

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

**JOHN D. BRUSH & CO., INC.,
d/b/a SENTRY GROUP,**

Plaintiff,

vs.

STACK-ON PRODUCTS COMPANY,

Defendant.

04 CV 6010

COMPLAINT

Civil Action No.: _____

Jury Trial Demanded

(1) S(F)

FILED
U.S. DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
JAN 12 2010

Plaintiff, John D. Brush & Co., Inc., d/b/a Sentry Group ("Sentry") by its attorneys,

Jaekle Fleischmann & Mugel, LLP, for its Complaint alleges:

PARTIES

1. Sentry is a corporation organized and existing under the laws of the State of New York, having a principal place of business located at 882 Linden Avenue, Rochester, New York 14625.

2. Upon information and belief, defendant STACK-ON Products ("STACK-ON") is a corporation organized and existing under the laws of the State of Illinois, having a principal place of business located at 1360 N. Old Rand Road, Wauconda, Illinois 60084.

JURISDICTION AND VENUE

3. This is a suit for declaratory judgment of non-infringement and invalidity of certain United States patents issued and/or assigned to defendant STACK-ON.

4. Subject matter jurisdiction in this action is vested in the United States District Court for the Western District of New York pursuant to Title 28, United States Code, §§1331,

1132 and 1338(a) because this action arises under the patent laws of the United States (Title 35, United States Code, § 1, *et seq*), and pursuant to the Declaratory Judgment Act, Title 28, United States Code, §§ 2201 and 2202.

5. Personal jurisdiction is vested in the United States District for the Western District of New York by virtue of STACK-ON conducting a substantial part of its corporate business within the State of New York within this judicial district. STACK-ON has also sent letters to Sentry in New York demanding that Sentry cease and desist from manufacturing and selling Sentry products which STACK-ON contends to infringe its patent rights.

6. Venue in this judicial district is proper pursuant to Title 28, United States Code, § 1391(b) and (c) because STACK-ON is a corporation; because STACK-ON has conducted and transacted business in the State of New York generally and in this judicial district in particular; because all or a substantial part of the events or omissions giving rise to and otherwise related to the claims herein occurred in the State of New York in this judicial district; and because Sentry's underlying injuries and losses attributable to the conduct of STACK-ON will be felt and will occur primarily in the State of New York.

BACKGROUND

7. STACK-ON claims to own all rights, title and interest in and to United States Letters Patent Nos. 6,415,932 ("the '932 patent"), D457,369 ("the '369 patent") and D447,531 ("the '531 patent") (hereinafter collectively referred to as the "Patents in Suit"). Copies of these referenced patents are attached hereto as Exhibits "A", "B" and "C", respectively.

8. On or about April 21, 2003, Patzik, Frank & Samotny Ltd., attorneys for STACK-ON, sent a letter to Sentry charging Sentry with infringement of the Patents in Suit and

demanding that Sentry cease and desist its alleged infringing activities. A copy of the April 21, 2003 letter is attached hereto as Exhibit "D".

9. Sentry, through its attorneys, responded to that letter denying that Sentry infringed the Patents in Suit.

10. On or about August 22, 2003, STACK-ON, through its attorneys, sent a second cease and desist letter to counsel for Sentry.

11. The accusations of STACK-ON have caused Sentry to reasonably and legitimately fear that STACK-ON will sue Sentry for infringement of the Patents in Suit.

12. The accusations by STACK-ON have given rise to a case of actual controversy within the jurisdiction of this Court, pursuant to 28 U.S.C. §§ 2201 – 2202.

13. Sentry has no adequate remedy at law.

**AS AND FOR A CAUSE OF ACTION SEEKING
A DECLARATION OF NON-INFRINGEMENT
AND PATENT INVALIDITY**

14. Plaintiff Sentry repeats and realleges the allegations of Paragraphs 1 through 13 of this Complaint as if set forth fully herein.

15. Sentry does not infringe the '932 patent.

16. Sentry does not infringe the '369 patent.

17. Sentry does not infringe the '531 patent.

18. The '932 patent is invalid and/or otherwise unenforceable for failing to comply with the conditions and requirements for patentability.

19. The '369 patent is invalid and/or otherwise unenforceable for failing to comply with the conditions and requirements for patentability.

20. The '531 patent is invalid and/or otherwise unenforceable for failing to comply with the conditions and requirements for patentability.

21. Sentry requests a declaration that it does not infringe the claims of the '932 patent.

22. Sentry requests a declaration that it does not infringe the claims of the '369 patent.

23. Sentry requests a declaration that it does not infringe the claims of the '531 patent.

24. Sentry requests a declaration that the claims of the '932 patent are invalid and/or otherwise unenforceable.

25. Sentry requests a declaration that the claims of the '369 patent are invalid and/or otherwise unenforceable.

26. Sentry requests a declaration that the claims of the '531 patent are invalid and/or otherwise unenforceable.

WHEREFORE, Sentry prays:

a. For a declaration and judgment that Sentry has not at any time infringed United States Letters Patent No. 6,415,932;

b. For a declaration and judgment that United States Letters Patent No. 6,415,932 and the claims contained therein are invalid and/or otherwise unenforceable;

c. For a declaration and judgment that Sentry has not at any time infringed United States Letters Patent No. D457,369;

d. For a declaration and judgment that United States Letters Patent No. D457,369 and the claims contained therein are invalid and/or otherwise unenforceable;

e. For a declaration and judgment that Sentry has not at any time infringed United States Letters Patent No. D447,531;

- f. For a declaration and judgment that United States Letters Patent No. D447,531 and the claims contained therein are invalid and/or otherwise unenforceable; and
- g. For an injunction preliminarily and permanently restraining STACK-ON from asserting, threatening or otherwise relying upon United States Letters Patent No. 6,415,932 against Sentry or Sentry's customers;
- h. For an injunction preliminarily and permanently restraining STACK-ON from asserting, threatening or otherwise relying upon United States Letters Patent No. D457,369 against Sentry or Sentry's customers;
- i. For an injunction preliminarily and permanently restraining STACK-ON from asserting, threatening or otherwise relying upon United States Letters Patent No. D447,531 against Sentry or Sentry's customers;
- j. Awarding Sentry the costs of this suit and reasonable attorneys' fees under 35 U.S.C. § 285; and
- k. For such other and further relief that this Court may seem just and proper.

Dated: January 12, 2004
Rochester, New York

JAECKLE FLEISCHMANN & MUGEL, LLP

By: 

Ronald J. Kisicki, Esq.
Suzanne E. Wilson, Esq.
Attorneys for Plaintiff
John D. Brush & Co., Inc.
d/b/a Sentry Group
39 State Street, Suite 200
Rochester, NY 14614
(585)262-3640

137305

A



US006415932B1

(12) **United States Patent**
Fiscus et al.

(10) **Patent No.:** **US 6,415,932 B1**
(45) **Date of Patent:** **Jul. 9, 2002**

(54) **GUN BARREL REST WITH DETACHABLE EXTENDER**

(76) Inventors: **Jon Fiscus**, 610 Hillside Ct.; **Shelley Nehrt**, 135 E. Hillside Rd., both of Barrington, IL (US) 60010; **Dave Story**, 1048 Georgian Pl., Bartlett, IL (US) 60103

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **09/761,057**

(22) Filed: **Jan. 16, 2001**

(51) Int. Cl.⁷ **A47F 5/00**

(52) U.S. Cl. **211/64; 211/87.01; 211/60.1**

(58) Field of Search **211/64, 70.2, 70.8, 211/60.1, 68, 87.01**

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Primary Examiner—Robert W. Gibson, Jr.

(57) **ABSTRACT**

The present invention relates generally to a gun barrel rest, and specifically to a gun barrel rest for supporting both scoped and non-scoped guns in an upright or vertical position. The gun barrel rest includes a front portion and a rear portion. The front portion include a plurality of concave-shaped gun barrel rest recesses into which the gun barrel is placed. An extender is provided for increasing the distance between the vertical wall and the gun. The extender includes a tongue and a extender recess. The tongue is adapted for insertion into any one of the gun barrel rest recesses, and is adapted to matingly engage the gun barrel rest. When the barrel of the gun is inserted into the extender recess, the gun is positioned at a greater distance from the vertical wall.

17 Claims, 4 Drawing Sheets

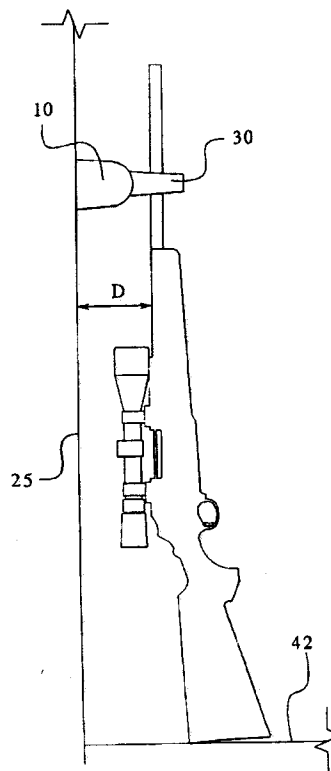
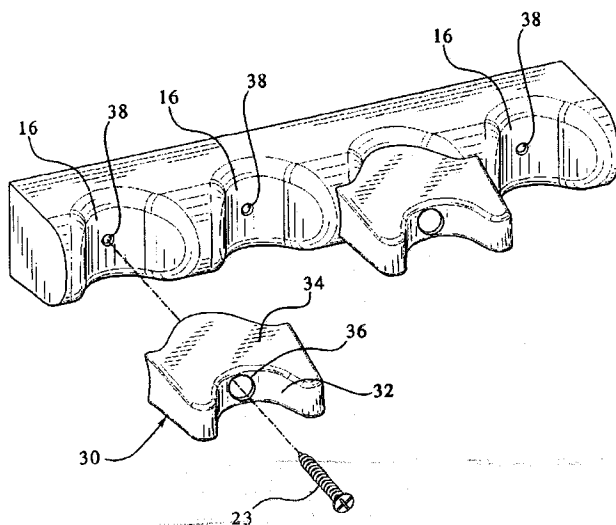
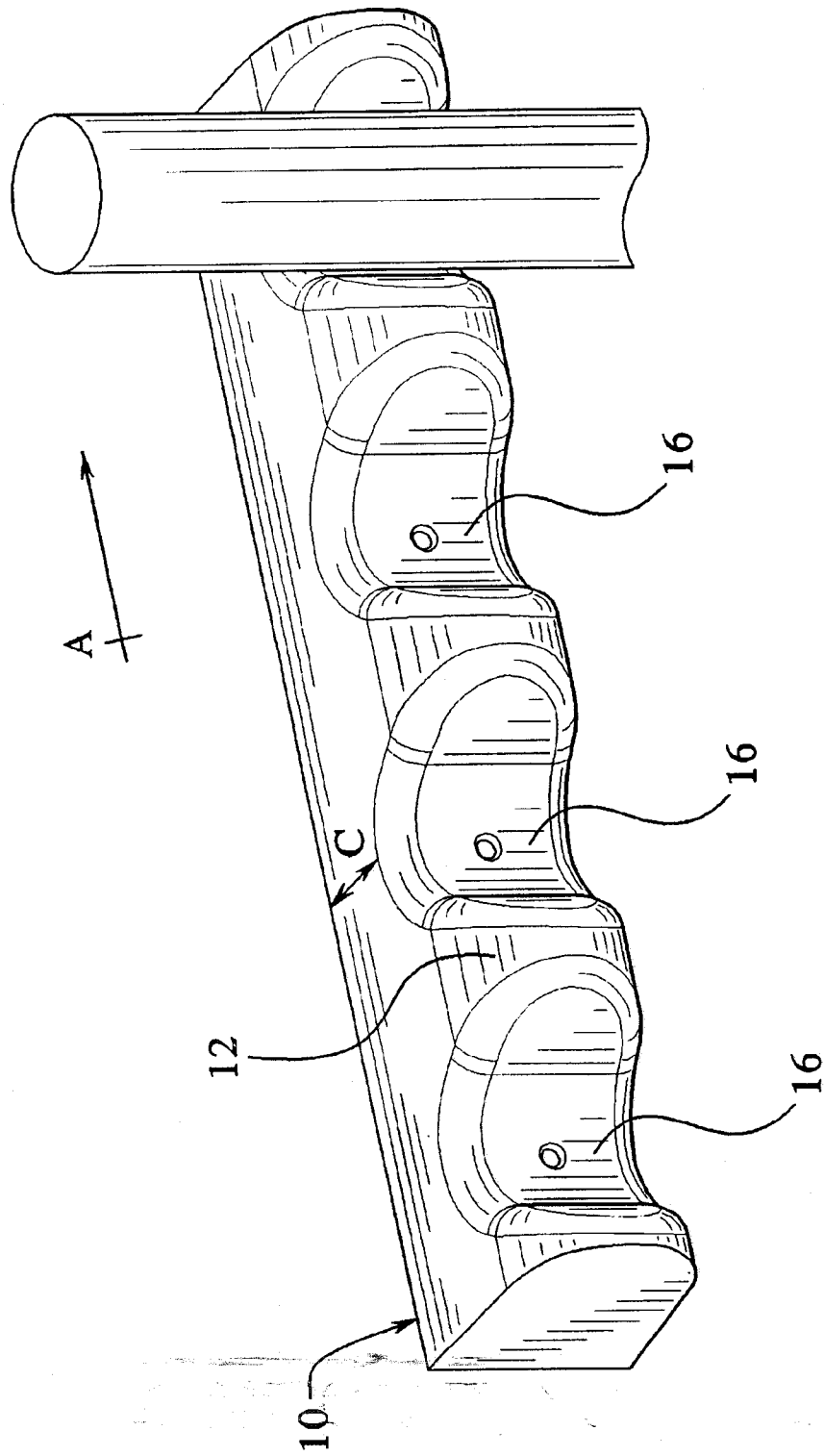


FIG. 1



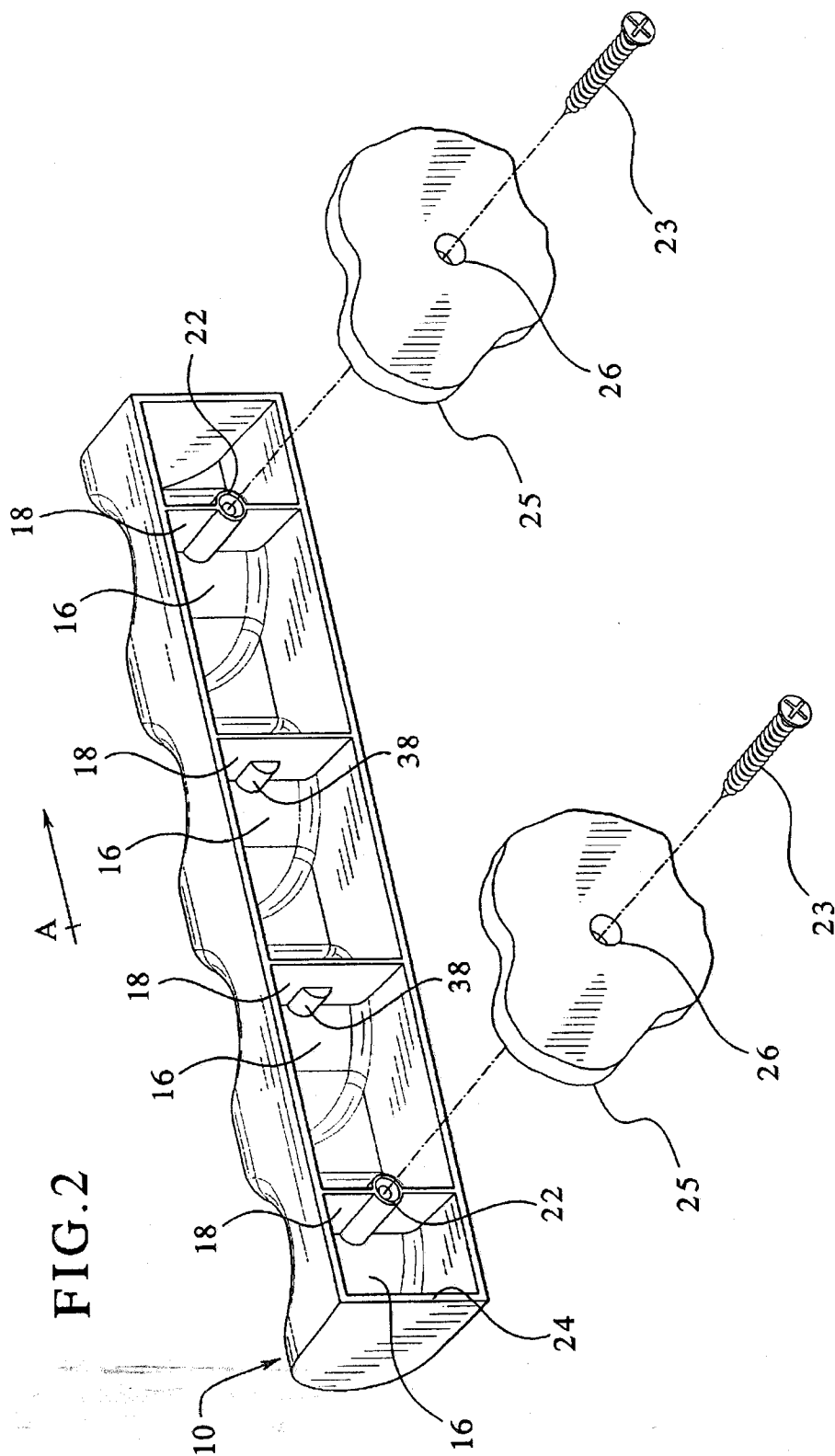


FIG. 5

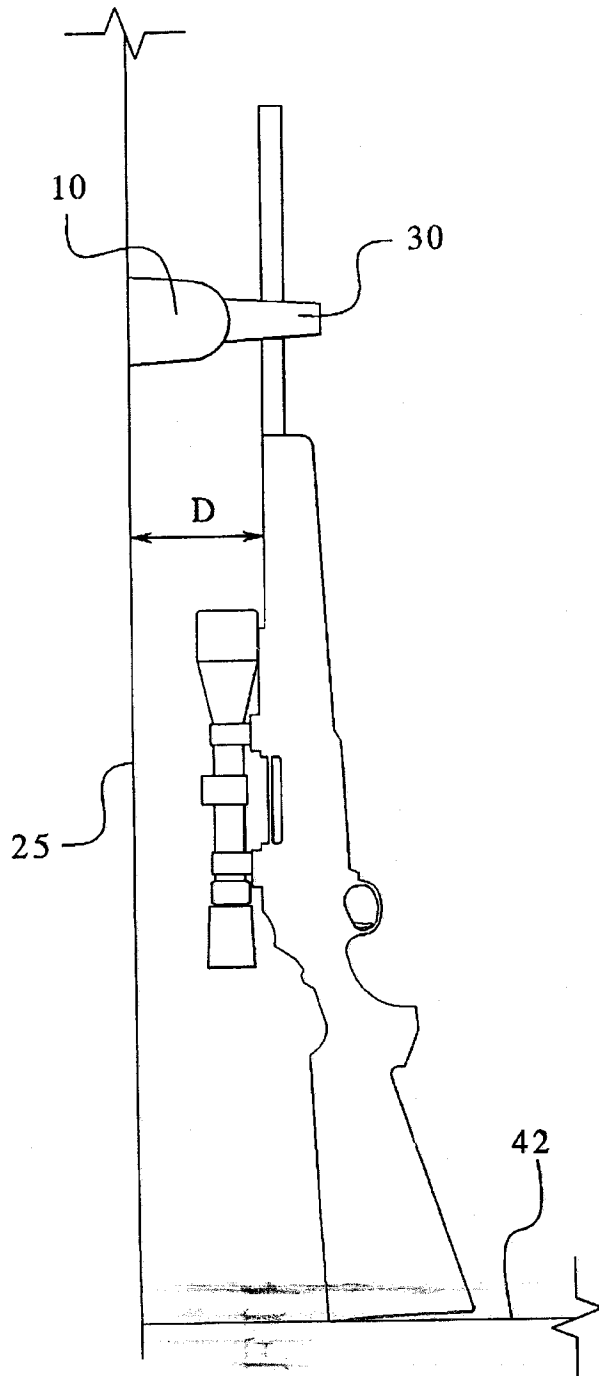
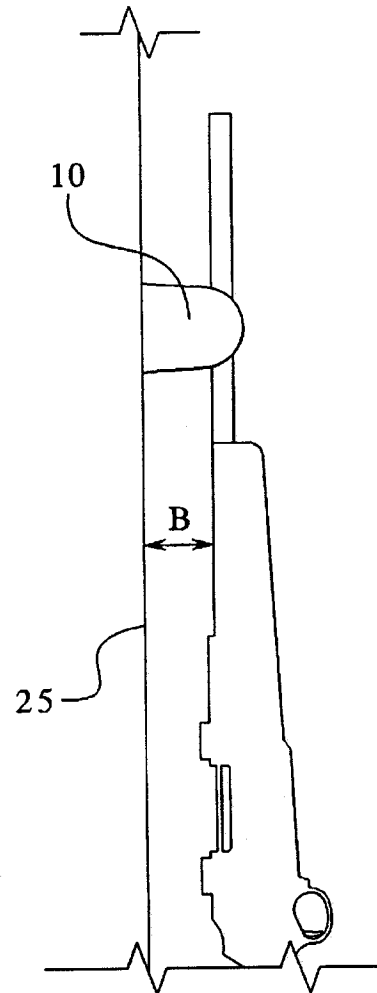


FIG. 3



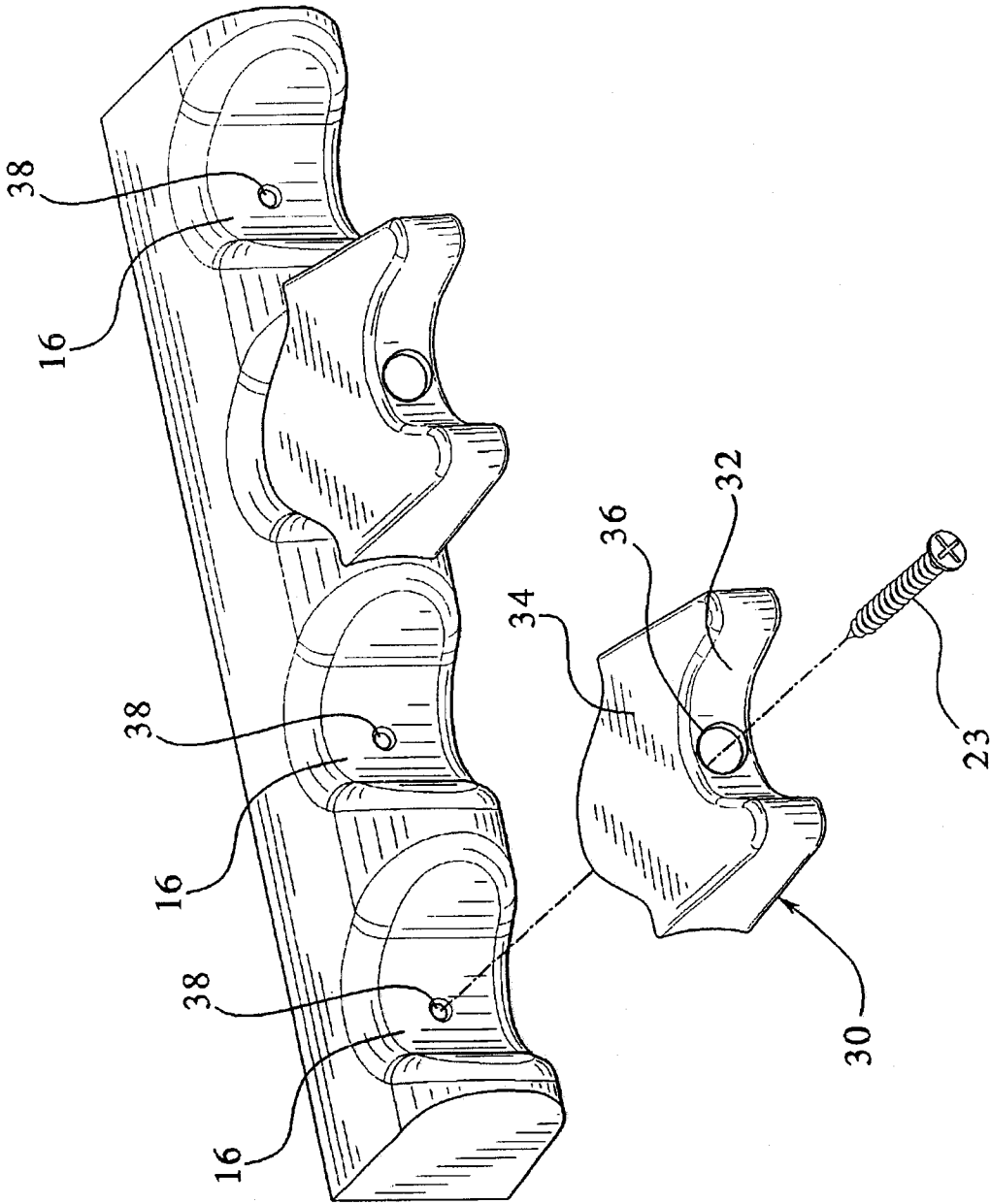


FIG. 4

1

GUN BARREL REST WITH DETACHABLE EXTENDER

FIELD OF THE INVENTION

The present invention relates generally to a gun barrel rest, and specifically to a gun barrel rest for supporting both scoped and non-scoped guns in an upright or vertical position.

BACKGROUND ART

Many types of support racks have been devised for long-arm guns such as rifles and shotguns. Such racks can generally be divided into two classes: those which store such guns horizontally, and those which store rifles and shotguns in a vertical position. Although racks capable support long-arm guns in a vertical position typically have been devised, there is a need for a gun barrel rest which can be used within a gun storage cabinet. Further, there is a need for a gun barrel rest capable of supporting one or more scoped long arm guns, non-scoped long arm guns, or combinations thereof, while maximizing storage space within the gun storage cabinet.

Therefore, it is a first object of the present invention to provide an apparatus for supporting one or more long arm guns.

A second object of the present invention is to provide a gun barrel rest for supporting one or more long arm guns in an upright or vertical position.

Another object of the present invention is to provide a gun barrel rest for supporting one or more long arms in a side-by-side fashion.

Yet another object of the present invention is to provide a gun barrel rest that is easy and economical to manufacture.

Another object of the present invention is to provide a gun barrel rest adapted for use within a gun storage cabinet.

A further object of the present invention is to provide a gun barrel rest which can be adapted to support non-scoped long arm guns, scoped long arm guns, or combinations thereof.

Another object of the present invention is to provide a gun barrel rest extender for storing scoped long arm guns.

Yet another object of the present invention is to provide a gun barrel rest that serves to eliminate or reduce undesired twisting or other movement of the long arm gun being supported.

SUMMARY OF THE INVENTION

The above-listed objects are met or exceeded by the present apparatus for supporting both scoped and non-scoped guns in an upright or vertical position within a gun storage cabinet. The gun barrel rest includes a front portion and a rear portion. The front portion include a plurality of concave-shaped gun barrel rest recesses into which the gun barrel is placed. Each recess is of sufficient depth and width so as to substantially prevent the barrel of the gun from moving horizontally, along a longitudinal axis of the gun barrel rest. The gun barrel rest positions the gun at a first distance from the vertical wall.

An extender is provided for increasing the distance between the vertical wall and the gun. The extender includes a tongue and an extender recess. The tongue is adapted for insertion into any one of the gun barrel rest recesses, and is adapted to matingly engage the gun barrel rest. When the barrel of the gun is inserted into the extender recess, the gun is positioned at a second distance from the vertical wall.

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BRIEF DESCRIPTION OF THE DRAWINGS

Other objects and advantages of the invention will become apparent upon reading the following detailed description and upon reference to the drawings in which:

FIG. 1 is a front perspective view of a gun barrel rest.

FIG. 2 is an exploded rear perspective view of the gun barrel rest.

FIG. 3 is a side view of the gun barrel rest supporting a non-scoped gun.

FIG. 4 is an exploded front perspective view of the gun barrel rest and extenders.

FIG. 5 is a side view of the gun barrel rest/extender combination supporting a scoped gun.

WRITTEN DESCRIPTION OF THE INVENTION

While this invention is susceptible of embodiment in many different forms, there is shown in the drawings and will herein be described in detail, one specific embodiment, with the understanding that the present disclosure is to be considered merely an exemplification of the principles of the invention and is not intended to limit the invention only to the embodiment illustrated.

Referring to FIG. 1, a gun barrel rest 10 of the present invention is shown and described. In the preferred embodiment, the gun barrel rest 10 is a unitary member constructed from a rigid material such as plastic, metal, or the like.

The gun barrel rest 10 includes a front side 12. The front side 12 includes a plurality of substantially concave-shaped barrel recesses 16, each provided for supporting a gun barrel. As shown in FIG. 1, the gun barrel rest 10 has four such recesses 16. However, the invention is not so limited. Alternate gun barrel rests 10 are contemplated which include one or more recesses 16.

In those embodiments employing more than one recess 16, it is preferred that the distance between each recess 16 be sufficient to substantially prevent the guns from touching each other. In other word, when two guns are supported by adjacent recesses 16, the relevant sides of each gun should be substantially prevented from contacting the side of one another.

It is preferred that each recess 16 be of sufficient depth and width so as to substantially prevent the barrel of the gun being supported from moving horizontally or along a longitudinal axis, defined by line A, of the gun barrel rest 10. Although the depth and width of each recess 16 will depend upon the characteristics of the gun with which the present invention is utilized, one with ordinary skill in the art would be capable of determining the requisite depth and width.

Long arm guns vary in caliber, and therefore have varying barrel diameters. In the preferred embodiment, each recess 16 is of equal depth and width. Further, each recess 16 has a sufficient depth and width to accommodate long arm guns of larger caliber, such as a 10-gauge shotgun or the like, and guns having more than one barrel, such as over/under and side-by-side shotguns. Alternate embodiments are contemplated wherein the depth and width of each recess 16 varies.

As can be seen in FIG. 2, the gun barrel rest 10 is substantially hollow, and includes a cross brace 18 for each recess 16. The cross braces 18 provide for greater stability.

The gun barrel rest 10 is capable of being attached to any vertical surface. In the preferred embodiment, the gun barrel rest 10 of the present invention is utilized within a gun storage cabinet. Affixation means is provided for securing

the gun barrel rest 10 to the vertical surface. In the preferred embodiment, the affixation means includes one or more first bosses 22 and one or more sheet metal screws 23. The first bosses 22 are preferably located on the outermost cross braces 18, and extend from the plane defined by rear edge 24. In the preferred embodiment, the first bosses 22 are self-threading. However, pre-threaded first bosses 22 are also contemplated.

To secure the gun barrel rest 10 to one of the cabinet vertical walls 25, the sheet metal screws 23 are inserted through wall apertures defined by edge 26, and into the corresponding first boss 22. It is preferred that the longitudinal axis A of the gun barrel rest 10 extend substantially parallel with the floor (not shown) of the gun storage cabinet.

FIGS. 1 and 3 illustrate use of the gun barrel rest 10 to support a non-scoped long arm gun, namely, a shotgun. As shown in FIG. 1, the barrel of the gun is inserted into the recess 16. As shown in FIG. 3, the gun is positioned at a first distance, defined by line B, from the vertical wall 25. The first distance B is the distance between the barrel of the gun and the vertical wall 25. The length of the first distance B depends on the distance between the recess 16 and the rear edge 24, as defined by line C (see FIG. 1).

In the preferred embodiment, the distance between the recess 16 and the rear edge 24 is equal for each recess 16. Further, the first distance B provided is sufficient to accommodate the majority of long arm guns. Alternate embodiments are contemplated wherein the distance between the recess 16 and the rear edge 24 varies for each recess 16.

Because space within a gun storage cabinet is limited, the supported guns should be positioned close to the vertical walls 25 of the gun storage cabinet. In other words, the first distance B should be minimized. Doing so will maximize the usable storage space within the cabinet. In the preferred embodiment, the first distance B provided by the gun barrel rest 10 is insufficient to accommodate a scoped gun. As such, a removable extender 30 is provided for increasing the distance between the vertical wall 25 and the gun barrel. Alternate embodiments are contemplated wherein the extender 30 and the gun barrel rest 10 comprise a unitary member.

In the preferred embodiment, the extender 30 has a fixed length. However, alternate embodiments are contemplated wherein the length of the extender 30 is adjustable, or wherein extenders 30 of various lengths are provided. It is preferred that the extender 30 be a unitary member constructed from a rigid material such as plastic, metal or the like.

As shown in FIG. 4, the extender includes an extender recess 32 and an opposing convex-shaped tongue 34. The tongue 34 is adapted to matingly engage the gun barrel rest recess 16, and the tongue 34 substantially conforms and corresponds to the shape of the recess 16.

In the preferred embodiment, the extender recess 32 has a smaller width than the width of the gun barrel rest recess 16. However, extenders 30 having recess 32 widths which are equal or greater to the width of the gun barrel rest recess 16 are contemplated. As with the gun barrel rest recesses 16, one with ordinary skill in the art could readily ascertain the requisite extender recess 32 width and depth necessary to provide sufficient support.

Extender affixation means is provided for removably attaching the extender to the gun barrel rest 10. The extending affixation means includes a lipped bore defined by edge 36, a second boss 38 located on the gun barrel rest 10, and

a sheet metal screw 23. To secure the extender 30 to the gun barrel rest 10, the sheet metal screw 23 is inserted through the bore 36 and into and a corresponding second boss 38. The head of the sheet metal screw 23 contacts the lip of the bore 36, thereby securing the extender 30 to the gun barrel rest 10. Each recess 16 is provided with a second boss 38. Each boss 38 extends from the recess 16 in the direction of the rear edge 23 (see FIG. 2). As illustrated in FIG. 2, a unitary boss is provided for those cross braces 18 which share a first boss 22 and a second boss 38.

As noted above, in the preferred embodiment each of the gun barrel recesses 16 are identical in depth, width and shape. Therefore, one extender 30 can be utilized with any one of the gun barrel rest recesses 16. Also, alternate embodiments are contemplated wherein the depth and width of each gun barrel rest recess 16 varies. In such an embodiment, a extender 30 must be provided which corresponds to each such recess 16.

When utilized, the extender 30 increases the first distance to a second distance defined by line D. The second distance D is of a length to provide sufficient space to accommodate a scoped gun.

FIG. 5 illustrates use of the gun barrel rest 10/extender 30 combination to support a scoped long arm gun. The barrel of the gun is inserted into the recess 32 and the butt of the gun is placed on the cabinet flooring 42, thereby positioning the gun at a second distance, defined by line D, from the vertical wall 25. Like the first distance B, the second distance D is the distance between the vertical wall 25 and the gun barrel. Because the second distance D is greater than the first distance B, sufficient space to accommodate the scope is thereby provide.

The foregoing description of an embodiment of the invention has been presented for purposes of illustration and description, and is not intended to be exhaustive or to limit the invention to the precise form disclosed. The description was selected to best explain the principles of the invention and practical application of these principles to enable others skilled in the art to best utilize the invention in various embodiments and various modifications as are suited to the particular use contemplated. It is intended that the scope of the invention not be limited by the specification, but be defined by the claims as set forth below.

What is claimed is:

1. A gun barrel rest for supporting at least one gun on a surface, comprising:

a body having a front portion and a rear portion;
said front portion having at least one gun barrel rest recess adapted to receive the barrel of the gun, said gun barrel rest recess adapted to prevent undesired movement of the barrel of the gun with respect to said body;
gun barrel rest affixation means operably associated with said body for affixing said body to the surface; and
at least one extender extending outwardly from said body for providing additional separation of the barrel of the gun from the surface.

2. The gun barrel rest of claim 1, wherein said gun barrel rest recess is substantially concave.

3. The gun barrel rest of claim 1, wherein said front portion comprises more than one gun barrel rest recess.

4. The gun barrel rest of claim 1, wherein said at least one extender is adapted to be matingly received in said gun barrel rest recess.

5. The gun barrel rest of claim 4, wherein said extender includes a proximal end and a distal end;

said distal end being adapted to be matingly received in said gun barrel rest recess.

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6. The gun barrel rest of claim 5, wherein said extender distal end is substantially convex; and wherein said gun barrel rest recess is substantially concave.

7. The gun barrel rest of claim 5, wherein said extender distal end includes an extender recess adapted to receive the barrel of the gun.

8. The gun barrel rest of claim 5, wherein said front portion comprises more than one gun barrel rest recess; and said extender is adapted to matingly engage any one of said more than one gun barrel rest recesses.

9. The gun barrel rest of claim 1, wherein said gun barrel rest affixation means extends into said body.

10. The gun barrel rest of claim 9, wherein said gun barrel rest affixation means comprises a screw and a boss passing transversely through said body toward said front portion.

11. A gun barrel rest for supporting a gun at a first distance from a surface, the gun having a barrel, comprising:

a body having a front portion and a rear portion;

said front portion of said body having a plurality of gun barrel receiving regions formed therein, said gun barrel receiving regions adapted to receive the gun barrel;

at least one extender having a first end adapted to be received in at least one of said plurality of gun barrel receiving regions; said extender having a second end located distally from the surface, said second end

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adapted to receive the barrel of the gun so as to support the gun barrel at a second distance from the surface; extender affixation means operably associated with said body for affixing said extender to said gun barrel rest recess; and

gun barrel rest affixation means operably associated with said body for affixing said body to the surface.

12. The gun barrel rest of claim 11, wherein said extender is adapted to be received by any one of said plurality of gun barrel receiving regions in substantially mating relation.

13. The gun barrel rest of claim 12, wherein said plurality of gun barrel receiving regions are substantially concave.

14. The gun barrel rest of claim 13, wherein said extender first end is substantially convex.

15. The gun barrel rest of claim 14, wherein said extender second end includes a recess adapted to receive the barrel of the gun.

16. The gun barrel rest of claim 11, wherein said gun barrel rest affixation means comprises a screw and a first boss passing transversely through said body rear portion.

17. The gun barrel rest of claim 11, wherein said extender affixation means comprises a screw, a bore passing transversely through said extender, and a second boss passing transversely through said body front portion.

* * * * *

B



US00D457369S

(12) **United States Design Patent** (10) **Patent No.:** **US D457,369 S**
Fiscus et al. (45) **Date of Patent:** **** May 21, 2002**

(54) **GUN BARREL REST**

(75) **Inventors:** **Jon Fiscus; Shelley Nehrt**, both of Barrington; **Dave Story, Bartlett**, all of IL (US)

(73) **Assignee:** **Stack-On Products Co.**, Wauconda, IL (US)

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

(21) **Appl. No.:** **29/135,776**

(22) **Filed:** **Jan. 16, 2001**

(51) **LOC (7) Cl.** **02-08**

(52) **U.S. Cl.** **D6/552**

(58) **Field of Search** **D6/552, 553, 567, D6/569; D22/109; 211/64**

(56) **References Cited**

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* cited by examiner

Primary Examiner—Brian N. Vinson

(74) *Attorney, Agent, or Firm*—Patzik, Frank & Samotny Ltd.

(57) **CLAIM**

The ornamental design for the gun barrel rest, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a first embodiment of a gun barrel rest showing the new ornamental design thereof;

FIG. 2 is a rear perspective view thereof;

FIG. 3 is a front plan view thereof;

FIG. 4 is a rear plan view thereof;

FIG. 5 is a top elevational plan view thereof, the bottom elevational plan view being identical thereto; and

FIG. 6 is a left side elevational plan view of the first through fourth embodiments, the right side elevational plan view being identical thereto;

FIG. 7 is a front perspective view of a second embodiment of a gun barrel rest showing the new ornamental design thereof;

FIG. 8 is a rear perspective view thereof;

FIG. 9 is a front plan view thereof;

FIG. 10 is a rear plan view thereof;

FIG. 11 is a top elevational plan view thereof, the bottom elevational plan view being identical thereto;

FIG. 12 is a front perspective view of a third embodiment of a gun barrel rest showing the new ornamental design thereof;

FIG. 13 is a rear perspective view thereof;

FIG. 14 is a front plan view thereof;

FIG. 15 is a rear plan view thereof;

FIG. 16 is a top elevational plan view thereof, the bottom elevational plan view being identical thereto;

FIG. 17 is a front perspective view of a fourth embodiment of a gun barrel rest showing the new ornamental design thereof;

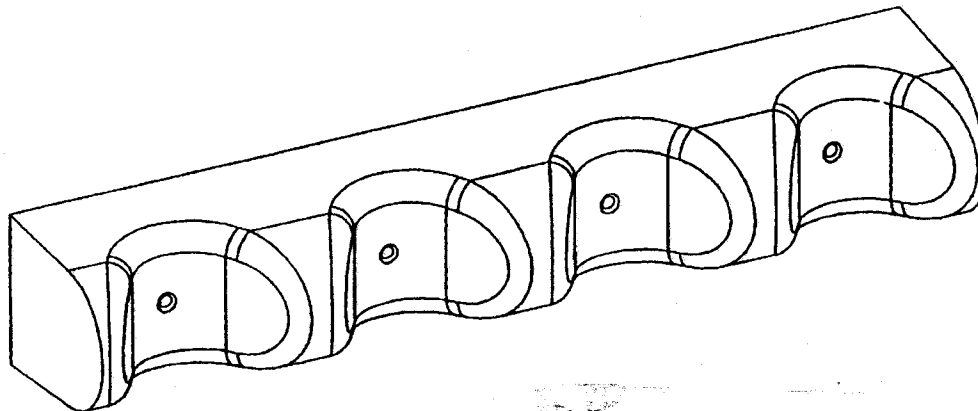
FIG. 18 is a rear perspective view thereof;

FIG. 19 is a front plan view thereof;

FIG. 20 is a rear plan view thereof; and,

FIG. 21 is a top elevational plan view thereof, the bottom elevational plan view being identical thereto.

1 Claim, 17 Drawing Sheets



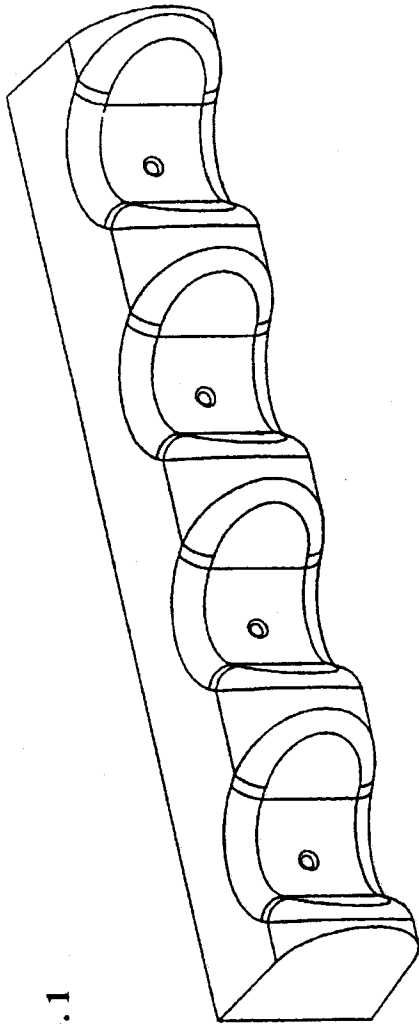


FIG. 1

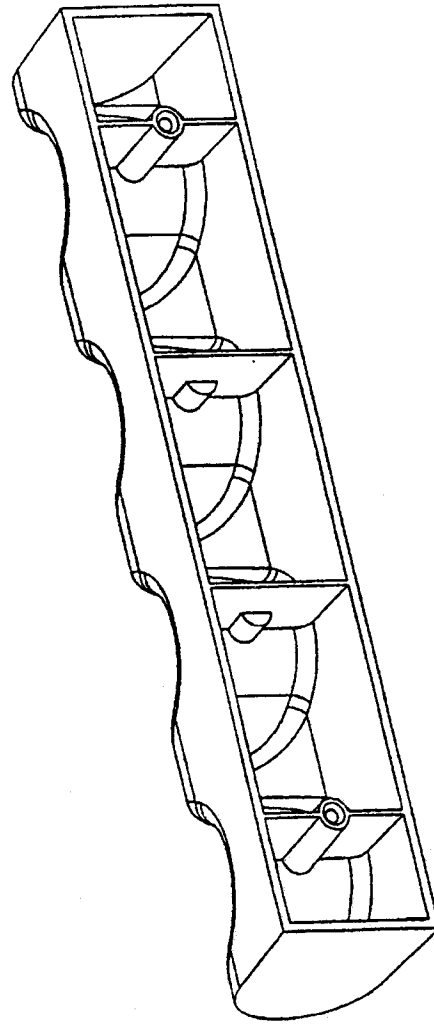


FIG. 2



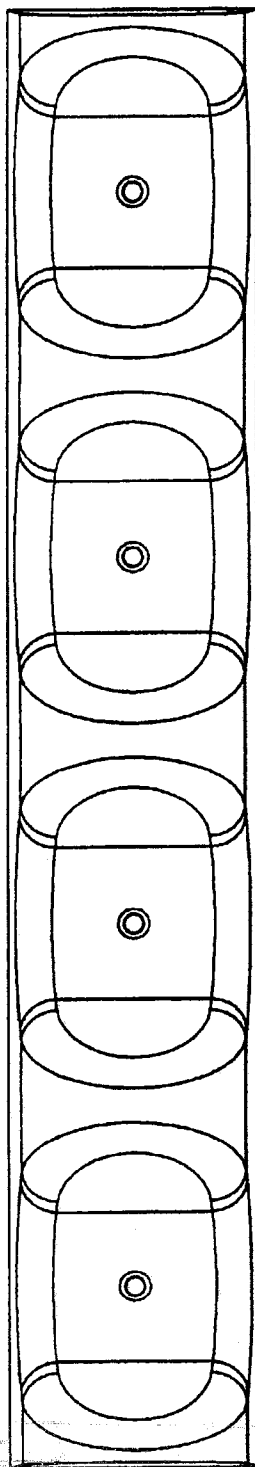


FIG. 3

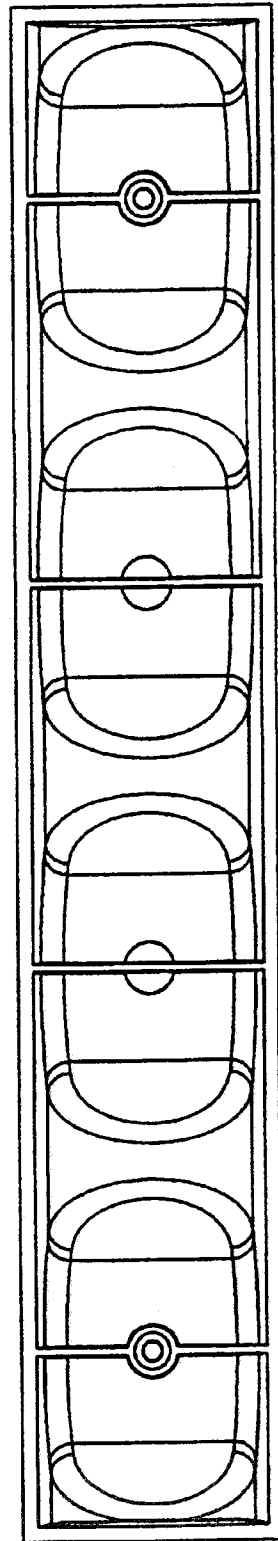
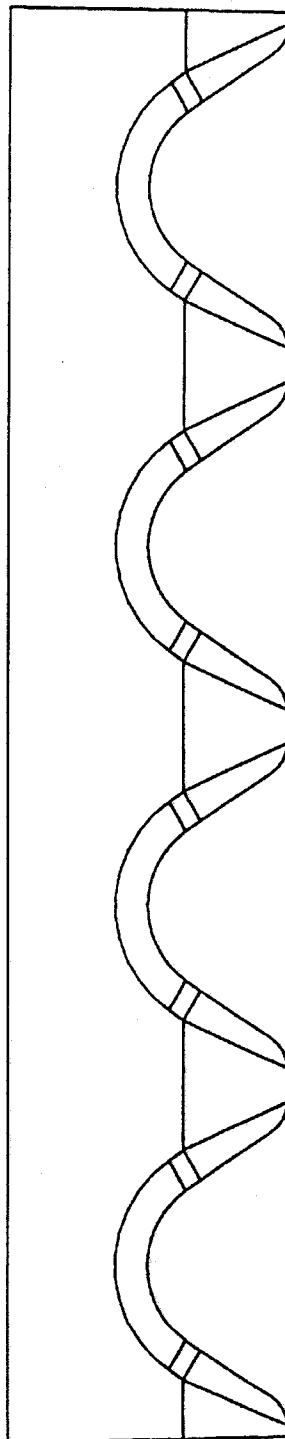


FIG. 4

FIG. 5



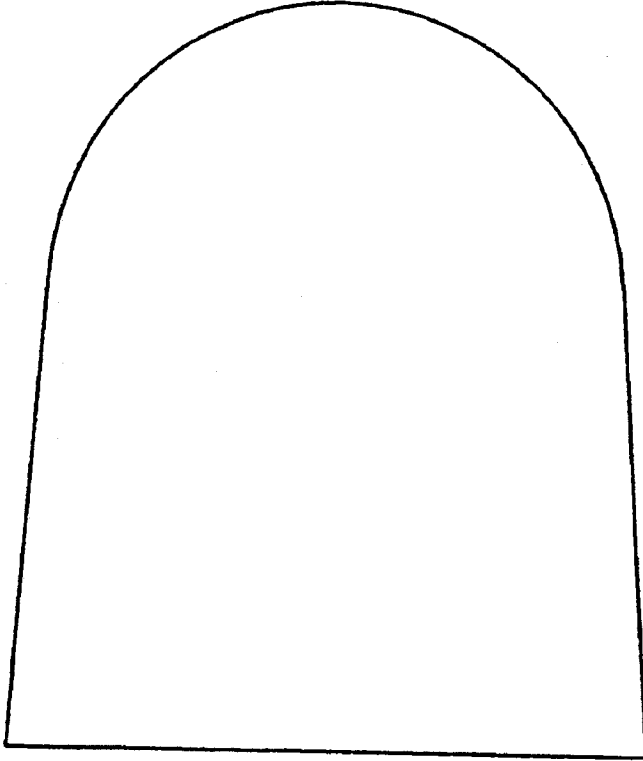


FIG. 6

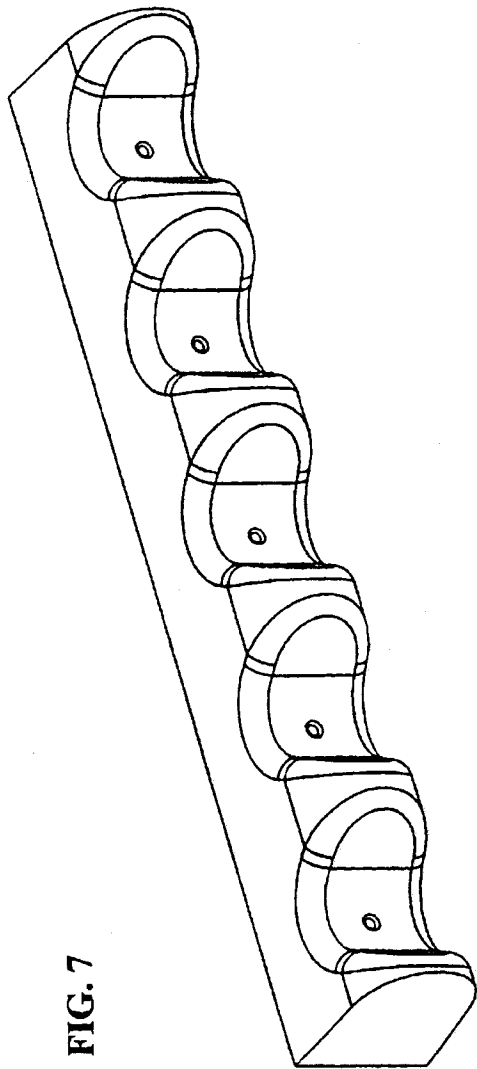


FIG. 7

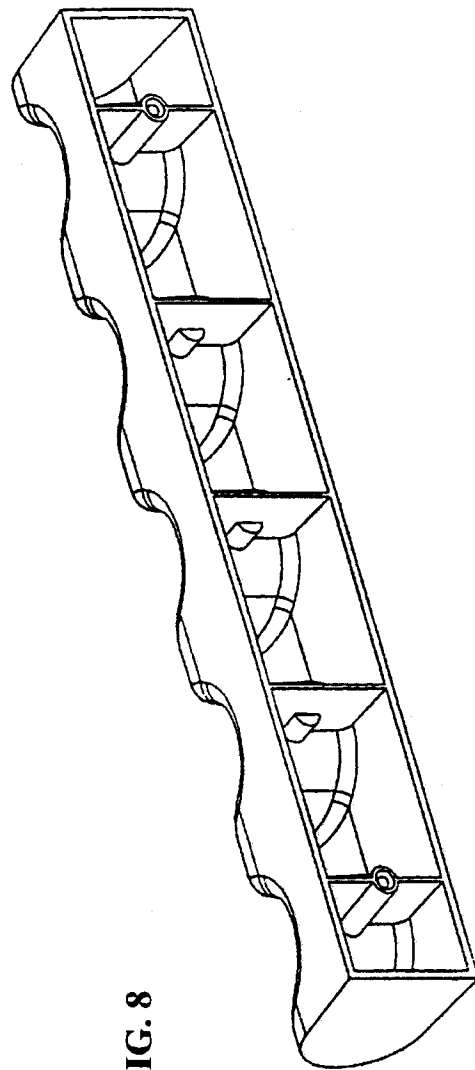
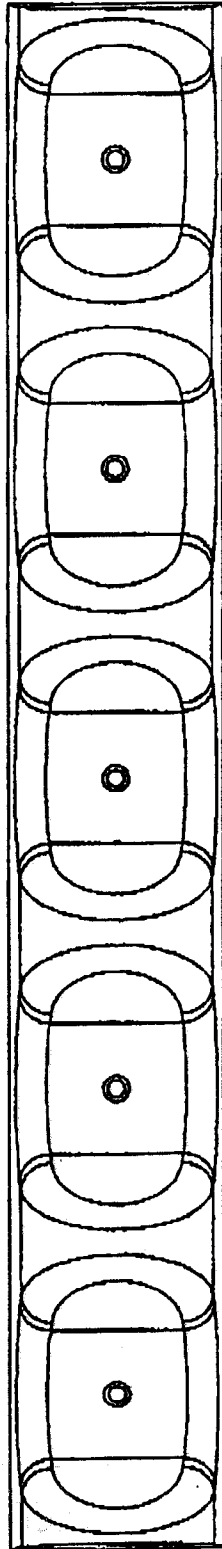


FIG. 8

FIG. 9



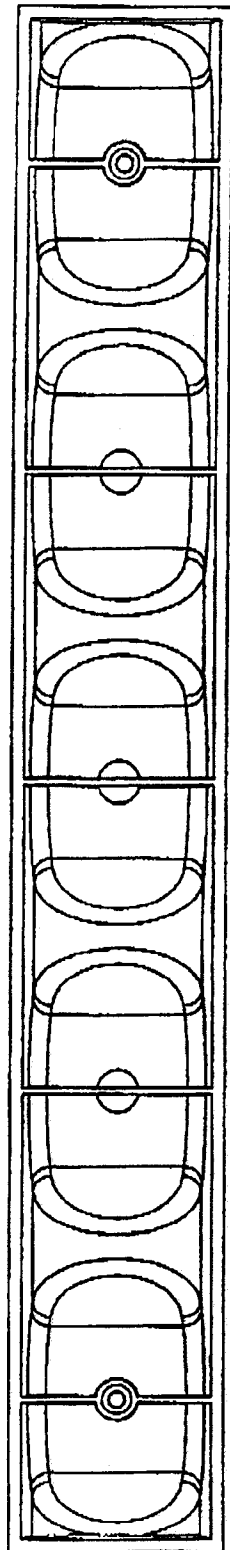


FIG. 10

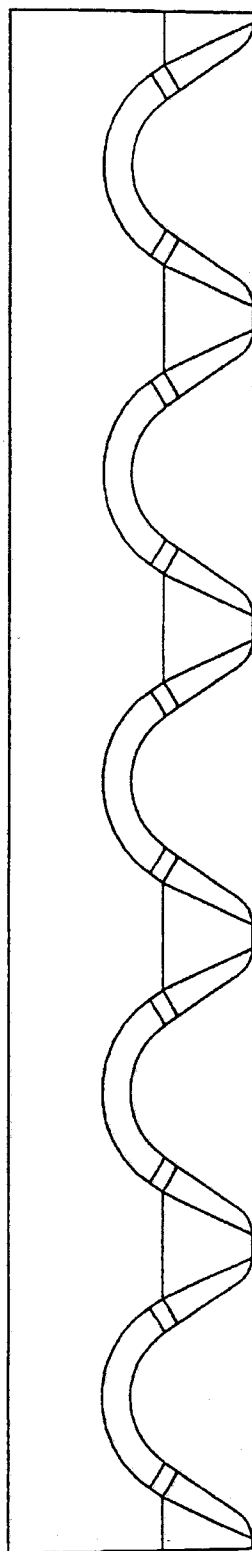


FIG. 11

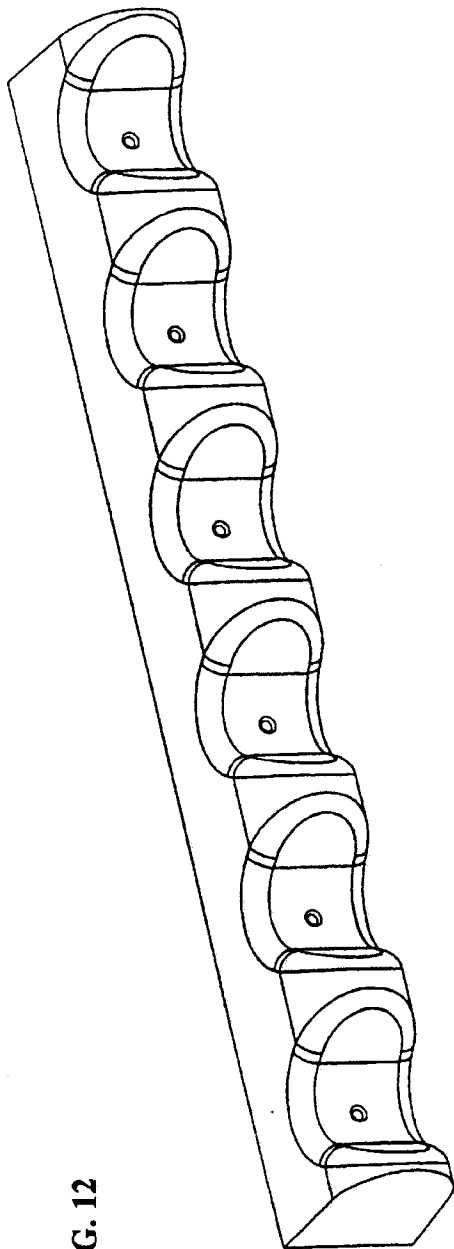


FIG. 12

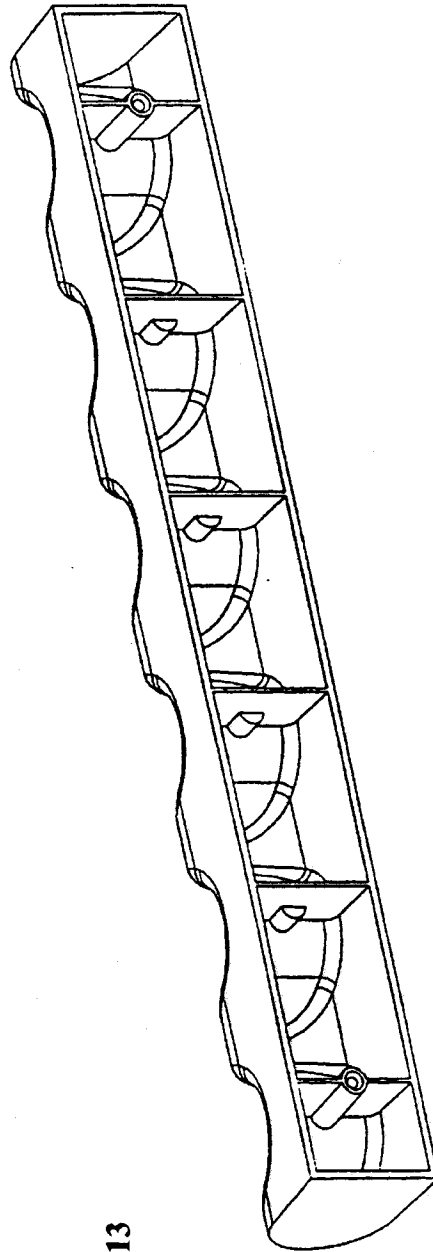


FIG. 13

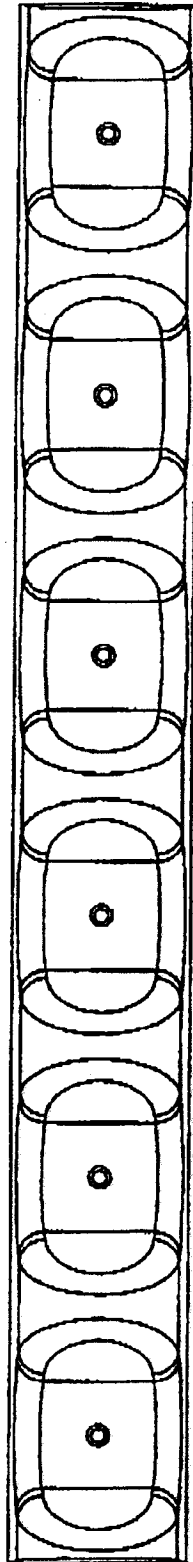


FIG. 14

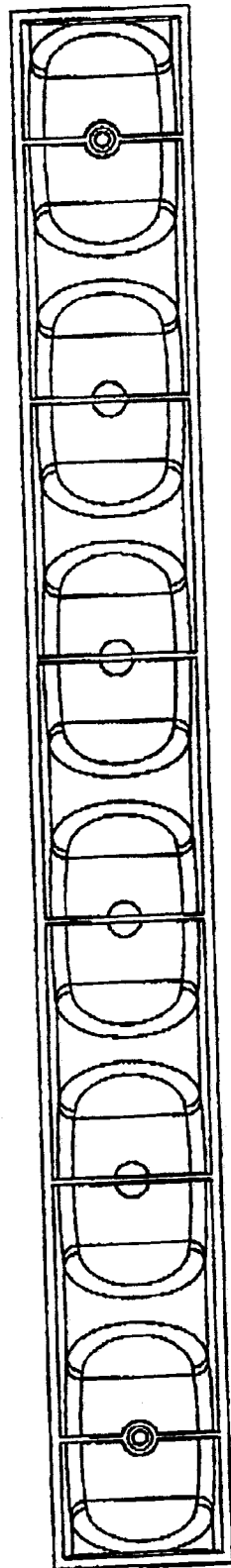


FIG. 15

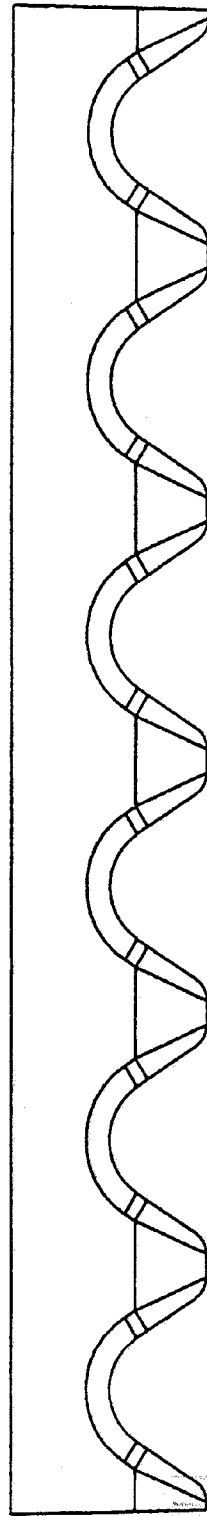


FIG. 16

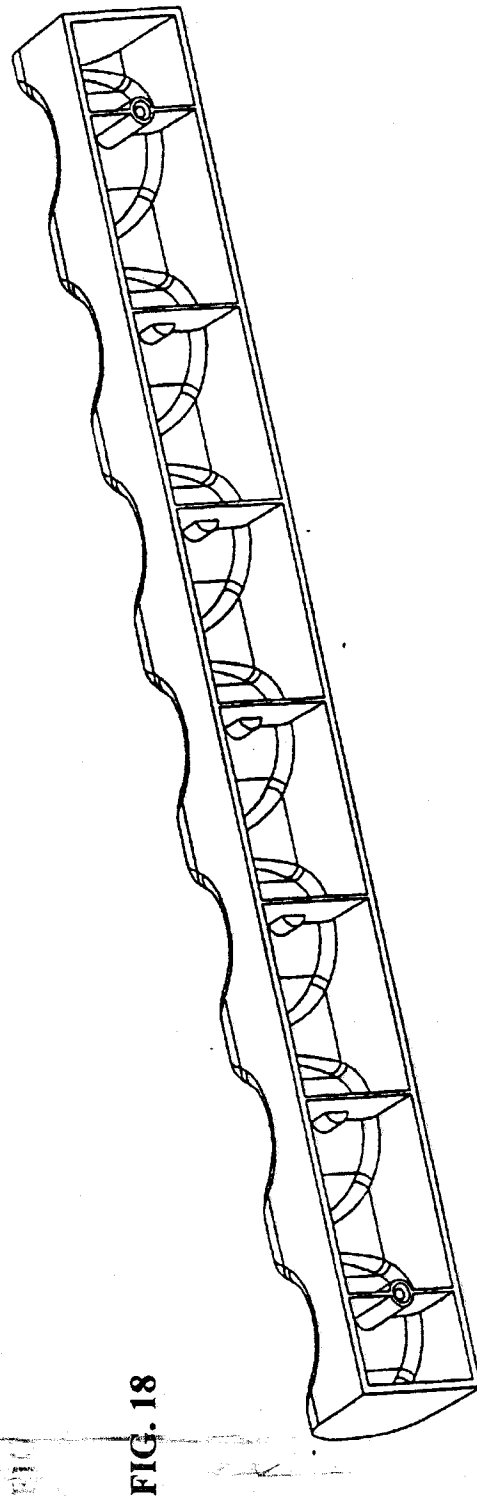
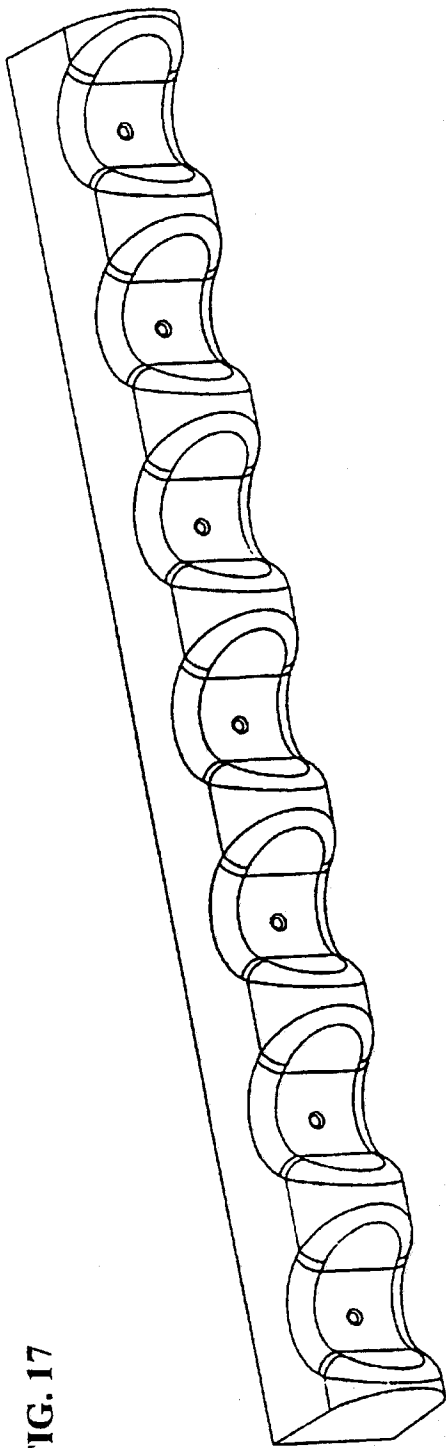
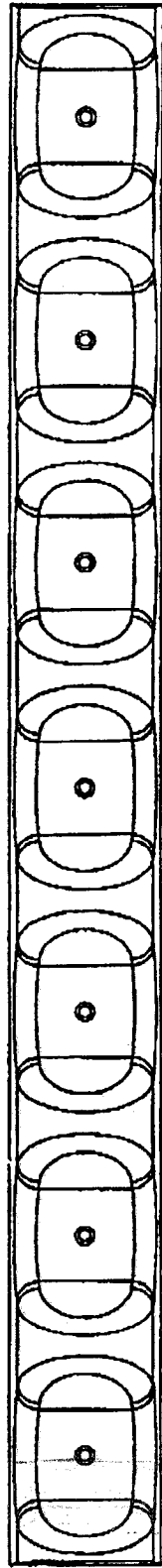


FIG. 19



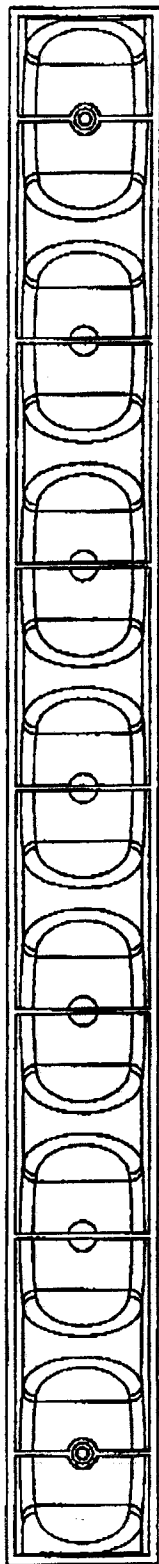


FIG. 20

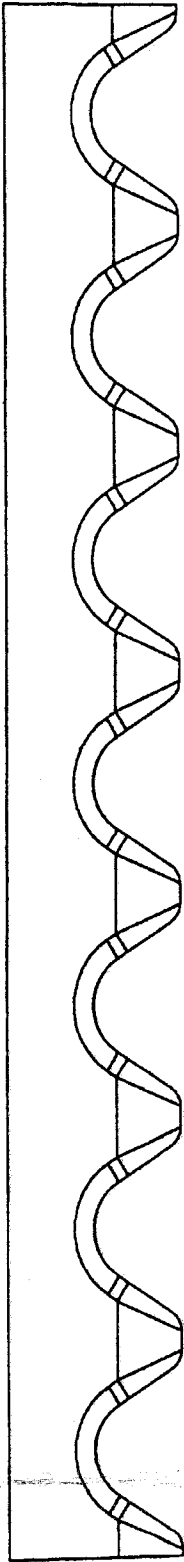


FIG. 21



US00D447531B1

ahc

(12) **United States Design Patent** (10) Patent No.: **US D447,531 S**
Fiscus et al. (45) Date of Patent: **** Sep. 4, 2001**

(54) **GUN BARREL REST EXTENDER**

5,332,185 * 7/1994 Walker, III 42/94 X
5,333,404 * 8/1994 Lingyak 42/94 X
5,815,974 * 10/1998 Keng 42/94

(75) Inventors: **Jon Fiscus; Shelley Nehrt**, both of
Barrington; **Dave Story**, Bartlett, all of
IL (US)

* cited by examiner

(73) Assignee: **Stack-On Products, Co.**, Wauconda, IL
(US)

Primary Examiner—Louis S. Zarfes

Assistant Examiner—Monica A. Weingart

(74) *Attorney, Agent, or Firm*—Shaftal and Associates, Ltd.

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

(57) **CLAIM**

(21) Appl. No.: **29/135,633**

The ornamental design for the gun barrel rest extender, as shown and described.

(22) Filed: **Jan. 16, 2001**

DESCRIPTION

(51) LOC (7) Cl. **22-01**

FIG. 1 is a front perspective view of a gun barrel rest extender showing the new ornamental design thereof;

(52) U.S. Cl. **D22/108**

FIG. 2 is a rear perspective view thereof;

(58) Field of Search D22/100, 108,
D22/199; 42/72, 94; 89/37.04, 40.06; D6/567;
211/64; 224/913

FIG. 3 is a front plan view thereof;

FIG. 4 is a rear plan view thereof;

FIG. 5 is a right side elevational plan view thereof, the left side elevational plan view being identical thereto; and,

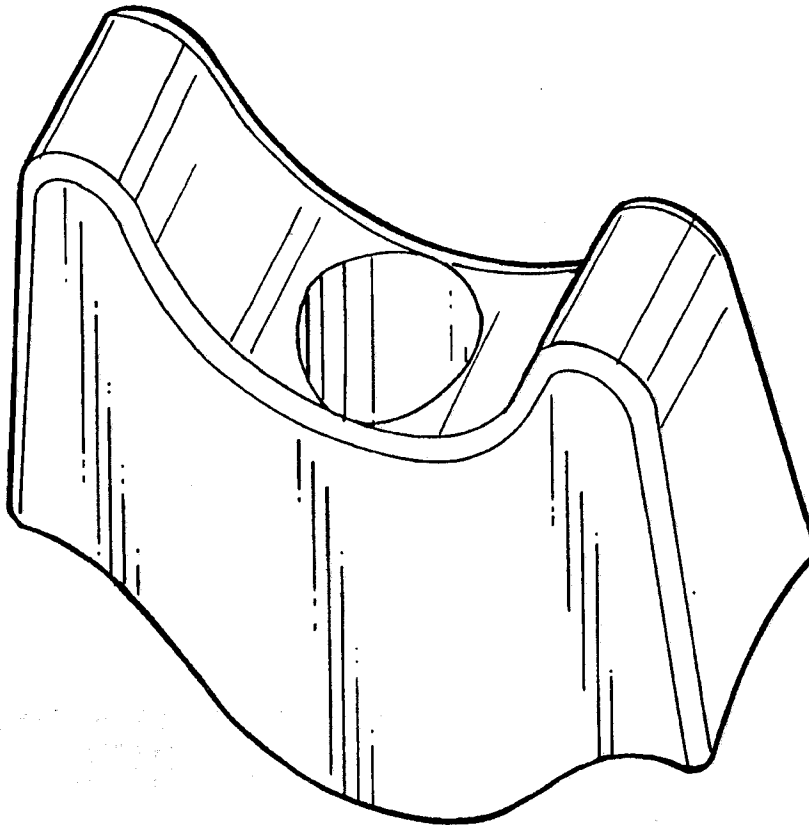
FIG. 6 is a top elevational plan view thereof, the bottom elevational plan view being identical thereto.

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,042,357 * 10/1912 Livschak 89/37.04
2,029,839 * 2/1936 Sedgley et al. 89/37.04
5,074,188 * 12/1991 Harris 42/94 X

1 Claim, 4 Drawing Sheets



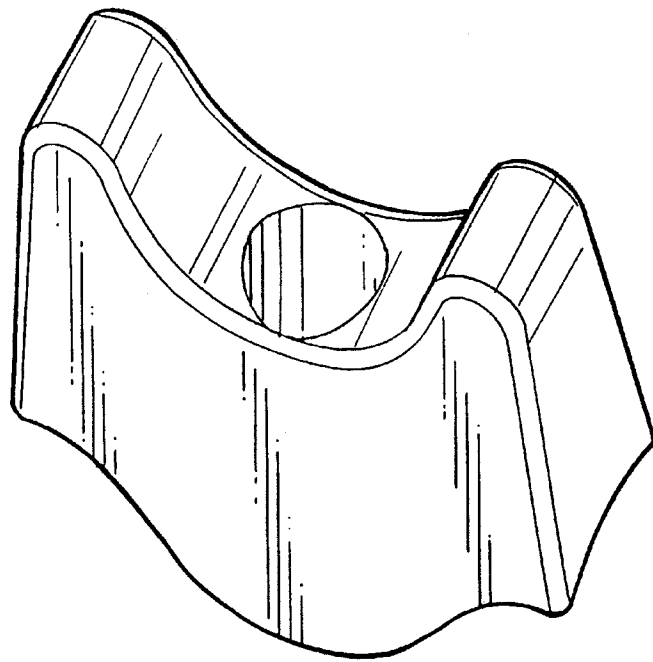


FIG. 1

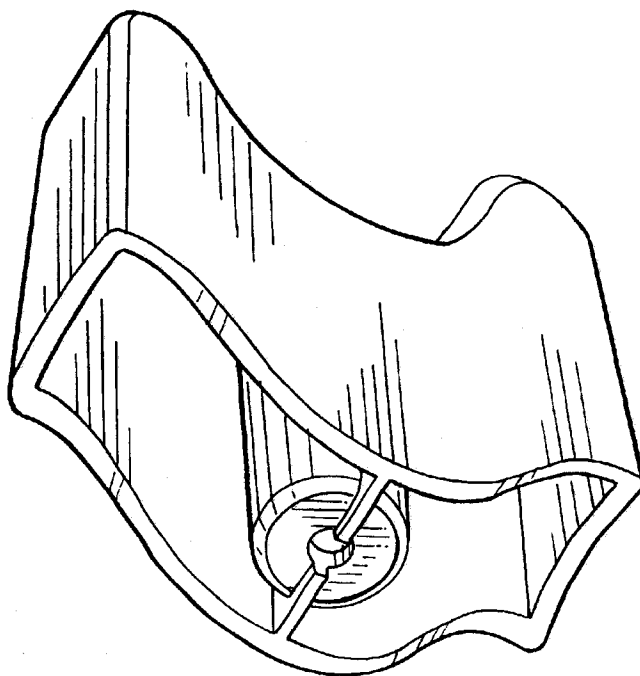


FIG. 2

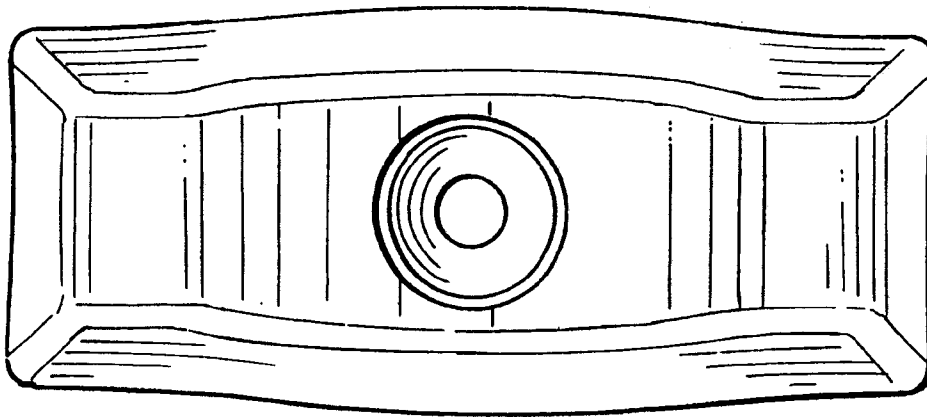


FIG. 3

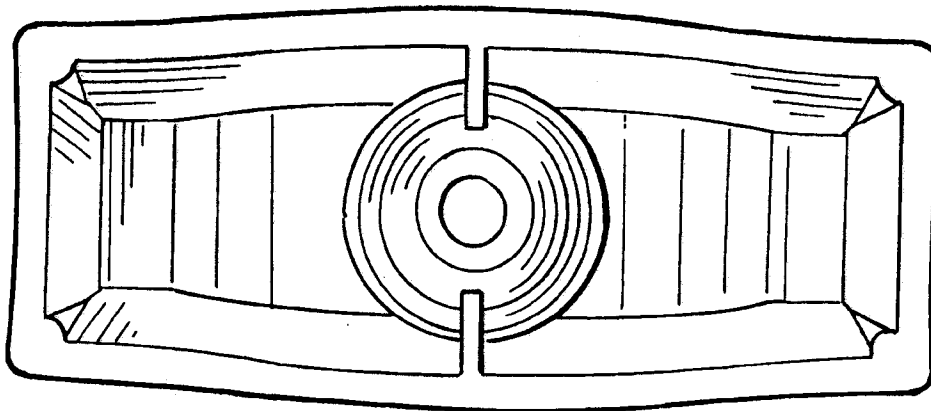


FIG. 4

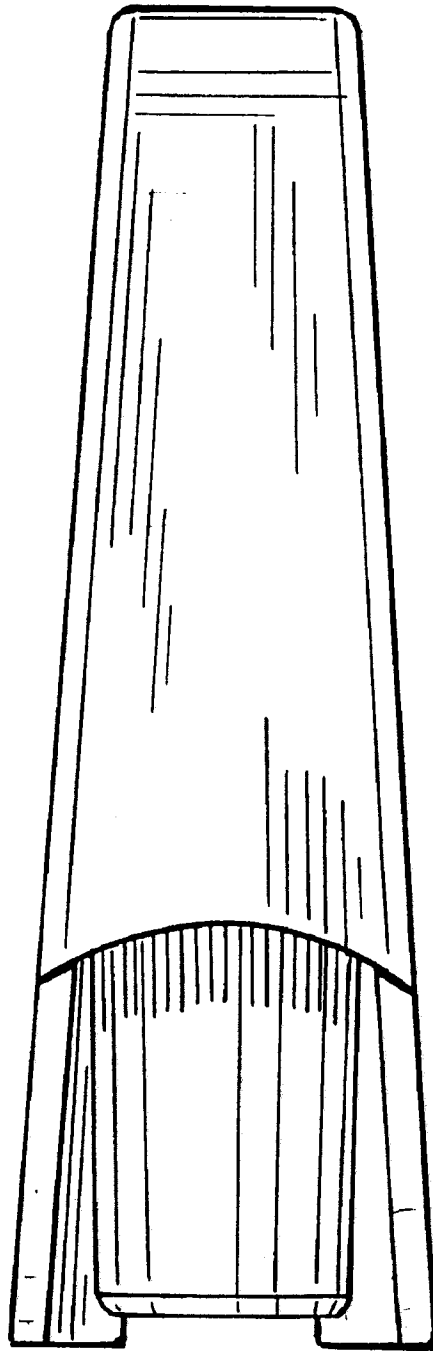


FIG. 5

FIG. 5

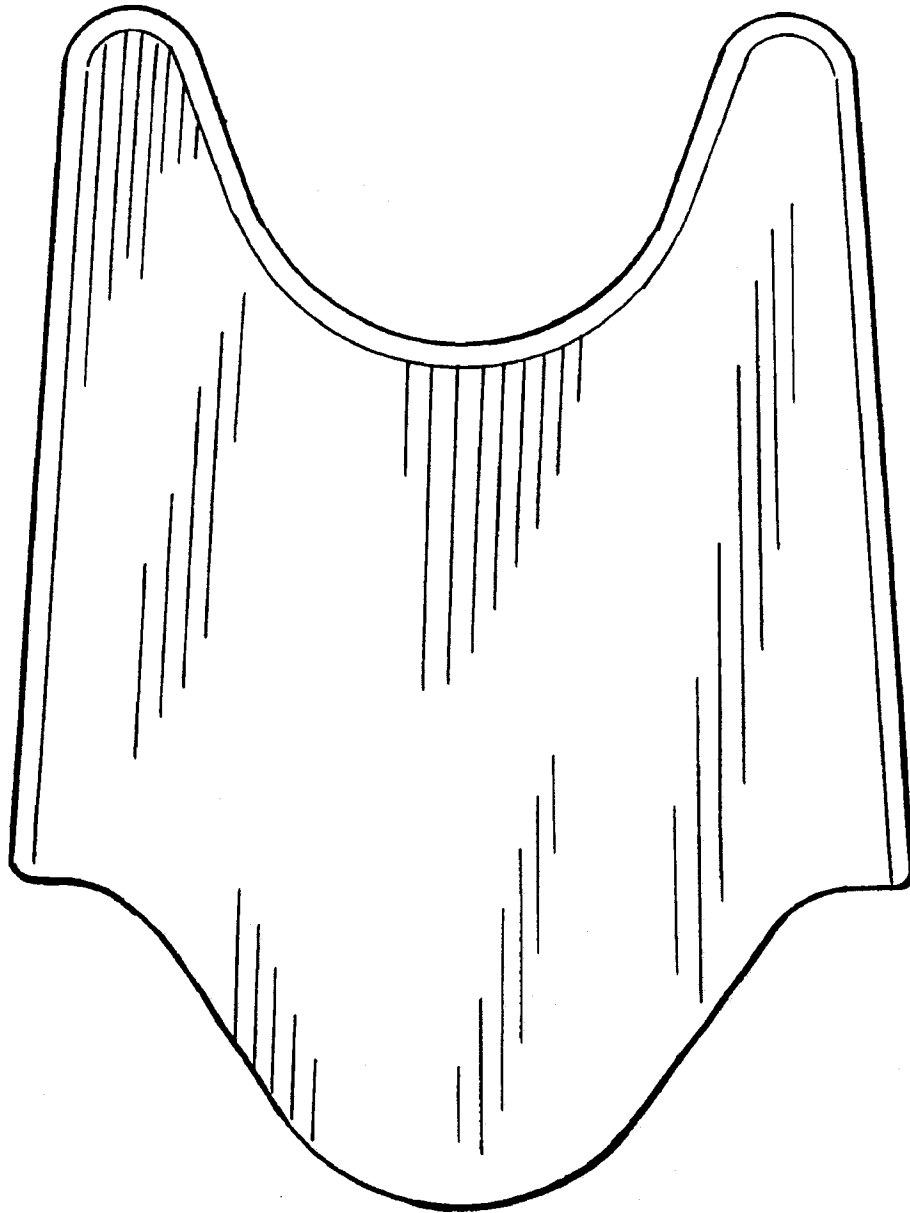


FIG. 6

LAW OFFICES

PATZIK, FRANK & SAMOTNY LTD.

150 SOUTH WACKER DRIVE
SUITE 900
CHICAGO, ILLINOIS 60606

TELEPHONE: (312) 551-8300
FACSIMILE: (312) 551-1101

exh. 1

MAX SHAFTAL
(312) 551-3067
mshaftal@pfs-law.com

April 21, 2003

IN REPLY REFER TO:
3094-005

Via Facsimile & Federal Express

Mr. Doug Brush
SENTRY GROUP
900 Linden Avenue
Rochester, NY 14625 USA

**Re: *STACK-ON U.S. Patent No. 6,415,932 Entitled
Gun Barrel Rest With Detachable Extender***

Dear Mr. Brush:

We represent STACK-ON Products of Wauconda, IL USA on patent and trademark law matters. It has recently come to our attention that SENTRY has commenced making and selling gun safes which include interiors having gun barrel supports including extenders of the type shown in the attached promotional material for the SENTRY Fire-Safe ® Gun Safe Model GF8523. As you know, STACK-ON has been selling competing gun safes and cabinets which have such gun barrel rests with detachable extenders for years, long before SENTRY's introduction thereof. A photo of the STACK-ON product is attached hereto.

This is to advise you that the STACK-ON product is the subject of U.S. Patent Nos. 6,415,932, D447, 531S and D457, 369S, of which you may not have been aware. Likewise, we put you on notice that STACK-ON deems the appearance of that product to be its proprietary trade dress.

Please understand that STACK-ON is prepared to exercise its legal rights to stop the manufacture and sale of infringing gun barrel rests with detachable extenders and will seek both monetary and injunctive relief. However, our client would prefer to resolve this amicably. Accordingly, we urge you to discontinue your manufacture and sale of the new SENTRY gun

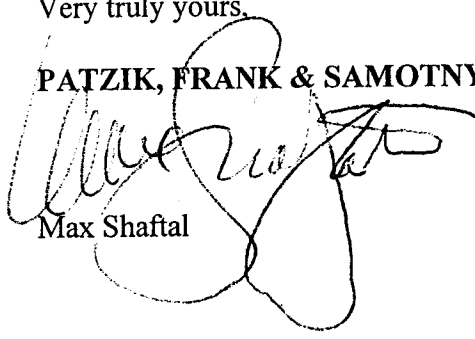
PATZIK, FRANK & SAMOTNY LTD.

Mr. Doug Brush
April 21, 2003
Page 2

barrel supports including extenders of the type shown in the attached promotional material and return to the system SENTRY had used previously. Please provide us with your confirmation within 14 days of the date of this letter that SENTRY will do so.

Very truly yours,

PATZIK, FRANK & SAMOTNY LTD.



Max Shaftal

MS:dma
Enclosure

cc: Neal T. Goldstein, Esq.
Mr. Jon Fiscus