sheets and rawhide shown FIG. 6, could be rolled in the direction of arrow 41 to form a chew toy 42 substantially as shown in FIG. 7. As shown in FIG. 7, this creates a chew toy 42 with the jerky members 12a-12d angularly spaced within the rawhide sheet 11. However, it is noted that regardless of wrapping direction, a single sheet of jerky may be used, and it need not be of substantially similar size to the rawhide sheet. Further, it is also possible to wrap rawhide around

5,673,653

5

jerky members which are not in a sheet form, e.g., having more of a cylindrical form, and still obtain a chew toy experiencing the benefits of jerky in combination with rawhide.

To manufacture chew toys 10, 20, and 30 of the present invention, rawhide is cut into rectangles having a predetermined size depending upon the desired length and thickness of the chew toy. For example, in manufacturing chew toy 10, the length of the rectangles is equal to the nominal length of the rolled center portion plus the additional length on both ends sufficient to tie a knot at both ends of the toy 10. Additionally, the width of the rectangle is preferably sufficient for the rawhide to be rolled between 1.5 and 2 times over itself. The thickness of the rawhide may vary as a function of the length of the chew toy to provide it with sufficient and desired structural stability and stiffness. In one preferred embodiment, the thickness of the rawhide is approximately 1/8 inch. However, it is recognized that the length, width, and thickness of the rawhide may vary as desired to obtain chew toys of different shapes, configurations, and stiffnesses.

The preferred rawhide is a standard international grade, taken from the second layer cut of cow or buffalo hide. It is also preferred that the rawhide is tanned. The rawhide may further be processed as desired by dehairing, liming, etc., as is well known in the art.

The cut rawhide sheets are preferably soaked in a solution including hydrogen peroxide and chlorine to make it sufficiently malleable to manipulate as desired, e.g., fold, roll and/or knot. Each rawhide sheet is laid flat and one or more jerky members or sheets are superimposed or laid on the cut rawhide sheet in a generally superimposed relationship. For example, as shown in FIG. 6, four jerky sheets 12a-12d may be placed on a rawhide sheet 11. Depending upon the desired configuration, the jerky may be oriented in a direction along the long or the short side of the rawhide, and wrapped in the desired direction. In a preferred embodiment, the jerky sheets are preferably about 1/8" in thickness. However, it is recognized that the rawhide sheets may be thicker or thinner as desired.

In a preferred embodiment, the jerky will be a "traditional jerky", prepared in conformance with USDA regulations requiring certification of water quality, cooking and heating procedures. However, "kippered jerky" may be used in lieu of the "traditional jerky".

Prior to superimposing the jerky sheet or sheets on the rawhide, a mold inhibiting additive, for example potassium sorbate, is sprayed on the jerky to provide protection from mold growth on the jerky during the drying process of the moist rawhide.

The rawhide and jerky may then be manipulated, e.g., folded or rolled. For example, the rawhide and jerky can be rolled into a cylinder as shown in FIGS. 2 and 4. If desired, the ends can be knotted manually or mechanically. The rawhide and jerky could also be folded, either manually or mechanically, to arrive at the chew toy shown in FIG. 5.

The chew toy is then dried thoroughly in any conventional manner, e.g., it may be sun dried approximately four to seven days. The chew toy will become more rigid after it has dried and will maintain its wrapped, e.g., rolled or folded shape. After it has been dried, the chew toy is preferably air packed and/or shrink wrapped to prevent the jerky from spoiling.

As chewing rawhide for extended periods of time tends to reduce plaque and tartar on dogs' teeth, it is expected that the chew toys of the present invention will provide enhanced

6

reduction of plaque and tartar because the dogs will tend to gnaw on the chew toys of the present invention for longer periods of time.

In some preferred embodiments, the proportion of the rawhide to jerky by weight will be between the range of 5:1 and 15:1, and more specifically, approximately 10:1. However, it is recognized that higher or lower ratios of rawhide to jerky may be used.

It is evident that the chew toy is void of synthetic material. Rawhide and jerky are biodegradable and easier of dogs to digest than synthetic materials. Accordingly, the chew toy of the present invention is more environmentally friendly and easier to digest than chew toys which include synthetic materials.

While particular embodiments of the invention have been shown and described, it is recognized that various modifications thereof will occur to those skilled in the art. For example, it is possible to make the chew toy of the present invention in other configurations than the ones depicted in the drawing figures. Therefore, the scope of the herein-described invention shall be limited solely by the claims appended hereto.

I claim:

1. A chew toy for domestic carnivorous animals comprising:

a sheet member comprised of rawhide;

a member comprised of jerky;

said jerky member being wrapped in said rawhide sheet member.

2. The chew toy of claim 1, wherein said jerky member comprises at least one sheet member.

3. The chew toy of claim 2, further comprising a plurality of jerky sheet members.

4. The chew toy of claim 2, wherein said rawhide sheet member and said jerky sheet member are disposed in a rolled relationship creating a rolled chew toy.

5. The chew toy of claim 4, wherein said rolled chew toy is elongated having first and second ends, said first and second ends including knots therein.

6. The chew toy of claim 5, wherein said jerky member is comprised of traditional jerky.

7. The chew toy of claim 2, wherein said rawhide sheet member and said jerky sheet member are disposed in a folded relationship.

8. The chew toy of claim 1, wherein the proportion of rawhide material to jerky material by weight is in the range between 5:1 and 15:1.

9. The chew toy of claim 1, wherein said jerky material is traditional jerky.

10. The chew toy of claim 1, wherein said chew toy is void of synthetic material.

11. A method of forming a chew toy for domestic carnivorous animals, said method comprising the steps of:

providing a sheet member of rawhide;

providing a sheet member consisting of jerky;

placing the sheets of rawhide and jerky in superimposed relationship; and

moving the two sheet members together to wrap the jerky sheet member with the rawhide sheet member.

12. The method of claim 11, wherein said moving step comprises rolling the rawhide and jerky sheet members.

13. The method of claim 12, further comprising the step of tying knots in the ends of the rolled rawhide and jerky sheet members.

14. The method of claim 11, wherein said moving step comprises folding the rawhide and jerky sheet members.

5,673,653

7

15. The method of claim 11, wherein said placing step comprises positioning the jerky sheet member to overhang the rawhide sheet member such that a portion of the jerky sheet member is visible after the sheet members are moved and the jerky sheet member is wrapped in the rawhide sheet member.

16. The method of claim 11, further comprising providing a plurality of sheet members consisting of jerky material; placing the jerky sheet members in superimposed relationship with the rawhide sheet members; and moving the rawhide sheet members and the jerky sheet members together to wrap the jerky sheet members with the rawhide sheet member.

17. The method of claim 11, further comprising the steps (i) soaking the rawhide sheet member prior to said moving step to enhance its malleability, and (ii) drying the rawhide sheet member after said moving step.

8

18. The method of claim 17, further comprising the step of spraying a mold inhibiting additive on the jerky sheet member prior to said drying and moving steps.

19. A chew toy for domestic carnivorous animals, said chew toy comprising:

an outer layer comprised of rawhide, said outer layer including a longitudinal seam therein;

an inner member comprised of a meat product, said inner member retained substantially within said outer layer;

a portion of said inner member extending through said seam in said outer layer and exposed outside said outer layer.

20. The chew toy of claim 19, said outer layer including a sheet of rawhide, said inner member comprised of jerky, said inner member wrapped in said sheet of rawhide.

* * * * *

Exhibit B

Petrapport

Tasty Spots

BEEFEATERS introduces a mouth-watering new product called the Tasty Spots. Tasty Spots combine high-quality rawhide with 100%-Natural Beef and Chicken Spots. Removes tartar and massages gums. Choose from over 30 irresistible styles.



CIRCLE #559 ON READER INQUIRY CARD

Exhibit C



Exhibit D

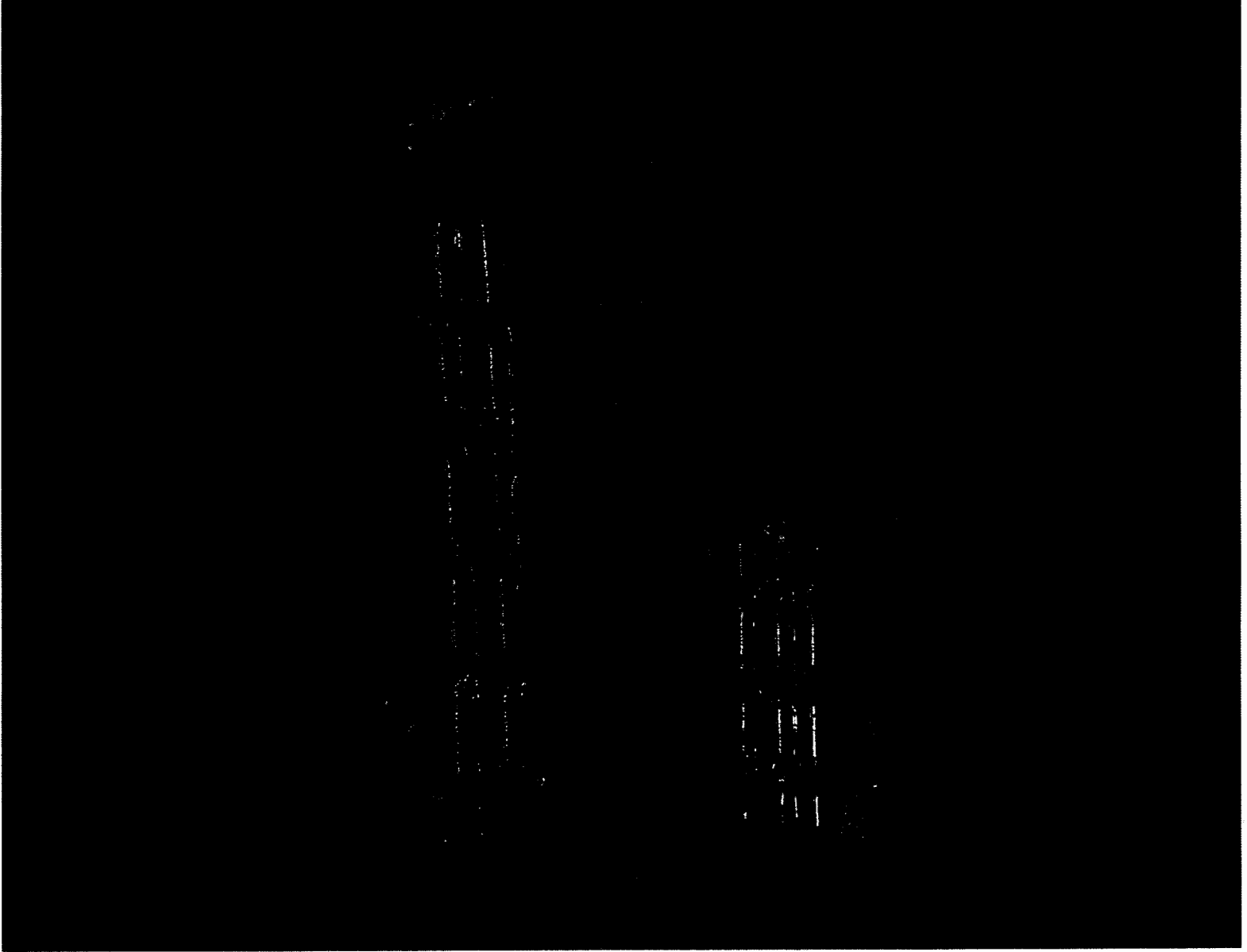


Exhibit E

