

U.S. DISTRICT COURT  
NORTHERN DIST. OF TX  
FT. WORTH DIVISION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

2009 FEB 20 PM 4:16  
CLERK OF COURT

**WORLD FACTORY, INC.,**

**Plaintiff,**

**v.**

**LIVINGSOHO, INC.,**

**Defendant.**

No. **4-09-CV-120-A**

**JURY TRIAL DEMANDED**

**COMPLAINT AND JURY DEMAND**

Plaintiff World Factory, Inc., by and through the undersigned attorneys, hereby files this Complaint requesting damages and injunctive relief, upon personal knowledge as to its own acts and circumstances and upon information and belief as to the acts and circumstances of others, as follows:

**NATURE OF ACTION**

1. This is an action in which World Factory, Inc. ("WFI") seeks damages and injunctive relief under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*, for infringement of United States Patent Nos. 6,901,882 B2 ("the '882 Patent"), 7,017,521 B2 ("the '521 Patent"), and 7,168,392 B2 ("the '392 Patent") (collectively referred to herein as "the Patents") resulting from the actions and conduct of Defendant LivingSoho, Inc. ("LivingSoho"), as set forth herein.

**THE PARTIES**

2. WFI is a Delaware corporation authorized to do business in the State of Texas and is doing business at 306 Airline Drive, Suite 200, Coppell, Texas 75019.

3. LivingSoho is a California corporation with its principal place of business in Rowland Heights, California. LivingSoho may be served with process by serving its President and registered agent, Sheng Hui Shen, at the following address: 3433 Ashbourne Place, Rowland Heights, California 91748.

### **JURISDICTION AND VENUE**

4. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.* and is being brought to redress the infringement of the Patents owned by WFI. Accordingly, subject matter jurisdiction over this cause of action is conferred upon this Court pursuant to 28 U.S.C. §§ 1331 and 1338.

5. On information and belief, LivingSoho is doing business in the State of Texas and in this judicial district. LivingSoho, for example, operates an interactive website ([www.sohodecor.com](http://www.sohodecor.com)) through which it sells products that infringe the Patents. LivingSoho's interactive website also allows it to repeatedly contact residents of the State of Texas over the Internet. As a result, this Court may exercise personal jurisdiction over LivingSoho because it has purposefully availed itself of the laws of the State of Texas such that it has sufficient minimum contacts with the State of Texas. Moreover, jurisdiction is consistent with traditional notions of fair play and substantial justice.

6. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b), (c) and 1400(b).

### **COUNT 1**

#### **Infringement of U.S. Patent No. 6,901,882 B2**

7. WFI incorporates and re-alleges paragraphs 1-6 above as if set forth in their entirety.

8. The '882 Patent, which is entitled "Solar Powered Bird Feeder," issued on June 7, 2005 to WFI as the assignee of the inventor, Gregory G. Kuelbs. WFI is the assignee and owner of the entire right, title and interest in and to the '882 Patent. A copy of the '882 Patent is attached hereto as Exhibit A.

9. LivingSoho is making, using, offering to sell, and selling, within this judicial district and elsewhere, products that infringe one or more claims of the '882 Patent, and is actively inducing others to use its products in a way that infringes, or is actively contributing to others' infringement of one or more claims of the '882 Patent.

10. LivingSoho has profited through its infringement of the claims of the '882 Patent. As a result of LivingSoho's unlawful infringement of the '882 Patent, WFI has suffered and will continue to suffer grievous damage.

11. LivingSoho's acts of infringement herein have been made with full knowledge of WFI's rights in the '882 Patent. Such acts constitute willful infringement, making this case exceptional pursuant to 35 U.S.C. §§ 284 and 285 and entitling WFI to enhanced damages and reasonable attorney's fees.

12. LivingSoho intends to continue its unlawful infringing activity unless enjoined by this Court.

## COUNT 2

### **Infringement of U.S. Patent No. 7,017,521 B2**

13. WFI incorporates and re-alleges paragraphs 1-12 above as if set forth in their entirety.

14. The '521 Patent, which is entitled "Solar Powered Bird Feeder," issued on March 28, 2006 to WFI as the assignee of the inventor, Gregory G. Kuelbs. WFI is the assignee and

owner of the entire right, title and interest in and to the '521 Patent. A copy of the '521 Patent is attached hereto as Exhibit B.

15. LivingSoho is making, using, offering to sell, and selling, within this judicial district and elsewhere, products that infringe one or more claims of the '521 Patent, and is actively inducing others to use its products in a way that infringes, or is actively contributing to others' infringement of one or more claims of the '521 Patent.

16. LivingSoho has profited through its infringement of the claims of the '521 Patent. As a result of LivingSoho's unlawful infringement of the '521 Patent, WFI has suffered and will continue to suffer grievous damage.

17. LivingSoho's acts of infringement herein have been made with full knowledge of WFI's rights in the '521 Patent. Such acts constitute willful infringement, making this case exceptional pursuant to 35 U.S.C. §§ 284 and 285 and entitling WFI to enhanced damages and reasonable attorney's fees.

18. LivingSoho intends to continue its unlawful infringing activity unless enjoined by this Court.

### COUNT 3

#### **Infringement of U.S. Patent No. 7,168,392 B2**

19. WFI incorporates and re-alleges paragraphs 1-18 above as if set forth in their entirety.

20. The '392 Patent, which is entitled "Solar Powered Bird Feeder," issued on January 30, 2007 to WFI as the assignee of the inventor, Gregory G. Kuelbs. WFI is the assignee and owner of the entire right, title and interest in and to the '392 Patent. A copy of the '392 Patent is attached hereto as Exhibit C.

21. LivingSoho is making, using, offering to sell, and selling, within this judicial district and elsewhere, products that infringe one or more claims of the '392 Patent, and is actively inducing others to use its products in a way that infringes, or is actively contributing to others' infringement of one or more claims of the '392 Patent.

22. LivingSoho has profited through its infringement of the claims of the '392 Patent. As a result of LivingSoho's unlawful infringement of the '392 Patent, WFI has suffered and will continue to suffer grievous damage.

23. LivingSoho's acts of infringement herein have been made with full knowledge of WFI's rights in the '392 Patent. Such acts constitute willful infringement, making this case exceptional pursuant to 35 U.S.C. §§ 284 and 285 and entitling WFI to enhanced damages and reasonable attorney's fees.

24. LivingSoho intends to continue its unlawful infringing activity unless enjoined by this Court.

#### **JURY DEMAND**

25. WFI requests a trial by jury of all claims so triable.

#### **PRAYER FOR RELIEF**

WHEREFORE, WFI prays that it have judgment against LivingSoho for the following:

(1) A decree that the Patents are infringed by products made, offered for sale, sold, and/or used by LivingSoho and its customers;

(2) A permanent injunction enjoining and restraining LivingSoho and its agents, servants, employees, affiliates, divisions, subsidiaries, agents, servants, and employees, and those in association with them from making, using, or selling any product which falls within the scope of any claim of the Patents;

(3) A permanent injunction enjoining and restraining LivingSoho and its agents, servants, employees, affiliates, divisions, subsidiaries, agents, servants, and employees, and those in association with them from making, using, or selling any product the intended or advertised use of which falls within the scope of any claim of the Patents;

(4) An award of damages;

(5) An award of exemplary damages;

(6) An award of all costs of this action, including attorney's fees and interest; and

(7) Such other and further relief, at law or in equity, to which WFI may be justly entitled.

Respectfully submitted,



Marshall M. Searcy, Jr.  
State Bar No. 17955500  
Hugh G. Connor II  
State Bar No. 00787272  
Michael D. Anderson  
State Bar No. 24031699  
KELLY HART & HALLMAN LLP  
201 Main Street, Suite 2500  
Ft. Worth, Texas 76102  
(817) 332-2500 (phone)  
(817) 878-9280 (fax)

**ATTORNEYS FOR PLAINTIFF  
WORLD FACTORY, INC.**

A

A



US006901882B2

(12) **United States Patent**  
Kuelbs

(10) Patent No.: **US 6,901,882 B2**  
(45) Date of Patent: **Jun. 7, 2005**

- (54) **SOLAR POWERED BIRD FEEDER**
- (75) Inventor: **Gregory G. Kuelbs, Westlake, TX (US)**
- (73) Assignee: **World Factory, Inc., Coppell, TX (US)**
- (\* ) 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.: **10/847,973**
- (22) Filed: **May 18, 2004**
- (65) **Prior Publication Data**  
US 2004/0216682 A1 Nov. 4, 2004

5,044,319 A	9/1991	Blasbalg	
5,207,180 A	5/1993	Graham	
5,259,337 A	11/1993	Rasmussen	
5,463,980 A	11/1995	Rasmussen	
5,549,075 A *	8/1996	Golden	119/57.92
5,868,101 A	2/1999	Marshall	
5,937,787 A *	8/1999	Kopis	119/57.8
6,145,477 A	11/2000	Jansen	
6,230,440 B1 *	5/2001	Deutsch	47/67
6,276,298 B1 *	8/2001	Welsh	119/52.3
6,363,891 B1	4/2002	Marshall	
6,481,375 B1	11/2002	Scalf	
6,584,933 B1	7/2003	Stone	
6,830,009 B1 *	12/2004	Kuelbs	119/52.2
2003/0019437 A1	1/2003	Forc	
2003/0024480 A1	2/2003	Meritt	

\* cited by examiner

**Related U.S. Application Data**

- (63) Continuation of application No. 10/411,565, filed on Apr. 10, 2003, now Pat. No. 6,830,009.
- (60) Provisional application No. 60/372,267, filed on Apr. 11, 2003.
- (51) Int. Cl.<sup>7</sup> ..... **A01K 31/06**
- (52) U.S. Cl. .... **119/452; 119/52.2**
- (58) Field of Search ..... **119/452, 52.2, 119/57.8, 428, 429, 52.3, 57.9**

*Primary Examiner*—Peter M. Poon  
*Assistant Examiner*—Timothy D Collins  
(74) *Attorney, Agent, or Firm*—Jesse E. Walton

(57) **ABSTRACT**

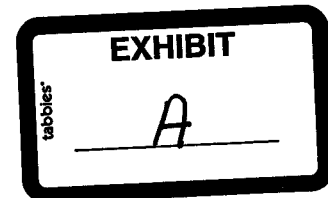
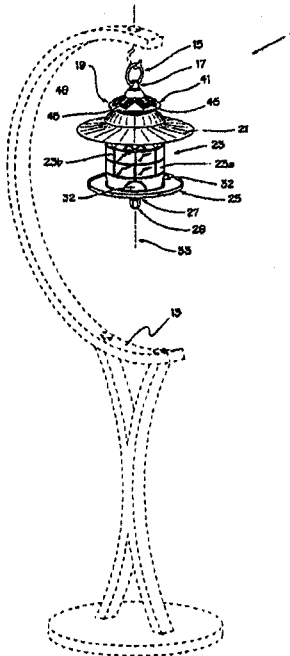
A bird feeder having a rechargeable electrical power source and a solar energy system that collects solar energy, converts it into electrical energy, and uses the electrical energy to recharge the rechargeable electrical power source is disclosed. The rechargeable electrical power source can be used to power an LED lighting system which illuminates at least a portion of said bird feeder so that said bird feeder is visible in low light conditions.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

- 3,590,780 A 7/1971 Dunbar
- 4,523,546 A 6/1985 Latham

**17 Claims, 5 Drawing Sheets**





U.S. Patent

Jun. 7, 2005

Sheet 1 of 5

US 6,901,882 B2

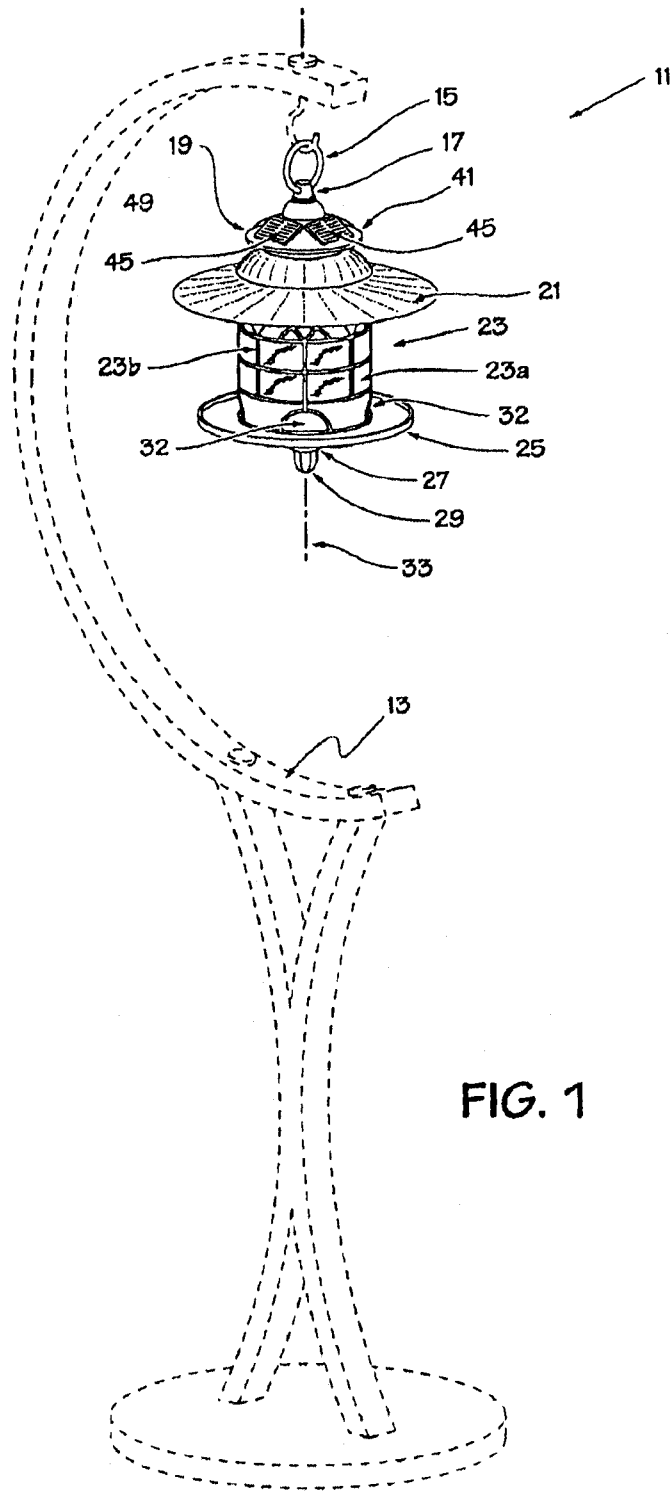


FIG. 1

U.S. Patent

Jun. 7, 2005

Sheet 2 of 5

US 6,901,882 B2

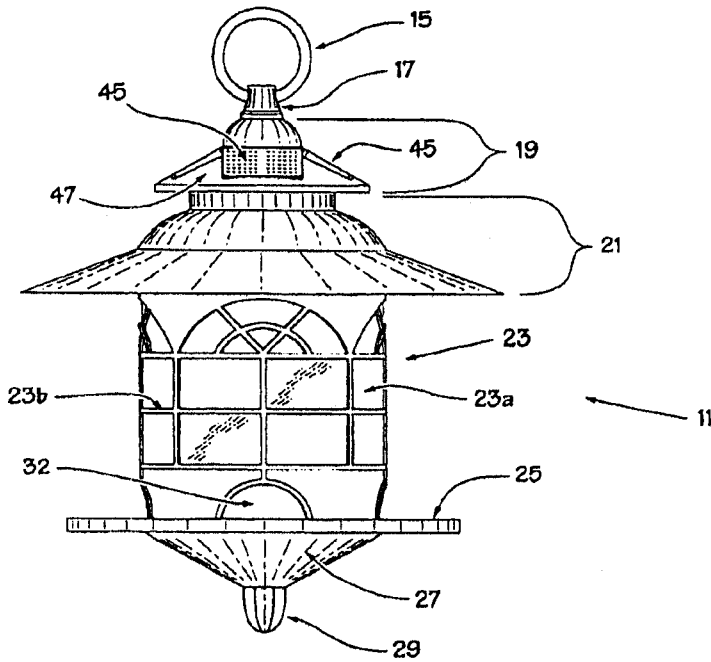


FIG. 2

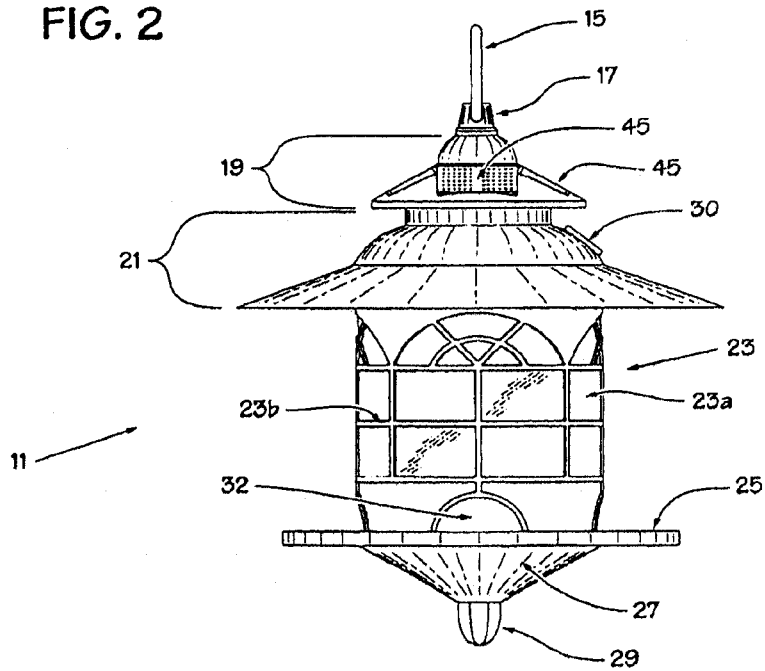


FIG. 3

U.S. Patent

Jun. 7, 2005

Sheet 3 of 5

US 6,901,882 B2

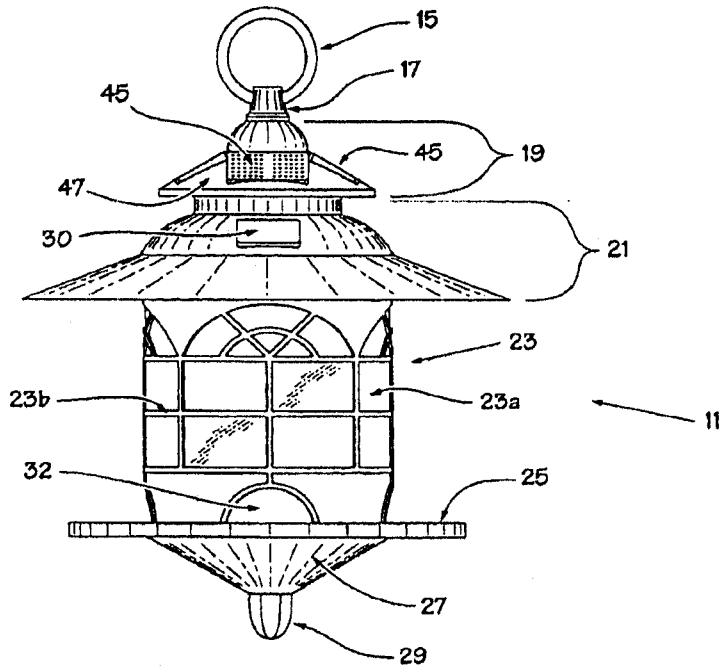


FIG. 4

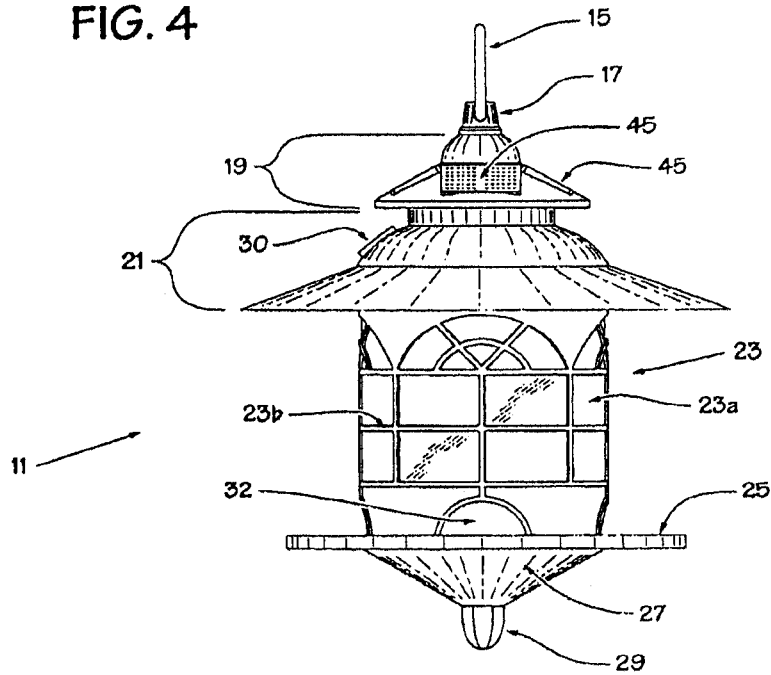


FIG. 5

U.S. Patent

Jun. 7, 2005

Sheet 4 of 5

US 6,901,882 B2

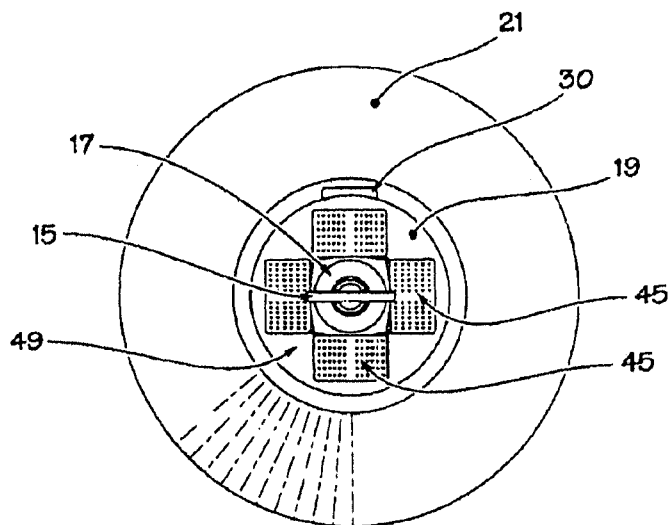


FIG. 6

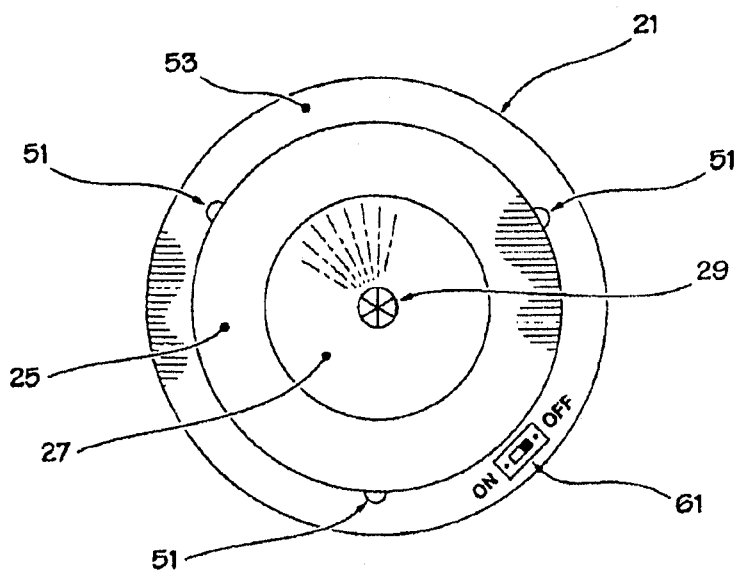


FIG. 7

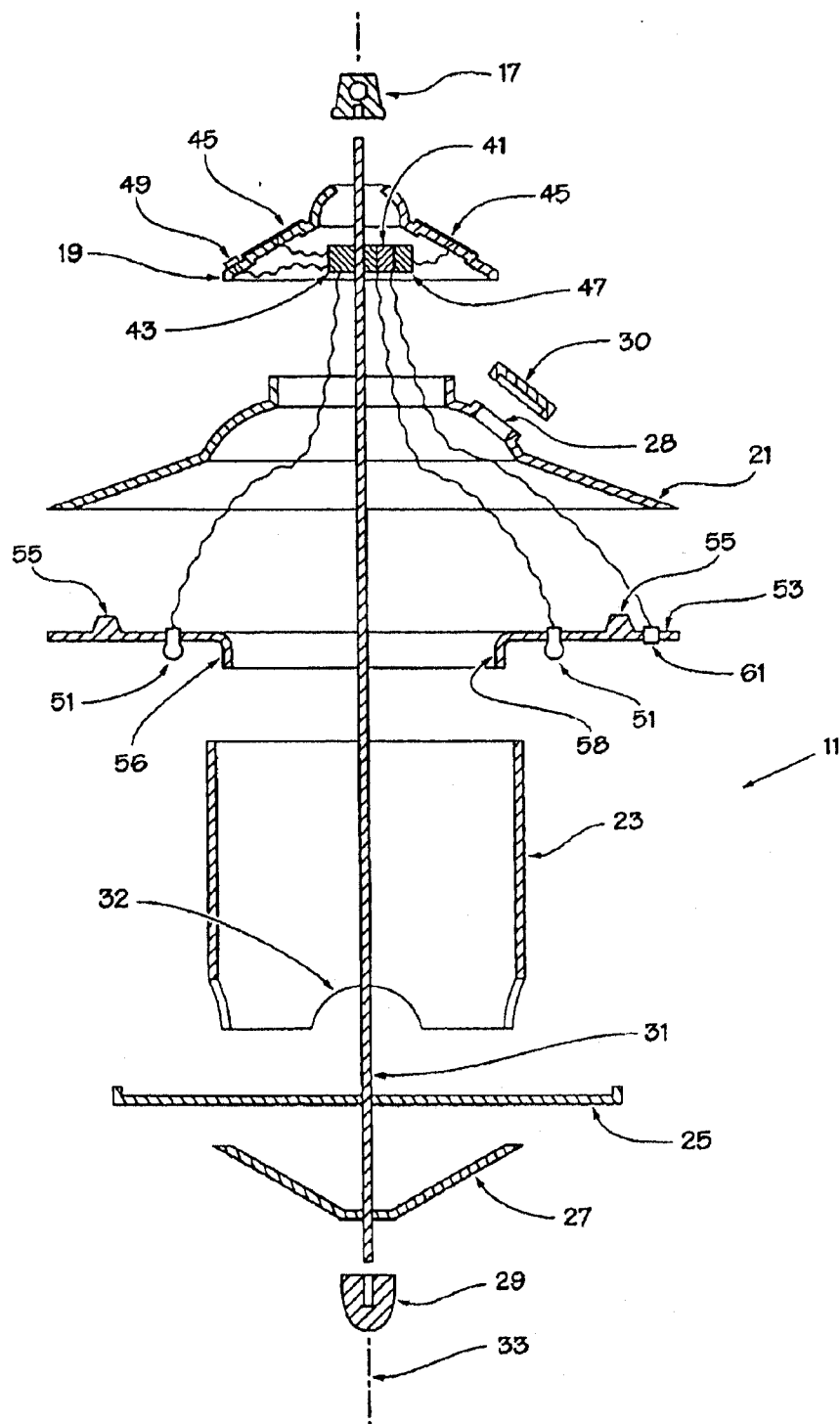


FIG. 8

US 6,901,882 B2

1

**SOLAR POWERED BIRD FEEDER**

This application is a continuation of Ser. No 10/411,565 filed Apr. 10, 2003 now U.S. Pat. No. 6,830,009 and, claims the benefit of U.S. Provisional Application No. 60/372,267, filed 11 Apr. 2003, titled "Solar Powered Bird Feeder."

**BACKGROUND OF THE INVENTION****1. Field of the Invention**

The present invention relates to bird feeders. In particular, the present invention relates to bird feeders having electrical power sources.

**2. Description of Related Art**

Solar energy systems that collect solar energy and convert it into electrical energy have been around for many years. However, only recently have these solar energy systems been developed to the point where they are small enough, efficient enough, and economical enough, to allow their widespread use in small electrical devices. One use of these small solar energy systems is to recharge rechargeable batteries in small household devices.

One example of a small household electrical device with rechargeable batteries that can be recharged by one of these small solar energy systems is an outdoor landscaping lighting system. The rechargeable batteries provide power to illuminate the lighting elements during darkness, and the solar energy system collects and converts solar energy and recharges the rechargeable batteries during daylight.

Although the use of small solar energy systems in outdoor landscaping lighting systems represents great strides in the development and use of solar energy systems, there is a need for these miniaturized solar energy systems in other small electrical household devices.

**BRIEF SUMMARY OF THE INVENTION**

There is a need for solar powered bird feeder.

Therefore, it is an object of the present invention to provide a solar powered bird feeder.

This object is achieved by providing a bird feeder having a rechargeable electrical power source and a solar energy system that collects solar energy, converts it into electrical energy, and uses the electrical energy to recharge the rechargeable electrical power source. The rechargeable electrical power source can be used to power lights, radios, cameras, and a wide variety of other electrical devices operably associated with the bird feeder.

The solar powered bird feeder according to the present invention provides significant advantages, including: (1) the rechargeable electrical power source can be recharged by the solar energy system; (2) the rechargeable electrical power source can provide power to a wide variety of electrical devices operably associated with the bird feeder; and (3) the lighting elements allow the bird feeder to be viewed and enjoyed at night. Other objects and advantages of the present invention will be evident from the following detailed description of the invention.

**BRIEF DESCRIPTION OF THE DRAWINGS**

FIG. 1 is a perspective view of the solar powered bird feeder according to the present invention.

FIG. 2 is a front view of the solar powered bird feeder of FIG. 1.

FIG. 3 is a right side view of the solar powered bird feeder of FIG. 1.

2

FIG. 4 is a rear view of the solar powered bird feeder of FIG. 1.

FIG. 5 is a left side view of the solar powered bird feeder of FIG. 1.

FIG. 6 is a top plan view of the solar powered bird feeder of FIG. 1.

FIG. 7 is a bottom view of the solar powered bird feeder of FIG. 1.

FIG. 8 is an exploded longitudinal cross-sectional view of the solar powered bird feeder of FIG. 1.

**DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT**

Although the present invention will be described herein with reference to a bird feeder having a particular configuration, it should be understood that the methods and apparatuses of the present invention can be used on bird feeders and bird houses of almost any shape or design, as well as on other small animal feeders and houses. Thus, it will be appreciated that the rechargeable electrical power source and solar recharging system of the present invention is well suited for use on any decorative outdoor accessory.

Referring to FIGS. 1-8 in the drawings, the preferred embodiment of a solar powered bird feeder 11 according to the present invention is illustrated. Bird feeder 11 is adapted to be hung on a stand 13, in a tree, on a hanging bracket, from a rope or cable, or by any of a wide variety of conventional hanging means. Stand 13 is shown in dashed lines to indicate that stand 13 may be of any suitable design.

In the preferred embodiment, bird feeder 11 has a hanging means 15, an upper cap member 17, an upper canopy 19, a main canopy 21, a food reservoir 23, a perch 25, a lower portion 27, and a lower finial 29. Hanging means 15, upper cap member 17, upper canopy 19, main canopy 21, food reservoir 23, perch 25, lower portion 27, and lower finial 29 are coupled together by a rod 31 (see FIG. 8) that passes along a central longitudinal axis 33 of bird feeder 11 and that is releasably connected to lower finial 29 and upper cap member 17. It should be understood that rod 31 may also be a chain, wire, cable, or any other type of connecting means which aids in holding the components of bird feeder 11 together.

Upper cap member 17, upper canopy 19, main canopy 21, perch 25, lower portion 27, and lower finial 29 are preferably made of a suitable material that is treated, finished, and/or coated to prevent rust, wear, and exposure to the environment. It should be understood that hanging means 15, upper cap member 17, upper canopy 19, and main canopy 21 may be integrally combined into one or more component parts, depending on their shape, the application in which they are used, or the ornamental design that they are intended to represent. For example, these components may include embossed figurines or cut-out shapes that enhance the appearance or motif of bird feeder 11.

Food reservoir 23 includes at least one outlet port 32 through which birds may gather the bird food. Outlet ports 32 may be located on food reservoir 23 at various locations and heights, such as at low locations near perch 25 or high locations near main canopy 21. Outlet ports 32 may also include flanges (not shown) that extend into or out of food reservoir 23 to prevent the bird food from spilling out of outlet ports 32 unnecessarily. Bird feeder 11 may also include additional perches that extend outwardly from food reservoir 23 for birds to use while gathering the bird food.

US 6,901,882 B2

3

Such additional perches are particularly useful for outlet ports 32 that are located well above perch 25.

Food reservoir 23 may include a liner portion 23a, preferably made of transparent glass or plastic, and a decorative lattice portion 23b, preferably made of a suitable material that is treated, finished, and/or coated to prevent rust, wear, and exposure to the bird food or the environment. Liner portion 23a may be beveled, etched, colored, tinted, or otherwise treated, depending upon the effect desired. For example, food reservoir 23 may be formed from leaded glass or stained glass having a decorative appearance or motif. Furthermore, it should be understood that the liner portion 23a and lattice portion 23b may be integrally combined to form a single component. For instances in which liner portion 23a and lattice portion 23b are separate components, it will be appreciated that lattice portion 23b may be disposed on either the inside or the outside of liner portion 23a.

A food access port 28 is disposed in main canopy 21 to allow a user to fill food reservoir 23 with bird food without disassembling bird feeder 11. Food access port 28 is preferably covered by a cap 30 (see FIGS. 4 and 8) to protect the bird food in food reservoir 23 from the weather. Cap 30 may be attached to bird feeder 11 by a wide variety of attachment means. It should be understood that food access port 28 may be located in several locations on bird feeder 11, depending upon the application in which bird feeder 11 is used, and the effect that is desired.

A rechargeable electrical power source 41 is operably associated with bird feeder 11 to provide electrical power to bird feeder 11. In the preferred embodiment, rechargeable electrical power source 41 is disposed within upper canopy 19. It will be appreciated that rechargeable electrical power source 41 may also be disposed in other components of bird feeder 11, such as perch 25 or lower portion 27, and may be disposed in multiple components of bird feeder 11. Rechargeable electrical power source 41 is preferably two 1.2 Volt rechargeable AA NiCd batteries providing about 600 milliamps of current, but may be any of a wide variety of rechargeable batteries. An electrical charging system 43 (see FIG. 8) is conductively coupled to rechargeable electrical power source 41. Electrical charging system 43 may include an electrical access port (not shown) to receive an adapter or transformer (not shown) that allows rechargeable electrical power source 41 to be recharged by a conventional AC power source, such as an AC wall outlet. It will be understood that rechargeable electrical power source 41 may be used to power a wide variety of electrical devices, such as microphones, radio receivers or transmitters, cameras, audio recording and playback devices, video recording and playback devices, loud speakers, lighting elements, timing devices, remote controls, motors, etc.

At least one conventional solar collector 45 is operably associated with bird feeder 11 to collect solar energy. In the preferred embodiment, at least one solar collector 45 is disposed on the upper surface of upper canopy 19. Solar collectors 45 either include or are conductively coupled to a conventional solar energy conversion system 47 that converts the solar energy to electrical energy. Electrical charging system 43 uses the electrical energy from the solar energy conversion system 47 or the AC power outlet to recharge rechargeable electrical power source 41. An optional photoresistor 49 disposed on the upper surface of upper canopy 19 is conductively coupled to rechargeable electrical power source 41 to detect the amount of light hitting bird feeder 11 and to provide a corresponding electrical signal that can be used to determine whether power is supplied to certain electrical components.

4

In the preferred embodiment, the electrical power from rechargeable electrical power source 41 is used to illuminate at least one lighting element 51. It is preferred that lighting element 51 be positioned to cast light on and/or through food reservoir 23, perch 25, and as many other components of bird feeder 11 as possible. In the preferred embodiment, lighting elements 51 are disposed beneath main canopy 19. Lighting elements 51 preferably illuminate food reservoir 23 and perch 25 in a decorative fashion. Thus, it will be appreciated that the configuration and choice of materials for food reservoir 23 may produce a distinctive effect on the appearance of bird feeder 11 while being illuminated by lighting elements 51. In the preferred embodiment, lighting elements 51 comprise one or more LED's. It should be understood that lighting elements may also be fluorescent lighting elements, cold cathode ray tube lighting elements, and/or any other suitable lighting elements.

In the preferred embodiment, lighting elements 51 are carried by an alignment disk 53. Alignment disk 53 is disposed between main canopy 21 and food reservoir 23. It should be understood that alignment disk 53 may be integral with either main canopy 21 or food reservoir 23, or both main canopy 21 and food reservoir 23. Alignment disk 53 includes a plurality of tabs 55 which provide spacing and a means of attaching alignment disk 53 to main canopy 21. Alignment disk 53 may include an annular flange 56 that extends downward from a central aperture 58. Flange 56 preferably has an outside diameter that is slightly smaller than the inside diameter of food reservoir 23, such that flange 56 may protrude slightly into the interior of food reservoir 23. This aligns and centers food reservoir 23 about axis 33. It should be understood that the functions of alignment disk 53 may be achieved by other means, such as tabs, spacers, posts, or clips coupled to main canopy 19. Alignment disk 53, or its functional equivalent, may include conduits or clips for aligning and/or holding and protecting any electrical wiring that is necessary for any electrical components that are operable on bird feeder 11.

An optional on/off switch 61 may be disposed on bird feeder 11 and conductively coupled to rechargeable electrical power source 41 to provide a means to manually activate and deactivate the power from rechargeable electrical power source 41, the power to lighting elements 51, and/or any other electrical components that may be operably associated with bird feeder 11. On/Off switch 61 is preferably disposed beneath main canopy 21 on alignment disk 53. In the preferred embodiment, on/off switch 61 overrides the switching functions of photoresistor 49. It should be understood that one or more on/off switches 61 and their corresponding control circuitry may be utilized to control the various electrical components on bird feeder 11.

It will be appreciated that an invention with significant advantages has been described. Although the present invention is shown in a limited number of forms, it is not limited to just these forms, but is amenable to various changes and modifications without departing from the spirit thereof.

I claim:

1. A bird feeder, comprising:
  - at least one canopy portion;
  - a food reservoir coupled to the canopy portion;
  - a perch portion proximate the food reservoir;
  - a rechargeable electrical power source;
  - a solar energy system conductively coupled to the electrical charging system for collecting solar energy, converting the solar energy into electrical energy, and transferring the electrical energy to the electrical charging system; and

US 6,901,882 B2

5

at least one LED lighting subsystem carried by said bird feeder and electrically coupled to said rechargeable electrical power source for receiving electrical energy therefrom and for illuminating said food reservoir from a position above at least a portion of said food reservoir while the bird feeder is in use so that said food reservoir is visible in low light conditions.

2. A bird feeder according to claim 1, further comprising: wherein said solar energy system is carried by said at least one canopy portion.

3. A bird feeder according to claim 1, further comprising: a mechanical subsystem for releasably connecting together the at least one canopy, the food reservoir, and the perch.

4. A bird feeder according to claim 1, further comprising: an electrical charging system conductively couple to the rechargeable electrical power source for recharging the rechargeable electrical power source.

5. The bird feeder according to claim 1, further comprising: a photoresistor conductively coupled to the rechargeable electrical power source for activating and deactivating the rechargeable electrical power source depending upon the amount of light hitting the photoresistor.

6. A bird feeder, comprising:  
 at least one canopy portion;  
 a food reservoir coupled to extend below the canopy portion;  
 a perch portion proximate the food reservoir;  
 a rechargeable electrical power source;  
 a solar energy system conductively coupled to the electrical charging system for collecting solar energy, converting the solar energy into electrical energy, and transferring the electrical energy to the electrical charging system;  
 wherein said solar energy system is carried by said at least one canopy portion; and  
 at least one LED lighting subsystem carried directly at least one canopy portion by said and electrically coupled to said rechargeable electrical power source for receiving electrical energy therefrom and for illuminating at least a portion of said bird feeder so that said bird feeder is visible in low light conditions.

7. A bird feeder according to claim 6, further comprising: a mechanical subsystem for releasably connecting together the at least one canopy, the food reservoir, and the perch.

8. A bird feeder according to claim 6, further comprising: an electrical charging system conductively couple to the rechargeable electrical power source for recharging the rechargeable electrical power source.

9. The bird feeder according to claim 6, further comprising: a photoresistor conductively coupled to the rechargeable electrical power source for activating and deactivating the rechargeable electrical power source depending upon the amount of light hitting the photoresistor.

10. A bird feeder, comprising:  
 at least one canopy portion;  
 a food reservoir coupled to the canopy portion;  
 a perch portion proximate the food reservoir;  
 a rechargeable electrical power source;  
 a solar energy system conductively coupled to the electrical charging system for collecting solar energy, con-

6

verting the solar energy into electrical energy, and transferring the electrical energy to the electrical charging system;

at least one LED electrical subsystem carried by said bird feeder and electrically coupled to said rechargeable electrical power source for receiving electrical energy therefrom and for illuminating said food reservoir so that said food reservoir is visible in low light conditions; and

a mechanical subsystem for releasably connecting together the at least one canopy, the food reservoir, and the perch.

11. A bird feeder according to claim 10, further comprising:  
 wherein said solar energy system is carried by said at least one canopy portion.

12. A bird feeder according to claim 10, further comprising:  
 an electrical charging system conductively coupled to the rechargeable electrical power source for recharging the rechargeable electrical power source.

13. The bird feeder according to claim 10, further comprising:  
 a photoresistor conductively coupled to the rechargeable electrical power source for activating and deactivating the rechargeable electrical power source depending upon the amount of light hitting the photoresistor.

14. A bird feeder, comprising:  
 at least one canopy portion;  
 a food reservoir coupled to the canopy portion;  
 a perch portion proximate the food reservoir;  
 a rechargeable electrical power source;  
 an electrical charging system conductively couple to the rechargeable electrical power source for recharging the rechargeable electrical power source;  
 a solar energy system conductively coupled to the electrical charging system for collecting solar energy, converting the solar energy into electrical energy, and transferring the electrical energy to the electrical charging system; and  
 at least one electrical subsystem carried by said bird feeder electrically and coupled to said rechargeable electrical power source for receiving electrical energy therefrom, including at least one LED light for illuminating said food reservoir from a position above at least a portion of said food reservoir while the bird feeder is in use so that said food reservoir is visible in low light conditions.

15. A bird feeder according to claim 14, further comprising:  
 wherein said solar energy system is carried by said at least one canopy portion.

16. A bird feeder according to claim 14, further comprising:  
 a mechanical subsystem for releasably connecting together the at least one canopy, the food reservoir, and the perch.

17. The bird feeder according to claim 14, further comprising:  
 a photoresistor conductively coupled to the rechargeable electrical power source for activating and deactivating the rechargeable electrical power source depending upon the amount of light hitting the photoresistor.

\* \* \* \* \*



UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 6,901,882 B2  
DATED : June 7, 2005  
INVENTOR(S) : Gregory G. Kuelbs

Page 1 of 2

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page,

Item [60], **Related U.S. Application Data**, please replace with:

-- Provisional application No. 60/372,267, filed on Apr. 11, 2002 --.

Item [74], *Attorney, Agent, or Firm*, replace the name of the Attorney with

-- James E. Walton --.

Column 1,

Lines 3-6, please replace the paragraph with:

-- This application is a continuation of Ser. No. 10/411,565 filed Apr. 10, 2003 now U.S. Pat. No. 6,830,009 and, claims the benefit of U.S. Provisional Application No. 60/372,267, filed 11 Apr. 2003, 2002, titled "Solar Powered Bird Feeder." --.

Column 5,

Lines 26-45, please replace Claim 6 as follows:

6. A bird feeder, comprising:

at least one canopy portion;

a food reservoir coupled to extend below the canopy portion;

a perch portion proximate the food reservoir;

a rechargeable electrical power source;

a solar energy system conductivity coupled to the electrical charging system for collecting solar energy,

converting the solar energy into electrical energy, and transferring the electrical energy to the electrical charging system;

wherein said solar energy system is carried by said at least one canopy portion; and

at least one LED lighting subsystem carried directly by said at least one canopy portion and electrically coupled to said rechargeable electrical power source for receiving

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 6,901,882 B2  
DATED : June 7, 2005  
INVENTOR(S) : Gregory G. Kuelbs

Page 2 of 2

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 5 (cont'd),

electrical energy therefrom and illuminating at least a portion of said bird feeder so that said bird feeder is visible in low light conditions.

Signed and Sealed this

Twenty-fifth Day of October, 2005



JON W. DUDAS

*Director of the United States Patent and Trademark Office*

B

B



US007017521B2

(12) **United States Patent**  
**Kuelbs**

(10) **Patent No.:** US 7,017,521 B2  
 (45) **Date of Patent:** \*Mar. 28, 2006

(54) **SOLAR POWERED BIRD FEEDER**  
 (75) **Inventor:** Gregory G. Kuelbs, Westlake, TX (US)  
 (73) **Assignee:** World Factory, Inc., Coppell, TX (US)  
 (\*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.  
 This patent is subject to a terminal disclaimer.

(21) **Appl. No.:** 11/063,059

(22) **Filed:** Feb. 22, 2005

(65) **Prior Publication Data**  
 US 2005/0257749 A1 Nov. 24, 2005

**Related U.S. Application Data**  
 (63) Continuation of application No. 10/847,973, filed on May 18, 2004, which is a continuation of application No. 10/411,565, filed on Apr. 10, 2005.

(60) Provisional application No. 60/372,267, filed on Apr. 11, 2003.

(51) **Int. Cl.**  
 A01K 31/06 (2006.01)  
 (52) **U.S. Cl.** 119/452; 119/52.2

(58) **Field of Classification Search** 119/452, 119/52.2, 57.8, 428, 429, 52.3, 57.9, 53

See application file for complete search history.

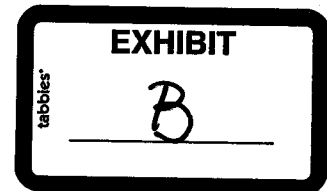
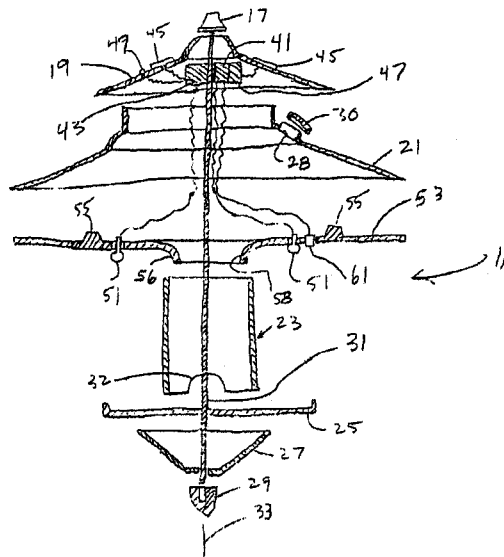
(56) **References Cited**  
 U.S. PATENT DOCUMENTS

3,590,780 A	7/1971	Dunbar	
4,523,546 A	6/1985	Latham	
4,646,686 A *	3/1987	Furlani	119/57.9
5,044,319 A	9/1991	Blasbalg	
5,168,830 A *	12/1992	Deglis	119/428
5,207,180 A	5/1993	Graham	
5,259,337 A	11/1993	Rasmussen	
5,463,980 A	11/1995	Rasmussen	
5,868,101 A	2/1999	Marshall	
6,145,477 A	11/2000	Jansen	
6,276,298 B1	8/2001	Welsh	
6,363,891 B1	4/2002	Marshall	
6,481,375 B1	11/2002	Scaif	
6,584,933 B1 *	7/2003	Stone	119/57.9
2003/0019437 A1	1/2003	Fore	
2003/0024480 A1	2/2003	Merit	

\* cited by examiner  
 Primary Examiner: Peter M. Poon  
 Assistant Examiner: T. D. Collins  
 (74) **Attorney, Agent, or Firm:** James E. Walton

(57) **ABSTRACT**  
 A bird feeder having a rechargeable electrical power source and a solar energy system that collects solar energy, converts it into electrical energy, and uses the electrical energy to recharge the rechargeable electrical power source is disclosed. The rechargeable electrical power source can be used to power a wide variety of electrical devices, such as microphones, radio receivers or transmitters, cameras, audio recording and playback devices, video recording and playback devices, loud speakers, lighting elements, timing devices, remote controls, motors, etc.

5 Claims, 5 Drawing Sheets



U.S. Patent

Mar. 28, 2006

Sheet 1 of 5

US 7,017,521 B2

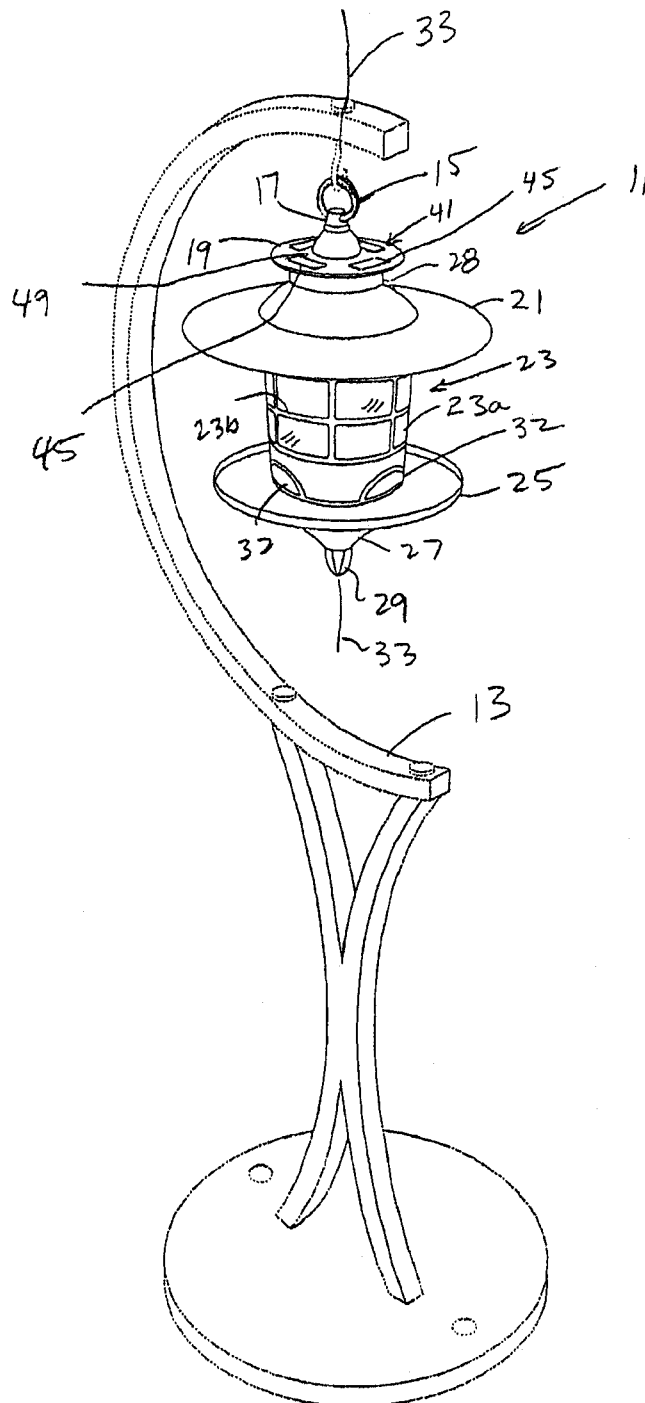


Figure 1

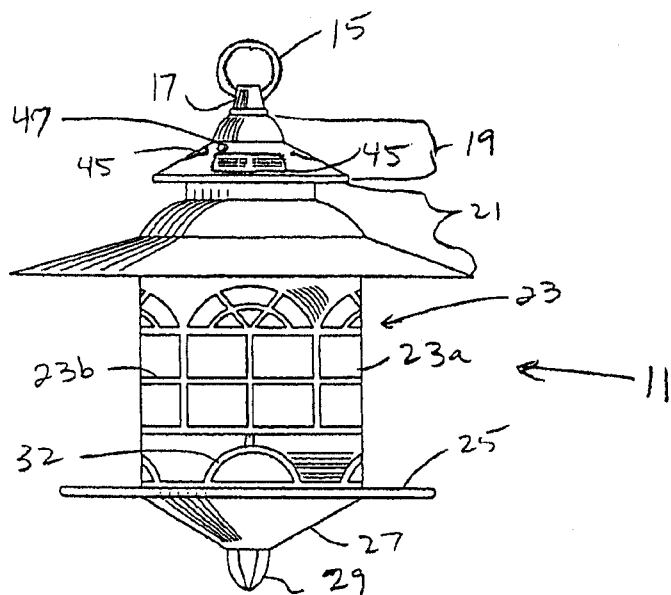


Figure 2

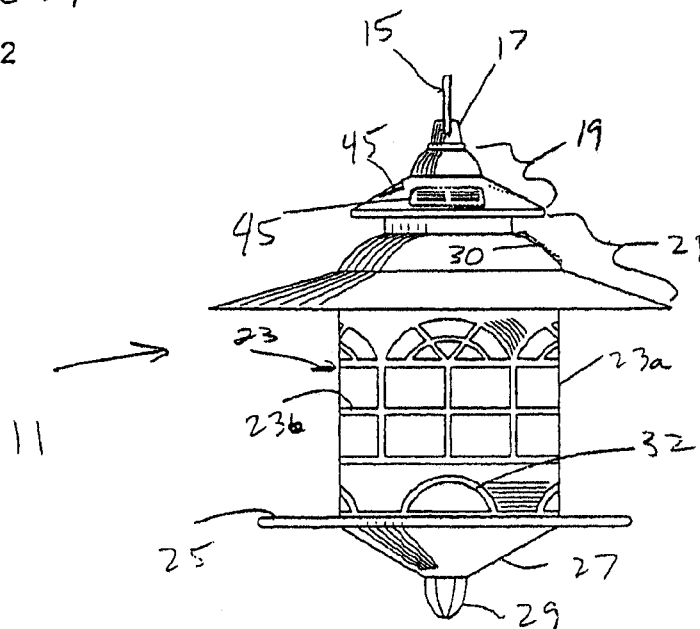


Figure 3

U.S. Patent

Mar. 28, 2006

Sheet 3 of 5

US 7,017,521 B2

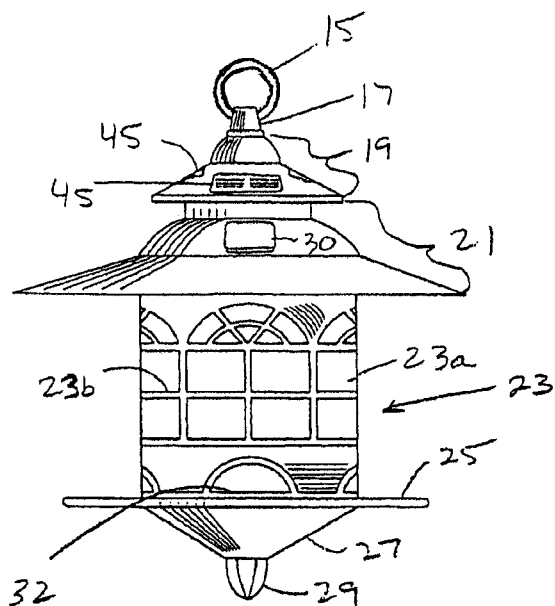


Figure 4

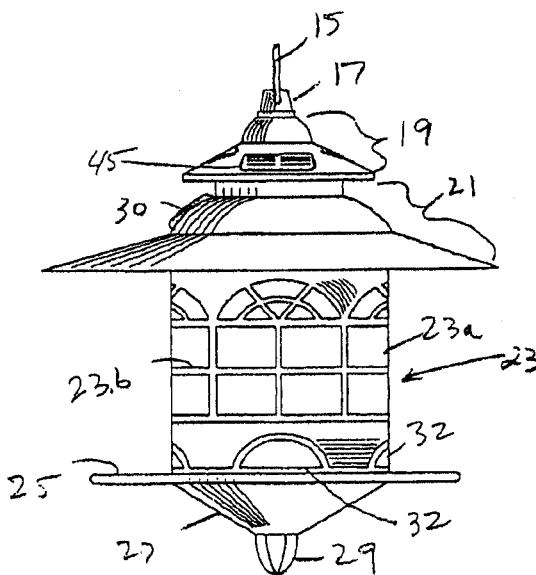


Figure 5

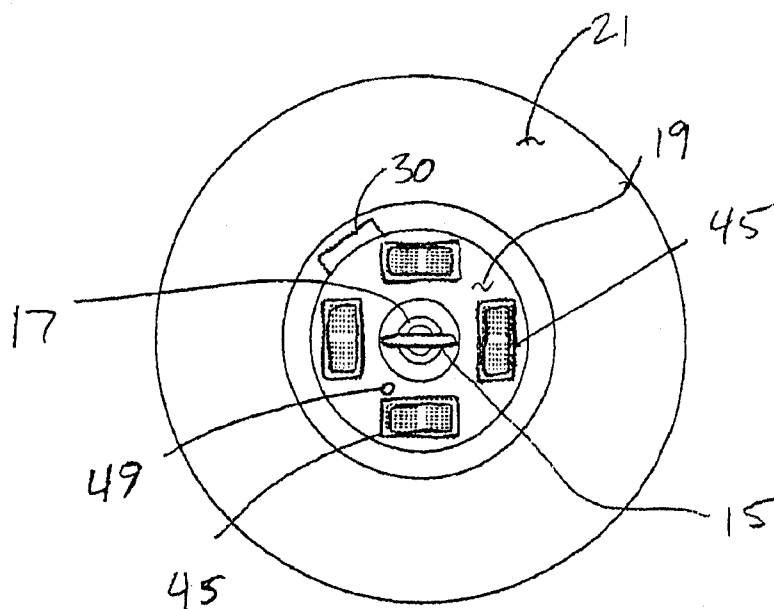


Figure 6

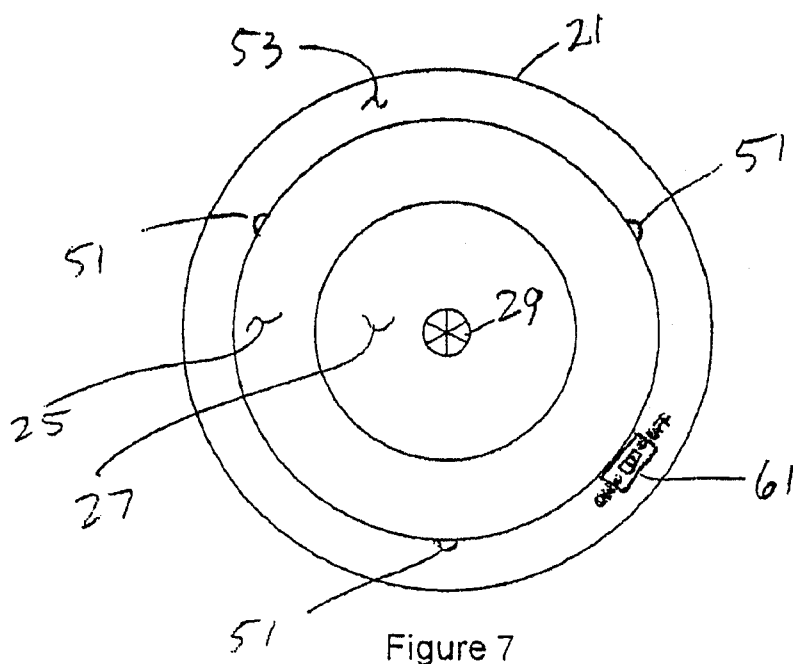


Figure 7

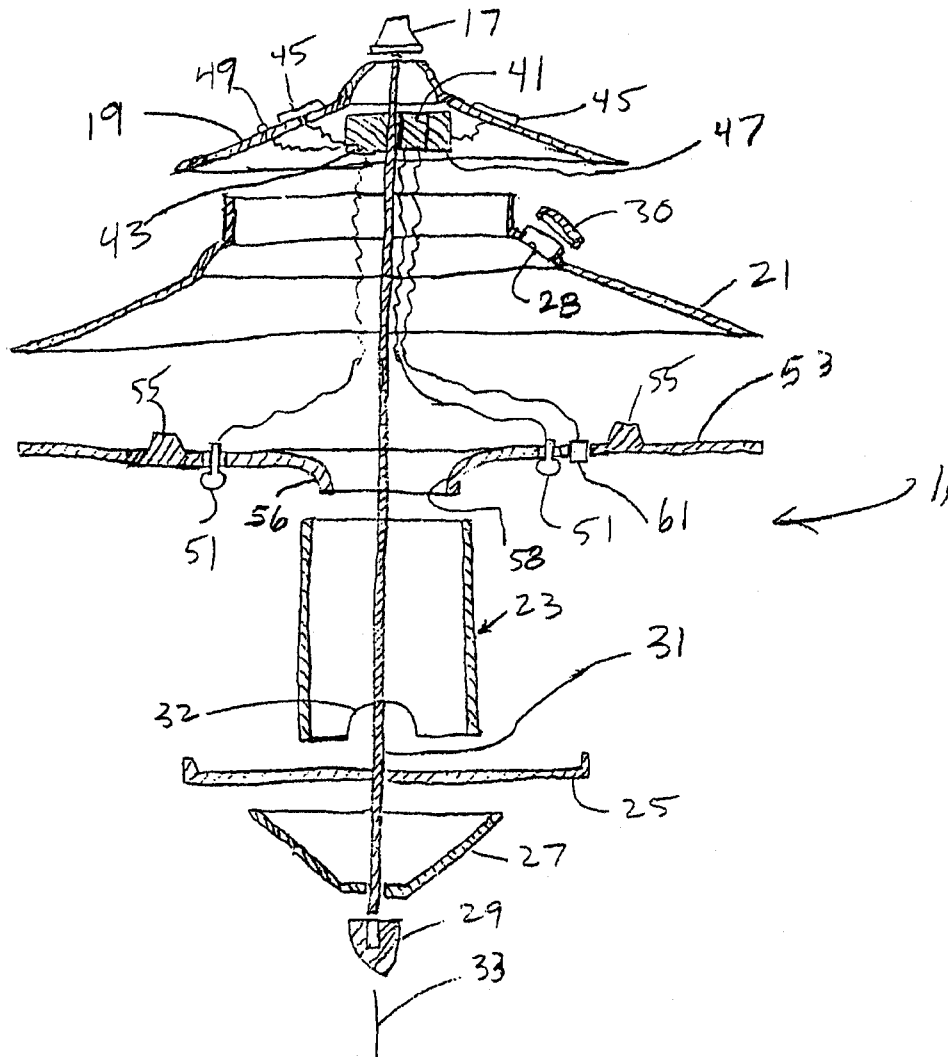


U.S. Patent

Mar. 28, 2006

Sheet 5 of 5

US 7,017,521 B2



## US 7,017,521 B2

1

**SOLAR POWERED BIRD FEEDER**

This application claims the benefit of U.S. Provisional Application No. 60/372,267, filed 11 Apr. 2002, titled "Solar Powered Bird Feeder", and is a Continuation of Ser. No. 10/847,973, filed May 18, 2004 now U.S. Pat. No. 6,901,882 which is a continuation of Ser. No. 10/411,565, filed Apr. 10, 2005 now U.S. Pat. No. 6,830,009.

**BACKGROUND OF THE INVENTION****1. Field of the Invention**

The present invention relates to bird feeders. In particular, the present invention relates to bird feeders having electrical power sources.

**2. Description of Related Art**

Solar energy systems that collect solar energy and convert it into electrical energy have been around for many years. However, only recently have these solar energy systems been developed to the point where they are small enough, efficient enough, and economical enough, to allow their widespread use in small electrical devices. One use of these small solar energy systems is to recharge rechargeable batteries in small household devices.

One example of a small household electrical device with rechargeable batteries that can be recharged by one of these small solar energy systems is an outdoor landscaping lighting system. The rechargeable batteries provide power to illuminate the lighting elements during darkness, and the solar energy system collects and converts solar energy and recharges the rechargeable batteries during daylight.

Although the use of small solar energy systems in outdoor landscaping lighting systems represents great strides in the development and use of solar energy systems, there is a need for these miniaturized solar energy systems in other small electrical household devices.

**BRIEF SUMMARY OF THE INVENTION**

There is a need for solar powered bird feeder.

Therefore, it is an object of the present invention to provide a solar powered bird feeder.

This object is achieved by providing a bird feeder having a rechargeable electrical power source and a solar energy system that collects solar energy, converts it into electrical energy, and uses the electrical energy to recharge the rechargeable electrical power source. The rechargeable electrical power source can be used to power lights, radios, cameras, and a wide variety of other electrical devices operably associated with the bird feeder.

The solar powered bird feeder according to the present invention provides significant advantages, including: (1) the rechargeable electrical power source can be recharged by the solar energy system; (2) the rechargeable electrical power source can provide power to a wide variety of electrical devices operably associated with the bird feeder; and (3) the lighting elements allow the bird feeder to be viewed and enjoyed at night. Other objects and advantages of the present invention will be evident from the following detailed description of the invention.

**BRIEF DESCRIPTION OF THE DRAWINGS**

FIG. 1 is a perspective view of the solar powered bird feeder according to the present invention.

FIG. 2 is a front view of the solar powered bird feeder of FIG. 1.

2

FIG. 3 is a right side view of the solar powered bird feeder of FIG. 1.

FIG. 4 is a rear view of the solar powered bird feeder of FIG. 1.

FIG. 5 is a left side view of the solar powered bird feeder of FIG. 1.

FIG. 6 is a top plan view of the solar powered bird feeder of FIG. 1.

FIG. 7 is a bottom view of the solar powered bird feeder of FIG. 1.

FIG. 8 is an exploded longitudinal cross-sectional view of the solar powered bird feeder of FIG. 1.

**DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT**

Although the present invention will be described herein with reference to a bird feeder having a particular configuration, it should be understood that the methods and apparatuses of the present invention can be used on bird feeders and bird houses of almost any shape or design, as well as on other small animal feeders and houses. Thus, it will be appreciated that the rechargeable electrical power source and solar recharging system of the present invention is well suited for use on any decorative outdoor accessory.

Referring to FIGS. 1-8 in the drawings, the preferred embodiment of a solar powered bird feeder 11 according to the present invention is illustrated. Bird feeder 11 is adapted to be hung on a stand 13, in a tree, on a hanging bracket, from a rope or cable, or by any of a wide variety of conventional hanging means. Stand 13 is shown in dashed lines to indicate that stand 13 may be of any suitable design.

In the preferred embodiment, bird feeder 11 has a hanging means 15, an upper cap member 17, an upper canopy 19, a main canopy 21, a food reservoir 23, a perch 25, a lower portion 27, and a lower finial 29. Hanging means 15, upper cap member 17, upper canopy 19, main canopy 21, food reservoir 23, perch 25, lower portion 27, and lower finial 29 are coupled together by a rod 31 (see FIG. 8) that passes along a central longitudinal axis 33 of bird feeder 11 and that is releasably connected to lower finial 29 and upper cap member 17. It should be understood that rod 31 may also be a chain, wire, cable, or any other type of connecting means which aids in holding the components of bird feeder 11 together.

Upper cap member 17, upper canopy 19, main canopy 21, perch 25, lower portion 27, and lower finial 29 are preferably made of a suitable material that is treated, finished, and/or coated to prevent rust, wear, and exposure to the environment. It should be understood that hanging means 15, upper cap member 17, upper canopy 19, and main canopy 21 may be integrally combined into one or more component parts, depending on their shape, the application in which they are used, or the ornamental design that they are intended to represent. For example, these components may include embossed figurines or cut-out shapes that enhance the appearance or motif of bird feeder 11.

Food reservoir 23 includes at least one outlet port 32 through which birds may gather the bird food. Outlet ports 32 may be located on food reservoir 23 at various locations and heights, such as at low locations near perch 25 and high locations near main canopy 21. Outlet ports 32 may also include flanges (not shown) that extend into or out of food reservoir 23 to prevent the bird food from spilling out of outlet ports 32 unnecessarily. Bird feeder 11 may also include additional perches that extend outwardly from food

US 7,017,521 B2

3

reservoir 23 for birds to use while gathering the bird food. Such additional perches are particularly useful for outlet ports 32 that are located well above perch 25.

Food reservoir 23 may include a liner portion 23a, preferably made of transparent glass or plastic, and a decorative lattice portion 23b, preferably made of a suitable material that is treated, finished, and/or coated to prevent rust, wear, and exposure to the bird food or the environment. Liner portion 23a may be beveled, etched, colored, tinted, or otherwise treated, depending upon the effect desired. For example, food reservoir 23 may be formed from leaded glass or stained glass having a decorative appearance or motif. Furthermore, it should be understood that the liner portion 23a and lattice portion 23b may be integrally combined to form a single component. For instances in which liner portion 23a and lattice portion 23b are separate components, it will be appreciated that lattice portion 23b may be disposed on either the inside or the outside of liner portion 23a.

A food access port 28 is disposed in main canopy 21 to allow a user to fill food reservoir 23 with bird food without disassembling bird feeder 11. Food access port 28 is preferably covered by a cap 30 (see FIGS. 4 and 8) to protect the bird food in food reservoir 23 from the weather. Cap 30 may be attached to bird feeder 11 by a wide variety of attachment means. It should be understood that food access port 28 may be located in several locations on bird feeder 11, depending upon the application in which bird feeder 11 is used, and the effect that is desired.

A rechargeable electrical power source 41 is operably associated with bird feeder 11 to provide electrical power to bird feeder 11. In the preferred embodiment, rechargeable electrical power source 41 is disposed within upper canopy 19. It will be appreciated that rechargeable electrical power source 41 may also be disposed in other components of bird feeder 11, such as perch 25 or lower portion 27, and may be disposed in multiple components of bird feeder 11. Rechargeable electrical power source 41 is preferably two 1.2 Volt rechargeable AA NiCd batteries providing about 600 milliamps of current, but may be any of a wide variety of rechargeable batteries. An electrical charging system 43 (see FIG. 8) is conductively coupled to rechargeable electrical power source 41. Electrical charging system 43 may include an electrical access port (not shown) to receive an adaptor or transformer (not shown) that allows rechargeable electrical power source 41 to be recharged by a conventional AC power source, such as an AC wall outlet. It will be understood that rechargeable electrical power source 41 may be used to power a wide variety of electrical devices, such as microphones, radio receivers or transmitters, cameras, audio recording and playback devices, video recording and playback devices, loud speakers, lighting elements, timing devices, remote controls, motors, etc.

At least one conventional solar collector 45 is operably associated with bird feeder 11 to collect solar energy. In the preferred embodiment, at least one solar collector 45 is disposed on the upper surface of upper canopy 19. Solar collectors 45 either include or are conductively coupled to a conventional solar energy conversion system 47 that converts the solar energy to electrical energy. Electrical charging system 43 uses the electrical energy from the solar energy conversion system 47 or the AC power outlet to recharge rechargeable electrical power source 41. An optional photoresistor 49 disposed on the upper surface of upper canopy 19 is conductively coupled to rechargeable electrical power source 41 to detect the amount of light hitting bird feeder 11 and to provide a corresponding electrical signal that can be used to determine whether power is supplied to certain electrical components.

4

In the preferred embodiment, the electrical power from rechargeable electrical power source 41 is used to illuminate at least one lighting element 51. It is preferred that lighting element 51 be positioned to cast light on and/or through food reservoir 23, perch 25, and as many other components of bird feeder 11 as possible. In the preferred embodiment, lighting elements 51 are disposed beneath main canopy 19. Lighting elements 51 preferably illuminate food reservoir 23 and perch 25 in a decorative fashion. Thus, it will be appreciated that the configuration and choice of materials for food reservoir 23 may produce a distinctive effect on the appearance of bird feeder 11 while being illuminated by lighting elements 51. In the preferred embodiment, lighting elements 51 comprise one or more LEDs. It should be understood that lighting elements may also be fluorescent lighting elements, cold cathode ray tube lighting elements, and/or any other suitable lighting elements.

In the preferred embodiment, lighting elements 51 are carried by an alignment disk 53. Alignment disk 53 is disposed between main canopy 21 and food reservoir 23. It should be understood that alignment disk 53 may be integral with either main canopy 21 or food reservoir 23, or both main canopy 21 and food reservoir 23. Alignment disk 53 includes a plurality of tabs 55 which provide spacing and a means of attaching alignment disk 53 to main canopy 21. Alignment disk 53 may include an annular flange 56 that extends downward from a central aperture 58. Flange 56 preferably has an outside diameter that is slightly smaller than the inside diameter of food reservoir 23, such that flange 56 may protrude slightly into the interior of food reservoir 23. This aligns and centers food reservoir 23 about axis 33. It should be understood that the functions of alignment disk 53 may be achieved by other means, such as tabs, spacers, posts, or clips coupled to main canopy 19. Alignment disk 53, or its functional equivalent, may include conduits or clips for aligning and/or holding and protecting any electrical wiring that is necessary for any electrical components that are operable on bird feeder 11.

An optional on/off switch 61 may be disposed on bird feeder 11 and conductively coupled to rechargeable electrical power source 41 to provide a means to manually activate and deactivate the power from rechargeable electrical power source 41, the power to lighting elements 51, and/or any other electrical components that may be operably associated with bird feeder 11. On/Off switch 61 is preferably disposed beneath main canopy 21 on alignment disk 53. In the preferred embodiment, on/off switch 61 overrides the switching functions of photoresistor 49. It should be understood that one or more on/off switches 61 and their corresponding control circuitry may be utilized to control the various electrical components on bird feeder 11.

It will be appreciated that an invention with significant advantages has been described. Although the present invention is shown in a limited number of forms, it is not limited to just these forms, but is amenable to various changes and modifications without departing from the spirit thereof.

I claim:

1. A bird feeder, comprising:
  - a canopy portion;
  - a perch portion positioned below the canopy portion when the bird feeder is in an upright position;
  - a rechargeable electrical power source;
  - a solar energy system conductively coupled to an electrical charging system for collecting solar energy, converting the solar energy into electrical energy, and transferring the electrical energy to the electrical charging system; and

US 7,017,521 B2

5

- an LED lighting subsystem carried by said bird feeder and electrically coupled to said rechargeable electrical power source for receiving electrical energy therefrom and for illuminating said perch portion from a position above said perch portion while the bird feeder is in an upright position so that said perch portion is visible in low light conditions.
2. A bird feeder according to claim 1, wherein said solar energy system is carried by said canopy portion.
3. A bird feeder according to claim 1, further comprising: a mechanical subsystem for releasably connecting together the canopy portion and the perch portion.

6

4. A bird feeder according to claim 1, further comprising: an electrical charging system conductively couple to the rechargeable electrical power source for recharging the rechargeable electrical power source.
5. The bird feeder according to claim 1, further comprising: a photoresistor conductively coupled to the rechargeable electrical power source for activating and deactivating the rechargeable electrical power source depending upon the amount of light hitting the photoresistor.

\* \* \* \* \*